

# *A G E N D A*

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, July 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 July 12, 2022
- b. Minutes of the Planning and Zoning Commission briefing of July 12, 2022

5. ***Public Hearing*** on a request by Tim Jackson, for a Replat of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)
6. ***Consider*** recommendation of SUB-73-2022
7. ***Consider*** a request by Christopher Addison, JPH Land Surveying, Inc., for a Plat of Shridharani Subdivision, Lots 1-4, Block 1, being 8.414 acres, located north of 2800 N US Highway 77, situated in the Albert S. Pruett Survey, Abstract 848, an addition to the City of Waxahachie (Property ID: 189379 & 189387) – Owner: VAQUERO HIGHWAY 77 WAXAHACHIE PARTNERS LP (SUB-160-2021)

8. **Consider** a request by Shannon Lawless, LJA Engineering, for a Plat of Saddlebrook Estates Phase 3, 350 lots, being 105.956 acres, located northeast of Charismatic Road, situated in the G. Carpenter Survey, Abstract 190, S.M. Durrett Survey, Abstract 272, and M. Rafferty Survey, Abstract 898, an addition to the City of Waxahachie (Property ID: 189842) – Owner: 287 WAXAHACHIE LP (SUB-213-2021)
9. **Consider** a request by Brad Yates, Loren Gray Investments, LLC, for a detailed Site Plan review for a proposed Private Club (Event Center) within a Planned Development zoning district, located at 716 Dunaway Street, (Property ID 193948) – Owner: LOREN GRAY INVESTMENTS LLC (SP-70-2022)
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.***

Planning and Zoning Commission  
July 12, 2022

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, July 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: Jennifer Pruitt, Senior Director of Planning  
Ashlie Jones, Senior Planner  
Amber Villarreal, City Secretary  
Chris Wright, Council Representative

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

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

3. **Public Comments**

Paul Christenson, 110 Williams Street, Waxahachie, provided comments on the Comprehensive Plan Development. He spoke in support of smaller, more dense communities and regional urban villages. Mr. Christenson requested the City to evaluate the effect on the economy if many county facilities are relocated from the downtown area.

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of June 28, 2022
- b. Minutes of the Planning and Zoning Commission briefing of June 28, 2022

**Action:**

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

5. **Consider request by Johnny Williams, Whitfield-Holl, for a Replat of Lot 10, Block A, of the Bob White Estates Phase Two, to create Lots 10R1 and 10R2, Block A, of the Bob White Estates Phase Two, 2 Residential Lots, being 2.687 acres, located at 651 Cross Creek Drive, in the City of Waxahachie Extra Territorial Jurisdiction (Property ID 267249) – Owner: SUZETTE AND JASON CROW (SUB-44-2022)**

Senior Planner Ashlie Jones presented the case noting the applicant is requesting to replat the subject property to create two (2) residential lots being 10R1 and 10R2. Ms. Jones noted there is a 100' electrical easement located on the eastern portion of the proposed Lot 10R2, but the applicant has provided a letter from Brazos Electric Power Coop, Inc. that there is no objection to improvements within this easement. Staff recommended approval as presented.

**Action:**

*Mr. David Hudgins moved to approve a request by Johnny Williams, Whitfield-Holl, for a Replat of Lot 10, Block A, of the Bob White Estates Phase Two, to create Lots 10R1 and 10R2, Block A, of the Bob White Estates Phase Two, 2 Residential Lots, being 2.687 acres, located at 651 Cross Creek Drive, in the City of Waxahachie Extra Territorial Jurisdiction (Property ID 267249) – Owner: SUZETTE AND JASON CROW (SUB-44-2022). Ms. Bonney Ramsey seconded, All Ayes.*

6. **Consider request by Brian Newcomer, for a Plat of Faith Farms, Lots 1 & 2, Block 1, being 6.9712 acres, located at 3132 FM 813, situated in the TR Follett Survey, Abstract 373, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 183573 & 201573) – Owner: BRIAN NEWCOMER & WENDY NEWCOMER (SUB-53-2022)**

Ms. Jones presented the case noting the applicant is requesting to plat the subject property into two (2) lots for commercial use and staff recommended approval as presented.

**Action:**

*Vice Chairman Melissa Ballard moved to approve a request by Brian Newcomer, for a Plat of Faith Farms, Lots 1 & 2, Block 1, being 6.9712 acres, located at 3132 FM 813, situated in the TR Follett Survey, Abstract 373, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 183573 & 201573) – Owner: BRIAN NEWCOMER & WENDY NEWCOMER (SUB-53-2022) as presented. Mr. Erik Test seconded, All Ayes.*

7. **Adjourn**

There being no further business, the meeting adjourned at 7:10 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary

(46)

Planning and Zoning Commission  
July 12, 2022

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, July 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

Members Absent: Betty Square Coleman  
Erik Test

Others Present: Jennifer Pruitt, Senior Director of Planning  
Ashlie Jones, Senior Planner  
Amber Villarreal, City Secretary  
Chris Wright, Council Representative

**1. Call to Order**

Chairman Rick Keeler called the meeting to order.

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

Senior Planner Ashlie Jones reviewed the following case:

- SUB-44-2022, the applicant is requesting to replat the subject property into Lot 10R1 and 10R2 for two (2) residential lots on 2.687 acres. Staff recommends approval as presented.
- SUB-53-2022, the applicant is requesting to plat the subject property into two (2) lots for commercial use and staff recommends approval as presented.

**3. Adjourn**

There being no further business, the meeting adjourned at 6:35 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary

# Planning & Zoning Department

## Plat Staff Report

Case: SUB-73-2022



**MEETING DATE(S)**

*Planning & Zoning Commission:* July 26, 2022

*City Council:* August 1, 2022

**CAPTION**

**Public Hearing** on a request by Tim Jackson, TCRS LLC, for a **Replat** of Lot 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 residential lots, being 0.350 acres, located at 800 Sycamore Street (Property ID: 176411) – Owner: A Garrett Real Estate Ventures LLC.

**APPLICANT REQUEST**

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

**CASE HISTORY**

In August of 2021, staff received a Specific Use Permit (SUP) application (ZDC-134-2021) for an accessory dwelling unit at 800 Sycamore Street. During the initial staff review of this applicant, the applicant was informed that an accessory dwelling unit for rent could not be approved via a SUP. (A zoning change to a Planned Development would be needed.) Staff received one (1) letter of support and eight (8) letters of opposition totaling 45.7% of property within the 200-foot notification area. With this information, the applicant requested to withdraw their SUP application on November 1, 2021, prior to its anticipated Planning & Zoning Commission hearing date.

On January 19, 2022, the applicant submitted a Replat application to split the subject property into two (2) single family residential lots. After review, staff determined the proposed lot size smaller than the minimum size allowed by Section 3.25 of the Waxahachie Zoning Ordinance. Staff informed the applicant that the proposed replat would not receive staff support due to its conflict with the Zoning Ordinance. The applicant then requested to transition their Replat application to a Planned Development (PD) application in order to change the zoning of the subject property to allow for an accessory dwelling unit for rent. Staff received seven (7) letters of opposition totaling 40.3% of property within the 200-foot notification area for the proposed PD. At the May 24, 2022, Planning & Zoning Commission meeting, the applicant requested to withdraw their PD application in order to pursue another replat.

**CASE INFORMATION**

*Applicant:* Tim Jackson, TCRS LLC

*Property Owner(s):* A Garrett Real Estate Ventures, LLC

*Site Acreage:* 0.350 acres

*Number of Lots:* 2 lots

*Number of Dwelling Units:* 2 units

*Park Land Dedication:* N/A

*Adequate Public Facilities:* Adequate public wastewater facilities are available to the site. An eight (8") inch water line will need to be extended along Kirven Avenue in order to provide adequate public water facilities to proposed Lot 8A.

**SUBJECT PROPERTY**

*General Location:* 800 Sycamore Street

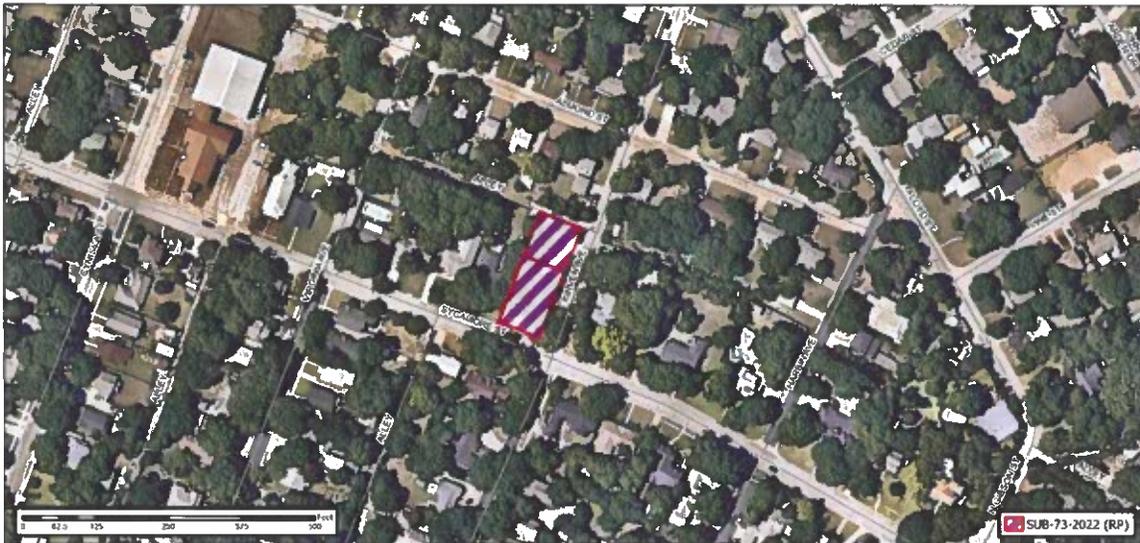
*Parcel ID Number(s):* 176411

*Current Zoning:* Single Family-2 (SF-2) with a SUP for a detached garage and poolhouse (Ord. 1929).

*Existing Use:* A single family residence and accessory structure currently occupy the subject property. The single family home and accessory structure are currently being rented out as residential units to separate tenants.

*Platting History:* The subject property is platted as Lot 8, Block 3 of the University Annex Revision.

*Site Aerial:*



**PLANNING ANALYSIS**

The applicant is proposing to replat the subject property from one (1) lot into two (2) lots for residential use. The proposed replat is identical to the previous replat application submitted by the applicant on January 19, 2022. An accessory structure (garage & poolhouse) is currently situated on proposed Lot 8A and a single family residence is currently situated on the proposed Lot 8B. The subject property is located within the Infill Overlay District; which is regulated by Section 3.25 of the Waxahachie Zoning Ordinance. The lots proposed with this replat do not meet the minimum size requirements of the Section 3.25 of the Waxahachie Zoning Ordinance. Adequate water facilities are not currently available to proposed Lot 8A. An eight (8") inch water line extending to the northern edge of the property line is needed to provide service to proposed Lot 8A.

### Site History

The applicant is currently using the subject property as a rental property. The primary home and accessory structure are currently being independently rented out to two (2) separate tenants. This is considered a multi-family use that is not permitted in the current Single-Family-2 zoning district. The accessory structure was built in 1998 according to Ellis County Appraisal District and City of Waxahachie records. At that time, the accessory structure was only permitted as a garage and pool house, not an accessory dwelling unit. Staff has located a previously approved Specific Use Permit (SUP) from 1998 (Ord. 1929) that allowed for the construction of the garage/pool house; but this SUP does not stipulate that the accessory structure is permitted to be converted or used as a dwelling unit. The pool on the property was removed (filled in) in 2021; so only grass remains in the back yard. The accessory structure is not separately metered from the primary residence. City of Waxahachie Building Department records indicate the structure was never permitted or inspected as a dwelling unit.

On May 18<sup>th</sup>, 2021, staff received a complaint from a resident within the surrounding area stating that excessive trash was accumulating at the subject property along Kirven Avenue. An investigation into the site revealed the accessory structure and primary residence on the property were being rented as separate dwelling units. Per the City of Waxahachie Code Enforcement Department, violations for excessive trash accumulation (Rat Harborage) and zoning nonconformance were issued on as part of Code Case 1434-2021 on May 18, 2021. At the time of this report (7/21/2022), the excessive trash noted in the original citation has been removed. The applicant is seeking to address the zoning violation with this replat request.

### VARIANCE REQUEST

The applicant is requesting a variance from Section 3.25(d)(ix) of the Waxahachie Zoning Ordinance; which stipulates that in no situation will a lot be less than ten (1) percent less than the square footage area of adjacent lots within fifty (50) feet of each property line. Based on this requirement, lots less than 0.2889 acres in size are not permitted in this location. The applicant is requesting a variance to allow lot sizes of 0.139 acres and 0.211 acres. If approved, these lots would lower the required minimum lot size in the surrounding area for future nearby replats. This variance request is unique in the fact that it could allow lots to be created in the future that do not currently adhere to the minimum lot size requirement of the area. Staff is not supportive of this variance request.

### STAFF CONCERNS

#### Habitable Use/Safety

There are no official city records that indicate the existing accessory structure was permitted or inspected as a dwelling unit. Due to the structure not being inspected by the City of Waxahachie, staff has concerns regarding the safety of the structure as a habitable dwelling unit. If the proposed replat is approved, the accessory structure will need to be inspected and converted to a primary structure. In order for the structure to be considered a primary habitable dwelling, the following will need to occur:

1. An Energy Code Compliance Report will need to be submitted to, and accepted by, the City of Waxahachie Building Department.
2. A third-party inspection of the accessory structure will need to be arranged by the applicant to identify necessary improvements to the structure. The applicant will submit permits to perform these necessary improvements to the City of Waxahachie Building Department. The City of Waxahachie Building Department shall perform an inspection of the accessory structure, following the completion of said improvements, to determine the habitability of the structure. The applicant shall make all improvements to the accessory structure still deemed necessary by the City of Waxahachie Building Department in order to ensure the structure is habitable and conforms to the 2018 International Building Code & 2018 International Residential Code. Any necessary improvements shall occur prior to the filing of the proposed replat, if approved.

Conformance with requirements of the Infill Overlay District

- **Lot Size:** The lots proposed by this replat do not adhere to the minimum size requirements of the Waxahachie Zoning Ordinance. The proposed lot sizes are not consistent with the typical lot sizes of the surrounding neighborhood. If approved, these lots would lower the required minimum lot size in the surrounding area for future nearby replats. This variance request is unique in the fact that it could allow lots to be created in the future that do not currently adhere to the minimum lot size requirement of the area. Additionally, staff has received multiple public notification response letters that express opposition to the proposed lot sizes. Due to these factors, staff is concerned that the proposed variance would not result in a use that is consistent with or supportive of the character of the area or the City of Waxahachie Zoning Ordinance.
- **Parking:** The subject property currently only has parking sufficient to support one single family residence. If the proposed replat is approved, the applicant will be required to provide dedicated parking for Lot 8B. As per Section 3.25 (d)(vi) of the Waxahachie Zoning Ordinance, two off-street parking areas behind the front building plane are required. Any garage that is built shall not have a door facing the right of way, unless set back from the front of the building plane at least (5) feet.
- **Home Size:** If approved, the existing accessory structure will be required to be converted to a primary structure (home). As per Section 3.25 (d)(v) of the Waxahachie Zoning Ordinance, in no situation will a house be less than ten (10) percent of the average square footage area of houses to each side and directly across the street, but not less than eight hundred (800) square feet. The applicant has failed to provide a current floorplan for the accessory structure for staff to evaluate. It is possible that the existing structure would have to be enlarged in order to meet this requirement.

APPLICANT RESPONSE TO CONCERNSHabitable Use/Safety

The applicant has stated their willingness to make any necessary changes or updates required by the City of Waxahachie Building Department in order for the accessory structure to be considered habitable.

Conformance with requirements of the Infill Overlay District

The applicant has noted the existence similar-sized properties in the general area. The applicant has also stated their intent to install an additional driveway and remodel the accessory structure as deemed necessary.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 20 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PROPERTY OWNER NOTIFICATION RESPONSES

Inside 200 ft. Notification Buffer: Staff has received eleven (11) letters of opposition.

Outside 200 ft. Notification Buffer: Staff has received seventeen (17) letters of opposition. \*Note: Staff received two (2) of these letters from the same property owner.

**PROPERTY OWNER NOTIFICATION RESPONSES (continued)**

**Staff Note:** A total of 59.6% of the property owners (by area) within two hundred (200) feet of the proposed Replat have submitted letters of opposition.

Per Section 2.6 (e) of the Waxahachie Subdivision Ordinance, if the owners of twenty (20) percent or more of the area of lots to whom notice is required to be given under Subsection (b) above file with the City a written protest of the replatting before or at the public hearing, and/or if the replat requires a waiver/suspension as defined in Section 1.11, then approval of the replat will require the affirmative vote of at least three-fourths ( $\frac{3}{4}$ ) of the Planning and Zoning Commission present or, if applicable, three-fourths ( $\frac{3}{4}$ ) of the City Council members present.

**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**

1. Due to staff concerns, staff recommends denial for the proposed use.
2. Note: If the Planning & Zoning Commission recommends approval for the proposed replat:
  - a. A favorable vote of three-fourths ( $\frac{3}{4}$ ) of all members, which equates to six (6) of the seven (7) members, of the Planning and Zoning Commission is also required due to the submission of letters of opposition by a total of 59.6% of property owners (by area) within two hundred (200) feet of the proposed replat. (Sec. 2.6, City of Waxahachie Subdivision Ordinance).
3. Note: If the proposed replat is approved, the accessory structure will need to be inspected and converted to a primary structure. In order for the structure to be considered a primary habitable dwelling, staff suggests the following conditions be added to the recommendation.
  - a. An Energy Code Compliance Report will need to be submitted to, and accepted by, the City of Waxahachie Building Department.
  - b. A third-party inspection of the accessory structure will need to be arranged by the applicant to identify necessary improvements to the structure. The applicant will submit permits to perform these necessary improvements to the City of Waxahachie Building Department. The City of Waxahachie Building Department shall perform an inspection of the accessory structure, following the completion of said improvements, to determine the habitability of the structure. The applicant shall make all improvements to the accessory structure still deemed necessary by the City of Waxahachie Building Department in order to ensure the structure is habitable and conforms to the 2018 International Building Code & 2018 International Residential Code. Any necessary improvements shall occur prior to the filing of the proposed replat, if approved.
  - c. The applicant shall provide dedicated parking for Lot 8B, as per Section 3.25 (d)(vi) of the Waxahachie Zoning Ordinance.

**ATTACHED EXHIBITS**

1. PON Responses & Exhibit
2. Replat
3. Site Plan
4. Ordinance 1929
5. Site Photos

**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)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022

RECEIVED JUL 15 2022

ACOSTA IGNACIO M  
209 ALMOND ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

City Reference: 176430

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

*Ignacio Acosta*  
Signature

7-12-22  
Date

Ignacio Acosta  
Printed Name and Title

209 Almond St.  
Address

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

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

RECEIVED JUL 19 2022

(5)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022



**AUTREY GARY D & RHONDA**  
400 N ROGERS ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

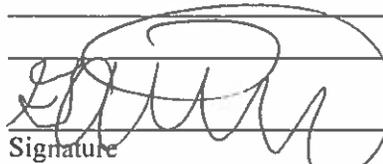
City Reference: 176128

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

\_\_\_\_\_  
 \_\_\_\_\_  
  
 Signature  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 \_\_\_\_\_  
 Gary Autrey  
 Printed Name and Title  
 \_\_\_\_\_  
 Address

July 19, 2022  
 711 Sycamore St

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

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



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022

BAKER BRANDON ALLAN  
802 SYCAMORE ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022 City Reference: 176420

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

*Property owner refuses to correct code enforcement concerns.  
Lot size does not meet current infill codes, lot size smaller than 15,000 sq ft*

*Brandon Baker*  
Signature

*7-8-22*  
Date

*Brandon Baker*  
Printed Name and Title

*802 Sycamore St Waxah TX*  
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.*



(5)  
RECEIVED JUL 19 2022

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022



The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

City Reference: 176420

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

Signature

RON BROWN

Printed Name and Title

7-17-22

Date

502 W. ROSS

Address

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

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



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

City Reference: 176420

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

*unsure both lots would be adequately served by utilities, parking etc.*

*[Handwritten Signature]*

Signature

*07/19/22*

Date

*Bruce Medlock*

Printed Name and Title

*936 N. Gibson*

Address

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

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



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a Replat of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) - Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

City Reference: 176420

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

A ZONING CHANGE WOULD BE DETRIMENTAL TO THE QUALITY OF LIFE IN OUR NEIGHBORHOOD

Claddia Lockman  
Signature

July 18, 2022  
Date

CLAUDIA LOCKMAN  
Printed Name and Title

214 PRIMERA DR  
Address  
SAN ANTONIO TX  
78212

OWNER OF  
805 SYCAMORE

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

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

(5)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

City Reference: 176420

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

See attachment  
[Signature]  
Signature  
Dale Whitfield, Homeowner  
Printed Name and Title

7/19/22  
Date  
329 Virginia Ave  
Address

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

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

(5)

7/19/2022

Attachment

10:00 a.m.

Approval will result in increased traffic and congestion on already crowded residential streets. There are homes with children nearby and heavier traffic could result in injury and/or fatalities. Additionally, this is a residential zoned area and rezoning could result in increased residential density / crowding and lower property values for homeowners that are living in the neighboring homes.

Dale Whitfield

329 Virginia Ave.

Waxahachie, TX 75165



(5)

RECEIVED JUL 19 2022

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

City Reference: 176420

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

Signature  
*JERRY DEAN*  
Printed Name and Title

*7-17-22*  
Date  
*332 HARBIN*  
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*

(5)



**City of Waxahachie, Texas**  
**Notice of Public Hearing**  
**Case Number: SUB-73-2022**



The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

City Reference: 176420

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

\_\_\_\_\_

Debra A Moore  
Signature

7-9-2022  
Date

Debra A Moore  
Printed Name and Title

108 Almond  
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.*

(5)

RECEIVED JUL 1 9 2022



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022



The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

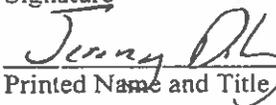
City Reference: 176420

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

  
\_\_\_\_\_  
Signature  
  
\_\_\_\_\_  
Printed Name and Title

7/19/22  
\_\_\_\_\_  
Date  
735 N. Gibson St.  
\_\_\_\_\_  
Address

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

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

(5)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022

RECEIVED JUL 1 9 2022



The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street. (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

City Reference: 176420

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

Robert J. Diana

Signature

7-19-2022

Date

ROBERT J. DIANA

Printed Name and Title

104 HARBIN AVE

Address

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

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

Case Number: SUB-73-2022

City Reference: 176417

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

Donna Prather  
Signature

7-8-22  
Date

Donna Prather  
Printed Name and Title

806 Sycamore St.  
Address

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

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

July 8, 2022

Case Number: SUB-73-7022

Property ID: 176411

Waxahachie Planning & Zoning Commission,

I am a sincere believer in a property owner's right to use lands and buildings as desired. However, Waxahachie places limitations on property use to promote the well-being of neighborhoods and protections of property values.

The request to split the lot at 800 Sycamore detracts from the current enjoyment of the neighborhood by introducing further saturation in an area where traffic is already an issue with no plans to improve infrastructure to accommodate. While there have been other property splits on the street long ago, they were not in line with city ordinances and should not have been approved.

Allowing this replat of the lot encourages chopping up our historic neighborhood (for which we are being taxed) and destabilizes property values (reducing the city's ability to support services without increasing rates). The property split does not conform to the city's intended neighborhood plan and should not be approved.



Donna Prather

806 Sycamore St.

972-835-6618



(5)

RECEIVED JUL 19 2022

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022  
◇◇◇

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street. (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022 City Reference: 176420

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

\_\_\_\_\_  
Signature  
**RON FINCH**  
Printed Name and Title

*7-17-22*  
Date  
**504 SYCAMORE ST**  
Address

*It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)  
If you are not the addresser at the top of this form but would like to submit a response, please contact the City for a blank form.*

(5)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022 City Reference: 176420

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on July 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:  
Lower property values, impact congestion on the street

Signature  
Foster B. Potter Jr Owner  
Printed Name and Title

Date 7/8/22  
Address 321 Kirven Waxahachie TX 75165

*It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)*  
*If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.*

# FRIENDS OF SYCAMORE STEET

NEIGHBORHOOD UPDATES

---

REPLAT

## 800 SYCAMORE REPLAT

How does this affect you?

Property owners affected by the replat should have all received notice from the City of Waxahachie in today's mail.

Currently the owner of 800 Sycamore St. is on his third attempt to convert the investment property to a multi-family designation. This investor does not reside in the home but rather rents out the front home addressed 800 and the pool house (behind) as two separate properties to two separate families. This is **not** permitted per our city's rules and regulations.

The investor has failed to present a valid case to the city and your previous signatures in opposition of his request have been successful in preventing a negative outcome to our great neighborhood.

The city staff at planning and zoning who enforce these rules have also opposed the changes requested. A replat requires City Council approval.

If this request for replat is successful it will affect future property value, increase traffic and street parking on narrow streets, increase residential density/ crowding. In addition, if this request is passed it will set a precedent for future cases not meeting the current rules and regulation Waxahachie citizens have followed for many years,

PLEASE **have a voice** in this matter by signing and checking the **OPPOSE** box on the letter you received.

Glad to answer questions. Brandon & Marissa Baker 469-337-5089

### WHAT'S NEW

---

#### LITTLE RED FOX

Keep your eyes peeled for our neighborhood Red Fox. Often seen on Sycamore and Virginia streets.

#### WATER RESTRICTIONS IN EFFECT

Waxahachie Lake is down 4 feet from normal with city water restrictions for yard irrigation.

#### CITY MEETING DATES

Planning & Zoning July 26 -7pm

City Council Aug 1 - 7pm



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a Replat of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

City Reference: 176420

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on July 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 *200*

Comments:

*[Handwritten Signature]*  
\_\_\_\_\_  
Signature

7.11.22  
\_\_\_\_\_  
Date

*J Craig Owens*  
\_\_\_\_\_  
Printed Name and Title

320 Virginia Ave.  
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.*



**City of Waxahachie, Texas**  
**Notice of Public Hearing**  
**Case Number: SUB-73-2022**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

City Reference: 176420

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

*Joe L. Mas JL*

Signature

07-16-22

Date

JOE L MAS JL

Printed Name and Title

801 Sycamore St.

Address

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

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

(5)



**City of Waxahachie, Texas**  
**Notice of Public Hearing**  
**Case Number: SUB-73-2022**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

City Reference: 176420

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

Kim Elmore  
Signature  
Kim Elmore  
Printed Name and Title

July 10, 2022  
Date  
513 Sycamore St.  
Address

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

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



**City of Waxahachie, Texas**  
**Notice of Public Hearing**  
**Case Number: SUB-73-2022**



**AUTRY GENE**  
**804 SYCAMORE ST**  
**WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

City Reference: 176419

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

\_\_\_\_\_

La June Autry  
Signature

7-8-2022  
Date

La June Autry  
Printed Name and Title

804 SYCAMORE  
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.*

(5)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022

RECEIVED JUL 1 9 2022

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

City Reference: 176420

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

Irma Monkres  
Signature

7-13-22  
Date

IRMA MONKRES  
Printed Name and Title

808 SYCAMORE ST  
Address

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

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

(5)

MARRIS MICHAEL B & DENNA D  
105 ALMOND ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a Replat of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) - Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

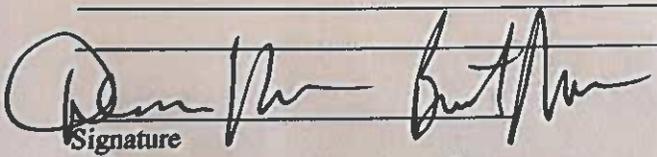
City Reference: 176415

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



Signature

7-14-22

Date

Denna D. Marris

Printed Name and Title

105 Almond St

Address

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

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

(5)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022



The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

City Reference: 176420

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

\_\_\_\_\_

\_\_\_\_\_

Signature  
*Wayne Norcross*

Date  
*7/19/22*  
Address  
*800 Sycamore*

Printed Name and Title

Address

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

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

(5)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022



The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

City Reference: 176420

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

Signature  
Marlene NORCROSS  
Printed Name and Title

Date  
800 SYCAMORE  
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*





RECEIVED JUL 1 9 2022

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

City Reference: 176420

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

Nancy T. Post  
Signature  
Nancy T. Post  
Printed Name and Title

7-19-22  
Date  
606 Sycamore St.  
Address  
Wax-

*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.*

(5)



RECEIVED JUL 1 9 2022

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022  
◇◇◇

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022 City Reference: 176420

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

\_\_\_\_\_  
*Carla Reeves*  
Signature  
\_\_\_\_\_  
CARLA REEVES  
Printed Name and Title

\_\_\_\_\_  
7-17-22  
Date  
\_\_\_\_\_  
734 N. Gibson St.  
Address

*It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)  
If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.*

(5)

RECEIVED JUL 19 2022



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022

**RYDHOLM MAELISA G & ANDREW T RYDHOLM**  
111 ALMOND ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

City Reference: 176414

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

The lot is too small. As it is, there are frequently 2 and 3 cars parked on ~~the~~ Kirven street from the front house. Kirven is frequently used a cut through to John Arden - I have to swerve into oncoming traffic to avoid the cars parked on the street. 7-18-22

Signature *Maelisa Rydholm*

Date

Printed Name and Title  
Maelisa Rydholm

Address  
111 Almond Street

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

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



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: **SUB-73-2022**



SAVELL STEVEN C & DOREEN K  
710 SYCAMORE ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson, for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: **SUB-73-2022**

City Reference: 176407

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

SEE ATTACHED DOCUMENT

Signature

STEVEN SAVELL

Printed Name and Title

7/8/22

Date

710 SYCAMORE ST

Address

WAXAHACHIE 75165

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

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

July 8, 2022

City of Waxahachie, Texas  
Planning & Zoning Commission  
Members of City Council

Steven and Doreen Savell  
710 Sycamore St  
Waxahachie, TX 75165

Subject: Notice of Public Hearing; Case Number: SUB-73-2022

The letter is in response to a recent request for a Zoning Change to property located at 800 Sycamore St (Property ID 176411).

**We OPPOSE this request.**

This is the third request for a zoning related change to come to our attention and before the city within the last year regarding the property at 800 Sycamore St. As was noted in our previous responses, we are firmly in opposition of any changes to this property that would permit multiple families from occupying the property – either as a rezoning from single-family to multi-family or to have the lots separated into 2 individual lots as this current request to REPLAT does.

We are in opposition to this request for the following reasons: it's impact to the character of our neighborhood, our property values, and ultimately the impact on the city.

**Personal Concerns:**

**Negative Impact to Character of the Neighborhood –**

This and the surrounding neighborhoods are primarily single-family and therefore have become locations for individual families to have resided as either homeowners or renters. This request by its very nature changes the immediate look and feel of the neighborhood and sets a precedent for future changes that will surely be taken into consideration with any other potential requests.

**Property Values –**

The current minimum lot size for SF-2 is 12,000 SF. The current lot is approximately 15,000 SF. This implies that neither of the replatted areas would meet the minimum, therefore this would be contrary to the other homes and lots in the vicinity, placing uncertainty in the minds of potential buyers towards the stability of this and surrounding neighborhoods. This uncertainty creates an unstable marketplace, potentially putting our home investments at risk.

**Safety & Nuisance –**

Street parking and safe access to our driveway are compromised with the additional parking that comes from the current situation and would only be compounded if the property was replatted and an additional driveway/parking condition were created. Denser housing has the potential to create issues related not only to the parking, but also to noise and trash – especially on property that was designed for a single family.

Concerns for Our City:

We grew up in the Metroplex, moved out-of-state for work and recently returned to Texas. We deliberately and purposefully selected Waxahachie as our home. We have a strong dedication to the historical character of the city and appreciate the city's commitment to not only its past but also to its future – keeping in balance and harmony both needs, makes Waxahachie a perfect place to live.

These types of zoning changes very clearly go against existing Future Land Use Plans as codified in the 2016 Comprehensive Planning Guidelines. Although we are unable to locate the 2021 Guidelines which may have not been completed or published at the time of this request, we only have the existing plans to guide this opposition.

A risk for the city is to take on a zoning change that appears to violate 'spot zoning' practices – which are illegal in the state of Texas. This zoning request appears to be incompatible with the city's zoning ordinances and comprehensive plans.

As was noted in our previous response to earlier zoning requests, the current situation at 800 Sycamore was accidentally discovered through a non-related manner. Because the property is zoned SF-2 we can only assume that there is a single set up utilities (water, sewer, gas, electricity) set up for the property and although these can be remedied, they have not and would not have necessarily been addressed without this current 'rental arrangement' being revealed.

In closing we would like to again highlight the nature and the character of our city. The 'identity' statement that the 2021 Comprehensive Plan Project adopted as it undertook its work, provides a wonderful example of what we also believe about the city:

*We value family, responsibility to our community, and inclusivity. We respect our history, nature, and culture – and we are working together to cultivate a vibrant place, that is enjoyable and affordable for residents and a true destination that brings new people and businesses to our community.*

Respectfully,



Steven & Doreen Savell  
710 Sycamore St  
Waxahachie, TX 75165

(5)



RECEIVED JUL 1 9 2022

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-73-2022

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 26, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 01, 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 Tim Jackson. for a **Replat** of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)

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: SUB-73-2022

City Reference: 176420

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

*Archie Whitten*

Signature

**ARCHIE WHITTEN**

Printed Name and Title

*7-17-22*

Date

**328 HARBIN**

Address

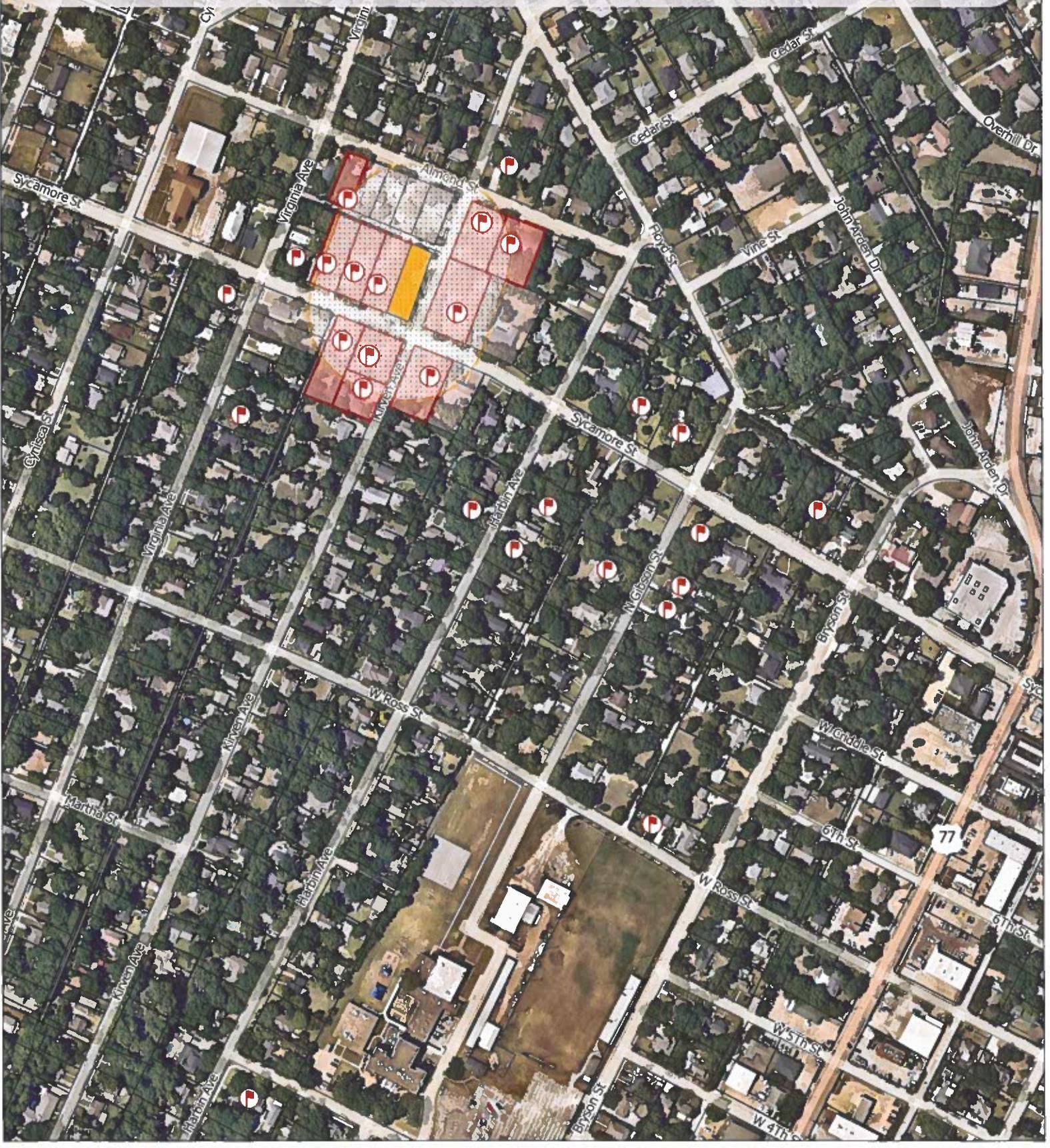
*It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)*

*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.*

# SUB-73-2022 - 2 Residential Lots PON Response Exhibit

(5)

-  Support (0 shown)
-  Opposition (27 shown)
-  SUB-73-2022
-  200ft Notification Buffer
-  Responding Properties (3.551 Acres)
-  Properties Within Buffer
-  Property Lines

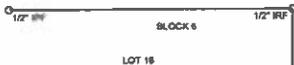
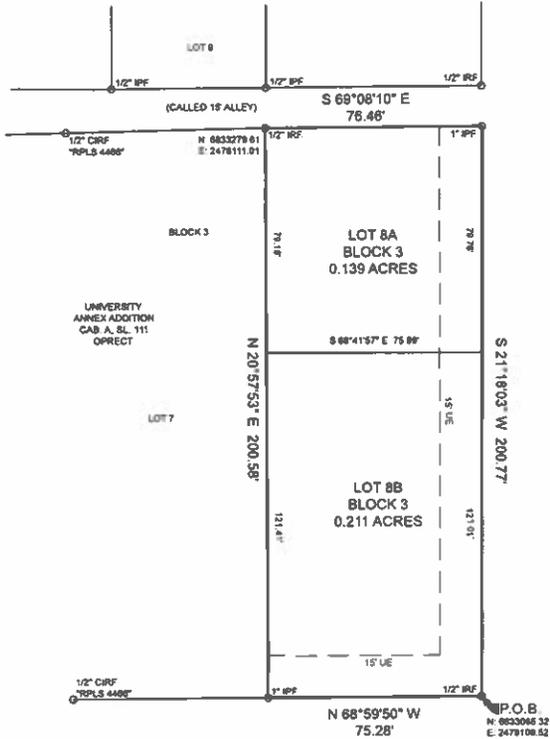




0' 15' 30"  
SCALE: 1" = 30'



VICINITY MAP  
NOT TO SCALE



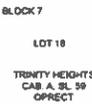
LEGEND

CRFB = 5/8 IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TRCRFB" SET  
 FND = FOUND  
 IRF = IRON ROD FOUND  
 OPRECT = OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS  
 PRECT = PLAT RECORDS ELLIS COUNTY TEXAS

NOTES

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

ALL OF THE SUBJECT PROPERTY LIES WITHIN ZONE "X" DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 46136D0180P, DATED JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.



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

WHEREAS, A. GARRETT REAL ESTATE VENTURES, LLC, IS THE OWNER OF A TRACT OF LAND SITUATED IN THE W. BASKINS SURVEY, ABSTRACT NO. 148, CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN DEED TO A. GARRETT REAL ESTATE VENTURES, LLC, RECORDED IN INSTRUMENT NO. 1828233, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT) AND BEING ALL OF LOT 8, BLOCK 3, UNIVERSITY ANNEX ADDITION, RECORDED IN CABINET A, SLIDE 111, OPRECT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID LOT 8, FOR THE INTERSECTION OF THE WEST RIGHT-OF-WAY (ROW) LINE OF KIRVEN AVENUE (A CALLED 60' ROW) AND THE NORTH ROW LINE OF SYCAMORE STREET (A CALLED 60' ROW);

THENCE N 88°50'50" W, ALONG THE SOUTH LINE OF SAID LOT 8 AND THE COMMON NORTH ROW LINE OF SAID SYCAMORE STREET, A DISTANCE OF 75.28 FEET TO A 1" IRON PIPE FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 8 AND THE COMMON SOUTHEAST CORNER OF LOT 7, BLOCK 3, OF SAID UNIVERSITY ANNEX ADDITION;

THENCE N 20°57'53" E, ALONG THE WEST LINE OF SAID LOT 8 AND THE COMMON EAST LINE OF SAID LOT 7, A DISTANCE OF 200.58 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID LOT 8 AND THE COMMON NORTHEAST CORNER OF SAID LOT 7 AND IN THE SOUTH ROW LINE OF A CALLED 15' ALLEY;

THENCE S 88°06'10" E, ALONG THE NORTH LINE OF SAID LOT 8 AND THE COMMON SOUTH ROW LINE OF SAID CALLED 15' ALLEY, A DISTANCE OF 76.48 FEET TO A 1" IRON PIPE FOUND FOR THE NORTHEAST CORNER OF SAID LOT 8, FOR THE INTERSECTION OF THE SOUTH ROW LINE OF SAID CALLED 15' ALLEY AND THE COMMON WEST ROW LINE OF SAID KIRVEN AVENUE;

THENCE S 21°18'03" W, ALONG THE EAST LINE OF SAID LOT 8 AND THE COMMON WEST ROW LINE OF SAID KIRVEN AVENUE, A DISTANCE OF 200.77 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.350 ACRES OF LAND MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT A. GARRETT REAL ESTATE VENTURES, LLC, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOTS 8A AND 8B, BLOCK 3, UNIVERSITY ANNEX ADDITION, AN ADDITION TO THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE CITY OF WAXAHACHE, TEXAS FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON, THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES, THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED, FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF WAXAHACHE'S USE THEREOF. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF ACCESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME, PROCURING PERMISSION FROM ANYONE.

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

WITNESS, MY HAND, THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

A. GARRETT REAL ESTATE VENTURES, LLC  
 ASSIGNED AGENT  
 ANDREW GARRETT

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 ANDREW GARRETT, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES 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, RPLS, 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 PURPOSES AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT"

TIMOTHY L. JACKSON  
 REGISTRATION NUMBER 5644

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

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

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

APPROVED BY: CITY COUNCIL, CITY OF WAXAHACHE

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

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

REPLAT  
 LOTS 8A & 8B, BLOCK 3  
 UNIVERSITY ANNEX  
 ADDITION

BEING A REPLAT OF  
 LOT 8  
 UNIVERSITY ANNEX ADDITION  
 CABINET A, SLIDE 111,  
 OFFICIAL PUBLIC RECORDS, ELLIS COUNTY TEXAS  
 OF CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS  
 0.350 ACRES  
 2 RESIDENTIAL LOTS  
 ZONED SF-2  
 CASE NO. SUB-73-2022

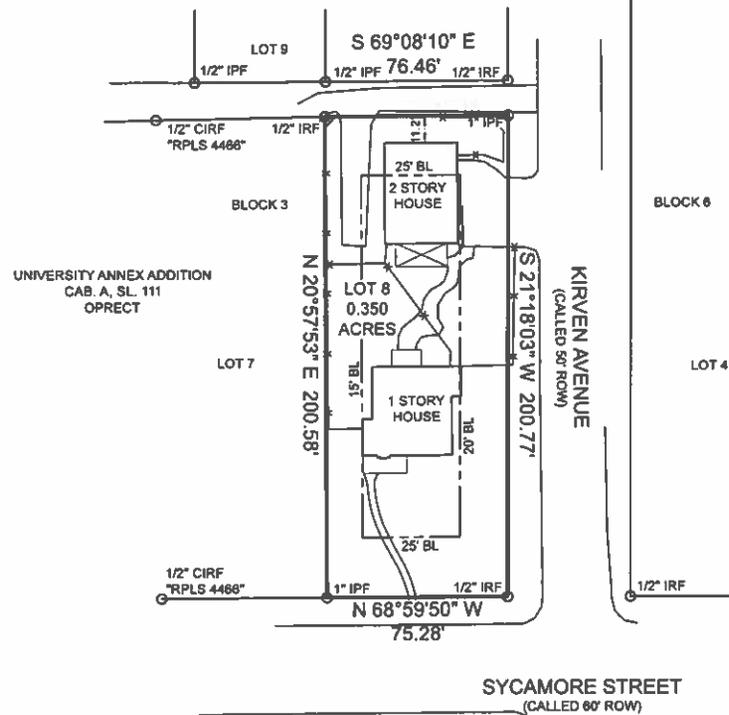
OWNERS:  
 A. GARRETT REAL ESTATE  
 VENTURES, LLC  
 1007 FERRIS AVENUE  
 WAXAHACHE, TX 75165  
 214.801.1740

SURVEYOR:  
 TEXAS REALTY CAPTURE &  
 SURVEYING, LLC.  
 P.O. BOX 252  
 WAXAHACHE, TEXAS 75168  
 489.518.0338  
 TBPLS FIRM NO 10194359





0' 25' 50'  
SCALE: 1" = 50'



BEING ALL OF LOT 8, BLOCK 3, UNIVERSITY ANNEX ADDITION, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF, RECORDED IN CABINET A, SLIDE 111, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS.

I, TIMOTHY L. JACKSON, RPLS, HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS A TRUE, CORRECT AND ACCURATE REPRESENTATION OF THE PROPERTY AS SURVEY PER THE DESCRIPTION SHOWN HEREON. THE SIZE LOCATION AND TYPE OF BUILDINGS AND VISIBLE IMPROVEMENTS ARE AS SHOWN.

**LEGEND:**

- AC AIR CONDITION
- EM ELECTRIC METER
- GM GAS METER
- PP POWER POLE
- WM WATER METER
- x—x—x—x— FENCE LINE (VARIOUS TYPES)
- o—o—o—o— OVERHEAD UTILITY LINES
- CIRS 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TXRCS" SET
- OPRECT OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
- (XXX) INDICATE RECORD OR DEED CALLS
- ROW RIGHT-OF-WAY

**NOTES:**

- BEARING BASIS FOR THIS SURVEY IS TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD 83. PER GPS OBSERVATIONS
- THE SURVEYOR DID NOT ABSTRACT THE SUBJECT PROPERTY FOR EASEMENTS OR ENCUMBRANCES THAT MAY AFFECT THE SUBJECT PROPERTY.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.
- UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF VISIBLE APPURTENANCES.
- THE SUBJECT PROPERTY LIES WITHIN ZONE "X" - DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN", ACCORDING TO THE THE FLOOD INSURANCE RATE MAP NO. 48139C0XXXF DATED JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

TIMOTHY L. JACKSON  
REGISTRATION NUMBER 5644

DATED: 08/20/2021  
REVISED: 04/18/2022



**BOUNDARY SURVEY  
0.350 ACRES**

SITUATED IN THE  
W.M. BASKINS SURVEY,  
ABSTRACT NO. 148  
CITY OF WAXAHACHIE  
ELLIS COUNTY, TEXAS

PROJECT NO. 1653

**TEXAS REALITY CAPTURE & SURVEYING, LLC**  
P.O. BOX 252  
WAXAHACHIE, TEXAS 75165  
409.518.0339  
TBPLS FIRM NO 10194368

TEXAS REALITY CAPTURE & SURVEYING, LLC

5

## ORDINANCE NO. 1929

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT FOR LOT 8, BLOCK 3, UNIVERSITY ANNEX, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND BEING FURTHER KNOWN AS 800 SYCAMORE ST., BEING SINGLE FAMILY-2 (SF-2), FOR THE PURPOSE OF ADDING A DETACHED GARAGE/ACCESSORY BUILDING AND POOLHOUSE, SUBJECT TO CERTAIN CONDITIONS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, the hereinbelow described property is classified in said ordinance and any amendments thereto as Single Family-2 (SF-2); and,

WHEREAS, proper application for a Specific Use Permit has been made in accordance with the zoning ordinances in the City of Waxahachie, and same having been referred to the Planning and Zoning Commission, and said Planning and Zoning Commission has recommended the issuance thereof; and,

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

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said Specific Use Permit;

NOW, THEREFORE, a Specific Use Permit for the purpose of adding a detached garage/accessory building and poolhouse, subject to certain conditions, is hereby authorized on the following property, and subject to the following condition or restriction:

Being Lot 8, Block 3, University Annex, an addition to the City of Waxahachie, Ellis County, Texas, and being further known as 800 Sycamore St., as more specifically identified on Exhibit "A" attached hereto.

Said Specific Use Permit is granted subject to the provision that, although it is to be automatically renewed each year, it shall at any time be subject to cancellation upon hearing before the City Council upon ninety (90) days notice in writing of said hearing; and further is subject to all state regulations and licensing requirements.

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

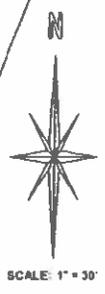
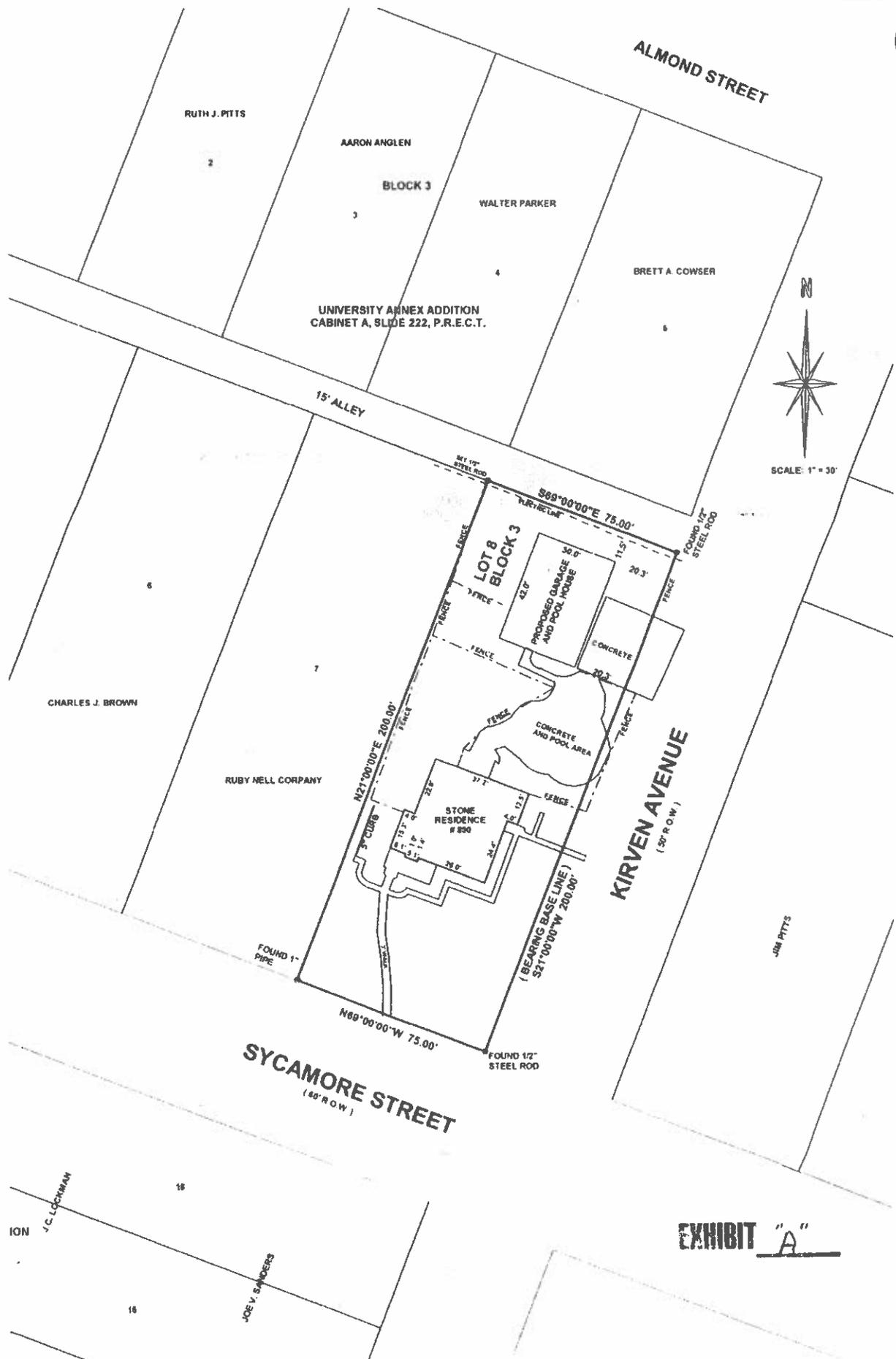
PASSED, APPROVED AND ADOPTED on this 18th day of May, 1998.

/s/ Chuck Beatty  
MAYOR

ATTEST:

/s/ Nancy Ross  
City Secretary

(5)



**EXHIBIT "A"**



(5)



(5)



(7)

# Planning & Zoning Department

## Plat Staff Report

Case: SUB-160-2021



**MEETING DATE(S)**

*Planning & Zoning Commission:* July 26, 2022

**CAPTION**

**Consider** request by Christopher Addison, JPH Land Surveying, Inc., for a **Plat** of Shridharani Subdivision, Lots 1-4, Block 1, being 8.414 acres, located north of 2800 N US Highway 77, situated in the Albert S. Pruett Survey, Abstract 848, an addition to the City of Waxahachie (Property ID: 189379 & 189387) – Owner: Vaquero Highway 77 Waxahachie Partners, LP.

**APPLICANT REQUEST**

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

**CASE INFORMATION**

*Applicant:* Christopher Addison, JPH Land Surveying, Inc.

*Property Owner(s):* Vaquero Highway 77 Waxahachie Partners, LP

*Site Acreage:* 8.414 acres

*Number of Lots:* 4 commercial lots

*Number of Dwelling Units:* 0 units

*Park Land Dedication:* The cash in lieu of park land dedication is \$5,048.40 (8.414 acres at \$600.00 per acre.)

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

**SUBJECT PROPERTY**

*General Location:* North of 2800 N US Highway 77

*Parcel ID Number(s):* 189379 & 189387

*Current Zoning:* Planned Development-General Retail (PD-GR) with SUPs for a Auto Parts & Accessory Sales and a Drive-Through Establishment (Starbucks).

*Existing Use:* The subject property is currently undeveloped.

*Platting History:* The subject property is a portion of the Albert S. Pruett Survey, Abstract 848.

Site Aerial:



**PLANNING ANALYSIS**

The applicant is proposing to plat the subject property into four (4) lots for commercial use. All proposed lots meet or exceed the minimum lot size and dimension requirements established by the zoning for the property. The proposed plat shows a Shared Access Easement for a private drive that connects all four (4) lots. However, the Shared Access Easement is proposed to be created by separate instrument. The recording information for the Shared Access Easement, along with several offsite Drainage, Grading, and Utility Easements, will need to be added to the plat prior to filing.

**RECOMMENDATION**

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

- Denial
- Approval, per conditions:
  1. The applicant shall update the plat to include recording information for the Shared Access Easement and all offsite easements prior to plat filing.

**ATTACHED EXHIBITS**

1. Plat

**APPLICANT REQUIREMENTS**

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

**CITY REQUIREMENTS FOR PLAT RECORDING AND FILING**

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

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

**STAFF CONTACT INFORMATION**

*Prepared by:*

Zack King

Planner

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

*Reviewed by:*

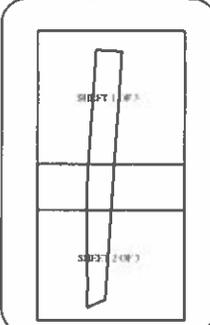
Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

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



NOTE TO SCALE



FLOOD ZONE CLASSIFICATION

This property lies within ZONE(S) X & AE of the Flood Insurance Rate Map for Ellis County, Texas and Incorporated Areas, map no. 48139C0200P, dated 2013/06/03, via scaled map location and graphic plotting and/or the National Flood Hazard Layer (NFHL) Web Map Service (WMS) at <http://hazards.fema.gov>

MONUMENTS / DATUMS / BEARING BASIS

- Monuments are found if not marked MNS or CRS.
- CRS: 1/2" rebar stamped "JPH Land Surveying" set
- MNS: Mag nail & washer stamped "JPH Land Surveying" set
- THM: Site benchmark (see vicinity map for general location)
- MNF: Mag nail found
- Vertex or common point (not a monument)
- Coordinate values, if shown, are US NAD83/TNCS/83/NCZ
- Elevations, if shown, are NAVD83
- TYPE I: Hearings are based on grid north (TNCS/83/NCZ)
- TYPE II: TxDOT Right of Way, tapered concrete monument
- TYPE III: TxDOT Right of Way, bronze cap in concrete.
- TxDOT Right of Way aluminum cap.

LEGEND OF ABBREVIATIONS

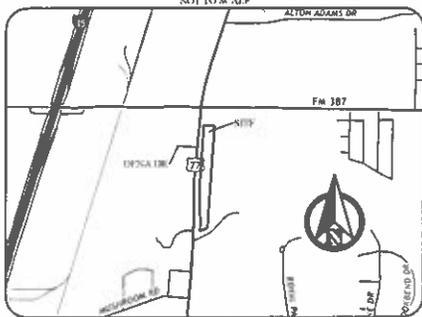
- US SURV: United States Survey Feet
- TNCS/83/NCZ: Texas Coordinate System of 1983, North Central Zone
- NAVD83: North American Vertical Datum of 1988
- P.R.E.C.T.: Plat Records of Ellis County, Texas
- O.P.R.E.C.T.: Official Public Records of Ellis County, Texas
- D.R.E.C.T.: Deed Records of Ellis County, Texas
- VOL/PAGE/INST#: Volume/Page/Instrument Number
- POB/MOC: Point of Beginning/Point of Commencing

ACCESS NOTE:

Rights of access are as defined within the Declaration of Easements, Covenants and Restrictions recorded under Instrument Number 2120553, Official Public Records, Ellis County, Texas

VICINITY MAP

NOT TO SCALE

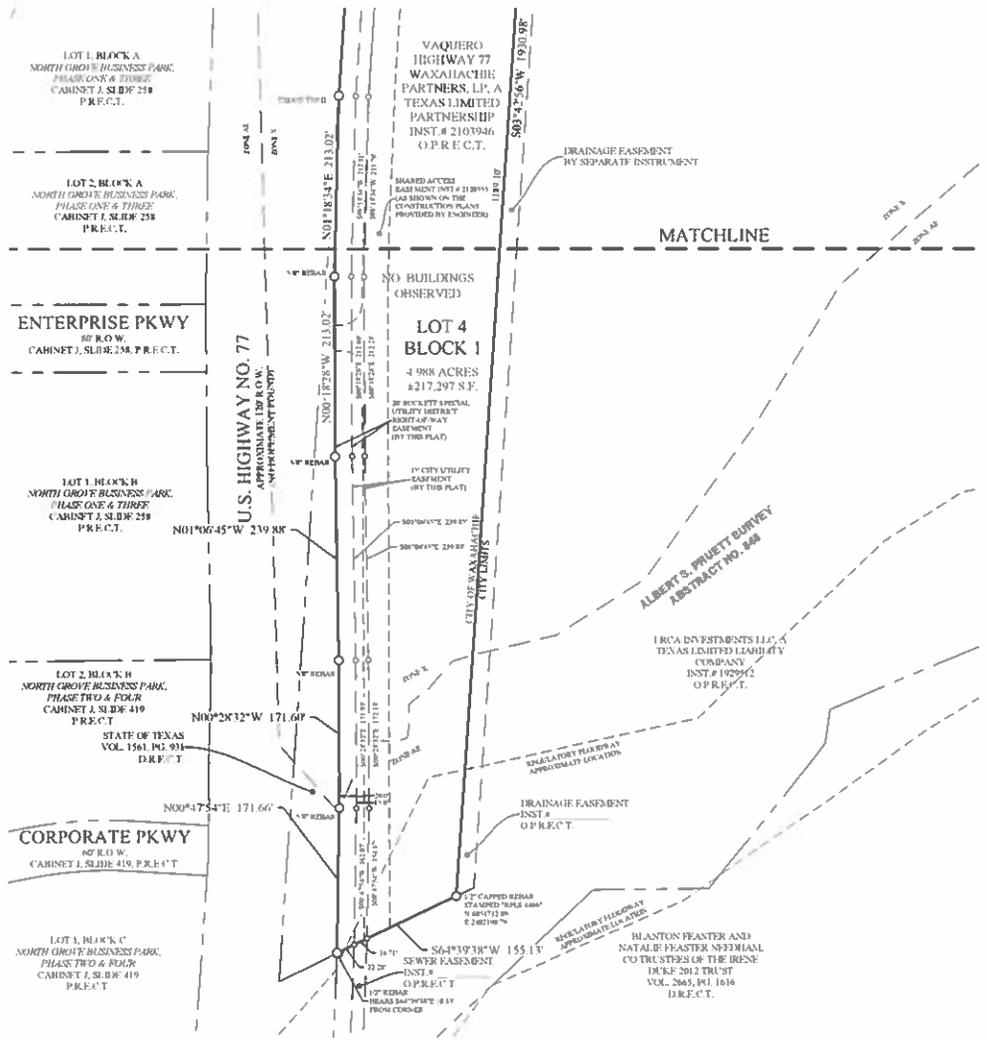


Scale: 1" = 100'

PREPARED BY:  
JPH Land Surveying, Inc  
785 Lonesome Dove Trail  
Hurst, Texas 76054  
(817) 431-4971

OWNER/APPLICANT:  
Vaquero Highway 77  
Waxahachie Partners, L.P. a  
Texas limited partnership  
2900 Wingate Street Suite 200  
Fort Worth, TX 76107  
(512) 983-1793

DEVELOPER:  
Kelly Agnor  
Vaquero Ventures  
2900 Wingate Street Suite 200  
Fort Worth, TX 76107  
(512) 983-1793



PLAT  
LOTS 1, 2, 3 & 4, BLOCK 1  
SHRIDHARANI SUBDIVISION

ALBERT S. PRUETT SURVEY, ABSTRACT NO. 808  
A SUBDIVISION OF 8.414 ACRES  
ZONED PD-GR  
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS  
PREPARED IN OCTOBER 2021  
SHEET 2 OF 3

(17)

STATE OF TEXAS §  
COUNTY OF ELLIS §

WHEREAS, Vaquero Highway 77 Waxahachie Partners, LP is the owner of that certain tract of land situated in the Albert S Pruett Survey, Abstract No 848, Ellis County, Texas, said tract being all of the tract described in the deed to Vaquero Highway 77 Waxahachie Partners, LP, a Texas limited partnership, recorded under Instrument Number (INST #) 2103946, Official Public Records, Ellis County, Texas (O.P.R.E.C.T.), the subject tract is more particularly described as follows:

Beginning at a 1/2 inch capped rebar stamped "JPH Land Surveying" set at the northwest property corner of the said Vaquero tract, same being the southwest property corner of the tract described in the deed to LRC Investments LLC, a Texas limited liability company, recorded under INST # 1929513, O.P.R.E.C.T., said point being on the monumented east right-of-way line of U.S. Highway No. 77, being an approximate 175 foot right-of-way, no dedicating document found.

THENCE: SOUTH 86° 09' 51" EAST, departing the said right-of-way line, with the north line of the Vaquero tract and with the south line of the said LRC tract, a distance of 201.01 feet to a 1/2 inch rebar found at the northeast property corner of the Vaquero tract, being the northwest property corner of the tract described in the deed to LRC Investments LLC, a Texas limited liability company, recorded under INST # 1929512, O.P.R.E.C.T.;

THENCE: departing the said LRC tract (INST # 1929513), with the common lines of the Vaquero tract and the LRC tract (INST # 1929512), the following courses and distances:

1. SOUTH 03° 42' 56" WEST, a distance of 193.98 feet to a found 1/2 inch capped rebar stamped "RPLS 4466";
2. SOUTH 64° 39' 38" WEST, a distance of 155.13 feet to a point from which a found 1/2 inch rebar bears SOUTH 64° 39' 38" EAST, a distance of 0.33 feet, said point being the southeast corner of the tract described in the deed to the State of Texas, recorded in Volume 1861, Page 931, Deed Records, Ellis County, Texas.

THENCE: departing the said property lines, with the east lines of the said State of Texas tract, the following courses and distances:

1. NORTH 00° 47' 54" EAST, a distance of 171.66 feet to a found 5/8 inch rebar;
2. NORTH 00° 28' 32" WEST, a distance of 171.60 feet to a found 5/8 inch rebar;
3. NORTH 01° 06' 45" WEST, a distance of 239.88 feet to a found 5/8 inch rebar;
4. NORTH 00° 18' 28" WEST, a distance of 213.02 feet to a found 5/8 inch rebar;
5. NORTH 01° 18' 34" EAST, a distance of 213.02 feet to a TYPOT Type II monument found at the north corner of the State of Texas tract, being a point on the west line of the Vaquero tract, same being the aforesaid east right-of-way line of U.S. Highway No. 77.

THENCE: NORTH 03° 42' 46" EAST, with the said west line of the Vaquero tract, and with the said east right-of-way line of U.S. Highway No. 77, a distance of 999.81 feet returning to the POINT OF BEGINNING and enclosing 8.414 acres (±306.51± square feet).

**SURVEYOR'S NOTES:**

1. Current Zoning for the subject tract is PD-GR (Planned Development General Retail) per Zoning Survey Summary provided by Key Zoning Assessments, L.L.C., P.O. Box 469, Necedah, WI 54646 (608) 565-3164, Site Number 2020 1478 10 Final, Dated September 19, 2020
2. Subject property's record description's error of closure, 0.0063'
3. Zoning district for adjoiners are labeled per City of Waxahachie Zoning Map
4. FLOOD ZONE CLASSIFICATION: This property lies within ZONING X & AE of the Flood Insurance Rate Map for Ellis County, Texas and Incorporated Areas, map no. 48139C0200F, dated 2013/06/03, via sealed map location and graphic plotting and/or the National Flood Hazard Layer (NFHL) Web Map Service (WMS) at <http://hazards.fema.gov>

**ACCESS NOTE:**

Rights of access are as defined within the Declaration of Easements, Covenants and Restrictions recorded under Instrument Number 2120553, Official Public Records, Ellis County, Texas



JPH Job/Drawing No. (see below)  
2020 022 037 O'Reilly Hwy 77, Waxahachie, Ellis Co., Tx - Final Plat dwg  
© 2022 JPH Land Surveying, Inc. - All Rights Reserved  
785 Lonesome Dove Trail, Hurst, Texas 76154  
Telephone (817) 431-4971 www.jphlandsurveying.com  
THEPLS Firm #10019500  
DFW | Central Texas | West Texas | Houston

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Vaquero Highway 77 Waxahachie Partners, LP, a Texas limited partnership, does hereby adopt this plat designating the herein above described property as Shridharani Subdivision, an addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed, if approved by the City of Waxahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie, Rockett Special Utility District, and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements; provided, however, that any paving, grading, parking, sidewalk, or landscaping shall not be considered an endangerment or interference to any of the easements shown herein or the utility systems within said easements, and the City of Waxahachie, Rockett Special Utility District, and public utility entities shall repair or replace the same for any damage it causes thereto. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

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

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

By: Vaquero Highway 77 Waxahachie Partners, LP, a Texas limited partnership

By: Vaquero Ventures Management, L.L.C., a Texas limited liability company, as general partner of Vaquero Highway 77 Waxahachie Partners, LP, a Texas limited partnership

By: \_\_\_\_\_  
W.A. Landreth Date \_\_\_\_\_  
Manager of general partner

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 W. A. Landreth, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Notary Public in and for the State of \_\_\_\_\_  
My Commission Expires On \_\_\_\_\_

SURVIVOR'S CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS

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

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

Jewel Chadd  
Registered Professional  
Land Surveyor No. 5754  
Date: TBD

APPROVED BY: Planning and Zoning Commission  
City of Waxahachie  
\_\_\_\_\_  
Chairperson Date \_\_\_\_\_  
\_\_\_\_\_  
Attest Date \_\_\_\_\_

PLAT  
LOTS 1, 2, 3 & 4, BLOCK 1  
SHRIDHARANI SUBDIVISION  
ALBERT S. PRUETT SURVEY, ABSTRACT NO. 848  
A SUBDIVISION OF 8.414 ACRES  
ZONED: PD-GR  
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS  
PREPARED IN OCTOBER 2021  
SHEET 3 OF 3

CASE NO. SJH-160-2021

(7)

(8)

# Planning & Zoning Department

## Plat Staff Report

Case: SUB-213-2021



### MEETING DATE(S)

Planning & Zoning Commission: July, 26, 2022

### CAPTION

**Consider** request by Shannon Lawless, LJA Engineering, for a **Plat** of Saddlebrook Estates Phase 3, 350 lots, being 105.956 acres, located northeast of Charismatic Road, situated in the G. Carpenter Survey, Abstract 190, S.M. Durrett Survey, Abstract 272, and M. Rafferty Survey, Abstract 898, an addition to the City of Waxahachie (Property ID: 189842) – Owner: 287 Waxahachie LP.

### APPLICANT REQUEST

The applicant is requesting to plat the subject property into 341 single family residential lots, and 9 open space lots.

### CASE INFORMATION

*Applicant:* Shannon Lawless, LJA Engineering

*Property Owner(s):* 287 Waxahachie LP

*Site Acreage:* 105.956 acres

*Number of Lots:* 350 lots

*Number of Dwelling Units:* 341 units

*Park Land Dedication:* The proposed plat provides park land in accordance to the Planned Development zoning on the property.

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

### SUBJECT PROPERTY

*General Location:* Northeast of Charismatic Road

*Parcel ID Number(s):* 189842

*Current Zoning:* Planned Development (PD)

*Existing Use:* The subject property is currently undeveloped.

*Platting History:* The subject property is part of the G. Carpenter Survey, Abstract 190, S.M. Durrett Survey, Abstract 272, and M. Rafferty Survey, Abstract 898.

Site Aerial:



**PLANNING ANALYSIS**

The applicant is proposing to plat the subject property into 341 single family residential lots, and 9 opens space lots. The plat contains two types of residential lots; 60' lots and 70' lots. The minimum size for 50' lots is 6,600 square feet; while the minimum size for 70' lots is 8,000 square feet. The dimensions and the mix of these different lot types adheres to the requirements of the Villages of Mustang Creek Planned Development (PD) zoning for the property. Additionally, the applicant has allocated lots for open space and a neighborhood park, in conformance with the zoning for the property.

**RECOMMENDATION**

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

- Approval, as presented.

**ATTACHED EXHIBITS**

1. Plat

**APPLICANT REQUIREMENTS**

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

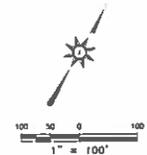
Senior Director of Planning

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

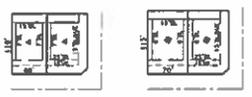
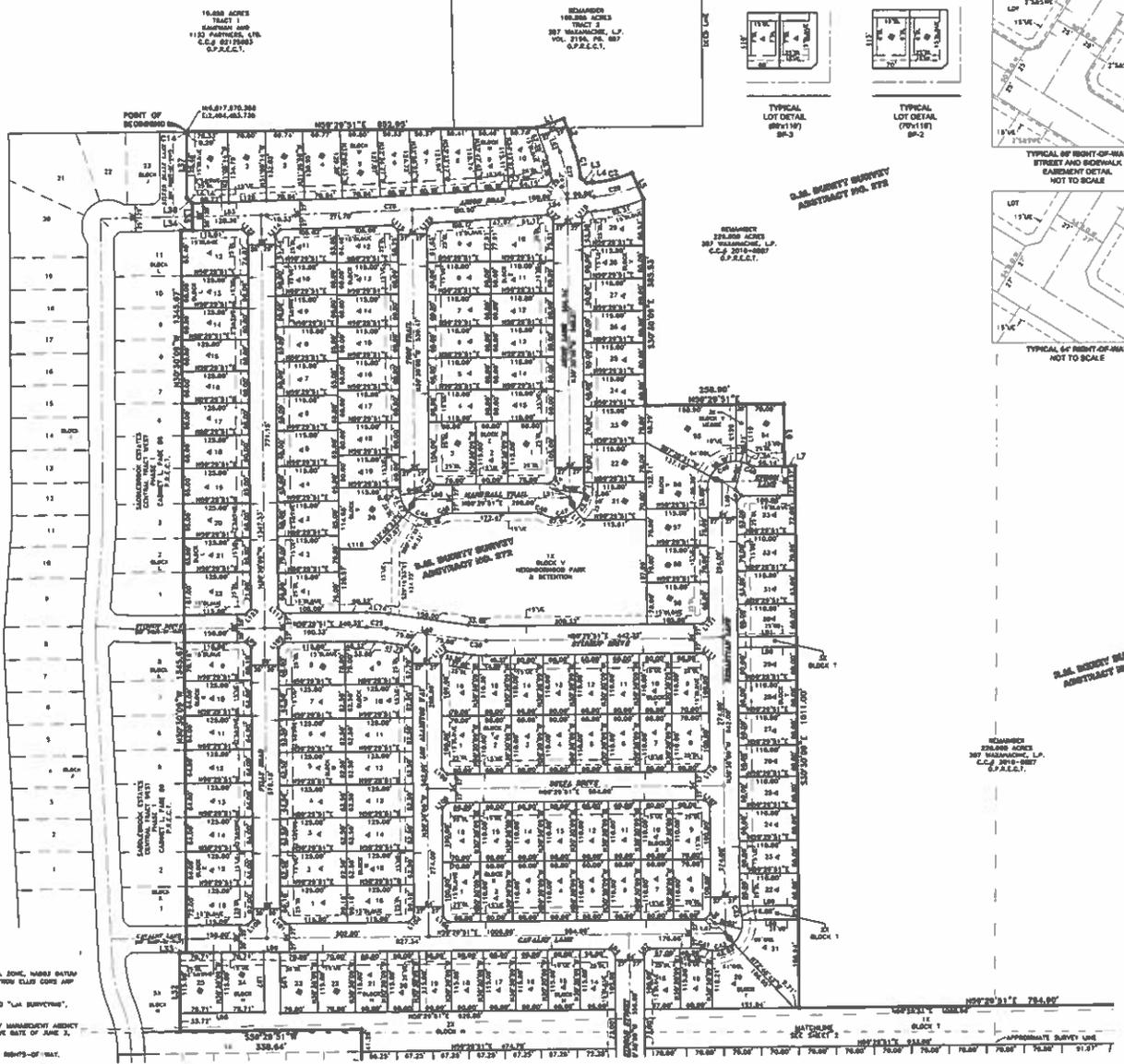


SUBJECT TRACT

VICINITY MAP  
NOT TO SCALE



KEY MAP  
NOT TO SCALE



TYPICAL LOT DETAIL  
(80x110)  
SAC-1

TYPICAL LOT DETAIL  
(70x110)  
SAC-2



TYPICAL OF RIGHT-OF-WAY  
STREET AND SIDEWALK  
EASEMENT DETAIL  
NOT TO SCALE



TYPICAL OF RIGHT-OF-WAY  
NOT TO SCALE

LEGEND

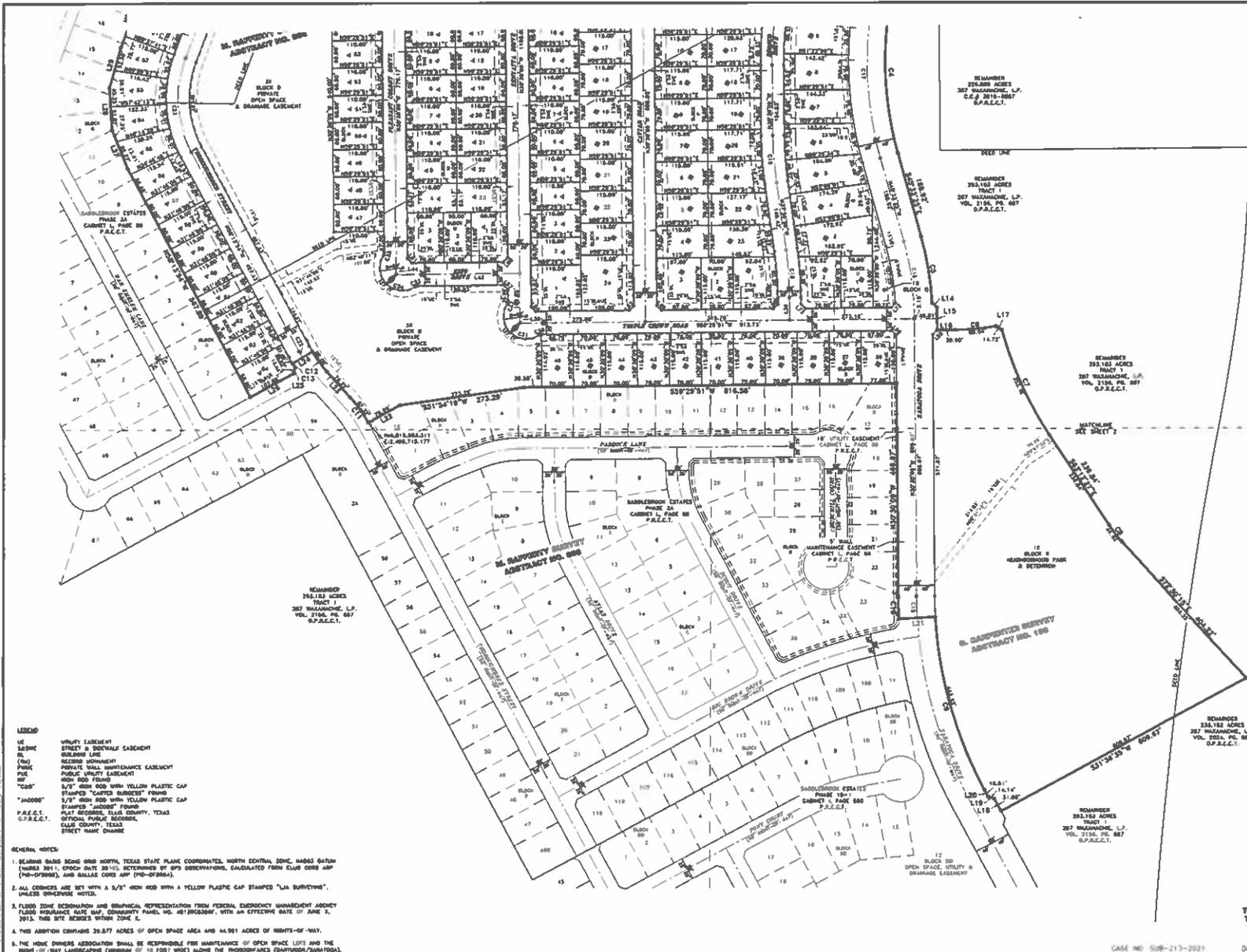
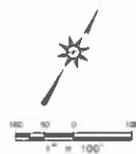
WE	UTILITY EASEMENT
SE	STREET & SIDEWALK EASEMENT
BL	BUILDING LINE
ND	NEEDS WORKSHOP
PM	PRIVATE TRAIL MAINTENANCE EASEMENT
PL	PUBLIC UTILITY EASEMENT
RF	ROOF ROOF FOUND
SD	5/8" ROD ROB WITH YELLOW PLASTIC CAP
ST	STAMPED "CARTER BUSINESS" FOUND
TD	5/8" ROD ROB WITH YELLOW PLASTIC CAP
TR	STAMPED "JACOBY" FOUND
UC	UTILITY CURB, FLOOD COUNTY, TEXAS
US	UTILITY CURB, TARRANT COUNTY, TEXAS

- GENERAL NOTES
1. BEARING AND DISTANCE DATA FOR THIS SURVEY WERE OBTAINED FROM THE TEXAS STATE PLAT COORDINATE NORTH CENTRAL ZONE, NAD83 DATUM (NAD83 3011, EPOCH DATE 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM ELPS CURS AIP (PD-02898), AND SALLAS CURS AIP (PD-02896).
  2. ALL CORNERS ARE SET WITH A 5/8" ROD ROB WITH A YELLOW PLASTIC CAP STAMPED "S.M. DURITT SURVEY", UNLESS OTHERWISE NOTED.
  3. FLOOD ZONE DETERMINATION AND GRAPHICAL REPRESENTATION FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 481000000, WITH AN EFFECTIVE DATE OF JUNE 3, 2015. THIS SITE RESIDES WITHIN ZONE C.
  4. THIS ADDITION COMBINES 28.377 ACRES OF OPEN SPACE AREA AND 44.281 ACRES OF RIGHTS-OF-WAY.
  5. THE HOME OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTENANCE OF OPEN SPACE LOTS AND THE RIGHT-OF-WAY LANDSCAPES (MINIMUM OF 10 FOOT WIDE) ALONG THE PERIMETERS (SOUTH/SIDE/SIDEWALK).

PLAT OF  
**SADDLEBROOK ESTATES**  
PHASE 3  
AN ADDITION TO THE  
CITY OF WAKAMACHE  
ELLIS COUNTY, TEXAS  
341 RESIDENTIAL LOTS  
& PUBLIC OPEN SPACES  
100.806 ACRES  
ZONED: MUSTANG CREEK PD  
OUT OF  
THE G. CARPENTER SURVEY, ABSTRACT NO. 190,  
THE S.M. DURITT SURVEY, ABSTRACT NO. 272 &  
THE W. RAFFERTY SURVEY, ABSTRACT NO. 288

(8)





- LEGEND**
- UT UTILITY EASEMENT
  - SEWER STREET & DRYWALL EASEMENT
  - BL BOUNDARY LINE
  - RECORD INSTRUMENT
  - PKWY PRIVATE WALKWAY EASEMENT
  - PMNT PUBLIC UTILITY EASEMENT
  - HOV HOV ROAD FOUND
  - HOV HOV ROAD WITH YELLOW PLASTIC CAP
  - HOV HOV ROAD WITH YELLOW PLASTIC CAP STAMPED "CARPENTER SURVEY"
  - HOV HOV ROAD WITH YELLOW PLASTIC CAP STAMPED "RAFFERTY SURVEY"
  - PLAT RECORDING FILE NUMBER, TOLSON OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS
  - P.L.C.C.T. STREET NAME CHANGE

- GENERAL NOTES**
1. BEARING BOUNDS BEING NORTH TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 DATUM (MARS 2011, EPOCH DATE 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM CLUB COGS AMP (NON-OFFSET), AND BOUNDS CODE AMP (NON-OFFSET).
  2. ALL CORNERS ARE SET WITH A 3/8" HIGH HOV WITH A YELLOW PLASTIC CAP STAMPED "LAI SURVEYING", UNLESS OTHERWISE NOTED.
  3. FLOOD ZONE DETERMINATION AND SYMBOLICAL REPRESENTATION FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 491300000P, WITH AN EFFECTIVE DATE OF JUNE 9, 2015. THIS SITE BEINGS WITHIN ZONE L.
  4. THIS ABSTION CONTAINS 29.877 ACRES OF OPEN SPACE AREA AND 44.981 ACRES OF RIGHTS-OF-WAY.
  5. THE HOME OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTENANCE OF OPEN SPACE LOTS AND THE RIGHT-OF-WAY LANDSCAPING (MINIMUM OF 10 FOOT WIDE) ALONG THE PHOTOGRAPHS (DAYTIME/SHOOTING).

**PLAT OF SADDLEBROOK ESTATES PHASE 3**  
 AN ADDITION TO THE CITY OF WALKERHURST ELLIS COUNTY, TEXAS  
 341 RESIDENTIAL LOTS  
 9 PUBLIC OPEN SPACES  
 101.866 ACRES  
 ZONED: MUSTANG CREEK PD  
 PART OF  
 THE O. CARPENTER SURVEY, ABSTRACT NO. 190,  
 THE S.M. DURTT SURVEY, ABSTRACT NO. 272 &  
 THE M. RAFFERTY SURVEY, ABSTRACT NO. 898

(8)

Table with 4 columns: Tract, Acreage, Survey, and Tract. Lists various tracts and their acreages.

Table with 4 columns: Owner, Address, Acreage, and Value. Lists property owners and their details.

CITY APPROVAL OF PLAT. Includes fields for APPROVED BY, CITY OF WAXAHACHE, OWNER, DATE, and SIGNATURE.

PLAT OF SADDLEBROOK ESTATES PHASE 3. AN ADDITION TO THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS. 344 RESIDENTIAL LOTS 9 PUBLIC OPEN SPACES 105.96 ACRES. ZONED: MUSTANG CREEK PD.

THE G. CARPENTER SURVEY, ABSTRACT NO. 190, THE B.M. DUFFY SURVEY, ABSTRACT NO. 272 & THE B. RAFFERTY SURVEY, ABSTRACT NO. 896

DATE: JULY 2022 JOB NO: 0019 SHEET 4 OF 4

Table with 4 columns: Tract, Acreage, Survey, and Tract. Lists various tracts and their acreages.



THE STATE OF TEXAS, COUNTY OF ELLIS, BEING THE COUNTY OF WAXAHACHE, TEXAS. I, the undersigned, being a duly qualified and licensed Professional Land Surveyor of the State of Texas, do hereby certify that the foregoing is a true and correct copy of the original plat of the Saddlebrook Estates, Phase 3, as shown on the attached plat, and that the same has been filed for record in the Public Records Office of the County of Ellis, Texas, on this 20th day of July, 2022.

STATE OF TEXAS, COUNTY OF ELLIS, BEING THE COUNTY OF WAXAHACHE, TEXAS. I, the undersigned, being a duly qualified and licensed Professional Land Surveyor of the State of Texas, do hereby certify that the foregoing is a true and correct copy of the original plat of the Saddlebrook Estates, Phase 3, as shown on the attached plat, and that the same has been filed for record in the Public Records Office of the County of Ellis, Texas, on this 20th day of July, 2022.

1:17:20 PM 7/20/2022 1:17:20 PM 7/20/2022 1:17:20 PM 7/20/2022 1:17:20 PM 7/20/2022

(9)

# Planning & Zoning Department

## Zoning Staff Report



**Case: SP-70-2022**

**MEETING DATE(S)**

*Planning & Zoning Commission:* July 26, 2022

*City Council:* August 1, 2022

**CAPTION**

**Consider** a request by Brad Yates, Loren Gray Investments, LLC, for a detailed Site Plan review for a proposed **Private Club (Event Center)** within a Planned Development zoning district, located at 716 Dunaway Street, (Property ID 193948) – Owner: LOREN GRAY INVESTMENTS LLC (ZDC-131-2021) AKA SP-70-2022

**APPLICANT REQUEST**

The purpose of this request is approval of a detailed Site Plan SP-70-2022 review for a proposed Private Club (Event Center).

**CASE INFORMATION**

*Applicant:* Brad Yates, Loren Gray Investments, LLC

*Property Owner(s):* Loren Gray Investments, LLC

*Site Acreage:* 0.873 acres

*Current Zoning:* Planned Development SF-3

**SUBJECT PROPERTY**

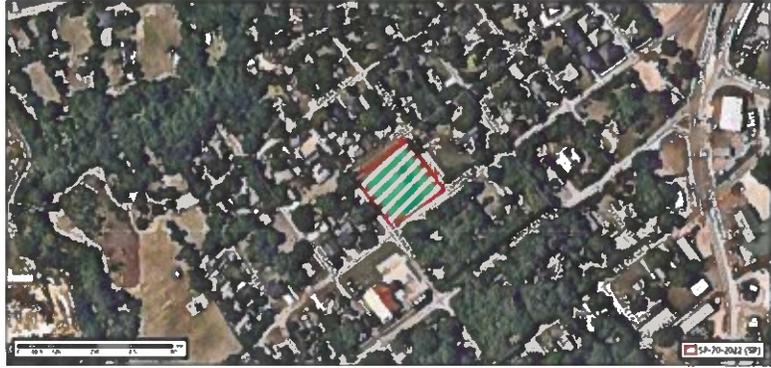
*General Location:* 716 Dunaway Street

*Parcel ID Number(s):* 193948

*Existing Use:* The current structure on site will be repurposed for use as an event center.

*Development History:* The subject property was rezoned from Single-Family-3 (SF-3) to Planned Development-Single-Family-3 (PD-SF-3) in 2021. The rezoning permitted the site to be utilized as an event center. As part of the Planned Development agreement, a detailed site plan must be approved by the Planning and Zoning Commission and City Council.

Site Image:



**PLANNING ANALYSIS**

The proposed site plan does include major components of the concept plan that was approved as part of the Planned Development Ordinance. The street parking is adequate in size and location. The parking located on-site is adequate in size. All landscape requirements have been met, with the exception of required shrubbery located to screen the refuse enclosure. The applicant submitted civil construction plans and renderings that show a second-story addition to the existing structure, which consists of a storage area and a balcony overlook, the total area of the addition is 1,250 square feet. The site plan does not indicate a sidewalk along Avenue C, as agreed to by the applicant in the Development Agreement and stated in the Planned Development Ordinance.

**APPLICANT RESPONSE TO CONCERNS**

Unresolved Comments	
Staff Comment	Applicant Response
Lack of sidewalk along Avenue C, which is required per PD and Developer Agreement.	The applicant is requesting to proceed without sidewalks along Avenue C.
The second story addition was not included in the original concept plan.	The applicant wants to propose this change to the concept plan with the site plan approval request.
Evergreen shrubbery of 3ft in height should be added along side the dumpster enclosure.	The applicant intends to comply with the landscape requirements.

**RECOMMENDATION**

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

- Denial
- Approval, as presented.
- Approval, per the following comments:
  1. Installation of sidewalk along Avenue C.
  2. Second story enclosed addition (1250 sf) will only be used for indoor storage as indicated by applicant. To use this area for event center purposes, the SP shall be re-evaluated at P&Z and CC for the compatibility of the proposed use of the space, and mitigation measures if needed.
  3. Evergreen shrubbery will be installed to screen refuse wall per zoning ordinance.

**ATTACHED EXHIBITS**

1. Site Plan
2. Building Elevations
3. Landscape Plan
4. Planned Development Ordinance
5. Developer Agreement
6. Concept Plan

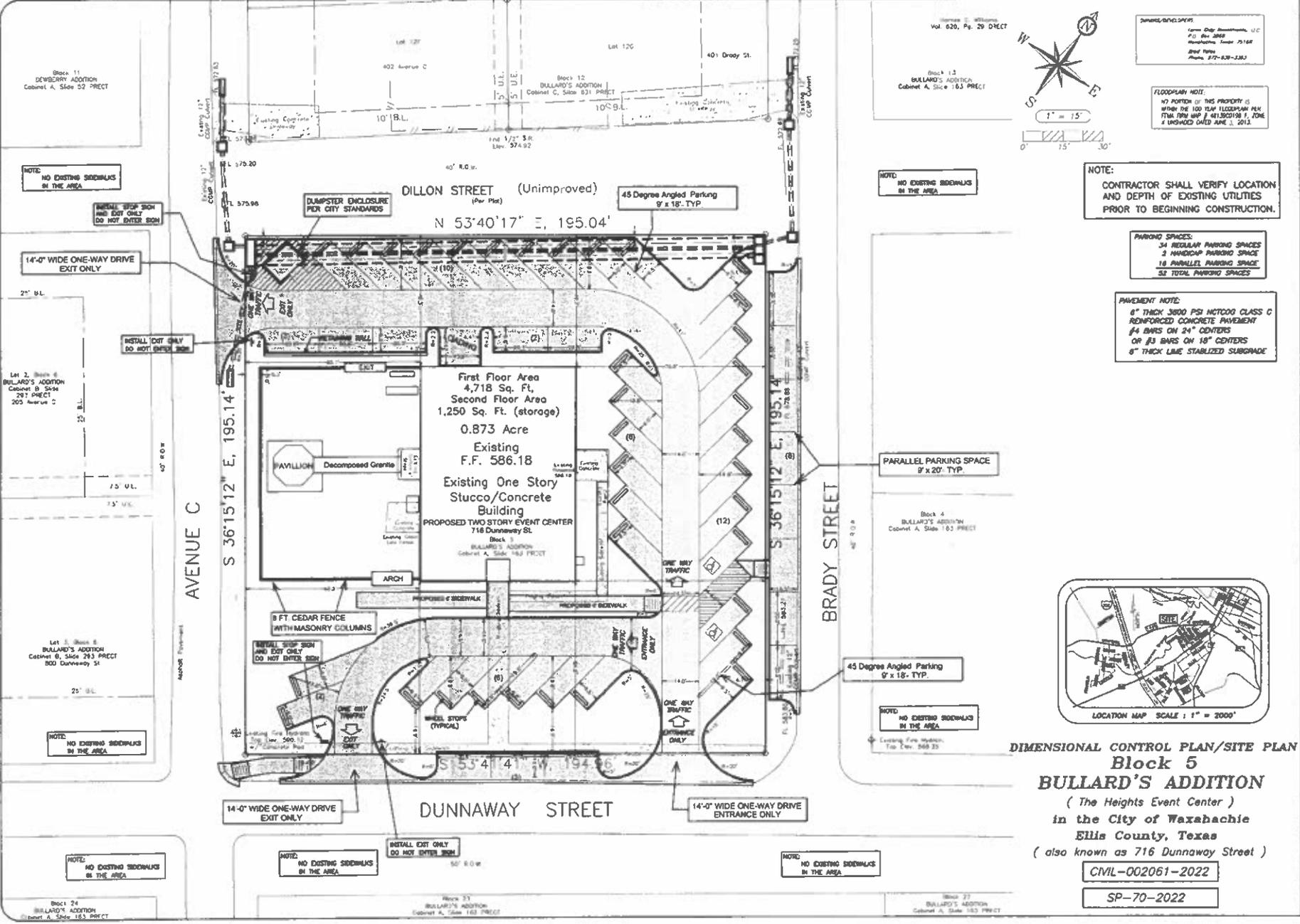
**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*  
Ashlie Jones  
Senior Planner  
[ashlie.jones@waxahachie.com](mailto:ashlie.jones@waxahachie.com)

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



Volume 2, Williams  
Vol. 620, Pg. 29 DIRECT

Block 13  
BULLARD'S ADDITION  
Cabinet A, Side 163 PRECT



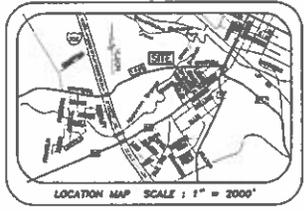
DESIGNED/DEVELOPED BY  
Korn City Associates, LLC  
P.O. Box 3066  
Waco, Texas 76788  
Shed No. 277-628-2383

FLOODPLAIN NOTE:  
10 PERCENT OF THIS PROPERTY IS WITHIN THE 100 YEAR FLOODPLAIN PER THE TFM MAP # 41301018 F, ZONE A UNSHOUD DATED APRIL 1, 2013.

NOTE:  
CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION.

PARKING SPACES:  
34 REGULAR PARKING SPACES  
2 HANDICAP PARKING SPACE  
18 PARALLEL PARKING SPACE  
52 TOTAL PARKING SPACES

PAVEMENT NOTE:  
6" THICK 3000 PSI M2000 CLASS C REINFORCED CONCRETE PAVEMENT  
#4 BARS ON 24" CENTERS  
OR #3 BARS ON 18" CENTERS  
6" THICK LIME STABILIZED SUBGRADE



**DIMENSIONAL CONTROL PLAN/SITE PLAN**  
**Block 5**  
**BULLARD'S ADDITION**  
(The Heights Event Center)  
in the City of Waco  
Ellis County, Texas  
(also known as 716 Dunnaway Street)

CIVL-002061-2022

SP-70-2022

**DAVIS & McDILL, Inc.**  
D&M ENGINEERS  
(A Texas Licensed engineering firm # F-8431)  
P.O. BOX 428, Waco, Texas 76788  
Phone: Metro 972-938-1185



7.6.22  
Date: 07-08-2022  
Scale: 1" = 15'  
Drawn: K. Robinson  
221-0206-045E  
Job: SITE-PLAN  
Sheet 3

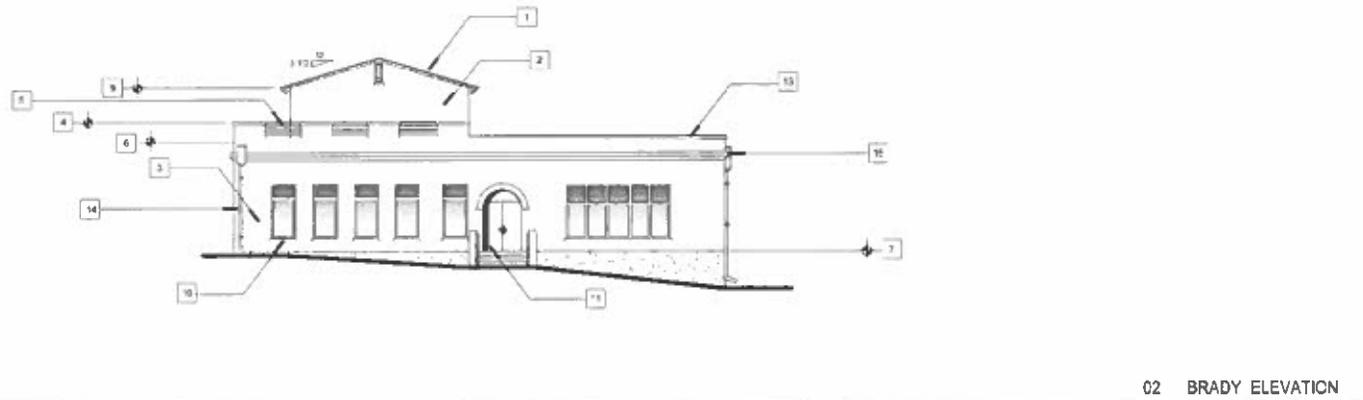
(b)

### Exterior Elevations Key

- 1 LIGHT-WEIGHT SPANISH BARREL TILE ROOF SYSTEM
- 2 NEW CEMENT STUCCO (WHITE-W/ SMOOTH T ROWEL FINISH)
- 3 NEW CEMENT STUCCO COATING SYSTEM TO MATCH NEW CONSTRUCTION ABOVE
- 4 TOP OF NEW PARAPET CORNING; 44" ABOVE FINISHED DECK ELEVATION
- 5 TOP OF RAIN SYSTEM 42" ABOVE FINISHED DECK ELEVATION
- 6 APPROXIMATE ELEVATION OF NEW 2ND FINISHED FLOOR- FIELD VERIFY
- 7 GROUND FINISHED FLOOR ELEVATION
- 8 FIXED STFL EXIT STAIRS- FIELD VERIFY RISE AND CONDITIONS PRIOR TO FABRICATION
- 9 3/4" TOP PLATE- TYP.
- 10 NEW WINDOW UNIT INTO EXISTING MASONRY OPENING- TYP- SEE WINDOW SCHEDULE
- 11 NEW DOOR- SEE DOOR SCHEDULE
- 12 APPROXIMATE ELEVATION OF EXISTING BUILDING CORNING
- 13 CONTINUOUS METAL CAP FLASHING SYSTEM AT EXISTING CORNING-TYP.
- 14 DECORATIVE COLLECTOR BOX AND DOWNSPOUT SYSTEM- SEE ROOF PLAN
- 15 CONTINUOUS DECORATIVE FRG CORNICE SYSTEM AS INDICATED

### Exterior Elevation Notes:

1. SEE FLOOR PLANS AND OTHER DOCUMENTS WITHIN THIS SET FOR ADDITIONAL INFO REGARDING THESE ELEVATIONS
2. ALL COLORS AND FINISHES AND OTHER RELATED ELEMENTS TO BE CHOSEN BY THE OWNER
3. SEE WINDOW AND DOOR SCHEDULE FOR ALL RELATED ELEMENTS SHOWN ON THESE ELEVATIONS
4. SEE STRUCTURAL DWGS. FOR ALL ELEMENTS RELATED TO THE STRUCTURAL FRAME, FOUNDATION SYSTEM AND MISCELLANEOUS STEEL AND INFILL ELEMENTS
5. SEE STRUCTURAL DWGS. FOR ALL FOUNDATION SYSTEMS SPECIFICATIONS AND REQUIREMENTS
6. SEE CIVIL DWGS. FOR ALL AREAS OUTSIDE THE BUILDING ENVELOPE AND WITHIN THE LIMITS OF WORK
7. SEE ROOF PLAN FOR ALL GUTTER AND DOWNSPOUT SYSTEMS NOT SHOWN ON THIS PLAN



<p><b>The Heights Event Center</b>                  716 Dunaway Street                  Waxahatchie, Texas 75165</p>	
	
<p>Colonial Restoration                  P.O. Box 2898                  Waxahatchie, Texas 75169                  972.938.3383</p>	
	
<p>308 East Marsh Avenue                  Waxahatchie, TX 75165                  972.938.2388</p>	
<p>716 Dunaway</p>	
<p>www.motiaarchitects.com</p>	
	
<p>PROJ. NO. 202207                  PROJECT NO. 0001                  DATE: 12.27</p>	<p>SCALE: 1/4" = 1'-0"  <b>A6.0</b></p>

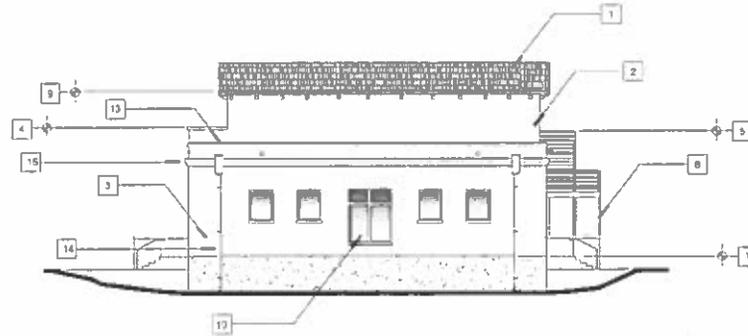
(b)

### Exterior Elevations Key

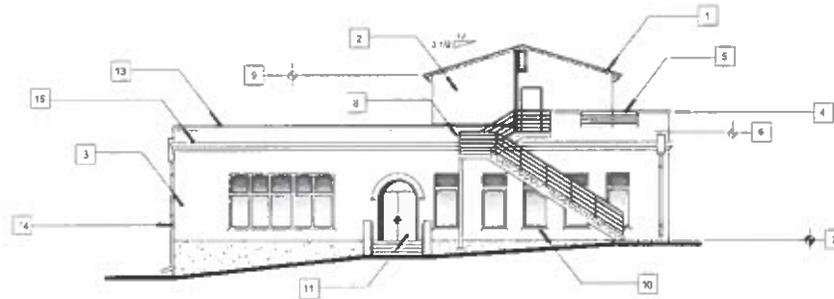
- 1 LIGHT-WEIGHT SPANISH BARREL TILE ROOF SYSTEM
- 2 NEW CEMENT STUCCO (WHITE-W/SMOOTH TROWEL FINISH)
- 3 NEW CEMENT STUCCO COATING SYSTEM TO MATCH NEW CONSTRUCTION ABOVE
- 4 TOP OF NEW PARAPET COPING 4" ABOVE FINISHED DECK ELEVATION
- 5 TOP OF RAIL SYSTEM 42" ABOVE FINISHED DECK ELEVATION
- 6 APPROXIMATE ELEVATION OF NEW 2ND FINISHED FLOOR FIELD VERIFY
- 7 GROUND FINISHED FLOOR ELEVATION
- 8 FIXED STEEL EXHIB STAIRS- FIELD VERIFY RISE AND CONDITIONS PRIOR TO FABRICATION
- 9 9'-0" TOP PLATE- TYP.
- 10 NEW WINDOW UNIT INTO EXISTING MASONRY OPENING- TYP. SEE WINDOW SCHEDULE
- 11 NEW DOOR- SEE DOOR SCHEDULE
- 12 APPROXIMATE ELEVATION OF EXISTING BUILDING COPING
- 13 CONTINUOUS METAL CAP FLASHING SYSTEM AT EXISTING COPING-TYP
- 14 DECORATIVE COLLECTOR BOX AND DOWNSPOUT SYSTEM-SEE ROOF PLAN
- 15 CONTINUOUS DECORATIVE FRG CORNICE SYSTEM AS INDICATED

### Exterior Elevation Notes:

1. SEE FLOOR PLANS AND OTHER DOCUMENTS WITHIN THIS SET FOR ADDITIONAL INFO REGARDING THESE ELEVATIONS
2. ALL COLORS AND FINISHES AND OTHER RELATED ELEMENTS TO BE CHOSEN BY THE OWNER
3. SEE WINDOW AND DOOR SCHEDULE FOR ALL RELATED ELEMENTS SHOWN ON THESE ELEVATIONS
4. SEE STRUCTURAL DWGS. FOR ALL ELEMENTS RELATED TO THE STRUCTURAL FRAME, FOUNDATION SYSTEM AND MISCELLANEOUS STEEL AND INFILL ELEMENTS
5. SEE STRUCTURAL DWGS. FOR ALL FOUNDATION SYSTEMS SPECIFICATIONS AND REQUIREMENTS
6. SEE CIVIL DWGS. FOR ALL AREAS OUTSIDE THE BUILDING ENVELOPE AND WITHIN THE LIMITS OF WORK
7. SEE ROOF PLAN FOR ALL GUTTER AND DOWNSPOUT SYSTEMS NOT SHOWN ON THIS PLAN



03 DILLON ELEVATION



04 AVENUE C ELEVATION

## A6.1 Exterior Elevations

SCALE: 1/4" = 1'-0"

NO.	DATE	DESCRIPTION

The Heights Event Center  
716 Dunaway Street  
Waxahachie, Texas 75165



Colonial Restoration  
P.O. Box 2886  
Waxahachie, Texas 75168  
972.938.3383



308 East Main Street  
Waxahachie, TX 75165  
972.938.3288

Designed by: A. Webb, Darcy  
Drawn by: A. Webb, Darcy  
Checked by: A. Webb, Darcy  
U.S.A. by: A. Webb, Darcy

© 2014 M. Votela Architects, Inc. All rights reserved.  
No part of this drawing may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of M. Votela Architects, Inc.

716 Dunaway

www.mvotelaarchitects.com



PROJECT: 100-20-0001  
DATE: 07/20/2017  
SCALE: 1/4" = 1'-0"  
DRAWING NUMBER: A6.1

(10)

**Building Section Key**

- 1 GABLE-TRUSSES W/ SPRAY-FOAM INSULATION-TYP.
- 2 NEW CEMENT STUCCO (WHITE- W/ SMOOTH TROWEL FINISH)
- 3 NEW CEMENT STUCCO COATING SYSTEM TO MATCH NEW CONSTRUCTION ABOVE
- 4 CONT. WALL TO COPING FLASHING AT NEW WALL TO EXISTING INTERNAL PARAPET
- 6 NEW COATING ON EXISTING ROOF AND INTERIOR PARAPETS-TYP.
- 8 APPROXIMATE ELEVATION OF NEW 2ND FINISHED FLOOR- FIELD VERIFY
- 7 EXTENDED BRICK PARAPET- ANCHORED INTO EXISTING COPING- TYP. WHERE INDICATED
- 8 OPEN-JOINT DECK TILE ON ADJUSTABLE PYLON SUPPORT SYSTEM- ADHERED TO WATERPROOF MEMBRANE OF DECKING OR RIPPED 2X @ 16" O.C. ON EXISTING ROOF. PROVIDE CONT. TILE LEDGE AND MEMBRANE TO WALL FLASHING PER MANUFACTURER'S SPECIFICATIONS.
- 9 5/4" TOP PLATE- TYP.
- 10 NEW FLOOR FRMG. @ 16" O.C. OR RIPPED 2X SUPPORT FRMG. ON EXISTING ROOF- SEE STRUC. DWGS.
- 11 NEW GIRDER(S) AND POSTS FOR EXISTING TRUSS SYSTEM- SEE STRUCTURAL DWGS.
- 12 EXISTING FINISHED FLOOR ELEVATION
- 13 CONTINUOUS METAL CAP FLASHING SYSTEM AT EXISTING COPING-TYP.

**Building Section Notes:**

- 1. SEE DIMENSION PLANS FOR SECTION CUT LINE
- 2. SEE FINISH SCHEDULE FOR ADDITIONAL INFORMATION
- 3. SEE POWER AND LIGHTING PLANS FOR PROPOSED ELEMENTS NOT SHOWN ON THIS SECTION
- 4. SEE DOOR AND WINDOW SCHEDULE FOR ADDITIONAL INFORMATION
- 5. SEE PLANS AND EXTERIOR ELEVATIONS FOR MORE INFORMATION



SECTION AA

**A7.0 Building Section**

SCALE: 1/4" = 1'-0"

NO.	DATE	DESCRIPTION

**The Heights Event Center**  
 716 Dunaway Street  
 Waxahachie, Texas 75165



Colonial Restoration  
 P.O. Box 2888  
 Waxahachie, Texas 75165  
 972.938.3383



308 East Ninth Avenue  
 Waxahachie, TX 75165  
 (972) 233-2298

Designed by: A. Madala Date: \_\_\_\_\_  
 Drawn by: M. Date: \_\_\_\_\_  
 Checked by: A. Madala Date: \_\_\_\_\_  
 C.A. by: A. Madala Date: \_\_\_\_\_

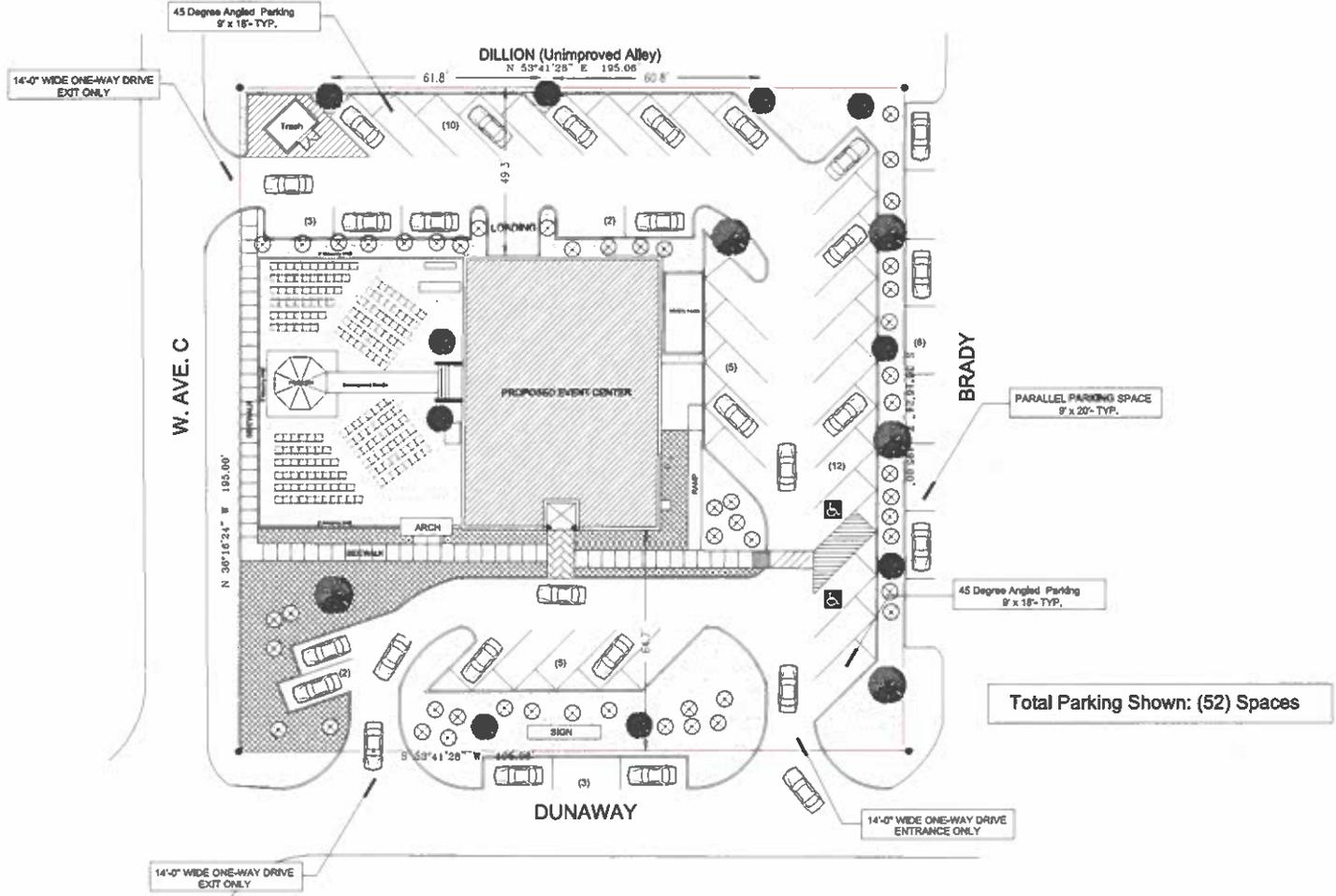
© 2011 Madala Architects, Inc. All rights reserved.  
 No part of this document may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Madala Architects, Inc.

716 Dunaway  
 www.madearchitects.com



PROJ. NO: 000017 DRAWING NUMBER: A7.0  
 DATE: 11/2/11

(a)



Total Parking Shown: (52) Spaces

**Landscaping Requirements**

PROPOSED BUILDING FLOOR AREA:	4,718 SF
50% LANDSCAPING REQUIREMENT BASED ON FLOOR AREA	2,359 SF
ACTUAL LANDSCAPED SITE AREA:	7,793 SF
CANOPY TREE	1/500 SF REQUIRED: (5) PROVIDED: (5)
UNDERSTORY TREE	1/250 SF REQUIRED: (10) PROVIDED: (10)
SHRUBS	1/70 SF 34 REQUIRED: (40) PROVIDED: (40)
GROUND COVER	15% REQUIRED: (353 SF) PROVIDED: (775 SF)

**Landscape Key**

	CANOPY TREE
	UNDERSTORY TREE
	SHRUB WITH SEASONAL COLOR
	GROUND COVER
	HYDROMULCH BERMUDA GRASS

**Landscaping Notes**

ALL LANDSCAPING TO BE COMPLIANT WITH THE CITY OF WAXAHACHIE'S LANDSCAPE ORDINANCE  
 ALL PLANT MATERIALS ARE TO BE ON THE CITY'S APPROVED PLANTING LIST PER SEC. 5.04  
 ALL PLANT MATERIALS WILL BE IRRIGATED BY AN APPROVED AUTOMATIC SPRINKLER SYSTEM  
 FOR WHICH COMPLETE PLANS ARE TO BE PROVIDED UPON SUBMITTAL FOR THE BUILDING PERMIT

**Conceptual Site Plan**

The Heights Event Center  
 716 Dunaway Street  
 City of Waxahachie, Ellis County, Texas



1:15

UPDATED: 6.28.22

The Heights Event Center  
 716 Dunaway  
 Waxahachie, Texas

Colonial Restoration Group  
 Waxahachie, Texas



308 East North Avenue  
 Waxahachie, TX 75165  
 T 972.923.2388  
 Designed by: A. Smith Date:  
 Drawn by: M. Date:  
 Checked by: A. Smith Date:  
 C.A. No. A. Smith Date:

716 Dunaway  
 www.motlanarchitects.com



CSP

**ORDINANCE NO. 3297**

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-3 (SF-3) TO PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF-3), TO ALLOW A PRIVATE CLUB (EVENT CENTER), LOCATED AT 716 DUNAWAY STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.873 ACRES KNOWN AS PROPERTY ID 193948, BEING LOT 5 OF THE BULLARD REVISED SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

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

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

**WHEREAS**, a proper application for a PD, with Concept Plan has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-131-2021. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from SF-3 to PD-SF-3, with Concept Plan; and

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

**WHEREAS**, a proper hearing was held as required by law and the Council having heard all arguments for and against said zoning amendment;

**NOW, THEREFORE**, this property is rezoned from SF-3 to PD-SF-3, with Concept Plan in order to facilitate development of the subject property in a manner that allows a Private Club (Event Center) use on the following property: Property ID 193948, being known as Lot 5 of the Bullard - Revised subdivision, which is shown on Exhibit A, Concept Plan which is shown as Exhibit B, Conceptual Elevations shown as Exhibit C and Staff Report shown as Exhibit D.

**PLANNED DEVELOPMENT**

**Purpose and Intent**

The purpose of this planned development to create a Private Club (Event Center), and to establish appropriate restrictions and development controls necessary to ensure predictable land development, safe and efficient vehicular and pedestrian circulation, compatible uses of land and compliance with appropriate design standards.

**Development Standards**

All development on land located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in this ordinance. The locations of buildings, driveways, parking areas, amenity areas, trails, fencing, and other common areas shall substantially conform to the locations shown on the approved Site/Concept Plan packet (Exhibits B-D).

**Development Regulations**

1. A mutually agreed upon Development Agreement will be required for the property.
2. A 6-foot ornamental fence with masonry columns spaced every 30' as well as enhanced landscape screening shall be provided along Brady Street, W Avenue C, and the unimproved ROW along the rear of the property.
3. Sidewalks shall be installed along Dunaway Street and a portion of W Avenue C to allow connectivity to a private sidewalk located on the subject property.
4. The event center shall have a mandatory curfew of 10pm on weekdays and 12am on weekends.
5. Any exterior lights added or located on the property shall be inward facing towards the development.

- 6. All development within the Planned Development will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.
- 7. A detailed Site Plan packet shall be reviewed and approved by the Planning and Zoning Commission and City Council prior to any on-site improvements being made.
- 8. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance, Development Agreement, or Staff Report, shall conform to those requirements and/or standards prescribed in Exhibits B – Concept Plan, Exhibit C – Conceptual Elevations, and Exhibit D - Staff Report. Where regulations are not specified in Exhibits B, C, D, or in this ordinance, the regulations of Single Family-3 zoning shall apply to this development.
- 9. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

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

**PASSED, APPROVED, AND ADOPTED** on this 4<sup>th</sup> day of October, 2021.



*Doug Barnes*  
MAYOR

ATTEST:

*Ambes Villarreal*  
City Secretary

(9) 98/19

STATE OF TEXAS           §                   DEVELOPMENT AGREEMENT  
                                  §                   FOR THE HEIGHTS EVENT CENTER  
COUNTY OF ELLIS       §

This Development Agreement for the Heights Event Center ("Agreement") is entered into between Loren Gray Investments, LLC ("LGI") and the City of Waxahachie, Texas ("City"). LGI and the City are sometimes referred herein together as the "Parties" and individually as a "Party."

**Recitals:**

1. LGI is the owner of approximately 0.873 acres of real property generally located at 716 Dunaway Street, parcel number 193948, in the City of Waxahachie, Texas (the "Property"), for which he has requested a change in the Property's Single-Family-3 zoning to a Planned Development ("PD") Single Family-3 zoning, revising allowable use development standards. The Property is currently zoned Single Family-3 by the City, and is anticipated to have the zoning changed to PD-SF-3 zoning on October 4, 2021.

2. The planned use of the Property is to create a Planned Development to allow for a Private Club (Event Center). The PD zoning process is utilized to ensure that the Property would develop in a manner that meets the City's desired development standards, as well as providing LGI with agreed-upon and negotiated standards consistent with their business objectives.

3. As is reflected by the public records of the City, significant discussions and negotiations between representatives of LGI and the City of Waxahachie staff have occurred during various meetings, in an effort to obtain an agreed-upon and negotiated set of zoning and development standards to be reflected in the PD zoning change Ordinance No. 3297 (the "The Heights Event Center PD Ordinance"), a copy of which is attached hereto as *Exhibit A* and which contains the negotiated zoning and development standards for The Heights Event Center.

4. This Agreement seeks to incorporate the negotiated and agreed upon zoning and development standards contained in The Heights Event Center PD Ordinance as contractually-binding obligations between the City of Waxahachie and LGI, and to recognize LGI's reasonable investment-backed expectations in The Heights Event Center PD Ordinance and the planned development of The Heights Event Center.

**NOW, THEREFORE**, for and in consideration of the above and foregoing premises, the benefits to each of the Parties from this Agreement, and other good and valuable consideration, the sufficiency of which is hereby acknowledged and agreed, the Parties do hereby agree as follows:

**Section 1. Incorporation of Premises.** The above and foregoing Recitals are true and correct and are incorporated herein and made a part hereof for all purposes.

**Section 2. Term.** This Agreement shall be effective as of the date of execution of this Agreement by the last of the Parties to do so ("Effective Date"). This Agreement shall remain in full force and effect from the Effective Date until terminated by the mutual agreement of all of the Parties in writing ("Term").

FILED FOR RECORD - ELLIS COUNTY, TEXAS  
INST NO. 2219764 FILING DATE/TIME: May 11, 2022 @ 12:09:00 PM

**Section 3. Agreements.** The Parties agree as follows:

**Incorporation of Zoning and Recognition of Investment-Backed Expectations:**

The negotiated and agreed upon zoning and development standards contained in the The Heights Event Center PD Ordinance, which incorporate by reference the general zoning regulations of the City of Waxahachie zoning ordinance, are hereby adopted and incorporated into this Agreement as contractually-binding obligations of the developer.

The Developer agrees to:

- (A) A mutually agreed upon Development Agreement will be required for the property.
- (B) A 6-foot ornamental fence with masonry columns spaced every 30', as well as enhanced landscape screening, shall be provided along Brady Street, W Avenue C, and the unimproved ROW along the rear of the property.
- (C) Sidewalks shall be installed along Dunaway Street and a portion of W Avenue C to allow for connectivity to a private sidewalk located on the subject property.
- (D) The Event Center shall have a mandatory curfew of 10pm on weekdays and 12am on weekends.
- (E) Any exterior lights added or located on the property shall be inward facing.
- (F) A detailed Site Plan packet shall be reviewed and approved by the Planning and Zoning Commission and City Council prior to any on-site improvements being made.
- (G) All development within the Planned Development will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.
- (H) Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance, Development Agreement, or Staff Report, shall conform to those requirements and/or standards prescribed in Exhibits B – Concept Plan, Exhibit C – Conceptual Elevations, and Exhibit D - Staff Report. Where regulations are not specified in Exhibits B, C, D, or in this ordinance, the regulations of Single Family-3 zoning shall apply to this development.
- (I) The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.

In consideration of LGI's agreement in this regard, the City of Waxahachie agrees that LGI has reasonable investment-backed expectations in The Heights Event Center PD Ordinance, and that the City of Waxahachie may not unilaterally change the zoning and development standards contained in the The Heights Event Center PD Ordinance without impacting LGI's reasonable investment-backed expectations.

**Section 4. Miscellaneous**

A. This Agreement and any dispute arising out of or relating to this Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without reference to its conflict of law rules. In the event of any dispute or action under this Agreement, venue for any and all disputes or actions shall be instituted and maintained in Ellis County, Texas.

B. It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership, joint venture, joint enterprise, or other relationship between or among the Parties.

C. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

D. The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by either Party shall not preclude or waive its right to use any or all other remedies. Said rights and remedies are given in addition to any other rights the Parties may have by law statute, ordinance, or otherwise. The failure by any Party to exercise any right, power, or option given to it by this Agreement, or to insist upon strict compliance with the terms of this Agreement, shall not constitute a waiver of the terms and conditions of this Agreement with respect to any other or subsequent breach thereof, nor a waiver by such Party of its rights at any time thereafter to require exact and strict compliance with all the terms hereof. Any rights and remedies any Party may have with respect to the other arising out of this Agreement shall survive the cancellation, expiration or termination of this Agreement, except as otherwise expressly set forth herein.

E. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.

F. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination or expiration of this Agreement shall survive termination or expiration.

G. This Agreement is made subject to the existing provisions of the City of Waxahachie, its present rules, regulations, procedures and ordinances, and all applicable laws, rules, and regulations of the State of Texas and the United States.

H. The undersigned officers and/or agents of the Parties hereto are the properly authorized persons and have the necessary authority to execute this Agreement on behalf of the Parties hereto.

I. This Agreement may be only amended or altered by written instrument signed by the Parties.

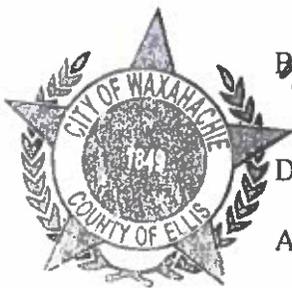
J. The headings and captions used in this Agreement are for the convenience of the Parties only and shall not in any way define, limit or describe the scope or intent of any provisions of this Agreement.

K. This Agreement is the entire agreement between the Parties with respect to the subject matters covered in this Agreement. There are no other collateral oral or written agreements between the Parties that in any manner relates to the subject matter of this Agreement, except as provided or referenced in this Agreement.

L. This Agreement shall be recorded in the real property records of Ellis County, Texas. This Agreement and all of its terms, conditions, and provisions is and shall constitute a restriction and condition upon the development of the Property and all portions thereof and a covenant running with the Property and all portions thereof, and is and shall be binding upon LGI and all heirs, successors, and assigns and the future owners of the Property and any portion thereof; provided, however, this Agreement shall not constitute an obligation of or be deemed a restriction or encumbrance with respect to any platted residential lot upon which a completed structure has been constructed.

EXECUTED by the Parties on the dates set forth below, to be effective as of the date first written above.

CITY OF WAXAHACHIE, TEXAS



By: [Signature]  
Michael Scott, City Manager

Date: 10.6.2021

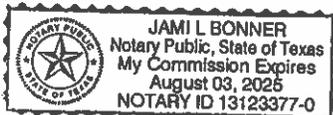
ATTEST:

By: Amber Villarreal  
City Secretary

STATE OF TEXAS       §  
                                  §  
COUNTY OF ELLIS   §

Before me, the undersigned authority, on this 6th day of October 2021 personally appeared MICHAEL SCOTT, City Manager of the City of Waxahachie, Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

[Seal]



By: Jami Bonner  
Notary Public, State of Texas

My Commission Expires: 2025

: Loren Gray Investments, LLC (Applicant)

By: [Signature]

Date: 5/5/22

: Loren Gray Investments, LLC (Owner)

By: [Signature]

Date: 5/5/22

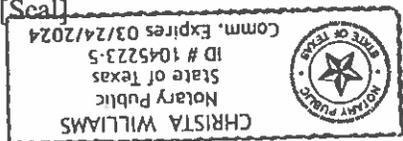
STATE OF TEXAS

§  
§  
§

COUNTY OF ELLIS

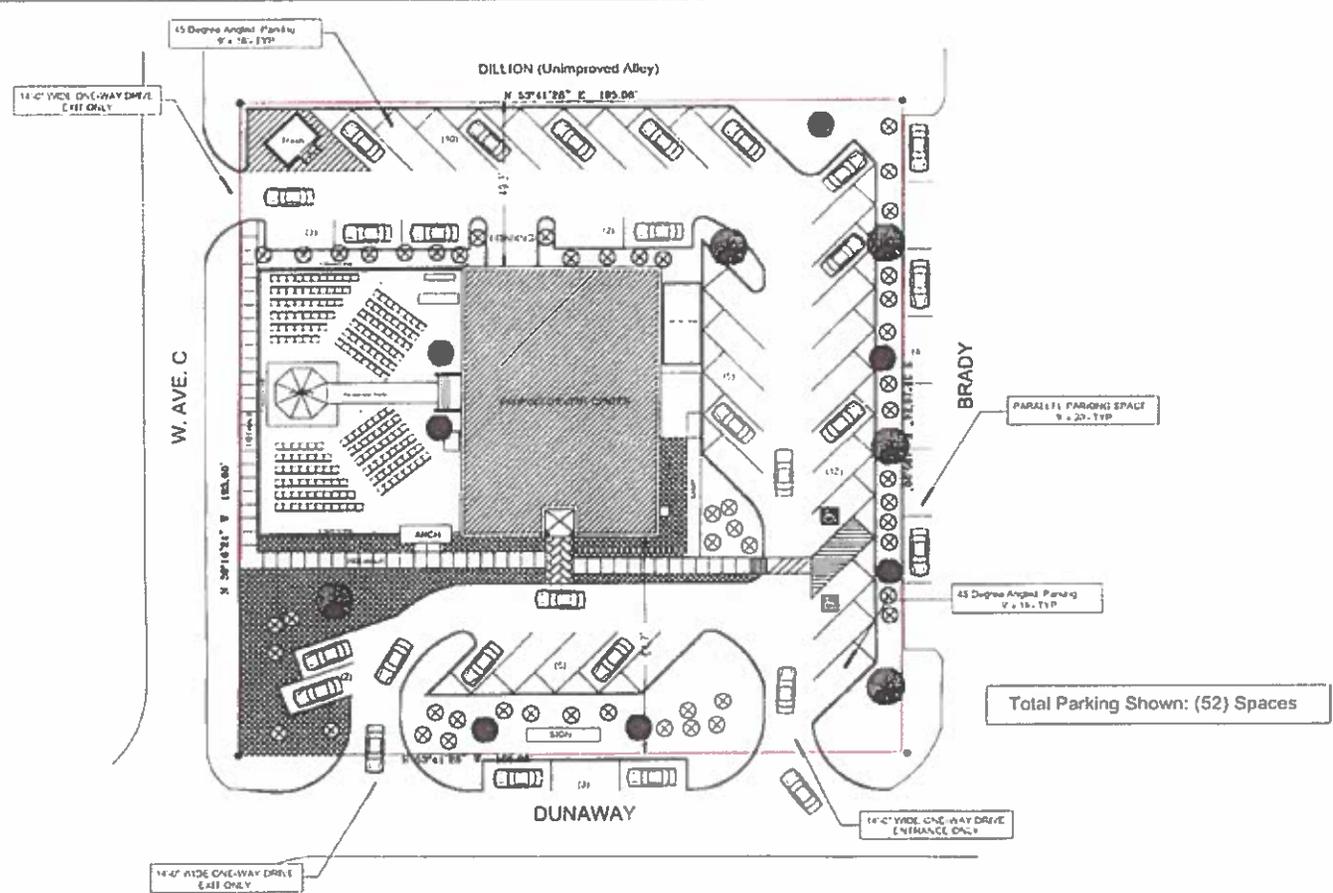
Before me, the undersigned authority, on this 5 day of May 2022, personally appeared Brady Yates, representative of Loren Gray Investments, LLC, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

[Seal]



By: Christa Williams  
Notary Public, State of Texas

My Commission Expires: 3-24-2024



Total Parking Shown: (52) Spaces

**Landscaping Requirements**

PROPOSED BUILDING FLOOR AREA	4,714 SF
50% LANDSCAPING REQUIREMENT BASED ON FLOOR AREA	2,357 SF
ACTUAL LANDSCAPED SITE AREA	7,793 SF
CANOPY TREE	3/500 SF REQUIRED: (5) PROVIDED: (2)
UNDERSTORY TREE	1/750 SF NO. REQUIRED: (10) PROVIDED: (11)
SHRUBS	1/70 SF SF PROVIDED: (18)
GROUND COVER	15% NO. REQUIRED: (35) SF PROVIDED: (77) SF

**Landscape Notes**

ALL LANDSCAPING TO BE COMPLIANT WITH THE CITY OF WAXAHACHIE'S LANDSCAPE ORDINANCE  
 ALL PLANT MATERIALS ARE TO BE ON THE CITY'S APPROVED PLANTING LIST PER SEC. 5.04  
 ALL PLANT MATERIALS WILL BE INDICATED BY AN APPROVED AUTOMATIC SPRINKLER SYSTEM  
 1/4" CAN WHICH COMPLETE PLANS ARE TO BE PROVIDED UPON SUBMITTAL FOR THE BLS SIGNATURE

**Landscape Key**

	CANOPY TREE
	UNDERSTORY TREE
	SHRUB WITH SEASONAL COLOR
	GROUND COVER
	HYDROPHILIC BEHAVIOR SHRUBS

**Conceptual Site Plan**

The Heights Event Center  
 716 Dunaway Street  
 City of Waxahachie, Ellis County, Texas



1:15

UPDATED: 10.8.21

The Heights Event Center  
 716 Dunaway  
 Waxahachie, Texas

Colonial Restoration Group  
 Waxahachie, Texas



501 East Walnut Street  
 Waxahachie, TX 75165  
 972.529.2267  
 Project: 21-001-001  
 Date: 10/8/21  
 Scale: 1:15  
 Author: M. Smith

716 Dunaway

www.mothaarchitects.com

**Exhibit B - Conceptual Site Plan**

CSP

(b)

Exhibit C - Conceptual Elevations



Exhibit C - Conceptual Elevations

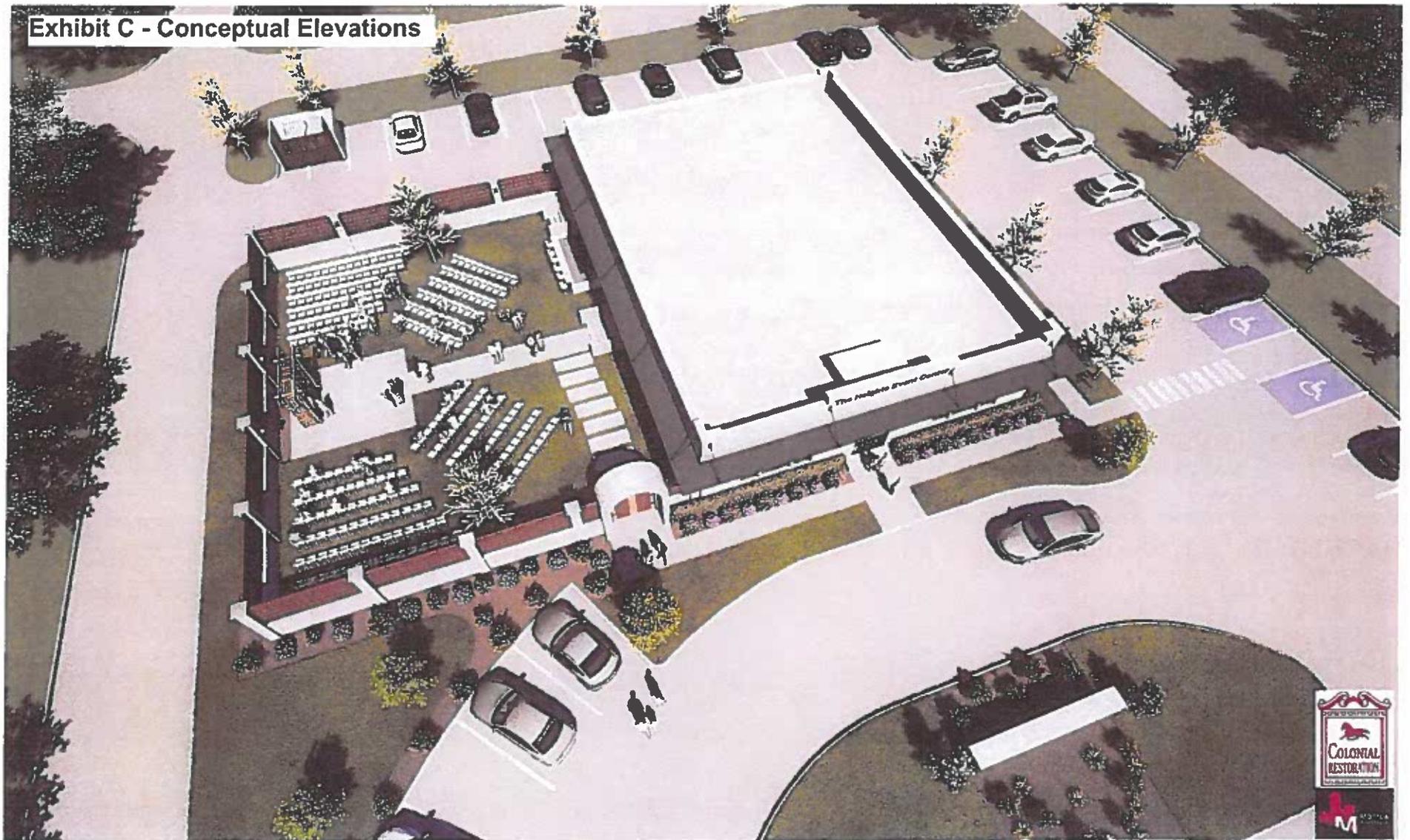


Exhibit C - Conceptual Elevations



Exhibit C - Conceptual Elevations

