

# *A G E N D A*

The Waxahachie Planning & Zoning Commission will hold a regular meeting on *Tuesday, April 26, 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 April 12, 2022
  - b. Minutes of the Planning and Zoning Commission briefing of April 12, 2022
5. **Consider** request by Josh & Amy Rader, for a Plat of Rader Ranch, Lots 1-4, Block A, being 16.982 acres, located at 2832 FM 66, 4 Residential Lots, situated in the P. Olivari Survey, Abstract 812, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 188585 & 188580) – Owner: ZOE LLC & RADER JOSH & AMY RADER (SUB-139-2021)
6. **Public Hearing** on a request by Chad Adams, Oakhull Investments, LLC, for a Zoning Change from a Future Development (FD) zoning district to a Planned Development – Single Family – 1 (PD-SF-1) zoning district, located off of Howard Road (Property ID 182020) - Owner: ANDERSON KAREN S IRREVOCABLE TRUST & CHRISTIAN ANDERSON FOUNDATION (ZDC-27-2022)
7. **Consider** recommendation of Zoning Change No. ZDC-27-2022

8. **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-7-2022)
9. **Consider** recommendation of Zoning Change No. ZDC-7-2022
10. 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, April 12, 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  
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  
Zack King, Planner  
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 29, 2022
- b. Minutes of the Planning and Zoning Commission briefing of March 29, 2022

**Action:**

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

{Ms. Betty Square Coleman arrive at 7:01 p.m.}

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)**

Planner Zack King presented the case noting the applicant is requesting to plat the subject property into one (1) lot for commercial use (Timco Logistics) and staff recommends approval per the following staff comment:

(4a)

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.

**Action:**

*Vice Chairman Melissa Ballard moved to approve a 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) as presented. Mr. David Hudgins seconded, All Ayes.*

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)**

Mr. King reviewed the case noting 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. He explained the developer would like to propose a larger footprint and increasing the maximum lot coverage will allow the developer to provide a greater variety of large square footage homes. He noted this request matches a Planned Development amendment for the Villages of Mustang Creek that was approved in 2021 for residential lots in the South and portions of the Central sub-district from 35% to 50%.

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against ZDC-32-2022, Chairman Keeler closed the Public Hearing.

7. **Consider recommendation of Zoning Change No. ZDC-32-2022**

**Action:**

*Mr. Jim Phillips moved to approve 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). Mr. David Hudgins seconded, All Ayes.*

8. **Adjourn**

There being no further business, the meeting adjourned at 7:08 p.m.

Respectfully submitted,

Amber Villarreal, City Secretary

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, April 12, 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  
Zack King, Planner  
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-51-2022, the applicant is requesting to plat the subject property into one (1) lot for commercial use (Timco Logistics) and staff recommends approval as presented. Mr. King explained prior to plat filing, the applicant must update the plat to include the instrument number and recording information for the 45' offsite Drainage Easement required for the development of Lot 1.
- ZDC-32-2022, 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 and staff recommends approval as presented.

**3. Adjourn**

There being no further business, the meeting adjourned at 6:39 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary

(5)

# Planning & Zoning Department

## Plat Staff Report

Case: SUB-139-2021



### MEETING DATE(S)

*Planning & Zoning Commission:* April 26, 2022

*City Council:* May 2, 2022

### CAPTION

**Consider** request by Josh & Amy Rader, for a **Plat** of Rader Ranch, Lots 1-4, Block A, being 16.982 acres, located at 2832 FM 66, 4 Residential Lots, situated in the P. Olivari Survey, Abstract 812, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 188585 & 188580) – Owner: ZOE LLC & RADER JOSH & AMY RADER (SUB-139-2021)

### APPLICANT REQUEST

The applicant is requesting to plat the subject property into four (4) lots for single family residential use.

### CASE INFORMATION

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

*Property Owner(s):* Amy & Josh Rader and ZOE LLC

*Site Acreage:* 16.982 acres

*Number of Lots:* 4 lots

*Number of Dwelling Units:* 4 units

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

*Adequate Public Facilities:* Adequate public facilities for domestic services are available to the site via BVBSUD. Adequate flow is unavailable for firefighting & fire suppression purposes.

### SUBJECT PROPERTY

*General Location:* 2926 & 2974 FM 66

*Parcel ID Number(s):* 188580 & 188585

*Current Zoning:* N/A (ETJ)

*Existing Use:* The subject property is currently occupied by two (2) single family homes.

*Platting History:* The subject property is a portion of the P. Olivari Survey, Abstract 812.

*Site Aerial:*



**PLATTING ANALYSIS**

The applicant is proposing to plat the subject property into four (4) lots for single family residential use. All City of Waxahachie and Ellis County lot size and dimension requirements have been met. The applicant is providing a 5' Right-of-Way (ROW) along FM 66 in conformance with the City of Waxahachie Thoroughfare Plan. Each of the four (4) proposed lots are 1.9 acres in size or greater; which aligns with the character of the area and the Waxahachie Future Land Use Plan.

The applicant has provided a Water Endorsement Letter from Buena Vista Bethel Special Utility District (BVBSUD) 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 four (4) lots or fewer 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.

**VARIANCE REQUEST – Petition for Hardship Waiver**

Request:

The City of Waxahachie Thoroughfare Plan identifies an 80' Thoroughfare running along the eastern boundary of the subject property. As part of the platting process, the applicant is required to provide ROW dedication in conformance with the Thoroughfare Plan. In this case, the applicant is required provide a 40' ROW dedication along the entirety of the eastern property line. The applicant is has made a Petition for Hardship Waiver request for this requirement. As part of the Petition for Hardship Waiver, the applicant is seeking a variance from the Thoroughfare Plan to allow 0' of ROW dedication as opposed to 40'.

The applicant's reasoning for this Petition for Hardship Waiver hinges primarily on the location of existing structures on the subject property. A driveway and single family home are currently situated within 40' of the eastern property line. If the 40' ROW dedication is provided, any structures within said ROW dedication would need to be removed.

Staff's Response:

Per Section 3.1 of the subdivision ordinance, the property owner shall provide all rights-of-way required for existing or future streets and for all required street improvements, including perimeter streets and approach roads, as shown in the City's Thoroughfare Plan. Due to the City's Thoroughfare Plan reflecting the 80' ROW along the eastern property line of the subject property, it is staff's belief that 40' of ROW should be dedicated from the eastern property line.

Required Planning and Zoning Commission Action

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

- 1. Either a recommendation for approval or disapproval of the Petition for Hardship Waiver.
- 2. Either a recommendation for approval or disapproval of the plat.

This action can be performed in one motion.

**RECOMMENDATION**

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

- Disapproval:  
Per Section 3.1 of the subdivision ordinance, the property owner shall provide all rights-of-way required for existing or future streets and for all required street improvements, including perimeter streets and approach roads, as shown in the City's Thoroughfare Plan. Due to the City's Thoroughfare Plan reflecting the 80' ROW along the eastern property line of the subject property, it is staff's belief that 40' of ROW should be dedicated from the eastern property line.
- Approval, as presented.

**ATTACHED EXHIBITS**

- 1. Plat
- 2. Water Letter

**APPLICANT REQUIREMENTS**

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

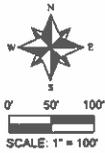
A plat shall not be filed with the Ellis County Clerk until:

- 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](mailto:zking@waxahachie.com)

*Reviewed by:*  
 Jennifer Pruitt, AICP, LEED-AP, CNU-A  
 Senior Director of Planning  
[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)



VICINITY MAP  
NOT TO SCALE

LINK	BEARING	DISTANCE
L1	E 82°00'00" W	78.71'
L2	E 82°24'00" W	174.33'
L3	N 89°00'00" E	24.24'
L4	E 82°15'00" E	85.89'
L5	N 74°15'00" E	85.51'
L6	N 13°15'00" W	85.51'
L7	N 12°00'00" E	55.20'
L8	S 82°24'00" W	174.33'
L9	S 82°15'00" E	85.89'
L10	N 74°15'00" E	85.51'
L11	S 13°15'00" E	85.51'
L12	S 12°00'00" E	55.20'
L13	N 12°00'00" E	55.20'
L14	N 74°15'00" E	85.51'
L15	S 74°15'00" W	85.51'
L16	N 12°00'00" E	55.20'
L17	N 13°15'00" E	85.51'
L18	N 74°15'00" E	85.51'
L19	N 74°15'00" W	85.51'
L20	N 50°00'00" W	163.80'

LEGEND

- CRS = 5/8 IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TXRC" MET
- IRF = IRON ROD FOUND
- POB = POINT OF BEGINNING
- OPRECT = OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS
- U.E. = UTILITY EASEMENT
- BL = BUILDING LINE
- DUE = DRAINAGE AND UTILITY EASEMENT

NOTES

BEARING BASIS FOR THIS SURVEY IS TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD 83 PER GPS OBSERVATIONS.

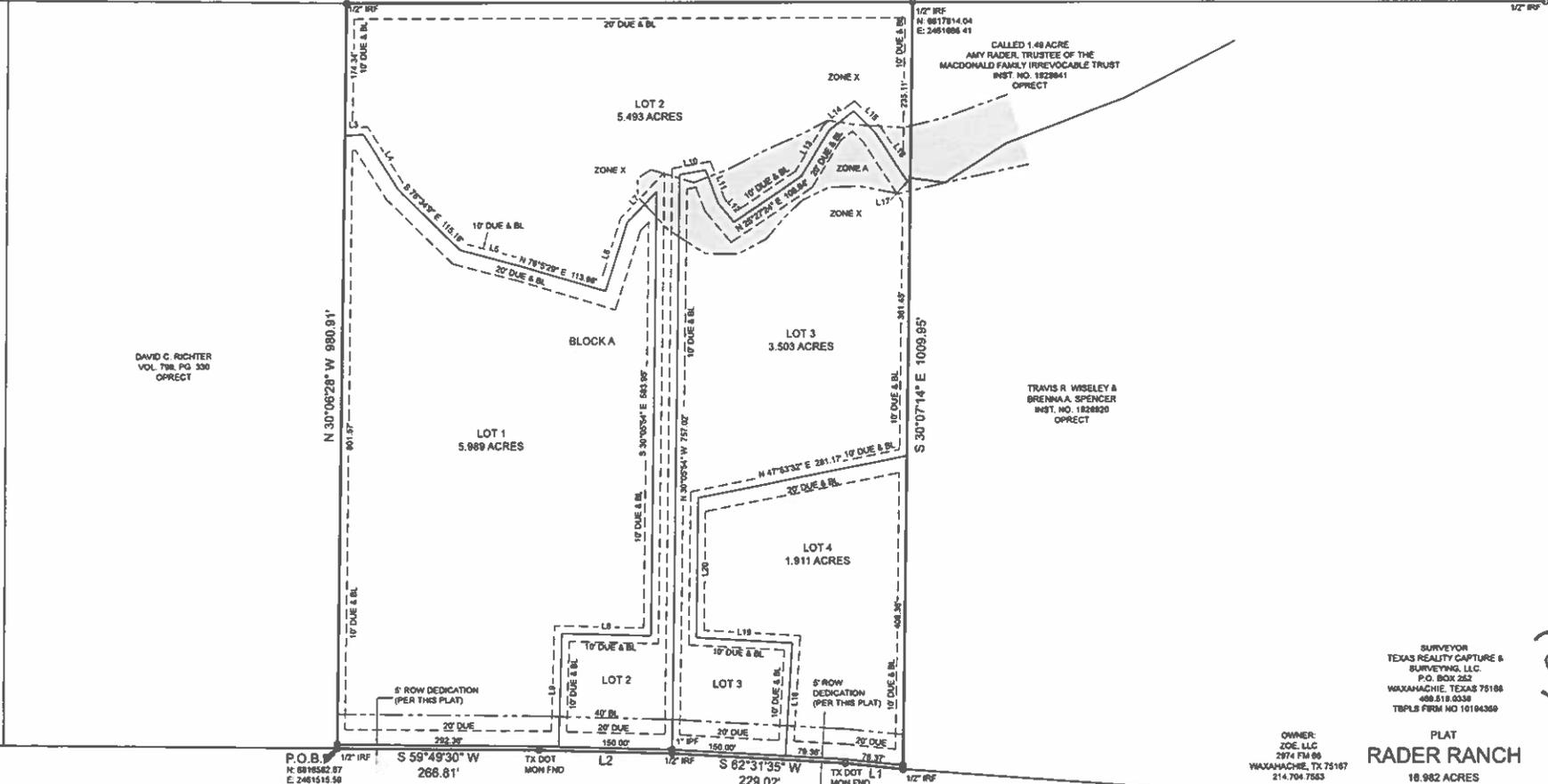
AS SHOWN A PORTION OF THE SUBJECT PROPERTY LIES WITHIN ZONE "X" - DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN", AND A PORTION OF THE PROPERTY LIES WITHIN ZONE "A" - DEFINED AS "NO BASE FLOOD ELEVATION DETERMINED, ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48130C0200P, DATED JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY".

ALL LOTS SHALL BE SERVICED BY AN ON-SITE SEWAGE FACILITY SYSTEM FOR RESIDENTIAL USE, AN ON-SITE EVALUATION SHALL BE PERFORMED BY A REGISTERED ENGINEER AND/OR A REGISTERED SANITARIAN.

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 APPROVED PROPERTIES.

CALLED 73.00 ACRE  
AMY LYNN RADER, TRUSTEE OF THE  
MACDONALD FAMILY IRREVOCABLE TRUST  
INST. NO. 1824365  
OPRECT

N 59°11'19" E 747.35'



DAVID C. RICHTER  
VOL. 798, PG. 330  
OPRECT

TRAVIS R. WESELEY &  
BREANNA A. SPENCER  
INST. NO. 1824820  
OPRECT

CALLLED 1.48 ACRE  
AMY RADER, TRUSTEE OF THE  
MACDONALD FAMILY IRREVOCABLE TRUST  
INST. NO. 1822841  
OPRECT

P.O.B. 1/2" IRF  
N 89°15'52.37"  
E 246145.56

S 59°49'30" W  
266.81'

TX DOT  
MON FND

S 62°31'35" W  
229.02'

TX DOT L1  
MON FND

1/2" CRP  
"RPLS 4487"

OWNER:  
ZOE, LLC  
2974 FM 66  
WAXAHACHIE, TX 75167  
214.704.7553

OWNER:  
JOSH RADER &  
AMY RADER  
2967 FM 66  
WAXAHACHIE, TX 75167  
214.704.7553

PLAT  
**RADER RANCH**

18.982 ACRES  
APPROXIMATELY 8.7 ACRES CALCULATED  
TO BE WITHIN FLOODPLAIN  
SERVICED BY PIPE  
P. OLIVARI SURVEY  
ABSTRACT NO. 812  
ETJ CITY OF WAXAHACHIE  
ELLIS COUNTY, TEXAS  
4 RESIDENTIAL LOTS  
CASE NO. SUB-139-2021

(5)

STATE OF TEXAS  
COUNTY OF ELLIS

OWNER'S CERTIFICATE

WHEREAS, JOSH RADER, AMY RADER AND ZOE, LLC, ARE THE OWNERS OF A TRACT OF LAND SITUATED IN THE P. OLIVARI SURVEY, ABSTRACT NO. 812, ELLIS COUNTY, TEXAS AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN DEED TO JOSH RADER AND AMY RADER, RECORDED IN VOLUME 2938, PAGE 617, OF THE ORIGINAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS, (OPRECT), AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN DEED TO ZOE, LLC, RECORDED IN INSTRUMENT NO. 182820, OPRECT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID RADER TRACT AND THE COMMON SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO DAVID C. RICHTER, RECORDED IN VOLUME 799, PAGE 330, OPRECT AND IN THE NORTH FRONT-OF-WAY (ROW) LINE OF FM HIGHWAY 98 (A CALLED 120' ROW),

THENCE N 30°02'29" W ALONG THE WEST LINE OF SAID RADER TRACT AND THE COMMON EAST LINE OF SAID RICHTER, PASSING AT A DISTANCE OF 5.06 FEET A 5/8" IRON ROD WITH CAP STAMPED "TUCR3" SET FOR WITNESS, A TOTAL DISTANCE OF 160.91 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID RADER TRACT AND THE COMMON NORTHEAST CORNER OF SAID RICHTER TRACT AND IN THE SOUTH LINE OF THAT CALLED 73.00 ACRES TRACT OF LAND DESCRIBED IN DEED TO AMY LYNN RADER, TRUSTEE OF THE MACDONALD FAMILY REVOCABLE TRUST, RECORDED IN INSTRUMENT NO. 1824388, OPRECT,

THENCE N 89°11'19" E, ALONG THE NORTH LINE OF SAID RADER TRACT AND THE NORTH LINE OF SAID ZOE TRACT AND THE COMMON SOUTH LINE OF SAID 73.00 ACRES MACDONALD TRACT A DISTANCE OF 747.36 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID ZOE TRACT AND THE COMMON NORTHWEST CORNER OF A CALLED 1.48 ACRE TRACT OF LAND DESCRIBED IN DEED TO AMY RADER, TRUSTEE OF THE MACDONALD FAMILY REVOCABLE TRUST, RECORDED IN INSTRUMENT NO. 1828941, OPRECT,

THENCE S 33°07'14" E, ALONG THE EAST LINE OF SAID ZOE TRACT AND THE COMMON WEST LINE OF SAID 1.48 ACRE MACDONALD TRACT AND THE COMMON WEST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO TRAVIS R. WHEBLEY AND BRENNA A. SPENCER, RECORDED IN INSTRUMENT NO. 1828920, OPRECT, PASSING AT A DISTANCE OF 1004.93 FEET A 5/8" IRON ROD WITH CAP STAMPED "TUCR3" SET FOR WITNESS, A TOTAL DISTANCE OF 1008.86 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID ZOE TRACT AND THE COMMON SOUTHWEST CORNER OF SAID WHEBLEY TRACT AND IN THE NORTH ROW LINE OF SAID FM HIGHWAY 98,

THENCE S 85°02'27" W, ALONG THE SOUTH LINE OF SAID ZOE TRACT AND THE COMMON NORTH ROW LINE OF SAID FM HIGHWAY 98, A DISTANCE OF 78.71 FEET TO A TX DOT MONUMENT FOUND FOR CORNER,

THENCE S 82°31'39" W, ALONG THE SOUTH LINE OF SAID ZOE TRACT AND THE COMMON NORTH ROW LINE OF SAID FM HIGHWAY 98, A DISTANCE OF 229.92 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID ZOE TRACT AND THE COMMON SOUTHEAST CORNER OF SAID RADER TRACT,

THENCE S 80°47'40" W, ALONG THE SOUTH LINE OF SAID RADER TRACT AND THE COMMON NORTH ROW LINE OF SAID FM HIGHWAY 98, A DISTANCE OF 175.55 FEET TO A TX DOT MONUMENT FOUND FOR CORNER,

THENCE S 58°48'30" W, ALONG THE SOUTH LINE OF SAID RADER TRACT AND THE COMMON NORTH ROW LINE OF SAID FM HIGHWAY 98, A DISTANCE OF 288.81 FEET TO THE POINT OF BEGINNING, AND CONTAINING 18.982 ACRES OF LAND MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT JOHN RADER, AMY RADER AND ZOE, LLC, DO HEREBY CERTIFY AND ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS RADER RANCH, AN ADDITION TO ELLIS COUNTY, AND DOES HEREBY DEDICATE TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. JOSH RADER, AMY RADER AND ZOE, LLC, DO HEREBY CERTIFY THE FOLLOWING:

1. THE STREETS AND ALLEYS ARE DEDICATED IN FEE SIMPLE FOR STREET AND ALLEY PURPOSES.
2. ALL PUBLIC IMPROVEMENTS AND DEDICATIONS SHALL BE FREE AND CLEAR OF ALL DEBT, LIENS, AND/OR ENCUMBRANCES.
3. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, AND CREATED BY THIS PLAT ARE DEDICATED FOR THE PUBLIC USE FOREVER FOR THE PURPOSES INDICATED ON THIS PLAT.
4. NO 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 CAPITAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR LEASE 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, MY HAND, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

BY:

JOSH RADER AMY RADER

AMY RADER  
AUTHORIZED AGENT  
ZOE, LLC

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 JOSH RADER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

NOTARY PUBLIC, IN AND FOR THE  
STATE OF TEXAS

STATE OF TEXAS  
COUNTY OF ELLIS

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

GIVEN UNDER MY HAND AND SEAL THIS, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

NOTARY PUBLIC, IN AND FOR THE  
STATE OF TEXAS

STATE OF TEXAS  
COUNTY OF ELLIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED AMY RADER, AUTHORIZED AGENT, ZOE, LLC, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

NOTARY PUBLIC, IN AND FOR THE  
STATE OF TEXAS

I, TIMOTHY L. JACKSON, RP/L, HEREBY CERTIFY THAT THIS PLAT WAS MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

"PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT".  
TIMOTHY L. JACKSON  
REGISTRATION NUMBER 5644

STATE OF TEXAS  
COUNTY OF ELLIS

CERTIFICATE OF APPROVAL BY THE COMMISSIONERS COURT OF ELLIS COUNTY TEXAS:

APPROVED THIS, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

TODD LITTLE  
COUNTY JUDGE

RANDY STINSON  
COMMISSIONER PRECINCT 1

LANE DRAYSON  
COMMISSIONER PRECINCT 2

PAUL PERRY  
COMMISSIONER PRECINCT 3

KYLE BUTLER  
COMMISSIONER PRECINCT 4

ATTEST

MUYTALA WALDEZ  
COUNTY CLERK

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

DEPARTMENT OF DEVELOPMENT DIRECTOR DATE

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE

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

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

APPROVED BY: CITY COUNCIL, CITY OF WAXAHACHIE

BY: \_\_\_\_\_ DATE \_\_\_\_\_  
MAYOR

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

(5)

SURVEYOR  
TEXAS REALTY CAPTURE &  
SURVEYING, LLC.  
P.O. BOX 282  
WAXAHACHIE, TEXAS 75188  
409.518.0318  
TBP#8 FRM NO 10194589

PLAT  
**RADER RANCH**  
18.982 ACRES  
APPROXIMATELY 9 ACRES CALCULATED  
TO BE WITHIN FLOODPLAIN  
SITUATED IN THE  
P. OLIVARI SURVEY  
ABSTRACT NO. 812  
ET J CITY OF WAXAHACHIE  
ELLIS COUNTY, TEXAS  
4 RESIDENTIAL LOTS  
CASE NO. SUB-139-2021

OWNER:  
ZOE, LLC  
2974 FM 98  
WAXAHACHIE, TX 75187  
214.704.7563

OWNER:  
JOSH RADER &  
AMY RADER  
2967 FM 98  
WAXAHACHIE, TX 75187  
214.704.7563

(5)



TEXAS REGISTERED ENGINEERING FIRM F-702

ROBERT T. CHILDRESS, JR., P.E. • BENJAMIN S. SHANKLIN, P.E. • ROBERT T. CHILDRESS III, P.E.

March 8, 2022

Mr. Joe Buchanan, Manager  
Buena Vista-Bethel Special Utility District  
312 S. Oak Branch Road  
Waxahachie, Texas 75167

Re: Hydraulic Analysis for  
Rader Ranch  
4 Lots Near Node 390  
Map Sheet 26

Dear Mr. Buchanan,

In response to your request, we have examined the hydraulic capability of your system to provide the above referenced service requesting four (4) standard meters off of the 3" line along FM 66.

Our evaluation indicates that at this time the existing system can furnish the requested domestic service in conformity with Texas Commission on Environmental Quality standards for water distribution. No fire flow can be projected off of the 3" water main at this location. However, the 20" transmission main could possibly be tapped and a fire hydrant added. A fire flow of 4,000 gpm can be projected off of the 20" transmission main at this location.

Please be advised that this hydraulic analysis is only good for six (6) months from the date of this letter.

If you have any questions concerning this matter, please call.

Very truly yours,

CHILDRESS ENGINEERS

Benjamin S. Shanklin, P.E.

BSS/cv

(5)



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



### WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Amy Rader Parcel ID #: \_\_\_\_\_  
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>3"</u> inches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Joe Buchanan  
Print Name of General Manager of water provider or Designee

BV.B.S.U.D.  
Name of water provider company

Joe Buchanan  
Signature of General Manager of water provider or Designee

3-24-2022  
Date

(6)

# Planning & Zoning Department

## Zoning Staff Report

Case: ZDC-27-2022



### MEETING DATE(S)

*Planning & Zoning Commission:* April 26, 2022

*City Council:* May 2, 2022

### CAPTION

Public Hearing on a request by Chad Adams, Oakhull Investments, LLC, for a **Zoning Change** from a Future Development (FD) zoning district to a **Planned Development – Single Family – 1 (PD-SF-1)** zoning district, located on the west side of Howard Road (FM 877) across from 3175 Howard Road (Property ID 182020) - Owner: ANDERSON KAREN S IRREVOCABLE TRUST & CHRISTIAN ANDERSON FOUNDATION (ZDC-27-2022)

### APPLICANT REQUEST

The applicant is requesting approval of a Planned Development District to allow for a single family residential development on approximately 150.6 acres.

### CASE INFORMATION

*Applicant:* Chad Adams, Oakhull Investments, LLC

*Property Owner(s):* Karen S. Anderson Irrevocable Trust & Christian Anderson Foundation

*Site Acreage:* 150.6 acres

*Current Zoning:* Future Development (FD)

*Requested Zoning:* Planned Development-Single Family-1 (PD-SF-1)

### SUBJECT PROPERTY

*General Location:* West side of Howard Road (FM 877) across from 3175 Howard Road

*Parcel ID Number(s):* 182020

*Existing Use:* Undeveloped

*Development History:* The subject property was annexed into the City and zoned FD on May 18, 1998.

(6)

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	FD	Undeveloped Land
East	FD	Single Family Residential Home
South	FD & ETJ	Single Family Residential Homes and Undeveloped Land
West	FD & ETJ	Single Family Residential Homes and Undeveloped Land

Future Land Use Plan:

Estate Residential

Comprehensive Plan:

The subject property is designated as Estate Residential in the Future Land Use Plan (FLUP). This use is representative of traditional, single-family detached dwellings on large lots that are over one acre in size. This type of land is envisioned to primarily be located in the southern portion of the City and in the ETJ area south and west of Waxahachie.

Thoroughfare Plan:

The subject property has two points of access onto Howard Road. Howard Road is a Secondary Thoroughfare on the City's Thoroughfare Plan with an ultimate right-of-way of 90 feet. The Applicant has committed to dedicating 45 feet of right-of-way for Howard Road with the proposed development. Additionally, the subject property is adjacent to right-of-way owned by the Texas Department of Transportation (TxDOT) along a portion of the northern boundary, which is a major thoroughfare on the Thoroughfare Plan with an ultimate right-of-way of 120 feet. Based on the City's knowledge, TxDOT has not committed funding to construct that section of TxDOT right-of-way in the near future.

Site Image:



(4)

**PLANNING ANALYSIS**

Purpose of Request

The applicant is requesting a zoning change from Future Development (FD) to Planned Development Single Family-1 (PD-SF-1) with modifications to the base zoning to allow for a single family residential development. Modifications to the base zoning district Single Family-1 (PD-SF-1) are included in the table below.

The subject property is in the City of Waxahachie water and wastewater service area. However, wastewater infrastructure is not within a reasonable distance to service the subject property. Therefore the Applicant has proposed one-acre minimums for lots to have an on-site septic facility system. In addition to increasing the minimum lot size, the Applicant has committed for all dwelling units to have j- swing garage with the third garage recessed 25 feet from the front façade of the home if provided. Other than these two provisions, the subject property will meet all other standards for the SF-1 district.

Standard	City of Waxahachie (SF-1 District Standards)	Proposed Development Standards (Applicant Request)	Meets or Exceeds SF-1 Standards?
Height Regulations	2 stories for the main building / 1 story for accessory buildings without garages	2 stories for the main building / 1 story for accessory buildings without garages	Meets
Minimum Dwelling Size	2,200 SF	2,200 SF	Meets
Minimum Lot Area	16,000 SF	43,560 SF (1 Acre)	Exceeds
Minimum Lot Width	90'	90'	Meets
Minimum Lot Depth	140'	140'	Meets
Minimum Front Yard	40'	40'	Meets
Minimum Side Yard	15' required; 20' from a street ROW	15' required; 20' from a street ROW	Meets
Minimum Rear Yard	25'	25'	Meets
Maximum Lot Coverage	50% by main and accessory buildings	50% by main and accessory buildings	Meets
Parking Regulations	Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure	Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure.	Meets
Garages	N/A	All dwelling units shall contain side-entry garages (front-entry garages are prohibited). If a dwelling is constructed with more than two (2) primary garage bays, the doors of such additional garage bays may face the front yard provided, however, the garage door be setback an additional 25' from the façade of the home.	Exceeds

Proposed Concept Plan

The subject property will develop according to the site layout provided in the concept plan. The site layout complies with subdivision design standards within the City’s subdivision regulations and provides a minimum of two access points for fire emergency access. The internal street network will comply with the Estate Street section consisting of sixty (60) feet of right-of-way with 27 feet of pavement and a 16.5-foot parkway on each side of the pavement to allow for a culvert and bar ditch. Additionally, the Applicant has provided two stub outs to the undeveloped tract on the west side of the subject property for future development. Since the proposed development will consist of 122 lots, the Applicant will have to conduct a traffic impact analysis (TIA) during the civil plan review process for City Staff to evaluate the traffic demand and impact generated by this development.

Proposed Architectural Styles

To promote architectural diversity throughout the residential development, sixty percent (60%) of lots shall conform to one of the five (5) architectural styles proposed with this development. The architectural styles proposed with this PD include Farmhouse 1, Farmhouse 2, Craftsman, Tudor 1, and Tudor 2. The minimum percentages and quantities for each architectural style is provided in the table below. Levante will consist of custom homes that may vary in floor plans and layouts but will adhere to the architectural character and exterior finishing materials provided for each architectural style. The Planning Director or Building Official will have final discretion during the building permit stage on whether each home is in keeping with the architectural styles provided in the PD.

Architectural Style	Quantity/Percentage of Homes	Minimum No. of Homes
Farmhouse 1	12%	15
Farmhouse 2	12%	15
Craftsman	12%	15
Tudor 1	12%	14
Tudor 2	12%	14
Total	60%	73

The architectural style for the remaining forty percent (40%) equating to 49 lots shall be determined by the market. However, shall comply with the following provisions:

- The exterior finishing materials shall be limited to a combination of brick, stone, cementitious fiber board and stucco. Wood may only be used as an accent, but shall not exceed ten (10) percent of each building elevation. The calculation of exterior finishing materials shall exclude windows, doors and trims.
- Each home shall have a hard surface front entry walkway with a minimum improved width of three (3) feet constructed from the sidewalk or driveway to the front door of each primary structure. Walkways may be surfaced with concrete, pavers, laid bricks, or any other such material and in accordance with City standards.
- Each home shall have a front covered porch with minimum usable area of forty (40) square feet with a minimum depth of five (5) feet from the primary structure, as measured perpendicular to the front door.
- There shall be no uninterrupted wall length of twelve (12) feet or more on any façade that is visible from a public right-of-way or open space. This standard applies to the front façade on the interior of the lot or the front and side façade facing a street or open space on a corner lot. An

interrupted wall can be achieved through a window, brick detail, or offset in the building face, or similar element that breaks the massing of the façade.

- Each dwelling unit shall be constructed with a roof overhang of not less than twelve (12) inches as measured from the finished exterior building façade to the soffit unless the roof pitch is 8:12 or greater.
- Each home shall provide a minimum of three (3) elements from the list below:
  - Multiple pane, divided light, or simulated divided light windows;
  - Decorative columns that are a minimum of six (6) inches in diameter;
  - Gable with window or other decorative feature;
  - Dormers;
  - Bay windows with a minimum projection of twenty-four (24) inches;
  - 8:12 roof pitch;
  - Two (2) or more exterior masonry materials with each material covering at least twenty-five (25) percent of the exterior surface;
  - Split garage doors with a separate door for each vehicle bay;
  - Bull nosed gable;
  - Permanently affixed awning;
  - Articulated garage doors, e.g., windows, paneling, other high quality detailing;
  - Accentuated brick detailing around garage door with a rowlock or similar detailing;
  - Transom or arch style windows; or
  - Elevated hip roof.
- All residential lots within the development shall comply with the following provisions:
  - No single building elevation shall be duplicated within six (6) lots or tracts in either direction on the same block face.
  - Elevations may not be duplicated on any lot directly across a street or within four (4) lots in either direction.

Proposed Perimeter Landscaping/Screening and Entry Feature Monument

Per Section 5.7 (Screening and Landscaping Construction Regulations, Requirements and Design Criteria) of the subdivision regulations, the Applicant is required to provide a six (6) foot screening wall with a minimum fifteen (15) foot landscape buffer with trees where lots back up or side to a major thoroughfare equal to or greater than sixty (60) feet in right-of-way width. The Applicant has shown the screening wall and the landscape buffer with trees (1 tree for every 50 linear feet) along Howard Road and the future TxDOT right-of-way on the concept plan and the landscape/screening and entry feature monument exhibit. In addition to the screening and landscaping, the Applicant has provided a rendering of the entry feature monument sign proposed in the median at the subdivision entrance.

Staff Recommendation

The proposed zoning request (PD-SF-1) exceeds the City's minimum requirements and ensures a residential development of exceptional quality through the architectural styles and enhanced building elements required by the PD. The zoning request is in conformance with the land uses (estate residential) envisioned in the comprehensive plan and is compatible with the rural character of the surrounding area. As such, Staff recommends approval of the proposed zoning request.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 17 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.

(4)

**PUBLIC NOTIFICATION RESPONSES**

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

**RECOMMENDATION**

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

- Denial
- Approval, as presented.
- Approval, per the following comments:
  1. A mutually agreed Development Agreement will be required for the development.
  2. The Applicant will need to undergo the City’s typical development process, which includes submitting a plat application, civil plan application and subsequent building permits for the construction of each dwelling unit.

**ATTACHED EXHIBITS**

1. Public Notification Responses
2. Location Map (Exhibit A)
3. Development Standards (Exhibit B)
4. Concept Plan (Exhibit C)
5. Zoning Exhibit (Exhibit D)
6. Perimeter Landscaping/Screening and Entry Feature Monument (Exhibit E)
7. Architectural Styles (Exhibit F)

**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:*  
 Eleana Tuley, AICP  
 Senior Planner  
[eleana.tuley@waxahachie.com](mailto:eleana.tuley@waxahachie.com)

*Reviewed by:*  
 Jennifer Pruitt, AICP, LEED-AP, CNU-A  
 Senior Director of Planning  
[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)

(u)

... 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, April  
May 2, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers  
Street, Waxahachie, Texas to consider the following:

Request by Chad Adams, Onkhull Investments, LLC, for a **Zoning Change** from a Future  
Development (FD) zoning district to a Planned Development - Single Family - 1 (PD-SF-  
1) zoning district, located on the west side of Howard Road (FM 877) across from 3175  
Howard Road (Property ID 182020) - Owner: ANDERSON KAREN S IRREVOCABLE  
TRUST & CHRISTIAN ANDERSON FOUNDATION (ZDC-27-2022)

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

Case Number: **ZDC-27-2022**

City Reference: 182072

Your response to this notification is optional. If you choose to respond, please return this form by  
5:00 P.M. on **April 19, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to  
[Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention:  
Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT  OPPOSE

Comments: I have an established apiary at the  
property line, with 20 beehives.

Benita Jones  
Signature

4-19-22  
Date

Benita Jones, Land Owner  
Printed Name and Title

222 Lakeshore Drive  
Waxahachie 75165  
Address

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

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



# Exhibit B - Development Standards

(4)

## LEVANTE

### **PURPOSE AND INTENT**

The purpose of this Planned Development District is to allow for a maximum of 122 estate residential lots. The subject property shall develop in accordance with Section 3.04 ("SF1" – Single Family Residential District) of the City of Waxahachie Zoning Ordinance, except as provided below.

### **District Regulations**

Height Regulations	2 stories for the main building. 1 story for accessory buildings without garages
Minimum Dwelling Size	2,200 SF
Minimum Lot Area	43,560 SF (1 Acre)
Minimum Lot Width	90'
Minimum Lot Depth	140'
Minimum Front Yard	40'
Minimum Side Yard	15' required; 20' from a street ROW
Minimum Rear Yard	25'
Maximum Lot Coverage	50% by main and accessory buildings
Parking Regulations	Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure.
Garages	All dwelling units shall contain side-entry garages (front-entry garages are prohibited). If a dwelling is constructed with more than two (2) primary garage bays, the doors of such additional garage bays may face the front yard provided, however, the garage door be setback an additional 25' from the façade of the home.

### **DEVELOPMENT STANDARDS**

#### **Concept Plan**

The subject property shall conform to the site layout provided in the concept plan referred to as **Exhibit C**.

#### **Architectural Elevations**

- To promote architectural diversity throughout the residential development, sixty percent (60%) of lots shall conform to one of the five (5) architectural styles provided in **Exhibit F**. The minimum percentages and quantities for each architectural style is provided in the table below.

Levante will consist of custom homes that may vary in floor plans and layouts but will adhere to the architectural character and exterior finishing materials provided for each architectural style in **Exhibit F**. Shall any home deviate from the architectural style prescribed in this PD, the Planning Director or Building Official shall have the discretion and authority to require the builder to adhere to architectural styles provided in **Exhibit F**.

(6)

Architectural Style	Quantity/Percentage of Homes	Minimum No. of Homes
Farmhouse 1	12%	15
Farmhouse 2	12%	15
Craftsman	12%	15
Tudor 1	12%	14
Tudor 2	12%	14
Total	60%	73

- The architectural style of the remaining lots shall be determined by the market. However, shall comply with the following provisions:
  - The exterior finishing materials shall be limited to a combination of brick, stone, cementitious fiber board and stucco. Wood may only be used as an accent, but shall not exceed ten (10) percent of each building elevation. The calculation of exterior finishing materials shall exclude windows, doors and trims.
  - Each home shall have a hard surface front entry walkway with a minimum improved width of three (3) feet constructed from the sidewalk or driveway to the front door of each primary structure. Walkways may be surfaced with concrete, pavers, laid bricks, or any other such material and in accordance with City standards.
  - Each home shall have a front covered porch with minimum usable area of forty (40) square feet with a minimum depth of five (5) feet from the primary structure, as measured perpendicular to the front door.
  - There shall be no uninterrupted wall length of twelve (12) feet or more on any façade that is visible from a public right-of-way or open space. This standard applies to the front façade on the interior of the lot or the front and side façade facing a street or open space on a corner lot. An interrupted wall can be achieved through a window, brick detail, or offset in the building face, or similar element that breaks the massing of the façade.
  - Each dwelling unit shall be constructed with a roof overhang of not less than twelve (12) inches as measured from the finished exterior building façade to the soffit unless the roof pitch is 8:12 or greater.
  - Each home shall provide a minimum of three (3) elements from the list below:
    - Multiple pane, divided light, or simulated divided light windows;
    - Decorative columns that are a minimum of six (6) inches in diameter;
    - Gable with window or other decorative feature;
    - Dormers;
    - Bay windows with a minimum projection of twenty-four (24) inches;
    - 8:12 roof pitch;
    - Two (2) or more exterior masonry materials with each material covering at least twenty-five (25) percent of the exterior surface;

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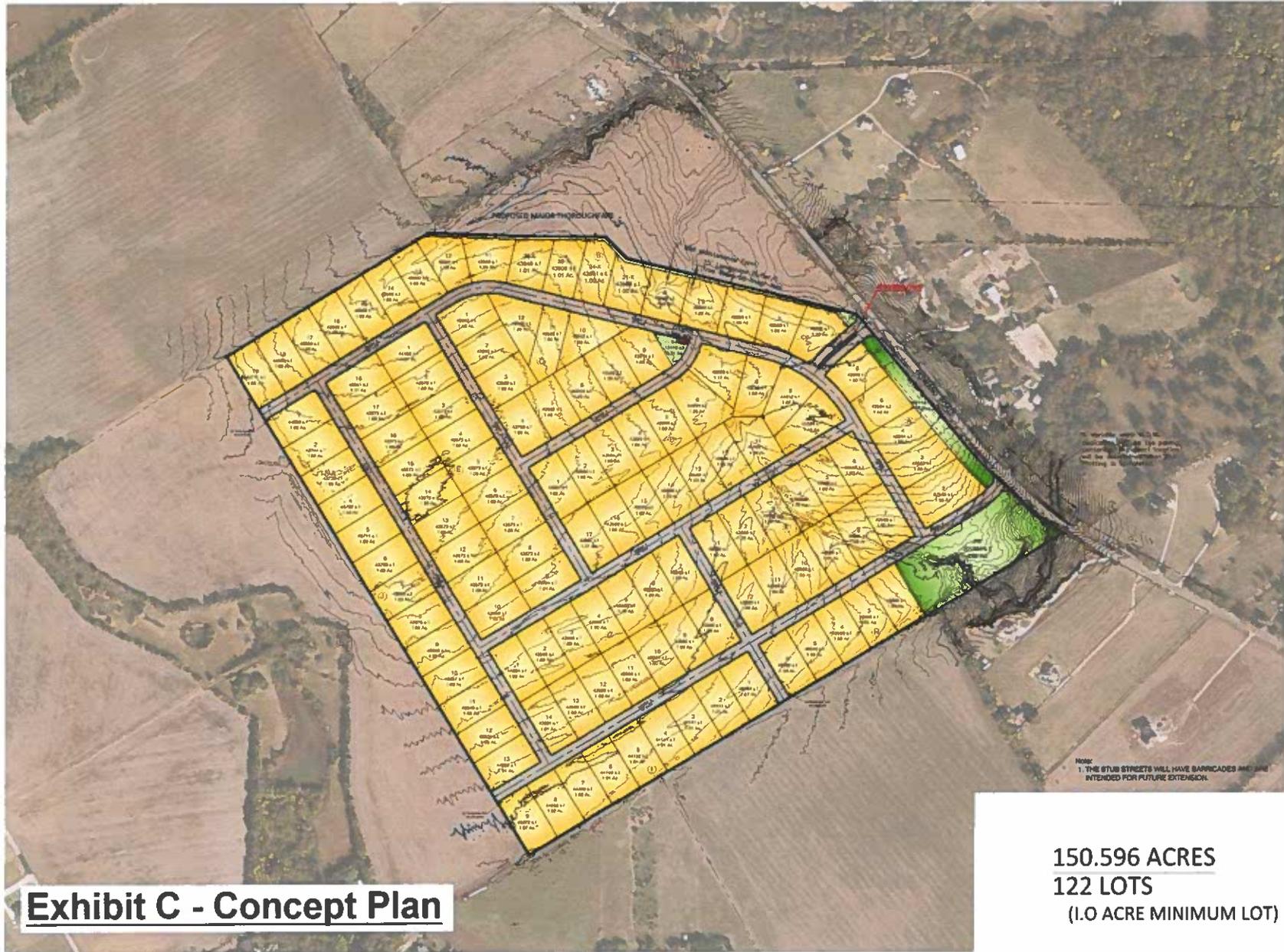
- Split garage doors with a separate door for each vehicle bay;
  - Bull nosed gable;
  - Permanently affixed awning;
  - Articulated garage doors, e.g., windows, paneling, other high quality detailing;
  - Accentuated brick detailing around garage door with a rowlock or similar detailing;
  - Transom or arch style windows; or
  - Elevated hip roof.
- All residential lots within the development shall comply with the following provisions:
    - No single building elevation shall be duplicated within six (6) lots or tracts in either direction on the same block face.
    - Elevations may not be duplicated on any lot directly across a street or within four (4) lots in either direction.

#### ***Landscaping Standards***

- The subject property shall comply with the perimeter landscaping and screening provided in **Exhibit E**.
- A minimum of three (3) canopy trees with a minimum caliper of two (2) inches per tree shall be required on each lot.

#### ***Additional Provisions***

The proposed development shall comply with the City of Waxahachie Code of Ordinances and Engineering Design Manual and City Standards, except as amended herein.



**Exhibit C - Concept Plan**

**150.596 ACRES**  
**122 LOTS**  
 (1.0 ACRE MINIMUM LOT)

Note:  
 1. THE STUDY STREETS WILL HAVE BARRICADES AND BE INTENDED FOR FUTURE EXTENSION.



CONCEPT PLAN  
**LEVANTE**  
 CITY WAXAHACHIE, TEXAS



MARCH 31, 2022  
 SHEET NO. 1 OF 1  
 PROJECT #06553

(2)

**SURVEYOR'S NOTES:**

- The Basis of Bearing is the Texas Coordinate System of 1983 North Central Zone (4302).
- No encroachments were observed in the course of the survey.
- In the preparation of this survey, the surveyor has relied upon the information for title insurance as prepared by Title Insurance Guaranty Company, GP No. 3161187, having an effective date of January 26, 2022, and an issued date of February 05, 2022.
- Per FEMA Flood Hazard Risk Map Number 48180C0007, dated June 2, 2015, the subject property lies within Zone X (unshaded), designated as "area outside the 1% annual chance floodplain".
- The subject properties both have access to FM 877 (Pavement Road), a public right-of-way.

**METERS AND BOUNDS (AS-SURVEYED)**

BEING a part of land situated in the S. M. Durrett Survey, Abstract Number 272, City of Waxahachie, Ellis County, Texas, and being all of that tract of land described as "Tract Three" of "Parcel 3- Staples Farm" as described in Volume 2, Abstracts in Volume of John S. Anderson, promulgated tract, as recorded in Volume 1776, Page 842 of the Deed Records of Ellis County, Texas (D.R.E.C.), and being more particularly described by meters and bounds as follows:

BEGINS at the most westerly southeast corner of said Tract Three, said corner being on the southeasterly right-of-way line of F.M. 877 (Pavement Road), a variable width right-of-way;

THENCE South 88 degrees 07 minutes 05 seconds West, along the south line of said Tract Three, a distance of 2,224.29 feet to a point for corner;

THENCE South 89 degrees 01 minutes 15 seconds West, continuing along said south line, a distance of 726.67 feet to a point for the most westerly corner of said Tract Three;

North 31 degrees 14 minutes 04 seconds West, along the southeasterly line of said Tract Three and Tract Two, a distance of 2,742.88 feet to a point for the most westerly northwest corner of said Tract Two;

THENCE North 09 degrees 33 minutes 30 seconds East, along the north line of said Tract Two, a distance of 1,136.82 feet to a point for the most northerly corner of said Tract Two, said corner being the most westerly southeast corner of that tract of land described in said Volume of Deeds of Texas, as described in Volume 200, Page 220, D.R.E.C.;

THENCE South 87 degrees 37 minutes 29 seconds East, along the common north line of said Block of Tract Two West and said north line of Tract Two, a distance of 437.24 feet to a point for corner;

THENCE South 08 degrees 20 minutes 26 seconds East, continuing along said common line, a distance of 469.00 feet to a point for corner;

THENCE South 44 degrees 00 minutes 20 seconds West, continuing along said common line, a distance of 152.62 feet to a point for corner;

THENCE South 76 degrees 08 minutes 20 seconds East, continuing along said common line, a distance of 1,123.88 feet to a point for corner;

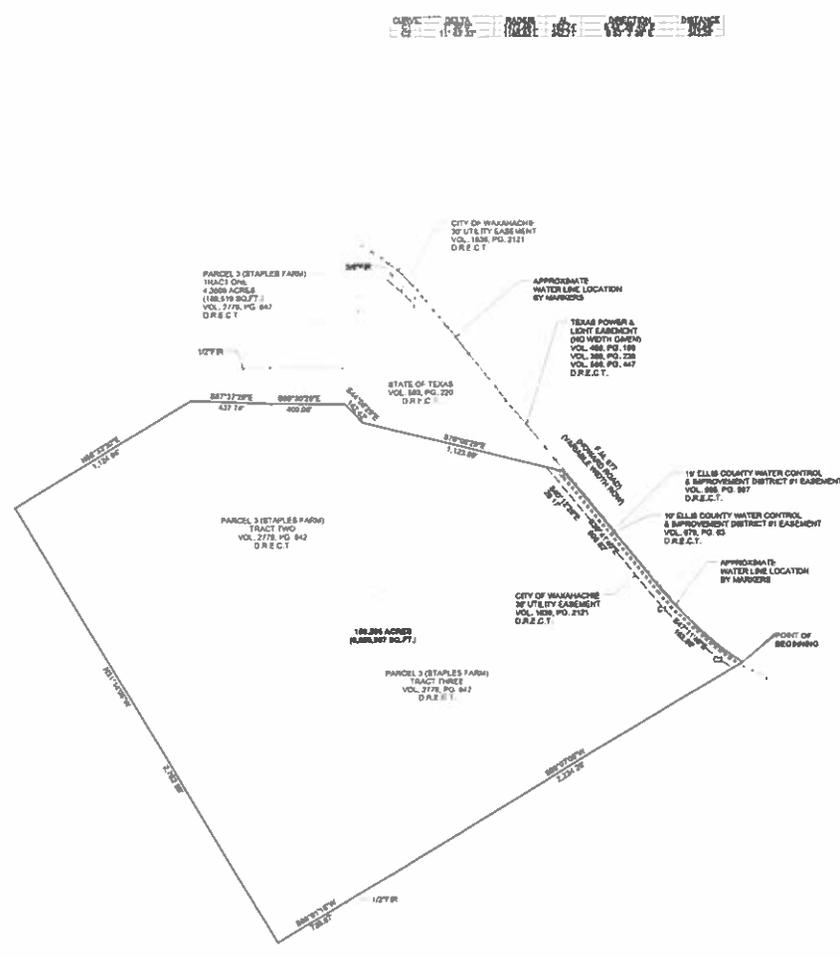
THENCE South 40 degrees 13 minutes 20 seconds East, along the northern east southeasterly right-of-way line of F.M. 877 and the northeasterly line of said Tract Two, a distance of 28.11 feet to a point for corner;

THENCE South 26 degrees 41 minutes 40 seconds East, along the common east southeasterly right-of-way line and the northeasterly line of said Tract Two, a distance of 809.83 feet to a point for the point of intersection of a tangent circular curve in the SW having a radius of 1432.49 feet, whose chord bears South 43 degrees 28 minutes 40 seconds East, a distance of 192.88 feet;

THENCE, continuing along said common line and along said curve, through a central angle of 87 degrees 26 minutes 00 seconds, on an arc distance of 192.24 feet to a point for corner;

THENCE South 47 degrees 11 minutes 40 seconds East, continuing along said common line, a distance of 182.88 feet to a point for the point of intersection of a tangent circular curve in the SW having a radius of 1184.82 feet, whose chord bears South 63 degrees 00 minutes 20 seconds East, a distance of 242.88 feet;

THENCE, continuing along said common line and along said curve, through a central angle of 11 degrees 43 minutes 20 seconds, on an arc distance of 342.71 feet to the POINT OF BEGINNING AND CONTAINING 0.569,997 square feet of 192.888 acres of land, more or less.



# Exhibit D - Zoning Exhibit

- LEGEND**
- D.R.E.C. 1 OR 10 IN CONCRETE OR ALLIUM COUNTY, TEXAS FOUND IRON ROD (WITH CAP)
  - SUR 1/2 INCH IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "NO. 444"
  - INSTRUMENT
  - NO. NUMBER
  - VOL. VOLUME
  - PAGE PAGE
  - SQ. FT. SQUARE FEET
  - ONE OVERHEAD ELECTRIC POWER POLE
  - WATER METER
  - WATER VALVE



ZONING EXHIBIT  
 150.596 ACRES AND  
 4.3508 ACRES  
 LOT 1, BLOCK A/6303  
 PHILLIS BUCKNER ADDITION,  
 S.M. DURRETT SURVEY,  
 ABSTRACT NUMBER 272  
 CITY OF WAXAHACHIE,  
 ELLIS COUNTY, TEXAS

**GEONAV**  
 SURVEYING, MAPPING, SCANNING  
 3410 MOCOURT RD., STE 100, CARROLLTON, TX 75006  
 SCALE 1"=300' (472)243-2409 PROJECT #2563  
 TBPLS FIRM NO. 10194205

(m)





**Exhibit F - Architectural Styles**

FARMHOUSE 1





FARMHOUSE 2

(16)



CRAFTSMAN

(5)



TUDOR 1





TUDOR 2

(5)

# Planning & Zoning Department

## Zoning Staff Report



Case: ZDC-7-2022

### MEETING DATE(S)

Planning & Zoning Commission: April 26, 2022

City Council: May 2, 2022

### CASE HISTORY

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

The Planning & Zoning Commission voted to deny the development proposal due to the following options:

- Lack of uniqueness within the development (amenities)
- Too many variance requests
- Proposed Concept Housing Examples

It should also be noted that the Planning and Zoning Commission requested to continue the case to the January 11, 2022 Planning and Zoning meeting. However, the applicant requested a recommendation from the Planning and Zoning Commission at the December 28, 2021 meeting.

At the City Council meeting, held January 3, 2022, the City Council motion to approve case number ZDC-162-2021 failed with a vote of 2 Ayes and 3 Noes. This vote resulted in the denial of the case.

On January 19, 2022, the applicant submitted another zoning change application (ZDC-7-2022) for a residential Planned Development. Since this initial second application, the applicant has worked with staff to revise the proposed concept plan, development regulations, and concept elevations based on the feedback provided by City Council and the Planning & Zoning Commission during hearings for ZDC-162-2021.

### 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-7-2022)

### 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-14-2022) for this property. City Council is scheduled to take action on the item on May 2, 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 the 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 detached single-family 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, sports courts, a splash pad, and a dog park.

Staff Note: The proposed zoning change is contingent upon City Council approving the proposed annexation case (ANX-DNX-14-2022) for this property. City Council is scheduled to take action on the item on May 2, 2022.

**Proposed Planned Development Regulations**

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

**Type 'A' Lots**

- Minimum Lot Area - 12,000 SF
- Minimum Lot Width – 80'
- Minimum Lot Depth - 150'
- **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'** for one side and 10' on the opposite side (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 - 80'
- Minimum Lot Depth - 125'
- **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'** for one side and 10' on the opposite side (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 - 120'
- **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 - 120'
- **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 - 110' (Front Entry); 105' (Rear Entry)
- 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 and net density of 3.4 dwelling units per acre. The townhome lots, specifically, have a density of 7.2 dwelling units per acre.

**Dwelling Unit Size**

The minimum dwelling unit square footage will be:

- Type A Lot – 2,200 sq. ft. (50% of homes must be greater than 2,400 sq. ft.)
- Type B Lot – 2,000 sq. ft. (50% of homes must be greater than 2,400 sq. ft.)
- Type C Lot – 1,900 sq. ft. (50% of homes must be greater than 2,200 sq. ft.)
- Type D Lot – 1,800 sq. ft. (50% of homes must be greater than 2,200 sq. ft.)
- Townhome Lots – 1,300 sq. ft. (50% of homes must be greater than 1,500 sq. ft.)

**Building Height**

The maximum building height for structures shall be 2 stories (35 feet).

**Masonry**

Masonry requirements for the exterior of residential structures shall be as follows:

- a) Minimum of 75% masonry overall for all Single Family detached product (save and except exclusions per item F.c., where applicable).
- b) On townhomes, the front façade shall be a minimum of 85% masonry.
- c) Siding shall be permitted on wall areas extending above roof lines, and this siding area square footage shall be removed from the overall masonry calculation.
- d) 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, except when a higher minimum roof pitch is required by a specific Architectural Style.

**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.

A six-foot masonry screening wall shall be located along rear or side residential lot lines which are adjacent to Ovilla Road or the proposed thoroughfare along the northern boundary of the property as shown on the Concept Plan.

Lots adjacent to the private access easement along the southern boundary of the development shall have a six-foot wood privacy fence along the rear lot line.

### 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.

### 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 Styles & Floorplans

Sixty percent (60%) of the detached single-family residential homes shall consist of five (5) distinct architectural styles. The architectural style of the remaining forty percent (40%) of the detached homes shall be determined by the market. The architectural styles and percentage breakdown shall reflect as:

- Craftsman 12% (43 homes)
- Traditional 12% (43 homes)
- Contemporary 12% (43 homes)
- Tudor 12% (43 homes)
- Modern Farmhouse 12% (43 homes)

No single building elevation shall be duplicated within six (6) lots or tracts either direction on the same block face.

Elevations may not be duplicated on any lot directly across a street or within four (4) lots in any direction.

A minimum of five (5) floor plans shall be used for each Architectural Style.

#### Architectural Elevation Requirements

The following specific elements will be provided on each of the following home styles:

##### Craftsman

- Front porch, with at least one step
- Millwork / Wood Detailing
- Squared roof (gabled roof from side to side)
- Gable Pediment
- Shake Siding
- Column Plinth

##### Traditional

- Multiple Gables
- Painted Brick
- High pitched roof (10/12 pitched gables or higher)
- Modest detail (there will be some brick detailing patterns of rowlock courses or soldier courses)

##### Contemporary

- Painted Brick
- Shallow pitched roof (8/12 maximum)
- Long Roof Overhang
- Clerestory windows
- Horizontal banding

##### Tudor

- High pitched roof (16/12 or higher on front gables)
- Timbering/Truss
- Squared Roof (gabled roof from side to side)
- Stone
- Grouped Windows (windows mulled together or grouped two or more)
- Painted Board (stucco board that is painted and the truss or timbering is applied to stucco)

##### Modern Farmhouse

- Covered Front porch (minimum 5' deep)
- Full front elevation siding, except on column bases
- Side to side roof ridge
- Accent trim around windows
- Gable and or Dormers

Townhomes

\*Each townhome building will have 3 of the 7 architectural elements below.

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

Amenities or Improvements within Parks and Open Space:

- Pockets parks / open space among the single family residential lots –
  - a) Concrete trails as shown on the Concept Plan
  - b) Benches, signage, and trash receptacles at Trail Head locations
  - c) Two (2) playground areas
  - d) Dog park
  - e) Splash Pad
  - f) Pickleball/sport court
- 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 are 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)

- Type C & D Lots: The applicant is proposing a minimum side yard setback of 5ft. on interior lots.
- Type A & B Lots: The applicant is proposing a minimum setback of 5ft. on one side and 10ft. on the opposite side of each lot.

The minimum side 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 (when adjacent to ROW).

*Note: There are some rear entry lots within the development that are 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 (\$183,200.00 total).

- Applicant Response: The required park dedication for this project is 2 acres for each 100 dwelling units, which amounts to 9.16 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:* The Roadway Impact Fees due with this development are estimated at \$1,177,747.00.
- *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, 26 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 has received one (1) letter of opposition for the proposed development.

**RECOMMENDATION**

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

- Denial
- Approval, as presented.
- Approval, per the following comments:**
  1. If approved, a mutually agreed upon Development Agreement shall 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. The proposed zoning change is contingent upon City Council approving the proposed annexation case (ANX-DNX-14-2022) for this property.

**ATTACHED EXHIBITS**

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

**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:*

Zack King

Planning Manager

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

*Reviewed by:*

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

Director of Planning

[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)

(8)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: **ZDC-7-2022**

**COX DOROTHY L**  
707 OVILLA RD  
WAXAHACHIE, TX 75167

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 2, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

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, 185960, 185979, 200064) - Owner: SUSAN M CALVERT (ZDC-7-2022)

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

Case Number: **ZDC-7-2022**

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 **April 19, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

*Comments: I have owned land at 707 Ovilla Rd since 1974 (48 years). I'm not opposed to this development but opposed to the developer taking our driveway to our house. I have permission to build a new driveway from the back of my property. The drive serves other homes back here and one of the houses has also had over a 100 year old tree that just cover our driveway with flowers.*

Dorothy L. Cox  
Signature

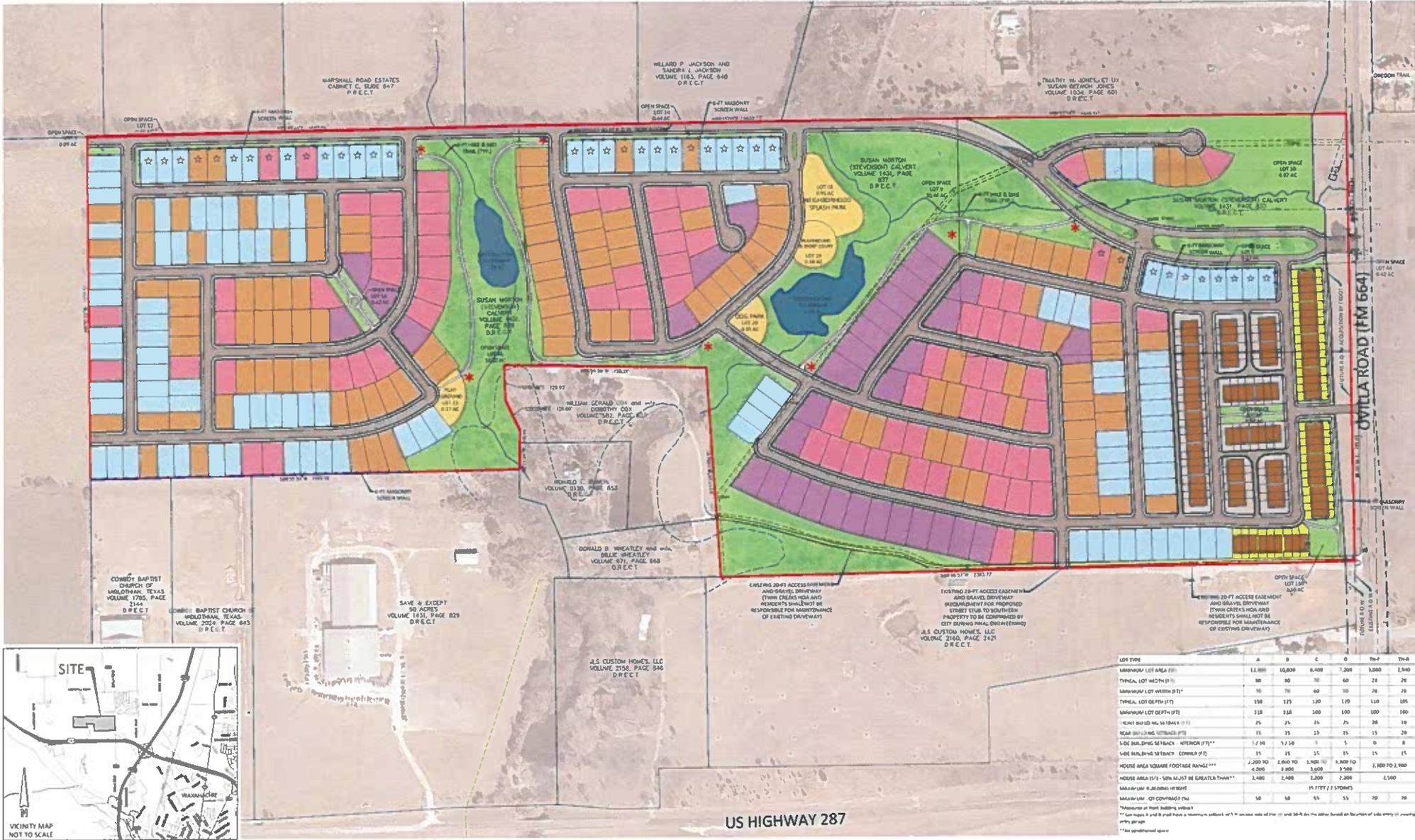
11-12-2022  
Date

Dorothy L. Cox (owner)  
Printed Name and Title

707 Ovilla Road  
Waxahachie, TX 75167  
Address

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

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



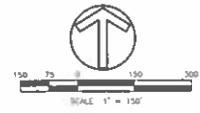
LOT TYPE	A	B	C	D	TH-F	TH-R
MINIMUM LOT AREA (SQ FT)	11,000	10,000	8,400	7,200	3,000	2,940
TYPICAL LOT WIDTH (FT)	80	80	70	60	24	24
MINIMUM LOT DEPTH (FT)	70	70	60	50	24	24
TYPICAL LOT DEPTH (FT)	150	125	100	100	110	105
MINIMUM LOT DEPTH (FT)	118	118	100	100	100	100
FRONT YARD SETBACK (FT)	25	25	25	25	20	10
REAR YARD SETBACK (FT)	15	15	15	15	15	20
SIDE BUILDING SETBACK - INTERIOR (FT)**	1/2 SD	1/2 SD	1	5	0	8
SIDE BUILDING SETBACK - EXTERIOR (FT)**	15	15	15	15	15	15
HOUSE AREA SQUARE FOOTAGE RANGE***	2,200 TO 4,000	2,400 TO 4,000	2,900 TO 3,900	3,000 TO 3,800	1,800 TO 2,100	1,800 TO 2,100
HOUSE AREA (SQ FT) - 50% MAX MUST BE GREATER THAN**	2,400	2,400	2,800	2,800	1,560	1,560
MAXIMUM # BUILDING HEIGHT	1.5 FEET / 2.5 STORIES					
MAXIMUM LOT COVERAGE (%)	50	50	55	55	70	70

\*\*Maximum of front building setback  
 \*\*\*See notes on lot # 1 and have a minimum setback of 5' on one side of front lot and 10' on the other based on the number of side entry of existing entry gate  
 \*\*See notes on lot # 1 and have a minimum setback of 5' on one side of front lot and 10' on the other based on the number of side entry of existing entry gate  
 \*\*\*See notes on lot # 1 and have a minimum setback of 5' on one side of front lot and 10' on the other based on the number of side entry of existing entry gate

**LEGEND**  
 \* TRAIL HEAD LOCATION  
 ☆ FULL MASONRY ON NEAR ELEVATION

**NOTE:**  
 TOTAL OPEN SPACE AREA SHALL BE A MINIMUM OF 33.5 ACRES

**EXHIBIT B - CONCEPT PLAN**  
**The Oaks at Twin Creeks**  
 153.7 Acres  
 Waxahachie, Texas



LOT TYPE	AREA (SF)	LOT COUNT
A	12,000	34
B	10,000	77
C	8,400	120
D	7,200	129
TH-FRONT	3,080	37
TH-REAR	2,940	61
<b>TOTAL</b>		<b>458</b>

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

(18)

**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 / 10	5 / 10	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

\*\* Lot types A and B shall have a minimum setback of 5-ft on one side of the lot and 10-ft on the other based on location of side entry or J-swing entry garage

\*\*\* 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:

- a. Minimum of 75% overall masonry for all Single Family detached product (save and except exclusions per item F.c., where applicable)
  - b. On townhomes, the front façade shall be a minimum of 85% masonry
  - c. Siding shall be permitted on wall areas extending above roof lines, and this siding area square footage shall be removed from the overall masonry calculation
  - d. 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
- H. Open Space. A minimum of 33.5 acres of open space shall be provided.
- I. Neighborhood Amenities. The following amenities will be provided with the development:
- a. Concrete trails as shown on the Concept Plan
  - b. Benches, signage and trash receptacles at Trail Head locations
  - c. Two (2) playground areas
  - d. Dog park
  - e. Splash park
  - f. Pickleball/sport court
- J. 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.
- K. Parking. A minimum of two (2) off-street parking spaces per dwelling unit shall be provided.
- L. Access. Public street access to the property shall be in accordance with the approved Concept Plan.
- M. 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.
- N. Accessory Buildings. Accessory buildings on residential lots shall be in accordance with Article V of the City of Waxahachie Zoning Regulations.
- O. 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.
- P. 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.
- Q. 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.
- R. Garages. Front entry garages shall not be permitted on single-family detached homes. Townhomes without alleys shall be permitted to have front entry garages.

- S. A six-foot masonry screening wall shall be located along rear or side residential lot lines which are adjacent to Ovilla Road or the proposed thoroughfare along the northern boundary of the property as shown on the Concept Plan.
  - T. Lots adjacent to the private access easement along the southern boundary of the development shall have a six-foot wood privacy fence along the rear lot line.
  - U. Sixty percent (60%) of the detached single-family residential homes shall consist of five (5) distinct architectural styles. The architectural styles and percentage breakdown shall reflect as:
    - Craftsman 12% (43 homes)
    - Traditional 12% (43 homes)
    - Contemporary 12% (43 homes)
    - Tudor 12% (43 homes)
    - Modern Farmhouse 12% (43 homes)
- The remaining 40% of the detached homes shall be determined by the market.
- V. No single building elevation shall be duplicated within six (6) lots or tracts either direction on the same block face.
  - W. Elevations may not be duplicated on any lot directly across a street or within four (4) lots either direction.
  - X. A minimum of five (5) floor plans shall be used for each Architectural Style.

**Architectural elevation requirements – Single-Family Detached Homes**

The following specific elements will be provided on each of following styles of homes:

**Modern Farmhouse**

- Covered Front porch (minimum 5' deep)
- Full front elevation siding, except on column bases
- Side to side roof ridge
- Accent trim around windows
- Gable and or Dormers

**Craftsman**

- Front porch, with at least one step
- Millwork / Wood Detailing
- Squared roof (gabled roof from side to side)
- Gable Pediment
- Shake Siding
- Column Plinth

**Tudor**

- High pitched roof (16/12 or higher on front gables)
- Timbering/Truss
- Squared Roof (gabled roof from side to side)
- Stone
- Grouped Windows (windows mullied together or grouped two or more)
- Painted Board (stucco board that is painted and the truss or timbering is applied to stucco)

**Traditional**

- Multiple Gables
- Painted Brick
- High pitched roof (10/12 pitched gables or higher)
- Modest detail (there will be some brick detailing patterns of rowlock courses or soldier courses)

**Contemporary**

- Painted Brick
- Shallow pitched roof (8/12 maximum)
- Long Roof Overhang
- Clerestory windows
- Horizontal banding

**Architectural elevation requirements - Townhomes**

Each townhome building will have 3 of the 7 Architectural elements

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



## HOME PRODUCT

- 5 LOT SIZES
- 5 PRODUCT LINES
- 36 FLOOR PLANS OFFERED
- 4 GARAGE ORIENTATIONS
  - Side Entry, J-Swing, Rear Entry TH, Front Entry TH
- 5 ARCHITECTURAL INFLUENCES
  - Craftsman, Traditional, Tudor, Contemporary, Modern Farmhouse

The Oaks at  
Twin Creeks

TOWNHOME





CRAFTSMAN



Gable Pediment

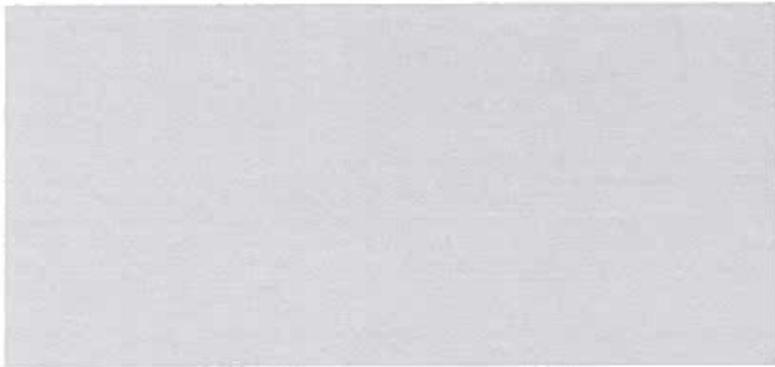
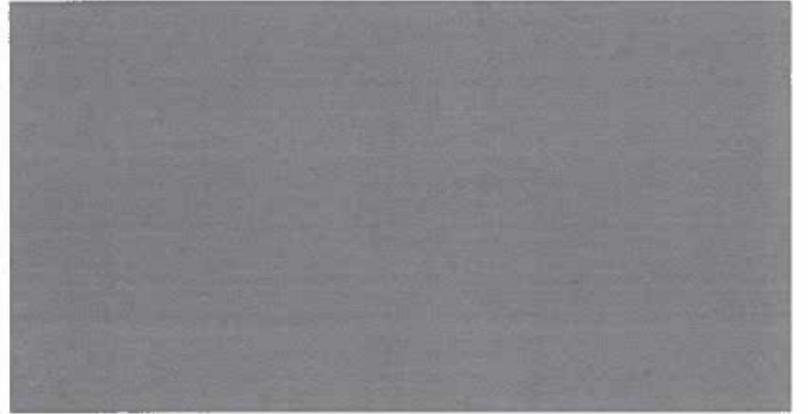
Shake Siding

Millwork/Wood Detailing

Highlight of just 3 of the multiple features.



CRAFTSMAN



TRADITIONAL



Multiple Gables

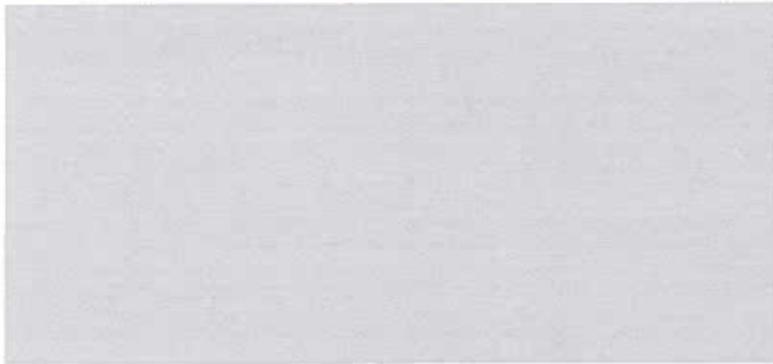
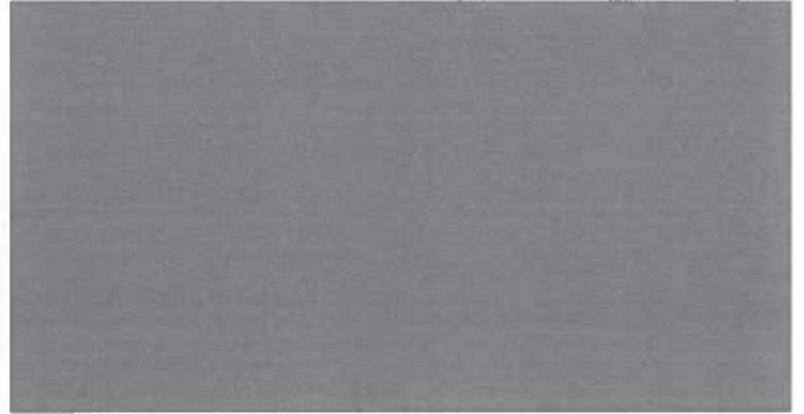
Modest Detail

Painted Brick

Highlight of just 3 of the multiple features.



TRADITIONAL



TUDOR



High Pitched Roof  
(16/12 or higher on front gables)

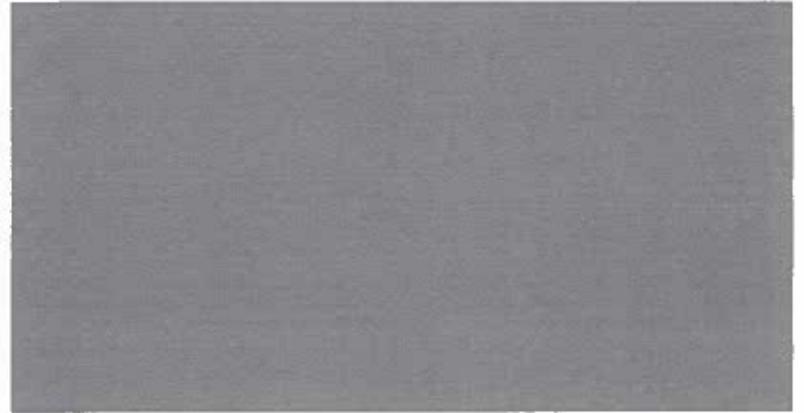
Timbering/Truss

Stone

Highlight of just 3 of the  
multiple features.



TUDOR



CONTEMPORARY



Shallow Pitched Roof (8/12)

8  $\frac{12}{8}$

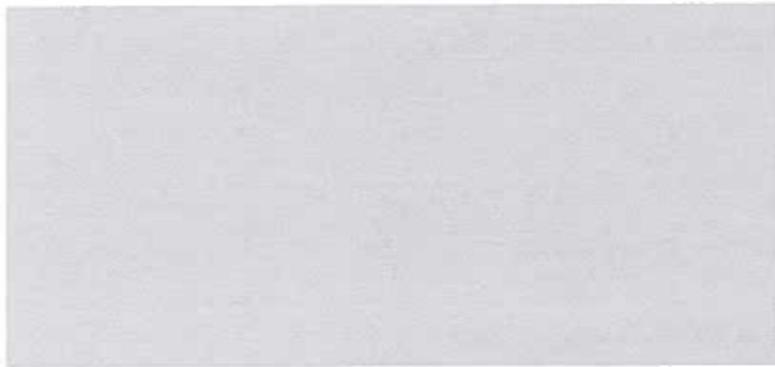
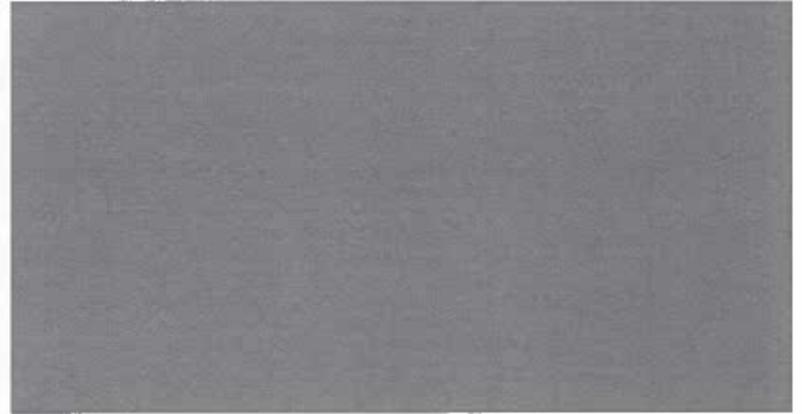
Long Roof Overhang

Clerestory Windows

Highlight of just 3 of the multiple features.

CONTEMPORARY





# MODERN FARMHOUSE



Gable and or Dormers



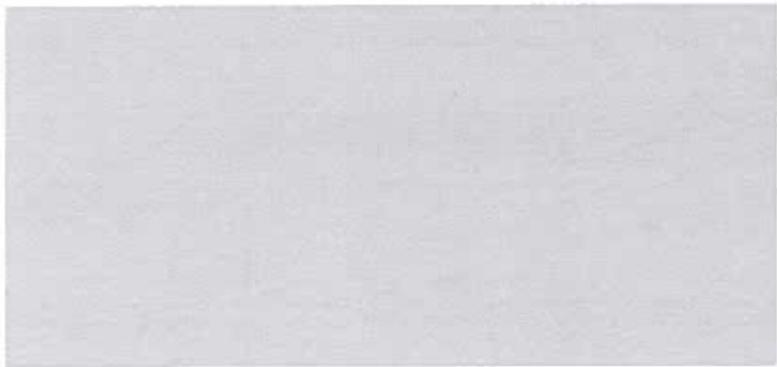
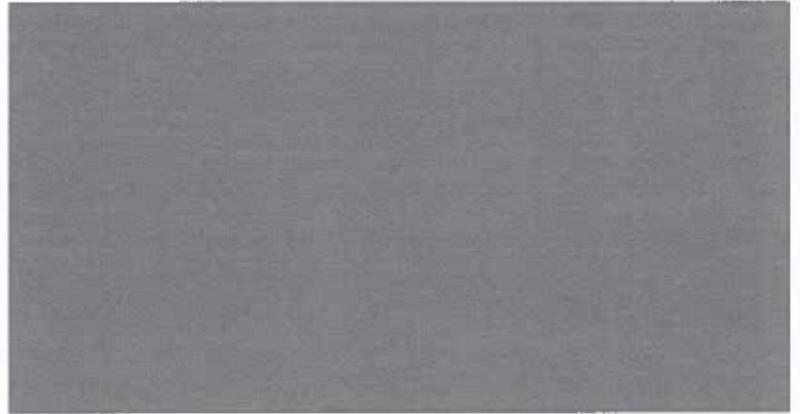
Full front elevation siding,  
Except on column bases



Covered Front Porch

*Highlight of just 3 of the  
multiple features.*

MODERN FARMHOUSE





The Oaks at  
Twin Creeks

THANK YOU!

