

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, January 10, 2023 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 December 13, 2022
 - b. Minutes of the Planning and Zoning Commission briefing of December 13, 2022
5. ***Public Hearing*** on a request by the City of Waxahachie to adopt the Waxahachie Comprehensive Plan, including but not limited to the Future Land Use Plan, and Thoroughfare Plan
6. ***Recognize*** Planning Department for their Richard R. Lillie, FAICP Program for Planning Excellence Certificate of Achievement awarded at the 2022 APATX Conference held in October
7. ***Consider*** request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Plat of Front 4, lot 1, Block A, being 4.132 acres, located at 555 Angus Road, situated in the L. Ramey Survey, Abstract No. 940 and R. Wyatt Survey, Abstract No. 1318, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 231641) – Owner: HEATHER & AARON CLARK (SUB-163-2022) Staff: Eleana Tuley

8. **Consider** request by Todd Wintters, Pettitt-ECD, for a Plat of the South Grove Industrial Park, Lot 1, Block A, being 104.963 acres, located east of the intersection of Marshall Road and Patrick Road, situated in the W Paine Survey, Abstract 835 and the W Downing Survey, Abstract 297, an addition to the City of Waxahachie (Property ID: 284811) – Owner: WJ SOUTH GROVE LP (SUB-170-2022) Staff: Zack King
9. **Consider** request by Edmund Zamorano, DELZ ENTERPRISES LLC, for a Replat to create Lots 1-6, Block 1 of the Reagor Springs Business Park addition, six (6) commercial lots, being 8.604 acres, located at 261 Old Highway 287, in the Extra Territorial Jurisdiction (Property ID: 219707) – Owner: DELZ ENTERPRISES LLC (SUB-112-2022) Staff: Zack King
10. **Public Hearing** on a request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Replat of all of Block D and part of Block 42A of the Town Addition to create Lots 1, Block 42A, Kaufman Township West, 1 residential lot, being .882 acres, located at 101 Kaufman Street, (Property ID 170536 and 170777) – Owner: FOGARTY HOMES, LLC SERIES A, RONALD C. HOLMES, AND ROBERT B. FOGARTY (SUB-124-2022) Staff: Eleana Tuley
11. **Consider** approval of SUB-124-2022
12. **Public Hearing** on a request by Priya Acharya, Wier & Associates, Inc., for a Specific Use Permit (SUP) for a restaurant with a drive-through use and a pole sign within a General Retail (GR) zoning district located at 3380 S Interstate 35 E (Property ID 284600) - Owner: DML LAND LLC (ZDC-117-2022) Staff: Eleana Tuley
13. **Consider** recommendation of Zoning Change No. ZDC-117-2022
14. **Public Hearing** on a request by Zack Rench, Owner of Lost Veil Tattoo, for a Zoning Change from a Central Area (CA) zoning district to Planned Development Central Area (PD-CA) zoning district, located at 100 N College Street (Property ID 170418) - Owner: ROGERS HOTEL PARTNERS, LLC (ZDC-158-2022) Staff: Eleana Tuley
15. **Consider** recommendation of Zoning Change No. ZDC-158-2022
16. Adjourn

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

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

Notice of Potential Quorum

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

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

Planning and Zoning Commission
December 13, 2022

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, December 13, 2022 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

Members Absent: David Hudgins
Ron Ansell

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Senior Director of Planning
Eleana Tuley, Senior Planner
Amber Villarreal, City Secretary
Chris Wright, Council Representative

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

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

3. **Public Comments**

None.

4. **Consent Agenda**

- 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

Action:

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

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**

Chairman Keeler announced the applicant requested to withdraw the case.

6. **Consider recommendation of Zoning Change No. ZDC-118-2022**

No action taken.

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**

Eleana Tuley, Senior Planner, presented the case noting the applicant is requesting to plat the subject property into one (1) lot for single-family residential use and staff recommends approval as presented.

Action:

Ms. Bonney Ramsey moved 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. Vice Chairman Melissa Ballard seconded, All Ayes.

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**

Ms. Tuley presented the case noting the applicant is requesting 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 and staff recommends approval per the following staff condition:

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

Action:

Vice Chairman Melissa Ballard moved to approve SUB-154-2022, a plat of the Oncor-Highway 77 Addition, Lot 1, Block A, subject to the condition in the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Ms. Bonney Ramsey seconded, All Ayes.

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**

Ms. Tuley presented the case noting the applicant is requesting to subdivide an approximately 64.95-acre tract into 223 lots and 7 open spaces lots and staff recommends approval as presented. She noted this plat is the second phase of the Dove Hollow Subdivision and the applicant has met the governing zoning on the property and complied with the City's subdivision regulations.

Action:

Ms. Bonney Ramsey moved 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. Mr. Erik Test seconded, All Ayes.

- 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**

Ms. Tuley presented the case noting the applicant is requesting to replat six (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 and 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 receive approval for a Letter of Map Revision (LOMR) from FEMA to revise the location of the floodplain noting the residential lots are not outside the limits of the floodplain. Ms. Tuley noted two (2) letters of opposition were received and staff recommends approval as presented.

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against SUB-134-2022, Chairman Keeler closed the Public Hearing.

- 11. Consider approval of SUB-134-2022**

Action:

Vice Chairman Melissa Ballard moved 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 a& Zoning Commissioner to sign the associated documents accordingly. Ms. Bonney Ramsey seconded, All Ayes.

- 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**

Ms. Tuley presented the case noting 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 and staff recommends approval per the following staff 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.

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against ZDC-138-2022, Chairman Keeler closed the Public Hearing.

13. Consider recommendation of Zoning Change No. ZDC-138-2022

Action:

Ms. Bonney Ramsey moved to approve ZDC-138-2022, a Specific Use Permit (SUP) for an accessory structure +700 sf use, subject to the conditions of the staff report, authorizing the City Manager and or Mayor to execute all documents accordingly. Mr. Erik Test seconded, All Ayes.

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

Ms. Tuley presented the case noting the applicant is requesting a Specific Use Permit for heavy machinery and equipment, rental, sales, or storage use, outdoor display and pole sign use. Ms. Tuley noted the applicant provided two elevation façade options and the Commission can include their recommendation in the motion. Staff recommends approval per the following staff 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.

Chairman Keeler opened the Public Hearing.

Lynn Rowland, Claymoore Engineering, 1903 Central Drive, Bedford, Texas, asked for clarification on staff's request for tree preservation. Ms. Tuley explained the staff's request is to attempt to preserve the trees within the landscape plan that are on the City's tree list and is 6-inch caliper and larger. Mr. Rowland noted the applicant will make every effort to preserve as many

trees as feasible. He noted many trees will need to be removed to alleviate drainage issues as well as the need to utilize the concrete on-site for equipment storage.

There being no others to speak for or against ZDC-68-2022, Chairman Keeler closed the Public Hearing.

15. Consider recommendation of Zoning Change No. ZDC-68-2022

Action:

Vice Chairman Melissa Ballard moved 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, recommending elevation number 1 (dark gray), subject to the conditions of the staff report, authorizing the City Manager and or Mayor to execute all documents accordingly. Ms. Bonney Ramsey seconded, All Ayes.

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

Ms. Tuley presented the case noting the applicant is requesting a Specific Use Permit to allow for an outside storage (Pecos Bill) use at 101 Tracy Lane. The retail establishment specializes in the sale of outdoor furniture and art. Ms. Tuley noted an overhead electric easement approximately 16' in width crosses through the center of the property and 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. Staff recommends approval per the following staff 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 Pecos Bill.
2. The portion of the site within the overhead electric easement shall not be used as a storage area.

Chairman Keeler opened the Public Hearing.

Ramon Galaviz, 101 Tracy Lane, Waxahachie, Texas, provided images of the proposed items for outdoor storage and confirmed he was aware of the staff conditions.

There being no others to speak for or against ZDC-130-2022, Chairman Keeler closed the Public Hearing.

17. Consider recommendation of Zoning Change No. ZDC-130-2022

Action:

Vice Chairman Melissa Ballard moved to approve ZDC-130-2022, a Specific Use Permit (SUP) for outside storage use, subject to the conditions of the staff report, authorizing the City Manager and or Mayor to execute all documents accordingly. Ms. Bonney Ramsey seconded, All Ayes.

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

Ms. Tuley presented the case noting the applicant is requesting approval of a Specific Use Permit for a tavern use for Texas Art & Pour located within the Central Area zoning district at 109 W. Franklin, Suite 115. Staff recommends approval per the following staff 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.

Chairman Keeler opened the Public Hearing.

Dani Cagle, 700 N. Gibson, Waxahachie, Texas, explained the proposed business will offer a unique shopping experience and will be a family friendly space, selling Texas wines, beer, food, and art.

Vice Chairman Ballard inquired about the hours of operation and Jennifer Pruitt, Senior Director of Planning, explained the hours listed in the staff conditions were updated by the applicant.

There being no others to speak for or against ZDC-148-2022, Chairman Keeler closed the Public Hearing.

19. Consider recommendation of Zoning Change No. ZDC-148-2022

Action:

Ms. Bonney Ramsey moved to approve ZDC-148-2022, a Specific Use Permit (SUP) for a tavern use for Texas Art & Pour subject to the conditions of the staff report, authorizing the City Manager and or Mayor to execute all documents accordingly. Ms. Betty Square Coleman seconded, All Ayes.

20. Adjourn

Ms. Tuley announced the last Comprehensive Plan Advisory Committee meeting will be held Thursday, December 15, 2022 at 6:00 p.m.

Ms. Pruitt thanked the Impact Fee Capital Improvements Advisory Committee for their input.

(4a)

Planning and Zoning Commission

December 13, 2022

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The Commission wished everyone a Merry Christmas.

There being no further business, the meeting adjourned at 7:50 p.m.

Respectfully submitted,

Amber Villarreal

City Secretary

Planning and Zoning Commission
December 13, 2022

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, December 13, 2022 at 6:30 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

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

Members Absent: David Hudgins
Ron Ansell

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Senior Director of Planning
Eleana Tuley, Senior Planner
Amber Villarreal, City Secretary
Chris Wright, Council Representative

1. Call to Order

Chairman Rick Keeler called the meeting to order.

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

Eleana Tuley, Senior Planner, reviewed the following cases:

- ZDC-118-2022, the applicant requested to withdraw the case.
- SUB-150-2022, the applicant is requesting to plat the subject property into one (1) lot for single-family residential use and staff recommends approval as presented.
- SUB-154-2022, the applicant is requesting to plat the subject property into one (1) lot for commercial use and staff recommends approval per staff condition.
- SUB-143-2022, the applicant is requesting to subdivide an approximately 64.95-acre tract into 223 lots and 7 open spaces lots and staff recommends approval as presented. This plat is the second phase of the Dove Hollow Subdivision.
- SUB-134-2022, the applicant is requesting to replat six (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 and 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 Letter of Map Revision (LOMR) from FEMA to revise the location of the floodplain noting the residential lots are not outside the limits of the floodplain. Ms. Tuley noted two (2) letters of opposition were received and staff recommends approval as presented.
- ZDC-138-2022, 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 and staff recommends approval per staff conditions.
- ZDC-68-2022, the applicant is requesting a Specific Use Permit for heavy machinery and equipment, rental, sales, or storage use, outdoor display and pole sign use. Ms. Tuley noted

the applicant provided two elevation façade options and the Commission can include their recommendation in the motion. Staff recommends approval per staff conditions.

- ZDC-130-2022, the applicant is requesting a Specific Use Permit to allow for an outside storage (Pekos Bill) use at 101 Tracy Lane. The retail establishment specializes in the sale of outdoor furniture and art. Ms. Tuley noted an overhead electric easement approximately 16' in width crosses through the center of the property and 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. Staff recommends approval per staff conditions.
- ZDC-148-2022, the applicant is requesting approval of a Specific Use Permit for a tavern use for Texas Art & Pour located within the Central Area zoning district at 109 W. Franklin, Suite 115. Staff recommends approval per staff conditions.

3. Adjourn

There being no further business, the meeting adjourned at 7:00 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(5)



Memorandum

To: Honorable Mayor and City Council
From: Jennifer Pruitt, Senior Director of Planning
Thru: Michael Scott, City Manager *[Signature]*
Date: January 5, 2023
Re: City of Waxahachie Comprehensive Plan

City staff requests to continue the public hearings for adopting the Comprehensive Plan to future meeting dates. The staff has received several recent comments regarding the Comprehensive Plan since the last Comprehensive Plan Advisory Committee (CPAC) Meeting. More time is necessary to incorporate the changes into the Waxahachie Comprehensive Plan.

Planning & Zoning Department

Plat Staff Report

Case: SUB-163-2022



MEETING DATE(S)

Planning & Zoning Commission:

January 10, 2023

CAPTION

Consider request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for Plat for Front 4, lots 1, Block A, being 4.132 acres, located at 555 Angus Road, situated in the L. Ramey Survey, Abstract No. 940 and R. Wyatt Survey, Abstract No. 1318, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 231641) – Owner: HEATHER & AARON CLARK (SUB-163-2022) Staff: Eleana Tuley

RECOMMENDED MOTION

"I move to approve SUB-163-2022, a Plat of Front 4, Lot 1, Block A, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

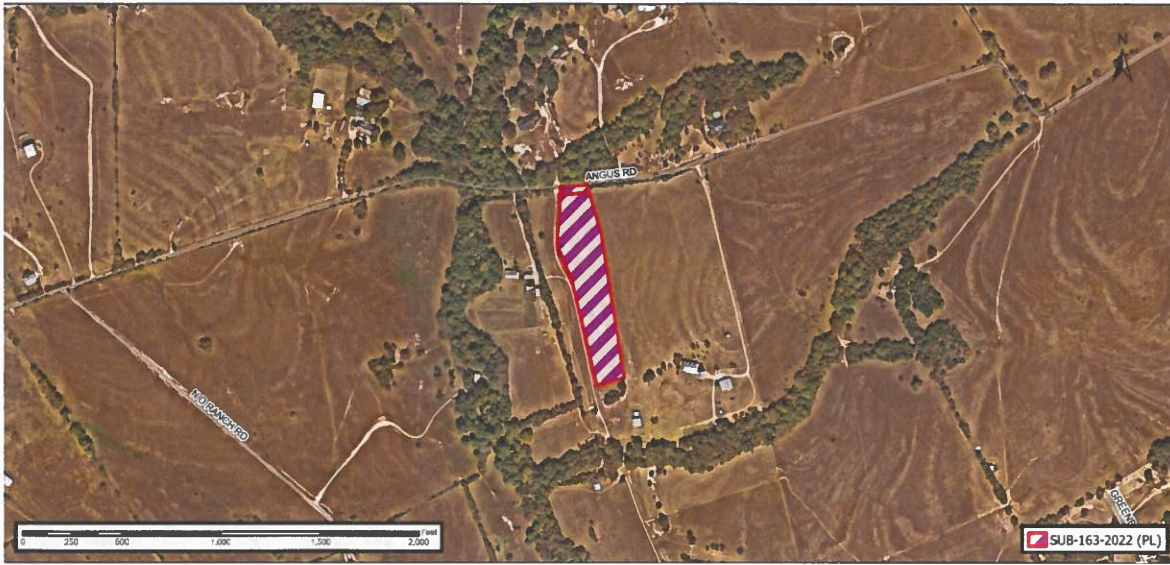
The applicant is requesting to Plat the subject property into one (1) lot for residential use.

CASE INFORMATION

<i>Applicant:</i>	Tim Jackson, Texas Reality Capture & Surveying, LLC
<i>Property Owner(s):</i>	HEATHER & AARON CLARK
<i>Site Acreage:</i>	4.132 acres
<i>Number of Lots:</i>	1 lot
<i>Number of Dwelling Units:</i>	1 unit
<i>Park Land Dedication:</i>	N/A (ETJ)
<i>Adequate Public Facilities:</i>	Adequate public facilities are available to the site via Buena Vista-Bethel SUD and an on-site septic system.

SUBJECT PROPERTY

<i>General Location:</i>	555 Angus Road
<i>Parcel ID Number(s):</i>	231641
<i>Current Zoning:</i>	N/A (ETJ)
<i>Existing Use:</i>	The subject property is currently undeveloped.
<i>Platting History:</i>	The subject property is a portion of the L. Ramey Survey, Abstract No. 940 and R. Wyatt Survey, Abstract No. 1318.

Site Aerial:**PLANNING ANALYSIS**

The applicant is proposing to Plat the subject property into one (1) lot for residential use in the Waxahachie ETJ. The applicant is providing a 40' right-of-way (ROW) dedication along Angus Road. All lot sizes, dimensions, and easement requirements have been met.

RECOMMENDATION

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

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:

Eleana Tuley

Senior Planner

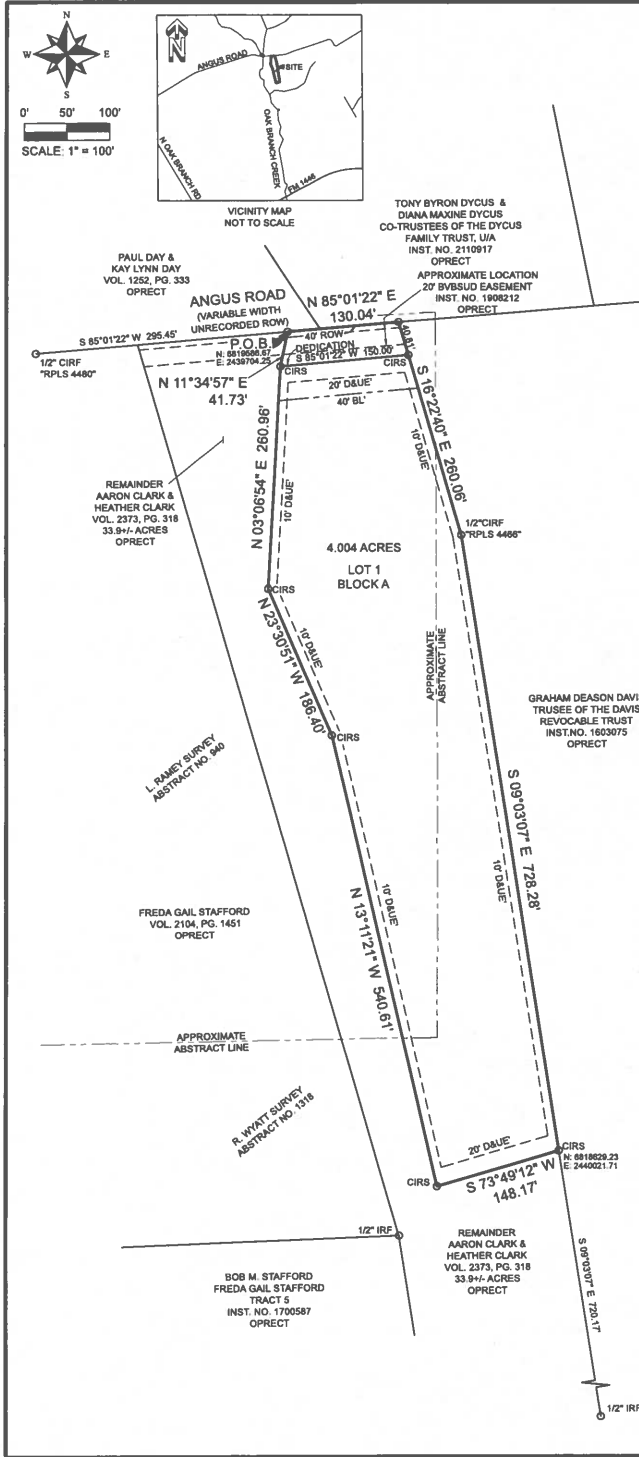
eleana.tuley@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com



STATE OF TEXAS
COUNTY OF ELLIS

OWNER'S CERTIFICATE

WHEREAS, AARON CLARK AND HEATHER CLARK, ARE THE OWNERS OF A TRACT OF LAND SITUATED IN THE L. RAMEY SURVEY, ABSTRACT NO. 940 AND THE R. WYATT SURVEY, ABSTRACT NO. 1318, ELLIS COUNTY, TEXAS AND BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO AARON CLARK AND HEATHER CLARK, RECORDED IN VOLUME 2373, PAGE 318, OF THE OFFICIAL PUBLIC RECORDS ELLIS COUNTY, TEXAS (OPRECT) AND BEING MORE PARTICULARLY DESCRIBED, AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER IN THE NORTH LINE OF SAID CLARK TRACT AND THE COMMON SOUTH LINE OF THAT TRACT OF LAND DESCRIBED IN DEED TO PAUL DAY AND KAY LYNN DAY, RECORDED IN VOLUME 1232, PAGE 333, OPRECT AND IN THE APPROXIMATE CENTERLINE OF ANGUS ROAD (A VARIABLE WIDTH UNRECORDED RIGHT-OF-WAY), FROM WHICH A 1/2" IRON ROD WITH CAP STAMPED "RPLS 4480" FOUND, BEARS S 85°01'22" W, A DISTANCE OF 295.45 FEET;

THENCE N 85°01'22" E, ALONG THE NORTH LINE OF SAID CLARK TRACT AND THE COMMON SOUTH LINE OF SAID DAY TRACT AND THE COMMON SOUTH LINE OF THAT TRACT OF LAND DESCRIBED IN DEED TO TONY BYRON DYCUS AND DIANA MAXINE DYCUS, CO-TRUSTEES OF THE DYCUS FAMILY TRUST, U/A, INST. NO. 2110917, OPRECT AND IN THE APPROXIMATE CENTERLINE OF SAID ANGUS ROAD, A DISTANCE OF 130.04 FEET TO THE NORTH-EAST CORNER OF SAID CLARK TRACT AND THE COMMON NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO GRAHAM DEASON DAVIS, TRUSTEE OF THE DAVIS REVOCABLE TRUST, RECORDED IN INSTRUMENT NO. 1603075, OPRECT;

THENCE S 16°22'40" E, ALONG THE EAST LINE OF SAID CLARK TRACT AND THE COMMON WEST LINE OF SAID DAVIS TRACT, PASSING AT A DISTANCE OF 40.81 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR WITNESS, A TOTAL DISTANCE OF 260.06 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 4486" FOUND FOR ANGLE CORNER OF SAID CLARK TRACT AND A COMMON ANGLE CORNER OF SAID DAVIS TRACT;

THENCE S 08°03'07" E, ALONG THE EAST LINE OF SAID CLARK TRACT AND THE COMMON WEST LINE OF SAID DAVIS TRACT, A DISTANCE OF 728.28 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER, FROM WHICH A 1/2" IRON ROD FOUND, BEARS S 08°03'07" E, A DISTANCE OF 720.17 FEET;

THENCE OVER AND ACROSS SAID CLARK TRACT, AS FOLLOWS:

S 73°49'12" W, A DISTANCE OF 148.17 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER;

N 13°11'21" W, A DISTANCE OF 540.81 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER;

N 23°30'51" W, A DISTANCE OF 186.40 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER;

N 03°06'54" E, A DISTANCE OF 260.06 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER;

N 11°34'57" E, A DISTANCE OF 41.73 FEET TO THE POINT OF BEGINNING, AND CONTAINING 4.132 ACRES OF LAND MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT AARON CLARK AND HEATHER CLARK, DO HEREBY CERTIFY AND ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS FRONT 4, AN ADDITION TO ELLIS COUNTY, AND DOES HEREBY DEDICATE TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. AARON CLARK AND HEATHER CLARK, DO HEREBY CERTIFY THE FOLLOWING:

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

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

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

BY:

AARON CLARK

HEATHER CLARK

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

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

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

STATE OF TEXAS :

COUNTY OF ELLIS:

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

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

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

LEGEND

- CIRS = 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TXRCS" SET
- IRF = IRON ROD FOUND
- FND = FOUND
- OPRECT = OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS
- U.E. = UTILITY EASEMENT
- B.L. = BUILDING LINE
- DUE = DRAINAGE AND UTILITY EASEMENT

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

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

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

BY: _____ DATE _____

ATTEST _____ DATE _____

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

APPROVED THIS, THE _____ DAY OF _____, 2022.

TODD LITTLE
COUNTY JUDGE

RANDY STINSON
COMMISSIONER PRECINCT 1

LANE GRAYSON
COMMISSIONER PRECINCT 2

PAUL PERRY
COMMISSIONER PRECINCT 3

KYLE BUTLER
COMMISSIONER PRECINCT 4

ATTEST:

KRYSTAL VALDEZ
COUNTY CLERK

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

DEPARTMENT OF DEVELOPMENT DIRECTOR DATE

NOTES:

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

AS SHOWN A PORTION OF THE SUBJECT PROPERTY LIES WITHIN ZONE "X" - DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 9.2% ANNUAL CHANCE FLOODPLAIN" - AND A PORTION OF THE PROPERTY LIES WITHIN ZONE "A" - DEFINED AS NO BASE FLOOD ELEVATION DETERMINED. ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 4819C0325F, DATED JUNE 3, 2015, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

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

PLAT
FRONT 4
4.132 ACRES

SITUATED IN THE
L. RAMEY SURVEY
ABSTRACT NO. 940

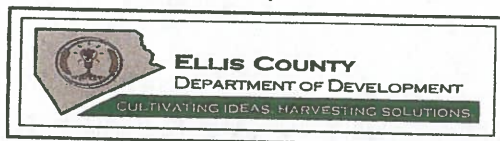
AND THE
R. WYATT SURVEY
ABSTRACT NO. 1318
EITJ CITY OF WAXAHACHE
ELLIS COUNTY, TEXAS
1 RESIDENTIAL LOT
CASE NO. SUB-163-2022

OWNER:
AARON CLARK &
HEATHER CLARK
303 LEISURE LN
WAXAHACHE, TX 75187
214.704.7553

SURVEYOR:
TEXAS REALITY CAPTURE &
SURVEYING, LLC
P.O. BOX 252
WAXAHACHE, TEXAS 75188
409.518.0338
TBPLS FIRM NO 10194359

109 South Jackson Street
Waxahachie, TX 75165

Main Phone:
972-825-5200



Department Website:
www.co.ellis.tx.us/dod
Department Email:
dod@co.ellis.tx.us

WATER UTILITY PROVIDER ENDORSEMENT

Ellis County requires new lots in subdivisions to have adequate water flow and pressure to comply with Texas Commission on Environmental Quality (TCEQ) and the latest adopted Fire Code. Subdivisions served by water providers will need to ensure they can provide water flow/pressure per TCEQ and fire flow per the latest adopted Fire Code.

Applicants, please submit this form to your water provider for completion. This completed form must be turned in at the time you submit your plat application packet. If this letter is not submitted, it will be considered an incomplete application.

PROPERTY INFORMATION

Site Address/General Location: 555 Angus Rd City/State: Waxahachie ZIP: 75167

Legal Description: _____

Proposed Use of plat or development: _____ Acres: _____ Lots: _____

APPLICANT/OWNER INFORMATION

Applicant/Agent Name: Anton E. Heather Clark Company Name: _____
Mailing Address: 101 Adobe Ct. City/State: Waxahachie ZIP: 75165
Main Phone: 214 769 0361 Email: A.Clark@penncocontainers.com

TO BE COMPLETED BY THE WATER UTILITY PROVIDER

	YES	NO
1. I have reviewed a copy of the proposed plat/development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The proposed plat/development falls 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 the latest adopted TCEQ regulations and requirements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and necessary minimum pressure for firefighting purposes, per established County regulations and Fire Code (<u>500</u> gpm fire flow only).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. The waterline size service the proposed plat/development is currently listed as <u>6</u> inches and located along <u>Angus</u> Rd/Dr/Ln/St/Blvd, etc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Are there plans to upsize or increase the existing water line mention in Question No. 5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Joe Buchanan

Print Name of General Manager of Water Provider or Designee

Joe Buchanan

Signature of General Manager of Water Provider or Designee

Buena Vista - Bethel S.U.D.

Name of Water Provider Company

Date

CONTACT INFORMATION

Buena Vista-Bethel SUD 972-937-1212
Carroll Water Company 972-617-0817
Files Valley 254-689-2331
Hill Co. Coop. 800-338-6425

Mountain Peak SUD 972-775-3765
Nash Forrester WSC 972-483-3039
Rockett SUD 972-617-3524
Sardis Lone Elm WSC 972-775-8566
South Ellis County WSC 972-483-6885
South Garrett Water 972-875-5893

Planning & Zoning Department

Plat Staff Report

Case: SUB-170-2022



MEETING DATE(S)

Planning & Zoning Commission: January 10, 2023

CAPTION

Consider request by Todd Wintters, Petitt-ECD, for a **Plat** of the South Grove Industrial Park, Lot 1, Block A, being 104.963 acres, located east of the intersection of Marshall Road and Patrick Road, situated in the W Paine Survey, Abstract 835 and the W Downing Survey, Abstract 297, an addition to the City of Waxahachie (Property ID: 284811) – Owner: WJ South Grove LP (SUB-170-2022) Staff: Zack King

RECOMMENDED MOTION

"I move to approve SUB-170-2022, a Plat of the South Grove Industrial Park, subject to the condition of the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

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

CASE INFORMATION

<i>Applicant:</i>	Todd Wintters, Petitt-ECD
<i>Property Owner(s):</i>	WJ South Grove LP
<i>Site Acreage:</i>	104.963 acres
<i>Number of Lots:</i>	1 lot
<i>Number of Dwelling Units:</i>	0 units
<i>Park Land Dedication:</i>	Per the Development Agreement executed for the property, Park Land Dedication Fees can be waived if sidewalks and park/open space are provided at the time of the development of the property in alignment with the approved Wynne Jackson PD (Ord. 3313). The applicant intends to provide these facilities.
<i>Adequate Public Facilities:</i>	Adequate public facilities will be available to the site via the extension of City water and wastewater lines by the applicant.

SUBJECT PROPERTY

<i>General Location:</i>	East of the intersection of Marshall Road and Patrick Road
<i>Parcel ID Number(s):</i>	284811
<i>Current Zoning:</i>	Planned Development-Light Industrial-2 (PD-LI-2)
<i>Existing Use:</i>	The subject property is currently undeveloped.

Platting History:

The subject property is a portion of the W Paine Survey, Abstract 835 and the W Downing Survey, Abstract 297.

Site Aerial:**PLANNING ANALYSIS**

The applicant is proposing to plat the subject property into one (1) lot for non-residential use. As part of this plat, the applicant is providing right-of-way (ROW) dedication for Solon Road, Marshall Road, and Patrick Road in conformance with the City of Waxahachie Thoroughfare Plan and the Planned Development (PD) zoning for the property. The applicant is proposing several off-site utility easements in order to facilitate the extension of required utilities to the property. All lot size, dimension, and easement requirements of the PD 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 condition noted below.

Condition:

1. The recording information for all off-site easements shall be added to the Plat prior to filing.

ATTACHED EXHIBITS

1. Plat

APPLICANT REQUIREMENTS

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

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

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

STAFF CONTACT INFORMATION

Prepared by:

Zack King

Senior Planner

zking@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com

OWNER'S CERTIFICATE AND DEDICATION

STATE OF TEXAS
COUNTY OF ELLIS

WHEREAS WJ SOUTH GROVE, LP BEING THE OWNER OF 104.963 ACRES OF LAND LOCATED IN THE W. PAINE SURVEY, ABSTRACT NUMBER 835 AND THE W. DOWNING SURVEY, ABSTRACT NUMBER 297, ELLIS COUNTY, TEXAS, BEING A PORTION OF THE WJ SOUTH GROVE, LP CALLED 573.142--ACRE TRACT AS DESCRIBED IN INSTRUMENT NUMBER 2213893, DEED RECORDS, ELLIS COUNTY, TEXAS (D.R.E.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND (ILLEGIBLE) IN THE APPROXIMATE CENTERLINE OF SOLON ROAD (NO RECORD FOUND BY SURVEYOR), SAME BEING THE WEST LINE OF OWENS CORING INSULATION CALLED 103.25 ACRE TRACT AS DESCRIBED IN VOLUME 2779, PAGE 287, D.R.E.C.T., AND BEING AT THE SOUTHEAST CORNER OF SAID 573.142--ACRE TRACT AND THE COMMON NORTHEAST CORNER OF THE BAYLOR HEALTH CARE SYSTEM CALLED 83.88 ACRE TRACT AS DESCRIBED IN VOLUME 2352, PAGE 881, D.R.E.C.T., FROM WHICH A 5/8-INCH IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID 63.88 ACRE TRACT BEARS SOUTH 01 DEGREES 23 MINUTES 54 SECONDS EAST, A DISTANCE OF 1608.24 FEET;

THENCE SOUTH 88 DEGREES 45 MINUTES 51 SECONDS WEST, ALONG THE SOUTH LINE OF SAID 573.142--ACRE TRACT, A DISTANCE OF 1462.57 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "RLG INC" FOUND AT THE NORTHWEST CORNER OF SAID 63.88 ACRE TRACT, SAME BEING THE COMMON NORTHEAST CORNER OF THE SANDSTONE 93 PARTNERS, LTD. CALLED 93.354 ACRE TRACT AS DESCRIBED IN INSTRUMENT NUMBER 2042607, D.R.E.C.T.;

THENCE SOUTH 88 DEGREES 45 MINUTES 12 SECONDS WEST, CONTINUING ALONG SAID SOUTH LINE, A DISTANCE OF 1186.51 FEET TO A 1/2-INCH IRON ROD FOUND IN THE APPROXIMATE CENTERLINE OF PATRICK ROAD AT THE NORTHWEST CORNER OF SAID 93.354 ACRE TRACT, SAME BEING THE SOUTHWEST CORNER OF SAID 573.142--ACRE TRACT;

THENCE ALONG THE APPROXIMATE CENTERLINE OF PATRICK ROAD, SAME BEING THE WEST LINE OF SAID 573.142--ACRE TRACT, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

- 1) NORTH 00 DEGREES 56 MINUTES 22 SECONDS WEST, A DISTANCE OF 1578.35 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" FOUND;
- 2) NORTH 12 DEGREES 59 MINUTES 16 SECONDS WEST, A DISTANCE OF 127.70 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" SET (HEREAFTER CALLED "IRON ROD SET");

THENCE DEPARTING THE APPROXIMATE CENTERLINE OF PATRICK ROAD AND THE WEST LINE OF SAID 573.142--ACRE TRACT, OVER AND ACROSS SAID 573.142, THE FOLLOWING ELEVEN (11) COURSES AND DISTANCES:

- 1) NORTH 89 DEGREES 20 MINUTES 59 SECONDS EAST, A DISTANCE OF 72.63 FEET TO AN IRON ROD SET;
- 2) SOUTH 45 DEGREES 47 MINUTES 42 SECONDS EAST, A DISTANCE OF 28.36 FEET TO AN IRON ROD SET;
- 3) NORTH 89 DEGREES 20 MINUTES 59 SECONDS EAST, A DISTANCE OF 1565.92 FEET TO AN IRON ROD SET AT THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A DELTA ANGLE OF 10 DEGREES 08 MINUTES 41 SECOND, A RADIUS OF 1145.00 FEET, AND WHOSE CHORD BEARS NORTH 84 DEGREES 16 MINUTES 39 SECONDS EAST, A DISTANCE OF 202.47 FEET;
- 4) NORTHEASTERLY, ALONG WITH SAID CURVE TO THE LEFT, AN ARC LENGTH OF 202.73 FEET TO AN IRON ROD SET;
- 5) NORTH 79 DEGREES 12 MINUTES 18 SECONDS EAST, A DISTANCE OF 285.70 FEET TO AN IRON ROD SET AT THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 09 DEGREES 35 MINUTES 05 SECONDS, A RADIUS OF 1255.00 FEET, AND WHOSE CHORD BEARS NORTH 83 DEGREES 59 MINUTES 50 SECONDS EAST, A DISTANCE OF 209.70 FEET;
- 6) NORTHEASTERLY, ALONG SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 209.94 FEET TO AN IRON ROD SET;
- 7) NORTH 88 DEGREES 47 MINUTES 23 SECONDS EAST, A DISTANCE OF 230.70 FEET TO AN IRON ROD SET;
- 8) NORTH 43 DEGREES 40 MINUTES 30 SECONDS EAST, A DISTANCE OF 34.01 FEET TO AN IRON ROD SET;
- 9) NORTH 01 DEGREES 26 MINUTES 23 SECONDS WEST, A DISTANCE OF 35.36 FEET TO AN IRON ROD SET;
- 10) NORTH 00 DEGREES 38 MINUTES 41 SECONDS WEST, A DISTANCE OF 1774.99 FEET TO AN IRON ROD SET;
- 11) NORTH 89 DEGREES 21 MINUTES 19 SECONDS EAST, A DISTANCE OF 55.00 FEET TO AN IRON ROD SET IN THE APPROXIMATE CENTERLINE OF SOLON ROAD, SAME BEING IN THE EAST LINE OF SAID 573.142--ACRE TRACT.

THENCE ALONG THE EAST LINE OF SAID 573.142--ACRE TRACT, SAME BEING THE APPROXIMATE CENTERLINE OF THE CURRENT AND FORMER LOCATION OF SOLON ROAD, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

- 1) SOUTH 00 DEGREES 38 MINUTES 41 SECONDS EAST, A DISTANCE OF 1774.81 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "ONEAL 6570" FOUND;
- 2) SOUTH 01 DEGREES 26 MINUTES 23 SECONDS EAST, A DISTANCE OF 1805.85 FEET TO THE POINT OF BEGINNING AND CONTAINING 104.963 ACRES OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WJ SOUTH GROVE, LP acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as SOUTH GROVE INDUSTRIAL PARK, 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 purpose 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 of 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 at all times have the full right of ingress and egress to or from the respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective system without the necessity at any time procuring permission from anyone.

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

WITNESS, my hand, this the ____ day of _____, 2023.

For: WJ South Grove LP, a Texas limited partnership

By: WJ South Grove GP LLC, a Texas limited liability company

By: Christopher Jackson, Vice President

STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Christopher Jackson, 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 the ____ day of _____, 2023.

Notary Public in and for the state of Texas
My Commission Expires on:

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Daniel Chase O'Neal, hereby certify that this plat was prepared under my supervision from an actual and accurate survey of the land and that the corner monuments shown thereon as set will be properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie.

Given under my hand and seal of office, this ____ day OF _____, 2023.

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

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

BENCHMARKS:

1. Top of 40" concrete culvert on the west side of Patrick Road about 2800 feet north of Marshall Road.
N 6,851,486.07
E 2,472,738.31
ELEV. 654.77'
2. Top of 38" concrete culvert on the east side of Patrick Road about 950 feet south of Marshall Road.
N 6,848,008.94
E 2,472,860.14
ELEV. 683.74'
3. FEMA RM 105: A chiseled square on the southwest corner of bridge on the south bound lane of US 287 bypass and Mustang Creek.
ELEV. 603.15'
4. A RR spike located about 42 feet east of the centerline of Ovilla Road, about 15 feet north of the curb on the north side of Marshall Road.
ELEV. 586.84'

APPROVAL CERTIFICATE

APPROVED BY: Planning and Zoning Commission City of Waxahachie, Texas.

By: _____ Date _____
Chairperson

By: _____ Date _____
Attest

PLAT

SOUTH GROVE INDUSTRIAL PARK

1 COMMERCIAL LOT

ZONING: PD-LI-2

104.963 ACRES

SITUATED IN THE

WILLIAM DOWNING SURVEY, ABST. NO. 297
& WILLIAM PAINE SURVEY, ABST. NO. 835
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

PETITT - ECD

CIVIL ENGINEERING/SURVEYING/CONSTRUCTION ADMINISTRATION

TBPELS FIRM REGISTRATION
ENGINEERING FIRM #001145 SURVEYING FIRM #10194792

1600 N COLLINS BLVD. STE. 3300 RICHARDSON, TX 75080	201 WINDCO CIR. SUITE 100 WYLLIE, TX 75098 (972) 941-8400	800 N WATTERS ROAD SUITE 130 ALLEN, TX 75013 (214) 221-9955
---	--	--

OWNER/DEVELOPER
WJ SOUTH GROVE, LP
600 N PEARL ST STE 2350
DALLAS TX 75201-2822
(214) 207-4287

LAND SURVEYOR
O'NEAL SURVEYING COMPANY
205 WINDCO CIRCLE, SUITE 100
WYLLIE, TX 75098
TBPLS Firm No. 10194132 JOB NO. 21045
daniel.oneal@onealsurveying.com
(903) 804-2891

DATE: 1/3/2023

CASE NO.: SUB-170-2022

SHEET 3 OF 3

Z:\PROJECTS\07810 - Waxahachie Construction\08 CAD Files\07 Plots\810 Plat.dwg

Planning & Zoning Department

Plat Staff Report

Case: SUB-112-2022



MEETING DATE(S)

Planning & Zoning Commission: January 10, 2023

CAPTION

Consider request by Edmund Zamorano, DELZ ENTERPRISES LLC, for a **Replat** to create Lots 1-6, Block 1 of the Reagor Springs Business Park addition, six (6) commercial lots, being 8.604 acres, located at 261 Old Highway 287, in the Extra Territorial Jurisdiction (Property ID: 219707) – Owner: DELZ ENTERPRISES LLC (SUB-112-2022) Staff: Zack King

RECOMMENDED MOTION

"I move to approve SUB-112-2022, a Plat of the Reagor Springs Business Park, Lots 1-6, Block 1, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

The applicant is requesting to replat the subject property into six (6) lots for commercial use.

CASE INFORMATION

<i>Applicant:</i>	Edmund Zamorano, DELZ ENTERPRISES LLC
<i>Property Owner(s):</i>	DELZ ENTERPRISES LLC
<i>Site Acreage:</i>	8.604 acres
<i>Number of Lots:</i>	6 lots
<i>Number of Dwelling Units:</i>	0 units
<i>Park Land Dedication:</i>	N/A (ETJ)
<i>Adequate Public Facilities:</i>	Adequate public water facilities are available to the subject property via Rockett SUD and on-site sewage systems. <i>*Improvements to water facilities are required to provide adequate fire suppression to all lots.</i>

SUBJECT PROPERTY

<i>General Location:</i>	261 Old Highway 287
<i>Parcel ID Number(s):</i>	219707
<i>Current Zoning:</i>	N/A (ETJ)
<i>Existing Use:</i>	J&C Trailers currently occupy the site.
<i>Platting History:</i>	The subject property is a portion of the George Carpenter Survey, Abstract 190.

Site Aerial:



PLANNING ANALYSIS

The applicant is proposing to replat the subject property into six (6) lots for commercial use in the Waxahachie ETJ. The applicant is proposing mutual access easements across the subject property to allow for shared drives between each proposed lot. All lot size, dimension, and easement requirements have been met.

A Water Endorsement Letter received from Rockett SUD stated that adequate water flow and pressure is not available for firefighting and fire suppression purposes. As per the City of Waxahachie Subdivision Ordinance, the applicant has added a note to the plat stating that adequate water flow for firefighting and fire suppression purposes is not available to the subject property. The applicant has also received approval from the Ellis County Fire Marshal for an on-site water system and storage tank to be used for fire suppression at the site. A note has been added to the plat stating that this on-site system and storage tank is required with the development of the property.

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 above.

ATTACHED EXHIBITS

1. Replat
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

UNITED STATES HIGHWAY NO. 287
(240' RIGHT-OF-WAY)

POINT OF BEGINNING

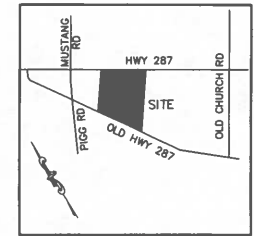
N: 6,808,915.4521'
E: 2,504,542.1658'

N: 6,808,558.2564'
E: 2,505,120.2077'

S58°17'11"E 679.50'

LEGEND

IRS	IRON ROD SET
IRF	IRON ROD FOUND
CAB.	CABINET
INST. NO.	INSTRUMENT NUMBER
PG.	PAGE
VOL.	VOLUME
D.R.E.C.T.	DEED RECORDS ELLIS COUNTY, TEXAS
P.R.E.C.T.	PLAT RECORDS ELLIS COUNTY, TEXAS
R.P.R.E.C.T.	REAL PROPERTY RECORDS ELLIS COUNTY, TEXAS
	ACCESS EASEMENT



LOCATION MAP
"NOT TO SCALE"



DEVELOPMENT NOTES:

1. At the time of plat approval, this development does not have adequate water flow to allow for fire fighting and fire suppression services to any improved properties.
2. An on-site water system is needed in order to provide adequate fire suppression to all lots. The on-site water system shall include a storage tank at least 50,000 gallons in size and shall be approved by the Ellis County Fire Marshal prior to construction.

FLOOD STATEMENT: According to Community Panel No. 48139C0350F, dated June 3, 2013, of the Federal Emergency Management Agency, National Flood Insurance Program Map, this property is within Flood Zone "X", (areas determined to be outside 500-year floodplain), which is not a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the Surveyor.

CASE NUMBER: SUB-112-2022
REPLAT

LOTS 1-6, BLOCK 1
REAGOR SPRINGS BUSINESS PARK
6 COMMERCIAL LOTS

BEING 8.604 ACRES OUT OF THE GEORGE CARPENTER SURVEY, ABSTRACT NO. 190 AND BEING A REPLAT OF LOT 1, BOSARGE ESTATES, CABINET E, SLIDE 183, PLAT RECORDS ELLIS COUNTY, TEXAS;

THE CITY OF WAXAHACHIE ETJ, ELLIS COUNTY, TEXAS

DEL Z ENTERPRISES, LLC OWNER
812 Godwin Ave. (210) 262-0799
Glen Heights, Texas
Contact: Edmund Zamorano

3B LAND SURVEYING, INC SURVEYOR
656 Bacak Rd (972) 825-7949
Ennis, Texas 75119
Contact: Edward Scott Bacak
TBPLS No. 10194480

Revised: December 12, 2022
Dated: May 12, 2022

Sheet 1 of 2

EASEMENT NOTE:

1. 20' ROCKETT SPECIAL UTILITY DISTRICT WATERLINE EASEMENT RECORDED IN COUNTY CLERK'S INSTRUMENT NUMBER 2034235, REAL PROPERTY RECORDS ELLIS COUNTY, TEXAS, IS BLANKET IN NATURE AND DOES AFFECT THE SUBJECT TRACT.

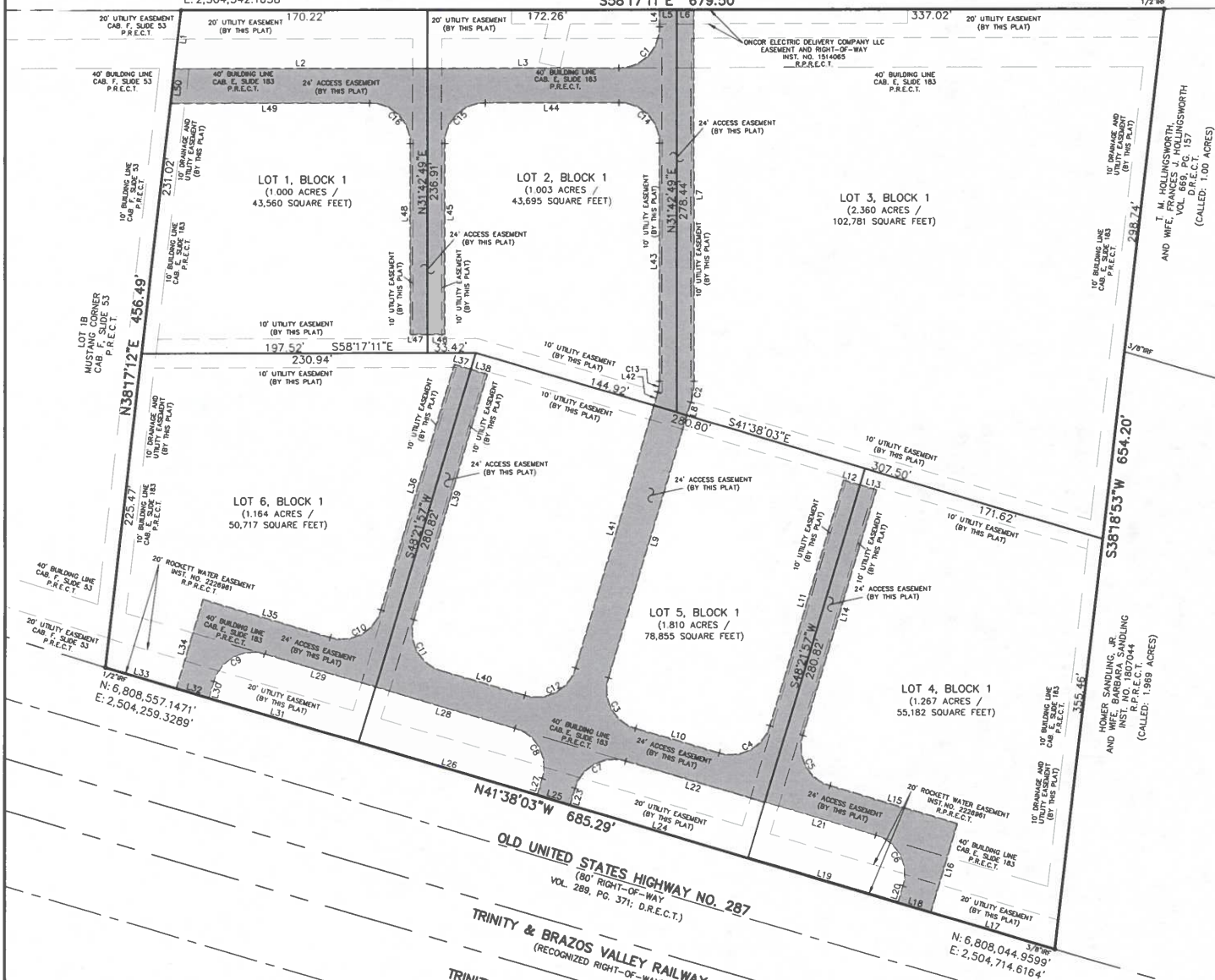
TRINITY & BRAZOS VALLEY RAILWAY CO.
(RECOGNIZED RIGHT-OF-WAY)
TRINITY & BRAZOS VALLEY RAILWAY CO.
(VARIABLE WIDTH RIGHT-OF-WAY)

OLD UNITED STATES HIGHWAY NO. 287
(80' RIGHT-OF-WAY
VOL. 289, PG. 371; D.R.E.C.T.)

HOMER SANDLINGS, JR.
AND WIFE, BARBARA SANDLINGS
INST. NO. 1807044
D.R.E.C.T.
(CALLED: 1.369 ACRES)

I. M. HOLINGSWORTH,
AND WIFE, FRANCES HOLINGSWORTH
VOL. 669, PG. 137
D.R.E.C.T.
(CALLED: 1.00 ACRES)

ONCOR ELECTRIC DELIVERY COMPANY LLC
EASEMENT AND RIGHT-OF-WAY
INST. NO. 1914065
R.P.R.E.C.T.



STATE OF TEXAS §

COUNTY OF ELLIS §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS Del Z Enterprises, LLC is the owner of all that parcel of land located in the City of Waxahachie's ETJ and in Ellis County, Texas, being a part of the George Carpenter Survey, Abstract No. 190, being all of Lot 1, Bosarge Estates, an addition to Ellis County, Texas recorded in Cabinet E, Slide 183, Plat Records Ellis County, Texas and being all of that tract of land described in deed to Del Z Enterprises, LLC recorded in County Clerk's Instrument Number 2017103, Real Property Records Ellis County, Texas and being further described as follows:

BEGINNING at a one-half inch iron rod found at the north corner of said Lot 1, said point being at the east corner of Lot 1B, Mustang Corner, an addition to Ellis County, Texas recorded in Cabinet F, Slide 53, Plat Records Ellis County, Texas and said point being in the southwest right-of-way line of United States Highway No. 287 (240' right-of-way);

THENCE South 58 degrees 17 minutes 11 seconds East, 679.50 feet along the southwest right-of-way line of United States Highway No. 287 to a one-half inch iron rod found at the east corner of said Lot 1 and said point being at the north corner of that called 1.00 acre tract of land described in deed to T.M. Hollingsworth, and wife, Frances J. Hollingsworth recorded in Volume 669, Page 157, Deed Records Ellis County, Texas;

THENCE South 38 degrees 18 minutes 53 seconds West, 654.20 feet to a three-eighths inch iron rod found at the south corner of said Lot 1, said point being at the west corner of that called 1.969 acre tract of land described in deed to Homer Sandling, Jr. and wife, Barbara Sandling recorded in County Clerk's Instrument Number 1807044, Real Property Records Ellis County, Texas and said point being in the northeast right-of-way line of Old United States Highway No. 287 (80' right-of-way);

THENCE North 41 degrees 38 minutes 03 seconds West, 685.29 feet along the northeast right-of-way line of Old United States Highway No. 287 to a one-half inch iron rod found at the west corner of said Lot 1 and said point being at the south corner of said Lot 1B;

THENCE North 38 degrees 17 minutes 12 seconds East, 456.49 feet along the northwest line of said Lot 1 and along the southeast line of said Lot 1B to the POINT OF BEGINNING and containing 374,790 square feet or 8.604 acres of land.

Basis of Bearing is derived from GPS observations relative to the Texas WDS RTK Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

SURVEY CERTIFICATION:

This is to certify that I, Edward Scott Bacak, a Registered Public Land Surveyor of the State of Texas, have platted 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 used for any purpose and shall not be used or relied upon as a final survey document".

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



24' ACCESS EASEMENT TABLE

LINE TABLE			LINE TABLE			CURVE TABLE					
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	LENGTH	DELTA	RADIUS	TANGENT	CHORD BEARING
L1	S38°17'12"W	40.26'	L26	N41°38'03"W	128.40'	C1	43.98'	090°00'00"	28.00'	28.00'	N78°42'49"E
L2	S58°17'11"E	174.83'	L27	N48°21'57"E	12.00'	C2	15.11'	016°39'08"	52.00'	7.61'	S40°02'23"W
L3	S58°17'11"E	132.26'	L28	N41°38'03"W	100.40'	C3	43.98'	090°00'00"	28.00'	28.00'	S03°21'57"W
L4	N31°42'49"E	12.00'	L29	N41°38'03"W	80.00'	C4	43.98'	090°00'00"	28.00'	28.00'	S86°38'03"E
L5	S58°17'11"E	12.00'	L30	S48°21'57"W	12.00'	C5	43.98'	090°00'00"	28.00'	28.00'	S03°21'57"W
L6	S58°17'11"E	12.00'	L31	N41°38'03"W	108.00'	C6	43.98'	090°00'00"	28.00'	28.00'	N03°21'57"E
L7	S31°42'49"W	256.81'	L32	N41°38'03"W	24.00'	C7	43.98'	090°00'00"	28.00'	28.00'	N86°38'03"W
L8	S48°21'57"W	9.25'	L33	N41°38'03"W	51.10'	C8	43.98'	090°00'00"	28.00'	28.00'	N03°21'57"E
L9	S48°21'57"W	188.82'	L34	N48°21'57"E	64.00'	C9	43.98'	090°00'00"	28.00'	28.00'	N86°38'03"W
L10	S41°38'03"E	60.40'	L35	S41°38'03"E	92.00'	C10	43.98'	090°00'00"	28.00'	28.00'	S86°38'03"E
L11	N48°21'57"E	177.00'	L36	N48°21'57"E	177.00'	C11	43.98'	090°00'00"	28.00'	28.00'	S03°21'57"W
L12	S41°38'03"E	12.00'	L37	S41°38'03"E	12.00'	C12	43.98'	090°00'00"	28.00'	28.00'	S86°38'03"E
L13	S41°38'03"E	12.00'	L38	S41°38'03"E	12.00'	C13	8.14'	016°39'08"	28.00'	4.10'	N40°02'23"E
L14	S48°21'57"W	177.00'	L39	S48°21'57"W	177.00'	C14	43.98'	090°00'00"	28.00'	28.00'	N13°17'11"W
L15	S41°38'03"E	92.00'	L40	S41°38'03"E	60.40'	C15	43.98'	090°00'00"	28.00'	28.00'	S76°42'49"W
L16	S48°21'57"W	64.00'	L41	N48°21'57"E	188.82'	C16	43.98'	090°00'00"	28.00'	28.00'	N13°17'11"W
L17	N41°38'03"W	89.39'	L42	N48°21'57"E	9.25'						
L18	N41°38'03"W	24.00'	L43	N31°42'49"E	164.81'						
L19	N41°38'03"W	108.00'	L44	N58°17'11"W	92.26'						
L20	N48°21'57"E	12.00'	L45	S31°42'49"W	132.00'						
L21	N41°38'03"W	80.00'	L46	N58°17'11"W	12.00'						
L22	N41°38'03"W	100.40'	L47	N58°17'11"W	12.00'						
L23	S48°21'57"W	12.00'	L48	N31°42'49"E	132.00'						
L24	N41°38'03"W	128.40'	L49	N58°17'11"W	137.59'						
L25	N41°38'03"W	24.00'	L50	N38°17'12"E	24.16'						

OWNER'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, Del Z Enterprises, LLC acting herein by and through its duly authorized officers, do hereby certify and adopt this plat designating the herein above described property as Lot 1-6, Block 1, Reagor Springs Business Park, an addition to Ellis County, and does hereby dedicate to the public use forever, the streets and alleys shown thereon. Del Z Enterprises, LLC, does herein certify the following:

- The streets and alleys are dedicated in fee simple for street and alley purposes.
- All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
- 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.
- No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown.
- Ellis County is not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair.
- Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and Ellis County's use thereof.
- 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.
- 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.
- 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: _____
Edmund Zamorano

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 Edmund Zamorano, 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 GIVEN under my hand and seal of office, this ____ day of _____, 2022.

Notary Public in and for the State of Texas

GENERAL NOTES:

- A drainage / utility easement (D.U.E.) is only required, as necessary, to show any existing / future easements or drainage easements to help with the flow of water or placement of easements.
- Ellis County will not be responsible for the maintenance of drainage easements or detention areas.
- All bearings and coordinates shown hereon are relative to the Texas State Plane Coordinate System, North Central Zone (4202). All distances shown hereon are surface distances.
- All corners are a one-half inch iron rod set with cap stamped "3B", unless otherwise noted hereon.

DEVELOPMENT NOTES:

- At the time of plat approval, this development does not have adequate water flow to allow for fire fighting and fire suppression services to any improved properties.
- An on-site water system is needed in order to provide adequate fire suppression to all lots. The on-site water system shall include a storage tank at least 50,000 gallons in size and shall be approved by the Ellis County Fire Marshal prior to construction.

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:

Krystal Valdez, 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-112-2022
REPLAT

LOTS 1-6, BLOCK 1
REAGOR SPRINGS BUSINESS PARK

6 COMMERCIAL LOTS

BEING 8.604 ACRES OUT OF THE GEORGE CARPENTER
SURVEY, ABSTRACT NO. 190 AND BEING A REPLAT OF
LOT 1, BOSARGE ESTATES, CABINET E, SLIDE 183,
PLAT RECORDS ELLIS COUNTY, TEXAS;

THE CITY OF WAXAHACHIE ETJ, ELLIS COUNTY, TEXAS

DEL Z ENTERPRISES, LLC OWNER

812 Godwin Ave.
Glen Heights, Texas
Contact: Edmund Zamorano (210) 262-0799

3B LAND SURVEYING, INC. SURVEYOR

656 Bacak Rd
Ennis, Texas 75119
Contact: Edward Scott Bacak (972) 825-7949

TBPLS No. 10194480

Revised: December 12, 2022
Dated: May 12, 2022

Sheet 2 of 2

(9)



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: Edmundo Zamorano

Parcel ID #: 219707

Subdivision Name: Reagor Springs Business Park

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 type="checkbox"/>	<input type="checkbox"/>

Jacob Morales (New Development Coordinator)
 Print Name of General Manager of water provider or Designee

Rockett SUD
 Name of water provider company

[Signature]
 Signature of General Manager of water provider or Designee

12/8/22
 Date

Planning & Zoning Department

Plat Staff Report

Case: SUB-124-2022



MEETING DATE(S)

Planning & Zoning Commission: January 10, 2023

CAPTION

Public Hearing on a request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a **Replat** of Block D and part of Block 42A of the Town Addition to create Lots 1, Block 42A, Kaufman Township West, 1 residential lot, being 0.882 acres, located at 101 Kaufman Street, (Property ID 170536 and 170777) – Owner: Fogarty Holmes, LLC Series A, Ronald C. Holmes, and Robert B. Fogarty (SUB-124-2022)

RECOMMENDED MOTION

*"I move to approve SUB-124-2022 for a **Replat** of Block D and part of Block 42A of the Town Addition, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."*

APPLICANT REQUEST

The purpose of this replat is to combine two lots into one lot (approximately 0.882 acres) for residential use. The governing zoning (PD-MUR) allows for 3 mixed-use buildings and 4 townhomes, however another replat would be required in the future to develop the subject property in conformance with the zoning. The purpose of this replat is to combine two existing lots into one lot for the property owner to sell the property.

CASE INFORMATION

Applicant:	Tim Jackson, Texas Reality Capture & Surveying, LLC
Property Owner(s):	Fogarty Holmes, LLC Series A, Ronald C. Holmes, and Robert B. Fogarty
Site Acreage:	0.882 acres
Number of Lots:	1 lot
Number of Dwelling Units:	0 units
Park Land Dedication:	Not Applicable
Adequate Public Facilities:	Adequate public facilities are available to the subject property.

SUBJECT PROPERTY

General Location:	101 Kaufman Street
Parcel ID Number(s):	170536 and 170777
Current Zoning:	Planned Development – Mixed-Use Residential (PD-MUR)
Existing Use:	Undeveloped Land

Platting History:

The subject property consists of Block D and part of Block 42A of the Town Addition.

Site Aerial:**PLANNING ANALYSIS**

The purpose of this replat is to combine two lots into one lot (approximately .882 acres) for residential use. The property is zoned Planned Development-Mixed Use Residential (PD-MUR), and the concept plan in the governing zoning allows for two mixed-use buildings and four townhomes. However, at this time, the property owner does not wish to develop the subject property and is platting the subject property to sell it. Therefore, the future property owner will need to replat again to develop it with the uses permitted in the zoning.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 25 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun. When publishing this report, City staff received 6 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 Plat.

ATTACHED EXHIBITS

1. Replat
2. Letters of Support

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

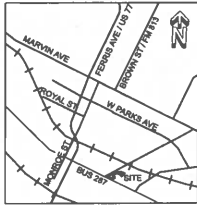
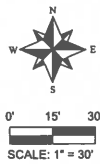
eleana.tuley@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com



VICINITY MAP
1" = 2000'

LEGEND

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

LOT 3, BLOCK 40,
THE OLD TOWN OF
WAXAHACHIE
CAB. A, SL. 181
OPRECT

SPLISGUS
PROPERTIES, LLC
VOL. 2785, PG. 2279
OPRECT

1/2" CIRS

1/2" CIRS

1/2" CIRS

1/2" CIRS

1/2" CIRS

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1/2" CIRS

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

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

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

BLOCK 10,
ORIGINAL TOWN
CAB. A, SL. 181
OPRECT
JACKSON STREET
WAREHOUSE, INC.
VOL. 1843 PG.
510PRECT

LOT 5A,
LOTS 3A, 4A, AND 5A, 5B,
SC, BLOCK 42A,
TOWN ADDITION
CAB. H, SL. 59
OPRECT

JULISSA MARTINEZ
AND DAVID GARCIA
VOL. 1293, PG. 700
OPRECT
ZONED SF-2

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

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

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE

BY:
CHAIRPERSON

DATE

ATTEST

DATE

OWNER'S CERTIFICATE

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

WHEREAS FOGARTY HOLMES, LLC SERIES A IS THE OWNER OF A TRACT OF LAND DESCRIBED IN DEED TO FOGARTY HOLMES, LLC SERIES A, RECORDED IN INSTRUMENT NO. 1904910, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT) AND BEING A PORTION OF BLOCK D, AND A PORTION OF BLOCK 42A, AND A PORTION OF KAUFMAN STREET, TOWN ADDITION, RECORDED IN CABINET A, SLIDE 181, OPRECT, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH CAP STAMPED "RPLS 4488" FOUND FOR THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY (ROW) LINE OF KAUFMAN STREET (A CALLED 80' ROW) AND THE EAST ROW LINE OF DR. MARTIN LUTHER KING JR. BOULEVARD (BUL. JR. BLVD) (A CALLED 80' ROW), BEING THE SOUTHWEST CORNER OF KAUFMAN TOWNSHIP EAST, RECORDED IN CABINET A, SLIDE 521, OPRECT;

THENCE N 83°34'27" E, ALONG THE EAST ROW LINE OF SAID BUL. JR. BLVD, PASSING AT A DISTANCE OF 97.10 FEET A 1/2" IRON ROD FOUND FOR THE INTERSECTION OF THE NORTH ROW LINE OF SAID KAUFMAN STREET AND THE EAST ROW LINE OF SAID BUL. JR. BLVD AND THE SOUTHWEST CORNER OF SAID FOGARTY HOLMES TRACT, CONTINUING ALONG THE WEST LINE OF SAID FOGARTY HOLMES TRACT AND THE COMMON EAST ROW LINE OF SAID BUL. JR. TRACT, A TOTAL DISTANCE OF 227.91 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR THE NORTHWEST CORNER OF SAID FOGARTY HOLMES TRACT AND THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO BIG BLUE TRUCK, LLC, RECORDED IN INSTRUMENT NO. 2005160, OPRECT;

THENCE N 28°58'39" E, ALONG THE NORTH LINE OF SAID FOGARTY HOLMES TRACT AND COMMON SOUTH LINE OF SAID BIG BLUE TRUCK TRACT, PASSING AT A DISTANCE OF 174.10 FEET A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR WITNESS, A TOTAL DISTANCE OF 248.10 FEET TO A POINT IN A CREEK FOR THE NORTHEAST CORNER OF SAID FOGARTY HOLMES TRACT AND THE COMMON NORTHWEST CORNER OF LOT 5A, BLOCK 42A, OF LOTS 3A, 4A AND 5A, 5B, 5C, BLOCK 42A, RECORDED IN CABINET H, SLIDE 59, OPRECT;

THENCE S 28°11'51" E, ALONG THE EAST LINE OF SAID FOGARTY HOLMES TRACT AND THE COMMON WEST LINE OF SAID LOT 5A, PASSING AT A DISTANCE OF 75.00 FEET A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR WITNESS, PASSING AT A DISTANCE OF 352.29 FEET A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID HOLMES TRACT AND THE COMMON SOUTHWEST CORNER OF SAID LOT 5A, IN THE NORTH ROW LINE OF SAID KAUFMAN STREET, A TOTAL DISTANCE OF 288.78 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 296.50 FEET, A CHORD BEARING S 30°07'11" W, A CHORD LENGTH OF 40.16 FEET;

THENCE ALONG THE SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 48.20 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER;

THENCE S 26°1'32" W, A DISTANCE OF 30.98 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET IN THE SOUTH ROW LINE OF SAID KAUFMAN STREET, IN THE NORTH LINE OF SAID KAUFMAN TOWNSHIP EAST ADDITION;

THENCE S 33°03'00" W, ALONG THE SOUTH ROW LINE OF SAID KAUFMAN STREET AND THE COMMON NORTH LINE OF SAID KAUFMAN TOWNSHIP EAST ADDITION, A DISTANCE OF 12.71 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.882 ACRES OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT FOGARTY HOLMES, LLC SERIES A, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOT 1, BLOCK 42A, KAUFMAN TOWNSHIP WEST, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE CITY OF WAXAHACHIE, TEXAS FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED, FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF 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 PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHIE, TEXAS.

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

RONALD C. HOLMES
AUTHORIZED AGENT

ROBERT B. FOGARTY
AUTHORIZED AGENT

I, JEREMY D. RUCKMAN, RPLS, HEREBY CERTIFY THAT THIS PLAT WAS MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

"Preliminary, this document shall not be recorded for any purpose, shall not be used or viewed or relied upon as a final survey document."

JEREMY D. RUCKMAN
REGISTRATION NUMBER 6707

OWNERS:
FOGARTY HOLMES,
LLC SERIES A
1050 RUSH CREEK CT.
KELLER, TX 76248
682.218.5884

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

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

A PORTION OF THE SUBJECT PROPERTY LIES WITHIN ZONE "C" - DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN", ACCORDING TO THE THE FLOOD INSURANCE RATE MAP NO. 48138C0100F, DATED JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

P.O.B.
1/2" CIRS
"RPLS 4488"
N. 8227549.94
E. 2479089.08

CLIFT STREET

KAUFMAN STREET
(CALLED 80' ROW)
CAB. J, SL. 181
OPRECT

KAUFMAN TOWNSHIP EAST
CAB. J, SL. 521
OPRECT

LOT 4

LOT 3

LOT 2

LOT 1

LOT 1, BLOCK 42A KAUFMAN TOWNSHIP WEST

BEING A REPLAT OF
ALL OF BLOCK D AND PART OF BLOCK 42A,
TOWN ADDITION
OFFICIAL MAP OF WAXAHACHIE,
CABINET A, SLIDE 181,
PLAT RECORDS, ELLIS COUNTY, TEXAS
SITUATED IN THE
CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS
0.882 ACRES
1 COMMERCIAL LOT
ZONED PD-MUR
CASE NO. SUB-124-2022

(10)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **SUB-124-2022**



BIG BLUE TRUCK LLC
1023 W MAIN ST
WAXAHACHIE, TX 75165

RECEIVED DEC 3 2022

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 10, 2023 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 17, 2023 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a **Replat** of all of Block D and part of Block 42A of the Town Addition to create Lots 1, Block 42A, Kaufman Township West, 1 residential lot, being .882 acres, located at 101 Kaufman Street, (Property ID 170536 and 170777) – Owner: FOGARTY HOMES, LLC SERIES A, RONALD C. HOLMES, AND ROBERT B. FOGARTY (SUB-124-2022) 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-124-2022**

City Reference: 279746

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 4, 2023** 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 12-29-22

Printed Name and Title
Address
Greg Nehib Managing Partner

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.

(10)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **SUB-124-2022**



**BIG BLUE TRUCK LLC
1023 W MAIN ST
WAXAHACHIE, TX 75165**

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Case Number: **SUB-124-2022**

City Reference: 274682

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☒ SUPPORT

☐ OPPOSE

Comments:

Signature
Greg Nchib, Managing Partner
Printed Name and Title

Date
12-21-22

Address

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(10)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **SUB-124-2022**



RECEIVED DEC 3 2022

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1023 W MAIN ST
WAXAHACHIE, TX 75165

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Case Number: **SUB-124-2022**


City Reference: 170695

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☒ SUPPORT

☐ OPPOSE

Comments:



Signature

12-29-22

Date

Greg Nishib, Managing Partner

Printed Name and Title

Address

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **SUB-124-2022**



**BIG BLUE TRUCK LLC
1023 W MAIN ST
WAXAHACHIE, TX 75165**

RECEIVED DEC 3 2022

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Case Number: **SUB-124-2022**

City Reference: 170696

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☒ SUPPORT

☐ OPPOSE

Comments:

Signature
Greg Nehib, Managing Partner
Printed Name and Title

Date
12-29-22

Address

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(10)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **SUB-124-2022**

RECEIVED DEC 3 2022

BIG BLUE TRUCK LLC
1023 W MAIN ST
WAXAHACHIE, TX 75165

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Case Number: **SUB-124-2022**

City Reference: 170539

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☒ SUPPORT

☐ OPPOSE

Comments:

Signature

12-29-22
Date

Greg Nebib, Managing Partner
Printed Name and Title

Address

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Planning & Zoning Department

Zoning Staff Report

Case: ZDC-117-2022



MEETING DATE(S)

Planning & Zoning Commission: January 10, 2023

City Council: January 17, 2023

CAPTION

Public Hearing on a request by Priya Acharya, Wier & Associates, Inc., for a **Specific Use Permit (SUP)** for a restaurant with a drive-through use and a pole sign within a General Retail (GR) zoning district located at 3380 S Interstate 35 E (Property ID 284600) - Owner: DML LAND, LLC (ZDC-117-2022)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-117-2022, a Specific Use Permit (SUP) for a restaurant with a drive-through use and a pole sign, subject to the conditions in the staff report, authorizing the City Manager and or Mayor to execute all documents accordingly."

APPLICANT REQUEST

The Applicant is requesting a specific use permit for a restaurant with a drive-through use (Chick-Fil-A) and a pole sign.

CASE INFORMATION

Applicant: Priya Acharya, Wier & Associates, Inc.

Property Owner(s): DML LAND, LLC

Site Acreage: 1.824 acres

Current Zoning: General Retail (GR)

Requested Zoning: GR with a specific use permit (SUP) for a restaurant with a drive-through use and a pole sign

SUBJECT PROPERTY

General Location: 3380 S Interstate 35 E

Parcel ID Number(s): 284600

Existing Use: Undeveloped Land

Development History: A replat (SUB-113-2022) for the subject property was approved on October 12, 2022.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	GR	Undeveloped Land
East	C	I-35 Frontage Road
South	GR	Undeveloped Land
West	LI-1	Undeveloped Land

Future Land Use Plan:

Retail

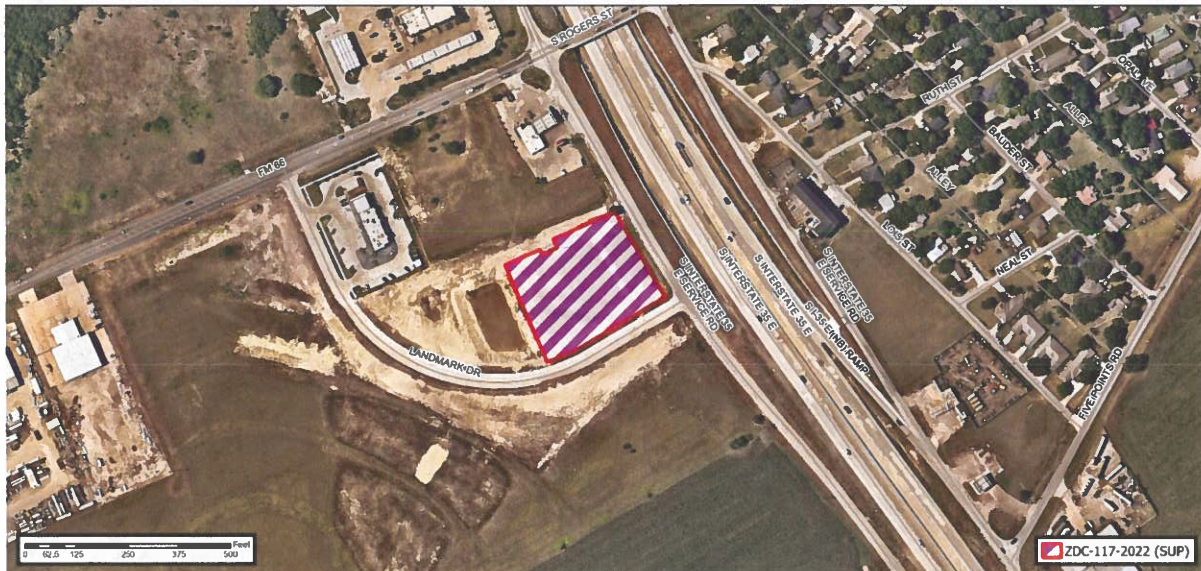
Comprehensive Plan:

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

Thoroughfare Plan:

The subject property is adjacent to Landmark Drive (60' public right-of-way) on the south and I-35 frontage road on the east. Ingress and egress will be from Landmark Drive. Although the development has provided a stub out to the north for future cross access, the adjacent property owner did not grant the restaurant user permission to dedicate a mutual access easement. Therefore, traffic circulation is confined to the limits of the subject property.

Site Image:



PLANNING ANALYSIS

The Applicant is requesting a specific use permit for a restaurant with a drive-through use (Chick-Fil-A) and a pole sign. The proposed project has satisfied all the requirements of the zoning ordinance, including but not limited to parking, stacking, and landscaping requirements. Furthermore, the Applicant has provided more than the minimum required parking and stacking to manage business demands during peak times. The Applicant provided 19 additional stacking spaces for a total of 25 and 36 additional parking spaces for a total of 56 parking spaces.

Proposed Elevations

The Applicant has provided two sets of architectural elevations. Both sets of elevations have the same building design and exterior finishing materials, except the color scheme for each set is different.

Option 1 – In this option, the building is composed of 100 percent brick veneer with two colors. The primary color is light gray (Paloma Gray), and the accent color is white (Rustic White).



Option 2 - In this option, the building is composed of 100 percent brick veneer with two colors. The primary color is dark gray (Slate Gray), and the accent color is white (Glacier White).

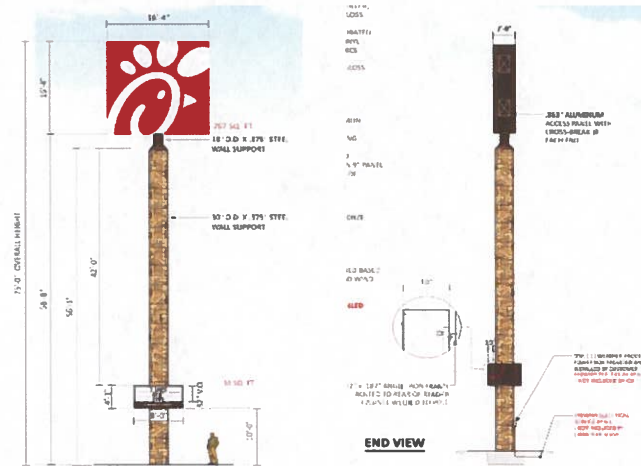


Proposed Pole Sign

Per the City's zoning ordinance, all pole signs along 35 and 287 require approval of a specific use permit. The Applicant is proposing to locate the pole sign in the southeast portion of the site within the landscape island closest to the I-35 frontage. Per section 5.08 of the zoning ordinance, pole signs greater than 25 feet in height shall be set back a minimum distance of twenty-five feet, plus one foot for each foot the sign exceeds 25 feet. The sign is 75 feet tall therefore the minimum setback for the sign is 75 feet from the property line. As proposed, the sign is situated 77 feet from the eastern property line (I-35 frontage road).

The maximum surface area permitted by the sign ordinance for the sign is 300 square feet. The surface area for the proposed sign is 267 square feet. Additionally, pole signs must be supported by a single or dual freestanding support with masonry columns without guy wires and braces. As proposed, the pole is wrapped with masonry exterior finishing materials.

Last but not least, it should be noted that the pole sign for Chick-Fil-A will be the same height as the existing pole sign for McDonald's, which is 75 feet.



Proposed Pole Sign

Staff Recommendation

Staff recommends approval of the specific use permit since the project complies with the City's zoning requirements for both the use and the pole sign.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 5 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property.

RECOMMENDATION

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

Conditions:

1. The Applicant agrees to execute a mutually agreed upon Development Agreement for the development.
2. The Applicant obtains a permit from the City of Waxahachie Building Department before commencing construction.

ATTACHED EXHIBITS

1. Site Plan
2. Landscape Plan
3. Architectural Elevations (Option 1)
4. Architectural Elevations (Option 2)
5. Pole Sign

6. Operational Plan

STAFF CONTACT INFORMATION

Prepared by:

Eleana Tuley, AICP

Senior Planner

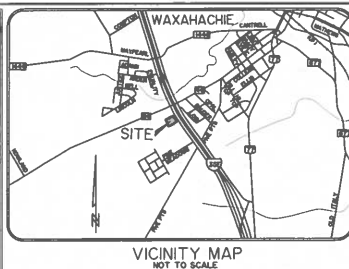
eleana.tuley@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com



JUDE MANAGEMENT LLC
VOL. 2724, PG. 7
D.R.E.C.T.

PORTION OF BLOCK 2
INTERSTATE INDUSTRIAL PARK
CAB. B, SL. 472
P.R.E.C.T.

SITE DATA	
ZONING	GENERAL RETAIL (OR I)
LOT INFO	PROPOSED (LOT SR-1, BLOCK 2 INTERSTATE INDUSTRIAL PARK
LOT AREA	1.024 AC (79,433 SF)
PROPOSED USE	RESTAURANT WITH DRIVE-THROUGH SERVICE
PROPOSED BUILDING AREA	5,0048 SF
BUILDING HEIGHT	1 STORY (26'3" MAX HEIGHT)
AREA OF IMPERVIOUS SURFACE	33,184 SF / 67 X
MINIMUM REQUIRED PARKING	1 STALL/100 SF (EATING AREA) = 25
EATING/SEATING AREA (WITH PATIO)	1,966 SF
PROVIDED PARKING	STANDARD (29'x18') 53 HANDICAP-ACCESSIBLE 3
	TOTAL 56
VEHICLE STACK IN DRIVE-THRU	25

NOTES:

1. ALL DIMENSIONS ARE TO FACE OF CURB, UNLESS NOTED OTHERWISE.
2. MECHANICAL EQUIPMENTS, WHETHER ON THE GROUND OR AIR-MOUNTED, WILL BE SCREENED WITH AN APPROVED SCREENING DEVICE FROM VIEW OF PUBLIC RIGHT-OF-WAY AND ADJACENT RESIDENTIAL USES.
3. VEHICLES SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.
4. NUMBER OF VEHICLES SHOWN IS APPROXIMATE.

ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY-PANEL NO. 49139C0330F; EFFECTIVE DATE JUNE 3, 2013, THE PROPERTY SHOWN HEREON DOES NOT LIE WITHIN A DESIGNATED 100 YEAR FLOOD ZONE OR A SPECIAL FLOOD HAZARD AREA. THIS DETERMINATION IS BASED ON THE GRAPHIC REPRESENTATION OF THE ZONE'S AS SCALED FROM THE REFERENCED FIRM AND IS NOT NECESSARILY AN INDICATION AS TO WHETHER OR NOT THE SUBJECT PROPERTY WILL ACTUALLY EXPERIENCE FLOODING.

**PRELIMINARY PLANS
FOR PROJECT REVIEW
NOT FOR
CONSTRUCTION,
BIDDING OR PERMIT
PURPOSES.**
Prepared By/Or Under
Direct Supervision Of
Priya Acharya, PE
Texas Registration
No. 110446 On
Date Shown Below.

DEVELOPER/APPLICANT
CHICK-FIL-A, INC.
5200 BUFFINGTON ROAD
ATLANTA, GA 30349
CONTACT: GETRA SANDERS
Getra.Sanders@cfacorp.com

ENGINEER:
WIER & ASSOCIATES, INC.
2201 E. LAMAR BLVD., STE 200E
ARLINGTON, TEXAS 76006
PHONE: (817) 467-7700
CONTACT: PRIYA AGHYA, P.E.
PrityaA@WierAssociates.com

SUP
CHICK-FIL-A #05095
1.824 ACRES

LOT 3R, BLOCK 2
INTERSTATE INDUSTRIAL PARK,
AN ADDITION TO THE CITY OF
WAXAHACHE, ELLIS COUNTY, TEXAS

ZONING: "GR" GENERAL RETAIL

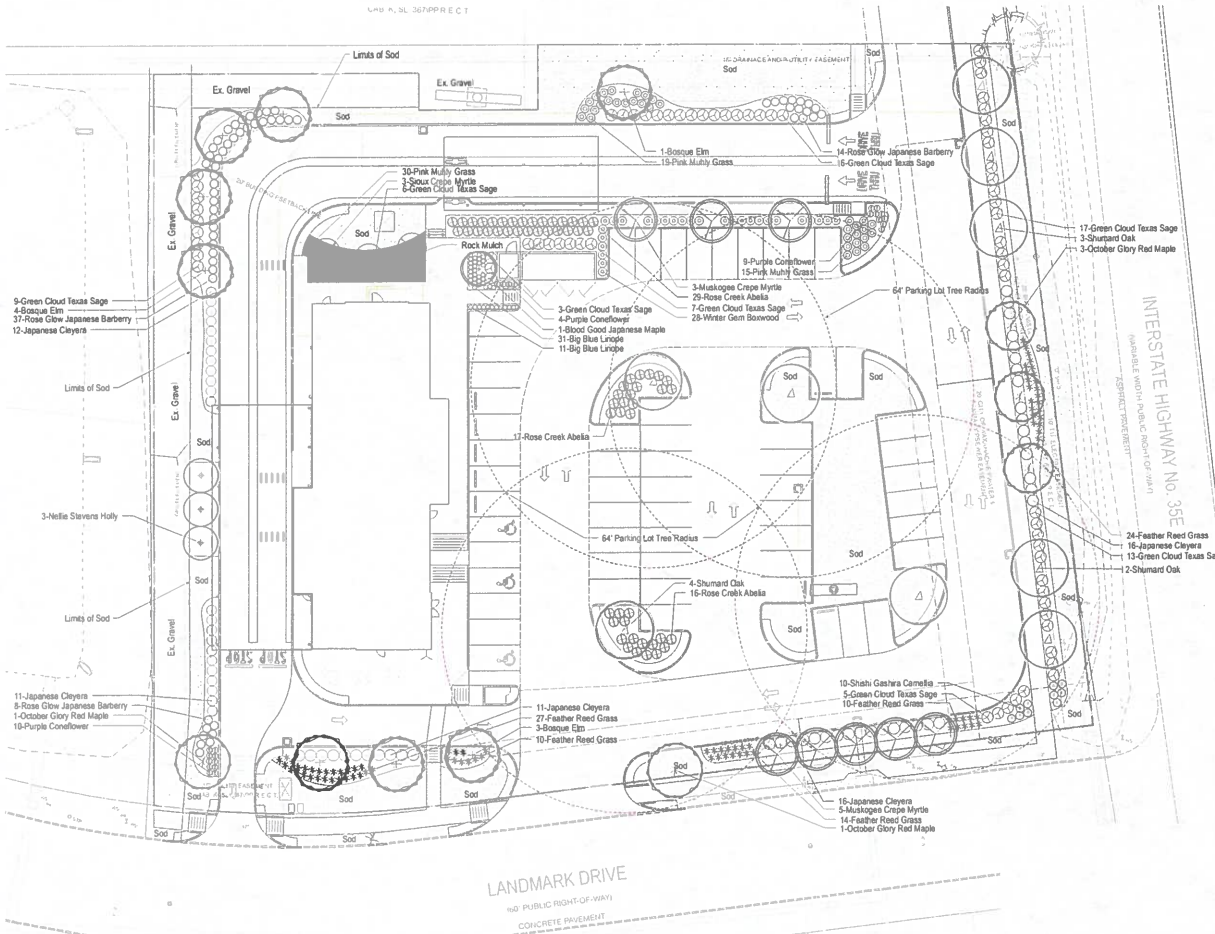
WIA PREPARED BY:
WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817)457-7700
Texas Firm Registration No. F-2778 www.WierAssociates.com

DATE: 12/20/2022
W.A. No. 21088

CITY OF WAXAHACHIE MAINTENANCE NOTE

The property owner, tenant, or agent shall be responsible for the maintenance of all required landscaping in a healthy, neat, orderly, and live-growing condition at all times. This shall include mowing, edging, pruning, fertilizing, irrigation, weeding, and other such activities common to the maintenance of landscaping. Landscaped areas shall be kept free of trash, litter, weeds, and other such materials not a part of the landscaping. Plant materials that do shall be replaced with plant materials of similar variety and size.

LANDSCAPE PLAN



PLANT LIST

No.	Quantity of Plants	Common Name	Scientific Name	Plant Size	Remarks
1	1	Acer palmatum var. 'dissectum' 'Bloodgood'	Bloodgood Japanese Maple	8' Hgt.	10' x 10', single straight leader
2	1	Acer rubrum 'October Glory'	October Glory Red Maple	4' Cal: 10' Hgt.	10' x 10', single straight leader
3	1	Ilex x 'Hedge R. Stevens'	Hedge R. Stevens Holly	8' Hgt.	10' x 10', single straight leader
4	1	Laportea indica 'Majesty'	Majesty Crepe Myrtle	8' Hgt.	10' x 10', single straight leader
5	1	Laportea indica x 'Lauri' 'Shou'	Shou Crepe Myrtle	8' Hgt.	10' x 10', single straight leader
6	1	Quercus shumardii	Shumard Oak	4' Cal: 10' Hgt.	10' x 10', single straight leader
7	1	Ulmus parvifolia 'Toopii'	Toopii Elm	4' Cal: 10' Hgt.	10' x 10', single straight leader
8	1	Abelia x 'Chirahua' 'Rosa Creek'	Rosa Creek Abelia	3' Cal.	10' x 10', single straight leader
9	1	Berberis 'Neroli' 'Rosa Creek'	Rosa Creek Japanese Barberry	3' Cal.	10' x 10', single straight leader
10	1	Rosa 'Mystique' 'Winter Gaze'	Winter Gaze Rosewood	3' Cal.	10' x 10', single straight leader
11	1	Calamagrostis x 'Academics' 'Yard Forster'	Forster's Feather Reed Grass	3' Cal.	10' x 10', single straight leader
12	1	Camellia 'Sasanqua' 'Shirley's Promise'	Shirley's Promise Camellia	3' Cal.	10' x 10', single straight leader
13	1	Chrysomela 'Laportea'	Japanese Chrysomela	3' Cal: 24" Hgt. min.	10' x 10', single straight leader
14	1	Leucophyllum 'Frustrans' 'Green Cloud'	Green Cloud Texas Sage	3' Cal: 24" Hgt. min.	10' x 10', single straight leader
15	1	Muhlenbergia capillaris	Pink Muhly Grass	3' Cal.	10' x 10', single straight leader
16	1	Echinacea purpurea	Purple Coneflower	1' Cal.	Plant 24" O.C.
17	1	Uniola paniculata 'Big Blue'	Big Blue Linum	1' Cal.	Plant 18" O.C.
18	1	Oenothera 'Blackberry'	Hybrid Bermuda Grass	1' Cal.	Plant 18" O.C.
19	1	Rock Mulch	Rock Mulch	1' Cal.	See Specifications

LANDSCAPE REQUIREMENTS

- STREET FRONTAGE**
 - (1) 4" Cal tree per 30 LF of frontage
 - REQUIRED: 1000 LF x 30 LF = 3 trees
 - PROVIDED: 1000 LF x 30 LF = 3 trees
 - 20% of the street frontage shall be permanent landscape area
 - REQUIRED: 15,000 SF x 20% = 3,000 SF of landscape area
 - PROVIDED: 7,000 SF of landscape area
- INTERIOR LANDSCAPE**
 - GR covering 50% of landscape area required per building SF
 - REQUIRED: 4,995 SF of building x 50% = 2,500 SF of landscape area
 - PROVIDED: 3,800 SF of landscape area
 - (1) canopy tree per 500 SF of required landscape area
 - REQUIRED: 2,500 SF / 500 SF = 5 canopy trees
 - PROVIDED: 5 canopy trees, 5 boscus elm
 - (1) understory tree per 250 SF of required landscape area
 - REQUIRED: 2,500 SF / 250 SF = 10 understory trees
 - PROVIDED: 10 understory trees: 3 Nellie holly, 6 crepe myrtle, 1 Japanese maple
 - (1) shrub per 75 SF of required landscape area
 - REQUIRED: 2,500 SF / 75 SF = 33 shrubs
 - PROVIDED: 85 shrubs: 6 sage, 30 multi-grass, 25 shrubs
 - 15% of required landscape area shall be groundcover
 - REQUIRED: 2,500 SF x 15% = 375 SF of groundcover
 - PROVIDED: 375 SF of groundcover
 - 75% of all required interior landscape area shall be in the front and along outer side of the building
 - REQUIRED: 5 canopy trees x 75% = 4 canopy trees
 - PROVIDED: 5 canopy trees: 3 Nellie holly, 3 crepe myrtle, 1 Japanese maple
 - 10 understory trees x 75% = 7.5 understory trees
 - 38 shrubs x 75% = 28 shrubs
 - 375 SF of groundcover x 75% = 281 SF of groundcover
- PARKING LOT**
 - Planting for landscaping is in addition to the landscape requirements required in the Development Standards
 - REQUIRED: 54 spaces x 13 SF = 702 SF of landscaping
 - PROVIDED: 4,000 SF of landscaping
 - No portion of a parking space is more than 54 feet away from the trunk of a tree
 - REQUIRED: 702 SF / 500 SF = 1.4 trees
 - PROVIDED: 4 trees: 4 Shumard oak, 13 shrubs, 33 shrubs
 - (2) 4" Cal trees and (10) shrubs per 500 SF of required parking lot landscape
 - REQUIRED: 702 SF / 500 SF = 1.4 trees
 - PROVIDED: 4 trees: 4 Shumard oak, 13 shrubs, 33 shrubs

SOUTHWEST LANDSCAPE NOTES

- Landscaping Contractor to read and understand the Landscape Specifications prior to installing beds. The Landscape Specifications shall be adhered to throughout the construction process.
- Contractor is responsible for locating and providing all underground utilities prior to digging.
- Contractor is responsible for providing existing trees from damage during construction.
- All tree protection devices to be installed prior to the start of land disturbance, and maintained until final landscaping.
- All tree protection areas to be protected from land disturbance.
- All tree protection fencing to be inspected daily and repaired or replaced as needed.
- No parking, storage or other construction activities are to occur within tree protection areas.
- All planting areas shall be cleared of construction debris (i.e. concrete, rock, rubble, building materials, etc.) and prior to adding and spreading of the topsoil.
- General Contractor is responsible for adding a minimum of 4" of clean fill to all planting beds and all grassed areas. Graded areas to be held down the appropriate elevation to account for topsoil depth. See Landscape Specifications for required topsoil characteristics.
- In all planting lot details, the Contractor is responsible to remove all debris, structures, and subgrade to a minimum of 4" depth. Add topsoil to a 4" depth. Add topsoil to a 4" depth. Add topsoil to a 4" depth.
- Prior to beginning work, the Landscape Contractor shall inspect the subgrade, general site conditions, utility locations, irrigation, approve topsoil provided by the General Contractor, and observe the site conditions under which the work is to be done. Notify the General Contractor of any unsatisfactory conditions. Work shall not proceed until such conditions have been corrected and are acceptable to the Landscape Contractor.
- Any deviations from the approved plan shall be approved by the Landscape Architect.
- Landscaping shall be installed in accordance with ANSI Z60.1 the "American Standard for Nursery Stock" and the accepted standards of the American Association of Nurserymen.
- Existing grass in proposed planting areas shall be killed and removed. Hand weeded to remove all roots and debris larger than 1 inch in diameter, prior to adding topsoil and planting shrubs.
- Soil to be tested to determine fertilizer and lime requirements prior to laying sod.
- Annual and perennial beds: add min. 4 inch layer of organic material and 18 to a min. depth of 12 inches. Mulch annual and perennial beds with 2-3 inch depth of area rugger.
- All shrubs beds (existing and new) to be mulched with a min. 3 inch layer of rock mulch.
- Planting holes to be dug a minimum of twice the width of the root ball, for both shrub and tree. Set plant material 2" above finish grade. Backfill planting pit with topsoil and native expanded soil.
- Sod to be delivered fresh (Cut less than 24 hours prior to laying on site), laid immediately, rolled, and watered thoroughly immediately after planting. Edge of sod at planting beds are to be "Y" trench cut and Landscape Details.
- Any existing grass disturbed during construction to be fully removed, regraded and replaced. All tree trunks and embankments to be repaired.
- Water thoroughly twice in first 24 hours and apply mulch immediately.
- The Landscape Contractor shall guarantee all plants installed for one full year from date of acceptance by the owner. All plants shall be alive and at a vigorous rate of growth at the end of the guarantee period. The Landscape Contractor shall not be responsible for acts of God or vandalism. See Landscape Specifications for Warranty requirements/conditions.
- Any plant that is determined dead, in its unsatisfactory condition, lost due to drought, or other reasons of poor, non-vigorous growth, shall be replaced by the Landscape Contractor. See Landscape Specifications for warranty requirements/conditions.
- Sod to be 100% engaged in all planting beds and grass area by an automatic underground irrigation system. Irrigation as-built shall be provided to the Landscape Architect within 24 hours of irrigation install completion.
- Stake all evergreen and deciduous trees as shown in the planting detail and as per the Landscape Specifications.
- Remove stakes and guying from all trees after one year from planting.



Chick-fil-A
 5200 Buffington Road
 Atlanta, Georgia 30349-2998



Manley Land Design, Inc.
 51 Old Canton Street
 Alpharetta, Georgia 30009
 770.442.8171



12.7.22

CHICK-FIL-A
WAXAHACHIE
 I-35E & HWY 66
 WAXAHACHIE, TX 75167

FSU# 05095

NO.	DATE	DESCRIPTION
1	10/18/22	Issue Site Plan
2	12/22/22	Issue Site Plan

MLB PROJECT # 2628917
 PRINTED FOR PERMIT
 DATE 6.30.22
 DRAWN BY KZN

PERMIT Landscape Plan

SHEET NUMBER **L-100**



D3 SOUTH ELEVATION
10' x 1'-0"



B3 NORTH ELEVATION
10' x 1'-0"

FINISH SCHEDULE - EXTERIOR							
MARK	DESCRIPTION	MANUFACTURER	MODEL NAME	MODEL NUMBER	COLOR	NOTE	
B-A	BRICK VENEER (PRIMARY)	ACME BRICK	MODULAR		FALCON GRAY		
B-B	BRICK VENEER (ACCENT)	ACME BRICK	MODULAR		RUSTIC WHITE		
CP-1	CANOPY METAL FASCIA		QUIN CLAD	DC185T-2100	DARK BRONZE	OK RUBBER BRONZE METALLIC	
CP-2	CANOPY METAL DECK				WHITE	TEXTURE PVD	
EC-1	PARAPET WALL COPING	DURICLAST			MIDNIGHT BRONZE	SMOOTH WHITE, HIGH GLOSS	
PT-113	EXTERIOR PAINT	SHERWIN WILLIAMS	SHER-CRYL HIGH PERFORMANCE ACRYLIC 4888-300		DARK BRONZE	FINISH: SEMI-GLOSS	
ST-1	STOREFRONT	YKK	YES 45		DARK BRONZE (LIMIT)		

ATTACHED CANOPY SCHEDULE							
Mark	Description	Count	Overall Width	Overall Depth	To Back Mounting Collet From Top	Height	Location
C1-A	Exterior Canopy	1	3'-6 1/2"	1'-0"	0"	0"	No
C1-C	Exterior Canopy	6	6'-0"	1'-0"	0"	0"	No
C1-E	Exterior Canopy	1	18'-0"	1'-0"	0"	0"	No
C1-G	Exterior Canopy	3	7'-0"	1'-0"	0"	0"	No
C1-I	Exterior Canopy	3	12'-0"	1'-0"	0"	0"	No
C1-L	Exterior Canopy	1	17'-0"	1'-0"	0"	0"	No
C1-M	Exterior Canopy	1	6'-0"	1'-0"	0"	0"	No
C1-N	Exterior Canopy	1	18'-0"	4'-0"	0"	0"	No
C1-O	Exterior Canopy	1	18'-0"	4'-0"	0"	0"	No
C1-P	Exterior Canopy	1	18'-0"	4'-0"	0"	0"	No
C1-Q	Exterior Canopy	1	18'-0"	4'-0"	0"	0"	No
C1-R	Exterior Canopy	1	7'-0"	4'-0"	0"	0"	No

CANOPY NOTES:
BUILDING MOUNTED CANOPIES - 8" THICK CANOPY - 4" MAX FRISH OF STRUCTURE, FASCIA, & DECKING TO MATCH (PA)
COLUMN MOUNTED CANOPIES - 1/2" THICK CANOPY - FRISH OF STRUCTURE TO BE (PA) - FRISH OF DECKING TO BE (PA)



Chick-fil-A

Chick-fil-A
5200 Buffington Road
Atlanta, Georgia
30349-2998

MAYSE & ASSOCIATES INC.
ARCHITECT • PLANNING • CONSTRUCTION MANAGEMENT

1881 Gorman Dr.
Dulles, VA 20148
Phone: (703) 261-1333
Fax: (703) 261-0251
www.MayseAssociates.com

CHICK-FIL-A
I-35 & FM 66 FSU
S I-35 E Service Rd
Waxahachie, TX 75165

FSR#05095
BUILDING 1199-0000 P1318 LAG
RELEASED
PRINTED FOR
22 05

PROJECT STATUS
REVISION SCHEDULE
NO. DATE DESCRIPTION

STANDARD PRINTING & LIT.
DATE 10/4/2022 2:08:47 PM
DRAWN BY: Author
CHECKED BY: Author
PROJECT NO. 10473022
PROJECT NAME: CHICK-FIL-A
PROJECT LOCATION: 5200 BUFFINGTON RD, ATLANTA, GA 30349
PROJECT STATUS: EXTERIOR RENDERINGS

STREET NUMBER
A-303



Chick-fil-A

Chick-fil-A
5200 Buffington Road
Atlanta, Georgia
30349-2998

MAYSE & ASSOCIATES INC.
ARCHITECT • PLANNING • CONSTRUCTION MANAGEMENT



1381 S. GUYTON
DALLAS, TX 75246-1638
1-800-848-8888
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15/04/2022 1:40:59 PM

CHICK-FIL-A
I-35 & FM 66 FSU

S I-35 E Service Rd
Waxahatche, TX 75165

FSR#05095
BUILDING TYPE: FSU P13 LE L&O
RELEASE: 23 05

PROJECT STATUS

REVISION SCHEDULE
NO. DATE DESCRIPTION

CONTRACT PROJECT # 00072
DATE 15/04/2022 1:40:59 PM
DRAWN BY: Author
CHECKED BY: Author
PROJECT: 5200 Buffington Road, Atlanta, Georgia
SHEET: 13
EXTerior Renderings

SHEET NUMBER

A-302



D4 EAST ELEVATION
1/4\"/>



B4 WEST ELEVATION
1/4\"/>

FINISH SCHEDULE - EXTERIOR						
MARK	DESCRIPTION	MANUFACTURER	MODEL NAME	MODEL NUMBER	COLOR	NOTE
BR-A	BRICK VENEER (PRIMARY)	ACME BRICK	MODULAR		SLATE GRAY	
BR-B	BRICK VENEER (ACCENT)	ACME BRICK	MODULAR		GLAZIER WHITE	
CP-1	CANOPY METAL FASCIA		DURA COAT	DC1857-3763	DAK BROWN	05 RUBBED BRONZE METALLIC
CP-2	CANOPY METAL DECK				WHITE	05 RUBBED BRONZE METALLIC
EC-1	PARAPET WALL COPING	QUOROLAST /	EXCEPTIONAL METALS		SMOOTH WHITE	05 HIGH GLOSS
PT-113	EXTERIOR PAINT	SHERWIN WILLIAMS	SHER-CAYL HIGH PERFORMANCE ACRYLIC #888-350		HIGH GLOSS	
ST-1	STOREFRONT	YKK	YES-15		DAK BROWN (MATT)	

ATTACHED CANOPY SCHEDULE						
Mark	Description	Count	Overall Width	Overall Depth	To Back Mounting Offset From Top	Integral
C1-A	Exterior Canopy	1	3'-4 1/2"	1'-0"	0"	No
C1-B	Exterior Canopy	3	4'-4"	1'-0"	0"	No
C1-C	Exterior Canopy	1	10'-4"	1'-0"	0"	No
C1-D	Exterior Canopy	3	7'-4"	1'-0"	0"	No
C1-E	Exterior Canopy	3	12'-4"	1'-0"	0"	No
C1-F	Exterior Canopy	1	17'-0"	1'-0"	0"	No
C1-G	Exterior Canopy	1	8'-4"	1'-0"	0"	No
C1-H	Exterior Canopy	1	10'-0"	4'-0"	5'-0"	Yes
C1-I	Exterior Canopy	1	10'-4"	4'-0"	5'-0"	No
C1-J	Exterior Canopy	1	7'-0"	4'-0"	5'-0"	Yes
Grand Total		18				

CANOPY NOTES

BUILDING MOUNTED CANOPIES - IF THICK CANOPY - FINISH OF STRUCTURE, FASCIA, & DECOR TO MATCH (CP-1)

COLUMN MOUNTED CANOPIES - IF THICK CANOPY - FINISH OF STRUCTURE TO BE (CP-1) - FINISH OF DECOR TO BE (CP-1)



MAYSE & ASSOCIATES, INC.



CHICK-FIL-A
I-35 & FM 66 FSU

**SI-35 E Service Rd
Waxahachie, TX 75165**

SAPRE ET AL.

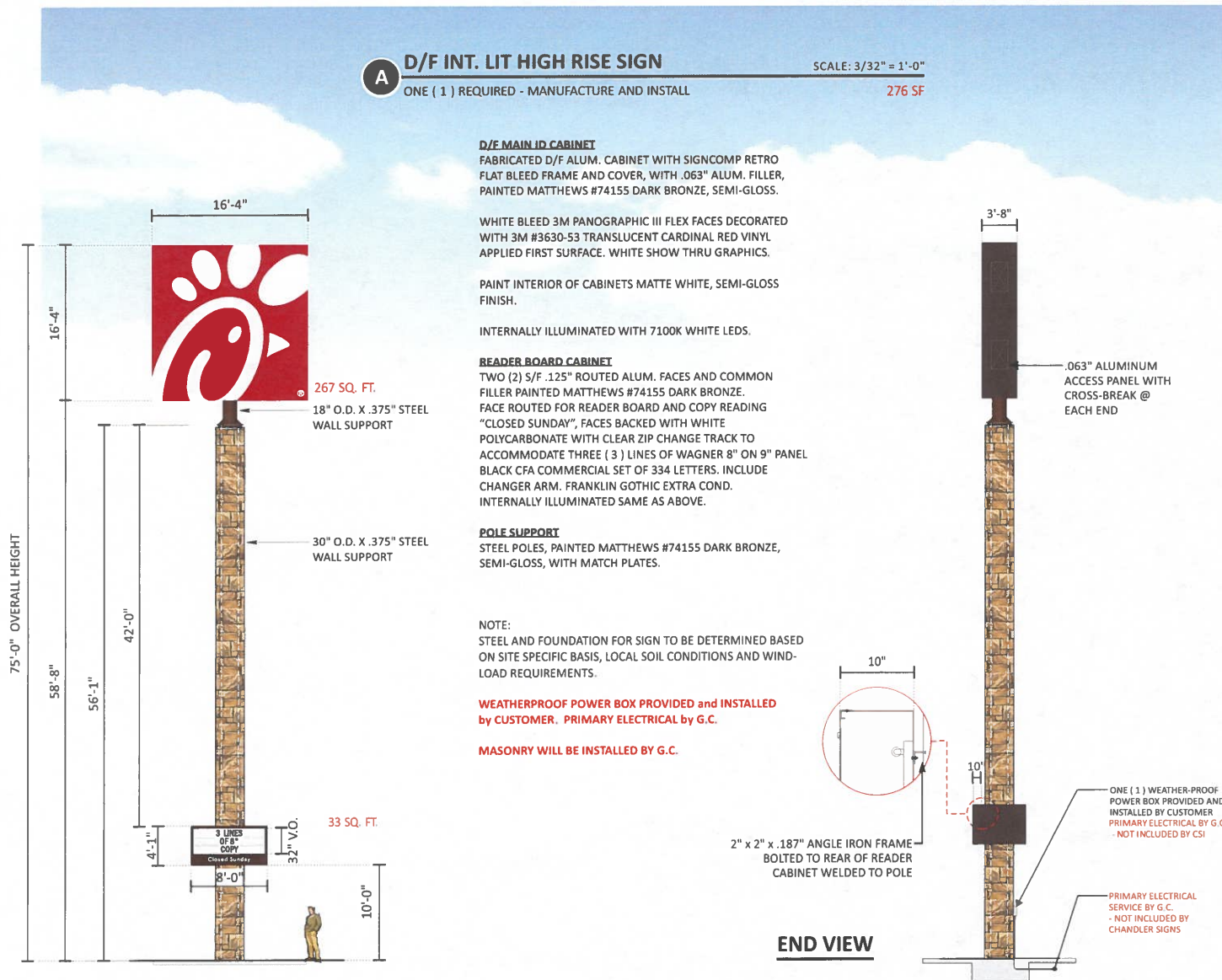
A-303



ATTACHED CANOPY SCHEDULE						
Mark	Description	Count	Overall Width	Overall Depth	(To Back Masting (Off From Top)	Light
C1-A	Entrance Canopy	1	3'-8 1/2"	1'-0"	0"	No
C1-C	Entrance Canopy	1	6'-4"	1'-0"	0"	No
C1-D	Entrance Canopy	1	18'-0"	1'-0"	0"	No
C1-G	Entrance Canopy	3	7'-4"	1'-0"	0"	No
C1-I	Entrance Canopy	3	12'-4"	1'-0"	0"	No
C1-J	Entrance Canopy	1	17'-0"	1'-0"	0"	No
C1-M	Entrance Canopy	1	8'-4"	1'-0"	0"	No
C4-D	Entrance Canopy	1	15'-0"	4'-0"	5'-0"	Yes
C4-E	Entrance Canopy	1	19'-4"	4'-0"	5'-0"	Yes
C4-F	Entrance Canopy	1	7'-0"	4'-0"	5'-0"	Yes
Grand Total						

CANOPY NOTES:

BUILDING MOUNTED CANOPIES	- 8" THICK CANOPY - KEYLARK FINISH OF STRUCTURE, FASCIA, & DECKING TO MATCH (CP.1)
COLUMN MOUNTED CANOPIES	- 16" THICK CANOPY - FINISH OF STRUCTURE TO BE (CP.1) - FINISH OF DECKING TO BE (CP.2)



DAL - MANUFACTURING
NEW RB FONT

Design #	0630957Ar11
Sheet	5 of 32
Client	#5095
Address	SWQ OF 135 AND FM 66, SUNSHINE, TEXAS 75155 NEED PROVIDED BY VENDOR
Account	CHANDLER SIGNS
Rep	CHANDLER SIGNS
Designer	CHANDLER SIGNS
Date	07/25/2022
Approval / Date	
Client / Date	
Sales / Date	
Estimator / Date	
Production / Date	
Engineering / Date	
Construction / Date	
Revision / Date	

CHANDLER SIGNS

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Chamblee, GA 30056
(404) 241-1000 Fax (404) 241-1001

South Texas
PO BOX 155 2001 Drexel Drive
Portland, TX 78374
(409) 744-1000 Fax (409) 744-1001

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FINAL ELECTRICAL CONNECTION BY CUSTOMER

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND OTHER APPLICABLE LOCAL CODES. THE USER MUST PROVIDE PROPER GROUNDING & BONDING OF THE SIGN. SEE THE NEC & LOCAL CODES.

Chick-fil-A

A

(212)

**CHICK-FIL-A WAXAHACHIE 05095**

NW Corner of I-35E and Landmark Drive
Waxahachie, TX

Specific Use Permit (SUP) for Drive-Thru Use – Operational Plan

On behalf of Chick-fil-A, Inc, please find included an SUP package for a proposed Chick-fil-A dine-in and drive-through restaurant at the northwest corner of I-35E and Landmark Drive. The Chick-fil-A lot is currently platted as a part of Lot 3, Block 2 of Interstate Industrial Park; as part of a separate application, we are proposing to replat Lot 3 to subdivide it into two lots, of which the Chick-fil-A lot will be proposed Lot 3R.

The proposed use is a Restaurant with drive-through service. The building has a gross floor area of 5,504 sf, of which the seating area is 1,385 sf. Additionally, a proposed exterior patio has a seating area of 581 sf. Based on the anticipated total seating area of 1,966 square feet, we calculate that 20 parking stalls are required. The site plan proposes 56 parking stalls.

The hours of operation for this proposed Chick-fil-A are anticipated to be 6:00am to 10:00pm Monday through Saturday; the restaurant will be closed on Sundays. The restaurant is anticipated to have a total of 60 employees.

Additional SUP Request

- As part of this SUP request, we are also requesting an SUP for a 75-ft tall pole sign. We have included a Detailed Sign Package as part of this submittal. The location of the pole sign is shown on the Site Plan.

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-158-2022



MEETING DATE(S)

Planning & Zoning Commission: January 10, 2023

City Council: January 17, 2023

CAPTION

Public Hearing on a request by Zack Rench, Owner of Lost Veil Tattoo, for a **Zoning Change** from a Central Area (CA) zoning district to Planned Development Central Area (PD-CA) zoning district, located at 100 N College Street (Property ID 170418) - Owner: Rogers Hotel Partners, LLC (ZDC-158-2022)

RECOMMENDED MOTION

*"I move to recommend denial of ZDC-158-2022, a **Zoning Change** from a Central Area (CA) zoning district to Planned Development Central Area (PD-CA) zoning district.*

APPLICANT REQUEST

The Applicant is requesting approval of a Planned Development District (PD) with a base zoning of Central Area District (CA) to allow for a tattoo shop at the Rogers Hotel in suite 305.

CASE INFORMATION

Applicant: Zack Rench, Owner of Lost Veil Tattoo

Property Owner(s): Rogers Hotel Partners, LLC

Site Acreage: 0.49 acres

Current Zoning: Central Area (CA)

Requested Zoning: Planned Development – Central Area (PD-CA) zoning district

SUBJECT PROPERTY

General Location: 100 N College Street

Parcel ID Number(s): 170418

Existing Use: Rogers Hotel

Development History: N/A

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	CA	Multi-Tenant Retail Building (Justice Finance, Wirth Collecting, and Board and Brush)
East	CA	Surface Parking Lot
South	CA	Multi-Tenant Retail Building (Danceworks, Soma Church, and Perfect Pair)
West	CA	Multi-Tenant Retail Building (Happy's Home Furnishings, Texas Theatre, and Griffith Law)

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 other types of nonresidential land use (e.g., office, commercial).

Thoroughfare Plan:

The multi-tenant building in which the Rogers Hotel is located on the northeast corner of N College Street and E Main Street.

Site Image:



PLANNING ANALYSIS

The Applicant is requesting a zoning change from Central Area District (CA) to a Planned Development District with a base zoning of Central Area (CA) District (PD-CA) to allow for a tattoo shop. The Applicant is not proposing to modify the district regulations but to simply allow a tattoo shop, which is not currently a permitted use within the existing zoning.

The Applicant is the owner of Lost Veil Tattoo, and has 8 years of experience working in other tattoo establishments. The Applicant is proposing to operate his own tattoo shop at the Rogers Hotel in Suite 305 (approximately 550 square feet). The studio will have 3 tattoo artists, and the business will generally operate Monday through Sunday from 10 am to 6 pm. Services will be performed on a by-appointment only basis and will not be open for general walk-ins.

The Applicant has provided a letter to provide more information about his business, professional experience, and operational plan.

Staff Recommendation

Staff has provided an exhibit to show the location of all the existing tattoo shops in Waxahachie. If the zoning request for this tattoo shop is approved there will be a total of 3 tattoo shops within the downtown area. This includes Ink Masters along Martin Luther King Jr. Boulevard and Heart-In-Hand on the northwest corner of Rogers and Jefferson Street. Staff is concerned about the number of tattoo shops within the downtown area in a such a close proximity to one another. Currently, a tattoo shop is allowed by right in the Commercial (C) zoning district. Staff believes there are other sites available for the use that are more appropriate, and as such, Staff is recommending denial of the proposed rezoning request.

If the zoning request is approved, the Applicant has agreed to comply with the following provisions:

- The tattoo shop can only operate in Suite 305 of the Rogers Hotel, and cannot expand beyond the existing footprint (550 square feet) without amending the zoning on the subject property.
- Permission to operate a tattoo shop is only granted to Lost Veil Tattoo (Zach Rench), and will not transfer to any future tattoo establishments within the limits of the subject property.
- The hours of operation are limited to Monday through Sunday from 10 am to 6 pm. Any changes to these hours of operation will require a zoning amendment.
- A tattoo shop shall require a license by the Texas Department of State Health Services (DSHS) at all times.
- All exterior signage shall require a sign permit from the Building Department.

PUBLIC NOTIFICATIONS

To comply with State law contained in the Local Government Code Chapter 211 and the City's public hearing notice requirements, 36 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. When publishing this report, City staff received three letters of opposition. Approximately 16.4 percent of property owners within the 200-foot notification boundary have submitted a letter 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 denial of the zoning request, however if the zoning request is approved, the Applicant will need to comply with the conditions noted below.

Conditions:

1. Permission to operate a tattoo shop on the subject property is only granted Lost Veil Tattoo (Zach Rench), and will not transfer to any future tattoo establishment within the limits of the subject property.
2. The tattoo shop can only operate in Suite 305 of the Rogers Hotel, and cannot expand beyond the existing footprint (550 square feet) without amending the zoning on the subject property.
3. The hours of operation are limited to Monday through Sunday from 10 am to 6 pm.
4. A tattoo shop shall require a license from the Texas Department of State Health Services (DSHS) at all times.
5. All exterior signage shall require a sign permit from the Building Department.

ATTACHED EXHIBITS

1. Operational Plan
2. Public Notice Response Exhibit
3. Letters of Opposition
4. Tattoo Shops in Waxahachie Exhibit

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

LOST VEIL

TATTOO

Zach Rench
1526 Kingswood Dr
Cedar Hill, Tx 75104

Re: ZDC-158-2022 Zoning Request for Lost Veil Tattoo

I grew up in Mansfield attending private school where I knew I would be an artist and business owner from the start of my journey. After graduating and moving onto college, I learned the ins-and-outs of this art form, over the course of 8 years, from my friend and mentor Clint Cummings. Due to Clint's unfortunate and untimely passing from cancer, myself and one other artists ventured out to open our own studio. After searching for the perfect location, we quickly decided Waxahachie would be our new home. Over the course of owning our shop here in town for the last few years we learned more about the city and fell in love with The Rogers Hotel as a future business location. We love the local hometown feel, reputation, and history this city is built on.

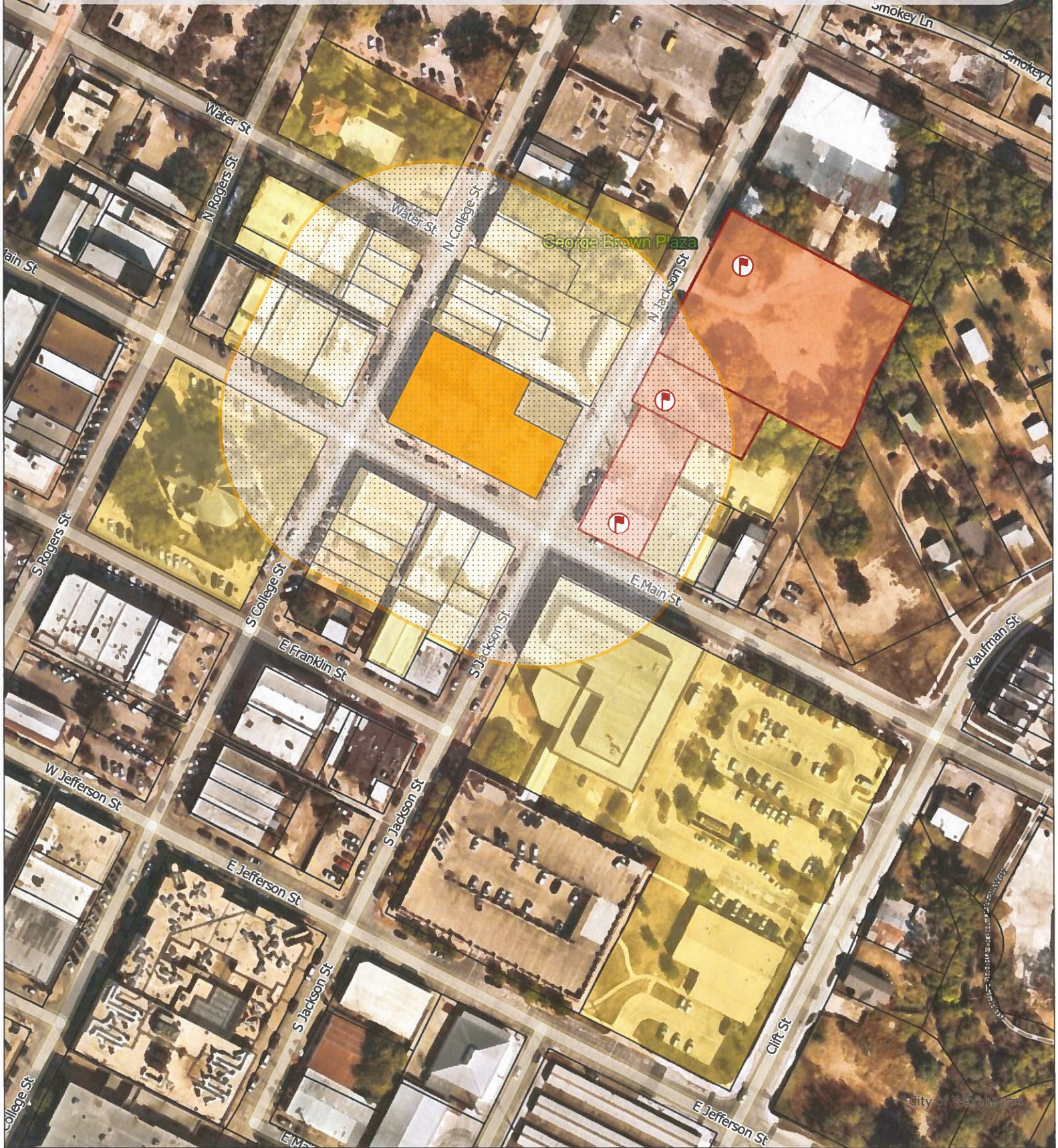
Lost Veil is currently a private gallery and tattoo studio that we opened in Waxahachie 3 years ago. Walk in clients are always welcome to stop by, but I run my business on a by-appointment-only basis. The shop runs like a well oiled machine, we are a close knit circle of 3 artists with no future plans of expanding. We are not your typical "tattoo studio." We have kept our standards high with our customers and ourselves by doing quality work and maintaining a positive and respectable environment. Our working hours are 10am-6pm everyday, and the shop is not visible at all from the street. We prefer a low key and quiet location. We are looking to move into the Rogers Hotel on the 3rd floor into room 305. The owners of the Rogers have been of great assistance throughout the whole process and are excited to have us in the space. The shop would be run nice and quietly, just how we like it. We look forward to working with the city of Waxahachie for many years to come.

Thank you
Zach Rench/Owner
Lost Veil Tattoo

ZDC-158-2022 - Lost Veil Tattoo

PON Response Exhibit

- Support (0 shown)
- Opposition (3 shown)
- ZDC-158-2022
- 200ft Notification Buffer
- Responding Properties
- Properties Within Buffer
- Property Lines



(14)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-158-2022**

RECEIVED DEC 3 2022

BIG BLUE TRUCK LLC
1023 W MAIN ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 10, 2023 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 17, 2023 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 Zack Rench, Owner of Lost Veil Tattoo, for a **Zoning Change** from a Central Area (CA) zoning district to Planned Development Central Area (PD-CA) zoning district, located at 100 N College Street (Property ID 170418) - Owner: ROGERS HOTEL PARTNERS, LLC (ZDC-158-2022) 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-158-2022**

City Reference: 170696

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 4, 2023** 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:

Request you adhere to CA zoning use types. There are other commercial buildings that would conform to this use type.

Signature

Date

Greg Nelib, Managing Partner
Printed Name and Title

12-29-22
110 N Jackson St.
Address

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

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

(14)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-158-2022**

RECEIVED DEC 3 2022

**BIG BLUE TRUCK LLC
1023 W MAIN ST
WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 10, 2023 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 17, 2023 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-158-2022**

City Reference: 170539

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☐ SUPPORT

☒ OPPOSE

Comments:

Please adhere to CA building use types. Other commercial buildings are better suited to this use type

Signature

Greg Nhib
Printed Name and Title
Managing Partner

Date

12-29-22
206 N Jackson St.
Address

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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.

(14)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-158-2022**



201 MAIN WAX LLC
6982 WALLING LN
DALLAS, TX 75231

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Request by Zack Rench, Owner of Lost Veil Tattoo, for a **Zoning Change** from a Central Area (CA) zoning district to Planned Development Central Area (PD-CA) zoning district, located at 100 N College Street (Property ID 170418) - Owner: ROGERS HOTEL PARTNERS, LLC (ZDC-158-2022) Staff: Eleana Tuley

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Case Number: **ZDC-158-2022**

City Reference: 170540

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 4, 2023** 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 oppose changing the property zoning from it's traditional Central Area to PD-CA which may negatively impact the desirability of the Waxahachie downtown. There are numerous Commercial areas in close proximity to accommodate their use as a Tattoo business via SUP.

Bill Bell
Signature

1-4-2023
Date

Bill Bell, MANAGING MEMBER
Printed Name and Title 201 MAIN WAX LLC

201 E MAIN ST
Address WAXAHACHIE TX

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Tattoo Shops in Waxahachie

1/5/2023



- ★ Existing
- ★ Prospective

Manifest Tattoo Society
PD-C - Planned Development - Commercial

Satori Tattoo Collective
PD-GR - Planned Development - General Retail

Studio Iris
GR - General Retail

Immortal Inc.
C - Commercial

Heart-In-Hand
PD-CA - Planned Development - Central Area

Lost Veil
CA - Central Area

Ink Masters
C - Commercial

Southbound Tattoo
C - Commercial



0 0.25 0.5 1 Miles

(11)