

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, December 28, 2021 at 7:00 p.m.*** in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

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

4. ***Consent Agenda***

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

- a. Minutes of the regular Planning & Zoning Commission meeting of December 14, 2021
 - b. Minutes of the Planning and Zoning Commission briefing of December 14, 2021
5. ***Public Hearing*** on a request by Charles Lintakoon, Triten Real Estate Partners, for a Specific Use Permit (SUP) for Auto Parking Lot, Trucks and Trailers & Outdoor Storage use within a Light Industrial-1 (LI-1) zoning district located at 7240 N Interstate 35 (Property ID 186924) - Owner: AG-TREP WAXA PROPERTY OWNER LP (ZDC-203-2021)
6. ***Consider*** recommendation of Zoning Change No. ZDC-203-2021
7. ***Public Hearing*** on a request by Peyton McGee, Kimley-Horn, for a Zoning Change from a Single Family-1 (SF1) zoning district to Planned Development Multi-Family-2 (PD-MF-2) located south of FM 813 and east of Brown Street (Property ID 175878, 175877, 175869) - Owner: LADD VIEN, (ZDC-204-2021)

8. **Consider** recommendation of Zoning Change No. ZDC-204-2021
9. **Continue 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)
10. **Consider** recommendation of Zoning Change No. ZDC-146-2021
11. **Consider** request by Todd Wintters, Engineering Concepts & Design, LP, for a Plat of Cunningham Estates, Phase One, nine (9) Residential lots, being 44.592 acres, located South of the intersection of Old Maypearl Road & Cunningham Meadows Road, situated in the W. Lockwood Survey, Abstract 647 and the A. Ferguson Survey, Abstract 350, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 183334 & 187067) – Owner: REED EDWARD C EST ETAL (SUB-195-2021)
12. **Consider** request by Drew Donosky, Claymoore Engineering, for a Development Plat of Waxahachie CDJR Addition, Lot 1, Block 1, being 5.033 acres, located at 2405 Interstate 35, situated in the William Payne Survey, Abstract 835 and the John B. Bounds Survey, Abstract 99, an addition to the City of Waxahachie (Property ID 220557) – Owner: WAXAHACHIE REALTY, LLC (SUB-198-2021)
13. **Consider** request by Andra Jones, for a Plat of 2636 Patrick Road Subdivision, lot 1, Block 1, being 1.700 acres, located at 2636 Patrick Road, situated in the Carter H. Hurst Survey, Abstract 456, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 197804) – Owner: CLAUDIA J GAUGHAN (SUB-202-2021)
14. **Consider** request by Islam Diab, ADTM Engineering & Construction Corp., for a Plat of KSAM Highway 287, lots 1-2, Block A, being 4.022 acres, located at 1440 Farley Street, situated in the W. Calder Survey, Abstract 235 and the B. Davis Survey, Abstract 290, an addition to the City of Waxahachie (Property ID 181802) – Owner: KSAM LLC (SUB-206-2021)
15. **Consider** request by Cody Nix for a Plat of Buena Vista Estates, Phase II, lots 1-3, Block A, being 16.699 acres, located directly west of 2349 FM 1446, situated in the Benjamin Wiltshire Survey, Abstract 1132, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 197828) – Owner: VICTOR BALLAS (SUB-207-2021)
16. **Consider** request by Shawne Walker, Walker Land Surveying Company, for a Plat of Szymezak Addition, lot 1, Block A, being 6.631 acres, located at 2911 FM 878, situated in the Thomas Jackson Survey, Abstract 574, and the Samuel S. Wilson Survey, Abstract 1141, an addition to the City of Waxahachie (Property ID 275542) – Owner: GAIL SZYM CZAK (SUB-208-2021)
17. **Consider** request by Claudio Segovia, J. Volk Consulting, Inc., for a Plat of Oasis at North Grove, Phase I, lots 1-8, 9X, 10-27, Block 1; Lots 1X, 2-16, Block 2; Lots 1X, 2-6, Block 3; Lots 1-26, Block 4; Lots 1-13, Block 5; Lot 14, Block 10; Lots 1 & 14, Block 11, being 27.098 acres, located east of Highway 77 and North of E North Grove Blvd, situated in the Henry Sange Survey, Abstract 1009, an addition to the City of Waxahachie (Property ID 262134) – Owner: JHD THE OASIS DEVELOPMENT, LLC (SUB-205-2021)

18. ***Continue Public Hearing*** on a request by Chip Boyd, JHDMC, LLC, for a Zoning Change from a Single Family-1 zoning district to Planned Development - Single Family-3 (PD-SF-3) zoning district, located at 823 Ovilla Road (Property ID 185893, 185891, 185980, 185979, 200064) - Owner: SUSAN M CALVERT (ZDC-162-2021)
19. ***Consider*** recommendation of Zoning Change No. ZDC-162-2021
20. ***Continue Public Hearing*** on a request by Terrance Jobe, Alluvium Development, Inc., for a Zoning Change from a General Retail (GR) and Future Development (FD) zoning districts to Planned Development Mixed-Use Residential (PD-MUR) zoning district, located west of 2374 W Highway 287 Bypass (Property ID 185971, 185978, 185972, 185886) - Owner: CAROLYN J HAMAN L/E (ZDC-188-2021)
21. ***Consider*** recommendation of Zoning Change No. ZDC-188-2021
22. Adjourn

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

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

Notice of Potential Quorum

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

Planning and Zoning Commission
December 14, 2021

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, December 14, 2021 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Director of Planning
Colby Collins, Planning Manager
Zack King, Planner
James Gaertner, Director of Public Works & Engineering
Amber Villarreal, City Secretary
Melissa Olson, Council Representative

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

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

3. **Public Comments**

Paul Bailey, 580 Washington Avenue, Waxahachie, Texas, inquired about the finishing of the parks at North Grove and requested pickle ball courts in his neighborhood.

Mike Hawkins, 208 Colter Drive, Waxahachie, Texas, spoke in opposition to ZDC-155-2021 and offered other land options for the site.

Lacy Barnaby, 226 Dakota Drive, Waxahachie, Texas, spoke in opposition to ZDC-155-2021 due to concerns with safety and appearance.

Jeramya Henson, 1107 Ovilla Road, Waxahachie, Texas, spoke in opposition to ZDC-155-2021 due to traffic and safety concerns.

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of November 23, 2021
- b. Minutes of the Planning & Zoning Commission briefing of November 23, 2021
- c. Minutes of the City Council and Planning & Zoning Commission Joint Work Session of December 7, 2021

Action:

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

5. **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 (PD-MF-2) zoning district, located at 809 Dr. Martin Luther King Jr. Blvd. (Property ID 205458 and 171253) - Owner: GIBSON & GIBSON, LLC (ZDC-105-2021)**

Chairman Keeler announced the applicant requested to withdraw ZDC-105-2021.

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

No action taken.

7. **Continue Public Hearing on a request by Yomi and Siyanade Fayiga for a Zoning Change from a Future Development Zoning to Planned Development-General Retail (PD-GR) zoning district, located along Broadhead Road, East of Robbie E. Howard Junior High School (Property ID 178923) - Owner: EQUITY TRUST COMPANY CUSTODIAN FBO (ZDC-146-2021)**

Chairman Keeler continued the Public Hearing and announced the applicant requested to continue ZDC-146-2021 to the December 28, 2021 Planning and Zoning Commission meeting.

8. **Consider recommendation of Zoning Change No. ZDC-146-2021**

Action:

Mr. David Hudgins moved to continue the Public Hearing on a request by Yomi and Siyanade Fayiga for a Zoning Change from a Future Development Zoning to Planned Development-General Retail (PD-GR) zoning district, located along Broadhead Road, East of Robbie E. Howard Junior High School (Property ID 178923) - Owner: EQUITY TRUST COMPANY CUSTODIAN FBO (ZDC-146-2021) to the December 28, 2021 Planning and Zoning Commission meeting. Ms. Betty Square Coleman seconded, All Ayes.

9. **Consider request by Keegan Amos, DAE, for a Replat of Lots 1R and 2R, McEwen Addition, to create Lot 1R-1, McEwen Addition 1 Commercial Lot, being 2.996 acres (Property ID 174768 & 174769) – Owner: WIDRICK HOLDINGS LTD (SUB-193-2021)**

Planner Zack King presented the case noting the applicant is requesting to replat the property into one (1) lot for commercial use and staff recommended approval as presented.

Action:

Mr. David Hudgins moved to approve a request by Keegan Amos, DAE, for a Replat of Lots 1R and 2R, McEwen Addition, to create Lot 1R-1, McEwen Addition 1 Commercial Lot, being 2.996 acres (Property ID 174768 & 174769) – Owner: WIDRICK HOLDINGS LTD (SUB-193-2021). Ms. Bonney Ramsey seconded, All Ayes.

- 10. Consider request by Paul Colwell, Morgan & Bryan Properties LLC, for a Replat of Lot 3A, Block A, Park Place Professional Center, to create Lots 3A1 & 3A2, Block A, Park Place Professional Center, being 1.2129 acres (Property ID 247586) – Owner: Morgan & Bryan Properties LLC (SUB-167-2021)**

Mr. King presented the case noting the applicant is requesting to replat the property into two (2) lots for continued commercial use and staff recommended approval as presented.

Action:

Mr. Jim Phillips moved to approve a request by Paul Colwell, Morgan & Bryan Properties LLC, for a Replat of Lot 3A, Block A, Park Place Professional Center, to create Lots 3A1 & 3A2, Block A, Park Place Professional Center, being 1.2129 acres (Property ID 247586) – Owner: Morgan & Bryan Properties LLC (SUB-167-2021). Mr. Erik Test seconded, All Ayes.

- 11. Consider request by T.J. Wells, PE, Peloton Land Solutions, for a Final Plat of The Oak of North Grove, Phase I, 184 Residential Lots, 9 No-Residential Lots, being 81.121 acres situated in the J.B. Adams and A. Adams Survey, Abstract 5, the C.H. Bernard Survey, Abstract 106, the J. Billingsley Survey, Abstract 83, and the E. Rice Survey, Abstract 927, an addition to the City of Waxahachie (Property ID 284716) – Owner: BBCP NORTH GROVE 79, LLC & LUMPKINS STUART B JR ETAL (SUB-190-2021)**

Mr. King presented the case noting the applicant is requesting to plat the property into 147 single-family residential lots and 15 non-residential lots as part of The Oaks at North Grove Phase 1 subdivision. Mr. King noted the applicant intends to return with a replat for six open space lots in order to create an additional 37 single-family residential lots as originally shown once FEMA updates their map showing the area is no longer in the floodplain. He explained the applicant is requesting a variance from the right-of-way dedication requirement along the northern portion of this property and the Public Works & Engineering Department has reviewed and is satisfied with the proposed roadway layout. Staff recommended approval as presented and approval of the variance request.

Action:

Mr. Jim Phillips moved to approve a request by T.J. Wells, PE, Peloton Land Solutions, for a Final Plat of The Oak of North Grove, Phase I, 184 Residential Lots, 9 No-Residential Lots, being 81.121 acres situated in the J.B. Adams and A. Adams Survey, Abstract 5, the C.H. Bernard Survey, Abstract 106, the J. Billingsley Survey, Abstract 83, and the E. Rice Survey, Abstract 927, an addition to the City of Waxahachie (Property ID 284716) – Owner: BBCP NORTH GROVE 79, LLC & LUMPKINS STUART B JR ETAL (SUB-190-2021) and recommends approval of variance request. Ms. Betty Square Coleman seconded, All Ayes.

- 12. Public Hearing on a request by Amanda McDaniel, AMG Technology dba Nextlink Broadband, for a Specific Use Permit (SUP) for a Communications Antennas and Support Structures/Towers (Cell Tower) use within a Planned Development-Single Family-1 (PD-SF-1) zoning district located at 185 Saratoga Drive (Property ID**

240969) - Owner: WAXAHACHIE SADDLEBROOK ESTATES HOMEOWNERS ASSOCIATION INC (ZDC-182-2021)

Chairman Keeler opened the Public Hearing.

Planning Manager Colby Collins presented the case noting the applicant is requesting approval to allow an existing 50 ft. tall internet tower on 2.78 acres within the Saddlebrook Estates Homeowner's Association common area. Staff recommended approval per the following staff comments:

1. The applicant will need to obtain a building permit from the City of Waxahachie Building Inspections Department prior to construction of the proposed structure.

Chairman Keeler clarified the tower is already installed and Mr. Collins noted the applicant was not aware a Specific Use Permit was needed.

Those who spoke in favor:

Gary Taylor, 104 Traveller Street, Waxahachie, Texas

There being no others to speak for or against ZDC-182-2021, Chairman Keeler closed the Public Hearing.

13. Consider recommendation of Zoning Change No. ZDC-182-2021

Action:

Ms. Bonney Ramsey moved to approve a request by Amanda McDaniel, AMG Technology dba Nextlink Broadband, for a Specific Use Permit (SUP) for a Communications Antennas and Support Structures/Towers (Cell Tower) use within a Planned Development-Single Family-1 (PD-SF-1) zoning district located at 185 Saratoga Drive (Property ID 240969) - Owner: WAXAHACHIE SADDLEBROOK ESTATES HOMEOWNERS ASSOCIATION INC (ZDC-182-2021) per staff comments. Vice Chairman Melissa Ballard seconded, All Ayes.

- 14. Public Hearing on a request by Mark Gundert, for a Specific Use Permit (SUP) to allow an Accessory Building (Residential), Greater than or Equal to 700 SF use within a Single-Family Residential-2 zoning district located at 124 Kaufman Street (Property ID 170849) - Owner: RICHARD T STOCK (ZDC-191-2021)**

Chairman Keeler opened the Public Hearing.

Mr. Collins presented the case noting the applicant is requesting to construct a +700 sq. ft. accessory structure (garage/storage) in the rear of a single-family property and staff recommended approval per the following staff comments:

1. The applicant will need to obtain a building permit from the City of Waxahachie Building Inspections Department prior to construction of the proposed structure.
2. Any new pavement added to the site shall be concrete.

3. The structure shall not be used as a dwelling.

There being no others to speak for or against ZDC-191-2021, Chairman Keeler closed the Public Hearing.

15. Consider recommendation of Zoning Change No. ZDC-191-2021

Action:

Vice Chairman Melissa Ballard moved to approve a request by Mark Gundert, for a Specific Use Permit (SUP) to allow an Accessory Building (Residential), Greater than or Equal to 700 SF use within a Single-Family Residential-2 zoning district located at 124 Kaufman Street (Property ID 170849) - Owner: RICHARD T STOCK (ZDC-191-2021) as presented. Mr. David Hudgins seconded, All Ayes.

16. **Continue Public Hearing on a request by Akhila Reddy Gondi, Triangle Engineering, LLC, for a Specific Use Permit (SUP) for a Drive-Through Establishment (Starbucks) use within a General Retail zoning district located 1,500 feet South of Butcher Road and East of Hwy 77 (Property ID 189379) - Owner: VAQUERO HIGHWAY 77 WAXAHACHIE PARTNERS LP (ZDC-174-2021)**

Chairman Keeler continued the Public Hearing.

Mr. Collins presented the case noting the applicant is requesting approval to allow a drive-through establishment (Starbucks) on 0.912 acres. He explained the applicant provided three elevation/façade options per the Commission's request and staff recommended option 3. Staff recommended approval per the following staff comments:

1. A mutually agreed upon Development Agreement will be required for the development.
2. Staff suggests that the applicant remove the proposed access point from US Highway 77 and use the mutual access connection between O'Reilly Auto Parts and the subject property to be consistent with the overall driveway plan for the site.

Commissioner Jim Phillips asked if the applicant has agreed to move the access point as requested by staff and Mr. Collins explained they have verbally committed.

The applicant explained they have submitted their plans to TxDOT for approval of the proposed drive and are waiting on their evaluation. She explained the owner will conform to TxDOT's requirements for the drive.

There being no others to speak for or against ZDC-174-2021, Chairman Keeler closed the Public Hearing.

17. Consider recommendation of Zoning Change No. ZDC-174-2021

Action:

Mr. David Hudgins moved to approve a request by Akhila Reddy Gondi, Triangle Engineering, LLC, for a Specific Use Permit (SUP) for a Drive-Through Establishment (Starbucks) use within

a General Retail zoning district located 1,500 feet South of Butcher Road and East of Hwy 77 (Property ID 189379) - Owner: VAQUERO HIGHWAY 77 WAXAHACHIE PARTNERS LP (ZDC-174-2021) selecting elevation/façade option 3. Ms. Betty Square Coleman seconded, All Ayes.

- 18. Public Hearing on a request by Ray Porter, The Summit at Breezy Acres, LLC, for a Zoning Change from a Light Industrial-1 (LI-1) and Future Development (FD) zoning district to Planned Development Commercial (C) zoning district located at the Northwest quadrant of Butcher Road and West of I-35S (Property ID 191034) - Owner: PRZYBYLSKI FAMILY REVOCABLE (ZDC-199-2021)**

Chairman Keeler opened the Public Hearing.

Mr. Collins presented the case noting the applicant is requesting approval of a Planned Development to construct an indoor firearms training and shooting facility and allow a retail/office on 3.3 acres. Staff recommended approval per the following staff comments:

1. The front setback shall be setback a minimum of 40 ft.
2. The proposed development shall meet the minimum requirements of the EPA (Environmental Protection Agency) regarding air flow and noise level.
3. If approved, a detailed site plan shall be reviewed administratively by staff.

Commissioner Phillips asked if the Butcher Road expansion will be accommodated by this development.

James Gaertner, Director of Public Works & Engineering, explained the details and right-of-way dedications will be reviewed during the platting process.

Ray Porter, 105 Lucas, Waxahachie, Texas, explained he has been working on this development for six years and noted he has been working with the EPA on the compliance requirements for the proposed gun range. He noted there will be extensive sound barriers and lead exposure will be monitored closely.

There being no others to speak for or against ZDC-199-2021, Chairman Keeler closed the Public Hearing.

- 19. Consider recommendation of Zoning Change No. ZDC-199-2021**

Action:

Ms. Bonney Ramsey moved to approve a request by Ray Porter, The Summit at Breezy Acres, LLC, for a Zoning Change from a Light Industrial-1 (LI-1) and Future Development (FD) zoning district to Planned Development Commercial (C) zoning district located at the Northwest quadrant of Butcher Road and West of I-35S (Property ID 191034) - Owner: PRZYBYLSKI FAMILY REVOCABLE (ZDC-199-2021) per staff comments. Mr. Erik Test seconded, All Ayes.

- 20. Public Hearing on a request by Mark Stacy, MV-1005, LLC., for a Specific Use Permit (SUP) for a Drive Through Establishment (Car Wash) use within a Planned Development Single Family-1,2,3, Multi-Family-1, General Retail (PD-SF1,2,3 MF-1**

GR) (North Grove Planned Development) zoning district located south of North Grove Blvd and east of Highway 77 (Property ID 283986) - Owner: SB CONNECTION (ZDC-189-2021)

Chairman Keeler opened the Public Hearing.

Mr. Collins presented the case noting the applicant is requesting approval to allow a car wash drive-through establishment on 1.156 acres. Mr. Collins reviewed concerns with the use of the property and neighborhood opposition and noted staff recommended denial.

Mark Stacy, 412 S. Jefferson Street, Pilot Point, Texas, explained he has been in the car wash industry for 41 years and has produced 47 car washes with the developer. He noted the proposed 140-foot car wash tunnel would be the biggest and best in the area and is needed in Waxahachie.

Those who spoke in favor:

Shane Lindsey, 4410 Black Champ Road, Waxahachie, Texas
Erik Chapman, 6491 Hayes Road, Midlothian, Texas
Randy Palmer, Realtor

Those who spoke in opposition:

Paul Fritz, 343 Country Meadows, Waxahachie, Texas
Paul Bailey, 580 Washington Avenue, Waxahachie, Texas

There being no others to speak for or against ZDC-189-2021, Chairman Keeler closed the Public Hearing.

21. Consider recommendation of Zoning Change No. ZDC-189-2021

Action:

Mr. Jim Phillips moved to deny a request by Mark Stacy, MV-1005, LLC., for a Specific Use Permit (SUP) for a Drive Through Establishment (Car Wash) use within a Planned Development Single Family-1,2,3, Multi-Family-1, General Retail (PD-SF1,2,3 MF-1 GR) (North Grove Planned Development) zoning district located south of North Grove Blvd and east of Highway 77 (Property ID 283986) - Owner: SB CONNECTION (ZDC-189-2021). Vice Chairman Melissa Ballard seconded, the vote was as follows: Ayes: Rick Keeler, Melissa Ballard, Bonney Ramsey, and Jim Phillips. Noes: Betty Square Coleman, David Hudgins, and Erik Test.

The motion carried.

22. Public Hearing on a request by Terrance Jobe, Alluvium Development, Inc., for a Zoning Change from a General Retail (GR) and Future Development (FD) zoning districts to Planned Development Mixed-Use Residential (PD-MUR) zoning district, located west of 2374 W Highway 287 Bypass (Property ID 185971, 185978, 185972, 185886) - Owner: CAROLYN J HAMAN L/E (ZDC-188-2021)

Chairman Keeler opened the Public Hearing.

Mr. Collins presented the case noting the applicant is requesting approval of a Planned Development to allow development of single-family homes, cottage style homes, retail/office, and park/open space on 188.46 acres. Staff recommended approval per the following staff comments:

1. If approved, a mutually agreed upon Development Agreement must be signed by the applicant.

Todd Winters, 201 Windco Circle, Wylie, Texas, explained the cottage lots are detached and will be alley served. He addressed traffic concerns and noted the developer will fully fund and coordinate with the City of Waxahachie and TxDOT for the design and installation of a traffic signal at the southern entrance to Montclair Heights. He explained the development has been updated to include mixed lot sizes, different elevations, and alleys.

Commissioner David Hudgins confirmed there are a few single-family-2 lots and the remaining lots are single-family-3 or smaller. He requested to have more single-family-2 lots within the development.

Commissioner Erik Test noted he is more concerned with the lack of architectural styles than lot sizes.

Chairman Keeler noted 46% of the lots will be alley served and questioned what the remaining lots will be. Mr. Winters explained the remaining lots will be j-swing, side entry, and front facing garages.

Mr. Winters confirmed there will be a screening wall between retail and residential and the retail will face the frontage road.

Commissioner Bonney Ramsey expressed concern with traffic and the close proximity to the high school.

Those who spoke in opposition:

Vicki Lindsey, 4410 Black Champ Road, Waxahachie, Texas

Richard Rozier, 4250 Black Champ Road, Waxahachie, Texas

Sheila Hudd, 3841 Black Champ Road, Waxahachie, Texas

Kristin Lennon, 248 Valley View Drive, Waxahachie, Texas

Mr. Gaertner explained the City has been in contact with TxDOT regarding traffic issues on Highway 287. TxDOT plans to switch the entrance and exit ramps on north bound Highway 287 to alleviate traffic stacking on the highway. He also noted the plan is to have direct access from FM 664 to the intersection under Highway 287.

Mr. Winters explained the development is approximately 2-3 years out before impacting traffic.

Commissioner Betty Square Coleman expressed her concern with density, housing mix, and requested additional details.

Terrence Jobe, 2415 Somerfield Drive, Midlothian, Texas, explained the development is willing to offer different architectural styles and willing to stipulate off-set front entry garages.

Chris Wright, 808 W. Marvin, Waxahachie, Texas, inquired why the Commission would allow more density and not require developers to meet the minimum city standards.

There being no others to speak for or against ZDC-188-2021, Chairman Keeler closed the Public Hearing.

Commissioner Hudgins inquired about the possible need to re-evaluate alleys in the development.

The consensus of the Commission was to task the developer with providing specific architectural details, elements, designs, and elevations on the proposed homes on each lot size.

23. Consider recommendation of Zoning Change No. ZDC-188-2021

Action:

Mr. Erik Test moved to continue the Public Hearing on a request by Terrance Jobe, Alluvium Development, Inc., for a Zoning Change from a General Retail (GR) and Future Development (FD) zoning districts to Planned Development Mixed-Use Residential (PD-MUR) zoning district, located west of 2374 W Highway 287 Bypass (Property ID 185971, 185978, 185972, 185886) - Owner: CAROLYN J HAMAN L/E (ZDC-188-2021) to the December 28, 2021 Planning and Zoning Commission meeting. Ms. Bonney Ramsey seconded, All Ayes.

{Commissioner Betty Square Coleman left the meeting at 9:42 p.m.}

24. Continue Public Hearing on a request by Chip Boyd, JHDMC, LLC, for a Zoning Change from a Single Family-1 zoning district to Planned Development - Single Family-3 (PD-SF-3) zoning district, located at 823 Ovilla Road (Property ID 185893, 185891, 185980, 185979, 200064) - Owner: SUSAN M CALVERT (ZDC-162-2021)

Chairman Keeler continued the Public Hearing.

Mr. Collins presented the case noting the applicant is requesting approval of a Planned Development to allow development of single-family homes, townhomes, and park/open space on 153.7 acres. Mr. Collins reviewed the applicant's variance request and noted staff recommended approval per the following staff comments:

1. If approved, a mutually agreed upon Development Agreement must be signed by the applicant.
2. The property shall be platted prior to any development.
3. The townhomes shall meet the articulation standards of section 5.09 of the City of Waxahachie Zoning Ordinance.
4. Staff suggest that the applicant implement more pocket parks among the single-family residential lots.
5. The proposed zoning change is contingent upon City Council approving the proposed annexation case (ANX-DNX-178-2021) for this property.

Chip Boyd, applicant, explained improvement to the area is needed for traffic improvements. He reviewed the variety of home products.

Those who spoke in opposition:

Ron Bunch, 707 Ovilla Road, Waxahachie, Texas

Clay Cox, 750 Mallory Drive, Waxahachie, Texas

Jay Volk, engineer for the applicant, explained the three existing properties will still have access to their properties.

Mr. Gaertner explained professional engineering will be required to address drainage for the development.

After a lengthy discussion, it was the consensus of the Commission to task the applicant with providing updated details with zero front facing garage entry homes, multiple elevation styles, pocket parks on the west side, more distribution of pocket parks throughout the development, add detail to lot sizes, and full rear articulation to homes that are seen from the boulevard.

There being no others to speak for or against ZDC-162-2021, Chairman Keeler closed the Public Hearing.

25. Consider recommendation of Zoning Change No. ZDC-162-2021

Action:

Vice Chairman Melissa Ballard moved to continue the Public Hearing on a request by Chip Boyd, JHDMC, LLC, for a Zoning Change from a Single Family-1 zoning district to Planned Development - Single Family-3 (PD-SF-3) zoning district, located at 823 Ovilla Road (Property ID 185893, 185891, 185980, 185979, 200064) - Owner: SUSAN M CALVERT (ZDC-162-2021) to the December 28, 2021 Planning and Zoning Commission meeting. Mr. Erik Test seconded, All Ayes.

26. Continue Public Hearing on a request by Michael C. Jackson, Wynne Jackson, for Planned Development (PD) for an Industrial Complex (Manufacturing/Distribution) use within a Single Family - 1 Zoning District located West of Solon Road and East of Patrick Road (Property ID 189171 and 182299) - Owner: REED LAND MANAGEMENT (ZDC-155-2021)

Chairman Keeler continued the Public Hearing.

Mr. Collins presented the case noting the applicant is requesting approval of a Planned Development to allow an industrial complex (manufacturing/distribution) on 341 acres. Staff recommended approval per the following staff comment:

1. A mutually agreed upon Development Agreement shall be signed by staff and the applicant.

Michael Jackson, applicant, explained the plan was updated to incorporate comments by staff, City Council, Planning and Zoning Commission, and citizens. He noted approximately \$41 million will be invested in infrastructure before any building construction and there will be improvements to Marshall Road to provide traffic relief. The developer is committed to a 100' landscape buffer adjacent to Settler's Glen. Mr. Jackson reviewed the summary of the planned development and a summary of the development agreement.

Mr. Winters explained there will be improvements made to Patrick Road, Solon Road, and Marshall Road.

Those who spoke in opposition:

Mike Hawkins, 208 Colter Drive, Waxahachie, Texas

Kristin Lennon, 248 Valley View Drive, Waxahachie, Texas

Margie Wenz, 237 Old Settlers Trail, Waxahachie, Texas

Andrew Pratz, 229 Dakota Drive, Waxahachie, Texas

Kaitlyn Pratz, 229 Dakota Drive, Waxahachie, Texas

Melissa Oswald, 216 Old Spanish Trail, Waxahachie, Texas

Janae Hawkins, 208 Colter Drive, Waxahachie, Texas

Milnor Oswald, 216 Old Spanish Trail, Waxahachie, Texas

There being no others to speak for or against ZDC-155-2021, Chairman Keeler closed the Public Hearing.

Commissioner Hudgins stated the subject property is already adjacent to commercial and that makes the case unique.

Council Member Melissa Olson noted she understands the citizens' concerns and things aren't always as bad as imagined.

27. Consider recommendation of Zoning Change No. ZDC-155-2021

Action:

Mr. Jim Phillips moved to approve a request by Michael C. Jackson, Wynne Jackson, for Planned Development (PD) for an Industrial Complex (Manufacturing/Distribution) use within a Single Family - 1 Zoning District located West of Solon Road and East of Patrick Road (Property ID 189171 and 182299) - Owner: REED LAND MANAGEMENT (ZDC-155-2021). Vice Chairman Melissa Ballard seconded, the vote was as follows: Ayes: Rick Keeler, Melissa Ballard, Bonney Ramsey, Jim Phillips, and David Hudgins. Noes: Erik Test.

The motion carried.

28. Adjourn

Commissioner Jim Phillips thanked staff for their work.

Council Member Melissa Olson thanked everyone for their work and wished everyone a Merry Christmas.

(4a)

Planning and Zoning Commission
December 14, 2021
Page 12

There being no further business, the meeting adjourned at 11:48 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

Planning and Zoning Commission
December 14, 2021

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, December 14, 2021 at 5:30 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

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

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Director of Planning
Colby Collins, Planning Manager
Zack King, Planner
James Gaertner, Director of Public Works & Engineering
Amber Villarreal, City Secretary
Melissa Olson, Council Representative

1. Call to Order

Chairman Rick Keeler called the meeting to order.

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

Planner Zack King reviewed the following cases:

- SUB-193-2021, the applicant is requesting approval to plat the subject property into one (1) lot for commercial use. Staff recommends approval as presented.
- SUB-167-2021, the applicant is requesting approval to plat the subject property into two (2) lots for continued commercial use. Staff recommends approval as presented.
- SUB-190-2021, the applicant is requesting approval to plat the subject property into 147 single-family residential lots and 15 non-residential lots as part of The Oaks at North Grove Phase 1 subdivision. The applicant is requesting a variance from the right-of-way dedication requirement along the northern portion of this property and the Public Works and Engineering Department is satisfied with the proposed roadway layout. Staff recommends approval as presented and approval of the variance request.

Planning Manager Colby Collins reviewed the following cases:

- ZDC-105-2021, the applicant requested to withdraw the case.
- ZDC-146-2021, the applicant requested to continue the Public Hearing to the December 28, 2021 Planning & Zoning Commission meeting.
- ZDC-182-2021, the applicant is requesting approval to allow an existing 50 ft. tall internet tower on 2.78 acres within the Saddlebrook Estates Homeowner's Association common area. Staff recommends approval per staff comments.

- ZDC-191-2021, the applicant is requesting approval to construct a +700 sq. ft. accessory structure (garage/storage) in the rear of a single-family property. Staff recommends approval per staff comments.
- ZDC-174-2021, the applicant is requesting to allow a drive-through establishment (Starbucks) on 0.912 acres. Mr. Collins noted the applicant provided three options for updated elevation/façade for the building. Staff recommends approval per staff comments and recommends approval of elevation/façade option 3.
- ZDC-199-2021, the applicant is requesting approval of a Planned Development to construct an indoor firearms training and shooting facility and allow a retail/office on 3.3 acres. Staff recommends approval per staff comments.
- ZDC-189-2021, the applicant is requesting approval to allow a car wash drive through establishment on 1.156 acres. Staff recommends denial due to staff concerns with the use of the property and neighborhood concerns.
- ZDC-188-2021, the applicant is requesting approval of a Planned Development to allow development of single-family homes, cottage style homes, retail/office, and park/open space on 188.46 acres. He noted the proposed zoning change is contingent upon City Council approval of the annexation request for this property. The Commission discussed elevation/façade, architectural style, and removal of front-facing garages. Staff recommends approval per staff comments.
- ZDC-162-2021, applicant is requesting approval of a Planned Development to allow development of single-family homes, townhomes, and park/open space on 153.7 acres. Mr. Collins reviewed the applicant's special exception/variance requests. Staff recommends approval per staff comments.
- ZDC-155-2021, the applicant is requesting approval of a Planned Development to allow an industrial complex (manufacturing/distribution) on 341 acres. The Commission discussed the buffer zone adjacent to the residential neighborhood. Commissioners noted the need to consider development standards that are beneficial to the residential neighbors.

3. Adjourn

There being no further business, the meeting adjourned at 6:54 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(5 + 6)



Memorandum

To: Honorable Mayor and City Council

From: Jennifer Pruitt, Director of Planning

Thru: Michael Scott, City Manager

Date: December 21, 2021


Re: ZDC-203-2021 – Triten Truck Depot and Outdoor Storage

On December 17, 2021, the applicant requested to withdraw case number ZDC-203-2021 from the December 28, 2021 Planning and Zoning Commission meeting agenda, and the January 3, 2022 City Council meeting agenda.

(7+8)



Memorandum

To: Honorable Mayor and City Council
From: Jennifer Pruitt, Director of Planning
Thru: Michael Scott, City Manager 
Date: December 21, 2021
Re: ZDC-204-2021 – Tejas Trails Senior Living

On December 21, 2021, the applicant requested to withdraw case number ZDC-204-2021 from the December 28, 2021 Planning and Zoning Commission meeting agenda, and the January 3, 2022 City Council meeting agenda.

(9 + 10)



Memorandum

To: Honorable Mayor and City Council

From: Jennifer Pruitt, Director of Planning

Thru: Michael Scott, City Manager

Date: December 21, 2021

Re: ZDC-146-2021 – Broadhead Road Mixed Use Development

On December 21, 2021, the applicant requested to continue case no. ZDC-146-2021 from the December 28, 2021 Planning and Zoning Commission agenda and the January 3, 2022 City Council meeting agenda to the January 11, 2022 Planning and Zoning Commission agenda and the January 18, 2022 City Council meeting agenda.

Planning & Zoning Department

Plat Staff Report

Case: SUB-195-2021



MEETING DATE(S)

Planning & Zoning Commission: December 28, 2021

CAPTION

Consider request by Todd Wintters, Engineering Concepts & Design, LP, for a **Plat** of Cunningham Estates, Phase One, nine (9) Residential lots, being 44.592 acres situated in the W. Lockwood Survey, Abstract 647 and the A. Ferguson Survey, Abstract 350, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 183334 & 187067) – Owner: REED EDWARD C EST ETAL (SUB-195-2021)

APPLICANT REQUEST

The applicant is requesting to plat the subject property into nine (9) lots for single family residential use.

CASE INFORMATION

Applicant: Todd Wintters, Engineering Concepts & Design, LP

Property Owner(s): REED EDWARD C EST ETAL

Site Acreage: 44.592 acres

Number of Lots: 9 lots

Number of Dwelling Units: 9 units

Park Land Dedication: N/A (ETJ)

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

SUBJECT PROPERTY

General Location: South and West of the intersection of Old Maypearl Rd. and Cunningham Meadows Rd.

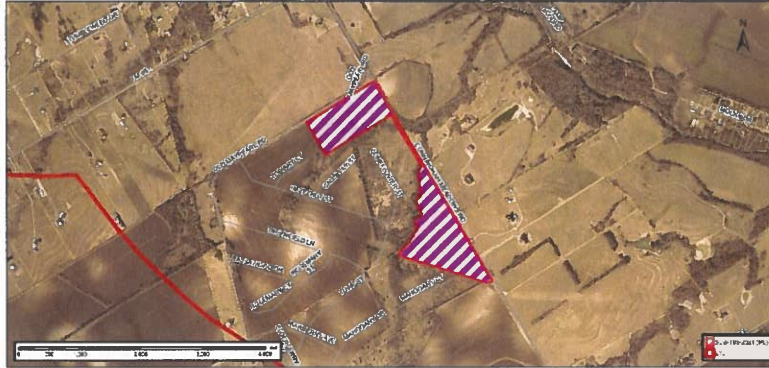
Parcel ID Number(s): 187067

Current Zoning: N/A (ETJ)

Existing Use: The subject property is currently undeveloped.

Platting History: The subject property is a portion of the W. Lockwood Survey, Abstract 647 and the A. Ferguson Survey, Abstract 350.

Site Aerial:



PLATTING ANALYSIS

The applicant is proposing to plat the subject property into nine (9) lots for single family residential use. The proposed plat provides a 40' Right-of-Way (ROW) dedication along Old Maypearl Rd. and Cunningham Estates Rd. in alignment with the City of Waxahachie Thoroughfare Plan. Adequate public facilities are available to the proposed lots via on-site septic systems and Buena Vista-Bethel water lines. The proposed lots meet all Ellis County subdivision standards.

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
2. Water Letter

APPLICANT REQUIREMENTS

1. If approved by the Planning & Zoning Commission, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
 - a. If all comments satisfied, applicant shall provide five signed, hard-copy plats.

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:
 Zack King
 Planner
zking@waxahachie.com

Reviewed by:
 Jennifer Pruitt, AICP, LEED-AP, CNU-A
 Senior Director of Planning
jennifer.pruitt@waxahachie.com



OWNERS DEDICATION AND DEDICATION

STATE OF TEXAS
COUNTY OF ELLIS

WHEREAS, REED LAND MANAGEMENT, LTD. IS THE OWNER OF 44.592 ACRES OF LAND SITUATED IN THE W. LOCKWOOD SURVEY, ABSTRACT NO. 647 AND IN THE A. FERGUSON SURVEY, ABSTRACT NO. 350, ELLIS COUNTY, TEXAS AND BEING PART OF THAT CERTAIN 338.582 ACRE TRACT OF LAND DESCRIBED IN DEED TO REED LAND MANAGEMENT, LTD, RECORDED IN VOLUME 2010, PAGE 1091, DEED RECORDS OF ELLIS COUNTY, TEXAS (DRECT) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A NAIL SET FOR THE NORTH CORNER OF SAID 338.582 ACRE TRACT AND THE COMMON INTERSECTION OF THE APPROXIMATE CENTERLINE OF OLD MAYPEARL ROAD (A VARIABLE WIDTH UNRECORDED RIGHT-OF-WAY) AND THE APPROXIMATE CENTERLINE OF CUNNINGHAM MEADOWS ROAD (A VARIABLE WIDTH UNRECORDED RIGHT-OF-WAY), FROM WHICH A 1/2-INCH IRON ROD FOUND, BEARS NORTH 30 DEGREES 49 MINUTES 18 SECONDS WEST, A DISTANCE OF 1770.01 FEET;

THENCE SOUTH 30 DEGREES 28 MINUTES 50 SECONDS EAST, ALONG THE EAST LINE OF SAID 338.582 ACRE TRACT AND SAID CUNNINGHAM MEADOWS ROAD, A DISTANCE OF 3737.24 FEET TO A 1/2-INCH IRON ROD FOUND FOR THE EAST CORNER OF SAID 338.582 ACRE TRACT AND IN THE NORTH LINE OF A TRACT OF LAND DESCRIBED AS TRACT 4 IN DEED TO YANCEY-CUNNINGHAM FAMILY, LP, RECORDED IN VOLUME 2273, PAGE 941, DRECT;

THENCE SOUTH 61 DEGREES 14 MINUTES 40 SECONDS WEST, ALONG THE SOUTH LINE OF SAID 338.582 ACRE TRACT AND THE COMMON NORTH LINE OF SAID TRACT 4, . A DISTANCE OF 80.85 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET;

THENCE, OVER AND ACROSS SAID 338.582 ACRE TRACT, THE FOLLOWING TWENTY-FOUR (24) COURSES AND DISTANCES:

- 1) NORTH 72 DEGREES 38 MINUTES 22 SECONDS WEST, A DISTANCE OF 1063.03 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET;
- 2) NORTH 72 DEGREES 38 MINUTES 22 SECONDS WEST, A DISTANCE OF 455.86 FEET;
- 3) NORTH 43 DEGREES 10 MINUTES 51 SECONDS EAST, A DISTANCE OF 286.12 FEET;
- 4) NORTH 20 DEGREES 17 MINUTES 24 SECONDS EAST, A DISTANCE OF 72.28 FEET;
- 5) NORTH 55 DEGREES 55 MINUTES 50 SECONDS EAST, A DISTANCE OF 42.33 FEET;
- 6) NORTH 04 DEGREES 41 MINUTES 36 SECONDS EAST, A DISTANCE OF 58.49 FEET;
- 7) NORTH 52 DEGREES 38 MINUTES 12 SECONDS EAST, A DISTANCE OF 53.35 FEET;
- 8) NORTH 23 DEGREES 16 MINUTES 53 SECONDS EAST, A DISTANCE OF 25.43 FEET;
- 9) NORTH 15 DEGREES 04 MINUTES 01 SECONDS WEST, A DISTANCE OF 78.16 FEET;
- 10) NORTH 05 DEGREES 38 MINUTES 06 SECONDS WEST, A DISTANCE OF 64.90 FEET;
- 11) NORTH 56 DEGREES 00 MINUTES 23 SECONDS EAST, A DISTANCE OF 117.00 FEET;
- 12) NORTH 19 DEGREES 40 MINUTES 42 SECONDS EAST, A DISTANCE OF 36.04 FEET;
- 13) NORTH 31 DEGREES 27 MINUTES 41 SECONDS WEST, A DISTANCE OF 112.39 FEET;
- 14) NORTH 17 DEGREES 41 MINUTES 29 SECONDS WEST, A DISTANCE OF 139.46 FEET;
- 15) NORTH 47 DEGREES 33 MINUTES 19 SECONDS EAST, A DISTANCE OF 107.16 FEET;
- 16) NORTH 20 DEGREES 11 MINUTES 05 SECONDS EAST, A DISTANCE OF 53.30 FEET;
- 17) NORTH 05 DEGREES 12 MINUTES 28 SECONDS EAST, A DISTANCE OF 89.12 FEET;
- 18) NORTH 09 DEGREES 12 MINUTES 15 SECONDS WEST, A DISTANCE OF 145.30 FEET;
- 19) NORTH 34 DEGREES 51 MINUTES 03 SECONDS WEST, A DISTANCE OF 36.33 FEET;
- 20) NORTH 18 DEGREES 38 MINUTES 22 SECONDS EAST, A DISTANCE OF 166.05 FEET;
- 21) NORTH 59 DEGREES 31 MINUTES 10 SECONDS EAST, A DISTANCE OF 17.01 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET;
- 22) NORTH 30 DEGREES 28 MINUTES 50 SECONDS WEST, A DISTANCE OF 960.18 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET;
- 23) SOUTH 58 DEGREES 59 MINUTES 42 SECONDS WEST, A DISTANCE OF 1247.97 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET;
- 24) NORTH 31 DEGREES 00 MINUTES 18 SECONDS WEST, A DISTANCE OF 610.00 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET IN THE NORTHWEST LINE OF SAID 338.582 ACRE TRACT, SAME BEING IN THE APPROXIMATE CENTERLINE OF SAID OLD MAYPEARL ROAD;

THENCE NORTH 58 DEGREES 59 MINUTES 42 SECONDS EAST, ALONG THE NORTHWEST LINE OF SAID 338.582 ACRE TRACT AND SAID OLD MAYPEARL ROAD, A DISTANCE OF 1293.55 FEET TO THE POINT OF BEGINNING, AND CONTAINING 44.592 ACRES OF LAND MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT REED LAND MANAGEMENT, LTD. ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY CERTIFY AND ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS CUNNINGHAM ESTATES, PHASE ONE, AN ADDITION TO THE ELLIS COUNTY, AND DOES HEREBY DEDICATE TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE OWNER DOES HEREIN CERTIFY THE FOLLOWING:

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

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

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

FOR: REED LAND MANAGEMENT, LTD

BY: _____
Elizabeth Reed Eiseimon
TITLE:

COUNTY OF ELLIS
STATE OF TEXAS

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Elizabeth Reed Eiseimon, 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

This is to certify that I, Daniel Chase O'Neal, a Registered Professional Land Surveyor of the State of Texas, have plotted the above subdivision from an actual survey on the ground; and that all lot corners, angle points, and points of curvature have been properly marked on the ground, and that this plat correctly represents that survey made under my supervision.

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

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. Released for review only.

DANIEL CHASE O'NEAL
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 6570



ON-SITE SEWAGE FACILITY STATEMENT

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

Department of Development Director

Approval Date

APPROVAL CERTIFICATE

APPROVED BY: Planning and Zoning Commission
City of Waxahachie

BY: _____ Date _____
Chairperson

Attest _____ Date _____

CERTIFICATE OF APPROVAL

STATE OF TEXAS
COUNTY OF ELLIS

Certificate of approval by the Commissioners' Court of Ellis County, Texas:

Todd Little, County Judge Krystal Valdez, County Clerk

Randy Stinson Lane Grayson
Commissioner, Precinct No. 1 Commissioner, Precinct No. 2

Paul Perry Kyle Butler
Commissioner, Precinct No. 3 Commissioner, Precinct No. 4

PLAT
CUNNINGHAM ESTATES
PHASE ONE

9 RESIDENTIAL LOT SUBDIVISION
ZONING: NOT ZONED (UNINCORPORATED LAND IN ETJ)
BEING 44.592 ACRES
SITUATED IN THE

W. LOCKWOOD SURVEY, ABST. NO. 647 &
A. FERGUSON SURVEY, ABST. NO. 350
CITY OF WAXAHACHIE ETJ, ELLIS COUNTY, TEXAS

OWNER/DEVELOPER
REED LAND MANAGEMENT, LTD
4125 WINDSOR PARKWAY
DALLAS, TX 75205

LAND SURVEYOR
O'NEAL SURVEYING COMPANY
205 WINDCO CIRCLE, SUITE 100
WYLLIE, TX 75098
TBPLS Firm No. 10194132 JOB NO. 19127
daniel.oneal@onealsurveying.com
(903) 804-2891

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLLIE, TEXAS 75098
(972) 841-8400 FAX (972) 841-8401

DATE: 12/13/2021

CASE NO. SUB-195-2021

SHEET 2 OF 2



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



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Todd Winters **Parcel ID #:** 183334 and 187067
Subdivision Name: Cunningham Estates

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

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

Contact Information:

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

To be completed by the water utility provider:

	Yes	No
1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>8 or 12</u> inches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Joe Buchanan

Print Name of General Manager of water provider or Designee

BVBSUD

Name of water provider company

Joe Buchanan

Signature of General Manager of water provider or Designee

6/29/21

Date

Planning & Zoning Department

Plat Staff Report

Case: SUB-198-2021



MEETING DATE(S)

Planning & Zoning Commission: December 28, 2021

CAPTION

Consider request by Drew Donosky, Claymoore Engineering, for a **Development Plat** of Waxahachie CDJR Addition, Lot 1, Block 1, being 5.033 acres, located at 2405 Interstate 35, situated in the William Payne Survey, Abstract 835 and the John B. Bounds Survey, Abstract 99, an addition to the City of Waxahachie (Property ID 220557) – Owner: WAXAHACHIE REALTY, LLC (SUB-198-2021)

APPLICANT REQUEST

The applicant is requesting to plat the subject property into one (1) lot for continued commercial use.

CASE INFORMATION

<i>Applicant:</i>	Drew Donosky, Claymoore Engineering
<i>Property Owner(s):</i>	Waxahachie Realty, LLC
<i>Site Acreage:</i>	5.033 acres
<i>Number of Lots:</i>	1 lot
<i>Number of Dwelling Units:</i>	0 units
<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>	2405 Interstate 35
<i>Parcel ID Number(s):</i>	220557
<i>Current Zoning:</i>	Commercial (C)
<i>Existing Use:</i>	The Waxahachie Chrysler-Dodge-Jeep-Ram (CDJR) car dealership currently occupies the site.
<i>Platting History:</i>	The property is a part of the William Payne Survey, Abstract 835 and the John B. Bounds Survey, Abstract 99

Site Aerial:**PLATTING ANALYSIS**

The applicant is proposing to plat the subject into one (1) lot for continued commercial use as the Waxahachie CDJR Dealership. A Development Plat is required for the property due to a future expansion of the structure on the site. The proposed Development Plat adheres to all lot size and dimension requirements of the Commercial (C) zoning district. Adequate public facilities are available and installed at the site.

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.

ATTACHED EXHIBITS

1. Plat

APPLICANT REQUIREMENTS

1. If approved by the Planning & Zoning Commission, 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.

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:
 Zack King
 Planner
zking@waxahachie.com

Reviewed by:
 Jennifer Pruitt, AICP, LEED-AP, CNU-A
 Senior Director of Planning
jennifer.pruitt@waxahachie.com

(12)



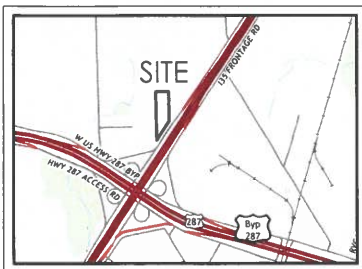
50' 0' 50' 100'
SCALE: 1" = 50'

SURVEYOR'S NOTES:

1. Bearings and distances are based on Texas State Plane Coordinate System, Texas North Central Zone 4202 North American Datum of 1983 (NAD 83) (1/8 Foot) with a combined scale factor of 1.000072449.
2. This property lies within Zone "X" of the Flood Insurance Rate Map for Ellis County, Texas and Incorporated Areas, map no. 48139C0190F, dated June 3, 2013, via scaled map location and graphic plotting.
3. Notice: Selling a portion of this addition by metes and bounds is a violation of City subdivision ordinance and state platting statutes and is subject to fines and withholding of utilities and building certificates.
4. The purpose of this plat is to create one recorded lot out of a tract of land.

LEGEND OF ABBREVIATIONS

- D.R.E.C.T. DEED RECORDS, ELLIS COUNTY, TEXAS
- P.R.E.C.T. PLAT RECORDS, ELLIS COUNTY, TEXAS
- ROW RIGHT OF WAY
- IRS 1/2 INCH CAPPED REBAR STAMPED "WINDROSE" SET
- C.M. CONTROLLING MONUMENT



VICINITY MAP
NOT TO SCALE

SANDSTONE 93
PARTNERS, LTD.
INST. NO. 2042607
O.P.R.E.C.T.

LOT 1, BLOCK 1
219,223 SF
5.033 Acres

WAXAHACHIE REALTY, LLC
INST. NO. 1300313
VOL. 2672, PG. 181
O.P.R.E.C.T.

BEALL LEGACY PARTNERS, L.P.
INST. NO. 0733703
VOL. 2352, PG. 1894
O.P.R.E.C.T.

135 E PROPERTIES,
LLC
INST. NO. 1729146
O.P.R.E.C.T.

THORNHILL IP, LLC 408
VICTORIAN DRIVE,
WAXAHACHIE TEXAS 75165
INST. NO. 1729300
O.P.R.E.C.T.

THORNHILL INDUSTRIAL PARK
CAB. B, PG. 286
P.R.E.C.T.

THORNHILL IP, LLC 408
VICTORIAN DRIVE,
WAXAHACHIE TEXAS 75165
INST. NO. 1729300
O.P.R.E.C.T.

WINDROSE
LAND SURVEYING | PLATTING

220 ELM STREET, SUITE 200 | LEWISVILLE, TX 75057 | 214.217.2544
FIRM REGISTRATION NO. 10194331 | WINDROSESERVICES.COM

DRAWN BY: G.L.C. DATE: 11/01/2021 CHECKED BY: M.P. JOB NO.: D57169

DEVELOPMENT PLAT WAXAHACHIE CDJR ADDITION LOT 1, BLOCK 1

Being a 5.033 acre tract of land
Situated in the William Payne Survey,
Abstract No. 835 and the
John B. Bounds Survey, Abstract No. 99
Zoned: Commercial (C)
City of Waxahachie, Ellis County, Texas

CASE NO. SUB-198-2021

-- 2021 --

PAGE 1 OF 2

ENGINEER
CLAY MOORE
ENGINEERING

OWNER/DEVELOPER
Waxahachie Realty, LLC
425 West Capitol, Suite 3600
Little Rock, AR 72201

1903 Central Drive Suite #406
Bedford, Texas 76021
Phone: 817-281-0572

STATE OF TEXAS §
COUNTY OF ELLIS §

WHEREAS Waxahachie Realty, LLC is the owner of a tract of land situated in the William Payne Survey, Abstract Number 835 and the John B. Bounds Survey, Abstract Number 99, in the City of Waxahachie, Ellis County, Texas, being that same tract of land described in Warranty Deed with Vendor's Lien to Waxahachie Realty, LLC, as recorded in Instrument Number 1300313, Volume 2672, Page 181 of the Official Public Records of Ellis County, Texas and being more particularly described by metes and bounds as follows (Bearings and Distances are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD 83)(US Foot) with a combined scale factor of 1.000072449):

BEGINNING at a 1/2 inch rebar found for the southeast corner of Lot 2, of Thornhill Industrial Park, an addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Cabinet B, Page 286, of the Plat Records of Ellis County, Texas, same being the southwest corner of said Waxahachie Realty, LLC tract, and the southwest corner of the herein described property, said point lying on the northwest right-of-way line of Interstate Highway 35E (Service Road) (variable width right-of-way).

THENCE North 01 degrees 16 minutes 15 seconds West, departing the northwest right-of-way line of said Interstate Highway 35E, with the east line of said Lot 2, passing at a distance of 278.01 feet a PK Nail found for the northeast corner of said Lot 2, same being the southeast corner of Lot 1 of said Thornhill Industrial park, and continuing with the east line of said Lot 1 for a total distance of 535.01 feet to a point for corner, said point being the northeast corner of said Lot 1, same being the southeast corner of a tract of land described to Sandstone 93 Partners, LTD by deed recorded in Instrument Number 2042607, Official Public Records, Ellis County, Texas;

THENCE North 00 degrees 53 minutes 01 seconds West, with the east line of said Sandstone 93 Partners, LTD tract, a distance of 460.49 feet to a 1/2 inch rebar found for the northwest corner of said Waxahachie Realty, LLC tract, said point being the westernmost southwest corner of a tract of land described to Beall Legacy Partners, LP in deed recorded in Instrument Number 0733703, Volume 2352, Page 1894, Official Public Records, Ellis County, Texas, same being the northwest corner of the herein described property;

THENCE North 88 degrees 42 minutes 08 seconds East, departing the east line of said Sandstone 93 Partners, LTD tract, with the westernmost south line of said Beall Legacy Partners, LP tract, a distance of 271.86 feet to a 1/2 inch rebar found for the northeast corner of said Waxahachie Realty, LLC tract, same being an interior "ell" corner of said Beall Legacy Partners, LP tract, and being the northeast corner of the herein described property;

THENCE South 01 degrees 17 minutes 52 seconds East, with the southernmost west line of said Beall Legacy Partners, LP tract, a distance of 603.21 feet to a 1/2 inch rebar found for the southeast corner of said Waxahachie Realty, LLC tract, said point being the southernmost corner of said Beall Legacy Partners, LP tract, and lying on the northwest right-of-way line of said Interstate Highway No. 35E;

THENCE South 33 degrees 46 minutes 37 seconds West, with the northwest right-of-way line of said Interstate Highway No. 35E, a distance of 479.32 feet to the POINT OF BEGINNING and containing 219,223 square feet or 5.033 acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

That Waxahachie Realty, LLC acting herein by and through its duly authorized officers, does hereby certify and adopt this plat designating the herein above described property as **Waxahachie CDJR Addition Addition**, an addition to the City of Waxahachie, and do 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, 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 building, fence, tree, shrub or other improvement or growth 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 the 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 _____ day of _____, 20____.

By: _____
Authorized Representative - Waxahachie Realty, LLC

Printed Name

Title / Date

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 20____.

Notary Public in and for the State of Texas

STATE OF TEXAS §
COUNTY OF DENTON §

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

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT DATED 11/18/2021

Mark N. Peoples, R.P.L.S.
No. 6443

Line Data Table		
Line #	Distance	Bearing
L1	22.57'	N88°50'59"E
L2	10.00'	N01°09'01"W
L3	22.57'	S88°50'59"W
L4	8.58'	S88°49'02"W
L5	10.00'	S01°10'58"E
L6	8.58'	N88°49'02"E
L7	10.27'	S88°49'02"W
L8	10.00'	S01°10'58"E
L9	10.27'	N88°49'02"E
L10	13.16'	N88°49'02"E
L11	8.93'	N01°10'58"W
L12	10.00'	N88°49'02"E
L13	8.93'	S01°10'58"E
L14	3.92'	N88°49'02"E
L15	22.95'	S88°49'02"W

CERTIFICATE OF APPROVAL:

APPROVED by: Planning and Zoning Commission- City of Waxahachie

By: _____ Date _____
Chairperson

By: _____ Date _____
Attest

DEVELOPMENT PLAT WAXAHACHIE CDJR ADDITION LOT 1, BLOCK 1

Being a 5.033 acre tract of land
Situated in the William Payne Survey,
Abstract No. 835 and the
John B. Bounds Survey, Abstract No. 99
Zoned: Commercial (C)
City of Waxahachie, Ellis County, Texas

CASE NO. SUB-198-2021

- 2021 -

PAGE 2 OF 2



OWNER/DEVELOPER
Waxahachie Realty, LLC
425 West Capital Suite 3600
Little Rock, AR 72201

1903 Central Drive Suite 4406
Bedford, Texas 76021
Phone: 817-281-0572

WINDROSE
LAND SURVEYING | PLATTING

220 ELM STREET, SUITE 200 | LEWISVILLE, TX 75067 | 214.217.2544
FIRM REGISTRATION NO. 10194331 | WINDROSESERVICES.COM

DRAWN BY: G.L.C. DATE: 11/01/2021 CHECKED BY: M.P. JOB NO.: D57169

Planning & Zoning Department

Plat Staff Report

Case: SUB-202-2021



MEETING DATE(S)

Planning & Zoning Commission: December 28, 2021

CAPTION

Consider request by Andra Jones, for a **Plat** of 2636 Patrick Road Subdivision, lot 1, Block 1, being 1.700 acres, located at 2636 Patrick Road, situated in the Carter H. Hurst Survey, Abstract 456, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 197804) – Owner: CLAUDIA J GAUGHAN (SUB-202-2021)

APPLICANT REQUEST

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

CASE INFORMATION

<i>Applicant:</i>	Andra Jones
<i>Property Owner(s):</i>	Andra Jones
<i>Site Acreage:</i>	1.700 acres
<i>Number of Lots:</i>	1 lot
<i>Number of Dwelling Units:</i>	1 unit
<i>Park Land Dedication:</i>	N/A (ETJ)
<i>Adequate Public Facilities:</i>	Adequate public facilities are available to the site

SUBJECT PROPERTY

<i>General Location:</i>	Approximately 475 feet west of 2920 Patrick Road
<i>Parcel ID Number(s):</i>	197804
<i>Current Zoning:</i>	N/A (ETJ)
<i>Existing Use:</i>	The subject property is currently undeveloped.
<i>Platting History:</i>	The subject property is part of the Carter H. Hurst Survey, Abstract 456.

Site Aerial:



PLATTING ANALYSIS

The applicant is proposing to plat one (1) lot for single family residential use. The proposed plat is 1.7 acres in size and meets or exceeds all lot size, dimension, setback, and easement requirements. The applicant is providing a 30' right-of-way (ROW) dedication along Patrick road, in conformance with the City of Waxahachie Thoroughfare Plan. Adequate public facilities are available for the proposed plat via Rockett SUD, as well as on-site septic. A small portion of the northeast corner of the lot is located within the FEMA designated 100 year floodplain. However, the floodplain does not encroach on the required building setback line or block access to Patrick Road.

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.

ATTACHED EXHIBITS

1. Plat
2. Water Letter

APPLICANT REQUIREMENTS

1. If approved by the Planning & Zoning Commission, 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.

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:

Zack King

Planner

zking@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

PLAT
PATRICK ROAD SUBDIVISION
LOT 1, BLOCK 1
RESIDENTIAL (SUB-202-2021)
Located in the Extra-Territorial Jurisdiction
(ETJ) of the city of Waxahachie Ellis County, Texas
BEING A 1.700 ACRES (74.052 SQ. FT.)
TRACT OF LAND SITUATED IN
CARTER H. HURST SURVEY ABSTRACT NO. 456,
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS.

OWNER'S CERTIFICATE
NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT Andra Dewayon & Heather Jones, acting herein by and through its duly authorized officers, does hereby certify and attest that the plat designating the herein shown described property as PATRICK ROAD SUBDIVISION in addition to the city of Waxahachie, Ellis County, Texas and do hereby dedicate to the public use however the streets and alleys shown thereon Andra Dewayon & Heather Jones, does hereby certify the following:

1. The streets and alleys are dedicated in the streets and alleys purposes.
2. All public improvements and dedications shall be free and clear of all liens, taxes, and other encumbrances.
3. The easements and public use areas, as shown, and created by this plat, are dedicated for the public use forever for the purposes indicated on this plat.
4. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown.
5. The city of Waxahachie Ellis County, Texas, is not responsible for replacing any improvements in, under, or over any easements created by maintenance or repair.
6. Utility easements may also be used for the mutual use and accommodation of all public utilities sharing in use or using the same unless the easement limits the use to particular utilities, and only by public utilities being subordinate to the public's and Ellis County's convenience.
7. The city of Waxahachie Ellis County, Texas, and public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements.
8. Utility easements may also be used for the mutual use and accommodation of all public utilities sharing in use or using the same unless the easement limits the use to particular utilities, and only by public utilities being subordinate to the public's and Ellis County's convenience.
9. The city of Waxahachie Ellis County, Texas, and public utilities shall have the full right of ingress and egress to or from their respective easements for the purpose of maintaining, repairing, reconstructing, or otherwise using their respective systems in the easements.
10. All modifications to this plat shall be made by the city of Waxahachie Ellis County, Texas, and approved by the city of Waxahachie Ellis County, Texas.

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

WITNESS, BY MY HAND, THIS _____ DAY OF _____, 20____.

ANDRA DEWAYON & HEATHER JONES

HOTARY STATEMENT

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 ANDRA DEWAYON & HEATHER JONES known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 20____.

Notary Public in and for the State of Texas

MY COMMISSION EXPIRES ON _____

APPROVED BY Planning and Zoning Commission City of Waxahachie Ellis County, Texas

By _____ Date _____

Attest _____ Date _____

ON-LINE SENSITIVE FACILITY STATEMENT

This plat has been approved by the Department of Development of Ellis County, Texas for on-site security disposal facilities and must not exceed the minimum requirements established by TSCG and the Ellis County Security Center, pending any and all information as may be required by the Ellis County Department of Development.

Department of Development Director _____ Approved Date _____

STATE OF TEXAS &
COUNTY OF ELLIS &

(Indicate of approval by the Commission's Court of Ellis County, Texas
Approved this date, this _____ DAY OF _____, 20____.)

Food Lites, County Judge _____

Randy Strickland, County Judge _____

Paul Perry, County Judge _____

Paul Perry, County Judge _____

Paul Perry, County Judge _____

Paul Perry, County Judge _____

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Paul Perry, County Judge _____

Paul Perry, County Judge _____

Paul Perry, County Judge _____

Paul Perry, County Judge _____



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



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Andra Jones Parcel ID #: 197804
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>14</u> inches.	<input type="checkbox"/>	<input type="checkbox"/>

Jacob Morales

Print Name of General Manager of water provider or Designee

Jacob Morales

Signature of General Manager of water provider or Designee

Rockett SUD

Name of water provider company

12/20/21

Date

Planning & Zoning Department

Plat Staff Report

Case: SUB-206-2021



MEETING DATE(S)

Planning & Zoning Commission: December 28, 2021

CAPTION

Consider request by Islam Diab, ADTM Engineering & Construction Corp., for a **Plat** of KSAM Highway 287, lots 1-2, Block A, being 4.022 acres situated in the W. Calder Survey, Abstract 235 and the B. Davis Survey, Abstract 290, an addition to the City of Waxahachie (Property ID 181802) – Owner: KSAM LLC (SUB-206-2021)

APPLICANT REQUEST

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

CASE INFORMATION

Applicant: Islam Diab, ADTM Engineering & Construction Corp.

Property Owner(s): KSAM LLC

Site Acreage: 4.022 acres

Number of Lots: 2 lots

Number of Dwelling Units: 0 units

Park Land Dedication: The cash in lieu of park land dedication is \$2,413.20 (2 non-residential lots at \$600.00 per acre).

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

SUBJECT PROPERTY

General Location: 1440 Farley Street

Parcel ID Number(s): 181802

Current Zoning: Planned Development-General Retail (PD-GR)

Existing Use: The subject property is currently undeveloped.

Platting History: The subject property is a part of the W. Calder Survey, Abstract 235 and the B. Davis Survey, Abstract 290.

Site Aerial:**PLATTING ANALYSIS**

The applicant is proposing to plat the subject property into two (2) lots for commercial use. The applicant is providing a roughly 50 foot Right-of-Way (ROW) dedication along Farley Street in order to conform to the City of Waxahachie Thoroughfare Plan. A mutual access easement will be provided to allow both proposed lots to have access to Farley Street and the 287 Frontage Road. Each proposed lot meets or exceeds the minimum lot size requirements set forth by the PD-GR zoning on the site.

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.

ATTACHED EXHIBITS

1. Plat

APPLICANT REQUIREMENTS

1. If approved by the Planning & Zoning Commission, 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.

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:

Zack King

Planner

zking@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

OWNER'S CERTIFICATE:

STATE OF TEXAS
COUNTY OF ELLIS

WHEREAS, KSAM LLC IS THE SOLE OWNER OF A 4.022 ACRE TRACT OF LAND SITUATED IN THE W. CALDER SURVEY, ABSTRACT 235, AND THE B. DAVIS SURVEY, ABSTRACT NO. 290, ELLIS COUNTY, TEXAS AND BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO KSAM LLC, RECORDED IN INSTRUMENT NO. 2019211, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A NAIL FOUND FOR THE NORTHEAST CORNER OF SAID BROADHEAD TRACT AND THE COMMON SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO BROWN PROPERTIES, LTD., RECORDED IN VOLUME 1244, PAGE 329, OPRECT, IN THE WESTERLY RIGHT-OF-WAY (ROW) LINE OF U.S. HIGHWAY 287 (A VARIABLE WIDTH ROW), AND IN THE APPROXIMATE CENTERLINE OF FARLEY STREET (A VARIABLE WIDTH PRESCRIPTIVE & DEDICATED RIGHT-OF-WAY);

THENCE ALONG THE EAST LINES OF SAID KSAM LLC TRACT AND THE COMMON WESTERLY ROW LINES OF SAID US 287, AS FOLLOWS:

S 29°03'42" E A DISTANCE OF 65.00 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 5674" FOUND FOR CORNER;

S 76°00'10" E A DISTANCE OF 69.54 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 5674" FOUND FOR CORNER;

S 30°22'10" E A DISTANCE OF 110.00 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 5674" FOUND FOR CORNER;

N 89°14'06" E A DISTANCE OF 253.03 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 5674" FOUND FOR CORNER;

S 75°22'10" E A DISTANCE OF 52.95 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 1740" SET FOR CORNER, SAID POINT BEING THE EAST CORNER OF SAID 4.022 ACRE TRACT OF LAND BEING DESCRIBED,

THENCE S 60°11'00" W, DEPARTING THE WESTERLY R.O.W. LINE OF SAID US 287 AND THROUGH THE INTERIOR OF SAID KSAM, LLC TRACT, A DISTANCE OF 557.69 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 1740" SET FOR THE SOUTH CORNER OF SAID 4.022 ACRE TRACT OF LAND BEING DESCRIBED, SAME POINT BEING IN THE NORTHEAST LINE OF BLUE BONNET TRAILS, PHASES 1 AND 2, AN ADDITION TO THE CITY OF WAXAHACHIE, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET J, SLIDE 762, OPRECT;

THENCE N 29°48'00" W, ALONG AN EAST LINE OF SAID BLUE BONNET TRAILS, PHASES 1 AND 2, SAME BEING THE EAST LINE OF A 17 FEET ALLEY, A DISTANCE OF 109.95 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "TXRCS" FOUND FOR CORNER, SAME BEING IN THE EASTERLY ROW LINE OF ASTER DRIVE (A CALLED 60' ROW), AND THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 220.00 FEET, WITH A CHORD BEARING N 72°05'31" W AND A CHORD LENGTH OF 294.74 FEET;

THENCE ALONG AN EAST LINE OF SAID BLUE BONNET TRAILS, PHASES 1 AND 2, SAME BEING THE EASTERLY ROW LINE OF SAID ASTER DRIVE, AND WITH SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 322.97 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 5674" FOUND FOR CORNER IN THE SOUTH ROW LINE OF FARLEY STREET (A CALLED 50 FEET ROW DEDICATION - CABINET J, SLIDE 762, OPRECT);

THENCE N 31°01'18" W, ALONG AN EAST LINE OF SAID BLUE BONNET TRAILS, PHASES 1 AND 2, SAME BEING THE EAST LINE OF SAID 50 FEET ROW DEDICATION, A DISTANCE OF 50.14 FEET TO A NAIL FOUND FOR THE NORTHEAST CORNER OF SAID BLUE BONNET TRAILS, PHASES 1 AND 2, IN THE NORTH LINE OF SAID BROADHEAD TRACT AND THE COMMON SOUTH LINE OF THAT TRACT OF LAND DESCRIBED AS TRACT TWO IN DEED TO WAXAHACHIE DEVELOPMENT CO., RECORDED IN VOLUME 674, PAGE 451, OPRECT, AND IN THE APPROXIMATE CENTERLINE OF SAID FARLEY STREET, FROM WHICH A PK NAIL FOUND FOR AN ELL CORNER OF SAID BLUE BONNET TRAILS, PHASES 1 AND 2, SAME BEING THE NORTHWEST CORNER OF SAID 50 FEET ROW DEDICATION BEARS S 59°33'12" W, A DISTANCE OF 60.01 FEET;

THENCE N 59°33'12" E, ALONG THE NORTH LINE OF SAID BROADHEAD TRACT AND THE COMMON SOUTH LINES OF SAID WAXAHACHIE DEVELOPMENT TRACT AND SAID BROWN PROPERTIES TRACT AND THE APPROXIMATE CENTERLINE OF SAID FARLEY STREET, PASSING A NAIL FOUND FOR THE SOUTHEAST CORNER OF SAID WAXAHACHIE DEVELOPMENT TRACT AND THE COMMON SOUTHWEST CORNER OF SAID BROWN PROPERTIES TRACT AT A DISTANCE OF 5.54 FEET, IN ALL A TOTAL DISTANCE OF 447.63 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.022 ACRES OR 175,205 SQUARE FEET OF COMPUTED LAND.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That KSAM LLC acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as KSAM HIGHWAY 287, an addition to the City of Waxahachie, Ellis County, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown hereon. 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 at 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, Texas. 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 limit 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 at 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 utilities 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 or removing all parts of their respective systems without the necessity at any time procuring permission from anyone.

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

SODHI SINGH (Owner)

STATE OF TEXAS

COUNTY OF _____

BEFORE ME, the undersigned authority, on this day personally appeared SODHI SINGH, OWNER and known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

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

Notary Public in and for

The State of Texas

My Commission expires: _____

STATE OF TEXAS -
COUNTY OF ELLIS -

APPROVED BY: Planning and Zoning Commission - City of Waxahachie

Chairperson

Date

Attest

Date

SURVEYOR'S CERTIFICATE

That I, Larry Turman, do 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 Platting Rules and Regulations of the Planning and Zoning Commission of the City of Waxahachie, Ellis County, Texas.

Larry Turman
Texas Registration No. 1740

PLAT
KSAM HIGHWAY 287
LOTS 1-2
BLOCK A
4.022 ACRES

EXISTING ZONING - PD-GR

BEING A PORTION OF THAT
CERTAIN TRACT OF LAND
CONVEYED TO
KSAM LLC
INSTRUMENT NO. 2019211
OFFICIAL RECORDS, ELLIS COUNTY, TEXAS
SITUATED IN
W. CALDER SURVEY, ABSTRACT NO 235
B. DAVIS SURVEY, ABSTRACT NO 290
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

PAGE 2 OF 2

DATE PREPARED: NOVEMBER 12, 2021
CASE NO. - SUB-206-2021

OWNER:
KSAM LLC
3021 ROSINA, GRAND
PRAIRIE, TX 75054
PHONE: 917-592-3875
SODHI SINGH

SURVEYOR:
LARRY TURMAN
P.O. BOX 2416
GRANBURY, TEXAS 76048
(817) 219-6103 CELL
(817) 354-1446 CONTACT:
RODNEY MARTINEZ

Planning & Zoning Department

Plat Staff Report

Case: SUB-207-2021



MEETING DATE(S)

Planning & Zoning Commission: December 28, 2021

CAPTION

Consider request by Cody Nix for a **Plat** of Buena Vista Estates, Phase II, lots 1-3, Block A, being 16.699 acres situated in the Benjamin Wiltshire Survey, Abstract 1132, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 197828) – Owner: VICTOR BALLAS (SUB-207-2021)

APPLICANT REQUEST

The applicant is requesting to plat the subject property into three (3) lots for single family residential use.

CASE INFORMATION

<i>Applicant:</i>	Cody Nix, 8 th & Main LLC
<i>Property Owner(s):</i>	Cody Nix, 8 th & Main LLC
<i>Site Acreage:</i>	16.699 acres
<i>Number of Lots:</i>	3 lots
<i>Number of Dwelling Units:</i>	3 units
<i>Park Land Dedication:</i>	N/A (ETJ)
<i>Adequate Public Facilities:</i>	Adequate public facilities are available to the site via BVBSUD

SUBJECT PROPERTY

<i>General Location:</i>	Directly West of 2349 FM 1446
<i>Parcel ID Number(s):</i>	197828
<i>Current Zoning:</i>	N/A (ETJ)
<i>Existing Use:</i>	The subject property is currently undeveloped.
<i>Platting History:</i>	The subject property is part of the Benjamin Wiltshire Survey, Abstract 1132.

Site Aerial:**PLATTING ANALYSIS**

The applicant is proposing to plat the subject property into three (3) lots for single family residential use. All lot size and dimension requirements have been met. Each of the three (3) proposed lots are 5 acres or greater in size; which aligns with the character of the area and the Waxahachie Future Land Use Plan.

The applicant has provided a Water Endorsement Letter from Rockett SUD stating that adequate water flow is available to the site for domestic services only. Water flow and pressure for firefighting and fire suppression purposes is not available. The City of Waxahachie Subdivision Ordinance allows plats of fewer than 4 lots in the Waxahachie ETJ to be approved without adequate fire flow; provided that the plat include a note indicating this fact. The applicant has provided this required note on the plat, so no variance or relief waiver is required.

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.

ATTACHED EXHIBITS

1. Plat
2. Water Letter

APPLICANT REQUIREMENTS

1. If approved by the Planning & Zoning Commission, 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.

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:

Zack King

Planner

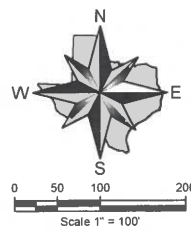
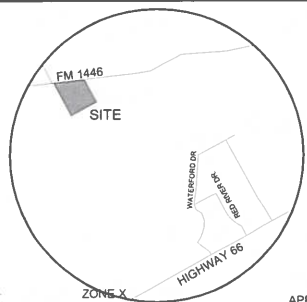
zking@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com



FLOOD NOTE

According to the Federal Emergency Management Agency, Flood Insurance Rate Map Community Panel No. 48139C0190F, dated June 3, 2013, this property is within Flood Zones A and X.

Zone A - Special Flood hazard areas without base flood elevation (BFE); areas with a 1% annual chance of flooding

Zone X - Areas determined to be outside the 0.2% annual chance floodplain.

This flood statement does not imply that the property and/or the structure thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

NOTE: AT THE TIME OF PLAT APPROVAL, THIS DEVELOPMENT DOES NOT HAVE ADEQUATE WATER FLOW TO ALLOW FOR FIRE FIGHTING AND FIRE SUPPRESSION SERVICES TO ANY IMPROVED PROPERTIES

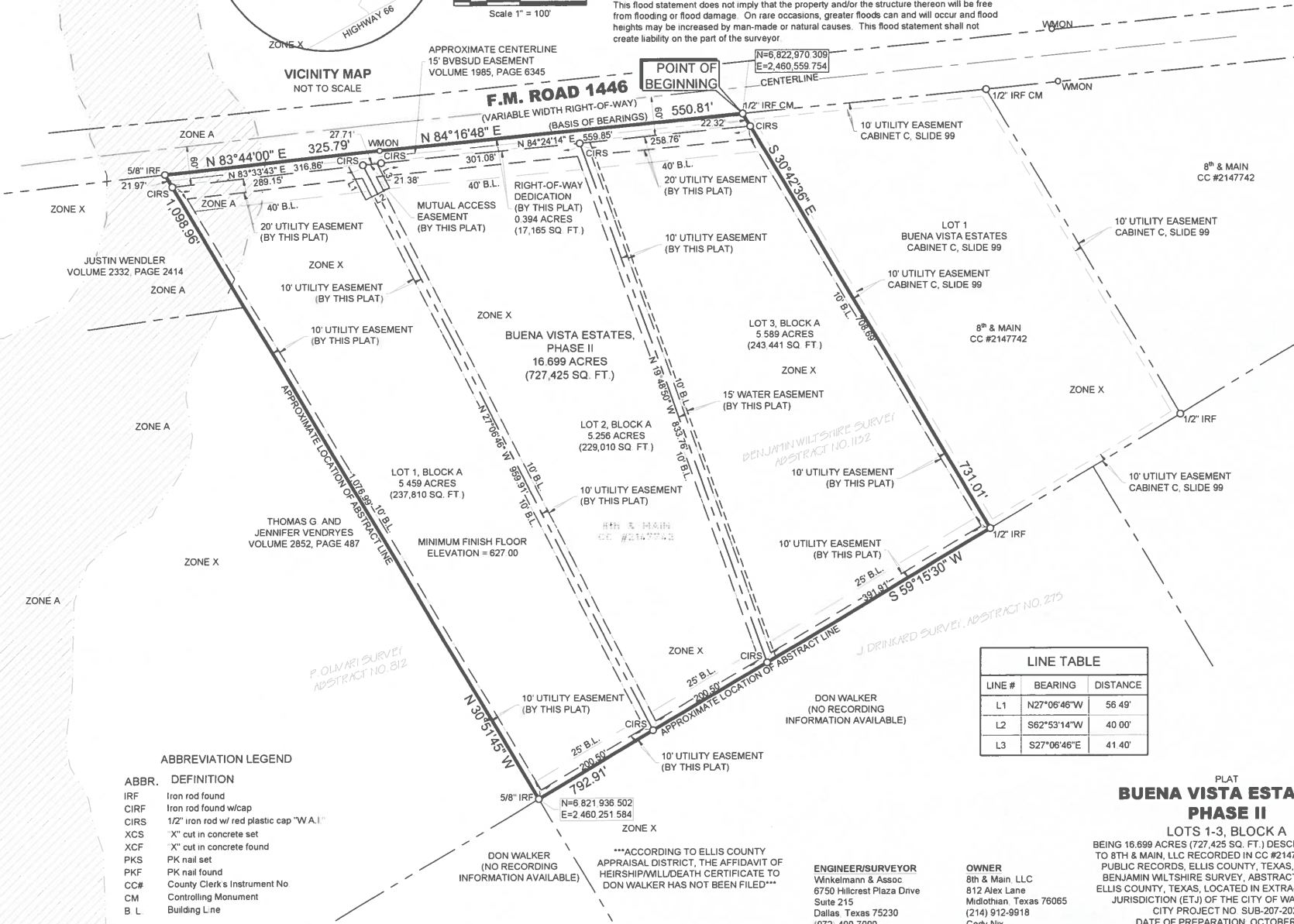
VICINITY MAP NOT TO SCALE

APPROXIMATE CENTERLINE
15' BVSSUD EASEMENT
VOLUME 1985, PAGE 6345

F.M. ROAD 1446 (VARIABLE WIDTH RIGHT-OF-WAY)

POINT OF BEGINNING

N=6,822,970.309
E=2,460,559.754
CENTERLINE



ABBREVIATION LEGEND

ABBR.	DEFINITION
IRF	Iron rod found
CIRF	Iron rod found w/cap
CIRS	1/2" iron rod w/ red plastic cap "W.A.I."
XCS	"X" cut in concrete set
XCF	"X" cut in concrete found
PKS	PK nail set
PKF	PK nail found
CC#	County Clerk's Instrument No
CM	Controlling Monument
B.L.	Building Line

DON WALKER
(NO RECORDING
INFORMATION AVAILABLE)

***ACCORDING TO ELLIS COUNTY
APPRAISAL DISTRICT, THE AFFIDAVIT OF
HEIRSHIP/MLL/DEATH CERTIFICATE TO
DON WALKER HAS NOT BEEN FILED***

ENGINEER/SURVEYOR
Winkelmann & Assoc
6750 Hillcrest Plaza Drive
Suite 215
Dallas, Texas 75230
(972) 490-7090

OWNER
8th & Main, LLC
812 Alex Lane
Midlothian, Texas 76065
(214) 912-9918
Cody Nix

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N27°06'45"W	56.49'
L2	S62°53'14"W	40.00'
L3	S27°06'45"E	41.40'

PLAT BUENA VISTA ESTATES, PHASE II LOTS 1-3, BLOCK A

BEING 16.699 ACRES (727,425 SQ. FT.) DESCRIBED IN DEED
TO 8TH & MAIN, LLC RECORDED IN CC #2147742, OFFICIAL
PUBLIC RECORDS, ELLIS COUNTY, TEXAS, OUT OF THE
BENJAMIN WILTSHIRE SURVEY, ABSTRACT NO. 1132 IN
ELLIS COUNTY, TEXAS, LOCATED IN EXTRA-TERRITORIAL
JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE
CITY PROJECT NO. SUB-207-2021
DATE OF PREPARATION OCTOBER 2021

Winkelmann & Associates, Inc.
CONSULTING ENGINEERS & SURVEYORS
6750 HILLCREST PLAZA, SUITE 215
DALLAS, TEXAS 75230
TELEPHONE: (972) 490-7090 FAX: (972) 490-7091
E-MAIL: WINKELMANN@WINKELMANN-ASSOCIATES.COM
Texas Surveyor No. 0086560 Expires 12/31/2026
COPYRIGHT © 2016, Winkelmann & Associates, Inc.

BENJAMIN WILTSHIRE, ABSTRACT NO. 1132
ELLIS COUNTY, TEXAS

8TH & MAIN, LLC
812 ALEX LANE
ELLIS COUNTY, TEXAS

PLAT
**BUENA VISTA ESTATES,
PHASE II**
LOT 1-3, BLOCK A
16.699 ACRES

Date: 01.11.21
Scale: 1" = 100'
File: 68025 0A-PPLT
Project No.: 68025 0A

**SHEET
1
2**

OWNERS CERTIFICATE

STATE OF TEXAS §
COUNTY OF ELLIS §

WHEREAS, We, 8th & Main, LLC, is the sole owner of the following described tract of land herein proposed as the BUENA VISTA ESTATES, PHASE II, being situated in the BENJAMIN WILTSHIRE SURVEY, ABSTRACT NO. 1132, in Ellis County, Texas, and being the same tract of land described in deed to 8th & Main, LLC as recorded in County Clerk's Instrument No. 2147742, Official Public Records, Ellis County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found for the Northwest corner of Lot 1, Buena Vista Estates, an addition to Ellis County, Texas, according to the Plat thereof recorded in Cabinet C, Slide 99, Official Public Records, Ellis County, Texas, on the South right-of-way of F. M. Road 1446, a variable width right-of-way,

THENCE South 30 deg 42 min 36 sec East, departing the South right-of-way of said F. M. 1446, along the Northeast line of said 8th & Main tract and the Southwest line of said Lot 1, a distance of 731.01 feet to a 1/2-inch iron rod found for the Southwest corner of said Lot 1 on the Northwest line of a tract of land conveyed to Don Walker,

THENCE South 59 deg 15 min 30 sec West, along the Southeast line of said 8th & Main tract and the Northwest line of said Walker tract, a distance of 792.91 feet to a 5/8-inch iron rod found for the Southwest corner 8th & Main tract and the Southeast corner of a tract of land described in deed to Thomas G. and Jennifer Vendryes as recorded in Volume 2852, Page 487, Official Public Records, Ellis County, Texas,

THENCE North 30 deg 51 min 45 sec West, along the Southwest line of said 8th & Main tract, the Northeast line of said Vendryes tract and the Northeast line of a tract of land described in deed to Justin Wendler as recorded in Volume 2332, Page 2414, Official Public Records, Ellis County, Texas, a distance of 1,098.96 feet to a 5/8-inch iron rod found for the Northwest corner of said 8th & Main tract and the Northeast corner of said Wendler tract on the South right-of-way of said F. M. Road 1446,

THENCE North 83 deg 44 min 00 sec East, along the Northwest line of said 8th & Main tract and the South right-of-way of said F. M. 1446, a distance of 325.79 feet to a wooden monument found for corner,

THENCE North 84 deg 16 min 48 sec East, continuing the Northwest line of said 8th & Main tract and the South right-of-way of said F. M. 1446, a distance of 550.81 feet to the POINT OF BEGINNING

CONTAINING within these metes and bounds 727,425 square feet or 16.699 acres of land, more or less.

Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 3rd day of October, 2021, utilizing a G.P.S. bearing related to the Texas Coordinate System, North Texas Central Zone (4202), NAD 83, grid values from the GeoShack VRS network.

OWNER'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, 8th & Main, LLC, acting herein by and through its duly authorized officers, does hereby certify and adopt this plat designating the here-in above described property as BUENA VISTA ESTATES, PHASE II, an addition to Ellis County, and do hereby dedicate to the public use forever, the streets and alleys shown thereon, 8th & Main, LLC does herein certify the following:

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

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

WITNESS, BY MY HAND, THIS THE ____ DAY OF ____, 2021.

Cody Nix, Managing Member, 8th & Main, LLC

STATE OF TEXAS §
COUNTY OF ELLIS §

BEFORE ME, the undersigned authority, on this day personally appeared Cody Nix, known to me to be the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that they executed the same for the purpose and consideration expressed and in the capacity therein stated.

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

Notary Public in and for the State of Texas.

SURVEYOR'S CERTIFICATION

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

PRELIMINARY - this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

Leonard J. Lueker
Registered Professional Land Surveyor
Texas Registration No. 5714
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive, Suite 325
Dallas, Texas 75230
(972) 490-7090

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared Leonard J. Lueker, known to me to be the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that they executed the same for the purpose and consideration expressed and in the capacity therein stated.

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

Notary Public in and for the State of Texas

ON-SITE SEWAGE FACILITY STATEMENT

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

Department of Development Director

Approval Date:

APPROVED BY: Planning and Zoning Commission City of Waxahachie

By: Chairperson Date

Attest Date

STATE OF TEXAS §
COUNTY OF ELLIS §

Certificate of approval by the Commissioners' Court of Ellis County, Texas:

Approved this date, the day ____ of ____, 2021.

Todd Little, County Judge

Randy Stinson
Commissioner, Precinct No. 1

Lane Grayson
Commissioner, Precinct No. 2

Paul Perry
Commissioner, Precinct No. 3

Kyle Butler
Commissioner, Precinct No. 4

ATTEST:

Krystal Valdez, County Clerk

PLAT
BUENA VISTA ESTATES,
PHASE II

LOTS 1-3, BLOCK A

BEING 16.699 ACRES (727,425 SQ. FT.) DESCRIBED IN DEED TO 8TH & MAIN, LLC RECORDED IN CC #2147742, OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS, OUT OF THE BENJAMIN WILTSHIRE SURVEY, ABSTRACT NO. 1132 IN ELLIS COUNTY, TEXAS, LOCATED IN EXTRA-TERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE
CITY PROJECT NO. SUB-207-2021
DATE OF PREPARATION: OCTOBER 2021

ENGINEER/SURVEYOR
Winkelmann & Assoc
6750 Hillcrest Plaza Drive
Suite 215
Dallas, Texas 75230
(972) 490-7090

OWNER
8th & Main, LLC
812 Alex Lane
Midlothian, Texas 76065
(214) 912-9918
Cody Nix

Winkelmann & Associates, Inc.
LAND SURVEYING & ENGINEERING
4500 HILLCREST PLAZA, SUITE 215
DALLAS, TEXAS 75230
TEL: (972) 490-7090
FAX: (972) 490-7099
Texas Surveyor No. 0006050 Expires 12/31/2018
CITY PROJECT NO. SUB-207-2021
COMPILED BY: 10/13/2021

BENJAMIN WILTSHIRE, ABSTRACT NO. 1132
ELLIS COUNTY, TEXAS
8TH & MAIN, LLC
812 ALEX LANE
ELLIS COUNTY, TEXAS

PLAT
BUENA VISTA ESTATES,
PHASE II
LOT 1-3, BLOCK A
16.699 ACRES

Date : 01.11.21
Scale : N/A
File : 68025 0A-PPLT
Project No. : 68025 0A

SHEET
2
OF
2

(15)



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



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Cody Nix Parcel ID #: 197828
Subdivision Name: Buena Vista Estates, Phase II

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

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

Contact Information:

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

To be completed by the water utility provider:

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

Joe Buchanan

Print Name of General Manager of water provider or Designee

Buena Vista Bethel SUD

Name of water provider company

Joe Buchanan

Signature of General Manager of water provider or Designee

12.1.21

Date

Planning & Zoning Department

Plat Staff Report

Case: SUB-208-2021



MEETING DATE(S)

Planning & Zoning Commission: December 28, 2021

CAPTION

Consider request by Shawne Walker, Walker Land Surveying Company, for a **Plat** of Szymczak Addition, lot 1, Block A, being 6.631 acres situated in the Thomas Jackson Survey, Abstract 574, and the Samuel S. Wilson Survey, Abstract 1141, an addition to the City of Waxahachie (Property ID 275542) – Owner: GAIL SZYMCAK (SUB-208-2021)

APPLICANT REQUEST

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

CASE INFORMATION

Applicant: Shawne Walker, Walker Land Surveying Company

Property Owner(s): Gail Szymczak

Site Acreage: 6.631 acres

Number of Lots: 1 lot

Number of Dwelling Units: 1 unit

Park Land Dedication: N/A

Adequate Public Facilities: Adequate Public Facilities are available to the site for domestic services. Inadequate flow for firefighting & fire suppression.

SUBJECT PROPERTY

General Location: 2911 FM 878

Parcel ID Number(s): 275542

Current Zoning: N/A (ETJ)

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

Platting History: The subject property is part of the Thomas Jackson Survey, Abstract 574, and the Samuel S. Wilson Survey, Abstract 1141

Site Aerial:**PLATTING ANALYSIS**

The applicant is proposing to plat the subject property into one (1) lot for single family residential use. The applicant has provided a Water Endorsement Letter from Rockett SUD stating that adequate water flow is available to the site for domestic services only. Water flow and pressure for firefighting and fire suppression purposes is not available. The City of Waxahachie Subdivision Ordinance allows plats of fewer than 4 lots in the Waxahachie ETJ to be approved without adequate fire flow; provided that the plat include a note indicating this fact. The applicant has provided this required note on the plat, so no variance or relief waiver is required. All lot size and dimension requirements have been met.

RECOMMENDATION

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

- ☐ Denial
☒ Approval, as presented.

ATTACHED EXHIBITS

1. Plat
2. Water Letter

APPLICANT REQUIREMENTS

1. If approved by the Planning & Zoning Commission, 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.

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:

Zack King

Planner

zking@waxahachie.com

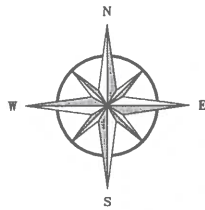
Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

WLSC



0' 50' 100' 150'

STATE OF TEXAS
COUNTY OF ELLIS

Certificate of Approval by the Commissioners Court of Ellis County, Texas.

Approved this date, the _____ day of _____, 2021.

Honorable Todd Little, County Judge

Randy Stinson
Commissioner Precinct #1

Paul Perry
Commissioner Precinct #3

Attest:

Krystal Valdez
County Clerk

This plat has approval by the Department of Development for an on-site sewage facility system pending any and all information as may be required by the Ellis County Department of Development.

Department of Development

Date

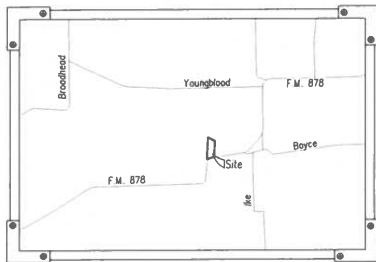
APPROVED BY: Planning and Zoning Commission City of Waxahachie

Chairman

Date

Attest

Date



VICINITY MAP SCALE : 1" = 4000'

Walker Land Surveying Company
P.O. Box 2911 Waxahachie, Texas 75168
TBPELS Firm No. 10112400

Project Number: 210113

Registered Agent: Gail Szymezak
2911 F.M. 878
Waxahachie, Texas 75165
Contact: Gail Szymezak (972) 824-2664

Surveyor: Walker Land Surveying Company
P.O. Box 2911
Waxahachie, Texas 75168
Contact: Shawne Walker, RPLS (214) 317-0379

109.645 Acres
James L. Barnes
Vol. 631, Pg. 187
DRECT

This property is subject to the easement to
Rockett Special Utility District Water Line Easement
Inst. No. 1930819, OPRECT

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

Department of Development Director

Approval Date:

Notes

1. Building Lines: 40' Front Building line & 10' Side Building Line
2. Utility Easements: 20' Drainage & Utility Easement along front and rear property lines and 10' Drainage & Utility Easement along side property lines.
3. A portion of this property lies within a 100 year flood plain according to the Flood Insurance Rate Map for Ellis County, Texas. Map# 48139C0200 F, Zone AE (Unshaded), dated June 3, 2013.
4. At the time of Plat approval, this development does not have adequate water flow to allow for fire fighting and fire suppression services to any improved properties.
5. Basis of Bearings: GPS Observation, Texas Coordinate System, North Central Zone 4202 Beginning Coordinate - Northing=6833320.04, Easting=2499987.41.

Surveyor's Declaration

KNOW ALL MEN BY THESE PRESENTS

That I, J. Shawne Walker, do hereby certify that I have prepared this Plat from an actual and accurate survey made on the ground and that the corner monuments shown hereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Waxahachie, Texas.
FOR INSPECTION PURPOSES ONLY,
AND IN NO WAY OFFICIAL OR
APPROVED FOR RECORD PURPOSES.
J. Shawne Walker, RPLS
Texas Registration No. 5331

Farm to Market Highway 878
(80' R.O.W.)

Richard Cooper
Vol. 1633, Pg. 470
OPRECT

Approximate Location of
100 Year Flood Plain
(Special Flood Hazard Area)

N-6834201.39
E-2499701.84
Elev=515.36

10' Easement to
Onco Electric Delivery Co.
Inst. No. 1927228, OPRECT

N-6833227.40
E-2499717.73
Elev=529.50

6.682 Acres
Sean Anderson
Inst. No. 1905275
OPRECT

Approximate Location of
100 Year Flood Plain
(Special Flood Hazard Area)

LEGEND	
●	Property Corner
IR	Iron Rod
Find	Found
ROW	Right of Way
BL	Building Line
D.U.E.	Drainage & Utility Easement
CGSF	Colton Gin Spike Found
1/2"	1/2" Iron rod found with
CIRF	marked "RPLS 4480"

OWNER'S CERTIFICATE
State of Texas
County of Ellis

Whereas, Gail Szymezak is the owner of that certain parcel of land situated in the THOMAS JACKSON SURVEY, ABSTRACT NO. 574 and in the SAMUELS WILSON SURVEY, ABSTRACT NO. 1141, Ellis County, Texas, and being all of the 6.681 acre tract of land conveyed to Gail Szymezak by Special Warranty Deed recorded in Instrument Number 1916827 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found with cap marked "RPLS 4480" in the north line of Farm to Market Highway 878 (80 foot right of way) for the southwest corner of said Szymezak Tract and the southwest corner of the 6.682 acre tract of land conveyed to Sean Anderson by Special Warranty Deed recorded in Instrument Number 1905275, OPRECT;

THENCE S 80°29'30" W, along the south line of said Szymezak Tract and the north line of F.M. 878, a distance of 116.58 feet to a 1/2" iron rod found with cap marked "RPLS 4480" at the beginning of a curve to the left having a radius of 312.84 feet and a central angle of 31°45'48";

THENCE along the arc of said curve and continuing along the south line of said Szymezak Tract and the north line of F.M. 878, a distance of 173.43 feet (Long Chord - S 64°37'19" W, 171.22 feet) to a 1/2" iron rod found with cap marked "RPLS 4480" for corner;

THENCE N 89°10'23" E, continuing along the south line of said Szymezak Tract and the north line of F.M. 878, a distance of 51.42 feet to a 1/2" iron rod found with cap marked "RPLS 4480" in the west line of the Jackson Survey and the east line of the J.B. & Ann Adams Survey, Abstract No. 5 and some for the 109.645 acre tract of land (Tract A) conveyed to James L. Barnes by Warranty Deed recorded in Volume 631, Page 187 of the Deed Records of Ellis County, Texas (DRECT);

THENCE N 00°55'39" E, along the west line of said Szymezak Tract and the east line of said 109.645 acre tract and the common Jackson - Adams Survey Line, a distance of 218.70 feet to a 1/2" iron rod found with cap marked "RPLS 4480" in the north line of the Jackson Survey and the south line of the Wilson Survey for the northeast corner of the Adams Survey;

THENCE N 02°25'39" E, continuing along the west line of said Szymezak Tract and the east line of said 109.645 acre tract, passing at 755.16 feet a 1/2" iron rod found with cap marked "RPLS 4480" for witness, in all, a distance of 804.68 feet to a point in Grove Creek and in the south line of the tract of land conveyed to Richard Cooper by Warranty Deed recorded in Volume 1633, Page 470, OPRECT for the northeast corner of said Szymezak Tract and the northeast corner of said 109.645 acre tract;

THENCE S 62°13'19" E, along the north line of said Szymezak Tract and the south line of said Cooper Tract and along Grove Creek, a distance of 370.31 feet to a point for the northeast corner of said Szymezak Tract and the northeast corner of said 6.682 acre tract;

THENCE S 03°20'03" W, along the east line of said Szymezak Tract and the west line of said 6.682 acre tract, passing at 39.43 feet a 600 nail found for witness, in all, a distance of 759.43 feet to the PLACE OF BEGINNING, and containing 6.631 acres of land as surveyed on the ground.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, Gail Szymezak, do hereby certify and adopt this plat designating the herein above described property as the Final Plat of Lot 1, Block A of Szymezak Addition, an addition in the ETJ of the City of Waxahachie, Ellis County, and does hereby dedicate to the public use forever, for public use forever, the streets and alleys shown hereon. Gail Szymezak does herein certify the following:

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

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

Witness my hand this _____ day of _____, 2021.

By:

Gail Szymezak

State of Texas
County of Ellis:

Before me the undersigned authority, a notary public in and for the state on this day personally appeared Gail Szymezak, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same for the purposes herein expressed and in the capacity stated.

Given under my hand and seal of office this _____ day of _____, 2021.

Notary Public

Plat
Lot 1
Block A
Szymezak Addition

Being 6.631 Acres - 1 Residential Lot
In the Thomas Jackson Survey, Abstract No. 574
And the Samuel S. Wilson Survey, Abstract No. 1141
An Addition in the ETJ of the City of Waxahachie
Ellis County, Texas

Case No. SUB-208-2021 Prepared: September, 2021



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



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Jail Dymczyk Parcel ID #: 275542
Subdivision Name: _____

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

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

Contact Information:

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

To be completed by the water utility provider:

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

Jacob Morales

Print Name of General Manager of water provider or Designee

Jacob Morales

Signature of General Manager of water provider or Designee

Rockett SUD

Name of water provider company

11/5/2021

Date

Planning & Zoning Department

Plat Staff Report

Case: SUB-205-2021



MEETING DATE(S)

Planning & Zoning Commission: December 28, 2021

CAPTION

Consider request by Claudio Segovia, J. Volk Consulting, Inc., for a **Plat** of Oasis at North Grove, Phase I, lots 1-8, 9X, 10-27, Block 1; Lots 1X, 2-16, Block 2; Lots 1X, 2-6, Block 3; Lots 1-26, Block 4; Lots 1-13, Block 5; Lot 14, Block 10; Lots 1 & 14, Block 11, being 27.098 acres situated in the Henry Sange Survey, Abstract 1009, an addition to the City of Waxahachie (Property ID 262134) – Owner: JHD THE OASIS DEVELOPMENT, LLC (SUB-205-2021)

APPLICANT REQUEST

The applicant is requesting to plat the subject property into 88 single family residential lots and 3 open space lots as part of the Oasis at North Grove Phase 1 subdivision.

CASE INFORMATION

Applicant: Claudio Segovia, J. Volk Consulting, Inc.

Property Owner(s): JHD THE OASIS DEVELOPMENT, LLC

Site Acreage: 27.098 acres

Number of Lots: 91 lots

Number of Dwelling Units: 88 units

Park Land Dedication: The cash-in-lieu of park land dedication is \$35,200.00 (88 residential dwellings at \$400.00 per dwelling).

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

SUBJECT PROPERTY

General Location: North of the intersection of E North Grove Blvd. and Whispering Trail Drive.

Parcel ID Number(s): 262134

Current Zoning: PD-SF 1, 2, 3, MF-1, GR

Existing Use: The subject property is currently undeveloped.

Platting History: The subject property is part of the Henry Sange Survey, Abstract 1009

Site Aerial:



PLATTING ANALYSIS

The applicant is proposing to plat the subject property into 91 lots for use as a single family residential subdivision. A total of 88 lots are proposed to be single family residential lots and 3 lots are proposed to be open space lots. Each residential lot in the proposed plat adheres to the zoning requirements for the property (North Grove PD). All open space lots will be maintained by the developments' HOA. Adequate public water and sewer facilities are available to the site.

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.

ATTACHED EXHIBITS

1. Plat

APPLICANT REQUIREMENTS

1. If approved by the Planning & Zoning Commission, 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.

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:

Zack King

Planner

zking@waxahachie.com

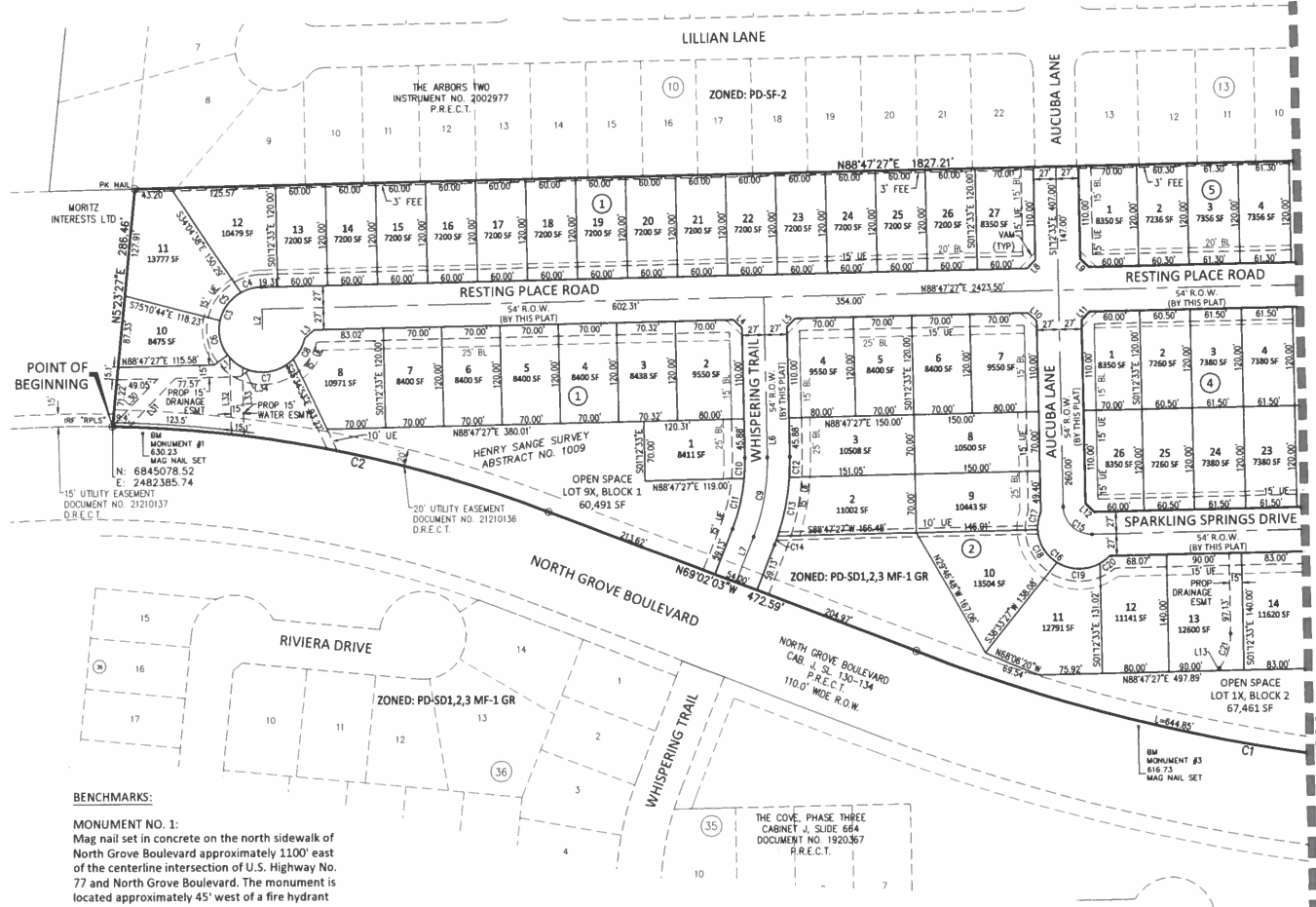
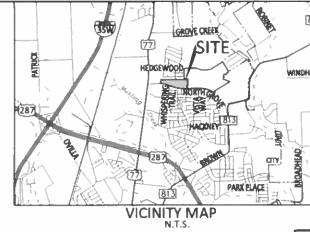
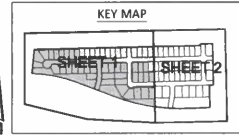
Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

100 50 0 100 200
SCALE 1" = 100'



GENERAL NOTES:

- All lot corners monumented with a 1/2" iron rod with a yellow plastic cap stamped "JVC" unless otherwise noted.
- All Utility easements and Drainage easements within this platted property are created by this plat, unless otherwise noted.
- Basis of Bearing and Coordinates shown hereon refer to "Texas State Plane Coordinate System, North Central Zone (4202), North American Datum of 1983 on Grid Coordinate values.
- Open space X lots shall be maintained by the H.O.A.
- The property depicted in this survey lies within Zone "X" (unshaded) Floodplain as determined by the Flood Insurance Rate Map for Ellis County, Texas and incorporated areas, Map number 48139C0190F, effective date June 3, 2013.

LEGEND

- Point of Curvature or Tangency on Center Line
 - 1/2" Iron rod set with a yellow plastic cap stamped "JVC" (unless otherwise noted)
 - 1/2" IRF (unless otherwise noted)
- AC Acre
 BL Building Line
 C1 Curve No.
 <CM> Control Monument
 DE Drainage Easement
 Esmt Easement
 L1 Line No.
 SF Square Feet
 UE Utility Easement
 VAM Visibility Easement
 FEE Fence Encroachment Easement
 D.R.E.C.T. = Deed Records of Ellis County, Texas

Curve Table					
No.	Length	Radius	Delta	Chord Length	Chord Bearing
C1	885.27	2195.00	023°06'29"	879.28	N80°35'17"W
C2	535.95	1555.00	019°44'52"	533.30	N78°54'29"W
C3	232.94	52.00	256°39'27"	81.58	S39°32'17"E
C4	25.73	52.00	028°21'04"	25.47	S74°36'55"W
C5	43.54	52.00	047°58'39"	42.28	S36°27'04"W
C6	44.63	52.00	049°10'14"	43.27	S12°07'22"E
C7	89.92	52.00	099°04'52"	79.13	S86°14'55"E
C8	29.11	52.00	032°04'40"	28.73	N28°07'20"E
C9	96.76	250.00	022°10'30"	96.15	N09°52'42"E
C10	24.16	223.00	006°12'31"	24.15	S01°53'43"W
C11	62.14	223.00	015°57'59"	61.94	S12°58'58"W
C12	24.15	277.00	004°59'41"	24.14	N01°17'18"E
C13	71.88	277.00	014°52'08"	71.68	N11°13'11"E
C14	11.18	277.00	002°18'43"	11.18	N19°48'36"E
C15	53.41	34.00	090°00'00"	48.08	S46°12'33"E
C16	138.45	50.00	158°38'49"	98.27	S57°27'31"E
C17	21.14	50.00	024°13'12"	20.98	S09°45'17"W
C18	48.09	50.00	055°06'13"	46.25	S29°54'25"E
C19	54.23	50.00	062°08'48"	51.61	S88°31'55"E
C20	14.99	50.00	017°10'36"	14.93	N51°48'22"E
C21	43.07	62.50	039°28'07"	42.22	N18°32'01"E

Line Table		
No.	Length	Direction
L1	20.00	N53°17'31"E
L2	25.00	N17°23'33"W
L3	15.14	N47°27'44"E
L4	14.14	S46°12'33"E
L5	14.14	N43°47'27"E
L6	192.88	S11°23'33"E
L7	59.13	N20°57'57"E
L8	14.14	S43°47'27"W
L9	14.14	N46°12'33"W
L10	14.14	S46°12'33"E
L11	14.14	N43°47'27"E
L12	14.14	N46°12'33"W
L13	4.06	S38°16'34"W
L30	77.92	N44°05'35"E
L31	80.61	S44°05'35"W
L32	91.93	S11°23'33"E
L33	81.67	S11°23'33"E
L34	13.30	S53°17'31"W

BENCHMARKS:

MONUMENT NO. 1:
Mag nail set in concrete on the north sidewalk of North Grove Boulevard approximately 1100' east of the centerline intersection of U.S. Highway No. 77 and North Grove Boulevard. The monument is located approximately 45' west of a fire hydrant and 54' northeast of a light pole.
Elevation = 630.23'

MONUMENT NO. 3:
Mag nail set in concrete on the north sidewalk of North Grove Boulevard approximately 390' west of the centerline intersection of North Grove Boulevard and Highland Drive. The monument is located approximately 15' northeast of a fire hydrant and 100 feet northwest of a storm inlet.
Elevation = 616.73'

MONUMENT NO. 4:
Mag nail set in concrete on the north sidewalk of North Grove Boulevard at the northeast corner of the intersection of North Grove Boulevard with Vista Way. The monument is located approximately 15' north of a fire hydrant and 3' from a pair of water valves.
Elevation = 596.12'

Engineer/Surveyor:
J. Volk Consulting, Inc.
830 Central Parkway East, Suite 300
Plano, Texas 75074
Phone: 972-201-3102
Contact: Claudio Segovia, P.E.

Owner/Applicant:
JHDMC Limited Liability Company
421 Century Way
Red Oak, TX 75154
Phone: 512-567-4504
Contact: Chip Boyd

Owner/Applicant:
JHH North Grove Development, LLC
421 Century Way
Red Oak, TX 75154
Phone: 512-567-4504
Contact: Chip Boyd



J. VOLK consulting
830 Central Parkway East, Suite 300
Plano, Texas 75074
972.201.3100 Texas Registration No. F-11962

PLAT

OASIS AT NORTH GROVE PHASE 1

27.098 ACRES

LOTS 1-8, 9X, 10-27 BLOCK 1; LOTS 1X, 2-16, BLOCK 2; LOTS 1X, 2-6, BLOCK 3; LOTS 1-26, BLOCK 4; LOTS 1-13 BLOCK 5; LOT 14, BLOCK 10; LOTS 1 & 14, BLOCK 11

88 SINGLE FAMILY LOTS

3 OPEN SPACES/COMMON AREAS

5.47 AC ROW DEDICATION

OUT OF THE

HENRY SANGE SURVEY, ABSTRACT NO. 1009

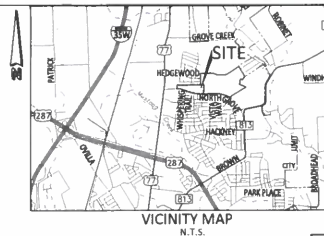
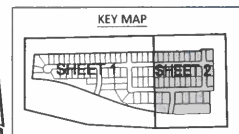
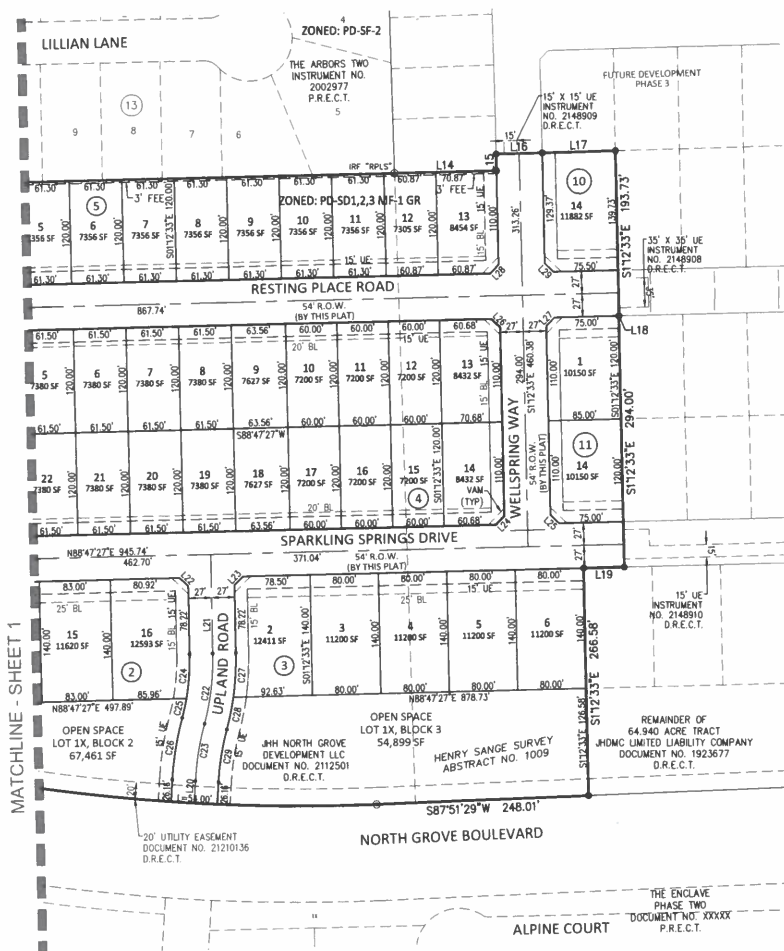
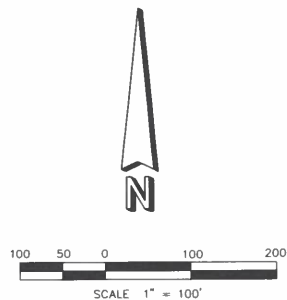
CITY OF WAXAHACHIE

ELLIS COUNTY, TEXAS

06 December 2021

SHEET 1 OF 3

SUB-205-2021



GENERAL NOTES:

- All lot corners monumented with a 1/2" iron rod with a yellow plastic cap stamped "JVC" unless otherwise noted.
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- The property depicted in this survey lies within Zone "X" (unshaded) Floodplain as determined by the Flood Insurance Rate Map for Ellis County, Texas and incorporated areas, Map number 48139C0190F, effective date June 3, 2013.

LEGEND

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 - 1/2" IRF (unless otherwise noted)
- AC Acre
BL Building Line
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L1 Line No.
SF Square Feet
UE Utility Easement
VAM Visibility Easement
FEE Fence Encroachment Easement
D.R.E.C.T. = Deed Records of Ellis County, Texas

Line Table			
No.	Length	Direction	
L14	119.30	N88°47'27"E	
L15	19.38	N112°33'W	
L16	54.00	N88°47'35"E	
L17	85.50	N88°33'03"E	
L18	0.50	S88°47'27"W	
L19	47.54	S88°47'27"W	
L20	26.16	N32°54'E	
L21	115.22	N112°33'W	
L22	14.14	S46°12'33"E	
L23	14.14	N43°47'27"E	
L24	14.14	S43°47'27"W	
L25	14.14	N46°12'33"E	
L26	14.14	S46°12'33"E	
L27	14.14	N43°47'27"E	
L28	14.14	S43°47'27"W	
L29	14.14	N46°12'33"E	

Curve Table					
No.	Length	Radius	Delta	Chord Length	Chord Bearing
C22	83.00	300.00	015°51'10"	82.74	N06°43'02"E
C23	68.51	350.00	011°12'53"	68.40	S09°02'10"W
C24	52.09	273.00	010°55'58"	52.01	S04°15'26"W
C25	23.44	273.00	004°55'12"	23.43	S12°11'01"W
C26	73.79	377.00	011°12'53"	73.67	S09°02'10"W
C27	52.00	327.00	009°06'38"	51.94	N03°20'46"E
C28	38.48	327.00	006°44'32"	38.46	N11°16'21"E
C29	63.22	323.00	011°12'53"	63.12	N09°02'10"E

BENCHMARKS:

MONUMENT NO. 1:

Mag nail set in concrete on the north sidewalk of North Grove Boulevard approximately 1100' east of the centerline intersection of U.S. Highway No. 77 and North Grove Boulevard. The monument is located approximately 45' west of a fire hydrant and 54' northeast of a light pole. Elevation = 630.23'

MONUMENT NO. 3:

Mag nail set in concrete on the north sidewalk of North Grove Boulevard approximately 390' west of the centerline intersection of North Grove Boulevard and Highland Drive. The monument is located approximately 15' northeast of a fire hydrant and 100 feet northwest of a storm inlet. Elevation = 616.73'

MONUMENT NO. 4:

Mag nail set in concrete on the north sidewalk of North Grove Boulevard at the northeast corner of the intersection of North Grove Boulevard with Vista Way. The monument is located approximately 15' north of a fire hydrant and 3' from a pair of water valves. Elevation = 596.12'

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JHH North Grove Development, LLC
421 Century Way
Red Oak, TX 75154
Phone: 512-567-4504
Contact: Chip Boyd



J. VOLK
consulting
830 Central Parkway East, Suite 300
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972-201-3100 Texas Registration No. F-11962

PLAT

OASIS AT NORTH GROVE PHASE 1

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OUT OF THE
HENRY SANGE SURVEY, ABSTRACT NO. 1009

CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS

06 December 2021

SHEET 2 OF 3
SUB-205-2021

STATE OF TEXAS §
COUNTY OF ELLIS §

LEGAL DESCRIPTION

WHEREAS, JHDMC Limited Liability Company and JHH NORTH GROVE DEVELOPMENT, LLC are the Owners of a tract of land situated in the HENRY SANGE SURVEY, ABSTRACT NO. 1009, City of Waxahachie, Ellis County, Texas and being part of that tract of land described as 64.940 Acre Tract in Deed to JHDMC Limited Liability Company, as recorded in Document No. 1923677, Deed Records, Ellis County, Texas and being all of that tract of land described in Deed to JHH North Grove Development LLC, as recorded in Document No. 2112501, Deed Records, Ellis County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found with a yellow plastic cap stamped "RPLS 4818" found in the north line of North Grove Boulevard, a 110 foot right-of-way, for the southwest corner of said JHH North Grove Development LLC tract;

THENCE North 05 degrees 23 minutes 27 seconds East, leaving said north line, a distance of 286.46 feet to a PK nail found in the south line of THE ARBORS TWO, an Addition to the City of Waxahachie, Ellis County, Texas according to the Plat thereof recorded in Document No. 2002977, Plat Records, Ellis County, Texas for the northwest corner of said JHH North Grove Development LLC tract;

THENCE North 88 degrees 47 minutes 27 seconds East, with said south line, passing at a distance of 1,827.21 feet a 1/2 inch iron rod with a yellow plastic cap stamped "RPLS 4818" found for the southeast corner of said Addition, and continuing in all for a total distance of 1,946.51 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 01 degrees 12 minutes 33 seconds West, a distance of 19.38 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 88 degrees 47 minutes 35 seconds East, a distance of 54.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 88 degrees 33 minutes 03 seconds East, a distance of 85.50 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 01 degrees 12 minutes 33 seconds East, a distance of 193.73 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 88 degrees 47 minutes 27 seconds West, a distance of 0.50 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 01 degrees 12 minutes 33 seconds East, a distance of 294.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 88 degrees 47 minutes 27 seconds West, a distance of 47.54 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 01 degrees 12 minutes 33 seconds East, a distance of 266.58 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner in the north line of the above mentioned North Grove Boulevard;

THENCE Westerly, with said north line, the following four (4) courses and distances:

South 87 degrees 51 minutes 29 seconds West, a distance of 248.01 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "RPLS 4818" found for corner at the beginning of a curve to the right having a central angle of 23 degrees 06 minutes 29 seconds, a radius of 2,195.00 feet and a chord bearing and distance of North 80 degrees 35 minutes 17 seconds West, 879.28 feet;

Westerly, with said curve to the right, an arc distance of 885.27 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "RPLS 4818" found for corner;

North 69 degrees 02 minutes 03 seconds West, a distance of 472.59 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "RPLS 4818" found for corner at the beginning of a curve to the left having a central angle of 19 degrees 44 minutes 52 seconds, a radius of 1,555.00 feet and a chord bearing and distance of North 78 degrees 54 minutes 29 seconds West, 533.30 feet;

Westerly, with said curve to the left, an arc distance of 535.95 feet to the POINT OF BEGINNING and containing 27.098 acres of land, more or less.

Engineer/Surveyor:
J. Volk Consulting, Inc.
830 Central Parkway East, Suite 300
Plano, Texas 75074
Phone: 972-201-3102
Contact: Claudio Segovia, P.E.

Owner/Applicant:
JHDMC Limited Liability Company
421 Century Way
Red Oak, TX 75154
Phone: 512-567-4504
Contact: Chip Boyd

Owner/Applicant:
JHH North Grove Development, LLC
421 Century Way
Red Oak, TX 75154
Phone: 512-567-4504
Contact: Chip Boyd

OWNER'S DEDICATION:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT JHDMC LIMITED LIABILITY COMPANY and JHH NORTH GROVE DEVELOPMENT, LLC acting by and through their duly authorized agent, do hereby adopt this plat, designating the herein described property as OASIS AT NORTH GROVE, PHASE 1, an addition to the City of Waxahachie, Texas, and do hereby dedicate in fee simple the streets, alleys, and common areas shown thereon. The streets, 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 building, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective system 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 its respective systems without the necessity at any time of procuring the permission from anyone.

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

WITNESS, OUR HANDS this ____ day of _____ 20__.

By: JHDMC LIMITED LIABILITY COMPANY

NAME:

TITLE:

STATE OF TEXAS §
COUNTY OF ELLIS §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State on this date personally appeared _____, Owner's Agent, 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 _____ 20__.

Notary Public in and for the State of Texas

My Commission Expires: _____

WITNESS, OUR HANDS this ____ day of _____ 20__.

By: JHH NORTH GROVE DEVELOPMENT LLC

NAME:

TITLE:

STATE OF TEXAS §
COUNTY OF ELLIS §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State on this date personally appeared _____, Owner's Agent, 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 _____ 20__.

Notary Public in and for the State of Texas

My Commission Expires: _____

SURVEYORS CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS: That I, Ryan S. Reynolds, 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 platting rules and regulations of City of Waxahachie, Texas.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 20__.
FOR REVIEW PURPOSES ONLY. PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

RYAN S. REYNOLDS, R.P.L.S.
Registered Professional Land Surveyor No. 6385

STATE OF TEXAS §
COUNTY OF COLLIN §

Visibility, Access and Maintenance Easements: The area or areas shown on the plat as "VAM" (Visibility, Access and Maintenance) Easement(s) are hereby given and granted to the City, its successors and assigns, as an easement to provide visibility, right of access for maintenance upon and across said VAM Easement. The City shall have the right but not the obligation to maintain any and all landscaping within the VAM Easement. Should the City exercise this maintenance right, then it shall be permitted to remove and dispose of any and all landscaping improvements, including without limitation, any trees, shrubs, flowers, ground cover and fixtures. The City may withdraw maintenance of the VAM Easement at any time. The ultimate maintenance responsibility for the VAM Easement shall rest with the owners. No building, fence, shrub, tree or other improvements or growths, which in any way may endanger or interfere with the visibility, shall be constructed in, on, over or across the VAM Easement. The City shall also have the right but not the obligation to add any landscape improvements to the VAM Easement, to erect any traffic control devices or signs on the VAM Easement and to remove any obstruction thereon. The City, its successors, assigns, or agents shall have the right and privilege at all times to enter upon the VAM Easement or any part thereof for the purposes and with all rights and privileges set forth herein.

APPROVED BY: Planning and Zoning Commission City of Waxahachie

By: _____ Date _____
Chairperson
Attest _____ Date _____

PLAT

OASIS AT NORTH GROVE
PHASE 1

27.098 ACRES

LOTS 1-8, 9X, 10-27 BLOCK 1; LOTS 1X, 2-16, BLOCK 2; LOTS 1X, 2-6, BLOCK 3; LOTS 1-26, BLOCK 4; LOTS 1-13 BLOCK 5; LOT 14, BLOCK 10; LOTS 1 & 14, BLOCK 11
88 SINGLE FAMILY LOTS
3 OPEN SPACES/Common AREAS
5.47 AC ROW DEDICATION
OUT OF THE
HENRY SANGE SURVEY, ABSTRACT NO. 1009
CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS

06 December 2021

SHEET 3 OF 3
SUB-205-2021



J. VOLK
consulting
830 Central Parkway East, Suite 300
Plano, Texas 75074
972.201.3100 Texas Registration No. F-11962

117

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-162-2021



MEETING DATE(S)

Planning & Zoning Commission: December 28, 2021 (continued from December 14, 2021)

City Council: January 3, 2022

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held December 14, 2021, the Commission voted 6-0 to continue case number ZDC-162-2021 to the December 28, 2021 Planning and Zoning meeting.

CAPTION

Public Hearing on a request by Chip Boyd, JHDMC, LLC, for a **Zoning Change** from a Single Family-1 zoning district to Planned Development - Single Family-3 zoning district, located at 823 Ovilla Road (Property ID 185893, 185891, 185980, 185979, 200064) - Owner: SUSAN M CALVERT (ZDC-162-2021)

APPLICANT REQUEST

The applicant is requesting approval of a Planned Development to allow development of single family homes, townhomes, and park/open space on 153.7 acres.

**The proposed zoning change is contingent upon City Council approving the proposed annexation case (ANX-DNX-178-2021) for this property. City Council is scheduled to take action on the item on January 3, 2022.*

CASE INFORMATION

Applicant: Chip Boyd, JHDMC, LLC

Property Owner(s): Susan M. Calvert Thomas

Site Acreage: 153.7 acres

Current Zoning: Single Family-1

Requested Zoning: Planned Development-Single Family-3

SUBJECT PROPERTY

General Location: 823 Ovilla Rd.

Parcel ID Number(s): 185893, 185891, 185980, 185979, 200064

Existing Use: Currently Undeveloped

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	N/A (Ellis County)	Single Family Residences
East	LI1	Walgreens Distribution Center
South	GR/SF1	Undeveloped Land/Faith Family Academy – Waxahachie
West	SF1	Undeveloped Land

Future Land Use Plan:

Highway Commercial and Low Density Residential

Comprehensive Plan:

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

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

Thoroughfare Plan:

The subject property is accessible via Ovilla Rd.

Site Image:



PLANNING ANALYSIS**Purpose of Request:**

The applicant is requesting approval of a Planned Development to allow development of single family homes, townhomes, and park/open space on 153.7 acres. Per the City of Waxahachie Zoning Ordinance, the Planned Development requires approval from City Council.

Proposed Use:

The purpose of this Planned Development district is to create zoning that will allow the development of 458 total residential lots. Of which, 360 lots will fall within the categories A, B, C, and D (as identified on the attached PD Concept Plan and listed in the "Proposed Planned Development Regulations" section of the staff report below) and 98 lots will be developed as 28 ft. wide townhome lots.

The applicant intends to create a walkable and interactive development by creating several open spaces (33.5 acres total), including pocket parks, and a dog park.

Staff Note: The proposed zoning change is contingent upon City Council approving the proposed annexation case (ANX-DNX-178-2021) for this property. City Council is scheduled to take action on the item on January 3, 2022.

At the December 14, 2021 Planning and Zoning meeting, the Planning and Zoning Commission requested that the applicant revise the submitted plan(s) for the proposed development to further address the Commission's concerns, as well as be more conducive to the surrounding area. Per the Commission's request, listed below are changes made by the applicant.

CHANGES FROM THE 12/14/21 PZ MEETING

- Total lot count reduced from 464 to 458 total lots
 - o Type A lots increased from 32 to 34
 - o Type B lots increased from 62 to 77
 - o Type C lots increased from 119 to 120
 - o Type D lots decreased from 153 to 129
- Revised the single family detached minimum dwelling unit square footage from 2,200 sq. ft. to 1,800 sq. ft. *(See lot type breakdown below):*
 - o Type A Lots: 2,200 sq. ft. min to 4,000 sq. ft./originally 2,200 *(50% of the lots must be greater than 2,400 sq. ft.)*
 - o Type B Lots: 2,000 sq. ft. min to 3,800 sq. ft./originally 2,200 *(50% of the lots must be greater than 2,400 sq. ft.)*
 - o Type C Lots: 1,900 sq. ft. min to 3,600 sq. ft./originally 2,000 *(50% of the lots must be greater than 2,200 sq. ft.)*
 - o Type D Lots: 1,800 sq. ft. min to 3,500 sq. ft./originally 2,000 *(50% of the lots must be greater than 2,200 sq. ft.)*
 - o Townhome Lots: 1,300 sq. ft. min to 2,900 sq. ft./originally 1,300 *(50% of the lots must be greater than 1,500 sq. ft.)*
- Revised the Concept Plan to show no front entry lots for single family detached homes
- Added and defined 5 Architectural Influences
- Revised the Concept Plan to provide pocket parks to western portion of the development
- Revised the Concept Plan to provide a mixture of lot size types within blocks for streetscape diversity
- Added SF banding and 50% min requirement to each lot type
- Full masonry will be required on lots backing to Thoroughfare (labeled with stars on the Concept Plan)

- Revised the Concept Plan to show the access easement for neighbors within HOA open space lots
- Reduced the maximum building height from 2.5 stories to 2 stories
- Provided a sidewalk along FM 664

Proposed Planned Development Regulations

Items highlighted in **bold indicates a variation request from the Single Family-3 (SF3) requirements.*

Type 'A' Lots

- Minimum Lot Area - 12,000 SF
- **Minimum Lot Width - 70'** (minimum 80' requirement per SF3 standards)
- Minimum Lot Depth - 110'
- **Minimum Front Yard - 25'** (minimum 30' requirement per SF3 standards)
- **Minimum Rear Yard - 15'** (minimum 25' requirement per SF3 standards)
- **Minimum Side Yard (interior) - 5'** (minimum 10' requirement per SF3 standards)
- Minimum Side Yard (exterior on corner lots) - 15'
- Maximum Lot Coverage – 50%

Type 'B' Lots

- Minimum Lot Area - 10,000 SF
- **Minimum Lot Width - 70'** (minimum 80' requirement per SF3 standards)
- Minimum Lot Depth - 110'
- **Minimum Front Yard - 25'** (minimum 30' requirement per SF3 standards)
- **Minimum Rear Yard - 15'** (minimum 25' requirement per SF3 standards)
- **Minimum Side Yard (interior) - 5'** (minimum 10' requirement per SF3 standards)
- Minimum Side Yard (exterior on corner lots) - 15'
- Maximum Lot Coverage – 50%

Type 'C' Lots

- **Minimum Lot Area - 8,400 SF** (minimum 10,000 SF requirement per SF3 standards)
- **Minimum Lot Width - 60'** (minimum 80' requirement per SF3 standards)
- Minimum Lot Depth - 100'
- **Minimum Front Yard - 25'** (minimum 30' requirement per SF3 standards)
- **Minimum Rear Yard - 15'** (minimum 25' requirement per SF3 standards)
- **Minimum Side Yard (interior) – 5'** (minimum 10' requirement per SF3 standards)
- Minimum Side Yard (exterior on corner lots) - 15'
- **Maximum Lot Coverage – 55%** (maximum 50% requirement per SF3 standards)

Type 'D' Lots

- **Minimum Lot Area – 7,200 SF** (minimum 10,000 SF requirement per SF3 standards)
- **Minimum Lot Width - 50'** (minimum 80' requirement per SF3 standards)
- Minimum Lot Depth - 100'
- **Minimum Front Yard - 25'** (minimum 30' requirement per SF3 standards)
- **Minimum Rear Yard - 15'** (minimum 25' requirement per SF3 standards)
- **Minimum Side Yard (interior) - 5'** (minimum 10' requirement per SF3 standards)
- Minimum Side Yard (exterior on corner lots) - 15'
- **Maximum Lot Coverage – 55%** (maximum 50% requirement per SF3 standards)

Townhome Development Standards

**Items labeled with an "*" are not reflected within Section 5.09 of the City of Waxahachie Zoning Ordinance*

***Items highlighted in **bold** do not meet the townhome requirements within Section 5.09 of the City of Waxahachie Zoning Ordinance*

- **Minimum Lot Area – 3,080 SF (Front Entry); 2,940 SF (Rear Entry)** (minimum 3,630 SF requirement per Section 5.09 Townhome standards)
- *Minimum Lot Width - 28'
- *Minimum Lot Depth - 100'
- Minimum Front Yard - 20' (Front Entry); **10' (Rear Entry)** (minimum 15' requirement per Section 5.09 Townhome standards)
- Minimum Rear Yard – 15' (Front Entry); **20' (Rear Entry)** (minimum 25' (adjacent to Single Family requirement per Section 5.09 Townhome standards)
- Minimum Side Yard (interior) - 0'
- **Minimum Side Yard (exterior on corner lots) - 15'** (minimum 25' (adjacent to Single Family requirement per Section 5.09 Townhome standards)
- **Maximum Lot Coverage – 70%**

For all Type 'A' 'B' 'C' 'D' and Townhome Lots**Density**

A maximum of 458 dwelling units shall be permitted on the Property consisting of 153.73 acres, resulting in a maximum gross density of 3.0 dwelling units per acre.

Dwelling Unit Size

The minimum dwelling unit square footage will be:

- 1,800 sq. ft. (Single Family)
- 1,300 sq. ft. (Townhome)

Building Height

The maximum building height for structures shall be 2 stories.

Masonry

- a. Minimum of 80% masonry overall
- b. On single-family detached homes, the front façade shall be 100% masonry
- c. On townhomes, the front façade shall be a minimum of 85% masonry
- d. Modern farmhouse front elevations shall be a minimum of 50% masonry
- e. Siding shall be permitted on wall areas extending above roof lines
- f. Lots backing to City 4-lane arterial shall have full masonry on rear elevation

Roof Pitch

Roof pitch shall be minimum of 8/12, with 4/12 allowed on shed roofs and rear covered patios.

Open Space

A minimum of 33.5 acres of open space shall be provided.

Sidewalks

Sidewalks will be provided in open space areas generally as shown on the concept plan. Sidewalks will be provided along public streets in accordance with City requirements.

Parking

A minimum of two (2) off-street parking spaces per dwelling unit shall be provided.

Landscaping and Screening

A minimum 20-ft wide landscape buffer shall be provided adjacent to Ovilla Road. A minimum 10-ft landscape buffer shall be provided adjacent to the proposed thoroughfare along the northern boundary. Landscaping and screening shall be in accordance with Article V of the City of Waxahachie Zoning Regulations.

Accessory Buildings

Accessory buildings on residential lots shall be in accordance with Article V of the City of Waxahachie Zoning Regulations.

Street Signs

Street name signs shall be provided at all public street intersections in accordance with City of Waxahachie standards. A street signage plan, including appropriate regulatory signage, shall be submitted to the engineering department at the time of final plat submittal.

Streetlights

Streetlights shall be provided along public streets in accordance with City of Waxahachie standards. A streetlight layout shall be submitting to the engineering department at the time of plat submittal.

Homeowner's Association (HOA)

An HOA shall be established on the property. The HOA shall be responsible for the operation and maintenance of open space areas, common areas, community amenities, perimeter screening walls, and landscaping.

Amenities or Improvements within Parks and Open Space:

- Pockets parks / open space among the single family residential lots -
 - a. Shade trees, playground equipment and benches
 - b. Trail system
- Dog Park
- Detention Areas - Trees planted in clusters around the ponds

Conformance with the Comprehensive Plan:

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

- Growth Strategies – Goal 1: Encourage the most desirable, efficient use of land while maintaining and enhancing local aesthetics.
- Growth Strategies – Goal 12: Promote growth of the community where infrastructure exists.
- Growth Strategies – Goal 15: Identify areas for strategic annexations to occur.

Development Standards:

Allowed uses shall be those provided within the City of Waxahachie Zoning Ordinance with additional changes listed below.

Permitted Uses:

- Single family
- Townhomes
- Park/Open Space

SPECIAL EXCEPTION/VARIANCE REQUEST:Lot Size

The minimum lot size requirement per SF3 zoning is 10,000 sq. ft.

- Type C Lots: The applicant is proposing a minimum lot size of 8,400 sq. ft.
- Type D Lots: The applicant is proposing a minimum lot size of 7,200 sq. ft.

The minimum lot size requirement per dwelling unit for Townhome is 3,630 sq. ft.

- Front Entry Lots: The applicant is proposing a minimum lot size of 3,080 SF (Front Entry)
- Rear Entry Lots: The applicant is proposing a minimum lot size of 2,940 SF (Rear Entry)

Lot Width

The minimum lot width requirement per SF3 zoning is 80ft.

- Type A Lots: The applicant is proposing a minimum lot width of 70'
- Type B Lots: The applicant is proposing a minimum lot width of 70'
- Type C Lots: The applicant is proposing a minimum lot width of 60'
- Type D Lots: The applicant is proposing a minimum lot width of 50'

Front Yard Setback

The minimum front yard setback requirement per SF3 zoning is 30ft.

- The applicant is proposing a minimum front yard setback of 25ft.

The minimum front yard setback requirement for Townhome is 15ft.

- Rear Entry Lots: The applicant is proposing a minimum front yard setback of 10ft.

Rear Yard Setback

The minimum rear yard setback requirement per SF3 zoning is 25ft.

- The applicant is proposing a minimum front yard setback of 15ft.

The minimum rear yard setback requirement for Townhome is 10ft; 25ft. if adjacent to single family

- Rear Entry Lots: The applicant is proposing a minimum rear yard setback of 20ft.

Note: There are some rear entry lots within the development that is adjacent to single family homes which would require a 25ft. setback

Side Yard Setback

The minimum side yard setback requirement per SF3 zoning is 10ft. (15ft. adjacent to ROW)

- The applicant is proposing a minimum side yard setback of 5ft. on interior lots.

The minimum rear yard setback requirement for Townhome is 0ft; 25ft. if adjacent to single family

- Rear Entry Lots: The applicant is proposing a minimum side yard setback of 15ft.

Note: There are some rear entry lots within the development that is adjacent to single family homes which would require a 25ft. setback

Lot Coverage

The maximum lot coverage requirement per SF3 zoning is 50%.

- Type C & D Lots: The applicant is proposing a maximum lot coverage of 55%.

The maximum lot coverage requirement for Townhome is 50%

- The applicant is proposing a maximum lot coverage of 70%.

Park Dedication

Per the City of Waxahachie Subdivision Ordinance, a cash-in-lieu fee of \$400 per lot is required.

- Applicant Response: The required park dedication for this project is 2 acres for each 100 dwelling units, which amounts to 9.28 acres. Our concept plan reflects total open space of approximately 29.8 acres of open space areas. We are requesting that the city accept a portion of the proposed open space in satisfaction of our dedication requirement. If the city does not wish to accept a public park dedication, we ask that the city waive the cash-in-lieu fee of \$400 per lot.

TxDOT Land Donation (Ovilla Rd. (FM 664)

Applicant Response: The widening of Ovilla Road will require TXDOT acquisition of approximately three acres of additional right-of-way from the Calvert property. The proposed realignment of the roadway in this area results in most of the widening occurring on the west side of the road. (By comparison, the corresponding right-of-way acquisition on the east side of Ovilla opposite of the Calvert property is approximately 0.3 acres.) We are prepared to hold the proposed right-of-way area in reserve. However, we are also asking for the City's concurrence that a land donation to TXDOT will not be a condition of development of the property.

Proposed Thoroughfare/Roadway Impact Fees

Per the City of Waxahachie Subdivision Ordinance, applicants are required to pay Roadway Impact Fees and Inspection Fees for new constructed developments.

- Applicant Response: The City's MTP reflects a Type D-1 Thoroughfare along the northern boundary of the property. As such, our concept plan reflects a 40-ft right-of-way dedication, (one-half of the required 80-ft right-of-way). We are also proposing to construct two-lanes of the roadway with the Twin Creeks development. Therefore, we are requesting Roadway Impact Fee Credits in the amount of \$1,095 for each of the 464 residential lots and totaling \$508,080. (We estimate that the cost of constructing two-lanes of the roadway as proposed will exceed \$2,000,000, so the fee waivers only cover a fraction of the total cost.)
- Staff Note: Staff is supportive of the requested Roadway Impact Fee Credits.

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

Staff received five (5) letters of support and three (3) letters of opposition within the 200ft. notification area.

- Note: 4 letters of support are from 1 property owner
2 letters of opposition are from 1 property owner

*Staff also received a "Letter of Concern" (not officially stating support or opposition) from a resident within the surrounding neighborhood area, stating concerns he would like to see addressed prior to any development occurring on the site. The "Letter of Concern" has also been included in the agenda packet.

RECOMMENDATION

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ **Approval, per the following comments:**
 1. If approved, a mutually agreed upon Development Agreement must be signed by the applicant.
 2. The property shall be platted prior to any construction development.
 3. The townhomes shall meet the articulation standards of section 5.09 of the City of Waxahachie Zoning Ordinance.
 4. The proposed zoning change is contingent upon City Council approving the proposed annexation case (ANX-DNX-178-2021) for this property.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Planned Development Regulations
3. Concept Plan
4. Amenity Exhibit

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

Colby Collins

Planning Manager

ccollins@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Director of Planning

jennifer.pruitt@waxahachie.com

PropertyID	Owner's Name	Owner's Address	Owner's City	Owner's State	Owner's ZIP
151546	WOLF SHERYLE L	1001 OVILLA RD	WAXAHACHIE	TX	75167
203926	BIZZELL RONALD J & BECKY S	2231 MARSHALL RD	WAXAHACHIE	TX	75167
185894	COX DOROTHY L	707 OVILLA RD	WAXAHACHIE	TX	75167
185895	COX DOROTHY L	707 OVILLA RD	WAXAHACHIE	TX	75167
185887	WHEATLEY BILLIE MILLER	707 OVILLA RD HSE A	WAXAHACHIE	TX	75167
151542	JONES TIMATHY W & SUSAN B	791 N HIGHWAY 77 STE 501C	WAXAHACHIE	TX	75165
200935	JONES TIMATHY W & SUSAN B	791 N HIGHWAY 77 STE 501C	WAXAHACHIE	TX	75165
185976	JLS CUSTOM HOMES LLC	P.O. BOX 837	WAXAHACHIE	TX	75168
189176	WALGREEN CO RENATA A EVTIMOV	PO BOX 1159	DEERFIELD	IL	60015
185881	JLS CUSTOM HOMES	PO BOX 837	WAXAHACHIE	TX	75168
185891	CALVERT SUSAN M	PO BOX 856	WAXAHACHIE	TX	75168
185893	CALVERT SUSAN M	PO BOX 856	WAXAHACHIE	TX	75168
185979	CALVERT SUSAN M	PO BOX 856	WAXAHACHIE	TX	75168
200064	CALVERT SUSAN M	PO BOX 856	WAXAHACHIE	TX	75168

Case Number: **ZDC-162-2021**

City Reference: 151546

11-15
11-15
C@

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, October 19, 2021** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

RECEIVED OCT 26 2021

Comments:

Sheryle Wolf
Signature

10-26-21
Date

owner
Printed Name and Title
Sheryle Wolf

100, Dilla Rd
Address
Wax 75167

(18)

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.

(18)



REVISED NOTICE
City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-162-2021

RECEIVED NOV 02 2021

CALVERT SUSAN M
PO BOX 856
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, **November 9, 2021** at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, **November 15, 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 Chip Boyd, JHDMC, LLC, for a **Zoning Change** from a Single Family-1 zoning district to Planned Development - Single Family-3 zoning district, located at 823 Ovilla Road (Property ID 185893, 185891, 185980, 185979, 200064) - Owner: SUSAN M CALVERT (ZDC-162-2021) **823**

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request. **4000**

Case Number: **ZDC-162-2021**

City Reference: 185891

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☒ SUPPORT

☐ OPPOSE

Comments:

Susan M Calvert
Signature

11-2-2021
Date

Susan M Calvert - Owner
Printed Name and Title

P.O. Box 856 - Waxahachie, TX
Address
zip 75168-0856

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(18)



REVISED NOTICE
City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-162-2021

RECEIVED NOV 02 2021

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PO BOX 856
WAXAHACHIE, TX 75168

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Case Number: **ZDC-162-2021**

City Reference: 185893

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☒ SUPPORT

☐ OPPOSE

Comments:

Susan M Calvert
Signature

11-2-2021
Date

Susan M Calvert - Owner
Printed Name and Title

P.O. Box 856 - Waxahachie, TX
Address
Zip 75168-0856

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(18)



REVISED NOTICE
City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-162-2021

RECEIVED NOV 02 2021

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PO BOX 856
WAXAHACHIE, TX 75168

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Case Number: **ZDC-162-2021**

City Reference: 200064

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, November 2, 2021** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.



SUPPORT



OPPOSE

Comments:

Susan M Calvert

Signature

11-2-2021

Date

Susan M Calvert - Owner

Printed Name and Title

P.O. Box 856 - Waxahachie, TX

Address

Zip 75168-0856

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(18)



REVISED NOTICE
City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-162-2021

RECEIVED NOV 02 2021

CALVERT SUSAN M
PO BOX 856
WAXAHACHIE, TX 75168

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Case Number: **ZDC-162-2021**

City Reference: **185979**

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☒ SUPPORT

☐ OPPOSE

Comments:

Susan M Calvert
Signature

11-2-2021
Date

Susan M Calvert - Owner
Printed Name and Title

P.O. Box 856 - Waxahachie TX
Address
Zip 75168-0856

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Case Number: ZDC-162-2021

City Reference: 185887

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☐ SUPPORT

☒ OPPOSE

RECEIVED NOV 02 2021

Comments:

To the present zoning as we want our road to remain as it is to be our private road for us only. We are concerned with the amount of water that will be coming down
Billie Wheatley
Signature

Date

11-2-21

Ms. Billie Wheatley
Printed Name and Title

707 Cvilla Rd, House A
Address

75167

on the 3 families in this area as we have plenty coming anyway.

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.

(18)

Case Number: ZDC-162-2021

City Reference: 185895

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, November 2, 2021** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

RECEIVED NOV 02 2021

Comments:

I have lived at 707 Ovilla Road for 47 years. I'm not opposed to development. But I am opposed to this developer wanting to put houses across the road drive going to my home and 2 other homes down this same road.

Signature

Dorothy L. Cox
Dorothy L. Cox (owner)
Printed Name and Title

Date

11-1-2021
707 Ovilla Road
Waxahachie, TX 75167
Address

a road which has been there a whole lot longer than 47 years

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(18)

Case Number: ZDC-162-2021

City Reference: 185894

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☐ SUPPORT

☒ OPPOSE

RECEIVED NOV 02 2021

Comments:

I have lived at 707-D Ovilla Road for 47 years. I'm not opposed to this development But I Am opposed to this developer wanting to put houses across the road going to my home and 2 other homes down this same road.

Dorothy L. Cox
Signature

11-1-2021
Date

Dorothy L. Cox (owner)
Printed Name and Title

707 Ovilla Road
Address
Waxahachie, Texas 75167

(18)

a road which has been there a whole lot longer than 47 years.

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(18)

RONALD E. BUNCH
Attorney at Law

*112 S. Rogers, 2nd Floor
P. O. Box 884
Waxahachie, Texas 75168
Phone 972.937.7080*

December 8, 2021

*Mr. Colby Collins
Planning Manager
City of Waxahachie*

via Email: ccollins@waxahachie.com

*Mr. Rick Keeler
Chairman
Planning and Zoning Commission
City of Waxahachie*

via Email: rdk@optionsre.com

*Mr. James Gaertner
City Engineer
City of Waxahachie*

via Email: jgaertner@waxahachie.com

*Re: Case No: ZDC-162-2021
Zoning request change by JHDMC, LLC.
(from SF-1 to PD-SF-3)
153.7 Acres
"The Oaks at Twin Creeks" proposal*

Dear Mr. Collins, Mr. Keeler and Mr. Gaertner:

I live at 707 C Ovilla Road in Waxahachie. I am writing on my own behalf and on behalf of Mrs. Cox and Mrs. Wheatley. Mrs. Cox lives at 707 D Ovilla Road in Waxahachie and Mrs. Wheatley lives at 707 A Ovilla Road in Waxahachie.

Our homes and properties are contiguous to the proposed development and zoning change referenced above.

By way of background for you and the Commission and Council, I live on my property in a historic home built by my great-great-grandfather in the late 1870's and renovated by me about 20 years ago. The property has been owned by my family since before the home was built. I have practiced law here in Waxahachie for 38 years and my office is on the Courthouse square. Both of my neighbors have lived on their properties for a long time as well.

The subject property is between us and Ovilla Road. We understand that the property is valuable and will no doubt be developed in some way now or in the future. While we are not strictly opposed to development, we have several areas of concern with the current "Concept Plan". We would like for you to consider these issues going forward and working with us and the developer.

1. Our road.

Our only access to our homes and properties is down a gravel road that is on the southern boundary of the subject property. Our road is a dedicated private easement from Ovilla Road that has existed for 150 years. We maintain the road and we want to make sure that our road is preserved in any planned development and is not consumed. The most recent concept plan that I have seen shows our road in a very faint manner with no designation or explanation. The plan also shows lots on top of our road and a concrete street crossing our road. I realize that it is just a concept plan but the pictorial representation is very disconcerting to us. We would like to see a plan that acknowledges the existence and preservation of our road. Our road is our only means of ingress and egress.

2. Ponds, creeks, drainage and water flow.

We are also very concerned about how this development will increase the water flow on our properties. The topography from Ovilla Road to our properties is significantly downhill. We are at a lower elevation than the proposed development and the proposed development surrounds us on the east, northeast, north and northwest. Our properties constitute what I would call a watershed area. The "Twin Creeks" referred to in the proposed name of this development converge on my property. There is a large pond that is in the front of my property and in the front of Mrs. Cox's property. There are two ponds on the subject property that feed the creeks that converge on our properties. There is also an adjacent pond downstream from us. The creek behind my house is known as Irwin Branch on plats and surveys. The only access to my family home is over a spillway or a low water crossing that is on the south end of our pond. One of the creeks that feeds the pond in front of our houses goes underneath Mrs. Cox's road with two large tin horns or culverts. Mrs. Wheatley also has a drainage ditch in her backyard. We get a lot of water on our properties during and after a big rain and we are very concerned about a possible increase in the amount of water that we would get in our ponds and creeks and across our properties as a result of the proposed development in its current concept.

3. Density.

We are also very concerned about the density of the proposed development. I understand that current zoning of the Waxahachie Single Family 1 (SF1) Residential Zoning Ordinance requires that the minimum lot area be 16,000 square feet (SF-2 not less than 12,500 square feet, SF-3 not less than 10,000 square feet and duplexes not less than 4,500 square feet per unit, MF-1 not less than 2,420 square feet per dwelling). The current proposed development is for 465 lots ranging in square feet down to less than 3,000. That seems like a lot of houses in a relatively small area and of course the high density of houses and

concrete streets, etc. has the potential of increasing the water flow significantly on surrounding properties. Necessarily, this high density proposal would also greatly increase traffic on Ovilla Road which has an existing traffic problem that is only getting worse. As you guys know, there is a lot of development in progress on Ovilla Road from Main Street going north for several miles. We would like to see a development that is closer to the required square footage of SF1-Residential.

I believe that the higher the density of a development equates to higher environmental impact. Our combined properties constitute a unique natural area that was fairly recently incorporated. I understand some of the proposed development will also have to be annexed into the city. We have an abundance of varieties of birds, wildlife and what I would call pond life and we would like to protect that to whatever extent we can.

We also have some safety concerns of being surrounded by 465 dwellings.

4. *Buffer zone.*

We would very much like to see some sort of buffer zone between our road and the residential lots. This could be in the form of some type of fencing or trees or a berm with some narrow green space.

I have a lot of photos of the ponds and creeks and our homes and our road as well as a screen shot from Google Earth that depicts an aerial view of our properties with the surrounding ponds and creeks. I will send these in several emails so you can get a feel for the uniqueness of this property. I invite each of you to call me to look at the features of the property at your convenience if you want to get the big picture.

We appreciate your service to the City of Waxahachie and we appreciate your consideration of our concerns.

Very truly yours,

Ron Bunch

ZDC-162-2021 - The Oaks at Twin Creeks
Land Use and Development Standards

- A. Purpose. The purpose and intent of this Planned Development (PD) District is to establish land use and development standards for multiple single-family detached and townhome lot sizes.
- B. Base Zoning. The Property shall be used and developed in accordance with the regulations of the Single-Family Residential-3 (SF3) Zoning District, except as modified by this ordinance.
- C. Concept Plan. The Property shall be developed substantially as depicted on the attached Exhibit B Concept Plan.
- D. Lot and Dwelling Development Standards. The lots and dwelling units constructed on the Property shall comply with the following development standards:

LOT TYPE	A	B	C	D	TH-F	TH-R
MINIMUM LOT AREA (SF)	12,000	10,000	8,400	7,200	3,080	2,940
TYPICAL LOT WIDTH (FT)	80	80	70	60	28	28
MINIMUM LOT WIDTH (FT)*	70	70	60	50	28	28
TYPICAL LOT DEPTH (FT)	150	125	120	120	110	105
MINIMUM LOT DEPTH (FT)	110	110	100	100	100	100
FRONT BUILDING SETBACK (FT)	25	25	25	25	20	10
REAR BUILDING SETBACK (FT)	15	15	15	15	15	20
SIDE BUILDING SETBACK - INTERIOR (FT)	5	5	5	5	0	0
SIDE BUILDING SETBACK - CORNER (FT)	15	15	15	15	15	15
HOUSE AREA SQUARE FOOTAGE RANGE**	2,200 TO 4,000	2,000 TO 3,800	1,900 TO 3,600	1,800 TO 3,500	1,300 TO 2,900	
HOUSE AREA (SF) - 50% MUST BE GREATER THAN**	2,400	2,400	2,200	2,200	1,500	
MAXIMUM BUILDING HEIGHT	35 FEET / 2 STORIES					
MAXIMUM LOT COVERAGE (%)	50	50	55	55	70	70

*Measured at front building setback

** Air-conditioned space

- E. Density. A maximum of 458 dwelling units shall be permitted on the Property consisting of 153.73 acres, resulting in a maximum gross density of 3.0 dwelling units per acre.
- F. Masonry Requirement. Masonry requirement for the exterior of residential structures shall be as follows:
- Minimum of 80% masonry overall
 - On single-family detached homes, the front façade shall be 100% masonry

- c. On townhomes, the front façade shall be a minimum of 85% masonry
- d. Modern farmhouse front elevations shall be a minimum of 50% masonry
- e. Siding shall be permitted on wall areas extending above roof lines
- f. Lots backing to City 4-lane arterial shall have full masonry on rear elevation
- G. Roof Pitch. Roof pitch shall be minimum of 8/12, with 4/12 allowed on shed roofs and rear covered patios.
- H. Open Space. A minimum of 33.5 acres of open space shall be provided.
- I. Sidewalks. Sidewalks will be provided in open space areas and along public streets generally as shown on the concept plan. Sidewalks shall be constructed in accordance with City requirements.
- J. Parking. A minimum of two (2) off-street parking spaces per dwelling unit shall be provided.
- K. Access. Public street access to the property shall be in accordance with the approved Concept Plan.
- L. Landscaping and Screening. A minimum 20-ft wide landscape buffer shall be provided adjacent to Ovilla Road. A minimum 10-ft landscape buffer shall be provided adjacent to the proposed thoroughfare along the northern boundary. Landscaping and screening shall be in accordance with Article V of the City of Waxahachie Zoning Regulations.
- M. Accessory Buildings. Accessory buildings on residential lots shall be in accordance with Article V of the City of Waxahachie Zoning Regulations.
- N. Street Signs. Street name signs shall be provided at all public street intersections in accordance with City of Waxahachie standards. A street signage plan, including appropriate regulatory signage, shall be submitted to the engineering department at the time of final plat submittal.
- O. Streetlights. Streetlights shall be provided along public streets in accordance with City of Waxahachie standards. A streetlight layout shall be submitting to the engineering department at the time of final plat submittal.
- P. Homeowners Association (HOA). An HOA shall be established on the property. The HOA shall be responsible for the operation and maintenance of open space areas, common areas, community amenities, perimeter screening walls and landscaping.
- Q. Garages. Front entry garages shall not be permitted on single-family detached homes. Townhomes without alleys shall be permitted to have front entry garages.

Architectural elevation requirements – Single-Family Detached Homes

3 of the 5 Architectural elements will be provided on each of following styles of homes

Modern Farmhouse

- Front porch
- Board and batten or siding
- Dormer
- Gables
- Stone

Craftsman

- Millwork
- Gable Pediment
- Wood columns
- Dormer
- Shake siding

Tudor

- Timbering
- Stone
- 8/12 or greater High pitched
- Millwork
- Dormer

Traditional

- Gable on front elevation
- Dormer
- Stone
- Columns
- 8/12 or greater High pitched

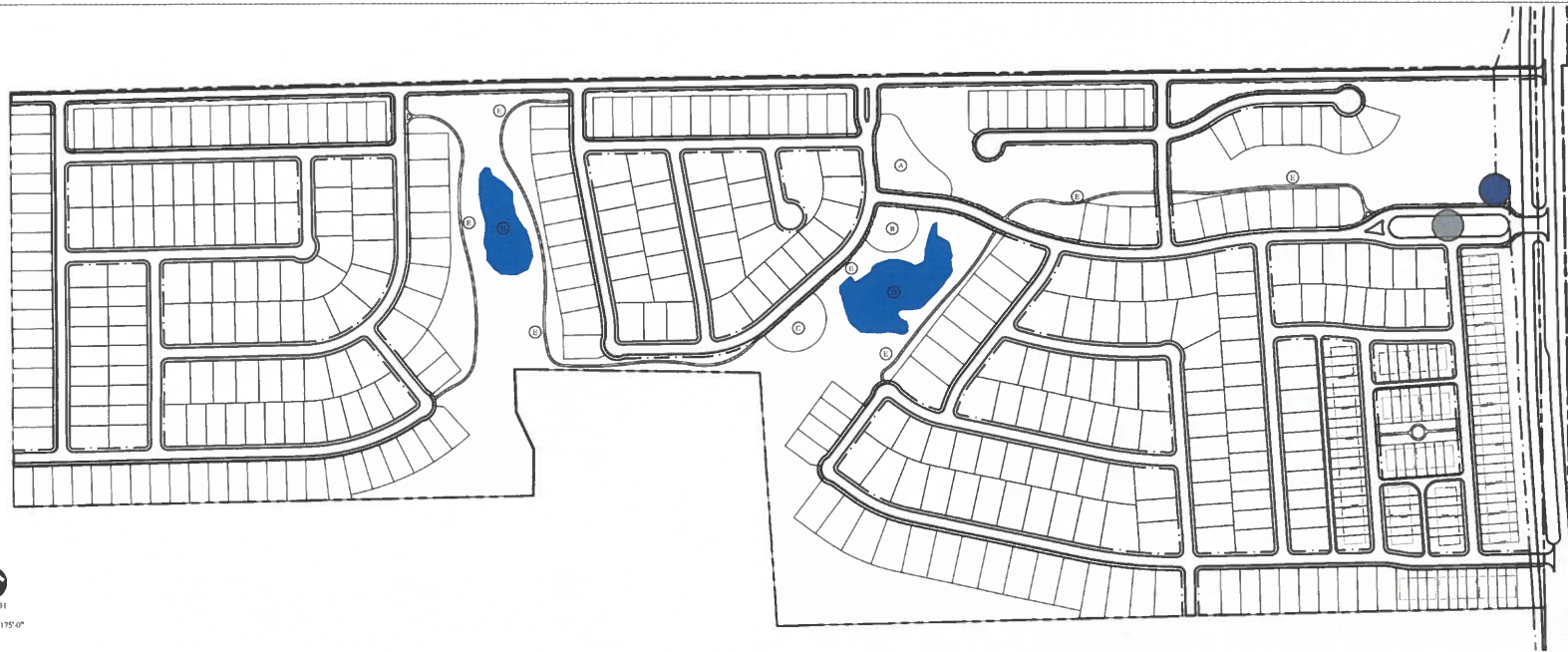
French Cottage

- Dutch gable
- 8/12 or greater High pitch gables
- Stone
- Rounded upper windows
- Dormer

Architectural elevation requirements - Townhomes

Each townhome building will have 3 of the 7 Architectural elements

- Board and batten or siding
- Dormer
- Gables
- Stone
- Millwork
- High pitch roof 10/12 or higher
- Timbering

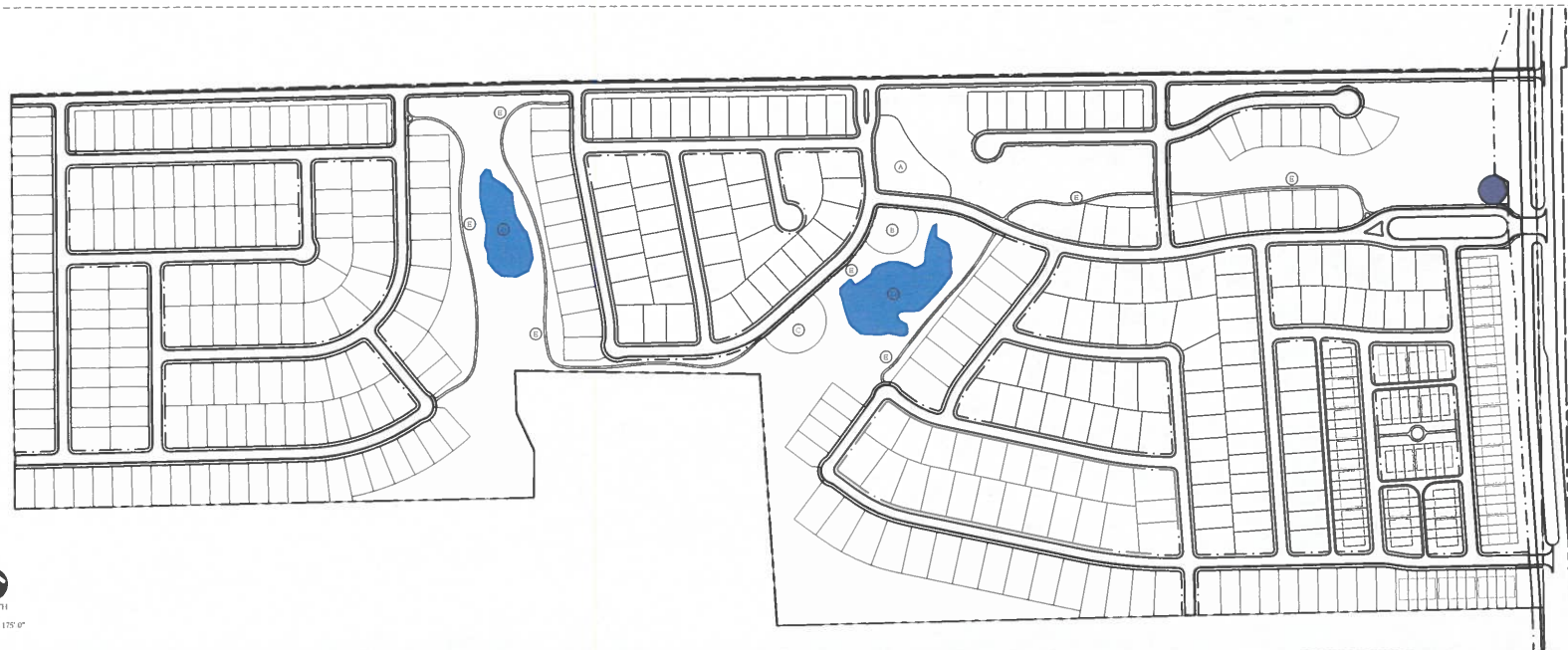


CALLOUTS LEGEND:

- ① NEIGHBORHOOD AMENITY
- ② PLAYGROUND
- ③ DOG PARK
- ④ DETENTION AREA
- ⑤ TRAIL SYSTEM
- MAIN ENTRY SIGN MONUMENT
- EXISTING TREE GROVE TO REMAIN



(18)



CALLOUTS LEGEND

- A NEIGHBORHOOD AMENITY
- B PLAYGROUND
- C DOG PARK
- D DETENTION AREA
- E TRAIL SYSTEM
- MAIN ENTRY SIGN MONUMENT



NORTH

SCALE 1" = 175' 0"



CODY JOHNSON
s · t · u · d · i · o

THE OAKS AT TWIN CREEKS / CONCEPTUAL COMMUNITY IMPROVEMENTS

City of Waxahachie, Texas

SHEET 2 OF 3
Crescent Submittal 10.11.2021



(18)



Planning & Zoning Department

Zoning Staff Report

Case: ZDC-188-2021



MEETING DATE(S)

Planning & Zoning Commission: December 28, 2021 (continued from December 14, 2021)

City Council: January 3, 2022 December 20, 2021

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held December 14, 2021, the Commission voted 7-0 to continue case number ZDC-188-2021 to the December 28, 2021 Planning and Zoning meeting.

CAPTION

Public Hearing on a request by Terrance Jobe, Alluvium Development, Inc., for a **Zoning Change** from a General Retail (GR) and Future Development (FD) zoning districts to **Planned Development Mixed-Use Residential (PD-MUR)** zoning district, located at the located west of 2374 W Highway 287 Bypass (Property ID 185971, 185978, 185972, 185886) - Owner: CAROLYN J HAMAN L/E (ZDC-188-2021)

APPLICANT REQUEST

The applicant is requesting approval of a Planned Development to allow development of single family homes, cottage style homes, retail/office, and park/open space on 188.46 acres.

**The proposed zoning change is contingent upon City Council approving the proposed annexation case (ANX-DNX-200-2021) for this property. City Council is scheduled to take action on the item on January 3, 2022.*

CASE INFORMATION

Applicant: Terrance Jobe, Alluvium Development

Property Owner(s): Carolyn Haman

Site Acreage: 188.46 acres

Current Zoning: Future Development & General Retail

Requested Zoning: Planned Development-Mixed Use Residential

SUBJECT PROPERTY

General Location: West of 2374 W Highway 287 Bypass

Parcel ID Number(s): 185971, 185978, 185972, 185886

Existing Use: Currently Undeveloped

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	N/A (Ellis County)	Single Family Residences
East	SF1 & PD-C	Undeveloped Land & Cowboy Church of Ellis County
South	---	US Highway 287
West	N/A (Ellis County)	Single Family Residences

Future Land Use Plan:

Low Density Residential and Highway Commercial

Comprehensive Plan:

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

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

Thoroughfare Plan:

The subject property is accessible via US Highway 287 Service Road. **If approved, an internal connection is proposed with the adjacent Oaks at Twin Creeks Development.*

Site Image:

PLANNING ANALYSIS**Purpose of Request:**

The applicant is requesting approval of a Planned Development to allow development of single family homes, cottage style homes, retail/office, and park/open space on 188.46 acres. Per the City of Waxahachie Zoning Ordinance, the Planned Development requires approval from City Council.

Case History:

At the January 19, 2021 City Council meeting, City Council voted 5-0 to deny case number ZDC-72-2020 (original case number for Montclair Heights). At the meeting, the developer proposed a Planned Development district consisting of 394 total lots (including cottage lots and general retail tracts). Due to traffic concerns for the development, City Council voted to deny the development proposal.

Proposed Use:

The purpose of this Planned Development district is to create zoning that will allow the development of 384 total lots. Of which, 297 lots will fall within the categories A, B, C, D, and E (as identified on the attached PD Concept Plan and listed in the "Proposed Planned Development Regulations" section of the staff report below), and 87 lots will be developed as 40' wide "Cottage Style" lots. Four general retail tracts are also proposed adjacent to Highway 287 and the proposed thoroughfares.

The applicant intends to create a walkable, interactive and high-end development by creating several open spaces, including pocket parks, an amenity park, and a dog park.

Staff Note: The proposed zoning change is contingent upon City Council approving the proposed annexation case (ANX-DNX-200-2021) for this property. City Council is scheduled to take action on the item on January 3, 2022.

At the December 14, 2021 Planning and Zoning meeting, the Planning and Zoning Commission requested that the applicant revise the submitted plan(s) for the proposed development to further address the Commission's concerns, as well as be more conducive to the surrounding area. Per the Commission's request, listed below are changes made by the applicant.

CHANGES FROM THE 12/14/21 PZ MEETING

- Revised the PD Regulations to show architectural diversity:

Architectural Diversity:

- Require specific architectural styles:
 - Contemporary 12% (minimum)
 - Modern Farm 12% (minimum)
 - Traditional 12% (minimum)
 - Tudor 12% (minimum)
 - Craftsman 12% (minimum)
- Require a mix of exterior finish materials:
 - Brick
 - Stone
 - Cementous fiber board
 - Stucco
 - Wood (as accent only)
- 360 degree architecture

- Revised the Garage Door Orientation within the PD Regulations to state:

Garage Door Orientation:

- Type A Lots – 100% rear entry
- Type B – D Lots – 65% minimum J-swing or side entry
- Type E Lots – 100% front entry
- Type F Lots (Cottages) – 100% rear entry

*No less than 74% of all lot will be alley served or j-swing/side entry

Proposed Planned Development Regulations

Items highlighted in **bold indicates a variation request from the Single Family-3 (SF3) requirements.*

Type 'A' Lots

- Minimum Lot Area - 13,500 SF
- Minimum Dwelling Unit Area – 2,400 SF
- Minimum Lot Width - 90' interior lot; 95' corner lot; **65' for lots with predominate frontage on a curve radius measuring along front building line** (*minimum 80' requirement per SF3 standards*)
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curve radius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- Minimum Side Yard (interior) - 10'
- Minimum Side Yard (exterior on corner lots) - 15'
- Maximum Lot Coverage – 50%

Type 'B' Lots

- Minimum Lot Area - 11,000 SF
- Minimum Dwelling Unit Area – 2,200 SF
- Minimum Lot Width - 80' interior lot; 85' corner lot; **55' for lots with predominate frontage on a curve radius measuring along front building line** (*minimum 80' requirement per SF3 standards*)
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curve radius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- Minimum Side Yard (interior) - 10'
- Minimum Side Yard (exterior on corner lots) - 15'
- Maximum Lot Coverage – 50%

Type 'C' Lots

- **Minimum Lot Area - 9,800 SF** (*minimum 10,000 SF requirement per SF3 standards*)
- Minimum Dwelling Unit Area – 2,200 SF
- **Minimum Lot Width - 70' interior lot; 75' corner lot; 55' for lots with predominate frontage on a curve radius measuring along front building line** (*minimum 80' requirement per SF3 standards*)
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curve radius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- Minimum Side Yard (interior) - 10'
- Minimum Side Yard (exterior on corner lots) - 15'

- Maximum Lot Coverage – 50%

Type 'D' Lots

- **Minimum Lot Area - 9,000 SF** (*minimum 10,000 SF requirement per SF3 standards*)
- Minimum Dwelling Unit Area – 1,850 SF
- **Minimum Lot Width - 65' interior lot; 70' corner lot; 55' for lots with predominate frontage on a curve radius measuring along front building line** (*minimum 80' requirement per SF3 standards*)
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curve radius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- **Minimum Side Yard (interior) - 7.5'** (*minimum 10' requirement per SF3 standards*)
- **Minimum Side Yard (exterior on corner lots) - 10'** (*minimum 15' requirement per SF3 standards*)
- **Maximum Lot Coverage – 60%** (*maximum 50% requirement per SF3 standards*)

Type 'E' Lots

- **Minimum Lot Area - 7,000 SF** (*minimum 10,000 SF requirement per SF3 standards*)
- Minimum Dwelling Unit Area – 1,750 SF
- **Minimum Lot Width - 50' interior lot; 55' corner lot; 40' for lots with predominate frontage on a curve radius measuring along front building line** (*minimum 80' requirement per SF3 standards*)
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curve radius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- **Minimum Side Yard (interior) - 5'** (*minimum 10' requirement per SF3 standards*)
- **Minimum Side Yard (exterior on corner lots) - 10'** (*minimum 15' requirement per SF3 standards*)
- **Maximum Lot Coverage – 65%** (*maximum 50% requirement per SF3 standards*)
- Garage Door Orientation or Placement – front-entry

For all Type 'A' 'B' 'C' 'D' and 'E' Lots

- Maximum Height - 2 stories for the main building; 1 story for accessory buildings without garages
- Minimum Parking - 2 enclosed spaces per lot
- Garage Door Orientation or Placement - no less than 65% of the dwellings that are not alley-loaded (rear entry) or Type E Lots, shall have garage doors served by side-entry or j-swing drives. All front-entry garages shall be 5' behind the front building façade.
- Garage Door Appearance - shall be carriage style and constructed of wood or metal/composite material made to have the appearance of wood.
- Maximum Garage Width - Garages for 85% of total dwellings shall not exceed 50% of the total width of the house; 15% of dwellings may have garages that constitute up to 60% of the total width of the house, to allow for 3-car garages.
- Minimum Roof Pitch - 8:12 with laminated 3-dimensional architectural shingles with a 30 year minimum
- Minimum Number of Elevations - No single building elevation shall be duplicated within 6 lots either direction on the same blockface
- Minimum Number of Design Elements - Shall comply with the requirements applicable to SF3 zoning in Section 5.01, Exterior Construction Requirements of the City's Zoning Ordinance
- Sidewalks – Shall comply with the requirements applicable to Section 3.5, Sidewalks, of the City's Zoning Ordinance

- Landscaping Requirements - Shall comply with the requirements applicable to SF3 zoning as provided in Section 5.04 of the City's Zoning Ordinance.
- Accessory Structures and Uses - Shall comply with the requirements applicable to accessory structures and uses in SF3 zoning
- Masonry Exterior Construction - Shall comply with the requirements applicable to single-family residential use as provided in Section 5.01 of the City's Zoning Ordinance.

Type 'F' Lots - Detached Residential (Cottage) Development Standards

**It should be noted that the City of Waxahachie Zoning Ordinance does not contain regulations regarding cottage lots.*

- Minimum Lot Area - 4,400 SF
- Minimum Lot Width - 40' interior lot; 45' corner lot
- Minimum Lot Depth - 110'
- Minimum Front Yard - 10'; 20' for lots without alleys
- Minimum Rear Yard - 20'; 10' for lots without alleys
- Minimum Side Yard (interior) - 5'
- Minimum Side Yard (exterior on corner lots) - 10'
- Maximum Lot Coverage - 70% by main and accessory buildings not including drives and walks
- Maximum Height - Two (2) stories; 1 story for accessory buildings
- Minimum Parking - 2 enclosed spaces per dwelling units, plus 0.45 space per dwelling unit for guests
- Minimum Dwelling Unit Area - 1,450 SF
- Garage Door Orientation or Placement - On lots without alleys, no j-swing drives shall be required, and garages shall not be required to be 3 feet behind the front building face.
- Garage Door Appearance - shall be carriage style and constructed of wood or metal/composite material made to have the appearance of wood.
- Maximum Garage Width - On lots without alleys, garages shall not exceed $\frac{3}{4}$ of the total width of the house. No width restriction on lots with alleys.
- Minimum Roof Pitch - 8:12 with laminated 3-dimensional architectural shingles with a 30 year minimum
- Minimum Number of Elevations - No single building elevation shall be duplicated within 6 lots either direction on the same blockface
- Minimum Number of Design Elements - Shall comply with the requirements applicable to SF3 zoning in Section 5.01, Exterior Construction Requirements of the City's Zoning Ordinance
- Sidewalks - Shall comply with the requirements applicable to Section 3.5, Sidewalks, of the City's Zoning Ordinance
- Landscaping Requirements - Shall comply with the requirements applicable to SF3 zoning as provided in Section 5.04 of the City's Zoning Ordinance.
- Accessory Structures and Uses - Shall comply with the requirements applicable to accessory structures and uses in SF3 zoning
- Masonry Exterior Construction - Shall comply with the requirements applicable to single-family residential use as provided in Section 5.01 of the City's Zoning Ordinance.

Screening and Buffer Requirements

- Along the 80' thoroughfare - shall be a 6' high masonry wall and a 10' wide landscape buffer with one 3" caliper tree every 40'

- Between the General Retail and residential uses - shall comply with the requirements applicable to GR zoning in Section 5.03 of the City's Zoning Ordinance

Commercial Development Standards

- The future retail, office or commercial development shall comply with the regulations applicable to General Retail (GR) District and also shall allow Dry Cleaning Establishment, Off-Site.
- Parking shall be provided as required by Section 4.03 of the City's Zoning Ordinance
- Access to the retail area along the highway frontage road will comply with TxDOT guidelines and will require drive approach permits from TxDOT
- To enhance cross access, a common access easement will be provided along most of the commercial lot frontage, where it is appropriate, parallel to the highway frontage road.
- Loading docks shall be screened from public right-of-way
- Dumpsters shall be located and screened in compliance with the City's Zoning Ordinance requirements
- Mechanical and electrical equipment shall be screened from public right-of-way
- Masonry Exterior Construction - Shall comply with the requirements applicable to commercial uses as provided in Section 5.01 of the City's Zoning Ordinance.

Amenities or Improvements within Parks and Open Space:

- Pockets parks / open space among the single family residential lots -
 - a. Shade trees, playground equipment and benches
 - b. Trees and seasonal colors in the two open space areas that form the gateway from the 80' thoroughfare into the single-family residential lots
- Amenities Park - shall have at least one (1) swimming pool and one (1) playground, plus a minimum of four (4) of the following amenities: trees, pool cabana, volleyball court, shade structures, picnic benches, grills.
- Detention Areas - Trees planted in clusters around the ponds

Maintenance of Private Improvements and Common Areas

The developer will establish a mandatory Homeowner's Association (HOA) to be responsible for the maintenance of the private parks, amenities, landscaping and common areas.

Traffic Patterns/Congestion

To alleviate vehicular congestion on U.S. Highway 287, developer will coordinate with the City of Waxahachie and TxDOT for the design and installation of a traffic signal at southern entrance to Montclair Heights as well as fully funding the same. Further, to enhance ingress/egress, developer will cooperate fully with the adjacent property owner to the east to connect the proposed thoroughfare and provide enhanced access to F.M. 664/Ovilla Road.

The Concept Plan depicts a development that includes amenities such as:

- Parks/Open Space
- Walking/Jogging Trail

Conformance with the Comprehensive Plan:

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

- Growth Strategies – Goal 1: Encourage the most desirable, efficient use of land while maintaining and enhancing local aesthetics.
- Growth Strategies – Goal 2: Encourage a balance of land uses to serve the needs of citizens and to ensure a diverse economic base
- Growth Strategies – Goal 12: Promote growth of the community where infrastructure exists.
- Growth Strategies – Goal 15: Identify areas for strategic annexations to occur.

Development Standards:

Allowed uses shall be those provided within the City of Waxahachie Zoning Ordinance with additional changes listed below.

Permitted Uses:

- Single family
- Cottage style homes
- Retail/Office
- Park/Open Space

SPECIAL EXCEPTION/VARIANCE REQUEST:

Lot Size

The minimum lot size requirement per SF3 zoning is 10,000 sq. ft.

- Type C Lots: The applicant is proposing a minimum lot size of 9,800 sq. ft.
- Type D Lots: The applicant is proposing a minimum lot size of 9,000 sq. ft.
- Type E Lots: The applicant is proposing a minimum lot size of 7,000 sq. ft.

Lot Width

The minimum lot width requirement per SF3 zoning is 80ft.

- Type A Lots: The applicant is proposing a minimum lot width of 65' for lots with predominate frontage on a curve radius measuring along front building line
- Type B Lots: The applicant is proposing a minimum lot width of 55' for lots with predominate frontage on a curve radius measuring along front building line
- Type C Lots: The applicant is proposing a minimum lot width of 70' interior lot; 75' corner lot; 55' for lots with predominate frontage on a curve radius measuring along front building line
- Type D Lots: The applicant is proposing a minimum lot width of 65' interior lot; 70' corner lot; 55' for lots with predominate frontage on a curve radius measuring along front building line
- Type E Lots: The applicant is proposing a minimum lot width of 50' interior lot; 55' corner lot; 40' for lots with predominate frontage on a curve radius measuring along front building line

Side Yard Setback

The minimum side yard setback requirement per SF3 zoning is 10ft. (15ft. adjacent to ROW)

- Type D Lots: The applicant is proposing a minimum side yard setback of 7.5ft. and 10ft. on corner lots.
- Type E Lots: The applicant is proposing a minimum side yard setback of 5ft. and 10ft. on corner lots.

Lot Coverage

The maximum lot coverage percentage per SF3 zoning is 50%

- Type D Lots: The applicant is proposing a maximum lot coverage of 60%
- Type E Lots: The applicant is proposing a maximum lot coverage of 65%

Garage Width

The garage width for single family residential shall not be more than 50% of the total width of the house

- For Type 'A' thru 'E' Lots, max. width will apply to 85% of the dwellings; 15% may have garages up to 60% of the total width of the house to allow for 3-car garages
- For Cottage Lots without alleys, garage shall not exceed ⅓ of the total width of the house

Garage Door Orientation

If the width of the lot allows, 50% of all dwellings shall have garages with at least one of the following: rear entry; j-swing drive or garage 3' behind the front building face

- Due to the 40' lot width, Cottage Lots without alleys will not be able to comply with these requirements

PUBLIC NOTIFICATIONS

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

PROPERTY OWNER NOTIFICATION RESPONSES

Staff received one (1) letter of support and four (4) letters of opposition for the proposed development.

RECOMMENDATION

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ **Approval, per the following comments:**
 1. If approved, a mutually agreed upon Development Agreement must be signed by the applicant.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Planned Development Regulations
3. Concept Plan
4. Elevations

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

Colby Collins

Planning Manager

ccollins@waxahachie.com

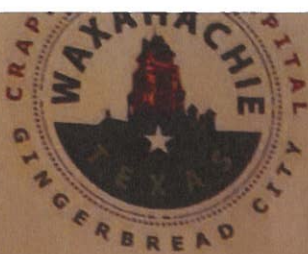
Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Director of Planning

jennifer.pruitt@waxahachie.com

PropertyID	Owner's Name	Owner's Address	Owner's City	Owner's State	Owner's ZIP
203835	FEDORKO TRUDY E	2357 MARSHALL RD	WAXAHACHIE	TX	75167
203849	FEDORKO TRUDY E	2357 MARSHALL RD	WAXAHACHIE	TX	75167
219310	COWBOY BAPTIST CHURCH OF MIDLOTHIAN	2374 W HIGHWAY 287 BYP	WAXAHACHIE	TX	75167
185975	HUGHES LEO J & CYNTHIA J	2451 MARSHALL RD	WAXAHACHIE	TX	75167
185974	HALLBAUER JIMMIE W & ERIN S	3640 BLACK CHAMP RD	MIDLOTHIAN	TX	76065
185886	HAMAN CAROLYN J L/E HAMAN CAROLYN FAMILY LTD PRNTS	3808 CABEZA DE VACA CIR	IRVING	TX	75062
185971	HAMAN CAROLYN J L/E HAMAN CAROLYN FAMILY PRNTP	3808 CABEZA DE VACA CIR	IRVING	TX	75062
185972	HAMAN CAROLYN J L/E HAMAN CAROLYN FAMILY LTD PRNTS	3808 CABEZA DE VACA CIR	IRVING	TX	75062
185978	HAMAN CAROLYN J L/E HAMAN CAROLYN FAMILY LTD PRNTS	3808 CABEZA DE VACA CIR	IRVING	TX	75062
199021	BROWN MARK R	4000 BLACK CHAMP RD	MIDLOTHIAN	TX	76065
199031	BLACK CHAMP ESTATES HOMEOWNERS ASSOC C/O MARK BROWN	4070 BLACK CHAMP RD	MIDLOTHIAN	TX	76065
199023	STIERHOFF FAMILY LIVING TRUST STIERHOFF CHARLES VANCE & MARY ISABELLE TRUSTEES	4230 BLACK CHAMP RD	MIDLOTHIAN	TX	76065
199014	ROZIER RICHARD	4230 BLACK CHAMP RD	MIDLOTHIAN	TX	76065
197851	BYARS RANDY L & JANIS F	4270 BLACK CHAMP RD	MIDLOTHIAN	TX	76065
199015	BLEVINS PHILLIP M	4290 BLACK CHAMP RD	MIDLOTHIAN	TX	76065
199016	LINDSEY MICHAEL S & VIKKI	4410 BLACK CHAMP RD	MIDLOTHIAN	TX	76065
199017	DAVIS CYNTHIA	4430 BLACK CHAMP RD	MIDLOTHIAN	TX	76065
199018	HULSEY ZACHARY N & CHRISTINA V	4450 BLACK CHAMP RD	MIDLOTHIAN	TX	76065
185893	CALVERT SUSAN M	PO BOX 855	WAXAHACHIE	TX	75168



(201)
City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-188-2021**

DAVIES CYNTHIA
4430 BLACK CHAMP RD
MIDLOTHIAN, TX 76065

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 14, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 20, 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 Terrance Jobe, Alluvium Development, Inc., for a **Zoning Change** from a General Retail (GR) and Future Development (FD) zoning districts to **Planned Development Mixed-Use Residential (PD-MUR)** zoning district, located at the located west of 2374 W Highway 287 Bypass (Property ID 185971, 185978, 185972, 185886) - Owner: CAROLYN J HAMAN L/E (ZDC-188-2021)

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

Case Number: **ZDC-188-2021**

City Reference: 199017

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Friday, December 10, 2021** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Signature

Printed Name and Title

Date

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: **ZDC-188-2021**

City Reference: 199031

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Friday, December 10, 2021** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Mark Brown
Signature

11-29-21
Date

Mark Brown Representative
Printed Name and Title
Black Champ Homeowners
Assoc

Common Area of Assoc
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.

(20)

Case Number: **ZDC-188-2021**

City Reference: 199022

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Friday, December 10, 2021** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Mark Brown
Signature

11-29-21
Date

OWNER Mark Brown
Printed Name and Title

4070 Black Champ Rd
Address
Midlothian, TX
76065

(20)

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

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



(20)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-188-2021**

ROZIER RICHARD
4250 BLACK CHAMP RD
MIDLOTHIAN, TX 76065

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 14, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 20, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

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Case Number: **ZDC-188-2021**

City Reference: 199014

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Friday, December 10, 2021** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

*This plan is worse than the plan the Council + P+2
target down previously. Please deny this development*

Signature

Richard Rozier

Printed Name and Title

Date

12/10/2021
4250 Black Champ

Address

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

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



City of Waxahachie, Texas
 Notice of Public Hearing
 Case Number: ZDC-188-2021

CALVERT SUSAN M
 PO BOX 856
 WAXAHACHIE, TX 75168

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Case Number: ZDC-188-2021

City Reference: 185893

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☒ SUPPORT

☐ OPPOSE

Comments:

Susan M Calvert
 Signature

12-9-2021
 Date

SUSAN M CALVERT OWNER
 Printed Name and Title

PO BOX 856 WAXAHACHIE TX 75168
 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

PLANNED DEVELOPMENT REGULATIONS FOR ZDC-188-2021

General Description

Montclair Heights is a master planned community comprising of residential, retail and office uses. It will provide housing diversity in the form of single family detached homes and cottages. There will be extensive parks and open space, including a central amenity park, several pocket parks and a dog park throughout the community. The shops, restaurants and offices that are part of this development will provide employment opportunities and sustain the community with neighborhood services.

As represented in the attached Concept Plan (Exhibit A) lot types are arranged in a manner which encourage varying lot/home sizes to be dispersed throughout the neighborhood promoting variety and diversity in close proximity.

Based Zoning - Single-Family Residential-3 (SF3)

Permitted Uses - Single family detached dwellings and uses permitted in the GR, General Retail District.

Development Acreage and Density - Refer to Site Summary in Concept Plan.

Single Family Residential Development Standards

So as to promote architectural diversity throughout, the residential development shall consist of a minimum of five (5) of the following homes style types. The home style types, and breakdown shall be as follows:

Architectural Style	Minimum Percentage	Minimum # of Homes
Contemporary	12%	46
Modern Farm	12%	46
Traditional	12%	46
Tudor	12%	46
Craftsman	12%	46

The Architectural Styles of the remaining lots shall be determined by the market.

To further promote architectural diversity throughout all lot types, the exterior finish material on all building elevations, except for openings for doors and windows, shall be limited to any combination of brick, stone, cementitious fiber board, and stucco. Wood may only be used as an accent exterior finish material and shall not exceed 10 percent of the total building wall area, with each elevation being calculated independently. Configurations for stone, stucco, and wood shall be as provided below:

1. All stone shall be detailed and laid to resemble structural stone walls (i.e., stone shall be chopped or saw cut).

2. All stucco shall be cement plaster made of cement sand and lime and shall be applied to elevations using a three-step process with a smooth or sand-finish. Exterior insulated finishing systems (E.I.F.S.) or other synthetic stucco as defined by the International Building Code shall be prohibited on all elevations.
3. All wood shall be painted or stained.

For those rear-entry lots adjacent to the primary collector, the front, rear and side elevations will have similar exterior finish materials.

Type 'A' Lots

- Minimum Lot Area - 13,500 SF
- Minimum Dwelling Unit Area – 2,400 SF
- Minimum Lot Width - 90' interior lot; 95' corner lot; 65' for lots with predominate frontage on a curve radius measuring along front building line.
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curve radius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- Minimum Side Yard (interior) - 10'
- Minimum Side Yard (exterior on corner lots) - 15'
- Maximum Lot Coverage – 50%

Type 'B' Lots

- Minimum Lot Area - 11,000 SF
- Minimum Dwelling Unit Area – 2,200 SF
- Minimum Lot Width - 80' interior lot; 85' corner lot; 55' for lots with predominate frontage on a curve radius measuring along front building line.
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curve radius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- Minimum Side Yard (interior) - 10'
- Minimum Side Yard (exterior on corner lots) - 15'
- Maximum Lot Coverage – 50%

Type 'C' Lots

- Minimum Lot Area - 9,800 SF
- Minimum Dwelling Unit Area – 2,000 SF
- Minimum Lot Width - 70' interior lot; 75' corner lot; 55' for lots with predominate frontage on a curve radius measuring along front building line.
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curve radius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- Minimum Side Yard (interior) - 10'

- Minimum Side Yard (exterior on corner lots) - 15'
- Maximum Lot Coverage – 50%

Type 'D' Lots

- Minimum Lot Area - 9,000 SF
- Minimum Dwelling Unit Area – 1,850 SF
- Minimum Lot Width - 65' interior lot; 70' corner lot; 55' for lots with predominate frontage on a curve radius measuring along front building line.
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curve radius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- Minimum Side Yard (interior) - 7.5'
- Minimum Side Yard (exterior on corner lots) - 10'
- Maximum Lot Coverage – 60%

Type 'E' Lots

- Minimum Lot Area - 7,000 SF
- Minimum Dwelling Unit Area – 1,750 SF
- Minimum Lot Width - 50' interior lot; 55' corner lot; 40' for lots with predominate frontage on a curve radius measuring along front building line.
- Minimum Lot Depth - 140'; 120' for lots with predominate frontage on a curve radius.
- Minimum Front Yard - 30'
- Minimum Rear Yard - 25'
- Minimum Side Yard (interior) - 5'
- Minimum Side Yard (exterior on corner lots) - 10'
- Maximum Lot Coverage – 65%
- Garage Door Orientation or Placement – front-entry

For all Type 'A' 'B' 'C' 'D' and 'E' Lots

- Maximum Height - 2 stories for the main building; 1 story for accessory buildings without garages.
- Minimum Parking - 2 enclosed spaces per lot.
- Garage Door Orientation or Placement - no less than 65% of the dwellings that are not alley-loaded (rear entry) or Type E Lots, shall have garage doors served by side-entry or j-swing drives. All front-entry garages shall be 5' behind the front building façade.
- Garage Door Appearance - shall be carriage style and constructed of wood or metal/composite material made to have the appearance of wood.
- Maximum Garage Width - Garages for 85% of total dwellings shall not exceed 50% of the total width of the house; 15% of dwellings may have garages that constitute up to 60% of the total width of the house, to allow for 3-car garages.
- Minimum Roof Pitch - 8:12 with laminated 3-dimensional architectural shingles with a 30-year minimum.

- Minimum Number of Elevations - No single building elevation shall be duplicated within 6 lots either direction on the same block face. Exhibit B depicts building elevations which are representative of the style and design of the homes to be constructed.
- Minimum Number of Design Elements - Shall comply with the requirements applicable to SF3 zoning in Section 5.01, Exterior Construction Requirements of the City's Zoning Ordinance.
- Sidewalks – Shall comply with the requirements applicable to Section 3.5, Sidewalks, of the City's Zoning Ordinance as depicted in Exhibit C. As further depicted in Exhibit C, connectivity between the residential and commercial uses shall be in place along the collector and the primary entrance.
- Landscaping Requirements - Shall comply with the requirements applicable to SF3 zoning as provided in Section 5.04 of the City's Zoning Ordinance.
- Accessory Structures and Uses - Shall comply with the requirements applicable to accessory structures and uses in SF3 zoning.
- Masonry Exterior Construction - Shall comply with the requirements applicable to single-family residential use as provided in Section 5.01 of the City's Zoning Ordinance, specifically including but not limited to, a minimum of 75% masonry construction.

Type 'F' Lots - Detached Residential (Cottage) Development Standards

- Minimum Lot Area - 4,400 SF
- Minimum Lot Width - 40' interior lot; 45' corner lot
- Minimum Lot Depth - 110'
- Minimum Front Yard - 10'; 20' for lots without alleys
- Minimum Rear Yard - 20'; 10' for lots without alleys
- Minimum Side Yard (interior) - 5'
- Minimum Side Yard (exterior on corner lots) - 10'
- Maximum Lot Coverage - 70% by main and accessory buildings not including drives and walks.
- Maximum Height - Two (2) stories; 1 story for accessory buildings.
- Minimum Parking - 2 enclosed spaces per dwelling units, plus 0.45 space per dwelling unit for guests.
- Minimum Dwelling Unit Area - 1,450 SF
- Garage Door Orientation or Placement - On lots without alleys, no j-swing drives shall be required, and garages shall not be required to be 3 feet behind the front building face.
- Garage Door Appearance - shall be carriage style and constructed of wood or metal/composite material made to have the appearance of wood.
- Maximum Garage Width – On lots without alleys, garages shall not exceed $\frac{2}{3}$ of the total width of the house. No width restriction on lots with alleys.
- Minimum Roof Pitch - 8:12 with laminated 3-dimensional architectural shingles with a 30-year minimum.
- Minimum Number of Elevations - No single building elevation shall be duplicated within 6 lots either direction on the same block face. Exhibit B depicts building elevations which

are representative of the style and design of the homes to be constructed.

- Minimum Number of Design Elements - Shall comply with the requirements applicable to SF3 zoning in Section 5.01, Exterior Construction Requirements, of the City's Zoning Ordinance, specifically including but not limited to, a minimum of 75% masonry construction.
- Sidewalks – Shall comply with the requirements applicable to Section 3.5, Sidewalks, of the City's Zoning Ordinance as depicted in Exhibit C.
- Landscaping Requirements - Shall comply with the requirements applicable to SF3 zoning as provided in Section 5.04 of the City's Zoning Ordinance.
- Accessory Structures and Uses - Shall comply with the requirements applicable to accessory structures and uses in SF3 zoning.
- Masonry Exterior Construction - Shall comply with the requirements applicable to single-family residential use as provided in Section 5.01 of the City's Zoning Ordinance, specifically including but not limited to, a minimum of 75% masonry construction.

Screening and Buffer Requirements

- Along the 80' thoroughfare - shall be a 6' high masonry wall and a 10' wide landscape buffer with one 3" caliper tree every 40'.
- Between the General Retail and residential uses - shall comply with the requirements applicable to GR zoning in Section 5.03 of the City's Zoning Ordinance.

Commercial Development Standards

- The future retail, office or commercial development shall comply with the regulations applicable to General Retail (GR) District and also shall allow Dry Cleaning Establishment, Off-Site.
- Parking shall be provided as required by Section 4.03 of the City's Zoning Ordinance.
- Access to the retail area along the highway frontage road will comply with TxDOT guidelines and will require drive approach permits from TxDOT.
- To enhance cross access, a common access easement will be provided along most of the commercial lot frontage, where it is appropriate, parallel to the highway frontage road.
- Loading docks shall be screened from public right-of-way.
- Dumpsters shall be located and screened in compliance with the City's Zoning Ordinance requirements.
- Mechanical and electrical equipment shall be screened from public right-of-way.
- Masonry Exterior Construction - Shall comply with the requirements applicable to commercial uses as provided in Section 5.01 of the City's Zoning Ordinance, specifically including but not limited to, a minimum of 80% masonry construction.

Amenities or Improvements within Parks and Open Space:

- Pockets parks / open space among the single-family residential lots -
 - a. Shade trees, playground equipment and benches.
 - b. Trees and seasonal colors in the two open space areas that form the gateway from the 80' thoroughfare into the single-family residential lots.
- Amenities Park - shall have at least one (1) swimming pool and one (1) playground, plus a minimum of four (4) of the following amenities: trees, pool cabana, volleyball court, shade structures, picnic benches, grills.
- Detention Areas - Trees planted in clusters around the pond.

Signage - The proposed signage for the residential subdivision and non-residential uses shall comply with the Sign Regulations in Section 5.08 of the City's Zoning Ordinance.

Lighting - All proposed lighting shall comply with the Lighting and Glare Standards in Section 6.03 of the City's Zoning Ordinance.

Maintenance of Private Improvements and Common Areas

The developer will establish a mandatory Homeowner's Association (HOA) to be responsible for the maintenance of the private parks, amenities, landscaping, and common areas.

Traffic Patterns/Congestion

To alleviate vehicular congestion on U.S. Highway 287, developer will coordinate with the City of Waxahachie and TxDOT for the design and installation of a traffic signal at southern entrance to Montclair Heights as well as fully funding the same. Further, to enhance ingress/egress, developer will cooperate fully with the adjacent property owner to the east to connect the proposed thoroughfare and provide enhanced access to F.M. 664/Ovilla Road.

PROPERTY DESCRIPTION:

BEING a tract of land situated in the William Irwin Survey, Abstract No. 545, and the William Irwin Survey, Abstract No. 546, and the D.S. Gentry Survey, Abstract No. 409, in Ellis County, Texas, being a portion of that same tract of land as conveyed to Carolyn J. Haman Family Limited Partnership, by deed recorded in Volume 1320, Page 58 of the Deed Records of Ellis County, Texas (D.R.E.C.T.), and being all together more particularly described by metes and bounds as follows (Bearings and distances are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD 83)(US Foot) with a combined scale factor of 1.000072449):

COMMENCING at a 1/2-inch rebar found for the Southwest corner of Lot 9 of Black Champ Estates, Phase 2, an addition to Ellis County, Texas, according to the Plat thereof recorded in Cabinet C, Page 169, of the Plat Records of Ellis County, Texas (P.R.E.C.T.), same being the Northwest Corner of Lot 10 of said Black Champ Estates, Phase 2, and lying on the East right-of-way line of Black Champ Road;

THENCE North 89 Degrees 16 Minutes 14 Seconds East, departing the East right-of-way line of said Black Champ Road, with the South line of said Lot 9, a distance of 824.46 feet to a point for the Southeast corner of said Lot 9, same being the Northeast corner of said Lot 10, same being the Northernmost Northwest corner of a Common Area of said Black Champ Estates, also being the Southwest corner of a tract of land conveyed to Jimmie W. and Erin S. Hallbauer, by deed recorded in Volume 2281, Page 2078 (D.R.E.C.T.);

THENCE North 88 Degrees 54 Minutes 14 Seconds East, with the North line of said Common Area, a distance of 342.26 feet to a 1/2-inch rebar with a cap stamped "ASC" set for the Northwest corner of the herein described tract, same being the Northeast corner of said Common Area, and the **POINT OF BEGINNING**;

THENCE North 89 Degrees 09 Minutes 00 Seconds East, with the North line of said Carolyn J. Haman Family Limited Partnership tract, a distance of 942.96 feet to a 1/2-inch rebar found for corner;

THENCE North 89 Degrees 38 Minutes 30 Seconds East, continuing with the North line of said Carolyn J. Haman Family Limited Partnership tract, a distance of 1337.47 feet to a point for the Southwest corner of Lot 2 of Marshall Road Estates, an addition to the City of Waxahachie, Ellis County, Texas, according to the Plat thereof recorded in Cabinet C, Page 647 (P.R.E.C.T.), same being the Southeast corner of a tract of land conveyed to Leo James, and Cynthia J. Hughes, by deed recorded in Instrument No. 1728155 (D.R.E.C.T.), from which a 1/2-inch rebar found for reference bears South 89 Degrees 17 Minutes 31 Seconds West, a distance of 2.72 feet;

THENCE North 88 Degrees 46 Minutes 39 Seconds East, with the South line of said Lot 2, a distance of 619.61 feet to a 1/2-inch rebar with a cap stamped "ASC" set for the Northeast corner of said Carolyn J. Haman Family Limited Partnership tract, same being the Northwest corner of a tract of land conveyed to Susan Morton Calvert, by deed recorded in Volume 1431, Page 829 (D.R.E.C.T.);

THENCE South 00 Degrees 29 Minutes 27 Seconds East, with the West line of said Calvert tract, also with the West line of Lot 2R, of Ellis County Youth Expo, an addition to the City of Waxahachie, according to the Plat thereof recorded in Cabinet G, Page 359 (P.R.E.C.T.), a total distance of 2560.93 feet to a wood right-of-way monument found for the Southeast corner of the herein described tract, and lying on the North right-of-way line of U.S. Highway No. 287 (variable width right-of-way.)

THENCE South 88 Degrees 55 Minutes 18 Seconds West, continuing with the North right-of-way line of said U.S. Highway No. 287, passing at a distance of 611.65 feet, a wood R.O.W. monument found, and continuing for a total distance of 1053.29 feet to a point for corner from which a wood R.O.W. monument found for corner bears North 79 Degrees 05 Minutes 01 Seconds West, a distance of 0.71 feet;

THENCE North 86 Degrees 30 Minutes 42 Seconds West, continuing with the North right-of-way line of said U.S. Highway No. 287, a distance of 501.60 feet to a wood R.O.W. monument found for corner;

THENCE South 88 Degrees 55 Minutes 18 Seconds West, continuing with the North right-of-way line of said U.S. Highway No. 287, a distance of 425.00 feet to a 1/2-inch rebar with a cap stamped "ASC" set for corner;

THENCE North 80 Degrees 34 Minutes 42 Seconds West, continuing with the North right-of-way line of said U.S. Highway No. 287, a distance of 1161.41 feet to point for corner from which a wood R.O.W. monument found bears North 71 Degrees 37 Minutes 16 Seconds East, a distance of 0.70 feet;

THENCE North 73 Degrees 06 Minutes 12 Seconds West, continuing with the North right-of-way line of said U.S. Highway No. 287, a distance of 354.46 feet to a 1/2-inch rebar with a cap stamped "ASC" set for the Southeast corner of Lot 18 of said Black Champ Estates, Phase 2;

THENCE departing the North right-of-way line of said U.S. Highway 287, with the East line of said Black Champ Estates, Phase 2, the following courses and distances to 1/2-inch rebar's with cap's stamped "ASC" set for corner:

North 19 Degrees 53 Minutes 42 Seconds West, a distance of 550.08 feet;

North 28 Degrees 43 Minutes 18 Seconds East, a distance of 377.39 feet;

North 21 Degrees 09 Minutes 18 Seconds East, a distance of 229.42 feet;

North 57 Degrees 37 Minutes 18 Seconds East, a distance of 173.26 feet;

North 57 Degrees 05 Minutes 18 Seconds East, a distance of 205.18 feet;

North 70 Degrees 03 Minutes 29 Seconds East, a distance of 137.90 feet;

North 45 Degrees 54 Minutes 16 Seconds East, a distance of 91.79 feet;

North 26 Degrees 18 Minutes 01 Seconds East, a distance of 45.92 feet;

North 66 Degrees 37 Minutes 36 Seconds West, a distance of 450.33 feet;

North 42 Degrees 43 Minutes 46 Seconds West, a distance of 203.87 feet;

North 89 Degrees 16 Minutes 14 Seconds East, a distance of 333.49 feet;

THENCE North 17 Degrees 16 Minutes 14 Seconds East, with the East line of said Common Area, a distance of 500.83 feet to the **POINT OF BEGINNING** and containing a total of 8,209,099 square feet, or 188.455 acres of land, more or less.

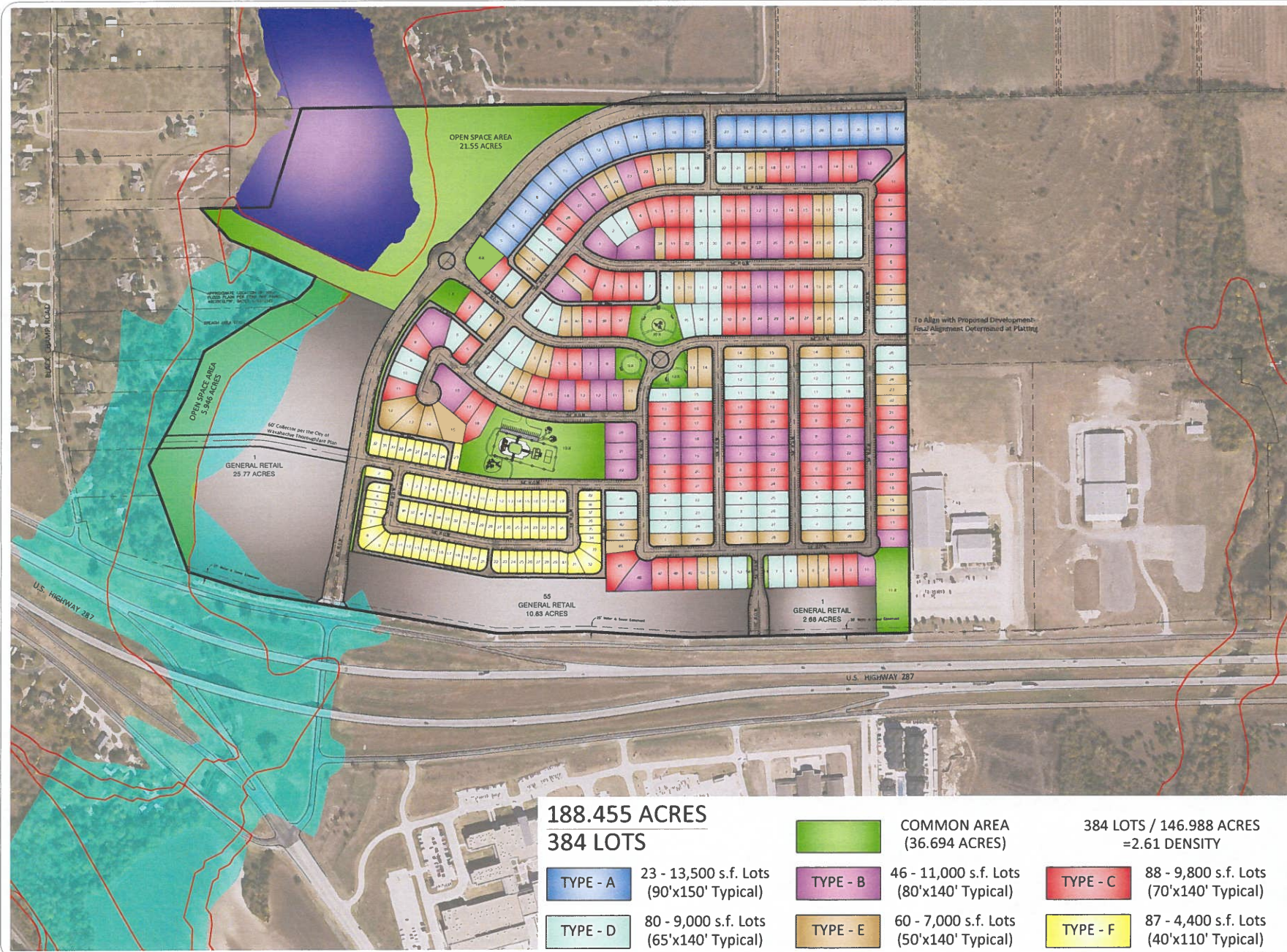


EXHIBIT - 'A'

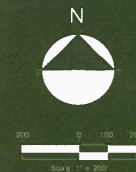
ZDC-188-2021

MONTCLAIR HEIGHTS

CITY OF WAXAHACHIE, TEXAS



NOVEMBER 24, 2021
SHEET NO. 1 OF 1
PROJECT #08120



(20)

Contemporary
MNRear Entry



(20)

Tudor
8 N Rear Entry



(20)

Modern Farm
8 N Rear Entry



(20)

Craftsman w/Stupe

HNRear Entry



(20)

Traditional

KN-Swing



(20)

Traditional

LN-Swing



(20)

Tudor
7 N Rear Entry



(20)

Modern Farm

65 J-Swing



(20)

Craftsman

KN 4106 064;



(20)

Tudor

65 ' # 4 0 6 4 ;



(20)

Contemporary

MNRear Entry



(20)

Contemporary

8 NJ-Swing



(20)

Modern Farm
70 Rear Entry



(20)

Craftsman

Jl 4106 064;



(20)

Traditional

LN 4106 064;



(20)

Craftsman

J1 ' # 4 064 ;

