

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Wednesday, November 29, 2023 at 7:00 p.m.*** at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas.

Commission Members: Rick Keeler, Chairman
 Erik Test, Vice Chairman
 Bonney Ramsey
 David Hudgins
 Ron Ansell
 Adrian Cooper
 Marlene Norcross

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. ***Consider*** minutes of the regular Planning & Zoning Commission meeting of November 14, 2023
5. ***Continue Public Hearing*** on a request by Maxwell Fisher, ZoneDev, for an Amendment to Ordinance 2281 to allow for revised development standards and a detailed site plan within an approved Planned Development located southwest of the intersection of FM 878 and FM 879 (Property ID: 290675) – Owner: ASD Waxi Fee Owner LLC (ZDC-69-2023) Staff: Zack King
6. ***Consider*** recommendation of Zoning Change No. ZDC-69-2023
7. ***Consider*** a request by Patrick Heibel, for a Replat of Lot 1, Irwin Branch Addition, to create Lot 1R-A and 1R-B, Irwin Branch Addition, 2 residential lots, being 4.019 acres, located at 1111 Ovilla Road, in the Extra Territorial Jurisdiction and the City of Waxahachie (Property ID: 290745) – Owner: Rhendi J. Heibel and Patrick D. Heibel (SUB-181-2023) Staff: Zack King
8. ***Public Hearing*** on a request by Jared Ruffin, Ruffin Holdings LLC for a Zoning Change from a General Retail (GR) zoning district to Planned Development-General Retail (PD-GR) zoning district, located at 115 Dean Box Drive (Property ID 291054) - Owner: Ruffin Holdings LLC (ZDC-31-2023) Staff: Zack King
9. ***Consider*** recommendation of Zoning Change No. ZDC-31-2023
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.

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, November 14, 2023 at 7:00 p.m. at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas.

Members Present: Rick Keeler, Chairman
Bonney Ramsey
David Hudgins
Ron Ansell
Adrian Cooper
Marlene Norcross

Member Absent: Erik Test, Vice Chairman

Others Present: Jennifer Pruitt, Senior Director of Planning
Zack King, 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. **Consider minutes of the regular Planning & Zoning Commission Meeting of October 24, 2023**

Action:

Bonney Ramsey moved to approve the minutes of the regular Planning & Zoning Commission Meeting of October 24, 2023 as presented. Motion was seconded by David Hudgins and carried unanimously (6-0).

5. **Public Hearing on a request by Katy Dockery, HKS Inc., for a Site Plan for the Baylor Scott & White Hospital Tower Expansion II, located at 2400 N Interstate 35E (Property ID: 180334) – Owner: Baylor Health Care System (SP-141-2023) Staff: Zack King**

The Item was presented by Senior Planner Zack King and applicant Mark Fryer requested approval.

Chairman Keeler opened the Public Hearing at approximately 7:13 p.m.

Those who spoke in favor:

Betty Square Coleman, 116 Bradshaw, Waxahachie, Texas

There being no others to speak for or against SP-141-2023, Chairman Keeler closed the Public Hearing at approximately 7:16 p.m.

6. Consider recommendation of Site Plan No. SP-141-2023

Action:

Bonney Ramsey moved to recommend approval of SP-141-2023, a Site Plan for Baylor Scott & White Hospital Tower Expansion II, subject to the conditions of the staff report. Motion was seconded by David Hudgins and carried unanimously (6-0).

7. Public Hearing on a request by Maxwell Fisher, ZoneDev, for an Amendment to Ordinance 2281 to allow for revised development standards and a detailed site plan within an approved Planned Development located southwest of the intersection of FM 878 and FM 879 (Property ID: 290675) – Owner: ASD Waxi Fee Owner LLC (ZDC-69-2023) Staff: Zack King

Chairman Keeler announced the applicant requested to continue the Public Hearing to the November 29, 2023 Planning and Zoning Commission meeting.

Action:

Ron Ansell moved to continue the Public Hearing for ZDC-69-2023 to the November 29, 2023 Planning and Zoning Commission meeting. Motion was seconded by David Hudgins and carried unanimously (6-0).

8. Consider recommendation of Zoning Change No. ZDC-69-2023

No action taken.

9. Adjourn

There being no further business, the meeting adjourned at 7:18 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary


(5+6)



Memorandum

To: Honorable Mayor and City Council

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

for Thru: Michael Scott, City Manager 

Date: November 29, 2023

Re: ZDC-69-2023 ASD Waxahachie – PD Amendment

On November 20, 2023, the applicant requested to continue case no. ZDC-69-2023 from the November 29, 2023, Planning and Zoning Commission agenda and the December 4, 2022, City Council meeting agendas indefinitely.

Planning & Zoning Department

Plat Staff Report

Case: SUB-181-2023



MEETING DATE(S)

Planning & Zoning Commission: November 29, 2023

CAPTION

Public Hearing on a request by Patrick Heibel, for a **Replat** of Lot 1, Irwin Branch Addition, to create Lot 1R-A and 1R-B, Irwin Branch Addition, 2 residential lots, being 4.019 acres, located at 1111 Ovilla Road, in the Extra Territorial Jurisdiction and the City of Waxahachie (Property ID: 290745) – Owner: Rhendi J. Heibel and Patrick D. Heibel (SUB-181-2023) Staff: Zack King

RECOMMENDED MOTION

"I move to approve SUB-181-2023, a Replat for Lot 1R-A and Lot 1R-B of the Irwin Branch Addition, subject to the conditions 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:	Patrick Heibel
Property Owner(s):	Rhendi J. Heibel and Patrick D.
Site Acreage:	4.019 acres
Number of Lots:	2 lots
Number of Dwelling Units:	1 unit (existing)
Park Land Dedication:	N/A
Adequate Public Facilities:	Adequate public facilities are available to the subject property via water from Sardis-Lone Elm WSC and on-site septic systems.

SUBJECT PROPERTY

General Location:	1111 Ovilla Road
Parcel ID Number(s):	290745
Current Zoning:	Single Family-1 (SF-1)
Existing Use:	A single family home currently exists on the subject property.
Platting History:	The subject property was previously platted as a portion of Lot 1 of the Irwin Branch Addition.

Site Aerial:

PLANNING ANALYSIS

The applicant proposes to replat the subject property into two (2) lots for residential use. The subject property is partially located within the Waxahachie City Limits and partially within the Waxahachie Extraterritorial Jurisdiction (ETJ). Proposed Lot 1R-A is currently undeveloped and located fully within the Waxahachie ETJ. Proposed Lot 1R-B is currently occupied by a single-family residence and is located partially within the Waxahachie City Limits and partially within the Waxahachie ETJ. Due to the fact that the property is only partially located within the Waxahachie City Limits, the replat is required to be approved by the Planning & Zoning Commission and Ellis County Commissioner's Court.

The proposed replat does not currently account for utility easements and right-of-way (ROW) dedication required to be provided along Marshall Road and FM 664 (Ovilla Road). In addition to these omissions, several other minor errors and omissions need to be corrected on the replat in order to comply with the Waxahachie Subdivision Ordinance and Ellis County Subdivision and Development Standards. The applicant has been made aware of these items and confirmed they will be working to correct the deficiencies in the Replat. As these items have not yet been addressed, correction of each deficiency will be a condition of approval of the Replat. The applicant has not informed staff of an intent to seek a Petition of Relief or Hardship Waiver (variance) for the required utility easement or ROW dedications.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 212.015 and the City's public hearing notice requirements, 12 notices will be mailed to property owners inside the City Limits within 200 feet of the subject property no later than the 15th day after the replat is approved.

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 approval of the Replat request, with the conditions below.

Conditions:

1. Per Section 2.1.a and 7.1 of the Waxahachie Subdivision Ordinance, the Replat Application and Filing fees (\$1,270.00) are required to be paid prior to the filing of this replat.
2. Per Section 2.4.c.18 and 2.4.c.25 of the Waxahachie Subdivision Ordinance, the boundary displayed on the Replat and the legal description shall be revised to match.

3. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, only easements need to be shown on the plat, not build lines (setbacks). Build line references from the portion of the plat inside the Waxahachie City Limits shall be removed.
4. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, label the width of the existing Marshall Road and Ovilla Road right-of-way (ROW). Per Section 3.1.a.6.a of the Waxahachie Subdivision Ordinance, provide additional ROW dedication as needed based on the current widths of these roads. (FM 664 is shown as a 140' ROW and Marshall Road is shown as a 100' ROW on the Waxahachie Thoroughfare Plan.)
5. Per Section 2.4.c.22 of the Waxahachie Subdivision Ordinance, GPS (northing, easting) coordinates are required to be provided for one additional corner of the property.
6. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block with reference to the current zoning of the property is required to be provided for the replat.
7. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block with reference to the number of proposed lots is required to be provided for the replat.
8. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block with reference to the location of the subject property in the Waxahachie City Limits and Waxahachie Extraterritorial Jurisdiction is required to be provided for the replat.
9. Per Section 2.4.c.25 of the Waxahachie Subdivision Ordinance, the full Owner's Certificate is required to be provided in the Owner's Certificate section of the replat.
10. Per Section 2.4.c.25 of the Waxahachie Subdivision Ordinance, a City Council Signature Block should only be provided if a Petition for Hardship Waiver or a Petition for Relief Waiver is requested. As no waiver has been requested, the City Council Approval Block is required to be removed.
11. Per Section 3.3.a of the Waxahachie Subdivision Ordinance, a 15ft UE is required to be provided along the Marshall Road frontage inside the Waxahachie City Limits.
12. Per Section 3.8.b of the Waxahachie Subdivision Ordinance, a 30' utility easement along FM 664 is required to be provided for Sardis-Lone Elm WSC.
13. Per Section IV.B.1 of the Ellis County Subdivision and Development Standards, the replat is required to be revised to show a minimum front build line of 25' and minimum front drainage/utility easement is 20' on the portion of the property located in the Waxahachie Extraterritorial Jurisdiction.
14. Per Section IV.B.1 of the Ellis County Subdivision and Development Standards, the replat is required to be revised to show a minimum side setback and drainage/utility easement of 10'.
15. Per Section IV of the Ellis County Subdivision and Development Standards, the Ellis County Owner's Certificate is required to be provided due to the location of a portion of the property in the Waxahachie Extraterritorial Jurisdiction.
16. Per Section IV of the Ellis County Subdivision and Development Standards, revise the language/formatting of this OSSF statement to match the required formatting.

ATTACHED EXHIBITS

1. Replat
2. Water Utility Provider Endorsement Letter

APPLICANT REQUIREMENTS

1. If approved by the Planning & Zoning Commission, the applicant shall provide the Planning Department one revised electronic plan set that addresses all conditions of approval.
2. Once the revised plans are provided, staff shall process this resubmittal within 15 days and either Approve, Approve with Conditions, or Disapprove the application.
 - a. If all conditions are satisfied and the application approved, the applicant shall provide five signed, paper hard-copies of the replat for filing.

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, AICP

Senior Planner

zking@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com

JERRY P. JOHNSON
VOL. 1893, PG. 210,
OPRECT

RICHARD LUCAS & LINDA A. DONNER
VOL. 2454, PG. 2286, OPRECT

DANA RENEE LENNON
LOTS 1 & 2,
McNAUGHTONS CORNER
VOL. 1740, PG. 971, OPRECT

TxDOT PARCEL ID.: P0005+162
INST. NO. 2321129 OPRECT

(Called "BLACK CHAMP RD." by plat)
MARSHALL ROAD
Variable Right of Way

Fnd 1/2" S.R.C. "C80"
N=2469389.781
E=2469389.710
ELEV=662.7'

(Plat = S 89°16' E 778.0')
S 89°26'02" E 319.78'

(Plat = S 89°21'23" E 115.22')
N 89°21'23" E 115.22'

Fnd TxDOT Monument
TxDOT PARCEL ID.: P0005+159
INST. NO. 2323942 OPRECT

Fnd Npt in
Wood R.O.W.
TxDOT PARCEL ID.: P0005+159
INST. NO. 2323942 OPRECT

LOT 4
IRWIN BRANCH ADDITION
4.759 Acres

LIZBETH LAGUNES
INST. NO. 2137249, OPRECT

(Plat = N 89°45' E 247.99')
N 00°05'03" E 247.99'

LOT 1R-A
1.5684 Acres

James McCartney Survey Abstract Number 765
L. J. Irwin Survey Abstract Number 547 (Lockhart J. Irwin)
20' B.L. & U.E.

ELLIS COUNTY
APPROX. LOCATION
CITY LIMIT LINE
CITY OF WAXAHACHIE

FEMA PANEL 48136C0160 G
ZONE X

FEMA PANEL 48136C0180 G
ZONE X

LOT 1R-B
ZONED SF-1
2.4504 Acres
RESIDUAL LOT 1
IRWIN BRANCH
CAB. B, SLIDE 26, PRECT

1111 OVILLA ROAD
LEO J. SCHUMACHER SR.
TO
RHENDI J. HEIBEL &
PATRICK D. HEIBEL
VOL. 2158, PG. 2089, OPRECT

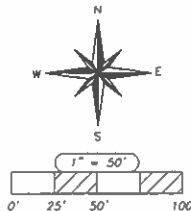
Fnd TxDOT Monument
TxDOT PARCEL ID.: P0005+159
INST. NO. 2313942 OPRECT

(Plat = S 45°30'23" E 42.48')
S 45°30'23" E 42.48'
(R.O.W. Dead = S 45°40'58" E 42.45')

FM 664
(VARIABLE RIGHT OF WAY)

SETTLER'S GLEN ADDITION, PHASE 2
CAB. H, SL. 509 PRECT

LINE TABLE
L-1 S 89°44'55" W, 43.54'
L-2 S 00°50'02" E, 3.37'



Surveyor's Certificate

KNOW ALL MEN BY THESE PRESENTS:
That I, Stuart G. Hamilton, Registered Professional Land Surveyor Number 4480, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie and conforms to Texas Board of Professional Engineers and Land Surveyors Standards.

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

Registered Professional Land Surveyor
Number 4480

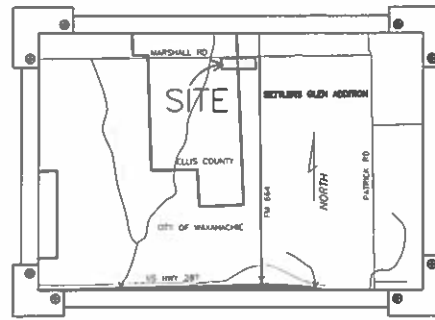
NOTE: BUILDING LINES WITHIN
CITY LIMITS ARE GOVERNED BY
CURRENT ZONING
REQUIREMENTS.

FLOODPLAIN NOTE:
100 YEAR FLOODPLAIN
PER FIRM MAP # 48139C0160 G
AND FIRM MAP # 48139C0180 G
DATED OCTOBER 19, 2023
ZONE: X UNSHADED AS SHOWN

NOTE:
ALL SET PROPERTY AND LOT CORNERS
ARE SET 1/2" STEEL RODS WITH
AN ORANGE CAP, STAMPED
"D&M & MCDILL", UNLESS
OTHERWISE SPECIFIED ON THE PLAT

NOTE:
PROPERTY IS IN THE EXTRA TERRITORIAL
JURISDICTION (ETJ) OF THE CITY OF
WAXAHACHIE AND IS SUBJECT TO THEIR
PLATTING RULES AND REGULATIONS.

Owners: Patrick D. Heibel
Rhendi Heibel
1111 Ovilla Road, Waxahachie TX 75167
Phone: 469-550-1129



LOCATION MAP SCALE: 1" = 2000'
Case No.

REPLAT
LOT 1R-A AND LOT 1R-B
IRWIN BRANCH ADDITION

Being 4.019 Acres
a part of Lot 1, Irwin Branch Addition
according to the plat thereof recorded
in Cabinet B, Slide 26,
Plat Records, Ellis County, Texas,
within the Extraterritorial Jurisdiction
of the City of Waxahachie,
Ellis County, Texas



DAVIS & McDILL, LLC
SURVEYING - LAND PLANNING - FLOODPLAIN MANAGEMENT
P.O. BOX 428, Waxahachie, Texas 75168, Phone: 972-938-1185
A Texas licensed surveying firm # 10194681

Drawn by: D. Hocutt Date: 11/1/2023 Job no: 221-0176

Owner's Certificate

STATE OF TEXAS §
COUNTY OF ELLIS §

Owners: Patrick D. Heibel
Rhendi Heibel
1111 Ovilla Road, Waxahachie TX 75167
Phone: 469-550-1129

WHEREAS, Patrick D. Heibel and Rhendi J. Heibel are the Owners of a tract of land situated in the James McCartney Survey, Abstract Number 768 and the L.J. Irwin Survey, Abstract Number 547, City of Waxahachie, Ellis County, Texas, and being a part of Lot 1, Irwin Branch Addition, an addition partially in the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Cabinet B, Slide 26, Plat Records, Ellis County, Texas (PRECT), and being the tract described in deed from Schumacher Revocable Trust to Rhendi J. Heibel and Patrick D. Heibel, recorded in Volume 2158, Page 2089, Official Public Records, Ellis County, Texas (OPRECT), and being more particularly described by its metes and bounds as follows:

BEGINNING at a point at the intersection of the "new" right of way line of FM 664, with the south line of said Lot 1, Irwin Branch Addition, at the southwest corner of the 0.375 acre tract described in deed from Rhendi J. Heibel and Patrick D. Heibel to State of Texas, recorded instrument Number 231942, OPRECT, and the northwest corner of the 0.139 acre tract described in agreement between Jeramya Henson and Hillary Henson and State of Texas, recorded in Instrument Number 2320191, OPRECT, a 5/8 inch steel rod with pink cap stamped "TEXAS SURVEY MARKER RIGHT OF WAY MONUMENT (pink ROW cap), found, having Texas Coordinate System, North American Datum 1983, North Central Zone (Zone 4202), surface coordinate values of North = 6848369.576 feet and East = 2470128.148 feet, all bearings and coordinates are based thereon are obtained from observations of Global Positioning System satellites, from which a 1/2 inch steel rod found at the common east corner of Lot 1, Irwin Branch Addition, and Lot 2A, Irwin Branch Addition, an addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Cabinet C, Slide 523, PRECT, bears N 89°44'55" E, 43.54 feet:

THENCE S 89°49'17" W (Plat - N 89°16' W), with the common line of said Lots 1 and 2A, Irwin Branch Addition, 738.80 feet to the southwest corner of said Lot 1, the northwest corner of said Lot 2A and on the east line of Lot 4, Irwin Branch Addition, recorded in Cabinet B, Slide 26, PRECT, 1/2 inch steel rod found;

THENCE N 00°05'03" E, with the common line of said Lots 1 and 4 for 247.99 feet (Plat - N 0°44' E, 279.4 feet) to the northwest corner of said Lot 1 and the northeast corner of said Lot 4, on the south right of way line of Marshall Road, a 1/2 inch steel rod with plastic cap stamped "CBG" found;

THENCE S 89°26'02" E (Plat - S 89°16' E), with said Marshall Road right of way line and the north line of said Lot 1, for 319.78 feet to the northwest corner of said State of Texas 0.375 acre tract and said new right of way line of FM 664, a pink ROW cap found;

THENCE with said new right of way line of FM 664, the following courses and distances: S 00°50'02" E, 3.37 feet (Deed - S 00°07'33" E, 3.27 feet) to an angle in said right of way line, a pink ROW cap found; N 89°21'23" E, 115.22 feet (Deed - N 89°20'38" E, 115.22 feet) to an angle in said right of way line, a pink ROW cap found; S 81°33'31" E, 107.35 feet (Deed - S 81°32'17" E, 107.28 feet) to an angle in said right of way line, a pink ROW cap found; N 89°20'11" E, 164.50 feet (Deed - N 89°20'38" E, 164.54 feet) to an angle in said right of way line, a pink ROW cap found; S45°30'23" E, 42.48 feet (Deed - S 45°40'48" E, 42.45 feet) to an angle in said right of way line, a pink ROW cap found; and S 00°42'20" E, 196.85 (Deed - S42°12'E, 197.00 feet) to the point of beginning and containing approximately 4.019 acres of land.

WITNESS, my hand, this the _____ day of _____,

20_____

BY:

Patrick D. Heibel, Owner

WITNESS, my hand, this the _____ day of _____,

20_____

BY:

Rhendi J. Heibel, Owner

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

Given under my hand and seal of office, this _____ day of _____, 20_____.

Notary Public in and for the State of Texas

My Commission Expires On: _____

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 Rhendi J. Heibel, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 20_____.

Notary Public in and for the State of Texas

My Commission Expires On: _____

NOTE:

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

This plat has been Preliminary/Final approved by the Department of Development for an on-site sewage facility system pending any and all information as may be required by the Ellis County Department of Development.

Department of Development Director

Date

Approval Block:

APPROVED BY: Planning and Zoning Commission City of Waxahachie

By: _____

Chairperson

Date

Attest

Date

APPROVED BY: City Council

City of Waxahachie

By: _____

Mayor

Date

Attest

Date

STATE OF TEXAS:
COUNTY OF ELLIS:

Certificate of approval by the Commissioners Court of Ellis County, Texas:

Approved this date, the _____ day of _____, 202_____.

Todd Little, County Judge

Randy Simson
Commissioner Precinct # 1

Lane Grayson
Commissioner Precinct # 2

Paul Perry
Commissioner Precinct # 3

Kyle Butler
Commissioner Precinct # 4

ATTEST:

Krystal Valdez, County Clerk

Surveyor's Certificate:

KNOW ALL MEN BY THESE PRESENTS:

That I, Stuart G. Hamilton, Registered Professional Land Surveyor Number 4480, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie and conforms to Texas Board of Professional Engineers and Land Surveyors Standards.

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

Registered Professional Land Surveyor
Number 4480

REPLAT

LOT 1R-A AND LOT 1R-B
IRWIN BRANCH ADDITION

Being 4.019 Acres

a part of Lot 1, Irwin Branch Addition
according to the plat thereof recorded
in Cabinet B, Slide 26,

Plat Records, Ellis County, Texas,
within the Extraterritorial Jurisdiction
of the City of Waxahachie,
Ellis County, Texas



DAVIS & McDILL, LLC

SURVEYING - LAND PLANNING - FLOODPLAIN MANAGEMENT
P.O. BOX 428, Waxahachie, Texas 75168, Phone: 972-938-1185
A Texas Licensed surveying firm # 10194581

Drawn by: D. Hocutt Date: 11/1/2023 Job no: 221-0176

Case No. _____



(7)

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



WATER UTILITY PROVIDER'S ENDORSEMENT

Subdivisor **Applicant Name:** Lot 12-A & 12-B Iwin Brand **Parcel ID #:** _____
Applicant **Subdivision Name:** Patrick D Heibel

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 checked="" type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>6"</u> inches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PAUL TISCHLER

Print Name of General Manager of water provider or Designee

[Signature]

Signature of General Manager of water provider or Designee

Sardis's Lone Elm

Name of water provider company

10-12-2023

Date

(8+9)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-31-2023



MEETING DATE(S)

Planning & Zoning Commission: November 29, 2023

City Council: December 4, 2023

CAPTION

Public Hearing on a request by Jared Ruffin, Ruffin Holdings LLC for a **Zoning Change** from a General Retail (GR) zoning district to **Planned Development-General Retail (PD-GR)** zoning district, located at 115 Dean Box Drive (Property ID 291054) - Owner: Ruffin Holdings LLC (ZDC-31-2023)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-31-2023, with elevation option _____, a Zoning Change from a General Retail zoning district to a Planned Development-General Retail zoning district, Lot 1, Block A, subject to the conditions the staff report."

APPLICANT REQUEST

The applicant requests to rezone the subject property to a Planned Development-General Retail zoning district to allow for an off-site dry-cleaning establishment with a drive-through lane.

CASE INFORMATION

Applicant: Jared Ruffin, Ruffin Holdings LLC

Property Owner(s): Ruffin Holdings LLC

Site Acreage: 0.374 acres

Current Zoning: General Retail (GR)

Requested Zoning: Planned Development-General Retail (PD-GR)

SUBJECT PROPERTY

General Location: 115 Dean Box Drive

Parcel ID Number(s): 291054

Existing Use: The subject property is currently undeveloped.

Development History: The subject property was originally platted as part of Lot 1 of the Wiley's Retail addition in 2006. The property was subsequently replatted in 2018 as part of Lot 1R-A of the Wiley's Retail addition. The subject property was replatted into its current configuration in 2021 as Lot 1R-A1 of the Wiley's Retail addition.

(8+9)

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	Planned Development-Mixed Use Residential (PD-MUR)	Undeveloped
East	General Retail (GR)	Social Security Administration
South	General Retail (GR)	Wiley's Fine Jewelry
West	General Retail (GR)	Undeveloped

Future Land Use Plan: Residential Neighborhood

Comprehensive Plan: This placetype serves to create neighborhoods built with a traditional walkable block/street grid network that allows some variation in housing typologies. Although this placetype will predominantly consist of traditional single family detached housing, denser housing types are encouraged such duplex, cottage courts, and townhomes. Both residential and commercial uses need to be context sensitive. Commercial uses in this placetype may be a small pop up facility or a home converted to a small store front. Walkability is key for neighborhood commercial uses so that they are accessible from surrounding neighborhoods.

Thoroughfare Plan: The subject property is accessible via Dean Box Drive and a mutual access easement for an existing drive aisle connecting to Brown Street directly south of the site.

Site Image:



PLANNING ANALYSIS

The applicant proposes to rezone the subject property from a General Retail (GR) zoning district to a Planned Development-General Retail (PD-GR) zoning district to allow for the development of an off-site dry-cleaning establishment with a drive-through lane. Per the City of Waxahachie zoning Ordinance, off-site dry-cleaning establishments are prohibited within the General Retail (GR) zoning district and drive-through establishments are only permissible via a Specific Use Permit (SUP).

Proposed Use: The applicant proposes to specifically allow for an off-site dry-cleaning establishment use and a drive-through use with this PD request; while maintaining all other requirements of the existing General Retail zoning district. The proposed 1,902 sf single-story building will also contain a coin-operated laundromat, which is allowed by right in the existing General Retail zoning district. The site plan proposed by the applicant provides for a sufficient number of parking and drive-through stacking spaces to support the development. The applicant is proposing to construct a new dumpster enclosure for the property that will be shared by the subject property and the adjacent retail center to the south.

Access: The southern portion of the subject property extends into an existing private drive. This private drive is covered by a mutual access easement that will allow the proposed facility to gain direct access to Dean Box Drive and Brown Street.

Landscaping: The applicant is proposing to meet all landscaping requirements for the development and has notably included four (4) crape myrtles in the attached Landscape Plan (Exhibit C).

Architectural Elevation Options: The applicant has provided two elevation/façade options for the proposed building. Option 1 utilizes a combination of stucco veneer, timbertech siding, and red brick veneer. Option 2 utilizes a combination of stucco veneer, timbertech siding, and gray brick veneer. The primary difference between these options is the increased use of stucco on the front façade with Option 2, as opposed to the greater degree of siding used for the front façade with Option 1. The tables below can be referenced for a look at the difference in front façade material percentages with each option.

Option 1:

EXTERIOR FINISHING MATERIAL	SURFACE AREA	PERCENTAGE
STUCCO VENEER	288 SF	37%
TIMBERTECH CLADDING (CYPRESS)	145 SF	18%
TIMBERTECH CLADDING (COASTLINE)	240 SF	30%
BRICK VENEER	114 SF	15%
TOTAL SURFACE AREA	787 SF	100%

* CALCULATIONS EXCLUDE WINDOWS, DOORS, AND TRIM

Option 2:

EXTERIOR FINISHING MATERIAL	SURFACE AREA	PERCENTAGE
STUCCO VENEER	288 SF	37%
TIMBERTECH CLADDING (CYPRESS)	145 SF	18%
TIMBERTECH CLADDING (COASTLINE)	240 SF	30%
BRICK VENEER	114 SF	15%
TOTAL SURFACE AREA	787 SF	100%

* CALCULATIONS EXCLUDE WINDOWS, DOORS, AND TRIM

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.

PUBLIC NOTIFICATION RESPONSES

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

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 Zoning Change request subject to the conditions noted below.

Conditions:

1. A mutually agreed upon Development Agreement shall be required for the development.
2. The Owner shall provide a permanent irrigation system for all required landscape areas shown on Exhibit C – Landscape Plan and maintain the landscaping required for screening at all times.

3. The Developer and Owner for the subject property shall be responsible for obtaining building permits per the City's applicable rules and regulations governing such permits.

ATTACHED EXHIBITS

1. Letter of Support
2. Exhibit A – Location Map
3. Exhibit B – Site Plan
4. Exhibit C – Landscape Plan
5. Exhibit D – Architectural Elevations (Options 1 and 2)

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates any additional requirements by City Council.
2. Once the revised plans are provided, staff will verify all outstanding requirements were satisfied.
 - a. If requirements were not satisfied, then the applicant will be notified to make corrections.
 - b. If all requirements were satisfied, staff will proceed to execute the PD Ordinance and Development Agreement.

STAFF CONTACT INFORMATION

Prepared by:

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Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-31-2023

RUFFIN HOLDINGS LLC
904 S Kaufman St
Ennis, TX 75119-6024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Wednesday, November 29, 2023 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 4, 2023 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Jared Ruffin, Ruffin Holdings LLC for a **Zoning Change** from a General Retail (GR) zoning district to **Planned Development-General Retail (PD-GR)** zoning district, located at 115 Dean Box Drive (Property ID 291054) - Owner: Ruffin Holdings LLC (ZDC-31-2023) Staff: Zack King

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

Case Number: ZDC-31-2023

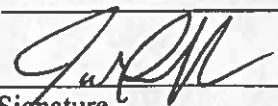
City Reference: 291054

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *November 22, 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, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:


Signature

11-13-23
Date

Jared Ruffin
Printed Name and Title

115 Dean Box
Address

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

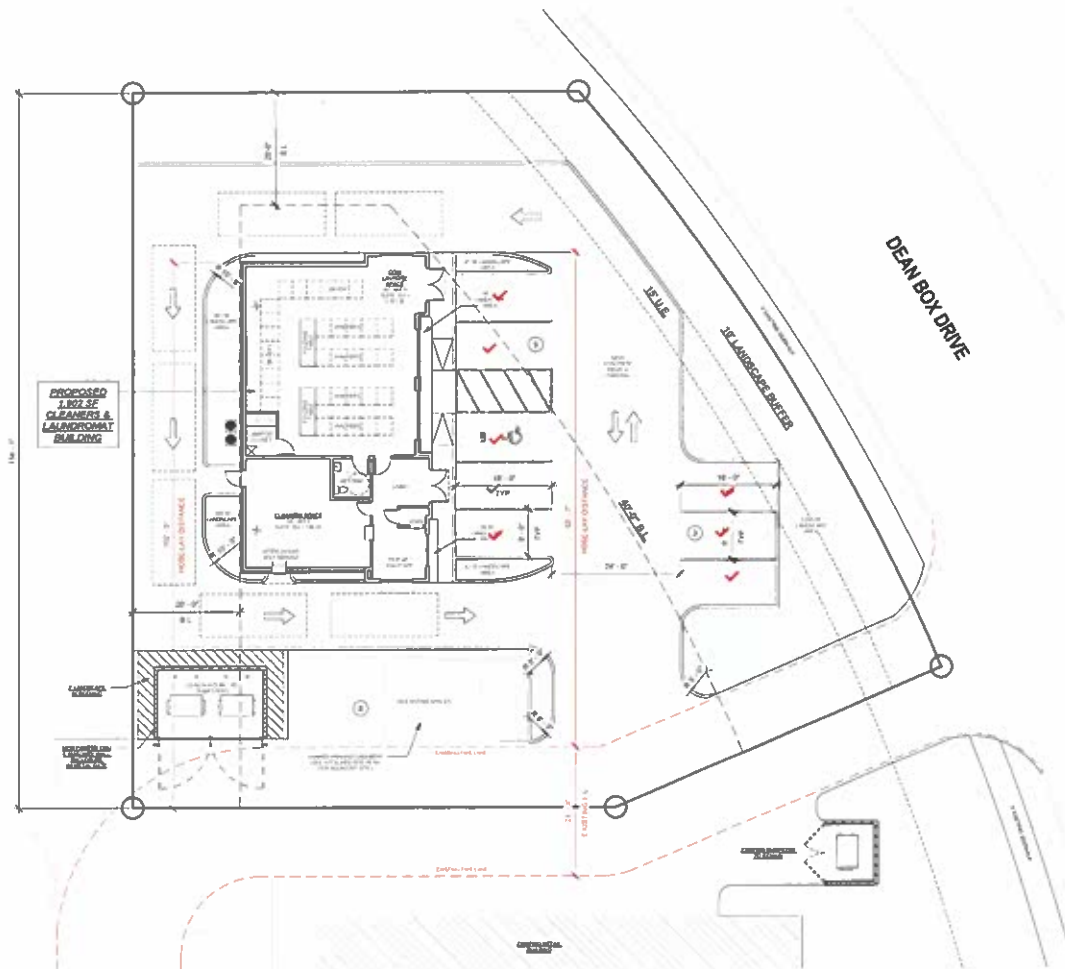
If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.



EXHIBIT A

(b)(9)

EXHIBIT B



SITE DATA SUMMARY TABLE

ZONING	GENERAL RETAIL (GR)
PROPOSED USE	LAUNDROMAT / DRY CLEANING (OFF-SITE)
LOT AREA	16,308 SF / 0.374 AC
TOTAL BUILDING AREA	1,802 (GSF)
BUILDING HEIGHT	23' ABOVE FINISHED GRADE / 1 STORY
LOT COVERAGE	12.7%
FLOOR AREA RATIO	1.0 / 0.12
PARKING SPACES REQUIRED	8 SPACES
PARKING SPACES PROVIDED	13 SPACES
TOTAL HANDICAP REQUIRED*	1 SPACE
TOTAL HANDICAP PROVIDED*	1 SPACE
IMPERVIOUS SURFACE	± 12,200 SF

* HANDICAP PARKING PROVIDED IN ACCORDANCE WITH ADA STANDARDS

① SITE PLAN
3/32" = 1'-0"

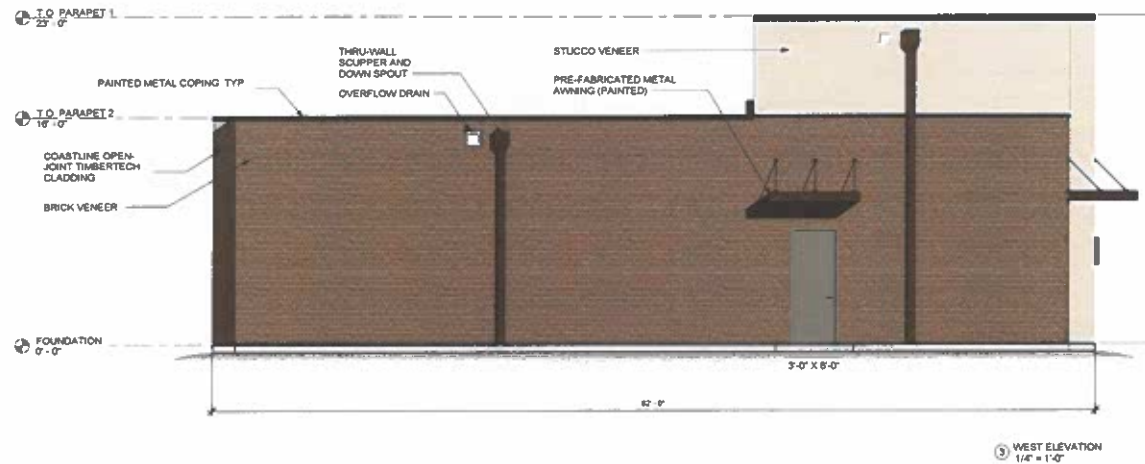
(b+g)

EXHIBIT D - Elevation Option 1



EXTERIOR FINISHING MATERIAL	SURFACE AREA	PERCENTAGE
STUCCO VENEER	286 SF	37%
TIMBERTECH CLADDING (CYPRESS)	145 SF	18%
TIMBERTECH CLADDING (COASTLINE)	240 SF	30%
BRICK VENEER	114 SF	15%
TOTAL SURFACE AREA	787 SF	100%

* CALCULATIONS EXCLUDE WINDOWS, DOORS, AND TRIM

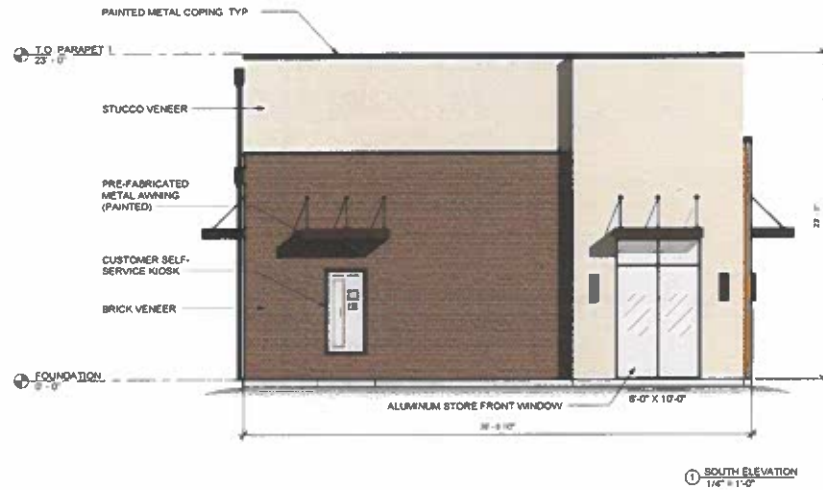


EXTERIOR FINISHING MATERIAL	SURFACE AREA	PERCENTAGE
STUCCO VENEER	202 SF	18%
TIMBERTECH CLADDING (COASTLINE)	26 SF	2%
BRICK VENEER	909 SF	80%
TOTAL SURFACE AREA	787 SF	100%

* CALCULATIONS EXCLUDE WINDOWS, DOORS, AND TRIM

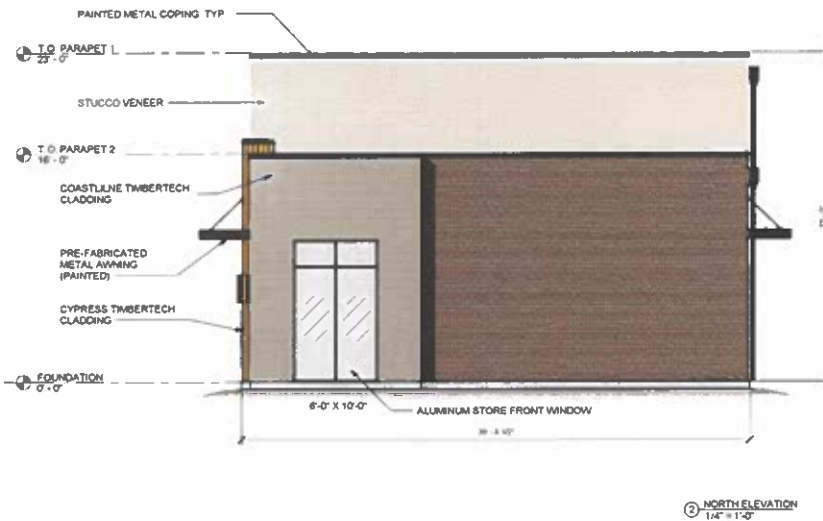
(b48)

EXHIBIT D - Elevation Option 1



EXTERIOR FINISHING MATERIAL	SURFACE AREA	PERCENTAGE
STUCCO VENEER	447 SF	56%
TIMBERTECH CLADDING (CYPRESS)	10 SF	1%
BRICK VENEER	345 SF	43%
TOTAL SURFACE AREA	787 SF	100%

* CALCULATIONS EXCLUDE WINDOWS, DOORS, AND TRIM



EXTERIOR FINISHING MATERIAL	SURFACE AREA	PERCENTAGE
STUCCO VENEER	242 SF	32%
TIMBERTECH CLADDING (CYPRESS)	12 SF	2%
TIMBERTECH CLADDING (COASTLINE)	132 SF	17%
BRICK VENEER	372 SF	48%
TOTAL SURFACE AREA	787 SF	100%

* CALCULATIONS EXCLUDE WINDOWS, DOORS, AND TRIM

(b48)

EXHIBIT D - Elevation Option 1



CYPRESS*



COASTLINE*

TIMBERTECH CLADDING.
SEE ATTACHED BROCHURE FOR MORE INFORMATION.



DRIFTWOOD SIOUX
SIOUX CITY BRICK
MODULAR BRICK



TEXTURED STUCCO



EXAMPLE OF MATERIALS USED.

(b + 8)

EXHIBIT D - Elevation Option 1



(b + 8)

**INDIAN HILLS
CLEANERS**
116 Dean Box Drive
WAXAHACHIE, TX 75165

**PRELIM.
REVIEW**
October 09, 2023

PROCESS SET FOR REVIEW ONLY
THESE DOCUMENTS ARE FOR
DESIGN REVIEW AND NOT
INTENDED FOR CONSTRUCTION
BIDDING OR PERMIT APPLICATIONS
THEY WERE PREPARED BY OR
UNDER SUPERVISION OF

REVISIONS

DATE ISSUE DELTA

Title
RENDERING - DAY

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DC TEXAS ARCHITECTURE

EXHIBIT D - Elevation Option 1



(b48)

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www.dctexasarch.com

**INDIAN HILLS
CLEANERS**
116 Dean Box Drive
WAXAHACHIE, TX 76165

**PRELIM.
REVIEW**
October 09, 2023

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DATE ISSUE DELTA

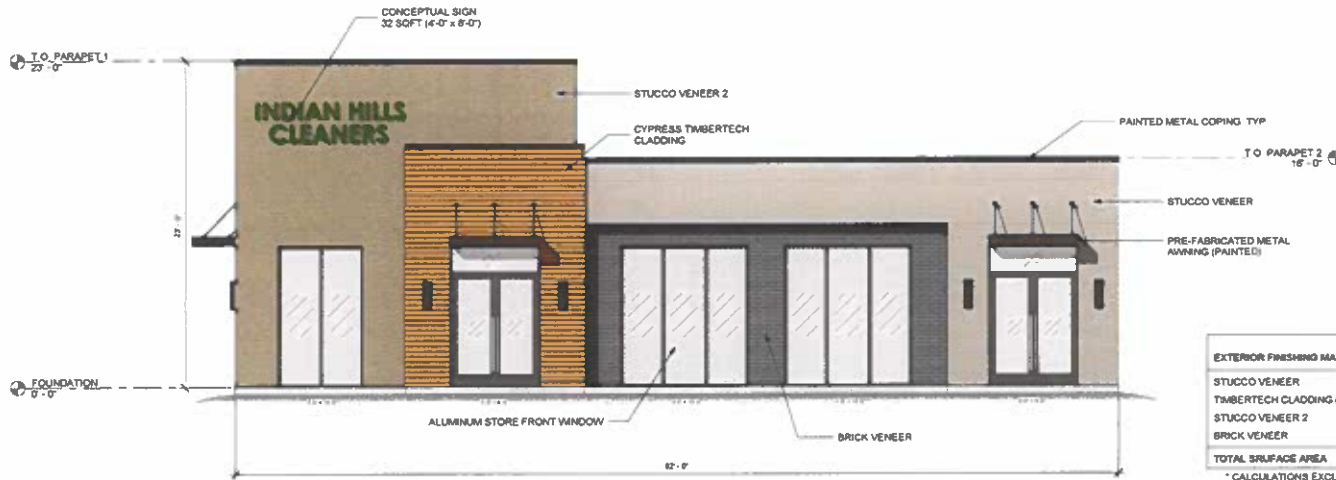
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NIGHT**

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DC TEXAS ARCHITECTURE

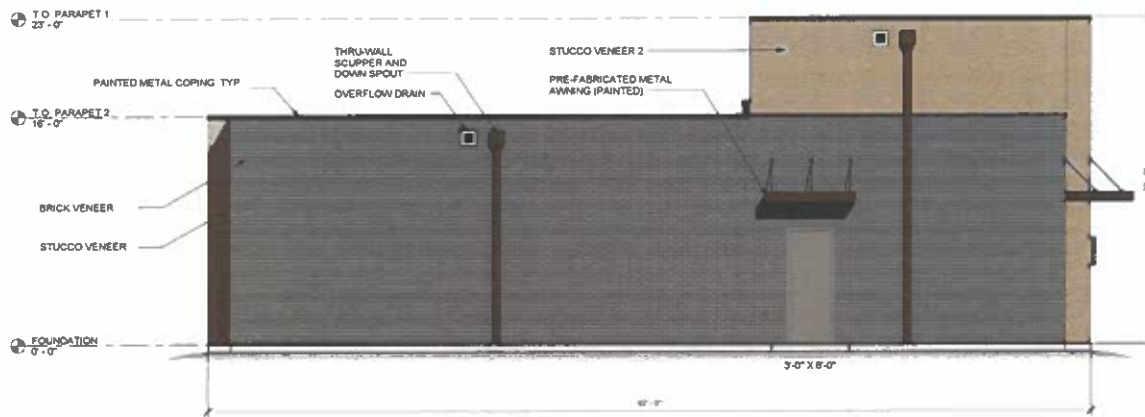
EXHIBIT D - Elevation Option 2



① EAST ELEVATION OPTION 2
1/4" = 1'-0"

EXTERIOR FINISHING MATERIAL	SURFACE AREA	PERCENTAGE
STUCCO VENEER	288 SF	37%
TIMBERTECH CLADDING (CYPRESS)	145 SF	18%
STUCCO VENEER 2	240 SF	30%
BRICK VENEER	114 SF	15%
TOTAL SURFACE AREA	787 SF	100%

* CALCULATIONS EXCLUDE WINDOWS, DOORS, AND TRIM



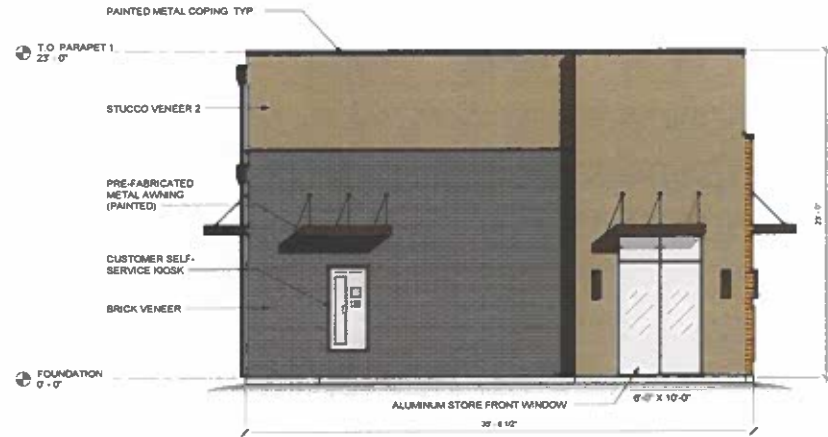
② WEST ELEVATION OPTION 2
1/4" = 1'-0"

EXTERIOR FINISHING MATERIAL	SURFACE AREA	PERCENTAGE
STUCCO VENEER 2	202 SF	18%
STUCCO VENEER	26 SF	2%
BRICK VENEER	909 SF	80%
TOTAL SURFACE AREA	787 SF	100%

* CALCULATIONS EXCLUDE WINDOWS, DOORS, AND TRIM

(b78)

EXHIBIT D - Elevation Option 2



1 SOUTH ELEVATION OPTION 2
1/4" = 1'-0"

EXTERIOR FINISHING MATERIAL	SURFACE AREA	PERCENTAGE
STUCCO VENEER	447 SF	58%
TIMBERTECH CLADDING (CYPRESS)	10 SF	1%
BRICK VENEER	345 SF	43%
TOTAL SURFACE AREA	787 SF	100%

* CALCULATIONS EXCLUDE WINDOWS, DOORS, AND TRIM



2 NORTH ELEVATION OPTION 2
1/4" = 1'-0"

EXTERIOR FINISHING MATERIAL	SURFACE AREA	PERCENTAGE
STUCCO VENEER	242 SF	32%
TIMBERTECH CLADDING (CYPRESS)	12 SF	2%
STUCCO VENEER 2	132 SF	17%
BRICK VENEER	372 SF	49%
TOTAL SURFACE AREA	787 SF	100%

* CALCULATIONS EXCLUDE WINDOWS, DOORS, AND TRIM

(b48)

EXHIBIT D - Elevation Option 2



CYPRESS*

TIMBERTECH CLADDING.
SEE ATTACHED BROCHURE FOR MORE INFORMATION.



EXAMPLE OF MATERIALS USED.



EBONITE VELOUR
SIOUX CITY BRICK COMPANY
MODULAR BRICK



STUCCO VENEER



STUCCO VENEER 2

(b48)