

# *A G E N D A*

The Waxahachie Planning & Zoning Commission will hold a regular meeting on *Tuesday, April 13, 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 March 23, 2021
  - b. Minutes of the Planning and Zoning Commission briefing of March 23, 2021
5. **Public Hearing** on a request by Dalton Bradbury, Acker Construction, for a **Zoning Change** from a Commercial zoning district to Planned Development-Commercial, located at 1605 E Main (being Property ID 220820) - Owner: CULEGO INC (ZDC-41-2021)
6. **Consider** recommendation of Zoning Change No. ZDC-41-2021
7. **Public Hearing** on a request by Mathew Williamson, MBW Engineering, for a **Zoning Change** from a Multiple Family-1 zoning district to Planned Development-Multiple Family-2, located just South of 865 Cantrell Street (being Property ID 142414) - Owner: WM C BUSTER LAND DEVELOPMENT LLC (ZDC-42-2021)
8. **Consider** recommendation of Zoning Change No. ZDC-42-2021

9. **Consider** request by Tim Jackson, Texas Reality Capture & Surveying, LLC for a **Plat** of Langston Hill Estates for one (4) lots being 7.348 acres situated in the J. Barker Survey, Abstract 40 (Property ID 256323 and 252890) in the Extra Territorial Jurisdiction – Owner: PETER & ELIANA JAMES AND DAVID & JENNIFER JAMES (SUB-17-2021)
10. **Consider** request by Hal Barrix, Sumeer Homes, for a **Plat** of Oxford Ranch Two, Phase 3, for eight (8) lots being 17.68 acres situated in the T. Cassidy Survey, Abstract 225 (Property ID 181695) in the Extra Territorial Jurisdiction – Owner: HARLAN PROPERTIES, INC. (SUB-24-2021)
11. **Consider** request by Alan Lauhoff, Atlas Associates, Inc., for a **Plat** of Silverthorne Addition for 77 lots, being 32.564 acres situated in the B.B. Davis Survey, Abstract 290 and the W.C. Calder Survey, Abstract 235 (Property ID 182275) – Owner: BLUE BONNET TRAILS, LLC (SUB-15-2021)
12. **Public Hearing** on a request by Ron Barson, Ledbetter Real Estate LTD, for a **Zoning Change** from Planned Development-37-General Retail to Planned Development-General Retail, located at 1014 Ferris Avenue, Suite 106 (being a portion of Property ID 176876) - Owner: LEDBETTER REAL ESTATE LTD (ZDC-43-2021)
13. **Consider** recommendation of Zoning Change No. ZDC-43-2021
14. **Public Hearing** on a request by Bryan Hull, Real Estate Buy Design, for a **Zoning Change** from a Light Industrial-1 and Future Development zoning district to Planned Development-Light Industrial-1, located at 4743 N Interstate 35 (being Property ID 188458) - Owner: CARLINGFORD PROPERTIES LLC (ZDC-25-2021)
15. **Consider** recommendation of Zoning Change No. ZDC-25-2021
16. **Continue 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)
17. **Consider** recommendation of Zoning Change No. ZDC-7-2021
18. Adjourn

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

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

***Notice of Potential Quorum***

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

Planning and Zoning Commission  
March 23, 2021

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, March 23, 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
- Member Absent: Erik Test
- Others Present: Shon Brooks, Director of Planning  
Colby Collins, Senior Planner  
Chris Webb, Planner  
Macey Martinez, Graduate Engineer  
Amber Villarreal, Assistant 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 March 9, 2021
- b. Minutes of the Planning and Zoning Commission briefing of March 9, 2021

**Action:**

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

5. **Continue 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)**

Chairman Keeler continued the Public Hearing and announced the applicant requested to continue ZDC-7-2021 to the April 13, 2021 Planning and Zoning Commission meeting.

6. **Consider recommendation of Zoning Change No. ZDC-7-2021**

**Action:**

*Vice Chairman Melissa Ballard moved to continue the 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) to the April 13, 2021 Planning and Zoning Commission meeting. Mr. David Hudgins seconded, All Ayes.*

- 7. Consider request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Plat of Osuba Addition for 3 lots, being 7.961 acres situated in the A. Brown Survey, Abstract 102 (Property ID 283986) – Owner: Shan Yun Lin (SUB-10-2021)**

Planner Chris Webb reviewed the case noting the applicant is requesting to plat the subject property into three (3) lots and staff recommended approval as presented.

**Action:**

*Mr. David Hudgins moved to approve a request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Plat of Osuba Addition for 3 lots, being 7.961 acres situated in the A. Brown Survey, Abstract 102 (Property ID 283986) – Owner: Shan Yun Lin (SUB-10-2021). Ms. Bonney Ramsey seconded, All Ayes.*

- 8. Consider request by Michael Alturk, ADTM Engineering and Construction, for a Plat of KSAM Highway 287 for three (3) lots, being 19.580 acres situated in the W. Calder Survey, Abstract 235 and B. Davis Survey, Abstract 290 (Property ID 181802) – Owner: KSAM, LLC (SUB-187-2021)**

Mr. Webb presented the case noting the applicant is requesting to plat the subject property into three (3) lots in accordance with the Planned Development site plan that was approved at the March 15, 2021 City Council meeting and staff recommended approval as presented.

**Action:**

*Mr. Jim Phillips moved to approve a request by Michael Alturk, ADTM Engineering and Construction, for a Plat of KSAM Highway 287 for three (3) lots, being 19.580 acres situated in the W. Calder Survey, Abstract 235 and B. Davis Survey, Abstract 290 (Property ID 181802) – Owner: KSAM, LLC (SUB-187-2021). Mr. David Hudgins seconded, All Ayes.*

- 9. Consider request by Blain Vinson, Aspen Community Development, for a Plat of the Cottages on Cantrell for 81 lots, being 17.348 acres situated in the J. Armstrong Survey, Abstract 6 (Property ID 244651) – Owner: Scott Pendery, SAP Properties, LLC (SUB-13-2021)**

Mr. Webb presented the case noting the applicant is requesting to plat the subject property into 81 lots for residential use. The applicant is also requesting a petition of relief waiver to allow for 10' utility easements as opposed to 15' utility easements as required by Section 3.3 of the Subdivision Ordinance. Staff recommended approval as presented and approval of petition of relief waiver request.

Mr. Jim Phillips asked if the plat is in compliance with the previously approved Planned Development and Mr. Webb noted it is.

**Action:**

*Ms. Bonney Ramsey moved to approve a request by Blain Vinson, Aspen Community Development, for a Plat of the Cottages on Cantrell for 81 lots, being 17.348 acres situated in the J. Armstrong Survey, Abstract 6 (Property ID 244651) – Owner: Scott Pendery, SAP Properties, LLC (SUB-13-2021) and petition of relief waiver request. Mr. David Hudgins seconded, All Ayes.*

10. **Public Hearing on a request by Brian Dodds for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 SF, use within a Planned Development-23-Single-Family Residential-1 zoning district located at 156 Homestead Lane (Property ID 269672) - Owner: ERICA L & BRIAN D DODDS (ZDC-12-2021)**

Chairman Rick Keeler opened the Public Hearing.

Senior Planner Colby Collins presented the case noting the applicant is requesting to construct a 2,400 sq. ft. accessory structure in the rear of a single-family property. Staff recommended approval per the following staff comments:

1. The applicant will need to obtain a building permit from the City of Waxahachie Building Inspections department prior to construction of the proposed structure.
2. A concrete drive that leads from the home to the accessory structure shall be provided by the applicant.

11. **Consider recommendation of Zoning Change No. ZDC-12-2021**

**Action:**

*Vice Chairman Melissa Ballard moved to approve a request by Brian Dodds for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 SF, use within a Planned Development-23-Single-Family Residential-1 zoning district located at 156 Homestead Lane (Property ID 269672) - Owner: ERICA L & BRIAN D DODDS (ZDC-12-2021) as presented. Mr. Bonney Ramsey seconded, All Ayes.*

12. **Public Hearing on a request by David Harrison for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 SF, use within a Planned Development-23-Single-Family Residential-1 zoning district located at 200 Lake Shore Dr (Property ID 182138) - Owner: DAVID HARRISON (ZDC-16-2021)**

Chairman Keeler opened the Public Hearing.

Mr. Collins presented the case noting the applicant is requesting to construct a 1,200 sq. ft. accessory structure in the rear of a single-family property. Staff recommended approval per the following staff comments:

1. The applicant will need to obtain a building permit from the City of Waxahachie Building Inspections department prior to construction of the proposed structure.
2. A concrete drive that leads from the home to the accessory structure shall be provided by the applicant.

Mr. David Harrison, 200 Lake Shore Drive, Waxahachie, Texas, requested to build a gravel drive leading to the accessory structure to match the existing gravel driveway at his home.

There being no others to speak for or against ZDC-16-2021, Chairman Keeler closed the Public Hearing.

**13. Consider recommendation of Zoning Change No. ZDC-16-2021**

**Action:**

*Mr. David Hudgins moved to approve a request by David Harrison for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 SF, use within a Planned Development-23-Single-Family Residential-1 zoning district located at 200 Lake Shore Dr (Property ID 182138) - Owner: DAVID HARRISON (ZDC-16-2021) subject to Staff Comments. Vice Chairman Melissa Ballard seconded, the vote was as follows: Ayes: Rick Keeler, Melissa Ballard, Bonney Ramsey, and Jim Phillips. Noes: Betty Square Coleman.*

***Motion carried.***

**14. Public Hearing on a request by Claudio Segovia, J Volk Consulting, Inc, for an Amendment to Ordinance No. 2733 for North Grove Planned Development to allow for a mixed use residential development located at the NW corner of Washington Ave at North Grove Blvd (Property ID 283993) - Owner: NORTH GROVE 12.5 LLC SERIES 1 (ZDC-14-2021)**

Chairman Keeler opened the Public Hearing.

Mr. Collins presented the case noting the applicant intends to amend an existing Ordinance (No. 2733) to create a Planned Development to allow for retail, commercial, office, multi-family apartments and townhome uses on 12.4 acres. He explained the North Grove Planned Development District was approved by City Council on March 3, 2014 and due to the request for townhomes not being allowed within the existing Ordinance, an amendment is required. Mr. Collins explained the applicant is proposing a mixed-use development (The Place at North Grove) which will consist of seven 4-story buildings with retail and/or office use on the ground floor, and nine townhome lots. The development will also include a sit-down restaurant on the corner of North Grove Boulevard and Washington Avenue., as well as local specialty cafes and shops in the ground floor retail/office areas of the four-story buildings. The mixed use buildings are proposed to be constructed in three phases: Buildings 1, 6, and 7 constructed in Phase 1; Buildings 4 and 5 constructed in Phase 2; Buildings 2 and 3 in Phase 3. The nine proposed townhome lots will be platted at a future date. Mr. Collins expressed staff's concerns with the elevation/façade aesthetics with the townhome structures. Staff recommended approval per the following staff comments:

1. A mutually agreed upon Development Agreement will be required for the development.

2. Staff suggest that the applicant revise the existing townhome elevation/façade plan(s) to be more conducive to the surrounding area.

Mr. Phillips confirmed that the zoning for multi-family for this site was already allocated with the approved Master Plan for North Grove and the applicant has the right to build multi-family development. Mr. Collins agreed. Mr. Phillips also confirmed the city is under the 15% multi-family threshold outlined in the Comprehensive Plan and Mr. Collins noted after build-out of approved multi-family zoning, the city will be at just under 11% multi-family density.

Mr. David Hudgins addressed traffic concerns and noted Brown Street is a state road and the city is working with TxDOT for future widening but no timeline is established.

Chairman Keeler confirmed there is other mixed-use zoning currently in the North Grove Master Plan approved in 2014.

Mr. Terry Weaver, 815 W. Main Street, Midlothian, Texas, explained he was involved in the compilation of the North Grove Master Plan prior to the 2014 approval. He noted the proposed development is in line with the approved master plan and the intent at this time is to establish zoning for the townhomes. He noted the applicant is willing to work with staff on elevations/façade concerns.

The Commission discussed parking and Mr. Weaver noted the developer will construct the whole parking lot. Chairman Keeler expressed his request for the retail development to have 2 front door entrances to the building and Mr. Weaver agreed.

Mr. Tom Malone, 814 Pennsylvania Avenue, Fort Worth, Texas, explained the buildings will be all stone and brick and no stucco will be used and the townhomes are proposed to be brick and hardy board.

Those who spoke in opposition:

Dwight Dequire, 600 Washington Avenue, Waxahachie, Texas

Patty Bailey, 544 Washington Avenue, Waxahachie, Texas

TC Hampton, 624 Washington Avenue, Waxahachie, Texas

Jeff Rudd, 604 Washington Avenue, Waxahachie, Texas

Encinia Hampton, 624 Washington Avenue, Waxahachie, Texas

Omar Chance, 620 Washington Avenue, Waxahachie, Texas

Jamie Coleman, 1575 Oasis, Waxahachie, Texas

Ann Dussing, 548 Washington Avenue, Waxahachie, Texas

Tatayanda Younger, 552 Washington Avenue, Waxahachie, Texas

Paul Bailey, 544 Washington Avenue, Waxahachie, Texas

Martha Rudd, 604 Washington Avenue, Waxahachie, Texas

Kristopher Crigler, 532 Grant Court, Waxahachie, Texas

Lydia Schiebel, 612 Washington Avenue, Waxahachie, Texas

There being no others to speak for or against ZDC-14-2021, Chairman Keeler closed the Public Hearing.

(4a)

Planning and Zoning Commission

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Chairman Keeler expressed the Commission's sympathy towards the homeowners who were not aware the property at Washington and North Grove was zoned multi-family in 2014.

Mr. Phillips noted the Commission tries to get the best development and noted it is unfortunate that the homeowners were lied to by the builders.

Ms. Bonney Ramsey expressed her concern with what the homeowners are dealing with and noted for future reference the Planning Department is the most factual way to get information on surrounding zoning.

Ms. Betty Square Coleman encouraged the citizens to make their voices heard at City Council.

**15. Consider recommendation of Zoning Change No. ZDC-14-2021**

**Action:**

*Mr. Jim Phillips moved to approve a request by Claudio Segovia, J Volk Consulting, Inc, for an Amendment to Ordinance No. 2733 for North Grove Planned Development to allow for a mixed use residential development located at the NW corner of Washington Ave at North Grove Blvd (Property ID 283993) - Owner: NORTH GROVE 12.5 LLC SERIES 1 (ZDC-14-2021) subject to staff comments and further review of townhome aesthetics. Mr. David Hudgins seconded, the vote was as follows: Ayes: Rick Keeler, Melissa Ballard, Bonney Ramsey, and Jim Phillips. Noes: Betty Square Coleman.*

*Motion carried.*

**16. Adjourn**

There being no further business, the meeting adjourned at 8:22 p.m.

Respectfully submitted,

Amber Villarreal  
Assistant City Secretary

(4b)

Planning and Zoning Commission  
March 23, 2021

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, March 23, 2021 at 6:15 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

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

Member Absent: Erik Test

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

### **1. Call to Order**

Chairman Rick Keeler called the meeting to order.

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

Planner Chris Webb reviewed the following cases:

- SUB-10-2021, staff recommended approval of plat as presented.
- SUB-187-2021, staff recommended approval of plat as presented.
- SUB-13-2021, staff recommended approval of plat as presented and approval of petition of waiver as presented.

Senior Planner Colby Collins reviewed the following cases:

ZDC-7-2021, applicant requested to continue the case to the April 13, 2021 Planning & Zoning Commission meeting.

ZDC-12-2021, staff recommended approval per staff comments.

ZDC-16-2021, staff recommended approval of the Specific Use Permit per staff comments requiring a concrete drive.

ZDC-14-2021, staff recommended approval per staff comments.

The Commission discussed traffic concerns on Brown Street and Graduate Engineer Macey Martinez noted TxDOT has plans to expand Brown Street; however, no timetable is set. Staff confirmed the zoning use for multi-family at the location for ZDC-14-2021 was established in 2014 in the Master Planned Development for North Grove.

### **3. Adjourn**

(4b)

Planning and Zoning Commission

March 23, 2021

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

Respectfully submitted,

Amber Villarreal

Assistant City Secretary

(5+6)



## Memorandum

To: Honorable Mayor and City Council  
From: Shon Brooks, Director of Planning  
Thru: Tommy Ludwig, Assistant City Manager *Tommy Ludwig*  
Date: April 8, 2021  
Re: ZDC-41-2021 – 1605 E. Main St. (Dance Studio)

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On April 8, 2021, the applicant requested to withdraw case number ZDC-41-2021 from the April 13, 2021 Planning and Zoning meeting agenda and the April 19, 2021 City Council meeting agenda.

(7 + 8)



## Memorandum

To: Honorable Mayor and City Council  
From: Shon Brooks, Director of Planning  
Thru: Tommy Ludwig, Assistant City Manager  
Date: April 8, 2021  
Re: ZDC-42-2021 – The Bungalows at Cantrell

A handwritten signature in black ink, appearing to read "Tommy Ludwig", is written over the "Thru:" line of the memorandum.

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On April 8, 2021, the applicant requested to continue case number ZDC-42-2021 from the April 13, 2021 Planning and Zoning Commission meeting agenda and the April 19, 2021 City Council meeting agenda to the April 27, 2021 Planning and Zoning Commission meeting agenda, and the May 3, 2021 City Council meeting agenda.

# Planning & Zoning Department

## Plat Staff Report

Case: SUB-17-2021



### MEETING DATE(S)

*Planning & Zoning Commission:* April 13, 2021

### CAPTION

Consider request by Tim Jackson, Texas Reality Capture & Surveying, LLC for a Plat of Langston Hill Estates for one (4) lots being 7.348 acres situated in the J. Barker Survey, Abstract 40 (Property ID 256323 and 252890) in the Extra Territorial Jurisdiction – Owner: PETER & ELIANA JAMES AND DAVID & JENNIFER JAMES

### APPLICANT REQUEST

The applicant is requesting to plat their property into four (4) lots for residential use.

### CASE INFORMATION

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

*Property Owner(s):* Peter & Eliana James and David & Jennifer James

*Site Acreage:* 7.348 acres

*Number of Lots:* 4 lots

*Number of Dwelling Units:* 4 units

*Park Land Dedication:* N/A (ETJ)

*Adequate Public Facilities:* A water letter from Sardis-Lone Elm indicates that adequate domestic and fire flow are available to the subject properties.

### SUBJECT PROPERTY

*General Location:* The subject properties are located at the southeast corner of Lone Elm Rd and FM 875

*Parcel ID Number(s):* 256323 and 252890

*Current Zoning:* N/A (ETJ)

*Existing Use:* A shed is located at the southeast corner of 875 and Lone Elm Rd. The rest of the subject properties are undeveloped.

*Platting History:* Both subject properties are part of the J. Barker Survey, Abstract 40.

*Site Aerial:*



**PLATTING ANALYSIS**

The applicant is requesting to plat two existing properties into four (4) lots for residential use. These lots will range in size from 1.395 acres to 2.413 acres which aligns with City and County lot size requirement for properties to be serviced by onsite sewer systems. Sardis-Lone Elm WSC has stated that adequate domestic and fire flow are available to all proposed lots. All lots meet the County requirement for 150' of roadway frontage and all setback requirements have been met.

**RECOMMENDATION**

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

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

**ATTACHED EXHIBITS**

1. Plat Drawing
2. Water Letter

**APPLICANT REQUIREMENTS**

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

**CITY REQUIREMENTS FOR PLAT RECORDING AND FILING**

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

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

(9)

**STAFF CONTACT INFORMATION**

*Prepared by:*

Chris Webb

Planner

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

*Reviewed by:*

Shon Brooks, AICP

Director of Planning

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





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



### WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Peter James Parcel ID #: 256323  
Subdivision Name: Langston Hill Estates

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>8</u> inches.	<input type="checkbox"/>	<input type="checkbox"/>

PAUL FISCHLER  
Print Name of General Manager of water provider or Designee

SARDIS  
Name of water provider company

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

3-2-2021  
Date

(9)



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



### WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: David James Parcel ID #: 252890  
Subdivision Name: Langston Hill Estates

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

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

**Contact Information:**

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

**To be completed by the water utility provider:**

	Yes	No
1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	<input type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>8</u> inches.	<input type="checkbox"/>	<input type="checkbox"/>

Paul Fischer  
Print Name of General Manager of water provider or Designee

Sparis  
Name of water provider company

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

3-2-2021  
Date

# Planning & Zoning Department

## Plat Staff Report

Case: SUB-24-2021



**MEETING DATE(S)**

*Planning & Zoning Commission:* April 13, 2021

**CAPTION**

Consider request by Hal Barrix, Sumeer Homes, for a Plat of Oxford Ranch Two, Phase 3, for eight (8) lots being 17.68 acres situated in the T. Cassidy Survey, Abstract 225 (Property ID 181695) in the Extra Territorial Jurisdiction – Owner: HARLAN PROPERTIES, INC.

**APPLICANT REQUEST**

The applicant is requesting to plat eight (8) lots for residential use as the third phase for Oxford Ranch Two subdivision.

**CASE INFORMATION**

*Applicant:* Hal Barrix, Sumeer Homes

*Property Owner(s):* Harlan Properties, Inc.

*Site Acreage:* 17.68 acres

*Number of Lots:* 8 lots

*Number of Dwelling Units:* 8 units

*Park Land Dedication:* N/A (ETJ)

*Adequate Public Facilities:* A water letter from Rockett SUD states that adequate domestic and fire flow are available to the subject property.

**SUBJECT PROPERTY**

*General Location:* Located at the end of Wales Ct and adjacent to 630 Wales Ct and 641 Wales Ct

*Parcel ID Number(s):* 181695

*Current Zoning:* N/A (ETJ)

*Existing Use:* Infrastructure such as streets and pad sites have been constructed on the subject property.

*Platting History:* The subject property was part of a preliminary plat (PP-18-0147) that received approval from City Council on October 1, 2018.

*Site Aerial:*



**PLATTING ANALYSIS**

The applicant is requesting to plat the subject property into eight (8) residential lots as part of a third phase for Oxford Ranch Two. These eight lots were originally going to be part of Phase Two of the Oxford Ranch subdivision, but floodplain issues prevented these lots from being included as part of the plat. The applicant has applied for a LOMR through FEMA and that application is still under review. Staff will need to receive this approval before the plat can be filed with the Ellis County Clerk. Staff received a water letter from Rockett SUD stating that adequate fire and domestic flow are available to this site. All lot and setback requirements have been met.

**RECOMMENDATION**

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

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

**ATTACHED EXHIBITS**

1. Plat Drawing
2. Water Letter

**APPLICANT REQUIREMENTS**

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

**CITY REQUIREMENTS FOR PLAT RECORDING AND FILING**

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

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;

2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's subdivision ordinance.

**STAFF CONTACT INFORMATION**

*Prepared by:*

Chris Webb

Planner

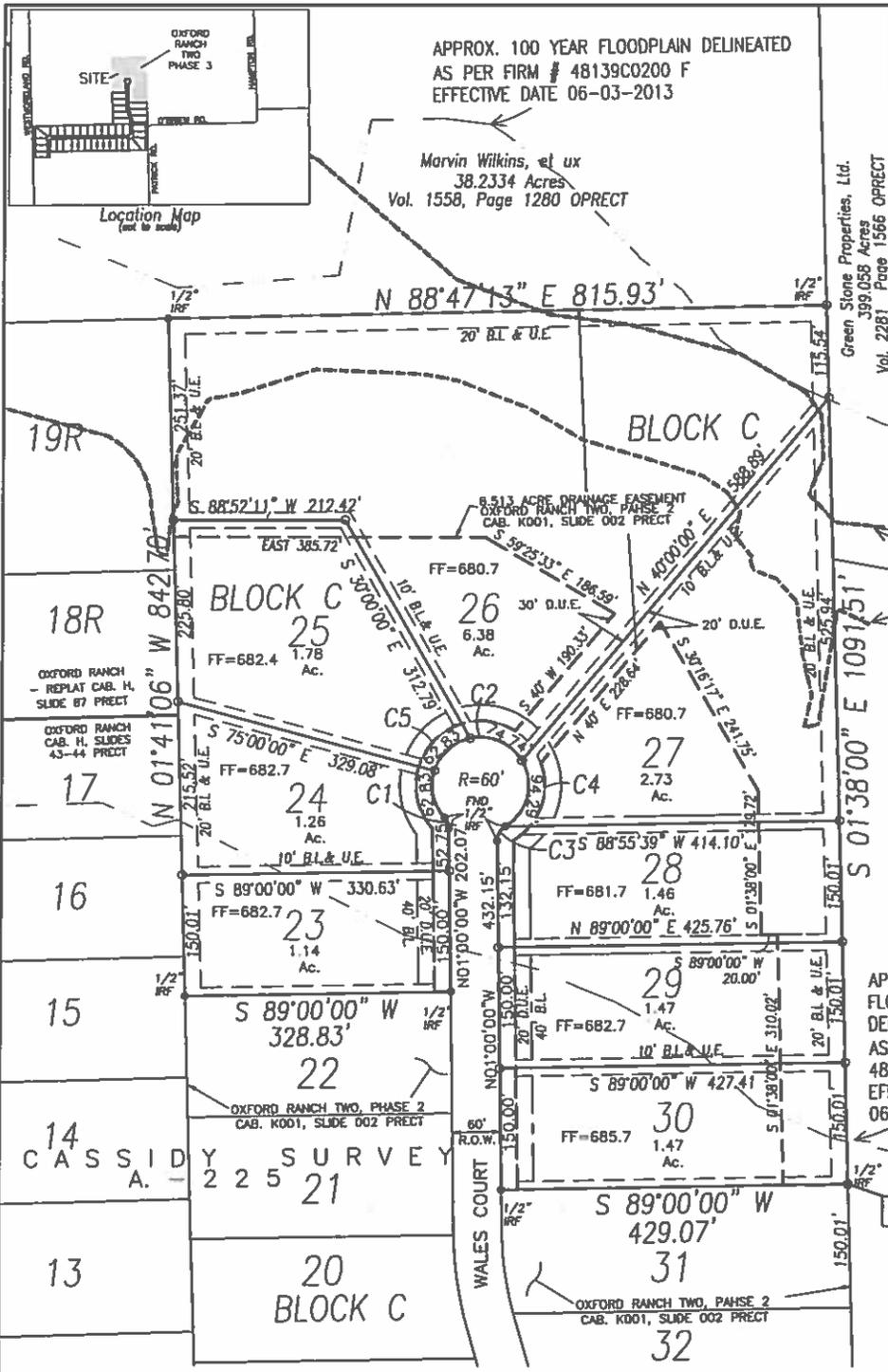
[cwebb@waxahachie.com](mailto:cwebb@waxahachie.com)

*Reviewed by:*

Shon Brooks, AICP

Director of Planning

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



APPROX. 100 YEAR FLOODPLAIN DELINEATED AS PER FIRM # 48139C0200 F EFFECTIVE DATE 06-03-2013

Marvin Wilkins, et ux  
38.2334 Acres  
Vol. 1558, Page 1280 OPRECT

Green Stone Properties, Ltd.  
399.058 Acres  
Vol. 2281 Page 1566 OPRECT

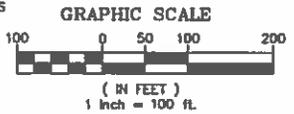
APPROXIMATE ULTIMATE 100 YEAR FLOODPLAIN LIMITS AND LINE ARE DELINEATED AS BASED ON A DRAINAGE STUDY OF UPPER NORTH GROVE CREEK AND AS-BUILT TOPOGRAPHIC INFORMATION.

117.964 Acres  
Vol. 2579 Page 723 OPRECT

APPROX. 100 YEAR FLOODPLAIN DELINEATED AS PER FIRM # 48139C0200 F EFFECTIVE DATE 06-03-2013

**LEGEND:**

- D.R.E.C.T. DEED RECORDS, ELLIS COUNTY, TEXAS
- P.R.E.C.T. PLAT RECORDS, ELLIS COUNTY, TEXAS
- O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
- D.U.E. DRAINAGE AND UTILITY EASEMENT
- IRF IRON ROD FOUND
- P.O.B. POINT OF BEGINNING
- ROW RIGHT-OF-WAY
- BL BUILDING LINE
- SQ FT SQUARE FEET
- INST. NO. INSTRUMENT NUMBER



OVERALL BOUNDARY

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	20.00	14.45	14.14	S 21°42'17" E	41°24'35"
C2	60.00	294.69	75.00	N 81°42'17" W	281°24'35"
C3	20.00	20.94	20.00	N 29°00'00" E	60°00'00"

8.513 A.C. EASEMENT

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C4	60.00	1110.69	102.22	N 19°17'31" E	79°25'09"
C5	60.00	1230.19	1150.61	N 47°01'22" E	164°51'41"

**NOTES:**

1. All lot corners shall be marked by 1/2" iron rods.
2. Bearings shown herein are referenced to the Texas State Plane Coordinate system of NAD 83, North Central Zone (4202) at distances shown here in are surface distances.
3. All surface drainage easements shall be kept clear of fences, buildings, foundations, plantings, and other obstructions to the operation and maintenance of the drainage facility.
4. Blocking the flow of water or constructing improvements in surface drainage easements, and filling or obstructing the roadway is prohibited.
5. Ellis County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flooding conditions.
6. The existing creeks or drainage channels traversing along or across the subdivided tracts will remain as open channels, and will be maintained by the individual owners of the lot.
7. Ellis County will not be responsible for the maintenance and operation of drainage ways for the control of erosion located on private property.
8. 100 Year Flood Note: 100 year floodplain as shown per firm map no.48139C0200 F dated: 6-03-2013
9. A detailed drainage study was performed by Usa Professional Services Group, Inc. for North Grove Creek and submitted to Ellis County and the City of Waxahachie for review and approval. This subjected drainage study determined the approximate ultimate 100 year flood plain limits as delineated on subject Final Plat. This approximate ultimate 100 year flood plain limit line was further determined in the field by an As Built Topographic Map as submitted to both parties.

**PLAT OXFORD RANCH TWO, PHASE 3**

BEING LOTS 23-30 BLOCK C  
Being a 17.68 Acre Addition in the T. CASSIDY SURVEY, ABST. 225 In the Extra Territorial Jurisdiction (E.T.J) of the City of Waxahachie, Ellis County, Texas  
8 Single Family Lots  
Case No. SUB-24-2021

ENGINEER & LAND SURVEYOR:

**USA PROFESSIONAL SERVICES GROUP, INC.**  
CIVIL ENGINEERS—SURVEYORS—PLANNERS—LANDSCAPE ARCHITECTS  
TEXAS BOARD OF PROFESSIONAL ENGINEERS—REGISTERED FIRM NO. F-1845  
TEXAS BOARD OF SURVEYORS—REGISTERED FIRM NO. 101074-00  
1525 VICEROY DRIVE, DALLAS, TEXAS 75235  
OFFICE: (214) 634-3300 FAX: (214) 634-3338  
WWW.USENGINEERS.COM  
USA 2017010.00

(10)

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

That We, Harlan Properties, Inc., being the owners of that certain tract of land hereinafter described as follows:

FIELD NOTES: 17.68 Acres

BEING all that certain lot, tract, or parcel of land situated in the T. CASSIDY SURVEY, ABSTRACT 223, Ellis County, Texas, and including the residual tract of a called 80.274 acres as described by deed and recorded in Volume 2717, Page 223, Official Public Records, Ellis County, Texas, Official Public Records, Ellis County, Texas, said tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod found at the Northwest corner of Lot 31 PHASE 2, of OXFORD RANCH TWO, an addition to Ellis County, Texas, as described by plat and recorded in Cabinet K001, Slide 002, Plat Records, Ellis County, Texas, and being in the West line of a called 117.964 acre tract as described by deed and recorded in Volume 2578, Page 723, Official Public Records, Ellis County, Texas;

THENCE, South 89°00'00" West, along the north line of Lot 31, Phase 2, Oxford Ranch Two, a distance of 429.07 feet to a 1/2 inch iron rod found at the Northwest corner of said Lot 31 in the East right of way of Wiles Court (a 80 foot wide right of way);

THENCE, North 01°00'00" West, along said East right of way, a distance of 432.15 feet to 1/2 inch iron rod found at the beginning of a curve to the right;

THENCE, along said curve to the right, (having a central angle of 80°00'00", a radius of 20.00 feet, a chord bearing and distance of North 29°00'00" East, 20.00 feet) an arc distance of 20.94 feet to a 1/2 inch iron rod found at the beginning of a curve to the left;

THENCE, along said curve to the left, (having a central angle of 281°24'30", a radius of 80.00 feet, a chord bearing and distance of North 81°42'17" West, 78.00 feet) an arc distance of 294.88 feet to a 1/2 inch iron rod found at the beginning of a curve to the right;

THENCE, along said curve to the right, (having a central angle of 41°24'30", a radius of 20.00 feet, a chord bearing and distance of South 21°42'17" East, 14.14 feet) an arc distance of 14.45 feet to a 1/2 inch iron rod found in the West right of way of said Wiles Court;

THENCE, along said West right of way, South 01°00'00" East, a distance of 202.75 feet to 1/2 inch iron rod found at the Northwest corner of Lot 22, Phase 2, Oxford Ranch Two;

THENCE, South 89°00'00" West, along the north line of said Lot 22, a distance of 328.83 feet to a 1/2 inch iron rod found at the Northwest corner of said Lot 22, in the East line of Oxford Ranch as recorded in Cabinet K, Slides 43-44 of the Plat Records, Ellis County, Texas;

THENCE, along the common East line of said Oxford Ranch and the East line of the Oxford Ranch - Replat as recorded in Cabinet H, Slide 87, Plat Records, Ellis County, Texas, North 01°41'08" West, a distance of 842.70 feet to 1/2 inch iron rod found at the Northeast corner of Lot 18A, of said Replat and in the South line of that certain 38.233 acre tract as described by deed and recorded in Volume 1556, Page 1286, Public Records, Ellis County, Texas, also being in the North line of the aforementioned residual tract and 80.274 acre tract;

THENCE, along said common north line and south line North 86°47'13" East, a distance of 815.83 feet to a 1/2 inch iron rod found at the Northeast corner of said residual tract, said 80.274 acre tract, and Southeast corner of said 38.233 acre tract, being in the West line of that certain 399.056 acre tract described by deed recorded in Volume 2281, Page 1588, Official Public Records, Ellis County, Texas;

THENCE, along said common line, South 01°38'00" East, passing a common Southwest corner of said 399.056 acre tract and an Easterly corner of that certain 117.964 acre tract described by deed recorded in Volume 2579, Page 723, Official Public Records, Ellis County, Texas, continuing a distance of 1081.51 feet to the POINT OF BEGINNING and containing 770,299 Square feet, or 17.68 acres of land.

**SURVEYOR'S DECLARATION**

This is to certify that I, William V. Perry, a Registered Professional Land Surveyor of the State of Texas, have plotted the above subdivision from an actual survey made on the ground; and that all lot corners, angle points, and points of curve have been properly marked on the ground, and that this plat correctly represents that survey made by me.

William V. Perry, R.P.L.S.  
 Texas Registration No. 4699



**FLOODPLAIN STATEMENT:**

A portion of this plot lies within FEMA's 100 year floodplain as defined by the Flood Insurance Rate Map Number 48139C0200 F, published and effective June 03, 2013, and is in "Zone A".

**OWNER'S CERTIFICATE**

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT Harlan Properties, Inc., acting herein by and through its duly authorized officers, does hereby certify and accept this plat designating the hereinabove described property as OXFORD RANCH TWO, PHASE 3, an addition to the Ellis County, Texas, and does hereby dedicate to the public use forever, the streets and alleys shown thereon. Harlan Properties, Inc. does hereby certify the following:

1. The streets and alleys are dedicated in fee simple for street and alley purposes.
2. All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
3. The easements and public use areas, as shown, and created by this plat, are dedicated for the public use forever for the purposes indicated on this plat.
4. No buildings, fences, trees, shrubs, groves, or any other improvements shall be placed or constructed upon, over, or across the easements as shown.
5. Ellis County is not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair.
6. UTILITY easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and Ellis County's use thereof.
7. Ellis County and public utilities shall have the right to remove and cause removed all or parts of any buildings, fences, trees, shrubs, groves, or other improvements which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in the easements.
8. Ellis County and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of anytime procuring permission from anyone.
9. All modifications to this document shall be by means of plat and approved by Ellis County.

This plat is approved subject to all platting ordinances, rules, regulations, and resolutions of the Ellis County, Texas.

WITNESS, my hand, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

By: Harlan Properties, Inc.

Suresh Shridharan Suresh Shridharan, OWNER

STATE OF TEXAS  
 COUNTY OF \_\_\_\_\_

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

Notary Public in and for the State of Texas

STATE OF TEXAS:  
 COUNTY OF ELLIS:

Certificate of approval by the Commissioners Court of Ellis County, Texas:  
 Approved this date, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Todd Little, County Judge Paul Perry, Commissioner Precinct # 3

Randy Strawn, Commissioner Precinct # 1 Kyla Butler, Commissioner Precinct # 4

Lana Grayson, Commissioner Precinct # 2 Krystal Valdez, County Clerk

**ON-SITE SEWAGE FACILITY STATEMENT**

This plot has been approved by the Department of Development of Ellis County, Texas for on-site sewage disposal facilities and meets or exceeds the minimum requirements established by TCEQ and the Ellis County Septic Order, pending any and all information as may be required by the Ellis County Department of Development.

Department of Development Director Date

**CITY OF WAXAHACHE, TEXAS FINAL PLAT APPROVAL**

APPROVED BY: Planning and Zoning Commission  
 City of Waxahachie

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

Attest: \_\_\_\_\_ Date \_\_\_\_\_  
 Clerk

**PLAT  
 OXFORD RANCH TWO,  
 PHASE 3**

BEING LOTS 23-30 BLOCK C  
 Being a 17.68 Acre Addition in the  
 T. CASSIDY SURVEY, ABST. 225  
 in the Extra Territorial Jurisdiction  
 (ETJ) of the City of Waxahachie,  
 Ellis County, Texas  
 8 Single Family Lots  
 Case No. SUB-24-2021

ENGINEER & LAND SURVEYOR:



**USA PROFESSIONAL SERVICES GROUP, INC.**

CIVIL ENGINEERS-SURVEYORS-PLANNERS-LANDSCAPE ARCHITECTS  
 TEXAS BOARD OF PROFESSIONAL ENGINEERS - REGISTERED FIRM NO. F-1645  
 TEXAS BOARD OF SURVEYORS - REGISTERED FIRM NO. 101074-00  
 1925 VICEROY DRIVE, DALLAS, TEXAS 75235  
 OFFICE: (214) 634-3300 FAX: (214) 634-3338  
 WWW.USAPROFESSIONALS.COM  
 USAI 2017010.00

OWNER/DEVELOPER:  
 HARLAN PROPERTIES, INC.  
 2404 TEXAS DRIVE, SUITE 103  
 IRVING, TEXAS 75067  
 (972) 659-0655

(10)



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



### WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: HARLAN PROPERTIES Parcel ID #: 1810.95  
Subdivision Name: OXFORD RANCH - II, PHASE - III

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>8</u> inches.	<input type="checkbox"/>	<input type="checkbox"/>

Robert Woodall  
Print Name of General Manager of water provider or Designee

Rockett S.U.D  
Name of water provider company

Rob Woodall  
Signature of General Manager of water provider or Designee

3/17/21  
Date

# Planning & Zoning Department

## Plat Staff Report

Case: SUB-15-2021



### MEETING DATE(S)

*Planning & Zoning Commission:* April 13, 2021

### CAPTION

*Consider* request by Alan Lauhoff, Atlas Associates, Inc., for a Plat of Silverthorne Addition for 77 lots, being 32.564 acres situated in the B.B. Davis Survey, Abstract 290 and the W.C. Calder Survey, Abstract 235 (Property ID 182275) – Owner: BLUE BONNET TRAILS, LLC (SUB-15-2021)

### APPLICANT REQUEST

The applicant is requesting to plat the subject property into 77 lots for residential use.

### CASE INFORMATION

*Applicant:* Alan Lauhoff, Atlas Associates, Inc.

*Property Owner(s):* Blue Bonnet Trails, LLC

*Site Acreage:* 32.564 acres

*Number of Lots:* 77 lots

*Number of Dwelling Units:* 77 units

*Park Land Dedication:* The cash in lieu of park land dedication is \$33,800.00 (\$400.00 per lot for seventy-seven (77) lots).

*Adequate Public Facilities:* Adequate public facilities will be available for this development.

### SUBJECT PROPERTY

*General Location:* Located adjacent to and south of the existing the Blue Bonnet Trails subdivision.

*Parcel ID Number(s):* 182275

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

*Existing Use:* Undeveloped

*Platting History:* Situated in the B.B. Davis Survey, Abstract 290 and the W.C. Calder Survey, Abstract 235

**Site Aerial:****PLATTING ANALYSIS**

The applicant is requesting to plat the subject property into seventy-seven (77) single family lots. This property is located to the south of the existing Blue Bonnet Trails subdivision, and would connect to the River Oaks Blvd stub-out that has already been established. The property is zoned SF-2 and all lots within the subdivision align with the requirements of that zoning including the minimum 12,500 sq. foot lot size requirement.

Staff has requested that River Oaks Blvd (shown to be a 54' ROW on the proposed plat) be an 80' ROW to align with both the thoroughfare plan and remain consistent with the 80' River Oaks Blvd ROW that runs through the Blue Bonnet Trails Subdivision. Per Section 3.1 of the City of Waxahachie Subdivision Ordinance under the *General Adequacy Policy*, "proposed streets shall provide a safe, convenient and functional system for traffic circulation, and shall be properly related to the City's Thoroughfare Plan."

While a two-lane undivided road is sufficient for the Silverthorne Addition development, we need to acquire the full 80' ROW for future growth. This road will also connect to Marvin one day and be a significant point of access between Marvin and Farley. The analysis provided also fails to take traffic impact on Farley St. and Hwy 287 into account.

The applicant has also provided an 80' ROW dedication as part of Phase 1 and Phase 2 of Blue Bonnet Trails. Staff would like to see this 80' ROW dedication continued into the Silverthorne Addition both for consistency and to prevent future roadway bottlenecks between developments.

**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
  1. Per Section 3.1 of the City of Waxahachie Subdivision Ordinance under the *General Adequacy Policy*, "proposed streets shall provide a safe, convenient and functional system for traffic circulation, and shall be properly related to the City's Thoroughfare Plan."
  2. The applicant's Trip Generation Letter fails to take into account future growth and additional high traffic roadways in the area.
  3. City staff wants to see consistency along River Oaks from the Blue Bonnet Trails subdivision into the proposed Silverthorne Addition.
- 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](mailto:cwebb@waxahachie.com)

*Reviewed by:*

Shon Brooks, AICP

Director of Planning

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

# PRELIMINARY

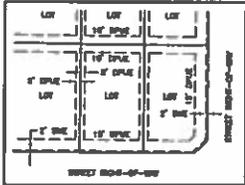
This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document



VICINITY MAP  
LEGEND

- O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
- P.R.E.C.T. PLAT RECORDS, ELLIS COUNTY, TEXAS
- <CD> CONTROL MONUMENT
- 5/8" IRON ROD SET WITH YELLOW CAP STAMPED "RPLS 5674" (UNLESS OTHERWISE NOTED)
- IRON ROD FOUND
- VOLUME PAGE
- PC. CABINET
- D.P.L.E. DRAINAGE & PUBLIC UTILITY EASEMENT
- SIDEWALK EASEMENT
- SWE DENOTES STREET NAME CHANGE

TYPICAL LOT DETAIL



**NOTES:**

1. BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE 4202 AS DERIVED FROM GPS OBSERVATIONS.

**FLOOD STATEMENT:**

THE SUBJECT TRACT APPEARS TO BE LOCATED WITHIN ZONE X (UNSHADED), DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AS SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 48138C0190F, DATED JUNE 3, 2013 FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR, AND DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES LOCATED IN ZONE X WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATION PURPOSES ONLY.

PROJECT: 180117  
REVISED: 2/10/22 CASE NO. SUB-15-2021

**PLAT  
SILVERTHORNE ADDITION**  
77 RESIDENTIAL LOTS  
32.584 ACRES - ZONED RS-2  
B.B. DAVIS SURVEY ABSTRACT NUMBER 230  
W.C. CALDER SURVEY ABSTRACT NUMBER 235  
AN ADDITION TO THE CITY OF WAXAHACHE  
ELLIS COUNTY, TEXAS

**OWNERS**  
BLUE BONNET TRAIL, LLC BLUE BONNET TRAILS, LLC  
11015 ROYALSHIRE DRIVE 6253 WOODLAND DRIVE  
DALLAS, TX 75220 DALLAS, TX 75230

**SURVEYOR**



**AXIS** SURVEYING  
P.O. BOX 875 | WAXAHACHE, TEXAS 75096  
PH: 817.835.1100 | T: 817.835.1100 FAX: 817.835.1100  
WWW.AXIS-SURVEYING.COM

(11)

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



VICINITY MAP LEGEND

- OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
PLAY RECORDS, ELLIS COUNTY, TEXAS
CONTROL MONUMENT
3/8" IRON ROD SET WITH YELLOW CAP STAMPED "RPLS 5674" (UNLESS OTHERWISE NOTED)
IRON ROD FOUND
VOL.
PAGE
CABINET
DRAINAGE & PUBLIC UTILITY EASEMENT
SIDEWALK EASEMENT
DENOTES STREET NAME CHANGE

TYPICAL LOT DETAIL



CURVE TABLE

Table with 6 columns: NUMBER, DELTA ANGLE, RADIUS, LENGTH, CHORD BEARING, CHORD LENGTH. Contains 14 rows of curve data.

NOTES:

1. BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE 4302 AS DERIVED FROM GPS OBSERVATIONS.

FLOOD STATEMENT:

THE SUBJECT TRACT APPEARS TO BE LOCATED WITHIN ZONE X (UNSHADED), DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AS SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 481800180F, DATED JUNE 3, 2013 FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR, AND DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES LOCATED IN ZONE X WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY.

PROJECT: 180017
REVISED: 2/13/22
CASE NO.: SUB-15-2021

LINE TABLE with 3 columns: NUMBER, BEARING, DISTANCE. Lists 159 line segments for the survey.

OWNER'S CERTIFICATE AND DEDICATION

STATE OF TEXAS
COUNTY OF ELLIS

WHEREAS, BLUE BONNET TRAIL, LLC & BLUE BONNET TRAILS, LLC ARE THE OWNERS OF A TRACT OF LAND LOCATED IN THE B.B. DAVIS SURVEY, ABSTRACT NO. 230 AND THE W.C. CALDER SURVEY, ABSTRACT NO. 230, WAAHACHEE, ELLIS COUNTY, TEXAS AND BEING PART OF A TRACT OF LAND DESCRIBED AS TRACT 3 IN DEED TO BLUE BONNET TRAILS, LLC, RECORDED IN INSTRUMENT NUMBER 131704, OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS (23 P.L.C.2) AND BEING PART OF A TRACT OF LAND DESCRIBED IN DEED TO BLUE BONNET TRAIL, LLC RECORDED IN INSTRUMENT NUMBER 131102, D.P.R.C.1, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET AT THE SOUTH CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO BLUE BONNET TRAILS HOMEOWNERS ASSOCIATION POOL, RECORDED IN INSTRUMENT NO. 205114, D.P.R.C.1;

THENCE NORTH 89°02'51" EAST, ALONG THE SOUTHWEST LINE OF SAID HOA TRACT A DISTANCE OF 343.33 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

THENCE NORTH 89°16'12" EAST, CONTINUING ALONG THE SOUTHWEST LINE OF SAID HOA TRACT A DISTANCE OF 1,207.95 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER AT THE BEGINNING OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 80°29'31" A RADIUS OF 106.62 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 38°48'39" EAST, 92.88 FEET;

THENCE NORTH EASTERLY, ALONG SAID CURVE TO THE LEFT AND CONTINUING ALONG THE SOUTHWEST LINE OF SAID HOA TRACT, AN ARC DISTANCE OF 172.31 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER IN THE NORTHEAST LINE OF SAID TRACT 2;

THENCE SOUTH 30°38'51" EAST, ALONG THE NORTHEAST LINE OF SAID TRACT 2, A DISTANCE OF 888.94 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET AT THE NORTH CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO FAIRLEY STREET 17, LLC, RECORDED IN INSTRUMENT NO. 19776, D.P.R.C.1;

THENCE SOUTH 81°31'33" WEST, ALONG THE WEST LINE OF SAID FAIRLEY STREET 17 TRACT, A DISTANCE OF 728.76 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER AT THE NORTH EASTERLY NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO SAID BLUE BONNET TRAILS HOMEOWNERS ASSOCIATION POOL, RECORDED IN INSTRUMENT NO. 191761, D.P.R.C.1;

THENCE WESTERLY ALONG THE NORTHERLY LINES OF SAID HOA TRACT, THE FOLLOWING TWENTY-ONE (21) COURSES AND DISTANCES:

SOUTH 86°24'23" WEST, A DISTANCE OF 248.21 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

SOUTH 46°29'39" WEST, A DISTANCE OF 119.36 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

NORTH 89°54'46" WEST, A DISTANCE OF 170.38 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

SOUTH 82°18'38" WEST, A DISTANCE OF 100.09 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

NORTH 87°43'37" WEST, A DISTANCE OF 103.82 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

NORTH 86°48'59" WEST, A DISTANCE OF 41.30 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

NORTH 86°14'59" WEST, A DISTANCE OF 175.98 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

NORTH 42°31'39" WEST, A DISTANCE OF 41.22 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

NORTH 86°32'46" WEST, A DISTANCE OF 61.17 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

NORTH 51°04'59" WEST, A DISTANCE OF 47.08 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

NORTH 78°11'29" WEST, A DISTANCE OF 68.83 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

NORTH 86°14'59" WEST, A DISTANCE OF 52.64 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

NORTH 86°14'59" WEST, A DISTANCE OF 187.68 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

NORTH 72°32'37" WEST, A DISTANCE OF 63.35 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

NORTH 41°35'17" WEST, A DISTANCE OF 37.80 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

NORTH 86°51'17" WEST, A DISTANCE OF 66.64 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

NORTH 36°30'57" WEST, A DISTANCE OF 48.44 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

NORTH 47°15'07" WEST, A DISTANCE OF 66.13 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

NORTH 41°18'42" WEST, A DISTANCE OF 68.49 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

NORTH 30°38'51" WEST, A DISTANCE OF 88.28 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,414.88 SQUARE FEET OR 32.864 ACRES OF LAND MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT BLUE BONNET TRAIL, LLC AND BLUE BONNET TRAILS, LLC ACTING HEREIN BY AND THROUGH THEIR DULY AUTHORIZED OFFICERS, DO HEREBY ADOPT THIS PLAN DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS SILVERTHORNE ADDITION AN ADDITION TO THE CITY OF WAAHACHEE, 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. THE PURPOSES INDICATED ON THIS PLAN, NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROUNTS 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 WAAHACHEE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIGNED TO USE OR BEING THE SAME. UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE, BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLICS AND CITY OF WAAHACHEE'S USE THEREOF, THE CITY OF WAAHACHEE 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 GROUNTS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS OR SAID EASEMENTS. THE CITY OF WAAHACHEE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF ACCESS 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 PLAN APPROVED SUBJECT TO ALL PLANNING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAAHACHEE, TEXAS

WITNESSE MY HAND, THIS THE \_\_\_ DAY OF \_\_\_, 2021.

BY:

BLUE BONNET TRAIL, LLC
MOHAMMAD BHANUHARANA - PRESIDENT

STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED MOHAMMAD BHANUHARANA KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_ DAY OF \_\_\_, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

BLUE BONNET TRAILS, LLC
MOHAMMAD BHANUHARANA - PRESIDENT

STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED MOHAMMAD BHANUHARANA KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_ DAY OF \_\_\_, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

THAT I, SEAN BISHOPSHIRE, DO HEREBY CERTIFY THAT I PREPARED THIS PLAN 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 WAAHACHEE.

SEAN BISHOPSHIRE
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 3624

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAAHACHEE

CHAIR PERSON DATE

ATTENY DATE

PLAT
SILVERTHORNE ADDITION
77 RESIDENTIAL LOTS
32.864 ACRES - ZONED SF-2
B.B. DAVIS SURVEY, ABSTRACT NUMBER 230
W.C. CALDER SURVEY, ABSTRACT NUMBER 235
AN ADDITION TO THE CITY OF WAAHACHEE
ELLIS COUNTY, TEXAS

OWNERS
BLUE BONNET TRAIL, LLC BLUE BONNET TRAILS, LLC
11815 ROYALSHIRE DRIVE 8254 WOODLAND DRIVE
DALLAS, TX 75220 DALLAS, TX 75220

SURVEYOR

AXIS SURVEYING
103 BOYD ST. W. WAAHACHEE, TEXAS 76788
PHONE: 817.796.5100 FAX: 817.796.5101
WWW.AXIS-SURVEYING.COM

# Planning & Zoning Department

## Zoning Staff Report

Case: ZDC-43-2021



### MEETING DATE(S)

*Planning & Zoning Commission:* April 13, 2021

*City Council:* April 19, 2021

### CAPTION

**Public Hearing** on a request by Ron Barson, Ledbetter Real Estate LTD, for a **Zoning Change** from Planned Development-37-General Retail to Planned Development-General Retail, located at 1014 Ferris Avenue, Suite 106 (being a portion of Property ID 176876) - Owner: LEDBETTER REAL ESTATE LTD (ZDC-43-2021)

### APPLICANT REQUEST

The applicant is requesting approval of a Planned Development to allow for storage of wine within an existing building (1014 Ferris Ave, Suite 106).

### CASE INFORMATION

*Applicant:* Ron Barson, Ledbetter Real Estate

*Property Owner(s):* Ron Barson, Ledbetter Real Estate

*Site Acreage:* 0.576 acres

*Current Zoning:* Planned Development-37-General Retail

*Requested Zoning:* Planned Development-General Retail

### SUBJECT PROPERTY

*General Location:* 1014 Ferris Avenue, Suite 106

*Parcel ID Number(s):* 176876

*Existing Use:* Ferris Plaza (Retail Center)

*Development History:* N/A

**Table 1: Adjoining Zoning & Uses**

Direction	Zoning	Current Use
North	GR	Retail Use
East	GR	Pollo Regio Restaurant
South	GR	Retail/Residential Use
West	GR	AutoZone

*Future Land Use Plan:* Retail

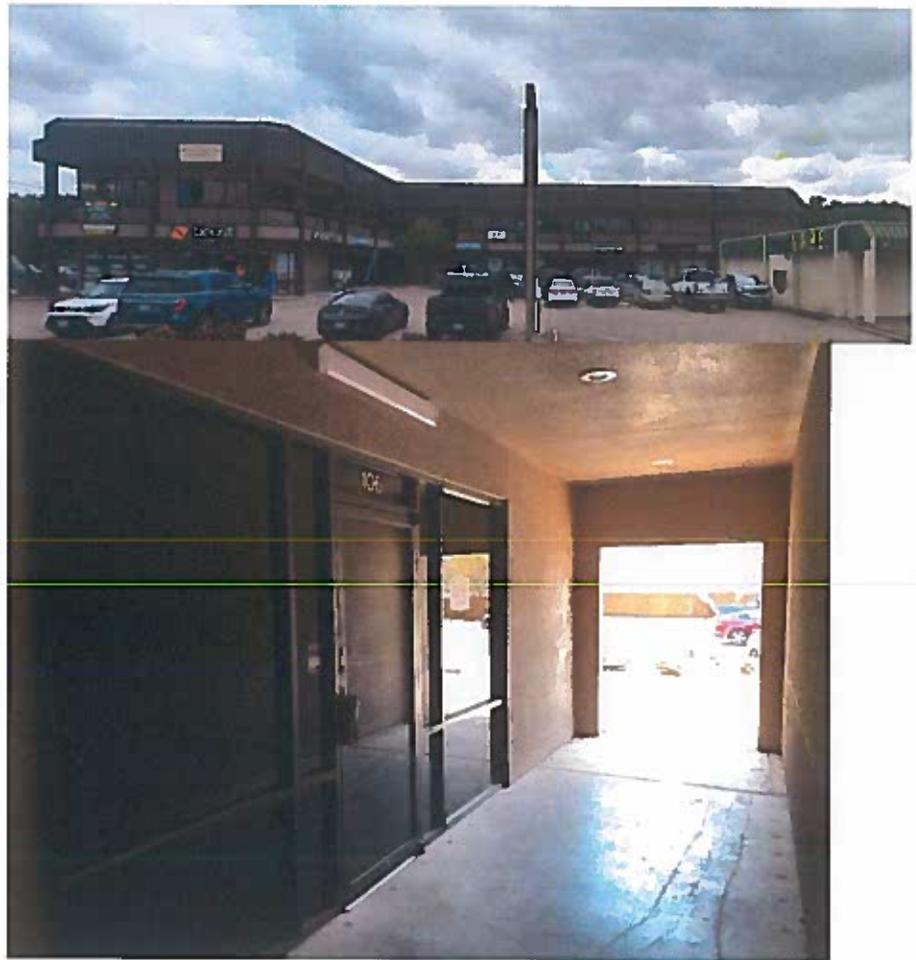
*Comprehensive Plan:*

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

*Thoroughfare Plan:*

The subject property is accessible via Ferris Ave. and 6<sup>th</sup> St.

*Site Image:*



**PLANNING ANALYSIS**

**Purpose of Request:**

The applicant is requesting approval of a Planned Development to allow for a storage warehouse use within the General Retail zoning district. Due to the Storage Warehouse use not being allowed within the General Retail zoning district, the requested Planned Development must be approved by City Council.

**Proposed Use:**

The applicant is requesting approval of a Planned Development to allow for the storage of wine within an existing building (Suite 106) located at 1014 Ferris Avenue. Per the applicant, the existing office will only be used for storage and not accessible to the general public. The wine is intended to be stored in cases. Per the TABC (Texas Alcohol Beverage Commission) website, in order to receive a winery storage permit, TABC states that "in order to store wine, the storage must be located in a wet city and climate controlled environment. The applicant intends to store the wine at the subject property for a maximum of two years.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 23 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.

**PUBLIC OWNER NOTIFICATION RESPONSES**

Staff received five (5) letters of opposition for the proposed use.

**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. If the applicant's approved use exceeds two years from the City Council/Ordinance approval date, staff recommends that the applicant come back to City Council to amend the Planned Development to allow for more time.

**ATTACHED EXHIBITS**

1. Property Owner Notification Responses
2. Floor Plan Layout

**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](mailto:ccollins@waxahachie.com)

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

PropertyID	Owner's Address	Acres	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
173189	LEDBETTER REAL ESTATE LTD	0.284	LOT 1 DYESS-BALES ADD 0.284 AC	105 RIDGECREST DR.	WAXAHACHIE	TX	75165	CRIDDLE ST WAXAHACHIE TX 75165
173190	JORDAN IRVIN D & MELONY A	0.142	LOT 2 DYESS-BALES ADD .142 AC	413 DUNN ST	WAXAHACHIE	TX	75165	413 DUNN ST WAXAHACHIE TX 75165
174786	VIEN LADD	0.142	LOT 2 LYONN PLACE .142 AC	1015 FERRIS AVE	WAXAHACHIE	TX	75165	415 DUNN ST WAXAHACHIE TX 75165
176865	CHANEY BOYS	0.165	LOT 3 BLK 17 WILLIAMS-REV 0.165 AC	1601 LIVE OAK ST	COMMERCE	TX	75428	1008 FERRIS AVE WAXAHACHIE TX 75165
176866	AXL & L ENTERPRISES LLC	0.4313	ALL 18 WILLIAMS 0.4313 ACRES	3711 FM 1446	WAXAHACHIE	TX	75167	1102 FERRIS AVE WAXAHACHIE TX 75165
176867	MDJ CORP SONIC DRIVE IN	0.39	ALL 18A WILLIAMS 0.39 ACRES	1104 FERRIS AVE	WAXAHACHIE	TX	75165	1104 FERRIS AVE WAXAHACHIE TX 75165
176875	LEDBETTER REAL ESTATE LTD	0.234	LOT 1 BLK 16 WILLIAMS-REV 0.234 AC	105 RIDGECREST DR.	WAXAHACHIE	TX	75165	1006 FERRIS AVE WAXAHACHIE TX 75165
176876	LEDBETTER REAL ESTATE LTD	0.576	LOT 1;2;4 BLK 17 WILLIAMS-REV 0.576 AC	105 RIDGECREST DR.	WAXAHACHIE	TX	75165	1014 FERRIS AVE WAXAHACHIE TX 75165
176877	COOPER SHERRI & RANDY PAMETICKY	0.136	LOT 5 BLK 9 WILLIAMS-REV 0.136 AC	206 W CRIDDLE ST	WAXAHACHIE	TX	75165	206 W CRIDDLE ST WAXAHACHIE TX 75165
176883	BARTON MICHAEL G	0.163	4 8 WILLIAMS 0.163 ACRES	129 COUNTRY DR	WAXAHACHIE	TX	75165	409 DUNN ST WAXAHACHIE TX 75165
176887	BRADLEY CONNIE	0.262	LOT 3 BLK 9 WILLIAMS-REV .262 AC	503 DUNN ST	WAXAHACHIE	TX	75165	503 DUNN ST WAXAHACHIE TX 75165
176888	KARAMATIC DANA H	0.433	LOT 4 BLK 9 WILLIAMS-REV .433 AC	501 DUNN ST	WAXAHACHIE	TX	75165	501 DUNN ST WAXAHACHIE TX 75165
176889	SHARP RYAN & AMBER D	0.199	LOT 3 BLK 7 WILLIAMS-REV .199 AC	306 W ROSS ST	WAXAHACHIE	TX	75165	306 W ROSS ST WAXAHACHIE TX 75165
176890	MC ENTIRE SAM & RACHAEL	0.175	4 7 WILLIAMS 0.175 ACRES	403 DUNN ST	WAXAHACHIE	TX	75165	403 DUNN ST WAXAHACHIE TX 75165
176893	BUCKNER GERALD E & CINDY L	0.098	LOT 3 BLK 8 WILLIAMS-REV 0.098 AC	3541 FM 878	WAXAHACHIE	TX	75165	306 W 6TH ST WAXAHACHIE TX 75165
176897	BALSAMO THERESE A	0.098	LOT 1 BLK 7 WILLIAMS-REV 0.098 AC	305 W 6TH ST	WAXAHACHIE	TX	75165	305 W 6TH ST WAXAHACHIE TX 75165
176898	BLACK AMBER M	0.175	2 7 WILLIAMS 0.175 ACRES	405 DUNN ST	WAXAHACHIE	TX	75165	405 DUNN ST WAXAHACHIE TX 75165
176941	KAH III LLC DBA KS HOOGLAND III LLC	0.7285	LOT 2B-R BLK 28 WILLIAMS-REV 0.7285 AC	2500 LEHIGH AVE	GLENVIEW	IL	60028	1107 FERRIS AVE WAXAHACHIE TX 75165
176945	ONE FERRIS PROPERTY LLC	0.406	LOT 1 BLK 26 WILLIAMS-REV .406 AC	1007 FERRIS AVE	WAXAHACHIE	TX	76165	1007 FERRIS AVE WAXAHACHIE TX 75165
176948	VIEN LADD & G LOWRIE	0.414	PT 1 27 WILLIAMS 0.414 ACRES	1015 FERRIS AVE	WAXAHACHIE	TX	75165	1015 FERRIS AVE WAXAHACHIE TX 75165
176949	VIEN LADD	0.12	LOT 2A BLK 27 WILLIAMS-REV .12 AC	1015 FERRIS AVE	WAXAHACHIE	TX	75165	492 W 6TH ST WAXAHACHIE TX 75165
176950	VIEN LADD	0.294	LOT 2B BLK 27 WILLIAMS-REV .294 AC	1015 FERRIS AVE	WAXAHACHIE	TX	75165	1009 FERRIS AVE WAXAHACHIE TX 75165
197757	AUTOZONE INC #1338	0.505	1A 16 WILLIAMS REV 0.505 ACRES	PO BOX 2198	MEMPHIS	TN	38101	1000 FERRIS AVE WAXAHACHIE TX 75165

(12)

(12)

RECEIVED MAR 31 2021



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-43-2021

JORDAN IRVIN D & MELONY A  
413 DUNN ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 13, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 19, 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. **Public Hearing** on a request by Ron Barson, Ledbetter Real Estate LTD, for a **Zoning Change** from Planned Development-37-General Retail to Planned Development-General Retail, located at 1014 Ferris Avenue, Suite 106 (being a portion of Property ID 176876) - Owner: LEDBETTER REAL ESTATE LTD (ZDC-43-2021)

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

Case Number: ZDC-43-2021

City Reference: 173190

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, April 6, 2021** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

*Unwanted traffic flow and noise.*

*Melony Jorda*  
Signature

*March 27, 2021*  
Date

*Melony Jorda*  
Printed Name and Title

*413 Dunn St.*  
Address

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

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



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-43-2021



**VIEN LADD**  
1015 FERRIS AVE  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 13, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 19, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

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Case Number: ZDC-43-2021

City Reference: 174786

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Tuesday, April 6, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Ladd Vien  
Signature

3/26/21  
Date

owner  
Printed Name and Title

314 Dunn st  
Address

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

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City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-43-2021



**VIEN LADD & G LOWRIE**  
1015 FERRIS AVE  
WAXAHACHIE, TX 75165

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Case Number: ZDC-43-2021

City Reference: 176948

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Tuesday, April 6, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Ladd Vien  
Signature

3/26/21  
Date

Owner  
Printed Name and Title

1015 Ferris Ave  
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.*



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-43-2021



**VIEN LADD  
1015 FERRIS AVE  
WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 13, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 19, 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. **Public Hearing** on a request by Ron Barson, Ledbetter Real Estate LTD, for a **Zoning Change** from Planned Development-37-General Retail to Planned Development-General Retail, located at 1014 Ferris Avenue, Suite 106 (being a portion of Property ID 176876) - Owner: LEDBETTER REAL ESTATE LTD (ZDC-43-2021)

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

Case Number: ZDC-43-2021

City Reference: 176949

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Tuesday, April 6, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Ladd Vien  
Signature

3/26/21  
Date

Ladd Vien  
Printed Name and Title

402 W 6th St  
Address

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

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(12)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-43-2021



**VIEN LADD  
1015 FERRIS AVE  
WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 13, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 19, 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. **Public Hearing** on a request by Ron Barson, Ledbetter Real Estate LTD, for a **Zoning Change** from Planned Development-37-General Retail to Planned Development-General Retail, located at 1014 Ferris Avenue, Suite 106 (being a portion of Property ID 176876) - Owner: LEDBETTER REAL ESTATE LTD (ZDC-43-2021)

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

Case Number: ZDC-43-2021

City Reference: 176950

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Tuesday, April 6, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Ladd Vien  
Signature

3/26/21  
Date

owner  
Printed Name and Title

1009 Ferris Ave  
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.*



# A0 PROJECT DATA.pdf



Suite 106



1 LOCATION MAP  
N.T.S.



2 SITE PLAN  
1"=30'-0"

### SITE DATA SUMMARY:

ZONING = RETAIL, COMMERCIAL

PROPOSED USE: CONVENIENCE STORE

BUILDING AREA: TOTAL BUILDING = 21,042 S.F.

BUILDING HEIGHT: 30'-0"

AREA OF IMPERVIOUS SURFACE: EXISTING (NO SITE WORK IN PROJECT)

PARKING REQUIRED: 875 / 200 = 5 SPACES

PARKING PROVIDED: 7 SPACES

### PARKING REQUIREMENTS:

ZONING = RETAIL, COMMERCIAL

PARKING REQUIREMENTS : 1 PARKING SPACE PER EVERY 200 S.F.

LEASE SPACE SQUARE FOOTAGE: 871 S.F.

PARKING REQUIRED: 871 / 200 = 5 SPACES

PARKING PROVIDED : 7 SPACES

### Property Information

Property ID: 170570  
Legal Address: C 58  
GEO ID: 92 9775 017 001 00 112  
Legal Description: LOT 1 2-4 B14  
WILLIAMS DE, D 571 AC  
Tract or Lot: 1 2 4  
Abstract Subdivision Code: 170375112  
Block: 17  
Neighborhood Code: COMM  
School District: 210  
City Limits: 370

### Owner

Owner: A  
Mailing: A  
Mailing: A  
Mailing: A

### Deed

Deed: 5a  
Deed: Da  
Deed: Vu  
Deed: Pa  
Deed: N.

client	design
Jennifer B. Niens	LEDBETTER REAL ESTATE
132 Round Lane	106 RIDGECREST DR
Waxahachie, Texas 75165	WAXAHACHIE, TEXAS 75165
408.337.3820	

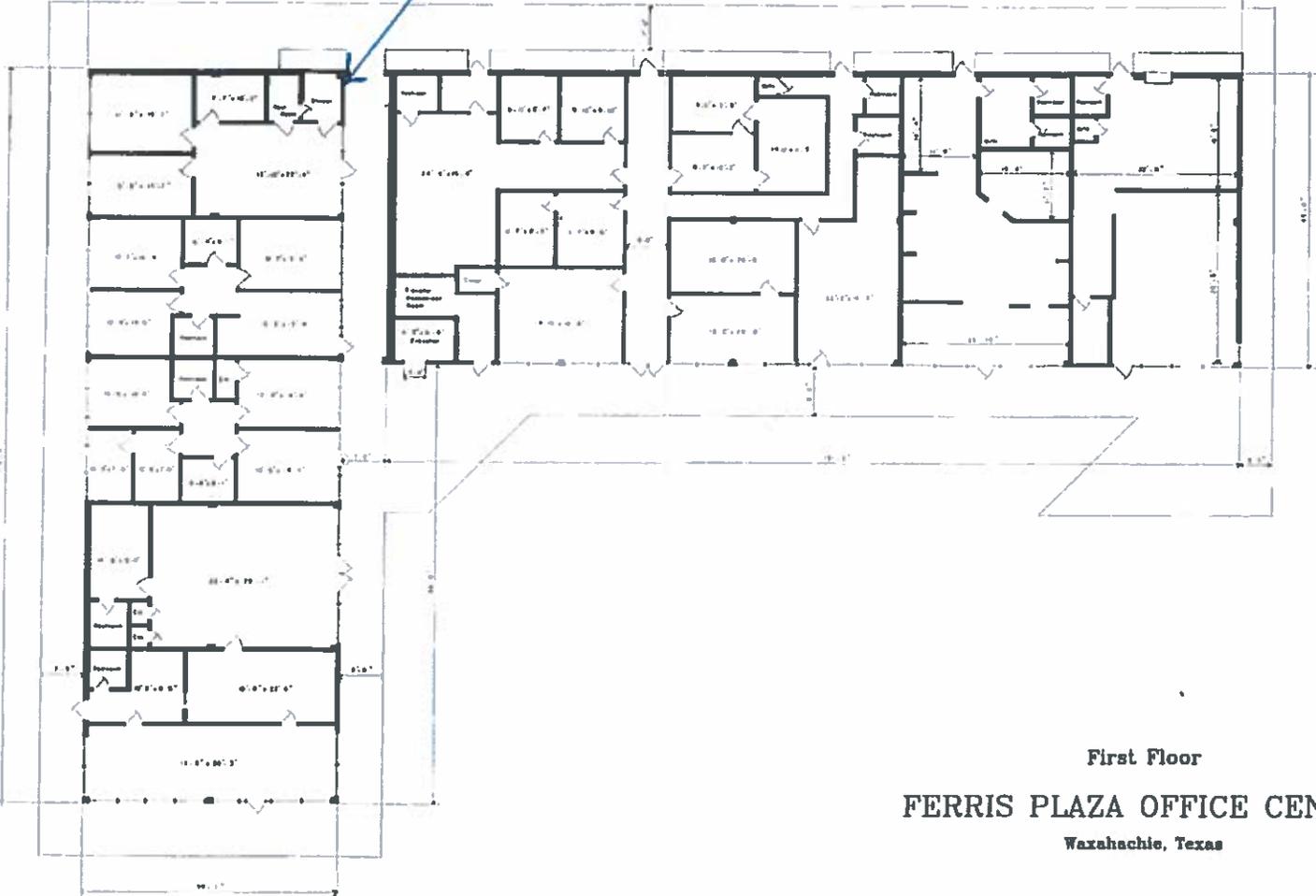
(12)



NORTH

SCALE 1/8" = 1'-0"

Suite 106



First Floor  
FERRIS PLAZA OFFICE CENTER  
Waxahachie, Texas

NO. REVISIONS	00
DATE	
BY	

**DAVIS & MCDILL**  
ARCHITECTS  
1000 W. WAXAHACHIE, TEXAS 75165  
PHONE (214) 931-1111



(12)

DATE	06-77
SCALE	1/8" = 1'-0"
BY	DM
CHK	DM
APP	

# Planning & Zoning Department

## Zoning Staff Report

Case: ZDC-25-2021



### MEETING DATE(S)

*Planning & Zoning Commission:* April 13, 2021

*City Council:* April 19, 2021

### CAPTION

**Public Hearing** on a request by Bryan Hull, Real Estate Buy Design, for a **Zoning Change** from a Light Industrial-1 and Future Development zoning district to Planned Development-Light Industrial-1, located at 4743 N Interstate 35 (being Property ID 188458) - Owner: CARLINGFORD PROPERTIES LLC (ZDC-25-2021)

### APPLICANT REQUEST

The applicant is requesting approval of a Planned Development to allow for outside storage and outdoor display.

### CASE INFORMATION

*Applicant:* Bryan Hull, Real Estate Design

*Property Owner(s):* Carlingford Properties, LLC

*Site Acreage:* 7.081 acres

*Current Zoning:* Light Industrial-1 and Future Development

*Requested Zoning:* Planned Development-Light Industrial-1

### SUBJECT PROPERTY

*General Location:* 4743 N Interstate Highway 35

*Parcel ID Number(s):* 188458

*Existing Use:* Currently Vacant (Previously used by Espinoza Stone)

*Development History:* N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	LI1	Industrial Warehouse/Storage Use
East	---	N. Interstate 35 E. Service Rd.
South	LI1	Espinoza Stone
West	FD	Undeveloped Land

*Future Land Use Plan:*

Highway Commercial

*Comprehensive Plan:*

Highway Commercial areas are intended to allow for traditional commercial land uses, but such uses should be developed to a higher standard. For example, outside storage may be permitted, but would have to be screened and not visible from the road. In addition, a more limited array of commercial uses would be permitted. Hotels, motels, and car dealerships would be permitted, for example, but manufactured home sales and self-storage buildings would not. The idea is for these areas to show a positive image of Waxahachie and make visitors want to travel into the main part of the City.

*Thoroughfare Plan:*

The subject property is accessible via N. Interstate Highway 35

*Site Image:*



### **PLANNING ANALYSIS**

#### **Purpose of Request:**

The applicant is requesting approval of a Planned Development to allow for outside storage and outdoor display.

#### **Proposed Use:**

The applicant, Powerscreen TX, intends to occupy the previously used Espinoza Stone site for outside storage and display. *Espinoza Stone intends to move to the adjacent site.* Powerscreen TX designs and manufactures equipment for crushing, screening, washing, grinding, and recycling wood, concrete, stone, or other similar materials. The company also intends to store and display the heavy equipment for sale at this location. Per the Operational Plan, Powerscreen TX intends to have three full time employees in the office building. There will also be an additional two full time employees operating the warehouse building and equipment yard. Proposed hours of operation will be from 7:30am until 5:30pm, Monday thru Friday.

**SPECIAL EXCEPTION/VARIANCE REQUEST**

**Concrete**

The applicant requests that any new pavement added to the site will be crushed gravel opposed to the required concrete.

- Staff suggests that any pavement added in the future be concrete.

**STAFF CONCERNS**

**Concrete**

The applicant requests that any new pavement added to the site will be crushed gravel opposed to the required concrete.

- Staff suggests that any pavement added in the future be concrete.

**PUBLIC NOTIFICATIONS**

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

**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. The operation of crushing will not be allowed at the property.

**ATTACHED EXHIBITS**

1. Site Layout
2. Elevation/Façade Plan
3. Landscape Plan

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*  
 Colby Collins  
 Senior Planner  
[ccollins@waxahachie.com](mailto:ccollins@waxahachie.com)

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

# POWERSCREEN TX

## 4743 IH 35 E, WAXAHACHIE, TEXAS 75165

Carolina D. Pinada-Rodriguez, et al  
 7.081 Acres  
 Vol. 2217, Pg. 2307 OPRECT  
 4823 N. I-35 E  
 U-1 Zoning

**PARKING TABULATION**  
 1000 SQ. FT. OFFICE SPACE = 4 PARKING SPACES REQUIRED  
 2000 SQUARE FEET WAREHOUSE SPACE = 3 PARKING SPACES REQD.  
 TOTAL REQUIRED PARKING = 7 SPACES  
 PARKING PROVIDED = 8 SPACES, 1 HANDICAPPED SPACE = 8 SPACES TOTAL



N 89°20'40" W 1583.72'

Lot 1, Block A  
 7.078 Acres  
 E. C. Newton Survey, Abst. 780  
 (Survey District  
 708 Acres  
 Vol. 2841, Pg. 218 OPRECT )  
 4743 N. I-35 E U-1 Zoning

N 89°26'33" E 1643.61'

Thomas Schwing  
 14.162 Acres  
 Vol. 1633, Pg. 663 OPRECT  
 4725 N. I-35 E  
 U-1 Zoning

S 89°27'52" W 1583.72'

NOTE 1 - OWNER TO PROVIDE UTILITIES  
 OWNER SHALL PROVIDE 30" DIA. 12' DEEP  
 CONCRETE RINGS FOR ALL UTILITIES  
 TO BE INSTALLED PERMITTED BY CITY  
 OF WAXAHACHIE, TEXAS.

**SITE PLAN**  
 SCALE 1"=40'

NO.	DATE	REVISIONS



(H1)



SITE LOCATION, POWERFULLY  
 SURROUNDED EAST SIDE

**VICINITY MAP**  
 NO SCALE

Carolina D. Pinada-Rodriguez, et al  
 7.081 Acres  
 Vol. 2217, Pg. 2307 OPRECT  
 4823 N. I-35 E  
 U-1 Zoning

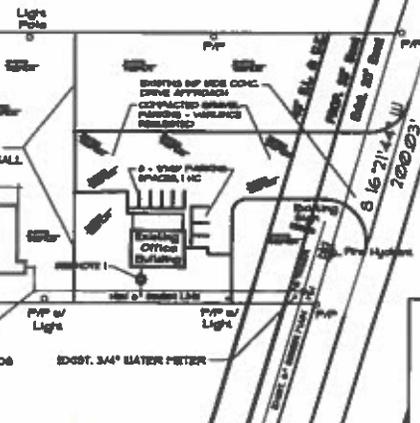
**PARKING TABULATION**  
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 TOTAL REQUIRED PARKING = 7 SPACES  
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N 89°26'33" E 1643.61'

S 89°27'52" W 1583.72'

NOTE 1 - OWNER TO PROVIDE UTILITIES  
 OWNER SHALL PROVIDE 30" DIA. 12' DEEP  
 CONCRETE RINGS FOR ALL UTILITIES  
 TO BE INSTALLED PERMITTED BY CITY  
 OF WAXAHACHIE, TEXAS.

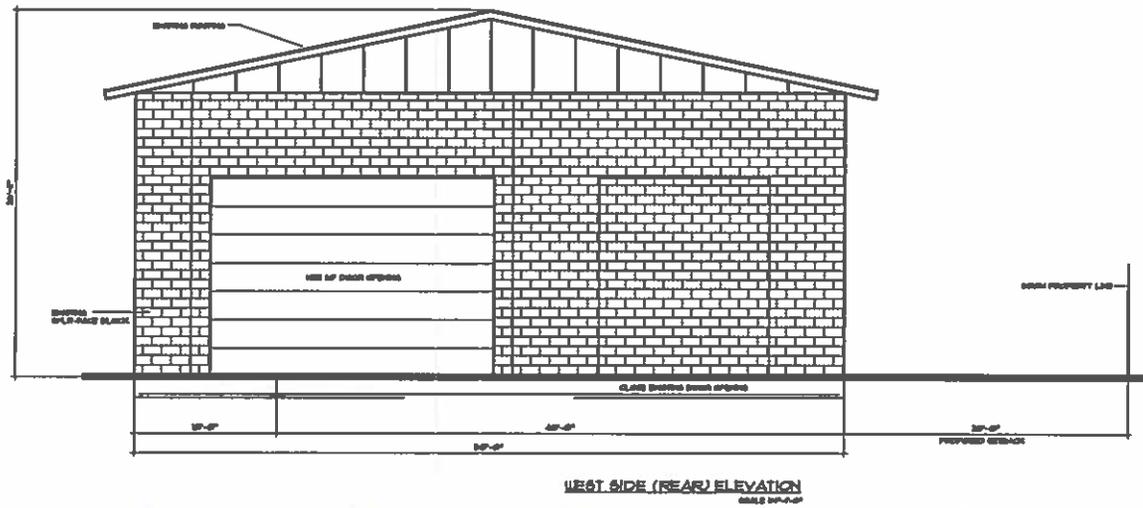
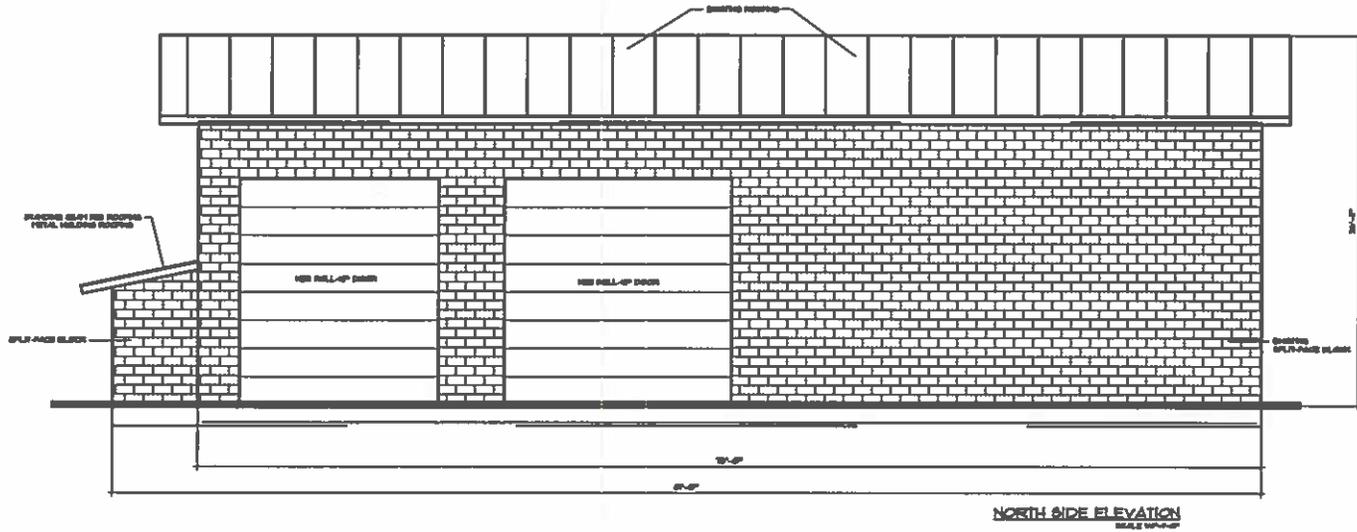
**PARTIAL SITE PLAN**  
 SCALE 1"=40'



**PLANNED DEVELOPMENT**  
 FOR  
**POWERSCREEN TX**  
 LOT 1, BLOCK A  
 1 LOT  
 7.078 TOTAL ACRES  
 WAXAHACHIE, TX, ELLIS COUNTY

**MANUFACTURING BUILDING REMODEL**  
**POWERSCREEN TX**  
 4743 N. I-35 EAST, WAXAHACHIE, TEXAS 75165  
 OWNER CONTACT - SAM HANCOCK 214-728-8888

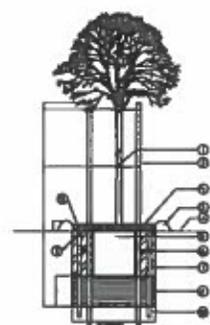
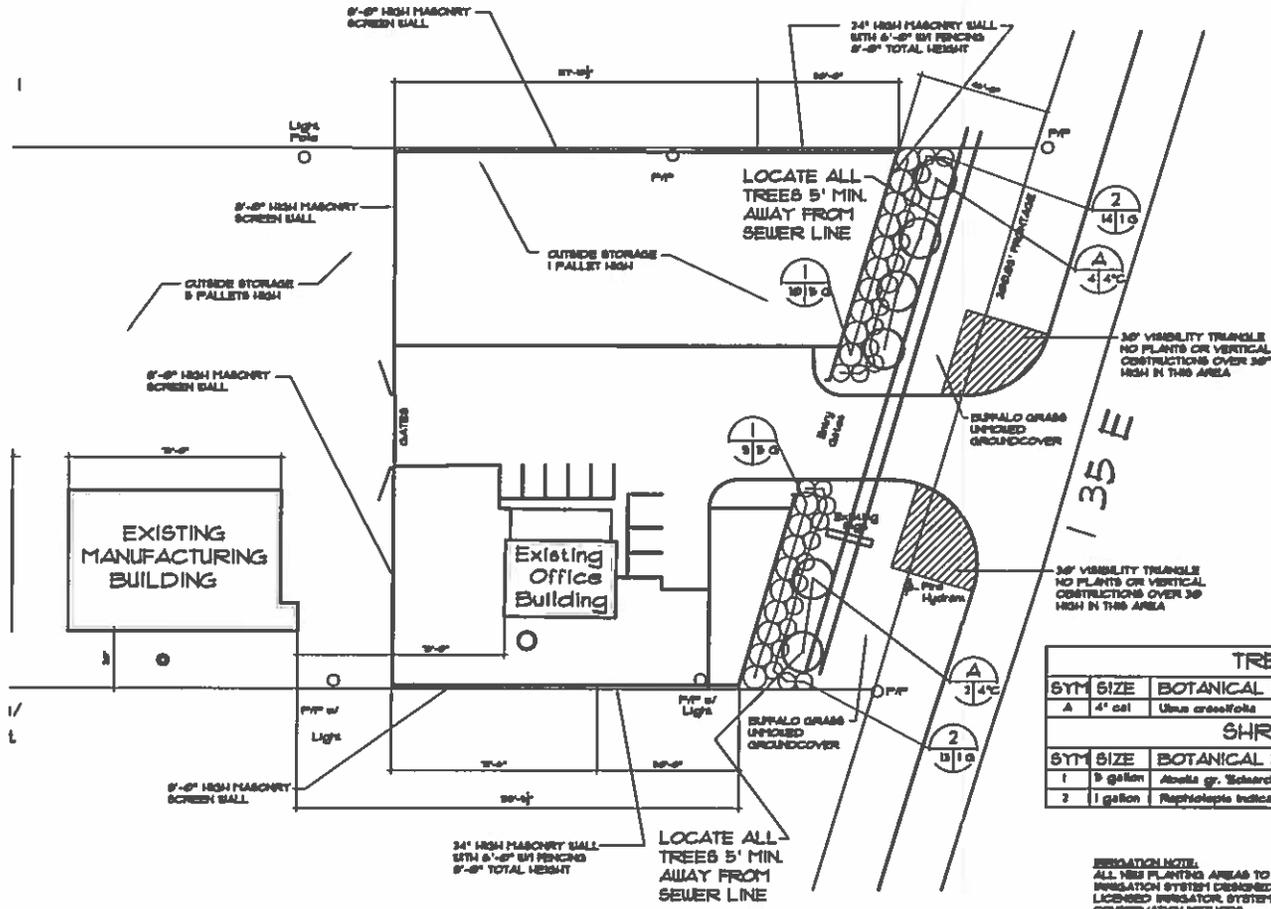
DATE	3/20/21
SCALE	NOTED
DRAWN	STAFF
CHECK	
DATE	08/20
PROJECT	A-1



MANUFACTURING BUILDING REMODEL  
 POWERSCREEN TX  
 612 N. W. 28 EAST, WALKADORE, TEXAS 75178

DATE	2024
SCALE	NOTED
DRAWN	STAFF
APP	400
NO. IN SET	A-4
OF SHEETS	02/27/24

(71)



- 1 INDICATE BY VCL OR DL
  - 2 LOCATE ALL PIPES COVER APPROXIMATELY 18\"/>
  - 3 1 1/2\"/>
  - 4 3\"/>
  - 5 1\"/>
  - 6 1\"/>
  - 7 1\"/>
  - 8 1\"/>
  - 9 1\"/>
  - 10 1\"/>
- FOR EACH TREE OR TREE GROUP AND SYSTEMS PROVIDED, SEE PART 2 FOR MORE NECESSARY TO ALLOW TREE IN OPTIMAL POSITION. TREE TO BE EXCLUDED TO AVOID CLIPPING, STUMP GRUBS, ROOT AND STAKE REMOVAL.

TREE LIST			
SYM	SIZE	BOTANICAL NAME	COMMON NAME
A	4\"/>		

SHRUB LIST			
SYM	SIZE	BOTANICAL NAME	COMMON NAME
1	5 gallon	<i>Abutilon</i> sp. 'Edward Goucher'	Deerf Glossy Abutilon
2	1 gallon	<i>Raphanocarpus indica</i> 'Princess'	Deerf Indis Hawthorne

**LANDSCAPE BUFFER CITY REQUIREMENTS:**  
 1 TREE PER 40' OF FRONTAGE REQUIRED, 200' / 40' = 5 TREES REQUIRED, 6 TREES PROVIDED

40 SHRUBS REQUIRED  
 46 SHRUBS PROVIDED

**IRRIGATION NOTE:**  
 ALL NEW PLANTING AREAS TO BE IRRIGATED WITH AN AUTOMATIC IRRIGATION SYSTEM DESIGNED AND INSTALLED BY A PROFESSIONAL LICENSED IRRIGATION SYSTEM SHALL BE DESIGNED USING WATER CONSERVATION METHODS.

**BARBER'S NOTE:**  
 REFER TO SITE PLAN, SHEET A-1 FOR BARBER'S LOCATIONS. CONTACT BARBER FOR LOCATES PRIOR TO ANY DIGGING OR TRENCHING.

**LANDSCAPE PLAN**  
 SCALE 1/8\"/>



**MANUFACTURING BUILDING REMODEL**  
**POWERSCREEN TX**  
 412 N. HENRY WILLOWBORE, TEXAS 75775

DATE	2/20/21
SCALE	NOTED
DESIGNER	STAFF
CHECK	0808
PROJECT	L-1
DATE	02/22/21

(17)

# Planning & Zoning Department

## Zoning Staff Report



**Case: ZDC-07-2021**

**MEETING DATE(S)**

*Planning & Zoning Commission:* April 13, 2021 (continued from March 23, 2021)

*City Council:* April 19, 2021

**ACTION SINCE INITIAL STAFF REPORT**

At the February 23, 2021 Planning and Zoning meeting, the Planning and Zoning Commission voted 5-0 to continue case number ZDC-07-2021 to the March 23, 2021 Planning and Zoning meeting.

At the March 23, 2021 Planning and Zoning meeting, the Planning and Zoning Commission voted 6-0 to continue case number ZDC-07-2021 to the April 13, 2021 Planning and Zoning meeting.

**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

**Property History:**

On September 6, 2005, City Council approved Ordinance 2330, which rezoned the subject property from Single Family-1 (SF1) and Future Development (FD) to Planned Development-Mixed Use Community. The Planned Development-Mixed Use Community was approved as a "Free Standing" Planned Development District which included Single Family, Multi-Family, General Retail, and General Retail-Mixed Use.

For comparison purposes, if the applicant were to develop under the existing Planned Development (Ord. 2330), the applicant would be allowed to construct at a higher density than the proposed development below.

**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.

At the February 23, 2021 Planning and Zoning meeting, the Planning and Zoning Commission requested that the applicant revise the submitted plan(s) for the proposed development to further address surrounding neighbor concerns, staff concerns, PZ Commission concerns, as well as be more conducive to the surrounding area. Per the Commission's request, listed below is a summary of changes made by the applicant. In addition, a "redline" document is provided in the attached exhibits to reflect all changes that were made.

**CHANGES FROM THE 2/23/2021 PZ MEETING**

*\*Changes listed below are reflected in the "Development Standards-Redline" document*

**Zoning Exhibits:**

- Shifted alignment of Road at Memory Lane to East to align with Saralvo Road
- Shifted entry drive further way from Brookside Lane
- Created Open Space District for the 150' to 250'+ area between entry drive and Brookside Lane to create landscape and buffering area
- Added notes to clarify no road connections from Emory Lakes will be made to Brookside Lane
- Updated TND boundary to only be central portion of project (Was extending toward eastern entry)
- Added a sixth PD District (Open Space). (Originally 5 PD Districts)

## PD Development Standards

- Pages 1, 3 & Ex C: Added Open Space District to PD, restricted uses to open space and landscaping
- Page 10: Updated the Acreages and Maximum Single Family Density (*Maximum Density for overall development remained the same*)
  - Single Family Residential: Increased 1 acre: 2219 to 2220 acres
  - Mixed Use Residential: Decreased 4 acres (due to creating open space buffer district near Brookside): 223.3 to 219.5
  - Mixed Use Neighborhood: Decreased 7 acres (due to creating open space buffer district near Brookside): 94.9 to 87.5
  - General Retail: Increased 3 acres (Shifted alignment of road at Memory Lane to East, to further align with Saralvo Road): 169 to 172
- Page 10: Added table showing the 7 lot types and the minimum/maximum number of each of the lot sizes
  - Min 12% 12,500 s.f. lots
  - Min 28% 10,000 s.f. lots
  - Min 10% 8,400 s.f. lots
  - Max 45% 6,000 s.f. or 7,000 s.f. lots
  - Min 3.5% max 15% of townhomes or 5,000 s.f. lots
- Page 11: Added/Clarified initial phasing of projects including lot mix, larger lots required in initial phases
- Page 11: Added table for minimum home size
- Page 13: Added section describing 4 lot/garage configurations
  - Alley
  - Side Entry
  - "J" Swing
  - Front entry
- Page 14: established rules for each of the garage types.
  - Established minimum alley requirement on cottage (100%) and Estates (25%)
  - "J" Swing and Front not allowed within 150' of main roadways
- Page 20: Updated TND neighborhood standards
  - Added requirement of design standards
  - Alleys required in all of TND
  - Multiple lot sizes required in each neighborhood
  - Cul-de-sacs not allowed
- Page 23: Added additional requirements on Amenity centers
  - Minimum acreage requirement for each site (4 acres) and overall (20 acres)
  - Added pool required at each amenity center
  - Added/clarified the phasing of each amenity center
    - 1<sup>st</sup> phase (The first amenity center must be completed within 270 days after the 300<sup>th</sup> residential permit)
    - 2,000<sup>th</sup> single family lot (The second amenity center must be completed within 270 days after the 2,000<sup>th</sup> residential permit)

- 4,000<sup>th</sup> single family lot (The third amenity center must be completed within 270 days after the 4,000<sup>th</sup> residential permit)
  - 6,000<sup>th</sup> single family lot (The fourth amenity center must be completed within 270 days after the 6,000<sup>th</sup> residential permit)
- Page 26: Added additional regulations on Neighborhood Parks
  - Established minimum of 22 acres
  - Increased park size to 1 acre minimum
  - Added requirement of 2 neighborhood parks must be at least 5 acres in size
  - Added phasing requirement for the 2 required 5 acres parks
    - 1,000<sup>th</sup> single family lot
    - 4,000<sup>th</sup> single family lot
- Page 28 Trails
  - Increased trail requirement to 25 miles including
    - 10 miles of 10 ft. wide trails
    - 5 miles of 8 ft. wide
    - 10 miles of 6 ft. wide
  - Added 5 miles of natural trails (mulch, dg, etc.)
  - Added separate section committing Developer to install to Regional Trail connection
- Page 32: Buffering
  - Added section defining 3 types of screening
    - Min. 15' buffer with screen wall
    - Min. 40' buffer with screen fence
    - Lots fronting onto slip street or green space
  - Created standards requiring lots to either front onto the main thoroughfares or be setback at least 40' with increased buffering. No lots allowed to back to main roadways
- Page 37: Roadway Design
  - Added language to allow round-a-bouts with city engineer approval
  - Restricted cul-de-sacs to areas outside of TND only when certain situations would require
  - Added language to restrict any street access to Brookside Lane

#### **Development Agreement Architectural Standards**

- Added language clarify restriction on Synthetic Stucco and Reinforced Plastic
- Added enhanced masonry standards for corner lots (facing a side street), including example imagery
- Created alternative design standards for 2 new Architectural styles: Mid Center Modern & Modern Farmhouse, included representative imagery
  - Alternative masonry requirements
  - Alternative roof pitch
  - Establish maximum % for these styles (35% overall, 20% max for each style)

- Added front porch requirement including example imagery and types of porches
- Added language and example imagery of enhanced garage doors

**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 district has 4 distinct sub districts, which are:

- Estate Lots: This sub district includes single-family detached lots 10,000 sf and 12,500 s.f. 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).

**Lot Types:**

The development of Single Family lots includes the following 7 lot sizes:

	Estate Lots		Township Lots	Village Lots		Cottage Lots	
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.
Min. Living Area	2,200 sf	2,200 sf	2,000 sf	1,800 sf	1,600 sf	1,250 sf	1,200 sf

**Single Family Lot Mix for entire project**

Emory Lakes may not exceed a total of 7,029 single family lots at build out. The following lot mix requirements are for the entire single family lots within Emory lakes.

- At least 12% (844 lots) of the total lots must be Estate lots 12,500 s.f. or larger.
- At least 28% (1,969 lots) of the total lots must be Estate lots 10,000 s.f. or larger.
- At least 10% (703 lots) of the total lots must be Township lots 8,400 s.f. or larger.
- No more than 45% (3,163 lots) of the total lots may be Village lots, between 6,000 s.f. and 8,400 s.f.
- No more than 15% (1,054 lots) of the lots may be Cottage lots but a minimum of 3.5% (247 lots) of the total lots must be Cottage lots.

**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.

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 total 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.

**Open Space District (OS)**

This district is based on the Waxahachie FD zoning district. The areas designated as an Open Space District are intended to be used as open spaces including landscaping, screening and trails only and serves as a buffer to the adjacent properties.

**Overlay Areas:**

Within the six 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 includes a mixture of residential and non-residential uses including within the Mixed-Use Residential District, Mixed Use Nonresidential District. The location is within the central part of the community and serves as the main node of destination and activity. It includes a variety of residential dwelling interspersed with small scale commercial establishments and public spaces.

### **Proposed Amenities**

#### **Minimum Open Space**

- 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.

#### **Minimum Open Space Phasing:**

- 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**  
At least four (4) separate community amenity centers, each at least 4.0 acres in size, will be spaced throughout Emory Lakes. All amenity centers will be HOA maintained

### Required Elements

Each community amenity center must include the following amenities and/or elements:

- a) Pool at least 2,500 s.f. of water surface area)
- b) Bathrooms
- c) Landscaping
- d) Sodded grass
- e) Irrigation for all plant material
- f) Walkways
- g) Seating (individual seats, benches and/or gliders)
- h) Bike Racks
- i) Water Fountain for humans and pets
- j) Pet Waste Station
- k) Trash Receptacle(s)
- l) Wi-Fi
- m) At least one (1) ADA Accessible amenity

- **Neighborhood Parks and Parkland**

A minimum of 13 neighborhood parks totaling at least 22 acres in size must be provided in Emory Lakes so that each single family residence must be located within a 0.5 miles radius of a neighborhood park. At least 11 of the parks must be at least 1.0 acre in size and at least 2 parks must each be at least 5.0 acres in size.

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.

- **Roadside & Offroad Trails:**

- a. A minimum of 10 miles of sidewalk/trails at least 10 ft. wide and made of concrete.
- b. A minimum of 5 miles of sidewalk/trails at least 8 ft. wide and made of concrete
- c. A minimum of 10 miles of sidewalk/trails at least 6 ft. wide and made of concrete
- d. A minimum of 5 miles of sidewalk/trails at least 5 ft. wide and made of natural material (mulch, crushed granite, dirt)

- **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

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.

**STAFF CONCERNS:**

Open Space Maintenance

Staff has concerns with the insufficient details surrounding the park and open space maintenance. Staff suggests that a minimum park size is established that the City of Waxahachie would maintain (minimum 5 acres. The City of Waxahachie will only be responsible to maintain property that is dedicated to the City.

**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 five (5) letters 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

*\*If the Planning and Zoning Commission elects to approve the applicant’s request, staff suggests that the following comments be met:*

1. A mutually agreed upon Development Agreement will be required for the property.
2. Confirmation of connection to I-35 and the Brookside bridge through either an offsite access easement(s) or acquisition of property must be provided.
3. Staff suggests that the phasing plan be modified for multifamily (see “Total Permitted” section (pg. 8)) to the following below:

**Applicant Request**

**Total Permitted**

SFR District Lots Total to Maximum total 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

**Staff Suggestion (see changes from "Applicant Request" in bold)**

**Total Permitted**

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

1,500 SFR lots to 500 MF units

**2,250 SFR lots to 750 MF units**

**3,000 SFR lots to 1,000 MF units**

**3,750 SFR lots to 1,250 MF units**

**4,000 SFR lots to 1,500 MF units**

**\*The remaining multi-family units can be constructed once all SFR lots (5,000) are constructed.**

4. Staff suggests that the Development Standards are revised to show a maximum percentage of front facing garages be provided for the development.
5. Staff suggests that the Development Standards are revised to show a minimum percentage of alleys be provided for the development.
6. At least one amenity center shall have a meeting room.
7. Staff suggests that all park and open space improvements funded be privately maintained, unless the land is dedicated and accepted by the City, or unless the City enters into a mutually agreed upon maintenance agreement with the developer.
  - a. The City of Waxahachie will not accept property dedication less than 5 acres.
8. The applicant, WISD, and city staff must mutually agree on the proposed location and required acreage for future schools within the development.

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

**ATTACHED EXHIBITS**

1. Property Owner Notification Responses
2. Development Standards (REDLINE)
3. Exterior Construction Standards (REDLINE)
4. Zoning District (Concept) Exhibit
5. Master Trails and Open Space Exhibit
6. Screening Plan Exhibit
7. Thoroughfare Plan Exhibit
8. Street Sections Exhibit
9. Phasing Plan Exhibit
10. Master Signage Plan Exhibit
11. Boundary (Legal Description) Exhibit
12. Playground Exhibit
13. Zoning District 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](mailto:ccollins@waxahachie.com)

*Reviewed by:*

Shon Brooks, AICP

Director of Planning

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

PropertyID	Owner's Name	Acres	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
138649	BROOME RELX A & CONSTANCE M	70.8875	01 E BELLOW 70.8875 ACRES	731 BROADHEAD RD	WAXAHACHE	TX	75105	182HWAY 287 WAXAHACHE TX 75105
142297	BROOK BEVERLY	3.065	LOT 3 CEDAR ESTATES-REV 3954 AC	5025 E FM 875	WAXAHACHE	TX	75107	6025 E FM 875 WAXAHACHE TX 75107
150748	GRHAM EULA & BILLY	5.14	1 GREEN MEADOWS 5.14 ACRES	101 MEADOW CREEK ST RD	WAXAHACHE	TX	75107	101 MEADOW CREEK ST RD WAXAHACHE TX 75107
172220	BARNE & VERNON D & SHARON L	0.517	LOT 4 BLK 1 BROOKSIDE 0.517 AC	001 BROOKSIDE RD	WAXAHACHE	TX	75107	001 BROOKSIDE RD WAXAHACHE TX 75107
172228	FARHOLM VIRGINIA & ROEL	0.517	LOT 1 BLK 1 BROOKSIDE 0.517 AC	001 BROOKSIDE RD	WAXAHACHE	TX	75107	001 BROOKSIDE RD WAXAHACHE TX 75107
172229	BIGHAM MAURICE & GLENNA	0.517	LOT 2 BLK 1 BROOKSIDE 0.517 AC	001 BROOKSIDE RD	WAXAHACHE	TX	75107	001 BROOKSIDE RD WAXAHACHE TX 75107
170462	GUERRA PEDRO	20.317	0 J BARKER 20.317 ACRES	6436 E FM 875	WAXAHACHE	TX	75107	6001 BROOKSIDE RD WAXAHACHE TX 75107
170468	WALTON TEXAS LP	117.529	0 J BARKER 845 J E PRINCE 25.1 J FFER 117.529 ACRES C/O WALTON INTERNATIONAL GROUP	6420 LYNDON B JOHNSON #700	DALLAS	TX	75240	6043 FM 875 WAXAHACHE TX 75107
170472	WALTON TEXAS LP	10.201	302 J J DAVIDSON 10.201 ACRES	321 LONE ELM RD	WAXAHACHE	TX	75107	321 LONE ELM RD WAXAHACHE TX 75107
170475	OWENS DAME & CAROL	7.07	0 J BARKER 7.07 ACRES	386 LONE ELM RD	WAXAHACHE	TX	75107	386 LONE ELM RD WAXAHACHE TX 75107
170476	FRAZER JEFFREY L & JEANETTE M	204.442	0 J BARKER 1132 B WILTBHRE 204.442 ACRES	PO BOX 667	MCDOTHAN	TX	75106	1730 LONE ELM RD WAXAHACHE TX 75107
170610	DOBBS CHARLES E & HEERICAL I	6.32	0 J BARKER 0.32 ACRES	8212 E FM 875	MCDOTHAN	TX	75005	82005 E FM 875 MCDOTHAN TX 75005
170611	HIGHT PATRICIA L	1.72	0 ROUTE 1 BARKER 1.73 ACRES	6296 E FM 875	MCDOTHAN	TX	75005	5296 E FM 875 MCDOTHAN TX 75005
170629	UNARUT RAJEEPAT	13.168	0 J BARKER 13.168 ACRES	1016 FERRES AVE	WAXAHACHE	TX	75108	5230 E FM 875 WAXAHACHE TX 75107
170634	WALTON TEXAS LP	1039.809	0 J BARKER 101 E BELLOW 143 E H BELCHER 304 J C READ 1039.809 ACRES C/O WALTON INTERNATIONAL GROUP	6420 LYNDON B JOHNSON #700	DALLAS	TX	75240	6471 E FM 875 WAXAHACHE TX 75107
170637	HALBERT BILLY J & CAROLYN L FAMILY REVOCABLE TRUST	2.47	0 J BARKER 2.470 ACRES	5025 HOBBS RD	WAXAHACHE	TX	75107	5025 HOBBS RD WAXAHACHE TX 75107
170642	HARRIS MARIE W JO	1.25	0 LONE J BARKER ELM ROAD1 2.5 ACRES	5025 E FM 875	WAXAHACHE	TX	75107	5025 E FM 875 WAXAHACHE TX 75107
170646	HALBERT BILLY J & CAROLYN L FAMILY REVOCABLE TRUST	10	0 J BARKER 10.00 ACRES	6473 E FM 875	WAXAHACHE	TX	75107	6473 E FM 875 WAXAHACHE TX 75107
170651	HARVILL WILLIAM E	161.0373	0 J BARKER 108 J BOYD 161.0373 ACRES	2021 HOBBS RD	DALLAS	TX	75240	6023 E FM 875 WAXAHACHE TX 75107
170658	RUIZ PAUL	0.98	0 J BARKER 0.98 ACRES	6473 E FM 875	WAXAHACHE	TX	75107	6473 E FM 875 WAXAHACHE TX 75107
170660	MICHELE RY JACQUELINE BALL	1	0 J BARKER 1 ACRES	5025 E FM 875	WAXAHACHE	TX	75107	5025 E FM 875 WAXAHACHE TX 75107
170660	KOLESA VADEIRA	8	0 J BARKER 0 ACRES	PO BOX 1047	MCDOTHAN	TX	75108	6023 E FM 875 WAXAHACHE TX 75107
170664	KELLEY WILLIAM F	10.31	0 J BARKER 10.31 ACRES	801 GRAND TOWER	CEDARHILL	TX	75104	6000 FM 875 WAXAHACHE TX 75107
180476	BATHY ELMER GENE & JUDY ANN	37.8328	100 488 W J BOYD E HORTON 37.8328 ACRES	208 KATY LAKE DR	WAXAHACHE	TX	75108	INTERSTATE 35 WAXAHACHE TX 75105
180480	BOEHLER PHILIP	6	0 BELLARD 6 ACRES	1350 MEGAN HILL	WAXAHACHE	TX	75107	0050 FM 875 WAXAHACHE TX 75107
180541	MURRAY REVOCABLE LIVING TRUST	6	0 BELLARD 6 ACRES JOSEPH G & CYNTHIA MURRAY	1479 LONE ELM RD	WAXAHACHE	TX	75107	1479 LONE ELM RD WAXAHACHE TX 75107
180899	WOOD RICHARD E MD	102.60	129 J W BRIDCK & 854 J C PAXTON 102.60 ACRES	1465 LONE ELM RD	WAXAHACHE	TX	75107	1465 LONE ELM RD WAXAHACHE TX 75107
180712	MURPHY FRANKY	20	143 E H BELCHER 143 E BALLARD 20 ACRES	615 CONCRETE ADD LN	WAXAHACHE	TX	75107	2040 LONE ELM RD WAXAHACHE TX 75107
180726	HUFFMAN RICHARD D & JAMIE H	13.183	136 PT TR E H BELCHER 3, 302 J J DAVIDSON 13.183 ACRES	1047 LONE ELM RD	WAXAHACHE	TX	75107	1047 LONE ELM RD WAXAHACHE TX 75107
180723	PITTS KATHERINE ANN	119.3	136 E H BELCHER 119.3 ACRES	1047 LONE ELM RD	WAXAHACHE	TX	75107	1047 LONE ELM RD WAXAHACHE TX 75107
180734	POHMAN GARY & CATHERINE LE	23.990	136 PT TR 2 E H BELCHER 3 302 TR 1 & TR 2 J J DAVIDSON 23.990 ACRES E THE GARY & CATHERINE POHMAN REVOCABLE LIVING TRUST	111 MASTING CREEK DR	WAXAHACHE	TX	75105	1027 LONE ELM RD WAXAHACHE TX 75107
182185	WALKER EDNA & MARGARET	129.723	271 J DORRARD 129.723 ACRES	1045 LONE ELM RD	WAXAHACHE	TX	75107	1045 LONE ELM RD WAXAHACHE TX 75107
182508	ELLS COUNTY TRUSTEE	5.477	302 J J DAVIDSON 5.477 ACRES	2215 FM 875	WAXAHACHE	TX	75107	FM 1448 WAXAHACHE TX 75107
182500	MOORE RONALD	4	0 302 136 J J DAVIDSON E H BELCHER 0 ACRES	PO BOX 186	WAXAHACHE	TX	75108	LONE ELM RD WAXAHACHE TX 75107
182511	BRF ORD DAVID R	4.14	302 J J DAVIDSON 4.14 ACRES	078 LONE ELM RD	WAXAHACHE	TX	75107	078 LONE ELM RD WAXAHACHE TX 75107
182517	TAYLOR BRADLEY & MATTHEW	3.2	302 J J DAVIDSON 3.2 ACRES	1005 LONE ELM RD	WAXAHACHE	TX	75107	1005 LONE ELM RD WAXAHACHE TX 75107
182520	WALTON TEXAS LP	151.632	302 J J DAVIDSON 151.632 ACRES C/O WALTON INTERNATIONAL GROUP	961 LONE ELM RD	WAXAHACHE	TX	75107	961 LONE ELM RD WAXAHACHE TX 75107
183304	KELLEY WILLIAM F	6.21	351 J FFER 6.21 ACRES	6420 LYNDON B JOHNSON FRY #700	DALLAS	TX	75240	439 LONE ELM RD WAXAHACHE TX 75107
183310	RIDDLE CURTIS RAY & ALVIN RIDDLE	58.80	351 J FFER 58.80 ACRES	208 KATY LAKE DR	WAXAHACHE	TX	75108	INTERSTATE 35 WAXAHACHE TX 75105
183311	RIDDLE CURTIS RAY & ALVIN RIDDLE	58.18	351 J FFER 58.18 ACRES	802 HARRIS RD	ITALY	TX	78061	68 INTERSTATE 35 WAXAHACHE TX 75105
183313	MIMS MELBA	10	351 J FFER 10.000 ACRES	885 COMPTON LN	WAXAHACHE	TX	75107	885 COMPTON DR WAXAHACHE TX 75107
183315	STANSELL KRISTOPHER L & CHEAL	3	0 J BARKER 3 ACRES	380 LONE ELM RD	WAXAHACHE	TX	75107	380 LONE ELM RD WAXAHACHE TX 75107
183790	WALTON TEXAS LP	141.612	714 M MYERS 141.612 ACRES C/O WALTON INTERNATIONAL GROUP	6420 LYNDON B JOHNSON #700	DALLAS	TX	75240	FM 1448 WAXAHACHE TX 75107
186249	MOORE WILLIAM E & BARBARA A	0.432	0 J BARKER 0.432 ACRES	413 BROOKSIDE RD	WAXAHACHE	TX	75107	413 BROOKSIDE RD WAXAHACHE TX 75107
186218	ALLRED BRILEY A	0.52	0 J BARKER 0.52 ACRES	603 BROOKSIDE RD	WAXAHACHE	TX	75107	603 BROOKSIDE RD WAXAHACHE TX 75107
186237	WATKINS MONICA DAVIS	0.43	0 J BARKER 0.43 ACRES	4305 SAH PEDRO CT	MIDLAND	TX	79707	605 BROOKSIDE RD WAXAHACHE TX 75107
186239	ALCALA JOSE R & CENE	0.504	0 J BARKER 0.504 ACRES	413 BROOKSIDE RD	WAXAHACHE	TX	75107	413 BROOKSIDE RD WAXAHACHE TX 75107
186235	ANDERSON MARTHA K & MICHAEL W	0.5	0 J BARKER 0.5 ACRES	413 BROOKSIDE RD	WAXAHACHE	TX	75105	413 BROOKSIDE RD WAXAHACHE TX 75107
186341	RYAN KATY R & BOBBY HODGSON	0.43	0 J BARKER 0.43 ACRES	501 BROOKSIDE RD	WAXAHACHE	TX	75107	501 BROOKSIDE RD WAXAHACHE TX 75107
186867	MC ADAMS KATHY MADINE	0.01	003 J C READ 0 J BARKER 0.01 ACRES	5323 E FM 875	WAXAHACHE	TX	75107	5323 E FM 875 WAXAHACHE TX 75107
186868	CHAPROWELL MARGARET JULIE	0.83	003 J C READ 0.83 ACRES RODNEY S SHAW ETAL	1041 SARALVO RD	MIDLOTHIAN	TX	78005	5431 E FM 875 WAXAHACHE TX 75107
186869	COLL RUBY D	0.53	003 J C READ 0.53 ACRES	5431 E FM 875	WAXAHACHE	TX	75107	5431 E FM 875 WAXAHACHE TX 75107
186862	MONTGOMERY GEORGE A	1.0442	003 J C READ 1.0442 ACRES	079 SARALVO RD	MIDLOTHIAN	TX	78005	079 SARALVO RD WAXAHACHE TX 75107
186863	ROGERS SARAH R	0.752	003 J C READ 0.752 ACRES	101 SARALVO RD	MIDLOTHIAN	TX	78005	1031 SARALVO RD WAXAHACHE TX 75107
186865	HELD MONROE JR	0.74	003 J C READ 0.74 ACRES	5431 E FM 875	WAXAHACHE	TX	75107	5431 E FM 875 WAXAHACHE TX 75107
186868	HARDON LETHALE	107.268	003 J C READ 107.268 ACRES	2907 PRESCOTT LN	BEAGOVILLE	TX	75150	FM 875 WAXAHACHE TX 75107
186867	DAHLIN LETHALE	2.45	300 J C READ 2.45 ACRES CHARLOTTE PRESCOTT	2907 PRESCOTT LN	BEAGOVILLE	TX	75150	5318 FM 875 WAXAHACHE TX 75107
182308	WALTON TEXAS LP	306.282	1132 B WILTBHRE & 40 J BARKER 306.282 ACRES C/O WALTON INTERNATL GROUP	6420 LYNDON B JOHNSON #700	DALLAS	TX	75240	ELM RD WAXAHACHE TX 75107
183815	LIMITED PRESBYTERIAN HOME 9	171.19	101 E BELCHER 171.19 ACRES	6620 W WILLIAM CANNON DR BLDG 3 BTE 100	AUSTIN	TX	78748	182HWAY 287 WAXAHACHE TX 75107
183822	LIMITED PRESBYTERIAN HOME 9	24.364	0 J BARKER 24.364 ACRES	6620 W WILLIAM CANNON DR BLDG 3 BTE 100	AUSTIN	TX	78748	BROOKSIDE RD WAXAHACHE TX 75107
183823	LIMITED PRESBYTERIAN HOME 9	148	0 J BARKER 148 ACRES	6620 W WILLIAM CANNON DR BLDG 3 BTE 100	AUSTIN	TX	78748	300 BROOKSIDE RD WAXAHACHE TX 75107
184822	LUNA MAREYA	5.8478	120 E BALLARD 5.8478 ACRES	1411 LONE ELM	WAXAHACHE	TX	75107	1411 LONE ELM RD WAXAHACHE TX 75107
184841	BOWMAN JERRY W	5.084	143 E BELCHER 5.084 ACRES	101 YERUB LARUE	WAXAHACHE	TX	75108	1577 LONE ELM RD WAXAHACHE TX 75107
184840	WELDS ROBERT W	4.980	120 E BALLARD 4.980 ACRES	PO BOX 384	WAXAHACHE	TX	75108	1449 LONE ELM RD WAXAHACHE TX 75107
186365	MORRIS ALLEN	6.41	302 136 J J DAVIDSON E H BELCHER 6.41 ACRES	5430 E FM 875	WAXAHACHE	TX	75107	1003 LONE ELM RD WAXAHACHE TX 75107
187809	ROVER OLIVER L & TARRA W	8.108	0 CEDAR ESTATES 8.108 ACRES	5803 E FM 875	WAXAHACHE	TX	75107	5803 E FM 875 WAXAHACHE TX 75107
187812	HENDON WILLIAM M & GLENDA D	8.488	LOT PT 3 CEDAR ESTATES-REV 8.488 AC	5803 E FM 875	WAXAHACHE	TX	75107	5803 E FM 875 WAXAHACHE TX 75107
187813	MYERS LARRY G & REBECC	8.485	0 CEDAR ESTATES 8.485 ACRES	5803 E FM 875	WAXAHACHE	TX	75107	5803 E FM 875 WAXAHACHE TX 75107
187815	FRANZEE ANDREA & PENELOPE	1.004	LOT 4R CEDAR ESTATE-REV 1.004 AC	5803 FM 875	WAXAHACHE	TX	75107	5803 FM 875 WAXAHACHE TX 75107
187816	FRANZEE ORVILLE R & BONNIE	106.526	LOT 5R CEDAR ESTATE-REV 100 40 W J BOYD J BARKER 38 526 AC	5803 FM 875	WAXAHACHE	TX	75107	5803 FM 875 WAXAHACHE TX 75107
186225	RAHUN ELIZABETH ANN	12.6781	101 E BELLOW 12.678 ACRES	PO BOX 711	MCDOTHAN	TX	75105	4 FIFTER W WAXAHACHE TX 75105
186605	ROVER OLIVER L & TARRA W	8	0 CEDAR ESTATES 1 ACRES	6800 E FM 875	WAXAHACHE	TX	75107	6800 E FM 875 WAXAHACHE TX 75107
200622	HORNER REVOCABLE LIVING TRUST	0.103	2 MORRIS ESTATE 8 LOCKED GATE 100 ACRES RONALD E & NORMA J HORNER	5405 E FM 875	WAXAHACHE	TX	75107	5405 E FM 875 WAXAHACHE TX 75107
200629	CARMICHAEL MATTHEW D	0.713	LOT 2 GARDEN VIEW ADDN 7.13 AC	8277 FM 875	WAXAHACHE	TX	75107	8227 FM 875 WAXAHACHE TX 75107
200630	MORRIS ALLEN & KAREN	1.523	1 MORRIS ESTATE 7.523 ACRES	5430 E FM 875	WAXAHACHE	TX	75107	5430 E FM 875 WAXAHACHE TX 75107
204643	CRAGO RANNEY A ISA	0.21	003 J C READ 0.21 ACRES	5429 E FM 875	WAXAHACHE	TX	75107	5429 E FM 875 WAXAHACHE TX 75107
204636	FADBY JAMES & PATRICIA	1.125	0 J BARKER 1.125 ACRES	6236 E FM 875 A	WAXAHACHE	TX	75107	6236A E FM 875 WAXAHACHE TX 75107
220042	ACCPRI FAMILY LIMITED PARTNER SHIP LTD	194.17	0 J BARKER 194.17 AC	7145 ERBOS AVE	WAXAHACHE	TX	75105	FM 1448 WAXAHACHE TX 75107
220245	FADBY THOMAS E	1.119	0 J BARKER 1.119 ACRES	1020 MARY LANE	WAXAHACHE	TX	75107	6236 E FM 875 WAXAHACHE TX 75107
222261	ARMSTRONG ROBERT & JANE F	1.34	302 J J DAVIDSON 1.34 ACRES	411 LONE ELM RD	WAXAHACHE	TX	75107	411 LONE ELM RD WAXAHACHE TX 75107
223201	SCHOOLFIELD HIRAM C	38.8033	714 M MYERS & 273 J DORRARD 38.8033 ACRES	1068 FM 1648	WAXAHACHE	TX	75107	FM 1448 WAXAHACHE TX 75107
228100	RODWAY WILSON C	13.885	0 J BARKER 13.885 ACRES	6204 E FM 875	WAXAHACHE	TX	75107	6204 E FM 875 WAXAHACHE TX 75107
231611	SCHOOLFIELD HERMAN C & HALEY & BONDOLF ELD	4	273 J DORRARD 4 ACRES	1068 FM 1648	WAXAHACHE	TX	75107	FM 1448 WAXAHACHE TX 75107
233666	STANSELL KRISTOPHER L & CHEAL	4.841	1 A STANSELLS ADDN 4.841 ACRES	380 LONE ELM RD	WAXAHACHE	TX	75107	380 LONE ELM RD WAXAHACHE TX 75107
234203	WALTON TEXAS LP	100	1132 B WILTBHRE 100 ACRES C/O WALTON INTERNATL GROUP	6420 LYNDON B JOHNSON #700	DALLAS	TX	75240	FM 1448 WAXAHACHE TX 75107
244226	KELLEY WILLIAM F	16.88	0 J BARKER 16.88 AC	2907 PRESCOTT LN	BEAGOVILLE	TX	75150	1495 LONE ELM RD WAXAHACHE TX 75105
250689	EDMANS ROBIN	2	120 PT TR 2 & 54 E BALLARD 12308332 3 @ ACRES	2493 MCHENE LN	SCHERTZ	TX	78154	1495 LONE ELM RD WAXAHACHE TX 75105
252803	CALABRETTI TO CURTIS D & CHRISTINA L	10.050	0 J BARKER 10.050 ACRES	14347 200TH AVE NW	ELK RIVER	MN	56330	LONE ELM RD WAXAHACHE TX 75107
252804	MARTINEZ JOSE F & MARIA D	10.050	0 J BARKER 10.050 ACRES	820 WEST 37th ST	DALLAS	TX	75208	LONE ELM RD WAXAHACHE TX 75107
256008	WOOD ANDREW W & PORTIA R	30	129 J W BRIDCK & 854 J C PAXTON 30 ACRES	2182 LONE ELM RD	WAXAHACHE			

278610	BO PROEDER JEROME D & CHARLEDA J	1 071	LOT 12 BLK A LONE ELM ADDN 1 071 AC	1830 LONE ELM RD	WAKAHACHE	TX	75187	1830 LONE ELM RD WAKAHACHE TX 75187
278611	ELMC PROPERTIES LLC	1 071	LOT 12 BLK A LONE ELM ADDN 1 071 AC	1830 LONE ELM RD	WAKAHACHE	TX	75187	1830 LONE ELM RD WAKAHACHE TX 75187
278424	ELMC PROPERTIES LLC	4 722	LOT 3 PEACEFUL PRAIRIE ESTS 4 722 AC	870 DIVIDE RD B1 E C	MEDFORTH	TX	78085	219 LONE ELM RD WAKAHACHE TX 75187
280007	MORROW DELPHN & WINONA	2 98	803 J C READ 2 98 ACRE S	8413 E FM 875	WAKAHACHE	TX	75187	8413 E FM 875 WAKAHACHE TX 75187
278605	PROPERTY OWNER	0						1170 SHELTON RD WAKAHACHE TX 75187
172536	PROPERTY OWNER	0						806 SHELTON BLVD WAKAHACHE TX 75187
278608	PROPERTY OWNER	0						1800 LONE ELM RD WAKAHACHE TX 75187
170452	PROPERTY OWNER	0						5014 E FM 875 WAKAHACHE TX 75187

RECEIVED FEB 10 2021



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](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](mailto: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](mailto: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.*



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

PROPERTY OWNER  
605 BROOKSIDE 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:

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Case Number: ZDC-7-2021

City Reference: 172330

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SUPPORT

OPPOSE

Comments:

My opposition stems from apartment complexes.  
We need single family to maintain quality.

[Signature]  
Signature

2/22/21  
Date

Dean Settlemeyer  
Printed Name and Title

605 Brookside Rd Waxahachie TX 75167  
Address

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Case Number: ZDC-7-2021

City Reference: 275605

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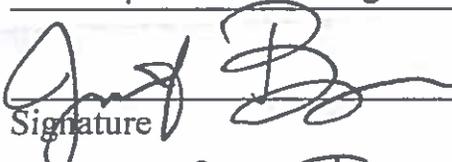
SUPPORT

OPPOSE

RECEIVED FEB 22 2021

Comments:

Stop taking away the country feel of this city!

  
Signature

2-8-2021  
Date

Jennifer Bryan  
Printed Name and Title

1700 Lone Elm Rd.  
Address

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

rec'd 2/5/2021  
T.N.M.

RECEIVED FEB 22 2021

PROPERTY OWNER  
711 BROOKSIDE 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:

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Case Number: ZDC-7-2021

City Reference: 216895

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SUPPORT

OPPOSE

Comments:

*Opposition due to roadway as shown WILL Block ingress and egress to my driveway during construction and once complete, cutting off Public Road Access.*

*[Handwritten Signature]*

*\*Oppose Any Apartments or "cottages" or townhomes.*

*2/7/2021*

Signature

Date

*Terry Noy - Adjacent Landowner*

*711 Brookside Rd. Waxahachie, TX*

Printed Name and Title

Address

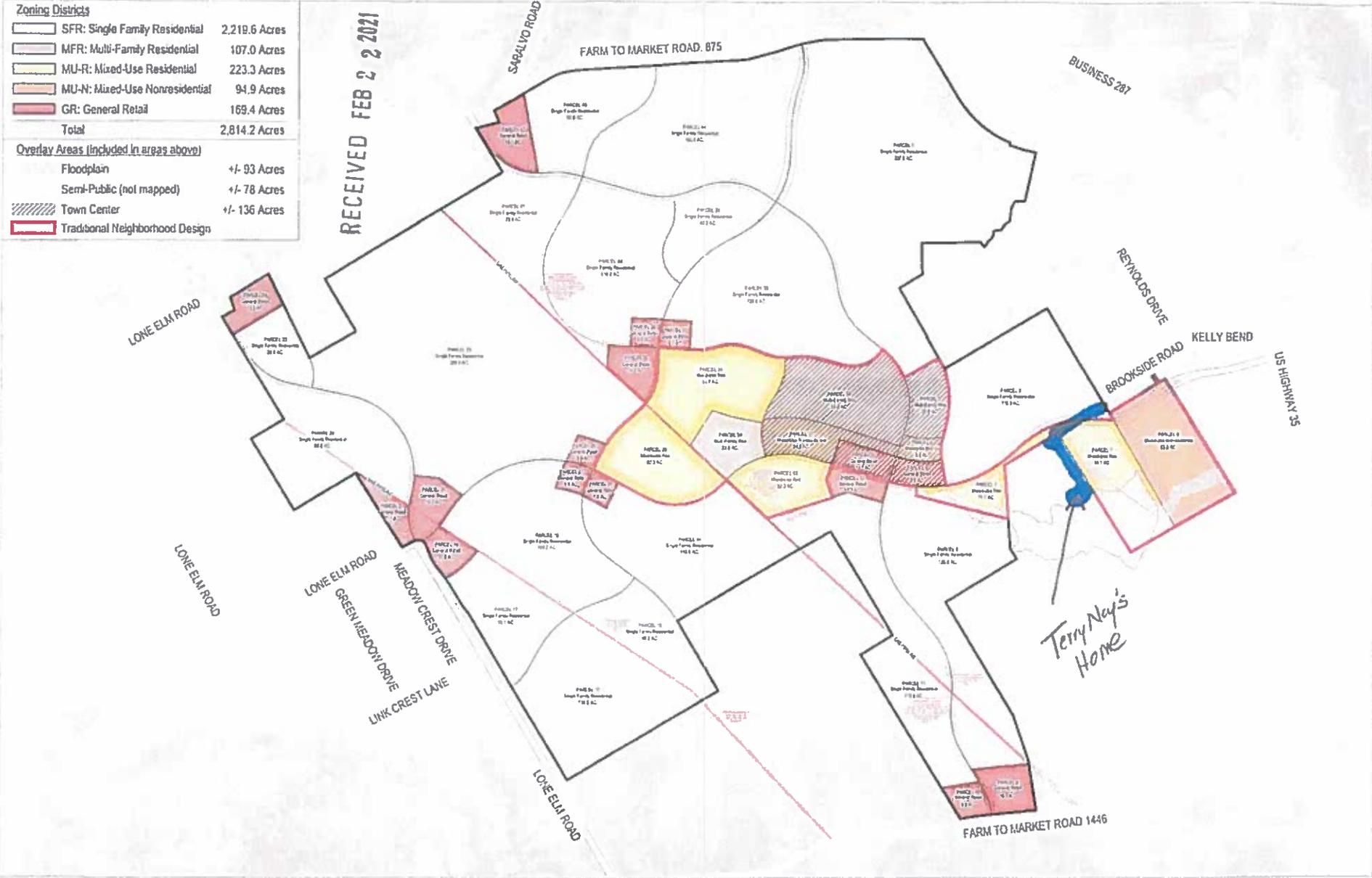
*& Jamie Noy*

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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
<b>Total</b>	<b>2,814.2 Acres</b>
Overlay Areas (included in areas above)	
	Floodplain +/- 93 Acres
	Semi-Public (not mapped) +/- 78 Acres
	Town Center +/- 136 Acres
	Traditional Neighborhood Design

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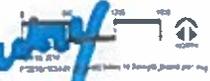


Walton

Access has been used for over 35 yrs.

EXHIBIT B  
ZONING DISTRICTS  
EMORY LAKES  
ELLIS COUNTY, TEXAS

# Terry Noy Existing Driveway



Case Number: ZDC-7-2021

City Reference: 275606

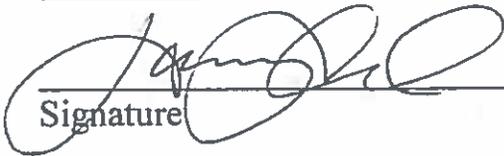
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Comments:

SUPPORT

OPPOSE

RECEIVED MAR - 2 2021



Signature

2/13/2021

Date

Jeremy I. Rudd, DMD.

Printed Name and Title

1720 Lone Elm Rd.

Address

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**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







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.

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**.













3. **Single Family FR-District Lot Locations & Residential Lot Mix Requirements Garage Types**

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.

The following garage locations are allowed within certain lot districts, refer below on which garages are allowed for each specific lot size.

**Alley access:** Garages may be located in the rear of the lot if accessed by an alley. At least 25% of the lots 8,400 s.f. or larger (Estate or Township) must be alley access.

**Side Entry:** Garages may be located on the side of the home. If the side of the home faces a corner street, they will be treated as a front entry garage and must follow the standards below.



Example of side entry garage access.

**"J" Swing:** Garages may be located in the front of the home as a "J" Swing. The garage door must be a wood simulated wood or wood simulated, carriage style garage doors including wood or wood simulated panels, decorate brackets.



Example of "J" Swing garage

**Front Entry:** Garages may be located in the front of the home facing the front street but they the garage door must be recessed at least three (3) feet behind the front elevation, excluding any front porches. The garage door must be a wood simulated wood or wood simulated, carriage style garage doors including wood or wood simulated panels, decorate brackets.

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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.) <sup>1 2</sup>	25 ft. 75' if over two stories.	None	25 Ft.	None	40 Ft.
Front Yard Setback all other instances (min.) <sup>1</sup>	25'. 100' if over 2 stories	None	25 Ft.	None	40 Ft.
Side Yard Setback adjacent to single family (min.) <sup>1</sup>	50 ft. 75' if over two stories.	25 Ft.	25 Ft.	None	25 Ft.
Side Yard Setback all other instances (min.) <sup>1</sup>	25'. 100' if over 2 stories	25 Ft.	25 Ft.	None	20 Ft.
Rear Yard Setback adjacent to single family (min.) <sup>1</sup>	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.) <sup>1</sup>	50 ft.	25 Ft.	25 Ft.	None	20 Ft.
Corner Yard Setback all other instances (min.) <sup>1</sup>	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 <sup>2</sup>	800 SF	1,200 SF	1,200 SF	Based on underlying zoning	N/A
Bedroom Mix					
Studio & 1 Bedroom	No maximum	No maximum	No maximum	No maximum	Use not allowed
2 Bedroom	20% (max.)	10% (max.)	20% (max.)	20% (max.)	
3 or more Bedrooms	Not allowed	Not allowed	Not allowed	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

<sup>1</sup> Regardless of building heights. "Adjacent" 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.  
<sup>2</sup> Minimum living area is for 1-bedroom units. Add 200 s.f. per each additional bedroom.



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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.

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



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



*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.







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See Exhibit C: Permitted Land Uses

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**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.*

Amenity Center Phasing:

1. 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 300<sup>th</sup> residential home permit is issued by the City.
2. A second amenity center must be completed within 270 days after the 2,000<sup>th</sup> residential home permit is approved by the City.
3. A third amenity center must be completed within 270 days after the 4,000<sup>th</sup> residential home permit is approved by the City.
4. A fourth amenity center must be completed within 270 days after the 6,000<sup>th</sup> residential home permit is approved by the City.

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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 Parks (22 acres minimum)

A minimum of 13 neighborhood parks totaling at least 22 acres in size must be provided in Emory Lakes so that each single family residence must be located within a 0.5 miles radius of a neighborhood park area. At least 11 of the parks must be at least 1.0 acre in size and at least 2 parks must each be at least 5.0 acres in size. Each single family residence must be located within a 0.5 miles radius of a neighborhood park area. All neighborhood parks 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









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### 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.

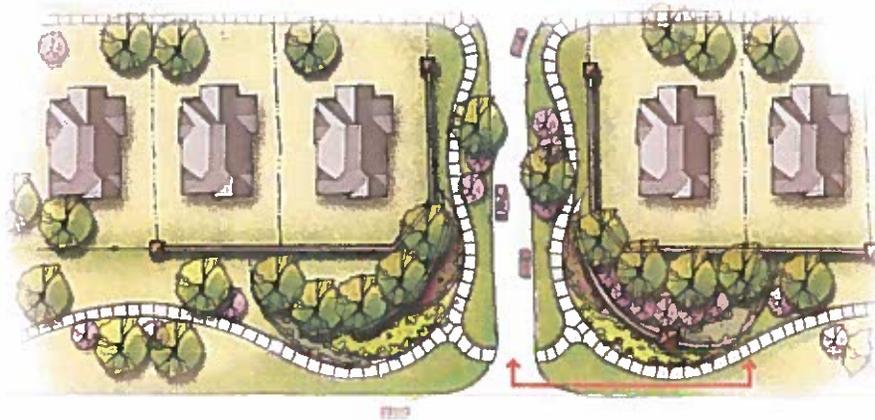




I. Thoroughfare Landscape Buffers

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.





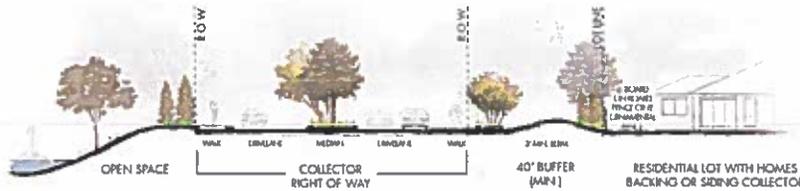




**Primary Screening Option 2**

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.

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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 3**

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*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.*

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





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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.



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**Exhibit B: Zoning Districts**

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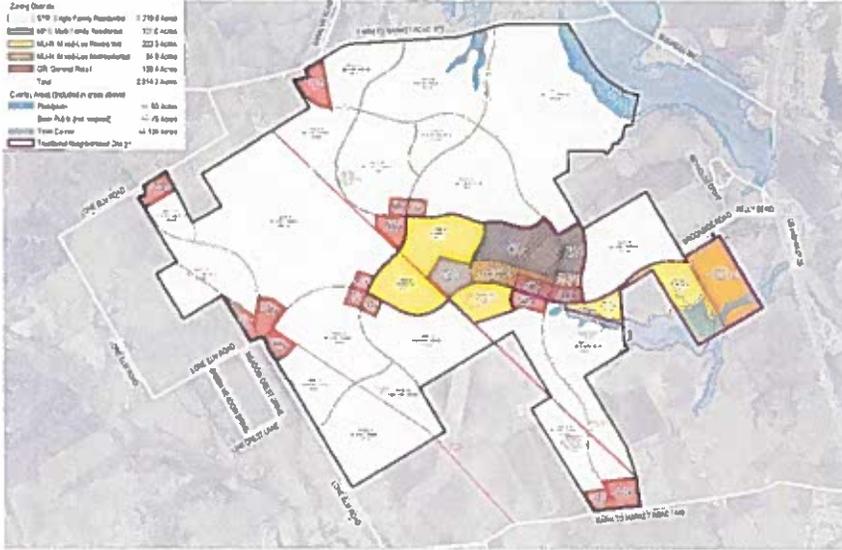




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CONSISTENT ZONING DISTRICTS EMORY LAKES





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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						
							O – Open Space District						
Residential Type Uses													
Land Use	SF#	MF	MU-R	MU-N	GR	GR	Land Use	SF#	MF	MU-R	MU-N	GR	GR
Bed and Breakfast Inn	S	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	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	S
Housing for the Elderly/ Senior Apartments		P			S	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	SF#	MF	MU-R	MU-N	GR	GR	Land Use	SF#	MF	MU-R	MU-N	GR	GR
Adult Daycare Facility					P	P	Hospital, Acute Care	S	S			S	S
Art Gallery or Museum	S	S	P	P	P	P	Hospital, Chronic Care		S		S	S	S
Cemetery, Animal							Household Care Facility	S	S	S			
Cemetery or Mausoleum	S				S	S	Institution for Alcoholic, Narcotic, or Psychiatric Patients						
Child Advocacy Center	S	S			P	P	Institution of Religious or Philanthropic Nature	S	S			P	P
Child Daycare Center			P	P	P	P	Jail or Prison						
Church, Rectory, or Temple	P	P	P	P	P	P	Juvenile Detention Center					S	S

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**Exhibit D: Master Trails & Open Space**

















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- STRE ET 1 150' ROW
- STRE ET 2 150' ROW
- STRE ET 3 80' ROW
- STRE ET 4 80' ROW
- STRE ET 5 80' OR 94' ROW (NOT SHOWN)

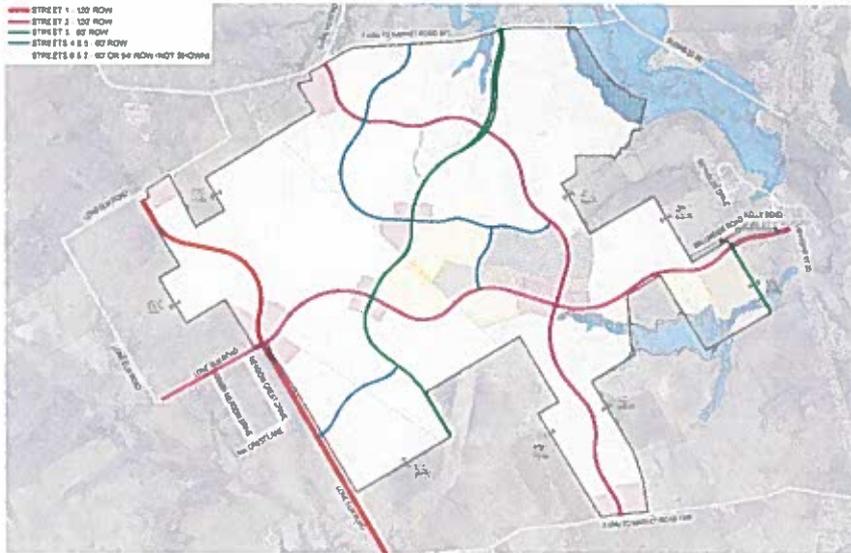


EXHIBIT B  
THOROUGHFARE PLAN  
EMORY LAKES  
MAY 2020 BY WALTON



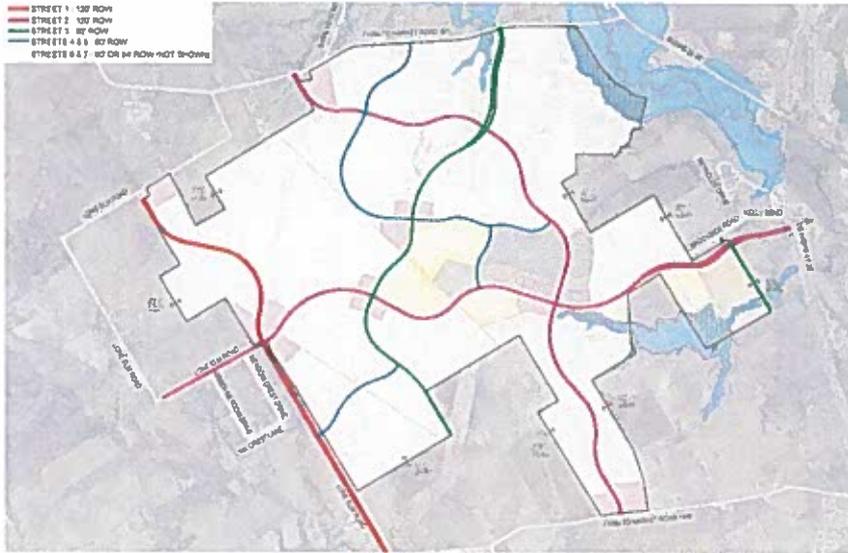


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- STREET 1 130' ROW
- STREET 2 130' ROW
- STREET 3 80' ROW
- STREETS 4 & 5 80' ROW
- STREETS 6 & 7 80' OR 94' ROW NOT SHOWN



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EXHIBIT F  
THOROUGHFARE PLAN  
EMORY LAKES















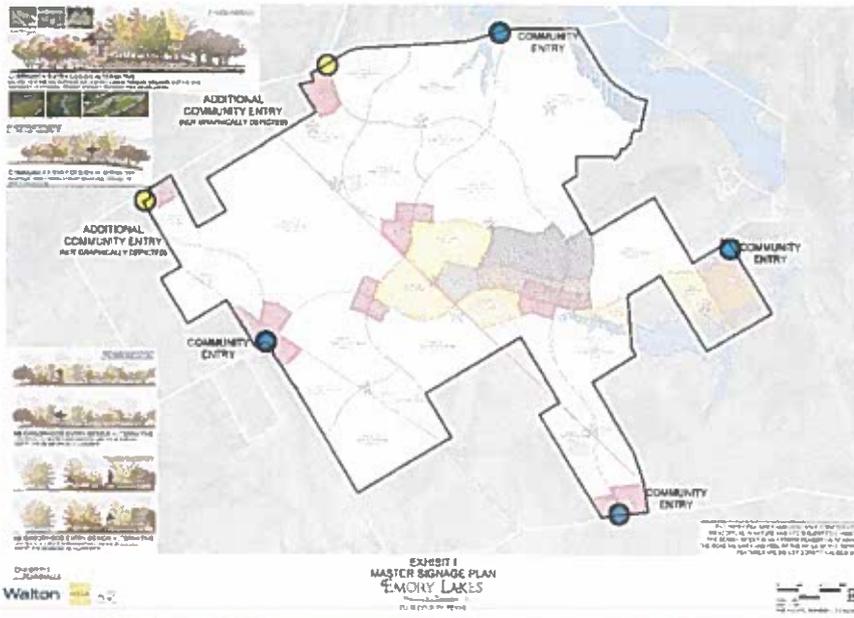




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**Exhibit J: Legal Description**

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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";













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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;





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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,







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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

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EXHIBIT K  
Playgrounds  
EMORY LAKES  
March 2020 - 2021  
BLA COUNTY, FLORIDA



Emory Lakes

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December 2020 / March 2021



Walton™ MESA

EXHIBIT #  
Playgrounds  
EMORY LAKES  
Walton™ MESA  
Bart County, Texas



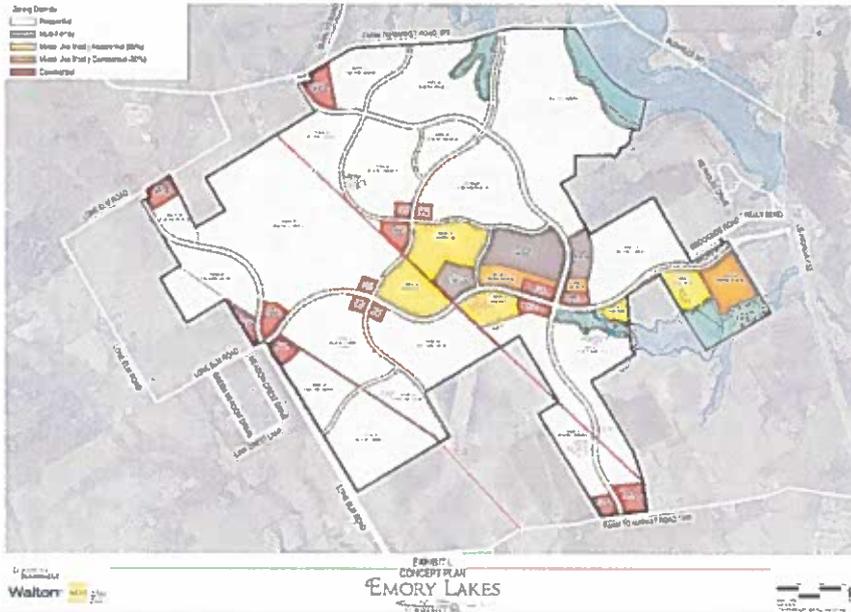




Emory Lakes

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December 2020 / March 2021



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 all Emory Lakes residential districts.

- Synthetic stucco (exterior insulation finishing system - EFIS) is not allowed
- Fiber reinforced plastic is not allowed as an exterior exposed construction material

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4) Within the Town Center Overlay area, masonry shall include (in addition to the allowed masonry items above):

- ~~Synthetic stucco (exterior insulation finishing system - EFIS) is not allowed within 4 feet from the finished floor of the first floor.~~
- Glazed ceramic and porcelain tile.

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

- 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.
- Painted steel and aluminum, cast iron, bronze, brass, copper (including terre coated)
- Roofing materials (visible from any public right-of-way): copper, factory finished painted metal, slate, synthetic slate, terra cotta, cement tile, glass fiber shingles.
- 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 (such as Hardy® board, etc);

- 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:

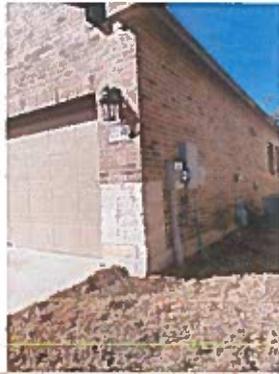
- 1) *Site Plan.* All requests for the use of masonry materials shall be submitted to the City in writing on an application form available in the Building and Community Services Department office, and shall be noted and described on an Administrative Site Plan. See site plan detail requirements in Section 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):
- a. All street facing elevations of the house (front, and street side for corner lots), must be one hundred percent (100%) masonry.
  - b. Further, Ninety-five percent (95%) masonry is required to the top of the first floor walls on both sides and the rear elevations.
  - c. Eighty five percent (85%) masonry overall for the entire home.
  - d. 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.

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*Example of stone wrapping corner of home*

- e. For the sides of homes that face a street (corner lot), the corner elevation must have the stone wrap around the side of the home until the wood fence starts. The stone must be at least thirty (30") inches in height from the top of the foundation.

*Examples of Single-Family Homes meeting the above requirements.*



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- 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

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(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.
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- 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-iii.~~ 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-iv.~~ Windows and glazing shall be a minimum of thirty (30) percent and up to a maximum of seventy (70) percent of each building elevation.
  - ~~v.~~ 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.

~~vi.~~ (v) Exemptions: The following structures are exempt from the masonry construction requirements outlined within this subsection **b)**:

- 1) Barns on property of two (2) or more acres, provided that such barns 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;

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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.

4) Residential homes with exterior designs classified as any of the following styles will have no minimum masonry requirement but they must follow the architectural styles and materials depicted in the examples below (no more than 35% of single family homes may be classified as these styles)

- Mid-Century Modern
- Modern Farmhouse

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a) Mid-Century Modern (maximum of 20% of all single family homes may be classified as this style)

- Roof pitches are allowed to be reduced to a minimum of 5:12.
- Stucco is allowed as a siding material
- Brick or stone may be painted
- Building colors, excluding roof, must be at least 3 different colors or gradients of the same color

*Examples of Mid-Century Modern Design*



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b) Modern Farmhouse (maximum of 20% of all single family homes may be classified as this style)

- Roof pitches are required to be a minimum of 8:12.
- Cementitious fiberboard siding is allowed when vertical or horizontal trim pieces are added (similar to those referenced in the images below) to break up large, solid walls
- Brick or stone may be painted
- Building colors, excluding roof, must be at least 3 different colors or gradients of the same color

Examples of Modern Farmhouse Design



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- iii.
- (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

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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) different architectural designs including four (4) façade drawings for each design 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

a)b) f single-family homes and/or townhomes that are not individually represented in the examples

b)c) 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.

5)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)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

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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. A front porch may be a covered front porch with a seating area or a covered stoop or covered landing area. If a porch is provided, they must be at least sixty (60) square feet in size and at least six (6) feet in depth.~~

*Example of a front porch*



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*Example of a covered stoop or landing*



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~~4)~~

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.

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- 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

For single family lots classified as Mid-Century Modern or Modern Farmhouse, in lieu of the carriage style door, the following enhanced doors (or designs that mimic the style depicted in the image) may be provided where carriage style doors are required.



- 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

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- 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, side entry 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, side entry -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) ~~d) \_\_\_\_\_~~ 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) ~~e) Rooftop Solar Panel Systems (optional and not required):~~
- ~~ii-c) Must be installed to leave no greater than six (6) inches between rooftops.~~

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iii-d) \_\_\_\_\_ Must match the roof pitch on a pitched roof.

iv-e) \_\_\_\_\_ Screening is required on flat roofs.

v-f) \_\_\_\_\_ 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.

• *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.

• *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.

• *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 façade(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.



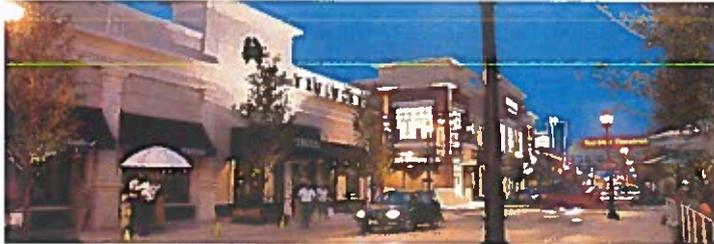
*Example of ground articulation between ground floor and upper level mixed use*

- 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 façade 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

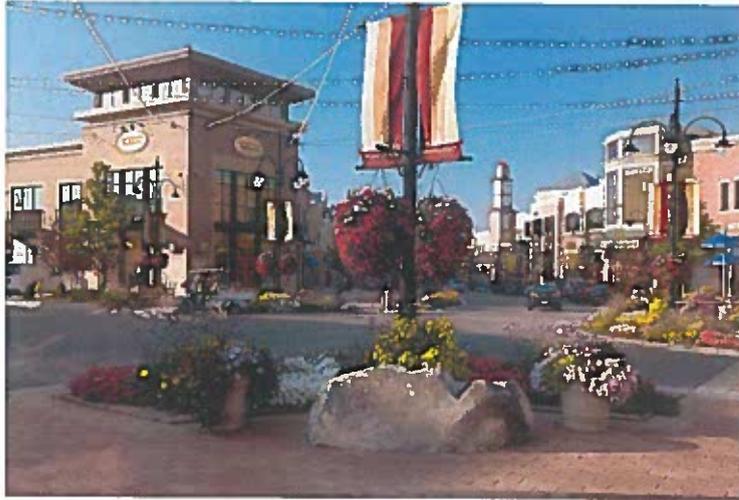
- 1) Exterior lighting shall be architecturally integrated with the building's style, material, and color.
- 2) Pedestrian level lighting of building entrance-ways shall be provided.
- 3) Illuminations of portions of buildings, direct or indirect, may be used for safety or aesthetic results
- 4) Street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



*Example of lighting to accent building features, entres 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.)*

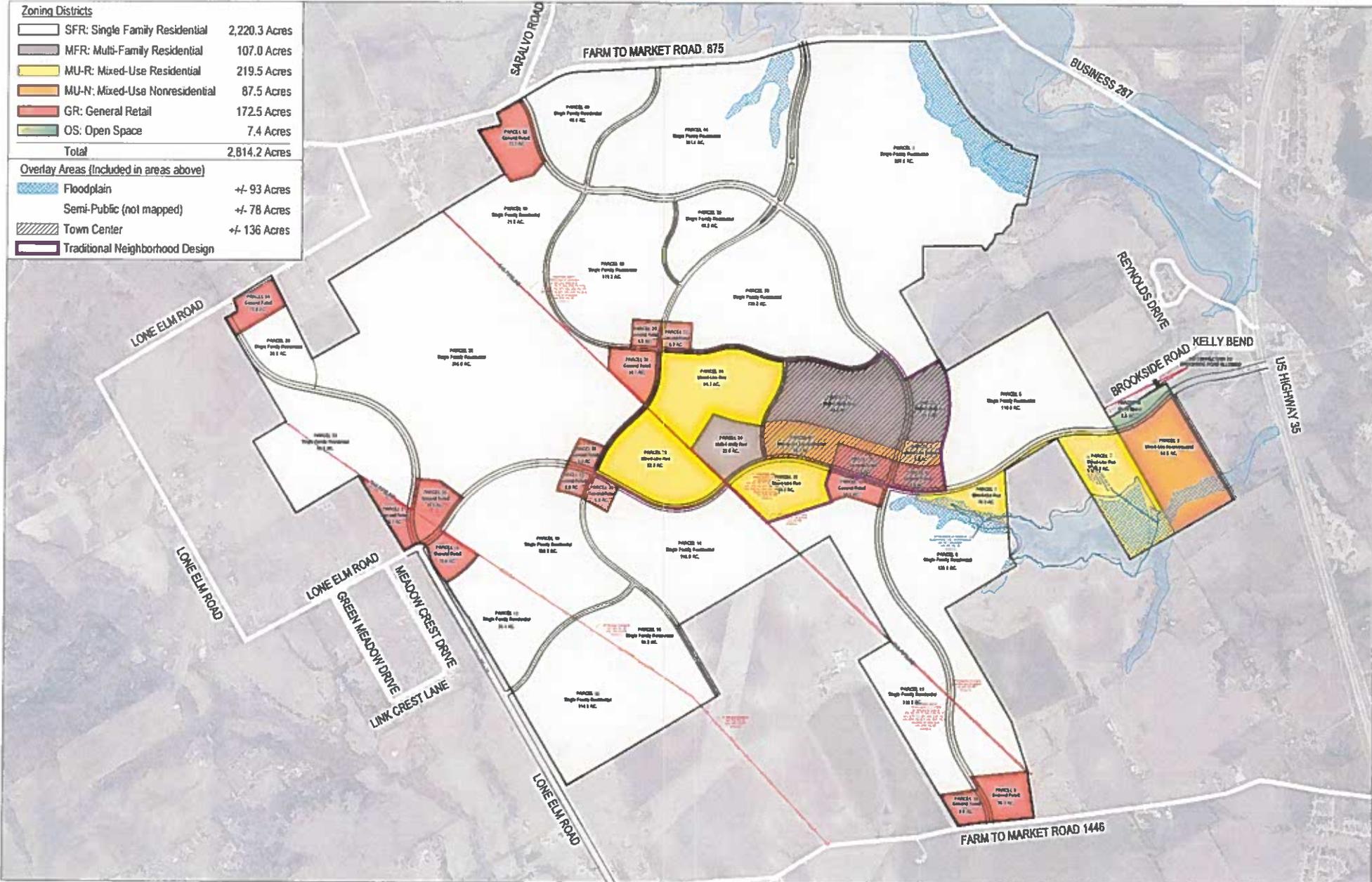


*Example of pedestrian corridor which breaks up longer street blocks and providing additional pedestrian access*

- (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	2,220.3 Acres
MFR: Multi-Family Residential	107.0 Acres
MU-R: Mixed-Use Residential	219.5 Acres
MU-N: Mixed-Use Nonresidential	87.5 Acres
GR: General Retail	172.5 Acres
OS: Open Space	7.4 Acres
<b>Total</b>	<b>2,814.2 Acres</b>

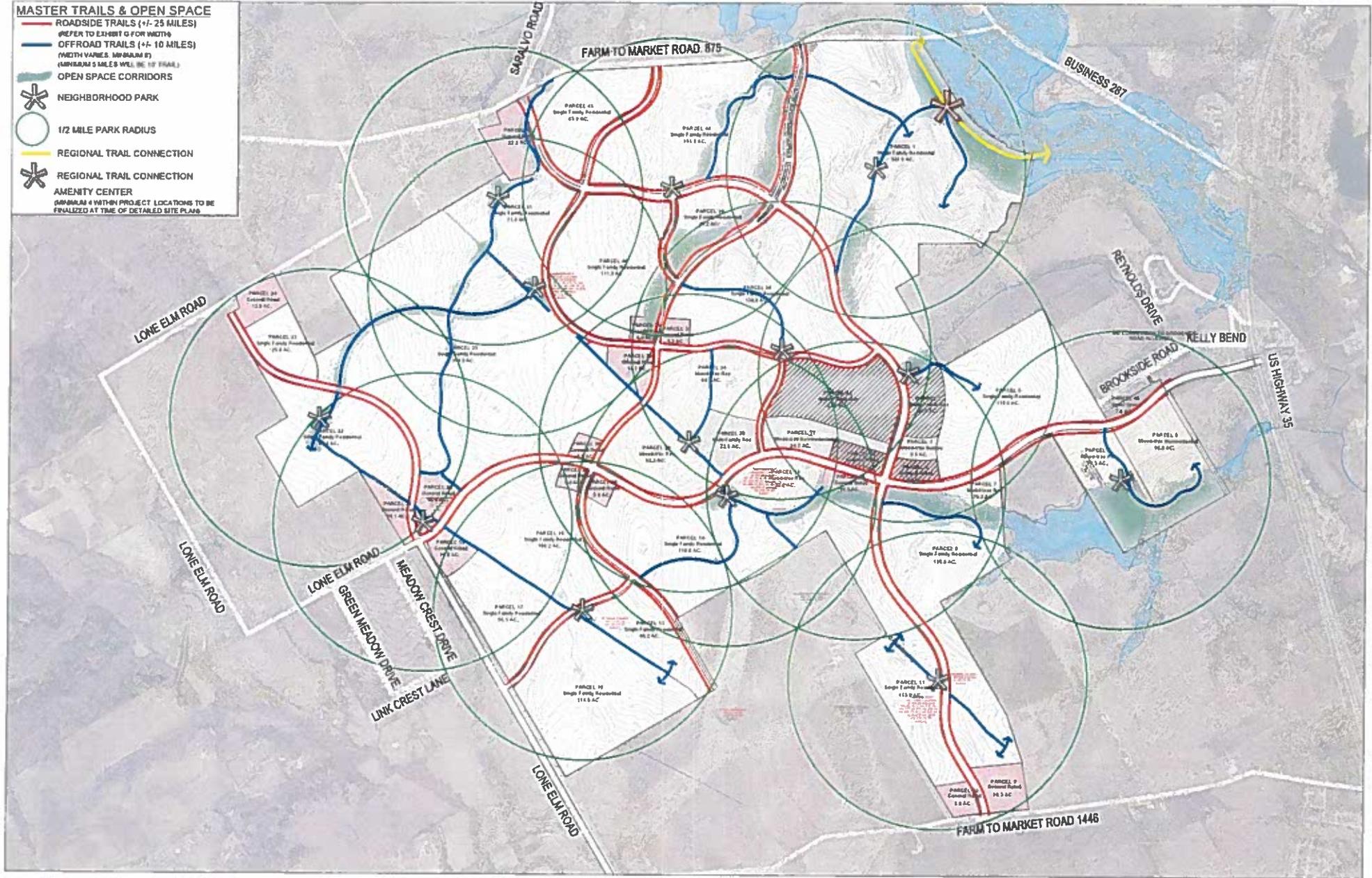
Overlay Areas (Included in areas above)	
Floodplain	+/- 93 Acres
Semi-Public (not mapped)	+/- 78 Acres
Town Center	+/- 136 Acres
Traditional Neighborhood Design	



**EXHIBIT B**  
**ZONING DISTRICTS**  
**EMORY LAKES**  
 ELLIS COUNTY, TEXAS

**MASTER TRAILS & OPEN SPACE**

- ROADSIDE TRAILS (+/- 25 MILES)  
(REFER TO EXHIBIT G FOR WIDTHS)
- OFFROAD TRAILS (+/- 10 MILES)  
(WIDTH VARIES. MINIMUM 8')  
(MINIMUM 5 MILES WILL BE 12' TRAIL.)
- OPEN SPACE CORRIDORS
- NEIGHBORHOOD PARK
- 1/2 MILE PARK RADIUS
- REGIONAL TRAIL CONNECTION
- REGIONAL TRAIL CONNECTION  
AMENITY CENTER
- AMENITIES & WITHIN PROJECT LOCATIONS TO BE  
FINALIZED AT TIME OF DETAILED SITE PLAN



**EXHIBIT D**  
**MASTER TRAILS & OPEN SPACE**  
**EMORY LAKES**

ELLIS COUNTY, TEXAS

SCREENING TREATMENTS

— PRIMARY SCREENING

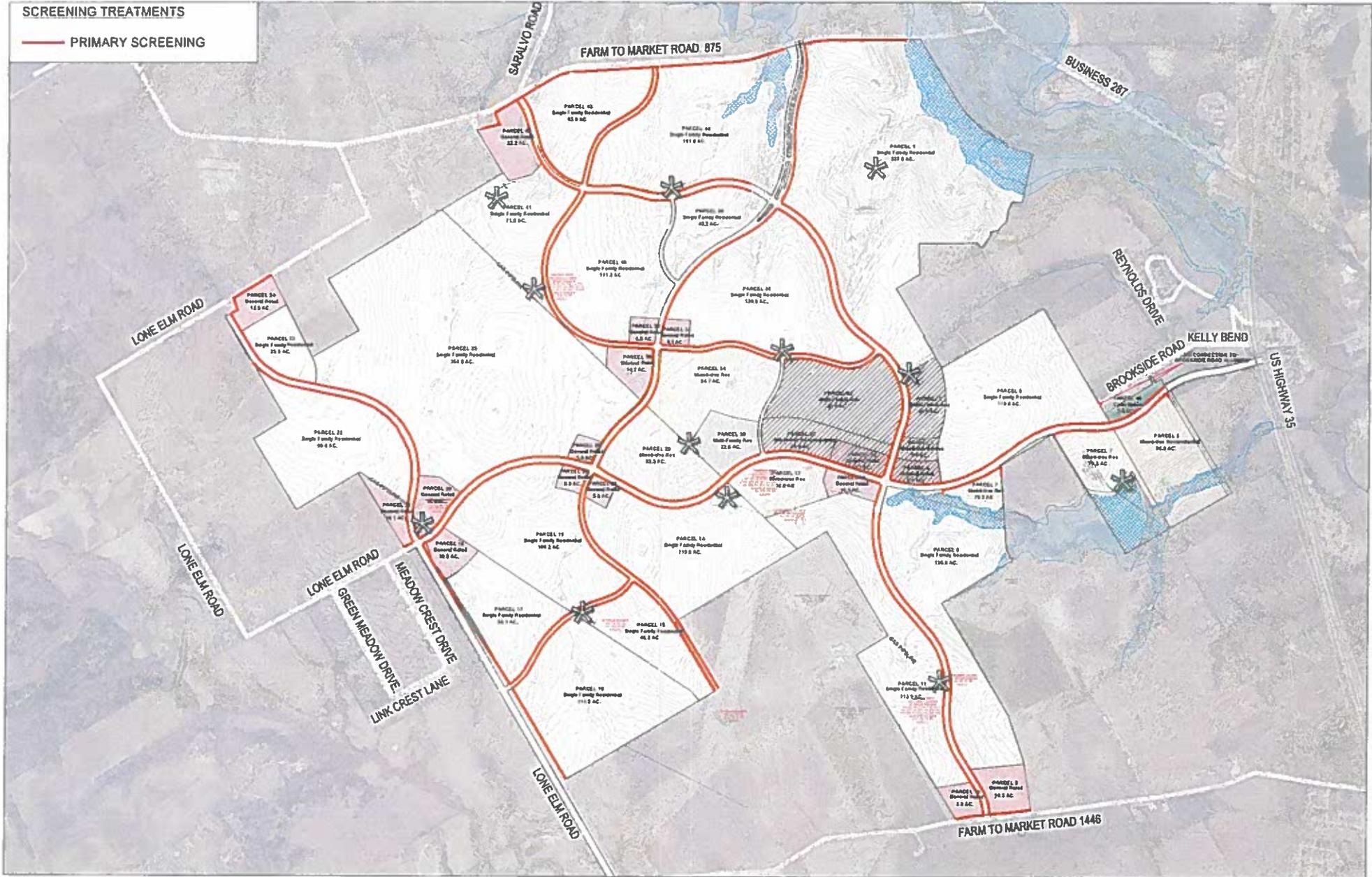
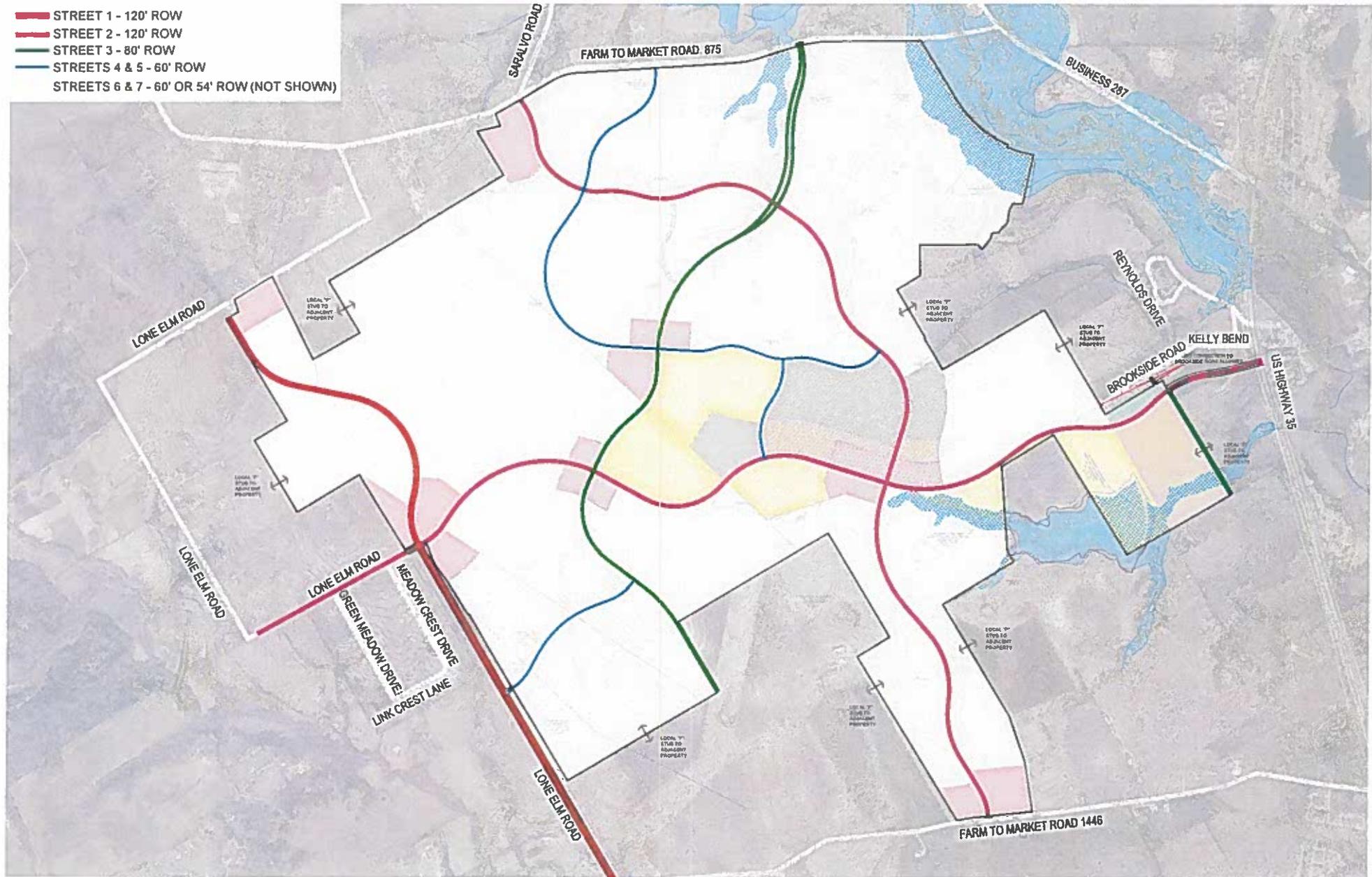
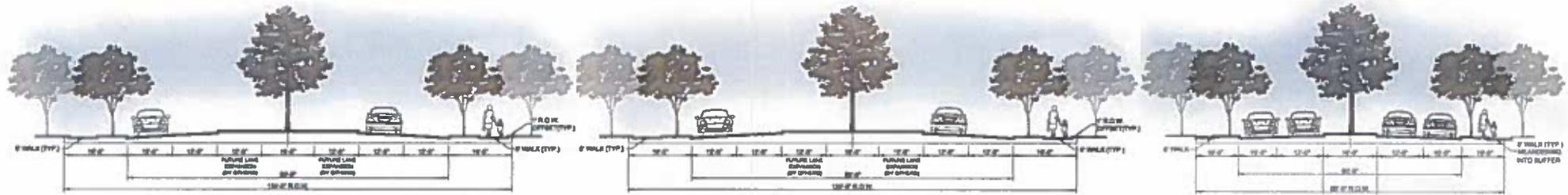


EXHIBIT E  
SCREENING PLAN  
EMORY LAKES

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)

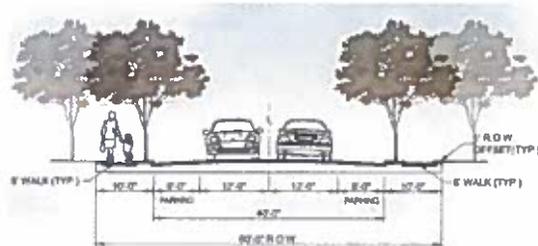




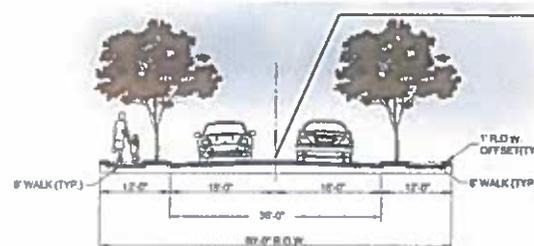
**STREET 1 - 120' ROW**  
(CITY MAJOR THOROUGHFARE)

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

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

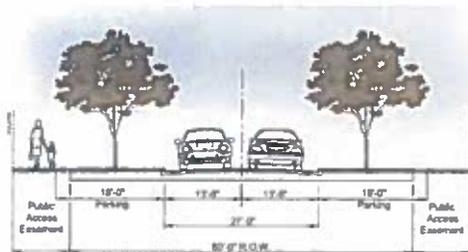


**STREET 4 - 60' ROW**  
(TYPICAL COLLECTOR STREET WITH PARKING)

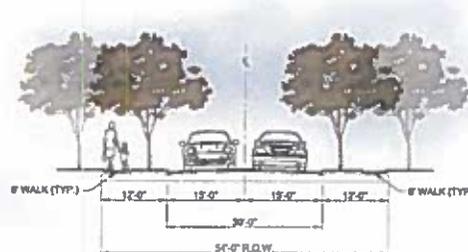


**STREET 5 - 60' ROW**  
(COLLECTOR STREET WITHOUT PARKING)

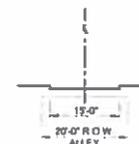
MEDIAN OPTION: ADD 6' MEDIAN (NO TURN LANE PROVIDED) OR MINIMUM 16' MEDIAN (TO PROVIDE TURN LANE). ROW WILL INCREASE ACCORDINGLY.



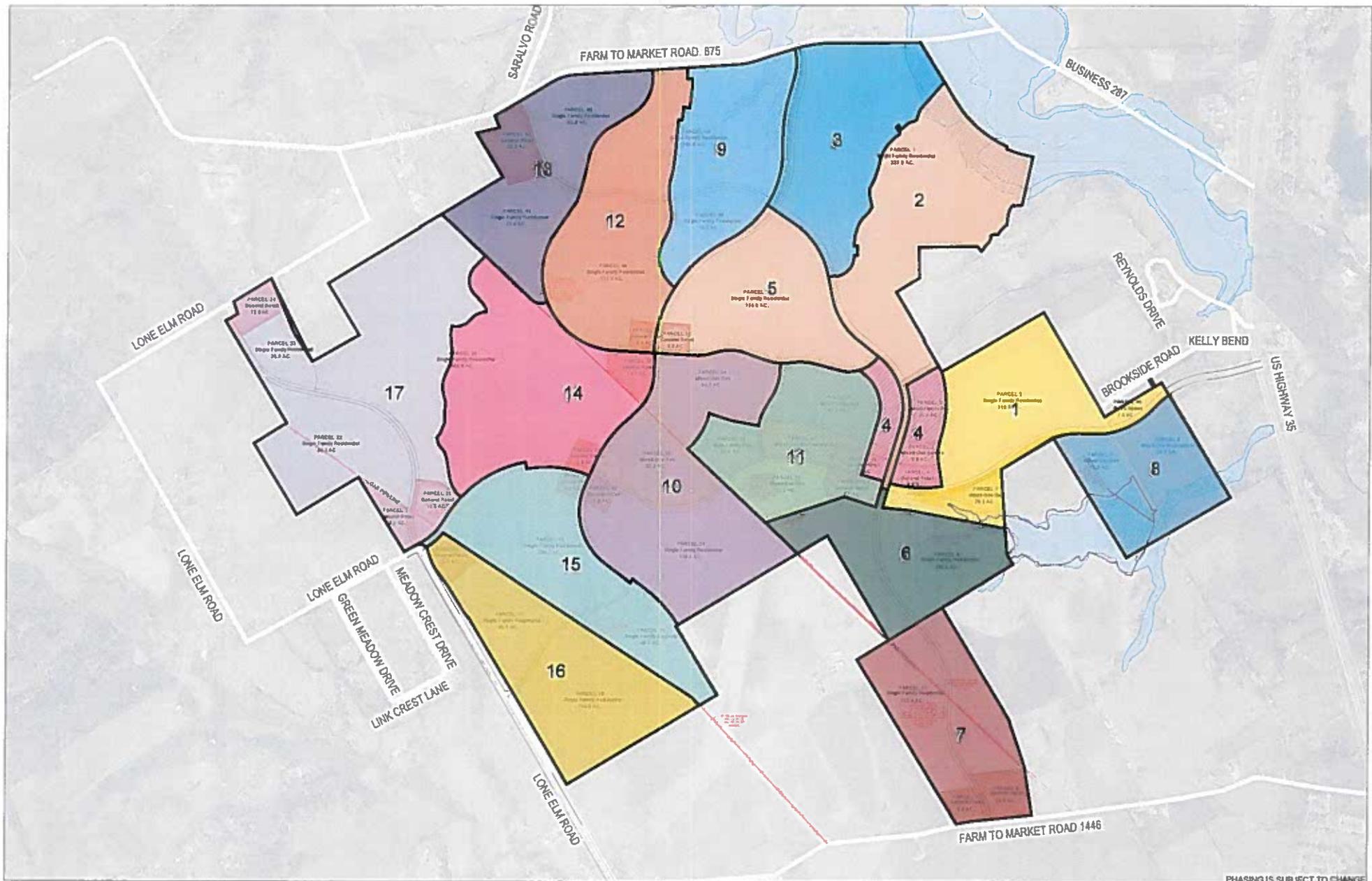
**STREET 6 - 60' ROW**  
(STREET WITH ANGLED PARKING. NOT ALLOWED IN SINGLE FAMILY DEVELOPMENTS)



**STREET 7 - 54' ROW**  
(NEIGHBORHOOD STREET)



**ALLEY 20' ROW**



PHASING IS SUBJECT TO CHANGE

EXHIBIT H  
PHASING PLAN  
EMORY LAKES  
ELLIS COUNTY, TEXAS



**COMMUNITY ENTRY DESIGN ALTERNATIVE**  
LOCATED NEAR THE MAIN ENTRANCES TO IDENTIFY & BRAND THE NAME AND LOCATION OF THE MAIN COMMUNITY ENTRANCES. TYPICALLY AT MAJOR THOROUGHFARES OR COLLECTORS



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



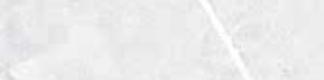
**NEIGHBORHOOD ENTRY DESIGN ALTERNATIVE**  
LOCATED ALONG MAJOR THOROUGHFARES AND COLLECTORS TO IDENTIFY THE NEIGHBORHOOD VILLAGE ENTRY



**NEIGHBORHOOD ENTRY DESIGN ALTERNATIVE**  
LOCATED ALONG MAJOR THOROUGHFARES AND COLLECTORS TO IDENTIFY THE NEIGHBORHOOD VILLAGE ENTRY



**NEIGHBORHOOD ENTRY DESIGN ALTERNATIVE**  
LOCATED ALONG MAJOR THOROUGHFARES AND COLLECTORS TO IDENTIFY THE NEIGHBORHOOD VILLAGE ENTRY



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LOCATED ALONG MAJOR THOROUGHFARES AND COLLECTORS TO IDENTIFY THE NEIGHBORHOOD VILLAGE ENTRY



**NEIGHBORHOOD ENTRY DESIGN ALTERNATIVE**  
LOCATED ALONG MAJOR THOROUGHFARES AND COLLECTORS TO IDENTIFY THE NEIGHBORHOOD VILLAGE ENTRY



**NEIGHBORHOOD ENTRY DESIGN ALTERNATIVE**  
LOCATED ALONG MAJOR THOROUGHFARES AND COLLECTORS TO IDENTIFY THE NEIGHBORHOOD VILLAGE ENTRY

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

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

**COMMUNITY ENTRY**

**COMMUNITY ENTRY**

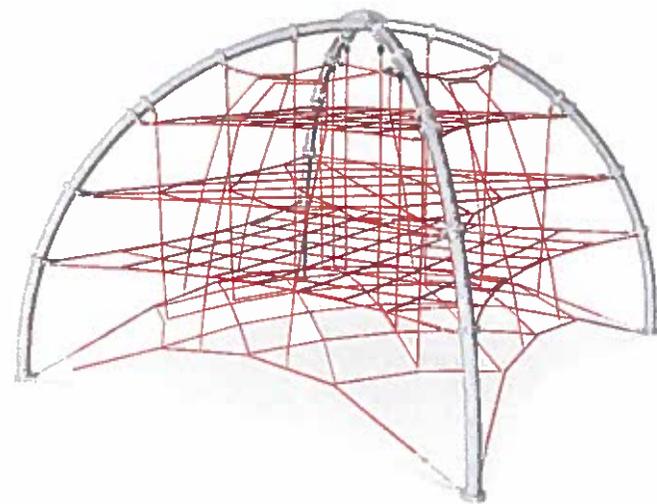
**COMMUNITY ENTRY**

**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**  
ELIUS COUNTY, TEXAS





**Zoning Districts**

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

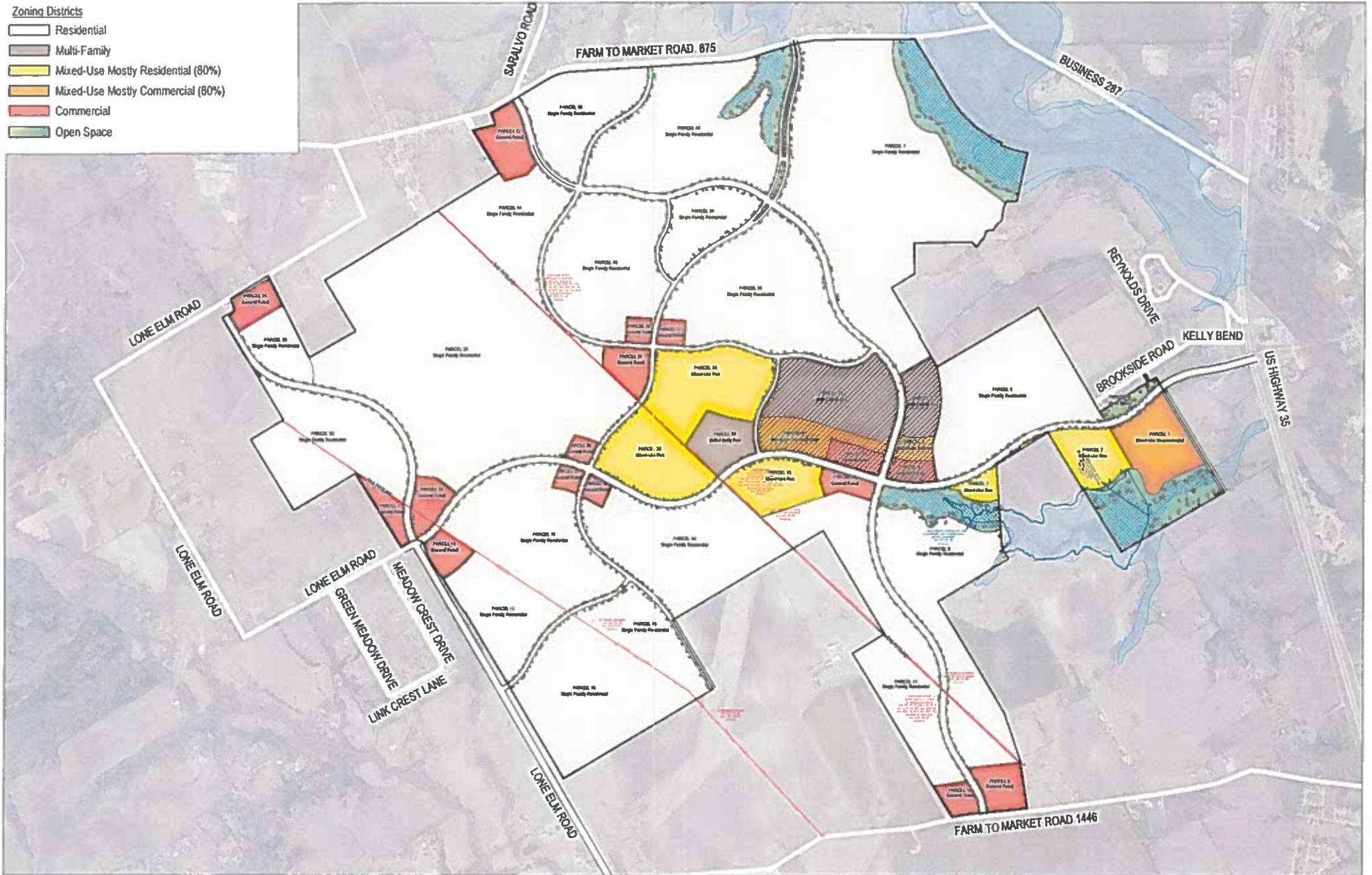


EXHIBIT L  
ZONING DISTRICTS  
**EMORY LAKES**  
ELLIS COUNTY, TEXAS