

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, September 24, 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 September 10, 2024
- b. Consider a request by Ramona Baldwin for a Replat of Lots 6 and 7B Block 2 of the Tom Graham Addition, to create Lot 6A, Block 2 of the Tom Graham Addition, being 0.214 acres, located at 1500 Brackens Street (Property ID 173776)– Owner: Bristol Trail Properties (SUB-176-2024)
- c. Consider a request by Clint Weaver, Westwood PS, for a Replat of Lot 4, Block 2 of the 66 Crossing Addition, to create Lots 4R1 and 4R2, Block 2 of the 66 Crossing Addition, being 33.167 acres, located adjacent to 1499 F.M. 66 (Property ID 284600)– Owner(s): Waxahachie Residential Ventures, LLC and Storage Choice – Waxahachie, LTD (SUB-179-2024)
- d. Consider a request by Tommy Mann, Winstead PC, for a Plat of the Vista de Madera Addition, 75 residential lots, being 32.564 acres, located directly south of 140 Lavender Drive, situated in the W.C. Calder Survey, Abstract 235, and the B.B. Davis Survey, Abstract 290, an addition to the City of Waxahachie (Property ID: 182275) – Owner: Vista De Madera Waxahachie (SUB-180-2024)

5. **Recognize** Bonney Ramsey, Erik Test, and Ron Ansell for their service on the Planning & Zoning Commission
6. **Public Hearing** on a request by the City of Waxahachie for a textual amendment to the City Zoning Ordinance, Ordinance No. 3020, to Article IV Definitions and Use Regulations, Section 4.01 Definitions, and to Article IV Definitions and Use Regulations, Section 4.03 Use Charts, to address Event Center Uses (ZTA-126-2024) Staff: Jennifer Pruitt
7. **Consider** recommendation of ZTA-126-2024
8. **Public Hearing** on a request by Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu
9. **Consider** recommendation of ZDC-167-2024
10. Adjourn

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

Notice of Potential Quorum

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

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Tuesday, September 10, 2024 at 7:00 p.m.

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

Member Absent: Ron Ansell

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Senior Director of Planning
Zack King, 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**

Stephen Vedro, 219 Range Road, Waxahachie, Texas, spoke in opposition to ZDC-139-2024 due to safety concerns and decrease in surrounding property values.

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of August 27, 2024
- b. Consider a request by Matt Baacke, GMcivil, for a Plat of Myrtle Creek Phase 1D, 46 residential lots and 1 non-residential lot, being 13.093 acres, located approximately 3,000 feet northeast of 2325 S US Highway 287 Bypass, situated in the Benjamin Collier Survey, Abstract 216, and the Salis M. Duritt Survey, Abstract 272, an addition to the City of Waxahachie (Property ID: 180362 & 180365) – Owner: HT US 287 Owner LP (SUB-166-2024)

Action:

Bonney Ramsey moved to approve all items on the Consent Agenda as presented. Motion was seconded by Erik Test and carried unanimously (6-0).

5. **Public Hearing on a request by Matthew Smith, Darwood Partners, for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales use within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden**

**Valley Parkway (Property ID 242234) – Owner: WP Legacy LTD (ZDC-139-2024)
Staff: Oanh Vu**

Chairman Keeler announced the applicant requested to continue the Public Hearing from the September 10, 2024, Planning and Zoning Commission meeting and the September 16, 2024, City Council meeting to the October 15, 2024, Planning and Zoning Commission meeting, and the October 21, 2024, City Council meeting, to evaluate the public comments and meet with neighboring properties.

Action:

David Hudgins moved to continue the Public Hearing for ZDC-139-2024 to the October 15th Planning & Zoning Commission meeting. Motion was seconded by Jeff Reed and carried unanimously (6-0).

6. Consider recommendation of ZDC-139-2024

No action taken.

7. Public Hearing on a request by Katrina Walker Aulson, for a Specific Use Permit (SUP) for an Accessory Structure over 700 Square Feet use within a Single-Family-1 (SF-1) zoning district located at 611 North Grand Avenue (Property ID 176844) – Owner(s): Katrina Walker Aulson (ZDC-180-2023) Staff: Oanh Vu

Chairman Keeler announced at the request of staff, due to a noticing error, the applicant has requested to continue the Public Hearing from the September 10, 2024, Planning and Zoning Commission meeting and the September 16, 2024, City Council meeting to the October 15, 2024, Planning and Zoning Commission meeting, and the October 21, 2024, City Council meeting.

Action:

David Hudgins moved to continue the Public Hearing for ZDC-180-2023 to the October 15th Planning & Zoning Commission meeting. Motion was seconded by Erik Test and carried unanimously (6-0).

8. Consider recommendation of ZDC-180-2023

No action taken.

9. Public Hearing on a request by the City of Waxahachie for an Amendment to the City Zoning Ordinance, Appendix C, Section 2.4 (c.) 25 (vi) k. Timing of Public Improvements, adding language related to timing of public improvements (ZTA-175-2024) Staff: Justin Stoker

Senior Director of Public Works and Engineering Justin Stoker presented the Item. The City of Waxahachie seeks to add clarifying language regarding vested rights to the City's infrastructure capacity, clarify the length of time that engineering permits remain valid, and close inactive permit applications that are not progressing toward completion.

Current City ordinances are unclear regarding the point in which permitted and platted projects are vested into the street, drainage, water, and wastewater capacity of City infrastructure. There is also a lack of clarity regarding how long permitted engineering projects are considered valid for construction.

Additionally, many engineering permit applications have been made that have become inactive without reaching completion. After receiving the application, staff members reviewed it and responded with comments and additional requirements. Following the response, the applicant has failed to remain engaged with the application. This has led to a list of project applications, many of which are several years old, that are dormant and not progressing toward completion.

Additional language is proposed that clarifies that rights to City infrastructure are made with the approval of the plat. It further clarifies that if the plat expires, then vested rights to infrastructure also expire. Finally, it adds language that would close permit applications that have been dormant for over six months without any progress toward completion.

Chairman Keeler opened the Public Hearing at approximately 7:08 p.m.

There being no others to speak for or against ZTA-175-2024, Chairman Keeler closed the Public Hearing at approximately 7:08 p.m.

10. Consider recommendation of ZTA-175-2024

Action:

Erik Test moved to recommend approval of ZTA-175-2024, a request by the City of Waxahachie for an Amendment to the City of Waxahachie Code of Ordinances, Appendix C, Section 2.4 (c.) 25 (vi) k. Timing of Public Improvements, authorizing the Mayor to sign the associated documents accordingly. Motion was seconded by Bonney Ramsey and carried unanimously (6-0).

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 North US Highway 77 (Property ID 173186) – Owner: Marline Six, LLC (ZDC-170-2024) Staff: Harper Lindamood

Planner Harper Lindamood presented the Item. The applicant requests a Specific Use Permit for an Auto Repair, Minor or Automotive Center use (Glass Doctor Auto). The business has been operating on-site as an Auto Repair, Minor, or Automotive Center use since 2022 without an approved certificate of occupancy (CO) for repairs on-site. The applicant submitted a Certificate of Occupancy request on May 15, 2024, for an Auto Repair, Minor or Automotive Center use. 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.

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 if the subject Specific Use permit is approved.

The applicant submitted a previous zoning case, ZDC-124-2024, for an Auto Repair, Minor, or Automotive Center use on June 14, 2024. On July 23, 2024, the Planning & Zoning Commission recommended approval. However, on August 5, 2024, the City Council denied the SUP request. As a result of the City Council denial, on August 5, 2024, the applicant requested a new CO application for “office use only” on-site, which was approved by city staff on August 19, 2024. Staff received two (2) letters of opposition.

Chairman Keeler opened the Public Hearing at approximately 7:12 p.m.

There being no others to speak for or against ZDC-170-2024, Chairman Keeler closed the Public Hearing at approximately 7:13 p.m.

12. Consider recommendation of ZDC-170-2024

Action:

Erik Test moved to deny ZDC-170-2024, a Specific Use Permit (SUP) for a Minor Auto Repair Shop use. Motion was seconded by Marlene Norcross and carried unanimously (6-0).

13. Public Hearing on a request by Karla Marroquin for a Specific Use Permit (SUP) for an Accessory Structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures use within a Planned Development - Single Family-1 (PD-SF-1) zoning district located at 100 Dollar Court (Property ID 174535) – Owner: Karla Marroquin (ZDC-159-2024) Staff: Harper Lindamood

Ms. Lindamood presented the Item and Santana Marroquin requested approval. The applicant is requesting a Specific Use Permit (SUP) to construct an accessory structure that exceeds one thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures at 100 Dollar Court. One of the existing accessory structures is being utilized as a carport and is approximately 1,200 square feet. The second existing accessory structure is being utilized as a greenhouse of approximately 644 square feet; therefore, the total square footage of existing and proposed accessory structures exceeds 1,000 square feet and requires a SUP to be approved by City Council.

According to the Ellis County Appraisal District, the existing primary structure is approximately 1,279 square feet, and the proposed accessory structure is approximately 384 square feet. The accessory structure is comprised of metal panels and is proposed to be used for the storage of household equipment. The applicant has noted that the structure will not be used to store cars or heavy machinery, and will not have any plumbing and electrical work done. The applicant has also confirmed to staff that the structure will not be used as a dwelling or short-term rental and will not be metered, sold, or leased separately from the existing primary structure. Staff received four (4) letters of support.

Chairman Keeler opened the Public Hearing at approximately 7:17 p.m.

There being no others to speak for or against ZDC-159-2024, Chairman Keeler closed the Public Hearing at approximately 7:18 p.m.

14. Consider recommendation of ZDC-159-2024

Action:

David Hudgins moved to recommend approval of ZDC-159-2024, Specific Use Permit (SUP) for an Accessory Structure exceeding one thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures use within a Single Family-1 (SF-1) zoning district, subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to sign the associated documents accordingly. Motion was seconded by Jeff Reed and carried 5-1 with Marlene Norcross voting in opposition.

15. Public Hearing on a request by Shelly Hines for a Specific Use Permit (SUP) for an Accessory Structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structure use within a Single Family-1 (SF-1) zoning district located at 2385 Marshall Road, (Property ID 203842) – Owner: Shelly Hines (ZDC-162-2024) Staff: Harper Lindamood

Ms. Lindamood presented the Item. The applicant is requesting a Specific Use Permit (SUP) to construct an accessory structure in which exceeds one thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures at 2385 Marshall Road. One of the existing accessory structures is being utilized as a barn and is approximately 7,508 square feet. The second existing accessory structure is being utilized as a shed of approximately 1,014 square feet; therefore, the total square footage of existing and proposed accessory structures exceeds 1,000 square feet and requires a SUP to be approved by City Council.

According to the Ellis County Appraisal District, the existing primary structure is approximately 3,470 square feet, and the proposed unenclosed accessory structure is approximately 594 square feet. The proposed accessory structure is comprised of wood. There will be new plumbing and electrical work to be done. Staff received one (1) letter of support.

Chairman Keeler opened the Public Hearing at approximately 7:22 p.m.

There being no others to speak for or against ZDC-162-2024, Chairman Keeler closed the Public Hearing at approximately 7:22 p.m.

16. Consider recommendation of ZDC-162-2024

Action:

Bonney Ramsey moved to recommend approval of ZDC-162-2024, Specific Use Permit (SUP) for an Accessory Structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures use within a Single Family-1 (SF-1) zoning district, subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to sign the associated documents accordingly. Motion was seconded by David Hudgins and carried unanimously (6-0).

17. Public Hearing on a request by Kevin Patel, Triangle Engineering, for a Specific Use Permit (SUP) for a Drive-Through Establishment use within a Planned Development-General Retail (PD-GR) zoning district located at 2932 N US Highway 77 (Property

**ID 189379) - Owner: Vaquero Highway 77 Waxahachie Partners LP (ZDC-103-2024)
Staff: Zack King**

Chairman Keeler announced the applicant requested to continue the Public Hearing from the September 10, 2024, Planning and Zoning Commission meeting and the September 16, 2024, City Council meeting to the October 15, 2024, Planning and Zoning Commission meeting, and the October 21, 2024, City Council meeting, to allow the development team additional time to assess the SUP Ordinance for the property.

Action:

David Hudgins moved to continue the Public Hearing for ZDC-103-2024 to the October 15th Planning & Zoning Commission meeting. Motion was seconded by Erik Test and carried unanimously (6-0).

18. Consider recommendation of ZDC-103-2024

No action taken.

19. Public Hearing on a request by Erik Test, Ellis County, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a General Retail (GR) and Commercial (C) zoning district located at 302 N Monroe Street (Property ID 289705) - Owner: Ellis County, Texas (ZDC-105-2024) Staff: Zack King

Senior Planner Zack King presented the Item and Ellis County Judge Todd Little requested approval. The applicant proposes a Specific Use Permit (SUP) to allow for the construction of an electronic message sign for the Ellis County Central Building. An existing pole sign currently exists on the subject property along N Elm Street (US Highway 77). The applicant proposes to remove this pole sign and provide signage for the property with a new monument sign that will include an electronic message component. The proposed monument sign is 15' in height and a total of 150 square feet in size. The electronic message board will constitute approximately 40 square feet of the sign.

Monument signs are typically required to be situated outside of all easements. However, there are multiple large existing easements that extend between 25' and 40' into the subject property along N Elm Street (US Highway 77). Due to this, the applicant is unable to locate the monument sign outside of all existing utility easements. The applicant has worked with staff from the Utilities Department to ensure the monument sign is at least 7.5' from existing utility infrastructure. The Utilities Department has noted that the placement of the monument sign with the existing utility easements on the property is acceptable if a setback of 7.5' from existing utility infrastructure is maintained.

Electronic Message Signs shall be restricted to the form of monument signs. Per Section 5.08 of the Waxahachie Zoning Ordinance, Monuments signs shall have a low profile and must be made of stone, concrete, brick or other similar materials. A monument sign shall be solid from the ground up and all pole(s) or supports shall be concealed. Single-tenant Monument Signs are restricted to maximum height of 8' and a maximum size of 80 square feet.

The proposed electronic message sign will be incorporated into a monument sign. However, the monument sign proposed by the applicant is 15' in height and 150 square feet in size.

Council Member Patrick Souter confirmed the property is outside the area requiring approval by the Heritage Preservation Commission and Mr. King concurred.

Chairman Keeler opened the Public Hearing at approximately 7:31 p.m.

There being no others to speak for or against ZDC-105-2024, Chairman Keeler closed the Public Hearing at approximately 7:32 p.m.

20. Consider recommendation of ZDC-105-2024

Action:

David Hudgins moved to recommend approval of ZDC-105-2024, a Specific Use Permit (SUP) request for an Electronic Message Sign use at 302 N Monroe, subject to the conditions of the staff report. Motion was seconded by Bonney Ramsey and carried 5-0-1 with Erik Test abstaining.

21. Public Hearing on a request by Brian Wade, RLG Consulting Engineers, for a Replat of Block 29, 96, and 97 of the Official Town Map of Waxahachie, to create Lot 1, Block 29B of the City Hall addition, 1 lot, being 1.3453 acres, located at 401 S Rogers Street, (Property ID 193895) – Owner: City of Waxahachie (SUB-173-2024) Staff: Zack King

Mr. King presented the Item. The applicant proposes to replat the subject property to combine multiple existing lots into a single non-residential lot to facilitate the upcoming remodel of Waxahachie City Hall. The proposed replat adheres to the lot size and dimension requirements of the Light Industrial-2 zoning district.

As part of the review of the Replat application, staff identified multiple technical items that conflict with the requirements of the Waxahachie Subdivision Ordinance. These technical items are required to be corrected prior to the filing of the Replat.

Section 3.3.a of the Waxahachie Subdivision Ordinance, requires the dedication of a 15' Utility Easement adjacent to all public right-of-way (ROW) at the time of platting or replatting. The applicant has requested a Petition for Relief Waiver (variance) to not dedicate a 15' Utility Easement along S Rogers Street or W Madison Street. This Petition for Relief is requested due to the fact that the existing building and retaining walls on the site are situated on the property line along S Rogers Street and W Madison Street. The portions of the building and the existing retaining walls in question will not be removed as part of the upcoming City Hall remodel, so an easement cannot be dedicated at this time.

Staff is supportive of the Petition for Relief Waiver due to the fact that sufficient public and franchise utility infrastructure for the property is already in place within the ROW of S Rogers Street and W Madison Street.

Chairman Keeler opened the Public Hearing at approximately 7:36 p.m.

There being no others to speak for or against SUB-173-2024, Chairman Keeler closed the Public Hearing at approximately 7:36 p.m.

22. Consider recommendation of SUB-173-2024

Action:

Erik Test moved to recommend approval of SUB-173-2024, a Replat for the City Hall addition, and the associated Petition for Relief Waiver, subject to the conditions of the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Motion was seconded by Bonney Ramsey and carried unanimously (6-0).

23. Public Hearing on a request by Rob Myers, Kimley-Horn, for a Plat of the Waxahachie North Addition, Lot 1, Block A, being 3.316 acres, located directly east of 984 W US Highway 287 Bypass, situated in the Robert Parks Survey, Abstract 851 and the Robert Russell Survey, Abstract 911, an addition to the City of Waxahachie (Property ID 189338 & 189991) – Owner: Oncor Electric Delivery Company (SUB-154-2024) Staff: Zack King

Mr. King presented the Item and Oncor representative Seth Sampson requested approval. The applicant proposes to plat the subject property into one (1) non-residential lot for the expansion of an existing Oncor sub-station. The proposed plat adheres to the lot size and dimension requirements for the subject property, based on the current zoning of the site.

As part of the review of the plat application, staff identified multiple technical items that conflict with the requirements of the Waxahachie Subdivision Ordinance. These technical items are required to be corrected prior to the filing of the plat.

Section 3.5.a of the Waxahachie Subdivision Ordinance, requires all non-residential developments to install a 6' sidewalk adjacent to public right-of-way (ROW). The applicant has requested a Petition for Relief Waiver (variance) to not install the 6' sidewalk. The applicant has noted that the purpose of the plat is to facilitate the expansion of an existing Oncor substation and that there is not an existing sidewalk on the, or adjacent to, the subject property. Staff is supportive of the Petition for Relief Waiver due to the fact that the Oncor substation is a restricted, unmanned facility.

Chairman Keeler opened the Public Hearing at approximately 7:42 p.m.

Quinton Turner, 144 Arrow Wood, Waxahachie, Texas, asked if future sidewalks are planned. Mr. King confirmed the petition of relief waiver would not prevent the City or TxDOT from adding sidewalks if they choose so in the future.

There being no others to speak for or against SUB-154-2024, Chairman Keeler closed the Public Hearing at approximately 7:45 p.m.

24. Consider recommendation of SUB-154-2024

Action:

David Hudgins moved to recommend approval of SUB-154-2024, a Plat of the Waxahachie North Addition, Lot 1, Block A, and the associated Petition for Relief Waiver, subject to the conditions of the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Motion was seconded by Marlene Norcross and carried unanimously (6-0).

25. Adjourn

There being no further business, the meeting adjourned at 7:46 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

Planning & Zoning Department

Plat Staff Report

Case: SUB-176-2024



MEETING DATE(S)

Planning & Zoning Commission: September 24, 2024

CAPTION

Public Hearing on a request by Ramona Baldwin for a **Replat** of Lots 6 and 7B Block 2 of the Tom Graham Addition, to create Lot 6A, Block 2 of the Tom Graham Addition, being 0.214 acres, located at 1500 Brackens Street (Property ID 173776)– Owner: Bristol Trail Properties (SUB-176-2024)

RECOMMENDED MOTION

*"I move to approve SUB-176-2024 for a **Replat** of Lots 6 and 7B Block 2 of the Tom Graham Addition, to create Lot 6A, Block 2 of the Tom Graham Addition, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."*

APPLICANT REQUEST

The applicant requests to replat the subject property into one (1) lot for residential use.

CASE INFORMATION

<i>Applicant:</i>	Ramona Baldwin, Bristol Trails
<i>Property Owner(s):</i>	Bristol Trail Properties
<i>Site Acreage:</i>	0.214 acres
<i>Number of Lots:</i>	1 lots
<i>Number of Dwelling Units:</i>	1 unit
<i>Park Land Dedication:</i>	N/A
<i>Adequate Public Facilities:</i>	Adequate public facilities are available to the subject property.

SUBJECT PROPERTY

<i>General Location:</i>	1500 Brackens
<i>Parcel ID Number(s):</i>	173776
<i>Current Zoning:</i>	Single-Family-3 (SF-3)
<i>Existing Use:</i>	Undeveloped
<i>Platting History:</i>	The subject property is currently platted as Lots 6 and 7B, Block 2 of the Tom Graham Addition.

Site Aerial:

PLANNING ANALYSIS

The applicant proposes to replat the subject property to combine two lots into one lot for residential use. The proposed replat adheres to the Infill Development Overlay.

As part of the review of the Replat application, Staff has identified multiple technical items that conflict with the requirements of the City of Waxahachie Subdivision Ordinance. 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.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning Department recommends approval of the replat request, subject to the condition below.

Conditions:

1. Per the City's Comprehensive Plan, the property owner shall dedicate a total of 25' from the centerline of Brackens Street.
2. Per Section 3.3 of the City's Subdivision Ordinance, the property owner shall dedicate a 15' utility easement (U.E.) along the frontage of Brackens Street.
3. Per Section 2.3 of the City's Subdivision Ordinance, the property shall perform a title search to locate all easements.
4. Per Section 3.9 of the City's Subdivision Ordinance, the property owner shall install water and sewer services as required prior to filing the plat.
5. Per Section 2.1a and 7.1h of the City's Subdivision Ordinance, Filing fees of \$104.00 is required to be paid to the City of Waxahachie.
6. Per Section 2.3.b of the City's 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. 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:

Oanh Vu

Senior Planner

oanh.vu@waxahachie.com

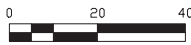
Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

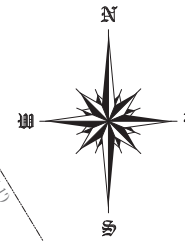
EXHIBIT A - REPLAT



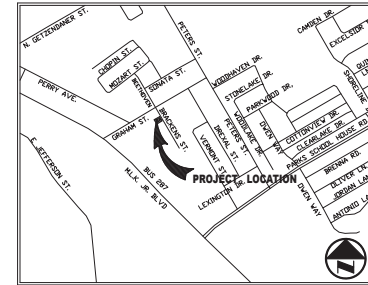
SCALE 1" = 20'
(INTENDED TO PLOT ON A 18" x 24" SHEET)

Basis of Bearing:
Grid North, Texas North Central Zone 4202,
NAD83. Distances shown are ground values
US survey feet.

Coordinates shown are in grid values. To
adjust to ground apply a scale of
1.00008213389456.



(4b)



VICINITY MAP NOT TO SCALE

LEGEND:

IRF = IRON ROD FOUND
IRS = IRON ROD SET
IRPF = IRON PIPE FOUND
M.F.P. = 2-1/4" METAL FENCE POST
W/BC = WITH BLUE PLASTIC CAP
STAMPED "RPLS 3941"
W/YC = WITH YELLOW CAP
CM = CONTROLLING MONUMENT
[D] = DEED CALL
[P] = PLAT CALL
O.P.R.E.C.T. = OFFICIAL PUBLIC RECORDS
ELLIS COUNTY, TEXAS
P.R.E.C.T. = PLAT RECORDS ELLIS COUNTY, TEXAS
COORD. = COORDINATE

REPLAT OF TOM GRAHAM ADDITION LOT 6A, BLOCK 2

BEING A REVISION OF ALL OF LOT 6 AND PART OF
LOT 7, BLOCK 2,
TOM GRAHAM ADDITION TO THE CITY OF WAXAHACHIE
AS RECORDED IN CABINET A, SLIDE 217 OF THE PLAT
RECORDS, ELLIS COUNTY, TEXAS
0.214 ACRES SITUATED IN THE
SALIS M. DURITT SURVEY, ABSTRACT NO. 272
CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS
1 RESIDENTIAL LOT
MAP DATE JULY 16, 2024

OWNER:
Bristol Trail Properties, LLC
Contact: Ramona Bladwin
214-259-5555
EMAIL: ramona.baldwin@ccm.com

SCALE: 1" = 20'
DRAWN BY: J.L.K.
JOB# 24-3080 REPLAT

SURVEYOR:
DATA LAND SERVICES CORP.
T.B.P.E.L.S. FIRM #10183900
P.O. BOX 2110
FORNEY, TEXAS 75126
(972)564-6166
EMAIL: orders@datalandservices.com

EXHIBIT A - REPLAT

(4b)

WHEREAS, Bristol Trail Properties, LLC is the Owners of a tract of land situated in the Salis M. Duritt Survey, Abstract No. 272, City of Waxahachie, Ellis County, Texas, and being all of Lot 6 and the Northwest one-half of Lot 7, Block 2, of Tom Graham Addition, to the City of Waxahachie, Ellis County, Texas, according to the official plat of said Addition filed in Cabinet A, Slide 217, Plat Records of Ellis County, Texas as conveyed to Bristol Trail Properties, LLC per General Warranty Deed as recorded in Instrument Number 2408059, Official Public Records, Ellis County, Texas, (O.P.R.E.C.T.), and being more particularly described by metes and bounds as follows;

BEGINNING at a ½” iron rod with blue plastic cap stamped “RPLS 3941” set at the North corner of said Lot 6, Block 2 of Tom Graham Addition and at the Southeast corner of Lot 4, Block 2 of said Tom Graham Addition, and being in the Southwest line of Brackens Street (a 40’ right-of-way Per plat);

THENCE South 31 degrees 08 minutes 24 seconds East, with the Southwesterly right-of-way line of Brackens Street and the Northeasterly line of said Lot 6 and Lot 7, of Tom Graham Addition, a distance of 74.93 feet to a ¾” iron pipe found for the East corner of said Bristol Trail Properties, LLC tract and at the North corner of a tract of land conveyed to Jessica L. Armstrong per deed recorded in Instrument Number 2109090, O.P.R.E.C.T.;

THENCE South 58 degrees 38 minutes 17 seconds West, with the Southeasterly line of said Bristol Trail Properties, LLC tract and the Northwesterly line of said Armstrong tract and across the said Lot 7 of Tom Graham Addition, a distance of 124.72 feet to a ½” iron rod found at the South corner of said Bristol Trail Properties, LLC tract, and being at the West corner of said Armstrong tract, and in the Northeasterly line of Lot 8, of Tom Graham Addition;

THENCE North 30 degrees 31 minutes 13 seconds West, with the Southwesterly line of said Bristol Trail Properties, LLC tract, and the Southwesterly line of said Lot 7 and 6 and the Northeasterly line of said Lot 8 and Lot 5, of Tom Graham Addition, a distance of 75.11 feet to a 2-1/4” metal fence corner post found at the West corner of said Bristol Trail Properties, LLC tract, and Lot 6 and being at the South corner of Lot 3, of said Tom Graham Addition;

THENCE North 58 degrees 43 minutes 11 seconds East, with the Northwesterly line of said Bristol Trail Properties, LLC tract, and Lot 6 and the Southeasterly line of Lot 3, and Lot 4, of said Tom Graham Addition, a distance of 123.90 feet to the POINT OF BEGINNING containing 9,325 square feet or 0.214 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Bristol Trail Properties, LLC acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as REPLAT OF TOM GRAHAM ADDITION LOT 6A, BLOCK 2, an addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the 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 Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of Ingress and Egress to or from their respective easements for the purpose of 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 ____, 20 ____.

BY:

Authorized Signature of Owner

Printed Name and Title

State of Texas §
County of ____ §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared ____, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this ____ day of ____, 2000.

Notary Public in and for the State of Texas

My Commission Expires On:

Surveyor's Certificate

KNOW ALL MEN BY THESE PRESENTS:

That I, William Davis Finney, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie.

PRELIMINARY: this document shall not be recorded for any purpose and shall not be used, viewed or relied upon as a final plat document 22 TAC 663.18C.

RELEASED ON 7-17-2024 FOR REVIEW ONLY! ____, Date ____

William Davis Finney
Registered Professional Land Surveyor No. 3941

Approval Block (required):
APPROVED BY: Planning and Zoning Commission City of Waxahachie

By:

Chairperson

Date

Attest

Date

FLOOD NOTE:
THIS TRACT IS WITHIN ZONE 'X', (UNSHADED), AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN, PER FEMA FLOOD INSURANCE RATE MAP FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS, MAP NUMBER 48139C0190G; EFFECTIVE DATE: OCTOBER 19, 2023. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND / OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE ON RARE OCCASIONS. GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

OWNER:
Bristol Trail Properties
Contact: Ramona Bladwin
214-259-5555
EMAIL: ramona.baldwin@ccm.com

SCALE: 1" = 20'
DRAWN BY: J.L.K.
JOB# 24-3080 REPLAT

SURVEYOR:
DATA LAND SERVICES CORP.
T.B.P.E.L.S. FIRM #10183900
P.O. BOX 2110
FORNEY, TEXAS 75126
(972)564-6166
EMAIL: orders@datalandservices.com

REPLAT OF
TOM GRAHAM ADDITION
LOT 6A, BLOCK 2
BEING A REVISION OF ALL OF LOT 6 AND
PART OF LOT 7, BLOCK 2,
TOM GRAHAM ADDITION TO THE CITY OF WAXAHACHIE
AS RECORDED IN CABINET A, SLIDE 217 OF THE PLAT
RECORDS, ELLIS COUNTY, TEXAS
0.214 ACRES SITUATED IN THE
SALIS M. DURITT SURVEY, ABSTRACT NO. 272
CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS
1 RESIDENTIAL LOT
MAP DATE JULY 16, 2024

Planning & Zoning Department

Plat Staff Report

Case: SUB-179-2024



MEETING DATE(S)

Planning & Zoning Commission: September 24, 2024

CAPTION

Public Hearing on a request by Clint Weaver, Westwood PS, for a **Replat** of Lot 4, Block 2 of the 66 Crossing Addition, to create Lots 4R1 and 4R2, Block 2 of the 66 Crossing Addition, being 33.167 acres, located adjacent to 1499 F.M. 66 (Property ID 284600)– Owner(s): Waxahachie Residential Ventures, LLC and Storage Choice – Waxahachie, LTD (SUB-179-2024)

RECOMMENDED MOTION

*"I move to approve SUB-179-2024 for a **Replat** of Lot 4, Block 2 of the 66 Crossing Addition, to create Lots 4R1 and 4R2, Block 2 of the 66 Crossing Addition, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."*

APPLICANT REQUEST

The applicant requests to replat the subject property into two (2) lots for non-residential use.

CASE INFORMATION

<i>Applicant:</i>	Clint Weaver
<i>Property Owner(s):</i>	Waxahachie Residential Ventures, LLC and Storage Choice – Waxahachie, LTD
<i>Site Acreage:</i>	33.167 acres
<i>Number of Lots:</i>	2 lots
<i>Number of Dwelling Units:</i>	0 units
<i>Park Land Dedication:</i>	N/A
<i>Adequate Public Facilities:</i>	Adequate public facilities are available to the subject property via the extension of water and wastewater.

SUBJECT PROPERTY

<i>General Location:</i>	Adjacent to 1499 F.M. 66
<i>Parcel ID Number(s):</i>	284600
<i>Current Zoning:</i>	Light Industrial-1 (LI-1), General Retail (GR)
<i>Existing Use:</i>	Undeveloped

Platting History:

The subject property is currently platted as Lot 4, Block 2 of the 66 Crossing Addition.

Site Aerial:**PLANNING ANALYSIS**

The applicant proposes to replat the subject property by subdividing one lot into two lots for non-residential use. The proposed replat adheres to the Light Industrial-1 (LI-1) and General Retail (GR) regulations.

As part of the review of the Replat application, Staff has identified typical technical items that conflict with the requirements of the City of Waxahachie Subdivision Ordinance. 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.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning Department recommends approval of the replat request, subject to the condition below.

Conditions:

1. Per Section 2.1.a and 7.1h of the City's Subdivision Ordinance, Filing fees of \$129.00 is required to be paid to the City of Waxahachie.
2. Per Section 2.3.a.2 of the City's Subdivision Ordinance, the property shall perform a title search to locate all easements.
3. Per Section 2.3.b of the City's 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.
4. Per Section 2.4.c.3 of the City's Subdivision Ordinance, please update the adjoining lot with the correct information.
5. Per Section 2.4.c.4 of the City's Subdivision Ordinance, please include recording information on existing easement(s), or add that the easement(s) are being dedicated by this plat.

6. Per Section 2.4.c.23 of the City's Subdivision Ordinance, please add Storage Choice – Waxahachie, LTD as an owner of the subject property on the title block.
7. Per Section 2.4.c.25.ii of the City's Subdivision Ordinance, please verify the correct bearing for a portion of the property line.
8. Per Section 2.4.c.25.iii of the City's Subdivision Ordinance, please add an additional notary block for the authorized signer for Storage Choice – Waxahachie, LTD.
9. Per Section 2.4.c.25.vi(a) of the City's Subdivision Ordinance, please add Storage Choice – Waxahachie, LTD as an owner of the subject property to the Owner's Certificate
10. Per Section 3.1 - Streets of the City's Subdivision Ordinance, a Traffic Impact Analysis (TIA) is required if the site generates more than 1,000 trips per day. If the applicant and/or owners believe that the site will not generate this, please provide a trip generation memo.
11. Per Section 3.3 of the City's Subdivision Ordinance, the property owner shall dedicate a 15' utility easement (U.E.) for dry utilities on Lot 4R1 along F.M. 66.
12. Per Section 3.5 of the City's Subdivision Ordinance, sidewalks are required along the road frontage.
13. Per Section 3.9 of the City's Subdivision Ordinance, the property owner shall install water and sewer services as required prior to filing the plat. Offsite improvements may be necessary to provide adequate services and pressures to this area.
14. Per Section 5.6 and 5.7 of the City's Subdivision Ordinance, a note to be added that all fences, retaining walls, and screening walls shall not be placed within utility easements.
15. Per Chapter 33, Article XII, Division 2, Section 33-705 - Maintenance agreements, a note to be added that the detention pond shall be maintained by the property owner or the HOA.
16. If the proposed drainage easement by this plat is for a detention pond, please update the label as a drainage/detention easement. There were discussions about this being a regional detention pond. If this is the case, it should clearly state in the notes who is the responsible party for maintenance.
17. In addition, please update the legend to reflect all acronyms being used on the plat.
18. Please remove all building lines as setbacks refer to the current Zoning Ordinance of when these lots will be developed.
19. Please update the case number to SUB-179-2024 to all sheets of this replat.

ATTACHED EXHIBITS

1. 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:

Oanh Vu

Senior Planner

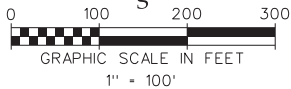
oanh.vu@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com



1. THE BEARING BASE FOR THIS SURVEY IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, NORTH CENTRAL ZONE 4202.
2. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDINGS OF UTILITIES AND BUILDING PERMITS.
3. ALL PERMETER CORNERS ARE 5/8 INCH IRON RODS WITH PLASTIC CAP STAMPED "PELOTON" SET, UNLESS OTHERWISE NOTED.
4. BASED ON A REVIEW OF FLOOD INSURANCE RATE MAP NUMBER 481930C030F, EFFECTIVE JUNE 3, 2013, THE SUBJECT SITE IS LOCATED IN "ZONE X", DEFINED AS "AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE OF FLOOD". THE SURVEYOR ASSUMES NO LIABILITY FOR THE ACCURACY OF THAT MAP.

F.M. 66
Variable Width ROW

LOT 4R1
BLOCK 2
2.313 Acres
0,734 Sq. Ft.

LOT 4R2
BLOCK 2
30.854 Acres
1,344,000 Sq. Ft.

J.C. ARMSTRONG SURVEY
ABSTRACT NO. 6

Granite Pine Meadows, LLC
Inst. # 2022-38138
C.R.E.C.T.

RECORDING INFORMATION

IRF	IRON ROD FOUND
IRS	IRON ROD SET
UE	UTILITY EASEMENT
AE	ACCESS EASEMENT
SSE	SANITARY SEWER EASEMENT
WE	WATER EASEMENT
B.L.	BUILDING LINE
ROW	RIGHT-OF-WAY

Lot 4R1 and 4R2, Block 2
66 Crossing

BEING 33.167 ACRES OF LAND SITUATED IN THE J.C. ARMSTRONG SURVEY,
ABSTRACT NUMBER 6, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND
BEING A REPLAT OF LOT 4, BLOCK 2, 66 CROSSING, AN ADDITION TO THE
CITY OF WAXAHACHIE, TEXAS, RECORDED IN CABINET K, SLIDE 367, COUNTY
RECORDS, ELLIS COUNTY, TEXAS.

2 Non-Residential Lots
Current Zoning: GR (General Retail) &
LI1 (Light Industrial - 1)

Prepared: July 2024

Case No. _____

JOB #:	LAD23002
DRAWN BY:	T.B. RICHARDSON
CHECKED BY:	T.A. BRIDGES
DATE:	07-10-2024
REVISIONS:	

Westwood

Westwood Professional Services, Inc.
9800 HILLWOOD PARKWAY, SUITE 250
FORT WORTH, TEXAS 76177 PH # 817-562-3333

2

PAGE # 2 of 3

Planning & Zoning Department

Plat Staff Report

Case: SUB-180-2024



MEETING DATE(S)

Planning & Zoning Commission:

September 24, 2024

CAPTION

Present a request by Tommy Mann, Winstead PC, for a **Plat** of the Vista de Madera Addition, 75 residential lots, being 32.564 acres, located directly south of 140 Lavender Drive, situated in the W.C. Calder Survey, Abstract 235, and the B.B. Davis Survey, Abstract 290, an addition to the City of Waxahachie (Property ID: 182275) – Owner: Vista De Madera Waxahachie (SUB-180-2024) Staff: Zack King

RECOMMENDED MOTION

"I move to disapprove SUB-180-2024, a Plat of the Vista de Madera Addition."

APPLICANT REQUEST

The applicant requests to plat the property into 75 residential lots as the Vista de Madera Addition.

CASE INFORMATION

Applicant:

Tommy Mann, Winstead PC

Property Owner(s):

Vista De Madera Waxahachie

Site Acreage:

32.564 acres

Number of Lots:

75 lots

Number of Dwelling Units:

75 units

Park Land Dedication:

The cash in lieu of park land dedication for this case is estimated at **\$30,000.00** (75 residential dwellings at \$400.00 per dwelling).

Adequate Public Facilities:

Adequate public facilities are available to the subject property via the extension of off-site water and sanitary sewer lines.

SUBJECT PROPERTY

General Location:

Directly south of 140 Lavender Drive

Parcel ID Number(s):

182275

Current Zoning:

Single Family-2 (SF-2)

Existing Use:

The subject property is currently undeveloped.

Platting History:

A Plat was initially approved for the subject property on April 13, 2021, under case SUB-15-2021. On April 3, 2023, City Council voted to deny a Plat Approval Extension request for the subject property under case number SUB-20-2023.

Platting History (continued):

A Plat Application (SUB-75-2024) for the Vista De Madera subdivision was submitted in April of 2024. After the submission of multiple Plat Extension Requests, the applicant ultimately requested to withdraw this application on July 17, 2024 before the case proceed to the Planning & Zoning Commission.

Site Aerial:**PLANNING ANALYSIS**

The applicant proposes to plat the subject property into 75 residential lots as the Vista de Madera Addition. The subject property is currently zone Single-Family-2 (SF-2) and the design of the proposed subdivision is intended to adhere to the lot size and dimension requirements of the SF-2 zoning district. The proposed plat includes right-of-way (ROW) dedication the extension of River Oaks Boulevard; which is identified as an 80' thoroughfare on the 2024 Waxahachie Thoroughfare Plan.

As part of the review of the plat application, staff identified multiple items, including technical errors and design choices, that conflict with the requirements of the Waxahachie Subdivision Ordinance. Each of these items in non-compliance have been identified as a reason for disapproval in the staff recommendation section below.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends disapproval of the Plat request due to the items in non-compliance with the Waxahachie Subdivision Ordinance listed below.

Items in non-compliance:

1. Per Section 2.1.a of the Waxahachie Subdivision Ordinance, Application Fees (\$1,250.00) are required to be paid.
2. Per Section 2.1.a & 7.2.h of the Waxahachie Subdivision Ordinance, Filing Fees are required to be paid with the Plat application prior to plat filing.

Items in non-compliance (continued):

3. Per Section 2.2.e of the Waxahachie Subdivision Ordinance, written verification, such as a notarized statement, is required to be provided as part of proof for the subject property. Provide a signed and notarized Property Owner Affidavit, completed by the owner of the subject property. The Property Owner Affidavit provided with the initial Plat Application is not signed by the property owner (Vista De Madera Waxahachie).
4. Per Section 2.3.b of the Waxahachie Subdivision Ordinance, an embossed hard copy of the Tax Certificate for the subject property (dated within 90-days of your filing date) showing that no delinquent taxes exist against the property is required to be provided at the time of Plat filing.
5. Per Section 4.3.a of the Waxahachie Subdivision Ordinance, a property/homeowner's association is required to be established with this subdivision due to the presence of private landscaping and screening improvements. Conditions, Covenants and Restrictions (CCR's) and the association documents (articles of incorporation and by-laws) are required to be submitted to the City for review with the Plat application and approval by the Planning & Zoning Commission.
6. Per Section 2.4.b of the Waxahachie Subdivision Ordinance, no construction work shall begin until a "plat" is filed. (The City of Waxahachie does not have a "Final Plat" application, just a "Plat" application.) Revise accordingly.
7. Per Section 2.4.c.7 of the Waxahachie Subdivision Ordinance, the name and address of the correct property owner is required to be provided.
8. Per Section 2.4.c.12 of the Waxahachie Subdivision Ordinance, please utilize the digital and precise floodplain data that is publicly available on the FEMA website. Do not use the word "APPROXIMATE" for regulatory delineations.
9. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. The correct case number for this plat is "SUB-180-2024", revise accordingly.
10. Per Section 2.4.c.24 of the Waxahachie Subdivision Ordinance, "Finished floor elevations of building foundations shall be shown for lots adjacent to a flood plain, floodway and/or an area that may be susceptible to flooding". In order to verify that these FFE's are 2ft above the BFE, per Appendix B, Article 5, Section A of the Waxahachie Ordinance, please label the base flood elevation of the adjacent floodplain. The easiest way to do this is to show the cross sections.
11. Per Section 2.4.c.25 of the Waxahachie Subdivision Ordinance, correct name of the property owner (Vista De Madera Waxahachie) is required to be referenced in the Owner's Certificate.
12. Per Section 2.4.c.25.vi of the Waxahachie Subdivision Ordinance, a signature block for the correct property owner (Vista De Madera Waxahachie) is required to be provided.
13. Per Section 3.1.c.3 of the Waxahachie Subdivision Ordinance, provide an updated TIA with this phase added.
14. Per Section 5.7.a.3 of the Waxahachie Subdivision Ordinance, the masonry screening walls, landscape buffer, and irrigation infrastructure required along River Oaks Boulevard must be maintained in perpetuity by the HOA. Add a note to stating that HOA maintenance of the masonry screening wall, landscaping, and irrigation infrastructure located within the 10' LE and 5' WME along River Oaks Boulevard shall be maintained by the HOA.
15. Per Section 3.1.u of the Waxahachie Subdivision Ordinance, all subdivisions shall have at least two (2) points of access from improved public roadways. The two (2) points of access can be from a single entrance onto a public thoroughfare if the thoroughfare is divided, and if the entry into the subdivision is also divided. Otherwise, the two (2) points of access shall be from two (2) different entrances either on a single public thoroughfare or on two (2) public thoroughfares. (This design does not include a divided thoroughfare.) Furthermore, Section 3.1.4.a of the Waxahachie Subdivision Ordinance requires that the subdivision shall be designed to provide adequate emergency access for public safety vehicles. 2021 IFC D107.1 More than 30 single family homes require two ways into the development. The dead-ends for future street extensions and proposed access easement do not meet this access requirement.

Items in non-compliance (continued):

16. Per Section 3.1.u of the Waxahachie Subdivision Ordinance, all subdivisions shall have at least two (2) points of access from improved public roadways. The two (2) points of access can be from a single entrance onto a public thoroughfare if the thoroughfare is divided, and if the entry into the subdivision is also divided. Otherwise, the two (2) points of access shall be from two (2) different entrances either on a single public thoroughfare or on two (2) public thoroughfares. (This design does not include a divided thoroughfare and the proposed access through Lot 9, Block A is not sufficient. Notes 7 and 7.1 do not suffice to address this comment.) Furthermore, Section 3.1.4.a of the Waxahachie Subdivision Ordinance requires that the subdivision shall be designed to provide adequate emergency access for public safety vehicles. 2021 IFC D107.1 More than 30 single family homes require two ways into the development. I see that there are some open roadway for future development but these do not meet this requirement.

ATTACHED EXHIBITS

1. Plat

APPLICANT REQUIREMENTS

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

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

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

STAFF CONTACT INFORMATION

Prepared by:

Zack King, AICP

Senior Planner

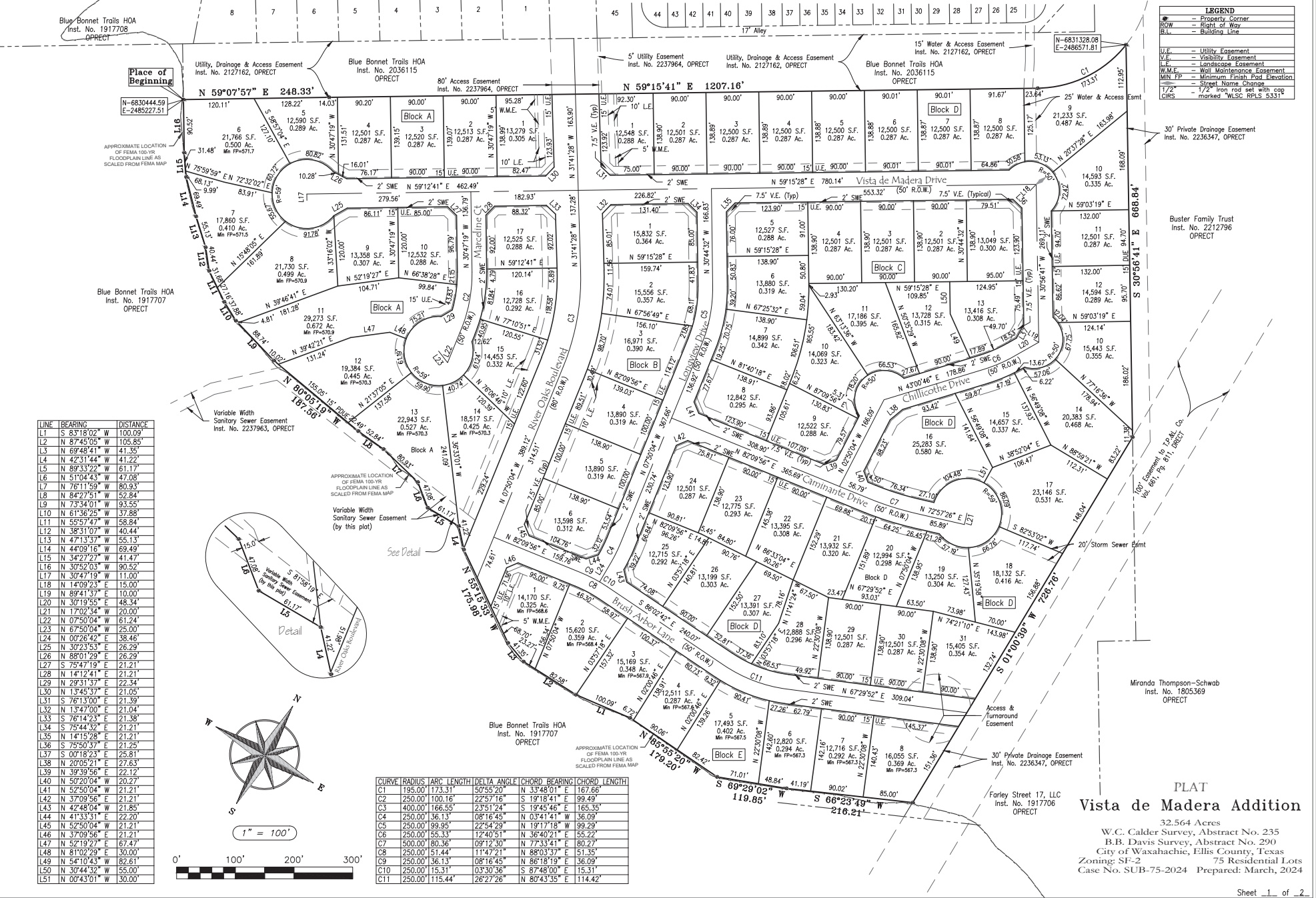
zking@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com



OWNER'S CERTIFICATE
State of Texas
County of Ellis

Whereas, Vista De Madera, Waxahachie are the owners of that certain parcel of land situated in the W.C. CALDER SURVEY, ABSTRACT NO. 235 and in the B.B. DAVIS SURVEY, ABSTRACT NO. 290, Ellis County, Texas, and being all of the tract of land conveyed to Vista De Madera, Waxahachie by Correction Special Warranty Deed recorded in Instrument Number 2413376 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for west corner of said Vista De Madera Tract and the south corner of the tract of land conveyed to Blue Bonnet Trails HOA by Deed recorded in Instrument Number 2036115, OPRECT;

THENCE along the northwest line of said Vista De Madera Tract and the southeast line of said HOA Tract as follows:
N 59°07'57" E, a distance of 248.33 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner; and
N 59°15'41" E, a distance of 1207.16 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" at the beginning of a curve top the left having a radius of 195.00 feet and a central angle of 50°55'20";

THENCE along the arc of said curve and continuing along the northwest line of said Vista De Madera Tract and the southeast line of said HOA Tract, a distance of 173.31 feet (Long Chord - N 33°48'01" E, 167.66 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" in the southwest line of the tract of land conveyed to Buster Family Trust by Deed recorded in Instrument Number 2212796, OPRECT for the north corner of said Vista De Madera Tract;

THENCE S 30°56'41" E, along the northeast line of said Vista De Madera Tract and the southwest line of said Buster Tract, a distance of 668.84 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for an angle corner of said Blue Bonnet Trails Tract and the north corner of the tract of land conveyed to Farley Street 17, LLC by Deed Recorded in Instrument Number 1917706, OPRECT1917706;

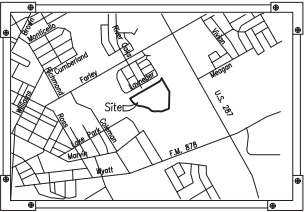
THENCE S 01°00'39" W, along the east line of said Vista De Madera Tract and the west line of said Farley Street Tract, a distance of 726.76 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for the southeast corner of said Vista De Madera Tract;

THENCE along the south line of said Vista De Madera Tract as follows:
S 66°23'49" W, a distance of 216.21 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;
S 69°29'02" W, a distance of 119.85 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;
N 85°55'20" W, a distance of 179.20 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;
S 83°18'02" W, a distance of 100.09 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;
N 87°45'05" W, a distance of 105.85 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;
N 69°48'41" W, a distance of 41.35 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;
N 55°15'33" W, a distance of 175.98 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;
N 42°31'44" W, a distance of 41.22 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;
N 89°33'22" W, a distance of 61.17 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;
N 51°04'43" W, a distance of 47.08 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;
N 76°11'59" W, a distance of 80.93 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;
N 84°27'51" W, a distance of 52.84 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;
N 80°05'19" W, a distance of 187.56 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;
N 73°34'01" W, a distance of 93.55 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;
N 61°36'26" W, a distance of 37.88 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;
N 55°57'47" W, a distance of 58.84 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;
N 38°31'07" W, a distance of 40.44 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;
N 47°13'37" W, a distance of 55.131 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;
N 44°09'16" W, a distance of 69.49 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;
N 34°27'22" W, a distance of 41.47 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner; and
N 30°52'03" W, a distance of 90.52 feet to the PLACE OF BEGINNING, and containing 32.564 acres of land as surveyed on the ground.

SUBDIVISION NOTES

- No building shall be constructed until Final Plat is accepted and filed with Ellis County.
- Current Zoning: SF-2.
- Lots 14-17, Block A and Lots 1-6, Block B face River Oaks Boulevard. No driveways shall front River Oaks Boulevard.
- No portion of this property lies within a 100 year flood plain according to the Flood Insurance Rate Map for Ellis County, Map# 48139C0190 C, dated October 19, 2023.
- Basis of Bearings: Texas State Plane Coordinate System, NAD 83, North Central Zone 4202.
- Per Section 5.6 and 5.7 of the City's subdivision ordinance: fences, retaining walls and screening walls shall not be placed within public utility easements.
- Secondary fire access shall be provided along the western lot line of Lot 9, Block A;
- 7.1. OR no more than 30 lots can be constructed without an approved automatic sprinkler system.

Owner/Developer: Tochan Investment Properties, LLC
Red Oak, Texas, Texas 75154
Contact: Dalton Bradbury (469) 383-5939
Engineer: Atlas Associates, Inc.
P.O. Box 185
Milford, Texas 76670
Contact: Alan Lauhoff, PE (972) 921-4206
Surveyor: Walker Land Surveying Company
P.O. Box 2911
Waxahachie, Texas 75168
Contact: Shawne Walker, RPLS (214) 317-0379



LOCATION MAP NOT TO SCALE

(4d)

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Tochan Investment Properties, LLC acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as the Plat of Vista de Madera, an addition in the City of Waxahachie, Ellis County, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown hereon. 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 be also used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purposes of construction, reconstruction, 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 is approved subject to all platting ordinances, rules, regulations and resolutions of the the City of Waxahachie, Texas.

Witness my hand this the ____ day of _____, 2024.

By:

Mohammad Shahkarami
Tochan Investment Properties, LLC

State of Texas:

Before me the undersigned authority, a notary public in and for the state on this day personally appeared Mohammad Shahkarami, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same for the purposes herein expressed and in the capacity stated.

Given under my hand and seal of office this the ____ day of

_____, 2024.

Notary Public

APPROVED BY: Planning and Zoning Commission
City of Waxahachie

By:

Chairperson

Attest

Surveyor's Declaration

KNOW ALL MEN BY THESE PRESENTS

That I, J. Shawne Walker, do hereby certify that I have prepared this Plat from an actual and accurate survey made on the ground and that the corner monuments shown hereon were properly placed under my personal supervision in accordance with the subdivision regulations of the City of Waxahachie, Texas.

FOR INSPECTION PURPOSES ONLY.
AND IN NO WAY OFFICIAL OR
APPROVED FOR RECORD PURPOSES.

J. Shawne Walker, R.P.L.S.
Texas Registration No. 5331

PLAT
Vista de Madera Addition

32.564 Acres
W.C. Calder Survey, Abstract No. 235
B.B. Davis Survey, Abstract No. 290
City of Waxahachie, Ellis County, Texas
Zoning: SF-2 75 Residential Lots
Case No. SUB-75-2024 Prepared: August, 2024

Planning & Zoning Department

Zoning Staff Report

Case: ZTA-126-2024 Zoning Text Amendment



MEETING DATE(S)

Planning & Zoning Commission:

September 24, 2024

City Council:

October 7, 2024

CAPTION

Public Hearing on a request by the City of Waxahachie for a textual amendment to the City Zoning Ordinance, Ordinance No. 3020, to Article IV Definitions and Use Regulations, Section 4.01 Definitions, and to Article IV Definitions and Use Regulations, Section 4.03 Use Charts, (ZTA-126-2024) Event Center use.

RECOMMENDED MOTION

"I move to recommend approval of ZTA-126-2024, a request by the City of Waxahachie for a textual amendment to the City Zoning Ordinance, Ordinance No. 3020, to Article IV Definitions and Use Regulations, Section 4.01 Definitions, and to Article IV Definitions and Use Regulations, Section 4.03 Use Charts, authorizing the Mayor to sign the associated documents accordingly."

PLANNING ANALYSIS

As a result of a number of Event Center uses Zoning District Change Requests, the City Council directed the Planning staff to evaluate the Event Center use process of comparable cities in the Dallas-Fort Worth Metroplex. The information gathered by staff clearly noted that a majority of the comparable cities allowed the Event Center to use by right and with Specific Use Permit approval.

Currently, the City of Waxahachie does not have a definition of an *Event Center*. City Staff has been identifying the use as a *Private Club*, which requires an approved Specific Use Permit in the Mixed Use Residential, Mixed Use Non-Residential, Office, General Retail, Central Area, Commercial, Light Industrial-1, Light Industrial-2, Heavy Industrial, and Airport District zoning districts.

The purpose of this Zoning Text Amendment is to:

1. Create a definition for an Event Center use.
2. Add the allowed use and SUP requirement to the Use Charts for Event Center use.

The current practice of classifying event center use under the Private Club category should be reduced due to the deficiencies in the Zoning Ordinance pertaining to event center use. The new definitions are noted below:

Event Center – A building or part of a building, in which facilities are provided and used for such purposes as a meeting, gathering, or assembly of persons for civic, educational, political, religious, or social events, including weddings and receptions, and may include a banquet hall. Such facility shall not host any activity that could be considered a sexually oriented business as defined by the City of Waxahachie's Code of Ordinances. Also, such a facility may include a kitchen and an on-site kitchen/catering facility.

- a) This definition shall not include a business whose primary use constitutes a Microbrewery, Restaurant, Retail Stores & Shops, Tavern, Winery. An Event Center use shall be considered as an accessory use when the primary function of a business constitutes one of the aforementioned Land Uses.

PUBLIC NOTIFICATIONS

As a courtesy, the City published notice of the public hearings for the Zoning Code in the Waxahachie Sun. The Texas Local Government Code (Section 213.002) does not require the City to mail notice of the public hearing to each property owner in the City of Waxahachie.

RECOMMENDATION

The Planning Department recommends approval of the Zoning Code Text Amendment ZTA-126-2024, a textual amendment to the City Zoning Ordinance, Ordinance No. 3020, to Article IV Definitions and Use Regulations, Section 4.01 Definitions, and to Article IV Definitions and Use Regulations, Section 4.03 Use Charts.

ATTACHED EXHIBITS

1. Section 4.03 – Use Charts
2. ZTA-126-2024 Ordinance

STAFF CONTACT INFORMATION

Prepared by:

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

Reviewed by:

Shon Brooks, AICP, CPM
Executive Director of Development Services
sbrooks@waxahachie.com

ORDINANCE NO.

AN ORDINANCE AUTHORIZING A TEXTUAL AMENDMENT TO THE CITY ZONING ORDINANCE (ORDINANCE NO. 3020), ARTICLE IV (DEFINITIONS AND USE REGULATIONS), SECTION 4.01 (DEFINITIONS) TO SECTION 4.03 (USE CHARTS), PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Waxahachie ("**City Council**") has adopted a comprehensive zoning ordinance ("**Zoning Ordinance**"), which Zoning Ordinance is codified as Appendix A to the Waxahachie City Code; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission of the City on September 24, 2024, and a public hearing was held by the City Council on October 07, 2024, with respect to the proposed textual changes to the Zoning Ordinance; and

WHEREAS, all requirements of law for publication and all procedural requirements have been complied with, in accordance with Chapter 211 of the Local Government Code.

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

Section 1. The City Council finds that the recitals set forth above are true and correct, and said recitals are incorporated into this ordinance as if set forth in full.

Section 2. Article IV (Definitions and Use Regulations), Section 4.01 (Definitions) to Section 4.03 (Use Charts) of the Zoning Ordinance, is hereby amended to include the following changes:

- 1) *Event Center* – A building or part of a building, in which facilities are provided and used for such purposes as a meeting, gathering, or assembly of persons for civic, educational, political, religious, or social events, including weddings and receptions, and may include a banquet hall. Such facility shall not host any activity that could be considered a sexually oriented business as defined by the City of Waxahachie's Code of Ordinances. Also, such facility may include a kitchen an on-site kitchen/catering facility.
 - a) This definition shall not include a business whose primary use constitutes a Microbrewery, Restaurant, Retail Stores & Shops, Tavern, Winery. An Event Center use shall be considered as an accessory use when the primary function of a business constitutes one of the aforementioned Land Uses.

Section 3. That if any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect. All ordinances of the City in conflict with the provisions of this ordinance are repealed to the extent of that conflict.

Section 4. That a public emergency is found to exist which affects health, safety, property or the general welfare, in that standards and regulations for the use and development of property must be brought up to date and made effective so that suitable rules for us and the development of property maybe known and in place. An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage. This ordinance shall become effective from and after the date of its passage.

PASSED, APPROVED, AND ADOPTED on this 7th day of October, 2024.

MAYOR

ATTEST:

City Secretary

Sec. 4.03 Use Charts.

LEGEND • - Permitted Use S - Use may be approved via SUP □ - Prohibited Use See Appendix A-3 for use definitions	Zoning Districts																					
	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial	Light Industrial-1	Light Industrial-2	Heavy Industrial	Airport District	Parking Requirement
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MU NR	O	NS	GR	CA	C	LI1	LI2	HI	AP	
4.03c – Commercial and Retail Type Uses																						
Event Center, Banquet Hall	S	S								S	S	S	S	S	•	•	•	S	S			1 space per 200 sqft

(Ord. No. 3175 , § 3, 1-21-20)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-167-2024



MEETING DATE(S)

Planning & Zoning Commission:

September 24, 2024

City Council:

October 7, 2024

CAPTION

Public Hearing on a request by Chris and Karen Snow, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024)

RECOMMENDED MOTION

- "I move to recommend denial of ZDC-167-2024, a Specific Use Permit (SUP) for Short-Term Rental use."
- "I move to recommend approval of ZDC-167-2024, 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 103 University Avenue.

CASE INFORMATION

Applicant:

Chris and Karen Snow

Property Owner(s):

Winding It Down, LLC

Site Acreage:

0.276 acres

Current Zoning:

Single-Family Dwelling-2 (SF-2)

Requested Zoning:

SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental use

SUBJECT PROPERTY

General Location:

103 University Avenue

Parcel ID Number(s):

176370

Existing Use:

Residential use

Development History:

The subject property was platted as Lot 7C, Block 14 of the University Addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	Single-Family-2 (SF-2)	Residential
East	Single-Family-2 (SF-2)	Residential
South	Single-Family-2 (SF-2)	Residential
West	Single-Family-2 (SF-2)	Residential

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 University Avenue.

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 103 University Avenue because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,968 square feet, built in 1930 with two (2) bedrooms, one (1) bathroom, one-half bathroom and enough improved surface to accommodate for the maximum parking spaces of two (2) vehicles. The subject property is situated on an approximately 0.276 acres (12,022 square feet) lot. The applicant has not been operating the subject property as a short-term rental; therefore, 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 August 14, 2024.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered one call was made regarding a stolen vehicle on December 14, 2023. This call was made prior to the applicant's ownership of the subject property.

The applicant's local emergency contact is Chris & Karen Snow, 107 University Avenue, Waxahachie, TX 75165, chris@snow.org, which is located adjacent to 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, 68 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of three (3) letters of opposition and sixteen (16) letters of support were received by staff, with two (2) letters of opposition and nine (9) letters of support being inside the 200' buffer.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

Conditions:

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of six (6) guests per stay.
4. The short-term rental operator shall provide a maximum of two (2) off-street parking spaces.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
6. 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. Survey (Exhibit D)
6. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:

Oanh Vu

Senior Planner

oanh.vu@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-167-2024**



SNOW CHRISTOPHER & KAREN SNOW
107 UNIVERSITY AVENUE
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: **ZDC-167-2024**

City Reference: 176369

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **September 18, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

We approve of this

Karen Snow

Signature

Karen Snow

Chris Snow

Printed Name and Title

9/9/24

Date

107 University Ave
Address *Waxahachie TX*
75165



City of Waxahachie, Texas
 Notice of Public Hearing
 Case Number: ZDC-167-2024

<><><>

WINDING IT DOWN LLC
 107 University Ave
 Waxahachie, TX 75165-2347

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: ZDC-167-2024

City Reference: 176370

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on September 18, 2024 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

We approve of this.

Karen Snow
[Signature]
 Signature

Karen Snow
Chris Snow
 Printed Name and Title

9/9/24
 Date

107 University Ave
 Address Waxahachie TX
75165



City of Waxahachie, Texas
 Notice of Public Hearing
 Case Number: **ZDC-167-2024**



ANDERSON JUSTIN D
 1207 W MARVIN AVE
 WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: **ZDC-167-2024**

City Reference: 176336

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **September 18, 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:

STRs can negatively effect communities in the sense of neighborhood integrity, housing costs, Property values and Crime.

Justin Anderson

Signature

Date

9-6-24

MR. Justin Anderson

Printed Name and Title

1207 W. Marvin Ave.

Address



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-167-2024



ALLEN DIXIE & MELVIN
106 UNIVERSITY AVE
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: ZDC-167-2024

City Reference: 176286

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **September 18, 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:

Dixie Allen

Signature

Melvin & Dixie Allen

Printed Name and Title

9-9-24

Date

106 University Ave

Address



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-167-2024



SKUR DANIEL J & BENJIE
111 UNIVERSITY AVE
WAXAHACHIE, TX 75165-2347

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: ZDC-167-2024

City Reference: 176367

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **September 18, 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

Daniel J. Skur

Printed Name and Title

Date

9/12/24

111 University Ave

Address

(8&9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-167-2024**



POARCH JAMES D & SHANNON C
103 E UNIVERSITY AVE
WAXAHACHIE, TX 75165-2353

RECEIVED SEP 12 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: **ZDC-167-2024**

City Reference: 176340

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **September 18, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

Signature

Printed Name and Title

Date

Address


James Poarch / owner

9/5/24
103 EAST university

(8&9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-167-2024**

<><><>

RECEIVED SEP 12 2024

POARCH JAMES
103 E University Ave
Waxahachie, TX 75165-2353

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: **ZDC-167-2024**

City Reference: 176378

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **September 18, 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 Resovation looks Amazing, and I know the SNOWS who live next door, will take great pride in the property

Signature

Jimmy Poarch / owner

Printed Name and Title

Date

9/5/24

Address

103 East University

(889)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-167-2024

◇◇◇◇

WINKLE JULIE D V & STEPHEN J V
108 University Ave
Waxahachie, TX 75165-2348

RECEIVED SEP 12 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: ZDC-167-2024

City Reference: 176285

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on September 18, 2024 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

We have no problem with this

Julie Van Winkle
Signature

Julie Van Winkle
Printed Name and Title

9/10/2024
Date

108 University Ave
Address

Venissat, Michelle

From: d.m.hill@att.net
Sent: Sunday, September 15, 2024 6:49 PM
To: Planning
Cc: d.m.hill@att.net
Subject: Case Number ZDC-167-2024

To Whom It May Concern:

We live at 607 West Marvin Avenue and strongly oppose the Special Use Permit for a Short-Term Rental filed in our neighborhood.

Although the property in question does not face West Marvin, the entire side of the property, including the back yard, faces our Avenue.

We want to trust that the renters would be screened but what happens when the screened people bring people with them who are not screened.

This allows a large number of people coming in and out of our neighborhood as the days, months, and years go by. Sadly, you don't know what you don't know...

I personally appreciate a tightknit neighborhood environment with families and close ties to our community. I love seeing neighbors I know and vehicles I recognize.

I love taking walks (timing the church hymns to my walk) greeting people whom I know and care about...who know and care about me. We're established friends/neighbors.

Thank you for your consideration of this opposition.

Sincerely,
Mickie Hill

(8&9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-167-2024

◇◇◇◇

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

RECEIVED SEP 16 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: ZDC-167-2024

City Reference: 176360

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on September 18, 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:

Hotels running @ capacity

Signature

Date

Printed Name and Title

Address

Brad Yates manager

9/16/24

117 W. University

(8&9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-167-2024

<><><>

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

RECEIVED SEP 16 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: ZDC-167-2024

City Reference: 176371

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **September 18, 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:

City lacking quality housing for tourists

Signature

Brady Ates manager
Printed Name and Title

Date

Address

9/16/24

115 E University



(8&9)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-167-2024

◇◇◇◇

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

RECEIVED SEP 16 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: ZDC-167-2024

City Reference: 176351

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **September 18, 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:

Not enough housing for tourism

Signature

Date

Printed Name and Title

Address

[Signature]
Brad Yates manager

9/16/24
115 W. University

Venissat, Michelle

From: Marsha Goodwin <dolly_ann@sbcglobal.net>
Sent: Monday, September 16, 2024 5:42 PM
To: Planning
Subject: Special use permit ZDC-167-2024 for short term rental

Hello, my name is Marsha and my husband's name is Charlie and we approve of the short term rental request for 103 University Ave., Waxahachie, TX 75165. If you need to contact me, you can call my phone at 214-546-4666.

Our property is 1201 W. Marvin
Marsha and Charlie Goodwin

Sent from my iPhone

Venissat, Michelle

From: Casey Escoto <casey_escoto@hotmail.com>
Sent: Monday, September 16, 2024 8:24 PM
To: Planning
Subject: 103 University Avenue

To whom it may concern,

We are emailing in support of a special use permit for a short term rental for 103 University Avenue. We have witnessed the amount of time and money used to bring the house back to one of the houses with the most curb appeal in the neighborhood. With the owners living directly next door we feel confident the the house will be rented to responsible tenants.

Tony and Casey Escoto
1101 West Marvin Avenue

Sent from my T-Mobile 5G Device

Venissat, Michelle

From: Beth Bevens <beth.bevans@gmail.com>
Sent: Tuesday, September 17, 2024 1:53 PM
To: Planning
Subject: ZDC-167-2024 (Elizabeth Bevens)

ZDC-167-2024
Bevens, Elizabeth D
Waxahachie, TX 75165-2933

I OPPOSE the STR at 103 University Ave

I am at 1205 W Marvin, directly across from the proposed STR at 103 University Ave. We have been on Marvin for fifteen years. The mother in me does not want revolving strangers across the street from where a group of neighborhood children play on a daily basis.

But beyond that, we live in a beautiful historic neighborhood. We do not want an influx of Airbnbs in our historic residential neighborhoods where families know their neighbors. We want it to stay a community.

STRs can contribute to unaffordable housing, increasing property appraisals and insurance rates, and decreasing options for young local families wanting to call Waxahachie home. In towns such as, Fredericksburg, STRs have replaced permanent residents on entire streets. We want to maintain the character and charm of our historic areas.

I understand that we want visitors to come to Waxahachie. We want our local business owners to thrive. But if Waxahachie continues to approve STRs, what type of regulations will be set to maintain the charm and character of our historic street? Will there be specific areas that allow STRs near downtown? Will there be a distance required between STRs to ensure we avoid an Airbnb invasion in our highly sought after historic areas that make Waxahachie the beautiful town that it is?

Thank you. I appreciate your consideration.

Elizabeth Bevens
1205 W Marvin Ave
469-644-6997

Venissat, Michelle

From: Michelle Haye <michelleahaye@gmail.com>
Sent: Tuesday, September 17, 2024 1:45 PM
To: Planning
Subject: Short term rental support- 103 University Avenue

To whom it may concern:

I am writing *in support* of the short-term rental at 103 University Avenue. The owners have put considerable effort into the historic rehabilitation of this home, working with the Heritage Preservation Commission to ensure it is done appropriately. Additionally, the owners of the property live directly next door, and I believe they will ensure that all renters will respect the home, the neighbors, and the neighborhood as they have direct engagement with the renters due to their proximity.

Respectfully,

Michelle Hanson Haye
411 E Marvin Ave. Waxahachie, Texas 75165

(8&9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-167-2024**



BROWN SAUNDRA D & WILLIAM V
114 UNIVERSITY AVE
WAXAHACHIE, TX 75165-2348

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: **ZDC-167-2024**

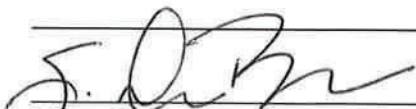
City Reference: 176284

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **September 18, 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

Sandra D. Brown
Printed Name and Title

9-5-24
Date

114 University Ave.
Address

(8&9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-167-2024



RECEIVED SEP 17 2024

MILLS JAMES B & MEGAN E
516 N COLLEGE
WAXAHACHIE, TX 75165-3362

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: ZDC-167-2024

City Reference: 176376

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on September 18, 2024 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

We support this STR. Chris and Karen own the property next door and are excellent homeowners and we be excellent STR owners.

Signature Megan Mills

Date

Printed Name and Title Megan Mills

9/13/24
516 N. College St.
Address

(8&9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-167-2024



MILLS JAMES B JR & MEGAN E
516 N COLLEGE ST
WAXAHACHIE, TX 75165-3362

RECEIVED SEP 17 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: ZDC-167-2024

City Reference: 176354

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on September 18, 2024 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

We support this STR.

Signature

James B. Mills
Printed Name and Title

Date

9/13/24

Address

516 N. College Street



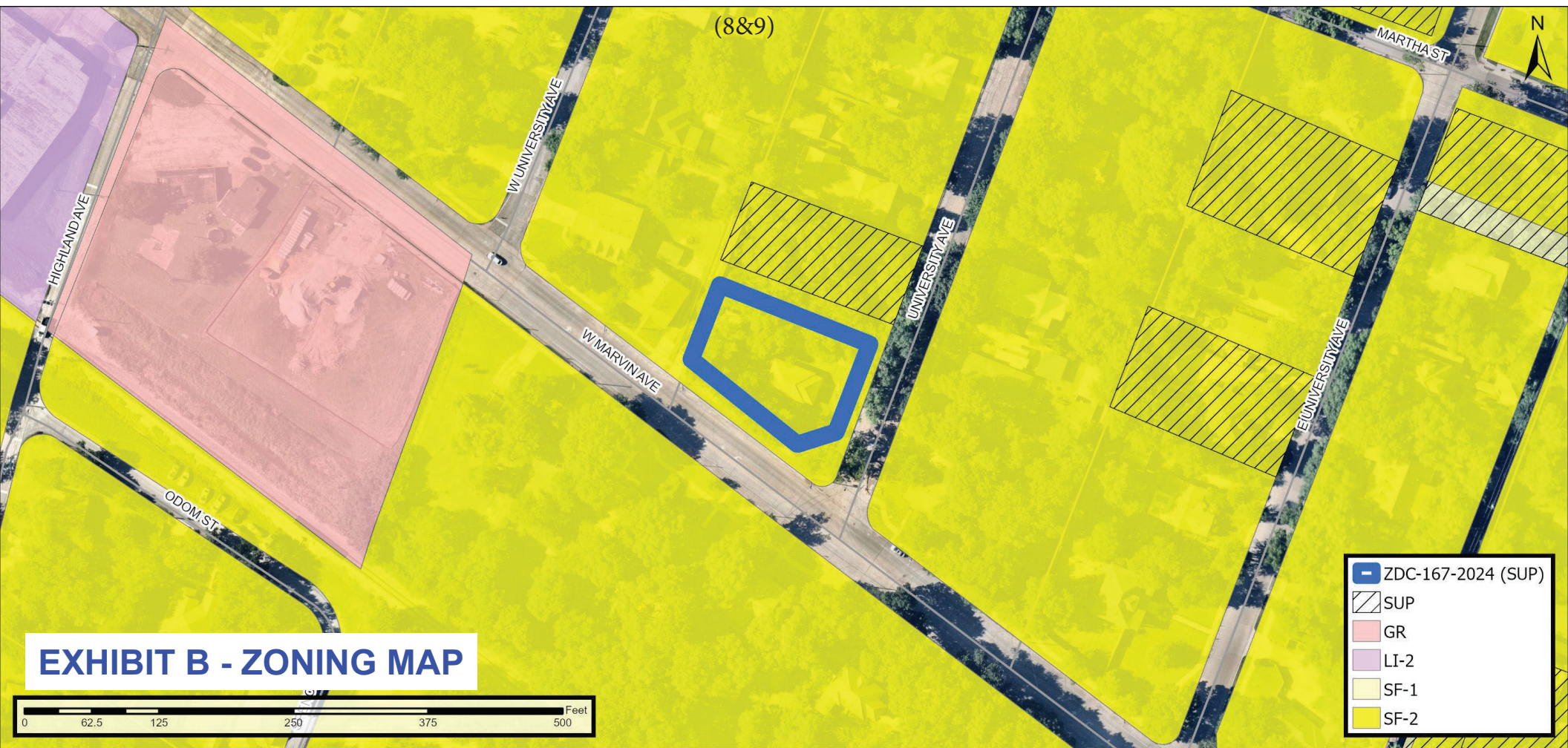
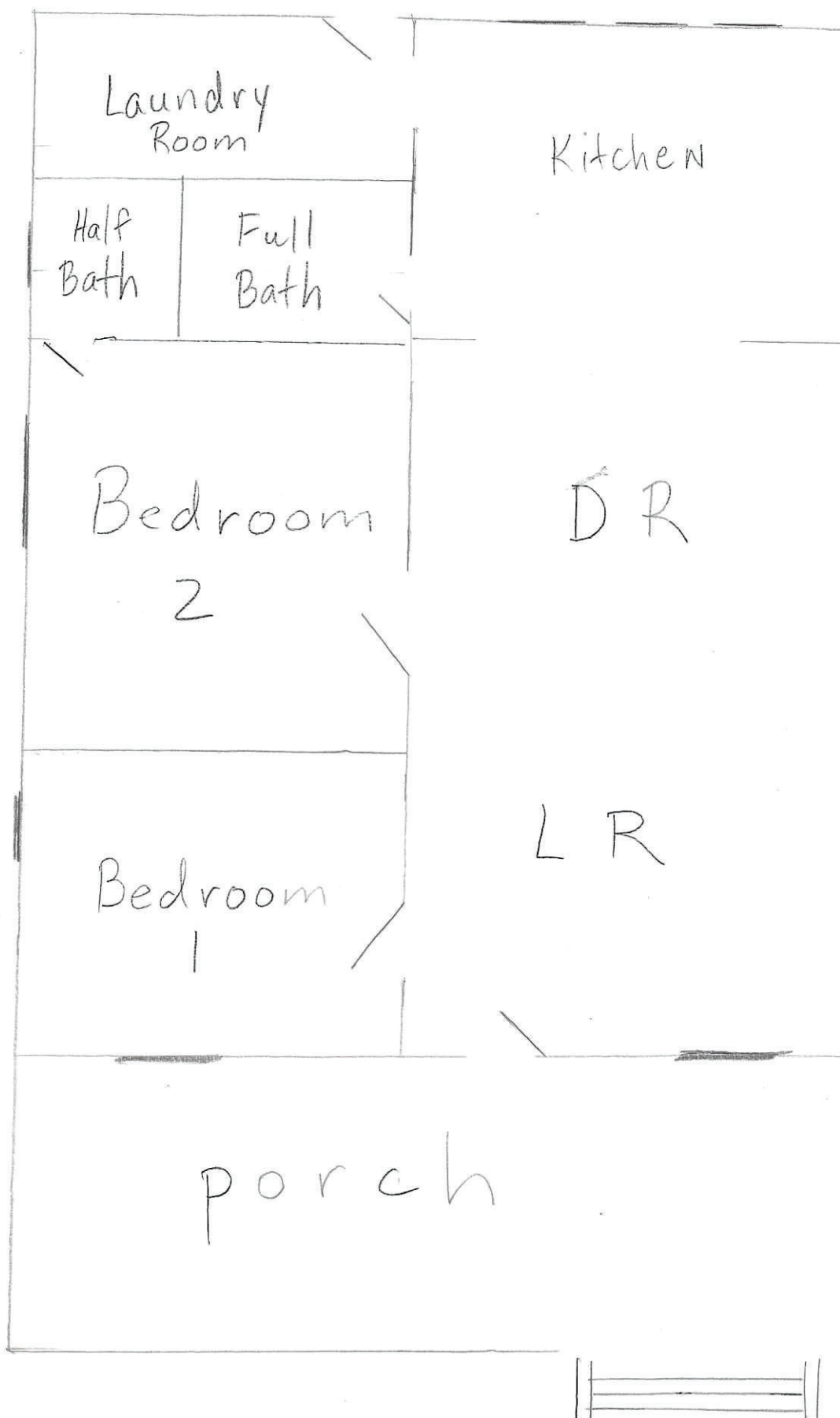


EXHIBIT B - ZONING MAP

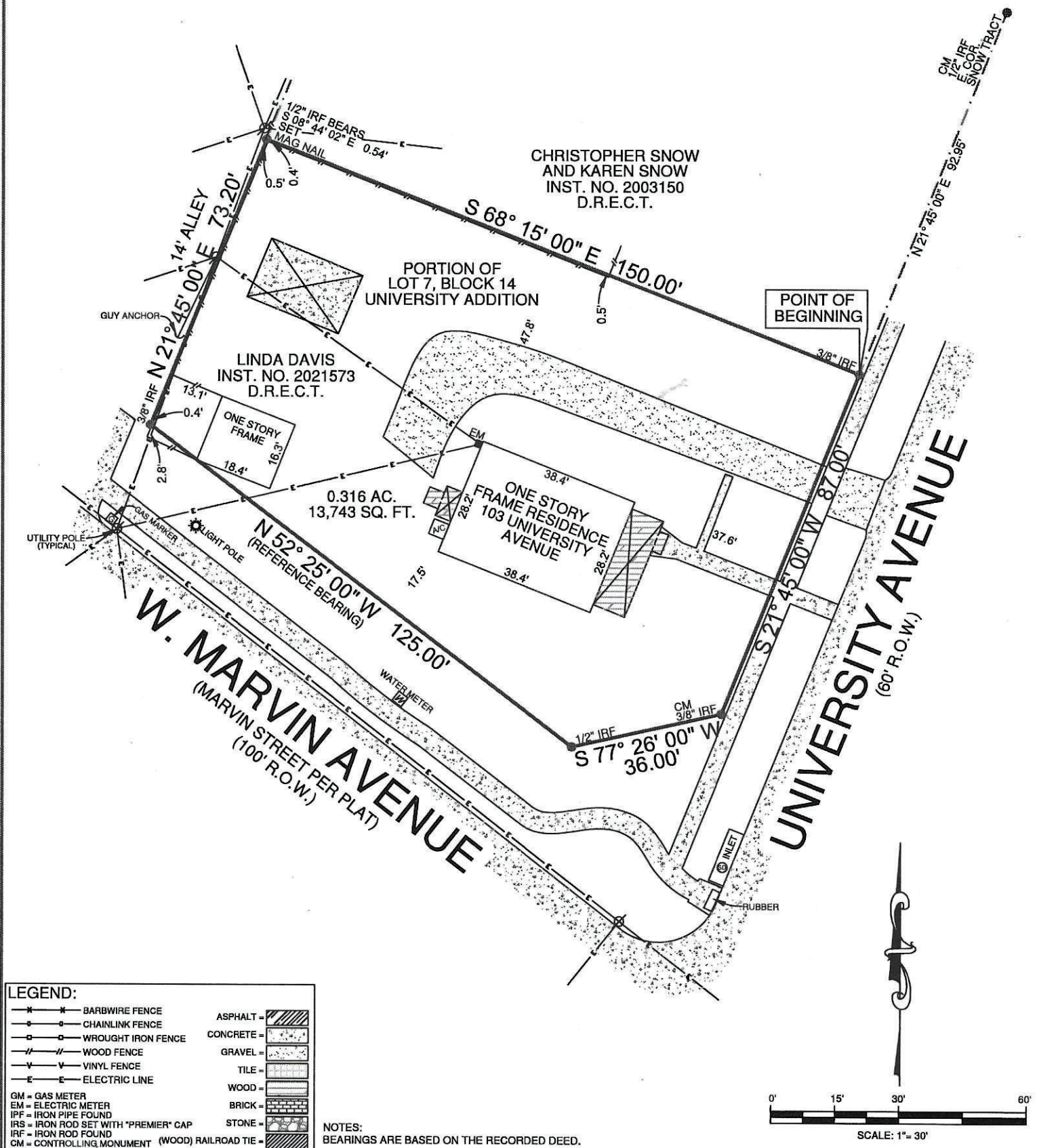
	ZDC-167-2024 (SUP)
	SUP
	GR
	LI-2
	SF-1
	SF-2

103 University

(8&9)



(8&9)



LEGAL DESCRIPTION:
BEING A PORTION OF LOT 7, BLOCK 14, UNIVERSITY ADDITION, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET A, SLIDE 35, PLAT RECORDS, ELLIS COUNTY, TEXAS, BEING ALL THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO LINDA DAVIS, AS RECORDED IN INSTRUMENT NO. 2021573, DEED RECORDS, ELLIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS DESCRIPTION IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART THEREOF ON PAGE 2.

SURVEYOR'S CERTIFICATION:
THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS. THERE ARE NO VISIBLE AND APPARENT EASEMENTS, CONFLICTS, INTRUSIONS OR PROTRUSIONS, EXCEPT AS SHOWN. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND IS FOR THE EXCLUSIVE USE OF THE HEREON NAMED PURCHASER, MORTGAGE COMPANY, AND TITLE COMPANY

GF. NO.	2401028
BORROWER	WINDING IT DOWN, LLC
TITLE CO.	ELLIS COUNTY ABSTRACT & TITLE
TECH	MSP
FIELD	ZD

FLOOD INFORMATION:
THE SUBJECT PROPERTY DOES NOT APPEAR TO LIE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD

Check in

- Check in time is 3:00 PM flexible
- Keyless entry code to be given to person who booked reservation
- Spectrum TV -Wifi Network ____ Password ____
- Cameras w/6 month video monitoring are installed on premises at front & back doors (required by Ord No. 3414)

Check out

- Check out time is 10:30 AM
- Put used towels in washroom basket
- Place all unwanted items in trash
- Place sealed trash bags in green Polycart bin outside carport and recyclables in blue Polycart bin
- Load /start all dirty dishes in dishwasher

Parking

- Maximum of 2 cars parked at address whether in driveway or carport.
- Please lock vehicle and secure belongings

House Rules

- This is a smoke free/drug free environment, failure will result in termination of reservation-no refund
- No Vaping inside the home
- No parties or large gatherings tolerated, we live next door and are not an event venue
- No pets permitted on property
- Occupancy sleeping is limited to 4 adults, maximum occupancy is 6 persons at any time.
- Please be gentle with original wood floors and windows, they are historic and restored
- For needs of receiving mail, please secure a PO Box at local Post office- 316 N College
- Please no tape or tacks on walls or furniture
- Quiet time 10PM-6AM

If questions, call owners: Chris Snow (972) 839-9557
Karen Snow (214)669-9044

(Failure of listed house rules, or damages will result in repair fee charges)

Welcome to our place!

We're so happy to be your host at

Winding It Down, LLC

103 University Avenue
Waxahachie TX 75165

Enjoy yourself and relax! Get yourself a complimentary iced tea already in the fridge and relax on the front porch swing!

Take yourself back in time to the 1930's!

We want you to have a lovely stay and are happy to be of help if you need anything while you are here.

Sincerely, Chris and Karen Snow

