

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, February 23, 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 February 9, 2021

5. ***Consider*** request by Brian Wade, RLG, Inc., for a **Final Plat** of CSP1 Addition for 2 lots, being 2.531 acres situated in the AW Brown Survey, Abstract 102 (Property ID 180374) – Owner: CONNELL STORAGE PARTNERS #1 LLC (SUB-184-2021)
6. ***Consider*** request by Tim Jackson, Texas Reality Capture & Surveying LLC, for a **Replat** of Lot 5BB, Irwin Branch Addition, to create Lots 5BB1 & 5BB2, Irwin Branch Addition, 10.184 acres (Property ID 151553) in the Extra Territorial Jurisdiction – Owner: DEREK SMITH & KARLA SHIELDS (SUB-1-2021)
7. ***Consider*** request by Marshall Patton, KFM Engineering & Design, for a **Plat** of Buffalo Ridge, Phase 6, for 177 lots, being 55.5859 acres situated in the W Dunn Survey, Abstract 303, and the W Calder Survey, Abstract 235 (Property ID 264869) – Owner: GRBK EDGEWOOD LLC (SUB-4-2021)

8. **Consider** request by Chad Crawford, Brittain and Crawford, for a **Plat** of Garden Valley Addition for 1 lot, being 11.871 acres situated in the JB & Ann Adams Survey, Abstract 5 (Property ID 242239) – Owner: GARDEN VALLEY APARTMENTS LLC (SUB-5-2021)
9. **Public Hearing** on a request by Michael Head, Kosmos Solar, for a Specific Use Permit for **Rooftop Solar Panel System** use within a Single Family-2 zoning district, located at 203 Shetland Court (Property ID 267630) – Owner: MATTHEW J & NICHOLE L CANUTE (ZDC-6-2021)
10. **Consider** recommendation of Zoning Change No. ZDC-6-2021
11. **Public Hearing** on a request by Islam Diab, ADTM Engineering & Construction Corp., for a **Zoning Change** from a General Retail and Planned Development-Single Family Residential-3 zoning district to Planned Development-General Retail, located at the SW corner of Farley Street at Highway 287 (Property ID 181802) - Owner: KSAM LLC (ZDC-186-2021)
12. **Consider** recommendation of Zoning Change No. ZDC-186-2021
13. **Public Hearing** on a request by Ed Fleming, Walton Global Holdings, LTD, for a **Zoning Change** from a Future Development and Planned Development (Ordinance #2330) zoning district to a Planned Development-Mixed Use Residential (MUR) with Concept Plan, located South of FM 875, West of I-35, North of FM 1446, and East of Lone Elm Road (Property IDs 182520, 264568, 263786, 192306, 234203, 179534, 187960, 179468) - Owner: WALTON TEXAS LP (ZDC-7-2021)
14. **Consider** recommendation of Zoning Change No. ZDC-7-2021
15. 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
February 9, 2021

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, February 9, 2021 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

Others Present: Shon Brooks, Director of Planning
Chris Webb, Planner
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**

None

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of January 26, 2021
- b. Minutes of the Planning and Zoning Commission briefing of January 26, 2021

Action:

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

5. **Continue 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)**

Chairman Keeler continued the Public Hearing and stated the applicant requested to continue ZDC-179-2020 to the Planning and Zoning Commission meeting of February 23, 2021.

6. **Consider recommendation of Zoning Change No. ZDC-179-2020**

Action:

Ms. Betty Square Coleman moved to continue the 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

Planning and Zoning Commission
February 9, 2021
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(Property ID 180391) - Owner: WAXAHACHIE ONE DEVELOPMENT (ZDC-179-2020) to the Planning and Zoning Commission meeting of February 23, 2021. Mr. David Hudgins seconded, All Ayes.

7. **Consider request by Tim Jackson, Texas Reality Capture & Surveying LLC, for a Plat of Macias Estates for 2 lots being 7.000 acres situated in the GW Younger Survey, Abstract 1195, and the B Barton Survey, Abstract 137 (Property ID 192608) in the Extra Territorial Jurisdiction – Owner: RICHARD & MARIA G MACIAS (SUB-146-2020).**

Planner Chris Webb reported the applicant is requesting to plat one (1) lot into two (2) lots. He reported the property has adequate water and fire flow. Staff recommended approval.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Tim Jackson, Texas Reality Capture & Surveying LLC, for a Plat of Macias Estates for 2 lots being 7.000 acres situated in the GW Younger Survey, Abstract 1195, and the B Barton Survey, Abstract 137 (Property ID 192608) in the Extra Territorial Jurisdiction – Owner: RICHARD & MARIA G MACIAS (SUB-146-2020) as presented. Mr. David Hudgins seconded, All Ayes.

8. **Consider request by Tim Jackson, Texas Reality Capture & Surveying LLC, for a Plat of Anglen Acres for 2 lots being 10.048 acres situated in the M Myers Survey, Abstract 714, JC Armstrong Survey, Abstract 6, and the J Fifer Survey, Abstract 351 (Property ID 179026) in the Extra Territorial Jurisdiction – Owner: AARON & BARBARA ANGLEEN (SUB-165-2020).**

Mr. Webb reported the applicant is requesting to plat the property into two (2) lots. One lot would be for continued residential use and the other lot will be for continued commercial use. He stated there is adequate domestic water flow, but adequate fire flow is not available. Staff recommended approval.

Action:

Mrs. Bonney Ramsey moved to approve a request by Tim Jackson, Texas Reality Capture & Surveying LLC, for a Plat of Anglen Acres for 2 lots being 10.048 acres situated in the M Myers Survey, Abstract 714, JC Armstrong Survey, Abstract 6, and the J Fifer Survey, Abstract 351 (Property ID 179026) in the Extra Territorial Jurisdiction – Owner: AARON & BARBARA ANGLEEN (SUB-165-2020) as presented. Mr. Erik Test seconded, All Ayes.

9. **Consider request by Robert Hill, P&R Builders, LLC for a Plat of Country Meadows Phase 3 for thirty-six (36) residential lots being 45.121 acres situated in the G.W. Younger Survey, Abstract 1195 (Property ID: 192620) in the Extra Territorial Jurisdiction – Owner: P&R Builders, LLC (SUB-150-2020)**

Mr. Webb reported the applicant is requesting to plat the subject property into thirty-six (36) lots for residential use as the third phase of Country Meadows Estates. He stated adequate domestic and fire flow are available to the subject property and recommended approval.

(4a)

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February 9, 2021
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Action:

Vice Chairman Melissa Ballard moved to approve a request by Robert Hill, P&R Builders, LLC for a Plat of Country Meadows Phase 3 for thirty-six (36) residential lots being 45.121 acres situated in the G.W. Younger Survey, Abstract 1195 (Property ID: 192620) in the Extra Territorial Jurisdiction – Owner: P&R Builders, LLC (SUB-150-2020) as presented. Mrs. Bonney Ramsey seconded, All Ayes.

10. Adjourn

Ms. Betty Square Coleman expressed concern with several properties being out of compliance with the zoning requirements.

There being no further business, the meeting adjourned at 7:07 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

(5)

Planning & Zoning Department
Plat Staff Report

Case: SUB-184-2021



MEETING DATE(S)

Planning & Zoning Commission: February 23, 2021

CAPTION

Consider request by Brian Wade, RLG, Inc. for a Final Plat of CSP1 Addition for 2 lots, being 2.531 acres situated in the A.W. Brown Survey, Abstract 102 (Property ID 180374) – Owner: Connell Storage Partners #1, LLC. (SUB-000184-2021)

APPLICANT REQUEST

The applicant is requesting to plat the subject property into two (2) commercial lots.

CASE INFORMATION

Applicant: Brian Wade, RLG, Inc.
Property Owner(s): Connell Storage Partners #1, LLC.
Site Acreage: 2.531 acres
Number of Lots: 2 lots
Number of Dwelling Units: 0 units
Park Land Dedication: The cash in lieu of park land dedication for this case is estimated at \$1,518.60 (2.531 acres at \$600.00 per acre).
Adequate Public Facilities: Adequate public facilities are available to the subject property.

SUBJECT PROPERTY

General Location: Located at the SW intersection of Cardinal Rd and US Hwy 77
Parcel ID Number(s): 180374
Current Zoning: Commercial
Existing Use: Undeveloped
Platting History: The preliminary plat for the subject property, PP-19-0037, was approved by City Council on April 15, 2019.

(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.

ATTACHED EXHIBITS

1. Plat Drawing

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

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

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

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

OWNER'S CERTIFICATE
STATE OF TEXAS §
COUNTY OF ELLIS §

Whereas, Connell Storage Partners #1, LLC, is the owner of a 110,237 square foot (2.531 acres) tract of land situated in the A.W. BROWN SURVEY, ABSTRACT NO. 102, City of Waxahachie, Ellis County, Texas, being a portion of a called 11.712 acre tract of land described in a Warranty Deed with Vendors Lien to Connell Storage Partners #1 LLC, recorded in Instrument No.1829744, Deed Records, Ellis County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found at the intersection of the westerly right-of-way of U.S. Highway 77 (a variable width right-of-way), recorded in Volume 1534, Page 564, Deed Records, Ellis County, Texas and the south line of Cardinal Lane (a 70 foot right-of-way) according to the Cardinal IG Addition, an addition to the City of Waxahachie, Texas, recorded in Cabinet D, Slide 248, Plat Records, Ellis County, Texas, from which a 1/2" iron rod found bears North 11 degrees 01 minute 50 seconds East, a distance of 70.06 feet along the west line of said U.S. Highway 77 for the southeast corner of a called 1.1194 acre tract of land described in a deed to Ennis State Bank, recorded in Volume 2268, Page 1171, Deed Records, Ellis County, Texas;

THENCE along the common line between said U.S. Highway 77 and said 11.712 acre tract, the following bearings and distances:

South 10 degrees 26 minutes 39 seconds West, a distance of 49.74 feet to a 1/2" capped iron rod stamped "EBG ENG." found for corner;

South 08 degrees 01 minute 42 seconds West, a distance of 100.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set;

South 05 degrees 36 minutes 03 seconds West, a distance of 100.00 feet to a 1/2" capped iron rod stamped "EBG ENG." found for corner;

South 03 degrees 11 minutes 26 seconds West, a distance of 99.75 feet to a 1/2" iron rod found for the southeast corner of said 11.712 acre tract and the northeast corner of a called 22.251 acre tract of land described in a Special Warranty Deed to Texcap Funding, Ltd., recorded in Instrument No. 1818279, Deed Records, Ellis County, Texas, from which a 1/2" iron rod found bears South 00 degrees 23 minutes 29 seconds West, a distance of 111.54 feet;

THENCE South 89 degrees 06 minutes 40 seconds West, along the common line between said 11.712 acre tract and said 22.251 acre tract, a distance of 271.69 feet to a 1/2" capped iron rod stamped "RLG INC" set, from which the southwest corner of said 11.712 acre tract and the northwest corner of said 22.251 acre tract bears South 89 degrees 06 minutes 40 seconds West, a distance of 983.44;

THENCE over and across said 11.712 acre tract the following bearings and distances;

North 00 degrees 30 minutes 55 seconds West, a distance of 371.98 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set;

South 89 degrees 29 minutes 05 seconds West, a distance of 31.64 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set;

North 00 degrees 30 minutes 55 seconds West, a distance of 20.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set in the south line of said Cardinal Lane;

THENCE along the common line between said Cardinal Lane and said 11.712 acre tract, the following bearings and distances:

North 89 degrees 29 minutes 05 seconds East, a distance of 78.13 feet to a chiseled "X" set for the beginning of a tangent curve to the right;

Along said curve to the right, whose chord bears South 83 degrees 31 minutes 48 seconds East, a chord distance of 186.07 feet, having a radius of 765.00 feet, a central angle of 13 degrees 58 minutes 15 seconds, and an arc length of 186.54 feet to a 1/2" iron rod found for the end of said curve;

South 76 degrees 32 minutes 40 seconds East, a distance of 86.47 feet to the POINT OF BEGINNING, containing 110,237 square feet or 2.531 acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, CONNELL STORAGE PARTNERS #1 LLC, acting herein by and through its duly authorized officer, does hereby adopt this plat designating the herein above described property as CSP1 Addition, an addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waxahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of any time procuring permission from anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Waxahachie, Texas.

WITNESS, my hand, this the _____ day of _____, 2021.

BY:

Mark Connell, President of Connell Realty Services, Inc.
Managing Member of Connell Storage Partners, #1 LLC

State of Texas
County of Dallas

Before me, the undersigned, a notary public in and for said county and state on this day appears Mark Connell, President of Connell Realty Services, Inc., Managing Member of Connell Storage Partners, #1 LLC, 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 therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS, THE _____ OF _____, 2021.

Notary Public in and for the State of Texas

GENERAL NOTES

- Bearings shown herein are based on field observations using the Western Data Systems Virtual Reference Station Global Positioning System survey instruments and procedures, North American Datum of 1983, North Central Texas Zone 4202.
- The purpose of this plat is to create two lots from one existing lot.
- There are no buildings to be removed from subject property.
- Any structure new or existing may not extend across property lines.
- This property may be subject to charges relating to impact fees, and the applicant should contact the city regarding any applicable fees due.
- This plat does not alter or remove deed restrictions or covenants, if any, on this property.
- Flood Insurance Rate Map number 48139C0200F, effective date of June 3, 2010, shows the subject property shown hereon lies within Zone "X" defined as "areas determined to be outside the 0.2% annual chance floodplain."

Surveyor's Certificate

KNOW ALL MEN BY THESE PRESENTS:

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

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

Brian R. Wade R.P.L.S. 6098 _____ Date

State of Texas
County of Dallas

Before me, the undersigned, a notary public in and for said county and state on this day appears Brian R. Wade, 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 therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS, THE _____ OF _____, 2021.

Notary Public in and for the State of Texas

Approved by the Planning and Zoning Commission

Chairperson _____ Date

Attest _____ Date

**FINAL PLAT
OF
CSP1 ADDITION
LOTS 1 AND 2, BLOCK A
2.531 ACRE TRACT
EXISTING ZONING = C**

**A.W. BROWN SURVEY, ABSTRACT NO. 102
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS**

SCALE: 1" = 50'

DATE: 11/19/2020

CASE NO. SUB-184-2021

OWNER:
CONNELL STORAGE PARTNERS #1 LLC
2361 WEST NORTHWEST HIGHWAY, STE. 2301
DALLAS, TEXAS 75220
214-387-4834
BRYAN M. CONNELL

SURVEYOR:
RAYMOND L. GOODSON JR., INC.
12001 N. CENTRAL EXPRESSWAY, STE. 300
DALLAS, TX 75248
214-758-8100
rlg@rlginc.com
TX REG #17-488
TSPELS REG #100841-00

SHEET 2 OF 2

(5)

(6)

Planning & Zoning Department
Plat Staff Report

Case: SUB-1-2021



MEETING DATE(S)

Planning & Zoning Commission: February 23, 2021

CAPTION

Consider request by Tim Jackson, Texas Reality Capture & Surveying, LLC for a Replat of Lot 5BB, Irwin Branch, to create Lots 5BB1 and 5BB2, Irwin Branch, being 10.184 acres (Property ID 151553) in the Extra Territorial Jurisdiction – Owner: Derek Smith and Karla Shields (SUB-1-2021)

APPLICANT REQUEST

The applicant is requesting to replat the current subject property into two (2) lots of roughly five (5) acres in size each.

CASE INFORMATION

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

Property Owner(s): Derek Smith and Karla Shields

Site Acreage: 10.184 acres

Number of Lots: 2 lots

Number of Dwelling Units: 1 unit

Park Land Dedication: N/A (ETJ)

Adequate Public Facilities: A water letter signed by Sardis-Lone Elm WSC states that adequate domestic flow and fire flow are available to the subject property site.

SUBJECT PROPERTY

General Location: 2141 Marshall Rd

Parcel ID Number(s): 151553

Current Zoning: N/A (ETJ)

Existing Use: Single Family Residence

Platting History: The subject property (Lot 5BB) was created as a result of a replat performed as part of Case RP-17-0053. This case received Council approval on June 5, 2017.

(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.

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

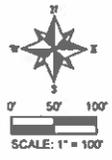
A plat shall not be filed with the Ellis County Clerk until:

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



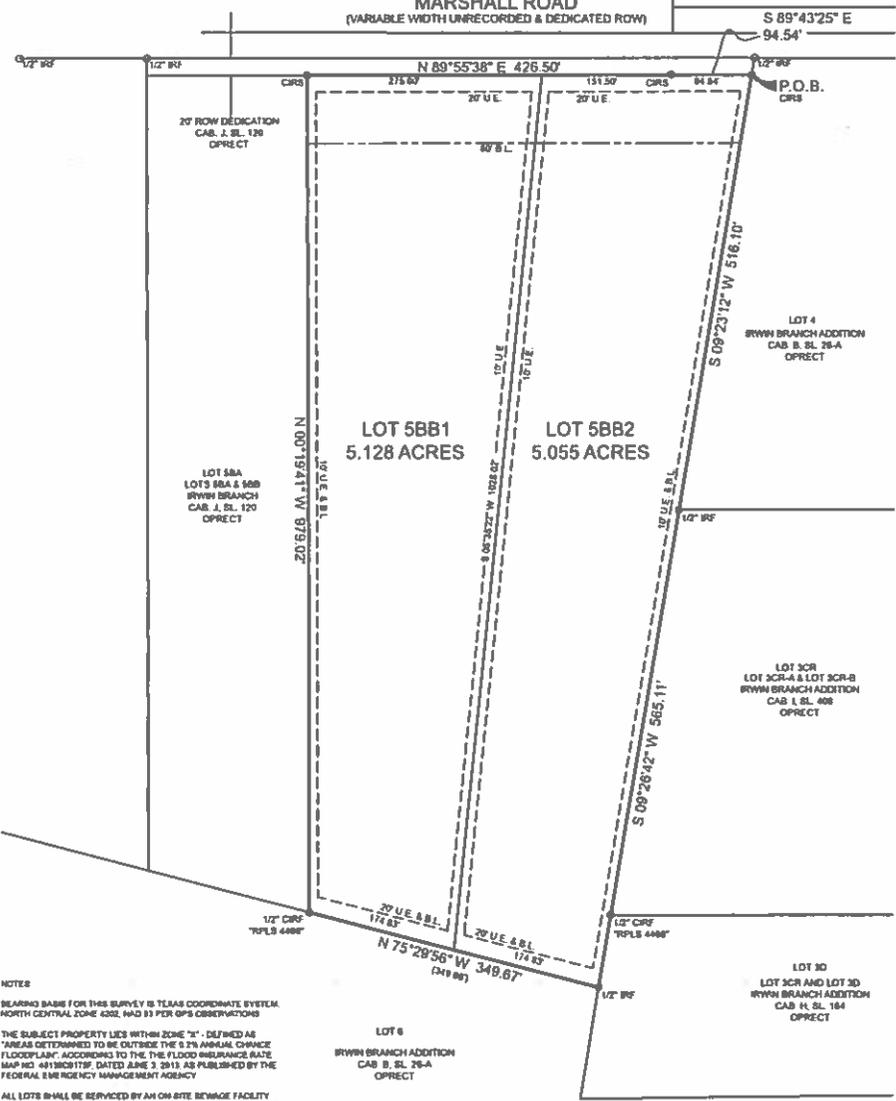
LEGEND
 CRP = CAPPED IRON ROD FOUND
 CRPS = 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TRICE" SET
 IRF = IRON ROD FOUND
 PRD = FOUND
 OPRECT = OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS
 BL = BUILDING LINE
 UL = UTILITY EASEMENT

VICINITY MAP
NOT TO SCALE

ABRONS DEVELOPMENT, LLC
 TRACT 1A
 PAST NO 1715451
 OPRECT

MARSHALL ROAD
 (VARIABLE WIDTH UNRECORDED & DEDICATED ROW)

MCHAUGHTON'S CORNER, NO 2
 CAB F, BL 45
 OPRECT
 LOT 2



OWNER'S CERTIFICATE

STATE OF TEXAS
 COUNTY OF ELLIS

WHEREAS, DEREK SMITH AND KARLA SHELDON ARE THE SOLE OWNERS OF A TRACT OF LAND SITUATED IN THE W. IRWIN BRANCH ADDITION, ABSTRACT NO. 545, ETJ CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS AND BEING ALL OF LOT 588 OF LOTS 588A AND 588B, IRWIN BRANCH ADDITION, RECORDED IN CABINET A, SLIDE 124, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS, COUNTY, AND ALL OF THIS TRACT OF LAND DESCRIBED IN DEED TO DEREK SMITH AND KARLA SHELDON, RECORDED IN INSTRUMENT NO. 181792, OPRECT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING AND AS A 5/8" IRON ROD WITH CAP STAMPED "TRICE" SET FOR THE NORTHEAST CORNER OF SAID LOT 588, IN THE WEST LINE OF LOT 4, OF SAID IRWIN BRANCH ADDITION, RECORDED IN CABINET B, SLIDE 28-A, OPRECT, IN THE SOUTH RIGHT-OF-WAY FROM LINE OF MARSHALL ROAD UNRECORDED AND DEDICATED ROW, FROM WHICH A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID LOT 4 BEARS N 89°23'12" E, A DISTANCE OF 28.26 FEET

THENCE S 89°23'12" W ALONG THE EAST LINE OF SAID LOT 588 AND THE COMMON WEST LINE OF SAID LOT 4 A DISTANCE OF 516.18 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 4 AND THE COMMON NORTHWEST CORNER OF LOT 3CR, LOT 3CR-A AND LOT 3CR-B, IRWIN BRANCH ADDITION, RECORDED IN CABINET 1, SLIDE 408, OPRECT.

THENCE E 89°28'47" W ALONG THE EAST LINE OF SAID LOT 588 AND THE COMMON WEST LINE OF SAID LOT 3CR AND THE COMMON WEST LINE OF LOT 3D, LOT 3D AND LOT 3D, IRWIN BRANCH ADDITION, RECORDED IN CABINET H, SLIDE 184, OPRECT, A DISTANCE OF 585.11 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 588. THE COMMON NORTHWEST CORNER OF LOT 6, OF SAID IRWIN BRANCH ADDITION AND IN THE WEST LINE OF SAID LOT 3D.

THENCE N 75°29'54" W ALONG THE SOUTH LINE OF SAID LOT 588 AND THE COMMON NORTH LINE OF SAID LOT 6, A DISTANCE OF 349.67 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "TRIPS 4488" FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 588. THE COMMON SOUTHWEST CORNER OF SAID LOT 588 AND IN THE SOUTH LINE OF SAID LOT 6.

THENCE N 89°19'41" W ALONG THE WEST LINE OF SAID LOT 588 AND THE COMMON EAST LINE OF SAID LOT 58A, A DISTANCE OF 879.82 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TRICE" SET FOR THE NORTHWEST CORNER OF SAID LOT 588 AND THE COMMON NORTHWEST CORNER OF SAID LOT 58A AND IN THE SOUTH LINE OF SAID MARSHALL ROAD.

THENCE N 89°28'47" E, ALONG THE NORTH LINE OF SAID LOT 588 AND THE COMMON SOUTH ROW LINE OF SAID MARSHALL ROAD A DISTANCE OF 428.98 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TRICE" SET FOR CORNER.

THENCE S 89°43'25" E, CONTINUING ALONG THE NORTH LINE OF SAID LOT 588 AND THE COMMON SOUTH ROW LINE OF SAID MARSHALL ROAD, A DISTANCE OF 94.54 FEET TO THE POINT OF BEGINNING AND CONTAINING 19.18 ACRES OF LAND MORE OR LESS.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS THAT DEREK SMITH AND KARLA SHELDON, DO HEREBY CERTIFY AND ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS REPLAT LOTS 5881 & 5882, IRWIN BRANCH ADDITION, AN ADDITION TO ELLIS COUNTY AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS IN-OWN THE REON DEREK SMITH AND KARLA SHELDON 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 BUILDING, FENCE, TREE, 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 CROSS THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC 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 BUILDING, FENCE, TREE, 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 PURPOSES 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 OBTAINING PERMISSION FROM ANYONE.
9. ALL MODIFICATIONS TO THIS DOCUMENT SHALL BE BY MEANS OF A PLAT AND APPROVED BY ELLIS COUNTY.

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

STATE OF TEXAS
 COUNTY OF ELLIS

CERTIFICATE OF APPROVAL BY THE COMMISSIONERS COURT OF ELLIS COUNTY TEXAS

APPROVED THIS, _____ DAY OF _____, 2021

TODD LITTLE
 COUNTY JUDGE

RANDY STEPHEN
 COMMISSIONER PRECINCT 1

LAME GRAYSON
 COMMISSIONER PRECINCT 2

PAUL PERMY
 COMMISSIONER PRECINCT 3

KYLE BUTLER
 COMMISSIONER PRECINCT 4

ATTEST

RYTHAL WALDEZ
 COUNTY CLERK

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

DEPARTMENT OF DEVELOPMENT DIRECTOR DATE

WITNESSE, MY HAND THIS _____ DAY OF _____, 2021

BY

DEREK SMITH
 STATE OF TEXAS
 COUNTY OF ELLIS

KARLA SHELDON

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

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, 2021

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 KARLA SHELDON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTE THE SAME FOR THE PURPOSES HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, 2021

NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS

I, TRATHY L. JACKSON, EPLS, 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 TITLE DEDICATION" SHALL NOT BE REVALUED FOR ANY FEES AND SHALL HAVE THE SAME FORCE AND EFFECT AS IF MADE BY THE "TITLE DEDICATION"

TRATHY L. JACKSON
 REGISTRATION NUMBER 5444

OWNER:
 DEREK SMITH & KARLA SHELDON
 203 LISA WAY
 RED OAK, TX 75154
 972.248.3373
 CLSANTHEAT@GMAIL.COM

SURVEYOR:
 TEXAS REALTY CAPTURE & SURVEYING, L.L.C.
 P.O. BOX 252
 WAXAHACHE, TEXAS 75148
 489.818.0036
 TRPLS.FRS@10194350

NOTES

BEARING BASIS FOR THIS SURVEY IS TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE 4302, NAD 83 PER GPS OBSERVATIONS

THE SUBJECT PROPERTY LIES WITHIN ZONE "X", DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 9 3/4" ANNUAL CHANCE FLOODPLAIN", ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48198017P, DATED JUNE 3, 2015, 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

REPLAT
LOTS 5881 & 5882
IRWIN BRANCH
ADDITION
 BEING A REPLAT
 OF LOT 588
 IRWIN BRANCH
 10.184 ACERS

SITUATED IN THE
 W. IRWIN SURVEY
 ABSTRACT NO. 545
 ETJ CITY OF WAXAHACHE
 ELLIS COUNTY, TEXAS
 SUB-1-2021

DECEMBER 2020 PAGE 1 OF 1

(6)

(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: Devek Smith & Kara Shields Parcel ID #: 151553
Subdivision Name: Irwin Branch 5BB

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

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

Contact Information:

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

To be completed by the water utility provider:

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

Joni Elston

Print Name of General Manager of water provider or Designee

Joni Elston
Signature of General Manager of water provider or Designee

Sardis Lone Elm Water Supply Corp
Name of water provider company

Name of water provider company

1-15-21

Date

**Planning & Zoning Department
Plat Staff Report**

Case: SUB-4-2021



MEETING DATE(S)

Planning & Zoning Commission: February 23, 2021

City Council: March 1, 2021

CAPTION

Consider request by Joshua Millsap, KFM Engineering & Design, for a **Plat** of Buffalo Ridge Phase 6 for 178 lots, being 55.586 acres situated in the W. Calder Survey, Abstract 235 and the W. Dunn Survey, Abstract 303 (Property ID 264869) – Owner: Bobby Samuel, GRBK Edgewood, LLC (SUB-4-2021)

APPLICANT REQUEST

The applicant is requesting to plat the subject property into a sixth phase of the Buffalo Ridge subdivision. The applicant is also requesting a petition of relief waiver from City Council to allow for 10-foot utility easement setbacks instead of the 15-foot utility easement setbacks required in the Waxahachie Subdivision Ordinance.

CASE INFORMATION

Applicant: Joshua Millsap, KFM Engineering & Design

Property Owner(s): Bobby Samuel, GRBK Edgewood, LLC

Site Acreage: 55.586 acres

Number of Lots: 178 lots

Number of Dwelling Units: 177 units

Park Land Dedication: The cash in lieu of park land dedication for this case is **\$70,800.00** (\$400.00 per residential lot at 177 residential lots).

Adequate Public Facilities: Adequate public facilities are available for the subject property.

SUBJECT PROPERTY

General Location: Adjacent to and south of Broadhead Rd. and located just east of the previously approve Buffalo Ridge Ph. 5.

Parcel ID Number(s): 264869

Current Zoning: PD-SF

Existing Use: Undeveloped

Platting History:

The subject property is located in the W. Calder Survey, Abstract 235 and the W. Dunn Survey, Abstract 303.

Site Aerial:



PETITION OF RELIEF WAIVER REQUEST

Background

This plat, along with the already approved Buffalo Ridge Phase 5, were included in the preliminary plat for Buffalo Ridge Phase 5 (PP-17-0029). When the applicant brought the plat for Buffalo Ridge Phase 5 (SUB-51-2020) through P&Z and City Council, they had requested a petition of relief waiver be granted to allow a 10' utility easement. The applicant provided staff with documentation from franchise utility companies stating they would be okay with the 10' utility easement. This request was approved by City Council on May 18, 2020.

Waiver Request

The applicant is again requesting a petition of relief from the 15' utility easement to be reduced down to 10'. Officially speaking, the already approved Buffalo Ridge Phase 5 must be viewed as an altogether different case, and therefore staff cannot automatically extend the waiver to Buffalo Ridge Phase 6 and will need City Council to grant or deny the waiver.

Required P&Z Action

Due to this case having a petition for relief waiver associated with it, the Planning and Zoning Commission must provide City Council a recommendation on two separate items:

1. Either a recommendation of approval or disapproval of the plat.
 - Bear in mind that since this is a plat case, approval with comment will not be an option.
2. Either a recommendation of approval or denial of the petition of relief waiver.

PLAT 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.

PETITION OF RELIEF WAIVER 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.
 1. Given that Buffalo Ridge Phase 5 was granted this request, and that the franchise utility companies are okay with the 10' utility easement, staff is supportive of this request.

ATTACHED EXHIBITS

1. Plat Drawing

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

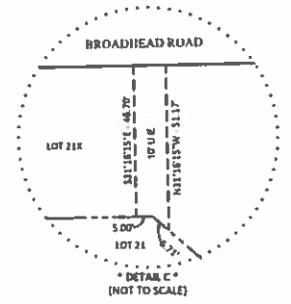
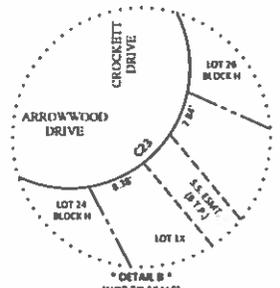
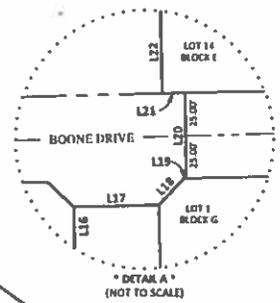
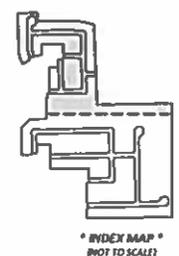
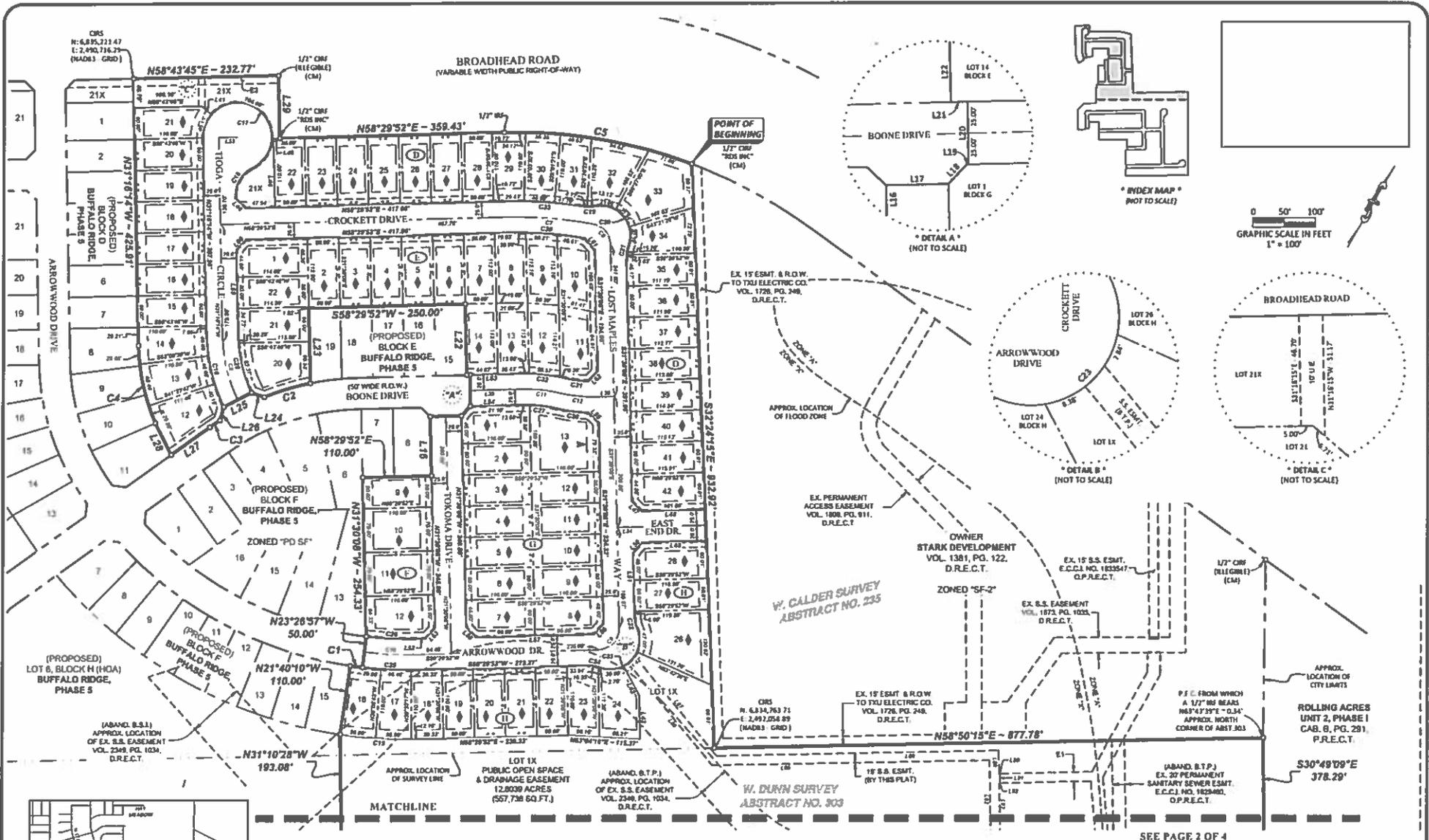
A plat shall not be filed with the Ellis County Clerk until:

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

STAFF CONTACT INFORMATION

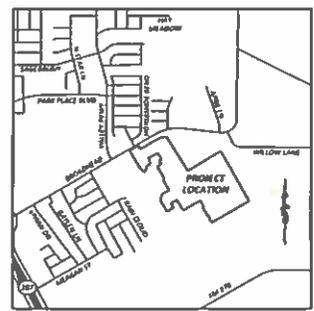
Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

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



0 50' 100'
GRAPHIC SCALE IN FEET
1" = 100'

(7)



LEGEND

CRF	IRON ROD FOUND WITH CAP	O.P.R.E.C.T.	OFFICIAL PUBLIC RECORDS
CRS	3/8" IRON ROD WITH CAP STAMPED	E.S.L.	ELLIS COUNTY, TEXAS
RF	"SPONOR SIZE" SET IRON ROD FOUND	B.T.P.	BY SEPARATE INSTRUMENT
P.F.C.	POINT FOR CORNER	(B)	BLOCK REFERENCE
(C&R)	CONTROLLING MONUMENT	E	CERTIFICATE
VOL.	VOLUME	(D)	DETAIL REFERENCE
PG.	PAGE	E1	EASEMENT REFERENCE
E.C.C.I. NO.	ELLIS COUNTY CLERK'S INSTRUMENT NUMBER	M.F.	MIRIAM FINISHED FLOOR ELEVATION
D.R.E.C.T.	DEED RECORDS, ELLIS COUNTY, TEXAS	S.S.	SANITARY SEWER
		★	LOT SETBACK DESIGNATION
		≡	STREET FRONTAGE NOTATION

E1 EX. 20 PERMANENT SANITARY SEWER ESM.T. VOL. 1453, PG. 908, O.P.R.E.C.T.

E2 REMAINDER OF EX. WATER ESM.T. TO CROCKETT SPECIAL UTILITY DISTRICT VOL. 1453, PG. 908, D.R.E.C.T.

OWNER/APPLICANT
G&S EDEYWOOD, LLC
2805 DALLAS FHWY, STE 400
PLANO, TX 75093
PH: (972) 658-2112
ATTN: BOBBY SAMUEL

KFM
ENGINEERING & DESIGN
413 N. MAIN ST., STE 415
GRAPESVILLE, TX 75843
PH: (937) 416-6586
ATTN: KISHA MILES, PE

SPOONER & ASSOCIATES
OVER 25 YEARS OF SERVICE
2009ERS STREET SUITE 900, ELLENS, TEXAS 76828
817-854-8148 WWW.SPOONERENGINEERING.COM
TIFLS FIRM NO. 5226490 - SSA 11229

THIS DOCUMENT IS PRELIMINARY FOR REVIEW PURPOSES ONLY
ERIC S. SPOONER, R.P.L.S.
FEBRUARY 3, 2021

NOTES
All distances along curves shown herein are arc lengths.
See Page 3 for Line, Curve and Area Tables, and lot details.
See Page 4 for Owner's Certificate and Declaration, Surveyor's Statement and General Notes.

PLAT OF BUFFALO RIDGE, PHASE 6
BEING A 55.5859 ACRE TRACT OF LAND LOCATED IN THE W. DUNN SURVEY, ABSTRACT NO. 303 & THE W. CALDER SURVEY, ABSTRACT NO. 235, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
ZONED SF-3
177 LOTS - 55.5859 ACRES
FEBRUARY - 2021
PAGE 1 OF 4

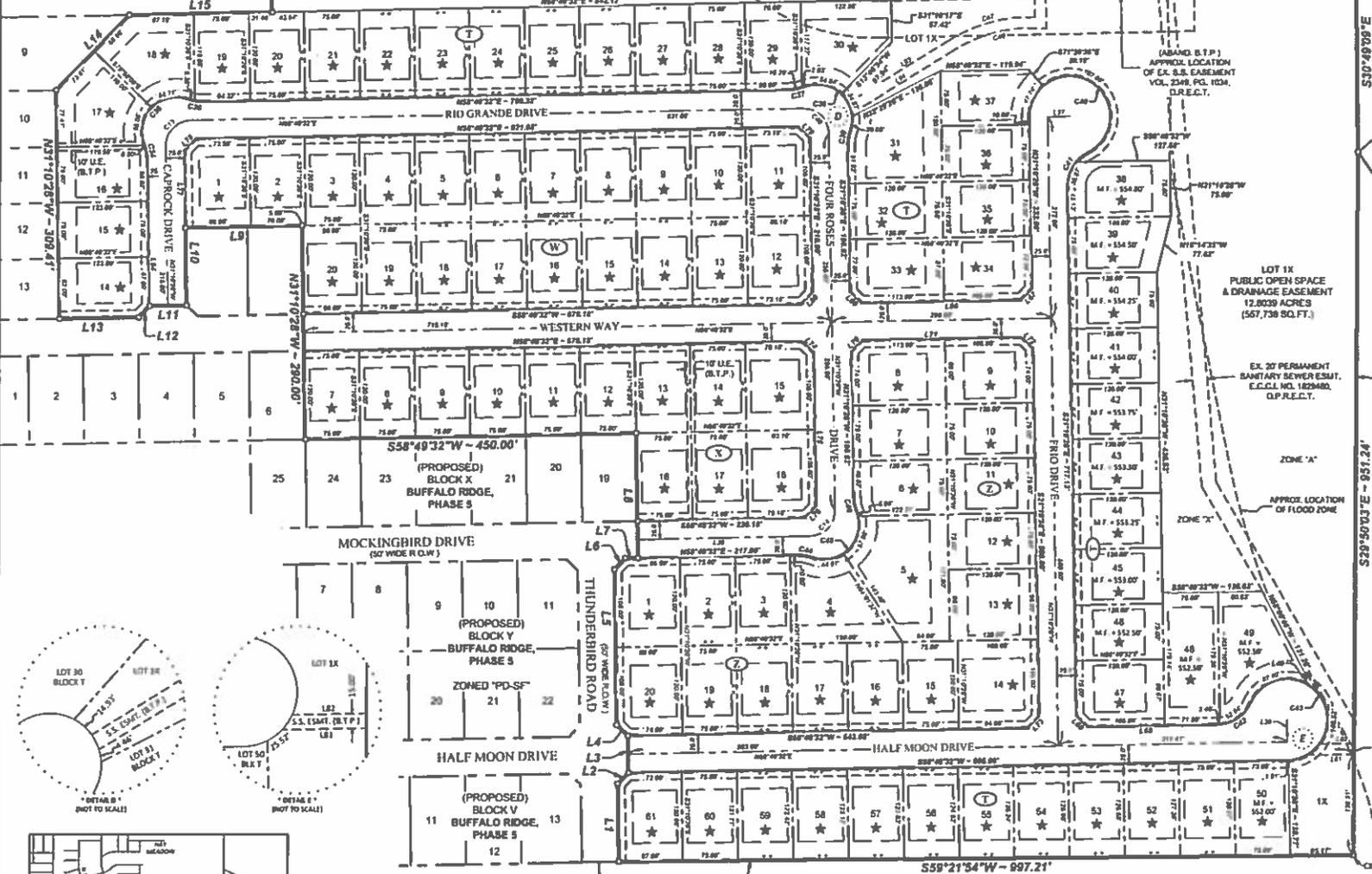
SEE PAGE 2 OF 4

(PROPOSED) LOT 8, BLOCK H (HOA) BUFFALO RIDGE, PHASE 5

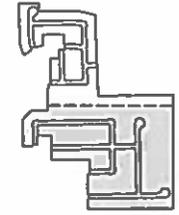
N31°10'28"W 193.08'

LOT 1X PUBLIC OPEN SPACE & DRAINAGE EASEMENT 12.8039 ACRES (567,738 SQ.FT.)

MATCHLINE



ROLLING ACRES UNIT 2, PHASE I CAB. B, PG. 291, P.R.E.C.T.

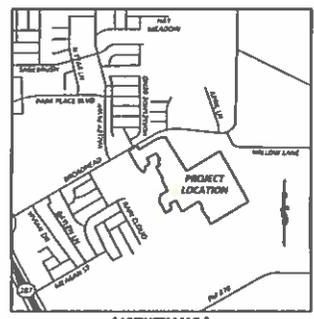
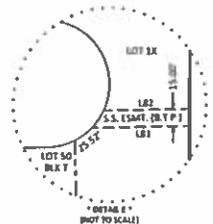
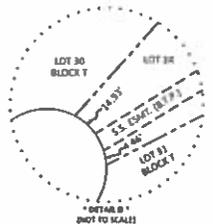


APPROX LOCATION OF CITY LIMITS

CALLED: 233.21 ACRES ELLIS COUNTY (NO RECORDS FOUND)

EX. 20' PERMANENT SANITARY SEWER ESMT. E.C.C.I. NO. 182948, O.P.R.E.C.T.

APPROX LOCATION OF FLOOD ZONE



- * LEGEND ***
- CRP IRON ROD FOUND WITH CAP
 - CRS 5/8" IRON ROD WITH CAP STAMPED
 - RFV "SPOONER 2822" SET
 - RFV IRON ROD FOUND
 - P.F.C. POINT FOR CORNER
 - (CM) CONTROLLING MONUMENT
 - VOL. LINE
 - PG. MANNING FINISHED FLOOR ELEVATION
 - E.C.C.I. NO. ELLIS COUNTY CLERK'S INSTRUMENT NUMBER
 - D.R.E.C.T. DEED RECORDS, ELLIS COUNTY, TEXAS
 - O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS ELLIS COUNTY, TEXAS
 - B & I BY SEPARATE INSTRUMENT
 - B.T.P. BY THIS PLAT
 - BRK. BLOCK REFERENCE
 - C CENTERLINE
 - D DETAIL REFERENCE
 - E1 EASEMENT REFERENCE
 - M.F. MINIMUM FINISHED FLOOR ELEVATION
 - S.S. SANITARY SEWER
 - ★ LOT SETBACK DESIGNATION
 - STREET FRONTAGE NOTATION

OWNER/APPLICANT
6888 EDGEWOOD, LLC
2808 DALLAS PKWY, STE 408
PLANO, TX 75068
PH: (817) 658-2122
ATTN: BOBBY SAMUEL

ENGINEER:

ENGINEERING & DESIGN
621 W. MAIN ST., STE 415
GRAPEVINE, TX 76033
PH: (817) 416-4536
ATTN: JOAN MULLSAP, PE

SURVEYOR:

OVER 25 YEARS OF SERVICE
300 BYERS STREET, SUITE 100 ELLESB, TEXAS 76028
(817) 855-8448 WWW.SPOONERANDASSOCIATES.COM
TIPS@SPOONERANDASSOCIATES.COM

THIS DOCUMENT IS PRELIMINARY FOR REVIEW PURPOSES ONLY ERIC S. SPOONER, R.P.L.S. FEBRUARY 3, 2021

All distances along curves shown herein are arc lengths. See Page 3 for Linn, Curve and Area Tables, and lot details. See Page 4 for Owner's Certificate and Dedication, Surveyor's Statement, and General Notes.

PLAT OF BUFFALO RIDGE, PHASE 6 BEING A 55.5859 ACRE TRACT OF LAND LOCATED IN THE W. DUNN SURVEY, ABSTRACT NO. 303 & THE W. CALDER SURVEY, ABSTRACT NO. 235, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS ZONED SF-3 177 LOTS - 55.5859 ACRES FEBRUARY ~ 2021

(7)

CURVE TABLE				
CURVE	RADIUS	LENGTH	CH BEARING	CH LENGTH
C1	825.00	18.42	N87°28'28"E	18.41
C2	425.00	78.84	S42°58'10"W	78.73
C3	425.00	19.87	S25°36'42"W	19.87
C4	335.00	127.89	N42°40'00"W	127.21
C5	800.00	308.58	N88°29'35"E	304.71
C6	285.17	108.08	S43°37'01"E	107.33
C7	685.00	138.28	N64°29'49"E	138.01
C8	35.00	47.85	S70°30'11"E	44.05
C9	35.00	54.98	S13°29'52"W	49.50
C10	800.00	84.33	S62°31'27"W	84.28
C11	250.00	86.32	S88°05'14"W	86.13
C12	258.08	52.82	N65°52'34"E	52.83
C13	35.00	54.98	S13°49'32"W	49.50
C14	35.00	54.98	N13°49'32"E	49.50
C15	735.00	128.14	N63°24'31"E	123.86
C16	280.17	125.83	S43°03'48"E	124.85
C17	55.00	234.82	S88°57'32"E	92.97
C18	90.00	56.39	S01°02'27"W	53.45
C19	90.00	17.89	N58°42'41"E	17.79
C20	47.00	100.01	S70°33'32"E	82.18
C21	30.00	18.11	S20°30'08"E	18.00
C22	50.00	18.11	S42°27'08"E	18.00
C23	47.00	108.78	S13°29'52"W	88.48
C24	50.00	18.11	S69°28'52"W	18.00
C25	825.00	87.85	N62°31'27"W	87.77
C26	575.00	80.82	N62°31'27"E	80.75
C27	225.00	80.09	S88°08'35"W	80.91
C28	283.08	48.38	N88°50'56"E	48.32
C29	240.17	102.88	S42°48'45"E	101.88
C30	640.00	128.81	S64°19'22"W	128.80
C31	233.08	37.78	N87°00'58"E	37.72
C32	275.00	72.51	S88°03'04"W	72.30
C33	880.00	125.74	N63°43'00"E	125.58
C34	50.00	18.11	N42°07'28"W	18.00
C35	47.00	108.78	N13°49'32"E	88.48
C36	50.00	18.11	N88°46'32"E	18.00
C37	50.00	18.11	N47°52'31"E	18.00
C38	47.00	108.78	S78°10'28"E	88.48
C39	50.00	18.11	S20°13'28"E	18.00
C40	55.00	234.82	S48°51'47"E	82.97
C41	50.00	56.39	S01°08'13"W	53.45
C42	50.00	56.39	N26°30'50"E	53.45
C43	55.00	234.82	S63°29'10"E	82.97
C44	50.00	18.11	N89°46'32"E	18.00
C45	47.00	108.78	N13°49'32"E	88.48
C46	50.00	18.11	N42°07'28"W	18.00
C47	210.34	125.58	S44°28'11"W	123.70
C48	185.34	132.53	S48°48'47"W	128.97
C49	35.00	54.98	N78°10'28"W	49.50

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N01°10'28"W	108.18
L2	N13°49'32"E	21.21
L3	N01°10'28"W	50.00
L4	N78°10'28"W	21.21
L5	N13°49'32"E	210.00
L6	N13°49'32"E	21.21
L7	N68°49'32"E	17.80
L8	N01°10'28"W	178.00
L9	S58°49'32"W	158.50
L10	S31°10'28"E	105.00
L11	S62°31'27"W	50.00
L12	S13°49'32"W	21.21
L13	S58°49'32"W	108.00
L14	N14°01'52"E	142.77
L15	N58°49'32"E	193.85
L16	N01°30'08"W	95.00
L17	N58°29'52"E	50.00
L18	N13°29'51"E	21.21
L19	N68°29'52"E	0.33
L20	N01°30'08"W	90.00
L21	S58°29'52"W	5.33
L22	N01°30'08"W	113.00
L23	S31°30'08"E	118.91
L24	S17°35'14"W	22.01
L25	S32°23'44"W	50.00
L26	S14°47'48"E	22.01
L27	S24°18'21"W	78.07
L28	N08°48'32"W	56.85
L29	S31°18'14"E	102.00
L30	S58°43'48"W	30.00
L31	S58°29'52"W	142.85
L32	N68°29'52"E	51.10
L33	N68°33'22"E	30.83
L34	N68°49'32"E	30.00
L35	S58°49'32"W	233.18
L36	N01°10'28"W	30.00
L37	S04°49'11"E	9.02
L38	S79°27'37"E	20.50
L39	S31°30'08"E	68.14
L40	S57°59'32"E	53.80
L41	S31°30'08"E	110.00
L42	S58°29'52"W	10.23
L43	N78°23'11"W	21.17

LINE TABLE		
LINE	BEARING	DISTANCE
L47	N78°17'24"W	21.29
L48	S58°29'52"W	101.88
L49	S88°29'52"W	102.85
L50	S13°29'52"W	21.21
L51	S31°30'08"E	105.88
L52	N68°29'52"E	14.49
L53	N13°29'52"E	21.21
L54	N58°29'52"E	81.10
L55	S78°14'18"E	21.88
L56	S13°29'52"W	21.21
L57	S58°49'32"W	180.00
L58	N78°30'08"W	21.21
L59	N01°18'14"W	147.33
L60	N13°29'52"E	21.30
L61	S78°58'58"E	23.58
L62	S13°51'16"W	20.52
L63	N58°29'52"E	81.10
L64	N01°10'28"W	198.82
L65	S78°10'28"E	21.21
L66	N58°49'32"E	218.00
L67	N13°49'32"E	21.21
L68	N78°10'28"W	21.21
L69	S58°48'32"W	178.59
L70	N13°49'32"E	21.21
L71	N58°48'32"E	218.00
L72	S78°10'28"E	21.21
L73	S13°49'32"W	21.21
L74	S78°18'28"E	21.21
L75	S31°18'28"E	210.00
L76	S13°49'32"W	21.21
L77	S31°18'28"E	105.00
L78	S13°49'32"W	21.21
L79	N78°10'28"W	21.21
L80	N13°49'32"E	21.21
L81	N58°49'32"E	63.88
L82	N68°49'32"E	48.84
L83	N28°04'51"E	158.85
L84	N01°13'43"W	198.29
L85	S38°51'30"W	463.20
L86	N88°52'37"W	211.08
L87	N88°52'37"W	205.83
L88	S58°51'35"W	451.04
L89	N01°13'43"W	37.14
L90	S58°48'17"W	0.83
L91	N01°30'07"W	150.02
L92	S38°48'17"W	0.81
L93	N01°17'43"W	138.48
L94	N28°04'51"E	182.30

AREA TABLE - BLOCK D			
LOT	SQ. FT.	ACRES	
12	7854	0.1757	
13	6367	0.1482	
14	5800	0.1354	
15	5800	0.1283	
16	5800	0.1283	
17	5800	0.1283	
18	5800	0.1283	
19	5800	0.1283	
20	5800	0.1283	
21	5748	0.1320	
21X	16141	0.3706	
22	5800	0.1283	
23	5800	0.1283	
24	5800	0.1283	
25	5800	0.1283	
26	5800	0.1283	
27	5800	0.1283	
28	5800	0.1283	
29	5895	0.1300	
30	5772	0.1325	
31	5613	0.1288	
32	7410	0.1701	
33	8877	0.2287	
34	8174	0.1817	
35	5540	0.1272	
36	5878	0.1281	
37	5818	0.1290	
38	5858	0.1289	
39	5887	0.1306	
40	5737	0.1317	
41	5778	0.1328	
42	6870	0.1577	

AREA TABLE - BLOCK E			
LOT	SQ. FT.	ACRES	
1	6741	0.1548	
2	5800	0.1288	
3	5800	0.1288	
4	5800	0.1288	
5	5800	0.1288	
6	5800	0.1288	
7	5800	0.1288	
8	5802	0.1288	
9	5828	0.1292	
10	6738	0.1548	
11	6718	0.1542	
12	5847	0.1298	
13	5842	0.1295	
14	5850	0.1297	
20	8278	0.1900	
21	6288	0.1444	
22	5788	0.1311	

AREA TABLE - BLOCK F			
LOT	SQ. FT.	ACRES	
9	5500	0.1263	
10	7700	0.1768	
11	7700	0.1768	
12	7438	0.1707	

AREA TABLE - BLOCK G			
LOT	SQ. FT.	ACRES	
1	6486	0.1488	
2	5800	0.1283	
3	5800	0.1283	
4	5800	0.1283	
5	5800	0.1283	
6	6486	0.1488	
7	6486	0.1488	
8	5800	0.1283	
9	5800	0.1283	
10	5800	0.1283	
11	5800	0.1283	
12	5800	0.1283	
13	10863	0.2524	

AREA TABLE - BLOCK H			
LOT	SQ. FT.	ACRES	
16	5800	0.1331	
17	5800	0.1331	
18	5842	0.1277	
19	5800	0.1283	
20	5800	0.1283	
21	5800	0.1283	
22	5800	0.1283	
23	5856	0.1282	
24	6731	0.1545	
25	10839	0.2488	
27	9849	0.2268	
28	8875	0.2021	

AREA TABLE - BLOCK I			
LOT	SQ. FT.	ACRES	
14	9873	0.2280	
15	9225	0.2118	
16	8205	0.2113	
17	11874	0.2728	
18	12423	0.2852	
19	8888	0.2085	
20	8000	0.2088	
21	8000	0.2088	
22	8000	0.2088	
23	8000	0.2088	
24	8000	0.2088	
25	8000	0.2088	
26	8000	0.2088	
27	8000	0.2088	

AREA TABLE - BLOCK J			
LOT	SQ. FT.	ACRES	
28	8000	0.2088	
29	9108	0.2080	
30	12578	0.2887	
31	18017	0.3447	
32	8800	0.2204	
33	11024	0.2531	
34	10327	0.2371	
35	9000	0.2088	
36	9000	0.2088	
37	9473	0.2175	
38	10372	0.2381	
39	9750	0.2238	
40	9000	0.2088	
41	8000	0.2088	
42	9000	0.2088	
43	9000	0.2088	
44	8000	0.2088	
45	8000	0.2088	
46	8000	0.2088	
47	10687	0.2454	
48	13480	0.3090	
49	13487	0.3090	
50	8831	0.2211	
51	8578	0.2188	
52	9825	0.2187	
53	9472	0.2175	
54	9420	0.2182	
55	9367	0.2150	
56	9014	0.2138	
57	9281	0.2128	
58	9208	0.2114	
59	9158	0.2102	
60	9102	0.2088	
61	10379	0.2383	

AREA TABLE - BLOCK K			
LOT	SQ. FT.	ACRES	
1	10807	0.2412	
2	8000	0.2088	
3	8000	0.2088	
4	8000	0.2088	
5	8000	0.2088	
6	8000	0.2088	
7	8000	0.2088	
8	8000	0.2088	
9	8000	0.2088	
10	8000	0.2088	
11	10489	0.2403	
12	10488	0.2403	
13	8000	0.2088	
14	8000	0.2088	
15	8000	0.2088	

OWNER'S CERTIFICATION

STATE OF TEXAS
COUNTY OF ELLIS

WHEREAS GRBK EDGEWOOD, LLC is the sole owner of a 55.5859 acre tract of land located in the W. Dunn Survey, Abstract No. 303 and the W. Calder Survey, Abstract No. 325, City of Wauahachie, Ellis County, Texas, ...

BEGINNING at a 1/2 inch iron rod with a cap stamped "RDS INC" found (Controlling Monument) at a north property corner of the said 116.384 acre tract, same being the west property corner of that certain tract of land conveyed to Stark Development, by deed thereof found for record in Volume 1481, Page 172, Deed Records, Ellis County, Texas (D.R.E.C.T.), said iron rod found also being on the southeasterly right-of-way line of Broadhead Road (being a variable width public right-of-way);

THENCE South 33°24'15" East departing the said right-of-way line, along a northeast property line of the said 116.384 acre tract, same being the southeast property line of the said Stark tract, a distance of 933.93 feet to a 5/8 inch iron rod with a cap stamped "SPOONER 5922" set (hereinafter referred to as an iron rod set);

THENCE North 58°50'15" East, along a northwest property line of the said 166.384 acre tract and along the southeast property line of the said Stark tract, a distance of 87.78 feet to a point (or corner) at the most easterly northeast property corner of the said 116.384 acre tract, same being the southeast property corner of the said Stark tract, and being on the southwest line of Rolling Acres Unit 2, Phase 1, being an Addition to the said City and State, according to the plat thereof found for record in Volume 1481, Page 291, Plat Records, Ellis County, Texas, from which a 1/2 inch iron rod found bears North 61°43'59" East, a distance of 0.34 feet;

THENCE South 89°09'01" East, along a northeast property line of the said 116.384 acre tract and along the said west line of Rolling Acres Unit 2, Phase 1, a distance of 378.29 feet to a 1/2 inch iron rod (middle of 3 inch iron pipe found (Controlling Monument) at a southeast corner of said Rolling Acres Unit 2, Phase 1, same being a northeast property corner of a called 235.21 acre tract of land conveyed to Ellis County (no deed records found);

THENCE South 29°50'01" East along a northeast property line of the said 116.384 acre tract, same being a southeast property line of the said Ellis County tract, a distance of 951.24 feet to an iron rod set at the most easterly property corner of the said 116.384 acre tract;

THENCE South 59°21'54" West, along a southeast property line of the said 116.384 acre tract, same being a northeast property corner of the said Ellis County tract, a distance of 987.21 feet to an iron rod set at the most southerly property corner of the herein described tract of land, same being at the most easterly Addition corner of Buffalo Ridge, Phase 5, being a proposed Addition to the said City and State, not yet filed for record;

THENCE departing the said property lines, over and across the said 116.384 acre tract, and along the proposed north, northeast, and easterly Addition lines of the said Buffalo Ridge, Phase 5 the following courses and distances:

- North 31°10'18" West, a distance of 105.18 feet to an iron rod set;
North 13°49'31" East, a distance of 21.21 feet to an iron rod set;
North 01°10'28" West, a distance of 50.00 feet to an iron rod set;
North 76°10'28" West, a distance of 21.21 feet to an iron rod set;
North 31°10'28" West, a distance of 210.00 feet to an iron rod set;
North 13°49'31" East, a distance of 21.21 feet to an iron rod set;
North 58°49'32" East, 17.50 feet to an iron rod set;
North 11°10'28" West, a distance of 170.00 feet to an iron rod set;
South 58°49'32" West, a distance of 450.00 feet to an iron rod set;
North 31°10'28" West, a distance of 290.00 feet to an iron rod set;
South 58°49'32" West, a distance of 154.50 feet to an iron rod set;
South 31°10'28" West, a distance of 305.00 feet to an iron rod set;
South 58°49'32" West, a distance of 50.00 feet to an iron rod set;
South 13°49'32" West, a distance of 21.21 feet to an iron rod set;
South 58°49'32" West, a distance of 108.00 feet to an iron rod set;
North 31°10'28" West, a distance of 309.41 feet to an iron rod set;
North 14°01'52" East, a distance of 142.77 feet to an iron rod set;
North 58°49'32" East, a distance of 193.85 feet to an iron rod set;
North 31°10'28" West, a distance of 193.08 feet to an iron rod set;
North 21°40'10" West, a distance of 110.00 feet to an iron rod set at the beginning of a non-tangent curve to the left having a radius of 625.00 feet;
Along said curve to the left, an arc length of 39.42 feet, and across a chord which bears North 67°26'24" East, a chord length of 39.43 feet to an iron rod set;
North 23°26'57" West, a distance of 50.00 feet to an iron rod set;
North 31°30'06" West, a distance of 254.33 feet to an iron rod set;
North 58°29'52" East, a distance of 110.00 feet to an iron rod set;
North 31°30'06" West, a distance of 95.00 feet to an iron rod set;
North 58°29'52" East, a distance of 50.00 feet to an iron rod set;
North 13°29'51" East, a distance of 21.21 feet to an iron rod set;
North 58°29'52" East, a distance of 0.33 feet to an iron rod set;
North 31°30'06" West, a distance of 50.00 feet to an iron rod set;
South 58°29'52" West, a distance of 5.39 feet to an iron rod set;
North 31°30'06" West, a distance of 113.00 feet to an iron rod set;
South 58°29'52" West, a distance of 250.00 feet to an iron rod set;
South 31°30'06" East, a distance of 159.91 feet to an iron rod set at the beginning of a non-tangent curve to the left having a radius of 425.00 feet;

West, a chord length of 76.84 feet, and across a chord which bears South 42°30'10" West, a chord length of 76.79 feet to an iron rod set;

South 75°15'14" West, a distance of 22.01 feet to an iron rod set;
South 32°23'44" W, a distance of 50.00 feet to an iron rod set;

South 14°47'46" East, a distance of 22.01 feet to an iron rod set to the beginning of a non-tangent curve to the left having a radius of 425.00 feet;

Along said curve to the left, an arc length of 19.87 feet, and across a chord which bears South 25°39'42" West, a chord length of 19.87 feet to an iron rod set;

South 24°19'21" West, a distance of 76.07 feet to an iron rod set;

North 56°49'32" West, a distance of 56.85 feet to the beginning of a non-tangent curve to the right having a radius of 335.00 feet;

Along said curve to the right, an arc length of 127.99 feet, and across a chord which bears North 42°46'00" West, a chord length of 127.21 feet to an iron rod set;

North 31°16'14" West, a distance of 425.93 feet to an iron rod set on a northwest property line of the said 116.384 acre tract, same being the aforementioned southeasterly right-of-way line of Broadhead Road;

THENCE along the northwest property lines of the said 116.384 acre tract and along the said southeasterly right-of-way line the following courses and distances:

North 58°23'25" East, a distance of 232.77 feet to a 1/2 inch iron rod with an (single cap found (Controlling Monument);

South 31°16'14" East, a distance of 300.00 feet to a 1/2 inch iron rod with a cap stamped "RDS INC" found (Controlling Monument);

North 58°29'52" East, a distance of 359.43 feet to the beginning of a tangent curve to the right having a radius of 800.00 feet;

Along said curve to the right, an arc length of 305.58 feet, and across a chord which bears North 60°28'35" East, a chord length of 304.71 feet to the POINT OF BEGINNING

The hereinabove described tract of land contains a computed area of 55.5859 acre (1,421,933 square feet) of land, more or less.

OWNER'S DEDICATION

NOW, THEREFORE KNOWN BY ALL MEN THESE PRESENTS:
THAT GRBK EDGEWOOD, LLC, acting herein by and through their duly authorized agent, does hereby adopt the plat designating the hereinabove described property as BUFFALO RIDGE, PHASE 5, an Addition to the City of Wauahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purpose indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed at, placed upon, over or across the easements as shown, except that landscape improvements may be placed on landscape easements, if approved by the City of Wauahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Wauahachie's use thereof. The City of Wauahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Wauahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing from all or parts of their respective systems without the necessity at any time procuring permission from a riparian.

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

WITNESS MY HAND this the ___ day of ___, 2021.

GRBK EDGEWOOD, LLC

Duly Authorized Agent for GRBK Edgewood, LLC

Printed Name and Title

STATE OF _____

COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared _____, 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 and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the ___ day of ___, 2021.

Notary Public, State of _____

OWNER/APPLICANT
GRBK EDGEWOOD, LLC
2805 DALLAS DRIVE, STE 400
PLANO, TX 75093
PH: (817) 658-2122
ATTN: BOBBY SAMUEL

ENGINEER:
KFM
ENGINEERING & DESIGN
632 N. MAIN ST., STE 415
GRAPEVINE, TX 76091
PH: (817) 418-4536
ATTN: JOSH HILLIARD, PE

SURVEYOR:
SPOONER & ASSOCIATES
OVER 25 YEARS OF SERVICE
300 BYRNS STREET, SUITE 100, ELLENBURG, TEXAS 76038
(817) 418-5446 WWW.SPOONERANDASSOCIATES.COM
TIFLS PER TEX. CODE 592.001 - 592.004

STATE OF TEXAS
COUNTY OF TARRANT

THAT, I, Eric S. Spooner, a Registered Professional Land Surveyor, in the State of Texas, do hereby certify that this plat was prepared from an actual survey on the ground of the property and that all block monuments and corners were placed under my personal supervision, and in accordance with the platting regulations of the City of Wauahachie, Texas.

Surveyed on the ground during the month of December, 2019.

THIS DOCUMENT IS PRELIMINARY FOR REVIEW PURPOSES ONLY. ERIC S. SPOONER, R.P.L.S. FEBRUARY 3, 2021

Eric S. Spooner, R.P.L.S. Date
Texas Registration No. 5923

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Eric S. Spooner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the ___ day of ___, 2021.

Notary Public, State of Texas

GENERAL NOTES

- The bearings shown hereon are based on the found monumentation of Buffalo Ridge, Phase 5, as shown on the Final Plat prepared by Statex Consulting Services, Inc. dated August 2, 2019, not yet filed for record.
According to the Flood Insurance Rate Map published by the Federal Emergency Management Agency, Department of Homeland Security, the subject property appears to be located in Zone "A Shaded" (No Base Flood Elevation determined) and Zone "X" (area determined to be outside the 0.2% annual chance floodplain), as shown on Map No. 48139C0200; map revised June 3, 2018, for Ellis County and incorporated areas. The Flood statement does not imply that the property and/or structures located in Zone "A Shaded" or Zone "X" will be free from flooding or flood damage. This flood statement shall not create liability on the part of the surveyor.
This plat was prepared without the benefit of a copy of a Commitment for Title Insurance prepared by a Title Company. The easements shown hereon are the only easements known by Spooner & Associates and does not imply that any other easements, covenants, restrictions, or other matters of record do not affect the subject property. No other research was performed by Spooner & Associates, Inc.
All property corners are monument with a 5/8 inch iron rod with a cap stamped "SPOONER 5922" unless shown otherwise hereon.
3' Shaded Easements accompany all Right-of-Ways created by the plat.
Setting a portion of this addition by notes and bounds is a violation of City Ordinance and State Law and is subject to fines and withholding of utilities and building permits.
The Home Owner's Association is responsible for maintaining Open Space lots.

CERTIFICATE OF APPROVAL
Approved by: Planning and Zoning Commission, City of Wauahachie
Chairperson Date
Approved by: City Council, City of Wauahachie
Mayor Date
Attest Date

PLAT OF
BUFFALO RIDGE, PHASE 6
BEING A 55.5859 ACRE TRACT OF LAND
LOCATED IN THE W. DUNN SURVEY,
ABSTRACT NO. 303 & THE W. CALDER
SURVEY, ABSTRACT NO. 235, CITY OF
WAUAHACHIE, ELLIS COUNTY, TEXAS
ZONED SF-3
177 LOTS ~ 55.5859 ACRES
FEBRUARY ~ 2021
PAGE 4 OF 4

Planning & Zoning Department

Plat Staff Report

Case: SUB-5-2021



MEETING DATE(S)

Planning & Zoning Commission: February 23, 2021

City Council: March 1, 2021

CAPTION

Consider request by Chad Crawford, Brittain & Crawford Land Surveying & Topographic Mapping, for a Plat of Garden Valley Addition for 1 lot, being 11.871 acres situated in the J.B. & Ann Adams Survey, Abstract 5 (Property ID 242239) – Owner: Clint Nolen, Garden Valley Apartments, LLC (SUB-5-2021)

APPLICANT REQUEST

The applicant is requesting to plat this property for continued multi-family use. The applicant is also requesting a petition of relief waiver from City Council to waive park land dedication fees for the subject property.

CASE INFORMATION

Applicant: Chad Crawford, Brittain & Crawford Land Surveying & Topographic Mapping

Property Owner(s): Clint Nolen, Garden Valley Apartments, LLC

Site Acreage: 11.871 acres

Number of Lots: 1 lots

Number of Dwelling Units: 213 units

Park Land Dedication: The cash in lieu of park land dedication for this case is estimated at **\$85,200.00** (\$400.00 per unit at 213 units).

Adequate Public Facilities: Adequate public facilities are available for the subject site.

SUBJECT PROPERTY

General Location: 240 Park Place Blvd

Parcel ID Number(s): 242239

Current Zoning: Multifamily-2

Existing Use: Multifamily Apartments

Platting History: This property is located in the J.B. & Ann Survey, Abstract 5

Site Aerial:



PETITION OF RELIEF WAIVER REQUEST

Background

The preliminary plat for the Garden Valley Addition (PP-17-0138) was approved by City Council on November 6, 2017. Building permits were issued in April 2018, and the apartments that are on site now were constructed. The building permits were released in error and a final plat should have been required for the release of the building permits. In December 2020, staff determined that a final plat for the project had not been approved, and the applicant is now proceeding through the platting process with this case.

Waiver Request

The applicant is requesting that they receive a petition of relief waiver for cash in lieu of park land dedication fees. In proceeding with the plat, the applicant has raised a few concerns on their end:

1. The buildings have received permitting and are already constructed complete with a Certificate of Occupancy without requiring any park land dedication or cash in lieu of park land dedication.
2. The applicant was unaware of the park land dedication/cash in lieu of park land dedication requirement beforehand, and therefore the necessary funding was not provided on this project.
3. The Title Company has disclosed to the applicant that platting is not a requirement for selling the property.

Required P&Z Action

Due to this case having a petition for relief waiver associated with it, the Planning and Zoning Commission must provide City Council a recommendation on two separate items:

1. Either a recommendation of approval or disapproval of the plat.
 - Bear in mind that since this is a plat case, approval with comment will not be an option.
2. Either a recommendation of approval or denial of the petition of relief waiver.

PLAT 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.

PETITION OF RELIEF WAIVER RECOMMENDATION

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

- Disapproval
 1. It is staff's belief that while the City erred in allowing the building permits to be released for construction, this action does not eliminate the applicant's responsibility to pay the park land dedication fees. Staff also notes that the platting of this property is a City requirement, no matter whether the Title Company requires a plat or not.
- Approval, as presented.

ATTACHED EXHIBITS

1. Plat Drawing

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

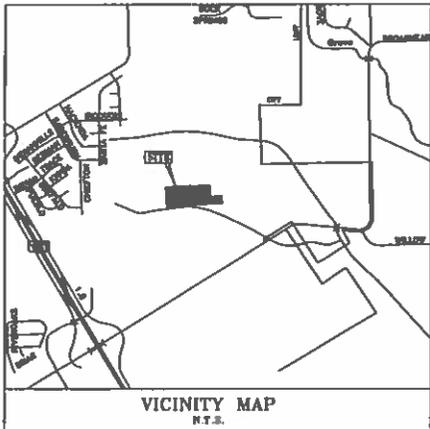
A plat shall not be filed with the Ellis County Clerk until:

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

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

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



READING NOTE:
THE BEARINGS GIVEN HEREIN ARE TEXAS STATE PLANS GRID BEARINGS ESTABLISHED USING THE GLOBAL POSITIONING SYSTEM SATELLITES, AND LOCAL CONTINENTAL OPERATING REFERENCE SYSTEM.

FLOOD NOTE:
NO PORTION OF THIS PROPERTY LIES WITHIN A 100-YEAR FLOOD INSURED AREA (FIA) (CAGREED) AREA DETERMINED TO BE CHIEF OF THE ANNUAL 1% ANNUAL CHANCE FLOODPLAIN, ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM'S FLOOD INSURANCE RATE MAP FOR ELLIS COUNTY, TEXAS, NO DISCREPANT AREA, CHANGING-INDEX NUMBER 48199D190 F, MAP REVISED JUNE 3, 2013.

NOTE:
PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE DRAINAGE EASEMENT.

LOT 1, BLOCK 1
WIND PARK PLACE ELEMENTARY
SCHOOL ADDITION
CABINET N, SLIDE 481-482
M.R.E.C.T.
BLOCK 70-00-4 PLANNED DEVELOPMENT

WIND PARK PLACE PHASE 2
CABINET L, SLIDE 194-196
M.R.E.C.T.

VICINITY MAP
N.T.S.

ATLANTIC AVENUE
OF WIND PARK PLACE

BLISS MOON DRIVE
OF WIND PARK PLACE

NORTH STAR LANE
OF WIND PARK PLACE

POINT OF BEGINNING
1/2" IRON ROD
FOUND
N. 6836484.367
E. 2487742.481

PARK PLACE BOULEVARD
60' WIDE PUBLIC RIGHT-OF-WAY
N 82°43'35" E 817.73'

RIGHT-OF-WAY DEDICATION
VOLUME 2223, PAGE 943, D.R.E.C.T.

N 14°55'34" E
8.61'

1/2" IRON ROD
FOUND

Δ=13°57'04"
R=670.01'
L=236.17'
CH=N 51°45'05" E
233.59'

GARDEN VALLEY APARTMENTS LLC.
INST# 1665318
D.R.E.C.T.

LOT 1, BLOCK 1
GARDEN VALLEY ADDITION
517,114 SQUARE FEET,
11.871 ACRES

J.B. & ANN ADAMS SURVEY
ABSTRACT 5

WP LEGACY, LTD
VOLUME 2454, PAGE 1817
D.R.E.C.T.

WP LEGACY, LTD
VOLUME 2454, PAGE 1817
D.R.E.C.T.

1/2" IRON ROD
FOUND

1/2" IRON ROD
FOUND
N 85°47'09" E 49.00'

1/2" IRON ROD
FOUND

N 86°50'18" E 214.98'

1/2" IRON ROD
FOUND

5 04'30"06" E
174.04'

SPORTS ROW
OF WIND PARK PLACE

1" CUT IN
CONCRETE
FOUND

1" CUT IN CONCRETE
E. 2487742.481
N. 6836484.367

TEMPORARY DRAINAGE EASEMENT
VOLUME 2223, PAGE 977, D.R.E.C.T.
TO BE VACATED BY FINAL PLAT

BROADHEAD ROAD SPORTS COMPLEX ADDITION
LOT 1R & LOT 2R
CABINET N, SLIDE 686
M.R.E.C.T.

BROADHEAD ROAD SPORTS COMPLEX ADDITION
LOT 1R & LOT 2R
CABINET N, SLIDE 686
M.R.E.C.T.

OWNER:
GARDEN VALLEY APARTMENTS LLC
3710 RAWLINS STREET, # 1390
DALLAS, TEXAS 75219
ATTN: DEAN LONTOS, MANAGER

ENGINEER:
CHARLES CROOK CONSULTING, INC.
2400 RHY 287 N. 8110
MANFIELD, TEXAS 75065
OFFICE: 817-463-1200
FAX: 817-463-1200
EMAIL:
chuck@crookconsulting.com

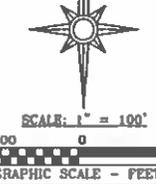
BRITAIN & CRAWFORD
LAND SURVEYING &
TOPOGRAPHIC MAPPING
TEL (817) 826-0211
FAX (817) 826-0547
P.O. BOX 11374 • 3808 SOUTH FREEMAN
FORT WORTH, TEXAS 76110
EMAIL: info@britain-crawford.com
WEBSITE: www.britain-crawford.com

DRAINAGE EASEMENT CALL TABLE:

Course	Bearing	Distance
L5	N 01°16'25" W	32.94'
L6	N 43°32'07" E	26.81'
L7	N 01°16'25" W	91.84'
L8	N 88°38'35" E	224.33'
L9	S 64°20'38" E	47.59'

WATER EASEMENT CALL TABLE:

Course	Bearing	Distance
L1	S 01°16'48" E	20.00'
L2	S 88°43'35" W	15.00'
L3	N 01°16'48" W	20.00'
L4	N 88°43'35" E	15.00'



PLAT OF
LOT 1, BLOCK 1
GARDEN VALLEY ADDITION
11.871 ACRES
OF LAND LOCATED IN THE
J.B. & ANN ADAMS SURVEY
ABSTRACT 5
WAXAHACHIE, ELLIS COUNTY, TEXAS

CASE No. SUB-5-2021
DATE: JANUARY 04, 2021

(8)

WHEREAS, GARDEN VALLEY APARTMENTS LLC IS THE OWNER OF 11.871 ACRES OF LAND SITUATED IN THE J.B. & ANN ADAMS SURVEY, ABSTRACT NO. 5, ELLIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

LEGAL DESCRIPTION

BEING 11.871 ACRES OF LAND LOCATED IN THE J. B. & ANN ADAMS SURVEY, ABSTRACT NO. 5, WAXAHACHE, ELLIS COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND CONVEYED TO GARDEN VALLEY APARTMENTS LLC, BY THE DEED RECORDED IN INSTRUMENT NO. 1635318, OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS, SAID 11.871 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND AT THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO THE CITY OF WAXAHACHE, BY THE DEED RECORDED IN VOLUME 2759, PAGE 1098, OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS, AND SAID POINT OF BEGINNING LYING IN THE SOUTH RIGHT-OF-WAY LINE OF PARK PLACE BOULEVARD (A 60 FOOT WIDE PUBLIC RIGHT-OF-WAY).

THENCE ALONG THE NORTH BOUNDARY LINE OF AFORESAID GARDEN VALLEY APARTMENTS LLC TRACT AND THE SOUTH RIGHT-OF-WAY LINE OF PARK PLACE BOULEVARD, AS FOLLOWS:

- 1. NORTHEASTERLY 226.17 FEET, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 970.00 FEET, A CENTRAL ANGLE OF 13° 57' 01", AND A CHORD BEARING N 81° 45' 05" E 235.59 FEET, TO A 1/2" IRON ROD FOUND AT THE END OF SAID CURVE;
- 2. N 88° 43' 35" E 817.73 FEET, TO A 1/2" IRON ROD FOUND AT THE MOST NORTHERLY NORTHEAST CORNER OF SAID GARDEN VALLEY APARTMENTS LLC TRACT AND THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO WP LEGACY, LTD., BY THE DEED RECORDED IN VOLUME 2454, PAGE 1817, OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS.

THENCE S 01° 16' 25" E 262.84 FEET, ALONG THE EAST BOUNDARY LINE OF SAID GARDEN VALLEY APARTMENTS LLC TRACT AND THE WEST BOUNDARY LINE OF SAID WP LEGACY, LTD. TRACT, TO A 1/2" IRON ROD FOUND,

THENCE ALONG THE MOST SOUTHERLY NORTH BOUNDARY LINE OF SAID GARDEN VALLEY APARTMENTS LLC TRACT, AS FOLLOWS:

- 1. N 85° 47' 09" E 49.00 FEET, TO A 1/2" IRON ROD FOUND;
- 2. N 85° 50' 18" E 214.95 FEET, TO A 1/2" IRON ROD FOUND AT THE MOST SOUTHERLY NORTHEAST CORNER OF SAID GARDEN VALLEY APARTMENTS LLC TRACT;

THENCE S 04° 20' 08" E 174.04 FEET, ALONG THE EAST BOUNDARY LINE OF SAID GARDEN VALLEY APARTMENTS LLC TRACT AND THE WEST BOUNDARY LINE OF SAID WP LEGACY, LTD. TRACT, TO A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID GARDEN VALLEY APARTMENTS LLC TRACT, LYING IN THE NORTH LINE OF TRACT OF LAND CONVEYED TO THE CITY OF WAXAHACHE, BY THE DEED RECORDED IN VOLUME 2348, PAGE 1856, OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS,

THENCE S 06° 50' 18" W 1304.85 FEET, ALONG THE SOUTH BOUNDARY LINE OF SAID GARDEN VALLEY APARTMENTS LLC TRACT AND THE NORTH BOUNDARY LINE OF SAID CITY OF WAXAHACHE TRACT, TO AN "X" CUT IN CONCRETE FOUND AT THE SOUTHWEST CORNER OF SAID GARDEN VALLEY APARTMENTS LLC TRACT AND THE SOUTHEAST CORNER OF AFORESAID CITY OF WAXAHACHE TRACT RECORDED IN VOLUME 2759, PAGE 1098.

THENCE ALONG THE WEST BOUNDARY LINE OF SAID GARDEN VALLEY APARTMENTS LLC TRACT AND THE EAST BOUNDARY LINE OF SAID CITY OF WAXAHACHE TRACT, AS FOLLOWS:

- 1. N 04° 10' 18" W 438.59 FEET, TO AN "X" CUT IN CONCRETE FOUND;
- 2. N 14° 55' 54" E 5.61 FEET, CONTINUING ALONG THE WEST BOUNDARY LINE OF SAID GARDEN VALLEY APARTMENTS LLC TRACT AND THE EAST BOUNDARY LINE OF SAID CITY OF WAXAHACHE TRACT, TO THE PLACE OF BEGINNING CONTAINING 11.871 ACRES (517,114 SQUARE FEET) OF LAND.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT GARDEN VALLEY APARTMENTS LLC ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOT 1, BLOCK 1, GARDEN VALLEY ADDITION, AN ADDITION TO THE CITY OF WAXAHACHE, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF WAXAHACHE'S USE THEREOF. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

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

WITNESS MY HAND, THIS THE _____ DAY OF _____, 2021.

GARDEN VALLEY APARTMENTS LLC

BY _____

AUTHORIZED SIGNATURE OF OWNER

PRINTED NAME AND TITLE

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 _____, OWNER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

KNOW ALL MEN BY THESE PRESENTS:

THAT I, STUART F. SMITH, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON AS SET WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF WAXAHACHE.

STUART F. SMITH
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 5454



City Approval of Plat

Approved for preparation of the final plat:

Approved by the Planning and Zoning Commission Date: _____

Attested by: _____ Date: _____
City Secretary



PLAT OF
LOT 1, BLOCK 1
GARDEN VALLEY ADDITION
11.871 ACRES
OF LAND LOCATED IN THE
J.B. & ANN ADAMS SURVEY
ABSTRACT 5
WAXAHACHE, ELLIS COUNTY, TEXAS

CASE No. SUB-5-2021

DATE: JANUARY 04, 2021

(8)

(9)

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-6-2021

MEETING DATE(S)

Planning & Zoning Commission: February 23, 2021

City Council: March 1, 2021

CAPTION

Request by Michael Head, Kosmos Solar, for a **Specific Use Permit** for Rooftop Solar Panel System use within a Single Family-2 zoning district, located at 203 Shetland Court (Property ID 267630) – Owner: MATTHEW J & NICHOLE L CANUTE (ZDC-6-2021)

APPLICANT REQUEST

The applicant is requesting a Specific Use Permit (SUP) to allow for the placement of solar panels on the rooftop elevation facing the front right-of-way.

CASE INFORMATION

Applicant: Michael Head, Kosmos Solar

Property Owner(s): Matthew J & Nichole L Canute

Site Acreage: 0.436 acres

Current Zoning: Single Family-2 (SF-2)

Requested Zoning: SF-2 with SUP to allow solar panels placed on the rooftop elevation facing the front right-of-way

SUBJECT PROPERTY

General Location: 203 Shetland Ct.

Parcel ID Number(s): 267630

Existing Use: Single Family Residence

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	SF-2	Single Family Residence

Future Land Use Plan: Low Density Residential

(9)

Comprehensive Plan:

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

Thoroughfare Plan:

This property is accessible via Shetland Ct.

Site Image:



PLANNING ANALYSIS

The applicant is seeking a Specific Use Permit to allow the placement of solar panels on the front facing rooftop elevation of the house. Historically, the City required a Specific Use Permit for all proposed solar panels, and the placement of solar panels facing any ROW was not allowed per our zoning ordinance. On January 21, 2020, City Council voted to amend the rooftop solar panel systems language in Sec. 5.01 of the zoning ordinance to allow for solar panels to face the ROW on the sides and rear of a residence. However, the language not allowing solar panels to be placed on the front ROW facing rooftop elevation was left in place.

Staff has discussed the solar panel placement requirements, and sent the list of solar panel requirements to the applicant. The applicant has indicated he would like to take the opportunity to obtain an SUP to allow for the placement of solar panels on the front facing rooftop elevation.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 32 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 one (1) letter of support for the proposed rooftop solar panel system.

(9)

STAFF CONCERNS

1. Per Sec. 5.01 of the City of Waxahachie Zoning Ordinance, panels shall not be installed on rooftop elevations facing the front right-of-way.

APPLICANT RESPONSE TO CONCERNS

1. The applicant has stated he wishes to present his proposed solar panel layout, as is, to P&Z and City Council.

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
 1. Per Sec. 5.01 of the City of Waxahachie Zoning Ordinance, solar panels shall not be installed on rooftop elevations facing the front right-of-way.
- Approval, as presented.
- Approval, per the following comments:

ATTACHED EXHIBITS

1. PON Responses
2. Site 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:
Chris Webb
Planner
cwebb@waxahachie.com

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

PropertyID	Owner's Name	Acreege	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
267542	BRYANT ANNETTE	0.279	LOT 22 BLK K MUSTANG CREEK PH 4 .279 AC	117 CANTLE ST	WAXAHACHIE	TX	75165	117 CANTLE ST WAXAHACHIE TX 75165
267543	JACKSON AARON E	0.279	LOT 23 BLK K MUSTANG CREEK PH 4 .279 AC	115 CANTLE ST	WAXAHACHIE	TX	75165	115 CANTLE ST WAXAHACHIE TX 75165
267544	SANCHEZ SERGIO & EDITH VAZQUEZ RAMOS	0.279	LOT 24 BLK K MUSTANG CREEK PH 4 .279 AC	113 CANTLE ST	WAXAHACHIE	TX	75165	113 CANTLE ST WAXAHACHIE TX 75165
267545	GARZA RAMON	0.279	LOT 25 BLK K MUSTANG CREEK PH 4 .279 AC	111 CANTLE ST	WAXAHACHIE	TX	75165	111 CANTLE ST WAXAHACHIE TX 75165
267603	ZAMORE YOEL & YENIA M FIALDO	0.203	LOT 7 BLK W MUSTANG CREEK PH 4 .203 AC	211 HITT ST	WAXAHACHIE	TX	75165	211 HITT ST WAXAHACHIE TX 75165
267604	PRIEST ANDREW L & BERTHA A	0.235	LOT 8 BLK W MUSTANG CREEK PH 4 .235 AC	209 HITT ST	WAXAHACHIE	TX	75165	209 HITT ST WAXAHACHIE TX 75165
267605	SMITH CLAYTON D & DEENA	0.228	LOT 9 BLK W MUSTANG CREEK PH 4 .228 AC	207 HITT ST	WAXAHACHIE	TX	75165	207 HITT ST WAXAHACHIE TX 75165
267606	WILKERSON MICHELLE M	0.206	LOT 10 BLK W MUSTANG CREEK PH 4 0.206 AC	205 HITT ST	WAXAHACHIE	TX	75165	205 HITT ST WAXAHACHIE TX 75165
267607	JOHNSON CEDRIC C & BRANDI TRAYLOR	0.206	LOT 11 BLK W MUSTANG CREEK PH 4 0.206 AC	203 HITT ST	WAXAHACHIE	TX	75165	203 HITT ST WAXAHACHIE TX 75165
267608	INCE JAMES E & ANDRIANA Y RODRIGUEZ	0.198	LOT 12 BLK W MUSTANG CREEK PH 4 .198 AC	201 HITT ST	WAXAHACHIE	TX	75165	201 HITT ST WAXAHACHIE TX 75165
267609	RAMIREZ JOSE G & REBECCA S	0.245	LOT 1 BLK X MUSTANG CREEK PH 4 .245 AC	3303 E PARKS AVE	WAXAHACHIE	TX	75165	210 HITT ST WAXAHACHIE TX 75165
267610	JONES TENAYA & JAQUAN R WHITE	0.229	LOT 2 BLK X MUSTANG CREEK PH 4 0.229 AC	208 HITT ST	WAXAHACHIE	TX	75165	208 HITT ST WAXAHACHIE TX 75165
267612	POLK DEMETRIA D	0.197	LOT 4 BLK X MUSTANG CREEK PH 4 .197 AC	204 HITT ST	WAXAHACHIE	TX	75165	204 HITT ST WAXAHACHIE TX 75165
267614	OROPEZA TAURINO	0.185	LOT 6 BLK X MUSTANG CREEK PH 4 0.185 AC	200 HITT ST	WAXAHACHIE	TX	75165	200 HITT ST WAXAHACHIE TX 75165
267615	LOWE MATTHEW G	0.208	LOT 7 BLK X MUSTANG CREEK PH 4 .208 AC	114 CANTLE ST	WAXAHACHIE	TX	75165	114 CANTLE ST WAXAHACHIE TX 75165
267617	PAPE JOSHUA E & SOPHIA R	0.185	LOT 9 BLK X MUSTANG CREEK PH 4 .185 AC	3456 MARQUES CT	CASTRO VALLEY	CA	94546	110 CANTLE ST WAXAHACHIE TX 75165
267618	WARD QUINCY L & ANDREA L	0.185	LOT 10 BLK X MUSTANG CREEK PH 4 .185 AC	108 CANTLE ST	WAXAHACHIE	TX	75165	108 CANTLE ST WAXAHACHIE TX 75165
267619	JOHNSON EARNER & GWENDOLYN R	0.185	LOT 11 BLK X MUSTANG CREEK PH 4 .185 AC	106 CANTLE	WAXAHACHIE	TX	75165	106 CANTLE ST WAXAHACHIE TX 75165
267625	VERDUGO ANTONIO	0.314	LOT 17 BLK X MUSTANG CREEK PH 4 .314 AC	213 BAY ST	WAXAHACHIE	TX	75165	213 BAY ST WAXAHACHIE TX 75165
267626	CLARK LEGRANT & SHONTELLE	0.352	LOT 18 BLK X MUSTANG CREEK PH 4 .352 AC	200 SHETLAND CT	WAXAHACHIE	TX	75165	200 SHETLAND CT WAXAHACHIE TX 75165
267627	ABDULLAH KHIRY J	0.213	LOT 19 BLK X MUSTANG CREEK PH 4 .213 AC	202 SHETLAND CT	WAXAHACHIE	TX	75165	202 SHETLAND CT WAXAHACHIE TX 75165
267628	MENDOZA ADRIAN E	0.306	LOT 20 BLK X MUSTANG CREEK PH 4 .306 AC	206 SHETLAND CT	WAXAHACHIE	TX	75165	206 SHETLAND CT WAXAHACHIE TX 75165
267629	HALEY CHRISTOPHER CODY	0.381	LOT 21 BLK X MUSTANG CREEK PH 4 .381 AC	205 SHETLAND CT	WAXAHACHIE	TX	75165	205 SHETLAND CT WAXAHACHIE TX 75165
267630	CANUTE MATTHEW J & NICHOLE L	0.436	LOT 22 BLK X MUSTANG CREEK PH 4 .436 AC	203 SHETLAND CT	WAXAHACHIE	TX	75165	203 SHETLAND CT WAXAHACHIE TX 75165
267631	MORLOCK CASSANDRA M & DANIEL H AGUILAR	0.368	LOT 23 BLK X MUSTANG CREEK PH 4 .368 AC	201 SHETLAND CT	WAXAHACHIE	TX	75165	201 SHETLAND CT WAXAHACHIE TX 75165
267632	RICHARDSON ANDREW & CHARMAINE	0.261	LOT 24 BLK X MUSTANG CREEK PH 4 0.261 AC	223 BAY ST	WAXAHACHIE	TX	75165	223 BAY ST WAXAHACHIE TX 75165
267633	OSWALT GARY & LANA	0.24	LOT 25 BLK X MUSTANG CREEK PH 4 .24 AC	225 BAY ST	WAXAHACHIE	TX	75165	225 BAY ST WAXAHACHIE TX 75165
267634	HERNANDEZ REY L	0.261	LOT 26 BLK X MUSTANG CREEK PH 4 .261 AC	227 BAY ST	WAXAHACHIE	TX	75165	227 BAY ST WAXAHACHIE TX 75165
267611	PROPERTY OWNER	0		206 HITT ST	WAXAHACHIE	TX	75165	206 HITT ST WAXAHACHIE TX 75165
267620	PROPERTY OWNER	0		104 CANTLE ST	WAXAHACHIE	TX	75165	104 CANTLE ST WAXAHACHIE TX 75165
267613	PROPERTY OWNER	0		202 HITT ST	WAXAHACHIE	TX	75165	202 HITT ST WAXAHACHIE TX 75165
267616	PROPERTY OWNER	0		112 CANTLE ST	WAXAHACHIE	TX	75165	112 CANTLE ST WAXAHACHIE TX 75165

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-6-2021

HALEY CHRISTOPHER CODY
205 SHETLAND CT
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, February 23, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, March 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 Michael Head, Kosmos Solar, for a Specific Use Permit for Rooftop Solar Panel System use within a Single Family-2 zoning district, located at 203 Shetland Court (Property ID 267630) – Owner: MATTHEW J & NICHOLE L CANUTE (ZDC-6-2021)

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-6-2021

City Reference: 267629

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on Tuesday, February 16, 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:

We have no objections or concerns.

Christopher Haley
Signature

2/14/2021
Date

Christopher Haley
Printed Name and Title

205 Shetland Court
Address

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

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

ESI ID:
10443720003067383



SYSTEM LEGEND

- M** EXISTING & INTERIOR MAIN SERVICE PANEL & POINT OF INTERCONNECTION TIED TO EXTERIOR UTILITY METER
 - AC** VISIBLE LOCKABLE LABELED FUSED DISCONNECT WITHIN 10 FEET FROM THE UTILITY METER
 - C** COMBINER SUB PANEL BOX
 - I** NEW (2) PV SYSTEM SOLAREDOGE SE6000H-US INVERTERS
 - [Panel Icon]** 40 NEW SOLARIA POWERXT-365R-PD WITH 40 SOLAREDOGE OPTIMIZER P370 LOCATED ON THE BACKSIDE OF MODULES.
 - [Hatched Box]** 36" FIRE PATHWAY
 - [Square with X]** CONDUIT THROUGH ATTIC JUNCTION BOX
 - [Red Square]** ROOF OBSTRUCTIONS
 - [Green Dashed Line]** ATTIC RUN
- PARCEL NUMBER - 90658492402200112
LOT SIZE - 0.44 ACRES



KOSMOS SOLAR
1320 Post & Paddock Street #500,
Grand Prairie, Texas 75050
PH : (817)-259-1888
support@kosmosolar.com

ROOF SEGMENT

- ▼ ROOF SLOPE: 30
- MODULE: 17
- ROOF MATERIAL: COMP. SHINGLE
- ROOF AZIMUTH: 100
- RAFTER DIM: 2"x4"
- RAFTER SPACING: 24"
- ▼ ROOF SLOPE: 30
- MODULE: 23
- ROOF MATERIAL: COMP. SHINGLE
- ROOF AZIMUTH: 280
- RAFTER DIM: 2"x4"
- RAFTER SPACING: 24"

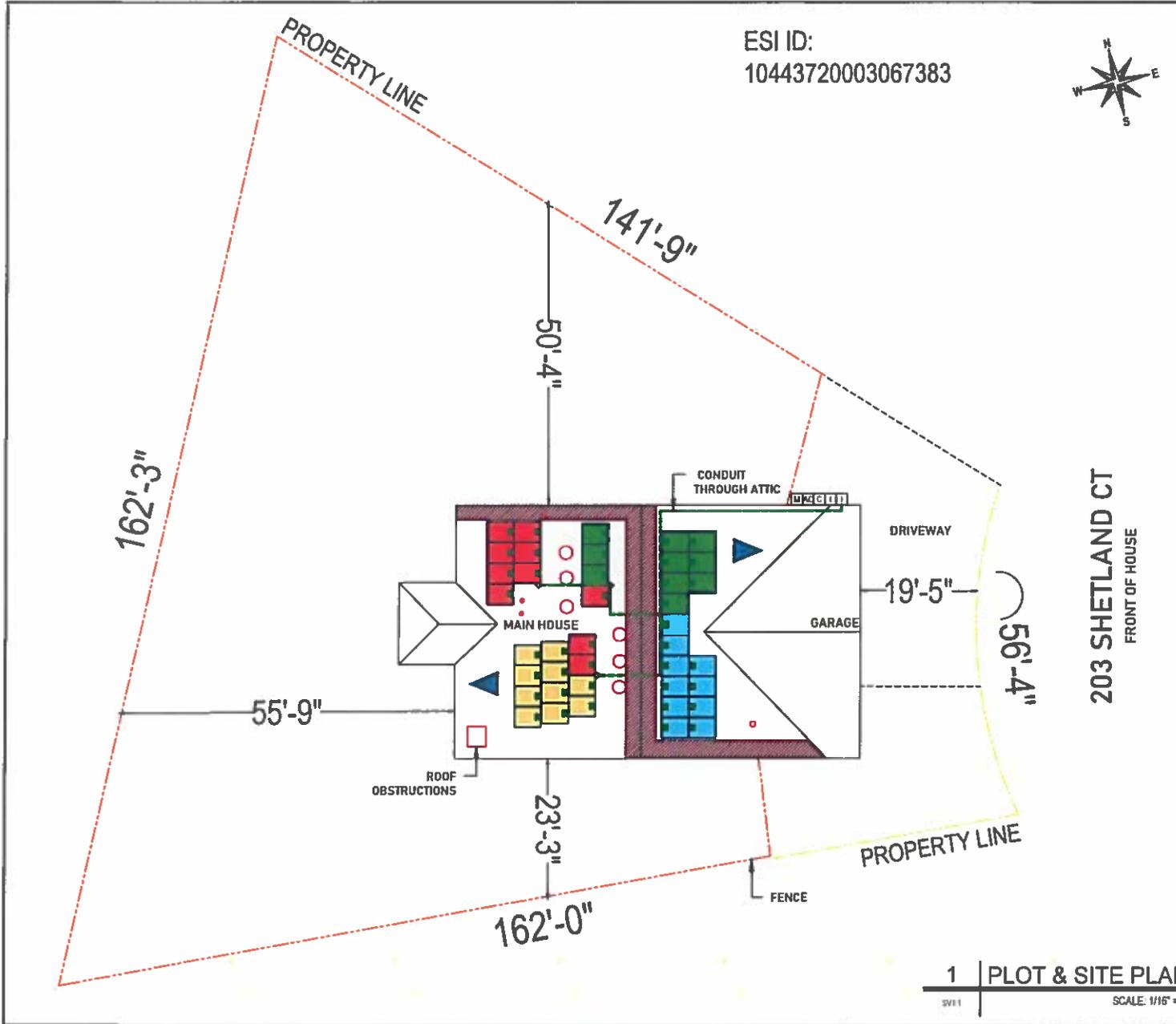
PROJECT NAME & ADDRESS
MATTHEW CANUTE RESIDENCE
203 SHETLAND CT
WAXAHACHIE, TX 75165
PH NO:

SIGNATURE

SV1.1

PLOT & SITE PLAN

DESIGNED BY:
SOLARROOT
ENGINEERING SERVICES



1 | PLOT & SITE PLAN
SCALE: 1/16" = 1'

(b)

Planning & Zoning Department
Zoning Staff Report

Case: ZDC-186-2021



MEETING DATE(S)

Planning & Zoning Commission: February 23, 2021

City Council: March 1, 2021

CAPTION

Public Hearing on a request by Islam Diab, ADTM Engineering & Construction Corp., for a **Zoning Change** from a General Retail and Planned Development-Single Family Residential-3 zoning district to Planned Development-General Retail, located at the SE corner of Farley Street at Highway 287 (Property ID 181802) - Owner: KSAM LLC (ZDC-186-2021)

APPLICANT REQUEST

The applicant is requesting to construct three buildings consisting of an office, convenience store with gasoline sales, and a drive-thru restaurant on 3.52 acres.

CASE INFORMATION

Applicant: Islam Diab, ADTM Engineering & Construction Corp.

Property Owner(s): KSAM, LLC

Site Acreage: 3.52 acres

Current Zoning: General Retail and PD-SF-3

Requested Zoning: Planned Development - General Retail

SUBJECT PROPERTY

General Location: SE corner of Farley Street at Highway 287

Parcel ID Number(s): 181802

Existing Use: Undeveloped

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	PD-C	Undeveloped Land
East	---	US Highway 287
South	GR	Undeveloped Land
West	PD-SF3	Blue Bonnet Trails Subdivision

Future Land Use Plan:

Low Density Residential and Retail

Comprehensive Plan:

Low Density Residential: 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.

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

Thoroughfare Plan:

The subject property is accessible via Farley St. and Aster Dr.

Note: The applicant is currently working with TxDOT for possible access from US Highway 287 Service Rd.

Site Image:

PLANNING ANALYSIS**Applicant Request**

The applicant is requesting to construct three buildings consisting of an office, convenience store with gasoline sales, and a drive-thru restaurant on 3.52 acres.

Proposed Use

Per the operational plan, the applicant is requesting to construct three (3) buildings, two of which will be located on the east side of the property (adjacent to US Hwy 287 service road), and one building will be located on the west side of the property (adjacent to Aster Rd). Per the tables below, one of the buildings will be located on Lot 1 (Table 2) and two buildings will be located on Lot 2 (Table 3). Please note that the only difference between the two tables is the building square footage size. The setbacks and other dimensional uses will be the same.

Table 2: Proposed Development Standards Lot 1 (General Retail)

- Office Building

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

Standard	City of Waxahachie	KSAM	Meets Y/N
Min. Lot Area (Sq. Ft.)	7,000	49,744	Yes
Min. Building Size (Sq. Ft.)	N/A	5,500	Yes
Min. Front Yard (Ft.)	40	40	Yes
Min. Side Yard (Ft.)	20	30	Yes
Min. Rear Yard (Ft.)	20; 25 (adjacent to residential)	20	No
Max. Height	2 stories	1 story	Yes
Max. Lot Coverage (%)	40	11.1	Yes
Parking	64	69 (total development)	Yes

**Additional Note: The building is proposed to be constructed of brick, stone, and stucco.*

Table 3: Proposed Development Standards for Lot 2 (General Retail)

- Convenience Store with Gasoline Sales
- Retail/Restaurant Building

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

Standard	City of Waxahachie	KSAM	Meets Y/N
Min. Lot Area (Sq. Ft.)	7,000	103,115	Yes
Min. Building Size (Sq. Ft.)	N/A	Convenience Store: 5,000 Retail/Restaurant: 4,000	Yes
Min. Front Yard (Ft.)	40	40	Yes
Min. Side Yard (Ft.)	20	30	Yes
Min. Rear Yard (Ft.)	20; 25 (adjacent to residential)	20	Yes
Max. Height	2 stories	1 story	Yes
Max. Lot Coverage (%)	40	8.7	Yes
Parking	64	69 (total development)	Yes

**Additional Note: The buildings) is proposed to be constructed of brick, stone, and stucco.*

Variance Request

The applicant is asking for the following variances from the City of Waxahachie Zoning Ordinance:

- Location of the dumpster enclosure to be in the setback of Lot 1.
- The rear setback of Lot 1 to be 20' instead of 25'.

STAFF CONCERNS**Elevation/Façade**

Staff has concerns with the current proposal of the elevation façade plans. Currently the applicant is proposing a mixture of brick, stucco, and a small percentage of stone for each of the three buildings. Though the materials are consistent with the City of Waxahachie Zoning Ordinance, staff is concerned that the currently proposed facades for the buildings will appear "dated" in a short period of time. Staff is open to discussion regarding this topic amongst the Planning and Zoning Commission at the 02-23-2021 P&Z hearing.

APPLICANT RESPONSE TO CONCERNS

The applicant is aware of staff's concerns and intends to state their reasoning at the 02-23-2021 P&Z meeting.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 12 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 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
- Approval, as presented.
- Approval, per the following comments:**
 1. A mutually agreed upon development agreement is signed by the applicant and staff.
 2. Though access easements are reviewed with plat cases, staff suggests that the access easement be a condition of the zoning change approval. Per the plat submitted by the applicant, an access easement is provided along Farley St. and is continued between Lot 1 and Lot 2 of the development.

ATTACHED EXHIBITS

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

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all 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.

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STAFF CONTACT INFORMATION

Prepared by:

Colby Collins

Senior Planner

ccollins@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com

Property ID	Owner's Name	Address	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
175420	WATKINS WILLIAM P	0 219	LOT 8 BLK 10 RIVER OAKS 2 0 219 AC	110 CHEVY CHASE LN	WAXAHACHE	TX	75165	110 CHEVY CHASE LN WAXAHACHE TX 75165
175421	JOHNSON TRAVIS A & SHERK STACY L & SHERK ROBERT	0 43	LOT 7 BLK 10 RIVER OAKS 2 43 AC	112 CHEVY CHASE LN	WAXAHACHE	TX	75165	112 CHEVY CHASE LN WAXAHACHE TX 75165
175520	ROGERS DAVID B	0 237	LOT 8 BLK 10 RIVER OAKS 2 0 237 AC	119 DEERWOOD LN	WAXAHACHE	TX	75165	119 DEERWOOD LN WAXAHACHE TX 75165
179061	BROWN PROPERTIES LTD	10 399	5 J B & A ADAMS, 363 J GOOCH 10 399 ACRES	500 N AKARD ST STE 2970	DALLAS	TX	75201	HIGHWAY 287 WAXAHACHE TX 75165
181801	TAYLOR MAMIE ETAL	19 82	235 W C CALDER 19 82 ACRES	601 SYCAMORE ST	WAXAHACHE	TX	75165	HIGHWAY 287 WAXAHACHE TX 75165
181802	KSAM LLC	19 58	235 W C CALDER 19 58 ACRES	3028 ROSSINA	GRAND PRAIRIE	TX	75054	HIGHWAY 287 WAXAHACHE TX 75165
181802	KSAM LLC	19 58	235 W C CALDER 19 58 ACRES	3028 ROSSINA	GRAND PRAIRIE	TX	75054	HIGHWAY 287 WAXAHACHE TX 75165
182271	ADKINS MICHAEL T & KAY E	0 74	290 B B DAVIS 0 74 ACRES	826 FARLEY ST	WAXAHACHE	TX	75165	826 FARLEY ST WAXAHACHE TX 75165
182275	BLUE BONNET TRAILS LLC	34 02	290 B B DAVIS 34 02 ACRES	6255 WOODLAND DR	DALLAS	TX	75225	HIGHWAY 287 WAXAHACHE TX 75165
277817	J HOUSTON HOMES LLC	0 13	LOT 5 BLK 3 BLUE BONNET TRAILS PH 1 & 2 13 AC	PO BOX 2829	RED OAK	TX	75154	213 VIOLET DR WAXAHACHE TX 75165
277818	J-H CENTRAL MANAGEMENT SERVICES LLC & J HOUSTON HOMES LLC	0 15	LOT 6 BLK 3 BLUE BONNET TRAILS PH 1 & 2 0 15 AC	J HOUSTON HOMES LIMITED LIABILITY COMPANY	J HOU	TX	75185	221 VIOLET DR WAXAHACHE TX 75165
277819	LONE STALLION CUSTOM HOMES LLC	0 15	LOT 7 BLK 3 BLUE BONNET TRAILS PH 1 & 2 15 AC	2311 NEWTON CIR WEST	IRVING	TX	75062	237 VIOLET DR WAXAHACHE TX 75165
277820	BLUE BONNET TRAILS LLC	0 04	LOT 6 BLK 3 (OPEN SPACE) BLUE BONNET TRAILS PH 1 & 2 0 04 AC		DALLAS	TX	75225	185 ASTER DR WAXAHACHE TX 75165
277822	BLUE BONNET TRAILS LLC	0 16	LOT 1 BLK 4 BLUE BONNET TRAILS PH 1 & 2 16 AC	6255 WOODLAND DR	DALLAS	TX	75225	168 VERBENA DR WAXAHACHE TX 75165
277823	BLUE BONNET TRAILS LLC	0 1	LOT 2 BLK 4 BLUE BONNET TRAILS PH 1 & 2 1 AC	6255 WOODLAND DR	DALLAS	TX	75225	164 VERBENA DR WAXAHACHE TX 75165
277824	BLUE BONNET TRAILS LLC	0 09	LOT 3 BLK 4 BLUE BONNET TRAILS PH 1 & 2 09 AC	6255 WOODLAND DR	DALLAS	TX	75225	160 VERBENA DR WAXAHACHE TX 75165
277825	BLUE BONNET TRAILS LLC	0 08	LOT 4 BLK 4 BLUE BONNET TRAILS PH 1 & 2 08 AC	6255 WOODLAND DR	DALLAS	TX	75225	158 VERBENA DR WAXAHACHE TX 75165
277826	BLUE BONNET TRAILS LLC	0 07	LOT 5 BLK 4 BLUE BONNET TRAILS PH 1 & 2 07 AC	6255 WOODLAND DR	DALLAS	TX	75225	156 VERBENA DR WAXAHACHE TX 75165
277827	BLUE BONNET TRAILS LLC	0 08	LOT 6 BLK 4 BLUE BONNET TRAILS PH 1 & 2 08 AC	6255 WOODLAND DR	DALLAS	TX	75225	154 VERBENA DR WAXAHACHE TX 75165
277828	BLUE BONNET TRAILS LLC	0 07	LOT 7 BLK 4 BLUE BONNET TRAILS PH 1 & 2 07 AC	6255 WOODLAND DR	DALLAS	TX	75225	152 VERBENA DR WAXAHACHE TX 75165
277829	BLUE BONNET TRAILS LLC	0 08	LOT 8 BLK 4 BLUE BONNET TRAILS PH 1 & 2 08 AC	6255 WOODLAND DR	DALLAS	TX	75225	150 VERBENA DR WAXAHACHE TX 75165
277830	BLUE BONNET TRAILS LLC	0 08	LOT 9 BLK 4 BLUE BONNET TRAILS PH 1 & 2 08 AC	6255 WOODLAND DR	DALLAS	TX	75225	148 VERBENA DR WAXAHACHE TX 75165
277831	BLUE BONNET TRAILS LLC	0 08	LOT 10 BLK 4 BLUE BONNET TRAILS PH 1 & 2 08 AC	6255 WOODLAND DR	DALLAS	TX	75225	144 VERBENA DR WAXAHACHE TX 75165
277832	BLUE BONNET TRAILS LLC	0 08	LOT 11 BLK 4 BLUE BONNET TRAILS PH 1 & 2 08 AC	6255 WOODLAND DR	DALLAS	TX	75225	140 VERBENA DR WAXAHACHE TX 75165
277833	BLUE BONNET TRAILS LLC	0 07	LOT 12 BLK 4 BLUE BONNET TRAILS PH 1 & 2 07 AC	6255 WOODLAND DR	DALLAS	TX	75225	138 VERBENA DR WAXAHACHE TX 75165
277834	BLUE BONNET TRAILS LLC	0 08	LOT 13 BLK 4 BLUE BONNET TRAILS PH 1 & 2 08 AC	6255 WOODLAND DR	DALLAS	TX	75225	136 VERBENA DR WAXAHACHE TX 75165
277835	BLUE BONNET TRAILS LLC	0 08	LOT 14 BLK 4 BLUE BONNET TRAILS PH 1 & 2 08 AC	6255 WOODLAND DR	DALLAS	TX	75225	134 VERBENA DR WAXAHACHE TX 75165
277836	BLUE BONNET TRAILS LLC	0 08	LOT 15 BLK 4 BLUE BONNET TRAILS PH 1 & 2 08 AC	6255 WOODLAND DR	DALLAS	TX	75225	132 VERBENA DR WAXAHACHE TX 75165
277837	BLUE BONNET TRAILS LLC	0 08	LOT 16 BLK 4 BLUE BONNET TRAILS PH 1 & 2 08 AC	6255 WOODLAND DR	DALLAS	TX	75225	130 VERBENA DR WAXAHACHE TX 75165
277838	BLUE BONNET TRAILS LLC	0 08	LOT 17 BLK 4 BLUE BONNET TRAILS PH 1 & 2 08 AC	6255 WOODLAND DR	DALLAS	TX	75225	128 VERBENA DR WAXAHACHE TX 75165
277839	BLUE BONNET TRAILS LLC	0 07	LOT 18 BLK 4 BLUE BONNET TRAILS PH 1 & 2 07 AC	6255 WOODLAND DR	DALLAS	TX	75225	124 VERBENA DR WAXAHACHE TX 75165
277840	BLUE BONNET TRAILS LLC	0 08	LOT 19 BLK 4 BLUE BONNET TRAILS PH 1 & 2 08 AC	6255 WOODLAND DR	DALLAS	TX	75225	120 VERBENA DR WAXAHACHE TX 75165
277841	BLUE BONNET TRAILS LLC	0 08	LOT 20 BLK 4 BLUE BONNET TRAILS PH 1 & 2 08 AC	6255 WOODLAND DR	DALLAS	TX	75225	116 VERBENA DR WAXAHACHE TX 75165
277842	BLUE BONNET TRAILS LLC	0 08	LOT 21 BLK 4 BLUE BONNET TRAILS PH 1 & 2 08 AC	6255 WOODLAND DR	DALLAS	TX	75225	112 VERBENA DR WAXAHACHE TX 75165
277843	BLUE BONNET TRAILS LLC	0 08	LOT 22 BLK 4 BLUE BONNET TRAILS PH 1 & 2 08 AC	6255 WOODLAND DR	DALLAS	TX	75225	108 VERBENA DR WAXAHACHE TX 75165
277844	BLUE BONNET TRAILS LLC	0 08	LOT 23 BLK 4 BLUE BONNET TRAILS PH 1 & 2 08 AC	6255 WOODLAND DR	DALLAS	TX	75225	104 VERBENA DR WAXAHACHE TX 75165
277845	BLUE BONNET TRAILS LLC	0 12	LOT 24 BLK 4 BLUE BONNET TRAILS PH 1 & 2 12 AC	6255 WOODLAND DR	DALLAS	TX	75225	100 VERBENA DR WAXAHACHE TX 75165
277846	BLUE BONNET TRAILS LLC	0 12	LOT 25 BLK 4 BLUE BONNET TRAILS PH 1 & 2 12 AC	6255 WOODLAND DR	DALLAS	TX	75225	224 LAVENDER DR WAXAHACHE TX 75165
277847	BLUE BONNET TRAILS LLC	0 08	LOT 26 BLK 4 BLUE BONNET TRAILS PH 1 & 2 08 AC	6255 WOODLAND DR	DALLAS	TX	75225	220 LAVENDER DR WAXAHACHE TX 75165
277848	BLUE BONNET TRAILS LLC	0 08	LOT 27 BLK 4 BLUE BONNET TRAILS PH 1 & 2 08 AC	6255 WOODLAND DR	DALLAS	TX	75225	216 LAVENDER DR WAXAHACHE TX 75165
277849	BLUE BONNET TRAILS LLC	0 11	LOT 48 BLK 4 (OPEN SPACE) BLUE BONNET TRAILS PH 1 & 2 0 11 AC	6255 WOODLAND DR	DALLAS	TX	75225	228 VERBENA DR WAXAHACHE TX 75165
277888	BLUE BONNET TRAILS LLC	0 09	LOT 12 BLK 5 BLUE BONNET TRAILS PH 1 & 2 09 AC	6255 WOODLAND DR	DALLAS	TX	75225	220 SNAPDRAGON LN WAXAHACHE TX 75165
277889	BLUE BONNET TRAILS LLC	0 1	LOT 13 BLK 5 BLUE BONNET TRAILS PH 1 & 2 10 AC	6255 WOODLAND DR	DALLAS	TX	75225	221 LAVENDER DR WAXAHACHE TX 75165
277912	BLUE BONNET TRAILS LLC	0 08	LOT 12 BLK 6 BLUE BONNET TRAILS PH 1 & 2 08 AC	6255 WOODLAND DR	DALLAS	TX	75225	220 FOXGLOVE LN WAXAHACHE TX 75165
277913	BLUE BONNET TRAILS LLC	0 1	LOT 13 BLK 6 BLUE BONNET TRAILS PH 1 & 2 10 AC	6255 WOODLAND DR	DALLAS	TX	75225	221 SNAPDRAGON LN WAXAHACHE TX 75165
277938	BLUE BONNET TRAILS LLC	0 11	LOT 11 BLK 7 BLUE BONNET TRAILS PH 1 & 2 11 AC	6255 WOODLAND DR	DALLAS	TX	75225	220 VIOLET DR WAXAHACHE TX 75165
277939	BLUE BONNET TRAILS LLC	0 11	LOT 12 BLK 7 BLUE BONNET TRAILS PH 1 & 2 11 AC	6255 WOODLAND DR	DALLAS	TX	75225	221 FOXGLOVE LN WAXAHACHE TX 75165

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-186-2021

WAXAHACHIE DEVELOPMENT CO
PO BOX 717
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, February 23, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, March 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 Islam Diab, ADTM Engineering & Construction Corp., for a **Zoning Change** from a General Retail and Planned Development-Single Family Residential-3 zoning district to Planned Development-General Retail, located at the SW corner of Farley Street at Highway 287 (being a portion of Property ID 181802) - Owner: KSAM LLC (ZDC-186-2021)

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-186-2021

City Reference: 265609

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, February 16, 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:

Mark Singleton
Signature

2/10/21
Date

Mark Singleton
Printed Name and Title

P.O. Box 717
Address

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

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

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ADTM Engineering and Construction Corp.

February 1st, 2021

City of Waxahachie Planning Department
Waxahachie, Texas

RE: PD Zoning Change – Property ID No.181802

Dear Sir or Madam,

We are requesting a zoning change for the subject property from an existing zoning of GR/PD(Lot 1) -SF-3 (Lot 2) to GR with the following uses:

Two Retail Buildings and office Building:

	Lot (1) Area= 49,744 sq.ft.	Lot (2) Area= 103,115 sq.ft.
Building Size	Office Building (5,500 sq.ft.)	Convenience Store (5,000 sq.ft.) Retail Building (4,000 sq.ft.)
Setbacks	Front 40' Side 20' Rear 20'	Front 40' Side 20' Rear 20'
Lot Coverage	11.1%	8.7%

Convenience store material analysis:

Elevations Material Analysis													
		Total Area (SF)	%	Stucco	Brick	Aluminum Storefront/Exit Doors	Stone	Metal Awning					
1	Front Elevation	2113.10	SF	618.10	SF	680.20	SF	406.20	SF	179.60	SF	229.20	SF
		100.00	%	29.25	%	32.19	%	19.22	%	8.50	%	10.85	%
2	Side Elevation	1108.10	SF	36.25	SF	767.15	SF	126.40	SF	102.00	SF	76.30	SF
		100.00	%	3.27	%	69.23	%	11.41	%	9.20	%	6.89	%
3	Back Elevation	2113.20	SF	150.10	SF	1738.80	SF	48.00	SF	166.60	SF	9.60	SF
		100.00	%	7.10	%	82.28	%	2.27	%	7.88	%	0.45	%
4	Side Elevation	1108.10	SF	36.25	SF	767.15	SF	126.40	SF	102.00	SF	76.30	SF
		100.00	%	3.27	%	69.23	%	11.41	%	9.20	%	6.89	%
Total Area		6442.50		840.70	3953.30	707.00	550.20	391.40					

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Retail building material analysis:

Elevations Material Analysis													
		Total Area (SF)	%	Stucco		Brick		Aluminum Storefront/Exit Doors		Stone		Metal Awning	
1	Front Elevation	1733.00	SF	423.10	SF	557.10	SF	575.20	SF	101.30	SF	76.30	SF
		100.00	%	24.41	%	32.15	%	33.19	%	5.85	%	4.40	%
2	Side Elevation	1108.10	SF	36.25	SF	767.15	SF	126.40	SF	102.00	SF	76.30	SF
		100.00	%	3.27	%	69.23	%	11.41	%	9.20	%	6.89	%
3	Back Elevation	1733.00	SF	158.30	SF	1364.60	SF	96.00	SF	107.30	SF	6.80	SF
		100.00	%	9.13	%	78.74	%	5.54	%	6.19	%	0.39	%
4	Side Elevation	1108.10	SF	0.00	SF	873.40	SF	38.50	SF	187.20	SF	9.00	SF
		100.00	%	0.00	%	78.82	%	3.47	%	16.89	%	0.81	%
Total Area		5682.20		617.65		3562.25		836.10		497.80		168.40	

Office building material analysis:

Elevations Material Analysis													
		Total Area (SF)	%	Stucco		Brick		Aluminum Storefront/Exit Doors		Stone		Metal Awning	
1	Front Elevation	2142.20	SF	554.30	SF	578.20	SF	575.20	SF	141.50	SF	293.20	SF
		100.00	%	25.88	%	26.99	%	26.85	%	6.61	%	13.69	%
2	Side Elevation	1012.73	SF	0.00	SF	718.40	SF	126.40	SF	161.13	SF	6.80	SF
		100.00	%	0.00	%	70.94	%	12.48	%	15.91	%	0.67	%
3	Back Elevation	2142.30	SF	180.00	SF	1703.60	SF	96.40	SF	147.10	SF	15.20	SF
		100.00	%	8.40	%	79.52	%	4.50	%	6.87	%	0.71	%
4	Side Elevation	1012.73	SF	0.00	SF	718.40	SF	126.40	SF	161.13	SF	6.80	SF
		100.00	%	0.00	%	70.94	%	12.48	%	15.91	%	0.67	%
Total Area		6309.95		734.30		3718.60		924.40		610.86		322.00	

We are requesting permission for:

- gasoline sales for the proposed Convenience store.
- a drive-thru for the second retail building.
- Location of the dumpster enclosure to be in the setback of lot 1.
- And the rear setback for Lot 1 to be 20' instead of 25'.

Sincerely,

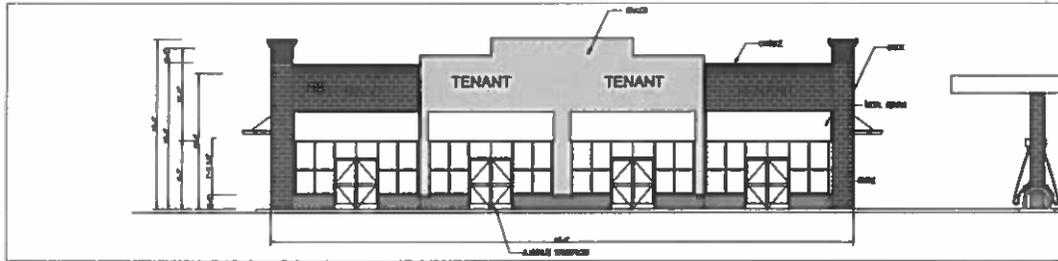
ADTM Engineering and Construction Corp.

Michael Alturk

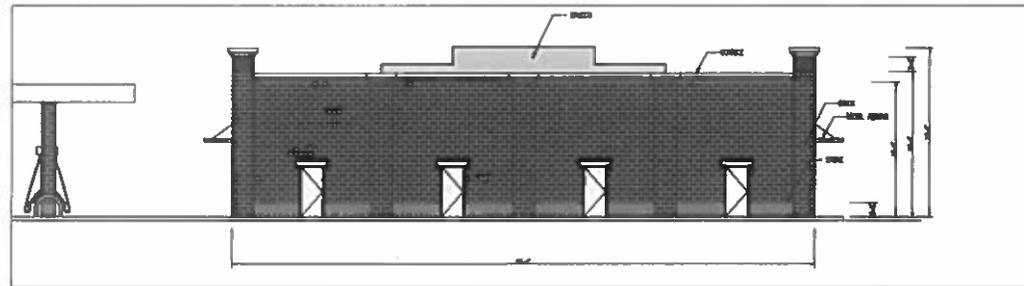
Michael Alturk, P.E.
Registered Civil Engineer
Registration Number 73400

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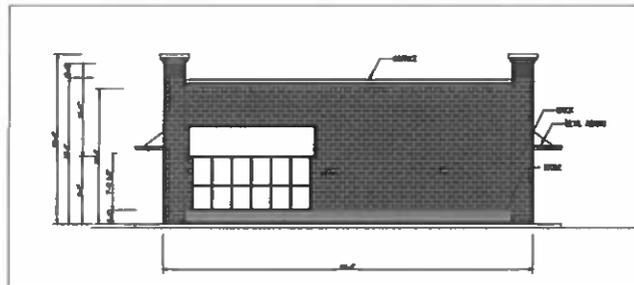
1475 Heritage Parkway #217, Mansfield, Texas 76063
817.271.9066 Phone



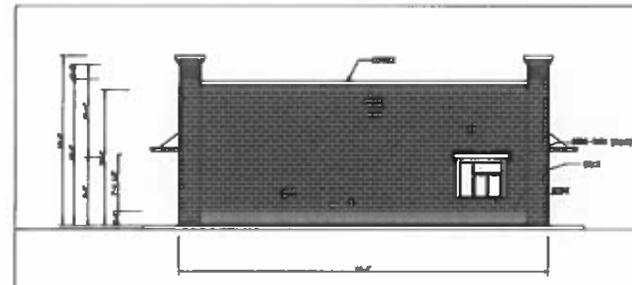
1 FRONT ELEVATION
SCALE: 1/8"=1'-0"



2 BACK ELEVATION
SCALE: 1/8"=1'-0"



3 SIDE ELEVATION
SCALE: 1/8"=1'-0"



4 SIDE ELEVATION
SCALE: 1/8"=1'-0"

	Total Area (SF)	%	Elevations Material Analysis									
			Stone	Brick	Aluminum Stone/Frank/Red Doors	Stone	Metal Paneling					
1 Front Elevation	3735.00	50	425.00	50	167.50	50	575.00	50	100.00	50	70.00	50
	800.00	%	24.01	%	22.25	%	22.19	%	5.95	%	4.40	%
2 Side Elevation	1395.00	50	36.25	50	707.50	50	150.00	50	202.00	50	70.00	50
	800.00	%	3.27	%	88.23	%	11.41	%	9.30	%	6.00	%
3 Back Elevation	1771.00	50	150.00	50	1204.00	50	95.00	50	107.00	50	6.00	50
	800.00	%	6.13	%	76.20	%	5.54	%	6.90	%	6.00	%
4 Side Elevation	1395.00	50	0.00	50	879.00	50	30.00	50	187.00	50	9.00	50
	800.00	%	0.00	%	70.03	%	3.47	%	13.00	%	6.01	%
Total Area	5802.00		617.00		3543.25		820.50		497.00		145.00	

ADITH ENGINEERING & CONSTRUCTION
 C.E.S.P.
 1475 HERITAGE PARKWAY, SUITE 217
 WAXAHACHIE, TEXAS 75083
 CONTACT PERSON: JOSE ALTIERRA, P.E.
 PHONE: 972-477-9866 F-48994
 TEXAS REGISTRATION NUMBER: F-48994



HIGHWAY 287
 CITY OF WAXAHACHIE
 ELLIS COUNTY, TEXAS

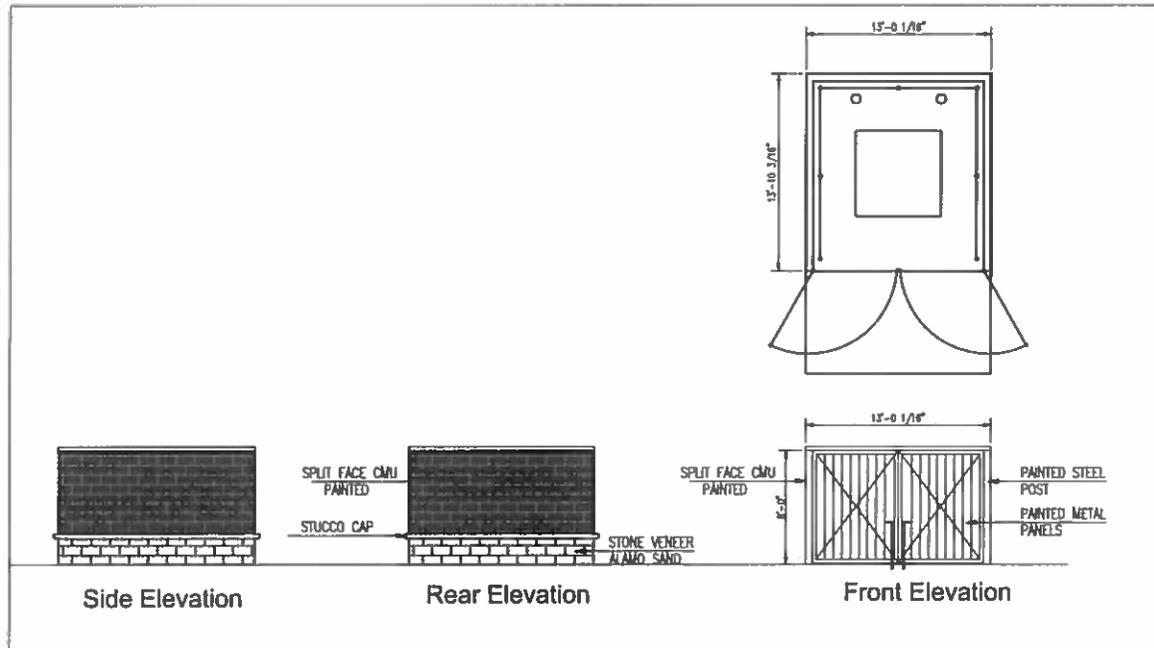
DEVELOPER:
 KSAM LLC
 3021 ROSINA, GRAND
 PRAIRIE, TX 75054
 PHONE: 917-592-3875

Design: L.P.
 Drawn: L.P.
 Checked By: M.A.
 Date: 01-08-2011

Rev.	Description	Date

RETAIL BUILDING
 ELEVATIONS
 Sheet L3

(11)



○ DUMPSTER ELEVATION
SCALE 1/4"=1'-0"

ADTH ENGINEERING & CONSTRUCTION
CORP.
1475 HERITAGE PARKWAY, SUITE 217
WAXSTALL, TEXAS 75083
CONTACT PERSON: JOSE ALTIER, P.E.
PHONE: 972-477-9866 F-48994
TEXAS REGISTRATION NUMBER: F-48994



HIGHWAY 287
CITY OF WAXHACHE
ELLIS COUNTY, TEXAS

DEVELOPER:
KSAM LLC
3021 ROSINA, GRAND
PRAIRIE, TX 75054
PHONE: 917-592-3875

Design: E.D.
Drawn: E.D.
Checked By: M.A.
Date: 01-08-2021

No.	Date	Revisions

REFUSE FACILITY
ENCLOSURE ELEVATIONS
Sheet L4

(13)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-07-2021



MEETING DATE(S)

Planning & Zoning Commission: February 23, 2021

City Council: March 1, 2021

CAPTION

Public Hearing on a request by Ed Fleming, Walton Global Holdings, LTD, for a Zoning Change from a Future Development and Planned Development (Ordinance #2330) zoning district to a Planned Development-Mixed Use Residential (MUR) with Concept Plan, located South of FM 875, West of I-35, North of FM 1446, and East of Lone Elm Road (Property IDs 182520, 264568, 263786, 192306, 234203, 179534, 187960, 179468) - Owner: WALTON TEXAS LP (ZDC-7-2021)

APPLICANT REQUEST

The applicant intends to create a Planned Development to allow for single family residential, multi-family residential, mixed use residential, mixed use commercial, and commercial/retail on 2,813 acres.

CASE INFORMATION

Applicant: Edward R. Fleming, Walton Global Holdings, Ltd.

Property Owner(s): Walton Texas LP

Site Acreage: 2,813 acres

Current Zoning: Future Development and Planned Development (Ord. 2330)

Requested Zoning: Planned Development-Mixed Use Residential

SUBJECT PROPERTY

General Location: Located South of FM 875, West of I-35, North of FM 1446, and East of Lone Elm Road

Parcel ID Number(s): 182520, 264568, 263786, 192306, 234203, 179534, 187960, 179468

Existing Use: The subject property is currently undeveloped.

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	N/A	ETJ
East	LI1	Industrial Warehouse
South	N/A	ETJ
West	N/A	ETJ

Future Land Use Plan:

Low Density Residential, Mixed Use Residential, Retail, and Public/Semi-Public

Comprehensive Plan:

Low Density Residential: 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.

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

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

Public/Semi-Public: 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.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant intends to create a Planned Development to allow for single family residential, multi-family residential, mixed use residential, mixed use commercial, and commercial/retail on 2,813 acres.

Case History:

Since the applicant's original submittal in 2016, city staff has continuously worked diligently with the applicant to help prepare a development meeting the City's standards and the intent of the Comprehensive Plan. The original submittal from 2016 was withdrawn and the applicant reapplied in 2018. There were two Joint Work Sessions held with the City Council and Planning and Zoning Commission on August 27, 2018 and February 12, 2019 to review and discuss the proposed development.

Staff has worked with the applicant to address questions in relation to densities and amenities provided. From the original proposal, the applicant had not listed a particular residential lot count. Staff worked with the applicant to reduce the overall densities. In the original submittal in 2016 the residential unit count was presented at 10,200, 9,875 in 2018, and the proposed residential unit count with this proposal is 8,907. The amenities provided went from three amenity centers, to four with this proposal. Staff has also worked to ensure that these amenity centers include facilities that are substantial in nature, with each amenity center requiring a pool.

Per the minutes of the 8/27/18 meeting, key notes from the Joint Work Session include:

- The applicant proposed three (3) school sites. There was me mentioned concern with this being adequate for the development.
- The applicant proposed three (3) zoning districts (Residential District, Neighborhood Village District, and Mixed Use District)
 - 10,200 residential units proposed
- The joint work session discussed how the development will fit onto the site, noting entrance to the Planned Development will be from IH-35 as well as Highway 287 noting approximately 90 percent of the property is prairie fields
- The applicant proposes a Mixed Use District which will include approximately 351 acres (would be higher density oriented commercial uses, and a mixture of uses such as residential, recreation and multi-family)
- There was discussion proposed development to serve Emory Lakes and surrounding area with uses such as grocery store and large retail stores. The joint work session indicated concern and reiterated that the development must be self-contained and include commercial retail to serve the development rather than adding to the current retail and businesses in Waxahachie
- The applicant indicated this is a proposed 30 year project constructed in phases
- The joint session indicated a need for a commitment for a future fire department and police sub-station

Per the minutes of the 2/12/19 meeting, key notes from the Joint Work Session include:

- The applicant proposed three (3) zoning districts (Residential District, Neighborhood Village District, and Mixed Use District)
 - 9,875 residential units proposed
- The applicant reviewed the lot sizes and lot mix, sufficiency of amenity package, PID justification, and amount of commercial property
- There was discussion about the responsibility of the ongoing maintenance of the amenity centers and the applicant noted the Homeowner's Association will pay the maintenance fees after the PID is completed
- The joint work session included a discussion about concerns with the PID tax (noting the proposed number is half of the city tax)
 - The applicant noted the proposed rate is the max that the market can handle according to their financial advisors.

- The applicant explained the proposed \$125,000,000 PID will be used for water, sanitary sewer, utilities, roadways, and landscape and then will be turned over to the city for ongoing maintenance
- The joint work session members discussed concerns about not meeting the city's lot size requirements
- Council/PZ concerns about the density of the area, the high PID tax, and the minimum city development standards not being met

Proposed Use:

The applicant intends to create a Planned Development to allow for single family residential, multifamily residential, mixed use residential, mixed use commercial, and commercial/retail uses on 2,813 acres, located South of FM 875, West of I-35, North of FM 1446, and East of Lone Elm Road along Southwest corner of IH-35 and US Highway 287. Per the "Phasing Plan", the aforementioned zoning uses is currently proposed to be constructed over seventeen phases.

Emory Lakes Land Use Types:

Per the proposed Development Standards provided by the applicant, the zoning districts below depict what zoning districts will be included within the Planned Development.

Single Family Residential District (SFR)

This district provides a mixture of single family residential uses nestled along the open spaces and natural amenities the project offers. The district provides a variety of lot sizes to accommodate different home styles, buyer demographics and home sizes. The residential lots are designed into smaller neighborhoods with neighborhood parks and open spaces extending into and between neighborhoods. The Single Family Residential district has four (4) distinct sub districts which include:

- Estate Lots: This sub district includes single-family detached lots 10,000 sf and larger.
- Township Lots: This sub district includes detached single-family lots between 8,400 sf and 10,000 sf
- Village lots: This sub district includes detached single-family lots between 6,000 sf and 8,400 sf
- Cottage Lots: This sub district includes detached single-family lots less than 6,000 square feet in size including Patio Homes & Zero Lot Line lots and single-family attached buildings (Townhomes).

	Estate Lots		Township	Village Lots		Cottage Lots	
Single Family Lot Mix (at buildout)	40% Minimum		10% Minimum	45% Maximum		3.5% Minimum 15% Maximum	
	12% Minimum	None					
Lot Area Min. (sf)	12,500	10,000	8,400	7,000	6,000	5,000	2,000
Total lots as calculated	1,069	3,385	891	4,008		312 Minimum 1,336 Maximum	

Multi-family Residential District (MFR)

This district provides a traditional apartment and condominium type units in attached living complexes characterize this district. These developments may take a variety of forms, including traditional garden style apartments to courtyard apartments as well as brownstone style apartments.

The applicant proposes a phasing plan to allow the first multifamily project be permitted following the permitting of at least seven hundred fifty (750) SFR District lots. At that time a maximum of two hundred fifty (250) multi-family units may be permitted.

For future phases, the applicant is proposing the additional multi-family units may be permitted as long as the following minimum SFR District lots have been permitted.

Total Permitted

SFR District Lots Total to Maximum multi-family units allowed to be permitted:

1,500 SFR lots to 500 MF units

2,250 SFR lots to 800 MF units

3,000 SFR lots to 1,100 MF units

3,750 SFR lots to 1,400 MF units

4,000 SFR lots to 1,700 MF units

5,000 SFR lots to all remaining multi-family units

*It is suggested that additional consideration be given to the total number of multifamily units and points at which these may be constructed.

Mixed Use Residential (MU-R)

The district includes a mixture of residential and non-residential uses. A maximum 80 percent of the acreage or square footage of any proposed development should be residential, with a minimum 20 percent (minimum) of the acreage or square footage non-residential. Acreage would apply in a horizontal mixed-use development, while square footage would apply in a vertical development. Both vertical and horizontal mixed use could be provided together. Residential uses may be single family (Village or Cottage Lots, or multi-family uses.

Mixed Use Non-residential (MU-N)

Similar to Mixed-Use Residential district, land designated as MU-N is intended for a mixture of non-residential and residential uses. The only difference would be that Mixed Use Non-residential has a greater percentage of non-residential components than residential. Specifically, a minimum 80 percent of the acreage or square footage of proposed developments are required to be nonresidential with a maximum 20 percent of the acreage or square footage allocated to residential. Southlake's Town Center is an example of Non-residential Mixed Use. Residential uses may be single family or multi-family uses.

Commercial/General Retail District (GR)

This district is based on the Waxahachie GR zoning district. The locations of the GR districts are at the center of the project near the Village Center node and also generally located along the project perimeter at project entries.

Overlay Areas:

Within the five Planned Development zoning district areas, the following overlay areas exist. These overlay districts create certain restrictions or development variations to exist within the Master Plan. Overlay Areas within the development include:

Floodplain

Floodplain Overlays are generally areas of land subject to inundation by a 100-year frequency flood as determined using standard engineering practices and generally as shown on the flood insurance Rate Map (FIRM) of the City of Waxahachie. These locations are not finalized and the actual floodplain limits, if any, will be finalized at the time of development. These areas may be increased or decreased in size based on the results of FEMA approved studies. Development within the Floodplain Overlay is subject to Appendix B (Flood Damage Prevention) of the City of Waxahachie Code of Ordinances as amended.

Semi-Public

Within the Master Plan, uses such as schools and civic spaces (libraries, police, fire, etc.) will exist. The applicant has indicated five sites, ranging from 12-15 acres will be dedicated to WISD for elementary school sites. An additional 25 acres is available for sale to WISD for the future location of a Junior High. The applicant has also provided 10 acres to the City as a Police or Fire Station, or other agreeable civic uses as needed by the City. The exact location for these uses will depend on the phasing and the timing of development. The land area is being set aside but the exact location will be determined at the time of platting.

- 5 elementary school sites 60-75 acres
- 1 junior high site 25 acres – available to purchase if needed
- 10 acres for Civic use

Town Center

The Town Center Overlay Area is delineated as an area that has increased development requirements and can be developed as a mixed-use development. Land uses are intended to be residential multi-family and non-residential commercial uses. Additional, mixed use buildings with ground floor retail and commercial uses with residential units located above are allowed. The development will be a blend of residential and commercial uses that serves as a central destination and hub of activity providing live and work opportunities. Buildings may be oriented closer to the streets to create a stronger pedestrian friendly streetscape.

Traditional Neighborhood Development

This area is allowed and encouraged within the Mixed-Use Residential District and Mixed Use Nonresidential District. It includes a variety of residential dwelling interspersed with small scale commercial establishments and public spaces.

Proposed Amenities

With this development, the applicant is proposing to have a home owner's association, which will retain a professional management team and on-site lifestyle managers for social programming.

- **Minimum Open Space**

- 15% minimum of the overall 2813 acre development
- 400 acres minimum for dedicated open space
Acreage comprised of usable area that is at least 20 feet wide (such as larger landscape/trail buffer areas or linear greenbelt corridors) or any size area so long as it incorporates any amenity elements. Open spaces may be passive areas such as floodplain, utility easements, landscape buffers or visual setbacks but can also be active spaces such as Community Amenity Centers, Neighborhood Parks, or Public Parks. No more than 63.3 acres of areas within the 100 year floodplain may count towards the overall open space requirement at buildout.
- The final plat that includes the 1,000th single family lot must indicate that at time of approval at least 60 acres of open space will be platted. The final plat that includes the 3,000th single family lot must indicate that at time of approval at least 180 acres of open space will be platted. The final plat that includes the 5,000th single family lot must indicate that at time of approval at least 300 acres of open space will be platted.

- **Community Amenity Centers**

-4 minimum

The applicant proposes that the first amenity center must be completed within 270 days after the 300th residential home permit is issued by the City. A second amenity center must be completed within 270 days after the 2,000th residential home permit is approved by the City. A third amenity center must be completed within 270 days after the 4,000th residential home permit

is approved by the City. A fourth amenity center must be completed within 270 days after the 6,000th residential home permit is approved by the City.

-4 must have pools, a list of 11 required program elements then each must have additional items from the following list:

- Clubhouse (Staff recommends a clubhouse at every Amenity Center)
- Pavilion
- Outdoor living areas (fire pit, bbq, etc.)
- Sport Courts (bocce, pickle ball, tennis, etc.)
- Sport Fields

*Staff suggests specific amenity center designs should be included with the proposal.

- **Additional Amenity Centers**

-1 for each Multi-family development

- **Neighborhood Parks and Parkland**

-13 minimum throughout the project

-Minimum ½ acres with every home within ½ mile of a park

-Parks to include playgrounds & minimum 3 program elements listed in PD

The neighborhood parks and community amenity centers of the PD are proposed to count towards the total park land dedication requirement, regardless if the neighborhood parks are Home Owners Association (HOA) or city owned and maintained.

The project wide Park Land dedication will be tracked and summarized at each Residential Initial Plat and/or detailed site plan submittal. A summary chart of park land requirements for any previous submittals and the park land requirement for the current submittal will be summarized along with any previous or current park land dedications.

Any park land dedication area larger than what is required for Residential Initial Plat and/or detailed site plan submittal will be carried over to future detailed site plans.

Public Park Land must be deed restricted as a park facility. It must be developed to City design standards.

- **Trails**

10 ft. trails

5 miles minimum

8 ft. trails

15 miles minimum (per exhibits)

6 ft. trails

10 miles minimum (per exhibits)

- **Traditional Neighborhood Design areas area**

-Additional park "squares" in each neighborhood

-½ acres minimum

- **Enhanced Architectural Features**

-Entry features, lakes, open spaces designed as destinations and usable areas

- **Home Owner's Association**

- Covers maintenance of common areas, parks, open spaces, etc.

- Provides programming and community events for the residents and businesses

Staff Analysis:

Staff believes that the proposed Master Plan development will play a substantial role in the future growth of the City of Waxahachie. By approving the proposed development, it would allow the applicant to deliver a unique, high quality master plan to the City, which is also projected to nearly double the population size of the city at the completion of the development. In addition, the proposed development is compliant with the various Goals and Objectives from the 2016 City of Waxahachie Comprehensive Plan Addendum (see "Conformance with the Comprehensive Plan" below).

If the proposed development is approved, the development will be consistent with the Future Land Use Plan (FLUP), as well as the envisioned character for the surrounding area.

Conformance with the Comprehensive Plan:

The proposed development is consistent with the following goals and objectives in the 2016 Comprehensive Plan Addendum:

- **Growth Strategies – Goal 2:** Encourage a balance of land uses to serve the needs of citizens and to ensure a diverse economic base
- **Growth Strategies – Goal 8:** Promote community identity through landscaping
- **Growth Strategies – Goal 9:** Establish gateway and entryways into neighborhoods to promote neighborhood identity
- **Growth Strategies – Goal 12:** Promote growth of the community where infrastructure exists.
- **Growth Strategies – Goal 15:** Identify areas for strategic annexations to occur.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, **118** 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 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
- Approval, as presented.
- Approval, per the following comments:**
 1. A mutually agreed upon Development Agreement will be required for the property.
 2. Additional consideration should be given to Multifamily development densities and phasing of the multifamily construction.
 3. Greater detail is needed regarding specific elements which will be included with each amenity center.
 4. Lot mix should be indicated with multiple lot size and types interspersed throughout development.
 5. The use of alleyways should be considered for cottage lot types.

6. Confirmation of connection to I-35 through offsite access easements or acquisition of property must be provided.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Amenity Summary
3. Development Standards
4. Exterior Construction Standards
5. Zoning District Exhibit
6. Master Trails and Open Space Exhibit
7. Screening Plan Exhibit
8. Thoroughfare Plan Exhibit
9. Street Sections Exhibit
10. Phasing Plan Exhibit
11. Master Signage Plan Exhibit
12. Boundary Exhibit
13. Concept Plan 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

(13)

Parcel#	Owner's Name	Address	Legal Description	Owner's Address	Owner's City	Owner's State	County	Zip	Parcel Address
15689	BROOME REAL ESTATE COMPANY	101 S BELLOW	101 S BELLOW TO 800 ACRES	771 BROADHEAD RD	WALSHAMACHE	TX	79188	HOWAY 287	WALSHAMACHE TX 79188
15690	BROOME REALTY	3 89	LOT 3 CEDAR ESTATES-REV 3 89 AC	8208 FM 878	WALSHAMACHE	TX	79187	8208 FM 878	WALSHAMACHE TX 79187
15691	BRAMAH BLA & BILLY	8 14	1 GREEN MEADOWS 8 14 ACRES	101 MEADOW CREST RD	WALSHAMACHE	TX	79187	101 MEADOW CREST RD	WALSHAMACHE TX 79187
17220	BARNES VONDER D & SHARON L	0 817	LOT 4 BLK 1 BROOKSIDE 817 AC	827 BROOKSIDE RD	WALSHAMACHE	TX	79187	827 BROOKSIDE RD	WALSHAMACHE TX 79187
17221	FABRIMAN VIRGINIA & HOEL	0 817	LOT 1 BLK 1 BROOKSIDE 817 AC	827 BROOKSIDE RD	WALSHAMACHE	TX	79187	827 BROOKSIDE RD	WALSHAMACHE TX 79187
17222	BONHAM MARCIUS & OLIVIA	0 817	LOT 2 BLK 1 BROOKSIDE 817 AC	828 BROOKSIDE RD	WALSHAMACHE	TX	79187	828 BROOKSIDE RD	WALSHAMACHE TX 79187
17342	OLIVIA PEDRO	20 27	40 J BARBER 20 27 ACRES	6420 FM 878	WALSHAMACHE	TX	79188	6420 FM 878	WALSHAMACHE TX 79188
17348	WALTON TEXAS LP	117 829	40 J BARBER 846 JE PRORCE 381 J PROR 117 829 ACRES C/O WALTON INTERNATIONAL GROUP	8420 LYNDON B JOHNSON 8780	DALLAS	TX	75240	811 BROOKSIDE RD	WALSHAMACHE TX 79187
17349	WALTON TEXAS LP	101 201	302 J J DAYVONN 101 201 ACRES	321 LONE ELM RD	WALSHAMACHE	TX	79187	321 LONE ELM RD	WALSHAMACHE TX 79187
17350	OWENS DANA & CAROL	7 07	40 J BARBER 1 07 ACRES	288 LONE ELM RD	WALSHAMACHE	TX	79187	288 LONE ELM RD	WALSHAMACHE TX 79187
17347	FRASER JEFFREY L & SARAH M	204 442	40 J BARBER 1323 B WALTERS 204 442 ACRES	PO BOX 587	WALSHAMACHE	TX	79188	1770 FM 1448	WALSHAMACHE TX 79187
17348	COOPER CHARLES E & REBECCA L	8 23	40 J BARBER 8 23 ACRES	6212 FM 878	MELTOWAN	TX	79268	6212 FM 878	MELTOWAN TX 79268
17891	KASCH PATRICIA L	1 73	40 ROLFE J BARBER 1 73 ACRES	828 E FM 878	MELTOWAN	TX	79268	828 E FM 878	MELTOWAN TX 79268
17892	WALTON TEXAS LP	13 168	40 J BARBER 13 168 ACRES	1015 FERRE AVENUE	WALSHAMACHE	TX	79188	828 E FM 878	WALSHAMACHE TX 79268
17893	WALTON TEXAS LP	108 848	40 J BARBER 101 E BELLOW 108 848 ACRES	6201 LYNDON B JOHNSON 8780	DALLAS	TX	75240	FM 878	WALSHAMACHE TX 79187
17894	HALLBERT BILLY & CAROLYN L FAMILY REVOCABLE TRUST	2 47	40 J BARBER 2 47 ACRES	8471 E FM 878	WALSHAMACHE	TX	79187	8471 E FM 878	WALSHAMACHE TX 79187
17895	HARRIS MARILYN JO	1 28	40 LONE J BARBER 1 28 ACRES	8520 FM 878	WALSHAMACHE	TX	79187	8520 FM 878	WALSHAMACHE TX 79187
17896	HALLBERT BILLY & CAROLYN L FAMILY REVOCABLE TRUST	10	40 J BARBER 10 00 ACRES	8471 E FM 878	WALSHAMACHE	TX	79187	8471 E FM 878	WALSHAMACHE TX 79187
17897	HARRIS WILLIAM S	141 0575	40 J BARBER 150 B BOWD 141 0575 ACRES	2021 PORTAL	DALLAS	TX	75212	871 E FM 878	WALSHAMACHE TX 79187
17898	BLAKE PAUL	0 89	40 J BARBER 0 89 ACRES	8521 E FM 878	WALSHAMACHE	TX	79187	8521 E FM 878	WALSHAMACHE TX 79187
17899	MCCOY ANDRELENE BALL	1	40 J BARBER 1 ACRES	PO BOX 587	WALSHAMACHE	TX	79188	823 E FM 878	WALSHAMACHE TX 79187
17900	KLEIN WALTER	8	40 J BARBER 8 ACRES	6212 FM 878	MELTOWAN	TX	79268	6212 FM 878	MELTOWAN TX 79268
17901	KELLEY WILLIAM P	16 31	40 J BARBER 16 31 ACRES	300 NATY LAKE DR	WALSHAMACHE	TX	79187	300 NATY LAKE DR	WALSHAMACHE TX 79187
160470	BUTTS BLAKE EMMER & JUDY ANN	27 028	108 486 W J BOVO E HORTON 27 028 ACRES	1280 MIDWAY LN	WALSHAMACHE	TX	79187	1280 MIDWAY LN	WALSHAMACHE TX 79187
160471	BUTTS BLAKE EMMER & JUDY ANN	8	130 E BALLARD 8 ACRES	1470 LONE ELM RD	WALSHAMACHE	TX	79187	1470 LONE ELM RD	WALSHAMACHE TX 79187
160472	MURPHY REVOCABLE LIVINT TRUST	8	130 E BALLARD 8 ACRES	1488 LONE ELM RD	WALSHAMACHE	TX	79187	1488 LONE ELM RD	WALSHAMACHE TX 79187
160473	WOOD RICHARD E MD	102 01	130 J W BROOK 8 884 J C PALTON 102 01 ACRES	812 CHERRYBROOK LN	WALSHAMACHE	TX	79187	2400 LONE ELM RD	WALSHAMACHE TX 79187
160474	BLUMBERT RANCO	23	143 E H BELLCHER 143 E BALLARD 20 ACRES	1927 LONE ELM RD	WALSHAMACHE	TX	79187	1927 LONE ELM RD	WALSHAMACHE TX 79187
160475	MURPHY REVOCABLE LIVINT TRUST	13 198	130 PT TR 2 H BELLCHER 13 198 ACRES	1047 LONE ELM RD	WALSHAMACHE	TX	79187	1047 LONE ELM RD	WALSHAMACHE TX 79187
160476	KITTS KATHERINE ANN	118 3	130 E H BELLCHER 118 3 ACRES	111 MUSTANG CREEK DR	WALSHAMACHE	TX	79187	109 LONE ELM RD	WALSHAMACHE TX 79187
160477	POULAM DARY & CATHERINE LEB	23 889	130 PT TR 2 H BELLCHER 130 271 & 792 J J DAYVONN 23 889 ACRES THE DARY & CATHERINE POULAM REVOCABLE LIVINT TRUST	1046 LONE ELM RD	WALSHAMACHE	TX	79187	1046 LONE ELM RD	WALSHAMACHE TX 79187
160478	WALTON TEXAS LP	138 774	J J DAYVONN 138 774 ACRES	3216 FM 1448	WALSHAMACHE	TX	79187	3216 FM 1448	WALSHAMACHE TX 79187
160479	ELLS COUNTY TRUSTEE	8 477	302 J J DAYVONN 8 477 ACRES	70 ROLFE	WALSHAMACHE	TX	79187	70 ROLFE	WALSHAMACHE TX 79187
160480	MOORE HOWARD	6 4	302 J J DAYVONN 6 4 ACRES	878 LONE ELM RD	WALSHAMACHE	TX	79187	878 LONE ELM RD	WALSHAMACHE TX 79187
160481	JOHNSON DAVID R	6 14	302 J J DAYVONN 6 14 ACRES	878 LONE ELM RD	WALSHAMACHE	TX	79187	878 LONE ELM RD	WALSHAMACHE TX 79187
160482	TAYLOR BRADY & MATTHEW	3 2	302 J J DAYVONN 3 2 ACRES	881 LONE ELM RD	WALSHAMACHE	TX	79187	881 LONE ELM RD	WALSHAMACHE TX 79187
160483	WALTON TEXAS LP	181 822	302 J J DAYVONN 181 822 ACRES C/O WALTON INTERNATIONAL GROUP	1303 LYNDON B JOHNSON FWY 8780	DALLAS	TX	75240	898 LONE ELM RD	WALSHAMACHE TX 79187
160484	KELLEY WILLIAM P	6 21	381 J PFER 6 21 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160485	NEEDLE CURTIS RAY & ALVIN NEEDLE	88 88	381 J PFER 88 88 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160486	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160487	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160488	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160489	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160490	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160491	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160492	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160493	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160494	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160495	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160496	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160497	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160498	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160499	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160500	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160501	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160502	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160503	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160504	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160505	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160506	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160507	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160508	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160509	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160510	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160511	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160512	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160513	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160514	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160515	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160516	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160517	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160518	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160519	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160520	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160521	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160522	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160523	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160524	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160525	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160526	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160527	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160528	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160529	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160530	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160531	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160532	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160533	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160534	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160535	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES	620 HARRIS RD	ITALY	TX	79881	620 HARRIS RD	ITALY TX 79881
160536	NEEDLE CURTIS RAY & ALVIN NEEDLE	18	381 J PFER 18 ACRES						

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-7-2021**

RAMIREZ DONNA M & TERESA
1850 LONE ELM RD
WAXAHACHIE, TX 75167

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, February 23, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, March 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 Ed Fleming, Walton Global Holdings, LTD, for a **Zoning Change** from a Future Development and Planned Development (Ordinance #2330) zoning district to a Planned Development-Mixed Use Residential (MUR) with Concept Plan, located South of FM 875, West of I-35, North of FM 1446, and East of Lone Elm Road (Property IDs 182520, 264568, 263786, 192306, 234203, 179534, 187960, 179468) - Owner: WALTON TEXAS LP (ZDC-7-2021)
2. **You may visit the following webpage to view documents relating to this request:**
http://www.waxahachie.com/departments/planning_department/current_cases.php

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-7-2021**

City Reference: 275611

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, February 16, 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:

Donna Ramirez / Teresa Ramirez
Signature

2-9-21
Date

Donna Ramirez / Teresa Ramirez
Printed Name and Title
homeowners

1850 Lone Elm Rd.
Address
Waxahachie, TX 75167

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.

Emory Lakes

Summary of Required Amenities

December 15, 2020

The following is a summary of Amenities required in the current PD.

- **Neighborhood School sites:**

5 elementary school sites	60 acres (minimum) donated
1 junior high school site	25 acres available if WISD needs to purchase
- **City of Waxahachie civic site** 10 acres donated
- **Minimum Open Space**

15% minimum overall	400 acres minimum
---------------------	-------------------
- **Community Amenity Centers** 4 minimum
 - 4 must have pools, a list of 11 required program elements then each must have additional items from the following list:
 - Clubhouse
 - Pavilion
 - Outdoor living areas (fire pit, bbq, etc.)
 - Sport Courts (bocce, pickle ball, tennis, etc.)
 - Sport Fields
- **Additional Amenity Centers** 1 for each Multi-family development
- **Neighborhood Parks** 13 minimum throughout the project
 - Minimum ½ acres with every home within ½ mile of a park
 - Parks to include playgrounds & minimum 3 program elements listed in PD
- **Public Parkland** Providing city parkland dedication requirements
- **Trails**

10 ft trails	5 miles minimum
8 ft trails	15 miles minimum (per exhibits)
6 ft trails	10 miles minimum (per exhibits)
- **Traditional Neighborhood Design areas area** Additional park "squares" in each neighborhood
 - ½ acres minimum,
- **Enhanced Architectural Features**
 - Entry features, lakes, open spaces designed as destinations and usable areas
- **Home Owner's Association**
 - Covers maintenance of common areas, parks, open spaces, etc.
 - Provides programming and community events for the residents and businesses



**EXHIBIT A:
CONCEPT PLAN PROVISIONS**

PURPOSE & INTENT

The purpose and intent of this Planned Development (PD) is to develop Emory Lakes as a comprehensive master planned community. Emory Lakes is an approximately 2,813 acres Planned Development located west of downtown Waxahachie. Refer to **Exhibit J: Legal Description** for project location and context.

Any conditions found within the following Base Zoning Districts or Zoning Ordinance that are not written herein, shall default to the City of Waxahachie’s Code of Ordinances, as amended. All references to specific sections to the City of Waxahachie Zoning Ordinance apply to the City of Waxahachie Ordinance in effect at the date of approval of this document. The base/default city zoning district for each of the 5 PD districts are:

<u>PD Zoning District</u>	<u>Base City of Waxahachie Zoning District</u>
Single Family Residential District Estate, Township, Village Lots & Cottage Lots	SF3 district Section 5.10 Patio homes (Zero lot line homes) & Section 5.09 Single-Family attached (Townhouse or townhome)
Multi-family Residential District	MF2 for residential multi-family uses
Mixed Use Residential/ Nonresidential Districts	SF3 and § 5.10 Patio Home for single family detached residential uses § 5.09 for Attached single-family uses MUR for multi-family residential and MUNR for non-residential uses
General Retail District	GR zoning district

COMPLIANCE WITH THE CITY’S COMPREHENSIVE PLAN

The project is in compliance with the city’s comprehensive plan. The project is divided into 5 different zoning districts that will create an appropriate mix of land uses but also accommodates a flexible but appropriate transition between higher and lower intensities of development. The boundaries of each district are indicated on the District Plan. Refer to **Exhibit C: Permitted Land Uses** for the approved uses within each district. The 5 districts reflect the land use designations identified on the city’s Future Land Use Plan Map (FLUP) with one exception. The approximate 78 acres of Semi-Public land uses provided in the PD (schools & civic uses) are not mapped on the District Plan. That is because their ultimate locations are not known at this time, but will be shown on future Detailed Plans. The acreages of the 5 districts are similar to the acreages of the land use districts on the FLUP.



In addition to being in compliance with the FLUP, Emory Lakes also meets or exceeds the majority of Goals and Objectives identified throughout the Waxahachie 2016 Comprehensive Plan Addendum and the 2007 Parks, Recreation and Open Space Master Plan.

Land Use Types Defined:

Single Family Residential District (SFR)

This district provides a mixture of single family residential uses nestled along the open spaces and natural amenities the project offers. The district provides a variety of lot sizes to accommodate different home styles, buyer demographics and home sizes. The residential lots are designed into smaller neighborhoods with neighborhood parks and open spaces extending into and between neighborhoods. The district has 4 distinct sub districts, which are;

- Estate Lots: This sub district includes single-family detached lots 10,000 sf and larger.
- Township Lots: This sub district includes detached single-family lots between 8,400 sf and 10,000 sf
- Village lots: This sub district includes detached single-family lots between 6,000 sf and 8,400 sf
- Cottage Lots: This sub district includes detached single-family lots less than 6,000 square feet in size including Patio Homes & Zero Lot Line lots and single-family attached buildings (Townhomes).

Multi-family Residential District (MFR)

Traditional apartment- and condominium-type units in attached living complexes characterize this district. These developments may take a variety of forms, including traditional garden style apartments to courtyard apartments as well as brownstone style apartments.

Mixed Use Residential (MU-R)

The district includes a mixture of residential and nonresidential uses. A maximum 80 percent of the acreage or square footage of any proposed development should be residential, with a minimum 20 percent (minimum) of the acreage or square footage nonresidential. Acreage would apply in a horizontal mixed-use development, while square footage would apply in a vertical development. Both vertical and horizontal mixed use could be provided together. Residential uses may be single family (Village or Cottage Lots per the standards in Section 3.2: Single Family Residential Lot Development Standards) or multi-family uses (Refer to density restrictions in Section 3.1: Development Districts).

Mixed Use Nonresidential (MU-N)

Similar to Mixed-Use Residential district, land designated as MU-N is 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, a minimum 80 percent of the acreage or square footage of proposed developments are required to be nonresidential with a maximum 20 percent of the acreage or square footage allocated to residential. Southlake's Town Center is an example of Nonresidential Mixed Use. Residential uses may be single family (Cottage Lots per the standards in Section 3.2: Single Family Residential Lot Development Standards) or multi-family uses (Refer to density restrictions in Section 3.1: Development Districts).

Commercial General Retail District (GR)

This district is based on the Waxahachie GR zoning district. The locations of the GR districts are at the center of the project near the Village Center node and also generally located along the project perimeter at project entries.

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Overlay Areas:

Within the 5 PD zoning district areas described above and identified on Exhibit B, the following overlay areas exist. These overlay districts create certain restrictions or development variations to exist within the master plan. Refer to Exhibit B: Zoning Districts for locations of the following overlay areas.

Floodplain

The areas indicated on **Exhibit B: Zoning Districts** as Floodplain Overlays are generally areas of land subject to inundation by a 100-year frequency flood as determined using standard engineering practices and generally as shown on the flood insurance Rate Map (FIRM) of the City of Waxahachie. These locations are not finalized and the actual floodplain limits, if any, will be finalized at the time of development. These areas may be increased or decreased in size based on the results of FEMA approved studies. Development within the Floodplain Overlay is subject to Appendix B (Flood Damage Prevention) of the City of Waxahachie Code of Ordinances as amended.

Semi-Public

Within the master plan, uses such as schools and civic spaces (libraries, police, fire, etc.) will exist. The exact location for these uses will depend on the phasing and the timing of development. The land area is being set aside but the exact location will be determined at the time of final plat.

Town Center

The area indicated on **Exhibit B: Zoning Districts** as the Town Center Overlay Area is delineated as an area that has increased development requirements and can be developed as a mixed-use development. Land uses are intended to be residential multi-family and non-residential commercial uses. Additional, mixed use buildings with ground floor retail and commercial uses with residential units located above are allowed. The development will be a blend of residential and commercial uses that serves as a central destination and hub of activity providing live and work opportunities. Buildings may be oriented closer to the streets to create a stronger pedestrian friendly streetscape.

Traditional Neighborhood Development

This area is allowed and encouraged within the Mixed-Use Residential District, Mixed Use Nonresidential District. It includes a variety of residential dwelling interspersed with small scale commercial establishments and public spaces.



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SECTION 1: PD DISTRICT DEVELOPMENT STANDARDS

DESCRIPTION OF REQUEST

This zoning plan will establish an integrated and comprehensive development that encourages commercial, retail, shopping, restaurants entertainment and residential uses. The commercial components provide an appropriate response to the traffic and commercial viability that is created in areas along the perimeter of the project along major arterial roadways and centrally located within the project. The area designated with the Town Center Overlay will create a destination node for residents and visitors to the project.

PROPOSED USE OF THE PROPERTY

Emory Lakes will include the development of many various land uses including but not limited to Residential, Commercial and Office land uses along with a mixture of recreation and open space amenities. Emory Lakes has been designed to offer a town center area that provides a convenient location for local residents to shop or dine. The outer edges of Emory Lakes provides more commercial uses that allow the surrounding Waxahachie community to shop, dine or entertain within a variety of Emory Lakes planned commercial developments. Additionally the community will provide everything a homeowner needs including a variety of recreational amenities, schools and a variety of quality residential homes.

The project is anticipated to be built out in 30+ years. The initial phase will be along the eastern portion of the site near the Interstate 35 project entrance. Refer to Exhibit H: Phasing Plan.

GENERAL DEVELOPMENT REQUIREMENTS

Applicability

The Emory Lakes Planned Development District is being created as a freestanding district, under the prescribed circumstances contained in these Concept Plan Development Standards. The following Sections delineate the development standards. In the event of a conflict between the written text and the illustrations within this document, the written text contained herein shall control.

This comprehensive development provides higher standards of development, providing a master planned approach to a mixture of land uses. This PD document creates the development controls and regulations to ensure Emory Lakes is developed to the higher standards envisioned and built upon within the master plan. This zoning document has been formatted to respond to the City's Future Land Use Plan while providing marketable commercial, civic and residential land uses.

ARCHITECTURAL DEVELOPMENT STANDARDS

A separate Development Agreement includes the Architectural standards pertaining to the construction of all land uses within this PD.



SECTION 2: DEVELOPMENT APPROVALS/PROCEDURES

1. For the purposes of these development standards, the definitions and regulations of all sections not included within this Concept Plan Development Standards document shall follow those found in the City of Waxahachie Zoning Ordinance, Subdivision Ordinance, Parkland ordinance or other applicable City codes as of the adoption date of this ordinance. The applicability of any changes to the City's regulations shall comply with Texas Local Government Code Chapter 245, as amended.
 - a. All development on land located within the boundaries of Emory Lakes must adhere to the rules and regulations set forth in these Concept Plan Development Standards. The development will be in complete accordance with the provisions of the approved PD and all Detailed Site Plans submitted hereunder shall be binding upon the applicant thereof, his successors and assigns, and shall limit and control all building permits. To ensure compliance of any Residential Initial Plat, Site Plan or building permit to this PD, the Emory Lakes Covenants, Conditions, and Restrictions (CC&R's) will necessitate the creation of a(n) Architectural/Design Review Committee (A/DRC). The A/DRC must be formed prior to the submittal of the first Residential Initial Plat, site plan or building permit application to the City of Waxahachie (whichever submittal comes first).
 - b. The A/DRC shall consist of representatives from the Master Developer and/or the Home Owners Associate along with an Architectural Consultant, Landscape Architect, and Civil Engineering Consultant. In addition, the A/DRC may consult with other professional advisors as deemed appropriate.
 - c. The A/DRC shall review each and every project (including residential and non-residential) submittal prior to filing an application with the City of Waxahachie. The application shall be accompanied by a letter of review from the A/DRC.
 - i. In the event the A/DRC makes a comment on a submittal or plan review that is in conflict with City of Waxahachie regulations and Code of Ordinances or regulations of this PD Ordinance, those regulations supersede the A/DRC comments.
 - ii. Any comments made by the City supersede those made by the A/DRC.
2. Except as provided by these Concept Plan Development Standards, development within these boundaries of the project are governed by the applicable City regulations as amended. In the event of any conflict or inconsistency between this document and the applicable City regulations, the terms and provisions of these Concept Plan Development Standards shall control. All other City of Waxahachie regulations and ordinances not amended by this document will be covered by the City of Waxahachie regulations and ordinances in effect at the time of adoption of this PD Ordinance.
3. The zoning, platting and development review and approval process will follow the PD zoning requirements in sections 2.04 and 7.02 of the City of Waxahachie Zoning Ordinance except as amended:
 - Section 7.02(e)(ii)(1) is amended as follows:
 - i. For the purposes of this PD, the PD Ordinance shall be considered complete upon approval of a Concept Plan (Exhibit L: Concept Plan) as described in Section 7.02.e of the City of Waxahachie Zoning Ordinance. There is no time requirement for a detailed

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site plan to be submitted for approval after the PD Ordinance is established.

1. Detailed Site Plans are required for non-residential properties and shall meet all requirements of Section 7.01.
2. Changes of detail on the Detailed Site Plan, which differ from the original Concept Plan, but do not alter the basic relationship of the proposed development to adjacent property, the uses permitted, or increase the density, building height or coverage of the site, or do not significantly alter the landscape plans as indicated on the approved Concept Plan may be authorized by the City Manager or designated representative. The City Manager may, under his/her discretion forward the application to the Planning & Zoning Commission and City Council for approval. Any other changes will require submittal through the Planning & Zoning Commission and City Council approval process.

For the purpose of single-family subdivisions within Emory Lakes, Section, Appendix A, Article VII § 7.01(a)(iv) of the City of Waxahachie's Zoning Ordinance shall be amended for single family subdivisions for this Ordinance as follows.

(iv) Site plan details - The site plan submittal for any residential portion of the property will be not be required and will be replaced with the following submittal requirements:

Residential Initial Plat: The Residential Initial Plat shall contain sufficient information relative to single-family subdivision design considerations, including but not limited to the following:

1. A vicinity or location map that delineates the location of the proposed Residential Initial Plat in the City;
2. Boundary lines, abstract lines, corporate boundaries, existing or proposed highways and streets, bearings and distances sufficient to locate the exact area proposed for the subdivision;
3. The name, location and recording information of all adjoining subdivisions (or property owners of unplatted property) shall be drawn to the same scale and shown in dotted lines adjacent to the tract proposed for subdivision in sufficient detail to show accurately the existing streets, alleys and other features that may influence the layout of development of the proposed subdivision; adjacent unplatted land shall show property lines, the names of owners of record, and the recording information;
4. The location and widths of all streets, alleys and easements, existing or proposed, within the subdivision limits and adjacent to the subdivision;
5. The location of all existing and proposed property lines, existing lot and block numbers and date recorded, buildings, existing sewer or water mains, gas mains or other underground structures, easements of record or other existing features within the area proposed for subdivision;
6. Proposed arrangement and square footage of lots (including lot and block numbers) and proposed use of same;
7. The name and address of the owner with the name of the planner, engineer or registered public surveyor preparing the drawing; the subdivision name shall not be duplicated, but phasing identification is allowed (the City shall determine if the proposed subdivision identification will be in conflict with existing plats);
8. Sites, if any, to be reserved or dedicated for parks, schools, playgrounds or other public uses;



9. Scale, date, north arrow oriented to the top or left side of the sheet, and other pertinent data;
10. Contours with intervals of five (5) feet or less shown for the area (unless, due to some unique aspect of the subject property, the Director of Public Works requires a two-foot contour interval) with all elevations on the contour map referenced to sea level datum;
11. Areas contributing drainage to the proposed subdivision shall be shown in the construction (i.e., engineering) plans; locations proposed for drainage discharge from the site shall be shown by directional arrows;
12. All physical features of the property to be subdivided shall be shown, including the location and size of all water courses, 100-year flood plain according to Federal Emergency Management Agency (FEMA) information, Corps of Engineers flowage easement requirements, ravines, bridges, culverts, existing structures, drainage area in acres or area draining into subdivisions, the outline of major wooded areas or the location of major or important individual trees, and other features pertinent to subdivision;
13. Location of water and sewer lines and other infrastructure (including sizes) to be constructed in the subdivision; the proposed connections to distribution mains shall be indicated;
14. Where a subdivision is proposed to occur in phases, the subdivider, in conjunction with submission of the The Residential Initial Plat, shall provide a schedule of development; the dedication of rights-of-way for streets and street improvements, whether on-site or off-site, intended to serve each proposed phase of the subdivision; City staff shall determine whether the proposed streets and street improvements are adequate pursuant to standards herein established, and may require that a traffic impact analysis be revised for the entire project or for such phases as the Council determines to be necessary to adjudge whether the subdivision will be served by adequate streets and thoroughfares;
15. All Residential Initial Plats shall be submitted in a legible format on a good grade blue line or black line paper;
16. Proposed or existing zoning of the subject property and all adjacent properties;
 - Sections 7.02(e)(vi)(2), (3)(4) and (5) do not apply to this PD.
 - Section 2.04 (b):
 1. At such time a request to amend the PD is submitted, only the property owner (or their representative) initiating the request shall be named as the "Applicant". All owners of the property within the boundaries of the PD are not required to be applicants for amendments to the PD, unless the requested amendments directly affect their property.
 - Section 2.04 (d)(i):
 1. The notification area shall be two hundred (200) feet from the subject property listed on the application as defined by a separate boundary survey or exhibit or as required by State law.
 - In the event the proposed change to the PD regulations are modifications to the overall Concept Plan Development Standards and do not specifically impact individual parcels or lots or affect a Residential Initial Plat or Detailed Site Plan, then the proposed zoning change text amendment will be processed in accordance with City of Waxahachie Zoning Ordinance Section 2.04.

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1. If the amendment will create new development standards for an entire phase, section, tract, or neighborhood within the PD, then a PD Addendum may be proposed and added to the PD ordinance as an appendix without modifying the existing standards for any previously developed phase, section, tract, or neighborhood but such Addendum would be processed in accordance with City of Waxahachie Zoning Ordinance Section 2.04.
 2. Proposed modifications to the PD regulations that do not alter the basic relationship of the proposed development to adjacent property; the uses permitted; or increase the density, building height, or coverage of the site; the off-street parking ratio; reduce the yards provided at the boundary of the site; or do not significantly alter the landscape plans as indicated on the approved Concept Plan may be authorized by the City Manager or designated representative. The City Manager may, under his/her discretion forward the application to the Planning & Zoning Commission and City Council for approval.
4. The Concept Plan referenced in Section 7.02.c.ii.1 and 7.02.d.i of the City of Waxahachie Zoning Ordinance and referenced in this PD Ordinance is included in this zoning submittal as **Exhibit L: Concept Plan**.



SECTION 3: DEVELOPMENT DISTRICTS

1. Development Districts

All of Emory Lakes has been divided into 5 districts (Refer to **Exhibit B: Zoning Districts**) to delineate the designated land uses and development standards/regulations in effect.

	District	Gross Acreage	Maximum Residential Gross Density	Maximum Dwelling Units
MSFR:	Single-family Residential	± 2,219 acres	2.6 du/ac.	5,769
MFR:	Multi-family Residential	± 107 acres	18.0 du/ac	1,926
MU-R:	Mixed Use Residential	± 223 acres	6.0 du/ac. ¹	1,070
MU-N:	Mixed Use Nonresidential	± 95 acres	10.0 du/ac. ¹	190
GR:	General Retail	± 169 acres	0	n/a

¹ Net Density in the MU-R and MU-N district is based off the parcel net acreage which is calculated as the gross parcel acreage, minus any land area in the 100 year floodplain, ROW area for any Street 2 (as shown on Exhibit F) and any existing gas easements. The maximum gross density shown is for the residential portion of the district.

2. Single Family Residential Lot Development Standards

For the development of single family lots in any of the districts where single family is permitted, the following development standards apply.

- A minimum of 20% of all single family lots proposed on the first Residential Initial Plat shall be Estate Lots. Until the minimum required amount of Estate Lots is reached, a minimum of 115 Estate Lots (approximately 5% of the required Estate Lots) shall be included on sequential Residential Initial Plats.
- When a Residential Initial Plat includes 150 or more lots, the Residential Initial Plat must include at least 3 different lot sizes.
- Minimum lot widths are measured at the front building setback line.
- A minimum of 145 Township Lots (approximately 25% of the total required Township Lots) shall be plated in the first three phases of the development as depicted on Exhibit H, Phasing Plan.

Single Family Residential Lot Mix

- A maximum of 7,032 single family residential units are permitted within Emory Lakes
- Unit Mix
 - Estate Lots must be a minimum 40% of the total number of single family lots
 - Estate Lots 12,500 s.f. or larger must be a minimum of 12% of all the single family lots
 - Township Lots must be a minimum 10% of the total number of single family lots
 - Village Lots must be a maximum 45% of the total number of single family lots
 - Cottage Lots must be a minimum 3.5% of the total number of single family lots with a maximum of 15%

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Additional Single Family Development Regulations

For the development of single family lots in any of the districts where single family is permitted, the following development standards apply.

	Estate Lots		Township Lots	Village Lots		Cottage Lots	
	40% Minimum 12% minimum	none	10% Minimum	45% Maximum		3.5% Minimum 15% Maximum	
Lot Area (min.)	12,500 sf	10,000 sf	8,400 sf	7,000 sf	6,000 sf	5,000 sf	2,000 sf
Lot Width (min.)	90 ft.	80 ft.	70 ft.	60 ft.	50 ft.	50 ft.	20 ft.
Lot Depth (min.)	120 ft.	120 ft.	115 ft.	115 ft.	115 ft.	100 ft.	100 ft.
Front Yard Setback (min.)	30 ft.	30 ft.	20 ft.	20 ft.	20 ft.	20 ft. ¹	20 ft. ¹
Garage Setback (min.)	30 ft.	30 ft.	20 ft.	20 ft.	20 ft.	20 ft. ³	20 ft. ³
Side Yard Setback (min.)	15 ft.	10 ft.	5 ft.	5 ft.	5 ft.	1/9 or 5 ft ²	0 ft.
Rear Yard Setback (min.)	25 ft.	25 ft.	20 ft.	15 ft.	15 ft.	10 ft. ¹	10 ft. ¹
Corner Yard Setback (min.)	20 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.
Porch Front Yard Setback	20 ft.	20 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Building Height (max.)	2 ½ stories and 35 ft.	2 ½ stories and 35 ft.	2 ½ stories and 35 ft.	2 ½ stories and 35 ft.	2 ½ stories and 35 ft.	2 ½ stories and 35 ft.	2 ½ stories and 35 ft.
Minimum living area	2,200 square feet	2,000 square feet	2,000 square feet	1,800 square feet	1,600 square feet	1,250 square feet	1,200 square feet
Lot Coverage (max.) ⁴	50%	50%	55%	55%	55%	60%	70%

¹ If garage access is from a rear alley, the minimum front yard setback shall be 10 ft. and the rear yard setback shall be a minimum of 25 ft.

² Side yard setbacks can vary between 1 and 9 so long as minimum 10 ft. building separation is provided between buildings on adjacent lots. Maximum building height: is identified as number of stories and is not capped at 35 feet. Each adjacent lot shall provide an access or use easement, a minimum of three (3) feet, adjacent to the "zero" (one-foot) side or there must be a three (3) foot setback from the adjacent "zero" side to allow the property owner access for maintenance of his dwelling.

³ If garage access is from a rear alley, the rear garage setback shall be a minimum of 25 ft. from the alley ROW.

⁴ Maximum Lot Coverage: maximum percent of lot that can be covered by principal and any accessory buildings but does not include driveways

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3. SFR District Residential Lot Mix Requirements

When single family residential uses are developed within the SFR District the following regulations on the various lot sizes, lot mix, density and development types of the residential product type will apply. If there is a conflict between the language below and the table, the most stringent will supersede.

Estate Lots

This sub-district includes single-family lots 10,000 square feet and larger. At least 40% of all single-family lots shall be Estate Lots. Additionally, at least 30% of all Estate Lots shall be 12,500 square feet or larger. A minimum 2,000 square foot home is required for the 10,000 sf or larger lots and lots 12,500 sf or larger must have homes at least 2,200 sf or larger. Alleys are not permitted.

Township Lots

This sub-district includes single-family lots between 8,400 sf and 10,000 square feet. At least 10% of all single-family lots shall be Township Lots with a minimum 2,000 square foot house size. Alleys are not permitted.

Village Lots

This sub-district includes single-family lots between 6,000 sf and 8,500 square feet. No more than 45% of all single family lots will be Village Lots. Additionally, at least 55% of all Village Lots shall be 7,000 square feet or larger. Lots 7,000 sf or larger will have a minimum 1,800 sf house and lot less than 7,000 sf will have a 1,600 sf minimum house. These lots will be front loaded or J swings. Alleys are only permitted with City Council approval.

Cottage Lots

This sub-district includes single-family lots less than 6,000 square feet in size including Patio Homes, Zero Lot Line and single-family attached buildings (Townhomes). Patio homes are typically clustered into individual neighborhood enclaves. These lots will be primarily designed with alleys but front loaded/non-alley designs may be allowed. Townhome lots will typically be in close proximity to Patio Homes and some non-residential land uses. At least 3.5% but no more than 15% of all single family lots shall be Cottage Lots. No more than 75% of these lots may be designed with alleys without City Council approval. The minimum house size for Townhomes is 1,200 square feet. All other Cottage Lots have a minimum house size of 1,250 square feet.



4. MFR, MU-R, MU-N & GR District Development Standards

For development of land uses other than single family development, the following development standards will apply for development in the MFR, MU-R, MU-N & GR districts.

Development Standard	MFR	MU-R	MU-N	Town-Center Overlay	GR
Lot Area (min. per dwelling unit)	2,420 s.f.	1,452 s.f.	726 s.f.	None	7,000 s.f.
Lot Width (min.)	60 ft.	None	None	20 Ft.	60 Ft.
Lot Depth (min.)	120 ft.	None	None	100 Ft.	100 Ft.
Front Yard Setback adjacent to single family (min.) ^{1 2}	25 ft. 75' if over two stories.	None	25 Ft.	None	40 Ft.
Front Yard Setback all other instances (min.) ¹	25'. 100' if over 2 stories	None	25 Ft.	None	40 Ft.
Side Yard Setback adjacent to single family (min.) ¹	50 ft. 75' if over two stories.	25 Ft.	25 Ft.	None	25 Ft.
Side Yard Setback all other instances (min.) ¹	25'. 100' if over 2 stories	25 Ft.	25 Ft.	None	20 Ft.
Rear Yard Setback adjacent to single family (min.) ¹	50 ft. if 2 stories or less. 75 ft. if over 2 stories	25 Ft.	25 Ft.	None	25 Ft.
Rear Yard Setback all other instances (min.) ¹	50 ft.	25 Ft.	25 Ft.	None	20 Ft.
Corner Yard Setback all other instances (min.) ¹	50 ft.	30 Ft.	30 Ft.	None	25 Ft.
Building Height (max.)	3 stories	4 stories	5 stories	3 stories	2 stories
Minimum living area ²	800 SF	1,200 SF	1,200 SF	Based on underlying zoning	N/A
Bedroom Mix Studio & 1 Bedroom 2 Bedroom 3 or more Bedrooms	No maximum 20% (max.) Not allowed	No maximum 10% (max.) Not allowed	No maximum 20% (max) Not allowed	No maximum 20% (max) Not allowed	Use not allowed
Lot Coverage (max.)	40%	50%	50%	95%	40%
Maximum Density (units per gross acres)	18.0	6.0	10.0	Based on underlying zoning	N/A

1. Regardless of building heights. "Adjacent to" is defined when 2 parcels are directly abutting each other without a public ROW in between 2 parcels. When a public ROW is between 2 parcels of land, the land uses are not considered adjacent.

2. Minimum living area is for 1-bedroom units. Add 200 s.f. per each additional bedroom.

Note, when a building includes a mixed use family of uses, such as a ground floor retail with residential above, the development standards for Multi-family residential uses will be utilized for the building design (lot area, width, depth, setback, etc.)



Multi-Family Phasing Restrictions

Initial Phase

A multi-family project may not be permitted until at least seven hundred fifty (750) SFR Districts lots have been permitted. At that time a maximum of two hundred fifty (250) multi-family units may be permitted.

Future phases

Additional multi-family units may be permitted as long as the following minimum SFR District lots have been permitted.

<u>SFR District Lots</u>	<u>Total Maximum multi-family units allowed to be permitted</u>
1,500 SFR lots	500
2,250 SFR lot	800
3,000 SFR lots	1,100
3,750 SFR lots	1,400
4,000 SFR lots	1,700
5,000 SFR lots	all remaining multi-family units

5. Semi Public Overlay Area (Civic & Schools)

Emory Lakes has worked with the Waxahachie ISD in identifying the future need of school sites.

Schools

Waxahachie Independent School District (WISD) will be provided up to five (5) elementary school sites within the development at no cost to the school district.

- a. The sites will range in size from twelve (12) to fifteen (15) acres depending on adjacency to open space and parks.
- b. The sites will be on gentle slopes with adequate utilities (water, sewer, gas and electric service) provided by the developer.
- c. The total number of elementary school sites provided to WISD may decrease or increase depending on the amount of age-restricted single-family lots and/or multi-family units developed. Typically each school site is anticipated to serve approximately 1,990 residential lots, excluding age-restricted lots.
- d. Each site will be determined prior to the submission of a Residential Initial Plat . The site is to be mutually agreed upon by the landowner and WISD.
- e. The final transfer of each site is contingent upon the WISD commitment to build (as determined by WISD needs analysis).
- f. Developer agrees to sell one continuous section of 25 acres for the purpose of a junior high school campus to WISD. The value of the property shall be determined by an appraisal done at or near the time that the WISD notifies the developer for the need of the property.

Civic Land Uses

Up to ten (10) acres of and will be donated to the city of Waxahachie for civic uses including but not limited to fire and/or police stations. The final location will be coordinated with the City during the detailed review stages. The site(s) will be determined as part of the submission and review of the Residential Initial Plat(s).

6. Town Center Overlay Area



The following supplemental regulations are required within the town center overlay area:
Parking setbacks

Parking

- a. For any Street Types 4, 5 or 6 (Refer to Exhibit G: Street Sections) within or abutting the Town center Overlay Area, perpendicular or angular on street parking is required. The parking must be within the street Right-Of-Way or a public access easement.
- b. Off-street surface parking shall be predominantly located behind buildings and accessed by alleys or rear drives whenever possible.
- c. Parking lot layout, landscaping, buffering, and screening shall minimize direct views of parked vehicles from streets and sidewalks.
- d. Parking garages are permitted but may not be taller than any building abutting the garage and while conforming to the design standards a-c listed above.

Sidewalks (adjacent to street)

For any Street Types 1-6 (Refer to Exhibit G: Street Sections) within or abutting the Town center Overlay Area must have a minimum sidewalk width of 8 feet. The sidewalks may meander outside of the Right-Of-Way but must be in a public access easement if not located within the Right Of Way.



Example of wider sidewalk creating a pedestrian zone between building façade and street/parking.

Adjacent sites shall be designed with a continuous pedestrian system throughout the development.

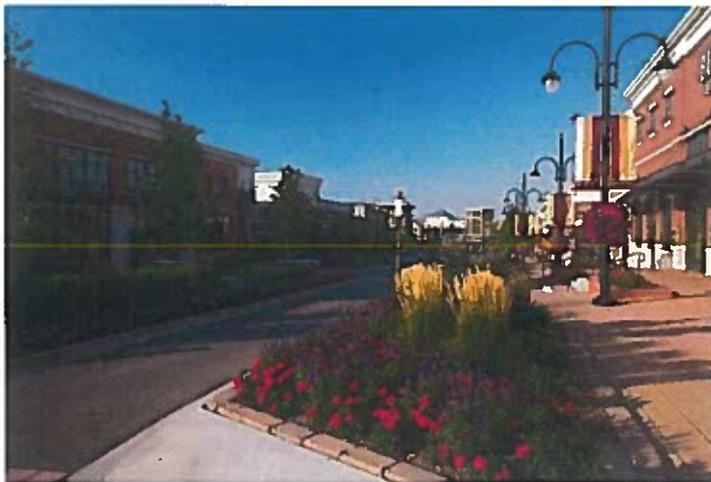


Buildings

- a. Building adjacent to Street Types 2, 3, 4 and/or 5 (Refer to Exhibit F & Exhibit G) shall be constructed at the property line adjacent to the minimum 8' wide sidewalk.
- b. All multi-family development adjacent to Street Types 2 (Refer to Exhibit F & Exhibit G) shall be vertically mixed with non-residential uses on the ground floor.

Streetscape

- a. Street and sidewalk furnishings including but not limited to; planting strips, raised planters, trash receptacles, street lights, street signs, wayfinding signs, seating, public art, water features, fire hydrants and tree grates, shall be similar in design and materials to the images below to the greatest extent possible.
- b. Street trees may be planted in planting strips or tree wells



Examples of streetscape

Screening

- a. In the Town Center Overlay Area, when multi-family or mixed use development fronts onto a thoroughfare or adjacent street, so long as no dumpsters, outside storage or loading areas are visible from the street, the required screening is only:
 - i. Screenwall: none required
 - ii. Street Trees: One (1) canopy tree at least four (4) caliper inches, planted for every forty (40) linear feet
- b. Patio fences and perimeter fences for a gated development are permitted within the landscape area.
- c. The screening requirements for the perimeter areas of the site where buildings do not front onto an adjacent street will default to the City of Waxahachie screening requirement specified in section 5.03(f) of the City of Waxahachie Zoning Ordinance.
- d. Parking lots exposed to view from abutting single-family residential properties shall be surrounded by a minimum of a 3-foot high barrier in the form of berms, shrubs, walls, or a combination thereof.
- e. Transformers, HVAC equipment (if located at the ground level), utility meters, and other machinery, as well as garbage collection points, should be located at the rear lane, drive or



alley. If such uses are visible from any adjacent rights-of way or property, they shall be fully screened by a fence (minimum 6 ft. wood board on board) or a masonry wall (minimum 6 ft. high) or suitable plants or other visual barrier of an appropriate height.

- f. Trash dumpsters shall have a metal door which shall remain closed at all times.

7. Traditional Neighborhood Development (TND) Standards

Traditional Neighborhood Developments are allowed and encouraged within the Mixed Use Residential District, Mixed Use Nonresidential Districts and within the Town Overlay.

Concept and Intent

Traditional Neighborhood Development includes a variety of residential dwellings interspersed with small scale commercial establishments and public spaces. They are characterized by:

- a. Walkable neighborhood centers and focal points;
- b. Small, efficient lots with modest sized buildings fronting on, and aligned with, streets in a disciplined manner, generally uninterrupted by parking lots;
- c. Generally regular geometric patterns of streets and blocks arranged to provide comprehensible routes of travel;
- d. Well-configured squares, greens, gardens, and parks woven into street and block patterns and dedicated to collective social activity, recreation and visual enjoyment;
- e. Civic buildings for assembly or other civic purposes, sited to act as visual landmarks and symbols of identity within the community.

Design Standards: All TND projects shall comply with the following design standards established in this section:

- a. All uses which are permitted by right in underlying zoning district bylaw are permitted by right in a TND project.
 - i. Each single-family neighborhood shall have at least three (3) single-family lot types
 - ii. Upon City Council approval, all single-family lots shall be alley loaded unless backing up to greenspace or trail system
- b. Alley lighting shall be provided on all garages or on poles adjacent to parking areas. Lighting fixtures and poles shall be consistent in architectural style and shall complement the predominant architectural theme
- c. Rear yards shall not back to a street regardless of size of the street.
- d. Cul-de-sacs are not permitted
- e. Similar land use categories shall face across streets; dissimilar land uses shall abut at rear lot lines. Lots and buildings front and have entries on streets or squares.
- f. The placement of residential and non-residential land uses shall be such that pedestrian rather than vehicular access to non-residential uses is facilitated and encouraged.
- g. Each project should contain at least one (1) square, not less than one-half (½) acre in size, close to the center
- h. The minimum internal open space for any residential development shall be the greater of two (2) acres or five (5) percent of the gross acreage of the neighborhood.



Example of residential homes facing onto a central park/square.

- i. All lots shall share a frontage line with a street or an open space platted as a public easement such as a square, courtyard or park.
- j. On-street parking shall be provided in nonresidential areas.

SECTION 4: PERMITTED LAND USES

See **Exhibit C: Permitted Land Uses**

SECTION 5: AMENITIES, PARKS & OPEN SPACES

1. Recreational and Social Amenities

In order to promote a sense of community, social programming will be incorporated into the fabric of the community by the home owner's association, a professional management team and on-site lifestyle managers. This programming is intended to create and support interaction between families, neighbors, neighborhoods, and villages within Emory Lakes. Functions and events may include, but are not limited to, items such as the following:

- a. **Clubhouse / Pool Activities and Events:**
Swim lessons, water aerobics, dance classes, karate classes, fitness classes, scrapbooking, book clubs, cooking classes, wine tasting, New Year's celebrations, bunko night, kid's story time, casino nights, super bowl parties, Valentine's Day mom's night out, March madness, Easter Parade, Memorial Day pool opening, 4th of July event, Labor Day celebrations, Halloween events, Thanksgiving pot luck, meet and greet Santa, meet and greet your neighbors, and pancake social.
- b. **Outdoor Activities:**
Bike races, horseshoes, tennis, sand volleyball, movie nights, fireworks, national night out (safety), astronomy, bird watching, nature tours and classes, summer camps, nature hikes,



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fun runs, run and bike clubs, marathons, mom's stroller classes, and barktoberfest (dog party)

c. **Additional Events**

Trade days, art and craft fairs, potter, Taste of Waxahachie, farmers market, WiFi in public areas, art competitions, sculpture contest, community parades, medieval fair, and musical theatrical performances.

d. **Programing**

The HOA and management team will maintain a community website that includes such items as a calendar of events, HOA information and a newsletter.

2. **Overall amenity program**

As a master planned community, Emory Lakes will have an extensive and programmed system of amenities throughout. These amenities combine to create an overall sense of place that would be difficult to achieve when considered as independent elements within smaller developments. The community amenities that are addressed within these Development Standards are:

- a. Dedicated open space throughout the project, including public and private areas
- b. Community Amenity Centers
- c. Neighborhood Parks (Public or private)
- d. Public Park Land Dedication
- e. Master Trails & Open Spaces
- f. Primary and Secondary Community Entries
- g. Neighborhood Entries
- h. Thoroughfare Landscape Buffers
- i. Maintenance



A. Dedicated Open Space

At least 400 acres of the gross project area must be preserved as open spaces that are comprised of usable area that is at least 20 feet wide (such as larger landscape/trail buffer areas or linear greenbelt corridors) or any size area so long as it incorporates any amenity elements listed in section 5.2.B, 5.2.D, 5.2.E, or 5.2.F of the PD. These open spaces may be passive areas such as floodplain, utility easements, landscape buffers or visual setbacks but can also be active spaces such as Community Amenity Centers (see Section 5.2.B), Neighborhood Parks (see Section 5.2.D), or Public Parks (see Section 5.2.E). No more than 63.3 acres of areas within the 100 year floodplain may count towards the overall open space requirement at buildout. This open space requirement is calculated at build out and is not on a phase by phase development requirement. A summary of open space will be included at each Residential Initial Plat and/or Detailed Site Plan submittal including a rolling summary for any previously approved Residential Initial Plat and Detailed Site Plan(s). The first plat that includes any lots other than a ROW or utility easement must include the required open space for that initial plat. The final plat that includes the 1,000th single family lot must indicate that at time of approval at least 60 acres of open space will be platted. The final plat that includes the 3,000th single family lot must indicate that at time of approval at least 180 acres of open space will be platted. The final plat that includes the 5,000th single family lot must indicate that at time of approval at least 300 acres of open space will be platted.

B. Community Amenity Centers

At least four (4) separate community amenity centers will be spaced throughout Emory Lakes. One (1) amenity center will be included in the first phase of the development. The amenity center must be completed within 270 days after the 300th residential home permit is issued by the City. A second amenity center must be completed within 270 days after the 2,000th residential home permit is approved by the City. A third amenity center must be completed within 270 days after the 4,000th residential home permit is approved by the City. A fourth amenity center must be completed within 270 days after the 6,000th residential home permit is approved by the City. All four (4) community amenity centers will have pools (at least 2,500 s.f. of water surface area) with bathrooms. All amenity centers will be HOA maintained. Each community amenity center must include the following amenities and/or elements:

Required Elements

- | | |
|---|--|
| a) Landscaping | g) Water Fountain for humans and pets |
| b) Sodded grass | h) Pet Waste Station |
| c) Irrigation for all plant material | i) Trash Receptacle(s) |
| d) Walkways | j) Wi-Fi |
| e) Seating (individual seats, benches and/or gliders) | k) At least one (1) ADA Accessible amenity |
| f) Bike Racks | |

The first amenity center must include three (3) Main Amenity Elements (of which 1 has to be a community pool) and four (4) Additional Amenity Elements. Each additional amenity center will include at least two (2) Main Amenity Elements and at least three (3) Additional Amenity Elements:

**Main Amenity Elements:**

- a) Air-conditioned club house (at least 1,500 s.f. of air-conditioned area)
 - a. Indoor facilities such as meeting rooms offices, gathering space, workout facilities or similar uses.
- b) Cabana or other shade/picnic pavilion (at least 200 s.f. in covered area)
- c) Outdoor living area such as a fire pit, fire place or barbeque/cooking area with seating areas.
- d) Sport courts (bocce, pickle ball, tennis, basketball, etc.)
- e) Sport fields (including soccer or baseball fields with an area at least the size of a U8 dimensioned field) Soccer fields will include goals, baseball fields will include a backstop.
- f) Community pool or spray park with bathrooms
- g) Playground or tot lot with three (3) or more of the following elements (Refer to **Exhibit K: Playgrounds** for general examples of appropriate playground elements)
 - a) Activity Panels
 - a. Word and image Spinning Blocks
 - b. Alphabet Boards
 - c. Large Mirrors
 - b) Balancing
 - a. Balance beams
 - b. Stepping stones
 - c. Log rolls
 - c) Climbing
 - a. Nets
 - b. Domes
 - c. Shaped structures (animals, vehicles, geometric.....)
 - d. Crawl Tubes
 - d) Motion and Spinning
 - a. Merry Go Round or whirls
 - b. Roundabouts
 - e) Fitness
 - a. Rolling Bars
 - b. Monkey Bars
 - c. Overhead ladders
 - d. Swinging Bars
 - e. Rings
 - f) Overhead
 - a. Rolling Bars
 - b. Monkey Bars
 - c. Overhead ladders
 - d. Swinging Bars
 - e. Rings
 - g) Sand and Water
 - h) Sensory
 - a. Musical & Noise
 - b. Educational
 - c. Built-in tactile elements
 - d. Fossil Digs
 - e.
 - i) Slides
 - j) Swings
 - k) Zip Lines
 - l) Shade Structures
 - m) Trail Head
 - n) Play houses / structures
 - a.
 - b. Zip Line



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Additional Amenity Elements:

- a) Additional main amenity elements beyond the required amount.
- b) Decorative objects such as art work or fountains
- c) Additional Playground/Tot lot elements
 - a. Activity Panels
 - b. Balancing
 - c. Climbing
 - d. Fitness
 - e. Overhead / Hanging
 - f. Sensory
 - g. Slides
 - h. Swings
 - i. Zip Line
- d) Bocce Court
- e) Play or practice sports field
- f) Bath house
- g) Enhanced trail head access or facility (column with signage)
- h) Fitness Station(s)
- i) Picnic Tables
- j) Dog Parks
- k) Educational / Historic Displays
- l) Electricity Charging Station (Solar or electrical))
- m) Other Amenities with City Council approval
- n) Trails (minimum 6' width) (refer to Exhibit D for locations)

These community amenity centers may satisfy the neighborhood park 0.5 mile radius requirement.



Amenity Center Concept Plan



1 Arrival Court



2 Amenity Building



3 Outdoor Living



4 Amenity Lake



5 Bocce Ball



6 Pool



7 Bathhouse



8 Cabanas



9 Playground



10 Sports Field

Examples of Community Amenity Centers

This graphic is an artist rendering for conceptual purposes to show what the potential amenity center program elements may be. This does not necessarily depict the project as it may finally be developed and is subject to change.

(13)



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C. Multi-family Developments

Each multi-family development must provide a dedicated amenity area for their residents. The amenity area must include at least 1 of the program elements for each 150 units or fraction thereof:

- a) Outdoor living area such as a fire pit, fire place or barbeque/cooking area with seating.
- b) Sport courts (bocce, pickle ball, tennis, basketball, etc.)
- c) Cabana or other shade/picnic pavilion
- d) Community pool or spray park
- e) Play or practice sports fields (If intended for play fields, soccer fields will include goals, baseball fields will include a backstop)
- f) Playground or tot lot with three (3) or more of the following elements
 - a. Activity Panels
 - b. Balancing
 - c. Climbing
 - d. Fitness
 - e. Overhead / Hanging
 - f. Sensory
 - g. Slides
 - h. Swings
 - i. Zip Line

D. Neighborhood Park

Each single family residence must be located within a 0.5 miles radius of a neighborhood park area. A neighborhood park area must be at least 0.50 acres in size and must include the following amenities and/or elements:

- a) Landscaping
- b) Sodded grass
- c) Irrigation for all plant material
- d) Walkways
- e) Seating (individual seats, benches and/or gliders)
- f) Bike Racks
- g) Water Fountains for humans and pets
- h) Pet waste station
- i) Trash receptacle(s)
- j) Playground with at least two (2) of the following elements :
 - a. Activity panels
 - b. Balancing
 - c. Climbing
 - d. Fitness
 - e. Overhead/ Hanging
 - f. Sensory
 - g. Slides
 - h. Swings
 - i. Zip line
- k) At least one (1) ADA accessible amenity



In addition to the required elements, each Neighborhood Park shall include at least three (3) of the following amenities:

- a) Natural water feature, lakes, streams, etc.
- b) Decorative objects such as art work or fountains
- c) Club house
- d) Bath house
- e) Restrooms
- f) Cabana or other shade/picnic pavilion
- g) Community pool or spray park
- h) Sports or multi-purpose fields
- i) Sports courts (bocce, pickle ball, tennis, basketball, etc.)
- j) Outdoor living area such as a fire pit, fire place or barbeque/cooking are with seating
- k) Fitness station(s)
- l) Community garden (vegetable and/or flower) with water
- m) Drinking fountain
- n) Dog park
- o) Educational/ Historical Display
- p) Other Amenities with City Council approval

Enhanced hardscape areas, such as plazas, in a non-residential development can count as the neighborhood park area if the design is intended as a hardscape plaza or gathering area and the area is at least 0.50 acres in size, excluding any vehicular driving areas, and has some landscaping (trees, planters, etc.).

Neighborhood parks shall be designed as a complementary component of the Emory Lakes amenities program, including consideration of alternative uses, and the use of compatible materials (hardscape, landscape and, if included, lighting). These parks are to be integrated within the open space system as well as the neighborhoods that they serve. Each park should have a variety of amenities and should not be the exact same amenities provided within other neighborhood parks within a 1 mile radius.

E. Public Park Land Dedication

All development in Emory Lakes must comply with the City of Waxahachie Park Land Dedication and Park development regulations found in Section 4.4 of the Waxahachie Subdivision Ordinance as amended with the following exceptions:

- a. The neighborhood parks and community amenity centers defined above in section 5.2 of the PD counts towards the total park land dedication requirement, regardless if the neighborhood parks are Home Owners Association (HOA) or city owned and maintained.
- b. The project wide Park Land dedication will be tracked and summarized at each Residential Initial Plat and/or detailed site plan submittal. A summary chart of park land requirements for any previous submittals and the park land requirement for the current submittal will be summarized along with any previous or current park land dedications. Any park land dedication area larger than what is required for Residential Initial Plat and/or detailed site plan submittal will be carried over to future detailed site plans.
- c. Public Park Land must be deed restricted as a park facility.



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- d. Any area dedicated as Public Park Land must be developed per the City of Waxahachie design standards.

F. **Master Trails & Open Spaces**

Refer to **Exhibit D: Master Trails and Open Spaces** for the general locations of neighborhood parks and trail connections. These locations are flexible so long as each residence follows the distance requirement in section 5 of the PD. The Emory Lakes trail system will connect to the Waxahachie Regional trail network located at the northeastern property boundary. Emory Lakes will include a public sidewalk easement and build the portion of the regional trail that is on the Emory Lakes Property, as shown on the SRA Midlothian to Waxahachie Regional Trail Plan, dated July 2019.

The Trail system will include at least 15 miles of interconnected trails. A trail must be at least 6 ft. wide and made of concrete surface. At least 5 miles of the 15 miles must be a minimum 8 ft. wide concrete trail. Additionally, trailhead locations at key locations such as amenity sites and at schools, to include trail maps, bike racks, and site furnishings (trash, seating) will be provided.

The trails delineated in **Exhibit D: Master Trails and Open Spaces** will be developed when the adjacent land is developed.

G. **Community Entries**

Major points of entry into Emory Lakes (minimum of four locations) will be defined with a combination of monument signage, landscape and lighting to create a sense of arrival commensurate in scale and character with a 2,813 acre master planned community (see **Exhibit I: Master Signage Plan**)

These entries will include:

- Community name / logo incorporated into monument signage element, to be constructed of masonry or similar material;
- Enhanced landscape, including seasonal color, shrubs, groundcover, perennials and unique combinations of both canopy and ornamental trees;
- Enhanced lighting on the monument / signage and the unique aspects of the landscape;

Landscape easements will be provided to ensure adequate space to provide for visibility triangle(s) and adequate development of entry design.

Additional community entries will be similar to the major community entries in their use of compatible building and landscape materials, but will be smaller in scale and land area. They will occur at the outside edges of Emory Lakes, at the entries for either arterials or collectors into the community and will include the same elements as the Primary Entries.



Examples of Community Entries



H. Neighborhood Entries

Internal to Emory Lakes and along both arterials and collectors, points of intersection will be enhanced to denote entries into individual 'villages' or neighborhoods. These entries will resemble primary and secondary entries in their use of materials and landscape, but will also incorporate village or neighborhood names and will contribute to a unique, community-wide system of visual way finding.

(13)



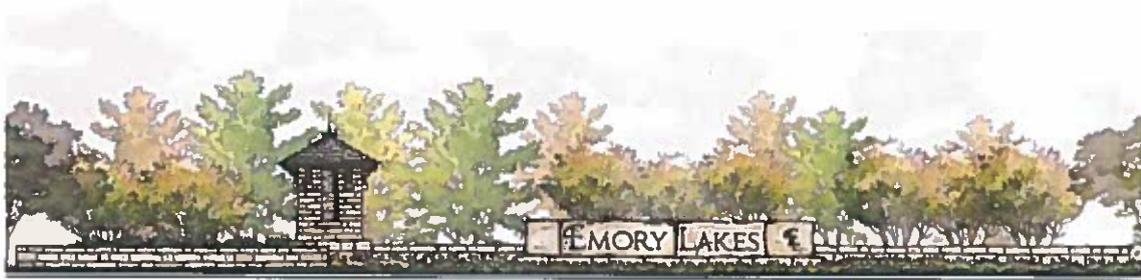
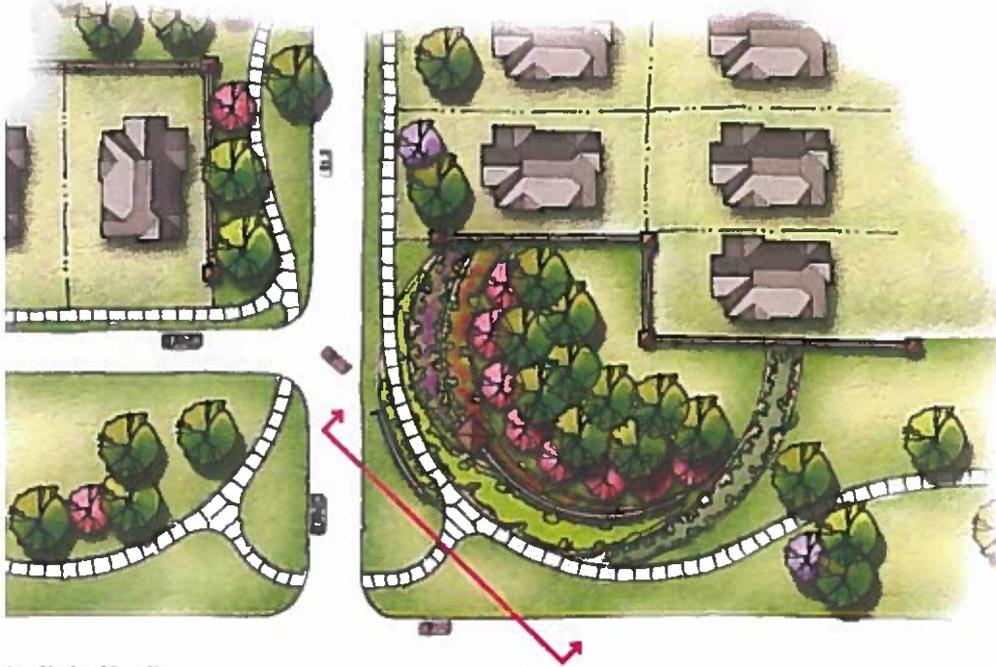
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Examples of Neighborhood Entries

THIS GRAPHIC IS AN ARTIST RENDERING FOR CONCEPTUAL PURPOSES ONLY AND DOES NOT NECESSARILY DEPICT THE PROJECT AS IT MAY FINALLY BE DEVELOPED. THE DESIGN IS SUBJECT TO CHANGE.

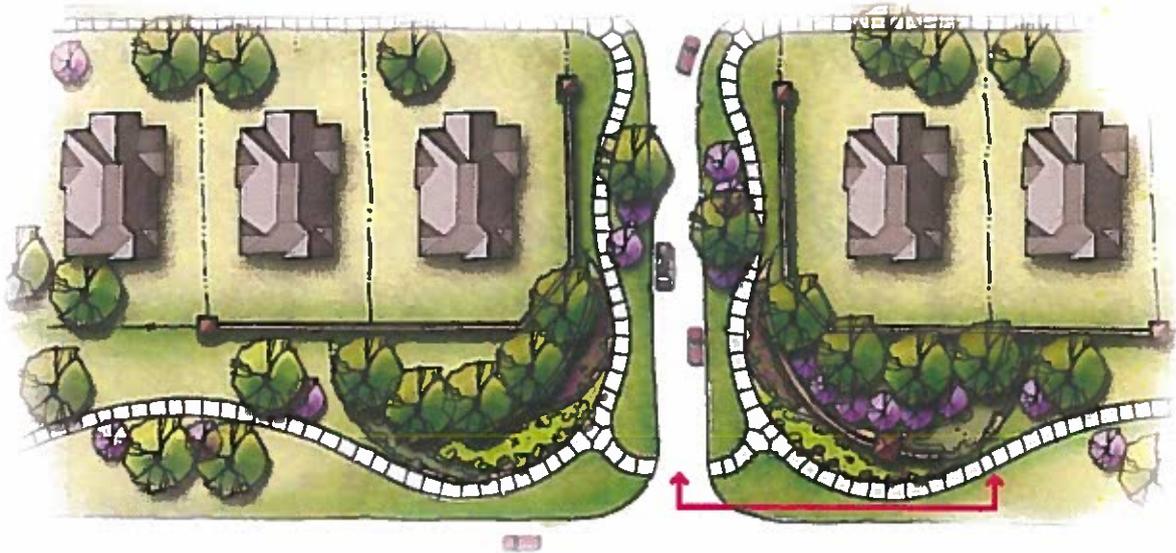




I. Thoroughfare Landscape Buffers

Thoroughfares will provide a continuity of design from primary and secondary points of community entry throughout the entirety of Emory Lakes. These thoroughfares and the adjacent landscape buffers are detailed in Section 6.

Examples of Thoroughfare Landscape Buffers



J. Maintenance

Neighborhood parks and open spaces will be developed at the time the adjacent development occurs. A HOA will be established to maintain all parks and open spaces within Emory Lakes unless otherwise agreed to by the City of Waxahachie.

SECTION 6: LANDSCAPING & BUFFERS

The landscaping design within Emory Lakes open spaces and development tracts will follow the City of Waxahachie ordinance Section 5.04 with the following exceptions.

Street Trees

Each single family residential lot, multi-family development or non-residential development must have at least one (1) street tree of a minimum four (4) inch caliper for each thirty (30) linear feet of street frontage or a fraction thereof. The street tree may be located between the building and the ROW (within the building setback) or within the street parkway.

Any existing trees meeting the minimum caliper inch preserved on the lot will count towards this requirement.



Screening/Buffer Yards

The City of Waxahachie Zoning Ordinance Section 5.03(e) and Section 5.04(g), excepting 5.04(g)(iii) and (v), and the City of Waxahachie Subdivision Ordinance Section 5.7(a)(1) is revised to include the following alternatives in lieu of the buffer requirements identified in the City of Waxahachie zoning ordinance. Refer to **Exhibit E: Screening Plan**, the following screening requirements must be met:

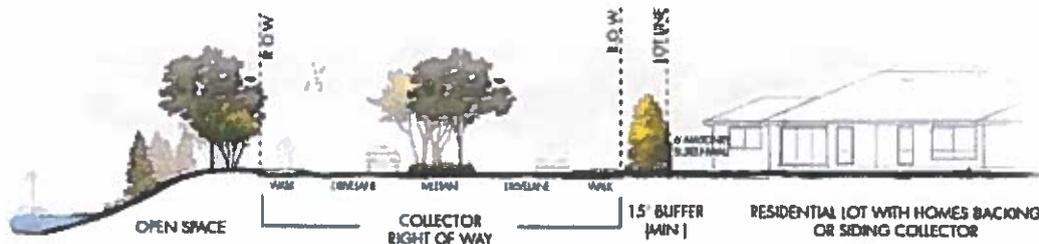
Primary Screening Areas as indicated on **Exhibit E: Screening Plan**.

When a residential or non-residential use abuts a roadway indicated with primary screening on **Exhibit E: Screening Plan**, one (1) of the following screening treatments must be provided (this is required when an alley is located between the rear or side of a land use and the primary screening thoroughfare):

Primary Screening Option 1:

Must include a minimum fifteen (15) foot landscape buffer with the following:

- a. **Masonry Screenwall:** must be at least six (6) feet in height with an enhanced column at least 24 inches in width and depth and at least six (6) feet in height, constructed of brick and/or stone laid up unit by unit and set in mortar and must be constructed on average of one (1) column for every 50 linear feet of wall length. Stone is an approved material and brick colors must be earth tone colors such as tan, brown, light gray or red. The screening will be maintained by the HOA
- b. **Canopy Trees**
One (1) canopy tree at least three (3) caliper inches, planted for every fifty (50) linear feet (ratio is average and trees can be planted in clusters so long as the ratio is met) of roadway for the landscape buffers.
- c. **Evergreen or Ornamental Trees**
One (1) evergreen or ornamental tree, at least six (6) feet in height, planted for every twenty-five (25) linear feet (ratio is average and trees can be planted in clusters so long as the ratio is met) of roadway for the landscape buffers.



Example of Primary Screening Option 1



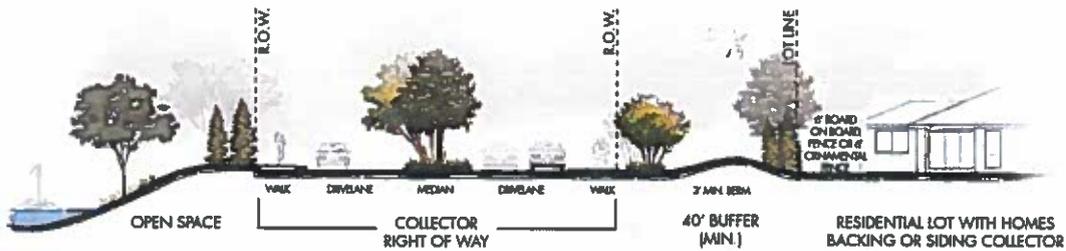
This graphic is an artist rendering for conceptual purposes to show what the potential amenity center program elements may be. This does not necessarily depict the project as it may finally be developed and is subject to change.



Primary Screening Option 2

Must include a minimum forty (40) foot landscape buffer with the following:

- a. Landscape berms of at least three (3) feet in height
- b. Board on board wood fence, at least six (6) feet in height, with metal posts and decorative wood cap or an ornamental metal fence at least 6' high with a solid shrub row of planting within 3' of the fence. An enhanced column at least 24 inches in width and depth and at least six (6) feet in height, constructed of brick and/or stone laid up unit by unit and set in mortar and must be constructed on average of one (1) column for every 100 linear feet of wall length. Metal posts must not be visible from the major street (the street with the widest ROW). The fencing will be maintained by the HOA.
- c. Canopy Trees
One (1) canopy tree at least three (3) inch caliper inches, planted for every forty (40) linear feet (ratio is average and trees can be planted in clusters so long as the ratio is met) of roadway for the landscape buffers.
- d. Evergreen or Ornamental Trees
One (1) evergreen or ornamental tree, at least six (6) feet in height, planted for every twenty (20) linear feet (ratio is average and trees can be planted in clusters so long as the ratio is met) of roadway for the landscape buffers.



Examples of landscape buffers with landscaping, berms and decorative wood fence setback at least 40 ft. from the roadway.



Examples of decorative wood fences with decorative wood caps and metal posts not visible from the street.

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Example of Primary Screening Option 2

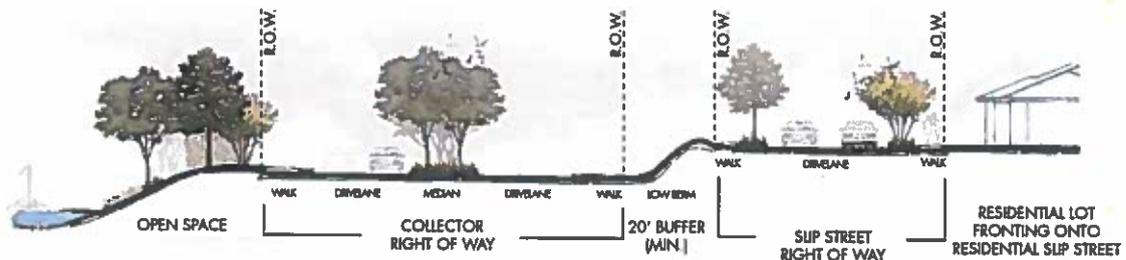


This graphic is an artist rendering for conceptual purposes to show what the potential amenity center program elements may be. This does not necessarily depict the project as it may finally be developed and is subject to change.

Primary Screening Option 3

In residential neighborhoods, design a neighborhood 'slip' street between the residential units and the thoroughfare with at least twenty (20) feet between the residential slip street ROW and the primary screening thoroughfare ROW:

- d. Landscape berms of any height
- e. Canopy Trees
One (1) canopy tree at least three (3) inch caliper inches, planted for every fifty (50) linear ft. (ratio is average and trees can be planted in clusters so long as the ratio is met) of roadway for the landscape buffers.
- f. Evergreen or Ornamental Trees
One (1) evergreen or ornamental tree, at least six (6) feet in height, planted for every fifty (50) linear feet (ratio is average and trees can be planted in clusters so long as the ratio is met) of roadway for the landscape buffers.





Example of Primary Screening Option 3



This graphic is an artist rendering for conceptual purposes to show what the potential amenity center program elements may be. This does not necessarily depict the project as it may finally be developed and is subject to change.



Examples of a slip street with lots facing onto a collector roadway.





No screening is required in the following locations:

1. When the land use is an open space, recreation center/club house, or any other recreational use so long as no dumpsters, outside storage or loading areas are visible from the primary thoroughfare.

Screening of dumpsters, outside storage or loading areas

1. In all Multi-family and Non-Residential Districts, the screening of dumpsters , outside storage areas and loading areas must follow the City of Waxahachie screening and design requirements for dumpsters, outside storage and loading areas.



SECTION 7: PARKING REQUIREMENTS

All off-street parking & loading must comply with the City of Waxahachie Zoning Ordinance, Section 5.02 except the following:

- a. Head-in and parallel parking is allowed in the MFR, MU-R & MU-N districts.
- b. On-street parking can be counted towards the off-street parking requirements for non-residential uses in any of the PD districts. On street parking cannot count for more than 20% of the overall required parking and any on street parking that is credited towards the required parking must be labeled on the Residential Initial Plat and/or Detailed Site Plan. A parking stall may not be used for credit on more than 1 land use.
- c. Single family parking requirements:
 - a. For front garage lots, at least 2 enclosed parking stalls must be located behind the front building line on the same lot as the main structure.
 - b. For alley lots, at least 2 parking stalls must be behind the front building plane and must be enclosed in a garage.
- d. Only in the Town Center Overlay Area, parking lots are allowed to encroach into the landscape buffers or yard setbacks for the side, corner or rear yards but the edge of parking lots must be at least five (5) ft. from the public Right-of-way. Parking lots may not encroach into the front yard setback.
- e. Compact car parking spaces
 - a. Are allowed in the MFR, MU-R & MU-N districts
 - b. A maximum of ten percent of required parking may be designed for compact cars only in the Town Center Overlay Area.
 - c. A compact car space is defined as a minimum of 8'x16' and must be identified by signage
 - d. Must be located along the outer perimeter of the parking lot and the end of the stall must be adjacent to a minimum 1.5 ft. wide landscape area or gravel/clear zone.



SECTION 8: ROADWAY DESIGN

- a. Traffic Circles
 - a. Traffic circles are allowed with the approval of location and design by the City Engineer
- b. Street widths
 - a. All public streets shall follow the standard street designs identified in, **Exhibit G: Street Sections**
- c. Roadway layout and configurations:
 - a. Refer to **Exhibit F: Thoroughfare Plan** for general types and locations of the various public streets. The locations are general and may revise so long as the overall connection points along the perimeter are followed.
- d. Cul-de-sacs
 - a. Cul-de-sacs shall be no more than 800 ft. long measured along the centerline of the roadway from the center point of the cul-de-sac turn around to the centerline of the intersection street. Any cul-de-sac longer than 600 ft. must be approved by the City of Waxahachie Fire Department. The cul-de-sac right-of-way must be at least 105 ft. in diameter
- e. Sidewalks
 - a. Refer to the street sections for sidewalk sizes and locations.

SECTION 9: ENTRY FEATURES

The project will include various development monument entry signs, neighborhood monument entry signs located at various perimeter entrances and neighborhood entries. All monument entry signs in project will not be restricted on height or size so long as they follow the Waxahachie building code and are outside of any visibility clips located at the intersections (as defined by City of Waxahachie Zoning & Subdivision Ordinances). Monument entry signs may be developed on and off property. Refer to **Exhibit I: Master Signage Plan** for the location and general design of the development entry features.

SECTION 10: ARCHITECTURAL DESIGN

Refer to the Development Agreement for Architectural standards.

Building encroachments into the yard setbacks (all residential and non-residential land uses)

The following building elements are allowed to encroach (horizontally) up to ten percent of the yard setback in all PD districts, so long as at least 8 ft. vertical clearance is provided above any sidewalk or pedestrian area:

- a. Stoops
- b. Building signs
- c. Awnings
- d. Bay windows
- e. Porches (per the porch front yard setback in section 3)
- f. Building lights



Exhibit B: Zoning Districts

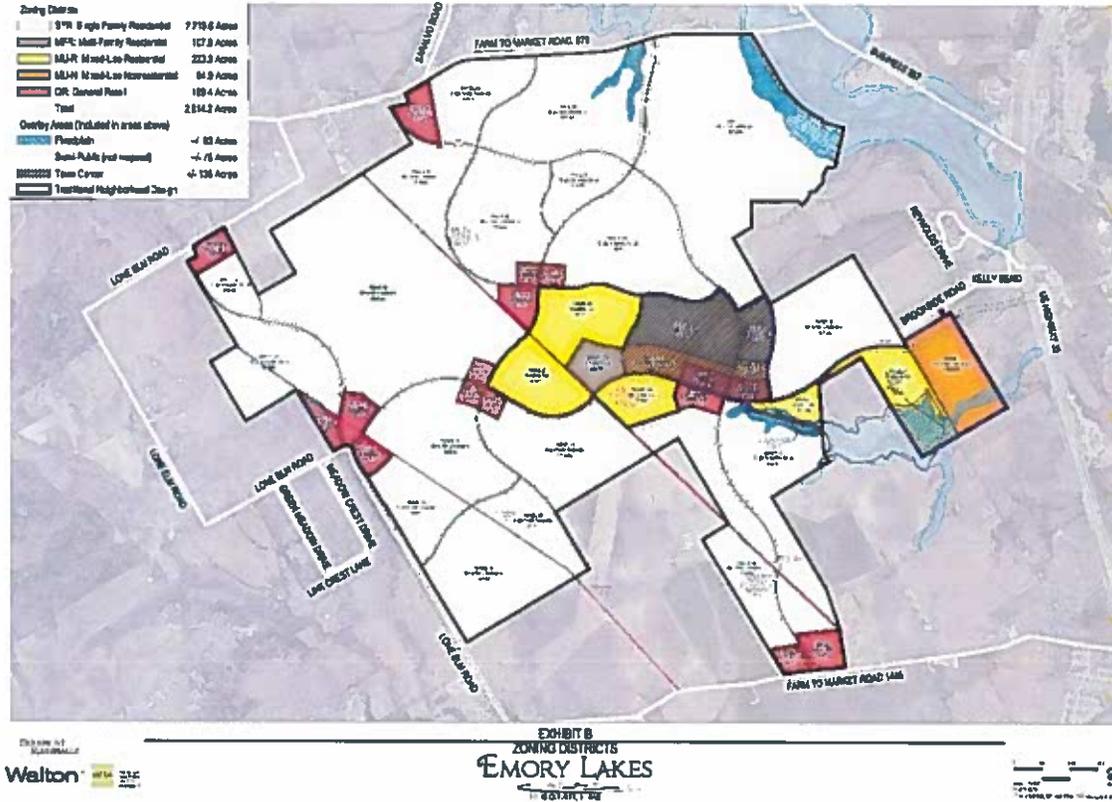




Exhibit C: Permitted Land Uses

LEGEND						ZONING DESIGNATIONS					
P - Permitted Use						SF – Single-Family Residential District					
S - Use may be approved via SUP						MF – Multi-Family Residential District					
□ - Prohibited Use						MU-R – Mixed Use Residential District					
						MU-N – Mixed Use Nonresidential District					
						GR – General Retail District					
Residential Type Uses											
Land Use	SFR	MF	MU-R	MU-N	GR	Land Use	SFR	MF	MU-R	MU-N	GR
Bed and Breakfast Inn	S	S	S	S	S	Multiple-Family Dwelling or Apartment		P	S	S	
Boarding House or Home		P				Single-Family Dwelling, Attached (Townhouse or Townhome)		P	S	S	
Dormitory		P			S	Single-Family Dwelling, Detached	P		P	P	
Fraternity or Sorority House	S	P				Two-Family Dwelling (Duplex)		P			
Home Occupation	P	P	P	P		Accessory Building, MF or Non-Residential		P			S
Housing for the Elderly/ Senior Apartments		P			S	Accessory Building (Residential), Less than 700 S.F.	P				
HUD Code Manufactured Home						Accessory Building (Residential), Greater than or Equal to 700 S.F.	S				
HUD Code Manufactured Home Park						Accessory Building, Used as a Dwelling Unit	S				
Mobile Home						Garage Accessory Dwelling	S				
Mobile Home Park						Caretaker's or Guard's Residence			S	S	
Modular Prefabricated Structure or Modular Home	P	P				Stables, Private	S				
Educational, Institutional & Special Uses											
Land Use	SFR	MF	MU-R	MU-N	GR	Land Use	SFR	MF	MU-R	MU-N	GR
Adult Daycare Facility					P	Hospital, Acute Care	S	S			S
Art Gallery or Museum	S	S	P	P	P	Hospital, Chronic Care		S		S	S
Cemetery, Animal						Household Care Facility	S	S	S		
Cemetery or Mausoleum	S				S	Institution for Alcoholic, Narcotic, or Psychiatric Patients					
Child Advocacy Center	S	S			P	Institution of Religious or Philanthropic Nature	S	S			P
Child Daycare Center			P	P	P	Jail or Prison					
Church, Rectory, or Temple	P	P	P	P	P	Juvenile Detention Center					S
College or University	S	S			P	Kindergarten or Nursery School, Private	S	S			P



Community Home	P	P			S	Private Recreation Facility	P	P	P	P	
Crematorium					P	Public Community Center	P	P			P
Day Camp for Children	S	S			P	Rehabilitation Care Facility or Halfway House			S	S	S
Fairgrounds, Rodeo Grounds or Exhibition Area					S	Residential Home for Adults with Intellectual and Developmental Disabilities		S			
Family Home (Child Care)	S	S				School, Private	S	S			S
Farm, Ranch, Garden, or Orchard	P	P	P	P	P	School, Public	P	P	P	P	P
Fraternal Organization	S	S			P	School, Vocational					P
Home for Aged, Residence (Assisted Living)	S	P			S	Skilled Nursing Facility					S
Commercial and Retail Type Uses											
Land Use	SFR	MF	MU-R	MU-N	GR	Land Use	SFR	MF	MU-R	MU-N	GR
Airport	S	S			S	Helistop					S
Alternative Financial Services						Household Appliance Service or Repair					P
Ambulance Service						HUD Code Manufactured Home Display or Sales					
Amusement, Indoor			P	P	P	Kiosk			S	S	S
Amusement, Outdoor					P	Laboratory, Medical or Dental			S	S	
Animal Hospital or Kennel, Indoor Pens					P	Laboratory, Scientific or Research			S	S	
Animal Hospital or Kennel, Outdoor Pens					S	Landscape Sales and Installation					S
Animal Pound						Laundromat					P
Antique Shop			P	P	P	Massage Establishment					P
Appliance Rental, Service or Repair					P	Massage Parlor					
Arcade			P	P	S	Medical Appliance Fitting or Retail Sales					P
Auto Leasing and Rental					S	Medical Facilities			S	S	S
Auto Parking Lot, Commercial			S	S	S	Metal Recycling Center					S
Auto Parking Lot, Trucks and Trailers						Micro-Brewery			S	S	S
Auto Parts and Accessory Sales				P	S	Mini-Warehouse or Self-Storage Facility					S
Auto Racing or Go-Cart Track						Motel or Hotel (Less than 75 Rooms)			P	P	P
Auto Repair, Major						Motel or Hotel (More than 75 Rooms)			P	P	P
Auto Repair, Minor or Automotive Care Center					S	Office, Professional and Administrative			P	P	P
Auto Sales, New					P	Outside Display			S	S	S
Auto Sales, Used					S	Outside Storage			S	S	S
Auto Storage or Auto Auction						Park or Playground, Private	P	P	P	P	S



Auto Wrecking Yard						Pawn Shop					S
Bail Bond Agency						Pet Shop and Grooming			P	P	P
Bakery, Commercial						Pharmacy			P	P	P
Bakery, Retail			P	P	P	Playfield or Stadium, Public	S	S			S
Bank or Credit Union			P	P	P	Portable Building Sales					S
Boat Sales						Private Club			S	S	S
Building Materials and Hardware Sales, Indoor					P	Railroad Freight Depot					
Building Materials and Hardware Sales, Outdoor					S	Restaurant			P	P	P
Bus Station or Terminal					S	Retail Stores and Shops			P	P	P
Cabinet or Upholstery Shop						RV Sales					
Car Wash					S	Screen Printing Shop					P
Clinic, Dental, Medical, or Chiropractic			P	P	P	Sexually Oriented Business					
Convenience Store			S	S	S	Small Engine Repair Shop					
Copy or Print Shop			P	P	P	Specialty Paraphernalia					
Country Club, Private	S	S			P	Stables, Public					
Custom Personal Service Shop			P	P	P	Studio			P	P	P
Drive-Through Establishment					S	Surgical Outpatient Facility			S	S	S
Dry Cleaning Establishment, Off-Site			P	P	P	Swimming Pool, Commercial					S
Dry Cleaning Establishment, On-Site						Tattoo or Body Piercing Shop					
Feed and Grain Store						Tavern			S	S	S
Flea Market or Farmers Market						Theater, Indoor			P	P	P
Funeral Home or Mortuary			S	S	P	Tire Installation or Repair			S	P	S
Furniture Manufacture and Refinishing Shop						Tool and Equipment Rental					P
Gasoline Sales			S	S	S	Trailer and Heavy Load Vehicle Repair					
Golf Course	S	S			S	Trailer or Truck Sales or Rental					
Greenhouse, Nursery, Florist or Garden Shop			P	P	S	Truck Stop					
Hauling, Storage, or Motor Freight Terminal						Winery			S	S	P
Heating and Air Conditioning Sales						Zoo, Private					
Heavy Machinery and Equipment, Rental, Sales or Storage						Zoo, Public					



Industrial & Utility Uses											
Land Use	SFR	MF	MU-R	MU-N	GR	Land Use	SFR	MF	MU-R	MU-N	GR
Animal Production Facility						Local Utility Lines	P	P	P	P	P
Antenna, Non-Commercial	P	P	P	P	P	Machine Shop or Welding Shop					
Batch Plant (Permanent Facility)						Medium Manufacturing, Fully Indoor					
Chemical Plant						Medium Manufacturing, Outdoor					
Electrical Generating Plant					S	Municipally-Owned Facilities and Uses	P	P	P	P	P
Equipment Sales, New or Used						Noxious Uses					
Food Manufacturing or Processing Plant						Portable Storage Structure or Temporary Building	P	P	P	P	P
Franchised Private Utility (Not Listed)	S	S	S	S	S	Public Building, Shop, or Yard of a Local, State, or Federal Agency					S
Heavy Manufacturing, Fully Indoor						Public or Private Utility Shop or Storage					
Heavy Manufacturing, Outdoor						Railroad Track					
Landfill						Sand, Gravel, Stone or Petroleum Extraction	P	P	P	P	P
Light Manufacturing				S		Storage Warehouse					
Accessory, Incidental and Sign Uses											
Land Use	SFR	MF	MU-R	MU-N	GR	Land Use	SFR	MF	MU-R	MU-N	GR
Awning Sign			P	P	P	Pole Sign					
Canopy Sign			P	P	P	Portable Sign		P	P	P	P
Development Sign	P	P	P	P	P	Real Estate Sign	P	P	P	P	P
Directional Sign (On-Site)		P	P	P	P	Searchlights					P
Electronic Message Sign			S	S	S	Small Wind System	S	S	S	S	
Garage Sale Sign	P	P			P	Solar Panel Farm					
Informational Sign	P	P	P	P	P	Solar Panel System, Large In-Ground					
Institutional Sign	P	P	P	P	P	Solar Panel System, Rooftop	S	S	S	S	S
Model Home Sign	P	P	P	P		Solar Panel System, Small In-Ground	S	S			S
Monument Sign		P	P	P	P	Unified Lot Sign	S	S	S	S	S
Name Plate	P	P	P	P	P	Wall Sign			P	P	P
Off-Street Parking Incidental to Main Use	P	P	P	P	P	Window Sign			P	P	P



Exhibit D: Master Trails & Open Space

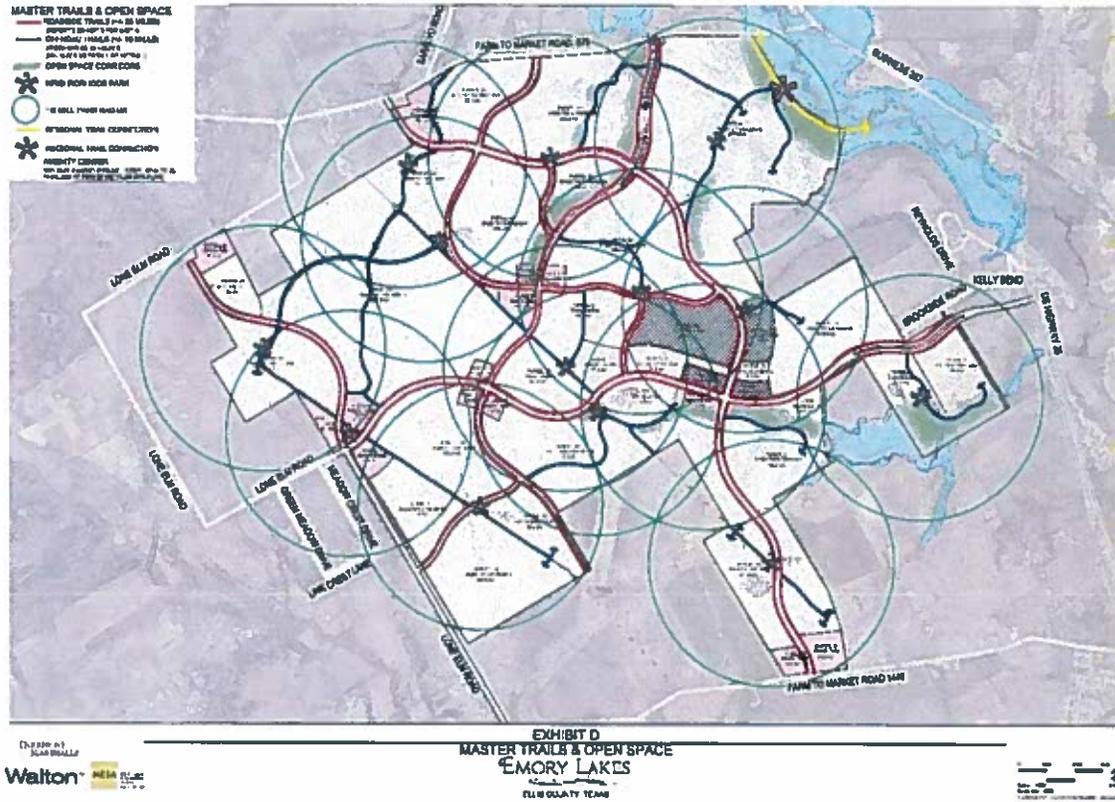




Exhibit E: Screening Plan

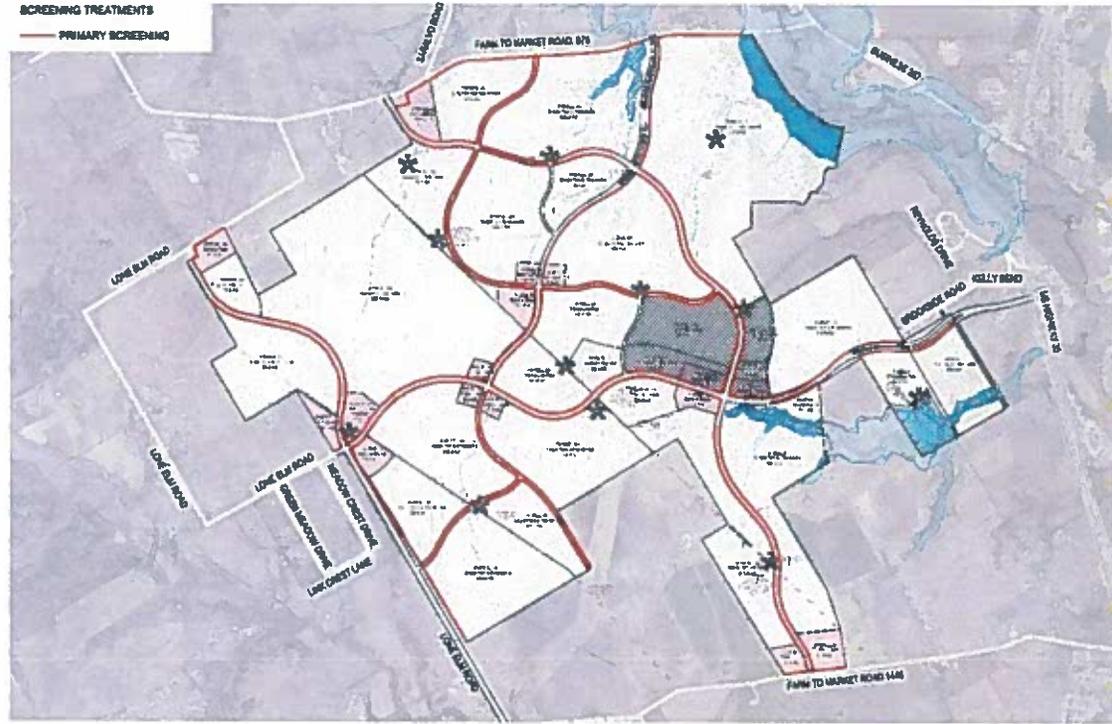


EXHIBIT E
SCREENING PLAN
EMORY LAKES
MESA
MILLS COUNTY, TEXAS





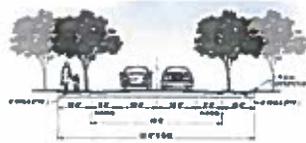
Exhibit G: Street Sections



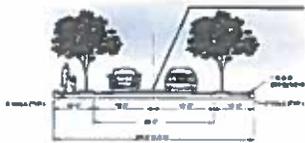
STREET 1 - 120' ROW
(CITY MAJOR THOROUGHFARE)

STREET 2 - 120' ROW
(PRIMARY ENTRY DRIVE & CENTRAL SPINE)

STREET 3 - 80' ROW
(SECONDARY PROJECT ENTRY DRIVE)



STREET 4 - 80' ROW
(TYPICAL COLLECTOR STREET WITH PARKING)

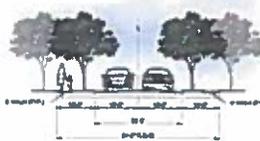


STREET 5 - 80' ROW
(COLLECTOR STREET WITHOUT PARKING)

DESIGN OPTION: ADD A MEDIAN AND TURN LANE (INDICATED BY CH) BEHIND THE DRIVE (TO PROVIDE TURN LANE) ROW WILL INCREASE APPROPRIATELY.



STREET 6 - 80' ROW
(STREET WITH ANGLED PARKING, NOT ALLOWED IN SINGLE FAMILY DEVELOPMENT)



STREET 7 - 54' ROW
(NEIGHBORHOOD STREET)



ALLEY 20' ROW



EXHIBIT G
STREET SECTIONS
EMORY LAKES
BLISS COUNTY, TEXAS

Scale:
1" = 20'-0"



Emory Lakes

December 2020

Exhibit H: Phasing

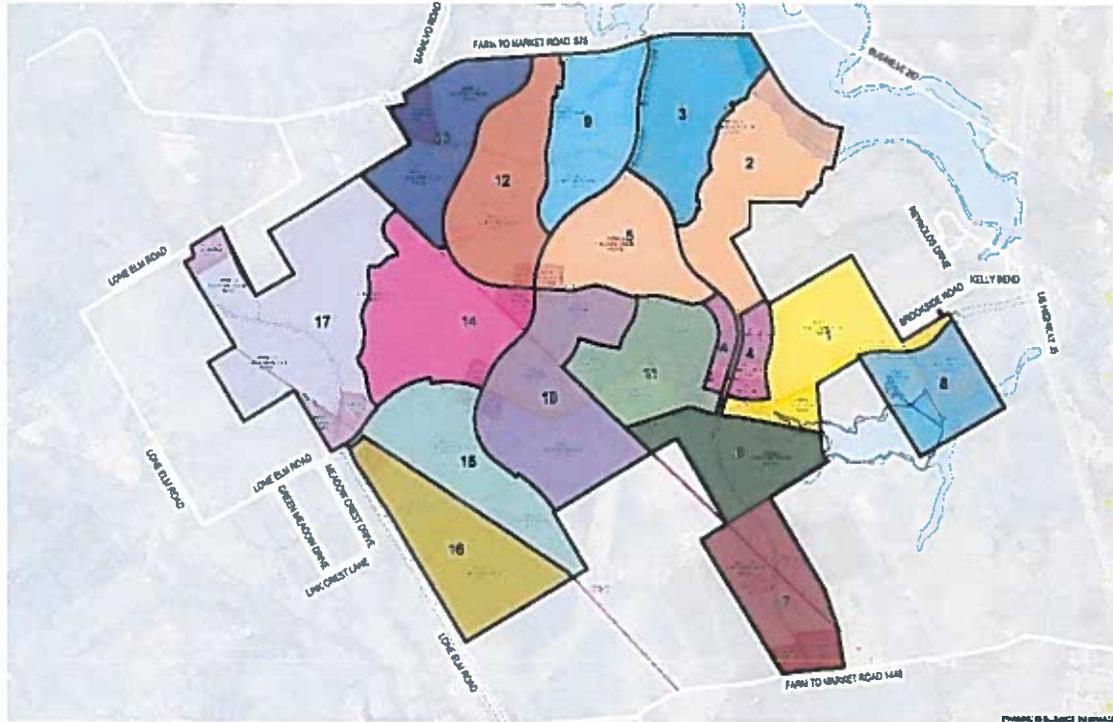


EXHIBIT H
 PHASING PLAN
EMORY LAKES
 Emory Lakes
 ELLEN COUNTY, TEXAS





Emory Lakes

December 2020

Exhibit J: Legal Description

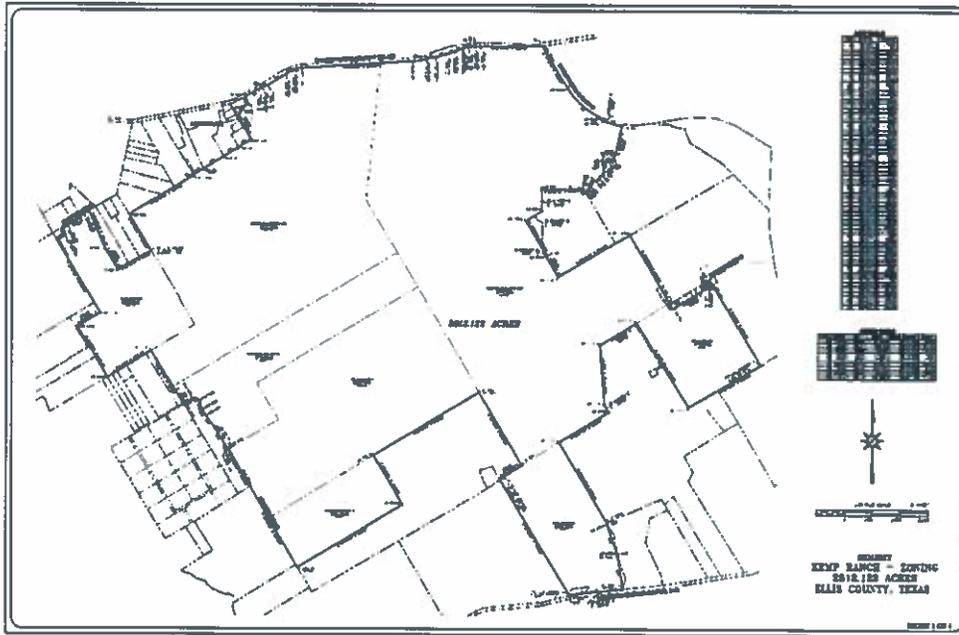


EXHIBIT J
LEGAL DESCRIPTION
EMORY LAKES
ELLIS COUNTY, TEXAS

EMORY LAKES
2012.125 ACRES
ELLIS COUNTY, TEXAS



EXHIBIT J
EMORY LAKES – ZONING OF 2812.122 ACRES
LEGAL DESCRIPTION

All that certain lot, tract, or parcel of land, situated in a portion of the J. Barker Survey, Abstract No. 40, the E. Bellow Survey, Abstract No. 101, the E. H. Belcher Survey, Abstract No. 143, the J. Drinkard Survey, Abstract No. 273, the J. J. Davidson Survey, Abstract No. 302, the J. Fifer Survey, Abstract No. 351, the M. Myers Survey, Abstract No. 714, the J. E. Prince Survey, Abstract No. 845, the J. C. Reed Survey, Abstract No 904, and the B. Wiltshire Survey, Abstract No. 1132, Ellis County, Texas, being a part of that certain called 681.000 acre tract described in a deed to Walton Texas, LP recorded in Instrument No. 1526274 of the Deed Records of Ellis County, Texas (DRECT), a part of that certain called 1040.641 acre tract describe

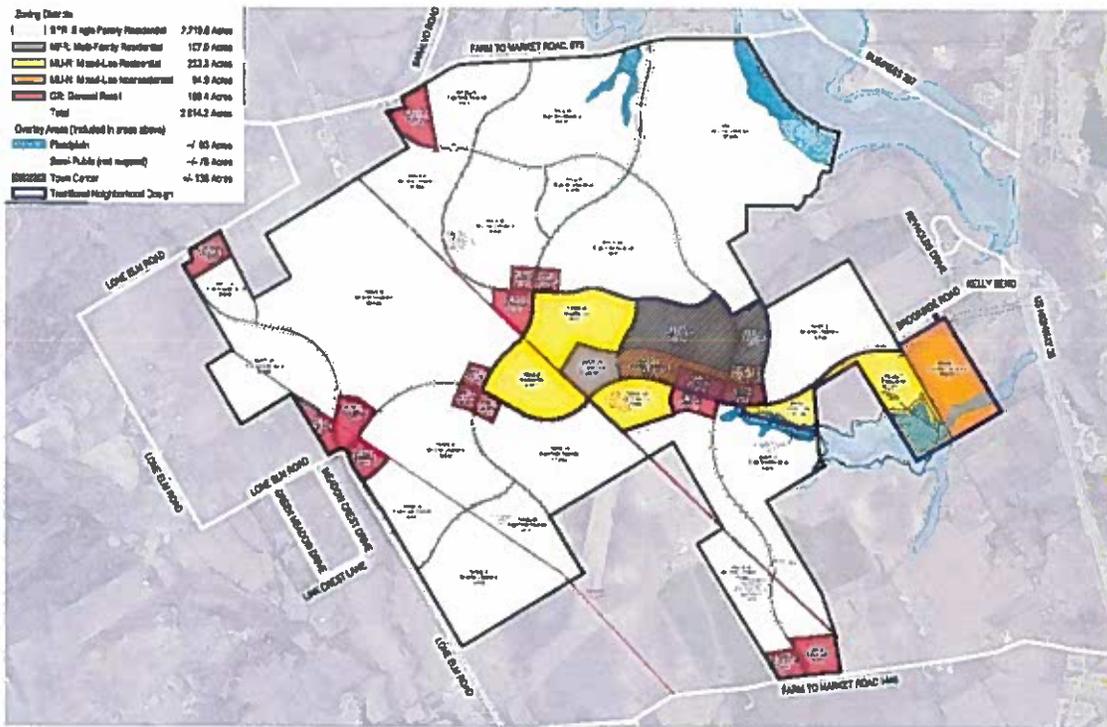


EXHIBIT B
ZONING DISTRICTS
EMORY LAKES

d in a deed to Walton Texas, LP recorded in Instrument No. 1532148 (DRECT), all of that certain called 117.601 acre tract described in a deed to Walton Texas, LP recorded in Instrument No. 1532149 (DRECT), all of that certain called 141.524 acre tract described in a deed to Walton Texas, LP recorded in Instrument No. 1532150 (DRECT), all of that certain called 182.727 acre tract and 99.991 acre tract described in a deed to Walton Texas, LP recorded in Instrument No. 1515578 (DRECT), all of that certain called 398.282 acre tract described in a deed to Walton Texas, LP recorded in Instrument No. 1515579 (DRECT), all of that certain called 151.499 acre tract described in a deed to Walton Texas, LP recorded in Instrument No. 1616460 (DRECT), and being more completely described as follows, to-wit:

BEGINNING at a 1/2" iron rod found for a Northwest corner of said 681.000 acre tract, the Northeast corner of a called 1.725 acre tract described in a deed to Patricia L. Knight recorded in Volume 2273,



Page 384 (DIRECT), and being in the South right-of-way line of Farm to Market Highway No. 875 (80' right-of-way width at this point);

THENCE North 59 deg. 54 min. 04 sec. East along the North line of said 681.000 acre tract and said South right-of-way line, a distance of 465.52 feet to a 5/8" capped iron rod found stamped "TXDOT ROW";

THENCE North 59 deg. 02 min. 19 sec. East along said North line and South right-of-way line, a distance of 3.64 feet to a 5/8" capped iron rod found stamped "TXDOT ROW" for the most westerly corner of a called 0.5506 acre tract described in a deed to the State of Texas recorded in Instrument No. 1610102 (DIRECT);

THENCE North 73 deg. 03 min. 09 sec. East departing said North line and continue along the South line of said 0.5506 acre tract, a distance of 136.77 feet to a 5/8" capped iron rod found stamped "TXDOT ROW";

THENCE North 58 deg. 55 min. 02 sec. East along said South line, a distance of 616.61 feet to a 5/8" capped iron rod found stamped "TXDOT ROW";

THENCE North 49 deg. 56 min. 16 sec. East along said South line, a distance of 111.25 feet to a 5/8" capped iron rod found stamped "TXDOT ROW" for the most easterly corner of said 0.5506 acre tract and being in the North line of said 681.000 acre tract, said point being a Point of Curvature of a non-tangent circular curve to the right, having a radius of 920.72 feet, a central angle of 17 deg. 11 min. 19 sec., and being subtended by a chord which bears North 77 deg. 42 min. 54 sec. East - 275.18 feet;

THENCE in an easterly direction along said curve to the right, the North line of said 681.000 acre tract, and the South right-of-way line of said Farm to Market Highway No. 875, a distance of 276.22 feet to a 1/2" capped iron rod set stamped "GOODWIN & MARSHALL" hereafter referred to as 1/2" capped iron rod set;

THENCE North 86 deg. 18 min. 34 sec. East tangent to said curve and continue along the North line of said 681.000 acre tract, the North line of said 1040.641 acre tract, and said South right-of-way line, a distance of 2836.54 feet to a 1/2" capped iron rod set for a Point of Curvature of a circular curve to the left, having a radius of 1504.82 feet, a central angle of 13 deg. 38 min. 10 sec., and being subtended by a chord which bears North 79 deg. 29 min. 29 sec. East - 357.29 feet;

THENCE in an easterly direction along said curve to the left, the North line of said 1040.641 acre tract, and said South right-of-way line, a distance of 358.14 feet to a 5/8" capped iron rod found stamped "TXDOT ROW" for the most westerly corner of a called 0.5877 acre tract described in a deed to the State of Texas recorded in Instrument No. 1610103 (DIRECT);

THENCE North 82 deg. 03 min. 21 sec. East departing said North line and continue along the South line of said 0.5877 acre tract, a distance of 204.72 feet to a 5/8" capped iron rod found stamped "TXDOT ROW";

THENCE North 72 deg. 11 min. 49 sec. East along said South line, a distance of 286.37 feet to a 5/8" capped iron rod found stamped "TXDOT ROW";

THENCE North 72 deg. 42 min. 49 sec. East along said South line, a distance of 212.71 feet to a 5/8" capped iron rod found stamped "TXDOT ROW";



THENCE North 67 deg. 28 min. 44 sec. East along said South line, a distance of 236.30 feet to a P.K. nail with washer stamped "PROPOSED ROW" for the most easterly corner of said 0.5877 acre tract and being in the North line of said 1040.641 acre tract, said point being a Point of Curvature of a non-tangent circular curve to the right, having a radius of 2251.83 feet, a central angle of 2 deg. 53 min. 58 sec., and being subtended by a chord which bears North 80 deg. 25 min. 36 sec. East - 113.94 feet;

THENCE in an easterly direction along said curve to the right, the North line of said 1040.641 acre tract, and the South right-of-way line of said Farm to Market Highway No. 875, a distance of 113.95 feet to a 5/8" capped iron rod found stamped "TXDOT ROW";

THENCE North 81 deg. 52 min. 35 sec. East tangent to said curve and continue along said North line and South right-of-way line, a distance of 122.75 feet to a 5/8" capped iron rod found stamped "TXDOT ROW", said point being a Point of Curvature of a circular curve to the right, having a radius of 587.69 feet, a central angle of 7 deg. 44 min. 56 sec., and being subtended by a chord which bears North 85 deg. 45 min. 03 sec. East - 79.42 feet;

THENCE in an easterly direction along said curve to the right, continue along said North line and South right-of-way line, a distance of 79.48 feet to a 5/8" capped iron rod found stamped "TXDOT ROW";

THENCE North 89 deg. 37 min. 34 sec. East along said North line and South right-of-way line, a distance of 1554.63 feet to a 1/2" capped iron rod set for a Point of Curvature of a circular curve to the left, having a radius of 1931.89 feet, a central angle of 3 deg. 33 min. 59 sec., and being subtended by a chord which bears North 87 deg. 50 min. 35 sec. East - 120.23 feet;

THENCE in an easterly direction along said curve to the left, continue along said North line and South right-of-way line, a distance of 120.25 feet to a 1/2" capped iron rod set for the Northeast corner of said 1040.641 acre tract and being in the West right-of-way line of Union Pacific Railroad;

THENCE South 31 deg. 23 min. 33 sec. East departing said South right-of-way line and continue along the East line of said 1040.641 acre tract and the West right-of-way line of said railroad, being 50 feet west of and parallel to the centerline of said railroad, a distance of 1239.17 feet to a 1/2" capped iron rod set, said point being a Point of Curvature of a circular curve to the left, having a radius of 1959.88 feet, a central angle of 35 deg. 04 min. 26 sec., and being subtended by a chord which bears South 48 deg. 55 min. 46 sec. East - 1181.10 feet;

THENCE in a southeasterly direction along said curve to the left, the East line of said 1040.641 acre tract, and the West right-of-way line of said railroad, a distance of 1199.75 feet to a 1/2" capped iron rod set;

THENCE South 06 deg. 40 min. 05 sec. West non-tangent to said curve, and continue along said East line and West right-of-way line, a distance of 41.76 feet to a 1/2" capped iron rod set, said point being a Point of Curvature of a non-tangent circular curve to the left, having a radius of 1999.88 feet, a central angle of 13 deg. 47 min. 52 sec., and being subtended by a chord which bears South 73 deg. 42 min. 44 sec. East - 480.44 feet;

THENCE in a southeasterly direction along said curve to the left, the East line of said 1040.641 acre tract and said West right-of-way line, being 90 feet South of and parallel to the centerline of said railroad, a distance of 481.60 feet to a 1/2" iron rod found for an easterly Northeast corner of said 1040.641 acre tract and in the Northwest line of a called 130 acre tract described in a mechanic's lien to Unity Presbyterian Homes recorded in Volume 912, Page 780 (DIRECT);



THENCE South 12 deg. 25 min. 26 sec. West non-tangent to said curve departing said West right-of-way line, and continue along the East line of said 1010.641 acre tract and the Northwest line of said 130 acre tract, at 852.61 feet pass a 1/2" iron rod found for reference and continue a total distance of 866.18 feet to a point in the center of a creek;

THENCE in a southerly direction along the East line of said 1040.641 acre tract and the centerline of a creek the following twenty-one (21) courses;

South 55 deg. 57 min. 46 sec. West, a distance of 17.23 feet;

South 86 deg. 18 min. 25 sec. West, a distance of 58.99 feet;

North 73 deg. 07 min. 35 sec. West, a distance of 17.27 feet;

South 76 deg. 03 min. 54 sec. West, a distance of 43.90 feet;

North 41 deg. 30 min. 44 sec. West, a distance of 25.95 feet;

South 55 deg. 27 min. 48 sec. West, a distance of 44.04 feet;

South 27 deg. 26 min. 13 sec. West, a distance of 90.38 feet;

South 01 deg. 57 min. 39 sec. West, a distance of 24.29 feet;

South 50 deg. 57 min. 27 sec. West, a distance of 18.98 feet;

South 01 deg. 04 min. 18 sec. West, a distance of 39.19 feet;

South 12 deg. 28 min. 08 sec. West, a distance of 44.61 feet;

South 05 deg. 47 min. 07 sec. West, a distance of 127.56 feet;

South 49 deg. 21 min. 10 sec. West, a distance of 117.39 feet;

South 35 deg. 47 min. 44 sec. West, a distance of 116.39 feet;

South 89 deg. 39 min. 37 sec. West, a distance of 77.26 feet;

South 68 deg. 20 min. 54 sec. West, a distance of 53.67 feet;

South 02 deg. 00 min. 42 sec. East, a distance of 50.83 feet;

South 28 deg. 22 min. 23 sec. West, a distance of 81.53 feet;

South 43 deg. 48 min. 28 sec. West, a distance of 90.13 feet;

South 30 deg. 56 min. 12 sec. West, a distance of 58.06 feet;



South 42 deg. 04 min. 17 sec. West, a distance of 51.16 feet to a point for corner for the Northwest corner of said 130 acre tract and being in the Northeast line of a called 60 acre tract described in a deed to T. L. Allen recorded in Volume 227, Page 326 (DIRECT);

THENCE North 38 deg. 44 min. 01 sec. West departing said centerline and continue along the East line of said 1040.641 acre tract and the Northeast line of said 60 acre tract, a distance of 107.40 feet to a 1/2" iron rod found for the Northeast corner of said 60 acre tract;

THENCE South 89 deg. 22 min. 18 sec. West along the East line of said 1040.641 acre tract and the North line of said 60 acre tract, a distance of 1029.07 feet to a 1/2" iron rod found for an ell corner of said 1040.641 acre tract and the Northwest corner of said 60 acre tract, being in the recognized East line of the J. Barker Survey and the recognized West line of the E. Bellow Survey;

THENCE South 01 deg. 10 min. 55 sec. East along the East line of said 1040.641 acre tract and the West line of said 60 acre tract, the recognized East line of the J. Barker Survey, and the recognized West line of the E. Bellow Survey, a distance of 541.96 feet to a 1/2" iron rod found for an ell corner of said 1040.641 acre tract;

THENCE South 58 deg. 40 min. 27 sec. West departing said survey lines and continue along the East line of said 1040.641 acre tract, a distance of 477.57 feet to a 1/2" capped iron rod set;

THENCE South 30 deg. 46 min. 56 sec. East along said East line, a distance of 982.20 feet to a 1/2" iron rod found for an ell corner of same, being in the recognized easterly North line of the J. Barker Survey, and the recognized South line of the E. Bellow Survey;

THENCE South 56 deg. 32 min. 49 sec. West departing said survey lines and continue along the East line of said 1040.641 acre tract, a distance of 16.30 feet to a 1/2" iron rod found for an ell corner of same;

THENCE South 30 deg. 19 min. 20 sec. East along said East line, a distance of 638.29 feet to a 1/2" capped iron rod set for an ell corner of same;

THENCE North 59 deg. 30 min. 57 sec. East along said East line, a distance of 2071.60 feet to a 1/2" capped iron rod set for an ell corner of same, being in the West line of a called 202.85 acre tract described in a mechanic's lien recorded in Volume 912, Page 780 (DIRECT), being the recognized Northwest corner of the J. E. Prince Survey, and a recognized ell corner of the E. Bellow Survey;

THENCE South 30 deg. 39 min. 05 sec. East along the East line of said 1040.641 acre tract, the West line of said 202.85 acre tract, the recognized West line of the J. E. Prince Survey, the recognized South line of the E. Bellow Survey, and the recognized East line of the J. Barker Survey, at 1932.08 feet pass a 1" iron pipe found for reference and continue a total distance of 1963.03 feet to a P.K. nail set with washer stamped "GOODWIN & MARSHALL", hereafter referred to as P.K. nail set, for the Southeast corner of said 1040.641 acre tract and being in the North line of a 25 foot right-of-way dedication of Brookside Drive as shown in the final plat of Brookside Addition recorded in Cabinet B, Page 329 of the Plat Records of Ellis County, Texas (PRECT), also bein the original North line of a called 120.88 acre tract described in a deed to Robert L. Beer recorded in Volume 351, Page 107 (DIRECT);

THENCE South 58 deg. 06 min. 39 sec. West along the South line of said 1040.641 acre tract, a distance of 4.14 feet to a P.K. nail set for the Northwest corner of said Brookside Addition and being a North corner of said 117.601 acre tract;



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THENCE South 31 deg. 25 min. 31 sec. East along the North line of said 117.601 acre tract and the West line of said Brookside Addition, at 25.00 feet pass a 3/8" iron rod found for the Northwest corner of Lot 1 of said Brookside Addition, and continue a total distance of 175.01 feet to a 3/8" iron rod found for the Southwest corner of said Lot 1 and being an ell corner of said 117.601 acre tract;

THENCE North 58 deg. 34 min. 29 sec. East along the North line of said 117.601 acre tract, the South line of said Brookside Addition, the South line of a called 0.43 acre tract described in a deed to Monica Davis recorded in Volume 2589, Page 1329 (DIRECT), the South line of a called 0.5152 acre tract described in a deed to Shirley Allred recoded in Volume 1550, Page 826 (DIRECT), and the South line of a called 0.4309 acre tract described in a deed to Katy R. Ryan and Booby Hopgood recorded in Volume 2512, Page 1420 (DIRECT), a distance of 998.69 feet to a 1/2" capped iron rod set for an ell corner of said 117.601 acre tract and the Southeast corner of said 0.4309 acre tract;

THENCE North 31 deg. 25 min. 31 sec. West along a North line of said 117.601 acre tract and the East line of said 0.4309 acre tract, a distance of 150.04 feet to a 1/2" iron pipe found for a North corner of said 117.601 acre tract, the Northeast corner of said 0.4309 acre tract, and being in the South right-of-way line of said Brookside Drive;



THENCE North 58 deg. 34 min. 29 sec. East along the North line of said 117.601 acre tract and said South right-of-way line, a distance of 40.12 feet to a 1/2" capped iron rod set for a North corner of said 117.601 acre tract and the Northwest corner of a called 0.4312 acre tract described in a deed to Barbara Kay Beer Mouser, et vir recorded in Volume 2100, Page 1456 (DRECT);

THENCE South 31 deg. 25 min. 31 sec. East departing said South right-of-way line and continue along a North line of said 117.601 acre tract and the West line of said 0.4312 acre tract, a distance of 150.04 feet to a 1/2" capped iron rod found stamped "RPLS 4466" for an ell corner of said 117.601 acre tract and the Southwest corner of said 0.4312 acre tract;

THENCE North 58 deg. 34 min. 29 sec. East along the North line of said 117.601 acre tract and the South line of said 0.4312 acre tract, a distance of 125.26 feet to a 1/2" iron pipe found for the Northeast corner of said 117.601 acre tract, the Southeast corner of said 0.4312 acre tract, the Southwest corner of a called 0.503 acre tract described in a deed to Robert P. Kelley, et ux recorded in Volume 567, Page 555 (DRECT), and being in the West line of the remainder of a called 125 acre tract described in a deed to Jack Kelley recorded in Volume 404, Page 324 (DRECT);

THENCE South 31 deg. 13 min. 11 sec. East along the East line of said 117.601 acre tract and the West line of said 125 acre tract, a distance of 2358.70 feet to a 1/2" capped iron rod set for the Southeast corner of said 117.601 acre tract, the Southwest corner of said 125 acre tract, and being in the North line of a called 140 acre tract described in a deed to Clint Allen Riddle and Curtis Ray Riddle recorded in Volume 2675, Page 812 (DRECT), from which a 1/2" iron rod found bears South 15 deg. 39 min. 16 sec. West – 2.77 feet and a 1/2" iron pipe found for the Northeast corner of said 140 acre tract bears North 59 deg. 45 min. 11 sec. East – 952.87 feet;

THENCE South 59 deg. 45 min. 11 sec. West along the South line of said 117.601 acre tract and the North line of said 140 acre tract, at 1243.66 feet pass a 1/2" iron rod found for the Northwest corner of said 140 acre tract and the Northeast corner of a called 10.00 acre tract described in a deed to Melissa Mims recorded in Volume 2139, Page 2147 (DRECT) and continue a total distance of 2108.66 feet to a 1/2" capped iron rod set for the Southwest corner of said 117.601 acre tract and being an ell corner of a called 265.36 acre tract described in a deed to Nay Trust B recorded in Volume 2739, Page 149 (DRECT);

THENCE North 31 deg. 44 min. 11 sec. West along the West line of said 117.601 acre tract, the East line of said 265.36 acre tract, and the East line of a called 2.113 acre tract described in a deed to Terry L. Nay, et ux recorded in Volume 1621, Page 662 (DRECT) at 2466.20 feet pass a 1/2" iron rod found 75.00 feet West of and perpendicular to said line for a corner in the West line of said 2.113 acre tract and continue a total distance of 2482.55 feet to a 1/2" capped iron rod set for the Northwest corner of said 117.601 acre tract and being in the South line of said 1040.641 acre tract;

THENCE South 58 deg. 06 min. 39 sec. West along the South line of said 1040.641 acre tract, a distance of 1071.46 feet to a 1/2" capped iron rod set for an ell corner of same and being the most northerly Northwest corner of said 265.36 acre tract;

THENCE South 04 deg. 10 min. 42 sec. East along the South line of said 1040.641 acre tract and the North line of said 265.36 acre tract, a distance of 1491.41 feet to a 1/2" capped iron rod set for an ell corner of same;

THENCE South 31 deg. 26 min. 53 sec. East along the South line of said 1040.641 acre tract and the North line of said 265.36 acre tract, a distance of 214.05 feet to a 1/2" iron rod found in the recognized



South line of J. Barker Survey, recognized Northeast corner of the M. Myers Survey, and the recognized Northwest corner of the J. Fifer Survey;

THENCE South 58 deg. 27 min. 04 sec. West along the South line of said 1040.641 acre tract, the North line of said 265.36 acre tract, the recognized South line of the J. Barker Survey, and the recognized North line of the M. Myers Survey, a distance of 1456.37 feet to a 1/2" capped iron rod set for the Northeast corner of said 141.524 acre tract and the Northwest corner of said 265.36 acre tract;

THENCE South 30 deg. 59 min. 02 sec. East departing the South line of said 1040.641 acre tract and said survey lines, continue along the East line of said 141.524 acre tract and the West line of said 265.36 acre tract, a distance of 2323.39 feet to a 1/2" capped iron rod set for the most westerly Southwest corner of said 265.36 acre tract and the Northwest corner of a called 40.889 acre tract described as Tract 1 in a deed to Hiram Clay Schoolfield recorded in Volume 2424, Page 1248 (DIRECT);

THENCE South 02 deg. 15 min. 28 sec. East along the East line of said 141.524 acre tract and the West line of said 40.889 acre tract, a distance of 25.10 feet to a 1/2" capped iron rod set for the northerly corner of a called 0.7798 acre tract described as Tract 3 in said Volume 2424, Page 1248 (DIRECT);

THENCE South 18 deg. 58 min. 50 sec. East along the East line of said 141.524 acre tract and the West line of said 0.7798 acre tract, a distance of 816.36 feet to a 1/2" capped iron rod set for the southerly corner of said 0.7798 acre tract and being in the West line of said 40.889 acre tract;

THENCE South 12 deg. 44 min. 40 sec. East along the East line of said 141.524 acre tract and the West line of said 40.889 acre tract, a distance of 19.10 feet to a 1/2" capped iron rod set for the northerly corner of a called 0.2831 acre tract described as Tract 2 in said Volume 2424, Page 1248 (DIRECT);

THENCE South 08 deg. 46 min. 58 sec. East along the East line of said 141.524 acre tract, the West line of said 0.2831 acre tract, and the West line of a called 0.7778 acre tract described in a deed to Hiram Clay Schoolfield, et ux recorded in Volume 2105, Page 1459 (DIRECT), a distance of 855.83 feet to a 1/2" capped iron rod found stamped "RPLS 4466" for the Southeast corner of said 141.524 acre tract, the southerly corner of said 0.7778 acre tract, the Southwest corner of said 40.889 acre tract, and being in the North right-of-way line of Farm to Market Highway No. 1446 (80' right-of-way width), from which a 1/2" iron rod found for a P.I. in said right-of-way bears North 84 deg. 07 min. 41 sec. East – 903.57 feet;

THENCE South 84 deg. 07 min. 41 sec. West along the South line of said 141.524 acre tract and said North right-of-way line, a distance of 1056.15 feet to a 1/2" capped iron rod set for a Point of Curvature of a non-tangent circular curve to the left, having a radius of 1949.86 feet, a central angle of 7 deg. 42 min. 06 sec., and being subtended by a chord which bears South 80 deg. 06 min. 44 sec. West - 261.90 feet;

THENCE in a westerly direction along said curve to the left, the South line of said 141.524 acre tract, and said North right-of-way line, a distance of 262.10 feet to a 1/2" capped iron rod set;



THENCE South 76 deg. 15 min. 41 sec. West tangent to said curve and continue along the South line of said 141.524 acre tract and said North right-of-way line, a distance of 16.06 feet to a 1/2" capped iron rod set for the Southwest corner of said 141.524 acre tract and the Southeast corner of a called 195.17 acre tract described in a deed to ACCRU, Inc. recorded in Volume 1737, Page 2029 (DIRECT), from which a 60D nail found bears South 31 deg. 29 min. 58 sec. East – 0.33 feet;

THENCE North 31 deg. 29 min. 58 sec. West along the West line of said 141.524 acre tract and the East line of said 195.17 acre tract, a distance of 3389.99 feet to a 1/2" capped iron rod set for the Northwest corner of said 141.524 acre tract, a South corner of a called 300.765 acre tract described in a deed to Jeffrey Lane Frazier and Jeanette Marie Frazier recorded in Volume 2048, Page 1588 (DIRECT), being in the recognized South line of the J. Barker Survey and the recognized North line of the M. Myers Survey, from which a 1/2" iron rod found "bent" bears North 31 deg. 29 min. 58 sec. West – 0.71 feet;

THENCE North 58 deg. 27 min. 04 sec. East along the North line of said 141.524 acre tract, the South line of said 300.765 acre tract, the recognized South line of the J. Barker Survey, and the recognized North line of the M. Myers Survey, a distance of 660.45 feet to a 1/2" iron rod found for the Southeast corner of said 300.765 acre tract and the Southwest corner of said 1040.641 acre tract;

THENCE North 30 deg. 52 min. 01 sec. West departing the North line of said 141.524 acre tract and said survey lines and continue along the West line of said 1040.641 acre tract and the East line of said 300.765 acre tract, a distance of 2132.69 feet to a 1/2" capped iron rod found stamped "RPLS 4466" for the Northeast corner of said 300.765 acre tract and being the Southeast corner of said 398.282 acre tract;

THENCE South 59 deg. 04 min. 49 sec. West along the South line of said 398.282 acre tract and the North line of said 300.765 acre tract, a distance of 3095.33 feet to a 1/2" iron rod found for the Northeast corner of said 99.991 acre tract;

THENCE South 30 deg. 52 min. 12 sec. East departing the South line of said 398.282 acre tract and continue along the East line of said 99.991 acre tract, a distance of 1419.80 feet to a 1/2" capped iron rod set for the Southeast corner of same;

THENCE South 59 deg. 04 min. 49 sec. West along the South line of said 99.991 acre tract, a distance of 3067.77 feet to a 1/2" capped iron rod found "illegible" for the Southwest corner of same, being in the recognized West line of the B. Wiltshire Survey and the East line of the J. W. Brock Survey, Abstract No. 129, said point being in the apparent right-of-way of Lone Elm Road;

THENCE North 30 deg. 52 min. 12 sec. West along the West line of said 99.991 acre tract, the West line of said 398.282 acre tract, the East line of a called 132.09 acre tract described in a deed to Richard E. Wood recorded in Volume 630, Page 1040 (DIRECT), the recognized West line of the B. Wiltshire Survey, the recognized East line of the J. W. Brock Survey, and generally along the centerline of Lone Elm Road, a distance of 2347.89 feet to a railroad spike found in said centerline for the Southeast corner of a called 21.607 acre tract described in a deed to Duane Walker and Clinton S. Walker recorded in Volume 2522, Page 1807 (DIRECT), the Northeast corner of said 132.09 acre tract, and being the recognized Northeast corner of the J. W. Brock Survey and the recognized Southeast corner of the E. H. Belcher Survey;



THENCE North 30 deg. 36 min. 54 sec. West along the West line of said 398.282 acre tract, the East line of said 21.607 acre tract, the recognized East line of the E. H. Belcher Survey, the recognized West line of the B. Wiltshire Survey, and generally along the centerline of Lone Elm Road, a distance of 1069.50 feet to a railroad spike found for the most westerly Northwest corner of said 398.282 acre tract, the South line of said 182.727 acre tract, an ell corner of said 21.607 acre tract, the recognized Southwest corner of the J. Barker Survey, the recognized Northwest corner of the B. Wiltshire Survey, and the recognized East line of the E. H. Belcher Survey, and being in the apparent right-of-way line of Lone Elm Road;

THENCE South 59 deg. 14 min. 03 sec. West departing said survey lines and continue along the East line of said 21.607 acre tract and the South line of said 182.727 acre tract, a distance of 9.39 feet to a railroad spike found in the centerline of Lone Elm Road for the Southwest corner of said 182.727 acre tract and an ell corner of said 21.607 acre tract;

THENCE in a northerly direction along the East and North lines of said 21.607 acre tract, the West line of said 182.727 acre tract, and the centerline of Lone Elm Road the following seven (7) courses;

North 36 deg. 38 min. 20 sec. West, a distance of 137.89 feet to a P.K. nail set;

North 31 deg. 46 min. 43 sec. West, a distance of 526.65 feet to a railroad spike found;

North 36 deg. 29 min. 06 sec. West, a distance of 390.51 feet to a railroad spike found;

North 28 deg. 08 min. 21 sec. West, a distance of 116.40 feet to a railroad spike found;

North 20 deg. 06 min. 52 sec. West, a distance of 238.25 feet to a railroad spike found for a Point of Curvature of a non-tangent circular curve to the left, having a radius of 135.00 feet, a central angle of 99 deg. 54 min. 23 sec., and being subtended by a chord which bears North 69 deg. 38 min. 15 sec. West - 206.69 feet;

Continue in a northwesterly direction along said curve to the left, a distance of 235.40 feet to a railroad spike found;

South 60 deg. 25 min. 46 sec. West, a distance of 239.14 feet to a railroad spike found for the Northwest corner of said 21.607 acre tract and being a Southwest corner of said 182.727 acre tract;

THENCE North 38 deg. 11 min. 55 sec. West departing said centerline and continue along the West line of said 182.727 acre tract, at 4.36 feet pass a cotton spindle found for the Southeast corner of a called 5.0854 acre tract described in a deed to Cesar Gabriel Alvarado, et al recorded in Volume 2827, Page 1025 (DRECT) and continue a total distance of 30.42 feet to a 1/2" iron rod found;

THENCE North 31 deg. 37 min. 24 sec. West along the West line of said 182.727 acre tract, the West line of said 681.000 acre tract, and the East line of said 5.0854 acre tract, a distance of 1519.11 feet to a 1/2" iron rod found for an ell corner of said 681.000 acre tract, the Northeast corner of said 5.0854 acre tract, being in the Southeast line of said 151.499 acre tract, and being in the recognized Southeast line of the J. J. Davidson Survey;



THENCE South 58 deg. 49 min. 03 sec. West along the Southeast line of said 151.499 acre tract and the recognized Southeast line of the J. J. Davidson Survey, at 143.23 feet pass 1/2" iron rod found for the Northwest corner of said 5.0854 acre tract, at 424.16 feet pass a 1/2" iron rod found which bears Southeast 0.87 feet, at 712.18 feet pass a 1/2" iron rod found which bears Southeast 1.74 feet, and continue a total distance of 1266.40 feet to a 1.5" iron pipe found for the most southerly corner of said 151.499 acre tract, the most easterly corner of a called 23.699 acre tract described in a deed to the Gary Pohlman and Catherine Pohlman Revocable Living Trust recorded in Volume 2570, Page 766 (DIRECT), said point being in the recognized Southeast line of the J. J. Davidson Survey, and the recognized Northwest line of the E. Ballard Survey;

THENCE North 31 deg. 15 min. 57 sec. West departing said survey lines and continue along the Southwest line of said 151.499 acre tract, the Northeast line of said 23.699 acre tract, the Northeast line of a called 13.193 acre tract described in a deed to Mike Green, et al recorded in Volume 1865, Page 2013 (DIRECT), and a Northeast line of a called 5.48 acre tract described in a deed to Sharon Hobbs recorded in Instrument No. 1521807 (DIRECT), a distance of 1466.49 feet to a 1/2" capped iron rod set for an ell corner of said 151.499 acre tract and an ell corner of said 5.48 acre tract;

THENCE North 58 deg. 19 min. 03 sec. East along a Northwest line of said 151.499 acre tract and a Southeast line of said 5.48 acre tract, a distance of 672.39 feet to a 1/2" capped iron rod set for an ell corner of said 151.499 acre tract and the most easterly corner of said 5.48 acre tract;

THENCE North 31 deg. 00 min. 42 sec. West along the Southwest line of said 151.499 acre tract, the Northeast line of said 5.48 acre tract, and the Northeast line of a called 119.3 acre tract described in a deed to Katherine Ann Pitts recorded in Volume 1133, Page 31 (DIRECT), a distance of 2105.26 feet to a 1/2" capped iron rod set for a Northwest corner of said 151.499 acre tract and being the Southwest corner of a called 1.34 acre tract described in a deed to Robert Armstrong, et al recorded in Volume 1815, Page 1883 (DIRECT);

THENCE North 59 deg. 52 min. 53 sec. East along the Northwest line of said 151.499 acre tract and the South line of said 1.34 acre tract, a distance of 246.50 feet to a 1/2" capped iron rod found stamped "TEXAS SURVEYORS" for an ell corner of said 151.499 acre tract and the Southeast corner of said 1.34 acre tract;

THENCE North 19 deg. 07 min. 42 sec. West along a West line of said 151.499 acre tract and the East line of said 1.34 acre tract, at 216.69 feet pass a 1/2" capped iron rod found stamped "TEXAS SURVEYORS", and continue a total distance of 225.94 feet to a P.K. nail set for the most northerly Northwest corner of said 151.499 acre tract, the Northeast corner of said 1.34 acre tract, said point being in Lone Elm Road;

THENCE North 58 deg. 10 min. 50 sec. East along the Northwest line of said 151.499 acre tract, a distance of 778.04 feet to a P.K. nail set for the most northerly Northeast corner of same, the Northwest corner of a called 10.398 acre tract described in a deed to Jay Lindstrom, et al recorded in Volume 2782, Page 1786 (DIRECT), said point being in Lone Elm Road;

THENCE South 23 deg. 02 min. 22 sec. East along the Northeast line of said 151.499 acre tract and the West line of said 10.398 acre tract, at 30.26 feet pass a 1/2" capped iron rod found stamped "WLSC", and continue a total distance of 1040.17 feet to a 1/2" iron rod found;



THENCE South 32 deg. 49 min. 01 sec. East along the Northeast line of said 151.499 acre tract and the West line of said 10.398 acre tract, a distance of 600.03 feet to a 1/2" iron rod found for an ell corner of said 151.499 acre tract and the Southwest corner of said 10.398 acre tract;

THENCE North 60 deg. 11 min. 33 sec. East along a North line of said 151.499 acre tract and the South line of said 10.398 acre tract, at 299.94 feet pass a 1/2" capped iron rod found stamped "WLSC" for the Southeast corner of said 10.398 acre tract and the Southwest corner of a called 10.339 acre tract described in a deed to Dawn Knox recorded in Volume 2791, Page 1504 (DRECT), at 606.40 feet pass a 1/2" capped iron rod found stamped "WLSC" for the Southeast corner of said 10.339 acre tract and the Southwest corner of a called 11.168 acre tract described in a deed to David P. Hein, Jr., et al recorded in Volume 2788, Page 2140 (DRECT), and continue a total distance of 946.14 feet to a 1/2" capped iron rod set for the most easterly Northeast corner of said 151.499 acre tract, the Southeast corner of said 11.168 acre tract, being in the Southwest line of said 681.000 acre tract, and being in the recognized Southwest line of the J. Barker Survey, and the Northeast line of the J. J. Davidson Survey, from which a 1/2" iron rod found bears North 60 deg. 11 min. 33 sec. East – 1.30 feet;

THENCE North 31 deg. 16 min. 02 sec. West along the Southwest line of said 681.000 acre tract, the Northeast line of said 11.168 acre tract, and the recognized Southwest line of the J. Barker Survey and the recognized Northeast line of the J. J. Davidson Survey, a distance of 1060.24 feet to a 1/2" iron rod found for a Northwest corner of said 681.000 acre tract and the Southwest corner of a called 10.059 acre tract described in a deed to Mark Livingston and Monica Louise Livingston recorded in Volume 2559, Page 2132 (DRECT);

THENCE North 58 deg. 36 min. 52 sec. East departing the Northeast line of said 11.168 acre tract and said survey lines and continue along the Northwest line of said 681.000 acre tract, the South line of said 10.059 acre tract, the South line of a called 10.059 acre tract described in a deed to Joe Bourland and Barbara Bourland recorded in Volume 2559, Page 2122 (DRECT), and the South line of a remainder of called 58.092 acre tract described in a deed to Armstrong 98, LLC recorded in Volume 2431, Page 1623 (DRECT), a distance of 1893.09 feet to a 1/2" capped iron rod found for the Southeast corner of said 58.092 acre tract;

THENCE North 31 deg. 34 min. 40 sec. West along the Northwest line of said 681.000 acre tract and the East line of said 58.092 acre tract, a distance of 11.05 feet to a 1/2" capped iron rod set for the Southwest corner of a called 8.000 acre tract described in a deed to Iglesia Vaquera recorded in Volume 2504, Page 887 (DRECT);

THENCE North 58 deg. 40 min. 31 sec. East along the Northwest line of said 681.000 acre tract and the South line of said 8.000 acre tract, a distance of 289.78 feet to a 60D nail found for the Southeast corner of said 8.000 acre tract and the Southwest corner of a called 13.885 acre tract described in a deed to Nelson C. Ridgway recorded in Volume 1948, Page 238 (DRECT);

THENCE North 58 deg. 40 min. 33 sec. East along the Northwest line of said 681.000 acre tract and the South line of said 13.885 acre tract, a distance of 601.09 feet to a 5/8" iron rod found for the Southeast corner of said 13.885 acre tract and the Southwest corner of a called 10.168 acre tract described as Tract 1 in a deed to Rapeapat Unarut recorded in Volume 2517, Page 1087 (DRECT);



THENCE North 58 deg. 37 min. 40 sec. East along the Northwest line of said 681.000 acre tract and the South line of said 10.168 acre tract, a distance of 439.41 feet to a 1/2" iron rod found for the Southeast corner of said 10.168 acre tract and the Southwest corner of a called 3.0 acre tract described as Tract 2 in said Volume 2517, Page 1087 (DIRECT);

THENCE North 58 deg. 43 min. 52 sec. East along the Northwest line of said 681.000 acre tract and the South line of said 3.0 acre tract, a distance of 372.79 feet to a 1/2" iron rod found for an ell corner of said 681.000 acre tract, the Southeast corner of said 3.0 acre tract, and being in the East line of Memory Lane (12' wide private road);

THENCE North 31 deg. 19 min. 29 sec. West along the Northwest line of said 681.000 acre tract and the East line of said Memory Lane, a distance of 899.22 feet to a 1/2" iron rod found for a Northwest corner of said 681.000 acre tract and the Southwest corner of said 1.725 acre tract;

THENCE North 76 deg. 25 min. 44 sec. East along the North line of said 681.000 acre tract and the South line of said 1.725 acre tract, a distance of 416.30 feet to a 1/2" iron rod found for an ell corner of said 681.000 acre tract and the Southeast corner of said 1.725 acre tract;

THENCE North 22 deg. 02 min. 17 sec. West along the West line of said 681.000 acre tract and the East line of said 1.725 acre tract, a distance of 225.35 feet to the POINT OF BEGINNING, containing 122,496,047 square feet or 2812.122 acres of land, more or less.

Bearings are referenced to Texas State Plane Coordinate System, North Central Zone (4202), North American Datum of 1983 as derived from GPS observation.



Emory Lakes

Walton™ MESA

December 2020

Exhibit K: Playgrounds



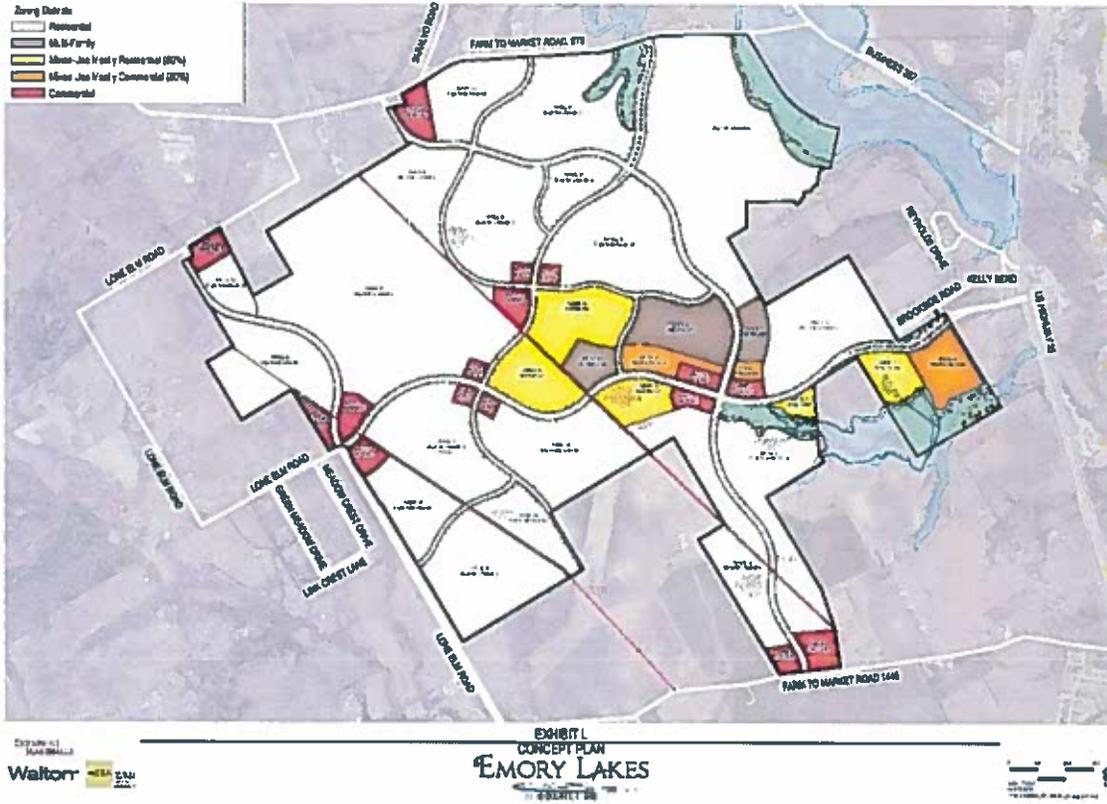
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EXHIBIT K
Playgrounds
EMORY LAKES
BLUM COUNTY, TEXAS

Walton™



Exhibit L: Concept Plan



Sec. 5.01 - Exterior Construction Requirements.

(a) *Definitions.* For the purpose of this section, the following definitions shall apply:

(i) *Masonry Construction* - This term means that form of exterior construction materials including brick, stone, granite, marble, decorative concrete block or tile, other similar building units or materials, or a combination of these materials laid up unit by unit and set in mortar, and shall exclude wall area devoted to doors and windows. As applicable to meeting the minimum requirements for the exterior construction of buildings within each zoning district, this term shall include hard-fired brick, kiln-fired clay or slate materials; stone, including naturally-occurring granite, marble, limestone, slate, river rock, or other similar hard and durable all-weather stone; decorative concrete block; concrete pre-cast or tilt-wall panels; glass blocks or tiles; or stucco. See the definition of Masonry construction for further information.

1) Within the Town Center Overlay area, masonry shall include:

(a) Synthetic stucco (exterior insulation finishing system - EFIS) is not allowed within 4 feet from the finished floor of the first floor.

(b) Glazed ceramic and porcelain tile.

2) The following materials are permitted within the Town Center Overlay area;

(a) Fiber reinforced plastic (with the exception of plastic or vinyl siding) - used for exterior building components, including but not limited to: cornice and entablature elements, decorative columns and pilasters, storefront trim, railings, and balustrades, spandrel panels, and similar elements.

(b) Painted steel and aluminum, cast iron, bronze, brass, copper (including terre coated)

(c) Roofing materials (visible from any public right-of-way): copper, factory finished painted metal, slate, synthetic slate, terra cotta, cement tile, glass fiber shingles.

(d) Materials other than those listed above may be used for architectural trim and accent applications including, but not limited to, cornices and decorative brackets, frieze panels, decorative lintels, shutters, and porch or balcony railings

(ii) The following materials shall not qualify nor be defined as Masonry Construction in meeting the minimum requirements for the exterior construction of buildings, unless specifically approved by the City's Building Official for single-family or duplex residential structures, or by the City Council on an approved Concept Plan or Detailed Site Plan for single-family attached, multi-family, or non-residential structures:

1) Adobe or mortar wash surface material;

2) Exterior insulation and finish system (EIFS), acrylic matrix, synthetic plaster, or other similar synthetic material;

3) Cementitious fiberboard siding;

4) Aluminum, PVC or other plastic-based siding material;

5) Lightweight or featherweight concrete blocks or cinder blocks; or

6) Any other cementitious product not listed above.

(iii) *Left Blank Intentionally*

- (b) **Minimum masonry exterior construction standards.** The standards and criteria contained within this subsection are deemed to be minimum standards and shall apply to all new building construction occurring within the City or as otherwise required in this Development Agreement for changes of use, expansions of non-conformities, or other applicable building modifications.
- (i) **Application Requirements:** Any application for the use of masonry materials that is not otherwise permitted by this Development Agreement shall require the following:
- 1) **Site Plan.** All requests for the use of masonry materials shall be submitted to the City in writing on an application form available in the Building and Community Services Department office, and shall be noted and described on an Administrative Site Plan. See site plan detail requirements in Section 7.01 of the City of Waxahachie Ordinance. A building permit shall be required for any development wherein the use of masonry materials is proposed in accordance with this section of the Development Agreement.
 - 2) **Building Façade Plan.** The architectural style and scale of a proposed single-family or two-family dwelling unit shall be submitted in the form of scaled drawings with proposed four façade elevations. This submission shall be submitted with and shall be a component of the Administrative Site Plan or building permit application.
 - a) If the proposed use of masonry materials is for more than one dwelling unit, the applicant shall provide at least six (6) façade drawings that are representative of the overall style and scale of the dwelling units within the development. If the use of masonry materials is approved, these drawings will serve as examples of what the City anticipates for the overall development, and the applicant shall be expected to meet a similar level of quality in the design of single-family homes and/or townhomes that are not individually represented in the examples.
 - b) The Building and Community Services Department may require actual samples of any proposed masonry products and the actual colors to be used. Such samples shall be submitted as part of the Building Façade Plan.
 - 3) **Quality Control.** Any question as to whether the durability or installation of the masonry materials is in accordance with this section of the Development Agreement, and/or with the City's Building Code, shall be determined by the City's Building Official. The appropriateness of the application in terms of quality shall be determined as part of Administrative Site Plan or Building Façade Plan approval.
 - a) If the Building Official deems the installation insufficient to meet the City's Building Code or the manufacturer's written specifications and requirements (including spirit and intent) of these regulations, then no Certificate of Occupancy shall be issued unless and until the installation is deemed satisfactory. Any appeal of this decision may be made to the Planning and Zoning Commission. If denied by the Planning and Zoning Commission, may be further appealed to the City Council.
 - b) The method of painting or color application, including the type of paint and materials to be used, must be approved as part of the Administrative Site Plan and related Building Façade Plan.
- (ii) **Single-Family and Duplex Residential:**
- 1) For all residential land uses (excluding multi-family): All street facing elevations of the house (front, and street side for corner lots), must be one hundred percent (100%) masonry. Further, ninety-five percent (95%) masonry is

required to the top of the first floor walls on both sides and the rear elevations, and eight five percent (85%) masonry overall for the entire home. Masonry is defined as stone, brick or stucco. Stucco cannot comprise more than forty percent (40%) of the required masonry percentages. If stone is used on a front elevation, the stone material must wrap at least two (2) feet around the corner onto the side elevation.

- 2) Concrete, concrete block, or metal exterior construction is not permitted on any single-family or duplex residential structure.
- 3) Refer to Section (c) for non masonry design requirements
- 4) Refer to Section (c) for non masonry design requirements
- 5) Refer to Section (c) for non masonry design requirements
- 6) Refer to Section (c) for non masonry design requirements
- 7) Refer to Section (c) for non masonry design requirements

(iii) Multi-Family and Single-Family Attached Residential:

- 1) All principal buildings and structures constructed for Multi-Family use, shall be constructed in such manner to include Masonry Construction covering at least seventy-five (75) percent of the total exterior walls, excluding doors and windows. All construction shall also be performed in accordance with the City's building code and fire prevention code.
- 2) Concrete, concrete block, or metal exterior construction is not permitted on any multi-family or single-family attached residential structure.
- 3) Refer to Section (e) for non masonry design requirements
- 4) Refer to Section (e) for non masonry design requirements

(iv) Nonresidential and Institutional Buildings:

- 1) All non-residential and institutional buildings in any District shall have a minimum of ninety (90) percent Masonry Construction below the first floor ceiling plate.
 - a) The minimum Masonry Construction required above the first floor ceiling plate is eighty (80) percent.
 - b) The Masonry Construction shall be equally distributed around all sides of the building.
 - c) Any exterior façade of a building that faces, or is visible from, a public street shall meet the same Masonry Construction requirements as the front building plane.
 - d) All other façades that are not facing, or visible from, a right-of-way shall consist of not less than fifty (50) percent Masonry Construction for all stories.
- 2) Left Blank Intentionally
- 3) Areas of a façade that are devoted to windows, doors, covered porches, stoops, breezeways, or courtyards shall not be counted as "wall surface" when calculating the Masonry Construction requirement.

- 4) Metal exterior construction is not allowed on any non-residential or institutional structure located within any Zoning District except the Town Center Overlay Area.
 - a) The building façade containing the metal construction must not face or be visible from an existing or planned public right-of-way, as identified on the City's Thoroughfare Plan or plat records.
 - b) Metal exterior exceptions:
 - i. If the structure is located on a through lot that both fronts and backs onto a right-of-way, and if the structure's rear façade is located more than one thousand (1,000) feet from the right-of-way, then the rear façade can be of metal exterior construction.
 - ii. If the structure is on a corner lot, which fronts and sides onto two rights-of-way, the front and side façades cannot be metal exterior construction unless approved on the site plan.
 - c) The use of any type of metal for exterior building construction, such as profiled panels, deep ribbed panels, concealed fastener system panels, or similar materials, shall be clearly shown on the Administrative Site Plan, and shall only be allowed with site plan approval.
 - i. The exterior finish of metal used in exterior construction shall be of a permanent, maintenance-free nature such as a baked-on finish.
 - ii. The use of corrugated, galvanized, aluminum-coated, zinc-coated, unfinished, or similar metal surfaces shall be prohibited, unless approved on the site plan for a restaurant that uses such materials as part of its "signature design aesthetic," in which case a maximum of ten (10) percent of any wall façade may be devoted to such materials.
- 5) Refer to Section (f) for non masonry design requirements
- 6) Applicable to all non-residential development:
 - a) Horizontal Articulation. No building wall shall extend for a distance equal to three (3) times the wall's height without having an off-set equal to twenty-five (25) percent of the wall's height, and that new plane shall extend for a distance equal to at least twenty-five (25) percent of the maximum length of the first plane.
 - b) Vertical Articulation. No horizontal wall shall extend for a distance greater than three (3) times the height of the wall without changing height by a minimum of twenty-five (25) percent of the wall's height.
- 7) Applicable to all commercial and retail settings and uses:
 - a) All buildings shall be designed and constructed in tri-partite architecture so that they have a distinct base, middle, and top.
 - b) External Façade Materials: In addition to the minimum Masonry Construction requirement, the following specific materials shall be used to construct all exterior walls of buildings and parking structures that are visible from a right-of-way, public walkway, or open space:
 - i. Ground floor: Excluding windows, doors, and other openings, the exterior façade(s) shall be constructed of one hundred (100) percent brick, natural stone, or cast stone.

- ii. Overall: A minimum of ninety (90) percent of entire exterior façade(s), excluding windows, doors, and other openings, shall be constructed of brick, natural stone, or cast stone. The brick, natural stone, or cast stone shall continue around corners a minimum of eight (8) feet. Portland cement stucco may account for up thirty (30) percent of this requirement.
 - iii. EIFS shall be used only for architectural features or embellishments that are not subject to pedestrian contact.
 - iv. Unpainted metal or metal subject to ordinary rusting, shall not be used as a building material. Factory finished metal elements as well as metals that develop an attractive oxidized finish, such as copper, galvanized metal, stainless steel or weathering steel, may be used as architectural accents by administrative approval.
 - v. Windows and glazing shall be a minimum of thirty (30) percent and up to a maximum of seventy (70) percent of each building elevation.
 - vi. A variation of up to fifteen (15) percent of the standards above, and the material type may be approved administratively via an Administrative Site Plan or building permit, provided that the change will result in an improved architectural design without degrading the quality of public areas or increasing the need for maintenance.
- (v) Exemptions: The following structures are exempt from the masonry construction requirements outlined within this subsection:
- 1) Bams on property of two (2) or more acres, provided that such bams are used solely for agricultural purposes and not used for commercial purposes;
 - 2) All single family accessory buildings that do not exceed five hundred (500) square feet of floor area;
 - 3) Temporary construction buildings, field offices, sales offices and temporary classroom or storage buildings for a public school only (provided that such facilities are legally permitted by the City for a specific period of time, and provided that they are completely removed from the premises upon expiration of the permit or upon completion of construction, whichever occurs first);
 - 4) Accessory Buildings:
 - a) *Intentionally left blank*
 - b) In Residential districts accessory buildings exceeding five hundred (500) square feet of floor area shall conform to the minimum exterior construction standards for the main building on the lot or tract and shall be compatible in exterior finishes and colors as the main building.
 - c) All non-single family accessory buildings of any size shall conform to the minimum exterior construction standards for the main building on the lot or tract and shall be architecturally compatible in design and constructed of the same exterior finishes and colors as the main building.
 - d) Considerations for Approval: In addition to the minimum standards above, consideration for the use of masonry materials shall also be based on the following:
 - i. The architectural design and creativity of the dwelling units proposed;

- ii. The quality and creativity of the overall development proposed; and
 - iii. Compatibility of the dwelling units proposed with surrounding developed properties and structures.
- (vi) Considerations for Approval: In addition to the minimum standards above, consideration for the use of masonry materials shall also be based on the following:
 - 1) The architectural design and creativity of the dwelling units proposed;
 - 2) The quality and creativity of the overall development proposed; and
 - 3) Compatibility of the dwelling units proposed with surrounding developed properties and structures.
- (vii) Approval Process:
 - 1) Building and Community Services Department Action: The City Manager or designated representative shall approve or deny any site plan and related Building Façade Plan submitted that involves the proposed use of non-masonry materials.
 - 2) Planning and Zoning Commission and City Council Appeal: If the site plan is denied by the City Manager or designated representative, the applicant may appeal the decision to the Planning & Zoning Commission and City Council.
- (c) *Minimum non-masonry exterior construction standards for Single-Family Dwellings and Duplexes.*
 - (i) Purpose and Applicability:
 - 1) *Purpose.* Design standards within this section are set forth to allow for the use of non-masonry materials. These standards are intended to incorporate high quality requirements for residential developments using non-masonry materials to ensure that the resulting dwelling unit positively contributes to Waxahachie's community image. These homes may be associated with new development concepts such as New Urbanism and Traditional Neighborhood Development (TND) or historic homes.
 - 2) *Applicability.* Non-masonry materials may be used in accordance with the regulations herein, and upon approval in accordance with the approval process outlined below.
 - (ii) Quality of Installation:
 - 1) *Quality.* Non-masonry materials shall be similar in terms of durability to that of a traditional masonry product such as brick. It shall be the applicant's responsibility to demonstrate that the non-masonry materials that are intended to be used exhibits such durability.
 - 2) *Installation.* Any installation of non-masonry materials shall be installed properly according to the manufacturer's specifications and the City's building code.
 - (iii) Application Requirements: Any application for the use of non-masonry materials that is not otherwise permitted by this Development Agreement shall require the following:
 - 1) *Administrative Site Plan.* All requests for the use of non-masonry materials shall be submitted to the City in writing on an application form available in the Planning Department. The application shall note and describe the request in detail. An Administrative Site Plan shall be required for any development wherein the use of non-masonry materials is proposed and approved in accordance with this section of the Development Agreement.

- 2) *Building Façade Plan.* The architectural style and scale of the proposed single-family and/or two-family dwelling units shall be submitted in the form of scaled drawings of proposed four façade elevations. This submission shall be submitted with and shall be a component of the site plan.
 - a) If the proposed use of non-masonry materials is for more than one dwelling unit, the applicant shall provide at least six (6) façade drawings that are representative of the overall style and scale of the dwelling units within the development. If the use of non-masonry materials is approved, these drawings will serve as examples of what the City anticipates for the overall development, and the applicant shall be expected to meet a similar level of quality in the design of single-family homes and/or townhomes that are not individually represented in the examples.
 - b) The Building and Community Services Department may require actual samples of any proposed non-masonry product to be used (and the actual colors to be used), and such samples shall be submitted as part of the Building Façade Plan.
 - 3) *Quality Control.* Any question as to whether the durability or installation of the non-masonry materials is in accordance with this section of the Development Agreement, and/or with the City's Building Code, shall be determined by the City's Building Official. The appropriateness of the application in terms of quality shall be determined as part of site plan/Building Façade Plan approval.
 - a) If the Building Official deems the installation insufficient to meet the manufacturer's written specifications and requirements (including spirit and intent) of these regulations, or with the City's Building Code no Certificate of Occupancy shall be issued unless and until the installation is deemed satisfactory. Any appeal of this decision may be made to the Planning and Zoning Commission. If denied by the Planning and Zoning Commission, may be further appealed to the City Council.
 - b) The method of painting and/or color application, including the type of paint and/or materials to be used, must be approved as part of the site plan and related Building Façade Plan.
- (iv) Design Standards:
- 1) Required Standards: The use of non-masonry materials shall only be approved in accordance with the integration of the Design Standards listed within this section.
 - 2) Front Entry Walkways:
 - a) A hard surface walkway with a minimum improved width of three (3) feet must be constructed from the sidewalk or driveway to the front door of each primary structure.
 - b) Walkways may be surfaced with concrete, pavers, laid bricks, or any other such material and in accordance with City standards.
 - 3) Front Covered Porches:
 - a) Front covered porches shall be required for each dwelling unit proposing non-masonry construction.
 - b) These covered porches must meet the following minimum criteria:
 - i. A front covered porch that is permanently attached to and is an integral part of the primary structure shall be constructed of like and similar materials to those of the primary structure. Alternative materials, i.e., cedar or other complimentary

products, may be approved by the Building and Community Services Department through this Building Façade Plan review process.

- ii. Front covered porches are encouraged but not required. If a porch is provided, they must be at least sixty (60) square feet in size and at least six (6) feet in depth.

4) Garages:

- a) Detached garages shall be constructed of like and similar exterior materials to those used for the primary structure.
- b) Two car garage doors may be comprised of two (2) single doors or one (1) double door.
- c) There is a fifty (50) percent maximum the garage can encompass on all single family residential front facades. This percentage does not apply to lots with alley garage access. Fifty (50) percent of all dwellings shall have garages with at least one of the following designs:
 - i. Rear entry;
 - ii. J-Swing Drives (front entry); or
 - iii. Offset front entry garage greater than or equal to three (3) feet behind the front building façade.
 - iv. On front loaded/non-alley lots in the Cottage sub-district, no more than 50% of the lots may have the front entry recessed behind the front garage elevation.
- d) All single-family residential garages shall have wood or wood simulated, carriage style garage doors including wood or wood simulated panels, decorative brackets and may or may not include windows.



Example of carriage style door with windows



Example of carriage style door without windows

5) Each dwelling unit shall be designed with the following minimum Architectural Requirements:

- a) Architectural Relief:
 - i. The outside shape of a dwelling unit shall contain a minimum of five (5) outside corners with a minimum wall length of two (2) feet.
 - ii. There shall be no uninterrupted wall length of twelve (12) feet or more on any façade that is visible from a public right-of-way or open space. This standard applies to the front façade on the interior of the lot or the front and side façade facing a street or open space on a corner lot.

- iii. A minimum of sixty (60) percent of total area on first floor of all two-story homes is required.
- b) **Minimum Number of Elevations:**
- i. No single building elevation shall be duplicated within six (6) lots or tracts on the same blockface.
 - ii. Elevations may not be duplicated on any lot directly across a street or within four (4) lots either direction.
- c) **Minimum Number of Design Elements :** A minimum of six (6) of the elements identified below in must be incorporated into the design of each dwelling unit unless the house has incorporated a porch extending the full width of the front building face or the garage is a J-Swing Drive or rear entry. If the house design has incorporated a porch extending the full width of the front building face, then four (4) elements are required and if the garage is a J-Swing Drive or rear entry, then two (2) elements are required.
- i. Multiple pane, divided light, or simulated divided light windows;
 - ii. Decorative columns that are a minimum of six (6) inches in diameter;
 - iii. Gable with window or other decorative feature;
 - iv. Dormer;
 - v. Bay windows with a minimum projection of twenty-four (24) inches;
 - vi. 8:12 roof pitch;
 - vii. Two (2) or more exterior masonry materials with each material covering at least twenty-five (25) percent of the exterior surface;
 - viii. Split garage doors with a separate door for each vehicle bay);
 - ix. Bull nosed gable;
 - x. Permanently affixed awning;
 - xi. Articulated garage doors, e.g., windows, paneling, other high quality detailing;
 - xii. Accentuated brick detailing around garage door with a rowlock or similar detailing;
 - xiii. Transom or arch style windows; or
 - xiv. Elevated hip roof.
- e) The front building face must contain a minimum of thirty (30) percent of the wall area in windows or doors.
- e) [*Front Building Face:*] The front building face must contain a minimum of thirty (30) percent of the wall area in windows or doors.
- f) **Rooftop Solar Panel Systems:**
- ii. Must be installed to leave no greater than six (6) inches between rooftops.
 - iii. Must match the roof pitch on a pitched roof.
 - iv. Screening is required on flat roofs.

v. Panels shall not be installed on elevations facing a right-of-way.

g) Roof Design:

- i. A minimum 7:12 roof pitch is required for each dwelling unit.
- ii. Each dwelling unit shall be constructed with a roof overhang of not less than twelve (12) inches as measured from the finished exterior building façade to the soffit. Unless the roof pitch is 8:12 or greater.
- iii. Roof Materials for a single-family or duplex structure shall be comprised of one of the following:
 1. Laminated, three-dimensional appearance composition architectural shingle with a thirty (30) year minimum;
 2. Flat pan standing seam metal roofing with only a factory baked-on muted color finish. No bright colors or natural-colored metal roofing is allowed; or
 3. Terra cotta or slate tile in muted colors.

6) Examples: [see Article IX] The illustrations of dwelling units shall serve as examples of the type of architectural design that may be acceptable and unacceptable in considering whether to approve or deny requests to use non-masonry materials.

(v) Considerations for Approval: In addition to the minimum standards above, consideration for the use of non-masonry materials shall also be based on the following:

- 1) The architectural design and creativity of the dwelling units proposed;
- 2) The quality and creativity of the overall development proposed; and
- 3) Compatibility of the dwelling units proposed with surrounding developed properties and structures.

(vi) Approval Process:

- 1) Building and Community Services Department Action: The City Manager or designated representative shall approve or deny any site plan and related Building Façade Plan submitted that involves the proposed use of non-masonry materials.
- 2) Planning and Zoning Commission and City Council Appeal: If the site plan is denied by the City Manager or designated representative, the applicant may appeal the decision to the Planning & Zoning Commission and City Council.

(d) *Exceptions to minimum exterior construction standards.*

(i) All requests for exceptions to any exterior construction requirement as provided herein shall be submitted to the Building and Community Services Department in writing, and shall be clearly noted and described in detail on a full set of to-scale color façade plans (i.e., that shows all building elevations) that is submitted along with the site plan if one is required by the City for the proposed building/development (for multi-family, single-family attached and non-residential structures only, and for the use of non-masonry materials as provided herein). The City may require submission of an actual sample(s) of the proposed exterior finish material(s) along with the façade plan and the site plan. The Building and Community Services Department will review the request for an exception(s), and shall schedule the request for consideration by the Planning and Zoning Commission within thirty (30) days following receipt of the request.

- (ii) The Planning and Zoning Commission may recommend, and the City Council may approve, a request for an exception(s) to any exterior construction requirement, including the use of an alternative exterior construction material(s) if it is determined to be equivalent or better than the exterior materials otherwise required by this Subsection and by the City's Building Code (this process shall be part of the site plan approval process for multi-family, single-family attached and non-residential structures only — consideration and approval for the use of non-masonry materials shall be as provided herein).
 - (iii) Consideration for exceptions to any exterior construction requirement shall be based only upon the following:
 - 1) Architectural design, creativity and innovation; and
 - 2) Compatibility of the dwelling units proposed with surrounding developed properties and structures.
 - (iv) EIFS is not permitted for Single-Family, Duplex or Multi-Family construction in any Zoning District.
- (e) *Minimum non-masonry exterior construction standards for Multi-Family and Attached Residential*
- (i) Roof materials for a multi-family or single-family attached structure shall be comprised of one of the following:
 - 1) Laminated, three-dimensional appearance composition shingle with a 30-year minimum;
 - 2) Flat pan standing seam metal roofing with only a factory baked-on muted color finish. No bright colors or natural-colored metal roofing are allowed.; or
 - 3) Terra cotta or slate tile in muted colors.
 - (ii) Roofing:
 - 1) Minimum roof pitch shall be at least 7:12, unless otherwise stated in the applicable City of Waxahachie zoning district or PD ordinance.
 - 2) Santa Fe style roofs, with a flat roof and highly articulated parapet that conceals the roof and any roof-mounted equipment, may be acceptable.
 - 3) Texas Ranch-House style, with low pitched roofs, large eaves/overhangs, rambling design, or other uniquely styled architecture, may be acceptable.
- (f) *Minimum non-masonry exterior construction standards for Nonresidential and Institutional Buildings*
- (i) Roof materials for any non-residential or institutional structures that are visible from a right-of-way shall be comprised of the following:
 - 1) Laminated, three-dimensional architectural composition shingle with a 30-year minimum;
 - 2) Flat pan standing seam metal roofing with only a factory baked-on muted color finish. No bright colors or natural-colored metal roofing is allowed; or
 - 3) Terra cotta or slate tile in muted colors.
 - 4) Minimum roof pitch shall be at least 6:12, unless otherwise stated in the applicable City of Waxahachie zoning district or PD ordinance, and except for flat-roofed structures that shall have a highly articulated parapet that conceals the roof and any roof-mounted equipment.

5) Rooftop solar panel systems

- i. Must be installed to leave no greater than six (6) inches between rooftops.
- ii. Must match the roof pitch on a pitched roof.
- iii. Screening is required on flat roofs.
- iv. Panels shall not be installed on elevations facing a right-of-way.

(g) *Minimum architectural and design standards in the Town Center Area*

- (i) Within the Town Center Overlay area, masonry shall include:
 - i) Synthetic stucco (exterior insulation finishing system - EFIS) is not allowed within 4 feet from the finished floor of the first floor.
 - ii) Glazed ceramic and porcelain tile.
- (ii) The following materials are permitted within the Town Center Overlay area;
 - 1) Fiber reinforced plastic (with the exception of plastic or vinyl siding) - used for exterior building components, including but not limited to: cornice and entablature elements, decorative columns and pilasters, storefront trim, railings, and balustrades, spandrel panels, and similar elements
 - a) Painted steel and aluminum, cast iron, bronze, brass, copper (including terre coated).
 - b) Roofing materials (visible from any public right-of-way): copper, factory finished painted metal, slate, synthetic slate, terra cotta, cement tile, glass fiber shingles.
 - 2) Materials other than those listed above may be used for architectural trim and accent applications including, but not limited to, cornices and decorative brackets, frieze panels, decorative lintels, shutters, and porch or balcony railings.
- (iii) Façade Treatments
 - 1) Retail ground floors shall have windows covering a minimum of 40 percent of the major street fronting facade(s). Other ground level uses shall have facade treatments appropriate to such use(s).
 - 2) All sides of a building shall be consistent with respect to style, colors, and details to the extent that they establish continuity with the main street-front façade.
 - 3) On facades fronting on service or parking areas, windows need not be provided at the ground floor level. However, buildings shall avoid long, monotonous, uninterrupted walls. Building wall offsets, including projections, recesses, niches, fenestration, or changes of materials or color shall be used to add architectural variety and interest, and to relieve the visual impact of a blank wall.



Example image showing façade treatments, variation of materials and building articulation for commercial buildings

- 4) Parapet and roof-line offsets between facades may be provided in order to break down the scale of the block and create architectural interest and variety.
- 5) In mixed-use buildings, the difference between ground level commercial uses and entrances for upper level uses should be reflected by differences in façade treatment. Storefronts and other ground floor entrances should be accentuated through cornice lines. Further differentiation could be achieved through distinct but compatible exterior materials, signs, awnings and exterior lighting.



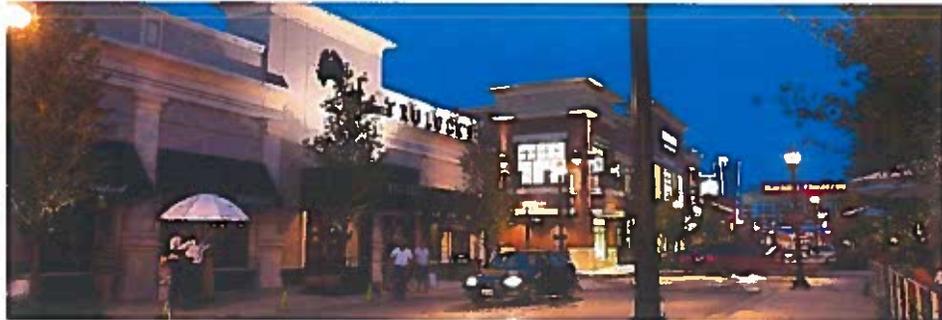
Example of ground articulation between ground floor and upper level mixed use.

- 6) All buildings shall be designed to incorporate no less than five (5) of the following architectural elements. Buildings over fifty thousand (50,000) square feet must include a minimum of seven (7) of the following elements. Buildings over one hundred thousand (100,000) square feet must include a minimum of eight (8) of the following elements.
 - a) Canopies, awnings, or porticos;
 - b) Overhangs;
 - c) Recesses or projections of at least three (3) feet;
 - d) Arcades;
 - e) Peaked roof forms;

- f) Porches;
 - g) Outdoor patios
 - h) Recessed or "popped-out" display windows (must project out at least 12" in the front or rear elevation and at least 6" along any side elevations):
 - i) Visible and noticeable architectural details, such as tile work or moldings, integrated into building façade; or
 - j) Integrated planters or wing walls that incorporate landscape and sitting areas.
- 7) Façades greater than one hundred feet (100') in length shall incorporate wall projections or recesses of ten feet (10') or greater. Projections or recesses shall be at least twenty percent (25%) of the length of the façade (60% for ground floor facades facing Haslet Parkway). No uninterrupted length of facade may exceed one hundred feet (100') in length. Projections and recesses shall not be required on the side of the building containing a loading dock and/or service area, provided that such area is located in the rear of the building and is not readily visible from any street types 2, 3, 4, or 5 (Refer to Exhibit F & Exhibit G in PD Ordinance X-X-XXXX)

(iv) Lighting

- 1) Exterior lighting shall be architecturally integrated with the building's style, material, and color.
- 2) Pedestrian level lighting of building entrance-ways shall be provided.
- 3) Illuminations of portions of buildings, direct or indirect, may be used for safety or aesthetic results.
- 4) Street lights must be an approved spec from the City of Waxahachie staff prior to installation.



Example of lighting to accent building features, entries and architectural styles

- (v) Buildings shall be oriented toward the major street front with the primary entrance located on that street.
 - 1) Entrances shall be easily identifiable as primary points of access to buildings.
 - 2) Building entrances may be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades and others as appropriate. All building elements should be compatible with the architectural style, materials, colors, and details of the building as a whole.
 - 3) Site design should provide direct access into the building from the public sidewalk
 - 4) Buildings located on the corners of development adjacent to street types 2, 3 4 or 5 should be architecturally significant structures.



Example of architecturally significantly designed corner building

(vi) Signage

- 1) Signage in the Town Center shall enhance the pedestrian character of the district by providing signs that are pedestrian in scale and located so as to be legible to pedestrians on sidewalks.
- 2) Signs may be attached flush to the building so long as they do not obscure any significant architectural details.
- 3) Signs may be hung from marquees or overhangs, but shall not project lower than 7.5 feet above the sidewalk.
- 4) Businesses are encouraged to create individually styled signage that distinguishes their establishment.
- 5) Signs which are pedestrian oriented may be painted on the storefront glass, but in no case shall it occupy more than 25 percent of the glazed surface area.
- 6) Directory signs may be provided to help direct the public to different businesses and services in the.
- 7) Signs may be lit by external light sources as long as such sources are not visually intrusive.

(vii) Garages: May not face onto a street with a Right-Of-Way greater than sixty (60) feet wide.

(viii) Multi-family development adjacent to Street Types 3, 4 or 5 (Refer to PD Ordinance Exhibit F & Exhibit G)

- 1) Is not required to be vertically mixed with non-residential uses on the ground floor
- 2) Shall be located in a manner as to provide privacy for residents by:
 - i. providing a small landscaped front setback, and/or

- ii. raising or lowering the finished ground floor level relative to the sidewalk level
 - 1) Encroachments by stoops, stairs, eaves, overhangs, porches, bay windows and balconies within the area between the property line and the building line is encouraged and shall be permitted
 - 2) Shall have relatively flat fronts and simple roofs with most building wing articulations set at the rear of the structure. Window projections, stoops, porches, balconies, and similar extensions are exempt from this standard
 - 3) Gable roofs, if provided, shall have a minimum pitch of 9/12. When hipped roofs are used, the minimum pitch shall be 6/12. Other roof types shall be appropriate to the architectural style of the building
 - 4) Architectural embellishments that add visual interest to the roofs, such as dormers and masonry chimneys are encouraged and may be provided.

(h) *Traditional Neighborhood Development (TND) Standards*

- (i) All residential buildings, except accessory structures, shall have their main entrance opening onto a street, square, courtyard, or park.



Example of residential entry facing onto street

- (ii) The primary building entrances for business and office establishments shall generally open to the front sidewalk.
- (iii) Stoops, open colonnades, and open porches may encroach into front setbacks as indicated in Section 3.2 (Single-Family Residential Lot Development Standards)
- (iv) Porches are encouraged for residential uses and may be built within the setback line or required front area. Where porches are not built, a "picket" fence or garden wall a minimum of two (2) feet in height is required



Example of front porches facing a street

- (v) Civic buildings shall be located adjacent to greens, parks, or squares.
- (vi) Multi-family complexes shall not be greater than 120 units.
- (vii) Three (3) or four (4) bedroom apartment units are not permitted.
- (viii) All multi-family in commercial, retail, neighborhood centers or Town Overlay will be mixed-use.
- (ix) Architectural design shall be compatible with the character and scale of buildings in the neighborhood and the overall development through the use of appropriate building materials, screening, breaks in roof and wall lines and other architectural techniques. Variation in detail, form and siting shall be used to provide visual interest and avoid monotony. Proposed buildings shall relate harmoniously to each other with adequate light, air circulation, and separation between buildings where appropriate.
- (x) Parking lots shall generally be located at the rear of, or at the side of buildings and shall be no closer than 6 feet from a building. No more than 25% of the required parking should be within the front yard setback.
- (xi) When two adjacent lots contain parking areas it is encouraged to develop them as one parking area.
- (xii) Parking lot layout shall take into consideration pedestrian circulation - pedestrian crosswalks shall be provided, where necessary and appropriate, and shall be distinguished by textured paving, and integrated into the wider network of pedestrian walkways.
- (xiii) The average perimeter of all blocks within the TND should generally not exceed 1600 feet. No block side should have more than 500 feet of street frontage without a dedicated street alley or pedestrian pathway providing access through it. *(The philosophy of short block lengths in TND communities is intended to reduce travel speeds, increase access to property, and improve circulation for all users.)*

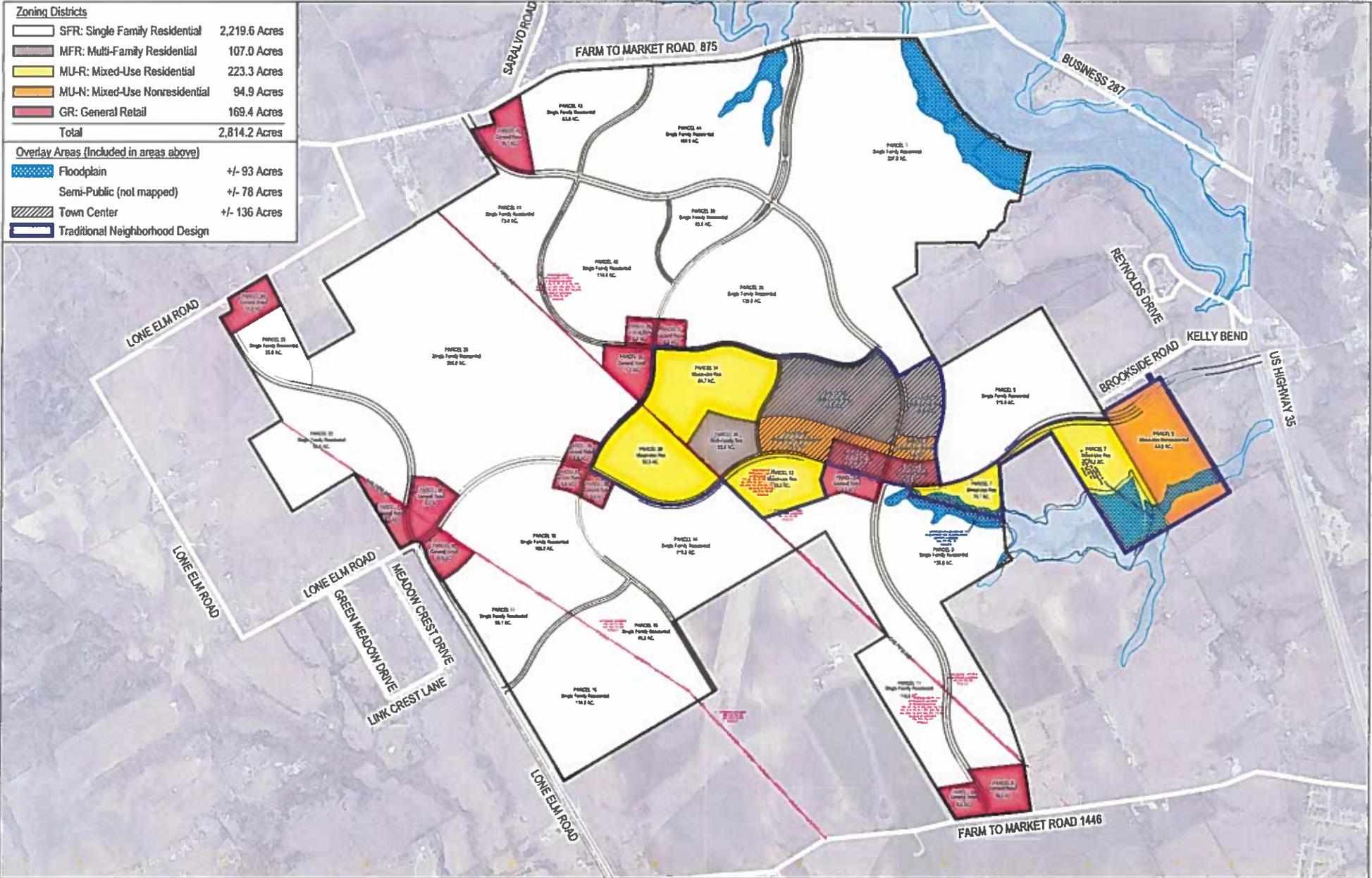


Example of pedestrian corridor which breaks up longer street blocks and providing additional pedestrian access

- (xiv) TND communities will not normally require mid-block crossings, due to the use of shorter block size. When mid-block crossings are necessary, the use of curb extensions or bulbouts should be considered to reduce the crossing distance for pedestrians.
- (xv) Street layouts forming blocks shall be connected in a grid fashion and generally rectilinear with "deformations" as may be physically proper to adapt streets to topographic or other natural conditions, including the preservation of large trees, and waterbodies.
- (xvi) On-street parking shall be provided in nonresidential areas.

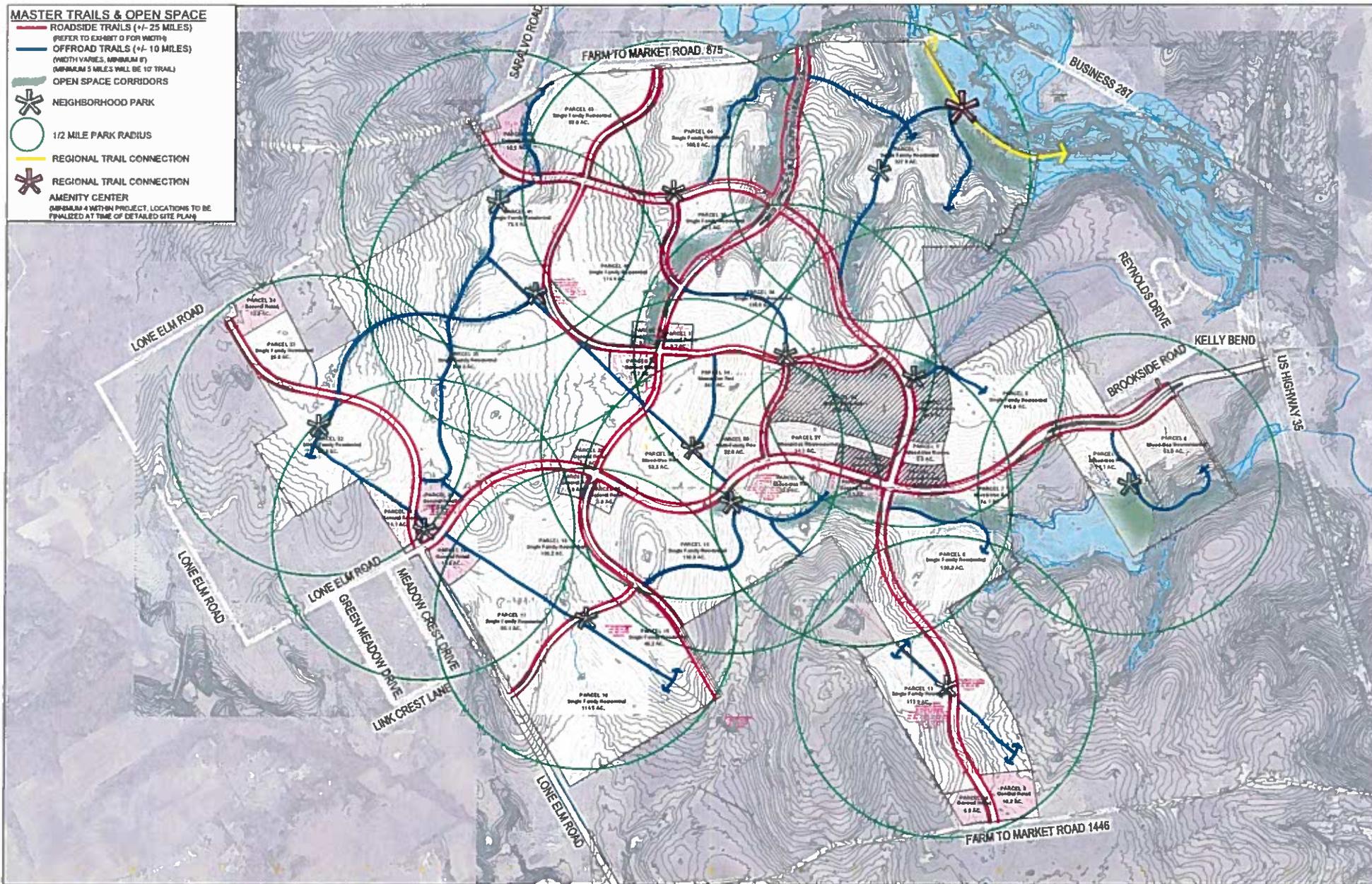
Zoning Districts	
	SFR: Single Family Residential 2,219.6 Acres
	MFR: Multi-Family Residential 107.0 Acres
	MU-R: Mixed-Use Residential 223.3 Acres
	MU-N: Mixed-Use Nonresidential 94.9 Acres
	GR: General Retail 169.4 Acres
Total 2,814.2 Acres	

Overlay Areas (Included in areas above)	
	Floodplain +/- 93 Acres
	Semi-Public (not mapped) +/- 78 Acres
	Town Center +/- 136 Acres
	Traditional Neighborhood Design



(13)

- MASTER TRAILS & OPEN SPACE**
- ROADSIDE TRAILS (+/- 25 MILES)
(PREFER TO EXHIBIT D FOR WIDTH)
 - OFFROAD TRAILS (+/- 10 MILES)
(WIDTH VARIES, MINIMUM 8')
 - OPEN SPACE CORRIDORS
 - NEIGHBORHOOD PARK
 - 1/2 MILE PARK RADIUS
 - REGIONAL TRAIL CONNECTION
 - REGIONAL TRAIL CONNECTION
AMENITY CENTER
OPENSUM 4 WITHIN PROJECT. LOCATIONS TO BE
FINALIZED AT TIME OF DETAILED SITE PLAN

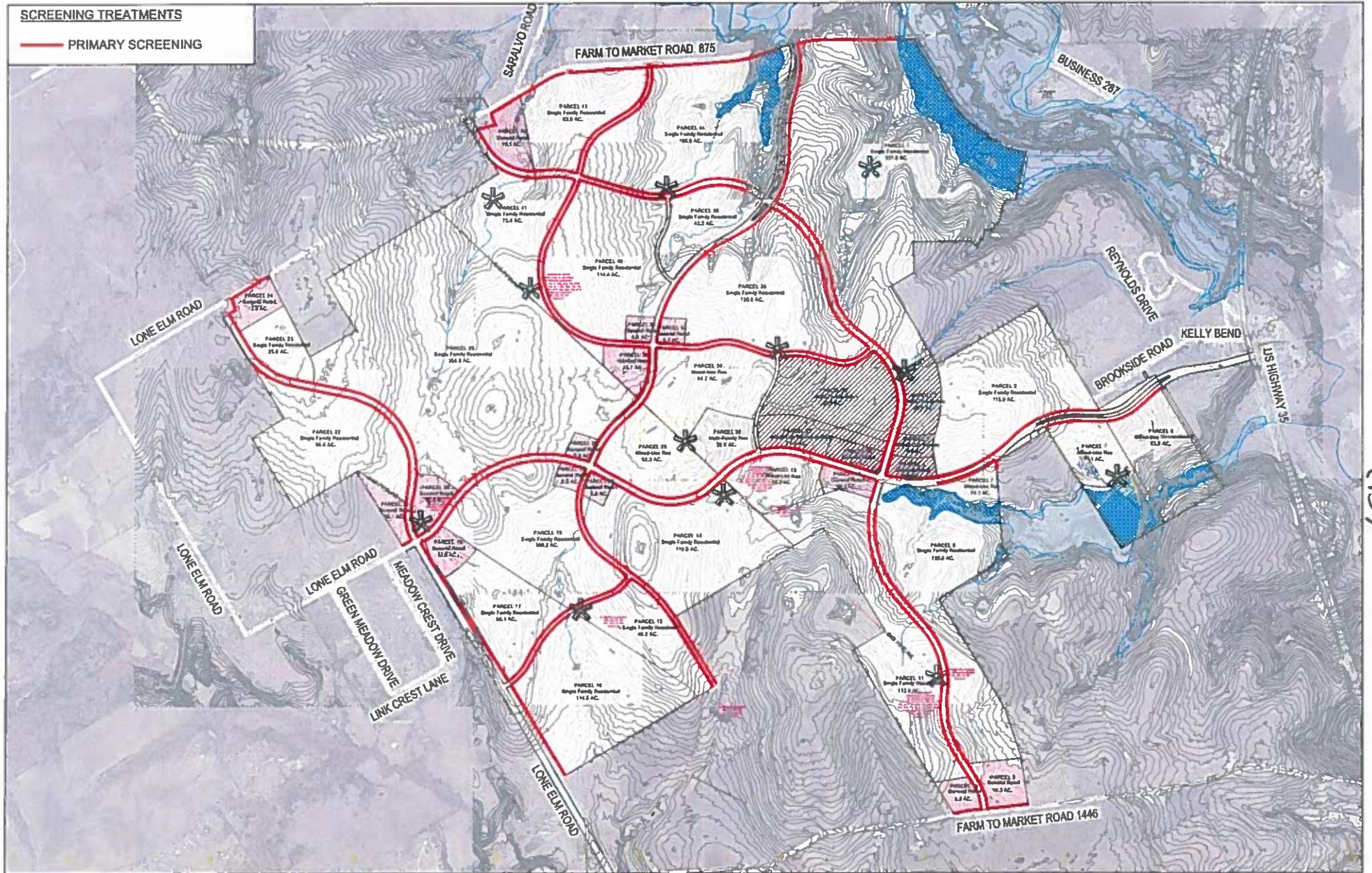


(13)

EXHIBIT D
 MASTER TRAILS & OPEN SPACE
EMORY LAKES
 ELLIS COUNTY, TEXAS

SCREENING TREATMENTS

PRIMARY SCREENING

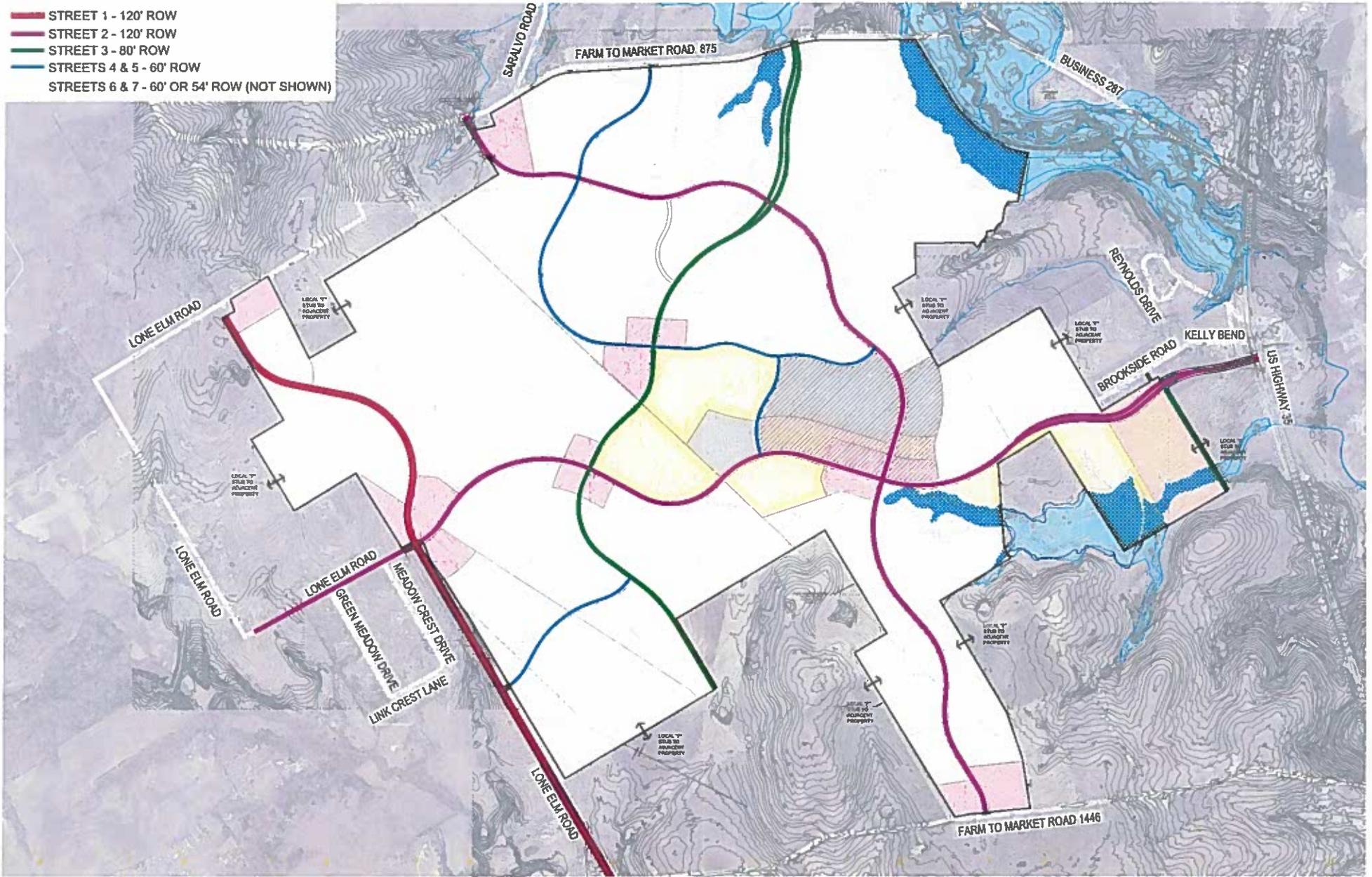


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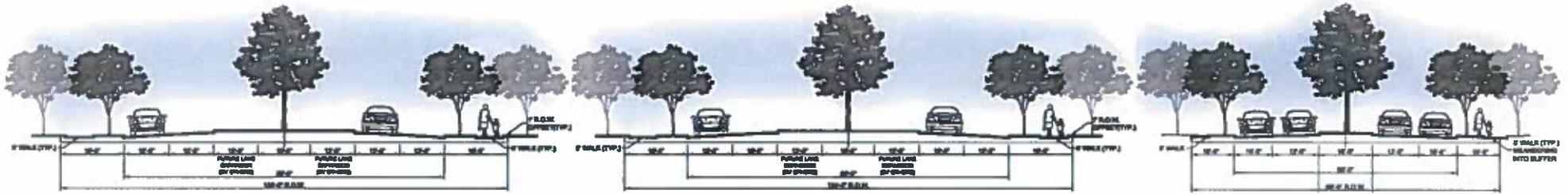
EXHIBIT E
SCREENING PLAN
EMORY LAKES

ELLIS COUNTY, TEXAS

- STREET 1 - 120' ROW
- STREET 2 - 120' ROW
- STREET 3 - 80' ROW
- STREETS 4 & 5 - 60' ROW
- STREETS 6 & 7 - 60' OR 54' ROW (NOT SHOWN)



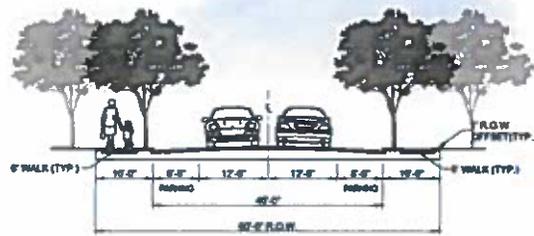
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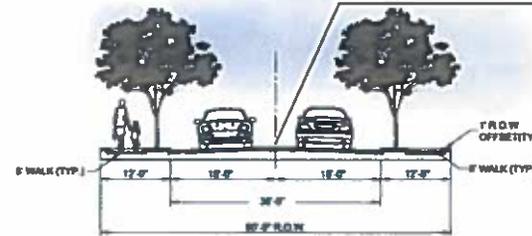
STREET 1 - 120' ROW
(CITY MAJOR THOROUGHFARE)

STREET 2 - 120' ROW
(PRIMARY ENTRY DRIVE & CENTRAL SPINE)

STREET 3 - 80' ROW
(SECONDARY PROJECT ENTRY DRIVE)

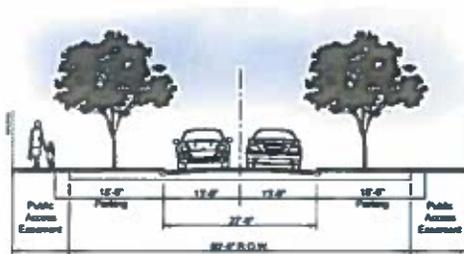


STREET 4 - 60' ROW
(TYPICAL COLLECTOR STREET WITH PARKING)

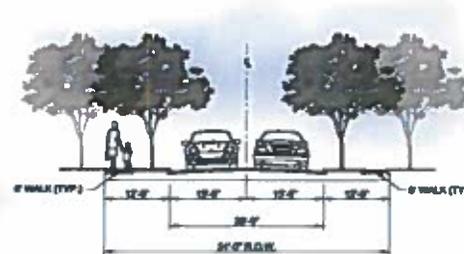


STREET 5 - 60' ROW
(COLLECTOR STREET WITHOUT PARKING)

MEDIAN OPTION: ADD 6' MEDIAN (NO TURN LANE PROVIDED) OR MINIMUM 16' MEDIAN (TO PROVIDE TURN LANE). ROW WILL INCREASE ACCORDINGLY.



STREET 6 - 60' ROW
(STREET WITH ANGLED PARKING; NOT ALLOWED IN SINGLE FAMILY DEVELOPMENTS)

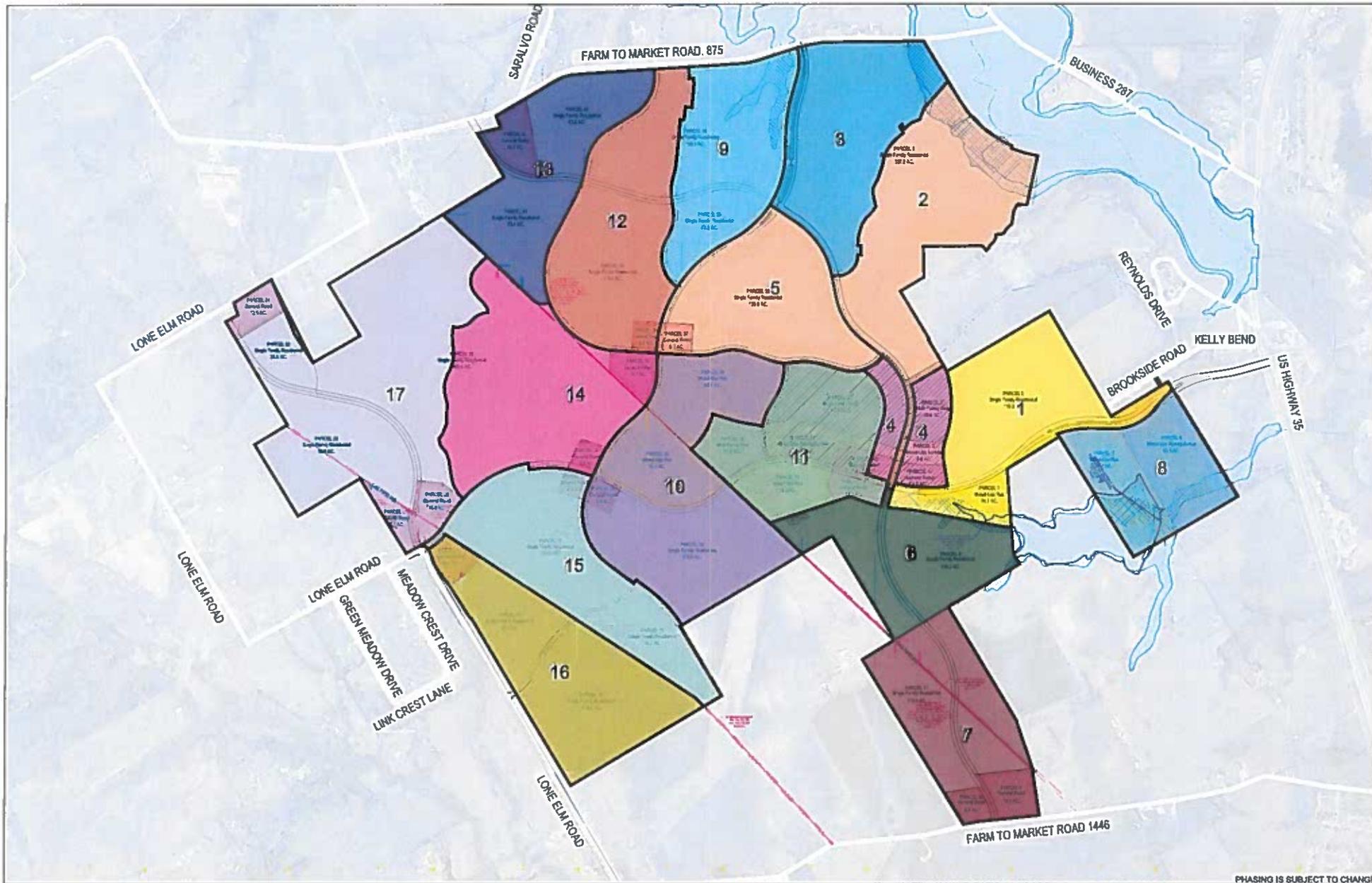


STREET 7 - 54' ROW
(NEIGHBORHOOD STREET)



ALLEY 20' ROW

(10)



(13)

PHASING IS SUBJECT TO CHANGE

GOODWIN
MARSHALL
Walton

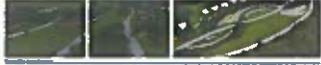
MESA

EXHIBIT H
PHASING PLAN
EMORY LAKES
ELLIS COUNTY, TEXAS

Scale 1"=800'
April 10, 2016
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COMMUNITY ENTRY DESIGN ALTERNATIVE
 LOCATED NEAR THE MAIN ENTRANCES TO IDENTIFY & BRAND THE NAME AND LOCATION OF THE MAIN COMMUNITY ENTRANCES, TYPICALLY AT MAJOR THROUGHFARES OR COLLECTORS



COMMUNITY ENTRY DESIGN ALTERNATIVE
 LOCATED AT LESS PROMINENT ENTRY LOCATIONS, TYPICALLY AT MINOR COLLECTORS



COMMUNITY ENTRY DESIGN ALTERNATIVE
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**ADDITIONAL
 COMMUNITY ENTRY
 (NOT GRAPHICALLY DEPICTED)**

**ADDITIONAL
 COMMUNITY ENTRY
 (NOT GRAPHICALLY DEPICTED)**

**COMMUNITY
 ENTRY**

**COMMUNITY
 ENTRY**

**COMMUNITY
 ENTRY**

**COMMUNITY
 ENTRY**

THE ENTRY FEATURES AND LOCATIONS DEPICTED ARE CONCEPTUAL IN NATURE AND ARE SUBJECT TO CHANGE. THE DESIGN INTENT IS AN ARTISTIC RENDERING OF WHAT THE GENERAL LOOK AND FEEL OF THE STYLE OF THE ENTRY FEATURES ARE. DO NOT DEPICT FINAL DESIGN.

**EXHIBIT I
 MASTER SIGNAGE PLAN
 EMORY LAKES**

ELLIS COUNTY, TEXAS

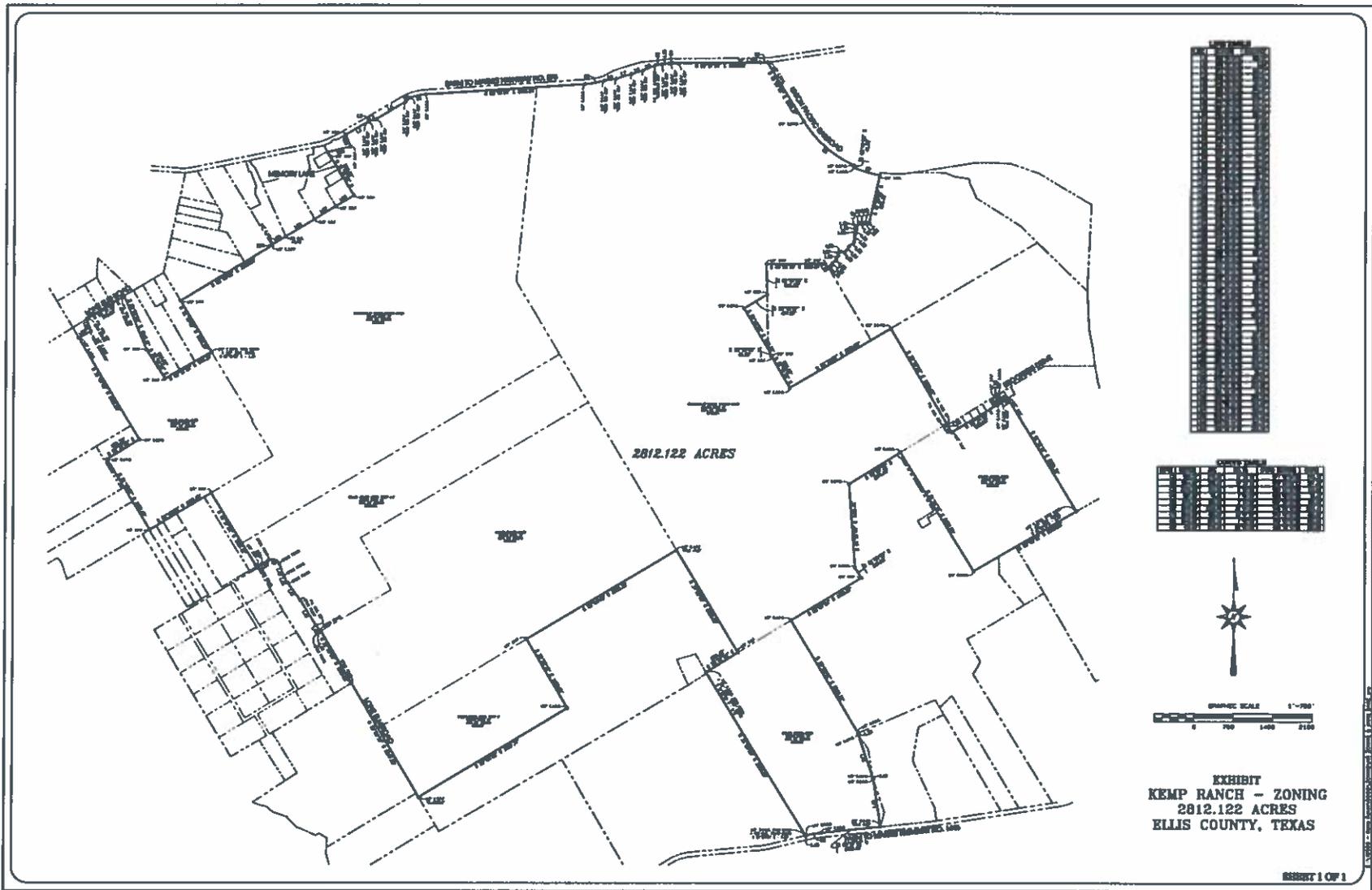
**GOODWIN
 MARSHALL**

Walton MESA

April 15, 2016
 April 15, 2016
 May 10, 2016

Scale 1"=400'
 April 15, 2016
 P:\2015\100646_LUP\MASBP\May 10 Zoning\signing.dwg

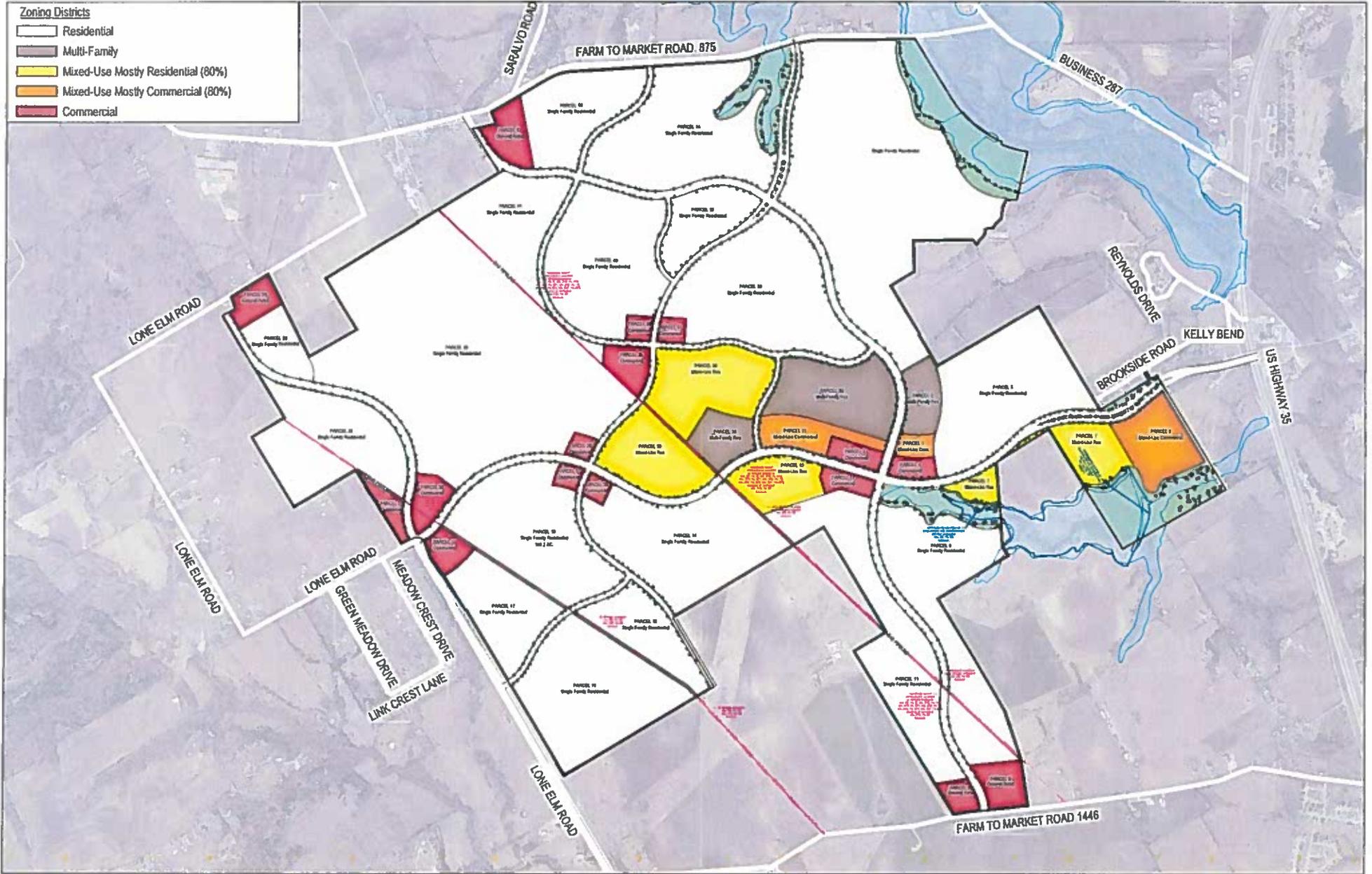
(13)



(13)

Zoning Districts

- Residential
- Multi-Family
- Mixed-Use Mostly Residential (80%)
- Mixed-Use Mostly Commercial (80%)
- Commercial



(15)

EXHIBIT L
CONCEPT PLAN
EMORY LAKES
ELLIS COUNTY, TEXAS