

# *A G E N D A*

The Waxahachie Planning & Zoning Commission will hold a regular meeting on *Tuesday, June 9, 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 May 26, 2020
5. **Public Hearing** on a request by Josh Millsap, KFM Engineering & Design, for a detailed Site Plan review for a proposed **Subdivision** development, Dove Hollow, within a Planned Development zoning district, located adjacent to and south of Grove Creek Rd (Property ID 192636, 192643, 192639, 192645) – Owner: CEH 212 LP (SP-75-2020)
6. **Consider** recommendation of Zoning Change No. SP-75-2020
7. **Consider** request by Wes Dorough, JH Development, LLC for a **Final Plat** of The Enclave Ph. 1 for 63 residential lots and 8 open space lots, being 24.337 acres situated in the Henry Sange Survey, Abstract 1009 (Property ID 262135, 262138, 269439) – Owner: JHH The Enclave Development, LLC (SUB-65-2020)
8. **Consider** request by Wes Dorough, JH Development, LLC for a **Final Plat** of The Enclave Ph. 2 for 59 residential lots and 3 open space lots, being 20.615 acres situated in the Henry Sange Survey, Abstract 1009 (Property ID 262135, 262138) – Owner: JHH The Enclave Development, LLC (SUB-66-2020)

9. **Consider** request by Wes Dorough, JH Development, LLC for a **Final Plat** of The Estates of North Grove Ph. 2 for 72 residential lots and 1 open space lots, being 18.567 acres situated in the Henry Sange Survey, Abstract 1009, John B. Adams & Ann Adams Survey, Abstract 5, and the Robert Russell Survey, Abstract 911 (Property ID 262135, 262138) – Owner: JHH The Enclave Development, LLC (SUB-67-2020)
10. **Continue Public Hearing** on a request by the City of Waxahachie to consider revoking, amending, or renewing a **Specific Use Permit** (Ordinance 2616) at 500 Brown Industrial which allows for the use of metal granulators and crushers for the reclamation of vehicles, parts of vehicles, and other materials to be processed. (ZDC-000007-2020)
11. **Consider** recommendation of Zoning Change No. ZDC-000007-2020
12. 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  
May 26, 2020

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, May 26, 2020 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

Members Absent: Melissa Ballard, Vice Chairman  
Betty Square Coleman

Others Present: Shon Brooks, Director of Planning  
Chris Webb, Planner  
Tommy Ludwig, Assistant City Manager  
Amber Villarreal, Assistant City Secretary  
Mary Lou Shipley, Council Representative

Via Teleconference: Robert Brown, City Attorney

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

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

3. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of May 12, 2020

**Action:**

*Ms. Bonney Ramsey moved to approve item a. on the Consent Agenda. Mr. David Hudgins seconded, All Ayes.*

4. **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)**

Chairman Keeler announced the applicant requested to withdraw ZDC-000025-2020.

5. **Consider recommendation of Zoning Change No. ZDC-000025-2020**

*No action taken.*

6. **Consider request by Juan Carlos Flores, Flores Homes, Inc. for a Final Plat of Clift Estates, Phase V for 21 residential lots, being 7.536 acres situated in the Silas M.**

(4a)

**Durrett Survey, Abstract 272 (Property ID 239606) – Owner: Juan Carlos Flores, Flores Homes, Inc. (SUB-000047-2020)**

Planner Chris Webb reviewed the case noting the applicant is requesting to plat the subject property into 21 single-family residential lots. Staff recommended approval as presented.

**Action:**

*Mr. Jim Phillips moved to approve a request by Juan Carlos Flores, Flores Homes, Inc. for a Final Plat of Clift Estates, Phase V for 21 residential lots, being 7.536 acres situated in the Silas M. Durrett Survey, Abstract 272 (Property ID 239606) – Owner: Juan Carlos Flores, Flores Homes, Inc. (SUB-000047-2020). Mr. David Hudgins seconded, All Ayes.*

- 7. Consider request by Angel Gonzalez, AGC Custom Homes for a Plat of Willow Springs Phase Two, Section Two for 35 residential lots, being 11.433 acres situated in the J.B. and A. Adams Survey, Abstract 5 (Property ID 272990) – Owner: Angel Gonzalez, AGC Custom Homes (SUB-000054-2020)**

Mr. Webb reviewed the case noting the applicant is requesting a plat of the subject property to create an additional 35 lots to the Willow Springs Subdivision. Staff recommended approval as presented.

{Mr. Erik Test arrived at 7:06 p.m.}

**Action:**

*Ms. Bonney Ramsey moved to approve a request by Angel Gonzalez, AGC Custom Homes for a Plat of Willow Springs Phase Two, Section Two for 35 residential lots, being 11.433 acres situated in the J.B. and A. Adams Survey, Abstract 5 (Property ID 272990) – Owner: Angel Gonzalez, AGC Custom Homes (SUB-000054-2020). Mr. David Hudgins seconded, All Ayes.*

- 8. Consider request by Kars Tamminga for a Final Plat of Pioneer Point Phase 5 & 6 for 71 residential lots being 98.537 acres situated in the Charles Atteberry Survey, Abstract 10 (Property ID 210780) in the Extra Territorial Jurisdiction – Owner: Kars Tamminga, Pioneer Point Farm, LLC (SUB-000060-2020)**

Mr. Webb presented the case noting the applicant is requesting to plat a 98.537 acre tract of land into 71 residential lots as an addition to Pioneer Point Phases 1, 2, 3, and 4. Staff recommended approval as presented.

**Action:**

*Mr. David Hudgins moved to approve a request by Kars Tamminga for a Final Plat of Pioneer Point Phase 5 & 6 for 71 residential lots being 98.537 acres situated in the Charles Atteberry Survey, Abstract 10 (Property ID 210780) in the Extra Territorial Jurisdiction – Owner: Kars Tamminga, Pioneer Point Farm, LLC (SUB-000060-2020). Ms. Bonney Ramsey seconded, All Ayes.*

- 9. Public Hearing on request by Jacob Perry, Waxahachie ISD, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a Planned Development – Single**

(4a)

**Family – 2 zoning district, located at 631 Solon Rd (Property ID 220963) – Owner: Waxahachie ISD (ZDC-000064-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Webb presented the case noting the applicant is requesting to install an electronic message marquee sign at Wedgeworth Elementary School located at 631 Solon Rd. He noted the sign comes with a timer and will not be lit between the hours of 10 p.m. and 6 a.m. Staff recommended approval as presented.

Mr. Webb noted one letter of support was received.

There being no others to speak for or against ZDC-000064-2020, Chairman Keeler closed the Public Hearing.

**10. Consider recommendation of Zoning Change No. ZDC-000064-2020**

**Action:**

*Mr. Jim Phillips moved to approve a request by Jacob Perry, Waxahachie ISD, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a Planned Development – Single Family – 2 zoning district, located at 631 Solon Rd (Property ID 220963) – Owner: Waxahachie ISD (ZDC-000064-2020). Mr. David Hudgins seconded, All Ayes.*

**11. Public Hearing on request by Jacob Perry, Waxahachie ISD, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a Planned Development – Single Family – 2 zoning district, located at 231 Park Place Blvd (Property ID 237673) – Owner: Waxahachie ISD (ZDC-000069-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Webb presented the case noting the applicant is requesting to install an electronic message marquee sign at Felty Elementary School located at 231 Park Place Blvd. He noted the sign comes with a timer and will not be lit between the hours of 10 p.m. and 6 a.m. Staff recommended approval as presented.

Mr. Webb noted two letters of support were received and one letter of opposition.

There being no others to speak for or against ZDC-000069-2020, Chairman Keeler closed the Public Hearing.

**12. Consider recommendation of Zoning Change No. ZDC-000069-2020**

**Action:**

*Ms. Bonney Ramsey moved to approve a request by Jacob Perry, Waxahachie ISD, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a Planned Development – Single Family – 2 zoning district, located at 231 Park Place Blvd (Property ID 237673) – Owner: Waxahachie ISD (ZDC-000069-2020). Mr. Erik Test seconded, All Ayes.*

(4A)

- 13. Public Hearing on request by Jacob Perry, Waxahachie ISD, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a Single Family – 3 zoning district, located at 650 Parks School House Rd (Property ID 241034) – Owner: Waxahachie ISD (ZDC-000070-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Webb presented the case noting the applicant is requesting to install an electronic message marquee sign at Clift Elementary School located at 650 Parks School House Road. He noted the sign comes with a timer and will not be lit between the hours of 10 p.m. and 6 a.m. Staff recommended approval as presented.

Mr. Webb noted one letter of support was received.

There being no others to speak for or against ZDC-000070-2020, Chairman Keeler closed the Public Hearing.

- 14. Consider recommendation of Zoning Change No. ZDC-000070-2020**

**Action:**

*Mr. David Hudgins moved to approve a request by Jacob Perry, Waxahachie ISD, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a Single Family – 3 zoning district, located at 650 Parks School House Rd (Property ID 241034) – Owner: Waxahachie ISD (ZDC-000070-2020). Ms. Bonney Ramsey seconded, All Ayes.*

- 15. Public Hearing on request by Jacob Perry, Waxahachie ISD, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a Single Family – 2 zoning district, located at 110 Brown St (Property ID 222535) – Owner: Waxahachie ISD (ZDC-000071-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Webb presented the case noting the applicant is requesting to install an electronic message marquee sign at Marvin Elementary School located at 110 Brown St. He noted the sign comes with a timer and will not be lit between the hours of 10 p.m. and 6 a.m. Staff recommended approval as presented.

There being no others to speak for or against ZDC-000071-2020, Chairman Keeler closed the Public Hearing.

- 16. Consider recommendation of Zoning Change No. ZDC-000071-2020**

**Action:**

*Mr. Erik Test moved to approve a request by Jacob Perry, Waxahachie ISD, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a Single Family – 2 zoning district, located at 110 Brown St (Property ID 222535) – Owner: Waxahachie ISD (ZDC-000071-2020). Mr. David Hudgins seconded, All Ayes.*

(4a)

17. **Continue Public Hearing on a request by the City of Waxahachie to consider revoking, amending, or renewing a Specific Use Permit (Ordinance 2616) at 500 Brown Industrial which allows for the use of metal granulators and crushers for the reclamation of vehicles, parts of vehicles, and other materials to be processed (ZDC-000007-2020)**

Chairman Keeler continued the Public Hearing.

Planning Director Shon Brooks presented the case noting the purpose of this request is for the City of Waxahachie to consider approving a new Specific Use Permit along with a Development Agreement, for Oak Cliff Metals at the subject property of 500 Brown Industrial Rd.

Mr. Brooks explained that due to the six fires that have occurred on the property, safety has become a major concern for the property as well as surrounding properties. The following concerns were also reviewed: exceeding the height limitations for storage piles, exceeding the limited hours of operation of 7:00 a.m. to 7:00 p.m., not maintaining a 24-foot pathway through the site, and not having adequate water to fight fires. Due to the city's concerns, staff recommends a Development Agreement to allow for further standards and guidelines to be placed on the property. Staff received three letters of support for the revocation of the SUP for Oak Cliff Metals within the 200 foot notification area and one letter of support outside the notification area.

City Attorney Robert Brown explained he has been working with the attorney for Oak Cliff Metals to create a Development Agreement to satisfy both parties.

The Commission expressed concerns with the company using other types of shredders/granulators on-site that would continue to cause fires. The Commission discussed adding additional language to the proposed Development Agreement.

Mr. Brooks explained a Specific Use Permit for this site is only needed if the company intends to operate a shredder/granulator at the property, otherwise the current zoning allows for this use.

The Commission also expressed concerns with the combustible materials and heights of the piles.

Mr. Benjie Smith, owner of Oak Cliff Metals, assured the Commission there will not be a shredder/granulator on site that will produce fluff piles and there will not be any fluff piles on site caused by any of their equipment.

Mr. Bob Wiegand, attorney for Oak Cliff Metals, expressed concern with generalizing the term shredder/granulator in the restrictions due to the difference of opinions on what the terms mean. He explained he doesn't want to prohibit a machine because of the adjective used to describe what the machine does.

18. **Consider recommendation of Zoning Change No. ZDC-000007-2020**

**Action:**

(40)

Planning and Zoning Commission

May 26, 2020

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*After a lengthy discussion, Mr. Jim Phillips moved to continue the Public Hearing on ZDC-000007-2020 until the June 9, 2020 Planning & Zoning Commission meeting to allow legal counsel to revise the Development Agreement to address concerns of the Planning and Zoning Commission. Ms. Bonney Ramsey seconded, the vote was as follows: Ayes: Bonney Ramsey, Jim Phillips, and Erik Test. Noes: Rick Keeler and David Hudgins.*

***The motion carried.***

**19. Adjourn**

There being no further business, the meeting adjourned at 8:15 p.m.

Respectfully submitted,

Amber Villarreal  
Assistant City Secretary

(5+6)



## Memorandum

To: Honorable Mayor and City Council  
From: Shon Brooks, Director of Planning  
Thru: Michael Scott, City Manager  
Date: June 3, 2020  
Re: SP-75-2020 Site Plan for Dove Hollow

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On June 3, 2020, the applicant asked staff to continue case no. SP-75-2020 from the June 9, 2020 Planning and Zoning Commission agenda, as well as the June 15, 2020 City Council meeting agenda and instead be placed on the June 23, 2020 Planning and Zoning Commission agenda and the July 6, 2020 City Council meeting agenda.

(7)

# Planning & Zoning Department

## Plat Staff Report

Case: SUB-65-2020



**MEETING DATE(S)**

*Planning & Zoning Commission:* June 9, 2020

**CAPTION**

*Consider* request by Wes Dorough, JH Development, LLC for a Final Plat of The Enclave Ph. 1 for 63 residential lots and 8 open space lots, being 24.337 acres situated in the Henry Sange Survey, Abstract 1009 (Property ID 262135, 262138, 269439) – Owner: JHH The Enclave Development, LLC (SUB-65-2020)

**APPLICANT REQUEST**

The applicant is requesting to plat the subject property into 63 residential lots and 8 open space lots.

**CASE INFORMATION**

*Applicant:* Wes Dorough, JH Development, LLC

*Property Owner(s):* JHH The Enclave Development, LLC

*Site Acreage:* 24.337 acres

*Number of Lots:* 71 lots (63 Residential)

*Number of Dwelling Units:* 63 units

*Park Land Dedication:* Sufficient Park Land has been dedicated to the City to satisfy this requirement.

*Adequate Public Facilities:* Adequate public facilities will be installed to support this development. A Letter of Acceptance from the Public Works Dept. will be required before the plat can be filed.

**SUBJECT PROPERTY**

*General Location:* 474 E North Grove Blvd.

*Parcel ID Number(s):* 262135, 262138, 269439

*Current Zoning:* PD-SF-1, PD-SF-2, PD-SF-3, PD-MF-1, PD-GR

*Existing Use:* The site is currently being prepped for infrastructure installation.

*Platting History:* The preliminary plat for the subject site, PLM-2016-41, was approved by City Council on Nov. 21, 2016.

Site Aerial:



**RECOMMENDATION**

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

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

**ATTACHED EXHIBITS**

1. Plat Drawing

**APPLICANT REQUIREMENTS**

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

**CITY REQUIREMENTS FOR PLAT RECORDING AND FILING**

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

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

**STAFF CONTACT INFORMATION**

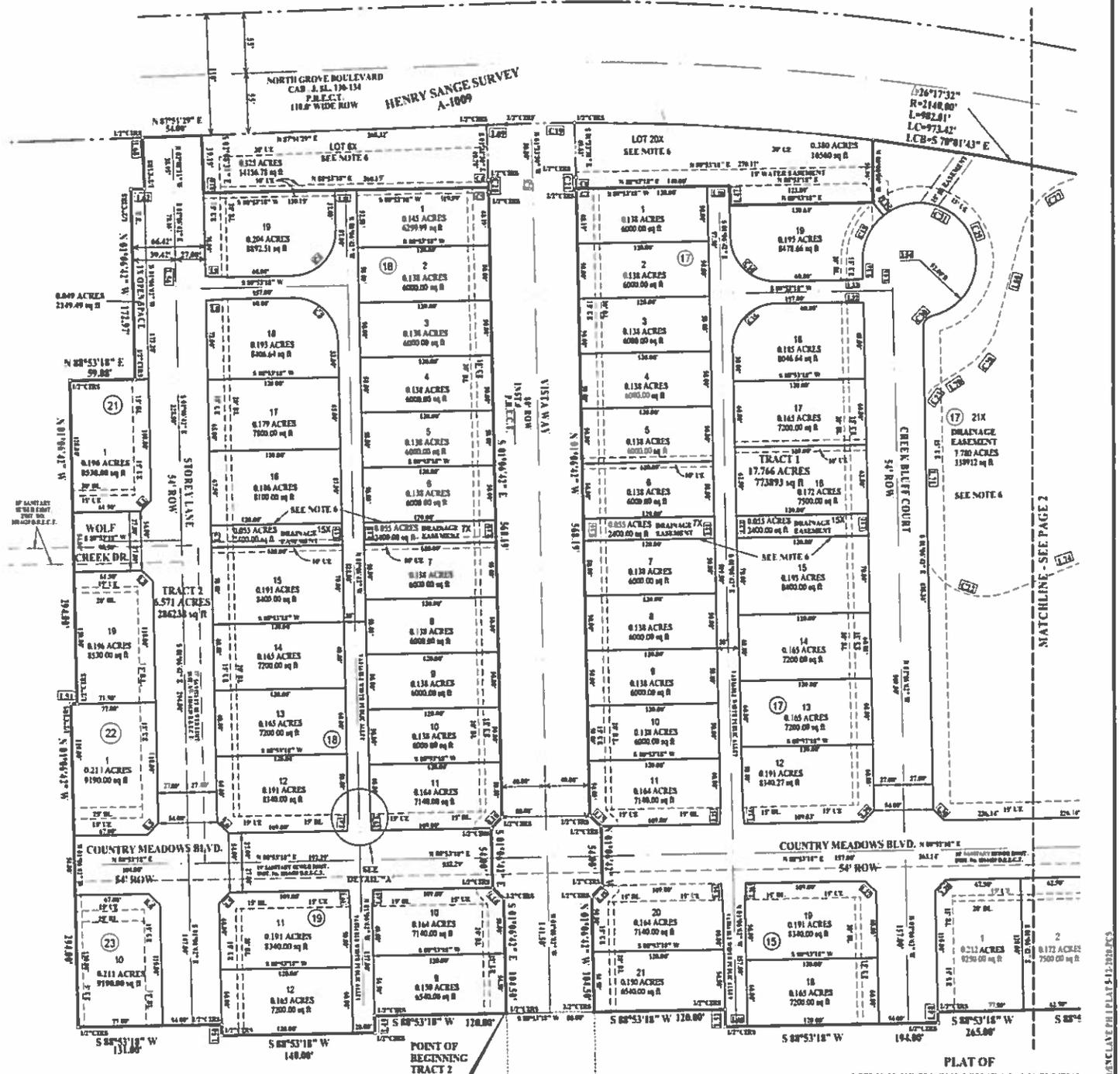
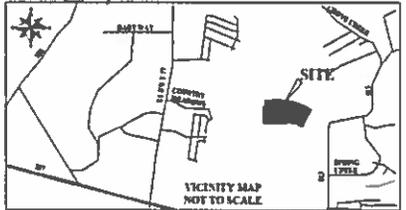
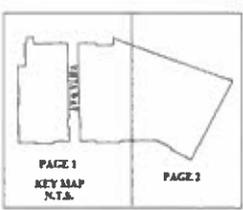
Prepared by:  
 Chris Webb  
 Planner  
[cwebb@waxahachie.com](mailto:cwebb@waxahachie.com)

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



**LEGEND**

- 1. IRON BOUNDING
- 2. 1" IN CONCRETE
- 3. CEMENTED KEY
- 4. POSTHOLE
- 5. LIGHT POLE
- 6. WATER VALVE
- 7. WATER METER
- 8. GAS METER
- 9. SAN SEW. MAN.
- 10. GAS RISER
- 11. FENCE CORNER
- 12. CHANGING CABLE
- 13. POLE OR UTILITY



JOB THE ENCLAVE  
DEVELOPMENT, L.L.C.  
INST. F194734  
D.R.E.C.T.

**PLAT OF**  
LOTS 20, 21, 21X, BLOCK 12; LOTS 17, 18, 19, 21, BLOCK 15;  
LOTS 1 & 4, BLOCK 16; LOTS 1, 19, 7X, 15X, 21X, BLOCK 17;  
LOTS 1, 19, 7X, 15X, BLOCK 18; LOTS 9 & 12, BLOCK 19;  
LOT 101X, BLOCK 21; LOTS 1019, BLOCK 22; LOT 10, BLOCK 23  
RESIDENTIAL LOTS & OPEN SPACE LOTS  
PREPARED MARCH 11, 2020

**GENERAL NOTES:**  
1. THE SUBJECT TRACT LIES WITHIN ZONE "F" (COMMERCIAL FLOOD PLAIN AS DETERMINED BY THE FLOOD INSURANCE RATE MAPS) OF ELLIS COUNTY, TEXAS AND INCORPORATED AREAS. COMMUNITY PANEL NUMBER 40190W00. EFFECTIVE DATE: APRIL 1, 2013.  
2. 1/2" IRON BODIES STAMPED "2014 451" WILL BE SET AT ALL LOT CORNERS AFTER CONSTRUCTION IS COMPLETE.  
3. THE BEARING AND DISTANCE DATA ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM AS DERIVED FROM STATE OBSERVATION AND NOAA/USDA CALCULATIONS.  
4. ALL OPEN SPACES AND DETENTION PLANTS ARE TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.  
5. WOOD FENCES WITH STEEL POSTS ARE TO BE CONSTRUCTED ON ALL LOTS ADJACENT TO EXISTING BERRYPHILL. THESE POSTS TO BE CONSTRUCTED BY HOME BUILDERS AT THE TIME OF INDIVIDUAL LOT CONSTRUCTION.  
6. PRIVATE ROAD/ALLEYWAYS OWNED AND MAINTAINED OPEN SPACE.

**BY SURVEYOR:**  
WHITFIELD HALL SURVEYORS  
REGISTERED PROFESSIONAL  
LAND SURVEYORS  
3599 WILLIAMS ROAD, SUITE 107  
FORT WORTH, TEXAS 76116  
TRIPLE FIRM REG. NO. 10102000  
(817) 560-2916  
whitfieldhall@whitfieldhall.com

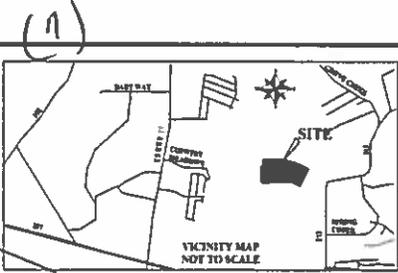
**ENGINEERS:**  
PAPE DAVIDSON ENGINEERS  
ONE RUDOLPH CENTRE  
4500 WEST FWY, SUITE 700  
FORT WORTH, TX 76116  
(817) 670-6444  
CONTACT: ADAM KEEVES  
TRIP. FIRM REG. NO. 470

**OWNER:**  
JOB THE ENCLAVE DEVELOPMENT L.L.C.  
P.O. BOX 2429  
RED OAK, TX 75154  
CONTACT: CHIP BOYD  
(972) 937-4085

**THE ENCLAVE  
PHASE ONE  
24.337 ACRES**

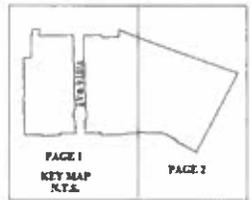
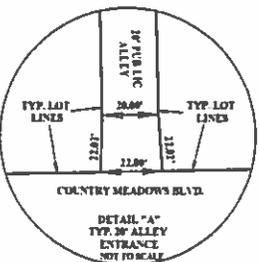
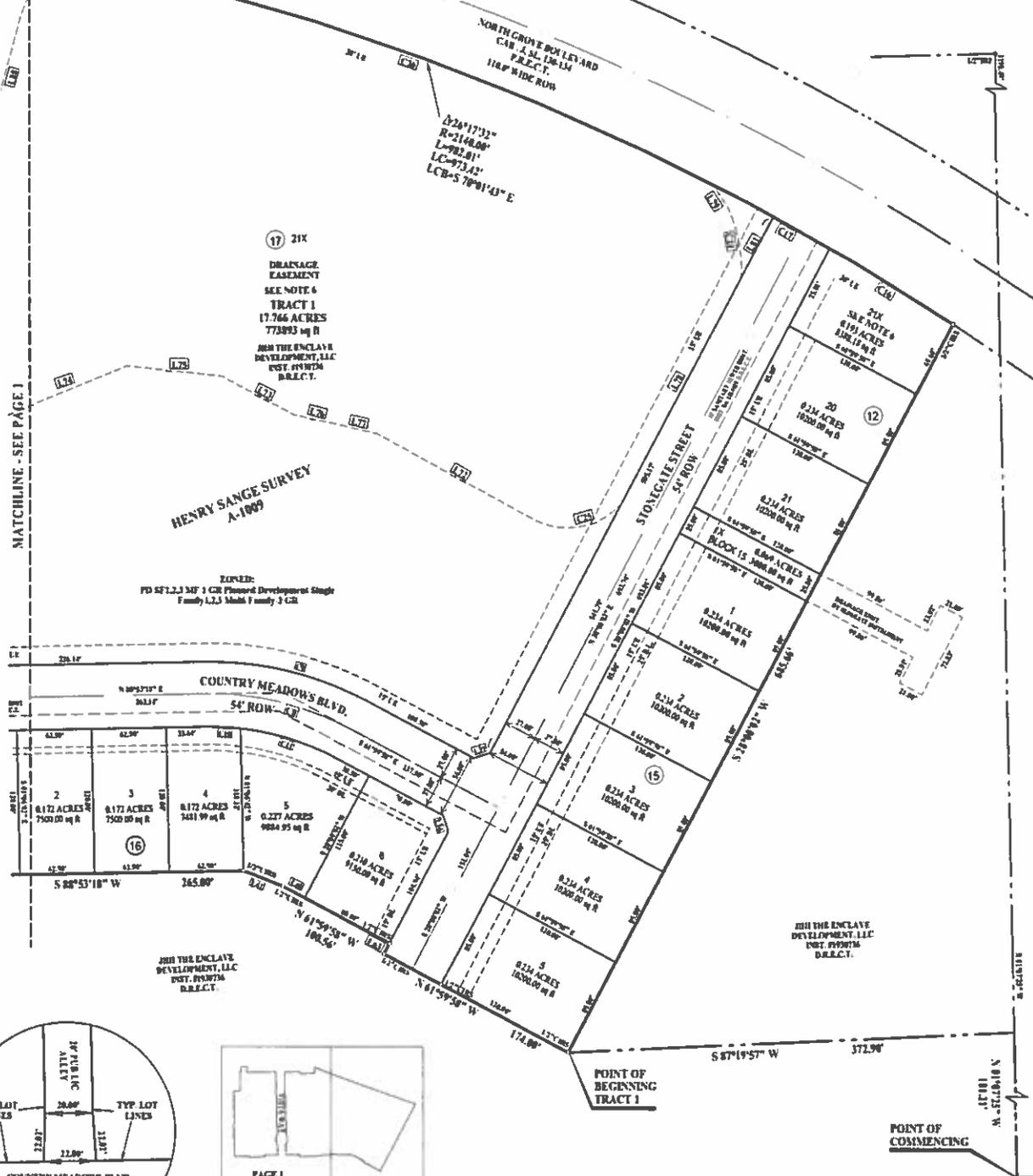
AN ADDITION TO THE CITY OF WABARACHE,  
ELLIS COUNTY, TEXAS, AND BEING SITUATED IN  
THE HENRY SANGE SURVEY, ABSTRACT NO. 1009,  
ELLIS COUNTY, TEXAS.  
CASE NO. 517-68-2020

FCS 0214-1440 REB OF HENRY SANGE SURVEY ENCLOSURE PHASE ONE PLAT 517-68-2020



**LEGEND**

- FLOOD RISK FWD
- 12" PVC PIPE
- CAPTURE BASIN
- WHITE POLE
- LIGHT POLE
- WATER TALLY
- WATER METER
- TELE MANHOLE
- GAS NEW M.B.
- GAS EXIST.
- FENCE CORNER
- CONCRETE CURB
- FIRE HYDRANT



**PLAT OF**  
 LOTS 14, 21X, BLOCK 12; LOTS 15, 16-21, BLOCK 15;  
 LOTS 14, BLOCK 16; LOTS 1, 5, 10-11, BLOCK 17;  
 LOTS 1, 19, 21, 15X, BLOCK 18; LOTS 9-12, BLOCK 19;  
 LOT 14X, BLOCK 21; LOTS 14-19, BLOCK 22; LOT 14, BLOCK 23  
 63 RESIDENTIAL LOTS & OPEN SPACE LOTS  
 PREPARED MARCH 11, 2020

**THE ENCLAVE  
 PHASE ONE  
 24,337 ACRES**

AN ADDITION TO THE CITY OF WAXAHACHIE,  
 ELLIS COUNTY, TEXAS, AND BEING SITUATED IN  
 THE HENRY SANGE SURVEY, ABSTRACT NO. 1089,  
 ELLIS COUNTY, TEXAS.

CASE NO. 6178-65-2020

- GENERAL NOTES:**
- THE SUBJECT TRACT LIES WITHIN ZONE "T" (COMMERCIAL) FLOOD PLAIN AS DETERMINED BY THE FLOOD INSURANCE RATE MAPS FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS, (COMMUNITY PANEL NUMBER 48360000W, EFFECTIVE DATE JUNE 1, 2013).
  - 12" HIGH BARRIERS STAMPED "EP&S" WILL BE SET AT ALL LOT CORNERS AFTER CONSTRUCTION IS COMPLETED.
  - THE BEARINGS FOR THIS SURVEY ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM AS DERIVED FROM THE OBSERVATION AND CALCULATIONS.
  - ALL OPEN SPACES AND DELIMITATION FEATURES ARE TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
  - WOOD FENCES WITH STEEL POSTS ARE TO BE CONSTRUCTED ON ALL LOTS ADJACENT TO EXISTING RESIDENTIAL LOTS. FENCES TO BE CONSTRUCTED BY HOME OWNERS AT THE TIME OF INDIVIDUAL LOT CONSTRUCTION.
  - PRIVATE ROAD/EASEMENT OWNED AND MAINTAINED OPEN SPACE.

**SURVEYOR:**  
 WHITEFIELD HALL SURVEYORS  
 REGISTERED PROFESSIONAL  
 LAND SURVEYORS  
 2000 WILLIAMS ROAD, SUITE 107  
 FORT WORTH, TEXAS 76116  
 TIFLS FIRM REG. NO. 10105500  
 (817) 860 2916  
 whitefieldhall@chrghill.com

**ENGINEER:**  
 PAPE DAWSON ENGINEERS  
 ONE RIDGEMAR CENTRE  
 6000 WEST FWY, SUITE 700  
 FORT WORTH, TX 76116  
 (817) 676 3400  
 CONTACT: ADAM REEVES  
 TIFPE FIRM REG. NO. 470

**OWNER:**  
 JEH THE ENCLAVE DEVELOPMENT LLC  
 P.O. BOX 3829  
 RED OAK, TX 79154  
 CONTACT: CHRIS BOYD  
 (972) 937 4885

PCS 201074-00010101 OF HENRY SANGE ENCLAVE PHASE ONE PLAT 15-12-2020.PCS



# Planning & Zoning Department

## Plat Staff Report

Case: SUB-66-2020



**MEETING DATE(S)**

*Planning & Zoning Commission:* June 9, 2020

**CAPTION**

*Consider* request by Wes Dorough, JH Development, LLC for a Final Plat of The Enclave Ph. 2 for 59 residential lots and 3 open space lots, being 20.615 acres situated in the Henry Sange Survey, Abstract 1009 (Property ID 262135, 262138) – Owner: JHH The Enclave Development, LLC (SUB-66-2020)

**APPLICANT REQUEST**

The applicant is requesting to plat the subject property into 59 residential lots and 3 open space lots.

**CASE INFORMATION**

*Applicant:* Wes Dorough, JH Development, LLC

*Property Owner(s):* JHH The Enclave Development, LLC

*Site Acreage:* 20.615 acres

*Number of Lots:* 62 lots (59 Residential Lots)

*Number of Dwelling Units:* 59 units

*Park Land Dedication:* Sufficient Park Land has been dedicated to the City to satisfy this requirement.

*Adequate Public Facilities:* Adequate public facilities will be installed to support this development. A Letter of Acceptance from the Public Works Dept. will be required in order for the plat to be filed.

**SUBJECT PROPERTY**

*General Location:* Located at Wolf Creek and Highland Dr.

*Parcel ID Number(s):* 262135, 262138

*Current Zoning:* PD-SF-1, PD-SF-2, PD-SF-3, PD-MF-1, PD-GR

*Existing Use:* The site is currently being prepped for infrastructure installation.

*Platting History:* The preliminary plat for the subject site, PLM-2016-41, was approved by City Council on Nov. 21, 2016.

**Site Aerial:**



**RECOMMENDATION**

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

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

**ATTACHED EXHIBITS**

1. Plat Drawing

**APPLICANT REQUIREMENTS**

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

**CITY REQUIREMENTS FOR PLAT RECORDING AND FILING**

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

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

**STAFF CONTACT INFORMATION**

*Prepared by:*  
 Chris Webb  
 Planner  
[cwebb@waxahachie.com](mailto:cwebb@waxahachie.com)

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







(9)

# Planning & Zoning Department

## Plat Staff Report

Case: SUB-67-2020



### MEETING DATE(S)

Planning & Zoning Commission: June 9, 2020

### CAPTION

*Consider* request by Wes Dorough, JH Development, LLC for a Final Plat of The Estates of North Grove Ph. 2 for 72 residential lots and 1 open space lots, being 18.567 acres situated in the Henry Sange Survey, Abstract 1009, John B. Adams & Ann Adams Survey, Abstract 5, and the Robert Russell Survey, Abstract 911 (Property ID 262135, 262138) – Owner: JHH The Enclave Development, LLC (SUB-67-2020)

### APPLICANT REQUEST

The applicant is requesting to plat the subject property into 72 residential lots and 1 open space lot.

### CASE INFORMATION

*Applicant:* Wes Dorough, JH Development, LLC

*Property Owner(s):* JHH The Enclave Development, LLC

*Site Acreage:* 18.567 acres

*Number of Lots:* 73 lots (72 Residential Lots)

*Number of Dwelling Units:* 72 units

*Park Land Dedication:* Sufficient Park Land has been dedicated to the City to satisfy this requirement.

*Adequate Public Facilities:* Adequate public facilities will be installed to support this development. A Letter of Acceptance from the Public Works Dept. will be required before the plat can be filed.

### SUBJECT PROPERTY

*General Location:* 1699 Vista Way

*Parcel ID Number(s):* 262135, 262138

*Current Zoning:* PD-SF-1, PD-SF-2, PD-SF-3, PD-MF-1, PD-GR

*Existing Use:* The site is currently being prepped for infrastructure installation.

**Platting History:**

The preliminary plat for the subject site, PLM-2016-01, was approved by City Council on March 7, 2016.

**Site Aerial:**



**RECOMMENDATION**

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

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

**ATTACHED EXHIBITS**

- 1. Plat Drawing

**APPLICANT REQUIREMENTS**

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

**CITY REQUIREMENTS FOR PLAT RECORDING AND FILING**

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

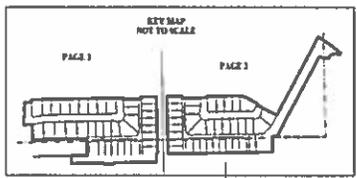
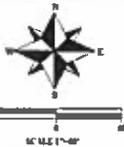
- 1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
- 2. A drainage study has been conducted and/or a traffic impact analysis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

**STAFF CONTACT INFORMATION**

*Prepared by:*  
 Chris Webb  
 Planner  
[cwebb@waxahachie.com](mailto:cwebb@waxahachie.com)

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

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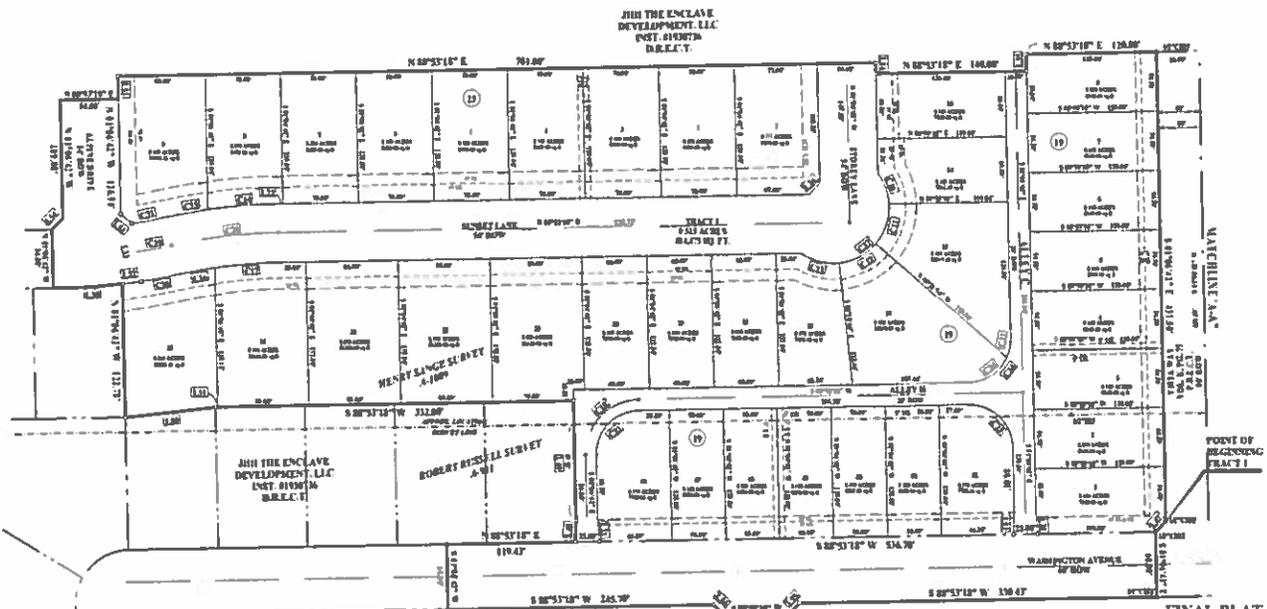


VICINITY MAP NOT TO SCALE

JOH THE ENCLAVE DEVELOPMENT, LLC USE PERIOD D.R.E.C.T.

ALL LOT BOUNDARIES ARE PLANNED CAP GRADING PER THE PLANNED DEVELOPMENT PERIOD.

- LEGEND**
- 1. LOT BOUNDARIES
  - 2. LOT CENTERLINE
  - 3. LOT CORNER POINTS
  - 4. LOT AREA
  - 5. LOT PERIMETER
  - 6. LOT PERIMETER
  - 7. LOT PERIMETER
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  - 99. LOT PERIMETER
  - 100. LOT PERIMETER



- GENERAL NOTES:**
- OPEN SPACE IS TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
  - WOOD FENCES WITH STEEL POSTS ARE TO BE CONSTRUCTED ON ALL LOTS ADJACENT TO EXISTING RESIDENTIAL USES. FENCES TO BE CONSTRUCTED BY HOME BUILDERS AT THE TIME OF INDIVIDUAL LOT CONSTRUCTION.
  - ALL LOT CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND POINTS OF TANGENCY WERE PHYSICALLY SET, SAID POINTS WERE MARKED WITH 1/2" IRON BARS WITH A CAP BEARING "PLAT 68", BURIED INTO THE GROUND, UNLESS OTHERWISE NOTED.
  - REINFORCED CONCRETE IN VAN HISE (COURT 241 FEET SOUTH OF THE EASTERN CORNER OF LOT 36 BLOCK 1) N-842974.191 E-264894.291 ELEV 494.13
  - REINFORCED CONCRETE IN VAN HISE (COURT 241 FEET SOUTH OF THE EASTERN CORNER OF LOT 36 BLOCK 1) N-842974.191 E-264894.291 ELEV 494.13
  - BEARINGS FOR THIS DESCRIPTION ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH-CENTRAL ZONE (NAD 83), NORTH AMERICA IN 84 (NAD 83), AS DERIVED FROM STATE COORDINATE DATA AND HORIZONTAL OPEN CALCULATIONS.
  - THE PROPERTY DESCRIBED IN THIS SURVEY HAS WITHIN ZONE 2 UNRESERVED AREAS AS SHOWN ON THE FLOOD ELEVANCE DATA MAP FOR TARRANT COUNTY, TEXAS AND INCORPORATED AREAS, MAP NO. 81896 W00F, EFFECTIVE DATE JUNE 1, 2012.

**LAND SUMMARY**

LOTS	1271 ACRES
OPEN SPACE	134 ACRES
NEW	1.564 ACRES
<b>TOTAL AREA</b>	<b>1406 ACRES</b>

**OWNER:**  
JOH THE ENCLAVE DEVELOPMENT, LLC  
PO BOX 100  
MCKINNEY, TX 75069  
CONTACT: CHAD WOOD  
972-566-0000

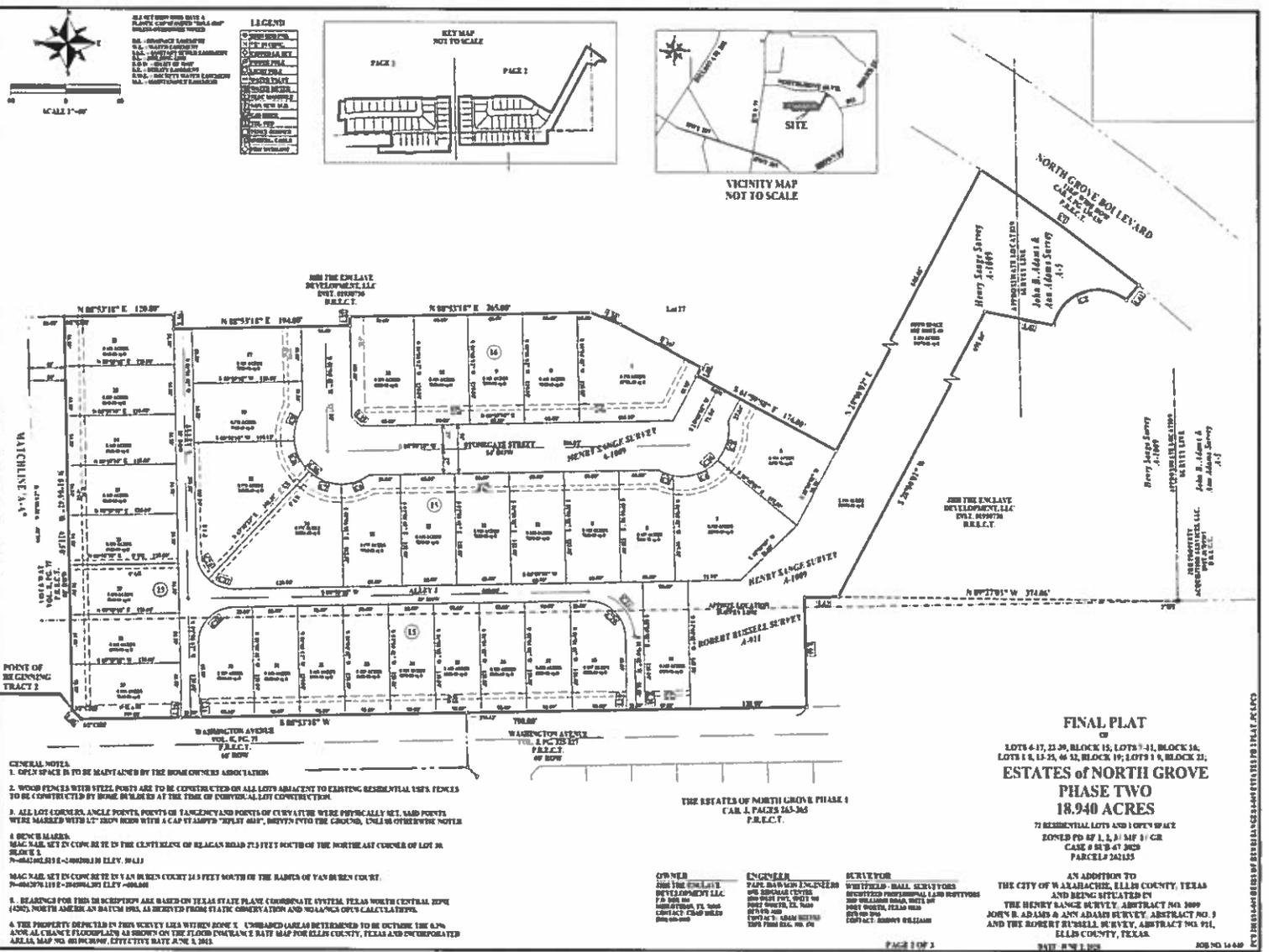
**ENGINEER:**  
PAUL BARNHART, P.E.  
ONE BURNHAM COURT  
DALLAS, TEXAS 75246  
972-350-1100  
CONTACT: ADAM MEYER  
972-350-1100

**DATE FOR:**  
WRIGHTFIELD HALL RESIDENCES  
RESIDENTIAL DEVELOPMENT  
300 WRIGHTFIELD HALL DRIVE  
DALLAS, TEXAS 75246  
CONTACT: ANDREW WILLIAMS  
972-350-1100

AN ADDITION TO THE CITY OF WAXLAHACHE, TARRANT COUNTY, TEXAS AND BEING SITUATED IN THE HENRY SARGE SURVEY, ABSTRACT NO. 1899, RUBY B. ADAMS & ANN ADAMS SURVEY, ABSTRACT NO. 5 AND THE ROBERT RUSSELL SURVEY, ABSTRACT NO. 911, ELLIS COUNTY, TEXAS.

THIS IS A PRELIMINARY PLAT AND IS NOT TO BE USED FOR CONSTRUCTION PURPOSES WITHOUT THE APPROVAL OF THE TARRANT COUNTY CLERK.

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# Planning & Zoning Department

## Zoning Staff Report

Case: ZDC-07-2020



### MEETING DATE(S)

*Planning & Zoning Commission:* June 9, 2020 (continued from May 26, 2020)

*City Council:* June 15, 2020

### CAPTION

**Public Hearing** request by the City of Waxahachie to consider revoking, amending, or renewing a **Specific Use Permit** (Ordinance 2616) at 500 Brown Industrial which allows for the use of metal granulators and crushers for the reclamation of vehicles, parts of vehicles, and other materials to be processed. (ZDC-000007-2020)

### APPLICANT REQUEST

The purpose of this request is for the City of Waxahachie to consider approving a new Specific Use Permit along with a Development Agreement, for Oak Cliff Metals at the subject property 500 Brown Industrial Rd.

### CASE INFORMATION

*Applicant:* Oak Cliff Metals

*Property Owner(s):* Falcon Transit Inc.

*Site Acreage:* 17.996 acres

*Current Zoning:* Heavy Industrial

*Requested Zoning:* Heavy Industrial w/ SUP

### SUBJECT PROPERTY

*General Location:* 500 Brown Industrial Rd.

*Parcel ID Number(s):* 233797

*Existing Use:* Existing industrial recycling site

*Development History:* N/A

### Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	FD	Currently Undeveloped
East	FD & LI1	Rivera Truck
South	HI	Estrada Truck Parts
West	FD	Currently Undeveloped

*Future Land Use Plan:*

Highway Commercial

*Comprehensive Plan:*

Highway Commercial areas are intended to allow for traditional commercial land uses, but such uses should be developed to a higher standard. For example, outside storage may be permitted, but would have to be screened and not visible from the road. In addition, a more limited array of commercial uses would be permitted. Hotels, motels, and car dealerships would be permitted, for example, but manufactured home sales and self-storage buildings would not. The idea is for these areas to show a positive image of Waxahachie and make visitors want to travel into the main part of the City.

*Thoroughfare Plan:*

The subject property is accessible via Brown Industrial Rd.

*Site Image:*



**PLANNING ANALYSIS**

Due to the significant fires that have occurred at the property on August 24, 2013, August 12, 2014, January 21, 2015, February 14, 2016, July 7, 2016, and December 18, 2019, safety has become a major concern for the subject property as well as surrounding properties. Furthermore, other violations for the property include exceeding the height limitations for storage piles, exceeding the limited hours of operation of 7:00 A.M. to 7:00 P.M., not maintaining a 24-foot pathway through the site, and not having adequate water to fight fires.

Due to the aforementioned concerns, staff suggests that a Development Agreement is considered and approved to allow for further standards and guidelines to be placed on the property. On June 15, 2020, City Council will consider an action to approve the proposed Development Agreement and a new Specific Use Permit, or revoke the existing Specific Use Permit for Oak Cliff Metals Recycling in relation to Ordinance 2616.

CHANGES FROM THE 5/26/20 PLANNING AND ZONING MEETING

At the May 26, 2020 Planning and Zoning meeting, the Planning and Zoning Commission voted 3-2 to continue case number ZDC-07-2020 to the June 9, 2020 Planning and Zoning meeting and June 15, 2020 City Council meeting. The Commission recommended that the case be continued so that the attorneys (City Attorney and Oak Cliff Metals Recycling Attorney) could have time to make revisions to the Development Agreement concerning the granulator and fluff piles. Changes from the May 26, 2020 Development Agreement include:

Section 3. Agreements

*(Information highlighted in bold has been added since the May 26, 2020 Planning and Zoning meeting)*

1. OCR will not operate the Harris Model 6090 shredder, or any other comparable shredder or granulator that creates piles of combustible "fluff" in substantially the same quantities as the Harris Model 6090 shredder. The portions damaged or destroyed in the December 2019 fire will be scrapped. The useable portions will be sold or scrapped.
2. The piles of combustible "fluff" that were generated by the operation of the Harris Model 6090 shredder (and were the source of the December 2019 fire) will no longer accumulate because the shredder ~~will no longer operate~~, or any comparable shredder that creates piles of combustible "fluff" in substantially the same quantities as the Harris Model 6090 shredder, will no longer operate on the Property.

Note: Aside from the aforementioned revisions, no other changes were made to the Oak Cliff Metals Recycling Development Agreement.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 14 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

Inside 200 ft. Notification Area: Staff has received three (3) letters of support for the revocation of the SUP for Oak Cliff Metals.

Outside 200 ft. Notification Area: Staff has received one (1) letter of support for the revocation of the SUP for Oak Cliff Metals.

STAFF CONCERNS

1. Due to frequent fires on the property, as well as repeated ordinance (Ord. 2616) violations for the site, staff suggests that a Development Agreement is considered and approved to allow for further standards and guidelines to be placed on the property.

APPLICANT RESPONSE TO CONCERNS

1. The applicant understands staff's concerns and intends to state their reasoning at the June 9, 2020 Planning and Zoning meeting.

**RECOMMENDATION**

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

- Denial
- Approval, as presented.
- Approval, per the following comments:
  1. Staff recommends approval pending that the applicant agrees to meet the required standards detailed within the proposed Development Agreement and the revised Specific Use Permit for the property.

**ATTACHED EXHIBITS**

1. Development Agreement/Ordinance
2. Notice of Specific Use Permit Revocation Hearing
3. Ordinance 2616
4. Property Owner Notification 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)

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STATE OF TEXAS       §  
                                  §  
COUNTY OF ELLIS     §

**DEVELOPMENT AGREEMENT  
FOR OAK CLIFF RECYCLING, INC.**

This Development Agreement for Oak Cliff Recycling, Inc. ("**Agreement**") is entered into between Oak Cliff Recycling, Inc. ("**OCR**"), and the City of Waxahachie, Texas ("**City**"). OCR and the City are sometimes referred herein together as the "**Parties**" and individually as a "**Party**."

**Recitals:**

1. OCR operates a metal recycling business on Lot 10R of Brown Industrial Sites, more commonly known as 500 Brown Industrial Road, Waxahachie, Texas 75165 ("**Property**"). The Property is zoned Heavy Industrial ("**HI**"). A Specific Use Permit ("**SUP**") for the Property was issued on July 5, 2011, pursuant to Waxahachie Ordinance No. 2616, which allows for the use of metal granulators and crushers for the reclamation of listed materials on the Property.

2. At least two fires have occurred on the Property involving a Harris Model 6090 metal shredder, the most recent being in December 2019. After the December 2019 fire, on January 8, 2020, the City sent OCR a letter regarding "Notice of Specific Use Permit Revocation Hearing." The letter indicates a hearing will be held for the City Council to consider revoking or amending the SUP.

3. To address the shared concerns of the City and OCR regarding operations at, and conditions on, the Property, the Parties have reached a number of agreements regarding the use of the Property and additional terms and conditions that should be included within a new or amended SUP for the Property. As is reflected by the public records of the City, significant discussions and negotiations between representatives of OCR and the City of Waxahachie staff have occurred during various meetings, in an effort to obtain an agreed-upon and negotiated set of zoning, development, and operational standards to be reflected in the SUP for the Property, which SUP Ordinance ("**OCR SUP**"), a copy of which is attached hereto as *Exhibit A*, which contains the negotiated zoning, development, and operational standards for the Property.

4. This Agreement seeks to incorporate the negotiated and agreed upon zoning, development, and operational standards for the Property contained in the OCR SUP as contractually-binding obligations between the City and OCR, and to recognize OCR's reasonable investment-backed expectations in the OCR SUP and the continued operation of the Property for a metal recycling business.

**NOW, THEREFORE**, for and in consideration of the above and foregoing premises, the benefits to each of the Parties from this Agreement, and other good and valuable consideration, the sufficiency of which is hereby acknowledged and agreed, the Parties do hereby agree as follows:

(10)

**Section 1. Incorporation of Premises.** The above and foregoing Recitals are true and correct and are incorporated herein and made a part hereof for all purposes.

**Section 2. Term.** This Agreement shall be effective as of the date of execution of this Agreement by the last of the Parties to do so ("**Effective Date**"). This Agreement shall remain in full force and effect from the Effective Date until terminated by the mutual agreement of all of the Parties in writing ("**Term**").

**Section 3. Agreements.** The Parties agree as follows:

**Incorporation of Zoning and Recognition of Investment-Backed Expectations:**

The negotiated and agreed upon zoning, development, and operational standards contained in the OCR SUP, which incorporate by reference the general zoning regulations of the City of Waxahachie zoning ordinance, are hereby adopted and incorporated into this Agreement as contractually-binding obligations of OCR.

OCR agrees to the following:

1. OCR will not operate the Harris Model 6090 shredder, or any other comparable shredder or granulator that creates piles of combustible "fluff" in substantially the same quantities as the Harris Model 6090 shredder. The portions damaged or destroyed in the December 2019 fire will be scrapped. The useable portions will be sold or scrapped.

2. The piles of combustible "fluff" that were generated by the operation of the Harris Model 6090 shredder (and were the source of the December 2019 fire) will no longer accumulate because the shredder will no longer operate, or any comparable shredder that creates piles of combustible "fluff" in substantially the same quantities as the Harris Model 6090 shredder, will no longer operate on the Property.

3. OCR will not operate noisy machinery outside the hours of 7:00 a.m. – 7:00 p.m.

4. OCR will maintain twenty-four foot (24') wide fire lanes through and completely around any storage located in those areas marked "Inventory" and "Reduction Grinder Easement" on that certain Davis & McDill, Inc. survey attached hereto and marked "Special Use Permit Lot 10R". Because the amount and location of materials stored on the Property changes on a daily or weekly basis, OCR will maintain the twenty-four foot (24') wide fire lanes in such locations that make it possible for firefighting equipment to reach any storage.

5. OCR agrees to employ KPA (kpa.io) (or other similar company) to conduct twice yearly training and inspections/audits on workplace health and safety, environmental risk management, and fire safety. OCR agrees to notify a person designated by the City of the completion of each inspection/audit, at which time the fire chief may inquire about any

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fire safety related issues identified in the inspection/audit. The City reserves the right, however, to conduct routine inspections of the Property to determine compliance with the terms of this Agreement, the OCR SUP, and other applicable City regulations.

6. OCR will discuss with its neighbors on Brown Industrial Road the potential costs of bringing City services to the street (water, sewer, street maintenance, etc.) and explore with them potential financial cost-sharing options to do so.

7. OCR will limit the size of all piles of materials to not greater than 25 feet in height, 250 feet in length and 150 feet in width. OCR will have until the September 30, 2020, to complete the task of conforming all piles of materials to these size restrictions.

8. OCR will work with appropriate City employees to identify any landscaping to be completed at the Property necessary to comply with applicable City ordinances and will complete such landscaping no later than June 30, 2020.

9. OCR will not allow combustible waste that is produced by the recycling process that has no value (*i.e.*, wiring insulation) to accumulate. As a minimum, OCR shall haul off such waste at least once per week.

10. OCR will not allow combustible waste that is produced by the recycling process that has value (*i.e.*, cardboard bales) to accumulate in excess of one (1) truck load.

In consideration of OCR's agreement in this regard, the City agrees that OCR has reasonable investment-backed expectations in the OCR SUP, and that the City may not unilaterally change the zoning and development standards contained in the OCR SUP without impacting OCR's reasonable investment-backed expectations.

#### **Additional Understandings:**

While not part of the OCR SUP, the Parties have reached the additional understandings regarding the use and operation of the Property to provide instructive clarification on the use and operation of the Property as it relates to the City's zoning for the Property. Those understandings are as follows:

1. Because the Property is zoned HI, OCR is not required to obtain a SUP for the Property for use of other machines or equipment OCR operates on the Property other than the Harris Model 6090 shredder. Specifically, operation of the following machines/equipment does not require a SUP:

- A. Two Sweed Choppers;
- B. Copper Wire Chopper;
- C. Alligator Shear;
- D. Wire Stripper;
- E. Non-ferrous baler;

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- F. Metso Shear;
- G. Sierra Shear;
- H. Rail-breaker; and
- I. Two mobile excavators with shears.

2. The machines/equipment listed above are identified by either their respective brand name or a common-use description. Since the December 2019 fire, the City fire marshal has inspected the Property and viewed this machines/equipment and did not indicate that any of them posed any fire hazards.

3. The revocation or amendment of the current SUP would not affect or impact OCR's operation of these machines/equipment on the Property, or its operation of other similar equipment that does not generate combustible "fluff" similar to the Harris Model 6090 shredder.

4. The City does not consider any of these machines/equipment, or other similar types of equipment that may be used in the future, to be "metal granulators and crushers," as those terms are used in the current SUP.

5. Notwithstanding the understandings set forth in paragraphs 1-4, above, the City reserves the right to object to the use of any of the listed machines/equipment should their operation be determined to violate other City ordinances other than the SUP and zoning ordinances (*i.e.*, nuisance ordinance, noise ordinance, etc.)

#### **Section 4. Miscellaneous**

A. This Agreement and any dispute arising out of or relating to this Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without reference to its conflict of law rules. In the event of any dispute or action under this Agreement, venue for any and all disputes or actions shall be instituted and maintained in Ellis County, Texas.

B. It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership, joint venture, joint enterprise, or other relationship between or among the Parties.

C. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

D. The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by either Party shall not preclude or waive its right to use any or all other remedies. Said rights and remedies are given in addition to any other rights the Parties may have by law statute, ordinance, or otherwise. The failure by any Party to exercise any right, power, or option given to it by this Agreement, or to insist upon strict compliance with the terms of this Agreement, shall not constitute a waiver of the terms and conditions of this Agreement with respect to any other or subsequent breach thereof, nor a waiver by such Party of its rights at any time thereafter to require exact and strict compliance with all the terms hereof. Any rights and remedies any Party may have with respect to the other arising out of this Agreement shall survive the cancellation, expiration or termination of this Agreement. The City agrees to give written notice to OCR of any asserted violations of this Agreement and OCR shall be given five (5) calendar days to cure said violations prior to the City's undertaking any enforcement actions to address the asserted violations. Should said asserted violations remain uncured, the City shall have the right to enforce this Agreement through specific performance, as appropriate, or maintain other lawful actions to address the asserted violations.

E. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.

F. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination or expiration of this Agreement shall survive termination or expiration.

G. This Agreement is made subject to the existing provisions of the City of Waxahachie, its present rules, regulations, procedures and ordinances, and all applicable laws, rules, and regulations of the State of Texas and the United States.

H. The undersigned officers and/or agents of the Parties hereto are the properly authorized persons and have the necessary authority to execute this Agreement on behalf of the Parties hereto.

I. This Agreement may be only amended or altered by written instrument signed by the Parties.

J. The headings and captions used in this Agreement are for the convenience of the Parties only and shall not in any way define, limit or describe the scope or intent of any provisions of this Agreement.

K. This Agreement is the entire agreement between the Parties with respect to the subject matters covered in this Agreement. There are no other collateral oral or written agreements between the Parties that in any manner relates to the subject matter of this Agreement, except as provided or referenced in this Agreement.

(10)

L. This Agreement shall be recorded in the real property records of Ellis County, Texas. This Agreement and all of its terms, conditions, and provisions is and shall constitute a restriction and condition upon the development of the Property and all portions thereof and a covenant running with the Property and all portions thereof, and is and shall be binding upon SC and all heirs, successors, and assigns and the future owners of the Property and any portion thereof; provided, however, this Agreement shall not constitute an obligation of or be deemed a restriction or encumbrance with respect to any platted residential lot upon which a completed structure has been constructed.

**EXECUTED** by the Parties on the dates set forth below, to be effective as of the date first written above.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

(10)

**OAK CLIFF RECYCLING, INC.**

**CITY OF WAXAHACHIE, TEXAS**

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Michael Scott, City Manager

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

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

ATTEST:

By: \_\_\_\_\_

City Secretary

**STATE OF TEXAS       §  
                                  §  
COUNTY OF ELLIS     §**

Before me, the undersigned authority, on this \_\_\_\_ day of \_\_\_\_\_, 2020, personally appeared MICHAEL SCOTT, City Manager of the City of Waxahachie, Texas, 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.

[Seal]

By: \_\_\_\_\_

Notary Public, State of Texas

My Commission Expires: \_\_\_\_\_

**STATE OF TEXAS       §  
                                  §  
COUNTY OF ELLIS     §**

Before me, the undersigned authority, on this \_\_\_\_ day of \_\_\_\_\_, 2020, personally appeared \_\_\_\_\_, representative of Oak Cliff Recycling, Inc., 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.

[Seal]

By: \_\_\_\_\_

Notary Public, State of Texas

My Commission Expires: \_\_\_\_\_

(10)

**EXHIBIT A**

**OCR SUP Ordinance**

ORDINANCE NO. \_\_\_\_\_

**AN AMENDMENT TO ORDINANCE 2616 AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT OUTSIDE STORAGE (METAL GRANULATORS AND CRUSHERS FOR THE RECLAMATION OF VEHICLES, PARTS OF VEHICLES, AND OTHER MATERIALS TO BE PROCESSED) WITHIN A HEAVY INDUSTRIAL (HI) ZONING DISTRICT, LOCATED AT 500 BROWN INDUSTRIAL ROAD, BEING PROPERTY ID 233797, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 10R, BROWN INDUSTRIAL SITES, PHASE TWO, 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 HI; 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 ZDC-07-2020. 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 HI to HI, with an SUP in order to permit Outside Storage (metal granulators and crushers for the reclamation of vehicles, parts of vehicles, and other materials to be processed) on the following property: Lot 10R, Brown Industrial Sites, Phase Two which is shown on Exhibit A.

(10)

## SPECIFIC USE PERMIT

### Purpose and Intent

The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and Zoning Ordinance.

### Specific Use Permit

**FOR OPERATION OF SPECIFIC USE PERMIT FOR OUTSIDE STORAGE (METAL GRANULATORS AND CRUSHERS FOR THE RECLAMATION OF VEHICLES, PARTS OF VEHICLES, AND OTHER MATERIALS TO BE PROCESSED) IN THE HEAVY INDUSTRIAL (HI) DISTRICT;** the following standards and conditions are hereby established as part of this ordinance:

1. The applicant, Oak Cliff Recycling, shall conform to the Development Agreement as approved by the City Council.
2. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
3. If approved, the City Council shall have the right to review the Specific Use Permit after 12-months if needed.

### Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit is effective only as to the owner. Should the property be conveyed to a new owner, that owner must obtain a new Specific Use Permit and a new Certificate of Occupancy.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

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.

(10)

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 ~~18<sup>th</sup>~~ 15<sup>th</sup> day of ~~May~~June, 2020.

\_\_\_\_\_  
MAYOR

ATTEST:

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



(10)

# CITY OF WAXAHACHIE

---

Oak Cliff Recycling, Inc.  
500 Brown Industrial  
Waxahachie, Texas 75165

June 2, 2020

Re: Notice of Specific Use Permit Revocation Hearing

Oak Cliff Recycling:

I am writing you concerning your Specific Use Permit on your property known as Lot10R of Brown Industrial Sites. I have enclosed a copy of the Ordinance for your reference. Please note that it provides that the Specific Use Permit can be revoked upon ninety (90) days' notice.

The City of Waxahachie has become very concerned about the use of this property under this permit and the property's suitability for this use given the propensity for fires. The City Council voted at their meeting on January 6, 2020 to set in motion the procedures to consider a zoning change (revoking or amending the Specific Use Permit). The council approved calling for a public hearing to consider the revocation of this specific use permit for the use of metal granulators and crushers. The staff has set the hearing times for the two hearings required by law for:

Planning and Zoning Commission at 7:00 P.M. on Tuesday, June 9, 2020 at City Hall

City Council at 7:00 P.M. on Monday, June 15, 2020 at City Hall

The public hearings will allow you and interested citizens to present your case. The City Council, after the June 15<sup>th</sup> public hearing, may leave the permit as-is, amend it, or revoke it, at its discretion.

City Council will consider an action revoking the Specific Use Permit. This is because of frequent fires on the property, and in addition to the significant fires that have occurred (on August 24, 2013, August 12, 2014, January 21, 2015, February 14, 2016, July 7, 2016, and December 18, 2019) at this property, other conditions of the above referenced city ordinance have also been repeatedly violated. Additional violations include: exceeding the height limitations of storage piles, as well as the limited hours of operation of 7:00 A.M. to 7:00 P.M., and not maintaining a 24-foot pathway through the site. Additionally, this site does not have adequate water to fight fires.

Sincerely,

Michael Scott  
City Manager

(10)

**ORDINANCE NO. 2616**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT ON LOT 10R, BROWN INDUSTRIAL SITES, PHASE TWO, CONTAINING 17.996 ACRES, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS LOCATED AT 500 BROWN INDUSTRIAL ROAD, WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING HEAVY INDUSTRIAL (HI) TO HEAVY INDUSTRIAL WITH SPECIFIC USE PERMIT (HI w/SUP), FOR THE PURPOSE OF ALLOWING THE USE OF METAL GRANULATORS AND CRUSHERS FOR THE RECLAMATION OF VEHICLES, PARTS OF VEHICLES, AND OTHER MATERIALS TO BE PROCESSED, 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 of 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 hereinbelow described property is classified in said ordinance and any amendments thereto as Heavy Industrial (HI); and

WHEREAS, proper application for a Specific Use Permit has been made in accordance with the zoning ordinances in the City of Waxahachie, and same having been referred to the Planning and Zoning Commission, and said Planning and Zoning Commission has recommended 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 Specific Use Permit:

**NOW, THEREFORE,** this Specific Use Permit is to allow the use of metal granulators and crushers for the reclamation of vehicles, parts of vehicles, and other materials to be processed, which is a potential noise hazard. This permit is issued subject to the requirement that hours of operation shall be limited to 7:00 a.m. to 7:00 p.m., that no storage shall be visible from IH-35E, and landscaping approved by the City shall be placed and maintained to provide screening from surrounding properties, and the Specific Use Permit is hereby authorized on the following property:

Lot 10R, Brown Industrial Sites, Phase Two, containing 17.996 acres,  
located at 500 Brown Industrial Road, Waxahachie, Ellis County, Texas.

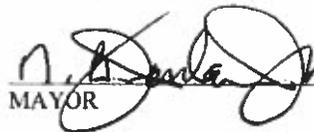
Said Specific Use Permit is granted subject to the provision that, although it is to be automatically renewed each year, it shall at any time be subject to cancellation upon hearing before the City Council upon ninety (90) days notice in writing of said hearing; and further is subject to all state regulations and licensing requirements.

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

**PASSED, APPROVED AND ADOPTED** on this 5<sup>th</sup> day of July, 2011.

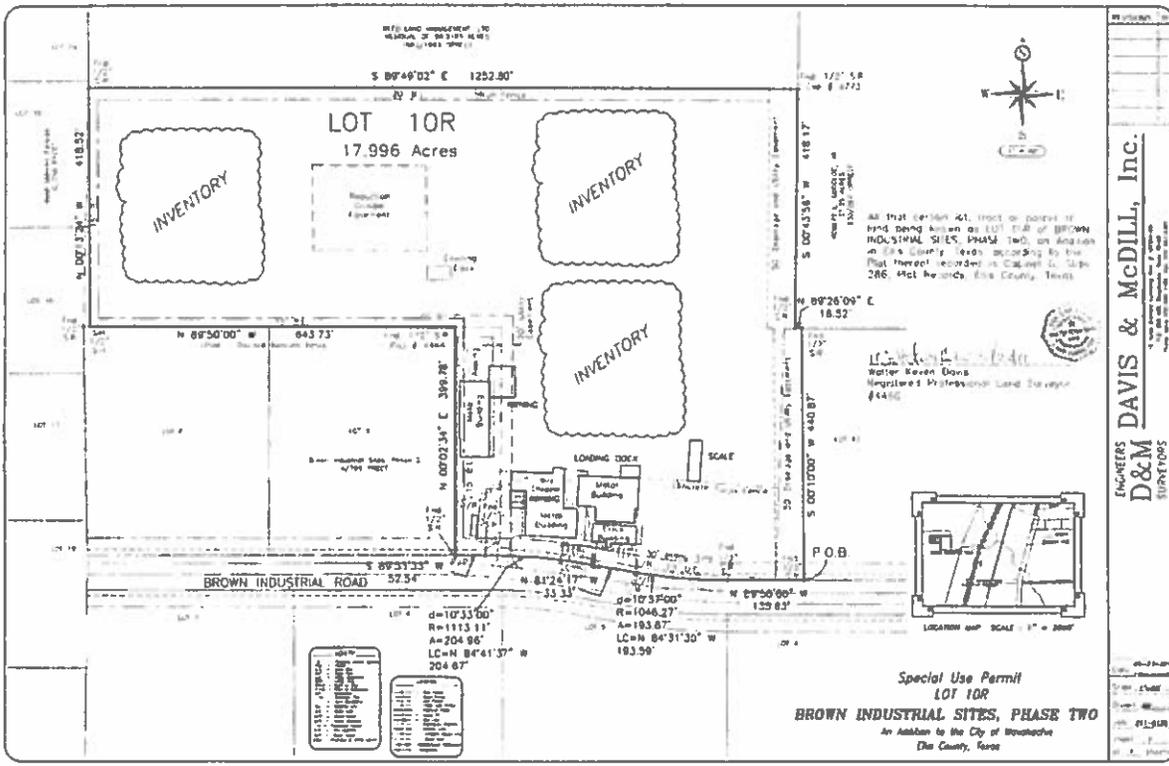


ATTEST:

  
MAYOR

  
City Secretary

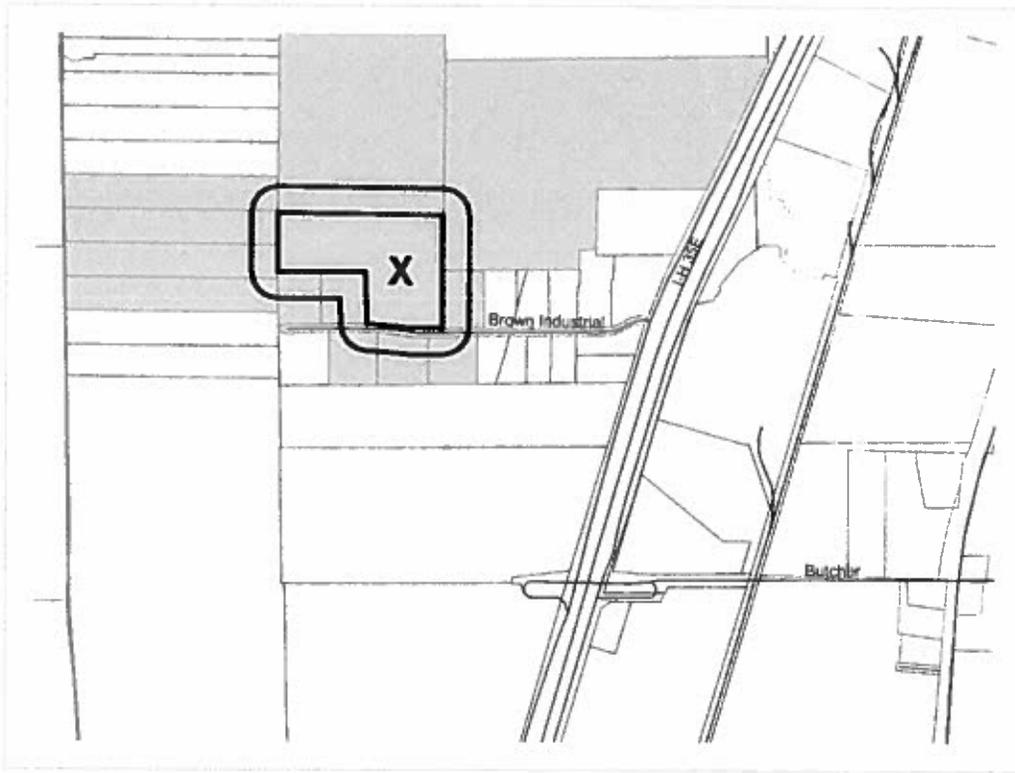
(10)



(10)

500 0 500 1000 Feet

SUP2011-15



(10)

Case ZDC-00007-2020  
Responses Received Inside Required 2007 Notification Area  
Support: 3 Oppose: 0

Property ID	Owner's Name	Acres	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's Zip	Physical Address
148211	PERETTE EVELYN G	3.06	LOT 4 BROWN IND SITES 3.06 AC	8431 TRANQUILDO APT 1021	IRVING	TX	75038	BROWN INDUSTRIAL RD WAXAHACHE TX 75167
148212	F W N O LLC	2.73	LOT 12 BROWN IND SITES 1 2.73 AC	PO BOX 610228	DALLAS	TX	75261	BROWN INDUSTRIAL RD WAXAHACHE TX 75167
148224	ESTRADA LUIS	3.34	LOT 6 BROWN IND SITES 2 3.34 AC	524 BROWN INDUSTRIAL RD	WAXAHACHE	TX	75167	BROWN INDUSTRIAL RD WAXAHACHE TX 75167
148237	FRANCO JORIS L	3	LOT 8 BROWN IND SITES 2 3 AC	674 BROWN INDUSTRIAL RD	WAXAHACHE	TX	75167	674 BROWN INDUSTRIAL RD WAXAHACHE TX 75167
148238	ESTRADA JOSE L & HORTENCIA	3	LOT 9 BROWN IND SITES 2 3 AC	410 SUNFLOWER ST	RED OAK	TX	75154	524 BROWN INDUSTRIAL RD WAXAHACHE TX 75167
148203	ESTRADA LUIS	3.38	LOT 5 BROWN IND SITES 2 3.38 AC	524 BROWN INDUSTRIAL RD	WAXAHACHE	TX	75167	524 BROWN INDUSTRIAL RD WAXAHACHE TX 75167
188206	DALLAS DOWDY PARTNERS LLC	77.49	752 MC KINNEY & WILLIAMS 77.49 ACRES	2735 TROPHY CLUB DR	TROPHY CLUB	TX	78282	GUN CLUB RD WAXAHACHE TX 75185
191079	DALLAS DOWDY PARTNERS LLC	50.686	1003 PETER B STOUT 50.686 ACRES	2735 TROPHY CLUB DR	TROPHY CLUB	TX	78282	INTERSTATE 35 WAXAHACHE TX 75185
205886	TRUJILLO DELFINA ETAL	9.58	LOT 17 WEST STERRETT ESTS 9.58 AC	2540 SOLON RD	WAXAHACHE	TX	75167	2540 SOLON RD WAXAHACHE TX 75167
205893	STEMBRIDGE DAVID	9.59	14 WEST STERRETT ESTS 9.59 ACRES	2830 SOLON RD	WAXAHACHE	TX	75167	2830 SOLON RD WAXAHACHE TX 75167
205894	CLEDA ANTONIO O & SOCORRO J JIMENEZ	9.59	LOT 15 WEST STERRETT ESTS 9.59 ACRES	2830 SOLON RD	WAXAHACHE	TX	75167	2830 SOLON RD WAXAHACHE TX 75167
205895	GARCIA MARTIN & OLGA	9.58	16 WEST STERRETT ESTS 9.58 ACRES	181 CR 4008	NEWYERS	TX	78871	2830 SOLON RD WAXAHACHE TX 75167
253797	FALCON TRANSIT INC	17.986	LOT 10R BROWN IND SITES 2-REV 17.986 AC	503 BROWN INDUSTRIAL RD	WAXAHACHE	TX	75167	503 BROWN INDUSTRIAL RD WAXAHACHE TX 75167
261785	HILTON REAL ESTATE PROPERTIES LLC	15.758	1003 PETER B STOUT 15.758 ACRES	5607 N INTERSTATE HIGHWAY 35 E	WAXAHACHE	TX	75165	INTERSTATE 35 WAXAHACHE TX 75165

1(10)

Case ZDC-07-2020  
Responses Received Outside 200'  
Support: 1 Oppose: 0

PropertyID	Owner's Name	Owner's Address	Owner's City
205887	BILL AND JUDITH HENDRICH	2530 SOLON RD	WAXAHACHIE

(10)

Case Number: ZDC-000007-2020

City Reference: 148297

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, April 8, 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:

We object to the noise and the buildup of fumes that catches on fire. We also object of him parking his vehicles on the road and blocking the way to the end of the road.

4-7-20

Signature Doris Franks

Date

DORIS FRANKS-OWNER  
Printed Name and Title

674 BROWN INDUSTRIAL Rd.  
Address

RECEIVED  
4/7/20

*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: ZDC-000007-2020

GARCIA MARTIN & OLGA  
161 CR 4929  
NEWARK, TX, 76071

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 14, 2020 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 20, 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 the City of Waxahachie to consider revoking a Specific Use Permit (Ordinance 2616) at 500 Brown Industrial which allows for the use of metal granulators and crushers for the reclamation of vehicles, parts of vehicles, and other materials to be processed. (ZDC-000007-2020)

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-000007-2020

City Reference: 205895

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, April 8, 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:

I definitely disagree having a junk yard  
so close to my property

Martin Garcia  
Signature

3-28-2020  
Date

Martin Garcia Owner  
Printed Name and Title

161 C.R. 4929 Newark Tx. 76071  
Address

RECEIVED  
4/7/20

*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)

Case Number: ZDC-000007-2020

City Reference: 205894

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on Wednesday, April 8, 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:

WE support city of Waxahachie to revoke the permit and remove the business because we think its dangerous for our community, we have horses and the last time it was on fire almost came to our property.

Socorro Jimenez x Antonio Ojeda  
Signature

05-15-2020  
Date

Socorro Jimenez x Antonio Ojeda  
Printed Name and Title  
owners

2620 Solon RD Waxahachie Tx  
Address  
75167

*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)

Planning Department,

This is a follow up per our conversation of Monday, May 11, 2020. I am writing this to voice my opposition to letting Oak Cliff Metals retain their Licenses to Operate. We live on Solon Road, West of Oak Cliff Metals and we have managed to make it thru all the fires they have had, so far. I object to the 30 and 40 feet high piles of metal they accumulate and the piles of the waste from the metal that are that high that also accumulate. It's only a matter of time until something catastrophic happens. We see the junk go in but rarely see it leave. They also have junk set along both sides of Brown Industrial that is not on their property. They have 2 containers at the back of my fence/gate that is on the road right of way and they need moved immediately. They have ruined the road and all that junk is an eye sore. I know the chemicals coming off of the metal as it is cut up can't be healthy for us as it blows in the wind. Our biggest fear is the next fire, and I'm sure there will be one, will not be contained and wipe out a lot of people and property. They have cleaned up the metal that burned, as they always do after a fire, but I can just about guarantee that as soon as the spotlight is off of them the piles will build and it will be back to the same old same old as before, that is unless you pull their permits and they have to clean up and move. It's our sincere hope Oak Cliff Metals will have their permits pulled so we may live in safety and have peace of mind. Every time there is an explosion we run to look out to see if it's another fire or just their mishandling the gas tanks, etc. We sincerely hope this will be the last time we have to address this issue and you will pull their permits and make them relocate.

Thank you,

Judy and Bill Hendrich

2530 Solon Road

469-223-3370