

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, December 17, 2019 at 7:00 p.m.*** in the Council Chamber at 401 S. Rogers St., Waxahachie, TX

Commission Members: Rick Keeler, Chairman
 Melissa Ballard, Vice Chairman
 Betty Square Coleman
 Bonney Ramsey
 Jim Phillips
 David Hudgins
 Erik Test

1. Call to Order
2. Invocation
3. ***Public Comments:*** Persons may address the Planning & Zoning Commission on any issues. This is the appropriate time for citizens to address the Commission on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Commission may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code.

4. ***Consent Agenda***

All matters listed under Item 4, Consent Agenda, are considered routine by the Planning & Zoning Commission and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Chairman to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the Planning & Zoning Commission.

- a. Minutes of the regular Planning & Zoning Commission meeting of December 10, 2019
- b. Minutes of the Planning and Zoning Commission briefing of December 10, 2019
5. ***Continue Public Hearing*** on a request by James Pool, Cross Development, for a Specific Use Permit (SUP) for **Auto Repair (Major)** use within a Commercial zoning district, located at 2001 Corporate Parkway (Property ID 273977) – Owner: LEDBETTER REAL ESTATE LTD (SU-19-0133)
6. ***Consider*** recommendation of Zoning Change No. SU-19-0133
7. ***Consider*** request by Mark Thedford, Akamai Designs, for a **Plat** of Creekwood Townhomes for 9 residential lots and 3 common areas being 2.257 acres situated in the S.M. Durrett Survey, Abstract 272 (Property ID 182093) - Owner: Akamai Designs Inc. (PL-19-0142)
8. ***Continue Public Hearing*** on a request by Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135)

9. *Consider* recommendation of Zoning Change No. PD-19-0135
10. *Consider* request by Brian Shaw, Blue Bonnet Trail LLC, for a detailed Site Plan review for a proposed multi-family development, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (SP-19-0176)
11. *Public Hearing* on a request by Ronald E. Bunch, Attorney, for a **Zoning Change** from a Commercial zoning district to a Central Area zoning district located at 106 Monroe (Property ID 170381) - Owner: Getzendaner & Reed (ZC-19-0156)
12. *Consider* recommendation of Zoning Change No. ZC-19-0156
13. *Continue Public Hearing* on a request by Dalton Bradbury, Southfork Capital, for a Zoning Change from a Planned Development-30-Office zoning district to Planned Development-Single Family-3, with Concept Plan, located at 315 N Rogers (Property ID 193492) - Owner: Southfork Capital LLC (PD-19-0147)
14. *Consider* recommendation of Zoning Change No. PD-19-0147
15. *Public Hearing* on a request by Kevin Cribley, Cribley Enterprises, Inc., for a Specific Use Permit (SUP) for **Outside Storage** use within a Commercial and Light Industrial-1 zoning district, located at 100 W Sterrett (Property ID 273754) – Owner: M AND M INVESTMENTS (SU-19-0155)
16. *Consider* recommendation of Zoning Change No. SU-19-0155
17. *Public Hearing* on a request by Jennifer Gansert, Kimley-Horn and Associates, Inc., for a Zoning Change from a Planned Development-General Retail zoning district to Planned Development-General Retail, with Concept Plan, located at 108 Broadhead Road (Property ID 245022) - Owner: Crepe Myrtle Enterprises LLC (PD-19-0159)
18. *Consider* recommendation of Zoning Change No. PD-19-0159
19. *Consider* request by Jennifer Gansert, Kimley-Horn and Associates, Inc., for a **Replat** of Lot 1R, Block A, Showbiz Cinemas Addition to relocate easements, 11.1414 acres (Property ID 245022) – Owner: Crepe Myrtle Enterprises LLC (RP-19-0160)
20. Adjourn

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

This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at (469) 309-4005 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.

(4a)

Planning and Zoning Commission
December 10, 2019

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, December 10, 2019 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX

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

Others Present: Shon Brooks, Director of Planning
Colby Collins, Senior Planner
Chris Webb, Planner
Macey Martinez, Graduate Engineer
Amber Villarreal, Acting City Secretary
Tommy Ludwig, Assistant City Manager
Mary Lou Shipley, Council Representative

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

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

3. **Public Comments**

None

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of November 19, 2019
- b. Minutes of the Planning and Zoning Commission briefing of November 19, 2019

Action:

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

5. **Public Hearing on a request by Steven Nelson, Marc Jones Construction LLC DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-2 zoning district located at 200 Sycamore Street (Property ID 173402) – Owner: Paul Beller & Glenda Buchanan (SU-19-0149)**

Chairman Keeler announced the applicant requested to withdraw SU-19-0149.

6. **Consider recommendation of Zoning Change No. SU-19-0149**

No action taken.

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7. **Public Hearing on a request by Dalton Bradbury, Southfork Capital, for a Zoning Change from a Planned Development-30-Office zoning district to Planned Development-Single Family-3, with Concept Plan, located at 315 N Rogers (Property ID 193492) - Owner: Southfork Capital LLC (PD-19-0147)**

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue PD-19-0147 to the December 17, 2019 Planning & Zoning Commission meeting.

8. **Consider recommendation of Zoning Change No. PD-19-0147**

Action:

Vice Chairman Melissa Ballard moved to continue the Public Hearing on a request by Dalton Bradbury, Southfork Capital, for a Zoning Change from a Planned Development-30-Office zoning district to Planned Development-Single Family-3, with Concept Plan, located at 315 N Rogers (Property ID 193492) - Owner: Southfork Capital LLC (PD-19-0147) to the December 17, 2019 Planning & Zoning Commission meeting. Mr. Jim Phillips seconded, All Ayes.

9. **Continue Public Hearing on a request by Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135)**

Chairman Keeler continued the Public Hearing and announced the applicant requested to continue PD-19-0135 to the December 17, 2019 Planning & Zoning Commission meeting.

10. **Consider recommendation of Zoning Change No. PD-19-0135**

Action:

Vice Chairman Melissa Ballard moved to continue the Public Hearing on a request by Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135) to the December 17, 2019 Planning & Zoning Commission meeting. Ms. Bonney Ramsey seconded, All Ayes.

11. **Consider request by Michael Crocker, Canyon Creek, for a Plat of Palomino Estates for 4 residential lots being 5.043 acres situated in the W. Berry Survey, Abstract 73 (Property ID 180064) in the Extra Territorial Jurisdiction - Owner: Paula Upchurch Crabtree (PL-19-0141)**

Planner Chris Webb reviewed PL-19-0141 noting the applicant requested to subdivide an existing lot into four 1+ acre lots. Staff requested the applicant dedicate 40' of right-of-way from the centerline of the road to meet the City's future thoroughfare plan. The applicant requested a petition of relief from City Council for the right-of-way dedication explaining the enforcement could force the applicant to lose one of their proposed lots. Due to non-compliance, staff recommended denial.

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Mr. Justin Crocker, 3441 Plainview Road, Midlothian, Texas, requested a petition of relief from the city for 10' of the right-of-way dedication required. He explained they would potentially lose one of the proposed lots if the petition is not granted.

Graduate Engineer Macey Martinez explained the future 40' right-of-way would be 4 lanes and no medians.

Action:

Mr. Jim Phillips moved to deny a request by Michael Crocker, Canyon Creek, for a Plat of Palomino Estates for 4 residential lots being 5.043 acres situated in the W. Berry Survey, Abstract 73 (Property ID 180064) in the Extra Territorial Jurisdiction - Owner: Paula Upchurch Crabtree (PL-19-0141). Mr. David Hudgins seconded, All Ayes.

- 12. Public Hearing on a request by Kayla Sterling, Sunrun Installation Services Inc., for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-23-Single Family-1 zoning district located at 313 Lakeshore Drive (Property ID 174787) – Owner: Walter R Jackson (SU-19-0140)**

Chairman Keeler opened the Public Hearing.

Mr. Webb presented SU-19-0140 noting the applicant is requesting the use of residential solar panels and staff recommended approval as presented.

There being no others to speak for or against SU-19-0140, Chairman Keeler closed the Public Hearing.

- 13. Consider recommendation of Zoning Change No. SU-19-0140**

Action:

Mr. David Hudgins moved to approve a request by Kayla Sterling, Sunrun Installation Services Inc., for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-23-Single Family-1 zoning district located at 313 Lakeshore Drive (Property ID 174787) – Owner: Walter R Jackson (SU-19-0140). Mr. Erik Test seconded, All Ayes.

- 14. Public Hearing on a request by Bridget Wright, Marc Jones Construction LLC DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-Single Family-2 zoning district located at 131 Lariat Trail (Property ID 267480) – Owner: Gary R & Cynthia E Joslin (SU-19-0150)**

Chairman Keeler opened the Public Hearing.

Mr. Webb presented SU-19-0150 noting the applicant is requesting the use of residential solar panels and staff recommended approval as presented.

There being no others to speak for or against SU-19-0150, Chairman Keeler closed the Public Hearing.

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15. Consider recommendation of Zoning Change No. SU-19-0150

Action:

Mr. Erik Test moved to approve a request by Bridget Wright, Marc Jones Construction LLC DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-Single Family-2 zoning district located at 131 Lariat Trail (Property ID 267480) – Owner: Gary R & Cynthia E Joslin (SU-19-0150). Ms. Bonney Ramsey seconded, All Ayes.

16. Public Hearing on a request by Bridget Wright, Marc Jones Construction LLC DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-23-Single Family-1 zoning district located at 406 Laguna Vista (Property ID 273631) – Owner: John R & Laurie Musselwhite (SU-19-0151)

Chairman Keeler opened the Public Hearing.

Mr. Webb presented SU-19-0151 noting the applicant is requesting the use of residential solar panels and staff recommended approval as presented.

There being no others to speak for or against SU-19-0151, Chairman Keeler closed the Public Hearing.

17. Consider recommendation of Zoning Change No. SU-19-0151

Action:

Vice Chairman Melissa Ballard moved to approve a request by Bridget Wright, Marc Jones Construction LLC DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-23-Single Family-1 zoning district located at 406 Laguna Vista (Property ID 273631) – Owner: John R & Laurie Musselwhite (SU-19-0151) subject to Staff Comments. Ms. Bonney Ramsey seconded, All Ayes.

18. Public Hearing on a request by Jarod Scoggin, Scoggin Outdoor Living & Shops, for a Specific Use Permit (SUP) for Accessory Building (Residential) Greater than or Equal to 700 S.F. use within a Planned Development-Single Family-1 zoning district located at 109 Willowcrest Drive (Property ID 174739) – Owner: Keith M & Teresa A Williams (SU-19-0144)

Chairman Keeler opened the Public Hearing.

Senior Planner Colby Collins presented SU-19-0144 explaining the applicant is requesting to construct a 480 square foot addition to an existing 960 square foot garage structure. Staff recommended approval per the following comments:

1. Staff suggests that a Developer's Agreement be in place before final approval.
2. Subject to approval of this application, an approved building permit will be required prior to the commencement of the construction. As part of the building permit review process,

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Building Inspections will ensure that the materials and construction complies with all regulations.

There being no others to speak for or against SU-19-0144, Chairman Keeler closed the Public Hearing.

19. Consider recommendation of Zoning Change No. SU-19-0144

Action:

Ms. Bonney Ramsey moved to approve a request by Jarod Scoggin, Scoggin Outdoor Living & Shops, for a Specific Use Permit (SUP) for Accessory Building (Residential) Greater than or Equal to 700 S.F. use within a Planned Development-Single Family-1 zoning district located at 109 Willowcrest Drive (Property ID 174739) – Owner: Keith M & Teresa A Williams (SU-19-0144) subject to Staff Comments. Mr. Erik Test seconded, All Ayes.

20. Public Hearing on a request by Staci Dean, Daiquiriville, for a Specific Use Permit (SUP) for Convenience Store (Daiquiri Shop) use within a General Retail zoning district located at 2801 N Highway 77, Suite 140 (Property ID 272779) – Owner: SAP Properties LLC (SU-19-0143)

Chairman Keeler opened the Public Hearing.

Mr. Collins reviewed SU-19-0143 noting the applicant is requesting approval to allow a proposed daiquiri shop within an existing retail strip center (North Grove Business Park). He noted the proposed development will provide food, beer, and wine-base daiquiris. The proposed alcohol to food percentage sales ratio will be seventy percent alcohol to thirty percent food. Per the operational plan, in addition to four owners, there will be three additional employees. Business hours will be:

Tuesday-Thursday: 10:30am-9:00pm

Friday-Saturday: 10:30am-11:00pm

Sunday: 12:00pm-5:00pm

Staff recommended approval per the following staff comments:

1. The business must conform to City of Waxahachie requirements as well as adhere to TABC provisions, as defined in the Alcoholic Beverage Code of the State of Texas.
2. The operator must maintain compliance with State regulations and local ordinances for food service operations.
3. If approved, the City Council shall have the right to review the Specific Use Permit after 12-months if needed.

Staci Dean, 313 Bond Street, Red Oak, TX, explained sealed drinks will be sold on premise to take to go. She explained beer and wine will be available for sale but not to go.

There being no others to speak for or against SU-19-0143, Chairman Keeler closed the Public Hearing.

21. Consider recommendation of Zoning Change No. SU-19-0143

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Action:

Mr. Jim Phillips moved to approve a request by Staci Dean, Daiquiriville, for a Specific Use Permit (SUP) for Convenience Store (Daiquiri Shop) use within a General Retail zoning district located at 2801 N Highway 77, Suite 140 (Property ID 272779) – Owner: SAP Properties LLC (SU-19-0143). Mr. David Hudgins seconded, All Ayes.

22. Adjourn

Planning Director Shon Brooks reminded members of the December 17, 2019 Planning & Zoning Commission meeting.

There being no further business, the meeting adjourned at 7:26 p.m.

Respectfully submitted,

Amber Villarreal
Acting City Secretary

Planning and Zoning Commission
December 10, 2019

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, December 10, 2019 at 6:30 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

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

Others Present: Shon Brooks, Director of Planning
Colby Collins, Senior Planner
Chris Webb, Planner
Macey Martinez, Graduate Engineer
Amber Villarreal, Acting City Secretary
Tommy Ludwig, Assistant City Manager
Mary Lou Shipley, Council Representative

1. Call to Order

Chairman Rick Keeler called the meeting to order.

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

Planning Director Shon Brooks noted staff is in the process of updating the Zoning Ordinance to remove the Specific Use Permit requirements for solar panel cases and it will be presented to the Commission in January.

Planner Chris Webb reviewed the following cases:

- SU-19-0149, applicant withdrew the request.
- PL-19-0141, applicant requested to plat existing property into four lots. The applicant is proposing a 30' ROW dedication while requesting a petition of relief for the additional 10' of dedication as indicated on the City's Thoroughfare Plan. Staff recommended denial due to the non-compliance of the Subdivision Ordinance.
- SU-19-0140, solar panel case in compliance with city standards and staff recommended approval as presented.
- SU-19-0150, solar panel case in compliance with city standards and staff recommended approval as presented.
- SU-19-0151, solar panel case in compliance with city standards and staff recommended approval as presented.

{Betty Square Coleman arrived at 6:40 p.m.}

Senior Planner Colby Collins reviewed the following cases:

- PD-19-0147 and PD-19-0135, applicant requested to continue to the December 17, 2019 Planning & Zoning Commission meeting.

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- SU-19-0144, applicant requested adding an additional 480 square feet to the existing garage structure. Staff recommended approval subject to Staff Comments.
- SU-19-0143, applicant requested approval of a proposed daiquiri shop at North Grove Business Park. Staff recommended approval subject to Staff Comments.

Planning Director Shon Brooks explained there is not currently a use for a daiquiri shop in the zoning ordinance. He noted “convenience store” was the closest use for this type of business and a new use will be updated in the zoning ordinance update in January. Staff recommended having City Council review the Specific Use Permit in 12 months.

3. Adjourn

There being no further business, the meeting adjourned at 6:51 p.m.

Respectfully submitted,

Amber Villarreal
Acting City Secretary

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Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Director of Planning
Thru: Michael Scott, City Manager *for Amy Luby*
Date: December 11, 2019
Re: SU-19-0133 – Caliber Collision

On December 4, 2019, the applicant requested to continue case no. SU-19-0133 to the January 14, 2020 Planning and Zoning meeting and the January 21, 2020 City Council meeting agenda.

Planning & Zoning Department

Plat Staff Report

Case: PL-19-0142



MEETING DATE(S)

Planning & Zoning Commission: December 17, 2019

CAPTION

Consider request by Mark Thedford, Akamai Designs, for a Plat of Creekwood Townhomes for 9 residential lots and 3 common areas being 2.257 acres situated in the S.M. Durrett Survey, Abstract 272 (Property ID 182093) - Owner: Akamai Designs Inc. (PL-19-0142)

APPLICANT REQUEST

The purpose of this request is to subdivide an existing lot into 9 residential lots and 3 common areas for an approved townhome development.

CASE INFORMATION

Applicant: Mark Thedford, Akamai Designs

Property Owner(s): Mark Thedford

Site Acreage: 2.257 acres

Number of Lots: 12 lots

Number of Dwelling Units: 9 units

Park Land Dedication: The cash in lieu of park land dedication for this case is estimated at \$3,600.00 (9 residential dwellings at \$400.00 per dwelling).

Adequate Public Facilities: Adequate public facilities are available for this property.

SUBJECT PROPERTY

General Location: 1609 Cleaver Street

Parcel ID Number(s): 182093

Current Zoning: SF-3

Existing Use: Undeveloped

Platting History: 272 S.M. DURRETT SURVEY

Site Aerial:



RECOMMENDATION

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

- Disapproval
- Approval, as presented.
- Approval, per the following conditions:

ATTACHED EXHIBITS

- 1. Plat drawing

APPLICANT REQUIREMENTS

- 1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.

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.

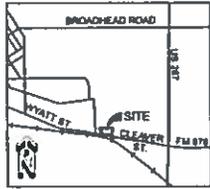
STAFF CONTACT INFORMATION

Prepared by:
 Chris Webb
 Planner
cwebb@waxahachie.com

Reviewed by:
 Shon Brooks, AICP
 Director of Planning
sbrooks@waxahachie.com



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



VICINITY MAP
N.T.S.

LEGEND

- CRS = 5/8 IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TRXC" SET FND = FOUND
- IRF = IRON ROD FOUND
- OPRECT = OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS
- PLAT = PLAT RECORDS ELLIS COUNTY TEXAS
- DE = 1" DRAINAGE EASEMENT

NOTES

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

AS SHOWN HEREON, A PORTION OF THE SUBJECT PROPERTY LIES WITHIN ZONE "X" (OTHER AREAS), DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AND A PORTION OF THE SUBJECT PROPERTY LIES WITHIN ZONE "X" (OTHER FLOOD AREAS), DEFINED AS "AREAS OF 0.2% ANNUAL CHANCE FLOOD" AND A PORTION OF THE SUBJECT PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD, ZONE "AE", DEFINED AS "BASED FLOOD ELEVATIONS DETERMINED" ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48136C010F, DATED JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THE FLOODPLAIN LINES SHOWN HEREON ARE A GRAPHICAL REPRESENTATION THEREOF AND HAVE BEEN SCALED FROM SAID MAPS AND THE SURVEYOR CANNOT CONFIRM THE ACCURACY OF SAID LINES.

ALL BUILDINGS MUST HAVE A MINIMUM FINISHED FLOOR ELEVATION OF 863.5'

STATE OF TEXAS
COUNTY OF ELLIS

KNOW ALL MEN BY THESE PRESENTS

WHEREAS, AKAMA DESIGNS, INC. IS THE SOLE OWNER OF A TRACT OF LAND SITUATED IN THE S. M. DURRETT SURVEY, ABSTRACT 272, ELLIS COUNTY, TEXAS, AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN DEED TO AKAMA DESIGNS, INC., RECORDED IN INSTRUMENT NO. 180356, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS, (OPRECT), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON PIPE FOUND FOR THE SOUTHWEST CORNER OF SAID AKAMA TRACT AND THE COMMON SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO DEBON S. THORNTON, RECORDED IN VOLUME 2270, PAGE 287 OPRECT, IN THE NORTH RIGHT-OF-WAY (ROW) LINE OF F.M. HIGHWAY NO. 878 (A VARIABLE WIDTH ROW);

THENCE S 67°37'07" W. ALONG THE SOUTH LINE OF SAID AKAMA TRACT AND THE COMMON NORTH ROW LINE OF SAID F.M. HIGHWAY NO. 878, A DISTANCE OF 367.75 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLB 4487" FOUND FOR THE SOUTHWEST CORNER OF SAID AKAMA TRACT AND THE COMMON SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO HELEN F. REED AND SYNTHIA KING, RECORDED IN VOLUME 2831, PAGE 873, OPRECT;

THENCE N 22°21'10" W. ALONG A WEST LINE OF SAID AKAMA TRACT AND THE COMMON EAST LINE OF SAID KING TRACT, A DISTANCE OF 189.40 FEET TO A 1/2" IRON ROD FOUND FOR AN ELL CORNER OF SAID AKAMA TRACT AND THE COMMON NORTHEAST CORNER OF SAID KING TRACT;

THENCE S 89°27'08" W. ALONG A SOUTH LINE OF SAID AKAMA TRACT AND THE COMMON NORTH LINE OF SAID KING TRACT, A DISTANCE OF 81.71 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID AKAMA TRACT AND THE COMMON NORTHWEST CORNER OF SAID KING TRACT, IN THE EAST LINE OF A CALLED 0.4781 ACRE TRACT OF LAND DESCRIBED IN DEED TO THE CITY OF WAXAHACHE, RECORDED IN VOLUME 2385, PAGE 1684, OPRECT;

THENCE N 27°15'33" W. ALONG A WEST LINE OF SAID AKAMA TRACT AND THE COMMON EAST LINE OF SAID S. 4781 ACRE CITY OF WAXAHACHE TRACT, A DISTANCE OF 21.03 FEET TO A 3/4" IRON ROD WITH CAP STAMPED "TRXC3" SET FOR THE NORTHWEST CORNER OF SAID AKAMA TRACT AND THE COMMON NORTHEAST CORNER OF SAID 0.4781 ACRE WAXAHACHE TRACT, IN THE SOUTH LINE OF A CALLED 3.298 ACRE TRACT OF LAND DESCRIBED IN DEED TO THE CITY OF WAXAHACHE, RECORDED IN VOLUME 2386, PAGE 1887, OPRECT;

THENCE N 89°27'45" E. ALONG THE NORTH LINE OF SAID AKAMA TRACT AND THE COMMON SOUTH LINE OF SAID 3.298 ACRE CITY OF WAXAHACHE TRACT, PASSING AT A DISTANCE OF 486.79 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLB 4488" FOUND FOR THE SOUTHWEST CORNER OF SAID 3.298 ACRE CITY OF WAXAHACHE TRACT, A TOTAL DISTANCE OF 800.00 FEET TO A POINT IN A POND FOR THE NORTHEAST CORNER OF SAID AKAMA TRACT;

THENCE S 25°38'19" E. ALONG THE EAST LINE OF SAID AKAMA TRACT, A DISTANCE OF 31.27 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLB 4489" FOUND FOR AN ANGLE POINT IN THE EAST LINE OF SAID AKAMA TRACT;

THENCE S 23°59'51" E. ALONG THE EAST LINE OF SAID AKAMA TRACT PASSING THE NORTHWEST CORNER OF SAID THORNTON TRACT, CONTINUING ALONG THE EAST LINE OF SAID AKAMA TRACT AND THE COMMON WEST LINE OF SAID THORNTON TRACT, A DISTANCE OF 227.91 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.27 ACRES OF LAND MORE OR LESS

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT AKAMA DESIGNS, INC. DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS CREEKWOOD TOWNHOMES, AN ADDITION TO THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS, AND DOES HEREBY DEDICATE, BY FEE SIMPLE, TO THE CITY OF WAXAHACHE, TEXAS FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS AS SHOWN ARE DEDICATED FOR THE PUBLIC USE FOREVER. FOR THE PURPOSES INDICATED ON THIS PLAT, NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, DYER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE INITIAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES SERVING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES. SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLICS AND CITY OF WAXAHACHE'S USE THEREOF. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE FULL RIGHT OF ACCESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

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

WITNESS MY HAND, THIS THE _____ DAY OF _____, 2019

MARK THEOFORD
AKAMA DESIGNS, INC.

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

GIVEN UNDER MY HAND AND SEAL THIS, THE _____ DAY OF _____, 2019.

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

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

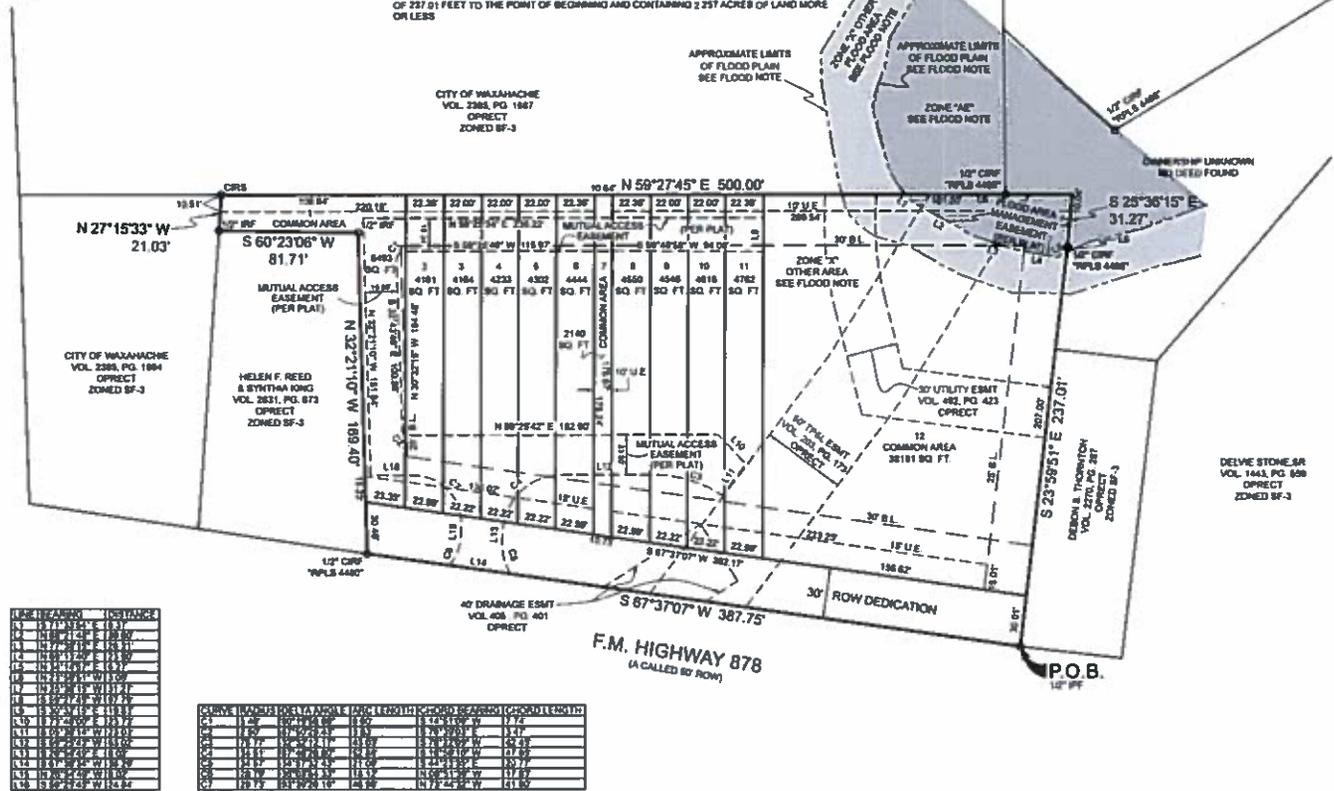
"PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT"

TIMOTHY L. JACKSON
REGISTRATION NUMBER 5644

APPROVED BY PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

BY: _____ DATE _____

ATTEST _____ DATE _____



LINE NUMBER	BEARING	DISTANCE
L1	N 27°15'33" W	21.03'
L2	S 60°23'08" W	81.71'
L3	N 22°21'10" W	189.40'
L4	S 89°27'08" W	81.71'
L5	N 27°15'33" W	21.03'
L6	S 25°38'19" E	31.27'
L7	S 23°59'51" E	227.91'
L8	N 89°27'45" E	486.79'
L9	N 27°15'33" W	21.03'
L10	S 60°23'08" W	81.71'
L11	N 22°21'10" W	189.40'
L12	S 89°27'08" W	81.71'
L13	N 27°15'33" W	21.03'
L14	S 25°38'19" E	31.27'
L15	S 23°59'51" E	227.91'
L16	N 89°27'45" E	486.79'
L17	N 27°15'33" W	21.03'
L18	S 60°23'08" W	81.71'
L19	N 22°21'10" W	189.40'
L20	S 89°27'08" W	81.71'
L21	N 27°15'33" W	21.03'
L22	S 25°38'19" E	31.27'
L23	S 23°59'51" E	227.91'
L24	N 89°27'45" E	486.79'
L25	N 27°15'33" W	21.03'
L26	S 60°23'08" W	81.71'
L27	N 22°21'10" W	189.40'
L28	S 89°27'08" W	81.71'
L29	N 27°15'33" W	21.03'
L30	S 25°38'19" E	31.27'
L31	S 23°59'51" E	227.91'
L32	N 89°27'45" E	486.79'
L33	N 27°15'33" W	21.03'
L34	S 60°23'08" W	81.71'
L35	N 22°21'10" W	189.40'
L36	S 89°27'08" W	81.71'
L37	N 27°15'33" W	21.03'
L38	S 25°38'19" E	31.27'
L39	S 23°59'51" E	227.91'
L40	N 89°27'45" E	486.79'
L41	N 27°15'33" W	21.03'
L42	S 60°23'08" W	81.71'
L43	N 22°21'10" W	189.40'
L44	S 89°27'08" W	81.71'
L45	N 27°15'33" W	21.03'
L46	S 25°38'19" E	31.27'
L47	S 23°59'51" E	227.91'
L48	N 89°27'45" E	486.79'
L49	N 27°15'33" W	21.03'
L50	S 60°23'08" W	81.71'
L51	N 22°21'10" W	189.40'
L52	S 89°27'08" W	81.71'
L53	N 27°15'33" W	21.03'
L54	S 25°38'19" E	31.27'
L55	S 23°59'51" E	227.91'
L56	N 89°27'45" E	486.79'
L57	N 27°15'33" W	21.03'
L58	S 60°23'08" W	81.71'
L59	N 22°21'10" W	189.40'
L60	S 89°27'08" W	81.71'
L61	N 27°15'33" W	21.03'
L62	S 25°38'19" E	31.27'
L63	S 23°59'51" E	227.91'
L64	N 89°27'45" E	486.79'
L65	N 27°15'33" W	21.03'
L66	S 60°23'08" W	81.71'
L67	N 22°21'10" W	189.40'
L68	S 89°27'08" W	81.71'
L69	N 27°15'33" W	21.03'
L70	S 25°38'19" E	31.27'
L71	S 23°59'51" E	227.91'
L72	N 89°27'45" E	486.79'
L73	N 27°15'33" W	21.03'
L74	S 60°23'08" W	81.71'
L75	N 22°21'10" W	189.40'
L76	S 89°27'08" W	81.71'
L77	N 27°15'33" W	21.03'
L78	S 25°38'19" E	31.27'
L79	S 23°59'51" E	227.91'
L80	N 89°27'45" E	486.79'
L81	N 27°15'33" W	21.03'
L82	S 60°23'08" W	81.71'
L83	N 22°21'10" W	189.40'
L84	S 89°27'08" W	81.71'
L85	N 27°15'33" W	21.03'
L86	S 25°38'19" E	31.27'
L87	S 23°59'51" E	227.91'
L88	N 89°27'45" E	486.79'
L89	N 27°15'33" W	21.03'
L90	S 60°23'08" W	81.71'
L91	N 22°21'10" W	189.40'
L92	S 89°27'08" W	81.71'
L93	N 27°15'33" W	21.03'
L94	S 25°38'19" E	31.27'
L95	S 23°59'51" E	227.91'
L96	N 89°27'45" E	486.79'
L97	N 27°15'33" W	21.03'
L98	S 60°23'08" W	81.71'
L99	N 22°21'10" W	189.40'
L100	S 89°27'08" W	81.71'

OWNERS:
AKAMA DESIGNS, INC.
145 Royal Park Lane
WAXAHACHE, TX 75183
489 843 3331

SURVEYOR:
TEXAS REALTY CAPTURE &
SURVEYING, LLC.
P.O. BOX 252
WAXAHACHE, TEXAS 75188
408 518 0338
TBPLS FIRM NO 10184359

PLAT
CREEKWOOD TOWNHOMES

SITUATED IN THE
S. M. DURRETT SURVEY,
ABSTRACT NO. 272
CITY OF WAXAHACHE, TEXAS
ELLIS COUNTY, TEXAS
2.27 ACRES
8 RESIDENTIAL LOTS
3 COMMON AREAS
ZONED SF-3
CASE NO. PL-19-0142

(8 + 9)



Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager *for [signature]*

Date: December 11, 2019

Re: PD-19-0135 – The Park at Northgate

Upon staff review, it was determined the applicant is able to meet all existing regulations as established in the current Planned Development Ordinance No. PD-11-MF1 for the property. Therefore, the creation of a new Planned Development is not needed.

Per the Ordinance currently in place on the property, prior to the issuance of any Building Permit or Certificate of Occupancy, for any structure or use on the premises, the Planning and Zoning Commission and City Council must approve a site plan. Therefore, the proposed development will be reviewed as Site Plan case No. SP-19-0176.

Planning & Zoning Department

Zoning Staff Report



Case: SP-19-0176

MEETING DATE(S)

Planning & Zoning Commission: December 17, 2019

City Council: January 6, 2020

CAPTION

Consider request by Brian Shaw, Blue Bonnet Trail LLC, for a detailed Site Plan review for a proposed multi-family development, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (SP-19-0176)

APPLICANT REQUEST

Create a 49 unit multi-family residential development within an existing Planned Development zoning district.

CASE INFORMATION

Applicant: Brian Shaw, Blue Bonnet Trail LLC

Property Owner(s): Blue Bonnet Trail LLC

Site Acreage: 2.965 acres

Current Zoning: Planned Development-11-Multiple Family-1

Requested Zoning: Planned Development-11-Multiple Family-1

SUBJECT PROPERTY

General Location: SW corner of Northgate Drive at Stadium Drive

Parcel ID Number(s): 239255

Existing Use: Currently Undeveloped

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	PD-GR	Currently Undeveloped
East	PD-GR	Single Family Residential
South	PD-GR	Stuart B. Lumpkins Stadium
West	PD-MF1 and PD-GR	Vacant Retail Building

Future Land Use Plan:

Retail

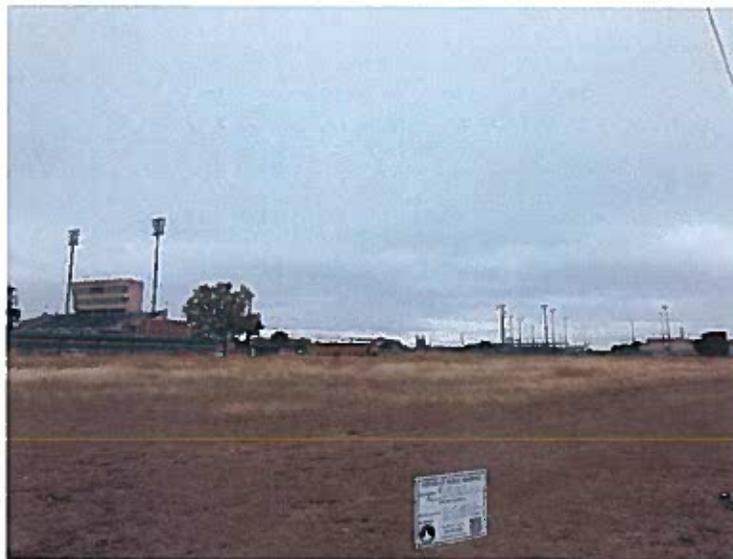
Comprehensive Plan:

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

Thoroughfare Plan:

The subject property is accessible via Northgate Dr. and Stadium Dr.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The purpose of this request is to create a multi-family residential development within an existing Planned Development zoning district.

*It should be noted that the applicant meets the requirements of the existing zoning (Planned Development-11-Multiple Family-1). However, the Planned Development zoning requires that "any site plan for the site is subject to approval by the Planning and Zoning Commission and City Council prior to the issuance of any Building Permit or Certificate of Occupancy for any structure or use on the premises."

Proposed Use:

The applicant is requesting approval to construct a forty-nine (49) unit apartment complex on 2.965 acres located at the southwest corner of Northgate Drive at Stadium Drive. The proposed development will consist of six two-story residential apartment buildings. The Concept Plan depicts a residential development that includes elements such as:

- App enabled communication between residents and management
- Pet Park
- Washer and Dryer included
- Common Area and Playground Area
- Drought tolerant native plant options

Conformance with the Comprehensive Plan:

Residential developments can include low density residential, medium density residential, and high density residential. The proposed development is consistent with the FLUP and the following goals and objectives in the 2016 Comprehensive Plan Addendum:

- Growth Strategies – Goal 12: Promote growth of the community where infrastructure exists.

Development Standards:

The applicant is proposing a base zoning district of Multi Family-1 (MF1). Allowed uses shall be those provided within the City of Waxahachie Zoning Ordinance for Multi Family-1 with additional changes listed below.

Permitted Uses:

- Multi-Family Apartments (MF1)

Table 2: Proposed Planned Development Standards (Multi Family-1)

***Items highlighted in bold do not meet the City of Waxahachie requirements**

Standard	City of Waxahachie	The Park at Northgate Proposed	Meets Y/N
Max. Density	18 DU per acre	17.53 DU per acre	Yes
Min. Lot Area (Sq. Ft.)	7,260 SF	2.965 acres	Yes
Min. Dwelling Unit	1 bedroom – 600 SF 2 bedroom – 700 SF	1 bedroom – N/A 2 bedroom – 932 SF (max. 1,298 SF)	Yes
Min. Lot Width (Ft.)	60	502	Yes
Min. Lot Depth (Ft.)	120	388	Yes
Min. Front Yard (Ft.)	25 adjacent to SF 25 adjacent to MF or NR	25	Yes
Min. Side Yard (Ft.)	50 adjacent to residential 25 adjacent to MF or NR	25	Yes
Min. Rear Yard (Ft.)	50 adjacent to residential 25 adjacent to MF or NR	25	Yes
Max. Lot Coverage (%)	40	32	Yes
Max. Height	2 stories	2 stories	Yes
Parking	1 & 2 bedroom units – 1.5 spaces per unit 73.5 required spaces 36.75 required attached garages	83 spaces provided 38 attached garages	Yes

Additional Applicant (Variance/Special Exception) Request/Notes:

- *Exterior Material:* The applicant is proposing cementitious fiberboard siding. Per the City of Waxahachie Zoning Ordinance, the material is not allowed. *House Bill 2439 allows the use of the material.* No single building elevation is comprised of more than 50% of the material.

PON RESPONSES

Inside 200 ft. Notification Area: Staff has received five (5) letters of opposition for the proposed development.

Outside 200 ft. Notification Area: Staff has received three (3) letters of opposition for the proposed development.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, **16** notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

STAFF CONCERNS

- 1. Staff has no outstanding concerns for the applicant.

APPLICANT RESPONSE TO CONCERNS

- 1. The applicant has addressed staff concerns.

RECOMMENDATION

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

- Denial
- Approval, as presented.
- Approval, per the following comments:
 - 1. Staff suggests that a Developer's Agreement be in place before final approval.
 - 2. Exterior Material: The applicant is proposing cementitious fiberboard siding. Per the City of Waxahachie Zoning Ordinance, the material is not allowed. House Bill 2439 allows the use of the material. No single building elevation is comprised of more than 50% of the material.

ATTACHED EXHIBITS

- 1. Land Use Statement
- 2. Site Plan
- 3. Elevation/Façade Plan
- 4. Landscape Plan
- 5. Proposed Amenities
- 6. Property Owner Notification

APPLICANT REQUIREMENTS

- 1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
- 2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide a set of drawings that incorporate all comments.

STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

Land Use Statement

The Park at North Gate Apartment Community

Introduction

This request seeks to gain approval to build a 49 unit apartment community on the subject property on 2.965 acres. The subject property is located on the corner of Northgate Dr. and Stadium Dr.

Proposed Uses

The proposed Planned Development will have a base zoning of MF-1. These rights carried forward include apartment development subject to the use, zoning, and development regulations of the MF-1 district.

Building Elevations

The proposed project includes six two-story buildings that will meet the required architectural requirements of the City of Waxahachie Zoning Ordinance.

Exterior Building Materials (VARIANCE REQUESTED)

- The elevations will not meet the MF1 masonry requirement.
- Applicant request that Cementitious fiberboard siding is an allowed material provided no single building elevation is comprised of more than 50% of such material

Parking

The proposed project has 84 total parking spaces. 38 of the 83 spaces will be attached garage spaces, and the remaining 45 exterior parking spaces, 10 of which will be used for additional visitor parking.

Access

Access to the property would be from two locations. One from Northgate Dr., and the other from Stadium Dr. Additional sidewalks will be provided along both streets frontage and connecting to the pedestrian path along the North and East sides of the property line.

Landscaping and screening

Landscaping and screening will be provided in accordance with the landscaping plan. The proposed landscaping plan provides a proportional amount of landscaping material for the use, density, and open space.

(10)

Proposed Amenities

The facility will offer amenities including a playground, a splash pad, and outdoor sitting areas.

All amenities includes:

Granite Countertops

10' ceilings throughout

Crown molding and upgraded trim work

Walk in closets

Recessed LED lighting

Integrated USB ports in kitchen & master bedroom

App enabled communication between residents & management

Ceiling fans in all bedrooms

Upgraded kitchen faucet and undercount stainless steel sink

Full size stainless steel appliances

Pet Park

Private Balconies

Washer & Dryer for each unit

Outdoor water feature

Outdoor playground and communal spaces

High efficiency windows

Drought tolerant native plant options

Permeable pavement for select areas

Radiant barrier roof sheathing

Modern finish outs throughout

Garage availability

Signs

All signage will comply with the City of Waxahachie Zoning Ordinance. We will provide a sign (ground monument) at each entrance, one on Northgate and one on Stadium Dr.

Lighting

All lighting will comply with the City of Waxahachie Zoning Ordinance

Project Phasing

The project is anticipated to be constructed in a single phase, with construction expected to commence approximately 6 months from zoning approval. Construction is expected to take approximately 18 months upon commencement.

Management associations

No management association has been identified for the project at this time. Professional leasing and management for the facility will be implemented.

(10)



1 ARCHITECTURAL SITE PLAN
F-302

REVISIONS OF BUILDING LINE	TABULATION	PARKING COUNT																																		
	LOT WIDTH AND DEPTH: WIDTH ALONG NORTHGATE DR. ROW = 82' LF DEPTH ALONG STADIUM DR. ROW = 58' LF LOT COVERAGE: BUILDING = 41.74% SP SITE = 22% SP SITE PROPOSED BUILDING COVERAGE ROW: NORTHGATE DRIVE = 50' R.O.W. STADIUM DRIVE = 50' R.O.W.	46 UNITS (25 STORIES) 2.89 ACRES (139,136 SF) 18 UNITS PER ACRE MAX. 17.53 UNITS PER ACRE PROVIDED BUILDING A-C BUILDINGS HEIGHT 3F - 10F 1ST FLOOR SP 6.43% SP 2ND FLOOR SP 8.63% SP 3RD FLOOR SP 10.48% SP BUILDING D-F BUILDINGS HEIGHT 3F - 10F 1ST FLOOR SP 2.74% SP 2ND FLOOR SP 2.86% SP 3RD FLOOR SP 3.59% SP	<table border="1"> <thead> <tr> <th></th> <th>REQUIRED</th> <th>PROVIDED</th> </tr> </thead> <tbody> <tr> <td>LOT PARKING</td> <td>12</td> <td>12</td> </tr> <tr> <td>STREET PARKING</td> <td>0</td> <td>0</td> </tr> <tr> <td>TOTAL</td> <td>12</td> <td>12</td> </tr> <tr> <td>PERCENT COVERED</td> <td>12</td> <td>12</td> </tr> <tr> <td>STRUCTURE</td> <td>1</td> <td>1</td> </tr> <tr> <td>AREA PARKING</td> <td>0</td> <td>0</td> </tr> <tr> <td>TOTAL PARKING</td> <td>12</td> <td>12</td> </tr> <tr> <td>WALK, ACCESSIBLE PARKING</td> <td>2</td> <td>2</td> </tr> <tr> <td>PERCENT ACCESSIBLE</td> <td>17</td> <td>17</td> </tr> <tr> <td>SPCA, MINIMUM PARKING</td> <td>14</td> <td>14</td> </tr> </tbody> </table>		REQUIRED	PROVIDED	LOT PARKING	12	12	STREET PARKING	0	0	TOTAL	12	12	PERCENT COVERED	12	12	STRUCTURE	1	1	AREA PARKING	0	0	TOTAL PARKING	12	12	WALK, ACCESSIBLE PARKING	2	2	PERCENT ACCESSIBLE	17	17	SPCA, MINIMUM PARKING	14	14
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PERCENT ACCESSIBLE	17	17																																		
SPCA, MINIMUM PARKING	14	14																																		



SITE PLAN

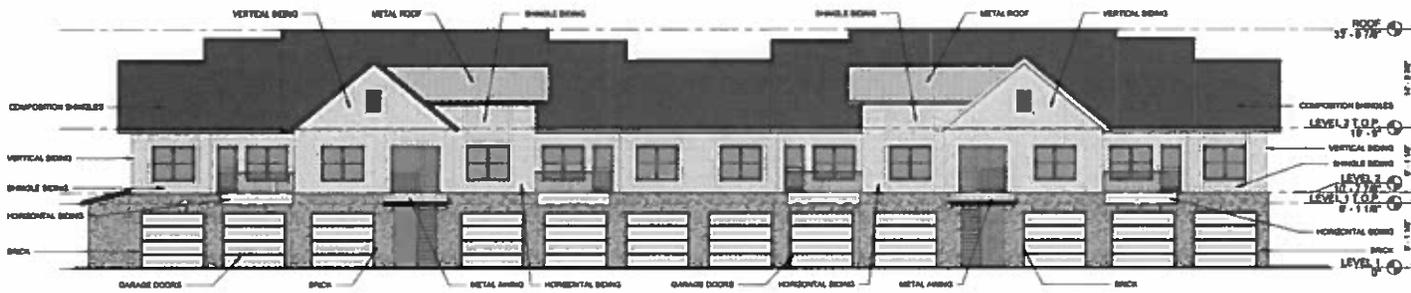
THE PARK AT NORTHGATE
 NORTHGATE DR AND STADIUM DR.
 WAXAHACHE TEXAS, ELLIS COUNTY

CASE NUMBER: PD-18-0138
 LOT 6, CARNET H, BLVD 973-974
 P.A.C.T.

callaway
 architecture

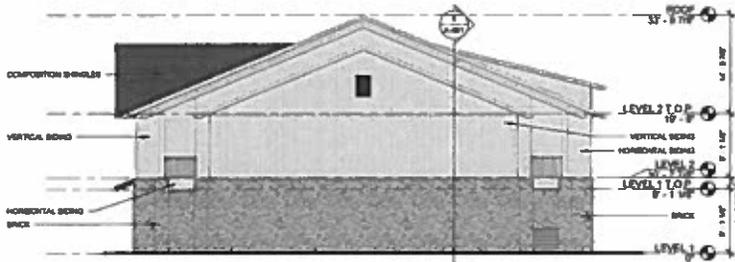
1207 HARTSHORN LN. STE 100
 FORT WORTH, TX 76104
 PHONE: 214.388.2000

RELIABILITY NOT FOR CONSTRUCTION Not for permits, zoning or other official purposes. This document has not been compared or checked and is for general information or comment only. 11/05/2018	JOB NO. 19029 SHEET NO. G-004
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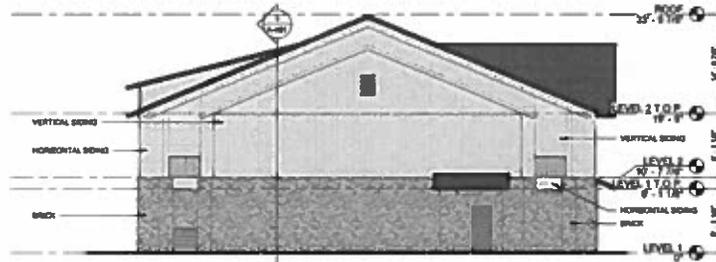
④ BUILDING A - NORTH ELEVATION
1/8" = 1'-0"

LEVEL 2 TOP	210.10	210.10
LEVEL 1 TOP	209.10	209.10
LEVEL J TOP	208.10	208.10
LEVEL J BOTTOM	207.10	207.10
LEVEL J	206.10	206.10



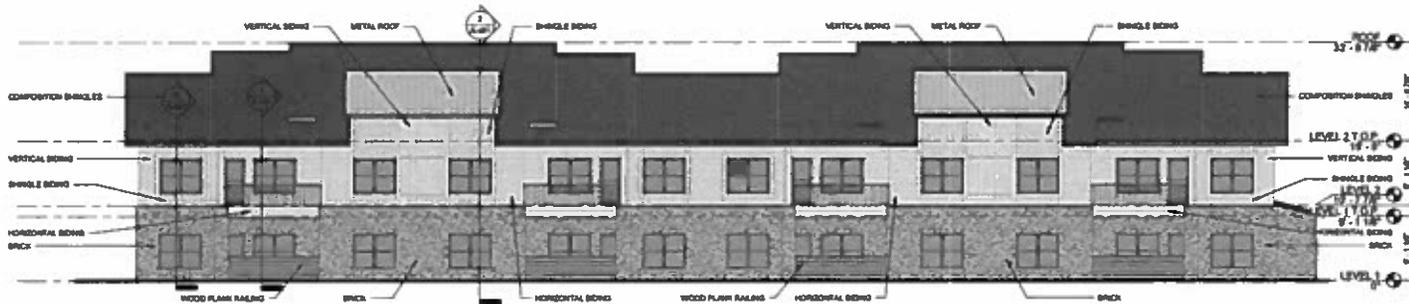
③ BUILDING A - WEST ELEVATION
1/8" = 1'-0"

LEVEL 2 TOP	210.10	210.10
LEVEL 1 TOP	209.10	209.10
LEVEL J TOP	208.10	208.10
LEVEL J	207.10	207.10



② BUILDING A - EAST ELEVATION
1/8" = 1'-0"

LEVEL 2 TOP	210.10	210.10
LEVEL 1 TOP	209.10	209.10
LEVEL J TOP	208.10	208.10
LEVEL J	207.10	207.10



① BUILDING A - SOUTH ELEVATION
1/8" = 1'-0"

LEVEL 2 TOP	210.10	210.10
LEVEL 1 TOP	209.10	209.10
LEVEL J TOP	208.10	208.10
LEVEL J	207.10	207.10

EXTERIOR MATERIALS SCHEDULE

	SHINGLE COLOR SHINGLES-SHINGLES HIGH REFLECTIVE WHITE 999 1777
	BRICK COLOR ACME BRICK - BLUSH PLAIN LOCALITE BLUSH 8/2/21
	COMPOSITION SHINGLES COMPOSITION LANCASHIRE HEADWER BRICK
	METAL COLOR STAINLESS STEEL METAL ROOF ASH GRAY COLOR
	PAINT COLOR - BAW
	READY MIX CONCRETE LOW E GRAY TINT GLAZE

BUILDING A - ELEVATIONS

THE PARK AT NORTHGATE
NORTHGATE DR AND STADIUM DR,
WAXAHACHE TEXAS, ELLIS COUNTY

CASE NUMBER PD-18-0115
LOT 9, CADDIS T & BLK 273-274
P.A. 11.7

callaway
architecture

PRELIMINARY
NOT FOR CONSTRUCTION
Not for permits, pricing or other
official purposes.
This document has not been
completed or checked and is for
general information in statement
only.

1201 HARRISBURG LANE, STEPHEN
HUGHSON, ARCHITECT
PH: 214.288.2888

ISSUE DATE: 19028

PLAN TYPE: 04028

PLANNING DEVELOPMENT: A-201

11/05/2018

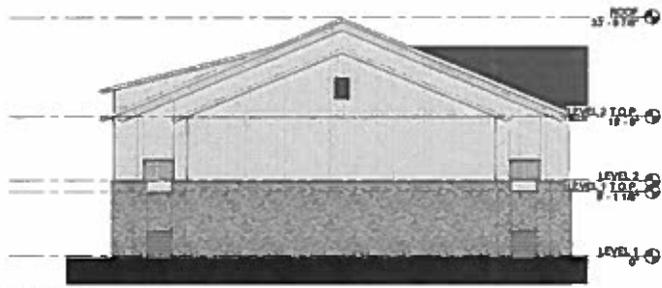
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1017



④ BUILDING C - NORTH ELEVATION
1/8" = 1'-0"

NO. OF WINDOWS	NO. OF DOORS	NO. OF WALLS	NO. OF ROOFS
12	2	12	1
12	2	12	1
12	2	12	1



③ BUILDING C - WEST ELEVATION
1/8" = 1'-0"

NO. OF WINDOWS	NO. OF DOORS	NO. OF WALLS	NO. OF ROOFS
2	1	2	1
2	1	2	1
2	1	2	1



② BUILDING C - EAST ELEVATION
1/8" = 1'-0"

NO. OF WINDOWS	NO. OF DOORS	NO. OF WALLS	NO. OF ROOFS
2	1	2	1
2	1	2	1
2	1	2	1



① BUILDING C - SOUTH ELEVATION
1/8" = 1'-0"

NO. OF WINDOWS	NO. OF DOORS	NO. OF WALLS	NO. OF ROOFS
12	2	12	1
12	2	12	1
12	2	12	1

EXTERIOR MATERIALS SCHEDULE

	BRICK COLOR - DIMENSIONAL WITH REFLECTIVE WHITE GROUT
	BRICK COLOR - SOLID PLANT BLEND 6/281
	COMPOSITION SHINGLES - LANDMARK HEATHER BLEND
	METAL ROOF - STANDING SEAM METAL ROOF AIN GRAY COLOR
	FRAME COLOR - GRAY
	LEGACY VINYL SIDING - LIGHT GRAY TONE GLASS

BUILDING C - ELEVATIONS

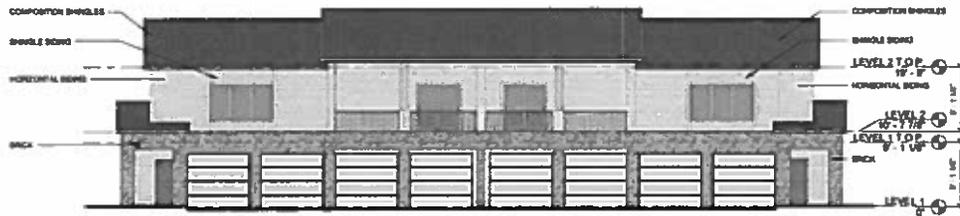
THE PARK AT NORTHGATE
NORTHGATE DR AND STADIUM DR.
WAXAHACHE TEXAS, ELLIS COUNTY

CADD NUMBER: PD 16-116
LIT & COMB'D IN BLOCK 273-014
P&S.E.T.

PRELIMINARY
NOT FOR CONSTRUCTION
Not for permits, pricing or other
official purposes.
This document has not been
revised or checked and is for
general information or comment
only.
11/05/2016

callaway
architecture

10029
10029
A-203



1 BUILDING - NORTH ELEVATION
1/8" = 1'-0"

ITEM	DESCRIPTION	QTY	UNIT
1	BRICK	15,000	SQ
2	SHINGLE BORD	1,000	LF
3	HORIZONTAL BORD	1,000	LF
4	COMPOSITION SHINGLES	1,000	SQ



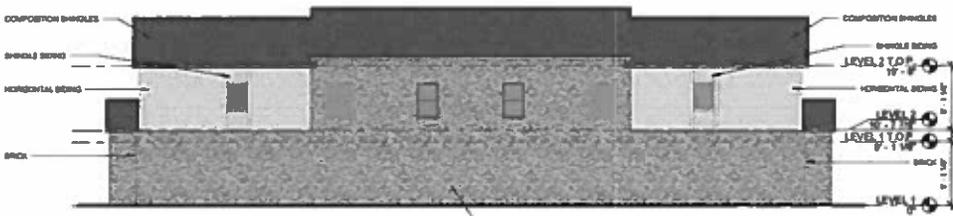
2 BUILDING - WEST ELEVATION
1/8" = 1'-0"

ITEM	DESCRIPTION	QTY	UNIT
1	BRICK	15,000	SQ
2	VERTICAL BORD	1,000	LF
3	HORIZONTAL BORD	1,000	LF



3 BUILDING - EAST ELEVATION
1/8" = 1'-0"

ITEM	DESCRIPTION	QTY	UNIT
1	BRICK	15,000	SQ
2	VERTICAL BORD	1,000	LF
3	HORIZONTAL BORD	1,000	LF



4 BUILDING - SOUTH ELEVATION
1/8" = 1'-0"

ITEM	DESCRIPTION	QTY	UNIT
1	BRICK	15,000	SQ
2	SHINGLE BORD	1,000	LF
3	HORIZONTAL BORD	1,000	LF
4	COMPOSITION SHINGLES	1,000	SQ

EXTERIOR MATERIALS SCHEDULE

	SHINGLE BOARD COMPOSITION SHINGLES HIGH REFLECTIVE WHITE SEE 772
	BRICK COLOR ACME BRICK - GLOSS FLAME SPECIALTY BLIND BLPS1
	COMPOSITION SHINGLES LANDSCAPE HEADWER BLEND
	MELEBYOY METAL STANDARD SEAM METAL ROOF ASH GRAY COLOR
	FRAME COLOR - GRAY
	LEADCO WINT. BRNCH LOW E GRAY TINT GLASS

BUILDING D, E & F - ELEVATIONS

THE PARK AT NORTHGATE
NORTHGATE DR AND STADIUM DR,
WAXAHACHE TEXAS, ELLIS COUNTY

CASE NUMBER: 10-18-1138
LOT 8, CAMBERT H. TRACT 873874
P & E.C.T.

callaway
architecture

1307 HARRINGTON LN. STEPHEN
HOUSTON, TX 77060
PHONE: 281-382-2235

ISSUE DATE: JOB NO:
190226

PLAN TYPE: SHEET NO:
DEVELOPMENT: A-211

11/05/2019

THIS DRAWING IS NOT FOR CONSTRUCTION
and for permits, pricing or other
official purposes.
This document has not been
completed or checked and is for
general information or comment
only.

(107)

(10)

RENDERING

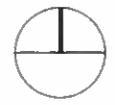




Plant List
(see additional plans for plant locations)

SYMBOL	COMMON NAME	SCIENTIFIC NAME	HEIGHT & WIDTH
PL	Live Oak	<i>Quercus agrifolia</i>	20' x 20'
LI	Chinese Pistache	<i>Pistacia chinensis</i>	15' x 15'
CH	Chinese Pistache	<i>Pistacia chinensis</i>	15' x 15'
PO	Postonberry	<i>Quercus postonii</i>	15' x 15'
CO	Chinquapin Oak	<i>Quercus laevis</i>	20' x 20'
LA	Live Oak	<i>Quercus agrifolia</i>	20' x 20'
LI	Chinese Pistache	<i>Pistacia chinensis</i>	15' x 15'
PO	Postonberry	<i>Quercus postonii</i>	15' x 15'
CO	Chinquapin Oak	<i>Quercus laevis</i>	20' x 20'
LA	Live Oak	<i>Quercus agrifolia</i>	20' x 20'

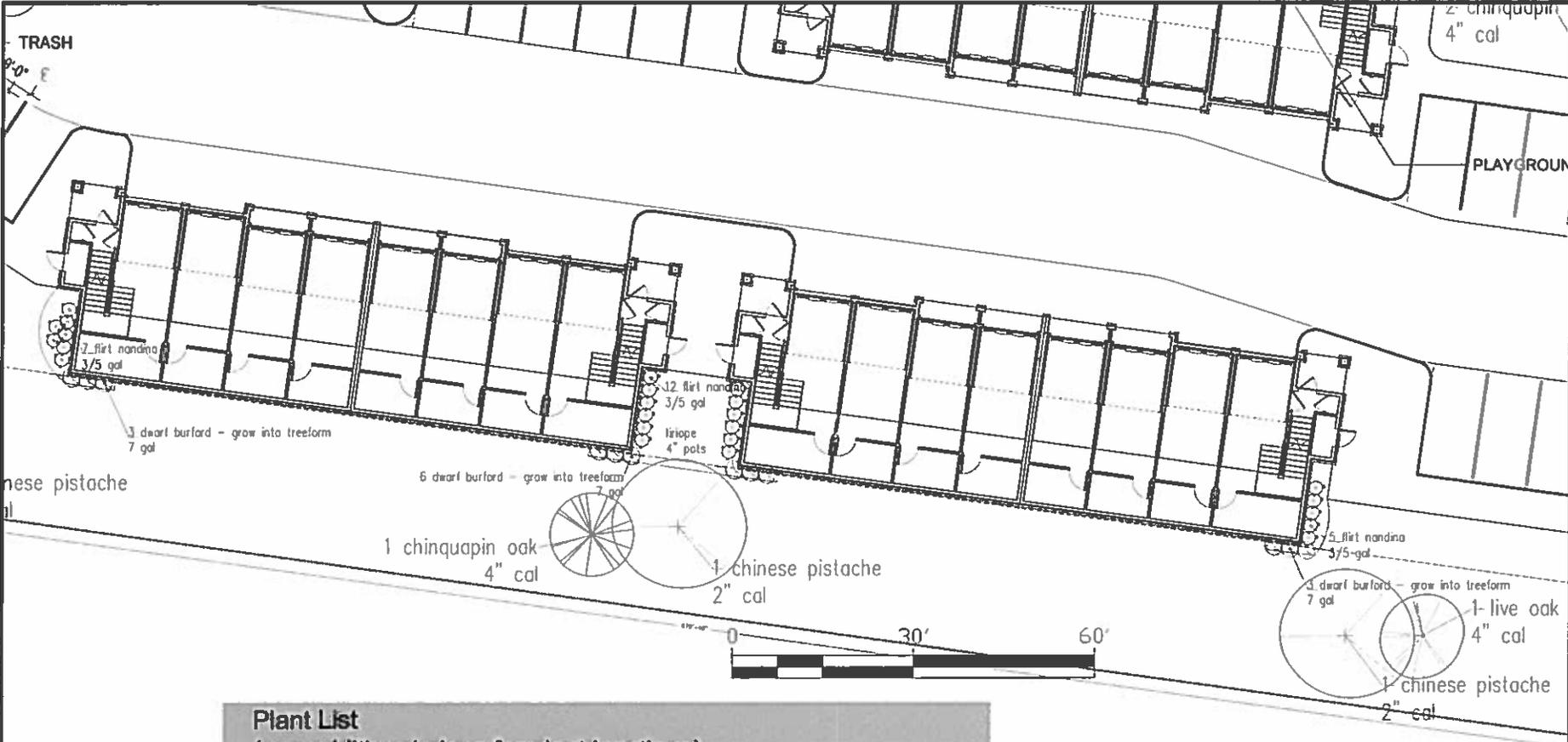
David Rolston
Registered Landscape Architects
5607 Dora Street
Dallas, TX 75206
www.drlandscape.com



Date: 4 Dec 2019
Revised:
Scale: 1" = 50' 0"

The Park at Northgate
Ellis County, TX
Waxahachie, TX

(10)



Plant List
(see additional plans for plant locations)

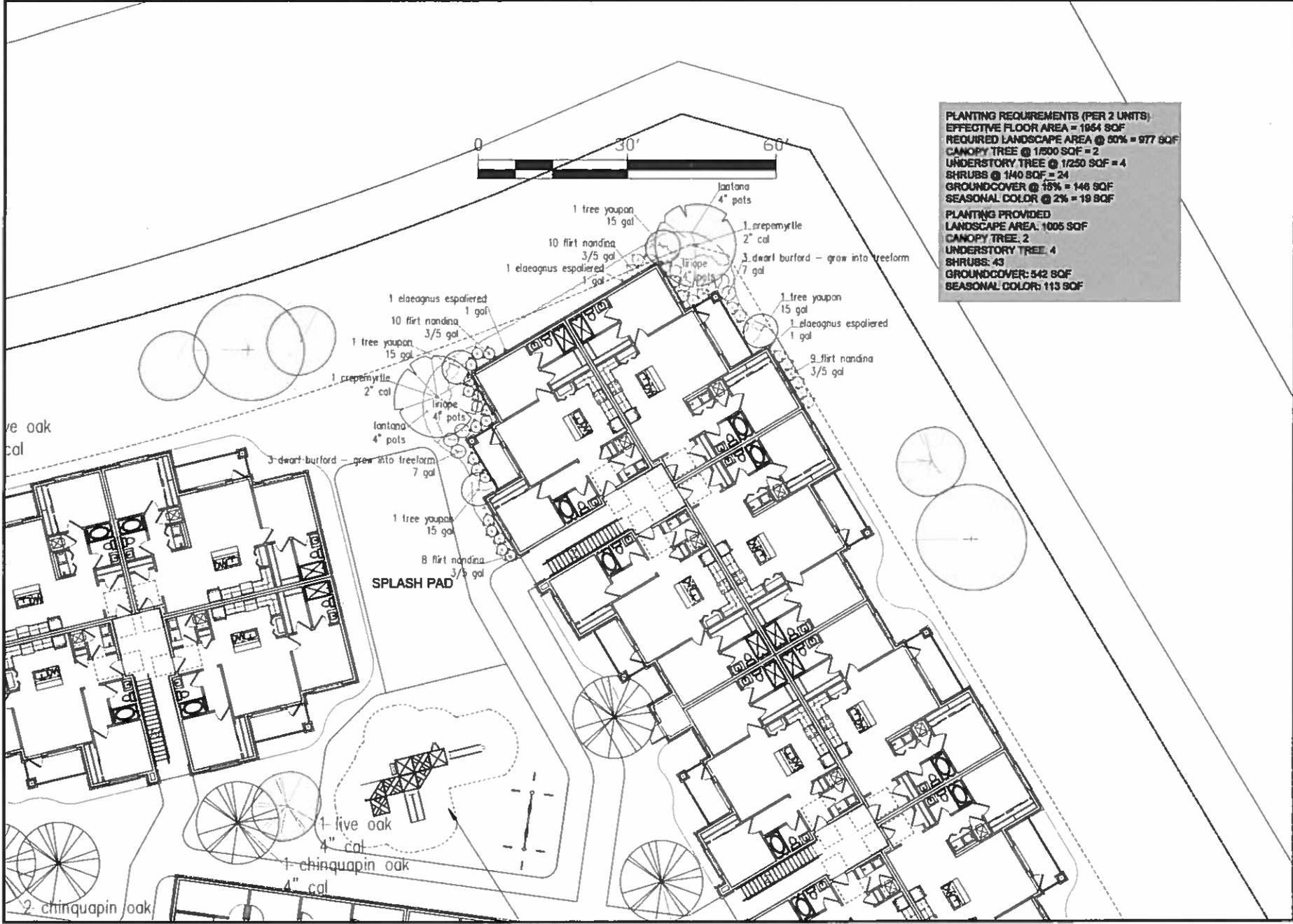
COUNT	COMMON NAME	BOTANICAL NAME	HEIGHT & WIDTH
25	Live Oak	<i>Quercus virginiana</i>	40'x75'
8	Chinquapin Oak	<i>Quercus muehlenbergii</i>	50'x45'
14	Chinese Pistache	<i>Pistacia chinensis</i>	50'x50'
4	Yaupon Holly	<i>Ilex vomitoria</i>	18'x20'
2	Crepe myrtle	<i>Lagerstroemia indica</i>	25'x15'
12	Dwarf Burford Holly	<i>Ilex burfordii "Nana"</i>	5'x5'
26	Flint Nandina	<i>Nandina "Muresaki"</i>	varies
250	Liriope	<i>Liriope muscari</i>	varies

David Rolston
Registered Landscape Architects
214.354.5183
5607 Deer Street
Dallas, TX 75206
www.darlandscape.com



Date: 4/26/2018
Arranged:
Scale: 1/8"=1'-0"

The Park at Northgate
Ellis County, TX
Waxahachie, TX

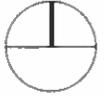


PLANTING REQUIREMENTS (PER 2 UNITS):
 EFFECTIVE FLOOR AREA = 1064 SQF
 REQUIRED LANDSCAPE AREA @ 50% = 977 SQF
 CANOPY TREE @ 1500 SQF = 2
 UNDERSTORY TREE @ 1250 SQF = 4
 SHRUBS @ 140 SQF = 24
 GROUND COVER @ 18% = 146 SQF
 SEASONAL COLOR @ 2% = 19 SQF

PLANTING PROVIDED
 LANDSCAPE AREA: 1005 SQF
 CANOPY TREE: 2
 UNDERSTORY TREE: 4
 SHRUBS: 43
 GROUND COVER: 542 SQF
 SEASONAL COLOR: 113 SQF

David Rolston
 Registered Landscape Architects

214.554.5383
 5407 Drex Street
 Dallas, TX 75206
 www.drlandscape.com



Date: 4 Dec 2019
 Arriving: _____
 Scale: 1/8" = 1'-0"

The Park at Northgate
 Ellis County, TX
 Waxahachie, TX

(10)

Amenities

Granite Countertops

10' ceilings throughout

Crown molding and upgraded trim work

Walk in closets

Recessed LED lighting

Integrated USB ports in kitchen & master bedroom

App enabled communication between residents & management

Ceiling fans in all bedrooms

Upgraded kitchen faucet and undercount stainless steel sink

Full size stainless steel appliances

Pet Park

Private Balconies

Washer & Dryer

Outdoor water feature

Outdoor playground and communal spaces

High efficiency windows

Drought tolerant native plant options

Permeable pavement for select areas

Radiant barrier roof sheathing

Modern finish outs throughout

Garage availability

Case PD-19-0135
 Responses Received Inside Required 2007 Notification Area
 Support: 0 Oppose: 5

Property ID	Owner's Name	Acres	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's Zip	Physical Address
172989	CRABSTER LELAND M & JUDITH M	0	LOT 3 BLK 3 COLONIAL AC 3	105 COMANCHE CT	WAXAHACHIE	TX	75185	105 COMANCHE CT WAXAHACHIE TX 75185
172990	EMM 77 SCHOLES	0	4 3 COLONIAL AC 3	107 COMANCHE CT	WAXAHACHIE	TX	75185	107 COMANCHE CT WAXAHACHIE TX 75185
172991	STOWHAS CLAUDIO JR	0	LOT 5 BLK 3 COLONIAL AC 3	106 COMANCHE CT	WAXAHACHIE	TX	75185	106 COMANCHE CT WAXAHACHIE TX 75185
172992	CANTU RICHARD	0	6 3 COLONIAL AC 3	104 COMANCHE CT	WAXAHACHIE	TX	75185	104 COMANCHE CT WAXAHACHIE TX 75185
172994	FRITZ CLARENCE J BLK REGINA L BOARD	0.224	LOT 2 BLK 3 COLONIAL AC 2 .224 AC	106 HIGH SCHOOL DR	WAXAHACHIE	TX	75185	106 HIGH SCHOOL DR WAXAHACHIE TX 75185
172995	D DANIEL ROBERT M & CARMEN C LIE O DANIEL IRREVOCABLE GRANTOR TRUST RHONDA M O DANIEL TRUSTEE	0.224	3 3 COLONIAL AC 2 0.224 ACRES	103 HIGH SCHOOL DR	WAXAHACHIE	TX	75185	103 HIGH SCHOOL DR WAXAHACHIE TX 75185
172996	EMM 133941	0.224	4 3 COLONIAL AC 2 0.224 ACRES	101 HIGH SCHOOL DR	WAXAHACHIE	TX	75185	101 HIGH SCHOOL DR WAXAHACHIE TX 75185
173001	GONZALES FRANK	0.207	4 2 COLONIAL AC 2 0.207 ACRES	102 HIGH SCHOOL DR	WAXAHACHIE	TX	75185	102 HIGH SCHOOL DR WAXAHACHIE TX 75185
173002	EUBANKS WILLIAM	0.234	LOT 5 BLK 2 COLONIAL AC 2 .234 AC	100 HIGH SCHOOL DR	WAXAHACHIE	TX	75185	100 HIGH SCHOOL DR WAXAHACHIE TX 75185
193839	WAXAHACHIE ISD	12.397	393 J GOOCH HIGH SCHOOL 12.397 ACRES	411 N GIBSON ST	WAXAHACHIE	TX	75185	1000 N HIGHWAY 77 WAXAHACHIE TX 75185
201749	ASSEMBLY OF GOD CHURCH	5.653	LOT 9 BLK 3 COLONIAL AC 4 5.653 AC	701 W HIGHWAY 287 BYP	WAXAHACHIE	TX	75185	701 W HIGHWAY 287 WAXAHACHIE TX 75185
202253	WAL MART STORES #01-0260 PROPERTY TAX	22.8468	LOT PT IRR WAL-MART/EASON-REV 22.8468 AC	PO BOX 8050	BENTONVILLE	AR	72712	1200 N HIGHWAY 77 WAXAHACHIE TX 75185
236252	CHONDU UROLOGY ASSOCIATES PLLC	1	LOT 3 THE VILLAGE AT WAXAHACHIE PH 1 1 AC	3112 W HWY 22	CORSICANA	TX	75110	20 NORTHGATE DR WAXAHACHIE TX 75185
236253	ELLIS LEGACY GROUP LLC	1.108	LOT 4 THE VILLAGE AT WAXAHACHIE PH 1 1.108 AC	673 BROOKGLEN CT	WAXAHACHIE	TX	75185	E HIGHWAY 287 WAXAHACHIE TX 75185
236255	BLUIE BONNET TRAIL LLC	2.984	LOT 5 THE VILLAGE AT WAXAHACHIE PH 1 2.984 AC	6225 WOODLAND DR	DALLAS	TX	75225	E HIGHWAY 287 WAXAHACHIE TX 75185
236257	NAVARRO ALEJANDRO O	0.5	LOT 6 THE VILLAGE AT WAXAHACHIE PH 1 0.5 AC	3620 SOUTH 9TH ST	ARLINGTON	VA	22204	87 NORTHGATE DR WAXAHACHIE TX 75185

(107)

(10)

RECEIVED
11/7/19



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **PD-19-0135**

SCHUSTER LELAND M & JUDITH M
105 COMANCHE CT
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 19, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 2, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135)

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: **PD-19-0135**
City Reference: 172989

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, November 13, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com.

SUPPORT OPPOSE

Comments: _____

Leland M. Schuster Judith M. Schuster 11/7/2019
Signature Date
Leland M. Schuster homeowner
Judith M. Schuster homeowner
Printed Name and Title 105 Comanche Court, Waxahachie
Address

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

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

(10)

November 7, 2019

Shon Brooks
Director of Planning
City of Waxahachie
401 S. Rogers St.
Waxahachie, Texas 75165

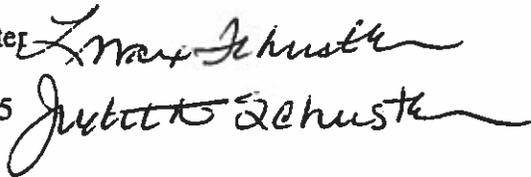
Re: Case Number PD-19-0135, City Reference 172989

Mr. Brooks:

Enclosed with this letter please find our response to your Notice of Public Hearing. We oppose, for numerous reasons, the plan to construct an apartment complex on the property located between the WISD Stadium and across the street from LaQuinta as indicated on your map.

I would suggest that you speak with Robert Brown, the city's legal counsel, as I object to the construction of your legal notice that was sent to certain people within the area of notification as required by law. Your notice is defective as it does not give an address to return the response and it apparently assumes that all persons have access to e-mail which is not true. We would strongly recommend that your "legal notices" be reissued and resent to the interested parties with the corrections pointed out and the dates be rescheduled for your public hearings.

L. Max and Judith Schuster
104 Comanche Court
Waxahachie, Texas 75165
972/351-4972
972/921-4874





RECEIVED
11/13/19

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **PD-19-0135**

SMALTZ MICHAEL
107 COMANCHE CT
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 19, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 2, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

- 1. Request by Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135)

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: **PD-19-0135**
City Reference: 172990

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, November 13, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com.

SUPPORT OPPOSE

Comments: INADEQUATE PARKING, INCREASED TRAFFIC ON ALREADY CONGESTED NORTHGATE AS WELL AS STADIUM DRIVE

Michael Smaltz
Signature

11/11/2019
Date

MICHAEL SMALTZ - HOMEOWNER
Printed Name and Title

107 COMANCHE CT. WAXAHACHIE, TX 75165
Address

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

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

Case Number: **PD-19-0135**

City Reference: 172994

RECEIVED
11/16/19

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, November 13, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com.

SUPPORT

OPPOSE

Comments: The space ID 239255 is too small for 52 housing units + the ensuing cars. The traffic is already impacted in that area to the point that more cars each day use the 1 lane each way street.

Regina Bonner
Signature

11/5/19
Date

Regina L. Bonner Homeowner
Printed Name and Title 105 High School

105 High School Dr.
Address Waxahachie, Tx 75165

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

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

(10)

(10)

RECEIVED
11/14/19



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: PD-19-0135

O DANIEL ROBERT M & CARMEN C L/E O DANIEL IRREVOCABLE GRANTOR
TRUST RHONDA M O DANIEL TRUSTEE
103 HIGH SCHOOL DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 19, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 2, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

- 1. Request by Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135)

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: PD-19-0135
City Reference: 172995

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, November 13, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com.

SUPPORT OPPOSE

Comments: TOO MUCH TRAFFIC

Robert O'Daniel
Signature

11-8-19
Date

ROBERT O'DANIEL HOMEOWNER 103 HIGH SCHOOL DR WAX,
Printed Name and Title Address

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

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

RECEIVED
11/13/19



City of Waxahatchie, Texas
Notice of Public Hearing
Case Number: PD-19-0135

JOHN MURPHY
401 HIGH SCHOOL DR
WAXAHATCHIE, TX 75165

The Waxahatchie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 19, 2019 at 7:00 p.m. and the Waxahatchie City Council will hold a Public Hearing on Monday, December 2, 2019 at 7:00 p.m. in the Council Chamber at the Waxahatchie City Hall, 401 South Rogers Street, Waxahatchie, Texas to consider the following:

Request by Brian Stone, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-13 Multiple Family 1 zoning district to Planned Development-Multiple Family-1 with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID:249255). Owner: Blue Bonnet Trail LLC (PD-19-0135)

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 we 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 (817) 309-4290 or via email: Planning@Waxahatchie.com for additional information on this request.

Case Number: PD-19-0135
City Reference: 172996

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on Wednesday, November 13, 2019 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahatchie.com.

SUPPORT OPPOSE

Comments: I believe in the growth and development of Waxahatchie and support this project.

Signature: [Handwritten Signature]

Date: 11-13-19

Printed Name and Title: John Murphy

Address: 101 Hill Street Drive
Waxahatchie, TX

Please print or download a form for filing applications. (Form PD-19-0135)
If we do not have an address for you, or if the form is illegible, please contact the City of Waxahatchie.

(10)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: PD-19-0135

RECEIVED
11/12/19

Outside Notification Area
PID: 172930

Name: DANNY E. LESLIE SANFORD
Address: 102 INDIAN CT WAXAHACHIE TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 19, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 2, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

- 1. Request by Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135)

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: PD-19-0135
City Reference: 172930

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, November 13, 2019* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com.

SUPPORT OPPOSE

Comments: NOT ENOUGH ROOM OR ROAD CANNOT ACCOMODATE MORE TRAFFIC

Signature: Danny Sanford

Date: 11-12-19

Printed Name and Title: DANNY SANFORD

Address: 102 INDIAN CT WAXAHACHIE TX 75165

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

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

(10)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: PD-19-0135

RECEIVED
11/25/19

Outside Notification Area
PID: 172999

Name: Ingrid Dehaa
Address: 106 Highschool Dr. Waxahachie Tx 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 19, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 2, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135)

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: PD-19-0135
City Reference: 172999

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, November 13, 2019* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com.

SUPPORT

OPPOSE

Comments: I oppose this development. Our streets have been crowded for years specially during school drop of and pick-up times.

Buses have ruined our streets. Traffic flow is horrible during school hours. Kids waiting for buses have almost been hit by speeding cars.

Signature Ingrid Dehaa

Date 11-25-19

Ingrid Dehaa / home owner
Printed Name and Title

106 Highschool Dr. Waxahachie Tx
Address 75165

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

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

(10)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: PD-19-0135

RECEIVED
11/19/19

Outside Notification Area
PID: 13003

Name: Harry & Jo Brennen
Address: 107 High School Dr., Waxahachie, TX

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 19, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 2, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135)

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: PD-19-0135
City Reference: 13003

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, November 13, 2019* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com.

SUPPORT OPPOSE

Comments: To many apartment on a small space.
This would cause to much traffic problems.

Harry Brennen 11-19-19
Signature Date

Harry Brennen, (Home owner) 107 High School Dr.
Printed Name and Title Address

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(10)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: PD-19-0135

RECEIVED
12/4/19

Outside Notification Area
PID: 172931

Name: Mr and Mrs Michael J. Bryant
Address: 100 Indian Court

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 19, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 2, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

- 1. Request by Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135)

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: PD-19-0135
City Reference: 172931

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, November 13, 2019* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com.

SUPPORT OPPOSE

Comments: see attached sheet

Mr and Mrs Michael J. Bryant Signature 12-4-19 Date

Mr and Mrs Michael J. Bryant Printed Name and Title 100 Indian Court Address

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

(10)

I oppose the Zoning Change for Case Number PD-19-0135 located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255).

- (1) Waxahachie needs safe quality housing that will appeal to responsible tenants that want a safe environment in which to live.
- (2) Because of traffic issues listed below any multiply family complex need parking on the property for a minimum of at least 2 parking places per unit with extra places for visitor to park and handicap parking for each building.

TRAFFIC ISSUES

Stadium Drive is not wide enough for 2 lanes of traffic when a vehicle is parked along to curb basically making Stadium Drive into a one line street. During the street improvement project for Stadium Drive a few years ago Stadium Drive was reduced to one lane of traffic for a period of time with signs at the intersection of Stadium Drive and Northgate Drive Informing drivers do not enter with an arrow directing traffic to make a left turn toward the 287 service road. Numerous drivers chose to ignore the directions turned right against the traffic directions and a few even drove as fast as they could to the intersection of Stadium Drive and Brown Street which is a very dangerous intersection with a history of accidents trough out the years.

In order to have enough space for first responders, fire, ambulance, and police) 2 lanes of traffic are needed.

Stadium Drive is a bus route used to transport students from campus to campus through the district.

Parents use the street to drop off and/or pick-up students.

Citizens from the community use the street to go to and/or come from Wal Mart, Race Tract, Starbucks, Hwy 77 and point beyond.

No speed limit signs are posted

- (3) Not enough land to include the number of units with amenities and places for cars to park.

Planning & Zoning Department

Zoning Staff Report

Case: ZC-19-0156



MEETING DATE(S)

Planning & Zoning Commission: December 17, 2019

City Council: January 6, 2020

CAPTION

Public Hearing on a request by Ronald E. Bunch, Attorney, for a **Zoning Change** from a Commercial zoning district to a Central Area zoning district located at 106 Monroe (Property ID 170381) - Owner: Getzendaner & Reed (ZC-19-0156)

APPLICANT REQUEST

The applicant is requesting a zoning change from Commercial (C) to Central Area (CA) to no longer have parking requirements at the site.

CASE INFORMATION

Applicant: Ronald E. Bunch, Attorney

Property Owner(s): William H. Getzendaner, Jr.

Site Acreage: 0.236 acres

Current Zoning: Commercial

Requested Zoning: Central Area

SUBJECT PROPERTY

General Location: 106 S. Monroe St.

Parcel ID Number(s): 170381

Existing Use: Existing Retail/Office Space

Development History: N/A

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	C	Martin's Car Wash and Detail
East	CA	Pop's Burger Stand
South	C/CA	Undeveloped Land
West	C	Retail/Office Space

Future Land Use Plan: Retail

(11)

Comprehensive Plan:

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

Thoroughfare Plan:

The subject property is accessible via S. Monroe St.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is requesting a zoning change from Commercial (C) to Central Area (CA) to no longer have parking requirements at the site.

Proposed Use:

The applicant is requesting a zoning change from Commercial (C) to Central Area (CA) to no longer have parking requirements at the site. The existing building was constructed on the subject property in the 1950's. Currently, the subject property consists of retail/office space and a beauty shop. While applying for a building permit to allow for an antique shop on the property, the Building Inspections department informed the applicant that the property did not have sufficient parking for the proposed use.

Due to being surrounded by uses such as Pop's Hamburger Stand and Two Amigos Mexican Restaurant across the street, both zoned Central Area with more business traffic, the applicant believes that rezoning the subject property from Commercial to Central Area will be consistent with the surrounding neighborhood district.

Per the City of Waxahachie Zoning Ordinance, Retail Stores and Shops, Custom Personal Service Shop (Beauty Shop), and Antique Shop all require 1 parking space per 200 sq. ft. Per Ellis County Appraisal District (ECAD), the existing square footage for the Beauty Shop is 680 and the Retail space is 4,500 sq. ft. The property currently provides 18 parking spaces (12 within the parking lot, 3 spaces in the front of the building, and 3 street parking spaces). Based on the uses provided, and the existing square footage of the building, the applicant is required to have 25 parking spaces. Conversely, due to the subject property not acquiring as much business traffic as the surrounding businesses, staff believes that

rezoning the property from Commercial to Central Area will not alter the essential character of the district.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 34 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

STAFF CONCERNS

- 1. Staff has no outstanding concerns for the applicant.

APPLICANT RESPONSE TO CONCERNS

- 1. The applicant has addressed all staff concerns.

RECOMMENDATION

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

- Denial
- Approval, as presented.
- Approval, per the following comments:

ATTACHED EXHIBITS

- 1. Letter of Request
- 2. Site Layout
- 3. Map Exhibit

APPLICANT REQUIREMENTS

- 1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
- 2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide a set of drawings that incorporate all comments.

STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

(11)

RONALD E. BUNCH
Attorney at Law

*112 S. Rogers, 2nd Floor
P. O. Box 884
Waxahachie, Texas 75168*

*Phone 972.937.7080
Metro 972.938.7088*

Fax 972.937.7081

December 3, 2019

To: Mr. Colby Collins, Senior Planner:

Pursuant to your request, I am providing the following information:

As you know, I represent William H. Getzendaner, Jr. as the Trustee and Owner of the subject property. This property was built in the 1950's by William H. Getzendaner, Sr. (now deceased). The property has been in continuous use since the 1950's when the current improvements were constructed. The original tenant of the property was the United States Department of Agriculture (USDA). The USDA occupied the premises for many years. Most recently, the property was occupied by Ellis County as the Ellis County Elections Office. After the County built a new building and vacated the property, we leased the property to Waxahachie Salvage. Waxahachie Salvage is moving part of their business to the subject property as they are moving from their lease with the City of Waxahachie. They have moved into the property and intend to operate an antique store. The subject property also contains a beauty shop.

The subject property is located on the northwest corner of the intersection of Monroe and Franklin Streets. It is our understanding that the subject property is zoned as commercial (C) and always has been as far as we know. Directly across the street is Pop's Hamburger Stand. Also, across the street on Monroe, is the old Groner Morton Cadillac building, which has retail spaces on the ground floor and lofts on the second floor. Across the street from the subject property on Franklin Street are the new condos constructed by Mr. Acker. Also adjacent to the subject property is Two Amigos Mexican Restaurant. It is my understanding that the adjacent properties listed are part of the central area (CA) zoning designation.

This requested change from C to CA became necessary because the Waxahachie Building Department denied the Antique Store a Certificate of Occupancy. The building department denied our tenant's request and informed them that they could not open for business. The explanation given from the building department was that the building did not have enough parking. We, of course, were surprised by this as the property has been in continuous use by commercial tenants since it was built in the 1950s. We view the requested change as a minor zoning amendment or a zoning correction rather than a substantive change. Simply put, we would like to enjoy the same benefits and privileges as our immediate commercial or retail neighbors.

Regarding the parking issue, the two tenants share a parking lot that is on the corner of Monroe and Franklin. The parking lot has spaces for 12 vehicles. There is also street parking on Monroe

(11)

for 3 vehicles immediately in front of the building and 3 more street parking spaces on Franklin Street (both streets border the property). So, there are 18 parking spaces available to the property not considering other adjacent street parking. We are aware of the scarcity of parking in the area as the adjacent businesses previously mentioned regularly park on the two streets immediately in front of and on the side of the subject property. This is especially true of the customers of Two Amigos Restaurant. We also regularly see people park in front of the subject property for long periods of time and walk to the lofts across the street. This is also true of the employees and customers of Pop's Hamburgers and the retail spaces across the street. The parking lot on the subject parking lot is posted in an attempt to curtail this practice. It is also important to note regarding the parking issue that the customers of the Waxahachie Salvage Antique Store are typically shoppers who are at the location for a very short time. Likewise, the customers at the beauty shop are there for a short time and are there pursuant to appointments.

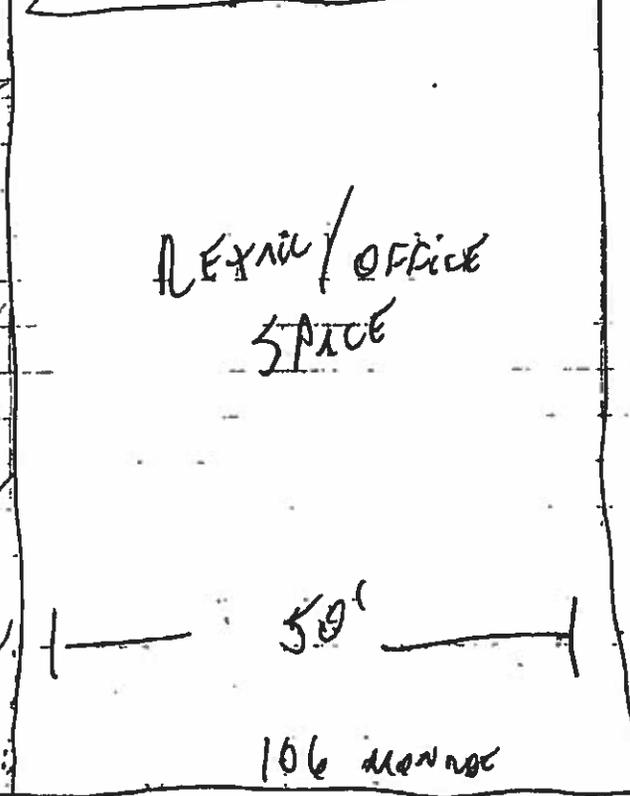
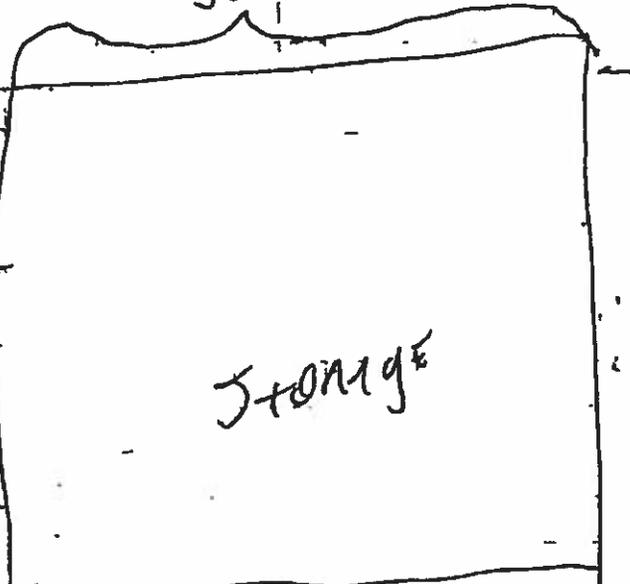
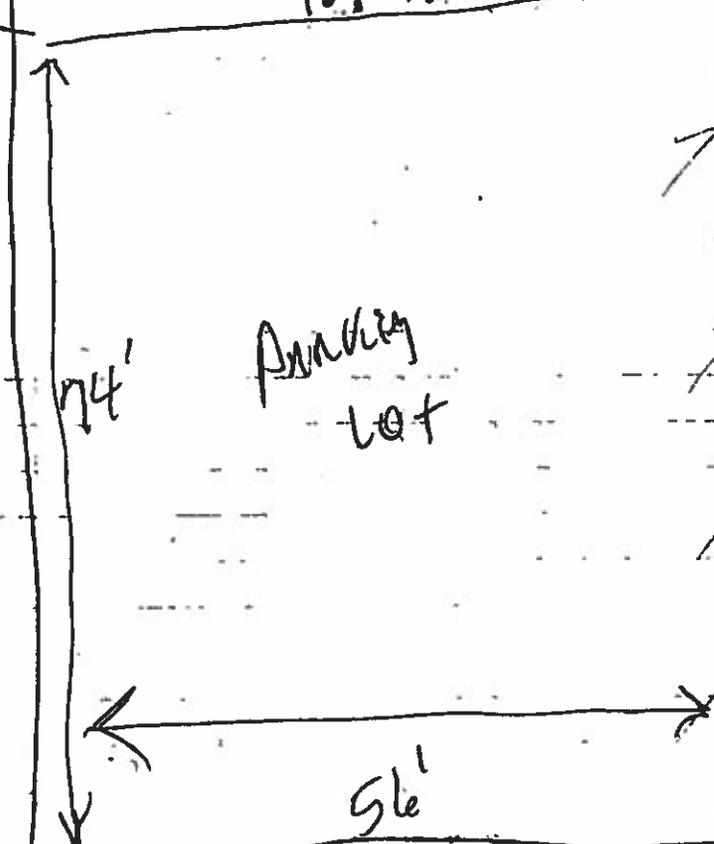
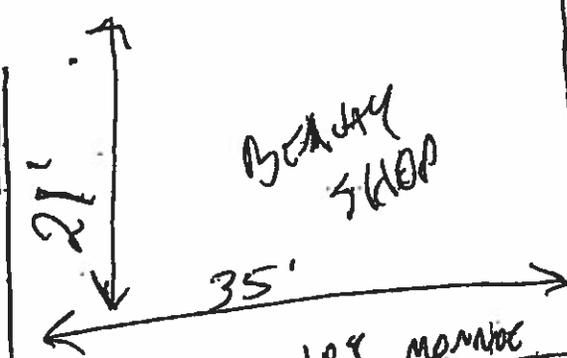
I have attached some photos of the subject property as well as a rough drawing of the site map. Please let me know if you need any further information.

Thank you,

A handwritten signature in black ink, appearing to read 'REB', written over a horizontal line.

Ronald E. Bunch

FRANKLIN ST.

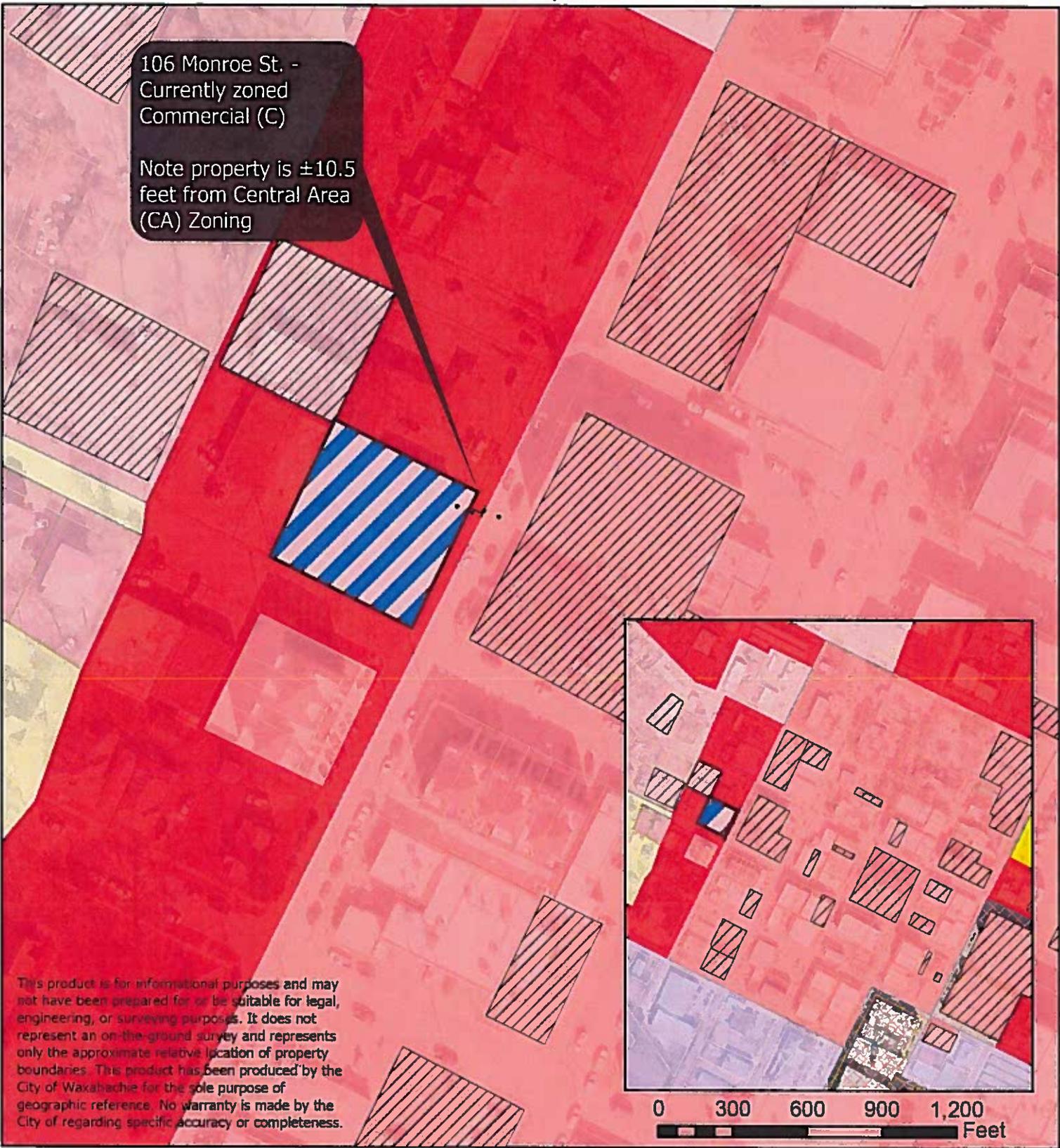


MONROE ST.

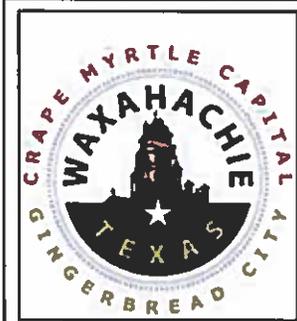
90' (117)

106 Monroe St. -
 Currently zoned
 Commercial (C)

Note property is ±10.5
 feet from Central Area
 (CA) Zoning



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the City of Waxahachie for the sole purpose of geographic reference. No warranty is made by the City of Waxahachie regarding specific accuracy or completeness.



Property ID: 170381
106 Monroe St.
Zoning Exhibit

- SUP
- ZC-19-0156 (106 Monroe)
- Zoning**
- C Commercial
- CA Central Area
- GR General Retail
- LI-2 Light Industrial-2
- PD-CA Planned Development-Central Area
- SF-1 Single Family-1
- SF-2 Single Family-2



Case ZC-19-0158
 Responses Received Inside Required 200' Notification Area
 Support: 1 Oppose: 0

PropertyID	Owner's Name	Acres	Legal Description	Owner's Address	Owner's Suite	Owner's City	Owner's State	Owner's Zip	Physical Address
170380	DOUBLE EAGLE INVESTMENT LLC	0.076	LOT 1B BLK 6 O T WAXAHACHIE .076 AC	404 W FRANKLIN ST		WAXAHACHIE	TX	75185	404 W FRANKLIN ST WAXAHACHIE TX 75185
170381	GETZENDANER & READ	0.236	LOT 3B 2 BLK 6 O T WAXAHACHIE 0.236 AC	4445 SKINNER RD		MIDLOTHIAN	TX	76065	108 S MONROE ST WAXAHACHIE TX 75185
170382	POARCH PROPERTIES LLC SERIES E	0.223	LOT 3A BLK 6 O T WAXAHACHIE .223 AC	1119 W MARVIN AVENUE		WAXAHACHIE	TX	75185	401 W MAIN ST WAXAHACHIE TX 75185
170383	MICROSS PROPERTY LLC SERIES A	0.23	LOT 4 BLK 6 O T WAXAHACHIE .23 AC	407 W MAIN ST		WAXAHACHIE	TX	75185	407 W MAIN ST WAXAHACHIE TX 75185
170385	JABBOK INC DAVID BROWN	0.103	LOT 1B BLK 5 O T WAXAHACHIE .103 AC	PO BOX 953		WAXAHACHIE	TX	75185	404 W MAIN ST WAXAHACHIE TX 75185
170386	ATKINS WILLIAM L III & KELI O	0.23	LOT 2 BLK 5 O T WAXAHACHIE .23 AC	1202 W MAIN ST		WAXAHACHIE	TX	75185	400 W MAIN ST WAXAHACHIE TX 75185
170390	SMITH PATRICIA ANNE	0.154	LOT 1A BLK 6 O T WAXAHACHIE 0.154 AC	1145 MAREE DR		WAXAHACHIE	TX	75185	408 W FRANKLIN ST WAXAHACHIE TX 75185
170394	THORNHILL JOHN	0.459	LOT 1A, 1B, 4 BLK 4 O T WAXAHACHIE .459 AC	408 VICTORIAN DR		WAXAHACHIE	TX	75185	314 W MAIN ST WAXAHACHIE TX 75185
170473	MAIN & MONROE PARTNERS LP	0.7988	LOT 1 & 2 & ALLEY & 3A & 4 BLK 7 O T WAXAHACHIE .7988 AC	1350 MANUFACTURING ST	STE 101	DALLAS	TX	75207	107 S MONROE ST WAXAHACHIE TX 75185
170474	COLWELL JOHN P ETAL	0.138	LOT 3B BLK 7 O T WAXAHACHIE .138 AC	P O BOX 862		WAXAHACHIE	TX	75185	100 S ELM ST WAXAHACHIE TX 75185
170486	BEG PARTNERS LLC	0.109	LOT 4B BLK 18 O T WAXAHACHIE 0.109 AC	1785 N HWY 77 STE 101		WAXAHACHIE	TX	75185	405 W FRANKLIN ST WAXAHACHIE TX 75185
170503	SMOTTS THEA R	0.138	LOT 1A BLK 15 O T WAXAHACHIE .138 AC	107 LAKECREST CT		WAXAHACHIE	TX	75185	408 W JEFFERSON ST WAXAHACHIE TX 75185
170504	BEAN ROBIN	0.138	LOT 1B & 2B BLK 16 O T WAXAHACHIE .138 AC	404 W JEFFERSON ST		WAXAHACHIE	TX	75185	404 W JEFFERSON ST WAXAHACHIE TX 75185
170505	SETTLEMYER TAMMY	0.184	LOT 2A BLK 18 O T WAXAHACHIE .184 AC	400 W JEFFERSON		WAXAHACHIE	TX	75185	400 W JEFFERSON ST WAXAHACHIE TX 75185
170506	MCROY INC	0.0589	LOT 3R-1 BLK 18 O T WAXAHACHIE-REV .0589 AC	232 S MONROE		WAXAHACHIE	TX	75185	232 S MONROE ST WAXAHACHIE TX 75185
170507	BIG BLUE TRUCK LLC	0.1195	LOT 4A BLK 18 O T WAXAHACHIE .1195 AC	1023 W MAIN ST		WAXAHACHIE	TX	75185	407 W FRANKLIN ST WAXAHACHIE TX 75185
170508	ALHAJ MAJDA	0.046	LOT 1B BLK 17 O T WAXAHACHIE .046 AC	8281 GLENWICK DR		WAXAHACHIE	TX	75185	312 W JEFFERSON ST WAXAHACHIE TX 75185
170512	AUTREY DUSTY & GARY	0.115	LOT 3B BLK 17 O T WAXAHACHIE .115 AC	200 S ELM ST		WAXAHACHIE	TX	75185	200 S ELM ST WAXAHACHIE TX 75185
170516	RRSA PROPERTIES LLC	0.2076	LOT PT 1A & 2A BLK 17 O T WAXAHACHIE 0.2076 AC	310 W JEFFERSON ST		WAXAHACHIE	TX	75185	310 W JEFFERSON ST WAXAHACHIE TX 75185
171026	FORD NEAL P & KAYCE	0.166	LOT 5 BLK 79 TOWN .166 AC	1004 N OAK CLIFF BLVD		DALLAS	TX	75208	409 W FRANKLIN ST WAXAHACHIE TX 75185
171027	NEIGHBOR RYAN W & MARRIA K	0.145	LOT 6 BLK 79 TOWN .145 AC	7335 CORONADO AVE		DALLAS	TX	75214	408 W JEFFERSON ST WAXAHACHIE TX 75185
171035	FORD NEAL P & KAYCE	0.124	LOT 4 BLK 79 TOWN .124 AC	413 W FRANKLIN ST		WAXAHACHIE	TX	75185	413 W FRANKLIN ST WAXAHACHIE TX 75185
171036	ROGERS HOTEL PARTNERS LLC	0.254	LOT 3-R BLK 77 TOWN .254 AC	1350 MANUFACTURING ST	STE 101	DALLAS	TX	75207	411 W MAIN ST WAXAHACHIE TX 75185
171039	ROUND HEAD PROPERTIES LLC	0.38	LOT PT 6 BLK 77 TOWN .380 AC	P O BOX 183		MIDLOTHIAN	TX	76066	410 W FRANKLIN ST WAXAHACHIE TX 75185
258933	AGUILAR ROGELIO R & DIANA L	0.0689	LOT 1R-1 BLK 17 O T WAXAHACHIE-REV .0689 AC	112 MARVIN GARDENS		WAXAHACHIE	TX	75185	241 S MONROE ST WAXAHACHIE TX 75185
269207	SCRUGGS GEORGE L III & VALINDA R	0.0546	LOT 3R-1 BLK 17 O T WAXAHACHIE-REV 0.0546 AC	311 W FRANKLIN ST		WAXAHACHIE	TX	75185	311 W FRANKLIN ST WAXAHACHIE TX 75185
269208	HARRIS LARRY W & TAMMY J	0.0435	LOT 3R-2 BLK 17 O T WAXAHACHIE-REV 0.0435 AC	321 WEST FRANKLIN ST		WAXAHACHIE	TX	75185	321 W FRANKLIN ST WAXAHACHIE TX 75185
269209	RENFRO CHADWICK R & CINDY L	0.0436	LOT 4R-1 BLK 17 O T WAXAHACHIE-REV .0436 AC	4295 FM 1449		WAXAHACHIE	TX	75167	331 W FRANKLIN ST WAXAHACHIE TX 75185
269210	HOLLINGSWORTH BRUCE E & CHARLENE D	0.0434	LOT 4R-2 BLK 17 O T WAXAHACHIE-REV .0434 AC	341 W FRANKLIN ST		WAXAHACHIE	TX	75185	341 W FRANKLIN ST WAXAHACHIE TX 75185
269211	MC KIBBIN CHARLOTTE	0.0433	LOT 4R-3 BLK 17 O T WAXAHACHIE-REV 0.0433 AC	351 W FRANKLIN ST		WAXAHACHIE	TX	75185	351 W FRANKLIN ST WAXAHACHIE TX 75185
269212	MUNDY MARK & BARBARA NORRIS	0.0697	LOT 4R-4 BLK 17 O T WAXAHACHIE-REV 0.0697 AC	361 W FRANKLIN		WAXAHACHIE	TX	75185	361 W FRANKLIN ST WAXAHACHIE TX 75185
269213	RAWLINGS MICHAEL C & TINA P	0.0471	LOT 3R-2 BLK 18 O T WAXAHACHIE-REV .0471 AC	222 S MONROE		WAXAHACHIE	TX	75185	222 S MONROE ST WAXAHACHIE TX 75185
269214	NIESEN ROBERT & DAVILA	0.0471	LOT 3R-3 BLK 18 O T WAXAHACHIE-REV .0471 AC	212 S MONROE		WAXAHACHIE	TX	75185	212 S MONROE ST WAXAHACHIE TX 75185
269215	REAGAN DAVID W	0.077	LOT 3R-4 BLK 18 O T WAXAHACHIE-REV .077 AC	202 S MONROE ST		WAXAHACHIE	TX	75185	202 S MONROE ST WAXAHACHIE TX 75185

(11)

(11)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZC-19-0156

RECEIVED
12/10/19

MJ CROSS PROPERTY LLC SERIES A
407 W MAIN ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 17, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, January 6, 2020 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Ronald E. Bunch, Attorney, for a Zoning Change from a Commercial zoning district to a Central Area zoning district located at 106 Monroe (Property ID 170381) - Owner: Getzendaner & Reed (ZC-19-0156)

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: ZC-19-0156
City Reference: 170383

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, December 11, 2019* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT OPPOSE

Comments: _____

Mark Cornell
Signature

12/2/19
Date

Mark Cornell, President
Printed Name and Title

407 w main St, Waxahachie TX 75165
Address

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

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

Planning & Zoning Department

Zoning Staff Report



Case: PD-19-0147

MEETING DATE(S)

Planning & Zoning Commission: December 17, 2019

City Council: January 6, 2020

CAPTION

Continue Public Hearing on a request by Dalton Bradbury, Southfork Capital, for a Zoning Change from a Planned Development-30-Office zoning district to Planned Development-Single Family-3, with Concept Plan, located at 315 N Rogers (Property ID 193492) - Owner: Southfork Capital LLC (PD-19-0147)

APPLICANT REQUEST

The applicant is requesting to create a Planned Development construct five (5) single family homes.

CASE INFORMATION

Applicant: Dalton Bradbury

Property Owner(s): South Fork Capital LLC

Site Acreage: 2.477 acres

Current Zoning: Planned Development-Office

Requested Zoning: Planned Development-Single Family-3

SUBJECT PROPERTY

General Location: 315 N. Rogers St.

Parcel ID Number(s): 193492

Existing Use: Currently Undeveloped

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	SF1	Single Family Residences
East	PD-O	Single Family Residences
South	GR and C	First Baptist Church
West	PD-GR and GR	Residential and Retail Uses

Future Land Use Plan: Low Density Residential

Comprehensive Plan: This category is representative of smaller single family homes and some duplex units. The majority of Waxahachie's current development is of similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

Thoroughfare Plan: The subject property is accessible via N. Rogers St.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is requesting to create a Planned Development construct five (5) single family homes.

Proposed Use:

The applicant is requesting approval for a zoning change to accommodate development of five (5) single family homes on 2.477 acres located at 315 N. Rogers St. The current zoning for the property is Planned Development-Office. Per the information provided in Table 2, the applicant is not meeting all of the required development standards for the requested zoning. However, it should be noted that the proposed development is within the Infill Overlay, and will meet or exceed the existing surrounding development.

Conformance with the Comprehensive Plan:

Residential developments can include low density residential, medium density residential, and high density residential. The proposed development is consistent with the FLUP and the following goals and objectives in the 2016 Comprehensive Plan Addendum:

- **Growth Strategies – Goal 12:** Promote growth of the community where infrastructure exists.

Development Standards:

The applicant is proposing a base zoning district of Single Family-3 (SF3). Allowed uses shall be those provided within the City of Waxahachie Zoning Ordinance for Single Family-3 with additional changes listed below.

Permitted Uses:

- Single Family Housing

Table 2: Proposed Planned Development Standards (Single Family-3)

***Items highlighted in bold do not meet the City of Waxahachie requirements**

Standard	City of Waxahachie	Bradbury	Meets Y/N
Min. Lot Area (Sq. Ft.)	10,000	9,500	No
Min. Dwelling Unit (Sq. Ft.)	1,200	1,600	Yes
Min. Lot Width (Ft.)	80	50	No
Min. Lot Depth (Ft.)	100	190	Yes
Min. Front Yard (Ft.)	30	15	No
Min. Side Yard (Ft.)	10; 15 (ROW)	5; 15 (ROW)	No
Min. Rear Yard (Ft.)	25	25	Yes
Max. Height	2 stories	2 stories	Yes
Max. Lot Coverage (%)	50	60	No

**It should be noted that the subject property is located within the City of Waxahachie Infill Overlay*

***Though Table 2 reflects that some requirements are not met, the proposed development will meet or exceed the existing surrounding development*

Additional Notes/Exception and Variance Request:

- *Exterior Material:* The applicant is proposing 100% cementitious fiberboard siding. Per the City of Waxahachie Zoning Ordinance, the material is not allowed. *House Bill 2439 allows the use of the material.*
- The applicant is requesting to provide a 6ft. wood fence opposed to a required masonry fence.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 8 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

STAFF CONCERNS

1. Staff has no outstanding concerns for the applicant.

APPLICANT RESPONSE TO CONCERNS

1. The applicant has addressed all staff concerns.

RECOMMENDATION

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

- Denial
- Approval, as presented.
- Approval, per the following comments:

ATTACHED EXHIBITS

1. Site Plan
2. Concept Provisions

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide a set of drawings that incorporate all comments.

STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

(13)

PD-19-0147

Bradbury Planned Development

Purpose and Intent

The purpose and intent of this Planned Development (PD) is to allow for the development of five single family homes.

Key Design Features: The residential architectural style for this development will consist mainly of southern farm house and Texas regional architecture that lends itself to large front porches and homes opening directly on both public and private spaces. Features that Promote a Unique Identity and Quality of Life. Payton's Place is designed to evoke a neo-classical feel. The architecture within the community is one of similarity and continuity, but with a variety of design options. The main design idea is to mimic the existing Waxahachie "original town" and downtown areas that were constructed in the later 1800s and to mid-1900s.

Sustainability of Site Location: Within walking distance to Downtown Waxahachie and ¼ mile of mile to hike and bike trail. All residential development will be Green Built and Energy Star certified. All lots will have a 2 car enclosed garages. No garage doors will be visible from the street. **Strategies for Healthy Communities and Indoor Environments:** Existing walkable streets and sidewalks provide connections from the development to the nearby hike and bike trail as well as downtown Waxahachie and the Amphitheater.

Any conditions found within the Single Family Residential District-3 (SF-3) zoning district or Zoning Ordinance that are not written herein, shall default to the City of Waxahachie's Code of Ordinances, as amended.

Compliance with the City's Comprehensive Plan

Zoning District (SF-3) is the intended base zoning classification underlying this PD. The SF-3, Single Family Residential District-3, is a residential district intended to provide the highest residential density of four (4) dwelling units per acre. The principal permitted land uses will include single family dwellings, residential areas are permitted in this District.

PD District Development Standards

Description of Request

- We intend to modify the existing zoning general retail requirements under a Planned Development which will allow for the development of FIVE single family homes and leave the existing concrete parking lot on lot 1 as it currently is.

Proposed Use of Property

- The proposed development is compiled of 5 new single family homes. The development will create a common look that will serve as a model for future development in the surrounding area. The development will feature large front porches and exterior vintage style lighting.
- **Elevations:** 100% fiber-cement exterior.
- **Density:** 5 dwelling units per 1.15 acres (5 units total)
- **landscaping:** Landscaping will be to City of Waxahachie SF3 Standards.
- **Façade Materials:** All exterior materials will be Fibercementitious siding to match the existing neighborhood.

- **Parking:** 2 enclosed parking spaces will be detached from each dwelling unit and an additional 1 car parking space will be provided behind the front build line.
- **Height:** A maximum of 2 stories above grade.
- **Screening:** A 6' wood privacy fence shall screen all lots from the existing parking lot on lot 1.
- **Phasing:** Construction shall begin as soon as the plat has been approved.
- **Property management Association:** No property management association will be provided.

- **Sec. 3.06 - Single-Family Residential-3 (SF3).**

(a)

General purpose and description: The Single-Family Residential-3 (SF3) Zoning District is intended to be similar to the SF2 except composed of detached, single-family residences on lots of not less than ten thousand (10,000) square feet.

(b)

SF-3 Standards

Height Regulations	
	2 stories for the main building. 1 story for accessory buildings without garages
Area Regulations	
Minimum Lot Area	10,000 SF
Minimum Lot Width	80'
Minimum Lot Depth	100'
Minimum Front Yard	30'
Minimum Side Yard	10'; 15' on corner lots adjacent to a street
Minimum Rear Yard	25'
Maximum Lot Coverage	50% by main and accessory buildings
Parking Regulations	Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure
Minimum DUA	1,200 SF

- Proposed Planned Development Single-Family Residential 3

Planned Development Standards

Height Regulations	
	2 stories for the main building. 1 story for accessory buildings without garages
Area Regulations	
Minimum Lot Area	9,500 SF
Minimum Lot Width	50'
Minimum Lot Depth	190.00'
Minimum Front Yard	15'
Minimum Side Yard	5'; 15' on corner lots adjacent to a street
Minimum Rear Yard	25'
Maximum Lot Coverage	60% by main and accessory buildings
Parking Regulations	Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure
Minimum DUA	1,600 SF
Exterior Facade	100 percent fiber-cement exterior façade

Planning & Zoning Department

Zoning Staff Report

Case: SU-19-0155



MEETING DATE(S)

Planning & Zoning Commission: December 17, 2019

City Council: January 6, 2020

CAPTION

Public Hearing on a request by Kevin Cribley, Cribley Enterprises, Inc., for a Specific Use Permit (SUP) for **Outside Storage** use within a Commercial and Light Industrial-1 zoning district, located at 100 W Sterrett (Property ID 273754) – Owner: M AND M INVESTMENTS (SU-19-0098)

APPLICANT REQUEST

The applicant is requesting approval for a Specific Use Permit to allow the use of outside storage.

CASE HISTORY

The initial request for a SUP for outside storage was heard at the Planning & Zoning Commission meeting, held May 14, 2019, the Commission voted 5-1 to recommend denial of case number SU-19-0048 (original submittal case number). The applicant requested to be heard by City Council.

At the City Council meeting, held May 20, 2019, the Council voted 5-0 to continue case no. SU-19-0048 back to the June 11, 2019 Planning and Zoning Commission meeting.

- At the City Council meeting, held May 20, 2019, Council provided requirements that include:
 - The applicant must submit a signed and sealed plan from a Landscape Architect to staff. The landscape plan must be fully vetted by staff before attending the Planning and Zoning meeting.
 - Once a landscape plan is approved by the Planning and Zoning Commission and City Council, the applicant shall apply the approved landscaping to the property.

At the Planning & Zoning Commission meeting, held June 11, 2019, the Commission voted 5-1 to recommend denial of case number SU-19-0048. The case was not reviewed by City Council on June 17, 2019, due to the applicant's request.

Due to work being done on the site before City Council approval of a SUP, the Code Enforcement department issued a city violation on 8/22/2019. The applicant had until 9/4/2019 to cease and desist all operations at the location until a valid Certificate of Occupancy is issued by the City of Waxahachie.

At the time of this report (12/9/2019), equipment for the site has not been completely removed. However, the equipment has been moved to the back of the site so that it is not visible from Interstate 35. Code Enforcement has issued citations regarding this case on 9/4/2019, 9/10/2019, 9/17/2019, 9/25/2019, 10/1/2019, 10/17/2019, 10/25/2019, and 12/9/2019.

CASE INFORMATION

Applicant: Kevin Cribley, Cribley Enterprises, Inc.

Property Owner(s): M & M Investments

Site Acreage: 9.686 acres

Current Zoning: Commercial and Light Industrial-1

Requested Zoning: C and LI-1 with Specific Use Permit

SUBJECT PROPERTY

General Location: 100 W Sterrett

Parcel ID Number(s): 273754

Existing Use: Undeveloped Land

Development History: The Final Plat for Sterrett Industrial Addition, was approved by City Council on June 18, 2018.

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	LI-1 and C	Undeveloped Land
East	FD	Undeveloped Land
South	LI-1	Industrial Building
West	C	Undeveloped Land

Future Land Use Plan: Industrial

Comprehensive Plan: Industrial applies to areas intended for a range of heavy commercial, assembly, warehousing, and manufacturing uses. Large tracts of land with easy access to major roadways and air transportation are becoming increasingly difficult to find for the industrial business community. However, these businesses can be advantageous for a municipality in terms of providing employment and an increased tax base. Examples of desirable uses within these areas include company headquarters, computer technology businesses, and other types of large businesses.

Thoroughfare Plan: The subject property is accessible via W. Sterrett Rd.

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

The applicant is seeking a Specific Use Permit on a 9.686 acre property to allow the use of outside storage. Per the City of Waxahachie Zoning Ordinance, Outside Storage requires a Specific Use Permit.

Proposed Use:

The applicant intends to operate a yard that will receive rock aggregate via rail and then distribute it amongst the Dallas-Fort Worth area to retail landscaping firms. The applicant anticipates to store the rock material behind concrete blocks before ultimately selling the rock material. Per the Operational Plan, approximately fourteen (14) rail cars a month would deliver aggregate and four (4) truckloads of rock would leave the yard each day. Furthermore, the site will be operated by two (2) employees who will work four 10 hour days a week (on average) with an operational day of eight hours.

At the City Council meeting, held May 20, 2019 (*during the original submittal*), Council provided requirements that include:

- The applicant must submit a signed and sealed plan from a Landscape Architect to staff. The landscape plan must be fully vetted by staff before attending the Planning and Zoning meeting. The landscape plan should indicate the same screening and landscape pattern (6 ft. ornamental fencing, shrubs/crepe myrtles) along Sterrett Rd. and Interstate 35.
- Once a landscape plan is approved by the Planning and Zoning Commission and City Council, the applicant shall apply the approved landscaping to the property.

At the time of this report (12/9/2019), the applicant has submitted a Landscape Plan to staff indicating that fourteen Crape Myrtle trees (7 ft. tall) will be planted every twenty feet between existing Red Oak trees, currently spaced every forty feet, on the property. The plan also indicates that forty-two Texas Sage shrubs will be planted between the Crape Myrtle and Red Oak trees. The applicant also will provide mulch along the property as well as a 6 ft. ornamental fence along Interstate-35 and Sterrett Rd.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 9 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 11/27/2019.

STAFF CONCERNS

1. Staff does not believe the proposed use is the highest and best use for the property.

APPLICANT RESPONSE TO CONCERNS

1. The applicant understands staff's concerns and will state his reasoning at the December 17, 2019 Planning and Zoning meeting.

RECOMMENDATION

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

- Denial
- Approval, as presented.
- Approval, per the following comments:

ATTACHED EXHIBITS

1. Letter to Planning and Zoning Commission and City Council
2. Operational Plan
3. Site Plan
4. Landscape Plan
5. Proposed Storage Bins/Storage Bin Locations
6. Concept Packet

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

(15)



CRIBLEY ENTERPRISES, INC.

12019 Nacogdoches Rd. • San Antonio, Texas 78217
(210) 590-1313 • Fax (210) 590-1355
www.cribleyenterprises.com

The City of Waxahachie
Planning and Zoning Commission
401 South Rogers Street
Waxahachie, Texas 75168

Honorable members,

Cribley Enterprises entered into a partnership with Maverick Aggregates (a mining company in Eagle Pass, Texas) in late 2017. In an effort to expand our market for landscape aggregate, we signed a 5 year lease on the property at 100 W. Sterrett Rd. in Waxahachie on November 1, 2018. Our intention was to move landscape aggregate via rail from Eagle Pass to the Sterrett Rd. property and then distribute the aggregate to the Dallas Ft. Worth metroplex and surrounding areas.

Neither the land owner nor realtor mentioned anything to us about needing an SUP so we could use the property as intended. It wasn't until we attempted to get a Certificate of Occupancy and move a portable office building to the site that we found out that we couldn't get a Certificate of Occupancy, or move a building to the site and that we could not store rock aggregate without a SUP.

In the past year we have hired two people hoping that they would bring some knowledge and experience to the table. Instead, they proved to be counterproductive and so we had to terminate them.

The entire process of obtaining a SUP was foreign to us. We made a failed attempt at the SUP process. Unfortunately, while we were struggling to meet the SUP requirements, we were apparently in violation of several city ordinances. Your Code Compliance officer has been issuing us at least 2 citations a week since September 4, 2019. Currently we are days from having everything completely removed from the site so that we are in compliance.

The mistakes that have been made during the SUP process were made unintentionally. The repeated code violations have occurred due to a lack of understanding regarding the city ordinances of the City of Waxahachie. In San Antonio, where our company is based, an LI-1 designation allows for the outside storage of rock and gravel without an SUP. Had there been a full disclosure of what needed to be done in order for us to store the aggregate at the Sterrett Rd. location, we would have approached this in an entirely different manner.



(15)

Cribley Enterprises, Inc
12109 Nacogdoches Road
San Antonio, Texas 78217
Phone: 210-590-1313 Fax: 210-590-1355

November 4, 2019

City of Waxahachie
401 S. Rogers
Waxahachie, Texas 75165

To Whom It May Concern:

Please accept this letter as our intended operational plan for the site located at 100 West Sterrett Road, Waxahachie, Texas.

Cribley Enterprises, Inc. is a family owned business with over 30 years of service to the Austin/San Antonio region. Cribley Enterprises, Inc. operates in a multitude of diverse areas, such as retaining walls, paver installations, landscaping and more. We have cultivated an enduring reputation for our integrity and our dedication to our clients, employees and community. More information about our company can be found on our website at: <https://cribleventerprises.com/>

Regarding the property at 100 West Sterrett Road, we would like to operate a yard that will receive rock aggregate via rail and then distribute it to the Dallas Fort Worth area. Our objective is to have the yard functioning at maximum capability by the summer of 2020. This means that approximately 14 rail cars a month would deliver aggregate and 4 truckloads of rock would leave the yard each day.

Our intent is to store aggregate outside in the yard. The aggregate will be stored behind a 6' high screen constructed of 6'x2'x2' Ecology Block (see attached Exhibit A and B). The block will be power washed and painted and earth tone color. The yard will be operated by 2 employees who will work 4 10 hours days a week with an operational day of 8 hours. We do not anticipate any weekend or holiday hours.

Please note that there is no building on this site. This is an unimproved tract of land that suits our needs perfectly and requires little to no support from the City of Waxahachie with regards to utilities.

Impact Statement: Since Cribley Enterprises, Inc. will not be manufacturing anything at the Waxahachie location there will be little to no demand on the local natural resources. Additionally, there will be no toxic odors or waste discharge from the facility and our product is nonflammable and therefore not a fire hazard. We also will not be adding any lighting to the site and therefore will not contribute to any light pollution.

Please do not hesitate to call us with any questions and we look forward to having a mutually beneficial relationship with the City of Waxahachie.

Sincerely,

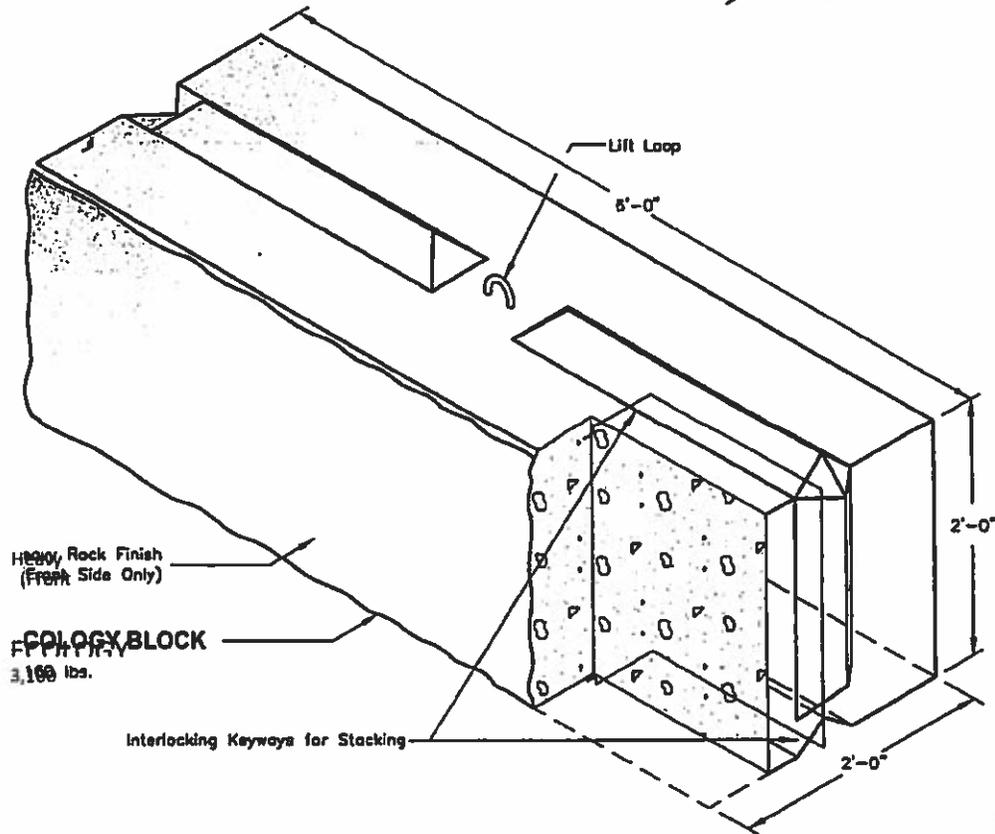
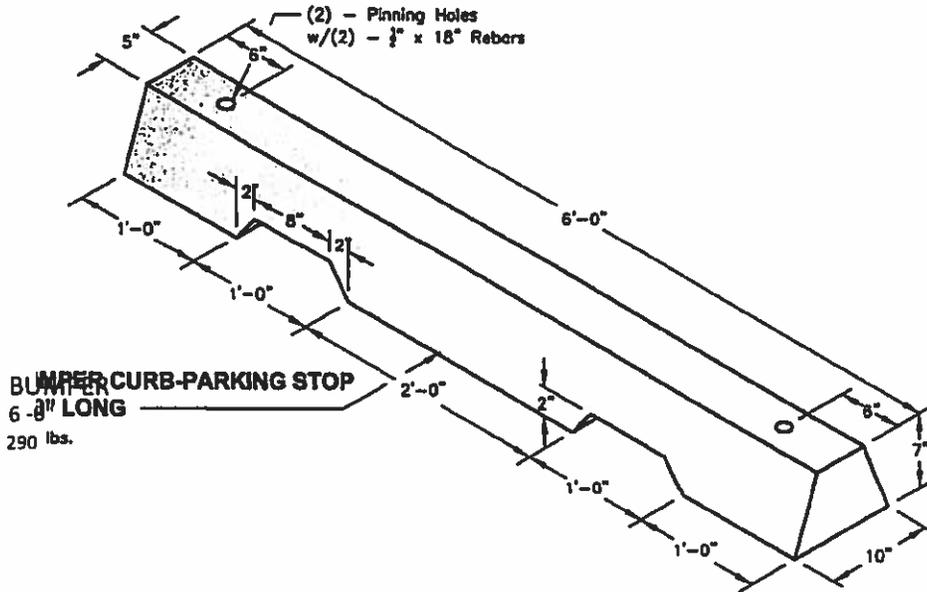


Kevin Cribley
Cribley Enterprises, Inc.
Cell 210-683-3725

BUMPER CURBS 1 ECOLOGY BLOCK

EXHIBIT A

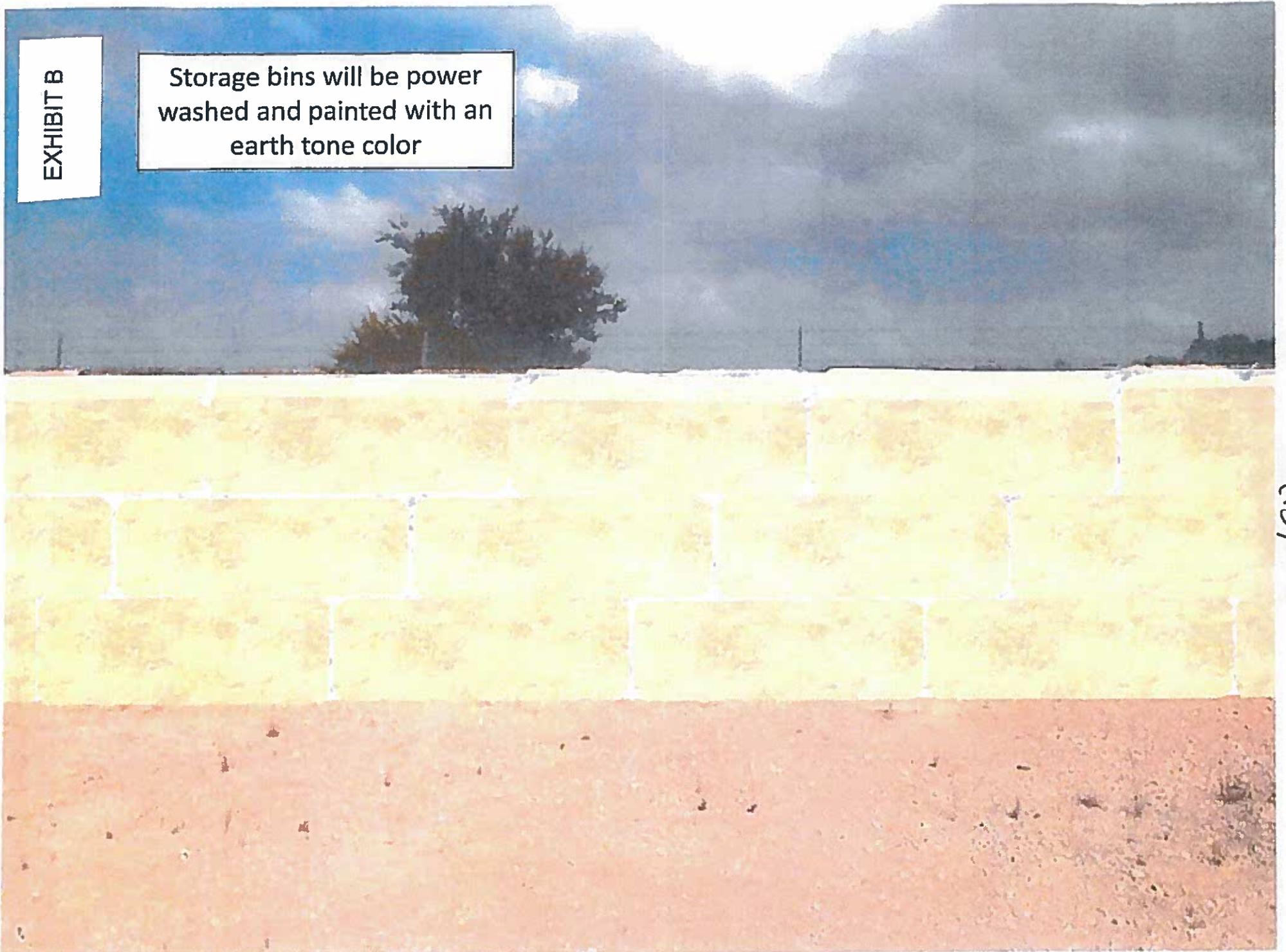
(15)



<p>Oldcastle Precast^e</p> <p>PO Box 323, Wilsonville, Oregon 97070-0323 Tel: (503) 682-2844 Fax: (503) 682-2657</p>	<p>B. CURB 1 E. BLOCK</p>	<p>BUMPER CURBS ECOLOGY BLOCK</p>
	<p>File Name: 020-CRBBLK</p>	
	<p>Issue Date: 2018</p>	
	<p>oldcastleprecast.com/wilsonville</p>	

EXHIBIT B

Storage bins will be power washed and painted with an earth tone color

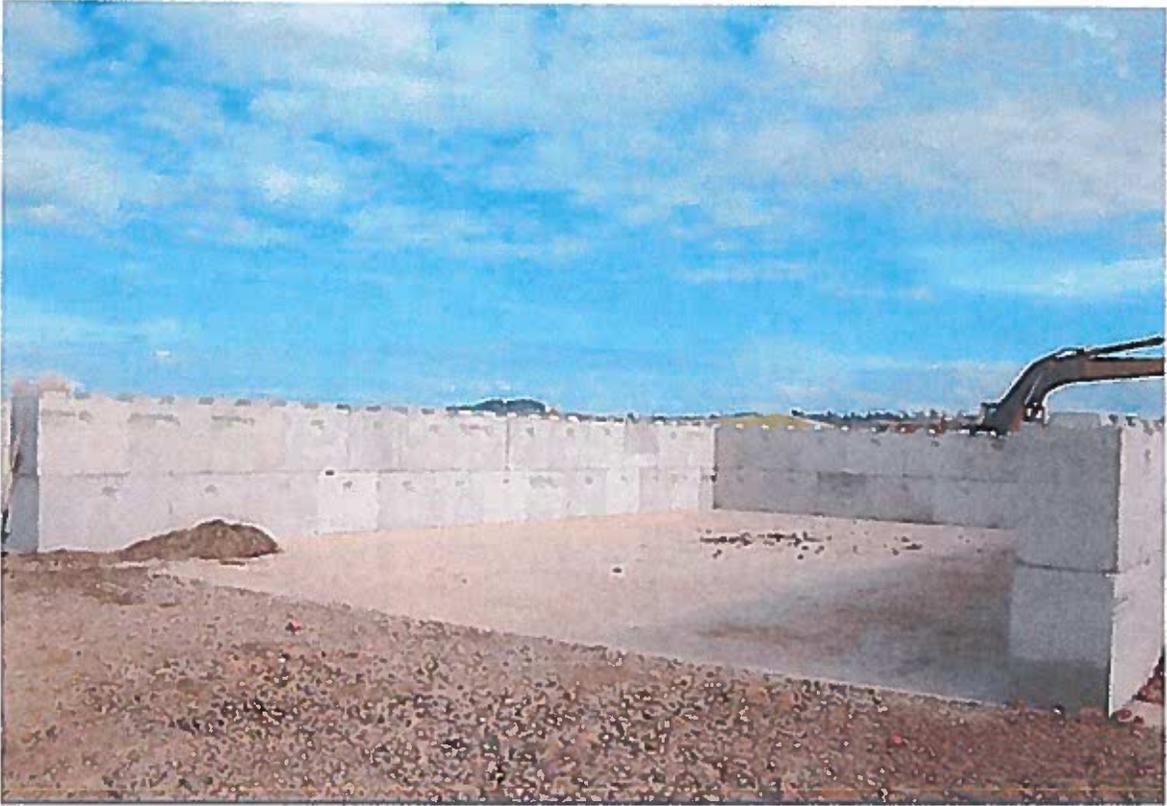


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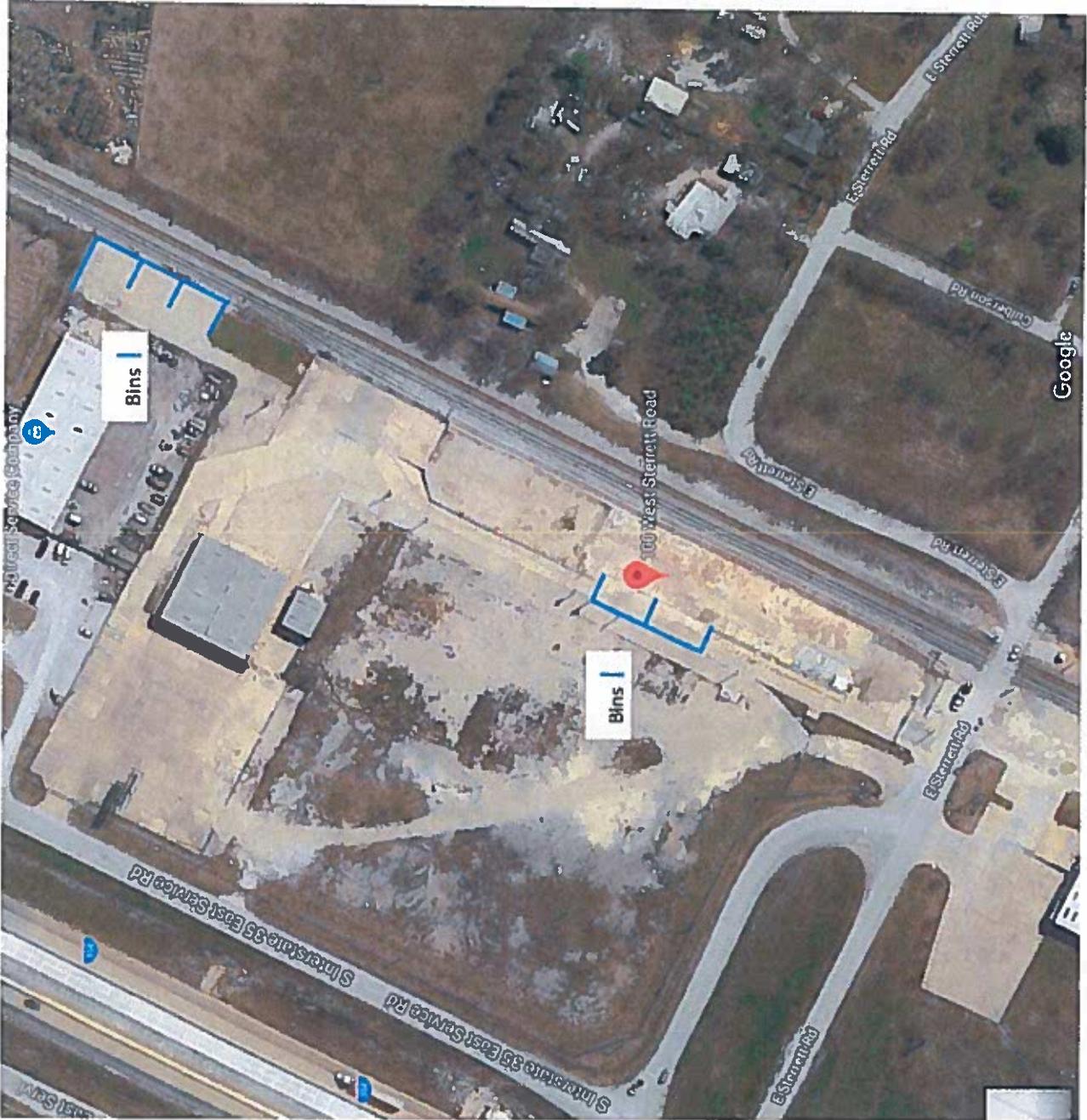


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CRIBBLEY
ENTERPRISES, INC.

Request for a SUP **Waxahachie, Texas**

(15)

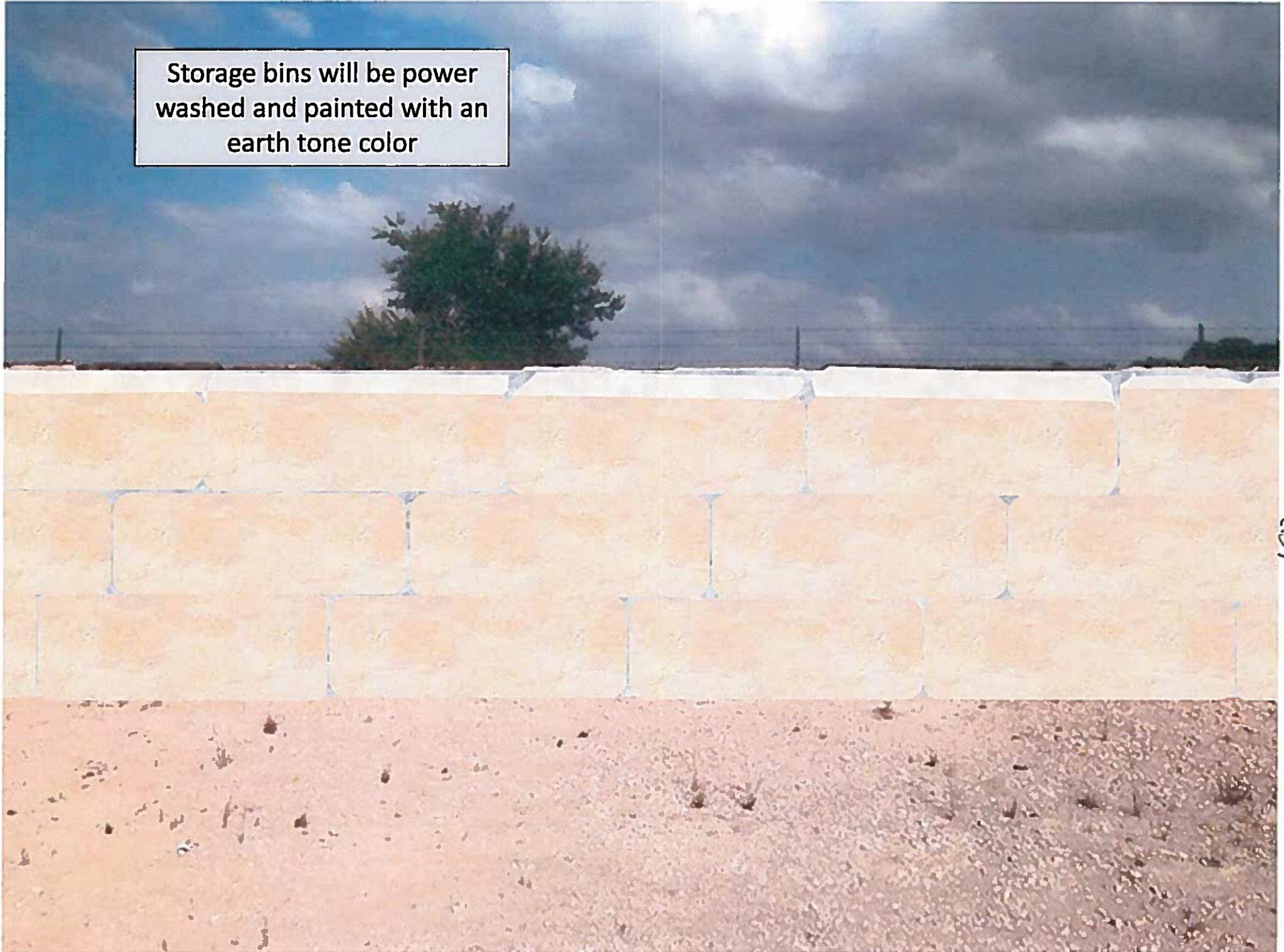
310' I-35 frontage w/ ornamental
fencing, shrubs and crepe myrtles
in a river rock or mulch bed



(15)

6 abandoned, unsightly yard
light poles scattered throughout
the subject property will be
removed

Storage bins will be power washed and painted with an earth tone color



(15)

Planning & Zoning Department

Zoning Staff Report

Case: PD-19-0159



MEETING DATE(S)

Planning & Zoning Commission: December 17, 2019

City Council: January 6, 2020

CAPTION

Public Hearing on a request by Jennifer Gansert, P.E., Kimley-Horn & Associates, Inc, for a Zoning Change from a Planned Development-General Retail to Planned Development-General Retail, with Concept Plan, located at 108 Broadhead Road (Property ID 245022) - Owner: Crepe Myrtle Enterprises LLC (PD-19-0159)

APPLICANT REQUEST

The applicant is requesting to revise the existing Planned Development to construct an approximately 20,000 square foot addition to an existing 485,000 square foot movie theater. The addition includes an Arcade, which requires a SUP in this zoning district.

CASE INFORMATION

Applicant: Jennifer Gansert, P.E.

Property Owner(s): Crepe Myrtle Enterprises LLC

Site Acreage: 11.1414 acres

Current Zoning: Planned Development-General Retail

Requested Zoning: Planned Development-General Retail

SUBJECT PROPERTY

General Location: 108 Broadhead Road

Parcel ID Number(s): 245022

Existing Use: Movie Theater

Development History: Planned Development for existing theater and surrounding retail uses established in 2008.

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	GR	Drive Through Restaurant
East	SF-2	Single Family Residences
South	GR and SF-2	Single Family Residences
West	Not Zoned	US-287

Future Land Use Plan:

Commercial

Comprehensive Plan:

Commercial areas are intended for establishments that provide services to customers. Examples include car dealerships, self-storage businesses, and repair shops. Such uses are generally not significant contributors to a municipality's tax revenue, and, by their nature, commercial businesses can detract from positive aesthetics. Primarily for these reasons, commercial uses have generally only been recommended in locations consistent with where such uses currently exist.

Thoroughfare Plan:

The subject property is accessible via East US Highway 287 and Broadhead Road.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is requesting to revise the existing Planned Development to construct an approximately 20,000 square foot addition to an existing 485,000 square foot movie theater. The addition includes an Arcade, which requires a SUP in this zoning district.

Proposed Use:

The applicant is requesting approval for a revision to the existing Planned Development for Movie Theater use on 11.1414 acres located at 108 Broadhead Road. The current zoning for the property is Planned Development-General Retail. The addition to the existing structure is proposed to include a family entertainment area, including an arcade. The Arcade use requires a Specific Use Permit in the General Retail Zoning district.

Development Standards:

The applicant is proposing a base zoning district of General Retail (GR). Allowed uses shall be those provided within the City of Waxahachie Zoning Ordinance for General Retail with additional changes listed below.

Permitted Uses:

- Uses as allowed in GR Zoning
- Arcade
- Bank with a drive-thru

Table 2: Proposed Planned Development Standards

***Items highlighted in bold do not meet the City of Waxahachie requirements**

Standard	Existing PD	City of Waxahachie	Proposed PD
Min. Parking Required	504	461	463

Additional Notes:

The property currently depicts 565 parking spaces. Due to the addition of an arcade (20,000 sq. ft.) and reducing the number of theater seats (2,017 to 1,044), the proposed plan will provide 463 parking spaces. It should be noted that though there is a decrease in parking from the previous Planned Development, the applicant is still meeting the required parking standards per the City of Waxahachie Zoning Ordinance.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 40 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

STAFF CONCERNS

1. Staff has no outstanding concerns for the applicant.

APPLICANT RESPONSE TO CONCERNS

1. The applicant has addressed all staff concerns.

RECOMMENDATION

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

- Denial
- Approval, as presented.
- Approval, per the following comments:

ATTACHED EXHIBITS

1. Concept Provisions
2. Site Plan
3. Landscape Plan
4. PON Responses

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide a set of drawings that incorporate all comments.

STAFF CONTACT INFORMATION

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Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

PD-GR 2462 REVISION PROVISIONS

Purpose and Intent

The purpose and intent of this Planned Development (PD) is to revise the required and provided parking found within the existing PD-GR 2462 Any conditions found within the General Retail (GR) zoning district or Zoning Ordinance that are not written herein, shall default to the City of Waxahachie's Code of Ordinances, as amended.

Compliance with the City's Comprehensive Plan

Zoning District (GR) is the intended base zoning classification underlying this PD. The GR zoning district is intended predominately for general retail, and certain light commercial uses of a service nature which typically have operating characteristics of traffic service requirements generally compatible with typical office, retail, shopping, and some residential environments.

PD District Development Standards

Description of Request

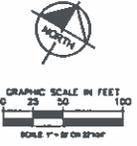
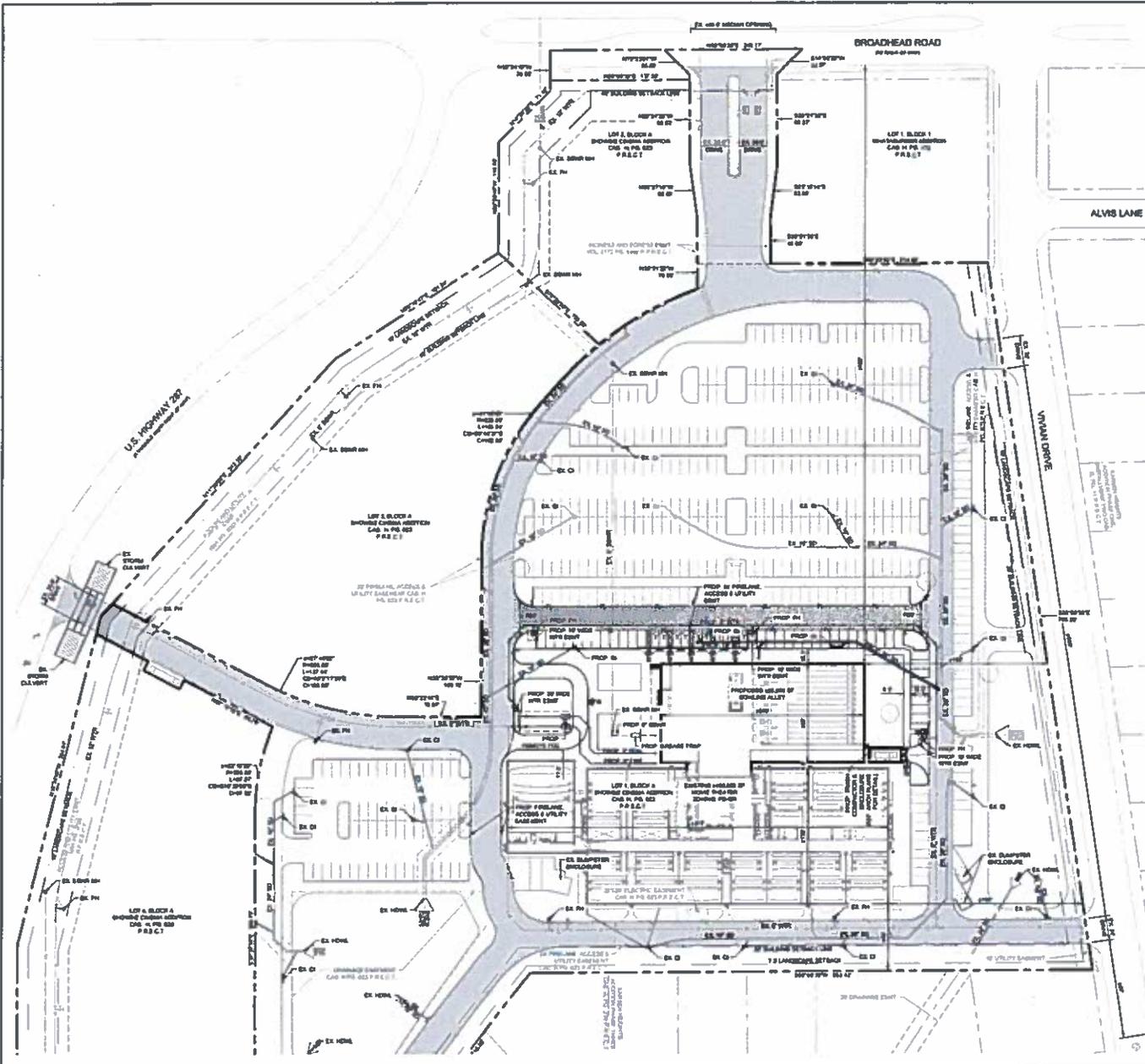
- Applicant plans to add a ±20,000 Sq. Ft. Family Entertainment / Indoor Amusement addition to an existing ±485,000 Sq. Ft. movie theater.

Proposed Use of Property

- The proposed use of the property will be movie theater (indoor amusement) / family entertainment.

General Development Requirements

- Applicant is requesting that the required and provided parking found within the existing PD-GR 2462 be amended to comply with the parking requirements found within Article IV – Section 4.03 of the *Waxahachie, Texas Code of Ordinance* and more clearly defined by the following:
 - **Movie Theater:** 1 Parking Space per 4 Seating Spaces
 - **Indoor Amusement:** 1 Parking Space per 100 Sq. Ft.



VICINITY MAP

LEGEND

	EXISTING FIRE LANE
	PROPOSED FIRE LANE
	PROPERTY LINE
	LANDSCAPE SETBACK LINE
	BUILDING SETBACK LINE
	EXISTING WATER LINE
	PROPOSED WATER LINE
	WATER MAIN
	FIRE DEPARTMENT CONNECTION
	FIRE HYDRANT
	EXISTING SECONDARY SEWER LINE
	PROPOSED SECONDARY SEWER LINE
	EXISTING STORM SEWER LINE
	PROPOSED STORM SEWER LINE
	BARRIER FREE RAMP

SITE DATA SUMMARY TABLE

EXISTING CURB LINE	PROPOSED CURB LINE
EXISTING LOT LINE	PROPOSED LOT LINE
BUILDING AREA (SQ. FT.)	1,000,000 SQ. FT.
FLOOR AREA (SQ. FT.)	1,000,000 SQ. FT.
BUILDING HEIGHT (MAXIMUM)	15 FT.
EXISTING LOT AREA	16.21 AC.
PARKING	
THEATER	1 SPACE / 4 SEATS = 261 SPACES
INDOOR AMUSEMENT	1 SPACE / 600 SQ. FT. = 261 SPACES
IN CLAUD PAVING (10 SPACES)	101 SPACES
PROVIDED PAVING (10 SPACES)	101 SPACES
PROVIDED ACCESSIBLE PARKING SPACES	9 SPACES
PROVIDED ACCESSIBLE PARKING SPACES	9 SPACES

SITE PLAN

**SHOWBIZ CINEMAS
LOT 1, BLOCK A
SHOWBIZ CINEMAS ADDITION**

11.1414 ACRES
SITUATED IN THE W.C. CALDER SURVEY
ABSTRACT NO. 235
CITY OF WAXAHACHE, BLISS COUNTY, TEXAS
DATE: NOVEMBER 6, 2019

DEVELOPER: SHOWBIZ CINEMAS, LLC
1414 Broadway Road
Pawnee, Texas 75755
Tel: 817-977-1100
Contact: Drew Cho

CIVIL ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
1401 Westwood Road
Dallas, Texas 75240
Tel: 972-771-1100
Contact: Jennifer Stewart, P.E.

NO.	DATE

Kimley»Horn

11401 WESTWOOD ROAD, SUITE 100, DALLAS, TEXAS 75240
PHONE: 972-771-1100 FAX: 972-771-1101
WWW.KIMLEY-HORN.COM



PROJECT NO.	11870
DATE	11/06/19
SCALE	AS SHOWN
DESIGNED BY	JAC
CHECKED BY	JAC
DATE	11/06/19

SHOWBIZ CINEMAS
101 BROADHEAD ROAD
WAXAHACHE, TEXAS 75115

SITE PLAN

SHEET NUMBER
C-01

(17)

© 2019 KIMLEY-HORN AND ASSOCIATES, INC.

Case PD-19-0159
 Responses Received Inside Required 200' Notification Area
 Support: 1 Oppose: 0

PropertyID	Owner's Name	Acres	Legal Description	Owner's Address	Owner's Suite	Owner's City	Owner's State	Owner's ZIP	Physical Address
141594	BODEY AARON & KERRI	0.257	LOT 8 BLK 5 KARSEN HEIGHTS INST 2 PH 1 0.257 AC	201 VIVIAN DR		WAXAHACHIE TX	TX	75165	201 VIVIAN DR WAXAHACHIE TX 75165
141595	JEFFERSON MARCUS	0.219	19 4 KARSEN HEIGHTS INST 2 PH 1 0.219 ACRES	119 VIVIAN DR		WAXAHACHIE TX	TX	75165	119 VIVIAN DR WAXAHACHIE TX 75165
141596	ARMSTRONG JW	0.219	LOT 20 BLK 4 KARSEN HEIGHTS INST 2 PH 1 0.219 AC	3531 SHILOH		MIDLOTHIAN TX	TX	76065	121 VIVIAN DR WAXAHACHIE TX 75165
141597	PRICE AMANDA J & DAVID	0.219	LOT 21 BLK 4 KARSEN HEIGHTS INST 2 PH 1 0.219 AC	123 VIVIAN DR		WAXAHACHIE TX	TX	75165	123 VIVIAN DR WAXAHACHIE TX 75165
141598	NAVARRO MICHAEL S	0.259	LOT 22 BLK 4 KARSEN HEIGHTS INST 2 PH 1 .259 AC	125 VIVIAN DR		WAXAHACHIE TX	TX	75165	125 VIVIAN DR WAXAHACHIE TX 75165
141605	GUTIERREZ MANUEL H & SOCORRO P	0.219	17 4 KARSEN HEIGHTS INST 2 PH 1 0.219 ACRES	115 VIVIAN DR		WAXAHACHIE TX	TX	75165	115 VIVIAN DR WAXAHACHIE TX 75165
141608	LACEY TYRUS N	0.219	18 4 KARSEN HEIGHTS INST 2 PH 1 0.219 ACRES	117 VIVIAN DR		WAXAHACHIE TX	TX	75165	117 VIVIAN DR WAXAHACHIE TX 75165
181707	CVP INVESTMENTS LLC	5.793	235 W C CALDER 5.793 ACRES	1823 WILDFLOWER DR		WAXAHACHIE TX	TX	75165	HIGHWAY 287 SR WAXAHACHIE TX 75165
181708	CREPE MYRTLE ENTERPRISES LLC	3.3775	LOT 4 BLK A SHOWBIZ CINEMAS ADDITION 3.3775 AC	12400 COIT RD	STE 800	DALLAS TX	TX	75251	108 BROADHEAD RD WAXAHACHIE TX 75165
215624	WAXAHACHIE COMMUNITY DEVELOPMENT COR	99.28	LOT 1R BROADHEAD ROAD SPORTS COMPLEX 99.28 AC	PO BOX 757		WAXAHACHIE TX	TX	75169	501 BROADHEAD RD WAXAHACHIE TX 75165
226881	FIELDS JASON & LORI	0.27	12 4 KARSEN HEIGHTS INST 1 PH I 0.27 ACRES	103 VIVIAN DR		WAXAHACHIE TX	TX	75165	103 VIVIAN DR WAXAHACHIE TX 75165
226882	GENTRY JERRY & ANGELA	0.219	13 4 KARSEN HEIGHTS INST 1 PH I 0.219 ACRES	105 VIVIAN DR		WAXAHACHIE TX	TX	75165	105 VIVIAN DR WAXAHACHIE TX 75165
226883	STEVENS JUSTIN	0.219	14 4 KARSEN HEIGHTS INST 1 PH I 0.219 ACRES	107 VIVIAN DR		WAXAHACHIE TX	TX	75165	107 VIVIAN DR WAXAHACHIE TX 75165
226884	ONTIVEROS MANUEL & ELLEN E	0.219	LOT 15 BLK 4 KARSEN HEIGHTS INST 1 PH I 0.219 AC	109 VIVIAN DR		WAXAHACHIE TX	TX	75165	109 VIVIAN DR WAXAHACHIE TX 75165
226885	BERNARD BENNIE B JR & PATSY A	0.219	16 4 KARSEN HEIGHTS INST 1 PH I 0.219 ACRES	111 VIVIAN DR		WAXAHACHIE TX	TX	75165	111 VIVIAN DR WAXAHACHIE TX 75165
226886	ROACH ROY G	0.334	LOT 5 BLK 3 KARSEN HEIGHTS INST 1 PH I .334 AC	101 ALVIS LN		WAXAHACHIE TX	TX	75165	101 ALVIS LN WAXAHACHIE TX 75165
230334	MCCUTCHEN GLEN & LINDA	0.222	35 7 KARSEN HEIGHTS ADDN PH III 0.222 ACRES	PO BOX 2833		WAXAHACHIE TX	TX	75168	121 RICHH ST WAXAHACHIE TX 75165
230335	WALTON JOSHUA W	0.308	LOT 36 BLK 7 KARSEN HEIGHTS ADDN PH III .308 AC	119 SHEA ST		WAXAHACHIE TX	TX	75165	119 SHEA ST WAXAHACHIE TX 75165
230336	OSBORNE JUSTIN	0.176	LOT 37 BLK 7 KARSEN HEIGHTS ADDN PH III .176 AC	117 SHEA ST		WAXAHACHIE TX	TX	75165	117 SHEA ST WAXAHACHIE TX 75165
230340	TRAPP CORBIT & BARBARA	0.195	29 7 KARSEN HEIGHTS ADDN PH III 0.195 ACRES	196 BRANDIE MAC LN		WAXAHACHIE TX	TX	75165	196 BRANDIE MAC LN WAXAHACHIE TX 75165
230341	POTTER KIMBERLY J	0.244	LOT 30 BLK 7 KARSEN HEIGHTS ADDN PH III 0.244 AC	196 BRANDIE MAC LN		WAXAHACHIE TX	TX	75165	196 BRANDIE MAC LN WAXAHACHIE TX 75165
230345	DOWNS FLOYD W JR & PAMELA L	0.165	LOT 34 BLK 7 KARSEN HEIGHTS ADDN PH III 0.165 AC	123 RICHH ST		WAXAHACHIE TX	TX	75165	123 RICHH ST WAXAHACHIE TX 75165
230346	GALBAN HILTON & OLGA	0.21	LOT 23 BLK 7 KARSEN HEIGHTS ADDN PH III 0.21 AC	193 BRANDIE MAC LN		WAXAHACHIE TX	TX	75165	193 BRANDIE MAC LN WAXAHACHIE TX 75165
230347	CISCO DANIEL & DONNA PREVIOUSLY RETURNED MAIL	0.259	LOT 24 BLK 7 KARSEN HEIGHTS ADDN PH III 0.259 AC	P O BOX 809		KEMP TX	TX	75143	191 BRANDIE MAC LN WAXAHACHIE TX 75165
230348	VALLS JOSE M	0.229	LOT 25 BLK 7 KARSEN HEIGHTS ADDN PH III 0.229 AC	189 BRANDIE MAC LN		WAXAHACHIE TX	TX	75165	189 BRANDIE MAC LN WAXAHACHIE TX 75165
230349	FULFER NAOMI G & BRENT C	0.442	LOT 26 BLK 7 KARSEN HEIGHTS ADDN PH III 0.442 AC	190 BRANDIE MAC LN		WAXAHACHIE TX	TX	75165	190 BRANDIE MAC LN WAXAHACHIE TX 75165
230350	JACKSON ORA F	0.213	LOT 27 BLK 7 KARSEN HEIGHTS ADDN PH III 0.213 AC	192 BRANDIE MAC LN		WAXAHACHIE TX	TX	75165	192 BRANDIE MAC LN WAXAHACHIE TX 75165
230351	BRUNING LORI	0.186	LOT 28 BLK 7 KARSEN HEIGHTS ADDN PH III 0.186 AC	194 BRANDIE MAC LN		WAXAHACHIE TX	TX	75165	194 BRANDIE MAC LN WAXAHACHIE TX 75165
230352	MARTINEZ ANGELA	0.285	LOT 20 BLK 7 KARSEN HEIGHTS ADDN PH III 0.285 AC	199 BRANDIE MAC LN		WAXAHACHIE TX	TX	75165	199 BRANDIE MAC LN WAXAHACHIE TX 75165
230356	BRUCE REAGAN & SANDRA	0.2154	LOT 21 BLK 7 KARSEN HEIGHTS ADDN PH III .2154 AC	197 BRANDIE MAC LN		WAXAHACHIE TX	TX	75165	197 BRANDIE MAC LN WAXAHACHIE TX 75165
230357	NOGIC TRAVIS D & MARCUS S NOGIC	0.218	LOT 22 BLK 7 KARSEN HEIGHTS ADDN PH III 0.218 AC	195 BRANDIE MAC LN		WAXAHACHIE TX	TX	75165	195 BRANDIE MAC LN WAXAHACHIE TX 75165
230362	DURAN NOE B & IRENE G	0.181	LOT 18 BLK 7 KARSEN HEIGHTS ADDN PH III 0.181 AC	203 BRANDIE MAC LN		WAXAHACHIE TX	TX	75165	203 BRANDIE MAC LN WAXAHACHIE TX 75165
230363	MARTINEZ ERICK I	0.281	LOT 19 BLK 7 KARSEN HEIGHTS ADDN PH III .281 AC	201 BRANDIE MAC LN		WAXAHACHIE TX	TX	75165	201 BRANDIE MAC LN WAXAHACHIE TX 75165
230380	BATES PATRICK L & MOLLYE G	0.19	LOT 2 BLK 7 KARSEN HEIGHTS ADDN PH III .19 AC	200 VIVIAN DR		WAXAHACHIE TX	TX	75165	200 VIVIAN DR WAXAHACHIE TX 75165
230381	KAMERBECK LEO	0.19	3 7 KARSEN HEIGHTS ADDN PH III 0.19 ACRES	208 OVERHILL DR		WAXAHACHIE TX	TX	75165	202 VIVIAN DR WAXAHACHIE TX 75165
230483	MITCHELL BILLY C & JOAN E	0.243	LOT 1 BLK 7 KARSEN HEIGHTS ADDN PH III 0.243 AC	126 VIVIAN DR		WAXAHACHIE TX	TX	75165	126 VIVIAN DR WAXAHACHIE TX 75165
234387	BARRAND INC	0.879	LOT 1 BLK 1 WHATABURGER .879 AC	114 BROADHEAD RD		WAXAHACHIE TX	TX	75165	114 BROADHEAD RD WAXAHACHIE TX 75165
245022	CREPE MYRTLE ENTERPRISES LLC	11.1414	LOT 1 BLK A SHOWBIZ CINEMAS ADDITION 11.1414 AC	12400 COIT RD	STE 800	DALLAS TX	TX	75251	108 BROADHEAD RD WAXAHACHIE TX 75165
245023	THE FIRST STATE BANK	0.9528	LOT 2 BLK A SHOWBIZ CINEMAS ADDITION 0.9528 AC	100 N MC KINNEY		RICE TX	TX	75155	104 BROADHEAD RD WAXAHACHIE TX 75165
245024	CREPE MYRTLE ENTERPRISES LLC	2.5291	LOT 3 BLK A SHOWBIZ CINEMAS ADDITION 2.5291 AC	12400 COIT RD	STE 800	DALLAS TX	TX	75251	BROADHEAD RD WAXAHACHIE TX 75165

(17)

RECEIVED
12/5/19



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: PD-19-0159



THE FIRST STATE BANK
100 N MC KINNEY
RICE, TX 75155

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 17, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, January 6, 2020 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Jennifer Gansert, Kimley-Horn and Associates, Inc., for a Zoning Change from a Planned Development-General Retail zoning district to Planned Development-General Retail, with Concept Plan, located at 108 Broadhead Road (Property ID 245022) - Owner: Crepe Myrtle Enterprises LLC (PD-19-0159)

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: PD-19-0159

City Reference: 245023

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, December 11, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Dan E. Morton SVP
Signature

12-4-19
Date

DAN E. MORTON, SENIOR VICE PRESIDENT
Printed Name and Title

P.O. Box 876, WAXAHACHIE, TX
Address 75168

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

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

**Planning & Zoning Department
Plat Staff Report**

Case: RP-19-0160



MEETING DATE(S)

Planning & Zoning Commission: December 17, 2019

CAPTION

Public Hearing on a request by Jennifer Gansert, Kimley-Horn and Associates, Inc., for a Replat of Lot 1R, Block A, Showbiz Cinemas Addition to relocate easements, 11.1414 acres (Property ID 245022) – Owner: Crepe Myrtle Enterprises LLC (RP-19-0160)

APPLICANT REQUEST

The purpose of this replat is to adjust utility and ROW easements as well as move a fire lane so a new addition can be added onto the current theater.

CASE INFORMATION

Applicant: Jennifer Gansert, Kimley-Horn and Associates, Inc.

Property Owner(s): Crepe Myrtle Enterprises, LLC

Site Acreage: 11.1414 acres

Number of Lots: 1 lots

Number of Dwelling Units: 0 units

Park Land Dedication: N/A

Adequate Public Facilities: Adequate public facilities are available for use at this location.

SUBJECT PROPERTY

General Location: 108 Broadhead Road

Parcel ID Number(s): 245022

Current Zoning: PD-GR

Existing Use: Movie Theater

Platting History: Final plat FP2008-21 was approved by City Council for this location on October 20, 2008.

Site Aerial:



RECOMMENDATION

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

- Disapproval
- Approval, as presented.
- Approval, per the following conditions:

ATTACHED EXHIBITS

1. Plat drawing

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

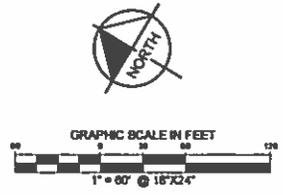
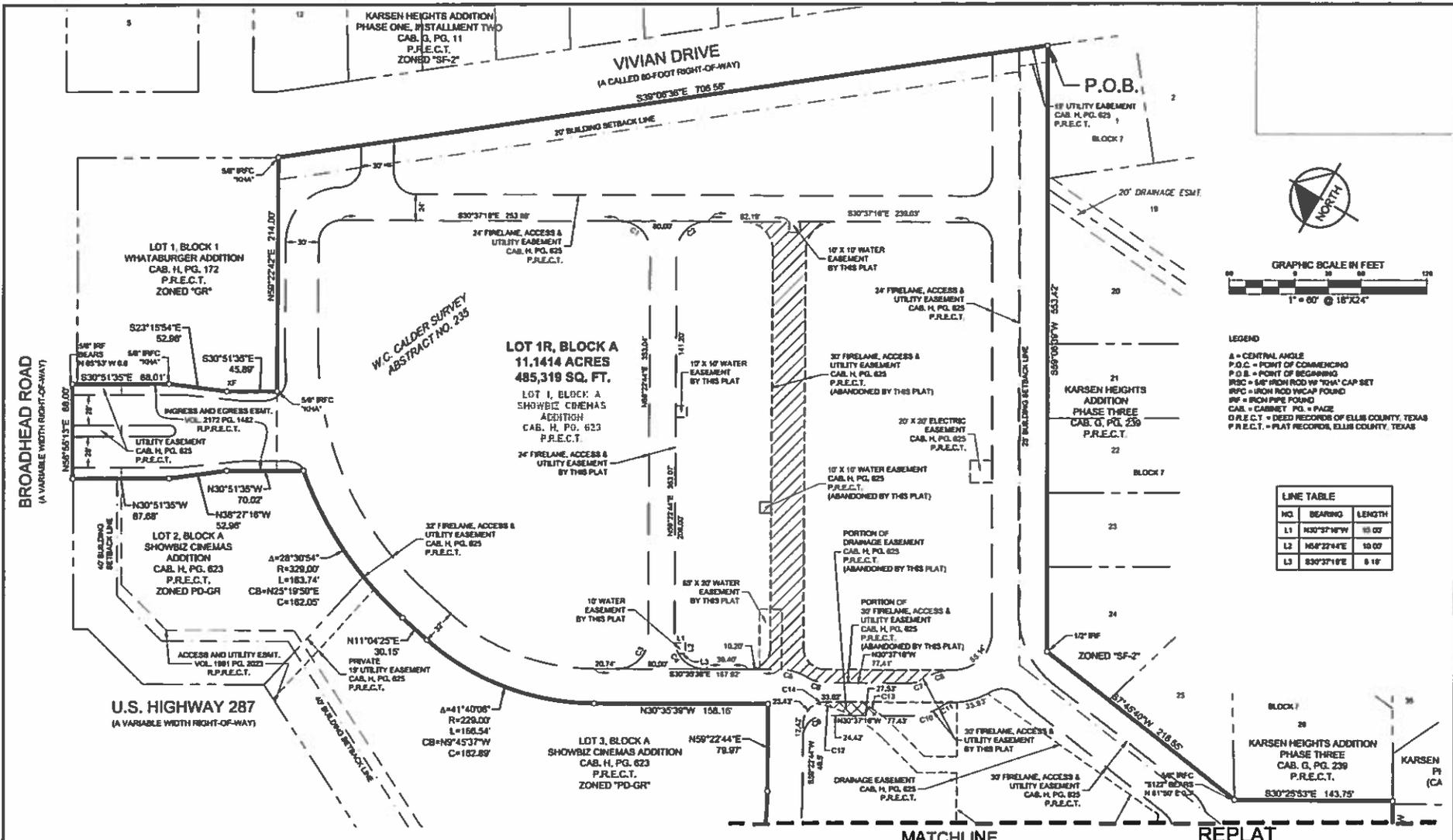
A plat shall not be filed with the Ellis County Clerk until:

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:
 Chris Webb
 Planner
cwebb@waxahachie.com

Reviewed by:
 Shon Brooks, AICP
 Director of Planning
sbrooks@waxahachie.com



LEGEND
 A = CENTRAL ANGLE
 P.O.C. = POINT OF COMMENCING
 P.O.B. = POINT OF BEGINNING
 RSC = 5/8" IRON ROD W/ 7/8" CAP SET
 IFC = IRON ROD W/CAP FOUND
 CBL = CABINET P.O. = PAGE
 P.R.E.C.T. = DEED RECORD OF ELLIS COUNTY, TEXAS
 P.P.R.E.C.T. = PLAT RECORD, ELLIS COUNTY, TEXAS

LINE TABLE

NO.	BEARING	LENGTH
L1	N30°37'16"E	15.00'
L2	N56°27'41"E	10.00'
L3	S30°37'16"E	0.16'

BROADHEAD ROAD
(A VARIABLE WIDTH RIGHT-OF-WAY)

U.S. HIGHWAY 287
(A VARIABLE WIDTH RIGHT-OF-WAY)

VIVIAN DRIVE
(A CALLED 60-FOOT RIGHT-OF-WAY)

LOT 1R, BLOCK A
 11.1414 ACRES
 485,319 SQ. FT.

LOT 1, BLOCK A
 SHOWBIZ CINEMAS
 ADDITION
 CAB. H. PG. 623
 P.R.E.C.T.

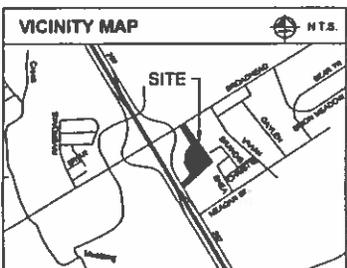
LOT 3, BLOCK A
 SHOWBIZ CINEMAS ADDITION
 CAB. H. PG. 623
 P.R.E.C.T.
 ZONED "PD-GR"

P.O.B.

MATCHLINE

REPLAT

LOT 1R, BLOCK A
SHOWBIZ CINEMAS ADDITION
 BEING 11.1414 ACRES
 ZONED - PD-GR, SITUATED IN
 W.C. CALDER SURVEY, ABSTRACT NO. 235
 CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
 CASE NO. RP-19-0160



CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	90°00'00"	28.00'	43.89'	N14°22'44"E	38.80'
C2	90°00'00"	28.00'	43.89'	S79°37'16"E	38.80'
C3	90°01'34"	28.00'	44.80'	S78°36'28"E	39.81'
C4	99°32'21"	28.00'	63.97'	N14°23'32"E	38.59'
C5	32°47'28"	80.00'	28.82'	N14°11'55"W	28.27'
C6	32°49'04"	28.00'	18.04'	N14°12'44"W	16.82'
C7	34°27'38"	30.00'	12.38'	N48°21'03"W	12.18'
C8	38°27'34"	44.80'	29.07'	N48°21'03"W	28.81'
C9	90°00'00"	28.00'	31.42'	N0°37'16"W	28.79'
C10	35°27'38"	80.00'	30.94'	N48°21'03"W	30.43'
C11	35°27'38"	16.99'	18.91'	N48°21'03"W	19.37'
C12	17°22'08"	112.50'	34.10'	N1°38'55"W	33.87'
C13	10°11'17"	127.50'	22.87'	N02°39'16"E	22.64'
C14	22°32'32"	30.00'	1.89'	N42°07'42"W	1.80'

NOTES

- ALL PROPERTY CORNERS ARE A 5/8" IRON ROD WITH "104" CAP SET UNLESS OTHERWISE NOTED.
- BEARING SYSTEM BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4002), NORTH AMERICAN DATUM OF 1983.
- BEARING ROTATION FROM STATE PLANE TO RECORD = +1°28'21"
- ZONING INFORMATION PER CITY OF WAXAHACHIE ONLINE ZONING MAP
- SETBACK LINES ARE BY PLAT OF RECORD, RECORDED IN CABINET H. PAGE 623

OWNER/APPLICANT:
 SHOWBIZ CINEMAS, LLC
 c/o CREPE MYHLE
 ENTERPRISES, LLC
 12400 COIT ROAD, SUITE 800
 DALLAS, TEXAS 75251
 CONTACT: CHRIS CLINE
 PHONE: 214-832-3393

ENGINEER:
 KIMLEY-HORN AND ASSOCIATES, INC.
 13455 HOEL ROAD, TWO GALLERIA OFFICE
 TOWER, SUITE 700, DALLAS, TEXAS 75240
 CONTACT: JENNIFER GANSERT, P.E.
 PHONE: 972-770-1200
 JENNIFER.GANSERT@KIMLEY-HORN.COM
 PHONE: 214-832-3393

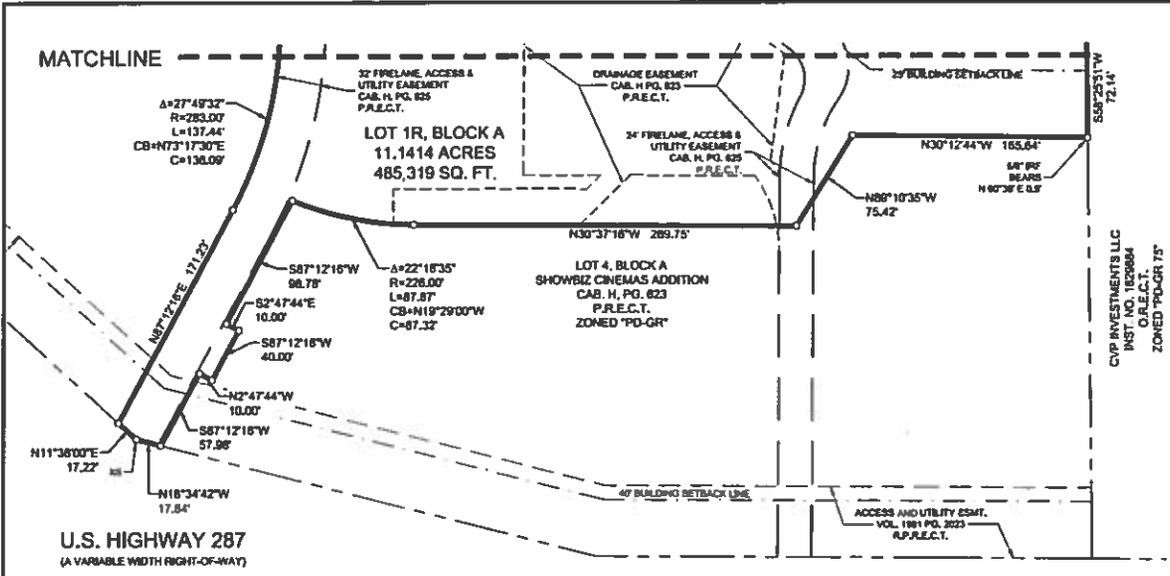
Kimley»Horn

13455 Hoel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240
 Tower, Suite 700, Dallas, Texas 75240
 FIRM # 10115500
 Tel. No. (972) 770-1300
 Fax No. (972) 239-3620

Scale: 1" = 60'
 Drawn by: DWP
 Checked by: DJD
 Date: NOV. 2019
 Project No.: 064555100
 Sheet No.: 1 OF 2

P:\1919\19190160\19190160.DWG PLOTTED BY: JENNIFER GANSERT DATE: 11/19/2019 11:44 AM LAST REVISED: 11/07/2019 9:08 AM

(19)



SURVEYOR'S CERTIFICATE

That I, David J. De Weirdt, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the subdivision ordinance of the City of Waxahachie.

PRELIMINARY

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

David J. De Weirdt
 Registered Professional Land Surveyor No. 5068
 13455 Noel Road, Two Galleria Office Tower, Suite 700
 Dallas, Texas 75240
 Ph. (972) 770-1300
 david.deweirdt@kimley-horn.com



NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT CREPE MYRTLE ENTERPRISES, LLC, do hereby adopt this plat designating the herein above described property as Lot 1R, Block A, SHOWBIZ CINEMAS ADDITION, an addition to the City of Waxahachie, Texas, and do hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon, the streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, hedges, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City of Waxahachie. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities owing to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, hedges or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, repairing, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of any type of procuring permission from anyone.

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

WITNESS, my hand, this _____ day of _____, 2018

BY: CREPE MYRTLE ENTERPRISES, LLC

Owner _____
 STATE OF _____ §
 COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

given under my hand and seal of office this the _____ day of _____, 2018.

Notary Public in and for the State of Texas

REPLAT
LOT 1R, BLOCK A
SHOWBIZ CINEMAS ADDITION
 BEING 11.1414 ACRES
 ZONED - PD-GR, SITUATED IN
 W.C. CALDER SURVEY, ABSTRACT NO. 235
 CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
 CASE NO. RP-19-0160

Kimley»Horn

13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500 Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale 1" = 60'	Drawn by DWP	Checked by DJD	Date NOV. 2019	Project No. 084558100	Sheet No. 2 OF 2
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OWNER'S CERTIFICATE AND DEDICATION
 STATE OF TEXAS §
 COUNTY OF ELLIS §

WHEREAS, CREPE MYRTLE ENTERPRISES, LLC is the owner of a tract of land located in the W.C. Calder Survey, Abstract Number 235, City of Waxahachie, Ellis County, Texas and being all of Lot 1, Block A of Showbiz Cinemas Addition, an Addition to the City of Waxahachie, Ellis County, Texas according to the plat thereof recorded in Cabinet H, Slide 823, Plat Records, Ellis County, Texas, and being part of that tract of land described in Warranty Deed with Vendor's Lien, to Crepe Myrtle Enterprises, LLC, recorded in Volume 2359, Page 1812, Deed Records, Ellis County, Texas, being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with plastic cap stamped "QHA" set at the most northerly northwest corner of said Lot 1, and in the south right-of-way line of Viven Drive a called 60-foot right-of-way) an being the north corner of Lot 1, Block F of Karen Heights Addition, an addition to the City of Waxahachie, Texas according to the plat thereof recorded in Cabinet G, Page 238, Plat Records, Ellis County, Texas;

THENCE with the common line of said Lot 1 and said Karen Heights Addition, the following courses and distances:
 South 89°09'39" West, a distance of 563.42 feet to a 1/2-inch iron rod found corner;
 South 7°49'40" West, a distance of 218.56 feet to a point for corner from which a 5/8-inch iron rod with plastic cap stamped "Pro Line 9122" bears North 81°30' East, 0.3 feet;
 South 30°29'53" East, a distance of 143.73 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set for the southerly corner of Lot 2B, Block T of said Karen Heights Addition;
 South 82°25'31" West, passing at a distance of 2.70 feet the south corner of Lot 3B, Block T of said Karen Heights Addition, same being the north corner of a tract of land described in Warranty Deed with Vendor's Lien to VCP Investment LLC, recorded in Instrument No. 1829884, Official Records, Ellis County, Texas, a total distance of 72.14 feet to a point for corner from which a 5/8-inch iron rod found bears North 60°30' East, 0.5 feet;

THENCE with the common line of said Lot 1 and Lot 4, Block A, of said Showbiz Cinemas Addition, the following courses and distances:
 North 30°12'44" West, a distance of 185.84 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set for corner;
 North 89°10'35" West, a distance of 75.42 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set for corner;
 South 30°27'18" West, a distance of 289.75 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set at the beginning of a tangent curve to the right having a central angle of 22°16'35" a radius of 238.00 feet, a chord bearing and distance of North 18°29'00" West, 87.32 feet;
 In a northerly direction, with said curve to the right, an arc distance of 87.87 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set for corner;
 South 87°12'18" West, a distance of 98.78 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set for corner;
 South 2°47'44" East, a distance of 10.00 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set for corner;
 South 87°12'18" West, a distance of 40.00 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set for corner;
 North 2°47'44" West, a distance of 10.00 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set for corner;
 South 87°12'18" West, a distance of 57.98 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set for corner in the northeast right-of-way line of U.S. Highway 287 (a variable width right-of-way);

THENCE with said northeast right-of-way line, the following courses and distances:
 North 16°34'42" West, a distance of 17.84 feet to an "X" cut in concrete set for corner;
 North 11°38'00" East, a distance of 17.22 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set for the south corner of Lot 3, Block A of said Showbiz Cinemas Addition;

THENCE with the common line of said Lot 1, 2 and Lot 3, Block A, of said Showbiz Cinemas Addition, the following courses and distances:

North 87°12'18" East, a distance of 171.23 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set at the beginning of a tangent curve to the right having a central angle of 27°49'32", a radius of 283.00 feet, a chord bearing and distance of North 73°17'30" East, 138.08 feet;
 In a northerly direction, with said curve to the left, an arc distance of 137.44 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set for corner;
 North 59°22'44" East, a distance of 78.87 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set for corner;
 North 30°25'38" West, a distance of 158.18 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set at the beginning of a tangent curve to the right having a central angle of 41°40'05", a radius of 229.00 feet, a chord bearing and distance of North 84°52'37" West, 182.88 feet;
 In a northerly direction, with said curve to the right, an arc distance of 188.54 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set for corner;
 North 11°04'23" East, a distance of 30.15 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set at the beginning of a tangent curve to the right having a central angle of 28°30'54", a radius of 328.00 feet, a chord bearing and distance of North 25°19'50" East, 182.06 feet;
 In a northerly direction, with said curve to the right, an arc distance of 183.74 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set for corner;
 North 89°11'25" West, a distance of 70.02 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set for corner;
 North 58°27'18" West, a distance of 52.88 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set for corner;
 North 30°51'38" West, a distance of 87.88 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" set for corner in the east right-of-way line of Broadhead Road (a variable width right-of-way);

THENCE North 59°55'13" East, with said east right-of-way line, a distance of 88.00 feet to a point for corner from which a 5/8-inch iron rod bears North 65°33' West, a distance of 0.8 feet;

THENCE with the common line of said Lot 1, and said east right-of-way line part of the way and Lot 1, Block I of Whataburger Addition, an addition to the City of Waxahachie, Texas, according to the plat thereof recorded in Cabinet H, Page 172, Plat Records, Ellis County, Texas, the following courses and distances:

South 30°51'35" East, passing at a distance of 4.44 feet the west corner of said Lot 1, Block I and continuing a total distance of 88.01 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" found for corner;
 South 23°15'54" East, a distance of 52.88 feet to an "X" cut in concrete found for corner;
 South 30°51'35" East, a distance of 45.88 feet to a 5/8-inch iron rod with plastic cap stamped "QHA" found for south corner of said Lot 1, Block I;
 North 58°22'42" East, a distance of 214.00 feet to 5/8-inch iron rod with plastic cap stamped "QHA" set for the east corner of said Lot 1, Block I, and being in said south right-of-way line of Viven Road;

THENCE South 30°08'38" East, with said south right-of-way line of Viven Road, a distance of 708.88 feet to the POINT OF BEGINNING and containing 11.1414 acres or 485,318 square feet of land.

APPROVED BY:
 PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE

Chairperson _____ Date _____
 Attest _____ Date _____

ENGINEER:
 KIMLEY-HORN AND ASSOCIATES, INC.
 13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700 DALLAS, TEXAS 75240
 CONTACT: JENNIFER GANSBERT, P.E.
 PHONE: 972-770-1300
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CLIENT/RESPONSIBLE PARTY:
 SHOWBIZ CINEMAS, LLC
 c/o CREPE MYRTLE ENTERPRISES, LLC
 13455 NOEL ROAD, SUITE 400
 DALLAS, TEXAS 75240
 CONTACT: CHRIS CLINE
 PHONE: 214-653-1358

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PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE, TEXAS. THE LATER OF: DATE OF THIS PLAT OR DATE OF THE CITY OF WAXAHACHIE PLANNING AND ZONING COMMISSION MEETING. (19)