## A GENDA

The Waxahachie Planning & Zoning Commission will hold a regular meeting on *Tuesday, March* 28, 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 March 15, 2023
- Consider a request by Scott Sandlin, Sheppard's Place Development Co., LLC, for a Plat of Sheppard's Place, Phase 3, Lots 9-16, Block 12, Los 1-16, Block 13, Lots 1-16, Block 14, Lots 2-39 & Lot A, Block 15, being 29.469 acres, located South of Hwy 287, West of FM 664, 78 Residential Lots and 1 Open Space, situated in the E. Horton Survey, Abstract 466 an addition to the City of Waxahachie (Property ID 277458) Owner: SHEPPARD'S PLACE HOLDING CO, LLC (SUB-38-2022) Staff: Zack King
- 6. **Public Hearing** on a request by Gilberto Escobedo, LGE Investment Homes LLC, for a Replat of Lot 1A of the Martin Addition, to create Lot 1AR & 1BR of the Martin Addition, two (2) residential lots, being 0.192 acres, located at 215 Finley Street (Property ID: 175899) Owner: LGE INVESTMENT HOMES LLC (SUB-180-2022) Staff: Zack King
- 7. *Consider* recommendation of SUB-180-2022

- 8. **Public Hearing** on a request by Jake Fears, JHF Engineering for a Specific Use Permit (SUP) for a restaurant with a drive-through use (Dutch Bros) within a General Retail (GR) zoning district located at 1995 North Highway 77 (Property ID 262424) Owner: SAI COMMERCIAL GROUP, LLC (ZDC-5-2023) Staff: Eleana Tuley
- 9. *Consider* recommendation of Zoning Change No. ZDC-5-2023
- 10. Adjourn

The Planning and Zoning Commission reserves the right to go into Executive Session as authorized by Section 551.071(2) of the Texas Government Code, for the purpose of seeking confidential legal advice from legal counsel on any agenda item listed herein. 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 March 15, 2023

The Waxahachie Planning & Zoning Commission held a regular meeting on Wednesday, March 15, 2023 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present:

Rick Keeler, Chairman

Melissa Ballard, Vice Chairman

Bonney Ramsey

Erik Test

Members Absent:

Betty Square Coleman

David Hudgins Ron Ansell

Others Present:

Shon Brooks, Executive Director of Development Services

Jennifer Pruitt, Senior Director of Planning

Zack King, Senior Planner
Eleana Tuley, Senior Planner
Macey Martinez, City Engineer
Jami Bonner, Assistant 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 special Planning & Zoning Commission meeting of February 24, 2023
- b. Minutes of the regular Planning & Zoning Commission meeting of February 28, 2023

#### Action:

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

5. Consider a request by Ecosium LLC, for a Plat of the Peak Living Addition, Lot 1, Block A, being 10.018 acres, located directly north of 2631 FM 664, situated in the H. Bingham Survey, Abstract 114, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 295055) – Owner: ECOSIUM LLC (SUB-8-2023) Staff: Zack King

Senior Planner Zack King presented the case noting the applicant is requesting to plat the subject property into one (1) lot for residential use. In conformance with the City of Waxahachie Thoroughfare Plan, the applicant is providing approximately 4' of right-of-way (ROW) dedication along the east-west portion of FM 664. He noted the proposed lot meets all Ellis County lot size and dimension requirements. Staff recommends approval of the plat as presented.



#### Action:

Mr. Erik Test moved to approve SUB-8-2023, a plat for the Peak Living Addition, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Ms. Bonney Ramsey seconded, All Ayes.

6. Consider a request by Tamara Turton, KFM Engineering & Design, for a Plat of Dove Hollow Phase III, being 81.9758 acres, located south of Grove Creek Road, situated in the J.W. Wright Survey, Abstract 1182, an addition to the City of Waxahachie (Property ID 192636, 192639, and 192643) – Owner: GRBK EDGEWOOD LLC (SUB-90-2022) Staff: Zack King

Mr. King presented the case noting the applicant is proposing to plat the third and final phase for Dove Hollow into 171 single-family residential lots and nine (9) open space lots. He explained the layout of the proposed plat meets the expectations of the City of Waxahachie Thoroughfare Plan as it relates to the subject property. The plat contains three (3) types of residential lots; 60' lots, 70' lots, and 80' lots. The minimum lot size for 60' lots is 7,200 square feet, the minimum size for 70' lots is 8,400 square feet, and the minimum size for 80' lots is 9,600 square feet. These dimensions adhere to the Site Plan, SP-75-2020, approved for the property in 2020. Staff recommends approval of the plat as presented.

#### Action:

Ms. Bonney Ramsey moved to approve SUB-90-2022, a plat of Dove Hollow Phase III, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Vice Chairman Melissa Ballard seconded, All Ayes.

7. Public Hearing on a request by Shelly Lehrer for a Replat of lots 10, 11, 12 and a portion of lot 13, Block 4, University Addition to create lots 11R and 12R, Block 4, University Addition, 2 residential lots, being .497 acres, located at 308 E. University Drive (Property ID 176160 and 176159) – Owner: SHELLY LEHER AND ANDREW AND CAITLIN PRATZ (SUB-144-2022) Staff: Eleana Tuley

{Commissioner Betty Square Coleman arrived at 7:04 pm.}

Senior Planner Eleana Tuley presented the case noting the applicant is requesting to replat the subject property (0.497) to revise the property line splitting the two existing lots at 308 E. University Drive. She explained the purpose of the replat is to equally divide the driveway located between the two property owners. She noted the replat is complying with the City's subdivision and zoning regulations. Staff recommends approval of the replat as presented.

Chairman Keeler inquired about setback requirements and Ms. Tuley confirmed all setback requirements have been met.

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against SUB-144-2022, Chairman Keeler closed the Public Hearing.

8. Consider approval of SUB-144-2022



#### Action:

Vice Chairman Melissa Ballard moved to approve SUB-144-2022 for a Replat of lots 10, 11, 12 and a portion of lot 13, Block 4, University Addition, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Mr. Erik Test seconded, All Ayes.

9. Public Hearing on a request by Larry and Ina Kollie for a Replat of Lots 1 and 2, Block 217, Town Addition to create Lots 1R and 2R, Block 217, Town Addition, 2 residential lots, being 2.915 acres, located at 1208 E Marvin Road (Property ID 171506) – Owner: LARRY AND INA KOLLIE (SUB-169-2022) Staff: Eleana Tuley

Ms. Tuley presented the case noting the applicant is requesting to replat the subject property (2.915 acres) into two (2) lots for residential use. She noted the applicant is proposing to carve out a half acre tract onto Wyatt St. She explained both lots comply with the minimum setback zoning requirements and subdivision regulations. Staff recommends approval of the replat as presented.

Chairman Keeler requested confirmation that the applicant is complying with all requirements for a single-family home. Ms. Tuley confirmed and noted the applicant is responsible for installing a water meter prior to recording the replat with Ellis County.

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against SUB-169-2022, Chairman Keeler closed the Public Hearing.

### 10. Consider approval of SUB-169-2022

#### Action:

Ms. Bonney Ramsey moved to approve SUB-169-2022 for a Replat of Lots 1 and 2, Block 217, Town Addition, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Mr. Erik Test seconded, All Ayes.

11. Consider a request by Michael Holmes, Freedom Church for a Replat of Lot 1 and a portion of Lot 3, Block 1, Northgate Plaza, 2 lots, being 18.57 acres, located at 507 North Highway 77 (Property ID 175004) – Owner: BENBAROUKH, LLC (SUB-172-2022) Staff: Eleana Tuley

Ms. Tuley presented the case noting the applicant is requesting to replat the subject property (18.57 acres) into two lots for non-residential use. More specifically, the property owner for the Northgate Plaza Shopping Center is sub-dividing the tract to sell Lot 6, where Freedom Fellowship Church is located. She noted both lots meet the minimum lot standards of the governing zoning and have adequate parking to serve the uses on each lot.

As part of the plat, Ms. Tuley explained the applicant is also abandoning utility and access easements that no longer serve the site. Therefore, the applicant must contact the franchise utility providers to verify no franchise utilities are in the easements being abandoned by the plat. As a condition of approval, the applicant has provided documentation from each franchise utility provider (Oncor,



AT&T, Charter, and Atmos) before recording the plat with Ellis County. Staff recommends approve of the replat as presented.

Chairman Keeler asked if public drive easements are included in the replat and Ms. Tuley replied there are several easements that serve as access and utility easements.

#### Action:

Vice Chairman Melissa Ballard moved to approve SUB-172-2022 for a Replat of Lot 1 and a portion of Lot 3, Block 1, Northgate Plaza, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Ms. Betty Square Coleman seconded, All Ayes.

12. Public Hearing on a request by Tim Jackson, Texas Realty Capture & Surveying LLC for a Replat of Lot 9A, Leo Hightower Lots subdivision, to create Lot 9A-R, Leo Hightower Lots subdivision, 1 residential Lot, being 1.515 acres, located at 153 Lakeshore Drive, (Property ID 230811) – Owner: JEROME BEGNAUD (SUB-57-2022) Staff: Zack King

Chairman Keeler announced the applicant requested to continue SUB-57-2022 to the April 26, 2023 Planning and Zoning Commission meeting.

#### 13. Consider recommendation of SUB-57-2022

#### Action:

Vice Chairman Melissa Ballard moved to continue the Public Hearing on a request by Tim Jackson, Texas Realty Capture & Surveying LLC for a Replat of Lot 9A, Leo Hightower Lots subdivision, to create Lot 9A-R, Leo Hightower Lots subdivision, I residential Lot, being 1.515 acres, located at 153 Lakeshore Drive, (Property ID 230811) to the April 26, 2023 Planning and Zoning Commission meeting. Ms. Bonney Ramsey seconded, All Ayes.

14. Public Hearing on a request by Jeff Head, Evolving Texas for a Specific Use Permit (SUP) for a Franchised Private Utility (Oncor Electric) and Outdoor Storage use within a Light Industrial (LI-1) zoning district located directly north of the property at 3841 S Interstate 35 (Property ID 184700) - Owner: ONCOR ELECTRIC DELIVERY COMPANY, LLC (ZDC-165-2022) Staff: Eleana Tuley

Ms. Tuley presented the case noting the applicant is requesting a Specific Use Permit (SUP) for a new service facility for Oncor Electric on a 14.8-acre tract of land located directly north of the property at 3841 S. Interstate 35. She noted Oncor is proposing to build a 17,318 square foot building for administrative personnel and also plan to build an outdoor storage area consisting of two accessory structures for service trailers and trucks. They will also have an above ground fuel tank and pump and a small repair shop for service vehicles. The storage area will house various equipment including poles, cross arms, wires, cables, conduits, and transformers. The applicant is proposing to screen the entire parameter with a six-foot concrete panel wall with two security gates. She noted the applicant made concerted efforts to comply with the City's development standards including the building design, screening, and landscaping requirements. In addition, the applicant will utilize concrete surface material for the entire outdoor storage area.



The applicant has provided two sets of architectural elevations. Both options are composed of 100 percent split-face concrete masonry units (CMU), but use a different color screen.

- Option one utilizes a brown color scheme with a light brown CMU on the majority of the building and a dark brown CMU on the lower and top segments of the building. The two accessory structures and the repair shop are metal buildings that match the color of the main building.
- Option two utilizes a gray color scheme with a light gray CMU on the majority of the building and a dark gray CMU on the lower and top segments of the building. The two accessory structures and repair shop are metal buildings that match the color of the main building.

Ms. Tuley confirmed for Commissioner Square Coleman that the Commission will approve either option one or option two elevation with the motion.

Commissioner Ramsey clarified the color of the concrete parameter wall. Ms. Tuley replied the proposed wall is brown/tan in color and recommended asking the applicant if the color would change if the Commission approved the option two elevation.

Chairman Keeler inquired about a vacant lot to the south of the development. Ms. Tuley replied the vacant tract is owned by the developer as well, but is not part of the SUP request.

Chairman Keeler opened the Public Hearing.

Jeff Halbert, 10504 Grayhawk Lane, Fort Worth, Texas replied to Chairman Keeler explaining the John Arden Oncor facility will move all personnel to the new facility. Mr. Halbert explained the storage areas will house palletized materials for specific jobs throughout the areas and inventory for storm repairs or damage to the grid.

Chairman Keeler asked if materials will be stored directly to the south of the building. Mr. Halbert replied the area is a grass area and may be used for training, but materials will not be stored in the area.

Commissioner Ramsey asked if Mr. Halbert has an elevation preference. Mr. Halbert replied that he prefers the brown color, but both elevations look nice.

There being no others to speak for or against ZDC-165-2022, Chairman Keeler closed the Public Hearing.

### 15. Consider recommendation of Zoning Change No. ZDC-165-2022

#### Action:

Ms. Bonney Ramsey moved to recommend approval of ZDC-165-2022, a Specific Use Permit (SUP) for a Franchised Private Utility (Oncor Electric) and Outdoor Storage use, subject to the conditions of the staff report with elevation option one, authorizing the City Manager and or Mayor to execute all documents accordingly. Vice Chairman Melissa Ballard seconded, All Ayes.

16. Public Hearing on a request by Anna Carrillo, Carrillo Engineering, for a Zoning Change from a General Retail zoning district to Planned Development-General Retail, located at the northeast corner of US Highway 77 and E North Grove Boulevard

(4a)

(Property ID: 191121, 262125, and 262126) - Owner: HIGH FIVE TRUST - BJA (Mark) (ZDC-178-2022) Staff: Zack King

Mr. King presented the case noting the applicant is requesting approval of a Planned Development (PD) for the North Grove Center to allow for the development of a full-service grocery store (Tom Thumb), a convenience store with gasoline sales, a self-storage facility, and general retail establishments with drive-throughs. He explained the applicant intends to develop the property in three (3) phases. Phase 1 will consist of infrastructure improvements to the site. Phase 2 will occur immediately following the completion of Phase 1 and will consist of the development of lots 2, 7, 9, and 10. Construction during Phase 2 will include the full-service grocery store, convenience store and gas station, self-storage facility and one strip retail center with a drive-through. The applicant does not have an anticipated completion date for Phase 3 of the development which includes lots 3, 4, 5, 6, and 8. Development on these tracks will require the approval of separate detailed site plans, but no specific users are contemplated at this time.

#### Proposed uses include:

Full-service grocery store – Lot 9: 60,000 square foot Tom Thumb grocery store for Lot 9 of the North Grover Center PD. The Tom Thumb will offer online grocery pickup, a pharmacy with a drive-thru and a deli area. The grocery store will also include a roughly 600 square foot outdoor display area and outdoor seating. Tom Thumb is anticipated to operate from 6:00 am to 11:00 pm, but can operate 24 hours a day if there is additional demand. A total of 150 employees are expected to staff the Tom Thumb. 320 parking spaces are proposed for the grocery store, with up to ten (10) spaces designated for electric vehicle use and up to seven (7) spaces for online order pickup.

 The grocery store elevation is proposed to feature painted concrete masonry units (CMUs), Nichiha panels, and window glazing as the primary exterior construction materials. A total of four (4) colors are proposed to be utilized for the CMU. The Nichiha panels utilize two colors, cedar and tobacco.

Mini warehouse – Lot 2: The proposed mini-warehouse facility is currently anticipated to operate under the Store House Storage brand. The structure is a 130,000 square foot, fully indoor, climate-controlled storage facility that is anticipated to be staffed daily from 9:00 am to 6:00 pm with tenant access allowed from 6:00 am to 10:00 pm. The facility is proposed to be fully gated with all loading and unloading occurring behind the gated entrance. Adequate on-site parking has been provided for this use.

The mini warehouse facility elevation is proposed to utilize a façade comprised primarily of stucco, thin stone veneer, and window glazing. A total of 96% of the façade will be comprised of masonry stucco or thin stone veneer. The varying stucco colors and articulation proposed for the facility serve to eliminate the monotony in the façade.

Convenience store and gas station – Lot 7: The proposed convenience store and gas station is anticipated to operate under the Tom Thumb Express brand. Twelve (12) fuel pumps are proposed to be open for public use 24/7; while the typical convenience store hours will be 7:00 am - 9:00 pm. Adequate on-site parking is proposed for this use.

• The convenience store and gas station elevation is proposed to utilize a complimentary façade with the grocery store. The proposed materials for the convenience store include painted concrete masonry units (CMUs), Nichiha panels, and window glazing. The fuel pump canopy is proposed to utilize the Nichiha panels with a cedar finish.

(4a)

Planning and Zoning Commission March 15, 2023 Page 7

Multi-tenant retail building and drive through – Lot 10: A 11,000 square foot multi-tenant retail building is proposed on Lot 10. Specific users are not contemplated for the retail building at this time, but provisions have been made to allow for a single drive-through establishment to operate in the northernmost suite. Adequate parking is available if all suites are occupied by retail or office users; however, the applicant has requested that the proposed parking be considered sufficient for all potential uses allowable in the General Retail District, including restaurants. If all suites are occupied by restaurants, there is a potential for the proposed parking to be up to ten (10) spaces short of the requirement for this lot.

• The façade of the multi-tenant retail building on Lot 10 is designed to compliment the design of the grocery store, but will not utilize the same exterior construction materials. The façade is comprised by 100% masonry materials (stucco and thin stone veneer) and window glazing with minor aluminum accents.

Mr. King noted Lot 1 will not be developed for anything other than a detention lot and will be screened off.

#### Access:

The North Grove Center PD is proposed to have five (5) points of access. Three (3) drives will be available off of E North Grove Boulevard to provide direct access to Tom Thumb proposed on Lot 10. Curb cuts and dedicated turn lanes will be provided on E North Grove Boulevard for two of these access points. One (1) point of access is proposed off of Highway 77 with a deceleration lane. A single point of access with a dedicated turn lane will be provided for the development on Hedgewood Drive. A private drive will extend through the center of the development to provide cross-access between each proposed lot. This access drive will be memorialized with a mutual access easement. The applicant is pursuing options to install a traffic signal at the intersection of Hedgewood Drive and Highway 77 in order to improve traffic control on the site.

#### Landscaping:

The applicant is proposing landscaping for Phase 2 with the exception of Lot 1. Due to the size of the proposed buildings and the subsequent parking requirements for each lot, the applicant is unable to meet the minimum landscaping requirements of the Waxahachie Zoning Ordinance; however, staff believes the applicant has provided the landscaping necessary to adequately screen the development with ample trees along the outside of the 8' masonry screening wall to further buffer the site from adjacent residences. The applicant has also provided street trees along Hedgewood Drive, Highway 77, and E North Grove Boulevard. Lots included in Phase 3 will be required to adhere to landscape requirements of the Waxahachie Zoning Ordinance.

#### Signage:

The applicant is proposing to construct multiple freestanding monument signs for the shopping center. Multi-tenant monument signs are proposed on Lots 3, 6, and 7 while single-tenant signs are proposed on Lots 4, 5, 6, 8, and 9. The single-tenant monument signs are proposed to meet the requirements of the Waxahachie Zoning Ordinance. The multi-tenant monument signs are proposed to increase the maximum allowable height to up to 15' and maximum allowable size up to 205 square feet.

Mr. King shared that the applicant held a neighborhood meeting with surrounding residents to incorporate feedback into their plans. Staff recommends approval subject to the conditions of the staff report.

(40)

Planning and Zoning Commission March 15, 2023 Page 8

Chairman Keeler requested confirmation that all signs are monument signs and requested the height of the tallest signs. Mr. King replied that all signs included in the plan are monument signs, no pole signs, with the tallest being sign type A with an overall height of 12'.

Chairman Keeler requested clarification on the easement between the development and residents. Mr. King replied there is a 100' overhead utility easement separating existing homes to the east and the development.

Commissioner Ramsey inquired if Crape Myrtles are included in the landscaping plan. Mr. King replied that the applicant is proposing 131 Crape Myrtles to be included in the landscaping plan.

Chairman Keeler asked to clarify the landscape relief the applicant is requesting. Mr. King replied that due to existing easements, site layout, and parking requirements the applicant is unable to meet landscape requirements including street trees planted every 30 feet and as many parking lot trees as required by Waxahachie Zoning Ordinance.

Commissioner Erik Test asked if storage units are an allowable use in General Retail (GR). Mr. King replied that storage is not allowed in GR by right. Commissioner Test emphasized that the P&Z Commission has discussed being a body that intently considers requests that are not allowed by right.

Chairman Keeler opened the Public Hearing.

Chairman Keeler asked the applicant if the proposed Tom Thumb is a standard store or a concept store.

Robert Horton, 3815 Lispen St., Fort Worth, Texas, replied the proposed Tom Thumb is the standard full-service grocery store model being built around North Texas with the same architectural style.

Chairman Keeler asked if the storage unit plan is typical and Mr. Norton replied that he has not produced any and is not aware of another similar development with climate-controlled storage. Mr. Horton described the proposed self-storage facility as a fully climate controlled two story building, gated with high security, full camera system, and door access entry.

Chairman Keeler inquired about the height of the storage unit facility in comparison to the Tom Thumb. Mr. Horton replied that he expects the height of the self-storage facility to be similar with Tom Thumb's front entrance signage.

Chairman Keeler asked, even though the facility is 130'-200' from housing, if light from the self-storage facility will affect surrounding residents and Mr. Horton replied that most facilities limit access at 10:00 pm and lights can be turned off at that point. Any lights on the rear of the building are set 8'-10' and are shielding down to allow access around the building.

Chairman Keeler requested clarification on the convenience store and Mr. Horton replied that it is a small convenience concept with specials coordinated with Tom Thumb.

Chairman Keeler asked if residents from surrounding neighborhoods will be able to walk to the development via sidewalks. Mr. King replied there will be sidewalks along North Grove Boulevard and Hedgewood Drive to allow pedestrian access. Mr. Horton noted he has worked closely with City



staff to provide adequate access via Hedgeworth Drive and North Grove Boulevard to keep traffic off of Highway 77.

Chairman Keeler asked if pad sites will be all retail uses with no multi family use. Mr. Horton replied the pad sites will be for single or two tenant uses such as restaurants, community services, bank, etc. Mr. King noted drive-throughs would be allowed at remaining pad sites subject to detailed site plan including all zoning requirements. Mr. Horton added, through the declaration and lease with Tom Thumb, there are internal restrictions that stacking cannot get onto main traffic aisles.

Chairman Keeler emphasized the importance of the Tom Thumb being built first and Mr. Horton replied that Tom Thumb is the first piece of the puzzle to the development and will be built first.

Commissioner Test asked if other potential uses were considered for Lot 2 and Mr. Horton replied the development was marketed to multiple retailers, but the main issue is the proximity to Tom Thumb. He explained you can't put another grocery concept and the site is not big enough for a home improvement concept. The self-storage facility does not require high traffic flow and has a relatively low impact with around 20 customers per day.

Chairman Keeler asked if adequate parking is planned for the self-storage site and Mr. Horton replied there are loading/unloading zones around the perimeter of the building and parking in front of the office. He estimates four to five customers to be onsite at any given time with possible higher traffic on Saturday. Chairman Keeler asked how many units will be available and Mr. Horton replied he doesn't have definitive numbers, but estimates approximately 600 units depending on the sizes.

There being no others to speak for or against ZDC-178-2022, Chairman Keeler closed the Public Hearing.

### 17. Consider recommendation of Zoning Change No. ZDC-178-2022

#### Action:

Vice Chairman Melissa Ballard moved to recommend approval of ZDC-178-2022, a Zoning Change request from a General Retail zoning district to a Planned Development-General Retail zoning district (North Grove Center), located at the northeast corner of US Highway 77 and E North Grove Boulevard, subject to the conditions of the staff report. Ms. Bonney Ramsey seconded, All Ayes.

### 18. Adjourn

Jennifer Pruitt, Senior Director of Planning, shared the P&Z Commission meeting calendar and noted there are several meeting dates that occur on a day other than Tuesday to accommodate the planned City Hall renovations. She noted the meetings will be held at the Civic Center when renovations commence and staff has to vacate City Hall.

Shon Brooks, Executive Director of Development Services, noted the Comprehensive Plan was adopted by City Council and expressed his gratitude to the P&Z Commission, City Council, members of the community, and staff.

There being no further business, the meeting adjourned at 7:53 p.m.

(4a)

Planning and Zoning Commission March 15, 2023 Page 10

Respectfully submitted,

Jami Bonner Assistant City Secretary



## Planning & Zoning Department Plat Staff Report

Case: SUB-38-2022



Planning & Zoning Commission:

March 28, 2023

## CAPTION

Consider request by Scott Sandlin, Sheppards Place Development Co., LLC, for a Final Plat of Sheppard's Place, Phase 3, being 29.469 acres, located South of Hwy 287, West of FM 664, 78 Residential Lots and 1 Open Space, situated in the E. Horton Survey, Abstract 466 an addition to the City of Waxahachie (Property ID 277458) – Owner: SHEPPARD'S PLACE HOLDING CO, LLC (SUB-38-2022)

#### RECOMMENDED MOTION

"I move to approve SUB-38-2022, a plat of Sheppard's Place Phase 3, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

#### **APPLICANT REQUEST**

The applicant is requesting to plat the subject property into seventy-eight (78) residential lots and one (1) open space lot as the third phase of the Sheppard's Place subdivision.

**CASE INFORMATION** 

Applicant: Scott Sandlin, Sheppard's Place Development Co., LLC

Property Owner(s): Sheppard's Place Holding Co, LLC

Site Acreage: 29.469 acres

Number of Lots: 79 lots

Number of Dwelling Units: 78 units

Park Land Dedication: The cash-in-lieu of park land dedication fee is \$31,200.00

(\$400.00 per residential dwelling unit).

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

**SUBJECT PROPERTY** 

General Location: Located adjacent to, and to the west of, Sheppard's Place Ph 2.

Parcel ID Number(s): 277458

Current Zoning: Planned Development-Single Family-2 (PD-SF-2)

Existing Use: The subject property is currently undeveloped.

Platting History: The subject property was preliminary platted as part of

Sheppard's Place (PP-17-0157).

Site Aerial:



#### **PLATTING ANALYSIS**

The applicant is requesting to plat the subject property into 79 lots as part of the third phase of the Sheppard's Place subdivision. This phase of the subdivision is proposed to consist of seventy-eight (78) single-family residential lots and one (1) open-space lot. The proposed final plat aligns with the approved preliminary plat for the subject property. The applicant is providing a 10.279-acre open space lot on the western edge of the site, in accordance with the property's planned development (PD) zoning. This open space lot will serve as a large drainage easement and the green belt required by the PD.

#### **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 as presented.

#### **ATTACHED EXHIBITS**

1. Plat

#### APPLICANT REQUIREMENTS

- If approved by the Planning & Zoning Commission, within 30 days, the applicant shall provide the Planning Department with one revised electronic plan set that incorporates all comments.
- 2. Once the revised plans are provided, staff will verify that 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**

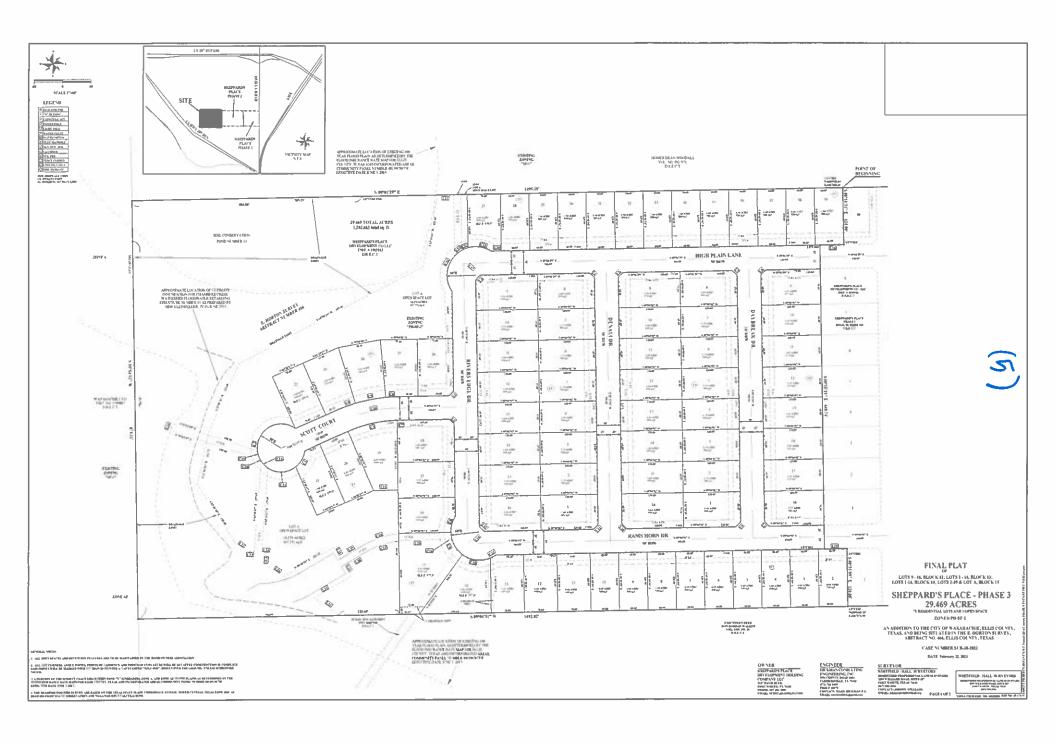
A plat shall not be filed with the Ellis County Clerk until:

- 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



#### PROPERTY DESCRIPTION:

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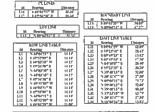
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#### FINAL PLAT

LOTS 1-16, BLOCK 13, EOTS 1-16, BLOCK 13, LOTS 1-16, BLOCK 14, LOTS 1-16 & LOT A, BLOCK 15

#### SHEPPARD'S PLACE - PHASE 3 29,469 ACRES

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AN ABDITION TO THE CITY OF WAXABACRIE, ELLIS COLNIN, TRVAS, AND BRING SITE ATER IN THE EL MORTON SERVEY,
ABSTRACT NO. 464, ELLIS CULNTY, TEXAS.

CASE NUMBER SUBJECTED

DWNER
HIBSTANDS PLACE
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COMPANY LLC
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COMPANY LLC

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# Planning & Zoning Department Plat Staff Report

Case: SUB-180-2022



Planning & Zoning Commission:

March 28, 2023

City Council:

April 3, 2023



**Public Hearing** on a request by Gilberto Escobedo, LGE Investment Homes LLC, for a **Replat** of Lot 1A of the Martin Addition, to create Lot 1AR & 1BR of the Martin Addition, two (2) residential lots, being 0.19 acres, located at 215 Finley Street (Property ID: 175899) – Owner: LGE Investment Homes LLC (SUB-180-2022) Staff: Zack King

#### **RECOMMENDED MOTION**

"I move to recommend approval of SUB-180-2022, a replat of the Martin Addition, subject to the conditions of the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

#### **APPLICANT REQUEST**

The applicant requests to replat the subject property into two (2) lots for residential use.

**CASE INFORMATION** 

Applicant:

Gilberto Escobedo, LGE Investment Homes LLC

Property Owner(s):

LGE Investment Homes LLC

Site Acreage:

0.19 acres

Number of Lots:

2 lots

Number of Dwelling Units:

2 units

Park Land Dedication:

N/A

Adequate Public Facilities:

Adequate public facilities are available to the subject property.

**SUBJECT PROPERTY** 

General Location:

215 Finley Street

Parcel ID Number(s):

175899

Current Zoning:

Single Family-3 (SF-3)

Existing Use:

The subject property is currently undeveloped.

**Platting History:** 

The subject property was replatted from Lots 1 & 2 of

Thompson's Southland Addition to Lot 1A of the Martin

Addition in 2020 with case number SUB-23-2020.

Page 1 of 3

(u+7)

#### Site Aerial:



#### **PLANNING ANALYSIS**

The applicant proposes to replat the subject property into two (2) lots for residential use. The subject property was originally platted as Lots 1 & 2 of Thompson's Southland Addition. In 2020, the property was replatted into a single lot as part of the Martin Addition. A total of 5' of right-of-way (ROW) dedication was provided along Finley Street at this time. The current replat sought by the applicant would provide an additional 5' of ROW dedication along Henrietta Street and Finley Street while establishing a similar lot arrangement to the original Thompson's Southland Addition.

However, the proposed lots do not meet the minimum lot size or utility easement requirements of the Single Family-3 (SF-3) zoning district or the Infill Overlay District. Due to this, the applicant has requested a Petition for Relief Waivers for both minimum lot size and minimum utility easement size. Specifically, the applicant seeks a variance to allow a minimum lot size of 3,700 square feet. Additionally, the applicant seeks a variance to allow a 10' utility easement along Finley Street and a 5' utility easement along Henrietta Street.

Staff is supportive of the variance for minimum lot size due to the size of the proposed lots remaining comparable to neighboring properties and the provision of additional ROW. (Neighboring residential properties vary in size between 4,000 and 5,000 square feet.) Staff is also supportive of the variance for utility easements smaller than 15' in size because the City utility facilities are located in the Finley Street and Henrietta Street ROW. However, as a condition of approval, the Applicant must provide documentation from franchise utility providers in the area (Oncor, AT&T, Charter, and Atmos) stating that they have no objection to the proposed easements prior to the recordation of the replat.

#### **PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 21 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

(4+7)

#### 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 Replat request, subject to the conditions listed below.

#### Conditions:

1. The Applicant shall provide written documentation from franchise utility providers (Atmos, AT&T, and Oncor) to confirm whether existing franchise utilities are located on the subject property. The letters will also confirm that franchise utility providers have no objection to a 5' utility easement along Henrietta Street and a 10' utility easement along Finley Street. The Applicant shall provide this documentation to Staff prior to the recordation of the replat.

#### **ATTACHED EXHIBITS**

1. Replat

#### CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

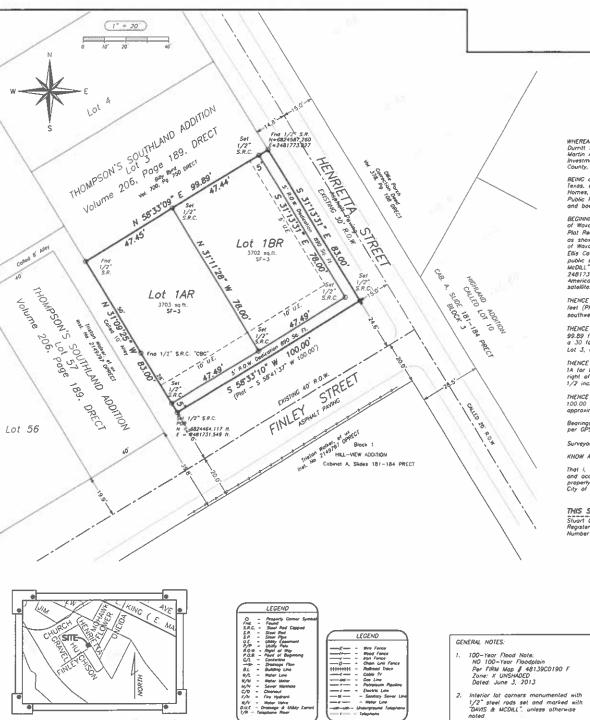
A plat shall not be filed with the Ellis County Clerk until:

- 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. The Applicant shall provide written documentation from franchise utility providers (Atmos, AT&T, and Oncor) to confirm whether existing franchise utilities are located on the subject property. The letters will also confirm that franchise utility providers have no objection to a 5' utility easement along Henrietta Street and a 10' utility easement along Finley Street. The Applicant shall provide this documentation to Staff prior to the recordation of the replat.

#### 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



LOCATION MAP SCALE: 1" = 1000"

NOTE:
PROPRIETY IS IN THE JURISDICTION OF THE CITY OF
MAUMACHE, TEXAS AND IS SUBJECT TO THER
PLATTING PULLS AND RELIZATIONS. THE CITY OF
MAUMACHET'S TOWNING RULES AFFECT THE BUILDING
SCHOOL'S DEFINED FOR THE STREAM OF THE
CORRENT TOWNING THE THIS PLAT DOES NOT
SUPPORT IN CITY SEES SHOWN.

OWNERS: LGE INVESTMENT HOMES, LLC 120 Deercreek Drive Woxahachie, Tx. 75165 Gilbert Escobedo

WHEREAS, LCE Investments Homes LLC, is the Owner of a tract of land situated in the Silas M. Durnit Survey, Abstract Number 272, City of Waschachie, Ellia County, Texas, and being Lot 1A. Martin Addition, City of Waschachie described in deed from AGC Custom Homes, Inc., to LCE Investments Homes LLC, recorded in Instrument Number 2144522, Official Public Records, Ellia County, Texas and being more particularly described as follows:

BEING a part of the Silas M. Durnitt Survey, Abstract Number 272, City of Wasahachie, Ellis County, Texas, and being Lot 1A, Martin Addition, City of Wasahachie described in deed from AGC Gustom Homes, Inc., to LGE Investments Homes LLC, recorded in Instrument Number 2144522, Official Public Records, Ellis County, Texas (OPRECT), and being more particularly described by its metes and bounds as follows:

BEGINNING at a point of the southwest corner of Lot 1A, Martin Addition, on addition to the City of Warahachie, Ellis County, Texas, according to the plat thereof recorded in Cabinet K, Slide 197.
Plat Records, Ellis County, Texas (PRECT) and the east right of way line of a 10 fool wide alley, as shown an and dedicated by the plat of Thompson's Southland Addition, an addition to the City of Waxhachie according to the plat thereof recorded in Valume 206, Page 189, Deed Records, Ellis County, Texas (DRECT) and the north right of way line of Finley Street, a variable width public street as dedicated in Cobinet K, Slide 197, a ½ inch steel rod with cap stamped "DAVIS & McDILL" set, having surface coordinate values of North = 6824464.117 feet and East = 2481731.549 feet, based on the Texas Coordinate System, North Central Zone (Zone 4202) North American Datum of 1983 and are obtained from observations of Global Positioning System

THENCE N 31'09'25" W, with the west line of said Lot 1A and said allay right of way line, 83.00 feet (Plat = N 31"18"23" W, 83.00 feet) to the northwest corner of said Lot 1A and the southwest corner of Lot 3 of said Thompson's Southland Addition, a 1/2 inch steel rod found;

THENCE N 58°33'09° E, with the north line of soid Lot 1A and the south line of said Lot 3 for 99.89 feet (Plot - N 58°41'37° E, 100.00 feet) to the west right of way line of Mennetto Street, a 30 foot public street at the northeast corner of said Lot 1A and the southeast corner of said. Lot J. a 1/2 inch steel rod found:

THENCE S 31"13'31" E, with said Henrietto Street right of way line and the east line of said Lot 1A for 83.00 feet (Plot = \$ 31"18"23" E, 83.00 feet) to the intersection of solid Hermelta Street right of way with solid Finley Street Right of way and at the southeast corner of said Let IA, a 1/2 inch steel rod with cap stamped "DAVIS & McDILL" set;

THENCE 5 58'33'10" W, with the south line of said Lot IA and said Finley Street right of way line, 100.00 feet (Plat - 5 58'41'37" W, 100.00 feet) to the point of beginning and containing approximately 0.190 acre of land.

Bearings hereon are based on the Texas Coordinate System of 1983, Texas North Central Zone per CPS absenvations.

Surveyor's Certificate §

KNOW ALL MEN BY THESE PRESENTS.

That I, Stuart G. Hamilton, RPLS 4480, do hereby certify that I prepared this plot from an actual needs, asserts, manifection, in real seaso, an hereby certify that I prepared this plat from an setual and occurate survey of the land and that the corner monuments shown thereon all set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Metahlochie.

THIS SURVEY IS VALID ONLY WITH ORIGINAL SIGNATURE IN RED INK Stuart G. Hamilton Registered Professional Land Surveyor Number 4480

#### REPLAT **MARTIN ADDITION** LOTS 1RA and 1RB

Being a 0.190 Acre Replat of Lot 1A of Martin Addition, an addition to the City of Waxahachie, Texas, according to the plat thereof recorded in Cabinet K, Slide 197, Plat Records Ellis County, Texas

Silas M. Durrett Survey, A-272 2 Single Family Lots Current Zoning: SF-3

Case Number: SUB-180-2022

Job: 222-0234

Scale: 1"= 20"

Revisions

By

UD PVANNING — FLOODPLAIN MANAGEMENT 428, WAXAHACHIE, IEXAS 15168 PHONE: 912-938-1185 ensed surveying firm # 10184681

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Dote: 3/3/2023

Drawn: D. Hocutt Sheet \_\_\_1 of 2 sheets

OWNER'S CERTIFICATE

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS.

THAT WE, LCE INVESTMENT HOMES, LLC, acting herein by and through Gilberto Escabedo, its duly IPAT WE, LCE INVESTMENT HOMES, LLC, acting herein by and through Giberto Escobedo, its duly authorized officers, does hereby odogli this replot designating the herein obove described property as REPLAT = MARTIM ADDITION, LDTS IRA and IRB, an addition to the City of Waxohochie, Texas, and does hereby dedicated, in fee simple, le the public use forever, the streets and alleys shown thereon The streets and alleys shown thereon The streets and alleys shown thereon The affects and alleys shown thereon The streets and alleys shown the street of the public set areas, as shown, are dedicated, for the public set of this public, the buildings, face, these shows the street of the street upon, over or across the sproved by the City of Waxohoche, in addition, this Essements may also be used for the mutual use and accommodation of all public utilities desiring to use at using the same unless the accement limits the use to acceled an addition this shown that the street of the Public's and City of the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Washachie's use thereof. The City of Washachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, Feness, trees, shrubs or other improvements or growths when may in any wey endanger or interfere with the construction, monitenance, or efficiency of their respective systems in said Essements. The City of Washachie and public utility entities shall not limes have the full right of largess and Egress to or from their respective essements 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

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

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

"Preliminary, this document shall not be recorded for any purpose."

Gilberto Escobedo, Owner

STATE OF TEXAS 8 COUNTY OF FLLIS &

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Ciberto Escobedo, known to me to be the person whose name is substribed to the laregoing instrument and acknowledged to me that she executed the same for the purpose and considerations therein expressed.

Given under my hand and seat of office, this \_\_\_\_\_ day of\_\_\_\_\_\_\_20\_\_\_

Preliminary, this document shall not be recorded for any purpose."

My Commission Expires On. Notory

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

STATE OF TEXAS: COUNTY OF ELLIS:

APPROVED BY: Planning and Zoning Commission City of Waxahachie

Preliminary, this document shall not be recorded for any purpose."

Chairperson

STATE OF TEXAS: COUNTY OF ELLIS:

APPROVED BY: City Council City of Waxahachie

"Preliminary, this document shall not be recorded for any auroose," Date Mayor

ATTEST Preliminary, this document shall not be recorded for any purpose."

DRAINAGE NOTES:

- (1) BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITEO.
- (2) THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVERSING ALONG OR ACROSS THE ADDITION WILL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO THE DRAINAGE COURSES ALONG OR ACROSS SAID LOTS.
- (3) CITY OF WAXAHACHIE WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGE WAYS OR FOR THE CONTROL OF EROSION.
- (4) CITY OF WAXAHACHIE WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OR LOSS OF LIFE OR PROPERTY OCCASIONED BY FLOODING OR FLOOD CONDITIONS

NOTE: PROPERTY IS IN THE JURISDICTION OF THE CITY OF WAXAMACHE, TEXAS AND IS SUBJECT TO THEIR PLATTING RULES AND REGULATIONS.

LGE INVESTMENT HOMES LLC 120 Deercreek Drive Waxahachie, x. 75165 Gilbert Escapedo 469-441-2984

Revisions

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Date: 3/3/2023 Scale: N/A

Drown: D. Hocutt Job: 222-0234

Sheet 2

of 2 sheets.

#### REPLAT **MARTIN ADDITION** LOTS 1RA and 1RB

Being a 0.190 Acre Replat of Lot 1A of Martin Addition, an addition to the City of Waxahachie, Texas, according to the plat thereof recorded in Cabinet K, Slide 197, Plat Records Ellis County, Texas Silas M. Durrett Survey, A-272 2 Single Family Lots Current Zoning: SF-3

Case Number: SUB-180-2022

Surveyor's Certificate &

KNOW ALL MEN BY THESE PRESENTS:

That I, Stuart G. Hamilton, RPLS 4480, do hereby certify that I prepared this plot from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie

#### "Preliminary, this document shall not be recorded for any purpose."

Stuart G. Hamilton Registered Professional Land Surveyor

THIS SURVEY IS VALID ONLY WITH ORIGINAL SIGNATURE IN RED INK

(849)

# Planning & Zoning Department Zoning Staff Report

Case: ZDC-05-2023



**MEETING DATE(S)** 

Planning & Zoning Commission:

March 28, 2023

City Council:

April 3, 2023

#### **CAPTION**

**Public Hearing** on a request by Jake Fears, JHF Engineering for a **Specific Use Permit (SUP)** for a restaurant with a drive-through use (Dutch Bros) within a General Retail (GR) zoning district located at 1995 North Highway 77 (Property ID 262424) - Owner: SAI Commercial Group, LLC (ZDC-05-2023)

#### RECOMMENDED MOTION

"I move to recommend approval of ZDC-05-2023, a Specific Use Permit (SUP) for a restaurant with a drivethrough use (Dutch Bros), subject to the conditions the staff report with elevation option \_\_\_\_\_, 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 (Dutch Bros) at 1995 North Highway 77.

**CASE INFORMATION** 

Applicant:

Jake Fears, JHF Engineering

Property Owner(s):

SAI Commercial Group, LLC

Site Acreage:

0.562 acres

Current Zoning:

General Retail District (GR)

Requested Zoning:

GR with a specific use permit (SUP) for a restaurant with a drive-

through use (Dutch Bros)

SUBJECT PROPERTY

General Location:

1995 North Highway 77

Parcel ID Number(s):

262424

Existing Use:

**Undeveloped Land** 

Development History:

N/A

#### Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	GR	Undeveloped Land
East	PD-GR	Future North Grove Shopping Center
South	GR	Community National Bank
West	LI-1	Undeveloped Land

Future Land Use Plan:

**Local Commercial** 

Comprehensive Plan:

The local commercial placetype includes areas for restaurants, shops, grocery stores, offices, and personal service establishments. This placetype was incorporated to preserve the City's commercial corridors. Where appropriate, local commercial uses should be located at the intersection or frontage of major thoroughfares (60 feet or greater). The intensity of this placetype falls between neighborhood scale commercial and regional commercial. Local commercial will consist of a single or cluster of standalone office, retail or commercial buildings with an anchor. Local commercial uses should be interconnected with sidewalks to increase walkability. In addition, a shared open space comprised of a plaza or park is encouraged for multi-pad site developments.

Thoroughfare Plan:

The primary access to the subject property is from Victory Drive (60' right-of-way) and North Town Boulevard (60' right-of-way). These roadways are constructed, and no additional right-of-way is required.

#### Site Image:



(8+9)

#### **PLANNING ANALYSIS**

#### Proposed Use

The Applicant requests a specific use permit for a restaurant with a drive-through (Dutch Bros) at 1995 North Highway 77. The Applicant proposes constructing a 950-square-foot building on a 0.5-acre tract where customers can order food and drink through the drive-through or the walk-up order window. The establishment will not have an indoor dining area. The building's occupancy will be limited to employees. However, the establishment has provided a 504-square-foot outdoor seating area for customers. Since the restaurant parking requirement is based on the floor area of the dining area, the Applicant has provided six (6) parking spaces for the outdoor seating area to ensure adequate parking for customers. Additionally, the Applicant has provided two stacking lanes for the drive-through to manage typical business demands. Typically, only six (6) stacking spaces are required. However, the Applicant has provided thirteen (13) stacking spaces for vehicle queuing.

The proposed project satisfies all the zoning ordinance requirements, including but not limited to parking, stacking, screening, and landscaping. Most notably, the Applicant has proposed constructing a 6-foot-wide sidewalk along US Highway 77, Victory Drive, and North Boulevard with canopy trees on both sides to encourage pedestrian connectivity among commercial pad sites in the general area. Additionally, since the initial submission of plans, the Applicant has made a concerted effort to revise the site layout to meet the City's driveway spacing along Victory Drive from US Highway 77 to address the City's traffic safety concerns. Furthermore, the proposed development is compatible and appropriate in the proposed location.

#### **Proposed Elevations**

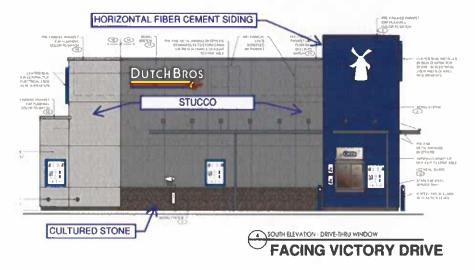
The Applicant has provided two sets of architectural elevations. Both sets of elevations have the same color scheme but utilize different exterior finishing materials. A digital material board is provided for each option listed below to show the appearance and texture of each material.

Option 1 – In this option, each building elevation is composed of 90 to 100 percent metal siding with 0 to 10 percent split face CMU. The north, east (US Highway 77), and south (Victory Drive) elevations have the split-face CMU at the base of the building. The west elevation (North Town Boulevard) comprises 100 percent metal siding and does not have the split-face CMU at the base of the building.



(849)

Option 2 - In this option, each building elevation is composed of a maximum of 85 percent stucco with a horizontal fiber cement accent siding, and cultured stone at the base of the building. The north, east (US Highway 77), and south (Victory Drive) elevations have cultured stone at the base of the building. The west elevation (North Town Boulevard) does not have cultured stone at the base of the building.



#### **PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 10 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 associated with the request, the Planning Department recommends approval of the SUP request with the conditions listed below.

- The Applicant agrees to execute a mutually agreed upon Development Agreement for the development.
- 2. The Applicant submit a plat application to the Planning Department to replat the subject property in the lot configuration reflected on the site plan.
- 3. The Applicant shall obtain a permit from the City of Waxahachie Building Department before construction.

#### **ATTACHED EXHIBITS**

- 1. Location Map (Exhibit A)
- 2. Site Plan (Exhibit B)
- 3. Landscape Plan (Exhibit C)
- 4. Option 1 Architectural Elevations (Exhibit D)
- 5. Option 2 Architectural Elevations (Exhibit D)
- 6. Operational Plan

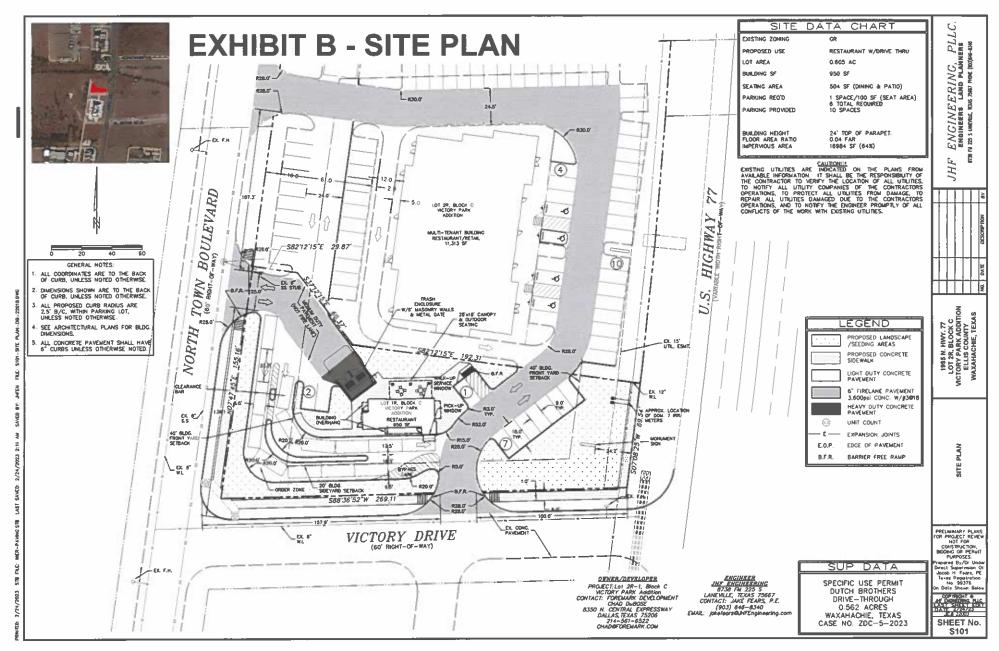
#### **STAFF CONTACT INFORMATION**

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







(849)

BUFFER TARD TREE BITERIOR LANDSCAPE TREE PARUMO LOT TREE BITEET TREE UNDER-GIORY TREE

YPE	QTV	COMMON HAME	BOTANICAL NAME	926	REMARKS
FO CN CE	13 2 9 10	Center Eth Grope Myrite Dattos Rest Love Dat Rost Date	(Jime) prospilate Importances matte Dales Find Countries regimen Countries regimen	E CHI	868.12 fit. 6' spread mm , 5' dear bunk. container 5 or 5 bunks. Itse larm entimme 12 fit. 6' spread 5' their streight that decliner 12 fit. 8' spread 5' their streight that
HAUSE TYPE	QTV.	COMMON HAME	BOTANICAL NAME	\$426	REMARKS
NPH NRS	182	Needlepard Holly India R. Stovana Holly	-the parties havelength days hade ft Street	3 get 3 get	contained 24" Ht., 25" spread contained 24" Ht., 25" spread
POVED	CENT RA	-			
TYPE	QIY	CONTRON HAME	807 MICAL NAME	354	REMARKS
TL WC	210 386	Yellow Lerrens Purpos Wintercrospes "41ff Bertrudingrass	Lesbone compre Compresse dodoner Codomber Cyrinder stortythe 179	C'pets C'pets	selection by control 12" e.c. Continuer 3-12" numbers than 12" e.c. Sond Sed refer to notes

LANDSCAPE FABRILATIONS

INTERIOR LANDISCAPE AREA
REQUIREMENT SON OF THE BUILDING SQUARE
POOTAGE SHALL BE LANDISCAPE AREA

UNCONSTRUCT MODES I THEIR PER 200 S.F.

SHELDE 1 SHRIJB PER 70 8 F

GROUNDOOMEN 15% OF REQUIRED AREA

SEASONIC COLOR 2% OF REQUIRED AREA

PANONG LOT LANDBEAPING REQUIREMENT TO BE OF CANDBEAPING PER PANONG BACK AND TWO IS TREED IT CALL AND THE CONTRACT OF EVER TOO BE OF

PERMANENT CANDOCAPE FOR STREET FRONTAGES LESS THAN 250 LF 20% OF THE STREET YARD SHALL BE PERMANENT LANDSCAPE FOR STREET FRONTAGES ORS AT THAN 2501 F

HORTH HIGHWAY 77 IS 917 SF STREET YARDS

VICTORY DRIVE IS 402 SF STREET YARD)

HORTH TOWN BLVD (13 607 97 STREET TARD)

LANDSCAPE SUPFER TREES
REQUIREMENTS 1 TREE PER 40 LF OF STREET
FRONTAGE

MORE THE HIGHWAY 77 (80 ), F. S

MICTORY DRIVE (2001) Fis

NORTH TOWN BLVD (155 L F )

STREET TREES
REQUIREMENTS I TREE PER 30 LF OF STREET
FRONTAGE HORTH HIGHWAY 77 HIGH F

VICTORY DRIVE (200 L F ) ntoumtb e întes

HORTH FOMH BLVD (156 L.F.)

	SITE	DATA	CHART
d souther	ZONNO	DH DH	0
PROPOS			T WORNE THRU
L01 ARG		0 562 6	
BUILDIN		190.00	
SEATING			IOMANO A PATION
PARt de			SATISTICS OF STREET ARREST
		6 REQ	VIRED
PARKING	I PROVIDED	16.029	CHS.
			P OF PARAPET
	D HEIGHT DRAN ABBI	0 14 F	
saletone.	OUS AREA	10004	MI JANUARA



#### SOLID SOD NOTES

- FIVE CRACE AREAS TO ACHIEVE PRIVE CONTOURS INDICA NEED LEAVE AREAS TO RECEIVE TOPICS, If NEL DIV FIVE, DIVERS IN FAMILY OF AREAS AND IT WELL DIV FIVE, DIVERS IN FAMILY OF AREAS AND ASSESSED AND IT WELL DIVERS ON THE AREAS.

- NAME AND DESCRIPTION OF A STREET OFFICE AND DESCRIPTION OF THE PARTY O
- CONTRACTOR SINCL MINISTANCE, LIBER AND AS LIVER, FRING, ACCORDANCE THE BIRNEL HIGH, LIBER AND LIBER TO MODERN MATERIAL WILLIAMS AND MINISTRAL CLARANGE AND METHOD CLARAGE OF METHOD CLARAGE AND MATERIAL CLARAGE WAS TO MEET PLACES WAS VIOLENCE WHAT THE CLARAGE AND MATERIAL WAS MADERIAL WAS AND MALE WAS AND MATERIAL WAS AND MALE WAS

#### GENERAL LAWN HOTES

- CONTINUED SHALL PROVIDE (IT) ONE MICH OF HIPORTED TOPSON, ON A. I. WIELD TO TRICITUE LIMIN.

- CONTRACTOR SHALL LOCATE ALL EXPENSION CHORAGOUS UNLINES AND HOTHER MONEY CONTRACTOR SHALL CONTRACTOR SHALL MAN CON

- 2 ALL DAMMARIAS TO BE SOLD SOCIETIAL DAGMARIL LINE SEE



1784 W McDBHAGTT DR BUTE 110 ALLEN TEARS 75013 (400) 300-4440 CHRISGISTUDIOGREEMSPOT COM



1995 NORTH HWY 77
LOT 2R, BLOCK C
VICTORY PARK ADDITION
ELLIS COUNTY
CITY OF WAXARACHIE, TEXAS

RESTAURANT DEVELOPMENT

ISSUE: FOR APPROVAL 01 SI 7023 CITY COMMENT B1 37 2023

DATE: 02 24 2023

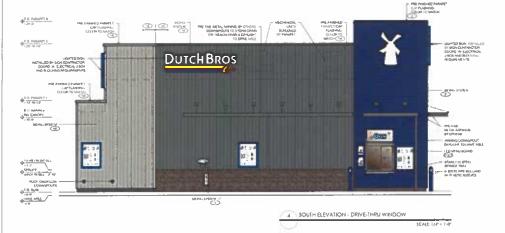
SHEET HAME:

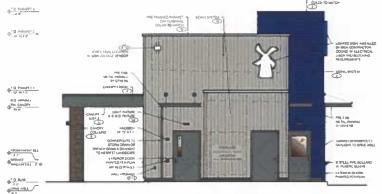
RHEET MANAGER



EXTERIOR FIRSH MATERIALS						
EVENTION	VERTICAL METAL PANEL SURFACE AREA	HORIZONTAL METAL PAMEL SURFACE AREA	CMU VENEER SURFACE AREA	TOTAL SURFACE AREA		
C-Did	217 St. cettle	2 to \$7 (4fm)	40 Er 11049	47× 05 (1000m)		
5 703034	Jan Sif press	40 SF (*) FL	was pro-	100 OF (100%)		
3 9435	200 W (27%)	101.01 (0.01)		498 ST (1009M		
a BD/h	AP III (OVA)	5-10 ED-11	0 H (VII)	6749F (100m)		

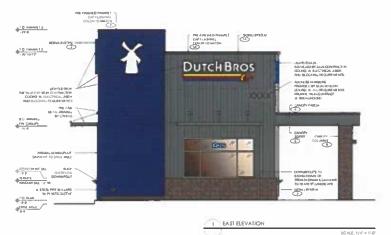
D TAG	MATERIAL	MANUFACTURER	MODEL	REMARKS
208) I SHC	2(1)	1		
18	METAL PANEL	WESTERN STATES WETAL ROOFING	WESTERN WAVE 24 ps.	ORIENTATION VERTICAL COLOR BLDG OB GARK GRAY
10	METAL PANEL	MESTERN STATES METAL ROOFHO	WESTERN WAVE 24 gs.	ORIENTATION VERTICAL COLOR BLDG OB LIGHT ORAY
HE 2   TOY	VERI			
2	METAL PANEL	WESTERN STATES METAL ROOFING	WESTERN WAVE 24 ps	ORIENTATION HORIZONTAL COLOR BLOG DB SLUE
PARIC SHE	E)			
3	CMU VENEER AND BALL	BASALITE	44-18 SPUT FACE	COLOR CHARDDAL - REVIEW FINAL COLOR SELECTION WI DISC
PAE 4 IFRA	MED CANOPY			
4	FABCIA	WESTERM STATES WETAL ROOFING	f-amount, no	1 BIDES COLOR BLOG DS DARK GRAY
5	807711	HEWN ELEMENTS	NATURAL NORTHWESTERN SPRUCE	THE TAG THE REVEAL BEALED
	COLUMNS	BASALITE	8-8-16 SPU1 FACE 3-80ES	COLOR CHARGOAL REVIEW PHAL COLOR SELECTION W/ OB





3 WEST ELEVATION









1001 SE SANDY BLVD, SUITE 100 PORTLAND, DR 97214 V. 503-552 9079 F. 503.241.7055 WWW.GHICHARCK.COM

Project No; TX1908
Dutch Brox Coffee - New Freeslandir
1995.11 Meanoche. IX78165
For Dutch Bas Coffee
1105.W.4th Steel

ISSUED FOR DESIGN REVIEW: 02.01.2023

SHEET HAME:

OPTION I BUILDING ELEVATIONS -COLOR

SHEET HUNDER









Durch Brot

LOOKING NORTH-EAST

LOOKING NORTH-WEST









LOOKING SOUTH-WEST

LOOKING SOUTH-EAST

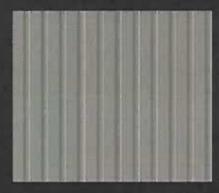




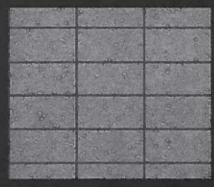
METAL SIDING
MANUFACTURER: WESTERN STATES
METAL ROOFING
PROFILE: WESTERN WAVE - HORIZONTAL
COLOR: BLDG DB BLUE



METAL SIDING
MANUFACTURER WESTERN STATES
METAL ROOFING
PROFILE: WESTERN WAVE - VERTICAL
COLOR BLDG DB GRAY DARK



METAL SIDING
MANUFACTURER: WESTERN STATES
METAL ROOFING
PROFILE: WESTERN WAVE - VERTICAL
COLOR: BLDG DB GRAY LIGHT



CMU
MANUFACTURER WILLAMETTEGRAYSTONE
PROFILE SLIT FACE
COLOR CHARCOAL OR SIM.



CANOPY SOFFIT
MANUFACTURER HEWN
PROFILE NW SPRUCE
NATURAL & SEALED
COLOR PER MFR



WINDOW SYSTEM
MANUFACTURER KAWNEER OR SIMILAR
FROFILE: CLEAR ANODIZED ALUMINUM
FINSH: CLEAR NO 14 / 17



AWNINGS & DOORS - PAINT
MANUFACTURER SHERWIN-WILLIAMS
COLOR BLDG DB GRAY DARK



ROOFING MATERIAL MANUFACTURER DURO-LAST DL-60 - 60 MIL WHITE

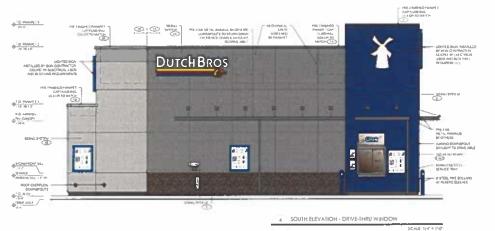


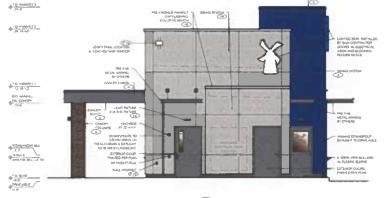
DUTCH BROS COFFEE | TX1908 | 1995 N HWY 77 | WAXAHACHIE, TX 75165

OPTION 1 - MATERIAL BOARD

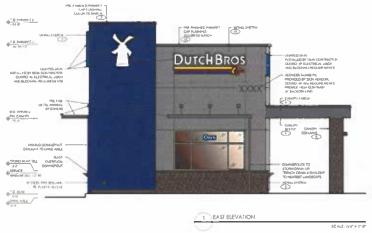
EXTERIOR FORSH MATERIALS						
ELEVATION	STVCCD SURFACE AREA	FIBER CEWENT SIGNIG SUPFACE AREA	STONE VENEER SUNFACE AREA	TOTAL SURFACE AREA		
1-1407	212 IF 1815s	246.02 (404)	10 (0 (1014)	49 (F (100%)		
1.30%	2010 (HILL)	49.00	AN da (11/11	to as licture		
a mat	300 H (77%	40.00 000		est in process		
4-9000	10.00	21117 (22%	10 17 10 14	177 St (1007s)		

ID TAG	MATERIAL	MANUFACTURER	MODEL	REMARKS
ONE 1(800	7()			1
LA	81UCC0	DRIVIT	CCP-2 SYSTEM SANOPESSEE FINE E PHISIK REVEALS AS SHOWN	PAINTED COLOR BLDG DE DARK GRAT
tm	817/CCO	DRYVIT	COP-2 SYSTEM BANDPERGLE FINE E PINSK REVEALS AS SHOWN	PANTED COLOR BLDG DE LICHT ORAY
WOTE SHOS	MER:			
2	PROGR CENENT BIDING	NICHHA	ELUMINATION AMP SEIS IN FACTORY PANEL CORNERS	COLOR BLDG DS BLUE
BABIE 3HOS	ē)			
,	BTONE VENEER	ELDORADO STONE	CLEF STONE, BAHET SPRINGS	COLOR PER WA
,	DOME DILL	ELDORADO STONE	SHAPPED EDGE WANISCOT BILL	COLOR PEWTER
ZONE 4 (FRA	MED CANOPY)			
6	FASQA	WESTERN STATES METAL ROOFING	T-0400VE. Id*	3 BIDES COLOR BLDG OB DARK GRAY
3	BOFFIT	HEWN ELEMENTS	NATURAL HORTHWESTERN BPRUCE	INS TOO HE' REVEAL
4	COLUMNS	ELDORADO STONE	CLIFF STORE, SAMPF SPIRINGS	COLOR PER MFR











Project No: TX1908
Dutch Bros Coffee - New Freestanding 1995 in Hey 77
Woodnoor-Ein 73 list for Dutch Bros Coffee
Isla Swith Street

ISSUED FOR DESIGN REVIEW: 02.01.2023

PEV DATE: DESC PETICH

SHEET HAME:

OPTION 2
BUILDING ELEVATIONS COLOR

SHEET HAMBER

A6.1







LOOKING NORTH-EAST



LOOKING NORTH-WEST









LOOKING SOUTH-WEST

LOOKING SOUTH-EAST





FIBER CEMENT BOARD
MANUFACTURER NICHIHA
PROFILE: ILLUMIINIATION
COLOR BLDG DB BLUE



STUCCO SYSTEM
MANUFACTURER DRYVIT
PROFILE CCP-2 SYSTEM.
SANDPEBBLE FINE E FINISH
COLOR: PAINTED, BLDG DB GRAY DARK



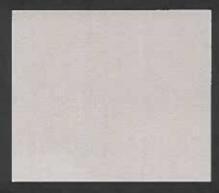
STUCCO SYSTEM
MANUFACTURER DRYVIT
PROFILE: CCP-2 SYTEM
SANDPEBBLE FINE E FINISH
COLOR: PAINTED. BLDG DB GRAY LIGHT



CULTURED STONE
MANUFACTURER ELDORADO STONE
PROFILE CLIFFSTONE - BANFF SPRINGS
COLOR PER MFR



CANOPY SOFFIT MANUFACTURER HEWN PROFILE: NW SPRUCE NATURAL & SEALED COLOR: PER MFR



WINDOW SYSTEM
MANUFACTURER KAWNEER OR SIMILAR
PROFILE CLEAR ANODIZED ALUMINUM
FINISH CLEAR NO 14 / 17



AWNINGS & DOORS - PAINT MANUFACTURER SHERWIN-WILLIAMS COLOR BLDG DB GRAY DARK



ROOFING MATERIAL MANUFACTURER: DURO-LAST DL-60 - 60 MIL COLOR: WHITE



DUTCH BROS COFFEE | TX1908 | 1995 N HWY 77 | WAXAHACHIE, TX 75165

OPTION 2 - MATERIAL BOARD

(849)

#### 1995 Hwy 77, Waxahachie, TXS

#### **Specific Use Permit**

#### **Operational Plan**

#### **Summary:**

Dutch Brothers is a quick serve facility for coffee and related beverage sales, as well as pre-packaged food selections, for drive-thru and walk-up customers only. No indoor seating, but occasionally offer some chairs or tables outside to allow for pedestrian/bike friendly operation. No speaker box is used at the menus, only human with portable POS stations (iPad) as runners.

#### Hours of operation:

5am-10pm daily (Monday - Sunday) with peak hours between 7am-9am and 3pm-5pm

#### **Number of Employees:**

Approx. 4-5 people during each shift with 40 total employees per shop

#### Compatibility with adjoining uses:

All proposed uses are consistent with the existing zoning.

#### Company's Business Plan:

Dutch Bros Coffee is a fun-loving, mind-blowing company dedicated to making a massive difference one cup at a time. Dutch Bros was founded by two real life bros in 1992. The drive-thru coffee chain has since grown to more than 500 locations in 13 states and is on pace to grow to 4,000+ shops by in the next 10-15 years.

The menu offers a range of drinks from specialty coffee, smoothies, freezes, teas, a private-label Dutch Bros Blue Rebel energy drink to nitrogen-infused cold brew coffee. All drinks are handcrafted for each customer and guaranteed to satisfy!

Dutch Bros isn't your traditional sit down, quiet place to work, coffee shop. Customers can expect upbeat music, energetic broistas (Dutch Bros' version of baristas) and outstanding speed, quality, and service. It doesn't use a speaker box for ordering; instead, a broista takes your order with an iPad for a more personal experience.

Dutch Bros believes in a non-traditional franchise model with a unique growth path which further cultivates the experience it's known for. The growth path for operators starts in the shops- to be eligible to become an operator, broistas must first work at a shop, move up within shop leadership, receive positive peer and leadership reviews, and continue to share the culture until an operating opportunity arises!

Dutch Bros also believes in giving back to the communities it serves. Through the Dutch Bros Foundation, the company donates several million dollars to its communities and nonprofit organizations!