

## Notice Regarding Public Participation

Governor Greg Abbott has granted a temporary suspension of certain rules to allow for telephone public meetings in an effort to reduce in-person meetings that assemble large groups of people, due to the COVID-19 (coronavirus) public health emergency.

In an effort to reduce the spread of the virus, for the March 24, 2020 Planning & Zoning Commission Meeting, ***individuals will not be allowed to physically attend the meeting*** but may attend and participate in the meeting via a telephone conference call. To participate in the telephone conference call, Dial 1 (888) 210-1560, PIN: 8841538 to speak on public comments or an agenda item.

If you wish to watch the meeting but not participate in the meeting, the Planning & Zoning Commission Meeting will be live streamed on Waxahachie's website at [http://www.waxahachie.com/government/city\\_council/city\\_council\\_meeting\\_live\\_stream.php](http://www.waxahachie.com/government/city_council/city_council_meeting_live_stream.php).

Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Commission for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may either address the Commission during the Public Comments portion of the meeting or when the item is considered by the Planning & Zoning Commission.

# *A G E N D A*

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, March 24, 2020 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 March 10, 2020
  - b. Minutes of the Planning and Zoning Commission briefing of March 10, 2020
5. ***Public Hearing*** on a request by Jimmie L. Hutton for a Specific Use Permit (SUP) for a **Used Auto Sales** use within a Planned Development-35-Commercial zoning district located at 2004 Howard Road, Suite C (Property ID 175299) – Owner: Waxahachie Flea Market (ZDC-000025-2020)
  6. ***Consider*** recommendation of Zoning Change No. ZDC-000025-2020
  7. ***Consider*** request by Bobby Samuel, GRBK Edgewood LLC, for a petition to extend approval for 2 years of PP-17-0171 Dove Hollow for 653 residential lots and 17 open space lots, being 213.536 acres situated in J.W. Wright Survey, Abstract No. 1182 (Property ID 192636, 192643, 192639, 192645) – Owner: CEH 212 LP (SUB-000026-2020)
  8. ***Public Hearing*** on a request by Juan Quiroz, J Homes Enterprise LLC, for a **Replat** of Lot 3, Block 63, Town Addition to create Lots 1-2, Block A, Quiroz Addition, 0.670 acres (Property ID 170916) – Owner: J Homes Enterprise LLC Series F (SUB-000003-2020)

9. *Consider* approval of SUB-000003-2020
10. *Public Hearing* on a request by Herman R. Smith for a **Replat** of Lots 2 and 3, Block 7, Dewberry Addition, to create Lot 1, Block A, Herman Addition, 0.479 acres (Property ID 173199 and 173200) – Owner: Herman R Smith (SUB-000019-2020)
11. *Consider* approval of SUB-000019-2020
12. *Public Hearing* on a request by Reginald Coulsell for a Specific Use Permit (SUP) for a **Private Stables** use within a Planned Development-23-Single Family-1 zoning district located at 3910 Howard Road (Property ID 278236) – Owner: Crystal Taylor and Reginald Coulsell II (ZDC-000027-2020)
13. *Consider* recommendation of Zoning Change No. ZDC-000027-2020
14. *Public Hearing* on a request by Jacob Perry, Waxahachie ISD, for a Specific Use Permit (SUP) for a **Portable Storage Structure or Temporary Building** use within a Single Family-2 zoning district located at 411 N Gibson (Property ID 193942) – Owner: Waxahachie ISD (ZDC-000029-2020)
15. *Consider* recommendation of Zoning Change No. ZDC-000029-2020
16. *Public Hearing* on a request by Jeff Crannell, CCM Engineering, for a Zoning Change from a Planned Development-34-Multiple Family-1/General Retail, Single Family-3 and Multiple Family-1 zoning district to Planned Development-Two Family Residential Duplex, with Concept Plan, located at the NW corner of Peters Street at Graham Street (Property ID 193944) - Owner: WAXAHACHIE ISD (ZDC-000017-2020)
17. *Consider* recommendation of Zoning Change No. ZDC-000017-2020
18. *Public Hearing* on a request by Michael Westfall, Westfall Engineering, to establish a Planned Development-Single Family-3 zoning district on approximately 98.695 acres situated in the JB and Ann Adams Survey, Abstract No 5 (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020)
19. *Consider* recommendation of Zoning Change No. ZDC-000024-2020
20. *Public Hearing* on a request by Barbara Clark, Hope Clinic, for a Zoning Change from a Single Family-2 zoning district to Planned Development-Commercial, with Concept Plan, located at the SE corner of Farley Street at Coleman Street (Property ID 273695) - Owner: CITY OF WAXAHACHIE (ZDC-000022-2020)
21. *Consider* recommendation of Zoning Change No. ZDC-000022-2020

22. **Public Hearing** on a request by David Hargrove, Legacy Grove Development LLC, for a **Replat** of Lot 9X, Block A, Lot 20X, Block J, Lot 7X, Block K, Lot 12X, Block L, Lot 9, Block A, Lots 1-8, 10, 11, and 20, Block J, Lots 7 and 8, Block K, and Lots 11 and 12, Block L, Buffalo Ridge Phase IV, to eliminate the HOA open space lots and incorporate into the adjacent single family lots along Garden Valley Parkway and to establish a 5 foot Wall Maintenance Easement, being 26.033 acres (Property ID 276333, 276354, 276371, 274374, 276332, 276334, 276335, 276336, 276337, 276338, 276339, 276340, 276341, 276343, 276344, 276353, 276362, 276363, 276373, and 276372) – Owners: J Houston Homes, Bloomfield Homes LP, and Matthew P and Charity F Kennedy (SUB-000016-2020)
23. **Consider** approval of SUB-000016-2020
24. 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  
March 10, 2020

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, March 10, 2020 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX

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

Member Absent: Melissa Ballard, Vice Chairman

Others Present: Shon Brooks, Director of Planning  
Colby Collins, Senior Planner  
Chris Webb, Planner  
Macey Martinez, Graduate Engineer  
Lori Cartwright, City Secretary  
Mary Lou Shipley, Council Representative

Others Absent: Tommy Ludwig, Assistant City Manager

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 February 25, 2020
- b. Minutes of the Planning and Zoning Commission briefing of February 25, 2020

**Action:**

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

5. **Consider request by Christina Altman for a Replat of Tract 3, Whispering Meadows, to create Tracts 3A and 3B, Whispering Meadows, being 29.378 acres (Property ID 199197) in the Extra Territorial Jurisdiction – Owner: Russell C and Christina A Altman (SUB-000010-2020)**

Planner Chris Webb, reported the applicant request a Replat of Tract 3, Whispering Meadows, to create Tracts 3A and 3B, being just over 29 acres located in the Extra Territorial Jurisdiction. He

stated Staff received a water utility provider letter from Rockett SUD stating that adequate domestic flow was available. Mr. Webb stated the fire flow is adequate for this area.

**Action:**

*Mr. Jim Phillips moved to approve a request by Christina Altman for a Replat of Tract 3, Whispering Meadows, to create Tracts 3A and 3B, Whispering Meadows, being 29.378 acres (Property ID 199197) in the Extra Territorial Jurisdiction – Owner: Russell C and Christina A Altman (SUB-000010-2020). Mr. David Hudgins seconded, All Ayes.*

- 6. Consider request by Wes Dorough, JH Development, for a Plat of Vista Way and Washington Avenue being 3.754 acres situated in the Henry Sange Survey, Abstract 1009 and the Robert Russell Survey, Abstract 911 (Property IDs 262135 and 262138) - Owner: JHH North Grove Development LLC (SUB-000014-2020)**

Mr. Webb stated the applicant is requesting the city accept a plat for a street within the North Grove Development. He stated the entry area will have two (2) berms as well as a seven foot (7') monument. Landscaping meets the city's requirements and staff recommended approval.

**Action:**

*Mr. David Hudgins moved to approve a request by Wes Dorough, JH Development, for a Plat of Vista Way and Washington Avenue being 3.754 acres situated in the Henry Sange Survey, Abstract 1009 and the Robert Russell Survey, Abstract 911 (Property IDs 262135 and 262138) - Owner: JHH North Grove Development LLC (SUB-000014-2020). Ms. Betty Square Coleman seconded, All Ayes.*

- 7. Public Hearing on a request by Don Merchant, DC Texas Construction LLC, for a Specific Use Permit (SUP) for Accessory Building (Residential), greater than or equal to 700 SF use within a Future Development zoning district located at 2855 FM 877 (Property ID 138966) – Owner: Soon & Earl Beverly (ZDC-000013-2020)**

Chairman Keeler opened the Public Hearing.

Senior Planner Colby Collins reported the applicant is requesting approval to construct a 2,425 square foot accessory structure in the rear of a single family zoned property. The applicant intends to use the accessory structure as a garage, exercise room, wood workshop, and storage space.

Those who spoke for ZDC-000013-2020:

Mr. Don Merchant, 166 Horseshoe Bend, Waxahachie

There being no others to speak for or against ZDC-000013-2020, Chairman Keeler closed the Public Hearing.

- 8. Consider recommendation of Zoning Change No. ZDC-000013-2020**

(4a)

Planning and Zoning Commission

March 10, 2020

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**Action:**

*Ms. Bonney Ramsey moved to approve a request by Don Merchant, DC Texas Construction LLC, for a Specific Use Permit (SUP) for Accessory Building (Residential), greater than or equal to 700 SF use within a Future Development zoning district located at 2855 FM 877 (Property ID 138966) – Owner: Soon & Earl Beverly (ZDC-000013-2020) subject to staff comments. Ms. Betty Square Coleman seconded, All Ayes.*

- 9. Continue Public Hearing on a request by Michael Martin, Bannister Engineering, for a Zoning Change from a Light Industrial-1 and Heavy Industrial to Planned Development-General Retail and Planned Development-Multi Family-2, with Concept Plan, located SW of Butcher Road at N Highway 77 (Property ID 189377, 189370, and 239005) - Owner: DMJ Properties LTD, Saldena Properties LP, and Citizens National Bank in Waxahachie (PD-19-0175)**

Chairman Keeler announced the applicant withdrew PD-19-0175.

- 10. Consider recommendation of Zoning Change No. PD-19-0175**

No Action

- 11. Adjourn**

There being no further business, the meeting adjourned at 7:11 p.m.

Respectfully submitted,

Lori Cartwright  
City Secretary

(46)

Planning and Zoning Commission  
March 10, 2020

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, March 10, 2020 at 6:30 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman  
Betty Square Coleman  
Bonney Ramsey  
Jim Phillips  
David Hudgins

Members Absent: Melissa Ballard, Vice Chairman  
Erik Test

Others Present: Shon Brooks, Director of Planning  
Colby Collins, Senior Planner  
Chris Webb, Planner  
Macey Martinez, Graduate Engineer  
Lori Cartwright, City Secretary  
Mary Lou Shipley, Council Representative

Others Absent: Tommy Ludwig, Assistant City Manager

**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**

Planner Chris Webb reviewed the following cases:

- SUB-000010-2020 - Applicant request a Replat of Tract 3, Whispering Meadows, to create Tracts 3A and 3B, Whispering Meadows, being just over 29 acres located in the Extra Territorial Jurisdiction. One Tract will remain with a house on it and the other Tract will be used for agriculture land.
- SUB-000014-2020 – Applicant request a Plat for a street with landscaping within the North Grove Development.
- ZDC-000013-2020 – Applicant request to construct a + 700 sq. ft. (2,425 sq. ft.) accessory structure in the rear of a single family zone property.
- PD-19-0175 – Applicant withdrew the application.

**3. Adjourn**

There being no further business, the meeting adjourned at 6:40 p.m.

(46)

Planning and Zoning Commission  
March 10, 2020  
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Respectfully submitted,

Lori Cartwright  
City Secretary

(5 + 6)



## Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager

Date: March 17, 2020

Re: ZDC-000025-2020 2004 Howard Rd. – Used Auto Sales

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On March 17, 2020, the applicant requested to continue case no. ZDC-000025-2020 to the April 14, 2020 Planning and Zoning meeting agenda, and the April 20, 2020 City Council meeting agenda.

(7)



## Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager

Date: March 19, 2020

Re: SUB-26-2020 Preliminary Plat of Dove Hollow (Extension Request)

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On March 19, 2020, the applicant asked staff to withdraw case no. SUB-26-2020 from the March 24, 2020 Planning and Zoning Commission agenda.

# Planning & Zoning Department

## Plat Staff Report

Case: SUB-03-2020



**MEETING DATE(S)**

*Planning & Zoning Commission:* Tuesday, March 24, 2020

**CAPTION**

**Public Hearing** on a request by Juan Quiroz, J Homes Enterprise LLC, for a **Replat** of Lot 3, Block 63, Town Addition to create Lots 1-2, Block A, Quiroz Addition, 0.670 acres (Property ID 170916) – Owner: J Homes Enterprise LLC Series F (SUB-000003-2020)

**APPLICANT REQUEST**

The applicant is requesting a replat that would separate the existing lot into 2 separate lots for residential use per the infill overlay district regulations.

**CASE INFORMATION**

*Applicant:* Juan Quiroz, J Homes Enterprise, LLC

*Property Owner(s):* J Homes Enterprise, LLC

*Site Acreage:* 0.670 acres

*Number of Lots:* 2 lots

*Number of Dwelling Units:* 2 units

*Park Land Dedication:* Cash in lieu of park land dedication for the property is set at \$400.00. This fee must be paid before the plat is filed.

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

**SUBJECT PROPERTY**

*General Location:* 605 E Jefferson St.

*Parcel ID Number(s):* 170916

*Current Zoning:* SF-2

*Existing Use:* A single family dwelling is currently being constructed on part of the property.

*Platting History:* This property is part of Town Addition

*Site Aerial:*



**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 28 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.

**PROPERTY OWNER NOTIFICATION RESPONSES**

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

**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
2. 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.

**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

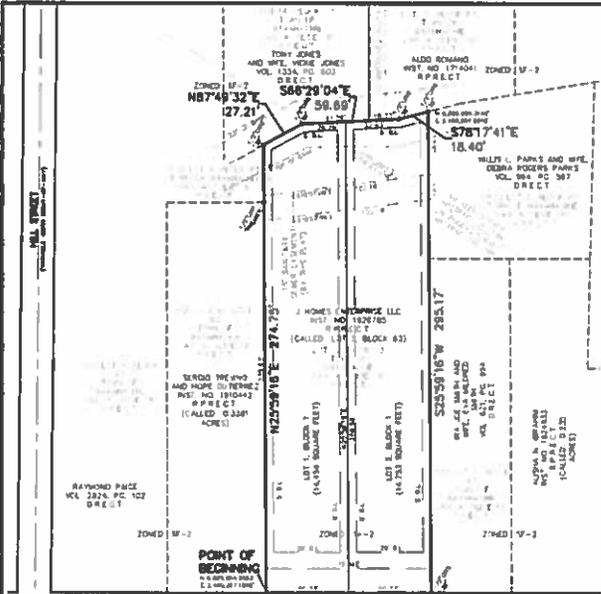
[cwebb@waxahachie.com](mailto:cwebb@waxahachie.com)

*Reviewed by:*

Shon Brooks, AICP

Director of Planning

[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)



STATE OF TEXAS & COUNTY OF EL PASO. KNOW ALL MEN BY THESE PRESENTS: WHEREAS J. Home's Enterprise LLC is the owner of all that parcel of land located in the City of Waxahatchie, Ellis County, Texas and being a part of the Aldi Farm Survey, Abstract No. 1498 and a part of the EW Rogers Survey, Abstract No. 896, being all of Lot 3, Block 63, Town of Waxahatchie recorded in Colson A. Ellis 181, being all of that tract described as deed in J. Home's Enterprise LLC recorded in County Clerk's Instrument Number 1926785, Real Property Records Ellis County, Texas and being further described as follows: BEGINNING at an "X" set found at the west corner of said Lot 3, Block 63, said point being the south corner of Lot 4, of said Block 63, being the south corner of that called D.3381 acre tract of land described in deed to Beryl Trowler and Hope Osterweil recorded in County Clerk's Instrument Number 1810442, said Property Records Ellis County, Texas and said point being in the southwest right-of-way line of E. Jefferson Street in variable width right of way. THENCE North 75 degrees 50 minutes 16 seconds East, at 238.63 feet passing a one-half inch iron rod with cap stamped "P1000" found at the east corner of said D.3381 acre tract of land, to a total distance of 274.75 feet to a one-half inch iron rod with cap stamped "3B" set at the north corner of said Lot 3, Block 63, said point being the east corner of said Lot 4, Block 63, said point being in the southwestern line of Lot 14, of said Block 63, and said point being in the approximate centerline of Rock Creek. THENCE along the approximate centerline of Rock Creek as follows: North 07 degrees 44 minutes 23 seconds East, 27.21 feet along the northeast line of said Lot 3, Block 63 and along the southwest line of said Lot 14, Block 63 to a one-half inch iron rod with cap stamped "3B" set for corner; North 44 degrees 29 minutes 04 seconds East, at 41.26 feet passing the north corner of said Lot 14, Block 63 and the west corner of Lot 15, of said Block 63, to a total distance of 59.69 feet along the northeast line of said Lot 3, Block 63 to a one-half inch iron rod with cap stamped "3B" set for corner; South 78 degrees 17 minutes 41 seconds East, 18.40 feet along the southwestern line of said Lot 15, Block 63 to a one-half inch iron rod with cap stamped "3B" set at the east corner of said Lot 3, Block 63 and being at the north corner of Lot 2, of said Block 63. THENCE South 25 degrees 50 minutes 16 seconds West, 295.17 feet to a one-half inch iron rod with cap stamped "3B" set at the south corner of said Lot 3, Block 63, said point being the west corner of said Lot 2, Block 63 and said point being in the northeast right of way line of E. Jefferson Street; THENCE North 63 degrees 45 minutes 07 seconds West, 101.45 feet along the southwest line of said Lot 3, Block 63 and along the southwest right of way line of E. Jefferson Street to the POINT OF BEGINNING and containing 29,207 square feet or 0.670 acres of land. BOUND BY BEARING & DISTANCE FROM GPS OBSERVATIONS RELATIVE TO THE TEXAS WIDE REFERENCE FRAME 2011 Texas State Plane Coordinate System, North Central Zone (NAD83).

- LEGEND
CAPPED IRON ROD SET
CAPPED IRON ROD FOUND
BUILDING LINE SETBACK
ZONING DESIGNATION (SINGLE FAMILY)
UTILITY EASEMENT
INSTRUMENT NUMBER
VOLUME
CABINET
PAGE
DEED RECORDS ELLIS COUNTY, TEXAS
PLAT RECORDS ELLIS COUNTY, TEXAS
REAL PUBLIC RECORDS ELLIS COUNTY, TEXAS



APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE

BY: Chairperson Date
Attest Date

GENERAL NOTES:
1. ALL CORNERS ARE A ONE-HALF INCH IRON ROD SET WITH CAP STAMPED "3B LAND SURVEYING" UNLESS OTHERWISE NOTED.
2. COORDINATES SHOWN HEREON ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (NAD83).

FLOOD STATEMENT: According to Community Flood No. 48130C5105P, dated June 3, 2013, of the Federal Emergency Management Agency, National Flood Insurance Program Map, this property is within Flood Zone "X", areas determined to be outside 500 year floodplains, which is not a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structure thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man made or natural causes. This statement should not create liability on the part of the Surveyor.

CASE NUMBER SUB-03-2020 REPLAT LOTS 1 AND 2, BLOCK 1 QUIROZ ADDITION

2 RESIDENTIAL LOTS ZONED: SF-2 BEING A 0.670 ACRE TRACT OF LAND BEING A PART OF THE AM KERN SURVEY, ABSTRACT NO. 596 AND THE EW ROGERS SURVEY, ABSTRACT NO. 896 AND BEING A REPLAT OF LOT 3, BLOCK 63, TOWN OF WAXAHACHIE, TEXAS; CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

J. HOME'S ENTERPRISE, LLC OWNERS/DEVELOPER 605 E. Jefferson Street, Waxahatchie, Texas 75165 (662) 551-3401

JB LAND SURVEYING, INC SURVEYOR 656 Bazak Rd, Denik, Texas 75119 (972) 825-7940

Revised: March 03, 2020 Dated: January 02, 2020 Sheet 1 of 1

SURVEY CERTIFICATION THAT I, Edward Scott Bazak, P.L.S., do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown hereon, as well, were properly placed under my personal supervision in accordance with the subdivisions ordinance of the City of Waxahatchie

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

Edward Scott Bazak, P.L.S. No. 0248



STATE OF TEXAS & COUNTY OF ELLIS

BEFORE ME, the undersigned authority in and for the State of Texas, on this day personally appeared Edward Scott Bazak, known to me to be the person whose name is subscribed to the re-division thereon expressed and in the capacity therein stated

WITNESS MY HAND at El Paso, Ellis County, Texas, This 17th day of February, 2020.

Notary Public in and for the State of Texas



NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS,

THAT We, Juan G. Quiroz and Rocio Karolus Molina, do hereby adopt this plat designating the herein above described property as Lots 1 and 2, Block 1, Quiroz Addition, an addition to the City of Waxahatchie, Texas and do hereby declare, in the plain, to the public use however, 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 however, for the purposes indicated on this plat. No buildings, houses, trees, shrubs or other improvements or growth shall be constructed or placed upon, over or across the easements, as shown, except that landscape improvements may be placed on landscape easements, as approved by the City of Waxahatchie. In addition, utility easements may also be used for the method use and accommodations of all public utilities desiring to use or using the same unless the easement limits the use in a particular utility, said use by public utilities being subordinate to the public's use of Waxahatchie a town charter. The City of Waxahatchie 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 taking in or removing all or parts of their respective systems without the necessity of any time preventing permission from anyone.

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

WITNESS my hand, this 02 day of January, 2020.

By: Juan G. Quiroz Rocio Karolus Molina

STATE OF TEXAS & COUNTY OF ELLIS

BEFORE ME, the undersigned authority in and for the State of Texas, on this day personally appeared Juan G. Quiroz and Rocio Karolus Molina, known to me to be the persons whose name is subscribed to the re-division thereon expressed and in the capacity therein stated.

WITNESS MY HAND at El Paso, Ellis County, Texas, This 02 day of January, 2020.

Notary Public in and for the State of Texas

(8)

Case SUB 000003-2020  
Responses Received Inside Requested 2017 Notification Area  
Support 1 - Option 0

Property ID	Owner's Name	Acres	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
170900	SMITH MELVIN R	0.137	LOT 58 BLK 83 TOWN WAKAHACHIE 0.137 AC	PO BOX 741512	DALLAS	TX	75374	106 HILL ST WAKAHACHIE TX 75185
170910	SMITH BERTHA MAE	0.181	LOT 5C BLK 83 TOWN WAKAHACHIE 181 AC	104 1/2 HILL ST	WAKAHACHIE	TX	75185	104 HILL ST WAKAHACHIE TX 75185
170911	TOVAR RAMON	0.000	LOT 5D BLK 83 TOWN WAKAHACHIE 089 AC	503 E JEFFERSON ST	WAKAHACHIE	TX	75185	503 E JEFFERSON ST WAKAHACHIE TX 75185
170915	SMITH IRA JOE	0.235	LOT 5 205 28 BLK 83 TOWN WAKAHACHIE 235 AC	609 E JEFFERSON ST	WAKAHACHIE	TX	75185	609 E JEFFERSON ST WAKAHACHIE TX 75185
170919	DAVIS RONNIE D SR	0.727	LOT 3 BLK 83 TOWN WAKAHACHIE 0.727 AC	PO BOX 2808	WAKAHACHIE	TX	75188	805 E JEFFERSON ST WAKAHACHIE TX 75185
170917	PAGE RAYMOND	0.181	LOT 4B BLK 83 TOWN WAKAHACHIE 0.181 AC	332 RUGHE TLE RD	WAKAHACHIE	TX	75185	E JEFFERSON ST WAKAHACHIE TX 75185
170918	TRUBY ROBERT I	0.275	LOT 4C BLK 83 TOWN WAKAHACHIE 0.275 AC	14677 F28 910	MAYPEARL	TX	70054	112 HILL ST WAKAHACHIE TX 75185
170919	SMITH MELVIN R	0.161	LOT 5A BLK 83 TOWN WAKAHACHIE 0.161 AC	PO BOX 741512	DALLAS	TX	75374	HILL ST WAKAHACHIE TX 75185
170920	PARKS WELLS L & DEBRA R	0.454	LOT 1A & 1 B & N TP 2A & 2B BLK 83 TOWN WAKAHACHIE 454 AC	108 S ARKEN ST	WAKAHACHIE	TX	75185	108 S ARKEN ST WAKAHACHIE TX 75185
170921	HAMILTON BRIGGITA	0.129	LOT 1C BLK 83 TOWN WAKAHACHIE 129 AC	108 S ARKEN ST	WAKAHACHIE	TX	75185	108 S ARKEN ST WAKAHACHIE TX 75185
170922	YEN I ADI	0.129	LOT 1D BLK 83 TOWN WAKAHACHIE 0.129 AC	1015 FEYERS AVE	WAKAHACHIE	TX	75185	110 S ARKEN ST WAKAHACHIE TX 75185
170923	JOHNSON KEA N	0.255	LOT 1E BLK 83 TOWN WAKAHACHIE 255 AC	807 JORDAN JH	WAKAHACHIE	TX	75185	613 E JEFFERSON ST WAKAHACHIE TX 75185
170924	IBRAHIM AISHA N	0.235	LOT 5 205 2A BLK 83 TOWN WAKAHACHIE 235 AC	3010 RED RIVERT CT	WAKAHACHIE	TX	75187	619 E JEFFERSON ST WAKAHACHIE TX 75185
170998	VERA CONSTRUCTION LLC	0.308	LOT 18A BLK 83 TOWN WAKAHACHIE 308 AC	511 W 2ND ST	WAKAHACHIE	TX	75185	614 DR MARTIN LUTHER KING JR BLVD WAKAHACHIE TX 75185
170999	IBRAHIM AISHA N	0.27	LOT 18B BLK 83 TOWN WAKAHACHIE 27 AC	3010 RED RIVERT CT	WAKAHACHIE	TX	75187	616 DR MARTIN LUTHER KING JR BLVD WAKAHACHIE TX 75185
170940	RANGEL IRMA P	0.185	LOT 1 BLK 84 TOWN WAKAHACHIE 185 AC	804 E JEFFERSON ST	WAKAHACHIE	TX	75185	804 E JEFFERSON ST WAKAHACHIE TX 75185
170981	CASTLEO MARCUS % JESSIE C LOPEZ	0.062	LOT 2 BLK 84 TOWN WAKAHACHIE 0.062 AC	215 N CASA GRANDE	DUNCANVILLE	TX	75116	806 E JEFFERSON ST WAKAHACHIE TX 75185
170992	BONNER LILLIE B % JEAN WOODS	0.134	LOT 3 BLK 84 TOWN WAKAHACHIE 0.134 AC	1523 DREXEL DR	WAKAHACHIE	TX	75185	109 WELLS ST WAKAHACHIE TX 75185
170993	ORTEGA FELIX	1.019	LOT 4 BLK 84 LOT 1 BLK 108 TOWN WAKAHACHIE 1.019 AC	703 DR MARTIN LUTHER KING BLVD	WAKAHACHIE	TX	75185	E JEFFERSON ST WAKAHACHIE TX 75185
170994	MAHON MARR A	0.249	LOT 12 BLK 83 TOWN WAKAHACHIE 0.249 AC	PO BOX 1	FORRESTON	TX	70041	102 HILL DR WAKAHACHIE TX 75185
170999	CUEVAS FRANCISCO	0.448	LOT 13 BLK PT 83 TOWN WAKAHACHIE 0.448 AC	308 NORTHGATE DR	WAKAHACHIE	TX	75185	802 DR MARTIN LUTHER KING JR BLVD WAKAHACHIE TX 75185
170997	JONES TONY B VICKIE	0.37	LOT 14 BLK 83 TOWN WAKAHACHIE 37 AC	102 ONEIDA ST	WAKAHACHIE	TX	75185	102 DR MARTIN LUTHER KING JR BLVD WAKAHACHIE TX 75185
170998	ROMANO ALDO	0.322	LOT 15 BLK 83 TOWN WAKAHACHIE 322 AC	P O BOX 305	ITALY	TX	70851	808 DR MARTIN LUTHER KING JR BLVD WAKAHACHIE TX 75185
171110	COLLINS EDWARD C/O DELIA MCCLARRAN	0.248	LOT 2 BLK 108 TOWN 248 AC	802 E JEFFERSON ST	WAKAHACHIE	TX	75185	802 E JEFFERSON ST WAKAHACHIE TX 75185
172708	PIGGINS HALLIE EST % EUNICE TURNER	0.308	1.79 CLFT 0.308 ACRES	12315 ROCKLAND DR	DALLAS	TX	75243	508 E JEFFERSON ST WAKAHACHIE TX 75185
173225	AGUIAR DOLORES NAVARRO ETAL	0.386	LOT 1 BLK 1 FEARS 0.386 AC	1704 N BIRE CUNNING	ENRYS	TX	75119	808 E JEFFERSON ST WAKAHACHIE TX 75185
173226	MT LE BAHON BAPT CHURCH	0.362	LOT 2A BLK 1 FEARS 0.362 AC	208 S ARKEN ST	WAKAHACHIE	TX	75185	614 E JEFFERSON ST WAKAHACHIE TX 75185
181710	TREVINO SERGIO & HOPE GUTIERREZ	0.33	LOT 4A BLK 83 TOWN WAKAHACHIE 33 AC	803 E JEFFERSON ST	WAKAHACHIE	TX	75185	803 E JEFFERSON ST WAKAHACHIE TX 75185

(8)

RECEIVED  
3/11/2020



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-000003-2020



PARKS WILLIS L & DEBRA R  
106 S AIKEN ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 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 Juan Quiroz, J Homes Enterprise LLC, for a Replat of Lot 3, Block 63, Town Addition to create Lots 1-2, Block A, Quiroz Addition, 0.670 acres (Property ID 170916) – Owner: J Homes Enterprise LLC Series F (SUB-000003-2020)

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](mailto:Planning@Waxahachie.com) for additional information on this request.

Case Number: SUB-000003-2020

City Reference: 170920

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto: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:

\_\_\_\_\_

*Debra Parks*

Signature

\_\_\_\_\_

Date

*Debra Parks - owner*

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.*

# Planning & Zoning Department

## Plat Staff Report

Case: SUB-19-2020



**MEETING DATE(S)**

*Planning & Zoning Commission:* Tuesday, March 24, 2020

**CAPTION**

**Public Hearing** on a request by Herman R. Smith for a **Replat** of Lots 2 and 3, Block 7, Dewberry Addition, to create Lot 1, Block A, Herman Addition, 0.479 acres (Property ID 173199 and 173200) – Owner: Herman R Smith (SUB-000019-2020)

**APPLICANT REQUEST**

The applicant is combining Lots 2 and 3 of Block 7 of the Dewberry Addition to create one lot in order to construct a single family residence.

**CASE INFORMATION**

*Applicant:* Herman R. Smith

*Property Owner(s):* Herman R. Smith

*Site Acreage:* 0.479 acres

*Number of Lots:* 2 lots

*Number of Dwelling Units:* 0 units

*Park Land Dedication:* N/A (Combining two (2) lots into one (1) lot)

*Adequate Public Facilities:* Adequate public facilities are available to this property.

**SUBJECT PROPERTY**

*General Location:* 904 Dunaway St.

*Parcel ID Number(s):* 173199, 173200

*Current Zoning:* SF-3

*Existing Use:* Both lots are currently vacant.

*Platting History:* This portion of the Dewberry subdivision was filed Jan. 27, 1914.

**Site Aerial:**



**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 27 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.

**PROPERTY OWNER NOTIFICATION RESPONSES**

Staff received five (5) letter of support for the replat.

**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
2. 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.

**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](mailto:cwebb@waxahachie.com)

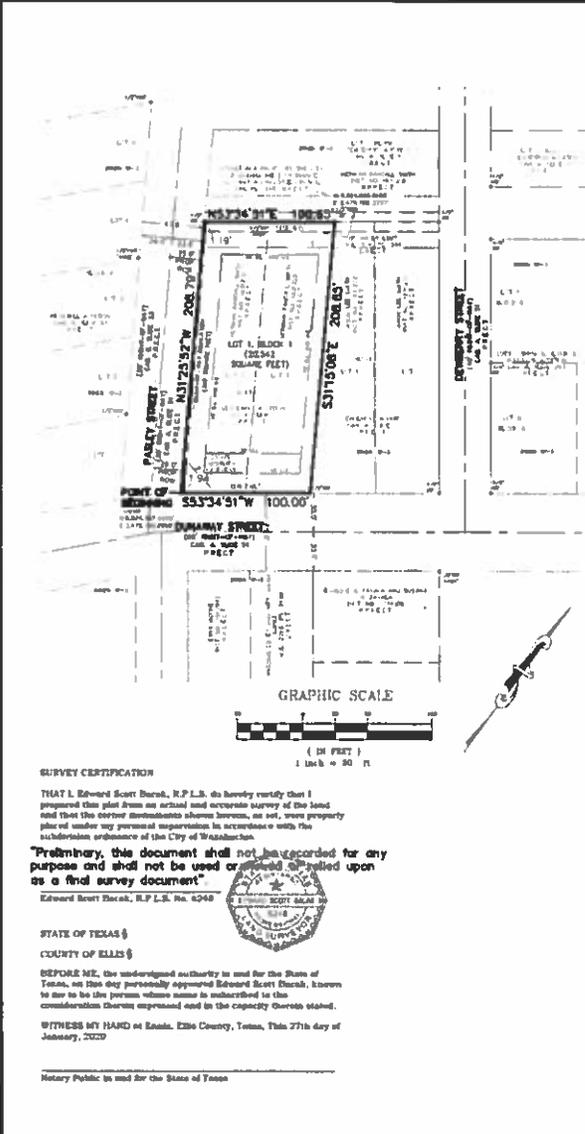
*Reviewed by:*

Shon Brooks, AICP

Director of Planning

[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

(10)



STATE OF TEXAS §  
 COUNTY OF ELLIS §

KNOW ALL MEN BY THESE PRESENTS,

WHEREAS, Herman Randall Smith is the owner of that parcel of land located in the City of Waco, Harris County, Texas, being a part of the EW Rogers Survey, Abstract No. 898, being all of Lots 2 and 3, Block 7, Demberry Addition recorded in Cabinet A, Sheet 51, Plat Records Ellis County, Texas, being all of that tract of land described in deed to Herman Randall Smith recorded in County Clerk's Instrument Number 1831219, Real Property Records Ellis County, Texas, being all of that tract of land described in deed to Herman Randall Smith recorded in County Clerk's Instrument Number 1831220, Real Property Records Ellis County, Texas and being further described as follows:

BEGINNING at a one-half inch iron rod found at the south corner of said Lot 2, said point being the south corner of said Herman Randall Smith tract of land recorded in County Clerk's Instrument Number 1831219 and said point being at the intersection of the northwest right of way line of Danaway Street in 60' right-of-way with the southeast right of way line of Peabody Street in 48' right-of-way;

THENCE North 31 degrees 25 minutes 52 seconds West, 206.79 feet along the southeast right-of-way line of Peabody Street to a one-half inch iron rod found at the west corner of the said Herman Randall Smith tract of land recorded in County Clerk's Instrument Number 1831219, and point being the south corner of that tract of land described in deed to Herman Randall Smith recorded in County Clerk's Instrument Number 1831218 and said point being in the approximate centerline of a street right-of-way abandoned by the City of Waco, Harris County, Texas, No. 1007 recorded in Volume 874, Page 348, Deed Records Ellis County, Texas;

THENCE North 53 degrees 34 minutes 51 seconds East, 100.00 feet along the southwest line of the said Herman Randall Smith tract of land recorded in County Clerk's Instrument Number 1831218 and along the approximate centerline of said abandoned street to a one-half inch iron rod with cap stamped "38" set at the north corner of the said Herman Randall Smith tract of land recorded in County Clerk's Instrument Number 1831220 and said point being the east corner of that tract of land described in deed to James Lee Smith recorded in County Clerk's Instrument Number 1831222, Real Property Records Ellis County, Texas;

THENCE South 31 degrees 25 minutes 08 seconds East, 206.85 feet to a one-half inch iron rod found at the east corner of the said Herman Randall Smith tract of land recorded in County Clerk's Instrument Number 1831220, said point being the south corner of that said James Lee Smith tract of land and said point being in the southeast right-of-way line of Danaway Street;

THENCE South 63 degrees 34 minutes 51 seconds West, 100.00 feet along the northwest right-of-way line of Danaway Street to the POINT OF BEGINNING containing 20,866 square feet or 0.479 acres of land;

Data of Survey is derived from GPS observations relative to the Texas WIDE RTE Network. Texas State Plane Coordinate System, North Central Zone (NAD83).

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS,

THAT I, Herman Randall Smith, do hereby adopt this plat designating the herein above described property as Lot 1, Block 1, Herman Addition, an addition to the City of Waco, Harris County, Texas and do hereby dedicate, in fee simple, to the public use thereof, 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 thereof, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growth shall be constructed or placed upon, over or across the easements, as shown, except that landscape improvements may be placed on landscape easements, if approved by the City of Waco. In addition, utility easements may also be used for the actual use and maintenance of all public utilities desiring to use or using the same within the easement limits (the use to a particular utility, said use by public utilities being subordinate to the public's and City of Waco's use thereof). The City of Waco and public utility entities shall have the right to remove and keep removed all or parts of any building, fence, tree, shrub or other improvements or growth which may in any way interfere or interfere with the construction, maintenance, or efficiency of their respective systems to said easements. The City of Waco 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, maintaining, repairing, and adding to or removing all or parts of their respective systems without the necessity of any time precluding permission from anyone.

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

WITNESS my hand, this \_\_\_\_\_ day of \_\_\_\_\_, 2020

By: \_\_\_\_\_  
 Herman Randall Smith

STATE OF TEXAS §  
 COUNTY OF ELLIS §

BEFORE ME, the undersigned authority in and for the State of Texas, on this day personally appeared Herman Randall Smith, known to me to be the person whose name is subscribed to the consideration therein expressed and in the capacity therein stated.

WITNESS MY HAND at \_\_\_\_\_, Ellis County, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Notary Public in and for the State of Texas

LEGEND

- 004 IRON ROD SET
- 005 IRON ROD FOUND
- 006 IRON PIPE FOUND
- 007 BUILDING LINE SETBACK
- 008 EASEMENT
- 009 UTILITY EASEMENT
- 010 INSTRUMENT NUMBER
- 011 VOLUME
- 012 CABINET
- 013 PAGE
- 014 DEED RECORDS ELLIS COUNTY, TEXAS
- 015 PLAT RECORDS ELLIS COUNTY, TEXAS
- 016 REAL PUBLIC RECORDS ELLIS COUNTY, TEXAS



APPROVED BY PLANNING AND ZONING COMMISSION  
 CITY OF WACAHACHE

BY: \_\_\_\_\_ Date \_\_\_\_\_  
 \_\_\_\_\_ Date \_\_\_\_\_

GENERAL NOTES

1. ALL CORNERS ARE A ONE-HALF INCH IRON ROD SET WITH CAP STAMPED "38" UNLESS OTHERWISE NOTED HERETO.
2. COORDINATES SHOWN HEREON ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (NAD83).

FLOOD STATEMENT: According to Community Panel No. 4419C0100P, dated June 3, 2013, of the Federal Emergency Management Agency, National Flood Insurance Program Map, this property is within Flood Zone "X" (areas determined to be outside 500 year floodplain, which is not a special flood hazard area). It is noted that within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. The risk of excessive, greater than a 500 year and will occur and flood heights may be increased by man-made or natural causes. This statement shall create liability on the part of the Surveyor.

CASE NUMBER SUB-19-2020  
 REPLAT

LOT 1, BLOCK 1  
 HERMAN ADDITION

1 RESIDENTIAL LOT  
 ZONED: SF-3

BEING A 0.479 ACRE TRACT OF LAND OUT OF THE  
 EW ROGERS SURVEY, ABSTRACT NO. 898 AND BEING A  
 REPLAT OF LOT 2 AND 3 OF THE DEMBERRY'S ADDITION;

CITY OF WACAHACHE, ELLIS COUNTY, TEXAS

HERMAN SMITH OWNER  
 904 Duway Street  
 Waco, Texas 76715  
 Contact: Herman Smith (972) 935-2199

38 LAND SURVEYING, INC SURVEYOR  
 636 Beack Rd  
 Ennis, Texas 75119  
 TSPS No. 10184-80 (972) 825-7949

Dated February 28, 2020  
 Dated January 27, 2020

Drawing: C:\Users\j\OneDrive\Documents\19-2020\19-2020.dwg Surveyed By: Edward Scott Barak 7/28/2020 3:11 PM

Case SUB-000019-2020  
Responses Received Inside Required 200 Notification Area  
Support: 5 Oppose: 0

PropertyID	Owner's Address	Acreage	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
130633	WHITE LLOYD H & HALEY V HAWKINS	0.138	LOT 2 BLK A HIGH HILL ADDN 138 AC	303 PASLEY ST	WAXAHACHIE	TX	75165	303 PASLEY ST WAXAHACHIE TX 75165
130634	MC COLLUM CHRISTIAN D & AMY	0.138	LOT 3 BLK A HIGH HILL ADDN 0.138 AC	305 PASLEY ST	WAXAHACHIE	TX	75165	305 PASLEY ST WAXAHACHIE TX 75165
130635	HALLUM MARK D	0.138	LOT 4 BLK A HIGH HILL ADDN 0.138 AC	307 PASLEY ST	WAXAHACHIE	TX	75165	307 PASLEY ST WAXAHACHIE TX 75165
130636	GILROY RODNEY JR & KAITLYN	0.138	LOT 5 BLK A HIGH HILL ADDN 138 AC	401 PASLEY ST	WAXAHACHIE	TX	75165	401 PASLEY ST WAXAHACHIE TX 75165
140309	WEBB JOSHUA E	0.149	LOT 1 BLK A HIGH HILL ADDN 149 AC	301 PASLEY ST	WAXAHACHIE	TX	75165	301 PASLEY ST WAXAHACHIE TX 75165
172306	BRUNNER DENISA	0.149	LOT 5 BLK 6 BULLARD-REV 0.149 AC	806 DUNAWAY ST	WAXAHACHIE	TX	75165	806 DUNAWAY ST WAXAHACHIE TX 75165
172312	HARBIN JAMES B II	0.212	LOT 1 BLK 6 BULLARD-REV 212 AC	302 DEWBERRY ST	WAXAHACHIE	TX	75165	302 DEWBERRY ST WAXAHACHIE TX 75165
172313	DUNBAR JEFFREY G	0.212	LOT 2 BLK 6 BULLARD-REV 212 AC	303 W AVENUE C	WAXAHACHIE	TX	75165	303 W AVENUE C WAXAHACHIE TX 75165
172362	LOPEZ ANTONIO & MARIA	0.201	LOT 3 BLK 25 BULLARD-REV 201 AC	PO BOX 401	MAYPEARL	TX	78004	904 S ROGERS ST WAXAHACHIE TX 75165
172363	MOORE JERRY	0.237	LOT 4 BLK 25 BULLARD-REV 237 AC	906 S ROGERS ST	WAXAHACHIE	TX	75165	906 S ROGERS ST WAXAHACHIE TX 75165
172364	LOREN GRAY INVESTMENTS LLC	0.173	LOT 1A BLK 26 BULLARD-REV 0.173 AC	PO BOX 2868	WAXAHACHIE	TX	75168	207 PASLEY ST WAXAHACHIE TX 75165
172365	CUEVAS FRANCISCO	0.217	LOT 1B BLK 26 BULLARD-REV 0.217 AC	106 DEERWOOD LN	WAXAHACHIE	TX	75165	912 S ROGERS ST WAXAHACHIE TX 75165
172366	HERNANDEZ LUIS R	0.348	226 BULLARD 0.348 ACRES	914 S ROGERS ST	WAXAHACHIE	TX	75165	914 S ROGERS ST WAXAHACHIE TX 75165
172370	ZAVALA ENRIQUE R & SUSANA R	0.157	LOT 1 BLK 25 BULLARD-REV 157 AC	207 DEWBERRY ST	WAXAHACHIE	TX	75165	207 DEWBERRY ST WAXAHACHIE TX 75165
172371	SMITH HERMAN R	0.281	225 BULLARD 0.281 ACRES	900 S ROGERS ST	WAXAHACHIE	TX	75165	900 S ROGERS ST WAXAHACHIE TX 75165
173188	SANCHEZ CARLOS I SR	0.224	4 11 DEWBERRY 0.224 ACRES	PO BOX 2673	WAXAHACHIE	TX	75168	409 W AVENUE C WAXAHACHIE TX 75165
173192	SMITH JASON L	0.239	5 & PT ST 7 DEWBERRY 0.239 ACRES	900 DUNAWAY ST	WAXAHACHIE	TX	75165	900 DUNAWAY ST WAXAHACHIE TX 75165
173193	SMITH HERMAN R	0.289	LOT 1 PT ST 7 DEWBERRY REV 0.289 AC	900 S ROGERS ST	WAXAHACHIE	TX	75165	401 DEWBERRY ST WAXAHACHIE TX 75165
173194	SALINAS REGINO & MARIA	0.278	LOT 2R BLK 10 DEWBERRY REV 0.278 AC	917 GIVENS ST	WAXAHACHIE	TX	75165	402 PASLEY ST WAXAHACHIE TX 75165
173195	SANCHEZ CARLOS I SR	0.181	LOT NE PT 1 PT 2 B BLK 11 DEWBERRY REV 181 AC	PO BOX 2673	WAXAHACHIE	TX	75168	403 W AVENUE C WAXAHACHIE TX 75165
173196	SANCHEZ CARLOS I SR	0.155	SWPT 1 PT 2B 11 DEWBERRY 0.155 ACRES	PO BOX 2673	WAXAHACHIE	TX	75168	400 DEWBERRY ST WAXAHACHIE TX 75165
173199	SMITH HERMAN R	0.239	2 & PT 25 7 DEWBERRY 0.239 ACRES	900 S ROGERS ST	WAXAHACHIE	TX	75165	904 DUNAWAY ST WAXAHACHIE TX 75165
173200	SMITH HERMAN R	0.239	3 & PT 5 7 DEWBERRY 0.239 ACRES	900 S ROGERS ST	WAXAHACHIE	TX	75165	900 DUNAWAY ST WAXAHACHIE TX 75165
173201	SMITH JASON L	0.199	4 & PT 5 7 DEWBERRY 0.199 ACRES	900 DUNAWAY ST	WAXAHACHIE	TX	75165	900 DUNAWAY ST WAXAHACHIE TX 75165
193799	SOUTH PARK ASSEMBLY OF GOD	0.873	ALL 24 BULLARD 0.873 ACRES	PO BOX 249	WAXAHACHIE	TX	75168	800 S ROGERS ST WAXAHACHIE TX 75165
194026	CONTRERRAS RACHEL	0.145	SW PT 2 A& 3 11 DEWBERRY 0.145 ACRES	402 DEWBERRY ST	WAXAHACHIE	TX	75165	402 DEWBERRY ST WAXAHACHIE TX 75165
197013	SALINAS MARIA & REGINO	0.278	3R 10 DEWBERRY REV 0.278 ACRES	917 GIVENS ST	WAXAHACHIE	TX	75165	917 GIVENS ST WAXAHACHIE TX 75165

(10)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-000019-2020

RECEIVED  
3/10/2020

LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 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 Herman R. Smith for a Replat of Lots 2 and 3, Block 7, Dewberry Addition, to create Lot 1, Block A, Herman Addition, 0.479 acres (Property ID 173199 and 173200) – Owner: Herman R Smith (SUB-000019-2020)

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](mailto:Planning@Waxahachie.com) for additional information on this request.

Case Number: SUB-000019-2020

City Reference: 172364

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be emailed to [Planning@Waxahachie.com](mailto: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:

*[Handwritten Signature]*

Signature

*Brad Yates*

Printed Name and Title

*3/10/20*

Date

*PO Box 2868*

Address

*Waxahachie, Tx.  
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.*

(10)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-000019-2020

RECEIVED  
3/18/2020

SMITH HERMAN R  
900 S ROGERS ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 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 Herman R. Smith for a Replat of Lots 2 and 3, Block 7, Dewberry Addition, to create Lot 1, Block A, Herman Addition, 0.479 acres (Property ID 173199 and 173200) – Owner: Herman R Smith (SUB-000019-2020)

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Case Number: SUB-000019-2020

City Reference: 172371

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, March 18, 2020** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto: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:

Herman R. Smith  
Signature

March 16, 2020  
Date

Herman R. Smith /owner  
Printed Name and Title

900 S. Rogers St.  
Address

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

(10)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-000019-2020

RECEIVED  
3/18/2020

SMITH HERMAN R  
900 S ROGERS ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 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 Herman R. Smith for a Replat of Lots 2 and 3, Block 7, Dewberry Addition, to create Lot 1, Block A, Herman Addition, 0.479 acres (Property ID 173199 and 173200) – Owner: Herman R Smith (SUB-000019-2020)

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Case Number: SUB-000019-2020

City Reference: 173193

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto: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:

Herman R. Smith  
Signature

March 16, 2020  
Date

Herman R. Smith / owner  
Printed Name and Title

900 S. Rogers St.  
Address

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

(10)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-000019-2020

RECEIVED  
3/18/2020

SMITH HERMAN R  
900 S ROGERS ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 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 Herman R. Smith for a Replat of Lots 2 and 3, Block 7, Dewberry Addition, to create Lot 1, Block A, Herman Addition, 0.479 acres (Property ID 173199 and 173200) – Owner: Herman R Smith (SUB-000019-2020)

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](mailto:Planning@Waxahachie.com) for additional information on this request.

Case Number: SUB-000019-2020

City Reference: 173199

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto: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:

Herman R. Smith  
Signature

March 16, 2020  
Date

Herman R. Smith/owner  
Printed Name and Title

900 S. Rogers St  
Address

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

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



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-000019-2020

RECEIVED  
3/18/2020

SMITH HERMAN R  
900 S ROGERS ST  
WAXAHACHIE, TX 75165

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- 1. Request by Herman R. Smith for a Replat of Lots 2 and 3, Block 7, Dewberry Addition, to create Lot 1, Block A, Herman Addition, 0.479 acres (Property ID 173199 and 173200) – Owner: Herman R Smith (SUB-000019-2020)

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](mailto:Planning@Waxahachie.com) for additional information on this request.

Case Number: SUB-000019-2020

City Reference: 173200

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto: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:

Herman R. Smith  
Signature

March 16, 2020  
Date

Herman R. Smith/owner  
Printed Name and Title

900 S. ROGERS ST  
Address

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

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# Planning & Zoning Department

## Zoning Staff Report

Case: ZDC-000027-2020



### MEETING DATE(S)

*Planning & Zoning Commission:* March 24, 2020

*City Council:* April 6, 2020

### CAPTION

**Public Hearing** on a request by Reginald Coulsell for a Specific Use Permit (SUP) for a **Private Stables** use within a Planned Development-23-Single Family-1 zoning district located at 3910 Howard Road (Property ID 278236) – Owner: Crystal Taylor and Reginald Coulsell II (ZDC-000027-2020)

### APPLICANT REQUEST

The purpose of this request is to amend Ordinance 3010 (originally approved by City Council on April 2, 2018).

### CASE INFORMATION

*Applicant:* Reginald Coulsell

*Property Owner(s):* Crystal Taylor and Reginald Coulsell

*Site Acreage:* 17.329 acres

*Current Zoning:* Planned Development-23-Single Family-1

*Requested Zoning:* Planned Development-23-Single Family-1 with SUP

### SUBJECT PROPERTY

*General Location:* 3910 Howard Rd.

*Parcel ID Number(s):* 278236

*Existing Use:* Currently Undeveloped

*Development History:* N/A

### Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-23-SF1	Undeveloped
East	FD	Undeveloped
South	PD-23-SF1	Single Family Residential
West	PD-23-SF1	Undeveloped

*Future Land Use Plan:* Estate Residential

*Comprehensive Plan:*

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

*Thoroughfare Plan:*

The subject property is accessible via Howard Rd.

*Site Image:*



**PLANNING ANALYSIS**

**Purpose of Request:**

The applicant is requesting to amend Ordinance 3010 (originally approved by City Council on April 2, 2018).

**Proposed Use:**

On April 2, 2018, City Council approved a Specific Use Permit and Ordinance 3010 to allow Private Stables (exceeding 700 sq. ft.). The applicant is requesting to amend the original SUP Ordinance to include the language "As long as the current owner(s) of the property maintain ownership, the SUP is not transferable to a new owner if no private stable is constructed before the property is sold". Due to the proposed amendment of the Ordinance, City Council is required to approve the request.

**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.

**PON RESPONSES**

Staff has received one (1) letter of opposition for the proposed extension request.

**STAFF CONCERNS**

1. Staff has no outstanding concerns for the applicant.

**APPLICANT RESPONSE TO CONCERNS**

1. The applicant has no outstanding concerns from staff.

**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. Ordinance 3010
2. Site Layout Exhibits
3. PON Responses

**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](mailto:ccollins@waxahachie.com)

*Reviewed by:*  
Shon Brooks, AICP  
Director of Planning  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

**ORDINANCE NO. 3010**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A PRIVATE STABLES USE WITHIN A PLANNED DEVELOPMENT-23-SINGLE FAMILY-1 (PD-23-SF-1) ZONING DISTRICT, LOCATED NORTH OF HUNTER PASS ON FM 877, BEING PROPERTY ID 183557, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING AB FLUERY, ABSTRACT NO. 374, 17.329 ACRES, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:**

**WHEREAS**, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

**WHEREAS**, the described property is classified in said ordinance and any amendments thereto as PD-23-SF-1; and

**WHEREAS**, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number SU-18-0023. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

**WHEREAS**, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

**WHEREAS**, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

**NOW, THEREFORE**, this property is rezoned from PD-23-SF-1 to PD-23-SF-1, with an SUP in order to permit a Private Stables use on the following property: AB Fluery, Abstract No. 379, which is shown on Exhibit A.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

**PASSED, APPROVED AND ADOPTED** on this 2<sup>nd</sup> day of April, 2018.



*M. Ken Straff*  
MAYOR

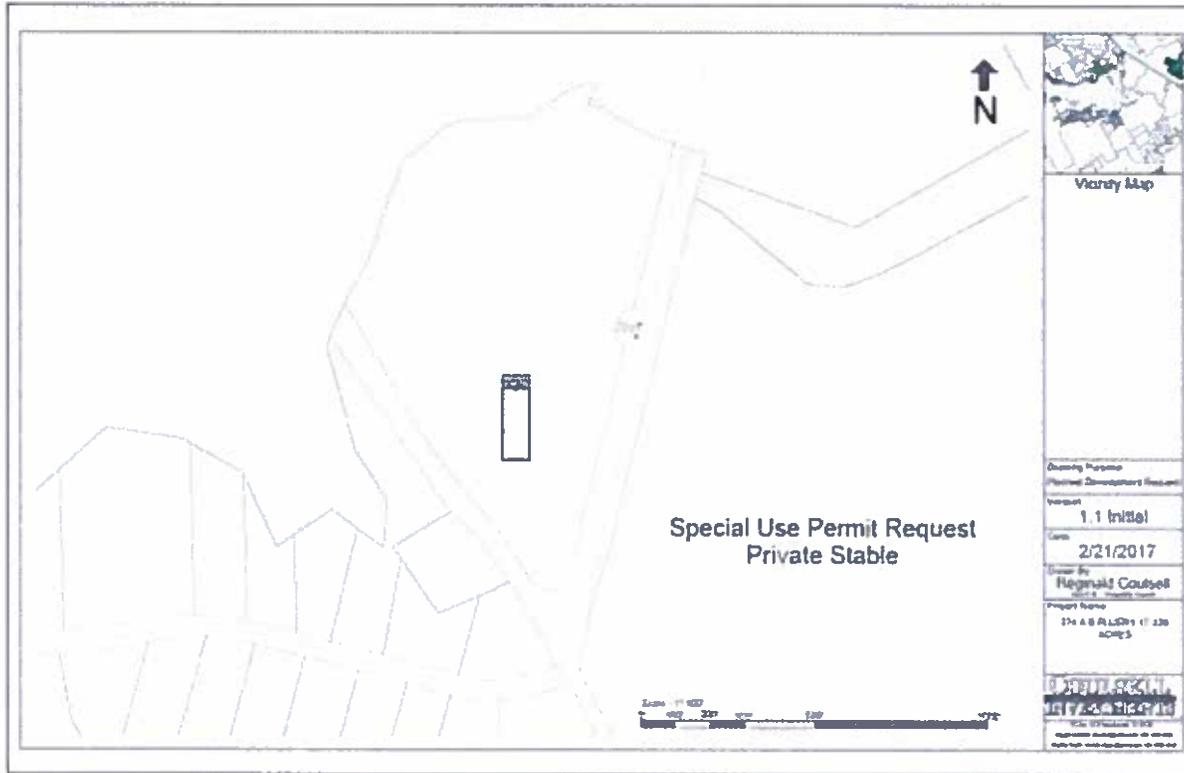
ATTEST:

*P. Ori Cartwright*  
City Secretary

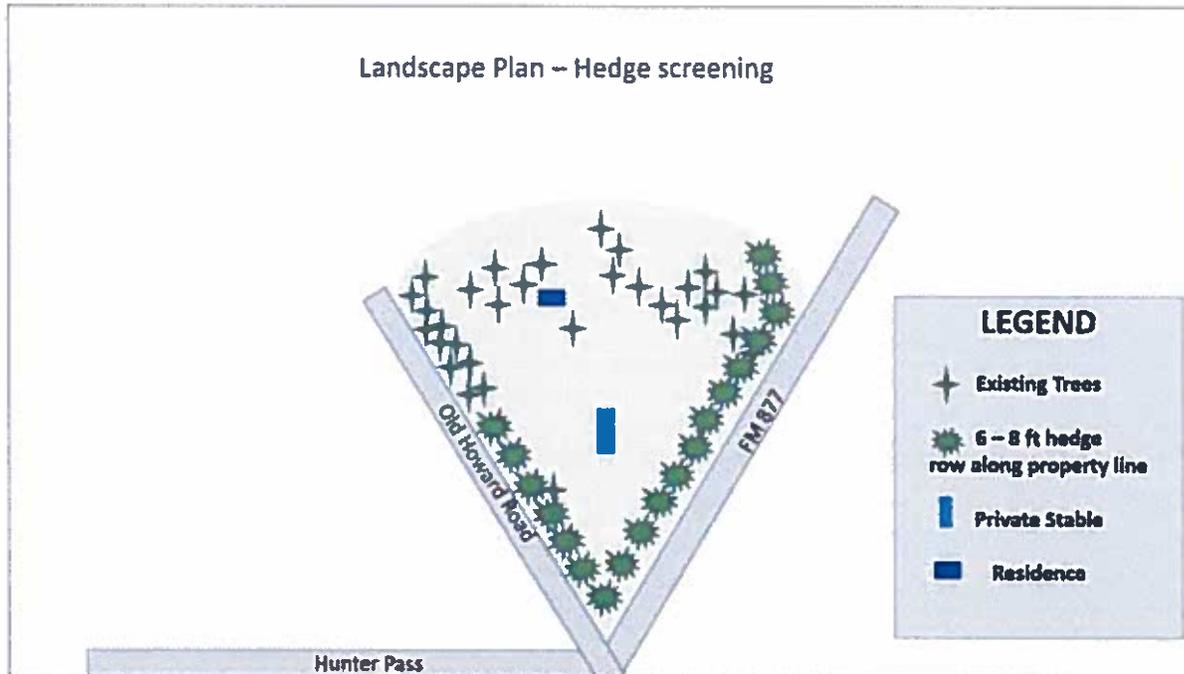


### Site Drawing Layout

Approximate Dimensions: 78'W x 240'L x 34'H



### Landscape Plan



**Building Elevations**

Private stable final design and dimensions are pending SUP approval.

Wall height is anticipated to be 15 to 20 feet with a 3/12 roof pitch to allow for an unobtrusive roof line offering reduced visibility above property screening hedge.

The following picture depict similar projects done by Morton Buildings, a company being strongly considered for this project based on reputation, vast experience, and a local presence.



Case ZDC-000027-2020  
Responses Received Inside Required 2007 Notification Area  
Support 0 Oppose 1

Property ID	Owner's Address	Acreage	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
182567	JEFF COAT TERRY M & MARGIE M	54.829	374 A B FLEURY, 301 WM GRIF F IN 1 JEFF COAT RANCH 808 M RAFFERTY 54.829 ACRES	3881 HOWARD RD	WAXAHACHE	TX	75105	3881 HOWARD RD WAXAHACHE TX 75105
182565	DAVIS BILLY J & MARGIE	1	374 A B FLEURY 1 ACRES	202 OLD HOWARD RD	WAXAHACHE	TX	75105	202 OLD HOWARD RD WAXAHACHE TX 75105
182560	BOBBY LIDE INC	283.902	374 A B FLEURY, 808 M RAFFERTY, 204 WC COLLEMAN 283.902 ACRES	PO BOX 55	WORTHAM	TX	78803	4101 HOWARD RD WAXAHACHE TX 75105
218638	WHITE BILLY D & REINA	1.00	LOT 1 BLK D CRYSTAL COVE PH 2 1.00 AC	600 ADA BESS AVE	DESBORO	TX	75115	HUNTER PASS WAXAHACHE TX 75105
218626	DONAL AREDAN	1.030	LOT 6 BLK E CRYSTAL COVE PH 2 1.030 AC	208 BISCAYNE DR	LEWISVILLE	TX	75007	HUNTER PASS WAXAHACHE TX 75105
218627	CHRISTINA S. LUTHE & D. WAGNER	1.000	LOT 2 BLK D CRYSTAL COVE PH 2 1.000 AC	106 HUNTER PASS	WAXAHACHE	TX	75105	106 HUNTER PASS WAXAHACHE TX 75105
218072	BOMB DAVID C & JEANNE E R M	2.062	3R D CRYSTAL COVE PH 2 REV 2.062 ACRES	194 OLD HOWARD RD	WAXAHACHE	TX	75105	194 OLD HOWARD RD WAXAHACHE TX 75105
278236	TAYLOR CRYSTAL & REGINALD COLSELL II	17.336	LOT 1 BLK A CRYSTAL COVE RANCH 17.336 AC	115 CYNISCA ST	WAXAHACHE	TX	75105	FM 877 WAXAHACHE TX 75105

Case Number: ZDC-000027-2020

City Reference: 219071

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

RECEIVED  
3/13/2020

SUPPORT

OPPOSE

Comments:

*A primary concern for us is the smells and the noise. Our house is one of the closest to the proposed private stables.*

*[Handwritten Signature]*

Signature

*3/9/2020*

Date

*Donno M. Correa*

Printed Name and Title

*106 Hunter Pass*

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: ZDC-000029-2020



**MEETING DATE(S)**

*Planning & Zoning Commission:* March 24, 2020

*City Council:* April 6, 2020

**CAPTION**

**Public Hearing** on a request by Jacob Perry, Waxahachie ISD, for a Specific Use Permit (SUP) for a **Portable Storage Structure or Temporary Building** use within a Single Family-2 zoning district located at 411 N Gibson (Property ID 193942) – Owner: Waxahachie ISD (ZDC-000029-2020)

**APPLICANT REQUEST**

The applicant is requesting to construct a portable temporary building to serve as office space for personnel.

**CASE INFORMATION**

*Applicant:* Jacob A. Perry, Waxahachie ISD

*Property Owner(s):* Waxahachie ISD

*Site Acreage:* 5.365 acres

*Current Zoning:* Single Family-2

*Requested Zoning:* SF2 with Specific Use Permit

**SUBJECT PROPERTY**

*General Location:* 411 N Gibson

*Parcel ID Number(s):* 193942

*Existing Use:* Waxahachie ISD Administration

*Development History:* On May 20, 2019, City Council voted 5-0 to approve a portable structure on the property.

**Adjoining Zoning & Uses:**

Direction	Zoning	Current Use
North	SF2	Single Family Residential
East	SF2	Single Family Residential
South	LI2	Undeveloped Land
West	C	Undeveloped Land

*Future Land Use Plan:* Public/Semi-Public

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

*Thoroughfare Plan:* The site is accessible via N. Gibson St.

*Site Image:*



**PLANNING ANALYSIS**

**Purpose of Request:**

The applicant intends to construct a portable temporary building to serve as office space for personnel.

**Proposed Use:**

The applicant is requesting approval to construct a 56ft. x 23ft. 8in. x 12ft. tall (1,325 sq. ft.) portable temporary building. On May 20, 2019, City Council voted 5-0 to approve a (1,536 sq. ft.) portable structure on the subject property. The applicant is proposing to construct the structure out of metal (R-panel) to match the exterior of the previously approved portable structure. Due to continuous growing staff within WISD, the applicant intends to use the additional structure to serve as office space for personnel.

Note: Planning Department staff has informed the applicant that if the Specific Use Permit is approved, the SUP shall expire and the temporary structures shall be removed, once WISD leaves the property. Also, if the applicant is still occupying the building after two years, staff recommends that the applicant come back to City Council to renew the Specific Use Permit.

**PUBLIC NOTIFICATIONS**

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

**PON RESPONSES**

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

**SPECIAL EXCEPTION/VARIANCE REQUEST**

*Per the City of Waxahachie Zoning Ordinance:*

- **There must be no more than one (1) portable storage structure per property.**  
-If approved, the portable structure will be the second portable structure on the property.
  
- **A portable storage structure must not remain at a property in any zoning district in excess of thirty (30) consecutive days, and must not be placed at any one (1) property in a zoning district in excess of thirty (30) days in any calendar year.**  
-Though WISD is working on finding a new location for the Waxahachie ISD Administration building, the applicant informed staff that the new portable structure will remain at the property in excess of the 30 day requirement. It should be noted that staff has informed the applicant that if the Specific Use Permit is approved, the SUP shall expire and the temporary structures shall be removed, once WISD leaves the property. Also, if the applicant is still occupying the building after two years, staff recommends that the applicant come back to City Council to renew the Specific Use Permit.

**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:
  1. Note: Planning Department staff has informed the applicant that if the Specific Use Permit is approved, the SUP shall expire and the temporary structures shall be removed, once WISD leaves the property. Also, if the applicant is still occupying the building after two years, staff recommends that the applicant come back to City Council to renew the Specific Use Permit.

**ATTACHED EXHIBITS**

1. Site Layout Plan
2. PON Responses

**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](mailto:ccollins@waxahachie.com)

*Reviewed by:*

Shon Brooks, AICP

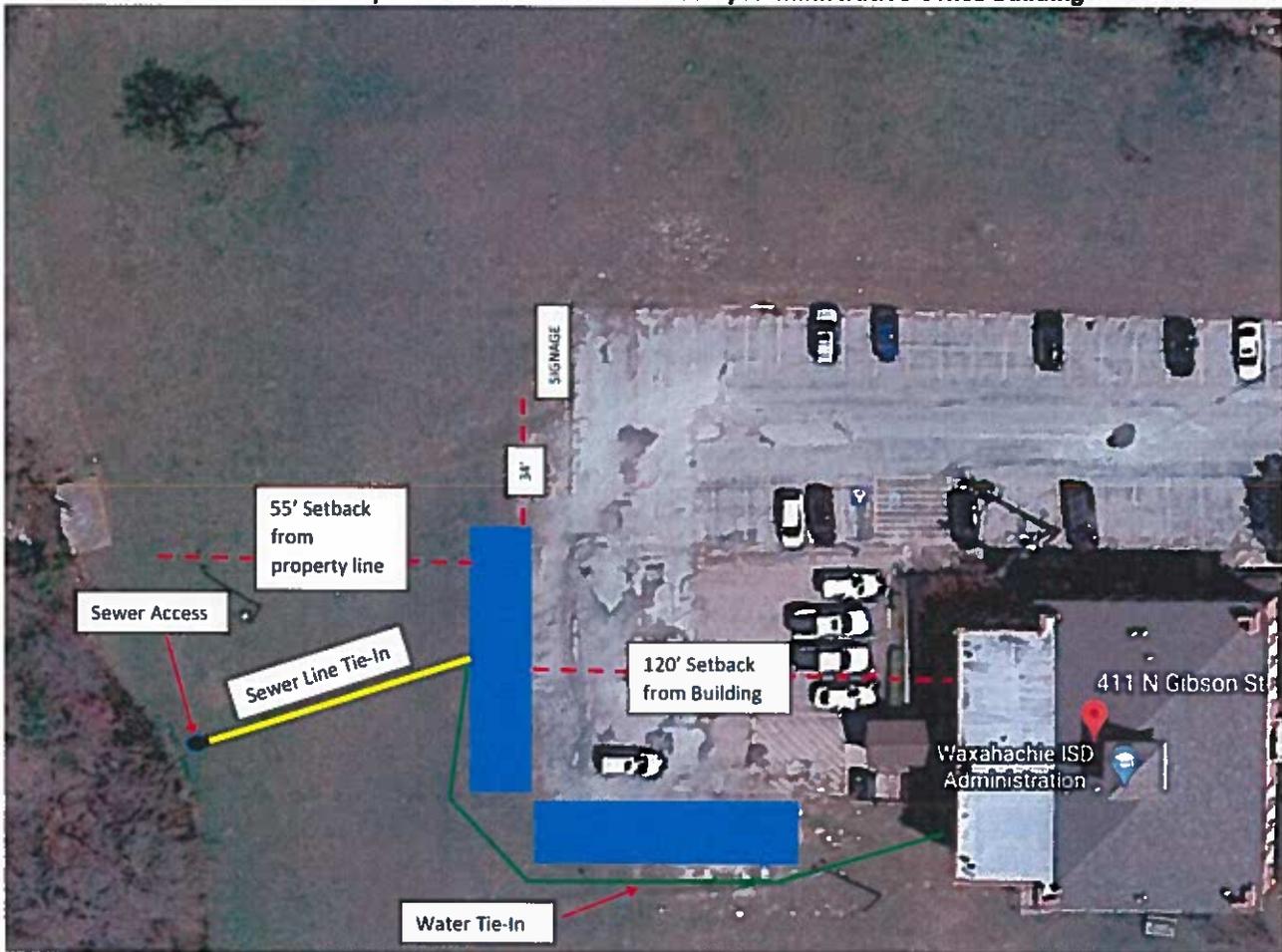
Director of Planning

[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

**Proposed Waxahachie ISD Auxiliary Administrative Office Building**

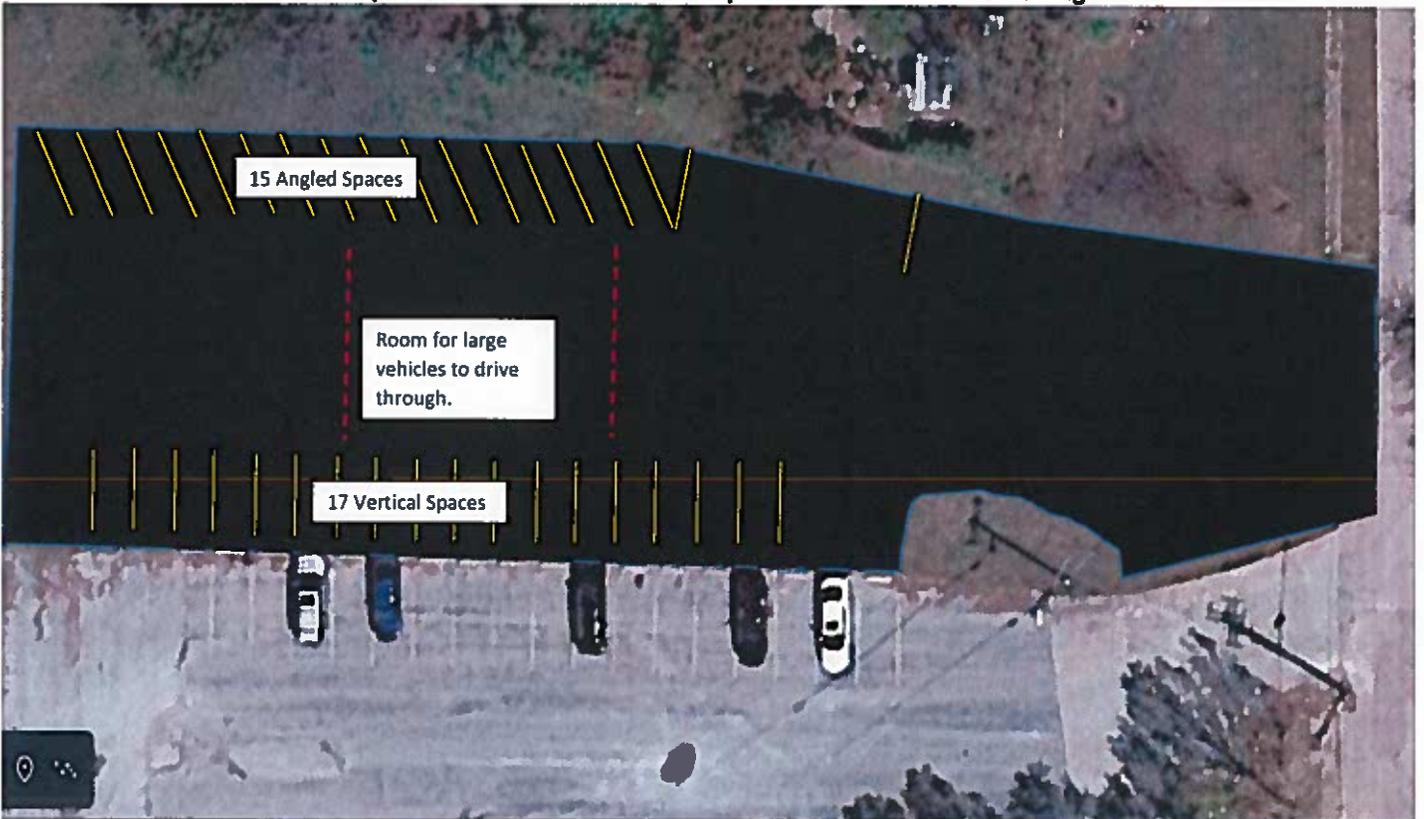


**Proposed Waxahachie ISD Auxiliary Administrative Office Building**



(14)

**Proposed Waxahachie ISD Auxiliary Administrative Office Building**



Case ZDC-000079-2020  
Responses Received Inside Required 2020 Notification Area  
Support 1 Oppose 0

PropertyID	Owner's Name	Acres	Legal Description	Owner's Street	Owner's City	Owner's State	Owner's ZIP	Physical Address
171784	BWS PROPERTIES LLC	1.72	LOT 1 & 2 BLK 207 TOWN WAXAHACHIE & LOT 51 FERRIS REV 1.72 AC	213 GIBSON ST	WAXAHACHIE	TX	75165	824 N GIBSON ST WAXAHACHIE TX 75165
171851	BWS PROPERTIES LLC	3.3095	LOT ALL 1 BLK 303 TOWN WAXAHACHIE 3.3095 AC	213 GIBSON ST	WAXAHACHIE	TX	75165	N GIBSON ST WAXAHACHIE TX 75165
171860	BWS PROPERTIES LLC	0.0630	LOT 13 BLK 302 TOWN WAXAHACHIE 0.0630 AC	213 GIBSON ST	WAXAHACHIE	TX	75165	824 CIRCLE ST WAXAHACHIE TX 75165
171940	ORTEGA MARIA E MD	0.684	LOT 1 BLK 354A TOWN WAXAHACHIE 0.684 AC	805 W MARVIN AVE	WAXAHACHIE	TX	75165	803 W MARVIN AVE WAXAHACHIE TX 75165
171941	HILL WILLIAM D & MCKIE	1.741	2 1 354A 304 TOWN WAXAHACHIE TOWN 43A FERRIS 1.741 ACRES	807 W MARVIN AVE	WAXAHACHIE	TX	75165	807 W MARVIN AVE WAXAHACHIE TX 75165
171942	FENTON ELLIOTT C & NANCY C	0.848	3A 1DC 354A TOWN WAXAHACHIE COLEMAN 0.848 ACRES	815 W MARVIN AVE	WAXAHACHIE	TX	75165	815 W MARVIN AVE WAXAHACHIE TX 75165
171943	RYAN ADELAIDE M	0.789	LOT 3B BLK 354A TOWN WAXAHACHIE 789 AC	811 W MARVIN AVE	WAXAHACHIE	TX	75165	811 W MARVIN AVE WAXAHACHIE TX 75165
172770	MCDONIT BRANTON L & LORI D	0.646	LOT 100 PT TA 304 COLEMAN 0.646 AC	707 W MARVIN AVE	WAXAHACHIE	TX	75165	707 W MARVIN AVE WAXAHACHIE TX 75165
173264	BURSWELL KATHY & JOSEPH A	0.233	LOT 12 FERRIS REV 0.233 AC	3722 HIGHWAY 16	PANGBURN	AR	72121	609 ROYAL ST WAXAHACHIE TX 75165
173314	FIRST UNITED METHODIST	0.256	PT 1R FUMC ADDN 0.256 ACRES	505 W MARVIN AVE	WAXAHACHIE	TX	75165	812 W PARKS AVE WAXAHACHIE TX 75165
173315	FINCHER BOBBIE L	0.256	MD 73 OF 42 FERRIS 0.256 ACRES	810 W PARKS AVE	WAXAHACHIE	TX	75165	810 W PARKS AVE WAXAHACHIE TX 75165
173316	FIRST UNITED METHODIST	0.256	PT 1R FUMC ADDN 0.256 ACRES	505 W MARVIN AVE	WAXAHACHIE	TX	75165	808 W PARKS AVE WAXAHACHIE TX 75165
173317	MORENO PETE	0.63	430 FERRIS 0.63 ACRES	501 N GIBSON ST	WAXAHACHIE	TX	75165	501 N GIBSON ST WAXAHACHIE TX 75165
173324	BARKER ERNEST & SUSAN	0.362	38A 3084PT ALLEY FERRIS 0.362 ACRES	815 W PARKS AVE	WAXAHACHIE	TX	75165	815 W PARKS AVE WAXAHACHIE TX 75165
173326	EVERY TIMOTHY J & JACQUELYN	0.397	38A 4PT ALLEY FERRIS 0.397 ACRES	817 W PARKS AVE	WAXAHACHIE	TX	75165	817 W PARKS AVE WAXAHACHIE TX 75165
173333	SEABOLT GLENN E	0.25	30B FERRIS 0.25 ACRES	1702 LITTLE CREEK DR	WAXAHACHIE	TX	75165	408 N GIBSON ST WAXAHACHIE TX 75165
173334	SEABOLT GLENN E	0.25	LOT 31A FERRIS REV 0.25 AC	1702 LITTLE CREEK DR	WAXAHACHIE	TX	75165	409 N HAWKINS ST WAXAHACHIE TX 75165
173335	MARVIN JOHN	0.263	LOT 31B & PT ALLEY FERRIS REV 0.263 AC	411 N HAWKINS ST	WAXAHACHIE	TX	75165	411 N HAWKINS ST WAXAHACHIE TX 75165
173340	HALLBOUGH RICHARD L	0.00	LOT 29A FERRIS REV 00 AC	207 UNIVERSITY AVE	WAXAHACHIE	TX	75165	404 N GIBSON ST WAXAHACHIE TX 75165
173341	POARCH PROPERTIES LLC SERIES A	0.307	20B FERRIS 0.307 ACRES	1110 W MARVIN AVE	WAXAHACHIE	TX	75165	808 ROYAL ST WAXAHACHIE TX 75165
173342	LOREN GRAY INVESTMENTS LLC	0.25	LOT 30A & PT ALLEY FERRIS REV .25 AC	PO BOX 2088	WAXAHACHIE	TX	75168	408 N GIBSON ST WAXAHACHIE TX 75165
173348	CAMACHO PHILIP & MARIA E (E. LILIAN CAMACHO)	0.210	LOT 27A & 28B FERRIS REV 0.210 AC	804 ROYAL ST	WAXAHACHIE	TX	75165	804 ROYAL ST WAXAHACHIE TX 75165
183484	HORAK BEVERLY	0.671	LOT 98&10A & PT T A BLK 304 COLEMAN 0.671 AC	711 W MARVIN AVE	WAXAHACHIE	TX	75165	711 W MARVIN AVE WAXAHACHIE TX 75165
183942	WAXAHACHIE ISD	5.365	44-49 FERRIS ADMIN BLDG 5.365 ACRES	411 N GIBSON ST	WAXAHACHIE	TX	75165	411 N GIBSON ST WAXAHACHIE TX 75165
210714	FIRST UNITED METHODIST	4.226	PT 1R FUMC ADDN 4.226 ACRES	505 W MARVIN AVE	WAXAHACHIE	TX	75165	505 W MARVIN AVE WAXAHACHIE TX 75165
275486	POARCH PROPERTIES LLC SERIES H	0.177	LOT 13A FERRIS REV 0.177 AC	1110 W MARVIN AVE	WAXAHACHIE	TX	75165	607 ROYAL ST WAXAHACHIE TX 75165

(14)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000029-2020

RECEIVED  
3/10/2020

LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 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 Jacob Perry, Waxahachie ISD, for a Specific Use Permit (SUP) for a **Portable Storage Structure or Temporary Building** use within a Single Family-2 zoning district located at 411 N Gibson (Property ID 193942) – Owner: Waxahachie ISD (ZDC-000029-2020)

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](mailto:Planning@Waxahachie.com) for additional information on this request.

Case Number: ZDC-000029-2020

City Reference: 173342

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, March 18, 2020** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature  
*Brad Yates*

Printed Name and Title

Date  
*3/10/20*

Address  
*PO Box 2868*

*Wax. Tx. 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

## Zoning Staff Report

Case: ZDC-000017-2020



### MEETING DATE(S)

*Planning & Zoning Commission:* March 24, 2020

*City Council:* April 6, 2020

### CAPTION

**Public Hearing** on a request by Jeff Crannell, CCM Engineering, for a Zoning Change from a Planned Development-34-Multiple Family-1/General Retail, Single Family-3 and Multiple Family-1 zoning district to Planned Development-Two Family Residential Duplex, with Concept Plan, located at the NW corner of Peters Street at Graham Street (Property ID 193944) - Owner: WAXAHACHIE ISD (ZDC-000017-2020)

### APPLICANT REQUEST

The purpose of this request is to create a residential planned development that allows for 120 townhome lots.

### CASE INFORMATION

*Applicant:* Jeff Crannell, CCM Engineering

*Property Owner(s):* Waxahachie ISD

*Site Acreage:* 24.76 acres

*Current Zoning:* Planned Development-34-Multiple Family-1/General Retail, Single Family-3 and Multiple Family-1

*Requested Zoning:* Planned Development-Two Family Residential

### SUBJECT PROPERTY

*General Location:* NW corner of Peters Street at Graham Street

*Parcel ID Number(s):* 193944

*Existing Use:* Currently Undeveloped/Open Space

*Development History:* N/A

**Table 1: Adjoining Zoning & Uses**

Direction	Zoning	Current Use
North	SF3	WISD
East	MF1	Waxahachie Housing Authority
South	SF3	Single Family Residential
West	SF3	Highland Park Subdivision

*Future Land Use Plan:*

Low Density Residential and Public/Semi-Public

*Comprehensive Plan:*

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

**Low Density Residential:** 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. Getzendaner Ave. and Peters St.

*Site Image:*



**PLANNING ANALYSIS**

**Case History**

On November 12, 2019, the applicant presented a proposed Planned Development consisting of 127 (70 patio home lots and 57 single family) mixed residential uses on 24.76 acres to the Planning and Zoning Commission. Largely due to the development not meeting the lot size requirements, the Planning and Zoning Commission voted 6-0 to recommend denial for the proposed development.

On November 14, 2019, the applicant decided not to appeal to the City Council.

**Purpose of Request:**

The purpose of this request is to create a residential planned development that allows for townhome uses.

Proposed Use:

The developer intends to develop one hundred and twenty (120) townhomes on 15.68 acres. The project is projected to be constructed in one phase, and the applicant also intends to dedicate 9.08 acres of the 24.76 acres to the City of Waxahachie to be used for open space or possibly city park land that will abut and connect to the existing Lee Penn Park.

The Concept Plan depicts a residential development that includes elements such as:

- Open Space (9.08 acres dedicated)
- Walking Trail (connecting to Lee Penn Park)
- Home Owner's Association

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 1: Encourage the most desirable, efficient use of land while maintaining and enhancing local aesthetics.
- Growth Strategies – Goal 12: Promote growth of the community where infrastructure exists.

Development Standards:

The applicant is proposing a base zoning district of Two Family Residential (2F). Allowed uses shall be those provided within the City of Waxahachie Zoning Ordinance for Two Family Residential with additional changes listed below.

Permitted Uses:

- Townhomes
- Open Space/Park

**Table 2: Proposed Planned Development Standards (Two Family)**

**\*Per 5.09 Single Family Attached (Townhomes)**

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

Standard	City of Waxahachie	Symphony Estates Proposed	Meets Y/N
Min. Lot Area (Sq. Ft.)	3,630	3,640	Yes
Min. Dwelling Unit (Sq. Ft.)	1,000	1,300	Yes
Min. Front Yard (Ft.)	15	20	Yes
Min. Side Yard (Ft.)	0	10	Yes
Min. Rear Yard (Ft.)	10	10	Yes
Max. Height	2 stories	2 stories	Yes
<b>Max. Lot Coverage (%)</b>	<b>50</b>	<b>65</b>	<b>No</b>
Parking	2 behind front building plane, at least 1 enclosed	2 car garage with 2 spaces in front of the garage	Yes

**ADDITIONAL PROJECT NOTES:**

- A 6ft. brick screening wall will be constructed along Graham Street
- Minimum masonry will be 75%
- Masonry products will offer a selection of brick and stone accents
- Outside storage is prohibited
- Carports are prohibited
- A sidewalk will be constructed along Graham Street

**NEIGHBORHOOD OUTREACH**

On February 20, 2020, the applicant met with surrounding neighborhood residents at Friendship Missionary Baptist Church (Waxahachie, TX) to discuss the two proposed development ideas. At the conclusion of the meeting, it was determined that the general consensus supported the original development of single family homes and townhomes that was presented to the Planning and Zoning Commission on November 12, 2019.

**SPECIAL EXCEPTION/VARIANCE REQUEST**

**Lot Coverage**

Per the City of Waxahachie Zoning Ordinance, the maximum lot coverage for townhomes is 50%. The applicant is proposing 65% lot coverage.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, **113** 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.

**PON RESPONSES**

Staff received five (5) letters of opposition for the proposed development.

**STAFF CONCERNS**

1. Staff has no outstanding concerns for the applicant.

**APPLICANT RESPONSE TO CONCERNS**

1. Staff has no outstanding concerns for the applicant.

**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. Per the applicant's request, a Development Agreement will be required for the development.

**ATTACHED EXHIBITS**

1. Written Exhibit
2. Site Plan
3. 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**

*Prepared by:*  
Colby Collins  
Senior Planner  
[ccollins@waxahachie.com](mailto:ccollins@waxahachie.com)

*Reviewed by:*  
Shon Brooks, AICP  
Director of Planning  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

**Narrative**

**Symphony Estates**

**Waxahachie, Texas**

The purpose of this PD Concept Plan is to rezone a 24.76 acre parcel located at northwest corner of Peters Street and Graham Street. Said parcel is currently zoned Multi-Family (MF-1), PD-34- MF1/GR, and Single Family (SF-3). We are proposing to rezone to a Planned Development (PD) with the following Uses and acreage:

1. PD SF-Attached (Townhome of Townhouse) : 15.68 acres
2. Approximately 9.08 acres as open space or possibly city park land that will abut and connect to the existing Lee Penn Park.

This residential development be townhomes of two and three attached units with minimum lots sizes of 40' wide by 91' deep.

There is an existing sewer line that will be relocated internally in order to comply with city standards.

The lot sizes will be a minimum of 40' wide by 91' deep, and will have a minimum lot size of 3,630 square feet. The minimum front yards will be 20' and the minimum rear yards are 10'. The minimum side yards on a side street will be 10'.

The overall density is 120 lots out of 24.76 acres = 4.85 dwelling units per acre.

Parking will be provided with a two car garage with an additional room for two parking spaces in front of the garage within the 20' front yard setback.

Building heights will be in accordance with the SF-3 zoning district requirements. Building elevations will be varied in accordance with the City of Waxahachie Section 5.09 Single Family Attached Standards.

All landscaping will be in accordance with the SF-3 zoning district requirements.

All proposed streets will be in accordance with the City of Waxahachie design standards. Streets lights will be provided at 300' intervals and at all street intersections.

A brick screening wall will be constructed along Graham Street.

The project will be constructed in one phase.

Exhibit "B"**Development Standards****Symphony Estates**

The Development depicted in Concept Plan attached as Exhibit "A" shall be in accordance with the City of Waxahachie's Zoning Ordinance, Subdivision Regulations and other applicable ordinances, as amended. There will be one zoning category within this PD, which will be PD Townhome. and shall be subject to the following requirements and conditions.

- A. Single-Family Attached – PD Townhome SF-TH Base Zoning District Uses.** Development of the PD Townhome (PD TH) shall be in compliance with all regulations applicable to Section 5.09 Single Family Attached (Townhome or Townhouse) uses and Planned Development (PD) Districts contained in the City's Code of Ordinances, as amended, save and except only to the extent otherwise specifically provided to the contrary in this Ordinance.
1. **AREA REGULATIONS:** The minimum lot sizes permitted in areas designated on Exhibit "A" as PD TH District shall be:
    - a. **Size of Lots**
      - i. **Minimum Lot Area** – three thousand six hundred forty (3,640) square feet
      - ii. **Minimum Lot Width** – Forty (40) feet
      - iii. **Minimum Lot Depth** – Ninety one (91) feet
    - b. **Size of Yards**
      - i. **Minimum Front Yard** – Twenty (20) feet
      - ii. **Minimum Side Yard** – zero (0) feet
      - iii. **Minimum Side Yard on a Side Street** - Ten (10) feet
      - iv. **Minimum separation between townhome buildings** - Ten (10) feet
  2. **MAXIMUM LOT COVERAGE:** Sixty-Five percent (65%) by main buildings.
  3. **VARIATION IN GARAGE PLACEMENT:** At least fifteen (15) percent of the dwelling units, garages shall be oriented to the side or rear of the building.
  4. **PERMITTED USES:** The following uses may be permitted in areas designated on Exhibit "A" as Single-Family Attached (Townhome) PD-TH.
    - a. All uses as identified and defined in the Waxahachie, Texas Code of Ordinances in the Single Family Residential 3.
  5. **MISCELLANEOUS STANDARDS:**
    - a. Developer shall create a homeowner's association for this development to which entity all open space shall be dedicated. Membership in the Association shall be mandatory for all owners of property and such membership shall be conditioned upon ownership of property within the Single-Family 3 (SF-3) District area and such membership shall be transferred from owner to owner together with the conveyance of any real property within said area.

(16)

- b. Minimum masonry requirements will be 75%.
- c. No carports allowed.
- d. There will be a concrete sidewalk along Graham in compliance to city standards.
- e. Walking trails are to be constructed connecting this development to the existing walking trails Lee Penn Park.
- f. A Community Gazebo will be located within the dedicated open space.
- g. All landscaping is to be consistent with the City of Waxahachie SF-3 standards.
- h. Parking requirements will meet city standards.
- i. A brick screening wall will be constructed along Graham Street.

**6. ARCHITECTURAL STANDARDS**

- a. Offer selection of brick, masonry products and stone accents.
- b. Multiple elevations per floor plan avoiding architectural monotony.
- c. Energy efficient exterior doors with adjustable thresholds.

(16)



Case FILED 03/07/12  
Department of Revenue  
Report 6 - Owners 6

Table with columns: Parcel ID, Owner Name, Address, Acreage, Land Description, Parcel Address, County, Parcel ID, Parcel Address, Parcel Acreage, Parcel Description. The table lists numerous property records with detailed information for each parcel, including owner names and addresses.

(16)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000017-2020

LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

RECEIVED  
3/17/20

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 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 Jeff Crannell, CCM Engineering, for a Zoning Change from a Planned Development-34-Multiple Family-1/General Retail, Single Family-3 and Multiple Family-1 zoning district to Planned Development-Two Family Residential Duplex, with Concept Plan, located at the NW corner of Peters Street at Graham Street (Property ID 193944) - Owner: WAXAHACHIE ISD (ZDC-000017-2020)

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](mailto:Planning@Waxahachie.com) for additional information on this request.

Case Number: ZDC-000017-2020

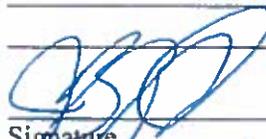
City Reference: 174048

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, March 18, 2020** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

  
Signature  
Brad Yates  
Printed Name and Title

3/10/20  
Date  
Box 2868  
Address  
Wax - TX - 75168

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

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Case Number: ZDC-000017-2020

City Reference: 174056

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SUPPORT

OPPOSE

Comments:

*Concerned with congestion from density.*

*[Signature]*

Signature

*3/16/20*

Date

*Brad Yates*

Printed Name and Title

*Box 2868*

Address

*Wax. Tx. 75168*

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(16)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000017-2020

LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

RECEIVED  
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Case Number: ZDC-000017-2020

City Reference: 174042

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto: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:

~~Concerned~~ Concerned w/ density & congestion on existing overcrowded streets

  
Signature

3/10/20  
Date

Brad Yates  
Printed Name and Title

Box 2868  
Address  
Wax. Tx. 75168

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(16)



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Notice of Public Hearing  
Case Number: ZDC-000017-2020

RECEIVED  
3/17/2020

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WAXAHACHIE, TX 75168

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Case Number: ZDC-000017-2020

City Reference: 174060

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SUPPORT

OPPOSE

Comments:

Concerned w/ density & congestion on feeder roads

Signature

3/10/20  
Date

Brad Yates  
Printed Name and Title

Box 2868  
Address  
Wax. Tx - 75168

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(16)



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Notice of Public Hearing  
Case Number: ZDC-000017-2020

RECEIVED  
3/17/2020

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WAXAHACHIE, TX 75168

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Case Number: ZDC-000017-2020

City Reference: 174121

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SUPPORT

OPPOSE

Comments:

*Concerned with density & congestion on feeder roads that are already in need of replacement*

*[Signature]*  
Signature

*3/10/20*  
Date

*Bred Yates*  
Printed Name and Title

*Box 2868*  
Address

*Wax. TX 75168*

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# Planning & Zoning Department

## Zoning Staff Report

Case: ZDC-000024-2020



**MEETING DATE(S)**

*Planning & Zoning Commission:* March 24, 2020

*City Council:* April 6, 2020

**CAPTION**

**Public Hearing** on a request by Michael Westfall, Westfall Engineering, for a Zoning Change from Future Development to Planned Development-Single Family Residential-3, with Concept Plan, located on the West side of Broadhead Road at Youngblood Road (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020)

**APPLICANT REQUEST**

The applicant is requesting a zoning change from Future Development (FD) to Single Family-3 (SF3) to create a single family residential development.

*\*The proposed zoning change is contingent upon City Council approving the proposed annexation case (ANX-DNX-000011) for this property. City Council is scheduled to take action on the item on April 6, 2020.*

**CASE INFORMATION**

*Applicant:* Michael Westfall, Westfall Engineering

*Property Owner(s):* Dirk Nowitzki

*Site Acreage:* 98.7

*Current Zoning:* Future Development

*Requested Zoning:* Planned Development-Single Family-3

**SUBJECT PROPERTY**

*General Location:* West side of Broadhead Road at Youngblood Road

*Parcel ID Number(s):* 178972

*Existing Use:* Currently Undeveloped

*Development History:* N/A

**Table 1: Adjoining Zoning & Uses**

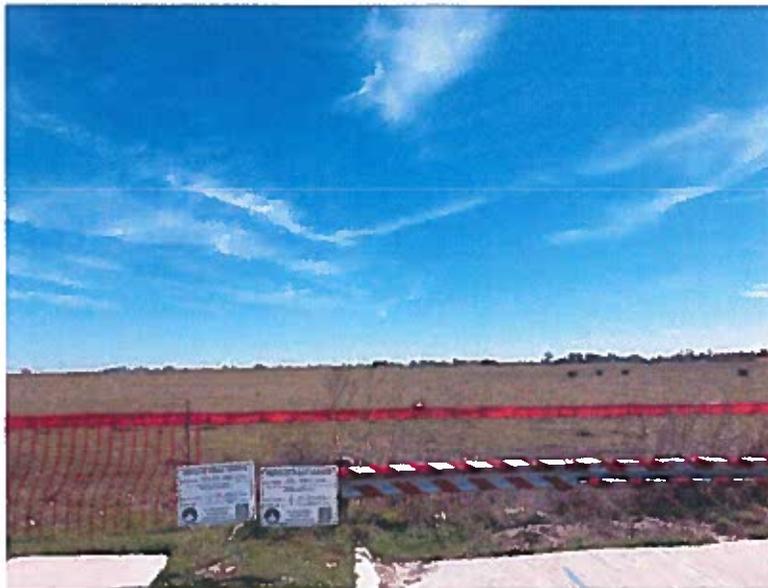
Direction	Zoning	Current Use
North	N/A - ETJ	Undeveloped Land
East	N/A - ETJ	Single Family Residences
South	SF1 & PD-SF2	Single Family Residences
West	PD-SF2	Single Family Residences

**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 Broadhead Rd.

**Site Image:**



### **PLANNING ANALYSIS**

#### **Purpose of Request:**

The applicant is requesting a zoning change from Future Development (FD) to Planned Development-Single Family-3 (SF3) to create a single family residential development.

#### **Proposed Use:**

The applicant is requesting approval for a zoning change to accommodate development of a single family residential development consisting of two hundred forty-five lots (245 dwelling unit lots; 8 open space/common area lots) on 98.7 acres located at the West side of Broadhead Road at Youngblood Road.

Per the Written Exhibit, if approved, the project is intended to be completed over two phases. Also, a (H)ome (O)wner's (A)ssociation will be created for the development. The HOA will be required to maintain all common open spaces and provide other necessary functions.

Staff Note: The proposed zoning change is contingent upon City Council approving the proposed annexation case (ANX-DNX-000011) for this property. City Council is scheduled to take action on the item on April 6, 2020.

The Concept Plan depicts a residential development that includes elements such as:

- 8 Open Space/Common Areas
- Walking Trails
- Community Playground

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 1: Encourage the most desirable, efficient use of land while maintaining and enhancing local aesthetics.
- Growth Strategies – Goal 3: Ensure that land use recommendations for development and redevelopment respect critical physical features and support innovative development.
- Growth Strategies – Goal 12: Promote growth of the community where infrastructure exists.

**Table 2: Proposed Single Family Residential (per SF3 standards)**

**\*\*\*Items highlighted in bold do not meet the City of Waxahachie SF3 requirements\*\*\***

Standard	City of Waxahachie	Sunrise at Garden Valley	Meets
Min. Lot Area	10,000 sq. ft.	10,000 sq. ft.	Yes
Min. Lot Width	<b>80 ft.</b>	<b>67 ft.</b>	No
Min. Lot Depth	100 ft.	121 ft.	Yes
Min. Front Setback	<b>30 ft.</b>	<b>25 ft.</b>	No
Min. Interior Setback	<b>10 ft; 15 ft (ROW)</b>	<b>5 ft.; 15 ft. (ROW)</b>	No
Min. Rear Setback	25 ft.	10 ft.	No
Min. Dwelling Size	1,200 sq. ft.	2,200 sq. ft.	Yes
Max. Height	2 stories (main structure); 1 story (accessory structure)	2 stories (main structure); 1 story (accessory structure)	Yes
Max. Lot Coverage	50%	50%	Yes
Parking	Min. of two (2) enclosed parking spaces behind the front building line on the same lot as the main structure	Min. of two (2) enclosed parking spaces behind the front building line on the same lot as the main structure	Yes

**Table 3: Single Family Lot Notes (245 Total Lots)**

10,000-10,500 SF Lots	157
10,500-11,000 SF Lots	38
11,000-12,000 SF Lots	21
12,000-13,000 SF Lots	17
13,000-29,000 SF Lots	12
Total	245

**Additional Single Family Lot Notes:**

Minimum Lot Size: 10,000 sq. ft.

Maximum Lot Size: 29,000 sq. ft.

Average Lot Size: 11,096 sq. ft.

Minimum Masonry: 80%

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 81 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.

**PON RESPONSES**

Inside 200 ft. Notification Area: Staff has received three (3) letters of support and four (4) letters of opposition for the proposed development.

Outside 200 ft. Notification Area: Staff has received one (1) letter of opposition for the proposed development.

**SPECIAL EXCEPTION/VARIANCE REQUEST****Lot Width**

Per the City of Waxahachie Zoning Ordinance, SF3 zoning requires a minimum 80 ft. lot width. The applicant is proposing a minimum lot width of 67 ft.

**Setbacks**

Per the City of Waxahachie Zoning Ordinance, SF3 zoning requires a minimum setbacks of:

Front: 30 ft.

Rear: 25 ft.

Side: 10 ft.; 15 ft. (ROW)

The applicant is proposing setbacks of:

Front: 25 ft.

Rear: 10 ft.

Side: 5 ft.; 15 ft.

**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:
  1. The proposed zoning change is contingent upon City Council approving the proposed annexation case (ANX-DNX-000011) for this property.
  2. Per the applicant's request, a Development Agreement will be required for the proposed development.
  3. Staff suggests that a 6ft. ornamental fence with masonry columns be constructed along Broadhead Rd.
  4. Staff suggests that a variation of garages, specifically J-swing and 3-car garages, be incorporated within the residential development.

**ATTACHED EXHIBITS**

1. Written Exhibit
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**

*Prepared by:*  
 Colby Collins  
 Senior Planner  
[ccollins@waxahachie.com](mailto:ccollins@waxahachie.com)

*Reviewed by:*  
 Shon Brooks, AICP  
 Director of Planning  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

<b>Standards:</b>	<b>The Sunrise At Garden Valley - Zoning Request Details</b>
<b>Property Use:</b>	Single-Family Residential
<b>Density:</b>	2.6 Lots/AC
<b>Minimum Lot Area</b>	10,000 SF - (>11,096 SF Avg.)
<b>Minimum Lot Width</b>	67' - As measured along front building line.
<b>Minimum Lot Depth</b>	121'
<b>Yards:</b>	↓
<b>Front</b>	25'
<b>Side</b>	5' interior; 15' adjacent to streets
<b>Rear</b>	10'
<b>Building Height</b>	2-Story Max height.
<b>Building Elevations</b>	Provided by builder at time of home construction. 80% min masonry
<b>Access</b>	Access provided per site plan submitted with this zoning request.
<b>Landscaping &amp; Screening</b>	Landscape to be provided in open spaces. All other landscaping standards shall follow City of Waxahachie Zoning Ordinance Sec. 5.04 C
<b>Accessory Buildings</b>	Accessory Buildings to follow City of Waxahachie Ordinance for Single Family Residential Development.
<b>Signs</b>	Street name signage and traffic signage will be provided as typical in residential subdivisions. To be determined based on final construction plans. See landscape drawing for monument sign.
<b>Lighting</b>	Residential Street lighting to be provided and shown at time of construction plans.
<b>Project Phasing</b>	Proposed 2 phases. Sizes of phases are to be determined.
<b>Management Associations</b>	HOA to be created. HOA will maintain all common open spaces and provide other necessary functions.

List of lot sizes:

197-67' Wide Lots

26-75' Wide Lots

22-83' Wide Lots







**GENERAL REQUIREMENTS**

- 1. ALL LOTS SHALL BE 1/2 AC.
- 2. ALL LOTS SHALL BE 1/2 AC.
- 3. MINIMUM FRONT YARD SETBACK SHALL BE 10 FEET.
- 4. MINIMUM SIDE YARD SETBACK SHALL BE 5 FEET.
- 5. MINIMUM REAR YARD SETBACK SHALL BE 5 FEET.
- 6. MINIMUM LOT WIDTH SHALL BE 40 FEET.
- 7. MINIMUM LOT DEPTH SHALL BE 120 FEET.
- 8. MINIMUM LOT AREA SHALL BE 6,000 SQ. FT.
- 9. MINIMUM LOT AREA SHALL BE 6,000 SQ. FT.
- 10. MINIMUM LOT AREA SHALL BE 6,000 SQ. FT.
- 11. MINIMUM LOT AREA SHALL BE 6,000 SQ. FT.
- 12. MINIMUM LOT AREA SHALL BE 6,000 SQ. FT.
- 13. MINIMUM LOT AREA SHALL BE 6,000 SQ. FT.
- 14. MINIMUM LOT AREA SHALL BE 6,000 SQ. FT.
- 15. MINIMUM LOT AREA SHALL BE 6,000 SQ. FT.
- 16. MINIMUM LOT AREA SHALL BE 6,000 SQ. FT.
- 17. MINIMUM LOT AREA SHALL BE 6,000 SQ. FT.
- 18. MINIMUM LOT AREA SHALL BE 6,000 SQ. FT.
- 19. MINIMUM LOT AREA SHALL BE 6,000 SQ. FT.
- 20. MINIMUM LOT AREA SHALL BE 6,000 SQ. FT.

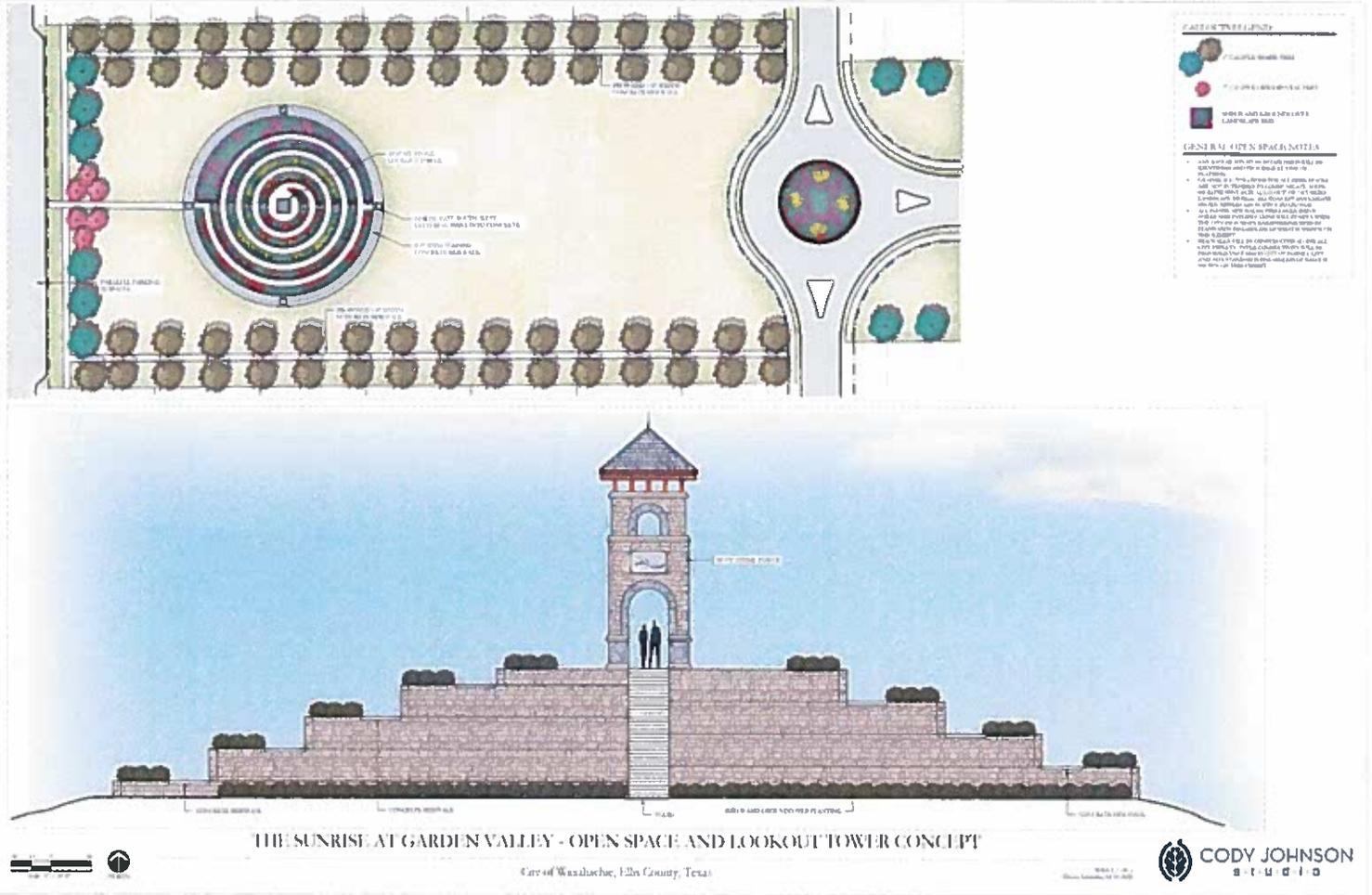
**GENERAL NOTES**

- 1. THIS PLAN IS A CONCEPTUAL LAND PLAN AND IS NOT TO BE USED FOR CONSTRUCTION.
- 2. ALL LOTS SHALL BE 1/2 AC.
- 3. ALL LOTS SHALL BE 1/2 AC.
- 4. ALL LOTS SHALL BE 1/2 AC.
- 5. ALL LOTS SHALL BE 1/2 AC.
- 6. ALL LOTS SHALL BE 1/2 AC.
- 7. ALL LOTS SHALL BE 1/2 AC.
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- 16. ALL LOTS SHALL BE 1/2 AC.
- 17. ALL LOTS SHALL BE 1/2 AC.
- 18. ALL LOTS SHALL BE 1/2 AC.
- 19. ALL LOTS SHALL BE 1/2 AC.
- 20. ALL LOTS SHALL BE 1/2 AC.

THE SUNRISE AT GARDEN VALLEY - OVERALL CONCEPTUAL LAND PLAN

City of Waxahatchie, Ellis County, Texas

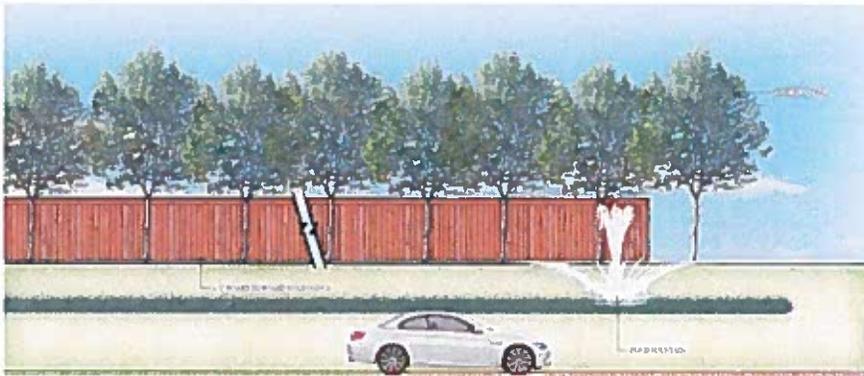








(18)



THE SUNRISE AT GARDEN VALLEY - SCREENING

City of Waxahatchie, Ellis County, Texas





(18)

PropertyID	Owner's Name	Owner's Address
215984	JILL WADSWORTH	111 MAGNOLIA

(18)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000024-2020

RECEIVED  
3-10-20

WP LEGACY LTD  
101 VALLEY RIDGE DR  
RED OAK, TX 75154

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 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 Michael Westfall, Westfall Engineering, to establish a Planned Development-Single Family-3 zoning district on approximately 98.695 acres situated in the JB and Ann Adams Survey, Abstract No 5 (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020)

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](mailto:Planning@Waxahachie.com) for additional information on this request.

Case Number: ZDC-000024-2020

City Reference: 268879

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto: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:

Clyde L. Hargrove  
Signature

3-10-20  
Date

Clyde L. Hargrove  
Printed Name and Title

101 VALLEY RIDGE DR.  
Address RED OAK, TX 75154

*It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.11)*

*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*

(18)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000024-2020

RECEIVED  
3-10-20

WILLIAMS RONALD & JOYCE  
535 HAY MEADOW DR  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 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:

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Case Number: ZDC-000024-2020

City Reference: 268962

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto: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:

City lacks proper planning and development of facilities and infrastructure for increased population growth.

Ronald Williams  
Signature

3/10/20  
Date

Ronald Williams  
Printed Name and Title

535 Hay Meadow Dr.  
Address

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

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

(18)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000024-2020

RECEIVED  
3/17/2020

BURLESON NAN E  
216 MAGNOLIA DR  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 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 Michael Westfall, Westfall Engineering, to establish a Planned Development-Single Family-3 zoning district on approximately 98.695 acres situated in the JB and Ann Adams Survey, Abstract No 5 (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020)

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Case Number: ZDC-000024-2020

City Reference: 224012

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, March 18, 2020** to ensure inclusion in the Agenda Packet. Forms can be emailed to [Planning@Waxahachie.com](mailto: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:

Nan Burleson  
Signature

\_\_\_\_\_  
Date

NAN BURLESON, property owner  
Printed Name and Title

216 Magnolia Dr.  
Address

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

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



(18)

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000024-2020

RECEIVED  
3/16/2020

TOWERY TRAVIS J  
532 HAY MEADOW DR  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 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 Michael Westfall, Westfall Engineering, to establish a Planned Development-Single Family-3 zoning district on approximately 98.695 acres situated in the JB and Ann Adams Survey. Abstract No 5 (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020)

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Case Number: ZDC-000024-2020

City Reference: 268988

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

\_\_\_\_\_

  
Signature  
Travis Towerly  
Printed Name and Title

3/14/2020  
Date  
532 Hay Meadow Dr. 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.*

(18)

RECEIVED  
4/17/2020

...and the Waxahachie City Council will hold a Public Hearing on Monday, March 16, 2020 at 7:00 p.m. in the Council Chamber of the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

- 1. Request by Michael Westfall, Westfall Engineering, to establish a Planned Development- Single Family zoning district on approximately 98,695 acres situated in the JH and Ann Adams Survey, Abstract No. 5 (Property ID: 178972) - Owner: Turk Nowinski (ZDC-000024-2020)

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 hearing. 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](mailto:Planning@Waxahachie.com) for additional information on this request.

Case Number: ZDC-000024-2020

City Reference: 201703

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on Wednesday, March 18, 2020 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

Comments:  SUPPORT  OPPOSE

*will continue to cause too much traffic with small roads. Will make property go down in value.*

*Jeanette Burton*  
Signature

*3/15/2020*  
Date

*Jeanette Burton*  
Printed Name and Title

*1010 Broadway  
Wax. 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.

(18)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000024-2020

RECEIVED  
3/18/2020

PATTERSON JOHN JR & PATRICIA  
1112 COTTON SEED CIR  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 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 Michael Westfall, Westfall Engineering, to establish a Planned Development-Single Family-3 zoning district on approximately 98.695 acres situated in the JB and Ann Adams Survey, Abstract No 5 (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020)

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Case Number: ZDC-000024-2020

City Reference: 273020

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Signature

3/18/20  
Date

JOHN PATTERSON JR  
Printed Name and Title

1112 COTTON SEED CIR  
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*

(18)

RECEIVED  
3/18/20



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000024-2020

EASLEY KEVIN R & SARAH F  
162 HORSESHOE BEND  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 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 Michael Westfall, Westfall Engineering, to establish a Planned Development-Single Family-3 zoning district on approximately 98.695 acres situated in the JB and Ann Adams Survey, Abstract No 5 (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020)

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Case Number: ZDC-000024-2020

City Reference: 248445

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

[Signature]  
Signature  
Kevin R. Easley  
Printed Name and Title

3/18/20  
Date  
162 Horseshoe BND  
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  
3/19/2020



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000024-2020

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 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 Michael Westfall, Westfall Engineering, to establish a Planned Development-Single Family-3 zoning district on approximately 98.695 acres situated in the JB and Ann Adams Survey, Abstract No 5 (Property ID 178972) - Owner: Dirk Nowitzki (ZDC-000024-2020)

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SUPPORT

OPPOSE

Comments:

*There are already too many neighborhoods in our area with small lots causing high density. We bought our home in Spring Creek Grove last year because of the rural location. Please save some of the countryside!*

Signature

*Jill Wardsworth*

Date

*3/18/2020*

Printed Name and Title

*Jill Wardsworth, Home owner*

Address

*111 Magnolia Dr.,  
Waxahachie, Tx 75165*

Outside Notification Area  
PID: 215984

# Planning & Zoning Department

## Zoning Staff Report

Case: ZDC-000022-2020



### MEETING DATE(S)

*Planning & Zoning Commission:* March 24, 2020

*City Council:* April 6, 2020

### CAPTION

**Public Hearing** on a request by Barbara Clark, Hope Clinic, for a Zoning Change from a Single Family-2 zoning district to Planned Development-Commercial, with Concept Plan, located at the SE corner of Farley Street at Coleman Street (Property ID 273695) - Owner: CITY OF WAXAHACHIE (ZDC-000022-2020)

### APPLICANT REQUEST

The purpose of this request is to construct a 26,000 sq. ft. clinic on 7.5 acres.

### CASE INFORMATION

*Applicant:* Barbara Clark, Hope Clinic

*Property Owner(s):* City of Waxahachie

*Site Acreage:* 7.5 acres

*Current Zoning:* Single Family-2

*Requested Zoning:* Planned Development-Commercial

### SUBJECT PROPERTY

*General Location:* SE corner of Farley Street at Coleman Street

*Parcel ID Number(s):* 273695

*Existing Use:* Currently Undeveloped

*Development History:* The Final Plat for the City of Waxahachie Public Safety Campus was approved by City Council on May 21, 2018.

**Table 1: Adjoining Zoning & Uses**

Direction	Zoning	Current Use
North	SF2	Texas Baptist Home
East	SF2	Currently Undeveloped
South	SF2	Lake Park Subdivision
West	SF2	Waxahachie Public Safety Campus

*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 Coleman St.

*Site Image:*



## **PLANNING ANALYSIS**

### **Case History**

On May 20, 2019, City Council approved a Planned Development (PD) to provide additional administrative offices for Hope Clinic at 428 E Jefferson Street. The approved PD allowed Hope Clinic to move its Call Center, originally located at 411 E. Jefferson St., to 428 E. Jefferson St. immediately after obtaining the appropriate Certificate of Occupancy from City of Waxahachie. While searching for new property sites, Hope Clinic intended to occupy the leased property until new facilities are built or otherwise obtained in a to-be-determined location in the City of Waxahachie.

### **Purpose of Request:**

The purpose of this request is to create a Planned Development district to construct a health clinic on 7.5 acres.

### **Proposed Use:**

Due to the Hope Clinic outgrowing its current facility, the applicant is requesting approval for a zoning change to accommodate development of a 26,000 sq. ft. clinic on 7.5 acres located at the Southeast corner of Farley Street at Coleman Street. Hope Clinic's new facility will offer Adult, Women's, Pediatric, Behavioral and Dental Health services. In addition to the proposed medical services, the new facility will centralize Hope Clinic's administrative offices as well. The project is proposed to be constructed in two phases. If approved, construction of Phase I is projected to commence by the fourth quarter of 2020.

Likely, a construction schedule of twelve months will allow for opening and occupancy of Hope Clinic by the fourth quarter of 2021. Any Phase II development for the property may be several years away, and likely will be driven by the clinic within Phase I exceeding its design capacity to serve the patients.

Note: Once Hope Clinic leaves the existing property (located at Jefferson St.), the zoning shall continue to allow for Office and Single Family-3 uses.

**Development Standards:**

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

**Permitted Uses:**

- Health Clinic

**Table 2: Proposed Planned Development Standards (Commercial)**

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

Standard	City of Waxahachie	Hope Clinic	Meets Y/N
Min. Lot Area (Sq. Ft.)	5,000	329,668	Yes
Min. Lot Width (Ft.)	50	290	Yes
Min. Lot Depth (Ft.)	100	1,140 (636 Phase 1)	Yes
Min. Front Yard (Ft.)	25	340	Yes
Min. Side Yard (Ft.)	15; 20 (ROW)	60	Yes
Min. Rear Yard (Ft.)	20; 25 (adjacent to residential)	813	Yes
Max. Height	3 stories	1 story	Yes
Max. Lot Coverage (%)	40	7.8	Yes
Parking 1 space per 200 sq. ft.	130	147	Yes

***\*Additional Note: The building is proposed to be constructed of 100% masonry exterior with a mixture of brick and/or stone.***

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 22 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.

**PON RESPONSES**

**Inside 200 ft. Notification Area:** Staff has received four (4) letters of support and seven (7) letters of opposition.

**Outside 200 ft. Notification Area:** Staff has received four (4) letters of opposition.

**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:
  1. Per the applicant's request, a Development Agreement will be required for the property.

**ATTACHED EXHIBITS**

1. Written Exhibit
2. Site Plan
3. Elevations
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**

*Prepared by:*  
Colby Collins  
Senior Planner  
[ccollins@waxahachie.com](mailto:ccollins@waxahachie.com)

*Reviewed by:*  
Shon Brooks, AICP  
Director of Planning  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

## HOPE CLINIC PD APPLICATION NARRATIVE

**5. Statement of Purpose:** Hope Clinic, currently located on east Jefferson Street near downtown, has outgrown its present facility. Consequently, in order to continue to serve the needs of the growing population of Ellis County, Hope Clinic is planning to construct a new and expanded 26,000 SF facility on property that will be donated by the city and which is central component of this PD request.

**8a. Proposed Use:** Hope Clinic's new facility will offer *Adult, Women's, Pediatric, Behavioral and Dental Health* services. In addition to these medical services offered to the community, the new facility will centralize Hope Clinic's administrative offices as well.

**8b. Density Per IBC-2018 Table 1004:** Actual Building Density will be calculated at the accepted Occupant Load Factor of 100 SF/ person- which is stipulated for both outpatient and business occupancies.

**8c. Lot Area, Width, Depth and Coverage:** Total Lot area is shown as 7.568 Acres (329,668 SF) The width of the lot is 290' with a total depth from the proposed front to rear property lines is 1140.02'; with Phase I (*shown on Site Plan*) requiring 636' of this total depth. The 26,000 SF facility on this 7.568 Acre site represents approximately a 7.8% lot coverage.

**8d. Yard Depths and Widths:** For Phase I, Front Landscaping Buffer is shown as 15'. Side yard Landscape Buffers are shown as 10'. A rear setback has not presently been established since there will be a future connection to the future second Phase of this facility.

**8e. Building Height:** Current maximum building height is shown on the Exterior Elevations as 22'-6"- excluding a roof-top equipment screen, with a height still-to-be determined.

**8f. Building Elevations:** Included in this submittal packet along with a 3-D render of the principal front view of the facility. The building will be of 100% masonry exterior with a still-to-be determined mixture of brick, block and cast stone. Any openings in building envelop shall be of insulating glass in aluminum storefront systems.

**8g. Parking:** Hope Clinic is designed to be compliant with City of Waxahachie Off-Street Parking Requirements at the ratio of (1) space per (200SF) of building for this type of occupancy. Based on the building size and this required ratio, (130) spaces are required at a minimum. In total, (147) spaces are shown as provided.

**8h. Access:** Access to this facility is provided by (2) two-way entrance & drive aisles from Coleman Street. The distance between the center-lines of these two-way entrances is

(20)

approximately 230'. On the interior of the site, these two entrances are the ingress/ egress points of a continuous fire lane that encircles the facility.

**8i. Landscaping:** Phase I of the project will meet and exceed minimum Landscaping Requirements for this type of facility as stipulated in the City's Landscape Ordinance. *(See Site Plan for general intent)*

**8j. Accessory Buildings:** No accessory buildings are envisioned to be either a part of Phase I or any future phase that Hope Clinic might undertake. There will be no outside storage.

**8k. Signs:** A main monument sign, flanked by flagpoles will be located within the 15' Landscape Buffer along Coleman Street. Additionally, entrance/ exit signage along with possible wayfinding on-site signage is envisioned. All signage will be appropriately-sized and consistent in theme and materials.

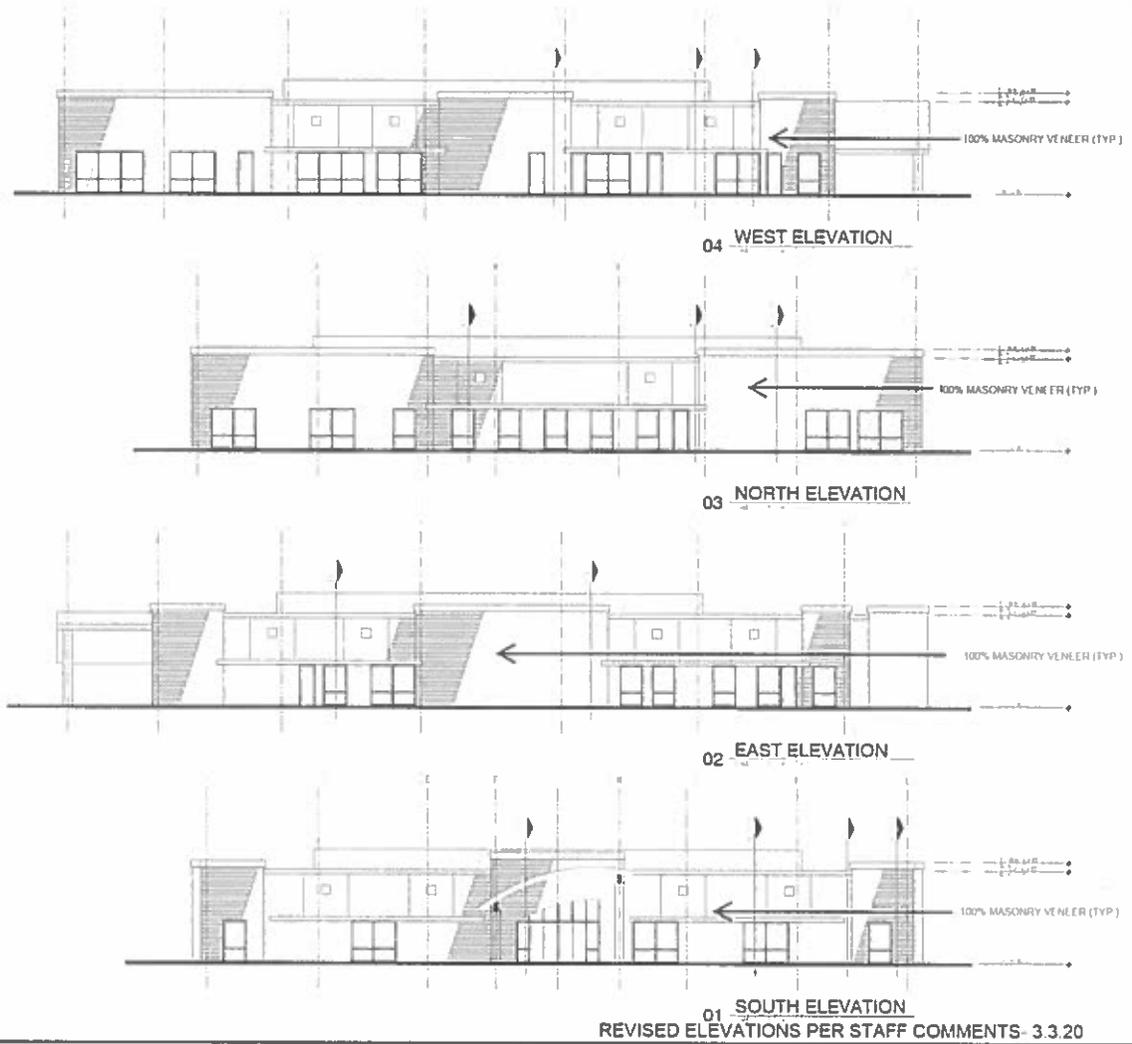
**8l. Lighting:** LED downlight parking lighting on approximately 15' poles will be located throughout the parking areas- along with landscape and signage accent lighting as needed.

**8m. Project Phasing:** Construction of Phase I is anticipated to begin by 4Q/2020. A likely construction schedule of twelve months will allow for opening and occupancy of Hope Clinic by 4Q/2021. Any Phase II will likely be years in the future and will be driven by the present clinic exceeding its design capacity to serve the patients of this community.

-END



(20)



HOPE CLINIC  
WAXAHACHIE, TEXAS

DATE



Sheet Date  
04 FEBRUARY 2020  
Project No.  
Page No.  
Sheet No.

(20)

Case ZDC-000022 2020  
Responses Received Inside Required 200' Notification Area  
Support 4 - Oppose 7

PropertyID	Owner's Name	Acres	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
171502	FM 1440 LLC SERIE R 17	11.2414	LOT 1 2 BLK 245 & 246 TOWN & 200 B B DAVIS 11.2414 AC	200A N ROGERS ST	WAXAHACHE	TX	75105	525 LAKE PARK AVE WAXAHACHE TX 75105
172032	RAPIDIST MISSIONARY ASSN OF TEXAS	0.037	LOT 1 BLK 1 BAPTIST HOME 0.037 AC	PO BOX 73	WAXAHACHE	TX	75108	632 FARLEY ST WAXAHACHE TX 75105
174511	STRANGE PAUL R & JACQUE A	0.24	10 2 LAKE PARK	117 MARVIN GDNS	WAXAHACHE	TX	75105	117 MARVIN GARDENS WAXAHACHE TX 75105
174512	MARTINE Z EDWARD & REBECCA L REVOCABLE LIVING TRUST	0.27	LOT 11 BLK 2 LAKE PARK 27 AC	1010 YUKON BLVD	WAXAHACHE	TX	75107	112 MARVIN GARDENS WAXAHACHE TX 75105
174514	MARTEL JANE S GABERT & LINDA PENA MARTEL	0.19	12 2 LAKE PARK	110 MARVIN GDNS	WAXAHACHE	TX	75105	110 MARVIN GARDENS WAXAHACHE TX 75105
174515	JACKSON CRYSTAL	0.10	LOT 13 BLK 2 LAKE PARK 0.10 AC	100 MARVIN GARDENS	WAXAHACHE	TX	75105	100 MARVIN GARDENS WAXAHACHE TX 75105
174516	STEWER DANIEL & KAREN	0.12	LOT 4 BLK 2 LAKE PARK 0.12 AC	101 MARVIN GARDENS	WAXAHACHE	TX	75105	107 MARVIN GARDENS WAXAHACHE TX 75105
174518	MAYHELD BRANDY K	0.13	LOT 5 BLK 2 LAKE PARK 0.13 AC	100 MARVIN GARDENS	WAXAHACHE	TX	75105	100 MARVIN GARDENS WAXAHACHE TX 75105
174519	SPEELMAN NANCY A & JAMES F	0.14	6 2 LAKE PARK	111 MARVIN GDNS	WAXAHACHE	TX	75105	111 MARVIN GARDENS WAXAHACHE TX 75105
174520	WHITAKER ERIC & NATALIE	0.119	LOT 7 BLK 2 LAKE PARK 0.119 AC	322 COVINGTON LN	DVILLA	TX	75154	113 MARVIN GARDENS WAXAHACHE TX 75105
174521	TAMAYO DIEGO G	0.14	LOT 8 BLK 2 LAKE PARK 0.14 AC	2905 FM 876	WAXAHACHE	TX	75105	115 MARVIN GARDENS WAXAHACHE TX 75105
174522	COSGROVE LINDA J	0.12	LOT 2 BLK 2 LAKE PARK 0.12 AC	200 SPRING CREEK DR	WAXAHACHE	TX	75105	103 MARVIN GARDENS WAXAHACHE TX 75105
174526	MORRIS TAMMIE A	0.14	LOT 3 BLK 2 LAKE PARK 0.14 AC	105 MARVIN GARDENS	WAXAHACHE	TX	75105	105 MARVIN GARDENS WAXAHACHE TX 75105
174527	SMITH RONDA R & VERNELL RAY	0.14	3 1 LAKE PARK	104 MARVIN GARDENS	WAXAHACHE	TX	75105	104 MARVIN GARDENS WAXAHACHE TX 75105
174530	DOWNNS NICHOLAS E	0.16	2 1 LAKE PARK	102 MARVIN GDNS	WAXAHACHE	TX	75105	102 MARVIN GARDENS WAXAHACHE TX 75105
174537	FURLOW PRESTON	0.31	LOT 15 BLK 7 PARK HILL BLVD 0.31 AC	101 MARVIN GARDENS	WAXAHACHE	TX	75105	101 MARVIN GARDENS WAXAHACHE TX 75105
175004	DOMI Z MIGUEL O & BRINDA	0.31	LOT 13 BLK 7 PARK HILL BLVD 0.31 AC	101 MARVIN GARDENS	WAXAHACHE	TX	75105	101 MARVIN GARDENS WAXAHACHE TX 75105
175005	DOMI Z MIGUEL O & BRINDA	0.31	LOT 14 BLK 7 PARK HILL BLVD 0.31 AC	101 MARVIN GARDENS	WAXAHACHE	TX	75105	101 MARVIN GARDENS WAXAHACHE TX 75105
180847	TEXAS BAPTIST HOME	0	ALL 247 TOWN	629 FARLEY ST	WAXAHACHE	TX	75105	629 FARLEY ST WAXAHACHE TX 75105
180848	TEXAS BAPTIST HOME	0	ALL 248 TOWN	629 FARLEY ST	WAXAHACHE	TX	75105	BROADHEAT RD WAXAHACHE TX 75105
275510	BLUE BONNET TRAIL HOMEOWNERS ASSOCIATION	17.143	200 TR 1 B B DAVIS 17.143 ACRES	101 VINTAGE DR STE 100	RED OAK	TX	75154	BROADHEAT RD WAXAHACHE TX 75105

<b>PropertyID</b>	<b>Owner's Name</b>	<b>Owner's Address</b>
174537	PRESTON AND DALTON FURLOW	102 MARVIN GARDENS
174529	CHARLIE SMITH	113 JOLLY WAY
174531	KELCIE FULLER	109 JOLLY WAY
236274	ANTONIO CARRILLO	227 PALOMINO

(20)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000022-2020

**RECEIVED**  
3-19-20  
3-9-20

TEXAS BAPTIST HOME  
629 FARLEY ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 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 Barbara Clark, Hope Clinic, for a Zoning Change from a Single Family-2 zoning district to Planned Development-Commercial, with Concept Plan, located at the SE corner of Farley Street at Coleman Street (Property ID 273695) - Owner: CITY OF WAXAHACHIE (ZDC-000022-2020)

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](mailto:Planning@Waxahachie.com) for additional information on this request.

Case Number: ZDC-000022-2020

City Reference: 193847

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto: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:

EXCELLENT ADDITION TO OUR AREA

*Randy Odom*  
Signature

03-09-2020  
Date

RANDY ODOM, EXECUTIVE VICE PRESIDENT  
Printed Name and Title

629 FARLEY ST.  
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.*

(20)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000022-2020

RECEIVED  
3-10-20

BAPTIST MISSIONARY ASSN OF TEXAS  
PO BOX 73  
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 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:

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Case Number: ZDC-000022-2020

City Reference: 172032

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SUPPORT

OPPOSE

Comments:

We welcome the neighbor and are glad for the good they do

Heidi Mitchell

Signature

3-10-20

Date

Heidi Mitchell Executive Director  
Printed Name and Title of Missions

637 Farley St.

Address

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City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000022-2020

RECEIVED  
3/11/2020

GOMEZ MIGUEL O & BRENDA  
101 MARVIN GARDENS  
WAXAHACHIE, TX 75165

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Case Number: ZDC-000022-2020

City Reference: 174524

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, March 18, 2020** to ensure inclusion in the Agenda Packet. Forms can be emailed to [Planning@Waxahachie.com](mailto: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:

Not a commercial area, it's a neighborhood area!  
We have enough traffic coming thru.

Miguel O. Gomez / Brenda Gomez  
Signature

3/10/20  
Date

Miguel Gomez / Brenda Gomez  
Printed Name and Title owners

101 Marvin Gdns.  
Address Waxahachie, TX 75165

(20)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000022-2020

RECEIVED  
3/11/2020

GOMEZ MIGUEL O & BRENDA  
101 MARVIN GARDENS  
WAXAHACHIE, TX 75165

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Case Number: ZDC-000022-2020

City Reference: 175256

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SUPPORT

OPPOSE

Comments:

Disagree with Commercializing the land behind our neighborhood!  
Enough traffic comes through.

Miguel O. Gomez / Brenda Gomez

Signature

3/10/20

Date

Miguel O. Gomez / Brenda Gomez

Printed Name and Title

101 Marvin Gardens

Address

Waxahachie, TX 75165

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(20)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000022-2020

RECEIVED  
3/11/2020

GOMEZ MIGUEL O & BRENDA  
101 MARVIN GARDENS  
WAXAHACHIE, TX 75165

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Case Number: ZDC-000022-2020

City Reference: 175264

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SUPPORT

OPPOSE

Comments:

We disagree with the land behind our neighborhood ~~should~~<sup>to</sup> be commercialized. We have enough traffic coming thru.

Miguel O Gomez / Brenda Gomez  
Signature

3/10/20  
Date

Miguel O. Gomez / Brenda Gomez  
Printed Name and Title

101 Marvin Gdns.  
Address  
Waxahachie, Tx. 75165

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(20)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000022-2020

RECEIVED  
3/11/2020

GOMEZ MIGUEL O & BRENDA  
101 MARVIN GARDENS  
WAXAHACHIE, TX 75165

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Case Number: ZDC-000022-2020

City Reference: 175265

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SUPPORT

OPPOSE

Comments:

Not a commercial area, it's a neighborhood area!  
Too much traffic as is.

Miguel O. Gomez / Brenda Gomez  
Signature

3/10/20  
Date

Miguel O. Gomez / Brenda Gomez  
Printed Name and Title

101 Marvin Gardens  
Waxahachie, TX 75165  
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.*

(20)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000022-2020

RECEIVED  
3/11/2020

COSGROVE LINDA J  
206 SPRING CREEK DR  
WAXAHACHIE, TX 75165

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Case Number: ZDC-000022-2020

City Reference: 174525

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SUPPORT

OPPOSE

Comments:

I have no problem with that whatsoever. I think it would be great for the community.

Linda Cosgrove  
Signature

3-10-2020  
Date

Linda Cosgrove, owner  
Printed Name and Title 103 Marvin Gardens

103 Marvin Gardens.  
Address

Mailing Address:  
1000 NW 10th St  
Mineral Wells TX 76067

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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.



(20)  
Hope Clinic does much

good  
work!

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000022-2020

STRANGE PAUL R & JACKIE A  
119 MARVIN GDNS  
WAXAHACHIE, TX 75165

RECEIVED  
3/13/2020

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 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 Barbara Clark, Hope Clinic, for a Zoning Change from a Single Family-2 zoning district to Planned Development-Commercial, with Concept Plan, located at the SE corner of Farley Street at Coleman Street (Property ID 273695) - Owner: CITY OF WAXAHACHIE (ZDC-000022-2020)

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](mailto:Planning@Waxahachie.com) for additional information on this request.

Case Number: ZDC-000022-2020

City Reference: 174512

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto: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:

Paul Strange Sr  
Signature

PAUL STRANGE SR.  
Printed Name and Title

3-9-2020  
Date

119 MARVIN GDNS  
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.*

Case Number: ZDC-000022-2020

City Reference: 275510

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SUPPORT

OPPOSE

RECEIVED  
3/18/2020

Comments:

Absolutely not. Our neighborhood is sweet our kids play in the streets, this will cause too much chaos.

V. BAUGUS  
Signature

3-11-20  
Date

Virginia Baugus  
Printed Name and Title

106 Martin Gardens  
Address  
Wax. TX 75165

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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.*

(20)

Case Number: ZDC-000022-2020

City Reference: 275510

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Comments:  SUPPORT

OPPOSE

RECEIVED  
3/18/2020

Mary Bidgway  
Signature  
Mary Bidgway  
Printed Name and Title

03-11-2020  
Date  
115 Jolly Way  
Address  
Waxahachie, TX  
75165

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(20)

Case Number: ZDC-000022-2020

City Reference: 174511

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SUPPORT

OPPOSE

RECEIVED  
3/18/2020

Comments:

No infrastructure. no more privacy  
too much traffic

Martha Zavala  
Signature

11 March 2020  
Date

Martha Zavala  
Printed Name and Title

117 Marvin Gens.  
Address  
Waxahachie, Tx.  
75165

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Case Number: ZDC-000022-2020

City Reference: 275510

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SUPPORT

OPPOSE

RECEIVED  
3/18/2020

Comments:

This is a residential area not commercial. There is too much traffic as it is.

*[Signature]*  
Signature

3-11-2020  
Date

BRISTON T. FURLOW  
Printed Name and Title

102 MARVIN GARDENS  
Address

Outside Notification Area  
PID: 174537

*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*

(20)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000022-2020

RECEIVED  
3/18/2020

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Case Number: ZDC-000022-2020

City Reference: 275510

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SUPPORT

OPPOSE

Comments:

Too much traffic, would also make surrounding neighborhoods unsafe.

*Dalton Furlow*  
Signature

3-11-2020  
Date

Mr. Dalton Furlow  
Printed Name and Title

102 Marvin Gardens  
Address

Outside Notification Area  
PID: 171537

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(20)

Case Number: ZDC-000022-2020

City Reference: 275510

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SUPPORT

OPPOSE

RECEIVED  
3/18/2020

Comments:

I do not want any commercial bld on this side of town the clinic need to stay as is.

[Signature]

Signature

11 Mar 2020

Date

CHARLES L. SMITH

Printed Name and Title

113 Selby

Address

Outside Notification Area

PID: 174529

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

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(20)

Case Number: ZDC-000022-2020

City Reference: 275510

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SUPPORT

OPPOSE

RECEIVED  
3/18/2020

Comments:

No infrastructure to support this type of facility -  
Roads are not big enough.

  
Signature

3/11/20  
Date

Kylene Fuller, MS  
Printed Name and Title

169 Jolly way Waxahachie  
Address

Outside Notification Area:  
PID: 174531

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

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(20)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-000022-2020

RECEIVED  
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City Reference: 275510

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SUPPORT

OPPOSE

Comments:

\_\_\_\_\_

Antonio Carrillo  
Signature

3/12/2020  
Date

Antonio Carrillo  
Printed Name and Title

227 Palomino Dr. Waxahachie, Texas  
Address  
75165

Outside Notification Area

PID: 276274

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

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

# Planning & Zoning Department

## Plat Staff Report

Case: SUB-16-2020



### MEETING DATE(S)

Planning & Zoning Commission: Tuesday, March 24, 2020

### CAPTION

**Public Hearing** on a request by David Hargrove, Legacy Grove Development LLC, for a **Replat** of Lot 9X, Block A, Lot 20X, Block J, Lot 7X, Block K, Lot 12X, Block L, Lot 9, Block A, Lots 1-8, 10, 11, and 20, Block J, Lots 7 and 8, Block K, and Lots 11 and 12, Block L, Buffalo Ridge Phase IV, to eliminate the HOA open space lots and incorporate into the adjacent single family lots along Garden Valley Parkway and to establish a 5 foot Wall Maintenance Easement, being 26.033 acres (Property ID 276333, 276354, 276371, 274374, 276332, 276334, 276335, 276336, 276337, 276338, 276339, 276340, 276341, 276343, 276344, 276353, 276362, 276363, 276373, and 276372) – Owners: J Houston Homes, Bloomfield Homes LP, and Matthew P and Charity F Kennedy (SUB-000016-2020)

### APPLICANT REQUEST

The purpose of this replat is to eliminate the HOA open space lots which will be taken in by the adjacent homes, and establish a 5' wall easement along Garden Valley Parkway.

### CASE INFORMATION

**Applicant:** David Hargrove, Legacy Grove Development, LLC

**Property Owner(s):** Matthew Kennedy, Charity Kennedy, Bloomfield Properties, Inc., and J Houston Homes, LLC

**Site Acreage:** 0.402 acres

**Number of Lots:** Parts of 17 lots

**Number of Dwelling Units:** 0 units (Wall easement will not add space for additional dwelling units)

**Park Land Dedication:** N/A (Replat is not establishing new lots)

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

### SUBJECT PROPERTY

**General Location:** The lots affected are located along the eastern perimeter of Buffalo Ridge Phase IV bordering Garden Valley Parkway.

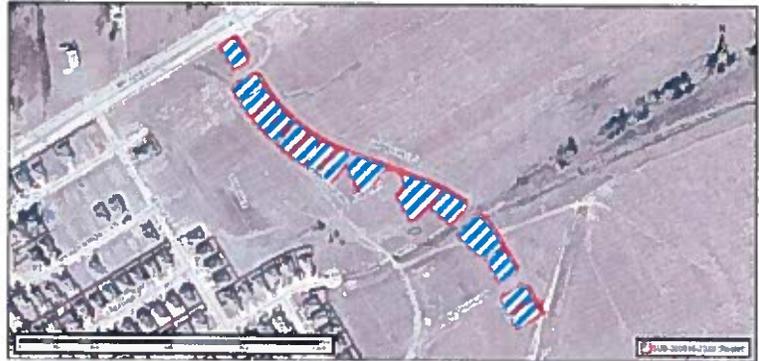
**Parcel ID Number(s):** 276332, 276334, 276335, 276336, 276337, 276338, 276339, 276340, 276341, 276342, 276343, 276344, 276354, 276353, 276362, 276363, 276373, 276372

**Current Zoning:** PD-SF-2

**Existing Use:** Homes under construction

**Platting History:** FP-19-0010 Buffalo Ridge Ph. 4 was approved by City Council on March 4, 2019.

**Site Aerial:**



**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 62 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.

**PROPERTY OWNER NOTIFICATION RESPONSES**

Staff received one (1) letter of support for this replat.

**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
2. 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.

**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

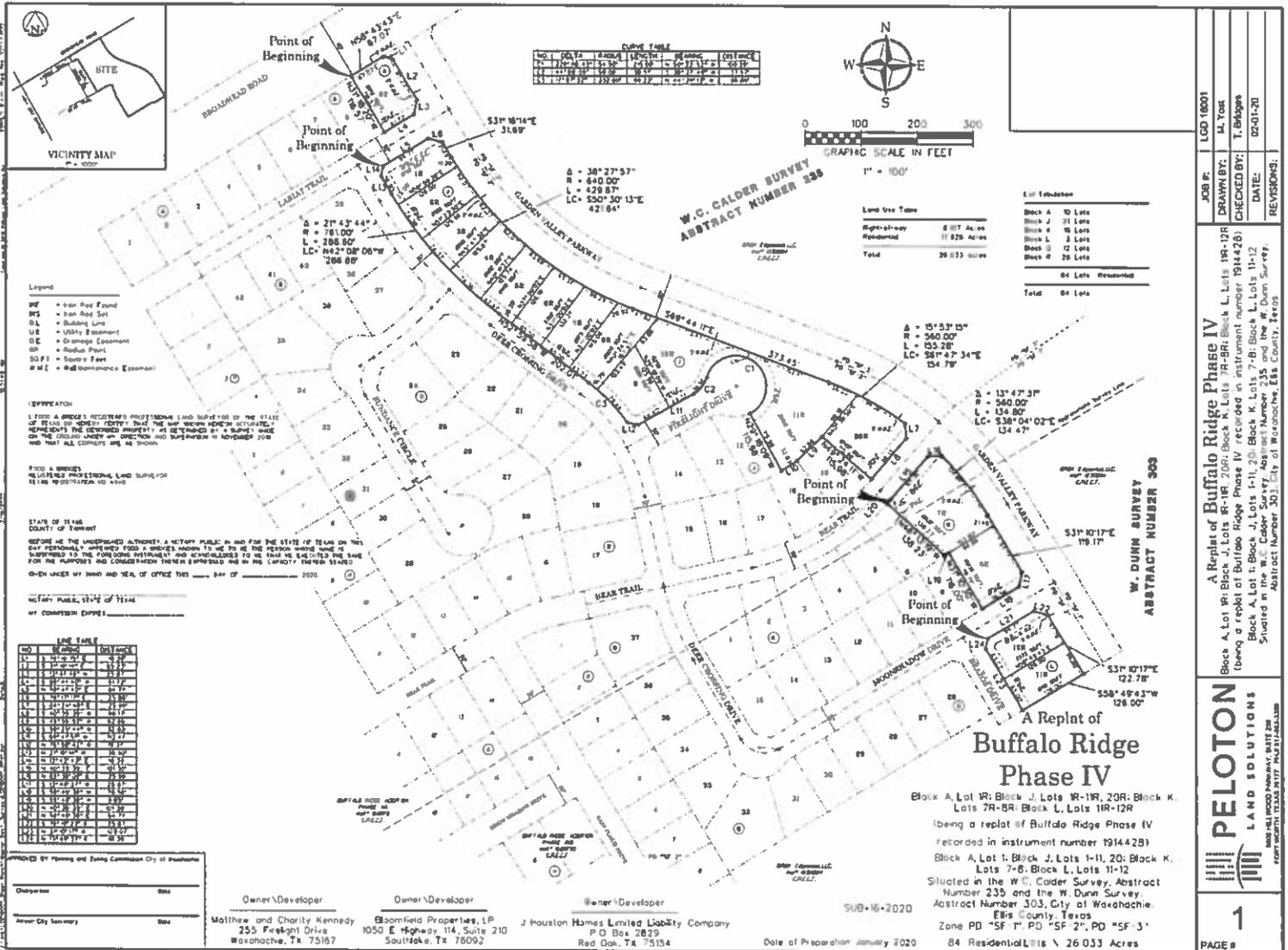
[cwebb@waxahachie.com](mailto:cwebb@waxahachie.com)

*Reviewed by:*

Shon Brooks, AICP

Director of Planning

[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)



**Legend**

- RF - Iron Rod Found
- RL - Iron Rod Set
- BL - Building Line
- UL - Utility Location
- DL - Drainage Easement
- OP - Offset Point
- SOPF - Source Feet
- ME - Measurement Easement

**CERTIFICATION**  
 I, JOHN A. BRIDGES, REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT REPRESENTS THE CORRECTED INSTRUMENT AS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION IN NOVEMBER 2020 AND THAT ALL CORRECTIONS ARE AS SHOWN.

**FROM A SURVEY**  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 11146 W. DUNN SURVEY RD #303

**STATE OF TEXAS**  
 COUNTY OF TARRANT

BEFORE ME, THE UNDERSIGNED ATTORNEY AT LAW, A NOTARY PUBLIC, AND FOR THE STATE OF TEXAS ON THIS DAY PERSONALLY APPEARED JOHN A. BRIDGES, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020.

**NOTARY PUBLIC, STATE OF TEXAS**  
 MY COMMISSION EXPIRES \_\_\_\_\_

**Curve Table**

NO.	CHORD	ARC LENGTH	AREA
1	100.00	100.00	1570.80
2	100.00	100.00	1570.80
3	100.00	100.00	1570.80
4	100.00	100.00	1570.80
5	100.00	100.00	1570.80
6	100.00	100.00	1570.80
7	100.00	100.00	1570.80
8	100.00	100.00	1570.80
9	100.00	100.00	1570.80
10	100.00	100.00	1570.80
11	100.00	100.00	1570.80
12	100.00	100.00	1570.80
13	100.00	100.00	1570.80
14	100.00	100.00	1570.80
15	100.00	100.00	1570.80
16	100.00	100.00	1570.80
17	100.00	100.00	1570.80
18	100.00	100.00	1570.80
19	100.00	100.00	1570.80
20	100.00	100.00	1570.80

APPROVED BY Planning and Zoning Commission City of Washachie

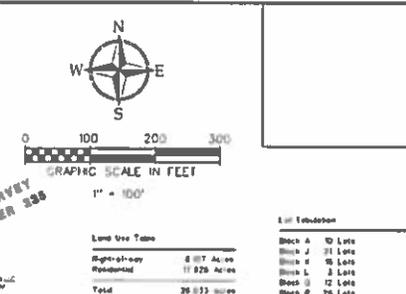
City Secretary \_\_\_\_\_ Date \_\_\_\_\_

**Owner/Developer**  
 Matthew and Charity Kennedy  
 255 Freight Drive  
 Waxahachie, TX 75167

**Owner/Developer**  
 Bloomfield Properties, LP  
 1050 E Highway 114, Suite 210  
 Southlake, TX 76092

**Owner/Developer**  
 J. Houston James Limited Liability Company  
 P.O. Box 2829  
 Red Oak, TX 75154

SUB-16-2020  
 Date of Preparation January 2020  
 84 Residential Lots \ 26.033 Acres





(22)

Case 9:08-cv-00016-2020  
Response Received Inside Required 200 Notice/Amend  
Support 1 Oppose 0

PropertyID	Owner's Name	Acres/Abr	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's Zip	Physical Address
231109	WP LEGACY LTD	4.327	5 J R A ADAMS 4.327 ACRES	101 VALLEY RIDGE DR	RED OAK	TX	75154	14813 WAKAHACHE TX 75185
242234	WP LEGACY LTD	2.411	5 J B & A ADAMS 2.411 ACRES	101 VALLEY RIDGE DR	RED OAK	TX	75154	PARK PLACE BLVD WAKAHACHE TX 75185
264809	GRBK EDGE WOOD LLC	116.384	303 W F DURN 235 W C CALDER 116.384 ACRES	2805 DALLAS PARKWAY SUITE 600	FLANO	TX	75003	6804HEAD RD WAKAHACHE TX 75185
278329	LEGACY GROVE DEVELOPMENT LLC	0.174	LOT 3 BLK A BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	217 LARAT TRL WAKAHACHE TX 75185
278330	LEGACY GROVE DEVELOPMENT LLC	0.174	LOT 4 BLK A BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	221 LARAT TRL WAKAHACHE TX 75185
278331	LEGACY GROVE DEVELOPMENT LLC	0.174	LOT 5 BLK A BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	225 LARAT TRL WAKAHACHE TX 75185
278332	LEGACY GROVE DEVELOPMENT LLC	0.174	LOT 6 BLK A BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	251 LARAT TRL WAKAHACHE TX 75185
278333	LEGACY GROVE DEVELOPMENT LLC	0.183	LOT 7 BLK A BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	255 LARAT TRL WAKAHACHE TX 75185
278334	LEGACY GROVE DEVELOPMENT LLC	0.183	LOT 8 BLK A BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	LARAT TRL WAKAHACHE TX 75185
278335	LEGACY GROVE DEVELOPMENT LLC	0.183	LOT 9 BLK A BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	101 DEER CROSSING DR WAKAHACHE TX 75185
278336	LEGACY GROVE DEVELOPMENT LLC	0.183	LOT 10 BLK A BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	105 DEER CROSSING DR WAKAHACHE TX 75185
278337	LEGACY GROVE DEVELOPMENT LLC	0.183	LOT 11 BLK A BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	109 DEER CROSSING DR WAKAHACHE TX 75185
278338	LEGACY GROVE DEVELOPMENT LLC	0.183	LOT 12 BLK A BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	121 DEER CROSSING DR WAKAHACHE TX 75185
278339	LEGACY GROVE DEVELOPMENT LLC	0.183	LOT 13 BLK A BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	125 DEER CROSSING DR WAKAHACHE TX 75185
278340	LEGACY GROVE DEVELOPMENT LLC	0.183	LOT 14 BLK A BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	129 DEER CROSSING DR WAKAHACHE TX 75185
278341	LEGACY GROVE DEVELOPMENT LLC	0.183	LOT 15 BLK A BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	133 DEER CROSSING DR WAKAHACHE TX 75185
278342	LEGACY GROVE DEVELOPMENT LLC	0.183	LOT 16 BLK A BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	137 DEER CROSSING DR WAKAHACHE TX 75185
278343	J HOUSTON HOMES LLC	0.214	LOT 9 BLK J BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	251 FRELIGHT DR WAKAHACHE TX 75185
278344	LEGACY GROVE DEVELOPMENT LLC	0.31	LOT 10 BLK J BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	255 FRELIGHT DR WAKAHACHE TX 75185
278345	LEGACY GROVE DEVELOPMENT LLC	0.426	LOT 11 BLK J BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	262 FRELIGHT DR WAKAHACHE TX 75185
278346	J HOUSTON HOMES LIMITED LIABILITY COMPANY	0.182	LOT 12 BLK J BUFFALO RIDGE PH IV	471 CENTURY WAY STE 100	RED OAK	TX	75154	258 FRELIGHT DR WAKAHACHE TX 75185
278347	LEGACY GROVE DEVELOPMENT LLC	0.182	LOT 13 BLK J BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	254 FRELIGHT DR WAKAHACHE TX 75185
278348	LEGACY GROVE DEVELOPMENT LLC	0.182	LOT 14 BLK J BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	250 FRELIGHT DR WAKAHACHE TX 75185
278349	LEGACY GROVE DEVELOPMENT LLC	0.182	LOT 15 BLK J BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	251 BEAR TRL WAKAHACHE TX 75185
278350	LEGACY GROVE DEVELOPMENT LLC	0.173	LOT 16 BLK J BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	253 BEAR TRL WAKAHACHE TX 75185
278351	LEGACY GROVE DEVELOPMENT LLC	0.173	LOT 17 BLK J BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	250 BEAR TRL WAKAHACHE TX 75185
278352	LEGACY GROVE DEVELOPMENT LLC	0.199	LOT 18 BLK J BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	263 BEAR TRL WAKAHACHE TX 75185
278353	LEGACY GROVE DEVELOPMENT LLC	0.2	LOT 19 BLK J BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	271 BEAR TRL WAKAHACHE TX 75185
278354	LEGACY GROVE DEVELOPMENT LLC	0.202	LOT 20 BLK J BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	275 BEAR TRL WAKAHACHE TX 75185
278355	LEGACY GROVE DEVELOPMENT LLC	0.23	LOT 20X BLK J (OPEN SPACE) BUFFALO RIDGE PH IV 0.23 AC	5805 FM 1181	ENNIS	TX	75119	BEAR TRL WAKAHACHE TX 75185
278356	LEGACY GROVE DEVELOPMENT LLC	0.221	LOT 2 BLK K BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	254 BEAR TRL WAKAHACHE TX 75185
278357	LEGACY GROVE DEVELOPMENT LLC	0.188	LOT 3 BLK K BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	250 BEAR TRL WAKAHACHE TX 75185
278358	LEGACY GROVE DEVELOPMENT LLC	0.18	LOT 4 BLK K BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	262 BEAR TRL WAKAHACHE TX 75185
278359	LEGACY GROVE DEVELOPMENT LLC	0.184	LOT 5 BLK K BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	268 BEAR TRL WAKAHACHE TX 75185
278360	LEGACY GROVE DEVELOPMENT LLC	0.207	LOT 6 BLK K BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	270 BEAR TRL WAKAHACHE TX 75185
278361	LEGACY GROVE DEVELOPMENT LLC	0.269	LOT 7 BLK K BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	274 BEAR TRL WAKAHACHE TX 75185
278362	LEGACY GROVE DEVELOPMENT LLC	0.225	LOT 8 BLK K BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	280 MOONSHADOW DR WAKAHACHE TX 75185
278363	LEGACY GROVE DEVELOPMENT LLC	0.173	LOT 9 BLK K BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	279 MOONSHADOW DR WAKAHACHE TX 75185
278364	LEGACY GROVE DEVELOPMENT LLC	0.173	LOT 10 BLK K BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	271 MOONSHADOW DR WAKAHACHE TX 75185
278365	LEGACY GROVE DEVELOPMENT LLC	0.173	LOT 11 BLK K BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	267 MOONSHADOW DR WAKAHACHE TX 75185
278366	LEGACY GROVE DEVELOPMENT LLC	0.173	LOT 12 BLK K BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	263 MOONSHADOW DR WAKAHACHE TX 75185
278367	LEGACY GROVE DEVELOPMENT LLC	0.08	LOT 13 BLK K (OPEN SPACE) BUFFALO RIDGE PH IV 0.08 AC	5805 FM 1181	ENNIS	TX	75119	MOONSHADOW DR WAKAHACHE TX 75185
278368	LEGACY GROVE DEVELOPMENT LLC	0.173	LOT 14 BLK K BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	208 BRAZOS DR WAKAHACHE TX 75185
278369	LEGACY GROVE DEVELOPMENT LLC	0.2	LOT 15 BLK K BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	201 BRAZOS DR WAKAHACHE TX 75185
278370	LEGACY GROVE DEVELOPMENT LLC	0.224	ABSTRACT 90278112 BUFFALO RIDGE PH IV BLOCK L TRACT 13 ACRES 26.0330	5805 FM 1181	ENNIS	TX	75119	MOONSHADOW DR WAKAHACHE TX 75185
278371	LEGACY GROVE DEVELOPMENT LLC	0.224	LOT 26 BLK O BUFFALO RIDGE PH IV 0.224 AC	5805 FM 1181	ENNIS	TX	75119	270 MOONSHADOW DR WAKAHACHE TX 75185
278372	LEGACY GROVE DEVELOPMENT LLC	0.173	LOT 27 BLK O BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	268 MOONSHADOW DR WAKAHACHE TX 75185
278373	J HOUSTON HOMES LLC	0.223	LOT 18 BLK R BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75154	148 DEER CROSSING DR WAKAHACHE TX 75185
278374	LEGACY GROVE DEVELOPMENT LLC	0.224	LOT 19 BLK R BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75154	140 DEER CROSSING DR WAKAHACHE TX 75185
278375	LEGACY GROVE DEVELOPMENT LLC	0.194	LOT 20 BLK R BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	138 DEER CROSSING DR WAKAHACHE TX 75185
278376	LEGACY GROVE DEVELOPMENT LLC	0.173	LOT 21 BLK R BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	132 DEER CROSSING DR WAKAHACHE TX 75185
278377	LEGACY GROVE DEVELOPMENT LLC	0.183	LOT 22 BLK R BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	128 DEER CROSSING DR WAKAHACHE TX 75185
278378	LEGACY GROVE DEVELOPMENT LLC	0.256	LOT 23 BLK R BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	101 DEER CROSSING DR WAKAHACHE TX 75185
278379	LEGACY GROVE DEVELOPMENT LLC	0.283	LOT 24 BLK R BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	105 SUNDANCE DR WAKAHACHE TX 75185
278380	LEGACY GROVE DEVELOPMENT LLC	0.189	LOT 25 BLK R BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	120 SUNDANCE DR WAKAHACHE TX 75185
278381	LEGACY GROVE DEVELOPMENT LLC	0.224	LOT 26 BLK R BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	133 SUNDANCE DR WAKAHACHE TX 75185
278382	LEGACY GROVE DEVELOPMENT LLC	0.203	LOT 27 BLK R BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	131 SUNDANCE DR WAKAHACHE TX 75185
278383	LEGACY GROVE DEVELOPMENT LLC	0.253	LOT 28 BLK R BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	147 SUNDANCE DR WAKAHACHE TX 75185
278405	LEGACY GROVE DEVELOPMENT LLC	0.2	LOT 35 BLK R BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	108 SUNDANCE DR WAKAHACHE TX 75185
278407	LEGACY GROVE DEVELOPMENT LLC	0.271	LOT 37 BLK R BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	108 DEER CROSSING DR WAKAHACHE TX 75185
278409	LEGACY GROVE DEVELOPMENT LLC	0.205	LOT 38 BLK R BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	100 DEER CROSSING DR WAKAHACHE TX 75185
278410	LEGACY GROVE DEVELOPMENT LLC	0.173	LOT 40 BLK R BUFFALO RIDGE PH IV	5805 FM 1181	ENNIS	TX	75119	218 LARAT TRL WAKAHACHE TX 75185



RECEIVED  
3-10-20

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-000016-2020

WP LEGACY LTD  
101 VALLEY RIDGE DR  
RED OAK, TX 75154

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 24, 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 David Hargrove, Legacy Grove Development LLC, for a Replat of Lot 9X, Block A, Lot 20X, Block J, Lot 7X, Block K, Lot 15X, Block L, Lot 9, Block A, Lots 1-8, 10, 11, and 20, Block J, Lots 7 and 8, Block K, and Lots 11 and 12, Block L, Buffalo Ridge Phase IV, to eliminate the HOA open space lots and incorporate into the adjacent single family lots along Garden Valley Parkway and to establish a 5 foot Wall Maintenance Easement, being 26.053 acres (Property ID 276353, 276354, 276371, 276374, 276332, 276334, 276335, 276336, 276337, 276338, 276339, 276340, 276341, 276343, 276344, 276353, 276362, 276363, 276373, and 276372) -- Owners: J Houston Homes, Bloomfield Homes LP, and Matthew P and Charity F Kennedy (SUB-000016-2020)

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) 369-4290 or via email: [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) for additional information on this request.

Case Number: SUB-000016-2020

City Reference: 242234

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, March 18, 2020* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
Signature

3-10-20  
Date

CLYDE L. HARGROVE  
Printed Name and Title

101 VALLEY RIDGE DR.  
Address RED OAK, TX 75154

If you have any thoughts submit a letter during reply form. (Texas Penal Code 27.10)

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