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, August 13, 2024 at 7:00 p.m***.

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

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. ***Consent Agenda***

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

   a. Minutes of the regular Planning & Zoning Commission meeting of July 23, 2024

5. ***Public Hearing*** on a request by Michael Jackson, for a Specific Use Permit (SUP) for a Food Manufacturing or Processing Plant use within a Planned Development-Light Industrial-2 zoning district located at the southwest corner of Marshall Road and Solon Road (Property ID 284811) - Owner: WJ South Grove LP (ZDC-141-2024) Staff: Zack King

6. ***Consider*** recommendation of ZDC-141-2024

7. ***Public Hearing*** on a request by Tim Jackson, R.P.L.S., for a Replat of Lots 13A and 13B, Block 63 town addition of the Official Map of Waxahachie, 1 Residential lot, being 0.45 acres, located at 602 Dr. Martin Luther King JR. Blvd, (Property ID 170996) – Owner: Vanessa Severson (SUB-113-2024) Staff: Harper Lindamood

8. ***Consider*** recommendation of SUB-113-2024

9. ***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: Juan Flores (ZDC-140-2024) Staff: Harper Lindamood

10. ***Consider*** recommendation of ZDC-140-2024

11. ***Public Hearing*** on a request by DeMaudree Massey, Friendship Baptist Church, for a Specific Use Permit (SUP) for a Day Camp for Children use within a Single Family-3 (SF-3) zoning district located at 203 Graham Street (Property ID 193551 & 295840) - Owner: Friendship Missionary Baptist Church of Waxahachie (ZDC-122-2024) Staff: Zack King

12. ***Consider*** recommendation of ZDC-122-2024

13. ***Public Hearing*** on a request by Randall Speed, for a Zoning Change from a Future Development (FD) zoning district to Planned Development-Future Development (PD-FD) zoning district located at 2867 Howard Road, (Property ID 204646) - Owner: Randall Speed (ZDC-97-2024) Staff: Zack King

14. ***Consider*** recommendation of ZDC-97-2024

15. 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.

Planning and Zoning Commission
July 23, 2024

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, July 23, 2024 at 7:00 p.m.

Members Present:	Rick Keeler, Chairman Erik Test, Vice Chairman Bonney Ramsey David Hudgins Ron Ansell Marlene Norcross Jeff Reed
Others Present:	Jennifer Pruitt, Senior Director of Planning Zack King, Senior Planner Oanh Vu, Senior Planner Harper Lindamood, Planner Macey Martinez, City Engineer Amber Villarreal, City Secretary Patrick Souter, Council Representative

1. Call to Order
2. Invocation

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

3. Public Comments

None.

4. Consent Agenda

a. Minutes of the regular Planning & Zoning Commission meeting of July 8, 2024
b. Consider a request by Ryan Kelly, EAN Holdings LLC, for a Replat of the CSP1 Addition, to create Lot 2R, Block A, being 1.0045 acres, located at directly South of 2409 N US Highway 77 (Property ID 289375) – Owner: EAN Holdings LLC (SUB-143-2024)
c. Consider a request by James Johnston, for a Plat of Lots 1 and 11X, Block A WOC addition of the Official Map of Waxahachie, being 4.394-acres, located at Highway 287 N access road approx. 1-mile West of Ovilla road, (Property ID 295243) – Owner: Montclair development a series of EIS development II LLC (SUB-144-2024)

Action:
Bonney Ramsey moved to approve the Consent Agenda as recommended by staff. Motion was seconded by David Hudgins and carried unanimously (7-0).

5. Public Hearing on a request by Jose Perez, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Residential-2 (SF-2) zoning district

located at 131 Vanderbilt Lane (Property ID 172836) – Owner(s): Jose & Maria Perez (ZDC-131-2024) Staff: Oanh Vu

The Item was presented by Senior Planner Oanh Vu and owner Jose Perez requested approval. The applicant requested an SUP for short-term rental use at 131 Vanderbilt Lane because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 2,040 square feet, built in 1969 with three (3) bedrooms, two (2) bathrooms and enough improved surface to accommodate for the maximum parking spaces of three (3) vehicles. The subject property is situated on an approximately 0.239 acres (10,410 square feet) lot. The applicant has been operating a short-term rental since approximately July 2021 and has not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant submitted the SUP application on June 12, 2024.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered two (2) noise and disturbance-related calls had been made regarding the subject property and its current use in the past 12 months. The first call was made on December 18, 2023, regarding a civil matter. The second call was made on December 25, 2023, regarding noise disturbance. The applicant's local emergency contact is located approximately 9.8 miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 41 notices were mailed to property owners within 500 feet of the property 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 three (3) letters of opposition and three (3) letters of support were received by staff, with one (1) letter of opposition and one (1) letter of support being inside the 200' buffer.

Commissioners discussed with the owner, Jose Perez, the ordinance restricting off-street parking for short-term rentals and encouraged the host rules be updated to reflect that information. Staff noted the ordinance and rules are provided on the City website and they will also provide a printed copy of the information to the applicant.

Chairman Keeler opened the Public Hearing at approximately 7:19 p.m.

Those who spoke in favor:
Sharles Edwards, 104 Sweetleaf Drive, Red Oak, Texas,

There being no others to speak for or against ZDC-131-2024, Chairman Keeler closed the Public Hearing at approximately 7:26 p.m.

6. Consider recommendation of ZDC-131-2024

Action:
David Hudgins moved to recommend approval of ZDC-131-2024, 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, requiring host rules and regulations be

amended to specify no off-street parking, prohibition of parties, specifying number of guests, and other City restrictions. Motion was seconded by Ron Ansell and carried 6-1 with Marlene Norcross voting in opposition.

7. Public Hearing on a request by Jose Perez, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Residential-2 (SF-2) zoning district located at 137 Vanderbilt Lane (Property ID 172839) – Owner(s): Jose Perez (ZDC-129-2024) Staff: Oanh Vu

The Item was presented by Ms. Vu and owner Jose Perez requested approval. The applicant requested an SUP for short-term rental use at 137 Vanderbilt Lane because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,918 square feet, built in 1969 with three (3) bedrooms, two (2) bathrooms and enough improved surface to accommodate for the maximum parking spaces of three (3) vehicles. The subject property is situated on an approximately 0.239 acres (10,410 square feet) lot. The applicant has been operating a short-term rental since approximately April 2021 and has not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant submitted the SUP application on June 12, 2024.

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 located approximately 9.7 miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 50 notices were mailed to property owners within 500 feet of the property 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 three (3) letters of opposition and two (2) letters of support were received by staff, with one (1) letter of opposition and no letters of support being inside the 200' buffer.

Mr. Perez asked for clarification on the required inspection for short-term rentals and Senior Director of Planning Jennifer Pruitt explained there is a specific list of items listed on the City website and staff will also provide a copy to the applicant.

Chairman Keeler opened the Public Hearing at approximately 7:37 p.m.

There being no others to speak for or against ZDC-129-2024, Chairman Keeler closed the Public Hearing at approximately 7:38 p.m.

8. Consider recommendation of ZDC-129-2024

Action:
Ron Ansell moved to recommend approval of ZDC-129-2024, 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 Jeff Reed and carried 6-1 with Marlene Norcross voting in opposition.

9. Public Hearing on a request by Jose Perez, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Residential-2 (SF-2) zoning district located at 103 Johnston Boulevard (Property ID 174978) – Owner(s): Jose & Maria Perez (ZDC-130-2024) Staff: Oanh Vu

The Item was presented by Ms. Vu and owner Jose Perez requested approval. The applicant requested an SUP for short-term rental use at 103 Johnston Boulevard because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,538 square feet, built in 1983 with three (3) bedrooms, two (2) bathrooms and enough improved surface to accommodate for the maximum parking spaces of three (3) vehicles. The subject property is situated on an approximately 0.177 acres (7,710 square feet) lot. The applicant has been operating a short-term rental since approximately September 2022 and the applicant has not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant submitted the SUP application on June 12, 2024.

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 located approximately 9.5 miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 109 notices were mailed to property owners within 500 feet of the property 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 thirteen (13) letters of opposition and one (1) letter of support were received by staff, with three (3) letters of opposition and no letters of support being inside the 200' buffer. Staff confirmed four (4) additional letters of opposition received since the posting of the agenda.

Chairman Keeler opened the Public Hearing at approximately 7:45 p.m.

Those who spoke in opposition:
Walter Watson, 202 San Jacinto, Waxahachie, Texas

Chris Wright, 808 W. Marvin, Waxahachie, Texas, asked if Staff requires proof confirming how long the applicants have been operating short-term rentals and Ms. Pruitt noted they do not; however, they can if that is Council's direction.

Nancy Morrill, 209 Johnston Blvd, Waxahachie, Texas, confirmed the proposed short-term rental will not allow for off-street parking, and Chairman Keeler concurred.

There being no others to speak for or against ZDC-130-2024, Chairman Keeler closed the Public Hearing at approximately 8:03 p.m.

Council Member Patrick Souter explained he considers neighbor opposition and encouraged the Commission to include additional motion language for consistency with ZDC-131-2024 and Executive Director of Development Services Shon Brooks noted Staff can update the recommendation for all three of Mr. Perez's requests to be presented to City Council.

10. Consider recommendation of ZDC-130-2024

Action:
David Hudgins moved to recommend approval of ZDC-130-2024, 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, requiring host rules and regulations be amended to specify no off-street parking, prohibition of parties, specifying number of guests, and other City restrictions. Motion was seconded by Erik Test and carried 6-1 with Marlene Norcross voting in opposition.

11. Public Hearing on a request by Demi Oyerokun for a Specific Use Permit (SUP) for a Minor Auto Repair Shop use within a General Retail (GR) zoning district located at 1011 US HWY 77, Suite 109 (Property ID 173186) – Owner: Marline Six LLC (ZDC-124-2024) Staff: Harper Lindamood

The Item was presented by Planner Harper Lindamood. The applicant requested a Specific Use Permit for an Auto Repair, Minor or Automotive Center use (Glass Doctor Auto). The proposed business has been operating as an Auto Repair, Minor or Automotive Center use since 2022 without a certificate of occupancy. The applicant submitted a Certificate of Occupancy request on May 15, 2024. Planning staff determined that per the City of Waxahachie Zoning Ordinance, the use of an Auto Repair, Minor or Automotive Center, requires a Specific Use Permit to be approved by the City Council within the General Retail (GR) zoning district. At this time, the CO application is on hold until City Council approves the required SUP. Glass Doctor Auto is a specialized service provider offering professional auto window repair, replacement, and various minor automotive repairs to car windows. All of the repairs take place at their client's locations or within the Glass Doctors interior suite 109.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 19 notices were mailed to property owners within 200 feet of the request. At the time of the publishing of this staff report, one (1) letter of opposition was received and no letters of support.

Chairman Keeler opened the Public Hearing at approximately 8:10 p.m.

There being no others to speak for or against ZDC-124-2024, Chairman Keeler closed the Public Hearing at approximately 8:10 p.m.

12. Consider recommendation of ZDC-124-2024

Action:

Ron Ansell moved to recommend approval of ZDC-124-2022, a Specific Use Permit (SUP) for a Minor Auto Repair Shop use, subject to the conditions of the staff report, and add SUP for this tenant use only. Motion was seconded by David Hudgins and carried unanimously (7-0).

13. Public Hearing on a request by Erica Edwards, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 211 Pecan St. (Property ID 175135) - Owner: Seven Partners, LLC (ZDC-128-2024) Staff: Harper Lindamood

The Item was presented by Ms. Lindamood and Erica Edwards requested approval. The applicant requested an SUP for a short-term rental use located at 211 Pecan Street, it is located within an SF-2 zoning district. The subject property consists of a primary structure of approximately 1,073 square feet with three (3) bedrooms and enough improved surface to accommodate the maximum parking spaces of three (3) vehicles situated on an approximately 0.164-acre (7,143 square feet) lot.

The applicant submitted the SUP application on June 10, 2024 and has not been operating a short-term rental. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead and the applicant has satisfied all of the requirements of Section 3.27 of the Zoning Ordinance.

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 located 12.8 miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 93 notices were mailed to property owners within 500 feet of the 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 seven (7) letters of support and two (2) letters of opposition were received by staff, with two (2) letters of support and zero (0) letters of opposition being inside the 200' buffer and the remainder outside of the 200' buffer.

Chairman Keeler opened the Public Hearing at approximately 8:12 p.m.

Owner Erica Edwards explained the steps she takes to reduce/eliminate problem renters noting she doesn't allow instant bookings and requires a $1,000 fee per police visit to the property during a tenant's stay. The customer and all guests are required to acknowledge and accept the host rules prior to approving the booking.

Those who spoke in support:
Sharles Edwards, 104 Sweetleaf Drive, Red Oak, Texas

There being no others to speak for or against ZDC-128-2024, Chairman Keeler closed the Public Hearing at approximately 8:21 p.m.

14. Consider recommendation of ZDC-128-2024

Action:
Marlene Norcross moved to recommend approval of ZDC-128-2024, 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).

15. Adjourn

Council Member Patrick Souter encouraged applicants to contact the Planning Department for questions and guidance about the Specific Use Permit process for short-term rentals.

There being no further business, the meeting adjourned at 8:23 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-141-2024

MEETING DATE(S)

Planning & Zoning Commission: August 13, 2024
City Council: August 19, 2024

CAPTION

Public Hearing on a request by Michael Jackson, for a **Specific Use Permit (SUP)** for a **Food Manufacturing or Processing Plant** use within a Planned Development-Light Industrial-2 zoning district located at the southwest corner of Marshall Road and Solon Road (Property ID 284811) - Owner: WJ South Grove LP (ZDC-141-2024)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-141-2024, a Specific Use Permit (SUP) for a Food Manufacturing or Processing Plant use, subject to the conditions the staff report."

APPLICANT REQUEST

The applicant requests a Specific Use Permit (SUP) for a Food Manufacturing or Processing Plant use (Bridor) at the southwest corner of Marshall Road and Solon Road.

CASE INFORMATION

Applicant:	Michael Jackson, WJ South Grove LP
Property Owner(s):	WJ South Grove LP
Site Acreage:	50.97 acres
Current Zoning:	Planned Development-Light Industrial-2 (PD-LI-2)
Requested Zoning:	PD-LI-2 with SUP for a Food Manufacturing or Processing Plant use (Bridor)

SUBJECT PROPERTY

General Location:	Southwest corner of Marshall Road and Solon Road
Parcel ID Number(s):	284811
Existing Use:	The subject property is currently undeveloped.
Development History:	Ordinance 3313, the Wynn Jackson PD, was approved for the subject property in December of 2021. A Plat (SUB-170-2022) for the property was approved for the property in January of 2023; but has not yet been filed.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-LI-2 (Ord. 3313)	Undeveloped
East	Commercial (C)	Undeveloped
South	PD-C (Ord. 2517)	Undeveloped
West	PD-LI-2 (Ord. 3313)	Undeveloped

Future Land Use Plan: Industrial

Comprehensive Plan: Industrial uses vary from the technology industry to manufacturing. The designated locations for heavier industrial uses are intended to keep them away from residential categories. These are located along roadways that have adequate capacity to serve the larger industrial vehicles. Required parking is encouraged to be placed behind structures to keep these areas more readily able to redevelop into more urban places over time. When uses are abutting a residential property, a separation should be provided such as a landscape buffer, deeper setback, and/or a screening wall.

Thoroughfare Plan: The subject property is accessible via Marshall Road and Solon Road.

Site Image:



CASE BACKGROUND:

The subject property is located in the "Wynn Jackson" Planned Development zoning district (Ordinance 3313). This Planned Development request was approved by City Council on December 20th, 2021 and changed the zoning from Single-Family-1 (SF-1) to Planned Development-Light Industrial-2 (PD-LI-2). The Wynn Jackson PD covers a total of 341.02 acres. As part of the initial development of the Wynn Jackson PD, the property owner has constructed a four-lane extension of Marshall Road to connect the property directly to I-35. This SUP request only covers a 50.97-acre portion of the property, southwest of the intersection of the new four-lane Marshall Road and Solon Road.

Case Background (continued):

The Wynn Jackson PD allows for the development of Land Uses on the subject property that are permitted within the base Light Industrial-2 (LI-2) zoning district of the City of Waxahachie. The PD allows for 33% of the property to be developed as General Warehouse Distribution through 2026 and up to 66% of the property to be developed as General Warehouse Distribution after 2026. Notably, the PD does not override the base Waxahachie Zoning Ordinance in regard to Specific Use Permits (SUP's). This means that Land Uses that require approval of a SUP in the LI-2 zoning district are allowed by right in the Wynn Jackson PD. Land Uses such as a Food Manufacturing or Processing Plant are required to receive approval of a SUP by the Planning & Zoning Commission and City Council before they can pursue development of the subject property.

PLANNING ANALYSIS:

The applicant proposes a Specific Use Permit (SUP) for a Food Manufacturing or Processing Plant use at the southwest corner of Marshall Road and Solon Road. The Food Manufacturing or Processing Plant use is proposed to be restricted exclusively to Bridor, a subsidiary of Groupe Le Duff. The Bridor facility is proposed to be dedicated exclusively to the production and assembly of bakery items, including frozen, partially baked, and fully baked goods.

At this time, the applicant proposes this SUP only to permit the Food Manufacturing or Processing Plant Land Use. The applicant has not provided a detailed Site Plan, Landscape Plan, or Elevation/Façade Plan for the facility. The applicant proposes to adhere to the site, landscaping, and architectural design requirements of the Wynn Jackson PD (Ordinance 3313).

The Bridor facility is proposed to fully enclose all manufacturing activity. The facility is proposed to include both office and manufacturing staff on-site and is expected to operate 24-hours a day, six (6) days a week. The facility is proposed to develop in at least three (3) phases. At build-out, the Bridor facility is proposed to employee 240-450 individuals. Daily traffic generated by the facility at build-out is anticipated to reach 60 truck trips and 350 commuter vehicle trips.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 45 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 a total of twenty-four (24) letters of opposition and one (1) letter of support for the proposed SUP. Twelve (12) letters of opposition were received from outside 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. Permission to operate a Food Manufacturing or Processing Plant use is restricted exclusively to Bridor. Approval to operate a Food Manufacturing or Processing Plant use at this location will not transfer to another Food Manufacturing or Processing Plant establishment or owner of the subject property.
2. An amendment to the SUP will be required in the event that the property owner wishes to expand the Food Manufacturing or Processing Plant use beyond the approximately 50.97-acre area identified in the Location Map – Exhibit A.
3. The development of the site the site, landscaping, and architectural design requirements of the Wynn Jackson PD (Ordinance 3313).
4. The Operational Plan is required to be revised to require approval of a Detailed Site Plan, Landscape Plan, and Elevation/Façade Plan by the Planning & Zoning Commission and City Council.
5. A Detailed Site Plan Application is required to be reviewed and approved by the Planning & Zoning Commission and City Council.
6. Exterior Construction and Building Articulation for the Food Manufacturing or Processing Plant use shall adhere to the following requirement of the Wynn Jackson PD (Ord. 3313):
    a. Any exterior façade of a building that faces, or is visible from, a public street shall consist of not less than eighty (80) percent Masonry Construction (Poured-in-place concrete and tilt-wall concrete shall be credited towards the masonry requirement. Concrete products shall be painted or patterned.
    b. All other façades that are not facing, or visible from, a right-of-way shall consist of not less than fifty (50) percent Masonry Construction.
    c. Areas of a façade that are devoted to windows, doors, covered porches, stoops, breezeways, or courtyards shall not be counted as "wall surface" when calculating the Masonry Construction requirement.
    d. Metal exterior construction is not allowed unless when the area is not facing or visible from an existing or planned public right-of-way, as identified on the City's Thoroughfare Plan or plat records.
    e. Horizontal Articulation: No building wall shall extend for a distance equal to three (3) times the wall's height without having an off-set equal to five (5) percent of the wall's height, and that new plane shall extend for a distance equal to at least twenty-five (25) percent of the maximum length of the first plane.
    f. Vertical Articulation: No horizontal wall shall extend for a distance greater than three (3) times the height of the wall without changing height by a minimum of two and one-half (2 ½) percent of the wall's height.
    g. Main Façade at Pedestrian/Office Entrance: (Exterior building sides which face a public street and is utilized as the primary pedestrian entrance)
    h. Main Façade at Pedestrian/Office Elements: Two (2) masonry materials which comprise 100% of the vertical surface area of the main facade. Masonry accent material is defined as either brick, stone, cast stone, cultured stone, tilt wall concrete or Portland cement (stucco). Metal panel or engineered wood may substitute for masonry on a maximum of 15% of each façade.

Conditions (continued):

7. Required parking for the Food Manufacturing or Processing Plant use shall adhere to the following requirement of the Wynn Jackson PD (Ord. 3313):
    a. Shall be the lesser of the following:
        i. One (1) space for each three hundred (300) square feet of office/display area plus one (1) space for each one thousand (1,000) square feet of warehouse/manufacturing space up to 20,000 sf and one (1) space per 4,000 sf thereafter.
        ii. Truck court areas may be striped to meet this requirement if necessary.
        iii. The utilization of shared and/or converted parking is encouraged to reduce impervious coverage.
        iv. The Planning Director or his/her designee is authorized to permit on a case by case basis a reduction in the required parking based on the actual demonstrated needs of a specific tenant or user.
        v. Each standard surface parking space shall be the following minimum size: nine (9) feet by eighteen (18) feet.
8. Required Landscaping for the Food Manufacturing or Processing Plant use shall adhere to the following requirement of the Wynn Jackson PD (Ord. 3313). All required landscaping shall be installed with the first phase of construction of the Bridor Food Manufacturing or Processing Plant facility.
    a. Street trees and buffer planting will be credited against on-site landscaping requirements at the reasonable discretion of the Planning Director or his/her designee.
    b. Landscape Buffer (Settler's Glen Adjacency) – A one hundred foot (100') landscape buffer shall be provided along Patrick Road where adjacent to the existing Settler's Glen residential development. Within that landscape buffer, a six-foot earthen berm shall be provided along with trees spaced at one tree per 50' of adjacency to the roadway, a minimum 8' wide concrete trail, and a six-foot high wrought iron fence. All trees shall be six-inch (6") minimum caliper diameter at breast height (dbh) at the time of planting. Utilities may be located in the landscape buffer. Crepe Myrtle trees shall be used in select areas, such as entry points, as accent landscaping.
    c. Landscape Buffer (Non-Residential and Future Residential Adjacency) – A twenty-foot (20') landscape buffer will be provided along Patrick Road north of Marshall Road, where adjacent to existing vacant land and non- residential developments. Within that landscape buffer, trees shall be provided and spaced at one tree per 50' of adjacency to the roadway, and a minimum 8' wide concrete trail. All trees shall be six-inch (6") minimum caliper diameter at breast height (dbh) at the time of planting. Utilities may be located in the landscape buffer.
    d. Landscape Areas – This SUP shall meet the landscaping requirement from Section 5.04 of the zoning ordinance with the following exceptions:
        i. Landscape buffers will be provided as shown in the Wynn Jackson PD (Ordinance 3313).
        ii. A minimum of 10% landscape area shall be provided.
        iii. Subject to the reasonable approval of the Planning Director or his/her designee, Landscape buffers, parking landscaping, open spaces and detention ponds shall be included in the required landscape area calculations.
        iv. Landscaping for truck parking shall be subject to the reasonable approval of the Planning Director or his/her designee.

Conditions (continued):

9. To prevent nuisance situations, all parking area lighting shall be designed and operated so as not to reflect or shine on adjacent residential properties and in accordance with the standards in Article V – Development Standards.
10. The Food Manufacturing or Processing Plant use shall meet the noise restrictions from Chapter 20 of the Code of Ordinances.
11. The Food Manufacturing or Processing Plant use shall have no direct access or curb cuts to Patrick Road, south of Marshall Road.
12. Truck traffic associated with the Bridor Food Manufacturing or Processing Plant shall be prohibited from using Patrick Road.

ATTACHED EXHIBITS

1. PON Responses
2. Location Map – Exhibit A
3. Operational Plan – Exhibit B

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.

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-141-2024

RILEY STEFANIE & PHILIP H
251 DAKOTA DR
WAXAHACHIE, TX 75167

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 13, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 19, 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 Michael Jackson, for a Specific Use Permit (SUP) for a Food Manufacturing or Processing Plant use within a Planned Development-Light Industrial-2 zoning district located at the southwest corner of Marshall Road and Solon Road (Property ID 284811) - Owner: WJ South Grove LP (ZDC-141-2024) Staff:

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-141-2024 **City Reference: 269187**

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☐ SUPPORT ☑ OPPOSE

Comments:
We are a family neighborhood in Settler's Glen. When building our home here in 2019, this was zoned residential. A food manufacturing plant so close by would drastically change the dynamics of the community which we chose to plant roots & begin our family. This is not a good move for residents

Signature: Stefanie Riley

Date: 7/28/2024

Printed Name and Title: Stefanie Riley

Address: 251 Dakota Dr

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-141-2024

SANDSTONE 93 PARTNERS LTD
5560 TENNYSON PKWY STE 250
PLANO, TX 75024

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Case Number: ZDC-141-2024 **City Reference: 279123**

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☒ SUPPORT ☐ OPPOSE

Comments:

Signature

7-29-24
Date

Jeremy Stevenson
Printed Name and Title

Managing Member

5560 Tennyson Pky, Ste 250
Address Plano, TX 75024

Case Number: ZDC-141-2024 **Item 5&6** **City Reference:** 269202

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☐ SUPPORT ☒ OPPOSE

RECEIVED JUL 3 1 2024

Comments:

Joanne Gage
Signature

7-29-24
Date

Joanne Gage
Printed Name and Title

190 Colter Dr Waxahachie 75167
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-141-2024

HAWKINS THOMAS M & JANAE L
208 COLTER DR
WAXAHACHIE, TX 75167

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Case Number: ZDC-141-2024 **City Reference: 269193**

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☐ SUPPORT ☒ OPPOSE

Comments:

Signature

08-02-2024
Date

CEDRIC THOMAS
Printed Name and Title

229 FRONTIER DR
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-141-2024

HAWKINS THOMAS M & JANAE L
208 COLTER DR
WAXAHACHIE, TX 75167

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☐ SUPPORT ☒ OPPOSE

Comments:
Not what was presented in first zone chg! Odors, No Mfg behind Residents! I don't care if it's Cookies! Cookies!

Janae Hawkins
Signature

8/1/2024
Date

Janae Hawkins
Printed Name and Title

208 Colter Dr.
Address

If this goes out of business, then what food processing would replace it??
Lower House Values! Do you want this in your Back yard?!

Venissat, Michelle

From: The Hawkins <hawhome@att.net>
Sent: Friday, August 2, 2024 1:52 PM
To: Planning
Subject: ZDC-141-2024
Attachments: Food Processing.pdf; FOR SALE SIGN.jpg

Please see attached:

Will the fences, berms and walking trail be added as specified in the first zoning change from SF1 to Light Industrial
before any buildings are erected?

What was presented during the first zoning change debate, was "data center, final step ecommerce delivery warehouse
or our former Mayor Hill asked if his sales office could be there". No mention of **FOOD PROCESSING**!

Also, the picture that Michael Jackson presented during the first planning meeting for the rezoning, it was in the middle
of a neighborhood with beautiful trees but not **FOOD PROCESSING.**

We were under the impression that Mr. Jackson was to own the whole complex and rent out space as is being done
along I67 in the warehouses built there. If the City of Waxahachie knew he was going to piece meal sell this
parcel of land, that should have been brought up to the residents. Is he going to NOW going to ask for SUP on all these tracts?

We were misled and lied to if that is the case.

The City of Waxahachie approved the building of Settlers Glen and now it seems the city wants to destroy it.

Janae Hawkins
208 Colter Dr

Item 5&6


STREAM
For Sale
South Grove
Industrial Park
50 - 575 Acres
Available
For More Information
Matt Dornak
Ridley Culp
214.267.0461
www.streamrealty.com

Venissat, Michelle

From: Sean Draper <draperbowling@gmail.com>
Sent: Sunday, August 4, 2024 10:48 AM
To: Planning
Subject: Case# ZDC-141-2024

Hello,

I Oppose!

Regards,

David Draper, owner
247 Buckskin Dr, Waxahachie, TX 75167

Venissat, Michelle

From: ladonna hack <lhack117@sbcglobal.net>
Sent: Sunday, August 4, 2024 1:48 PM
To: Planning
Subject: No to proposed zoning change

August 5, 2024
Dear Chairman Keeler,
RE: ZDC-141-2024
In the past 5, 10, 15 years, hundreds of families moved to Settler's Glen in Waxahachie, a quiet neighborhood in a growing city, with hopes for a great future. Part of that hope was based on the surrounding farm land being zoned for SF1.
Instead, the planning and zoning commission has broken it's word on zoning. A warehouse is already in process along Marshall and Patrick, which will bring traffic on roads that can't handle it, at times when parents are trying to get to and from school, and noise and light pollution.
Now a food processing plant is being proposed along those same roads, bringing actual pollution, chemicals in our air, ground, and water, and more traffic on the same roads already being repaired for potholes every other month.
Why is it ok for this commission to go back on it's word and negatively impact our neighborhood?
Why do you put so much effort into protecting our historic downtown from even a tattoo parlor, but then make every effort to build as ugly of buildings as possible around our neighborhood?
If you continue down this path, in a few years you could have an entirely vacant neighborhood due to crashed home values. How would that reflect on our growing city?
Please do the right thing and keep your word and keep the zoning around our neighborhood SF1.
I ask would you want this next to your home?
I think not!

LaDonna Hack
Sent from my iPhone
214-797-7184

It's due August 7 and is the easiest way to weigh in.

Case Number: ZDC-141-2024 City Reference: 269193

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[ ] SUPPORT [XX] OPPOSE

Comments:
Concerns regarding noise, pollution and traffic. Do not need traffic to cut through Settlers Glen as roads are narrow difficult to navigate with homeowner traffic. Patrick Road is in constant need of repair and will not stand up to added burden. Also concerned with property values if surrounding properties are re-zoned to other uses.

Linda Dianne Kile
Signature

August 6, 2024
Date

Linda Dianne Kile, Homeowner
Printed Name and Title

114 Old Spanish Trail, Waxahachie 75167
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-141-2024

HAWKINS THOMAS M & JANAE L
208 COLTER DR
WAXAHACHIE, TX 75167

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Case Number: ZDC-141-2024 **City Reference: 269193**

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☐ SUPPORT ☒ OPPOSE

Comments:
Please don't put that monstrosity of a building next to our beloved neighborhood. There is already that huge warehouse going up right across 287. Keep Waxahachie beautiful.

Kaytlin Bechtol 08/05/2024
Signature Date

Kaytlin Bechtol, resident in Setter's Glen
Printed Name and Title

240 Valley View Drive Waxahachie, TX 75167
Address

Case Number: ZDC-141-2024 Item 5&6 **City Reference:** 269193

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☐ SUPPORT ☒ OPPOSE

Comments: A food processing plant right next to our neighborhood will drive residents to leave. No one will want to live here anymore.

Laura Boaz
Signature

8/5/24
Date

Laura Boaz
Printed Name and Title

241 Valley View Dr.
Address

Item 5&6

From: JOSEPH TEDESCO <tedescjd@yahoo.com>
Sent: Monday, August 5, 2024 11:08 AM
To: Planning
Cc: Billie Wallace; trsavis@waxahachie.com; Chris Wright; Tres Atkins; Patrick Souter
Subject: Case Number ZDC-141-2024 Attn: Planning

I am writing this in response to the Notice of Public Hearing Case Number ZDC-141-2024.

I OPPOSE the zoning change unless there are changes to include everything that was included in the last proposed change.

Before any vote should occur, the following items should be addressed.

1. The last zoning change that took place talked about a walking trail and trees for sound because of the residential area.

2. Safety needs for city park that is across the street from the change.

3. Patrick Rd will not support the truck traffic that will occur.

I believe we were misled and lied to by the developer to which the City of Waxahachie bought it hook, line and sinker.

The City of Waxahachie approved the building of Settlers Glen and now it sees the city wants to destroy it.

Joseph and Melinda Tedesco
194 Colter Dr
Waxahachie TX 75167

Venissat, Michelle

From: Angel L. Martinez <anmartinez@txwes.edu>
Sent: Tuesday, August 6, 2024 2:03 PM
To: Planning
Subject: Case Number :ZDC-141-2024 City Reference: 269188
Attachments: Case Number ZDC-141-2024.pdf

Please find our 2 protests forms attached.

We strongly oppose this. When we purchased our home in 2018 this was zoned Single Family. Over the last 2 years it has been changed and now a Food Processing plant is supposed to go in this area. We are STRONGLY OPPOSED TO THIS!!! This is my home to retire in. I choose Waxahachie because of the quiet, rural feel it had. I turned down multiple other cities to live in. Please do not do this to all of the residents in Settler's Glen.

Respectfully,

Angel Martinez, USPTA Elite Professional
Head Women's Tennis Coach
Texas Wesleyan University
1201 Wesleyan Street
Fort Worth, Texas 76105
817.531.4223
anmartinez@txwes.edu

Case Number: ZDC-141-2024

City Reference: 269189

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *August 7, 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 DO Not!

Christina Maisonet
Signature

7-28-24
Date

Christina Maisonet
Printed Name and Title

216 Colter Dr. Waxahachie TX. 75167
Address

Case Number: ZDC-141-2024

City Reference: 269188

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☐ SUPPORT ☑ OPPOSE

Comments: DO NOT want this in our neighborhood

Suzanne Martinez
Signature

8/6/2024
Date

Suzanne Martinez
Printed Name and Title

218 Colter Dr
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-141-2024

HUCKABY HAYDEN & COURTNEY
182 COLTER DR
WAXAHACHIE, TX 75167

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Case Number: ZDC-141-2024 **City Reference: 269118**

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☐ SUPPORT ☒ OPPOSE

Comments: The road Patrick is already very busy & unfit for large vechiles. A factory construction would disrupt our lives.

Signature

08/04/24
Date

Hayden Huckaby
Printed Name and Title

182 Colter Dr
Address

Item 5&6

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-141-2024

THOMAS ASHLEE M & TIMOTHY GARETT
212 COLTER DR
WAXAHACHIE, TX 75167

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Case Number: ZDC-141-2024 **City Reference: 269191**

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☐ SUPPORT ☒ OPPOSE

Comments:
Strongly opposed to this. This was NOT what the City or developer promised to us in settlers Glenn.

Signature

8.5.24
Date

Ashlee Thomas
Printed Name and Title

212 Colter DR. Waxahachie TX 75167
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-141-2024

HAWKINS THOMAS M & JANAE L
208 COLTER DR
WAXAHACHIE, TX 75167

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☐ SUPPORT ☒ OPPOSE

Comments:
This factory would negatively impact air quality, traffic, and quality of life for our neighborhood

Terri Roberts
Signature

8-5-2024
Date

Terri Roberts (homeowner)
Printed Name and Title

143 Buckskin Dr.
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-141-2024

HAWKINS THOMAS M & JANAE L
208 COLTER DR
WAXAHACHIE, TX 75167

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☐ SUPPORT ☒ OPPOSE

Comments: A factory this close to our neighborhood would lower home values, cause noise and traffic that affects quality of life

Signature

8/5/2024
Date

Jerry W. Roberts Jr
Printed Name and Title
(homeowner)

143 Buckboard Dr.
Address

Jake Roberts
145 Oregon Trl
Waxahachie, TX 75167

August 5, 2024

Waxahachie Planning and Zoning Commission
RE:ZDC-141-2024

Dear Chairman Keeler,

The request by Michael Jackson, for a Specific Use Permit for a Food Manufacturing or Processing Plant use within a Planned Development-Light Industrial-2 zoning district located at the southwest corner of Marshal Road and Solon Road (Property ID 284811) is OPPOSED.

When we moved to the Settler's Glen, we understood the zoning around the community and moved there with those expectations with how the roads around the community would grow. The proposal is a negative move for the community and those that live near it. The increased traffic is a major concern to the lives of families that travel Ovilla Rd, Marshall Rd and Patrick Rd. The trucking that would be needed to supply a food manufacturing or processing plant would destroy the inadequate roads and put the lives of these families at risk. The added traffic would increase the local air pollution further from these trucks traveling up and down the roads throughout the day and night. To top it off, the smell and air pollution the facilities would create will be abominable. Families will flee Settler's Glen, destroying this 20-year-old community. Waxahachie needs more communities like Setter's Glen, the undeveloped land around the community should be continued for agriculture commodities or development for more communities.

Sincerely,

Jake Roberts

RECEIVED AUG 0 5 2024

7/31/24

Re: Proposed Processing Plant

ATTN: City of Waxahachie, Planning Department and City Counsel

To whom it may concern,

My understanding is that there is a proposed food processing plant to be built next to Settler's Glen. Something that should not be next to a residential neighborhood. It not on smells but creates an environment that should not be next to homes. We care about where we live and should not want to move because of rezoning. When we moved in the area was designated for residential. Knowing it could be rezoned I would never have moved here. Please, take our feelings into account. Please understand that we want our neighborhood to continue to be a beautiful part of Waxahachie. I appreciate you taking the time to address this and listen to the affect it could have on Settler's Glen.

Thank you,

Michelle Parry

Venissat, Michelle

From: Kathi Bolliger <kabolliger@hotmail.com>
Sent: Tuesday, August 6, 2024 11:32 PM
To: Planning
Subject: Planning Notice

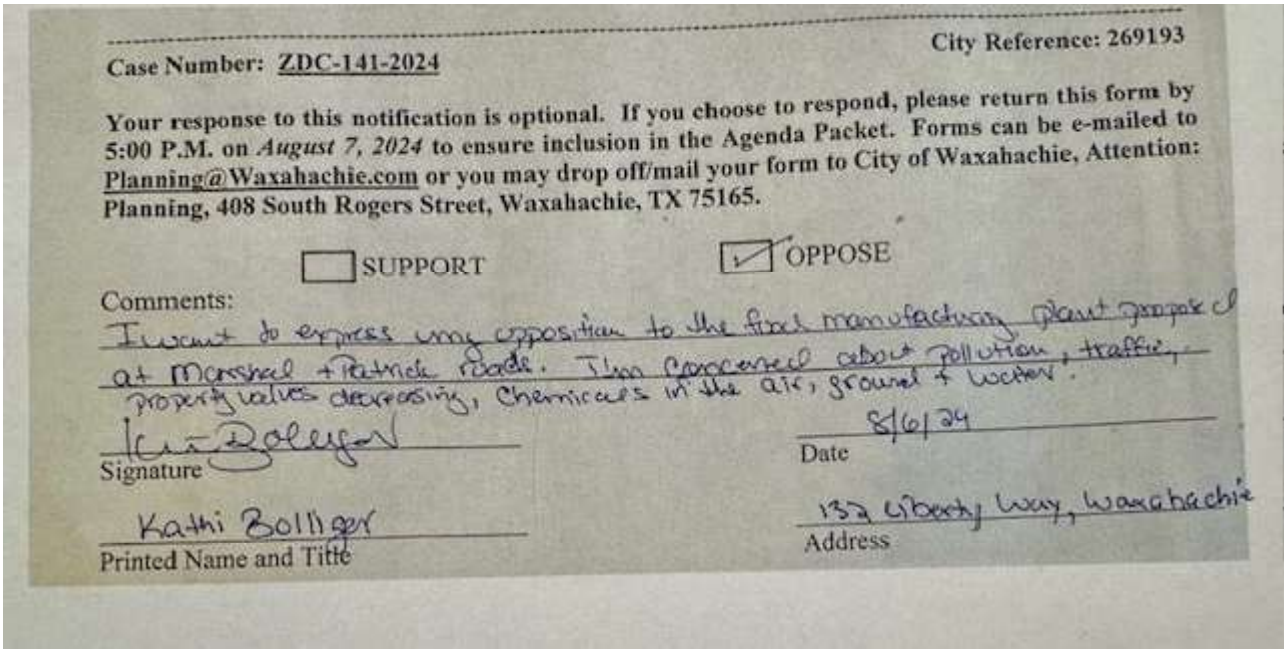
Hi. I live in Settler's Glen off Ovilla Rd. in Waxahachie. I want to express my opposition to the proposed food manufacturing plant at Marshall & Patrick roads. I moved to this neighborhood because it was on the outskirts of town and had a lot of open land surrounding it. I am extremely concerned about the pollution, noise, smell, traffic, decreasing property values as well as chemicals in the air, water and ground.

As much as I would like the ranch/farm land to remain as is, I understand cities in North Texas are growing at a rapid rate. I prefer to see houses as opposed to apartments, manufacturing plants, warehouses, shopping centers, etc. if there is no way to keep the open land. I ask that you be picky like other cities and make sure what you approve to be built is what is best for the people, neighborhoods and city. A manufacturing plant is something that should never be built next to homes. They belong in an industrial section of the city where no one lives.

Attached please find my notification form expressing my opposition.

Sincerely,

Kathi Bolliger
132 Liberty Way
Waxahachie



Case Number: ZDC-141-2024 City Reference: 269193

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *August 7, 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 want to express my opposition to the food manufacturing plant proposed at Marshall + Patrick Roads. I am concerned about pollution, traffic, property values decreasing, chemicals in the air, ground + water.

Signature

8/6/24
Date

Kathi Bolliger
Printed Name and Title

132 Liberty Way, Waxahachie
Address

RECEIVED AUG 07 2024

August 5, 2024

Dear Chairman Keeler,

RE: ZDC-141-2024

In the past 5, 10, 15 years, hundreds of families moved to Settler's Glen in Waxahachie, a quiet neighborhood in a growing city, with hopes for a great future. Part of that hope was based on the surrounding farmland being zoned for SF1.

Instead, the planning and zoning commission has broken its word on zoning. A warehouse is already in process along Marshall and Patrick, which will bring traffic on roads that can't handle it, at times when parents are trying to get to and from school, and noise and light pollution.

Now a food processing plant is being proposed along those same roads, bringing actual pollution, chemicals in our air, ground, and water, and more traffic on the same roads already being repaired for potholes every other month.

Why is it ok for this commission to go back on its word and negatively impact our neighborhood?

Why do you put so much effort into protecting our historic downtown from even a tattoo parlor, but then make every effort to build as ugly of buildings as possible around our neighborhood?

If you continue down this path, in a few years you could have an entirely vacant neighborhood due to crashed home values. How would that reflect on our growing city?

Please do the right thing and keep your word and keep the zoning around our neighborhood SF1.

Sincerely,

Beth Mauldin

236 Valley View Dr

Waxahachie, TX 75167

Venissat, Michelle

From: jrattan03@hotmail.com
Sent: Wednesday, August 7, 2024 4:14 PM
To: Planning
Subject: Case# ZDC-141-2024

Jeremy Rattan
206 Colter Dr.
Waxahachie Tx 75167

I oppose this project being built behind our neighborhood and my home. The city has already changed the zoning 1 time to support this developer. Why is in needing to change again? All the promises the developer laid out to buffer our homes from the warehouse complex, are they still in play with this new site plan? (Tree row and raised earth berm) Honestly the city has failed our neighborhood, and is not worried about the citizens of this town if they will follow the bidding of every developer! What will this project bring to our neighborhood as far as air pollution and smell on a daily bases? What's going to happen to my property value, that the county has already set sky high? I chose to live in this neighborhood and chose the lot knowing it was zoned residential behind us, obviously that was a bad decision!

Sent from my iPhone

Item 5&6

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-141-2024

OJEDA ANTONIO O & SOCORRO J
2620 SOLON RD
WAXAHACHIE, TX 75167

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 13, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 19, 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 Michael Jackson, for a Specific Use Permit (SUP) for a Food Manufacturing or Processing Plant use within a Planned Development-Light Industrial-2 zoning district located at the southwest corner of Marshall Road and Solon Road (Property ID 284811) - Owner: WJ South Grove LP (ZDC-141-2024) Staff:

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-141-2024 **City Reference: 205894**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *August 7, 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 Jimenez
Signature

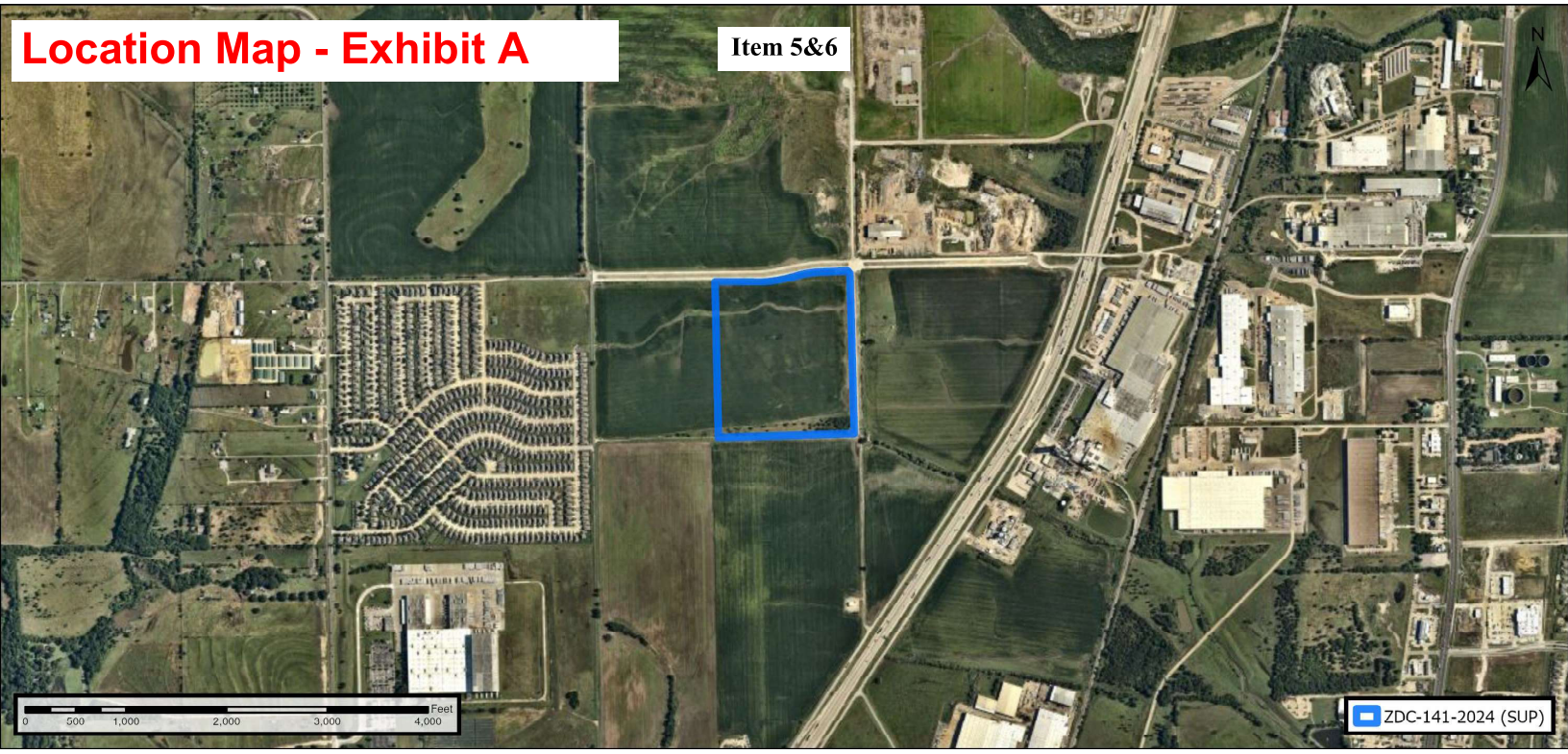
8-7-24
Date

Socorro Jimenez owner
Printed Name and Title

2620 Solon RD Waxahachie TX 75167
Address

Location Map - Exhibit A

Item 5&6



Operational Plan - Exhibit B

Item 5&6

operational plan

1. Proposed hours of operation:
    a. Manufacturing 24 hours per day, 6 days per week.
    b. Truck traffic only during day hours
        i. January 2028 : 20 daily truckloads
        ii. January 2030: 40 daily truckloads
        iii. January 2032: 60 daily truckloads
    c. Employee traffic:
        i. January 2028 : 120 daily car traffic
        ii. January 2030: 200 daily car traffic
        iii. January 2032: 350 daily car traffic
    d. A Traffic Impact Analysis will be performed for this development according to the city requirements.
2. Number of employees:
    a. Phase I: 60-120 jobs (January 2028)
    b. Phase II: Total 120-240 jobs (January 2030)
    c. Phase III: 240-450 jobs (January 2032)
3. Compatibility with adjoining uses:
    a. Site zoned as PLANNED DEVELOPMENT-LIGHT INDUSTRIAL-2 (PD-LI2)
    b. We propose a land use compatible with light industrial manufacturing, specifically food processing/manufacturing. According to the International Energy Agency, food processing/manufacturing is considered light industrial because the absolute energy use is lower than heavy industry such as steel and cement. Light industry generates less emissions, noise and odors than heavy industry and production of food represents about 30% of all light industrial sector. Same as we are proposing for our use. Emissions generated by light industrial users are also easier to abate from a technological point of view than heavier industry. Food manufacturing is one of the best light industrial uses for proximity to other zonings and land uses from the technological point of view and the nature of the production process.
4. The company's business plan for the proposed establishment:
    a. New plant to support both Bridor and our customers' growth in the Southeast. A plant in the Southeast will help Bridor stay competitive in terms of pricing as well as timely deliveries to customers in that region.
    b. Bridor is a bakery product manufacturing company founded by Louis Le Duff in 1988 and a subsidiary of Groupe Le Duff.

c. This facility will be dedicated to the production and assembly of bakery items, some that will be partially baked, and frozen as well as the distribution of the frozen and partially baked goods.
d. There will be no light, odor and noise pollutions transpassing the property boundaries. All manufacturing operations are enclosed.

5. SUP application:
   a. Since we are proceding with the SUP to enable the Food Manufacturing or Processing Plant Land Use for Bridor exclusively (Project Ker), a Detailed Site Plan, Landscape Plan, Sign Plan, and Elevation/Facade Plan will be required to be reviewed and approved administratively by the city at the time the site is slected and they move into design.
   b. Detailed Site Plan, Landscape Plan, Sign Plan, and Elevation/Facade Plan will need to adhere to the requirements of the Wynn Jackson PD (Ord. 3313) will be required. Deviations from the requirements of Wynn Jackson PD (Ord. 3313) will require a PD Amendment.

Planning & Zoning Department

Plat Staff Report

Case: SUB-113-2024

MEETING DATE(S)

Planning & Zoning Commission: August 13, 2024
City Council: August 19, 2024

CAPTION

Present *a request by Tim Jackson, R.P.L.S., for a* ***Replat*** *of Lots 13A and 13B, Block 63 of the Town Addition, 2 residential lots, being 0.465 acres, located at 602 Dr. Martin Luther King JR. Blvd, (Property ID 170996) – Owner: Vanessa Severson & Sergio Sanchez (SUB-113-2024) Staff: Harper Lindamood*

RECOMMENDED MOTION

"I move to recommend approval of SUB-113-2024, a Replat of Lot 13, Block 63 of the Town Addition, subject to the conditions the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

The applicant requests to replat the subject property from one (1) lot into two (2) residential lots.

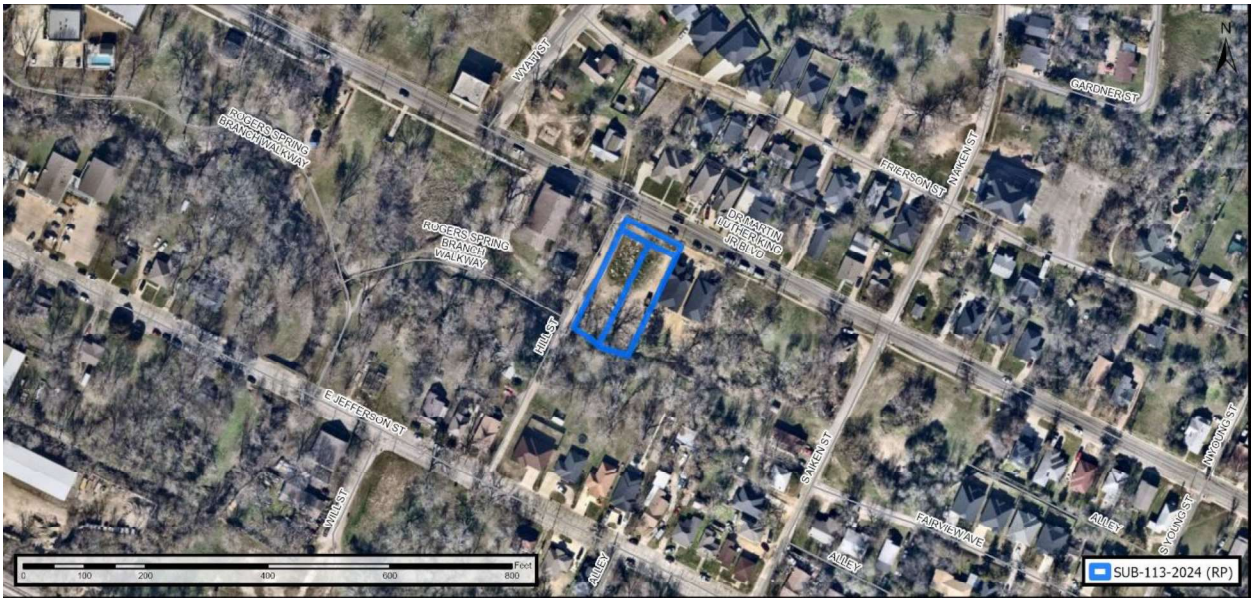
CASE INFORMATION

Applicant:	Tim Jackson, R.P.L.S
Property Owner(s):	Vanessa Severson & Sergio Sanchez
Site Acreage:	0.465 acres
Number of Lots:	2 lots
Number of Dwelling Units:	2 units
Park Land Dedication:	N/A
Adequate Public Facilities:	Adequate public facilities are available to the subject property.

SUBJECT PROPERTY

General Location:	602 Dr. Martin Luther King JR. Blvd
Parcel ID Number(s):	170996
Current Zoning:	Single Family-2 (SF-2)
Existing Use:	The subject property is currently undeveloped
Platting History:	The subject property is platted as Lot 13, Block 63 of the Town Addition.

Site Aerial:



PLANNING ANALYSIS

The applicant proposes to replat the subject property from one (1) lot into two (2) residential lots. The applicant is providing full dedication for the twenty (20) foot ROW dedication to the City of Waxahachie Thoroughfare plan.

As part of the review of the Replat application, staff identified multiple technical items that conflict with the requirements of the Waxahachie Subdivision Ordinance and need to be corrected. These technical items are required to be corrected prior to the filing of the Replat. The correction of each item has been identified as a condition of approval in the staff recommendation section below.

Variance Request – Right of Way Dedication (ROW)

In the City of Waxahachie subdivision ordinance requires Right-of-way dedication (ROW) at the time of platting or replatting, in conformance with the City of Waxahachie Construction and Design (C&D) Manual. The C&D Manual requires ROW for residential streets to be a minimum fifty (50) feet in width.
Hill Street has an existing ROW width of twenty 20 feet. The applicant is proposing to dedicate an additional ten (10) feet of ROW along Hill Street, as opposed to the required fifteen (15) feet of ROW dedication. The applicant is requesting a variance for minimum ROW dedication to leave sufficient property to met the minimum lot size requirements of the Infill Overlay District. Staff is supportive of the variance request.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 38 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 zero (0) letters of opposition and two (2) letters of support for the proposed Replat.

RECOMMENDATION

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

Conditions:

1. Per Section 2.1.a & 7.1.h of the Waxahachie Subdivision Ordinance, Filing Fees ($83.00), Recording Fees ($70.00), Tax Certificate Fee ($4.00) are required to be paid with your Replat application. These fees can be paid via check to the City of Waxahachie or via the invoice on our Citizen Self Service (CSS) Portal.
2. Per Section 2.2.e of the Waxahachie Subdivision Ordinance, as part of proof of ownership for the subject property, the applicant is required to provide a notarized statement (Property Owner Affidavit) for each property owner with this Replat Application. Based on the deeds provided with the initial application, a notarized property owner affidavit is required to be provided for "Ellis County, Texas" and "Town Addition Lots 13A & 13B, Block 63".
3. Per Section 2.3.b of the Waxahachie Subdivision Ordinance, a hard copy of the embossed tax certificate for the property showing that no delinquent taxes exist against the property is required to be provided at the time of plat filing.

ATTACHED EXHIBITS

1. PON Responses
2. Variance Request
3. Replat

APPLICANT REQUIREMENTS

1. If approved by the 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.

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SUB-113-2024

<>

LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

RECEIVED JUL 01 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, July 8, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 15, 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 Tim Jackson., for a Replat of Lot 13, Block 63 of the Town Addition, to create Lots 13A & 13B, Block 63 of the Town Addition, 2 single family lots, being 0.45-acres, located at 602 Dr. Martin Luther King Jr Blvd., (Property ID 170996) – Owner: Sergio Sanchez & Vanessa Severson (SUB-113-2024) Staff: Harper Lindamood

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: SUB-113-2024 **City Reference: 171270**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 3, 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

6/30/24
Date

Brad Yates member
Printed Name and Title

613 Dr. Martin Luther King
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SUB-113-2024

<><><>

RECEIVED JUL 0 1 2024

LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

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Case Number: SUB-113-2024 **City Reference: 171281**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 3, 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.

[X] SUPPORT [ ] OPPOSE

Comments:

Signature

6/30/24
Date

Brad Yates member
Printed Name and Title

110 Frierson
Address

Tue 7/2/2024 9:02 AM

VS

v s <daroofisiwindows@hotmail.com>

Item 7&8

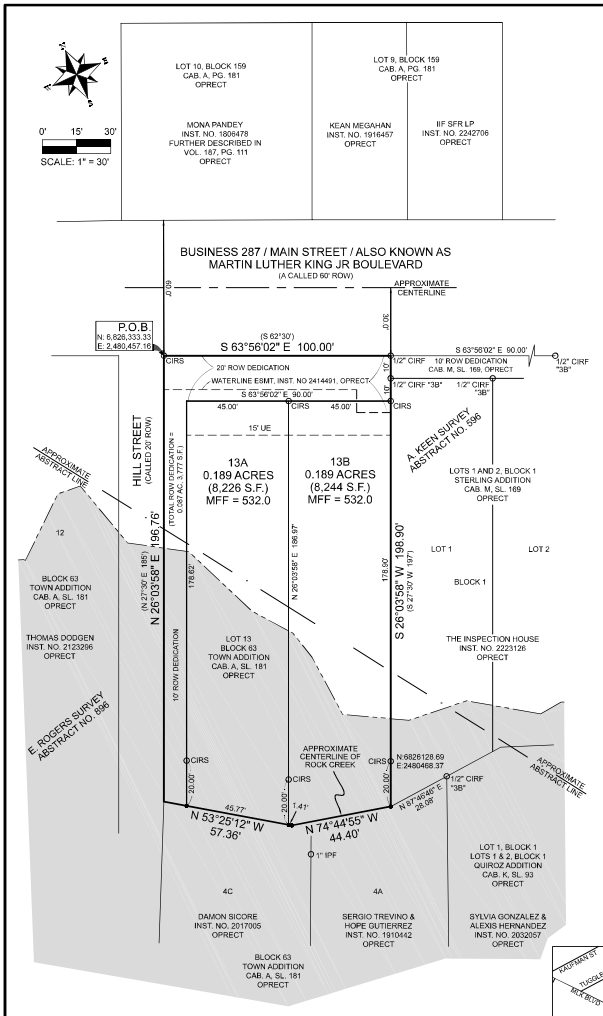
Re: SUB-113-2024 ((602 DR MARTIN LUTHER KING JR BLVD WAXAHACHIE)

To Lindamood, Harper

Hello,
The reason I am requesting a replat on:
602 DR MARTIN LUTHER KING JR BLVD WAXAHACHIE

I am splitting my Lot into 2 Lot(s). I have dedicated 20ft ROW from MLK but also have to dedicate 20 on Hill Street. With that being said I will not have enough to build on my Lots. So, I ask that if I could dedicate 10ft of ROW to the city that you guys will approve and allow me to continue to replat and build on my property.

Thank you,
Vanessa Severson
Sergio Tapia Sanchez



NOTES:

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

A PORTION OF THE SUBJECT PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA ZONE "AE" - DEFINED AS "WITH BASE FLOOD ELEVATIONS", ACCORDING TO THE THE FLOOD INSURANCE RATE MAP NO. 48139C0190G DATED OCTOBER 19, 2023, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THE FLOODPLAIN LINES SHOWN HEREON ARE A GRAPHICAL REPRESENTATION THEREOF AND HAVE BEEN SCALED FROM SAID MAP(S) AND THE SURVEYOR CANNOT CONFIRM THE ACCURACY OF SAID LINES.

FENCES, RETAINING WALLS, AND SCREENING WALLS SHALL NOT BE PLACED IN UTILITY EASEMENTS.

STATE OF TEXAS :
COUNTY OF ELLIS : KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, SERGIO TAPIA SANCHEZ AND VANESSA ANN SEVERSON, ARE THE OWNERS OF A TRACT OF LAND SITUATED IN THE A. KEEN SURVEY, ABSTRACT NO. 596 AND THE E. ROGERS SURVEY, ABSTRACT NO. 896, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN DEED TO SERGIO TAPIA SANCHEZ AND VANESSA ANN SEVERSON, RECORDED IN INSTRUMENT NO. 1926214, FURTHER DESCRIBED IN VOLUME 66, PAGE 294, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT), AND BEING ALL OF LOT 13, BLOCK 63, TOWN ADDITION, RECORDED IN CABINET A, SLIDE 181, OPRECT, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR THE NORTHWEST CORNER OF SAID LOT 13 AND, SAME BEING THE INTERSECTION OF THE SOUTH ROW LINE OF BUSINESS 287 / MAIN STREET (ALSO KNOWN AS MARTIN LUTHER KING, JR BOULEVARD (MLK BLVD)) (A VARIABLE WIDTH ROW) AND THE EAST RIGHT-OF-WAY (ROW) LINE OF HILL STREET (A CALLED 20' ROW);

THENCE S 63°56'02" E, ALONG THE NORTH LINE OF SAID LOT 13 AND THE COMMON SOUTH ROW LINE OF SAID MLK BLVD, A DISTANCE OF 100.00 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT 13 AND THE COMMON NORTHWEST CORNER OF LOTS 1 AND 2, BLOCK 1, STERLINGS ADDITION, RECORDED IN CABINET M, SLIDE 169, OPRECT, FROM WHICH A 1/2" IRON ROD WITH CAP STAMPED "3B" FOUND FOR THE NORTHEAST CORNER OF SAID LOTS 1 AND 2, BLOCK 1, STERLINGS ADDITION, BEARS S 63°56'02" E, A DISTANCE OF 90.00 FEET;

THENCE S 26°03'58" W, ALONG THE EAST LINE OF SAID LOT 13 AND THE COMMON WEST LINE OF SAID LOTS 1 AND 2, BLOCK 1, STERLING ADDITION, PASSING A 1/2" IRON ROD WITH CAP STAMPED "3B" FOUND FOR THE NORTHWEST CORNER OF LOT 1, BLOCK 1 OF SAID LOTS 1 AND 2, BLOCK 1, STERLING ADDITION AT A DISTANCE OF 10.00 FEET, AND PASSING A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR WITNESS AT A DISTANCE OF 178.90 FEET, IN ALL A TOTAL DISTANCE OF 198.90 FEET TO A POINT FOR THE SOUTHEAST CORNER OF SAID LOT 13 AND THE COMMON SOUTHWEST CORNER OF SAID LOT 1 AND IN THE NORTH LINE OF LOT 4A, BLOCK 63, TOWN ADDITION, RECORDED IN CABINET A, SLIDE 181, OPRECT, AND IN THE APPROXIMATE CENTERLINE OF ROCK CREEK, FROM WHICH A 1/2" IRON ROD WITH CAP STAMPED "3B" FOUND FOR THE NORTHEAST CORNER OF SAID LOT 4A AND THE COMMON NORTHWEST CORNER OF LOT 1, BLOCK 1, LOTS 1 & 2, BLOCK 1, QUIROZ ADDITION, RECORDED IN CABINET K, SLIDE 93, OPRECT BEARS N 87°46'46" E, A DISTANCE OF 28.08 FEET;

THENCE N 74°44'55" W, ALONG THE SOUTH LINE OF SAID LOT 13 AND THE COMMON NORTH LINE OF SAID LOT 4A AND THE COMMON NORTH LINE OF LOT 4C OF SAID TOWN ADDITION, AND THE APPROXIMATE CENTERLINE OF SAID ROCK CREEK, A DISTANCE OF 44.40 FEET TO A POINT FOR CORNER;

THENCE N 53°25'12" W, ALONG THE SOUTH LINE OF SAID LOT 13 AND THE COMMON NORTH LINE OF SAID LOT 4C, AND THE APPROXIMATE CENTERLINE OF SAID ROCK CREEK, A DISTANCE OF 57.36 FEET TO A POINT FOR THE SOUTHWEST CORNER OF SAID LOT 13 AND THE COMMON NORTHWEST CORNER OF SAID LOT 4C, SAME BEING IN THE EAST ROW LINE OF SAID HILL STREET;

THENCE N 26°03'58" E, ALONG THE WEST LINE OF SAID LOT 13 AND THE COMMON EAST ROW LINE OF SAID HILL STREET, PASSING A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR WITNESS AT A DISTANCE OF 20.00 FEET, AND PASSING A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR WITNESS AT A DISTANCE OF 186.76 FEET, IN ALL A TOTAL DISTANCE OF 196.76 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.465 ACRES OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

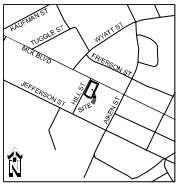
THAT SERGIO TAPIA SANCHEZ AND VANESSA ANN SEVERSON, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOTS 13A & 13B, BLOCK 63, TOWN ADDITION, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE CITY OF WAXAHACHIE, TEXAS FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED, FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, 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 PUBLICS 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 CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

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

WITNESS, MY HAND, THIS THE _____ DAY OF _____, 2024.

SERGIO TAPIA SANCHEZ

VANESSA ANN SEVERSON



VICINITY MAP
NOT TO SCALE

LEGEND

CIRS = 5/8 IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TXRCS" SET
FND = FOUND
IRF = IRON ROD FOUND
● = POINT FOR CORNER
OPRECT = OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS
UE = UTILITY EASEMENT
DE = DRAINAGE EASEMENT
BL = BUILDING LINE
CAB. = CABINET
SL. = SLIDE
INST. NO. = INSTRUMENT NO.
VOL. = VOLUME
PG. = PAGE
S.F. = SQUARE FEET
MFF = MINIMUM FINISHED FLOOR ELEVATION

= FEMA FLOOD ZONE "AE" - SEE NOTES

= APPROXIMATE FLOODPLAIN LINE

STATE OF TEXAS :
COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED SERGIO TAPIA SANCHEZ, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, THE _____ DAY OF _____, 2024.

_____
NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

STATE OF TEXAS :
COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED VANESSA ANN SEVERSON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, THE _____ DAY OF _____, 2024.

_____
NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

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

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

TIMOTHY L. JACKSON
REGISTRATION NUMBER 5466

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE

BY: _____ _____
CHAIRPERSON DATE

_____ _____
ATTEST DATE

APPROVED BY: CITY COUNCIL, CITY OF WAXAHACHIE

BY: _____ _____
MAYOR DATE

_____ _____
ATTEST DATE

OWNERS:
SERGIO TAPIA SANCHEZ AND
VENESSA ANN SEVERSON
105 WILLOW BEND DR
WAXAHACHIE, TX 75167
469.309.1211

SURVEYOR:
TEXAS REALITY CAPTURE &
SURVEYING, LLC.
P.O. BOX 252
WAXAHACHIE, TEXAS 75168
469.518.0338
TBPLS FIRM NO 10194359

REPLAT

LOTS 13A & 13B, BLOCK 63 TOWN ADDITION

BEING A REPLAT OF LOT 13, BLOCK 63
TOWN ADDITION, OFFICIAL MAP OF WAXAHACHIE, TEXAS
AS RECORDED IN CABINET A, SLIDE 181, OPRECT
SITUATED IN THE
A. KEEN SURVEY, ABSTRACT NO. 596 &
E. ROGERS SURVEY, ABSTRACT NO. 896
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
0.465 ACRES (20,246 S.F.)
2 NON-RESIDENTIAL LOTS
ZONED CA
CASE NO. SUB-113-2024

JOB NO. 2352 AUGUST 2023 PAGE 1 OF 1

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-140-2024

MEETING DATE(S)

Planning & Zoning Commission: August 13, 2024
City Council: August 19, 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: Juan Flores. (ZDC-140-2024) Staff: Harper Lindamood*

RECOMMENDED MOTION

- "I move to recommend denial of ZDC-140-2024, a Specific Use Permit (SUP) for Short-Term Rental use."

- "I move to recommend approval with conditions of ZDC-140-2024, 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):	Juan Flores
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:

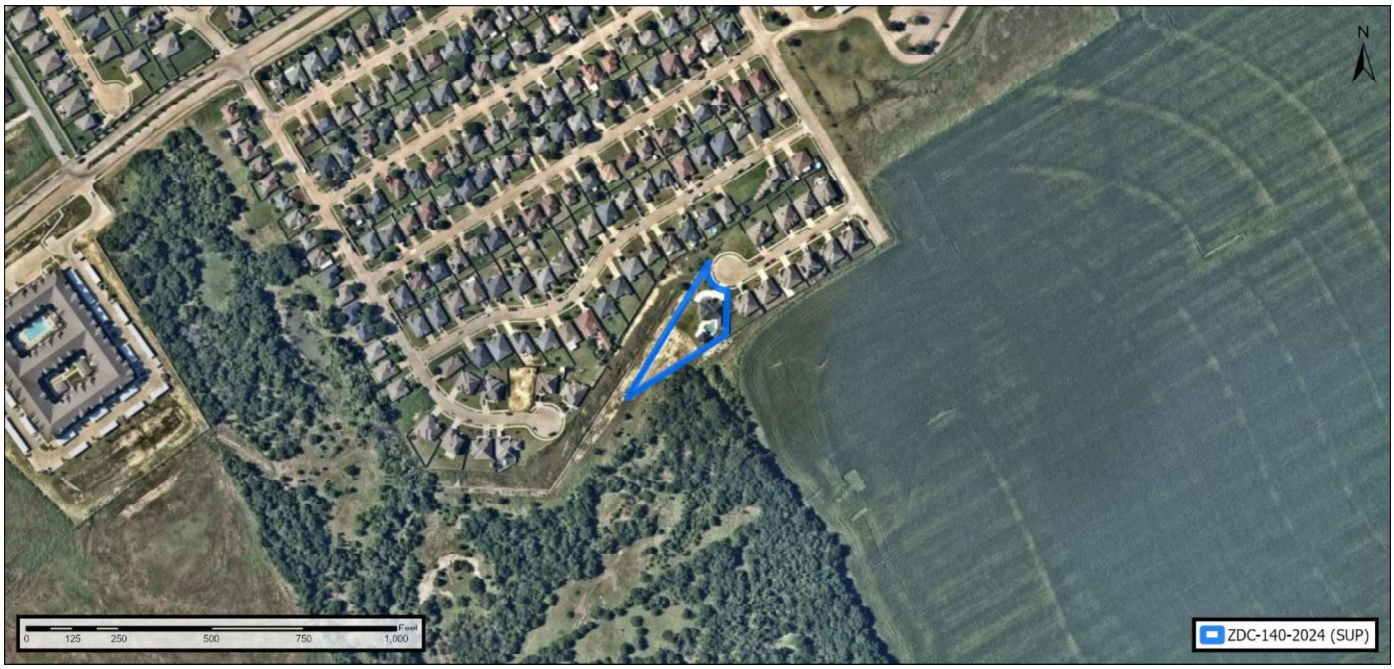
Direction	Zoning	Current Use
North	PD-SF-3	Single Family Residence
East	PD-SF-3	Single Family Residence
South	SF-3	Undeveloped
West	PD-SF-3	Single Family Residence

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.

CASE HISTORY

The applicant was approved by the Planning and Zoning May 14, 2024, was denied at City Council May 20, 2024. The applicant stopped operating immediately after denial by City Council. The applicant has resubmitted a new application for a Short-Term Rental Specific Use Permit.

The applicant submitted this SUP Application on July 3, 2024. The applicant has not been operating a short-term rental, and has not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does not identify whether the subject property is a Homestead. The applicant has satisfied all of 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 considered a nuisance. Also, the subject property's advertisement is still active as a short-term rental listing.

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 seven (7) letters of opposition and six (6) letters of support were received by staff. Zero (0) letters of opposition and three (3) letters of support were received from the 200' buffer and seven (7) letters of opposition and three (3) letters of support were received from inside the 500' 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 applicant shall provide an updated Certificate of Insurance or the Declaration page of the insurance policy to reflect the subject property's address and the minimum coverage amount of $1,000,000 per occurrence.
2. 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.
3. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
4. The short-term rental operator shall allow a maximum occupancy of Ten (10) guests per stay.
5. The short-term rental operator shall provide a maximum of four (4) off-street parking spaces.
6. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
7. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.

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 9&10

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-140-2024

GALINDO ABELARDO JR & NELY
208 Abel Dr
Glenn Heights, TX 75154-3862

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 13, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 19, 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: Juan Flores (ZDC-140-2024) Staff:

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-140-2024 **City Reference: 243616**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *August 7, 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

7/26/2024
Date

Abelardo Galindo JR OWNER
Printed Name and Title

623 Antonio LN Waxahachie TX 75165
Address

Case Number: ZDC-140-2024 **Item 9&10** **City Reference: 281278**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *August 7, 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

7/28/24
Date

Christa Lee
Printed Name and Title

641 Xavier Ct
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-140-2024

ESCALANTE FERNANDO
644 XAVIER CT
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 13, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 19, 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-140-2024 **City Reference: 281285**

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☑ SUPPORT ☐ OPPOSE

Comments: The owner is hands on and very responsive to our neighborhood!

Fernando Escalante
Signature

7/27/24
Date

FERNANDO ESCALANTE
Printed Name and Title

644 Xavier Ct. Waxahachie, TX
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-140-2024

JC & AG INVESTMENT GROUP INC
611 Malloy Ln
Ovilla, TX 75154-1617

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 13, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 19, 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-140-2024 ***City Reference: 281280***

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☑ SUPPORT ☐ OPPOSE

Comments: _____

_____

_____ 7-30-24
Signature Date

Alicia Flores 624 Xavier Ct.
Printed Name and Title Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-140-2024

<>◇<>

RECEIVED JUL 3 1 2024

LABREC STEVE & LINDA
645 XAVIER CT
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 13, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 19, 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-140-2024 **City Reference: 281277**

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☐ SUPPORT ☒ OPPOSE

Comments:

Signature Steven R LaBree / Linda LaBree

Printed Name and Title STEVEN R. LABREE / Linda LaBree

Date 7-27-24

Address 645 Xavier Ct

RECEIVED JUL 3 1 2024

July 27, 2024

City of Waxahachie

Thank you for reaching out to our property, for our response to application for SUP, STR rental on our block, Xavier Court.

We are including our response from April 28, 2004, we still oppose a STR on our block, for the same reasons. We would like to add a few more comments, our street is a dead end, with, the 624 Xavier Ct, at the end of the street. Any traffic this house would bring, and this house can hold considerable amount of visitors, would have to go directly by all the other homes, and could possibly be a safety concern, for all the young children on our street.

As stated in our last comments, holidays are approaching, and could be disturbing to our quiet neighborhood. We all on this block, bought our homes, never expecting a STR on our block, we would have reconsidered, if we knew, and I feel our neighbors agree with us.

If we understand, the STR rules, the request for a STR, needs to be approved, before, allowing customers, into their rental. It appears, Mr. Flores, did not obtain the proper authorization, before renting out his STR. This is a concern for us.

Thank you for you time,

Steve and Linda LaBrec
505-934-8922
rlabrec11@comcast.net
645 Xavier Ct
Waxahachie, Texas 75165

RECEIVED JUL 3 1 2024

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-140-2024

<>

MOSER NICK & KATHLEEN
4621 JAKES WY
MIDLOTHIAN, TX 76065

RECEIVED JUL 3 1 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 13, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 19, 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-140-2024 **City Reference: 236567**

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☐ SUPPORT ☒ OPPOSE

Comments: This would open the neighborhood to the chance of drug dealers and sex traffickers to be in a neighborhood of families — Elementary School right There!

Kathleen Moser
Signature

Date July 27, 2024

Kathleen Moser
Printed Name and Title

(owner of 624 Jordan Lane)
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-140-2024

YANEZ MILDRED & URBINA JUAN C
161 Owen Way
Waxahachie, TX 75165-4474

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Case Number: ZDC-140-2024 **City Reference: 281271**

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☑ SUPPORT ☐ OPPOSE

Comments:

Juan C V.
Signature

7/27/24
Date

Juan C Urbina
Printed Name and Title

161 owen way Waxahachie TX 75165
Address

Item 9&10

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-140-2024

ESCALANTE FERNANDO
644 XAVIER CT
WAXAHACHIE, TX 75165

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Case Number: ZDC-140-2024 **City Reference: 281285**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *August 7, 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 owner is hands on and very responsive to our neighborhood!

Fernando Escalante
Signature

7/27/24
Date

FERNANDO ESCALANTE
Printed Name and Title

6044 Xavier Ct. Waxahachie, TX.
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-140-2024

PAZ BRANDON A & BELIA MARTINEZ
628 Xavier Ct
Waxahachie, TX 75165-2094

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Case Number: ZDC-140-2024 **City Reference: 281281**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *August 7, 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:

Brandon Paz — Signature
08/03/24 — Date
Brandon Paz, Owner — Printed Name and Title
628 Xavier Ct. — Address

City of Waxahachie ...ic Hearing
Notice ...
Case Number: ZDC-140-2024

BUMPUS AUBREY A
1815 SW STATE HWY 34
ITALY, TX 76651

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 13, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 19, 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: Juan Flores (ZDC-140-2024) Staff:

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.

City Reference: 243610

Case Number: ZDC-140-2024

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *August 7, 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 stream of unknow persons would not add to the Stability of the neighborhood. Safety of families should be the priority.

Aubrey A. Bumpus
Signature

Aug 6, 2024
Date

Aubrey A. Bumpus, Ms.
Printed Name and Title

1815 SW State Hwy 34, Italy, Tx
Address

Homeowner
635 Antonio
Waxahachie

Item 9&10

Case Number: ZDC-140-2024

City Reference: 281275

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *August 7, 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:

Parker Charles Hunt Sr. [signature]
Signature

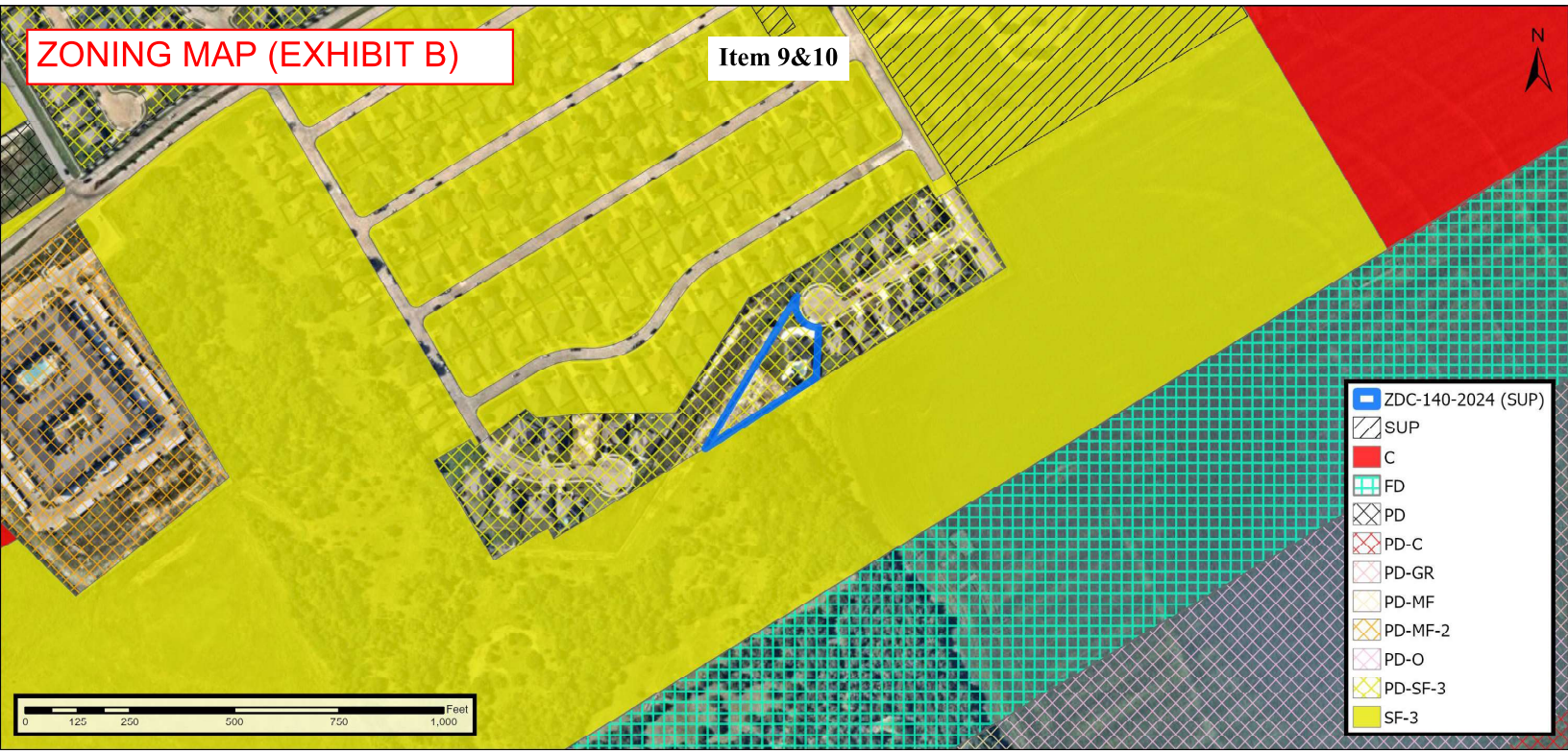
July 27, 2024
Date

Parker Charles Hunt Sr.
Printed Name and Title

137 Owen Way Waxahachie, TX. 75165
Address

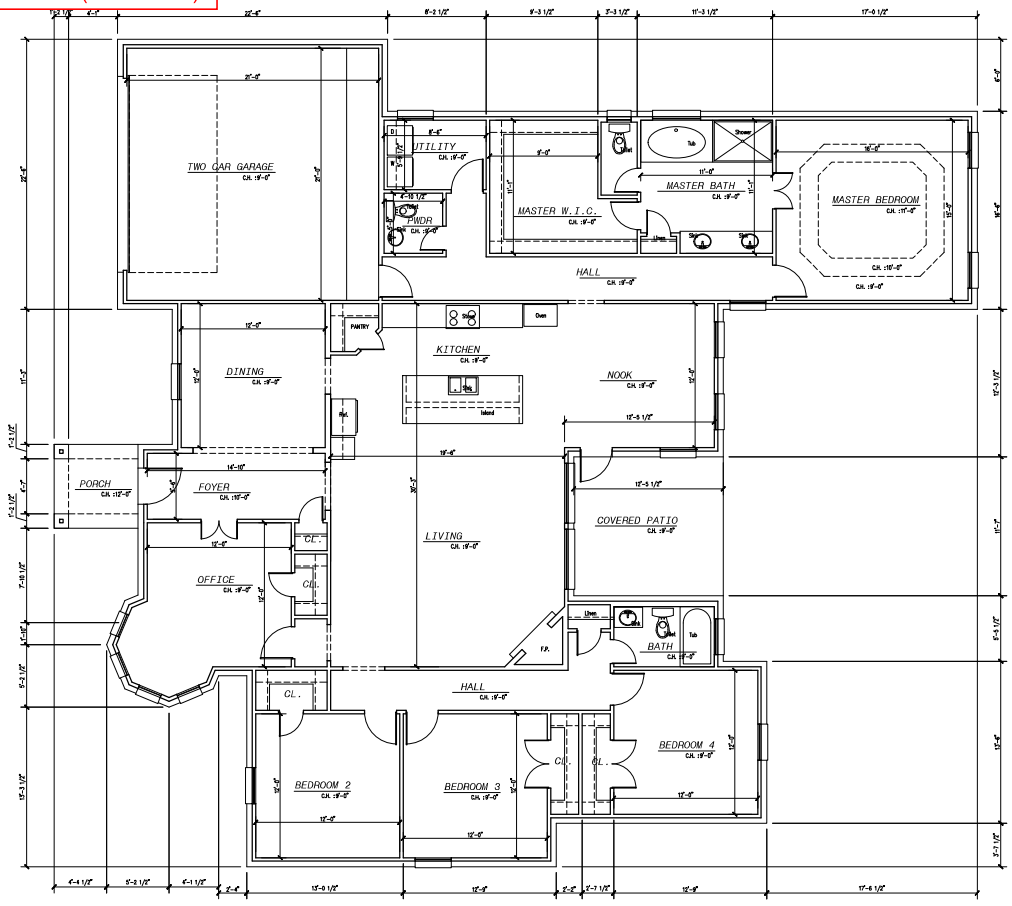
Blossom Hunt


LOCATION MAP (EXHIBIT A)
Item 9&10
N
0
125
250
500
750
1,000
Feet
ZDC-140-2024 (SUP)


ZONING MAP (EXHIBIT B)
Item 9&10
N
ZDC-140-2024 (SUP)
SUP
C
FD
PD
PD-C
PD-GR
PD-MF
PD-MF-2
PD-O
PD-SF-3
SF-3
0
125
250
500
750
1,000
Feet

FLOOR PLAN (EXHIBIT C)

Item 9&10



FLOOR PLAN

SCALE : 1/8" = 1'-0"

IMARTINEZ DESIGN, LLC
Tel. 972-351-4160
Tel. 972-571-2012
imartinez73@hotmail.com

GENERAL NOTES

1. THE GENERAL CONTRACTOR/BUILDER SHALL EXAMINE AND CONFIRM 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 PERSPECTIVE CONSTRUCTION PURPOSES ONLY AND ARE NOT DIAGRAMMATIC 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 BUILDING IS NECESSARY TO THE STABILITY OF THE STRUCTURE(S) OF THE PROJECT, FURTHERMORE IT IS RECOMMENDED 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

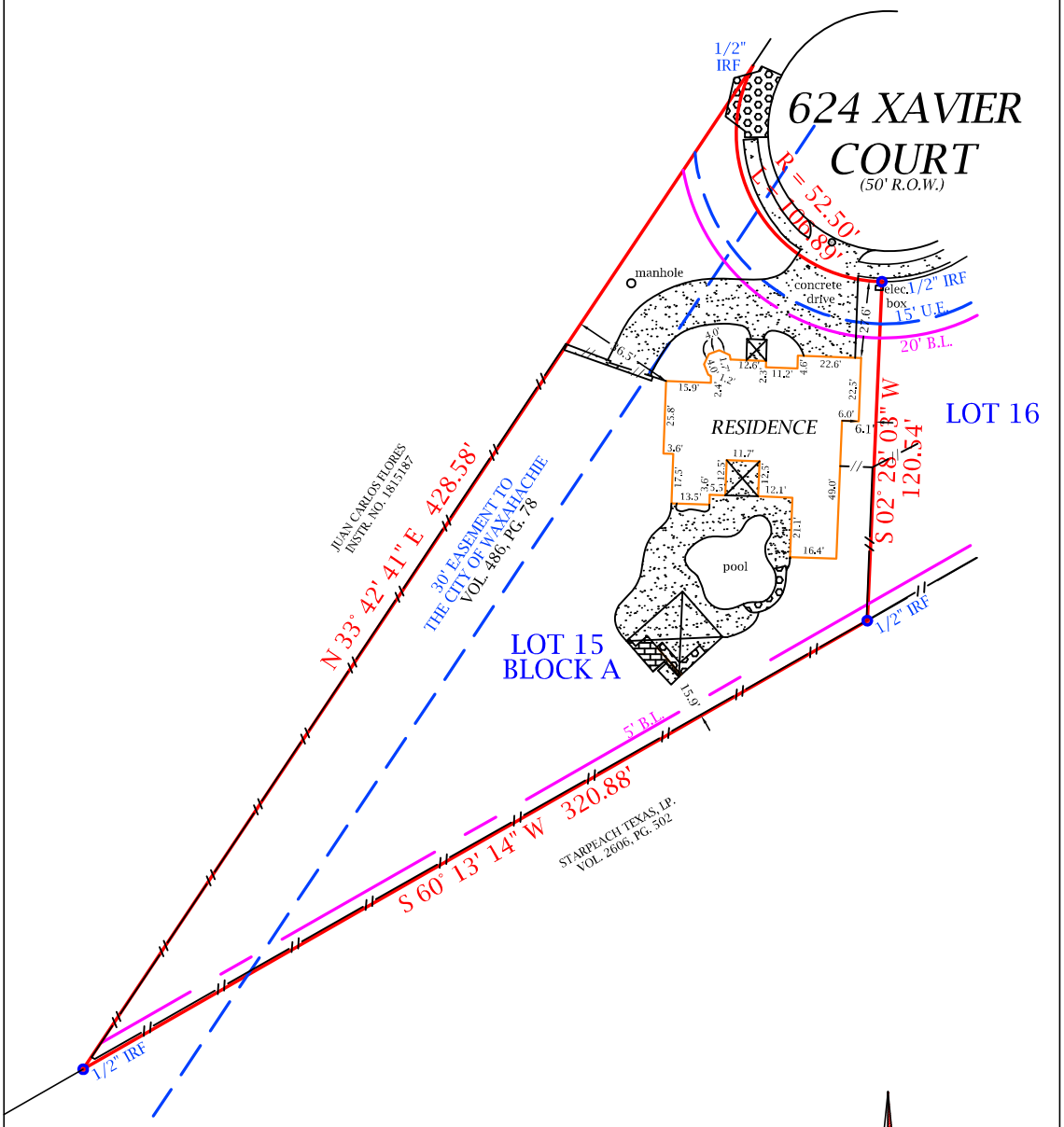
Project #:	Drawn By:
030723	JAM
Date: 03-07-2023	Scale: 1/8" = 1'-0"
Sheet #: 2	OF: 5

SITE PLAN (EXHIBIT D)

Item 9&10

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.

HOST RULES (EXHIBIT E)

WELCOME



Waxahachie Home
624 Xavier Ct

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 accommodates for 10 guests.

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. No RVs permitted.

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. Pool rules displayed on site.

House Rules
A Friendly Reminder



No Smoking
Please do not smoke on the property.



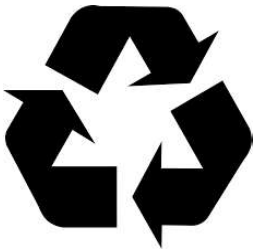
No Parties
No parties. DJ, karaoke, and loudspeakers are not allowed. No music outdoors after 10 PM.



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.

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-122-2024

MEETING DATE(S)

Planning & Zoning Commission: August 13, 2024
City Council: August 19, 2024

CAPTION

Public Hearing on a request by DeMaudree Massey, Friendship Baptist Church, for a **Specific Use Permit (SUP)** for a **Day Camp for Children** use within a Single Family-3 (SF-3) zoning district located at 203 Graham Street (Property ID 193551) - Owner: Friendship Missionary Baptist Church of Waxahachie (ZDC-122-2024)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-122-2024, a Specific Use Permit (SUP) for a Day Camp for Children use, subject to the conditions the staff report."

APPLICANT REQUEST

The Applicant requests a Specific Use Permit (SUP) for a Day Camp for Children Use (Shepherd's Circle) at 203 Graham Street.

CASE INFORMATION

Applicant:	DeMaudree Massey, Friendship Missionary Baptist Church of Waxahachie
Property Owner(s):	Friendship Missionary Baptist Church of Waxahachie
Site Acreage:	2.01 acres
Current Zoning:	Single Family-3 (SF-3)
Requested Zoning:	SF-3 with a SUP for a Day Camp for Children use.

SUBJECT PROPERTY

General Location:	203 Graham Street
Parcel ID Number(s):	193551
Existing Use:	Friendship Missionary Church of Waxahachie
Development History:	The subject property is currently platted as Lot 43 of the Highland Park Addition and a portion of Lot 3 of the HI Nowlin addition. (Lot 16, Block C of the Symphony Estates subdivision was deeded to Friendship Missionary Baptist Church in 2023 by the developer of Symphony Estates; but is not part of this SUP request.)

Adjoining Zoning & Uses:

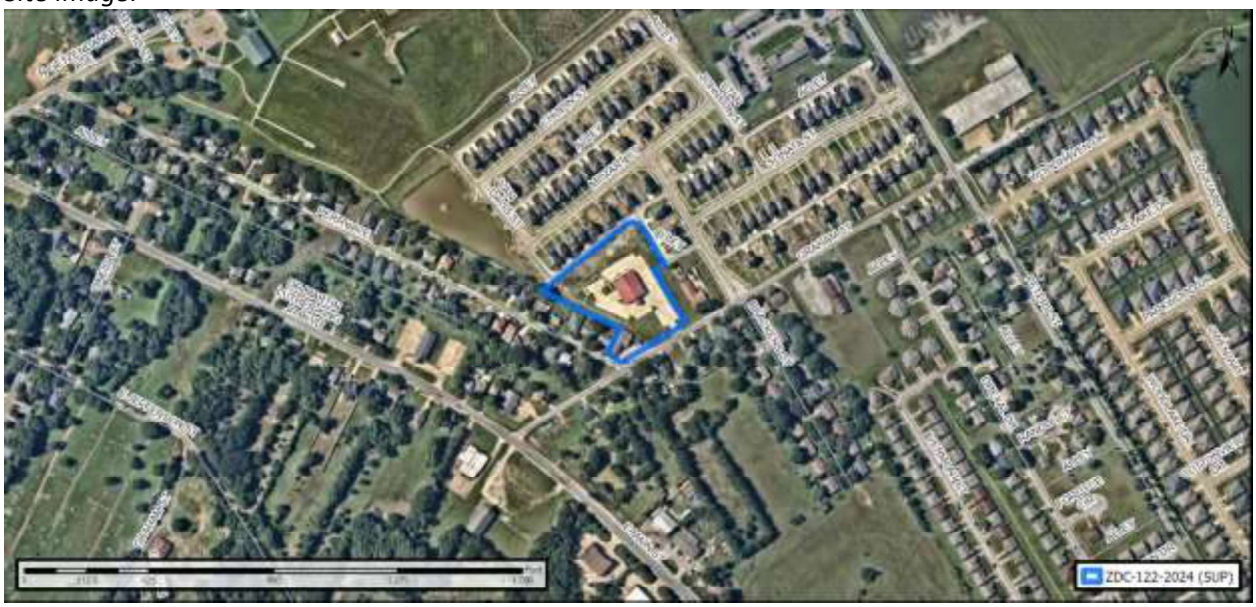
Direction	Zoning	Current Use
North	PD-SF-3	Single Family Residences
East	PD-SF-3 & SF-3	Single Family Residences
South	SF-3	Single Family Residences
West	SF-3	Single Family Residences

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 Graham Street.

Site Image:



PLANNING ANALYSIS

The applicant proposes a Specific Use Permit (SUP) for a Day Camp for Children use (Shepherd's Circle) within the existing Friendship Missionary Baptist Church building at 203 Graham Street. The Waxahachie Zoning Ordinance requires approval of a SUP to allow for a Day Camp for Children use within a Single Family-3 zoning district. The Shepherd's Circle Day Camp is proposed to be an after-school program operated directly by Friendship Missionary Baptist Church. The applicant has confirmed that the program is an educational and instructional program for at-risk children, not a daycare.

Planning Analysis (continued):

The applicant has noted that Shepherd's Circle will be a free program that is open to the general public for children ranging in age from 6 to 18. Shepherd's Circle is proposed to accommodate up to sixty-five (65) children and eight (8) staff members. Meals are proposed to be provided as part of the Shepherd's Circle program. The applicant proposes to operate Shepherd's Circle Monday through Friday from 4:00pm to 7:00pm during the school year. The program is not proposed to operate over the weekend, during school holidays, or during summer break. The applicant has not indicated when the program may begin, if this SUP is approved.

The applicant has specifically noted that the Shepherd's Circle program will be located completely indoors and will not feature any outdoor activities. Specifically, the applicant proposes to utilize the approximately 1,242 square foot space identified on the Floor Plan attached to this report as Exhibit D. Existing parking on the subject property is sufficient to support the proposed use.

The applicant is not proposing to operate buses or shuttles as part of the Shepherd's Circle program. No playground equipment, additional fencing, or interior/exterior alterations to the existing building are proposed as part of this request.

Circulation

The drive aisles on the subject property do not currently have directional striping. The applicant proposes to add directional striping to the subject property to facilitate parent pick-up and drop-off for the Day Camp. The proposed striping can be referenced on the Site Plan attached to this report as Exhibit C.

Signage

The applicant is not proposing to install additional signage on the property specifically for Shepherd's Circle Day Camp. Instead, the applicant proposes to utilize space on the monument sign for Friendship Missionary Baptist Church; which is yet to be constructed.

PUBLIC NOTIFICATIONS

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 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 one (1) letter 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 Day Camp for Children use at 203 Graham Street is granted only to Friendship Missionary Baptist Church of Waxahachie, operator of "Shepherd's Circle". Approval to operate a Day Camp for Children use at this location will not transfer to another Day Camp for Children establishment or owner of Shepherd's Circle.

Conditions (continued):

2. An amendment to the SUP will be required in the event that the property owner wishes to expand the Day Camp for Children outside the church building or beyond the approximately 1,242 square foot area identified in the Floor Plan – Exhibit D.
3. An amendment to the SUP will be required in the event that the property owner wishes to open the Day Camp for Children use to more than sixty-five (65) children.
4. A Zoning Change will be required in the event that the property owner wishes to transition the Shepherd's Circle to a "Child Daycare Center" use.
5. If during an inspection, whether it be a planned inspection or a random site visit, it is ever found that cooking within this establishment is creating grease-laden vapors, a Type 1 hood will be required to be installed with a fire department operational permit required as well.

ATTACHED EXHIBITS

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

Item 11&12

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-122-2024

<>

MARSHALL TAMARA
711 Perry Ave
Waxahachie, TX 75165-3942

RECEIVED AUG 0 2 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 13, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 19, 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 DeMaudree Massey, Friendship Baptist Church, for a Specific Use Permit (SUP) for a Day Camp for Children use within a Single Family-3 (SF-3) zoning district located at 203 Graham Street (Property ID 193551 & 295840) - Owner: Friendship Missionary Baptist Church of Waxahachie (ZDC-122-2024)

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-122-2024 **City Reference: 174028**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *August 7, 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 Strongly support this movement. The children are already subjected to walking in the street because of limited sidewalks in the neighborhood and the park is taken over by ~~unruly~~ adults.

Tamara Marshall
Signature

July 30, 2024
Date

Tamara Marshall- homeowner
Printed Name and Title

711 Perry Avenue
Address

Location Map - Exhibit A

Item 11&12



FRIENDSHIP
MISSIONARY BAPTIST CHURCH
203 Graham St.
Waxahachie, TX 75165

Purpose Statement and Description

The Shepherd's Circle is Friendship Missionary Baptist Church's after-school program for disenfranchised and at-risk children. It is a haven where each child is valued, nurtured, and equipped with the essential skills for a successful future. Recognizing their unique struggles, our program goes beyond academic assistance, incorporating character-building activities, mentorship, and guidance.

In a supportive and inclusive atmosphere, children engage in structured educational sessions that enhance their academic proficiency. Simultaneously, our character development initiatives focus on instilling values such as resilience, empathy, and teamwork. Through age-appropriate discussions and activities, we strive to empower these children to navigate life's challenges with confidence.

Furthermore, our program integrates spiritual growth, offering a safe space for exploration and understanding. Rooted in shared values of compassion and kindness, we aim to inspire a sense of purpose and belonging among the participants.

The extended program from 6:00 PM to 7:00 PM provides additional time for homework assistance, recreational activities, and more personalized support.

Regarding the meal menu, we prioritize nutrition and variety to cater to diverse tastes and dietary needs. We aim to ensure that each child receives a nourishing meal and an enjoyable dining experience, fostering a positive association with healthy eating habits.

Together, these elements form a comprehensive after-school program that seeks to uplift disenfranchised children and offer them a holistic foundation for personal and academic success.

Hours of Operation:

Monday to Friday

After School: 4:00 PM – 5:30 PM
Tuesday Extended Program (optional): 6:00 PM - 7:00 PM

Operational Plan - Exhibit B

Item 11&12

Scheduled Drop off Location

- Front entrance of Friendship Missionary Baptist Church

Operational Plan

- Shepherd's Circle will utilize the following areas: the dining hall, kitchen, storage, and mechanical room, which total 1242 square feet. There are 71 available parking spots. The property owner and the tenant are the same entity: Friendship Missionary Baptist Church.
- The program is not a Daycare, and we have no intention of doing so.
- Shepherd's Circle is a free program.
- Friendship Missionary Baptist Church will operate Shepherd's Circle directly.
- Shepherd's Circle will be open to the general public.
- The expected staff is eight, and we anticipate approximately 65 children.
- Children's age range will be from 6 to 18.
- Shepherd's Circle will not operate during the summer or holidays.
- No outdoor space will be utilized for Shepherd's Circle.
- No buses or shuttles will be operated by Shepherd's Circle.

Meal Menu:

The Shepherd's Circle menu will consist of only precooked and cold food.

Monday:

Chicken Nuggets with choice of honey mustard or BBQ sauce
Mixed Vegetables
Fresh Fruit
Milk

Tuesday:

Spaghetti with Marinara Sauce
Bread
Yogurt Parfait
Milk

Wednesday:

Turkey and Cheese Sliders
Mixed Vegetables
Apple Slices
Milk

Thursday:

Hamburgers/Cheeseburgers
Mashed Potatoes
Apple slices
Milk

Friday:

Beef and Broccoli
Mixed Vegetables
Bananas or Oranges
Milk

Kitchen Layout for The Shepherd's Circle After-School Program

This layout optimizes workflow, enhances safety, and facilitates a seamless food preparation and serving process. It can be customized based on the specific needs and size of the afterschool program.

1. Cooking Area:

- Stove and Oven: Positioned against the wall for easy ventilation.
- Prep Table: Adjacent to the stove for convenient ingredient preparation.

2. Food Preparation Area:

- Cutting and Chopping Stations: Equipped with cutting boards and knives.
- Mixing and Blending Area: Space for blenders, mixers, and food processors.
- Refrigerator and Freezer: Easily accessible for storing perishables.

3. Serving Area:

- Serving Counters: Set up to efficiently plate and distribute meals.
- Warming Station: Keep prepared dishes at an optimal temperature.

4. Dishwashing Area:

- 3 Prong Sink: Positioned near the serving area for quick turnaround.
- Dish Drying Rack: Adjacent to the sink for efficient workflow.

5. Storage Area:

- Dry Storage: Shelving for non-perishable items and supplies.
- Cold Storage: Refrigerator for fresh produce and dairy products.
- Pantry: Stocked with essential ingredients and snacks.

6. Cleanup Area:

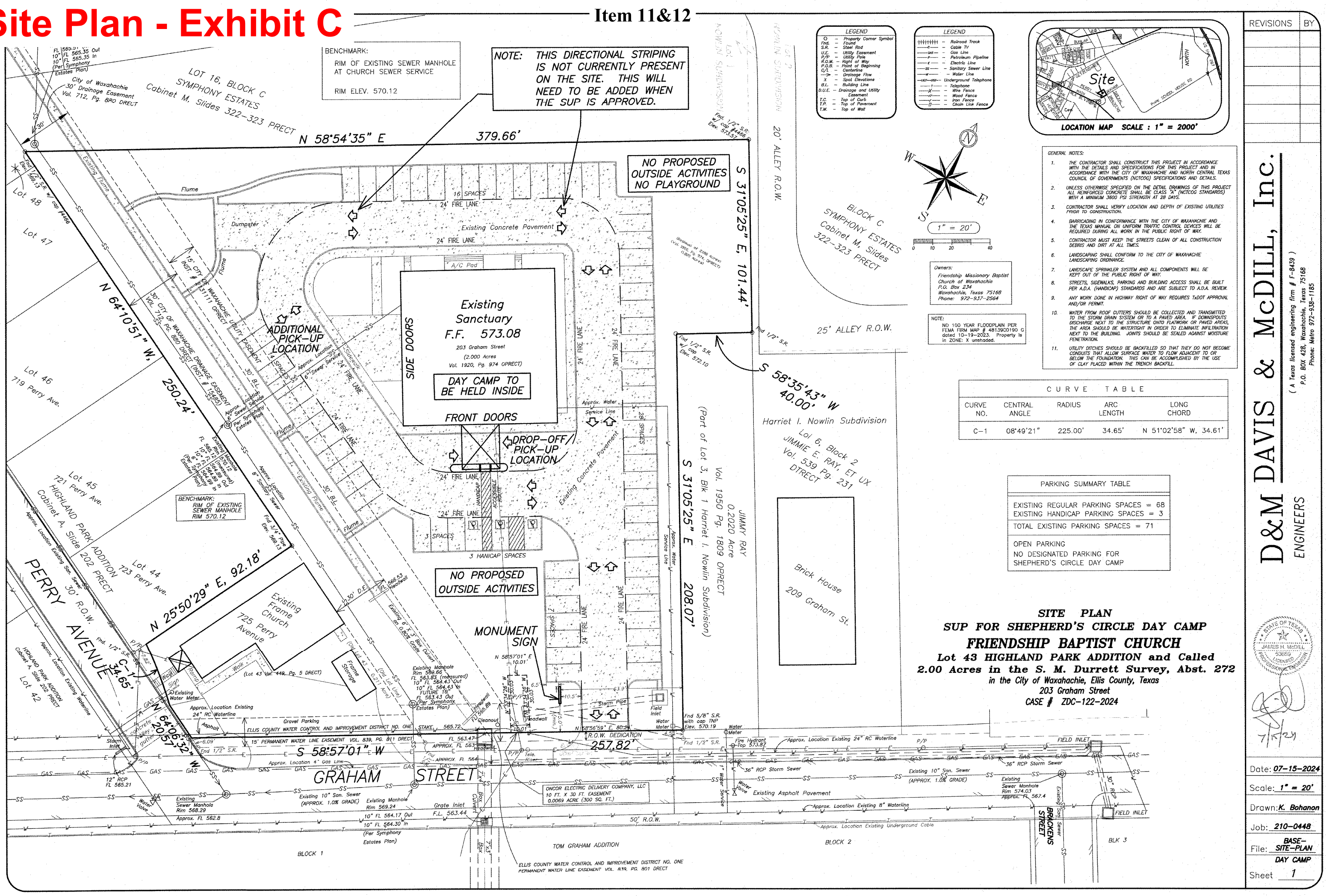
- Mop Sink: Conveniently located for easy cleanup.
- Trash and Recycling Bins: Strategically placed for waste disposal.

7. Staff Area:

- Comfortable space for staff breaks and meetings.
- Central location for administrative tasks and oversight.

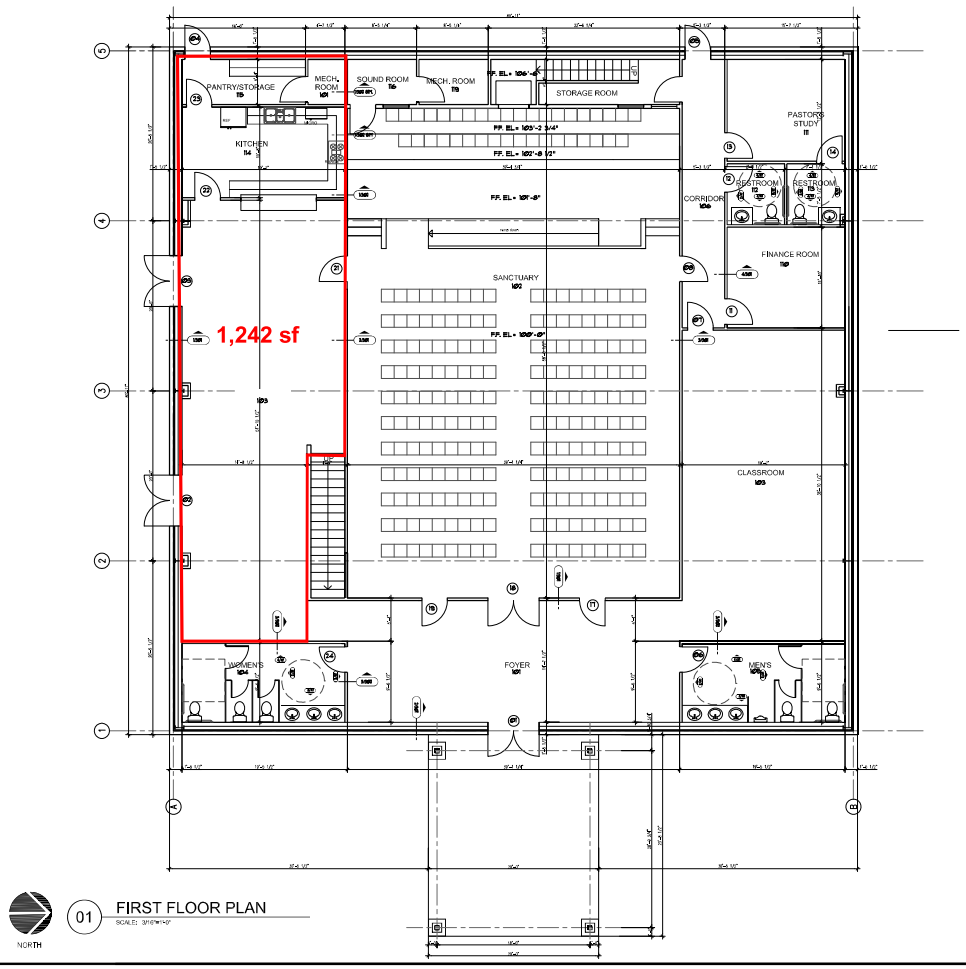
Site Plan - Exhibit C

Item 11&12



Floor Plan - Exhibit D

Item 11&12



01 FIRST FLOOR PLAN

SCALE: 3/16"=1'-0"

NORTH

A NEW MEETING ROOM FOR:

FRIENDSHIP BAPTIST CHURCH

725 PERRY AVENUE, WAXAHACHIE TEXAS

hugo monsanto architect

300 south rogers street #102 • waxahachie texas 75165 • monsantoarchitect@att.net • (972) 938-2550

REVISION DATE

SHEET NUMBER

101

DATE:

12.2018

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-97-2024

MEETING DATE(S)

Planning & Zoning Commission: August 13, 2024
City Council: August 19, 2024

CAPTION

Public Hearing on a request by Randall Speed, for a **Zoning Change** from a Future Development (FD) zoning district to Planned Development-Future Development (PD-FD) zoning district located at 2867 Howard Road, (Property ID 204646) - Owner: Randall Speed (ZDC-97-2024)

RECOMMENDED MOTION

"I move to recommend denial of ZDC-97-2024, a Zoning Change from a Future Development (FD) zoning district to Planned Development-Future Development (PD-FD) zoning district."

APPLICANT REQUEST

The applicant requests to rezone the subject property to allow for the development of a private gravel road serving three (3) single-family residential lots. All lots are proposed to be 10-acres in size or larger.

CASE INFORMATION

Applicant: Randall Speed

Property Owner(s): Randall Speed

Site Acreage: 49.998 acres

Current Zoning: Future Development (FD)

Requested Zoning: Planned Development-Future Development (PD-FD)

SUBJECT PROPERTY

General Location: 2867 Howard Road

Parcel ID Number(s): 204646

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	C	Warehouse
East	C	Restaurant
South	C	Office
West	C	Gas Station

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 Howard Road.

Site Image:



PLANNING ANALYSIS

The applicant proposes to rezone the subject property to allow for the development of a private gravel road serving three (3) single-family residential lots. All lots are proposed to be 10-acres in size or larger. The applicant is pursuing this Planned Development request due to the fact that there is insufficient frontage along Howard Road to subdivide the subject property into multiple lots.

The subject property is currently accessible via a gravel driveway connecting to Howard Road. As part of this Planned Development request, the applicant proposes dedicate a 60’ private street and private utility easement along the gravel driveway, 829’ into the subject property. The applicant also proposes to improve the gravel driveway to a 24’ wide compacted gravel road that ends in a cul-de-sac bulb. The private gravel road is proposed to be owned and maintained by a HOA established for the subdivision.

Planning Analysis (continued):

The applicant has included provisions in the Planned Development request that differ from the typical setback and lot frontage requirements of the Future Development zoning district. The proposed setback, lot frontage, and lot size requirements are identified in the table below. **Items in **bold** do not meet the minimum requirements of the base Future Development zoning district.*

Standard	Typical Future Development (FD)	Planned Development (PD-FD)
Minimum Lot Size	3-acres	10-acres
Minimum Lot Width (at front setback)	270'	**250'**
Minimum Front Setback	35'	350'
Minimum Rear Setback	25'	25'
Minimum Side Setback	10% of Lot Width	**25'**

STAFF CONCERNS

Private Gravel Road

City of Waxahachie Subdivision Ordinance requires all proposed private streets to adhere to the design and construction standards of a publicly dedicated street. The Waxahachie Construction & Design Manual requires public streets serving rural residential subdivisions to be 27' wide and constructed of concrete. The Waxahachie Subdivision also requires private streets to have a minimum of 70' of frontage on a public collector road at the entrance of the private subdivision. The subject property currently has only 60' of frontage along Howard Road.

Staff is concerned that approval of a private gravel road as opposed to a typical public concrete street will negatively impact the ability of emergency services to access the three proposed lots. Additionally, staff is concerned that the private gravel road may become the responsibility of the City to maintain and/or improve in the event the HOA for the proposed subdivision defaults or dissolves. Finally, staff is concerned that approving the use of a private gravel road will set a precedent for the use of substandard access for rural residential subdivisions proposed in the future.

Due to these concerns, staff is not supportive of the Planned Development request. If the applicant wishes to proceed with the development of a private residential subdivision, staff recommends the applicant redesign the proposal to adhere to the requirements for private streets identified by Section 3.1 of the Waxahachie Subdivision Ordinance.

PUBLIC NOTIFICATIONS

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

PUBLIC NOTIFICATION RESPONSES

Staff has received one (1) letter of opposition and two (2) letters of support for the Planned Development request.

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 PD request.

If the Commission opts to recommend approval of the PD request, staff recommends the following conditions.

Conditions:

1. A maximum of a three (3) residential lots shall be permitted to be platted on the subject property. No residential lot shall be less than ten (10) acres in size.
2. The minimum lot width at the building line (front yard setback) for all residential lots shall be 250 feet.
3. The minimum front yard setback for all residential lots shall be 350 feet.
4. The minimum side yard setback for all residential lots shall be 25 feet.
5. The proposed development shall be served by a private street. The private street shall be a minimum of 24' in width and constructed of compacted gravel, as shown in Exhibit B – Concept Plan.
6. The maximum length for the private street shall be 829 linear feet, as shown in Exhibit B – Concept Plan.
7. A Home Owner's Association (HOA) shall be required to be formed for the development. The HOA shall be required to maintain the private street identified in Exhibit B – Concept Plan.
8. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance shall conform to those requirements and/or standards prescribed in Exhibit A – Location Map and Exhibit B – Concept Plan. Where regulations are not specified in Exhibits A and B, or in this Ordinance, the regulations of the Future Development (FD) Zoning District and the City of Waxahachie Zoning Ordinance shall apply to this development.
9. The Developer and Owner of the subject property shall be responsible for obtaining building permits per the City's applicable rules and regulations governing such permits.
10. 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.

ATTACHED EXHIBITS

1. PON Responses
2. Owner Letter
3. Location Map – Exhibit A
4. Concept Plan – Exhibit B

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.
3. If approved by City Council, the applicant is required to Plat the subject property prior to development of the site.

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-97-2024

MC KOY STEPHEN OTIS
2891 HOWARD RD
WAXAHACHIE, TX 75165-9469

RECEIVED AUG 0 2 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 13, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 19, 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 Randall Speed, for a Zoning Change from a Future Development (FD) zoning district to Planned Development-Future Development (PD-FD) zoning district located at 2867 Howard Road, (Property ID 204646) - Owner: Randall Speed (ZDC-97-2024) 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-97-2024 **City Reference: 201651**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *August 7, 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 already offered to buy 15-20 acres next to my land at a reasonable price, otherwise NO.

Stephen McKoy
Signature

7-29-24
Date

STEPHEN McKOY
Printed Name and Title

2891 Howard Rd.
Address

Item 13&14

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-97-2024

RECEIVED 7/29/2024

HENRY JAMES R & LINDA S OSBORN
2801 HOWARD RD
WAXAHACHIE, TX 75165-9469

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Case Number: ZDC-97-2024 **City Reference: 284694**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *August 7, 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 are adequate Deed Restrictions in place to address any concerns I might have

James R Henry
Signature

7-29-24
Date

James R Henry
Printed Name and Title

2801 Howard Rd
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-97-2024

<>

SPEED RANDALL S
704 ROARING CREEK DR
RED OAK, TX 75154-3986

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 13, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 19, 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-97-2024 **City Reference: 204646**

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☑ SUPPORT ☐ OPPOSE

Comments: Please see attachment

Signature

7/31/24
Date

Randy Speed, Developer
Printed Name and Title

704 Roaring Creek Dr, Oak Leaf, TX 75154
Address

Item 13&14

Case Number ZDC-97-2024
City Reference: 204646

The requested zoning change per ZDC-97-2024 supports the vision of the original developer of this portion of the Penn Estate, Warren Snow. His vision describes 10-15 acre “ranchettes” with a minimum 2500 sf home on no less than 10 acres. The Limestone Gap planned development adheres to existing deed restrictions, fulfills this vision, and is beneficial for Waxahachie in terms of future ad valorem revenue when compared to a single 50-acre parcel. Furthermore, in laying out the concept plan, the developer (myself) has considered any concerns of the owners of the four adjoining properties to the proposed PD. Examples of these accommodations can be given for each of the four neighbors.

Owner Letter

Item 13&14

Advantages of 3 ~16-acre Tracts vs Single 50-acre Farm

(Revision of 7/03/2024)

- Highest/Best use of 50-acre farm on Howard Road
  - Single 50-acre property owner versus 3 individual homes/lots
  - Developer's original intent for this land (10 to 12-acre Ranchets, Warren Snow)
  - Goal to remain Rural, in harmony with adjoining tracts
  - Future desirability of "neighborhood" with arms-length neighbors
  - Follows Deed Restrictions of no more than 4 lots total on original 60 acres and each lot to be not less than 10 acres
- Maximize Financial Benefit to City of Waxahachie
  - Additional tracts bring additional ad valorem tax (more domicile structures)
  - Populace density increases

Owner Letter

Item 13&14

Justification for Variation Requests

- Gravel Drive Variance (City requires concrete for future developments)
  - A Similar Property (Property ID 257995, 2801 Howard Road) has previously been approved for gravel drive instead of concrete, which establishes precedent for gravel road variation request as well as length variation of cul-de-sac length request
  - The similar property (Property ID 257995) shares the entirety of the NE boundary with the subject property (ID 204646) and shares an additional boundary of another ~10-acre property adjoining the subject property using gravel road. The Gravel Drive variation request is also heavily based on economics
  - Limestone Gap developer believes that exceptions can exist where small private developments do not necessarily fit the mold of what are otherwise good practices using concrete
  - The economical rightsized fit for Limestone Gap is a private gravel drive and to attempt otherwise places the project financial feasibility at risk
  - Properties will stay in Ag, gravel road surface more appropriate for rolling equipment used for harvesting hay
  - Summarily, the region within say a 1/2-mile radius of Limestone Gap are all somewhat joined within a small region of impressive homes with gravel drives and provide rural continuity and the warm “feel” of country-style living

Owner Letter

Justification for Deviation Requests (cont.)

- Length of Cul-De-Sac (City length requirement of Cul-De-Sac is less than length of Limestone Gap)
- The adjoining Similar Property (Property ID 257995, 2801 Howard Road) also has no exit access to the Crooked Creek development and its single drive access is comparable to Limestone Gap access, which establishes precedent for this exception request
- Fire Hydrant
  - Developer had previously considered installing a fire hydrant at the end of the cul-de-sac and will not propose the additional hydrant at this time. The mitigating factors are as follows:
    - A hydrant already exists on Howard Road in very close proximity to the Limestone Gap private road
    - It has been learned that the existing fire hydrant across from 2867 Howard Road (as shown on concept plan) is within 1000’ of end of cul-de-sac and can service up to and at least to the end of the cu-de-sac
    - The road is private property thus maintenance/management of the hydrant presents complicating factors
    - Homeowners will be encouraged to install monitored smoke alarms

Owner Letter

Private Development Permissions Requested Summary

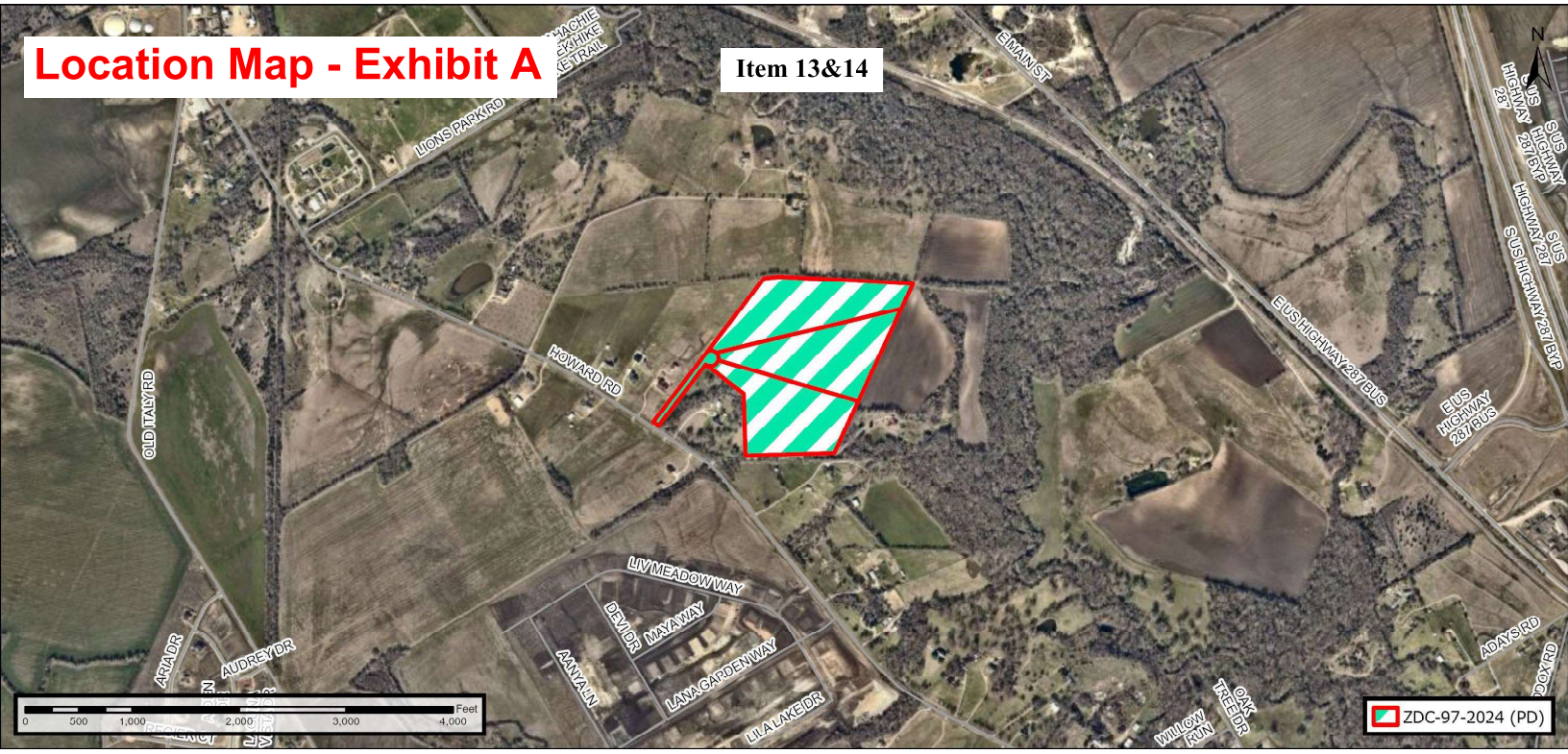
- Gravel Road Access versus Asphalt or Concrete
  - Costs to build asphalt or concrete cause undue financial costs to private development feasibility
  - Gravel access road keeps “feel” and costs within line of “rural” private development
  - HOA to be set up for maintenance costs
  - Odd number of HOA “voters” (3 lots) assures a majority always
- Maximum length of Cul-de-sac
  - Costs to maintain gravel road are not a burden to city, as HOA is responsible for upkeep
  - Diameter of Turn-around at end of Cul-De-Sac assures fire truck access to all lots as well as U-turn capability

Owner Letter

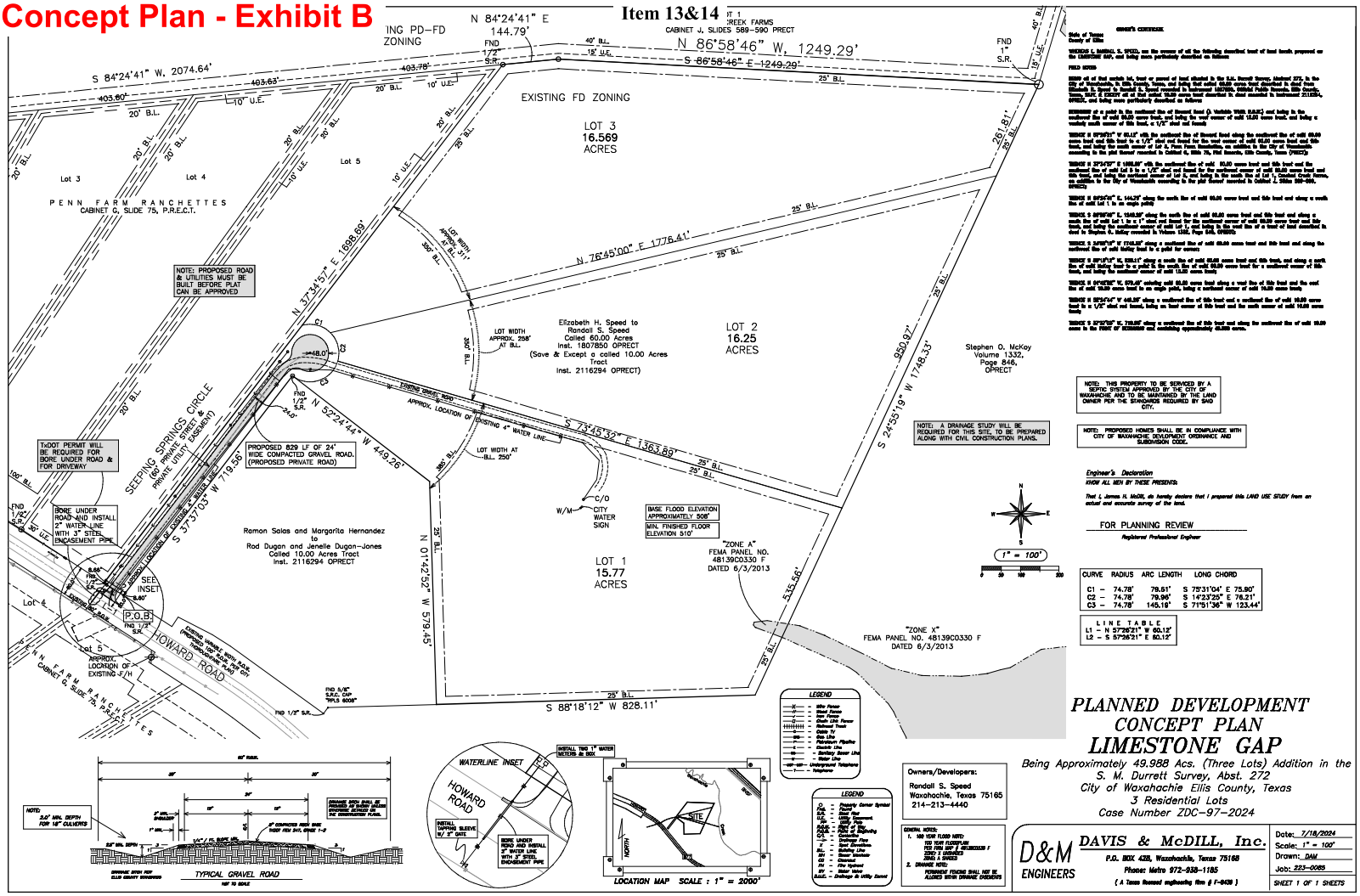
Item 13&14

Utilities

- Utilities
  - Meter already exists along Howard Road for Lot 1 only, and feeds city water to Lot 1 only
  - Owners of Lots 2 and 3 are responsible to bring water from their respective meter to their property
  - Septic tanks to be used for wastewater disposal for each property


Location Map - Exhibit A
Item 13&14
E MAIN ST
LIONS PARK RD
HOWARD RD
OLD ITALY RD
E US HIGHWAY 287 BUS
US HIGHWAY 287
US HIGHWAY 287 BYP
LIV MEADOW WAY
DAVID J MAYA WAY
LANA GARDEN WAY
ANYA LN
LILA LAKE DR
ARIA DR
AUDREY DR
ADAYS RD
WILLOW RUN
OAK TREE DR
0 500 1,000 2,000 3,000 4,000 Feet
ZDC-97-2024 (PD)
N

Concept Plan - Exhibit B



PLANNED DEVELOPMENT CONCEPT PLAN
LIMESTONE GAP

Being Approximately 49.988 Acs. (Three Lots) Addition in the S. M. Durrett Survey, Abst. 272 City of Waxahachie Ellis County, Texas 3 Residential Lots Case Number ZDC-97-2024

D&M ENGINEERS

DAVIS & McDILL, Inc.
P.O. BOX 428, Waxahachie, Texas 75168
Phone: Metro 972-938-1185
(A Texas Licensed engineering firm # F-9439)

Date: 7/18/2024
Scale: 1" = 100'
Drawn: DAM
Job: 23-0085
SHEET 1 OF 1 SHEETS