

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, October 15, 2024 at 7:00 p.m.***

Commission Members: Rick Keeler, Chairman
 David Hudgins
 Marlene Norcross
 Jeff Reed
 Jenny Bridges
 Chad Hicks
 Wendy Johnson

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. ***Reorganize*** the Commission
5. ***Consent Agenda***

All matters listed under Item 5, 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 24, 2024
- b. Consider a request by Adam Rope, A. Rope Investments LLC, for a Replat of Lot 1A, Block A of the Solon Meadows Addition, to create Lots 1A-2 and 1A-3, Block A of the Solon Meadows Addition, 2 commercial lots, being 1.177 acres, located at 1510 W US Highway 287 Bypass (Property ID 142256) – Owner: A. Rope Investments LLC (SUB-108-2023)
- c. Consider a request by Correen Robertson, P.E., CEP, for a Plat of King's Ranch Phase One and Two, 49 residential lots, being 22.983 acres, located directly south of 218 Heartland Drive, situated in the Elizabeth Rice Survey, Abstract 927 and the R.A. Davis Survey, Abstract 139, an addition to the City of Waxahachie (Property ID 223474) – Owner: Robin Kelly (SUB-187-2024)

- d. Consider a request by Haley Petrisor, CHEG Family LLC for a Replat of Lot 2, Block 1, Allen Family Estates Addition, to create Lots 2A & 2B, Block 1, Allen Family Estates Addition, 2 residential lots, being 5.712 acres, located adjacent to 228 Mulkey Road in the Extra Territorial Jurisdiction (Property ID 147328 – Owner: CHEG Family LLC Series A (SUB-188-2024)
6. **Continue 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
7. **Consider** recommendation of ZDC-139-2024
8. **Continue Public Hearing** on a request by Katrina Aulson (formally Katrina Walker) & Patrick Aulson, 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 Single-Family Dwelling-1 (SF-1) zoning district located at 611 North Grand Avenue (Property ID 176844) – Owner(s): Katrina Walker (ZDC-180-2023) Staff: Oanh Vu
9. **Consider** recommendation of ZDC-180-2023
10. **Public Hearing** on a request by Brad Yates, for a Replat of Lot 1, Block 23 of the Bullard's Addition, to create Lots 1R & 3, Block 23 of the Bullard's Addition, two (2) residential lots, being 0.324 acres, located at 708 S Rogers Street, (Property ID 172368) – Owner: Graily Holdings LLC (SUB-178-2024) Staff: Zack King
11. **Consider** recommendation of SUB-178-2024
12. **Public Hearing** on a request by Mark Singleton, Waxahachie Development Company, for a Zoning Change from a General Retail (GR) zoning district to Planned Development-General Retail (PD-GR) zoning district, for a Retail Stores & Shops and Drive-Through Establishment use, located directly south of 450 E US Highway 287 Bypass, (Property ID 179056) - Owner: Waxahachie Development Company, (ZDC-72-2022) Staff: Zack King
13. **Consider** recommendation of ZDC-72-2022
14. **Continue 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
15. **Consider** recommendation of ZDC-103-2024
16. 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 24, 2024 at 7:00 p.m.

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

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Senior Director of Planning
Zack King, Senior Planner
Amber Villarreal, City Secretary
Chris Wright, Council Representative

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

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

3. Public Comments

Daniel Box, zoning attorney, Winstead PC, 2728 N Harwood Street, Dallas, Texas, announced the applicant has submitted detailed responses to staff comments for SUB-180-2024.

Mayor Billie Wallace thanked outgoing Commission Members, Bonney Ramsey, Erik Test, and Ron Ansell, for their dedication and service to Waxahachie.

4. Consent Agenda

- 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)

Action:

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

5. Recognize Bonney Ramsey, Erik Test, and Ron Ansell for their service on the Planning & Zoning Commission

Chairman Keeler recognized the following outgoing Planning and Zoning Commission members and presented them with a plaque:

- Bonney Ramsey: 18 years of service
- Erik Test: 6 years of service
- Ron Ansell: 2 years of service

**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**

Senior Director of Planning Jennifer Pruitt presented the Item. 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 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, or 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.

Chairman Keeler opened the Public Hearing at approximately 7:10 p.m.

There being no others to speak for or against ZTA-126-2024, Chairman Keeler closed the Public Hearing at approximately 7:10 p.m.

7. Consider recommendation of ZTA-126-2024

Action:

Ron Ansell moved 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. Motion was seconded by Bonney Ramsey and carried unanimously (7-0).

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

Ms. Pruitt presented the Item and Chris Snow requested approval. 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; however, staff confirmed this call was made for 103 E. University and not the subject property. The applicant's local emergency contact is located adjacent to the subject property.

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. A total of seven (7) letters of opposition and twenty-two (22) letters of support were received.

Commissioner David Hudgins asked the owner to add “no on-street parking” to the host rules and Mr. Snow agreed.

Chairman Keeler opened the Public Hearing at approximately 7:21 p.m.

Those who spoke in opposition:

Maria Ortega, 603 W. Marvin, Waxahachie, Texas

Tim Vandeventer, 1209 W. Marvin, Waxahachie, Texas

Mickie Hill, 607 W. Marvin, Waxahachie, Texas

Those who spoke, neither in support or opposition:

Robyn Hain, 1203 W. Marvin, Waxahachie, Texas

Mayor Pro Tem Chris Wright explained the SUP requests are assessed on a case by case basis and City Council reviews density.

There being no others to speak for or against ZDC-167-2024, Chairman Keeler closed the Public Hearing at approximately 7:50 p.m.

9. Consider recommendation of ZDC-167-2024

Action:

Bonney Ramsey moved 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. Motion was seconded by Erik Test and carried unanimously (7-0).

10. Adjourn

Commissioners, City Staff, and Mayor Pro Tem Chris Wright, thanked outgoing members, Bonney Ramsey, Erik Test, and Ron Ansell, for their selfless service to Waxahachie.

There being no further business, the meeting adjourned at 7:58 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

Planning & Zoning Department

Plat Staff Report

Case: SUB-108-2023



MEETING DATE(S)

Planning & Zoning Commission:

October 15, 2024

CAPTION

Present a request by Adam Rope, A. Rope Investments LLC, for a **Replat** of Lot 1A, Block A of the Solon Meadows Addition, to create Lots 1A-2 and 1A-3, Block A of the Solon Meadows Addition, 2 commercial lots, being 1.177 acres, located at 1510 W US Highway 287 Bypass (Property ID 142256) – Owner: A. Rope Investments LLC (SUB-108-2023) Staff: Zack King

RECOMMENDED MOTION

"I move to approve SUB-108-2023, a Replat of the Lot 1A, Block A of the Solon Meadows Addition, subject to the conditions the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

The applicant requests to replat the property from one (1) lot into two (2) lots for commercial use.

CASE INFORMATION

Applicant:	Adam Rope, A. Rope Investments LLC
Property Owner(s):	A. Rope Investments LLC
Site Acreage:	1.177 acres
Number of Lots:	2 lots
Number of Dwelling Units:	0 units
Park Land Dedication:	N/A
Adequate Public Facilities:	Adequate public facilities are available to the subject property via the extension of sanitary sewer line infrastructure.

SUBJECT PROPERTY

General Location:	1510 W US Highway 287 Bypass
Parcel ID Number(s):	142256
Current Zoning:	General Retail (GR)
Existing Use:	A multi-tenant office building is situated on the subject property.
Platting History:	The subject property is currently platted as Lot 1A, Block A of the Solon Meadows addition.

Site Aerial:



PLANNING ANALYSIS

A Replat Application is required by the Waxahachie Subdivision Ordinance in instances where a property owner wishes to change the configuration of an existing platted lot. This includes instances where the property owner wishes to split an existing lot into multiple individual lots or combine multiple lots into a single lot. With this application, the property owner proposes to replat the subject property from one (1) lot into two (2) lots for commercial use. This application was originally submitted in July of 2023; but was delayed while the applicant negotiated with the adjacent property owner to execute an off-site mutual access easement.

The applicant proposes to extend a 30' Share Access Easement along an existing drive-aisle to allow for continued mutual access between properties with this Replat. The proposed Replat adheres to the lot size and dimension requirements of the Waxahachie Subdivision Ordinance. As part of the review of the Replat application, staff identified three supplemental items that are required by Waxahachie Subdivision Ordinance to be provided with the Replat prior to filing. Provision of these items has been identified as conditions 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, staff recommends approval of the Replat request, subject to the conditions listed below.

Conditions:

1. Per Section 2.1.a and 7.2.h of the Waxahachie Subdivision Ordinance, Plat Filing Fees are required to be paid for the application prior to Replat filing.
2. Per Section 2.3.b of the Waxahachie Subdivision Ordinance, a hard copy of the embossed tax certificate for the property showing that no delinquent taxes exist against the property is required to be provided at the time of replat filing.
3. Per Section 3.9.a of the Waxahachie Subdivision Ordinance, water and sewer services are required for each lot prior to filing the plat

ATTACHED EXHIBITS

1. Replat

APPLICANT REQUIREMENTS

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

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

Planning Manager

zking@waxahachie.com

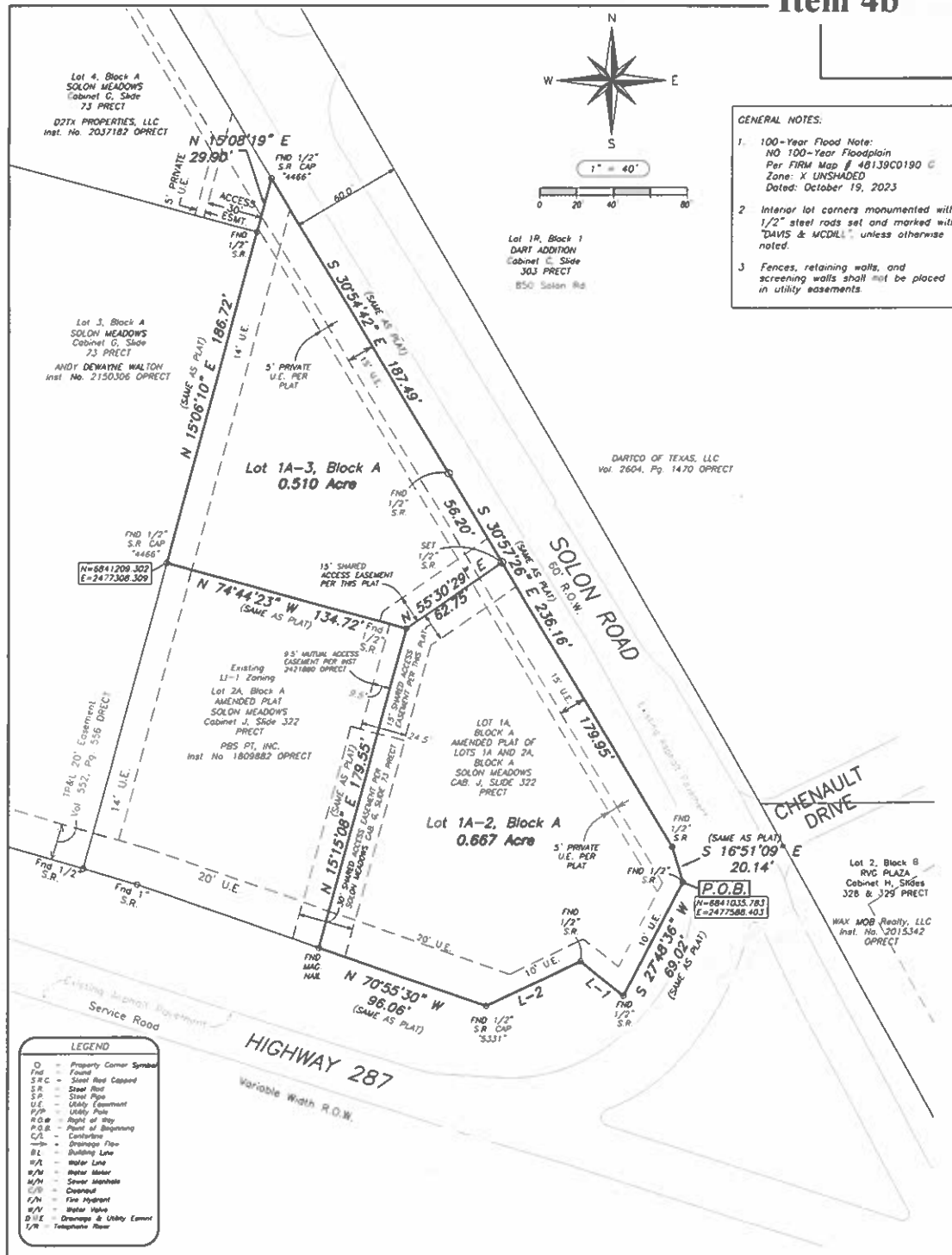
Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com

Item 4b



GENERAL NOTES:

- 100-Year Flood Note:
NO 100-Year Floodplain
Per FIRM Map # 48139C0190
Zone: X UNSHADED
Dated: October 19, 2023
- Interior lot corners monumented with 1/2" steel rods set and marked with "DAVIS & MCDILL", unless otherwise noted.
- Fences, retaining walls, and screening walls shall not be placed in utility easements.

LINE TABLE	
L-1	N 51°26'21" W 29.77'
L-2	S 64°46'50" W 56.47'

Owner:
ADAM ROPE
1314 W HWY 287 BYPASS
WAXAHACHIE, TEXAS 75165
Contact: Adam Rope
Phone: 972-938-3232

SURVEYOR'S CERTIFICATE

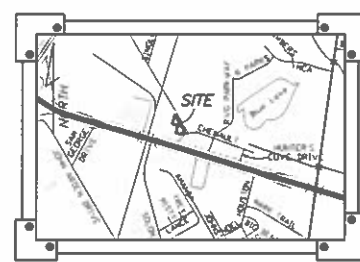
This is to certify that I, Stuart G. Hamilton, a Registered Public Land Surveyor of the State of Texas, have plotted the subdivision hereon from an actual survey on the ground and that all lot corners, angle points, and points of curve have been properly marked on the ground, and that this plat correctly represents that survey made by me.

PRELIMINARY, THIS DOCUMENT NOT TO BE RECORDED FOR ANY PURPOSES

Stuart G. Hamilton
Registered Professional Land Surveyor
Number 4480

Date

THIS SURVEY IS VALID ONLY WITH ORIGINAL SIGNATURE IN RED INK



LOCATION MAP SCALE: 1" = 1000'

REPLAT SOLON MEADOWS LOTS 1A-2 & 1A-3

1.177 Acres

Being a Replat of Lot 1A, Block A, Solon Meadows recorded in Cabinet J, Slide 322 (Instrument no. 1815964) Plat Records, Ellis County, Texas and situated in the City of Waxahachie, Ellis County, Texas
Zoning: GR - General Retail
2 Nonresidential Lots
Case No. SUB-108-2023

Revisions	By

Davis & McDill, LLC

SURVEYING - LAND PLANNING - FLOODPLAIN MANAGEMENT
P.O. BOX 428, WAXAHACHIE, TEXAS 75168
PHONE: 972-938-1185
A Texas licensed surveying firm # 10194681



Date: 9/20/2024
Scale: 1" = 40'
Drawn: DAM
Job: 223-0070
Sheet 1 of 2 sheets.

Item 4b

WHEREAS, A. Rope Investments, LLC is the Owner of a tract of land situated in the James E. Madden Survey, Abstract 495 and the N. P. Neal Survey, Abstract Number 1320, City of Waxahachie, Ellis County, Texas, and being Lot 1A, Block A, Solon Meadows, on addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Cabinet J, Slide 322, Plat Records, Ellis County, Texas (PRECT) and being the tract described in deed from JHRDI Property Solutions, LLC to A. Rope Investments, LLC, recorded in Instrument Number 1818623, Official Public Records, Ellis County, Texas (OPRECT), and being more particularly described by its metes and bounds as follows:

BEGINNING at a point at the most east corner of said being Lot 1A, Block A, Solon Meadows, on angle in the southerly right of way line of Solon Road, a variable width right of way public road, a ½ inch steel rod found, having surface coordinate values of North = 6841055.783 feet and East = 2477588.403 feet, based on the Texas Coordinate System, North Central Zone [Zone 4202] North American Datum of 1983 and are obtained from observations of Global Positioning System satellites;

THENCE S 27°48'36" W, with the east line of said Lot 1A, Block A, Solon Meadows and said Solon Road right of way line, 69.02 feet (Plat = S 27°48'36" W, 69.02 feet) to the northerly right of way of U. S. Highway 287 (Waxahachie Bypass) being the 9.436 acre tract described in deed from Armstrong Cork Company to State of Texas, recorded in Volume 528, Page 101, a ½ inch steel rod found;

THENCE with the southerly line of said Lot 1A, Block A, Solon Meadows and said U. S. Highway right of way line, the following courses and distances: N 51°26'21" W (Highway Deed = N 50°06' W), 29.77 feet, a ½ inch steel rod found; S 64°48'50" W, 56.47 feet (Highway Deed = S 65°47' W, 56.79 feet) to a ½ inch steel rod with plastic cap stamped "RPLS 5331" found, and N 70°55'30" W (Highway Deed = N 69°63' W), 96.06 feet (Plat = N 70°55'30" W, 96.06 feet) to the southwest corner of said Lot 1A, Block A, Solon Meadows, and the southeast corner of Lot 2A, Block A of said Solon Meadows, being the tract described in deed from Purvis Industries, LTD., to PBS PT Inc., recorded in instrument Number 1809882, OPRECT, a magnetic nail "MAG NAIL", found;

THENCE N 15°15'08" E, with a westerly line of said Lot 1A, Block A, Solon Meadows and the easterly line of said Lot 2A, Block A, Solon Meadows, 179.55 feet (Plat N 15°15'08" E, 179.55 feet) to an interior corner of said Lot 1A and the northeast corner of said Lot 2A, Block A, Solon Meadows, a ½ inch steel rod found;

THENCE N 74°44'23" W, with a southerly line of said Lot 1A, Block A, Solon Meadows and the northerly line of said Lot 2A, Block A, Solon Meadows, 134.72 feet (Plat N 74°44'23" W, 134.72 feet) to the northwest corner of said Lot 2A, Block A, Solon Meadows, the most west southwest corner of said Lot 1A, Block A, Solon Meadows, on the easterly line of Lot 3, Block A, Solon Meadows, on addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Cabinet J, Slide 73, PRECT and being the tract described in deed from Estate of Anthony Sue Walton, deceased, to Andy Deweyne Walton, recorded in Instrument Number 2150306, OPRECT, a ½ inch steel rod with plastic cap stamped "RPLS 4466" found;

THENCE N 15°06'10" E, with the common line of said Lot 1A, Block A, Solon Meadows and said Lot 3, Block A, Solon Meadows, 186.72 feet (Plat N 15°06'10" E, 186.72 feet) to the northeast corner of said Lot 3, Block A, Solon Meadows and the southeast corner of Lot 4, Block A, Solon Meadows, recorded in Cabinet J, Slide 73, a ½ inch steel rod found;

THENCE N 15°08'19" E, with the westerly line of said Lot 1A, Block A, Solon Meadows, 29.90 feet (Plat = N 15°08'19" E, 29.90 feet) to said Solon Road right of way line and the northwest corner of said Lot 1A, Block A, Solon Meadows and the northeast corner of said Lot 4, Block A, Solon Meadows, being the tract described in deed from Dickenson Properties LLC to D2TX Properties LLC, recorded in instrument Number 2037162, OPRECT, a ½ inch steel rod with plastic cap stamped "RPLS 4466" found;

THENCE with the northerly line of said Lot 1A, Block A, Solon Meadows and said Solon Road right of way line, the following courses and distances: S 30°54'42" E, 187.49 feet (Plat = S 30°54'42" E, 187.49 feet) to an angle, a ½ inch steel rod found, S 30°57'26" E, 236.16 feet (Plat = S 30°57'26" E, 236.16 feet) to an angle, a ½ inch steel rod found, and S 16°51'09" E, 20.14 feet (Plat = S 16°51'09" E, 20.14 feet) to the point of beginning and containing approximately 1.177 acres of land.

Bearings hereon are based on the Texas Coordinate System of 1983, Texas North Central Zone per GPS observations.

SURVEYOR'S CERTIFICATE

This is to certify that I, Stuart G. Hamilton, a Registered Public Land Surveyor of the State of Texas, have plotted the subdivision hereon from an actual survey on the ground and that all lot corners, angle points, and points of curve have been properly marked on the ground, and that this plat correctly represents that survey made by me.

PRELIMINARY, THIS DOCUMENT NOT TO BE RECORDED FOR ANY PURPOSES

Stuart G. Hamilton
Registered Professional Land Surveyor
Number 4460

OWNER'S CERTIFICATE

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT A. Rope Investments, LLC, acting herein by and through its duly authorized officer, Adam Rope, does hereby adopt this plat designating the herein above described property as Lots 1A-2 and 1A-3, Solon Meadows being a replat of Lot 1A, Block A, Solon Meadows, on 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 of 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:

A. Rope Investments, LLC Owner
Adam Rope

STATE OF TEXAS
COUNTY OF ELLIS

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Adam Rope, 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 _____, 20____.

Notary Public

My Commission Expires _____

STATE OF TEXAS,
COUNTY OF ELLIS

APPROVED BY: Planning and Zoning Commission City of Waxahachie

By:

Chairperson

Date

Attest

Date

NOTE:
PROPERTY IS IN THE JURISDICTION OF THE CITY OF
WAXAHACHIE, TEXAS AND IS SUBJECT TO THEIR
PLATTING RULES AND REGULATIONS

Owner:

ADAM ROPE
1314 W. HWY 287 BYPASS
WAXAHACHIE, TEXAS 75165
Contact: Adam Rope
Phone: 972-938-3232

DRAINAGE NOTES:

- (1) BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED.
- (2) THE EXISTING CREEKS OR DRAINAGE CHANNELS TRaversing ALONG OR ACROSS THE ADDITION WILL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO THE DRAINAGE COURSES ALONG OR ACROSS SAID LOTS.
- (3) CITY OF WAXAHACHIE WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGE WAYS OR FOR THE CONTROL OF EROSION.
- (4) CITY OF WAXAHACHIE WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OR LOSS OF LIFE OR PROPERTY OCCASIONED BY FLOODING OR FLOOD CONDITIONS.

REPLAT SOLON MEADOWS LOTS 1A-2 & 1A-3 1.177 Acres

Being a Replat of Lot 1A, Block A, Solon Meadows recorded in Cabinet J, Slide 322 (Instrument no. 1815964) Plat Records, Ellis County, Texas and situated in the City of Waxahachie, Ellis County, Texas
Zoning: GR - General Retail
2 Nonresidential Lots
Case No. SUB-108-2023

Revisions

By

Davis & McDill, LLC

SURVEYING - LAND PLANNING - FLOODPLAIN MANAGEMENT
P.O. BOX 428, WAXAHACHIE, TEXAS 75168
PHONE: 972-938-1185
A Texas licensed surveying firm # 10194681



Date: 9/20/2024

Scale: N/A

Drawn: DAM

Job: 223-0070

Sheet: 2

of 2 sheets.

Planning & Zoning Department

Plat Staff Report

Case: SUB-187-2024



MEETING DATE(S)

Planning & Zoning Commission: October 15, 2024

CAPTION

Present a request by Correen Robertson, P.E., CEP, for a **Plat** of King's Ranch Phase One and Two, 49 residential lots, being 22.983 acres, located directly south of 218 Heartland Drive, situated in the Elizabeth Rice Survey, Abstract 927 and the R.A. Davis Survey, Abstract 139, an addition to the City of Waxahachie (Property ID 223474) – Owner: Robin Kelly (SUB-187-2024) Staff: Zack King

RECOMMENDED MOTION

"I move to approve SUB-187-2024, a Plat of King's Ranch Phase One and Two, subject to the conditions the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

The applicant requests to Plat the subject property in to forty-nine (49) residential lots as part of the King's Ranch Phase One and Two subdivision.

CASE INFORMATION

<i>Applicant:</i>	Correen Robertson, P.E., CEP
<i>Property Owner(s):</i>	Robin Kelly
<i>Site Acreage:</i>	22.983 acres
<i>Number of Lots:</i>	49 lots
<i>Number of Dwelling Units:</i>	49 units
<i>Park Land Dedication:</i>	The cash in lieu of park land dedication for this case is estimated at \$19,600.00 (49 residential dwellings at \$400.00 per dwelling).
<i>Adequate Public Facilities:</i>	Adequate public facilities are available to the subject property via the extension of City sanitary sewer infrastructure and Rockett SUD water line infrastructure.

SUBJECT PROPERTY

<i>General Location:</i>	Directly south of 218 Heartland Drive
<i>Parcel ID Number(s):</i>	223474
<i>Current Zoning:</i>	Single Family-2 (SF-2)
<i>Existing Use:</i>	The subject property is currently undeveloped.
<i>Platting History:</i>	The subject property is not platted.

Site Aerial:

PLANNING ANALYSIS

A Plat Application is required by the Waxahachie Subdivision Ordinance prior to development of a subject property in order to establish and officially record the boundaries of the property. Plat Applications are required for both commercial and residential developments. A Plat for a property is required to be approved and filed before the City of Waxahachie will issue building permits for the subject property.

With this application, the property owner proposes to plat the subject property into 49 residential lots as part of the King's Ranch Phase One and Two subdivision. The subject property is currently zoned Single Family-2 (SF-2); which allows for the development of single-family homes on lots 12,500 square feet in size and larger. The King's Ranch subdivision is designed to be a single-family neighborhood with minimum lot sizes of 12,500 square feet. The design of the proposed subdivision adheres to the lot size, lot dimension, and lot distribution requirements of the SF-2 zoning district.

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. 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, staff recommends approval of the Plat request, subject to the conditions listed below.

Conditions:

1. Per Section 2.1.a of the Waxahachie Subdivision Ordinance, Application Fees (\$1,000.00) are required to be paid.
2. 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.
3. Per Section 2.4.c.1 of the Waxahachie Subdivision Ordinance, a correct vicinity map must be provided. Revise the vicinity map to correctly identify the boundaries of the subject property.
4. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, please correct the suffix to "WAY".

Conditions (continued):

5. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, only easements need to be shown on the plat, not build lines (setbacks). Remove setback lines from the lots on the plat. (Setbacks are determined by zoning, not the plat.)
6. Per Section 2.4.c.6 of the Waxahachie Subdivision Ordinance, proposed lot and block numbers must be provided. Current lot and block numbers are not sequential. Please revise the lot and block arrangement to flow sequentially.
7. Per section 2.4.c.4.12 of the Waxahachie Subdivision Ordinance, provide the floodplain note. (Notes are missing from this Plat document.)
8. Per Section 2.4.c.12 of the Waxahachie Subdivision Ordinance, clearly label the 100-year floodplain line, as designated by FEMA.
9. Per Section 2.4.c.15 of the Waxahachie Subdivision Ordinance, the plat is required to be legible. Revise the plat to ensure line work does not obscure labels for easements and property lines.
10. Per Section 2.4.c.17 of the Waxahachie Subdivision Ordinance, requires all property corners to be marked. Update the Plat to include labels for all property corners. (IRF or IRS)
11. Per Section 2.4.c.18 of the Waxahachie Subdivision Ordinance, bearings and distances for each individual lot line must be provided on the plat.
12. Per Section 2.4.c.20 of the Waxahachie Subdivision Ordinance, a correct location map is required. Please revise this reference to SANGER CREEK WAY
13. Per Section 2.4.c.20 of the Waxahachie Subdivision Ordinance, a correct location map is required. Please revise this reference to NORTHVIEW DR
14. Per Section 2.4.c.20 of the Waxahachie Subdivision Ordinance, a correct location map is required. Please revise this reference to ROBBETT RD.
15. Per section 2.4.c.21 of the Waxahachie subdivision ordinance, all easements should be shown. The civil plans show a 15ft utility easement along Heartland Drive.
16. Per section 2.4.c.21 of the Waxahachie subdivision ordinance, all easements should be shown. Civil plans show a 20ft Rockett Water easement along Tess Court.
17. Per section 2.4.c.21 of the Waxahachie subdivision ordinance, all easements should be shown. Civil plans show a 20ft Rockett Water easement along Justin Lane.
18. Per section 2.4.c.21 of the Waxahachie subdivision ordinance, all easements should be shown. The civil plans show a 15ft utility easement here.
19. Per section 2.4.c.21 of the Waxahachie subdivision ordinance, all easements should be shown. Phase 1 and 2 have a proposed drainage channel and detention pond off site. A drainage easement is needed for the channel and pond.
20. Per section 2.4.c.21 of the Waxahachie subdivision ordinance, all easements should be shown. The civil plans show a 15ft utility easement here.
21. Per Section 2.4.c.22 of the Waxahachie Subdivision Ordinance, please provide coordinates (northing, easting) for the POB and at least one (1) additional property corner.
22. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. The page number/order of the Plat is incorrect. Revise the page order for the Plat to ensure the POB is on Page 1 and revise the page number reference in the title block accordingly.
23. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, space is required to be reserved for the placement of recording information by the Ellis County Clerk. Reserve a 12"x1.5" blank box in the top right-hand corner.
24. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. Add the total number of lots to the title block. (49 Residential Lots)
25. 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-187-2024", please revise accordingly.
26. 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.

Conditions (continued):

27. Per Section 2.4.c.25.ii of the Waxahachie Subdivision Ordinance, please verify this bearing. This bearing does not match the legal description.
28. Per Section 2.4.c.25.ii of the Waxahachie Subdivision Ordinance, this distance measurement is missing from the legal description.
29. Per Section 2.4.c.25.ii of the Waxahachie Subdivision Ordinance, please verify the accuracy of this bearing. This bearing does not match Sheet 1.
30. Per Section 2.4.c.25.ii of the Waxahachie Subdivision Ordinance, please verify the accuracy of this bearing. This bearing does not match Sheet 1.
31. Per Section 3.10.a of the Waxahachie Subdivision Ordinance, Stormwater Collection Systems are required to conform to City standards. Add a note on the plat stating that the detention pond shall be maintained by the property owner or HOA. (Chapter 33, Article XII, Division 2, Section 33-705 of the Waxahachie Code of Ordinances requires the detention pond to be maintained by the property owner or HOA.)
32. Per Sections 5.6 and 5.7 of the Waxahachie Subdivision Ordinance, fences, retaining walls, and screening walls shall not be placed in utility easements. Add this to the notes.
33. Per Section 7.2.h of the Waxahachie Subdivision Ordinance, Filing Fees are required to be paid with the Plat application prior to plat filing.

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

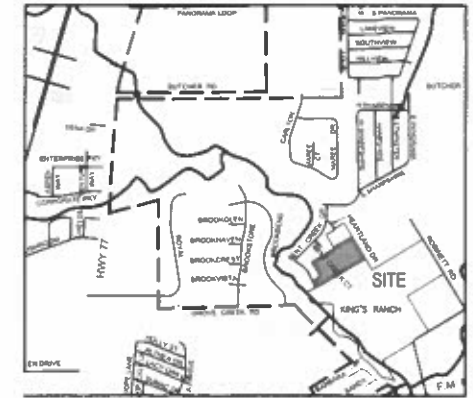
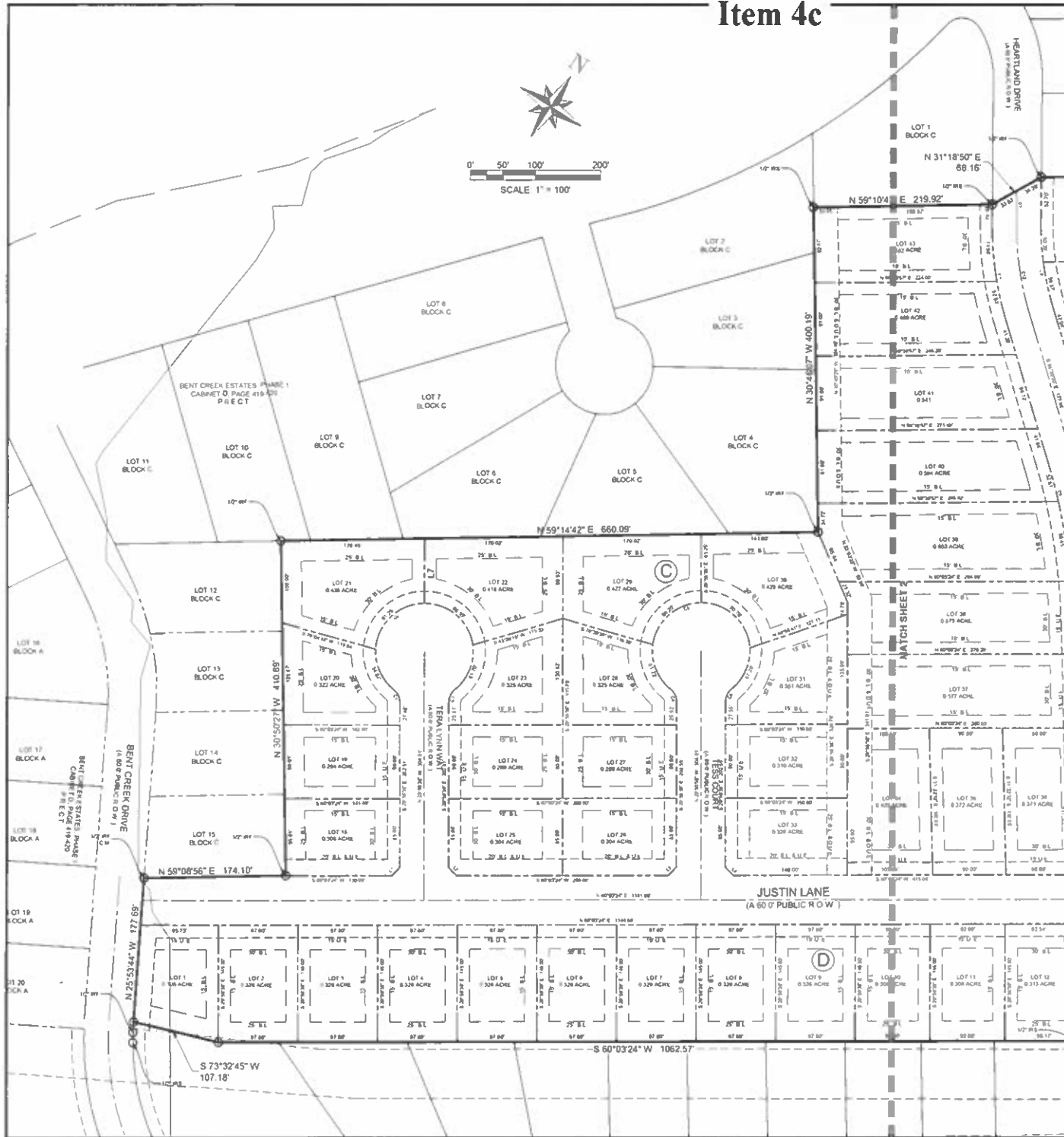
Prepared by:

Zack King, AICP
Planning Manager
zking@waxahachie.com

Reviewed by:

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

Item 4c



VICINITY MAP
MAPSCO 69A-M
NOT TO SCALE

PLAT
KING'S RANCH
PHASE ONE & TWO
LOTS 4-14, BLOCK B
LOTS 18-43, BLOCK C
LOTS 1-12, BLOCK D
ZONING: SF-2 SINGLE FAMILY 2

BEING AN 22.983 ACRE ADDITION IN
ELIZABETH RICE SURVEY, ABSTRACT NO 927
R.A. DAVIS SURVEY, ABSTRACT NO 139
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

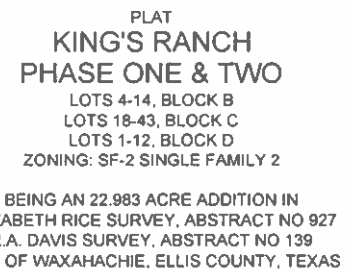
PAGE 1 OF 3

DATE PREPARED: MARCH 15, 2024
CASE NO. - SUB-

OWNER:
KELLY'S RESTORATION
4400 SHELBY ROAD
MCKINNEY, TX 75069
PHONE: 214-532-8108
ROBIN KELLY

SURVEYOR:
CENTRO RESOURCES
1476 HERITAGE PARKWAY, SUITE 217
MCKINNEY, TEXAS 75069
(972) 798-4058 CELL
(972) 354-1444
CONTACT: ROONEY MARTINEZ
TSPS No. 10192888

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DATE PREPARED: MARCH 15, 2024
CASE NO. - SUB. _____

SURVEYOR:
CENTRO RESOURCES
1475 HERITAGE PARKWAY, SUITE 217
MANSFIELD, TEXAS 76063
(817) 798-4039 CELL
(817) 354-1445
CONTACT: RODNEY MARTINEZ
TSPS No. 10153808

Item 4c

OWNER'S CERTIFICATE:

STATE OF TEXAS
COUNTY OF ELLIS

WHEREAS, ROBIN KELLY IS THE SOLE OWNER OF A 22.983 ACRE TRACT OF LAND SITUATED IN THE ELIZABETH RICE SURVEY, ABSTRACT 927, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND BEING A PORTION OF THAT 146.84 ACRE TRACT OF LAND DESCRIBED IN DEED TO ROBIN KELLY AS RECORDED IN INSTRUMENT NO. 1934753, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT A 1/2" INCH IRON ROD FOUND WITH CAP FOR THE SOUTHEAST CORNER OF LOT 3, BLOCK B, BENT CREEK ESTATES PHASE ONE, AN ADDITION TO THE CITY OF WAXAHACHIE, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET D, PAGE 419-420, PLAT RECORDS, ELLIS COUNTY, TEXAS, SAID POINT BEING THE MOST NORTHERLY NORTHEAST CORNER OF SAID KELLY TRACT, SAME POINT BEING IN THE WEST LINE OF LOT 1, BLOCK A, BRANDT PLACE, AN ADDITION TO THE CITY OF WAXAHACHIE, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET J SLIDE 151, PLAT RECORDS, ELLIS COUNTY, TEXAS,

THENCE S 30°29'06" E, ALONG THE COMMON LINE OF SAID KELLY TRACT AND SAID LOT 1, BLOCK A, PASSING THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK A, AND CONTINUING FOR A TOTAL DISTANCE OF 401.32 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 3047" SET FOR CORNER, SAID POINT BEING IN THE WEST LINE OF THAT CERTAIN TRACT OF LAND CONVEYED TO ROBERT BERNARD BY DEED AS RECORDED IN VOLUME 652, PAGE 688, DEED RECORDS, ELLIS COUNTY, TEXAS,

THENCE S 30°29'57" E, ALONG THE COMMON LINE OF SAID KELLY TRACT AND SAID BERNARD TRACT, A DISTANCE OF 651.70 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 3047" SET FOR CORNER, SAID POINT BEING IN THE WEST LINE OF THAT CERTAIN TRACT OF LAND CONVEYED TO CASSIE L. MILLER BY DEED AS RECORDED IN INSTRUMENT NO. 1817268, OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS, SAME POINT BEING THE SOUTHEAST CORNER OF SAID 22.983 ACRE TRACT OF LAND BEING DESCRIBED,

THENCE S 59°49'19" W, DEPARTING THE WEST LINE OF SAID MILLER TRACT AND ALONG THE SOUTH LINE OF SAID 22.983 ACRE TRACT OF LAND BEING DESCRIBED AND THROUGH THE INTERIOR OF SAID KELLY TRACT, A DISTANCE OF 213.69 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 3047" SET FOR CORNER,

THENCE S 31°22'39" E, ALONG THE SOUTH LINE OF SAID 22.983 ACRE TRACT OF LAND BEING DESCRIBED AND CONTINUING THROUGH THE INTERIOR OF SAID KELLY TRACT, A DISTANCE OF 11.15 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 3047" SET FOR CORNER,

THENCE S 60°32'4" W, CONTINUING ALONG THE SOUTH LINE OF SAID 22.983 ACRE TRACT OF LAND BEING DESCRIBED AND CONTINUING THROUGH THE INTERIOR OF SAID KELLY TRACT, A DISTANCE OF 1062.57 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 3047" SET FOR CORNER,

THENCE S 73°32'45" W, CONTINUING ALONG THE SOUTH LINE OF SAID 22.983 ACRE TRACT OF LAND BEING DESCRIBED AND CONTINUING THROUGH THE INTERIOR OF SAID KELLY TRACT, A DISTANCE OF 107.18 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 3047" SET FOR CORNER, SAID POINT BEING THE SOUTH CORNER OF SAID 22.983 ACRE TRACT OF LAND BEING DESCRIBED, SAME POINT BEING IN THE NORTHEAST LINE OF SAID BENT CREEK DRIVE (A 60.0 FOOT WIDTH RIGHT-OF-WAY),

THENCE N 25°53'44" W, ALONG THE NORTHEAST LINE OF SAID BENT CREEK DRIVE, A DISTANCE OF 177.69 FEET TO A 1/2" IRON ROD FOUND FOR CORNER, SAID POINT BEING THE SOUTH CORNER OF LOT 15, BLOCK C, BENT CREEK ESTATES PHASE ONE, AN ADDITION TO THE CITY OF WAXAHACHIE, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET D, PAGE 419-420, PLAT RECORDS, ELLIS COUNTY, TEXAS,

THENCE N 58°08'56" E, DEPARTING THE NORTHEAST LINE OF SAID BENT CREEK DRIVE AND ALONG THE COMMON LINE OF SAID KELLY TRACT AND SAID LOT 15, BLOCK C, A DISTANCE OF 174.10 FEET TO A 1/2" IRON ROD FOUND FOR CORNER, SAID POINT BEING THE EAST CORNER OF SAID LOT 15, BLOCK C,

THENCE N 30°50'27" W, ALONG THE COMMON LINE OF SAID KELLY TRACT AND SAID BENT CREEK ESTATES PHASE ONE, A DISTANCE OF 410.89 FEET TO A 1/2" IRON ROD FOUND FOR CORNER, SAID POINT BEING THE NORTH CORNER OF LOT 12, BLOCK C, BENT CREEK ESTATES PHASE ONE, AN ADDITION TO THE CITY OF WAXAHACHIE, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET D, PAGE 419-420, PLAT RECORDS, ELLIS COUNTY, TEXAS, SAME POINT BEING IN THE SOUTHERLY LINE OF LOT 10, BLOCK C, BENT CREEK ESTATES PHASE ONE, AN ADDITION TO THE CITY OF WAXAHACHIE, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET D, PAGE 419-420, PLAT RECORDS, ELLIS COUNTY, TEXAS,

THENCE N 30°50'27" E, CONTINUING ALONG THE COMMON LINE OF SAID KELLY TRACT AND SAID BENT CREEK ESTATES PHASE ONE, A DISTANCE OF 860.09 FEET TO A 1/2" IRON ROD FOUND FOR CORNER, SAID POINT BEING THE EAST CORNER OF LOT 4, BLOCK C, BENT CREEK ESTATES PHASE ONE, AN ADDITION TO THE CITY OF WAXAHACHIE, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET D, PAGE 419-420, PLAT RECORDS, ELLIS COUNTY, TEXAS,

THENCE N 30°46'07" W, CONTINUING ALONG THE COMMON LINE OF SAID KELLY TRACT AND SAID BENT CREEK ESTATES PHASE ONE, A DISTANCE OF 400.19 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 3047" SET FOR CORNER, SAID POINT BEING THE SOUTH CORNER OF SAID LOT 1, BLOCK C, BENT CREEK ESTATES PHASE ONE, AN ADDITION TO THE CITY OF WAXAHACHIE, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET D, PAGE 419-420, PLAT RECORDS, ELLIS COUNTY, TEXAS,

THENCE N 59°10'42" E, CONTINUING ALONG THE COMMON LINE OF SAID KELLY TRACT AND SAID BENT CREEK ESTATES PHASE ONE, A DISTANCE OF 219.92 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 3047" SET FOR CORNER, SAID POINT BEING THE EAST CORNER OF SAID LOT 1, BLOCK C, SAID POINT BEING IN THE SOUTHERLY LINE OF HEARTLAND DRIVE (A 60.0 FOOT WIDTH RIGHT-OF-WAY),

THENCE N 31°18'50" E, THROUGH THE INTERIOR OF SAID HEARTLAND DRIVE, A DISTANCE OF 68.16 FEET TO A 1/2" IRON ROD FOUND FOR CORNER, SAID POINT BEING THE NORTHEAST LINE OF SAID HEARTLAND DRIVE, SAME POINT BEING THE SAID SOUTH CORNER OF SAID LOT 3, BLOCK B,

THENCE N 59°12'04" E, ALONG THE COMMON LINE OF SAID KELLY TRACT AND SAID LOT 3, BLOCK B TO THE POINT OF BEGINNING AND CONTAINING 22.983 ACRES OR 1,001,122 SQUARE FEET OF COMPUTED LAND

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That ROBIN KELLY, acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as KING'S RANCH, PHASE ONE & TWO, an addition to the City of Waxahachie, Ellis County, Texas, 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 at 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, Texas. 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 limit 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 at 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 utilities 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 or removing all parts of their respective systems without the necessity at any time procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, and regulations and resolutions of the City of Waxahachie, Texas.

ROBIN KELLY (Owner)

STATE OF TEXAS
COUNTY OF

BEFORE ME, the undersigned authority, on this day personally appeared ROBIN KELLEY, OWNER and known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the _____ day of _____, 2024.

Notary Public in and for

The State of Texas

My Commission expires _____

STATE OF TEXAS -
COUNTY OF ELLIS -

APPROVED BY Planning and Zoning Commission - City of Waxahachie

Chairperson

Date

Attest

Date

SURVEYOR'S CERTIFICATE

That I, Larry Turman, do 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 Platting Rules and Regulations of the Planning and Zoning Commission of the City of Waxahachie, Ellis County, Texas.

Larry Turman
Texas Registration No. 1740

PLAT
KING'S RANCH
PHASE ONE & TWO
LOTS 4-14, BLOCK B
LOTS 18-43, BLOCK C
LOTS 1-12, BLOCK D
ZONING: SF-2 SINGLE FAMILY 2

BEING AN 22.983 ACRE ADDITION IN
ELIZABETH RICE SURVEY, ABSTRACT NO 927
R.A. DAVIS SURVEY, ABSTRACT NO 139
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

PAGE 3 OF 3

DATE PREPARED: MARCH 15, 2024
CASE NO. - SUB- _____

OWNER:
CENTRO RESOURCES
KELLY'S RESTORATION
4480 SHELTON ROAD
MIDLOTHIAN, TX 76065
PHONE: 214-532-8106
ROBIN KELLY

SURVEYOR:
CENTRO RESOURCES
1475 HERITAGE PARKWAY, SUITE 217
MANSFIELD, TEXAS 76063
(817) 798-4039 CELL
(817) 564-1465
CONTACT: RODNEY MARTINEZ
TSPS No. 10153888

Planning & Zoning Department

Plat Staff Report

Case: SUB-188-2024



MEETING DATE(S)

Planning & Zoning Commission: October 15, 2024

CAPTION

Public Hearing on a request Haley Petrisor, CHEG Family LLC for a Replat of Lot 2, Block 1, Allen Family Estates Addition, to create Lots 2A & 2B, Block 1, Allen Family Estates Addition, 2 residential lots, being 5.712 acres, located adjacent to 228 Mulkey Road in the City's Extra Territorial Jurisdiction (Property ID 147328 – Owner: CHEG Family LLC Series A (SUB-188-2024))

RECOMMENDED MOTION

*"I move to approve SUB-188-2024 for a **Replat** of Block 1, Lots 2A & 2B of the Allen Family Estates Addition, subject to the conditions of the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."*

APPLICANT REQUEST

The applicant is requesting to replat the subject properties into two (2) residential-use lots.

CASE INFORMATION

<i>Applicant:</i>	Haley Petrisor
<i>Property Owner(s):</i>	CHEG Family LLC Series A
<i>Site Acreage:</i>	5.712 acres
<i>Number of Lots:</i>	2 lots
<i>Number of Dwelling Units:</i>	2 units
<i>Park Land Dedication:</i>	N/A (ETJ)
<i>Adequate Public Facilities:</i>	Adequate public facilities are available via Rockett SUD and on-site sewage systems.

SUBJECT PROPERTY

<i>General Location:</i>	The subject property is located adjacent to 228 Mulkey Road.
<i>Parcel ID Number(s):</i>	147328
<i>Current Zoning:</i>	N/A (ETJ)
<i>Existing Use:</i>	The subject property is currently undeveloped.

Platting History:

The subject property was previously platted as Block 1, Lot 2 of the Allen Family Estates Addition.

Site Aerial:



PLANNING ANALYSIS

The Applicant requests to replat an existing lot (5.712 acres) into two lots for residential use. The subject property is located adjacent to 228 Mulkey Road in the City's extraterritorial jurisdiction. Adequate public facilities can be provided to the site via Rocket Water Special Utility District (SUD) and on-site sewage systems. The applicant will need to provide a 10' right-of-way dedication along Patrick Road to conform with the City of Waxahachie's Thoroughfare Plan. All county lot size and dimension requirements have been met.

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, subject to the condition(s) below.

Conditions:

1. Per Sections 2.2.e & 2.4.c.25, property owner is CHEG Family LLC Series A. Please update the ownership information to reflect this entity. In addition, please submit the deed reflecting CHEG Family LLC Series A as the current property owner.
2. Per Section 2.2.d, remove the City Council approval block if you are not requesting a plat variance. Planning & Zoning Commission will be the voting body of this plat application.
3. Per Section 2.4.c, the acreages on plat must match the legal description.
4. Per Section 2.4.c.22 of the Waxahachie Subdivision Ordinance, please provide coordinates (northing, easting) for at least one (1) additional property corner.
5. Per Section 2.4.c.25, remove the location for notary block on the approval block.
6. Per Section 3.1 – Streets, Label ROW width.
7. Per Ellis County Subdivision & Development Standards, Section 3:
 - a. A 20' utility easement (UE) is required along the road frontage.
 - b. Reduce the building line setback along Mulkey Road to 25 feet.

- c. Update the FEMA firm number.
- d. Please add the court signature block and plat approval date to match the attached sample plat.
- e. The owner's certificate needs to be updated.
- f. Please add the OSSF statement and signature line.
- g. According to Ellis County Thoroughfare Plan, Patrick Road requires a 40-foot ROW dedication. Please dedicate additional 10 feet of ROW.
- h. The labeling of the lots in plat title block does not match the plat drawing (Lot 2R-A vs Lot 2A) please update accordingly.
- i. Please add the approval block for Ellis County.
- j. Please submit plat filing fee of \$703.00.

ATTACHED EXHIBITS

1. Replat

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 applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide five signed, hard-copy plats and tax certificates.

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



STATE OF TEXAS §
COUNTY OF ELLIS §

WHEREAS, Haley Petrusor and Daniel Petrusor are the Owners of a tract of land being all of Lot 2, in Block 1, of Allen Family Estates, a subdivision in Ellis County, Texas, according to the plat thereof recorded in Cabinet B, Slide 90, Plat Records, Ellis County, Texas (PREF), and being more particularly described as follows:

BEGINNING of a point in the west line of Patch Road (A 60' Right of Way), and being the most easterly northeast corner of said Lot 2, and being the southeast corner of Lot 1, Block 1, Allen Family Estates, a 3/2" steel rod found, having survey coordinate values of North = 6861618.615 feet and East = 2472625.978 feet, on an elevation of 600.32 feet, based on the Texas Coordinate System, North Central Zone (Zone 4202) North American Datum of 1983, and are obtained from observations of Global Positioning System satellites;

THENCE S 00°00'11" W, 240.92' (Plot = S 00°10'20" W, 240.25') with the west line of Patrick Road and along the east line of said Lot 2 and this tract to a 1/2" steel rod found for the southeast corner of said Lot 2, and being the same for this tract, and being the northeast corner of Lot 38, Block 1, of the REPLAT of Allen Family Estates recorded in Cobelet K, Slide 185, PRECT.

THENCE S 08°22'22" W, 876.15' (Plot - S 08°28'35" W, 876.78') along the south line of said Lot 2 and this tract, and along the north line of said Lot 3B to a 1/2" steel rod found for the southeast corner of said Lot 2, and being the same for that tract, and being the northwest corner of said Lot 3B, and being in the east line of Lot 2 of Porterfield Acres, a subdivision in Ellis County, Texas, according to the plat thereof recorded in Cabinet L, Slide J36, PRECT.

THENCE N 00°18'26" W (Pl. - N 0°09'20" W, 450.22') along the west line of said Lot 2 and thence tract, and along the east line of said Lot 2, of approximately 168.65' passing a point for the northeast corner of Lot 2 of Porterfield Acres, and being the southeast corner of Lot 1, Porterfield Acres, and continuing a total distance of 449.93' to a 1/2" steel rod found for the northwest corner of said Lot 2, Block 1, and being the same for the tract, and being in the South line of Mulvey Road (a 60' Right of Way);

THENCE N 88°09'16" E, 181.51' (Pit - N 88°28'35" E, 181.65') along the north line of Lot 2 and this tract, and along the south line of Mulkey Road to a 1/2" steel rod found for the most northerly northeast corner of Lot 2, and some for this tract, and also being the northwest corner of the aforementioned Lot 1, Block 1, Allen Family Estates;

THE NCE S 00°08'08" E, 210.02' (Pit - S 00°12'20" E, 210) along on east line of said Lot 2, and this tract, and along the west line of Lot 1, Block 1, Allen Family Estates to a 1/2" steel rod found for an interior corner of Lot 2 and this tract, and being the southwest corner of said Lot 1;

THENCE N 88°21'02" E 696.59' (Plot - N 88°28'35" E 696.25') along a north line of said Lot 2 and the tract, and along the south line of said Lot 1 to the POINT OF BEGINNING and containing approximately 5.716 acres of land.

Bearings herein are based on the Texas Coordinate System of 1983, Texas North Central Zone per GPS observations.

Surveyor's Certificate

KNOW ALL MEN BY THESE PRESENTS:

That I, Stuart G. Hamilton, RPLS 4480, 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 Warhatchie.

"Preliminary, this document shall not be recorded for any purpose."

Stuart G. Hamilton
Registered Professional Land Surveyor Number 4480

**REPLAT
ALLEN FAMILY ESTATES
BLOCK 1, LOT 2R-A & LOT 2R-B
Being a Replat of Lot 2, in Block 1 of
ALLEN FAMILY ESTATES**

A Subdivision in Ellis County, Texas
according to the plat thereof recorded in Cabinet B,
Slide 90 of the Plat Records of Ellis County, Texas
In the Extra-Territorial Jurisdiction (E.T.J.) of the
City of Waxahachie, Ellis County, Texas
Case Number: _____-2024

Revisions	By

Davis & McDill, LLC
SURVEYING — LAND PLANNING — FLOODPLAIN MANAGEMENT
P.O. BOX 426, WAXAHACHIE, TEXAS 75168
PHONE: 972-938-1185
A Texas licensed surveying firm # 1019-6681



Date: 9-16-24
Scale: 1" = 80'
Drawn: D. McDill
Job: 224-0016
Sheet 1
of 2 sheets.



Memorandum

To: Honorable Mayor and City Council

From: Jennifer Pruitt, Senior Director of Planning

Thru: Michael Scott, City Manager

Date: October 4, 2024

Re: ZDC-139-2024 – Convenience Store with Gasoline Sales (7-Eleven)

On October 4, 2024, the applicant requested to continue this application from the October 15, 2024, Planning and Zoning and the October 21, 2024, City Council meeting to the November 12, 2024, Planning and Zoning Commission meeting, and the November 18, 2024, City Council meeting, to evaluate the public comments.

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-180-2023



MEETING DATE(S)

Planning & Zoning Commission: October 15, 2024
City Council: October 21, 2024

CAPTION

Public Hearing on a request by Katrina Aulson (Walker), 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 Single-Family-1 (SF-1) zoning district located at 611 North Grand Avenue (Property ID 176844) – Owner(s): Katrina Aulson Walker (ZDC-180-2023)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-180-2023, 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 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."

ACTION SINCE INITIAL STAFF REPORT

The applicant requested to continue the application from the September 10, 2024 Planning & Zoning Commission meeting to the October 15, 2024 Planning and Zoning Commission meeting due to a noticing error. At the Planning and Zoning Commission meeting held on September 10, 2024, the Commission voted 6-0 to continue the case to the October 15, 2024 Planning and Zoning Commission meeting.

APPLICANT REQUEST

The Applicant requests approval of a Specific Use Permit (SUP) to allow for an Accessory Structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures.

CASE INFORMATION

Applicant:	Katrina Aulson (Walker)
Property Owner(s):	Katrina Aulson (Walker)
Site Acreage:	1.88 acres
Current Zoning:	SF-1
Requested Zoning:	SF-1 with 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.

SUBJECT PROPERTY

General Location: 611 North Grand Avenue

Parcel ID Number(s): 176844

Existing Use: Residential use

Development History: The subject property was replatted as Lot 3B, Block 27 of the West End Addition in 2024.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-1	Residential use
East	SF-2	Residential use
South	SF-1	Residential use
West	SF-1	Vacant

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 North Grand Avenue.

Site Image:



PLANNING ANALYSIS

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 611 North Grand Avenue. One of the existing accessory structures is a garage accessory dwelling of approximately 972 square feet. The second existing accessory structure is not being used and is approximately 396 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.

Proposed Use:

According to the Ellis County Appraisal District, the single-family dwelling has an approximate size of 2,918 square feet, and the proposed accessory structure has an area of 448 square feet. The accessory structure is proposed to utilize wood for the exterior façade. The owner plans to utilize the accessory structure for storing household items, tools, and smaller lawn equipment. There will not be plumbing and electrical added to the accessory structure. The structure will be situated at the back of the property, towards the southeastern part of the lot. An accessory structure of 972 square feet was approved in 2022 near the subject property.

The applicant has confirmed to staff that the structure will not be used as a dwelling and will not be metered, sold, or leased separately from the existing home.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements 14 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of publishing this report, Staff received no letters of support and opposition.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, the Planning Department recommends approval of the SUP request with the conditions listed below.

Conditions:

1. The accessory structure shall not be used as a Short-Term Rental without a Specific Use Permit that has been approved by City Council.
2. The accessory structure shall not be used as a dwelling without a Specific Use Permit that has been approved by City Council.
3. The accessory structure shall not be used for commercial purposes.
4. The accessory structure shall not be leased or sold separately from the primary residence, and shall not be separately metered.
5. The applicant shall obtain a permit from the City of Waxahachie Building Department before constructing the accessory structure.

ATTACHED EXHIBITS

1. Location map
2. Site Plan
3. Floorplan/Exterior elevations

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 B - SITE PLAN

Item 8&9



EXHIBIT C - ELEVATIONS

Item 8&9



EXHIBIT C - ELEVATIONS

Item 8&9



Planning & Zoning Department

Plat Staff Report

Case: SUB-178-2024



MEETING DATE(S)

Planning & Zoning Commission:

October 15, 2024

City Council:

October 21, 2024

CAPTION

Public Hearing on a request by Brad Yates, for a **Replat** of Lot 1, Block 23 of the Bullard's Addition, to create Lots 1R & 3, Block 23 of the Bullard's Addition, 2 residential lots, being 0.324 acres, located at 708 S Rogers Street, (Property ID 172368) – Owner: Graily Holdings LLC (SUB-178-2024) Staff: Zack King

RECOMMENDED MOTION

"I move to recommend approval of SUB-178-2024, a Replat of Lot 1, Block 23 of the Bullard's Addition, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."

APPLICANT REQUEST

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

CASE INFORMATION

Applicant:

Brad Yates

Property Owner(s):

Graily Holdings LLC

Site Acreage:

0.324 acres

Number of Lots:

2 lots

Number of Dwelling Units:

2 units

Park Land Dedication:

N/A

Adequate Public Facilities:

Adequate public facilities are available to the subject property.

SUBJECT PROPERTY

General Location:

708 S Rogers Street

Parcel ID Number(s):

172368

Current Zoning:

Single Family-3 (SF-3)

Existing Use:

Single Family Residence

Platting History:

The subject property is currently platted as Lot 1, Block 23 of the Bullard's Addition.

Site Aerial:



PLANNING ANALYSIS

A Replat Application is required by the Waxahachie Subdivision Ordinance in instances where a property owner wishes to change the configuration of an existing platted lot. This includes instances where the property owner wishes to split an existing lot into multiple individual lots or combine multiple lots into a single lot. With this application, the property owner proposes to replat the subject property from one (1) lot into two (2) lots for residential use.

The subject property is currently comprised of a single platted lot and is located within the Infill Overlay District. The "Infill" is an overlay district that has been adopted for the older core of Waxahachie, between 135E and US Highway 287 Bypass. The Infill Overlay District was established to encourage development of vacant tracts within the core of Waxahachie. This is accomplished by less strict lot size, lot dimensions, and setback requirements than those that exist for base single family zoning districts.

The applicant proposes to provide 10' of right-of-way (ROW) dedication for S Rogers Street, as required by the 2024 Waxahachie Thoroughfare Plan. The applicant also proposes to dedicate public and private utility easements with the Replat, as required by the Waxahachie Subdivision Ordinance. As part of the review of the Replat application, staff identified three supplemental items that are required by Waxahachie Subdivision Ordinance to be provided with the Replat prior to filing. Provision of these items has been identified as conditions of approval in the staff recommendation section below.

Petition for Relief Waiver (variance request) – Minimum Lot Size

The Infill Overlay District requires newly proposed lots to be at least 90% of the average size of existing lots within 50' of the subject property. In this case, the average lot size within 50' of the subject property is approximately 33,149 square feet. The two lots proposed with this Replat are approximately 8,009 square feet and 8,448 square feet. While the proposed lots do not meet the size requirement of the Infill Overlay District based on properties within 50', the lot sizes are consistent with existing properties in the larger Bullard's Addition. For example, several existing lots along Dunaway Street and W Avenue C that are located between 200' and 400' away from the subject property are between 6,500 square feet and 9,000 square feet in size. Due to consistency with the neighborhood as a whole, and the fact that lots directly adjacent to the subject property are unusually large, staff is supportive of the variance request for lot sizes below the typical minimum requirement of the Infill Overlay District.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 29 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property.

PUBLIC NOTIFICATION RESPONSES

Staff has received two (2) letters of support for the Replat request.

RECOMMENDATION

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

Conditions:

1. Per Section 2.1.a and 7.2.h of the Waxahachie Subdivision Ordinance, Plat Filing Fees and Variance Fees are required to be paid for the application prior to Replat filing.
2. Per Section 2.3.b of the Waxahachie Subdivision Ordinance, a hard copy of the embossed tax certificate for the property showing that no delinquent taxes exist against the property is required to be provided at the time of replat filing.
3. Per Section 3.9.a of the Waxahachie Subdivision Ordinance, water and sewer services are required for each lot prior to filing the plat

ATTACHED EXHIBITS

1. Public Notification Responses
2. Replat

APPLICANT REQUIREMENTS

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

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

Planning Manager

zking@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com



Item 10&11

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SUB-178-2024



SLETMOEN ROSA L S
700 S ROGERS ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 15, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 21, 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 Brad Yates, for a Replat of Lot 1, Block 23 of the Bullard's Addition, to create Lots 1R & 3, Block 23 of the Bullard's Addition, two (2) residential lots, being 0.324 acres, located at 708 S Rogers Street, (Property ID 172368) – Owner: Graily Holdings LLC (SUB-178-2024) Staff: Zack King

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

Case Number: SUB-178-2024

City Reference: 172367

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on October 2, 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:

Mr. Yates is buying property in my area of residence with the intention to turn an area into a commercial zone. I oppose short term rentals and oppose turning my area of residence into his own commercial area.

Signature

Printed Name and Title

R.L. Stempen

Date

Address

09/22/24
700 S. Rogers St.
Waxahachie TX 75165



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SUB-178-2024



GRAILY HOLDINGS LLC
PO Box 2868
Waxahachie, TX 75168-8868

RECEIVED 10/2/2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 15, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 21, 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 Brad Yates, for a Replat of Lot 1, Block 23 of the Bullard's Addition, to create Lots 1R & 3, Block 23 of the Bullard's Addition, two (2) residential lots, being 0.324 acres, located at 708 S Rogers Street, (Property ID 172368) – Owner: Graily Holdings LLC (SUB-178-2024) Staff: Zack King

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

Case Number: SUB-178-2024

City Reference: 172314

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *October 2, 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:

Appropriate for expanded neighbor-hood lots

Signature

Printed Name and Title

Brad Yates member

Date

Address

10/2/24

800 Dunaway

RECEIVED OCT 2 2024



City of Waxahachie, Texas
 Notice of Public Hearing
 Case Number: SUB-178-2024

GRAILY HOLDINGS LLC
 PO Box 2868
 Waxahachie, TX 75168-8868

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 15, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 21, 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 Brad Yates, for a Replat of Lot 1, Block 23 of the Bullard's Addition, to create Lots 1R & 3, Block 23 of the Bullard's Addition, two (2) residential lots, being 0.324 acres, located at 708 S Rogers Street, (Property ID 172368) – Owner: Graily Holdings LLC (SUB-178-2024) Staff: Zack King

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

Case Number: SUB-178-2024

City Reference: 193948

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *October 2, 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:

Appropriate for expanded neighboring lots

[Signature]

Signature

10/2/24

Date

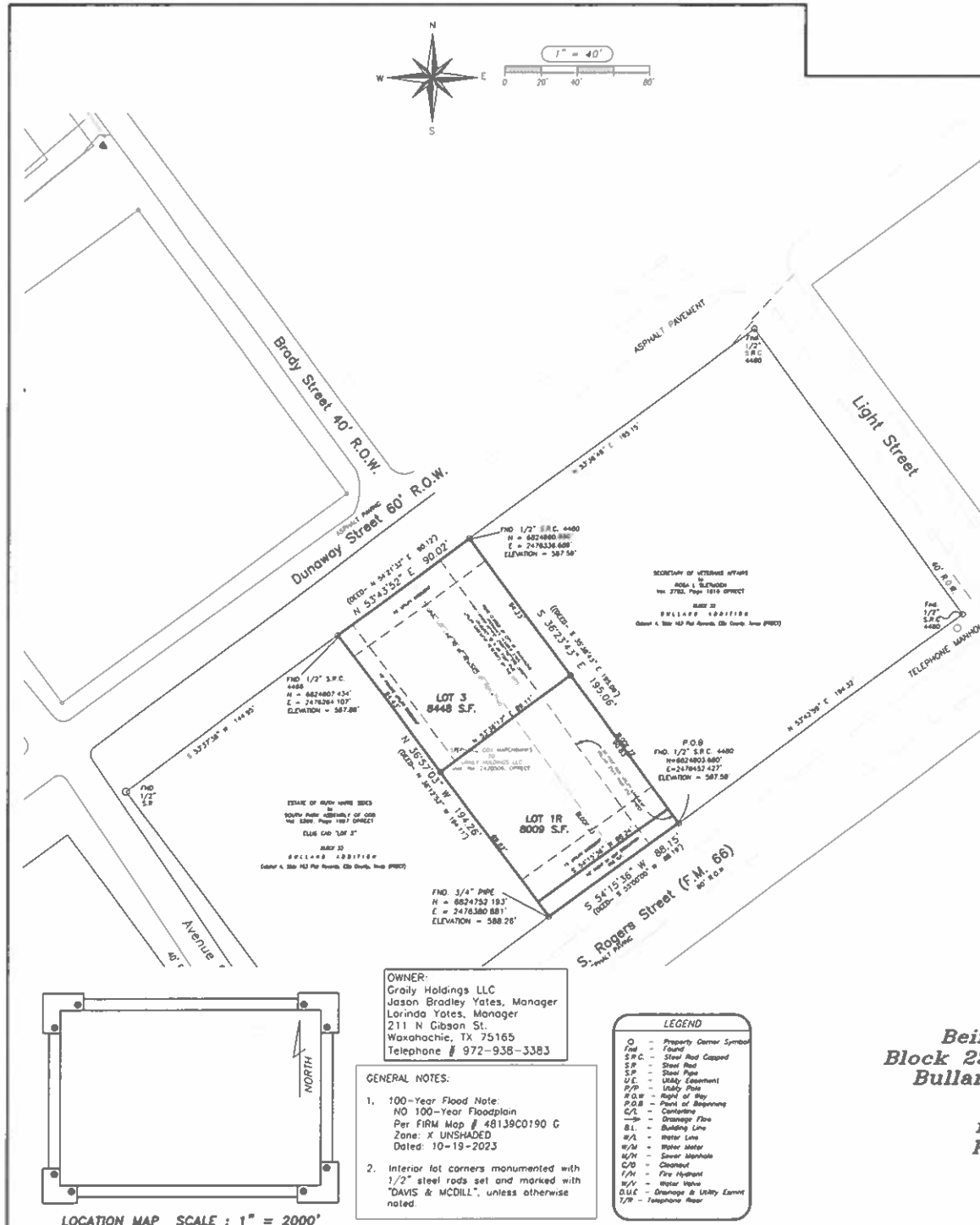
Brad Yates member

Printed Name and Title

716 Dunaway

Address

Item 10&11



STATE OF TEXAS §
COUNTY OF ELLIS §

WHEREAS, Grady Holdings LLC is the Owner of a tract of land situated in the E. W. Rogers Survey, Abstract Number 896, City of Waxahachie, Ellis County, Texas, and being a part of Block 23, Revised Bullard's Addition, on addition the City of Waxahachie according to the plat thereof recorded in Cabinet A, Slide 163, Plat Records, Ellis County, Texas (PRECT) and part of Brady Street closed by City of Waxahachie Ordinance Number 2555, recorded in Volume 2544, Page 249, Official Public Records, Ellis County, Texas (OPRECT), and described in deed from City of Waxahachie to Trustees of the Travis O. Murhead Estate Trust, recorded in Volume 2544, Page 252, OPRECT, and being the tract described in deed from Stephanie C. Marchbanks to Grady Holdings LLC, recorded in Instrument Number 2420509, OPRECT and being more particularly described by its metes and bounds as follows:

BEGINNING at a point on the northwest right of way line of South Rogers Street, also being the northwest right of way of Farm to Market Road, being the southeast corner of said Grady Holdings LLC tract and the southwest corner of Block 22 of said Revised Bullard's Addition, and of the tract described in deed from Secretary of Veterans Affairs to Rosa L. Sletmoen, recorded in Volume 2782, Page 1816, OPRECT, a 1/2 inch steel rod with plastic cap stamped "RPLS 4480" found, having surface coordinate values of North = 8824803.88 feet and East = 2478452.43 feet, based on the Texas Coordinate System, North Central Zone (Zone 4202) North American Datum of 1983 and are obtained from observations of Global Positioning System satellites, from which a 1/2 inch steel rod with plastic cap stamped "RPLS 4480" found, at the southeast corner of said Block 22, bears N 53°42'59" E, 194.32 feet;

THENCE S 54°15'36" W, with said Grady Holdings LLC tract, said Rogers Street right of way line and the southeast line of said closed street, passing at 40 feet the southeast corner of said Block 23 and the southwest corner of said closed street, continuing with the southeast line of said Block 23, in at 88.15 feet (Deed - S 55°00'00" W, 88.15 feet) to the southwest corner of said Grady Holdings LLC tract and the southeast corner of the tract described in deed from Estate of Ruth Marie Sides to South Park Assembly of God, recorded in Volume 2209, Page 1687, OPRECT, a 1/2 inch pipe found, from which a 1/2 inch pipe found, at the southwest corner of said Block 23, bears S 53°28'35" W, 145.17 feet;

THENCE N 36°57'03" W, with through said Block 23 and with the southwest line of said Grady Holdings LLC tract and the northeast line of said South Park Assembly of God tract, 194.26 feet (Deed - N 36°12'52" W, 194.11 feet) to the northeast corner of said Grady Holdings LLC tract, the northeast corner of said South Park Assembly of God tract and on the southeast right of way line of Dunwoody Street, a 1/2 inch steel rod with plastic cap stamped "RPLS 4466" found, from which a 1/2 inch steel rod found at the northwest corner of said Block 23, bears S 53°37'38" W, 144.95 feet;

THENCE N 53°43'52" E, with the northwest line of said Block 23 and said Grady Holdings LLC tract and said right of way line of said Dunwoody Street, passing at 50.02 feet the northeast corner of said Block 23 and the northwest corner of said closed street, continuing with the northeast line of said closed street and said Grady Holdings LLC tract 4 and said right of way line of said Dunwoody Street, in at 90.02 feet (Deed - N 54°21'32" E, 90.12 feet), to the northeast corner of said Grady Holdings LLC tract, the northeast corner of said closed street and the northeast corner of said Block 22 and said Sletmoen tract, a 1/2 inch steel rod with plastic cap stamped "RPLS 4480" found, from which bears a 1/2 inch steel rod with plastic cap stamped "RPLS 4480" found at the northeast corner of said Block 22, bears N 53°36'49" E, 195.15 feet;

THENCE S 36°23'43" E, with the northeast line of said Grady Holdings LLC tract 4, said closed street, the southwest line of said Block 22 and said Sletmoen tract, 195.06 feet (Deed - S 35°38'43" E, 195.09 feet) to the point of beginning and containing approximately 0.3981 acre of land.

Surveyor's Certificate:

KNOW ALL MEN BY THESE PRESENTS:

That I, Stuart C. Hamilton, RPLS 4480, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the former 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."

Registered Professional Land Surveyor
Number 4480

THIS PLAT IS VALID
ONLY WITH LAND
SURVEYOR'S ORIGINAL
SIGNATURE IN RED INK

REPLAT
BULLARD'S ADDITION
BLOCK 23, LOT 1R & LOT 3
Being a 0.324 Acre replat of a part of
Block 23 and Brady Street, closed by ordinance,
Bullard's Addition to the City of Waxahachie
according to the plat thereof
recorded in Cabinet A, Slide 163,
Plat Records, Ellis County, Texas
2 Single Family Lots
Zoning: SF-3
Case Number: SUB-178-2024

Revisions By

Davis & McDill, LLC

SURVEYING - LAND PLANNING - FLOODPLAIN MANAGEMENT
P.O. BOX 428, WAXAHACHIE, TEXAS 75168
PHONE: 972-938-1185
A Texas licensed surveying firm # 10194681

D&M

Date: 09/19/2024

Scale: 1" = 20'

Drawn: DWH/agh

Job: 224-0119

Sheet 1

of 2 sheets.

"Preliminary, this document shall not be recorded for any purpose."
Texas Administrative Code
TITLE 25 PART 20
CHAPTER 603
SUBCHAPTER 6 RULE
603.18 Certification
THIS PLAT IS VALID ONLY
WITH SURVEYOR'S SIGNATURE
IN RED INK

Item 10&11

NOTE:
PROPERTY IS IN THE JURISDICTION OF THE CITY OF
WAXAHACHE, TEXAS AND IS SUBJECT TO THEIR
PLATTING RULES AND REGULATIONS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Grady Holdings LLC, acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as Bullard's Addition, Block 23, Lot 1R & Lot 3, on 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 _____, 2024

BY:

Grady Holdings LLC
Jason Bradley Yates, Manager

STATE OF TEXAS §
COUNTY OF ELLIS §

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

Given under my hand and seal of office, this _____ day of _____, 2024

Notary Public in and for the State of Texas

My Commission Expires On: _____

Surveyor's Certificate:

KNOW ALL MEN BY THESE PRESENTS

That I, Stuart G. Hamilton, RPLS 4480, 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."

Registered Professional Land Surveyor
Number 4480

Approval Block:

APPROVED BY: Planning and Zoning Commission, City of Waxahachie

By: _____ Date _____
Rick Keeler, Chairman

Attest: Amber Villarreal, City Secretary _____ Date _____

APPROVED BY: City Council, City of Waxahachie

City of Waxahachie
I hereby certify that the above and foregoing Report of Bullard's Addition, Block 23, Lot 1R and Lot 3, was approved this _____ day of _____, 2024 by the City Council of the City of Waxahachie, Texas.

By: _____ Date _____
Bale Wallace, Mayor

ATTEST: _____

By: _____ Date _____
Amber Villarreal, City Secretary

Subject to Waxahachie Subdivision Ordinance:
Section 5.6.d. Retaining walls shall not be constructed parallel to and within any portion of a utility easement.

Section 5.7.a.8. Screening fences/walls shall not be constructed parallel to and within any portion of a utility easement unless written provisions are made and approved by the Public Works and Engineering Director for access and maintenance of the utility easement.

DRAINAGE NOTES:

- (1) BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED.
- (2) THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVERSING ALONG OR ACROSS THE ADDITION WILL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO THE DRAINAGE COURSES ALONG OR ACROSS SAID LOTS.
- (3) CITY OF WAXAHACHIE WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGE WAYS OR FOR THE CONTROL OF EROSION.
- (4) CITY OF WAXAHACHIE WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OR LOSS OF LIFE OR PROPERTY OCCASIONED BY FLOODING OR FLOOD CONDITIONS.

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SURVEYOR'S ORIGINAL
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REPLAT
BULLARD'S ADDITION
BLOCK 23, LOT 1R & LOT 3
Being a 0.324 Acre replat of a part of
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2 Single Family Lots
Zoning: SF-3
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P.O. BOX 428, WAXAHACHIE, TEXAS 75168
PHONE 972-938-1185
A Texas Licensed surveying firm # 10194681



Date: 09/19/2024

Scale: N/A

Drawn: DWH/sgb

Job: 224-0119

Sheet 2

of 2 sheets

"Preliminary, this document shall not be recorded for any purpose."
Texas Administrative Code:
TITLE 23 PART 20
CHAPTER 43
SUBCHAPTER B RULE
§§§§.10 Construction

THIS PLAT IS VALID ONLY
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IN RED INK

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-72-2022



MEETING DATE(S)

Planning & Zoning Commission:

October 15, 2024

City Council:

October 21, 2024

CAPTION

Public Hearing on a request by Mark Singleton, Waxahachie Development Company, for a **Zoning Change** from a General Retail (GR) zoning district to Planned Development-General Retail (PD-GR) zoning district, for a Retail Stores & Shops and Drive-Through Establishment use, located directly south of 450 E US Highway 287 Bypass, (Property ID 179056) - Owner: Waxahachie Development Company, (ZDC-72-2022) Staff: Zack King

RECOMMENDED MOTION

"I move to recommend approval of ZDC-72-2022, a Zoning Change from a General Retail (GR) zoning district to a Planned Development-General Retail (PD-GR) zoning district for a for a Retail Stores & Shops and Drive-Through Establishment use, with Elevation Option _____, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to sign the associated documents accordingly."

APPLICANT REQUEST

The applicant requests approval of a Zoning Change from a General Retail zoning district to a Planned Development-General Retail zoning district to allow for the development of a two (2) multi-tenant retail buildings and a single drive-through establishment.

CASE INFORMATION

Applicant: Mark Singleton, Waxahachie Development Company

Property Owner(s): Waxahachie Development Company

Site Acreage: 2.241 acres

Current Zoning: General Retail (GR)

Requested Zoning: Planned Development-General Retail (PD-GR)

SUBJECT PROPERTY

General Location: Directly south of 450 E US Highway 287 Bypass

Parcel ID Number(s): 179056

Existing Use: The subject property is currently undeveloped.

Development History: The subject property is currently undeveloped.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-GR	First Baptist Waxahachie
East	PD-GR & SF-1	Waxahachie Sports Complex
South	PD-GR	First State Bank & EVO Entertainment
West	N/A	US Highway 287 Bypass

Future Land Use Plan:

Regional Commercial & Residential Neighborhood

Comprehensive Plan:

Regional Commercial: These places are first identified by their principal focus on auto-oriented traffic. Logically placed near high traffic intersections, these spaces bring people from many surrounding neighborhoods. Typical uses will include regional businesses including but not limited to restaurants, retail, gas stations, and offices. To create a more sustainable development, care should be given to make the experience for users pleasant once they exit their vehicle. A focus on adding spaces for public gathering and pedestrian shading to encourage people to walk from one establishment to another and interact with other patrons should be a priority of future development in the Regional Commercial Placetype. Though the size of a regional commercial node is flexible based on local context, generally these are about a half mile in diameter.

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

Thoroughfare Plan:

The subject property is accessible via the W US Highway 287 Bypass Service Road.

Site Image:

PLANNING ANALYSIS

The applicant proposes a Planned Development (PD) zoning district to allow for the development the Sports Complex Plaza. A PD zoning district is utilized to allow for new and/or innovative land uses that may not be permitted by existing base zoning districts in the City of Waxahachie. This PD proposal consists of two (2) multi-tenant retail buildings and a single drive-through establishment on the subject property. The applicant is pursuing a Planned Development in order to establish an appropriate detailed site plan for the property, establish development standards that eliminate the need for a sidewalk along Highway 287 Bypass, and allow for a drive-through establishment use by right. The PD zoning process will allow for the implementation of these specific development standards in addition to those prescribed by the existing General Retail (GR) zoning district.

Case Background:

This PD application was originally submitted in June of 2022. Following an initial review by staff, the applicant opted to place the project on hold and did not provide an immediate resubmittal. Notably, the applicant did not request to withdraw the application. In May of 2024, the applicant advised staff that they were ready to proceed with the application once again. At that time, staff worked with the applicant to complete the administrative review process for the application.

Proposed Use:

As part of the PD proposal, the applicant has provided Development Standards, a Detailed Site Plan, Landscape Plan, and Elevation/Façade Plan to control development of the property. The proposed Sports Complex Plaza includes a 10,653 square foot retail building and a 5,017 square foot retail building separated by a plaza and outdoor seating area. Each building is designed to allow for multiple retail tenants. However, Building Two (5,017 SF) is currently intended to be finished out for a single restaurant tenant. Development of the subject property is proposed to occur in a single phase. No specific tenants have been identified for the development.

Proposed Use (continued):

The minimum parking requirement for the development is 104 spaces. The applicant proposes to provide a total of 107 spaces; which marginally exceeds the minimum requirement. At this time, no free-standing signage is proposed with the development. As part of the PD, the applicant has proposed a development standard that eliminates the typical requirement to install a 6' sidewalk adjacent to a public street. The applicant has noted that the development is intended to be auto-oriented and there is not a sidewalk for the existing First Baptist Church for the development to tie into. The development does not include a direct pedestrian connect to the Sports Complex.

Drive-Through Use:

The applicant proposes to allow for one (1) drive-through establishment by right on the subject property. The site is designed to facilitate a drive-through establishment use for one of the two proposed buildings; but not both. A designated drive-through lane capable of stacking six (6) vehicles is provided for each building. However, the drive-through lane for Building One allows for stacking of up to twenty (20) vehicles. At this time, the applicant has not identified tenants for the proposed buildings. Due to this, the applicant has not determined which building will provide a drive-through window.

Landscaping:

The applicant has met the minimum landscaping requirements for the development. The applicant proposes to incorporate seventeen (17) crape myrtles into the Landscape Plan for the site. Exhibit D can be referenced below for the full landscape plan for the property.

Elevation/Façade Plan:

The applicant has provided two elevation/façade options for consideration with this PD. The options utilize a combination of brick, stucco, and stone exterior construction materials. Option 1 features a light earth tone color palette across the entire building and primarily utilizes stone for the exterior façade with stucco and porcelain tile accents. Option 2 primarily features a traditional red brick façade with light earth tone stone and stucco accents. All roof-mounted mechanical and HVAC equipment will be screened from view by parapets. Exhibit E can be referenced below for a look at the difference in the façade proposed with each elevation option. It is necessary for the Commission to recommend a preferred elevation/façade option for consideration by City Council.

Detention & Utilities:

The applicant proposes to design on-site detention facilities for the development and has noted that the design will adhere to the Waxahachie Manual for The Design of Storm Drainage Systems. The applicant proposes to extend a sanitary sewer line from Broadhead Road to provide sewer service to the subject property. A 12" water line exists along Highway 287 Bypass that is capable of providing domestic and fire suppression service to the subject property. The applicant will install additional fire hydrants on the property in order to meet Fire Department hydrant spacing requirements. As part of the standard Waxahachie development process, the applicant is required to fully design detention and utility infrastructure for the site via a Civil Construction Permit. A Civil Construction Permit is required to be approved, and the associated infrastructure installed, before a building permit can be issued for the property.

Access:

A single driveway is proposed along the Highway 287 Bypass service road to provide access to the subject property. The applicant is required to coordinate with TxDOT to secure a driveway permit for this access point before a Civil Construction Permit can be approved for the property.

Comprehensive Plan:

As noted above, the subject property is identified by the 2023 Comprehensive Plan under the Regional Commercial placetype. The applicant proposes to adhere to the intent of this placetype by establishing a retail setting for regional businesses adjacent to a highly trafficked thoroughfare. In consideration of the regional traffic drawn to this area, space has been reserved for a public plaza and outdoor seating area between the proposed retail buildings. The plaza and seating area are items recommended by the Comprehensive Plan in an effort to make the regional commercial center an inviting destination. The provision of a plaza and outdoor seating area are intended to encourage residents to gather and visit multiple establishments in a single trip.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 3 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property. Staff has received no letters of support or opposition for the Zoning Change request.

RECOMMENDATION

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

Conditions:

1. A mutually agreed upon Development Agreement shall be required for the development.
2. The Property Owner shall provide a permanent irrigation system for all required landscape areas shown on Exhibit D - Landscape Plan and maintain the required landscaping at all times.
3. All exterior construction materials, location of exterior construction materials, and percentage of exterior construction materials for each building in the development shall conform with the Elevation/Façade Plan (Exhibit E).
4. A maximum of one (1) Drive-Through Establishment Use shall be permitted on the subject property.
5. All development within the subject property will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.

ATTACHED EXHIBITS

1. Location Map – Exhibit A
2. Development Standards – Exhibit B
3. Site Plan – Exhibit C
4. Landscape Plan – Exhibit D
5. Elevation/Façade Plan (Option 1 & 2) – Exhibit E

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

Zack King, AICP

Planning Manager

zking@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com

Exhibit A - Location Map

Item 12&13



ZDC-72-2022 (PD)

Exhibit B - Development Standards Item 12&13

EXHIBIT _

287 SPORTS COMPLEX PLAZA

Purpose and Intent

The purpose and intent of this Planned Development (PD) is to allow for 278 Sports Complex Plaza - Commercial Development as shown on attached/enclosed PD site plan. Any conditions found within the BASE ZONING DISTRICT **PD-GR** zoning district or Zoning Ordinance that are not written herein, shall default to the City of Waxahachie's Code of Ordinances, as amended.

Compliance with the City's Comprehensive Plan

Zoning District **PD-GR** is the intended base zoning classification underlying this PD. The **PD-GR** zoning district is intended to be **General Retail**

PD District Development Standards

Description of Request

- The request for future retail center to be called "287 Sports Complex Plaza"

Proposed Use of Property

- The property is to be used for current zoning Planned Development – General Retail

General Development Requirements

- Request for variance to delete 6' wide sidewalk along road frontage
- Request variance to provide 5' landscape buffer in lieu of 15'
- Request to allow for drive thru restaurant window

Exhibit C - Site Plan

Item 12&13

LEGAL DESCRIPTION:

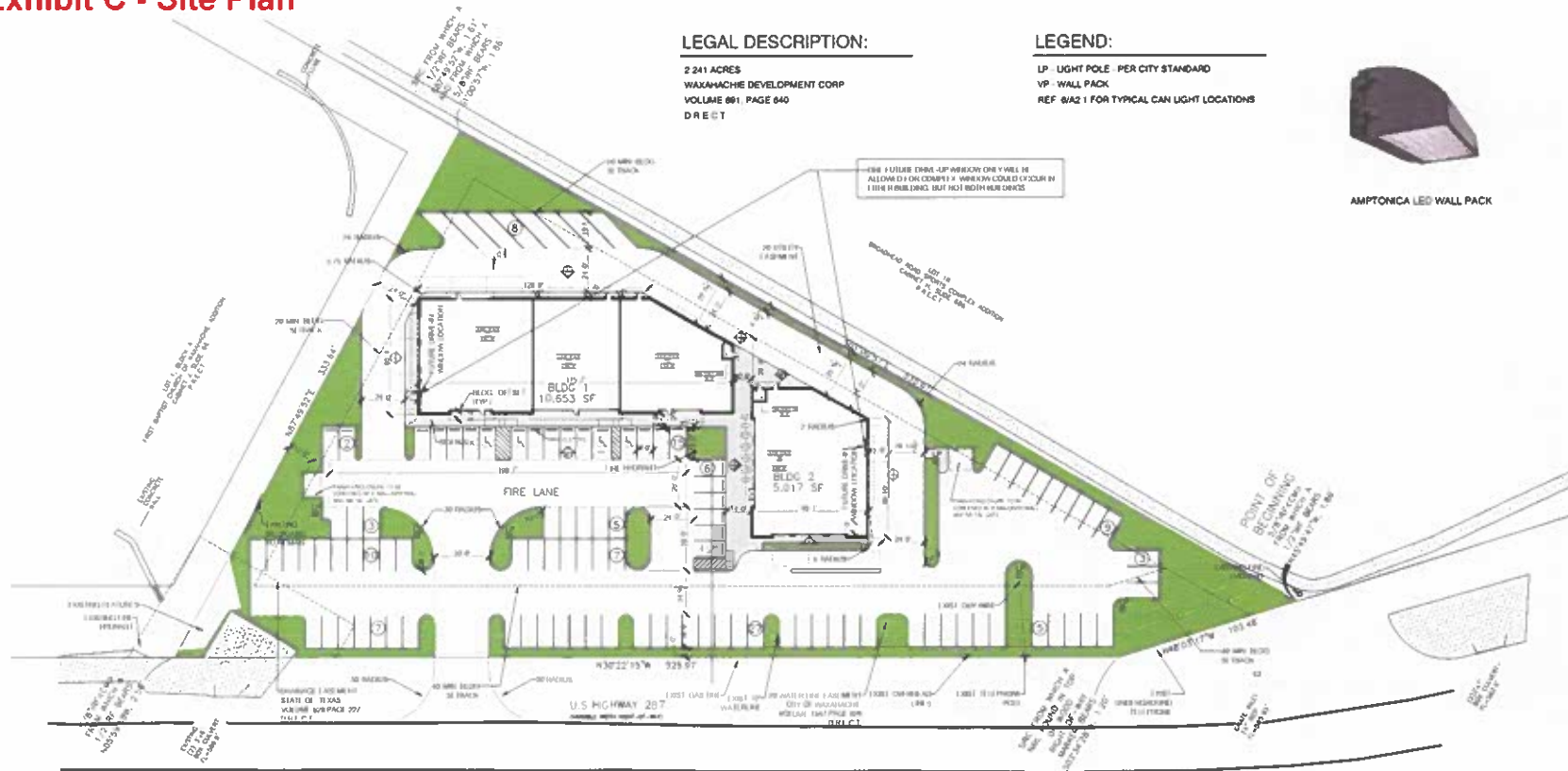
2.241 ACRES
WAXAHACHIE DEVELOPMENT CORP
VOLUME 891, PAGE 840
DIRECT

LEGEND:

LP - LIGHT POLE - PER CITY STANDARD
VP - WALL PACK
REF. 8/A2.1 FOR TYPICAL CAN LIGHT LOCATIONS



AMPTONICA LED WALL PACK



SITE DATA

ZONING EXISTING GR PROPOSED PD-GR
LOT AREA - 97,608 SF / 2.241 ACRES
PROPOSED BLDG SQUARE FOOTAGE
BLDG 1 - 10,653 SF
BLDG 2 - 5,017 SF
TOTAL - 15,670 SF
PROPOSED BLDG HEIGHT (BOTH BUILDINGS) - 20' - 0"
LOT COVERAGE - 73.088 SF

PARKING CALCULATIONS

BUILDING 1 SQUARE FOOTAGE TOTAL - 10,653 SF
REQUIRED NUMBER OF PARKING SPACES (MINIMUM) - 53
(GR - RETAIL STORES & SHOPS - 1 SPACE PER 200 SF REQ)
PROVIDED SPACES - 55
BUILDING 2 SQUARE FOOTAGE TOTAL - 5,017 SF
REQUIRED NUMBER OF PARKING SPACES (MINIMUM) - 51
(GR - RESTAURANT - 1 SPACE PER 100 SF REQ)
PROVIDED SPACES - 52
TOTAL PROVIDED SPACES - 107

CONTACT INFORMATION

OWNER
WAXAHACHIE DEVELOPMENT CORP
CONTACT: WAXAHACHIE DEVELOPMENT CORP
PHONE: 972.525.4100
ARCHITECT
TMA CHA ARCHITECTS, P.C.
ADDRESS: 414 W. MARKET STREET, SUITE 100
DALLAS, TEXAS 75201
PHONE: 214.737.0800
LANDSCAPE
L31 LANDSCAPE GROUP
ADDRESS: 4953 S. J. WILSON DRIVE, SUITE 100
DALLAS, TEXAS 75242
PHONE: 972.377.0800

1 SITE PLAN

SCALE 1" = 30'

VICINITY MAP



287 SPORTS COMPLEX PLAZA

WAXAHACHIE, TEXAS 75165
CASE # ZDC-72-2022

tma cha
architects

FOR PRELIMINARY CONSULTATION

1"

1" SCALE SHEET PRINTED AT 11x17

UNIMPROVED SITE

FLOOR PLAN & SITE PLAN

DATE: 07/24/2024

DESIGNED BY: TMA CHA

PROJECT NO: 2024044

SUBMITTAL

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A0.1

Exhibit D - Landscape Plan

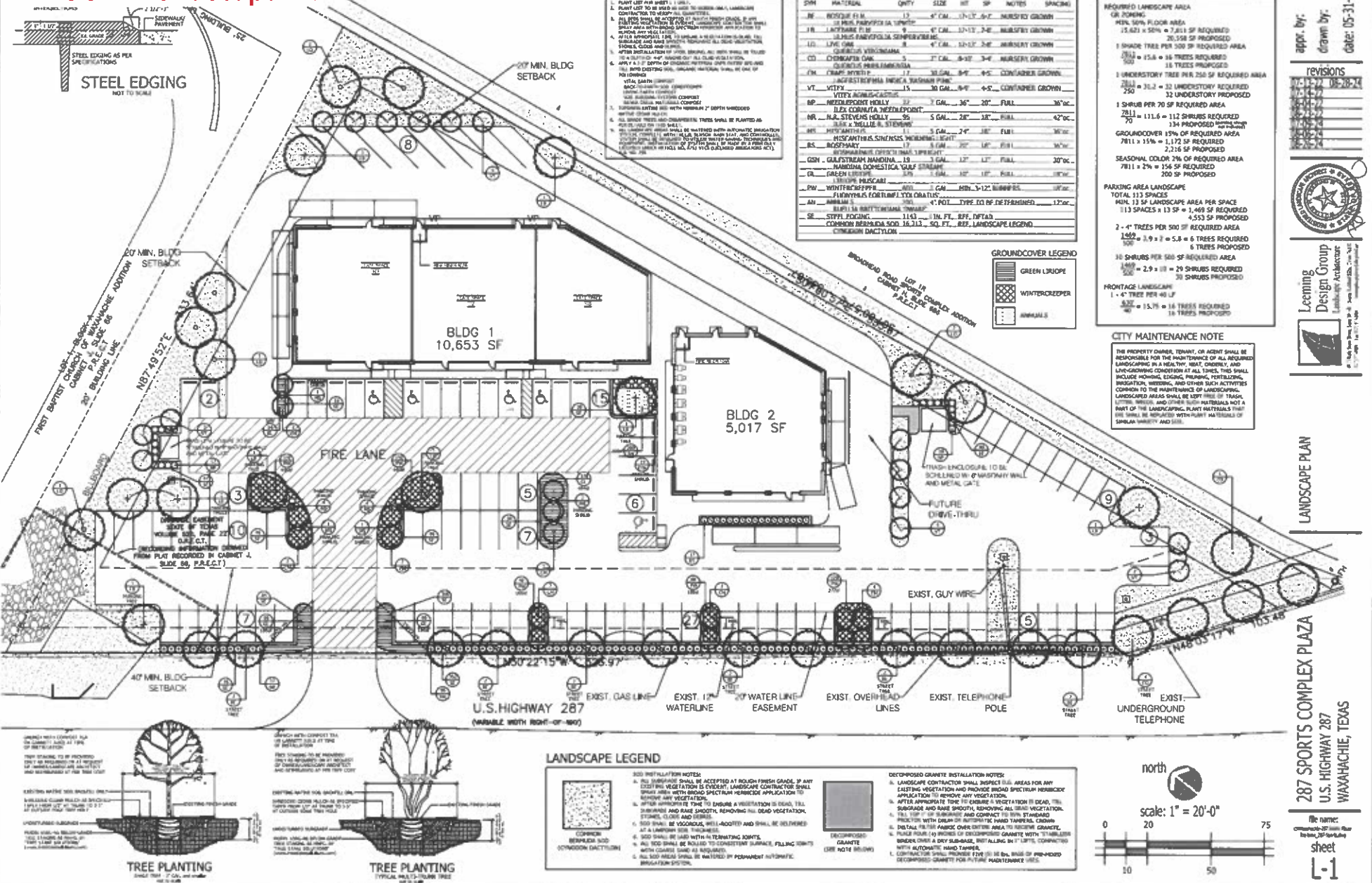


Exhibit E - Elevation/Facade Plan (Option 1)

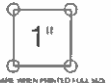


287 SPORTS COMPLEX PLAZA

WAXAHACHIE, TEXAS 75165
CASE # ZDC-72-2022

tma cha
architects

PER AS PRODUCTION CENTER



EXTERIOR ELEVATIONS

DATE: 17 AUGUST 2019
DRAWN BY: TMA/CHA
PROJECT NO: 287-2022

SUBMITTAL

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Exhibit E - Elevation/Facade Plan (Option 2)



287 SPORTS COMPLEX PLAZA

WAXAHACHIE, TEXAS 75165
CASE # ZDC-72-2022

tma cha
architects

PER AS PRODUCTION CONTROLS
1" = 12'-0"
17" X 22" ARCH. PRINTED FULL SIZE
DRAWING TITLE
EXTERIOR ELEVATIONS
OPTION 2
DATE: 11/14/2022 BY: A
DRAWN BY: TMA/CHA
PROJECT NO: 2022-0409
SUBMITTAL
7
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A2.2

(14+15)



Memorandum

To: Honorable Mayor and City Council

From: Jennifer Pruitt, Senior Director of Planning

Thru: Michael Scott, City Manager

Date: September 10, 2024

Re: ZDC-103-2024 – Mixed Retail & Drive-Through (Starbucks) SUP

On October 9, 2024, the applicant requested to withdraw this application from the October 15, 2024, Planning and Zoning Commission meeting, and the October 21, 2024, City Council meeting.