

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, August 25, 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 August 11, 2020
- b. Minutes of the Planning and Zoning Commission briefing of August 11, 2020

5. ***Continue Public Hearing*** on a request by Brenden Determann, BFD Managing & Consulting LLC, for a Zoning Change from a Planned Development-General Retail zoning district to Single Family Residential-3, located N of 809 MLK (being a portion of Property ID 205458) - Owner: GIBSON & GIBSON LLC (ZDC-92-2020)
6. ***Consider*** recommendation of Zoning Change No. ZDC-92-2020
7. ***Consider*** request by Tim Jackson, Texas Reality Capture & Surveying, LLC., for a **Plat** of Pecan Tree Meadows for seven (7) residential lots being 14.574 acres situated in the E.C. School Land Survey, Abstract 328 (Property ID 259093) in the Extra Territorial Jurisdiction – Owner: Timothy Crane (SUB-000080-2020)

8. **Consider** request by Dalton Bradbury, Acker Construction, for a detailed Site Plan Review for proposed **Office, Professional, and Administrative** uses located within a Planned Development-1-Commercial zoning district at 1340 and 1348 W. US Highway 287 Bypass (Property ID 238267) – Owner: BARBELL REAL ESTATE LLC AND JAMES BELLER (SP-101-2020)
9. **Continue Public Hearing** on a request by Terry Nay, The Wash on Brown, for a Specific Use Permit (SUP) for **Auto Laundry or Car Wash** use within a General Retail zoning district located at 2201 Brown Street (Property ID 278472) - Owner: THE NAY COMPANY INC (ZDC-87-2020)
10. **Consider** recommendation of Zoning Change No. ZDC-87-2020
11. 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
August 11, 2020

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, August 11, 2020 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

Members Absent: Melissa Ballard, Vice Chairman
Betty Square Coleman
Jim Phillips

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

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

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

3. **Public Comments**

None

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of July 28, 2020

Action:

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

5. **Public Hearing on a request by Brenden Determann, BFD Managing & Consulting LLC, for a Zoning Change from a Planned Development-General Retail zoning district to Single Family Residential-3, located north of 809 MLK (being a portion of Property ID 205458) - Owner: GIBSON & GIBSON LLC (ZDC-92-2020)**

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue the Public Hearing on ZDC-92-2020 to the Planning and Zoning Commission meeting of August 25, 2020.

(42)

6. Consider recommendation of Zoning Change No. ZDC-92-2020

Action:

Mr. David Hudgins moved to continue the Public Hearing on a request by Brenden Determann, BFD Managing & Consulting LLC, for a Zoning Change from a Planned Development-General Retail zoning district to Single Family Residential-3, located north of 809 MLK (being a portion of Property ID 205458) - Owner: GIBSON & GIBSON LLC (ZDC-92-2020) to the Planning and Zoning Commission meeting of August 25, 2020. Mr. Erik Test seconded, All Ayes.

7. Public Hearing on a request by Mikel Craig, Waxahachie ISD, for a Zoning Change from a Single Family-1 and Commercial zoning district to Planned Development-Commercial, located at 2541 US Highway 287 Bypass (Property ID 276711) - Owner: Waxahachie ISD (ZDC-104-2020)

Chairman Keeler opened the Public Hearing.

Senior Planner Colby Collins stated the applicant is requesting approval to allow construction of a fence to surround the Waxahachie AgriScience Facility to protect the students, as well as the livestock on the property. Waxahachie ISD intends to construct a six-foot tall black chain link fence along the East boundary of the property. The North and West boundaries of the property will be six foot tall and consist of cedar posts, staves, and high-tensile netting. Staff recommended approval.

Those who spoke for ZDC-104-2020:

Mr. Mikel Craig, Waxahachie ISD

There being no others to speak for or against ZDC-104-2020, Chairman Keeler closed the Public Hearing.

8. Consider recommendation of Zoning Change No. ZDC-104-2020

Action:

Mrs. Bonney Ramsey moved to approve a request by Mikel Craig, Waxahachie ISD, for a Zoning Change from a Single Family-1 and Commercial zoning district to Planned Development-Commercial, located at 2541 US Highway 287 Bypass (Property ID 276711) - Owner: Waxahachie ISD (ZDC-104-2020) subject to staff comments. Mr. Erik Test seconded, All Ayes.

9. Public Hearing on a request by Matthew Smith, Vaquero Ventures, for a Specific Use Permit (SUP) for Convenience Store and Gasoline Sales use within a General Retail zoning district located at 1851 N Highway 77 (Property ID 262430) - Owner: TRIUMPH SQUARE LLC (ZDC-89-2020)

Chairman Keeler opened the Public Hearing.

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Mr. Collins reported the applicant is requesting approval to allow a Convenience Store with Gasoline Sales (7-Eleven) on 1.5 acres. The location will operate 24 hours a day, 7 days a week. There will be six gas pumps which allows for a maximum of 12 cars to fuel at any given time. The pumps will service both gasoline and diesel vehicles. There will be an average of three employees per shift throughout the day and night. Per the applicant's request, a Development Agreement will be required for the property. Staff recommended approval.

Those who spoke for ZDC-89-2020:

Mr. Matthew Smith, Vaquero Ventures, 2900 Wingate Street, Fort Worth

There being no others to speak for or against ZDC-89-2020, Chairman Keeler closed the Public Hearing.

10. Consider recommendation of Zoning Change No. ZDC-89-2020

Action:

Mr. David Hudgins moved to approve a request by Matthew Smith, Vaquero Ventures, for a Specific Use Permit (SUP) for Convenience Store and Gasoline Sales use within a General Retail zoning district located at 1851 N Highway 77 (Property ID 262430) - Owner: TRIUMPH SQUARE LLC (ZDC-89-2020) subject to staff comments. Mr. Erik Test seconded, All Ayes.

11. Public Hearing on a request by Keaton L. Mai, The Dimension Group, for a Specific Use Permit (SUP) for Convenience Store and Gasoline Sales use within a General Retail zoning district located at the SW corner of Brown Street and US Highway 287 (being a portion of Property ID 179000) - Owner: BUFFALO CREEK PLAZA LLC (ZDC-96-2020)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant is requesting approval to allow a Convenience Store with Gasoline Sales (7-Eleven) on 2.5 acres. This location will operate 24 hours a day, 7 days a week. There will be eight gas pumps which allows for a maximum of 16 cars to fuel at any given time. The pumps will service both gasoline and diesel vehicles. There will be an average of three employees per shift throughout the day and night. Per the applicant's request, a Development Agreement will be required for the property. Staff recommended approval.

Those whose spoke for ZDC-96-2020:

Mr. Keaton Mai, P.E, The Dimension Group
Mr. Michael Hampton, Crude Development

There being no others to speak for or against ZDC-96-2020, Chairman Keeler closed the Public Hearing.

12. Consider recommendation of Zoning Change No. ZDC-96-2020

(4a)

Action:

Mrs. Bonney Ramsey moved to approve a request by Keaton L. Mai, The Dimension Group, for a Specific Use Permit (SUP) for Convenience Store and Gasoline Sales use within a General Retail zoning district located at the SW corner of Brown Street and US Highway 287 (being a portion of Property ID 179000) - Owner: BUFFALO CREEK PLAZA LLC (ZDC-96-2020). Mr. Erik Test seconded, All Ayes.

- 13. Public Hearing on a request by Terry Nay, The Wash on Brown, for a Specific Use Permit (SUP) for Auto Laundry or Car Wash use within a General Retail zoning district located at 2201 Brown Street (Property ID 278472) - Owner: THE NAY COMPANY INC (ZDC-87-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant is requesting a deviation from Ordinance 3019 that requires the applicant to construct a masonry (drive-thru) screening wall on the property. He explained on May 21, 2108, City Council approved a Specific Use Permit to construct a car wash at 2201 Brown Street (The Wash on Brown St.) Within the exhibits approved by City Council, the Site Plan displayed a masonry wall that was ultimately not constructed by the applicant for the site.

Those who spoke for ZDC-87-2020:

Mr. Terry Nay, 711 Brookside, Waxahachie

- 14. Consider recommendation of Zoning Change No. ZDC-87-2020**

Action:

Mr. Erik Test moved to continue the Public Hearing on a request by Terry Nay, The Wash on Brown, for a Specific Use Permit (SUP) for Auto Laundry or Car Wash use within a General Retail zoning district located at 2201 Brown Street (Property ID 278472) - Owner: THE NAY COMPANY INC (ZDC-87-2020) to the Planning and Zoning Commission meeting of August 25, 2020. Mr. David Hudgins seconded, All Ayes.

- 15. Public Hearing on a request by Ryan Morrow for a Specific Use Permit (SUP) for Trailer or Truck Sales or Rental use within a General Retail zoning district located at 3480 S Interstate 35 (Property ID 179036) - Owner: MORRIS COX (ZDC-88-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant is requesting to use an existing vacant building, located at 3480 S. Interstate 35, as a Truck Sales and Fleet Center. The applicant, Classic Truck Sales, intends to move its existing business from Dallas to the city of Waxahachie to continue to operate as Truck Sales and Fleet Center. Per the Operational Plan, the applicant intends to buy (wholesales) slightly used trucks and remarket them to various markets across the US. The main source of buyer will be internet based, in which trucks are sold to various markets paid for and delivered without ever coming to the facility. The applicant intends to keep some equipment on the property for inspection by the buyer, or for local representation. The proposed business will consists of five

(4a)

employees and will have business hours of 8:00 a.m. to 5:00 p.m. Monday thru Friday with closures on all major holidays.

Those who spoke for ZDC-88-2020:

Mr. Ryan Morrow, Classic Truck Sales, 3480 S. Interstate 35, Waxahachie

There being no others to speak for or against ZDC-88-2020, Chairman Keeler closed the Public Hearing.

16. Consider recommendation of Zoning Change No. ZDC-88-2020

Action:

Mrs. Bonnie Ramsey moved to approve a request by Ryan Morrow for a Specific Use Permit (SUP) for Trailer or Truck Sales or Rental use within a General Retail zoning district located at 3480 S Interstate 35 (Property ID 179036) - Owner: MORRIS COX (ZDC-88-2020) subject to staff comments. Mr. Erik Test seconded, All Ayes.

17. Public Hearing on a request by Clay Cristy, Claymoore Engineering, for a Specific Use Permit (SUP) for Pole Sign use within a Light Industrial-1 zoning district located at the SW corner of FM 66 and Interstate 35E (Property ID 174460) - Owner: DML LAND LLC (ZDC-91-2020)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant is requesting approval for a Specific Use Permit of a Sign Plan for a McDonald's Drive-Thru Establishment per City Council request. The applicant proposed a new sign plan that displays a new pole sign (75 ft.) location as well as a monument sign located along the northwest boundary of the property.

Those who spoke for ZDC-91-2020:

Mr. Clay Cristy, applicant, Claymoore Engineering
Mr. Michael Lyle, owner of the project, DML Land LLC
Mr. Lee Morris, applicant, for McDonald's

There being no others to speak for or against ZDC-91-2020, Chairman Keeler closed the Public Hearing.

18. Consider recommendation of Zoning Change No. ZDC-91-2020

Action:

Mr. Erik Test moved to approve a request by Clay Cristy, Claymoore Engineering, for a Specific Use Permit (SUP) for Pole Sign use within a Light Industrial-1 zoning district located at the SW

(4a)

corner of FM 66 and Interstate 35E (Property ID 174460) - Owner: DML LAND LLC (ZDC-91-2020) as presented. Mr. David Hudgins seconded. The vote was as follows:

*For: Bonney Ramsey
David Hudgins
Erik Test*

Against: Rick Keeler

The motion carried.

19. Adjourn

There being no further business, the meeting adjourned at 8:52 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, August 11, 2020 at 6:15 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

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

Members Absent: Melissa Ballard, Vice Chairman
Betty Square Coleman
Jim Phillips

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

1. Call to Order

Chairman Rick Keeler called the meeting to order.

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

Senior Planner Colby Collins reviewed the following cases:

- ZDC-92-2020 – The applicant requested to continue the case to the Planning and Zoning Commission meeting of August 25, 2020.
- ZDC-104-2020 – The applicant is requesting approval to allow construction of a fence to surround the Waxahachie AgriScience Facility to protect the students, as well as the livestock on the property.
- ZDC-89-2020 – The applicant is requesting approval to allow a Convenience Store with Gasoline Sales (7-Eleven) on 1.5 acres.
- ZDC-96-2020 – The applicant is requesting approval to allow a Convenience Store with Gasoline Sales (7-Eleven) on 2.5 acres.
- ZDC-87-2020 – The applicant is requesting a deviation from Ordinance 3019 that requires the applicant to construct a masonry (drive-thru) screening wall on the property.
- ZDC-88-2020 – The applicant is requesting to use an existing vacant building, located at 3480 S. Interstate 35, as a Truck Sales and Fleet Center.
- ZDC-91-2020 – The applicant is requesting approval for a Specific Use Permit of a Sign Plan for a McDonald's Drive-Thru Establishment per City Council request.

Planning and Zoning Commission
August 11, 2020
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3. Adjourn

There being no further business, the meeting adjourned at 6:57 p.m.


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: August 17, 2020
Re: ZDC-92-2020 809 MLK (PD-GR to SF3)

On August 17, 2020, the applicant requested to continue case no. ZDC-92-2020 to the September 15, 2020 Planning and Zoning meeting agenda, and the September 21, 2020 City Council meeting agenda.

(7)

Planning & Zoning Department

Plat Staff Report

Case: SUB-80-2020



MEETING DATE(S)

Planning & Zoning Commission: August 25, 2020

CAPTION

Consider request by Tim Jackson, Texas Reality Capture & Surveying, LLC., for a Plat of Pecan Tree Meadows for seven (7) residential lots being 14.574 acres situated in the E.C. School Land Survey, Abstract 328 (Property ID 259093) in the Extra Territorial Jurisdiction – Owner: Timothy Crane (SUB-000080-2020)

APPLICANT REQUEST

This applicant is requesting to divide a portion of the subject property into seven (7) lots for residential use. The applicant is requesting for a petition of hardship waiver from City Council for inadequate fire flow to this site. The City of Waxahachie Fire Marshall has reviewed the plans and provided his recommendation of approval for the petition of hardship waiver.

CASE INFORMATION

<i>Applicant:</i>	Tim Jackson, Texas Reality Capture and Surveying, LLC.
<i>Property Owner(s):</i>	Timothy Crane
<i>Site Acreage:</i>	14.574 acres
<i>Number of Lots:</i>	7 lots
<i>Number of Dwelling Units:</i>	7 units
<i>Park Land Dedication:</i>	N/A (ETJ)
<i>Adequate Public Facilities:</i>	An Endorsement Letter from Nash-Forreston WSC was received by staff. Adequate domestic flow is available to this site. However, adequate fire flow cannot be established. Since the proposed subdivision is greater than four (4) lots, a petition for hardship waiver must be approved by City Council in order for the property to be platted.

SUBJECT PROPERTY

<i>General Location:</i>	Across from 615 E Pecan Tree Rd.
<i>Parcel ID Number(s):</i>	259093
<i>Current Zoning:</i>	N/A (ETJ)
<i>Existing Use:</i>	This site is undeveloped.

(7)

Platting History:

Situated in the E.C. School Land Survey, Abstract 328

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
2. On Site Sewer Layout
3. Water Letter
4. Petition for Hardship Waiver Request

APPLICANT REQUIREMENTS

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

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

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

STAFF CONTACT INFORMATION

Prepared by:

Chris Webb

Planner

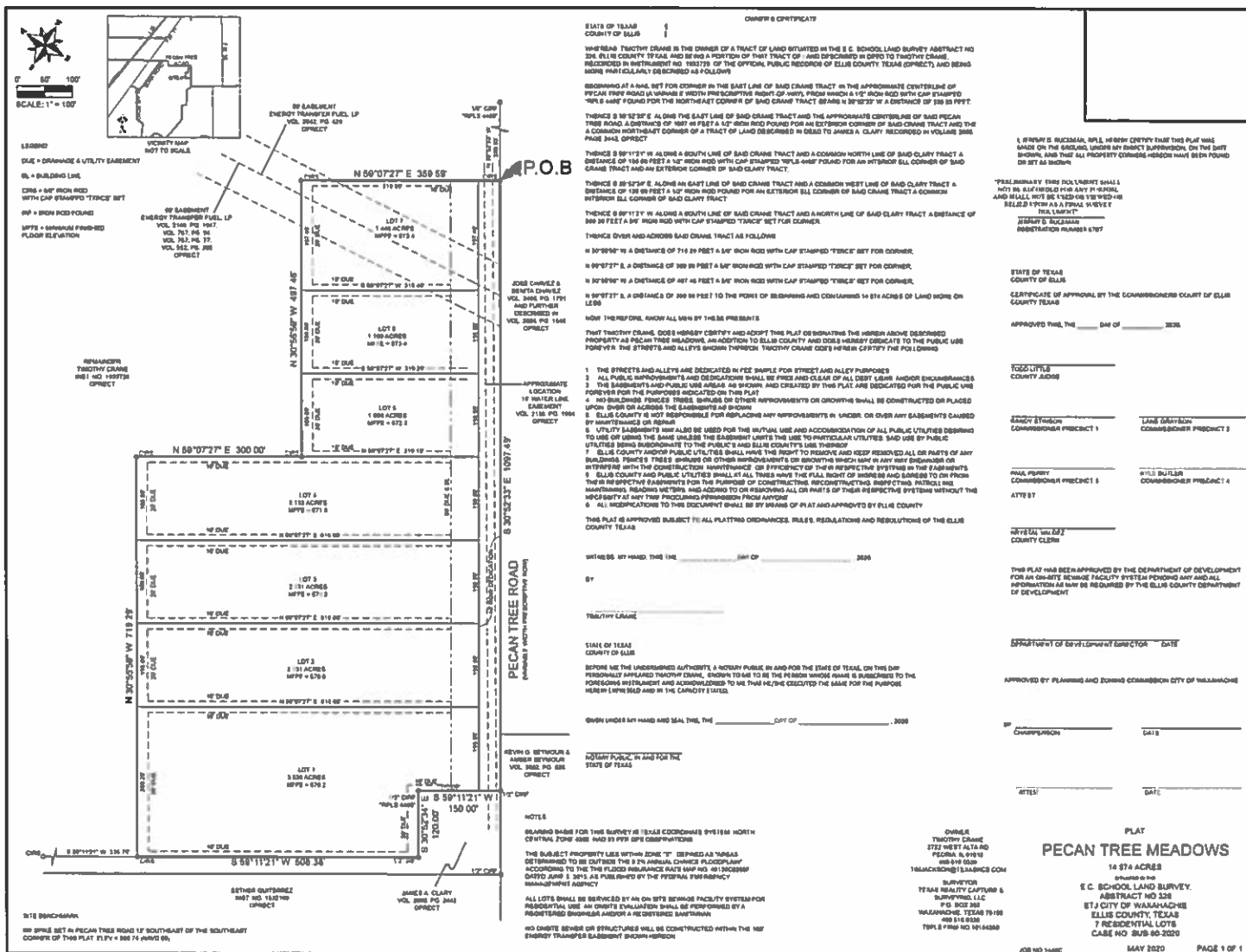
cwebb@waxahachie.com

Reviewed by:

Shon Brooks, AICP

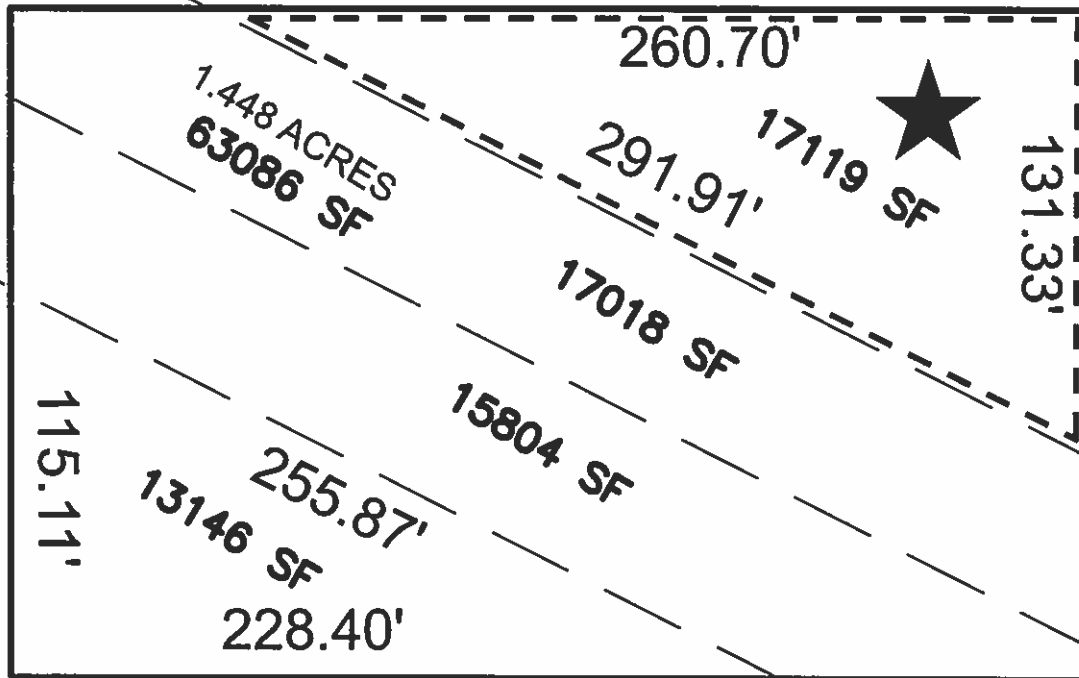
Director of Planning

sbrooks@waxahachie.com



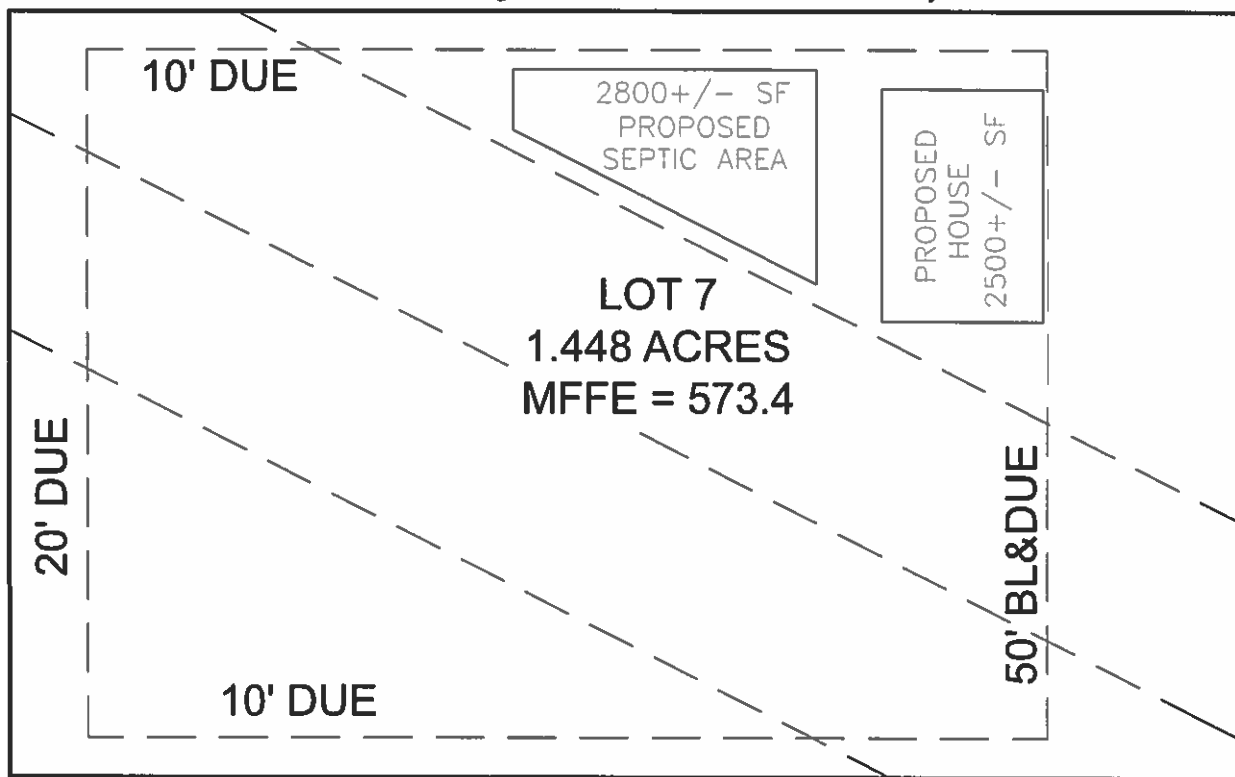
(7)

PECAN TREE MEADOWS
(Lot #7 From The
Preliminary Plat)



(7)

PECAN TREE MEADOWS
(Lot #7 From The
Preliminary Plat w/Added Details)





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



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Timothy Crane Parcel ID #: 259093
Subdivision Name: Pecan Tree Meadows

The City of Waxahachie requires new lots in subdivisions have adequate water flow and pressure to comply with TCEQ and latest Insurance Service Office (ISO) guidelines. Subdivisions served by water providers outside of the City of Waxahachie will need to ensure they can provide water flow/pressure per TCEQ and fire flow per the latest ISO guidelines.

Applicants, please submit this form to your water provider for completion. This completed form must be turned in at the time you submit your application packet to the Planning Department.

Contact Information:

Buena Vista-Bethel SUD	(972) 937-1212
Carroll Water Company	(972) 617-0817
Mountain Peak SUD	(972) 775-3765
Rockett SUD	(972) 617-3524
Sardis-Lone Elm WSC	(972) 775-8566
Nash Foreston WSC	(972) 483-3039

To be completed by the water utility provider:

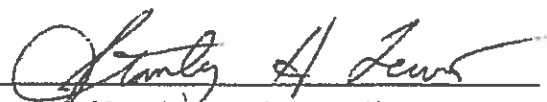
	Yes	No
1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. The water line size servicing the lots is <u>6"</u> inches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

STANLEY H. LEWIS

Print Name of General Manager of water provider or Designee

NASH-FORRESTON WSC

Name of water provider company



Signature of General Manager of water provider or Designee

5-28-2020

Date

(7)

Pecan Tree Meadows

RE: 7 Lot Plat on Pecan Tree Road in Ellis County

To whom it may concern, please allow this letter to suffice as my formal request for a variance from any fire flow requirements which may be utilized or required on more dense housing projects in the city limits of Waxahachie. We have completed months of engineering to satisfy the County's requirements and appreciate your swift approval of this project.

Tim Crane
W/M Crane 8/18/2020

(8)

Planning & Zoning Department

Zoning Staff Report

Case: SP-101-2020



MEETING DATE(S)

Planning & Zoning Commission: August 25, 2020

City Council: September 8, 2020

CAPTION

Consider request by Dalton Bradbury, Acker Construction, for a detailed Site Plan Review for proposed **Office, Professional, and Administrative** uses located within a Planned Development-1-Commercial zoning district at 1340 and 1348 W. US Highway 287 Bypass (Property ID 238267) – Owner: BARBELL REAL ESTATE LLC AND JAMES BELLER (SP-101-2020)

APPLICANT REQUEST

The applicant is requesting Site Plan approval to construct two multi-tenant office buildings on 1.381 acres.

CASE INFORMATION

Applicant: Dalton Bradbury, Acker Construction

Property Owner(s): Barbell Real Estate LLC

Site Acreage: 1.381 acres

Current Zoning: Planned Development-1-Commercial

SUBJECT PROPERTY

General Location: 1340 and 1348 W. US Highway 287 Bypass

Parcel ID Number(s): 238267

Existing Use: Currently Undeveloped

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	PD-1-C	Hunter's Cove Apartments
East	PD-1-C	Office Use
South	N/A	U.S. Highway 287
West	PD-1-C	RVG Plaza (Medical Facility)

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Future Land Use Plan:

Mixed Use Non-Residential

Comprehensive Plan:

Similar to Mixed Use Residential, land designated with this land use are intended for a mixture of nonresidential and residential uses. The only difference would be that Mixed Use Nonresidential has a greater percentage of nonresidential components than residential. Specifically, 80 percent of the acreage or square footage of proposed developments are required to be nonresidential with the remaining 20 percent of the acreage or square footage allocated to residential. Southlake's Town Center is an example of Nonresidential Mixed Use.

Thoroughfare Plan:

The subject property is accessible via Chenault Dr. and a cross access connection via the eastern subject property.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is requesting Site Plan approval to construct two multi-tenant office buildings on 1.381 acres.

Proposed Use:

The applicant is proposing to construct two multi-tenant office buildings at the corner of RVG Pkwy and U.S. Highway 287 bypass. The two proposed buildings will consist of 7,400 sq. ft. (1348 W. US Hwy. 287; along west boundary of the property) and 6,800 sq. ft. (1340 W. US Hwy. 287; along east boundary of the property). The building located at 1340 W. US Hwy. 287 is intended to only have two tenants within the building. However, the number of tenants that will occupy the building located at 1348 W. US Hwy. 287 is currently unknown. At the time of this report (8/17/2020), the applicant is currently unaware of the tenants that will occupy the buildings.

Note: Due to the tenants to occupy the buildings currently being unknown to staff, staff has informed the applicant that if a Specific Use Permit (SUP) is required, it will be the applicant/tenant responsibility to apply for the required permit.

Table 2: Development Standards (Commercial)****Items highlighted in bold do not meet the City of Waxahachie requirements**

Standard	City of Waxahachie	RVG Plaza (Commercial)	Meets Y/N
Min. Lot Area (SF)	5,000	60,180	Yes
Min. Lot Width (Ft)	50	240	Yes
Min. Lot Depth (Ft)	100	250	Yes
Min. Front Yard (Ft.)	25	25	Yes
Min. Side Yard (Ft.)	15; 20 (adjacent to ROW)	25ft. adjacent to RVG Pkwy.; 15ft. adjacent to Eastern boundary	Yes
Min. Rear Yard (Ft.)	20; 25 (adjacent to residential)	30	Yes
Max. Height	3 stories	1 story	Yes
Max. Lot Coverage (%)	40	23.6	Yes
Parking 1 per 300 sq. ft.	50	74	Yes

**Additional Note: The building is proposed to be constructed of brick veneer.*

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 mutually agreed upon Development Agreement will be required for the development.
 2. Due to the tenants to occupy the building currently being unknown to staff, staff has informed the applicant that if a Specific Use Permit (SUP) is required, it will be the applicant/tenant responsibility to apply for the required permit.

ATTACHED EXHIBITS

1. Site Plan
2. Landscape Plan
3. Elevation/Façade Plan

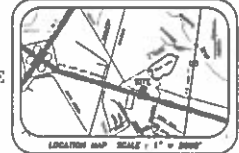
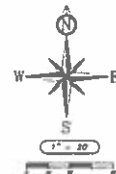
APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

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

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

[illegible]

Being all that contains lot, tract, or parcel of land and designated as being LOT 8 in the MID PLAZA, an addition to the City of Ellis County, Texas, according to the as recorded in Caption in Survey 378 and 379 of the Plat Records of Ellis County, Texas [PAGE 2]

PARKING SPACES:
70 PROPOSED REGULAR PARKING SPACES
4 PROPOSED HANDICAP SPACES

74 TOTAL PARKING SPACES PROVIDED

[illegible]

STORM WATER DETENTION NOTE:
STORM WATER DETENTION REQUIREMENTS ARE SATISFIED FOR LOT 2, BLOCK A OF RVC PLAZA BY THE DETENTION AREA PROVIDED ON LOT 3, BLOCK A OF RVC PLAZA. SEE AS-BUILT DRAINAGE PLAN OF RVC PLAZA ON SHEET 5.

[illegible]

CONTACT:
 Don Miller
 2740 Highway 201, Suite 200
 Westborough, MA 01581
 Phone: 508/336-6600

CASE NO. SP-101-2020
SITE PLAN
RVG PLAZA
LOT 6, BLOCK A
 1 Lot
 1.381 Acres
 in the City of Waxahachie
 Ellis County, Texas

D&M DAVIS & McDILL, Inc.
A Sarnes licensed engineering firm (F-438)
 P.O. Box 405, Minneapolis, MN 55408
 Phone: 612-338-1586

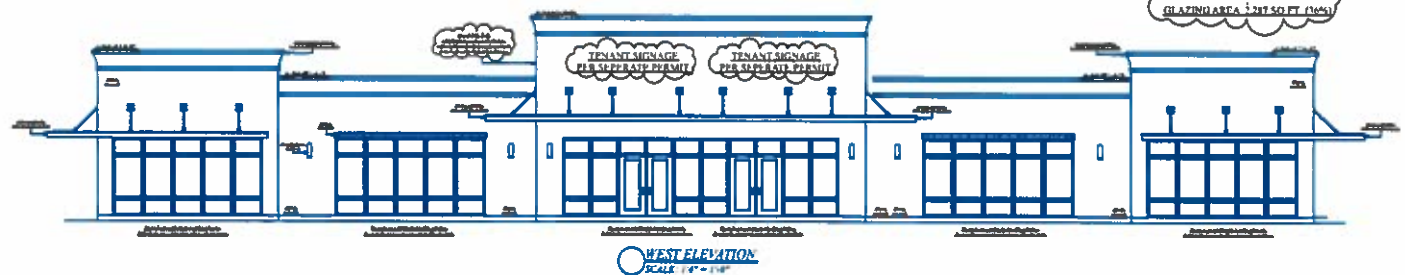
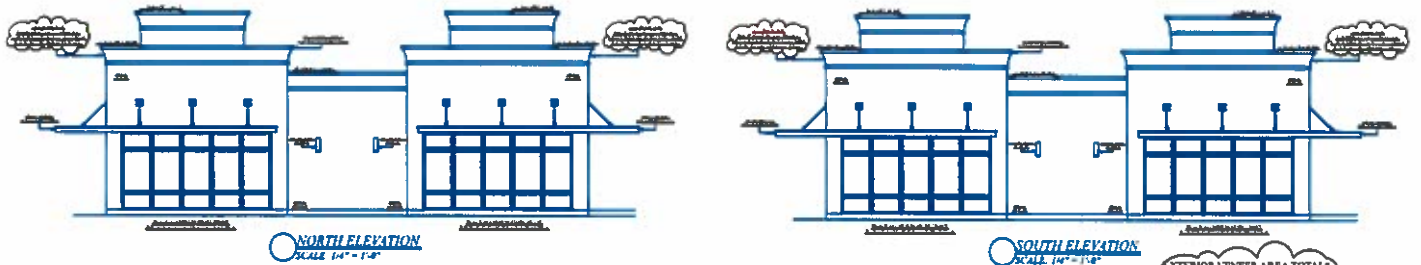
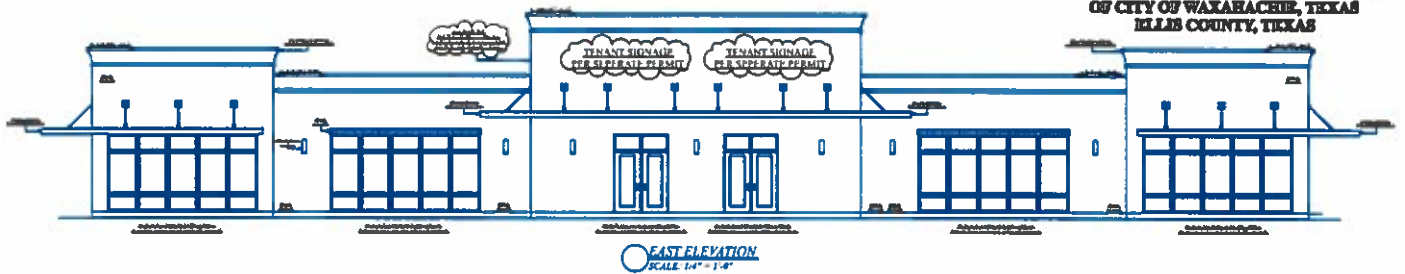


Date 06-12-2020
Scale 1" = 10'
Drawn: P. J. W.
230-0039-0000
Job - 2111-0124
Sheet 3
of 4 sheets

(8)

OWNER INFORMATION:
BARRELL REAL ESTATE
132 BROOKSTONE DR.
WAXAHACHIE, TX 75165
1.381 ACRES 1 LOT

RVG PLAZA
ELEVATION
PLANNED DEVELOPMENT (SP-101-2020)
1340 HWY 287 BYPASS
BLOCK A LOT 6
OFFICIAL MAP OF WAXAHACHIE,
PLAT RECORDS, ELLIS COUNTY TEXAS
CITY OF WAXAHACHIE, TEXAS
ELLIS COUNTY, TEXAS

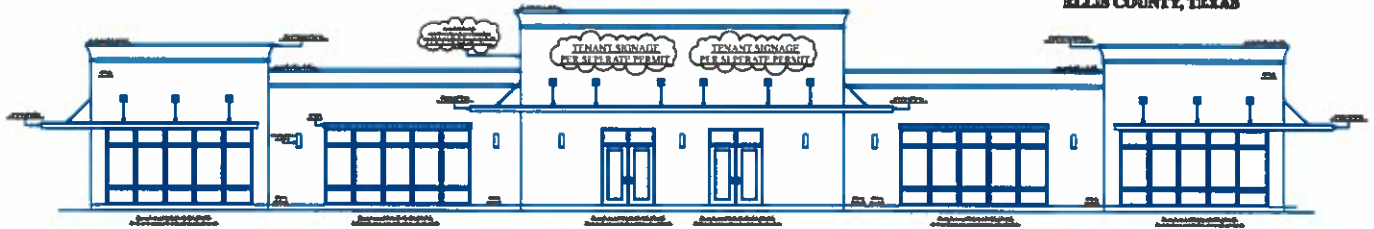


EXTERIOR VENEER AREA TOTALS:
BRICK VENEER 4,097.50 FT. (64%)
GLAZING AREA 2,211.50 FT. (36%)

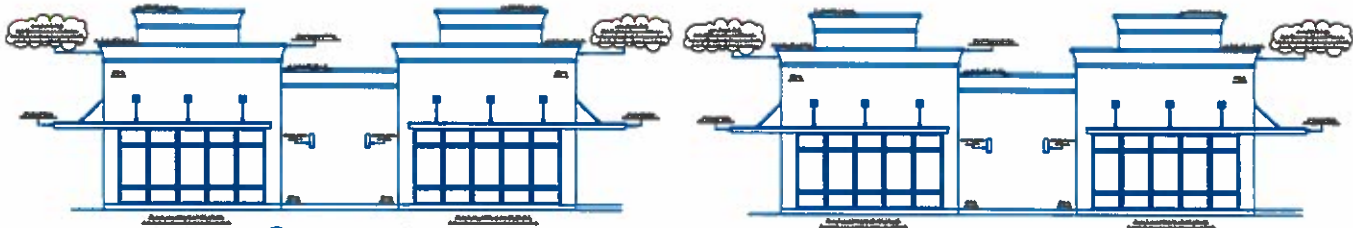
(8)

OWNER INFORMATION:
BARRELL REAL ESTATE
132 BROOKSTONE DR.
WAXAHACHIE, TX 75165
1.381 ACRES 1 LOT

RVG PLAZA
ELEVATION
PLANNED DEVELOPMENT (SP-101-2020)
1348 HWY 287 BYPASS
BLOCK A LOT 6
OFFICIAL MAP OF WAXAHACHIE,
PLAT RECORDS, ELLIS COUNTY TEXAS
CITY OF WAXAHACHIE, TEXAS
ELLIS COUNTY, TEXAS

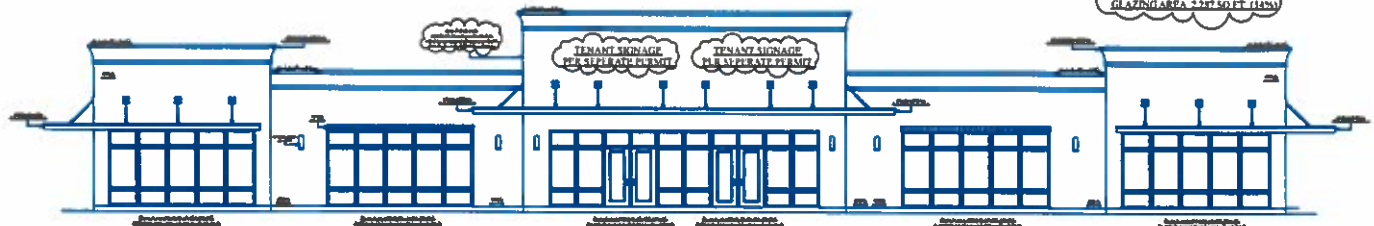


EAST ELEVATION
SCALE: 1/4" = 1'-0"



NORTH ELEVATION
SCALE: 1/4" = 1'-0"

SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"

COVERED VENTER AREA TOTALS:
BRICK VENTER 4,117 SQ. FT. (46%)
GLAZING AREA 5,287 SQ. FT. (12%)

(9)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-87-2020



MEETING DATE(S)

Planning & Zoning Commission:

August 25, 2020 (continued from August 11, 2020)

City Council:

September 8, 2020

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held August 11, 2020, the Commission voted 4-0 to continue case number ZDC-87-2020 to the August 25, 2020 Planning and Zoning meeting agenda.

CAPTION

Public Hearing on a request by Terry Nay, The Wash on Brown, for a Specific Use Permit (SUP) for Auto Laundry or Car Wash use within a General Retail zoning district located at 2201 Brown Street (Property ID 278472) - Owner: THE NAY COMPANY INC (ZDC-87-2020)

APPLICANT REQUEST

The applicant is requesting a deviation from Ordinance 3019 that requires the applicant to construct a masonry (drive-thru) screening wall on the property.

CASE INFORMATION

Applicant:

Terry Nay, The Wash on Brown St.

Property Owner(s):

The Nay Co., Inc.

Site Acreage:

0.6584 acres

Current Zoning:

General Retail

Requested Zoning:

General Retail with Amended Ordinance

SUBJECT PROPERTY

General Location:

2201 Brown St.

Parcel ID Number(s):

278472

Existing Use:

The Wash on Brown St. (Car Wash)

Development History:

On May 21, 2018, City Council approved a Specific Use Permit, SU-18-0034, for the subject property.

(9)

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	PD	The Village at Waxahachie (Currently Undeveloped)
East	GR	Social Security Administration Office
South	PD-C & PD-GR	Office Uses/Brookdale Waxahachie Assisted Living
West	PD	The Village at Waxahachie (Currently Undeveloped)

Future Land Use Plan:

Office

Comprehensive Plan:

This land use type is intended for businesses such as banks, insurance agencies, and accounting offices. Office land uses are generally compatible with residential area, with the exception of high-rise office buildings. Land designated for office is appropriate along U.S. Highway 287, at a close proximity to IH-35E within Mixed Use Nonresidential areas, as well as within the Medical District.

Thoroughfare Plan:

The subject property is accessible via Brown St.

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

The applicant is requesting a deviation from Ordinance 3019 that requires the applicant to construct a masonry (drive-thru) screening wall on the property.

Proposed Use:

On May 21, 2018, City Council approved a Specific Use Permit to construct a car wash at 2201 Brown St. (The Wash on Brown St.). Within the exhibits approved by City Council, the Site Plan displayed a masonry (drive-thru) wall that was ultimately not constructed by the applicant for the site.

Per the applicant, the masonry (drive-thru) wall was not constructed due to:

- Contractors need to run all major utilities under the approved and proposed location of said wall, (Natural Gas, Water, and electrical).

(9)

- Needed to change the length of three raised curbed entrance isles to avoid causing traffic backups on the shared approach/driveway during construction. This in turn moved said screen wall 40 ft. closer to the building, but alleviated the traffic congestion concern.
- It was determined that a screen wall would cause a significant risk to the safety and security of the customers and the sites of three Point of Sale kiosks.
- The wall, had it been constructed, would give a "screen" for criminals, providing cover for them to be hidden from public view.

CHANGES FROM THE 8/11/20 PZ MEETING

- The applicant added landscaping for additional screening of the property, and to offset the exclusion of the previously approved masonry (drive-thru) wall.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 7 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

RECOMMENDATION

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

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

ATTACHED EXHIBITS

1. Ordinance 3019 (Current Ordinance)
2. Letter of Request

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

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

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

(9)

ORDINANCE NO. 3019

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN AUTO LAUNDRY OR CAR WASH USE WITHIN A GENERAL RETAIL (GR) ZONING DISTRICT, LOCATED AT THE NORTHEAST CORNER OF US HWY 287 BYPASS SERVICE ROAD AT FM 813, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING IN THE R. RUSSELL SURVEY, ABSTRACT NO. 911 (NAY CAR WASH ADDITION), 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 GR; 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-18-0034. 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 GR to GR, with an SUP in order to permit an Auto Laundry or Car Wash use on the following property: in the R. Russell Survey, Abstract No. 911 (Nay Car Wash Addition), which is shown on Exhibit A, in accordance with the Site Layout Plan attached as Exhibit B, Elevations attached as Exhibit C, Landscape Plan attached as Exhibit D, and Further Details attached as Exhibit E.

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 21st day of May, 2018.



ATTEST:

Roi Cartwright
City Secretary

M. Kevin Stought
MAYOR

(9)

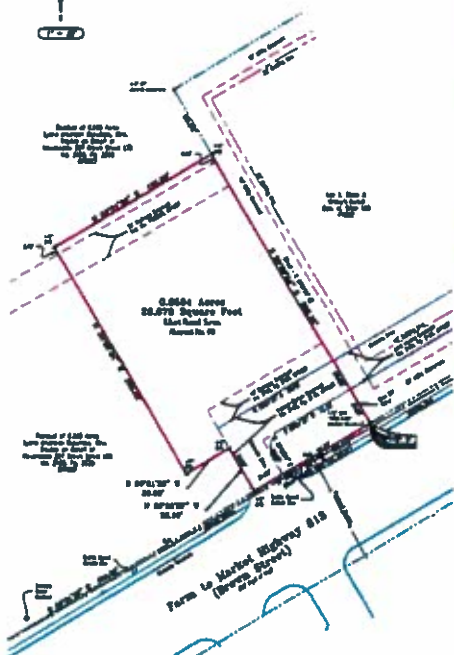


**SU-18-0034 911 R Russell-Auto Laundry
Location Exhibit**

EXHIBIT A

 SU-18-0034



WLSC

LAND USE MAP

U.S. ARMY



 LOCATION MAP 

- **Planning (and more)**
- **Designing**
- **Implementing**
- **Monitoring**
- **Evaluating**
- **Improving**
- **Communicating**
- **Managing**
- **Leading**
- **Working**
- **Learning**
- **Living**

- [illegible]

PROJECT DATA:
 LOT AREA: 5044 ACRES (50.85 A.P.)
 ZONING: 100 (GENERAL RETAIL)
 PROPOSED USE: DRIVE THRU CAR WASH
 BUILDING AREA: 3,592 S.F.
 MAXIMUM LOT COVERAGE: 40 %
 PROPOSED LOT COVERAGE: 10.57 %
 MAXIMUM BUILDING HEIGHT: 3 STORIES
 PROPOSED BUILDING HEIGHT: 1 STORY (10 FEET)
 LANDSCAPE AREA: 10.67 A.P.
 AREA OF IMPERVIOUS SURFACE: 14,181 S.F.
 PARKING REQUIREMENTS: 15 SPACES
 PARKING PROVIDED: 12 SPACES
 ACCESSIBLE PARKING REQUIRED: 1
 ACCESSIBLE PARKING PROVIDED: 1
 SET BACKS: REQUIRED
 FRONT: 30'-0"
 SIDE: 20'-0"
 REAR: 20'-0"
 PROPOSED: 6'-0"
 REAR 11'-0"
 SIDE 3'-0"

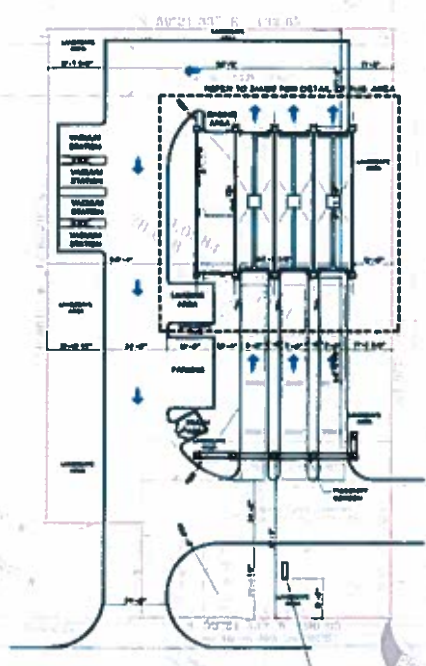
BUILDING FOR
WAXAHACHIE CAR WASH
BROWN STREET, WAXAHACHIE, TEXAS



architect

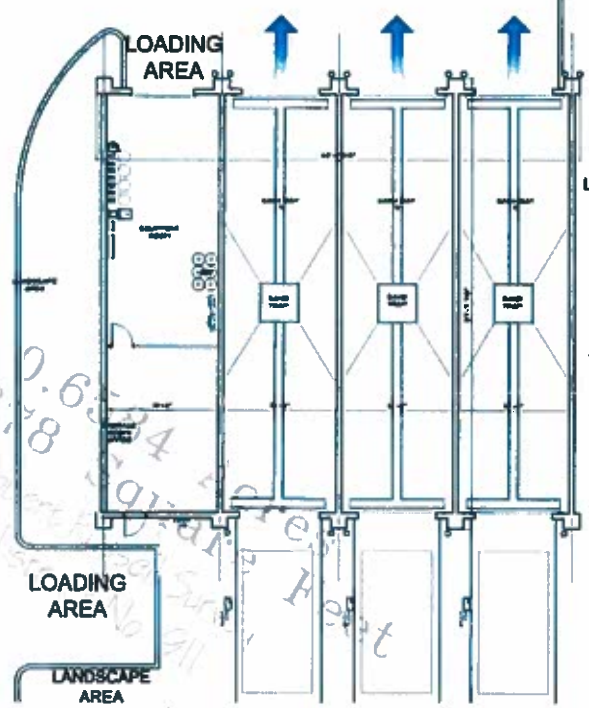
OWNER	LYONS AMERICAN SECURITIES INC.	287 BROWN STREET JSM ACRES	APPLICANT DATE 02/08
	WAXAHACHE, TEXAS 75165	WAXAHACHE, ELIS COUNTY	APPROVAL A101 DATE OF APPROVAL 02/08

(9)



Farm to Market Highway 813
(Brown Street)

⊕ SITE PLAN 10/1/12 ⊕



⊕ FLOOR PLAN 10/1/12 ⊕

LANDSCAPE AREA
A NEW BUILDING FOR
WAXAHACHIE CAR WASH
BROWN STREET, WAXAHACHIE, TEXAS

OWNER	LYONS AMERICAN SECURITIES INC.	287 BROWN STREET	2.84 ACRES
ADDRESS	WAXAHACHE, TEXAS 79105	WAXAHACHE, ELLIS COUNTY	
PROJECT NO.			A102

(9)



WEST ELEVATION
30'-0"



SOUTH ELEVATION
30'-0"



SOUTH ELEVATION (STREET VIEW)
30'-0"



EAST ELEVATION
30'-0"



NORTH ELEVATION
30'-0"



REPORT 1

OWNER	LYONS AMERICAN SECURITIES INC.	287 BROWN STREET
		854 ACRES
	WAXAHACHIE, TEXAS 75165	
		WAXAHACHIE, ELLIS COUNTY

SPONSOR: LYONS AMERICAN SECURITIES INC.
ARCHITECT: J. M. HARRIS & ASSOCIATES
1000 WEST 10TH STREET
SUITE 100
DALLAS, TEXAS 75201
PHONE: 214-742-1000
FAX: 214-742-1001

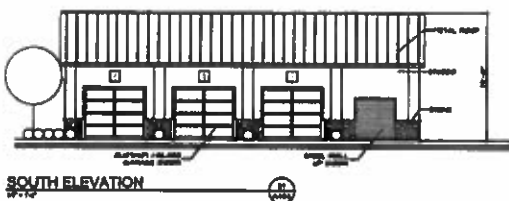
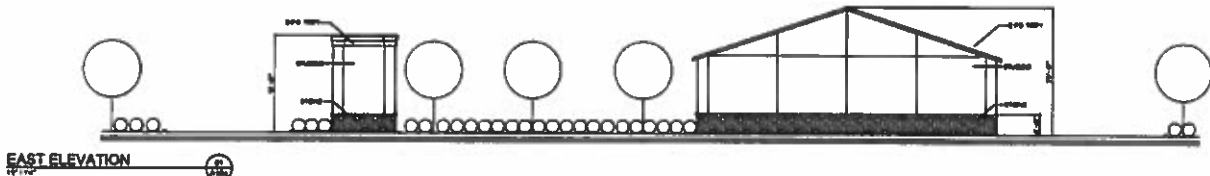
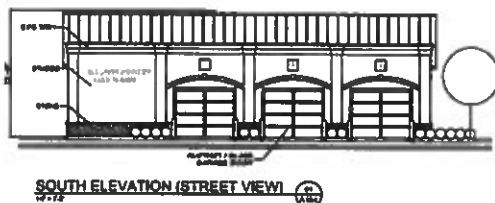
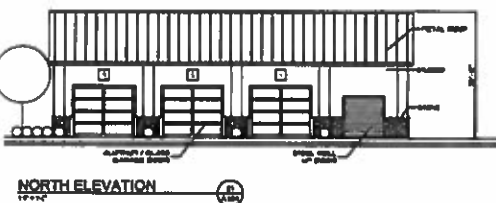
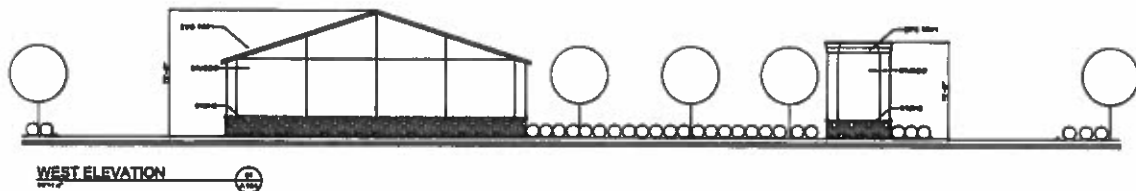
A NEW BUILDING FOR
WAXAHACHIE CAR WASH
BROWN STREET, WAXAHACHIE, TEXAS



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(9)



OWNER'S NAME

OWNER	LYONS AMERICAN SECURITIES INC.	287 BROWN STREET	287 BROWN STREET
		2534 ACRES	
	WAXAHACHIE, TEXAS 75105		
		WAXAHACHIE, ELLIS COUNTY	

WAXAHACHIE CAR WASH
BROWN STREET, WAXAHACHIE, TEXAS

A NEW BUILDING FOR
WAXAHACHIE CAR WASH
BROWN STREET, WAXAHACHIE, TEXAS



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PROJECT NO.
A104

Landmark studies reviewed

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Diagram illustrating the parts of a tree and their functions:

- Flora Trees & Her or Spine Reserved:** (Top left)
- Flora Trees & Her or Spine Reserved:** (Top right)
- Flora Trees & Her or Spine Reserved:** (Middle left)
- Flora Trees & Her or Spine Reserved:** (Middle right)
- Flora Trees & Her or Spine Reserved:** (Bottom left)
- Flora Trees & Her or Spine Reserved:** (Bottom right)

Diagram illustrating the structure of a tree:

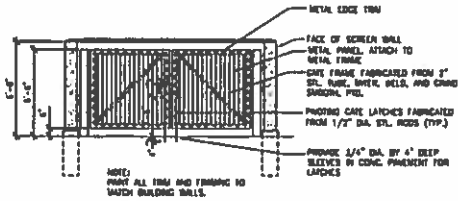
- Trunk and branches of a tree.
- Leaves of a tree.
- Roots of a tree.
- Soil.
- Water and minerals from the soil.
- Food made by the tree.
- Gas (Oxygen) from the tree.
- Plants use the gas (Oxygen) from the tree.
- Animals use the gas (Oxygen) from the tree.
- Humans use the gas (Oxygen) from the tree.

LANDSCAPE NOTES

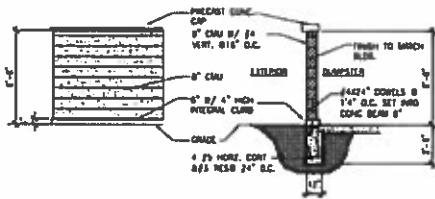
- 1) ADAPTATION - the state of the organism that corresponds to the conditions of the environment by means of changes in its structure and function.
- 2) ADAPTATION - the state of the organism that corresponds to the conditions of the environment by means of changes in its structure and function.
- 3) ADAPTATION - the state of the organism that corresponds to the conditions of the environment by means of changes in its structure and function.
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- 9) ADAPTATION - the state of the organism that corresponds to the conditions of the environment by means of changes in its structure and function.
- 10) ADAPTATION - the state of the organism that corresponds to the conditions of the environment by means of changes in its structure and function.

OWNER	LYONS AMERICAN SECURITIES INC.	287 BROWN STREET	ALL RIGHTS
		3584 ACRES	EXCEPT
	WAXAHACHIE, TEXAS 75165		
		WAXAHACHIE, ELLIS COUNTY	L-1 City of Waxahachie, TEXAS

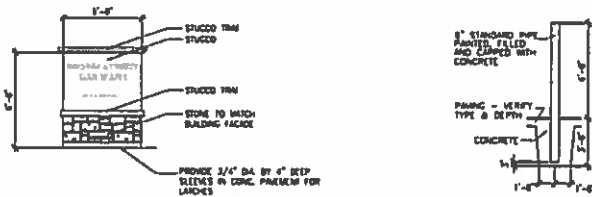
(9)



02 TRASH AREA - ELEVATION
1/8" = 1'-0"

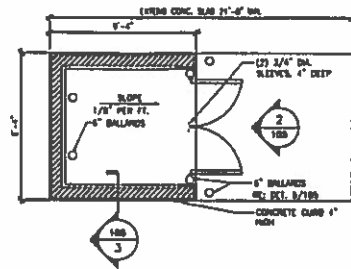


03 TRASH AREA - ELEVATION/ SECTION
1/8" = 1'-0"



04 MONUMENT SIGN
1/8" = 1'-0"

05 BOLLARD DETAIL
1/8" = 1'-0"



01 TRASH AREA - PLAN VIEW
1/8" = 1'-0"

DESIGNED BY: [Firm Name]
DRAWN BY: [Firm Name]
CHECKED BY: [Firm Name]
DATE: [Date]

A NEW BUILDING FOR
WAXAHACHIE CAR WASH
BROWN STREET, WAXAHACHIE, TEXAS



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OWNER	LYONS AMERICAN SECURITIES INC.	287 BROWN STREET .854 ACRES	LOT NUMBER
LOCATION	WAXAHACHIE, TEXAS 75115	WAXAHACHIE, ELLIS COUNTY	SHEET NUMBER
			A105
			DATE OF DESIGN: 10/10/10

(9)

July 13, 2020

City of Waxahachie,

Planning and Zoning

And

City Council

We are requesting a change/variance on a previously submitted site plan for The Wash on Brown, located at 2201 Brown Street, Waxahachie, TX 75165.

The site plans were originally approved by P&Z along with City Council over a year ago, and included a façade/screen wall at the entrance of the car wash facility that perfectly matched the front elevation of the current building.

Construction of this wall WAS NOT done due to several complicating issues including sub-contractors need to run all major utilities under the approved and proposed location of said wall, (Natural Gas and Water, and electrical).

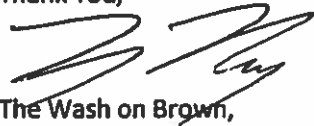
We needed to change the length of 3 raised curbed entrance isles to avoid causing traffic back ups on the shared approach/driveway during construction, this unturned moved said screen wall 40 ft. closer to the building, but alleviated the traffic congestion concern. However, this put the screen wall structural piers right on top of already installed utilities, preventing the drilling of sub-grade piers to avoid damaging underground utilities.

Upon further construction review, it was determined that a screen wall, (though it looked as if it work on the site plans), would cause a significant risk to the safety and security of the customers and the sites 3 Point of Sale kiosks.

The wall, had it been constructed, would give a "screen" for criminals providing cover for them to be hidden from public view. This is NOT a liability the end owner is interested in having and opted to avoid building such a liability.

We are asking that this portion of the approved plan be waived or provided a variance by the city for the safety of the customers and liability of the owner.

Thank You,



The Wash on Brown,

Terry Nay, Owner