

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on *Tuesday, April 12, 2022 at 7:00 p.m.* in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

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

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

 - a. Minutes of the regular Planning & Zoning Commission meeting of March 29, 2022
 - b. Minutes of the Planning and Zoning Commission briefing of March 29, 2022
5. **Consider** request by Tim Balch, Timco Logistic Systems, LLC, for a Plat of Timco Addition, for 1 lot, being 17.746 acres situated in the E. Bellow Survey, Abstract 101 (Property ID 180390, 180394, and 180388) – Owner: MYTI PROPERTIES, LLC (SUB-51-2021)
6. **Public Hearing** on a request by Angela Hunt, Munsch Hardt Kopf & Harr, for a Zoning Change to Amend Ordinance No. 2302 for the Villages of Mustang Creek to increase the Maximum Lot Coverage from 35% to 50% by primary and accessory structures in the remaining North Tract, East Tract and Central Tract East located at Hwy 287 and Parks School House Rd (Property ID 180362 & 180365) - Owner: ARDEN GROUP, LLC (ZDC-32-2022)
7. **Consider** recommendation of Zoning Change No. ZDC-32-2022

8. Adjourn

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

This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at (469) 309-4006 or (TDD) 1-800-RELAY TX.

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.

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, March 29, 2022 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
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test

Member Absent: Betty Square Coleman

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Director of Planning
Eleana Tuley, Senior Planner
Zack King, Planner
Macey Martinez, Graduate Engineer
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**

None

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of March 15, 2022
- b. Minutes of the Planning and Zoning Commission briefing of March 15, 2022

Action:

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

5. **Public Hearing on a request by Marshall Wallis, for a Replat of Lot 7BR, Roe Estates, Phase Two, to create Lots 7BR1 & 7BR2, Roe Estates, Phase Two, 2 Residential Lots, being 3.46 acres, located at 3221 Blackchamp Road, (Property ID 264902) – Owner: CHRISTIE M & MARSHALL WALLIS (SUB-21-2022)**

Chairman Keeler opened the Public Hearing.

Senior Planner Eleana Tuley presented the case noting the applicant is requesting to replat an existing lot into two lots for single-family uses and staff recommended approval as presented.

There being no others to speak for or against SUB-21-2022, Chairman Keeler closed the Public Hearing.

6. Consider approval of SUB-21-2022

Action:

Vice Chairman Melissa Ballard moved to approve a request by Marshall Wallis, for a Replat of Lot 7BR, Roe Estates, Phase Two, to create Lots 7BR1 & 7BR2, Roe Estates, Phase Two, 2 Residential Lots, being 3.46 acres, located at 3221 Blackchamp Road, (Property ID 264902) – Owner: CHRISTIE M & MARSHALL WALLIS (SUB-21-2022) as presented. Mr. David Hudgins seconded, All Ayes.

7. Public Hearing on a request by Brandon Layman, 7 Brew Drive-Thru Coffee, for a Specific Use Permit (SUP) for a Drive-Through Establishment use within a Planned Development-42-Commercial (PD-42-C) zoning district located East of Highway 77 and North of Country Meadows Blvd (Property ID 224192) - Owner: WILLIAM C & SALLY R ESTES LIVING TRUST (ZDC-22-2022)

Chairman Keeler opened the Public Hearing.

Planner Zack King presented the case noting the applicant is requesting approval of a Specific Use Permit (SUP) to allow a drive-through establishment (7 Brew Coffee) on 0.597 acres. Staff recommended approval subject to the following staff comments:

1. A mutually agreed upon Development Agreement will be required for the development.
2. All necessary building permits will need to be issued by the City of Waxahachie Building and Community Services Department prior to construction on the site.

Mr. King reviewed the three elevation façade options and stated staff recommended option 1 as proposed by the applicant. The operational plan will consist of a drive-through concept only without inside dining. Mr. King explained the proposal meets or exceeds all City landscaping requirements.

Commissioner Bonney Ramsey requested adding crape myrtle trees to the landscaping and Mr. Hank Hopkins, on behalf of the applicant, noted that can be incorporated.

Chairman Keeler noted it was the consensus of the Commission to recommend elevation façade option 1 as proposed by the applicant.

There being no others to speak for or against ZDC-22-2022, Chairman Keeler closed the Public Hearing.

8. Consider recommendation of Zoning Change No. ZDC-22-2022

Action:

Mr. David Hudgins moved to approve a request by Brandon Layman, 7 Brew Drive-Thru Coffee, for a Specific Use Permit (SUP) for a Drive-Through Establishment use within a Planned

Development-42-Commercial (PD-42-C) zoning district located East of Highway 77 and North of Country Meadows Blvd (Property ID 224192) - Owner: WILLIAM C & SALLY R ESTES LIVING TRUST (ZDC-22-2022) subject to staff comments. Ms. Bonney Ramsey seconded, All Ayes.

9. **Consider request by Brandon Layman, 7 Brew Drive-Thru Coffee, for a Plat of 7 Brews Addition, lots 1 & 2, Block A, 7 Brews Addition, being 0.597 acres, located East of Highway 77 and North of Country Meadows Blvd, situated in the Henry Levy Survey, Abstract 629, an addition to the City of Waxahachie (Property ID 224192) – Owner: WILLIAM C & SALLY R ESTES LIVING TRUST (SUB-24-2022)**

Mr. King presented the case noting the applicant is requesting to plat the subject property into one (1) lot for commercial use (drive-through coffee shop) and staff recommended approval subject to the following staff comments:

1. Due to uncertainty regarding future development of Lot 2, the City of Waxahachie Public Works Department has asked for a letter of intent from the property owner stating that appropriate drainage facilities for Lot 1 will be maintained or reconfigured as necessary when Lot 2 is developed. The applicant shall provide this letter to staff prior to plat filing.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Brandon Layman, 7 Brew Drive-Thru Coffee, for a Plat of 7 Brews Addition, lots 1 & 2, Block A, 7 Brews Addition, being 0.597 acres, located East of Highway 77 and North of Country Meadows Blvd, situated in the Henry Levy Survey, Abstract 629, an addition to the City of Waxahachie (Property ID 224192) – Owner: WILLIAM C & SALLY R ESTES LIVING TRUST (SUB-24-2022) as presented. Ms. Bonney Ramsey seconded, All Ayes.

10. Adjourn

There being no further business, the meeting adjourned at 7:15 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

Planning and Zoning Commission
March 29, 2022

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, March 29, 2022 at 6:30 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

- Members Present: Rick Keeler, Chairman
Melissa Ballard, Vice Chairman
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test
- Member Absent: Betty Square Coleman
- Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Director of Planning
Eleana Tuley, Senior Planner
Zack King, Planner
Macey Martinez, Graduate Engineer
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

Senior Planner Eleana Tuley reviewed the following case:

- SUB-21-2022, the applicant is requesting to replat the subject property into two (2) lots for single-family residential use and staff recommends approval as presented.

Planner Zack King reviewed the following cases:

- ZDC-22-2022, the applicant is requesting approval of a Specific Use Permit (SUP) to allow a drive-through establishment (7 Brew Coffee) on 0.597 acres and staff recommends approval per staff comments. Mr. King reviewed the elevation façade options provided by the applicant noting staff recommends option 1 as proposed by the applicant. He explained the operational plan is for a drive-through establishment only without inside dining. The establishment will have two lanes and meets City requirements for stacking as well as providing an escape lane.
- SUB-24-2022, the applicant is requesting to plat the subject property into one (1) lot for commercial use (drive-through coffee shop) and staff recommends approval subject to staff comments. Due to uncertainty regarding future development of Lot 2, the City of Waxahachie Public Works Department has asked for a letter of intent from the property owner stating that appropriate drainage facilities for Lot 1 will be maintained or reconfigured as necessary when Lot 2 is developed. The applicant shall provide this letter to staff prior to plat filing.

(4b)

Planning and Zoning Commission

March 29, 2022

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3. Adjourn

There being no further business, the meeting adjourned at 6:48 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

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Planning & Zoning Department

Plat Staff Report

Case: SUB-51-2021



MEETING DATE(S)

Planning & Zoning Commission: April 12, 2021

CAPTION

Consider request by Tim Balch, Timco Logistic Systems, LLC, for a **Plat** of Timco Addition, for 1 lot, being 17.746 acres situated in the E. Bellow Survey, Abstract 101 (Property ID 180390, 180394, and 180388) – Owner: MYTI PROPERTIES, LLC (SUB-51-2021)

APPLICANT REQUEST

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

CASE INFORMATION

Applicant: Tim Balch, Timco Logistics Systems, LLC

Property Owner(s): Tim Balch, Myti Properties LLC

Site Acreage: 17.746 acres

Number of Lots: 1 lots

Number of Dwelling Units: 0 units

Park Land Dedication: The cash in lieu of park land dedication is \$10,647.60 (17.746 acres at \$600.00 per acre).

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

SUBJECT PROPERTY

General Location: 197 Ovilla Road, Waxahachie

Parcel ID Number(s): 180388, 180390, & 180394

Current Zoning: Light Industrial-1 (LI-1) with a SUP for trailer & heavy-load vehicle repair

Existing Use: The subject property is the current location for Timco Logistics.

Platting History: The subject property is currently part of the E. Bellow Survey, Abstract 101.

Site Aerial:



PLATTING ANALYSIS

The applicant is proposing to plat the subject property into one (1) lot for commercial use as Timco Logistics. The applicant is seeking to plat the property as part of the expansion of the existing logistics campus. A Specific Use Permit (SUP) was recently approved for the expansion of the logistics campus under case number ZDC-49-2021 & Ordinance 3274.

The proposed lot will be accessible from both Ovilla Road (FM664) and US Highway 287 Business. The dimensions and lot layout of the proposed plat meet or exceed the standards required by the Specific Use Permit and Light Industrial-1 zoning on the subject property. The proposed plat includes a 45' offsite drainage easement to accommodate additional development on the subject property. This easement will be recorded by the applicant and added to the plat prior to filing.

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, per the following comments:
 1. Prior to plat filing, the applicant will update the plat to include the instrument number and recording information for the 45' offsite Drainage Easement required for the development of Lot 1.

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 the applicant will be notified to make corrections.
 - b. If all comments were satisfied, then the 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

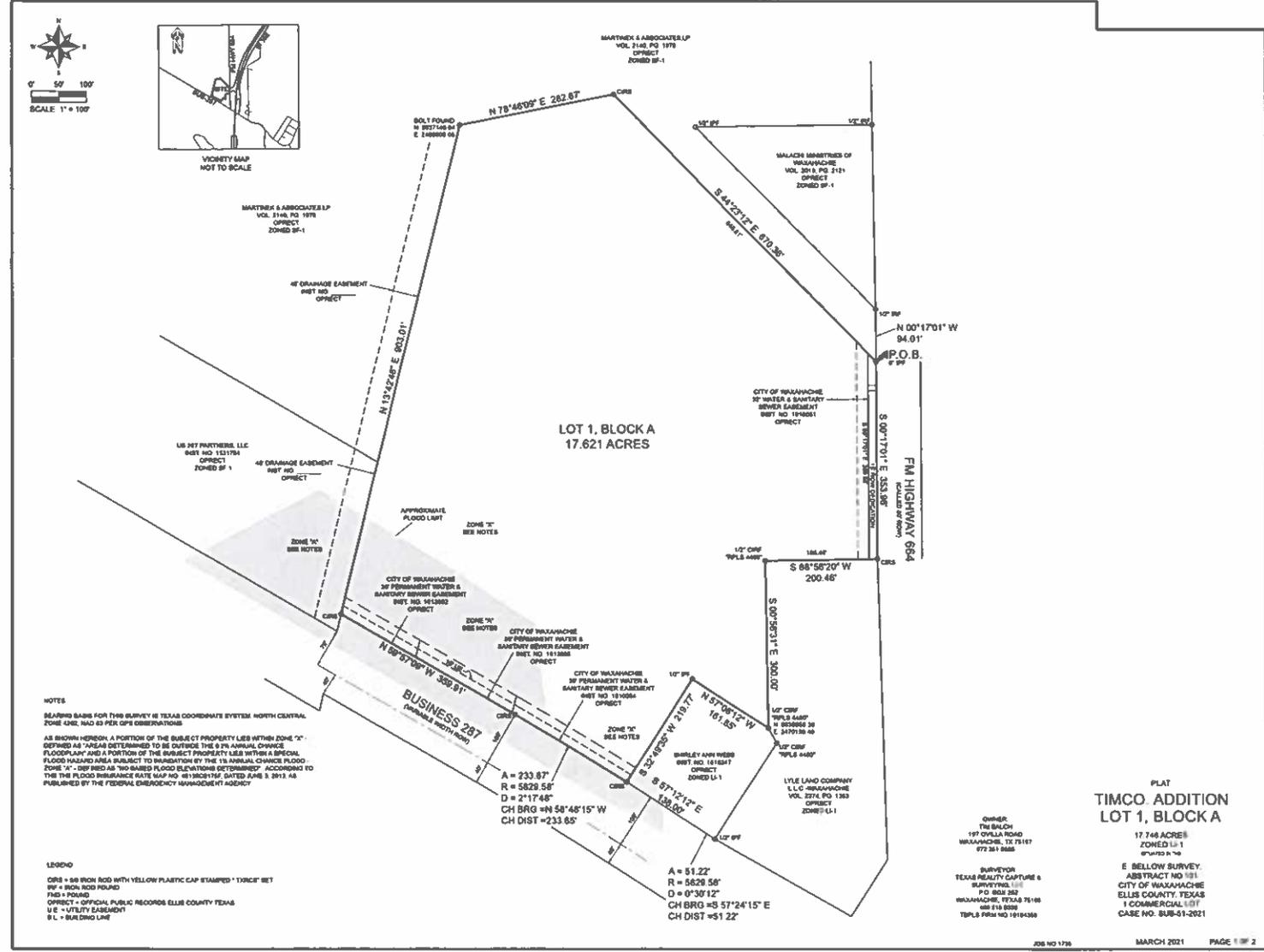
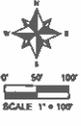
zking@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com



NOTES

MARKING BARS FOR THIS SURVEY IN TEXAS COORDINATE SYSTEM NORTH CENTRAL ZONE 42E, HAD 43 PER GPS OBSERVATIONS

AS SHOWN HEREON, A PORTION OF THE SUBJECT PROPERTY LIES WITHIN ZONE "2" DESIGNATED AS "AREA DETERMINED TO BE OUTSIDE THE 5% ANNUAL CHANCE FLOODPLAIN" AND A PORTION OF THE SUBJECT PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA SUBJECT TO REGULATION BY THE 1% ANNUAL CHANCE FLOOD ZONE "A" - DESIGNATED AS "NO BASED FLOOD ELEVATIONS DETERMINED" ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48180C015F, DATED JUNE 2, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY

LEGEND

CRS = 5/8 IRON ROD WITH YELLOW PLASTIC CAP STAMPED "THREE" SET
 RP = IRON ROD FOUND
 TNS = FOUND
 OPRECT = OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS
 U/E = UTILITY EASEMENT
 B.L. = BUILDING LINE

A = 233.87'
 R = 5828.58'
 D = 2°17'48"
 CH BRG = N 58°48'15" W
 CH DIST = 233.85'

A = 51.22'
 R = 5628.58'
 D = 0°30'12"
 CH BRG = S 57°24'15" E
 CH DIST = 51.22'

PLAT
TIMCO ADDITION
LOT 1, BLOCK A
 17.621 ACRES
 ZONED U-1
 6/14/18 P-10

E BELLOW SURVEY
 ABSTRACT NO 111
 CITY OF WAUVACHICHE
 ELLIS COUNTY, TEXAS
 1 COMMERCIAL LOT
 CASE NO. SUB-51-2021

OWNER:
 THE BALCH
 177 OLLA ROAD
 WAXAHACHE, TX 75117
 972 361 8666

SURVEYOR:
 TEXAS REALTY CAPTURE &
 SURVEYING, LLC
 P.O. BOX 252
 WAXAHACHE, TEXAS 75118
 688 514 9000
 TPLS PERM NO 10104380

(6)

Planning & Zoning Department
Zoning Staff Report

Case: ZDC-32-2022



MEETING DATE(S)

Planning & Zoning Commission: April 12, 2022

City Council: April 18, 2022

CAPTION

Public Hearing on a request by Angela Hunt, Munsch Hardt Kopf & Harr, for a **Zoning Change** to Amend Ordinance No. 2302 for the Villages of Mustang Creek to increase the Maximum Lot Coverage from 35% to 50% by primary and accessory structures in the remaining North Tract, East Tract and Central Tract East located at Hwy 287 and Parks School House Rd (Property ID 180362 & 180365) - Owner: ARDEN GROUP, LLC (ZDC-32-2022)

APPLICANT REQUEST

The applicant is requesting to amend Ordinance 2302 to increase the maximum lot coverage from 35% to 50% in the Villages of Mustang Creek Planned Development.

CASE INFORMATION

Applicant: Angela Hunt, Munsch Hardt Kopf & Harr
Property Owner(s): HW Waxahachie, LP
Site Acreage: 1,263.272 acres
Current Zoning: Planned Development (PD)
Requested Zoning: Planned Development (PD) – (Ordinance 2302 Amendment)

SUBJECT PROPERTY

General Location: Northeast and East of the intersection of Dartmoor Drive and Highway 287
Parcel ID Number(s): 180362 & 180365
Existing Use: Undeveloped Land – Villages of Mustang Creek PD
Development History: On April 18, 2005, City Council approved Ordinance 2302 for the Villages of Mustang Creek.

(6)

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	Single Family-3 (SF-3) & ETJ	Undeveloped
East	Future Development (FD) & ETJ	Undeveloped
South	Planned Development & Light Industrial	Saddlebrook Estates & Mueller Inc.
West	N/A	Highway 287

Future Land Use Plan:

Low Density Residential
 Medium Density Residential
 High Density Residential

Comprehensive Plan:

This category [Low Density Residential] 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.

Medium Density Residential is representative of two-family, attached dwelling units, such as townhomes, duplexes, condominiums, zero-lot line homes, and apartment developments. This category is intended to accommodate the City’s need for diversity of housing choices.

Traditional apartment- and condominium-type units in attached living complexes characterize high-density residential land use. These development may take a variety of forms. This land use has evolved from traditional garden style apartments to courtyard apartments due to the focus upon situation dwelling units around a courtyard, pool, or other common space.

Thoroughfare Plan:

The subject property is accessible via S. US Highway 287 Bypass, Dartmoor Drive and Charismatic Road.

Site Image:



(6)

PLANNING ANALYSIS

Purpose of Request:

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

Proposed Use:

The applicant is proposing to increase the maximum lot coverage from thirty-five (35) percent to fifty (50) percent in the Central, East, and North Sub-districts of the Villages of Mustang Creek Planned Development, as shown on the Location Exhibit. The developer would like to propose a larger footprint for the first floor of houses, other than what the current thirty-five (35) percent maximum lot coverage will allow. By increasing the maximum allowed lot coverage, the developer will be able to provide a greater variety of larger square footage homes.

This request matches a PD Amendment (Ord. 3252) for the Villages of Mustang Creek that was approved in 2021; which changed the maximum lot coverage for residential lots in the South and portions of the Central sub-district from 35% to 50%. An amendment to the entire Villages of Mustang Creek PD was not pursued in 2021 due to the fact that portions of the property included in the PD are owned by separate entities.

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

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 22 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

RECOMMENDATION

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

- Denial
- Approval, as presented.

ATTACHED EXHIBITS

1. Location Exhibit
2. Ordinance 2302

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 the applicant will be notified to make corrections.
 - b. If all comments were satisfied, then the applicant shall provide a set of drawings that incorporate all comments.

(6)

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

(6)



(6)

ORDINANCE NO. 2302

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

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

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

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

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

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

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

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

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

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

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

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

(6)

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



Joe Lonkin
MAYOR

Nancy Ross
City Secretary

(6)

Villages
of
Mustang Creek

A 1,965 Acre
Planned Development
District

In the City of Waxahachie, Texas

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

Villages of Mustang Creek

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Zoning Concept

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Summary of Enhanced Regulations

Summary of Residential Zoning Regulations

Images

Villages of Mustang Creek

Owner Information

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

Applicant Information

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

Engineers / Planners

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

Villages of Mustang Creek

The Development Concept

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

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

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

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

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

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

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

Villages of Mustang Creek

The Zoning Concept

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

Non-Residential Zone Districts

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

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

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

Residential Zone Districts

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

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

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

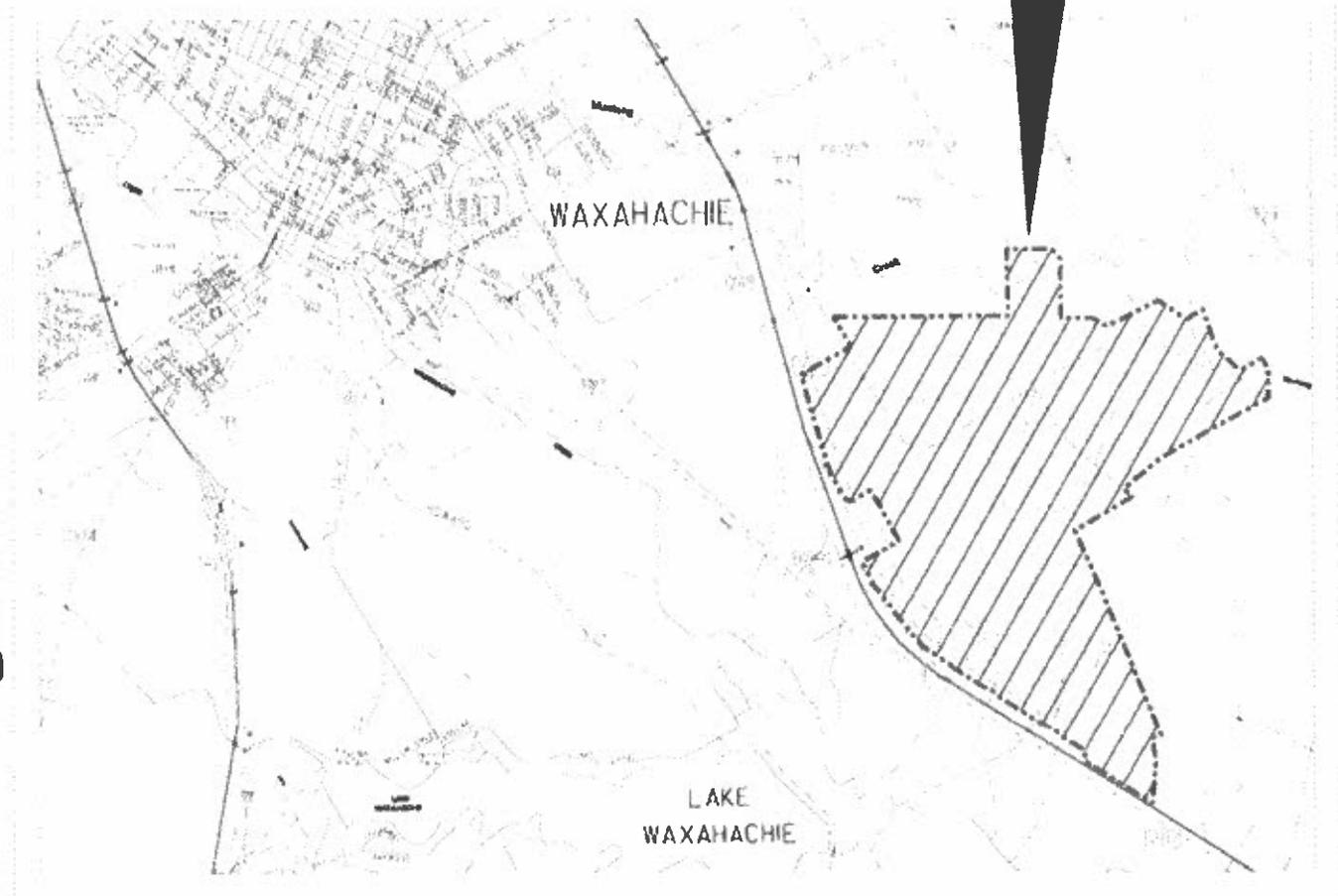
For the District as a whole, the proposed distribution of single-family residences meets the guidelines of the City's Comprehensive plan:

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

Villages of Mustang Creek

Vicinity Map

**PROJECT
LOCATION**



VICINITY MAP

Carter Burgess

DECEMBER 15, 2004

VILLAGES OF MUSTANG CREEK

City of Waxahachie, Texas

Villages of Mustang Creek

ZONING DESCRIPTION

1965.303 ACRES

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

BEGINNING AT THE NORTHWEST CORNER OF AFORESAID 956.759 ACRE TRACT;

Villages of Mustang Creek

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Villages of Mustang Creek

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

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

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

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

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

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

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

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

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

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

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

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

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

Villages of Mustang Creek

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Villages of Mustang Creek

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Villages of Mustang Creek

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

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

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

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

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

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

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

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

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

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

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

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

Villages of Mustang Creek

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

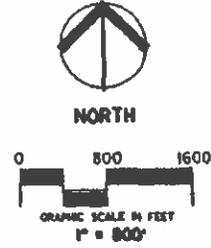
THIS DOCUMENT WAS PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR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

Villages of Mustang Creek

Concept Plan

APPROXIMATE AREA BY SUB-DISTRICT	
SUB-DISTRICT	APPROXIMATE AREA (ACRES)
SOUTH	500
CENTRAL	500
NORTH	567
EAST	300
TOTAL	1,865

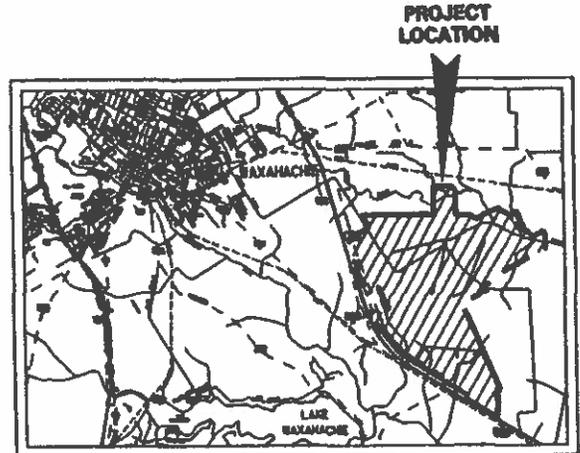
APPROXIMATE AREA BY LAND USE CLASSIFICATION	
LAND USE CLASSIFICATION	LAND AREA (ACRES)
COMMERCIAL (C & CR)	170
MULTI-FAMILY RESIDENTIAL (MF-1 & 2F)	73
SINGLE FAMILY RESIDENTIAL (SF-1, 2 & 3)	1,714
TOTAL	1,955



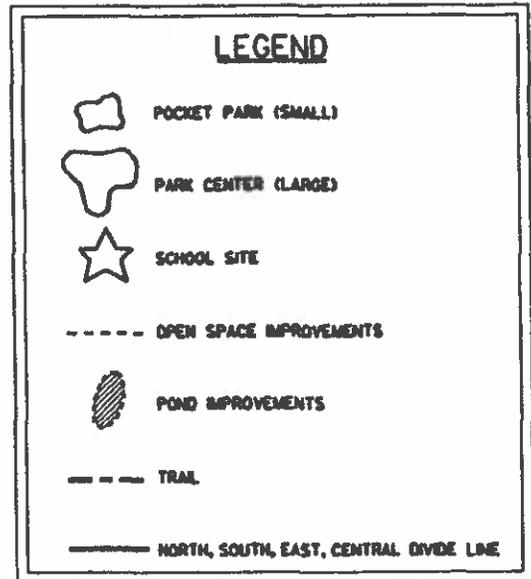
APPROXIMATE LAND USE AREA BY SUB-DISTRICT				
LAND USE CLASSIFICATION	SOUTH (ACRES)	CENTRAL (ACRES)	NORTH (ACRES)	EAST (ACRES)
COMMERCIAL (C & CR)	97	43	30	0
MULTI-FAMILY RESIDENTIAL (MF-1 & 2F)	0	34	30	0
SINGLE FAMILY RESIDENTIAL (SF-1, 2 & 3)	400	423	497	300
TOTAL	500	500	567	300

MAXIMUM NUMBER OF SINGLE FAMILY RESIDENTIAL LOTS BY SUB-DISTRICT			
SUB-DISTRICT	MAXIMUM NUMBER OF LOTS	GROSS AREA OF SINGLE FAMILY RESIDENTIAL USE (ACRES)	GROSS DENSITY (LOTS PER ACRE)
NORTH	1,431	480	2.98
CENTRAL	1,300	431	3.00
SOUTH	1,230	400	3.04
EAST	701	300	1.94
TOTAL	4,762	1,714	2.80

SINGLE FAMILY LOT DISTRIBUTION BY SUB-DISTRICT & ZONE CLASSIFICATION		
RESIDENTIAL ZONE CLASSIFICATION (MINIMUM LOT AREA)	LOT COUNT THRESHOLDS	PERCENT OF LOTS
NORTH SUB-DISTRICT		
SF-1 (12,000 SQ. FT.)	MINIMUM OF 163	MINIMUM OF 102
SF-2 (8,000 SQ. FT.)	MINIMUM OF 825	MINIMUM OF 562
SF-3 (6,000 SQ. FT.)	MAXIMUM OF 445	MAXIMUM OF 312
TOTAL	MAXIMUM OF 1,431	
CENTRAL SUB-DISTRICT		
SF-1 (12,000 SQ. FT.)	MINIMUM OF 825	MINIMUM OF 602
SF-2 (8,000 SQ. FT.)	MAXIMUM OF 300	MAXIMUM OF 402
TOTAL	MAXIMUM OF 1,300	
SOUTH SUB-DISTRICT		
SF-1 (12,000 SQ. FT.)	MINIMUM OF 160	MINIMUM OF 102
SF-2 (8,000 SQ. FT.)	MINIMUM OF 640	MINIMUM OF 502
SF-3 (6,000 SQ. FT.)	MINIMUM OF 430	MAXIMUM OF 302
TOTAL	MAXIMUM OF 1,230	
EAST SUB-DISTRICT		
SF-1 (12,000 SQ. FT.)	MINIMUM OF 370	MINIMUM OF 202
SF-2 (8,000 SQ. FT.)	MINIMUM OF 370	MAXIMUM OF 302
TOTAL	MAXIMUM OF 701	
TOTAL - ALL SUB-DISTRICTS		
SF-1 (12,000 SQ. FT.)	MINIMUM OF 770	MINIMUM OF 102
SF-2 (8,000 SQ. FT.)	MINIMUM OF 2,630	MINIMUM OF 562
SF-3 (6,000 SQ. FT.)	MAXIMUM OF 1,430	MAXIMUM OF 302
TOTAL	MAXIMUM OF 4,762	100%



VICINITY MAP
N.T.S.



CONCEPT PLAN VILLAGES OF MUSTANG CREEK

CITY OF WAXAHACHIE

Carter - Burgess

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

CARTER & BURGESS, INC.
7950 ELMBROOK DRIVE, SUITE 250
DALLAS, TX 75247-4951
PHONE (214) 630-0416
FAX (214) 630-0417

January 2006

Villages of Mustang Creek

Section 1. Subject Property.

1.1 Total Area.

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

1.2 Concept Plan.

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

Table 1.1

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

1.3 Development Site Plan.

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

1.4 Master Homeowners Association.

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

Villages of Mustang Creek

Section 2. Land Uses.

Permitted Land Uses.

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

2.1 Commercial (C).

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

2.2 General Retail (GR).

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

2.3 Multi-Family Residential (MF-1).

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

2.4 Two-Family Residential (2F).

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

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

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

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

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

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

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

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

Villages of Mustang Creek

Table 2.1

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

Table 2.2

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

Villages of Mustang Creek

Table 2.3

Allowed Uses Commercial District

Residential Uses

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

Education, Institutional and Special Uses

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

Villages of Mustang Creek

Utility, Service and Other Uses

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

Accessory and Incidental Uses

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

Sign and Identification Uses

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

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Retail and Service Type Uses

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

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

Recreation and Entertainment Uses

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

Villages of Mustang Creek

Auto and Related Uses

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

Commercial Type Uses

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

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Villages of Mustang Creek

Commercial Type Uses (Continued)

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

General Manufacturing and Industrial Uses

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

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

Villages of Mustang Creek

Table 2.4

Prohibited Land Uses

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

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

Villages of Mustang Creek

Section 3. Development Regulations

3.1.1 Overall Residential Density.

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

Table 3.1.1

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

Table 3.1.2

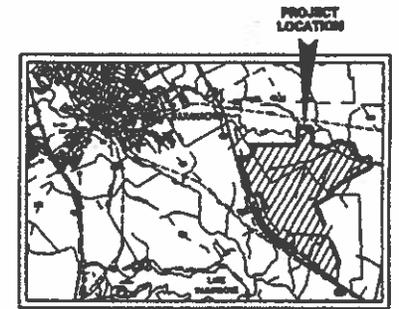
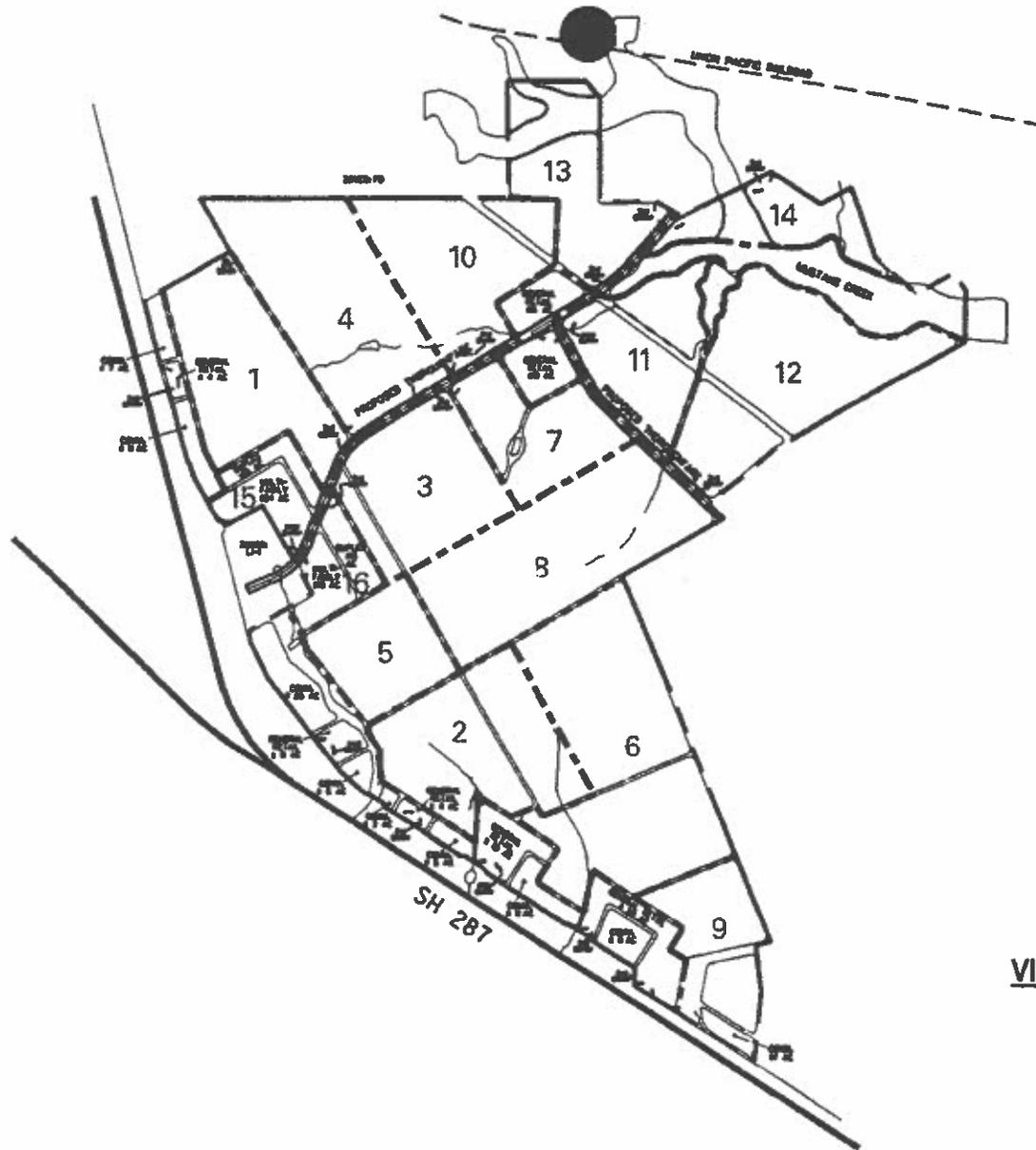
Maximum Number of All Dwellings Within Planned Development District			
Sub-Area	Gross Area (acres)	Maximum Density (units per acre)	Maximum Number of Dwelling Units
Single-Family	1,714	2.80	4,792
Two-Family	30	6.67	200
Multi-Family	43	18.0	774
TOTAL	1,787	3.23	5,766

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

Villages of Mustang Creek

3.1.2 Project Phasing.

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



**PHASING PLAN
VILLAGES OF MUSTANG CREEK**

CITY OF WAXAHACHE

Carter-Burgess
 Consultants in Planning, Engineering, Architecture,
 Construction Management and Related Services
CARTER & BURGESS, INC.
 7100 BIRCHCREEK DRIVE, SUITE 200
 DALLAS, TEXAS 75230-1000
 PHONE: 972-412-2200
 FAX: 972-412-2201

January 2008

CAD FILE NO. 07- PROJECT NO. 02-020-000

EXHIBIT 1

Villages of Mustang Creek

Table 3.2

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

Villages of Mustang Creek

3.2 Lot Regulations

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

3.2.1 Commercial District.

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

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

3.2.2 General Retail District.

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

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

3.2.3 Multi-Family Residential District.

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

3.2.4 Two Family Residential District.

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

3.2.5 Single Family Residential –1 District.

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

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

3.2.6 Single Family Residential –2 District.

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

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

3.2.7 Single Family Residential –3 District.

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

Villages of Mustang Creek

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

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

3.3 Building Regulations.

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

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

3.3.8 Other Building Regulations

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

3.4 Parking Regulations

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

3.5 Landscape Requirements

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

3.5.1 Landscape Buffer on Thoroughfare Frontage.

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

3.5.2 Trees on Residential Lots.

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

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3.5.3 Trees in Public Spaces.

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

3.5.4 Entries to Development.

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

3.6 Screening and Buffering Requirements

3.6.1 Screening Between Uses.

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

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

3.6.2 Screening Adjacent to Collector Streets.

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

3.7 Park and Open Space Requirements

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

3.7.1 Public Park Land/Neighborhood Parks

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

Villages of Mustang Creek

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

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

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

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

3.7.2. Private Open Space

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

3.7.3 Private Amenity Centers

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

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

Villages of Mustang Creek

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

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

3.7.4 Park and Open Space Requirements.

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

3.8 Signs.

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

Villages of Mustang Creek

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

Villages of Mustang Creek

Villages of Mustang Creek **Proposed Enhancements**

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

Villages of Mustang Creek

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

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

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

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

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

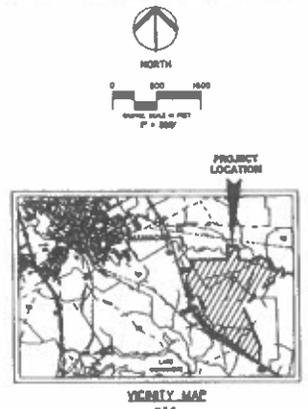
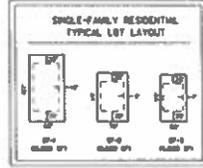
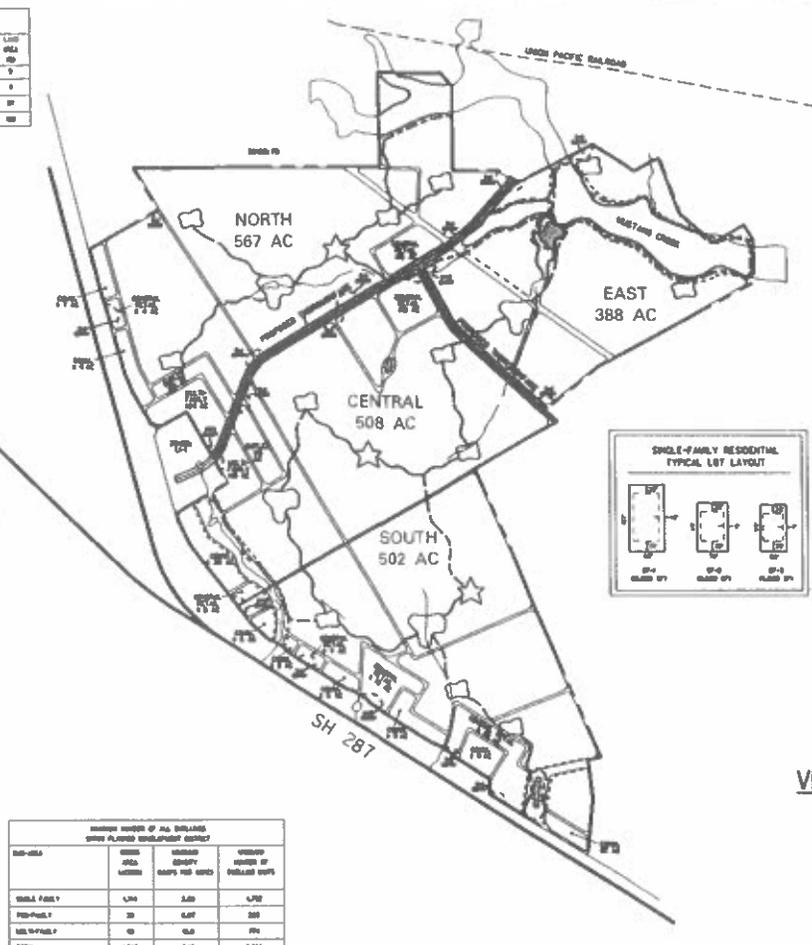
APPROXIMATE AREA BY SUB-DISTRICT	
SUB-DISTRICT	APPROXIMATE AREA (ACRES)
NORTH	567
EAST	388
CENTRAL	508
SOUTH	502
TOTAL	1965

APPROXIMATE AREA BY LAND USE CLASSIFICATION			
LAND USE CLASSIFICATION	APPROXIMATE AREA (ACRES)	PERCENTAGE OF TOTAL	PERCENTAGE OF SUB-DISTRICT
RESIDENTIAL, R & OH	1965	100	100
SINGLE-FAMILY RESIDENTIAL, SF-1 & 2	1965	100	100
MULTI-FAMILY RESIDENTIAL, MF-1 & 2	0	0	0
TOTAL	1965	100	100

APPROXIMATE LAND USE AREA BY SUB-DISTRICT				
SUB-DISTRICT	LAND USE CLASSIFICATION	APPROXIMATE AREA (ACRES)	PERCENTAGE OF TOTAL	PERCENTAGE OF SUB-DISTRICT
NORTH	RESIDENTIAL, R & OH	567	100	100
	SINGLE-FAMILY RESIDENTIAL, SF-1 & 2	567	100	100
	MULTI-FAMILY RESIDENTIAL, MF-1 & 2	0	0	0
	TOTAL	567	100	100
EAST	RESIDENTIAL, R & OH	388	100	100
	SINGLE-FAMILY RESIDENTIAL, SF-1 & 2	388	100	100
	MULTI-FAMILY RESIDENTIAL, MF-1 & 2	0	0	0
	TOTAL	388	100	100
CENTRAL	RESIDENTIAL, R & OH	508	100	100
	SINGLE-FAMILY RESIDENTIAL, SF-1 & 2	508	100	100
	MULTI-FAMILY RESIDENTIAL, MF-1 & 2	0	0	0
	TOTAL	508	100	100
SOUTH	RESIDENTIAL, R & OH	502	100	100
	SINGLE-FAMILY RESIDENTIAL, SF-1 & 2	502	100	100
	MULTI-FAMILY RESIDENTIAL, MF-1 & 2	0	0	0
	TOTAL	502	100	100

SUMMARY NUMBER OF SINGLE-FAMILY RESIDENTIAL UNITS BY SUB-DISTRICT				
SUB-DISTRICT	NUMBER OF UNITS	APPROXIMATE AREA (ACRES)	PERCENTAGE OF TOTAL	PERCENTAGE OF SUB-DISTRICT
NORTH	1,500	567	100	100
EAST	1,000	388	100	100
CENTRAL	1,200	508	100	100
SOUTH	1,100	502	100	100
TOTAL	4,800	1,965	100	100

SINGLE-FAMILY LAYOUT DISTRIBUTION BY SUB-DISTRICT & LAND CLASSIFICATION		
SUB-DISTRICT	LAND CLASSIFICATION	PERCENTAGE OF TOTAL
NORTH	SP-1 (SINGLE SF)	100
	SP-2 (SINGLE SF)	0
	SP-3 (SINGLE SF)	0
	TOTAL	100
EAST	SP-1 (SINGLE SF)	100
	SP-2 (SINGLE SF)	0
	SP-3 (SINGLE SF)	0
	TOTAL	100
CENTRAL	SP-1 (SINGLE SF)	100
	SP-2 (SINGLE SF)	0
	SP-3 (SINGLE SF)	0
	TOTAL	100
SOUTH	SP-1 (SINGLE SF)	100
	SP-2 (SINGLE SF)	0
	SP-3 (SINGLE SF)	0
	TOTAL	100



LEGEND

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

**CONCEPT PLAN
VILLAGES OF MUSTANG CREEK**

CITY OF WAXAHACHE

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 January 2005

SUMMARY NUMBER OF ALL BUILDINGS BY SUB-DISTRICT			
SUB-DISTRICT	NUMBER OF UNITS	APPROXIMATE AREA (ACRES)	PERCENTAGE OF TOTAL
SINGLE-FAMILY	4,800	1,965	100
MULTI-FAMILY	0	0	0
TOTAL	4,800	1,965	100