A G E N D A

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on ***Tuesday, May 14, 2024 at 7:00 p.m***.

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

1. Call to Order

2. Invocation

3. ***Public Comments***: Persons may address the Planning & Zoning Commission on any issues. This is the appropriate time for citizens to address the Commission on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Commission may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code. ***Speakers are requested to observe five (5) minute time limit.***

4. ***Consider*** approval of minutes of the regular Planning & Zoning Commission meeting of April 23, 2024

5. ***Public Hearing*** on a request by the City of Waxahachie to expand the boundaries of the Historic Overlay District as created by Ordinance Number 2331, per the requirements of Ordinance Number 3020, and ordering the changing of the Zoning Map thereof in accordance with said change. (ZDC-69-2024) Staff: Eleana Tuley

6. ***Consider*** recommendation of ZDC-69-2024

7. ***Continue Public Hearing*** on a request by Chad Adams, for a Zoning Change from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a Planned Development – Single Family – 1 (PD-SF-1) zoning district (Hightower), located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

8. ***Consider*** recommendation of ZDC-128-2022

9. ***Public Hearing*** on a request by Steve Kennedy, for a Specific Use Permit (SUP) for a Boat Dock +1500SF use within a Planned Development-Single Family-1 (PD-SF-1) zoning district located at 118 Hunter Pass (Property ID 219074) - Owner: Evan Ward and Johnny Ward (ZDC-60-2024) Staff: Zack King

10. ***Consider*** recommendation of ZDC-60-2024

11. ***Public Hearing*** on a request by Kathryn Soliz for a Specific Use Permit (SUP) for an Accessory Structure +700SF use within a Single Family-1 (SF-1) zoning district located at 2300 Howard Road (Property ID 199423) - Owner: Kathryn Soliz & Brodie Soliz (ZDC-41-2024) Staff: Zack King

12. ***Consider*** recommendation of ZDC-41-2024

13. ***Public Hearing*** on a request by Gary Davis, for a Specific Use Permit (SUP) Amendment for an Ordinance 3469 – Accessory Structure +700SF use within a Planned Development-Single Family-1 (PD-SF-1) zoning district located at 109 Sanders Drive (Property ID 269676) - Owner: Gary Davis (ZDC-68-2024) Staff: Zack King

14. ***Consider*** recommendation of ZDC-68-2024

15. ***Public Hearing*** on a request by Ana Reyes, for a Specific Use Permit (SUP) for a Cosmetic and Restorative Studio use within a Central Area (CA) zoning district located at 307 S Rogers Street (Property ID 170494) - Owner: With Willing Hands Investments LLC (ZDC-51-2024) Staff: Zack King

16. ***Consider*** recommendation of ZDC-51-2024

17. ***Public Hearing*** on a request by Steve Wilson, for a Specific Use Permit (SUP) for a Bail Bond Agency use within a Central Area (CA) zoning district located at the northeast corner of the intersection of S Jackson Street and E Jefferson Street (Property ID 170438) - Owner: Richard Shinpaugh (ZDC-112-2023) Staff: Zack King

18. ***Consider*** recommendation of ZDC-112-2023

19. ***Public Hearing*** on a request by Gregory Roberson for a Specific Use Permit (SUP) for an Accessory Structure +700SF use within a Future Development (FD) zoning district located at 3224 Howard Road (Property ID 283067) - Owner: Gregory Roberson (ZDC-65-2024) Staff: Harper Lindamood

20. ***Consider*** recommendation of ZDC-65-2024

21. ***Public Hearing*** on a request by Chris Clark, Clarkitecture LLC, for a Specific Use Permit (SUP) for a Drive-Through Establishment (HTeaO) use within a Planned Development-24-General Retail zoning district, located at 502 N US Highway 77, (Property ID 289738) – Owner: RS Waxahachie LLC (ZDC-74-2024) Staff: Zack King

22. ***Consider*** recommendation of ZDC-74-2024

23. ***Continue Public Hearing*** on a request by Melissa McClain, Equity Trust Company, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development-28-General Retail (PD-28-GR) zoning district located at 515 N College Street (Property ID 171103) - Owner: Equity Trust Company Custodian (ZDC-35-2024) Staff: Oanh Vu

24. ***Consider*** recommendation of ZDC-35-2024

25. ***Public Hearing*** on a request by Shelia Hood, Twin Cedars Trust, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 316 Cynisca Street (Property ID 175950) - Owner: Twin Cedars Trust (ZDC-77-2024) Staff: Zack King

26. ***Consider*** recommendation of ZDC-77-2024

27. ***Public Hearing*** on a request by Dainy Villanueva, Bleuvets LLC for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development-Single Family-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-86-2024) Staff: Zack King

28. ***Consider*** recommendation of ZDC-86-2024

29. ***Public Hearing*** on a request by James Mills, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development-28-General Retail (PD-28-GR) zoning district located at 516 N College Street (Property ID 170715) - Owner: James Mills and Megan Mills (ZDC-78-2024) Staff: Zack King

30. ***Consider*** recommendation of ZDC-78-2024

31. ***Public Hearing*** on a request by Stacie Seabolt, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 404 N Gibson Street (Property ID 173340) - Owner: John Seabolt and Stacie Seabolt (ZDC-83-2024) Staff: Zack King

32. ***Consider*** recommendation of ZDC-83-2024

33. ***Public Hearing*** on a request by Darrell James for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-3 (SF-3) zoning district located at 297 Finley Street (Property ID 175967) - Owner: Darmar Investments LLC (ZDC-84-2024) Staff: Zack King

34. ***Consider*** recommendation of ZDC-84-2024

35. ***Public Hearing*** on a request by Terri Griffith, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 402 Richmond Lane (Property ID 171713) - Owner: Terri Griffith (ZDC-85-2024) Staff: Zack King

36. ***Consider*** recommendation of ZDC-85-2024

37. ***Public Hearing*** on a request by Juan Flores, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development-Single Family-3 (PD-SF-3) zoning district located at 624 Xavier Court (Property ID 281280) - Owner: JC & AG Investment Group, Inc. (ZDC-87-2024) Staff: Zack King

38. ***Consider*** recommendation of ZDC-87-2024

39. ***Public Hearing*** on a request by Jason Luke, LJA Engineering, for a Plat of Saddlebrook Estates Phase 4, 252 residential lots and 5 open space lots, being 70.035 acres, located north of 250 Saratoga Drive, situated in the G. Carpenter Survey, Abstract 190, an addition to the City of Waxahachie (Property ID: 189842) – Owner: 287 Waxahachie LP (SUB-72-2024)

40. ***Consider*** recommendation of SUB-72-2024

41. ***Public Hearing*** on a request by Jason Luke, LJA Engineering, for a Plat of Saddlebrook Estates Phase 4B, 131 residential lots and 5 open space lots, being 36.665 acres, located approximately 2,000 feet northeast of 147 Charismatic Road, situated in the G. Carpenter Survey, Abstract 190, an addition to the City of Waxahachie (Property ID: 189842) – Owner: 287 Waxahachie LP (SUB-73-2024)

42. ***Consider*** recommendation of SUB-73-2024

43. Adjourn

The Planning and Zoning Commission reserves the right to go into Executive Session as authorized by Section 551.071(2) of the Texas Government Code, for the purpose of seeking confidential legal advice from legal counsel on any agenda item listed herein. This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at 469-309-4006 or (TDD) 1-800-RELAY TX

Notice of Potential Quorum
One or more members of the Waxahachie City Council may be present at this meeting.
No action will be taken by the City Council at this meeting.

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Tuesday, April 23, 2024 at 7:00 p.m.

Members Present:	Rick Keeler, Chairman Erik Test, Vice Chairman Bonney Ramsey David Hudgins Ron Ansell Adrian Cooper Marlene Norcross
Others Present:	Shon Brooks, Executive Director of Development Services Jennifer Pruitt, Senior Director of Planning Zack King, Senior Planner Amber Villarreal, City Secretary Chris Wright, Council Representative

1. Call to Order
2. Invocation

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

3. Public Comments

None.

4. Consent Agenda

a. Minutes of the regular Planning & Zoning Commission meeting of April 9, 2024
b. Consider a request by David McDill, for a Replat of a portion of Lot 3, Block 27 of the West End Addition, to create Lot 3B, Block 27 of the West End Addition, 1 residential lot, being 1.882 acres, located at 611 N. Grand Ave. (Property ID: 176844) – Owner: Katrina K. Walker (SUB-61-2024)
c. Consider a request by Bryce Eckeberger, Kimley-Horn, for a Replat of the 289 BSL-Waxahachie addition to create five (5) lots, being 124.8669 acres, located at 573 Blue Star Drive (Property ID: 180322) – Owner: 289 BSL Waxahachie LLC (SUB-71-2024)

Action:
Erik Test moved to approve all items on the Consent Agenda as presented. Motion was seconded by Bonney Ramsey and carried unanimously (7-0).

5. Public Hearing on a request by Chad Adams, for a Zoning Change from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a Planned Development – Single Family – 1 (PD-SF-1) zoning district (Hightower), located directly north of 143 Lakeshore Drive (Property ID 182009) -

Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

Chairman Keeler announced the applicant requested to continue the case to the May 14, 2024 Planning and Zoning Commission meeting.

Action:
David Hudgins moved to continue the Public Hearing for ZDC-128-2022 to the May 14, 2024 Planning and Zoning Commission meeting. Motion was seconded by Erik Test and carried unanimously (7-0).

6. Consider recommendation of Zoning Change No. ZDC-128-2022

No action taken.

7. Public Hearing on a request by Greg Nehib, 57 Bluetruck LLC, for a Zoning Change from a Single Family-1 (SF-1) zoning district to Planned Development-Commercial (PD-C) zoning district, located at 409 W Jefferson Street, (Property ID 171061) - Owner: 57 Bluetruck LLC (ZDC-32-2024) Staff: Zack King

The Item was presented by Senior Planner Zack King and owner Greg Nehib requested approval of the zoning change.

Commissioner David Hudgins presented a proposed addendum to further restrict the following uses on the property:

1. Stable
2. Adult daycare facility
3. Child advocacy center
4. Crematorium
5. Institution for alcoholic, narcotic, or psychiatric patients
6. Public community center
7. Public school or vocational
8. Amusement indoor or outdoor
9. Appliance rental, service, or repair
10. Arcade
11. Bank or credit union
12. Building materials and hardware sales, indoor or outdoor
13. Bus station
14. Car wash
15. Country club private
16. Funeral home or mortuary
17. Furniture manufacture and refinishing shop
18. Greenhouse, nursery, or garden shop
19. Heating & air conditioning sales
20. Household appliance service or repair
21. Laboratory research
22. Landscape sales and installation
23. Pawn shop
24. Pet store
25. Pharmacy
26. Playfield or stadium
27. Restaurant
28. Winery
29. Searchlights

Mr. Nehib noted he was agreeable to the proposed list with the exception of a restaurant. He explained with the addition of a commercial kitchen for the bakery, a restaurant or catering kitchen would allow for similar use if the bakery was no longer the tenant.

Chairman Keeler opened the Public Hearing at approximately 7:18 p.m.

Those who spoke in opposition:
Kathleen Bowen, 527 W. Jefferson, Waxahachie, Texas
John Wedel, 417 W. Jefferson, Waxahachie, Texas
Theresa Taylor, 302 Lakeshore Drive, Waxahachie, Texas
Nancy Post, 606 Sycamore, Waxahachie, Texas
Lynda Begnaud, 153 Lakeshore Drive, Waxahachie, Texas
Becky Kauffman, 817 W. Main, Waxahachie, Texas
Jim Kauffman, 817 W. Main, Waxahachie, Texas
Peggy Crabtree, 607 W. Jefferson, Waxahachie, Texas
Barbara Jacobs, 216 Sendero, Waxahachie, Texas

Those who spoke in support:
Mark Patrick, 115 Virginia, Waxahachie, Texas
BJ Bean, 404 W. Jefferson, Waxahachie, Texas
Dean Settlemyer, 605 Brookside, Waxahachie, Texas

Tenant Katie Cheney, 145 Taylor Ridge Drive, Waxahachie, Texas, explained the bakery will have a dessert case for walk-in customers, pick up for to-go orders, and a kitchen for catering orders. There will not be a dine-in option.

Chairman Keeler asked if the owner can take preventative measures to restrict access to the Ellis County Woman's Building drive and Mr. Nehib agreed.

There being no others to speak for or against ZDC-32-2024, Chairman Keeler closed the Public Hearing at approximately 7:59 p.m.

8. Consider recommendation of ZDC-32-2024

Action:
Ron Ansell moved to recommend approval of ZDC-32-2024, a Zoning Change request from a Single-Family-1 zoning district to a Planned Development-Commercial zoning district, subject to the conditions in the staff report, including the addendum of restricted uses as presented that the property owner agreed to, and including the addition of a new 6' cedar fence dividing the property and the Woman's Building. Motion was seconded by David Hudgins and carried by a 6-1 vote, with Marlene Norcross voting in opposition.

9. Public Hearing on a request by Brad Yates, Loren Gray Investments LLC, for a Specific Use Permit (SUP) for an Accessory Structure +700sf use within a Single Family-2 (SF-2) zoning district located at 110 Farley Street (Property ID 175879) - Owner: Loren Gray Investments LLC (ZDC-4-2024) Staff: Zack King

The Item was presented by Mr. King and applicant Brad Yates requested approval of the Specific Use Permit. To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 22 notices were mailed to property owners within 200 feet of the request. Staff has received one (1) letter of support for the proposed accessory structure.

Chairman Keeler opened the Public Hearing at approximately 8:05 p.m.

There being no others to speak for or against ZDC-32-2024, Chairman Keeler closed the Public Hearing at approximately 8:05 p.m.

10. Consider recommendation of ZDC-4-2024

Action:
Erik Test moved to recommend approval of ZDC-4-2024, a Specific Use Permit (SUP) for an Accessory Structure greater than 700 square feet, subject to the conditions in the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Bonney Ramsey and carried unanimously (7-0).

11. Public Hearing on a request by Brad Yates, Graily Holdings LLC, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-3 (SF-3) zoning district located at 800 Dunaway Street (Property ID 172314) - Owner: Graily Holdings LLC (ZDC-56-2024) Staff: Zack King

The Item was presented by Mr. King and applicant Brad Yates requested approval. To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 64 notices were mailed to property owners within 500 feet of the request as required in Section 3.27 of the City's Zoning Ordinance. At the time of the publishing of this staff report, a total of 1 letter in opposition and 7 letters in support have been received by staff, with 3 letters in support being inside the 200' buffer and the remainder outside the 200' buffer. Staff confirmed with the Waxahachie Police Department that no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

Chairman Keeler opened the Public Hearing at approximately 8:16 p.m.

There being no others to speak for or against ZDC-56-2024, Chairman Keeler closed the Public Hearing at approximately 8:16 p.m.

12. Consider recommendation of ZDC-56-2024

Action:
Erik Test moved to recommend approval with conditions of ZDC-56-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Bonney Ramsey and carried unanimously (7-0).

13. Public Hearing on a request by Melissa McClain, Equity Trust Company, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development-28-General Retail (PD-28-GR) zoning district located at 515 N College Street (Property ID 171103) - Owner: Equity Trust Company Custodian (ZDC-35-2024) Staff: Oanh Vu

The Item was presented by Mr. King and applicant Melissa McClain requested approval. To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 56 notices were mailed to property owners within 500 feet of the request as required in Section 3.27 of the City's Zoning Ordinance. At the time of the publishing of this staff report, a total of 2 letters in support have been received by staff, with both letters being inside the 200' buffer. Staff confirmed with the Waxahachie Police Department that no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

Chairman Keeler opened the Public Hearing at approximately 8:18 p.m.

Commissioner Ansell inquired about on-site parking and Mr. King explained there is not a curb cut and off-street parking has been historically used for this property. The Commission discussed on-site parking options and inquired about a potential access easement from the adjacent Edward Jones property.

The applicant requested a continuance of the Public Hearing to explore on-site parking options.

Action:
Erik Test moved to continue the Public Hearing to the May 14, 2024 Planning and Zoning Commission meeting. Motion was seconded by David Hudgins and carried unanimously (7-0).

14. Consider recommendation of ZDC-35-2024

No action taken.

15. Public Hearing on a request by Taylor Towles, Elmwood Wonder W, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development-Single Family-2 (PD-SF-2) zoning district located at 95 Elmwood Trail (Property ID 222754) - Owner: Elmwood Wonder W (ZDC-54-2024) Staff: Zack King

The Item was presented by Mr. King and applicant Taylor Towles requested approval. To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 51 notices were mailed to property owners within 500 feet of the request as required in Section 3.27 of the City's Zoning Ordinance. At the time of the publishing of this staff report, a total of 5 letters in opposition have been received by staff, with 4 letters being inside the 200' buffer and the remainder outside the 200' buffer. Staff confirmed with the Waxahachie Police Department that no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

Chairman Keeler opened the Public Hearing at approximately 8:37 p.m.

There being no others to speak for or against ZDC-54-2024, Chairman Keeler closed the Public Hearing at approximately 8:37 p.m.

16. Consider recommendation of ZDC-54-2024

Action:
Erik Test moved to recommend approval with conditions of ZDC-54-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Bonney Ramsey and carried unanimously (7-0).

17. Public Hearing on a request by Dawn Lipsey, North Star Custom Homes LLC, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 511 W Parks Avenue (Property ID 173331) - Owner: North Star Custom Homes LLC (ZDC-63-2024) Staff: Zack King

The Item was presented by Mr. King and applicant Dawn Lipsey requested approval. To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 68 notices were mailed to property owners within 500 feet of the request as required in Section 3.27 of the City's Zoning Ordinance. At the time of the publishing of this staff report, a total of 12 letters in support and 3 letters in opposition have been received by staff, with 10 letters in support and 1 letter in opposition being inside the 200' buffer and the remainder outside the 200' buffer. Staff confirmed with the Waxahachie Police Department that no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

Chairman Keeler opened the Public Hearing at approximately 8:45 p.m.

There being no others to speak for or against ZDC-63-2024, Chairman Keeler closed the Public Hearing at approximately 8:46 p.m.

18. Consider recommendation of ZDC-63-2024

Action:
Bonney Ramsey moved to recommend approval with conditions of ZDC-63-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by David Hudgins and carried unanimously (7-0).

19. Public Hearing on a request by Kelley Cruzan, for a Zoning Change from a Single-Family-2 (SF-2) zoning district to Planned Development-Single Family-2 (PD-SF-2) zoning district, located at 106 McClain Street, (Property ID 170768) - Owner: Thomas Jordan (ZDC-58-2024) Staff: Zack King

The Item was presented by Mr. King and applicant Kelley Cruzan requested approval. The subject property is situated within the Infill Overlay District, which establishes development standards that supersede the base Single-Family-2 zoning district on the subject property. The Infill Overlay District was established to facilitate residential development of vacant lots in the core of Waxahachie that present challenges for traditional development due to their size and shape. The Infill Overlay District allows for lot size, lot dimension, setback, home size, and parking requirements that are based on existing development within 50' of the property in question.

In regards to 106 McClain Street, the Infill Overlay District requires a minimum home size of approximately 2,000 square feet. With this Planned Development request, the applicant proposes to reduce the minimum home size requirement to 800 square feet to allow for a two-bedroom, one-bathroom home. Additionally, the applicant proposes a modification to the parking requirement for 106 McClain Street to allow for a gravel driveway as opposed to a concrete driveway. No other deviation from the typical requirements of Single Family-2 zoning district or Infill Overlay District is proposed.

Mayor Pro Tem Chris Wright explained the Ellis County Homeless Coalition and the community have been working on this project to provide an affordable home for Mr. Jordan for the last three (3) years. To aid in this endeavor, the City purchased and improved Smokey Lane, which was a private street, increased the water line size to allow for better flow for the current and future homes on the street, and added fire hydrants.

Chairman Keeler opened the Public Hearing at approximately 9:05 p.m.

Those who spoke in opposition:
Jeff Evans, 121 McClain Street, Waxahachie, Texas
Kenneth Bryant, 117 McClain Street, Waxahachie, Texas

Those who spoke in support:
Connor McGuire, 218 Stampede, Waxahachie, Texas

There being no others to speak for or against ZDC-58-2024, Chairman Keeler closed the Public Hearing at approximately 9:24 p.m.

Some Commission members expressed concerns with the proposed home size in comparison to the existing new homes on McClain Street and inquired about other options. Ms. Cruzan explained the owner would not be able to afford or maintain a larger home. She offered to build fences on both sides of the property to ease neighbor concerns.

20. Consider recommendation of ZDC-58-2024

Action:
Ron Ansell moved to recommend denial of ZDC-58-2024, a Zoning Change request from a Single-Family-2 zoning district to a Planned Development-Single-Family-2 zoning district. Motion was seconded by Marlene Norcross and carried unanimously by a 5-2 vote, with Erik Test and Adrian Cooper voting in opposition.

21. Adjourn

There being no further business, the meeting adjourned at 9:27 p.m.

Respectfully submitted,
Amber Villarreal, City Secretary

Memorandum

To: Honorable Mayor and City Council

From: Eleana Tuley, AICP, Downtown & Historic Preservation Manager

Thru: Warren Ketteman, Senior Director of Economic Development

Date: May 14, 2024

Re: ZDC-69-2024 – Expansion of the Historic Overlay

On May 9, 2024, the City of Waxahachie requested to continue this case to the May 28, 2024, Planning and Zoning Commission meeting and the June 3, 2024, City Council meeting.

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-128-2022

MEETING DATE(S)

Planning & Zoning Commission: May 14, 2024
City Council: May 20, 2024

CAPTION

Public Hearing on a request by Chad Adams, for a **Zoning Change** from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a **Planned Development – Single Family – 1 (PD-SF-1)** zoning district (Hightower), located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

RECOMMENDED MOTION

"I move to recommend approval of ZDC-128-2022, a Zoning Change from a Future Development and Planned Development-Single Family-1 zoning district to a Planned Development-Single Family-1 zoning district, subject to the conditions the staff report."

ACTION SINCE INITIAL STAFF REPORT

On April 7, 2024, the applicant requested to continue consideration of the Planned Development application for the Hightower Club to the May 14th Planning & Zoning Commission meeting and the May 20th City Council meeting. The applicant noted the purpose of the continuance request was to allow for additional time to revise the concept plan to address neighborhood concerns expressed at the March 26th Planning & Zoning Commission meeting.

The applicant has made several changes to the proposed Hightower Club concept plan. These changes are noted below:

- The applicant has shifted the proposed street connection to Lakeshore Drive from the eastern edge of the property to the western edge of the property. The revised connection point would necessitate installation of a stop sign on Lakeshore Drive.
- The applicant has eliminated the proposal for a landscaped median at the street connection to Lakeshore Drive. The entry monument originally proposed in the landscaped median has been relocated to HOA maintained X-lots on either side of the street connection to Lakeshore Drive.
- The applicant has increased the number of residential lots facing Lakeshore Drive from five (5) to seven (7). The proposed lots facing Lakeshore Drive are 1.2 acres in size and larger.
- The applicant has committed to constructing a 6' stained wood privacy fence along the eastern property line. The fence is proposed to be installed with the initial street and utility infrastructure for the property.
- The applicant has proposed a requirement for home builders to install a 5' sidewalk along Lakeshore Drive adjacent to the subject property at the time each of the lots adjacent to Lakeshore Drive are developed.

APPLICANT REQUEST

The applicant requests approval of a Planned Development district to allow for a sixty-eight (68) lot single-family residential neighborhood.

CASE INFORMATION

Applicant: Chad Adams, Oakhull Development LLC

Property Owner(s): Todd Laurie L & Wesley M Hightower Etal

Site Acreage: 84.78 acres

Current Zoning: Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1)

Requested Zoning: Planned Development-Single Family-1 (PD-SF-1)

SUBJECT PROPERTY

General Location: Directly north of 143 Lakeshore Drive

Parcel ID Number(s): 182009

Existing Use: The subject property is currently undeveloped.

Development History: The subject property is not currently platted.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	Planned Development-Single Family-1 (PD-SF-1)	Single Family Neighborhood (Levante)
East	Future Development (FD) & Rural Residential (RR)	Single Family Residences
South	Planned Development-Single Family-1 (PD-SF-1)	Single Family Residences
West	Planned Development-Single Family-1 (PD-SF-1)	Single Family Residences

Future Land Use Plan: Residential Neighborhood & Rural Estate

Comprehensive Plan:

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

Rural Estate: This placetype is characterized by large lots with single-family homes in rural settings away from the city center as well as public services. This type of development leaves ample amount of surrounding open space, and should involve minimal infrastructure investment. Though this placetype will almost exclusively be single family homes, it is to be expected that home-based businesses may thrive in this environment.

Thoroughfare Plan: The subject property is accessible via Lakeshore Drive to the south and Education Lane to the north (currently under construction as part of the Levante neighborhood).

Site Image:



PLANNING ANALYSIS

The applicant proposes a zoning change to Planned Development Single Family-1 (PD-SF-1) with modified development standards to allow for a single-family residential development with minimum lot sizes of one (1) acre. The applicant proposes at total of sixty-eight (68) lots with the development. Seven (7) of the proposed lots are designed to front Lakeshore Drive and maintain a minimum size of 1.2 acres.

Case Background

The applicant behind this request is the same developer currently working on the Levante Planned Development (PD) to the north of the subject property. The Levante Planned PD was approved in 2022 and was designed from the beginning to gain additional points of access from adjacent properties to west and to the south. It is important to note that the provision of at least two (2) points of access is a requirement for the build-out of Levante. This request for the Hightower PD and the design of the Hightower concept plan is intended to provide the required second point of access for both the Levante and Hightower neighborhoods.

Development Standards

The subject property is in the City of Waxahachie water and wastewater service area. However, wastewater infrastructure is not within a reasonable distance to service the subject property. Therefore, the Applicant has proposed one-acre minimums for all lots in order to facilitate an on-site septic system. In addition to increasing the minimum lot size, the Applicant has committed to require a side-entry or rear-entry garage for all dwelling units. Other than these two provisions, the subject property will meet all other standards for the Single-Family-1 (SF-1) zoning district. The table below can be referenced for a comparison of the proposed development standards and Waxahachie's base SF-1 zoning district.

Standard	City of Waxahachie (SF-1 District Standards)	Proposed Development Standards (Applicant Request)	Meets or Exceeds SF-1 Standards?
Height Regulations	2 stories for the main building / 1 story for accessory buildings without garages	2 stories for the main building / 1 story for accessory buildings without garages	Meets
Minimum Dwelling Size	2,200 SF	2,200 SF	Meets
Minimum Lot Area	16,000 SF	43,560 SF (1 Acre)	**Exceeds**
Minimum Lot Width	90'	90'	Meets
Minimum Lot Depth	140'	140'	Meets
Minimum Front Yard	40'	40'	Meets
Minimum Side Yard	15' required; 20' from a street ROW	15' required; 20' from a street ROW	Meets
Minimum Rear Yard	25'	25'	Meets
Maximum Lot Coverage	50% by main and accessory buildings	50% by main and accessory buildings	Meets
Garages	Minimum of two (2) enclosed spaces, no design regulations.	All dwelling units shall contain side-entry or rear-entry garages (front-entry garages are prohibited).	**Exceeds**

Proposed Concept Plan

The subject property will develop according to the design of the concept plan (Exhibit C). The layout of the neighborhood complies with subdivision design standards within the City's subdivision regulations and provides a minimum of two access points for fire and emergency access. The internal street network will comply with the Estate Street section consisting of sixty (60) feet of right-of-way with 27 feet of pavement and a 16.5-foot parkway on each side of the pavement to allow for a culvert and bar ditch. The Applicant has provided a stub for future development out to the tract on the west side of the subject property. Additionally, the applicant has proposed a requirement for home builders to install a 5' sidewalk along Lakeshore Drive adjacent to the subject property at the time each of the lots adjacent to Lakeshore Drive are developed.

Public Works & Engineering Analysis

The City Engineer and the Public Works & Engineering Department have evaluated the concept plan provided by the applicant with this Planned Development application. The applicant has conceptually accounted for drainage and detention requirements. The City Engineer has noted that full detailed drainage plans are provided to the City for review and approval with the Civil Construction permit.

Should the Planned Development for the property be approved, the developer will be required to submit a Plat for the property. This will be reviewed by multiple departments including Engineering, Planning, Utilities, and Fire. After the Plat has been approved, the developer has 120 days to submit the full Civil Construction plans for review. These plans are also reviewed by our Engineering, Planning, Fire, and Utilities departments. These plans will include the full drainage design, utilities, roadway, grading, erosion control, signage, and lighting. During this plan review, the engineering team will look at the drainage and detention calculations.

Public Works & Engineering Analysis (continued)

The City Engineer has also noted that per the City's Drainage Design Manual, post developed flows shall not exceed pre-developed flows. This is typically handled through detention and is one of the items evaluated during the review of Civil Construction plans. Building permits are not permitted to be issued until all public infrastructure (including drainage and detention infrastructure) is installed by the developer and accepted by the Public Works Department.

In regards to the proposed use of septic systems, the City Engineer has noted that septic systems are allowed by Texas State law as long as they meet the requirements set forth by TCEQ. The City has a more stringent requirement of 1-acre minimum lot size for septic systems versus the State's requirement of 0.5 acres. The system must be designed by a registered sanitarian and this is verified by our Building Department. Notably, all existing homes within a mile of the lake are on septic systems.

The Public Works & Engineering Department has also evaluated the potential traffic impact of the proposed development. The City Engineer has noted that per Section 3.1.c.3 of the City's Subdivision Ordinance, a traffic impact analysis (TIA) is not required for developments of less than 100 lots or 1,000 one-way trips per day. This development falls far under that requirement at 68 lots. Staff does not have concern with the impact of additional traffic generated from this development onto Lakeshore Drive.

Proposed Architectural Styles

To promote architectural diversity throughout the residential development, forty-five (45%) of lots are proposed to conform to one of the three (3) specific architectural styles proposed with this development. The architectural styles proposed with this PD include Farmhouse, Craftsman, and French County. The minimum percentages and quantities for each architectural style is provided in the table below. Hightower will consist of custom homes that may vary in floor plans and layouts but will adhere to the architectural character and exterior finishing materials identified for each architectural style in Exhibit E below. The development standards proposed with this request include a provision to allow the Planning Director or Building Official to have the discretion and authority to require the builder to adhere to the architectural styles identified in Exhibit E, should any home deviate from the architectural style prescribed in the PD.

Architectural Style	Quantity/Percentage of Homes	Minimum No. of Homes
Farmhouse	15%	10
Craftsman	15%	10
French Country	15%	10
Total	45%	30

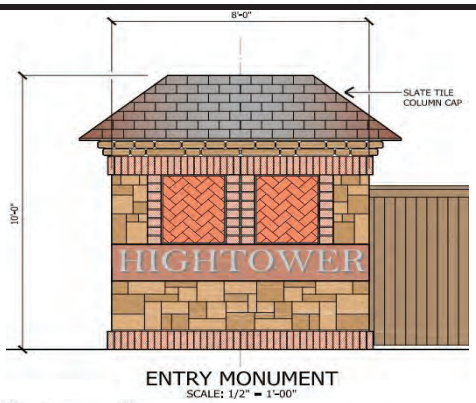
The architectural style for the remaining fifty-five percent (55%) equating to 38 lots shall be determined by the market. However, shall comply with the following provisions:

- The exterior finishing materials shall be limited to a combination of brick, stone, cementitious fiber board and stucco. Wood may only be used as an accent, but shall not exceed ten (10) percent of each building elevation. The calculation of exterior finishing materials shall exclude windows, doors and trims.

- Each home shall have a hard surface front entry walkway with a minimum improved width of three (3) feet constructed from the sidewalk or driveway to the front door of each primary structure. Walkways may be surfaced with concrete, pavers, laid bricks, or any other such material and in accordance with City standards.
- Each home shall have a front covered porch with minimum usable area of forty (40) square feet with a minimum depth of five (5) feet from the primary structure, as measured perpendicular to the front door.
- There shall be no uninterrupted wall length of twelve (12) feet or more on any façade that is visible from a public right-of-way or open space. This standard applies to the front façade on the interior of the lot or the front and side façade facing a street or open space on a corner lot. An interrupted wall can be achieved through a window, brick detail, or offset in the building face, or similar element that breaks the massing of the façade.
- Each dwelling unit shall be constructed with a roof overhang of not less than twelve (12) inches as measured from the finished exterior building façade to the soffit unless the roof pitch is 8:12 or greater.
- Each home shall provide a minimum of three (3) elements from the list below:
    - Multiple pane, divided light, or simulated divided light windows;
    - Decorative columns that are a minimum of six (6) inches in diameter;
    - Gable with window or other decorative feature;
    - Dormers;
    - Bay windows with a minimum projection of twenty-four (24) inches;
    - 8:12 roof pitch;
    - Two (2) or more exterior masonry materials with each material covering at least twenty-five (25) percent of the exterior surface;
    - Split garage doors with a separate door for each vehicle bay;
    - Bull nosed gable;
    - Permanently affixed awning;
    - Articulated garage doors, e.g., windows, paneling, other high-quality detailing;
    - Accentuated brick detailing around garage door with a rowlock or similar detailing;
    - Transom or arch style windows; or
    - Elevated hip roof.
- All residential lots within the development shall comply with the following provisions:
    - No single building elevation shall be duplicated within six (6) lots or tracts in either direction on the same block face.
    - Elevations may not be duplicated on any lot directly across a street or within four (4) lots in either direction.
    - No front entry garages allowed.
    - Each single-family home will consist of a minimum 75 percent masonry.
        - Masonry shall be defined as provided in Section 5.01 (Exterior Construction Requirements) of the City of Waxahachie Zoning Ordinance.
        - Exceptions for Farmhouse and Craftsman styles to use cement fiber siding for 50% of front elevations.

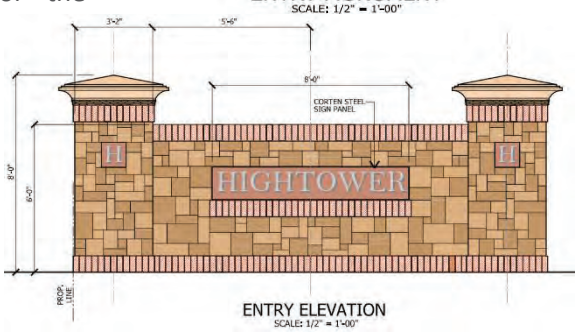
Proposed Landscaping, Entry Monuments & Screening

The applicant proposes to install two entry monuments at the entrance of the subdivision on Lakeshore Drive. The entry monuments are proposed to be located on HOA maintained X-lots on either side of the street connection to Lakeshore Drive.



ENTRY MONUMENT
SCALE: 1/2" = 1'-00"

The entry monuments are proposed to be flanked by 6' wood privacy fences. A matching 6' wood privacy fence is proposed to be installed by the developer along the eastern property line with the initial street and utility infrastructure for the subdivision.



ENTRY ELEVATION
SCALE: 1/2" = 1'-00"

At the western entrance to the subdivision, the applicant proposes to install Crape Myrtles planted at 19' intervals within a 10' landscape buffer along Lakeshore Drive. The applicant has included a provision in the proposed development standards that requires the Homeowners' Association to maintain the landscaping, screening wall, and open spaces/detention areas of the development.

Thoroughfare Plan

Lakeshore Drive is identified on the 2023 Waxahachie Thoroughfare Plan as a future 80' thoroughfare. In order to comply with the Waxahachie Thoroughfare Plan, the applicant is providing 15' of right-of-way (ROW) dedication along Lakeshore Drive.

PUBLIC NOTIFICATIONS

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

PUBLIC NOTIFICATION RESPONSES

At the time of publishing this report, staff has received letters of support from seven (7) property owners and letters of opposition from twenty-two (22) property owners for the proposed PD. Note that six (6) of the property owners that initially submitted letters of opposition have submitted letters of support following the March 26, 2024 Planning & Zoning Commission meeting. The original letters of opposition from these property owners are attached to this report; but are not included in the total opposition count.

Six (6) letters of support and seventeen (17) letters of opposition were provided for properties within the 200' notification buffer for the request.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the PD request, subject to the conditions noted below.

Conditions:

1. A mutually agreed upon Development Agreement will be required for the property. A physical copy of the Development Agreement with a notarized wet signature by the Developer shall be delivered by the Developer to the Planning Department within thirty (30) days following approval of the agreement by City Council.

Conditions(continued):

2. The property owner shall provide a permanent irrigation system for all required landscape areas shown on Exhibit D – Perimeter Landscaping, Entry Monuments, and Screening.
3. A Home Owner's Association (HOA) shall be required to be formed for the neighborhood. The HOA shall be required to maintain the X-lots and Mail Box Cluster identified in Exhibit C – Concept plan and the landscaping, screening, and entry monument identified in Exhibit D - Perimeter Landscaping/Screening and Entry Monument.
4. Forty-five (45%) percent of the proposed homes shall conform to one of the three (3) architectural styles identified in Exhibit B – Development Standards. To qualify as a specific architectural style, individual homes are required to provide the architectural elements identified with each style in Exhibit E – Architectural Styles. The remaining fifty-five (55%) of the proposed homes shall consist of a minimum of 75% masonry exterior construction materials. Masonry shall be defined as provided in Section 5.01 (Exterior Construction Requirements) of the City of Waxahachie Zoning Ordinance.
5. The developer shall be required to receive approval of Civil Construction plans by the City prior to grading or installation of public infrastructure on the property.
6. All development within the subject property will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.

ATTACHED EXHIBITS

1. Public Notification Responses
2. Septic Design Letter
3. Exhibit A – Location Map
4. Exhibit B – Development Standards
5. Exhibit C – Concept Plan
6. Exhibit D – Perimeter Landscaping, Entry Monuments, and Screening
7. Exhibit E – Architectural Styles

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

Case Number: ZDC-128-2022 **Item 7&8** **City Reference:** 182031

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

RECEIVED MAY 0 1 2024

Comments:
There's already too much traffic on a very narrow road. There's areas on Lakeshore that drop off. Mailboxes are constantly being knocked over, and one house ran into!!

Signature — Terri Kennedy — 4-29-24 Date

Printed Name and Title – owners — Terri Kennedy — 129 Lakeshore Dr. Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

COCKERHAM SIDNEY J
203 LAKESHORE DR
WAXAHACHIE, TX 75165

RECEIVED MAY 0 1 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Chad Adams, for a **Zoning Change** from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a **Planned Development – Single Family – 1 (PD-SF-1)** zoning district, located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

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

Case Number: ZDC-128-2022 **City Reference: 181952**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT ☐ OPPOSE

Comments: SEE ATTACHED

Sidney Cockerham
Signature

4/27/2024
Date

SIDNEY COCKERHAM, OWNER
Printed Name and Title

203 LAKESHORE DR.
WAXAHACHIE, TX 75165
Address

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

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

Subject: Support for Zoning Change Request

Sidney Cockerham
203 Lakeshore Drive
Waxahachie, TX 75165
Email: sjcntx@icpmail.com
Tel: (972) 935-2271

April 22, 2024

City of Waxahachie
Attention: Planning
408 S. Rogers St.
Waxahachie, TX 75165

Dear Chairman Keeler, Vice-Chairman Test, and Members of the Planning and Zoning Commission,

I am writing to express my support for the request by Chad Adams for a zoning change Case Number: ZDC-128-2022.

As a resident of 203 Lakeshore Drive I have met with Mr. Adams and had the opportunity to review his plans for the development. Since the March 26th P & Z public hearing, Mr. Adams has been approachable and receptive to addressing several Lakeshore Drive residents' concerns.

Accordingly, I believe moving forward with the proposed development will bring several benefits to our community.

First and foremost, I believe that the development will help meet the growing housing demand brought on by the steady influx of new residents to Waxahachie.

Furthermore, I appreciate the attention to detail and thoughtful design incorporated into the development plans.

From what I have seen, the proposed homes are well designed and complement the existing architecture of our neighborhood. Additionally, the storm water management plan will benefit current Lakeshore Drive residents.

It is disappointing, however, that plans do not include green spaces and recreational areas.

Nevertheless, upscale homes with well-maintained lawns and landscaping monitored by an HOA will be a welcome sight over the fields that lie barren for most of the year.

I also believe that the development will have positive economic impacts on our community. The construction phase will create job opportunities for local workers, and once completed, the new homes will contribute to the local tax base, which can be reinvested into our community's infrastructure and services.

In conclusion, I endorse the proposed housing development and urge the Planning and Zoning Commission to approve the zoning change request.

I believe it will not only address the growing demand for housing but also contribute to the vitality and growth of Waxahachie and the Lakeshore Drive neighborhood.

Thank you for considering my input on this matter. Please do not hesitate to contact me if you require any further information or clarification.

Sincerely,

Sidney Cockerham

Sidney Cockerham

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

<>

BURKS BRIAN & MICHELLE
143 LAKESHORE DR
WAXAHACHIE, TX 75165-6801

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

> Request by Chad Adams, for a **Zoning Change** from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a **Planned Development – Single Family – 1 (PD-SF-1)** zoning district, located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

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

Case Number: ZDC-128-2022 **City Reference: 174095**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

Comments:

Michelle & Brian Burks
Signature

4/29/24
Date

Michelle & Brian Burks
Printed Name and Title

143 Lakeshore Dr.
Address

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

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

Venissat, Michelle

From: King, Zack
Sent: Monday, May 6, 2024 7:06 AM
To: Venissat, Michelle; Breen, James
Subject: FW: Proposed Hightower Club - Chad Adams

Follow Up Flag: Follow up
Flag Status: Flagged

FYI

From: Paul Mackel <paulmackel6@gmail.com>
Sent: Sunday, May 5, 2024 5:03 PM
To: King, Zack <zking@waxahachie.com>
Subject: Proposed Hightower Club - Chad Adams

Dear Sir:

I am writing to express my strong opposition to the proposed housing development in our neighborhood, Hightower Club.

17 years ago Mr. Lindmark proposed building 45 homes on 1 acre lots on Lakeshore Drive. The citizens near the proposed development publicly opposed the development due to the threat of pollution of septic tank runoff into Lake Waxahachie - and also that the proposed development was not in keeping with the existing character of the neighborhood. The Waxahachie council only approved 14 homes to be built with 4 homes on 10+ acre lots and 10 homes on 2 acre lots. The zoning became Rural Residential. So there is precedence in dealing with proposed high density developments too close to Lake Waxahachie.

Similarly when Bobby Glass was developing Crystal Cove the city made him have multiple large acre properties to reduce the burden on the lake.

The type of housing being proposed is simply not in keeping with the character of our neighborhood. Our area is larger plotted acreage with a country feel. I have a 13 Acre horse property and my neighbor has a 10 acre horse property. My neighbor behind me has an 11 acre property.

I propose the city refuse Hightower Club or limit the development to several large acre properties mixed in with 3 acre homesites in Rural Residential development like Lindmark Estates on Lakeshore Drive.

Sincerely,

Paul Mackel
972-921-9267 (Cell)

Venissat, Michelle

From: King, Zack
Sent: Monday, May 6, 2024 7:09 AM
To: Emily Mackel
Subject: RE: High Tower Development Opposition

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

Thank you for reaching out. Your response has been received and filed.

Thanks,
Zack King, AICP
Senior Planner
City of Waxahachie
O: 469-309-4294
zking@waxahachie.com

From: Emily Mackel <mackelemily@gmail.com>
Sent: Sunday, May 5, 2024 10:34 PM
To: King, Zack <zking@waxahachie.com>
Subject: High Tower Development Opposition

Mr. king,

I am writing to express my strong opposition to the proposed housing development in our neighborhood, The Hightower Club.

17 years ago Mr. Lindmark proposed building 45 homes on 1 acre lots on Lakeshore Drive. The citizens near the proposed development publicly opposed the development due to the threat of pollution of septic tank runoff into Lake Waxahachie - and also that the proposed development was not in keeping with the existing character of the neighborhood. The Waxahachie council only approved 14 homes to be built with 4 homes on 10+ acre lots and 10 homes on 2 acre lots. The zoning became Rural Residential. So there is precedence in dealing with proposed high density developments too close to Lake Waxahachie.

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The type of housing being proposed is simply not in keeping with the character of our neighborhood. Our area is larger plotted acreage with a country feel. I have a 13 Acre horse property and my neighbor has a 10 acre horse property. My neighbor behind me has an 11 acre property.

I propose the city refuse Hightower Club or limit the development to several large acre properties mixed in with 3 acre homesites in Rural Residential development like Lindmark Estates on Lakeshore Drive.

Sincerely,

Emily Mackel

9728257899

Venissat, Michelle

From: King, Zack
Sent: Monday, May 6, 2024 7:11 AM
To: Lora Mackel
Subject: RE: OPPOSITON - Hightower Club residential development near Lake Waxahachie

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

Thank you for reaching out. Your response has been received and filed.

Thanks,
Zack King, AICP
Senior Planner
City of Waxahachie
O: 469-309-4294
zking@waxahachie.com

From: Lora Mackel <loramackel6@gmail.com>
Sent: Sunday, May 5, 2024 11:00 PM
To: King, Zack <zking@waxahachie.com>
Subject: OPPOSITON - Hightower Club residential development near Lake Waxahachie

Dear Mr. King & Planning and Zoning Committee,

I am writing to express my strong opposition to the proposed housing development in our neighborhood, Hightower Club. While I understand the need for new residential housing developments in our city to promote growth, I believe that this project would have a detrimental impact on our community and our natural resource of Lake Waxahachie.

First and foremost, the proposed development is simply too large for our area. The increase in population density would put a strain on our already overburdened infrastructure of our water system, roads, schools etc, leading to increased traffic congestion, road damage, noise pollution, and strain on our public water source. The fact that Lake Waxahachie is our major water source for our town as well as a fishing, swimming and recreational area, should be of concern to us all with the proposed 64 home development so close to the lake. Having 64 homes all with sceptic runoffs so close to the lake will have a huge negative impact. Additionally, the construction of this project would result in significant environmental damage, destroying natural habitats and putting wildlife at risk as well as our safety of drinking and other use of household water needs. By adding 64 homes with sceptic tanks the pollution runoff into Lake Waxahachie would have a negative impact on not just local homes in the area but to people who enjoy swimming, fishing and our household water consumption within the city.

Furthermore, the type of housing being proposed is simply not in keeping with the character of our neighborhood. A little over seventeen years ago, Mr. Lindmark wanted to rezone our property area by the lake for smaller lots to have more homes and make a greater profit. But thankfully the then P&Z committee said no due to the restraints it would place on Lake Waxahachie and the character of the area. The same was said for Crystal Cove across the lake with Bobby Glasses' developments. Our area is larger plotted acreage with a country feel including farm land, agricultural exemptions so we can provide farm to table healthier lifestyles. This new development would bring in a large number of residents, which could lead to increased traffic, pollution, road strains and other negative social effects. It would also drastically alter the aesthetic of our area, replacing the existing greenery and open spaces with monolithic, high-density housing complexes.

Finally, I am deeply concerned about the impact this development would have on property values in the surrounding area. While

I realize the city's concern is to grow and make money, the influx of residents with smaller 1 acre lots and more densely populated area could result in a decline in property values, a larger burden on the school system, pollute lake waxahachie water and wildlife and make life more difficult for current residents.

In conclusion, I strongly urge you to reconsider this proposed housing development. While I recognize the need for growth, I believe that this project is simply not the right fit for our neighborhood. I also recognize it is the right of the current land owner to sell his property and have it developed. I just ask that it be limited to a minimum of 3-5 (for example) acre lots per home as Lindmark Estates and Crystal Cove across the lake were made to have to be. Thank you for your attention to this matter.

Sincerely,
Lora Mackel
214-532-7071
Resident at 124 Lakeshore Dr

Venissat, Michelle

From: King, Zack
Sent: Monday, May 6, 2024 7:17 AM
To: Lynda Begnaud
Subject: RE: Hightower subdivision

Follow Up Flag: Follow up
Flag Status: Completed

Good morning Lynda,

Thank you for reaching out. Your response has been received and filed.

Thanks,
Zack King, AICP
Senior Planner
City of Waxahachie
O: 469-309-4294
zking@waxahachie.com

-----Original Message-----
From: Lynda Begnaud <lbegnaud@aol.com>
Sent: Monday, May 6, 2024 7:13 AM
To: King, Zack <zking@waxahachie.com>
Subject: Hightower subdivision

Hi Zach,
I was told I had to vote yes or no, and not to say I would go with the majority. I vote yes for the new plan.
Lynda Begnaud
153 Lakeshore Dr

Venissat, Michelle

From: King, Zack
Sent: Monday, May 6, 2024 7:36 AM
To: Ashley Freeman
Subject: RE: Protest in regard to new development

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

Thank you for reaching out. Your response has been received and filed.

Thanks,
Zack King, AICP
Senior Planner
City of Waxahachie
O: 469-309-4294
zking@waxahachie.com

From: Ashley Freeman <ashley.freeman07@yahoo.com>
Sent: Sunday, May 5, 2024 1:38 PM
To: King, Zack <zking@waxahachie.com>
Subject: Protest in regard to new development

Hi, this is Ashley Freeman. I would like to put in my formal protest in regard to the potential new development off of Lakeshore Drive in Waxahachie.

Specifically, I do not think doubling the number of houses off Lakeshore Drive is a plan that will better our community. The current traffic amount on Lakeshore drive is problematic. Our mailboxes are knocked down on a regular basis, the road already has areas that need repair, and the speed at which people drive makes it difficult to just walk with our family or walk our dog safely. There is also the issue of irrigation issues and sewage runoff. Also, the lake level is so low most of the year we can't even get our boat out of the slip on our dock. Increasing population increases this problem. I do not think that this area of Waxahachie has the appropriate infrastructure in place to support this size community. Waxahachie was previously, and could still be, a community that is more that neighborhood after neighborhood of one acre lot homes. Please take into consideration that the majority of the people in this existing community are not in support of this development. We will also be at the next meeting to discuss these issues at further length.

Thanks for your time,
Ashley Freeman
303 Lakeshore Dr. Waxahachie TX 75165

Venissat, Michelle

From: Michelle Burks <mburks@charter.net>
Sent: Monday, May 6, 2024 7:45 AM
To: Planning
Cc: Katy Burks Warsing; 'Brian Burks'
Subject: Case Number" ZDC-129-2-22 - City Reference: 174095

Follow Up Flag: Follow up
Flag Status: Flagged

Case Number" ZDC-129-2-22 - City Reference: 174095
Michelle Burks
143 Lakeshore Drive
Waxahachie, Texas 75165
mburks@charter.net
972-935-7958 cell

Dear Michelle, Zack, Jennifer and the Respected Members of the Planning and Zoning Commission:

Please accept this email as my formal response to the Notice of Public Hearing mailed to my home address concerning the case number noted above. **My response provided in this email is fully contingent upon the plan being presented by Chad Adams being the exact plan that Mr. Adams presented to Katy Burks Warsing prior to this email. Response: SUPPORT**

Based on the development plan presented to Katy Warsing on Friday, May 3, 2024, I SUPPORT the zoning change to a Planned Development-Single Family – 1 (PD-SF-1).

At the May 3rd meeting referenced above, Mr. Adams also offered to add a sidewalk to the plans, which was not shown on the plans presented to Mrs. Warsing. If that change is made and presented to the Planning Dept. prior to Mr. Adams presenting the plans at the May 14, 2024, I request the opportunity for Katy Warsing or myself to review those plans prior to the meeting as that could, possibly change my response.

Finally, I want to formally request that the City of Waxahachie add significant improvements **to LAKESHORE DRIVE to the 5 Year Improvement Plan.** Although that is not currently a part of the City's plan, I feel confident that, after the neighborhood presentation at the previous P&Z meeting, you will agree that the current state of the road will not support the estimated traffic as a result of the development, and will CERTAINLY not support the construction traffic during the building process. We have been quiet and low-impact citizens for the City, so I understand that it was easy for us to be overlooked. However, NOW is the time to invest in our infrastructure. The City is making costly and needed improvements to our Lake Parks, which will intentionally being MORE traffic to Lakeshore Drive. I honestly do not understand why Lakeshore Drive improvements were not done prior to the Lake Park improvements. I encourage all of the Planning Department, City Administrative Directors and members of the P&Z Commission to ride out to the Lake on a pretty weekend. I am confident that you will make improving Lakeshore Drive an urgent and immediate priority!

Finally, you KNOW how much I love my job at WPD! I am enormously proud to be a City employee! I am grateful to play a small role in the workings of our beautiful city and the exciting growth. I have a deep appreciation for all of the city staff and board/commission volunteers. Our jobs can be difficult at times. What a blessing to have such growth that we have to "manage" it! Thank you for your service to the citizens of Waxahachie and for your consideration of my response.

Respectfully,

Michelle Leath Burks

Item 7&8

"Teamwork is the ability to work together toward a common vision. The ability to direct individual accomplishments toward organizational objectives. It is the fuel that allows common people to attain uncommon results." -Andrew Carnegie



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

HOUGH ALAN & PAMELA
127 LAKESHORE DR
WAXAHACHIE, TX 75165-6801

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Chad Adams, for a **Zoning Change** from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a **Planned Development – Single Family – 1 (PD-SF-1)** zoning district, located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

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

Case Number: ZDC-128-2022 **City Reference: 181959**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments: Previously stated objections: 1) Septic pressure along drainage into lake 2) Surface water runoff increase w/ erosive effects 3) Traffic increase

Alan Hough
Signature

6 May 2024
Date

Alan Hough – geologist
Printed Name and Title

127 Lakeshore Dr, Waxa 75165
Address

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

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

Venissat, Michelle

From: Jack Scott <jscott@b-sig.com>
Sent: Monday, May 6, 2024 11:19 AM
To: Planning; King, Zack
Cc: Janet Scott (janet_scott57@yahoo.com)
Subject: Hightower Addition

Janet Scott and Jack Scott (216 Lakeshore Drive) are opposed to this development for the following reasons:

1) Contamination to Lake Waxahachie
2) Increased traffic on Lakeshore Drive
3) Drainage issues (I previously sent photos of 216 and 208 Lakeshore….Zach acknowledged receiving them)
4) Damage to our street from construction vehicles
5) We experience a lot of power outages and are afraid this will increase if the development goes forward.

Please do not hesitate to contact me should you have any questions.

Thanks!

Jack Scott
jscott@b-sig.com

Bell-Scott Insurance Group
1580 John Arden Drive, Ste 200 Waxahachie,TX 75165
972-938-9676 Office

www.b-sig.com

NOTICE: Insurance coverage additions, changes or cancellation requested by email are NOT legally binding unless and until you have received written confirmation from one of our insurance agents. If you need immediate assistance, please call us and ask to speak directly to an insurance agent. Email transmissions cannot be guaranteed to be secure or error-free as information may be intercepted, corrupted, lost, destroyed, arrive late or incomplete or contain viruses; in order to protect your privacy, please do not send us your confidential personal information by unencrypted email.

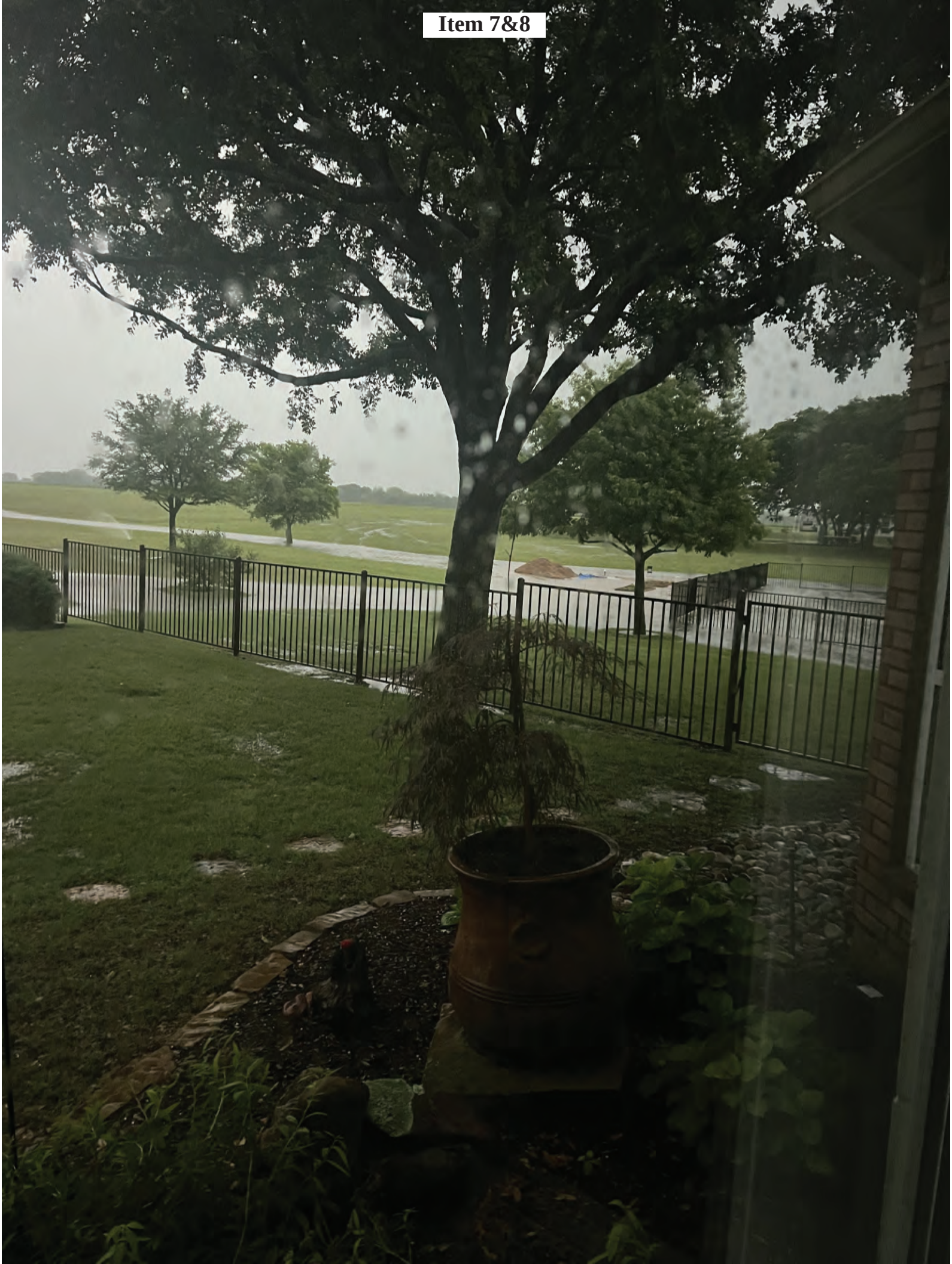
CONFIDENTIALITY: This message (including any attachment) is confidential and may be privileged. If you have received it by mistake, please immediately notify us and delete it from your system; you may not use, distribute, or copy its contents or disclose its contents to anyone.


Item 7&8


Item 7&8


Item 7&8




Item 7&8


Item 7&8

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

BURKS JEANETTE
139 LAKESHORE DR
WAXAHACHIE, TX 75165-6801

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln. Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022 **City Reference: 174097**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☑ SUPPORT ☐ OPPOSE

Comments:
DEVELOPER CHAD ADAMS HAS ADEQUATELY ADDRESSED MY MOST PRESSING CONCERN, WHICH IS DRAINAGE FROM THE CURRENT CHAD FIELDS WHICH CROSS UNDER LAKESHORE DRIVE AND FLOOD MY LAWN. I HAD TO INSTALL A DRAINAGE SYSTEM IN ABOUT 1959 AND HAVE HAD TO DEAL WITH FLOODING EVER SINCE. AFTER THE HIGHTOWER INFRASTRUCTURE IS COMPLETE I SHOULD NOT HAVE ANYMORE FLOODING. PLEASE APPROVE REQUEST! THANK YOU!

Jeanette Burks
Signature

5/7/24
Date

JEANETTE BURKS - OWNER
Printed Name and Title

[redacted] 139 LAKESHORE DRIVE
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

RECEIVED MAY 06 2024

SHIPLEY MARY LOU ~~ATTN: SHIPLEY LAW OFFICE~~
PO BOX N
WAXAHACHIE, TX 75168-0480

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022 **City Reference: 203059**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments: This revised plan will exacerbate existing traffic problems by creating a dangerous intersection

Mary Lou Shipley
Signature

5-7-24
Date

Mary Lou Shipley, property owner and resident
Printed Name and Title

209 Lakeshore Drive
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

<>◇<>

JENKINS JAMES R
PO BOX 2836
WAXAHACHIE, TX 75168-8836

RECEIVED MAY 06 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022 **City Reference: 182006**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments:
Drainage already a problem. Lakeshore Dr will be destroyed by trucks + heavy equipment. My decision (not Hightowers - the real developer)

Signature

4/22/24
Date

James R Jenkins
Printed Name and Title

201 Lakeshore Dr
Address

flip to a different entity, I've approved plat once before. Figured I'd look it up.

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.

Venissat, Michelle

From: King, Zack
Sent: Monday, May 6, 2024 4:56 PM
To: Katy Warsing
Subject: RE: Hightower club

Good afternoon Katy,

Thank you for reaching out. Your response has been received and filed.

Thanks,
Zack King, AICP
Senior Planner
City of Waxahachie
O: 469-309-4294
zking@waxahachie.com

-----Original Message-----
From: Katy Warsing <paulloveskate@yahoo.com>
Sent: Monday, May 6, 2024 4:50 PM
To: King, Zack <zking@waxahachie.com>
Subject: Hightower club

Case Number" ZDC-129-2-22 - City Reference: 174095

Good afternoon Zach,

Please accept this email as my formal response to the Hightower Club proposal from Chad Adams. My address is 313 Lake Shore Dr.

I SUPPORT the Hightower Club subdivision based on the latest proposal by Chad Adams with Oak Hull Investments on May 3, 2024 along with the verbal promise by Mr Adams to add a sidewalk along Lake Shore Dr which was not included in the formal proposal to the city.

This is my formal request for the city of Waxahachie to add the revision and widening of Old Italy Rd to be included in the 5 year plan OR when another development is proposed for the remaining farm land on either side of Old Italy Rd. to be done at that time. This is also my formal request for every board member to drive out to the location of EVERY new subdivision being brought before the board for consideration to fully understand the impact of a neighborhood on the current residents and land.

I have loved Waxahachie my whole life truly bleed green. I enjoy seeing the improvements for residents and visitors to enjoy. Thank you for your time and consideration.

In Christ,

Katy Warsing
“Delight yourself in the LORD and he will give you the desires of your heart” Psalms 37:4

Venissat, Michelle

From: King, Zack
Sent: Tuesday, May 7, 2024 7:23 AM
To: Brian Mackel
Subject: RE: Opposition to propose development Hightower Lake Waxahachie

Good morning,

Thank you for reaching out. Your response has been received and filed.

Thanks,
Zack King, AICP
Senior Planner
City of Waxahachie
O: 469-309-4294
zking@waxahachie.com

From: Brian Mackel <brianmackel03@gmail.com>
Sent: Monday, May 6, 2024 5:37 PM
To: King, Zack <zking@waxahachie.com>
Subject: Opposition to propose development Hightower Lake Waxahachie

Mr King:

There are just a few areas in Waxahachie that help define the city and give it unique character. The Courthouse and downtown, Main Street and Lake Waxahachie represent the unique parts of the city and should be protected from development that would harm them.

Lake Waxahachie is defined by the large custom homes that surround the lake. The neighborhoods around the lake are upscale, unique and beautiful and typically on large lots.

There is no concentrated urban sprawl around the lake. The Waxahachie City Council has worked hard for 25 years to protect the lake from this type of development. Both Lindmark estates and Crystal Cove attempted one acre lots and the Planning and Zoning turned them down.

In both instances the larger lots reduced the profit for the Developer - but it all worked out - and you were able to preserve the character of the lake area.

Please ensure that Hightower Estates one acre lots with Septic tanks is opposed.

With Thanks,

Brian Mackel

Venissat, Michelle

From: King, Zack
Sent: Tuesday, May 7, 2024 7:39 AM
To: Claudia
Subject: RE: Opposition to Hightower Development

Good morning,

Thank you for reaching out. Your response has been received and filed.

Thanks,
Zack King, AICP
Senior Planner
City of Waxahachie
O: 469-309-4294
zking@waxahachie.com

From: Claudia <claudiamackel@gmail.com>
Sent: Monday, May 6, 2024 6:10 PM
To: King, Zack <zking@waxahachie.com>
Subject: Opposition to Hightower Development

Dear Sir:

I am writing to express my strong opposition to the proposed housing development in our neighborhood, Hightower Club.

17 years ago Mr. Lindmark proposed building 45 homes on 1 acre lots on Lakeshore Drive. The citizens near the proposed development publicly opposed the development due to the threat of pollution of septic tank runoff into Lake Waxahachie - and also that the proposed development was not in keeping with the existing character of the neighborhood. The Waxahachie council only approved 14 homes to be built with 4 homes on 10+ acre lots and 10 homes on 2 acre lots. The zoning became Rural Residential. So there is precedence in dealing with proposed high density developments too close to Lake Waxahachie.

Similarly when Bobby Glass was developing Crystal Cove the city made him have multiple large acre properties to reduce the burden on the lake.

The type of housing being proposed is simply not in keeping with the character of our neighborhood. Our area is larger plotted acreage with a country feel. I have a 13 Acre horse property and my neighbor has a 10 acre horse property. My neighbor behind me has an 11 acre property.

I propose the city refuse Hightower Club or limit the development to several large acre properties mixed in with 3 acre homesites in Rural Residential development like Lindmark Estates on Lakeshore Drive.

Thanks,

Claudia Mackel
124 Lakeshore Dr, Waxahachie, TX 75165
972-515-9776

Case Number: ZDC-128-2022 **Item 7&8** **City Reference:** 174087

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

RECEIVED MAY 07 2024

☐ SUPPORT ☒ OPPOSE

Comments: PUTTING SIXTY EIGHT SEPTIC TANKS IN THE GROUND SO CLOSE TO LAKE WAXAHACHIE POSES A POLLUTION RISK TO THE LAKE.

T.E. Frost
Signature

7 MAY 2024
Date

TERRY E. FROST
Printed Name and Title

137 LAKESHORE DRIVE
Address
WAXAHACHIE, TX 75165

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

RECEIVED MAY 07 2024

LEVANTE PARTNERS LP
PO Box 1145
Midlothian, TX 76065-1145

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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

Case Number: ZDC-128-2022 **City Reference: 182020**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT ☐ OPPOSE

Comments:
We support this project as it will compliment the general area & bring quality homes to the lake area.

Signature

5-3-2024
Date

Jonathan Foy
Printed Name and Title

1004 W. Marvin, Waxahachie TX
Address

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

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

Case Number: ZDC-128-2022 **Item 7&8** **City Reference:**

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☐ SUPPORT ☒ OPPOSE

RECEIVED MAY 08 2024

Comments:

Signature

5/8/24
Date

Eric Alderman
Printed Name and Title

124 Lakeshore Dr.
Address

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

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

Item 7&8

PEACEFUL AND SAFE, PLEASE ATTEND THE **MAY 14** PLANNING & ZONING COMMISSION MEETING AND VOICE YOUR CONCERNS. *THE* **MAY 14** MEETING IS AT THE WAXAHACHIE CIVIC CENTER AT 7 PM, MEETING ROOMS A & B.

PLEASE FILL OUT AND SUBMIT TO THE CITY THE LOWER PORTION OF THE FORM ON THE OPPOSITE SIDE BY 5 PM, MAY 8. (THE CITY WAS OUT OF BLANK FORMS AND GAVE ME PERMISSION TO COPY AND DISTRIBUTE COPIES OF MY FORM.)

I HOPE TO SEE MANY OF YOU AT THE MEETING ON **MAY 14.**

QUESTIONS, CONTACT: JEFF FROST, 137 LAKESHORE, 972-849-9612

Jeff Frost

Case Number: ZDC-128-2022 **Item 7&8** **City Reference:**

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☐ SUPPORT ☒ OPPOSE

RECEIVED MAY 0 8 2024

Comments:

Paul B. Mackel
Signature

May 8, 2024
Date

Paul B. Mackel
Printed Name and Title

124 Lakeshore Dr.
Address

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

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

Case Number: ZDC-128-2022 **Item 7&8** **City Reference:**

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☐ SUPPORT ☒ OPPOSE

RECEIVED MAY 0 8 2024

Comments:

L Mackel
Signature

5/8/24
Date

Lora Mackel
Printed Name and Title

124 Lakeshore Dr.
Address

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

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Case Number: ZDC-128-2022 **Item 7&8** **City Reference:**

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RECEIVED MAY 0 8 2024

☐ SUPPORT ☒ OPPOSE

Comments:

Sarah Bishop
Signature

5/8/24
Date

Sarah Bishop
Printed Name and Title

124 Lakeshore Dr.
Address

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Case Number: ZDC-128-2022 **Item 7&8** City Reference:

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☐ SUPPORT ☒ OPPOSE

RECEIVED MAY 0 8 2024

Comments:

Emily Mackel
Signature

5/8/24
Date

Emily Y. Mackel
Printed Name and Title

124 Lakeshore
Address

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Case Number: ZDC-128-2022

Item 7&8

City Reference:

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

RECEIVED MAY 08 2024

Comments:

Claudia L. Mackel
Signature

5-8-24
Date

Claudia L. Mackel
Printed Name and Title

124 Lakeshore Dr.
Address

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

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

Case Number: ZDC-128-2022 **Item 7&8** **City Reference:**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE RECEIVED MAY 08 2024

Comments:

Brian Mackel
Signature

5/8/24
Date

Brian Mackel
Printed Name and Title

124 Lakeshore
Address

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

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

Case Number: ZDC-128-2022

City Reference: 174088

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT ☐ OPPOSE

Comments:

Patricia A. Lawton
Signature

May 8, 2024
Date

Patricia A. Lawton
Printed Name and Title

135 Lakeshore Dr.
Address

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

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

Venissat, Michelle

From: King, Zack
Sent: Wednesday, May 8, 2024 7:14 AM
To: David davepowell@verizon.net
Subject: RE: Hightower Club Housing Development

Good morning,

Thank you for reaching out. Your response has been received and filed.

Thanks,
Zack King, AICP
Senior Planner
City of Waxahachie
O: 469-309-4294
zking@waxahachie.com

From: David davepowell@verizon.net <2fixthis@gmail.com>
Sent: Tuesday, May 7, 2024 5:56 PM
To: King, Zack <zking@waxahachie.com>
Subject: Hightower Club Housing Development

Hello, my name is David. I live at 319 Lakeshore Dr, Waxahachie, TX 75165, and my parents live at 116. Me, my wife, and my parents oppose to the proposed 68 additional housing development of the Hightower Club. There is already too much traffic, traffic noise, and park noise as it is already. It used to be very peaceful to live here, and we oppose any other possible added aggravation. It's getting dangerous to even walk on our streets due to added traffic and outside drivers using our streets as a drag strip, or zipping back and forth between parks. We absolutely oppose any more development. PLEASE STOP AND LET IT STAY PEACEFUL!!!

Thank you,

David

Venissat, Michelle

From: Lauren Busato <lauren.busato@gmail.com>
Sent: Tuesday, May 7, 2024 7:21 PM
To: Planning; King, Zack
Cc: Rafael Garcia Busato
Subject: Hightower Addition

Rafael and Lauren Busato (208 Lakeshore Drive) are opposed to this development for the following reasons:

1. Contamination to Lake Waxahachie
2. Increased traffic on Lakeshore Drive
3. Drainage issues (Jack Scott previously sent photos of 216 and 208 Lakeshore….Zach acknowledged receiving them)
4. Damage to our street from construction vehicles
5. We experience a lot of power outages and are afraid this will increase if the development goes forward.

Case number ZDC-128-2022
City reference 216533

Sent from my iPhone

Terri Kennedy - ZDC-128-2022 - 5.8.2024

Hightower Club

Terri Kennedy - ZDC-128-2022 - 5.8.2024

THE MONROE NEWS

NEWS

City considering water conservation measures

Andrew Branca Daily Light Staff Writer

Published 1:01 a.m. ET Aug. 13, 2015 | Updated 10:06 p.m. ET Aug. 13, 2015

Waxahachie residents could be asked to take voluntary water conservation measures if repairs are not quickly made to a pump at Bardwell Reservoir.

Water levels at Lake Waxahachie are continuing to drop because the pump was damaged during torrential rainfall between May and June. Ellis County received a year's worth of rain and in those two months, causing Bardwell Lake to close completely Fourth of July weekend until further notice.

The pump station had about 8 inches of water in it. This caused moisture to form inside the control panels and causing corrosion to form. Workers have disabled the control unit and cleaning the components inside. At this point, repairs are estimated at the earliest to take a week to complete and Bardwell Reservoir is one of the bodies of water to which the city holds water rights and the pump transfers water to maintain lake levels at Lake Waxahachie.

"What is happening right now is Lake Bardwell has gone down and we are evaluating the control center at Lake Bardwell pump station. It is probably going to be another of couple of weeks before we know that we can activate that station," Director of Utilities David Bailey said. "So in the mean time, Lake Waxahachie lake elevation is continuing to slowly to drop."

In the city's drought contingency plan are trigger levels. At 531.5 feet, Lake Waxahachie is at full elevation. When the lake drops a foot and half to 530 feet, the city calls to activate the Bardwell Lake pump station, Bailey said. We are two feet down now and we can't activate the station. It will continue to drop in elevation in Lake Waxahachie," he said.

Bailey said the city is currently in Stage Zero water restrictions, which is basically normal level. If the pumps were working at Bardwell Lake, they would be switched on in this stage.

According to the city drought contingency plan, the city has five other stages that range from mild water shortage conditions (Stage One), to emergency water outage conditions (Stage

Terri Kennedy - ZDC-128-2022 - 5.8.2024

Five).

"Stage One of the drought contingency plan kicks in at 527 feet. We are like 2.25 feet from that. That is a voluntary cutback on non-essentially water use," Bailey said. "If we get the Bardwell Lake pump station activated, I don't really foresee that going further into the drought contingency plan."

In the last four or five years, when Waxahachie was under drought conditions, the city has implemented any stages beyond Stage One water restrictions, he said. In the past week and a half, Ellis County was under a heat advisory for at least six consecutive days because heat indexes were above 100 degrees.

The change from torrential rain to dry, smoldering weather was caused by a shift in upper level weather patterns, said Amanda Schroeder, a meteorologist with the National Weather Service of Fort Worth. Overall, the weather that this area is experiencing is very typical for this time of the year. But that heat has also had an impact on the lake level, Bailey said.

"Bardwell is still sitting above full elevation, which is good. At Lake Waxahachie, we are almost 2 feet low. That is to be expected. You are going to have some evaporation due to heat and usage,"Bailey said. "Right now, we are only pulling out of Lake Waxahachie for our water source. We are not running the Sokoll (Water Treatment) Plant and we are not transferring water from Lake Bardwell to Lake Waxahachie currently."

While water sales are down, the city is pumping more than 8 million gallons of water a day to customers, Bailey said. However, water usage is up by about a million gallons that is pumped each day from this time last year, he said.

"The usage says a couple of things. We know that we have growth. We have more people coming into the city. Naturally, our demand is going to go up a little bit," Bailey said."Also, with 100-plus (degree) weather people tend to use a little bit more water for recreation and things like that."

Though Ellis County won't see 100-degree temperatures at least for the next week, that heat isn't expected to stop anytime soon, either.

For the rest of this week, high temperatures have dropped some because a weak cold front came through Schroeder said. "

"So we are going to top out again in the 90s. So it is going to be in the 90s for the next week," she said.

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ENNIS TRAILS
$507
Ennis, TX

Live Oak
$1,195
Cleburne, TX

The Statler Residences
$1,641
Dallas, TX

Lake Waxahachie Water Level

WATER LEVEL
532.25
Feet MSL

Sunday, May 5, 2024
12:00:00 AM
Level is 532.25 feet
above full pool of 0.00

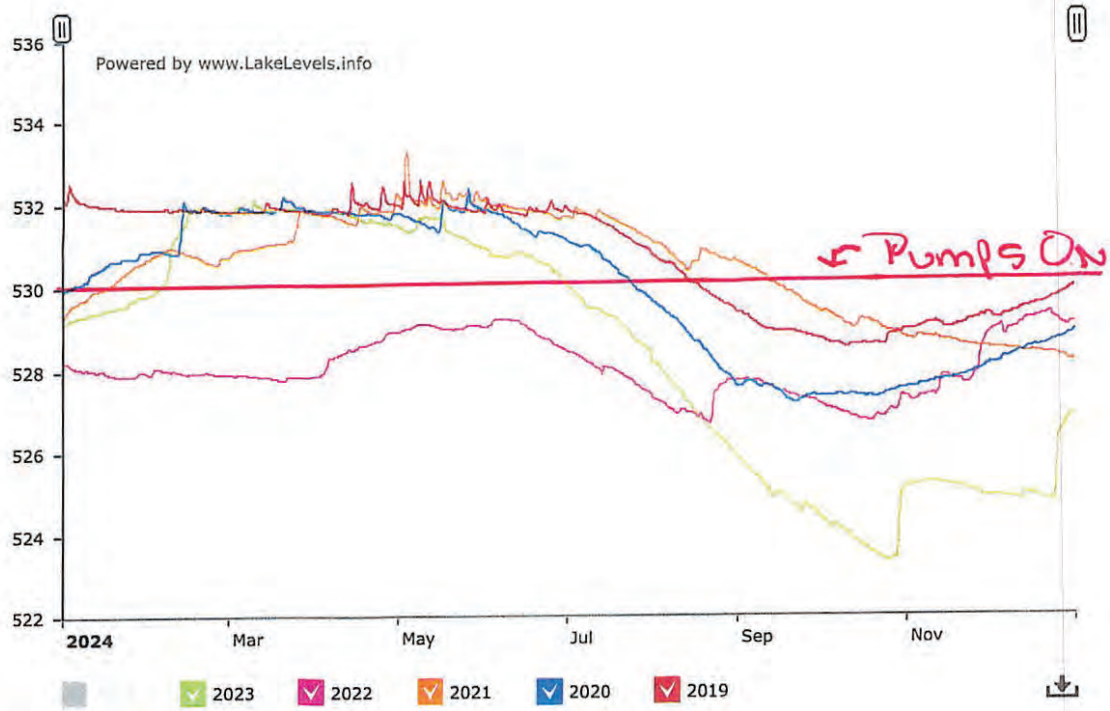
Share the level with your friends on Facebook

How high will it go?



Get email notification of your specified level
Level Alert By Email
click here to sign up IT'S FREE!

Lake Level INFORMATION
Click for all lakes

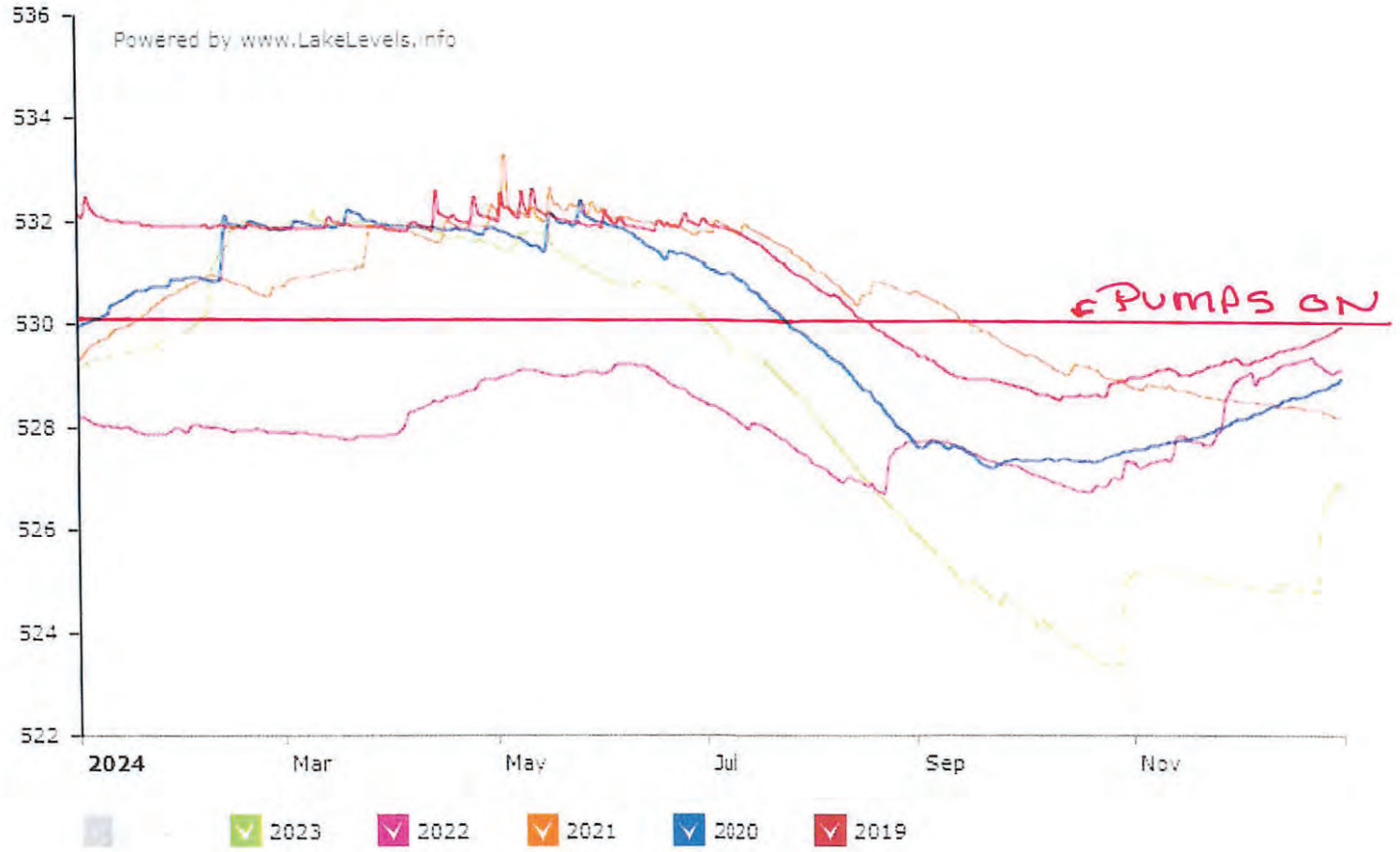


Level Base: MSL Change Since Yesterday: ↑ 0.04 Feet
Level Controlled by:
Dam Name: South Prong Dam (ELLIS COUNTY WCID 1)



Prime is Now $179, But Few Know this Free Savings Hack
ONLINE SHOPPING TOOLS
Learn More>

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Water Use of Texas Water Utilities

2020 Biennial Report



87th Texas Legislative Session

Texas Water Development Board

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Water Use by System Size

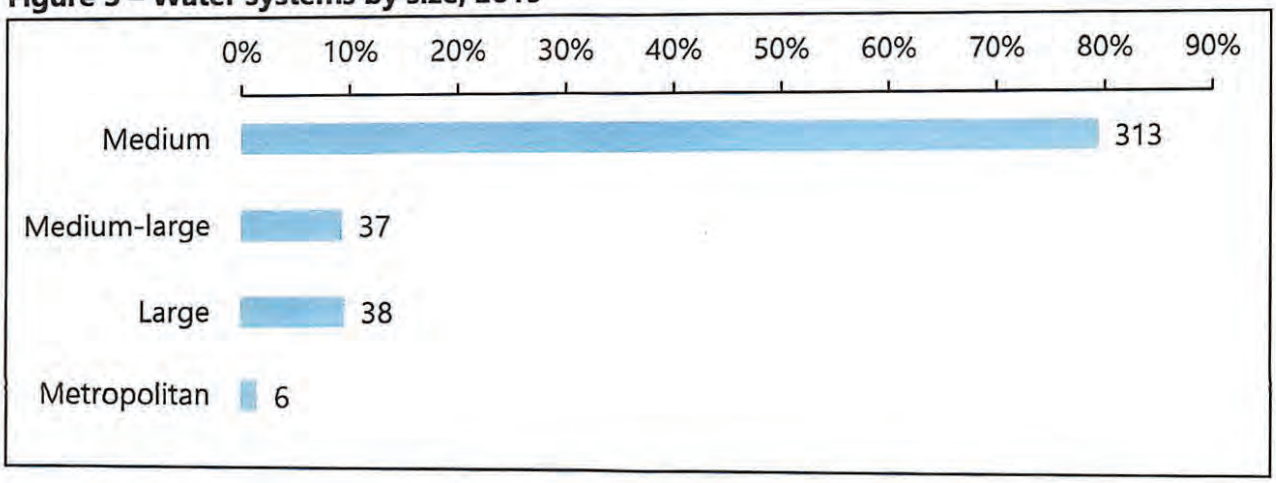
Each system serves a different customer base; however, it is instructive to categorize water systems by general size to examine if there are common characteristics. Table 1 represents the four general size categories based on the total connections reported in the TCEQ's Safe Drinking Water Information System.

Table 1 – System size categories based on total connections

Size categories	Total connections	General population
Medium	3,300–16,667	10,000–50,000
Medium-large	16,668–33,333	50,001–100,000
Large	33,334–166,666	100,001–500,000
Metropolitan	>166,666	>500,000

The criterion of 3,300 connections was set forth in Texas Water Code §16.403. The medium category distinguishes systems from the small-system designation of utilities with fewer than 3,300 connections used by the U.S. Environmental Protection Agency's Drinking Water Infrastructure Needs Survey and Assessment. The additional break points for the size categories were selected for this report based upon population thresholds for various local government development powers, such as extra-territorial jurisdiction buffer size and eligibility for federal Community Development Block Grants. Most water utilities fall into the medium category (Figure 5).

Figure 5 – Water systems by size, 2019



Terri Kennedy - ZDC-128-2022 - 5.8.2024

When water use by sector is available, the resulting average per-connection daily water use better characterizes the system and its customers. When daily water use per connection is calculated, the water use variation between different customer sectors becomes apparent (Table 3). The higher per-connection water usage for multifamily connections is possibly an indication of the difficulty utilities face in determining the number of apartment units/connections versus a single master meter serving an entire apartment complex. Instructions in the Water Use Survey specify the intent to collect the number of housing *units* rather than a count of the master connections for each apartment complex.

Table 3 – Average per-connection daily water use by sector and utility size, 2019 (gallons)

	Medium	Medium-large	Large	Metropolitan	All analyzed utilities
Single-family residential	228	240	229	198	220
Multifamily residential	229	168	197	554	296
Commercial	744	946	1,355	1,636	1,259
Industrial	10,294	28,640	32,729	180,925[5]	41,996
Institutional	1,647	1,811	2,242	1,457	1,770
Agricultural	936	698	585	0	724
Total water use	296	331	342	457	364

[5] The industrial sector of metropolitan utilities is heavily influenced by the City of Houston's industrial water use.

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NEW HOUSING DEVELOPMENTS WITHIN 1.5 MILES OF LAKESHORE DRIVE

Tuscan 67 homes

Chesmar 85 homes

LaVante 120 homes

Hightower 68 homes

TOTAL 340 homes

Residential Single-Family Average per connection Water Usage	228 gallons per day
Times 365 days per year	x365 days per year
Times 340 homes	x340 homes

TOTAL WATER USAGE 4 NEIGHBORHOODS 28,294,800 gallons of water per year

Future developments ???

High School

Terri Kennedy - ZDC-128-2022 - 5.8.2024

WAXAHACHIE - UNALLOCATED SUPPLY UTILIZATION

Water Management Strategy Sponsor Region C

WATER MANAGEMENT STRATEGY - WAXAHACHIE - UNALLOCATED SUPPLY UTILIZATION

Recommended Projects related to Water Management Strategy

Total capital cost of recommended projects: **$130,619,000.**

Project	Decade Online	Sponsor	Capita Cos
WAXAHACHIE - 12 MGD WTP EXPANSION-HOWARD ROAD	2070	WAXAHACHIE	$68,069,00
WAXAHACHIE - 36" RAW WATER LINE FROM LAKE WAXAHACHIE TO HOWARD RD WTP	2030	WAXAHACHIE	$6,461,00
WAXAHACHIE - 48" TRWD PARALLEL SUPPLY LINE TO SOKOLL WTP	2030	WAXAHACHIE	$3,954,00
WAXAHACHIE - 8 MGD WTP EXPANSION-HOWARD ROAD	2050	WAXAHACHIE	$47,735,00
WAXAHACHIE - RAW WATER INTAKE IMPROVEMENTS AT LAKE BARDWELL	2030	WAXAHACHIE	$4,400,00

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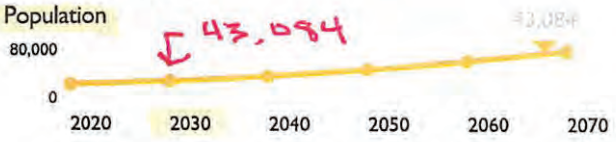
2022
Texas State Water Plan

View data for Water User Group | Find Water User Group | GO

WAXAHACHIE

Water User Group in Ellis

Population

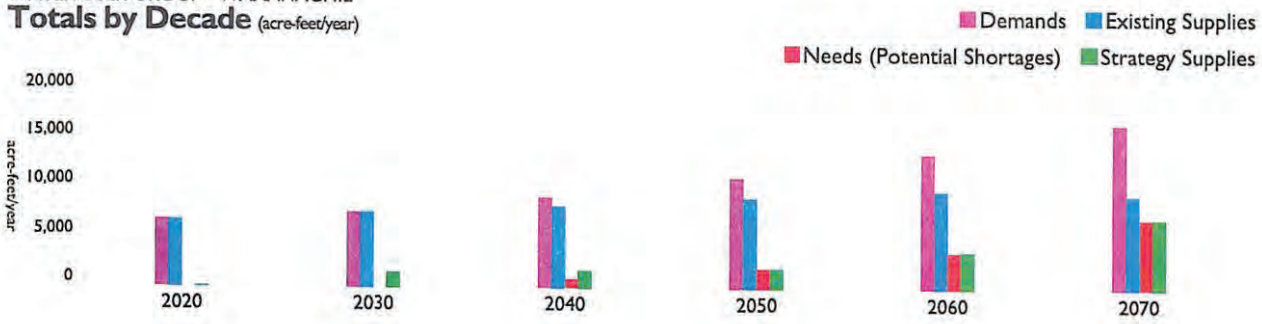


SHOW DATA TABLE



WATER USER GROUP - WAXAHACHIE

Totals by Decade (acre-feet/year)



	2020	2030	2040	2050	2060	2070
Demands	6,872	7,702	9,226	11,299	13,749	16,715
Existing Supplies	6,872	7,702	8,357	9,227	10,025	9,569
Needs (Potential Shortages)	0	0	869	2,072	3,724	7,146
Strategy Supplies	66	1,539	1,773	2,077	3,787	7,195

WATER USER GROUP - WAXAHACHIE

Water Management Strategies (acre-feet/year)

Strategy	2020	2030	2040	2050	2060	2070
CONSERVATION - WAXAHACHIE	32	70	253	405	538	710
CONSERVATION, IRRIGATION RESTRICTIONS – WAXAHACHIE	0	0	256	350	426	519
CONSERVATION, WATER LOSS CONTROL - WAXAHACHIE	34	39	0	0	0	0
MARVIN NICHOLS (328) STRATEGY FOR NTMWD, TRWD, AND UTRWD	0	0	0	115	760	1,802
TRWD - ADDITIONAL CEDAR CREEK AND RICHLAND-CHAMBERS	0	84	0	35	210	437
TRWD - AQUIFER STORAGE AND RECOVERY PILOT	0	3	0	3	22	53

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LAKE WAXAHACHIE WATER LEVEL RECAP

8 of the last 25 years Lake Waxahachie was never full

July 23,2021 through February 13, 2023 570 continuous days the was never full

Last 25 years, 9130 days, the lake was full 2346 days or 25% of the time

Terri Kennedy - ZDC-128-2022 - 5.8.2024

Exhibit A

City of Waxahachie

WATER CONSERVATION PLAN

City Ordinance No. 3107

Amended
April 1, 2019

Terri Kennedy - ZDC-128-2022 - 5.8.2024

A. Raw Water Supply, Service Area and System Information

The City of Waxahachie diverts its primary raw water source from Lake Waxahachie. The surface water reservoir is located on South Prong Creek of the Trinity River Basin in Ellis County, in the southern section of the City of Waxahachie approximately four miles from the downtown district. The drainage area for Lake Waxahachie is approximately 30 square miles. The Ellis County Water Control and Improvement District No. 1 (District) was issued Water Rights Permit No. 1742 on March 14, 1955 from the Board of Water Engineers and a Certificate of Adjudication No. 08-5018 on May 5, 1987 from the Texas Water Commission. The permit and adjudication authorizes the District to impound 13,500 acre-feet of water with permission to use 3,570 acre-feet of water annually for municipal purposes. The City of Waxahachie operates and maintains the reservoir, dam, two raw water pump stations, raw water pipe lines and the surface water treatment plant for the District.

The District also holds Certificate of Adjudication No. 08-5021A for diversion of raw water from Bardwell Reservoir in the amount not to exceed 4,320 acre-feet of water per annum. In addition, the District holds Certificate of Adjudication No. 08-5021C, issued February 6, 1998. This Certificate allows for a re-use credit of sixty-five percent of the maximum amount of water authorized for diversion by the District. This is sixty-five percent of the total of 4,320 acre-feet and 3,570 acre-feet from Bardwell Reservoir and Lake Waxahachie respectively that is discharge back into Waxahachie Creek from the City of Waxahachie's Wastewater Treatment Plant (WWTP). The WWTP is located approximately nine miles upstream from the upper end of the conservation pool of Bardwell Reservoir. This sixty-five percent equates to an additional 5,128.5 acre-feet of water per annum that can be diverted for use from Bardwell Reservoir.

On December 4, 1991 the District contracted with the Trinity River Authority (TRA), as a party of the Ellis County Regional Water Supply Project Contract, for the right to purchase and divert, an average annual quantity of 2.150 mgd raw water from the Tarrant County Water Control and Improvement District Number One's (now Tarrant Regional Water District, TRWD) pipeline which conveys raw water from Richland Chambers and Cedar Creek Reservoirs. In the fall of 1999 the District contracted with the Trinity River Authority for the purchase of an additional 2.500 mgd of raw water. The District currently has contracted for 4.65 mgd annual average quantity of raw water through TRA from the TRWD pipelines.

The District has no employees and is a board appointed by the City of Waxahachie City Council for the sole purpose of securing and financing water rights and water infrastructure to support the City of Waxahachie's water customers. For the purpose of this plan The District and the City of Waxahachie are the same entity.

The City of Waxahachie is located in central Ellis County and encompass approximately 50.88 square miles. The City currently has a customer base of

Terri Kennedy - ZDC-128-2022 - 5.8.2024

Volumetric and Sedimentation Survey of LAKE WAXAHACHIE

July 2020

Texas Water Development Board

September 2022

Terri Kennedy - ZDC-128-2022 - 5.8.2024

Texas Water Development Board

Brooke T. Paup, Chairwoman | George B. Peyton V, Board Member

Jeff Walker, Executive Administrator

Prepared for:

City of Waxahachie

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This report was prepared by staff of the Surface Water Division:

Mindy Conyers, Manager
Nathan Leber
Holly Holmquist
Khan Iqbal
Josh Duty

Published and distributed by the

Texas Water Development Board

P.O. Box 13231, 1700 N. Congress Ave.
Austin, TX 78711-3231, www.twdb.texas.gov
Phone (512) 463-7847, Fax (512) 475-2053

Terri Kennedy - ZDC-128-2022 - 5.8.2024

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Appendices

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Terri Kennedy - ZDC-128-2022 - 5.8.2024

Executive summary

In September 2020, the Texas Water Development Board (TWDB) entered into an agreement with the City of Waxahachie, Texas, to perform a volumetric and sedimentation survey of Lake Waxahachie (Ellis County, Texas). Surveying was performed using a multi-frequency (208 kHz, 50 kHz, and 12 kHz), sub-bottom profiling depth sounder. Sediment core samples were collected and correlated with sub-bottom acoustic profiles to estimate sediment accumulation thicknesses and sedimentation rates.

South Prong Dam and Lake Waxahachie are located on South Prong Creek in Ellis County, approximately 4 miles southeast of Waxahachie, Texas. The conservation pool elevation of Lake Waxahachie is 531.50 feet above mean sea level (NGVD29). The TWDB collected bathymetric data for Lake Waxahachie on July 22, 2020, while the daily average water surface elevation measured 530.26 feet above mean sea level (NGVD29).

The 2020 TWDB volumetric survey indicates Lake Waxahachie has a total reservoir capacity of 11,642 acre-feet and encompasses 657 acres at conservation pool elevation (531.50 feet above mean sea level, NGVD29).

Previous capacity estimates at conservation pool elevation (531.50 feet above mean sea level, NGVD29) include an original design estimate of 13,500 acre-feet and a 2000 TWDB volumetric survey estimate re-calculated using current processing procedures, of 11,572 acre-feet. Because of differences in past and present survey methodologies, direct comparison of volumetric surveys to others to estimate loss of area and capacity can be unreliable. The 2020 TWDB survey results do not mean the reservoir has gained capacity since 2000. Rather it is a result of data collected over a larger area and improved methods.

The 2020 TWDB sedimentation survey measured 1,874 acre-feet of sediment. The sedimentation survey indicates sediment is accumulating throughout the main body of the lake and gets progressively thicker from upstream to downstream. The TWDB recommends that a similar methodology be used to resurvey Lake Waxahachie in 10 years or after a major high flow event.

17% LOSS STORAGE CAPACITY

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022
<><><>

LEVANTE PARTNERS LP
PO Box 1145
Midlothian, TX 76065-1145

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

> Request by Chad Adams, for a **Zoning Change** from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a **Planned Development – Single Family – 1 (PD-SF-1)** zoning district, located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

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

Case Number: ZDC-128-2022 **City Reference: 182007**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT ☐ OPPOSE

Comments:
This development complements the area & will attract high quality homes.

Signature

3-19-2024
Date

Jonathan Foy
Printed Name and Title

1004 W Marvin
Address Waxahachie, TX 75165

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022
<><><>

***HOUGH* ALAN & PAMELA**
127 LAKESHORE DR
WAXAHACHIE, TX 75165-6801

RECEIVED MAR 1 2 2024

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Out of town & cannot attend meeting.., important concerns as below.)

Case Number: ZDC-128-2022 **City Reference: 181959**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments:
*Should require City sewerage line from nearby Lions Park treatment rather than increase septic system pressure on fractured Austin chalk drainage into Lake Waxahachie. Increasing home density + spacing within drainage via fractures should minimize number houses in development. Too many too dens

Signature Alan Hough
Date 8 March 2024

Alan Hough – retired geologist
Printed Name and Title

127 Lakeshore Dr.
Address

Perhaps consider retaining current 3 acre lots to reduce septic pressure + subsequent flow into Waxahachie fresh water supply from our lake. Fewer homes = less septic pressure via fracture flow

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

<><><>

BURKS BRIAN & MICHELLE
143 LAKESHORE DR
WAXAHACHIE, TX 75165-6801

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

> Request by Chad Adams, for a **Zoning Change** from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a **Planned Development – Single Family – 1 (PD-SF-1)** zoning district, located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

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

Case Number: ZDC-128-2022 **City Reference: 182006**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

Comments:

_____

_____

_____ 3-10-2024
Signature Date

BRIAN BURKS _____ 143 LAKESHORE DR. _____
Printed Name and Title Address

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

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

Case Number: ZDC-128-2022 **Item 7&8** **City Reference:** 174102

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be *e-mailed to* Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE RECEIVED MAR 19 2024

Comments: THE BUILDING OF 68 HOMES SO CLOSE TO THE LAKE, ALL WITH SEPTIC TANKS, POSES A GREAT POLLUTION RISK TO THE LAKE.

J. E. Frost
Signature

19 MAR 24
Date

JEFFREY E. FROST
Printed Name and Title

137 LAKESHORE DRIVE
Address

LAKESHORE HOMEOWNER

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

<><><>

RECEIVED MAR 1 9 2024

SHIPLEY MARY LOU ~~ATTN: SHIPLEY LAW OFFICE~~
PO BOX N
WAXAHACHIE, TX 75168-0480

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

> Request by Chad Adams, for a **Zoning Change** from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a **Planned Development – Single Family – 1 (PD-SF-1)** zoning district, located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

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Case Number: ZDC-128-2022 **City Reference: 283067**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments: I have concerns about drainage and traffic on Lakeshore

Mary Lou Shipley
Signature

3-16-2024
Date

Mary Lou Shipley, owner
Printed Name and Title

209 Lakeshore Dr
Address

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

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

Case Number: ZDC-128-2022 **Item 7&8** **City Reference: 217046**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE RECEIVED MAR 1 9 2024

Comments:
Adds traffic to a quiet neighborhood, adds to street maintenance needs, adds to already problematic drainage problem on Lakeshore Dr.

Jim R Odom
Signature

3/13/24
Date

Jimmie R Odom
Printed Name and Title

205 Lakeshore Dr, Waxa
Address

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

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

Case Number: ZDC-128-2022 **Item 7&8** **City Reference: 182102**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

RECEIVED MAR 1 9 2024

☐ SUPPORT ☑ OPPOSE

Comments:
Adds traffic to a quiet neighborhood, adds to street maintenance needs, adds to already problematic drainage problems to Lakeshore Dr.

Jimmie R Odom
Signature

3/13/24
Date

Jimmie R Odom
Printed Name and Title

218 Lakeshore Dr
Address

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

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

Case Number: ZDC-128-2022 **Item 7&8** **City Reference: 230811**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

RECEIVED MAR 1 9 2024

Comments:

1.) excessive traffic that already exists. 2.) excessive over the speed limit abuse; 3) 7 mailboxes already destroyed; 4) One house hit by an erratic driver; 5) dangerous drop off that already exists on the road; 6.) drainage issues that will be a problem; 7.) excessive water permits to the Lake Creek drainage basin with population growth

Steve & Terri Kennedy 3-13-24

Signature Date

Steve Kennedy & Terri Kennedy Homeowner

Printed Name and Title

129 Lakeshore Dr.

Address

Home Owner

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

<>

ROBERSON GREGORY EDWARD & ALEJANDRINA CANNON
3224 HOWARD RD
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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

Case Number: ZDC-128-2022 **City Reference: 182031**

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☐ SUPPORT ☒ OPPOSE

Comments: Would like a privacy brick Fence installed on that property connecting to back of our property

Signature

3/19/2024
Date

Alejandrina Cannon
Printed Name and Title

3224 Howard Rd
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022
<><><>

BURNS CHARLES B & JENNIFER K
3208 HOWARD RD
WAXAHACHIE, TX 75165

RECEIVED MAR 2 0 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022 **City Reference: 182073**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

Comments:
The area was Farm land, lacks adequate drainage off the fields to our place, area lacks adequate roadways, no city sewage, no internet, limited law enforcement (police & sheriff), no shoulders on the highway.

C. Brad Burns
Signature

3-12-24
Date

C. Brad Burns / Owner
Printed Name and Title

3208 Howard Road
Address Waxahachie, TX 75165

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

<>

BURNS CHARLES B & JENNIFER K
3208 HOWARD RD
WAXAHACHIE, TX 75165

RECEIVED MAR 2 0 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022 **City Reference: 174097**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

Comments:
Area is farm land, lacks adequate drainage from the fields to our property. Area lacks adequate law enforcement, no highway shoulders, small roadways, no sewage from the city, no internet / limited service (will block signal from tower).

C. Brad Burns
Signature

3-12-24
Date

C. Brad Burns
Printed Name and Title

3208 Howard Road
Address Waxahachie, TX 75165

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

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

COCKERHAM SIDNEY J
203 LAKESHORE DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Chad Adams, for a **Zoning Change** from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a **Planned Development – Single Family – 1 (PD-SF-1)** zoning district, located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

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Case Number: ZDC-128-2022 **City Reference: 181952**

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☐ SUPPORT ☒ OPPOSE

Comments:

Sidney J. Cockerham
Signature

3/20/2024
Date

SIDNEY J. COCKERHAM, OWNER
Printed Name and Title

203 LAKESHORE DR
Address

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

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

Item 7&8

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

BURKS JEANETTE
139 LAKESHORE DR
WAXAHACHIE, TX 75165-6801

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022 **City Reference: 140310**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments:
THIS HOUSING ADDITION WILL CONNECT TO THE 120 HOMES BEING DEVELOPED OFF HOWARD ROAD & WILL CHANNEL TOO MUCH TRAFFIC ON TO LAKESHORE DRIVE, LEAVE AS 3 ACRE LOT SIZE TO MINIMIZE POTENTIAL TRAFFIC

Signature

3/20/24
Date

LARRY BURKS, RESIDENT
Printed Name and Title

139 LAKESHORE DR.
Address

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

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

Item 7&8

From: Patricia Lawton <plawton3247@gmail.com>
Sent: Thursday, March 21, 2024 1:04 PM
To: Planning
Subject: Case Number ZDC-128-2022 City Reference 182138

My name is Patricia Lawton, 135 Lakeshore, Waxahachie, TX 75165. My husband and I oppose the proposed change. We will attend the meeting.

Thank you,
Patricia Lawton
(972)816-6510

Venissat, Michelle

From: RONALD WILLIAMS <rew091546@yahoo.com>
Sent: Tuesday, March 26, 2024 2:12 PM
To: Lindamood, Harper <harper.lindamood@waxahachie.com>
Subject: Zoning proposal re: housing on Lake shore Drive

I have been advised that a request has been made to lower the housing requirement from 2+ acres for new houses on Lakeshore Drive. I presently live at 106 Lakeshore Drive. I am strongly against any such change. Such change could lower my present home value, would greatly increase traffic on Lakeshore Drive and Howard Road. There would further be a threat to the present aesthetic character of this lovely neighborhood, an increase in noise levels, and potential increase in crime from the mass increase in housing and people living in such lowered housing areas.

I am unable to attend meeting for health reasons but wanted to voice my objections.

Ronald E. Williams
106 Lakeshore Drive.

Yahoo Mail: Search, Organize, Conquer

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

BURLESON T W & SON
PO BOX 578
WAXAHACHIE, TX 75168-0578

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022 **City Reference: 182020**

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☐ SUPPORT ☒ OPPOSE

Comments:
TOO MANY rooftops and OSSF's per ACRE, Request TCEQ evaluate watershed Runoff into Lake Waxahachie. NO Improvements to Howard Rd or Lakeshore to accomodate additional traffic.

Tim E. Burleson
Signature

3-20-24
Date

Tim E. Burleson
Printed Name and Title

149 & 151 Lakeshore Dr
Address

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

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

From: sjcntx@icpmail.com
Sent: Monday, April 22, 2024 12:34 PM
To: Pruitt, Jennifer; King, Zack
Subject: Zoning Request ZDC-128-2022

Hello, Jennifer and Zack.

Could you please forward my below comments to the Planning and Zoning Commission members regarding zoning change request ZDC-128-2022.

Thank you.

Regards,

Sidney Cockerham

Subject: Support for Zoning Change Request

Sidney Cockerham

203 Lakeshore Drive

Waxahachie, TX 75165

Email: sjcntx@icpmail.com

Tel: (972) 935-2271

April 22, 2024

City of Waxahachie

Attention: Planning

408 S. Rogers St.

Waxahachie, TX 75165

Dear Chairman Keeler, Vice-Chairman Test, and Members of the Planning and Zoning Commission,

I am writing to express my support for the request by Chad Adams for a zoning change Case Number: ZDC-128-2022.

As a resident of 203 Lakeshore Drive I have met with Mr. Adams and had the opportunity to review his plans for the development. Since the March 26th P & Z public hearing, Mr. Adams has been approachable and receptive to addressing several Lakeshore Drive residents' concerns.

Accordingly, I believe moving forward with the proposed development will bring several benefits to our community.

First and foremost, I believe that the development will help meet the growing housing demand brought on by the steady influx of new residents to Waxahachie.

Furthermore, I appreciate the attention to detail and thoughtful design incorporated into the development plans.

From what I have seen, the proposed homes are well designed and complement the existing architecture of our neighborhood. Additionally, the storm water management plan will benefit current Lakeshore Drive residents.

It is disappointing, however, that plans do not include green spaces and recreational areas.

Nevertheless, upscale homes with well-maintained lawns and landscaping monitored by an HOA will be a welcome sight over the fields that lie barren for most of the year.

I also believe that the development will have positive economic impacts on our community. The construction phase will create job opportunities for local workers, and once completed, the new homes will contribute to the local tax base, which can be reinvested into our community's infrastructure and services.

In conclusion, I endorse the proposed housing development and urge the Planning and Zoning Commission to approve the zoning change request.

I believe it will not only address the growing demand for housing but also contribute to the vitality and growth of Waxahachie and the Lakeshore Drive neighborhood.

Thank you for considering my input on this matter. Please do not hesitate to contact me if you require any further information or clarification.

Sincerely,

Sidney Cockerham

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

DROLET ROBERT L & MICHELLE M
128 LAKESHORE DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022 **City Reference: 233849**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

Comments:
DRAINAGE, TRAFFIC ISSUES ON OLD ITALY / HOWARD/ LAKESHORE, ~~CAN'T~~
ENVIRONMENTAL IMPACT OF SEPTIC SYSTEMS ON THE LAKE, DENSITY OF
HOMES. WE'D NOT BE OPPOSED TO A RURAL RESIDENTIAL
REZONING LIKE LANDMARK ESTATES

Signature

8 MAY 24
Date

ROBERT DROLET
Printed Name and Title

128 LAKESHORE DR
Address

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

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

208 Lakeshore dr - exhibit 1



1 REQUEST FOR PRIVACY FENCE ON WEST SIDE AS WELL (SAME AS EAST SIDE)

2 CONCERN OVER WATER RUNOFF FROM NEW DEVELOPMENT INTO 208 LAKESHORE

3 CONCERN OVER HEAVIER TRAFFIC DUE TO LAKESHORE ENTRANCE
- REQUEST TO REMOVE LAKESHORE ENTRANCE

208 Lakeshore dr - exhibit 2



208 Lakeshore dr - exhibit 3



BACK PORCH VIEW FROM 208 LAKESHORE

208 Lakeshore dr - exhibit 4





STORM WATER FLOW FROM ELEVATED PARTS OF THE PROPERTY & NEIGHBORING LAND.

- IT IS ALREADY A PROBLEM WE ARE TRYING TO MITIGATE THAT WOULD GET WORSE WITH NEW DEVELOPMENT IF NOT TAKEN INTO CONSIDERATION

Venissat, Michelle

From: Wendy Weiss <wrweiss23@gmail.com>
Sent: Wednesday, May 8, 2024 6:54 PM
To: King, Zack; Venissat, Michelle; Planning
Subject: Case # ZDC-128-2022 City Reference 216533 Hightower Addition Opposed to this development

Wendy Weiss and Mark Weiss are opposed to the development at Hightower Addition. We reside at 310 Lakeshore Drive in Waxahachie, TX 75165.

We have major concerns as follows:

1. Contamination to Lake Waxahachie
2. Increased traffic on Lakeshore Drive
3. Drainage issues (I previously sent photos of 216 and 208 Lakeshore….Zach acknowledged receiving them)
4. Damage to our street from construction vehicles
5. We experience a lot of power outages and are afraid this will increase if the development goes forward.

Please do not hesitate to contact us should you have any questions.

Thank you, Wendy & Mark Weiss

Wendy's phone number is 214-585-1777 and Mark's phone number is 972-765-5120.

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

FROST JEFFREY E & PATRICIA S
137 LAKESHORE DR
WAXAHACHIE, TX 75165-6801

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Chad Adams, for a **Zoning Change** from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a **Planned Development – Single Family – 1 (PD-SF-1)** zoning district, located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

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

Case Number: ZDC-128-2022 **City Reference:** _____

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments: _____

_____ 5-8-24

Signature Date

Terra Atteberry 131 Lakeshore Dr

Printed Name and Title Address Waxahachie TX

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

RECEIVED MAY 0 92024

ODOM JIMMIE R & CAROLINE YVONNE
205 LAKESHORE DR
WAXAHACHIE, TX 75165-6803

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022 **City Reference: 217046**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments:
Would be opposed if traffic is allowed to dump out onto Lakeshore Dr. which is a problem now. Used as a raceway. Septic allowed to leach into Lake Waxahachie which will destroy our lake environment.

Jim R Odom
Signature

5/6/24
Date

Printed Name and Title

205 Lakeshore Dr
Address Waxahachie, Tx 75165

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

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Septic Design Letter

Loran Wilson, Jr., R.S.
Wilson Environmental Services, LLC
121 Fairway Dr.
Waxahachie. Texas 75165
sonwil51@gmail.com
972-814-7648

May 7, 2024

Wes Dorough
Oakhill Investment Group
M 972-921-1356; O 469-7054036
oakhillinvestments.com

Re: Proposed Hightower Club Subdivision onsite sewage facility design parameters.

Dear Mr. Dorough,

After reviewing the concept plan for the proposed Hightower Club subdivision it is my opinion that the subdivision would be able to meet the current Texas Commission on Environmental Quality (TCEQ) regulations for onsite sewage facilities (Chapter 366, Health and Safety Code; Title 30, TAC Chapter 285 On-site Sewage Facilities) along with the City of Waxahachie minimum requirements.

TCEQ requires a minimum of ½ acre lots when served by a public water supply for subdivisions relying on onsite sewage facilities for treatment and disposal of wastewater. The City of Waxahachie requires a minimum of 1acre. Therefore, the 1acre minimum lot size for this subdivision would meet and comply with the current OSSF requirements.

This subdivision concept plan uses the same criteria as other subdivisions that have been approved in the southern part of Waxahachie's city limits. Plus, additional planning requirements will have to be submitted by a professional engineer or professional sanitarian to the permitting authority and receive approval prior to submitting an OSSF application such as:

1) An overall site plan;
2) A topographic map;
3) A 100 year floodplain map;
4) A soil survey;
5) The location of easements;
6) A comprehensive drainage plan;
7) A review of each lot in the subdivision to assure an OSSF can be constructed on the lot and meet the minimum requirements of the permitting authority.

As we discussed, all residential houses on each lot in this subdivision shall construct an OSSF with a pretreatment tank for primary treatment and an aerobic treatment unit for secondary treatment with either spray application or subsurface drip emitter drain pipe for proper disposal of the treated wastewater.

If the above mentioned planning materials are submitted and approved by the permitting authority then this concept plan for the Hightower Club subdivision should be expected to have an onsite sewage facility constructed on each lot in this subdivision that can function satisfactorily.

Sincerely,

Loran Wilson, Jr., R.S.

Loran Wilson, Jr., R.S.
sonwil51@gmail.com
972-814-7648



Date: 5-7-2024


Exhibit A - Location Map
Item 7&8
LIV MEADOW WAY
DEVI DR
MAYA WAY
LANA GARDEN WAY
AANYA LN
LILA LAKE DR
AUDREY DR
ARIA DR
REGIER CT
AIDEN DR
OLD ITALY RD
VALLABHAN DR
LAGUNA VISTA DR
HOMESTEAD LN
SANDERS DR
DOLLAR CT
WILLOWCREST DR
MITCHELL WAY
LAKESHORE DR
WILLOW RUN
OAK TREE DR
PECAN VALLEY LN
ASH DR
POST OAK LN
HOWARD RD
LAKESHORE DR
HIDEAWAY RD
WAXAHACHIE DAM MAINTENANCE RD
BOAT DOCK PARK
ADAYS RD
MADDOX RD
CHISHOLM TRL
LAKEWOOD DR
WATERFRONT DR
N
0 500 1,000 2,000 3,000 4,000 Feet
ZDC-128-2022 (PD)
City Limits

HIGHTOWER CLUB

PURPOSE AND INTENT

The purpose of this Planned Development District is to allow for a maximum of 71 estate residential lots in a gated community. The subject property shall be developed in accordance with Section 3.04 ("SF1" – Single Family Residential District) of the City of Waxahachie Zoning Ordinance, except as provided below.

District Regulations

Height Regulations	2 stories for the main building. 1 story for accessory buildings without garages
Minimum Dwelling Size	2,200 SF
Minimum Lot Area	43,560 sf (1 Acre)
Minimum Lot Width	90'
Minimum Lot Depth	140'
Minimum Front Yard	40'
Minimum Side Yard	15' required; 20' from a street ROW
Minimum Rear Yard	25'
Maximum Lot Coverage	50% by main and accessory buildings
Parking Regulations	Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure.
Garages	All dwelling units shall contain side or rear-entry garages (front-entry garages are prohibited).

DEVELOPMENT STANDARDS

Concept Plan

The subject property shall conform to the site layout provided in the concept plan referred to as Exhibit C.

Architectural Elevations

- The subject property shall comply with architectural standards required for *Single Family Residential* in Section 5.01 (Exterior Construction Requirements) of the City of Waxahachie Zoning Ordinance except as amended herein.
- To promote architectural diversity throughout the residential development, forty-five (45%) of lots shall conform to one of the following three (3) architectural styles provided in Exhibit E. The minimum percentages and quantities for each architectural style is provided in the table below.

Architectural Style	Quantity/Percentage of Homes
Farmhouse	10 / 15%
Craftsman	10 / 15%
French Country	10 / 15%
Totals	30 / 45%

Hightower will consist of custom homes that may vary in floor plans and layouts but will adhere to the architectural character and exterior finishing materials provided for each architectural style in Exhibit E.

Shall any home deviate from the architectural style prescribed in this PD, the Planning Director or Building Official shall have the discretion and authority to require the builder to adhere to architectural styles provided in Exhibit E.

- The architectural style of the remaining lots shall be determined by the market. However, all homes shall comply with the following provisions:
    - The exterior finishing materials shall be limited to a combination of brick, stone, cementitious fiber board and stucco. Wood may only be used as an accent, but shall not exceed ten (10) percent of each building elevation. The calculation of exterior finishing materials shall exclude windows, doors and trims.
    - Each home shall have a hard surface front entry walkway with a minimum improved width of three (3) feet constructed from the sidewalk or driveway to the front door of each primary structure. Walkways may be surfaced with concrete, pavers, laid bricks, or any other such material and in accordance with City standards.
    - Each home shall have a front covered porch with minimum usable area of forty (40) square feet with a minimum depth of five (5) feet from the primary structure, as measured perpendicular to the front door.
    - There shall be no uninterrupted wall length of twelve (12) feet or more on any façade that is visible from a public right-of-way or open space. This standard applies to the front façade on the interior of the lot or the front and side façade facing a street or open space on a corner lot. An interrupted wall can be achieved through a window, brick detail, or offset in the building face, or similar element that breaks the massing of the façade.
    - Each dwelling unit shall be constructed with a roof overhang of not less than twelve (12) inches as measured from the finished exterior building façade to the soffit unless the roof pitch is 8:12 or greater.
    - Each home shall provide a minimum of three (3) elements from the list below:
        - Multiple pane, divided light, or simulated divided light windows;
        - Decorative columns that are a minimum of six (6) inches in diameter;
        - Gable with window or other decorative feature;
        - Dormers;
        - Bay windows with a minimum projection of twenty-four (24) inches;
        - 8:12 roof pitch;
        - Two (2) or more exterior masonry materials with each material covering at least twenty-five (25) percent of the exterior surface;
        - Split garage doors with a separate door for each vehicle bay;
        - Bull nosed gable;
        - Permanently affixed awning;
        - Articulated garage doors, e.g., windows, paneling, other high quality detailing;
        - Accentuated brick detailing around garage door with a rowlock or similar detailing;
        - Transom or arch style windows; or
        - Elevated hip roof.
- No single building elevation shall be duplicated within six (6) lots or tracts in either direction on the same block face.
- Elevations may not be duplicated on any lot directly across a street or within four (4) lots in either direction.

- No front entry garages allowed.
- Each single-family home will consist of a minimum 75 percent masonry.
    - Masonry shall be defined as provided in Section 5.01 (Exterior Construction Requirements) of the City of Waxahachie Zoning Ordinance.
    - Exceptions for Farmhouse and Craftsman styles to use cement fiber siding for 50% of front elevations.

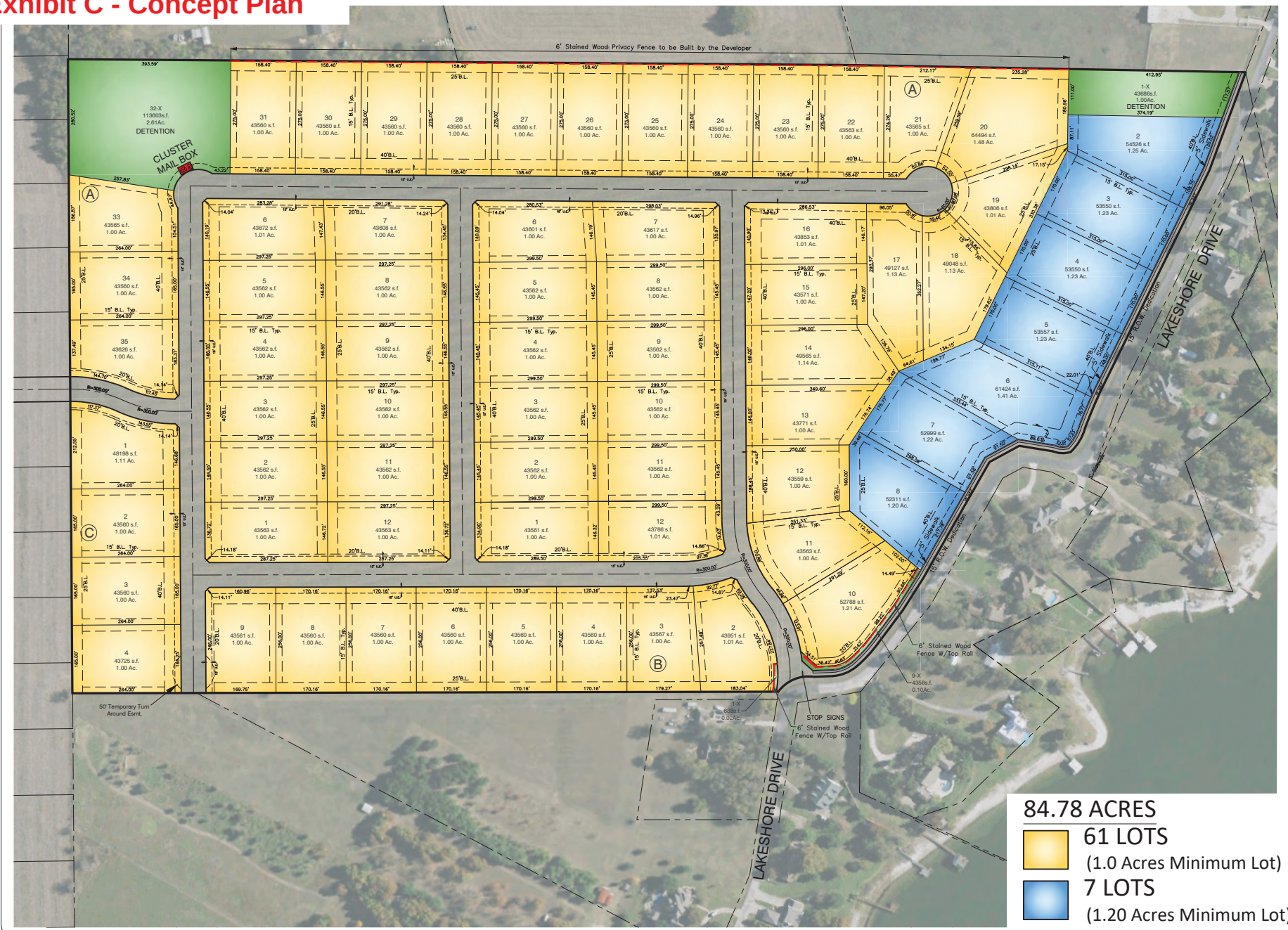
Landscaping Standards

- The subject property shall comply with the perimeter landscaping and screening provided in Exhibit D.
    - Ornamental trees in the landscape median will consist of at least two (2) crape myrtles.
- A minimum of three (3) canopy trees with a minimum caliper of two (2) inches per tree shall be required on each lot.
- The Homeowners' Association will be required to maintain the landscaping, screening wall, and open spaces/detention areas of the development.

Additional Provisions

The proposed development shall comply with the City of Waxahachie Code of Ordinances and Engineering Design Manual and City Standards, except as amended herein.

Exhibit C - Concept Plan



CONCEPT PLAN

HIGHTOWER CLUB

CITY OF WAXAHACHIE, TEXAS

Engineer:

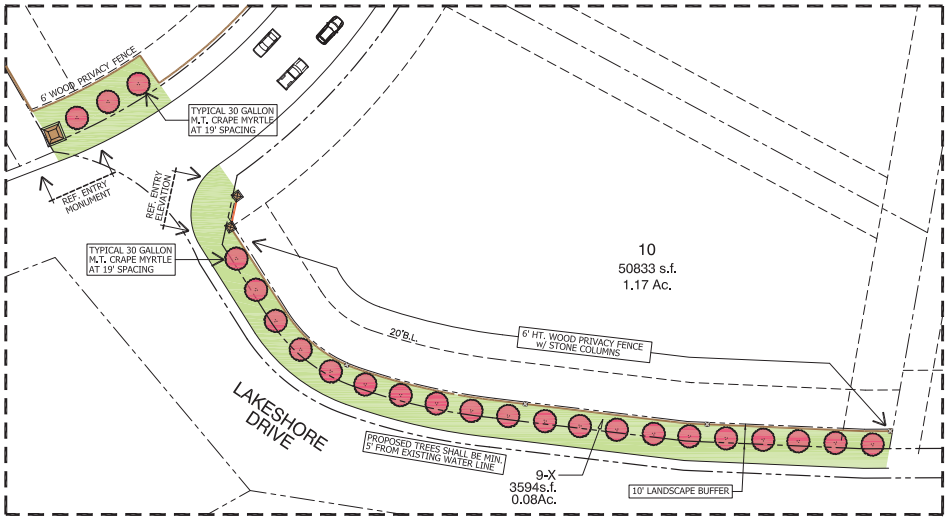
MAY 06, 2024

SHEET NO. 1 OF 1

PROJECT #06554

Z:\PROJECTS\06554 Waxahachie Lakeside Dr BBAC\dwg\Planning\06554 CP-1.dwg

Exhibit D - Perimeter Landscaping, Entry Monuments, and Screening

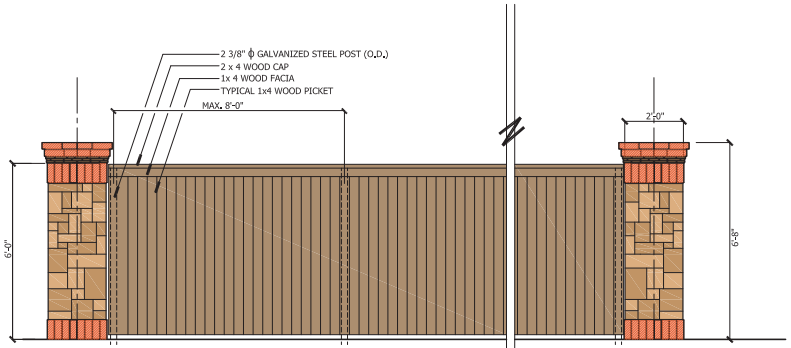


north

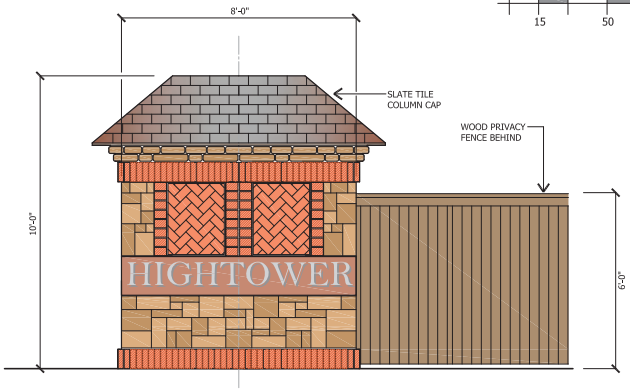
scale: 1" = 30'-0"

0 30 100

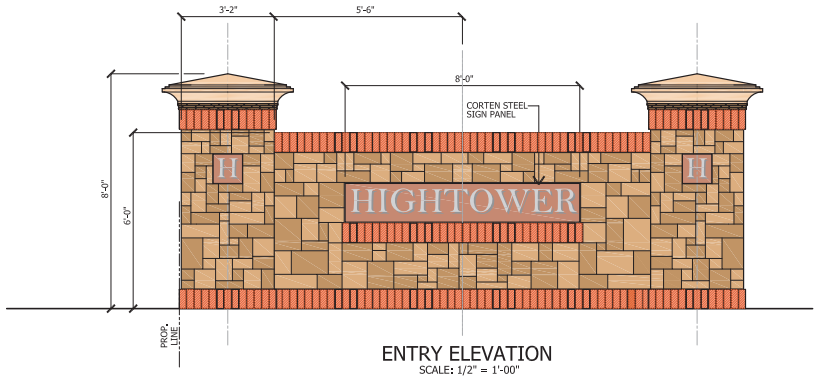
15 50



WOOD PRIVACY FENCE
w/ STONE COLUMNS
SCALE: 1/2" = 1'-00"



ENTRY MONUMENT
SCALE: 1/2" = 1'-00"



ENTRY ELEVATION
SCALE: 1/2" = 1'-00"

appr. by:
drawn by:
date: 04-27-24

revisions

Leeming Design Group
Landscape Architecture
401 S Buffalo Pkwy, Suite 101A North Richland Hills, Texas 76181
(817) 577-2889 Fax (817) 577-2890
leemingdesigngroup@sbcglobal.net

LANDSCAPE EXHIBIT

HIGHTOWER CLUB
LAKESHORE DRIVE
WAXAHACHIE, TEXAS

file name:
c:\Waxahachie-Hightower\
Hightower_Hightower.dwg

sheet
EX-1

Exhibit E - Architectural Styles

Item 7&8

FARMHOUSE

- Front porch with exposed beams
- Accent Metal roof
- Board and batten accents



Exhibit E - Architectural Styles

Item 7&8

CRAFTSMAN

- Decorative Columns
- Exposed Cedar
- Low roof pitch and eves



Exhibit E - Architectural Styles

Item 7&8

FRENCH COUNTRY

- Steep roof pitch with multiple hips
- Curved windows, dormers, eves or entries
- Gable with decorative feature



Planning & Zoning Department

Zoning Staff Report

Case: ZDC-60-2024

MEETING DATE(S)

Planning & Zoning Commission: May 14, 2024
City Council: May 20, 2024

CAPTION

Public Hearing on a request by Steve Kennedy, for a **Specific Use Permit (SUP)** for a **Boat Dock +1500SF** use within a Planned Development-Single Family-1 (PD-SF-1) zoning district located at 118 Hunter Pass (Property ID 219074) - Owner: Evan Ward and Johnny Ward (ZDC-60-2024) Staff: Zack King

RECOMMENDED MOTION

"I move to recommend approval of ZDC-60-2024, a Specific Use Permit (SUP) for a Boat Dock +1500SF, subject to the conditions the staff report."

APPLICANT REQUEST

The applicant requests approval of a SUP to allow for a Boat Dock greater than 1500 square feet in size.

CASE INFORMATION

Applicant:	Steve Kennedy
Property Owner(s):	Evan Ward and Johnny Ward
Site Acreage:	1.00 acres
Current Zoning:	Planned Development-Single Family-1 (PD-SF-1)
Requested Zoning:	PD-SF-1 with SUP for a Boat Dock greater than 1500 square feet

SUBJECT PROPERTY

General Location:	118 Hunter Pass
Parcel ID Number(s):	219074
Existing Use:	A single family home currently occupies the subject property.
Development History:	The subject property was platted as Lot 5R, Block D of the Crystal Cove Estates Phase Two subdivision in 2002.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	Planned Development-Single Family-1 (PD-SF-1)	Lake Waxahachie
East	Planned Development-Single Family-1 (PD-SF-1)	Single Family Home
South	Planned Development-Single Family-1 (PD-SF-1)	Single Family Home
West	Planned Development-Single Family-1 (PD-SF-1)	Single Family Home

Future Land Use Plan: Rural Estate

Comprehensive Plan: This placetype is characterized by large lots with single-family homes in rural settings away from the city center as well as public services. This type of development leaves ample amount of surrounding open space, and should involve minimal infrastructure investment. Though this placetype will almost exclusively be single family homes, it is to be expected that home-based businesses may thrive in this environment.

Thoroughfare Plan: The subject property is accessible via Hunter Pass.

Site Image:



PLANNING ANALYSIS

The applicant proposes a SUP to allow for a Boat Dock greater than 1500 square feet in size. In January of 2020, City Council approved an update to the Waxahachie Zoning Ordinance that included regulations for Boat Dock Accessory Structures. The City of Waxahachie Zoning Ordinance requires boat docks exceeding 1,500 square feet in size to receive approval of a Specific Use Permit (SUP). Prior to January of 2020, the Waxahachie Zoning Ordinance included no maximum size regulation for boat docks.

In August of 2023, the owner of the subject property began construction of an expansion to an existing boat dock. The existing boat dock was approximately 700 square feet in size. The proposed expansion increases the total size of the boat dock to approximately 1,800 square feet and includes the construction of a second-story roof deck. In February of 2024, City staff identified the fact that the proposed boat dock expansion exceeds the maximum size requirement for boat docks established by the Waxahachie Zoning Ordinance. At this time, a stop work order was issued for the partially completed boat dock expansion and the applicant was directed to submit a SUP Application.

Planning Analysis (continued):
Staff has verified that the proposed boat dock meets all location and setback requirements established by the Waxahachie Zoning Ordinance. The applicant has confirmed to staff that the structure will not be used as a dwelling or short-term rental and will not be metered, sold, or leased separately from the existing primary structure.

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

PUBLIC NOTIFICATION RESPONSES
Staff has received one (1) letter of support and one (1) letter of opposition for the proposed SUP, both within the 200' notification buffer.

RECOMMENDATION
Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the SUP request, subject to the conditions noted below.

Conditions:
1. The accessory structure shall not be used as an accessory dwelling without a Specific Use Permit approved by City Council.
2. The accessory structure shall not be used as a short-term rental without a Specific use Permit that has been approved by City Council.
3. The accessory structure shall not be used for commercial purposes.
4. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
5. The accessory structure shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory structure.

ATTACHED EXHIBITS
1. PON Responses
2. Owner Letter
3. Location Map – Exhibit A
4. Site Layout – Exhibit B
5. Floor Plan – Exhibit C

APPLICANT REQUIREMENTS
1. If approved by City Council, the applicant can complete the building permitting process with the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-60-2024

NALLS NOEL R & ANJANETTE
126 HUNTER PASS
WAXAHACHIE, TX 75165-8218

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

> Request by Steve Kennedy, for a **Specific Use Permit (SUP)** for a Boat Dock +1500SF use within a Planned Development-Single Family-1 (PD-SF-1) zoning district located at 118 Hunter Pass (Property ID 219074) - Owner: Evan Ward and Johnny Ward (ZDC-60-2024) Staff: Zack King

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Case Number: ZDC-60-2024 **City Reference: 219075**

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☑ SUPPORT ☐ OPPOSE

Comments:

Noel Nalls
Signature

4-29-2024
Date

NOEL NALLS
Printed Name and Title

126 Hunter Pass
Address Wax, TX 75165

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

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

To the Waxahachie Planning & Zoning Board

Re: Notice of Public Hearing on May 14, 2024 - Case Number ZDC-60-2024

We strongly oppose the request of a Specific Use Permit for a boat dock located at 118 Hunter Pass (property ID 219074) for the following reasons.

#1: According to the code of ordinances, there is no reason that a SUP should be granted because the dock *can* meet all the criteria listed.

Waxahachie Code of Ordinances
Appendix A - Zoning / Article V - Development Standards / Sec. 5.07

(g) Regulations for Boat Dock Accessory Structures:

(i) A boat dock is not permitted on a property without the presence of a single family primary residence.

(ii) A boat dock cannot exceed one thousand five hundred (1,500) square feet.

(iii) A dock must not remove or limit lake access to or from other properties.

(iv) A dock may not extend greater than one hundred (100) feet in length into the lake. This distance is measured from the lake elevation 531.5 to the furthest point of the dock.

(v) A dock must maintain a minimum of twenty-five (25) feet from the front facing façade of the boat dock to any neighboring dock or structure.

(vi) **In the event one or more of the criteria from 5.07 g. cannot be met,** an approval must be received in the form of an approved SUP.

#2: A SUP should not be granted because it harms our property value and our personal enjoyment living on the lake. This altered dock is approximately 3,000 square feet and will be around 30 feet high! This is absolutely not harmonious to our property, nor reasonable. The massive size would block our view of the lake substantially and if a roof is allowed to be added, we will see no more sunsets.

Waxahachie Code of Ordinances
Appendix A - Zoning / Article VII - Supplemental Regulation

Sec. 7.03 - Specific Use Permits (SUP or "S").

(a) *Specific uses*: The purpose of this district is to allow certain uses in districts that under most circumstances would not be compatible with other permitted uses but with certain conditions and development restrictions may be compatible.

(i) The City Council by an affirmative vote may authorize certain uses by a Specific Use Permit, after proper notice to all parties affected and a Public Hearing, and after recommendations from the Planning and Zoning Commission indicating that the proposed uses are in general conformance with the Comprehensive Plan and general objectives of the City and ***containing such requirements and safeguards as are necessary to protect adjoining property.***

Specific use permit regulations:

Section 7.03(b)(i) -
In recommending that a Specific Use Permit for the premises under consideration be granted, ***the City shall determine that such uses are harmonious and adaptable to building structures and uses of abutting property and other property in the vicinity of the premises under consideration***, and shall make recommendations as to requirements for the paving of streets, alleys and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate off-street parking, screening and open space, ***heights of structures***, and compatibility of buildings.

In approving a requested SUP, the Planning and Zoning Commission and City Council may consider the following:

1) **The use is harmonious and compatible with surrounding existing uses or proposed uses;**

The activities requested by the applicant are normally associated with the permitted uses in the base district;

The nature of the use is reasonable;

Any negative impact on the surrounding area has been mitigated;

That any additional conditions specified ensure that the intent of the district purposes are being upheld.

Thanks for considering the harm this would cause us. I've included some photos on the following pages.

Kind regards,

Dave and Jennifer Bond
194 Old Howard Rd.
Waxahachie, TX 75165

BEFORE ALTERATION



A close up view from our patio



View from our living room

AFTER ALTERATION



Current close up view from our patio



You can see a roof on this will block the horizon


BOND PROPERTY
194 OLD HOWARD RD
ORIGINAL DOCK

Item 9&10

Terri Kennedy - ZDC-60-2024 - 5.8.2024



THE MONROE NEWS

Terri Kennedy - ZDC-60-2024 - 5.8.2024

NEWS

City considering water conservation measures

Andrew Branca Daily Light Staff Writer

Published 1:01 a.m. ET Aug. 13, 2015 | Updated 10:06 p.m. ET Aug. 13, 2015

Waxahachie residents could be asked to take voluntary water conservation measures if repairs are not quickly made to a pump at Bardwell Reservoir.

Water levels at Lake Waxahachie are continuing to drop because the pump was damaged during torrential rainfall between May and June. Ellis County received a year's worth of rain and in those two months, causing Bardwell Lake to close completely Fourth of July weekend until further notice.

The pump station had about 8 inches of water in it. This caused moisture to form inside the control panels and causing corrosion to form. Workers have disabled the control unit and cleaning the components inside. At this point, repairs are estimated at the earliest to take a week to complete and Bardwell Reservoir is one of the bodies of water to which the city holds water rights and the pump transfers water to maintain lake levels at Lake Waxahachie.

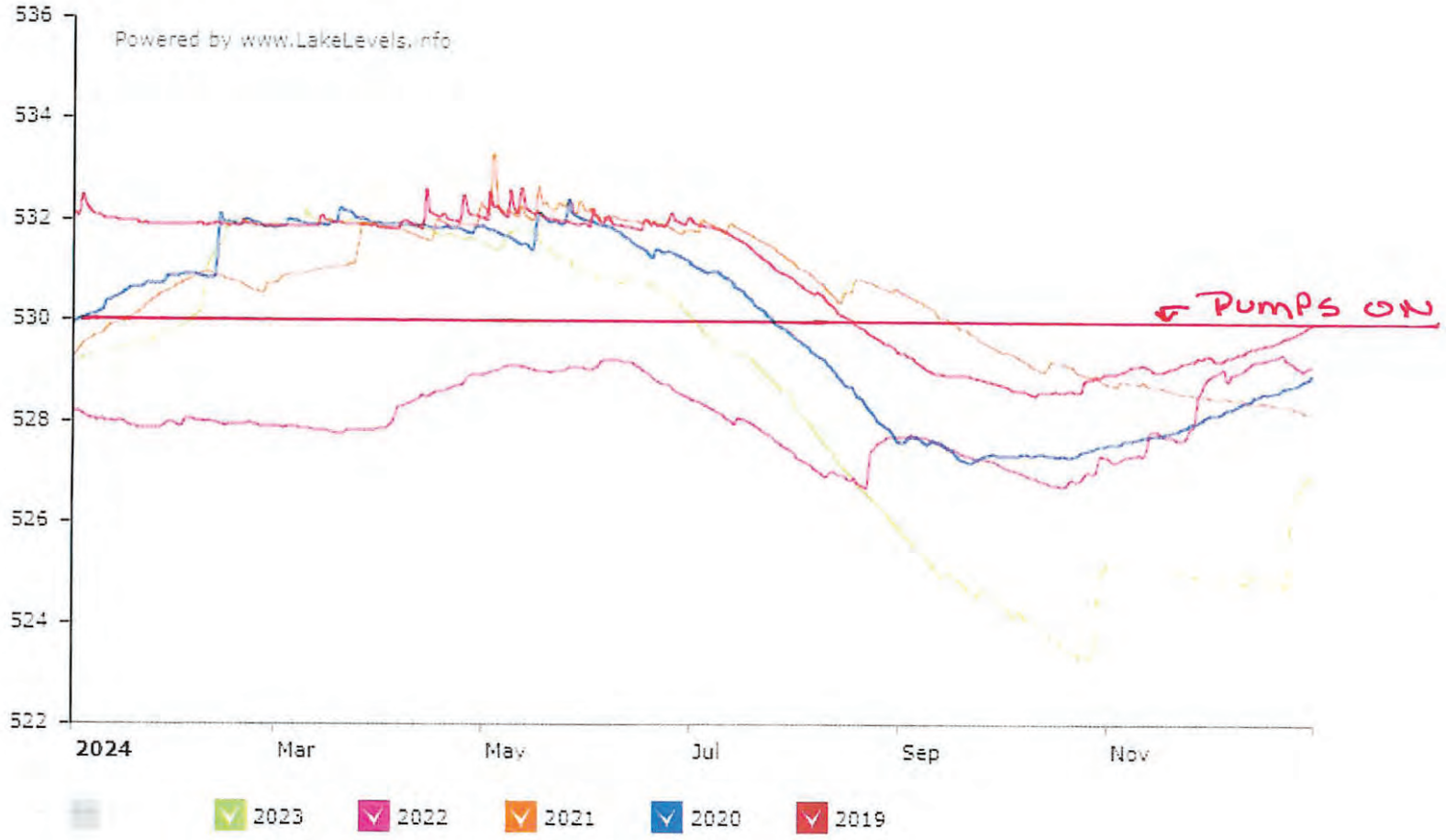
"What is happening right now is Lake Bardwell has gone down and we are evaluating the control center at Lake Bardwell pump station. It is probably going to be another of couple of weeks before we know that we can activate that station," Director of Utilities David Bailey said. "So in the mean time, Lake Waxahachie lake elevation is continuing to slowly to drop."

In the city's drought contingency plan are trigger levels. At 531.5 feet, Lake Waxahachie is at full elevation. When the lake drops a foot and half to 530 feet, the city calls to activate the Bardwell Lake pump station, Bailey said. We are two feet down now and we can't activate the station. It will continue to drop in elevation in Lake Waxahachie," he said.

Bailey said the city is currently in Stage Zero water restrictions, which is basically normal level. If the pumps were working at Bardwell Lake, they would be switched on in this stage.

According to the city drought contingency plan, the city has five other stages that range from mild water shortage conditions (Stage One), to emergency water outage conditions (Stage

Terri Kennedy - ZDC-60-2024 - 5.8.2024



Terri Kennedy - ZDC-60-2024 - 5.8.2024

LAKE WAXAHACHIE

July 23, 2021 thru February 13,2023 570 days the lake was never full

8 of last 25 years lake was never full

Last 25 years, 9130 days, lake was full 2346 days or 25% of the time

I consider boating season to be May 1st through September30th (153 days)

From 1999 thru 2008, ten years, there were only 75 days that most docks could not be used

From 2009 thru 2018, ten years, there were 274 days that most docks could not be used

From 2019 thru 2023, FIVE years, there were 201 days that most docks could not be used

From 2024 thru ???


Untitled Map
Write a description for your map.
Item 9&10
Terri Kennedy - ZDC-60-2024 - 5.8.2024
Google Earth
100 ft
N

OWNER LETTER

March 14, 2024

Operational Plan Document - John and Evan Ward Boat Dock expansion SUP. BLDR-000672-2024

First, to establish some basic understanding of the situation, the readers of this document need to know and consider the following:

1 – There was already a boat dock in existence at this property. We (hereafter to mean John and Evan Ward) think it was built on or around the year 2000.

2 – In August 2023 we contracted with Docks on the Water to expand this dock into deeper water, add another boat bay, replace a boat lift, and complete a roof over the whole dock.

3 – Prior to the start of the project, we asked Docks on the Water about permitting, and they explained to us that the City doesn't require permits for boat docks.

4 – This expansion of our boat dock is about 90% or more complete, and resulted in a final structure that is within the 100 feet total length from shore guideline, and the square footage of the dock framing poles is within the city guidelines of 1,500 square feet.

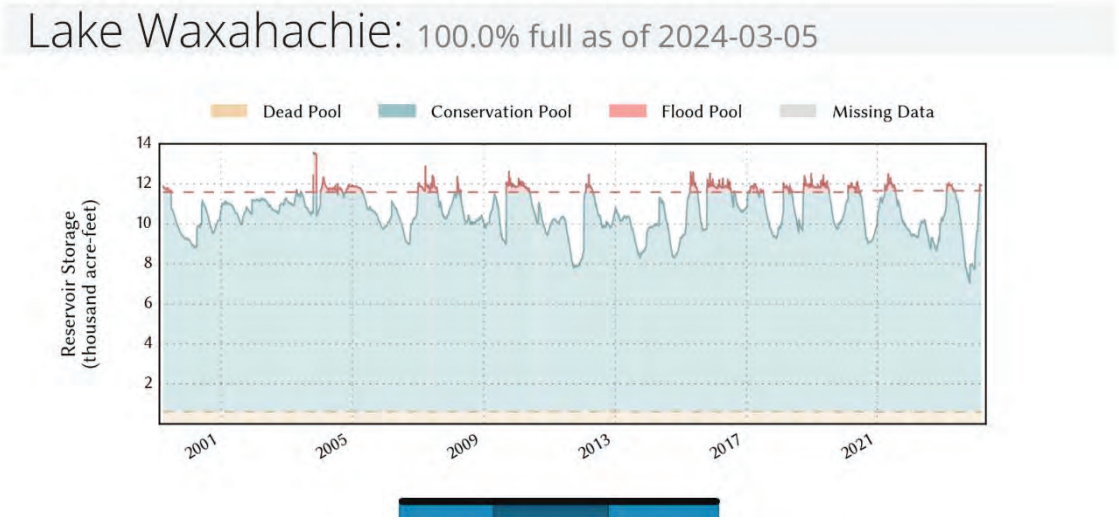
5 – On February 8, 2024, the City put a work stoppage order on our dock. There was no reason given, there was no communication to us the owners about why, and when we called the City and went to visit the City no one could explain how this would get resolved as there was no process in place. We understand that it was the Assistant City Manager that finally directed an SUP be prepared.

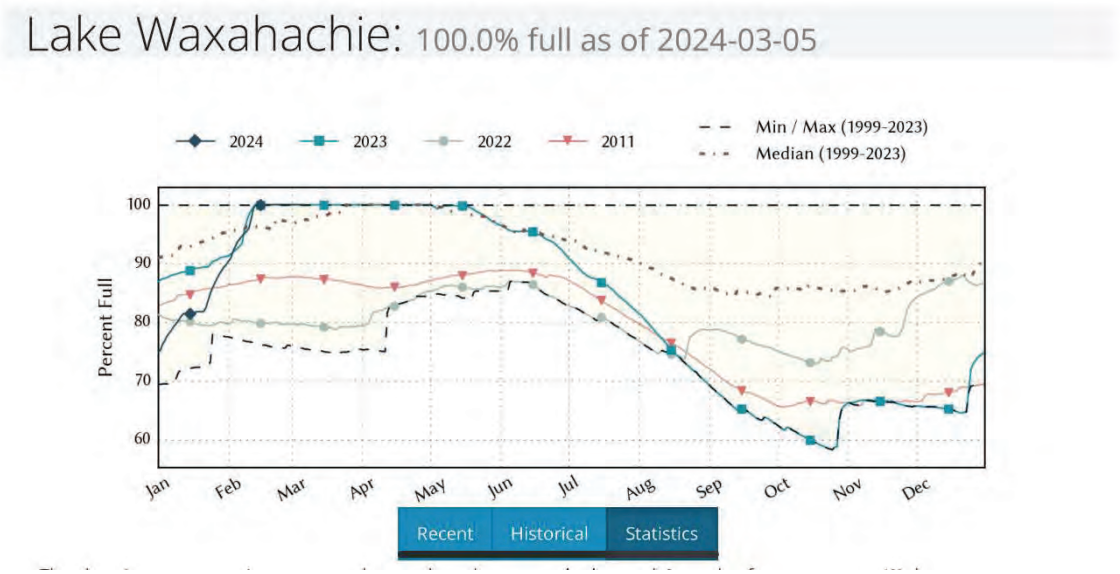
Following is a summary of how we came to the decisions about our boat dock expansion and how it resulted in what we have now:

We purchased this lake lot in 2005. At the time there was no house here, but there was the boat dock, and we were told at the time that the dock was approximately 5 years old. By 2006 our house on the property was completed, and we have lived there since. Also of note, when we were looking at this property to purchase, we were told by our realtor that the City of Waxahachie had agreed/committed to keep this lake at a constant level, and since then this perception of the commitment by the City to keep the lake at a constant level was widely and commonly known, even to this day.

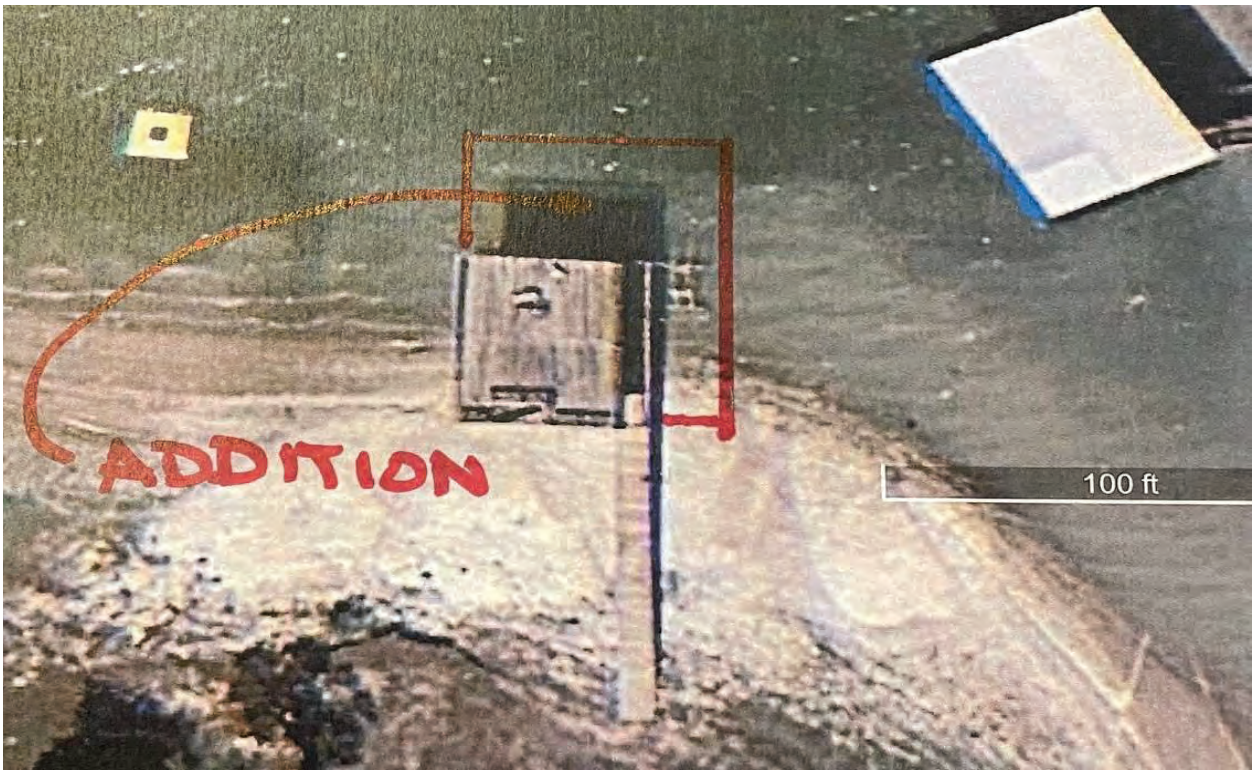
But this lake has not been kept at a constant level. It typically varies by 3 to 4 feet every year (or more). It is usually full in the early spring each year, and most often 3 to 4 feet (or more) low by July 4th every

year, and not recovering until the next early spring. See the historical graph below from the website Water Data for Texas, as well as the averages graph following, also from the Water Data for Texas website.





Our existing boat dock, the one that was built in 2000, was not in deep enough water to be able to operate a boat from while the lake was varying in depth this much. We tried to use it as much as we could, but it was frustrating having an unusable boat and dock most summers during the July/August/September months of low water levels. Our existing boat bay was in water that was 4 feet deep at the front of the boat bay and 6 feet deep at the back of the boat bay (when the lake is full). By July almost every year the lake was 3 to 4 feet low, and we couldn't launch our boat…for the rest of the summer. You can see this in the Google Earth image below, a very typical summer situation, where the dock is mostly out of the water due to the lake being so low:



This existing dock, built in 2000, even though it is older, it was solidly built with steel poles and steel framing. We spent considerable amounts of money and effort over the years keeping it well maintained, replacing wood that was rotting, adding substantial diagonal bracing underneath, and doing a complete redecking of the upper deck and lower deck and closet and stairway during the covid years. The upper deck wood, without a roof, lasts about 7 years. We keep replacing it. It needs a roof to protect the wood and overall dock, which we are adding. The point being is that we keep our dock, our boat, our yard, our house, etc. well maintained and this new dock expansion will be no different. This project makes our dock more attractive.

In addition to the problem of not being in deep enough water, our boat dock was also just too small. The boat bay was only 20 feet long, and our 23-foot boat, with a swim platform extending further out, stuck out the back of our dock by over 4 feet. What was left of dock space on the first level outside of the boat bay and stairs and closet was not sufficient space to move around safely with more than 4 people in chairs. And the upper deck, without a roof overhead, was simply too hot to be on in the middle of the day.

For these reasons, we decided that we needed to expand the dock. We wanted another boat bay, we wanted to be in deeper water, and we wanted a roof over the upper deck. I measured that expanding north the lake depth increased 1.5 feet per 10 feet that you go north, so a 20-foot expansion north would get us to 9 feet deep water at the back of the boat bay(s), and 6 feet at the front (when the lake is full). This would give us the ability to still use our boat even when the lake drops 4 feet every summer. This 20-foot expansion north would also still be within the overall limit of 100 feet from the shoreline.

For the extra boat bay, we could either expand west, or east. I measured that expanding west from the end of our boat dock the lake depth became shallower, and as you go east it became deeper, so we expanded east to add the additional boat bay.

We contracted with Docks on the Water to do this expansion of our dock as they are the best dock builders for our lake. We inquired about permitting and were told by our contractor that the city did not require permits for docks, and we also understood that there was not a process in place either, so we proceeded.

We considered all types of ways to do these expansions, we wanted to mitigate costs where we could, but we also wanted the overall finished dock to look like one cohesive design and not be a chopped-up conglomerate such as what you can often see on lakes where the add on ends up looking like two different docks attached to each other. Our existing dock had a 10-foot spacing between all poles going north/south and east/west. The only way to keep this same spacing and continuity was to use the same 10-foot spacing of poles. The end product is pleasingly symmetric and looks like it could have been the original design to begin with.

In the end, our dock framing consists of 4 rows of 6 steel posts. This grid of poles measures 30 feet wide by 50 feet long, such that from a fish's perspective, this dock is a 1,500 square foot dock at lake level. It is only because of the 3-foot walkways on the outside of the boat bays (which carries forward to the front of the dock to keep that symmetrical/cohesive look), that we end up at 36 feet by 50 feet or 1,800 square feet on the deck surface. Again, we were working with an existing dock to which following the design and structure already in place put us where we are. Current picture showing the lower and upper decks complete, but without roof and cable railings due to work stoppage.



OWNER LETTER

Item 9&10

Finally, our plans call for the construction of a roof over the second deck. As mentioned before, the upper deck without a roof is almost unusable in the summer days. Also, without a roof, our dock was being impacted by sun and rain causing premature deterioration of the wood. The current upper deck is the third set of treated wood boards since we have been here as the wood just doesn't last without sun protection.

We ask that the City approve this SUP. The dock is beautiful. Our contractor Docks on the Water has done an excellent job of expanding this dock such that it looks like this was the original design from the beginning. It has the same poles, the same framing, the same decking, the same everything following the original dock. And the first and second decks are already built. Please approve this SUP so that we can finish this project and our family can enjoy our new dock.

John Ward and Evan Ward


EXHIBIT A - LOCATION MAP
Item 9&10
N
LAKERIDGE DR
SWANI LAKE DR
OLD HOWARD RD
HOWARD RD
PENN COVE
HUNTER PASS
Feet
0
187.5
375
750
1,125
1,500
ZDC-60-2024 (SUP)

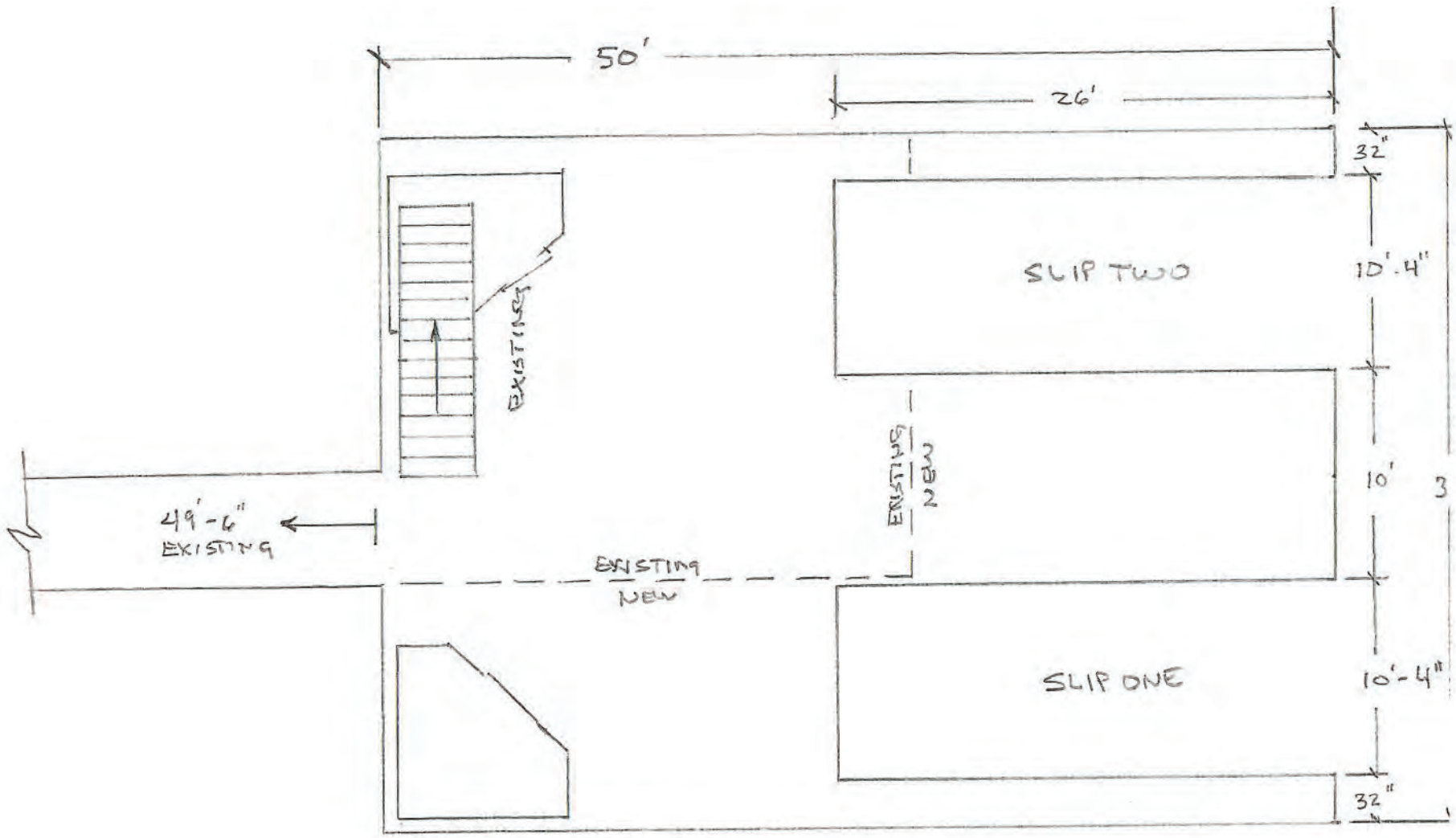
EXHIBIT B - SITE PLAN

Item 9&10

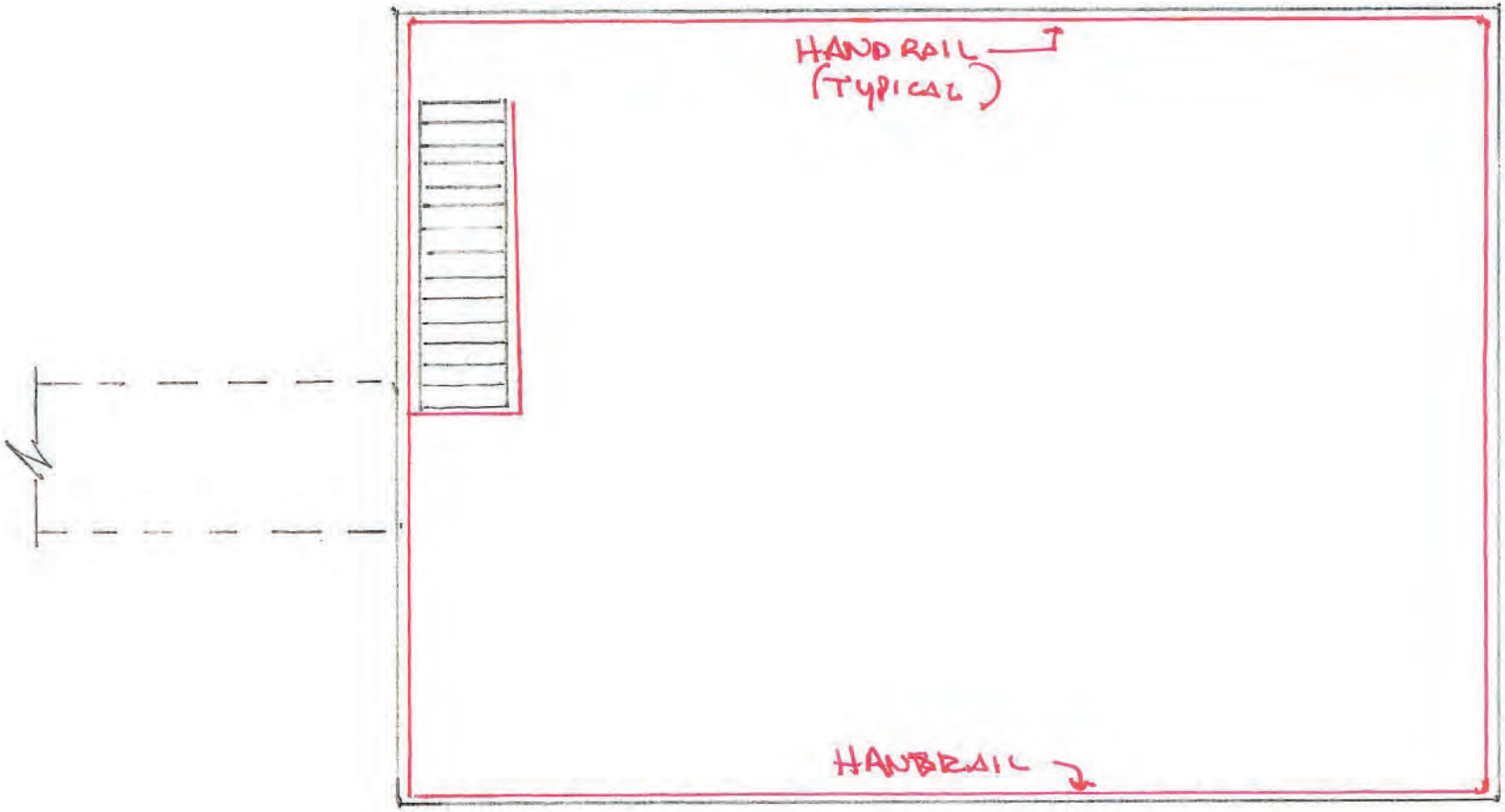


EXHIBIT C - FLOOR PLAN

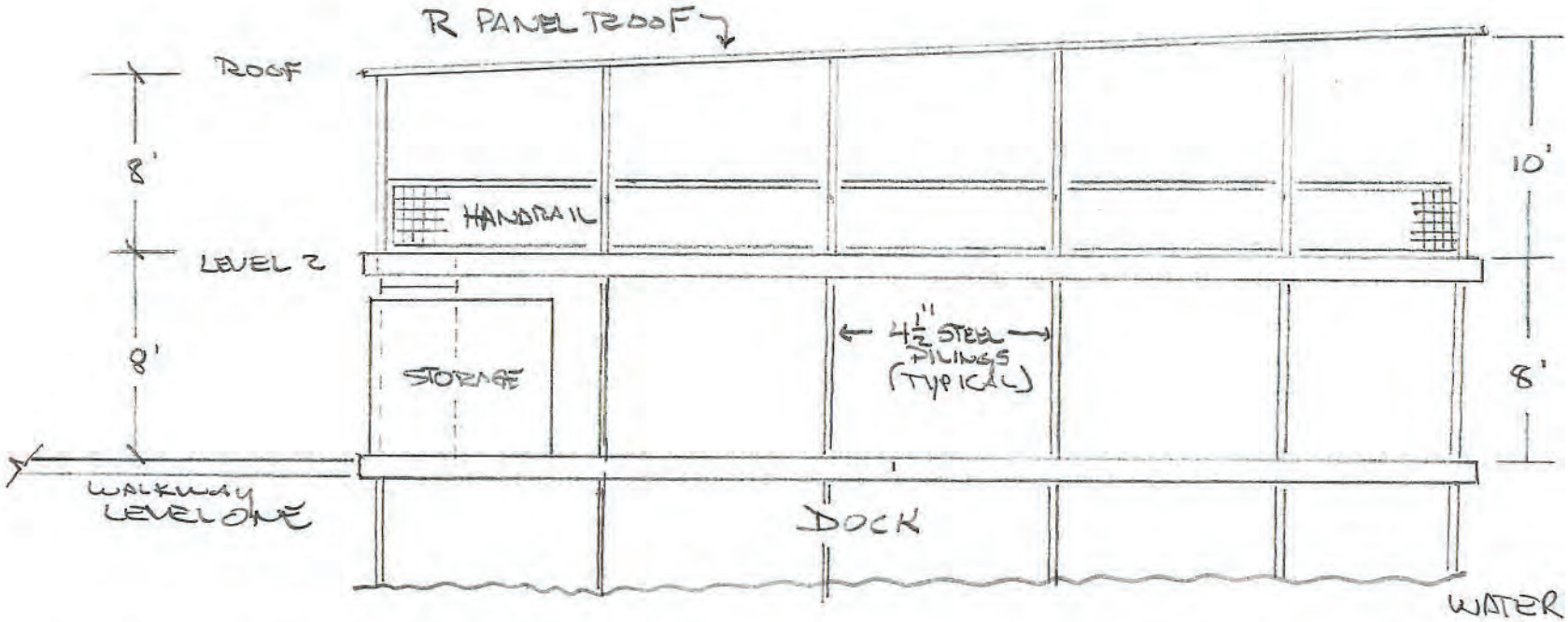
Item 9&10



J. WARD DOCK LEVEL ONE
118 HUNTER PASS



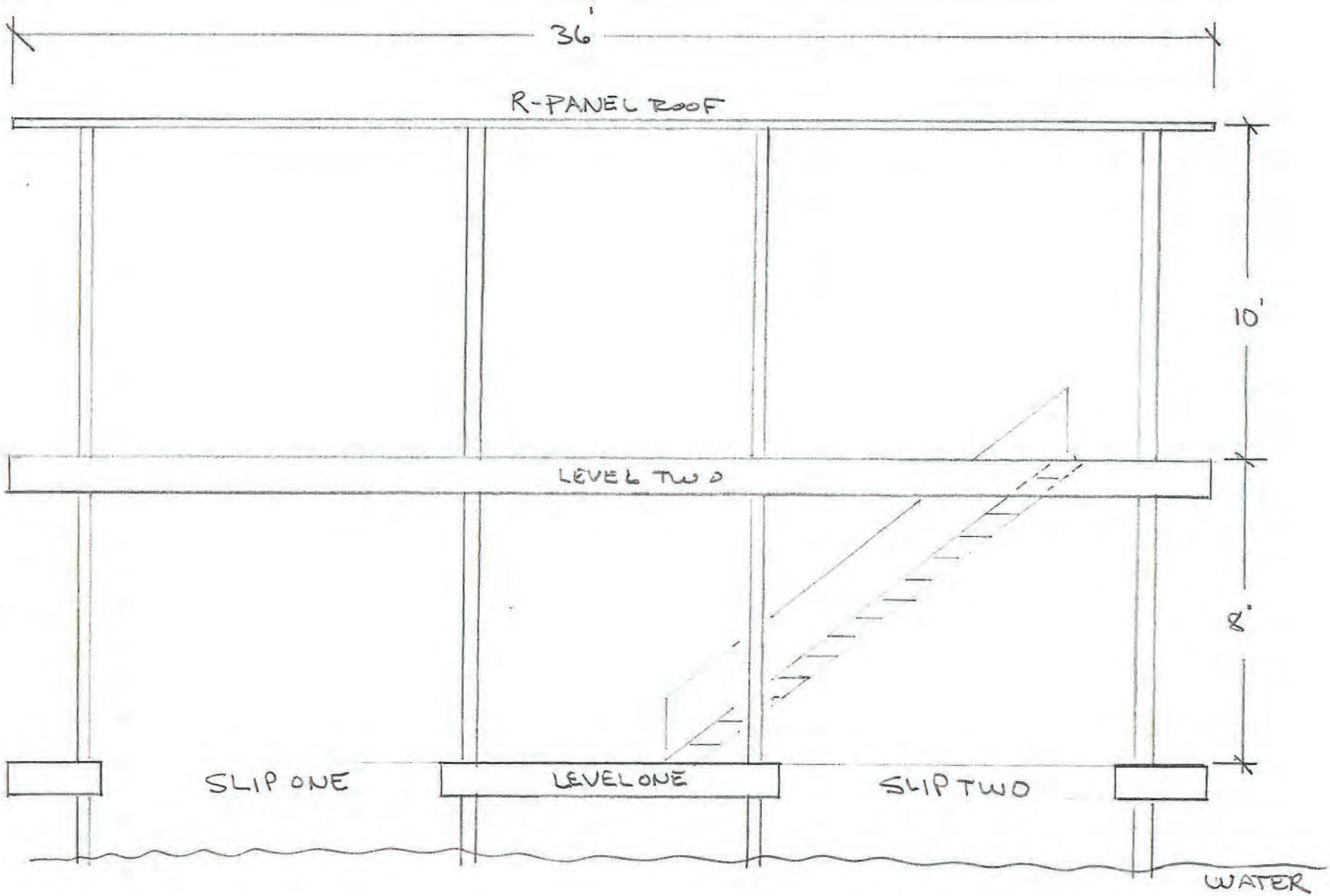
J. WARD DOCK LEVEL TWO
118 HUNTER PASS



1. WARD DOCK SIDE VIEW (EAST TO WEST)
118 HUNTER PASS

EXHIBIT C - FLOOR PLAN

J. WARD LAKESIDE VIEW (NORTH TO SOUTH)
118 HUNTER PASS



Planning & Zoning Department

Zoning Staff Report

Case: ZDC-41-2024

MEETING DATE(S)

Planning & Zoning Commission: May 14, 2024
City Council: May 20, 2024

CAPTION

Public Hearing on a request by Kathryn Soliz for a **Specific Use Permit (SUP)** for an **Accessory Structure +700SF** use within a Single Family-1 (SF-1) zoning district located at 2300 Howard Road (Property ID 199423) - Owner: Kathryn Soliz & Brodie Soliz (ZDC-41-2024)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-41-2024, a Specific Use Permit for an Accessory Structure +700SF, subject to the conditions the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

The applicant requests approval of a SUP to allow an Accessory Structure larger than 700 square feet.

CASE INFORMATION

Applicant:	Kathryn Soliz
Property Owner(s):	Kathryn Soliz & Brodie Soliz
Site Acreage:	7.304 acres
Current Zoning:	Single Family-1 (SF-1)
Requested Zoning:	SF-1 with a SUP for an Accessory Structure +700SF

SUBJECT PROPERTY

General Location:	2300 Howard Road
Parcel ID Number(s):	199423
Existing Use:	Single Family Residence
Development History:	The subject property was platted in 1992.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-1 with SUP for Accessory Structure +700SF & Solar Panels	Single Family Home
East	Heavy Industrial (HI)	Wastewater Plant
South	Future Development (FD)	Single Family Home
West	Planned Development-35-Commercial (PD-35-C)	Single Family Home

Future Land Use Plan: Mixed-Use Neighborhood

Comprehensive Plan: A mixed-use neighborhood hearkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near-exclusive uses, such as large multiplex apartments or retail centers with the large land areas devoted to automobile parking, do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this placetype, it is essential to make sure residential uses appropriately transition from one another based on the housing typology.

Thoroughfare Plan: The subject property is accessible via Howard Road

Site Image:



PLANNING ANALYSIS

The applicant proposes a Specific Use Permit (SUP) to construct an accessory structure greater than 700 square feet to the rear of an existing home at 3224 Howard Road. The property previously had two (2) accessory structures; but both of these structures have been recently removed from the property. Per the City of Waxahachie Zoning Ordinance, an accessory structure that is greater than 700 square feet requires a SUP to be approved by City Council.

Proposed Use:

According to the Ellis County Appraisal District, the existing single-family dwelling is approximately 3,614 square feet, and the proposed accessory structure has an area of 1,080 square feet. The accessory structure is comprised entirely of metal r-panel and is proposed to be used for storage of household equipment. The applicant has noted that the structure will not be used for storage of cars or heavy machinery.

The applicant has also confirmed to staff that the structure will not be used as a dwelling or short-term rental and will not be metered, sold, or leased separately from the existing primary structure. The subject property currently utilizes a gravel driveway. The applicant proposes to extend the existing gravel driveway to the accessory structure. Typically, a concrete driveway is required to connect to accessory structures that will be accessed by vehicles. However, Section 5.02.b.ii of the Waxahachie Zoning Ordinance allows gravel driveways to be utilized in the FD, RR, and SF1 Zoning Districts on lots that are three (3) acres or larger.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 9 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property. Staff has received no letters of support or opposition for the proposed SUP.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the SUP request, subject to the conditions noted below.

Conditions:

1. The accessory structure shall not be used as an accessory dwelling without a Specific Use Permit approved by City Council.
2. The accessory structure shall not be used as a short-term rental without a Specific use Permit that has been approved by City Council.
3. The accessory structure shall not be used for commercial purposes.
4. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
5. The accessory structure shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory structure.

ATTACHED EXHIBITS

1. Location Map – Exhibit A
2. Site Plan – Exhibit B
3. Elevation/Façade Plan – Exhibit C
4. Operational Plan – Exhibit D

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

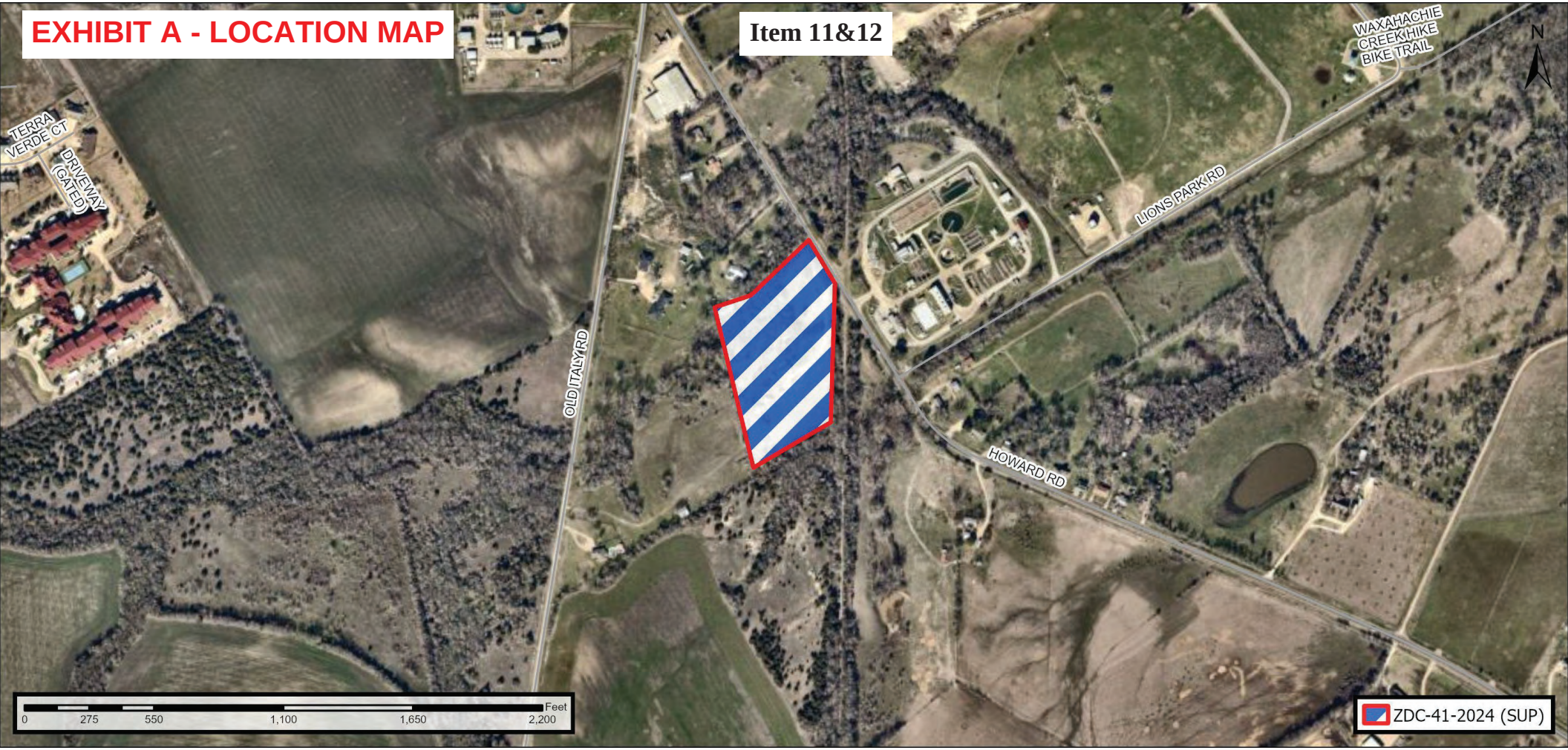
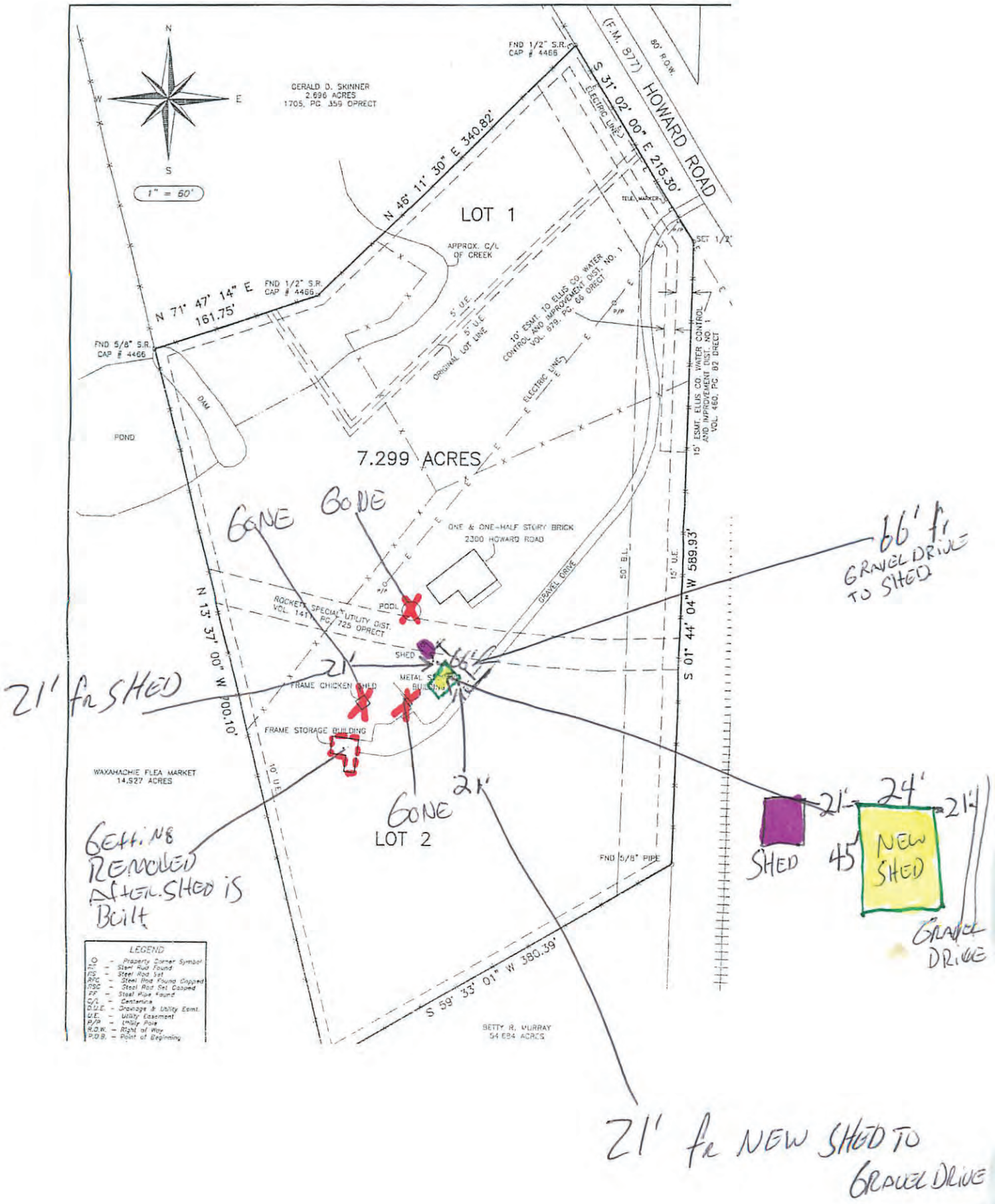

EXHIBIT A - LOCATION MAP
Item 11&12
TERRA VERDE CT
DRIVEWAY (GATED)
OLD ITALY RD
LIONS PARK RD
WAXAHACHIE CREEK HIKE BIKE TRAIL
HOWARD RD
N
0
275
550
1,100
1,650
2,200
Feet
ZDC-41-2024 (SUP)

EXHIBIT B - SITE PLAN

Item 11&12



East Texas Carports
1000 1/2 W Cotton St
Longview, TX 75604
903-234-8922
info@easttexascarport.com

Customer Order - **Dec 12, 2023** — TXK Building's

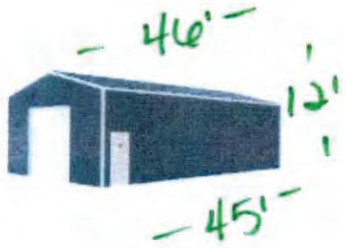
Ship To

Name Kathryn Soliz
Billing Address
City
State
Zip Code
Order #
Install Address 2300 Howard Road ✓
City Waxahachie ✓
State TX ✓
Zip Code 75165 ✓
Email kathrynsoliz27@yahoo.com
Phone # 469-688-7475 ✓
Mobile # 972-989-7121

Building Info		Size	Color	Anchoring & Site Preparation	
Style:	Garage	24' Width X 45' Frame Length X 12' Leg Height	Roof ✓	Installation Surface:	Concrete
Roof Overhang:	6"		Trim: ✓	Power Available	☒
Roof Style:	A-Frame Vertical		Gable End Siding ✓	Site Ready	☒
Leg Style:	Standard		Side Wall Siding ✓	Job Site Level	☒
Brace:	Standard Brace			Permit Required	☐
				Job Site Images	I agree to send pictures of the job site via e-mail to info@easttexascarport.com prior to building installation.

Garrett

Building Images



Perspective View



Front


Left Side


Right Side



Back

NO RTO
APPROVED

EXHIBIT D - OPERATIONAL PLAN **Item 11&12**

Attention Zack King: 3-28-2024

I would like to request to keep our gravel driveway. It was there when we purchased the house in May 2016 and we extended it to make a circle driveway using Homer Sand and Gravel out of Red Oak and we have had crushed concrete added to fill in our driveway when needed.

Our plan for the proposed structure is to use it to house our bicycles, two lawnmowers, four-wheelers, dirtbikes, seasonal tubs including xmas, easter, and all the other seasons of décor, lawn equipment and to use as storage for other items. This shop is going to be used to house all of our items that cannot be housed inside our house. We do not intend to use this to fix anything, house cars or any heavy machinery.

We do not plan on installing electrical at this time. If we choose to pursue this route in the future, we will contact the city to go the route needed for electrical.

We do not plan on having any plumbing in the shop.

The accessory structure shall not be used as a dwelling or commercial purposes. We do not plan on leasing out our shop for any reason. We are not selling the shop as a primary residence. We are not getting a separate meter for our shop. If and when we decide to add electrical, we will have it connected to our meter for our house. We are not using this shop as a short term rental.

We have torn down 2 of the structures that are listed on our survey. There is no longer a chicken shed or a metal storage building. The pool was removed before we purchased the house. So there is no pool. The only structure left is the frame storage building that is labeled on the survey. This is currently what we use to house our lawn equipment, bicycles, four wheelers etc.

Please let me know if you need any additional information and I will be happy to provide what is needed.

Thanks,

Kathryn and Brodie Soliz

2300 Howard Road

Waxahachie, Texas 75165

469-688-7475/972-989-7121

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-68-2024

MEETING DATE(S)

Planning & Zoning Commission: May 14, 2024
City Council: May 20, 2024

CAPTION

Public Hearing on a request by Gary Davis, for a **Specific Use Permit (SUP) Amendment** for an **Ordinance 3469 – Accessory Structure +700SF** use within a Planned Development-Single Family-1 (PD-SF-1) zoning district located at 109 Sanders Drive (Property ID 269676) - Owner: Gary Davis (ZDC-68-2024) Staff: Zack King

RECOMMENDED MOTION

"I move to recommend denial of ZDC-68-2024, a Specific Use Permit (SUP) Amendment for Ordinance 3469."

APPLICANT REQUEST

The applicant requests an amendment to Ordinance 3469, a Specific Use Permit for an Accessory Structure greater than 700 square feet, to allow the accessory structure to utilize a separate electric meter from the primary residence.

CASE INFORMATION

Applicant:	Gary Davis
Property Owner(s):	Gary Davis
Site Acreage:	1.00 acres
Current Zoning:	Planned Development-Single Family-1 (PD-SF-1) with SUP
Requested Zoning:	Planned Development-Single Family-1 (PD-SF-1) with SUP

SUBJECT PROPERTY

General Location:	109 Sanders Drive
Parcel ID Number(s):	269676
Existing Use:	Single family residence with a 748 SF accessory structure
Development History:	A plat for the subject property was recorded on 7/20/2017. A SUP for an accessory structure +700SF was approved on 3/18/24.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-SF-1	Residential use
East	PD-SF-1	Residential use
South	PD-SF-1 & SF-1	Residential use
West	PD-SF-1	Residential use

Future Land Use Plan:

Residential Neighborhood

Comprehensive Plan:

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

Thoroughfare Plan:

The subject property is accessible via Sanders Drive.

Site Image:



PLANNING ANALYSIS

The applicant proposes an amendment to Ordinance 3469, a Specific Use Permit for an Accessory Structure greater than 700 square feet, to allow the accessory structure to utilize a separate electric meter from the primary residence. Ordinance 3469 was approved for the subject property by City Council on March 18, 2024. This ordinance provided zoning approval for placement of a 748 square foot accessory structure on the subject property. During the original SUP process, the applicant noted the accessory structure was proposed to be used as a private art studio.

Planning Analysis (continued)

Prior to the March 12, 2024, Planning & Zoning Commission meeting and the March 18, 2024, City Council meeting, the applicant was provided with a copy of the staff report and SUP Ordinance for the proposed accessory structure. The staff report and SUP Ordinance included a condition of approval for the request that prohibited separately metering the accessory structure from the primary home. This is a standard condition of approval attached to all SUP requests for accessory structures in Waxahachie. The purpose of this requirement is to prevent the accessory structure from being converted to a dwelling without prior City approval.

Following the March 18, 2024 City Council meeting, the applicant submitted a building permit for the approved accessory structure. The building permit included plans to install a separate electric meter for the accessory structure. Staff reiterated to the applicant that the SUP for the subject property prohibits the accessory structure from being separately metered from the primary structure. At that time, the applicant requested to pursue an amendment to the SUP (Ord. 3469) to allow the accessory structure to utilize a separate electric meter. The applicant has provided a letter stating this amendment is being pursued because providing electricity to the accessory structure through the existing home is cost-prohibitive.

STAFF CONCERNS

Staff is concerned that approval of the proposed SUP Amendment would set a precedent and enable the accessory structure to be utilized as a dwelling in the future without prior inspection or approval by the City. Installation of a separate meter from the primary home would allow for separate utility billing for the accessory structure in the future. The option for separate utility billing removes an important barrier preventing use of the accessory structure as a dwelling.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 12 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PUBLIC NOTIFICATION RESPONSES

Staff has received has received three (3) letters in support for the proposed SUP Amendment.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends denial of the SUP Amendment request.

ATTACHED EXHIBITS

1. PON Responses
2. Ordinance 3469
3. Applicant Amendment Request Letter

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-68-2024

GENO OSBERTO JR & CHRISTINE M
157 Homestead Ln
Waxahachie, TX 75165-4008

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Gary Davis, for a **Specific Use Permit (SUP) Amendment** for an Ordinance 3469 – Accessory Structure +700SF use within a Planned Development-Single Family-1 (PD-SF-1) zoning district located at 109 Sanders Drive (Property ID 269676) - Owner: Gary Davis (ZDC-68-2024) Staff: Zack King

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

Case Number: ZDC-68-2024 **City Reference: 269673**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT ☐ OPPOSE

Comments:

Christine M Geno
Signature

4/29/2024
Date

Christine M Geno
Printed Name and Title

157 Homestead Lane
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-68-2024

GOTT CAMERON & ERIN C
100 SANDERS DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Gary Davis, for a **Specific Use Permit (SUP) Amendment** for an Ordinance 3469 – Accessory Structure +700SF use within a Planned Development-Single Family-1 (PD-SF-1) zoning district located at 109 Sanders Drive (Property ID 269676) - Owner: Gary Davis (ZDC-68-2024) Staff: Zack King

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

Case Number: ZDC-68-2024 **City Reference: 269688**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☑ SUPPORT ☐ OPPOSE

Comments: Give these good people their Pottery Shed. The people of Waxahachie need More art.

Signature

4/21/24
Date

Cameron Gott
Printed Name and Title

100 Sanders Dr.
Address

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

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

From: Guinn, Danielle
Sent: Thursday, May 9, 2024 9:39 AM
To: Pruitt, Jennifer <jennifer.pruitt@waxahachie.com>
Subject: ZDC-68-2024 Letter of Support

Good Morning Ms. Pruitt,

I hope this email finds you well this morning. I am unsure of the rules or proper procedures (or eligibility even) to write a letter of support for a P&Z SUP. If it is permissible, I would like for this email to serve as a letter of support for ZDC-68-2024 regarding Gary & Ashley Davis. My residential address is 2200 Brown Street Apt #805, Waxahachie, TX 75165. My work address is 2000 Civic Center Lane, Waxahachie, TX 75165.

If there are other steps I need to take or if it is not acceptable to submit such a letter as I am a City employee; please let me know.

Thank you so much for all you and your team do for us and the City as a whole.

Danielle Guinn
Cultural Arts & Programming Coordinator
City of Waxahachie l Waxahachie CVB

Email: danielle.guinn@waxahachie.com
Mobile: (214) 463-7815
Telephone: (469) 309-4051
Address: 2000 Civic Center Lane, Waxahachie, TX 75165

www.VisitWaxahachie.com

ORDINANCE NO. 3469

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY STRUCTURE GREATER THAN 700 SQUARE FEET USE WITHIN A PLANNED DEVELOPMENT - SINGLE-FAMILY DWELLING-1 (PD-SF-1) ZONING DISTRICT AT 109 SANDERS DRIVE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 1.000 ACRES KNOWN AS PROPERTY ID 269676, 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 adopted a zoning ordinance and map showing the classification of the property located within the city limits of said City; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-9-2024. 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 City Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from PD-SF-1 to PD-SF-1, with a SUP in order to allow an Accessory Structure Greater Than 700 Square Feet use on the following property: Property ID 269676, which is shown on the Location Map (Exhibit A), in accordance with the Survey as Exhibit B, and the Exterior Elevations attached as Exhibit C.

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 THE OPERATION OF A SPECIFIC USE PERMIT FOR AN ACCESSORY STRUCTURE GREATER THAN 700 SQUARE FEET USE (GARY DAVIS) IN THE PLANNED DEVELOPMENT - SINGLE-FAMILY DWELLING-1 (PD-SF-1) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The accessory structure shall not be used as a dwelling without a Specific Use Permit that has been approved by City Council.

2. The accessory structure shall not be used as a short-term rental without a Specific Use Permit that has been approved by City Council.

3. The accessory structure shall not be used for commercial purposes.

4. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.

5. The accessory structure shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory structure.

6. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Survey, Exhibit C – Exterior elevations.

7. 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.

8. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance as approved by City Council, shall conform to those requirements and/or standards prescribed in Exhibits B – Survey and Exhibit C –Exterior elevations. Where regulations are not specified in Exhibits B and C, or this Zoning Ordinance, the regulations of the Planned Development- Single Family-1 (PD-SF-1) Zoning District shall apply to this development.

9. City Council shall have the right to review the Specific Use Permit at any point, if needed.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business of 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 (6) months, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner.
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

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 18th day of March, 2024.

CITY OF WAXAHACHIE 1849 COUNTY OF ELLIS

MAYOR

ATTEST:

City Secretary

ORDINANCE 3469

Item 13&14



ORDINANCE 3469

EXHIBIT B - SURVEY

Site Plan 1/29/2024 109 Sanders Dr Waxahachie, TX 75165 (Building Drawing is NOT to Scale) Provided Measurements on Drawing are ACTUAL.

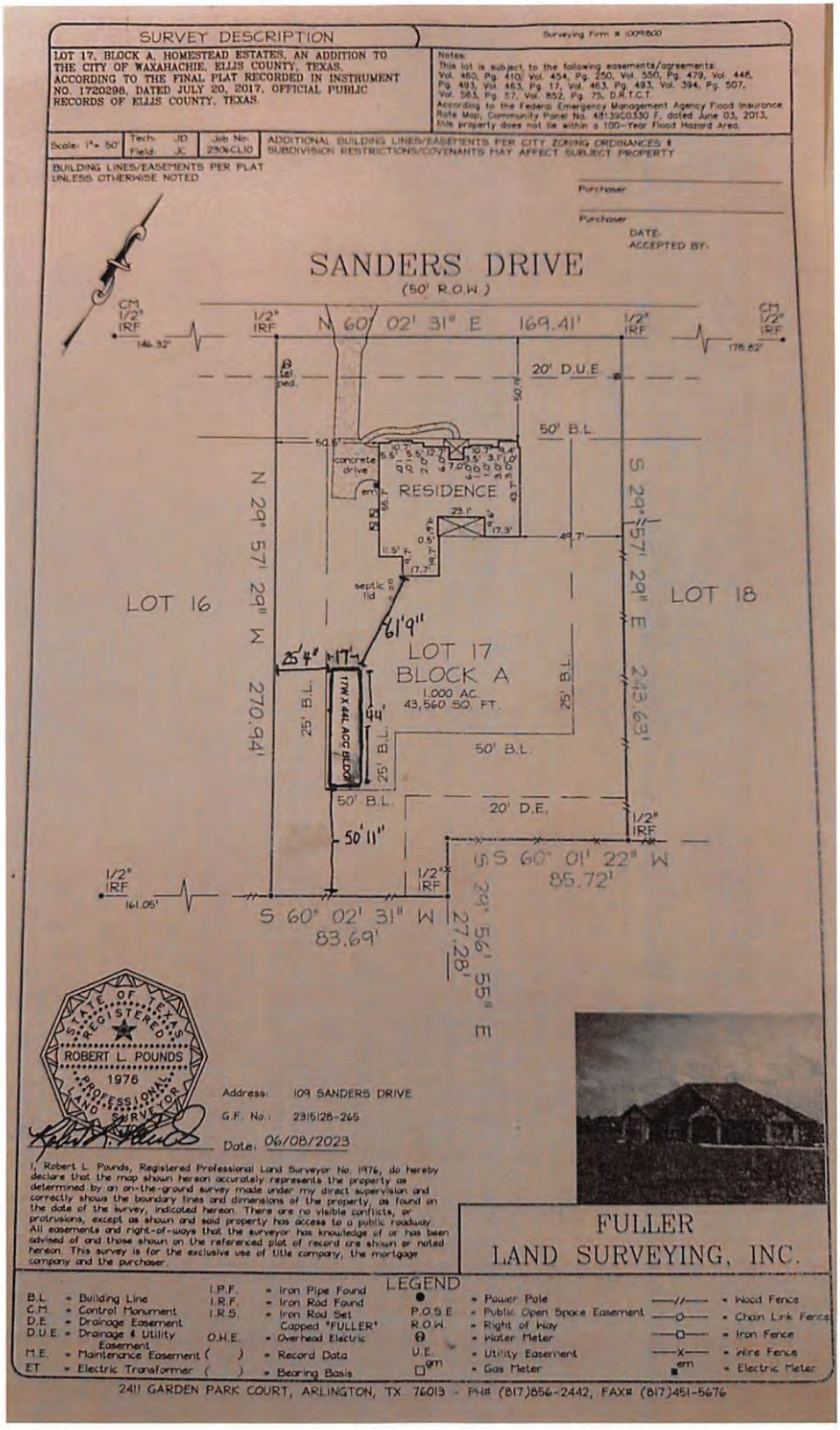
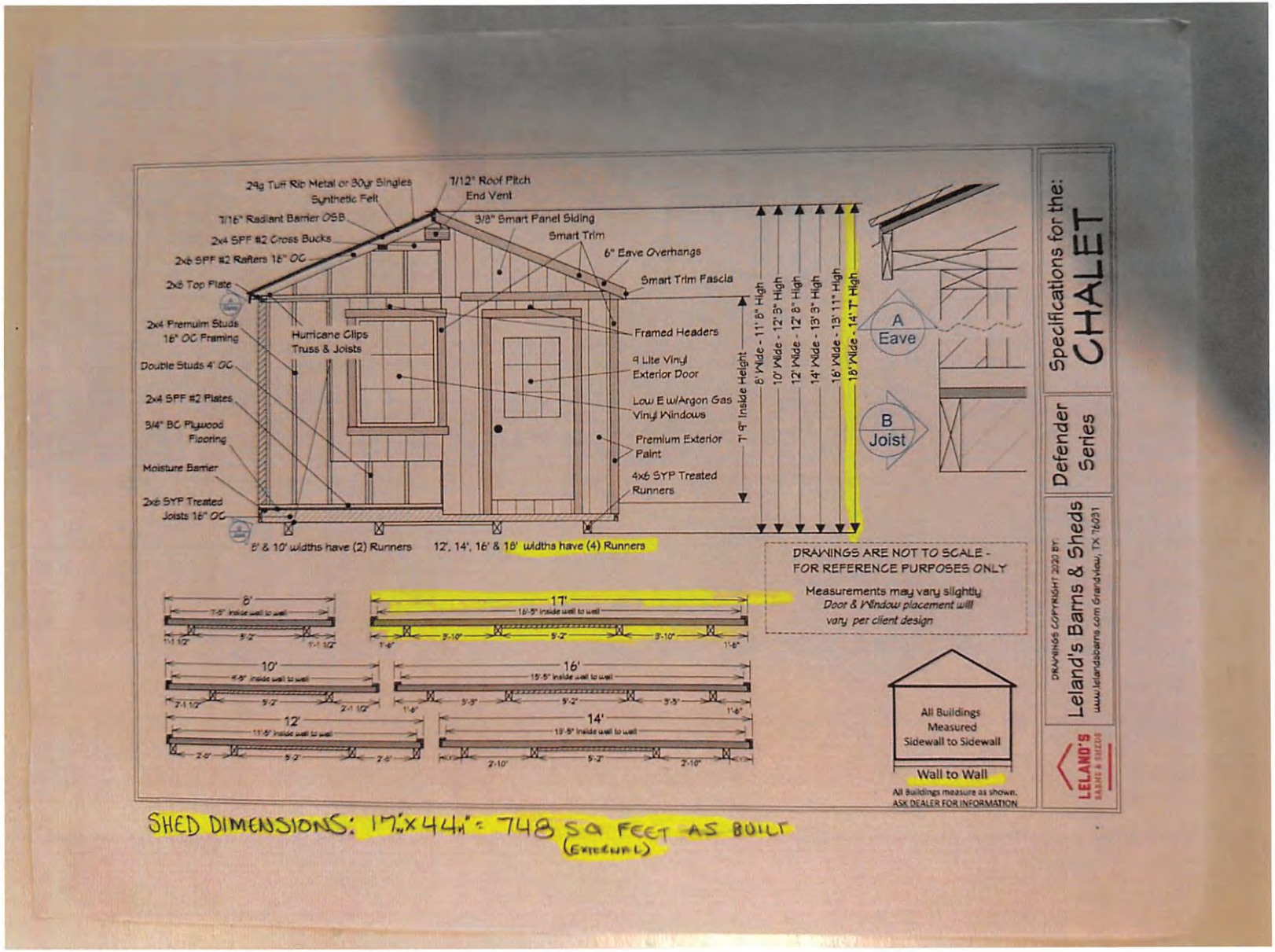


EXHIBIT C - ELEVATIONS

Accessory Building Elevations, Drawings, & Photos as Constructed at Factory



LELAND'S
BARNS & SHEDS

Chalet



Pictured with available upgrades, texas star shutters & dormer.

Chalet is built with the following specifications.

4x6 pressure treated runners
** Plated Runner is for units 40' long or more! **
2x4 Headers above doors and windows
2 runners on 8' and 10' wide buildings
4 runners on 12', 14', and 16' wide buildings
2x6 Pressure treated floor joists 16" O.C.
¾ BC plywood floor
Moisture Barrier under floor
Hurricane Clips
1x4 Trim

17W x 44L EXTERNAL DIMENSIONS AS BUILT

Walls & Siding

2x4 walls studs on 16" centers
Double studs at siding splices
Standard walls 7'9" (inside)
LP Smart Panel siding
(1) 9 Lite Door
(2) 3x4 Vinyl Windows Low E
End Vents

Roof

7/12 Roof Pitch
6" Gable Overhangs (End walls)
Roof decking Radiant Barrier 7/16 OSB
2x6 Roof Trusses
29 gauge metal
Truss Brace (NOT on dormer upgrade)

Front Elevation



Right Side Elevation



Left Side Elevation



Rear Elevation



Inside - Front to Rear



Inside - Rear to Front



Proposed Revisions to Previously Approved SUP - ZDC-9-2024

Change Language from:

(NOTE: Excerpt below is from approved SUP ZDC-9-2024 As Written)

4. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.

Change Language to (In Yellow and Parenthesis Below):

(NOTE: Excerpt below is from approved SUP ZDC-9-2024 and modified for purpose)

4. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.

- **"The accessory structure shall not be leased or sold separately from the primary residence, but special permission has been granted to allow the accessory structure to be separately metered for electricity only."**

Arguments for SUP Revision:

1. The Accessory Structure cannot and will not be used as a separate residence as already defined by the conditions of the original SUP. I, Gary Davis hereby re-confirm and accept that this Accessory Structure cannot ever be used as a residence. The Accessory Structure will be used solely as my wife's art workshop.

2. This Accessory Structure was welcomed and supported by our neighbors, as it will allow my wife to create art, and enrich our community.

3. ONCOR has already offered, (in writing) to run necessary hardware and install power to the Accessory Structure via a separate meter, **100% FREE** of charge.

4. The existing SUP, as written, proposes an unnecessary integrated electrical plan that is cost prohibitive and damaging to our ability to create art.

5. Requiring the Accessory Structure to be integrated into the primary residence's electrical system is far more complex and expensive than necessary. These extra costs will put an undue financial burden on us.

6. Getting the Accessory Structure electrified by running power from the existing ONCOR power pedestal, to my house, then modifying my homes existing electrical hardware, and then running wiring to the Accessory Structure will cost us an additional **$18,000.00** USD.

Taking the above points into account, I humbly request that you approve our request and modify the existing SUP. Allowing this small change will allow you to publicly display your support of the local art community.

Respectfully,

Gary L. Davis

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-51-2024

MEETING DATE(S)

Planning & Zoning Commission: May 14, 2024
City Council: May 20, 2024

CAPTION

Public Hearing on a request by Ana Reyes, for a **Specific Use Permit (SUP)** for a **Cosmetic and Restorative Studio** use within a Central Area (CA) zoning district located at 307 S Rogers Street (Property ID 170494) - Owner: With Willing Hands Investments LLC (ZDC-51-2024) Staff: Zack King

RECOMMENDED MOTION

"I move to recommend approval of ZDC-51-2024, a Specific Use Permit (SUP) for a Cosmetic and Restorative Studio (Beauty & Image Studio by Ana Reyes), subject to the conditions the staff report."

APPLICANT REQUEST

The applicant requests approval of a SUP to allow for a Cosmetic and Restorative Studio (Beauty & Image Studio by Ana Reyes) at 307 S Rogers Street.

CASE INFORMATION

Applicant:	Ana Reyes
Property Owner(s):	With Willing Hands Investments LLC
Site Acreage:	0.116 acres
Current Zoning:	Central Area (CA)
Requested Zoning:	CA with SUP for a Cosmetic and Restorative Studio

SUBJECT PROPERTY

General Location:	307 S Rogers Street
Parcel ID Number(s):	170494
Existing Use:	With Willing Hands Antiques currently occupies the subject property. The room proposed to be occupied by "Beauty & Image Studio by Ana Reyes" is currently unoccupied.
Development History:	The subject property is platted as Lots 1A & 4B, Block 22 of the Original Town addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	Central Area (CA)	Retail Stores & Shops
East	Central Area (CA)	Retail Stores & Shops
South	Central Area (CA)	Retail Stores & Shops
West	Central Area (CA)	Retail Stores & Shops

Future Land Use Plan: Downtown

Comprehensive Plan: It is most appropriate to think of the Downtown placetype as a modification of the mixed-use neighborhood placetype. Waxahachie benefits from an attractive historic core and this placetype serves to preserve and allow for incremental improvement of that area. The core of Downtown is ripe for quality vertical mixed-use development. New single-family homes are generally discouraged here as denser housing types are desired downtown to provide more patrons to support the abundance of local businesses downtown. Attached and stacked housing is appropriate since the downtown core is predominantly developed; denser housing will most likely occur on the fringes or edges of downtown. Active rooftops, sidewalk cafes, and parklets are an opportunity to further activate the downtown core.

Thoroughfare Plan: The subject is accessible via S Rogers Street.

Site Image:



PLANNING ANALYSIS

The applicant proposes a SUP to allow for a Cosmetic and Restorative Studio (Beauty & Image Studio by Ana Reyes) at 307 S Rogers Street. The studio is proposed in a space approximately 180 square feet in size and is located on the third floor of 307 S Rogers Street. The suite is accessible via a stairway and door opening directly onto S Rogers Street. The suite does have emergency access door into the third floor of the With Willing Hands Antique store.

Background:

On May 1, 2023, City Council adopted an ordinance (Ord. 3374) defining and establishing a land use category for "Cosmetic Studio Restorative" uses. This ordinance established the requirement for "Cosmetic Studio Restorative" uses to receive approval of a Specific Use Permit (SUP) to operate in the General Retail (GR), Central Area (CA), and Commercial (C) zoning districts. Notably, this ordinance also extended the requirement for "Tattoo or Body Piercing Shop" uses to receive approval a Specific Use Permit (SUP) in the General Retail (GR), Central Area (CA), and Commercial (C) zoning districts.

Ordinance 3374 defines "Cosmetic Studio Restorative" uses as "an establishment that provides permanent or semi-permanent pigmentation into the skin for eyebrows, eyeliner, lip liner/color/blend, blush, beauty marks, hair imitation, microblading or restorative tattoo services performed by licensed professionals that have been trained in the field of corrective cosmetics. Restorative tattoo services aim to restore the natural appearance of a certain area of the body or skin, such as areola repigmentation or scar camouflaging. Restorative tattoo services exclude traditional tattoo services, which are provided solely for artistic purposes. A permanent cosmetic and restorative studio will serve as the primary use and will not be an accessory to another use."

Proposed Use:

The applicant is the owner of Beauty & Image Studio by Ana Reyes; which specializes in permanent makeup for eye brows and lips. This service is considered a "Cosmetic Studio Restorative" land use; which requires approval of a Specific Use Permit (SUP) in the Central Area zoning district. The applicant has operated as a licensed permanent makeup artist for 7 years and was previously located at 109 W Franklin Street, Suite 109. The studio does not offer body tattoo or body piercing services; but does offer additional cosmetic services like eye brow shaping and tinting. The applicant operates as a solo artist and works by appointments only. Walk-ins are not accepted. The proposed hours of operation for the studio are 8:00am to 7:30pm Monday through Friday and 9:00am to 1:00pm on Saturday.

It is important to note that "Suite 2" is not an official suite number that exists in the City of Waxahachie addressing database. To ensure proper routing to the space in the event of an emergency, an official suite number will be required to be assigned to the space prior to the issuance of a Certificate of Occupancy. The official suite number assignment will be coordinated with the Waxahachie Fire and Police Departments and the property owner. Due to the studio's location on the third floor, the official assignment will not be "Suite 2".

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 22 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun, and a sign was visible on the property.

PUBLIC NOTIFICATION RESPONSES

Staff has received three (3) letters of support for the proposed SUP.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the SUP request, subject to the conditions noted below.

Conditions:

1. Permission to operate a Cosmetic and Restorative Studio use at 307 S Rogers Street is granted only to Ana Reyes, owner of "Beauty & Image Studio by Ana Reyes". Approval to operate a Cosmetic and Restorative Studio use at this location will not transfer to another Cosmetic and Restorative Studio establishment or owner of Beauty & Image Studio by Ana Reyes.
2. An amendment to the SUP will be required in the event that the property owner wishes to expand the Cosmetic and Restorative Studio area beyond the approximately 180 square foot area identified in the Floor Plan – Exhibit C.
3. Services are required to be scheduled by appointment only. The hours of operation for the studio shall be 8:00 am and 7:30 pm Monday through Friday and 9:00am to 1:00pm on Saturday. Modifications to the hours of operation shall require an amendment to the SUP to be approved by City Council.
4. An official suite number is required to be assigned for the studio, prior to the issuance of a Certificate of Occupancy for the business.
5. A Certificate of Occupancy shall be issued by the Building and Community Services Department for "Beauty & Image Studio by Ana Reyes" prior to the opening of the business.
6. All exterior signage shall require a sign permit from the Building & Community Services Department and approval by the Heritage Preservation Commission.
7. If the premises covered by this Specific Use Permit is vacated and/or cease to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to re-establish the use.

ATTACHED EXHIBITS

1. PON Responses
2. Site Photos
3. Location Map – Exhibit A
4. Operational Plan – Exhibit B
5. Floor Plan – Exhibit C

APPLICANT REQUIREMENTS

1. If approved by City Council, the applicant can apply for a Certificate of Occupancy from the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

Item 15&16

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-51-2024

<><><>

WITH WILLING HANDS INVESTMENTS LLC
305 University Ave
Waxahachie, TX 75165-2351

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ana Reyes, for a **Specific Use Permit (SUP)** for a Cosmetic and Restorative Studio use within a Central Area (CA) zoning district located at 307 S Rogers Street (Property ID 170494) - Owner: With Willing Hands Investments LLC (ZDC-51-2024) Staff: Zack King

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

Case Number: ZDC-51-2024 **City Reference: 170494**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☑ SUPPORT ☐ OPPOSE

Comments:
Outside of ability to help new minority woman owned business ANA is extremely professional and caring.

Signature

4/27/24
Date

JOSH MENSINGER CO-OWNER
Printed Name and Title

305 UNIVERSITY AVE WAXAHACHIE
Address

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

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

City of Waxahachie, Texas

REVISED

Notice of Public Hearing

Case Number: ZDC-51-2024

RECEIVED MAY 06 2024

ROOROJO2022 LLC
1000 Ballpark Way Ste 300
Arlington, TX 76011-5169

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-51-2024 **City Reference: 170492**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☑ SUPPORT ☐ OPPOSE

Comments:

Adams
Signature

5/6/24
Date

Amber Adams Owner
Printed Name and Title

300 S. Rogers
Address

City of Waxahachie, Texas

REVISED

Notice of Public Hearing

Case Number: ZDC-51-2024

<>

ROOROJO2022 LLC
1000 Ballpark Way Ste 300
Arlington, TX 76011-5169

RECEIVED MAY 06 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ana Reyes, for a **Specific Use Permit (SUP)** for a Cosmetic and Restorative Studio use within a Central Area (CA) zoning district located at 307 S Rogers Street (Property ID 170494) - Owner: With Willing Hands Investments LLC (ZDC-51-2024) Staff: Zack King

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

Case Number: ZDC-51-2024 **City Reference: 170488**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☑ SUPPORT ☐ OPPOSE

Comments:

A Adams
Signature

5/16/24
Date

Amber Adams Owner
Printed Name and Title

301 S. Rogers
Address

SITE PHOTOS

Item 15&16







Main office area with view of street.

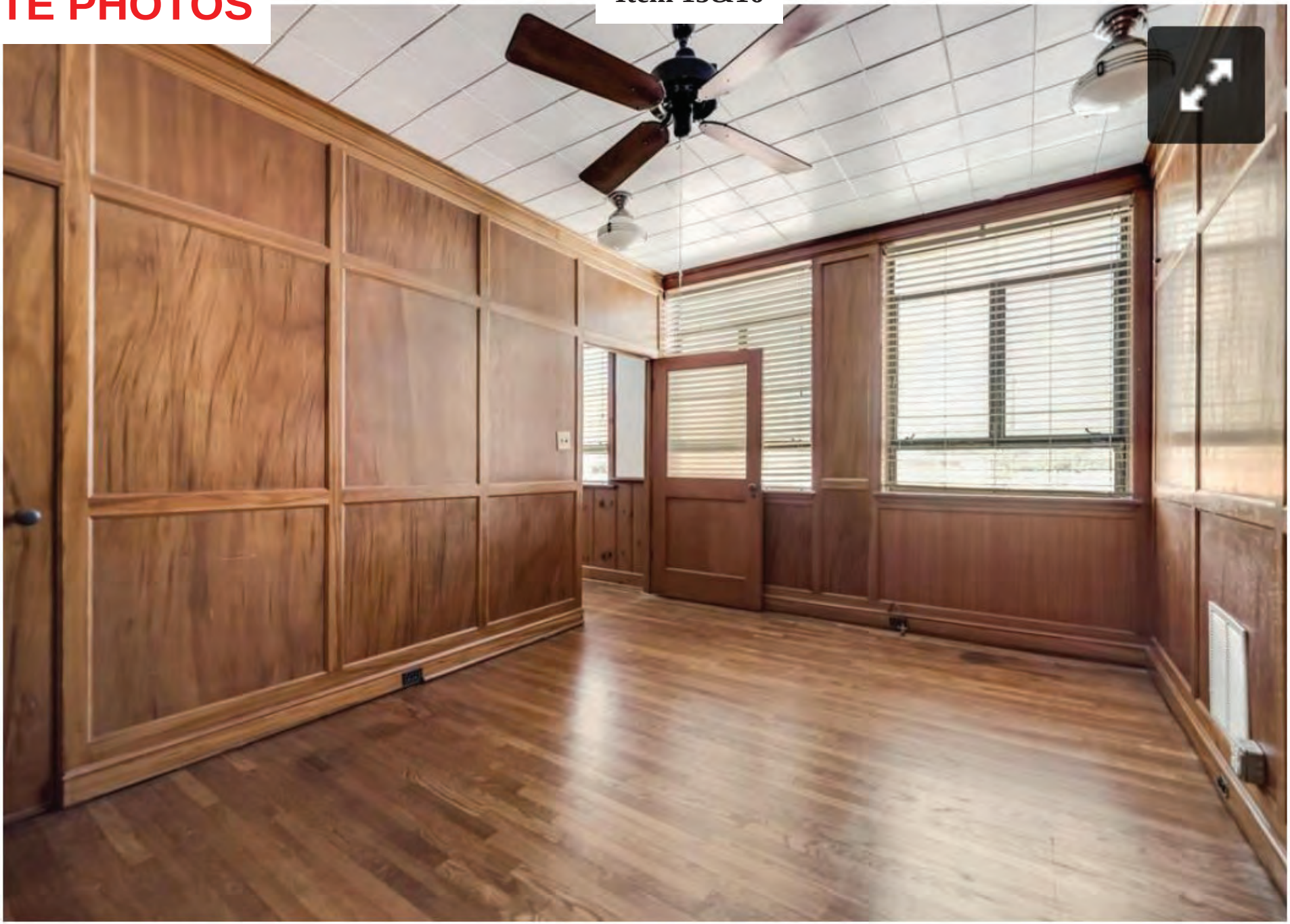


Upstairs lobby area.



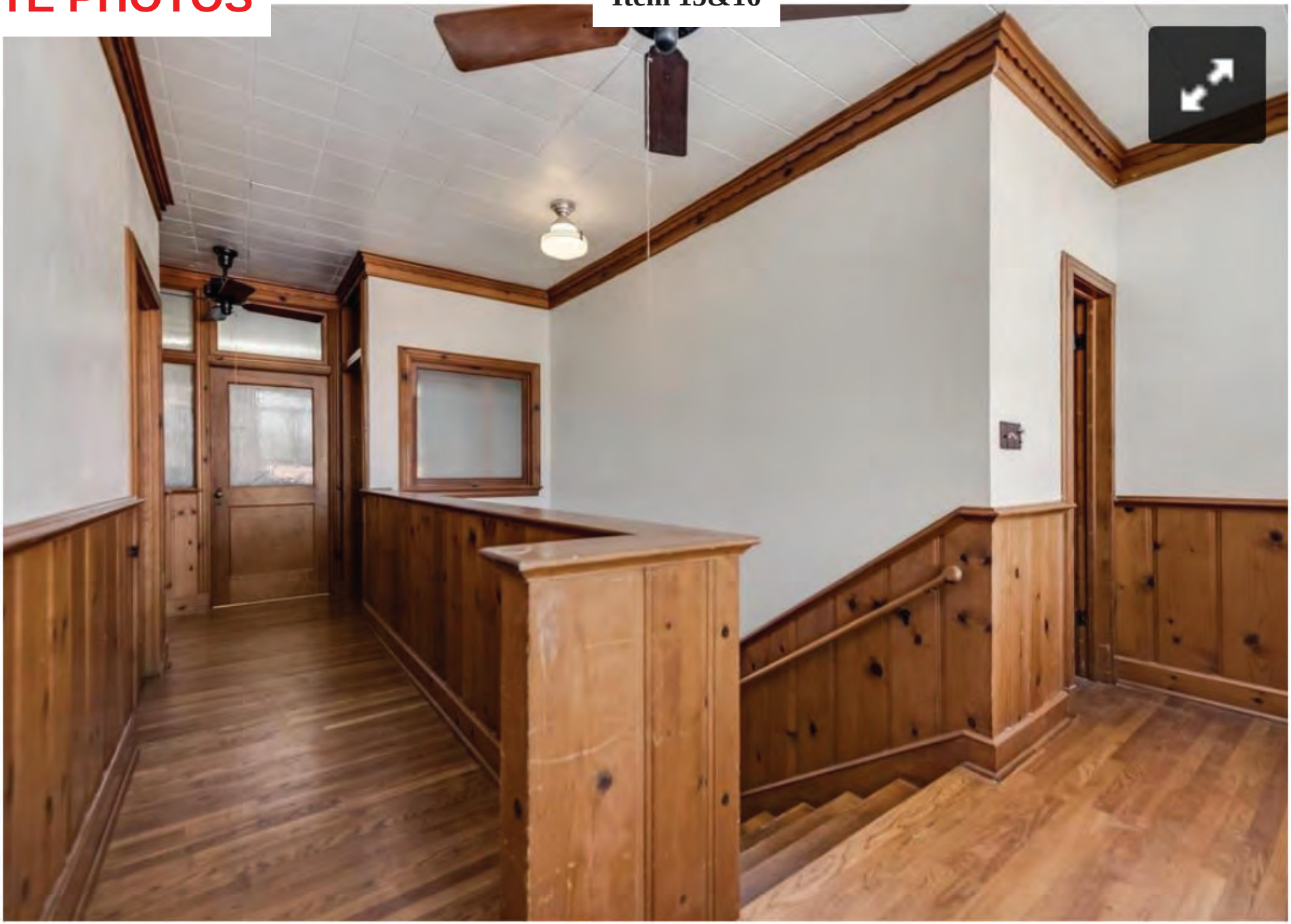
SITE PHOTOS

Item 15&16



SITE PHOTOS

Item 15&16



SITE PHOTOS

Item 15&16



Entrance to stairs
to 3rd floor-

SITE PHOTOS

Item 15&16



SITE PHOTOS

Item 15&16



SITE PHOTOS

Item 15&16



SITE PHOTOS

Item 15&16



Entrance to operational room

SITE PHOTOS

Item 15&16



SITE PHOTOS

Item 15&16



SITE PHOTOS

Item 15&16



SITE PHOTOS

Item 15&16



Exit- to Antique store


EXHIBIT A - LOCATION MAP
Item 15&16
S MONROE ST
W JEFFERSON ST
ALLEY
E FRANKLIN ST
S ELM ST
W MADISON ST
S ROGERS ST
ALLEY
S COLLEGE ST
E JEFFERSON ST
S JACKSON ST
N
0
50
100
200
300
400
Feet
ZDC-51-2024 (SUP)

Beauty & Image Studio by
Ana Reyes LLC

Permanent Makeup Artist

February 26, 2024

Cosmetic and Restorative Studio

Certified and Licensed permanent makeup artist for the past 7 years . Previously located at 109 W Franklin St suite 109 Waxahachie TX. Relocation to 307 S Rogers St, suite 2 -
I perform only tecniques of permanent makeup, like Microblading and Shading for Brows and Lip Blushing. Not doing any body piercing or body tattoos. Also offering non invasive services like brow shaping/grooming and tinting(not permanent make up).

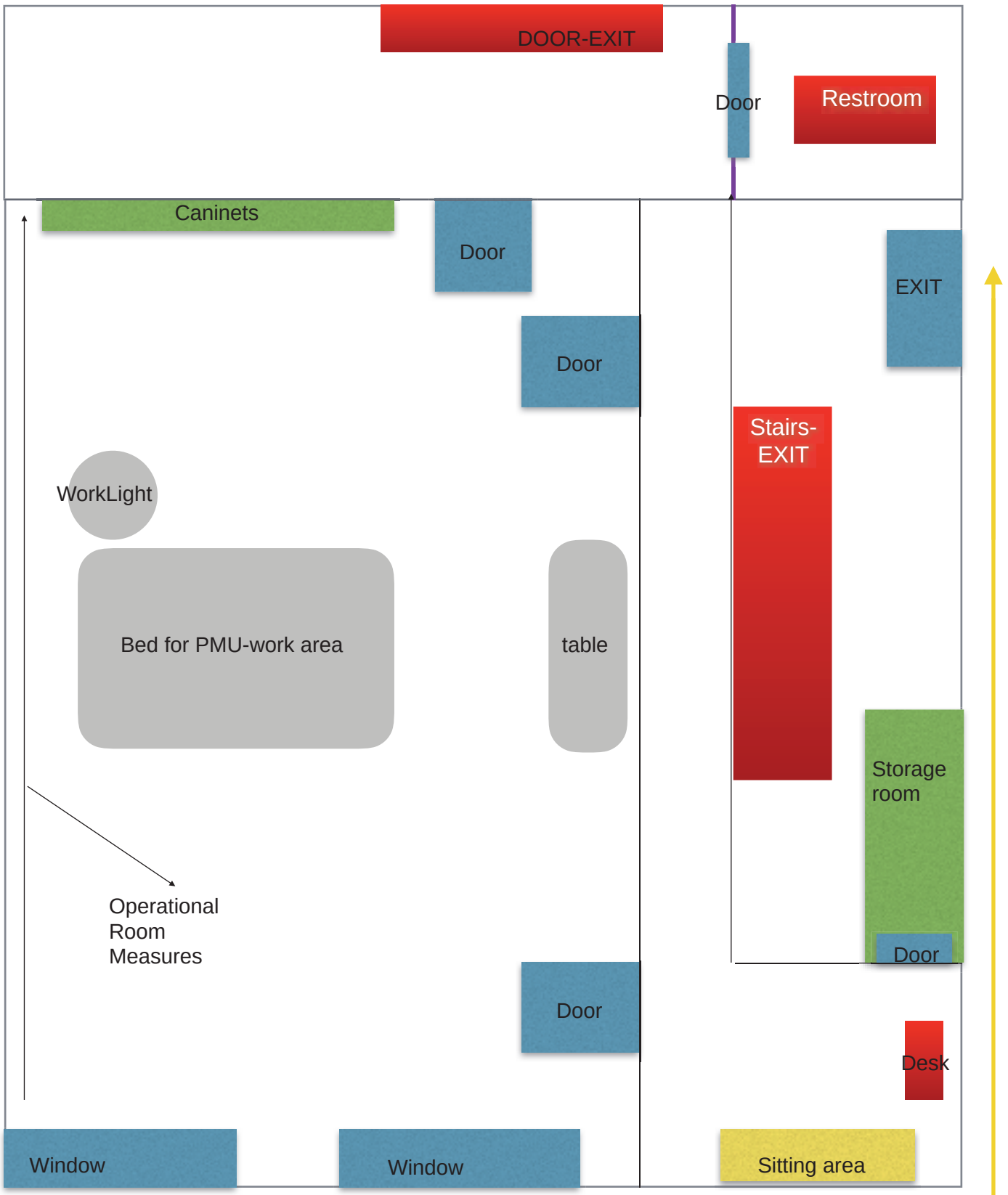
I'm a solo artist at the studio only working by appointments. My hours of operation are Monday thru Friday with in the hours of 8:00am- 7:30 pm. Scheduling appointments in the mornings or evenings depending on the clients needs. Saturday are as scheduled or need 9:00 am to 1pm. 3 hrs only. No Walk-ins.

The measurements of the operational suite are 180 sq ft

The proposed outdoor sign: wood 16
"x24"

Also I'm a Certified PhiAcademy artist and Licensed by the State of Health Department License # 1004593 since 2017.

Thank you,
Ana Reyes



307 S Rogers st 3rd floor
Waxahachie TX 75165

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-112-2023

MEETING DATE(S)

Planning & Zoning Commission: May 14, 2024
City Council: May 20, 2024

CAPTION

Public Hearing on a request by Steve Wilson, for a **Specific Use Permit (SUP)** for a **Bail Bond Agency** use within a Central Area (CA) zoning district located at the northwest corner of the intersection of S Jackson Street and E Jefferson Street (Property ID 170438) - Owner: Richard Shinpaugh (ZDC-112-2023) Staff: Zack King

RECOMMENDED MOTION

"I move to recommend approval of ZDC-112-2023, a Specific Use Permit (SUP) for a Bail Bond Agency, subject to the conditions the staff report."

APPLICANT REQUEST

The applicant requests approval of a SUP for a Bail Bonds Agency (Ellis County Bail Bonds) at the northwest corner of S Jackson Street and E Jefferson Street.

CASE INFORMATION

Applicant:	Steve Wilson
Property Owner(s):	Richard Shinpaugh
Site Acreage:	0.124 acres
Current Zoning:	Central Area (CA)
Requested Zoning:	CA with a SUP for a Bail Bonds Agency

SUBJECT PROPERTY

General Location:	Northwest corner of S Jackson Street and E Jefferson Street
Parcel ID Number(s):	170438
Existing Use:	The subject property is currently undeveloped.
Development History:	A Replat (SUB-40-2023) was approved for the property on August 7, 2023. The Replat is not yet filed. A Site Plan (SP-106-2023) was approved for the subject property on April 9, 2024.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	CA with SUP	A1 Bail Bonds
East	PD-CA	Downtown Parking Garage
South	PD-CA	Ellis County Jail
West	CA	Parking Lot

Future Land Use Plan: Downtown

Comprehensive Plan: It is most appropriate to think of the Downtown placetype as a modification of the mixed-use neighborhood placetype. Waxahachie benefits from an attractive historic core and this placetype serves to preserve and allow for incremental improvement of that area. The core of Downtown is ripe for quality vertical mixed-use development. New single-family homes are generally discouraged here as denser housing types are desired downtown to provide more patrons to support the abundance of local businesses downtown. Attached and stacked housing is appropriate since the downtown core is predominantly developed; denser housing will most likely occur on the fringes or edges of downtown. Active rooftops, sidewalk cafes, and parklets are an opportunity to further activate the downtown core.

Thoroughfare Plan: The property is accessible via S Jackson Street and E Jefferson Street.

Site Image:



PLANNING ANALYSIS

The applicant proposes a Specific Use Permit to allow for a Bail Bonds Agency (Ellis County Bail Bonds) at the northwest corner of S Jackson Street and E Jefferson Street. In April of 2024, the applicant received approval of a Site Plan application (SP-106-2023) for the subject property for a new two-story, 8,310 square foot, office building with nine (9) suites. The applicant received approval of the elevation/façade plan for the building from the Heritage Preservation Commission (HPS) in 2023. The Bail Bonds Agency associated with this SUP request is proposed to be located on the first floor of the approved office building in Suite 130.

Proposed Use:

The owner of the subject property, Richard Shinpaugh, is the owner of Ellis County Bail Bonds. Prior to 2023, Mr. Shinpaugh operated his bail bonds business at 309 S Jackson Street for over 30 years. In 2023, the owner of 309 S Jackson Street terminated Mr. Shinpaugh's lease and Mr. Shinpaugh was subsequently forced to relocated. On June 19, 2023, Mr. Shinpaugh received approval of a SUP to operate Ellis County Bail Bonds at 201 E Main Street, Suite 109 for up to two (2) years. Mr. Shinpaugh currently leases his space at 201 E Main Street and intends for this new location on S Jackson Street to be the permanent location for his Bail Bonds Agency once his existing SUP expires. The hours of operation at this location have been identified as 7:00am to 6:00pm, seven days a week.

The subject property is located downtown and is currently zoned Central Area (CA). The property is immediately adjacent to retail and commercial establishments and A1 Bail Bonds to the north. Notably, the subject property is situated directly across E Jefferson Street from the Ellis County Jail.

Although the proposed SUP would be automatically renewed each year, staff recommend the SUP grant permission to operate a Bail Bonds Agency at this location exclusively to "Ellis County Bail Bonds" and Richard Shinpaugh. The SUP at this location is not recommended to transfer to another bail bond agency business or owner of "Ellis County Bail Bonds". Additionally, staff recommends that the Bail Bond Agency use be limited to the first-floor suite identified on the attached Floor Plan exhibit, with approval of a new SUP being required to expend the footprint of the Bail Bond Agency within the building.

PUBLIC NOTIFICATIONS

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

PUBLIC NOTIFICATION RESPONSES

Staff has received no letters of support or opposition for the proposed SUP.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the SUP request, subject to the conditions noted below.

Conditions:

1. A bail bond agency is limited to Suite 130 at 216 S Jackson Street, as shown in Exhibit C – Floor Plan. A bail bond agency shall not be permitted anywhere else in the multi-tenant building at 216 S Jackson Street.
2. Permission to operate a bail bond agency use is only granted to "Ellis County Bail Bonds" managed and operated by "Richard Shinpaugh." Approval to operate a bail bond agency use at 216 S Jackson Street, Suite 130 will not transfer to another bail bond agency business or owner of "Ellis County Bail Bonds".
3. The hours of operation for "Ellis County Bail Bonds" are limited to Monday through Sunday 7:00 am to 6:00 pm.
4. Exterior building signage shall require approval by the Heritage Preservation Commission and a building permit from the Building and Community Services Department.

ATTACHED EXHIBITS

1. Exhibit A – Location Map
2. Exhibit B – Site Plan (Approved with SP-106-2023)
3. Exhibit C – Floor Plan (Approved with SP-106-2023)
4. Exhibit D – Elevation/Façade Plan (Approved with SP-106-2023)

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

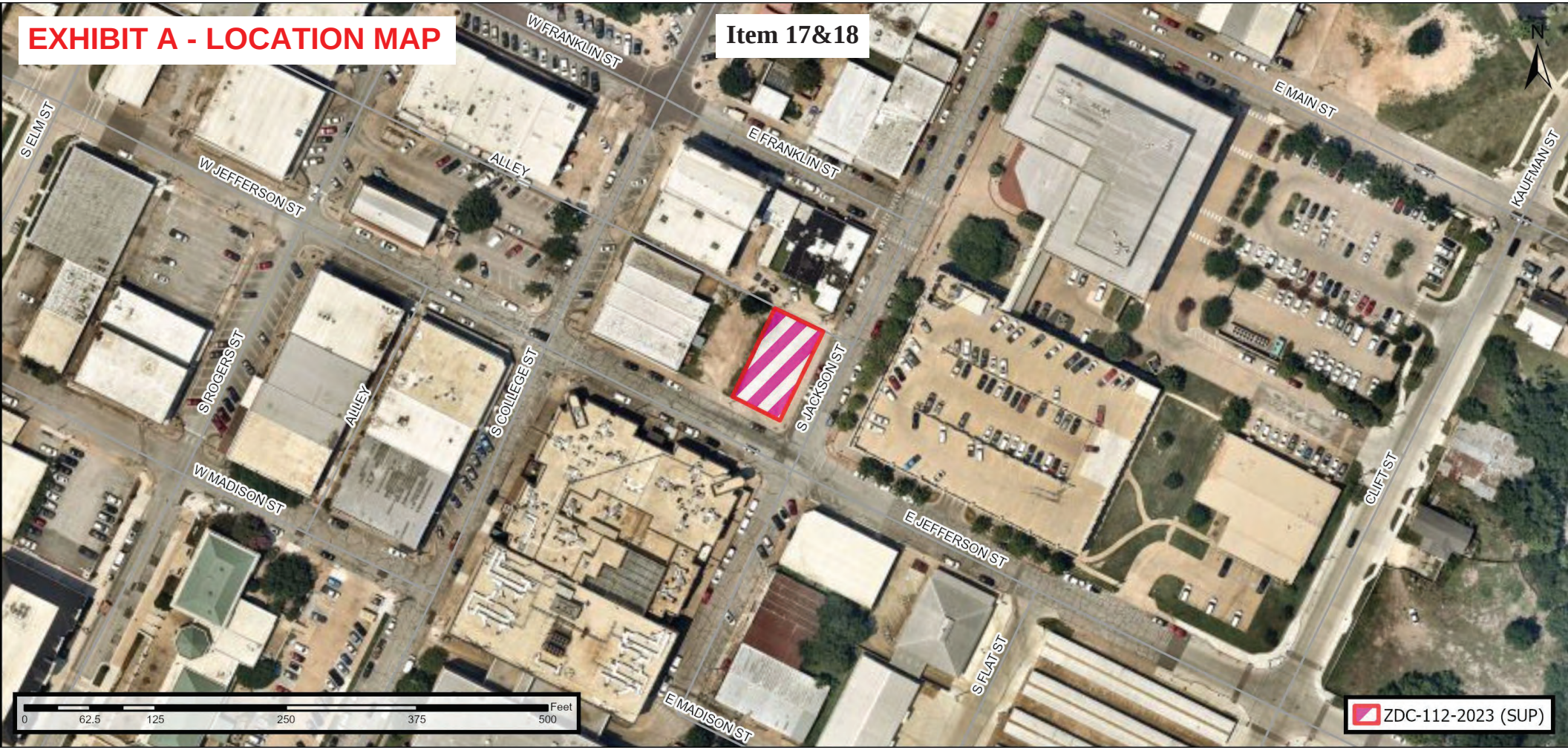

EXHIBIT A - LOCATION MAP
Item 17&18
W FRANKLIN ST
E FRANKLIN ST
E MAIN ST
S ELM ST
W JEFFERSON ST
ALLEY
KAUFMAN ST
S ROGERS ST
ALLEY
S COLLEGE ST
S JACKSON ST
W MADISON ST
E JEFFERSON ST
CLIFT ST
S FLAT ST
E MADISON ST
N
Feet
0
62.5
125
250
375
500
ZDC-112-2023 (SUP)

EXHIBIT B - SITE PLAN

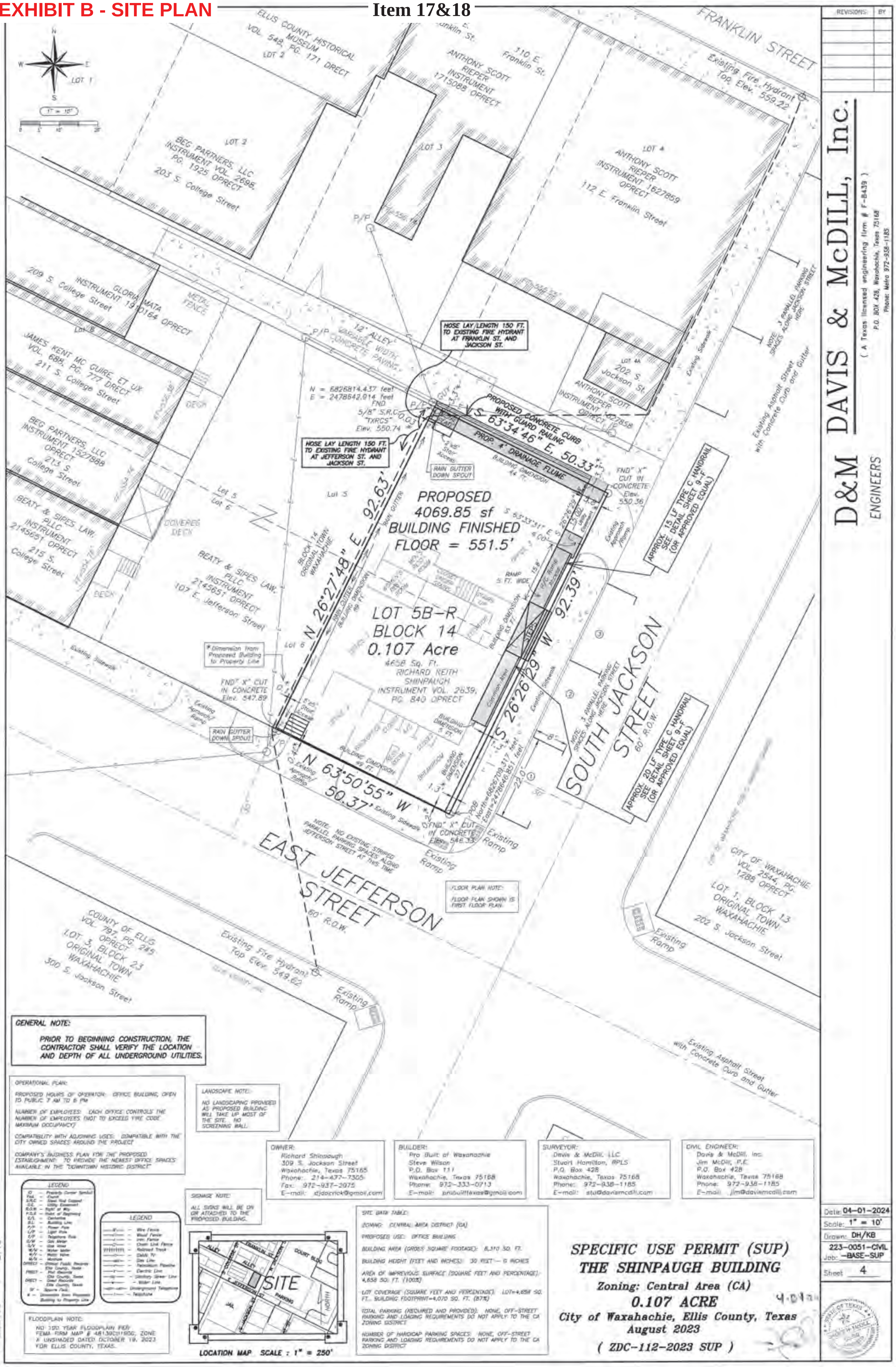
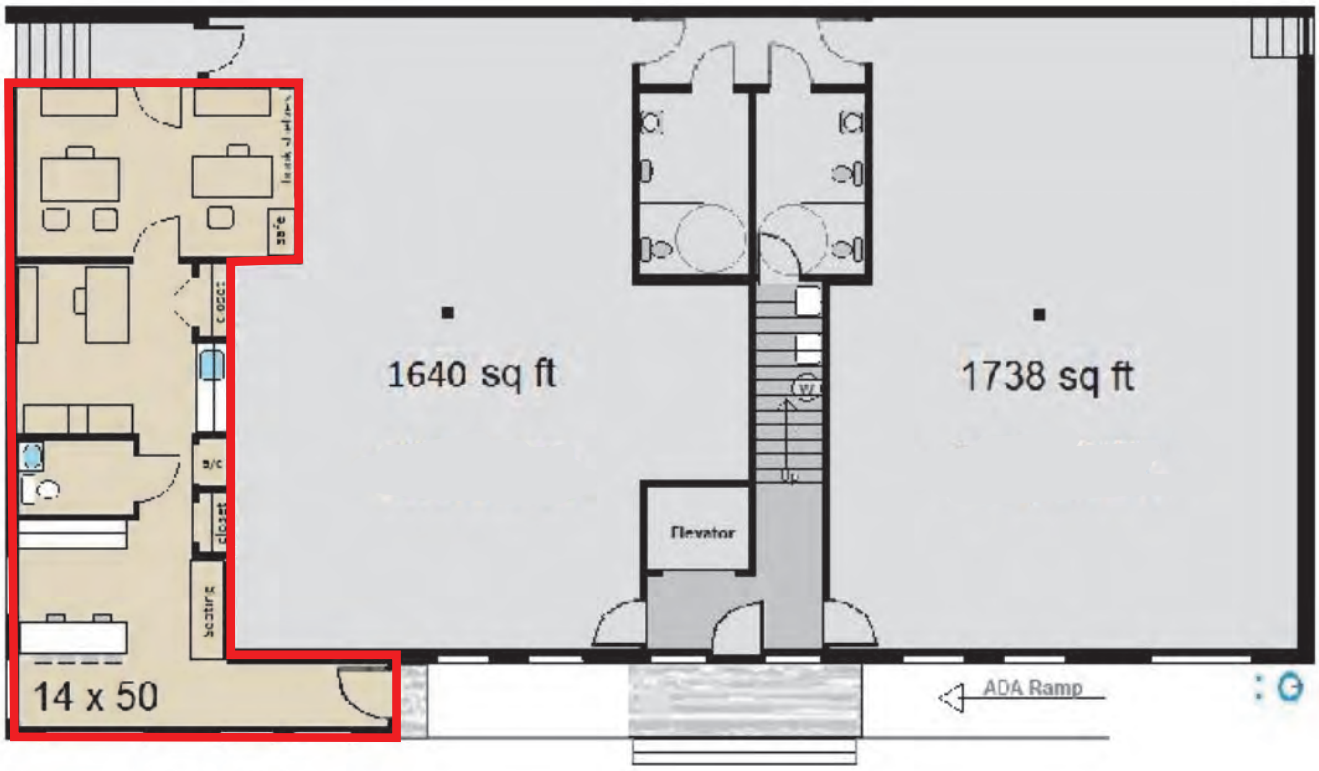
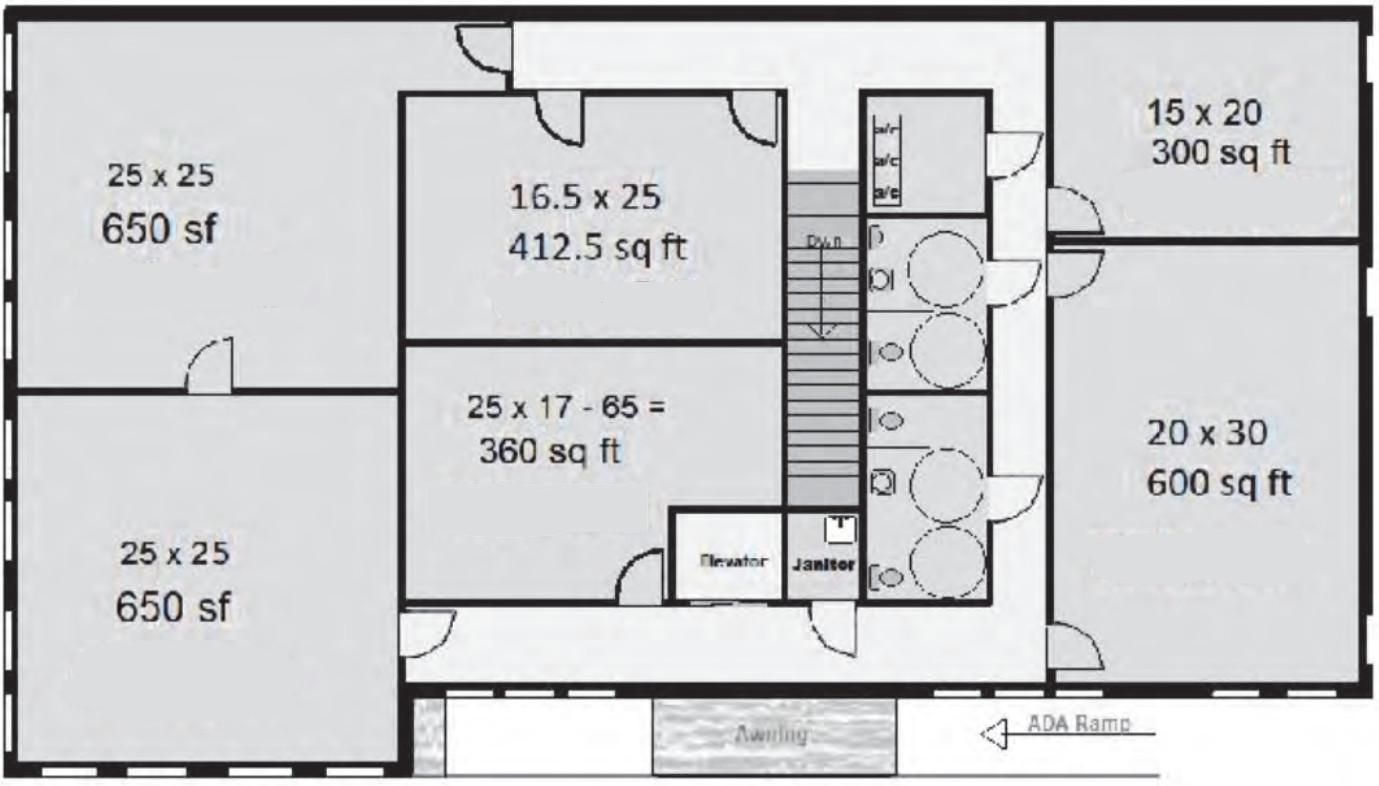


EXHIBIT C - FLOOR PLAN

Item 17&18



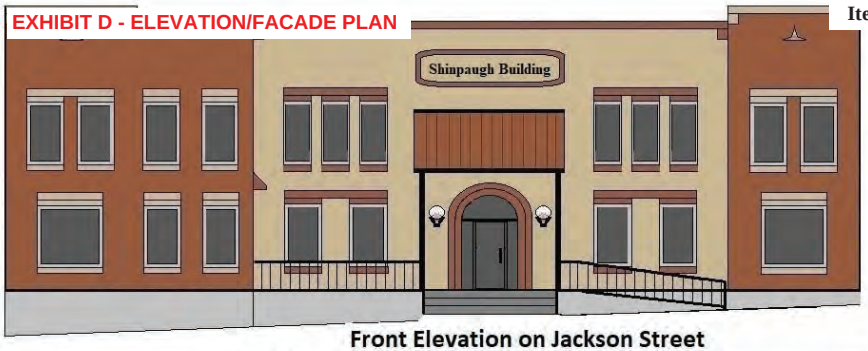
1st Floor



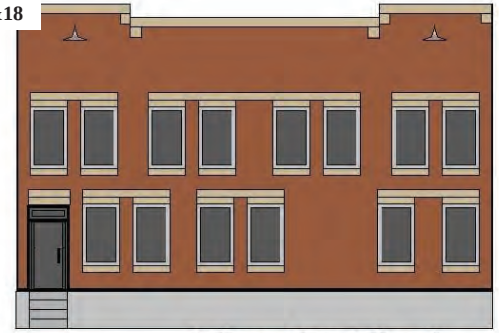
2nd Floor

EXHIBIT D - ELEVATION/FACADE PLAN

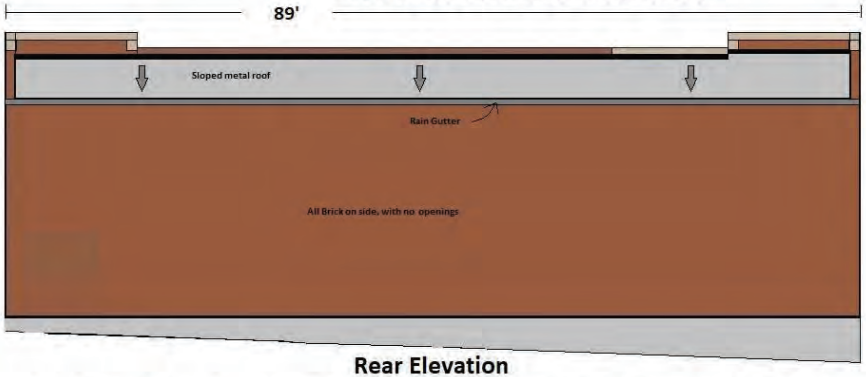
Item 17&18



Front Elevation on Jackson Street



Jefferson Street Elevation

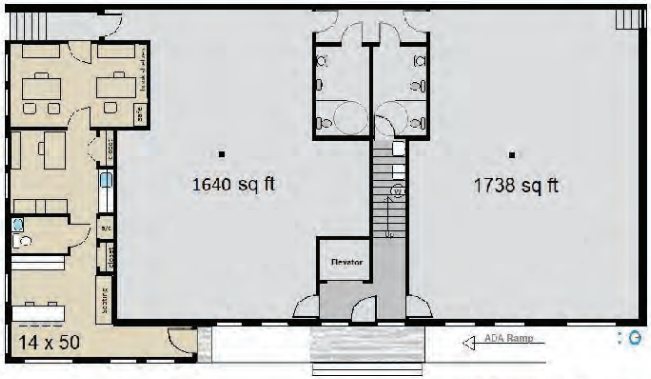


Rear Elevation

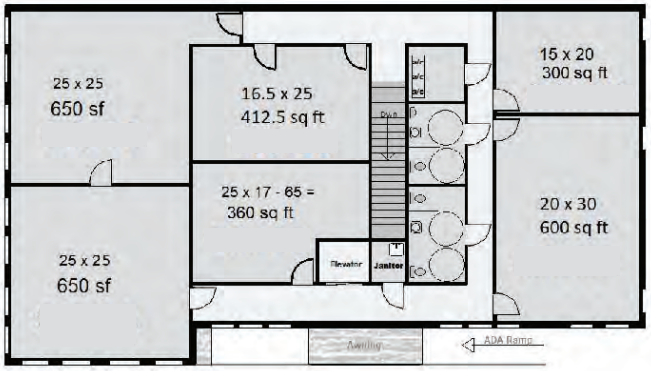


Alley Elevation

Brick and Cast Stone colors to match County Building on Jackson Street



1st Floor



2nd Floor

Seperate addresses for 2 seperate entrances



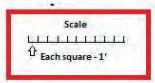
Acme brick was used on county building next door. Acme will furnish the same brick and cast stones to match.

Bronze framed window and door frames with dark energy tinted glass

1st floor SUP area for Bail Bond Office (Beige)

Bronze Metal awnings over entrances





Planning & Zoning Department

Zoning Staff Report

Case: ZDC-65-2024

MEETING DATE(S)

Planning & Zoning Commission: May 14, 2024
City Council: May 20, 2024

CAPTION

Public Hearing on a request by Gregory Roberson for a **Specific Use Permit (SUP)** for an Accessory Structure +700SF use within a Future Development (FD) zoning district located at 3224 Howard Road (Property ID 283067) - Owner: Gregory Roberson (ZDC-65-2024) Staff: Harper Lindamood

RECOMMENDED MOTION

"I move to recommend approval of ZDC-65-2024, a Specific Use Permit (SUP) request for an Accessory Structure + 700SF, subject to the conditions the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

The applicant requests a Specific Use Permit (SUP) allowing an accessory structure greater than 700SF.

CASE INFORMATION

Applicant: Gregory Roberson

Property Owner(s): Gregory Roberson

Site Acreage: 10.151 acres

Current Zoning: Future Development (FD)

Requested Zoning: Future Development (FD)

SUBJECT PROPERTY

General Location: 3224 Howard Rd. Waxahachie

Parcel ID Number(s): 283067

Existing Use: Single Family Home

Development History: The subject property is Platted as LOT 1 Block A of the providence on Howard Rd. addition

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	FD	Single Family Home
East	RR	Single Family Home
South	PD-SF-1	Single Family Home
West	PD-SF-1	Undeveloped

Future Land Use Plan: Rural Estate

Comprehensive Plan: This placetype is characterized by large lots with single-family homes in rural settings away from the city center as well as public services. This type of development leaves ample amount of surrounding open space, and should involve minimal infrastructure investment. Though this placetype will almost exclusively be single family homes, it is to be expected that home-based businesses may thrive in this environment.

Thoroughfare Plan: The subject property is accessible via Howard Rd.

Site Image:



PLANNING ANALYSIS

The applicant proposes a Specific Use Permit (SUP) to construct an accessory structure greater than 700 square feet on the rear side of a residential lot at 3224 Howard Road. The property currently has no accessory structures on site. Per the City of Waxahachie Zoning Ordinance, an accessory structure greater than 700 square feet requires a SUP to be approved by the City Council.

Proposed Use:

According to the Ellis County Appraisal District, the single-family dwelling is approximately 5,854 square feet, and the proposed accessory structure has an area of 4,360 square feet. The accessory structure is a metal barn proposed to be used as a horse stable and hay storage. The applicant has confirmed to staff that the structure will not be used as a dwelling or short-term rental and will not be metered, sold, or leased separately from the existing primary structure. The subject property currently utilizes a gravel driveway. The applicant proposes to extend the existing gravel driveway to the accessory structure. Typically, a concrete driveway is required to connect to accessory structures that will be accessed by vehicles. However, Section 5.02.b.ii of the Waxahachie Zoning Ordinance allows gravel driveways to be utilized in the FD, RR, and SF1 Zoning Districts on lots that are three (3) acres or larger.

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, staff recommends approval of the SUP request subject to the conditions noted below.

Conditions:

1. The accessory structure shall not be used as an accessory dwelling without a Specific Use Permit approved by City Council.
2. The accessory structure shall not be used as a short-term rental without a Specific use Permit that has been approved by City Council.
3. The accessory structure shall not be used for commercial purposes.
4. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
5. The accessory structure shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory structure.

ATTACHED EXHIBITS

1. Location map (Exhibit A)
2. Site plan (Exhibit B)
3. Proposed structure (Exhibit C)

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Harper Lindamood
Planner
Harper.lindamood@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

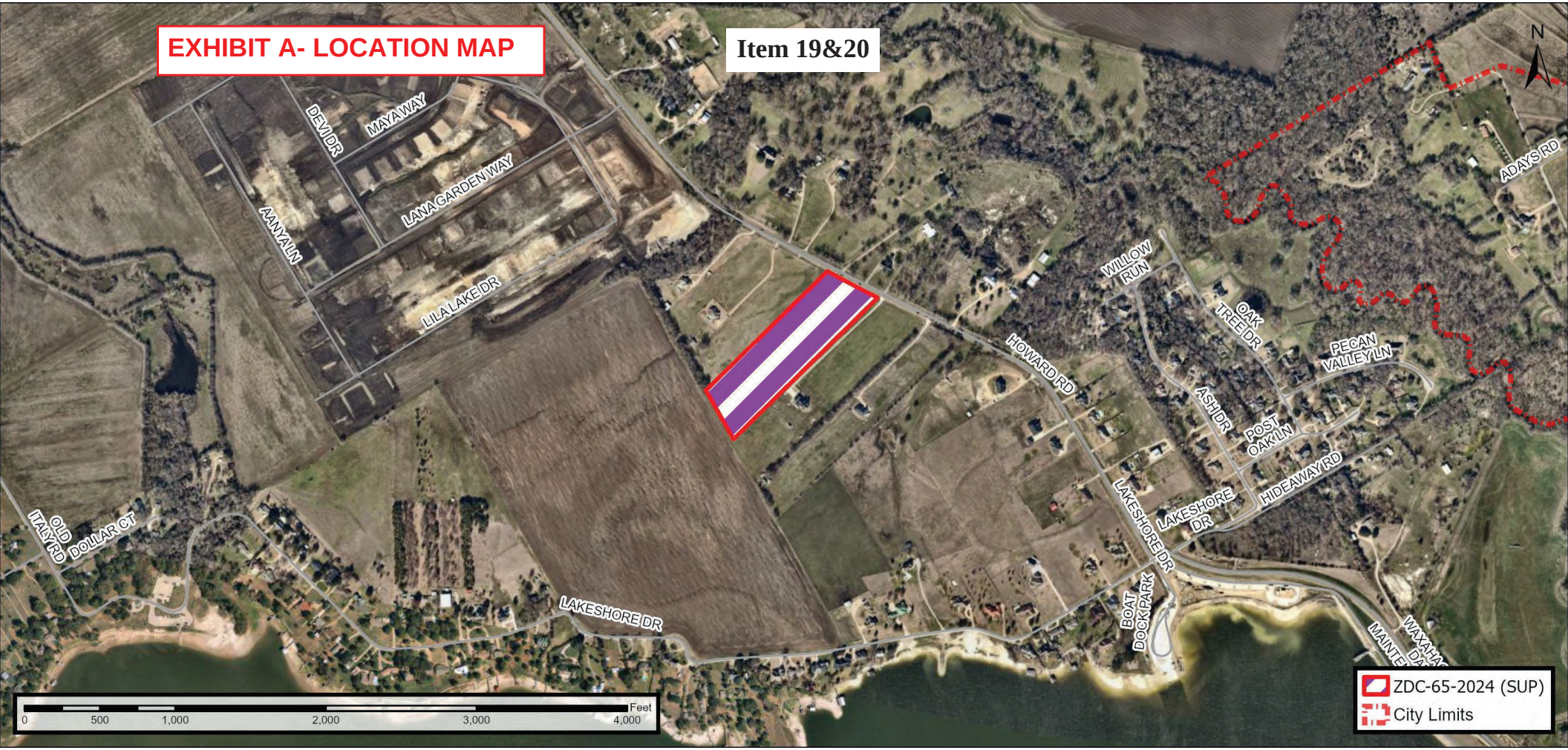

EXHIBIT A- LOCATION MAP
Item 19&20
N
DEVI DR
MAYA WAY
LANA GARDEN WAY
AANYA LN
LILA LAKE DR
HOWARD RD
WILLOW RUN
OAK TREE DR
PECAN VALLEY LN
ASH DR
POST OAK LN
HIDEAWAY RD
LAKESHORE DR
LAKESHORE DR
BOAT DOCK PARK
LAKESHORE DR
OLD ITALY RD
DOLLAR CT
ADAYS RD
Feet
0
500
1,000
2,000
3,000
4,000
ZDC-65-2024 (SUP)
City Limits

EXHIBIT B- SITE PLAN

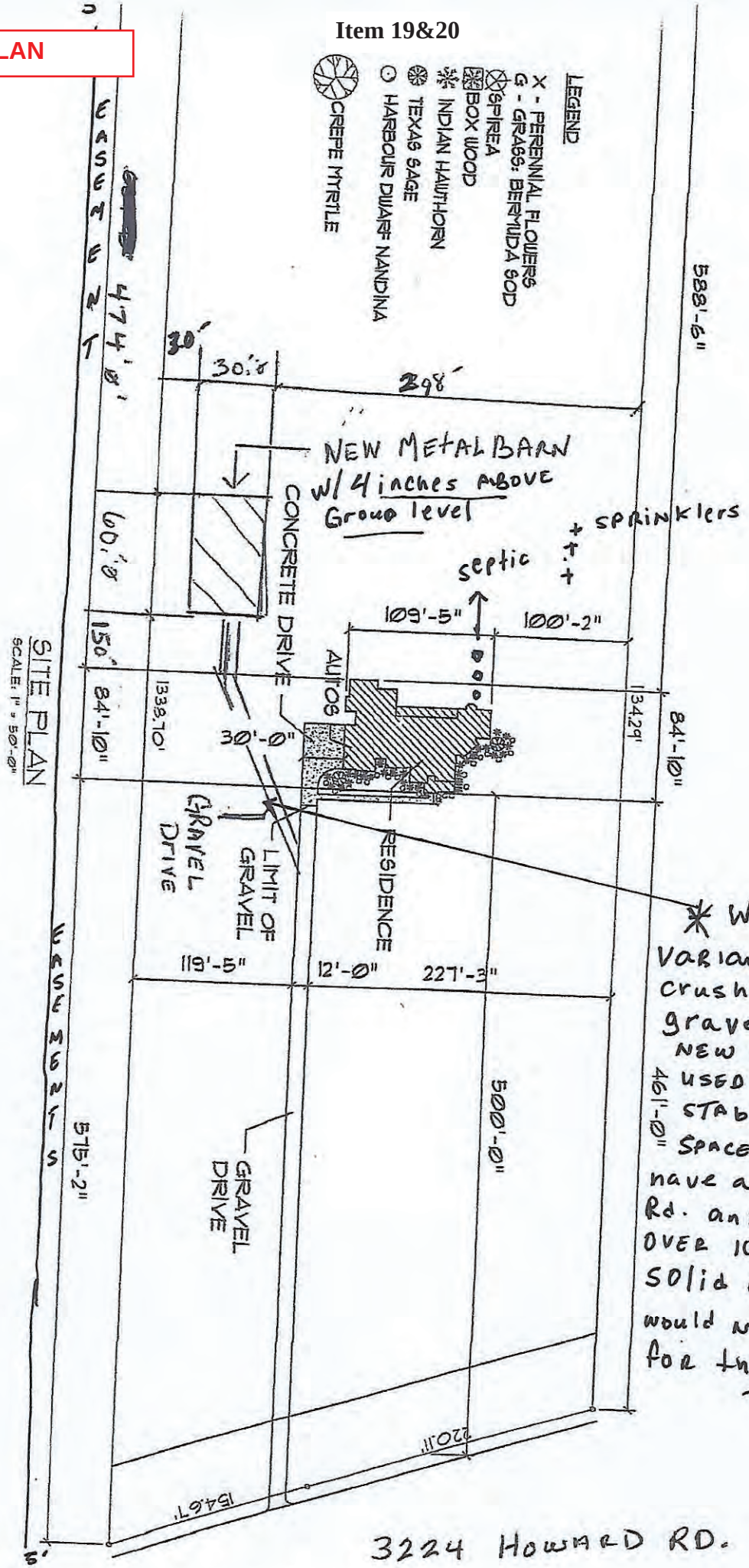
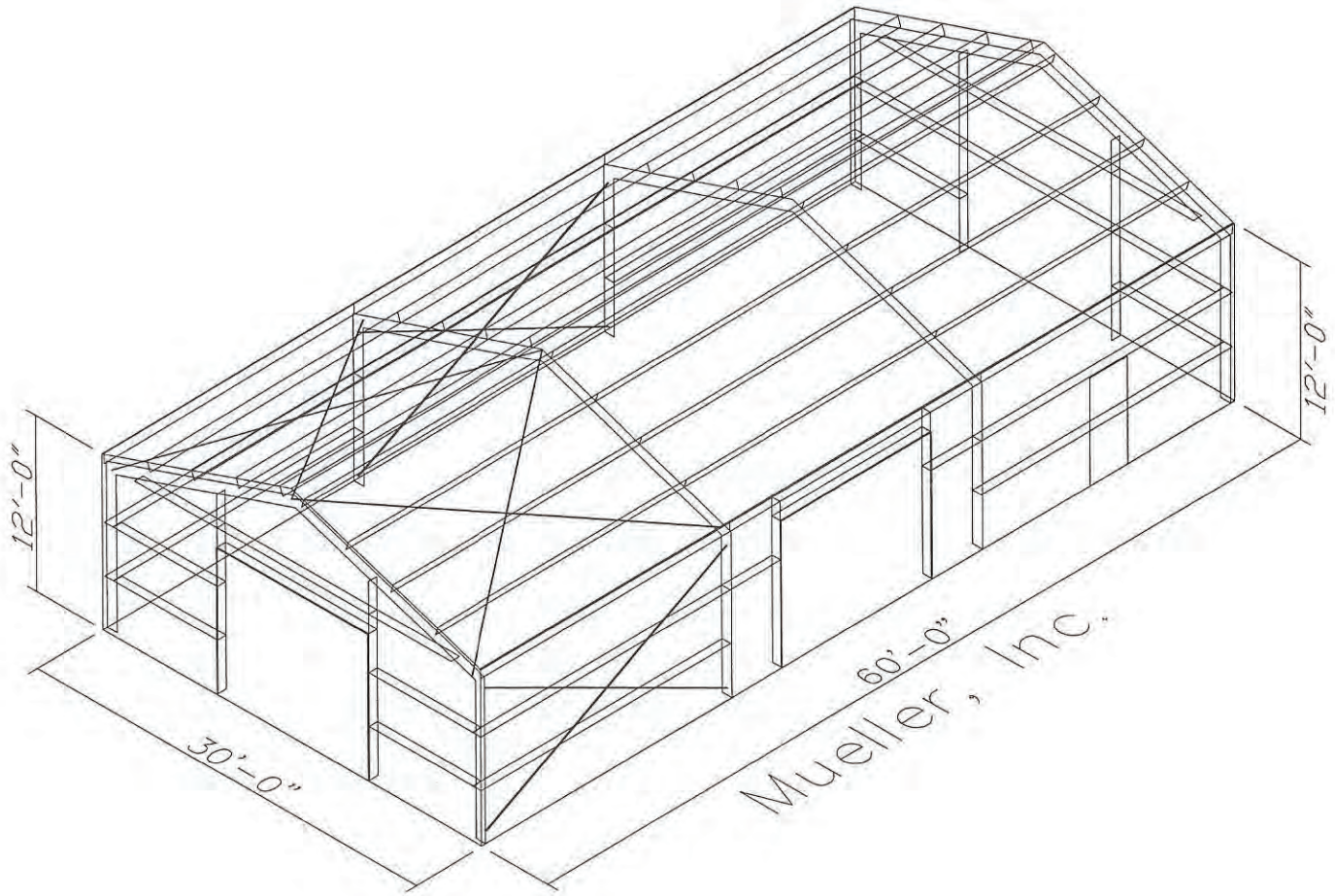


EXHIBIT C- PROPSED STRUCTURE

Item 19&20



Unless noted, drawings are for conceptual purposes only.
Please review for building dimensions and framed openings accuracy. All other aspects such as wall girt and roof purlin spacing, wind bracing locations, etc. may change during engineered design unless noted in the "Special Requirements" section of the contract.

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-74-2024

MEETING DATE(S)

Planning & Zoning Commission: May 14, 2024
City Council: May 20, 2024

CAPTION

Public Hearing on a request by Chris Clark, Clarkitecture LLC, for a **Specific Use Permit (SUP)** for a Drive-Through Establishment (HTeaO) use within a Planned Development-24-General Retail zoning district, located at 502 N US Highway 77, (Property ID 289738) – Owner: RS Waxahachie LLC (ZDC-74-2024) Staff: Zack King

RECOMMENDED MOTION

"I move to recommend approval of ZDC-74-2024, a Specific Use Permit (SUP) for a Drive-Through Establishment (HTeaO) at 502 N US Highway 77, subject to the conditions the staff report."

CASE HISTORY

A Specific Use Permit application (ZDC-163-2023) was originally submitted this property in October of 2023. At the City Council meeting held on January 22, 2024, the Council voted to deny the SUP request, citing concerns regarding traffic flow, access, drainage, and screening. Following the denial of the original SUP request, the HTeaO team met with staff on multiple occasions to develop a plan to address Council concerns. A revised SUP application was submitted in April of 2024 and includes an updated Site Plan and Signage Plan designed to address the original concerns of City Council. The specific changes included in the revised SUP are noted below:

- The applicant has revised the Site Plan to include additional directional signage and drive-aisle striping to control traffic flow on the site.
- The applicant has provided additional site grading, drainage, and detention plans to verify the property can appropriately detain rainfall and run-off without affecting off-site properties.
- The applicant has revised their proposal to include a more traditional monument sign. The developer has provided three traditional monument sign options with this new SUP request.
- The developer has committed to constructing this screening wall prior to beginning vertical construction of the building.
- The developer has committed to resurfacing the portion of the drive aisle on the Furniture by Sleep Quarters property that will be used to access HTeaO.

APPLICANT REQUEST

The applicant requests approval of a Specific Use Permit (SUP) to allow for a Drive-Through Establishment use (HTeaO) at 502 N US Highway 77.

CASE INFORMATION

Applicant: Chris Clark, Clarkitecture LLC

Property Owner(s): RS Waxahachie LLC

Site Acreage: 0.747 acres

Current Zoning: Planned Development-24-General Retail (PD-24-GR)

Requested Zoning: Planned Development-24-General Retail (PD-24-GR) with SUP for a Drive-Through Establishment

SUBJECT PROPERTY

General Location: 502 N US Highway 77

Parcel ID Number(s): 289738

Existing Use: The subject property is currently undeveloped.

Development History: The subject property was replatted in 2021 as Lot 2R of the Chapman Place Business Addition. In February of 2023, City Council denied a request for a Specific Use Permit (ZDC-173-2022) to allow a Drive-Through Car Wash use on the property.

Adjoining Zoning & Uses:

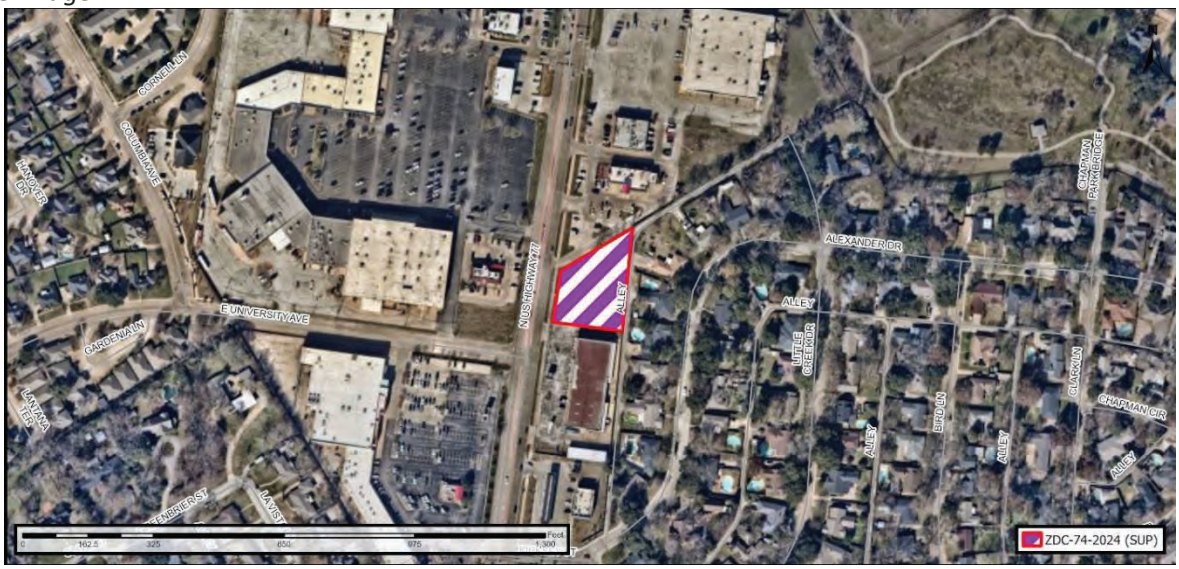
Direction	Zoning	Current Use
North	PD-19-GR	Braum's
East	SF-2	Single Family Residences
South	PD-24-GR	Furniture by Sleep Quarters
West	PD-18-GR	Hibachio

Future Land Use Plan: Local Commercial

Comprehensive Plan: The local commercial placetype includes areas for restaurants, shops, grocery stores, offices, and personal service establishments. This placetype was incorporated to preserve the City's commercial corridors. Where appropriate, local commercial uses should be located at the intersection or frontage of major thoroughfares (60 feet or greater). The intensity of this placetype falls between neighborhood scale commercial and regional commercial. Local commercial will consist of a single or cluster of standalone office, retail or commercial buildings with an anchor. Local commercial uses should be interconnected with sidewalks to increase walkability. In addition, a shared open space comprised of a plaza or park is encouraged for multi-pad site developments.

Thoroughfare Plan: The subject property fronts onto US Highway 77; but an additional driveway on this thoroughfare is unfeasible. The applicant has acquired mutual access easements allowing them to use existing driveways to the north and south of the property for access to the site.

Site Image:



PLANNING ANALYSIS

The applicant proposes a Specific Use Permit to allow for development of an HTeaO. The proposed building is 2,043 square feet in size and features a walk-in retail area and drive-through. The proposed structure meets all setback requirements for the site, as established by the GR zoning district. HTeaO only serves teas and coffees; but will have prepackaged food and snacks for sale in the retail area.

Proposed Use

The proposed HTeaO establishment will not include indoor or outdoor seating areas for customers. Due to the lack of seating areas, the applicant has been able to exceed the minimum parking requirement for the site. The proposal also affords space to stack twelve (12) vehicles in the drive-through lane, exceeding the minimum requirement of six (6) stacking spaces for the drive-through. At the January 22, 2024 City Council meeting, the Council expressed concern regarding vehicles being able to properly maneuver to exit the drive-through lane due to the small size of the subject property. To address this concern, the applicant has revised the proposal to include additional directional signage and drive-aisle striping to control traffic flow on the site.

The applicant is proposing to construct an 8’ masonry screening wall along the entirety of the eastern property line in order to provide proper screening for the adjacent residences. The 8’ masonry screening wall will connect to the existing screening wall built behind the Furniture by Sleep Quarters establishment to the south. The proposed screening wall includes a 3” clearance above the ground to prevent water from pooling on either side of the wall. With this revised application, the developer has committed to constructing this screening wall prior to beginning vertical construction of the building. To further mitigate potential impacts to the existing residences to the east, the applicant has taken efforts to minimize the number of light fixtures on the east side of the building and provide shields on the light fixtures that are present.

Access

The applicant is not proposing an additional driveway connection to Highway 77 to serve the subject property due to TxDOT driveway spacing requirements. Instead, the applicant has executed mutual access easements to the existing driveways north and south of the property in order to facilitate access to their property. At the January 22, 2024 City Council meeting, the Council expressed concern regarding the current condition of the driveway for the Furniture by Sleep Quarters property. With this revised submittal, the developer has committed to resurfacing the portion of the drive aisle on the Furniture by Sleep Quarters property that will be used to access HTeaO.

Public Works & Engineering Analysis:

As part of this revised SUP Application, the applicant provided additional site grading, drainage, and detention plans. These preliminary plans are not typically provided during the SUP process; but were included as part of this revised application to address concerns expressed by City Council at the January 22, 2024 Council meeting. These plans were evaluated by the City Engineer and our Public Works & Engineering Department, who noted the preliminary plans met the City of Waxahachie design requirements.

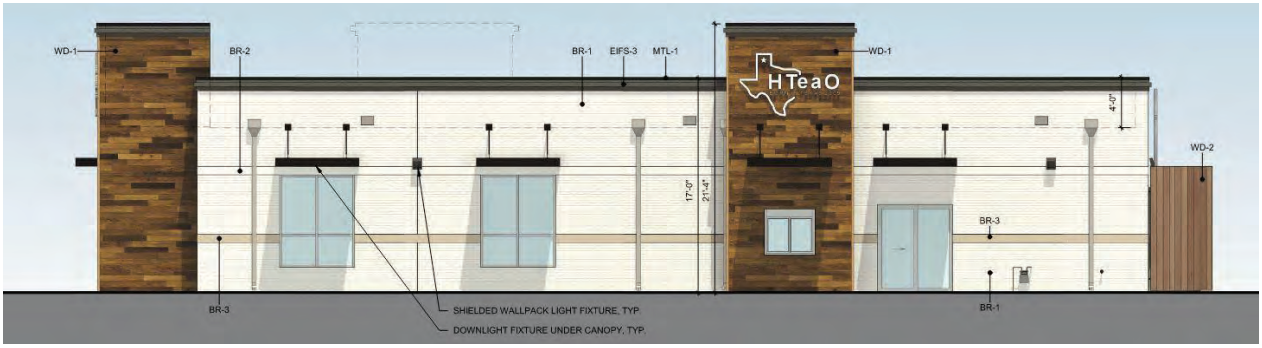
If this SUP is approved, the applicant will be required to submit formal Civil Construction Plans for review and approval by the Public Works & Engineering Department. These plans will include the full drainage design, utilities, roadway, grading, erosion control, signage, and lighting. During this plan review, the engineering team will look at the drainage and detention calculations. Per our City Drainage Design Manual, post developed flows shall not exceed pre-developed flows. This is typically handled through detention and is one of the items we check for in our review. In this case, the developer has dedicated an area in the top right corner of the property for their detention pond.

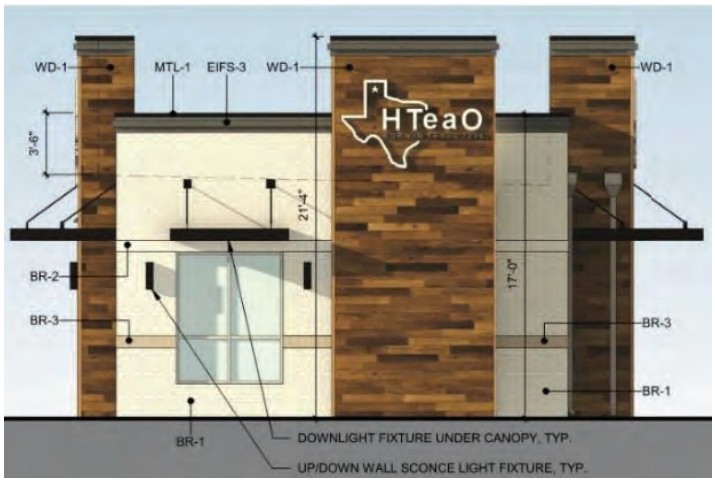
The Public Works & Engineering Department has also confirmed that TxDOT will not be closing the median opening at the intersection of E University Boulevard and Highway 77. TxDOT also noted their preference or the existing Braums and Funiture By Sleep Quarters driveways to remain in their current position. Staff has evaluated the proposed access and circulation plans provided by the applicant and does not have concern with the proposal.

Elevation/Façade

The applicant has proposed an elevation/façade plan for the HTeaO that utilizes a combination of brick and composite siding. In January 2024, the Planning & Zoning Commission recommended approval of this specific elevation/façade plan. The applicant has not proposed any revisions to the elevation/façade plan with this new application.

Elevation/Façade Renderings





Exterior Construction Material Table:

NORTH ELEVATION

BRICK AREA:	216 SF	48 %
COMPOSITE SIDING AREA:	172 SF	38 %
COPING AREA (EIFS):	25 SF	5 %
OPENING AREA (GLASS / METAL):	42 SF	9 %
WALL AREA:	455 SF	100 %

SOUTH ELEVATION

BRICK AREA:	402 SF	89 %
COMPOSITE SIDING AREA:	0 SF	0 %
COPING AREA (EIFS):	27 SF	6 %
OPENING AREA (GLASS / METAL):	24 SF	5 %
WALL AREA:	453 SF	100 %

EAST ELEVATION

BRICK AREA:	848 SF	69 %
COMPOSITE SIDING AREA:	154 SF	13 %
COPING AREA (EIFS):	72 SF	5 %
OPENING AREA (GLASS / METAL):	157 SF	13 %
WALL AREA:	1,231 SF	100 %

WEST ELEVATION

BRICK AREA:	921 SF	63 %
COMPOSITE SIDING AREA:	326 SF	22 %
COPING AREA (EIFS):	85 SF	5 %
OPENING AREA (GLASS / METAL):	140 SF	10 %
WALL AREA:	1,472 SF	100 %

Landscaping

The landscaping proposed with this SUP meets the requirements of the Waxahachie Zoning Ordinance. The applicant has incorporated eight (8) Crape Myrtles into the landscape plan. The applicant is also proposing to enhance the site with a landscape island to provide additional screening for the drive-through aisle.

Signage

At the January 22, 2024 City Council meeting, the Council expressed concern regarding proposed monument sign for HTeaO that featured a large tea cup. To address this concern, the developer has revised their proposal to include a more traditional monument sign, adhering to the requirements of the Waxahachie Zoning Ordinance.



PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 17 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PUBLIC NOTIFICATION RESPONSES

Staff has received three (3) letters of support and zero (0) letters of opposition to the proposed specific use permit.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the SUP request, subject to the conditions noted below.

Conditions:

1. A mutually agreed upon Development Agreement shall be required for the development.
2. The owner shall provide a permanent irrigation system for all required landscape areas shown on the Landscape Plan and maintain the required landscaping at all times.
3. The applicant shall receive all necessary building permits from the Building & Community Services Department prior to construction.
4. Construction of the proposed 8' masonry wall along the eastern property line shall be completed prior to issuance of a Certificate of Occupancy for drive-through establishment.

ATTACHED EXHIBITS

1. Letters of Support
2. Location Map – Exhibit A
3. Site Plan – Exhibit B
4. Landscape Plan – Exhibit C
5. Floor Plan – Exhibit D
6. Elevation/Façade Plan – Exhibit E
7. Signage Plan – Exhibit F
8. Operational Plan – Exhibit G

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

BRAUM'S®
ICE CREAM AND DAIRY STORES
PO Box 25429 Oklahoma City, OK 73125
3000 N.E.63rd Street Oklahoma City, OK 73121

2/27/2024

SUP Case Number: _____

Regarding: **Specific Use Permit (SUP)**

HTeaO Proposed Development

502 North Highway 77

To Whom It May Concern,

Braum's is aware of the SUP case for the HTeaO development taking place at the property next door at the address of 502 N Hwy 77, Waxahachie, TX 75165. Braum's owns the adjacent property to the north located at 504 N Hwy 77, Waxahachie, TX 75165. It appears that the SUP will allow HTeaO to install a drive-thru on the property. In regards to the SUP case, case #_____, Braum's is writing this letter to the city of Waxahachie in support of the HTeaO development and the installation of the drive-thru.

Sincerely,

Marcus "Koty" Foran
Site Development Manager
Retail Buildings Inc. / Braum's Inc.

From: Kevin Mattson <kmattson@redskyholdings.com>
Sent: Monday, April 1, 2024 11:58 AM
To: Jack Kurz
Subject: Fwd: Property next to Furniture by Sleep Quarters

1 of 2

Sincerely,

Kevin Mattson
M/ 972.369.4123
E/ KMattson@RedSkyHoldings.com

---------- Forwarded message ---------
From: **gaye** <gaye@furniturebysleepquarters.com>
Date: Mon, Apr 1, 2024 at 11:50 AM
Subject: Property next to Furniture by Sleep Quarters
To: kmattson@redskyholdings.com <kmattson@redskyholdings.com>

We at Furniture by Sleep Quarters are looking forward to the purposed new retail merchant next to our Waxahachie Store. It will be a great addition to the area. We totally approve of the new neighbor in continuing our effort to serve Waxahachie.

Gaye Mitschke.

From: Mary Abbott <mabbottlaw@gmail.com>
Sent: Tuesday, March 26, 2024 11:08 AM
To: Jack Kurz
Subject: Re: Waxahachie, TX - HTeaO

Mr. Kurz-

As we discussed, I do not have an objection to HteaO building on the land behind my property as long as the city approves the building and a variance for the set back of the building itself between the back of the property including parking and drives is not being requested as it is not a large lot.

If you have any additional questions, please feel free to reach out.

Thank you

On Mon, Mar 25, 2024 at 12:25 PM Jack Kurz <jkurz@redskyholdings.com> wrote:

> Mrs. Abbott,
>
> I want to thank you for taking my call today. I appreciate your time. I am grateful that you expressed your concerns over the development of my property. My team and I will be taking those concerns into consideration. We are excited to bring HTeaO to town. My team and I are thankful to hear that you like our development plan.
>
> If you have any questions or concerns, please feel free to call me or email me anytime!
>
> Sincerely,
>
> 
>
>
> Jack Kurz
> **M/** 314.578.8484
> **E/** JKurz@RedSkyHoldings.com
>
> The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly prohibited.

--

Mary Abbott
Law Office of Mary Abbott
306 6th Street
Waxahachie, Texas 75165
Tel: 214-949-9751
Fax: 214-225-5754
mabbottlaw@gmail.com

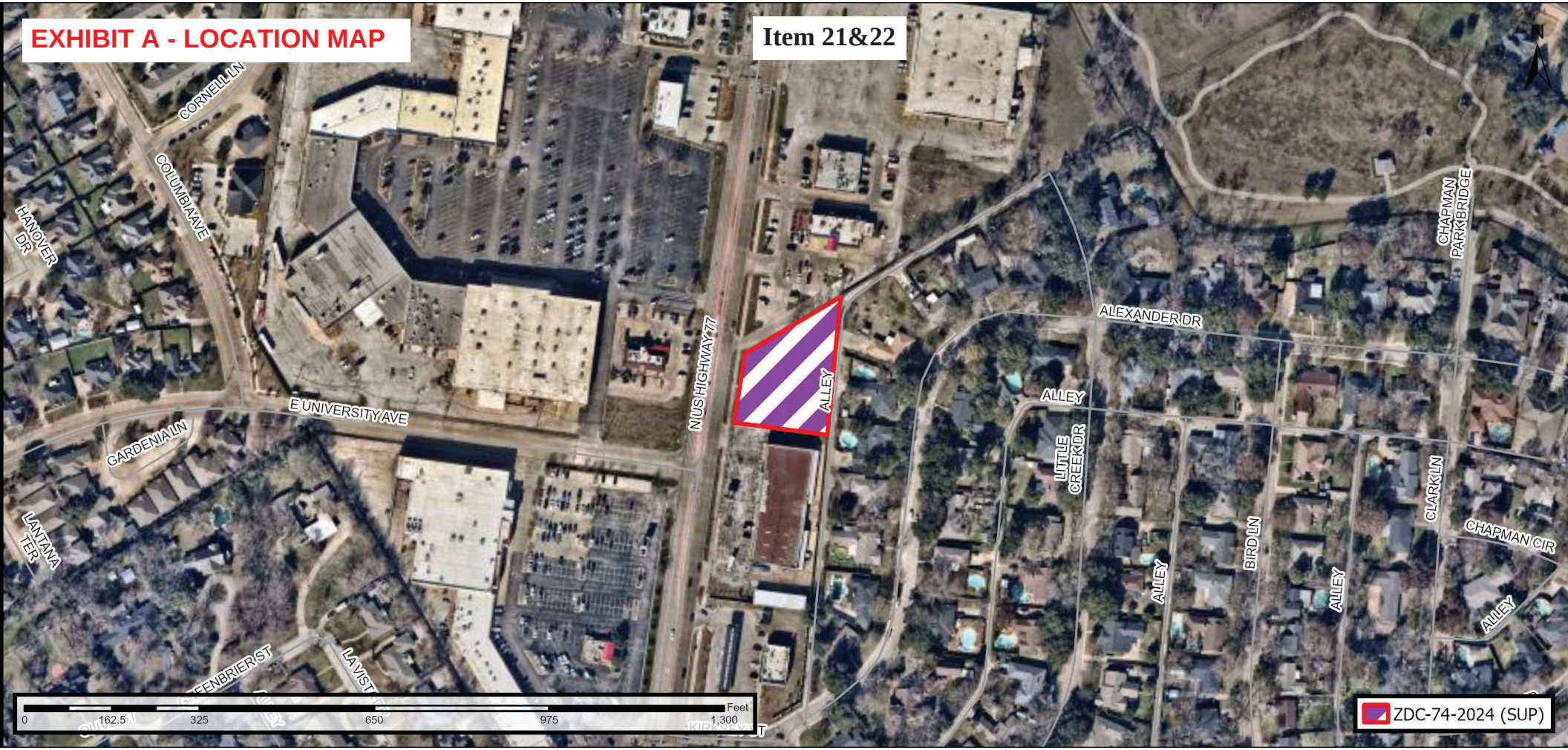

EXHIBIT A - LOCATION MAP
Item 21&22
CORNELL LN
COLUMBIA AVE
HANOVER DR
E UNIVERSITY AVE
GARDENIA LN
LANTANA TER
GREENBRIER ST
LA VISTA
N US HIGHWAY 77
ALLEY
ALEXANDER DR
ALLEY
LITTLE CREEK DR
ALLEY
BIRD LN
ALLEY
CLARK LN
CHAPMAN PARK BRIDGE
CHAPMAN CIR
ALLEY
N
Feet
0
162.5
325
650
975
1,300
ZDC-74-2024 (SUP)

EXHIBIT B - SITE PLAN



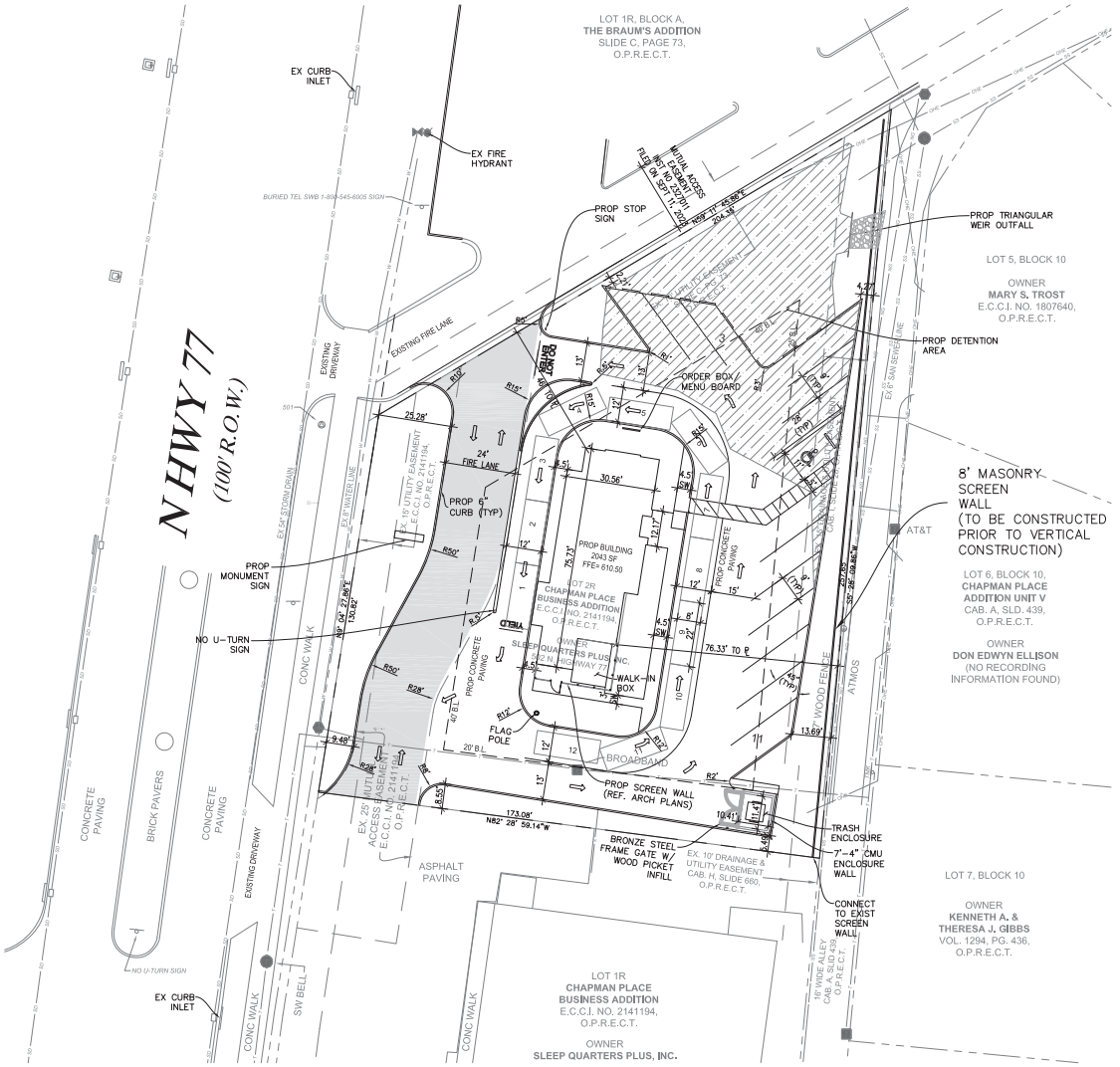
VICINITY MAP
(NOT TO SCALE)

SITE DATA SUMMARY TABLE

	PROPOSED SITE
ZONING	PD-24-GR
PROPOSED USE	GENERAL RETAIL with SUP for a Drive-Thru
BUILDING AREA (gross s.f.)	2043 SF
BUILDING HEIGHT (ft & in)	19' 6" (AT TOWERS)
IMPERVIOUS AREA (sf & %)	21167 SF / 65%
LOT COVERAGE (sf & %)	2043 SF / 6%
PARKING REQUIRED	8
PARKING PROVIDED	14
HANDICAP PARKING REQ'D	1
HANDICAP PARKING PROV'D	1
STACKING SPACES REQ'D	6
STACKING SPACES PROV'D	12

DEVELOPMENT IMPACT:

NO KNOWN EXISTING NATURAL RESOURCES ON THE SITE.



SITE PLAN

LEGEND

FIRELANE

EXPANSION JOINT

GENERAL NOTES:

1. THE CONTRACTOR SHALL VERIFY THE LOCATION, SIZE, AND MATERIAL OF ALL EXISTING UTILITIES AFFECTED BY CONSTRUCTION PRIOR TO COMMENCEMENT. CONTRACTOR SHALL CONTACT A UTILITY LOCATOR 48 HOURS PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY.
3. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION BEING IN ACCORDANCE WITH THE APPLICABLE FEDERAL, STATE, AND LOCAL REQUIREMENTS, REGULATIONS, STATUTES, STANDARDS, AND SPECIFICATIONS.
4. ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION FOR NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS, LATEST EDITION.
5. CONTRACTOR SHALL PROTECT EXISTING CONTROL MONUMENTATION AND BENCHMARKS. ANY SUCH POINTS WHICH THE CONTRACTOR BELIEVES WILL BE DESTROYED SHALL HAVE OFFSET POINTS ESTABLISHED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. ANY MONUMENTATION DESTROYED BY THE CONTRACTOR SHALL BE REESTABLISHED AT HIS EXPENSE.
6. CONTRACTOR SHALL PROTECT ALL PUBLIC UTILITIES IN THE CONSTRUCTION OF THIS PROJECT.
7. ALL EARTHWORK OPERATIONS, PAVEMENT INSTALLATION, ETC. SHALL CONFORM TO THE RECOMMENDATION OF THE GEOTECHNICAL REPORT.
8. THE CONTRACTOR SHALL VERIFY THE SUITABILITY OF ALL EXISTING AND PROPOSED SITE CONDITIONS, INCLUDING GRADES AND DIMENSIONS BEFORE COMMENCEMENT OF ANY CONSTRUCTION. IN THE EVENT OF ANY CONFLICT, AND PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION, IMMEDIATELY NOTIFY THE ENGINEER.
9. ALL CONCRETE PAVEMENT SHALL BE 3,600 PSI CONCRETE. CONCRETE THICKNESS SHALL BE 6" UNDER ALL FIRELANES AND HEAVY DUTY TRAFFIC AREAS, 6" UNDER MEDIUM DUTY TRAFFIC AREAS AND 5" UNDER ALL PARKING AREAS AS RECOMMENDED BY THE GEOTECHNICAL REPORT. PLEASE REFER TO GEOTECHNICAL REPORT.
10. THE FIRE LANE SHALL BE 6" OF REINFORCED CONCRETE ON 6" OF STABILIZED SOIL WITH A MINIMUM OF 30 LBS/SQ YD OF LIME OR CEMENT AS INDICATED IN THE GEOTECH REPORT. AN ALTERNATE SECTION IS ALLOWED AND MAY BE CONSTRUCTED WITH 8" OF REINFORCED CONCRETE ON 95% COMPACTED BASE. ********CITY MAY HAVE ADDITIONAL REQUIREMENTS (ADD AS REQUIRED)********
11. DIMENSIONS ARE FACE OF CURB OR FACE OF BUILDING, UNLESS OTHERWISE INDICATED. ********CITY MAY HAVE ADDITIONAL REQUIREMENTS (ADD AS REQUIRED)********
12. ALL CONNECTIONS TO EXISTING PAVING SHALL HAVE A FULL DEPTH SAWCUT.
13. EROSION CONTROL SHALL BE IN PLACE PRIOR TO THE DISTURBANCE OF ANY EXISTING SURFACE.
14. REFER TO STORM WATER POLLUTION PREVENTION PLAN (SWPPP).

HTeaO - SPECIFIC USE PERMT
SITE PLAN
CHAPMAN PLACE BUSINESS
ADDITION, LOT 2R
ZONING: PD-24-GR
0.747acres
WAXAHACHIE, ELLIS COUNTY
4/3/24
CASE NO: (ZDC-162-2023)

CIVIL POINT ENGINEERS
5900 S LAKE FOREST DR, STE 300
McKINNEY, TX 75070
972-554-1100 (OFFICE)
866-682-8129 (FAX)
TBPE Firm #: 9723

CLARKITECTURE®
BUILDINGS THAT MEAN BUSINESS.™
ROCKWALL, KS
WICHITA, KS
CLARKITECTURE.NET
(316) 302-4472

PROJECT INFO

CLIENT:
TBEVCO, LLC

PROJECT:
HTEAO - WAXAHACHIE, TX

ADDRESS:
502 N HWY 77
WAXAHACHIE, TX 75165

PROJECT NO: 319

MAIN CONTACT

CHRISTOPHER CLARK, AIA, NCARB
13 PALAFOX PL, STE 200
PENSACOLA, FL 32502
(316) 302-4472
chris@clarkitecture.net

DESIGN TEAM

ARCHITECTURE
CLARKITECTURE
13 PALAFOX PL, STE 200
PENSACOLA, FL 32502
(316) 302-4472

STRUCTURAL
MKEC ENGINEERING
411 N WEBB RD
WICHITA, KS 67206
(316) 684-9600

MEP
BC ENGINEERS
5720 REEDER ST
SHAWNEE, KS 66203
(913) 262-1772

CIVIL
CIVIL POINT ENGINEERS
5900 S LAKE FOREST DR, STE 300
MCKINNEY, TX 75070
(972) 554-1100

LANDSCAPE
STUDIO 13 DESIGN GROUP
386 W MAIN ST
LEWISVILLE, TX 75057
(469) 635-1900

SHEET INFO

ISSUE DATE: 11/9/23

ISSUED FOR: SUP / SITE PLAN

REVISION SCHEDULE

NO	DESCRIPTION	DATE

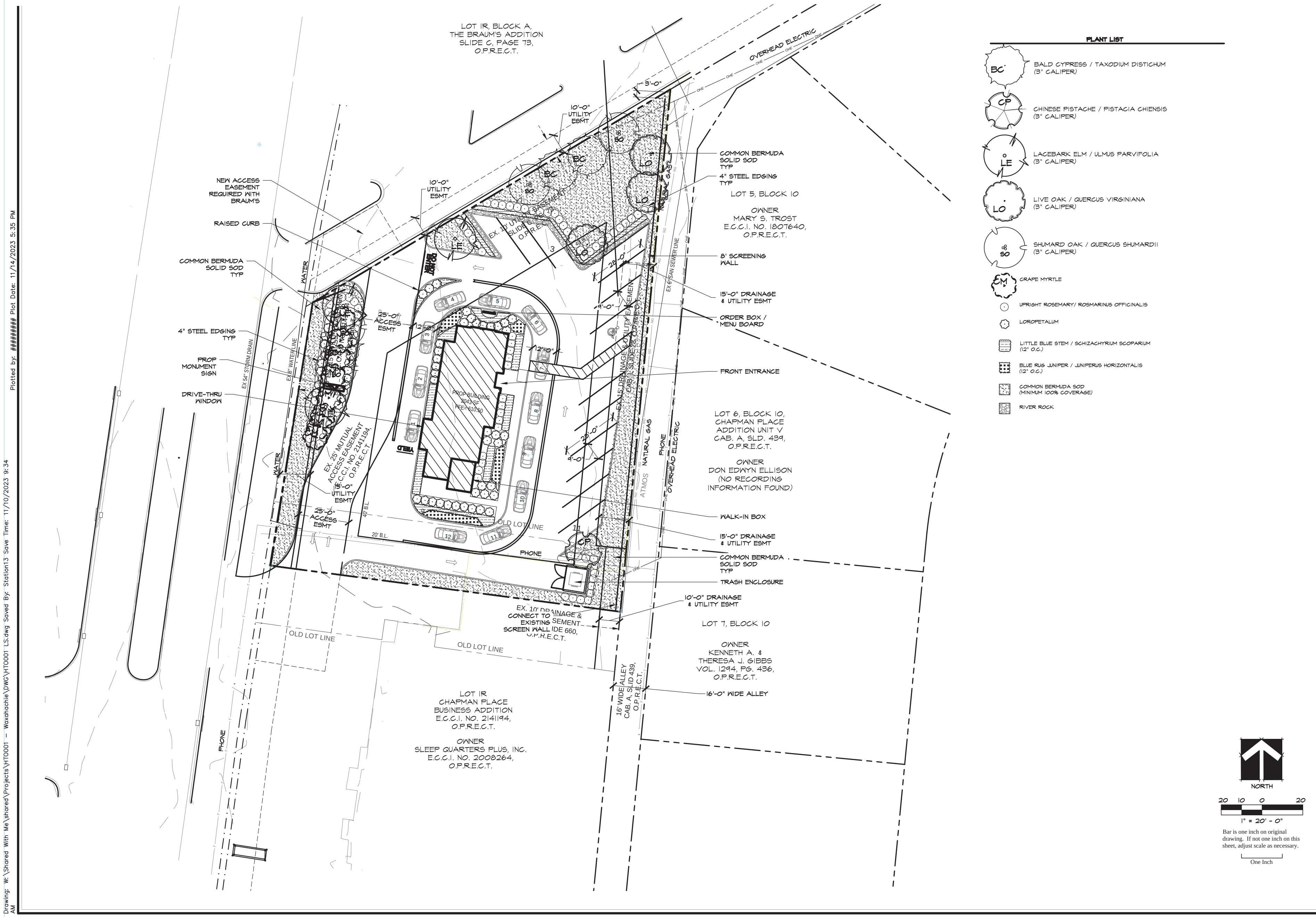
PROFESSIONAL'S SEAL:

PRELIMINARY
NOT FOR CONSTRUCTION

JOHN H BEZNER
PE # 98469

EXHIBIT C - LANDSCAPE PLAN

Item 21&22



CLARKITECTURE — BUILDINGS THAT MEAN BUSINESS

PROJECT INFO

CLIENT: TBEVCO, LLC

PROJECT: HTEAO - WAXAHACHIE, TX

ADDRESS: 502 N HWY 77 WAXAHACHIE, TX 75165

PROJECT NO: 319

MAIN CONTACT

CHRISTOPHER CLARK, AIA, NCARB
13 PALAFOX PL, STE 200
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411 N WEBB RD
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(316) 684-9600

MECHANICAL
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5720 REEDER ST
SHAWNEE, KS 66203
(913) 262-1772

ELECTRICAL
BC ENGINEERS
5720 REEDER ST
SHAWNEE, KS 66203
(913) 262-1772

CIVIL & LANDSCAPE
CIVIL POINT ENGINEERS
5900 S LAKE FOREST DR, STE 300
MCKINNEY, TX 75070
(972) 554-1100

SHEET INFO

ISSUE DATE: 11/10/23

ISSUED FOR: DESIGN REVIEW

REVISION SCHEDULE

NO	DESCRIPTION	DATE

STUDIO 13 DESIGN GROUP

LANDSCAPE PLAN

LS1

Plotted by: ######### Plot Date: 11/14/2023 5:35 PM

Drawing: W:\Shared With Me\shared\Projects\HTO001 - Waxahachie\DWG\HTO001 LS.dwg Saved By: Station13 Save Time: 11/10/2023 9:34 AM

EXHIBIT C - LANDSCAPE PLAN

LANDSCAPE NOTES:

1. A TREE PERMIT IS REQUIRED FOR ALL REMOVAL OF ALL TREES, PROTECTED AND UNPROTECTED.
2. PLANT MATERIAL SHALL BE MEASURED AND SIZED ACCORDING TO THE LATEST EDITION OF THE TEXAS NURSERY & LANDSCAPE ASSOCIATION (TNLA) SPECIFICATIONS, GRADES AND STANDARDS.
3. ALL PLANT SUBSTITUTIONS ARE SUBJECT TO CITY OF WAXAHACHIE APPROVAL AND MUST BE SPECIFIED ON THE APPROVED LANDSCAPE PLAN.
4. GROUND COVERS USED IN LIEU OF TURF GRASS MUST PROVIDE COMPLETE COVERAGE WITHIN ONE (1) YEAR OF PLANTING AND MAINTAIN ADEQUATE COVERAGE AS APPROVED BY THE CITY OF WAXAHACHIE.
5. TREES MUST BE PLANTED FOUR FEET (4') OR GREATER FROM CURBS, SIDEWALKS, UTILITY LINES, SCREENING WALLS AND/OR OTHER STRUCTURES. THE CITY OF WAXAHACHIE HAS FINAL APPROVAL FOR ALL TREE PLACEMENTS.
6. TREE PITS SHALL HAVE ROUGHENED SIDES AND BE TWO TO THREE TIMES WIDER THAN THE ROOT BALL OF THE TREE IN ORDER TO FACILITATE HEALTHY ROOT GROWTH.
7. TREES SHALL NOT BE PLANTED DEEPER THAN THE BASE OF THE "TRUNK FLARE".
8. THE TREE PIT SHALL BE BACKFILLED WITH NATIVE TOPSOIL FREE OF ROCK AND OTHER DEBRIS.
9. BURLAP, TWINE AND WIRE BASKETS SHALL BE LOOSENED AND PULLED BACK FROM THE TRUNK OF TREE AS MUCH AS POSSIBLE.
10. TREES SHALL NOT BE WATERED TO EXCESS THAT RESULTS IN SOIL SATURATION. IF SOIL BECOMES SATURATED, THE WATERING SCHEDULE SHALL BE ADJUSTED TO ALLOW FOR DRAINAGE AND ABSORPTION OF THE EXCESS WATER.
11. A 3" LAYER OF MULCH SHALL BE PROVIDED AROUND THE BASE OF THE PLANTED TREE. THE MULCH SHALL BE PULLED BACK 4" FROM THE TRUNK OF THE TREE.
12. NO PERSON(S) OR ENTITY MAY USE IMPROPER OR MALICIOUS MAINTENANCE OR PRUNING TECHNIQUES WHICH WOULD LIKELY LEAD TO THE DEATH OF THE TREE. IMPROPER OR MALICIOUS TECHNIQUES INCLUDE, BUT ARE NOT LIMITED TO, TOPPING OR OTHER UNSYMMETRICAL TRIMMING OF TREES, TRIMMING TREES WITH A BACKHOE, OR USE OF FIRE OR POISON TO CAUSE THE DEATH OF A TREE.
13. ALL BEDS TO HAVE 3" OF COMPOSTED SOIL, LIVING EARTH TECHNOLOGY, OR APPROVED EQUAL TO A DEPTH OF 8" MINIMUM.
14. ALL PLANT BEDS SHALL BE TOP-DRESSED WITH A MINIMUM OF 3 INCHES OF HARDWOOD OR OTHER MULCH.
15. TREES OVERHANGING WALKS AND PARKING SHALL HAVE A MINIMUM CLEAR TRUNK HEIGHT OF 7 FEET. TREES OVERHANGING PUBLIC STREET PAVEMENT DRIVE AISLES AND FIRE LANES SHALL HAVE A MINIMUM CLEAR TRUNK HEIGHT OF 14 FEET.
16. A VISIBILITY TRIANGLE MUST BE PROVIDED AT ALL INTERSECTIONS. SHRUBS ARE NOT TO EXCEED 30 INCHES IN HEIGHT. TREES SHALL HAVE A MINIMUM CLEAR TRUNK HEIGHT OF 7 FEET AT TIME OF PLANTING.
17. TREES PLANTED ON A SLOPE SHALL HAVE THE SOIL STAIN AT THE AVERAGE GRADE OF SLOPE.
18. NO SHRUBS SHALL BE PERMITTED WITHIN AREAS LESS THAN 3 FEET IN WIDTH. ALL BEDS LESS THAN 3 FEET IN WIDTH SHALL BE GRASS, GROUNDCOVER OR SOME TYPE OF FIXED PAVING.
19. THE OWNER, TENANT, AND/OR THEIR AGENTS, IF ANY, SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE, ESTABLISHMENT, AND PERMANENCE OF PLANT MATERIAL. ALL LANDSCAPING SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THIS SHALL INCLUDE, BUT NOT LIMITED TO, MOWING, EDGING, PRUNING, FERTILIZING, WATERING, AND OTHER ACTIVITIES NECESSARY FOR THE MAINTENANCE OF LANDSCAPED AREAS.
20. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR. PLANT MATERIAL THAT IS DAMAGED, DESTROYED, OR REMOVED SHALL BE REPLACED WITH PLANT MATERIAL OF SIMILAR SIZE AND VARIETY WITHIN 30 DAYS UNLESS OTHERWISE APPROVED IN WRITING BY THE CITY OF WAXAHACHIE.
21. LANDSCAPE AND OPEN AREAS SHALL BE KEPT FREE OFF TRASH, LITTER AND WEEDS.
22. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE PROVIDED TO IRRIGATE ALL LANDSCAPE AREAS. OVERSPRAY ON STREETS AND WALKS IS PROHIBITED. A PERMIT FROM THE BUILDING INSPECTION DEPARTMENT IS REQUIRED FOR EACH IRRIGATION SYSTEM.
23. NO PLANT MATERIAL SHALL BE ALLOWED TO ENCROACH ON RIGHT-OF-WAY, SIDEWALKS OR EASEMENTS TO THE EXTENT THAT THE VISION OR ROUTE OF TRAVEL FOR VEHICULAR, PEDESTRIAN, OR BICYCLE TRAFFIC IS IMPEDED.
24. NO PLANTING AREAS SHALL EXCEED 3:1 SLOPE. 3' HORIZONTAL TO 1' VERTICAL.
25. EARTHEN BERMS SHALL NOT INCLUDE CONSTRUCTION DEBRIS. CONTRACTOR MUST CORRECT SLIPPAGE OR DAMAGE TO THE SMOOTH FINISH GRADE OF THE BERM PRIOR TO ACCEPTANCE.
26. ALL WALKWAYS SHALL MEET A.D.A. AND T.A.S. REQUIREMENTS.
27. CONTACT CITY OF WAXAHACHIE'S PLANNING DEPARTMENT AT FOR LANDSCAPE INSPECTION. NOTE LANDSCAPE INSTALLATION MUST COMPLY WITH APPROVED LANDSCAPE PLANS PRIOR FINAL ACCEPTANCE BY THE CITY OF WAXAHACHIE AND/OR OBTAINING A CERTIFICATE OF OCCUPANCY.
28. FINAL INSPECTION AND APPROVAL OF SCREENING WALLS, IRRIGATION AND LANDSCAPE IS SUBJECT TO ALL PUBLIC UTILITIES, INCLUDING BUT NOT LIMITED TO MANHOLES, VALVES, WATER METERS, CLEANOUTS AND OTHER APPURTENANCES, TO BE ACCESSIBLE, ADJUSTED TO GRADE AND TO THE CITY OF WAXAHACHIE'S PUBLIC WORKS DEPARTMENT STANDARDS.
29. PRIOR TO CALLING FOR A LANDSCAPE INSPECTION, CONTRACTOR IS RESPONSIBLE FOR MARKING ALL MANHOLES, VALVES, WATER METERS, CLEANOUTS AND OTHER UTILITY APPURTENANCES WITH FLAGGING FOR FIELD VERIFICATION BY THE PUBLIC WORKS DEPARTMENT.

PLANT LIST

SYMBOL	COMMON/BOTANICAL NAME	SIZE	SPACING	QUANTITY	REMARKS
LO	LIVE OAK / QUERCUS VIRGINIANA	4" CALIPER	AS SHOWN	3	6' MINIMUM SPREAD; MINIMUM 12' HEIGHT; FULL ROUNDED HEAD 6' MINIMUM BRANCHING HEIGHT; NURSERY GROWN.
BC	BALD CYPRESS / TAXODIUM DISTICHUM	4" CALIPER	AS SHOWN	3	6' MINIMUM SPREAD; MINIMUM 12' HEIGHT; FULL ROUNDED HEAD 6' MINIMUM BRANCHING HEIGHT; NURSERY GROWN.
SO	SHUMARD OAK / QUERCUS SHUMARDII	4" CALIPER	AS SHOWN	4	6' MINIMUM SPREAD; MINIMUM 12' HEIGHT; FULL ROUNDED HEAD 6' MINIMUM BRANCHING HEIGHT; NURSERY GROWN
CP	CHINESE PISTACHE / PISTACIA CHINENSIS	4" CALIPER	AS SHOWN	1	6' MINIMUM SPREAD; MINIMUM 12' HEIGHT; FULL ROUNDED HEAD 6' MINIMUM BRANCHING HEIGHT; NURSERY GROWN.
LE	LACEBARK ELM / ULMUS PARVIFOLIA	4" CALIPER	AS SHOWN	3	6' MINIMUM SPREAD; MINIMUM 12' HEIGHT; FULL ROUNDED HEAD 6' MINIMUM BRANCHING HEIGHT; NURSERY GROWN.
	PINK CRAPE MYRTLE / LAGERSTROEMIA INDICA 'RHAPSODY IN PINK'	2" CALIPER	AS SHOWN	8	5' MINIMUM SPREAD; MINIMUM 8' HEIGHT; 2" MIN. CAL.; FULL HEAD NURSERY GROWN
	UPRIGHT ROSEMARY / ROSMARINUS OFFICINALIS	30 GALLON	AS SHOWN	84	FULL PLANTS (MINIMUM 24" HEIGHT)
	LITTLE BLUESTEM GRASS / SCHIZACHYRIUM SCOPARIUM	1 GALLON	12" O.C.	778	FULL PLANTS
	TEXAS SAGE / LOROPETALUM	5 GALLON	AS SHOWN	61	FULL PLANTS (MINIMUM 24" HEIGHT)
	BLUE RUG JUNIPER / JUNIPERUS HORIZONTALIS	1 GALLON	12" O.C.	264	FULL PLANTS
	RIVER ROCK	4" DEPTH	SQUARE FEET	267	
	COMMON BERMUDA SOLID SOD	SOLID SOD	SQUARE FEET	6,718.25	MINIMUM 100% COVERAGE
	STEEL EDGING	4" HEIGHT	LINEAR FEET	3215	REFER TO DETAIL 3/L2

LANDSCAPE PROVIDED

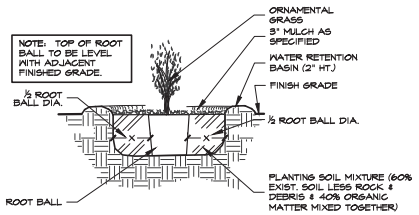
CITY REQUIREMENTS

A. INTERIOR LANDSCAPE AREAS:
1-4" CANOPY TREE/ 500 SQ FT
1 UNDERSTORY TREE / 250 SQ FT
1 SHRUB / 70 SQ FT
GROUND COVERAGE OF 15%
1,288.50 SQ FT / 500 SQ FT = 3- 4" CANOPY TREES PROVIDED
1,288.50 SQ FT / 250 SQ FT = 8 UNDERSTORY TREES PROVIDED
1,288.50 SQ FT/ 70 SQ FT = 19 SHRUBS PROVIDED

B. PARKING LOT LANDSCAPE AREAS:
2-4" CANOPY TREE/ 500 SQ FT
10 SHRUBS / 500 SQ FT
4,481 / 500 = 9 TREES PROVIDED
4,481 / 500 X 10 = 90 SHRUBS PROVIDED

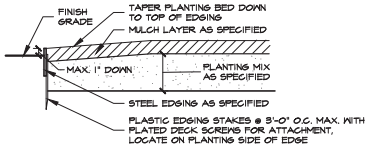
C. DRIVE- THROUGH LANDSCAPE AREAS:
SCREENING SHURBS OF AT LEAST 2 FT HEIGHT AND EVERGREEN.

D. LANDSCAPE BUFFER:
1-4" CANOPY TREE / 40 LINEAR FEET
140.26 LF / 40LF = 4 - 4" CANOPY TREES PROVIDED



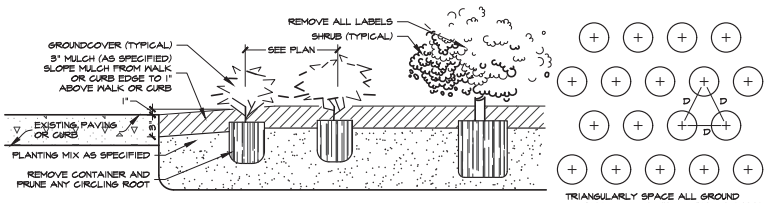
1 L2 POCKET PLANTING ORNAMENTAL GRASS DETAIL

NOT TO SCALE



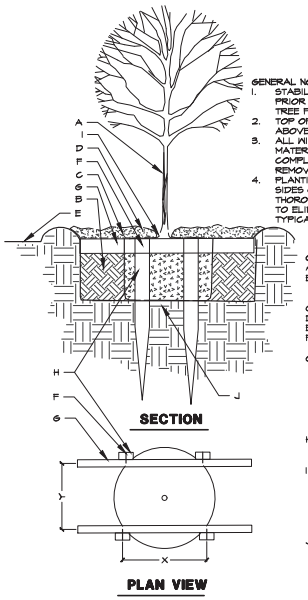
3 L2 TYPICAL BED EDGING DETAIL

NOT TO SCALE



2 L2 SHRUB AND GROUNDCOVER PLANTING DETAIL

NOT TO SCALE



GENERAL NOTES:
1. STABILIZE SOIL BELOW ROOT BALL PRIOR TO PLANTING TO PREVENT TREE FROM SETTLING.
2. TOP OF ROOTBALL SHALL 1" TO 2" ABOVE FINISHED GRADE.
3. ALL WIRE ROPE AND SYNTHETIC MATERIALS SHALL BE REMOVED COMPLETELY FROM ROOTBALL AND REMOVE TOP 1/3 OF BURLAP
4. PLANTING PITS SHALL BE SQUARE, SIDES OF PITS SHALL BE THOROUGHLY SCARIFIED/ROUGHENED TO ELIMINATE FLARED AS SHOWN IN TYPICAL DETAIL

CONSTRUCTION NOTES:
A. TREE
B. LOOSEN NATIVE BACKFILL (NO SOIL AMENDMENTS IN CONTRACT)
C. WATER RETENTION BASIN
D. 3" DEPTH MULCH AS SPECIFIED
E. FINISH GRADE
F. 2 1/2 DRYWALL SCREW (UNFINISHED)
G. 2" X 2" X 4' CROSS MEMBER (UNTREATED LUMBER). NOTE: CROSS MEMBERS TO BE ORIENTED PARALLEL TO NORTH / SOUTH BEARINGS AND SHALL BE PROPORTIONAL IN LENGTH TO ROOT BALL (4' MIN).
H. 2" X 2" X 4' STAKE WITH 18" MIN. TAPER (UNTREATED LUMBER)
I. REMOVE TOP 1/3 OF BURLAP SURROUNDING ROOTBALL AFTER INSTALLATION (TO PREVENT "WICKING" OF MOISTURE) X. DIMENSION EQUAL TO "Y" Y. DIMENSION EQUAL TO "X"
J. ROOTBALL SHALL BE PLACED ON UNDISTURBED NATIVE SOIL.

4 L2 TREE PLANTING

NOT TO SCALE

CLARKITECTURE
BUILDINGS THAT MEAN BUSINESS

PROJECT INFO
CLIENT:
TBEVCO, LLC
PROJECT:
HTEAO - WAXAHACHIE, TX
ADDRESS:
502 N HWY 77
WAXAHACHIE, TX 75165
PROJECT NO: 319

MAIN CONTACT
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SHAWNEE, KS 66203
(913) 262-1772

ELECTRICAL
BC ENGINEERS
5720 REEDER ST
SHAWNEE, KS 66203
(913) 262-1772

CIVIL & LANDSCAPE
CIVIL POINT ENGINEERS
5900 S LAKE FOREST DR, STE 300
MCKINNEY, TX 75070
(972) 554-1100

SHEET INFO
ISSUE DATE: 11/10/23
ISSUED FOR: DESIGN REVIEW

REVISION SCHEDULE

NO	DESCRIPTION	DATE

LANDSCAPE DETAILS

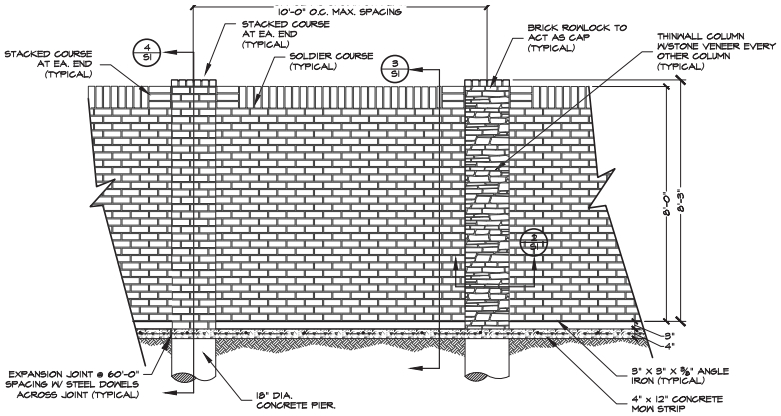
LS2

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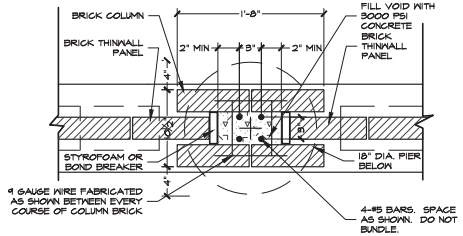
Drawing: W:\Shared With Me\shared\Projects\HTO001 - Waxahachie\DWG\HTO001 LS.dwg Saved By: Station13 Save Time: 11/10/2023 9:34 AM Plotted by: ######## Plot Date: 11/14/2023 5:35 PM

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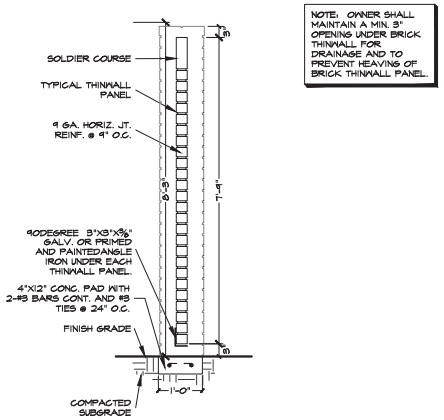
EXHIBIT C - LANDSCAPE PLAN



1 S1 PARTIAL BRICK THINWALL ELEVATION SCALE: ½" = 1'-0"

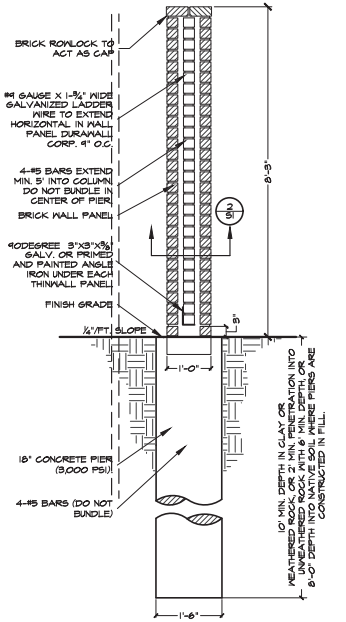


2 S1 THINWALL COLUMN PLAN/SECTION SCALE: 1-1/2" = 1'-0"

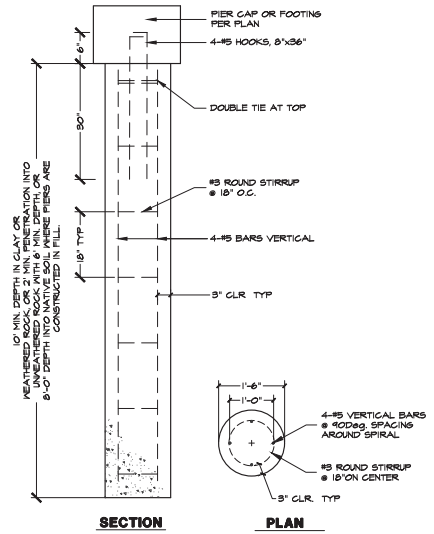


NOTE: OWNER SHALL MAINTAIN A MIN. 3" OPENING UNDER BRICK THINWALL FOR DRAINAGE AND TO PREVENT HEAVING OF BRICK THINWALL PANEL.

3 S1 BRICK THINWALL PANEL SECTION SCALE: 3/4" = 1'-0"



4 S1 THINWALL COLUMN SECTION SCALE: 3/4" = 1'-0"



5 S1 PIER (18" DIA.) PLAN / SECTION SCALE: 3/4" = 1'-0"

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STRUCTURAL DETAILS

S1

TO PRINT THIS SHEET TO SCALE, USE 24" x 36" SIZE PAPER AT 100% SIZE.

EXHIBIT D - FLOOR PLAN

Item 21&22

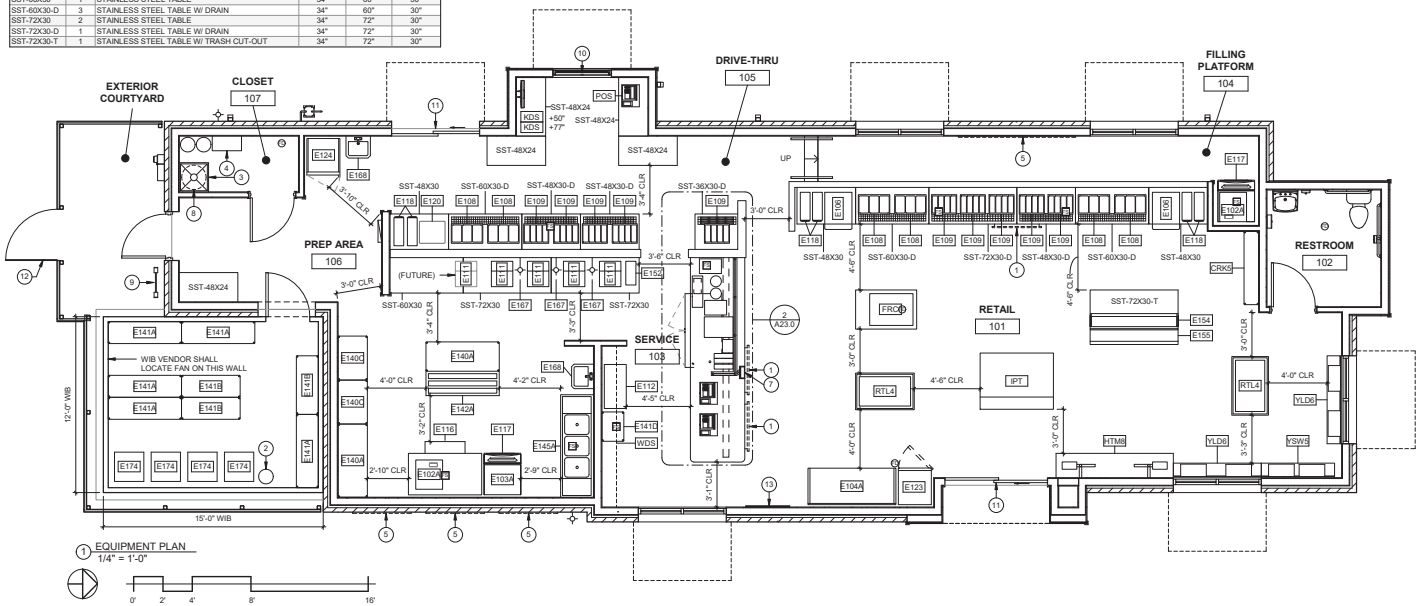
KITCHEN EQUIPMENT SCHEDULE

MARK	QTY	DESCRIPTION	MANUFACTURER	MODEL	POWER	PLUG TYPE	VOLTAGE	AMPERAGE	WATER			DRAIN		DIMENSIONS		
									HOT	COLD	FILTERED	DIRECT	INDIRECT	HEIGHT	WIDTH	DEPTH
CRK5	1	CROCK WALL DISPLAY	BRAND INC	-	-	-	-	-	-	-	-	-	-	-	60"	12"
E102A	2	ICE NUGGET MACHINE	SCOTSMAN	N1322R-32	•	TBD	208-230/60/1	18.4	-	-	•	-	•	27"	22"	24"
E102B	2	ICE NUGGET REMOTE CONDENSER	SCOTSMAN	ERC311-32A	•	TBD	208-230/60/1	1.25	-	-	-	-	-	38.5"	29.2"	29.5"
E103A	1	ICE CUBE MACHINE	SCOTSMAN	EH330SL-1	•	TBD	115/60/1	TBD	-	-	•	-	•	25"	30"	24.5"
E103B	1	ICE CUBE REMOTE CONDENSER	SCOTSMAN	ECC1200-32	•	TBD	208-230/60/1	17.7	-	-	-	-	-	39.8"	39.1"	29.6"
E104A	1	REFRIGERATED OPEN DISPLAY MERCHANDISER	TURBO AIR	TOM-72EB-N	•	NEMA 6-20P	220/60/1	18	-	-	-	-	-	82"	72"	30"
E105	1	UNDERCOUNTER REFRIGERATOR	TRUE	TUC-60G-LP-HC-FGD01	•	NEMA 5-15P	115/60/1	4.0	-	-	-	-	-	31.9"	60.4"	30.2"
E106	2	ICE DISPENSER	MULTIPLEX	S-150	•	TBD	120/60/1	2.8	-	-	-	-	•	34.9"	23"	31.2"
E108	6	BEVERAGE DISPENSER 3 BOWL	CRATHCO	D35-3	•	TBD	120/60/1	9.0	-	-	-	-	•	27.25"	25.6"	15.9"
E109	10	BEVERAGE DISPENSER 4 BOWL	CRATHCO	E49-3	•	TBD	120/60/1	6.0	-	-	-	-	•	25.5"	20.5"	15"
E111	5	BREWING UNIT	FETCO	CBS-2132XTS (E213251)	•	TERM. BLK.	200-240/60/1	16.5-19.7	-	-	•	-	-	26.25"	19.75"	20.4"
E112	1	WATER JUG FILL STATION	-	-	•	TBD	TBD	TBD	-	-	•	-	•	65.5"	35.4"	17.7"
E116	1	LARGE ICE BIN	SCOTSMAN	BH1600BB	-	-	-	-	-	-	-	-	•	62"	60"	34"
E117	2	SMALL ICE BIN	SCOTSMAN	B530P	-	-	-	-	-	-	-	-	•	44"	30.5"	34"
E118	6	CUP DISPENSING CABINET	SAN JAMAR	C2804	-	-	-	-	-	-	-	-	-	30.25"	8.1"	24.4"
E120	1	DROP-IN ICE BIN	ADVANCE TABCO	D-24-IBL	-	-	-	-	-	-	-	-	•	14"	18"	21"
E123	1	ICE MERCHANDISER	TURBO AIR	TGIM-23HB-N	•	NEMA 5-15P	115/60/1	3.0	-	-	-	-	-	77"	27"	30"
E124	1	REACH IN COOLER	TURBO AIR	TGM-11RV-N6	•	NEMA 5-15P	115/60/1	2.2	-	-	-	-	-	62.75"	23.6"	23.4"
E128	1	ESPRESSO CAPPUCCINO MACHINE	EVERSYS	CAMEO CLASSIC C'2M (EARTH COLOR)	•	NEMA L6-30	208/60/1	15/30	-	-	•	•	-	24.8"	16.9"	23.6"
E128B	1	4.5" RECESSED STAINLESS STEEL RINSER	ESPRESSO PARTS	EPRR724	•	-	-	-	-	-	•	•	-	0.05"	8.6"	25.7"
E139	1	SNEEZE GUARD*	C.R. LAURENCE	PP0818EBS	-	-	-	-	-	-	-	-	-	18"	REF. PLAN	REF. PLAN
E140A	2	SHELVING	METRO SHELF	60" x 24" x 72" - BLUE FINISH	-	-	-	-	-	-	-	-	-	72"	60"	24"
E140C	2	SHELVING	METRO SHELF	36" x 24" x 72" - BLUE FINISH	-	-	-	-	-	-	-	-	-	72"	36"	24"
E141A	5	SHELVING	METRO SHELF	60" x 18" x 72" - BLUE FINISH	-	-	-	-	-	-	-	-	-	72"	60"	18"
E141B	3	SHELVING	METRO SHELF	48" x 18" x 72" - BLUE FINISH	-	-	-	-	-	-	-	-	-	72"	48"	18"
E141D	1	SHELVING	METRO SHELF	24" x 18" x 60" - BLUE FINISH	-	-	-	-	-	-	-	-	-	60"	24"	18"
E142A	1	DUNNAGE RACK	-	60" x 20"	-	-	-	-	-	-	-	-	-	-	60"	20"
E145A	1	3 COMPARTMENT SINK (L & R DRAINBOARD)	ADVANCE TABCO	FE-3-1620-18RL-X	-	-	-	-	•	•	-	-	•	37"	84"	25.75"
E146	2	THERMAL DISPENSER & SERVER 1.5 GAL	FETCO	L4D-15	•	TBD	TBD	TBD	-	-	-	-	-	24"	9"	9"
E148	1	4-QT 2-COMPARTMENT CONDIMENT DISPENSER	WINCO	PKTS-2D	-	-	-	-	-	-	-	-	-	16"	11"	8.75"
E149	2	4-TIER SYRUP RACK	-	-	-	-	-	-	-	-	-	-	-	13"	4"	15.5"
E150	1	RUBBER BAR MAT	-	-	-	-	-	-	-	-	-	-	-	-	12"	18"
E151	1	DROP-IN ICE BIN	GSW	IB1218	-	-	-	-	-	-	-	-	•	14"	12"	18"
E152	1	COFFEE BATCH GRINDER	BUNN	G9-2T DBC BLK	•	NEMA 5-15P	120/60/1	9.4	-	-	-	-	-	27.1"	8.3"	19.4"
E153	1	COFFEE CUP DISPENSER	-	-	-	-	-	-	-	-	-	-	-	-	-	-
E154	1	TABLETOP RETAIL SHELVING	-	-	-	-	-	-	-	-	-	-	-	-	72"	-
E155	1	ROLLING FOOD MERCHANDISER	-	-	-	-	-	-	-	-	-	-	-	-	72"	-
E167	3	MANUAL JUG FILLER	T&S	B-0605	-	-	-	-	-	-	•	-	-	-	-	-
E168	2	HAND WASH SINK	ADVANCE TABCO	7-PS-EC-SP-1X	-	-	-	-	•	•	-	•	-	13"	17"	15.25"
E174	4	RESERVE WATER TANK	-	-	-	-	-	-	-	-	•	-	-	-	24"	24"
FRC	1	FRUIT BAR CART	-	-	-	-	-	-	-	-	-	-	-	-	50"	32"
HTM8	1	HTEAO MERCHANDISE DISPLAY	BRAND INC	-	-	-	-	-	-	-	-	-	-	-	96"	20"
IPT	1	IMPACT TABLE	BRAND INC	-	-	-	-	-	-	-	-	-	-	32"	60"	46"
KDS	2	KITCHEN DISPLAY SYSTEM	-	-	•	TBD	TBD	TBD	-	-	-	-	-	-	-	-
POS	3	POINT OF SALE	-	-	•	TBD	TBD	TBD	-	-	-	-	-	-	-	-
RTL4	2	RETAIL DISPLAY	BRAND INC	-	-	-	-	-	-	-	-	-	-	-		
WDS	1	WATER DISPLAY SHELF	BRAND INC	-	-	-	-	-	-	-	-	-	-	-	131.75"	12"
YLD6	2	YETI LADDER	BRAND INC	-	-	-	-	-	-	-	-	-	-	-	72"	12"
YSW5	1	YETI LADDER	BRAND INC	-	-	-	-	-	-	-	-	-	-	-	60"	12"

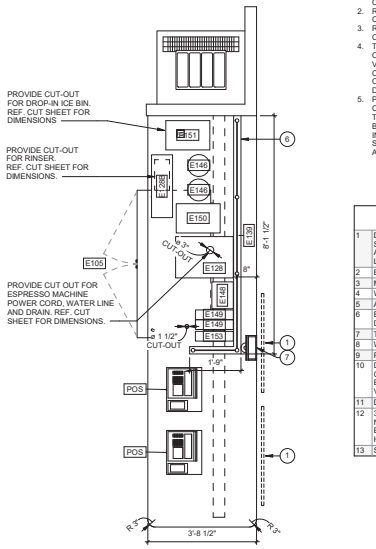
*GC TO SUPPLY AND INSTALL SNEEZE GUARD

STAINLESS STEEL TABLE SCHEDULE

MARK	QTY	DESCRIPTION	DIMENSIONS		
			HEIGHT	WIDTH	DEPTH
SST-36X30-D	1	STAINLESS STEEL TABLE W/ DRAIN	34"	36"	30"
SST-48X24	5	STAINLESS STEEL TABLE	34"	48"	24"
SST-48X30	3	STAINLESS STEEL TABLE	34"	48"	30"
SST-48X30-D	3	STAINLESS STEEL TABLE W/ DRAIN	34"	48"	30"
SST-60X30	1	STAINLESS STEEL TABLE	34"	60"	30"
SST-60X30-D	3	STAINLESS STEEL TABLE W/ DRAIN	34"	60"	30"
SST-72X30	2	STAINLESS STEEL TABLE	34"	72"	30"
SST-72X30-D	1	STAINLESS STEEL TABLE W/ DRAIN	34"	72"	30"
SST-72X30-T	1	STAINLESS STEEL TABLE W/ TRASH CUT-OUT	34"	72"	30"



1 EQUIPMENT PLAN
1/4" = 1'-0"



2 ENLARGED PLAN - POS COUNTER
1/2" = 1'-0"

GENERAL NOTES

1. REF. SHEET G10.0 FOR THE RESPONSIBILITY SCHEDULE AND CRITICAL NOTES.
2. REF. MECH PLANS FOR ALL PLUMBING FIXTURES AND CONNECTIONS.
3. REF. ELEC PLANS FOR ALL ELECTRICAL FIXTURES AND CONNECTIONS.
4. THE CONTRACTOR SHALL OBTAIN FROM THE ARCHITECT A COPY OF THE MANUFACTURER'S CUT SHEET FOR ALL EQUIPMENT ITEMS. VERIFY ALL UTILITY CONNECTIONS FOR THE EQUIPMENT WITH THE CUT SHEET PRIOR TO ROUGH-IN. INFORM ARCHITECT OF ANY CONFLICT(S) BETWEEN THE CUT SHEETS AND CONSTRUCTION DOCUMENTS PRIOR TO ROUGH-IN.
5. PRIOR TO ROUGHING IN ANY PLUMBING OR ELECTRICAL WORK, THE CONTRACTOR SHALL SCHEDULE A MEETING TO REVIEW IN DETAIL THE LOCATION AND REQUIREMENTS OF ALL EQUIPMENT IN THE BUILDING. THE REQUIRED PARTICIPANTS FOR THE MEETING SHALL INCLUDE THE CONTRACTOR'S PROJECT MANAGER, SUPERINTENDENT, ELECTRICIAN AND PLUMBER; THE ARCHITECT; AND THE FRANCHISEE.

KEYNOTE LEGEND

1	DIGITAL MENU BOARD, SUPPLIED BY FRANCHISEE. CONTRACTOR SHALL ROUGH-IN WALL BLOCKING, ELECTRICAL POWER AND DATA (IF APPLICABLE). VERIFY AND COORDINATE EXACT REQUIREMENTS AND LOCATION WITH FRANCHISEE
2	BOOSTER PUMP FOR FILTERED WATER SYSTEM, REF. MECH PLANS
3	MOP SINK, REF. MECH PLANS
4	WATER FILTRATION SYSTEM, REF. MECH PLANS
5	ARTWORK / GRAPHICS, SUPPLIED BY FRANCHISEE
6	BASE WALL BELOW SNEEZE GUARD, REF. INTERIOR ELEVATIONS AND DETAILS
7	TABLET, SUPPLIED BY FRANCHISEE
8	WATER HEATER ON SHELF ABOVE MOP SINK, REF. MECH PLANS
9	ROOF ACCESS LADDER, REF. DETAILS AND SPEC
10	DRIVE-THRU WINDOW UNIT, REF. WINDOW TYPES / SCHEDULE. CONTRACTOR SHALL COORDINATE THE ROUGH OPENING SIZE AND ELECTRICAL REQUIREMENTS (IF APPLICABLE) WITH THE WINDOW VENDOR / MANUFACTURER
11	DOOR, REF. DOOR SCHEDULE
12	3'-6" WIDE GATE. CONTRACTOR SHALL PROVIDE ALL HARDWARE NECESSARY TO COMPLY WITH IBC REQUIREMENTS FOR A MEANS OF EGRESS, INCLUDING BUT NOT LIMITED TO DOOR OPENING FORCE, HARDWARE HEIGHT AND LOCKS AND LATCHES
13	SELFIE WALL, GRAPHICS SUPPLIED BY FRANCHISEE

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WAXAHACHIE, TX 75165

PROJECT NO: 319

MAIN CONTACT

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DESIGN TEAM

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411 N WEBB RD
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(316) 684-9600

MEP
BC ENGINEERS
5720 REEDER ST
SHAWNEE, KS 66203
(913) 262-1772

CIVIL
CIVIL POINT ENGINEERS
5900 S LAKE FOREST DR, STE 300
MCKINNEY, TX 75070
(972) 554-1100

LANDSCAPE
STUDIO 13 DESIGN GROUP
386 W MAIN ST
LEWISVILLE, TX 75057
(469) 635-1900

SHEET INFO

ISSUE DATE: 04/03/24

ISSUED FOR: SUP / SITE PLAN

REVISION SCHEDULE

NO	DESCRIPTION	DATE

PROFESSIONAL'S SEAL:

NOT FOR CONSTRUCTION

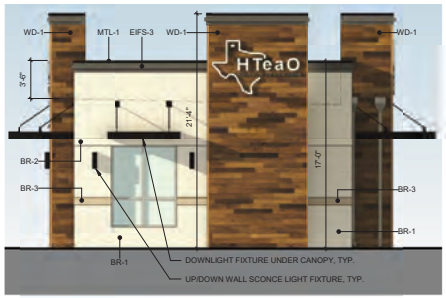
EQUIPMENT PLAN

A23.0

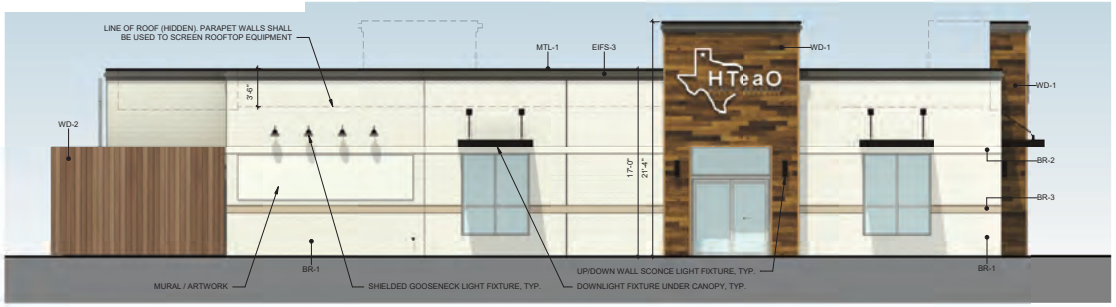
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EXHIBIT E - ELEVATION/FACADE PLAN

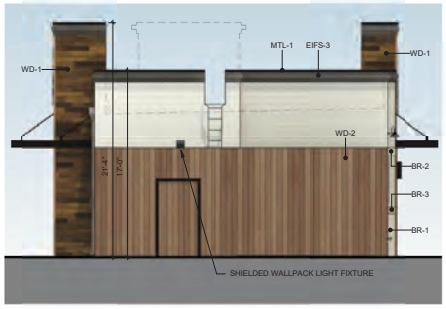
Item 21&22



1 NORTH ELEVATION
3/16" = 1'-0"



2 EAST ELEVATION
3/16" = 1'-0"



3 SOUTH ELEVATION
3/16" = 1'-0"



4 WEST ELEVATION
3/16" = 1'-0"

EXTERIOR FINISH LEGEND

BR-1 BRICK VENEER
- PATTERN: RUNNING BOND
- MFG: TBD
- PRODUCT: TBD
- COLOR: PAINT TO MATCH SHERWIN WILLIAMS SW 7002 "DOWNY"
- SIZE: MODULAR
- TEXTURE: TBD
- MORTAR: STANDARD GRAY

BR-2 BRICK VENEER
- PATTERN: SOLDIER
- MFG: TBD
- PRODUCT: TBD
- COLOR: PAINT TO MATCH SHERWIN WILLIAMS SW 7002 "DOWNY"
- SIZE: MODULAR
- TEXTURE: TBD
- MORTAR: STANDARD GRAY

BR-3 BRICK VENEER
- PATTERN: SOLDIER
- MFG: TBD
- PRODUCT: TBD
- COLOR: PAINT TO MATCH SHERWIN WILLIAMS SW 7038 "TONY TAUPE"
- SIZE: MODULAR
- TEXTURE: TBD
- MORTAR: STANDARD GRAY

STC-1 STUCCO
- MFG: DRYVIT
- COLOR: "BRITE WHITE" (ALT: SHERWIN WILLIAMS SW 7002 "DOWNY")
- TEXTURE: FINE PEBBLE FINISH

EIFS-3 EXTERIOR INSULATION & FINISH SYSTEM
- MFG: DRYVIT
- COLOR: "TBD" (DARK BRONZE) (ALT: SHERWIN WILLIAMS SW XXXX "TBD")
- TEXTURE: FINE PEBBLE FINISH

MTL-1 EXTERIOR GRADE METAL
- COLOR: DARK BRONZE

WD-1 COMPOSITE SIDING
- MFG: NEWTECHWOOD
- PRODUCT: SIDING
- SIZE: 5-1/2" X 1/2"
- COLORS: AN EQUAL MIX OF THE FOLLOWING: BRAZILIAN IPE, PERUVIAN TEAK, SPANISH WALNUT, HAWAIIAN CHARCOAL
- TRIM: BRAZILIAN IPE

WD-2 COMPOSITE WOOD SCREEN WALL (PRIMARY)
- MFG: NEWTECHWOOD
- PRODUCT: SIDING
- SIZE: 5-1/2" X 1/2"
- COLOR: SELECT ONE OF THE FOLLOWING: BRAZILIAN IPE, PERUVIAN TEAK, SPANISH WALNUT, HAWAIIAN CHARCOAL

WD-2 COMPOSITE WOOD SCREEN WALL (ALTERNATE)
- MFG: TREX
- PRODUCT: CLADDING
- SIZE: TBD
- COLOR: TBD

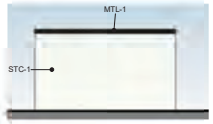
PRE-FABRICATED METAL CANOPIES
- MFG: HAMERSLEY STEEL CONSTRUCTION
  PHONE: (806) 777-8154
  EMAIL: hamersleyllc@gmail.com
- PRODUCT: HTEAO STANDARD CANOPY
- PROFILE: HTEAO STANDARD CANOPY



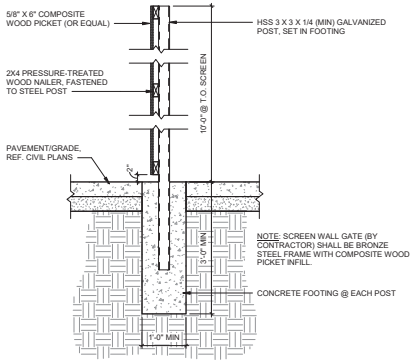
5 TRASH ENCLOSURE - FRONT
3/16" = 1'-0"



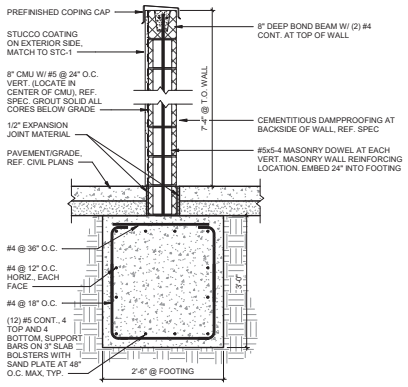
6 TRASH ENCLOSURE - SIDE
3/16" = 1'-0"



7 TRASH ENCLOSURE - REAR
3/16" = 1'-0"



8 SCREEN WALL SECTION
3/4" = 1'-0"



9 TRASH ENCLOSURE SECTION
3/4" = 1'-0"

MATERIAL CALCULATIONS

NORTH ELEVATION

BRICK AREA:	216 SF	48 %
COMPOSITE SIDING AREA:	172 SF	38 %
COPING AREA (EIFS):	25 SF	5 %
OPENING AREA (GLASS / METAL):	42 SF	9 %
WALL AREA:	455 SF	100 %

EAST ELEVATION

BRICK AREA:	848 SF	69 %
COMPOSITE SIDING AREA:	154 SF	13 %
COPING AREA (EIFS):	72 SF	5 %
OPENING AREA (GLASS / METAL):	157 SF	13 %
WALL AREA:	1,231 SF	100 %

SOUTH ELEVATION

BRICK AREA:	402 SF	89 %
COMPOSITE SIDING AREA:	0 SF	0 %
COPING AREA (EIFS):	27 SF	6 %
OPENING AREA (GLASS / METAL):	24 SF	5 %
WALL AREA:	453 SF	100 %

WEST ELEVATION

BRICK AREA:	921 SF	63 %
COMPOSITE SIDING AREA:	326 SF	22 %
COPING AREA (EIFS):	85 SF	5 %
OPENING AREA (GLASS / METAL):	140 SF	10 %
WALL AREA:	1,472 SF	100 %

CLARKITECTURE
BUILDINGS THAT MEAN BUSINESS

PROJECT INFO

CLIENT:
TBEVCO, LLC

PROJECT:
HTEAO - WAXAHACHIE, TX

ADDRESS:
502 N HWY 77
WAXAHACHIE, TX 75165

PROJECT NO: 319

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LANDSCAPE
STUDIO 13 DESIGN GROUP
386 W MAIN ST
LEWISVILLE, TX 75057
(469) 635-1900

SHEET INFO

ISSUE DATE: 11/16/23

ISSUED FOR: SUP / SITE PLAN

REVISION SCHEDULE

NO	DESCRIPTION	DATE

PROFESSIONAL'S SEAL:

NOT FOR CONSTRUCTION

COLOR ELEVATIONS

A35.0

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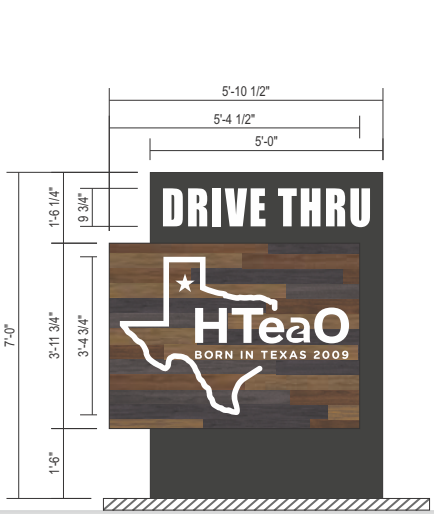
EXHIBIT F - SIGNAGE PLAN

Item 21&22

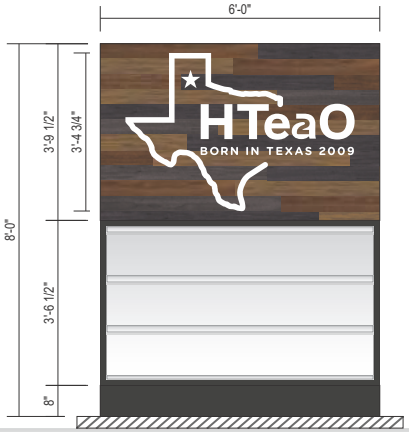
MS.2/3/4/5 INTERNALLY ILLUMINATED D/F MONUMENT SIGNS - EXTERIOR (QTY X)

SQUARE FOOTAGE:
MS.2: 41.1 PER FACE
MS.3: 48 PER FACE
MS.4: 51.6 PER FACE
MS.5: 48 PER FACE

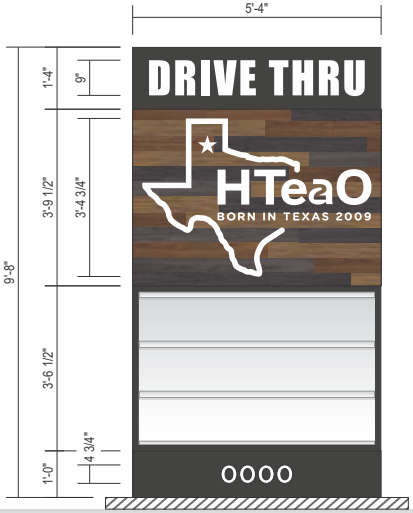
NOTE: ALL GRAPHICS TO BE ROUTED & BACKED.



MS.2 - FRONT VIEW
SCALE: 3/8" = 1'-0"



MS.3 - FRONT VIEW
SCALE: 3/8" = 1'-0"



MS.4 - FRONT VIEW
SCALE: 3/8" = 1'-0"



MS.5 - FRONT VIEW
SCALE: 3/8" = 1'-0"

JONES SIGN
Your Vision. Accomplished.
A Mortensen Company

JOB #: 293478-R5
DATE: 12.29.2023
DESIGNER: K. PASTORIK
SALES REP: X. XXXXXX
PROJ MGR: X. XXXXXX

REQUIRED:
☐ FIELD SURVEY ☐ PAINT COLOR ☐ FONTS
☐ VECTOR ARTWORK ☐ CLIENT PMS COLOR ☐ ENGINEERING
OTHER: SPECIFICATIONS

LANDLORD APPROVAL DATE

CLIENT APPROVAL DATE

HTeaO
BORN IN TEXAS 2009

HTeaO
STREET ADDRESS
CITY, STATE ZIP

SHEET NUMBER
17.0

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CLARKITECTURE® I MEAN BUSINESS.™

Item 21&22

OPERATIONAL PLAN

Apr 3, 2024

Development Name:	HTeaO
Site Address:	502 N Hwy 77, Waxahachie, TX 75165
Parcel ID:	289738

Proposed Hours

- Fall/Winter Hours:
  - Sun: 11 AM – 8:05 PM
  - Mon: 7 AM – 8:05 PM
  - Tue: 7 AM – 8:05 PM
  - Wed: 7 AM – 8:05 PM
  - Thu: 7 AM – 8:05 PM
  - Fri: 7 AM – 8:05 PM
  - Sat: 8 AM – 8:05 PM
- Spring/Summer Hours
  - Sun: 11 AM – 9:05 PM
  - Mon: 7 AM – 9:05 PM
  - Tue: 7 AM – 9:05 PM
  - Wed: 7 AM – 9:05 PM
  - Thu: 7 AM – 9:05 PM
  - Fri: 7 AM – 9:05 PM
  - Sat: 8 AM – 9:05 PM

Number of Employees

- Total employment: +/- 25 employees
- Typical morning shift: 2-3 employees
- Typical mid shift: 3-4 employees
- Typical happy hour shift: 6-7 employees
- Typical late shift to close: 4 employees

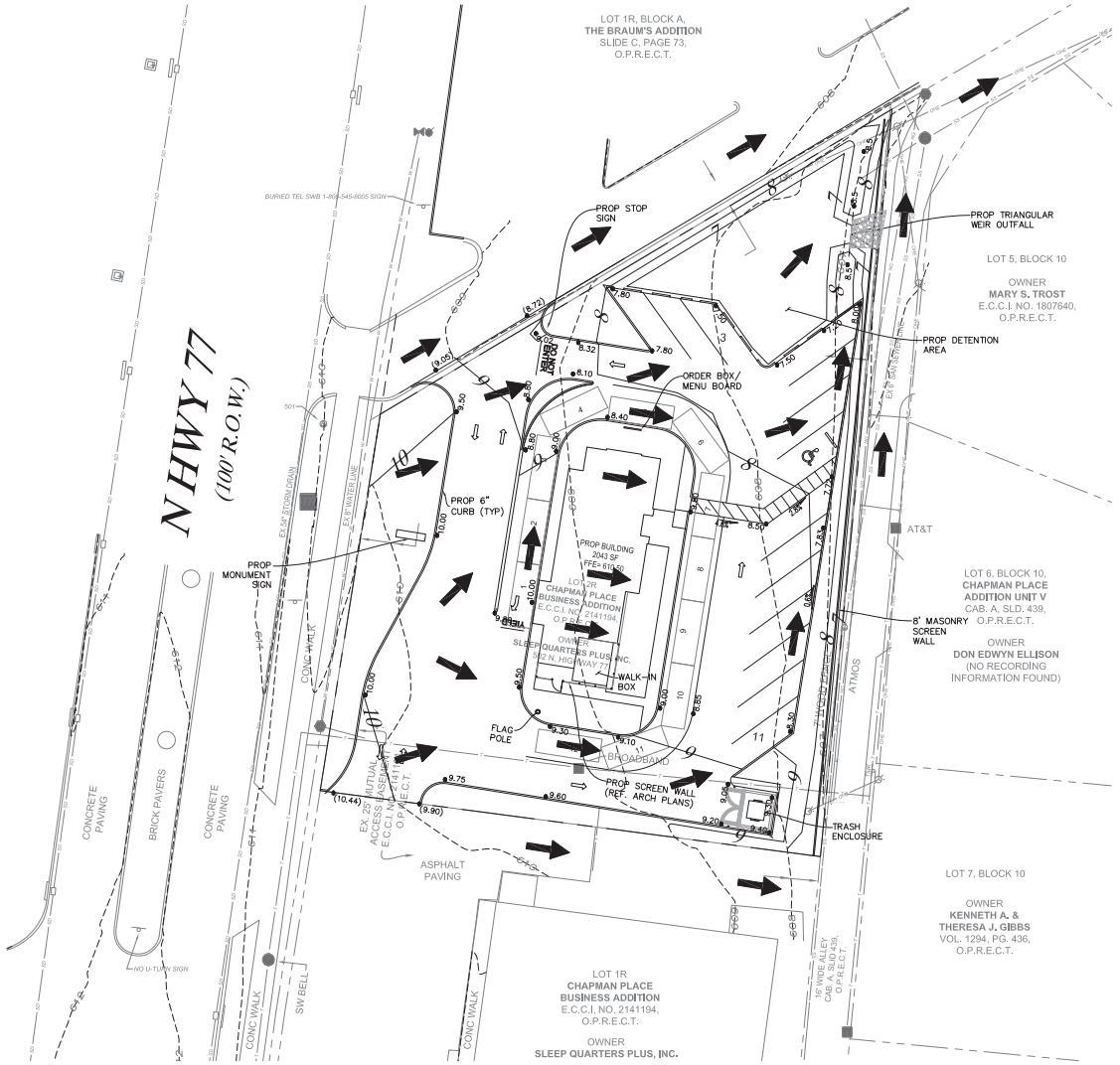
Compatibility with Adjoining Uses

HTeaO's adjoining neighbors will include commercial retail uses to the south and west; a restaurant with drive-thru to the north; and residential development to the east. As a retail store with a drive-thru, it will be highly compatible with the retail and restaurant uses. An 8' masonry screen wall will be constructed along the east property line prior to the building construction going vertical to mitigate the potential impact of a retail/drive-thru use adjacent to residential development.

The Company's Business Plan for the Proposed Establishment

HTeaO is a quick service retail store specializing in iced tea and water. It features a drive-thru and in-store retail sales. HTeaO's offerings include iced tea, water, hot beverages, prepackaged snacks and various merchandise such as branded mugs, coolers, T-shirts and hats.

GRADING PLAN



0 10 20 40
SCALE: 1" = 20'

LEGEND

42.75	PROP GROUND ELEV OF 642.75
(42.50)	MATCH EX GROUND ELEV OF 642.50
42	PROP CONTOUR ELEV OF 642
-------	EXISTING CONTOUR

GRADING NOTES:

1. THE CONTRACTOR SHALL VERIFY THE LOCATION, SIZE, AND MATERIAL OF ALL EXISTING UTILITIES AFFECTED BY CONSTRUCTION PRIOR TO COMMENCEMENT. CONTRACTOR SHALL CONTACT A UTILITY LOCATOR 48 HOURS PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION BEING IN ACCORDANCE WITH THE APPLICABLE FEDERAL, STATE, AND LOCAL REQUIRMENTS, REGULATIONS, STATUTES, STANDARDS, AND SPECIFICATIONS.
3. CONTRACTOR SHALL PROTECT EXISTING CONTROL MONUMENTATION AND BENCHMARKS. ANY SUCH POINTS WHICH THE CONTRACTOR BELIEVES WILL BE DESTROYED SHALL HAVE OFFSET POINTS ESTABLISHED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. ANY MONUMENTATION DESTROYED BY THE CONTRACTOR SHALL BE REESTABLISHED AT HIS EXPENSE.
4. CONTRACTOR SHALL PROTECT ALL PUBLIC UTILITIES IN THE CONSTRUCTION OF THIS PROJECT.
5. ALL EARTHWORK OPERATIONS, PAVEMENT INSTALLATION, ETC. SHALL CONFORM TO THE GEOTECHNICAL REPORT.
6. THE CONTRACTOR SHALL VERIFY THE SUITABILITY OF ALL EXISTING AND PROPOSED SITE CONDITIONS, INCLUDING GRADES AND DIMENSIONS BEFORE COMMENCEMENT OF ANY CONSTRUCTION. IN THE EVENT OF ANY CONFLICT, AND PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION, IMMEDIATELY NOTIFY THE ENGINEER.
7. EROSION CONTROL SHALL BE IN PLACE PRIOR TO THE DISTURBANCE OF ANY EXISTING SURFACE.
8. DIMENSIONS ARE FACE OF CURB TO FACE OF CURB OR FACE OF BUILDING.
9. ALL CONNECTIONS TO EXISTING PAVING SHALL HAVE A FULL DEPTH SAWCUT.
10. ADD 600' TO ALL SPOT GRADE ELEVATIONS & CONTOURS. ALL ELEVATIONS SHOWN REPRESENT FINISH GRADE, UNLESS NOTED OTHERWISE.
11. ALL SPOT GRADES ARE TOP OF PAVEMENT UNLESS SPECIFIED OTHERWISE.
12. ALL SIDEWALK SLOPES SHALL CONFORM TO ADA REQUIREMENTS AS SHOWN BELOW:
    5% MAX (1:20) LONGITUDINAL SLOPE
    2% MAX (1:50) TRANSVERSE OR CROSS SLOPE

CAUTION

CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.

GRADING PLAN

CIVIL POINT ENGINEERS
5900 S LAKE FOREST DR, STE 300
McKINNEY, TX 75070
972-554-1100 (OFFICE)
866-682-8129 (FAX)
TBPE Firm #: 9723

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WACO, TX
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(800) 352-4402

PROJECT INFO

CLIENT:
TBEVCO, LLC

PROJECT:
HTEAO - WAXAHACHIE, TX

ADDRESS:
502 N HWY 77
WAXAHACHIE, TX 75165

PROJECT NO: 319

MAIN CONTACT

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LANDSCAPE
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(469) 635-1900

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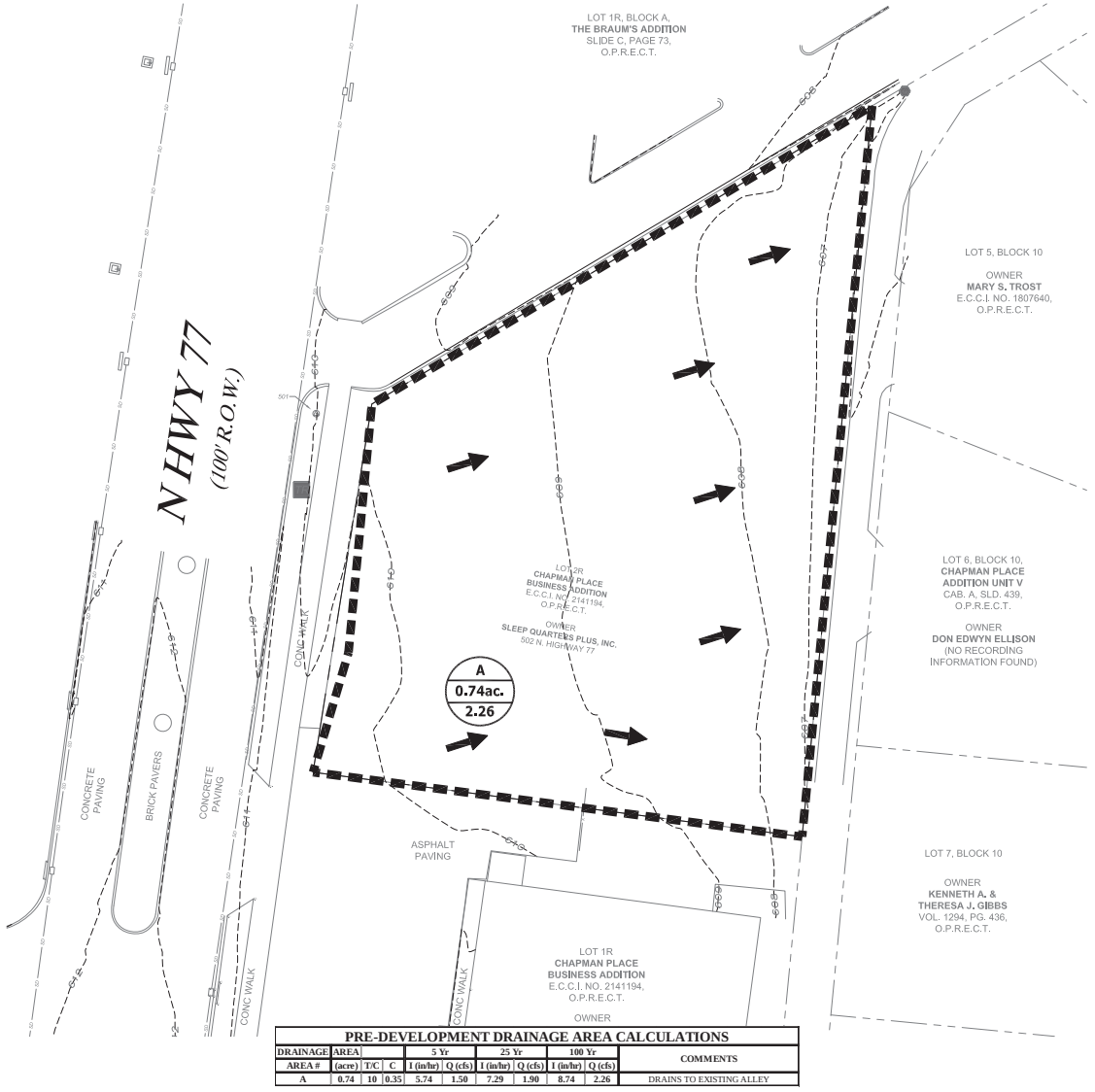
NO	DESCRIPTION	DATE

PROFESSIONAL'S SEAL:

PRELIMINARY
NOT FOR CONSTRUCTION

JOHN H BEZNER
PE # 98469

DRAINAGE PLAN



0 10 20 40
SCALE: 1" = 20'

LEGEND

- A1 / 5.71 ac. / 17.13 — DRAINAGE AREA NO. / DRAINAGE AREA SIZE / DRAINAGE FLOW 100YR (CFS)
- DRAINAGE FLOW DIRECTION
- EXISTING CONTOUR
- 42 — PROPOSED CONTOUR

PRE-DEVELOPMENT DRAINAGE AREA CALCULATIONS

DRAINAGE AREA #	AREA (acre)	T/C	C	5 Yr I (in/hr)	5 Yr Q (cfs)	25 Yr I (in/hr)	25 Yr Q (cfs)	100 Yr I (in/hr)	100 Yr Q (cfs)	COMMENTS
A	0.74	10	0.35	5.74	1.50	7.29	1.90	8.74	2.26	DRAINS TO EXISTING ALLEY

PRE-DEVELOPMENT DRAINAGE AREA MAP

CIVIL POINT ENGINEERS
5900 S LAKE FOREST DR, STE 300
McKINNEY, TX 75070
972-554-1100 (OFFICE)
866-682-8129 (FAX)
TBPE Firm #: 9723

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WICHITA, KS
CLARKITECTURE.NET
(850) 302-4472

PROJECT INFO
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PROJECT NO: 319

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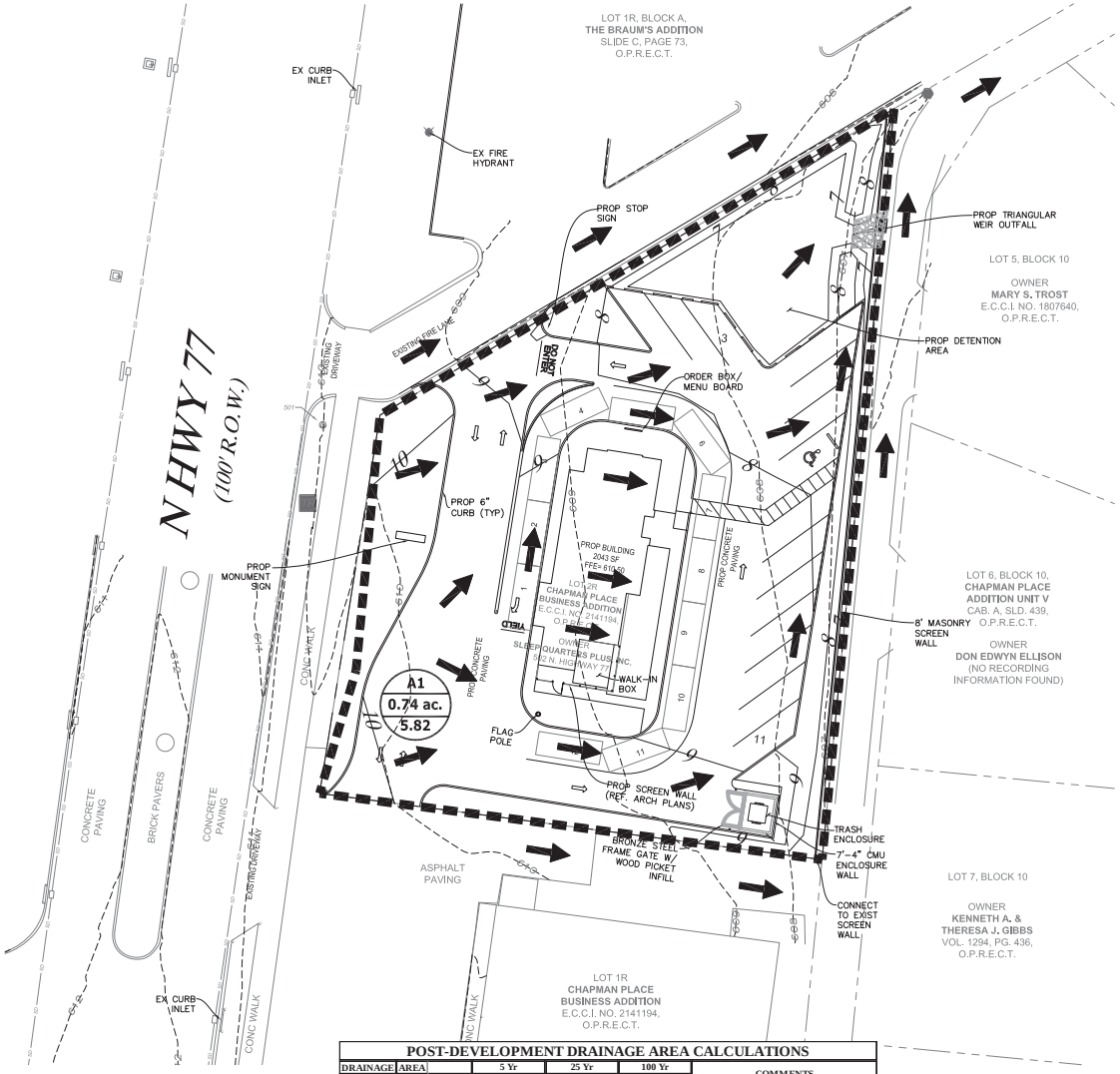
SHEET INFO
ISSUE DATE: 11/9/23
ISSUED FOR: SUP / SITE PLAN

REVISION SCHEDULE

NO	DESCRIPTION	DATE

PROFESSIONAL'S SEAL:
PRELIMINARY
NOT FOR CONSTRUCTION
JOHN H BEZNER
PE # 98469

DRAINAGE PLAN



SCALE: 1" = 20'

LEGEND

- A1 / 5.71 ac. / 17.13 — DRAINAGE AREA NO. / DRAINAGE AREA SIZE / DRAINAGE FLOW 100YR (CFS)
- DRAINAGE FLOW DIRECTION
- EXISTING CONTOUR
- 42 — PROPOSED CONTOUR

POST-DEVELOPMENT DRAINAGE AREA CALCULATIONS

DRAINAGE AREA #	AREA (acre)	T/C	C	5 Yr I (in/hr)	5 Yr Q (cfs)	25 Yr I (in/hr)	25 Yr Q (cfs)	100 Yr I (in/hr)	100 Yr Q (cfs)	COMMENTS
A	0.74	10	0.90	5.74	3.85	7.29	4.90	8.74	5.82	DRAINS TO PROP DETENTION POND

POST-DEVELOPMENT DRAINAGE AREA MAP

CIVIL POINT ENGINEERS
5900 S LAKE FOREST DR, STE 300
McKINNEY, TX 75070
972-554-1100 (OFFICE)
866-682-8129 (FAX)
TBPE Firm #: 9723

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LIC# AA-C-002402

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PRELIMINARY
NOT FOR CONSTRUCTION

JOHN H BEZNER
PE # 98469

DETENTION PLAN

Item 21&22

100 Yr Modified Rational MethodDetention Pond Design

Project Description: **Waxahachie HTEAO** Date: **11/13/2023**

Step		C		Rainfall Intensity, I		A	Q peak	Offsite	Q peak
				Tc	I (in/hr)	(acres)	(cfs)	(cfs)	(cfs)
1	Exist. Cond.	0.35	1.00	10	8.74	0.74	2.26		2.26
2	Prop. Cond.	0.90	1.00	10	8.74	0.74	5.82		5.82

Step 3

Time Step 3	Td Duration (min)	C	I (in/hr)	A (acres)	Q peak (cfs)	Volume (ft^3) Inflow Td*Q*60	Outflow .5*(Tc+Td)*Qo*60	Req. Storage Inflow - Outflow	Volume (acre-ft) Previous Col./43,560
1	10	0.90	8.74	0.74	5.82	3,493	1,358	2,134	0.05
2	20	0.90	6.80	0.74	4.53	5,435	2,037	3,397	0.08
3	30	0.90	5.75	0.74	3.83	6,893	2,716	4,177	0.10
4	40	0.90	5.05	0.74	3.36	8,072	3,395	4,676	0.11
5	50	0.90	4.45	0.74	2.96	8,891	4,075	4,817	0.11
6	60	0.90	3.91	0.74	2.60	9,375	4,754	4,621	0.11
7	70	0.90	3.62	0.74	2.41	10,126	5,433	4,693	0.11
8	80	0.90	3.19	0.74	2.12	10,191	6,112	4,079	0.09
9	90	0.90	2.95	0.74	1.96	10,596	6,791	3,805	0.09
10	100	0.90	2.74	0.74	1.83	10,960	7,470	3,490	0.08
11	110	0.90	2.57	0.74	1.71	11,291	8,149	3,141	0.07
12	120	0.90	2.42	0.74	1.61	11,594	8,828	2,766	0.06

Step 4. 100 Yr Max Required Storage (cf) **4817**

Note: 1. The use of the Modified Rational Method for detention design, is limited to drainage basins with less than 200 acres.
2. The detention pond shall be designed using the 100-year storm peak flows.

POND VOLUME CALCULATIONS

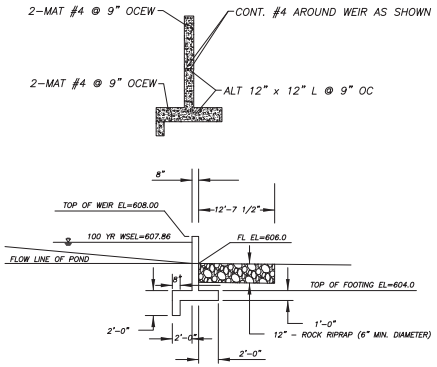
ELEVATION (ft)	AREA (sf)	INCR VOLUME (cf)	CUMM VOLUME (cf)
606	0	0	
607	2200	1100	1100
608	6425	4312.5	5412.5

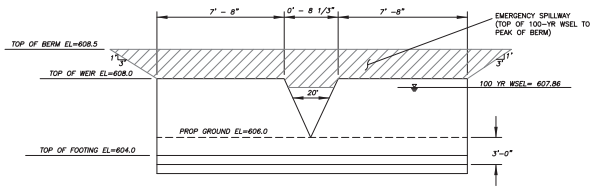
100yr Triangular Wer Calculation

V-Notch Weir
Crest = Sharp
Angle (Deg) = 20
Total Depth (ft) = 2.50

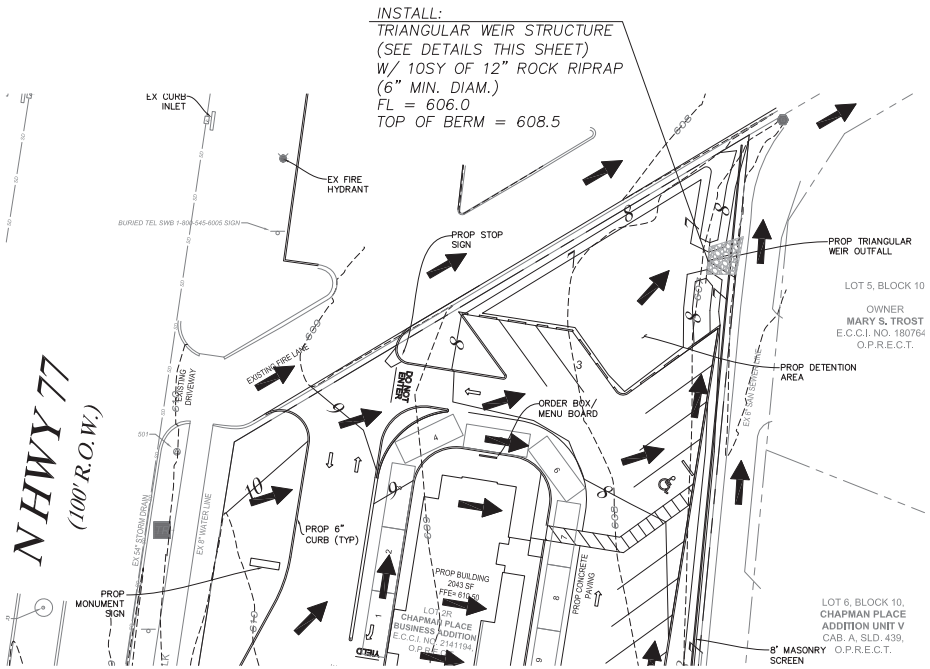
Calculations
Weir Coeff. Cw = 0.45
Compute by: = Known Q
Known Q (cfs) = 2.26

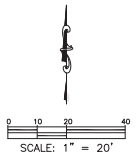
Highlighted
Depth (ft) = 1.91
Q (cfs) = 2.260
Area (sqft) = 0.64
Velocity (ft/s) = 3.52
Top Width (ft) = 0.67





WEIR WALL
N.T.S.





DETENTION POND PLAN

CIVIL POINT ENGINEERS
5900 S LAKE FOREST DR, STE 300
McKINNEY, TX 75070
972-554-1100 (OFFICE)
866-682-8129 (FAX)
TBPE Firm #: 9723

CLARKITECTURE®
BUILDINGS THAT MEAN BUSINESS.™
ROSCOE, IL
WORTH, IL
CLARKITECTURE.NET
(815) 562-4422

PROJECT INFO

CLIENT:
TBEVCO, LLC

PROJECT:
HTEAO - WAXAHACHIE, TX

ADDRESS:
502 N HWY 77
WAXAHACHIE, TX 75165

PROJECT NO: 319

MAIN CONTACT

CHRISTOPHER CLARK, AIA, NCARB
13 PALAFOX PL, STE 200
PENSACOLA, FL 32502
(316) 302-4472
chris@clarkitecture.net

DESIGN TEAM

ARCHITECTURE
CLARKITECTURE
13 PALAFOX PL, STE 200
PENSACOLA, FL 32502
(316) 302-4472

STRUCTURAL
MKEC ENGINEERING
411 N WEBB RD
WICHITA, KS 67206
(316) 684-9600

MEP
BC ENGINEERS
5720 REEDER ST
SHAWNEE, KS 66203
(913) 262-1772

CIVIL
CIVIL POINT ENGINEERS
5900 S LAKE FOREST DR, STE 300
MCKINNEY, TX 75070
(972) 554-1100

LANDSCAPE
STUDIO 13 DESIGN GROUP
386 W MAIN ST
LEWISVILLE, TX 75057
(469) 635-1900

SHEET INFO

ISSUE DATE: 11/9/23

ISSUED FOR: SUP / SITE PLAN

REVISION SCHEDULE

NO	DESCRIPTION	DATE

PROFESSIONAL'S SEAL:

PRELIMINARY
NOT FOR CONSTRUCTION

JOHN H BEZNER
PE # 98469

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-35-2024

MEETING DATE(S)

Planning & Zoning Commission: May 14, 2024
City Council: May 20, 2024

CAPTION

Public Hearing on a request by Melissa McClain, Equity Trust Company, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Planned Development-28-General Retail (PD-28-GR) zoning district located at 515 N College Street (Property ID 171103) - Owner: Equity Trust Company Custodian (ZDC-35-2024)

RECOMMENDED MOTIONS

- "I move to recommend denial of ZDC-35-2024, a Specific Use Permit (SUP) for a Short-Term Rental use."

- "I move to recommend approval with conditions of ZDC-35-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."

CHANGES SINCE THE INITIAL STAFF REPORT

At the April 23, 2024 Planning & Zoning Commission meeting, the Commission voted to approve a continuance for the proposed Short-Term Rental to allow the applicant additional time to develop a plan to provide on-site parking. Following the April 23rd meeting, the applicant has evaluated an option to add a curb cut for a driveway on N College Street to provide vehicular access to a parking area at the side and rear of 515 N College Street. If this request for a Short-Term Rental is approved, the applicant will be required to design and install a curb cut and driveway on N College Street, prior to approval of the Short-Term Rental registration.

APPLICANT REQUEST

The Applicant is requesting a specific use permit for a Short-Term Rental use at 515 N College Street.

CASE INFORMATION

Applicant:	Melissa McClain, Equity Trust Company
Property Owner(s):	Equity Trust Company Custodian
Site Acreage:	0.25 acres
Current Zoning:	Planned Development-28-General Retail (PD-28-GR)
Requested Zoning:	PD-28-GR with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location: 515 N College Street

Parcel ID Number(s): 171103

Existing Use: An office building currently occupies the subject property.

Development History: The owner has submitted a commercial remodel permit (BLDC-1130-2024) to the Building Department to add a residential kitchen in the structure.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-28-GR	Edward Jones Office
East	PD-28-GR	Single Family Residence
South	PD-28-GR	Single Family Residence
West	PD-28-GR	Single Family Residence

Future Land Use Plan: Mixed Use Neighborhood

Comprehensive Plan: A mixed-use neighborhood hearkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near exclusive uses such as large multiplex apartments or retail centers with large land area being devoted to automobile parking do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this placetype, it is essential to make sure residential uses appropriately transition from one another based on the housing typology.

Thoroughfare Plan: The subject property is accessible via N College Street.

Site Image:



PLANNING ANALYSIS

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental in all zoning districts with an approved SUP with the exception of Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

The Applicant is requesting a SUP for a short-term rental use located at 515 N College Street because it is located within the PD-28-GR zoning district. The subject property consists of a primary structure of approximately 1,365 square feet with two (2) bedrooms situated on an approximately 0.2637-acre (11,487 square feet) lot. The subject property does not currently have a driveway or curb cut on N College Street and utilizes striped on-street parking. The applicant proposes to install a driveway and curb cut on N College Street to provide access to on-site parking at the side and rear of the subject property. There is sufficient space along the side and rear of the subject property to accommodate the maximum on-site parking requirement of two (2) vehicles. The applicant has satisfied all of the requirements of Section 3.27 of the Zoning Ordinance. At the time of the publishing of this staff report, the City has received no complaints regarding any issues that are considered a nuisance.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

The local emergency contacts provided by the applicant are Melissa McClain (469) 235-0486, 232 Mckinley Circle, Waxahachie, TX 75165 melissa@melissamcclainlewis.com, and Chris Lewis (469) 231-4091, 232 Mckinley Circle, Waxahachie, TX 75165, chris3lewis337@yahoo.com, located 6.6 miles from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 56 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of two (2) letters of support and zero (0) letters of opposition were received by staff, with both letters of support being inside the 200' buffer.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

Conditions:

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of six (6) guests per stay.
4. The short-term rental operator shall provide a maximum of two (2) off-street parking spaces.
5. Prior to approval of the Short-Term Rental registration, the applicant shall design and install a curb cut and driveway on N College Street.
6. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Location Map (Exhibit A)
3. Zoning Map (Exhibit B)
4. Floorplan (Exhibit C)
5. Site Plan (Exhibit D)
6. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-35-2024

MILLS JAMES B JR & MEGAN E
516 N COLLEGE ST
WAXAHACHIE, TX 75165-3362

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 23, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 6, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Melissa McClain, Equity Trust Company, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Planned Development-28-General Retail (PD-28-GR) zoning district located at 515 N College Street (Property ID 171103) - Owner: Equity Trust Company Custodian (ZDC-35-2024) Staff: Oanh Vu

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

Case Number: ZDC-35-2024 **City Reference: 170715**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *April 17, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT ☐ OPPOSE

Comments: This is a good use of the comercial building.

James Mills
Signature

April 10, 2024
Date

James Mills, home owner across street
Printed Name and Title

516 N. College Street, 75165
Address

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

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


EXHIBIT A - LOCATION MAP
Item 23&24
N
W MARVIN AVE
E MARVIN AVE
N MONROE ST
N ROGERS ST
N COLLEGE ST
N JACKSON ST
BRIGGS ST
N FLAT ST
W PARKS AVE
0 30 60 120 240 360 480 Feet
ZDC-35-2024 (SUP)

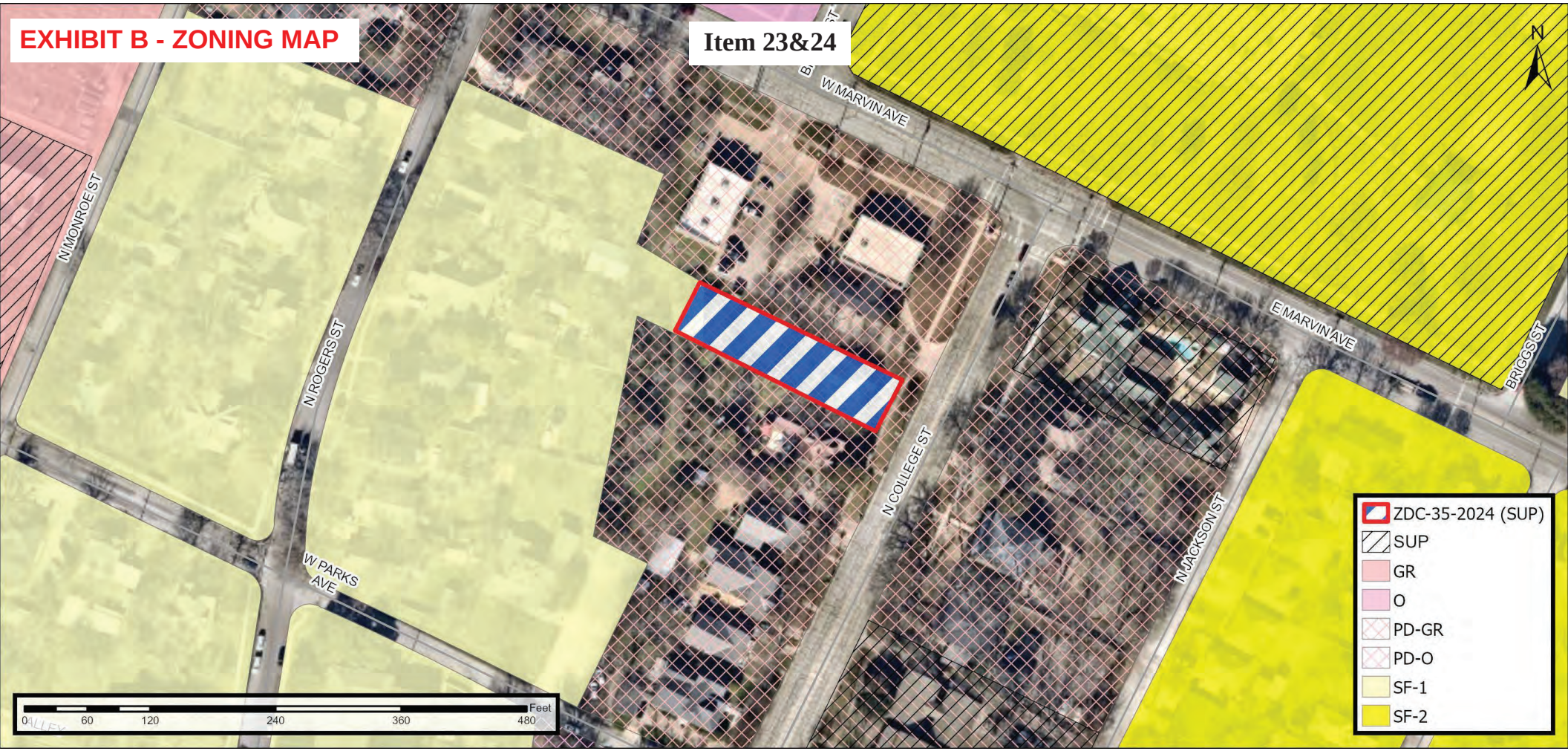
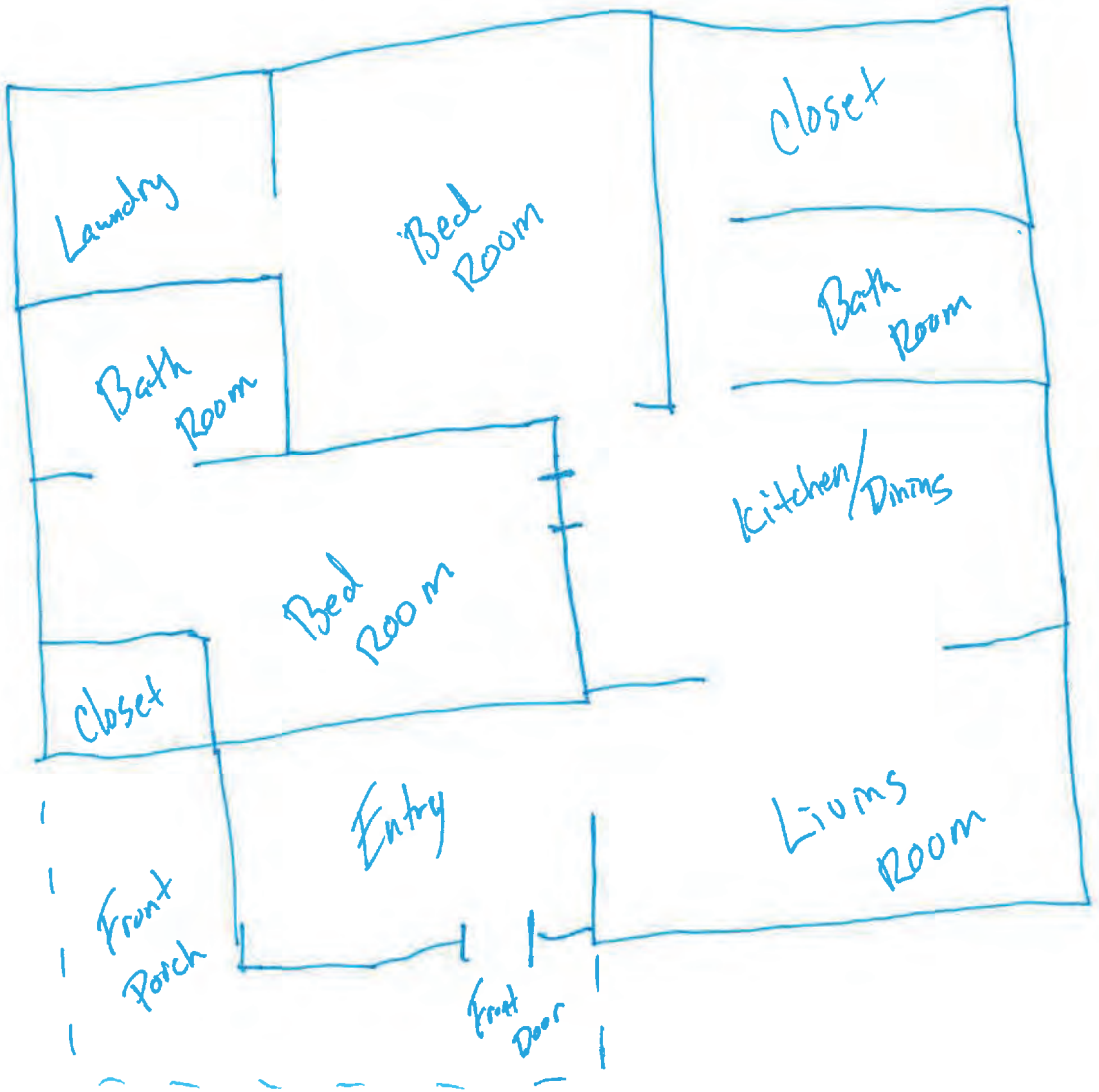
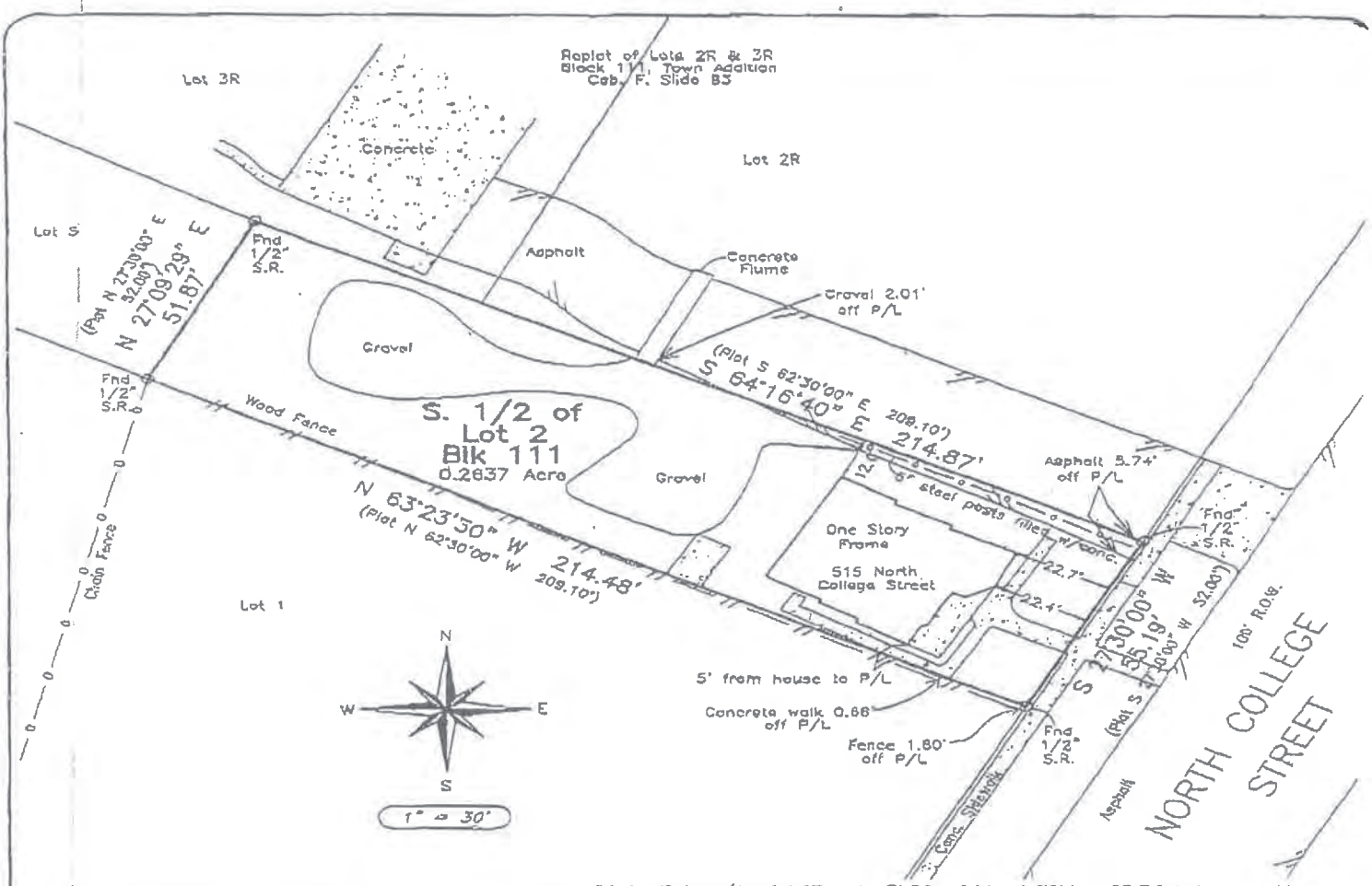

EXHIBIT B - ZONING MAP
Item 23&24
N
W MARVIN AVE
E MARVIN AVE
N MONROE ST
N ROGERS ST
N COLLEGE ST
N JACKSON ST
BRIGGS ST
W PARKS AVE
ZDC-35-2024 (SUP)
SUP
GR
O
PD-GR
PD-O
SF-1
SF-2
Feet
0
60
120
240
360
480

EXHIBIT C - FLOOR PLAN

Item 23&24





All that certain lot, tract or parcel of land being the SOUTHERLY 1/2 of LOT 2 in BLOCK 111 of TOWN ADDITION, Waxahachie, Ellis County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 31, Plat Records, Ellis County, Texas.

(also known as ____ 515 North College)

The plat hereon reflects a survey made on the ground and is true, correct and accurate as to the boundaries and areas of the subject property and the size, location and type of buildings and improvements thereon, if any, and as to the other matters shown hereon, and correctly shows the location of all visible easements and rights-of-way. This survey reflects the above ground (visible) location of utilities. The surveyor makes no guarantees that the utilities shown compromise all such utilities in the area, either in service, or abandoned. Further, the surveyor does not warrant that the underground utilities shown are in the exact location indicated. Underground utilities which may affect this property were not located during the course of this survey. Except as shown on the survey, there are no encroachments upon the subject property by improvements on adjacent property, there are no encroachments on adjacent property, streets or alleys by any improvements on the subject property and there are no conflicts or protrusions. I further declare that no portion of the said tract lies within a Special Flood Hazard Boundary according to the Flood Insurance Rate Map for Ellis County, Texas. Map # 48139C0180 D, Zone X. This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition 2 Survey. This survey was prepared for title purposes in conjunction with _____ Commitment for Title Insurance, G.F. No. _____ dated: _____, 2005. The easements, rights-of-way, or other exceptions noted hereon are according to the Schedule B provided. The surveyor has not abstracted the property. Based on the easements and/or deeds provided by the title company, the following do not appear to affect the subject property:

(No Title Comittment Provided)

LEGEND

○	=	Property Corner Symbol
—DR—	=	Drainage Flow
X	=	Spot Elevations
B.L.	=	Building Line
C/L	=	Centerline
D.U.E.	=	Drainage & Utility Easmt.
Fnd.	=	Found
P.O.B.	=	Point of Beginning
P/L	=	Utility Pole
R.O.W.	=	Right of Way
S.P.	=	Steel Pipe
S.R.	=	Steel Rod
U.E.	=	Utility Easement

Walter Keven Davis
Registered Professional Land Surveyor #4466

STATE OF TEXAS REGISTERED WALTER KEVEN DAVIS 4466 PROFESSIONAL LAND SURVEYOR

ENGINEERS
D & M
SURVEYORS

DAVIS & McDILL Inc.
P.O. BOX 428, Waxahachie, Texas 75168
Phone: Metro 972-938-1185 Fax: 972-937-0307

Description Survey Plat Client: Jefferson Bank G.F.# xx
Drawn by: SB Scale: 1" = 30' Date: March 17, 2005 Job# 205-0172

EXHIBIT E - HOST RULES

Item 23&24

HOUSE POLICIES

The 515 N College home is provided to you for your enjoyment. We ask that you please be gentle and respect the house rules. Welcome and we hope you enjoy staying in Waxahachie!

- ABSOLUTLEY NO SMOKING, NO VAPING, & NO E-CIGARETTES
- NO PETS
- Please do not move the furniture.
- No glitter or confetti.
- Do not attach decorations/signs, etc to walls, ceilings, decor or furniture.
- Property damage or excessive cleaning needs will result in additional charges to guests.
- Please respect our neighbors. Reduce noise & turn off patio lights after 10pm & do not park in front of their properties.
- Do not park on the grass.
- City mandated quiet hours are enforced from 10pm to 6am.
- NO OUTDOOR SPEAKERS AFTER 10PM PER CITY ORDINANCE.
- City fines may be assessed for violation of parking and noise ordinances. All violation fees will be passed on to the guest.
- Maximum occupancy 2 people max per bedroom, no more than 6 people total. NO parties or events with additional guests.
- Full refund if cancelled 30 days before check in. If booked fewer than 30 days in advance, full refund if canceled within 48 hours of booking. After that, 50% refund if cancelled up to 7 days before check in. No refund after that.

HOUSE POLICIES ARE STRICTLY ENFORCED. VIOLATIONS MAY RESULT IN ADDITIONAL CHARGES OR IMMEDIATE EVECTION WITHOUT REFUND.

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-77-2024

MEETING DATE(S)

Planning & Zoning Commission: May 14, 2024
City Council: May 20, 2024

CAPTION

Public Hearing on a request by Shelia Hood, Twin Cedars Trust, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single Family-2 (SF-2) zoning district located at 316 Cynisca Street (Property ID 175950) - Owner: Twin Cedars Trust (ZDC-77-2024)

RECOMMENDED MOTIONS

- "I move to recommend denial of ZDC-77-2024, a Specific Use Permit (SUP) for a Short-Term Rental use."

- "I move to recommend approval with conditions of ZDC-77-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 316 Cynisca Street.

CASE INFORMATION

Applicant:	Shelia Hood, Twin Cedars Trust
Property Owner(s):	Twin Cedars Trust
Site Acreage:	0.224 acres
Current Zoning:	Single Family-2 (SF-2)
Requested Zoning:	SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location:	316 Cynisca Street
Parcel ID Number(s):	175950
Existing Use:	A single-family home currently occupies the subject property.
Development History:	The subject property is platted as a Lot 7B and 8A, Block 1 of the Trinity Heights Revision addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	SF-2	Single Family Residence

Future Land Use Plan: Mixed Use Neighborhood

Comprehensive Plan: A mixed-use neighborhood hearkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near exclusive uses such as large multiplex apartments or retail centers with large land area being devoted to automobile parking do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this placetype, it is essential to make sure residential uses appropriately transition from one another based on the housing typology.

Thoroughfare Plan: The subject property is accessible via Cynisca Street.

Site Image:



PLANNING ANALYSIS

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental in all zoning districts with an approved SUP with the exception of Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

Planning Analysis (continued):

The Applicant is requesting a SUP for a short-term rental use located at 316 Cynisca Street because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,960 square feet with three (3) bedrooms and sufficient parking to accommodate the maximum parking requirement of three (3) vehicles. The home is situated on an approximately 0.224-acre (9,757 square foot) lot. The applicant has been operating a short-term rental since approximately September of 2022, and has not been paying local hotel occupancy taxes. At the time of the publishing of this staff report, the City has received no complaints regarding any issues that are considered a nuisance.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the property and its current use in the past 12 months.

The local emergency contact provided by the applicant is Gabrielle Tranel (972-697-7664), 301 Virginia Ave., Waxahachie, TX. 75165, gabriellecalvery@gmail.com, located 0.2 miles from the subject property.

Variance Request:

The property manager and local emergency contact for this SUP has requested a variance not to display their contact information on the front door of the short-term rental. The property manager noted safety concerns as the reason for the variance request. The full letter documenting the requested variance is attached to this report.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 87 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of eight (8) letters of opposition and six (6) letters of support were received by staff, with zero (0) letters of opposition and three (3) letter of support being inside the 200' buffer and the remainder outside of the 200' buffer.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

Conditions:

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of eight (8) guests per stay.
4. The short-term rental operator shall provide a maximum of three (3) off-street parking spaces.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Variance Request
3. Location Map (Exhibit A)
4. Zoning Map (Exhibit B)
5. Floorplan (Exhibit C)
6. Site Plan (Exhibit D)
7. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-77-2024
<><><>

AUTREY DUSTY
200 S ELM ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will holda Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

> Request by Shelia Hood, Twin Cedars Trust, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 316 Cynisca Street (Property ID 175950) - Owner: Twin Cedars Trust (ZDC-77-2024) Staff: Zack King

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

Case Number: ZDC-77-2024 **City Reference: 176042**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT ☐ OPPOSE

Comments:

Signature

Printed Name and Title

4-29-24
Date

200 S. Elm Wax TX 75165
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-77-2024

VIRGINIA HOLDINGS ATTN: JEFF CALVERY OWNER
2720 FM 1446
WAXAHACHIE, TX 75167

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Shelia Hood, Twin Cedars Trust, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 316 Cynisca Street (Property ID 175950) - Owner: Twin Cedars Trust (ZDC-77-2024) Staff: Zack King

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

Case Number: ZDC-77-2024 **City Reference: 176172**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☑ SUPPORT ☐ OPPOSE

Comments:

Signature

Jeff Calvery / Owner
Printed Name and Title

4/29/2024
Date

2720 Fm 1446
Waxahachie TX 75167
Address

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

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

Case Number: ZDC-77-2024 **Item 25&26** **City Reference:** 176184

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

RECEIVED APR 3 02024

☐ SUPPORT ☒ OPPOSE

Comments: There should not be an STR in the middle of a residential neighborhood - ONLY Downtown!

Signature

4/30/24
Date

Katy Warsing, owner
Printed Name and Title

313 Lakeshore Dr (residence)
Address

1012 Sycamore (Long term rental)

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-77-2024

RECEIVED MAY 0 2 2024

RECEIVED 0 2 2024

STONES FRED N III
305 E University Ave
Waxahachie, TX 75165-2357

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

> Request by Shelia Hood, Twin Cedars Trust, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 316 Cynisca Street (Property ID 175950) - Owner: Twin Cedars Trust (ZDC-77-2024) Staff: Zack King

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Case Number: ZDC-77-2024 **City Reference: 176224**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☑ SUPPORT ☐ OPPOSE

Comments: I SUPPORT STR'S - UNIVERSITY ADDITION IS AN APPROPRIATE NEIGHBORHOOD

Signature

4/27/2024
Date

ROCKY STONES - OWNER
Printed Name and Title

305 E UNIVERSITY
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-77-2024

STONES FRED N III
305 E UNIVERSITY AVE
WAXAHACHIE, TX 75165-2357

RECEIVED MAY 0 2 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-77-2024 **City Reference: 176233**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☑ SUPPORT ☐ OPPOSE

Comments: I SUPPORT STR'S

Signature

4/27/2024
Date

ROCKY STONES (OWNER)
Printed Name and Title

305 E UNIVERSITY
Address

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-77-2024

<>

RECEIVED MAY 0 1 2024

BLOUNT RONNIE D & JANET R
321 E UNIVERSITY AVE
WAXAHACHIE, TX 75165-2357

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-77-2024 **City Reference: 176228**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

Comments:

Signature

5-1-24
Date

Ronnie Blount
Printed Name and Title

321 E. University
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-77-2024

MONKRES IRMA
808 SYCAMORE ST
WAXAHACHIE, TX 75165-2414

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-77-2024 **City Reference: 176425**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

Comments:
THIS IS NOT GOOD FOR OUR CHILDRENS SAFETY.
I DIDN'T MOVE HERE TO HAVE MOTEL LIKE PROPERTIES IN OUR NEIGHBORHOOD

Irma Monkres
Signature

5-6-24
Date

IRMA MONKRES (OWNER)
Printed Name and Title

808 SYCAMORE
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-77-2024

<>

STANTON GARLAND & NELMA
307 VIRGINIA AVE
WAXAHACHIE, TX 75165

RECEIVED MAY 06 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-77-2024 **City Reference: 176039**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments: Dont need any of those houses in our neighborhood.

Nelma Stanton
Signature

5/1/24
Date

Nelma Stanton, Owner
Printed Name and Title

307 Virginia Ave.
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-77-2024

<>

SMITH CRAIG V & DEBORAH A
304 CYNISCA ST
WAXAHACHIE, TX 75165-2308

RECEIVED MAY 07 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-77-2024 **City Reference: 175955**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☑ SUPPORT ☐ OPPOSE

Comments:
This property has been a STR for approximately 3 years. we have had no complaints or issues with any renters. The property is well maintained. We endorse continued use as STR.

Craig V. Smith
Signature

05/04/2024
Date

Craig V. Smith
Printed Name and Title

304 Cynisca St.
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-77-2024

TWIN CEDARS TRUST
3841 Blackchamp Rd
Midlothian, TX 76065-5749

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-77-2024 **City Reference: 175950**

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☒ SUPPORT ☐ OPPOSE

Comments:

Shelia Hood Twin Cedars Trust
Signature

5/7/2024
Date

TWIN CEDARS TRUST
Printed Name and Title

3841 Blackchamp Rd
Address Mdlo, TX 76065

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-77-2024

SHARP JIMMY RAY & KATHLEEN J
304 Virginia Ave
Waxahachie, TX 75165-2420

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-77-2024 **City Reference: 176047**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

Comments: I am not ok with the short term rentals.

Kathleen Sharp
Signature

5/7/24
Date

Kathleen J Sharp
Printed Name and Title

304 Virginia Avenue
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-77-2024

KINNEY MICHAEL K & SUSAN D
318 E UNIVERSITY AVE
WAXAHACHIE, TX 75165-2358

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-77-2024 **City Reference: 176166**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments: We do not want corporations or trust commercializing our neighborhoods.

Denise Kinney
Signature

4-29-24
Date

DENISE KINNEY
Printed Name and Title

312 E. University
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-77-2024

KINNEY MICHAEL K & SUSAN D
318 E UNIVERSITY AVE
WAXAHACHIE, TX 75165-2358

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Case Number: ZDC-77-2024 **City Reference: 176168**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments:

Signature

4/29/24
Date

MICHAEL KINNEY
Printed Name and Title

318 E. University
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-77-2024

MOON STUART & PAMELA
317 E UNIVERSITY AVE
WAXAHACHIE, TX 75165-2357

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-77-2024 **City Reference: 176227**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments:

① * Too many rentals crowds out the market for people wanting to buy homes in the area + increases housing prices due to lack of inventory

② our experience has been renters don't make good neighbors → not vested in the community to same degree

Stuart Moon / Pamela Moon — 05/07/2024

Signature — Date

Stuart A. Moon / Pamela Moon — 317 East University Ave. Waxahachie, TX 75165

Printed Name and Title — Address

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

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

VARIANCE REQUEST

Item 25&26

To whom it may concern,

My name is Gabrielle Tranel. I manage the Cynisca House for Mrs. Shelia Hood. After meeting and discussing the ordinance together we would like to request an exception or variance. Section E) 10 on Page 6 states, "The local emergency contact information must be provided on an 8 1/2" by 11" document, and displayed on the interior and exterior sides of the structure, no more than two-feet (2') from the front door." We are not comfortable advertising our personal contact information or that our home is a STR to the general public and see this as a safety concern. I am often working alone at home for long spans of time. Advertising this would make me a vulnerable and easy target. This sign would also make it very clear to anyone that might have bad intentions that our home is empty and an easy target for break ins or thievery on weekdays. The safety of my team, my neighbors, and my guests are my highest priority. Please note that our personal information is made available to all neighbors and guests. It is also located inside the welcome guide at the entrance of the home. I would also be more than happy to provide any emergency services or city employees with my name, number, and address in case it is needed in the future.

Thank you for your time and consideration.
Gabrielle Tranel
972-697-7664


EXHIBIT A - LOCATION MAP
Item 25&26
UNIVERSITY AVE
ALLEY
E UNIVERSITY AVE
ALLEY
CYNISCA ST
ALLEY
SYCAMORE ST
VIRGINIA AVE
ALLEY
KRVEN AVE
ALLEY
W ROSS ST
N
0
100
200
400
600
800
Feet
ZDC-77-2024 (SUP)


EXHIBIT B - ZONING MAP
Item 25&26
N
ALLEY
SYCAMORE ST
UNIVERSITY AVE
ALLEY
E UNIVERSITY AVE
ALLEY
CYNISCA ST
ALLEY
VIRGINIA AVE
ALLEY
KIRVEN AVE
W ROSS ST
Feet
0
100
200
400
600
800
ZDC-77-2024 (SUP)
SUP
GR
SF-2

EXHIBIT C - FLOOR PLAN

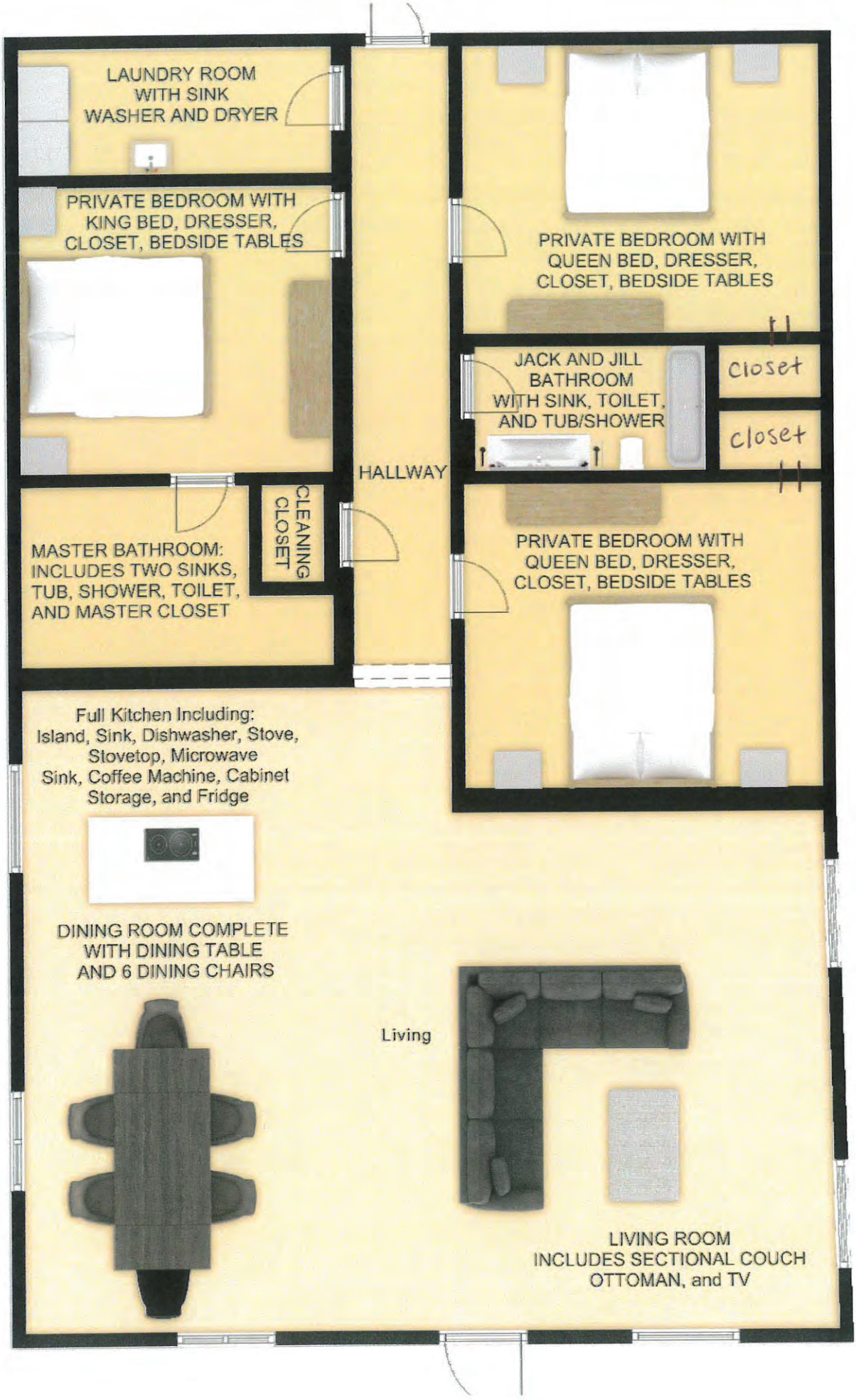
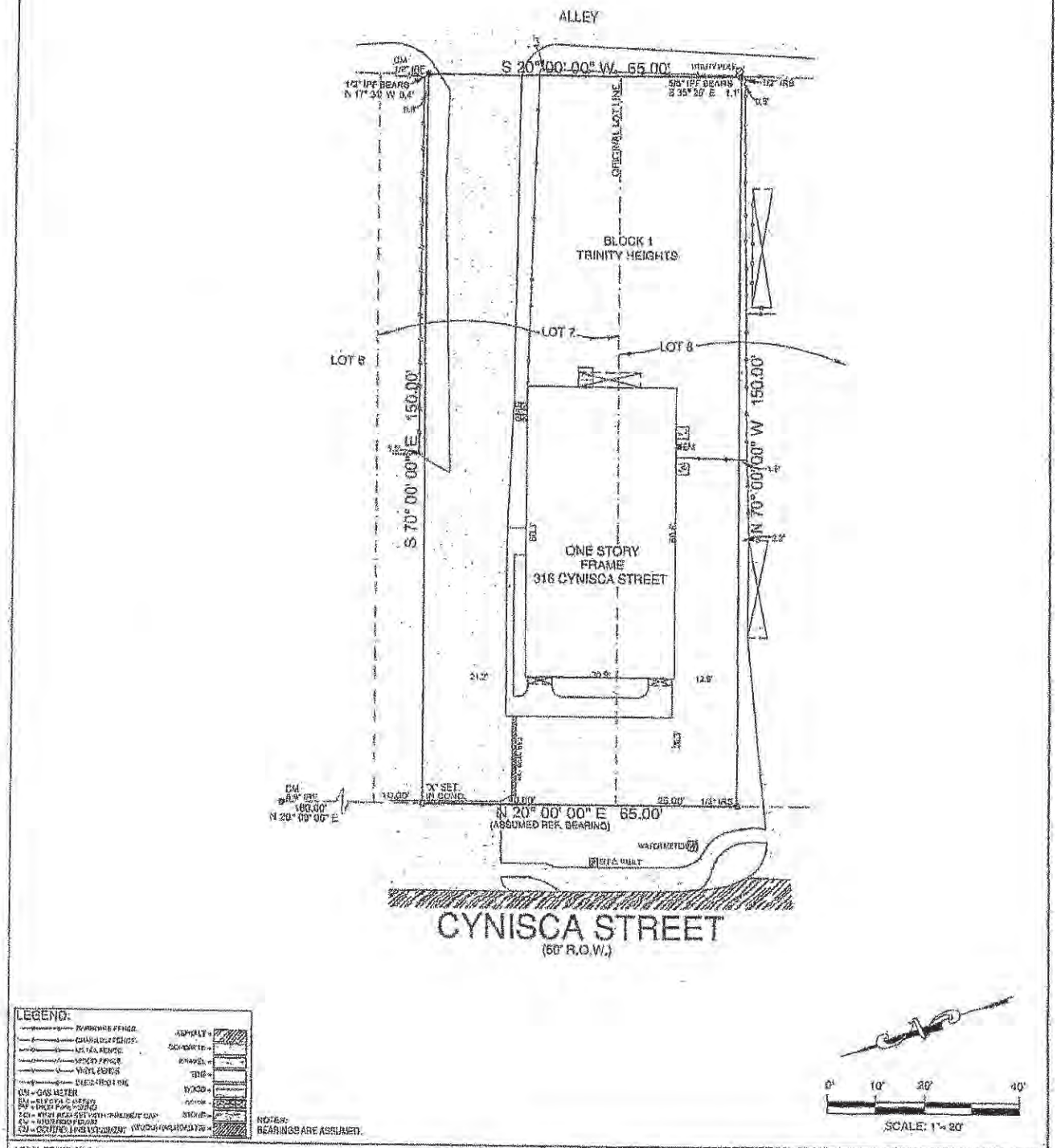


EXHIBIT D - SITE PLAN

Item 25&26



LEGAL DESCRIPTION:
BEING THE SOUTHERLY 40 FEET OF LOT 7 AND THE NORTHERLY 25 FEET OF LOT 8, BLOCK 1, TRINITY HEIGHTS, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN CABINET A, SLIDE 66, OF THE PLAT RECORDS OF ELLIS COUNTY, TEXAS.

GF NO.	0107328
BORROWER	MY CONSTRUCTION, LLC-SERIES F
TITLE CO.	TRINITY ABSTRACT & TITLE
TECH	AV
FIELD	MJ

SURVEYOR'S CERTIFICATION:
THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS. THERE ARE NO VISIBLE AND APPARENT EASEMENTS, CONFLICTS, INTRUSIONS OR PROTRUSIONS, EXCEPT AS SHOWN. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND IS FOR THE EXCLUSIVE USE OF THE HEREON NAMED PURCHASER, MORTGAGE COMPANY, AND TITLE COMPANY ONLY AND THIS SURVEY IS MADE PURSUANT TO THAT CERTAIN TITLE COMMITMENT UNDER THE GF NUMBER SHOWN HEREON, PROVIDED BY THE TITLE COMPANY NAMED HEREON AND THAT THIS DATE, THE EASEMENTS, RIGHTS OF WAY, OR OTHER LOCATABLE MATTERS OF RECORD THAT THE UNDERSIGNED HAS KNOWLEDGE OF AS HAS BEEN ADVISED ARE AS SHOWN OR NOTED HEREON. THIS SURVEY IS SUBJECT TO ANY AND ALL COVENANTS AND RESTRICTIONS PERTAINING TO THE RECORDED PLAT REFERENCED HEREON.

FLOOD INFORMATION:
THE SUBJECT PROPERTY DOES NOT APPEAR TO LIE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD ZONE ACCORDING TO THE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND HAS A ZONE OF RATING AS SHOWN BY MAP NO. 48139C0150 F, DATED JUNE 3, 2013.

DATE: 05/15/19
FIELD: 05/17/19
JOB NO.: 19-05-187

316 CYNISCA STREET, WAXAHACHIE, TX 75165
SOUTHERLY 40 FEET OF LOT 7 AND NORTHERLY 25 FEET OF LOT 8, BLOCK 1
TRINITY HEIGHTS

STATE OF TEXAS
REGISTERED
ROBERT T. PAUL, JR.
4984
PROFESSIONAL LAND SURVEYOR

Robert T. Paul, Jr.

Premier
5700 W. Plano Parkway
Suite 1200
Plano, Texas 75093
972-612-3601 (O) | 855-852-8468 (F)

DATE

ACCEPTED BY:

James Dulan Hood

EXHIBIT E - HOST RULES

Item 25&26

Welcome Guide

Enjoy your trip in gingerbread city!



Welcome to The Cynisca House!

Address: 316 Cynisca Street Waxahachie, TX 75165
Door Code: the last 4 digits of your phone number

We are very proud of our home and neighborhood and strive to be a great addition to our community. Please be respectful and courteous to our neighbors. Close contact is kept with neighbors to ensure they feel safe and comfortable with our short term rental. We strive to create a sense of home away from home for each of our guests and allow them to fully experience the city of Historic Waxahachie.

If you have any questions or concerns, please contact us (Gabrielle and Jesse) directly via phone at 972-697-7664. We are just one street over and are on call during your stay! Don't hesitate to reach out if you need anything!



About Your Hosts



Shelia and Jim Hood

We are the proud owners of the Cynisca House and are delighted that you have chosen to stay in the home. We both have long business careers in service industries. As president and CEO of the Jim Hood Company, Jim has spent 40+ years serving as a financial advocate for his clients. Shelia also has 40+ years of experience in business administration, facility management, finance and customer service. Together, we are committed to serving clients and the community; holding board positions on numerous charity organizations, offering consulting services to entrepreneurs and producing fundraising events. Hospitality is high on our important values list. We love creating special environments that enable guests to relax, enjoy their surroundings and "just feel special". Partnering with Jesse and Gabrielle Tranel to provide concierge hosting services to the Cynisca House guests has enhanced the hospitality factor exponentially! You will love them!

So… Welcome. We hope you can escape from the hustle of the world a bit, enjoy the house, explore the area.



Gabrielle and Jesse Tranel

Gabrielle and Jesse are our property managers and will be your main source of contact during your stay. They are a short walk away so don't hesitate to call or text with any questions or concerns. Gabrielle and Jesse have a passion for hospitality and Waxahachie! We want our guests to feel at home and comfortable while they explore and discover this historic gingerbread town.

Inside The Property

Please make yourselves at home! Have a look through the cupboards to familiarize yourself with the contents of the property. The property should be spotless with clean bedding on the beds and clean towels in the cupboards. If you find anything to not be to your satisfaction, please inform us within the first 24-hours of arriving at the property.



WiFi - Internet

SSID: CyniscaHouse
Password: Hospitality!
Includes the included streaming devices.



Security & Doors

The front door has a coded lock. Your host will message you the code on the day of check in. This code should be the last 4 of the phone number used to book the property. Please keep this code handy because the door can lock automatically! If at any point in time you do not feel safe please call us at 972-697-7664 (Gabrielle) or 214-587-7604 (Jesse). If it is an emergency please call 911 directly.



Kitchen

The kitchen is fully stocked with dishes, cookware, and a coffee set. Everything can be found in cabinets surrounding the sink and oven. For your convenience we have a coffee machine with coffee essentials located in the hall pantry.



Bedrooms

In each bedroom you will find a made bed with clean sheets and flooded clean towels on the bed. If extra bedding or towels are needed please reach out to Gabrielle at 972-697-7664 for additional supplies.



Dining Room/Living Room

The living room TV has complimentary streaming services and wifi. Feel free to log into any personal accounts during your stay. Please log out of your personal accounts upon check out. Enjoy the home's board games, located in the entry table in the dining room.



Bathroom

We have provided sets of towels for each guest to use on your bed. When you depart please place any used towels inside the bathtubs. Each full bathroom contains shampoo, conditioner, body wash, and lotion for each guest. Please take caution getting in and out of showers and tubs. If a shower chair is needed please call Gabrielle at 972-697-7664 and one will be provided for you.



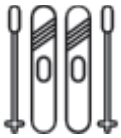
Smoking

Please do not smoke inside the home. Smoking or any use of illegal substances is strictly prohibited. If violated you will be asked to leave the property immediately with no refund.



Parking

Parking is only allowed in the gravel driveway. We have a shared driveway. Please park on the right hand side of the driveway to allow our neighbors room to park. Please do not park in front of any neighbors home or block any driveways. Thank you for understanding.



House Rules

The house has a maximum of 6 adults. If additional dinner guests or local family are visiting please advise the host. All Parties and Events are strictly prohibited on the properity. If an event or party is held on the property you will be asked to leave the property immediately with no refund. Quiet hour is 10 pm to respect our neighbors sleep schedule. No pets allowed on premises unless special permission is granted by the host.



Heating & Air Conditioning

The property has central heating and air conditioning located in the hall. Please do not set meters below 70 degrees for air or above 70 degrees for heat to avoid freezing or overheating of the unit. Thank you for understanding. Please contact Gabrielle at 972-697-7664 if additional fans or space heaters are needed.



Trash / Recycling

Garbage can be disposed of in the trash bins located on the side of the home in the driveway. The GREEN trash bin is for trash only. The BLUE trash bin is for recycling only.



Check out

We hope you enjoyed your stay!
Feel free to sign our guest book!

Check out instructions:

1. **Place all used sheets and pillow cases in provided laundry baskets or leave used beds unmade.**
2. **Place dirty dishes in the sink.**
3. **Place dirty towels in the bathtubs.**
4. **Place all trash in GREEN trash bins on the side of the home.**
5. **Log out of personal streaming services.**
6. **Don’t forget to double check for any left behind belongings!**

Let me know if you have any recommendations on how we can improve.
We also appreciate any reviews.

Thank you for booking with us.

Contact:
Gabrielle and Jesse Tranel
Contact Number: (972) 697-7664 or (214) 587-7604

The Neighborhood



Supermarkets

Local supermarkets include:

- **H-E-B**
  - **Address:800 N Hwy 77, Waxahachie, TX 75165**
  - **Open everyday- 6:00 am - 11:00 pm**
- **Local farmers market**
  - **Address: 701 Howard Road Waxahachie, TX 75165**
  - **Open Saturdays- 8:00 am - 12:00 pm**



Local Restaurants & Bars

- **Farmluck**
  - **Address: 109 W. Franklin St. #119, Waxahachie 75165**
  - **Cuisines: Sandwiches, Salads, Ice Cream Parlor**
  - **Cost for two: $25**
  - **Hours: Monday-Saturday 11AM-9PM, Sunday 11AM-3PM**
- **Pop's Burger Stand**
  - **Address: 107 S Monroe St., Waxahachie 75165**
  - **Cuisines: Burgers**
  - **Cost for two: $20**
  - **Hours: Monday-Friday 11AM-8PM, Sunday 11AM-3PM**
- **Branded Burger**
  - **Address: 2801 N. Hwy 77, Ste 150, Waxahachie 75165**
  - **Cuisines: Burgers**
  - **Cost for two: $25**
  - **Hours: Monday- Saturday 11AM-9PM, Sunday 11AM-4 PM**
- **Prime 115**
  - **Address: 114 S Rogers St, Waxahachie, TX 75165**
  - **Cuisines: Steak House**
  - **Cost for two: $100**
  - **Hours: Tues-Sat 11AM-10PM, Sunday 11AM-3PM, Mon. Closed**
- **Two Amigos Taqueria**

  - Address: 241 S Monroe St, Waxahachie, TX 75165
  - Cuisines: Mexican
  - Cost for two: $25
  - Hours: Mon-Sat: 7AM-9PM, Sun 8AM-3PM
- Campuzano
  - Address: 2167 N Highway 77, Waxahachie 75165
  - Cuisines: Mexican
  - Cost for two: $40
  - Hours: Sunday-Thursday: 11AM– 9PM, Friday-Saturday: 11AM-10PM
- Straight From Philly
  - Address: 110 E Main Street, Waxahachie 75165
  - Cuisines: Fast Food, Sandwich
  - Cost for two: $25
  - Hours: Mon-Thurs 10:30AM–5PM, Friday-Sat: 10:30AM–7pm, Sun- Closed
- Tomato's
  - Address: 619 Ferris Ave., Waxahachie 75165
  - Cuisines: Italian, Mexican
  - Cost for two: $25
  - Hours: Mon-Sun 11AM–10PM
- College Street Pub
  - Address: 210 N College St, Waxahachie 75165
  - Cuisines: British, Bar Food
  - Cost for two: $25
  - Hours: Mon-Thurs 11AM-10PM, Fri-Sat 11AM-12AM, Sun Closed
- Oma's Jiffy Burger
  - Address: 403 Water Street, Waxahachie 75165
  - Cuisines: Burger
  - Cost for two: $25
  - Hours: Monday-Saturday 7AM-3PM, Sunday Closed
- The Dove's Nest
  - Address: 105 W Jefferson St, Waxahachie 75165
  - Cuisines:American, Healthy Food
  - Cost for two: $55
  - Hours: Mon-Sat 11AM-2PM, Sunday Closed



Local Attractions

- Historic CourtHouse located in the center of Downtown Square
- Vita Coffee House, White Rhino Coffee, and Fresh Market Coffee
- Jordan E's Popcorn and Candy
- Paper Leaves Bookstore and Plant Shop
- Antique shopping in downtown Waxahachie
    - Atelier Antiques
    - With Willing Hands
- Blume (boutique clothing)
- The Arcade - 100 N College St.
- Urban Air Trampoline Park
- Getzendaner park
- Lake Waxahachie
- Golf - Waxahachie Country Club



Public Transportation

- Greyhound: Bus Station
    - Address: 3300 S Interstate 35 East Service Rd, Waxahachie, TX 75165
    - Hours: Everyday 6AM–11PM
    - Phone: 972-937-4893



Taxi

- Dallas Yellow Cab
    - Waxahachie, TX
    - Phone: 214.426.6262
- Uber/Lyft
    - Cell Phone App

Emergency Information



Hospital

Nearest hospital: Baylor Scott & White Medical Center- Waxahachie
Address: 2400 N, I-35E, Waxahachie, TX 75165
Phone: 469-843-4000



Police

Waxahachie Police Department
Address: 630 Farley St, Waxahachie, TX 75165
Phone: 469-309-4400 (non-emergency line)
Emergency Line: 911



Doctors

Baylor Scott & White Medical Center- Waxahachie
Address: 2400 N, I-35E, Waxahachie, TX 75165
Phone: 469-843-4000



Emergency Contact

Please call 911 for all emergencies.
A first aid kit is located in the kitchen cabinet.
A fire extinguisher is located under the sink in the kitchen.

If you have a non-emergency but need assistance please call your hosts Gabrielle at 972-697-7664 or Jesse 214-587-7604.

WE HOPE YOU ENJOY YOUR STAY WITH US!

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-86-2024

MEETING DATE(S)

Planning & Zoning Commission: May 14, 2024
City Council: May 20, 2024

CAPTION

Public Hearing on a request by Dainy Villanueva, Bleuvets LLC for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Planned Development-Single Family-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-86-2024) Staff: Zack King

RECOMMENDED MOTIONS

- "I move to deny ZDC-86-2024, a Specific Use Permit (SUP) for a Short-Term Rental use."

- "I move to approve ZDC-86-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

In December of 2023, a SUP application for a Short-Term Rental (ZDC-190-2023) was submitted for this property. At the Planning and Zoning Commission meeting held on April 9, 2024, the Commission voted 6-0 to recommend denial of case number ZDC-190-2023. At the City Council meeting held on April 15, 2024, the City Council voted to deny the SUP application.

Notably, City Council did not deny the SUP application “with prejudice”; which means the owner of the property is permitted to submit an additional SUP request at any time. The Waxahachie Zoning Ordinance notes that if a request is denied by City Council “with prejudice”, the same or similar request may not be resubmitted to the City for six (6) months from the date of denial.

Following the denial of the original SUP Application, the owner of the subject property submitted this revised SUP request for a Short-Term Rental. The revised submittal includes a verified emergency contact, documentation of a long-term lease agreement, and a State HOT Tax Statement.

APPLICANT REQUEST

The Applicant requests a specific use permit for a short-term rental use at 462 Wintergreen Drive.

CASE INFORMATION

Applicant: Ido Pistiner

Property Owner(s): Ido Pistiner

Site Acreage: 0.2 acres

Current Zoning: Planned Development – Single-Family Dwelling 2 (PD-SF-2)

Requested Zoning: PD-SF-2 with a specific use permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location: 462 Wintergreen Drive

Parcel ID Number(s): 265831

Existing Use: Residential use, existing STR

Development History: A plat for the subject property was recorded in 2016

Adjoining Zoning & Uses:

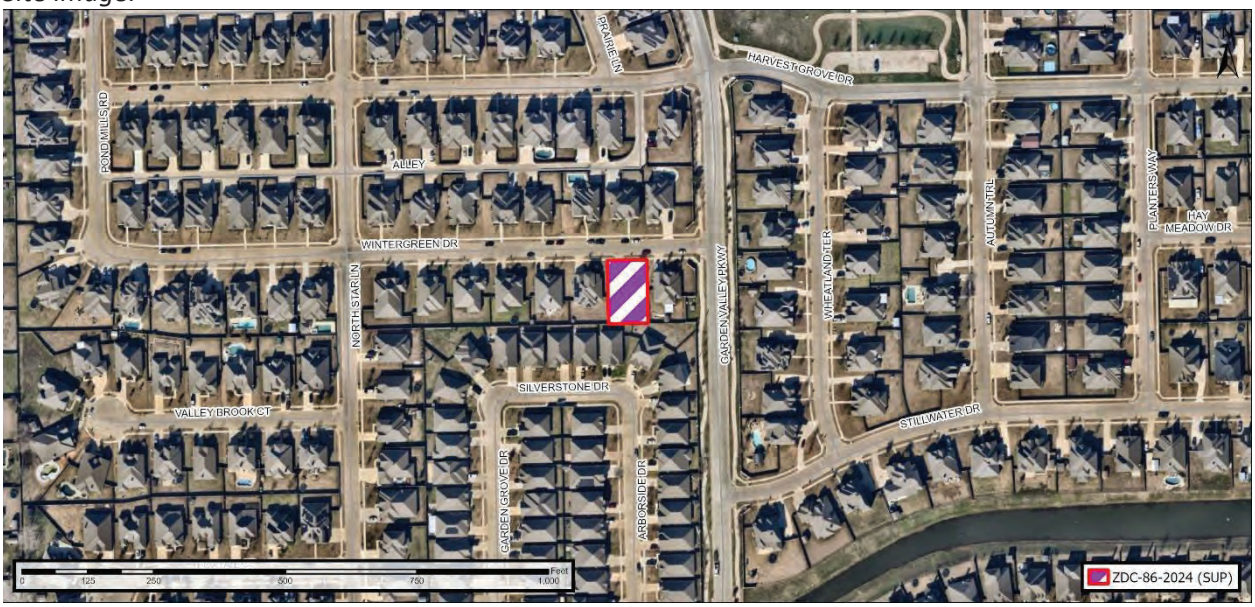
Direction	Zoning	Current Use
North	PD-SF-2	Single Family Home
East	PD-SF-2	Single Family Home
South	PD-SF-2	Single Family Home
West	PD-SF-2	Single Family Home

Future Land Use Plan: Residential Neighborhood

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

Thoroughfare Plan: The subject property is accessible via Wintergreen Drive.

Site Image:



PLANNING ANALYSIS

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental for residential-use properties in all zoning districts with an approved SUP with the exception of the Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

The Applicant is requesting a SUP for a short-term rental at 462 Wintergreen Drive because it is located within the PD-SF-2 zoning district. The subject property consists of a primary structure of approximately 3,209 square feet with five (5) bedrooms, a pool, an accessory structure of approximately 110 square feet, and sufficient parking to accommodate for the maximum allowed five (5) vehicles. The subject property is situated on an approximately 0.2-acre (8,700 square foot) lot. On May 7th, 2024, staff confirmed via our third-party short-term rental monitoring software (GovOS) that the applicant has continued listing and operating a short-term rental on the property following the denial of their original SUP application by City Council on April 9, 2024. The applicant has satisfied all of the requirements of Section 3.27 of the Zoning Ordinance. At the time of the publishing of this staff report, the City has received no complaints regarding any issues that are considered a nuisance.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

The local emergency contact provided by the applicant is Javier Naranjo (214) 253-3592, 610 Green Mound Drive, Glenn Heights, TX. 75154, Pondviewllc4@gmail.com, located 11.6 miles from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 100 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of seven (7) letters of opposition and zero (0) letters of support have been received by staff, with one (1) letter of opposition being inside the 200' buffer and the remainder outside the 200' buffer.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

Conditions:

1. The short-term rental operator shall complete the STR registration process and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account.
3. The short-term rental operator is subject to a maximum occupancy of ten (10) guests per stay.
4. The short-term rental operator is subject to provide a maximum of five (5) off-street parking spaces.
5. The short-term rental operator must adhere to all regulations in Section 3.27 of the City's Zoning Ordinance.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. State HOT Tax Statement
3. Long Term Lease Agreement – 12/19/2023 to 2/19/2024
4. Location Map (Exhibit A)
5. Zoning Map (Exhibit B)
6. Floorplan (Exhibit C)
7. Site Plan (Exhibit D)
8. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-86-2024

KEYS CHRYSTAL KEYS & KOREY D KEYS
453 HARVEST GROVE DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Dainy Villanueva, Bleuvets LLC for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Planned Development-Single Family-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-86-2024) Staff: Zack King

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

Case Number: ZDC-86-2024 **City Reference: 273244**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

Comments:

Signature

4/27/2024
Date

Chrystal L. Keys
Printed Name and Title

453 Harvest Grove Dr. Waxahachie, TX 75165
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-86-2024

MCKAY BRYANT & DENISE
457 Wintergreen Dr
Waxahachie, TX 75165-5323

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-86-2024

City Reference: 273233

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments:

Denise McKay
Signature

4/29/24
Date

DENISE McKay
Printed Name and Title

457 Wintergreen Dr.
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-86-2024

WHELCHEL JENNIFER L & LAYNE C
456 HARVEST GROVE DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-86-2024 **City Reference: 273224**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments: I do NOT/NOT want a short term rental in my area. To much noise and "Party" attitude isn't needed here.

Layne Whelchel — 4/27/24
Signature — Date

Layne Whelchel/owner — 456 Harvest Grove Dr.
Printed Name and Title — Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-86-2024

<>

GROSS JASON W & JULIE A
1101 WEATLAND TERRACE
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Dainy Villanueva, Bleuvets LLC for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Planned Development-Single Family-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-86-2024) Staff: Zack King

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

Case Number: ZDC-86-2024 **City Reference: 268918**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments:

Signature

5/2/24
Date

Jason Gross
Printed Name and Title

1101 Wheatland Ter.
Address Waxahachie TX 75165

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-86-2024

FARNSWORTH KENNETH W & JANET R
455 WINTERGREEN DR
WAXAHACHIE, TX 75165

RECEIVED MAY 0 3 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-86-2024 **City Reference: 273234**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

Comments:
We don't need people that have no investment in the values of the neighborhood to keep it neat & clean.

Janet R Farnsworth
Signature

4-29-24
Date

Janet R Farnsworth
Printed Name and Title

455 Wintergreen Dr. Waxahachie, TX
Address

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

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

email: Planning@...

Case Number: ZDC-86-2024

City Reference: 265835

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: *Planning, 408 South Rogers Street, Waxahachie, TX 75165.*

☐ SUPPORT ☒ OPPOSE

Comments:

Signature

5.5.24
Date

Cody Hollingsworth
Printed Name and Title

454 Wintergreen Dr.
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-86-2024

ROBERTS SCOTT & LINDA
458 HARVEST GROVE DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Dainy Villanueva, Bleuvets LLC for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Planned Development-Single Family-2 (PD-SF-2) zoning district located at 462 Wintergreen Drive (Property ID 265831) - Owner: Ido Pistiner (ZDC-86-2024) Staff: Zack King

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

Case Number: ZDC-86-2024 **City Reference: 273225**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: *Planning*, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments:

Scott Roberts Linda Roberts
Signature

5-6-24
Date

Scott Roberts owner/owner
Printed Name and Title

458 Harvest Grove Dr Waxahachie, TX
Address

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

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

CamScanner

Hotel Tax

Original Return for period ending 12/31/2023

Confirmation: You Have Filed Successfully

Please do NOT send a paper return.

Congratulations on going paperless! Because you are electronically reporting this tax, you will no longer receive a paper tax return in the mail. To keep you up-to-date and informed of due dates for this tax, we will send a courtesy e-mail reminder to you at the e-mail address on file for this account.

Print this page for your records.

Reference Number: 1724059283
Date and Time of Filing: 01/17/2024 08:56:10 AM

Taxpayer ID: 32090929830
Taxpayer Name: BLEUVETS LLC
Taxpayer Address: 1618 ELMHURST DR AUSTIN , TX 78741 - 2510

Entered by: Dainy Orduz Villanueva
Email Address: bleuvetsrentals@gmail.com
Telephone Number: (407) 360-7434
IP Address: 146.70.147.102

Loc #	Location Name / Address	# of Rooms	Total Room Receipts	Taxable Receipts
00001	8428 CREEKBLUFF DR 8428 CREEKBLUFF DR DALLAS TX, 75249-3608	5	9,500.00	8,407.08
00002	371 S RING RD 371 S RING RD WAXAHACHIE TX, 75165-6307	6	10,757.61	10,033.00
00003	1825 ARUNDEL DR 1825 ARUNDEL DR CARROLLTON TX, 75007-3011	5	4,951.74	3,750.55
00004	6440 KNOLL RIDGE DR 6440 KNOLL RIDGE DR DALLAS TX, 75249-3829	5	977.60	855.00
00005	462 WINTERGREEN 462 WINTERGREEN DR WAXAHACHIE TX, 75165-5321	5	22,536.55	18,033.41
00006	742 AUSTRIAN 742 AUSTRIAN RD GRAND PRAIRIE TX, 75050-2329	5	7,000.00	6,194.69
00007	7621 N SONGBIRD 7621 N SONGBIRD SAN ANTONIO TX, 78229-2605	3	0.00	0.00
		Totals	**55,723.50**	**47,273.73**

Total Taxable Amount:	**47,273.73**
Tax Rate:	**x .0600**
Total Tax Due:	**= 2,836.42**
Timely Filing Discount:	**- 28.36**
Balance Due:	**= 2,808.06**
Pending Payments:	**- 0.00**
Total Amount Due and Payable:	**= 2,808.06**

Payment Summary

Amount to Pay: $2,808.06
Electronic Check: $2,808.06

Payment Reference Number: 1724059282
Trace Number: 74553635
Type of Bank Account: CHECKING
Accountholder Name: BLEUVETS LLC
Bank Routing Number: 111000614
Bank Account Number: **********3536
Payment Effective Date: 01/17/2024

Print | Return to Menu | File for Another Taxpayer

TEXAS REALTORS

RESIDENTIAL LEASE

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS®, INC. IS NOT AUTHORIZED.
©Texas Association of REALTORS®, Inc. 2022

1. **PARTIES:** The parties to this lease are:

the owner of the Property, Landlord,: **Ido Pistiner** ; and

Tenant(s): **Charvis Jerome Vaughan Sr** .

2. **PROPERTY:** Landlord leases to Tenant the following real property:

Address: **462 Wintergreen Drive, Waxahachie, TX 75165**
legally described as: **LOT 2 BLK 2 PARK PLACE PH 3 .2 AC**
in **Ellis** County, Texas, together with the following non-real-property items: **All of the appliances, furniture, decor and equipment shown on photos in listing** .
The real property and the non-real-property are collectively called the "Property".

3. **TERM:**

A. Primary Term: The primary term of this lease begins and ends as follows:

Commencement Date: **December 19, 2023** Expiration Date: **February 19, 2024** .

B. Delay of Occupancy: Tenant must occupy the Property within 5 days after the Commencement Date. If Tenant is unable to occupy the Property by the 5th day after the Commencement Date because of construction on the Property or a prior tenant's holding over of the Property, Tenant may terminate this lease by giving written notice to Landlord before the Property becomes available to be occupied by Tenant, and Landlord will refund to Tenant the security deposit and any rent paid. Landlord will abate rent on a daily basis for a delay caused by construction or a prior tenant's holding over. This paragraph does not apply to any delay in occupancy caused by cleaning, repairs, or make-ready items.

4. **AUTOMATIC RENEWAL AND NOTICE OF TERMINATION:** This lease automatically renews on a month-to-month basis unless Landlord or Tenant provides the other party written notice of termination as provided in Paragraph 4A. Oral notice of termination is not sufficient under any circumstances. Time is of the essence for providing notice of termination (strict compliance with dates by which notice must be provided is required). The date on which rent is due does not apply to the requirement for providing written notice of termination. Paragraph 4B applies only if the lease renews on a month-to-month basis. If a box is not checked under Paragraph 4A, Paragraph 4A(1) will apply. If a box is not checked under Paragraph 4B, Paragraph 4B(1) will apply.

A. This lease automatically renews on a month-to-month basis unless Landlord or Tenant provides the other party written notice of termination not less than: *(Check only one box.)*
[X] (1) 30 days before the Expiration Date.
[ ] (2) _____ days before the Expiration Date.

Fathom Realty LLC, 6841 Virginia Pkwy Ste 103-448 McKinney TX 75071 Phone: 9725376545 Fax:
Yaron Yashar
Produced with Lone Wolf Transactions (zipForm Edition) 717 N Harwood St, Suite 2200, Dallas, TX 75201 www.lwolf.com

If Landlord or Tenant fails to provide the other party timely written notice of termination as required by paragraph 4A, the lease automatically renews on a month-to-month basis. The Landlord or Tenant then must provide a subsequent written notice of termination as required by paragraph 4B.

B. If this lease automatically renews on a month-to-month basis, it will continue to renew on a month-to-month basis until either party provides written notice of termination to the other party and the notice of termination will be effective: *(Check only one box.)*

[X] (1) on the last day of the month following the month in which the notice is given. Landlord is not obligated to prorate rent even if Tenant surrenders the Property before the termination date.

[ ] (2) on the date designated in the notice but not sooner than 30 days after the notice is given and, if necessary, rent will be prorated on a daily basis.

5. RENT:

A. Monthly Rent: The monthly rent is $ **$8,500.00** Tenant will pay the monthly rent so that Landlord receives the monthly rent on or before *(check only one box)*:

[ ] (1) the first day of each month during this lease.

[X] (2) **19th of each month** .

Weekends, holidays, and mail delays do not excuse Tenant's obligation to timely pay rent.
Tenant will pay first month's rent made payable to [X] Landlord or [ ] Listing Broker or [ ] Property Manager.
The first month's rent is due and payable not later than _____ by *(select one or more)*: [X] cashier's check [X] electronic payment [ ] money order [ ] personal check or [ ] other means acceptable to Landlord.

B. Prorated Rent: The prorated rent of $_____ is due on or before _____ by *(select one or more)*: [X] cashier's check [X] electronic payment [ ] money order [ ] personal check or [ ] other means acceptable to Landlord.

C. Place of Payment: Unless this lease provides otherwise, Tenant will remit all amounts due to Landlord under this lease to the following person or entity at the place stated and make all payments payable to the named person or entity. Landlord may later designate, in writing, another person or place to which Tenant must remit amounts due under this lease.

Name: **Owner will provide W9**
Address: _____

Notice: Place the Property address and Tenant's name on all payments.

D. Method of Payment:

(1) Tenant must pay all rent timely and without demand, deduction, or offset, except as permitted by law or this lease.

(2) Time is of the essence for the payment of rent (strict compliance with rental due dates is required).

(3) Unless the parties agree otherwise, Tenant may not pay rent in cash and will pay all rent by *(select one or more)*: [X] cashier's check [X] electronic payment [ ] money order [ ] personal check or [ ] other means acceptable to Landlord. Landlord [ ] may or [ ] may not charge a reasonable fee to process or accept payment by *(select one or more only if Landlord indicates a reasonable fee may be charged)*: [X] cashier's check [X] electronic payment [ ] money order [ ] personal check or [ ] other means acceptable to Landlord.

(4) Landlord [ ] requires [ ] does not require Tenant(s) to pay monthly rents by one payment.

(5) If Tenant fails to timely pay any amounts due under this lease or if any check of Tenant is not honored by the institution on which it was drawn, Landlord may require Tenant to pay such amount and any subsequent amounts under this lease in certified funds. This paragraph does not limit Landlord from seeking other remedies under this lease for Tenant's failure to make timely payments with good funds.

E. Rent Increases: There will be no rent increases through the primary term. Landlord may increase the rent that will be paid during any month-to-month renewal period by providing at least 30 days written notice to Tenant.

6. LATE CHARGES:

A. If Landlord does not actually receive a rent payment in the full amount at the designated place of payment by the 3rd day of each month at 11:59pm, Tenant will pay Landlord for each late payment:

(1) an initial late charge equal to *(check one box only)*: [X] (a) $ 300.00 ; or [ ] (b) _____ % of one month's rent; **and**

(2) additional late charges of $ 50.00 per day thereafter until rent and late charges are paid in full. Additional late charges for any one payment may not exceed more than 30 days.

Notice: §92.019, Property Code prohibits assessing a late fee until rent has remained unpaid for at least two full days after the date on which the rent is due.

B. For the purposes of paying rent and any late charges, the mailbox is not the agent for receipt for Landlord (the postmark date is not the date Landlord receives the payment). The parties agree that the late charge is reasonable based on uncertain damages to the Landlord related to the late payment of rent, including direct or indirect expenses, direct or indirect costs, or overhead associated with the collection of late payment. Landlord's acceptance of a late charge does not waive Landlord's right to exercise remedies under Paragraph 27.

7. RETURNED PAYMENT: Tenant will pay Landlord $ 300.00 for each payment Tenant tenders to Landlord which is returned or not honored by the institution on which it is drawn for any reason, plus any late charges until Landlord receives payment. Tenant must make any returned payment good by paying such amount(s) plus any associated charges in certified funds.

8. APPLICATION OF FUNDS: Regardless of any notation on a payment, Landlord may apply funds received from Tenant first to any non-rent obligations of Tenant, including but not limited to, late charges, returned payment charges, repairs, brokerage fees, periodic utilities, animal charges, and then to rent.

9. ANIMALS:

A. Unless the parties agree otherwise in writing, Tenant may not permit, even temporarily, any animal on the Property (including but not limited to any mammal, reptile, bird, fish, rodent, or insect). An assistance animal is not considered a pet but is still required to be reported to the Landlord with accompanying documentation as required by the Texas Department of Housing and Community Affairs.

B. If Tenant violates this Paragraph 9 or any agreement to keep an animal on the Property, Landlord may take all or any of the following action:

(1) declare Tenant to be in default of this lease and exercise Landlord's remedies under Paragraph 27;

(2) charge Tenant, as additional rent, an initial amount of $ 1,000.00 and $ 50.00 per day thereafter per animal for each day Tenant violates the animal restrictions;

(3) remove or cause to be removed any unauthorized animal and deliver it to appropriate local authorities by providing at least 24-hour written notice to Tenant of Landlord's intention to remove the unauthorized animal; and
(4) charge to Tenant the Landlord's cost to:
(a) remove any unauthorized animal;
(b) exterminate the Property for fleas and other insects;
(c) clean and deodorize the Property's carpets and drapes; and
(d) repair any damage to the Property caused by the unauthorized animal.

C. When taking any action under Paragraph 9B Landlord will not be liable for any harm, injury, death, or sickness to any animal.

10. SECURITY DEPOSIT:

A. Security Deposit: On or before execution of this lease, Tenant will pay a security deposit to Landlord in the amount of $5,000.00 by *(select one or more)*: [X] cashier's check [X] electronic payment [ ] money order [ ] personal check or [ ] other means acceptable to Landlord. "Security deposit" has the meaning assigned to that term in §92.102, Property Code. Any additional deposits Tenant pays to Landlord, other than the security deposit, will become part of the security deposit.

B. Interest: No interest or income will be paid to Tenant on the security deposit. Landlord may place the security deposit in an interest-bearing or income-producing account and any interest or income earned will be paid to Landlord or Landlord's representative.

C. Refund: Tenant must give Landlord at least thirty (30) days written notice of surrender before Landlord is obligated to account for or refund the security deposit. Any refund of the security deposit will be made payable to all Tenants named in this lease.

Notices about Security Deposits:
(1) §92.108, Property Code provides that a tenant may not withhold payment of any portion of the last month's rent on grounds that the security deposit is security for unpaid rent.
(2) Bad faith violations of §92.108 may subject a tenant to liability up to 3 times the rent wrongfully withheld and the landlord's reasonable attorney's fees.
(3) The Property Code does not obligate a landlord to return or account for the security deposit until the tenant surrenders the Property and gives the landlord a written statement of the tenant's forwarding address, after which the landlord has 30 days in which to account.
(4) "Surrender" is defined in Paragraph 16 of this lease.
(5) One may view the Texas Property Code at the Texas Legislature's website which, as of the date shown in the lower left-hand corner of this form, is http://www.statutes.legis.state.tx.us/.

D. Deductions:

(1) Landlord may deduct reasonable charges from the security deposit for:
(a) damages to the Property, excluding normal wear and tear, and all reasonable costs associated to repair the Property;
(b) costs for which Tenant is responsible to clean, deodorize, exterminate, and maintain the Property;
(c) unpaid or accelerated rent;
(d) unpaid late charges;
(e) unpaid utilities and utility expenses Landlord incurs to maintain utilities to the Property as required by this Lease;

(f) unpaid pet charges;
(g) replacing unreturned keys, garage door openers, security devices, or other components;
(h) the removal of unauthorized locks or fixtures installed by Tenant;
(i) Landlord's cost to access the Property if made inaccessible by Tenant;
(j) missing or burned-out light bulbs and fluorescent tubes (at the same location and of the same type and quality that are in the Property on the Commencement Date);
(k) packing, removing, and storing abandoned property;
(l) removing abandoned or illegally parked vehicles;
(m) costs of reletting (as defined in Paragraph 27), if Tenant is in default;
(n) attorney's fees, costs of court, costs of service, and other reasonable costs incurred in any legal proceeding against Tenant;
(o) mailing costs associated with sending notices to Tenant for any violations of this lease;
(p) any other unpaid charges or fees or other items for which Tenant is responsible under this lease;
(q) cost to restore walls, flooring, landscaping or any alteration to the Property not approved in writing by Landlord;
(r) damages to the Property caused by smoking, including but not limited to stains, burns, odors, and removal of debris; and
(s) costs to rekey certain security devices, as provided in Paragraph 19.

(2) If deductions exceed the security deposit, Tenant will pay to Landlord the excess within 10 days after Landlord makes written demand.

11. UTILITIES:

A. Tenant will pay all connection fees, service fees, usage fees, and all other costs and fees for all utilities to the Property (for example, electricity, gas, water, wastewater, garbage, telephone, alarm monitoring systems, cable, and Internet connections) except the following which Landlord will pay: NA

Unless otherwise agreed, amounts under this paragraph are payable directly to the service providers.

B. Unless provided by Landlord, Tenant must, at a minimum, keep the following utilities on, if available, at all times this lease is in effect: gas; electricity; water; wastewater; and garbage services.

Notice: Before signing this lease, Tenant should determine if all necessary utilities are available to the Property and are adequate for Tenant's use.

12. USE AND OCCUPANCY:

A. Occupants: Tenant may use the Property as a private residence only. The only persons Tenant may permit to reside on the Property during the term of this lease are (*include names and ages of all occupants*): Monique Y Vaughan (age 42), Aurelia Vaughan (age 14)

B. Phone Numbers and E-mail: Tenant must promptly inform Landlord of any changes in Tenant's phone numbers (home, work, and mobile) and e-mail not later than 5 days after a change.

Residential Lease concerning: 462 Wintergreen Drive Waxahachie, TX 75165

C. HOA Rules: This Property ☐ is or ☒ is not a part of an HOA. _____

_____

(Include the name of the HOA if there is one). Tenant must comply with any owners' association rules or restrictive covenants affecting the Property. Tenant will reimburse Landlord for any fines or other charges assessed against Landlord for violations by Tenant of any owners' association rule or restrictive covenant, and any resulting administrative fees assessed by Landlord's agents or any other entity as provided by law.

D. Prohibitions: Unless otherwise authorized by this lease, Tenant may not install or permit any of the following on the Property, even temporarily: a spa, hot tub, above-ground pool, trampoline, or any item which causes a suspension or cancellation of insurance coverage or an increase in insurance premiums. Tenant may not permit any part of the Property to be used for: (1) any activity which is a nuisance, offensive, noisy, or dangerous; (2) the repair of any vehicle; (3) any business of any type, including but not limited to child care; (4) any activity which violates any zoning ordinance, owners' association rule, or restrictive covenant; (5) any illegal or unlawful activity, including but not limited to, the planting, growth, consumption, or distribution of cannabis plants or products; or (6) activity that obstructs, interferes with, or infringes on the rights of other persons near the Property. Tenant may not list any part of the Property on any lodging or short-term rental website or with any person or service that advertises Properties for rent.

E. Guests: Tenant may not permit any guest to stay on the Property longer than the amount of time permitted by any owners' association rule or restrictive covenant or 7 consecutive days without Landlord's written permission, whichever is less. No guests are permitted to stay on the Property more than twice the number of days in the space above in any 30-day period. If the above space is not filled in, two (2) days total per month will apply.

F. Common Areas: Landlord is not obligated to pay any non-mandatory or user fees for Tenant's use of any common areas or facilities (for example, pool or tennis courts).

13. PARKING RULES: Tenant may not permit more than 4 vehicles, including but not limited to automobiles, trucks, recreational vehicles, trailers, motorcycles, all-terrain vehicles, jet skis, and boats, on the Property unless authorized by Landlord in writing. Tenant may not park or permit any person to park any vehicles in the yard. Tenant may permit vehicles to be parked only in drives, garages, designated common parking areas, or in the street if not prohibited by law or an owners' association. Tenant may not store or permit any person to store any vehicles on or adjacent to the Property or on the street in front of the Property. In accordance with applicable state and local laws, Landlord may have towed, at Tenant's expense: (a) any inoperative vehicle on or adjacent to the Property; (b) any vehicle parked in violation of this paragraph or any additional parking rules made part of this lease; or (c) any vehicle parked in violation of any law, local ordinance, or owners' association rule. Tenant must promptly inform Landlord of any changes in Tenant's vehicle information (type, year, make, model, and license plate number including state) not later than 5 days after a change.

14. ACCESS BY LANDLORD:

A. Advertising: Landlord may prominently display a "For Sale" or "For Lease" or similarly worded sign on the Property during the term of this lease or any renewal period. Landlord or Landlord's contractor may take interior or exterior photographs or images of the Property and use the photographs or images in any advertisements to lease or sell the Property.

B. Access: Before accessing the Property, Landlord or anyone authorized by Landlord will attempt to first contact Tenant, but may enter the Property at reasonable times without notice to make repairs or to show the Property to

prospective tenants or buyers, inspectors, fire marshals, lenders, appraisers, or insurance agents. Additionally, Landlord or anyone authorized by Landlord may peacefully enter the Property at reasonable times without first attempting to contact Tenant and without notice to: (1) survey or review the Property's condition and take photographs to document the condition; (2) make emergency repairs; (3) exercise a contractual or statutory lien; (4) leave written notices; or (5) seize nonexempt property if Tenant is in default.

C. Trip Charges: If Landlord or Landlord's agents have made prior arrangements with Tenant to access the Property and are denied or are not able to access the Property because of Tenant's failure to make the Property accessible (including, but not limited to, any occupant, guest or invitee of Tenant, pet, or security device prohibiting access to any area of the Property), Landlord may charge Tenant a trip charge of $ 300.00 .

D. Keybox: **A keybox is a locked container placed on the Property holding a key to the Property. The keybox is opened by a special combination, key, or programmed access device so that persons with the access device may enter the Property, even in Tenant's absence. The keybox is a convenience but involves risk (such as unauthorized entry, theft, property damage, or personal injury). Neither the Association of REALTORS® nor MLS requires the use of a keybox.**

(1) Tenant authorizes Landlord, Landlord's property manager, and Landlord's broker to place on the Property a keybox containing a key to the Property:
(a) during the last 30 days of this lease or any renewal or extension; and
(b) at any time Landlord lists the Property for sale with a Texas licensed broker.

(2) Tenant may withdraw Tenant's authorization to place a keybox on the Property by providing written notice to Landlord and paying Landlord a fee of $ 3,000.00 as consideration for the withdrawal. Landlord will remove the keybox within a reasonable time after receipt of the notice of withdrawal and payment of the required fee. Removal of the keybox does not alleviate Tenant's obligation to make the Property available for showings as indicated in Paragraph 14B.

(3) If Landlord or Landlord's agents are denied or are not able to access the Property after first attempting to contact Tenant, Landlord may charge Tenant a trip charge as provided in Paragraph 14C.

(4) Landlord, the property manager, and Landlord's broker are not responsible to Tenant, Tenant's guests, family, or occupants for any damages, injuries, or losses arising from use of the keybox unless caused by Landlord, the property manager, or Landlord's broker.

15. MOVE-IN CONDITION:

A. **SIGHT UNSEEN NOTICE: Tenant is given the opportunity to inspect the Property prior to signing the lease. A Tenant who declines to do so and chooses to sign the Lease on the Property sight unseen does so at their own risk. Tenant accepts the Property "as is" and Landlord is under no obligation to make any changes upon Tenant viewing the Property. Tenant will be bound to all provisions of the Lease irrespective of Tenant viewing the Property before signing the Lease.**

B. Landlord makes no express or implied warranties as to the Property's condition. Tenant has inspected the Property and accepts it **AS-IS** provided that Landlord: provided access

C. Tenant will complete an Inventory and Condition Form, noting any damages to the Property, and deliver it to Landlord within 7 days after the Commencement Date. If Tenant fails to timely deliver the Inventory and Condition Form, the Property will be deemed to be free of damages, unless otherwise expressed in this lease. The Inventory and Condition Form is not a request for repairs. Tenant must direct all requests for repairs in compliance with Paragraph 18.

16. MOVE-OUT:

A. Move-Out Condition: When this lease ends, Tenant will surrender the Property in the same condition as when received, normal wear and tear excepted. Tenant will leave the Property in a clean condition free of all trash, debris, and any personal property. Tenant may not abandon the Property.

B. Definitions:

(1) *"Normal wear and tear"* means deterioration that occurs without negligence, carelessness, accident, or abuse.

(2) *"Surrender"* occurs when all occupants have vacated the Property, in Landlord's reasonable judgment, and one of the following events occurs:
(a) the date Tenant specifies as the move-out or termination date in a written notice to Landlord has passed; or
(b) Tenant returns keys and access devices that Landlord provided to Tenant under this lease.

(3) *"Abandonment"* occurs when all of the following occur:
(a) all occupants have vacated the Property, in Landlord's reasonable judgment;
(b) Tenant is in breach of this lease by not timely paying rent; and
(c) Landlord has delivered written notice to Tenant, by affixing it to the inside of the main entry door or if the Landlord is prevented from entering the Property by affixing it to the outside of the main entry door, stating that Landlord considers the Property abandoned, and Tenant fails to respond to the affixed notice by the time required in the notice, which will not be less than 2 days from the date the notice is affixed to the main entry door.

C. Personal Property Left After Move-Out:

(1) If Tenant leaves any personal property in the Property after surrendering or abandoning the Property Landlord may:
(a) dispose of such personal property in the trash or a landfill;
(b) give such personal property to a charitable organization; or
(c) store and sell such personal property by following procedures in §54.045(b)-(e), Property Code.

(2) Tenant must reimburse Landlord all Landlord's reasonable costs under Paragraph 16C(1) for packing, removing, storing, and selling the personal property left in the Property after surrender or abandonment.

17. PROPERTY MAINTENANCE:

A. Tenant's General Responsibilities: Tenant, at Tenant's expense, must:
(1) keep the Property clean and sanitary;
(2) promptly dispose of all garbage in appropriate receptacles;

(3) supply and change heating and air conditioning filters per manufacturer's instructions;
(4) supply and replace all light bulbs, fluorescent tubes, and batteries for smoke alarms, carbon monoxide detectors, garage door openers, ceiling fan remotes, and other devices (of the same type and quality that are in the Property on the Commencement Date);
(5) maintain appropriate levels of necessary chemicals or matter in any water softener;
(6) take action to promptly eliminate any dangerous condition on the Property;
(7) take all necessary precautions to prevent broken water pipes due to freezing or other causes;
(8) replace any lost or misplaced keys;
(9) pay any periodic, preventive, or additional extermination costs desired by Tenant, including treatment for bed bugs, unless otherwise required by law;
(10) remove any standing water;
(11) know the location and operation of the main water cut-off valve and all electric breakers and how to switch the valve or breakers off at appropriate times to mitigate any potential damage;
(12) water the foundation of the Property at reasonable and appropriate times;
(13) supply and change water filtration systems, including but not limited to, refrigerator water filters; and
(14) promptly notify Landlord, in writing, of all needed repairs.

B. Yard Maintenance:

(1) *"Yard"* means all lawns, shrubbery, bushes, flowers, gardens, trees, rock or other landscaping, and other foliage on or encroaching on the Property or on any easement appurtenant to the Property, and does not include common areas maintained by an owners' association.

(2) *"Maintain the yard"* means to perform activities such as, but not limited to: (a) mowing, fertilizing, and trimming the yard; (b) controlling pests and weeds in the yard; and (c) removing debris from the yard.

(3) Unless prohibited by ordinance or other law, Tenant will water the yard at reasonable and appropriate times including but not limited to the following times: NA _____. Other than watering, the yard will be maintained as follows:

☒ (a) Landlord, at Landlord's expense, will maintain the yard. Tenant will permit Landlord and Landlord's contractors reasonable access to the yard and will remove any pet from the yard at appropriate times.

☐ (b) Tenant, at Tenant's expense, will maintain the yard.

☐ (c) Tenant will maintain in effect a scheduled yard maintenance contract with: ☐ a contractor who regularly provides such service; ☐ _____.

C. Pool/Spa Maintenance: Any pool or spa on the Property will be maintained according to a Pool/Spa Maintenance Addendum.

D. Prohibitions: If Tenant installs any fixtures on the Property, authorized or unauthorized, such as additional smoke alarms, additional carbon monoxide detectors, locks, alarm systems, cables, satellite dishes, or other fixtures, such fixtures will become the property of the Landlord. Except as otherwise permitted by law, this lease, or in writing by Landlord, Tenant may not:
(1) remove any part of the Property or any of Landlord's personal property from the Property;
(2) remove, change, add, or rekey any lock;
(3) make holes in the woodwork, floors, or walls, except that a reasonable number of small nails may be used to hang pictures in sheetrock and grooves in paneling;

(4) permit any water furniture on the Property;
(5) install additional phone or video cables, outlets, antennas, satellite receivers, or alarm systems;
(6) alter, replace or remove flooring material, paint, or wallpaper;
(7) install, change, or remove any: fixture, appliance, or non-real-property item listed in Paragraph 2;
(8) keep or permit any hazardous material on the Property such as flammable or explosive materials;
(9) keep or permit any material or item which causes any liability or fire and extended insurance coverage to be suspended or canceled or any premiums to be increased;
(10) dispose of any environmentally detrimental substance (for example, motor oil or radiator fluid) on the Property;
(11) cause or allow any lien to be filed against any portion of the Property; or
(12) disconnect or intentionally damage any carbon monoxide detector, or otherwise violate any local ordinance requiring a carbon monoxide detector in the Property.

E. Failure to Maintain: If Tenant fails to comply with this Paragraph 17 or any Pool/Spa Maintenance Addendum, Landlord may, in addition to exercising Landlord's remedies under Paragraph 27, perform whatever action Tenant is obligated to perform and Tenant must immediately reimburse Landlord the reasonable expenses that Landlord incurs plus any administrative fees assessed by Landlord's agents or any other entity as provided by law.

F. Smoking: Smoking, including vaping or tobacco pipes of any type, by Tenant, Tenant's guests, family, or occupants is ☐ permitted ☒ not permitted on the Property (including, but not limited to, the garage or outdoor areas of the Property). If smoking is not permitted and does occur on the Property, Tenant will be in default and:
(1) Landlord may exercise Landlord's remedies under Paragraph 27; and
(2) Landlord may deduct from the security deposit damages to the Property caused by smoking, including but not limited to stains, burns, odors, and removal of debris.

18. REPAIRS: (Notice: Subchapter B, Chapter 92, Property Code governs repair obligations).

A. **Repair Requests: All requests for repairs must be in writing and delivered to Landlord. If Tenant is delinquent in rent at the time a repair notice is given, Landlord is not obligated to make the repair. In the event of an emergency related to the condition of the Property that materially affects the physical health or safety of an ordinary tenant, Tenant may call Landlord or, if applicable, the property manager, at (512)718-8128. Ordinarily, a repair to the heating and air conditioning system is not an emergency.**

B. **NOTICE: If Landlord fails to repair a condition that materially affects the physical health or safety of an ordinary tenant as required by this lease or the Property Code, Tenant may be entitled to exercise remedies under §92.056 and §92.0561 of the Property Code. If Tenant follows the procedures under those sections, the following remedies may be available to Tenant: (1) terminate the lease and obtain an appropriate refund under §92.056(f); (2) have the condition repaired or remedied according to §92.0561; (3) deduct from the rent the cost of the repair or remedy according to §92.0561; and (4) obtain judicial remedies according to §92.0563. Do not exercise these remedies without consulting an attorney or carefully reviewing the procedures under the applicable sections. The Property Code presumes that 7 days is a reasonable period of time for the Landlord to make a diligent effort to repair a condition unless there are circumstances which establish that a different period of time is appropriate (such as the severity and nature of the condition and the availability of materials, labor, and utilities). Failure to strictly follow the procedures in the applicable sections may cause Tenant to be in default of the lease.**

C. **Completion of Repairs:**

(1) **Tenant may not repair or cause to be repaired any condition, regardless of the cause, without Landlord's permission. All decisions regarding repairs, including the completion of any repair, whether to repair or replace the item, and the selection of contractors, will be at Landlord's sole discretion.**

(2) **Landlord is not obligated to complete a repair on a day other than a business day unless required to do so by the Property Code.**

D. **Payment of Repair Costs:**

(1) **Except as otherwise specified in this lease, Landlord will pay to repair or remedy conditions in the Property in need of repair if Tenant complies with the procedures for requesting repairs as described in this Paragraph 18. This includes, but is not limited to, repairs to the following items not caused by Tenant or Tenant's negligence:**
(a) **heating and air conditioning systems;**
(b) **water heaters; or**
(c) **water penetration from structural defects.**

(2) **Except for those conditions caused by the negligence of Landlord, Tenant will pay to repair the following conditions:**
(a) **conditions caused by Tenant, an Occupant, or any guest or invitee of Tenant;**
(b) **damage to doors, windows, and screens;**
(c) **damage from windows or doors left open;**
(d) **damage from wastewater stoppages caused by foreign or improper objects in lines that exclusively serve the Property;**
(e) **items that are cosmetic in nature with no impact on the functionality or use of the item; and**
(f) **the following specific items or appliances:** NA

E. **Trip Charges: If a repair person is unable to access the Property after making arrangements with Tenant to complete the repair, Tenant will pay any trip charge the repair person may charge, which amount may be different from the amount stated in Paragraph 14C.**

F. **Advance Payments and Reimbursements: Landlord may require advance payment of repairs or payments under this Paragraph 18 for which Tenant is responsible. Tenant must promptly reimburse Landlord the amounts under this Paragraph 18 for which Tenant is responsible.**

19. SECURITY DEVICES AND EXTERIOR DOOR LOCKS:

A. Subchapter D, Chapter 92, Property Code requires the Property to be equipped with certain types of locks and security devices, including (with some exceptions): (1) window latches on each window; (2) a keyed doorknob lock or keyed deadbolt lock on each exterior door; (3) a sliding door pin lock on each exterior sliding glass door of the dwelling; (4) a sliding door handle latch or a sliding door security bar on each exterior sliding glass door of the dwelling; and (5) a keyless bolting device and a door viewer on each exterior door of the dwelling. Landlord has rekeyed the security devices since the last occupant vacated the Property or will rekey the security devices within 7 days after Tenant moves in. "Security device" has the meaning assigned to that term in §92.151, Property Code.

B. All notices or requests by Tenant for rekeying, changing, installing, repairing, or replacing security devices must be in writing. Installation of additional security devices or additional rekeying or replacement of security devices desired by Tenant may be paid by Tenant in advance in accordance with §92.162(c), Property Code, and may be installed only by contractors authorized by Landlord.

C. If Tenant vacates the Property in breach of this lease, Landlord may deduct from the security deposit reasonable costs incurred by Landlord to rekey security devices as authorized by §92.156(e), Property Code.

20. **SMOKE ALARMS:** Subchapter F, Chapter 92, Property Code requires the Property to be equipped with smoke alarms in certain locations. Requests for additional installation, inspection, or repair of smoke alarms must be in writing. Disconnecting or intentionally damaging a smoke alarm or removing a battery without immediately replacing it with a working battery may subject Tenant to civil penalties and liability for damages and attorney fees under §92.2611, Property Code.

21. **LIABILITY:** Unless caused by Landlord, Landlord is not responsible to Tenant, Tenant's guests, family, or occupants for any damages, injuries, or losses to person or property caused by fire, flood, water leaks, ice, snow, hail, winds, explosion, smoke, interruption of utilities, theft, burglary, robbery, assault, vandalism, other persons, condition of the Property, environmental contaminants (for example, carbon monoxide, asbestos, radon, lead-based paint, mold, fungus, etc.), or other occurrences or casualty losses. Unless prohibited by law, Tenant will promptly reimburse Landlord for any damages, injuries, or losses to person or property caused by Tenant, Tenant's guests, any occupants, or any pets or assistance animals, including cost of repairs or service to the Property.

22. **HOLDOVER:** If Tenant fails to vacate the Property at the time this lease ends Tenant will pay Landlord rent for the holdover period and indemnify Landlord and prospective tenants for damages, including but not limited to lost rent, lodging expenses, costs of eviction, and attorneys' fees. Rent for any holdover period will be three (3) times the monthly rent, calculated on a daily basis, and will be immediately due and payable daily without notice or demand.

23. **RESIDENTIAL LANDLORD'S LIEN:** Landlord will have a lien for unpaid rent against all of Tenant's nonexempt personal property that is in the Property and may seize such nonexempt property if Tenant fails to pay rent. Subchapter C, Chapter 54, Property Code governs the rights and obligations of the parties regarding Landlord's lien. Landlord may collect a charge for packing, removing, or storing property seized in addition to any other amounts Landlord is entitled to receive. Landlord may sell or dispose of any seized property in accordance with the provisions of §54.045, Property Code.

24. **SUBORDINATION:** This lease and Tenant's leasehold interest are and will be subject, subordinate, and inferior to: (i) any lien or encumbrance now or later placed on the Property by Landlord; (ii) all advances made under any such lien or encumbrance; (iii) the interest payable on any such lien or encumbrance; (iv) any and all renewals and extensions of any such lien or encumbrance; (v) any restrictive covenant; and (vi) the rights of any owners' association affecting the Property.

25. **CASUALTY LOSS OR CONDEMNATION:** Section 92.054, Property Code governs the rights and obligations of the parties regarding a casualty loss to the Property. Any proceeds, payment for damages, settlements, awards, or other sums paid because of a casualty loss to the Property will be Landlord's sole property. For the purpose of this lease, any condemnation of all or a part of the Property is a casualty loss.

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26. SPECIAL PROVISIONS: *(Do not insert a lease-option or lease-purchase clause without the assistance of legal counsel. Special obligations and liabilities under statute apply to such transactions.)*

1. Tenants agree to provide an active renters insurance policy during lease term.
2. Tenants agree to not allow any kind of pets inside the property during lease term.
3. Tenants agree to not allow gatherings that may cause a disturbance to neighbors during the lease term.
4. Tenant is responsible to return the property in the same condition as received.
5. Tenants agree to provide a 30 days notice to renew or move out before lease expiration.
6. Tenants agree to pay a one time cleaning fee of $250 before move in date.

27. DEFAULT:

A. If Landlord fails to comply with this lease, Tenant may seek any relief provided by law.

B. If Tenant fails to timely pay all amounts due under this lease or otherwise fails to comply with this lease, Tenant will be in default and:
(1) Landlord may terminate Tenant's right to occupy the Property by providing Tenant with at least one day written notice to vacate;
(2) all unpaid rents which are payable during the remainder of this lease or any renewal period will be accelerated without notice or demand;
(3) Landlord may exercise Landlord's lien under Paragraph 23 and any other rights under this lease or the Property Code;
(4) all unpaid amounts, including judgments, will bear 18% interest or the maximum amount allowed by law per year from the due date, compounded annually; and
(5) Tenant will be liable for:
(a) any lost rent;
(b) Landlord's cost of reletting the Property including but not limited to leasing fees, advertising fees, utility charges, and other fees reasonably necessary to relet the Property;
(c) repairs to the Property for use beyond normal wear and tear;
(d) all Landlord's costs associated with eviction of Tenant, including but not limited to attorney's fees, court costs, costs of service, witness fees, and prejudgment interest;
(e) all Landlord's costs associated with collection of amounts due under this lease, including but not limited to collection fees, late charges, and returned check charges; and
(f) any other recovery to which Landlord may be entitled by law.

C. Notice to vacate under Paragraph 27B(1) may be by any means permitted by §24.005, Property Code.

D. If Tenant vacates the Property in breach of this lease, Landlord may also deduct from the security deposit the reasonable costs to rekey certain security devices, as provided in Paragraph 19.

E. Landlord will attempt to mitigate any damage or loss caused by Tenant's breach by attempting to relet the Property to acceptable tenants and reducing Tenant's liability accordingly.

28. EARLY TERMINATION: This lease begins on the Commencement Date and ends on the Expiration date unless: (i) renewed under Paragraph 4; (ii) extended by written agreement of the parties; or (iii) terminated earlier under Paragraph 27, by agreement of the parties, applicable law, or this Paragraph 28. Unless otherwise provided by law, Tenant is not entitled to early termination due to voluntary or involuntary job or school transfer, changes in marital status, loss of employment, loss of co-tenants, changes in health, purchase of property, or death.

A. Special Statutory Rights Tenants may have special statutory rights to terminate the lease early in certain situations involving family violence, military deployment or transfer, or certain sex offenses or stalking.

(1) Military: If Tenant is or becomes a servicemember or a dependent of a servicemember, Tenant may terminate this lease by delivering to Landlord a written notice of termination and a copy of an appropriate government document providing evidence of: (a) entrance into military service; (b) military orders for a permanent change of station (PCS); or (c) military orders to deploy with a military unit for not less than 90 days. Termination is effective on the 30th day after the first date on which the next rental payment is due after the date on which the notice is delivered. §92.017, Property Code governs the rights and obligations of the parties under this paragraph.

(2) Family Violence: Tenant may terminate this lease if Tenant provides Landlord with a copy of documentation described under §92.016, Property Code protecting Tenant or an occupant from family violence committed by a cotenant or occupant of the Property. §92.016, Property Code governs the rights and obligations of the parties under this paragraph. If the family violence is committed by someone other than a cotenant or co-occupant of the Property, Tenant must give written notice of termination 30 days prior to the effective date of the notice.

(3) Sex Offenses or Stalking: Tenant may have special statutory rights to terminate this lease in certain situations involving certain sexual offenses or stalking, if the Tenant provides Landlord with the documentation required by §92.0161, Property Code. For more information about the types of situations covered by this provision, Tenant is advised to review §92.0161, Property Code.

B. Assignment, Subletting and Replacement Tenants:

(1) Tenant may not assign this lease or sublet the Property without Landlord's written consent.

(2) If Tenant requests an early termination of this lease under this Paragraph 28B, Tenant may attempt to find a replacement tenant and may request Landlord to do the same. Landlord may, but is not obligated to, attempt to find a replacement tenant under this paragraph.

(3) Any assignee, subtenant, or replacement tenant must, in Landlord's discretion, be acceptable as a tenant and must sign: (a) a new lease with terms not less favorable to Landlord than this lease or otherwise acceptable to Landlord; (b) a sublease with terms approved by Landlord; or (c) an assignment of this lease in a form approved by Landlord.

(4) At the time Landlord agrees to permit an assignee, subtenant, or replacement tenant to occupy the Property, Tenant will pay Landlord:

(a) if Tenant procures the assignee, subtenant, or replacement tenant:

☐ (i) $ _____ .

☐ (ii) _____ % of one's month rent that the assignee, subtenant, or replacement tenant is to pay.

(b) if Landlord procures the assignee, subtenant, or replacement tenant:

☐ (i) $ _____ .

☐ (ii) _____ % of one's month rent that the assignee, subtenant, or replacement tenant is to pay.

(5) Unless expressly stated otherwise in an assignment or sublease, Tenant will not be released from Tenant's obligations under this lease because of an assignment or sublease. An assignment of this lease or a sublease of this lease without Landlord's written consent is voidable by Landlord.

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29. ATTORNEY'S FEES: Any person who is a prevailing party in any legal proceeding brought under or related to the transaction described in this lease is entitled to recover prejudgment interest, attorney's fees, costs of service, and all other costs of the legal proceeding from the non-prevailing party.

30. REPRESENTATIONS: Tenant's statements in this lease and any application for rental are material representations. Each party to this lease represents that he or she is of legal age to enter into a contract. If Tenant makes a misrepresentation in this lease or in an application for rental, Tenant is in default.

31. ADDENDA: Incorporated into this lease are the following addenda, exhibits and other information. If Landlord's Rules and Regulations are made part of this lease, Tenant agrees to comply with the Rules and Regulations as Landlord may, at Landlord's discretion, amend from time to time.

- [ ] Addendum Regarding Rental Flood Disclosure
- [ ] Addendum Regarding Lead-Based Paint
- [X] Inventory & Condition Form
- [ ] Landlord's Additional Parking Rules
- [ ] Animal Agreement
- [ ] Mold Remediation Consumer Protection
- [ ] Residential Lease Guaranty
- [ ] _____
- [ ] Agreement Between Brokers
- [ ] Landlord's Rules & Regulations
- [ ] Owners' Association Rules
- [X] Pool/Spa Maintenance Addendum
- [ ] Residential Lease Application
- [ ] Bed Bug Addendum
- [ ] _____
- [ ] _____

32. NOTICES: All notices under this lease must be in writing and are effective when hand-delivered, sent by mail, or sent by electronic transmission to *(Do not insert an e-mail address or a fax number unless the party consents to receive notices under this lease at the e-mail address or fax number specified.):*

Tenant at the Property and a copy to:

_____
_____
_____
E-mail/Fax: cgreen@crsth.com
E-mail/Fax: txcvaughan@att.net

Landlord c/o:

_____
_____
_____
E-mail/Fax: ido92rentals@gmail.com
E-mail/Fax: _____

33. AGREEMENT OF PARTIES:

A. Entire Agreement: There are no oral agreements between Landlord and Tenant. This lease contains the entire agreement between Landlord and Tenant and may not be changed except by written agreement.

B. Binding Effect: This lease is binding upon and inures to the benefit of the parties to this lease and their respective heirs, executors, administrators, successors, and permitted assigns.

C. Joint and Several: All Tenants are jointly and severally liable for all provisions of this lease. Any act or notice to, refund to, or signature of, any one or more of the Tenants regarding any term of this lease, its extension, its renewal, or its termination is binding on all Tenants executing this lease.

D. Waiver: Landlord's past delay, waiver, or non-enforcement of a rental due date or any other right will not be deemed to be a waiver of any other breach by Tenant or any other right in this lease.

E. Severable Clauses: Should a court find any clause in this lease unenforceable, the remainder of this lease will not be affected and all other provisions in this lease will remain enforceable.

F. Controlling Law: The laws of the State of Texas govern the interpretation, validity, performance, and enforcement of this lease.

G. Copyright: If an active REALTOR® member of Texas REALTORS® does not negotiate this lease as a party or for one of the parties, with or without assistance by an active member of the State Bar of Texas, this lease is voidable at will by Tenant.

34. INFORMATION:

A. Future inquiries about this lease, rental payments, and security deposits should be directed to the person listed for receipt of notices for Landlord under Paragraph 32.

B. It is Tenant's responsibility to determine, before signing this lease, if: (i) all services (e.g., utilities, connections, schools, and transportation) are accessible to or from the Property; (ii) such services are sufficient for Tenant's needs and wishes; and (iii) Tenant is satisfied with the Property's condition.

C. The brokers to this lease have no knowledge of whether Landlord is delinquent in the payment of any lien against the Property.

D. Unpaid rent and any unpaid amount under this lease are reportable to credit reporting agencies.

E. Landlord is not obligated to respond to any requests for Tenant's rental and payment history from a mortgage company or other prospective landlord until Tenant has given notice of termination of this lease and Tenant is not in breach of this lease. (*Notice: Landlord or Landlord's agent may charge a reasonable fee for processing such information.*)

F. If all occupants over 18 years of age die during this lease, Landlord may: (i) permit the person named below to access the Property at reasonable times in Landlord's or Landlord's agent's presence; (ii) permit the named person to remove Tenant's personal property; and (iii) refund the security deposit, less deductions, to the named person. Section 92.014, Property Code governs procedures to follow regarding a deceased tenant's personal property and security deposit. *(Do not insert Tenant or Occupant names below.)*
Name: Charvis Vaughan JR Phone: (469)279-2254)-
Address: _____
E-mail: _____

G. If a tenant who is the sole occupant of the Property dies before the expiration of the tenant's lease, a representative of the estate or the person named in Paragraph 34(F) may terminate the tenant's rights and obligations under the lease if the representative or the person named in Paragraph 34(F) provides to the Landlord written notice of the termination of the lease as required by Section 92.0162, Property Code and the deceased tenant's property is removed from the leased premises in accordance with Section 92.014 of the Property Code and the representative or the person named in Paragraph 34(F) signs an inventory of the removed property if required by the landlord. Termination of a lease is effective on the later of:
(1) the 30th day after the date on which the notice under Section 92.0162, Property Code was provided; or
(2) the date on which all of the conditions in under Section 92.0162, Property Code have been met.

H. The Texas Department of Public Safety maintains a database that the public may search, at no cost, to determine if registered sex offenders are located in certain areas (see www.txdps.state.tx.us under on-line services). For information concerning past criminal activity in certain areas, contact the local police department.

I. Landlord's insurance does not cover Tenant from loss of personal property. Landlord highly recommends that Tenant obtain liability insurance and insurance for casualties such as fire, flood, water damage, and theft.

J. Landlord's broker, **Yaron Yashar with Fathom Realty LLC**, ☐ will ☒ will not act as the property manager for landlord. If Property is not managed by above-named broker, Property will be managed by ☐ Landlord or ☐ property manager for Landlord:
Name of property manager: _____ Phone: _____
Address: _____ E-mail: _____

K. This lease should not be used in conjunction with executory contracts of any type, such as contracts for deed, leases with options to purchase, or lease options, without the advice of an attorney.

L. This lease is negotiable between the parties. This lease is binding upon final acceptance. READ IT CAREFULLY. If you do not understand the effect of this lease, consult your attorney BEFORE signing.

Ido Pistiner 12/16/2023
Landlord Date
Ido Pistiner

Charvis Jerome Vaughan
Tenant Date
Charvis Jerome Vaughan Sr

_____
Landlord Date

_____
Tenant Date

Or signed for Landlord under written property management agreement or power of attorney:

_____
Tenant Date

By: _____
Date

_____
Tenant Date

_____
Broker's Associate's Printed Name

_____
Broker's Printed Name License No.

_____
Firm Name

For Landlord's Use:

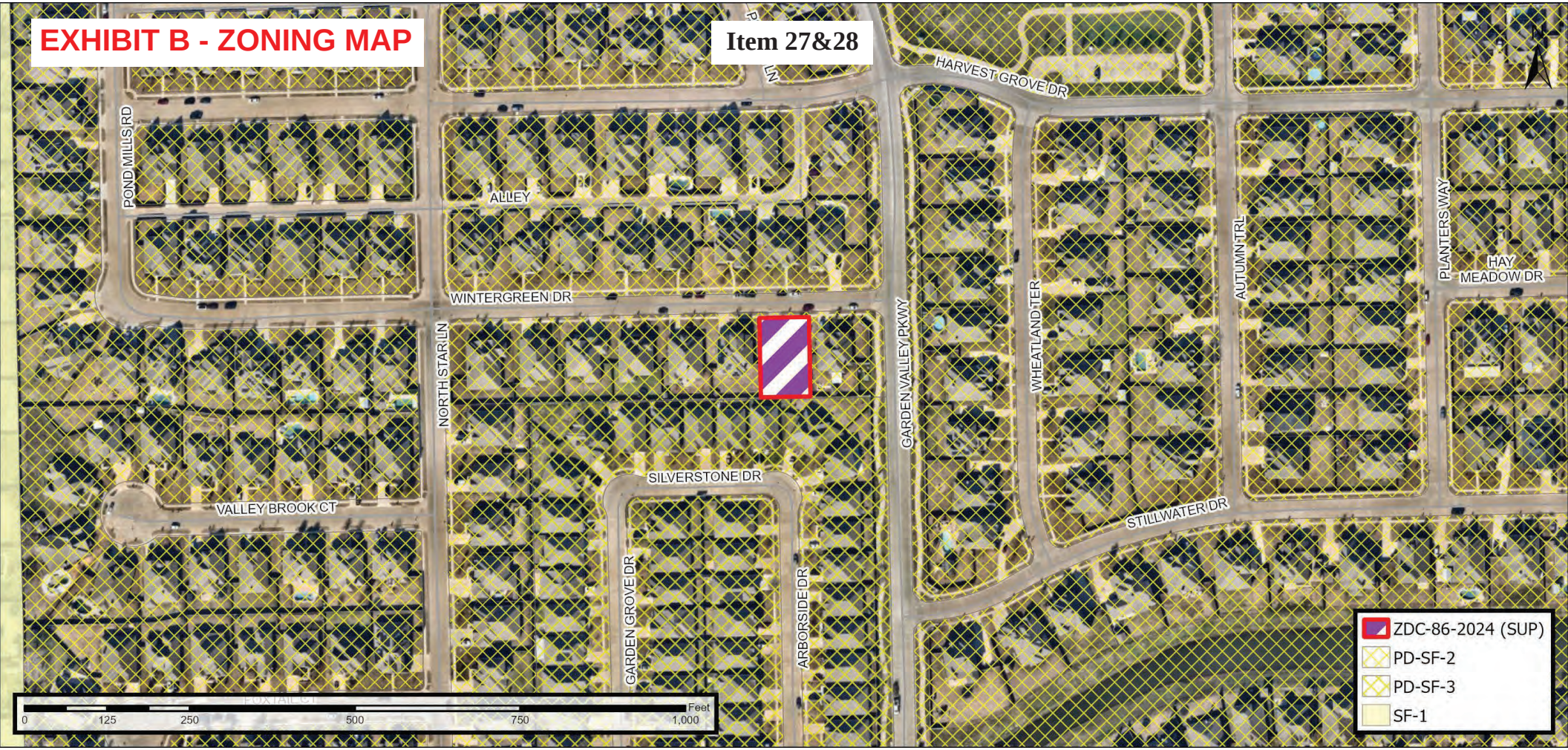
On _____ * (*date*), Landlord provided a copy of the lease, signed by all parties, to _____ (Tenant) by ☐ mail ☐ e-mail ☐ fax ☐ in person.

Note: Landlord must provide at least one copy of the lease to at least one Tenant **no later than three business days after the date the lease is signed by each party to the lease. Additionally, if more than one tenant is a party to the lease, no later than three business days after the date the Landlord receives a written request for a copy of a lease from a tenant who has not already received one as required above, the Landlord must provide a copy to the requesting tenant. Landlord may provide the copy of the lease in: (1) a paper format; (2) an electronic format if requested by the tenant; or (3) by e-mail if the parties have communicated by e-mail regarding the lease. See § 92.024, Property Code, for more details.*

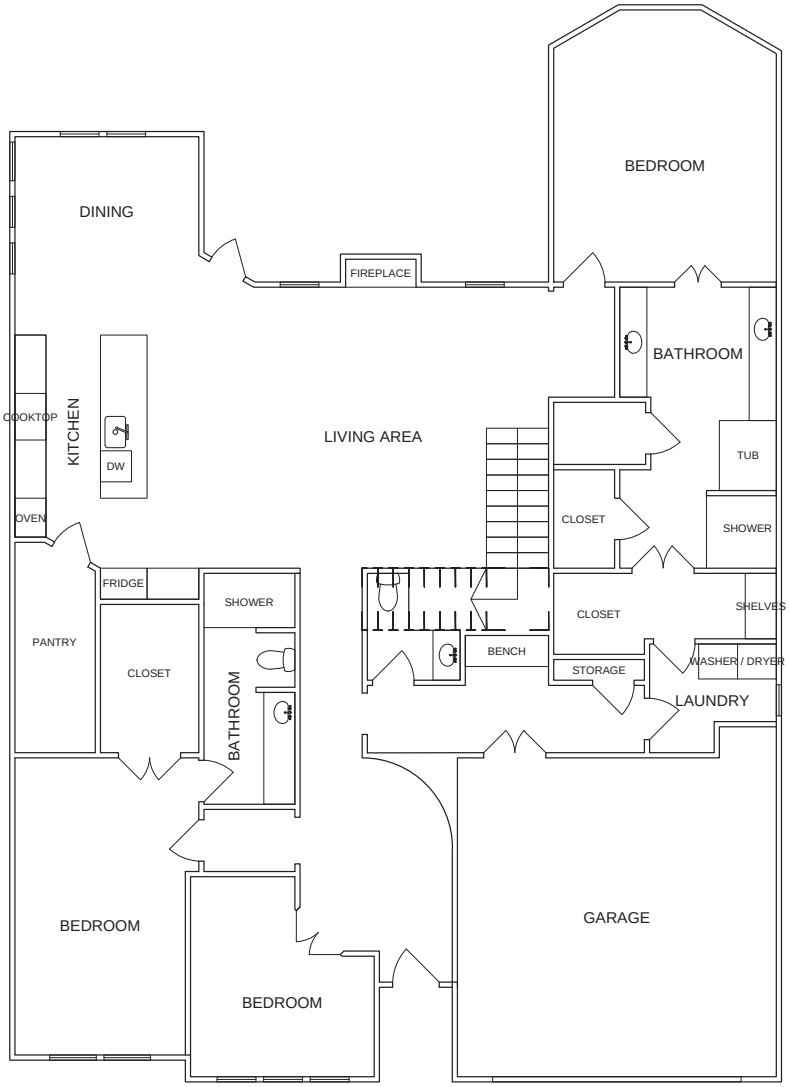
EXHIBIT A - LOCATION MAP

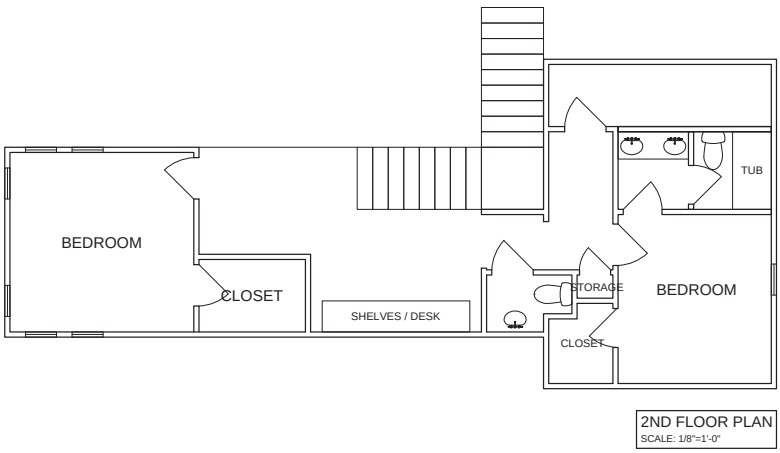
Item 27&28




EXHIBIT B - ZONING MAP
Item 27&28
HARVEST GROVE DR
POND MILLS RD
ALLEY
WINTERGREEN DR
NORTH STAR LN
GARDEN VALLEY PKWY
WHEATLAND TER
AUTUMN TRL
PLANTERS WAY
HAY MEADOW DR
SILVERSTONE DR
VALLEY BROOK CT
STILLWATER DR
GARDEN GROVE DR
ARBORSIDE DR
FOXTAIL CT
0 125 250 500 750 1,000 Feet
ZDC-86-2024 (SUP)
PD-SF-2
PD-SF-3
SF-1

462 Wintergreen Dr, Waxahachie, TX 75165





Short-Term Rental Site Plan with Parking Location

462 Wintergreen Dr, Waxahachie, TX 75165
Total Square Footage of Home: 3,209 square feet



Available Parking in Blue Boxes
2 Spaces Max on Driveway
2 Spaces Max on Garage

Short-Term Rental Site Plan with Parking Location

462 Wintergreen Dr, Waxahachie, TX 75165

Total Square Footage of Home: 3,209 square feet

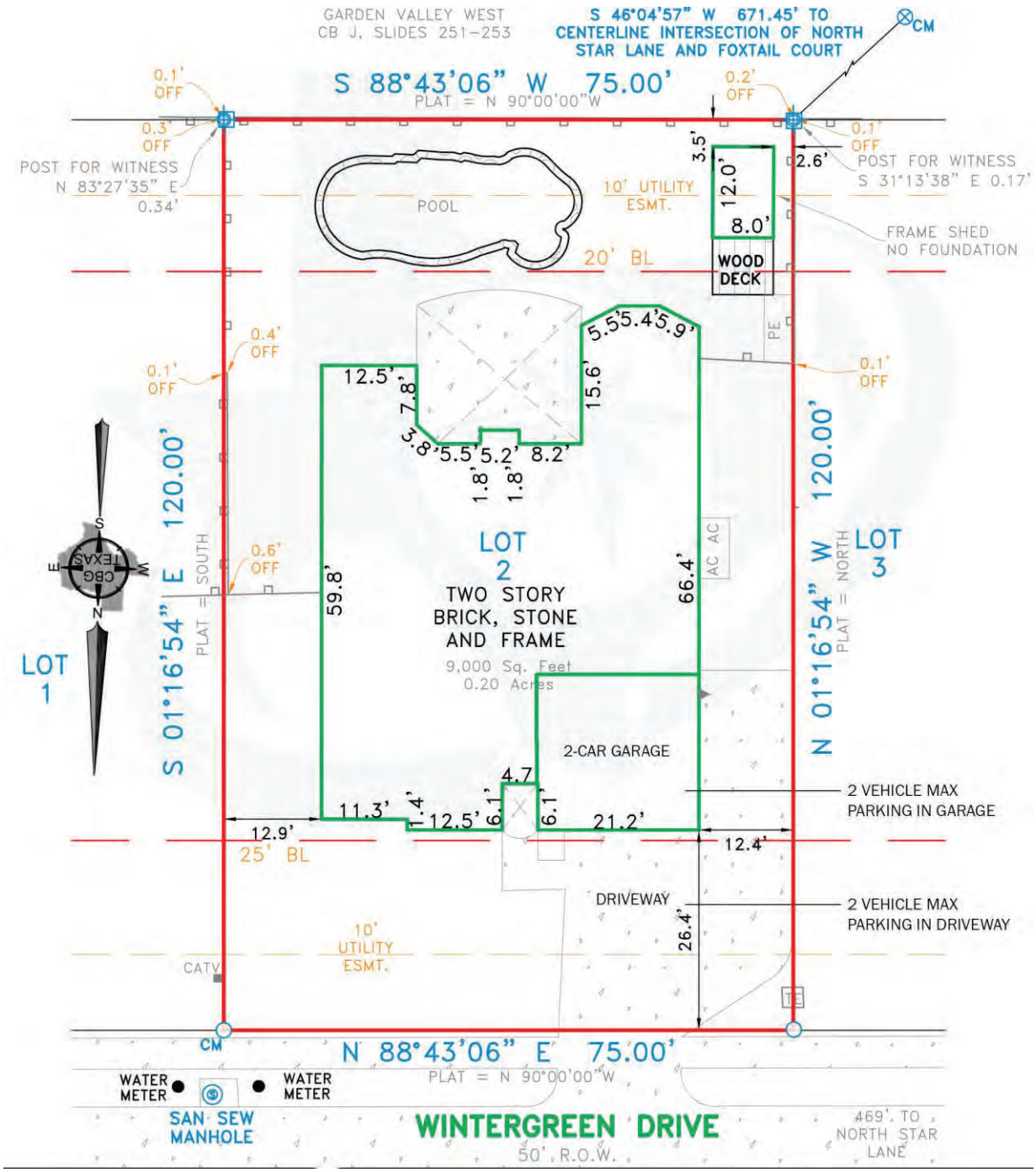


EXHIBIT E - HOST RULES

Item 27&28



WELCOME

A GUIDE FOR YOUR STAY!

MODERN OLYMPUS VIEW OASIS + POOL

462 WINTERGREEN DRIVE,
WAXAHACHIE, TX,
75165, US



MEET YOUR HOST

Greetings,

Over the past years, I have had the privilege of traveling at my previous position. During this time, I encountered Airbnb and its captivating concept.

I made the decision to extend this experience to others in Texas, It is my desire to open the doors of my homes, in the hopes that you will find your stay to be nothing short of exceptional.

I'm here for you any time of the day. Your comfort and satisfaction are important to me.

+1 (512) 710-6703 I bleuvetsrentals@gmail.com I www.bleuvets,com



ABOUT THE HOUSE

Step into a world of timeless beauty and luxury at our exquisite Greek-inspired villa. Nestled in the heart of Waxahachie, this stunning retreat is a sanctuary of elegance, comfort, and natural splendor. With its harmonious blend of classic Greek design and modern amenities, our villa promises an unforgettable getaway.

Kitchen and other Spaces:
Kitchen is fully loaded with pots, pans, silverware, kitchen utensils, plates and much more, perfect for preparing meals with a large dining table, kitchen bar area and breakfast nook.

HOUSE GUIDE

PARKING

All cars must be parked on the driveway or inside the parking garage, not on the street.

GUEST ACCESS

Enjoy the comfort and convenience of a self-check-in. One day prior to your arrival you will receive an email that walks you through the process and answers any last-minute concerns. If you still have questions, we're available for you! Please don't hesitate to reach out to us at any time - we are here to please :)

PET FRIENDLY STAY

Don't leave your furry friends behind! Bring them along for a perfect Texas vacation. We welcome house-trained pets for a surcharge to cover cleaning fees. Please inform us in advance, and we'll make all the necessary arrangements to accommodate your four-legged companions. Pet fee: $75 USD per pet per stay.

GARDEN/POOL AREA

This home boasts a lovely garden and pool area where you might encounter wildlife and occasional outdoor insects (e.g., spiders, ladybugs, ants, or bees). None of these bugs are harmful, and we are happy to remove them. We work diligently to keep the property clean and conduct monthly pest control.



WIFI IS ON THE HOUSE

NETWORK Wintergreen

PASSWORD youenjoythelife

EMERGENCY INFORMATION

HOST CONTACT

PHONE: 1 (512) 710-6703

EMAIL: bleuvetsrentals@gmail.com

✱COVID-19 SANITIZATION ✱

Your health and safety are our top priorities. We follow a rigorous cleaning process after every check-out to ensure your peace of mind.

✱ ADDITIONAL NIGHTLY RATE FOR 6+ GUESTS ✱

Our nightly rate covers the first 6 guests. For each additional guest, a fee of $29/night will be applied.

✱ENTERTAINMENT ✱

Enjoy your favorite shows and movies on our smart TVs equipped with streaming apps like Netflix, Amazon, YouTube, along with cable TV. Login information is available upon request.



✱ POOL ✱

Our pool is maintained once a week, with access through the backyard door. Its use is at the renter's own risk and responsibility. Please note that our pool is outdoor and not heated.

✱SECURITY CAMERAS ✱

For your safety, we have installed 2 security cameras—one at the front door facing the front yard and the other in pool area. These cameras record 24/7 for security purposes but do not intrude on your privacy inside the house.

EXHIBIT E - HOST RULES

Item 27&28



CHECK IN
CHECK OUT

CHECK IN TIME: 4:00 PM

CHECK OUT TIME: 10:00 AM

Enjoy the comfort and convenience of a self-check-in. One day prior to your arrival you will receive an email that walks you through the process and answers any last-minute concerns. If you still have questions, we're available for you! Please don't hesitate to reach out to us at any time - we are here to please :)

HOUSE RULES



01

PET-FRIENDLY

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02

NO SMOKING

Smoking inside the property is strictly prohibited, with a $750 fine for violations.

03

STRICTLY NO PARTIES

We strictly prohibit parties and events. Please respect the neighborhood and observe quiet time after 8pm. Violation will result in immediate eviction without refund. By booking this property, you agree to adhere to this policy and accept the consequences of violating it.

04

GARDEN/POOL AREA

This home boasts a lovely garden and pool area where you might encounter wildlife and occasional outdoor insects (e.g., spiders, ladybugs, ants, or bees). None of these bugs are harmful, and we are happy to remove them. We work diligently to keep the property clean and conduct monthly pest control.

HOUSE RULES



05

NOISE-AWARE

Please note that our property is equipped with NoiseAware, a noise detection system designed to ensure a peaceful environment for both guests and neighbors. This system alerts us to excessive noise levels, allowing us to promptly address any disturbances. Your cooperation in maintaining a quiet and respectful atmosphere is appreciated. By booking this property, you acknowledge the presence of NoiseAware and agree to abide by our noise policies.

06

EMERGENCY CONTACT

Your safety and comfort are our top priorities, and our on-site contact is here to provide prompt assistance in any emergency situation. Please don't hesitate to reach out if you require assistance during your stay.

JAVIER NARANJO (214) 253-3592

07

MAXIMUM 10 GUESTS

The maximum allowed guests permitted on the premises is 10. This limit is in place to ensure peace and order in the neighborhood, as well as to maintain compliance with local regulations. Please adhere to this restriction during your stay. Thank you for your understanding and cooperation.

THE SPACE



BEDROOMS

Bedroom 1
Masters room with attached bathroom & TV (Downstairs')
1 King bed

Bedroom 2 (Downstairs')
1 Queen bed

Bedroom 3 with attached Bathroom (Downstairs')
- 2 Bunk Bed (Downstairs') - queen over queen

Bedroom 4 (Upstairs') + Bathroom + 1 Queen Bed

Bedroom 5 (Upstairs')
2 Twin over twin bunk bed

TOTAL MAXIMUM ALLOWED GUEST IS 10 ONLY

KITCHEN SPACE

Kitchen is fully loaded with pots, pans, silverware, kitchen utensils, plates and much more, perfect for preparing meals with a large dining table, kitchen bar area and breakfast nook.

GETTING AROUND



TAXI & AIRPORT SHUTTLE

Local Taxi Services: You can search for local taxi services in Waxahachie, TX, and call them to book a taxi. Some popular taxi services in the area include Yellow Cab and Waxahachie Taxi Service

BUS & TRAIN SCHEDULE

Waxahachie Public Transit (WPT):

- Website: Waxahachie Public Transit
- Phone Number: (469) 309-4279

CASINOS R' US TRANSPORTATION

- casinosrus.org

BICYCLE RENTAL

Come explore Waxahachie on a Pedego electric bike! There is nothing else like it! Choose from hourly, half-day, or full-day rentals and experience what "fun" really is!
Book Here -
https://www.viator.com/tours/Dallas/Electric-Bike-Rental/

THINGS TO DO

Wacky Waxahatchie Scavenger Hunt

Guests get to discover in an alternate reality our favorite hidden gems off the beaten trail and creatively interpret fun art, history, and culture clues - for points! They get to enjoy fame and glory while appearing on our website's international leaderboard,

JFK Assassination and Museum Tour with Lee Harvey Oswald Rooming House

The circumstances of JFK's assassination are controversial. During this guided tour, a historian helps you separate the facts, stories, and theories behind that pivotal day in 1963. Visit both the Grassy Knoll in Dealey Plaza and the John F. Kennedy Memorial during this tour that includes entrance fees and round-trip transport.

Sightseeing Tour of Dallas

See the best of Dallas without missing out on the history surrounding JFK's assassination with this combination tour. This guided tour begins at JFK Memorial Plaza and travels you through the city's cultural and historical landmarks. Pass by Old Red Museum, Deep Ellum, and the AT&T Discovery District. Stop for photo ops at the Giant Eyeball, Dealey Plaza, and Pioneer Plaza.

John F. Kennedy Trolley Tour in Dallas

This is the original JFK tour taking you back in history to November 22, 1963. You will travel through the city streets of Dallas, down the motorcade route, through Dealey Plaza, and then the trolley leaves downtown and follows the timeline of Lee Harvey Oswald. You'll see the Texas Theater, the Officer JD Tippet murder scene, Oswald's rooming house, old city jail, Jack Ruby's dance club, and old county jail. Our JFK tour covers all four days surrounding the assassination.







EXHIBIT E - HOST RULES

Item 27&28

THINGS TO DO

Waxahachie Downtown

Explore the charming downtown area, filled with boutique shops, antique stores, art galleries, and local restaurants. You can spend hours browsing unique finds and enjoying the small-town atmosphere,

Parks and Recreation

Enjoy the outdoors at one of Waxahachie's parks. Chapman Park offers walking trails, picnic areas, and scenic views of Lake Waxahachie. Get active at Getzendaner Park, which features playgrounds, sports facilities, and a splash pad.

Texas Motorplex

If you're a fan of motorsports, catch an event at the Texas Motorplex. This NHRA drag racing facility hosts thrilling races and competitions throughout the year.

Wineries and Breweries

Take a tour of local wineries and breweries in the area. Sample Texas wines and craft beers while enjoying scenic vineyards and brewery taprooms.







PLACES TO SEE



Ellis County Courthouse

The courthouse is beautiful both inside and outside. The stairwell is gorgeous and worth the trip inside to see. I was also able to see the courtroom for the Justice of the Peace. I am always so happy to see history like this preserved.



Munster Mansion

My family of five visited the Munster mansion. Of all of us, I had the most knowledge of this 1960s television show. Visiting this house has inspired me to try to watch this series again. My children thought the house was so neat and one of the most interesting stops that we made on our trip through Texas. The owner of the house was so friendly and nice. I recommend this to anyone who likes something different and of course to anyone who is interested in classic television.



Gingerbread Antiques

Conveniently located in historic downtown Waxahachie, Gingerbread Antiques celebrates 20 years as a high quality antique mall. We specialize in vintage antiques, collectibles, Victorian furniture and the area's largest collection of Fiestaware. Come discover Texas' most unique antiques!

BEST RESTAURANTS

The Doves Nest Restaurant

A lovely lunch place in historic downtown Waxahachie. Part boutique/gift shop, part lunchtime only restaurant. Casual& relaxed atmosphere, with a comfort food menu with lots of healthy options.



Tuscan Slice

We started off with appetizers (stuffed mushrooms and fried calamari). I had the lasagna and my wife had the seafood manicotti. All the food came out nice and hot and delicious. Our server was excellent and kept our table replenished with hot, buttery flatbread. All in all, a great experience. I'd recommend it to anyone who likes Italian food!

Pop's Burger Stand

Pop's Burger Stand was packed, even for an early lunch, which is always a good sign! Stepping in, is like stepping back in time. Old memorabilia clads the walls: old signs, faded photos, and Christmas lights. You eat yourself, so step up to the counter, order, and find your table

El Mexicano

Service was fast friendly and authentically family run. For came quick and was incredible. I travel all week long and live on the road. They had the absolute best hot salsa with their chips I think I've ever had. We'll done! Highly recommend

BEST BARS & WINERIES



College Street Pub

AWESOME PLACE! Sat outdoors. Server was delightful. Fried onion rings are the best ever!! Customers and staff greeted us as we entered and as we left. A charming, hometown feel with a cozy atmosphere. Food was DELICIOUS!

Fat Tuesday

Great and friendly service, if you're not sure what you'll like they'll offer a sample. Eye Candy with an extra shot was fantabulous!

Cotton Patch Cafe

Put a description here of the restaurant. Lorem ipsum dolor sit amet, consectetur adipiscing elit, sed do eiusmod tempor incididunt ut labore et dolore magna aliqua.

Prime 115

The Perfect meal. The Perfect ambiance. The Perfect Town. That's the vision that led us, and ultimately you, to Prime 115. Comfortably nestled in the historic town of Waxahachie, TX, we bring big-city fine dining close to home with an experience that is both

NEAREST SHOPPING



Paris Market

One if the best antique stores in waxahachie. Friendly staff and awesome finds for everyone

The Velvet Angel Boutique

Fashion & frills galore! Lots of trendy affordable clothing and great gifts. Large amount of inventory- we get new shipments everyday!

Waxahachie Architectural Salvage

If you love all things junk, stop by and see us! We offer Reclaimed lumber, doors, windows, architectural/industrial salvage & antiques, custom projects!

Webb Gallery

This is one of the largest folk art galleries in Texas, with all sorts of items for sale.

EXHIBIT E - HOST RULES

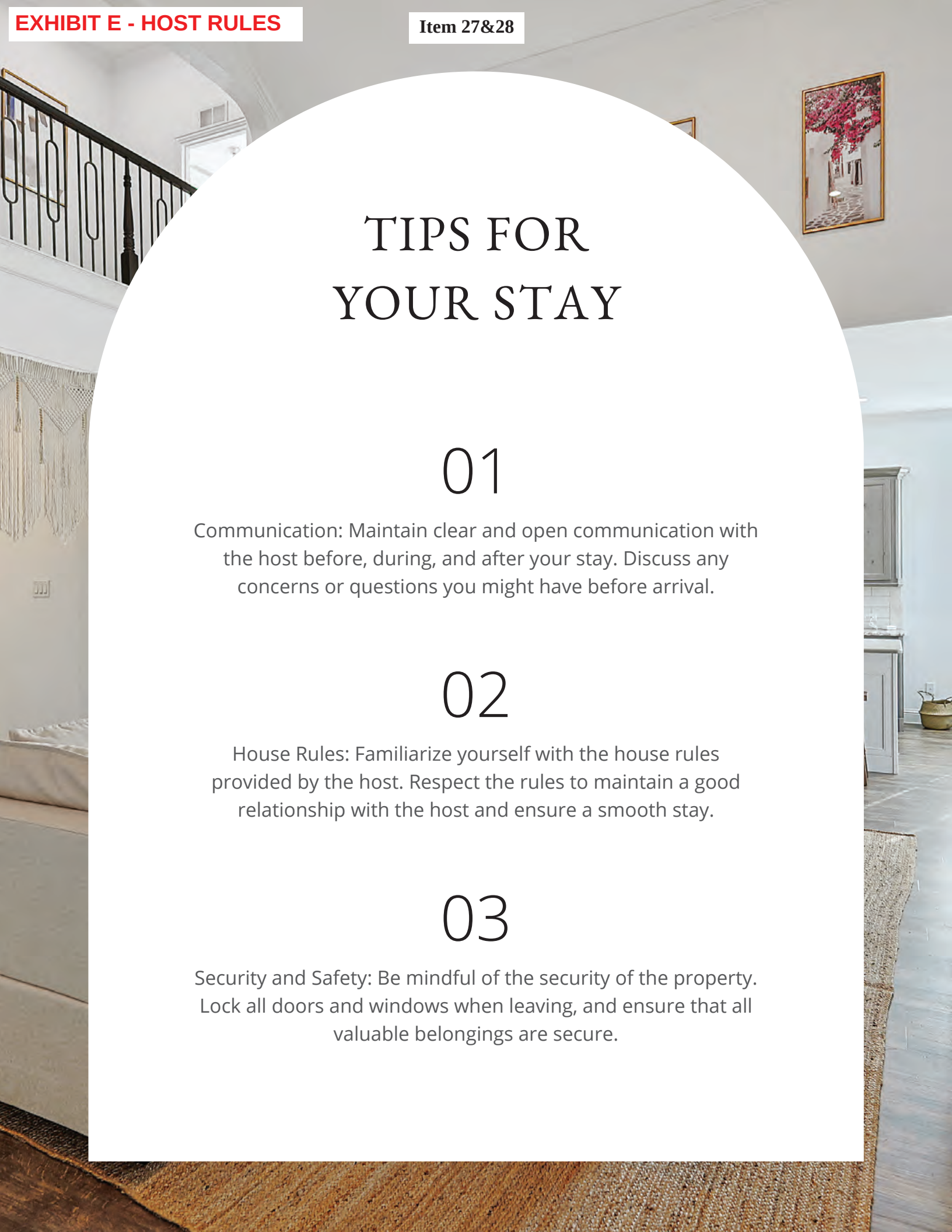
Item 27&28



BEFORE YOU GO

- ☑ LOAD DISHES INTO THE DISHWASHER
- ☑ EMPTY ANY USED FOOD IN THE FRIDGE
- ☑ PUT GARBAGE IN THE BINS OUTSIDE
- ☑ TURN OUT ALL THE LIGHTS
- ☑ LOCK ALL WINDOWS AND DOORS
- ☑ RETURN KEYS TO ORIGINAL LOCATION

THANK YOU SO MUCH FOR STAYING WITH US.
PLEASE COME BACK AGAIN!



TIPS FOR YOUR STAY

01

Communication: Maintain clear and open communication with the host before, during, and after your stay. Discuss any concerns or questions you might have before arrival.

02

House Rules: Familiarize yourself with the house rules provided by the host. Respect the rules to maintain a good relationship with the host and ensure a smooth stay.

03

Security and Safety: Be mindful of the security of the property. Lock all doors and windows when leaving, and ensure that all valuable belongings are secure.

☆ ☆ ☆ ☆ ☆

We loved this house! It was very clean with a beautiful pool and yard. A block away from a nice park for the Grandkids and the dogs to run and chase a ball. There was good "community space" in the house inside and out for gathering and talking. Daphne was very responsive and took care of anything we required. I would highly recommend this property, and I can tell you we will rent again when we go back to Dallas for our next visit.

☆ ☆ ☆ ☆ ☆

Great place, very accommodating for our big group. Communicative hosts and very helpful! Would definitely book again!

PLEASE LEAVE US A REVIEW IF YOU LIKE OUR HOUSE!



GET IN TOUCH WITH US!

www.bleuvets.com

+1 (512) 710-6703

Modern Olympus

View Oasis + Pool



Modern Olympus View Oasis + Pool

462 Wintergreen Drive, Waxahachie, TX,

75165, US

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-78-2024

MEETING DATE(S)

Planning & Zoning Commission: May 14, 2024
City Council: May 20, 2024

CAPTION

Public Hearing on a request by James Mills, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Planned Development-28-General Retail (PD-28-GR) zoning district located at 516 N College Street (Property ID 170715) - Owner: James Mills and Megan Mills (ZDC-78-2024) Staff: Zack King

RECOMMENDED MOTIONS

- "I move to recommend denial of ZDC-78-2024, a Specific Use Permit (SUP) for a Short-Term Rental use."

- "I move to recommend approval with conditions of ZDC-78-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 516 N College Street.

CASE INFORMATION

Applicant: James Mills

Property Owner(s): James Mills and Megan Mills

Site Acreage: 0.447 acres

Current Zoning: Planned Development-28-General Retail (PD-28-GR)

Requested Zoning: PD-28-GR with Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location: 516 N College Street

Parcel ID Number(s): 170715

Existing Use: A single-family home currently occupies the subject property.

Development History: The subject property is currently platted as a portion of Lot 27, Block 9 of the Town Addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-28-GR	Edward Jones Office
East	PD-28-GR	Single Family Residence
South	PD-28-GR	Single Family Residence
West	PD-28-GR	Single Family Residence

Future Land Use Plan: Mixed Use Neighborhood

Comprehensive Plan: A mixed-use neighborhood hearkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near exclusive uses such as large multiplex apartments or retail centers with large land area being devoted to automobile parking do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this placetype, it is essential to make sure residential uses appropriately transition from one another based on the housing typology.

Thoroughfare Plan: The subject property is accessible via N College Street.

Site Image:



PLANNING ANALYSIS

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental in all zoning districts with an approved SUP with the exception of Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

Planning Analysis (continued):

The Applicant is requesting a SUP for a short-term rental use located at 516 N College Street because it is located within the PD-28-GR zoning district. The subject property consists of a primary structure of approximately 3,322 square feet with three (3) bedrooms and enough improved surface to accommodate for the maximum parking requirement of three (3) vehicles, situated on an approximately 0.447-acre (19,471 square feet) lot. The applicant has not operated a short-term rental at this location in the past. The applicant has satisfied all the requirements of Section 3.27 of the Zoning Ordinance. At the time of the publishing of this staff report, the City has received no complaints regarding any issues that are considered a nuisance.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

The applicant's local emergency contact is Clyde Melick (214-399-8946, 405 Williams Street, Waxahachie, TX. 75165, hcmelick@gmail.com), who is located 0.3 miles from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 61 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of six (6) letters of support and two (2) letters of opposition were received by staff, with one (1) letter of support and zero (0) letters of opposition being inside the 200' buffer and the remainder outside of the 200' buffer.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

Conditions:

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of six (6) guests per stay.
4. The short-term rental operator shall provide a maximum of three (3) off-street parking spaces.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Location Map (Exhibit A)
3. Zoning Map (Exhibit B)
4. Floorplan (Exhibit C)
5. Site Plan (Exhibit D)
6. Operational Plan & Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-78-2024

<><><>

LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

RECEIVED MAY 06 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by James Mills, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Planned Development-28-General Retail (PD-28-GR) zoning district located at 516 N College Street (Property ID 170715) - Owner: James Mills and Megan Mills (ZDC-78-2024) Staff: Zack King

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

Case Number: ZDC-78-2024 **City Reference: 170602**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT ☐ OPPOSE

Comments:

Signature

5/2/24
Date

Brad Yates owner
Printed Name and Title

408 N. Flat
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-78-2024

RECEIVED MAY 06 2024

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Case Number: ZDC-78-2024 **City Reference: 170600**

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☒ SUPPORT ☐ OPPOSE

Comments:

Signature

5/2/24
Date

Brad Yates owner
Printed Name and Title

301/303 E. Parks Ave
Address

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-78-2024

LOREN GRAY INVESTMENTS LLC
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WAXAHACHIE, TX 75168-8868

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Case Number: ZDC-78-2024 **City Reference: 265829**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT ☐ OPPOSE

Comments:

Signature

5/2/24
Date

Brad Yates member
Printed Name and Title

305/307 E. Parks Ave.
Address

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-78-2024

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

Case Number: ZDC-78-2024 **City Reference: 170598**

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☒ SUPPORT ☐ OPPOSE

Comments:

Signature

5/2/24
Date

Brad Yates member
Printed Name and Title

14 Ginger
Address

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

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

Case Number: ZDC-78-2024 **Item 29&30** **City Reference:** 171194

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

RECEIVED MAY 06 2024

Comments:
I recently received a notice #ZDC-~~78~~35-2024, also for STR. The enclosed map was black/white and did not clearly indicate which property was involved. I regret that I didn't return that one on time. So, with another request in the same area, I must say NO, and wish I had said No to the first one also.

Sally L. Duffin
Signature

4/28/24
Date

Sally L Duffin property owner
Printed Name and Title

614 N. Rogers
Address

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-78-2024

BASKIN ROY IV & BRITTANIE K
608 N ROGERS ST
WAXAHACHIE, TX 75165-3034

RECEIVED MAY 06 2024

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Case Number: ZDC-78-2024 **City Reference: 170681**

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☐ SUPPORT ☒ OPPOSE

Comments: Oppose

Brittanie Baskin
Signature

5/1/2024
Date

BrittanieBaskin
Printed Name and Title

608 N. Rogers St. Waxahachie, TX 75165
Address

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-78-2024

MILLS JAMES B JR & MEGAN E
516 N COLLEGE ST
WAXAHACHIE, TX 75165-3362

RECEIVED MAY 06 2024

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Case Number: ZDC-78-2024 **City Reference: 170715**

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☒ SUPPORT ☐ OPPOSE

Comments: We think it's a great property for a STR

James Mills
Signature

May 3, 2024
Date

James B Mills, owner
Printed Name and Title

516 N. College Street
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-78-2024

POARCH PROPERTIES LLC SERIES K
103 E UNIVERSITY AVE
WAXAHACHIE, TX 75167-2353

RECEIVED MAY 06 2024

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Case Number: ZDC-78-2024 **City Reference: 170675**

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☒ SUPPORT ☐ OPPOSE

Comments: _____

_____

_____

Signature

4-30-24
Date

Jimmy Poarch
Printed Name and Title

Address

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

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

EXHIBIT A - LOCATION MAP

Item 29&30



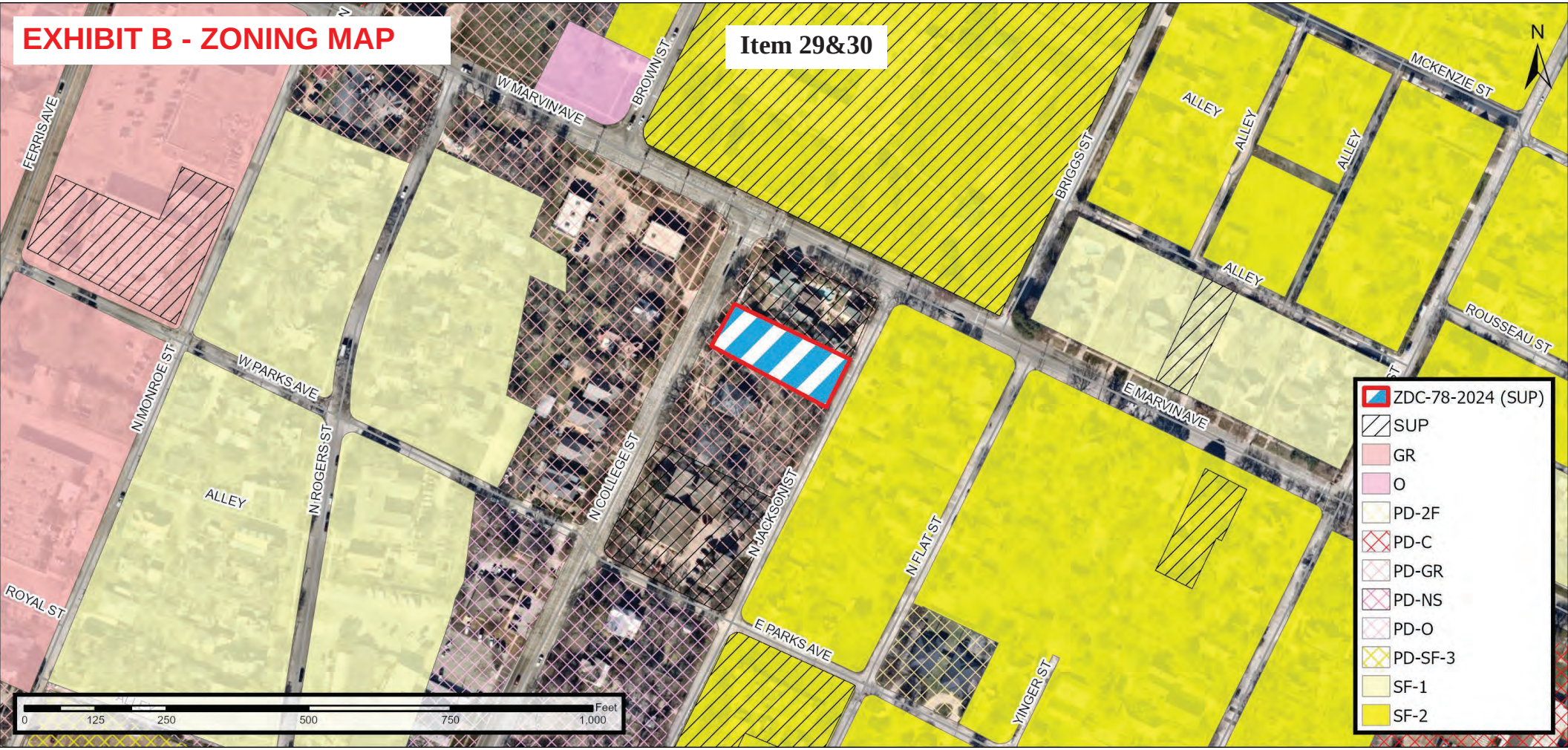

EXHIBIT B - ZONING MAP
Item 29&34
N
W MARVIN AVE
BROWN ST
FERRIS AVE
BRIGGS ST
MCKENZIE ST
ALLEY
ALLEY
ALLEY
ALLEY
ROUSSEAU ST
E MARVIN AVE
W PARKS AVE
N MONROE ST
N ROGERS ST
N COLLEGE ST
N JACKSON ST
N FLAT ST
ALLEY
ROYAL ST
E PARKS AVE
YINGER ST
ZDC-78-2024 (SUP)
SUP
GR
O
PD-2F
PD-C
PD-GR
PD-NS
PD-O
PD-SF-3
SF-1
SF-2
0
125
250
500
750
1,000
Feet

EXHIBIT C - FLOOR PLAN

Item 29&30

516 N. College St.
Downstairs

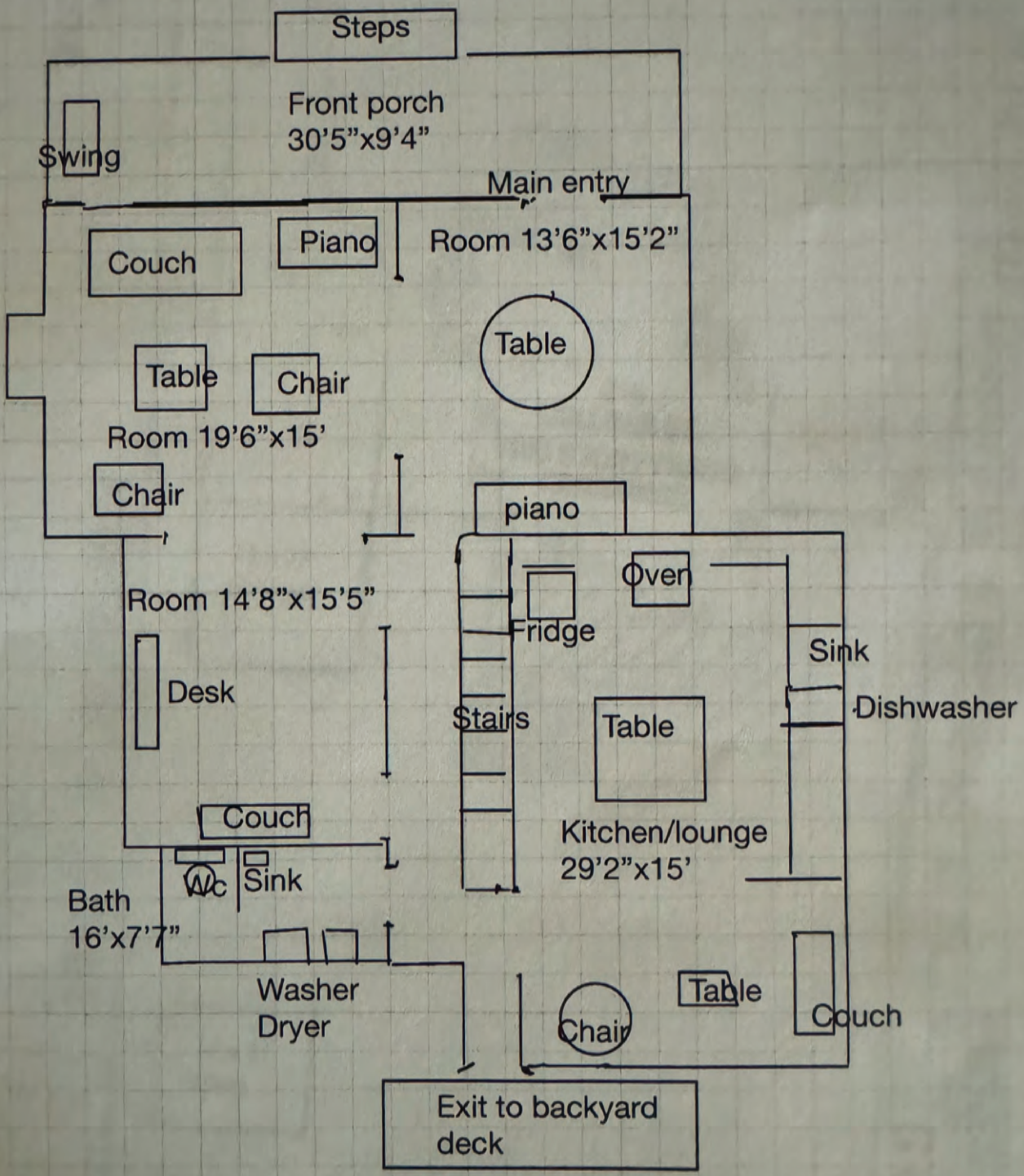


EXHIBIT C - FLOOR PLAN

Item 29&30

516. N. College Street

Upstairs

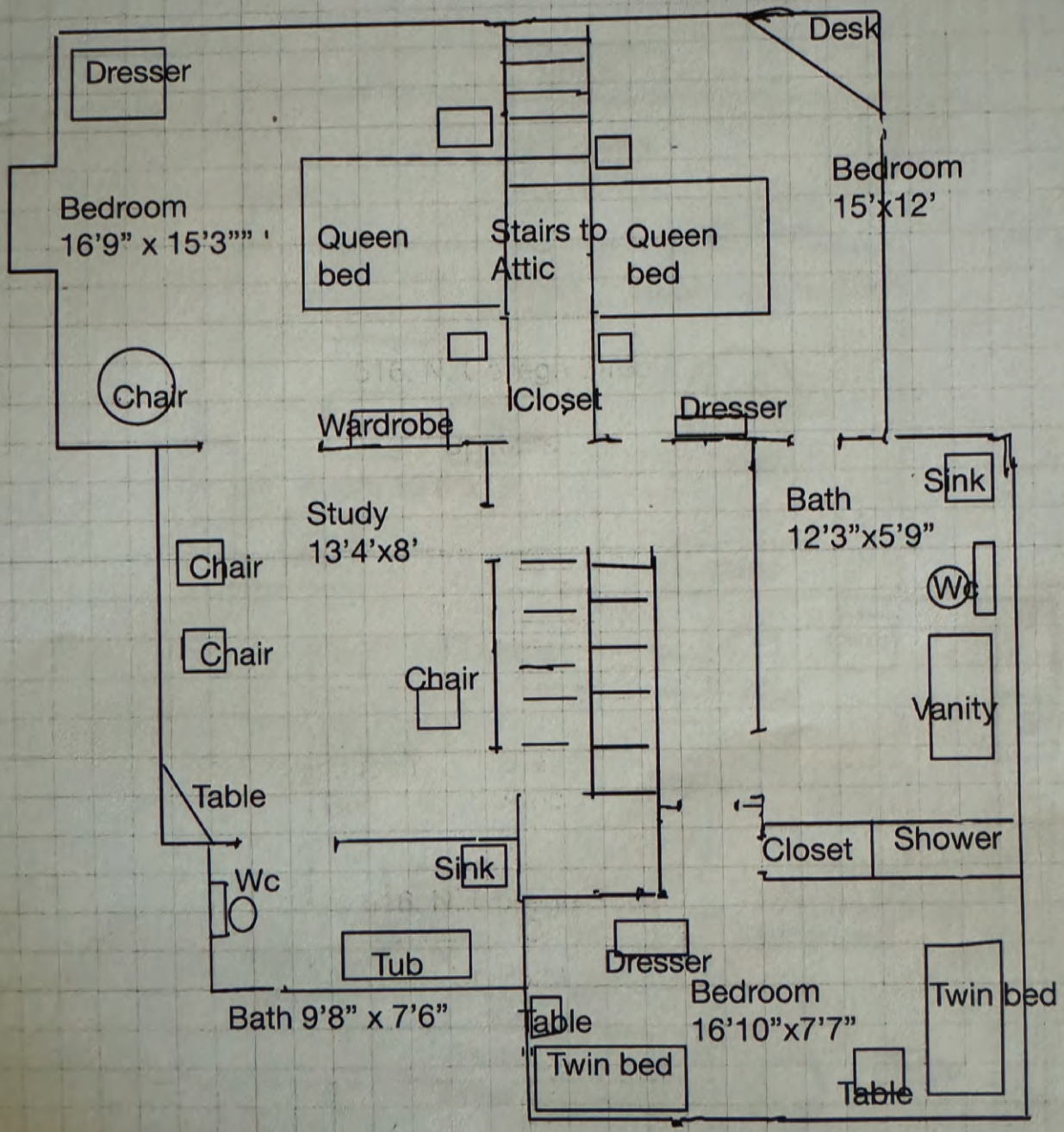


EXHIBIT D - SITE PLAN

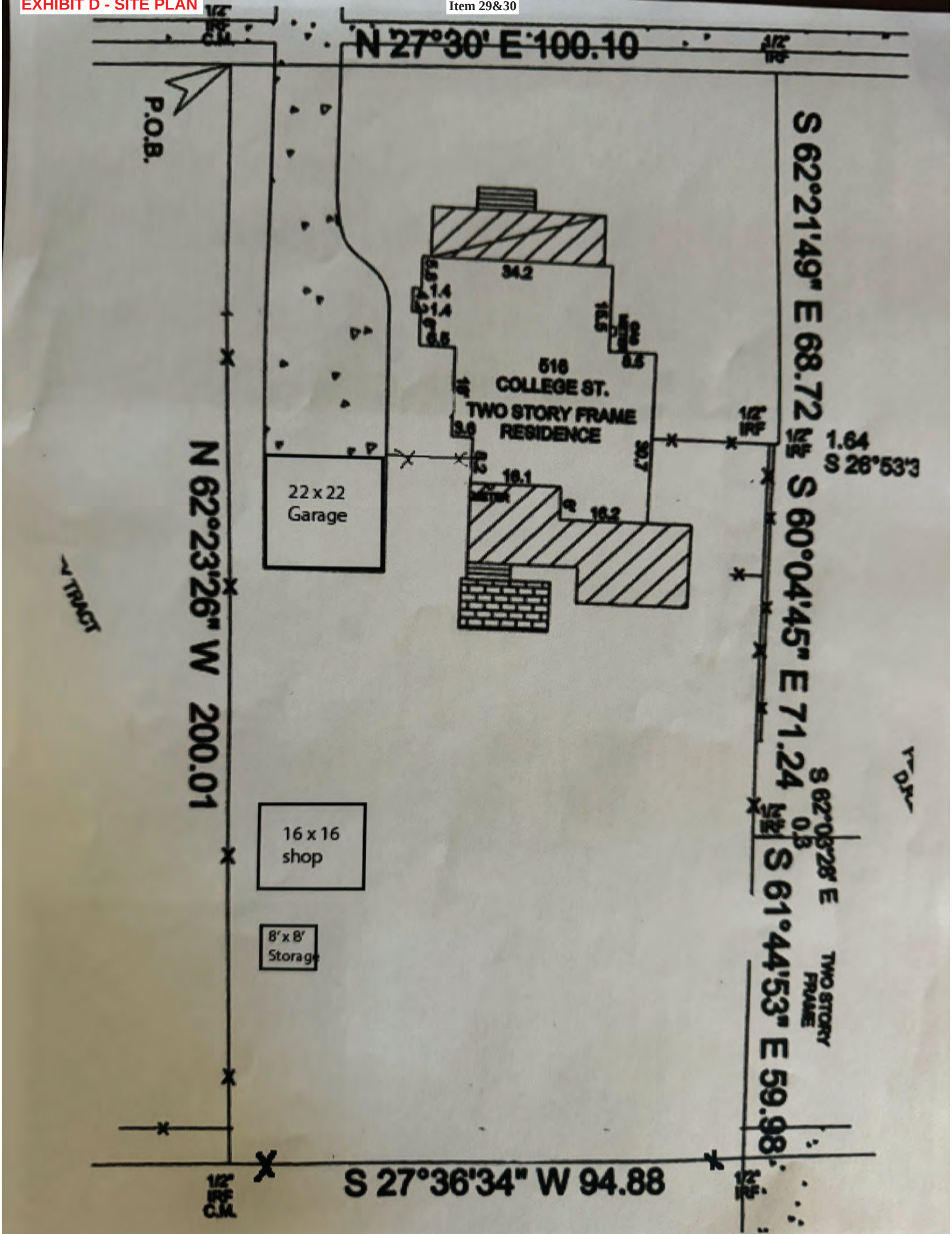


EXHIBIT E - OPERATIONAL PLAN & HOST RULES

OPERATION PLAN
FOR THE
SHORT TERM RENTAL
516 N. COLLEGE STREET
WAXAHACHIE, TEXAS

also known as

The 516

Mission Statement: To engage without qualification the greater general Waxahchie community and beyond by creating and maintaining a well developed Short Term Rental located at 516 N. College Street, all while positively promoting local business, the downtown corridor, and the City in general.

1. **History, market research and development** After lengthy family discussion combined with a general market study, it was decided to turn the long term family (29 years) home into a Short Term Rental. This set up the long term possibility of keeping the home in the family while downsizing to an appropriately sized house now that some children have moved out of town.

Waxahachie is in the center of three rival towns, and when an event comes to one of the three towns, there are not enough hotel beds to cover the need. When discussing the creation of the STR, we decided we could set one up and let market forces dictate whether we were successful or not. We understand that there are over 100 STR's in the local city market, and that number will increase in time.

2. **Property history and set up** The 516 was built in 1906 and is a craftsman style property. It is appointed with excellent fenestration, wood floors, ceramic fireplaces (Rookwood), a large porch and 10 foot ceilings. In 1988, a dormer was added by a previous owner, which although aesthetically pleasing, changed the front which disallows the property to be placed on local historic registers. The previous owner also upgraded the electrical panel which allowed us to put in central AC and heat.

In 2022, we started planning on the Short Term Rental conversion and cleaned and moved. The house continues to have much of our family artwork and furniture, which adds to the charm of the property.

3. **Ownership** James and Megan Mills own 516 N. College, along with 5 other rental houses located within a 2 mile radius of the property and 6 units in Oklahoma City. The James, Megan, Max, and Alex Investments, LLC, is an LLC created by the Mills family to run the financial operations of all the real estate holdings.

Both James and Megan Mills were employed by WISD and were in education for over 25 years. We are both grounded to this community and want only the best to materialize.

4. **Pricing Strategy** After studying the market, it was decided to have a standard weekday price and weekend price of $350 and $375 respectively**.** This will fluctuate as the market dictates so we are planning on adjusting it as necessary. Also included in the pricing strategy is "down days" so if we get flooded with recommendations, we will cycle in days without guests to clean and assess. The strategy is not to rent out the property ad nauseum, but to rent it out as much as we feel comfortable with in order to maintain the integrity of the turn of the century home.

5. **Guest Experience and Communication** We want our guests to have an excellent experience and to do that we will provide a clean home with nice appointments. The 516 is a reflection of us as owners and we want to show the best we have to give. We live in town, and the guests will always be given our phone numbers and email, so they can communicate with us however they wish. Good communication is imperative for a great guest experience.

6. **Operations and Maintenance** The physical property will be divided into two broad categories: Day to Day and Long Term. The Day to Day operations will include restocking consumables (coffee, snacks) and cleaning the inside and outside of the property. This includes kitchen cleaning, house cleaning, trash, recycling, and linen service. A daily guide is to be generated which includes a room by room schedule. The Long Term Maintenance will include tree trimming, gardening, lawn service, HVAC service, painting, and mechanical maintenance. A log will be created in order to facilitate the long term maintenance.

7. **Legal and Compliance permits, taxes,insurance, rules** All City regulations, ordinance and codes will be complied with, as well as insurance maintained, taxes paid, including local hotel tax, and permits kept up to date. If and when ordinances are changed by the city, all will be followed and protocol will be updated. The management at 516 wants to work with the City Government in order to reflect positively and to facilitate a strong partnership.

8. **Marketing and Promotion** Marketing and Promotion will include joining net based promotion companies (Airbnb, Vrbo) and having a website which promotes The 516. In addition, The 516 will not only obtain a schedule of downtown and City wide festivals and events, but will also create a dialogue between the Chamber of Commerce and representation of the Downtown business community.

9. **Local Business and City Promotion** When bookings occur, we will supply guests with additional information about the events in town, places to eat/shop and any other local activities taking place during the duration of their stay. These will include local high school events, downtown festivals, Renaissance fair, Gingerbread Trail, Christmas tours etc.
We will also provide an information binder located in the main entry room of the home. The binder will include information on Wacahachie history, restaurant information and local store information, including the downtown merchants. Emergency contact information (hospital, police and fire) will also be included The 516 is within walking distance or a very short drive to downtown Waxahachie so downtown promotion will be in the forefront, but there will be information about others business as well.

9. **Guest Management** Check in and out will be streamlined. Communication during the stay will be facilitated by guests having our phone numbers and email. Disgruntled guests will be dealt with in a professional and courteous manner. Our years as successful public educators have given us an abundance of experience when dealing with the public sector.

10. **Financial Management** We will follow standard accounting practices with regards to financial management. We will have an accountant prepare our taxes and help manage the financial end of the business.

11. **Growth and Education** It is our aim to continue to educate ourselves with joining professional groups and associations. We hope to attend conferences and reach out to others with STRs.

House Rules for The 516

Please follow all rules established by the owners of the property in compliance with the City of Waxahachie and AirBnb. We live less than a mile away and are a text/phone call away if you have any questions.

1. Overnight and daytime occupancy limited to 6 adults. Please inform hosts if children will be included in the total.
2. No smoking or vaping inside the home.
3. No parties or large gatherings will be tolerated-this is a non-negotiable. Our home is not an event venue.
4. Quiet hours are 8pm-8am.
5. No pets.
6. No commercial photography.
7. Please park in the driveway.
8. Please place all trash in the GREEN bin located by the garage. Recycling will go in the BLUE bin. Trash day is Tuesday. The owners will roll the trash bins to the curb.
9. Make sure front and back doors are LOCKED when leaving the property.
10. Please turn off AC/Heat and all lights when you are leaving the property at check out.
11. Report any damages and/or breakages in a reasonably timely manner.

Jamie Mills
469-765-6295

Megan Mills
972-333-9218

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-83-2024

MEETING DATE(S)

Planning & Zoning Commission: May 14, 2024
City Council: May 20, 2024

CAPTION

Public Hearing on a request by Stacie Seabolt, for a **Specific Use Permit (SUP)** for an **Short-Term Rental** use within a Single Family-2 (SF-2) zoning district located at 404 N Gibson Street (Property ID 173340) - Owner: John Seabolt and Stacie Seabolt (ZDC-83-2024) Staff: Zack King

RECOMMENDED MOTIONS

- "I move to recommend denial of ZDC-83-2024, a Specific Use Permit (SUP) for a Short-Term Rental use."

- "I move to recommend approval with conditions of ZDC-83-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 404 N Gibson Street.

CASE INFORMATION

Applicant:	Stacie Seabolt
Property Owner(s):	John Seabolt and Stacie Seabolt
Site Acreage:	0.1 acres
Current Zoning:	Single Family-2 (SF-2)
Requested Zoning:	SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location:	404 N Gibson Street
Parcel ID Number(s):	173340
Existing Use:	A single-family home currently occupies the subject property.
Development History:	The subject property is platted as a portion of Lot 29 of the Ferris Addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	SF-2	Single Family Residence
South	PD-MF	Quadplex
West	SF-2	WISD Administration Offices

Future Land Use Plan: Mixed Use Neighborhood

Comprehensive Plan: A mixed-use neighborhood hearkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near exclusive uses such as large multiplex apartments or retail centers with large land area being devoted to automobile parking do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this placetype, it is essential to make sure residential uses appropriately transition from one another based on the housing typology.

Thoroughfare Plan: The subject property is accessible via N Gibson Street.

Site Image:



PLANNING ANALYSIS

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental in all zoning districts with an approved SUP with the exception of Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

Planning Analysis (continued):

The Applicant is requesting a SUP for a short-term rental use located at 404 N Gibson Street because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,350 square feet with two (2) bedrooms and enough improved surface to accommodate for the maximum? parking requirement of two (2) vehicles, situated on an approximately 0.1-acre (4,356 square feet) lot. The applicant has been operating a short-term rental since approximately April of 2023, and has not been paying local hotel occupancy taxes. The applicant has satisfied all the requirements of Section 3.27 of the Zoning Ordinance. At the time of the publishing of this staff report, the City has received no complaints regarding any issues that are considered a nuisance.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

The local emergency contact provided by the applicant is John Seabolt (214-435-797), 406 N Gibson Street, Waxahachie, TX. 75165, jgseabolt@gmail.com, located 25 feet from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 53 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of eight (8) letters of support and two (2) letters of opposition were received by staff, with three (3) letters of support and zero (0) letters of opposition being inside the 200' buffer and the remainder outside of the 200' buffer.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

Conditions:

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of six (6) guests per stay.
4. The short-term rental operator shall provide a maximum of two (2) off-street parking spaces.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Location Map (Exhibit A)
3. Zoning Map (Exhibit B)
4. Floorplan (Exhibit C)
5. Site Plan (Exhibit D)
6. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-83-2024

BROWN WILLIAM L JR
503 W PARKS AVE
WAXAHACHIE, TX 75165-3015

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Case Number: ZDC-83-2024 **City Reference: 173329**

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☐ SUPPORT ☒ OPPOSE

Comments: There is already one other request in this neighborhood and don't want the area to become rental houses & Airbnb's

William L Brown
Signature

4/28/24
Date

William L Brown
Printed Name and Title

503 W. Parks Ave
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-83-2024

NORTH STAR CUSTOM HOMES LLC
2111 VOLUNTEER S W
CLEVELAND, TN 37312

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Case Number: ZDC-83-2024 **City Reference: 173331**

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☒ SUPPORT ☐ OPPOSE

Comments: To help support different types of travelers to encourage them to come to Waxahachie

Dawn Lipsey
Signature

5/3/24
Date

Dawn Lipsey, Director North Star Custom Homes Cleveland TN
Printed Name and Title

511 W. Parks Ave, Waxahachie TX 75165
Address

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

City of Waxahachie, Texas

REVISED

Notice of Public Hearing

Case Number: ZDC-83-2024

<>

COX RON & CATHY
510 ROYAL ST
WAXAHACHIE, TX 75165

RECEIVED MAY 06 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Stacie Seabolt, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 404 N Gibson Street (Property ID 173340) - Owner: John Seabolt and Stacie Seabolt (ZDC-83-2024) Staff: Zack King

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

Case Number: ZDC-83-2024 **City Reference: 273313**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

Comments:
14 NEW SINGLE FAMILY OWNER OCCUPIED HOMES ARE REVITALIZING THE NEIGHBORHOOD. WE WANT A STABLE NEIGHBORHOOD

Signature: Cathy Cox

Date: 5/6/2024

Printed Name and Title: RON COX CATHY COX

Address: 510 ROYAL ST. 75165

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-83-2024

RECEIVED MAY 06 2024

LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-83-2024 **City Reference: 173342**

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☒ SUPPORT ☐ OPPOSE

Comments:

Signature

5/2/24
Date

Brad Yates owner
Printed Name and Title

408 N. Gibson
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-83-2024

RECEIVED MAY 06 2024

COLONIAL RESTORATION GROUP INC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

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Case Number: ZDC-83-2024 **City Reference: 273296**

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☒ SUPPORT ☐ OPPOSE

Comments:

Signature

5/2/24
Date

Brad Yates Director
Printed Name and Title

404 N. Hawkins.
Address

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-83-2024

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PO BOX 2868
WAXAHACHIE, TX 75168-8868

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Case Number: ZDC-83-2024 **City Reference: 273315**

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☒ SUPPORT ☐ OPPOSE

Comments:

Signature

5/2/24
Date

Brad Yates owner
Printed Name and Title

506 Royal St.
Address

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-83-2024

<>

FIRST UNITED METHODIST
505 W MARVIN AVE
WAXAHACHIE, TX 75165-3025

RECEIVED MAY 06 2024

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Case Number: ZDC-83-2024 **City Reference: 173314**

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☑ SUPPORT ☐ OPPOSE

Comments:

Linda S. Weiss
Signature

4/30/24
Date

MS. LINDA S. WEISS
Printed Name and Title

608 W. PARKS AVE 75165
Address

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-83-2024

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RECEIVED MAY 06 2024

POARCH PROPERTIES LLC SERIES A
103 E UNIVERSITY AVE
WAXAHACHIE, TX 75165-2353

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Case Number: ZDC-83-2024 **City Reference: 173341**

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☒ SUPPORT ☐ OPPOSE

Comments: _____

_____

_____ 4-30-24
Signature Date

Jimmy Poarch _____
Printed Name and Title Address

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-83-2024

<><><>

RECEIVED MAY 06 2024

POARCH PROPERTIES LLC SERIES H
103 E UNIVERSITY AVE
WAXAHACHIE, TX 75165-2353

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Case Number: ZDC-83-2024 **City Reference: 275496**

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☒ SUPPORT ☐ OPPOSE

Comments: _____

_____

_____ 4-30-24
Signature Date

Jimmy Poarch _____
Printed Name and Title Address

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-83-2024

RECEIVED MAY 06 2024

POARCH PROPERTIES LLC SERIES G
103 E UNIVERSITY AVE
WAXAHACHIE, TX 75165-2353

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Case Number: ZDC-83-2024 **City Reference: 173265**

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[X] SUPPORT [ ] OPPOSE

Comments: This property needs cleaned up though. I support even though Y'all protested me doing the same thing next door. I Remember!

Signature

4-30-24
Date

Jimmy Poarch
Printed Name and Title owner

Address

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EXHIBIT A - LOCATION MAP
Item 31&32
W MARVIN AVE
BRYSON ST
W PARKS AVE
FERRIS AVE
TEXTILE ST
CIRCLE ST
ALLEY
N GIBSON ST
N HAWKINS ST
GRACE ST
ROYAL ST
N MONROE ST
WATER ST
W MAIN ST
MCMILLAN ST
0 125 250 500 750 1,000 Feet
ZDC-83-2024 (SUP)

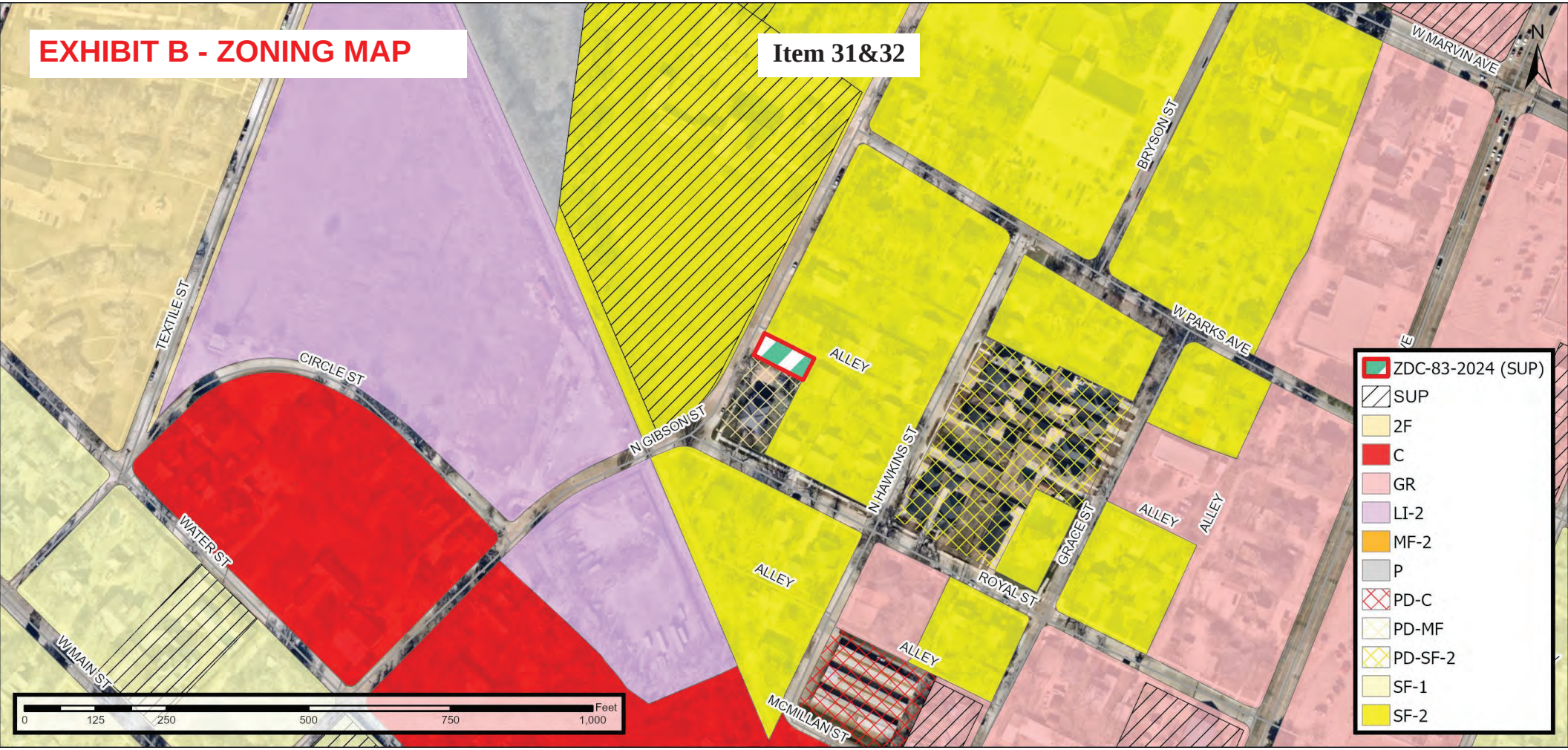

EXHIBIT B - ZONING MAP
Item 31&32
W MARVIN AVE
BRYSON ST
W PARKS AVE
TEXTILE ST
CIRCLE ST
N GIBSON ST
ALLEY
N HAWKINS ST
GRACE ST
ALLEY
ALLEY
ROYAL ST
ALLEY
WATER ST
ALLEY
W MAIN ST
MCMILLAN ST
N
ZDC-83-2024 (SUP)
SUP
2F
C
GR
LI-2
MF-2
P
PD-C
PD-MF
PD-SF-2
SF-1
SF-2
0
125
250
500
750
1,000
Feet

EXHIBIT C - SITE PLAN

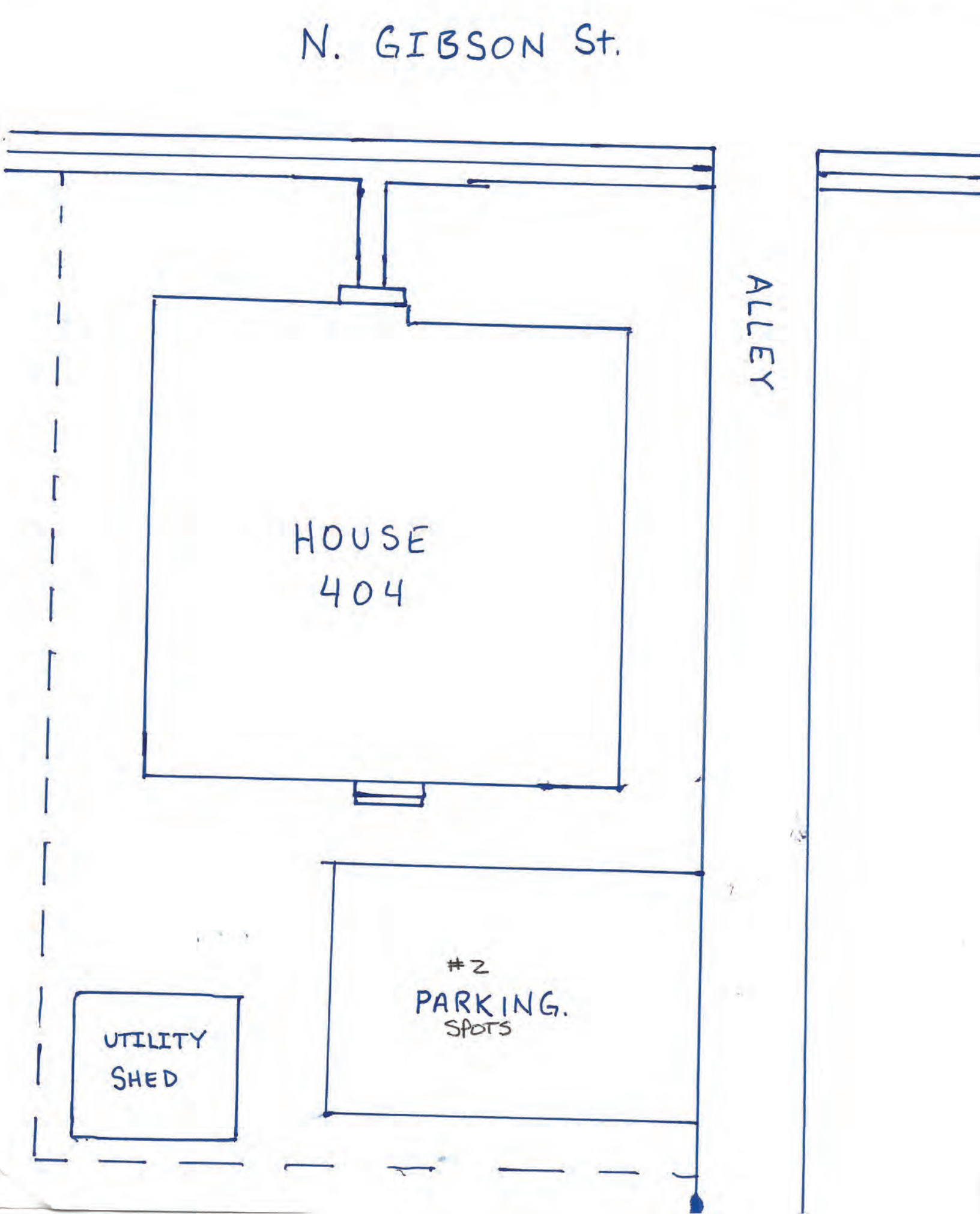
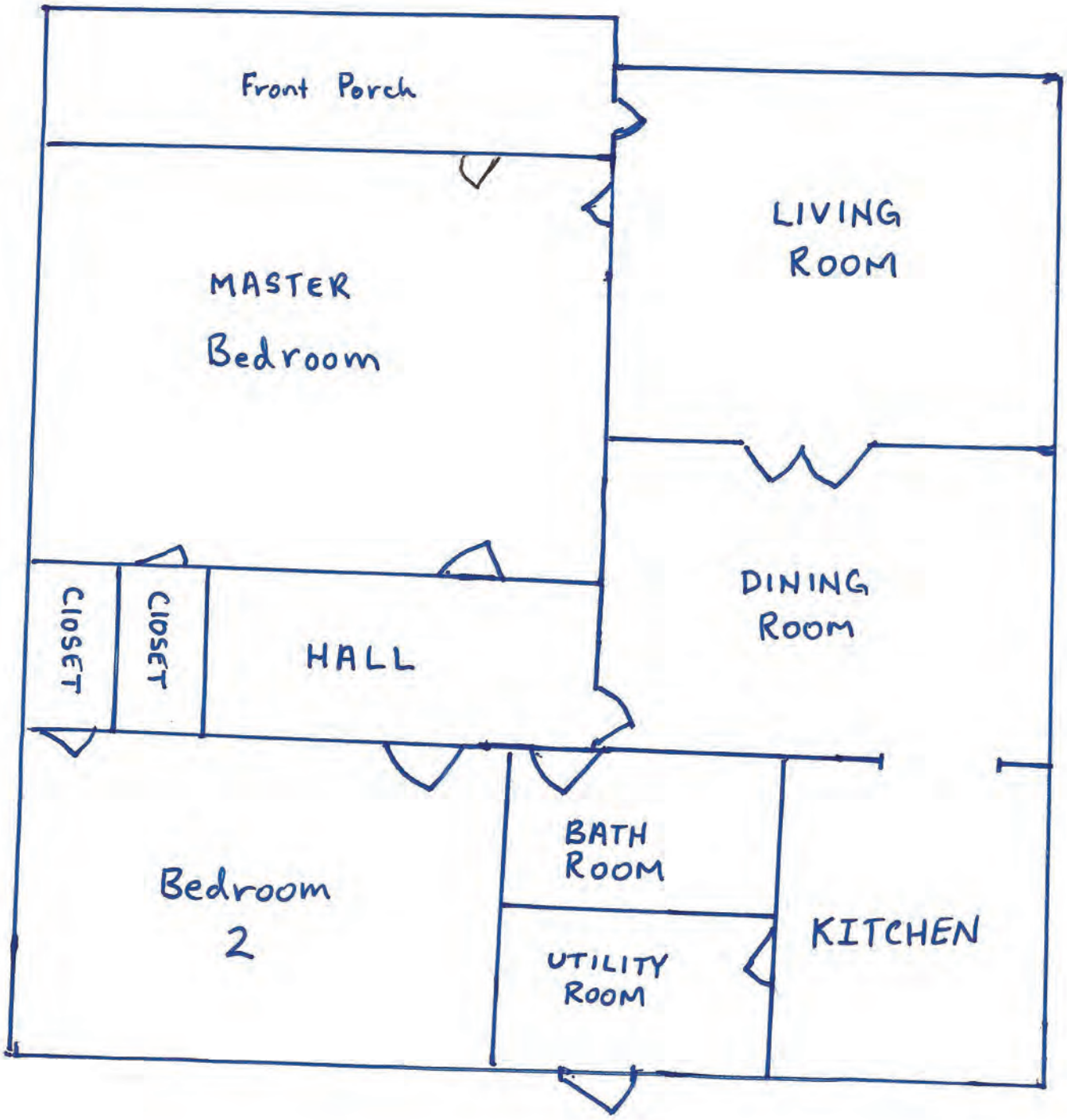


EXHIBIT D - FLOOR PLAN **Item 31&32**

404 N. Gibson St
Waxahachie, TX 75165



SHORT TERM RENTAL RULES

- NO PARTIES OR LARGE GATHERINGS
- NO LOUD MUSIC
- NO EVENTS
- NO SMOKING INSIDE HOME
- QUIET HOURS 9PM TO 7AM
- EXTRA GUESTS ARE NOT ALLOWED
- PARK IN DESIGNATED PARKING SPOT BEHIND HOME
- CHECK IN AT 3PM AND CHECK OUT 10AM
- NO FOOD IN SINK DRAIN, USE MESH TRAPS, NO GARBAGE DISPOSAL
- FLUSH ONLY TOILET PAPER IN TOILET. THIS INCLUDES SANITARY NAPKINS, DIAPERS, WIPES, ETC. ALTHOUGH THE PACKAGE MAY SAY IT'S FLUSHABLE, IT'S NOT
- KEEP COMMON AREAS TIDY
- DISPOSE OF TRASH PROPERLY IN RECEPTACLES PROVIDED. Large GREEN trash can outside is to be rolled to curb on Sunday evening for pick-up
- STRIP BEDDING
- GATHER TOWELS AND WASH RAGS, place in tub
- DOORS AUTOMATICALLY LOCK AFTER ONE MINUTE
- No confetti or sticking items to walls, furniture, etc

Note: Guests agree to abide by rules and absolutely no loud parties or loud music. Any excessive, lewd or illegal behavior will not be tolerated and will be cause for immediate removal and no refund will be provided

In an emergency, HOST LIVES NEXT DOOR or call 972-977-7203

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-84-2024

MEETING DATE(S)

Planning & Zoning Commission: May 14, 2024
City Council: May 20, 2024

CAPTION

Public Hearing on a request by Darrell James for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single Family-3 (SF-3) zoning district located at 297 Finley Street (Property ID 175967) - Owner: Darmar Investments LLC (ZDC-84-2024) Staff: Zack King

RECOMMENDED MOTIONS

- "I move to recommend denial of ZDC-84-2024, a Specific Use Permit (SUP) for a Short-Term Rental use."

- "I move to recommend approval with conditions of ZDC-84-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 297 Finley Street.

CASE INFORMATION

Applicant:	Darrell James
Property Owner(s):	Darmar Investments LLC
Site Acreage:	0.23 acres
Current Zoning:	Single Family-3 (SF-3)
Requested Zoning:	SF-3 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location:	297 Finley Street
Parcel ID Number(s):	175967
Existing Use:	A single-family home currently occupies the subject property.
Development History:	The subject property is platted as Lot 49R of the Thompson's Southland Addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-3	Vacant Land
East	SF-3	Single Family Residence
South	SF-3	Vacant Land
West	SF-3	Vacant Land

Future Land Use Plan: Mixed Use Neighborhood

Comprehensive Plan: A mixed-use neighborhood hearkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near exclusive uses such as large multiplex apartments or retail centers with large land area being devoted to automobile parking do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this placetype, it is essential to make sure residential uses appropriately transition from one another based on the housing typology.

Thoroughfare Plan: The subject property is accessible via Finley Street.

Site Image:



PLANNING ANALYSIS

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental in all zoning districts with an approved SUP with the exception of Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

Planning Analysis (continued):

The Applicant is requesting a SUP for a short-term rental use located at 297 Finley Street because it is located within the SF-3 zoning district. The subject property consists of a primary structure of approximately 2,601 square feet with three (3) bedrooms and enough improved surface to accommodate for the maximum parking requirement of three (3) vehicles, situated on an approximately 0.23-acre (10,018 square feet) lot. The applicant has not begun operating. The applicant has not satisfied the requirements of Section 3.27 of the Zoning Ordinance to identify occupancy limits and parking restrictions for the property within the Host Rules brochure. At the time of the publishing of this staff report, the City has received no complaints regarding any issues that are considered a nuisance.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the property and its current use in the past 12 months.

The local emergency contact provided by the applicant is Margaret James (972-489-5999, 4721 Joe Wilson Road, Midlothian, TX 76065, mjames7408@aol.com, located 14.3 miles from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 37 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, letters of support for three (3) properties were received by staff, with all three (3) properties being inside the 200' buffer and the remainder outside of the 200' buffer.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

Conditions:

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of eight (8) guests per stay. This requirement shall be identified in the Host Rules.
4. The short-term rental operator shall provide a maximum of three (3) off-street parking spaces. This requirement shall be identified in the Host Rules.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Location Map (Exhibit A)
3. Zoning Map (Exhibit B)
4. Floorplan (Exhibit C)
5. Site Plan (Exhibit D)
6. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-84-2024
<><><>

DARMAR INVESTMENTS LLC
706 N HWY 67
CEDAR HILL, TX 75104

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Case Number: ZDC-84-2024 **City Reference: 175967**

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☒ SUPPORT ☐ OPPOSE

Comments: Good for the Community

Darrell James
Signature

28 April 2024
Date

Darrell James, manager
Printed Name and Title

Address

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City of Waxahachie, Texas
Notice of Public Hearing
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706 N HWY 67
CEDAR HILL, TX 75104

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

Case Number: ZDC-84-2024 **City Reference: 175967**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT ☐ OPPOSE

Comments: Good For the community

Darrell James
Signature

23 April 2024
Date

Darrell James, owner
Printed Name and Title

~~706~~
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-84-2024

LOREN GRAY INVESTMENTS
PO BOX 2868
WAXAHACHIE, TX 75168

RECEIVED MAY 06 2024

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Case Number: ZDC-84-2024 **City Reference: 182142**

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☒ SUPPORT ☐ OPPOSE

Comments:

Signature

5/2/24
Date

Brad Yates member
Printed Name and Title

TBD Gravel St.
Address

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-84-2024

LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

RECEIVED MAY 06 2024

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Case Number: ZDC-84-2024 **City Reference: 175968**

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☒ SUPPORT ☐ OPPOSE

Comments:

Signature

5/2/24
Date

Brad Yates member
Printed Name and Title

293 Finley
Address

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

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

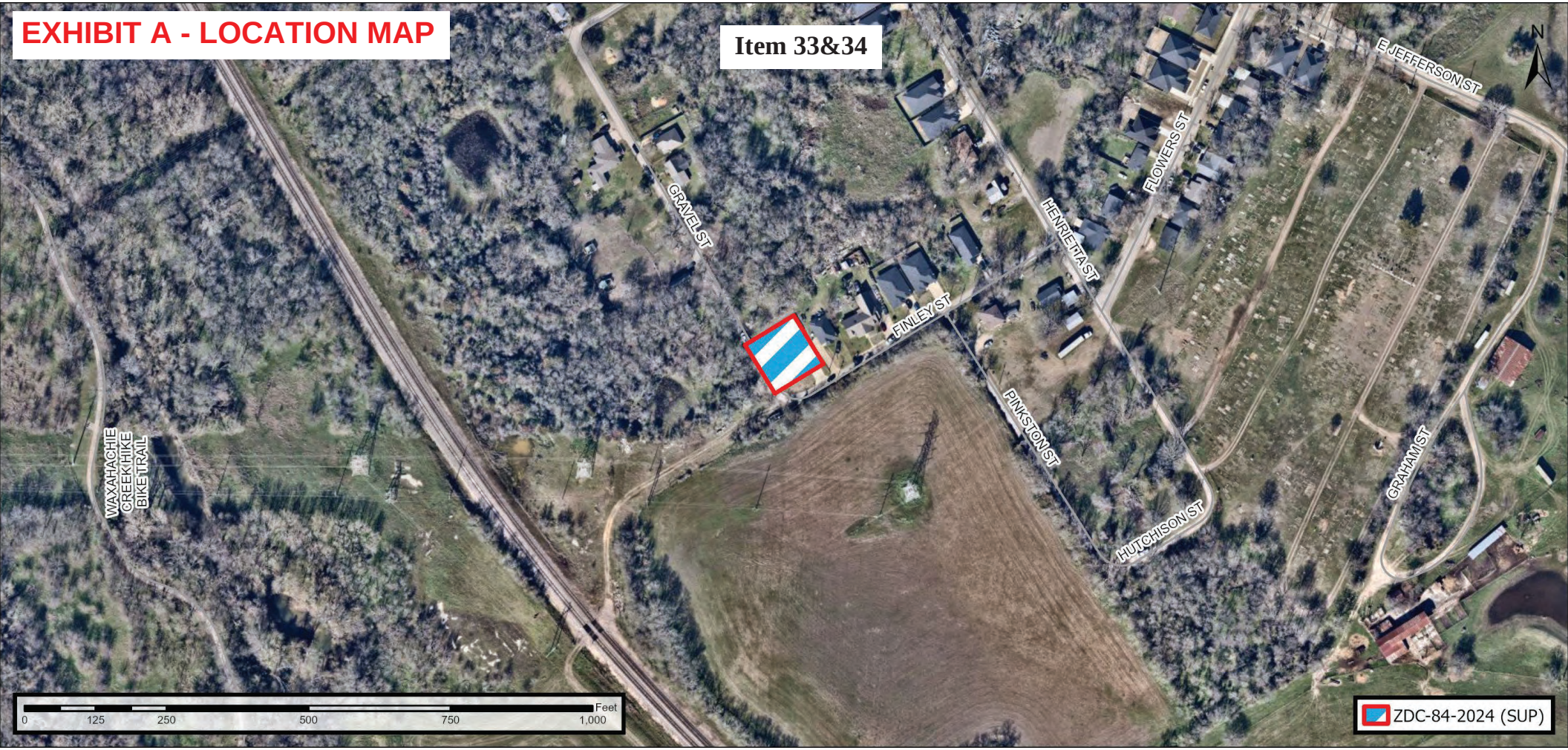
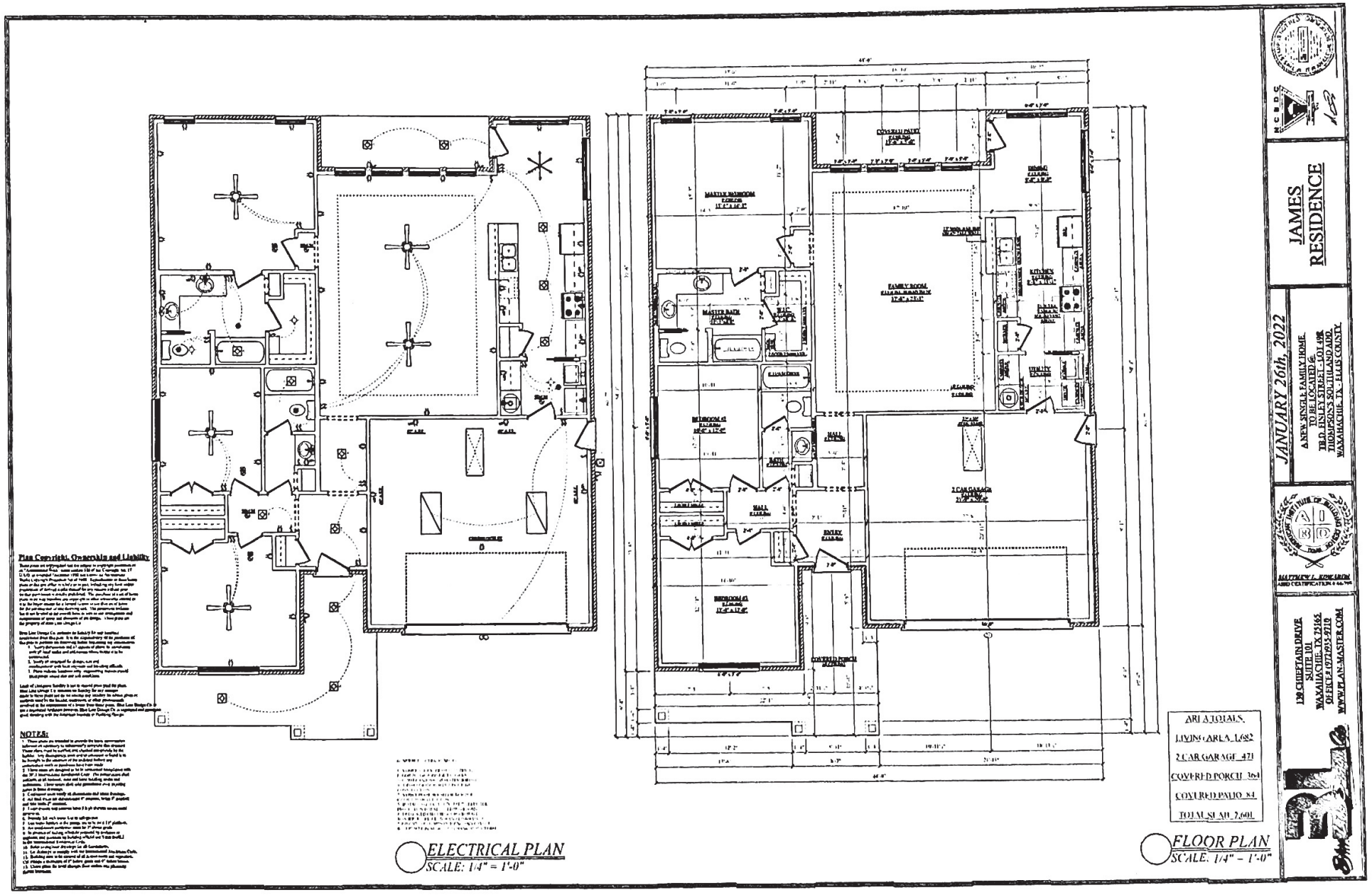

EXHIBIT A - LOCATION MAP
Item 33&34
N
E JEFFERSON ST
FLOWERS ST
HENRIETTA ST
GRAVEL ST
FINLEY ST
PINKSTON ST
HUTCHISON ST
GRAHAM ST
WAXAHACHIE CREEK HIKE BIKE TRAIL
0
125
250
500
750
1,000
Feet
ZDC-84-2024 (SUP)

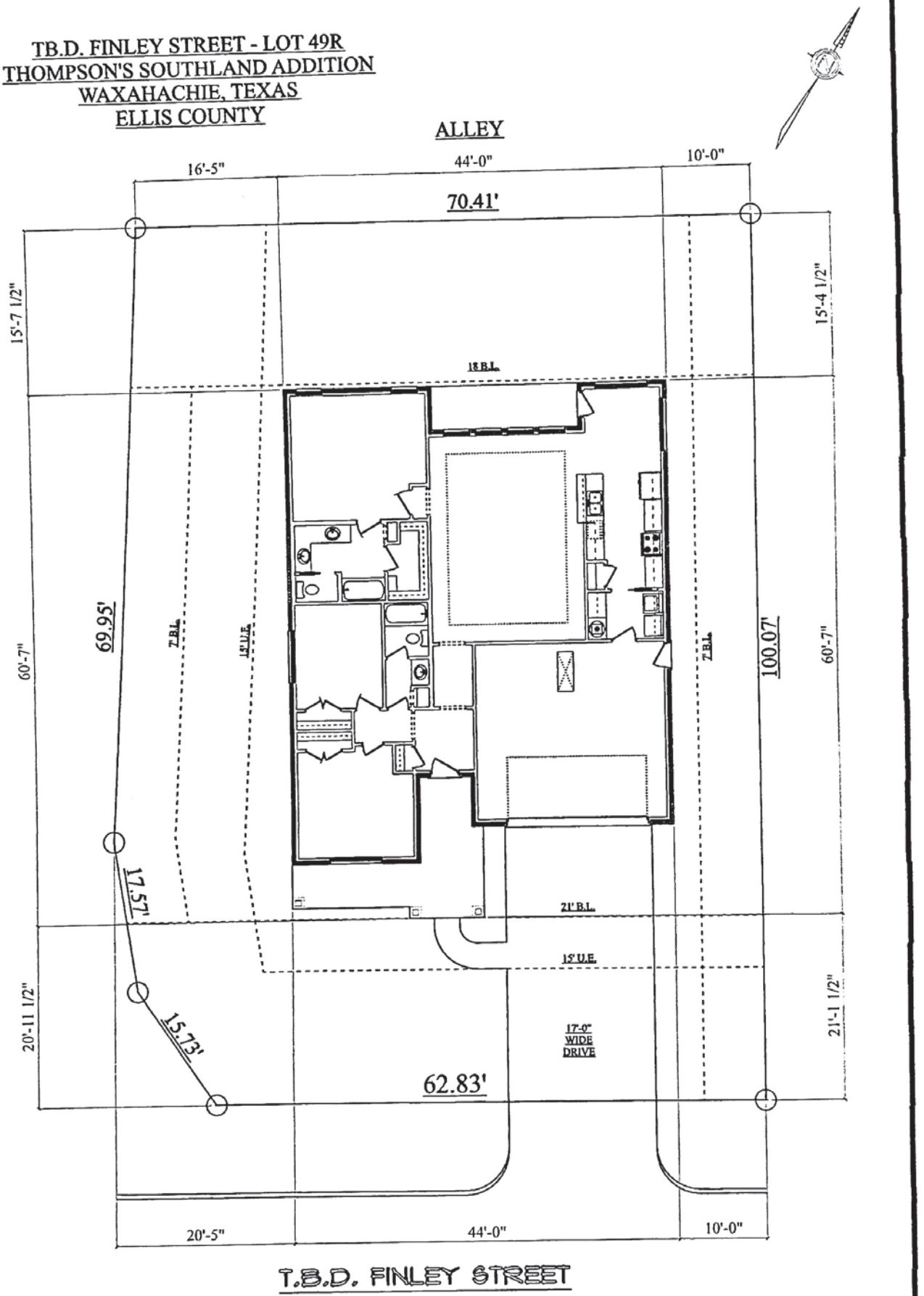

EXHIBIT B - ZONING MAP
Item 33&34
N
E JEFFERSON ST
FLOWERS ST
HENRIETTA ST
GRAVEL ST
FINLEY ST
PINKSTON ST
HUTCHISON ST
GRAHAM ST
WAXAHACHIE CREEK HIKE BIKE TRAIL
0
125
250
500
750
1,000
Feet
ZDC-84-2024 (SUP)
GR
LI-1
SF-3

EXHIBIT C - FLOOR PLAN

Item 33&34



TB.D. FINLEY STREET - LOT 49R
THOMPSON'S SOUTHLAND ADDITION
WAXAHACHIE, TEXAS
ELLIS COUNTY



SITE PLAN
SCALE: 1" = 10'-0"

130 CHIEFTAIN DRIVE
SUITE 101
WAXAHACHIE, TX 75165
OFFICE# (972)935-9710
WWW.PLAN-MASTER.COM

JANUARY 24th, 2022

A NEW SINGLE FAMILY HOME
TO BE LOCATED @
TB.D. FINLEY STREET - LOT 49R
THOMPSON'S SOUTHLAND ADD.
WAXAHACHIE, TX - ELLIS COUNTY

JAMES
RESIDENCE

EXHIBIT E - HOST RULES

HOUSE RULES

297 Finley St. Waxahachie, TX 75165

All we ask is that you treat this residence the exact way that you would want a guest to treat your own home.

Please also acknowledge the following:

1. We do not host groups who are all 21 years of age or younger. If your group is 21 years of age or younger, please do not place a reservation without written pre-approval from us. Failure to do so will resulting termination of your reservation.

2. Please note that we only release door codes to the person who booked the reservation.

3. All guests must be accounted for in the reservation. This means all guests entering the residence at any point in time counts as a guest. In other words, the definition of a guest is not limited to only those people planning on sleeping inside the unit, but to all guests planing to be inside the unit at a given tine. For example, if 6 people are going to "hang out" inside the unit, but only 2 people plan on sleeping over, then the guest count selected during the booking should be "6" not "2". Any extra guests not disclosed before arrival will lead to an immediate termination of the reservation and we will seek compensation for any damages that are found upon our subsequent inspection of the property.

4. No parties/events. We have close relationships with our neighbors and we respect their rights as homeowners. Therefore we will know if parties are being held. If this rule is not followed, your reservation will be terminated and we will seek compensation for any damages that are found upon our subsequent inspection of the property.

5. Not for commercial use or special occasions without pre-approval (weddings, bachelor parties, birthdays, commercial, bridal showers, photoshoots, etc.). We will consider your request if you notify us in advance . Failure to notify us in advance will lead to termination of your reservation.

6. Please note that this is a smoke-free/drug free environment. If any smoking/drugs are detected in any area of the premises, we will immediately terminate the reservation and we will seek compensation for any damages that are found upon our subsequent inspection of the property.

7. Pets are allowed intros rental unit for an additional fee, but please do not allow your pets to be on the beds or furnitures. Guests are responsible for cleaning up all pet waste and disposing of it in a clean and sanitary manner. Guests will be responsible for paying and all damages caused by their pet(s).

8. No excessive noise or loud music. Quiet hours start at 10pm. If any noise complaints are reported by the neighbors, your reservation will be terminated and we will seek compensation for any damages that are found upon our subsequent inspection of the property.

9. Please ensure to check out on time in order to avoid a $50 late check out fee. We need to have our cleaners clean the unit on time for the next guest to check in. If you require an earlier check in or a later check out, please request in advance and we will do our best to accommodate you. Unless pre-approved by us in writing, any guest who is still in the residence after 1pm will be charged for an extra night.

10. Guests are assured that the space will be in clean and working condition. No compensation will be given for non-working items outside of our control including nut not limited to power outages, internet outages, etc. For items within our control, we will make every attempt to rectify the problems that may occur. It is the guest's responsibility to notify us indicate if there are any problems. No refunds or other compensation will be given for problems we are able t rectify within a reasonable timeframe. Guests will be responsible for costs of any repairs for problems cause by actions of guests or due to guests' failure to immediately notify the host.

11. Guests take full responsibility for any accidents, injuries or illnesses that occur while on the premises. By accepting this reservation, it is agreed that all guests are expressly assuming the risk of any harm arising from their use of the premises. Guests recognize that they may personally purchase insurance to protect themselves in such events.

12. Just to confirm that you've read over the house rules, pleas state "I've read your house rules" when making an inquiry. Most importantly, enjoy your stay!

*Side note: the only part of the house that is closed to guests is the closet in the garage. This is where we keep our supplies and it'll be locked.

OTHERS:

Pets allowed (up to 3 - stay outdoors only)

Events not allowed

Smoking, Vaping, e-cigarettes not allowed

Quiet time from 10PM to 6AM

Commercial Photography and Filming not allowed

Check in time: 3:00pm - flexible
Check out time: 11:00am

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-85-2024

MEETING DATE(S)

Planning & Zoning Commission: May 14, 2024
City Council: May 20, 2024

CAPTION

Public Hearing on a request by Terri Griffith, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single Family-2 (SF-2) zoning district located at 402 Richmond Lane (Property ID 171713) - Owner: Terri Griffith (ZDC-85-2024) Staff: Zack King

RECOMMENDED MOTIONS

- "I move to recommend denial of ZDC-85-2024, a Specific Use Permit (SUP) for a Short-Term Rental use."

- "I move to recommend approval with conditions of ZDC-85-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 402 Richmond Lane.

CASE INFORMATION

Applicant:	Terri Griffith
Property Owner(s):	Terri Griffith
Site Acreage:	0.1769 acres
Current Zoning:	Single Family-2 (SF-2)
Requested Zoning:	SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location:	402 Richmond Lane
Parcel ID Number(s):	171713
Existing Use:	A single-family home currently occupies the subject property.
Development History:	The subject property is currently platted as Lot J, Block 267 of the Town Addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	SF-2	Single Family Residence

Future Land Use Plan: Mixed Use Neighborhood

Comprehensive Plan: A mixed-use neighborhood hearkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near exclusive uses such as large multiplex apartments or retail centers with large land area being devoted to automobile parking do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this placetype, it is essential to make sure residential uses appropriately transition from one another based on the housing typology.

Thoroughfare Plan: The subject property is accessible via Richmond Lane.

Site Image:



PLANNING ANALYSIS

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental in all zoning districts with an approved SUP with the exception of Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

The Applicant is requesting a SUP for a short-term rental use located at 516 N College Street because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,270 square feet with two (2) bedrooms and enough improved surface to accommodate for the maximum parking requirement of two (2) vehicles, situated on an approximately 0.1769-acre (7,705 square feet) lot. The applicant has been operating a short-term and long-term rental since approximately spring 2021, and has been paying local hotel occupancy taxes since March of 2024. The applicant has satisfied all the requirements of Section 3.27 of the Zoning Ordinance. At the time of the publishing of this staff report, the City has received no complaints regarding any issues that are considered a nuisance.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

The local emergency contact provided by the applicant is Terri Griffith (972-333-0364), 111 Abby Road, Waxahachie, TX. 75165, terrilyngriffith@gmail.com, located 2.3 miles from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 92 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of ten (10) letters of opposition and eleven (11) letters of support were received by staff, with two (2) letters of opposition and four (4) letters of support being inside the 200' buffer and the remainder outside of the 200' buffer.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

Conditions:

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of six (6) guests per stay.
4. The short-term rental operator shall provide a maximum of two (2) off-street parking spaces.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Applicant Letter
3. HOT Tax Receipt
4. Location Map (Exhibit A)
5. Zoning Map (Exhibit B)
6. Floorplan (Exhibit C)
7. Site Plan (Exhibit D)
8. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-85-2024
<><><>

KYSER JOYCE
108 SAVANNAH ST
WAXAHACHIE, TX 75165

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Case Number: ZDC-85-2024 **City Reference: 172087**

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☐ SUPPORT ☒ OPPOSE

Comments: This will open up for everyone asking for an exception. Terri Griffith's letter to us did not help her cause

Signature

4/29/24
Date

Jayce Kyser - Resident
Printed Name and Title

108 Savannah St
Address

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-85-2024

<>

AUTREY DUSTY
200 S ELM ST
WAXAHACHIE, TX 75165

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Case Number: ZDC-85-2024 **City Reference: 172208**

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☑ SUPPORT ☐ OPPOSE

Comments: Area is already a high rental area. She is a great property owner

Signature

4.29.24
Date

Dusty Autrey
Printed Name and Title

200 S Elm Waxy TX 75165
Address

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-85-2024
<><><>

AUTREY DUSTY
200 S ELM ST
WAXAHACHIE, TX 75165

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Case Number: ZDC-85-2024 **City Reference: 172016**

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☒ SUPPORT ☐ OPPOSE

Comments: Neighborhood is predominately a rental area. This person no problems with the area.

Signature

4-29-24
Date

Dusty Autrey / Owner
Printed Name and Title

200 S Elm Wax TX 75165
Address

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-85-2024

<>

111 abbey

RECEIVED APR 2 9 2024

PHILLIPS KEITH D & DONNA L
102 SAVANNAH ST
WAXAHACHIE, TX 75165

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Case Number: ZDC-85-2024 **City Reference: 172094**

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☑ SUPPORT ☐ OPPOSE

Comments:

Donna Phillips
Signature

April 28. 2024
Date

Donna Phillips, owner
Printed Name and Title

102 Savannah
Address

102 Savannah St.

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

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

Case Number: ZDC-85-2024 **Item 35&36** **City Reference: 172075**

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RECEIVED MAY 0 1 2024

☐ SUPPORT ☑ OPPOSE

Comments: Anything less Please I Oppose

Connie Smith

Signature

Date

Connie Smith Owner

Printed Name and Title

142 Bear Path Trl.

Address

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

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

Case Number: ZDC-85-2024 **Item 35&36** **City Reference:** 171713

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☒ SUPPORT ☐ OPPOSE

RECEIVED MAY 0 1 2024

Comments:

Signature

4-29-24
Date

Terri L. Griffith
Printed Name and Title

111 Abbey Rd.
Address

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

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-85-2024

RECEIVED MAY 0 1 2024

SIMMONS GRADY L
812 WILLIAMS ST
WAXAHACHIE, TX 75165-2651

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

> Request by Terri Griffith, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 402 Richmond Lane (Property ID 171713) - Owner: Terri Griffith (ZDC-85-2024) Staff: Zack King

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

Case Number: ZDC-85-2024 **City Reference: 171653**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

Comments:
Short-term rentals should not be in the single family zone

Grady L. Simmons
Signature

4-28-2024
Date

Grady L. Simmons
Printed Name and Title

812 Williams ST.
Address

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

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

Case Number: ZDC-85-2024 **City Reference:** 172086

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☑ SUPPORT ☐ OPPOSE

Comments:

Andrew Smith — Signature

May 1, 2024 — Date

Andrew Smith — Printed Name and Title

106 Savannah St. — Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-85-2024

BELL GENA G FUDGE
817 WILLIAMS ST
WAXAHACHIE, TX 75165

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Case Number: ZDC-85-2024 **City Reference: 171719**

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☒ SUPPORT ☐ OPPOSE

Comments:

Gena Bell
Signature

05-03-24
Date

Gena Bell
Printed Name and Title

817 Williams St.
Address

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

Case Number: ZDC-85-2024 **Item 35&36** **City Reference: 172085**

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☐ SUPPORT ☒ OPPOSE

RECEIVED MAY 0 2 2024

Comments:

Vela Brown
Signature

4-27-24
Date

VELA BROWN
Printed Name and Title

101 SAVANNAH ST.
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-85-2024

<>◇<>

RECEIVED MAY 0 2 2024

BOYD KIMBERLEY S
108 CHARLOTTE AVE
WAXAHACHIE, TX 75165-2008

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-85-2024 **City Reference: 172235**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments:
There is too much traffic issues on Richmond Ln., right in front of that house has been 2 wrecks last year + a child was barily missed. + I have had to jump out of the street

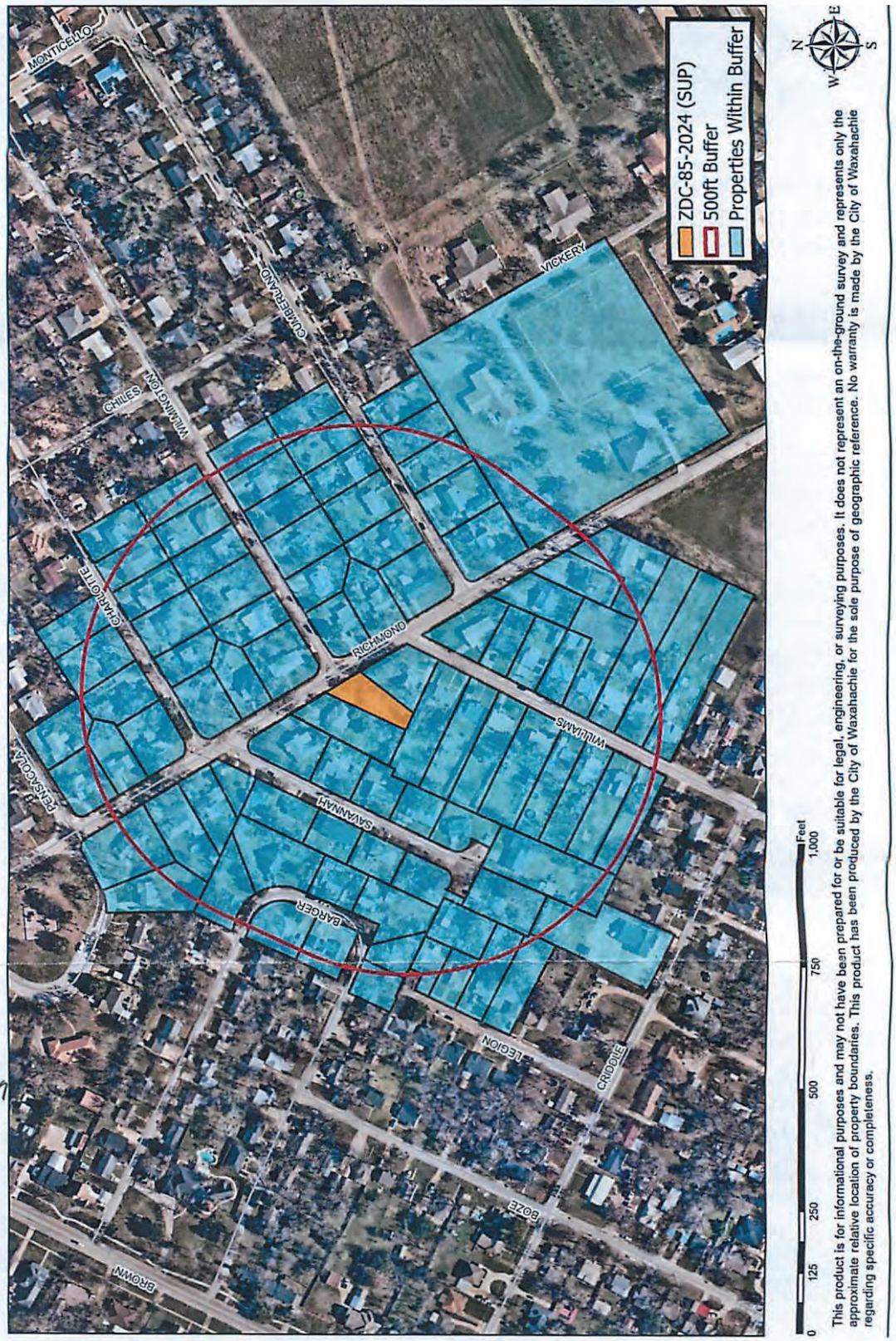
Kimberley S Boyd-Young — 4/27/24
Signature — Date

Kimberley S. Boyd-Young — 108 Charlotte Ave.
Printed Name and Title — Address

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

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

CITY OF WAXAHACHIE - PROPERTY OWNER NOTIFICATION
ZDC-85-2024 - SPECIFIC USE PERMIT - SHORT TERM RENTAL
402 RICHMOND ST - PON MAP



not get hit by a car. Traffic from Richmond, Williams, Savannah + Wilmington are in a not very visible view when cars are parked along the streets. I.

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

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-85-2024

ROLLINS TIMOTHY W & NICOLE H
403 Richmond Ln
Waxahachie, TX 75165-2035

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Case Number: ZDC-85-2024 **City Reference: 172240**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☑ SUPPORT ☐ OPPOSE

Comments:

Signature

5/2/2024
Date

Nicole Rollins
Printed Name and Title

Address

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

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-85-2024

<>◇<>

RECEIVED MAY 0 3 2024

SHELDON SCOTT & WALLER CALLAE
101 Charlotte Ave
Waxahachie, TX 75165-2007

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-85-2024 **City Reference: 172248**

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☐ SUPPORT ☒ OPPOSE

Comments: We previously lived in a community that allowed short-term rentals & it ruined our long standing neighbors of the community

Waller Callae
Signature

05/03/24
Date

Callae Waller
Printed Name and Title

101 Charlotte Ave Waxahachie, TX 75165
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-85-2024

WOODSON MARCUS S & AMY
2230 FM 1446
WAXAHACHIE, TX 75167-8509

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-85-2024 **City Reference: 172095**

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☐ SUPPORT ☒ OPPOSE

Comments: We are opposed based on evidence from other communities of property devaluation, crime, and noise pollution.

Amy Woodson
Signature

5/3/2024
Date

Amy Woodson
Printed Name and Title

104 Savannah St, Wax. TX 75165
Address

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-85-2024

SMOLKA HOLDINGS LLC SERIES C
504 Lakewood Dr
Waxahachie, TX 75165-9502

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-85-2024 **City Reference: 171711**

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☒ SUPPORT ☐ OPPOSE

Comments:

Signature

5/6/24
Date

Kevin Smolka owner
Printed Name and Title

504 Lakewood dr
Address

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

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

Case Number: ZDC-85-2024 **Item 35&36** **City Reference:** 172210

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE RECEIVED MAY 06 2024

Comments:

Tommy Johnston, Jr. 5-1-24

Signature Date

Tommy Johnston, Jr. 104 Pensacola

Printed Name and Title Address

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Case Number: ZDC-85-2024 **Item 35&36** **City Reference: 172210**

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☐ SUPPORT ☑ OPPOSE RECEIVED MAY 06 2024

Comments:

Melissa Johnston
Signature

4/28/24
Date

Melissa Johnston
Printed Name and Title

105 Wilmington Ave
Address

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

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

Case Number: ZDC-85-2024 **Item 35&36** **City Reference:** 171714

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☐ SUPPORT ☒ OPPOSE RECEIVED MAY 06 2024

Comments: I do not want different people coming and going. Definitely disagree

A. Dally — 5/1/24

Signature — Date

Angelica Dally — 400 Richmond Ln.

Printed Name and Title — Address

I live next door and do not agree!

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-85-2024

SEYMORE JON & JENNIFER
309 MAGNOLIA DR
WAXAHACHIE, TX 75165-6525

RECEIVED MAY 06 2024

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Case Number: ZDC-85-2024 **City Reference: 172234**

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[X] SUPPORT [ ] OPPOSE

Comments: After further explanation of the situation we feel this shouldnt be an issue.

Signature

4/30/24
Date

Jenny Seymore - owner
Printed Name and Title

106 Charlotte Ave
Address

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-85-2024

◇◇◇

SEYMORE JON & JENNIFER
309 MAGNOLIA DR
WAXAHACHIE, TX 75165-6525

RECEIVED MAY 06 2024

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Case Number: ZDC-85-2024 **City Reference: 172097**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT ☐ OPPOSE

Comments: After further explanation of the situation we feel this won't be an issue.

Signature

4/30/24
Date

Jenny Seymore-owner
Printed Name and Title

111 Barger Dr
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-85-2024

MITCHELL KRISTINE J
118 RICHMOND DR
WAXAHACHIE, TX 75165

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Case Number: ZDC-85-2024 **City Reference: 172072**

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☑ SUPPORT ☐ OPPOSE

Comments: I know Terri will keep the property neat & clean. She will address any issues immediately, and she will vet any potential renters.

Kris Mitchell — Signature

5-16-24 — Date

Kristine J Mitchell — Printed Name and Title

118 Richmond Dr. — Address

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

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

APPLICANT LETTER

Hello P&Z Members,

I have been a resident of Waxahachie since 1975.
I am currently an Airbnb Superhost with 3+ years hosting.
I have over 42 reviews and 92%+ of guest providing a 5-star rating.

I have owned the home at 402 Richmond Lane since 2008.
It was a long term rental for many years.
I furnished it in July of 2022 and began renting it mid-term with an occasional short term guest.
Mid-term guests are my focus and preference as we have many people traveling here for work while we build and grow the city.

I live 2.3 miles from the Richmond home at 111 Abbey Rd.
I make sure the finishing touches are put on it before every guest arrives. I'm often there multiple times a day during turnovers in an attempt to have everything just perfect.

My recent HOT payment, while it reads March, it truly dates back to October. I had a gentleman from GA stay for 6 months for work.
I would appreciate your consideration in letting me continue the operation of this rental.

Sincerely,
Terri L. Griffith

Terri's AirBnb

Donelle from Draper, Utah, said, "This place was perfect for our needs! It is a cute house and the beds were comfortable. Our host, Terri, was very kind and accommodating to our situation and lifestyle. Our plane got in very late, but we had no trouble with Google Maps finding the place and getting inside. Thank you for sharing your place with us!"

Earl from Bayonne, New Jersey, said, "Terri's place is beautifully situated in a quiet, serene neighborhood within a 5-7 minute drive to everything there is to do in Waxahachie. We loved the place so much that we said if we ever decide to move to Texas, we're going to make Terri an offer on the place! We really felt at home that much. Terri is a great host and was always responsive to our needs. We look forward to staying at Terri's place again in the future if available."

Dana, who stayed with young kids from Leicester, North Carolina, said, "This is the cutest house. Everything was great. I would highly recommend. Terri was always available when I had questions."

Aaron from Atlanta, Georgia, said, "Terri is an amazing host. Always responsive and easy to work with. House was perfect for my 6-month

HOT TAX RECEIPT

Item 35&36

CITY OF WAXAHACHIE
401 S ROGERS
WAXAHACHIE, TX 75165

DATE : 4/16/2024 4:42 PM
OPER : sslaughter
TKBY : Shatarius Slaughter
TERM : 4
REC# : RO1283832

==========

43 MISCELLANEOUS	43.39
MIDTOWN WAXAHACHIE MARCH 2024	43.39
43.39	
202-41400 -43.39	

Paid By:RICHMOND RENTAL
02-Check 43.39 REF:0559

APPLIED	43.39
TENDERED	43.39
CHANGE	0.00

HOT TAX RECEIPT

Item 35&36

N: Midtown Waxahachie - Mar 2024
P: Richmond Rental

City of Waxahachie
Department of Finance

HOTEL OCCUPANCY TAX
HOTEL / MOTEL SUBMISSION REPORT

ESTABLISHMENT NAME	
Midtown Waxahachie (402 Richmond Lane)	
MAILING ADDRESS	REPORTING PERIOD (e.g., 1/1/2020 TO 1/30/2020)
111 Abbey Rd	March 1, 2024 TO March 31, 2024
CITY / STATE / ZIP CODE	Check below if this is a final submission report and
Waxahachie / TX / 75165	Business sold _____ Date _____ Business closed _____ Date _____
See instructions for remitting payment on back of form.	Blacken this box if hotel information has changed. ☐

1	TOTAL ROOM RECEIPTS		$619.83
2.	PERMANENT RESIDENTS[1]	$	
3.	GOVERNMENT EMPLOYEES[2]	$	
4.	TOTAL DEDUCTIONS (= #2 + #3)		$ -0-
5	TAXABLE RENTS (= #1 - #4)		$43.39
6.	HOTEL OCCUPANCY TAX - 7%		$
7.	PENALTY ON LATE PAYMENT[3]		$
8.	INTEREST ON LATE PAYMENT[3]		$
9.	TOTAL TAX, PENALTIES & INTEREST		$43.39

[1]**Permanent Resident: Any occupant who has or shall have the right to occupancy of any room or rooms in a hotel for at least (30) consecutive days during the calendar year or preceding year.**

[2]**Government Employees: 1) Federal or State employees traveling on official business; 2) diplomatic personnel who present a Tax Exemption card issued by the United States Department of State; 3) Federal or State military personnel.**

[3]**5% penalty to be owed after 30 days of payment due date. 10% penalty to be owed after 60 days. Penalty shall never be less than $100. Delinquent taxes shall draw interest at the rate of 10% per annum beginning 60 days after due date. See Ordinance No. 2270, Section 30-11.4.**

I declare under the penalties prescribed in City Ordinance No. 2270, as may be amended, that the information contained in this document is true and correct to the best of my knowledge and belief.

SIGNATURE	TITLE	DATE
[signature]	Owner	4/16/2024

Payment must be received by the City of Waxahachie no later than thirty (30) days after the end of the reporting period.

Please also include a copy of the confirmation of your state report.

Revision Date: July 8 2020

EXHIBIT A - LOCATION MAP



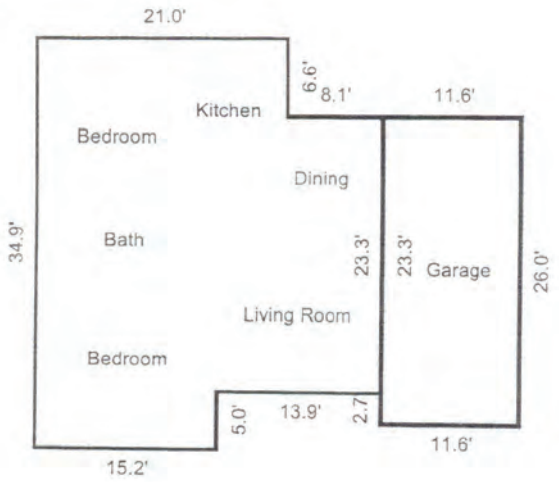

EXHIBIT B - ZONING MAP
Item 35&36
RICHMOND DR
CHARLOTTE AVE
WILMINGTON AVE
CHILES DR
CUMBERLAND RD
BROWN ST
BARGER DR
SAVANNAH AVE
RICHMOND LN
BOZE ST
LEGION ST
E CRIDDLE ST
WILLIAMS ST
VICKERY DR
N
Feet
0
125
250
500
750
1,000
ZDC-85-2024 (SUP)
SUP
PD-2F
PD-SF-2
SF-2

EXHIBIT C - FLOOR PLAN

Item 35&36

Building Sketch (Page - 1)

Borrower/Client Andrew D Griffith			
Property Address 402 Richmond Ln			
City Waxahachie	County Ellis	State TX	Zip Code 75165
Lender ViewPoint Bank			



Comments:

AREA CALCULATIONS SUMMARY

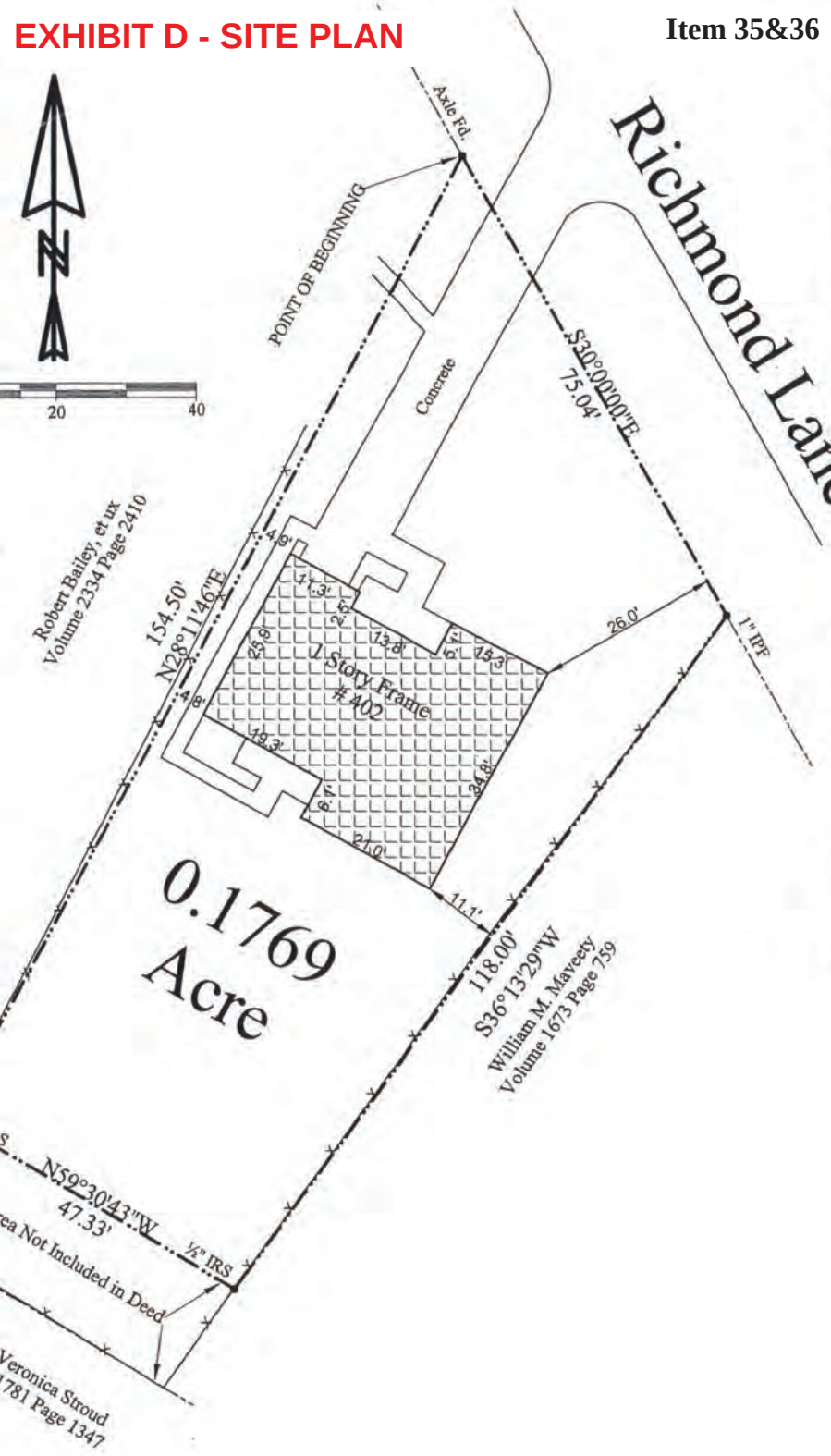
Code	Description	Net Size	Net Totals
GLA1	First Floor	892.7	892.7
GAR	Garage	301.2	301.2
Net LIVABLE Area		(Rounded)	893

LIVING AREA BREAKDOWN

Breakdown			Subtotals
First Floor			
15.2	x	34.9	529.6
13.9	x	23.3	324.7
5.8	x	6.6	38.4
3 Items		(Rounded)	893

EXHIBIT D - SITE PLAN

Item 35&36



BEING a tract or parcel of land situated in the City of Waxahachie, Ellis County, Texas, and being part of Block 267 in the City of Waxahachie, and also being part of that tract of land conveyed to Carl Anderson, et ux, by deed recorded in Volume 474 Page 178 of the Deed Records of Ellis County, and being more particularly described as follows:

BEGINNING at a point for corner at an axle found in the southwesterly line of Richmond Lane at the northwesterly corner of said Anderson tract said point also being the northeasterly corner of that 0.3593 acre tract of land conveyed to Robert Bailey, et ux, by deed recorded in Volume 2334 Page 2410 of the Official Public Records of Ellis County;

THENCE South 30° 00' East (record bearing) along the southwesterly line of Richmond Lane a distance of 75.04 feet to a point for corner at a 1" iron pipe found;

THENCE South 36° 13' 29" West (South 35° 20' West, deed) along the easterly line of said Anderson tract a distance of 118.0 feet (deed distance) to a point for corner at a ½" iron rod set;

THENCE North 59° 30' 43" West (North 59¼° West, deed) along the southerly line of said Anderson tract a distance of 47.33 feet (46½ feet, deed) to a point for corner at a ½" iron rod set;

THENCE North 28° 11' 46" East (North 27½° East, deed) along the westerly line of said Anderson tract and the easterly line of said Bailey 0.3593 acre tract a distance of 154.5 feet (deed distance) to the PLACE OF BEGINNING and containing 0.1769 acre.

SURVEYOR'S DECLARATION

I hereby declare that this true and accurate survey made on the ground under my personal supervision on September 23, 2007, correctly shows the relation of the buildings and other structures to the property lines of land indicated hereon, and that there are no encroachments or overlaps onto adjoining property of property covered by this survey, or of adjoining buildings or structures on said land, except as shown, noted or described on the survey. This survey is subject to any easements not visible on the ground.

SURVEYOR

STATE OF TEXAS
REGISTERED
N. W. KRIEGER, JR.
1837
PROFESSIONAL
LAND SURVEYOR

NOTE: This property is not located within the Special Flood Hazard Area as shown on FEMA Community Panel No. 48139C0185 D dated January 20, 1999.

Survey Plat
402 Richmond Lane
Part of Block 267
City of Waxahachie Ellis County, Texas
By
N. W. Krieger, Jr.
2409 Park Street
P. O. Box 1294 Ennis, Texas 75120-1294
Phone: 972/878-7013

EXHIBIT E - HOST RULES

Item 35&36

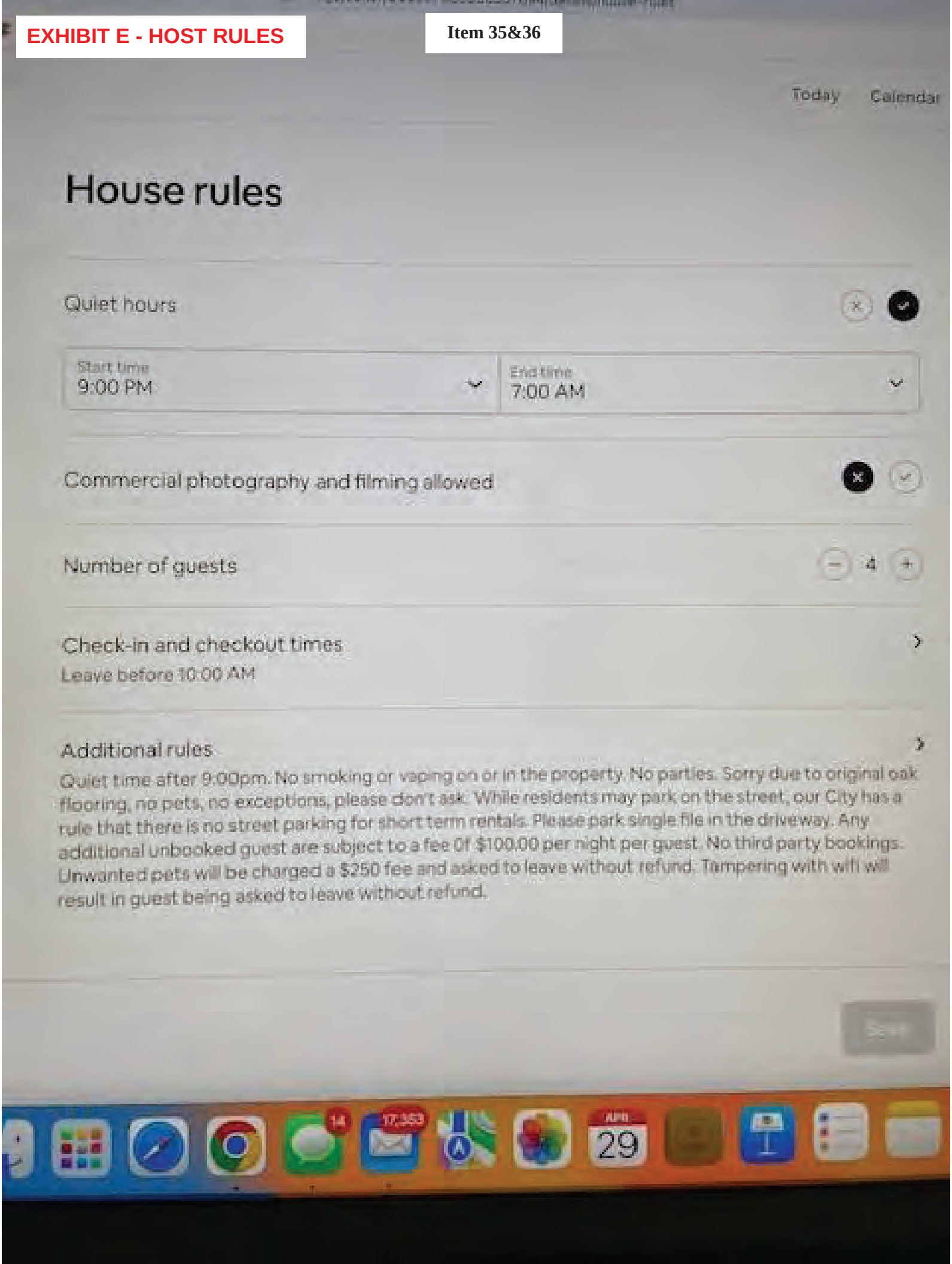


EXHIBIT E - HOST RULES

Item 35&36

Additional rules

Quiet time after 9:00pm. No smoking or vaping on or in the property. No parties.

Sorry due to original oak flooring, no pets, no exceptions, please don't ask.

While residents may park on the street, our City has a rule that there is no street parking for short term rentals. Please park single file in the driveway.

Any additional unbooked guest are subject to a fee Of $100.00 per night per guest. No third party bookings.

Unwanted pets will be charged a $250 fee and asked to leave without refund.

Tampering with wifi will result in guest being asked to leave without refund.

Cancel

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-87-2024

MEETING DATE(S)

Planning & Zoning Commission: May 14, 2024
City Council: May 20, 2024

CAPTION

Public Hearing on a request by Juan Flores, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Planned Development-Single Family-3 (PD-SF-3) zoning district located at 624 Xavier Court (Property ID 281280) - Owner: JC & AG Investment Group, Inc. (ZDC-87-2024) Staff: Harper Lindamood

RECOMMENDED MOTION

- "I move to recommend denial of ZDC-87-2024, a Specific Use Permit (SUP) for Short-Term Rental use."

- "I move to recommend approval with conditions of ZDC-87-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 624 Xavier Court.

CASE INFORMATION

Applicant:	Juan Flores
Property Owner(s):	JC & AG Investment Group, Inc
Site Acreage:	0.736 acres
Current Zoning:	Planned Development-Single Family-3 (PD-SF-3)
Requested Zoning:	PD-SF-3 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location:	624 Xavier Court
Parcel ID Number(s):	281280
Existing Use:	A single-family residence occupies the subject property.
Development History:	The subject property is platted as LOT 15, Block A of the Clift Estates Phase 5 subdivision.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-SF-3	Single Family Residence
East	PD-SF-3	Single Family Residence
South	SF-3	Undeveloped
West	PD-SF-3	Single Family Residence

Future Land Use Plan: Mixed Use Neighborhood

Comprehensive Plan: A mixed-use neighborhood hearkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near exclusive uses such as large multiplex apartments or retail centers with large land area being devoted to automobile parking do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this place type, it is essential to make sure residential uses appropriately transition from one another based on the housing typology

Thoroughfare Plan: The subject property is accessible via Xavier Ct.

Site Image:



PLANNING ANALYSIS

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental in all zoning districts with an approved SUP, with the exception of the Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

The applicant requests a SUP for short-term rental use at 624 Xavier Court because it is located within the PD-SF-3 zoning district. The subject property consists of a primary structure of approximately 3,481 square feet, built in 2023 with four (4) bedrooms, 2.5 bathrooms and enough improved surface to accommodate for the maximum parking spaces of four (4) vehicles, situated on an approximately 0.736-acre (32,076 square feet) lot. The applicant has not been operating a short-term rental. Has not been paying local hotel occupancy taxes. The applicant has satisfied all the requirements of Section 3.27 of the Zoning Ordinance. At the time of publishing this staff report, the City has received no complaints regarding any issues.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

The applicant's local emergency contact is Juan Carlos Flores (214) 288-4805, 611 Malloy Lane, Ovilla, TX. 75154, FloresF123@att.net , which is located 14.4 miles from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 80 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of nine (9) letters of opposition were received by staff, with three (3) letters being inside the 200' buffer and the remainder outside of the 200' buffer.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

Conditions:

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of Ten (10) guests per stay.
4. The short-term rental operator shall provide a maximum of four (4) off-street parking spaces.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Location Map (Exhibit A)
3. Zoning Map (Exhibit B)
4. Floorplan (Exhibit C)
5. Site Plan (Exhibit D)
6. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:
Harper Lindamood
Planner
Harper.lindamood@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

Item 37&38

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-87-2024

RANDLE SHAKIRA
637 Xavier Ct
Waxahachie, TX 75165-2093

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Juan Flores, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Planned Development-Single Family-3 (PD-SF-3) zoning district located at 624 Xavier Court (Property ID 281280) - Owner: JC & AG Investment Group, Inc. (ZDC-87-2024) Staff: Zack King

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

Case Number: ZDC-87-2024 **City Reference: 281279**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments: We all have kids and do not wish to expose them to people we do not know

Signature

4-29-24
Date

Shakira Randle owner
Printed Name and Title

637 Xavier Court
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-87-2024

MOSER NICK & KATHLEEN
4621 JAKES WY
MIDLOTHIAN, TX 76065

RECEIVED MAY 0 1 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-87-2024 **City Reference: 236567**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

Comments: Short term rental use would ruin this neighborhood of home owners. Yards and landscapes would suffer making the neighborhood look bad not to meantion the wear and tear on the houses themselves!

/Kathleen Moser
Signature

April 27, 2024
Date

Kathleen Moser
Printed Name and Title

624 Jordan Lane
Address

Nick Moser

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-87-2024

RECEIVED MAY 0 1 2024

LABREC STEVE & LINDA
645 XAVIER CT
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-87-2024 **City Reference: 281277**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

Comments: please see attached

Steven R LaBrec
Linda K LaBrec
Signature

4-28-24
Date

Steven R. LaBrec, owner
Linda K LaBrec
Printed Name and Title

645 Xavier Ct 75165
Address

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

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

Item 37&38

April 28, 2024

We oppose the SUP for short-term rental at 624 Xavier Court. Juan Flores, has been renting out this address, for over 1 ½ months. The first rental was for a week, several different vehicles, coming and going. The visitors were here for the Texas Motorplex street races. This address is the end of our cul-d-sac. These visitors had a huge motor home, pulling a enclosed trailer, that fit 2 street racer cars. Those 2 vehicles, blocked the whole end of our cul-d-sac. 2 neighbors had difficulty getting to their drive ways. If there was a fire, the fire department, would not be able to get to the end of our street. The police were called, but no one showed up. The noise from the 2 street race cars, were unbelievable. During the eclipse, some weather folks from Georgia, parked all of their huge vehicles, about 6 of them on Carter Court.

Since then, several visitors, have been renting this location. This house has a swimming pool, outdoor kitchen, outdoor bathroom, once the weather warms, the noise could be unacceptable, from our street, to the next street, (Antonio), for those neighbors back yards. The parking could be a problem for our street.

This is a great family street, including 10 children that are junior high, to grade school age. They play outside nearly every evening. The rest of the neighborhood is comprised of retirees, grandparents, working couples, police man, dispatcher, teacher. We enjoy the quiet, semi, secluded part of our community. We do not, nor knew that there would be a "party house", at the end of our street. We say "party house" because that is what Juan Flores, indicated, when asked about him building this house. We believe, the value of our homes, would be affected, if we have a party, or STR rental on our block. Who wants to purchase a home, on a block with a "party house"? This house, was the last house to be built on our block, and was told originally, it was for Juan Flores, son, then, once completed, it became a "party house".

We are anxious about upcoming graduation parties, holidays, etc, and the SAFETY of our neighborhood. We have pictures of the parking, and amount of cars, but we do not know how to print them off. We could email, if you would like.

Thank you for your time,

Steve and Linda LaBrec
505-934-8922
rlabrec11@comcast.net
645 Xavier Ct
Waxahachie, Texas

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-87-2024

BRIDGES BRIAN & LESLIE
146 Owen Way
Waxahachie, TX 75165-4473

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-87-2024 **City Reference: 281269**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: *Planning*, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments:

Signature

May 2, 2024
Date

Leslie Bridges, Homeowner
Printed Name and Title

146 Owen Way
Address

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

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-87-2024

GANN JACOB L & ANGELA R
636 ANTONIO LN
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-87-2024 **City Reference: 257398**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

Comments:

Angela L
Signature

5/4/24
Date

Angela Gann
Printed Name and Title

636 Antonio Lane
Address

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

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

Case Number: ZDC-87-2024 **Item 37&38** **City Reference:** 281272

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE RECEIVED MAY 06 2024

Comments:
The information we received and researched we have done. We have learned and heard it will be a

Signature

4/30/2024
Date

Kerri Bridges Owner
Printed Name and Title

157 Owen Way Wax. Tx 75165
Address

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

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

Please read Back side

Item 37&38 Rec. 4/27/2024

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-87-2024

RECEIVED MAY 06 2024

BUMPUS AUBREY A
1815 SW STATE HWY 34
ITALY, TX 76651

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-87-2024 **City Reference: 243610**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments: I do not believe this rezoning would contribute to the Value of the neighborhood. Too many unknown variables.

Aubrey A. Bumpus
Signature

April 30, 2024
Date

Aubrey A. Bumpus - Home Owner
635 Antonio
Waxahachie, TX 75165
Printed Name and Title

1815 SW State Hwy 34, Italy, Tx 76651
Address

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

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

8

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-87-2024

RECEIVED MAY 06 2024

SMITH DEREK M
634 ANTONIO LN
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Juan Flores, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Planned Development-Single Family-3 (PD-SF-3) zoning district located at 624 Xavier Court (Property ID 281280) - Owner: JC & AG Investment Group, Inc. (ZDC-87-2024) Staff: Zack King

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

Case Number: ZDC-87-2024 **City Reference: 243643**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

Comments:

Derek M. Smith
Signature

Date

Derek M. Smith - Owner
Printed Name and Title

634 Antonio LN
Address

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

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

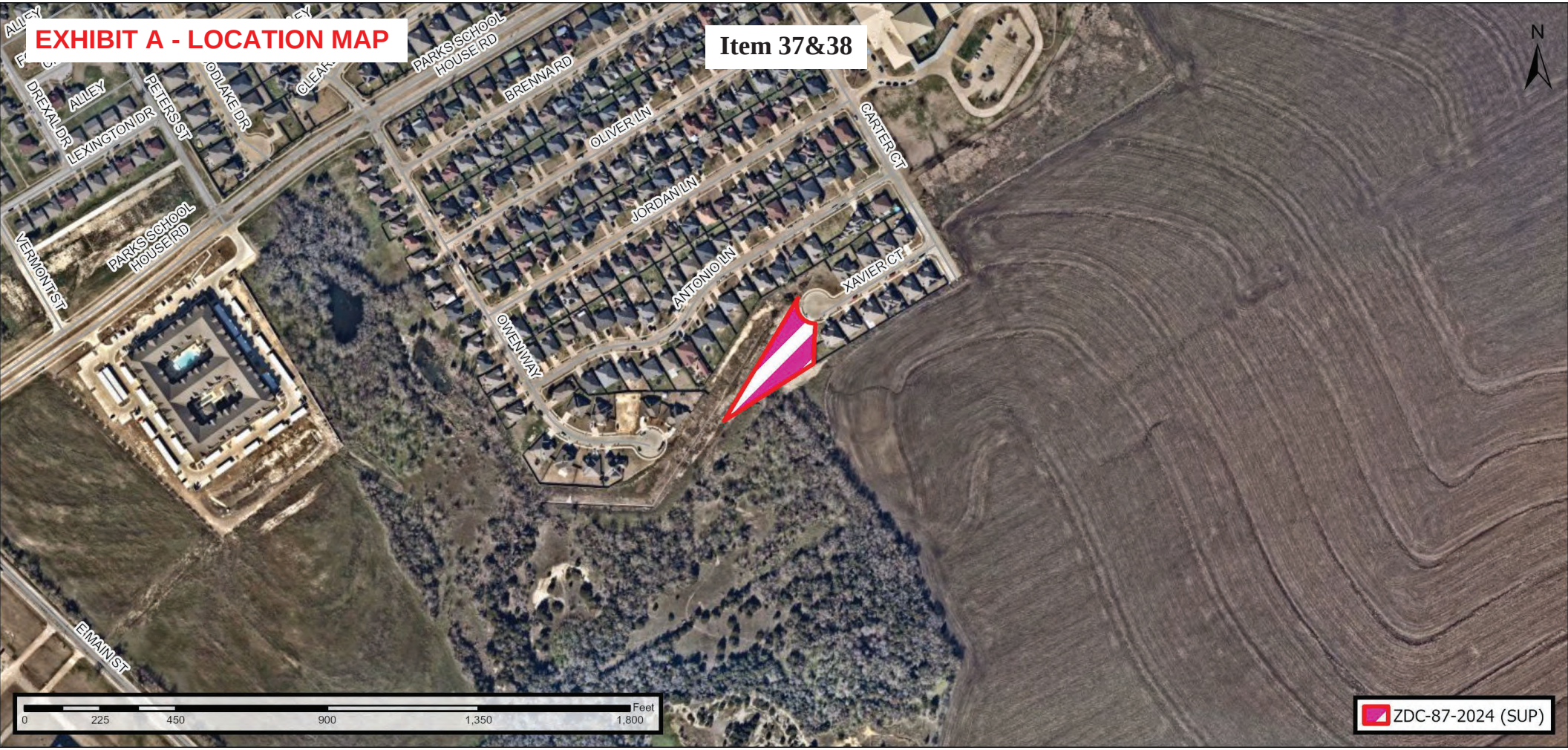
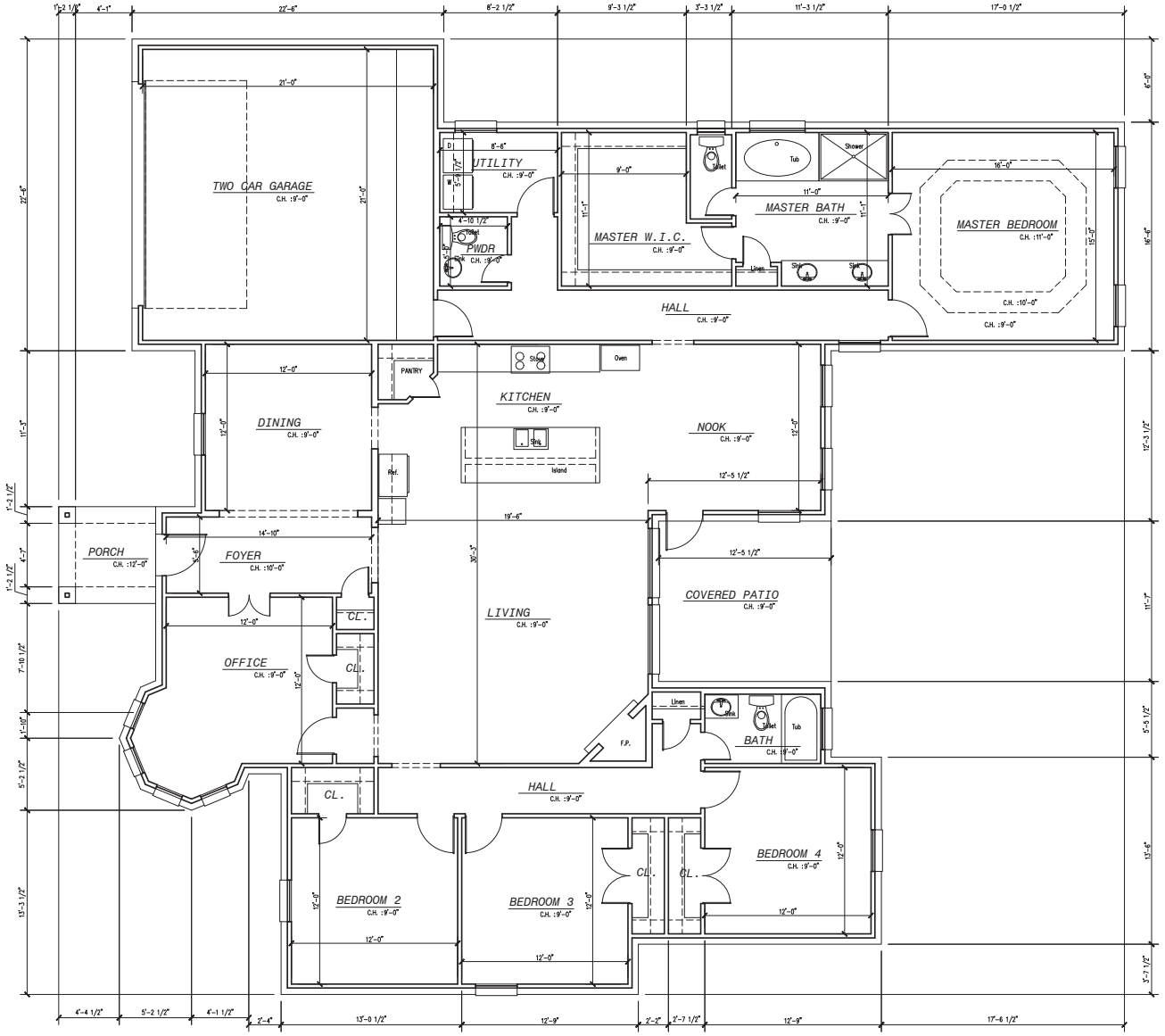

EXHIBIT A - LOCATION MAP
Item 37&38
N
PARKS SCHOOL HOUSE RD
BRENNA RD
OLIVER LN
CARTER CT
JORDAN LN
ANTONIO LN
XAVIER CT
OWEN WAY
DREXAL DR
ALLEY
LEXINGTON DR
PETERS ST
VERMONT ST
E MAIN ST
0
225
450
900
1,350
1,800
Feet
ZDC-87-2024 (SUP)


EXHIBIT B - ZONING MAP
Item 37&38
N
PARKS SCHOOL HOUSE RD
BRENNA RD
OLIVER LN
JORDAN LN
ANTONIO LN
OWEN WAY
CARTER CT
XAVIER CT
DREXAL DR
ALLEY
LEXINGTON DR
PETERS ST
VERMONT ST
E MAIN ST
ZDC-87-2024 (SUP)
SUP
C
FD
LI-1
PD
PD-C
PD-GR
PD-MF
PD-MF-2
PD-O
PD-SF-3
SF-3
Feet
0
225
450
900
1,350
1,800

EXHIBIT C - FLOORPLAN

Item 37&38



FLOOR PLAN

SCALE : 1/8" = 1'-0"

MARTINEZ DESIGN, LLC
Tel.: 972-891-4160
Tel.: 972-871-2532
martinez.jb73@hotmail.com

GENERAL NOTES

1. THE GENERAL CONTRACTOR/BUILDER SHALL EXAMINE AND VERIFY THE ACCURACY OF ALL DIMENSIONS AND CONDITIONS OF THESE PLANS/DOCUMENTS AND SHALL NOTIFY OWNER OF ANY DISCREPANCIES AND/OR OMISSIONS PRIOR TO THE START OF CONSTRUCTION.

2. THESE PLANS ARE INTENDED FOR THE GENERAL RESIDENTIAL CONSTRUCTION PURPOSES ONLY AND ARE NOT EXHAUSTIVELY DETAILED OR FULLY SPECIFIED.

3. THE GENERAL CONTRACTOR SHALL SUPERVISE CONSTRUCTION AND IT SHALL BE RESPONSIBILITY TO SELECT, VERIFY, RESOLVE, AND INSTALL ALL EQUIPMENT AND MATERIALS AND TO CONTROL THE QUALITY THEREOF.

4. ALL WORK PERFORMED ON THIS PROJECT SHALL MEET OR EXCEED THE CURRENT EDITION OF THE UNIFORM BUILDING CODE AND ALL APPLICABLE STATE AND LOCAL ORDINANCES, CODE, AND REGULATIONS.

5. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO PROVIDE ANY ENGINEERING NECESSARY TO THE STABILITY OF THE STRUCTURE(S) OF THE PROJECT. FURTHERMORE IT RECOMMENDS THAT THESE PLANS SHALL BE REVIEWED BY A QUALIFIED PROFESSIONAL ENGINEER.

SQUARE FOOTAGE	
LIVING AREA	2,800.0 SQ.FT.
PORCH AREA	50.0 SQ.FT.
COVERED PATIO	145.0 SQ.FT.
GARAGE AREA	486.0 SQ.FT.
TOTAL AREA	3,481.0 SQ.FT.

N

FLORES HOMES

Project Name:
NEW HOUSE

Project Address:
624 XAVIER COURT
WAXAHACHIE, TX 75165

Plan Name: FLOOR PLAN

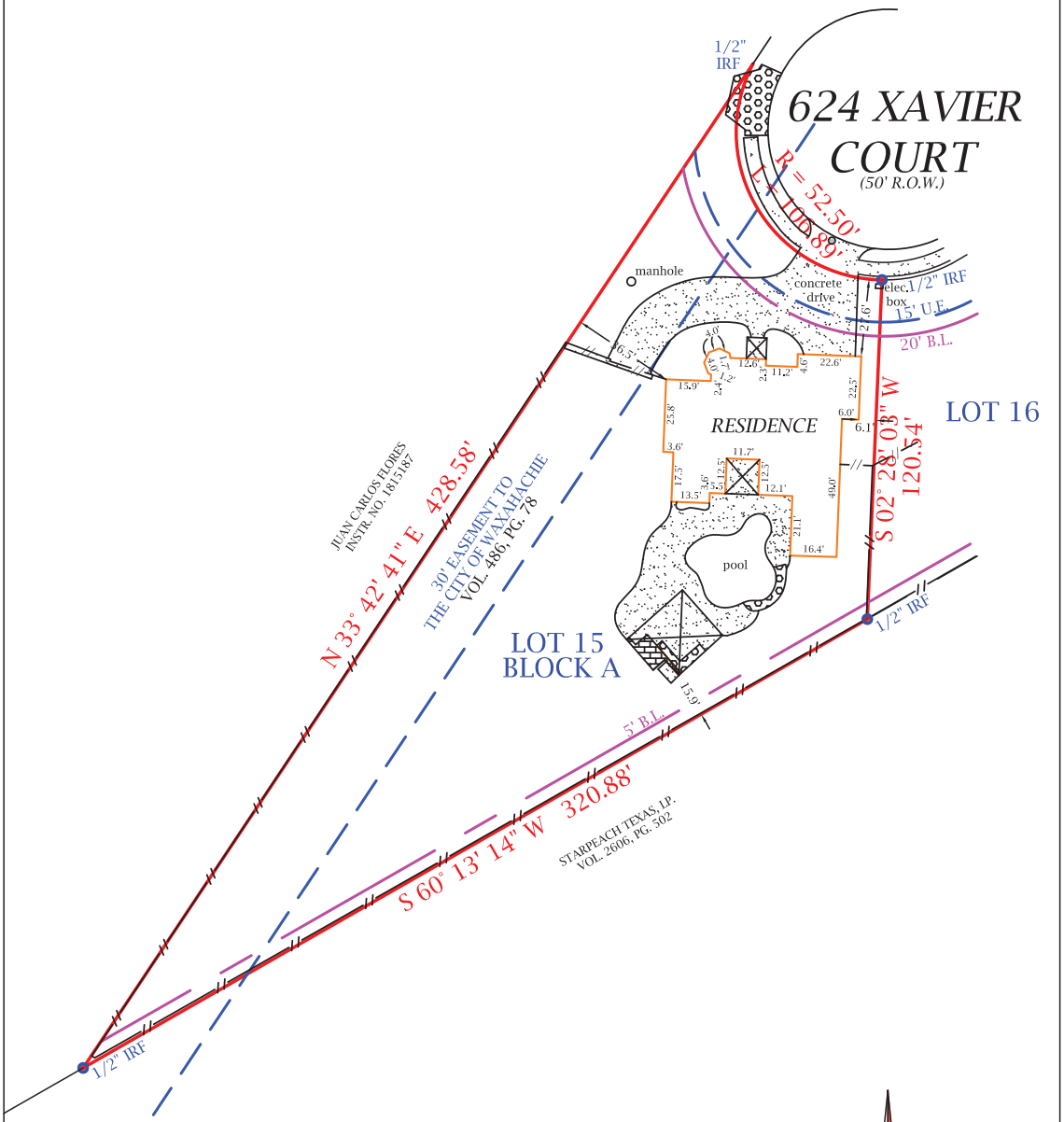
Project #:	Drawn By:
030723	JAM
Date: 03-07-2023	Scale: 1/8" = 1'-0"

Sheet #: 2 Of: 5

EXHIBIT D - SITE PLAN

LEGEND

B.L. = BUILDING LINE	CM = CONTROL MONUMENT	FP = FENCE POST		= FIRE HYDRANT
M.E. = MAINTENANCE EASEMENT	R.O.W = RIGHT OF WAY	( ) = REFERENCE BEARING BASIS		= LIGHT POLE
D.E. = DRAINAGE EASEMENT	IPF = IRON PIPE FOUND	R.W. = RETAINING WALL		= POWER POLE
D.U.E. = DRAINAGE & UTILITY EASEMENT	IRF = IRON ROD FOUND	OHE = OVER HEAD ELECTRIC LINE		= STONE
S.S.E. = SANITARY SEWER EASEMENT	IRS = IRON ROD SET	GM = GAS METER		= BRICK
S.E. = SEWER EASEMENT	WOOD FENCE =	ET = ELECTRIC TRANSFORMER		= CONCRETE
U.E. = UTILITY EASEMENT	CHAIN LINK FENCE =	A/C = AIR CONDITIONER		= WOOD
P.O.S.E. = PUBLIC OPEN SPACE EASEMENT	WROUGHT IRON FENCE =	EM = ELECTRIC METER	TP	= TELEPHONE PEDESTAL
P.A.E = PUBLIC ACCESS EASEMENT	BARBWIRE FENCE =	Ⓦ = WATER METER	EP	= ELECTRIC PEDESTAL



ADDRESS:	624 XAVIER COURT
G.F. NO:	N/A
DATE:	11-23-2023

I hereby certify that this plat is true and correct to the best of my knowledge and belief as surveyed by me or under my direct supervision. This survey was done without a title search and shows only easements on the recorded subdivision plat and does not include other easements of record which may affect this property.

WAYNE JOHNSON
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5424
SURVEYED ON THE GROUND NOVEMBER 22, 2023
LDSUPERIOR LLC FIRM NUMBER 10194759
4101 W. GREEN OAKS BLVD.
ARLINGTON, TEXAS 76016

STATE OF TEXAS
REGISTERED
WAYNE JOHNSON
5424
PROFESSIONAL
LAND SURVEYOR

FIELD CREW:	DB
DRAFTER:	LDS
SCALE:	1"= 50'

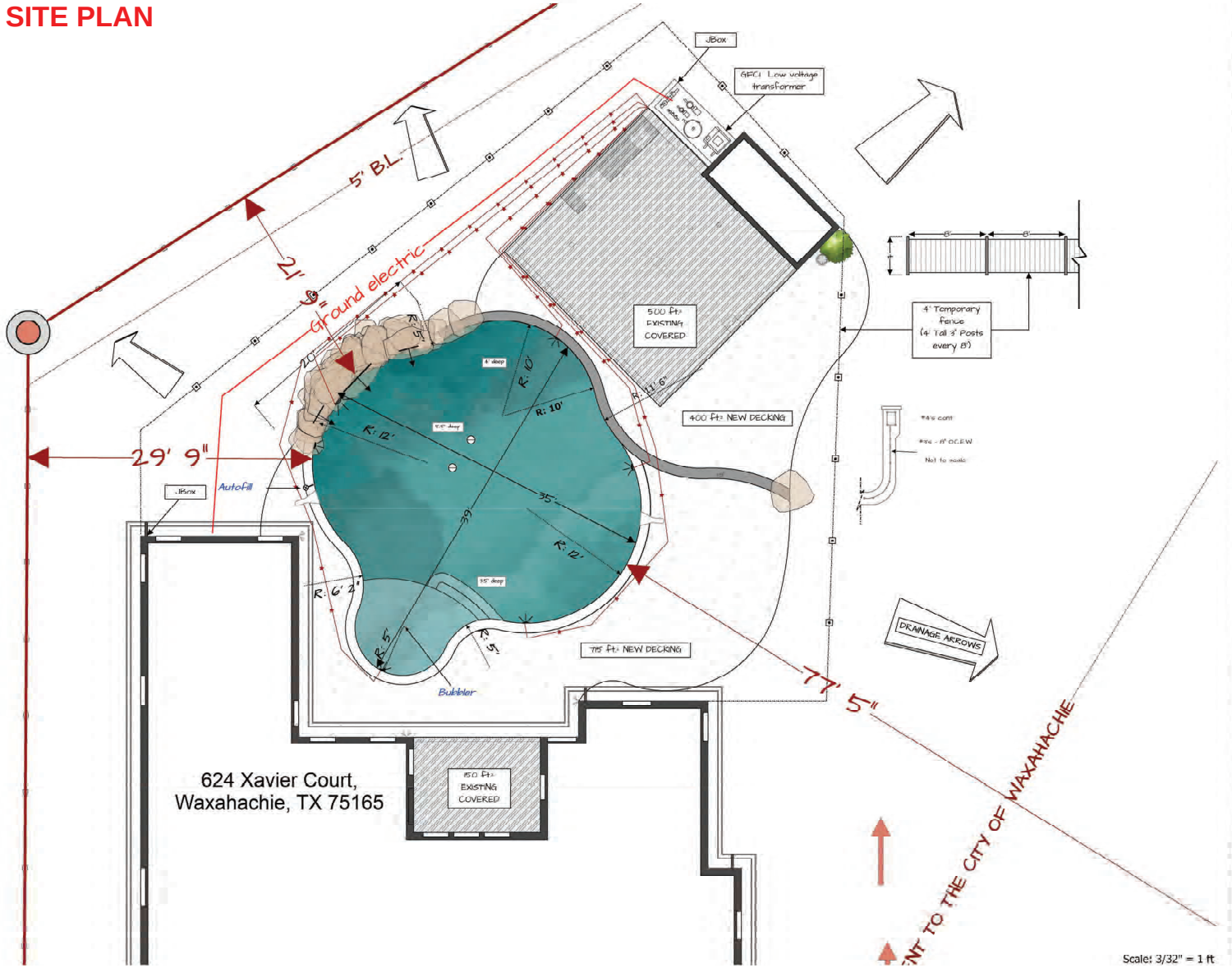
W E S

FINAL SURVEY

LEGAL DESCRIPTION

Lot 15, Block A, CLIFT ESTATES PHASE V, an addition to the City of Waxachahie, Ellis County, Texas, according to the map or plat thereof recorded in Cabinet K, Slide 162, of the Plat Records of Ellis County, Texas.

EXHIBIT D - SITE PLAN



POOL SPECIFICATIONS

Envelope: 39 x 35
Perimeter: 114' 6"
Area: 896 ft²
Int Surface Area: 1399 ft²
Depth: 3.5-5.5-4
Volume: 25,099 gallons
Spillover Length(s):
Interior Finish: Pebble TBD
Tile Line: 67 ft²
Coping Material: Stone
Raised Beams: 26'
Raised Beam Boulder 20'
Steps/Benches: 3
Step length(l.f.): 31' 3"
Concrete: 65.5 yards³
Water Descent:
Bubblers: 1

SPA SPECIFICATIONS

Envelope:
Perimeter: 0'
Dam Wall:
Area: 0 ft²
Int Surface Area: 0 ft²
Depth:
Height:
Volume: 0 gallons
Spillover Length(s):
Coping Material:
Blower: 0
Spa Jets: 0 ft²
Concrete: 0.0 yards³
Rebar: 0

DECK SPECIFICATIONS

Area: See notes
Surface Material: Broom finish or salt finish
Structural Turn Down:
Displacement:
Concrete:
Steps(l.f.):
Raised Walls (l.f.):
Riser:
Raised Walls Veneer (ft.²) :
Planter Walls (l.f.):
Brown coat (Painting ft.²) :
Other:
Concrete Removal:

EQUIPMENT

Filter Pump: Pentair Intelliflo 3.0 VST
Feature Pump: Pentair Superflo 1.5 VST
Sanitizer: DEL AOP 25 UV/Ozone System
Backup Chlorinator: CMP VS inline low-flow
Cleaning System: Pentair Prowler 920
Filter: Clean & Clear 520+ cartridge
Heater:
Auto-fill: Super Pro
Pool Lights: 5 color LED
Skimmers: 2
Spa Lights:
Controller: Easytouch 6 with screen logic
Other:

1.1 **Xavier Court**
PROPOSED POOL & OUTDOOR LIVING AREA

624 Xavier Court
City: Waxahachie **State/Province:** TX **Zip/Postal Code:** 75165

Welcome !

Thank you for choosing our home. I am excited you are here and want to make sure you have an excellent stay.

This guidebook will provide you with details on our house rules and instructions. If you have any questions during your stay please don't be afraid to reach out!

Contact Information:

Airbnb Inbox

Call or Text: 972-955-7639

House Manual

CHECK IN/ CHECK OUT

Check in is at 3:00PM
Check out is before 12:00 PM

WHEN CHECKING OUT

Please put all towels in the laundry room by the garage door.
Throw away all trash bags in the outside bins.

WIFI

Wireless Router: TP-Link_F46F
Password: 35913818

CAMERAS

Camera system is active on the exterior 24 hours a day.

HOUSE CAPACITY

This house only sleeps up to 10 people.

FIRST AID KIT & FIRE EXTINGUISHER

The first aid kit & the extinguisher can be found inside the pantry.

TV/SURROUND SYSTEM

Tv and surround system remotes will be on top of the console. Please leave remotes where they are found.

TRASH BINS

Recycling and trash bins are on the left side of the house. Please put all trash bags inside the bins. Guests staying more than a week please set trash bins out for pick up on Thursday mornings.

LINENS

We have provided all linens for your comfort.

AIR CONDITIONING AND HEATER

You are allowed to set the room temperature to your liking.
Standard level will be set at 70.

GRILL

To use the grill, open the valve connected to the propane tank.
When done please close the valve.

GARAGE DOOR

We will provide a garage opener for easy access. It is a 2 car garage.

PARKING

No parking on grass please.

POOL SAFETY

Children must be supervised by adults at all times. No diving or jumping into the pool. No glass or breakable items allowed in the pool area. We are not liable for any accidents that take place around or in the pool. You are responsible for any accidents that take place.

EXHIBIT E - HOST RULES Item 37&38

House Rules
A Friendly Reminder



No Smoking
Please do not smoke on the property.



No Parties
No parties. DJ, karaoke, and loudspeakers are not allowed. No music outdoors after 10 PM.



No Pets
We love animals however pets are currently not allowed in this property. A $500 fee will be charged if the rule is broken.



Quiet Time
Please respect our neighbors by keeping the noise down after 10 PM.



Report Damages
Please report any damages during your stay.



Enjoy Yourself!
We hope you enjoy your stay. Thank you for leaving the place as you found it.

Welcome

Planning & Zoning Department

Plat Staff Report

Case: SUB-72-2024

MEETING DATE(S)

Planning & Zoning Commission: May 14, 2024
City Council: May 20, 2024

CAPTION

Present a request by Jason Luke, LJA Engineering, for a **Plat** of Saddlebrook Estates Phase 4, 252 residential lots and 5 open space lots, being 70.035 acres, located north of 250 Saratoga Drive, situated in the G. Carpenter Survey, Abstract 190, an addition to the City of Waxahachie (Property ID: 189842) – Owner: 287 Waxahachie LP (SUB-72-2024) Staff: Zack King

RECOMMENDED MOTION

"I move to recommend approval of SUB-72-2024, a Plat of Saddlebrook Estates Phase 4, and the associated variance request, subject to the conditions the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

The applicant requests to plat the subject property into 252 residential lots and 5 open space lots as part of the Saddlebrook Estates Phase 4 subdivision.

CASE INFORMATION

Applicant:	Jason Luke, LJA Engineering
Property Owner(s):	287 Waxahachie LP
Site Acreage:	70.035 acres
Number of Lots:	257 lots
Number of Dwelling Units:	252 units
Park Land Dedication:	The proposed plat provides park land in accordance to the Planned Development zoning on the property.
Adequate Public Facilities:	Adequate public facilities are available to the subject property.

SUBJECT PROPERTY

General Location:	North of 250 Saratoga Drive
Parcel ID Number(s):	189842
Current Zoning:	Planned Development (PD) – Ordinance 2302 & 3252
Existing Use:	The subject property is currently undeveloped.
Platting History:	The subject property is not currently platted.

Site Aerial:



PLANNING ANALYSIS

The applicant proposes to plat the subject property into 252 residential lots and 5 open space lots as part of the Saddlebrook Estates Phase 4 subdivision. The subject property is currently zoned Planned Development (Ord. 2302 & 3252). The design of the proposed subdivision is intended to adhere to the lot size and dimension requirements and the lot distribution requirements of Ordinance 2302. The proposed plat includes open space lots that will serve to meet the park requirements of Ordinance 2302.

As part of the review of the plat application, staff identified multiple technical errors that conflict with the requirements of the Waxahachie Subdivision Ordinance. These technical errors are required to be corrected prior to the filing of the plat. The correction of each error has been identified as a condition of approval in the staff recommendation section below.

Variance Request

The applicant requests a variance from Section 3.3.a of the Waxahachie Subdivision Ordinance, which requires a 15' utility easement to be provided along Saratoga Drive. Previous phases of Saddlebrook Estates have provided this 15' utility easement; but this has caused a maintenance conflict with the 6' masonry screening wall along Saratoga Drive. To avoid this conflict in the future and allow for the in-line extension of the existing screening wall, the applicant is requesting to eliminate the requirement to provide a 15' utility easement along Saratoga Drive. The applicant has confirmed that franchise utilities can be provided to the subdivision without extending along Saratoga Drive. Due to this, staff is supportive of the variance request.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the Plat request subject to the conditions listed below.

Conditions:

1. Per Section 2.3.a.2 of the Waxahachie Subdivision Ordinance, Label the existing easement width and recording information. Perform a title search to locate all easements on the property.

Conditions (continued):

2. Per Section 2.4.c.3 of the Waxahachie Subdivision, adjacent subdivision names are required to be correctly referenced. Verify whether this is phase 4B or 4C?
3. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, all proposed easements need to be drawn and labeled on the plat. Please add the 2' sidewalk easement on the platted lots. Note that it is an option to reduce the pavement down to 28' wide and eliminate the 2' sidewalk easements altogether.
4. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, prior to plat filing, instrument numbers are required to be noted on the plat for all easements created by separate instrument.
5. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, the recording information for existing easements is required to be identified in the easement label on this plat. Add a label for the existing sanitary sewer easement.
6. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, street name approval is required at the time of platting. Please note that the following street names are unavailable. (These streets are highlighted in blue.) Please provide 2 alternative street names for EACH of the following: 1) APOLLO 2) ARWEN 3) BARTON 4) BRIDLE 5) CANNONADE 6) CASTOR 7) EBONY 8) IRON LEIGE 9) KINGDOM 10) PEGASUS 11) TROTTER 12) WINCHESTER.
7. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, only easements need to be shown on the plat, not build lines (setbacks). Remove setback lines from the lots on the plat. (Setbacks are determined by zoning, not the plat.)
8. Per Section 2.4.c.12 of the Waxahachie Subdivision Ordinance, floodplain information must be reported correctly on the plat. The FEMA panel information currently referenced is out of date. Please update per the October 2023 PMR.
9. Per Section 2.4.c.14 of the Waxahachie Subdivision Ordinance, a correct phasing key map needs to be provided. The current phasing key map includes area outside of this plat and does not distinguish between phases. Please revise accordingly.
10. Per Section 2.4.c.18 and 2.4.c.25 of the Waxahachie Subdivision Ordinance, the boundary displayed on the Plat and the legal description need to match. Please revise accordingly.
11. Per Section 2.4.c.22 of the Waxahachie Subdivision Ordinance- Please provide GPS Coordinates (northing, easting) for the POB and one additional corner of the property. Please verify these coordinates for the point of commencing are correct. They are identical to the POB of Saddlebrook Phase 3, however, this point georeferences to a location about 4,425' away.
12. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. Please revise the Case Number to "SUB-72-2024" in the title bock.
13. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. Please revise the name of this portion of the subdivision to properly reflect the phasing - ex.) Phase 4A.
14. Per Section 2.4.c.25 of the Waxahachie Subdivision Ordinance, the Planning & Zoning Commission will be the final approval authority for the plat if no variances or Petitions for Relief/Hardship are requested. Provide staff with a written variance request or remove this line for City Council Approval if no variance is requested.
15. Per Section 3.1.c.3 of the Waxahachie Subdivision Ordinance, ensure the traffic impact analysis is updated with the information from this phase.
16. Per section 3.1 r of the Waxahachie Subdivision Ordinance, depending on the timing of construction for Phase 4B, a temporary turnaround may be required at the end of Count Filet Drive and Fonso Street for the fire truck.
17. Per Section 3.3.a of the Waxahachie Subdivision Ordinance, a 15' Utility Easement is required adjacent to all right-of-way (ROW).

Conditions (continued):

18. Per Section 3.9.a of the Waxahachie Subdivision Ordinance, Water and sewer services are required for each lot prior to filing the plat.
19. Per Section 3.10.a of the Waxahachie Subdivision Ordinance, approval of the Stormwater Collection/Conveyance System is required. To demonstrate adequate detention for this phase, confirm whether any additional X lots be needed for detention to handle increases in runoff? Additionally, confirm whether detention for Phase 4 be fully handled by the proposed pond on 1X Block R?
20. Per Section 4.3.d.1 of the Subdivision Ordinance, add a note documenting the HOA requirement to be responsible for "The maintenance and operation of all common property".
21. Per Section 5.7.a.3 of the Waxahachie Subdivision Ordinance, "Where subdivisions are platted so that the rear or side yards of single-family or two-family residential lots are adjacent to an arterial thoroughfare (greater than sixty (60) feet in right-of-way width on the Thoroughfare Plan) or back up to a collector or residential street, the developer shall provide, at his sole expense, screening according to the following alternatives and standards. All screening shall be adjacent to the right-of-way or property line. All forms of screening shall conform to the requirements of other ordinances in the City governing sight distance for traffic safety. Trees shall be planted within the landscape buffer. The total number of caliper inches of the trees shall be equal to or exceed one (1) caliper inch per ten (10) linear feet of frontage of the landscape buffer. Minimum tree size shall be three (3) caliper inches. A single species of tree shall not exceed forty (40) percent of the plantings. These will be required to be irrigated. Any screening items will be maintained by the Home Owners Association." Add a note to the plat documenting the requirements of Section 5.7 of the Waxahachie Subdivision Ordinance will be met via HOA maintenance of a 10' landscape buffer within the Saratoga Drive ROW.
22. Per Section 5.7.a.3 of the Waxahachie Subdivision Ordinance, a 5' wall maintenance easement (WME) is required to be provided on residential lots that have a back or side property line adjacent to a major thoroughfare. The 5' WME shall be directly adjacent to the major thoroughfare.
23. Per Section 5.7.a.8 of the Waxahachie Subdivision Ordinance, screening fences/walls shall not be constructed parallel to and within any portion of a utility easement unless written provisions are made and approved by the Public Works and Engineering Director for access and maintenance of the utility easement. Add a note to the plat documenting this requirement.

ATTACHED EXHIBITS

1. Plat

APPLICANT REQUIREMENTS

1. If approved by Planning & Zoning Commission, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
    a. If comments were not satisfied, then the applicant will be notified to make corrections.
    b. If all comments were satisfied, then the applicant shall provide five signed, hard-copy plats.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

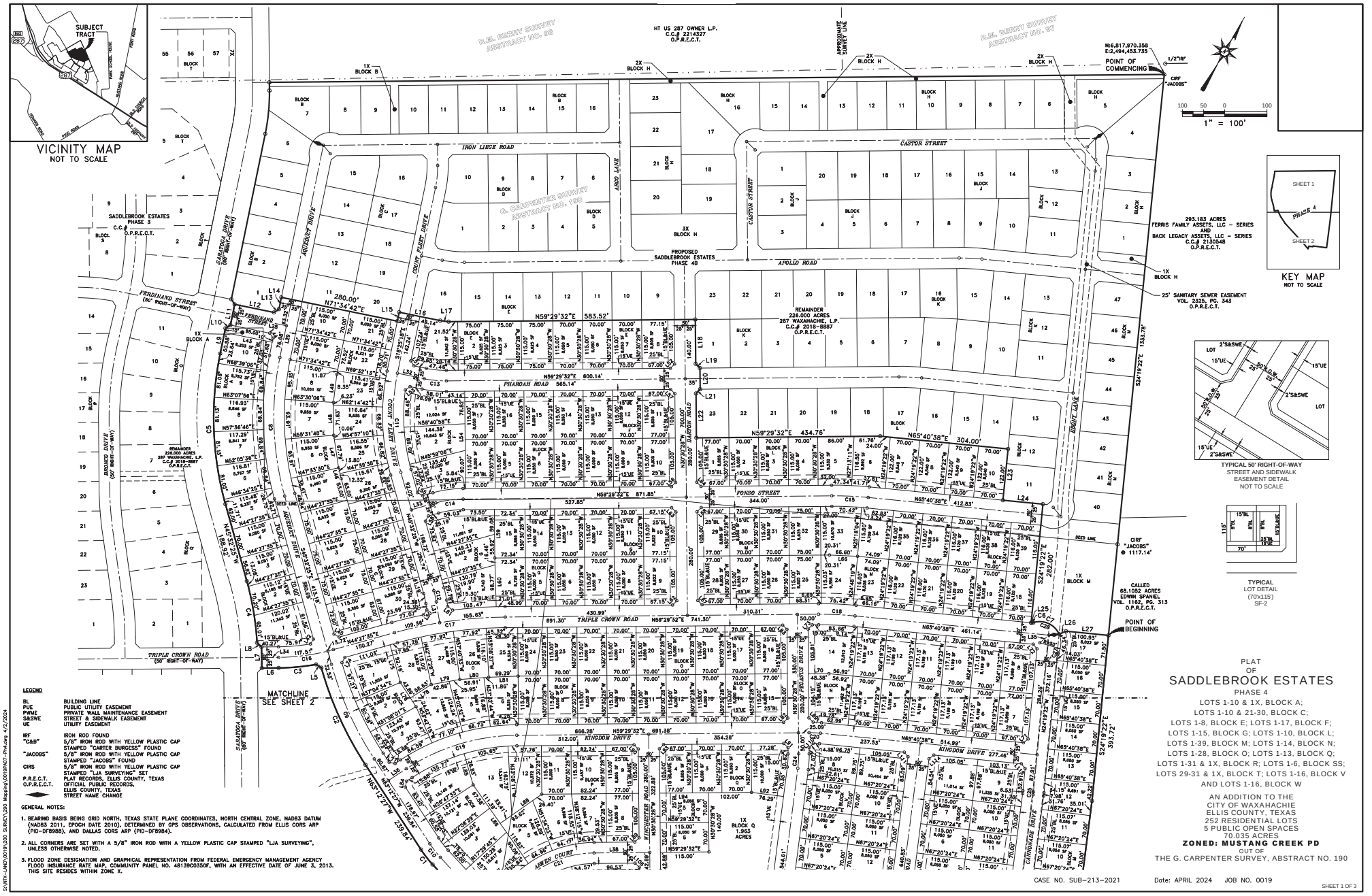
A plat shall not be filed with the Ellis County Clerk until:

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

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com


VICINITY MAP
NOT TO SCALE
SUBJECT TRACT
KEY MAP
NOT TO SCALE
SHEET 1
PHASE 4
SHEET 2
1" = 100'
POINT OF COMMENCING
POINT OF BEGINNING
MATCHLINE SEE SHEET 2
IRON LIBCE ROAD
CASTOR STREET
APOLLO ROAD
PHAROAH ROAD
PONSO STREET
KINGDOM DRIVE
TRIPLE CROWN ROAD
FERDINAND STREET
SARATOGA DRIVE
BRONCO DRIVE
COUNT FLEET DRIVE
SECRETARIAT DRIVE
PREAKNESS DRIVE
WINCHESTER ROAD
CAMARADE DRIVE
ASHEN COURT
ARD LANE
ARTIMAGE DRIVE
FRONT LANE
PROPOSED SADDLEBROOK ESTATES PHASE 4B
SADDLEBROOK ESTATES PHASE 3
293.183 ACRES FERRIS FAMILY ASSETS, LLC - SERIES AND BACK LEGACY ASSETS, LLC - SERIES C.C.# 2130548 O.P.R.E.C.T.
REMAINDER 226.000 ACRES 287 WAXAHACHIE, L.P. C.C.# 2018-8887 O.P.R.E.C.T.
CALLED 68.1052 ACRES EDWIN SPANIEL VOL. 1162, PG. 313 O.P.R.E.C.T.
25' SANITARY SEWER EASEMENT VOL. 2325, PG. 343 O.P.R.E.C.T.
TYPICAL 50' RIGHT-OF-WAY STREET AND SIDEWALK EASEMENT DETAIL NOT TO SCALE
TYPICAL LOT DETAIL (70'x115') SF-2
LEGEND
BL BUILDING LINE
PUE PUBLIC UTILITY EASEMENT
PWME PRIVATE WALL MAINTENANCE EASEMENT
S&SWE STREET & SIDEWALK EASEMENT
UE UTILITY EASEMENT
IRF IRON ROD FOUND
"C&B" 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" FOUND
"JACOBS" 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JACOBS" FOUND
CIRS 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET
P.R.E.C.T. PLAT RECORDS, ELLIS COUNTY, TEXAS
O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
STREET NAME CHANGE
GENERAL NOTES:
1. BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 DATUM (NAD83 2011, EPOCH DATE 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM ELLIS CORS ARP (PID-DF8988), AND DALLAS CORS ARP (PID-DF8984).
2. ALL CORNERS ARE SET WITH A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "LJA SURVEYING", UNLESS OTHERWISE NOTED.
3. FLOOD ZONE DESIGNATION AND GRAPHICAL REPRESENTATION FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 48139C0350F, WITH AN EFFECTIVE DATE OF JUNE 3, 2013. THIS SITE RESIDES WITHIN ZONE X.
PLAT OF SADDLEBROOK ESTATES
PHASE 4
LOTS 1-10 & 1X, BLOCK A;
LOTS 1-10 & 21-30, BLOCK C;
LOTS 1-8, BLOCK E; LOTS 1-17, BLOCK F;
LOTS 1-15, BLOCK G; LOTS 1-10, BLOCK L;
LOTS 1-39, BLOCK M; LOTS 1-14, BLOCK N;
LOTS 1-28, BLOCK O; LOTS 1-13, BLOCK Q;
LOTS 1-31 & 1X, BLOCK R; LOTS 1-6, BLOCK SS;
LOTS 29-31 & 1X, BLOCK T; LOTS 1-16, BLOCK V
AND LOTS 1-16, BLOCK W
AN ADDITION TO THE CITY OF WAXAHACHIE ELLIS COUNTY, TEXAS
252 RESIDENTIAL LOTS
5 PUBLIC OPEN SPACES
70.035 ACRES
ZONED: MUSTANG CREEK PD
OUT OF THE G. CARPENTER SURVEY, ABSTRACT NO. 190
CASE NO. SUB-213-2021
Date: APRIL 2024 JOB NO. 0019
SHEET 1 OF 3



CURVE	CENTRAL ANGLE	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	09°17'48"	275.00'	N67°51'21"W	44.57'	44.62'
C2	17°34'54"	825.00'	N54°25'00"W	252.17'	253.16'
C3	09°43'02"	525.00'	S54°58'20"W	88.93'	89.04'
C4	12°18'48"	690.00'	N39°23'01"W	148.00'	148.29'
C5	27°07'08"	760.00'	N31°58'52"W	356.37'	359.72'
C6	29°33'23"	10.00'	N83°53'57"E	4.08'	4.11'
C7	84°00'24"	50.00'	N84°07'27"E	86.92'	73.31'
C8	27°07'08"	700.00'	S31°58'52"E	328.23'	331.32'
C9	17°40'01"	800.00'	S54°22'26"E	245.70'	246.68'
C10	9°17'48"	250.00'	S67°51'21"E	40.52'	40.56'
C11	27°07'08"	500.00'	S31°58'52"E	234.45'	236.66'
C12	6°12'14"	250.00'	S42°28'18"E	27.05'	27.07'
C13	12°05'10"	250.00'	N69°32'07"E	52.64'	52.74'
C14	15°01'58"	250.00'	N51°58'34"E	65.40'	65.59'
C15	6°11'06"	800.00'	N62°35'05"E	86.32'	86.36'

CURVE	CENTRAL ANGLE	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C16	15°02'16"	500.00'	N51°58'43"E	130.85'	131.23'
C17	15°01'57"	1010.00'	N51°58'34"E	264.23'	264.99'
C18	6°11'06"	800.00'	N62°35'05"E	86.32'	86.36'
C19	32°41'59"	485.00'	N43°08'53"E	273.05'	276.80'
C20	6°11'06"	250.00'	N62°35'05"E	26.97'	26.99'
C21	41°59'47"	250.00'	N58°29'29"E	179.17'	183.24'
C22	40°09'21"	250.00'	S87°25'05"W	171.65'	175.21'
C23	41°59'47"	250.00'	N51°30'21"W	179.17'	183.24'
C24	7°50'52"	250.00'	N28°35'02"W	34.22'	34.24'
C25	1°39'46"	250.00'	N23°29'29"W	7.26'	7.26'
C26	49°50'39"	250.00'	N42°25'05"E	210.69'	217.49'
C27	23°53'23"	10.00'	N12°32'40"W	4.08'	4.17'
C28	137°06'47"	50.00'	N69°19'22"W	93.08'	119.65'
C29	64°31'18"	50.00'	S49°45'25"W	53.38'	56.31'

LINE	BEARING	DISTANCE
L1	S22°39'36"E	29.09'
L2	S22°39'36"E	32.12'
L3	S15°49'02"E	63.54'
L4	S72°13'33"E	52.17'
L5	N58°09'20"W	14.72'
L6	S59°29'51"W	59.90'
L7	N30°56'04"W	50.00'
L8	N76°39'28"W	14.42'
L9	N18°25'18"W	60.98'
L10	N26°34'42"E	14.14'
L11	N18°25'18"W	50.00'
L12	N71°34'42"E	99.00'
L13	N26°34'42"E	14.14'
L14	N18°25'18"W	28.32'
L15	N18°25'18"W	21.54'
L16	N71°34'42"E	99.14'
L17	N67°03'42"E	20.08'
L18	S30°30'28"E	105.00'
L19	S75°30'28"E	14.14'
L20	S30°30'28"E	50.00'
L21	S14°29'32"W	14.14'
L22	S30°30'28"E	105.00'
L23	S24°18'22"E	122.00'
L24	N65°40'38"E	85.03'
L25	N65°40'38"E	1.00'
L26	N36°07'39"E	17.90'
L27	N65°40'38"E	100.83'
L28	N71°54'42"E	130.00'
L29	S18°25'18"E	140.00'
L30	N34°00'24"W	31.94'
L31	S39°20'11"E	50.00'
L32	N71°34'42"E	64.65'
L33	N44°27'35"E	60.19'
L34	N59°29'51"E	40.08'
L35	S20°40'38"W	28.28'
L36	N26°47'33"E	50.68'
L37	N17°29'45"E	107.88'
L38	N59°29'32"E	131.55'
L39	N72°30'15"W	68.49'
L40	N17°29'45"E	53.70'
L41	N22°39'36"W	150.00'
L42	S02°05'56"W	13.48'
L43	N71°54'42"E	115.00'
L44	S63°25'18"E	14.14'
L45	S89°27'35"W	14.14'
L46	N43°44'40"W	28.13'
L47	N38°27'21"W	77.85'
L48	N30°29'03"W	77.85'
L49	N23°10'27"W	67.04'
L50	S04°49'59"W	14.35'
L51	N63°25'18"W	14.14'
L52	S17°29'32"W	14.14'
L53	N24°46'08"E	13.69'
L54	N30°30'28"W	63.12'
L55	S89°27'35"W	14.14'
L56	S14°29'32"W	14.14'
L57	S75°30'28"E	14.14'
L58	N00°32'25"W	14.14'

LINE	BEARING	DISTANCE
L59	N30°30'28"W	115.00'
L60	N51°40'15"W	115.24'
L61	N83°30'31"W	14.35'
L62	S14°29'32"W	14.14'
L63	S75°30'28"E	14.14'
L64	N75°30'28"W	14.14'
L65	N67°39'36"W	14.14'
L66	N82°38'39"E	66.60'
L67	N75°30'28"W	14.14'
L68	N14°29'32"E	14.14'
L69	N74°59'47"W	14.27'
L70	N59°29'32"E	48.38'
L71	S20°40'58"W	14.14'
L72	S89°19'22"E	14.14'
L73	N14°29'32"E	14.14'
L74	N00°33'12"W	14.14'
L75	S45°11'56"E	82.18'
L76	S62°58'10"E	68.51'
L77	S71°47'33"W	14.14'
L78	N27°01'50"E	58.63'
L79	N50°03'29"E	68.80'
L80	N59°30'22"E	68.77'
L81	N57°49'20"E	69.29'
L82	S14°29'32"W	14.14'
L83	S75°30'28"E	14.14'
L84	N18°12'27"W	14.14'
L85	S48°17'47"E	76.83'
L86	S85°02'39"E	69.56'
L87	S62°29'45"W	14.14'
L88	S24°57'21"W	86.61'
L89	S14°29'32"W	14.14'
L90	S75°30'28"E	14.14'
L91	S75°30'28"E	14.14'
L92	S87°20'24"W	76.29'
L93	N14°29'32"E	14.14'
L94	N59°29'32"E	115.00'
L95	S24°07'03"W	13.70'
L96	N27°30'15"W	14.14'
L97	S44°24'10"E	85.02'
L98	N72°30'15"W	93.42'
L99	N17°29'45"E	230.00'
L100	N17°29'45"E	230.80'
L101	S72°30'15"E	70.00'
L102	S85°02'32"E	71.71'
L103	S62°31'24"W	14.15'
L104	S22°20'24"W	14.14'
L105	S67°39'36"E	14.14'
L106	S75°30'28"E	14.14'
L107	N22°20'24"E	14.14'
L108	S67°39'36"E	14.14'
L109	N67°39'36"W	14.14'
L110	N18°07'03"E	15.89'
L111	S88°29'29"E	13.94'
L112	S22°20'24"W	14.14'
L113	N67°39'36"W	14.14'
L114	N21°30'51"E	14.35'
L115	S89°18'22"E	14.14'
L116	S22°20'24"W	14.14'

LEGEND

BL	BUILDING LINE
PUE	PUBLIC UTILITY EASEMENT
PWME	PRIVATE WALL MAINTENANCE EASEMENT
S&SWE	STREET & SIDEWALK EASEMENT
UE	UTILITY EASEMENT
IRF	IRON ROD FOUND
"C&B"	5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" FOUND
"JACOBS"	5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JACOBS" FOUND
CIRS	5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET
P.R.E.C.T.	PLAT RECORDS, ELLIS COUNTY, TEXAS
O.P.R.E.C.T.	OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
	STREET NAME CHANGE

GENERAL NOTES:

1. BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 DATUM (NAD83 2011, EPOCH DATE 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM ELLIS CORS ARP (PID–DF8985), AND DALLAS CORS ARP (PID–DF8984).
2. ALL CORNERS ARE SET WITH A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "LJA SURVEYING", UNLESS OTHERWISE NOTED.
3. FLOOD ZONE DESIGNATION AND GRAPHICAL REPRESENTATION FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 48139C0350F, WITH AN EFFECTIVE DATE OF JUNE 3, 2013. THIS SITE RESIDES WITHIN ZONE X.

BENCHMARKS

RR SPIKE SET IN POWER POLE LOCATED ON THE NORTH SIDE OF US HWY 287 APPROX 0.8 MILES SOUTH OF THE INTERSECTION AT THE UNDERPASS OF SPUR 394 AND US HWY 287

ELEV= 525.15'

RR SPIKE SET IN POWER POLE LOCATED ON THE NORTH SIDE OF US HWY 287 APPROX 1.3 MILES SOUTH OF THE INTERSECTION AT THE UNDERPASS OF SPUR 394 AND US HWY 287 APPROX 1.0 MILE NORTH OF THE INTERSECTION OF PARKS SCHOOL AND US HWY 287

ELEV= 510.30'

SQUARE CUT IN SOUTH END OF NORTH HEADWALL OF BOX CULVERT UNDER US HWY 287 APPROX 0.8 MILES NORTH OF THE INTERSECTION OF PARKS SCHOOL ROAD AND US HWY 287

ELEV= 498.94'

PLAT
OF
SADDLEBROOK ESTATES
PHASE 4
LOTS 1-10 & 1X, BLOCK A;
LOTS 1-10 & 21-30, BLOCK C;
LOTS 1-8, BLOCK E; LOTS 1-17, BLOCK F;
LOTS 1-15, BLOCK G; LOTS 1-10, BLOCK L;
LOTS 1-39, BLOCK M; LOTS 1-14, BLOCK N;
LOTS 1-28, BLOCK O; LOTS 1-13, BLOCK Q;
LOTS 1-31 & 1X, BLOCK R; LOTS 1-6, BLOCK SS;
LOTS 29-31 & 1X, BLOCK T; LOTS 1-16, BLOCK V
AND LOTS 1-16, BLOCK W
AN ADDITION TO THE
CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS
252 RESIDENTIAL LOTS
5 PUBLIC OPEN SPACES
70.035 ACRES
ZONED: MUSTANG CREEK PD
OUT OF
THE G. CARPENTER SURVEY, ABSTRACT NO. 190

CASE NO. SUB–213–2021 Date: APRIL 2024 JOB NO. 0019

SHEET 2 OF 3

S:\KRT–LAND\0019\200 SURVEY\200 Mapping\0019PAGT–PH4.dwg 4/2/2024

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF ELLIS §

BEING A 70.035 ACRE TRACT OF LAND SITUATED IN THE GEORGE CARPENTER SURVEY, ABSTRACT NO. 190, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING A PART OF A CALLED 233.182 ACRE TRACT OF LAND CONVEYED TO 287 WAXAHACHIE, L.P., AS RECORDED IN VOLUME 2024, PAGE 886, OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS; PART OF A CALLED 293.183 ACRE TRACT OF LAND CONVEYED AS "TRACT 1" TO 287 WAXAHACHIE, L.P. AS RECORDED IN VOLUME 2156, PAGE 687, OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS AND PART OF A CALLED 226.000 ACRE TRACT OF LAND CONVEYED TO 287 WAXAHACHIE, L.P., AS RECORDED IN COUNTY CLERK'S FILE NO. 1808897, OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS. SAID 70.035 ACRE TRACT, WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE 4202, NAD83 DATUM (NAD83 (2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS CALCULATED FROM ELLIS CORS ARP (PID-DF8868) AND ARLINGTON RRP3 CORS ARP (PID-DF5307) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JACOBS" FOUND FOR A NORTHEAST CORNER OF SAID 226.00 ACRE TRACT, SAID POINT BEING ON THE NORTHEAST LINE OF SAID 233.182 ACRE TRACT, FROM WHICH A 1/2 INCH IRON ROD FOUND BEARS NORTH 24 DEGREES 19 MINUTES 05 SECONDS WEST, A DISTANCE OF 25.64 FEET;

THENCE, SOUTH 24 DEGREES 19 MINUTES 22 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID 233.182 ACRE TRACT, PASSING AT A DISTANCE OF 1,117.14 FEET A 5/8 INCH IRON ROD YELLOW PLASTIC CAP STAMPED "JACOBS" FOUND FOR THE EAST CORNER OF SAID 226.000 ACRE TRACT, CONTINUING IN ALL A TOTAL DISTANCE OF 1,333.78 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE **POINT OF BEGINNING**;

THENCE, SOUTH 24 DEGREES 19 MINUTES 22 SECONDS EAST, CONTINUING ALONG SAID NORTHEAST LINE OF 233.182 ACRE TRACT, A DISTANCE OF 393.72 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

THENCE, SOUTH 22 DEGREES 39 MINUTES 36 SECONDS EAST, CONTINUING ALONG SAID NORTHEAST LINE OF SAID 233.182 ACRE TRACT, A DISTANCE OF 997.01 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" FOUND FOR THE NORTHEAST CORNER OF LOT 4, BLOCK S OF SADDLEBROOK ESTATES, PHASE 1B, AN ADDITION TO THE CITY OF WAXAHACHIE, TEXAS, AS RECORDED IN CABINET H, PAGE 577, PLAT RECORDS, ELLIS COUNTY, TEXAS;

THENCE, OVER AND ACROSS SAID 233.182 ACRE TRACT AND ALONG THE NORTHWEST LINE OF SAID SADDLEBROOK ESTATES, PHASE 1B, THE FOLLOWING COURSES AND DISTANCES:

- SOUTH 67 DEGREES 20 MINUTES 24 SECONDS WEST, PASSING AT A DISTANCE OF 431.18 FEET THE EAST RIGHT-OF-WAY LINE OF AFFIRMED ROAD (A 50' RIGHT-OF-WAY), CONTINUING OVER AND ACROSS SAID AFFIRMED ROAD, IN ALL A TOTAL DISTANCE OF 481.22 FEET TO A TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" FOUND FOR CORNER ON THE WEST RIGHT-OF-WAY LINE OF SAID AFFIRMED ROAD;
- SOUTH 22 DEGREES 39 MINUTES 36 SECONDS EAST, ALONG SAID EAST RIGHT-OF-WAY LINE OF AFFIRMED ROAD, A DISTANCE OF 29.09 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" FOUND FOR THE NORTHEAST CORNER OF LOT 28, BLOCK T OF SAID SADDLEBROOK, PHASE 1B;
- SOUTH 67 DEGREES 20 MINUTES 24 SECONDS WEST, ALONG THE NORTHWEST LINE OF SAID LOT 28, BLOCK T, A DISTANCE OF 150.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" FOUND FOR THE NORTHWEST CORNER OF SAID LOT 28, BLOCK T AND THE NORTHWEST CORNER OF SAID SADDLEBROOK ESTATES, PHASE 1B;

THENCE, CONTINUING OVER AND ACROSS SAID 233.182 ACRE TRACT, ALONG THE WEST LINE OF SAID LOT 28, BLOCK T, SAME BEING A WEST LINE OF SAID SADDLEBROOK ESTATES, PHASE 1B, THE FOLLOWING COURSES AND DISTANCES:

- SOUTH 22 DEGREES 39 MINUTES 36 SECONDS EAST, A DISTANCE OF 32.12 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" FOUND FOR CORNER;
- SOUTH 15 DEGREES 49 MINUTES 02 SECONDS EAST, A DISTANCE OF 63.54 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 28, BLOCK T AND THE NORTHWEST CORNER OF LOT 27, BLOCK T OF SAID SADDLEBROOK ESTATES, PHASE 1B;

THENCE, CONTINUING OVER AND ACROSS SAID 233.182 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

- NORTH 69 DEGREES 53 MINUTES 56 SECONDS WEST, A DISTANCE OF 211.32 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- NORTH 72 DEGREES 13 MINUTES 33 SECONDS WEST, A DISTANCE OF 52.17 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- NORTH 72 DEGREES 30 MINUTES 15 SECONDS WEST, PASSING AT A DISTANCE OF 504.11 FEET A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR A SOUTHEAST CORNER OF SADDLEBROOK ESTATES, PHASE 3, AN ADDITION TO THE CITY OF WAXAHACHIE, TEXAS, AS RECORDED IN CABINET ____, PAGE ____, PLAT RECORDS, ELLIS COUNTY, TEXAS, SAME BEING THE EAST CORNER OF LOT 1X, BLOCK R OF SAID SADDLEBROOK ESTATES, PHASE 3, CONTINUING ALONG THE NORTHEAST LINE OF SAID SADDLEBROOK ESTATES, PHASE 3, PASSING AT A DISTANCE OF 694.80 FEET THE SOUTHWEST LINE OF SAID 233.182 ACRE TRACT AND THE NORTHEAST LINE OF AFORESAID 293.183 ACRE TRACT, CONTINUING OVER AND ACROSS SAID 293.183 ACRE TRACT AND ALONG THE NORTHEAST LINE OF SAID SADDLEBROOK ESTATES, PHASE 3, IN ALL A TOTAL DISTANCE OF 908.34 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER AND THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 09 DEGREES 17 MINUTES 48 SECONDS, A RADIUS OF 275.00 FEET, AND A LONG CHORD THAT BEARS NORTH 67 DEGREES 51 MINUTES 21 SECONDS WEST, A DISTANCE OF 44.57 FEET;

THENCE, CONTINUING OVER AND ACROSS SAID 293.183 ACRE TRACT AND ALONG SAID NORTHEAST LINE OF SADDLEBROOK ESTATES, PHASE 3, THE FOLLOWING COURSES AND DISTANCES:

- ALONG SAID TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 44.62 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- NORTH 63 DEGREES 12 MINUTES 27 SECONDS WEST, A DISTANCE OF 239.84 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 17 DEGREES 34 MINUTES 54 SECONDS, A RADIUS OF 825.00 FEET, AND A LONG CHORD THAT BEARS NORTH 54 DEGREES 25 MINUTES 00 SECONDS WEST, A DISTANCE OF 252.17 FEET;
- ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 253.16 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- NORTH 88 DEGREES 09 MINUTES 20 SECONDS WEST, A DISTANCE OF 14.72 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 08 DEGREES 43 MINUTES 02 SECONDS, A RADIUS OF 525.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 54 DEGREES 38 MINUTES 20 SECONDS WEST, A DISTANCE OF 88.93 FEET;
- ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 89.04 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- SOUTH 59 DEGREES 29 MINUTES 51 SECONDS WEST, A DISTANCE OF 39.90 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR A NORTHWEST CORNER OF AFORSAID LOT 1X, BLOCK R, SAID POINT BEING AT THE NORTHEAST END OF A CORNER CLIP AT THE INTERSECTION OF THE NORTHEAST RIGHT-OF-WAY LINE OF SARATOGA DRIVE (AN 80' RIGHT-OF-WAY) AND THE SOUTHEAST RIGHT-OF-WAY LINE OF TRIPLE CROWN ROAD (A 50' RIGHT-OF-WAY);
- NORTH 30 DEGREES 56 MINUTES 04 SECONDS WEST, OVER AND ACROSS SAID TRIPLE CROWN ROAD, A DISTANCE OF 50.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER AT THE SOUTHEAST END OF A CORNER CLIP AT THE INTERSECTION OF SAID NORTHEAST RIGHT-OF-WAY LINE OF SARATOGA DRIVE AND THE NORTHWEST RIGHT-OF-WAY LINE OF SAID TRIPLE CROWN ROAD;
- NORTH 76 DEGREES 39 MINUTES 26 SECONDS WEST, ALONG SAID CORNER CLIP, A DISTANCE OF 14.42 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER AT THE NORTHWEST END OF SAID CORNER CLIP AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12 DEGREES 18 MINUTES 48 SECONDS, A RADIUS OF 690.00 FEET, AND A LONG CHORD THAT BEARS NORTH 39 DEGREES 23 MINUTES 01 SECONDS WEST, A DISTANCE OF 148.00 FEET;

THENCE, CONTINUING OVER AND ACROSS SAID 293.183 ACRE TRACT, ALONG SAID NORTHEAST RIGHT-OF-WAY LINE OF SARATOGA DRIVE AND ALONG SAID NORTHEAST LINE OF SADDLEBROOK ESTATES, PHASE 3, THE FOLLOWING COURSES AND DISTANCES:

- ALONG SAID NON-TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 148.29 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- NORTH 45 DEGREES 32 MINUTES 25 SECONDS WEST, A DISTANCE OF 188.82 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER AND THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 27 DEGREES 07 MINUTES 08 SECONDS, A RADIUS OF 780.00 FEET, AND A LONG CHORD THAT BEARS NORTH 31 DEGREES 58 MINUTES 52 SECONDS WEST, A DISTANCE OF 356.37 FEET;
- ALONG SAID TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 359.72 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- NORTH 18 DEGREES 25 MINUTES 18 SECONDS WEST, A DISTANCE OF 60.98 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER AT THE SOUTHWEST END OF A CORNER CLIP AT THE INTERSECTION OF SAID SARATOGA DRIVE AND THE SOUTHEAST RIGHT-OF-WAY LINE OF FERDINAND STREET (A 50' RIGHT-OF-WAY);
- NORTH 26 DEGREES 34 MINUTES 42 SECONDS EAST, ALONG SAID CORNER CLIP AND OVER AND ACROSS AFORESAID 226.000 ACRE TRACT, A DISTANCE OF 14.14 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER AT THE NORTHEAST END OF SAID CORNER CLIP;
- NORTH 18 DEGREES 25 MINUTES 18 SECONDS WEST, OVER AND ACROSS SAID FERDINAND STREET, A DISTANCE OF 50.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER AT THE SOUTHEAST END OF A CORNER CLIP AT THE INTERSECTION OF SAID NORTHEAST RIGHT-OF-WAY LINE OF SARATOGA DRIVE AND THE NORTHWEST RIGHT-OF-WAY LINE OF SAID FERDINAND STREET;

THENCE, CONTINUING OVER AND ACROSS SAID 293.183 ACRE TRACT AND OVER AND ACROSS SAID 226.000 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

- NORTH 71 DEGREES 34 MINUTES 42 SECONDS EAST, A DISTANCE OF 95.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- NORTH 26 DEGREES 34 MINUTES 42 SECONDS EAST, A DISTANCE OF 14.14 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- NORTH 18 DEGREES 25 MINUTES 18 SECONDS WEST, A DISTANCE OF 28.32 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- NORTH 71 DEGREES 34 MINUTES 42 SECONDS EAST, A DISTANCE OF 280.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- NORTH 18 DEGREES 25 MINUTES 18 SECONDS WEST, A DISTANCE OF 21.54 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- NORTH 71 DEGREES 34 MINUTES 42 SECONDS EAST, A DISTANCE OF 99.14 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- NORTH 67 DEGREES 03 MINUTES 42 SECONDS EAST, A DISTANCE OF 20.09 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- NORTH 59 DEGREES 29 MINUTES 32 SECONDS EAST, PASSING AT A DISTANCE OF 226.67 FEET AFORESAID NORTHEAST LINE OF SAID 293.183 ACRE TRACT AND AFORESAID SOUTHWEST LINE OF 233.182 ACRE TRACT, CONTINUING OVER AND ACROSS SAID 226.000 ACRE TRACT AND OVER AND ACROSS SAID 233.182 ACRE TRACT, IN ALL A TOTAL DISTANCE OF 583.52 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

THENCE, CONTINUING OVER AND ACROSS SAID 226.000 ACRE TRACT AND OVER AND ACROSS SAID 233.182 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

- SOUTH 30 DEGREES 30 MINUTES 28 SECONDS EAST, A DISTANCE OF 105.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- SOUTH 75 DEGREES 30 MINUTES 28 SECONDS EAST, A DISTANCE OF 14.14 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- SOUTH 30 DEGREES 30 MINUTES 28 SECONDS EAST, A DISTANCE OF 50.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- SOUTH 14 DEGREES 29 MINUTES 32 SECONDS WEST, A DISTANCE OF 14.14 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- SOUTH 30 DEGREES 30 MINUTES 28 SECONDS EAST, A DISTANCE OF 105.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- NORTH 59 DEGREES 29 MINUTES 32 SECONDS EAST, A DISTANCE OF 434.76 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- NORTH 65 DEGREES 40 MINUTES 38 SECONDS EAST, A DISTANCE OF 304.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- SOUTH 24 DEGREES 19 MINUTES 22 SECONDS EAST, A DISTANCE OF 122.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- NORTH 65 DEGREES 40 MINUTES 38 SECONDS EAST, A DISTANCE OF 95.02 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- SOUTH 24 DEGREES 19 MINUTES 22 SECONDS EAST, PASSING AT A DISTANCE OF 76.89 FEET THE SOUTH LINE OF SAID 226.000 ACRE TRACT, CONTINUING OVER AND ACROSS SAID 233.182 ACRE TRACT, IN ALL A TOTAL DISTANCE OF 282.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

THENCE, CONTINUING OVER AND ACROSS SAID 233.182 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

- NORTH 65 DEGREES 40 MINUTES 38 SECONDS EAST, A DISTANCE OF 1.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 23 DEGREES 33 MINUTES 23 SECONDS, A RADIUS OF 10.00 FEET AND A LONG CHORD THAT BEARS NORTH 53 DEGREES 53 MINUTES 57 SECONDS EAST, A DISTANCE OF 4.08 FEET;
- ALONG SAID TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 4.11 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER AND THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 84 DEGREES 00 MINUTES 24 SECONDS, A RADIUS OF 50.00 FEET AND A LONG CHORD THAT BEARS NORTH 84 DEGREES 07 MINUTES 27 SECONDS EAST, A DISTANCE OF 66.92 FEET;
- ALONG SAID REVERSE CURVE TO THE RIGHT, AN ARC DISTANCE OF 73.31 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- NORTH 36 DEGREES 07 MINUTES 39 SECONDS EAST, A DISTANCE OF 17.90 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;
- NORTH 65 DEGREES 40 MINUTES 38 SECONDS EAST, A DISTANCE OF 100.93 FEET TO THE **POINT OF BEGINNING** AND CONTAINING A CALCULATED AREA OF 70.035 ACRES, OR 3,050,723 SQUARE FEET OF LAND.

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, 287 WAXAHACHIE, L.P., ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICER, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS SADDLEBROOK ESTATES, PHASE 4, AN ADDITION TO THE CITY OF WAXAHACHIE, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED FOR THE PUBLIC USE FOREVER, FOR THE PURPOSE INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHIE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF WAXAHACHIE'S USE THEREOF. THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

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

WITNESS, MY HAND, THIS THE _____ DAY OF _____, 2024.

287 WAXAHACHIE, L.P., A TEXAS LIMITED PARTNERSHIP

BY: CENTAMTAR TERRAS, L.L.C.,
A TEXAS LIMITED LIABILITY COMPANY,
ITS GENERAL PARTNER

BY: CTMGT, L.L.C.
A TEXAS LIMITED LIABILITY COMPANY
ITS GENERAL MANAGER

BY: _____
MEHRDAD MOAYEDI, MANAGER

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED MEHRDAD MOAYEDI, KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL THIS _____, DAY OF _____, 2024.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT I, MICHAEL J. BAITUP, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, HAVING PLATTED THE ABOVE SUBDIVISION FROM AN ACTUAL SURVEY ON THE GROUND; AND THAT ALL LOT CORNERS, AND ANGLE POINTS, AND POINTS OF CURVE SHALL BE PROPERLY MARKED ON THE GROUND, AND THAT THIS PLAT CORRECTLY REPRESENTS THAT SURVEY MADE BY ME OR UNDER MY DIRECTION AND SUPERVISION.

DATED THIS THE _____ DAY OF _____ 2024.

FOR REVIEW & COMMENT ONLY

_____
MICHAEL J. BAITUP
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4574

STATE OF TEXAS — MICHAEL J. BAITUP — 4574 — REGISTERED PROFESSIONAL LAND SURVEYOR

FOR REVIEW & COMMENT ONLY

CITY APPROVAL OF PLAT	
APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE	
_____ CHAIR PERSON	_____ DATE
_____ ATTEST	_____ DATE

CITY APPROVAL OF PLAT	
APPROVED BY: CITY COUNCIL CITY OF WAXAHACHIE	
_____ MAYOR	_____ DATE
_____ ATTEST	_____ DATE

PLAT
OF
SADDLEBROOK ESTATES
PHASE 4
LOTS 1-10 & 1X, BLOCK A;
LOTS 1-10 & 21-30, BLOCK C;
LOTS 1-8, BLOCK E; LOTS 1-17, BLOCK F;
LOTS 1-15, BLOCK G; LOTS 1-10, BLOCK L;
LOTS 1-39, BLOCK M; LOTS 1-14, BLOCK N;
LOTS 1-28, BLOCK O; LOTS 1-13, BLOCK Q;
LOTS 1-31 & 1X, BLOCK R; LOTS 1-6, BLOCK SS;
LOTS 29-31 & 1X, BLOCK T; LOTS 1-16, BLOCK V
AND LOTS 1-16, BLOCK W

AN ADDITION TO THE
CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS
252 RESIDENTIAL LOTS
5 PUBLIC OPEN SPACES
70.035 ACRES
ZONED: MUSTANG CREEK PD
OUT OF
THE G. CARPENTER SURVEY, ABSTRACT NO. 190

CASE NO. SUB-213-2021 Date: APRIL 2024 JOB NO. 0019

S:\KITT-JAD\0019\200 SURVEY\200 Mapping\0019P407-PH4.dwg 4/2/2024

Planning & Zoning Department

Plat Staff Report

Case: SUB-73-2024

MEETING DATE(S)

Planning & Zoning Commission: May 14, 2024
City Council: May 20, 2024

CAPTION

Present a request by Jason Luke, LJA Engineering, for a **Plat** of Saddlebrook Estates Phase 4C, 131 residential lots and 5 open space lots, being 36.665 acres, located approximately 2,000 feet northeast of 147 Charismatic Road, situated in the G. Carpenter Survey, Abstract 190, an addition to the City of Waxahachie (Property ID: 189842) – Owner: 287 Waxahachie LP (SUB-72-2024) Staff: Zack King

RECOMMENDED MOTION

"I move to recommend approval of SUB-73-2024, a Plat of Saddlebrook Estates Phase 4C, and the associated variance request, subject to the conditions the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

The applicant requests to plat the subject property into 131 residential lots and 5 open space lots as part of the Saddlebrook Estates Phase 4C subdivision.

CASE INFORMATION

Applicant:	Jason Luke, LJA Engineering
Property Owner(s):	287 Waxahachie LP
Site Acreage:	36.665 acres
Number of Lots:	136 lots
Number of Dwelling Units:	131 units
Park Land Dedication:	The proposed plat provides park land in accordance to the Planned Development zoning on the property.
Adequate Public Facilities:	Adequate public facilities are available to the subject property.

SUBJECT PROPERTY

General Location:	Approximately 2,000 feet northeast of 147 Charismatic Road
Parcel ID Number(s):	189842
Current Zoning:	Planned Development (PD) – Ordinance 2302 & 3252
Existing Use:	The subject property is currently undeveloped.
Platting History:	The subject property is not currently platted.

Site Aerial:



PLANNING ANALYSIS

The applicant proposes to plat the subject property into 131 residential lots and 5 open space lots as part of the Saddlebrook Estates Phase 4C subdivision. The subject property is currently zoned Planned Development (Ord. 2302 & 3252). The design of the proposed subdivision is intended to adhere to the lot size and dimension requirements and the lot distribution requirements of Ordinance 2302. The proposed plat includes open space lots that will serve to meet the park requirements of Ordinance 2302.

As part of the review of the plat application, staff identified multiple technical errors that conflict with the requirements of the Waxahachie Subdivision Ordinance. These technical errors are required to be corrected prior to the filing of the plat. The correction of each error has been identified as a condition of approval in the staff recommendation section below.

Variance Request

The applicant requests a variance from Section 3.3.a of the Waxahachie Subdivision Ordinance, which requires a 15' utility easement to be provided along Saratoga Drive. Previous phases of Saddlebrook Estates have provided this 15' utility easement; but this has caused a maintenance conflict with the 6' masonry screening wall along Saratoga Drive. To avoid this conflict in the future and allow for the in-line extension of the existing screening wall, the applicant is requesting to eliminate the requirement to provide a 15' utility easement along Saratoga Drive. The applicant has confirmed that franchise utilities can be provided to the subdivision without extending along Saratoga Drive. Due to this, staff is supportive of the variance request.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the Plat request subject to the conditions listed below.

Conditions:

1. Per Section 2.2.a of the Waxahachie Subdivision Ordinance, compliance with the existing zoning of the subject property is required for all plats. In this case, the Planned Development (PD) zoning of the subject property requires a minimum lot size of 8,000 square feet. Adjust the size the size of Lot 40, Block M accordingly.

Conditions (continued):

2. Per Section 2.3.a.2 of the Waxahachie Subdivision Ordinance, Label the existing easement width and recording information. Perform a title search to locate all easements on the property.
3. Per Section 2.4.c.1 of the Waxahachie Subdivision Ordinance, a correct vicinity map needs to be provided. The current vicinity map appears to display Saddlebrook Estates Phase 3.
4. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, only easements need to be shown on the plat, not build lines (setbacks). Remove setback lines from the lots on the plat.
5. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, all proposed easements need to be drawn and labeled on the plat. Please add the 2' sidewalk easement on the platted lots. Note that it is an option to reduce the pavement down to 28' wide and eliminate the 2' sidewalk easements altogether.
6. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, street name approval is required at the time of platting. Please note that the following street names are unavailable. (These streets are highlighted in blue.) Please provide 2 alternative street names for EACH of the following: 1) APOLLO 2) BARTON 3) CASTOR 4) EBONY 5) IRON LEIGE.
7. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, all proposed easements need to be drawn and labeled on the plat. Please add the 2' sidewalk easement on the platted lots. Add a label for the existing sanitary sewer easement.
8. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, prior to plat filing, instrument numbers are required to be noted on the plat for all easements created by separate instrument.
9. Per Section 2.4.c.12 of the Waxahachie Subdivision Ordinance, floodplain information must be reported correctly on the plat. The FEMA panel information currently referenced is out of date. Please update per the October 2023 PMR.
10. Per Section 2.4.c.22 of the Waxahachie Subdivision Ordinance- Please provide GPS Coordinates (northing, easting) for the POB and one additional corner of the property. Please verify these coordinates for the point of commencing are correct. They are identical to the POB of Saddlebrook Phase 3, however, this point georeferences to a location about 4,425' away.
11. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. Please revise the Case Number to "SUB-73-2024" in the title bock.
12. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. Please the lot count to identify the total number of residential lots and the correct number of "X" lots (5).
13. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. Please revise the name of this portion of the subdivision to properly reflect the phasing. (This area is labeled as Phase 4**B** in the plat for the remaining portion of phase 4.)
14. Per Section 2.4.c.25 of the Waxahachie Subdivision Ordinance, the Planning & Zoning Commission will be the final approval authority for the plat if no variances or Petitions for Relief/Hardship are requested. Provide staff with a written variance request or remove this line for City Council Approval if no variance is requested.
15. Section 3.1.a of the Waxahachie Subdivision Ordinance requires easement placement in conformance with City policy. a sewer easement should not cross through a residential lot in this manner.
16. Per Section 3.1.c.3 of the Waxahachie Subdivision Ordinance, ensure the traffic impact analysis is updated with the information from this phase.
17. Per section 3.1.r of the Waxahachie Subdivision Ordinance - A temporary turn around will be required at stubs with lots that have driveways off the Argo Lane stub.
18. Per Section 3.3.a of the Waxahachie Subdivision Ordinance, a 15' Utility Easement is required adjacent to all right-of-way (ROW). Clarify whether you are requesting a variance from the 15ft UE requirement?

Conditions (continued):

19. Per Section 3.9.a of the Waxahachie Subdivision Ordinance, Water and sewer services are required for each lot prior to filing the plat.
20. Per Section 3.10.a of the Waxahachie Subdivision Ordinance, approval of the Stormwater Collection/Conveyance System is required. To demonstrate adequate detention for this phase, confirm whether any additional X lots be needed for detention to handle increases in runoff? Additionally, confirm whether detention for Phase 4 be fully handled by the proposed pond on 1X Block R?
21. Per Section 4.3.d.1 of the Subdivision Ordinance, add a note documenting the HOA requirement to be responsible for "The maintenance and operation of all common property".
22. Per Section 5.7.a.3 of the Waxahachie Subdivision Ordinance, "Where subdivisions are platted so that the rear or side yards of single-family or two-family residential lots are adjacent to an arterial thoroughfare (greater than sixty (60) feet in right-of-way width on the Thoroughfare Plan) or back up to a collector or residential street, the developer shall provide, at his sole expense, screening according to the following alternatives and standards. All screening shall be adjacent to the right-of-way or property line. All forms of screening shall conform to the requirements of other ordinances in the City governing sight distance for traffic safety. Trees shall be planted within the landscape buffer. The total number of caliper inches of the trees shall be equal to or exceed one (1) caliper inch per ten (10) linear feet of frontage of the landscape buffer. Minimum tree size shall be three (3) caliper inches. A single species of tree shall not exceed forty (40) percent of the plantings. These will be required to be irrigated. Any screening items will be maintained by the Home Owners Association." Add a note to the plat documenting the requirements of Section 5.7 of the Waxahachie Subdivision Ordinance will be met via HOA maintenance of a 10' landscape buffer within the Saratoga Drive ROW.
23. Per Section 5.7.a.3 of the Waxahachie Subdivision Ordinance, a 5' wall maintenance easement (WME) is required to be provided on residential lots that have a back or side property line adjacent to a major thoroughfare. The 5' WME shall be directly adjacent to the major thoroughfare.
24. Per Section 5.7.a.8 of the Waxahachie Subdivision Ordinance, screening fences/walls shall not be constructed parallel to and within any portion of a utility easement unless written provisions are made and approved by the Public Works and Engineering Director for access and maintenance of the utility easement. Add a note to the plat documenting this requirement.

ATTACHED EXHIBITS

1. Plat

APPLICANT REQUIREMENTS

1. If approved by Planning & Zoning Commission, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
    a. If comments were not satisfied, then the applicant will be notified to make corrections.
    b. If all comments were satisfied, then the applicant shall provide five signed, hard-copy plats.

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:
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Senior Planner
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Reviewed by:
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Senior Director of Planning
jennifer.pruitt@waxahachie.com

Item 41&42



LEGEND

BL	BUILDING LINE
PUE	PUBLIC UTILITY EASEMENT
PWME	PRIVATE WALL MAINTENANCE EASEMENT
S&SWE	STREET & SIDEWALK EASEMENT
UE	UTILITY EASEMENT
IRF	IRON ROD FOUND
"C&B"	5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" FOUND
"JACOBS"	5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JACOBS" FOUND
CIRS	5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET
P.R.E.C.T.	PLAT RECORDS, ELLIS COUNTY, TEXAS
O.P.R.E.C.T.	OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
◆	STREET NAME CHANGE

GENERAL NOTES:

1. BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 DATUM (NAD83 2011, EPOCH DATE 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM ELLIS CORS ARP (PID-DF8988), AND DALLAS CORS ARP (PID-DF8984).
2. ALL CORNERS ARE SET WITH A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "LJA SURVEYING", UNLESS OTHERWISE NOTED.
3. FLOOD ZONE DESIGNATION AND GRAPHICAL REPRESENTATION FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 48139C0350F, WITH AN EFFECTIVE DATE OF JUNE 3, 2013. THIS SITE RESIDES WITHIN ZONE X.

BENCHMARKS

RR SPIKE SET IN POWER POLE LOCATED ON THE NORTH SIDE OF US HWY 287 APPROX 0.6 MILES SOUTH OF THE INTERSECTION AT THE UNDERPASS OF SPUR 394 AND US HWY 287

ELEV= 525.15'

RR SPIKE SET IN POWER POLE LOCATED ON THE NORTH SIDE OF US HWY 287 APPROX 1.3 MILES SOUTH OF THE INTERSECTION AT THE UNDERPASS OF SPUR 394 AND US HWY 287 APPOROX 1.0 MILE NORTH OF THE INTERSECTION OF PARKS SCHOOL AND US HWY 287

ELEV= 510.30'

SQUARE CUT IN SOUTH END OF NORTH HEADWALL OF BOX CULVERT UNDER US HWY 287 APPROX 0.8 MILES NORTH OF THE INTERSECTION OF PARKS SCHOOL ROAD AND US HWY 287

ELEV= 498.94'

CURVE	CENTRAL ANGLE	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	84°00'24"	50.00'	S84°07'27"W	66.92'	73.31'
C2	23°33'23"	10.00'	S53°53'57"W	4.08'	4.11'
C3	12°04'51"	490.00'	N24°27'43"W	103.13'	103.32'
C4	12°05'10"	250.00'	N24°27'53"W	52.64'	52.74'
C5	12°05'10"	250.00'	N65°32'07"E	52.64'	52.74'
C6	6°11'06"	500.00'	N62°35'05"E	53.95'	53.97'
C7	6°11'06"	500.00'	N62°35'05"E	53.95'	53.97'
C8	6°11'06"	250.00'	N27°24'55"W	26.97'	26.99'
C9	23°33'23"	10.00'	N30°11'59"W	4.08'	4.11'
C10	125°01'37"	50.00'	N20°32'07"E	88.71'	109.11'
C11	23°33'23"	10.00'	N71°16'14"E	4.08'	4.11'
C12	23°33'23"	10.00'	N42°17'09"W	4.08'	4.11'
C13	137°06'47"	50.00'	N14°29'32"E	93.08'	119.65'
C14	23°33'23"	10.00'	N71°16'14"E	4.08'	4.11'
C15	23°33'23"	10.00'	N47°42'51"E	4.08'	4.11'
C16	137°06'47"	50.00'	S75°30'28"E	93.08'	119.65'
C17	23°33'23"	10.00'	S18°43'46"E	4.08'	4.11'
C18	23°33'23"	10.00'	S36°06'03"E	4.08'	4.11'
C19	137°06'47"	50.00'	S20°40'38"W	93.08'	119.65'
C20	23°33'23"	10.00'	S77°27'20"W	4.08'	4.11'

LINE	BEARING	DISTANCE
L1	S65°40'38"W	100.93'
L2	S36°07'39"W	17.90'
L3	S65°40'38"W	1.00'
L4	S65°40'38"W	95.02'
L5	N24°19'22"W	122.00'
L6	N30°30'28"W	105.00'
L7	N14°29'32"E	14.14'
L8	N30°30'28"W	50.00'
L9	N75°30'28"W	14.14'
L10	N30°30'28"W	105.00'
L11	S67°03'42"W	20.09'
L12	S71°34'42"W	99.14'
L13	S18°25'18"E	21.54'
L14	S18°25'18"E	28.32'
L15	S26°34'42"W	14.14'
L16	S71°34'42"W	95.00'
L17	N63°25'18"W	14.14'
L18	N30°30'09"W	19.36'
L19	S69°27'53"E	25.72'
L20	N30°30'28"W	50.00'
L21	N71°34'42"E	50.00'
L22	N30°30'28"W	140.00'
L23	S75°30'28"E	28.28'
L24	N65°40'38"E	44.98'
L25	N69°19'22"W	28.28'
L26	N30°30'28"W	50.00'
L27	S14°29'32"W	28.28'
L28	N30°30'28"W	115.00'
L29	N30°30'28"W	115.00'
L30	S14°29'32"W	14.14'
L31	N20°32'07"E	15.55'
L32	S30°30'28"E	24.41'
L33	S75°30'28"E	14.14'

LINE	BEARING	DISTANCE
L34	N63°25'18"W	14.14'
L35	N71°34'42"E	25.00'
L36	S14°29'32"W	14.14'
L37	S75°30'28"E	14.14'
L38	N14°29'32"E	14.14'
L39	S75°30'28"E	14.14'
L40	N26°34'42"E	14.14'
L41	N65°40'38"E	115.00'
L42	N69°19'22"W	14.14'
L43	N30°30'28"W	114.97'
L44	N30°30'28"W	115.00'
L45	N30°30'28"W	115.00'
L46	N30°30'28"W	115.00'
L47	S14°29'32"W	14.14'
L48	N75°30'28"W	14.14'
L49	N14°29'32"E	14.14'
L50	S30°30'28"E	70.00'
L51	N75°30'28"W	14.14'
L52	N24°19'22"W	87.00'
L53	S20°40'38"W	14.14'
L54	N30°30'28"W	70.41'
L55	S75°30'28"E	14.14'
L56	N62°40'24"E	77.55'
L57	N65°40'38"E	75.00'
L58	S20°40'38"W	14.14'
L59	N24°19'22"W	70.00'
L60	S69°19'22"E	14.14'
L61	N14°29'32"E	14.14'
L62	S20°40'38"W	14.14'
L63	N24°19'22"W	70.00'
L64	S69°19'22"E	14.14'
L65	N20°40'38"E	14.14'

PLAT
OF
SADDLEBROOK ESTATES
PHASE 4C
LOTS 1-16 & 1X, BLOCK B; LOTS 11-20, BLOCK C;
LOTS 1-10, BLOCK D; LOTS 9-16, BLOCK E;
LOTS 1-23 & 1X-2X, BLOCK H; LOTS 1-20, BLOCK J;
LOTS 1-23, BLOCK K; LOTS 11-23, BLOCK L
AND LOTS 40-47 & 1X, BLOCK M

AN ADDITION TO THE
CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS
RESIDENTIAL LOTS
4 PUBLIC OPEN SPACES
36.665 ACRES
ZONED: MUSTANG CREEK PD
OUT OF
THE G. CARPENTER SURVEY, ABSTRACT NO. 190

CASE NO. SUB-213-2021 Date: APRIL 2024 JOB NO. 0019

S:\NTX-LAND\0019\200 SURVEY\290 Mapping\0019PA07-Ph4C.dwg 4/2/2024

OWNER'S CERTIFICATE

STATE OF TEXAS)(
COUNTY OF ELLIS)(

BEING A 36.665 ACRE TRACT OF LAND SITUATED IN THE GEORGE CARPENTER SURVEY, ABSTRACT NO. 190, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING A PART OF A CALLED 233.182 ACRE TRACT OF LAND CONVEYED TO 287 WAXAHACHIE, L.P., AS RECORDED IN VOLUME 2024, PAGE 886, OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS AND PART OF A CALLED 226.000 ACRE TRACT OF LAND CONVEYED TO 287 WAXAHACHIE, L.P., AS RECORDED IN COUNTY CLERK'S FILE NO. 1808887, OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS, SAID 36.665 ACRE TRACT, WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE 4202, NAD83 DATUM (NAD83 (2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS CALCULATED FROM ELLIS CORS ARP (PID-DF8988) AND ARLINGTON RRP2 CORS ARP (PID-DF5387) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING AT A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JACOBS" FOUND FOR A NORTHEAST CORNER OF SAID 226.00 ACRE TRACT, SAID POINT BEING ON THE NORTHEAST LINE OF SAID 233.182 ACRE TRACT, FROM WHICH A 1/2 INCH IRON ROD FOUND BEARS NORTH 24 DEGREES 19 MINUTES 05 SECONDS WEST, A DISTANCE OF 25.64 FEET;

THENCE, SOUTH 24 DEGREES 19 MINUTES 22 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID 233.182 ACRE TRACT, PASSING AT A DISTANCE OF 1,117.14 FEET A 5/8 INCH IRON ROD YELLOW PLASTIC CAP STAMPED "JACOBS" FOUND FOR THE EAST CORNER OF SAID 226.000 ACRE TRACT, CONTINUING IN ALL A TOTAL DISTANCE OF 1,333.78 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

THENCE, OVER AND ACROSS SAID 233.182 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 65 DEGREES 40 MINUTES 38 SECONDS WEST, A DISTANCE OF 100.93 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

SOUTH 36 DEGREES 07 MINUTES 39 SECONDS WEST, A DISTANCE OF 17.90 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 84 DEGREES 00 MINUTES 24 SECONDS, A RADIUS OF 50.00 FEET AND A LONG CHORD THAT BEARS SOUTH 84 DEGREES 07 MINUTES 27 SECONDS WEST, A DISTANCE OF 66.92 FEET;

ALONG SAID NON-TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 73.31 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER AND THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 23 DEGREES 33 MINUTES 23 SECONDS, A RADIUS OF 10.00 FEET AND A LONG CHORD THAT BEARS SOUTH 53 DEGREES 53 MINUTES 57 SECONDS WEST, A DISTANCE OF 4.08 FEET;

ALONG SAID REVERSE CURVE TO THE RIGHT, AN ARC DISTANCE OF 4.11 FEET A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

SOUTH 65 DEGREES 40 MINUTES 38 SECONDS WEST, A DISTANCE OF 1.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

NORTH 24 DEGREES 19 MINUTES 22 SECONDS WEST, PASSING THE SOUTH LINE OF AFORESAID 226.000 ACRE TRACT, A DISTANCE OF 282.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

THENCE, CONTINUING OVER AND ACROSS SAID 226.000 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 65 DEGREES 40 MINUTES 38 SECONDS WEST, A DISTANCE OF 95.02 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

NORTH 24 DEGREES 19 MINUTES 22 SECONDS WEST, A DISTANCE OF 122.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

SOUTH 65 DEGREES 40 MINUTES 38 SECONDS WEST, A DISTANCE OF 304.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

SOUTH 59 DEGREES 29 MINUTES 32 SECONDS WEST, A DISTANCE OF 434.76 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

NORTH 30 DEGREES 30 MINUTES 28 SECONDS WEST, A DISTANCE OF 105.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

NORTH 14 DEGREES 29 MINUTES 32 SECONDS EAST, A DISTANCE OF 14.14 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

NORTH 30 DEGREES 30 MINUTES 28 SECONDS WEST, A DISTANCE OF 50.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

NORTH 75 DEGREES 30 MINUTES 28 SECONDS WEST, A DISTANCE OF 14.14 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

NORTH 30 DEGREES 30 MINUTES 28 SECONDS WEST, A DISTANCE OF 105.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

SOUTH 59 DEGREES 29 MINUTES 32 SECONDS WEST, A DISTANCE OF 583.52 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

SOUTH 67 DEGREES 03 MINUTES 42 SECONDS WEST, A DISTANCE OF 20.09 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

SOUTH 71 DEGREES 34 MINUTES 42 SECONDS WEST, A DISTANCE OF 99.14 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

SOUTH 18 DEGREES 25 MINUTES 18 SECONDS EAST, A DISTANCE OF 21.54 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

SOUTH 71 DEGREES 34 MINUTES 42 SECONDS WEST, A DISTANCE OF 280.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

SOUTH 18 DEGREES 25 MINUTES 18 SECONDS EAST, A DISTANCE OF 28.32 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

SOUTH 26 DEGREES 34 MINUTES 42 SECONDS WEST, A DISTANCE OF 14.14 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

SOUTH 71 DEGREES 34 MINUTES 42 SECONDS WEST, A DISTANCE OF 95.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER AT THE EAST END OF A CORNER CLIP AT THE INTERSECTION OF THE NORTHEAST RIGHT-OF-WAY LINE OF SARATOGA DRIVE (AN 80' RIGHT-OF-WAY) AND THE NORTHWEST CORNER OF FERDINAND STREET, SAID POINT BEING ON THE EAST LINE OF SADDLEBROOK ESTATES, PHASE 3, AN ADDITION TO THE CITY OF WAXAHACHIE, TEXAS, AS RECORDED IN CABINET ___, PAGE ____, PLAT RECORDS, ELLIS COUNTY, TEXAS;

THENCE, NORTH 63 DEGREES 25 MINUTES 18 SECONDS WEST, CONTINUING OVER AND ACROSS SAID 226.000 ACRE TRACT, ALONG SAID CORNER CLIP AND SAID EAST LINE OF SADDLEBROOK ESTATES, PHASE 3, A DISTANCE OF 14.14 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

THENCE, CONTINUING OVER AND ACROSS SAID 226.000 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

NORTH 18 DEGREES 25 MINUTES 18 SECONDS WEST, A DISTANCE OF 399.59 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12 DEGREES 04 MINUTES 51 SECONDS, A RADIUS OF 490.00 FEET AND A LONG CHORD THAT BEARS NORTH 24 DEGREES 27 MINUTES 43 SECONDS WEST, A DISTANCE OF 103.13 FEET;

ALONG SAID TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 103.32 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

NORTH 30 DEGREES 30 MINUTES 09 SECONDS WEST, A DISTANCE OF 19.36 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER ON THE NORTH LINE OF SAID 226.000 ACRE TRACT;

THENCE, NORTH 59 DEGREES 29 MINUTES 32 SECONDS EAST, ALONG SAID NORTH LINE OF 226.000 ACRE TRACT, A DISTANCE OF 2116.82 FEET TO THE **POINT OF BEGINNING** AND CONTAINING A CALCULATED AREA OF 36.665 ACRES, OR 1,597,126 SQUARE FEET OF LAND.

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, 287 WAXAHACHIE, L.P., ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICER, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS SADDLEBROOK ESTATES, PHASE 4C, AN ADDITION TO THE CITY OF WAXAHACHIE, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED FOR THE PUBLIC USE FOREVER, FOR THE PURPOSE INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHIE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF WAXAHACHIE'S USE THEREOF. THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

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

WITNESS, MY HAND, THIS THE _____ DAY OF _____, 2024.

287 WAXAHACHIE, L.P., A TEXAS LIMITED PARTNERSHIP

BY: CENTAMTAR TERRAS, L.L.C.,
A TEXAS LIMITED LIABILITY COMPANY,
ITS GENERAL PARTNER

BY: CTMGT, L.L.C.
A TEXAS LIMITED LIABILITY COMPANY
ITS GENERAL MANAGER

BY: _____
MEHRDAD MOAYEDI, MANAGER

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED MEHRDAD MOAYEDI, KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL THIS _____, DAY OF _____, 2024.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT I, MICHAEL J. BAITUP, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, HAVING PLATTED THE ABOVE SUBDIVISION FROM AN ACTUAL SURVEY ON THE GROUND; AND THAT ALL LOT CORNERS, AND ANGLE POINTS, AND POINTS OF CURVE SHALL BE PROPERLY MARKED ON THE GROUND, AND THAT THIS PLAT CORRECTLY REPRESENTS THAT SURVEY MAKE BY ME OR UNDER MY DIRECTION AND SUPERVISION.

DATED THIS THE _____ DAY OF _____, 2024.

FOR REVIEW & COMMENT ONLY

_____
MICHAEL J. BAITUP
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4574

STATE OF TEXAS · REGISTERED · SURVEYOR
FOR REVIEW & COMMENT ONLY
PROFESSIONAL LAND SURVEYOR

CITY APPROVAL OF PLAT	
APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE	
_____ CHAIR PERSON	_____ DATE
_____ ATTEST	_____ DATE

CITY APPROVAL OF PLAT	
APPROVED BY: CITY COUNCIL CITY OF WAXAHACHIE	
_____ MAYOR	_____ DATE
_____ ATTEST	_____ DATE

PLAT
OF
SADDLEBROOK ESTATES
PHASE 4C

LOTS 1-16 & 1X, BLOCK B; LOTS 11-20, BLOCK C;
LOTS 1-10, BLOCK D; LOTS 9-16, BLOCK E;
LOTS 1-23 & 1X-2X, BLOCK H; LOTS 1-20, BLOCK J;
LOTS 1-23, BLOCK K; LOTS 11-23, BLOCK L
AND LOTS 40-47 & 1X, BLOCK M

AN ADDITION TO THE
CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS
RESIDENTIAL LOTS
4 PUBLIC OPEN SPACES
36.665 ACRES
ZONED: MUSTANG CREEK PD
OUT OF
THE G. CARPENTER SURVEY, ABSTRACT NO. 190

CASE NO. SUB-213-2021 Date: APRIL 2024 JOB NO. 0019

S:\WTR-JAND\0019\200 SURVEY\200 Mapping\0019PA07-PHAC.dwg 4/2/2024