

# *A G E N D A*

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, October 12, 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. ***Reorganize*** the Commission
5. ***Consent Agenda***

All matters listed under Item 5, 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 September 28, 2021
  - b. Minutes of the Planning and Zoning Commission briefing of September 28, 2021
6. ***Continue Public Hearing*** on a request by Michael Cervantes, for a Specific Use Permit (SUP) for an Accessory Dwelling located at 240 Brookbend Drive (Property ID 208068) - Owner: EXOUSIA CONSTRUCTION, LLC (ZDC-133-2021)
7. ***Consider*** recommendation of Zoning Change No. ZDC-133-2021
8. ***Public Hearing*** on a request by Yomi and Siyanade Fayiga for a Zoning Change from a Future Development zoning to Planned Development-General Retail zoning district, located at Broadhead Road (Property ID 178923) - Owner: EQUITY TRUST COMPANY CUSTODIAN FBO (ZDC-146-2021)

9. **Consider** recommendation of Zoning Change No. ZDC-146-2021
10. **Public Hearing** on a request by Kristin Brasher, Playgrounds, Etc., for a Specific Use Permit (SUP) for an Auto Repair Facility (Caliber Collision) use within a Light Industrial-1 zoning district located at North Highway 77 (Property ID 222752) - Owner: ADEMM 1 FAMILY LIMITED PARTNERSHIP LTD (ZDC-150-2021)
11. **Consider** recommendation of Zoning Change No. ZDC-150-2021
12. **Public Hearing** on a request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Replat of Lots 49 & 50, Thompson's Southland Addition, to create Lot 49R, 1 Residential Lot, being 0.230 acres (Property ID 175967) – Owner: DARMAR INVESTMENTS (SUB-82-2021)
13. **Consider** approval of SUB-82-2021
14. **Consider** request by Bibiana Ramirez, for a Final Plat of Patrick Road Addition, Lot 1, Block A, being 1.011 acres situated in the Carter H. Hurst Survey, Abstract 456, an Addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 234433) – Owner: BIBIANA RAMIREZ & SALVADOR R MARTINEZ (SUB-132-2021)
15. **Public Hearing** on a request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Replat of Lot 9, College Addition, to create Lots 9A & 9B, College Addition, 2 Residential Lots, being 0.323 acres (Property ID 172807) – Owner: LARRY & ASHLEY DANTIC (SUB-137-2021)
16. **Consider** approval of SUB-137-2021
17. **Public Hearing** on a request by Barbara Turner, for a Replat of Lots 42 & 43, Block 181, Town Addition, to create Lot 42R, Block 181, Town Addition, 1 Residential Lot, being 0.171 acres (Property ID 171375) – Owner: BARBARA ANN TURNER (SUB-147-2021)
18. **Consider** approval of SUB-147-2021
19. **Public Hearing** on a request by Barbara Turner, for a Replat of Lots 54 & 55, Block 181, Town Addition, to create Lot 54R, Block 181, Town Addition, 1 Residential Lot, being 0.171 acres (Property ID 171364) – Owner: BARBARA ANN TURNER (SUB-148-2021)
20. **Consider** approval of SUB-148-2021
21. **Public Hearing** on a request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Replat of Lots 1 & 2, Hill-View Addition, to create Lot 1R, Hill-View Addition, 1 Residential Lot, being 0.253 acres (Property ID 174262) – Owner: GENOVER JOHNSON (SUB-138-2021)
22. **Consider** approval of SUB-138-2021

23. **Public Hearing** on a request by Justin Bright, Bright Pools. LLC, for a Specific Use Permit (SUP) for an Accessory Structure +700SF use within a Single Family-2 zoning district located at 201 E University (Property ID 176324) - Owner: JASON W & JACLYN L WILSON (ZDC-141-2021)
24. **Consider** recommendation of Zoning Change No. ZDC-141-2021
25. **Continue Public Hearing** request by Ronald Fraser, Fraser Real Estate Group, for a Specific Use Permit (SUP) for a Unified Lot Sign located at 3298 S Interstate 35E (Property ID 225222, 223397, 179035) - Owner: H&D REALTY INVESTMENTS, LLC. (ZDC-140-2021).
26. **Consider** recommendation of Zoning Change No. ZDC-140-2021
27. **Public Hearing** on a request by George Salvador for a Zoning Change from a Single Family-1 Zoning to Planned Development-Single Family zoning district, located at 401 Ovilla Road (Property ID 205458 and 171253) - Owner: EIS DEVELOPMENT II, LLC (ZDC-142-2021)
28. **Consider** recommendation of Zoning Change No. ZDC-142-2021
29. **Continue Public Hearing** on a request by Josh Meredith, Van Trust Real Estate, for a Zoning Change from Planned Development – Commercial (PD-C) and Future Development (FD) to Planned Development – Light Industrial – 1 (PD-LI1), to allow Storage Warehouse use, located just West of Interstate 35 and South of Butcher Road (Property ID 188448 & 188453) - Owner: JAMES R PITTS TRUSTEE & BUCEES, LTD (ZDC-116-2021)
30. **Consider** recommendation of Zoning Change No. ZDC-116-2021
31. 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) 309-4006 or (TDD) 1-800-RELAY TX.

<p style="text-align: center;"><i>Notice of Potential Quorum</i> <b><i>One or more members of the Waxahachie City Council may be present at this meeting.</i></b> <b><i>No action will be taken by the City Council at this meeting.</i></b></p>
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(5a)

Planning and Zoning Commission  
September 28, 2021

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, September 28, 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  
David Hudgins  
Erik Test

Members Absent: Jim Phillips

Others Present: Shon Brooks, Executive Director of Development Services  
Colby Collins, Planning Manager  
Chris Webb, Senior Planner  
Zack King, Planner  
Melissa Olson, Council Representative  
Jami Bonner, Assistant City Secretary

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 September 14, 2021
- b. Minutes of the Planning and Zoning Commission briefing of September 14, 2021

**Action:**

*Mr. David Hudgins moved to approve items a. and b. on the Consent Agenda. Ms. Bonney Ramsey seconded, All Ayes.*

5. **Public Hearing on a request by Michael Cervantes, for a Specific Use Permit (SUP) for an Accessory Dwelling located at 240 Brookbend Drive (Property ID 208068) - Owner: EXOUSIA CONSTRUCTION, LLC (ZDC-133-2021)**

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue ZDC-133-2021 to the October 12, 2021 Planning and Zoning Commission meeting.

6. **Consider recommendation of Zoning Change No. ZDC-133-2021**

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**Action:**

*Vice Chairman Melissa Ballard moved to continue the Public Hearing on a request by Michael Cervantes, for a Specific Use Permit (SUP) for an Accessory Dwelling located at 240 Brookbend Drive (Property ID 208068) - Owner: EXOUSIA CONSTRUCTION, LLC (ZDC-133-2021) to the October 12, 2021 Planning and Zoning Commission meeting. Mr. David Hudgins seconded, All Ayes.*

7. **Public Hearing on a request by Andrew Garrett, for a Specific Use Permit (SUP) for an Accessory Dwelling located at 800 Sycamore St (Property ID 176411) - Owner: A GARRETT REAL ESTATE VENTURES, LLC (ZDC-134-2021)**

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue ZDC-134-2021 to the October 26, 2021 Planning and Zoning Commission meeting.

8. **Consider recommendation of Zoning Change No. ZDC-134-2021**

**Action:**

*Mr. David Hudgins moved to continue the Public Hearing on a request by Andrew Garrett, for a Specific Use Permit (SUP) for an Accessory Dwelling located at 800 Sycamore St (Property ID 176411) - Owner: A GARRETT REAL ESTATE VENTURES, LLC (ZDC-134-2021) to the October 26, 2021 Planning and Zoning Commission meeting. Ms. Betty Square Coleman seconded, All Ayes.*

9. **Public Hearing request by Ronald Fraser, Fraser Real Estate Group, for a Specific Use Permit (SUP) for a Unified Lot Sign located at 3298 S Interstate 35E (Property ID 225222, 223397, 179035) - Owner: H&D REALTY INVESTMENTS, LLC. (ZDC-140-2021).**

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue ZDC-140-2021 to the October 12, 2021 Planning and Zoning Commission meeting.

10. **Consider recommendation of Zoning Change No. ZDC-140-2021**

**Action:**

*Mr. Erik Test moved to continue the Public Hearing request by Ronald Fraser, Fraser Real Estate Group, for a Specific Use Permit (SUP) for a Unified Lot Sign located at 3298 S Interstate 35E (Property ID 225222, 223397, 179035) - Owner: H&D REALTY INVESTMENTS, LLC. (ZDC-140-2021) to the October 12, 2021 Planning and Zoning Commission meeting. Ms. Bonney Ramsey seconded, All Ayes.*

11. **Continue Public Hearing on a request by Asa Tsang, Saturn Star, LLC, for a Zoning Change from General Retail (GR) to Planned Development – General Retail (PD-GR) to allow a Private Club use, at 617 Solon Road (Property ID 180405) - Owner: SATURN STAR REALTY, LLC (ZDC-122-2021)**

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue ZDC-122-2021 to the November 9, 2021 Planning and Zoning Commission meeting.

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**12. Consider recommendation of Zoning Change No. ZDC-122-2021**

**Action:**

*Vice Chairman Melissa Ballard moved to continue the Public Hearing on a request by Asa Tsang, Saturn Star, LLC, for a Zoning Change from General Retail (GR) to Planned Development – General Retail (PD-GR) to allow a Private Club use, at 617 Solon Road (Property ID 180405) - Owner: SATURN STAR REALTY, LLC (ZDC-122-2021) to the November 9, 2021 Planning and Zoning Commission meeting. Ms. Bonney Ramsey seconded, All Ayes.*

**13. Consider request by Kendell Wiley, for a Replat of Lots 1R-A, Block A, to create Lots 1RA & 1R-B, Block A, Wiley's Retail, being 0.996 acres (Property ID 231665) – Owner: KENDELL L & MICHELLE L WILEY (SUB-135-2021)**

Planner Zack King presented the case noting the applicant is requesting to replat the subject property from one (1) lot to two (2) lots for general use. Due to the right-of-way dedication, the applicant is also requesting a Petition of Relief waiver for existing parking and landscaping.

**Action:**

*Mr. David Hudgins moved to approve a request by Kendell Wiley, for a Replat of Lots 1R-A, Block A, to create Lots 1RA & 1R-B, Block A, Wiley's Retail, being 0.996 acres (Property ID 231665) – Owner: KENDELL L & MICHELLE L WILEY (SUB-135-2021) as presented. Ms. Bonney Ramsey seconded, All Ayes.*

**14. Consider a request by Tim Jackson, Texas Reality Capture & Surveying, LLC. for a Plat of Lot 2, Block B, Espinoza Addition Phase 2 for one (1) lot, being 14.202 acres situated in the E.C. Newton Survey, Abstract 790 (Property ID 194416) – Owner: Espinoza Stone Inc. (SUB-64-2021)**

Senior Planner Chris Webb presented the case noting the applicant is requesting to plat the subject property into one (1) lot for commercial and industrial use.

**Action:**

*Ms. Bonney Ramsey moved to approve a request by Tim Jackson, Texas Reality Capture & Surveying, LLC. for a Plat of Lot 2, Block B, Espinoza Addition Phase 2 for one (1) lot, being 14.202 acres situated in the E.C. Newton Survey, Abstract 790 (Property ID 194416) – Owner: Espinoza Stone Inc. (SUB-64-2021) as presented. Mr. David Hudgins seconded, All Ayes.*

**15. Consider request by Edison Calvopina, ES ARQ Studio, LLC for a Plat of Carrera Ranch for thirteen (13) residential lots being 16.000 acres situated in the T. Jackson Survey, Abstract 574 (Property ID 277733) in the Extra Territorial Jurisdiction - Owner: Stella Rose Homes, LLC (SUB-56-2020)**

Mr. Webb presented the case noting the applicant is requesting to plat the subject property into thirteen (13) lots for single family use. He stated due to the proposed length of road exceeding the City of Waxahachie Subdivision ordinance in regards to dead end streets, the applicant is requesting a Petition of Relief waiver. He also presented a Petition of Hardship waiver requested

by the applicant due to inadequate fire flow. After discussion and receiving support from the Ellis County Fire Marshall, City staff recommends approval as presented including Petition of Relief and Petition of Hardship requests. Mr. Webb noted the property is located in Waxahachie ETJ.

Chairman Rick Keeler confirmed with Mr. Webb that the developer is installing an eight (8) inch water line and fire hydrants every 300 feet as a condition of approval.

Chairman Rick Keeler requested the developer to respond to the commission.

Mr. Alfredo Carrera, 4010 Orchid Lane, Mansfield, TX 76063

Mr. David Hudgins asked developer, Mr. Alfredo Carrera, if he will disclose the inadequate fire flow to potential home buyers. Mr. Carrera responded that every decision Stella Rose Homes makes is ethical and legal. Mr. Carrera stated that he will work with Rockett Water Supply to bring up the water pressure.

Ms. Betty Square Coleman confirmed with Mr. Carrera that he plans to disclose the fire flow issues to home buyers. Mr. Carrera responded that the disclosure will be included in contracts. He reiterated his dedication to providing quality custom built homes and will do business transparently and look out for the best interest of their customers.

**Action:**

*Mr. David Hudgins moved to approve a request by Edison Calvopina, ES ARQ Studio, LLC for a Plat of Carrera Ranch for thirteen (13) residential lots being 16.000 acres situated in the T. Jackson Survey, Abstract 574 (Property ID 277733) in the Extra Territorial Jurisdiction - Owner: Stella Rose Homes, LLC (SUB-56-2020) as presented. Vice Chairman Melissa Ballard seconded, the vote was as follows: Ayes: Rick Keeler, Melissa Ballard, Bonney Ramsey, David Hudgins, and Erik Test. Noes: Betty Square Coleman.*

***The motion carried.***

- 16. Consider a request by Leslie Porterfield for a Plat of Porterfield Acres for two (2) lots being 4.001 acres situated in the H.G. Hurst Survey, Abstract 458 (Property ID 271129 & 202575) in the Extra Territorial Jurisdiction – Owner: Durawn McDaniel (SUB-98-2021)**

Mr. Webb presented the case noting the applicant is requesting to plat the subject property into two (2) lots for single family residential use.

**Action:**

*Vice Chairman moved to approve a request by Leslie Porterfield for a Plat of Porterfield Acres for two (2) lots being 4.001 acres situated in the H.G. Hurst Survey, Abstract 458 (Property ID 271129 & 202575) in the Extra Territorial Jurisdiction – Owner: Durawn McDaniel (SUB-98-2021) as presented. Mr. Erik Test seconded, All Ayes.*

**17. Public Hearing on a request by Patty Dickerson, for a Specific Use Permit (SUP) for a Clothing Recycling Bin located at 402 N College Street (Property ID 193309) - Owner: CENTRAL PRESBYTERIAN CHURCH (ZDC-136-2021)**

Mr. Webb presented the case noting the applicant is requesting a Specific Use Permit to allow two (2) clothing recycling bins to be located at 204 E. Parks Ave. He noted the use of the bins helps with the church's mission budget to support various programs in Waxahachie. Mr. Webb stated that staff recommends approval per the following staff comments:

1. Maintenance issues should be addressed within 24 hours
2. No trash, litter, excess donation or debris of any kind shall be allowed to accumulate within 25 feet of the donation/collection box site
3. The donation/collection box and overflow donations or trash shall not physically or visually impede traffic
4. The donation/collection box shall not stray from its approved location as a result of maintenance or service
5. The structural integrity of the donation/collection box shall be maintained at all times; any damage to the boxes compromising the integrity of the box shall be repaired within 24 hours' notice of the damage
6. The visual integrity of the donation/collection box shall be maintained at all times; all required messages shall not be allowed to degrade; maintaining visual integrity of the boxes shall include removing any graffiti and rust, as well as repairing peeling paint or stickers (if required messages are displayed via sticker) within 24 hours' notice
7. Donations/collection boxes shall be regularly serviced at least once a week; this service shall include emptying all donations from the box and completing a maintenance check & report in which any trash or damage to the box or the box site is attended to and documented
8. The operator of the donation/collection box shall retain and monitor an active email address and phone number capable of receiving messages at all times

Chairman Keeler opened the Public Hearing.

Ms. Patty Dickerson, 606 Jordan Lane, Waxahachie, TX

Ms. Dickerson explained the church receives \$.003 per 100 pounds of recycled clothes. Central Presbyterian Church receives about \$100 a month from a company that refurbishes the donated clothes. Ms. Dickerson stated that the money raised is used to fund the church's mission budget for a snack program for students, breakfast for teachers, etc. Ms. Dickerson explained that they did see an issue with excess donations around the bin. She stated they have added a second bin and have dedicated church members to monitor the bins at least three times a week.

Ms. Betty Square Coleman recognized the church's efforts to increase their monitoring of the bins stating she noticed an improvement over the past month.

There being no others to speak for or against ZDC-136-2021, Chairman Keeler closed the Public Hearing.

**18. Consider recommendation of Zoning Change No. ZDC-136-2021**

**Action:**

*Ms. Bonney Ramsey moved to approve a request by Patty Dickerson, for a Specific Use Permit (SUP) for a Clothing Recycling Bin located at 402 N College Street (Property ID 193309) - Owner: CENTRAL PRESBYTERIAN CHURCH (ZDC-136-2021) as presented. Ms. Betty Square Coleman seconded, All Ayes.*

**19. Continue Public Hearing on a request by Josh Dunlap for a Zoning Change from a Planned Development-General Retail to Planned Development-Multiple Family-2 zoning district, located at 809 Dr. Martin Luther King Jr. Blvd. (Property ID 205458 and 171253) - Owner: GIBSON & GIBSON, LLC (ZDC-105-2021)**

Planning Manger Colby Collins presented the case noting the applicant is requesting approval of a Planned Development to allow for 101 multi-family units on 7.9 acres. Mr. Collins stated the case was presented at a previous meeting when the P&Z Commission voted to continue the case in order for the applicant to address concerns over emergency access and other minor issues. He noted the applicant addressed concerns by reducing parking from 235-190 and increased interior landscaping for the development; however, the concern of emergency access has not been addressed. Mr. Collins explained that two potential options recognized at the previous meeting would not be available due to narrow road on Young St. and the adjacent property's railroad easement. Due to the continued emergency access concern, staff is recommending denial.

Ms. Square Coleman asked Mr. Collins if thirty units would be the only option available with the current fire codes. Mr. Collins confirmed that with the current plan for ingress and egress, thirty units could be built with fire codes.

Chairman Keeler continued the Public Hearing.

Mr. Josh Dunlop, 2911 Magnolia Hill Court, Dallas, TX

Mr. Dunlop shared large copies of the proposed community designs. He stated the vast majority of the materials used will be stone and brick. Mr. Dunlop recognized the difficulty of finding a second entrance. He stated the main entrance is 44' wide asphalt, 10' of sidewalks, 5' median, and 15' of easements for a total of 70' at the entrance. Mr. Dunlop asked the commission to consider the purpose of the required 24ft. wide fire lane. Mr. Dunlop requested the commission to consider a variance vote.

Chairman Keeler responded that position of the P&Z Commission is to consider the fire code in this decision. He reiterated that many of the P&Z Commissioners have reached out to the applicant and want to help the development move forward; however, the fire code must be followed.

After further discussion, Mr. David Hudgins suggested continuing the case to further investigate opportunities to ease concerns in regards to emergency access. Mr. Dunlop agreed.

**20. Consider recommendation of Zoning Change No. ZDC-105-2021**

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Planning and Zoning Commission  
September 28, 2021  
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**Action:**

*Ms. Betty Square Coleman moved to continue a request by Josh Dunlap for a Zoning Change from a Planned Development-General Retail to Planned Development-Multiple Family-2 zoning district, located at 809 Dr. Martin Luther King Jr. Blvd. (Property ID 205458 and 171253) - Owner: GIBSON & GIBSON, LLC (ZDC-105-2021) to the November 9, 2021 Planning and Zoning Commission meeting. Vice Chairman Melissa Ballard seconded, All Ayes.*

**21. Adjourn**

There being no further business, the meeting adjourned at 8:03 p.m.

Respectfully submitted,

Jami Bonner  
Assistant City Secretary

Planning and Zoning Commission  
September 28, 2021

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, September 28, 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  
Bonney Ramsey  
David Hudgins  
Erik Test

Members Absent: Betty Square Coleman  
Jim Phillips

Others Present: Shon Brooks, Executive Director of Development Services  
Colby Collins, Planning Manager  
Chris Webb, Senior Planner  
Zack King, Planner  
Melissa Olson, Council Representative  
Jami Bonner, Assistant City Secretary

**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**

Planning Manager Colby Collins reviewed the following case:

- ZDC-105-2021, applicant is requesting approval of a Planned Development to allow for 101 multi-family (hybrid/cottage style housing) units on 7.9 acres. Due to staff concerns in regards to emergency access, staff recommends denial.

Senior Planner Chris Webb reviewed the following cases:

- ZDC-133-2021, applicant requested to continue this case to the October 12, 2021 Planning and Zoning Commission Meeting.
- ZDC-134-2021, applicant requested to continue this case to the October 26, 2021 Planning and Zoning Commission Meeting.
- ZDC-140-2021, applicant requested to continue this case to the October 12, 2021 Planning and Zoning Commission Meeting.
- ZDC-122-2021, applicant requested to continue this case to the November 9, 2021 Planning and Zoning Commission Meeting.
- SUB-64-2021, applicant is requesting to plat the subject property into one (1) lot for commercial use. Staff recommends approval as presented.
- SUB-56-2020, applicant is requesting to plat the subject property into thirteen (13) lots for single family residential use. The applicant is also requesting a Petition of Relief Waiver to exceed the maximum length requirement for a dead-end street. The applicant is also requesting a Petition of Hardship Request due to water flow to homes within the

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Planning and Zoning Commission

September 28, 2021

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subdivision. Due to the Ellis County Fire Marshall's support of the proposed development, Staff recommends approval as presented.

- SUB-98-2021, applicant is requesting to plat the subject property into two lots for single family residential use. Staff recommends approval as presented.
- ZDC-136-2021, applicant is requesting a Specific Use Permit to allow two (2) recycling bins to be located at 204 E Parks Ave. Staff recommends approval per staff comments.

Planner Zack King reviewed the following cases:

- SUB-135-2021, applicant is requesting to replat the subject property from one (1) lot to two (2) lots for general retail. Due to the right-of-way dedication, the applicant is also requesting a Petition of Relief Waiver. Staff recommends approval as presented.

### **3. Adjourn**

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

Respectfully submitted,

Jami Bonner

Assistant City Secretary

(6+7)



## Memorandum

To: Honorable Mayor and City Council  
From: Shon Brooks, Executive Director of Development Services  
Thru: Michael Scott, City Manager  
Date: October 5, 2021  
Re: ZDC-133-2021 – 240 Brookbend Dr – Accessory Dwelling

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On October 5, 2021, the applicant requested to continue case no. ZDC-133-2021 from the October 12, 2021 Planning and Zoning Commission agenda and the October 20, 2021 City Council meeting agenda to the October 26, 2021 Planning and Zoning Commission meeting agenda and the November 1, 2021 City Council meeting agenda.

(8+9)



## Memorandum

To: Honorable Mayor and City Council  
From: Shon Brooks, Executive Director of Development Services  
Thru: Michael Scott, City Manager   
Date: October 5, 2021  
Re: ZDC-146-2021 – Broadhead Road Mixed Use Development

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On October 5, 2021, the applicant requested to continue case no. ZDC-146-2021 from the October 12, 2021 Planning and Zoning Commission agenda and the October 18, 2021 City Council meeting agenda to the October 26, 2021 Planning and Zoning Commission agenda and the November 1, 2021 City Council meeting agenda.

(10+11)



## Memorandum

To: Honorable Mayor and City Council  
From: Shon Brooks, Executive Director of Development Services  
Thru: Michael Scott, City Manager *[Signature]*  
Date: October 5, 2021  
Re: ZDC-150-2021 – Caliber Collision

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On October 5, 2021, the applicant requested to continue case no. ZDC-150-2021 from the October 12, 2021 Planning and Zoning Commission agenda and the October 18, 2021 City Council meeting agenda to the October 26, 2021 Planning and Zoning Commission agenda and the November 1, 2021 City Council meeting agenda.

# Planning & Zoning Department

(12)

## Plat Staff Report

Case: SUB-82-2021



### MEETING DATE(S)

*Planning & Zoning Commission:* October 5, 2021

*City Council:* N/A

### CAPTION

**Public Hearing** for a request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a **Replat** of Lots 49 & 50, Thompson's Southland Addition, to create one (1) residential lot, Lot 49R, being 0.230 acres (Property ID 175967) – Owner: DARMAR INVESTMENTS (SUB-82-2021)

### APPLICANT REQUEST

The applicant is requesting to replat the subject property into one (1) lot for single family residential use.

### CASE INFORMATION

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

*Property Owner(s):* Darmar Investments

*Site Acreage:* 0.230 acres

*Number of Lots:* 1 lot

*Number of Dwelling Units:* 1 unit

*Park Land Dedication:* N/A (No new lot is being created by replat)

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

### SUBJECT PROPERTY

*General Location:* The subject property is located on the northeast corner of the Gravel Street – Finley Street intersection.

*Parcel ID Number(s):* 175967

*Current Zoning:* Single Family-3 (SF-3)

*Existing Use:* Currently undeveloped

*Platting History:* The subject property is currently platted as Lots 49 and 50, Thompson Southland Addition.

(12)

Site Aerial:



**PLATTING ANALYSIS**

The applicant is requesting to replat the subject property from two (2) lots into one (1) lot for single family residential use. The property is 0.230 acres in size. It should be noted that the paving for Gravel Street has shifted, and now sits on top of a portion of the existing Lot 50. Due to this, the applicant is replatting the subject property into one lot. As part of the replat, the applicant is making a variable width ROW dedication (27 ft. from the center of Gravel Street). Public utilities are available to the subject property.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, **11** 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:

- Disapproval
- Approval, as presented.

**ATTACHED EXHIBITS**

1. Plat Drawing

**APPLICANT REQUIREMENTS**

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

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**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

Senior Planner

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

*Reviewed by:*

Shon Brooks, AICP

Executive Director of Development Services

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



Planning & Zoning Department  
Plat Staff Report

(14)



Case: SUB-132-2021

**MEETING DATE(S)**

Planning & Zoning Commission: October 12, 2021

**CAPTION**

*Consider* a request by Bibiana Ramirez, for a **Final Plat** of Patrick Road Addition, Lot 1, Block A, being 1.011 acres situated in the Carter H. Hurst Survey, Abstract 456, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 234433) – Owner: BIBIANA RAMIREZ & SALVADOR R MARTINEZ (SUB-132-2021)

**APPLICANT REQUEST**

The applicant is requesting to plat the subject property into one (1) lot for single family residential use.

**CASE INFORMATION**

*Applicant:* Bibiana Ramirez  
*Property Owner(s):* Bibiana Ramirez  
*Site Acreage:* 1.011 acres  
*Number of Lots:* 1 lots  
*Number of Dwelling Units:* 1 units  
*Park Land Dedication:* N/A  
*Adequate Public Facilities:* Adequate Public Facilities are available via Rocket SUD

**SUBJECT PROPERTY**

*General Location:* 600 feet west of 2920 Patrick Rd.  
*Parcel ID Number(s):* 234433  
*Current Zoning:* N/A (ETJ)  
*Existing Use:* The subject property is currently undeveloped  
*Platting History:* The site is not currently platted and is located in the C H Hurst survey, Abstract 456.

(14)

Site Aerial:



**PLATTING ANALYSIS**

The purpose of this plat is to create a single one (1) acre lot for single family residential use. Adequate public facilities are available for the proposed plat via Rockett SUD, as well as on-site septic. The lot is located outside of the 100 year floodplain and conforms to all setback and easement requirements.

**RECOMMENDATION**

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

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

**ATTACHED EXHIBITS**

1. Plat Drawing
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.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
  - a. If comments were not satisfied, then applicant will be notified to make corrections.
  - b. If all comments satisfied, applicant shall provide five signed, hard-copy plats.

**STAFF CONTACT INFORMATION**

*Prepared by:*  
Zack King  
Planner  
[zking@waxahachie.com](mailto:zking@waxahachie.com)

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



(14)



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: Bibiana Ramirez Parcel ID #: 234433  
Subdivision Name: \_\_\_\_\_

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

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

Contact Information:

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

To be completed by the water utility provider:

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

Jacob Morales  
Print Name of General Manager of water provider or Designee

Rockett SUD  
Name of water provider company

\_\_\_\_\_  
Signature of General Manager of water provider or Designee

9/3/2021  
Date

**Planning & Zoning Department**  
**Plat Staff Report**

(15)



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**Case: SUB-137-2021**

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**MEETING DATE(S)**

*Planning & Zoning Commission:* October 12, 2021

**CAPTION**

**Public Hearing** request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a **Replat** of Lot 9, College Addition, to create Lots 9A & 9B, College Addition, 2 Residential Lots, being 0.323 acres (Property ID 172807) – Owner: LARRY & ASHLEY DANTIC (SUB-137-2021)

**APPLICANT REQUEST**

The applicant is requesting to replat the subject property into two (2) lots for single family residential use.

**CASE INFORMATION**

*Applicant:* Tim Jackson

*Property Owner(s):* Larry Dantic & Ashley Dantic

*Site Acreage:* 0.323 acres

*Number of Lots:* 2 lots

*Number of Dwelling Units:* 2 units

*Park Land Dedication:* The cash-in-lieu for park land dedication is \$400.00 (1 additional residential lot at \$400.00 per lot).

*Adequate Public Facilities:* Adequate Public Facilities are available

**SUBJECT PROPERTY**

*General Location:* 415 Williams Street

*Parcel ID Number(s):* 172807

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

*Existing Use:* A single family residence currently exists on the site.

*Platting History:* The subject property was originally platted as Lot 9 of the College Addition.

(15)

Site Aerial:



**PLATTING ANALYSIS**

The purpose of this replat is to divide the existing single lot into two (2) lots for single family residential use. Adequate public facilities are available to the site from Mckenzie Street. The subject property is located within the Infill Overlay District and meets or exceeds all requirements of Sec. 3.25 of the City of Waxahachie Zoning Ordinance.

**PUBLIC NOTIFICATION RESPONSES**

Staff has received three (3) letters of support for the proposed replat.

**RECOMMENDATION**

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

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

**ATTACHED EXHIBITS**

1. PON Responses
2. Replat

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*  
Zack King  
Planner  
[zking@waxahachie.com](mailto:zking@waxahachie.com)

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

PropertyID	Owner's Name	Owner's Address	Owner's City	Owner's State	Owner's ZIP
172829	MIRELES KRISTINA M	105 MAGNOLIA DR	WAXAHACHIE	TX	75165
172583	VALLES RUTHE	106 BUTLER LN	WAXAHACHIE	TX	75165
172808	GALLAGHER KERRY & CATHERINE T	1630 STAINBACK RD	RED OAK	TX	75154
172795	SIMPSON RONALD C	202 BRIGGS ST	WAXAHACHIE	TX	75165
172803	SIMPSON RONALD C	202 BRIGGS ST	WAXAHACHIE	TX	75165
172736	TORRES	207 MCKENZIE ST	WAXAHACHIE	TX	75165
172735	ARROYO CELIA	208 PENN ST	WAXAHACHIE	TX	75165
172826	LETT JAMES JR	212 PENN ST	WAXAHACHIE	TX	75165
172575	ROJAS ALFREDO	303 MCKENZIE ST	WAXAHACHIE	TX	75165
172738	ELLIOTT JAMES R & C JOY	304 SPRING CREEK DR	WAXAHACHIE	TX	75165
172805	BUNCH COMELLIA JOY & ELLIOTT JAMES R	304 SPRING CREEK DR	WAXAHACHIE	TX	75165
172806	BUNCH RICHARD EDWIN & COMELLIA JOY	304 SPRING CREEK DR	WAXAHACHIE	TX	75165
172809	MORGAN PHINIS & ELIZABETH J	323 E UNIVERSITY AVE	WAXAHACHIE	TX	75165
172827	RIVERA NYDIA	360 HIDALGO RD	WAXAHACHIE	TX	75167
171742	HUNTER BILLY H	402 WILLIAMS ST	WAXAHACHIE	TX	75165
171743	CHAPMAN JOE P & DELIA	404 WILLIAMS ST	WAXAHACHIE	TX	75165
171744	MC NEAL PAULA D	406 WILLIAMS ST	WAXAHACHIE	TX	75165
172800	DAVIDSON BRAD & RACHEL	407 WILLIAMS ST	WAXAHACHIE	TX	75165
171735	WILSON REBEKAH L	410 WILLIAMS ST	WAXAHACHIE	TX	75165
172807	DANTIC LARRY & ASHLEY	415 WILLIAMS ST	WAXAHACHIE	TX	75165
172574	SPILLMAN JACQUELYN	500 WILLIAMS ST	WAXAHACHIE	TX	75165
172582	BENAVIDES RAFAEL & GREGORIA S	503 FARLEY ST	WAXAHACHIE	TX	75165
172729	TAMEZ LUPE	507 WILLIAMS ST	WAXAHACHIE	TX	75165
172737	RODDY CLINT & RODDY JIM TOM	673 BROOKVISTA CT W	WAXAHACHIE	TX	75165
172828	HILL VINCENT LEE	91 LILLY LN	WAXAHACHIE	TX	75165



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-137-2021

RECEIVED SEP 27 2021

DANTIC LARRY & ASHLEY  
415 WILLIAMS ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 12, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 18, 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 Tim Jackson, Texas Reality Capture & Surveying, LLC, for a **Replat** of Lot 9, College Addition, to create two (2) residential lots, Lots 9A & 9B, College Addition, being 0.323 acres (Property ID 172807) – Owner: LARRY & ASHLEY DANTIC (SUB-137-2021)

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: SUB-137-2021

City Reference: 172807

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, October 5, 2021** to ensure inclusion in the Agenda Packet. Forms can be emailed 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:

Ashley Dantic  
Signature  
Ashley Dantic  
Printed Name and Title

09/27/21  
Date  
415 Williams St  
Address  
waxahachie, TX  
75165

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

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



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-137-2021



WILSON REBEKAH L  
410 WILLIAMS ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 12, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 18, 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 Tim Jackson, Texas Reality Capture & Surveying, LLC, for a **Replat** of Lot 9, College Addition, to create two (2) residential lots, Lots 9A & 9B, College Addition, being 0.323 acres (Property ID 172807) – Owner: LARRY & ASHLEY DANTIC (SUB-137-2021)

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: SUB-137-2021

City Reference: 171735

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

Rebekah Wilson  
Signature

10/4/2021  
Date

Rebekah Wilson, Home owner  
Printed Name and Title

410 Williams 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.*

Case Number: SUB-137-2021

City Reference: 172574

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

Comments:  SUPPORT  OPPOSE

Jacquelyn Spillman  
Signature

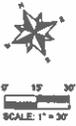
9/28/21  
Date

Jacquelyn Spillman  
Printed Name and Title

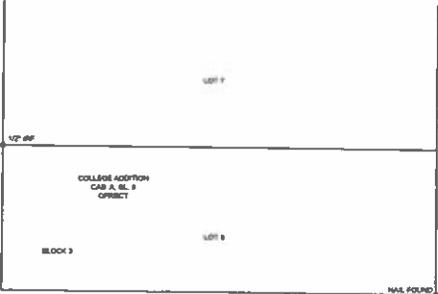
500 Williams St  
Address  
Waxahachie, TX

*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.*



VICINITY MAP  
NOT TO SCALE



MCKENZIE STREET  
(CALLED BY ROW)

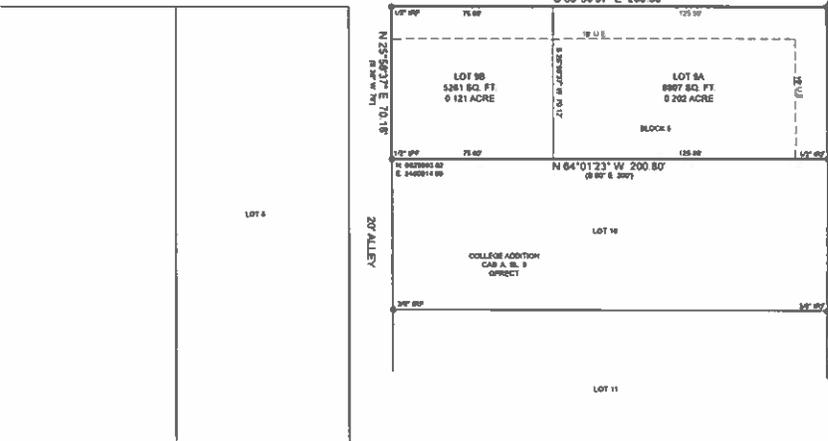
JACQUELYN BULLMAN  
VOL. 288, PG. 1574  
CORRECT

MCKENZIE STREET  
(CAL. 183 1/2 ROW)

REBEKAH L. HILSON  
INSTR. NO. 188479  
CORRECT

PAULA D. MCNEAL  
VOL. 218, PG. 1140  
CORRECT

OR SPACE FND



P.O.B.  
1/2" IRON  
N 88°57'14"  
E 248'11"82

WILLIAMS STREET  
(CALLED BY ROW)

LEGEND  
CRS = 1/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "2020" SET  
FND = FOUND  
RP = IRON ROD FOUND  
CORRECT = OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS  
PRICT = PLAT RECORDS ELLIS COUNTY TEXAS

NOTES  
BEARING BASE FOR THIS SURVEY IS TEXAS COORDINATE SYSTEM NORTH CENTRAL ZONE 42N, HAD 63 PER GPS OBSERVATIONS  
ALL OF THE SUBJECT PROPERTY LIES WITHIN ZONE "C" DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 2% ANNUAL CHANCE FLOODPLAIN" ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48130C2189F, DATED JUNE 3, 2011, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY

OWNERS  
LARRY DANTIC &  
ASHLEY DANTIC  
1007 FERRIS AVENUE  
WAXAHACHE, TX 75165  
214.901.1740

SURVEYOR  
TEXAS REALTY CAPTURE &  
SURVEYING, LLC  
P.O. BOX 258  
WAXAHACHE, TEXAS 75169  
409.318.8338  
TBPLS FROM NO. 10194360

REPLAT  
**LOTS 9A & 9B  
COLLEGE ADDITION**  
BEING A REPLAT OF  
LOT 8  
COLLEGE ADDITION  
CABINET A, SLIDE 8,  
OFFICIAL PUBLIC RECORDS, ELLIS COUNTY TEXAS  
0.223 ACRES  
2 RESIDENTIAL LOTS  
ZONED SF-3  
CASE NO. SUB 137-2021

(15)

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

WHEREAS LARRY DANTIC AND ASHLEY DANTIC ARE THE SOLE OWNERS OF A TRACT OF LAND SHOWN IN THE W & E SURVEY ABSTRACT NO. 288, CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS, AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN DEEDS LARRY DANTIC AND ASHLEY DANTIC, RECORDED IN INSTRUMENT NO. 161886, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (HEREIN, SAID BEING ALL OF LOT 9, BLOCK A, COLLEGE ADDITION, AN ADDITION TO THE CITY OF WAXAHACHE, ACCORDING TO THE PLAT THEREOF, RECORDED IN CABINET A, BLADE 8, OBJECT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT 9 AND BEING THE INTERSECTION OF THE SOUTH FRONT-OR-REAR (NOW) LINE OF KENNEDY STREET (A CALLED BY NOW) AND THE COMMON WEST BOUNDARY LINE OF WILLIAMS STREET (A CALLED BY NOW);

THENCE S 27°10'11" E ALONG THE EAST LINE OF SAID LOT 9 AND THE COMMON WEST BOUNDARY LINE OF SAID WILLIAMS STREET A DISTANCE OF 76.80 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 9 AND THE COMMON NORTHEAST CORNER OF LOT 16, OF SAID COLLEGE ADDITION;

THENCE N 84°17'22" E ALONG THE SOUTH LINE OF SAID LOT 9 AND THE COMMON NORTH LINE OF SAID LOT 16, A DISTANCE OF 368.88 FEET TO A 1/2" IRON PIPE FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 9 AND THE COMMON NORTHWEST CORNER OF SAID LOT 16, 4.490 IN THE EAST LINE OF A CALLED BY ALLEY;

THENCE N 27°37'37" E ALONG THE WEST LINE OF SAID LOT 9 AND THE COMMON EAST LINE OF SAID ALLEY, A DISTANCE OF 76.16 FEET TO THE NORTHWEST CORNER OF SAID LOT 9, AND BEING THE INTERSECTION OF THE EAST LINE OF SAID ALLEY AND THE SOUTH BOUNDARY LINE OF SAID KENNEDY STREET;

THENCE S 87°37'37" E, ALONG THE NORTH LINE OF SAID LOT 9 AND THE COMMON SOUTH BOUNDARY LINE OF SAID KENNEDY STREET, A DISTANCE OF 368.88 FEET TO THE POINT OF BEGINNING, AND CONTAINING 8.323 ACRES OF LAND, MORE OR LESS

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT LARRY DANTIC AND ASHLEY DANTIC, DO HEREBY ADOPT THIS PLAT OBSERVING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOTS 9A AND 9B, COLLEGE ADDITION, AN ADDITION TO THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS, AND DOES HEREBY DEDICATE, IN FREE BOND, TO THE CITY OF WAXAHACHE, TEXAS FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON THE STREETS AND ALLEYS ARE DESIGNATED FOR STREET PURPOSES, THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DESIGNATED FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, WALLS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE INSTALL, USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR CROSS THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES. SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC AND CITY OF WAXAHACHE'S USE THEREOF. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REPAIR AND MAINTAIN, REMOVE ALL OR PARTS OF ANY BUILDINGS, FENCES, WALLS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY BE IN VIOLATION OF OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF ACCESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSES OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ACCORD TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

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

IN WITNESS WHEREOF, I, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021

LARRY DANTIC ASHLEY DANTIC

STATE OF TEXAS  
COUNTY OF ELLIS

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

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

NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS  
COUNTY OF ELLIS

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

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

NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS

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

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

TIMOTHY L. JACKSON  
REGISTRATION NUMBER 5664

APPROVED BY PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

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

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

REPLAT  
**LOTS 9A & 9B  
COLLEGE ADDITION**

BEING A REPLAT OF  
LOT 9  
COLLEGE ADDITION  
CABINET A, BLADE 8,  
OFFICIAL PUBLIC RECORDS, ELLIS COUNTY TEXAS  
OF CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS  
8.323 ACRES  
2 RESIDENTIAL LOTS  
ZONED SF-2  
CASE NO. SUB 137-3021

OWNERS  
LARRY DANTIC &  
ASHLEY DANTIC  
1607 FERRELL AVENUE  
WAXAHACHE, TX 75166  
214.801.1740

SURVEYOR  
TEXAS REALTY CAPTURE &  
SURVEYING, LLC  
P.O. BOX 252  
WAXAHACHE, TEXAS 75168  
408.516.0338  
TBPLS FIRM NO 10184369

**Planning & Zoning Department**  
**Plat Staff Report**

(17)



**Case: SUB-147-2021**

**MEETING DATE(S)**

*Planning & Zoning Commission:* October 12, 2021

**CAPTION**

**Public Hearing** request by Barbara Turner, for a **Replat** of Lots 42 & 43, Block 181, Town Addition, to create Lot 42R, Block 181, Town Addition, 1 Residential Lot, being 0.171 acres (Property ID 171375) – Owner: BARBARA ANN TURNER (SUB-147-2021)

**APPLICANT REQUEST**

The applicant is requesting to replat the subject property from two (2) lots into one (1) lot for single family residential use.

**CASE INFORMATION**

*Applicant:* Barbara Turner

*Property Owner(s):* Barbara Turner

*Site Acreage:* 0.171 acres

*Number of Lots:* 1 lot

*Number of Dwelling Units:* 1 unit

*Park Land Dedication:* N/A

*Adequate Public Facilities:* Adequate domestic sewer and water services are available to the site. However, a new fire hydrant is required in order to provide adequate fire coverage to the site. This fire hydrant will be furnished by the City of Waxahachie.

**SUBJECT PROPERTY**

*General Location:* 108 Griffin Street

*Parcel ID Number(s):* 171375

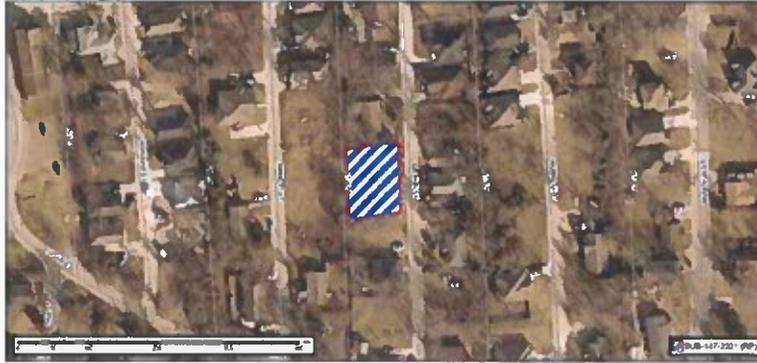
*Current Zoning:* Single Family-3 (SF3)

*Existing Use:* The site is currently undeveloped.

*Platting History:* The site was originally platted as Lots 42 & 43, Block 181, Town Addition

(17)

Site Aerial:



### **PLATTING ANALYSIS**

The applicant is proposing to replat the subject property from two (2) lots into one (1) lot for single family residential use. The subject property is located within the Infill Overlay District, and meets or exceeds all requirements of Sec. 3.25 of the City of Waxahachie Zoning Ordinance. Adequate domestic sewer and water services are available to the site. However, a new fire hydrant is required in order to provide adequate fire coverage to the site. The Utilities and Fire Departments have identified this area as lacking in adequate fire coverage. Due to this, the Utilities Department has agreed to furnish the fire hydrant required for this replat. The Utilities Department is currently reviewing estimates for the cost of installing hydrant and expects installation to occur in the 1<sup>st</sup> quarter of 2022.

### **PUBLIC NOTIFICATION RESPONSES**

Staff has received four (4) letters of support for the proposed replat.

### **RECOMMENDATION**

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

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

### **ATTACHED EXHIBITS**

1. PON Responses
2. Replat

(17)

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*

Zack King

Planner

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

*Reviewed by:*

Shon Brooks, AICP

Executive Director of Development Services

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

PropertyID	Owner's Name	Owner's Address	Owner's City
171372	VERA ALEJANDRA F	101 SHELLY RD	WILMER
171378	VIEN LADD	1015 FERRIS AVE	WAXAHACHIE
171362	LOREN GRAY INVESTMENTS LLC	104 JARRETT ST	WAXAHACHIE
171352	CFLP INVESTMENTS LLC	1050 PIERCE RD	RED OAK
171374	APRACE INVESTMENTS LLC	1050 PIERCE RD	RED OAK
171387	APRACE INVESTMENTS LLC	1050 PIERCE RD	RED OAK
277832	CUADROS SABINO S & SOSA WENDIS	106 BURNETT ST	WAXAHACHIE
171294	SANCHEZ KARINA & DELFINA CEBALLOS	108 BURNETT ST	WAXAHACHIE
171379	CRUZ JAVIER T & MARIA T	109 GRIFFIN ST	WAXAHACHIE
226134	JAY TIMOTHY A SR & SHARON EVON	111 GRIFFIN ST	WAXAHACHIE
171366	DISMUKE SHIRLEY R	115 JARRETT ST	WAXAHACHIE
171373	LAPORTE JOSEPHINE E	116 GRIFFIN ST	WAXAHACHIE
274667	KACZMARSKI ADAM M	116 JARRETT ST	WAXAHACHIE
171381	MOORE LEE E ETAL	122 GRIFFIN ST	WAXAHACHIE
171382	WILLIAMS J E & LEE ETHEL MOORE	122 GRIFFIN ST	WAXAHACHIE
171377	SCRANTON CHARLES ETAL	123 HOLDER RD	FORRESTON
171371	GILLUM BERNICE ETAL	1428 MISTY GLEN LN	DALLAS
171359	MORENO PEDRO & LAURA C	1528 FM 664	FERRIS
171365	SILVERBACK DEVELOPMENT INC	2610 MASON LN	CEDAR HILL
171367	JACKSON FRONCELL C/O RENARD JACKSON	2715 TRANQUIL WAY	DALLAS
171360	JOHNSON IKEA	322 WESTERN SKY LN	WAXAHACHIE
171300	BROWN OTTO	456 ALCORN AVE	DALLAS
171301	BROWN OTTO	456 ALCORN AVE	DALLAS
171292	HAFFORD FELICIA & RONDA C/D	6969 SUNFLOWER CIR N	FT WORTH
171293	HAFFORD FELICIA & RONDA C/D	6969 SUNFLOWER CIR N	FT WORTH
171385	RS DALLAS OWNER 2 LP	717 N HARWOOD ST STE 2800	DALLAS
171380	KNIDRED BERNICE ET AL	7550 S WESTMORELAND RD APT 413	DALLAS
171364	TERRELL CLAUDIE W JR ETAL	7950 SNAPWELL DR	FAIRBURN
171375	TERRELL CLAUDIE W JR ETAL	7950 SNAPWELL DR	FAIRBURN
171384	GAY IRA E ETAL	800 WYATT ST	WAXAHACHIE
171370	KIRKPATRICK LAUREN K & ZACHARY	95 JARRETT ST	WAXAHACHIE
283978	FERNANDEZ ARMANDO & ANA	97 JARRETT ST	WAXAHACHIE
171386	FINDLEY GARY A & KIM	P O BOX 23936	WACO
171369	MAHDI NIMR A	PO BOX 1	FORRESTON
171361	LOREN GRAY INVESTMENTS LLC	PO BOX 2868	WAXAHACHIE
171368	LOREN GRAY INVESTMENTS LLC	PO BOX 2868	WAXAHACHIE
171392	LOREN GRAY INVESTMENTS LLC	PO BOX 2868	WAXAHACHIE



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-147-2021

CUADROS SABINO S & SOSA WENDIS  
106 BURNETT ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 12, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 18, 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 Barbara Turner, for a **Replat** of Lots 42 & 43, Block 181, Town Addition, to create one (1) residential lot. Lot 42R, Block 181, Town Addition, being 0.171 acres (Property ID 171375) – Owner: BARBARA ANN TURNER (SUB-147-2021)

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: SUB-147-2021

City Reference: 277632

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

\_\_\_\_\_  
*Wendis Sosa*  
Signature Date  
Sabino Sosa / Wendis Sosa 106 Burnett St. Waxahachie Tx  
Printed Name and Title Address

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

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

(17)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: **SUB-147-2021**



LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

RECEIVED OCT 05 2021

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 12, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 18, 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 Barbara Turner, for a **Replat** of Lots 42 & 43, Block 181, Town Addition, to create one (1) residential lot, Lot 42R, Block 181, Town Addition, being 0.171 acres (Property ID 171375) – Owner: BARBARA ANN TURNER (SUB-147-2021)

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Case Number: **SUB-147-2021**

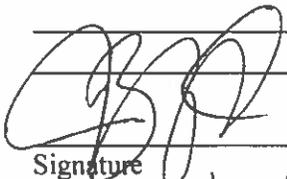
City Reference: 171361

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SUPPORT

OPPOSE

Comments:

  
Signature  
Brad Yates  
Printed Name and Title

10/4/21  
Date  
PO Box 2868  
Address  
Wax. TX. 75168

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(17)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-147-2021

RECEIVED OCT 05 2021

LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

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Case Number: SUB-147-2021

City Reference: 171392

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SUPPORT

OPPOSE

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature  
*Brad Yates*  
Printed Name and Title

*10/4/21*  
Date  
*PO Box 2868*  
Address  
*Wax. TX. 75168*

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(17)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-147-2021

RECEIVED OCT 05 2021

LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

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- 1. Request by Barbara Turner, for a **Replat** of Lots 42 & 43, Block 181, Town Addition, to create one (1) residential lot, Lot 42R, Block 181, Town Addition, being 0.171 acres (Property ID 171375) – Owner: BARBARA ANN TURNER (SUB-147-2021)

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Case Number: SUB-147-2021

City Reference: 171368

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SUPPORT

OPPOSE

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature  
*Brad Yates*  
Printed Name and Title

*10/4/21*  
Date  
*PO Box 2868*  
Address  
*Wax. TX. 75168*

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(17)

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

WHEREAS, BARBARA ANN TURNER, am the owner of a tract of land situated in the A. M. Keen Survey, Abstract No. 506, Ellis County, Texas and being Lots 42 and 43, Block 181, Town Addition, City of Waxahachie, Ellis County, Texas, being four 3729 square foot tracts described in deed from Claude William Terrell, Jr., et al. to Barbara Ann Turner, recorded in Instrument Number 2130560, Official Public Records, Ellis County, Texas, and being more particularly described as follows:

FIELD NOTES  
LOT 42R, BLOCK 181

BEING Lots 42 and 43, Block 181, Town Addition, City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Volume 188, Page 207, Deed Records, Ellis County, Texas, and being part of the tract described in deed from Claude William Terrell, Jr., et al. to Barbara Ann Turner, recorded in Instrument Number 2130560, Official Public Records, Ellis County, Texas, and being more particularly described as follows:

BEGINNING at a 1/4 inch steel rod, with plastic cap stamped "CBG SURVEYING", found on the west right of way line of Griffin Street, at the southeast corner of said Lot 42 and the northwest corner of Lot 41 of said Block 181, Town Addition, said point having Texas Coordinate System, North Central Zone NAD 83 values of N = 6829886.085 and E = 2482884.662,

THENCE S 61°45'47" W, with the common line of said Lots 41 and 42, a distance of 75.00 feet (plat call (S 64° W, 75 feet) to a point on the east right of way line of a 15 foot alley at the common west corner of said Lots 41 and 42, from which a 1/4 inch steel rod, with plastic cap stamped "CBG SURVEYING", found bears N 80°10'47" E, 0.23 feet.

THENCE N 02°10'19" W, with said alley right of way line and the west line of said Lots 42 and 43, a distance of 100.00 feet (plat NORTH, 100 feet) to a 1/4 inch steel rod, with plastic cap stamped "Davis & McDill" set at the common west corner of said Lot 43 and of Lot 44 of said Block 181, Town Addition,

THENCE N 81°45'47" E, with the common line of said Lots 43 and 44, a distance of 75.00 feet (plat call N 84° E, 75 feet) to a 1/4 inch steel rod, with plastic cap stamped "Davis & McDill" set, on said Griffin Street right of way line and at the common east corner of said Lots 43 and 44.

THENCE S 02°10'19" E, with said Griffin Street right of way line and the east line of said Lots 42 and 43, a distance of 100.00 feet (plat NORTH, 100 feet) to the point of beginning and containing approximately 7456 square feet or 0.171 acre of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

That Barbara Ann Turner acting herein by and through its duly authorized officers, does hereby adopt the plat designating the herein above described property as LOT 42R, BLOCK 181, TOWN ADDITION, an addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waxahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Waxahachie, Texas.

WITNESS, my hand, this the \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_  
BY:

Authorized Signature of Owner  
BARBARA ANN TURNER

STATE OF TEXAS §  
COUNTY OF ELLIS §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared BARBARA ANN TURNER, Owner, 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 \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

Notary Public in and for the State of Texas

My Commission Expires On

SURVEYOR'S CERTIFICATE.  
KNOW ALL MEN BY THESE PRESENTS:

That I, Stuart G. Hamilton, RPLS 4480, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie.

*Stuart G. Hamilton*  
Registered Professional Land Surveyor  
Number 4480



DATE

APPROVED BY: Planning and Zoning Commission City of Waxahachie

By \_\_\_\_\_ Date \_\_\_\_\_  
Chairperson \_\_\_\_\_ Date \_\_\_\_\_  
Attest \_\_\_\_\_ Date \_\_\_\_\_

REPLAT  
**TOWN ADDITION,  
BLOCK 181, LOTS 42R**  
Being a 0.171 Acre Replat of Lots 42 and 43  
Block 181, TOWN ADDITION  
City of Waxahachie, Ellis County, Texas  
One Residential Lot  
Zoned SF-3  
City of Waxahachie Case Number SUB-147-2021

ENGINEERS  
**D & M**  
SURVEYORS

**DAVIS & McDILL, Inc.**

P.O. BOX 428, Waxahachie, Texas 75168  
Phone: 972-938-1185

( a Texas Registered Surveying Firm # 10194801, and a Texas Licensed Engineering Firm # 7-8439 )

Drawn: D. Hocutt/gsh Date: August 23, 2021 Job: 221-0086R42R

(19)

# Planning & Zoning Department Plat Staff Report

Case: SUB-148-2021



**MEETING DATE(S)**

*Planning & Zoning Commission:* October 12, 2021

**CAPTION**

**Public Hearing** request by Barbara Turner, for a **Replat** of Lots 54 & 55, Block 181, Town Addition, to create Lot 54R, Block 181, Town Addition, 1 Residential Lot, being 0.171 acres (Property ID 171364) – Owner: BARBARA ANN TURNER (SUB-148-2021)

**APPLICANT REQUEST**

The applicant is requesting to replat the subject property from two (2) lots into one (1) lot for single family residential use.

**CASE INFORMATION**

<i>Applicant:</i>	Barbara Turner
<i>Property Owner(s):</i>	Barbara Turner
<i>Site Acreage:</i>	0.171 acres
<i>Number of Lots:</i>	1 lot
<i>Number of Dwelling Units:</i>	1 unit
<i>Park Land Dedication:</i>	N/A
<i>Adequate Public Facilities:</i>	Adequate Public Facilities are available to the site.

**SUBJECT PROPERTY**

<i>General Location:</i>	107 Jarrett Street
<i>Parcel ID Number(s):</i>	171364
<i>Current Zoning:</i>	Single Family-3 (SF3)
<i>Existing Use:</i>	The site is currently undeveloped.
<i>Platting History:</i>	The site was originally platted as Lots 54 & 55, Block 181, Town Addition

(19)

Site Aerial:



**STAFF CONCERNS**

The applicant is proposing to replat the subject property from two (2) lots into one (1) lots for single family residential use. Adequate Public Facilities are available to the site. Additionally, the subject property is located within the Infill Overlay District and meets or exceeds all requirements of Sec. 3.25 of the City of Waxahachie Zoning Ordinance.

**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:

**PUBLIC NOTIFICATION RESPONSES**

Staff has received six (6) letters of support for the proposed replat.

- Note: All letters support letters are from the same property owner.

**ATTACHED EXHIBITS**

1. PON Responses
2. Replat

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*  
 Zack King  
 Planner  
[zking@waxahachie.com](mailto:zking@waxahachie.com)

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

(19)

PropertyID	Owner's Name	Owner's Address	Owner's City
283662	VIEN LADD	1015 FERRIS AVE	WAXAHACHIE
171362	LOREN GRAY INVESTMENTS LLC	104 JARRETT ST	WAXAHACHIE
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171367	JACKSON FRONCELL C/O RENARD JACKSON	2715 TRANQUIL WAY	DALLAS
171348	GOMEZ ALFREDO A & DURAN ANA Y L	2900 S INTERSTATE HWY 35 E TRLR 214	WAXAHACHIE
171360	JOHNSON IKEA	322 WESTERN SKY LN	WAXAHACHIE
171385	RS DALLAS OWNER 2 LP	717 N HARWOOD ST STE 2800	DALLAS
171380	KNIDRED BERNICE ET AL	7550 S WESTMORELAND RD APT 413	DALLAS
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171370	KIRKPATRICK LAUREN K & ZACHARY	95 JARRETT ST	WAXAHACHIE
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171356	LOREN GRAY INVESTMENTS	PO BOX 2868	WAXAHACHIE
171361	LOREN GRAY INVESTMENTS LLC	PO BOX 2868	WAXAHACHIE
171368	LOREN GRAY INVESTMENTS LLC	PO BOX 2868	WAXAHACHIE
285611	LOREN GRAY INVESTMENTS LLC	PO BOX 2868	WAXAHACHIE

(19)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-148-2021

RECEIVED OCT 05 2021

LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

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Case Number: SUB-148-2021

City Reference: 171347

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, October 5, 2021** to ensure inclusion in the Agenda Packet. Forms can be emailed 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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature

Brad Yates

Printed Name and Title

Date

10/4/21

Address

PO Box 2868  
Waxahachie, TX 75168

*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.*

(19)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-148-2021

RECEIVED OCT 05 2021

LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 12, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 18, 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 Barbara Turner, for a Replat of Lots 54 & 55, Block 181, Town Addition, to create Lot 54R, Block 181, Town Addition, one (1) residential lot, being 0.171 acres (Property ID 171364) – Owner: BARBARA ANN TURNER (SUB-148-2021)

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: SUB-148-2021

City Reference: 171355

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SUPPORT

OPPOSE

Comments:

\_\_\_\_\_  
Signature  
Brad Yates  
\_\_\_\_\_  
Printed Name and Title

10/4/21  
\_\_\_\_\_  
Date  
PO Box 2868  
\_\_\_\_\_  
Address  
Wax. TX. 75168

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(19)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-148-2021

RECEIVED OCT 03 2021

LOREN GRAY INVESTMENTS  
PO BOX 2868  
WAXAHACHIE, TX 75168

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Case Number: SUB-148-2021

City Reference: 171356

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SUPPORT

OPPOSE

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
Signature  
Brad Yates  
Printed Name and Title

\_\_\_\_\_  
Date  
10/4/21  
\_\_\_\_\_  
Address  
Po Box 2868  
Wax. Tx. 75168

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(19)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-148-2021

RECEIVED OCT 05 2021

LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

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Case Number: SUB-148-2021

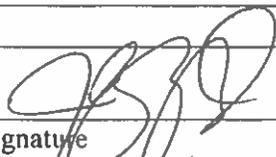
City Reference: 171361

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

  
Signature  
Brad Yates  
Printed Name and Title

10/4/21  
Date  
PO Box 2868  
Address  
Wax. TX. 75168

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(19)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-148-2021



LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

RECEIVED OCT 05 2021

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Case Number: SUB-148-2021

City Reference: 171368

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SUPPORT

OPPOSE

Comments:

\_\_\_\_\_  
Signature  
Brad Yates  
Printed Name and Title

\_\_\_\_\_  
Date  
10/4/21  
\_\_\_\_\_  
Address  
PO Box 2868  
Wax. TX. 75168

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(19)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-148-2021

RECEIVED OCT 10 2021

LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

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Case Number: SUB-148-2021

City Reference: 285611

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SUPPORT

OPPOSE

Comments:

\_\_\_\_\_

Signature

Brad Yates

Printed Name and Title

Date

10/4/21

Address

PO Box 2868

Wax. Tx. 75168

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(19)

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

WHEREAS I, BARBARA ANN TURNER, am the owner of a tract of land situated in the A. M. Keen Survey, Abstract No. 598, Ellis County, Texas and being Lots 54 & 55, Block 181, Town Addition, City of Waxahachie, Ellis County, Texas, being two 3729 square foot tracts described in deed from Claude William Terrell, Jr., et al, to Barbara Ann Turner, recorded in Instrument Number 2130560, Official Public Records, Ellis County, Texas, and being more particularly described as follows:

FIELD NOTES  
LOT 54R, BLOCK 181

BEING Lots 54 and 55, Block 181, Town Addition, City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Volume 168, Page 207, Deed Records, Ellis County, Texas, and being part of the tract described in deed from Claude William Terrell, Jr., et al, to Barbara Ann Turner, recorded in Instrument Number 2130560, Official Public Records, Ellis County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch steel rod, with plastic cap stamped "RPLS 4207", found on the east right of way line of Jarrett Street, at the northwest corner of said Lot 54 and the southwest corner of Lot 53 of said Block 181, Town Addition at a point having Texas Coordinate System, North Central Zone values of N = 6827062.362 and E = 2482717.494.

THENCE N 81°45'47" E, with the common line of said Lots 53 and 54, a distance of 75.00 feet (plat call N 84° E, 75 feet) to a point on the west right of way line of a 15 foot alley, at the common east corner of said Lots 53 and 54, from which a 1/2 inch steel rod, with plastic cap stamped "RPLS 4207", found bears N 78°34'11" E, 1.00 feet.

THENCE S 02°10'19" E, with said alley right of way line and the east line of said Lots 54 and 55, a distance of 100.00 feet (plat SOUTH, 100 feet) to a 1/2 inch steel rod, with plastic cap stamped "Davis & McDill" set at the common east corner of said Lot 55 and of Lot 56 of said Block 181, Town Addition.

THENCE S 81°45'47" W, with the common line of said Lots 55 and 56, a distance of 75.00 feet (plat call S 84° W, 75 feet) to a 1/2 inch steel rod, with plastic cap stamped "Davis & McDill" set on said Jarrett Street right of way line and at the common west corner of said Lots 55 and 56.

THENCE N 02°10'19" W, with said Jarrett Street right of way line and the west line of said Lots 54 and 55 a distance of 100.00 feet (plat NORTH, 100 feet) to the point of beginning and containing approximately 7458 square feet or 0.171 acre of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That Barbara Ann Turner acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as LOT 54R, BLOCK 181, TOWN ADDITION, an addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waxahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of any time procuring permission from anyone.

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

WITNESS, my hand, this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

By: \_\_\_\_\_  
Authorized Signature of Owner  
BARBARA ANN TURNER

STATE OF TEXAS §  
COUNTY OF ELLIS §  
Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared BARBARA ANN TURNER, Owner, 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 \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Notary Public in and for the State of Texas

My Commission Expires On \_\_\_\_\_

SURVEYOR'S CERTIFICATE:  
KNOW ALL MEN BY THESE PRESENTS

That I, Stuart C. Hamiltor, RPLS 4480, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie.

*Stuart C. Hamiltor*  
Registered Professional Land Surveyor  
Number 4480



SEP 17 2021

DATE

APPROVED BY: Planning and Zoning Commission City of Waxahachie

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

REPLAT  
**TOWN ADDITION,  
BLOCK 181, LOT 54R**  
Being a 0.171 Acre Replat of Lots 54, and 55  
Block 181, TOWN ADDITION  
City of Waxahachie, Ellis County, Texas  
One Residential Lot  
Zoned SF-3  
City of Waxahachie Case Number SUB-148-2021

ENGINEERS  
**D & M**  
SURVEYORS  
**DAVIS & McDILL, Inc.**  
P.O. BOX 428, Waxahachie, Texas 75168  
Phone: 972-938-1185  
( a Texas Notarized Surveying Form # 10194601, and a Texas Licensed Engineering Form # E 3418 )

Drawn: D. Hocutt/sgb Date: September 16, 2021 Job: 221-0086R54R

(21)

# Planning & Zoning Department

## Plat Staff Report

Case: SUB-138-2021



**MEETING DATE(S)**

*Planning & Zoning Commission:* October 12, 2021

**CAPTION**

**Public Hearing** request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Replat of Lots 1 & 2, Hill-View Addition, to create Lot 1R, Hill-View Addition, 1 Residential Lot, being 0.253 acres (Property ID 174262) – Owner: GENOVER JOHNSON (SUB-138-2021)

**APPLICANT REQUEST**

The applicant is requesting to replat the subject property from two (2) lots into one (1) lot for single family residential use.

**CASE INFORMATION**

*Applicant:* Tim Jackson

*Property Owner(s):* Jacob Crenshaw

*Site Acreage:* 0.253 acres

*Number of Lots:* 1 lot

*Number of Dwelling Units:* 1 unit

*Park Land Dedication:* N/A

*Adequate Public Facilities:* In order to have access to adequate public facilities, the applicant will need to extend water and sanitary sewer lines to their property.

**SUBJECT PROPERTY**

*General Location:* 310 Henrietta

*Parcel ID Number(s):* 174262

*Current Zoning:* SF-3

*Existing Use:* The site is currently undeveloped.

*Platting History:* The subject property was previously platted as Lots 1 & 2 of the Hill-View Addition.

Site Aerial:



**PLATTING ANALYSIS**

The applicant is proposing to replat the subject property from two (2) lots into one (1) lot for single family residential use. As part of the proposed replat, the applicant has provided a right-of-way (ROW) dedication along Henrietta Street to satisfy the requirements for a 54 ft. ROW along Henrietta St. If approved, prior to filing, the applicant must extend an 8 inch water line from the intersection of Finley St. and Henrietta St., and an 8 inch sewer line from the intersection of Flower St. and Henrietta St. in order to have access to adequate public utilities. The required utility lines will need to be extended across the full width of the property prior to filing the replat. The City of Waxahachie Fire Department has also noted that the nearby hydrant located at the intersection of Finley St. & Henrietta St. will provide sufficient coverage for the proposed lot.

**RECOMMENDATION**

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

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

**ATTACHED EXHIBITS**

1. Replat

**APPLICANT REQUIREMENTS**

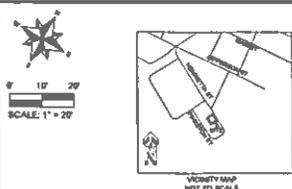
1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
  - a. If comments were not satisfied,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

**STAFF CONTACT INFORMATION**

*Prepared by:*  
 Zack King  
 Planner  
[zking@waxahachie.com](mailto:zking@waxahachie.com)

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

(21)



OWNER'S CERTIFICATE
STATE OF TEXAS
COUNTY OF ELLIS
WHEREAS, JACOB CRENSHAW IS THE OWNER OF A TRACT OF LAND SITUATED IN THE S.M. DURRETT SURVEY ABSTRACT 272, CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN DEED TO JACOB CRENSHAW RECORDED IN INSTRUMENT NO. 212828, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (HEREINAFTER REFERRED TO AS "DEED") AND BEING ALL OF LOTS 1 AND 2, HILL-VIEW ADDITION, RECORDED IN CABINET A, BLADE W, OBJECT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEARING AT A 3/4" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID CRENSHAW TRACT AND THE COMMON NORTHEAST CORNER OF LOT 1, OF SAID HILL-VIEW ADDITION AND BY THE WEST RIGHT-OF-WAY ROW LINE OF HENRIETTA STREET (A CALLED 35' ROW), FROM WHICH A 1" IRON PIPE FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 1.

HOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS
THAT JACOB CRENSHAW, DOES HEREBY ADOPT THIS PLAN DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOT 1, HILL-VIEW ADDITION, AN ADDITION TO THE CITY OF WAXAHACHE, AND DOES HEREBY DESIGNATE, IN FEET INCHES, TO THE CITY OF WAXAHACHE, TEXAS FOR THE PUBLIC USE, FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DESIGNATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS AS SHOWN ARE DESIGNATED FOR THE PUBLIC USE HOWEVER, FOR THE PURPOSES INDICATED ON THIS PLAN NO BUILDING, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTH SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE PUBLIC USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR CROSS THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES. SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC USE AND CITY OF WAXAHACHE USE THEREOF. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND REPAIR ANY AND ALL PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTH WHICH MAY IN ANY WAY INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, MAINTAINING, IMPROVING, REPAIRING, READING METERS AND ADJUSTING OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY OF ANY TIME PROCURING PERMISSION FROM ANYONE.

NOTES
BEARING BASES FOR THIS SURVEY IS TEXAS COORDINATE SYSTEM: NORTH CENTRAL ZONE 482; NAD 83 PPR OBSERVATIONS
THE SUBJECT PROPERTY LIES WITHIN ZONE "1" - DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48136C0189F, DATED JUNE 3, 2013 AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

THIS PLAN APPROVED SUBJECT TO ALL PLATTO ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHE, TEXAS
WITNESS MY HAND, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021
BY
JACOB CRENSHAW

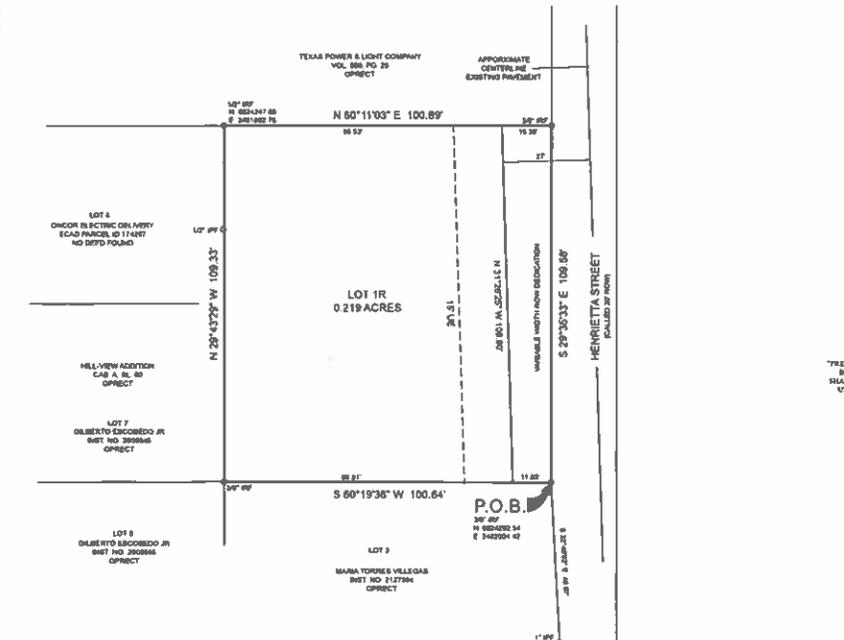
STATE OF TEXAS
COUNTY OF ELLIS
BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED JACOB CRENSHAW, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE HAS SIGNED THE SAME FOR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

GIVEN UNDER MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021
NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS

APPROVED BY PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE
L. TANTON L. JACKSON, MAYOR, HEREBY CERTIFY THAT THIS PLAN WAS MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

PRELIMINARY: THIS DECLARATION SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED ON THE TITLE OR EASEMENT UPON AS A FINAL SURVEY DOCUMENT.
TANTON L. JACKSON
REGISTRATION NUMBER 5644

DATE OF COMPLETION \_\_\_\_\_ DATE \_\_\_\_\_
DATE \_\_\_\_\_ DATE \_\_\_\_\_



LEGEND
CIRCLES - 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TDRCP" SET
3/4" IRON ROD FOUND
PND - FOUND
OBJECT - OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS
U.E. - UTILITY EASEMENT
S.L. - BUILDING LINE

REPLAT
LOT 1R
HILL-VIEW ADDITION
BEING A REPLAT OF LOTS 1 AND 2, HILL-VIEW ADDITION 0.253 ACRES
S.M. DURRETT SURVEY, ABSTRACT NO. 242, CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS 1 RESIDENTIAL LOT ZONED R73
CASE NO. SUB-138-2021
OWNER: JACOB CRENSHAW, WAXAHACHE, TEXAS 76785
SURVEYOR: TEXAS REALTY CAPTURE & SURVEYS, L.L.C., P.O. BOX 252, WAXAHACHE, TEXAS 75108, 409.918.8536, TPLS REG. NO. 14191506
JOB NO. 1889 AUGUST 2021 PAGE 1 OF 1

Planning & Zoning Department  
Zoning Staff Report

(23)



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Case: ZDC-141-2021

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**MEETING DATE(S)**

*Planning & Zoning Commission:* October 12, 2021

*City Council:* October 18, 2021

**CAPTION**

**Public Hearing** on a request by Justin Bright, Bright Pools, LLC, for a **Specific Use Permit (SUP)** for an **Accessory Structure +700SF** use within a Single Family-2 zoning district located at 201 E University (Property ID 176324) - Owner: JASON W & JACLYN L WILSON (ZDC-141-2021)

**APPLICANT REQUEST**

The applicant is requesting approval to construct a 264 sq. ft. accessory structure, to be used as an outdoor kitchen and pergola.

**CASE INFORMATION**

*Applicant:* Justin Bright, Bright Pools, LLC

*Property Owner(s):* Jason Wilson & Jaclyn Wilson

*Site Acreage:* 0.344 acres

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

*Requested Zoning:* Single Family-2 with an SUP for Accessory Structures totaling over 1,000 Sq.Ft.

**SUBJECT PROPERTY**

*General Location:* 201 E University Ave.

*Parcel ID Number(s):* 176324

*Existing Use:* A single family residence and an approximately 800 sq. ft. detached garage currently occupies the site.

*Development History:* The subject property is platted as Lots 11 & 12, Block 10 of the University Revision.

**Adjoining Zoning & Uses:**

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

*Future Land Use Plan:* Low Density Residential

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

*Thoroughfare Plan:* This property is accessible via E University Ave. and Martha St.

*Site Image:*



**PLANNING ANALYSIS**

**Purpose of Request:**

The applicant is requesting a Specific Use Permit to allow for the addition of a 264 sq. ft. accessory structure within a Single Family-2 zoning district. The proposed accessory structure requires SUP consideration due to the existing structure (detached garage/800 sq. ft.) and proposed structure (accessory structure/264 sq. ft.) exceeding 1,000 square feet. Per Sec. 5.07 of the Waxahachie Zoning Ordinance, “Combined floor area for two (2) accessory structures in excess of one thousand (1,000) square feet per platted lot requires a SUP.”

**Proposed Use:**

The applicant is requesting approval to construct a 264 sq. ft. accessory structure, to be used as an outdoor kitchen and pergola. The accessory structure is proposed to connect externally to the existing detached garage on the property, but will have no internal connection to the garage. The applicant has stated that the pergola and kitchen will be constructed with “8 inch Western Red Cedar posts, a 4’x8’ Cedar Heater, 2’x4’ rafters, and shingles to match the existing home.” No changes or alterations to the existing detached garage are proposed.

Accessory structures are common within the surrounding neighborhood area. Currently, there are 3 other existing SUP’s for accessory structures, mostly for detached garages, within 250 of the subject property. If approved, the structure(s) would be consistent with the character of the existing neighborhood district.

This SUP request, if approved, would allow an accessory structure that cannot be used as dwelling unit. (Note: No living space is provided as part of the proposed accessory structure.)

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

**PUBLIC NOTIFICATIONS**

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

**RECOMMENDATION**

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

- Denial
- Approval, as presented.
- Approval, per the following comments:**
  1. The applicant will need to obtain a building permit from the City of Waxahachie Building Inspections department prior to construction of the proposed structure.
  2. The accessory structure shall not be used as a dwelling unit.
  3. The structure shall in any case not be leased or sold separately and shall not be separately metered.

**ATTACHED EXHIBITS**

1. Site Layout

**APPLICANT REQUIREMENTS**

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

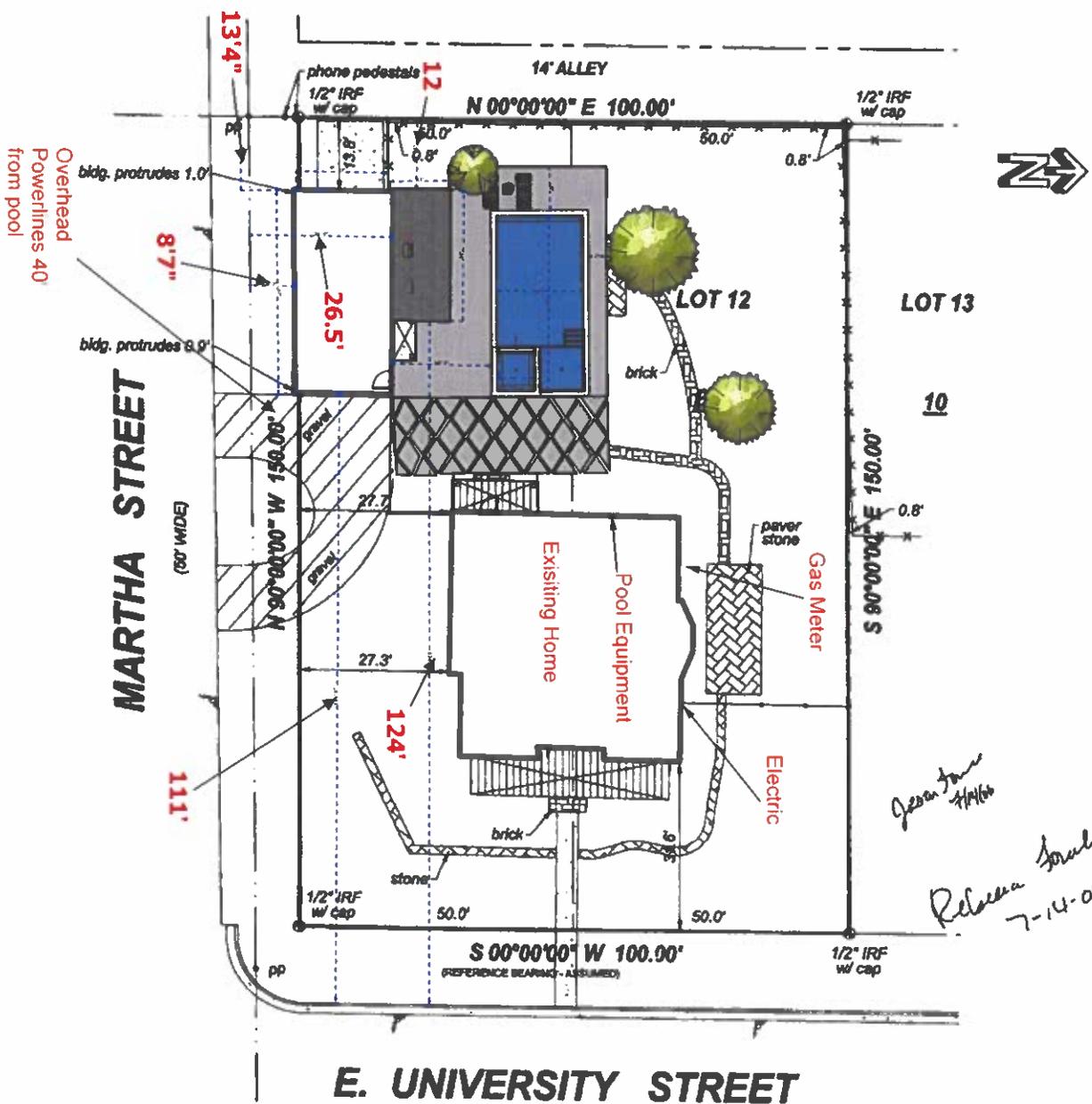
**STAFF CONTACT INFORMATION**

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*Reviewed by:*  
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Executive Director of Development Services  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

(23)

All that certain lot, tract or parcel of land being LOTS 11 and 12 in Block 10 of UNIVERSITY ADDITION, an Addition to the City of Waxahachie, Ellis County, Texas, according to the Map thereof recorded in Cabinet A, Slide 147, Plat Records, Ellis County, Texas.



### E. UNIVERSITY STREET

(80' WIDE)

NOTE: Monuments noted as IRS hereon are with yellow plastic cap marked "SHIELDS & LEE".

THE PROPERTY SHOWN HEREON IS NOT LOCATED IN A DESIGNATED (100 YEAR FLOOD HAZARD AREA) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY RATE MAP PANEL NUMBER: DATIDN: 48139C0180 D 01/20/1000

PROPERTY IS LOCATED IN ZONE: X

The plat shows hereon represents a true, correct and accurate representation of the results of a survey made on the ground by me or under my direction and supervision. The lines, type and location of all visible and apparent buildings and improvements to the property shown on the ground are shown hereon. The record distance to the nearest adjoining street or road is shown hereon. Except as shown hereon there are no visible and apparent encroachments or projections of improvements or physical surfaces of ground. This is a surface or staking ground survey. No attempt is made to locate underground utilities or structures of any kind has been made. This plat is an expression of professional opinion regarding the facts of the survey and data are essential to accuracy or precision, improvement or implied. This survey was performed exclusively for the above mentioned parties and is licensed for a single use only. Not published. All Rights Reserved. This survey remains the property of the Surveyor. Confidential use or Regd.

Scale 1" = 25'  
 Date 07/07/2006  
 Job No. X22266  
 Drawn By NE/LJQ

### Shields and Lee Surveyors

1421 Ferrelle Avenue  
 Dallas, Texas 75224  
 Phone (214) 942-8496  
 Fax (214) 941-7229





(25)

# Planning & Zoning Department

## Zoning Staff Report



**Case: ZDC-140-2021**

**MEETING DATE(S)**

*Planning & Zoning Commission:* October 12, 2021 (Originally scheduled for the September 28, 2021 P&Z Meeting)

*City Council:* October 18, 2021

**CAPTION**

**Public Hearing** request by Ronald Fraser, Fraser Real Estate Group, for a **Specific Use Permit (SUP)** for a **Unified Lot Sign** located at 3298 S Interstate 35E (Property ID 225222, 223397, 179035) - Owner: H&D REALTY INVESTMENTS, LLC. (ZDC-140-2021).

**APPLICANT REQUEST**

The applicant is requesting a Specific Use Permit be approved to allow for a unified lot sign use (pole sign and directional sign) and an electronic message sign for a carwash.

**CASE INFORMATION**

*Applicant:* Ronald Fraser, Fraser Real Estate Group

*Property Owner(s):* H&D Reality Investments, LLC

*Site Acreage:* 3.464 acres

*Current Zoning:* Light Industrial-1 (LI-1) and General Retail (GR)

*Requested Zoning:* LI-1 and GR with SUP for Unified Lot Sign

**SUBJECT PROPERTY**

*General Location:* 3298 S Interstate 35E

*Parcel ID Number(s):* 225222, 223397, 179035

*Existing Use:* Scarborough Travel Shop (Shell gas station/Sonic Drive-In restaurant) is located at the corner of FM 66 and I-35E.

*Development History:* The convenience store is located on Lot 1R of the Colwell Oil Co. Addition.

A drive through carwash use was approved by City Council on May 3, 2021 (ZDC-45-2021) on the adjacent lots. Those lots are situated in the J.C. Armstrong Survey, Abstract 6.

*Adjoining Zoning & Uses:*

Direction	Zoning	Current Use
North	LI-1	Undeveloped
East	N/A	I-35E
South	LI-1/GR	Undeveloped Land (Ord. 3207 (McDonald's)) and Exxon Gas Station
West	LI-1	Undeveloped

*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 FM 66 and I-35E Service Road.



*Site Image:*

**PLANNING ANALYSIS**

Overview

The applicant is requesting a Specific Use Permit to allow for a unified lot sign use (pole sign and directional sign) on the subject properties as well as an electronic message sign to be located in front of the future carwash.

Unified Lot Sign

The unified lot sign agreement for the subject property will be for a pole sign and for a directional sign, both to be located on the convenience store property (Property ID 225222). TXDOT has taken a portion of the subject property which will impact the location of the existing pole sign. The current three-pole design will no longer be a feasible option due to limited spacing on the subject property. The new pole sign is proposed to be located in the same area as the existing sign, but the support from the sign will be reduced from three poles to one pole. The applicant is also proposing a taller sign (75') compared to the existing sign (60'). The new sign will contain space for a Shell gas station sign, a Sonic Drive-In sign, and sign for the car wash.

The directional sign will be 4' tall and 4' wide. It will be located within a landscape island located on the west side of the convenience store parking lot. In addition, the applicant has provided staff with a unified sign agreement stating the unified lot sign use will be acceptable with the property owner(s).

Electronic Message Sign

An electronic message ground monument sign is proposed for the car wash site. The sign is proposed to be 8' in height by 10' in width. The electronic message portion of the sign will be 4' in height and 10' in width (50% of total sign area). This proposal aligns with the electronic message sign requirements provided in Section 5.08 of the City of Waxahachie Zoning Ordinance.

**STAFF CONCERNS**

Based on the current proposal, less than 20% of the sign will be masonry material. Staff suggests the entire border of the proposed sign be constructed of a masonry material (preferably stone or brick).

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 18 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. The exterior of the electronic message sign shall be constructed out of masonry (stone or brick) material.

**ATTACHED EXHIBITS**

1. Site Plan
2. Sign Elevations

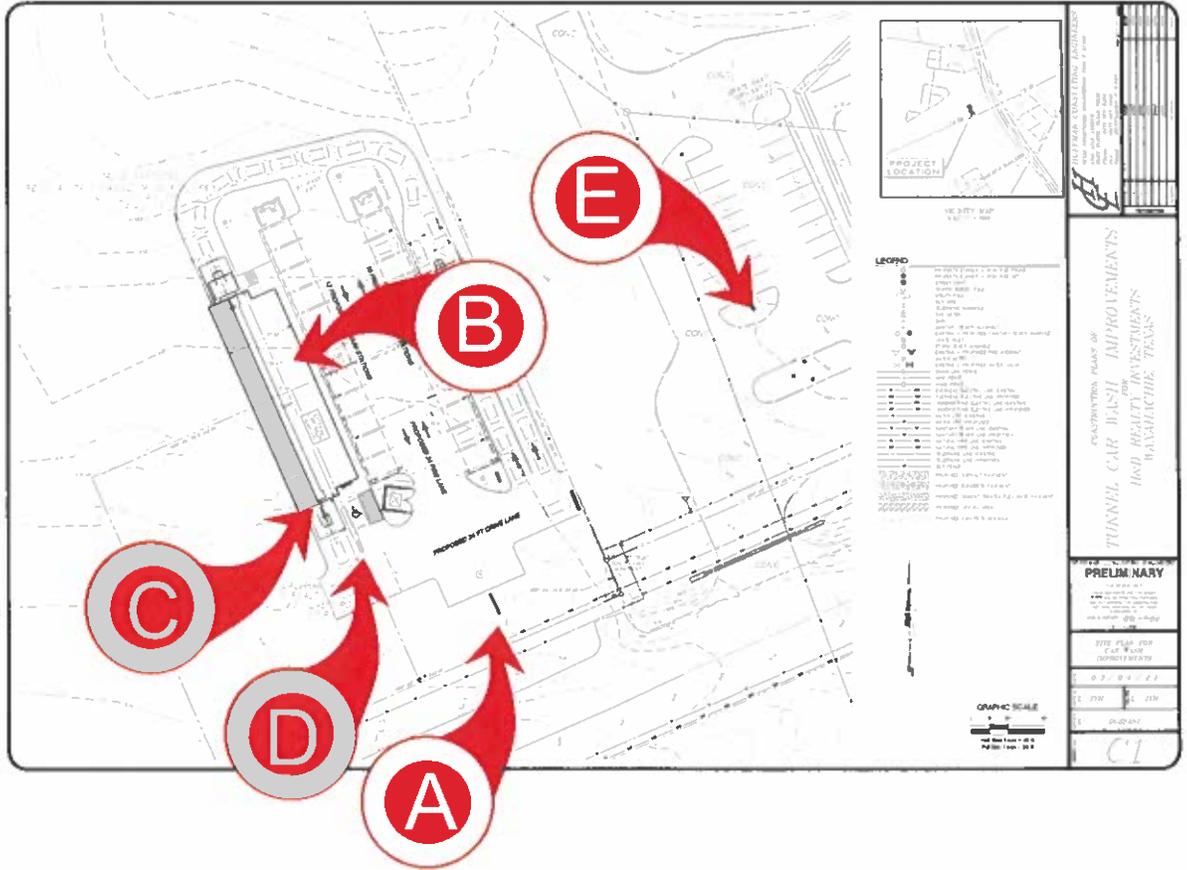
**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*  
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TOTAL SQUARE FEET:

◀ SPELLING IS YOUR RESPONSIBILITY ▶ SIZES ARE NOTED ▶ PROOF IS NOT TO SCALE ▶ COLORS ON FINISHED PRODUCT MAY VARY SLIGHTLY FROM ELECTRONIC PROOF

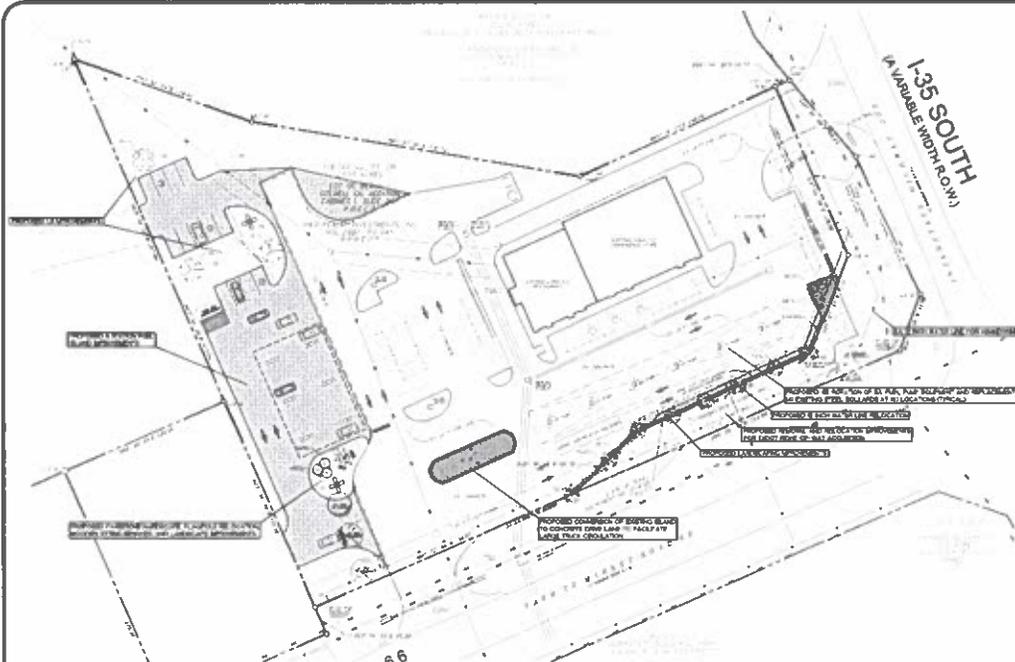
	CUSTOMER	<b>REINFORCEMENT OF BUILDING, PHYSICAL CONDITIONS:</b> If installation is a part of this Agreement, Buyer shall be responsible and pay for all necessary reinforcements to the building or any other structures on which Display is installed, for relocating power lines or other obstacles, and for any additional installation costs incurred by Seller due to adverse soil conditions, underground or other obstructions (including but not limited to drilling for excavation or removal of any rock. Unless notified of apron lines or private utility lines prior to drilling Seller is not responsible for damage caused and shall be indemnified against claims, losses or proceedings arising by replacement, repair or diversion of such services. When pier drilling is necessary, Seller will contact Dig Texas or other agency for location of all public utilities. Location of private utilities is the sole responsibility of the Buyer. In the event rock or adverse soil conditions are encountered in the drilling process, additional monies will be requested by the Seller.	CUSTOMER	DATE
	COMPANY		LANDLORD	DATE
LOCATION				
CITY/STATE				
PHONE: (972) - 205 - 9090	EMAIL: SALES@MYFUTURESIGNS.COM		ADDRESS: 11624 Chairman Dr Dallas, TX 75243	WEB: myfuturesigns.com

MATERIAL AND INSTALLATION COMPLIES WITH NATIONAL ELECTRICAL SIGN CODE AND USES ONLY UL LISTED COMPONENTS

Regulated by the Texas Department of Licensing & Regulation Website: www.tdlr.state.tx.us

ATTN ELECTRICAL SIGNS: FINAL PLANS ARE DESIGNED, PERMITTED, MANUFACTURED, INSTALLED, AND INSPECTED BY A LICENSED MASTER SIGN ELECTRICIAN AS REGULATED BY THE TEXAS DEPARTMENT OF LICENSING AND REGULATION





**LEGEND**

- Proposed Fueling Station
- Proposed Fueling Island
- Proposed 12" Water Main
- Proposed 6" Sewer Main
- Proposed 4" Storm Sewer
- Proposed 12" Gas Main
- Proposed 6" Gas Main
- Proposed 4" Gas Main
- Proposed 2" Gas Main
- Proposed 1" Gas Main
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- Proposed 1/100433627823215997772223930314069463843328" Gas Main
- Proposed 1/200867257646431995544447860628138926686656" Gas Main
- Proposed 1/40173451529286399108889572125627773373312" Gas Main
- Proposed 1/80346903058572798217779144251255546746624" Gas Main
- Proposed 1/16069380617714559643555828502511109324928" Gas Main
- Proposed 1/321387612354291192871116570050222186496512" Gas Main
- Proposed 1/64277522470858238574223314010044437299304" Gas Main
- Proposed 1/128555044941716477148446628020088874598608" Gas Main
- Proposed 1/257110089883432954296893256440177749177216" Gas Main
- Proposed 1/5142201797668659085937865128803554823544" Gas Main
- Proposed 1/10284403595337318171875730257607109468888" Gas Main
- Proposed 1/205688071906746363437514605152142131737776" Gas Main
- Proposed 1/411376143813492726875029210304284263475552" Gas Main
- Proposed 1/82275228762698545375005842060856852695104" Gas Main
- Proposed 1/164550457525397090750011684117113715390208" Gas Main
- Proposed 1/329100915050794181500023368234227426780416" Gas Main
- Proposed 1/65820183010158836300004664646845485356032" Gas Main
- Proposed 1/131640366020317672600009329293690910712064" Gas Main
- Proposed 1/263280732040635345200018658587381821424128" Gas Main
- Proposed 1/526561464081270690400037317174763642844256" Gas Main
- Proposed 1/105312292816254138080007435434947285168512" Gas Main
- Proposed 1/210624585632508276160001488669894703337024" Gas Main
- Proposed 1/421249171265016552320002973399788406664048" Gas Main
- Proposed 1/842498342530033104640005946799576813332096" Gas Main
- Proposed 1/168499668506006620928001193559915362664192" Gas Main
- Proposed 1/336999337012013241856003871198307253328384" Gas Main
- Proposed 1/673998674024026483712007742396614466656672" Gas Main
- Proposed 1/1347997348048052975424015487933289333313344" Gas Main
- Proposed 1/269599469609610595084803097586657866626688" Gas Main
- Proposed 1/539198939219221190169606195173315733253376" Gas Main
- Proposed 1/107839787843844238033921230354663466506752" Gas Main
- Proposed 1/215679575687688476067842460709269333001344" Gas Main
- Proposed 1/431359151375376952135684921418538666002688" Gas Main
- Proposed 1/862718302750753904271369842837077320005376" Gas Main
- Proposed 1/1725436605501507808542739656754154640010752" Gas Main
- Proposed 1/34508732110030156170854793135083092800021504" Gas Main
- Proposed 1/69017464220060312341709586270166185600043008" Gas Main
- Proposed 1/138034928440120624683419172540332371200086112" Gas Main
- Proposed 1/27606985688024124936683834508066474240017224" Gas Main
- Proposed 1/55213971376048249873367669016132948480034448" Gas Main
- Proposed 1/110427942752096499466735338032265896960068976" Gas Main
- Proposed 1/220855885504192998933470676064531793920137952" Gas Main
- Proposed 1/441711771008385997866941352129063587840275904" Gas Main
- Proposed 1/883423542016771995733882704258127175680551808" Gas Main
- Proposed 1/1766847084033543991467765408516243513601103712" Gas Main
- Proposed 1/353369416806708798293553081703248662720207536" Gas Main
- Proposed 1/706738833613417596587106163406497325440414848" Gas Main
- Proposed 1/141347766722683519317421226801289465088089792" Gas Main
- Proposed 1/282695533445367038634842453602579101177179584" Gas Main
- Proposed 1/565391066890734077269684907205158202235359168" Gas Main
- Proposed 1/1130782133781468154539369814403164404470719336" Gas Main
- Proposed 1/226156426756293630907873962880632880894148672" Gas Main
- Proposed 1/452312853512587261815747925761267617788837344" Gas Main
- Proposed 1/90462570702517452363149585152253435577774688" Gas Main
- Proposed 1/180925141405034904726299170304506871155549376" Gas Main
- Proposed 1/361850282810069809452598340609013731110897536" Gas Main
- Proposed 1/72370056562013961890519668121802746222179104" Gas Main
- Proposed 1/14474011312402792378103932424360548444437808" Gas Main
- Proposed 1/28948022624805584756207864848721096888875616" Gas Main
- Proposed 1/578960452496111695124157296974421937777523328" Gas Main
- Proposed 1/115792090499222339024831453954883875555446656" Gas Main
- Proposed 1/231584180998444678049662907909777511111133312" Gas Main
- Proposed 1/46316836199688935609932581581955442222266624" Gas Main
- Proposed 1/92633672399377871219865163163909084444533248" Gas Main
- Proposed 1/18526734479875574239773032632781808888866656" Gas Main
- Proposed 1/37053468959751148479546065265563617777733312" Gas Main
- Proposed 1/7410693791950229695909213253112723555546624" Gas Main
- Proposed 1/148213875839004593918184265062254711111133312" Gas Main
- Proposed 1/29642775167800918783636853012450942222266624" Gas Main
- Proposed 1/59285550335601837567273706024901884444533248" Gas Main
- Proposed 1/11857110067120367513454741204980368888866656" Gas Main
- Proposed 1/23714220134240735026909484009960737777733312" Gas Main
- Proposed 1/4742844026848147005381896801992147555546624" Gas Main

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State of Texas Electrical Sign Contractor #18412

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A

10'-0"

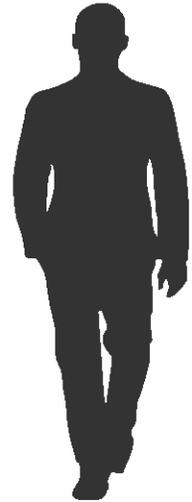
Scarborough  
CAR WASH

2'-6"

8'-0"

4'-0"

1'-6"



TOTAL SQUARE FEET:

◊ SPELLING IS YOUR RESPONSIBILITY ◊ SIZES ARE NOTED ◊ PROOF IS NOT TO SCALE ◊ COLORS ON FINISHED PRODUCT MAY VARY SLIGHTLY FROM ELECTRONIC PROOF



CUSTOMER  
COMPANY  
LOCATION  
CITY, STATE

REINFORCEMENT OF BUILDING, PHYSICAL CONDITIONS: If installation is a part of this Agreement, Buyer shall be responsible and pay for all necessary reinforcements to the building or any other structures on which Display is installed, for relocating power lines or other obstacles, and for any additional installation costs incurred by Seller due to adverse soil conditions, underground or other obstructions including but not limited to drilling for excavation or removal of any rock. Unless notified of sprinkler lines or private utility lines prior to drilling Seller is not responsible for damage caused and shall be indemnified against claims, losses or proceedings arising by replacement, repair or diversion of such services. When pier drilling is necessary, Seller will contact Dig Tee or other agents for location of all public utilities. Location of private utilities is the sole responsibility of the Buyer. In the event rock or adverse soil conditions are encountered in the drilling process, additional marks will be requested by the Seller.

CUSTOMER DATE  
LANDLORD DATE

Customer Signature:

PHONE: (972) - 205 - 9090

EMAIL: SALES@MYFUTURESIGNS.COM

ADDRESS: 11624 Chairman Dr Dallas, TX 75243

WEB: myfuturesigns.com

MATERIAL AND INSTALLATION COMPLIES WITH NATIONAL ELECTRICAL SIGN CODE AND USES ONLY ILL LISTED COMPONENTS

Regulated by the Texas Department of Licensing & Regulation  
Website: www.license.state.tx.us

ATTN ELECTRICAL SIGNS: FINAL PLANS ARE DESIGNED, PERMITTED, MANUFACTURED, INSTALLED, AND INSPECTED BY A LICENSED MASTER SIGN ELECTRICIAN AS REGULATED BY THE TEXAS DEPARTMENT OF LICENSING AND REGULATION

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State of Texas Electrical Sign Contractor #18412

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	CUSTOMER		<small>REINFORCEMENT OF BUILDING, PHYSICAL CONDITIONS:</small> If installation is a part of this Agreement, Buyer shall be responsible and pay for all necessary reinforcements to the building or any other structure on which Display is installed, for relocating power lines or other obstacles, and for any additional installation costs incurred by Seller due to adverse soil conditions, underground or other obstructions (including but not limited to drilling for excavation or removal of any rock. Unless notified of operator lines or private utility lines prior to drilling Seller is not responsible for damage caused and shall be indemnified against claims, losses or proceedings arising by replacement, repair or diversion of such services. When hole drilling is necessary Seller will contact Dig Ties or other agents for location of all public utilities. Location of private utilities is the sole responsibility of the Buyer in the event rock or adverse soil conditions are encountered in the drilling process, additional marks and is responsibility of the Buyer.	CUSTOMER	DATE
	COMPANY			LANDLORD	DATE
	LOCATION		Customer Signature:		
	CITY, STATE				

PHONE: (972) - 205 - 9090      EMAIL: SALES@MYFUTURESIGNS.COM      ADDRESS: 11624 Chairman Dr Dallas, TX 75243      WEB: myfuturesigns.com

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# Planning & Zoning Department

## Zoning Staff Report



**Case: ZDC-142-2021**

**MEETING DATE(S)**

*Planning & Zoning Commission:* October 12, 2021

*City Council:* October 18, 2021

**CAPTION**

**Public Hearing** on a request by George Salvador for a **Zoning Change** from a Single Family-1 Zoning to **Planned Development-Single Family-3** zoning district, located at 401 Ovilla Road (Property ID 180391) - Owner: EIS DEVELOPMENT II, LLC (ZDC-142-2021)

**APPLICANT REQUEST**

The applicant is requesting to create a Planned Development, known as Dominion Park, to allow for the development of 207 single family detached homes.

**CASE INFORMATION**

*Applicant:* George Salvador, Waxahachie One Development

*Property Owner(s):* EIS Development II, LLC

*Site Acreage:* 78.22 acres

*Current Zoning:* Single Family-1 (SF-1)

*Requested Zoning:* Planned Development-Single Family-3 (PD-SF-3)

**SUBJECT PROPERTY**

*General Location:* 401 Ovilla Rd

*Parcel ID Number(s):* 180391

*Existing Use:* Currently Undeveloped

*Development History:* N/A

**Table 1: Adjoining Zoning & Uses**

Direction	Zoning	Current Use
North	PD-SF-2	Sheppard's Place Subdivision
East	C & GR	Single Family Residences
South	SF-1	Currently Undeveloped
West	SF-1	Currently Undeveloped

*Future Land Use Plan:* Low Density Residential with the eastern portion of the property located in Mixed Use Non-Residential.

*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 a similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

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

*Thoroughfare Plan:*

The subject property is accessible via Ovilla Rd.

*Site Image:*



**PLANNING ANALYSIS**

Purpose of Request:

The applicant is requesting to create a Planned Development, known as Dominion Park, to allow for the development of 207 single family detached homes. Per the City of Waxahachie Zoning Ordinance, a Planned Development request is required to be reviewed by City Council.

Case History:

The subject property was heard as case no. ZDC-35-2021 Dominion Park by the P&Z Commission on May, 11, 2021 and by City Council on May 17, 2021. The previous case was a request to change the zoning from SF-1 to PD-SF-3 for 209 single family lots. As part of this case, the applicant proposed three different lot types (Type 1: 60’ wide lots, Type 2: 70’ wide lots, and type 3: 80’ wide lots) on 78.22 acres. 6.41 acres were proposed for park space/open space which included a kid’s soccer paly area and multi-

purpose sports court. The case was approved per comment by P&Z, but City Council denied the zoning change request.

Proposed Use:

The applicant is proposing a zoning change request from a Single Family-1 (SF-1) zoning district to Planned Development-Single Family-3, with Concept Plan, located at 401 Ovilla Rd. The proposed development will consist of two hundred seven (207) single family lots and three lot types (Type 1: 60' wide lots, Type 2: 70' wide lots, and Type 3: 80' wide lots) on 78.22 acres. Proposed neighborhood amenities include parks, jogging trails, playground, multipurpose sports courts, and community gathering areas. No homes within the development will have front facing garages. 94 lots (45.41%) will rear entry, and 113 lots (54.58%) will be side entry.

Changes since the May 17, 2021 City Council Meeting

- Reduced the total number of lots from 209 lots to 207 lots.
- Revised the plan to create a greater mix of lot sizes within the proposed development.
- Removed the alleyways that were located behind lots along the edges of the subdivision.
- Reduced the number of lots less than 10,000 sq. ft. in size from 134 lots to 121 lots.
- Increased the number of 10,000+ sq. ft. lots from 75 lots to 86 lots.
  - o 22 of these lots are greater than 11,000 sq. ft.

Architectural Styles

The applicant is proposing that 60% of the development consist of the following lot types:

Home Style	Percentage	Minimum Homes
Contemporary	15%	31
Modern Farm	15%	31
Traditional	15%	31
Tudor	15%	31

The remaining 40% of the development will be determined by market conditions.

Conformance with the Comprehensive Plan:

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

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

**Table 2: Proposed Single Family Residential (per SF-3 standards)**

*\*The second column depicts the standards for the current zoning (Single Family-1) of the property. Note: Items reflected in the second column are not represented in the "Meets" column.*

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

*\*\*\*Items highlighted in **bold** do not meet the City of Waxahachie SF-3 requirements*

<u>Standard</u>	<u>City of Waxahachie (Existing SF-1 Standards)</u>	<u>City of Waxahachie (Existing SF-3 Standards)</u>	<u>Dominion Park</u>	<u>Meets (Yes/No)</u>
Min. Lot Area	16,000 sq. feet	<b>10,000 sq. ft.</b>	<b>7,200 sq. ft.</b>	No
Min. Lot Width	90 ft.	<b>80 ft.</b>	<b>60 ft.</b>	No
Min. Lot Depth	140 ft.	100 ft.	100 ft.	Yes

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<b>Min. Front Setback</b>	40 ft.	<b>30 ft.</b>	<b>20 ft.</b>	<b>No</b>
<b>Min. Interior Setback</b>	15 ft.; 20 ft. (ROW)	<b>10 ft.; 15 ft. (ROW)</b>	<b>5 ft.; 10ft. (ROW)</b>	<b>No</b>
<b>Min. Rear Setback</b>	25 ft.	<b>25 ft.</b>	<b>20 ft.</b>	<b>No</b>
Min. Dwelling Size	2,200 sq. ft.	1,200 sq. ft.	1,800 sq. ft.	Yes
Max. Lot Coverage	50%	50%	50%	Yes
Parking	Minimum of 2 enclosed parking spaces behind the front building line of the same lot as the main structure	Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure	Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure.	Yes

**Note:** Per the Elevation/Façade renderings and Planned Development Provisions, the homes will be constructed of 75% masonry (min.)

**Table 3: Single Family Lot Notes (207 Total Lots)**

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

Lot Size (Sq. Ft.)	Number of Lots	Lot Percentage
<b>7,200 – 8,000 SF</b>	<b>40 lots</b>	<b>19.32%</b>
<b>8,000 – 9,000 SF</b>	<b>77 lots</b>	<b>37.20%</b>
<b>9,000 – 10,000 SF</b>	<b>4 lots</b>	<b>1.93%</b>
10,000+ SF	86 lots (22 lots > 11,000 sq. ft.)	41.55%
REAR ENTRY LOTS	94	45.41%
SIDE ENTRY LOTS	113	54.59%

**SPECIAL EXCEPTION/VARIANCE REQUEST**

Lot Area

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

- The applicant is proposing a minimum lot size of 7,200 sq. ft. for Type 1 lots
- The applicant is proposing a minimum lot size of 8,400 sq. ft. for Type 2 lots.

Lot Width

The minimum lot width requirement is 80 ft.

- The applicant is requesting a minimum lot width of 60 ft. for Type 1 lots.
- The applicant is requesting a minimum lot width of 70 ft. for Type 2 lots.

Front Yard Setback

The minimum front yard setback requirement is 30 ft.

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

Side Yard Setback

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

- The applicant is proposing a minimum side yard setback of 5 ft. (interior) and 10 ft. (adjacent to ROW).

Rear Yard Setback

The minimum rear yard setback requirement is 25 ft.

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

**Screening**

Single Family residential development require masonry material for fencing/screening around the subdivision.

- The applicant is proposing a 6 ft. wood fence along the north and south boundaries of the development.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 46 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

**PROPERTY OWNER NOTIFICATION RESPONSES**

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

**RECOMMENDATION**

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

- Denial
- Approval, as presented.
- Approval, per the following comments:
  1. A mutually agreed upon Development Agreement will be required for the development.

**ATTACHED EXHIBITS**

1. Property Owner Notification Response
2. Planned Development Provisions
3. Dominion Park Exhibit Packet

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*  
 Chris Webb  
 Senior Planner  
[cwebb@waxahachie.com](mailto:cwebb@waxahachie.com)

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

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PropertyID	Owner's Name	Owner's Address	Owner's City	Owner's State	Owner's ZIP
281578	HMH LIFESTYLES L P	1038 TEXAN TRL	GRAPEVINE	TX	76051
281595	HMH49 RENTALS LLC	1038 TEXAN TRL	GRAPEVINE	TX	76051
281573	HMH LIFESTYLES LP	1038 TEXAS TRAIL	GRAPEVINE	TX	76051
281575	HMH LIFESTYLES LP	1038 TEXAS TRAIL	GRAPEVINE	TX	76051
281579	HMH LIFESTYLES LP	1038 TEXAS TRAIL	GRAPEVINE	TX	76051
281580	HMH LIFESTYLES LP	1038 TEXAS TRAIL	GRAPEVINE	TX	76051
281624	HMH LIFESTYLES LP	1038 TEXAS TRAIL	GRAPEVINE	TX	76051
281634	HMH LIFESTYLES LP	1038 TEXAS TRAIL	GRAPEVINE	TX	76051
179584	SEVEN-FIVE WAXAHACHIE	113 WILLOWCREST	WAXAHACHIE	TX	75165
180383	MARTINEK & ASSOC. LP	2256 BELLS CHAPEL RD	WAXAHACHIE	TX	75165
281633	YOUNG DANIEL S	2261 SHEPPARDS LN	WAXAHACHIE	TX	75167
281635	HALL SHELBY G & BURCH DEREK A	2269 SHEPPARDS LN	WAXAHACHIE	TX	75167
281636	LAWSON BRITTANY	2277 SHEPPARDS LN	WAXAHACHIE	TX	75167
281638	ROBINSON JOHN C JR	2285 SHEPPARDS LN	WAXAHACHIE	TX	75167
261920	BOZE D WAYNE & MARIA M	2322 W HWY 287 BUSINESS	WAXAHACHIE	TX	75165
179591	F5 LAND & COMPANY LLC	275 BAKERS BRANCH RD	WAXAHACHIE	TX	75165
281637	FRANCIS ADEKUNLE A	2821 SHEPPARDS LN	WAXAHACHIE	TX	75167
199964	IHLENFELDT DONALD & PATRICIA IHLENFELDT	301 OVILLA RD	WAXAHACHIE	TX	75167
180321	MARLIN ODENA	400 OVILLA RD	WAXAHACHIE	TX	75167
221795	PETERS SCOTT S	408 OVILLA RD	WAXAHACHIE	TX	75167
180316	OTTS KARON E & JOEL P	410 OVILLA RD	WAXAHACHIE	TX	75167
180503	WAXAHACHIE ISD	411 N GIBSON ST	WAXAHACHIE	TX	75165
277458	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281574	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281576	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281577	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281581	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281591	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281592	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281593	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281594	JB SANDLIN REAL ESTATE INC	5137 DAVIS BLVD	FT WORTH	TX	76180
281596	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281597	TLS HOMES INC	5137 DAVIS BLVD	NORTH RICHLAND HILLS	TX	76180
281598	MSAND BUILD LLC	5137 DAVIS BLVD	NORTH RICHLAND HILLS	TX	76180
281599	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281600	MSAND BUILD LLC	5137 DAVIS BLVD	NORTH RICHLAND HILLS	TX	76180
281601	SCOTT SANDLIN HOMES LTD	5137 DAVIS BLVD	NORTH RICHLAND HILLS	TX	76180
281602	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
281608	HMH LIFESTYLES LP	5137 DAVIS BLVD	NORTH RICHLAND HILLS	TX	76180
281623	SHEPPARD'S PLACE HOLDING CO LLC	5137 DAVIS BLVD	FT WORTH	TX	76180
180391	EIS DEVELOPMENT II LLC	6350 N IH35E	WAXAHACHIE	TX	75165
138566	BROOME REX A & CONSTANCE M	731 BROADHEAD RD	WAXAHACHIE	TX	75165
281603	SHEPPARDS PLACE PROPERTY OWNERS ASSOCIATION INC CO GOODWIN MGT	PO BOX 203310	AUSTIN	TX	78720
281639	SHEPPARDS PLACE PROPERTY OWNERS ASSOCIATION INC CO GOODWIN MGT	PO BOX 203310	AUSTIN	TX	78720
180392					



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City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-142-2021

WILLIAMS MICHAEL W & KELLY J  
312 OVILLA RD  
WAXAHACHIE, TX 75167

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 12, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 18, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

- 1. Request by George Salvador for a **Zoning Change** from a Single Family-1 Zoning to **Planned Development-Single Family-3** zoning district, located at 401 Ovilla Road (Property ID 180391) - Owner: EIS DEVELOPMENT II, LLC (ZDC-142-2021)

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-142-2021 City Reference: 205402

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, October 5, 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: Still NO!

Kelly Williams  
Signature

9.30.21  
Date

Kelly Williams  
Printed Name and Title

312 Ovilla Rd.  
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.*

## EXHIBIT "B"

Purpose and intent of this Planned Development (PD) known as Dominion Park is to allow for the development of 207 single family detached homes as shown in the enclosed PD site plan. Any standards not written herein should default to the Base Zoning District (SF-3) as described in the City of Waxahachie's Code of Ordinances.

Compliance with City's Comprehensive Plan:

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

*Description of the request:*

- We intend to modify the existing Single Family 1 (SF-1) requirements under a planned development which will allow for the development of 207 single family detached homes.

*Proposed use of the property:*

- Dominion Park consists of a mix of residential dwellings with majority of the dwellings being rear entry. Three different lot types are proposed. Type 1 is 60' wide with a minimum lot area of 7,200 SF. Type 2 is 70' wide with a minimum lot area of 8,400 SF. Type 3 is 80' wide with a minimum lot area of 10,200 SF. Overall, lots vary from 7200 SF up to 19,000 SF that blends with the adjacent development. The development will provide a high-quality residential neighborhood that will serve as a model for future developments in this area. The development will feature an elegant entrance monument, water feature, wider roadways, and a masonry fence at the front. Parks, jogging trails, multipurpose sports courts, community gathering areas, 5' sidewalks and lush landscaping are proposed for amenities. Common areas will be maintained by the HOA.

*General development requirements*

- The development site plan is attached in Exhibit "C"
- Elevations are attached in Exhibit "C"
- Density of the proposed development is 3.25 units per acre (outside the floodplain).
- Entrance monument sign, Landscaping and Screening plans are attached in Exhibit "C"
- Main access to Dominion Park will be provided by connecting the proposed entrance to the existing Ovilla Rd and additional access will be provided by connecting to the existing Shephard's Place PD to the north.
- Internal streets: proposed 50' right of way with 30' back to back curb and gutter streets with 5' sidewalks.
- 140' right of way is proposed near the entrance with divided roadway.
- Multiple park areas with amenities are proposed in the development.
- Homeowners association (HOA) will be established.
- All common areas landscaping, playground equipment will be maintained by the HOA.
- Park Benches, Pergolas, Playground, Trash receptacles throughout the open space and park areas.

- All park areas are within walkable distance to the residences.
- Sidewalk connectivity throughout the development and to the adjacent developments.
- SF lot coverage @50% maximum.
- Proposed masonry percentage for SF residential lots @75%. All materials should be in accordance with the City of Waxahachie requirements.
- Accessory buildings for SF Residential lots limited to 1 per lot with
- All alleyway lots will be rear entry.
- Size of Type 1 SF Residential lots
  - Minimum lot area – 7,200 Square Ft.
  - Minimum lot width – Sixty (60')
  - Minimum lot depth – 100'
- Sizes of SF Residential yards:
  - Minimum Front Yard – 20'
  - Minimum Side Yard – 5' Regular. 10' on corner lots.
  - Minimum Rear Yard – 20'
- Size of Type 2 SF Residential lots
  - Minimum lot area – 8,400 Square Ft.
  - Minimum lot width – Seventy (70')
  - Minimum lot depth – 100'
- Sizes of SF Residential yards:
  - Minimum Front Yard – 20'
  - Minimum Side Yard – 10' Regular and 15' on corner lots.
  - Minimum Rear Yard – 20'
- Size of Type 3 SF Residential lots
  - Minimum lot area – 10,000 Square Ft.
  - Minimum lot width – Eighty (80')
  - Minimum lot depth – 100'
- Sizes of SF Residential yards:
  - Minimum Front Yard – 20'
  - Minimum Side Yard – 10' Regular. 15' on corner lots.
  - Minimum Rear Yard – 20'
- SF lot coverage @50% maximum.
- SF Maximum height at Two (2) stories for the main building. One story for accessory building buildings.
- Minimum building size for Type 3 (10,000SF) lots is 2,400 Square Ft.
- At a minimum, each lot should follow the landscaping requirements shown in exhibit C. A minimum of two (2) canopy trees with a minimum caliper of three and half (3.5) inches per tree shall be required for each dwelling unit.
- A minimum of 2 enclosed parking spaces per dwelling unit in front of rear building line on the same lot as main structure for rear entry houses and rear of front building line on the same lot as main structure for front entry homes.
- 60% of the development should consist of the following lot types and the remaining 40% lot types shall be determined by the market conditions.

(27)

Home Style	Percentage	Minimum Homes
Contemporary	15%	31
Modern Farm	15%	31
Traditional	15%	31
Tudor	15%	31

- No single building elevation shall be duplicated within six (6) lots or tracts either direction on the same block face.
- Elevations may not be duplicated on any lot directly across a street or within four (4) lots either direction.
- 6ft. wrought iron fence shall be provided along the rear of the lots on the western boundary of the development.
- 6ft wood fence shall be provided along the North and South boundaries of the development.

Single Family Residential (SF1) –  
Existing Zoning

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

(27)

Type 1 - 60' Wide Lots

Required in base zoning SF3	Type 1	Variances Required for Type 1
Min lot area - 10,000 SF	7,200 SF	Yes
Min lot width - 80'	60'	Yes
Min lot depth -100'	100'	No
Min front yard - 30'	20'	Yes
Min side yard - 10' and 15' on Corner lots	5' and 10' on corner lots	Yes
Minimum rear yard 25'	20'	Yes
Min lot coverage - 50% by main and accessory buildings	50% by main and accessory buildings	No
Min DUA - 1,200 SF	1,800 SF	No

Type 2 - 70' Wide Lots

Required in base zoning SF3	Type 2	Variances Required for Type 2
Min lot area - 10,000 SF	8,400 SF	Yes
Min lot width - 80'	70'	Yes
Min lot depth -100'	100'	No
Min front yard - 30'	20'	Yes
Min side yard - 10' and 15' on Corner lots	10' and 15' on corner lots	Yes
Minimum rear yard 25'	20'	Yes
Min lot coverage - 50% by main and accessory buildings	50% by main and accessory buildings	No
Min DUA - 1,200 SF	1,800 SF	No

Type 3 - 80' Wide Lots

Required in base zoning SF3	Type 3	Variances Required for Type 3
Min lot area - 10,000 SF	10,000 SF	No
Min lot width - 80'	80'	No
Min lot depth -100'	100'	No
Min front yard - 30'	20'	Yes
Min side yard - 10' and 15' on Corner lots	10' and 15' on corner lots	No
Minimum rear yard 25'	20'	Yes
Min lot coverage - 50% by main and accessory buildings	50% by main and accessory buildings	No
Min DUA - 1,200 SF	2,400 SF	No



**PROPERTY DESCRIPTIONS:**

**BEGINNING** is 78.120 Acres tract of land out of the E. Horton Survey, Abstract number 466, and the E. Bellow Survey, Abstract number 391, Ellis County, Texas, and being a portion of that certain tract of land described in Executor's Deed to Don Gordon Walker, recorded in Volume 2466, Page 18, Deed Records, Ellis County, Texas. The bearings for this survey are based on the Texas State Plane Coordinate System, Texas North Central Zone (CRS), North American Datum 1983, as derived from stadia observations and NOAA/NGS OPUS calculations. Said 78.120 Acres being described by metes and bounds as follows:

**BEING** in an acre divided for the southeast corner of said Walker Tract and the southeast corner of that certain tract of land described by deed to JEDMHC, recorded in Instrument Number 1372118, Deed Records, Ellis County, Texas and to the east line of that certain tract of land described by deed to Washburne Independent School District (L.S.D.), recorded in Instrument Number 1309964, Deed Records, Ellis County, Texas.

**THENCE** North 89°45'15" East, departing said east line and along the common line of said JEDMHC tract and said 1/4" Iron rod tract, a distance of 3975.33 Feet to the southeast corner of the tract being described herein and the southeast corner of said JEDMHC tract and to the east right-of-way line of S.W. Highway Number 464, also known as Ovilla Road, an 80 Feet right-of-way, from which a 1/2" Iron rod found bears North 89°45'15" East, a distance of 1.00 Feet;

**THENCE** South 61°49'13" East, departing said common line and continuing along said east right-of-way line, a distance of 894.46 Feet to a 1/2" Iron rod with plastic cap stamped "RFLS 4818" set for the southeast corner of the tract being described herein, and being the southeast corner of that certain tract of land described by deed to Nancy Phares and Sharon Phares, as recorded in Instrument Number 1331124, Deed Records, Ellis County, Texas;

**THENCE** South 89°45'15" West, departing said east right-of-way line and continuing along the north line of said Phares tract and the north line of said Walker tract, at a distance of 78.111 Feet plus the northern corner of said Phares tract and the most easterly northern corner of that certain tract of land described by deed to Marlbrook and Associates, L.P., recorded in Volume 1348, Page 179, Deed Records, Ellis County, Texas, and continuing along the north line of the said Phares tract and overlapping along the north line of the said Marlbrook and Associates, L.P. Tract, and continuing along the north line of the Walker tract, at a distance of 1028.75 Feet, plus a 1/2" Iron rod found at the southeast corner of said Marlbrook and Associates, L.P. tract and the southeast corner of that certain tract of land described by deed to D. Wayne Sims and Martha H. Sims, recorded in Volume 2796, Page 17, Deed Records, Ellis County, Texas, departing said north line of said Marlbrook and Associates, L.P. tract and overlapping along the north line of said Sims tract and the said north line of the Walker tract, a total distance of 3042.88 Feet to a 1/2" Iron rod with plastic cap stamped "RFLS 4818" set for the most easterly northeast corner of the tract being described herein, and being the southeast corner of said Sims tract, also being to the easterly right-of-way line of Business Highway Number 287, a variable width right-of-way;

**THENCE** North 89°45'15" West, departing said north and south lines and continuing along said easterly right-of-way line, a distance of 3214.1 Feet to a 1/2" Iron rod with plastic cap stamped "RFLS 4818" set for the point of curvature of a semi-circular curve, curve to the north, having a radius of 276.1 Feet and a central angle of 43°52'56"; and a chord of 187.96 Feet bearing North 89°45'15" West;

**THENCE** easterly along said curve and continuing along said easterly right-of-way line, a distance of 188.91 Feet to a 1/2" Iron rod with plastic cap stamped "RFLS 4818" set;

**THENCE** North 89°45'15" West, departing said easterly right-of-way line and continuing along a west line of the tract being described herein, at a distance of 111.38 Feet, plus a southerly curve of said Washburne L.S.D. tract, radiating along the east line of said Washburne L.S.D. tract and said 1/4" Iron rod tract, a total distance of 294.38 Feet to a 1/2" Iron rod found;

**THENCE** North 89°45'15" East, continuing along said common line, a distance of 174.14 Feet to a 1/2" Iron rod found;

**THENCE** North 89°45'15" East, continuing along said common line, a distance of 3626.30 Feet to the POINT OF BEGINNING and continuing a compound curve of 78.120 Acres;

**SURVEY SHOWING  
78.120 ACRES  
OUT OF  
THE E. HORTON SURVEY, ABST. 466  
AND  
THE E. BELLOW SURVEY, ABST. 391  
ELLIS COUNTY, TEXAS**

**TITLE COMMITMENT NOTES:**

THIS SURVEY WAS PERFORMED IN CONNECTION WITH THAT CERTAIN COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST NATIONAL TITLE INSURANCE COMPANY, REFERENCED BY G.F. NO. 819-25677.

THE FOLLOWING ITEMS LISTED IN THE SCHEDULES OF THE ABOVE REFERENCED TITLE COMMITMENT DOES AFFECT THIS TRACT:

18a. Right of Way Deed to the State of Texas, recorded in Volume 397, Page 61, Deed Records of Ellis County, Texas.

18b. Temporary Right of Way Easement to the State of Texas, recorded in Volume 434, Page 126, Deed Records of Ellis County, Texas.

18c. Easement to Texas Power & Light Company, recorded in Volume 484, Page 146, Deed Records of Ellis County, Texas, giving a Unitized Easement in Nature. Surveyor unable to determine actual location by instrument(s).

18d. Terms, conditions and stipulations of the Water Use and Secondary Sewer Easement Agreement by and between Don Gordon Walker and City of Washburne, dated March 17, 2014, filed April 15, 2014, recorded in Clerk's Instrument Number 14181218, of the Official Public Records of Ellis County, Texas.

18e. Easement and Right-of-Way created by Don Gordon Walker to City of Washburne, dated September 4, 2014, filed September 25, 2014, recorded in Clerk's Instrument Number 1427998, of the Official Public Records, Ellis County, Texas.

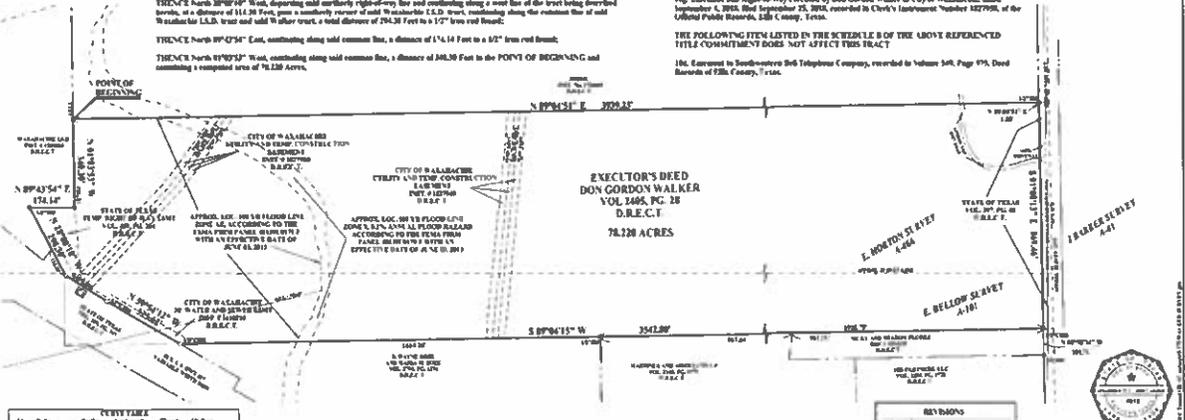
18f. Easement and Right-of-Way created by Don Gordon Walker to City of Washburne, dated September 4, 2014, filed September 25, 2014, recorded in Clerk's Instrument Number 1427998, of the Official Public Records, Ellis County, Texas.

THE FOLLOWING ITEM LISTED IN THE SCHEDULES OF THE ABOVE REFERENCED TITLE COMMITMENT DOES NOT AFFECT THIS TRACT:

18a. Easement to Southwestern Bell Telephone Company, recorded in Volume 348, Page 175, Deed Records of Ellis County, Texas.

LEGEND

1/4" IRON ROD	1/2" IRON ROD
1/4" IRON ROD WITH PLASTIC CAP	1/2" IRON ROD WITH PLASTIC CAP
1/4" IRON ROD WITH PLASTIC CAP AND METAL TAG	1/2" IRON ROD WITH PLASTIC CAP AND METAL TAG
1/4" IRON ROD WITH PLASTIC CAP AND METAL TAG AND METAL TAG	1/2" IRON ROD WITH PLASTIC CAP AND METAL TAG AND METAL TAG
1/4" IRON ROD WITH PLASTIC CAP AND METAL TAG AND METAL TAG AND METAL TAG	1/2" IRON ROD WITH PLASTIC CAP AND METAL TAG AND METAL TAG AND METAL TAG
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PROPERTY TABLE

TRACT	ACRES	OWNER
1	78.120	EXECUTOR'S DEED DON GORDON WALKER VOL 2466, PG. 18 D.R.E.C.T.

REVISIONS

NO.	DATE	DESCRIPTION
1	01/20/2019	INITIAL SURVEY
2	03/15/2019	REVISION TO BEARINGS AND DISTANCES
3	05/10/2019	REVISION TO BEARINGS AND DISTANCES
4	07/10/2019	REVISION TO BEARINGS AND DISTANCES



EXISTING SURVEY

09-01-2021

**TURNKEY TRACT**

BRANCH ONE DEVELOPMENT  
GEORGE SALVADOR  
6350 N. J. SC. SERVICE ROAD  
WABARNHE, TX 75185  
info@turnkeytract.com

**TURNKEY TRACT**  
2708 MAR. ST. #70  
FROCO TX 75035  
info@turnkeytract.com  
214-377-0368

**DOMINION PARK**  
ADDRESS: STATE USA

1 OF 18



(27)



**COLOR CODED PLAN**  
09-01-2021

Project Name	WATAMACHE ONE DEVELOPMENT
Developer	GEORGE SALVADOR
Address	6350 N I-35E, SERVICE ROAD
City	WATAMACHE, TX 75165
Contact	info@bestcvs.com

Job No.	20200207
Job Name	20C-143-2021

Prepared by: [Signature]

**TURNKEY TRACT**  
2770 WADE ST #171  
FROSCO, TX 75033  
info@turnkeytract.com  
214-377-0388

**DOMINION PARK**  
WATAMACHE, TEXAS, USA

Scale	3
DP	18



SITE PLAN - COLOR CODED

LOT DISTRIBUTION TABLE

TYPE	AREA SF	NO.	PERCENT
2000 - 3000 SF	10	19.2%	
3000 - 4000 SF	15	28.8%	
4000 - 5000 SF	25	48.0%	
5000 - 6000 SF	30	57.6%	
SIDE ENTRY LOTS	113	214.4%	



PRELIMINARY WATER AND SANITARY SEWER

LEGEND  
 --- PROPOSED S/S SANITARY SEWER  
 --- PROPOSED P WATER LINE



PRELIMINARY WATER AND SANITARY SEWER

PRELIMINARY WATER AND SANITARY SEWER  
 09-01-2021



WAKAHACHE ONE DEVELOPMENT  
 GEORGE SALVADOR  
 6350 N IH 35E, SERVICE ROAD  
 WAKAHACHE, TX 75165  
 info@turnkeycustomhomes.com

PROJECT NO: 20020007  
 SHEET NO: 200-1-02-2021  
 DATE: 09-01-2021

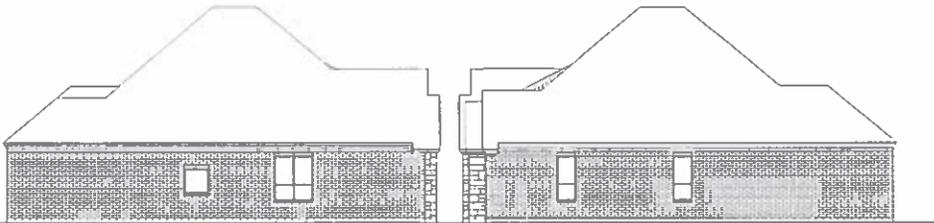
TURNKEY TRACTS  
 2720 MARSH #171  
 FROSTWOOD, TX 75033  
 info@turnkeycustomhomes.com  
 214-377-0388

DOWNHILL PARK  
 WAKAHACHE, TEXAS, USA

DATE	4
REV	00
BY	MS



FRONT ELEVATION



2750 LEFT ELEVATION  
MIDWEST FARMHOUSE

2750 RIGHT ELEVATION  
MIDWEST FARMHOUSE

RENDERING 1

09-01-2021



SAVANNAH ONE DEVELOPMENT  
GEORGE SALVADOR  
6350 W I-35E, SERVICE ROAD  
WAXAHACHE, TX 75165  
info@blancustohomes.com

JOB # 10-07 20200007  
10/1/2020 10:00 AM  
10/1/2020 10:00 AM

TURNKEY TRACT  
2770 MAIN ST #171  
FRISCO, TX 75033  
nickcivilengineer4@gmail.com  
214-377-0388

DOMINION PARK  
WAXAHACHE, TEXAS USA

DATE	5
CP	18



FRONT ELEVATION



3/100 FRONT ELEVATION  
FRONT ELEVATION



3/100 LEFT ELEVATION  
FRONT ELEVATION



3/100 RIGHT ELEVATION  
FRONT ELEVATION



3/100 FRONT ELEVATION  
FRONT ELEVATION

RENDERING 2  
09-01-2021


WAXAHACHE ONE DEVELOPMENT  
GEORGE SALVADOR  
6550 N I-35E SERVICE ROAD  
WAXAHACHE, TX 75165  
info@turnkeycustomhomes.com

TURNKEY TRACT  
2710 MAIN ST #171  
FRISCO, TX 75033  
nackwenger4@gmail.com  
214-377-0368

DOMINION PARK  
WAXAHACHE, TEXAS, USA

	6
	OF
	18

(27)



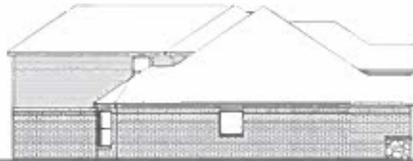
FRONT ELEVATION



2024 FRONT ELEVATION  
FRENCH ECOLETTE



2024 RIGHT ELEVATION  
FRENCH ECOLETTE



2024 LEFT ELEVATION  
FRENCH ECOLETTE



2024 REAR ELEVATION  
FRENCH ECOLETTE

RENDERING 3  
09-01-2021


Project Name: **WAXAHACHE ONE DEVELOPMENT**  
 GEORGE SALVADOR  
 6350 M H-35E SERVICE ROAD  
 WAXAHACHE TX 75165  
 info@thonecustomhomes.com

File No: 20202007

Project Name: **TURKEY TRACT**  
 2770 MARK ST #175  
 FRODO TX 75035  
 rick@turkeyaluminum.com  
 214-377-0368

Project Name: **DOMINION PARK**  
 WAXAHACHE TX 75165


(27)



FRONT ELEVATION



2420 FRONT ELEVATION  
1/4" = 1'-0" (1/8" = 1'-0")



2420 LEFT ELEVATION  
1/4" = 1'-0" (1/8" = 1'-0")



2420 RIGHT ELEVATION  
1/4" = 1'-0" (1/8" = 1'-0")



2420 REAR ELEVATION  
1/4" = 1'-0" (1/8" = 1'-0")

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RENDERING 4  
09-01-2021

No.	File Name	Date

Project Name:  
**WAXAHACHE ONE DEVELOPMENT**  
GEORGE SALVADOR  
5350 N I-35E, SERVICE ROAD  
WAXAHACHE, TX 75165  
info@oncustomhomes.com

Job No. 2021000027

Architect: **TURNKEY TRACT**  
2770 WAXY ST #171  
FRIISCO, TX 75033  
nko@turnkeytract.com  
214-377-0388

Project Name: **DOMINION PARK**  
WAXAHACHE, TEXAS, USA

Sheet	8
OF	18

(27)



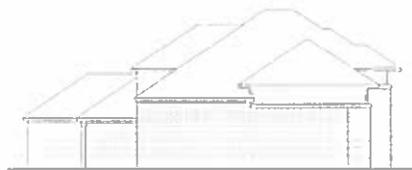
FRONT ELEVATION



FRONT ELEVATION



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION

RENDERING 5  
09-01-2021



Project Name	TURNKEY TRACT
Address	MAXAMACHE ONE DEVELOPMENT GEORGE SALVADOR 6350 N I-35E, SERVICE ROAD WILKINSON, TX 75155 info@turnkeyhomes.com
Job No	20200007
Client	TURNKEY TRACT
Architect	TURNKEY TRACT 2770 MAIN ST #171 FRISCO, TX 75033 info@turnkeyhomes.com 214-377-0388
Location	DOMINION PARK WILKINSON, TEXAS USA
Sheet No	9
Total	OF 18

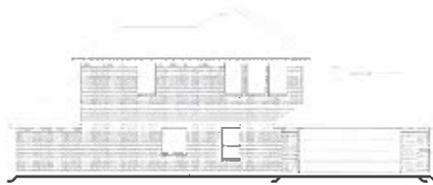
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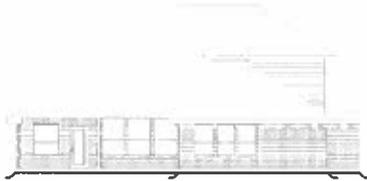
FRONT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION

RENDERING 6

09-01-2021



MAXIMADRE ONE DEVELOPMENT  
GEORGE SALVADOR  
6350 N. 11358 SERVICE ROAD  
WAXAHACHE, TX 75165  
info@turnkeyhomes.com

PROJECT NO. 20210007  
DATE: 09/01/2021  
BY: [Signature]

TURNKEY TRACT  
2770 MAIN ST #121  
FRISCO, TX 75033  
E: civilengineer4@gmail.com  
214-377-0388

DOMINION PARK  
WAXAHACHE, TEXAS, USA

10
OF
18

(27)



FRONT ELEVATION



REAR ELEVATION



RIGHT ELEVATION



LEFT ELEVATION

RENDERING 7

09-01-2021



BAKAHACHE ONE DEVELOPMENT  
GEORGE SALVADOR  
6350 N M-35E, SERVICE ROAD  
BAKAHACHE, TX 75165  
info@bancustomhomes.com

Project Name: BAKAHACHE ONE DEVELOPMENT  
Project Location: GEORGE SALVADOR  
Project Address: 6350 N M-35E, SERVICE ROAD  
Project City: BAKAHACHE, TX 75165  
Project Phone: 214-377-0366

TURKEY TRACT  
2770 MAIN ST #171  
FRISCO, TX 75033  
rs.civilengineer@gmail.com  
214-377-0366

DOMINION PARK  
BAKAHACHE, TEXAS, USA

11
18



(2T)



Facades 1

09-01-2021


WAXAHACHE ONE DEVELOPMENT  
 GEORGE SALVADOR  
 6350 N. I-35E. SERVICE ROAD  
 WAXAHACHE, TX 75165  
 info@blanconhomes.com

TURNKEY TRACT  
 2770 MAIN ST #171  
 PRISCO, TX 75033  
 P+CivilEngineer & Architect.com  
 214-377-0380

DOMINION PARK  
 WAXAHACHE, TEXAS, USA

	#1
	OF
	16



Facades 2

09-01-2021

TURNKEY TRACT

WAKAHACHE ONE DEVELOPMENT  
 CEDRGE SALVADOR  
 6350 N III 35E SERVICE ROAD  
 WAKAHACHE TX 75165  
 info@turnkeycustomhomes.com

20200007

TURNKEY TRACT  
 2770 MAIN ST #171  
 FRISCO, TX 75033  
 rachel@turnkey.com | 214-377-0388

DOMINION PARK  
 WAKAHACHE, TEXAS, USA

#2
OF
18



Facades 3  
09-01-2021


WAXAHACHE ONE DEVELOPMENT  
GEORGE SALVADOR  
6350 N H 39E SERVICE ROAD  
WAXAHACHE, TX 75165  
info@hancustomhomes.com

Plan Name: 20200707

2020 TURNKEY TRACT, LLC  
10000 W. STATE ST. SUITE 100  
DALLAS, TEXAS 75243  
214-377-0388

TURNKEY TRACT  
2770 MARI ST #171  
FHS0014 75033  
nk.cvaldenguez4@turnkey.com  
214-377-0388

Project Name: 20200707

DOMINION PARK  
WAXAHACHE, TEXAS, USA

	F3
	OF
	18



MATERIAL:  
SPEK  
SOUND AND TYP  
SHRUBS



PLAN 2704 SIDE ENTRY GARAGE



MATERIAL:  
SPEK  
SOUND AND TYP  
SHRUBS



PLAN 1000 SIDE ENTRY GARAGE



MATERIAL:  
SPEK  
SOUND AND TYP  
SHRUBS



PLAN 3400 SIDE ENTRY GARAGE



MATERIAL:  
SPEK  
SOUND AND TYP  
SHRUBS



PLAN 2950 FRONT ENTRY GARAGE

Facades 4

09-01-2021



BAYARACHE ONE DEVELOPMENT  
GEORGE SALVADOR  
6350 W I-35E SERVICE ROAD  
BAYARACHE, TX 75165  
info@blancu.com

PLAN # 44-00 00000007  
PLAN # 44-00 00000007

TURNKEY TRACT  
2770 MAIN ST #171  
FRISCO, TX 75033  
r3.civil@turnkey4@gmail.com  
214-377-0388

DOMINION PARK  
DALLAS, TEXAS, USA

#4
04
10

(2T)



Facades 5

09-01-2021

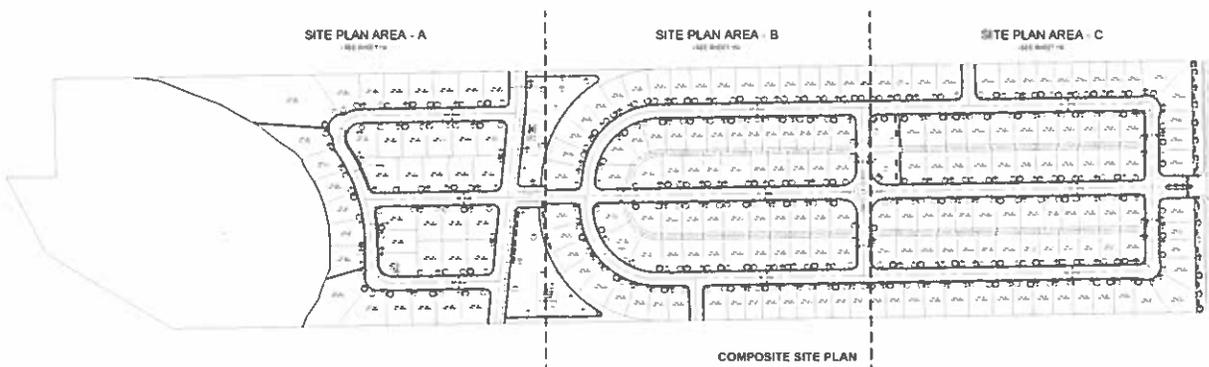

BARAHACHE ONE DEVELOPMENT  
GEORGE SALVADOR  
8350 N. I-35E, SERVICE ROAD  
BARAHACHE, TX 75165  
info@baracustomhomes.com

TURNKEY TRACT  
2770 MAIN ST. #171  
FRISCO, TX 75033  
friscivilenquiries@gmail.com  
214-377-0366

DOMINION PARK  
BARAHACHE, TEXAS, USA


SYMBOL	BOTANICAL NAME	COMMON NAME	HEIGHT	SPACING	QUANTITY	COMMENT	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	SPACING	QUANTITY	COMMENT
	Quercus shumardii	Shumard Red Oak	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Ilex cornuta 'Dwarf Burford'	Dwarf Burford Holly	5 Gal	18"-24"	36" @ 10'	Ref. Plans	
	Ulmus crassifolia	Cedar Elm	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Ilex verticillata 'Nana'	Dwarf Yaupon	5 Gal	12' Min	36" @ 10'	Ref. Plans	
	Quercus virginiana	Southern Live Oak	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Juniperus horizontalis 'Bar Harbor'	Bar Harbor Creeping Juniper	3 Gal	12' Min	42" @ 10'	Ref. Plans	
	Ptelea crenulata	Chinese Pistache	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Muhlenbergia schubertii	Lindheimer's Blurry	5 Gal	12' Min	36" @ 10'	Ref. Plans	
	Pinus strobus	Alpina Pine	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Myrica pauciflora	Dwarf Southern Heath Myrica	5 Gal	12' Min	36" @ 10'	Ref. Plans	
	Taxodium distichum	Bald Cypress	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk								

**Landscape Requirements**  
 A minimum of two (2) canopy trees with a minimum caliper of two and half (2 1/2) inches shall be required for each parking unit.  
 Canopy Trees Required: 418  
 Canopy Trees Provided: 473



**LANDSCAPE PLAN**  
09-01-2021

**TURNKEY TRACT**

WAXAHACHE ONE DEVELOPMENT  
 GEORGE SALVADOR  
 6350 H I-35E SERVICE ROAD  
 WAXAHACHE, TX 75165  
 info@blancocustomhomes.com

TURNKEY TRACT  
 2770 MAN ST #111  
 PRISCO, TX 75033  
 info@turnkeytract.com  
 214-377-0355

DOMINION PARK  
 WAXAHACHE, TEXAS, USA

13 OF 18

SYMBOL	BOTANICAL NAME	COMMON NAME	HEIGHT	SPACING	QUANTITY	COMMENTS	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	SPACING	QUANTITY	COMMENTS
<b>Trees</b>														
	Quercus shumardii	Shumard Red Oak	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Ilex cornuta	Divert Burreed	5 Gal	18" Dia	30' O.C.	Ref. Plans	
	Ulmus crassifolia	Cedar Elm	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Ilex vomitoria	Nana	5 Gal	12' Min	30' O.C.	Ref. Plans	
	Quercus virginiana	Southern Live Oak	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Juniperus horizontalis	Star Harbor	5 Gal	12' Min	30' O.C.	Ref. Plans	
	Ficus chinensis	Chinese Pigeon	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Lonicera x munita	Limbohar x Munita	5 Gal	12' Min	30' O.C.	Ref. Plans	
	Pinus strobus	Alpina Pine	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Myrica aspera	Divert Southern Area Myrica	5 Gal	12' Min	30' O.C.	Ref. Plans	
	Taxodium distichum	Bald Cypress	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk								

**Landscape Requirements**  
 A minimum of two (2) canopy trees with a minimum caliper of two and half (2 1/2) inches shall be required for each dwelling unit.  
 Canopy Trees Required: #18  
 Canopy Trees Provided: #73



SITE PLAN AREA - A

LANDSCAPE  
PLAN-AREA - A  
09-01-2021

**TURNKEY**  
LANDSCAPE

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**WAKAHACHE ONE DEVELOPMENT**  
 GEORGE SALVADOR  
 6150 N. I-35E SERVICE ROAD  
 WAKAHACHE, TX 75165  
 info@blancustomhomes.com

---

**TURNKEY TRACT**  
 2770 MAIN ST #171  
 FRISSCO, TX 75033  
 681 Chelmsford Ave #1000-1001  
 214-377-0588

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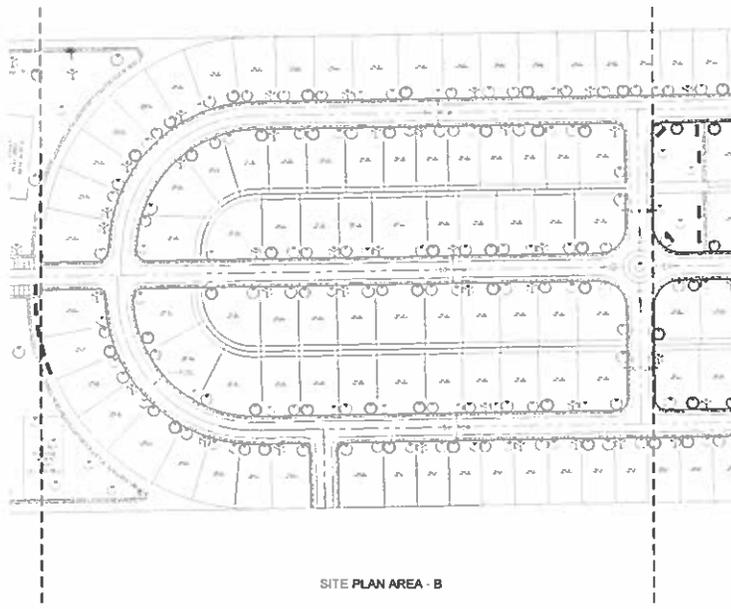
**DOMINION PARK**  
 WAKAHACHE, TEXAS, USA

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Sheet No.	14
Of	18

SYMBOL	BOTANICAL NAME	COMMON NAME	HEIGHT	SPACING	QUANTITY	COMMENTS	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	SPACING	QUANTITY	COMMENTS
	Quercus shumardii	Shumard Red Oak	12' Min	Ref Plans	Ref Plans	Single Straight Trunk		Ficus aspinosa Dwarf Burff	Dwarf Burff's Holly	5 Ga	18'-24"	30' O.C.	Ref Plans	
	Ulmus crassifolia	Cedar Elm	12' Min	Ref Plans	Ref Plans	Single Straight Trunk		Ficus velutina Ficus	Dwarf Ficus	5 Ga	12' Min	30' O.C.	Ref Plans	
	Quercus alpinana	Southern Live Oak	12' Min	Ref Plans	Ref Plans	Single Straight Trunk		Juniperus horizontalis Bar Harbor	Bar Harbor Creeping Juniper	3 Ga	12' Min	40' O.C.	Ref Plans	
	Prinos thomasi	Chinese Pistache	12' Min	Ref Plans	Ref Plans	Single Straight Trunk		Wunderbergia indiana	Lindheimer's Turly	5 Ga	12' Min	30' O.C.	Ref Plans	
	Pinus edulis	Alphian Pine	12' Min	Ref Plans	Ref Plans	Single Straight Trunk		Myrica pauciflora	Dwarf Broom Wax Myrtle	5 Ga	12' Min	30' O.C.	Ref Plans	
	Taxodium distichum	Bald Cypress	12' Min	Ref Plans	Ref Plans	Single Straight Trunk								

Landscape Requirements  
 A maximum of two (2) canopy trees with a minimum taper of two and half (2 1/2) inches shall be required for each building unit.  
 Canopy Trees Required: 418  
 Canopy Trees Provided: 473



SITE PLAN AREA - B

**LANDSCAPE PLAN-AREA - B**  
09-01-2021


WAXAHACHE ONE DEVELOPMENT  
 GEORGE SALVADOR  
 6350 N. H. 35E, SERVICE ROAD  
 WAXAHACHE, TX 75165  
 info@boncustonhomes.com

20200207

TURKEY TRACT  
 2770 MAIN ST., #171  
 FRYSCO TX 75033  
 ricvaldenguez4@gmail.com  
 214-377-0268

DOMINION PARK  
 WAXAHACHE, TEXAS, USA

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	OF
	18

SYMBOL	BOTANICAL NAME	COMMON NAME	HEIGHT	SPACING	QUANTITY	COMMENTS	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	SPACING	QUANTITY	COMMENTS
<b>Trees</b>														
	Quercus shumbreri	Burnout Red Oak	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Ilex cornuta	Dwarf Burford	5 Gal	12' O.C.	30' O.C.	Ref. Plans	
	Ulmus crassifolia	Cedar Elm	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Ilex vomitoria	Nana	5 Gal	12' Min	30' O.C.	Ref. Plans	
	Quercus virginiana	Scout Oak	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Juniperus horizontalis	Blue Harbor	3 Gal	12' Min	44' O.C.	Ref. Plans	
	Ptelea crenulata	Chinese Pistache	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Lonicera x Murrayana	5 Gal	12' Min	30' O.C.	Ref. Plans		
	Pinus strobus	Alpine Pine	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk		Myrica pauciflora	Dwarf Southern Blue Myrtle	5 Gal	12' Min	30' O.C.	Ref. Plans	
	Taxodium distichum	Swamp Cypress	12' Min	Ref. Plans	Ref. Plans	Single Straight Trunk								

**Landscape Requirements**  
 A minimum of two (2) canopy trees with a minimum caliper of two and half (2 1/2) inches shall be required for each building unit.  
 Canopy Trees Required: 412  
 Canopy Trees Provided: 473



SITE PLAN AREA - C



**LANDSCAPE PLAN-AREA - C**  
09-01-2021

<p><b>WAKAHACHE ONE DEVELOPMENT</b>          GEORGE SALVADOR          6350 N I-35E SERVICE ROAD          WAKAHACHE, TX 75165          info@blancustormhomes.com</p>	<p><b>TURNKEY TRACT</b>          2770 WABE ST #171          FRIISCO, TX 75033          FRdevelopment@ignps.com          214-377-0388</p>
<p><b>DOMINION PARK</b>          MCKINNEY, TEXAS, USA</p>	

16  
OF  
18



ENTRY SIGN AND FENCES



SCREEN WALL

**Edge** LED Street Light  
Smart and Professional

POB ICW FICE Photocell

- Triple brightness
- Saw & light 4 feet of beam
- Compact design & sleek

FENCE AND LIGHTING

09-01-2021


SAKAKACHE ONE DEVELOPMENT  
GEORGE SALVADOR  
6350 N. I-35E SERVICE ROAD  
WAXAHACHE, TX 75165  
info@tdn-customhomes.com

TURNKEY TRACT  
2770 MAIN ST #171  
FRISCO, TX 75033  
rd.civilengineer4@gmail.com  
214-377-0588

DOMINION PARK  
WAXAHACHE, TEXAS, USA

	17
	18

(27)



ENTRY RENDERING

09-01-2021



WAXAHACHE ONE DEVELOPMENT  
GEORGE SALVADOR  
6350 N I-35E, SERVICE ROAD  
WAXAHACHE, TX 75165  
info@barcuslathames.com

TURKEY TRACT  
2770 MAIN ST #171  
FRISCO, TX 75033  
nicvandenaver@gmail.com  
214-377-0388

DOMINION PARK  
WAXAHACHE, TEXAS, USA

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08
18

(29)

# Planning & Zoning Department

## Zoning Staff Report



**Case: ZDC-116-2021**

**MEETING DATE(S)**

*Planning & Zoning Commission:* October 12, 2021 (originally scheduled for August 24, 2021 P&Z)

*City Council:* October 18, 2021

**CAPTION**

**Public Hearing** on a request by Josh Meredith, Van Trust Real Estate, for a **Zoning Change** from Planned Development – Commercial (PD-C) and Future Development (FD) to Planned Development – Light Industrial – 1 (PD-LI1), to allow **Storage Warehouse** use, located just West of Interstate 35 and South of Butcher Road (Property ID 188448 & 188453) - Owner: JAMES R PITTS TRUSTEE & BUCEES, LTD (ZDC-116-2021)

**APPLICANT REQUEST**

The applicant is requesting approval of a Planned Development to allow for an industrial logistics business park.

**CASE INFORMATION**

*Applicant:* Josh Meredith, Van Trust Real Estate

*Property Owner(s):* James R. Pitts Trustee & Buc-ee's, LTD

*Site Acreage:* 73.7 acres

*Current Zoning:* Planned Development – Commercial (PD-C) and Future Development (FD)

*Requested Zoning:* Planned Development – Light Industrial – 1 (PD-LI1)

**SUBJECT PROPERTY**

*General Location:* Southwest corner of I-35E and Butcher Rd.

*Parcel ID Number(s):* 188448 and 188453

*Existing Use:* Undeveloped

*Development History:* Case no. PD-18-0088, which created a PD-C zoning to allow for a Buc-ee's Travel Center on the subject property, was approved by City Council on 6/18/18.

*Adjoining Zoning & Uses:*

Direction	Zoning	Current Use
North	LI1	Undeveloped
East	HI	ABC Supply Co. Inc.
South	LI1	Outside Storage
West	N/A (ETJ)	Undeveloped

*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 businesses 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 I-35E South Service Road. In addition to the service road, the applicant is proposing to extend Butcher Road to the west, with Butcher Road extending the entire length of the property. This extension would allow for additional access to the site.

*Site Image:*



**PLANNING ANALYSIS**

Purpose of Request:

The applicant is requesting approval of a Planned Development to allow an industrial business park on 73 acres. Per the City of Waxahachie Zoning Ordinance, a Planned Development request is required to be reviewed by City Council.

Proposed Use:

The applicant intends to create a Planned Development to allow for an industrial business park. The project is located on the southwest corner of I-35E and Butcher Road. Per the Concept Plan, the applicant is proposing to construct one (1) industrial warehouse that can be up to 1,215,200 sq. feet in size. Though the proposed industrial warehouse will be capable of housing multiple tenants, there are currently no confirmed tenant(s) at this time.

The development intends to allow uses such as Auto Parking Lot (Commercial), Auto Parking Lot (Trucks and Trailers), Outside Storage, Storage Warehouse, Open storage (display, or work areas for merchandise or machinery uses), Cold Storage Warehouse, Data Processing Center, Distribution Warehouse, General Warehouse, Logistics Warehouse, Office Showroom, and Package Delivery Services. The development also intends to allow 24-hour operation, propane storage, and tarping of loaded flatbed trailers, by right within the development

Planned Development Notes

- A. There will be a maximum height of 6 stories for the proposed structure within the Planned Development.
- B. The primary building material will be concrete. Additional materials include glass and metal paneling.
- C. The developer is proposing to construct Butcher Road from its current location along the entire length of their northern property boundary. This is approximately 2,185 feet in length.

**SPECIAL EXCEPTION/VARIANCE REQUEST:**

Parking Regulations:

Per the City of Waxahachie Zoning Ordinance, one (1) parking space is required for every 1,000 s.f. of storage area or for every 2 employees.

- One (1) parking space per 1,000 s.f. of warehouse space up to 20,000 s.f. and one (1) space per 4,000 s.f. thereafter. Parking for office shall be one (1) parking space per 300 s.f. of office area. Truck court areas may be striped to meet this requirement if necessary. The utilization of shared and/or converted parking is encouraged to reduce impervious coverage.

Landscape Requirements:

The applicant has requested multiple variances from the Landscape Requirements that are provided in the City of Waxahachie Zoning Ordinance. These include the following:

- Street trees must be planted at the average rate of one (1) tree for every forty (40) linear feet of street frontage.
  - Per the City of Waxahachie Zoning Ordinance, a street tree must be planted at the average rate of one (1) tree for every thirty (30) linear feet of street frontage.
- All auto parking shall be within one-hundred (100) linear feet of a tree trunk.

- Per the City of Waxahachie Zoning Ordinance, to reduce the thermal impact of unshaded parking lots, the required landscaping must be planted throughout parking lots so that no portion of a parking space is more than sixty-four (64) feet away from the trunk of a tree.
- The applicant is requesting deviations from the following:
  - Trailer and Auto parking shall be excluded from all landscape and shrub square footage requirements set forth in Section 5.04.
  - This site shall be excluded from all requirements set forth in sections 5.04.e, 5.04.f, 5.04.g.i, 5.04.g.ii, and 5.04g.vi.
    - 5.04.e. covers Interior Landscape Area Requirements
    - 5.04.f. covers Parking Lot Landscaping
    - 5.04.g.i specifies buffer yard requirements
    - 5.04.g.ii specifies landscape buffers
    - 5.04.g.iv specifies irrigation requirements
  - Trailer parking spaces are exempt from the parking lot tree coverage requirement for passenger cars.
- Parking areas within truck loading and maneuvering areas shall not require landscape islands of trees.
  - Per the City of Waxahachie Zoning Ordinance, in addition to the required landscaping per parking space above, one (1) linear landscaping island with a minimum width of ten (10) feet is required for every two (2) parking bays. The intent is to prevent the massing of a large number of parking spaces and to address safety issues concerning the flow of traffic in the parking lot.

#### **STAFF CONCERNS**

##### Unknown Uses

Staff has concerns with rezoning the subject property without knowing the specific uses/tenants that will potentially occupy the development. Staff suggests that the applicant specify which uses are likely to be used within the development, opposed to the wide-ranging list provided.

Current proposed uses include: Auto Parking Lot (Commercial), Auto Parking Lot (Trucks and Trailers), Outside Storage, Storage Warehouse, Open storage (display, or work areas for merchandise or machinery uses), Cold Storage Warehouse, Data Processing Center, Distribution Warehouse, General Warehouse, Logistics Warehouse, Office Showroom, and Package Delivery Services.

##### Proposed Use

While staff recognizes the appeal of the subject site for the purpose of a warehouse and realizes the significance of extending Butcher Road to the west, staff is concerned that the overwhelming presence a building of this size will have will disrupt efforts to make the I-35E gateway to the City more visually appealing. City staff views the intersection of I-35E and Butcher Road as one of the most important intersections in the City. With only the warehouse use being proposed for this site, staff does not believe that this presents enough of an opportunity for the City to change the zoning. Staff suggests that any requested zoning change made to any existing zoning shall only be granted when an applicant demonstrates that the alternative zoning, design or measure, provides an equal or greater level of quality and standard of development as that is mandated by the existing regulations.

##### Landscaping and Screening

Per the latest concept landscaping proposal, the applicant has failed to provide adequate vegetative screening for the site along the I-35E frontage. In the proposal a cluster of trees are to be located around the northeast corner of the property and will provide additional screening from Butcher Road.

Per this proposal, the screening follows I-35E for approximately 25% of the property width before the landscaping becomes largely nonexistent, along the rest of the I-35E frontage. It is City staff's belief that the applicant has failed to achieve any form of adequate vegetative screening for the subject site along the I-35E frontage.

Staff has not received any proposal to install improved fencing (ornamental iron, screening wall, etc.) along both I-35E and Butcher Road. The applicant has indicated they are willing to enter into dialogue with the City regarding this matter.

City staff and City leaders have worked diligently with applicants in the past few years to ensure landscaping and fencing features provided adequate screening to commercial/industrial sites along the I-35E corridor. Due to the size of the proposed warehouse structure as well as the proposed uses, staff believes the proposed screening is insufficient for the warehouse. Staff believes the standard that has been established should remain and that approval of the proposed landscaping and screening plan for this site undermines this effort. Staff would request that some form of ornamental iron fencing at least 6 feet in height be placed along I-35E as well as the Butcher Road extension. In addition, staff believes that increased screening vegetation will be needed in an effort to better conceal the use on the site. Per the City of Waxahachie Zoning Ordinance, Section 5.04 of the Zoning Ordinance requires that the applicant be consistent with the landscaping requirements of the City. Staff suggests that the applicant meet the standards of the development.

**APPLICANT RESPONSE TO CONCERNS**

1. The applicant understands staff's concerns and intends to state their reasoning at the October 12, 2021 Planning and Zoning meeting.

**PUBLIC NOTIFICATIONS**

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

**PROPERTY OWNER NOTIFICATION RESPONSES**

Inside 200 ft.: Staff received one (1) letter of opposition within the 200 ft. noticing buffer for the proposed development.

Outside 200 ft.: Staff received one (1) letter of opposition outside of the 200 ft. noticing buffer 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**  
**Due to staff concerns, staff is recommending denial.**
- Approval, as presented.
- Approval, per the following comments:

**ATTACHED EXHIBITS**

1. PON Responses
2. Proposed Planned Development Regulations
3. Proposed Site Plan Exhibit
4. Proposed Building Elevation
5. Proposed Landscape Plan Exhibit

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*

Chris Webb

Senior Planner

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

*Reviewed by:*

Shon Brooks, AICP

Executive Director of Development Services

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

(29)

PropertyID	Owner's Name	Acres	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
142595	MALDONADO RAUL ROGAS	3.305	LOT 7 BROWN RD SITES 2 - 3.305 AC	524 BROWN INDUSTRIAL RD	WAXAHACHIE	TX	75167	524 BROWN INDUSTRIAL RD WAXAHACHIE TX 75167
182296	REED LAND MANAGEMENT LTD	71.92	207 WM DOWNING 71.92 ACRES	4125 WINDSOR PKWY	DALLAS	TX	75205	SOLOH RD WAXAHACHIE TX 75165
187590	REED LAND MANAGEMENT LTD	155.66	690 WM & MILLER 155.66 ACRES	4125 WINDSOR PKWY	DALLAS	TX	75205	PATRICK RD WAXAHACHIE TX 75167
186446	PITTS JAMES R TRUSTEE	131.18	790 E C NEWTON & 1000 J SHAVER 131.18 ACRES	710 SYCAMORE ST	WAXAHACHIE	TX	75165	INTERSTATE 35 WAXAHACHIE TX 75165
186453	BUCEES LTD	58.718	790 E C NEWTON 58.718 ACRES	327 FM 2004	LAKE JACKSON	TX	77566	INTERSTATE 35 WAXAHACHIE TX 75165
186458	CARLINFORD PROPERTIES LLC	7.081	LOT 1 BLK A ESPINOZA ADDITION 7.081 AC	18120 CZARKS PATH	BEE CAVE	TX	78738	4743 N INTERSTATE 35 WAXAHACHIE TX 75165
186460	ESTRADA LUIS	29.74	790 E C NEWTON 29.74 ACRES	410 SUNFLOWER ST	REDOAK	TX	75154	4675 N INTERSTATE 35 WAXAHACHIE TX 75165
191027	REED LAND MANAGEMENT LTD	1.5	1000 J SHAVER 1.5 ACRES	4125 WINDSOR PKWY	DALLAS	TX	75205	BROWN INDUSTRIAL RD WAXAHACHIE TX 75167
191034	PRZYBYLSKI FAMILY REVOCABLE LIVING TRUST	54.188	1000 J SHAVER & 1000 P B STOUT 54.188 ACRES	5375 N INTERSTATE HIGHWAY 35 E	WAXAHACHIE	TX	75165	5375 N INTERSTATE 35 WAXAHACHIE TX 75165
191074	VEA LLC	28.39	1000 PETER B STOUT 28.39 ACRES	524 BROWN INDUSTRIAL RD	WAXAHACHIE	TX	75167	N INTERSTATE 35 WAXAHACHIE TX 75165
194416	SCHWIMM THOMAS	14.152	790 E C NEWTON 14.152 ACRES	211 OAK DELL LN	REDOAK	TX	75154	4725 N INTERSTATE 35 WAXAHACHIE TX 75165
218582	TRAN MICHAEL & WENDY VO	7.081	790 E C NEWTON 7.081 ACRES	3418 BERKNEE DR	GARLAND	TX	75044	4823 N INTERSTATE 35 WAXAHACHIE TX 75165

(29)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-116-2021

WELCH REBECCA  
2520 SOLON RD STE 100  
WAXAHACHIE, TX 75167

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 24, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, September 7, 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 Josh Meredith, Van Trust Real Estate, for a Zoning Change from Planned Development – Commercial (PD-C) and Future Development (FD) to Planned Development – Light Industrial – 1 (PD-LI1), to allow Storage Warehouse use, located just West of Interstate 35 and South of Butcher Road (Property ID 188448 & 188453) - Owner: JAMES R PITTS TRUSTEE & BUCEES, LTD (ZDC-116-2021)

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-116-2021 City Reference: 191034

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on Tuesday, August 17, 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: See attached page 2

Rebecca Welch 8/16/21  
Signature Date

Rebecca Welch 2520 Solon Rd  
Printed Name and Title Address #100  
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.*

Rebecca Welch  
2520 Solon Road #100 (a house, not an apartment)  
Waxahachie, TX 75167

Page 2 of 2

I protest this rezoning for several reasons. If this property is rezoned light industrial, we could have the same unsightly mess we have at the back of my property in the Brown Industrial Park. Oak Cliff Recycle moved in and is an eyesore, noise maker and fire hazard. Three or four fires have been started with at least one moving up the back of our pasture headed to the homes on Solon Road. The City has given the owner regulations and guidelines; however, they don't enforce them. They have scrap metal stacked way over the fence – it stays that way – and the city told him it could not be over the fence. He parks those big metal containers down the street and in front of the gate at the back of the pasture on my neighbor's land. You can barely get down that road because of the containers and the poor condition of the road due to big trucks. I believe there is a possibility the owner of Oak Cliff Recycle could be trying to get the realtor to get the zoning change then step in and buy the property. He has tried expanding on the north side and was stopped because of rezoning. For that reason, and others, I would like the zoning to remain the as is.

Solon is a very narrow road that if two cars pass, both have to move over to the shoulder or ditch. It's in poor condition now, imagine if big trucks started using it. So, I would have a problem with through traffic coming down Solon to the back of the land next door.

If big storage facilities come in, there would be a huge lighting issue right in the bedroom windows at the south end of my house. If there is traffic going up and down Solon and a lot of people in and out of the facility, there could be a huge noise factor also.

It also looks like there are 2 separate pieces of land. If the piece fronting on the service road of I-35 sells, it looks like the only access to the larger piece behind it is Solon Road unless there is going to be an easement through the 1<sup>st</sup> piece on the service road through it to the second larger tract behind it. Or you plan on rebuilding the bridge going across the creek and extending Solon out to the service road of I-35 south of Breezy Acres.

Then, a final question, is the real estate agent representing Buckeye's interest or does he have another client for whom he is trying to get the zoning change. And, what is the specific use for the property and where on the property will their building be located and the size?

My final statement is I dislike the industrial park behind me because I believe it brings the value of my land down. Now you want to put another industrial park next to me. My land isn't going to have any value before long. But the Appraisal District will still be charging me as if there is still value.



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: **ZDC-116-2021**



**AUSTIN INTERNATIONAL VENTURES INC % AUSTIN INDUSTRIES INC**  
**3535 TRAVIS ST STE 300**  
**DALLAS, TX 75204**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 24, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, September 7, 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 Josh Meredith, Van Trust Real Estate, for a Zoning Change from Planned Development – Commercial (PD-C) and Future Development (FD) to Planned Development – Light Industrial – 1 (PD-LI1), to allow Storage Warehouse use, located just West of Interstate 35 and South of Butcher Road (Property ID 188448 & 188453) - Owner: JAMES R PITTS TRUSTEE & BUCEES, LTD (ZDC-116-2021)

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-116-2021**

City Reference: 188455

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, August 17, 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:

\_\_\_\_\_

Chris Wong  
Signature

8/31/2021  
Date

Chris Wong, Asset Manager  
Printed Name and Title

P.O. Box 1590  
Address  
Dallas, Tx 75221

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(29)

**From:** Judy Hendrich <jhendrich47@ymail.com>  
**Sent:** Tuesday, August 17, 2021 1:45 PM  
**To:** Planning@waxahachie.com  
**Subject:** Case Number: ZDC-116-2021

This is in reference to above case number for changing zoning West of 135 and South of Butcher Road to allow Storage Warehouse use. According to the map these will also be on Solon Road which is a residential road. We STRONGLY OPPOSE the approval of this plan.

Submitted by email Tuesday August 17, 2021

By: Bill and Judith Hendrich Revocable Living Trust at 2530 Solon Road Waxahachie, Texas

## PLANNED DEVELOPMENT REGULATIONS

### Purpose and Intent

The purpose and intent of this Planned Development District is to facilitate development of an industrial business park on 73.6565 acres of land within the City of Waxahachie, Texas. These regulations are intended to provide flexibility in terms of development while maintaining standards that will encourage future growth. Except as modified herein, this Planned Development shall conform to all applicable sections of the City of Waxahachie Code of Ordinances.

### PD District Development Standards

#### ***Exhibits***

The Exhibits listed below are by reference made a part hereof, and copies or reduced size copies are attached hereto. Full-sized copies of the Exhibits shall be retained by the City Clerk and shall be controlling in case of any ambiguity in the Exhibits. In the event of a conflict between the graphic illustrations of any Exhibit and the textual provisions of this Agreement, the Exhibit shall control.

- Exhibit A: Property legal description, survey.
- Exhibit B: Detailed Site Plan
- Exhibit C: Landscape Plan
- Exhibit D: Architectural Elevations

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

The intent of the PD zoning request is to permit the development of logistics and distribution center in Waxahachie, Texas.

### Permitted Uses

The base zoning for this subject property shall comply with Light Industrial-1 (LI1) Zoning District as it exists in the Zoning Ordinance. In addition to the uses permitted by right under the Light Industrial-1 (LI1) Zoning District, the following uses shall be permitted by right within the subject property:

1. Agricultural uses;
2. Auto Parking Lot, Commercial;
3. Auto Parking Lot, Trucks and Trailers;
4. Hauling, Storage, or Motor Freight Terminal;
5. Outside Storage;
6. Storage Warehouse;
7. Open storage, display, or work areas for merchandise or machinery uses;
8. Cold Storage Warehouse;
9. Data Processing Center and/or Services;
10. Distribution Warehouse;
11. General Warehouse;
12. Logistics Warehouse;
13. Office Showroom; and
14. Package Delivery Services.

### Permitted Activities

The following activities are permitted by right:

1. 24 hour operation;
2. Propane storage; and
3. Tarping of loaded flatbed trailers.

Height and Area Requirements

Except as provided in this section, building and area regulations are the standards as set forth in the Light Industrial-1 (LI1) Zoning District.

Parking Regulations

One (1) parking space per 1,000 s.f. of warehouse space up to 20,000 sf and one (1) space per 4,000 s.f. thereafter. Parking for office shall be one (1) parking space per 300 s.f. of office area. Truck court areas may be striped to meet this requirement if necessary. The utilization of shared and/or converted parking is encouraged to reduce impervious coverage. The Planning Director or his/her designee is authorized to permit on a case by case basis a reduction in the required parking based on the actual demonstrated needs of a specific tenant or user.

Landscape Requirements

Landscaping of the Planned Development shall be provided as shown on the Exhibit C and as follows:

1. Plant material provided by the developer within right of way shall be located on the city recommended plant list.
2. Plant Material shall meet minimum sizes set forth in Section 5.04.i.iii.2.
3. Street trees must be planted at the average rate of one (1) tree for every forty (40) linear feet of street frontage. Drive isles shall be excluded from the overall linear footage requiring planting.
4. Understory trees must be planted at the average rate of two (2) trees for every fifty (50) linear feet of street frontage. Drive isles shall be excluded from the overall linear footage required planting.
5. Trees planted along street frontage may be grouped or clustered to facilitate site design.
6. Auto and Trailer parking spaces shall be screened from the right of way by a single row of evergreen shrubs.
7. Screening shrubs shall be a minimum height of twenty-four (24) inches at planting.
8. All auto parking shall be within one-hundred (100) linear feet of a tree trunk.
9. Trailer and Auto parking shall be excluded from all landscape and shrub square footage requirements set forth in Section 5.04
10. This site shall be excluded from all requirements set forth in sections 5.04.e., 5.04.f. 5.04.g.i, 5.04.g.ii and 5.04g.vi.
11. All Auto parking islands shall have ground cover.
12. All new trees in parking lots must have a pervious area of at least 100 square feet.
13. Trailer parking spaces are exempt from the parking lot tree coverage requirement for passenger cars.
14. Upon parking lot expansion, the same available landscape area shall be planted in the same manner shown on Exhibit C.
15. Parking areas within truck loading and maneuvering areas shall not require landscape islands or trees.

Screening of Outside Storage

Allowable outside storage in the Planned Development may include parked trailers without cabs. Such trailers and other outside storage shall be screened as shown on the Exhibit C.

### Building Articulation

The unique function of this building type necessitates the following building articulation elements:

1. Except the south west corner, the horizontal articulation zone is limited to 100 feet measured from the building corners of the of the ultimate expansion building footprint. Building corners where the zone is used for dock doors and intended for future building expansion are exempt from horizontal articulation.
2. Within the 100 foot horizontal articulation zone, no building wall may extend more than two (2) times the wall's height before having an offset of a minimum of 10% of the wall height. The new plane must extend for a minimum of twenty (20) percent of the length of the first plane.
3. Vertical articulation is limited to the horizontal articulation zone and the building elevations not utilized for dock doors.
4. Within the vertical articulation zone, no horizontal wall shall extend for a distance greater than two and one-half (2.5) times the wall height without changing height by a minimum of five (5) percent of the wall's height.

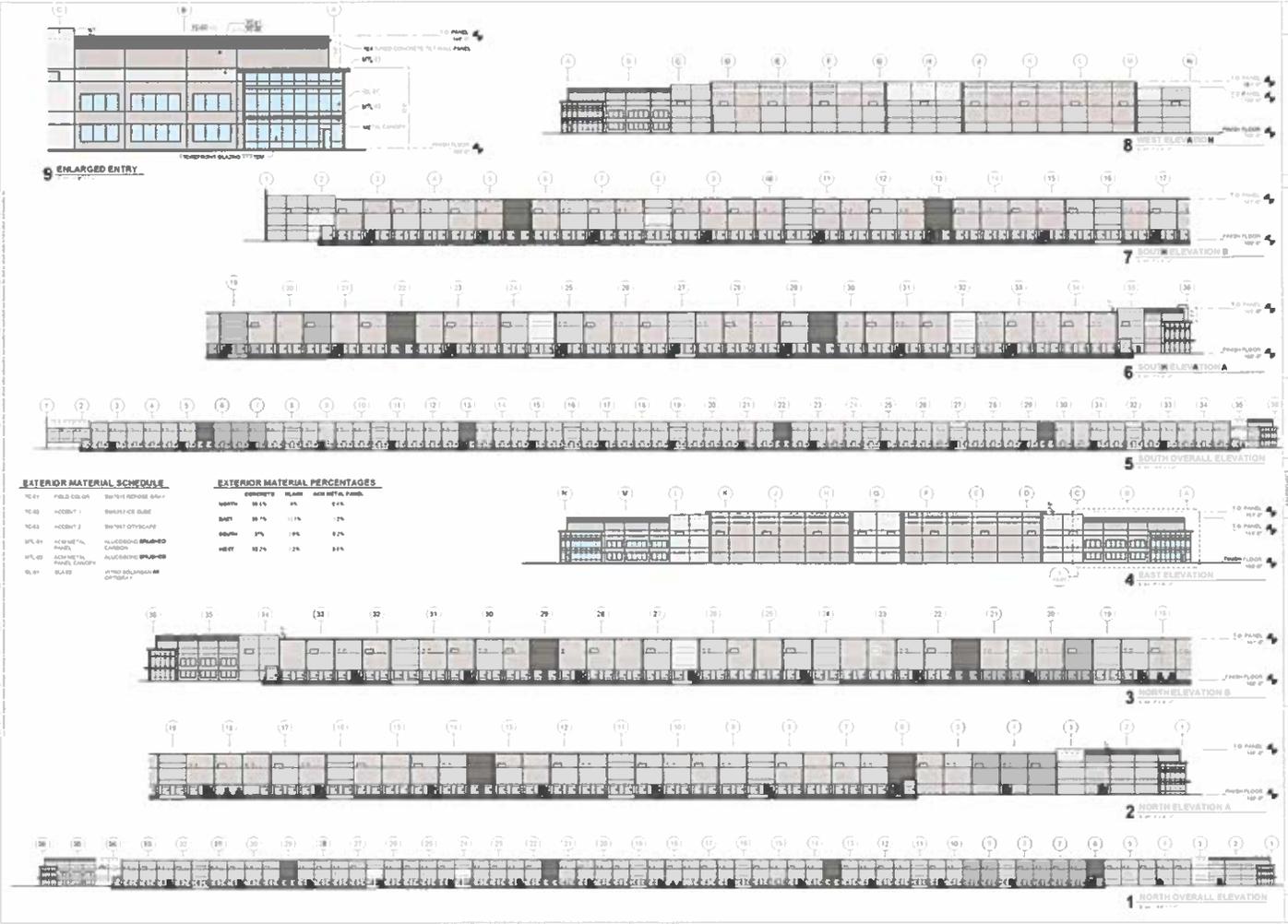
### Thoroughfare Standards

1. Thoroughfare Standards and Pavement Design Methods, Section II-Geometrics D.2.b.1 Amendment- Commercial driveways shall have a minimum width of twenty-four (24) feet and a maximum width of 45-feet.
2. Thoroughfare Standards and Pavement Design Methods, Section II-Geometrics D.3.a.2 Amendment - The curb radii for a commercial drive shall be 20-feet and a maximum radius of 45-feet.

### Site Plan:

For purposes of this planned development district, the Detailed Site Plan attached hereto shall satisfy the requirement for a Concept Plan. Development of the Property shall generally comply with the Detailed Site Plan. Amendments to the Detailed Site Plan shall be administratively reviewed and approved in accordance by the Planning Director, or his/her designee, such approval not to be unreasonably withheld, delayed or conditioned and with full rights of appeal to the Planning and Zoning Commission and/or City Council. Revisions to the Detailed Site Plan shall not be considered to be an amendment to the PD zoning requirements.





**EXTERIOR MATERIAL SCHEDULE**

NC-01	PUBLIC COLOR	BR/7014 ADDRESS SIGN
NC-02	ACCENT 1	BR/7012 ICE BLUE
NC-03	ACCENT 2	BR/7017 OFFSHORE
WFL-01	ACRYLIC METAL PANELS	ALUMINUM/BLACK ENAMEL
WFL-02	ACRYLIC METAL PANELS ENAMEL	ALUMINUM/BLACK ENAMEL
WFL-03	BLAZE	1/2\"

**EXTERIOR MATERIAL PERCENTAGES**

	CONCRETE	GLASS	ACRYLIC METAL PANELS
WFL-01	10.1%	1%	8.1%
WFL-02	10.1%	11%	2%
WFL-03	10.1%	19%	8.2%
WFL-04	10.1%	2%	8.1%

PROJECT: WAXAHACHIE INDUSTRIAL 59
   
 PREPARED FOR: VANTRUST REAL ESTATE LLC
   
 DATE: 12.24.16
   
 SHEET: 0411
   
 ELEVATION PLAN

