

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, December 13, 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
David Hudgins
Erik Test
Ron Ansell

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 November 15, 2022
 - b. Minutes of the Planning and Zoning Commission briefing of November 15, 2022
5. ***Public Hearing*** on a request by Jonathan Foster for a Specific Use Permit (SUP) for a private club (The Flop Social Poker Lounge) use within a Planned Development - General Retail (PD-GR) zoning district located at 507 North Highway 77 (Suite 610) (Property ID 175004) - Owner: Benbaroukh LLC (ZDC-118-2022) Staff: Eleana Tuley
6. ***Consider*** recommendation of Zoning Change No. ZDC-118-2022
7. ***Consider*** a request by Jordan Tucker, for a Plat of the Tucker Addition, Lot 1, Block A, being 1.142 acres, located directly north of 10375 Baucum Road, situated in the Amasa Howell Survey, Abstract 522, an Addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 180978) – Owner: Jordan Brett Tucker (SUB-150-2022) Staff: Zack King

8. **Consider** a request by Jeff Head, Evolving Texas, for a Plat of the Oncor-Highway 77 Addition, Lot 1, Block A, being 14.81 acres, located approximately 300 South of 600 S US Highway 77, situated in the John Harris Survey, Abstract 430, an addition to the City of Waxahachie (Property ID 184700) – Owner: Oncor Electric Delivery Company LLC (SUB-154-2022) Staff: Zack King
9. **Consider** a request by Marshall Patton, KFM Engineering & Design, for a Plat of Dove Hollow, Phase 2, 223 lots and 7 open space lots being 64.95 acres, located on the east side of Terlingua Road, situated in the J.W. Wright Survey, Abstract No. 1182 and the R.A. Davis Survey, Abstract No. 318, an addition to the City of Waxahachie (Property ID 192636, 192643, and 192639) – Owner: GRBK Edgewood LLC (SUB-143-2022) Staff: Eleana Tuley
10. **Public Hearing** on a request by Timothy Wells, Peloton Land Solutions, for a Replat of lots 18 and 19, Block C, lots 30 and 31, Block D, and lots 8 and 9, Block E of the Oaks of North Grove Phase 1 to create lots 63R1 and 64, Block C, lots 30R1, 31R1, 32-48, Block D, Lots 8R1, 9R1, 10-21, and lots 27-32, Block E, being 8.572 acres, generally located at 731 Cherry Bark Trail, (Property ID 284716) – Owner: BBCP North Grove 79 LLC (SUB-134-2022) Staff: Eleana Tuley
11. **Consider** approval of SUB-134-2022
12. **Public Hearing** on a request by Christina and Hymen Wallace for a Specific Use Permit (SUP) for an accessory structure +700 sf use within a Future Development zoning district located at 241 Oak Tree Drive (Property ID 201955 & 201954) - Owner: Hymen & Christina Wallace (ZDC-138-2022) Staff: Eleana Tuley
13. **Consider** recommendation of Zoning Change No. ZDC-138-2022
14. **Public Hearing** on a request by Lynn Rowland, Claymoore Engineering, for a Specific Use Permit (SUP) for Outside Storage, Outside Display, and Pole Sign uses within Light Industrial-1 (LI-1) and Light Industrial-2 (LI-2) zoning districts located directly South of the intersection of Austin Road and the I-35E Service Road (Property ID: 290135 & 2554633) – Owner: PC5 Properties LLC (ZDC-68-2022) Staff: Zack King
15. **Consider** recommendation of Zoning Change No. ZDC-68-2022
16. **Public Hearing** on a request by Ramon Galaviz, for a Specific Use Permit (SUP) for an Outside Storage use within a General Retail (GR) zoning district located at 101 Tracy Lane (Property ID: 151310) – Owner: Juan M. Rosas & Guillermina Rosas (ZDC-130-2022) Staff: Zack King
17. **Consider** recommendation of Zoning Change No. ZDC-130-2022
18. **Public Hearing** on a request by Dani Cagle, Texas Art & Pour, for a Specific Use Permit (SUP) for a Tavern use within a Central Area zoning district located at 109 W Franklin Street, Suite 115 (Property ID: 193341) – Owner: Mutual Pursuits LLC (ZDC-148-2022) Staff: Zack King
19. **Consider** recommendation of Zoning Change No. ZDC-148-2022

20. Adjourn

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

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

Notice of Potential Quorum

One or more members of the Waxahachie City Council may be present at this meeting.

No action will be taken by the City Council at this meeting.

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, November 15, 2022 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present: Melissa Ballard, Vice Chairman
Betty Square Coleman
Bonney Ramsey
David Hudgins
Ron Ansell

Members Absent: Rick Keeler, Chairman
Erik Test

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Senior Director of Planning
Zack King, Senior Planner
Macey Martinez, City Engineer
Amber Villarreal, City Secretary
Chris Wright, Council Representative

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

Vice Chairman Melissa Ballard called the meeting to order. Mr. Ron Ansell gave the invocation.

3. **Public Comments**

None

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of October 25, 2022
- b. Minutes of the Planning and Zoning Commission briefing of October 25, 2022

Action:

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

5. **Public Hearing on a request by Jennifer and Alex Lohmann, Reindeer Manor, for a Specific Use Permit (SUP) for an Indoor Amusement use within a Light Industrial-2 (LI-2) and Single Family-1 (SF-1) zoning district located at 500 Madison Street (Property ID 171075) - Owner: BIG BLUE TRUCK LLC (ZDC-133-2022) Staff: Eleana Tuley**

Vice Chairman Ballard announced the applicant requested to withdraw the case.

6. **Consider recommendation of Zoning Change No. ZDC-133-2022**

Action:

(4a)

No action taken.

7. **Consider a request by Lynn Rowland, Claymoore Engineering, for a Replat of Lot 2, Block A of the Austin Industrial Park, 1 commercial lot, being 7.22 acres in size, located directly West of N Interstate 35E and 4100 N Interstate 35E, (Property ID: 140093 & 254633) – Owner: PC5 PROPERTIES LLC (SUB-67-2022) Staff: Zack King**

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

Action:

Mr. David Hudgins moved to approve a request by Lynn Rowland, Claymoore Engineering, for a Replat of Lot 2, Block A of the Austin Industrial Park, 1 commercial lot, being 7.22 acres in size, located directly West of N Interstate 35E and 4100 N Interstate 35E, (Property ID: 140093 & 254633) – Owner: PC5 PROPERTIES LLC (SUB-67-2022). Ms. Bonney Ramsey seconded, All Ayes.

8. **Public Hearing on a request by Joel Richey, Johnson Volk Consulting, for a Replat of Lots 1 & 2, Block 245 & 246 of the Town Addition, to create Lots 1-11, Block 1 of the Lake Park Estates subdivision, 11 residential lots, being 8.122 acres, located at 525 Lake Park Avenue, (Property ID: 171592) – Owner: FM 1446 LLC SERIES 17 (SUB-69-2022) Staff: Zack King**

Mr. King presented the case noting the applicant is requesting to replat the subject property into ten (10) single-family residential lots and one (1) homeowner's association maintained open space lot and staff recommends approval as presented.

Vice Chairman Ballard opened the Public Hearing.

There being no others to speak for or against SUB-69-2022, Vice Chairman Ballard closed the Public Hearing.

9. **Consider approval of SUB-69-2022**

Action:

Ms. Bonney Ramsey moved to approve a request by Joel Richey, Johnson Volk Consulting, for a Replat of Lots 1 & 2, Block 245 & 246 of the Town Addition, to create Lots 1-11, Block 1 of the Lake Park Estates subdivision, 11 residential lots, being 8.122 acres, located at 525 Lake Park Avenue, (Property ID: 171592) – Owner: FM 1446 LLC SERIES 17 (SUB-69-2022) as presented. Ms. Betty Square Coleman seconded, All Ayes.

10. **Consider a request by Tim Jackson, Texas Reality Capture & Surveying LLC, for a Replat of Lots 11-15 of the Highland Addition and part of Lots 3 & 4, Block 21 of the West End Addition, 2 commercial lots, being 1.810 acres, located at 1400 W Marvin Avenue (Property ID 176799) – Owner: WAXAHACHIE GLASS CORPORATION (SUB-85-2022) Staff: Zack King**

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

Action:

Mr. David Hudgins moved to approve a request by Tim Jackson, Texas Reality Capture & Surveying LLC, for a Replat of Lots 11-15 of the Highland Addition and part of Lots 3 & 4, Block 21 of the West End Addition, 2 commercial lots, being 1.810 acres, located at 1400 W Marvin Avenue (Property ID 176799) – Owner: WAXAHACHIE GLASS CORPORATION (SUB-85-2022). Ms. Betty Square Coleman seconded, All Ayes.

11. **Consider a request by Tim Jackson, Texas Realty Capture & Surveying LLC, for a Replat of Lot 2B, Block A of the Park Place Professional Center, 2 commercial lots, being 4.797 acres, located at 104 Park Place Court (Property ID: 247585) – Owner: SNOW PEACH LEGACY FAMILY HOLDING SPENDTHRIFT TRUST (SUB-114-2022) Staff: Zack King**

Mr. King presented the case noting the applicant is requesting to replat the subject property into two (2) lots for commercial use and staff recommends approval as presented. He noted a drainage study will be required before the property is developed.

Action:

Mr. Ron Ansell moved to approve a request by Tim Jackson, Texas Realty Capture & Surveying LLC, for a Replat of Lot 2B, Block A of the Park Place Professional Center, 2 commercial lots, being 4.797 acres, located at 104 Park Place Court (Property ID: 247585) – Owner: SNOW PEACH LEGACY FAMILY HOLDING SPENDTHRIFT TRUST (SUB-114-2022). Mr. David Hudgins seconded, All Ayes.

12. **Consider a request by Joe Langley, Park Meadows Church for a Replat of Econo-Craft Estates, Lots 1-8, Block 7 and a portion of the Thomas Shelby Survey, Abstract 1002, 2 commercial lots, being 6.297 acres, located at 3350 N Hwy 77 (Property ID: 174011) – Owner: PARK MEADOWS BAPTIST CHURCH (SUB-82-2022) Staff: Jennifer Pruitt**

Jennifer Pruitt, Senior Director of Planning, presented the case noting the applicant is requesting to replat the subject property into two (2) lots for commercial use and staff recommends approval as presented.

Action:

Ms. Bonney Ramsey moved to approve a request by Joe Langley, Park Meadows Church for a Replat of Econo-Craft Estates, Lots 1-8, Block 7 and a portion of the Thomas Shelby Survey, Abstract 1002, 2 commercial lots, being 6.297 acres, located at 3350 N Hwy 77 (Property ID: 174011) – Owner: PARK MEADOWS BAPTIST CHURCH (SUB-82-2022) as presented. Mr. Ron Ansell seconded, All Ayes.

13. **Consider a request by Mike Siefert, Lookout Partners LP, for a Replat of Lot 2R1-BR2, Waxahachie Civic Center, 2 commercial lots, being 4.4678 acres, located**

(4a)

northwest of the intersection of John Arden Road and Rae Boulevard (Property ID: 208655) – Owner: LOOKOUT PARTNERS LP (SUB-89-2022) Staff: Jennifer Pruitt

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

Action:

Mr. David Hudgins moved to approve a request by Mike Siefert, Lookout Partners LP, for a Replat of Lot 2R1-BR2, Waxahachie Civic Center, 2 commercial lots, being 4.4678 acres, located northwest of the intersection of John Arden Road and Rae Boulevard (Property ID: 208655) – Owner: LOOKOUT PARTNERS LP (SUB-89-2022). Ms. Betty Square Coleman seconded, All Ayes.

- 14. Consider a request by Montfort Capital Partners LLC for a Plat of Montfort Brown, Lot 1, Block A, being 4.073 acres, located at 3103 FM 813, situated in the J.B. & A. Adams Survey, Abstract 5 and the R. Russell Survey, Abstract 911, an addition to the City of Waxahachie and in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 289961) – Owner: BROWN STREET STORAGE LP (SUB-107-2022) Staff: Jennifer Pruitt**

Ms. Pruitt presented the case noting the applicant is requesting to plat the subject property into one (1) lot for commercial use and staff recommends approval as presented.

Action:

Ms. Bonney Ramsey moved to approve a request by Montfort Capital Partners LLC for a Plat of Montfort Brown, Lot 1, Block A, being 4.073 acres, located at 3103 FM 813, situated in the J.B. & A. Adams Survey, Abstract 5 and the R. Russell Survey, Abstract 911, an addition to the City of Waxahachie and in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 289961) – Owner: BROWN STREET STORAGE LP (SUB-107-2022) as presented. Ms. Betty Square Coleman seconded, the vote was as follows: Ayes: Melissa Ballard, Betty Square Coleman, Bonney Ramsey, and David Hudgins. Noes: Ron Ansell.

The motion carried.

- 15. Public Hearing on a request by Leigh Ferguson, Vaquero Highway 77 Waxahachie Partners LP, for an Amendment of a previously approved Specific Use Permit (SUP) for a Drive-Through Establishment use within a Planned Development-General Retail zoning district located 1,500 feet South of Butcher Road and East of Hwy 77 (Property ID 189379) - Owner: VAQUERO HIGHWAY 77 WAXAHACHIE PARTNERS LP (ZDC-123-2022) Staff: Zack King**

Mr. King presented the case noting the applicant is requesting to amend the previously approved Specific Use Permit (SUP) for the Starbucks drive-through establishment along Highway 77. Mr. King noted the applicant requests to remove references to the Staff Report from the zoning ordinance to clarify what is truly required with the SUP. The applicant is also requesting to add the following language to the SUP ordinance regarding the term of the SUP:

- “If the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding one year, a new Specific Use Permit shall be required to re-establish the use; provided, however, in the event of damage to the Property or the improvements thereon by fire, weather, or other casualty, or condemnation of any portion of the Property, a reasonable period to repair or reconstruct such structure or to modify the premises to address the impacts of the condemnation or casualty will be excluded from the above-mentioned one-year period, not to exceed five years after the date of such casualty or condemnation.”

Apart from these changes, the applicant has proposed minor grammar changes throughout the ordinance. Staff has no concern with these proposed changes.

Development Agreement:

The applicant is requesting the following substantive changes to the development agreement:

- References to the Staff Report are also removed from the development agreement to clarify what is truly required with the development agreement.
- The agreement has been updated to reflect the creation of a mutual access easement (Instrument No. 2120553) that connects the subject property with adjacent property to the north and south.
- The agreement has been updated to reflect that neither the SUP ordinance nor the development agreement are intended to conflict with Chapter 245 of the Texas Local Government Code.
- The agreement has been updated to remove typical City of Waxahachie provisions regarding Form 1295 Certificates, Undocumented Workers, Non-Boycott of Israel, Prohibition on Contracts with Certain Companies, Verification Against Discrimination of Firearm or Ammunition Industries, and Verification Against Discrimination/Boycott of Energy Companies. The applicant requested to remove these provisions, stating that they generally did not apply to the agreement.

Staff and legal counsel have reviewed the proposed changes to the Development Agreement and staff recommends approval.

Vice Chairman Ballard opened the Public Hearing.

There being no others to speak for or against ZDC-123-2022, Vice Chairman Ballard closed the Public Hearing.

16. Consider recommendation of Zoning Change No. ZDC-123-2022

Action:

Mr. Ron Ansell moved to approve a request by Leigh Ferguson, Vaquero Highway 77 Waxahachie Partners LP, for an Amendment of a previously approved Specific Use Permit (SUP) for a Drive-Through Establishment use within a Planned Development-General Retail zoning district located 1,500 feet South of Butcher Road and East of Hwy 77 (Property ID 189379) - Owner: VAQUERO HIGHWAY 77 WAXAHACHIE PARTNERS LP (ZDC-123-2022). Mr. David Hudgins seconded, All Ayes.

17. Public Hearing on a request by Caitlin Adkins, Vaquero Highway 77 Waxahachie Partners LP, for an Amendment of a previously approved Specific Use Permit (SUP) for Auto Parts and Accessory Sales use within a Planned Development-General Retail zoning district located south of 2980 N Highway 77 (being a portion of Property ID 189379) - Owner: VAQUERO HIGHWAY 77 WAXAHACHIE PARTNERS LP (ZDC-127-2022) Staff: Zack King

Mr. King presented the case noting the applicant is requesting to amend the previously approved Specific Use Permit (SUP) for an auto parts and accessory sales use (O'Reilly's) along Highway 77. The applicant requests to remove references to the Staff Report from the zoning ordinance to clarify what is genuinely required with the SUP. The applicant is also requesting to add the following language to the SUP ordinance regarding the term of the SUP:

- "If the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding one year, a new Specific Use Permit shall be required to re-establish the use; provided, however, in the event of damage to the Property or the improvements thereon by fire, weather, or other casualty, or condemnation of any portion of the Property, a reasonable period to repair or reconstruct such structure or to modify the premises to address the impacts of the condemnation or casualty will be excluded from the above-mentioned one-year period, not to exceed five years after the date of such casualty or condemnation."

Apart from these changes, the applicant has proposed minor grammar updates throughout the ordinance. Staff has no concern with these proposed changes.

Development Agreement

The applicant is requesting the following substantive changes to the development agreement:

- References to the Staff Report are also removed from the development agreement to clarify what is genuinely required with the development agreement.
- The agreement has been updated to reflect the creation of a mutual access easement (Inst. No. 2120553) that connects the subject property with adjacent property to the north and south.
- The agreement has been updated to reflect that neither the SUP ordinance nor the development agreement are intended to conflict with Chapter 245 of the Texas Local Government Code.
- The agreement has been updated to remove typical City of Waxahachie provisions regarding Form 1295 Certificates, Undocumented Workers, Non-Boycott of Israel, Prohibition on Contracts with Certain Companies, Verification Against Discrimination of Firearm or Ammunition Industries, and Verification Against Discrimination/Boycott of Energy Companies. The applicant requested to remove these provisions, stating that they generally did not apply to the agreement.

Staff and legal counsel have reviewed the proposed changes to the Development Agreement and staff recommends approval.

Vice Chairman Ballard opened the Public Hearing.

There being no others to speak for or against ZDC-127-2022, Vice Chairman Ballard closed the Public Hearing.

18. Consider recommendation of Zoning Change No. ZDC-127-2022

Action:

Ms. Bonney Ramsey moved to approve a request by Caitlin Adkins, Vaquero Highway 77 Waxahachie Partners LP, for an Amendment of a previously approved Specific Use Permit (SUP) for Auto Parts and Accessory Sales use within a Planned Development-General Retail zoning district located south of 2980 N Highway 77 (being a portion of Property ID 189379) - Owner: VAQUERO HIGHWAY 77 WAXAHACHIE PARTNERS LP (ZDC-127-2022) per staff comments. Ms. Betty Square Coleman seconded, All Ayes.

19. Public Hearing on a request by Osberto Geno, for a Specific Use Permit (SUP) for an Accessory Structure +700sf use within a Planned Development-Single Family-1 zoning district located at 157 Homestead Lane (Property ID: 269673) – Owner: GENO CHRISTINE M & OSBERTO ETAL (ZDC-131-2022) Staff: Zack King

Mr. King presented the case noting the applicant is requesting to construct an accessory structure greater than 700 square feet (2,520 square feet) to the side and rear of a single-family residential lot. Staff received three (3) letters of support and recommend approval per the following staff comments.

1. The accessory structure shall not be used as a dwelling.
2. The accessory structure shall not be used for commercial purposes.
3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to construction of the accessory structure.

Vice Chairman Ballard opened the Public Hearing.

There being no others to speak for or against ZDC-131-2022, Vice Chairman Ballard closed the Public Hearing.

20. Consider recommendation of Zoning Change No. ZDC-131-2022

Action:

Mr. David Hudgins moved to approve a request by Osberto Geno, for a Specific Use Permit (SUP) for an Accessory Structure +700sf use within a Planned Development-Single Family-1 zoning district located at 157 Homestead Lane (Property ID: 269673) – Owner: GENO CHRISTINE M & OSBERTO ETAL (ZDC-131-2022) per staff comments. Mr. Ron Ansell seconded, All Ayes.

21. Public Hearing on a request by John Poston, for a Zoning Change from a Single Family-1 (SF-1) zoning district to a Planned Development-Mixed Use Residential

(Brookside PD), located at 300 Brookside Road (Property ID 193815, 193822, & 193823) – Owner: UNITED PRESBYTERIAN HOMES (ZDC-92-2022) Staff: Zack King

Mr. King presented the case noting the applicant is requesting approval of a Planned Development to allow a mixed-use development that includes commercial, single-family, multi-family, and park/open space tracts on 347 acres. He noted that staff still has multiple outstanding comments for the applicant to address on the proposal and has not considered the application complete. However, the applicant asked for the case to be placed on the agenda for consideration by the Commission and the City Council. Mr. King explained an annexation request was also submitted by the applicant and will be considered by City Council on November 21, 2022, contingent upon approval of the zoning case. There have been 13 letters of opposition received from property owners. The applicant is requesting a Public Improvement District for the development and a waiver of park dedication fees estimated at \$560,000. Mr. King explained staff's concern regarding the general lack of development standards proposed with the PD Concept Plan. The concept plan identifies various use types, screening, buffering, amenity, lot layout, and design elements, but the proposal does not provide sufficient detail for staff to understand how these items will be regulated and how the development will function cohesively. Beyond the lack of development standards needed to properly guide the development, specific staff concerns are addressed in detail below.

PID Rate & Value for Future Owners:

The PID proposed by the applicant with this project is intended to facilitate the construction of development that provides amenities, home choices, and a community design that is far and above what is typically possible and currently available in Waxahachie. The applicant has clearly stated their intention to construct such a development; but the current zoning ordinance and development agreement do not contain the level of detail necessary to guarantee the elevated development expected. The proposed PID rate of \$0.39 is a very high assessment that effectively constitutes an additional property tax that is equivalent to approximately 59% of Waxahachie's current property tax rate. In return for such a significant assessment, staff expects this development to provide the absolute highest level of quality and design possible. The applicant has been unable to provide the level of detail and development standards for the project needed for staff to justify the proposed PID.

Access:

As noted previously, all four (4) access points proposed for the development funnel down to the single intersection of Brookside Road, Kelly Bend, and the I-35 Service Road at the southeastern corner of the subject property. The applicant has provided a Traffic Impact Analysis (TIA) for the development to address potential concerns regarding traffic. However, the TIA indicates that the existing intersection can only support some of the proposed development and that full buildout of the development would result in unacceptable levels of traffic at this intersection. The TIA goes on to note that signalization of the intersection could improve traffic conditions, but does not offer a recommendation of when to install the signal. Should the Kelly Bend, Brookside Road, and I-35 Service Road intersection become inaccessible both residents and emergency responders alike would be unable to access or leave the development. Due to this, staff has significant concern regarding traffic generated by the development following Phase 1.

Density:

The net single family residential density proposed with the development is 5.3 dwelling units per acre (DUA). The net proposed density for the multi-family portion of the development is 17.0 DUA. As noted previously, the total net density for the development equates to 7.52 DUA. Staff has specific concerns regarding the high density proposed for the single-family portion of the development. A density of 5.3 DUA is a significant departure from comparable recently approved planned developments, which provide net single-family residential densities between 3.5 and 4.0 DUA. Staff is concerned that the level of detail in terms of development standards for the proposed amenities and design of the project are insufficient to justify a density of 5.3 DUA as proposed by the applicant.

Proposed Multi-Family:

The multi-family tracts proposed with this development are not clearly defined. The applicant has provided development standards indicating that only up to 600 multi-family units will be permissible with this development; but has not given sufficient detail for staff to understand how the multi-family tracts will function or develop. A detailed site plan for these tracts would require approval by the Planning & Zoning Commission and City Council. However, if this Planned Development is approved, the multi-family tracts would only be required to develop in accordance with the typical standards of the Waxahachie Multiple Family-2 (MF-2) zoning district. This would not provide the Planning & Zoning Commission or City Council the opportunity to evaluate the design of the multi-family complexes and ensure they compliment the rest of the development. This existing saturation of multi-family tracts and the entitlement of an additional 600 multi-family dwelling units is also a staff concern. The City of Waxahachie currently has over 4,400 multi-family units that currently have zoning approval; but have not yet been built. It is important to note that over 3,000 of these unbuilt, zoning entitled multi-family units are located in the Emory Lake PD; which is directly west of the subject property.

Amenity Standards:

The applicant has proposed a significant amount of park and open space acreage with this development. However, staff is still concerned that the development standards regulating the amenities to be provided within the park and open space tracts is lacking. The applicant has provided sufficient definition of the amenities to be provided in the neighborhood parks and amenity center within the development; but falls short of completely detailing how the remainder of the open space will be amenitized and activated for residents. While staff supports the protection of natural open space areas within the development, there is still a need for these spaces to be functionally accessible to residents for leisure or recreation. If these areas are not activated for residents, they cannot be considered a true amenity for residents. Staff is concerned that the design of the development is not sufficiently defined within the proposed development standards in order to confirm that the development has been amenitized to a degree sufficient to justify a PID. The applicant has not provided development standards that detail unique street lights, art installations, landscaping themes, or material usage for public spaces that could serve as passive amenities to enhance the project as a whole.

Architectural Styles:

As noted previously, the applicant is proposing five (5) unique architectural home styles with this development; which will constitute a total of 60% of the single-family housing products available. Staff is supportive of the unique conceptual styles proposed, but is concerned that they are not

properly defined. There is no provision in the proposed development standards to regulate the architectural features that constitute a particular architectural style. Each unique architectural style needs to be clearly defined in significant detail in order to properly convey what kind of homes are expected to be constructed with the development. Proper definition of the requirements for each architectural style will allow staff, the Planning & Zoning Commission and City Council to evaluate the compatibility of each home style with the overall design of the development.

Phasing:

The applicant is proposing to construct the development in six (6) phases. A general timeline for the development is not provided, but buildout is anticipated to occur in 2029. Staff is concerned with the number of dwelling units proposed with the first two phases of the development. Both multi-family tracts are proposed to be developed in the first two phases of the development which means there will be approximately 940 dwelling units in place with the first two phases of the project. Considering the amenity center is not proposed to be in place until Phase 3 of the development, staff has significant concerns regarding the amenities available to residents throughout the initial phases of the project. Staff recommends adjusting the phasing plan of the development to include the amenity center in Phase 1 of the project and remove the multi-family tracts from the first two phases.

Garages:

The applicant has proposed several development standards aimed at reducing front entry garages within the development. These standards do elevate the project by reducing the potential for monotony in the streetscape, but staff is concerned that the provisions are not sufficient to justify a PID for the development. Staff suggests the applicant revise the proposed development standards for garages to either eliminate front entry garages entirely or significantly reduce the number of front entry garages proposed. Staff is also concerned that the front entry garages proposed with the development are not required to be recessed which may detract from the overall architectural design of the homes.

Retail & Commercial Uses:

The retail tracts proposed with this development are not currently clearly defined. The applicant has included a provision in the development standards for the development that notes that the retail tracts shall develop in accordance with Section 3.16 of the Waxahachie Zoning Ordinance, the General Retail (GR) zoning district. A detailed site plan for these tracts would require approval by the Planning & Zoning Commission and City Council; however, staff is concerned that the general design of development in the retail tracts is not defined. The applicant has an opportunity to provide development standards for the retail tracts that ensure the construction material, architectural design, and landscaping of the retail tracts complement and elevate the residential portions of the project.

Screening & Buffering:

The applicant has proposed a variety of screening and buffering options for the development, but needs to provide more detail to identify why the proposed options are appropriate. Staff has concerns regarding the screening and buffering gaps located on the concept plan that are currently unexplained. Staff is also concerned that the proposed screening for the multi-family tracts may be insufficient or inappropriate due to the fact that it is not known how these tracts will develop. Finally, staff has concern regarding the lack of development standards proposed for the 25'

landscape buffer along Brookside Road. It is currently unclear who is responsible for maintaining the area and what type of landscaping is required in the area.

Zoning Ordinance & Development Agreement Language:

As noted previously, staff has general concerns regarding the lack of development standards included with the proposed Zoning Ordinance and Development Agreement; however, staff has additional concerns regarding the language that is currently present in these documents. The applicant has not yet provided staff with a revised Zoning Ordinance and Development Agreement that address staff comments ranging from minor typos to the waiver of fees and access requirements for the development. Staff would like to note that a general agreement has been reached with the developer on how to address these comments, but nonetheless we have not received revised language from the developer to satisfy all outstanding comments.

Vice Chairman Ballard opened the Public Hearing.

John Poston, 2215 Cedar Springs Road, Dallas, Texas, explained he is invested in the community and wants to add a quality development to Waxahachie.

Mike Levkulich, Landscape Architect and Planner, 1547 Kings Highway, Dallas, Texas, presented an overview of the development addressing site drainage, school site, density, trail connection, garages, traffic impact, multi-family, amenity standards, and screening and buffering. He explained the development has incorporated elements of the Comprehensive Plan currently being updated.

Commissioner Bonney Ramsey expressed concern with the traffic funneling to one exit at Brookside Road and I35E and inquired why the proposed school site is at the rear of the development.

Mr. Poston stated he spoke with Superintendent Dr. Jerry Hollingsworth and he was satisfied with just having an option for the school site.

Josh Millsap, KFM Engineering, 3501 Olympus Boulevard, Dallas, Texas, explained all traffic currently filters to Brookside Road and I35 and the development of the original phase will not exceed Traffic Impact Analysis levels. He noted the plan is to utilize the connection to FM 875 once Emory Lakes is developed.

Commissioner David Hudgins explained precedent has been set allowing the Fire Chief to set the number of houses that can be built before a second access point has to be in place. He noted the Fire Chief set a limit of 60 homes to be built at a previous development before requiring a second access point and advised the developer to take that into account.

Mr. Millsap noted the developer would work with the adjacent property owner and need concessions to use the thoroughfare through the future Emory Lakes Development.

Mr. King explained the required supermajority approval would be needed by City Council if 20% of the property owner's by acreage opposed the request. He noted there are several large properties

surrounding that area and even if all property owners on Brookside Road submitted their opposition, they would still not exceed the 20% by acreage.

Those who spoke in opposition:

Kathy Kacal, 405 Brookside Road, Waxahachie, Texas
 Doug Barnes, 607 Brookside Road, Waxahachie, Texas
 Dean Settlemyer, 605 Brookside Road, Waxahachie, Texas
 Ken Kacal, 405 Brookside Road, Waxahachie, Texas
 Kathleen Bowen, 527 W. Jefferson, Waxahachie, Texas

Commissioner Ansell inquired about drainage and Mr. King stated the concept plan doesn't provide drainage detail but there have been preliminary discussions regarding drainage. Mr. Ansell asked if the developer received the list of "must-haves" that were agreed upon by City Council and the Planning and Zoning Commission at a February Work Session and Ms. Pruitt noted the developer did receive the list. Mr. Ansell stated the City has standards and the developer is requesting a lower standard and is not complying with what is currently in place.

Mr. Poston thanked the Commission and neighbors for their feedback. He requested a continuance to allow the developer time to work with staff to meet City requirements and expectations. He explained the project needs density and if he is unable to get that he needs to relay that to the seller.

Commissioner Ansell asked if any future plans would not use Brookside Road and Mr. Levkulich stated no.

Commissioner Bonney Ramsey thanked Mr. Poston for his contribution to the creation of Daymark Living, but expressed concern with his proposed plan not meeting City standards, having too much density, and not feasible using Brookside Road. Mr. Poston explained he is willing to meet City standards and will adhere to density and multi-family numbers.

Commissioner Betty Square Coleman thanked the developer for his willingness to meet the City's standards.

Commissioner Hudgins noted the land is valuable but there are many issues that need to be addressed before developing.

There being no others to speak for or against ZDC-92-2022, Vice Chairman Ballard closed the Public Hearing.

22. Consider recommendation of Zoning Change No. ZDC-92-2022

Action:

Mr. David Hudgins moved to indefinitely continue a request by John Poston, for a Zoning Change from a Single Family-1 (SF-1) zoning district to a Planned Development-Mixed Use Residential (Brookside PD), located at 300 Brookside Road (Property ID 193815, 193822, & 193823) – Owner: UNITED PRESBYTERIAN HOMES (ZDC-92-2022) to allow for renotification and public notice if the case is resubmitted. Ms. Bonney Ramsey seconded, All Ayes.

(4a)

Planning and Zoning Commission
November 15, 2022
Page 13

23. Adjourn

Jennifer Pruitt, Senior Director of Planning, announced the Comprehensive Plan Advisory Committee will hold a public meeting on Wednesday, November 30, 2022 at 6:00 p.m. at the Waxahachie Civic Center.

The Planning and Zoning Commission wished everyone a Happy Thanksgiving.

There being no further business, the meeting adjourned at 9:16 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, November 15, 2022 at 6:15 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

Members Present: Melissa Ballard, Vice Chairman
 Betty Square Coleman
 Bonney Ramsey
 David Hudgins
 Ron Ansell

Members Absent: Rick Keeler, Chairman
 Erik Test

Others Present: Shon Brooks, Executive Director of Development Services
 Jennifer Pruitt, Senior Director of Planning
 Zack King, Senior Planner
 Macey Martinez, City Engineer
 Amber Villarreal, City Secretary
 Chris Wright, Council Representative

1. Call to Order

Vice Chairman Melissa Ballard called the meeting to order.

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

Zack King, Senior Planner, reviewed the following cases:

- ZDC-133-2022, the applicant requested to withdraw the case.
- SUB-67-2022, the applicant is proposing to replat the subject property into one (1) lot for commercial use and staff recommends approval as presented.
- SUB-69-2022, the applicant is requesting to replat the subject property into ten (10) single-family residential lots and one (1) homeowner's association maintained open space lot and staff recommends approval as presented.
- SUB-85-2022, the applicant is requesting to replat the subject property into two (2) lots for commercial use and staff recommends approval as presented.
- SUB-114-2022, the applicant is requesting to replat the subject property into two (2) lots for commercial use and staff recommends approval as presented. Mr. King noted a drainage study will be required before the property is developed.
- ZDC-123-2022, the applicant is requesting to amend the previously approved Specific Use Permit (SUP) for the Starbucks drive-through establishment along Highway 77. Staff and legal counsel have reviewed the proposed changes to the Development Agreement and staff recommends approval.
- ZDC-127-2022, the applicant is requesting to amend the previously approved Specific Use Permit (SUP) for an auto parts and accessory sales use (O'Reilly's) along Highway 77. Staff and legal counsel have reviewed the proposed changes to the Development Agreement and staff recommends approval.

(46)

- ZDC-131-2022, the applicant is requesting to construct an accessory structure greater than 700 square feet (2,520 square feet) to the side and rear of a single-family residential lot. Staff recommends approval per staff comments.
- ZDC-92-2022, the applicant is requesting approval of a Planned Development to allow a mixed-use development that includes commercial, single-family, multi-family, and park/open space tracts on 347 acres. He noted that staff still has multiple outstanding comments for the applicant to address on the proposal and has not considered the application complete. However, the applicant asked for the case to be placed on the agenda for consideration by the Commission and the City Council. Mr. King explained an annexation request was also submitted by the applicant and will be considered by City Council on November 21, 2022. The zoning change is contingent upon approval of the proposed annexation case for this property. There have been 13 letters of opposition received from property owners. Staff recommends denial due to staff concerns.

Jennifer Pruitt, Senior Director of Planning, reviewed the following cases:

- SUB-82-2022, the applicant is requesting to replat the subject property into two (2) lots for commercial use and staff recommends approval as presented.
- SUB-89-2022, the applicant is requesting to replat the subject property into two (2) lots for commercial use and staff recommends approval as presented.
- SUB-107-2022, the applicant is requesting to plat the subject property into one (1) lot for commercial use and staff recommends approval as presented.

The Commission discussed the uniqueness of the property as it is not in the city limits but all the property around it is. Ms. Pruitt explained the property meets or exceeds all City and County requirements and although it is in a unique location, the State does not recognize a legal reason for denial.

3. Adjourn

There being no further business, the meeting adjourned at 6:57 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(5+6)



Memorandum

To: Honorable Mayor and City Council
From: Jennifer Pruitt, Senior Director of Planning
Thru: Michael Scott, City Manager *[Signature]*
Date: December 5, 2022
Re: ZDC-118-2022 – The Flop Social Poker Lounge

On December 5, 2022, the applicant requested to withdraw this application from the December 13, 2022 Planning and Zoning and the December 19, 2022 City Council meeting.



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-118-2022

(5+6)

STYLES THOMAS
712 STANFORD DR
WAXAHACHIE, TX 75165-1772

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 13, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 19, 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 Jonathan Foster for a **Specific Use Permit (SUP)** for a private club (The Flop Social Poker Lounge) use within a Planned Development - General Retail (PD-GR) zoning district located at 507 North Highway 77 (Suite 610) (Property ID 175004) - Owner: BENBAROUKH LLC (ZDC-118-2022) Staff: Eleana Tuley

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

Case Number: ZDC-118-2022

City Reference: 201415

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **December 7, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

We don't need no clubs in our area!! Foster

Tommy Styles
Signature

Tommy Styles - Owner
Printed Name and Title

11/26/22
Date

712 Stanford Dr.
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.

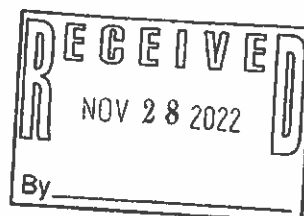


(5th)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-118-2022

◇◇◇

ROSE INDIAN CREEK I LP
PO BOX 40879
INDIANAPOLIS, IN 46240-0879



The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 13, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 19, 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:

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Case Number: ZDC-118-2022

City Reference: 207788

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☐ SUPPORT

☒ OPPOSE

Comments:

Deborah Shires
Signature

11-28-2022
Date

Deborah Shires, Regional Property Manager
Printed Name and Title

510 Indian Drive,
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.



(5th)

NOV 28 2022

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-118-2022**

TSCA 50 LLC
301 S SHERMAN ST
RICHARDSON, TX 75081-4176

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 13, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 19, 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 Jonathan Foster for a **Specific Use Permit (SUP)** for a private club (The Flop Social Poker Lounge) use within a Planned Development - General Retail (PD-GR) zoning district located at 507 North Highway 77 (Suite 610) (Property ID 175004) - Owner: BENBAROUKH LLC (ZDC-118-2022) Staff: Eleana Tuley

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Case Number: **ZDC-118-2022**

City Reference: 173177

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **December 7, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

We are running a family oriented shopping center and do not feel this use is helpful for us to continue to acquire this

Signature

Date

Printed Name and Title

Address

Coy Quinn
V-President of A.P.

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+6)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-118-2022**

◇◇◇◇

MEADE SAM A & KARY J
103 GREENBRIER ST
WAXAHACHIE, TX 75165-1729

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 13, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 19, 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 Jonathan Foster for a **Specific Use Permit (SUP)** for a private club (The Flop Social Poker Lounge) use within a Planned Development - General Retail (PD-GR) zoning district located at 507 North Highway 77 (Suite 610) (Property ID 175004) - Owner: BENBAROUKH LLC (ZDC-118-2022) Staff: Eleana Tuley

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

Case Number: **ZDC-118-2022**

City Reference: 180842

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **December 7, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

I AM NOT IN FAVOR OF A POKER CLUB IN THIS LOCATION.


Signature

11-30-22
Date

SAM A MEADE - OWNER
Printed Name and Title

103 GREENBRIER, WAXAHACHIE
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+6)

096041

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-118-2022**



ARG HEWAXTX001 LLC
38 Washington Sq
Newport, RI 02840-2946

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 13, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 19, 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 Jonathan Foster for a **Specific Use Permit (SUP)** for a private club (The Flop Social Poker Lounge) use within a Planned Development - General Retail (PD-GR) zoning district located at 507 North Highway 77 (Suite 610) (Property ID 175004) - Owner: BENBAROUKH LLC (ZDC-118-2022) Staff: Eleana Tuley

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

Case Number: **ZDC-118-2022**

City Reference: 205522

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **December 7, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Signature

Simone Ryan, Assistant Property Manager
Printed Name and Title

12/1/2022

Date

800 N Hwy 77, Waxahachie, TX 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.

Planning & Zoning Department

Plat Staff Report

Case: SUB-150-2022



MEETING DATE(S)

Planning & Zoning Commission: December 13, 2022

CAPTION

Consider request by Jordan Tucker, for a **Plat** of the Tucker Addition, Lot 1, Block A, being 1.142 acres, located directly north of 10375 Baucum Road, situated in the Amasa Howell Survey, Abstract 522, an Addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 180978) – Owner: Jordan Brett Tucker (SUB-150-2022) Staff: Zack King

APPLICANT REQUEST

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

CASE INFORMATION

Applicant: Jordan Tucker

Property Owner(s): Jordan Tucker

Site Acreage: 1.142 acres

Number of Lots: 1 lot

Number of Dwelling Units: 1 unit

Park Land Dedication: N/A (ETJ)

Adequate Public Facilities: Adequate public water facilities are available to the subject property via Buena Vista-Bethel SUD and an on-site sewage system.

SUBJECT PROPERTY

General Location: Directly north of 10375 Baucum Road

Parcel ID Number(s): 180978

Current Zoning: N/A (ETJ)

Existing Use: The subject property is currently undeveloped.

Platting History: The subject property is a portion of the Amasa Howell Survey, Abstract 522.

Site Aerial:



PLANNING ANALYSIS

The applicant is proposing to plat the subject property into one (1) lot for single-family residential use. The applicant is providing a 29.6' right-of-way (ROW) dedication for Baucum Road. All lot size and dimension requirements have been met.

Adequate public facilities can be provided to the site via Buena Vista-Bethel SUD (BVBSUD) and on-site sewage systems. However, a Water Endorsement Letter received from BVBSUD stated that adequate water flow is available to the site for domestic services only. Water flow and pressure for firefighting and fire suppression purposes is not available. The City of Waxahachie Subdivision Ordinance allows plats of fewer than 4 lots in the Waxahachie ETJ to be approved without adequate fire flow, provided that the plat includes a note indicating this fact. The applicant will provide this required note on the plat prior to plat filing.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the Plat request with the motion noted below.

Motion:

"I move to approve SUB-150-2022, a Plat of the Tucker Addition, Lot 1, Block A, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

ATTACHED EXHIBITS

1. Plat
2. Water Letter

APPLICANT REQUIREMENTS

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

Senior Planner

zking@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com

LEGEND

- CAPPER 4000 ROD SET
- IRON ROD FOUND
- CABINET
- INSTRUMENT NUMBER
- PLAT RECORDS
- ELLIS COUNTY, TEXAS
- REAL PROPERTY RECORDS
- ELLIS COUNTY, TEXAS

LOCATION MAP
"NOT TO SCALE"

GRAPHIC SCALE
0 25 50 75 100
(IN FEET)
1 inch = 50 ft

CASE NUMBER: SUB-150-2022 PLAT

**LOTS 1, BLOCK A
TUCKER ADDITION**

1 RESIDENTIAL LOT

**BEING 1.142 ACRES OUT OF THE
AMASA HOWELL SURVEY, ABSTRACT NO. 522:**

THE CITY OF WAXAHACHIE ET AL, ELLIS COUNTY, TEXAS

JORDAN BRETT TUCKER OWNER
9550 Baucum Road (972) 972-3366
Midlothian, Texas
Contact: Jordan Brett Tucker

JB LAND SURVEYING, INC SURVEYOR
658 Bacak Rd (972) 825-7949
Ennis, Texas 75119
Contact: Edward Scott Bacak
TPLS No. 1019480

Revised: November 23, 2022
Dated: September 27, 2022

Sheet 1 of 2

(7)

STATE OF TEXAS
COUNTY OF ELLIS

KNOW ALL MEN BY THESE PRESENTS

WHEREAS Jordan Brett Tucker is the owner of all that parcel of land located in the City of Waxahachie, Texas and being a part of the Amasa Howell Survey, Abstract No. 522, being all of that called 1 1/2 acre tract of land described in deed to Jordan Brett Tucker recorded in County Clerk's Instrument Number 2226955, Real Property Records Ellis County, Texas and being further described as follows:

BEGINNING at a "MAG" nail set for the southwest corner of said 1.142 acre tract of land, said point being in the southerly line of that called 3.26 SS acre tract of land described in deed to Tucker Byways Trust recorded in County Clerk's Instrument Number 1601968, Real Property Records Ellis County, Texas and said point being in the approximate centerline of Baucum Road (a variable width right-of-way);

THENCE North 01 degrees 20 minutes 70 seconds West, at 29.60 feet to a one-half inch iron rod with cap stamped "3B" set for witness, in all a total distance of 234.31 feet to a one-half inch iron rod with cap stamped "3B" set at the northwest corner of said 1.142 acre tract of land;

THENCE North 88 degrees 39 minutes 04 seconds East, 204.71 feet to a one-half inch iron rod with cap stamped "3B" set for the northeast corner of said 1.142 acre tract of land;

THENCE South 01 degrees 20 minutes 50 seconds East, at 204.71 feet to a one-half inch iron rod with cap stamped "3B" set for witness, in all a total distance of 234.31 feet to a "MAG" nail set for the southeast corner of said 1.142 acre tract of land, said point being in the southerly line of said 3.26 SS acre tract of land, said point being in the approximate centerline of Baucum Road, to which, a one-half inch iron rod found for corner in the south line of said 3.26 SS acre tract of land bears, North 88 degrees 39 minutes 04 seconds East, at 60.00 feet;

THENCE South 88 degrees 39 minutes 04 seconds West, 204.71 feet along the south line of said 1.142 acre tract of land, along the southerly line of said 3.26 SS acre tract of land and along the approximate centerline of Baucum Road to the POINT OF BEGINNING and containing 99,739 square feet or 1.142 acre of land.

Notes of Bearing is derived from GPS observations relative to the Texas WGS 84 RTK Network - Texas State Plane Coordinate System, North Central Zone (4303, NAD83).

SURVEY CERTIFICATION

This is to certify that I, Edward Scott Bacok, a Registered Public Land Surveyor of the State of Texas, have plotted the above subdivision from an actual survey on the ground and that all lot corners, angle points, and points of curve have been properly marked on the ground, and that this plat correctly represents that survey made by me.

"Preliminary, this document shall not be relied upon for any purpose and shall not be used as evidence unless upon a final survey document."

Edward Scott Bacok, R.P.L.S. No. 6248



OWNERS CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT I, Jordan Brett Tucker acting herein by and through its duly authorized officers, do hereby certify and adopt this plat designating the herein above described property as Lot 1, Block A, Tucker Addition, an addition to Ellis County, and do hereby dedicate to the public use forever, the streets and alleys shown thereon. Jordan Brett Tucker, does herein certify the following:

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

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

WITNESS MY HAND, THIS THE ____ DAY OF _____, 2022

By: Jordan Brett Tucker

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 Jordan Brett Tucker, 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 considerations therein GIVEN under my hand and seal of office, this ____ day of _____, 2022.

Notary Public in and for the State of Texas

STATE OF TEXAS
COUNTY OF ELLIS

Certificate of approval by the Commissioners' Court of Ellis County, Texas
Approved this date, the ____ day of _____, 2022

Todd Little, County Judge

Randy Stinson
Commissioner, Precinct No. 1

Lane Grayson
Commissioner, Precinct No. 2

Paul Perry
Commissioner, Precinct No. 3

Kyle Butler
Commissioner, Precinct No. 4

ATTEST

Kristal Vukob, County Clerk

ON-SITE SEWAGE FACILITY STATEMENT

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

Department of Development Director

Approval Date

APPROVED BY PLANNING AND ZONING COMMISSION
CITY OF WAXAHACHIE

BY: Chairperson

Date

Attest

Date

CASE NUMBER: SUB-150-2022
PLAT

LOTS 1, BLOCK A
TUCKER ADDITION

1 RESIDENTIAL LOT

BEING 1.142 ACRES OUT OF THE
AMASA HOWELL SURVEY, ABSTRACT NO. 522.

THE CITY OF WAXAHACHIE ET AL, ELLIS COUNTY, TEXAS

JORDAN BRETT TUCKER OWNER

9650 Baucum Road (972) 972-3366

Midlothian, Texas

Contact: Jordan Brett Tucker

3B LAND SURVEYING, INC SURVEYOR

656 Bacok Rd (972) 825-7949

Ennis, Texas 75119

Contact: Edward Scott Bacok

18PL# No. 10194480

Revised November 23, 2022

Dated September 27, 2022

Sheet 2 of 2

(1)



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



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Jordan Tucker Parcel ID #: 180978
Subdivision Name: Tucker Addition

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

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

Contact Information:

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

To be completed by the water utility provider:

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

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

Buena Vista-Bethel S.U.D.
Name of water provider company

Joe Buchanan
Signature of General Manager of water provider or Designee

10-28-2022
Date

(7)



TEXAS REGISTERED ENGINEERING FIRM F-702

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

October 24, 2022

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

Re: Hydraulic Analysis for
Jordan Tucker
1 Meter Near Node 354
Map Sheet 7

Dear Mr. Buchanan,

In response to your request, we have examined the hydraulic capability of your system to provide the above referenced service requesting one (1) standard meter off of the 3" main along Baucum Road.

Our evaluation indicates that at this time the existing system can furnish the requested domestic service in conformity with Texas Commission on Environmental Quality standards for water distribution. No fireflow can be furnished off of the 3" main.

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

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

Very truly yours,

CHILDRESS ENGINEERS

Benjamin S. Shanklin, P.E.

BSS/cv

Planning & Zoning Department

Plat Staff Report

Case: SUB-154-2022



MEETING DATE(S)

Planning & Zoning Commission: December 13, 2022

CAPTION

Consider a request by Jeff Head, Evolving Texas, for a **Plat** of the Oncor-Highway 77 Addition, Lot 1, Block A, being 14.81 acres, located approximately 300 feet South of 600 S US Highway 77, situated in the John Harris Survey, Abstract 430, an addition to the City of Waxahachie (Property ID 184700) – Owner: Oncor Electric Delivery Company LLC (SUB-154-2022) Staff: Zack King

APPLICANT REQUEST

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

CASE INFORMATION

Applicant: Jeff Head, Evolving Texas

Property Owner(s): Oncor Electric Delivery Company LLC

Site Acreage: 14.81 acres

Number of Lots: 1 lot

Number of Dwelling Units: 0 units

Park Land Dedication: The cash in lieu of parkland dedication is \$8,772.00 (14.62 acres at \$600.00 per acre.)

Adequate Public Facilities: Adequate public facilities will be available to the site via the extension of City water and wastewater lines by the applicant.

SUBJECT PROPERTY

General Location: Approximately 300 feet South of 600 South US Highway 77

Parcel ID Number(s): 184700

Current Zoning: Light Industrial-1 (LI-1)

Existing Use: The subject property is currently undeveloped.

Platting History: The subject property is a portion of the John Harris Survey, Abstract 430.

Site Aerial:



PLANNING ANALYSIS

The applicant is proposing to plat the subject property into one (1) lot for commercial use. The applicant is providing a 10' right-of-way (ROW) dedication along South US Highway 77, in conformance with the City of Waxahachie Thoroughfare Plan. The applicant is proposing an off-site water and sanitary sewer easement in order to facilitate the extension of required utilities to the property. All lot size, dimension, setbacks, and easement requirements of the Light-Industrial-1 (LI-1) zoning district have been met.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the Plat request with the motion and conditions noted below.

Motion:

"I move to approve SUB-154-2022, a Plat of the Oncor-Highway 77 Addition, Lot 1, Block A, subject to the condition the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

Condition:

1. The recording information for the off-site water and sanitary sewer easement shall be added to the plat prior to filing.

ATTACHED EXHIBITS

1. Replat
2. Off-site Water & Sanitary Sewer Easement

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

Senior Planner

zking@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com

(8)



VICINITY MAP
NOT TO SCALE

OWNER/DEVELOPER
ONCOR ELECTRIC DELIVERY
COMPANY, LLC
777 MAIN STREET
FORT WORTH, TEXAS 76102

SURVEYOR
HAL MOLLENKOFF
DUNAWAY ASSOCIATES, L.P.
550 BAILEY AVENUE
SUITE 400
FORT WORTH, TEXAS 76107
(817) 335-1121 (PHONE)

CONSULTANT
SAMANTHA REND
EVOLVING CIVIL ENGINEERING AND PLANNING
4100 INTERNATIONAL PLAZA, SUITE 150
FORT WORTH, TEXAS 76109
(817) 520-2700 OFFICE
(940) 594-3419 CELL

STATE OF TEXAS §
COUNTY OF ELLIS §

WHEREAS, Oncor Electric Delivery Company, LLC are the Owners of a tract of land situated in the John Harris Survey, Abstract No. 430, Ellis County, Texas, and being out of a 20.360 acre tract conveyed to them by MAC Elite Investments, LLC and being more particularly described as follows:

METES & BOUNDS

BEG & A 14.81 acre tract of land situated in the John Harris Survey, Abstract No. 430, Ellis County, Texas, and being all of a called 14.81 acre tract of land described in deed to Oncor Electric Delivery Company, LLC, as recorded in instrument No. 2238592, Deed Records of Ellis County, Texas (D.R.E.C.T.), said 14.81 acre tract of land being more particularly described as follows:

BEG & N 1/2 of a 1/2-inch iron rod with yellow cap stamped "P&S 4487" for the northeast corner of said Oncor tract, said corner being on the west right of way line of South Highway 77 (a 90' right of way), and the southeast corner of a called 6.063 acre tract of land described in deed to ICE Properties, Inc., as recorded in instrument No. 1805665, D.R.E.C.T., said POINT OF BEGINNING being located by NAD83 Grid Coordinates N: 6,931,930.47; E: 2,476,113.40;

THENCE South 02 degrees 54 minutes 27 seconds East, along the east line of said Oncor tract and the west right of way line of said South Highway 77, a distance of 803.53 feet to a found 5/8-inch iron rod with yellow cap stamped "DUNAWAY ASSOC." for the southeast corner of said Oncor tract, from which a found 1/2-inch iron rod for the southeast corner of a called 20.360 acre tract of land described in deed to MAC Elite Investments, LLC, as recorded in instrument No. 1805634, D.R.E.C.T., and the northeast corner of Lot 1, Delta Addition, an addition to the City of Waxahachie, as recorded in Cabinet L, Side 584, Plat Records of Ellis County, Texas bears South 88 degrees 54 minutes 27 seconds East, a distance of 301.57 feet;

THENCE South 58 degrees 27 minutes 03 seconds West, departing the west right of way line of said South Highway 77, and along the south line of said Oncor tract, a distance of 722.31 feet to a found 1/2-inch iron rod for the southwest corner of said Oncor tract and an old corner in the southeasterly line of said MAC Elite tract and the southeast corner of a called 1.502 acre tract of land described in deed to DMAC, LLC, as recorded in Volume 2095, Page 2331, D.R.E.C.T., for corner;

THENCE North 31 degrees 18 minutes 27 seconds West, along the southeasterly line of said Oncor tract and the northeasterly line of said DMAC tract, passing a found 1/2-inch iron rod for the northeast corner of said DMAC tract and the southeast corner of a called 1.00 acre tract of land described in deed to Citizens National Bank of Texas, as recorded in instrument No. 2268687, D.R.E.C.T., at a distance of 251.31 feet, continuing for a total distance of 485.35 feet to a found 5/8-inch iron rod with yellow cap stamped "DUNAWAY ASSOC." for corner;

THENCE North 32 degrees 02 minutes 34 seconds West, continuing along the southeasterly line of said Oncor tract, a distance of 216.77 feet to a found 1/2-inch iron rod with yellow cap for the northwest corner of said Oncor tract and the most westerly southeasterly corner of the aforementioned ICE Properties tract for corner;

THENCE North 58 degrees 56 minutes 12 seconds East, along the northeasterly line of said Oncor tract and the southeasterly line of said ICE Properties tract, a distance of 1,107.21 feet to the POINT OF BEGINNING and containing 645,174 square feet or 14.81 acres of land more or less.

NOW, THEREFORE, I KNOW ALL MEN BY THESE PRESENTS

That Rachel Bryen acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as ONCOR-HIGHWAY 77 ADDITION, an addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waxahachie. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

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

WITNESS, my hand, this _____ day of _____, 2022.

By _____

Rachel Bryen
Program Delivery Manager

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 Rachel Bryen, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 2022.

Notary Public in and for the State of Texas

My Commission Expires On _____

I KNOW ALL MEN BY THESE PRESENTS

That I, Hal Mollenkoff, 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.

Hal Mollenkoff
Registered Professional Land Surveyor
Texas Registration No. 5439



PLAT
ONCOR-HIGHWAY 77
ADDITION
LOT 1, BLOCK A

14.81 Acres out of the
John Harris Survey, Abstract No. 430
City of Waxahachie, Ellis County, Texas

Zoning: Light Industrial-1 (LI-1)
1 Commercial Lot

Case No. SUB-154-2022
Prepared Date: December 1, 2022

DUNAWAY
550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
Tel: 817.335.1121
TEXAS REGISTERED SURVEYING FROM NO. 10098100

(8)

EXHIBIT "A"

METES & BOUNDS

BEING a 0.4256 acre tract of land situated in the John Harris Survey, Abstract No. 430, Ellis County, Texas, and being a portion of a called 20.360 acre tract of land described in deed to MAC Elite Investments, LLC, as recorded in Instrument No. 1906634, Deed Records of Ellis County, Texas (D.R.E.C.T.), said 0.4256 acre tract of land being more particularly described as follows:

BEGINNING at a found 5/8-inch iron rod with yellow cap stamped "DUNAWAY ASSOC" for the southeast corner of called 14.81 acre tract of land described in deed to Oncor Electric Delivery Company, LLC, as recorded in Instrument No. 2238592, D.R.E.C.T., said corner being on the westerly right-of-way line of South Highway 77 (a 90' right-of-way) and being on the easterly line of said MAC Elite tract, said POINT OF BEGINNING being locatable by NAD83 Grid Coordinates N: 6,821,128.04, E: 2,476,356.25;

THENCE South 02 degrees 54 minutes 27 seconds East, along the common easterly line of said MAC Elite tract and the westerly right-of-way line of said South Highway 77, a distance of 16.93 feet to a point for corner, from which a found 1/2-inch iron rod for the southeast corner of said MAC Elite tract and the northeast corner of Lot 1, Delta Addition, an addition to the City of Waxahachie, as recorded in Cabinet C, Slide 584, Plat Records of Ellis County, Texas bears South 02 degrees 54 minutes 27 seconds East, a distance of 286.64 feet;

THENCE South 59 degrees 27 minutes 01 second West, departing said common line, across said MAC Elite tract, a distance of 684.25 feet to a point for corner;

THENCE South 31 degrees 18 minutes 27 seconds East, continuing across said MAC Elite tract, a distance of 15.00 feet to a point for corner;

THENCE South 59 degrees 27 minutes 01 second West, continuing across said MAC Elite tract, a distance of 268.89 feet to a point for corner on the easterly line of a called 0.029 acre tract of land described as "Parcel 6" in deed to Texas Department of Transportation, as recorded in Instrument No. 2019065 & 2019066, D.R.E.C.T.;

THENCE North 35 degrees 42 minutes 18 seconds West, along the easterly line of said "Parcel 6", a distance of 7.78 feet to a found 5/8-inch iron rod with pink cap stamped "TXDOT RIGHT-OF-WAY MARKER" (hereinafter called 5/8-inch PCIR) for the northeast corner of said "Parcel 6";

THENCE South 49 degrees 16 minutes 04 seconds West, along the northerly line of said "Parcel 6", a distance of 5.11 feet to a found 5/8-inch PCIR for the northwest corner of said "Parcel 6", said point being on the westerly line of said MAC Elite tract and the easterly right-of-way line of Interstate Highway 35 East (I-35E) (a variable width right-of-way);

THENCE North 35 degrees 45 minutes 08 seconds West, along the westerly line of said MAC Elite tract and the easterly right-of-way line of said I-35E, a distance of 23.25 feet to a found 1/2-inch iron rod with yellow cap stamped "RPLS 4466" for the most southerly northwest corner of said MAC Elite tract and the southwest corner of a called 1.502 acre tract of land described in deed to DMJC, LLC, as recorded in Volume 2095, Page 2371, D.R.E.C.T.;

THENCE North 59 degrees 27 minutes 01 second East, departing the easterly right-of-way line of said I-35E, along the most southerly northwest line of said MAC Elite tract and the southeast line of said DMJC tract, passing a found 1/2-inch iron rod for the southeast corner of said DMJC tract and the southwest corner of said Oncor tract, at a distance of 246.32 feet, continuing across said MAC Elite tract and along the southeast line of said Oncor tract for a total distance of 968.63 feet to the POINT OF BEGINNING and containing 18,541 square feet or 0.4256 acres of land more or less.

NOTES:

The basis of bearings for this survey is the Texas State Coordinate System (NAD83), North Central Zone, based upon GPS measurements. Distances and areas hereon are surface values. A combined scale factor of 0.99991869 was used for this project.

PAGE 1 OF 1

B003115.022

A plat of even date accompanies this metes and bounds description.


 550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
 Tel: 817.335.1121
 TEXAS REGISTERED SURVEYING FIRM NO. 10098100



11-18-22

VARIABLE WIDTH WATER & SANITARY SEWER EASEMENT

BEING 0.4256 ACRES OR 18,541 SQUARE FEET OF

MAC ELITE INVESTMENTS, LLC
INSTRUMENT NO. 1906634, D.R.E.C.T.

SITUATED IN
 JOHN HARRIS SURVEY
 ABSTRACT NO. 7303
 ELLIS COUNTY, TEXAS

PRINTED BY: James Cardella CM: Friday, November 18, 2022 AT: 1:13:11 AM FILE PATH: C:\Production\003\003\003\003\15\022-Waatchoe - Highway 77 Survey\Drawings\003\15\022 - Waatchoe Night



Planning & Zoning Department

Plat Staff Report

Case: SUB-143-2022



MEETING DATE(S)

Planning & Zoning Commission: December 13, 2022

City Council: December 19, 2022

CAPTION

Consider a request by Marshall Patton, KFM Engineering & Design, for a **Plat** of Dove Hollow, Phase 2, 223 lots and 7 open space lots being 64.95 acres, located on the east side of Terlingua Road, situated in the J.W. Wright Survey, Abstract No. 1182 and the R.A. Davis Survey, Abstract No. 318, an addition to the City of Waxahachie (Property ID 192636, 192643, and 192639) – Owner: GRBK Edgewood LLC (SUB-143-2022)

APPLICANT REQUEST

The purpose of this plat is to subdivide an approximately 64.95-acre tract into 223 lots and 7 open space lots. This plat is the second phase of the Dove Hollow subdivision.

CASE INFORMATION

Applicant: Marshall Patton, KFM Engineering & Design

Property Owner(s): GRBK Edgewood LLC

Site Acreage: 64.9526 acres

Number of Lots: 223 lots

Number of Dwelling Units: 223 units

Park Land Dedication: Parkland dedication fees are waived per the North Grove PD (Ord. No. 2733)

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

SUBJECT PROPERTY

General Location: Generally located on the east side of Terlingua Road

Parcel ID Number(s): 192636, 192643, and 192639

Current Zoning: PD Ord. No. 3002

Existing Use: Vacant

Platting History: This plat is the second phase of the Dove Hollow subdivision

Site Aerial:



PLANNING ANALYSIS

The purpose of this plat is to subdivide an approximately 64.95-acre tract into 223 lots and 7 open-space lots. This plat is the second phase of the Dove Hollow subdivision. The Applicant has met the governing zoning on the property, and complied with the City's subdivision regulations.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning Department recommends approval of the Plat request with the motion noted below.

Motion:

"I move to approve SUB-143-2022, for a Plat of Dove Hollow, Phase 2, 223 lots and 7 open space lots being 64.95 acres, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

ATTACHED EXHIBITS

1. Plat

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:

Eleana Tuley, AICP

Senior Planner

eleana.tuley@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com

*** VICINITY MAP *
(NOT TO SCALE)**

*** LEGEND ***

CURV	IRON ROAD FOUND WITH CAP	PACT	PLAT RECORDS
CHP	SUP IRON ROAD WITH CAP STAMPED	BC	ELLIS COUNTY TEXAS
RFP	"TPOOCHED" MARK SET	B/P	BUILDING LINE
F/C	IRON ROAD FOUND	B/P	BY THIS PLAT
(C/A)	POINT FORM CORNER	(C)	BLOCK REFERENCE
CD	CONTROLLING MONUMENT	E	CENTERLINE
VOL	VOLUME	EAST	EASEMENT
PD	PADE	EAST MEET REFERENCE	E
CCCI NO	ELLIS COUNTY CLERK'S	E	MATERIAL
DIRECT	INSTRUMENT NUMBER	U	UTILITY EASEMENT
OPACIT	DEED RECORDS ELLIS COUNTY, TEXAS	O	ORGANIZATION EASEMENT
	OFFICIAL PUBLIC RECORDS ELLIS COUNTY, TEXAS	L	LOT OF 1463

NOTES:
All distances along curves shown herein are arc lengths.
See Page 2 for Line Curves and Area Tables.
See Page 1 for Owner's Certificate and Declaration.
Buyer's Statement, and Change Notes.

KFM ENGINEERING & SURVEYING
DANIEL P. FARMER, S.D., SUITE 100
BALLIAH, TEXAS 75809
PH: (409) 595-5639
FAX: (409) 595-5639
ATTN: BRUCE/MARIA PATTON, PS

THIS DOCUMENT IS PRELIMINARY FOR REVIEW PURPOSES ONLY (ERIC S. SPOONER, R.P.S.) DECEMBER 5, 2022

ENGINEER:

REVIEW:

SPooner & Associates
OVER 30 YEARS OF SERVICE
300 WINDY STREET, SUITE 100, BALLIAH, TEXAS 75809
(409) 595-5639 FAX (409) 595-5639
WWW.SPoonerANDAssociates.com

DOVE HOLLOW, PHASE II
BEING A 64.9528 ACRE TRACT OF LAND LOCATED IN THE J.W. WRIGHT SURVEY, ABSTRACT NO. 1182 & THE R.A. DAVIS SURVEY, ABSTRACT NO. 318, CITY OF WASAHACHE, ELLIS COUNTY, TEXAS ZONED PD-SF-1, 2, 3, MP-1 OR 223 RESIDENTIAL LOTS 7 OPEN SPACE LOTS DECEMBER - 2022

CASE NO. SUB-143-2022 PAGE 2 OF 2

(9)

AREA TABLE - BLOCK 13

LOT	SQ. FT.	ACRES
1	9,254	0.2124
2	7,200	0.1653
3	7,200	0.1653
4	7,200	0.1653
5	7,200	0.1653
6	7,200	0.1653
7	7,200	0.1653
8	7,200	0.1653
9	7,200	0.1653
10	7,200	0.1653
11	7,200	0.1653
12	7,200	0.1653
13	7,200	0.1653
14	10,389	0.2386

AREA TABLE - BLOCK 19

LOT	SQ. FT.	ACRES
1	9,810	0.2252
2	7,200	0.1653
3	7,200	0.1653
4	7,200	0.1653
5	7,200	0.1653
6	7,200	0.1653
7	7,200	0.1653
8	7,200	0.1653
9	7,200	0.1653
10	7,200	0.1653
11	7,200	0.1653
12	7,200	0.1653
13	7,200	0.1653
14	7,200	0.1653
15	12,446	0.2857
16	8,728	0.2004
17	7,200	0.1653
18	7,200	0.1653
19	7,200	0.1653
20	7,200	0.1653
21	7,200	0.1653
22	7,200	0.1653
23	7,200	0.1653
24	7,200	0.1653
25	7,200	0.1653
26	7,200	0.1653
27	7,200	0.1653
28	7,200	0.1653
29	7,200	0.1653
30	7,200	0.1653
31	7,200	0.1653
32	10,121	0.2324

AREA TABLE - BLOCK 20

LOT	SQ. FT.	ACRES
17	11,033	0.2533
18	7,200	0.1653
19	7,200	0.1653
20	7,200	0.1653
21	7,200	0.1653
22	7,200	0.1653
23	7,200	0.1653
24	7,200	0.1653
25	7,200	0.1653
26	7,200	0.1653
27	7,200	0.1653
28	7,200	0.1653
29	7,200	0.1653
30	7,200	0.1653
31	7,200	0.1653
32	9,848	0.2215

AREA TABLE - BLOCK 21

LOT	SQ. FT.	ACRES
1	7,363	0.1686
2	6,000	0.1377
3	6,000	0.1377
4	6,000	0.1377
5	6,000	0.1377
6	6,000	0.1377
7	6,000	0.1377
8	6,000	0.1377
9	6,000	0.1377
10	6,000	0.1377
11	6,000	0.1377
12	6,000	0.1377
13	6,000	0.1377
14	6,000	0.1377
15	6,000	0.1377
16	6,000	0.1377
17	6,000	0.1377
18	6,000	0.1377
19	6,000	0.1377
20	6,000	0.1377
21	7,088	0.1627
22	7,088	0.1627
23	6,000	0.1377
24	6,000	0.1377
25	6,000	0.1377
26	6,000	0.1377
27	6,000	0.1377
28	6,000	0.1377
29	6,000	0.1377
30	6,000	0.1377
31	6,000	0.1377
32	6,000	0.1377
33	6,000	0.1377
34	6,000	0.1377
35	6,000	0.1377
36	6,000	0.1377
37	6,000	0.1377
38	6,000	0.1377
39	6,000	0.1377
40	6,000	0.1377
41	6,000	0.1377
42	7,367	0.1686
43	5,721	0.1313
44	5,901	0.1348

AREA TABLE - BLOCK 22

LOT	SQ. FT.	ACRES
1	8,700	0.2020
2	7,200	0.1653
3	7,218	0.1657
4	7,807	0.1746
5	15,043	0.3453
6	8,400	0.1929
7	8,246	0.1893
8	8,868	0.2040
9	7,200	0.1653
10	7,200	0.1653
11	7,200	0.1653
12	7,200	0.1653
13	7,200	0.1653
14	7,200	0.1653
15	7,200	0.1653
16	7,811	0.1747
17	7,788	0.1786
18	8,012	0.1839
19	7,752	0.1780
20	7,200	0.1653
21	7,200	0.1653
22	8,284	0.1902
23	8,181	0.1878
24	8,181	0.1878
25	8,181	0.1878
26	7,846	0.1824
27	7,200	0.1653
28	7,200	0.1653
29	7,200	0.1653
30	7,200	0.1653
31	7,200	0.1653
32	7,200	0.1653
33	7,200	0.1653
34	7,200	0.1653
35	7,200	0.1653
36	7,200	0.1653
37	7,200	0.1653
38	7,200	0.1653
39	7,200	0.1653
40	7,200	0.1653
41	7,200	0.1653
42	7,200	0.1653
43	7,200	0.1653
44	7,200	0.1653
45	7,200	0.1653
46	7,200	0.1653
47	7,200	0.1653
48	7,200	0.1653
49	7,200	0.1653
50	7,200	0.1653
51	7,200	0.1653
52	7,200	0.1653
53	7,200	0.1653
54	7,200	0.1653
55	7,200	0.1653
56	7,200	0.1653
57	7,200	0.1653
58	7,200	0.1653
59	7,200	0.1653
60	7,200	0.1653
61	7,200	0.1653
62	7,200	0.1653
63	7,200	0.1653
64	7,200	0.1653
65	7,200	0.1653
66	7,200	0.1653
67	7,200	0.1653
68	7,200	0.1653
69	7,200	0.1653
70	7,200	0.1653
71	7,200	0.1653
72	7,200	0.1653
73	7,200	0.1653
74	7,200	0.1653
75	7,200	0.1653
76	7,200	0.1653
77	7,200	0.1653
78	7,200	0.1653
79	7,200	0.1653
80	7,200	0.1653
81	7,200	0.1653
82	7,200	0.1653
83	7,200	0.1653
84	7,200	0.1653
85	7,200	0.1653
86	7,200	0.1653
87	7,200	0.1653
88	7,200	0.1653
89	7,200	0.1653
90	7,200	0.1653
91	7,200	0.1653
92	7,200	0.1653
93	7,200	0.1653
94	7,200	0.1653
95	7,200	0.1653
96	7,200	0.1653
97	7,200	0.1653
98	7,200	0.1653
99	7,200	0.1653
100	7,200	0.1653

AREA TABLE - BLOCK 23

LOT	SQ. FT.	ACRES
1	8,287	0.1903
2	7,200	0.1653
3	7,200	0.1653
4	7,200	0.1653
5	7,200	0.1653
6	7,200	0.1653
7	7,200	0.1653
8	7,200	0.1653
9	7,200	0.1653
10	7,200	0.1653
11	7,200	0.1653
12	7,200	0.1653
13	7,200	0.1653
14	7,200	0.1653
15	7,200	0.1653
16	7,200	0.1653
17	7,200	0.1653
18	7,200	0.1653
19	7,200	0.1653
20	8,287	0.1903

AREA TABLE - BLOCK 24

LOT	SQ. FT.	ACRES
1	7,200	0.1653
2	7,200	0.1653
3	7,200	0.1653
4	7,200	0.1653
5	7,200	0.1653
6	7,200	0.1653
7	7,200	0.1653
8	7,200	0.1653
9	7,200	0.1653
10	7,200	0.1653
11	7,200	0.1653
12	12,645	0.2903
13	16,912	0.3882
14	7,200	0.1653
15	7,200	0.1653
16	7,200	0.1653
17	7,200	0.1653
18	7,200	0.1653
19	7,200	0.1653
20	7,200	0.1653
21	7,200	0.1653
22	7,200	0.1653
23	7,200	0.1653
24	7,200	0.1653
25	7,200	0.1653
26	30,975	0.7111

AREA TABLE - BLOCK 25

LOT	SQ. FT.	ACRES
1	8,711	0.2000
2	7,404	0.1700
3	7,250	0.1666
4	7,200	0.1653
5	7,200	0.1653
6	7,200	0.1653
7	7,200	0.1653
8	7,200	0.1653
9	7,200	0.1653
10	7,200	0.1653
11	10,868	0.2495
12	13,330	0.3060
13	7,200	0.1653
14	7,200	0.1653
15	7,200	0.1653
16	7,200	0.1653
17	7,200	0.1653
18	7,200	0.1653
19	7,200	0.1653
20	7,200	0.1653
21	7,200	0.1653
22	7,200	0.1653
23	7,200	0.1653

AREA TABLE - BLOCK 26

LOT	SQ. FT.	ACRES
20	7,229	0.1659
21	8,057	0.1850
22	7,200	0.1653
23	7,200	0.1653
24	7,200	0.1653
25	7,200	0.1653
26	7,200	0.1653
27	7,200	0.1653
28	7,499	0.1721
29	7,200	0.1653
30	7,200	0.1653
31	7,200	0.1653
32	7,200	0.1653
33	7,325	0.1682
34	7,593	0.1743
35	18,577	0.4268
36	7,150	0.1641
37	7,200	0.1653
38	7,200	0.1653
39	7,200	0.1653
40	7,200	0.1653
41	7,200	0.1653
42	7,200	0.1653
43	7,200	0.1653
44	7,200	0.1653
45	8,264	0.1887
46	53,491	1.2280
47	7,483	0.1718
48	232,129	5.3288

LINE TABLE

LINE	BEARING	DISTANCE
L1	N32°09'55"W	24.22
L2	N01°45'15"W	83.75
L3	N43°14'45"E	21.21
L4	N01°45'15"W	54.00
L5	N45°45'15"W	21.21
L6	N01°45'15"W	105.00
L7	N29°32'10"E	20.72
L8	N18°49'44"W	54.10
L9	N80°30'32"E	21.65
L10	N35°42'23"E	18.29
L11	N01°45'15"W	54.00
L12	S88°14'45"W	14.95
L13	N54°17'37"W	23.81
L14	N18°49'58"W	109.28
L15	N01°45'15"W	105.00
L16	N45°45'15"W	21.21
L17	N01°45'15"W	54.00
L18	N43°14'45"E	21.21
L19	N45°45'15"W	21.21
L20	N02°30'51"W	53.40
L21	N88°21'20"E	18.51
L22	N01°52'47"W	119.83
L23	S42°04'01"E	148.32
L24	S37°13'42"E	171.94
L25	S38°45'24"E	83.63
L26	S53°14'38"W	115.98
L27	N53°11'15"E	115.20
L28	S26°45'24"E	121.00
L29	S53°14'38"W	75.33
L30	S68°14'45"W	43.27
L31	S01°02'19"W	120.14
L32	S68°14'45"W	124.33
L33	S01°45'15"E	105.00
L34	S57°42'53"W	29.36
L35	S05°22'59"E	128.39
L36	S58°38'40"W	118.74
L37	N42°37'47"W	132.71
L38	N43°14'45"E	21.21
L39	N43°14'45"E	21.21
L40	S88°45'15"W	22.00
L41	S03°14'38"W	19.28

LINE TABLE

LINE	BEARING	DISTANCE
L46	N79°48'14"W	21.92
L47	S88°14'45"W	50.79
L48	S01°45'15"E	105.00
L49	S43°14'45"W	21.21
L50	S48°45'15"E	21.21
L51	S48°45'15"E	21.21
L52	S48°45'15"E	21.21
L53	N01°45'15"E	105.00
L54	N45°50'59"E	20.58
L55	S89°25'15"E	105.95
L56	S89°25'15"E	105.95
L57	S45°35'18"E	21.84
L58	S43°14'45"E	21.21
L59	S88°14'45"W	105.00
L60	S88°14'45"W	105.00
L61	N48°45'15"E	21.21
L62	N48°45'15"E	21.21
L63	S48°45'15"E	21.21
L64	S43°14'45"E	21.21
L65	N48°45'15"E	21.21
L66	N48°45'15"E	21.21
L67	N74°50'27"E	23.95
L68	S14°54'08"W	18.81
L69	N48°45'15"E	21.21
L70	N44°24'42"E	20.78
L71	N48°15'19"E	26.87
L72	S19°40'40"E	17.61
L73	N33°41'50"W	58.66
L74	S36°55'10"E	79.99
L75	S88°14'45"W	272.00
L76	N48°45'15"E	68.45
L77	N45°14'39"E	12.92
L78	N61°05'15"E	26.04
L79	S39°41'45"E	90.03
L80	N50°13'41"E	14.94
L81	S95°40'44"E	38.57
L82	S98°48'44"E	66.77
L83	S88°15'15"E	114.08
L84	S72°46'45"E	15.08
L85	N69°15'15"E	111.12
L86	S88°14'45"W	22.22

Planning & Zoning Department

Plat Staff Report

Case: SUB-134-2022



MEETING DATE(S)

Planning & Zoning Commission: December 13, 2022

City Council: December 19, 2022

CAPTION

Public Hearing on a request by Timothy Wells, Peloton Land Solutions, for a **Replat** of lots 18 and 19, Block C, lots 30 and 31, Block D, and lots 8 and 9, Block E of the Oaks of North Grove Phase 1 to create lots 63R1 and 64, Block C, lots 30R1, 31R1, 32-48, Block D, Lots 8R1, 9R1, 10-21, and lots 27-32, Block E, being 8.572 acres, generally located at 731 Cherry Bark Trail, (Property ID 284716) – Owner: BBCP North Grove 79 LLC (SUB-134-2022)

APPLICANT REQUEST

The purpose of this plat is to replat 6 open space lots (approximately 8.572 acres) into 42 residential lots. The six open space lots were platted with The Oaks of North Grove Phase One in January 2022. These lots were initially platted as open space lots because they were in the floodplain. However, since the recordation of the plat, the consultant has prepared a flood study and received approval for a LOMR (Letter of Map Revision) from FEMA to revise the location of the floodplain. As shown on the plat, the residential lots are now outside the limits of the floodplain.

CASE INFORMATION

Applicant: Timothy Wells, Peloton Land Solutions

Property Owner(s): BBCP North Grove 79 LLC

Site Acreage: 8.572 acres

Number of Lots: 42 lots

Number of Dwelling Units: 42 units

Park Land Dedication: Parkland dedication fees are waived per the North Grove PD (Ord. No. 2733)

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

SUBJECT PROPERTY

General Location: 731 Cherry Bark Trail

Parcel ID Number(s): 284716

Current Zoning: PD Ord. No. 3002

Existing Use: Vacant

Platting History:

The subject property was platting as six (6) open space lots with The Oaks of North Grove Phase 1 in January 2022.

Site Aerial:**PLANNING ANALYSIS**

The purpose of this plat is to replat 6 open space lots (approximately 8.572 acres) into 42 residential lots. Since the recordation of the plat, the consultant has prepared a flood study and received approval for a LOMR (Letter of Map Revision) from FEMA to revise the location of the floodplain. As shown on the plat, the residential lots are now outside the limits of the floodplain.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 43 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. Staff received two (2) letters of opposition.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning Department recommends approval of the Plat request with the motion noted below.

Motion:

*"I move to approve SUB-134-2022, for a **Replat** of lots 18 and 19, Block C, lots 30 and 31, Block D, and lots 8 and 9, Block E of the Oaks of North Grove Phase 1, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."*

ATTACHED EXHIBITS

1. Repat
2. Letter of Opposition

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.

STAFF CONTACT INFORMATION***Prepared by:***

Eleana Tuley, AICP
Senior Planner

eleana.tuley@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning

jennifer.pruitt@waxahachie.com

REPLAT
THE OAKS OF NORTH GROVE
PHASE 2

K-572 Acres


Being a replat of lots 19 and 19, Block C, lots 30 and 31, Block D, and lots 8 and 9, Block E of the Oaks of North Grove Phase 1, an addition of the City of Waco, Hazelle, Ellis County, Texas according to the plat recorded in instrument no. 2118068, Plat Record, Ellis County, Texas and situated in the E.B. Adams & Co. 3rd Survey, Abstract No. 3 of the C.H. Bernard Abstract No. 106, and the J. Bolding Survey, Abstract No. 13, City of Waco, Hazelle, Ellis County, Texas

Abstract No. 43, City of Waco, Hazelle, Ellis County, Texas

42 Residential Lots

Zoning: Planned Development (PD) District Ord. No. 2733 and 30092

SLR-134.0022



PELTON
LAND SOLUTIONS

11000 FRISCO STREET SUITE 400 FRISCO TEXAS 75034
TELPELSA @ TELPELSA.COM PH: 817 480 7115-1800
JOHN BCP@PELTON.COM January 11, 2022 Page 2 of 6

Parcel Table

Lot #	SQ FT	ACRES
Block C Lot 18	14,994	0.34
Block C Lot 6, 3R1	10,906	0.25
Block C Lot 64	8,789	0.20
Block D Lot 30R1	7,440	0.17
Block D Lot 31R1	7,440	0.17
Block D Lot 32	7,440	0.17
Block D Lot 33	7,440	0.17
Block D Lot 34	7,576	0.17
Block D Lot 35	9,524	0.22
Block D Lot 36	10,341	0.24
Block D Lot 37	11,818	0.27
Block D Lot 38	12,188	0.28
Block D Lot 39	10,792	0.25
Block D Lot 40	9,563	0.22
Block D Lot 41	8,634	0.20
Block D Lot 42	8,045	0.18
Block D Lot 43	7,668	0.18
Block D Lot 44	7,660	0.18
Block D Lot 45	7,660	0.18
Block D Lot 46	7,660	0.18
Block D Lot 47	7,660	0.18
Block D Lot 48	8,496	0.20

Owner / Developer
BHC North Grove 79, L.L.C.
2121 Midway Road, Suite 155
Carrollton, TX 75006
(817) 911-0931

Surveyor
Peloton Land Solutions
11000 Frisco Street, Suite 400
Frisco, TX 75033
(669) 213-1800

Date of Preparation: November 28, 2022

REPLAT THE OAKS OF NORTH GROVE PHASE 2

Being a replat of lots 18 and 19, Block C, lots 30 and 31, Block D, and lots R and S, Block E of The Oaks of North Grove Phase 1 an addition of the City of Waxahachie, Ellis County, Texas according to the plat recorded in instrument no. 2210886 Plat Records, Ellis County, Texas and situated in the J.B. Adams and A. Adams Survey Abstract No. 5, the C.H. Bernard Abstract No. 106, and the J. Billingsley Survey Abstract No. A3, City of Waxahachie, Ellis County, Texas.

82 Residential Lots

Zoning Planned Development (PD) District Ord. No. 27-33 and 3002 S(18-13)-2022

PROPOSED 100'-WIDE FLOODPLAIN BY PELOTON LAND SOLUTIONS
LAW 2021-05-00378 DATED MARCH 13, 2023

LEGEND

- P.O.B. POINT OF BEGINNING
- D.E. DRAINAGE EASEMENT
- WE WATER EASEMENT
- UE UTILITY EASEMENT
- BL BUILDING LOT
- IRS 1/2 INCH RAILROAD
- B.M. CAP STAMPE
- "VELOCITY SET"
- IRON ROD FOUND
- COUNTY RECORDS
- ELLIS COUNTY, TEXAS

TYPICAL LOT LAYOUT

MATCH LINE SEE PAGE 3

F.M. HWY. 813 (BROWN STREET)
180' RIGHT OF WAY

J.B. ADAMS & A. ADAMS SURVEY ABSTRACT NO. 5

THE OAKS OF NORTH GROVE

MAJESTIC OAK LANE

RED MAPLE ROAD

SECTION 15E T1N

SECTION 16E T1N

SECTION 17E T1N

SECTION 18E T1N

SECTION 19E T1N

SECTION 20E T1N

SECTION 21E T1N

SECTION 22E T1N

SECTION 23E T1N

SECTION 24E T1N

SECTION 25E T1N

SECTION 26E T1N

SECTION 27E T1N

SECTION 28E T1N

SECTION 29E T1N

SECTION 30E T1N

SECTION 31E T1N

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SECTION 34E T1N

SECTION 35E T1N

SECTION 36E T1N

SECTION 37E T1N

SECTION 38E T1N

SECTION 39E T1N

SECTION 40E T1N

SECTION 41E T1N

SECTION 42E T1N

SECTION 43E T1N

SECTION 44E T1N

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SECTION 144E T1N

SECTION 145E T1N

SECTION 146E T1N

SECTION 147E T1N

SECTION 148E T

(107)

STATE OF TEXAS, 9
COUNTY OF ELLIS, 4

WHEREAS, BOPC NORTH GROVE 19, LLC, IS THE OWNER OF A TRACT OF LAND SITUATED IN THE J. B. ADAMS AND A. ADAMS SURVEY, ABSTRACT NUMBER 9, THE J. BILLINGSLEY SURVEY, ABSTRACT NUMBER 83, AND THE C. H. BERNARD SURVEY, ABSTRACT NUMBER 106, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BLOCK C, LOT 18B1

BEING A TRACT OF LAND SITUATED IN THE J. B. ADAMS AND A. ADAMS SURVEY, ABSTRACT NO. 9, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING A REPLAT OF LOT 18, BLOCK C OF THE OAKS OF NORTH GROVE, AN ADDITION TO THE CITY OF WAXAHACHIE AS SHOWN ON THE PLAT RECORDED IN INSTRUMENT NO. 221086 OF THE COUNTY RECORDS OF ELLIS COUNTY, TEXAS (C.R.E.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND IN THE NORTHERLY RIGHT-OF-WAY LINE OF MAJESTIC DAK LANE, FROM THE SOUTHWEST CORNER OF LOT 19, BLOCK C OF THE OAKS OF NORTH GROVE AND THE SOUTHWEST CORNER OF SAID LOT 181;

THENCE NORTH 03° 40' 27" EAST, DEPARTING THE NORTHERLY LINE OF MAJESTIC DAK LANE, ALONG THE EAST LINE OF SAID LOT 19 AND THE WEST LINE OF SAID LOT 16, 121.30 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND IN A SOUTH LINE OF LOT 24, BLOCK C OF THE OAKS OF NORTH GROVE, FOR THE NORTHEAST CORNER OF SAID LOT 19 AND THE NORTHEAST CORNER OF SAID LOT 181;

THENCE NORTH 08° 49' 00" EAST, ALONG THE SOUTH LINE OF SAID LOT 24 AND THE NORTH LINE OF SAID LOT 16, 121.29 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND FOR AN INTERIOR CORNER OF SAID LOT 24 AND THE NORTHEAST CORNER OF SAID LOT 181;

THENCE ALONG EASTERLY WEST LINES OF SAID LOT 24 AND THE EAST LINES OF SAID LOT 16, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 20° 28' 04" WEST, 53.45 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND;
SOUTH 28° 49' 22" WEST, 185.54 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND;
SOUTH 35° 24' 16" WEST, 11.11 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND;
SOUTH 41° 40' 20" WEST, 4.26 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND IN THE EASTERLY RIGHT-OF-WAY LINE OF MAJESTIC DAK LANE, FOR THE NORTHEAST CORNER OF LOT 17, BLOCK C OF THE OAKS OF NORTH GROVE AND THE SOUTH CORNER OF SAID LOT 16, AT THE BEGINNING OF A CURVE TO THE LEFT;
THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF MAJESTIC DAK LANE AND THE SOUTHERLY WEST LINE OF SAID LOT 16, WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 111.83 FEET, THROUGH A CENTRAL ANGLE OF 123° 13' 04", HAVING A RADIUS OF 53.00 FEET, AND A LONG CHORD WHICH BEARS NORTH 19° 56' 15" WEST, 81.48 FEET TO THE POINT OF BEGINNING AND CONTAINING 14.994 SQUARE FEET OR 0.344 ACRES, MORE OR LESS;

BLOCK C, LOTS 63B1-64

BEING A TRACT OF LAND SITUATED IN THE J. B. ADAMS AND A. ADAMS SURVEY, ABSTRACT NO. 9, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING A REPLAT OF LOT 63, BLOCK C OF THE OAKS OF NORTH GROVE, AN ADDITION TO THE CITY OF WAXAHACHIE AS SHOWN ON THE PLAT RECORDED IN INSTRUMENT NO. 221086 OF THE COUNTY RECORDS OF ELLIS COUNTY, TEXAS (C.R.E.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND IN THE EASTERLY RIGHT-OF-WAY LINE OF SILVER BIRCH ROAD, A 54" WIDE RIGHT OF WAY, FOR A NORTHEASTERLY SOUTHWEST CORNER OF LOT 21, BLOCK C OF THE OAKS OF NORTH GROVE, AND THE NORTHEAST CORNER OF SAID LOT 631;

THENCE SOUTH 41° 15' 15" EAST, DEPARTING THE EASTERLY RIGHT-OF-WAY LINE OF SILVER BIRCH ROAD, ALONG A NORTHEASTERLY SOUTHWEST LINE OF SAID LOT 26 AND THE NORTHEAST LINE OF SAID LOT 63, 129.01 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND FOR AN INTERIOR CORNER OF SAID LOT 26 AND THE NORTHEAST CORNER OF SAID LOT 631;

THENCE SOUTH 00° 11' 00" EAST, ALONG THE EASTERLY WEST LINE OF SAID LOT 26 AND THE EAST LINE OF SAID LOT 63, 99.71 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND FOR AN INTERIOR CORNER OF SAID LOT 26 AND THE SOUTHWEST CORNER OF SAID LOT 631;

THENCE ALONG NORTHERLY LINES OF SAID LOT 26 AND THE SOUTHERLY LINES OF SAID LOT 63, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 81° 05' 50" WEST, 48.56 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND;
NORTH 85° 34' 38" WEST, 15.71 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND;
NORTH 84° 43' 24" WEST, 18.17 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND;
SOUTH 19° 49' 00" WEST, 123.42 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND FOR THE SOUTHWEST CORNER OF LOT 64, BLOCK C OF THE OAKS OF NORTH GROVE AND THE SOUTHWEST CORNER OF SAID LOT 631;

THENCE NORTH 00° 11' 25" WEST, DEPARTING THE NORTHERLY LINE OF SAID LOT 26, ALONG THE EAST LINE OF SAID LOT 64 AND THE SOUTHERLY WEST LINE OF SAID LOT 63, 9.75 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND IN THE SOUTHEASTLY RIGHT-OF-WAY LINE OF SILVER BIRCH ROAD, FOR THE NORTHEAST CORNER OF SAID LOT 64 AND THE SOUTHERLY WEST CORNER OF SAID LOT 63, AT THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

THENCE ALONG THE SOUTHEASTLY RIGHT-OF-WAY LINES OF SILVER BIRCH ROAD AND THE NORTHEAST LINES OF SAID LOT 63, THE FOLLOWING COURSES AND DISTANCES:

WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 89.49 FEET, THROUGH A CENTRAL ANGLE OF 77° 47' 49", HAVING A RADIUS OF 65.00 FEET, AND A LONG CHORD WHICH BEARS NORTH 39° 16' 21" EAST, 79.00 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND AT THE BEGINNING OF A REVERSE CURVE TO THE RIGHT;

WITH SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 3.64 FEET, THROUGH A CENTRAL ANGLE OF 21° 47' 04", HAVING A RADIUS OF 7.00 FEET, AND A LONG CHORD WHICH BEARS NORTH 11° 17' 34" EAST, 2.65 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND;

NORTH 32° 11' 15" EAST, 59.50 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND AT THE BEGINNING OF A CURVE TO THE LEFT;

WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 34.43 FEET, THROUGH A CENTRAL ANGLE OF 64° 00' 00", HAVING A RADIUS OF 47.00 FEET, AND A LONG CHORD WHICH BEARS NORTH 70° 07' 11" EAST, 34.42 FEET TO THE POINT OF BEGINNING AND CONTAINING 19.695 SQUARE FEET OR 0.452 ACRES, MORE OR LESS;

BLOCK D, LOTS 30B1, 31B1, AND 32-34

BEING A TRACT OF LAND SITUATED IN THE C. H. BERNARD SURVEY, ABSTRACT NO. 106, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING A REPLAT OF LOT 30, BLOCK D OF THE OAKS OF NORTH GROVE, AN ADDITION TO THE CITY OF WAXAHACHIE AS SHOWN ON THE PLAT RECORDED IN INSTRUMENT NO. 221086 OF THE COUNTY RECORDS OF ELLIS COUNTY, TEXAS (C.R.E.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND IN THE NORTHEASTLY RIGHT-OF-WAY LINE OF CHERRY BARK TRAIL, FOR A NORTHERLY SOUTHWEST CORNER OF LOT 34, BLOCK D OF THE OAKS OF NORTH GROVE AND THE SOUTHWEST CORNER OF SAID LOT 30, AT THE BEGINNING OF A CURVE TO THE LEFT;

THENCE WITH SAID CURVE TO THE LEFT, ALONG THE NORTHEASTLY RIGHT-OF-WAY LINE OF CHERRY BARK TRAIL AND THE SOUTHWEST LINE OF SAID LOT 30, 271.73 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND FOR THE EAST CORNER OF LOT 29, BLOCK D OF THE OAKS OF NORTH GROVE AND THE SOUTH CORNER OF SAID LOT 301;

THENCE NORTH 31° 01' 31" WEST, DEPARTING THE NORTHEASTLY RIGHT-OF-WAY LINE OF CHERRY BARK TRAIL, ALONG THE NORTHEAST LINE OF SAID LOT 29 AND THE SOUTHWEST LINE OF SAID LOT 30, 120.00 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND IN THE SOUTHWEST LINE OF LOT 82, BLOCK D OF THE OAKS OF NORTH GROVE, FOR THE NORTH CORNER OF SAID LOT 29 AND THE WEST CORNER OF SAID LOT 301;

THENCE NORTH 58° 56' 29" EAST, ALONG THE SOUTHWEST LINE OF SAID LOT 31 AND THE WEST LINE OF SAID LOT 30, 310.00 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND IN THE NORTHERLY SOUTHWEST LINE OF SAID LOT 34, FOR THE EAST CORNER OF SAID LOT 34 AND THE NORTH CORNER OF SAID LOT 301;

THENCE SOUTH 31° 03' 31" EAST, ALONG THE NORTHERLY SOUTHWEST LINE OF SAID LOT 34 AND THE NORTHEAST LINE OF SAID LOT 30, 120.00 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND;

THENCE SOUTH 06° 22' 24" WEST, ALONG A WEST LINE OF SAID LOT 31 AND THE EAST LINE OF SAID LOT 30, 12.57 FEET TO THE POINT OF BEGINNING AND CONTAINING 37.336 SQUARE FEET OR 0.857 ACRES, MORE OR LESS;

BLOCK D, LOTS 35-48

BEING A TRACT OF LAND SITUATED IN THE J. B. ADAMS AND A. ADAMS SURVEY, ABSTRACT NO. 9, AND THE C. H. BERNARD SURVEY, ABSTRACT NO. 106, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING A REPLAT OF LOT 31, BLOCK D OF THE OAKS OF NORTH GROVE, AN ADDITION TO THE CITY OF WAXAHACHIE AS SHOWN ON THE PLAT RECORDED IN INSTRUMENT NO. 221086 OF THE COUNTY RECORDS OF ELLIS COUNTY, TEXAS (C.R.E.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND IN THE NORTHERLY RIGHT-OF-WAY LINE OF BEAR DAK LANE, A 54" WIDE RIGHT OF WAY, FOR THE SOUTHWEST CORNER OF LOT 34, BLOCK D OF THE OAKS OF NORTH GROVE AND THE SOUTHWEST CORNER OF SAID LOT 311;

THENCE SOUTH 89° 08' 19" WEST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF BEAR DAK LANE AND THE SOUTH LINE OF SAID LOT 31, 113.07 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND AT THE SOUTHERLY END OF A CORNER CLIP AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF SILVER BIRCH ROAD, A 54" WIDE RIGHT OF WAY, AND THE NORTHERLY LINE OF BEAR DAK LANE;

THENCE NORTH 45° 53' 34" WEST, ALONG SAID CORNER CLIP, 9.80 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND AT THE NORTHERLY END OF SAID CORNER CLIP;

THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID SILVER BIRCH ROAD AND THE WEST LINES OF SAID LOT 31, THE FOLLOWING COURSES AND DISTANCES:

NORTH 00° 53' 31" WEST, 140.55 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND AT THE BEGINNING OF A CURVE TO THE LEFT;

WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 251.14 FEET, THROUGH A CENTRAL ANGLE OF 301° 10' 00", HAVING A RADIUS OF 417.00 FEET, AND A LONG CHORD WHICH BEARS NORTH 19° 56' 31" WEST, 248.25 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND;

NORTH 31° 03' 31" WEST, 192.27 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND AT THE SOUTHWEST CORNER OF LOT 31, BLOCK D OF THE OAKS OF NORTH GROVE AND THE NORTHEASTLY RIGHT-OF-WAY LINE OF SILVER BIRCH ROAD;

THENCE NORTH 53° 54' 29" EAST, ALONG SAID CORNER CLIP, 9.80 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND AT THE NORTHERLY END OF SAID CORNER CLIP;

THENCE ALONG THE SOUTHEASTLY RIGHT-OF-WAY LINE OF SAID CHERRY BARK TRAIL AND THE NORTHERLY LINES OF SAID LOT 31, THE FOLLOWING COURSES AND DISTANCES:

NORTH 58° 56' 29" EAST, 148.44 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND AT THE BEGINNING OF A CURVE TO THE RIGHT;

WITH SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 25.21 FEET, THROUGH A CENTRAL ANGLE OF 72° 17' 29", HAVING A RADIUS OF 20.00 FEET, AND A LONG CHORD WHICH BEARS NORTH 84° 51' 19" EAST, 23.57 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND AT THE BEGINNING OF A REVERSE CURVE TO THE LEFT;

WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 34.87 FEET, THROUGH A CENTRAL ANGLE OF 38° 24' 38", HAVING A RADIUS OF 82.00 FEET, AND A LONG CHORD WHICH BEARS SOUTH 84° 03' 30" EAST, 34.22 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND FOR THE NORTHEAST CORNER OF SAID LOT 31 AND THE NORTHEAST CORNER OF SAID LOT 311;

THENCE DEPARTING THE SOUTHEASTLY RIGHT-OF-WAY LINE OF SAID CHERRY BARK TRAIL, ALONG THE WESTERLY LINES OF SAID LOT 31 AND THE EASTERLY LINES OF SAID LOT 31, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 31° 07' 45" EAST, 99.17 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND;

SOUTH 11° 41' 16" EAST, 106.06 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND;

SOUTH 12° 39' 32" EAST, 82.36 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND;

SOUTH 05° 19' 24" EAST, 80.29 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND;

SOUTH 02° 19' 15" EAST, 133.41 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND;

SOUTH 00° 40' 33" EAST, 99.49 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND;

SOUTH 00° 53' 31" EAST, 326.34 FEET TO THE POINT OF BEGINNING AND CONTAINING 127.710 SQUARE FEET OR 2.932 ACRES, MORE OR LESS;

BLOCK E, LOTS 8B1, 9B1, AND 10

BEING A TRACT OF LAND SITUATED IN THE J. B. ADAMS AND A. ADAMS SURVEY, ABSTRACT NO. 9, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING A REPLAT OF LOT 8, BLOCK E OF THE OAKS OF NORTH GROVE, AN ADDITION TO THE CITY OF WAXAHACHIE AS SHOWN ON THE PLAT RECORDED IN INSTRUMENT NO. 221086 OF THE COUNTY RECORDS OF ELLIS COUNTY, TEXAS (C.R.E.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND IN THE NORTHEASTLY RIGHT-OF-WAY LINE OF SILVER BIRCH ROAD, A 54" WIDE RIGHT OF WAY, FOR THE SOUTHWEST CORNER OF LOT 44 OF THE OAKS OF NORTH GROVE AND THE EAST CORNER OF SAID LOT 81;

THENCE WITH SAID CURVE TO THE RIGHT, ALONG THE NORTHEASTLY RIGHT-OF-WAY LINE OF SILVER BIRCH ROAD AND THE SOUTHWEST LINE OF SAID LOT 8, AN ARC DISTANCE OF 31.09 FEET, THROUGH A CENTRAL ANGLE OF 04° 12' 20", HAVING A RADIUS OF 423.00 FEET, AND A LONG CHORD WHICH BEARS SOUTH 20° 05' 05" WEST, 31.04 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND;

THENCE SOUTH 22° 11' 15" WEST, CONTINUING ALONG THE NORTHEASTLY RIGHT-OF-WAY LINE OF SILVER BIRCH ROAD AND THE SOUTHWEST LINE OF SAID LOT 8, 18.96 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND FOR THE SOUTHWEST CORNER OF A CORNER CLIP AT THE INTERSECTION OF THE NORTHEASTLY RIGHT-OF-WAY LINE OF RED MAPLE ROAD AND THE NORTHEASTLY RIGHT-OF-WAY LINE OF SILVER BIRCH ROAD;

THENCE SOUTH 67° 11' 15" WEST, ALONG SAID CORNER CLIP, 14.14 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND AT THE WESTERN END OF SAID CORNER CLIP;

THENCE NORTH 67° 48' 45" WEST, ALONG THE NORTHEASTLY RIGHT-OF-WAY LINE OF RED MAPLE ROAD AND THE SOUTHWEST LINE OF SAID LOT 8, 186.55 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND FOR THE SOUTH CORNER OF LOT 1, BLOCK E OF THE OAKS OF NORTH GROVE AND THE WEST CORNER OF SAID LOT 81;

THENCE NORTH 22° 11' 15" WEST, DEPARTING THE NORTHEASTLY RIGHT-OF-WAY LINE OF RED MAPLE ROAD, ALONG THE SOUTHWEST LINE OF SAID LOT 7 AND THE NORTHEAST LINE OF SAID LOT 8, 130.00 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "PELTON" FOUND IN THE SOUTHWEST LINE OF SAID LOT 42, FOR THE EAST CORNER OF SAID LOT 7 AND THE NORTH CORNER OF SAID LOT 81;

THENCE SOUTH 47° 48' 45" EAST, ALONG THE SOUTHWEST LINE OF SAID LOT 41 AND THE NORTHEAST LINE OF SAID LOT 8, 195.39 FEET TO THE POINT OF BEGINNING AND CONTAINING 23.551 SQUARE FEET OR 0.540 ACRES, MORE OR LESS;

(CONTINUED ON PAGE 51)

Owner / Developer
BBOP North Grove 19, LLC
2121 Midway Road, Suite 155
Carrollton, TX 75006
(817) 941-0034

Surveyor
Peloton Land Solutions
11000 Frisco Street, Suite 400
Frisco, TX 75033
(469) 213-1800

REPLAT THE OAKS OF NORTH GROVE PHASE 2

8.572 Acres

Being a replat of lots 18 and 19, Block C, lots 30 and 31, Block D, and lots 8 and 9, Block E of the Oaks of North Grove Phase 1, an addition of the City of Waxahachie, Ellis County, Texas according to the plat recorded in instrument no. 221086, Plat Records, Ellis County, Texas, and situated in the J.B. Adams and A. Adams Survey, Abstract No. 9, the C.H. Bernard, Abstract No. 106, and the J. Billingsley Survey, Abstract No. 83, City of Waxahachie, Ellis County, Texas.

42 Residential Lots
Zoning: Planned Development (PD) District Ord. No. 2733 and 3002
SUB 134-2022



PELTON
LAND SOLUTIONS

11001 RUSCO STREET SUITE 400 FRISCO, TEXAS 75033

TEL: 469-213-1800 FAX: 469-213-1800

JOB# BCP1003 January 13, 2022 PAGE 4 OF 5

Date of Preparation: November 17, 2022



(10)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **SUB-134-2022**



MARCOTT KEVIN J & ANA R
143 COUNTRY DR
WAXAHACHIE, TX 75165-6212

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 13, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 19, 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 Timothy Wells, Peloton Land Solutions, for a **Replat** of lots 18 and 19, Block C, lots 30 and 31, Block D, and lots 8 and 9, Block E of the Oaks of North Grove Phase 1 to create lots 63R1 and 64, Block C, lots 30R1, 31R1, 32-48, Block D, Lots 8R1, 9R1, 10-21, and lots 27-32, Block E, being 8.572 acres, generally located at 731 Cherry Bark Trail, (Property ID 284716) – Owner: BBCP NORTH GROVE 79 LLC (SUB-134-2022)
Staff: Eleana Tuley

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

Case Number: **SUB-134-2022**

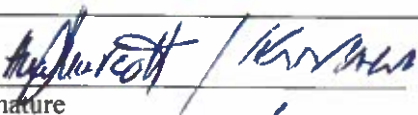
City Reference: 173211

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **December 7, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:


Signature


Date


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.



City of Waco, Texas
Notice of Public Hearing
Case Number: **SUB-134-2022**

NASTOUPIL CARL J III
4504 SAILHEND CIR
PLANO, TX 75093

The Waco Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 13, 2022 at 7:00 p.m. and the Waco City Council will hold a Public Hearing on Monday, December 19, 2022 at 7:00 p.m. in the Council Chamber at the Waco City Hall, 401 South Rogers Street, Waco, Texas to consider the following:

Request by Timothy Welke, Tuleton Land Solutions, for a Replat of lots 18 and 19, Block C, lots 30 and 31, Block D, and lots 8 and 9, Block E of the Oaks of North Grove Phase 1 to create lots 63R1 and 64, Block C, lots 30R1, 31R1, 32-43, Block D, Lots 8R1, 9R1, 10-21, and lots 27-32, Block E, being a 572 acres, generally located at 731 Cherry Bark Trail, (Property ID 284716) - Owner: IHCP NORTH GROVE, TO LLC (SUB-134-2022)
Staff: Heena Tuley

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@WacoTX.gov for additional information on this request.

Case Number: **SUB-134-2022**

City Reference: 173216

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **December 2, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@WacoTX.gov or you may drop off mail your form to City of Waco, Attention: Planning, 401 South Rogers Street, Waco, TX 76798.

☐ SUPPORT

☒ OPPOSE

Comments:

Carl Nastoupil III
Signature

12/7/22
Date

CARL NASTOUPIL III
Printed Name and Title

133 Coulson Dr
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.

(127)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-138-2022



MEETING DATE(S)

Planning & Zoning Commission: December 15, 2022

City Council: December 19, 2022

CAPTION

Public Hearing on a request by Christina and Hymen Wallace for a **Specific Use Permit (SUP)** for an accessory structure +700 sf use within a Future Development zoning district located at 241 Oak Tree Drive (Property ID 201955 & 201954) - Owner: Hymen & Christina Wallace (ZDC-138-2022)

APPLICANT REQUEST

The applicant is requesting a specific use permit to construct an accessory structure greater than 700 square feet on the rear side of a single-family residential lot at 241 Oak Tree Drive.

CASE INFORMATION

Applicant: Hymen & Christina Wallace

Property Owner(s): Hymen & Christina Wallace

Site Acreage: 1.164 acres

Current Zoning: Future Development (FD)

Requested Zoning: FD with a Specific Use Permit (SUP) for an accessory structure greater than 700 square feet

SUBJECT PROPERTY

General Location: 241 Oak Tree Drive

Parcel ID Number(s): 171906

Existing Use: A single-family home currently exists on the subject property

Development History: The subject property was replatted in August 2022 to combine two lots into one lot for residential use (SUB-43-2022).

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	FD	Single Family Residence
East	FD	Undeveloped Land
South	FD	Single Family Residence
West	FD	Single Family Residence

Future Land Use Plan:

Estate Residential

Comprehensive Plan:

This use is representative of traditional, single-family detached dwellings on large lots that are over one acre in size. This type of land is envisioned to primarily be located in the southern portion of the City and in the ETJ area south and west of Waxahachie.

Thoroughfare Plan:

The subject property is accessible through Oak Tree Drive

Site Image:**PLANNING ANALYSIS**

The applicant is requesting a specific use permit to construct an accessory structure greater than 700 square feet on the rear side of a single-family residential lot at 241 Oak Tree Drive. Per the City of Waxahachie Zoning Ordinance, an accessory structure that is equal to or greater than 700 square feet requires a Specific Use Permit (SUP) to be approved by City Council.

Proposed Use:

Per the Ellis County Appraisal District, the primary structure is approximately 2,773 square feet, and the proposed accessory structure is 1,200 square feet. The accessory structure will be constructed of exterior metal panels. The Applicant has indicated to staff that they will use the accessory structure to store household items, tools, lawn equipment, and vehicle storage. The accessory structure will be located on the side of the property towards the rear portion of the lot.

The applicant has confirmed to staff that the structure will not be used as a dwelling of any kind and will not be metered, sold, or leased separately from the existing home. The accessory structure will be connected to the existing driveway with a concrete drive.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 13 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. Staff received 2 letters of support.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning Department recommends approval of the SUP request with the motion and conditions noted below.

Motion:

"I move to approve ZDC-138-2022, a Specific Use Permit (SUP) for an accessory structure +700 sf use, subject to the conditions the staff report, authorizing the City Manager and or Mayor to execute all documents accordingly."

Conditions:

1. The accessory structure shall not be used as a dwelling.
2. The accessory structure shall not be used for commercial purposes.
3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to the construction of the accessory structure.

ATTACHED EXHIBITS

1. Survey
2. Accessory Structure Dimensions
3. Elevation
4. Letters of Support

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION***Prepared by:***

Eleana Tuley, AICP

Senior Planner

eleana.tuley@waxahachie.com

Reviewed by:

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

Senior Director of Planning

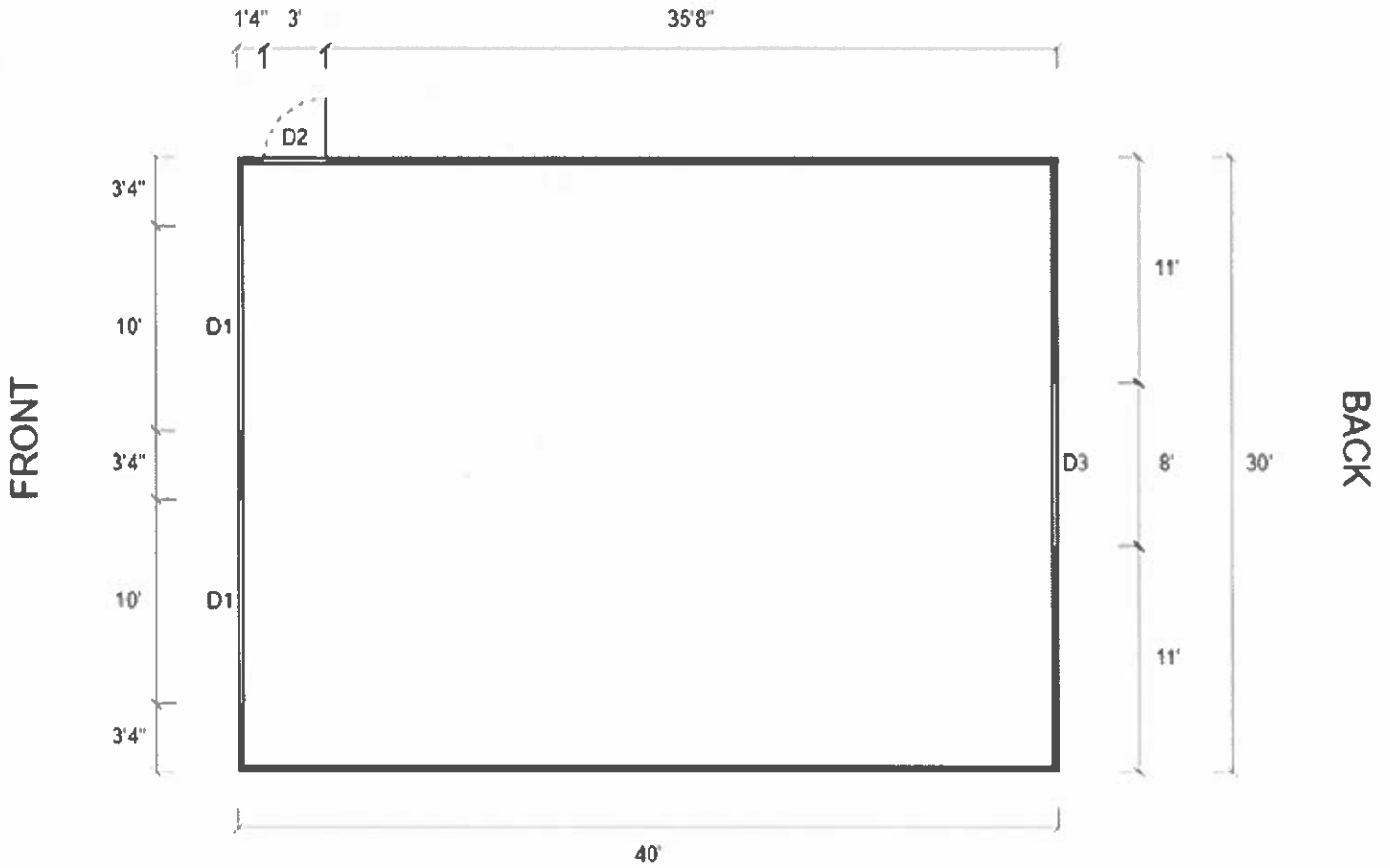
jennifer.pruitt@waxahachie.com

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(12)

DocuSign Envelope ID: 6FFEB083-28A8-4075-AB49-D0B2FB55A31E

LEFT SIDE



RIGHT SIDE

SYMBOL LEGEND

D1	10x10 Roll Up Door	D2	Metal 36 Walk-In Door
D3	8x8 Roll Up Door		Closed Wall

(12)

Building Images



Perspective View



Front



Left Side



Right Side



Back

(127)

Case Number: ZDC-138-2022

City Reference: 201925

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **December 7, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

RECEIVED DEC 02 2022

Comments:

Donald Brooks
Signature

11/30/22
Date

DONALD BROOKS
Printed Name and Title OWNER

330 ASH DR.
Address

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

(12)

Case Number: ZDC-138-2022

City Reference: 201926

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **December 7, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

RECEIVED DEC 0 2 2022

Comments:

Signature

Donald Brooks
Printed Name and Title OWW

Date

11/30/22
330 ASH DR
Address

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

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-68-2022



MEETING DATE(S)

Planning & Zoning Commission: December 13, 2022

City Council: December 19, 2022

CAPTION

Public Hearing on a request by Lynn Rowland, Claymoore Engineering, for a **Specific Use Permit (SUP)** for **Outside Storage, Outside Display, and Pole Sign** uses within Light Industrial-1 (LI-1) and Light Industrial-2 (LI-2) zoning districts located directly South of the intersection of Austin Road and the I-35E Service Road (Property ID: 290135 & 2554633) – Owner: PC5 Properties LLC (ZDC-68-2022) Staff: Zack King

APPLICANT REQUEST

The applicant (Texas First Rentals) is requesting a Specific Use Permit (SUP) for Heavy Machinery and Equipment, Rental, Sales or Storage use, Outdoor Display, and Pole Sign use.

CASE INFORMATION

Applicant: Lynn Rowland, Claymoore Engineering

Property Owner(s): PC5 Properties LLC

Site Acreage: 7.22 acres

Current Zoning: Light Industrial-1 (LI-1) & Light Industrial-2 (LI-2)

Requested Zoning: LI-1 with a SUP for Heavy Machinery and Equipment, Rental, Sales or Storage use and Outdoor Display use.

SUBJECT PROPERTY

General Location: Directly South of the intersection of Austin Road and the I-35E Service Road

Parcel ID Number(s): 290135 & 2554633

Existing Use: The subject property is currently undeveloped.

Development History: A Replat was approved for the subject property at the November 15, 2022, Planning & Zoning Commission meeting. At the time of this report, the replat has not been filed.

Adjoining Zoning & Uses:**Table 1: Adjacent Uses**

Direction	Zoning	Current Use
North	Light Industrial-1 (LI-1)	Undeveloped
East	N/A	Interstate 35E
South	Light Industrial-1 (LI-1)	Undeveloped
West	Light Industrial-1 (LI-1)	Undeveloped & Concrete Batch Plant

Future Land Use Plan:

Highway Commercial

Comprehensive Plan:

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

Thoroughfare Plan:

The subject property is accessible via Austin Road and the N. I-35E service road.

Site Image:**PLANNING ANALYSIS****Purpose of Request:**

The applicant is proposing a Specific Use Permit (SUP) for Heavy Machinery and Equipment, Rental, Sales or Storage use, Outdoor Display, and Pole Sign use on a 7.22-acre tract at the intersection of Austin Road and the I-35E Service Road. The subject property will have driveways to access both the I-35E Service Road and Austin Road.

Proposed Use:

As part of the SUP request, the applicant is proposing to construct a single 15,125 square foot building on site. The proposed building will house a 3,901 square foot office area, an approximately 7,986 square foot maintenance area, and a 3,238 equipment wash bay. A dumpster enclosure and equipment charging station is proposed along the southern property line. Approximately 98,000 square feet of outdoor storage is proposed with this request. The outdoor storage areas are proposed to have a concrete base due to the intent to store heavy equipment. An outdoor equipment display area is proposed along the frontage of the property between the primary building and the I-35E Service Road. The applicant is proposing 32 parking spaces; which exceeds the minimum requirement for this use. The applicant is also proposing a 28' tall, 96 square foot pole sign along the frontage of the property.

Table 2: Proposed Development Standards (Light Industrial-1)

Standard	City of Waxahachie	Texas First Rentals	Meets Y/N
Min. Lot Area (Sq. Feet)	7,000	314,487	Yes
Min. Lot Width (Feet)	70	739.08	Yes
Min. Lot Depth (Feet)	100	533.70	Yes
Min. Front Yard (Feet)	40	40	Yes
Min. Side Yard (Feet)	30; 20 (ROW), 0 (Retail)	20	Yes
Min. Rear Yard (Feet)	30	30	Yes
Max. Height	6 stories	1 story	Yes
Max. Lot Coverage (%)	60%	~4.48%	Yes
Parking: Heavy Equipment Sales/Rentals 1 space per 500 sq. feet	31 spaces required	32 spaces	Yes

Screening

The applicant is proposing a variety of screening options for the development. Specifically, the applicant is proposing a 6' masonry (stylized concrete) fence along the entirety of the southern and western property lines to screen the outdoor storage areas. A 6' ornamental iron fence paired with 3' evergreen shrubs are proposed along the northern and eastern property lines in order to provide visibility to the outdoor display area. Details regarding the proposed screening can be referenced in the Screening Plan attached to the end of this report.

Landscaping

This property is subject to the landscaping requirements of Section 5.04 of the Waxahachie Zoning Ordinance. The applicant is proposing to meet or exceed all landscaping requirements for the site. Table 3 provides a summary of the landscaping for the development below. For further reference, please see the Landscape Plan exhibit attached to the end of this report.

Table 3: Landscape Requirements

Standard	City of Waxahachie	Texas First Rentals	Meets Y/N
Landscape Area (Sq. Feet)	1,950	1,950	Yes
Trees	12	12	Yes
Street Trees	45	45	Yes

Building Design/Facade

The applicant has provided two (2) elevation options for the primary building façade. Each option utilizes a variety of materials, but varies in terms of the color palette. Metal panels comprise the majority of the building materials proposed by the applicant. Table 4 can be referenced for a summary of the materials proposed for the primary building.

Table 4: Elevation/Façade

Material	Façade Percentage	Option 1 Color	Option 2 Color
R-Panel	24%	Shasta White	Brownstone
7.2 Metal Panel	22%	Charcoal Gray	Galvalume
Metal Garage Doors	21%	Charcoal Gray	Medium Bronze
Split Face CMU	12%	White Birch	Walnut Brown
Window Glazing	12%	Bronze Finish	Bronze Finish
Stone	9%	Grey Lueders Limestone	Oklahoma Multi-Blend

STAFF CONCERNS**Landscaping**

The subject property is currently heavily treed. Through multiple reviews of the SUP proposal, staff requested that the applicant incorporate the existing trees on-site into the Landscape Plan. This would allow the site to maintain mature trees while enhancing the landscaping and screening of the development. The applicant has proposed not to preserve any existing trees on site. Staff still suggests the applicant preserve existing trees along the southern and eastern property lines as part of their Landscape Plan.

Storage Area – Equipment Height

The applicant has not proposed specific standards regarding the allowable height of the equipment stored or displayed on site. Staff suggests that all equipment stay in a stowed position while stored or displayed on-site.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 9 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.

PUBLIC NOTIFICATION RESPONSES

Staff has received one (1) letter of support for the proposed SUP.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the SUP request with the motion and conditions noted below.

Motion:

"I move to approve ZDC-68-2022, a Specific Use Permit (SUP) for a Heavy Machinery and Equipment, Rental, Sales or Storage use, Outdoor Display, and Pole Sign use, subject to the conditions the staff report, authorizing the City Manager and or Mayor to execute all documents accordingly."

Conditions:

1. A mutually agreed upon Development Agreement shall be required for the development.
2. The equipment stored or displayed on site shall remain in a stowed position and shall not be extended while stored or displayed on site.
3. The applicant shall preserve existing trees along the southern and eastern property lines that fall within the landscape area proposed by the applicant.
4. The applicant shall receive all necessary building permits from the Building & Community Services Department prior to construction.

ATTACHED EXHIBITS

1. Site Plan
2. Landscape Plan
3. Elevation/Façade Plan
4. Screening Plan
5. Signage Plan
6. Public Notification Response Letter

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION*Prepared by:*

Zack King

Senior Planner

zking@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com



Content

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	QUESTION	ANSWER
1	What is the main purpose of the study?	To investigate the effect of the intervention on the outcome.
2	What is the research design?	Randomized controlled trial.
3	What is the sample size?	100 participants.
4	What is the intervention?	The intervention group received the intervention.
5	What is the control group?	The control group received the control.
6	What is the outcome?	The outcome was measured at the end of the study.
7	What is the main result?	The intervention group showed a significant improvement in the outcome.
8	What is the conclusion?	The intervention is effective in improving the outcome.

QUESTION 10

1. Which of the following is not a characteristic of a good leader?

a. A good leader is someone who is able to inspire and motivate others to follow them.

b. A good leader is someone who is able to make decisions quickly and effectively.

c. A good leader is someone who is able to listen to others and understand their needs.

d. A good leader is someone who is able to delegate tasks to others.

ANSWER: a

2. Which of the following is not a characteristic of a good leader?

a. A good leader is someone who is able to inspire and motivate others to follow them.

b. A good leader is someone who is able to make decisions quickly and effectively.

c. A good leader is someone who is able to listen to others and understand their needs.

d. A good leader is someone who is able to delegate tasks to others.

ANSWER: a

3. Which of the following is not a characteristic of a good leader?

a. A good leader is someone who is able to inspire and motivate others to follow them.

b. A good leader is someone who is able to make decisions quickly and effectively.

c. A good leader is someone who is able to listen to others and understand their needs.

d. A good leader is someone who is able to delegate tasks to others.

ANSWER: a

4. Which of the following is not a characteristic of a good leader?

a. A good leader is someone who is able to inspire and motivate others to follow them.

b. A good leader is someone who is able to make decisions quickly and effectively.

c. A good leader is someone who is able to listen to others and understand their needs.

d. A good leader is someone who is able to delegate tasks to others.

ANSWER: a

5. Which of the following is not a characteristic of a good leader?

a. A good leader is someone who is able to inspire and motivate others to follow them.

b. A good leader is someone who is able to make decisions quickly and effectively.

c. A good leader is someone who is able to listen to others and understand their needs.

d. A good leader is someone who is able to delegate tasks to others.

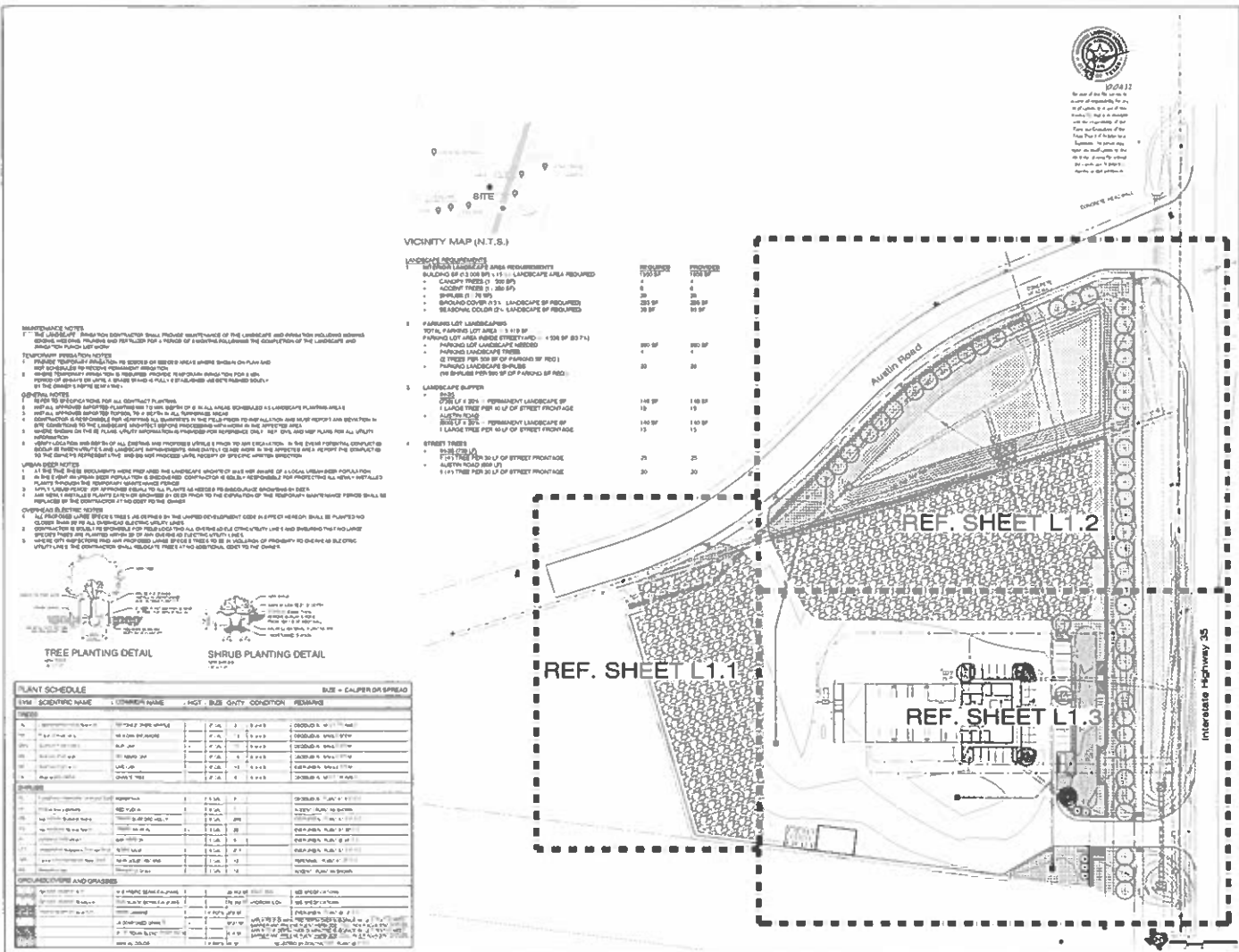
ANSWER: a

[illegible]CLAYMOORE
ENGINEERING

Tenneco First Call Rental

**TEXAS FIRST RENTALS
WAXAHACHIE, TX**

[illegible]



LUNA MIDDLERMAN ARCHITECTS

1000 MIDLAND AVE. SUITE 200 WAXAHACHIE, TEXAS 75090
TEL: 940.243.1111 FAX: 940.243.1112
WWW.LUNAMIDDLERMAN.COM

FOR INTERIM REVIEW

Project Name: ...
Project No: ...
Date: ...
By: ...
Title: ...

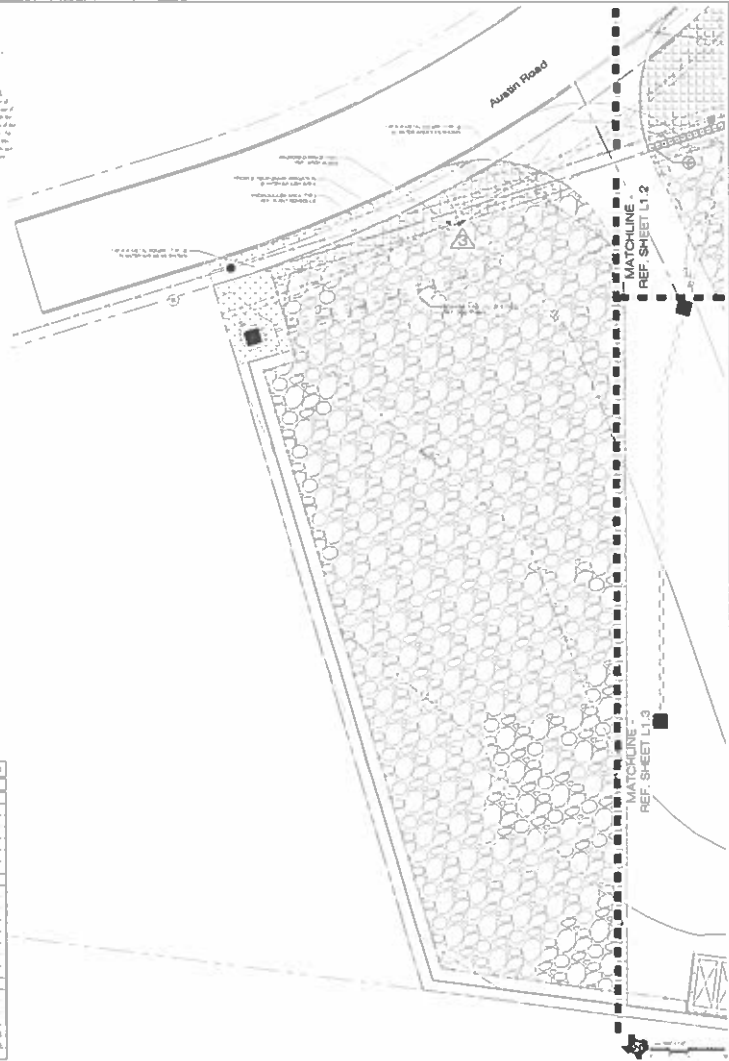
OVERALL LANDSCAPE PLANTING PLAN

L1.0

(14)



The seal of the State of Texas is hereby acknowledged by the undersigned as being a true and correct copy of the original as the same appears on file in the office of the State Engineer, State of Texas, at Austin, Texas.



PLANT SCHEDULE						SIZE = CALIPER OR SPREAD	
SYM	SCIENTIFIC NAME	COMMON NAME	HGT	SIZE	QTY	CONDITION	REMARKS
TREES							
1A	Liquidambar styraciflua	WEI DUFF SHARP WHITE	12 FT.	12"	1	1	100% DBH, 10' H, 10' W
1B	Fraxinus americana	WHITE OAK	12 FT.	12"	1	1	100% DBH, 10' H, 10' W
1C	Quercus macrocarpa	WHITE OAK	12 FT.	12"	1	1	100% DBH, 10' H, 10' W
1D	Quercus macrocarpa	WHITE OAK	12 FT.	12"	1	1	100% DBH, 10' H, 10' W
1E	Quercus macrocarpa	WHITE OAK	12 FT.	12"	1	1	100% DBH, 10' H, 10' W
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1G	Quercus macrocarpa	WHITE OAK	12 FT.	12"	1	1	100% DBH, 10' H, 10' W
1H	Quercus macrocarpa	WHITE OAK	12 FT.	12"	1	1	100% DBH, 10' H, 10' W
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1Y	Quercus macrocarpa	WHITE OAK	12 FT.	12"	1	1	100% DBH, 10' H, 10' W
1Z	Quercus macrocarpa	WHITE OAK	12 FT.	12"	1	1	100% DBH, 10' H, 10' W
GRASSES AND SHRUBS							
2A	Stachytarpheta jamaicensis	JAMAICAN BLUE SHRUB	12 FT.	12"	1	1	100% DBH, 10' H, 10' W
2B	Stachytarpheta jamaicensis	JAMAICAN BLUE SHRUB	12 FT.	12"	1	1	100% DBH, 10' H, 10' W
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www.lunamiddleman.com

TEXAS FIRST RENTALS
WAXAHACHIE, TEXAS

FOR INTERIM REVIEW

Project: L1.1
Sheet: L1.1
Date: 10/1/2010
Author: David L. Smith
Reviewer: David L. Smith
Status: For Interim Review

L1.1

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The level of the ^{137}Cs activity is measured continuously by means of a detector in the vicinity of the reactor. The detector is connected with the alarm system. If the high level is registered, it is "stop" signal. It is necessary to stop the reactor and to start the emergency system. The alarm system is connected with the alarm system of the reactor.

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Journal of Internal Medicine 247: 101–107

MATCHLINE - PDF SHEET C.1.1

MATCHLINE - REF. SHEET L1

Indiana State Highway 325



TEXAS FIRST RENTALS
WAXAHACHE, TEXAS

FOR INTERNAL REVIEW

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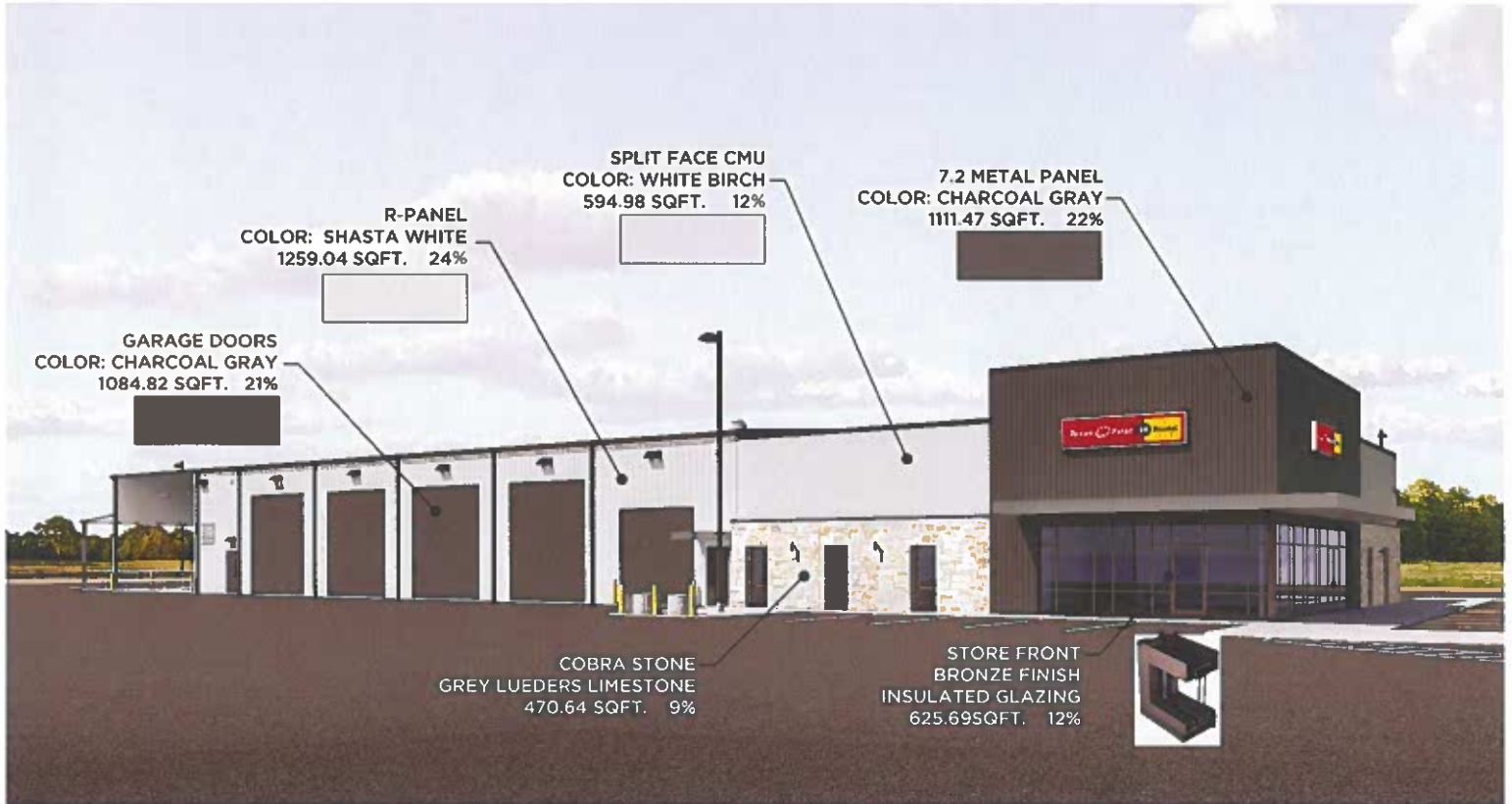


Texas  First CAT Rental

TFR - Waxahachie
Waxahachie, Texas

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ARCHITECTURE
16105 Huxford Park Dr. San Antonio, Texas 78219
(210) 510-2100 • www.LunaArchitecture.com

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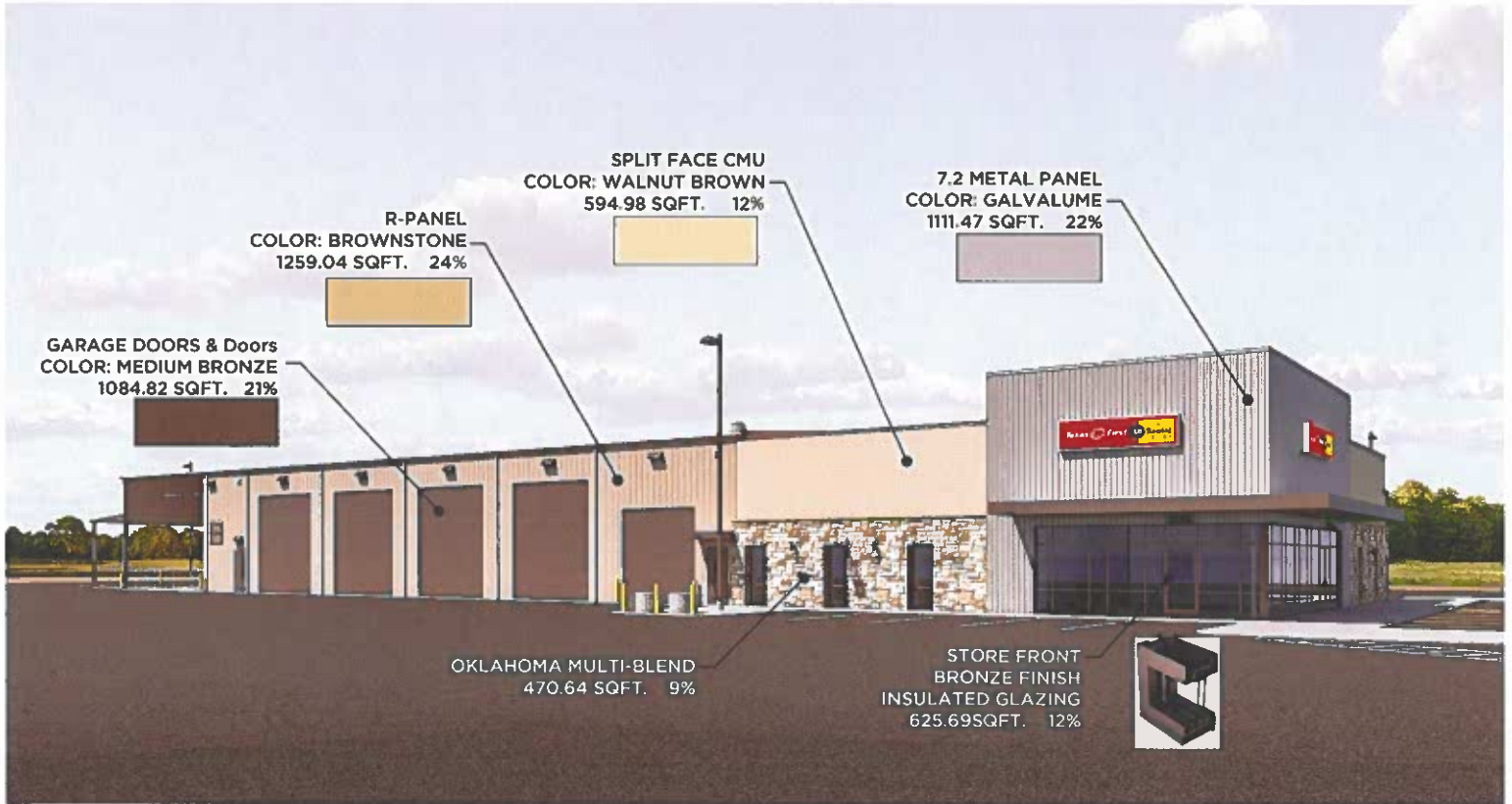


TFR - Waxahachie

Waxahachie, Texas

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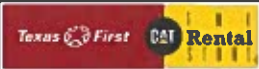
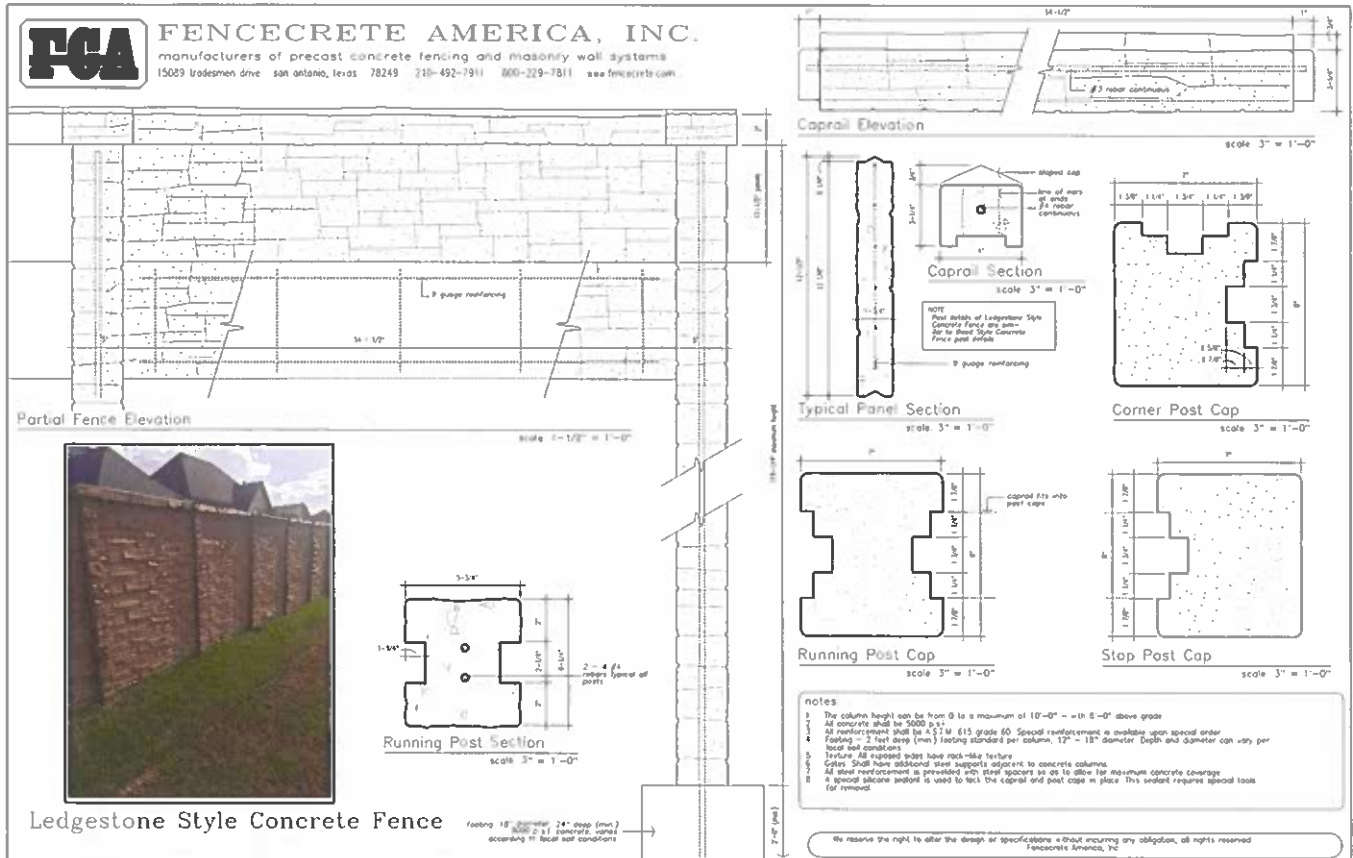


TFR - Waxahachie

Waxahachie, Texas



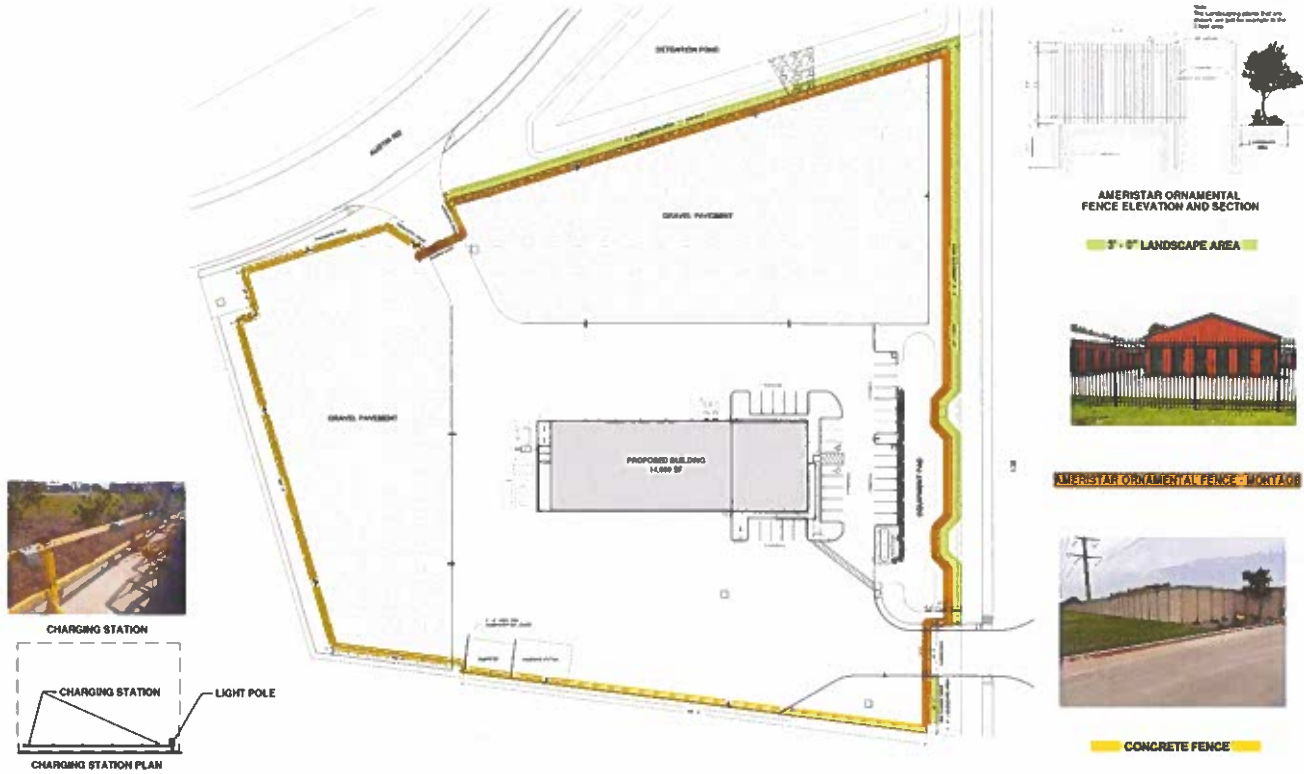
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TFR - Waxahachie
Waxahachie, Texas

LUNA ARCHITECTURE
16103 Mulberry Road • San Antonio, Texas 78219
(210) 210-2100 • www.luna-architecture.com

(14)



TFR - Waxahachie

Waxahachie, Texas



(14)



(2) EXTERIOR WALL SIGNS 3X12
@ 36 SQ.FT. EACH

(2) EXTERIOR WALL SIGNS.....36 SQ.FT. EACH

(1) POLE SIGN CABINET.....96 SQ.FT.

TOTAL SQUARE FOOTAGE.....168 SQ.FT.



(1) POLE SIGN CABINET 8X12
@ 96 SQ.FT.



TFR - Waxahachie
Waxahachie, Texas

LUNA
ARCHITECTURE
16103 Hubbner Road • San Antonio, Texas 78249
(210) 510-2100 • www.luna-architecture.com



City of Waxahachie, Texas
 Notice of Public Hearing
 Case Number: **ZDC-68-2022**

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

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 13, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 19, 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 Lynn Rowland, Claymoore Engineering, for a **Specific Use Permit (SUP)** for Outside Storage, Outside Display, and Pole Sign uses within Light Industrial-1 (LI-1) and Light Industrial-2 (LI-2) zoning districts located directly South of the intersection of Austin Road and the I-35E Service Road (Property ID: 290135 & 2554633) – Owner: PC5 Properties LLC (ZDC-68-2022) Staff: Zack King

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

Case Number: **ZDC-68-2022**

City Reference: 188455

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **December 7, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

Chris Wong
 Signature

Director - Asset Management
 Printed Name and Title

December 7, 2022
 Date

3535 TRAVIS ST, STE 300
 Address DALLAS, TX 75204

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.

(16)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-130-2022



MEETING DATE(S)

Planning & Zoning Commission: December 13, 2022

City Council: December 19, 2022

CAPTION

Public Hearing on a request by Ramon Galaviz, for a **Specific Use Permit (SUP)** for an **Outside Storage** use within a General Retail (GR) zoning district located at 101 Tracy Lane (Property ID: 151310) – Owner: Juan M. Rosas & Guillermina Rosas (ZDC-130-2022) Staff: Zack King

APPLICANT REQUEST

The applicant is requesting a Specific Use Permit (SUP) to allow for an Outside Storage (Pecos Bill) use at 101 Tracy Lane.

CASE INFORMATION

Applicant: Ramon Galaviz, Pecos Bill

Property Owner(s): Juan & Guillermina Rosas

Site Acreage: 0.39 acres

Current Zoning: General Retail (GR)

Requested Zoning: General Retail (GR) with a SUP for Outside Storage use.

SUBJECT PROPERTY

General Location: 101 Tracy Lane

Parcel ID Number(s): 151310

Existing Use: A 672-square-foot retail building currently occupies the site.

Development History: The subject property is a portion of Lot1A, Block A of the Hillview Revision. The subject property was rezoned from Future Development (FD) to General Retail (GR) in 2013 (Ord. 2705).

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	General Retail (GR)	Undeveloped
East	Future Development (FD)	Single Family Residence
South	Planned Development-General Retail (PD-GR)	HGO Tire
West	General Retail (GR) with SUP for a Kiosk use	Retail Store & Ice Kiosk

(16)

Future Land Use Plan:

Retail

Comprehensive Plan:

Retail includes areas that have restaurants, shops, grocery stores, and personal service establishments. Retail businesses generally require greater visibility than do other types of nonresidential land use (e.g., office, commercial).

Thoroughfare Plan:

The subject property is accessible via a driveway on Tracy Lane.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is proposing a Specific Use Permit (SUP) to allow for an Outside Storage (Pekos Bill) use at 101 Tracy Lane. Pekos Bill is a retail establishment specializing in the sale of outdoor furniture and art. The subject property is adjacent to Highway 77; but is only accessible via Tracy Lane. A small, existing retail building with four (4) parking spaces currently occupies the site along with an accessory storage building and covered patio.

Proposed Use:

The applicant is proposing to utilize approximately 2,500 square feet of the site as an outside storage to area for yard art inventory for Pekos Bill. The applicant has stated that the typical hours of operation will be from 10:00 am to 6:00 pm, Monday through Saturday. The yard art inventory includes clay pottery, metal art, concrete art, and concrete outdoor furniture. The applicant intends to place the clay pottery and concrete items on pallets located at the northeastern corner of the property. The outdoor storage areas are proposed to remain gravel. Staff is not concerned with the proposed use of the gravel base for the storage areas due to the fact that no heavy equipment is to be stored or operated on site.

An overhead electric easement approximately 16' in width crosses through the center of the subject property. The applicant has not attained permission from the easement holder to utilize the space within the easement as a storage area. Due to this, the applicant is not permitted to use the area for outside storage and is not proposing to utilize the area.

Landscaping

The subject property is currently sparsely landscaped. The site meets the minimum interior landscape area required for the property; but does not currently have a street buffer yard or street trees. Due to this, the applicant is proposing to add a landscaped buffer yard with eight total street trees. The addition of this landscaping will bring the site into compliance with Section 5.04 of the Waxahachie Zoning Ordinance. Table 1 provides a summary of the landscaping for the development below.

Table 1: Landscape Requirements

Standard	City of Waxahachie	Pekos Bill	Meets Y/N
Landscape Area (Sq. Feet)	300	861	Yes
Trees	1	1	Yes
Street Trees	8	8	Yes

PUBLIC NOTIFICATIONS

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

PUBLIC NOTIFICATION RESPONSES

Staff has received one (1) letter of opposition and two (2) letters of support for the proposed SUP. Notably, one letter of support was provided by the property owner.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the SUP request with the motion and conditions noted below.

Motion:

"I move to approve ZDC-130-2022, a Specific Use Permit (SUP) for Outside Storage use, subject to the conditions the staff report, authorizing the City Manager and or Mayor to execute all documents accordingly."

Conditions:

1. Landscaping shall be installed on site in accordance with the Landscape Plan prior to the issuance of a certificate of occupancy (CO) for Pekos Bill.
2. The portion of the site within the overhead electric easement shall not be used as a storage area.

ATTACHED EXHIBITS

1. Site Plan
2. Landscape Plan
3. Public Notification Response Letters

APPLICANT REQUIREMENTS

1. If approved by City Council, the applicant can apply for a certificate of occupancy (CO) from the Building and Community Services Department.

STAFF CONTACT INFORMATION*Prepared by:*

Zack King

Senior Planner

zking@waxahachie.com

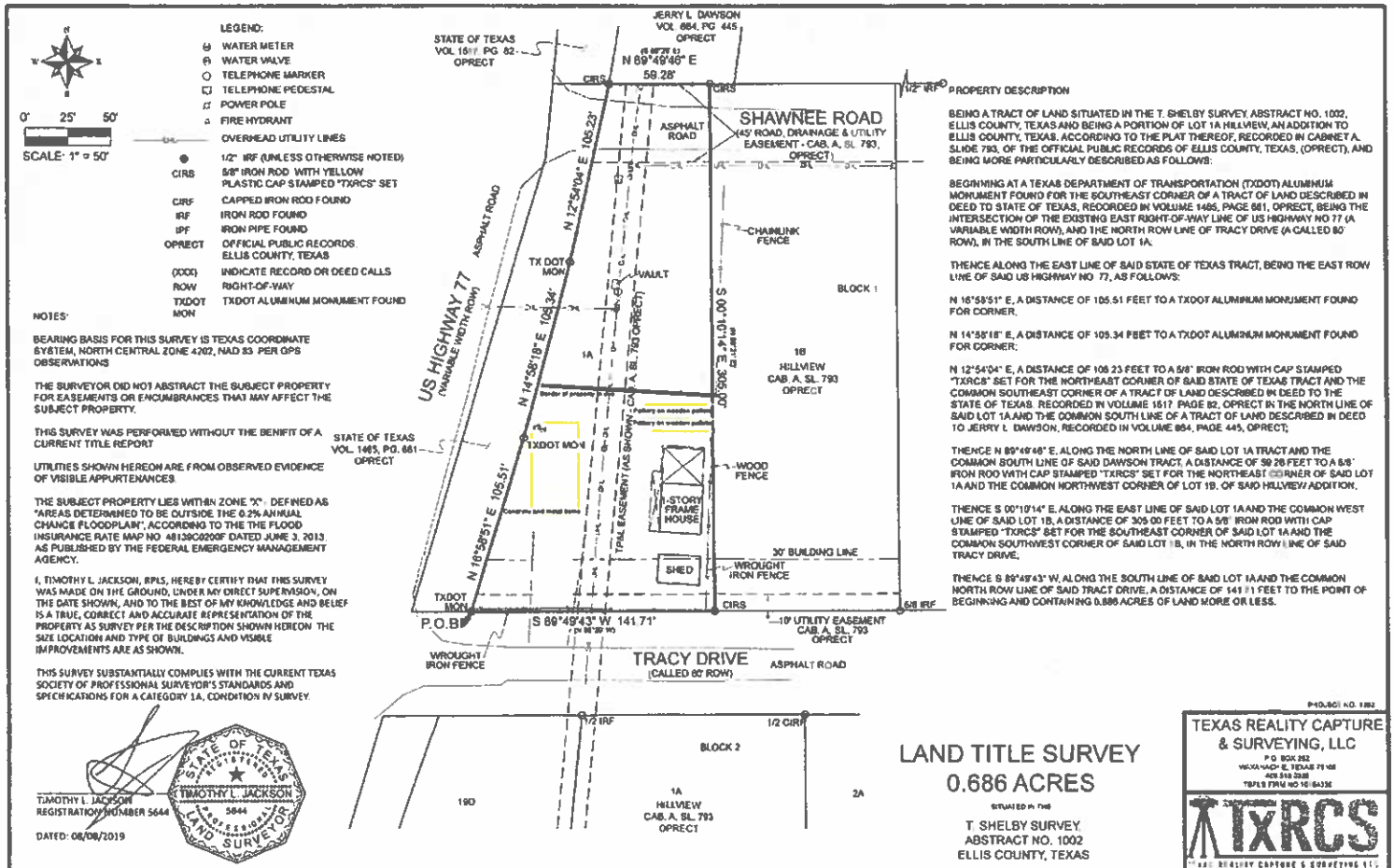
Reviewed by:

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

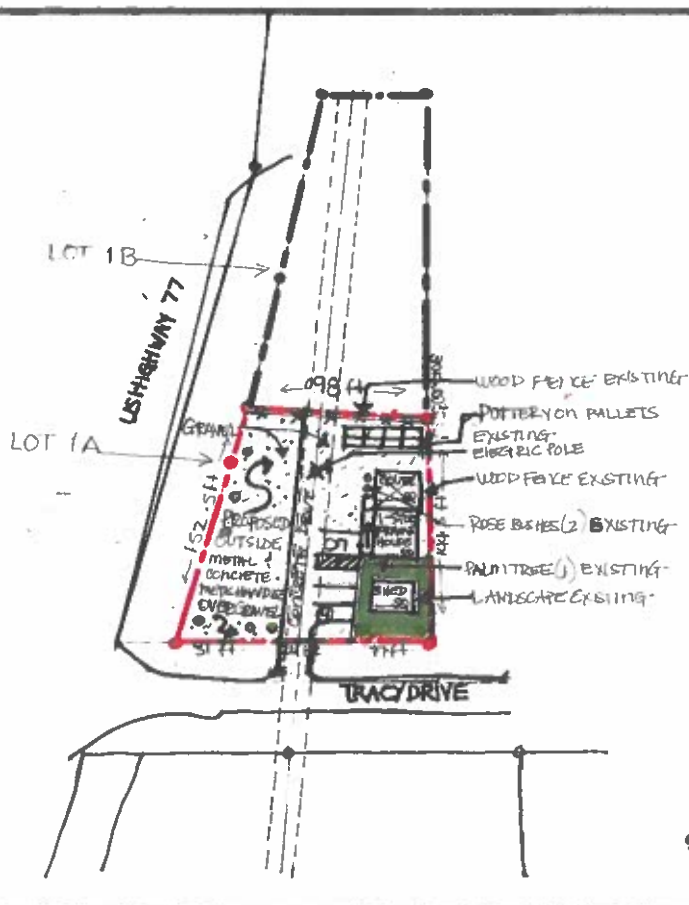
Senior Director of Planning

jennifer.pruitt@waxahachie.com

(16)



(16)



LANDSCAPE REQUIREMENTS

REQUIRED: 300 SQ. FT.

PROVIDED: 861 SQ. FT.

REQUIRED: 8 TREES

PARKING REQUIREMENTS

1 PARKING SPACE FOR 200 SQ. FT.

PARKING REQUIRED: 3 SPACES

PARKING PROVIDED: 3 SPACES

+ 1 ADA ACC.

4 TOTAL SPACES

TITLE: SITE PLAN/LANDSCAPE
REQUEST: SPECIFIC USE PERMIT
(SUP) FOR OUTSIDE
STORAGE OR DISPLAY
EXISTING ZONING: GENERAL RETAIL
(GR)
CASE NUMBER: ZDC-130-2022
CITY OF WICKAHACHIE

(16)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-130-2022**

RECEIVED DEC 01 2022

BORDERS JOEY
3537 N HIGHWAY 77
WAXAHACHIE, TX 75165-5623

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 13, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 19, 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 Ramon Galaviz, for a **Specific Use Permit (SUP)** for an Outside Storage use within a General Retail (GR) zoning district located at 101 Tracy Lane (Property ID: 151310) – Owner: Juan M. Rosas & Guillermina Rosas (ZDC-130-2022) Staff: Zack King

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

Case Number: **ZDC-130-2022**

City Reference: 201644

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **December 7, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

Joel Borders

Signature

Date

11-26-22

JOEL BORDERS President

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.

(116)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-130-2022**



RECEIVED DEC 01 2022

MADRIGAL MARCO C
3504 N HWY 77
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 13, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 19, 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 Ramon Galaviz, for a **Specific Use Permit (SUP)** for an Outside Storage use within a General Retail (GR) zoning district located at 101 Tracy Lane (Property ID: 151310) – Owner: Juan M. Rosas & Guillermina Rosas (ZDC-130-2022) Staff: Zack King

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

Case Number: **ZDC-130-2022**

City Reference: 239084

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **December 7, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

Marco Madrigal
Signature
Marco Madrigal-Owner
Printed Name and Title

11/28/22
Date
3504 N. Hwy 77
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.

(116)

Case Number: ZDC-130-2022

City Reference: 151310

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **December 7, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

RECEIVED DEC 06 2022

Comments:

Me, Guillermina Rosas and my husband Ivan M. Rosas, fully support the request by Ramon Galaviz for a Specific Use Permit (SUP)

Guillermina Rosas
Signature

12-06-22
Date

Thank You

Guillermina Rosas Owner
Printed Name and Title

311 E. Ross St. Waxahachie, Tx.
Address
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.

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-148-2022



MEETING DATE(S)

Planning & Zoning Commission: December 13, 2022

City Council: December 19, 2022

CAPTION

Public Hearing on a request by Dani Cagle, Texas Art & Pour, for a **Specific Use Permit (SUP)** for a **Tavern** use within a Central Area zoning district located at 109 W Franklin Street, Suite 115 (Property ID: 193341) – Owner: Mutual Pursuits LLC (ZDC-148-2022) Staff: Zack King

APPLICANT REQUEST

The applicant is requesting approval of a Specific Use Permit (SUP) for a Tavern use for Texas Art & Pour, located within the Central Area (CA) zoning district at 109 W Franklin Street, Suite 115.

CASE INFORMATION

Applicant: Dani Cagle, Texas Art & Pour

Property Owner(s): Mutual Pursuits LLC

Site Acreage: 0.248 acres

Current Zoning: Central Area (CA)

Requested Zoning: CA with a SUP for a Tavern use for Texas Art & Pour

SUBJECT PROPERTY

General Location: 109 W Franklin Street, Suite 115

Parcel ID Number(s): 193341

Existing Use: The subject suite was previously home to Bistro 115 and is currently undergoing renovations.

Development History: The subject suite is located within a two-story multi-tenant building constructed in 1895. The building currently has five (5) retail suites on the first floor and multiple residential suites on the second floor.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	CA	Historic Ellis County Courthouse
East	CA	Art Gallery - Art on the Square
South	CA	Office - Southwest Data Solutions
West	CA	Restaurant – Farm Luck

Future Land Use Plan:

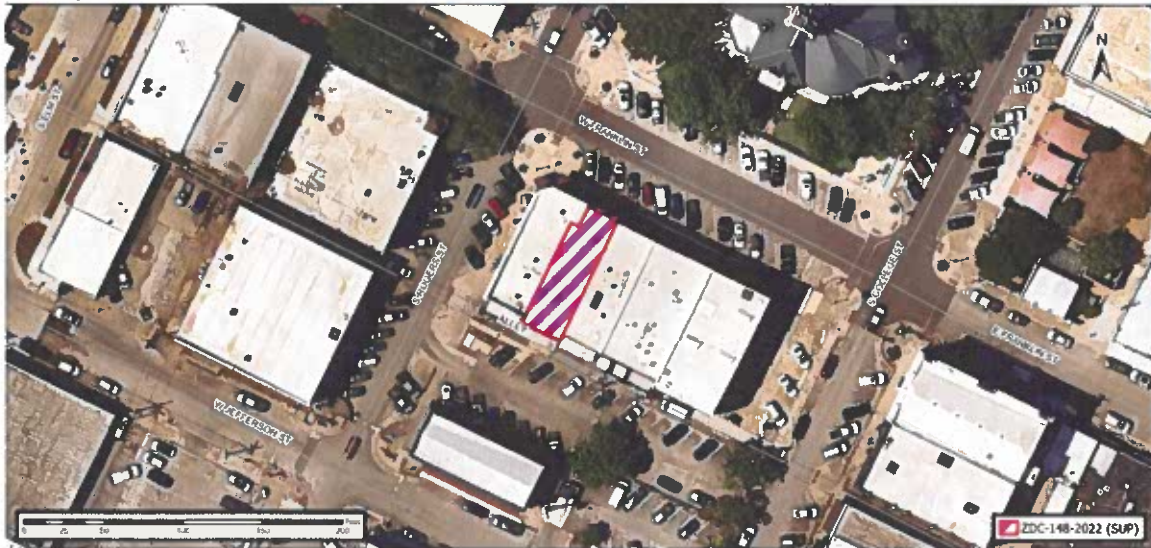
Public/Semi-Public

Comprehensive Plan:

This land use category includes uses that are educational, governmental or institutional in nature. This type of land use is generally permitted within any area; therefore, only the current Public/Semi-Public uses are shown on the map.

Thoroughfare Plan:

The subject property is accessible via W Franklin Street

Site Image:**PLANNING ANALYSIS**

The applicant is proposing a Specific Use Permit (SUP) for a Tavern use for Texas Art & Pour, located within the Central Area (CA) zoning district at 109 W Franklin Street, Suite 115. A Tavern use is defined by the Waxahachie Zoning Ordinance as “a business engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises”. An establishment may be included in this category if alcohol sales exceed forty-nine (49) percent of the gross revenue of the business.

The suite is approximately 1,775 square feet in size and is located entirely on the first floor of the building. The applicant has stated that Texas Art & Pour intends to provide a distinctive shopping experience for Texas-made art and goods. Texas Art & Pour is proposed to offer art products along with beer, wine, and locally sourced food. A tap and bar are proposed to be added to the suite. The applicants, Dani Cagle and Sean Cagle, intend to act as the only employees for the business. Texas Art & Pour has proposed to operate daily from 10:00 am to 9:00 pm.

Proposed Development Standards

The applicant has acknowledged agreement to the following development standards for the use.

- An amendment to the proposed SUP, approved by the Planning & Zoning Commission and City Council, shall be required in the event Texas Art & Pour wishes to expand beyond the footprint detailed in the Floor Plan below.
- A Certificate of Occupancy from the Building and Community Services Department shall be required for Texas Art & Pour prior to the opening of the business.
- All signage for the use shall require sign permit(s) from the Building and Community Services Department prior to installation.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 33 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.

PUBLIC NOTIFICATION RESPONSES

Staff has received one (1) letter of support for the proposed Tavern use.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the SUP request with the motion and conditions noted below.

Motion:

"I move to approve ZDC-148-2022, a Specific Use Permit (SUP) for a Tavern use for Texas Art & Pour subject to the conditions the staff report, authorizing the City Manager and or Mayor to execute all documents accordingly."

Conditions:

1. The use shall comply with the development standards proposed with the SUP request.
2. An amendment to the SUP will be required in the event Texas Art & Pour wishes to expand beyond the footprint detailed in the Floor Plan exhibit.
3. An amendment to the SUP will be required in the event Texas Art & Pour wishes to modify its hours of operation. Texas Art & Pour has proposed to operate daily from 10:00 am to 9:00 pm.
4. A new SUP will be required to reestablish the Tavern use in the event Texas Art & Pour vacates 109 W Franklin Street, Suite 115 or a new tenant seeks occupancy at 109 W Franklin Street, Suite 115.
5. The Applicant shall receive approval of all necessary building permits necessary to establish and operate the Tavern use.

ATTACHED EXHIBITS

1. Floor Plan
2. Operational Plan
3. Public Notification Response Letters

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

Zack King

Senior Planner

zking@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com

1000

$$3/32" = 1'-0"$$


SUP Application – Operational Plan

Texas Art & Pour – Operational Plan

115 W. Franklin St. Waxahachie, 75165

Hours of Operation:

Wednesday – Thursday: 11-7

Friday – Saturday: 11-8

Sunday: 12-6

Number of employees: 2

Compatibility with adjoining areas: Texas Art and Pour will be a compliment to the adjoining locations. Farm Luck and Art on the Square are similar business and we will help to increase foot traffic to each other's businesses.

Business Plan:

Identity

Texas Art and Pour fosters the growing creative scene in Texas by establishing a unique setting for community and art. We provide a distinctive shopping experience with Texas-made art and goods.

Challenge and Innovation

Waxahachie residents have long been big supporters of art and community. Texas Art and Pour will become a destination in the downtown area where residents and visitors can enjoy Texas-sourced art, goods, beverages, and foods.

Target market

Locally-minded shoppers who enjoy Texas-crafted art, unique goods, beer, wine, and fine foods. We will cater to those who enjoy art shows, demonstrations, and respect of the creative process.

The competition

There are several retail locations in the downtown area. These include home goods, antiques, clothing, and art.

There are also several places to purchase a beer or wine to enjoy on-site. Cork House Winery, College Street Pub, Big Al's, and Cork and Keg. There are fewer places that offer the combination of retail beer/wine, on-site drinks, and shopping. There are no locations which offer the combination of Texas-sourced art and goods and beer and wine service.

Revenue streams

Texas Art and Pour will sell Texas-made products such as:

- art and craft goods at a variety of price points
- beer and wine by the per glass, bottles, and cans to-go
- food items such as olive oils, vinegars, cheeses, meats, and baked goods
- locally sourced quality food to enjoy on site or to grab and go

Marketing activities

Texas Art and Pour will advertise using: (1) targeted social media ads and account activities (2) partnerships with other downtown and Texas merchants and retailers (3) community events/outreach (4) partnerships with Texas artists and wholesalers

Expenses

- | | |
|---------------------------------|-----------------------------------|
| • Building remodel/construction | • Furniture/displays |
| • Permits and licensing | • Art and good inventory |
| • Tap and bar set up | • Food inventory |
| • Refrigeration | • Inventory displays for products |
| • Kitchen/glassware | • Advertising |

Team and key roles

The only employees will be the owners, Sean and Dani Cagle.

Risk Mitigating Milestones

Determine location in downtown area – secure leases/purchase property

Determine food offerings and permitting restrictions

Remodel/Construction: design, permits, complete

Certificate of Occupancy

Set up interior for retail – build inventory

Establish marketing strategy in advance of opening

Obtain TABC and other permits

Open business

As business grows, Texas Art and Pour will promote community partnerships that drive deeper connections among downtown businesses, Texas artists, and community members.



(118)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-148-2022

◇◇◇◇

HACHIE PROPERTIES LLC
327 BLUE RIBBON RD
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 13, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 19, 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 Dani Cagle, Texas Art & Pour, for a **Specific Use Permit (SUP)** for a Tavern use within a Central Area zoning district located at 109 W Franklin Street, Suite 115 (Property ID: 193341) – Owner: Mutual Pursuits LLC (ZDC-148-2022) Staff: Zack King

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

Case Number: **ZDC-148-2022**

City Reference: 170519

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **December 7, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☒ **SUPPORT**

☐ **OPPOSE**

Comments:

I think the use is good for downtown.

Signature

Brett Hess
BRETT HESS
Printed Name and Title

Date

Address

11-30-2022

1056 FRANKLIN

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.