

A G E N D A

A regular meeting of the Mayor and City Council 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, January 21, 2025 at 7:00 p.m.***

Council Members: Billie Wallace, Mayor, Council Member Place 4
Chris Wright, Mayor Pro Tem, Council Member Place 3
Tres Atkins, Council Member Place 1
Patrick Souter, Council Member Place 2
Travis Smith, Council Member Place 5

1. Call to Order
2. Invocation
3. Pledge of Allegiance and Texas Pledge of Allegiance
4. ***Public Comments:*** Persons may address the City Council on any issues. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Council may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code. ***Speakers must observe the five (5) minute time limit.***

5. ***Consent Agenda***

All matters listed under Item 5, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager 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 City Council.

- a. Minutes of the City Council meeting of January 6, 2025
 - b. Proposed Ordinance approving a request by Terry Nay for a Petition for ETJ Release for approximately 2.113 acres, located at 711 Brookside Road (Property ID 216895 – Owner: Terry Nay (ETJ-PTN-228-2024))
 - c. Consider proposed Ordinance approving a request by Jiri Dolezal, for a Petition for ETJ Release for approximately 2.35 acres, located at 4802 East FM 875 (Property ID 138405, 179461, & 284352) – Owner: Jiri Dolezal (ETJ-PTN-236-2024)
6. ***Introduce*** Honorary Council Member
 7. ***Public Hearing*** on a request by Mark Lee for a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet use within a Planned Development - Single Family-1(PD-SF-1) zoning district located at 181 Aiden Drive (Property ID 300473) – Owner: Mark Lee & Rebekah. J (ZDC-215-2024)
 8. ***Consider*** proposed Ordinance approving ZDC-215-2024

9. **Public Hearing** on a request by Susan Jordan, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development – General Retail (PD-GR) zoning district located at 512 North College Street (Property ID 170716) – Owner(s): Legends Real Estate Holdings, LLC (ZDC-207-2024)
10. **Consider** proposed Ordinance approving ZDC-207-2024
11. **Public Hearing** on a request by Brad Yates, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-3 (SF-3) zoning district located at 708 South Rogers Street (Property ID 172368) – Owner(s): Graily Holdings, LLC (ZDC-218-2024)
12. **Consider** proposed Ordinance approving ZDC-218-2024
13. **Public Hearing** on a request by Iyke Enemo, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-3 (SF-3) zoning district located at 807 Dr. Martin Luther King Jr. Boulevard (Property ID 171251) – Owner(s): Iycan Investments, LLC (ZDC-220-2024)
14. **Consider** proposed Ordinance approving ZDC-220-2024
15. **Public Hearing** on a request by Mark Singleton, CNB of Texas, for a Zoning Change from a Commercial (C) zoning district to Planned Development-Mixed-Use Residential (PD-MUR) zoning district, for the Highland’s at Bates Drive development, located at directly south of 2001 Bates Drive, (Property ID 191635 & 194998) - Owner: Citizens National Bank of Texas and First Citizens Bancshares Inc (ZDC-171-2024)
16. **Consider** proposed Ordinance approving ZDC-171-2024
17. **Consider** Development Agreement for ZDC-171-2024
18. **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-206-2024)
19. **Consider** proposed Ordinance approving ZDC-206-2024
20. **Consider** Development Agreement for ZDC-206-2024
21. **Convene** into Executive Session for deliberation regarding real property as permitted under Section 551.072 of the Texas Government Code
22. Reconvene and take any necessary action
23. Comments by Mayor, City Council, City Attorney and City Manager
24. Adjourn

The City Council 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

A regular meeting of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Monday, January 6, 2025 at 7:00 p.m.

Council Members Present: Billie Wallace, Mayor, Council Member Place 4
Chris Wright, Mayor Pro Tem, Council Member Place 3
Tres Atkins, Council Member Place 1
Patrick Souter, Council Member Place 2

Council Member Absent: Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager
Albert Lawrence, Deputy City Manager
Terry Welch, City Attorney
Amber Villarreal, City Secretary

1. Call to Order

Mayor Billie Wallace called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Deacon Billy Smith, Waxahachie Bible Church, gave the invocation. Mayor Wallace led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Kimberly Fuller, Ellis County Homeless Coalition, provided the following report about the assistance provided to individuals in need in the area. From January to November 2024, assistance was provided to 621 individuals, primarily in Waxahachie and some in Midlothian, with approximately one-third being children under 18. In October, 61 individuals were assisted, including 23 children, and in November, 53 individuals were helped, including 17 children. The Coalition has actively engaged with nearly all individuals in need, often through repeat visits, to connect them with resources and support their stability. Cold weather has raised concerns, as a recent case involved a mother with five children seeking shelter, but no warming shelters are currently available. To address this, the team is coordinating efforts to establish temporary facilities while Central Presbyterian Church prepares to open as a warming center by late January or February, with cots and blankets ready for use.

5. Consent Agenda

- a. Minutes of the City Council meeting of December 16, 2024
- b. Proposed Ordinance approving a request by Brian Molder, for a Petition for ETJ Release for approximately 20 acres, located at 208 Crownover Road (Property ID 181906) – Owner: Brian & Kimberly Molder (ETJ-PTN-225-2024)
- c. Consumer Price Index adjustment to the Garbage and Trash Collection effective April 1, 2025

(5a)

- d. Budget amendment for insurance reimbursement for repaired police vehicle
- e. Proposed Resolution for the Ellis Appraisal District Facilities Renovation
- f. Fiscal Year 2024 Preliminary 4th Quarter Financial Report

ORDINANCE NO. 3590

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 20 ACRE TRACT OF LAND, LOCATED AT 208 CROWNOVER ROAD, KNOWN AS PROPERTY ID 181906, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

Action:

Patrick Souter moved to approve all items on the Consent Agenda, as presented, and authorize the City Manager and/or Mayor to execute all associated documents as necessary. Motion was seconded by Tres Atkins and carried unanimously (4-0).

6. Introduce Honorary Council Member

Mayor Pro Tem Chris Wright announced David McSpadden will attend the next meeting to serve as the January Honorary Council Member.

7. Present Keep Waxahachie Beautiful Committee Pride in Neighborhood (PIN) Award

Kyle Cooper, Senior Director of Parks and Recreation, announced the Keep Waxahachie Beautiful Committee has revived the Pride in Neighborhood (PIN) Award, which celebrates homeowners and businesses that contribute to the beauty and character of their neighborhoods. He introduced Madeline Bracken, Chair of the Keep Waxahachie Beautiful Committee.

Ms. Bracken explained this quarter, the Weaver family, who reside at 902 West Main Street, was honored for their exceptional efforts, particularly during the Christmas season. The Weavers created a festive photo backdrop and bench that attracted families, fostering joy and community connections. Many neighbors and passersby stopped to take holiday photos, which added to the spirit of the season. Their dedication to enhancing the neighborhood perfectly embodies the purpose of the award, making Waxahachie a more welcoming and beautiful place.

As part of their recognition, the Weavers were presented with a \$50 gift card to a local business and a yard sign acknowledging their achievement, which will remain on display for three months. The Council and community expressed their appreciation for the Weavers' contributions to uplifting the neighborhood.

8. Consider supplemental appropriation for Waxahachie City Cemetery security camera installation

Mr. Cooper presented the Item. In 2022, the City of Waxahachie Cemetery experienced vandalism resulting in over 275 damaged headstones, which have since been repaired. In response to concerns

(9a)

about cemetery security, the City Council approved \$50,000 in funding for security cameras as part of the FY22-23 budget. However, delays due to changes in providers and equipment, as well as pending fiber optic line installations near the site, resulted in the project not being completed during FY22-23. However, the unused funding was encumbered to procure the security cameras and installation hardware. Unfortunately, unanticipated project cost increases realized when contractor bids were received require additional funding for the pole installation and electrical services needed for the operation of the cameras.

Since the 2022 vandalism incident, there have been no further documented cases of vandalism at the cemetery. Despite this, the Cemetery Board has recommended moving forward with the Cemetery Security Camera Project consisting of the installation of five pole-mounted security cameras strategically placed to maximize coverage. These cameras will feature license plate reading capabilities and an expanded field of view.

When this item was presented to the Council on November 4, 2024, no action was taken and staff received guidance to explore cost-saving opportunities. Following that feedback, staff solicited proposals from twelve vendors across various trades and received five responses. Staff selected two contractors capable of completing separate aspects of the project. By City Staff managing the project and segmenting the project into separate components to be completed by different contractors, a cost savings of approximately \$15,000 is estimated from what was previously proposed.

Action:

Patrick Souter moved to approve a supplemental appropriation of \$60,000 from the Cemetery Fund unreserved fund balance to fund the Cemetery Security Camera Project and authorize the City Manager to execute all necessary documents. Motion was seconded by Chris Wright and carried unanimously (4-0).

9. Consider an Engineering Professional Services Agreement with Walter P Moore Engineering for the Creek Bank Stabilization at Getzendaner Park

Justin Stoker, Director of Public Works and Engineering, presented the Item. This agreement will be for the design and engineering services of a project to address the erosion along the east banks of Waxahachie Creek at Getzendaner Park. The project will install a gabion system along a portion of the creek where erosion is, or threatens to, undermine the pedestrian and bike trail in Getzendaner Park. The project also restores infrastructure such as storm drain outfalls and erosion protection on both sides of the two (2) pedestrian bridges.

Action:

Chris Wright moved to approve a professional services agreement with Walter P Moore Engineering for an amount not to exceed \$480,000 for the engineering and design of the Creek Bank Stabilization Project at Getzendaner Park. Motion was seconded by Tres Atkins and carried unanimously (4-0).

10. Consider contract renewal for solid waste service agreement

Shon Brooks, Executive Director of Development Services, presented the Item. The City of

(9a)

Waxahachie entered into a five-year contract with Waste Connections in April 2021. The current contract allows for a renewal at the initial terms for an additional five years, beginning on April 1, 2026. However, a proposed additional 8.606% rate adjustment plus the annual CPI-U rate adjustment was discussed in a City Council work session on October 29, 2024. The rate adjustment is necessary for Waste Connections to offset unprecedented inflationary cost pressures and maintain their current service levels.

The proposed renewal contract terms will remain the same as the current contract, except the inclusion of an 8.606% rate increase in addition to the annual CPI-U rate increase to be applied in April 2026. Each year thereafter, Waste Connections can increase rates based on the current CPI-U at the time, but the rate increase cannot exceed 5%.

The proposed contract renewal to become effective April 2026 will include the annual CPI-U rate adjustment plus the additional 8.606% rate increase. This will adjust all residential and commercial trash and recycle rates. By estimating a CPI-U of 4%, residential rates will increase from approximately \$6.23/month in 2025 to \$7.02/month in 2026 representing about a \$0.79 increase for a typical resident. Rates for subsequent years may only increase based on the CPI-U and cannot exceed 5%. The adjustment will also similarly increase the City's collected franchise fees.

Action:

Tres Atkins moved to approve the five-year renewal of the solid waste collections contract with Waste Connections Lone Star, Inc. beginning April 1, 2026, to include a rate adjustment of 8.606% plus the November 2025 Consumer Price Index for garbage and trash collection, not to exceed a total rate adjustment of 13.606%. Motion was seconded by Patrick Souter and carried unanimously (4-0).

11. Comments by Mayor, City Council, City Attorney and City Manager

Council Member Patrick Souter congratulated 26 members of the Waxahachie Fire Department who participated in a promotion and shield ceremony, expressing gratitude for their service and dedication. He also commended the Parks Team for progress on the security camera project, acknowledging the hard work of the IT department and others involved. He offered prayers for the victims in the New Orleans incident.

Mayor Pro Tem Chris Wright thanked Finance Director Chad Tustison for the quarterly report, Ellis County Homeless Coalition for their efforts, recognized the Parks Department's installation of new astroturf at a playground, which received positive feedback from the community, and congratulated Records Coordinator Clarice Crocker for earning her Texas Registered Municipal Clerks Certification.

Shon Brooks, Executive Director of Development Services, recognized Jennifer Pruitt for her contributions as she prepares to retire and welcomed Trent Robertson as her successor.

Deputy City Manager Albert Lawrence echoed Mr. Brooks' comments.

(5a)

Council Member Tres Atkins congratulated Ms. Crocker on achieving her recent certification, expressing his pride in her accomplishment and commending the Parks Team for their outstanding work.

City Manager Michael Scott thanked City Council for their support.

Mayor Billie Wallace echoed all comments and recognized City Staff for their work.

12. Adjourn

There being no further business, the meeting adjourned at 7:24 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(5b)

Planning & Zoning Department
Petition for ETJ Release

Case: ETJ-PTN-228-2024



MEETING DATE(S)

City Council:

January 21, 2025

CAPTION

Consider proposed Ordinance approving a request by Terry Nay for a **Petition for ETJ Release** for approximately 2.113 acres, located at 711 Brookside Road (Property ID 216895) – Owner: Terry Nay (ETJ-PTN-228-2024)

RECOMMENDED MOTION

"I move to approve ETJ-PTN-228-2024, a request by Terry Nay, for a Petition for ETJ Release for approximately 2.113 acres, located at 711 Brookside Road, authorizing the Mayor to sign the associated documents accordingly."

APPLICANT REQUEST

The property owner has petitioned the City to remove his property from the extraterritorial jurisdiction (ETJ).

CASE INFORMATION

Applicant: Terry Nay

Property Owner(s): Terry Nay

Site Acreage: 2.113 acres

Number of Lots: 1 lot

Number of Dwelling Units: 1 unit

SUBJECT PROPERTY

General Location: Located 711 Brookside Road

Parcel ID Number(s): 216895

Current Zoning: ETJ

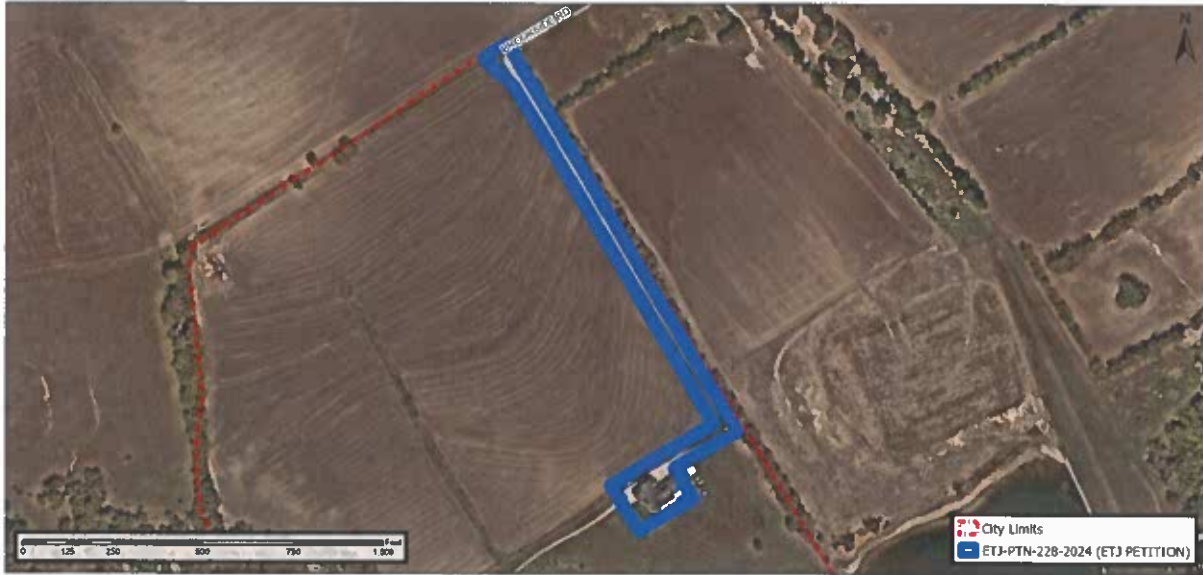
Existing Use: Residential

Platting History: The subject property is not platted.

CCN Service Area: Buena Vista-Bethel Special Utility District

(5b)

Site Aerial:



PLANNING ANALYSIS

Starting September 1, 2023, residents living in areas within a municipality's ETJ are allowed to file a petition requesting their release from the ETJ. Upon providing the City with the minimum information listed below, the City must immediately release the area from its ETJ.

- The petition must be in writing and detail the area's boundaries through either metes and bounds or a recorded plat; and
- The petition must include the property owner's name, signature, date of birth, residence address, and date of signing.

This application satisfies the requirements of Chapter 42, Subchapter D of the Texas Local Government Code governing the requirements for an ETJ petition.

RECOMMENDATION

City staff has determined that the submitted petition complies with the requirements of Chapter 42, Subchapter D of the Texas Local Government Code and that such law requires the release of the subject property from the City's ETJ.

ATTACHED EXHIBITS

1. ETJ Petition Map for January 21, 2025 City Council Meeting
2. Proposed Ordinance
3. Metes and Bounds (Exhibit A)
4. Location Map (Exhibit B)

STAFF CONTACT INFORMATION

Prepared by:

Oanh Vu

Senior Planner

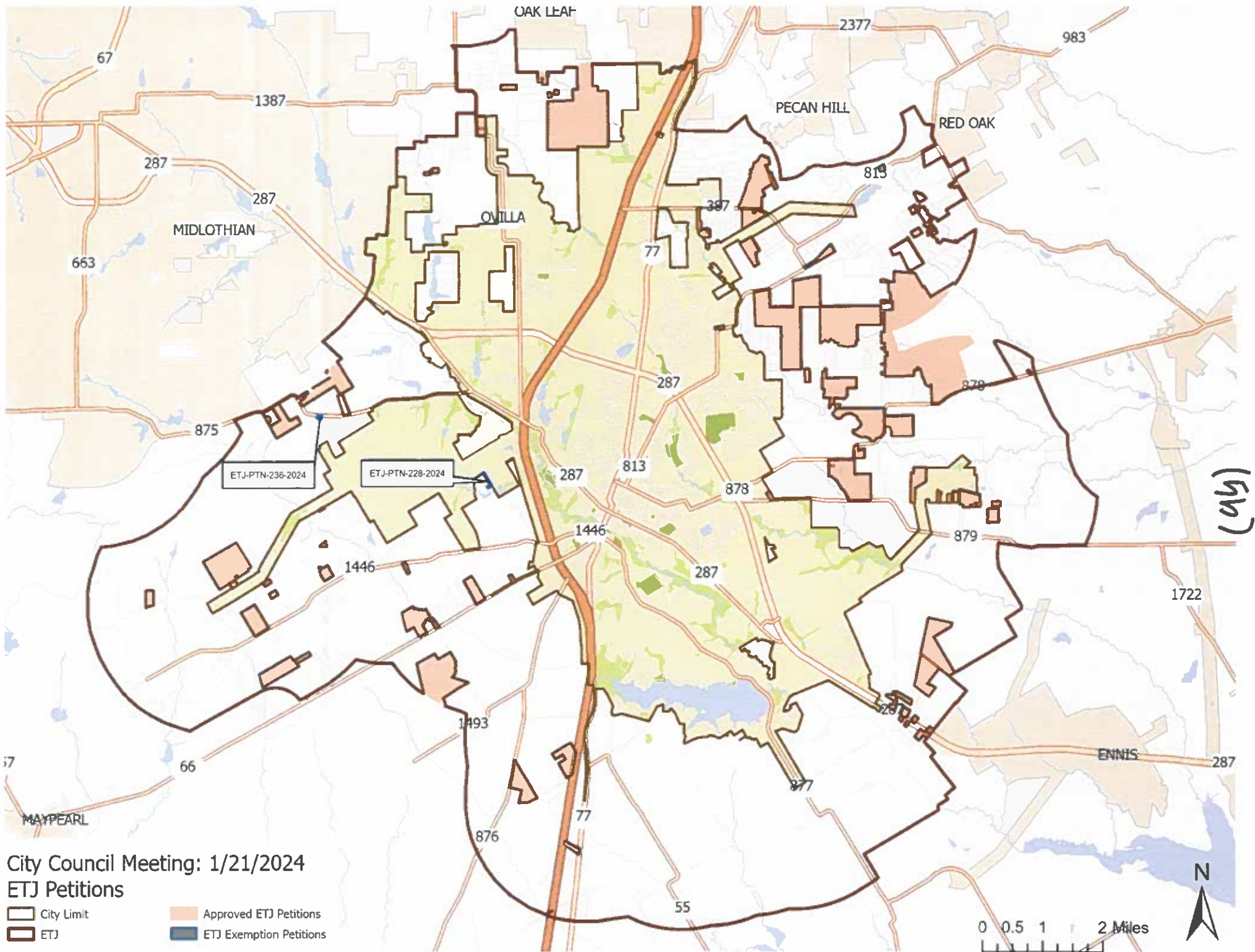
oanh.vu@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com



(5b)

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 2.113 ACRE TRACT OF LAND, LOCATED AT 711 BROOKSIDE ROAD, KNOWN AS PROPERTY ID 216895, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

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

WHEREAS, as authorized by Subchapter D of Chapter 42 of the Texas Local Government Code, the landowners of the herein described property have requested and petitioned in writing that the City of Waxahachie ("City") exclude the property herein described from the City's Extraterritorial Jurisdiction ("ETJ"); and

WHEREAS, City staff has determined that the submitted petition, case number ETJ-PTN-228-2024, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

NOW, THEREFORE, the following described tracts of land are hereby released and removed from the City's ETJ, effective as of the date of the passage of this Ordinance:

All those certain lots, tracts or parcels of land situated in Ellis County, Texas, and being more particularly described by metes and bounds in Exhibit A and shown on the location map in Exhibit B, which are made a part hereof and attached hereto for all purposes.

The City's ETJ boundary is hereby amended in accordance with said change. City staff is hereby directed to make all required changes to the City map showing the boundaries of the City's ETJ, as required by Section 41.002 of the Texas Local Government Code, and to promptly notify Ellis County of such changes.

PASSED, APPROVED AND ADOPTED on this 21st day of January, 2025.

MAYOR

ATTEST:

City Secretary

EXHIBIT "A"

PROPERTY (INCLUDING ANY IMPROVEMENTS):

All that certain lot, tract or parcel of land situated in the I. BARKER SURVEY, Abstract No. 40, in Ellis County, Texas, and being a part of a called 107.15 acre tract of land as described by Deed and recorded in Volume 708, Page 712, Deed Records, Ellis County, Texas, (DIRECT) and being more particularly described as follows:

BEGINNING at a 1/2" steel rod found in the south line of the projection of Brookside Road (a public road) for the northeast corner of this tract and same for the aforesaid 107.15 acre tract and being the northwest corner of a called 117.518 acre tract of land as described in Volume 719, Page 155, DIRECT;

THENCE S 30 deg. 46 min. 00 sec. E, (Deed - Record Reference Bearing) along the east line of this tract and same for the aforesaid 107.15 acre tract and along the west line of the called 117.518 acre tract to a point for the easterly southeast corner of this tract;

THENCE through the said 107.15 acre tract as follows: S 59 deg. 17 min. 20 sec. W, 199.80 feet to a point for corner; S 30 deg. 46 min. 00 sec. E, 100.00 feet to a point for the westerly southeast corner of this tract, and S 59 deg. 17 min. 20 sec. W, 175.00 feet to a point for the southwest corner of this tract;

THENCE N 32 deg. 39 min. 13 sec. W, 150.09 feet along the lower west line of this tract to a 1/2" steel rod found for the lower northwest corner of this tract;

THENCE N 59 deg. 17 min. 20 sec. E, 334.97 feet along the lower north line of this tract to a 1/2" steel rod found for the interior northwest corner of this tract;

THENCE along the upper west line of this tract as follows: N 30 deg. 46 min. 00 sec. W, 1085.73 feet to a 1/2" steel rod found for corner; N 47 deg. 35 min. 11 sec. W, 104.47 feet to a 1/2" steel rod found for corner; N 30 deg. 46 min. 00 sec. W, 11.31 feet to a 1/2" steel rod found for corner in the north line of the said 107.15 acre tract and in the south line of the said projected Brookside Road for the upper northwest corner of this tract;

THENCE N 59 deg. 14 min. 00 sec. E, 75.00 feet (Deed - Same Bearing) along the north line of this tract and same for the said 107.15 acre tract and the south line of the said 107.15 acre tract to the POINT OF BEGINNING and containing approximately 2.113 acres of land.

COUNTY CLERK'S MEMO
Instrument UNSATISFACTORY
For microfilm recording



EXHIBIT B - LOCATION MAP

(95)

(50)

Planning & Zoning Department

Petition for ETJ Release

Case: ETJ-PTN-236-2024



MEETING DATE(S)

City Council:

January 21, 2025

CAPTION

Consider proposed Ordinance approving a request by Jiri Dolezal, for a **Petition for ETJ Release** for approximately 2.35 acres, located at 4802 East FM 875 (Property ID 138405, 179461, & 284352) – Owner: Jiri Dolezal (ETJ-PTN-236-2024)

RECOMMENDED MOTION

"I move to approve ETJ-PTN-236-2024, a request by Jiri Dolezal, for a Petition for ETJ Release for approximately 2.35 acres, at 4802 East FM 875, authorizing the Mayor to sign the associated documents accordingly."

APPLICANT REQUEST

The property owner has petitioned the City to remove his property from the extraterritorial jurisdiction (ETJ).

CASE INFORMATION

Applicant: Jiri Dolezal

Property Owner(s): Jiri Dolezal

Site Acreage: 2.35 acres

Number of Lots: 0 lots

Number of Dwelling Units: 0 units

SUBJECT PROPERTY

General Location: Located at 4802 East FM 875

Parcel ID Number(s): 138405, 179461, & 284352

Current Zoning: N/A (ETJ)

Existing Use: Two (2) Barns are present on the property.

Platting History: The subject property is not platted

CCN Service Area: Sardi-Lone Elm WSC

Site Aerial:



PLANNING ANALYSIS

Starting September 1, 2023, residents living in areas within a municipality's ETJ are allowed to file a petition requesting their release from the ETJ. Upon providing the City with the minimum information listed below, the City must immediately release the area from its ETJ.

- The petition must be in writing and detail the area's boundaries through either metes and bounds or a recorded plat; and
- The petition must include the property owner's name, signature, date of birth, residence address, and date of signing.

This application satisfies the requirements of Chapter 42, Subchapter D of the Texas Local Government Code governing the requirements for an ETJ petition.

RECOMMENDATION

City staff has determined that the submitted petition complies with the requirements of Chapter 42, Subchapter D of the Texas Local Government Code and that such law requires the release of the subject property from the City's ETJ.

ATTACHED EXHIBITS

1. ETJ Petition Map for January 21, 2025 City Council Meeting
2. Proposed Ordinance
3. Metes and Bounds (Exhibit A)
4. Location Map (Exhibit B)

STAFF CONTACT INFORMATION

Prepared by:

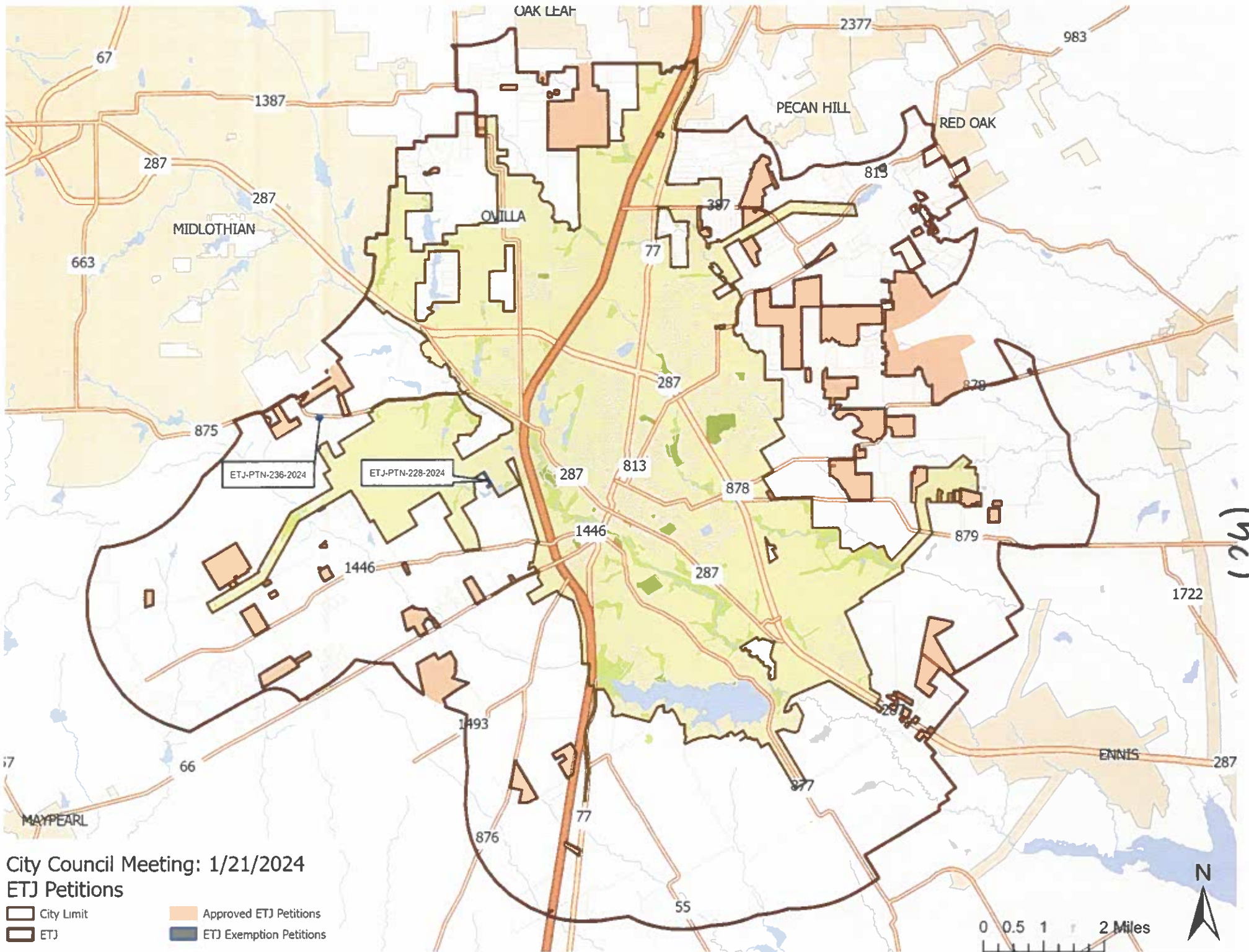
Caleb Ensley
Planner

caleb.ensley@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning

jennifer.pruitt@waxahachie.com



(5c)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 2.35 ACRE TRACT OF LAND, LOCATED AT 4802 EAST FM 875 KNOWN AS PROPERTY ID 138405, 179461, AND 284352, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

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

WHEREAS, as authorized by Subchapter D of Chapter 42 of the Texas Local Government Code, the landowners of the herein described property have requested and petitioned in writing that the City of Waxahachie ("City") exclude the property herein described from the City's Extraterritorial Jurisdiction ("ETJ"); and

WHEREAS, City staff has determined that the submitted petition, case number ETJ-PTN-236-2024, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

NOW, THEREFORE, the following described tracts of land are hereby released and removed from the City's ETJ, effective as of the date of the passage of this Ordinance:

All those certain lots, tracts or parcels of land situated in Ellis County, Texas, and being more particularly described by metes and bounds in Exhibit A and shown on the location map in Exhibit B, which are made a part hereof and attached hereto for all purposes.

The City's ETJ boundary is hereby amended in accordance with said change. City staff is hereby directed to make all required changes to the City map showing the boundaries of the City's ETJ, as required by Section 41.002 of the Texas Local Government Code, and to promptly notify Ellis County of such changes.

PASSED, APPROVED AND ADOPTED on this 21st day of January, 2025.

MAYOR

ATTEST:

City Secretary

(5c)

EXHIBIT A METES & BOUNDS

Escrow File No.: TX241009ML

EXHIBIT "A"

BEING a Tract of Land located in the J. Barker Survey, Abstract No. 40, Ellis County, Texas and Being part of a Tract of land described in Deed to Country Boat and R Storage, Inc., as recorded in Document No. 1611037, Official Public Records, Ellis County, Texas (O.P.R.E.C.T) and being a part of a Tract of Land described in Deed to the Mayfield Family Revocable Living Trust, as recorded in Document No. 1724273, O.P.R.E.C.T., and being a part of a Tract of Land described in Deed to Stan W. Mayfield and wife Trena Mayfield, as recorded in Volume 2503, Page 2258, O.P.R.E.C.T., and being part of a Tract of Land described in Deed to the Mayfield Family Revocable Living Trust and Jame R. Mayfield and Deanne Mayfield, as recorded in Document No. 1724270, O.P.R.E.C.T., and being more particularly described as follows:

Commencing at a 1/2 inch chapped iron rod found in the South line of farm to market 875 (a public right of way), thence South 06 degrees 44 minutes 43 seconds West and a distance of 254.36 feet to a 1/2 inch capped iron rod set for corner, beign the southwest corner of a remainder of Mayfield Family Revocable Living Trust, as recorded in Document Number 1724273, O.P.R.E.C.T., also being the point of beginning.

THENCE South 87 degrees 19 minutes 42 seconds East, a distance of 236.82 feet to a 1/2 Inch capped iron rod set for corner;

THENCE South 01 degrees 44 minutes 37 seconds West, a distance of 162.08 feet to a 1/2 inch capped iron rod set for corner;

THENCE North 88 degrees 53 minutes 29 seconds West, a distance of 25.07 feet to a 1/2 inch capped iron rod set for corner, from which a post found bears South 00 degrees 09 minutes 33 seconds West and a distance of 1180.40 feet;

THENCE North 00 degrees 11 minutes 40 seconds East, a distance of 134.42 feet to an angle Point and Post found for corner;

THENCE North 86 degrees 37 minutes 45 seconds West, a distance of 210.43 feet to a post found for corner.

THENCE North 06 degrees 44 minutes 43 seconds East, a distance of 25.95 feet to the point of beginning and containing 10,105 Square Feet or 0.232 acres of land.

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the legal description contained in Schedule "A" as to area or quantity of land is not a representation that such area or quantity is correct, but is made only for informal identification purposes and does not override Item 2 of Schedule "B" hereof.

STATE OF TEXAS COUNTY OF ELLIS
I hereby certify this instrument was filed on the date
and time stamped hereon and was duly recorded in
the records of Ellis County, Texas as stamped hereon.
COUNTY CLERK, ELLIS COUNTY, TEXAS



Handwritten signature of the County Clerk

FILED FOR RECORD - ELLIS COUNTY, TEXAS
INST NO. 2429190 on September 13, 2024 at 9:57 AM

(5c)

EXHIBIT A METES & BOUNDS

Escrow File No.: TX241008ML

EXHIBIT "A"

PARCEL 1:

Being all that certain lot, tract or parcel of land situated in the J. BARKER SURVEY, ABSTRACT NO. 40, in Ellis County, Texas, and being a part of a called 65 acre tract of land described by deed and recorded in Volume 528, Page 1009, Deed Records, Ellis County, Texas (DRECT), and being more particularly described as follows:

Beginning at a 1/2" steel rod set in the south line of F.M. 875, (a public road), and the existing north line of the said 65 acre tract for the northwest corner of this tract and which bears S 80°23'20" E, 73.70 feet and S 85°24'00" E 960.80 feet from a 1/2" steel rod found for the northwest corner of the said 65 acre tract and being a northwest corner of a called 21.872 acre tract of land described in Volume 1706, Page 64, Official Public Records, Ellis County, Texas, (OPRECT);

THENCE along the north line of this tract and the existing north line of the 65 acre tract and along the south line of F.M. 875 as follows: N 83°17'24" E, 25.50 feet to a 1/2" steel rod set for corner and S 85°24'00" E, 117.41 feet, (Record bearing basis, from Texas Highway Department map), to a 1/2" steel rod set for the northeast corner of this tract and being the upper northwest corner of a called 25.815 acre tract of land described in Volume 1614, Page 509, OPRECT;

Thence into the said 65 acre tract and along the east, south, and west line of this tract as follows: S 02°05'39" W, 253.99 feet along the upper west line of the called 25.815 acre tract to a 1/2" steel rod set for the southeast corner of this tract and being an inset northwest corner of the called 25.815 acre tract: N 87°22'16" W, 102.12 feet along the lower north line of the said 25.815 acre tract to a 1/2" steel rod set corner and being the lower northwest corner of the called 25.815 acre tract and is a lower northeast corner of the called 21.872 acre tract, continuing along the south line of this tract and a lower north line of the 21.872 acre tract, N 87°12'17" W, 301.29 feet to a 1/2" steel rod set for the southwest corner of this tract and being an inset northeast corner of the called 21.871 acre tract; N 04°02'49" E, 103.66 feet along the lower west line of this tract and an east line of the said 21.872 acre tract to a 1/2" steel rod found for the westerly northwest corner of this tract and an inset northeast corner of the called 21.872 acre tract S 81°54'33" E, 58.32 feet along a north line of this tract and an upper south line of the called 21.872 acre tract to a 1/2" steel rod found for a lower inset northwest corner of this tract and an inset northeast corner of the called 21.872 acre tract; and N 08°43'33" E, 14.09 feet to a 1/2" steel rod found for a lower northwest corner of this tract; S 81°54'33" E, 178.90 feet to a 1/2" steel rod set for an inset northwest corner of this tract; N 07°31'52" E, 112.10 feet to a 1/2" steel rod set for corner; and N 13°21'21" E, 47.07 feet to the point of Beginning and containing approximately 1.491 acres of land.

PARCEL 2:

Being all that certain lot, tract, or parcel of land situated in the J. BARKER SURVEY, ABSTRACT NO. 40, in Ellis County, Texas, and being a part of a called 65 acre tract of land described by deed and recorded in Volume 528, Page 1009, Deed Records, Ellis County, Texas (DRECT), and being more particularly described as follows:

Beginning at a 1/2" steel rod set in the south line of F.M. 875, (a public road), and the existing north line of the said 65 acre tract for the northwest corner of this tract and which bears S

EXHIBIT A METES & BOUNDS

(50)

80°23'20" E, 73.70 feet and S 85°24'00" E, 779.98 feet from a 1/2" steel rod found for the northwest corner of the said 65 acre tract and being a northeast corner of a called 21.872 acre tract of land described in Volume 1614, Page 509, Official Public Records, Ellis County, Texas, (OPRECT);

Thence along the north line of this tract and the existing north line of the 65 acre tract and along the south line of F.M. 875 as follows: S 85°24'00" E, 180.82 feet, (Record bearing basis from Texas Highway Department map), to a 1/2" steel rod set for the northeast corner of this tract;

Thence into the said 65 acre tract and along the east, south, and west line of this tract as follows: S 13°21'21" W, 47.07 feet to a 1/2" steel rod set for corner, S 07°31'52" W, 112.10 feet to a 1/2" steel rod set for the southeast line of the said 25.815 acre tract to a 1/2" steel rod found for the north corner of this tract corner of this tract; N 81°54'33" W, 178.90 feet to a 1/2" steel rod set for the southwest corner of this tract; and N 08°43'33" E, 147.96 feet to the point of beginning and containing approximately 0.6266 acre of land.

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the legal description contained in Schedule "A" as to area or quantity of land is not a representation that such area or quantity is correct, but is made only for informal identification purposes and does not override Item 2 of Schedule "B" hereof.

FILED FOR RECORD - ELLIS COUNTY, TEXAS
INST NO. 2426224 on August 20, 2024 at 9:22 AM

STATE OF TEXAS COUNTY OF ELLIS
I hereby certify this instrument was filed on the date
and time stamped hereon and was duly recorded in
the records of Ellis County, Texas as stamped hereon.
COUNTY CLERK, ELLIS COUNTY, TEXAS



Handwritten signature of the County Clerk

EXHIBIT B LOCATION MAP



(5c)

(7)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-215-2024



MEETING DATE(S)

Planning & Zoning Commission: January 14, 2025
City Council: January 21, 2025

CAPTION

Public Hearing on a request by Mark Lee for a **Specific Use Permit (SUP)** for an **Accessory Structure exceeding seven hundred (700) square feet**, use within a Planned Development - Single Family-1 (PD-SF-1) zoning district located at 181 Aiden Drive, (Property ID 300473) – Owner: Mark Lee & Rebekah. J (ZDC-215-2024) Staff: Harper Lindamood

RECOMMENDED MOTION

"I move to approve of ZDC-215-2024, a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet, use within a Planned Development-Single Family-1(PD-SF-1) zoning district, subject to the conditions the staff report, authorizing the Mayor and/or City Manager to sign the associated documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on January 14, 2025, the Commission voted 5-0 to recommend approval of case number ZDC-215-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The applicant requests approval of a Specific Use Permit (SUP) for a 1,740 square foot accessory structure.

CASE INFORMATION

Applicant: Mark Lee
Property Owner(s): Mark Lee & Rebekah. J
Site Acreage: 1.0 acre
Current Zoning: Planned Development- Single Family-1 (SF-1)
Requested Zoning: Planned Development- Single Family-1 (SF-1) with a SUP for an accessory structure exceeding seven hundred (700) square feet.

SUBJECT PROPERTY

General Location: 181 Aiden Drive

Parcel ID Number(s): 300473

Existing Use: Single family residential

Development History: The subject property is platted as Lot 14, Block C of Tuscan Estates.

Future Land Use Plan: Residential Neighborhood

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

Thoroughfare Plan: The subject property is accessible via Aiden Drive.

Site Image:



PLANNING ANALYSIS

The applicant proposes a Specific Use Permit (SUP) to construct a 1,740-square-foot accessory structure at 181 Aiden Drive. The primary structure on the subject property is approximately 4,346 square feet. The property does not have any existing accessory structures. The applicant has provided a Site Plan for the accessory structure that verifies all setback requirements established by the Waxahachie Zoning Ordinance have been met.

Proposed Use:

The applicant proposes to utilize the structure for a personal garage/shop. The structure will be used for the storage of personal vehicles and household materials. The proposed accessory structure is comprised of brick and siding that matches the primary structure. The applicant will be extending the concrete drive to connect to the proposed structure. The applicant will be extending the water and electrical services from the primary structure to the proposed accessory structure.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, thirteen (13) notices were mailed to property owners within 200 feet of the request. Applicant has only received Zero (0) letters of opposition, and one (1) letter of support. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the SUP accessory structure exceeding seven hundred (700) square request subject to the conditions noted below.

Conditions:

1. The accessory structure shall not be used as an accessory dwelling or Short-Term Rental without a Specific Use Permit approved by City Council.
2. The accessory structure shall not be separately metered.
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.
5. The property owner shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory structure.

ATTACHED EXHIBITS

1. Public Notification Responses
2. SUP Ordinance
3. Location Map (Exhibit A)
4. Site Plan (Exhibit B)
5. Floor Plan (Exhibit C)
6. Elevation/Façade Plan (Exhibit D)

STAFF CONTACT INFORMATION

Prepared by:

Harper Lindamood
Planner

Harper.lindamood@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning

jennifer.pruitt@waxahachie.com

(7)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-215-2024

SPENCE DENNY
420 LAGUNA VISTA DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 14, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 21, 2025 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 Mark Lee for a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet use within a Planned Development - Single Family-1 (PD-SF-1) zoning district located at 181 Aiden Drive (Property ID 300473) - Owner: Mark Lee & Rebekah. J (ZDC-215-2024) Staff: Harper Lindamood

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

Case Number: ZDC-215-2024

City Reference: 224033

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on January 8, 2025 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.

12/31/24
DAS
since its a garage

SUPPORT

OPPOSE
DAS

Comments: The walking trail borders my property & crime has increased on our block. No to rental property

Denny Spence
Signature

Denny Spence, OWNER
Printed Name and Title

12/29/24
Date

420 Laguna Vista
Address
Waxa.

(8)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE EXCEEDING SEVEN HUNDRED (700) SQUARE FEET USE WITHIN A PLANNED DEVELOPMENT - SINGLE FAMILY-1 (PD-SF-1) ZONING DISTRICT, LOCATED AT 181 AIDEN DRIVE, BEING PROPERTY ID 300473, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 14, BLOCK C OF THE TUSCAN ESTATES SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, the described property is classified in said ordinance and any amendments thereto as PD-SF-1; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-215-2024. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from PD-SF-1 to PD-SF-1, with a SUP in order to permit an Accessory Structure exceeding seven hundred (700) square feet use on the following property: Lot 14, Block C of the Tuscan Estates Subdivision, which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit B, Floor Plan attached as Exhibit C, and the Elevation/Façade Plan attached as Exhibit D

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and Zoning Ordinance.

(8)

Specific Use Permit

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

1. The accessory structure shall not be used as an accessory dwelling or Short-Term Rental without a Specific Use Permit approved by City Council.
2. The accessory structure shall not be used for commercial purposes.
3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The property owner shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory structure.
5. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Site Plan, and Exhibit C – Floor Plan, and Exhibit D – Elevation/Façade Plan.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance as approved by City Council, shall conform to those requirements and/or standards prescribed in Exhibit B – Site Plan, Exhibit C – Floor Plan, and Exhibit D – Elevation/Façade Plan. Where regulations are not specified in Exhibits B, C, D, or this Zoning Ordinance, the regulations of the Single Family-1 (SF-1) Zoning District and the City of Waxahachie Zoning Ordinance shall apply to this development.
8. City Council shall have the right to review the Specific Use Permit at any point, if needed.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business of establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six (6) months, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this 21th day of January, 2025.

MAYOR

ATTEST:

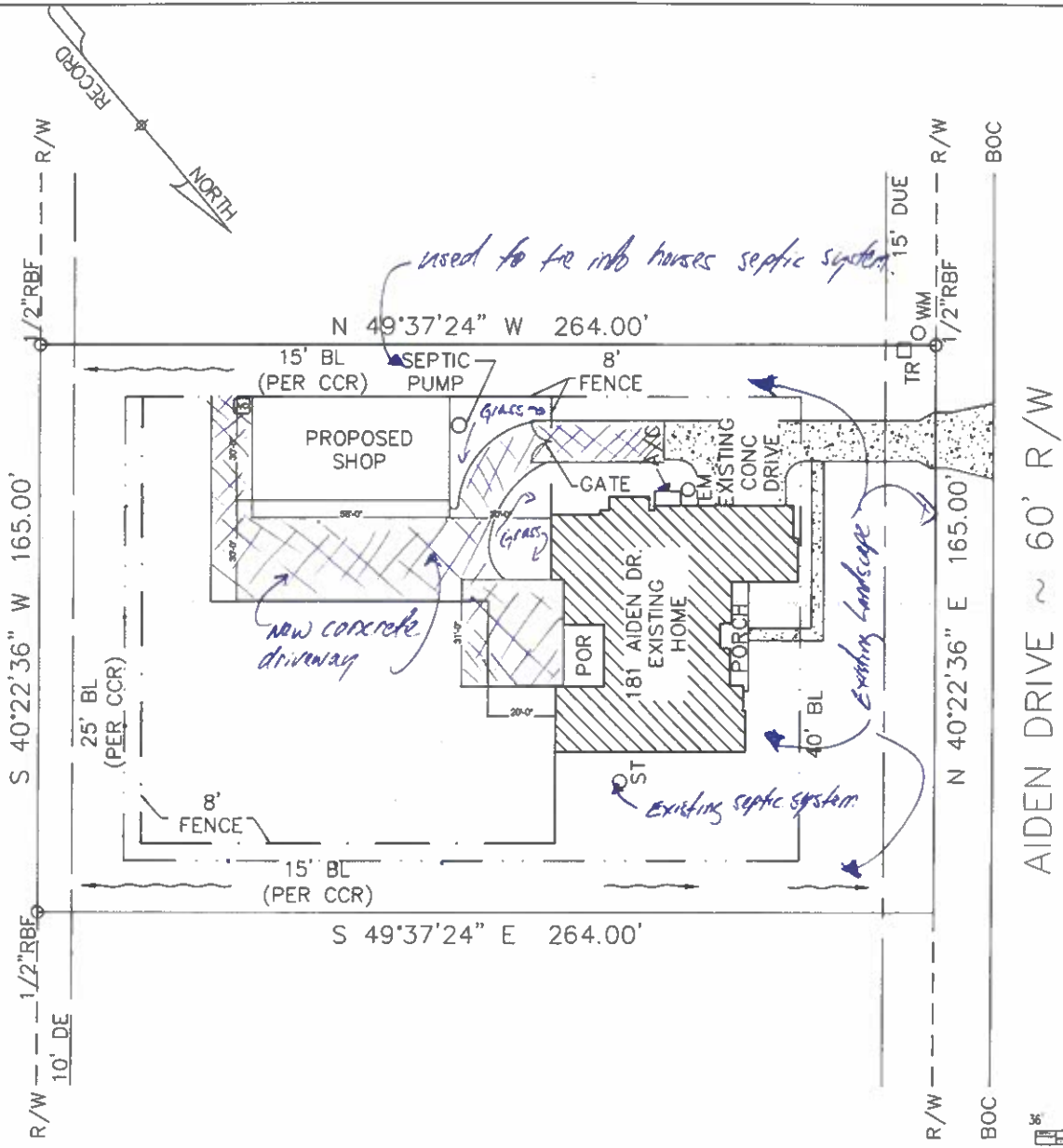
City Secretary

LOCATION MAP (Exhibit A)



(8)

SITE PLAN (Exhibit B)



AIDEN DRIVE ~ 60' R/W

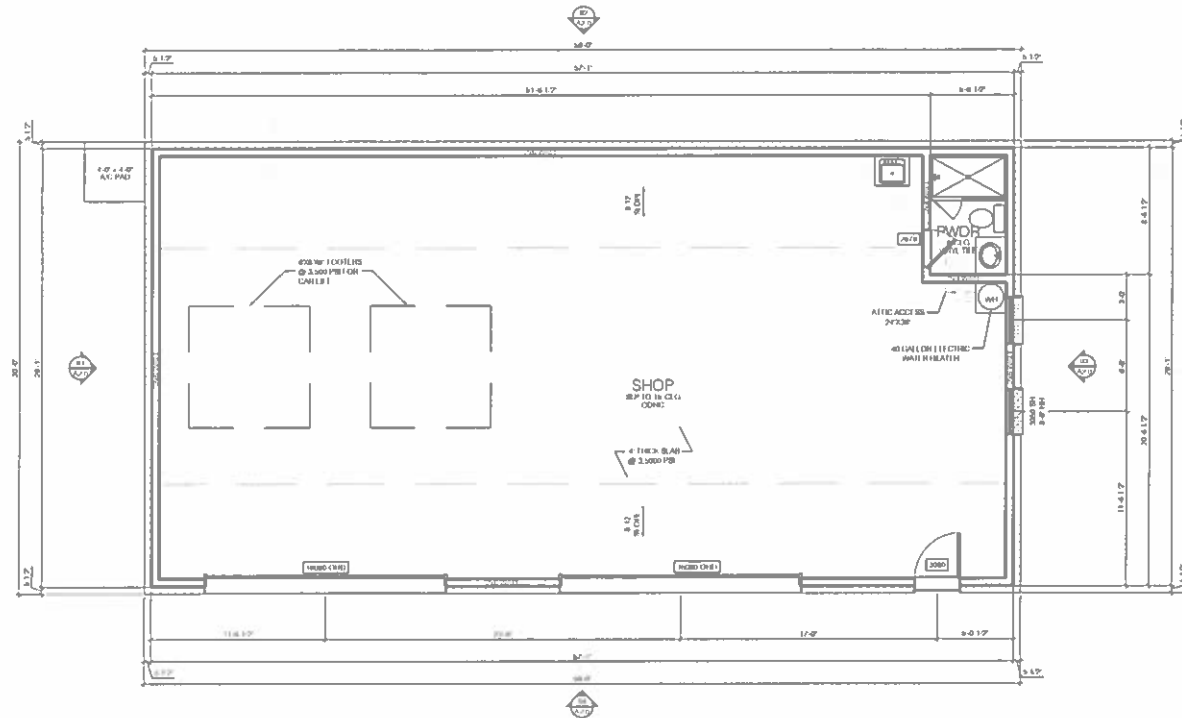
181 AIDEN DR.
WAXAHACHIE, TX

ELEVATION
SHOP
SHEET NO.
CS

MARK LEE
181 AIDEN DRIVE.
WAXAHACHIE, TX 75165

(8)

FLOOR PLAN (Exhibit C)



01 FIRST FLOOR PLAN

FLOOR PLAN NOTES

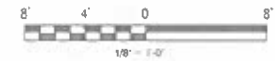
- 1 ALL MECHANICAL, ELECTRICAL & PLUMBING WORK TO CONFORM TO LOCAL, STATE & NATIONAL CODES WHICH SHALL TAKE PRECEDENCE OVER THESE DRAWINGS. REPORT ANY ERRORS, DISCREPANCIES OR OMISSIONS TO THE BUILDER/ARCHITECT BEFORE COMMENCEMENT OF CONSTRUCTION. DOCUMENTS COMPLY WITH 2015, 2018 AND 2021 IRC AND EICC.
- 2 EXACT LOCATION OF HVAC UNITS SHOULD MATCH APPROVED HVAC LAYOUT.
- 3 HOSE BIBS TO BE 24" ABOVE FINISH GRADE (ASSUME 4" FILL). THIS MEANS TO STUB THROUGH SLAB ON HIGH FOUNDATIONS.
- 4 ALL GAS SERVICE, CONNECTIONS & FIXTURES TO BE DETERMINED BY SUBDIVISION REQUIREMENTS FOR WATER HEATER, FURNACE, FIREPLACE, COOK TOPS & RANGES.
- 5 ROUTE ALL PIPES & VENTS TO REAR ROOF SLOPE WHERE POSSIBLE. OTHERWISE TO SIDE. NO VENTS SHALL PROTRUDE THROUGH THE FRONT ELEVATION.
- 6 WASHER SPACE SHALL ALWAYS BE INSTALLED ON LEFT-HAND SIDE OF DRYER WHEN FACING APPLIANCES.
- 7 DRYER SPACE SHALL ALWAYS BE INSTALLED AT RIGHT-HAND SIDE OF WASHER WHEN FACING APPLIANCES (REVERSE LOCATIONS WHEN FLOOR PLAN IS FLIPPED).
- 8 WATER PIPES FOR SHOWER HEAD TO BE STUBBED OUT AT 6'-6" A.F.F.
- 9 WHEN APPLICABLE, GAS LOG LIGHTER TO BE 18" TO SIDE OF FIREPLACE & 18" OFF THE FLOOR WHENEVER POSSIBLE.
- 10 ALL DRYER VENTS TO BE 8" ABOVE FINISHED FLOOR TO THE CENTER OF VENT.
- 11 CLOSETS SHALL HAVE 1 ROD AND 1 SHELF UNLESS NOTED OTHERWISE.
- 12 LINEN AND STORAGE CLOSETS TO HAVE 4-16" AND 1-12" SHELVES W/ FIRST SHELF TO BE 36" A.F.F. AND EACH SPACED AT 12".
- 13 GARAGE ACCESS DOOR TO BE SELF-CLOSING AND SOLID CORE.
- 14 PROVIDE 36"x36" OR 26"x72" CONCRETE A/C PAD.
- 15 MIRROR WIDTH TO BE 4" LESS THAN VANITY WIDTH.
- 16 CENTER OF WATER CLOSET TO BE AT 15" MIN FROM VERTICAL SURFACE OF SIDE WALLS (SEE TRUCTION).
- 17 DRYER VENT EXHAUST DUCTS SHALL NOT EXCEED A TOTAL OF COMBINED HORIZONTAL AND VERTICAL LENGTH OF 14 FEET, INCLUDING TWO 90 DEGREE ELBOWS AND SHALL COMPLY WITH MANUFACTURER'S SPECS.
- 18 LOW WALL AT SHOWER CLOSET TO BE FRAMED AT 47" A.F.F.
- 19 SHOWER SEAT SHALL BE 27" A.F.F. AND SLOPE 1/4" PER FOOT BACK-TO-FRONT.
- 20 SEE SCOPES OF WORK & CONST. SPECS FOR ADDITIONAL INFO.

FRAMING NOTES

- 1 ALL WALLS TO BE FRAMED AT 16" O.C. UNLESS NOTED OTHERWISE.
- 2 PROVIDE 2X BLOCKING AT 34", 54" & 78" A.F.F. TO CENTER LINE OF BLOCK FOR KITCHEN CABINETS.
- 3 PROVIDE 2X BLOCKING AT 24" A.F.F. TO CENTER LINE OF BLOCK FOR PAPER HOLDER.
- 4 PROVIDE 2X BLOCKING AT 32" A.F.F. TO CENTER LINE OF BLOCK FOR TOWEL BAR.
- 5 ALL PLUMBING WALLS TO BE 2X6.

GENERAL NOTES

- 1 ALL INTERIOR DOORS TO BE HOLLOW CORE 1-3/8" THICK U.H.O.
- 2 GARAGE ACCESS DOOR TO BE SOLID CORE 1-3/8" THICK AND SELF-CLOSING.
- 3 ALL ENTRY DOORS TO BE SOLID CORE 1-3/4" THICK.
- 4 ALL ESCAPE OR RESCUE WINDOWS SHALL MEET EGRESS REQUIREMENTS BY CODE HAVING A MINIMUM NET CLEAR OPENABLE AREA OF 4.7 SQUARE FEET.
- 5 MINIMUM SILL HEIGHT AT SECOND FLOOR WINDOWS SHALL BE 24" A.F.F. NOT TO EXCEED 44" A.F.F.
- 6 GARAGE SHALL BE SEPARATED FROM RESIDENCE BY A MINIMUM OF 5/8" TYPE X GYPSUM BOARD APPLIED TO GARAGE SIDE AND AT CEILING WHERE CONDITIONED SPACE IS ABOVE.
- 7 THESE PLANS ARE COMPLIANT WITH 2021 IRC.



MARK LEE
181 AIDEN DRIVE
WAXAHACHIE, TX 75165

DESIGNER
MLS

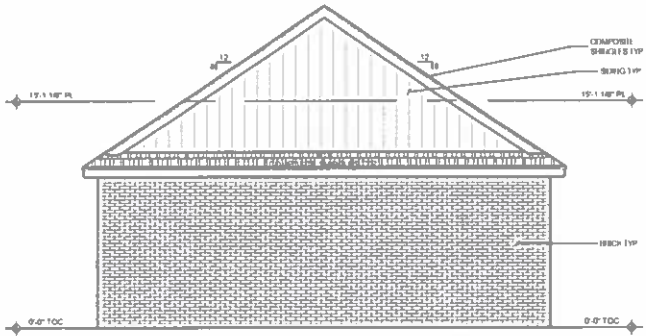
181 AIDEN DR.
WAXAHACHIE, TX

ELEVATION
SHOP

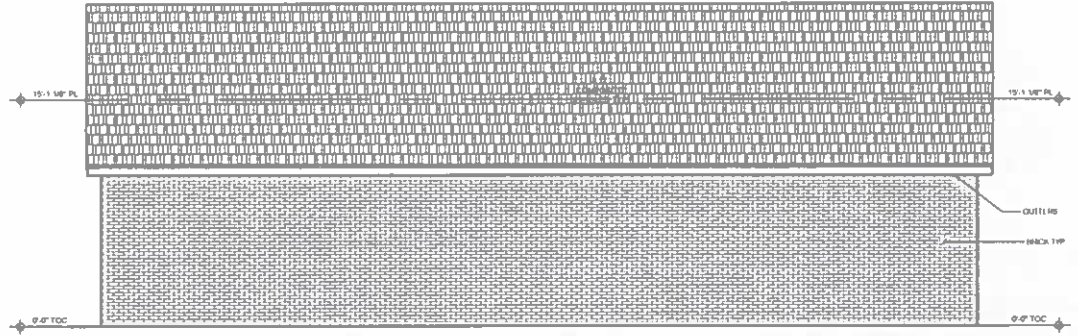
SHEET NO
A1.0

(8)

ELEVATIONS (Exhibit D)



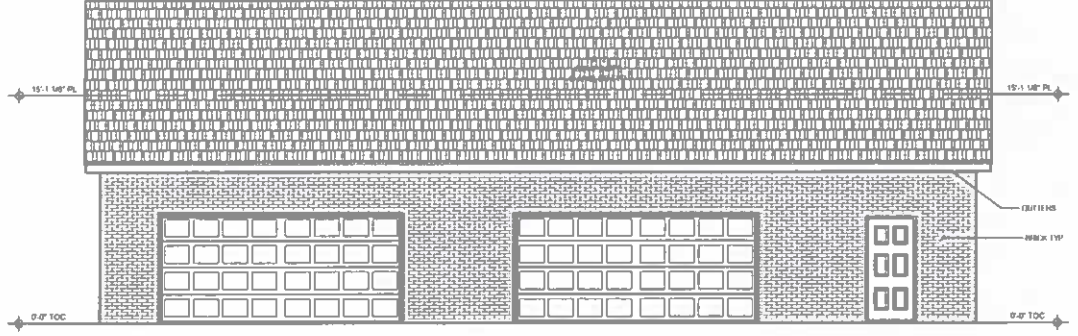
01 LEFT ELEVATION



02 REAR ELEVATION



03 RIGHT ELEVATION



04 FRONT ELEVATION



MARK LEE
181 AIDEN DRIVE,
WAXAHACHIE, TX 75165

DESIGNER
MLS

181 AIDEN DR.
WAXAHACHIE, TX

ELEVATION
SHOP
SHEET NO
A2.0

(8)

(9)

Planning & Zoning Department Zoning Staff Report

Case: ZDC-207-2024



MEETING DATE(S)

Planning & Zoning Commission: January 14, 2024

City Council: January 21, 2024

CAPTION

Public Hearing on a request by Susan Jordan, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Planned Development – General Retail (PD-GR) zoning district located at 512 North College Street (Property ID 170716) – Owner(s): Legends Real Estate Holdings, LLC (ZDC-207-2024)

RECOMMENDED MOTION

- "I move to deny ZDC-207-2024, a Specific Use Permit (SUP) for Short-Term Rental use."
- "I move to approve ZDC-207-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning and Zoning Commission meeting held on January 14, 2025, the Commission voted 4-1 to recommend approval of case number ZDC-207-2024, subject to the conditions of the staff report and the additional condition that Host Rules shall be updated to prohibit on-street parking.

APPLICANT REQUEST

The Applicant requests a Specific Use Permit for a Short-Term Rental use at 512 North College Street.

CASE INFORMATION

Applicant: Susan Jordan

Property Owner(s): Legends Real Estate Holdings, LLC

Site Acreage: 0.459 acres

Current Zoning: Planned Development – General Retail (PD-GR)

Requested Zoning: PD-GR with a Specific Use Permit (SUP) for a Short-Term Rental use

(9)

SUBJECT PROPERTY

General Location: 512 North College Street

Parcel ID Number(s): 170716

Existing Use: Residential use

Development History: The subject property is currently platted as Lot 28, Block 9 of the Town Addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-GR	Residential, STR
East	SF-2	Residential
South	PD-GR	Residential
West	PD-GR	Residential

Future Land Use Plan: Mixed Use Neighborhood

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

Thoroughfare Plan: The subject property is accessible via North College Street.

(9)

Site Image:



PLANNING ANALYSIS

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental in all zoning districts with an approved SUP, with the exception of the Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

The applicant requests a SUP for short-term rental use at 512 North College Street because it is located within the PD-GR zoning district. The subject property consists of a primary structure of approximately 4,761 square feet, built in 1910 with seven (7) bedrooms, three (3) bathrooms, and enough improved surface to accommodate for the maximum parking spaces of five (5) vehicles. The applicant has provided a survey to reflect the accommodation for parking, and it is a dated document. The accessory structures have been demolished, and there are no accessory structures on site. The subject property is situated on an approximately 0.459 acres (19,944 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 identify the subject property as a Homestead; however, the applicant is in contact with Ellis County to have the homestead status removed. The applicant submitted the SUP application on October 30, 2024. Please note that the zoning district for the subject property is Planned Development – General Retail (PD-GR). If this SUP for STR application is approved, this will be the third property within 500' allowed for STR use.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

The applicant's local emergency contact is Susan Jordan, 2510 FM Road 1446, Waxahachie, TX 75167, legends.realestate24@gmail.com, which is located approximately 4.5 miles from the subject property.

In response to a Short-Term Rental workshop conducted by the City Council on December 9, 2024, staff members have agreed to include saturation data for each Specific Use Permit application pertaining to short-term rentals. This initiative is intended to assist the City Council in addressing concerns related to the oversaturation of short-term rentals within the Waxahachie community.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, 66 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City’s Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, three (3) letters of opposition and six (6) letters of support were received by staff, with no letters received within the 200’ buffer.

RECOMMENDATION

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

Conditions:

1. The applicant shall remove the homestead exemption status with Ellis County.
2. The applicant shall add to their host rules that their guests shall not park in the street.
3. The short-term rental operator shall complete the STR registration process with the City’s vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
4. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City’s vendor.
5. The short-term rental operator shall allow a maximum occupancy of ten (10) guests per stay.
6. The short-term rental operator shall provide a maximum of five (5) off-street parking spaces.
7. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City’s Zoning Ordinance.
8. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Saturation Map of all STRs within a mile radius
3. Saturation Map of all STRs within 500’ radius
4. SUP Ordinance
5. Location Map (Exhibit A)
6. Zoning Map (Exhibit B)
7. Floorplan (Exhibit C)
8. Survey (Exhibit D)
9. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:

Oanh Vu
Senior Planner
oanh.vu@waxahachie.com

Reviewed by:

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

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-207-2024



KELLEY RAYMOND & JANICE P
418 N COLLEGE ST
WAXAHACHIE, TX 75165-3360

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 14, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 21, 2025 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 Susan Jordan, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development – General Retail (PD-GR) zoning district located at 512 North College Street (Property ID 170716) – Owner(s): Legends Real Estate Holdings, LLC (ZDC-207-2024) Staff: Oanh Vu

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

Case Number: ZDC-207-2024

City Reference: 170709

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 8, 2025** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

THIS IS THE THIRD ZONING REQUEST TO CHANGE A HOUSE TO SHORT-TERM RENTAL THERE ARE TWO ALREADY ON N. COLLEGE ST. WE DONT WANT THIS TO BE ALL HOTELS.

Raymond Kelly
Signature

12-31-2024
Date

RAYMOND KELLEY
Printed Name and Title

418 N. COLLEGE ST
Address

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-207-2024

BASKIN ROY IV & BRITTANIE K
608 N ROGERS ST
WAXAHACHIE, TX 75165-3034

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 14, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 21, 2025 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-207-2024

City Reference: 170681

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *January 8, 2025* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

12/29/24
Date

Roy Baskin
Printed Name and Title

608 N Rogers St
Address
Waxahachie TX 75165

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-207-2024

RECEIVED JAN 02 2024

DUFFIN SALLY
614 N ROGERS ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 14, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 21, 2025 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-207-2024

City Reference: 171194

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 8, 2025** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

I strongly oppose what is now the 3rd property request for STR in this neighborhood. This is a historic neighborhood. I own a historic home and

Sally L. Duffin
Signature

12/31/24
Date

Sally L. Duffin homeowner
Printed Name and Title

614 N. Rogers St.
Address

I think this planning is destroying the integrity of the historic nature of these homes and commercializing the area isn't appropriate. Our lovely homes should get the respect they deserve and I feel the value of my home decreases every time one of these requests is approved. Please stop respectfully,
Sally L. Duffin

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-207-2024

RECEIVED JAN 03 2025

POARCH PROPERTIES LLC SERIES K
103 E UNIVERSITY AVE
WAXAHACHIE, TX 75167-2353

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 14, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 21, 2025 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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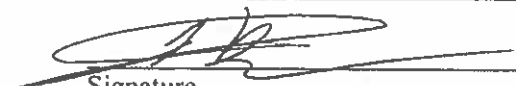
You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion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

Case Number: ZDC-207-2024

City Reference: 170675

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 8, 2025** 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.

Comments: SUPPORT OPPOSE


Signature

Date

Jimmy Perach
Printed Name and Title

Address

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-207-2024

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

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 14, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 21, 2025 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-207-2024

City Reference: 170614

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 8, 2025** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Signature

Brad Yates member

Printed Name and Title

1/3/25

Date

300 E. Parks

Address

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-207-2024

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

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Case Number: ZDC-207-2024

City Reference: 265829

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 8, 2025** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Signature Brad Yates

Date 1/3/25

Printed Name and Title member

Address 305/307 E Parks Ave.

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-207-2024



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

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Case Number: ZDC-207-2024

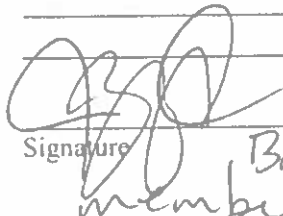
City Reference: 170600

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 8, 2025** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:



Signature
Brad Yates
member

Printed Name and Title

Date
1/3/25

Address
301/303 E Parks Ave

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-207-2024

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

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Case Number: ZDC-207-2024

City Reference: 170598

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 8, 2025** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Signature *Brady Yates*
member

Date *1/3/25*

Printed Name and Title

Address *14 Yinger*

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-207-2024

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

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 14, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 21, 2025 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-207-2024

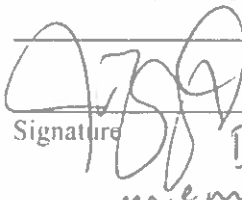
City Reference: 170602

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 8, 2025** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

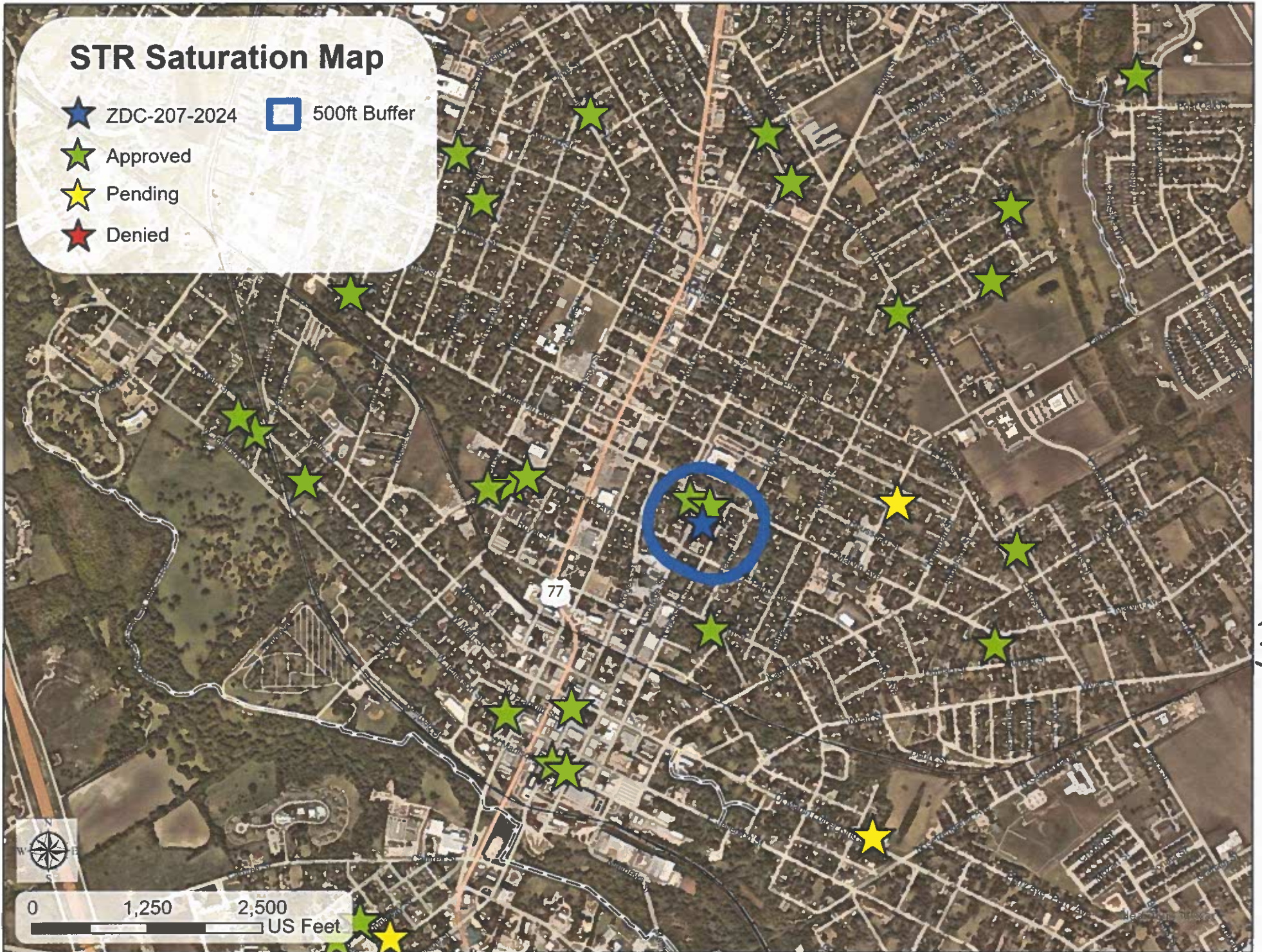
Comments:


Signature
Brad Yates
member
Printed Name and Title

1/3/25
Date
408 N. Flat
Address

STR Saturation Map

- ★ ZDC-207-2024
- ★ 500ft Buffer
- ★ Approved
- ★ Pending
- ★ Denied



(9)

STR Saturation Map

- ★ ZDC-207-2024
- ★ 500ft Buffer
- ★ Approved
- ★ Pending
- ★ Denied



0 250 500 US Feet

197

(10)

ORDINANCE NO.

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A SHORT-TERM RENTAL USE WITHIN A PLANNED DEVELOPMENT – GENERAL RETAIL (PD-GR) ZONING DISTRICT LOCATED AT 512 NORTH COLLEGE STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.459 ACRES KNOWN AS PROPERTY ID 170716, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

WHEREAS, the City Council of the City of Waxahachie having adopted a zoning ordinance and map showing the classification of the property located within the city limits of said City; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-207-2024. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and

WHEREAS, a proper hearing was held as required by law and the City Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from PD-GR to PD-GR, with a SUP in order to allow a Short-Term Rental use on the following property: Property ID 170716, which is shown on the Location Map (Exhibit A), Zoning Map (Exhibit B), Floorplan (Exhibit C), Survey (Exhibit D), and Host Rules (Exhibit E).

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and the Zoning Ordinance.

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE IN THE PLANNED DEVELOPMENT – GENERAL RETAIL (PD-GR) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall conform to the site plan approved by the City Council under case number ZDC-207-2024.
2. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Zoning Map, Exhibit C – Floorplan, Exhibit D – Survey, Exhibit E – Host Rules.
3. The Applicant and/or STR Operator for the subject property shall be responsible for obtaining registration per the City’s applicable rules and regulations governing such permits.
4. The Applicant and/or STR Operator for the subject property shall be responsible to pay hotel occupancy taxes as required per Section 3.27.e.7 of the City of Waxahachie Zoning Ordinance.
5. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits C, D, and E.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the owner and therefore shall not be transferred from owner to owner.
4. The applicant shall remove the homestead exemption status with Ellis County.
5. The applicant shall add to their host rules that their guests shall not park in the street.

(10)

6. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
7. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
8. The short-term rental operator shall allow a maximum occupancy of ten (10) guests per stay.
9. The short-term rental operator shall provide a maximum of five (5) off-street parking spaces.
10. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
11. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
12. The registration shall note the existence of this Specific Use Permit by its number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this 21st day of January, 2025.

MAYOR

ATTEST:

City Secretary



EXHIBIT A - LOCATION MAP

0 25 50 100 150 200 Feet

ZDC-207-2024 (SUP)



EXHIBIT B - ZONING MAP

0 25 50 100 150 200 Feet





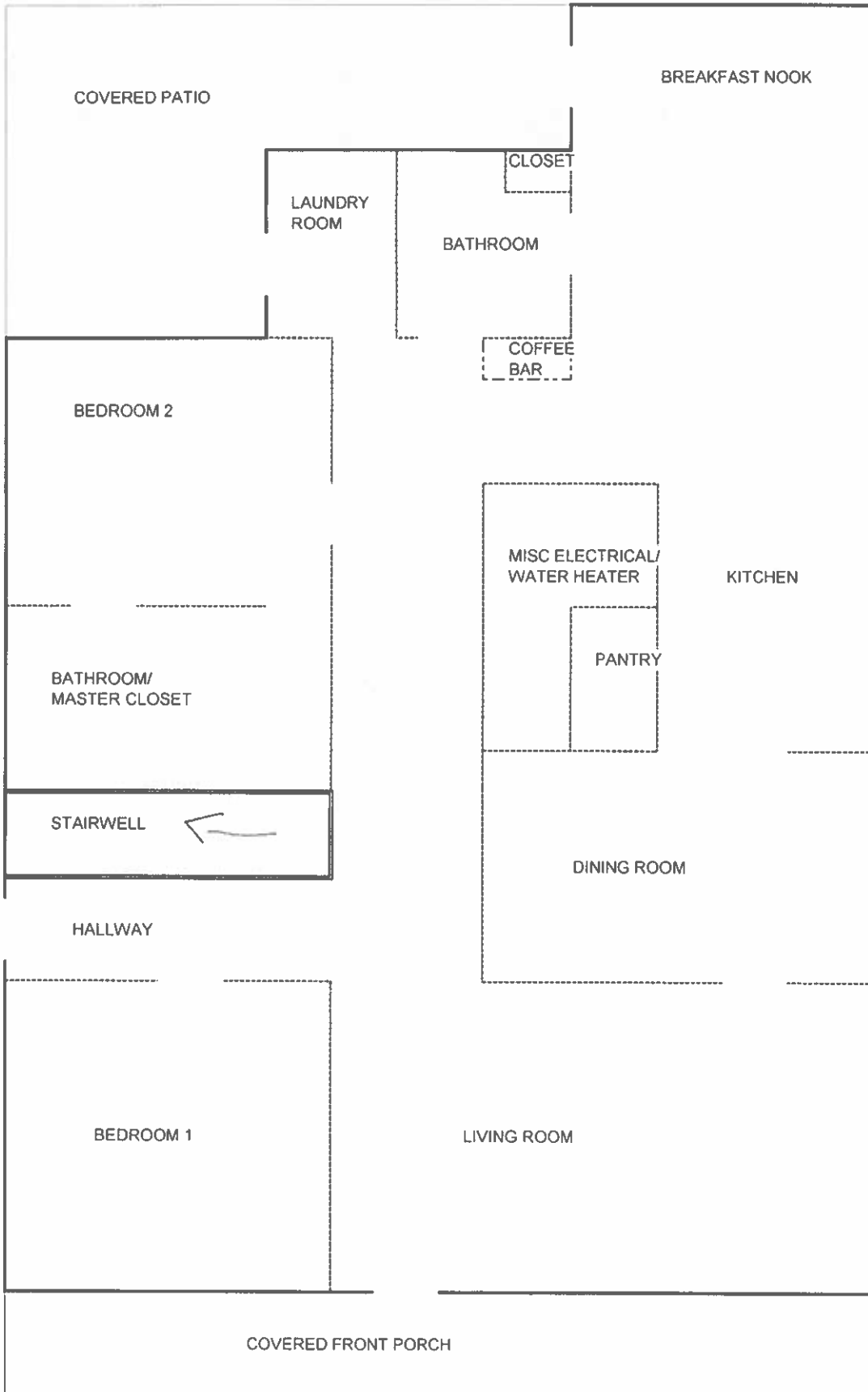
-  SUP
-  PD-GR
-  SF-2
-  ZDC-207-2024 (SUP)

EXHIBIT C - FLOOR PLAN

1st floor

512 N college

(10)



2nd Floor 512 N College

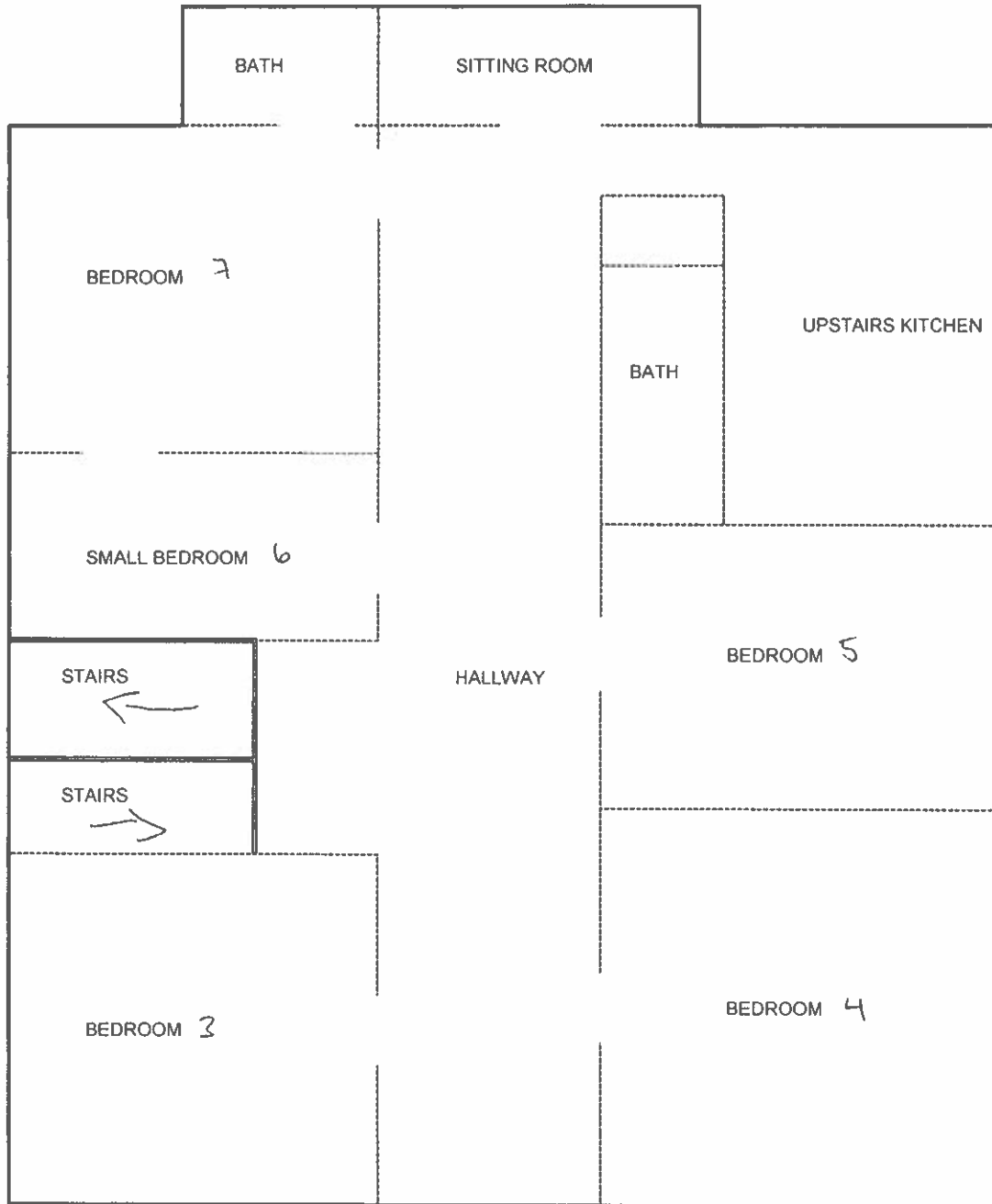


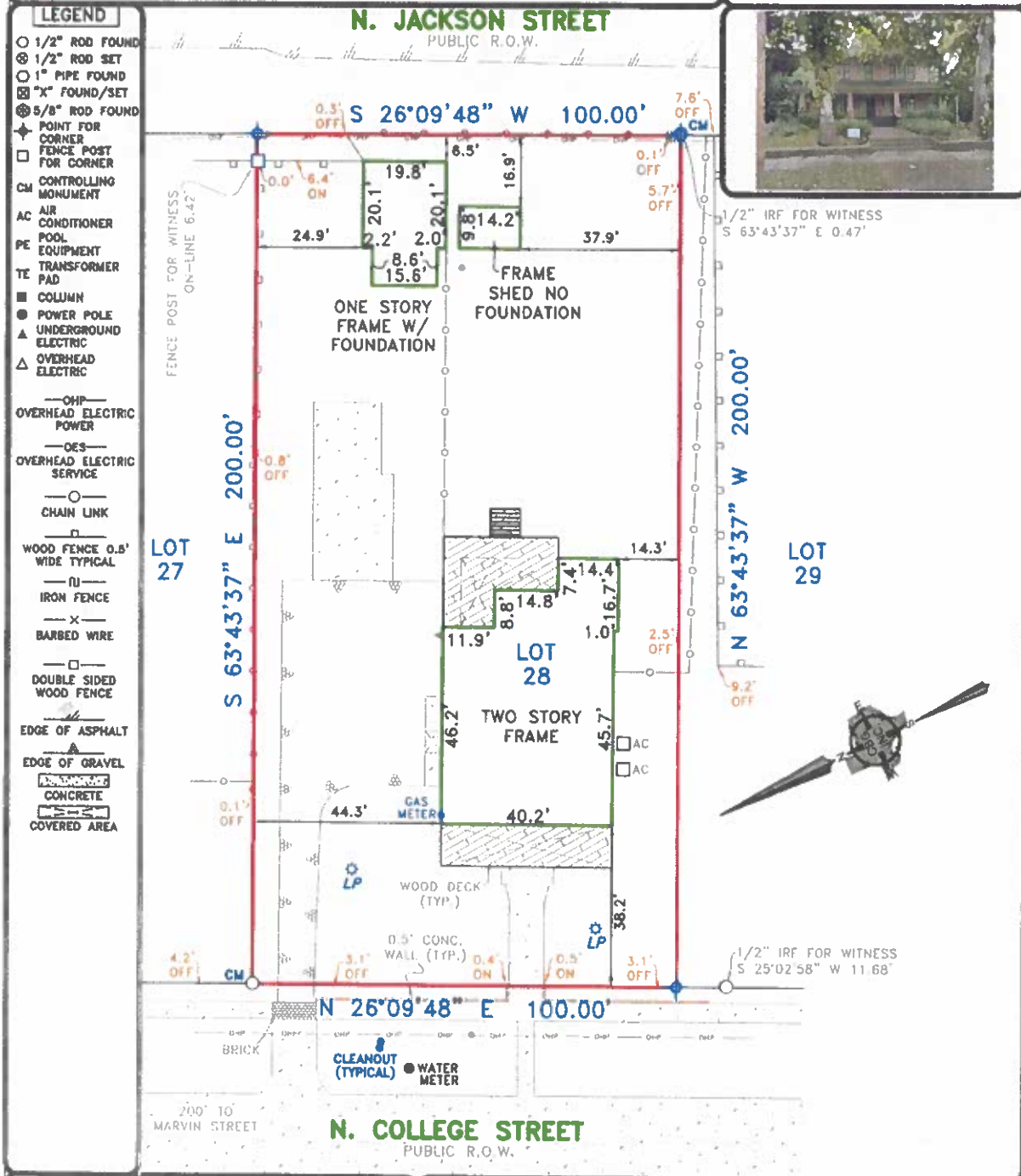
EXHIBIT D - SURVEY College Street



BEING all that certain lot, tract or parcel of land being known and designated as Lot 28 in Block 9 of TOWN ADDITION, an addition in the City of Waxahachie, Ellis County, Texas, according to the plat of said addition recorded in Cabinet A, Sildes 181-184, Plat Records, Ellis County, Texas.

Fidelity National Title
Insurance Company

(10)



EXCEPTIONS:

NOTE: REVISION MADE TO LEGAL MARIA-11/19/2020

NOTES:

NOTE: BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.

FLOOD NOTE: According to the F.I.R.M. No. 48139C0190F, this property does lie in Zone X and does not lie within the 100 year flood zone.

This survey is made in conjunction with the information provided by Fidelity National Title Insurance Company. Use of this survey by any other parties and/or for other purposes shall be at user's own risk and any loss resulting from other use shall not be the responsibility of the undersigned. This is to certify that I have on this date made a careful and accurate survey on the ground of the subject property. The plat hereon is a correct and accurate representation of the property lines and dimensions as are indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, there are no visible and apparent encroachments or protrusions on the ground.

Accepted by: _____
 Date: _____
 Purchaser _____
 Purchaser _____

Drawn By: RBR/SN
 Scale: 1" = 30'
 Date: 5/23/19
 GF No.: FT-131-90013
 11900314-CH
 Job No. 1910152

CBG
 SURVEYING TEXAS LLC
 2015 Member - East Area Assoc. Surveyors

12025 Shiloh Road, Ste. 240
 Dallas, TX 75228
 P 214.349.9485
 F 214.349.2216
 Firm No. 1016800
 www.cbgtxllc.com



EXHIBIT E - HOST RULES

(10)

512 House Rules

Checking in and out:

Check-in after 3:00PM – self check-in with keypad

Checkout before 11:00AM – lock up, turn off all lights

During your stay:

Maximum occupancy is 10 people

Maximum off-street parking is 5 vehicles

No parking on lawn

No loud music past 10PM

No pets without pet fee

Pets must be house trained/guest must pick up after them

No smoking in the house

Additional rules:

Leave any bed slept in unmade

Leave towels in hampers in bedrooms

Place used dishes in dishwasher (do not run)

Hand wash pots & pans

No moving furniture around

Planning & Zoning Department Zoning Staff Report

Case: ZDC-218-2024



MEETING DATE(S)

Planning & Zoning Commission: January 14, 2025

City Council: January 21, 2025

CAPTION

Public Hearing on a request by Brad Yates, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single-Family-3 (SF-3) zoning district located at 708 South Rogers Street (Property ID 172368) – Owner(s): Graily Holdings, LLC (ZDC-218-2024)

RECOMMENDED MOTION

- *"I move to deny ZDC-218-2024, a Specific Use Permit (SUP) for Short-Term Rental use."*
- *"I move to approve ZDC-218-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly."*

ACTION SINCE INITIAL STAFF REPORT

At the Planning and Zoning Commission meeting held on January 14, 2025, the Commission voted 5-0 to recommend approval of case number ZDC-218-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The Applicant requests a Specific Use Permit for a Short-Term Rental use at 708 South Rogers Street.

CASE INFORMATION

Applicant: Brad Yates

Property Owner(s): Graily Holdings, LLC

Site Acreage: 0.403 acres

Current Zoning: Single-Family-3 (SF-3)

Requested Zoning: SF-3 with a Specific Use Permit (SUP) for a Short-Term Rental use

SUBJECT PROPERTY

General Location: 708 South Rogers Street

Parcel ID Number(s): 172368

Existing Use: Residential use

Development History: The subject property is platted as Lot 1 and abandonment of Brady Street of the Bullard Addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	Single-Family-3 (SF-3)	Residential
East	Single-Family-3 (SF-3)	Residential
South	Single-Family-3 (SF-3)	Residential
West	Single-Family-3 (SF-3)	Residential

Future Land Use Plan: Mixed Use Neighborhood

Comprehensive Plan: A mixed-use neighborhood harkens 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 South Rogers Street.

Site Image:



PLANNING ANALYSIS

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental in all zoning districts with an approved SUP, with the exception of the Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

The applicant requests a SUP for short-term rental use at 708 South Rogers Street because it is located within the SF-3 zoning district. The subject property consists of a primary structure of approximately 1,388 square feet and an accessory structure of 480 square feet, built in 1920 with a total of two (2) bedrooms and two (2) bathrooms within the primary structure, one (1) bedroom and one (1) bathroom within the accessory structure, and enough improved surface to accommodate for the maximum parking spaces of three (3) vehicles. The subject property is situated on an approximately 0.403 acres (17,554 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 November 20, 2024.

The applicant currently has an approved replat application (SUB-178-2024) for the subject property to be subdivided into two lots. The applicant is aware that once the replat has been filed, this SUP for STR use is only for the existing residence along South Rogers Street.

The applicant has two approved Special Use Permits (SUPs) for Short-Term Rental (STR) use. The first approved SUP for STR is for a property at 804 Dunaway Street, which was approved in April 2024. The applicant has completed the registration process and paid hotel occupancy taxes for this property. The second approved SUP for STR is for a property located at 800 Dunaway Street, which was approved in May 2024 and is currently under construction. As a result, the applicant has not yet completed the STR registration process for this property. If this SUP for STR application is approved, this will be the third property within 500' allowed for STR use.

In response to a Short-Term Rental workshop conducted by the City Council on December 9, 2024, staff members have agreed to include saturation data for each Specific Use Permit application pertaining to short-term rentals. This initiative is intended to assist the City Council in addressing concerns related to the oversaturation of short-term rentals within the Waxahachie community.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

The applicant's local emergency contact is Brad Yates, 626 Kaufman Street, Waxahachie, TX 75165, ycolonialgroup@yahoo.com, which is located approximately 1.5 miles from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 68 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, one (1) letter of opposition and six (6) letters support were received by staff, with one (1) letter of opposition and three (3) letters of support were within the 200' buffer.

RECOMMENDATION

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

Conditions:

1. The applicant shall provide a copy of the updated Host Rules to reflect the maximum number of three (3) vehicles are allowed to park on-site, and that no street parking is allowed.
2. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
3. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
4. The short-term rental operator shall allow a maximum occupancy of eight (8) guests per stay.
5. The short-term rental operator shall provide a maximum of three (3) off-street parking spaces.
6. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
7. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
8. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
9. The accessory structure shall not be used as an accessory dwelling without a Specific Use Permit approved by City Council.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Saturation Map of all STRs within a mile radius
3. Saturation Map of all STRs within 500' radius
4. SUP Ordinance
5. Location Map (Exhibit A)
6. Zoning Map (Exhibit B)
7. Floorplan (Exhibit C)
8. Survey (Exhibit D)
9. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:

Oanh Vu

Senior Planner

oanh.vu@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-218-2024

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

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 14, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 21, 2025 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 Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-3 (SF-3) zoning district located at 708 South Rogers Street (Property ID 172368) – Owner(s): Graily Holdings, LLC (ZDC-218-2024) Staff: Oanh Vu

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

Case Number: ZDC-218-2024

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 January 8, 2025 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

I am right next to the property and the idea of having a short term rental is worrisome. My votes believes the permit will be granted because he's continued to modify both units.

Rosa Leticia Salinas-Sletmoen
Signature

Dec/31/24
Date

Rosa Leticia Salinas-Sletmoen
Printed Name and Title

700 S. Rogers St.
Address

(11)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-218-2024



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

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Case Number: ZDC-218-2024

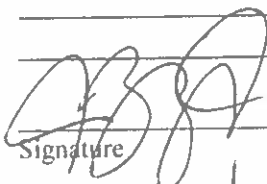
City Reference: 172314

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 8, 2025** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

1/3/25
Date

member Brad Yates
Printed Name and Title

400 Dunaway St.
Address

(11)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-218-2024



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

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Case Number: ZDC-218-2024

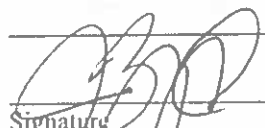
City Reference: 172393

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SUPPORT

OPPOSE

Comments:


Signature
Brad Yates, Member
Printed Name and Title

1/3/25
Date
713 Givens
Address

(11)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-218-2024



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

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Case Number: ZDC-218-2024

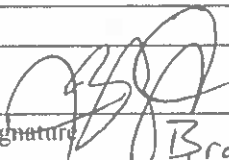
City Reference: 172368

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SUPPORT

OPPOSE

Comments:

 Signature <u>Brad Yates</u> member Printed Name and Title	<u>1/3/25</u> Date <u>708 S. Rogers</u> Address



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-218-2024



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

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Case Number: ZDC-218-2024

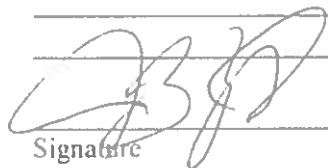
City Reference: 172305

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 8, 2025** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:



Signature

1/3/25

Date

Brad Yates member

Printed Name and Title

804 Dunaway

Address

(11)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-218-2024

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

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Case Number: ZDC-218-2024


City Reference: 193948

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SUPPORT

OPPOSE

Comments:

Signature 

Date 1/3/25

Printed Name and Title Brad Yates member

Address 716 Dunaway

(11)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-218-2024**



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

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Case Number: **ZDC-218-2024**


City Reference: 172384

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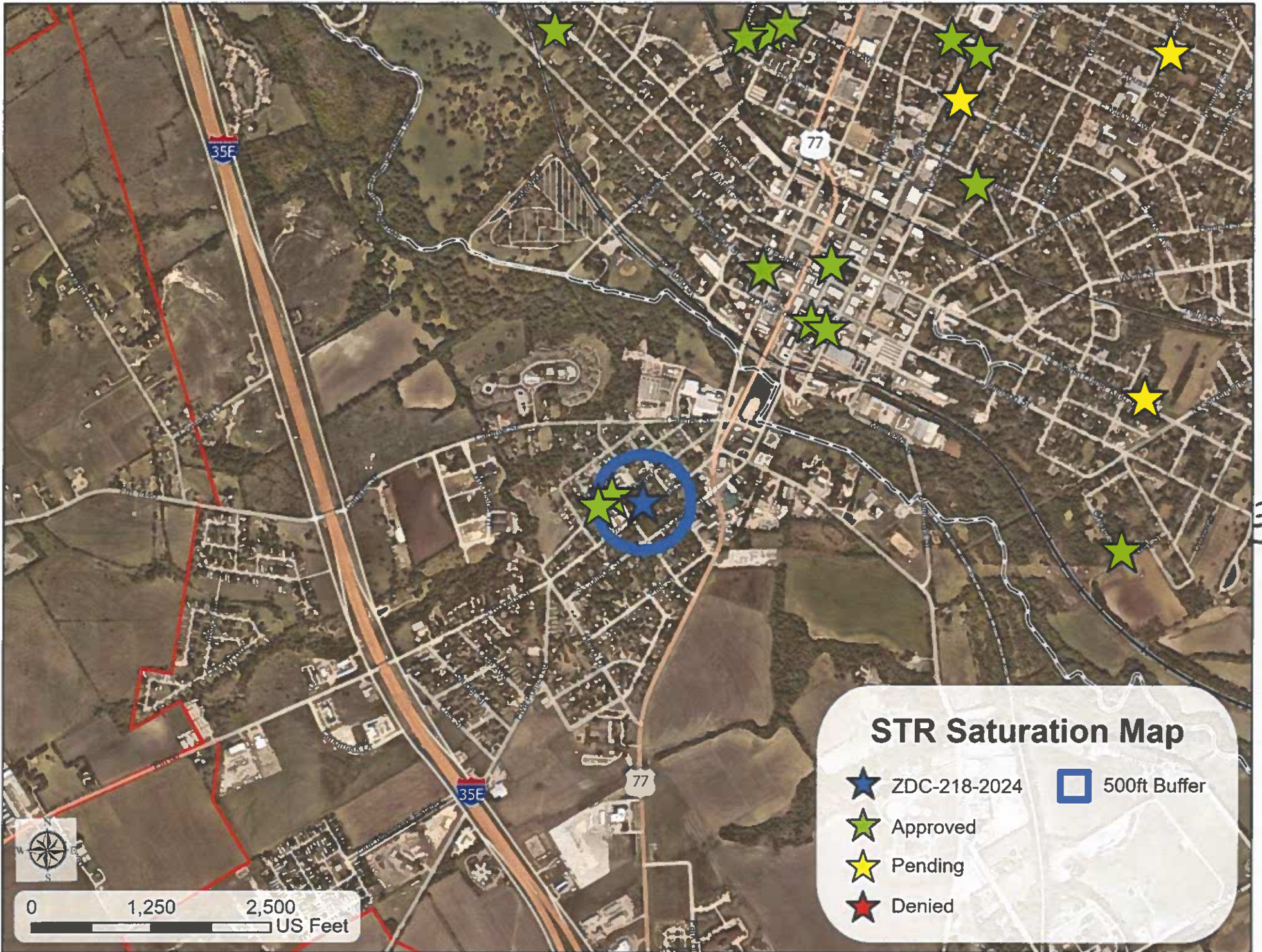
SUPPORT

OPPOSE

Comments:

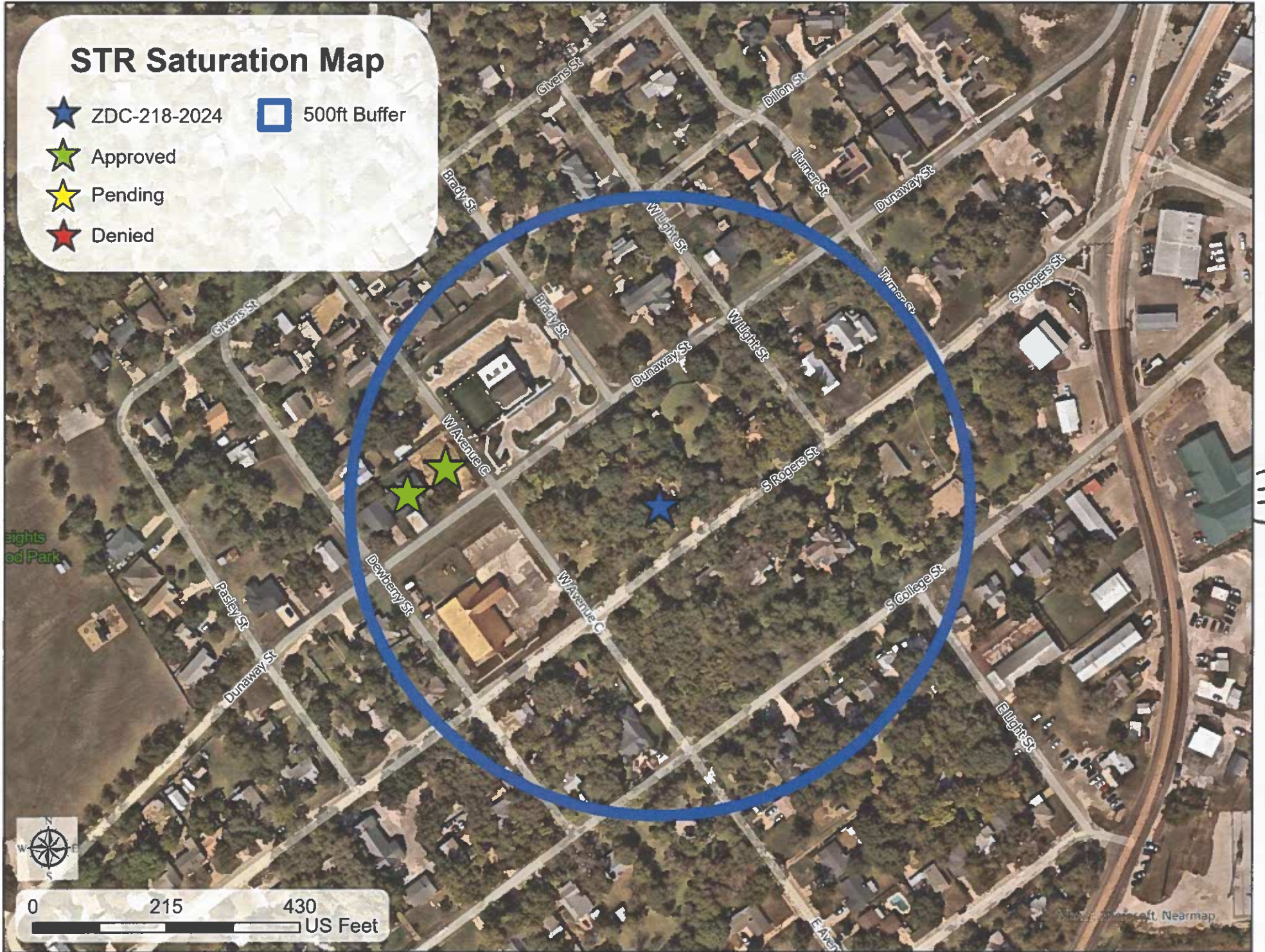

Signature
Brad Yates
member
Printed Name and Title

1/3/25
Date
414 Brady
Address



STR Saturation Map

- ★ ZDC-218-2024
- ★ 500ft Buffer
- ★ Approved
- ★ Pending
- ★ Denied



(11)

(12)

ORDINANCE NO.

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A SHORT-TERM RENTAL USE WITHIN A SINGLE-FAMILY 3 (SF-3) ZONING DISTRICT LOCATED AT 708 SOUTH ROGERS STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.403 ACRES KNOWN AS PROPERTY ID 172368, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

WHEREAS, the City Council of the City of Waxahachie having adopted a zoning ordinance and map showing the classification of the property located within the city limits of said City; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-218-2024. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and

WHEREAS, a proper hearing was held as required by law and the City Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from SF-3 to SF-3, with a SUP in order to allow a Short-Term Rental use on the following property: Property ID 172368, which is shown on the Location Map (Exhibit A), Zoning Map (Exhibit B), Floorplan (Exhibit C), Survey (Exhibit D), and Host Rules (Exhibit E).

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and the Zoning Ordinance.

(12)

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE IN THE SINGLE-FAMILY-3 (SF-3) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall conform to the site plan approved by the City Council under case number ZDC-218-2024.
2. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Zoning Map, Exhibit C – Floorplan, Exhibit D – Survey, Exhibit E – Host Rules.
3. The Applicant and/or STR Operator for the subject property shall be responsible for obtaining registration per the City’s applicable rules and regulations governing such permits.
4. The Applicant and/or STR Operator for the subject property shall be responsible to pay hotel occupancy taxes and applicable fees as required per Section 3.27.e.7 of the City of Waxahachie Zoning Ordinance.
5. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits C, D, and E.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the owner and therefore shall not be transferred from owner to owner.
4. The applicant shall provide a copy of the updated Host Rules to reflect the maximum number of three (3) vehicles are allowed to park on-site, and that no street parking is allowed.

(12)

5. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
6. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
7. The short-term rental operator shall allow a maximum occupancy of eight (8) guests per stay.
8. The short-term rental operator shall provide a maximum of three (3) off-street parking spaces.
9. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
10. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
11. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
12. The accessory structure shall not be used as an accessory dwelling without a Specific Use Permit approved by City Council.
13. The registration shall note the existence of this Specific Use Permit by its number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this 21st day of January, 2025.

MAYOR

ATTEST:

City Secretary



EXHIBIT A - LOCATION MAP

ZDC-218-2024 (SUP)

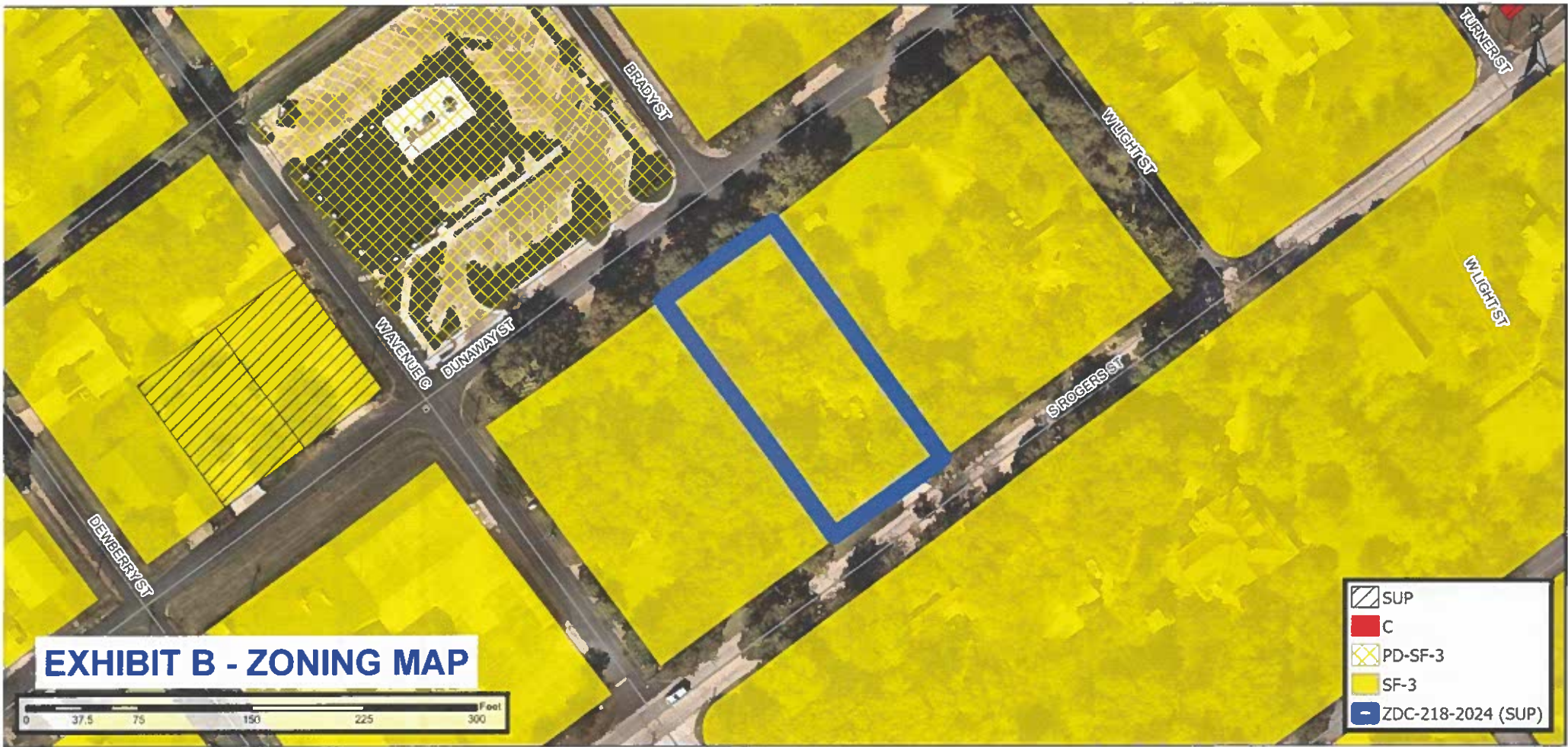
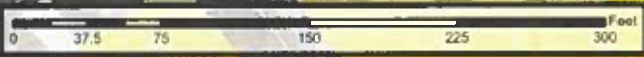





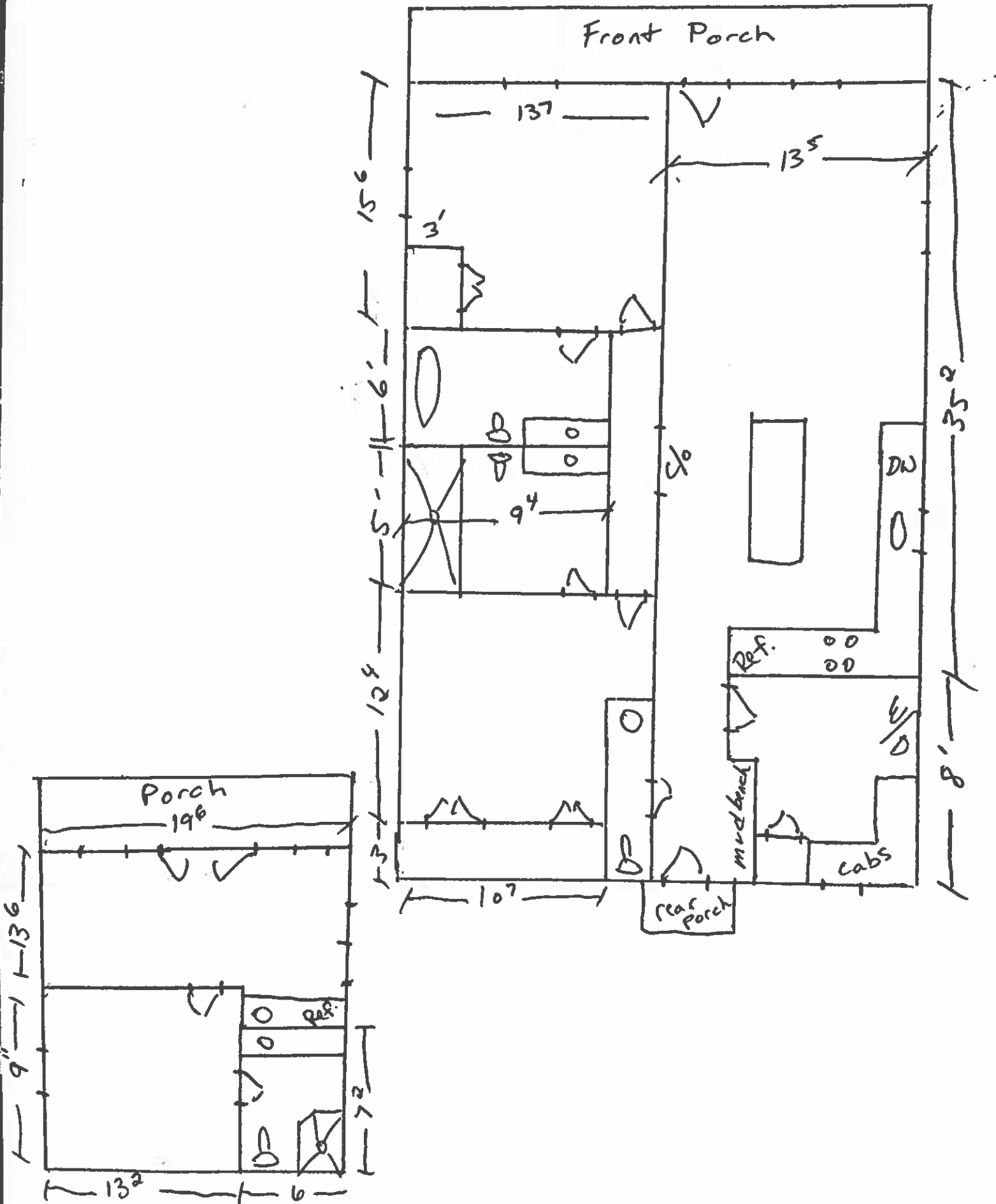


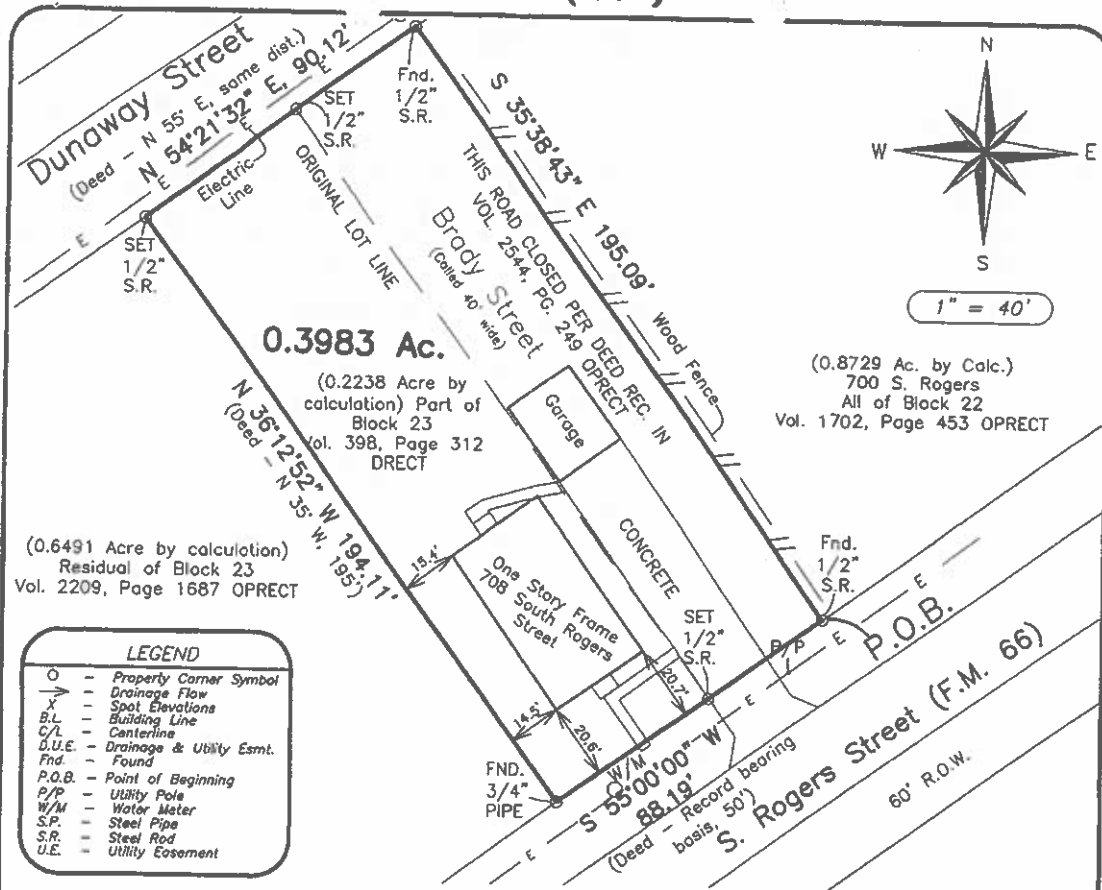
EXHIBIT B - ZONING MAP



-  SUP
-  C
-  PD-SF-3
-  SF-3
-  ZDC-218-2024 (SUP)

(12)





(0.6491 Acre by calculation)
Residual of Block 23
Vol. 2209, Page 1687 OPRECT

0.3983 Ac.
(0.2238 Acre by calculation) Part of Block 23
Vol. 398, Page 312 DRECT

(0.8729 Ac. by Calc.)
700 S. Rogers
All of Block 22
Vol. 1702, Page 453 OPRECT

All that certain lot, tract or parcel of land being a part of BLOCK 23 of the REVISED BULLARDS ADDITION, an Addition in Ellis County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 163, Plat Records, Ellis County, Texas, and being more particularly described as follows:

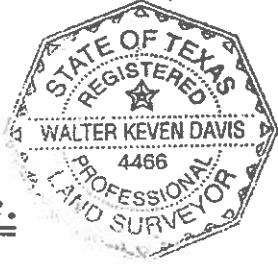
SEE ATTACHED FIELD NOTES

(also known as 708 Rogers Street)

The plat hereon reflects a survey made on the ground and is true, correct and accurate as to the boundaries and areas of the subject property and the size, location and type of buildings and improvements thereon, if any, and as to the other matters shown hereon, and correctly shows the location of all visible easements and rights-of-way. This survey reflects the above ground (visible) location of utilities. The surveyor makes no guarantees that the utilities shown compromise all such utilities in the area, either in service, or abandoned. Further, the surveyor does not warrant that the underground utilities shown are in the exact location indicated. Underground utilities which may affect this property were not located during the course of this survey. Except as shown on the survey, there are no encroachments upon the subject property by improvements on adjacent property, there are no encroachments on adjacent property, streets or alleys by any improvements on the subject property and there are no conflicts or protrusions. I further declare that no portion of the said tract lies within a Special Flood Hazard Boundary according to the Flood Insurance Rate Map for Ellis County, Texas. Map # 48139C0185 D, Zone X. This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition 3 Survey. This survey was prepared for title purposes in conjunction with Ellis County Abstract and Title Co. Commitment for Title Insurance, G.F. No. 1008052W, dated: August 24, 2010. The easements, rights-of-way, or other exceptions noted hereon are according to the Schedule B provided. The surveyor has not abstracted the property. Based on the easements and/or deeds provided by the title company, the following do not appear to affect the subject property:

No easements listed on Sch. B.

Walter Keven Davis 1/3/11
ENGINEERS
D & M
SURVEYORS
 Walter Keven Davis
 Registered Professional Land Surveyor #4466
DAVIS & McDILL, Inc.



(A Texas licensed surveying firm # 101504-00)
 P.O. BOX 428, Waxahachie, Texas 75168
 Phone: Metro 972-938-1185 Fax: 972-937-0307

Description Survey Plat Client: Ellis County Abstract and Title Co. G.F.# 1008052W
 Drawn by: Kevin Huber Scale: 1" = 40' Date: September 2, 2010 Job# 210-0368

(12)

FIELD NOTES

**Part of Block 23 and a closed street, Revised Bullards Addition
0.3983 Acre**

BEING all that certain lot, tract, or parcel of land being a part of Block 23 of the REVISED BULLARDS ADDITION to the City of Waxahachie, according to the plat thereof recorded in Cabinet A, Slide 163, Plat Records, Ellis County, Texas, (PRECT) and being the same tract of land (0.2238 acre by calculation) described in Volume 398, Page 312, Deed Records, Ellis County, Texas (DRECT), and being all of a section of Brady Street (originally a city street per plat but unimproved and closed at this time) as described in Volume 2544, Page 249, Official Public Records, Ellis County, Texas (OPRECT) and being more particularly described as follows:

BEGINNING at a ½" steel rod found in the intersection of the northwest line of S. Rogers Street (a city street also known as F.M. 66, [a state road]) and the northeast line of said Brady Street (an unimproved city street) for the east corner of this tract and being the south corner of Block 22 of Revised Bullards Addition and same for a 0.8729 acre tract (by calculation) as described in Volume 1702, Page 453, OPRECT;

THENCE S 55°00'00" W, 88.19 feet (Deed – Record bearing basis) along the southeast line of this tract and the same for said Brady Street and along the northwest line of S. Rogers Street at approximately 40.00 feet pass the south corner of Brady Street and the east corner of Block 23 and east corner of the 0.2238 acre tract, continuing along the southeast line of the 0.2238 acre tract and Block 23, in all, 88.19 feet to a ¾" steel pipe found for the south corner of this tract and same for the said 0.2238 acre tract and being the east corner of a tract of land (0.6491 acre by calculation) described in Volume 2209, Page 1687, OPRECT;

THENCE N 36°12'52" W, 194.11 feet (Deed - N 35° W, 195 feet) through Block 23 and along the southwest line of this tract and same for the said 0.2238 acre tract and along the northeast line of the said 0.6491 acre tract to a ½" steel rod set in the northwest line of Block 23 and in the southeast line of Dunaway Street (a city street) for the west corner of this tract and same for the said 0.2238 acre tract and being the north corner of the 0.6491 acre tract;

THENCE N 54°21'32" E, (Deed – N 55° E) along the northwest line of this tract and same for the said 0.2238 acre tract and same for Block 23 and along the southeast line of Dunaway Street at 50.12 feet pass the north corner of the 0.2238 acre tract and same for the said Block 23 and being the west corner of Brady Street, continuing along the northwest line of Brady Street, in all, 90.12 feet to a ½" steel rod found in the intersection of the southeast line of Dunaway Street with the northeast line of Brady Street for the north corner of this tract and same for Brady Street and being the west corner of Block 22 and the 0.8729 acre tract;

THENCE S 35°38'43" E, 195.09 feet (Deed - S 35° E, 195 feet) along the northeast line of this tract and same for said Brady Street and along the southwest line of Block 22 and same for the said 0.8729 acre tract to the POINT OF BEGINNING, and containing approximately 0.3983 acre of land.

HOUSE POLICIES

Our home located at 708 S. Rogers is provided to you for your enjoyment. We ask that you please be gentle and respect the house rules. Welcome to Waxahachie and we hope you enjoy our town.

- ABSOLUTELY NO SMOKING AND NO PETS.
- Please do not move furniture.
- No glitter or confetti.
- Do not attach decorations/signs, etc. to walls, ceilings, decor, or furniture.
- Property damage or excessive cleaning needs will result in additional charges to guest.
- Please respect our neighbors. Reduce noise & turn off patio lights after 10pm & do not park in front of their properties.
- City mandated quiet hours are enforced from 10pm to 6am.
- NO OUTDOOR SPEAKERS AFTER 10PM PER CITY ORDINANCE.
- City fines may be assessed for violation of parking and noise ordinances. All violation fees will be passed on to the guest.
- Maximum occupancy 8 guests at all times. No parties with additional guests.

HOUSE POLICIES ARE STRICTLY ENFORCED.
VIOLATIONS MAY RESULT IN ADDITIONAL
CHARGES OR IMMEDIATE EVICTION WITHOUT
REFUND.

**Planning & Zoning Department
Zoning Staff Report**

Case: ZDC-220-2024



MEETING DATE(S)

Planning & Zoning Commission: January 14, 2025
City Council: January 21, 2025

CAPTION

Public Hearing on a request by lyke Enemo, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single-Family-3 (SF-3) zoning district located at 807 Dr. Martin Luther King Jr. Boulevard (Property ID 171251) – Owner(s): Iycan Investments, LLC (ZDC-220-2024)

RECOMMENDED MOTION

- "I move to deny ZDC-220-2024, a Specific Use Permit (SUP) for Short-Term Rental use."
- "I move to approve ZDC-220-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning and Zoning Commission meeting held on January 14, 2025, the Commission voted 5-0 to recommend denial of case number ZDC-220-2024.

SUPER-MAJORITY VOTE REQUIRED

A super-majority vote in favor of the proposed Planned Development request is required in order for City Council to approve this application. Per Section 2.04 of the Waxahachie Zoning Ordinance, a favorable vote of three-fourths (3/4) of all members, which equates to four (4) out of the five (5) members of the City Council, is required in order to approve this SUP request due to the recommendation for denial by the Planning and Zoning Commission.

APPLICANT REQUEST

The Applicant requests a Specific Use Permit for a Short-Term Rental use at 807 Dr. Martin Luther King Jr. Boulevard.

CASE INFORMATION

<i>Applicant:</i>	lyke Enemo
<i>Property Owner(s):</i>	Iycan Investments, LLC
<i>Site Acreage:</i>	0.251 acres
<i>Current Zoning:</i>	Single-Family-3 (SF-3)
<i>Requested Zoning:</i>	SF-3 with a Specific Use Permit (SUP) for a Short-Term Rental use

(13)

SUBJECT PROPERTY

General Location: 807 Dr. Martin Luther King Jr. Boulevard

Parcel ID Number(s): 171251

Existing Use: Residential use

Development History: The subject property is platted as Lot 4B of the Town Addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-3	Residential
East	PD-GR	Retail Center (Multitenant)
South	SF-3	Residential
West	SF-3	Residential

Future Land Use Plan: Mixed Use Neighborhood

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

Thoroughfare Plan: The subject property is accessible via Dr. Martin Luther King Jr. Boulevard.

Site Image:



PLANNING ANALYSIS

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental in all zoning districts with an approved SUP, with the exception of the Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

The applicant requests a SUP for short-term rental use at 807 Dr. Martin Luther King Jr. Boulevard because it is located within the SF-3 zoning district. The subject property consists of a primary structure of approximately 2,127 square feet built in 2022 with a total of four (4) bedrooms, three (3) bathrooms, and enough improved surface to accommodate for the maximum parking spaces of four (4) vehicles. The subject property is situated on an approximately 0.251 acres (10,933 square feet) lot. The applicant has been operating the subject property as a short-term rental without an approved SUP and has not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant submitted the SUP application on November 27, 2024.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

The applicant did not identify a local emergency contact with their SUP Application. Staff was unable to contact the applicant after multiple attempts to reach out for an updated SUP application that includes their local emergency contact.

In response to a Short-Term Rental workshop conducted by the City Council on December 9, 2024, staff members have agreed to include saturation data for each Specific Use Permit application pertaining to short-term rentals. This initiative is intended to assist the City Council in addressing concerns related to the oversaturation of short-term rentals within the Waxahachie community.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 82 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, ten (10) letters of support and no letters of opposition were received by staff, with five (5) letters of support and no letters in opposition within the 200' buffer.

RECOMMENDATION

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

Conditions:

1. The applicant shall submit a SUP-STR Application in its entirety.
2. The applicant shall provide a copy of the updated Host Rules to reflect the maximum occupancy of ten (10) guests and the maximum number of four (4) vehicles are allowed to park on-site, and that no street parking is allowed.
3. The short-term rental operator shall complete the STR registration process with the City's vendor and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.

Conditions (continued):

4. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
5. The short-term rental operator shall allow a maximum occupancy of ten (10) guests per stay.
6. The short-term rental operator shall provide a maximum of four (4) off-street parking spaces.
7. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
8. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Saturation Map of all STRs within the City
3. Saturation Map of all STRs within a mile radius
4. SUP Ordinance
5. Location Map (Exhibit A)
6. Zoning Map (Exhibit B)
7. Floorplan (Exhibit C)
8. Site Plan (Exhibit D)
9. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:

Oanh Vu
Senior Planner
oanh.vu@waxahachie.com

Reviewed by:

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

(13)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-220-2024

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

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 14, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 21, 2025 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 Iyke Enemo, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-3 (SF-3) zoning district located at 807 Dr. Martin Luther King Jr. Boulevard (Property ID 171251) – Owner(s): Iycan Investments, LLC (ZDC-220-2024)
Staff: Oanh Vu

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

Case Number: ZDC-220-2024

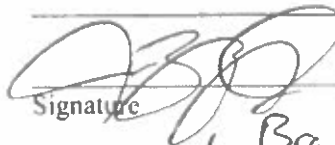
City Reference: 171254

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 8, 2025** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature
member Brad Yates
Printed Name and Title

1/3/25
Date
111 Getzenauer
Address

(13)



City of Waxahachie, Texas
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Case Number: ZDC-220-2024

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Case Number: ZDC-220-2024

City Reference: 171325

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SUPPORT

OPPOSE

Comments:

Signature

Printed Name and Title

Brad Yates
Member

Date

Address

1/3/25

707 Dr Martin Luther King

(13)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-220-2024

RECEIVED JAN 06 2025

GIBSON BYRON W GIBSON & GIBSON LLC
105 CRYSTAL COVE
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 14, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 21, 2025 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Staff: Oanh Vu

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Case Number: ZDC-220-2024

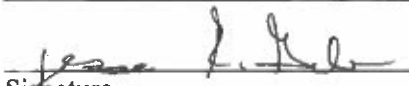
City Reference: 173170

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 8, 2025** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:



Signature

Date

Jesse Gibson

Printed Name and Title

Address

(13)



RECEIVED JAN 06 2025

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-220-2024



GIBSON & GIBSON LLC
105 CRYSTAL COVE
WAXAHACHIE, TX 75165-8227

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Staff: Oanh Vu

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Case Number: ZDC-220-2024

City Reference: 173235

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SUPPORT

OPPOSE

Comments:


Signature

Date


Printed Name and Title

Address

(13)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-220-2024

RECEIVED JAN 06 2025

GIBSON & GIBSON LLC
105 CRYSTAL COVE
WAXAHACHIE, TX 75165-8227

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Staff: Oanh Vu

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Case Number: ZDC-220-2024

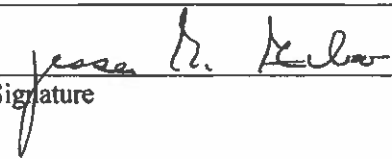
City Reference: 173256

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SUPPORT

OPPOSE

Comments:



Signature

Date

Printed Name and Title

Address

(13)

RECEIVED JAN 06 2025



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-220-2024



GIBSON & GIBSON LLC
105 CRYSTAL COVE
WAXAHACHIE, TX 75165-8227

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Case Number: ZDC-220-2024

City Reference: 171248

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SUPPORT

OPPOSE

Comments:

Jessie A. Gibson
Signature

Date

Jessie Gibson
Printed Name and Title

Address

(13)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-220-2024

RECEIVED JAN 06 2025



GIBSON & GIBSON LLC
105 CRYSTAL COVE
WAXAHACHIE, TX 75165-8227

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Staff: Oanh Vu

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Case Number: ZDC-220-2024


City Reference: 171253

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *January 8, 2025* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

Date

Printed Name and Title

Address

(13)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-220-2024

RECEIVED JAN 06 2025

BLACK GIBSON & WATERS INC
105 CRYSTAL COVE
WAXAHACHIE, TX 75165-8227

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Request by Iyke Enemo, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-3 (SF-3) zoning district located at 807 Dr. Martin Luther King Jr. Boulevard (Property ID 171251) – Owner(s): Iycan Investments, LLC (ZDC-220-2024)
Staff: Oanh Vu

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

Case Number: ZDC-220-2024

City Reference: 197760

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 8, 2025** 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:

Jesse Gibson

Jesse Gibson
Signature

Date

Jesse Gibson
Printed Name and Title

Address

(13)

RECEIVED JAN 06 2025



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-220-2024



GIBSON & GIBSON LLC
105 CRYSTAL COVE
WAXAHACHIE, TX 75165-8227

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 14, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 21, 2025 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 Iyke Enemo, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-3 (SF-3) zoning district located at 807 Dr. Martin Luther King Jr. Boulevard (Property ID 171251) – Owner(s): Iycan Investments, LLC (ZDC-220-2024)
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Case Number: ZDC-220-2024

City Reference: 173162

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 8, 2025** 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:

Jesse Gibson
Signature

Date

Jesse Gibson
Printed Name and Title

Address

(13)



RECEIVED JAN 06 2025

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-220-2024



GIBSON & GIBSON LLC
105 CRYSTAL COVE
WAXAHACHIE, TX 75165-8227

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Staff: Oanh Vu

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

Case Number: ZDC-220-2024

City Reference: 205458

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 8, 2025** 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:

Jason L. Gibson
Signature

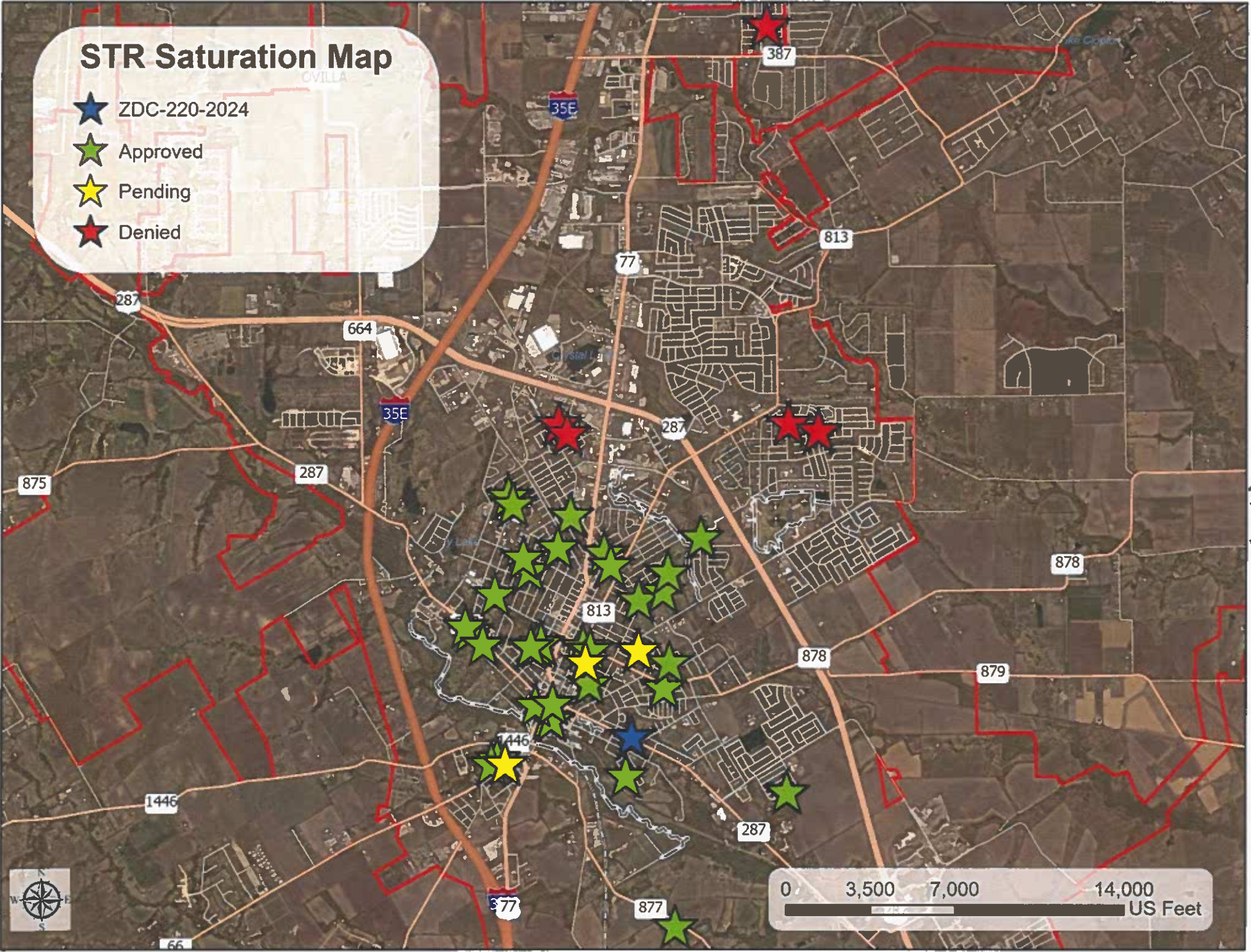
Date

Jason Gibson
Printed Name and Title

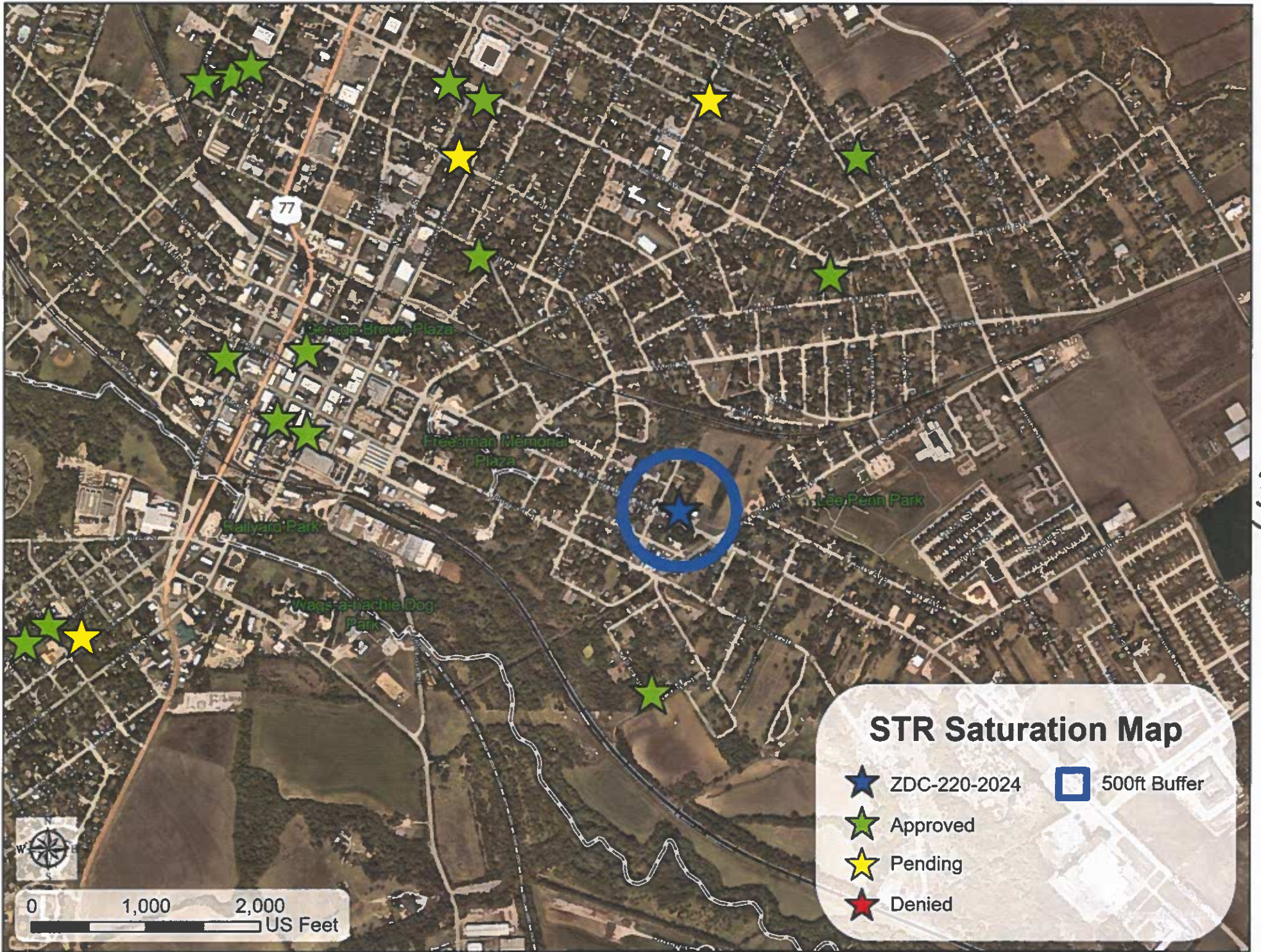
Address

STR Saturation Map

- ★ ZDC-220-2024
- ★ Approved
- ★ Pending
- ★ Denied



(13)



(13)

ORDINANCE NO.

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A SHORT-TERM RENTAL USE WITHIN A SINGLE-FAMILY 3 (SF-3) ZONING DISTRICT LOCATED AT 807 DR. MARTIN LUTHER KING JR. BOULEVARD IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.251 ACRES KNOWN AS PROPERTY ID 171251, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

WHEREAS, the City Council of the City of Waxahachie having adopted a zoning ordinance and map showing the classification of the property located within the city limits of said City; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-220-2024. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and

WHEREAS, a proper hearing was held as required by law and the City Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from SF-3 to SF-3, with a SUP in order to allow a Short-Term Rental use on the following property: Property ID 171251, which is shown on the Location Map (Exhibit A), Zoning Map (Exhibit B), Floorplan (Exhibit C), Site Plan (Exhibit D), and Host Rules (Exhibit E)?.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and the Zoning Ordinance.

(14)

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE IN THE SINGLE-FAMILY-3 (SF-3) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall conform to the site plan approved by the City Council under case number ZDC-220-2024.
2. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Zoning Map, Exhibit C – Floorplan, Exhibit D – Site Plan, and Exhibit E – Host Rules.
3. The Applicant and/or STR Operator for the subject property shall be responsible for obtaining registration per the City’s applicable rules and regulations governing such permits.
4. The Applicant and/or STR Operator for the subject property shall be responsible to pay hotel occupancy taxes and applicable fees as required per Section 3.27.e.7 of the City of Waxahachie Zoning Ordinance.
5. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits C, D, and E.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the owner and therefore shall not be transferred from owner to owner.
4. The applicant shall submit a SUP-STR Application in its entirety.

5. The applicant shall provide a copy of the updated Host Rules to reflect the maximum occupancy of ten (10) guests and the maximum number of four (4) vehicles are allowed to park on-site, and that no street parking is allowed.
6. The short-term rental operator shall complete the STR registration process with the City's vendor and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
7. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
8. The short-term rental operator shall allow a maximum occupancy of ten (10) guests per stay.
9. The short-term rental operator shall provide a maximum of four (4) off-street parking spaces.
10. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
11. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
12. The registration shall note the existence of this Specific Use Permit by its number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this 21st day of January, 2025.

MAYOR

ATTEST:

City Secretary



EXHIBIT A - LOCATION MAP

0 37.5 75 150 225 300 Feet

ZDC-220-2024 (SUP)

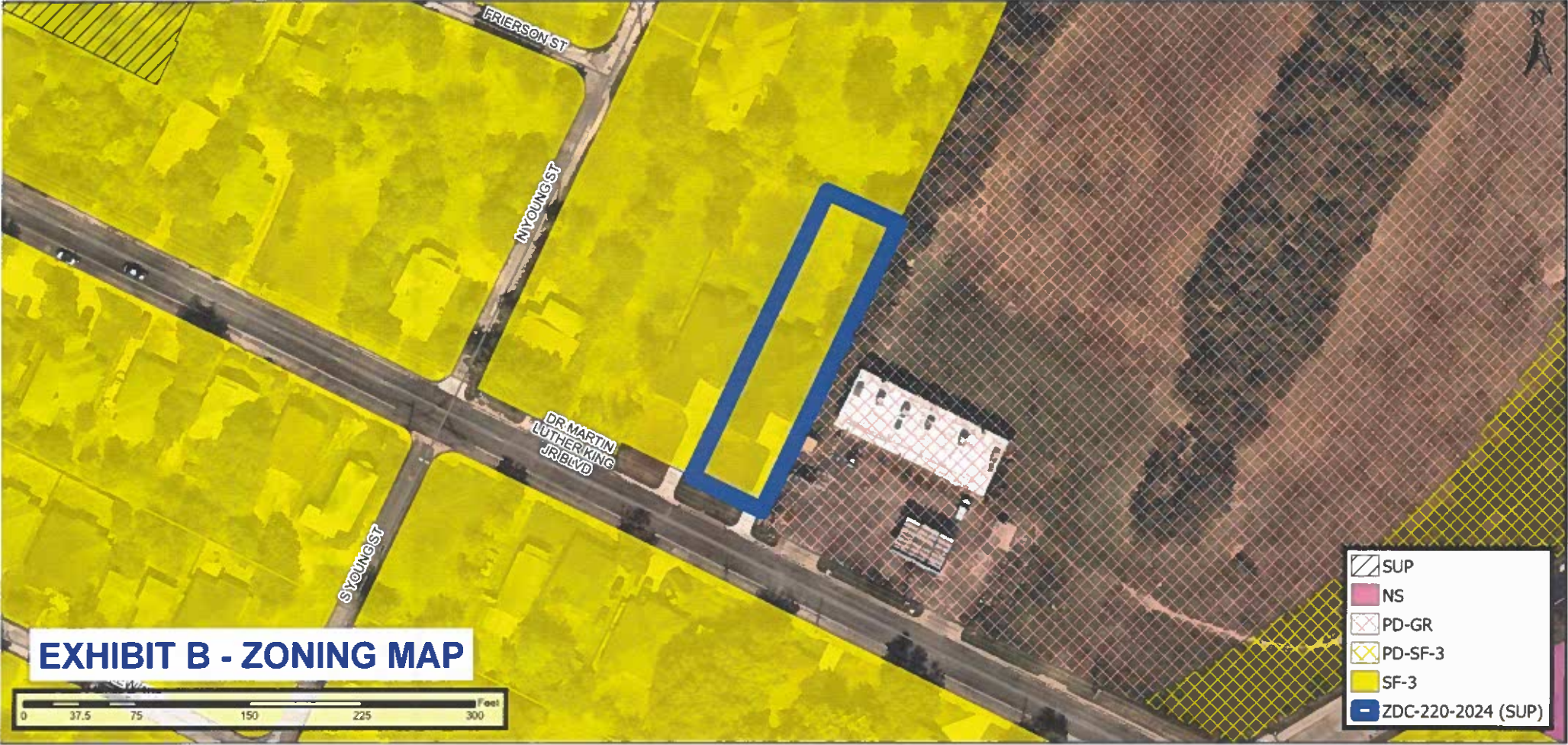
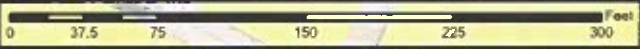


EXHIBIT B - ZONING MAP



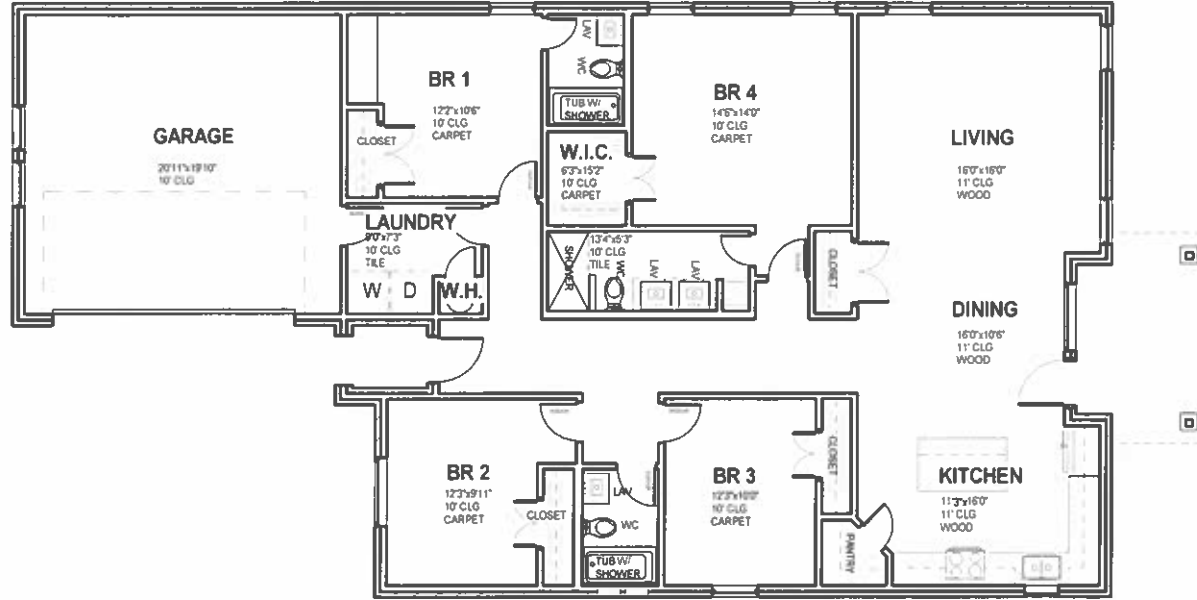
- SUP
- NS
- PD-GR
- PD-SF-3
- SF-3
- ZDC-220-2024 (SUP)

EXHIBIT C - FLOOR PLAN

WINDOW SCHEDULE				
	TYPE	SIZE	DESCRIPTION	#
A	SINGLE HUNG	30" x 50"	@ 70' HDR	7
B	SINGLE HUNG	40" x 50"	@ 70' HDR	1
C	SINGLE HUNG	30" x 30"	@ 70' HDR	1
D	SINGLE HUNG	18" x 18"	@ 70' HDR	1

AREAS	
TOTAL LIVING (AG)	1925 SF
GARAGE & STORAGE	439 SF
PORCH	21 SF
TERRACE	115 SF
GROSS COVERAGE (UNDER ROOF)	2417 SF
FOUNDATION SLAB AREA	2417 SF

GENERAL NOTES	INDOOR AIR QUALITY MEASURES
<ul style="list-style-type: none"> * ALL FINISHED CEILINGS @10' AFF UNLESS NOTED OTHERWISE * ALL DIMENSIONS ARE TO FACE OF SHEETROCK UNLESS NOTED OTHERWISE * ALL ANGLES @ 45 DEGREES UNLESS NOTED OTHERWISE * CONTRACTOR SHALL VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION & SHALL NOTIFY DESIGNER IF ANY DISCREPANCIES ARE FOUND * ALL PLATE LINES AS NOTED ON ELEVATIONS * ALL WINDOW HEADERS AS NOTED * ALL WATER HEADERS TO BE TANKLESS TYPE & AS REQUIRED & PLACED WHERE BEST SUITED * ALL INTERIOR FINISHES TO BE AS SELECTED * FINAL DESIGN AND AMENITIES @ ALL CABINETS PER OWNER * ALL VANITIES TO BE 36" HIGH * SEE OWNER FOR USE OF GAS IF AVAILABLE & WHERE APPLICABLE * ALL EXTERIOR WALLS TO BE 2x4 UNLESS NOTED OTHERWISE 	<ul style="list-style-type: none"> * ALL AIR HANDLING EQUIPMENT & DUCTWORK WILL BE LOCATED OUTSIDE THE FIRE-RATED ENVELOPE OF THE GARAGE * SURFACES BETWEEN CONDITIONED SPACE & AN ATTACHED GARAGE WILL BE TIGHTLY SEALED * FOR CONDITIONED SPACES NEXT TO THE GARAGE, ALL PENETRATIONS WILL BE SEALED. ALL DOORS WILL BE WEATHERED STRIPPED & ALL CRACKS @ THE BASE OF THE WALL WILL BE SEALED * AIR FILTERS WILL BE INSTALLED WITH A MINIMUM REPORTING VALUE(MERV) EQUAL TO OR GREATER THAN 8 * AIR HANDLERS INSTALLED WILL BE ABLE TO MAINTAIN ADEQUATE AIR PRESSURE & AIR FLOW * AIR FILTER WILL BE AIRTIGHT TO PREVENT BYPASS OR LEAKAGE



creative solutions LLC

olakunleoni@gmail.com

Building A
807 A Martin Luther King Jr. Boulevard
Waxahatchie, Texas 75165

07/24/21

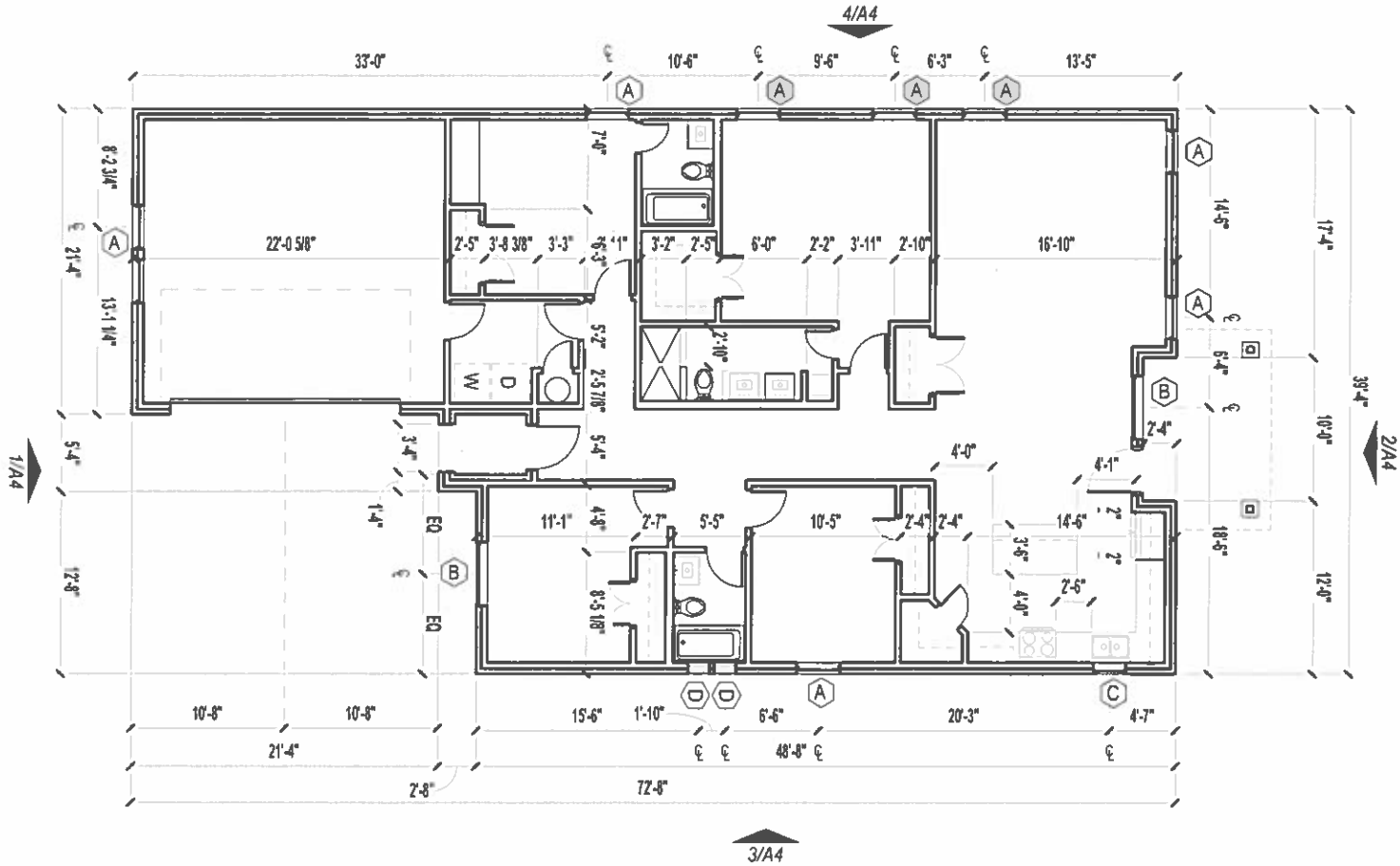
ANNOTATIONS

01 ANNOTATIONS FLOOR PLAN
SCALE: 1/8" = 1'-0"

A1

(17)

EXHIBIT C - FLOOR PLAN



01 DIMENSION FLOOR PLAN
SCALE: 1/8" = 1'-0"



creative solutions LLC

olakunleoni@gmail.com

Building A
807 A Martin Luther King Jr. Boulevard
Waxahachie, Texas 75165

07/24/21

DIMENSIONS

A2

(14)

EXHIBIT D - SITE PLAN

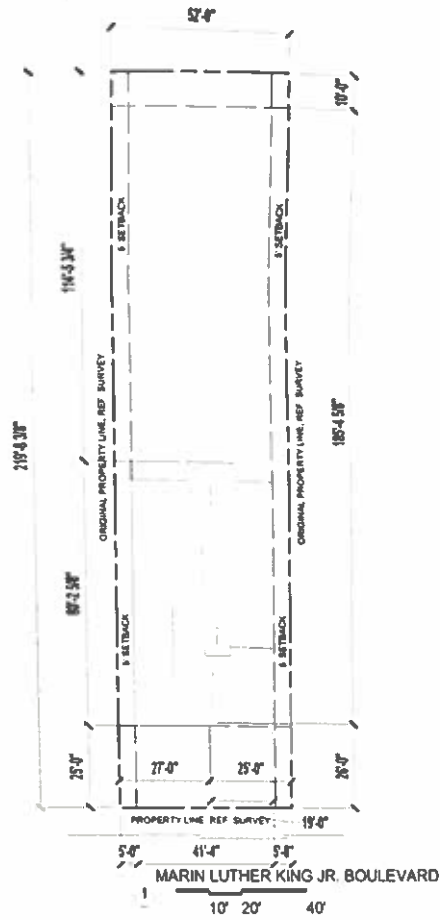
(14)

FINISH FLOOR LEVEL @ MIN. 6" ABOVE FINISHED GRADE

NOTE:
MIN 5% SLOPE AWAY FR. BLDG.
LANDSCAPING MUST BE PER CITY ORDINANCE

SITE PLAN:
SCALE: 1"=20'-0"
807 MARTIN LUTHER KING JR. BOULEVARD

IT SHALL BE THE FULL
RESPONSIBILITY OF THE
BUILDER TO VERIFY ALL
ASPECTS OF THIS PLAN
AND ADJUST IF REQUIRED



creative solutions LLC

olokunleason@gmail.com



Building A
807 MARTIN LUTHER KING JR BLVD.
WAXAHACHIE, TEXAS 75165

02/02/22

SITE PLAN

AO

EXHIBIT E - HOST RULES

(14)

Yes, Pets are allowed.

Maximum number of pets allowed: 2

Events are NOT allowed

Smoking, vaping, e-cigarettes NOT allowed

Quiet Hours is from 7:00PM to 7:00 AM

Commercial photography and filming is NOT allowed

Maximum Number of Guest:88

Check-in and checkout times: Arrive between 3:00PM – Flexible Leave before 11:00AM

ADDITIONAL RULES

This is designed to be a vacation home and very quiet neighborhood, please we don't allow any form of parties, events, large gathering or any activities that could arouse or disturb the neighbors anywhere on the property.

Absolutely No Marijuana, No smoking, No Vaping, No E-Cigarettes inside and within 25 feet of the building entrance please.

PLEASE PLEASE PLEASE, we appeal to all our guest to use the furniture for its intended purposes only. No moving, shifting of furniture from designated locations.

Pets must be house trained and not allowed in bedroom and on furniture and guest must pick up after the them.

Important: The city does not permit leaving existing trash outside of scheduled days. Therefore, guest will have to commit to putting out the trash on the night before scheduled days.

Thanks for understanding.

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-171-2024

MEETING DATE(S)

Planning & Zoning Commission: January 14, 2025
City Council: January 21, 2025

CAPTION

Public Hearing on a request by Mark Singleton, CNB of Texas, for a **Zoning Change** from a Commercial (C) zoning district to Planned Development-Mixed-Use Residential (PD-MUR) zoning district, for the Highland’s at Bates Drive development, located directly south of 2001 Bates Drive, (Property ID 191635 & 194998) - Owner: Citizens National Bank of Texas and First Citizens Bancshares Inc. (ZDC-171-2024)
Staff: Zack King

RECOMMENDED MOTION

“I move to approve ZDC-171-2024, a Planned Development request for the Highlands at Bates Drive, subject to the conditions the staff report, authorizing the Mayor and/or City Manager to sign the associated documents accordingly.”

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on January 14, 2025, the Commission voted 5-0 to recommend approval of case number ZDC-171-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The applicant requests approval of a Planned Development to allow for the Highland’s at Bates Drive, a mixed-use development with 340 multi-family dwelling units, 5-story hotel, drive-through restaurant, drive-through car wash, and 40,000 square feet of commercial space.

CASE INFORMATION

Applicant: Mark Singleton, CNB of Texas
Property Owner(s): Citizens National Bank of Texas & First Citizens Bancshares Inc.
Site Acreage: 15.21 acres
Current Zoning: Commercial (C)
Requested Zoning: Planned Development-Mixed-Use Residential (PD-MUR)

SUBJECT PROPERTY

General Location: Directly south of 2001 Bates Drive
Parcel ID Number(s): 191635 & 194998
Existing Use: Undeveloped

Development History: The subject property is not currently platted. The subject property is required to be platted prior to development.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	C and C with SUP	Multi-Tenant Office & Gas Station
East	C with SUP	St Paul Episcopal Church
South	PD-SF-3	Ridge Crossing Subdivision
West	C	Undeveloped

Future Land Use Plan: Local Commercial & Residential Neighborhood

Comprehensive Plan: Local Commercial: The local commercial placetype includes areas for restaurants, shops, grocery stores, offices, and personal service establishments. This placetype was incorporated to preserve the City's commercial corridors. Where appropriate, local commercial uses should be located at the intersection or frontage of major thoroughfares (60 feet or greater). The intensity of this placetype falls between neighborhood scale commercial and regional commercial. Local commercial will consist of a single or cluster of standalone office, retail or commercial buildings with an anchor. Local commercial uses should be interconnected with sidewalks to increase walkability. In addition, a shared open space comprised of a plaza or park is encouraged for multi-pad site developments.

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 Hedgewood Drive and N US Highway 77.

Site Image:



PLANNING ANALYSIS

The applicant proposes a Planned Development to allow for the Highland’s at Bates Drive, a mixed-use development with 340 multi-family dwelling units, 5-story hotel, drive-through restaurant, drive-through car wash, and 40,000 square feet of commercial space. The subject property is situated on a 15.21-acre tract adjacent to the intersection of Ovilla Road and US Highway 287 Bypass. A base zoning district of Mixed-Use Residential (MUR) is proposed for the development.

Proposed Use:

The Planned Development includes four (4) vertical mixed-use buildings that are proposed to include a total of 340 multi-family dwelling units and 40,000 square feet of commercial space. The proposed unit count results in an overall density of 29.15 dwelling units per acre (DUA) for the development. Each mixed-use building is proposed to be 5-stories in height with a portion of the first-floor of each building being dedicated to commercial space. Each mixed-use building is designed to include oversized patio space in front of the commercial suites to allow for outdoor seating and gathering. The applicant has noted that the first-floor commercial space is expected to be occupied by a mix of retail, restaurant and office users.

With this Planned Development request, the applicant proposes modified development standards from those required with the base Mixed-Use Residential (MUR) zoning district. The table below can be referenced for a comparison of the standard MUR requirements versus the development standards proposed with this application. (**Bold text indicates a deviation from typical development standards.*)

<u>Development Standard</u>	<u>MUR Zoning</u>	<u>Proposed Development Standard</u>
Density	30 Dwelling Units Per Acre (DUA)	29.15 Dwelling Units Per Acre (DUA)
Front Setback	25'	25'
Side Setback	25'	25' (20' adjacent to 2001 Bates Drive)
Rear Setback	25'	25'
Maximum Height	4-stories	5-stories
Lot Coverage (Buildings)	50%	14.66%
Parking	610 (230 attached garages)	623 (0 attached garages)

Proposed Use (continued):

The Waxahachie Zoning Ordinance includes an Off-Street Parking Provision that allows for a 10% reduction in the total amount of required parking for a development, if the development is designed to place 80% or more of required parking spaces behind the proposed buildings on the property. This provision is intended to promote walkability and create more attractive, livable spaces. The applicant has proposed to include this provision as a development standard for the Highlands at Bates Drive and has designed the site to place more than 80% of parking spaces behind proposed buildings. Due to this, the figures provided below represent a 10% reduction in the typical parking requirement.

The applicant has slightly exceeded the minimum parking requirement proposed development as whole. Considering the multi-family and non-residential uses proposed for the property, a minimum of 744 parking spaces are required for the development. The applicant has provided a total of 754 parking spaces. It is important to note that the requirement for the minimum number of attached garage parking spaces for the multi-family portion of the development has not been met. The Waxahachie Zoning Ordinance requires a minimum of 50% of required parking for multi-family uses to be provided as attached garages. In this instance, a total of 459 parking spaces are required for the multi-family use, with 230 of these spaces required to be provided as attached garages. The applicant proposes to provide 110 covered parking spaces and 349 standard surface parking spaces for the multi-family use. The applicant has noted the reason for this deviation is the provision of commercial space on the first-floor of the mixed-use buildings instead of garages.

A total of 151 parking spaces are required for the commercial space proposed on the first-floor of the vertical mixed-use structures. The site plan has been designed to provide a total of 164 parking spaces for the proposed commercial space.

Hotel:

The applicant proposes to utilize an approximately 1.59-acre portion of the development for a 5-story, 110 room hotel. The hotel is proposed directly adjacent to the 5-story vertical mixed-use buildings along Swallow Drive and is proposed to be setback 68' from the southern property line, adjacent to the Ridge Crossing Subdivision. The hotel is proposed to meet all typical Hotel Standards identified in Section 5.11 of the Waxahachie Zoning Ordinance. The primary façade and entrance of the hotel is oriented towards Ovilla Road. The design of the hotel has been modified to eliminate lighting and windows facing the southern property line. The proposed hotel meets the minimum parking requirement of 99 spaces.

Drive-Through Restaurant:

The applicant proposes to utilize an approximately 1-acre portion of the development immediately adjacent to Ovilla Road for a 3,600 square foot drive-through restaurant. The applicant has not identified an end-user for the restaurant. The restaurant site has been designed to allow for a dedicated drive-through lane with sufficient space to stack twelve (12) vehicles. The drive-through entrance is oriented towards the interior of the site to prevent vehicles from stacking onto Ovilla Road. The applicant has met the minimum parking requirement of 33 spaces for the restaurant.

Car Wash:

The applicant proposes to utilize an approximately 1-acre portion of the development at the intersection of Swallow Drive and Ovilla Road for a drive-through Car Wash. The proposed Car Wash is designed to be a full-service tunnel wash with twenty-three (23) self-service vacuum and detail bays. The car wash is designed to include a manned pay-station. Similar to the proposed restaurant, the entrance for the car wash drive through aisle is oriented towards the interior of the site to prevent stacking onto Ovilla Road or Swallow Drive. The applicant has provided five (5) dedicated parking spaces for the car wash use, in addition to the detail and vacuum bays.

Comprehensive Plan:

As noted above, the subject property is identified by the 2023 Comprehensive Plan partially under the Local Commercial and Residential Neighborhood placetypes. Each of these placetypes encourage a combination of residential and retail uses when property is situated at the intersection of major thoroughfares. The applicant proposes to adhere to the intent of the Comprehensive Plan by developing a vertical mixed-use development that allows for residential dwellings above multi-tenant retail spaces. The proposed density for the development is 29.15 dwelling units per acre (DUA); which is appropriate for property adjacent to the intersection of major thoroughfares such as Ovilla Road and Highway 287. The vertically integrated and stand-alone retail space is designed to be walkable and accessible for residents in and around the development, as recommend by the Waxahachie Comprehensive Plan.

Amenities:

The applicant proposes to incorporate resident amenities into the multi-family portion of the development. Specific amenities include a pool area with a club house and grill house, an outdoor yoga area, an open children's play area, rooftop deck on Building D, and pickleball courts. The applicant also proposes to install walking paths (concrete sidewalks) with benches and waste stations throughout the development to ensure open space and landscaped detention areas are accessible to residents. Notably, the proposed Development Standards require installation of the proposed amenities prior to the issuance of the first certificate of occupancy or temporary certificate of occupancy for the property.

Landscaping:

The applicant has provided a Landscape Plan (Exhibit D) that identifies the proposed landscaping for the site. The proposed landscaping does meet the minimum requirements of the Waxahachie Zoning Ordinance. The applicant has included a forty-eight (48) Crape Myrtles on the Landscape Plan. Additionally, it is important to note that the applicant proposes to cluster required canopy and ornamental trees along the southern property line, parallel to the proposed 6' screening wall, to provide an enhanced buffer for adjacent residences. The applicant also proposes to heavily landscape the required detention areas for the subject property. This additional landscaping, when considered with passive detention area amenities, meaningfully incorporates the detention areas into the development.

Access & Traffic:

The subject property is proposed to have a total of five (5) points of access onto public street. Three (3) of the proposed access points are provided along Swallow Drive and Bates Drive. The remaining two access points are proposed along the Highway 287 Bypass Service Road and Ovilla Road respectively. TxDOT approval is required for each of these driveway connections. In addition to the primary access points, the applicant proposes to execute mutual access easements for three (3) additional points of entry through adjacent private property. One (1) of the mutual access easements is proposed to connect to the undeveloped property to the west. The remaining two (2) mutual access easements are proposed to connect to the existing multi-tenant office building on Bates Drive.

The applicant has submitted a Traffic Impact Analysis (TIA) with this PD Application. The TIA evaluated current traffic levels near the site and the expected traffic demands of the proposed development at the time of build out in 2028. The TIA also evaluated projections for regional growth and development of adjacent property near the site out to 2028. Based on these considerations, the TIA has recommended several off-site improvements to mitigate the impact of traffic for the area. Off-site improvements include the construction of a right-turn lane on the southbound side of Ovilla Road and construction of a left-turn lane on the northbound side of Ovilla Road. The applicant proposes to install the improvements recommended by the TIA with the initial phase of the development. The TIA also notes that the existing traffic conditions at the US Highway 287 and Ovilla Road intersection warrant installation of a traffic signal. The applicant is not currently proposing to install a traffic signal at this intersection.

Screening:

The subject property is directly adjacent to the Ridge Crossing subdivision to the south. This neighborhood is actively under development. To properly screen the adjacent existing and future residences from the proposed development, the applicant proposes to construct a 6-foot masonry screening wall. The screening wall will be constructed primarily of brick matching the primary structures on the subject property and stone used for some accent columns. Along the western property line, the applicant proposes a 6-foot ornamental metal fence with stone columns repeating every 40 feet. Details for the proposed wall and fence can be referenced in Exhibit D below.

Elevation/Façade:

The applicant has provided an Elevation/Façade Plan for all structures proposed with this PD. The façade of each proposed structure primarily features masonry (brick, stone, stucco) exterior construction materials, with multi-family structures including a small percentage of siding as well. Non-residential structures are proposed to utilize 100% masonry (brick, stone, stucco) exterior construction materials.

The applicant proposes to utilize the same exterior construction materials and color palette for all buildings in order to create a sense of consistency throughout the development. The digital color board below and renderings attached to the end of this report can be referenced for a look exterior construction materials and color palette proposed for the development. Individual buildings are differentiated by unique footprints, architectural elements, and articulation. Each proposed structure meets the standard articulation requirements of the Waxahachie Zoning Ordinance. Roof-mounted equipment is fully screened from view on both residential and non-residential structures by the proposed building articulation. The full Elevation/Façade Plan can be referenced below as Exhibit B.

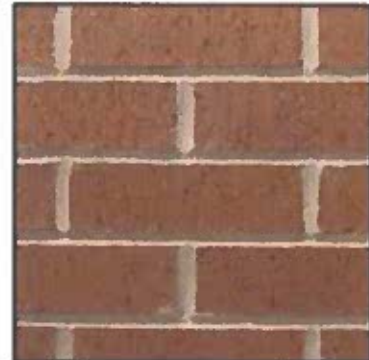
STUCCO - BROWN



STUCCO - BEIGE



**BRICK :
ACME BRICK
MODULAR - "VILLAGE"**



**HARDIE BOARD & BATTEN
- PAINTED:**



**STONE:
EL DORADO STONE
CLIFFSTONE - "BARLEY"**



**HARDIEPLANK
SIDING - DARK BROWN**



Photometric Plan:

The applicant has provided a Photometric Plan with this Planned Development application to demonstrate compliance with the Waxahachie Zoning Ordinance. The Photometric Plan does adhere to the requirements of the Lighting and Glare Standards from Section 6.03 of the Waxahachie Zoning Ordinance. Staff has verified that all wall-mounted and pole-mounted light fixtures are designed to be directed downward towards the site and will be equipped with shields to further mitigate light trespass on adjacent properties. The applicant has worked with staff to minimize windows and wall-mounted light fixtures for all multi-story building facades facing the southern property line, adjacent to single family residences.

Signage:

The applicant proposes one (1) additional monument sign for the subject property with this PD application. The proposed monument sign is a total 80 square feet in size and adheres to the typical height and size requirements of the Waxahachie Zoning Ordinance. The monument sign is proposed to be located along the Highway 287 Bypass Service Road. The design of the proposed monument sign can be referenced in Exhibit B below. In addition to this new monument sign, the applicant proposes to relocate an existing multi-tenant monument sign at the intersection of Ovilla Road and Swallow Drive. This relocated sign is proposed to continue to be used for the 4-story office building on Bates Drive.

Detention & Utilities:

The applicant has designed the Site Plan for the property to accommodate three detention areas. Each detention area is designed to be incorporated into the proposed open space and amenity areas for the development. The detention areas are designed to be landscaped and accessible to pets and residents. Benches, waste stations and walkways are proposed directly adjacent to the detention areas to support accessibility.

As part of this development, the applicant is required to extend public water and sanitary sewer lines across the subject property. The applicant has accounted for these extensions with a Preliminary Utility Plan. Utility improvements are required to be finalized with a future Civil Construction Permit.

Phasing:

The applicant proposes to develop the subject property in two phases. The applicant proposes to develop the multi-family portion of the property as Phase 1. Phase 2 is proposed to include the development of pad sites for the Hotel, Restaurant, and Car Wash tract identified on the Site Plan.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 6 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PUBLIC NOTIFICATION RESPONSES

Staff has received zero (0) letters of support and zero (0) letters of opposition for the PD 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 B).
4. The applicant shall receive all necessary building permits from the Building & Community Services Department prior to construction.
5. All exterior lighting, including accent and security lighting, shall maintain compliance with the Photometric plan, attached as Exhibit F, and the Lighting & Glare Standards of Section 6.03 of the Waxahachie Zoning Ordinance.

ATTACHED EXHIBITS

1. Development Agreement
2. PD Ordinance
3. Location Map – Exhibit A
4. Elevation/Façade Plan – Exhibit B
5. Planned Development Standards – Exhibit C
6. Detailed Site Plan - Exhibit D
7. Landscape Plan – Exhibit E
8. Photometric Plan – Exhibit F
9. Preliminary Utility Plans
10. Site Renderings

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 applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide a set of drawings that incorporate all comments.

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

(16)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM COMMERCIAL (C) TO PLANNED DEVELOPMENT-MIXED-USE RESIDENTIAL (PD-MUR), WITH A DETAILED SITE PLAN, LOCATED DIRECTLY SOUTH OF 2001 BATES DRIVE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 15.21 ACRES KNOWN AS PROPERTY ID 191635 & 194998, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, a proper application for a PD, with a Detailed Site Plan has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-171-2024. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from C to PD-MUR, with a Detailed Site Plan; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said zoning amendment;

NOW, THEREFORE, this property is rezoned from C to PD-MUR, with a Detailed Site Plan in order to facilitate development of the subject property in a manner that allows the Highlands at Bates Drive, a mixed-use residential development on the following property: Property ID 191635 & 194998, which is shown on Exhibit A, in accordance with the Elevation/Façade Plan attached as Exhibit B, the Planned Development Standards attached as Exhibit C, the Detailed Site Plan attached as Exhibit D, the Landscape Plan attached as Exhibit E, and the Photometric Plan attached as Exhibit F.

PLANNED DEVELOPMENT

Purpose and Intent

The purpose of this planned development is to allow for the development of the Highlands at Bates Drive and to establish appropriate restrictions and development controls necessary to ensure predictable land development, safe and efficient vehicular and pedestrian circulation, compatible uses of land and compliance with appropriate design standards.

(16)

Development Standards

All development on land located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in this ordinance. The locations of buildings, private streets, and utility infrastructure shall substantially conform to the locations shown on the approved Detailed Site Plan (Exhibit C).

Development Regulations

1. A mutually agreed upon Development Agreement will be required for the property.
2. The development shall conform as approved by the City Council under case number ZDC-171-2024.
3. The development shall adhere to the City Council approved in Exhibit A- Location Map, Exhibit B – Elevation/Façade Plan, Exhibit C – Planned Development Standards, Exhibit D – Detailed Site Plan, Exhibit E – Landscape Plan, and Exhibit F – Photometric Plan.
4. 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.
5. 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).
6. All exterior lighting, including accent and security lighting, shall maintain compliance with the Photometric plan, attached as Exhibit F, and the Lighting & Glare Standards of Section 6.03 of the Waxahachie Zoning Ordinance.
7. All improvements 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.
8. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
9. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance (Ordinance No. **TBD**) or the Highlands at Bates Drive Development Agreement, shall conform to those requirements and/or standards prescribed in Exhibit A – Location Map, Exhibit B – Elevation/Façade Plan, Exhibit C – Planned Development Standards, Exhibit D – Detailed Site Plan, Exhibit E – Landscape Plan, and Exhibit F – Photometric Plan. Where regulations are not specified in Exhibits A, B, C, D, E, & F in this Zoning Ordinance (Ordinance No. **TBD**), or the Highlands at Bates Drive Development Agreement, the

(16)

regulations of the Mixed-Use Residential (MUR) zoning district and the City of Waxahachie Zoning Ordinance shall apply to this development.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED, AND ADOPTED on this 21st day of January, 2025.

MAYOR

ATTEST:

City Secretary

EXHIBIT A - LOCATION MAP



(11)

EXHIBIT B - ELEVATION/FACADE PLAN

BUILDING A & B	
SOUTH BLDG. A - WEST BLDG. B FACADE MATERIAL	
BRICK	12
STONE	25
CAPT STONE	12
STUCCO	18
HARDIE BOARD & BATTEN	13

BUILDING A&B	
EAST BLDG. A - NORTH BLDG. B FACADE MATERIAL	
BRICK	12
STONE	25
CAPT STONE	12
STUCCO	18
HARDIE BOARD & BATTEN	13



EAST ELEVATION BLDG. A
NORTH ELEVATION BLDG. B
SCALE = 1/8" = 1'-0"



SOUTH ELEVATION BLDG. A

WEST ELEVATION BLDG. B
SCALE = 1/8" = 1'-0"

HIGHLANDS DEVELOPMENT
AT BATES DRIVE
WAXAHACHIE, TEXAS

tma cha
architects

THESE DOCUMENTS ARE NOT COMPLETE AND MAY NOT BE USED FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION.

FOR REVIEW ONLY

FOR 3D PRESENTATION PURPOSES

1"

1" SCALE: WEST & NORTH ELEVATIONS ONLY

(CONTAINING THIS)

ELEVATIONS BLDG A & B

DATE: 02/13/2024
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: 1/8" = 1'-0"
PROJECT: 24-171-2024

CASE # ZDC-171-2024

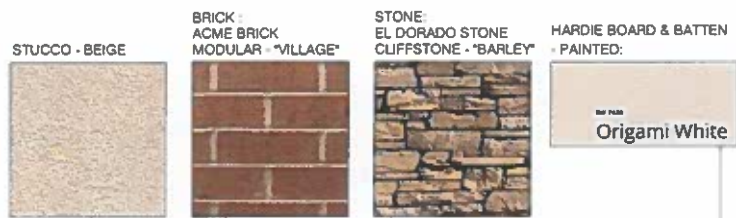
A2.1A&B

(11)

EXHIBIT B - ELEVATION/FACADE PLAN

BUILDING A & B	
NORTH/EAST ELEVATION FACADE MATERIALS	
WALL MATERIAL	5
ROOF	1
STONE	22
CAST STONE	72
STUCCO	7
HARDIE BOARD & BATTEN	18

BUILDING A&B	
WEST/EAST NORTH/EAST FACADE MATERIALS	
WALL MATERIAL	5
ROOF	1
STONE	22
CAST STONE	72
STUCCO	7



WEST ELEVATION BLDG. A
SOUTH ELEVATION BLDG. B
1/8" = 1'-0"



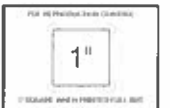
NORTH ELEVATION BLDG. A
EAST ELEVATION BLDG. B
1/8" = 1'-0"



HIGHLANDS DEVELOPMENT
AT BATES DRIVE
WAXAHACHIE, TEXAS



THESE DOCUMENTS ARE NOT COMPLETE AND MAY NOT BE USED FOR REGULATORY APPROVAL, PERMIT OR CONSTRUCTION
FOR REVIEW ONLY



ELEVATIONS BLDG A & B

DATE: 08/17/2024
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: 1/8" = 1'-0"
PROJECT: [Name]

CASE # ZDC-171-2024

A2.2A&B

(21)

EXHIBIT B - ELEVATION/FACADE PLAN

BUILDING C	
EAST FACADE MATERIALS	
BRICK	5
STONE	17
CAM STONE	15
STUCCO	49
HARDI BOARD & BATTEN	5

BUILDING C	
WEST FACADE MATERIALS	
BRICK	14.5
STONE	15
CAM STONE	17
STUCCO	27
HARDI BOARD & BATTEN	16

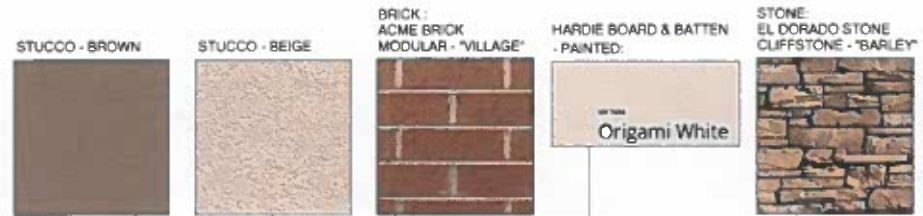
BUILDING C	
NORTH FACADE MATERIALS	
BRICK	48
STONE	48
STUCCO	2

BUILDING C	
SOUTH FACADE MATERIALS	
BRICK	14
STONE	48
STUCCO	2



NORTH ELEVATION
1/8" = 1'-0"

SOUTH ELEVATION
1/8" = 1'-0"



EAST ELEVATION - BUILDING C
1/8" = 1'-0"



WEST ELEVATION - BUILDING C
1/8" = 1'-0"

HIGHLANDS DEVELOPMENT
 AT BATES DRIVE
 WAXAHACHIE, TEXAS



FOR REPRODUCTION BY CLIENTS

1" = 1'-0"

1" SQUARE WHEN PRINTED AT FULL SIZE

DRAWING TITLE

ELEVATIONS BLDG. C

DATE: SEPT 2, 2024
 DRAWN BY: TMA
 JZB/PJL
 1 Plot: 9/25/2024
 7
 5

A2.1C

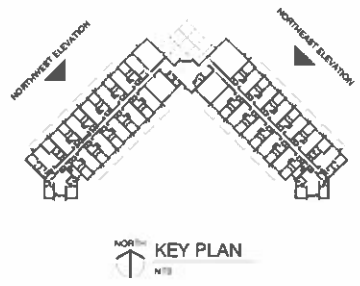
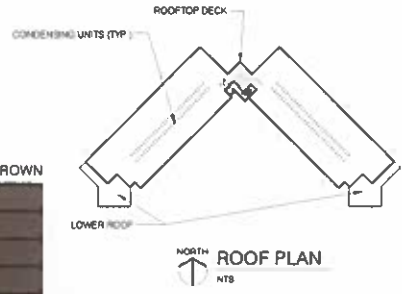
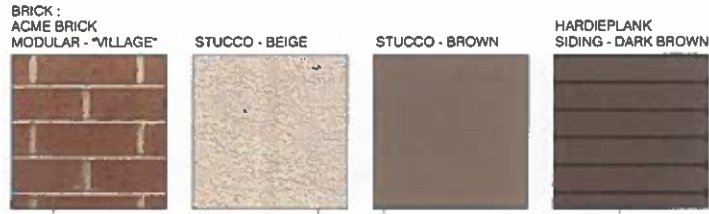
CASE # ZDC-171-2024

(n1)

EXHIBIT B - ELEVATION/FACADE PLAN

BUILDING D	
NORTHWEST FACADE MATERIALS	
BRICK	71.0
CAST STONE	8.5
STUCCO	10
HARDI PLANK	15

BUILDING D	
NORTHEAST FACADE MATERIALS	
BRICK	71.0
CAST STONE	8.5
STUCCO	10
HARDI PLANK	15



NORTHWEST ELEVATION - BLDG D



NORTHEAST ELEVATION - BLDG D

CASE # ZDC-171-2024

HIGHLANDS DEVELOPMENT
AT BATES DRIVE
WAXAHACHIE, TEXAS



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FOR REVIEW ONLY

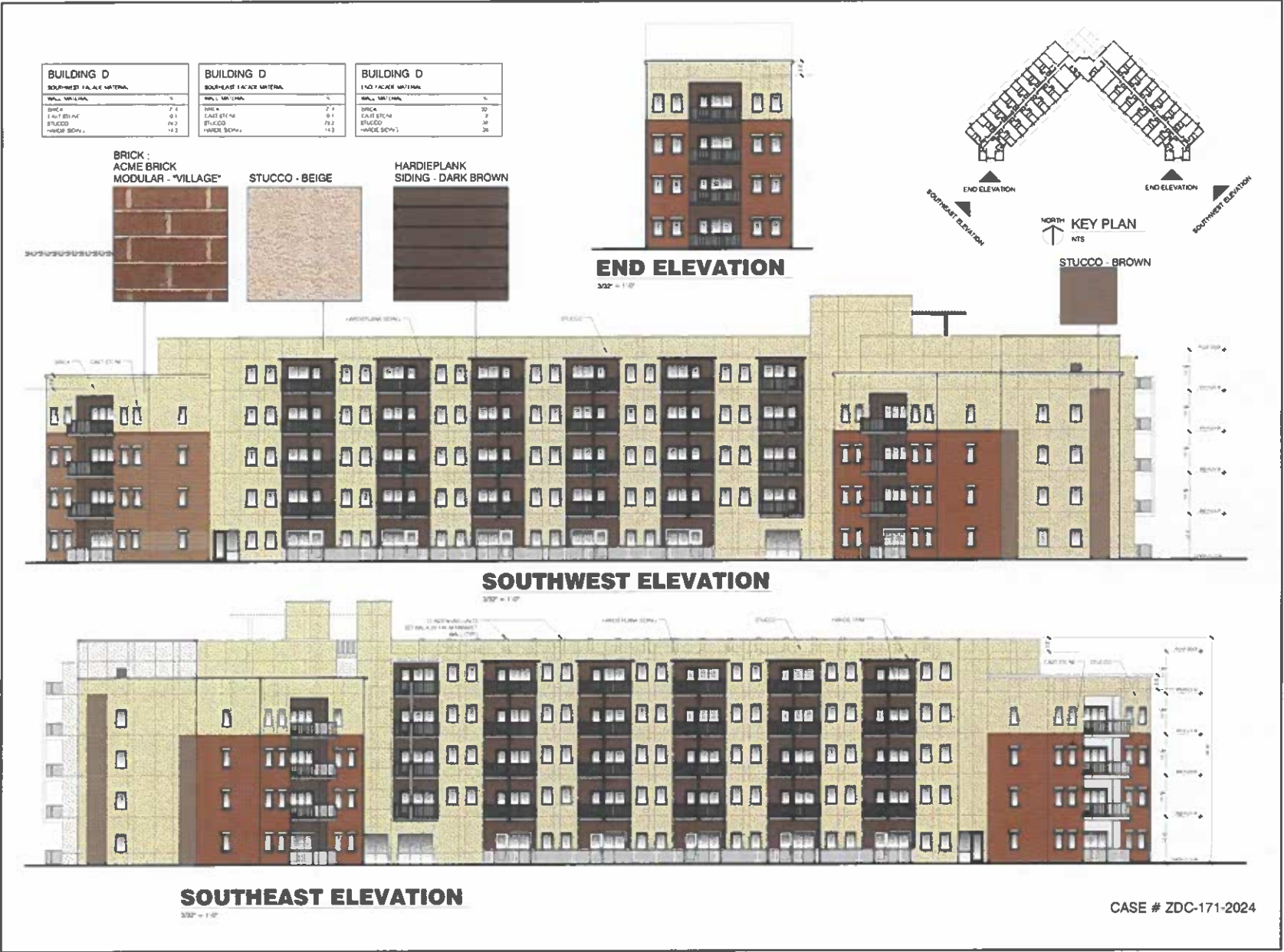
1"

DATE: 08/13/2024
DRAWN BY: J. JONES
CHECKED BY: J. JONES
SCALE: AS SHOWN
PROJECT: 171-2024

A2.1D

(11)

EXHIBIT B - ELEVATION/FACADE PLAN



HIGHLANDS DEVELOPMENT
AT BATES DRIVE
WAXAHACHIE, TEXAS

architects

THESE DOCUMENTS ARE NOT COMPLETE AND MAY NOT BE USED FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION
FOR REVIEW ONLY

1"

ELEVATION BLDG. 0

DATE: SEPT 2, 2024
DRAWN BY: TNA
JOB: BATES SUBMITTAL
1. ISSUE: 02.24.2024
2. PRE-REVIEW: 03.24.2024
3.

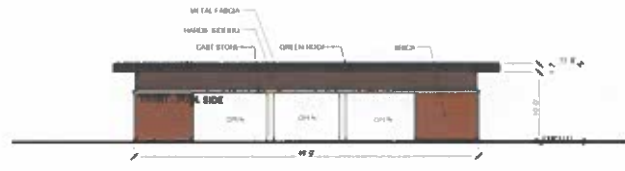
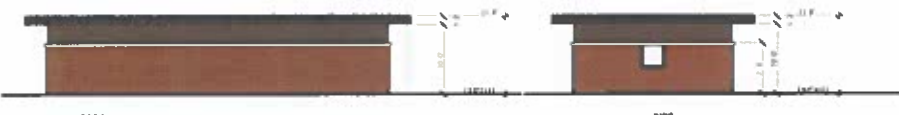
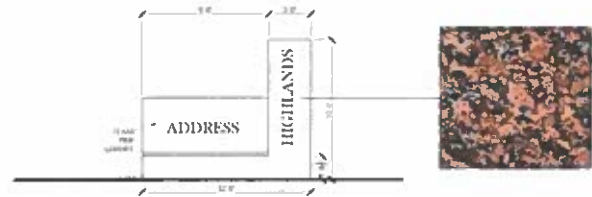
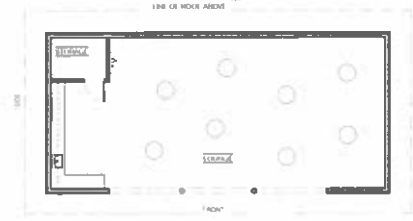
A2.2D

CASE # ZDC-171-2024

(11)

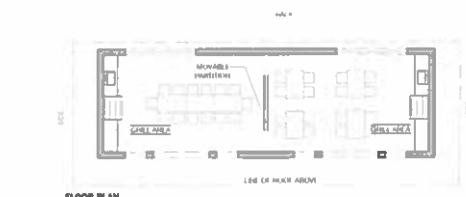
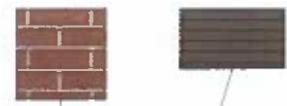
EXHIBIT B - ELEVATION/FACADE PLAN

CLUB HOUSE		CLUB HOUSE		CLUB HOUSE	
FRONT FACADE MATERIAL		BACK FACADE MATERIAL		SIDE FACADE MATERIAL	
WALL MATERIAL	5	WALL MATERIAL	5	WALL MATERIAL	5
ROOF	10	ROOF	79	ROOF	96
CAST STONE	11	CAST STONE	3	STONE	8
HARDIE SIDING	87	HARDIE SIDING	77	HARDIE SIDING	77



BRICK :
ACME BRICK
MODULAR - "VILLAGE"
HARDIE PLANK SIDING
- DARK BROWN

CAST STONE - BEIGE



GRILL HOUSE		GRILL HOUSE		GRILL HOUSE	
FRONT FACADE MATERIAL		BACK FACADE MATERIAL		SIDE FACADE MATERIAL	
WALL MATERIAL	5	WALL MATERIAL	5	WALL MATERIAL	5
ROOF	20	ROOF	31	ROOF	35
CAST STONE	5	CAST STONE	3	STONE	3
HARDIE SIDING	17	HARDIE SIDING	66	HARDIE SIDING	86



HIGHLANDS DEVELOPMENT
AT BATES DRIVE
WAXAHACHIE, TEXAS



PER THE PRODUCTS BY COMPANY
1"
1" SQUARE WHEN PRINTED AT 1/4" SCALE

ISSUING TITLE:
**CLUB HOUSE AND GRILL HOUSE
FLOOR PLANS & ELEVATIONS**
REVISIONS:
1
2
3

CASE # ZDC-171-2024

A2.3

(16)

EXHIBIT B - ELEVATION/FACADE PLAN

HOTEL BUILDING					
NO.	DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL
1	CONCRETE	100	100	100	100
2	BRICK	100	100	100	100
3	GLASS	100	100	100	100
4	WOOD	100	100	100	100
5	STONE	100	100	100	100
6	PAINT	100	100	100	100
7	ROOFING	100	100	100	100
8	MECHANICAL	100	100	100	100
9	ELECTRICAL	100	100	100	100
10	PLUMBING	100	100	100	100
11	LANDSCAPE	100	100	100	100
12	INTERIORS	100	100	100	100
13	FINISHES	100	100	100	100
14	MECHANICAL	100	100	100	100
15	ELECTRICAL	100	100	100	100
16	PLUMBING	100	100	100	100
17	LANDSCAPE	100	100	100	100
18	INTERIORS	100	100	100	100
19	FINISHES	100	100	100	100
20	MECHANICAL	100	100	100	100
21	ELECTRICAL	100	100	100	100
22	PLUMBING	100	100	100	100
23	LANDSCAPE	100	100	100	100
24	INTERIORS	100	100	100	100
25	FINISHES	100	100	100	100

1/4" = 1'-0" (VERTICAL SCALE)



NORTH ELEVATION
3/32" = 1'-0"



EAST ELEVATION
3/32" = 1'-0"



SOUTH ELEVATION
3/32" = 1'-0"



WEST ELEVATION
3/32" = 1'-0"

CASE # ZDC-171-2024

HIGHLANDS DEVELOPMENT
AT BATES DRIVE
WAXAHACHIE, TEXAS



1" SCALE ARCHITECTURAL DRAWING

Elevations HOTEL

DATE: 10/15/24
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO.: [Number]
 SHEET NO.: [Number]

A2.1H

(11)

EXHIBIT B - ELEVATION/FACADE PLAN

RESTAURANT BUILDING					
ITEM	DESCRIPTION	QTY	UNIT	AMOUNT	TOTAL
BRICK	ACME BRICK	100	SQ. YD.	100	100
STUCCO	BEIGE	100	SQ. YD.	100	100
WOOD	AMBER/BLACK	100	SQ. YD.	100	100
ROOF DECK		1	SQ. YD.	1	1
STUCCO	BROWN	100	SQ. YD.	100	100
WOOD	AMBER/BLACK	100	SQ. YD.	100	100
ROOF DECK		1	SQ. YD.	1	1
STUCCO	BEIGE	100	SQ. YD.	100	100
WOOD	AMBER/BLACK	100	SQ. YD.	100	100
ROOF DECK		1	SQ. YD.	1	1



WEST ELEVATION

1/8" = 1'-0"



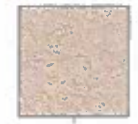
EAST ELEVATION

1/8" = 1'-0"

BRICK :
ACME BRICK
MODULAR - "RED SUNSET"



STUCCO - BEIGE



SOUTH ELEVATION

1/8" = 1'-0"



NORTH ELEVATION

1/8" = 1'-0"

HIGHLANDS DEVELOPMENT
AT BATES DRIVE
WAXAHACHIE, TEXAS

tma cha
architects



PER THE PRACTITIONER'S CONTROL

1"

1" SQUARE WHEN PRINTED FULL BUT
CONTAINS FULL

RESTAURANT ELEVATIONS

DATE: 08/11/2024
DRAWN BY: TMM
JOB #: 2410
SUBMITTER:

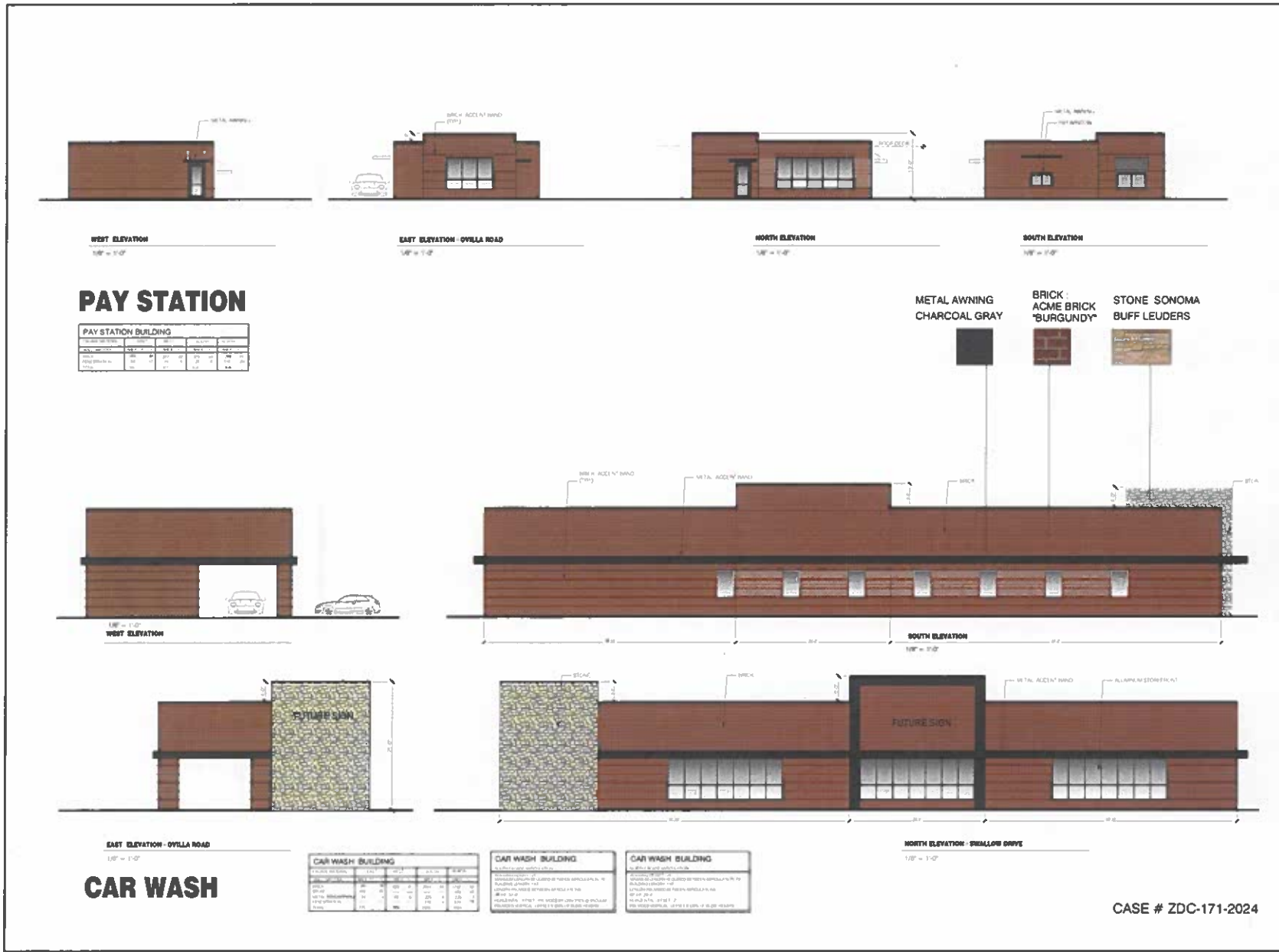
1. 08/11/2024
2. 08/11/2024

A2.1R

CASE # ZDC-171-2024

(11)

EXHIBIT B - ELEVATION/FACADE PLAN



HIGHLANDS DEVELOPMENT
AT BATES DRIVE
WAXAHACHIE, TEXAS

tma cha
architects



1" SCALE 1/8" = 1'-0" (TALL BUILDING)

CAR WASH & PAY STATION ELEVATIONS
DATE: 08/17/2024
DRAWN BY: TMA
CHECKED BY: TMA
1. 11/14/24 11:23:20 AM
2. 11/14/24 11:23:20 AM

A2.1CW

(11)

CASE # ZDC-171-2024

HIGHLANDS at Bates Drive, Planned Development Narrative

Project Description:

Highlands at Bates drive is a mixed-use new urbanism style density development. The idea of the development is to create a sense of community in this design. Project can be viewed as two parts development:

PART ONE:

There are four 5 story buildings in an urban setting, like streetscape with retail or office use on the ground floor. Highlands will be the hub of mixed-uses for its residents. We envision a casual sit-down restaurant in building A as well as local specialty cafes and shops in the ground floor retail/office areas of the other buildings. Ground floor lease areas can support a third party owned gym/workout area available for the residents as well as the public. The office use for the ground floor lease areas can be utilized by residents of the development creating a live-work atmosphere. The passageway in building C will provide gateway to Part 1 of the development, while plaza created between two wings of building D will serve as gathering or event place. We have also designed rooftop deck in building D as additional amenity space.

The layout of The Highlands development will create a very pedestrian friendly atmosphere with medians between the parking lot streets with designated crossing areas. A large grassed and landscaped open area next to the pool will have many outside activities available to residents.

The residents of Highlands in addition to the pool will enjoy many amenities like Pickle ball courts, Yoga, children's play area. Amenities will be created with development and fully installed prior to the issuance of the first CO or Temporary CO for the property.

There is a large median area – dry creek which serves as detention pond- in the center of the property that will have benches and shade trees for a comfortable sitting area around it. All the medians and entries will be landscaped with trees and shrubs and color to help create a natural setting for the area. Our goal is to create a density development area within a natural setting lifestyle. We want our residents to feel a sense of place when they are at home and a pedestrian friendly area to easily walk to amenities and services.

Uses: The development will have residential apartments for lease with one- and two-bedroom floor plans. In addition, the ground floor of the residential buildings will be commercial lease space total of 40,120 sf.

Density: The Density and uses are shown on the attached site plan.

Building Heights: The mixed-use buildings maximum height is 67', The retail is 20'-0"

Parking: Multi-Family 340 units require 510 parking spaces.

Commercial 20,060 SF@1 per 200 SF (retail) required 101 spaces

20,060 SF @1 per 300 SF (office) require 67 parking spaces. Total 168 spaces

Access: The Highlands will have a total of four access points from public streets. One access driveway is to US highway 287. In addition, there are three driveway access points: from Swallow Drive, Ovilla Road and from Bates Road. The Highlands will be also connected with the residential development to the east. Main north entrance from Highway 287 will have monument sign and landscaping.

Landscaping and Screening:

See attached Landscape Plan which illustrates our tree and plant location and type. Also, it shows illustrations of how we will provide screening with landscape and not walls.

PART TWO

This part of the development located between Ovilla Road, Bates Drive and Swallow Drive is designated as commercial & retail and will provide amenities and services for the Highlands development as well as for surrounding areas and will be the site of Hotel, Car wash and Restaurant.

Parking:

Hotel - 110 spaces (for 100 rooms)

Restaurant – 37 (1 per 100 SF)

Carwash -2 spaces (1 per bay: self service)

Part one and two: total parking required – 827. After 10% reduction for the entire development, we provided 756 parking spaces.

We took a 10% reduction based on Ordinance Section 5.02(f)

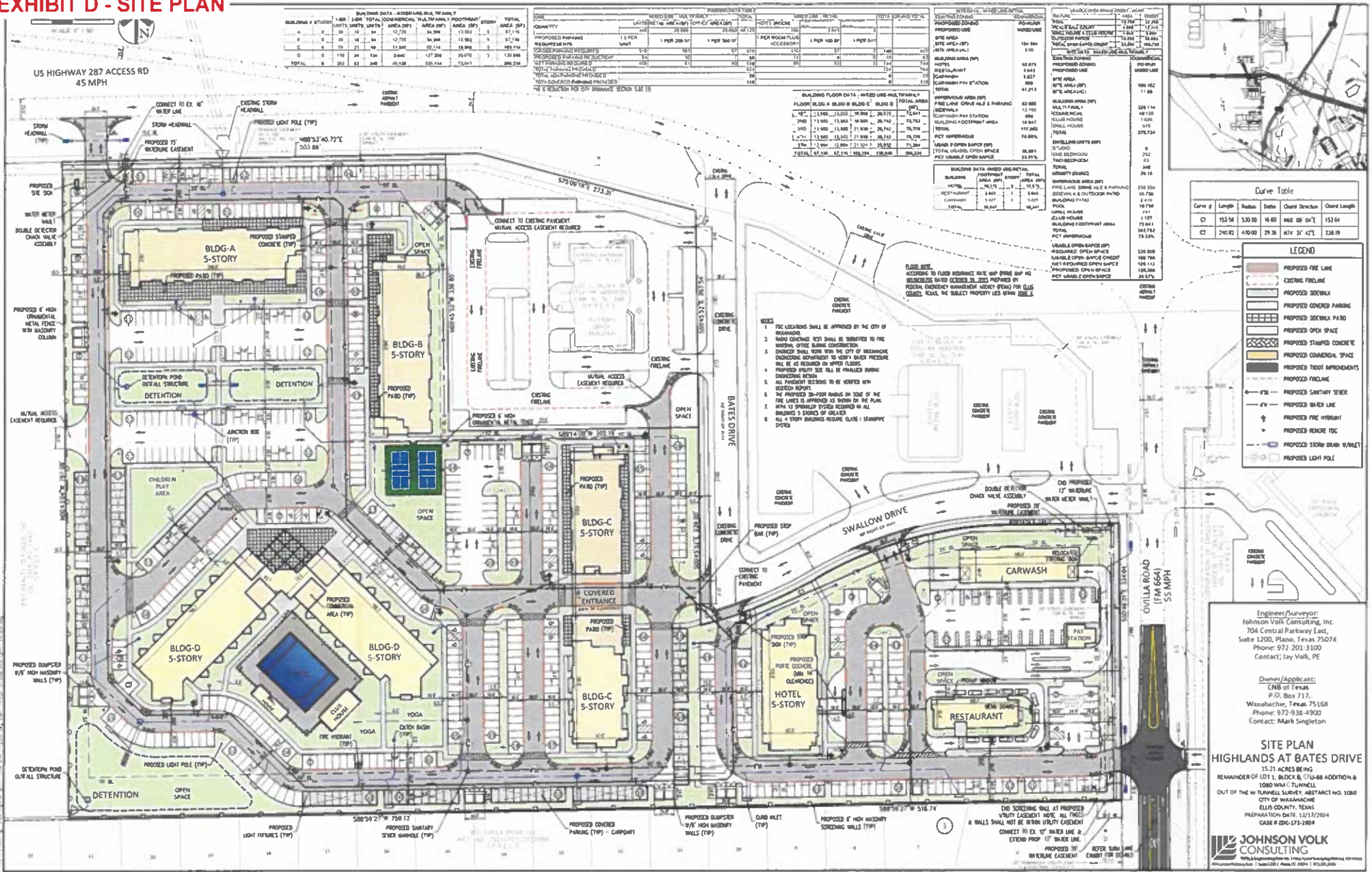
Project Phasing: Buildings will be constructed in two phases. Four buildings in the first construction phase (A, B, C, D). Three commercial buildings developed pad sites in the second phase (Hotel, Restaurant and Car Wash).

Plating: The existing building, Part One and Part two of the development will be platted as separate lots.

Exterior Construction Materials:

Location, type and percentages of exterior materials for each building in the development shall adhere to the Elevation/ Facade Plan attached to the PD.

EXHIBIT D - SITE PLAN



BLDG DATA - BUILDING AREA, TP FAMILY

BLDG	STORY	AREA (SQ FT)	AREA (SQ YD)	FOOTPRINT AREA (SQ FT)	FOOTPRINT AREA (SQ YD)	TOTAL AREA (SQ FT)	TOTAL AREA (SQ YD)
A	5	12,770	293.9	13,963	315.5	12,770	293.9
B	5	12,770	293.9	13,963	315.5	12,770	293.9
C	5	12,770	293.9	13,963	315.5	12,770	293.9
D	5	12,770	293.9	13,963	315.5	12,770	293.9
TOTAL		51,080	1,175.6	55,852	1,266.0	51,080	1,175.6

PROPOSED DRIVEWAY

ITEM	QUANTITY	UNIT PRICE	TOTAL PRICE
1.5" PER FOOT	20,000	1.50	30,000.00
1.5" PER FOOT	1,000	1.50	1,500.00
TOTAL	21,000	1.50	31,500.00

PROPOSED DRIVEWAY

ITEM	QUANTITY	UNIT PRICE	TOTAL PRICE
1.5" PER FOOT	20,000	1.50	30,000.00
1.5" PER FOOT	1,000	1.50	1,500.00
TOTAL	21,000	1.50	31,500.00

PROPOSED DRIVEWAY

ITEM	QUANTITY	UNIT PRICE	TOTAL PRICE
1.5" PER FOOT	20,000	1.50	30,000.00
1.5" PER FOOT	1,000	1.50	1,500.00
TOTAL	21,000	1.50	31,500.00

BUILDING FLOOR DATA - MIXED USE AREA

FLOOR	AREA (SQ FT)	AREA (SQ YD)
FLOOR 1	12,770	293.9
FLOOR 2	12,770	293.9
FLOOR 3	12,770	293.9
FLOOR 4	12,770	293.9
FLOOR 5	12,770	293.9
TOTAL	63,860	1,469.5

BUILDING FLOOR DATA - MIXED USE AREA

FLOOR	AREA (SQ FT)	AREA (SQ YD)
FLOOR 1	12,770	293.9
FLOOR 2	12,770	293.9
FLOOR 3	12,770	293.9
FLOOR 4	12,770	293.9
FLOOR 5	12,770	293.9
TOTAL	63,860	1,469.5

BUILDING DATA - MIXED USE AREA

BLDG	AREA (SQ FT)	AREA (SQ YD)
BLDG A	12,770	293.9
BLDG B	12,770	293.9
BLDG C	12,770	293.9
BLDG D	12,770	293.9
TOTAL	51,080	1,175.6

BUILDING DATA - MIXED USE AREA

BLDG	AREA (SQ FT)	AREA (SQ YD)
BLDG A	12,770	293.9
BLDG B	12,770	293.9
BLDG C	12,770	293.9
BLDG D	12,770	293.9
TOTAL	51,080	1,175.6

- NOTES**
1. FIC LOCATIONS SHALL BE APPROVED BY THE CITY OF WALKAMACHE.
 2. RADIO COVERAGE TEST SHALL BE SUBMITTED TO THE WALKAMACHE OFFICE, BIRMINGHAM, ALABAMA.
 3. EXISTING SHALL NOT BE IN THE CITY OF WALKAMACHE JURISDICTION. EQUIPMENT TO BE INSTALLED SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS.
 4. PROPOSED MULTI-USE SHALL BE PROVIDED DURING CONSTRUCTION PERIOD.
 5. ALL PAVEMENT SECTIONS TO BE VERIFIED WITH DETECTION REPORT.
 6. THE PROPOSED 30-FOOT ANCHORS ON SOME OF THE FIRE LINES IS APPROVED AS SHOWN ON THE PLAN.
 7. 10% IS PROPOSED TO BE REQUIRED IN ALL BUILDINGS 3 STORIES OR GREATER.
 8. ALL 3 STORY BUILDINGS REQUIRE GLASS / STAINLESS STEEL SYSTEMS.

Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	153.58	530.00	14.00	84° 04' 15.04"	153.04
C2	242.42	410.00	29.28	67° 31' 47.19"	238.19

LEGEND

- PROPOSED FIRE LINE
- EXISTING FIRELINE
- PROPOSED SIDEWALK
- PROPOSED COVERED PARKING
- PROPOSED STAMPED CONCRETE
- PROPOSED OPEN SPACE
- PROPOSED COMMERCIAL SPACE
- PROPOSED FLOOD IMPROVEMENTS
- PROPOSED FIRELINE
- PROPOSED SANITARY SEWER
- PROPOSED WATER LINE
- PROPOSED FIRE HYDRANT
- PROPOSED REINFORCING
- PROPOSED STORM DRAIN (6" DIA)
- PROPOSED LIGHT POLE

Engineer/Surveyor:
Johnson Volk Consulting, Inc.
704 Central Parkway East,
Suite 1200, Plano, Texas 75074
Phone: 972-201-3100
Contact: Jay Volk, PE

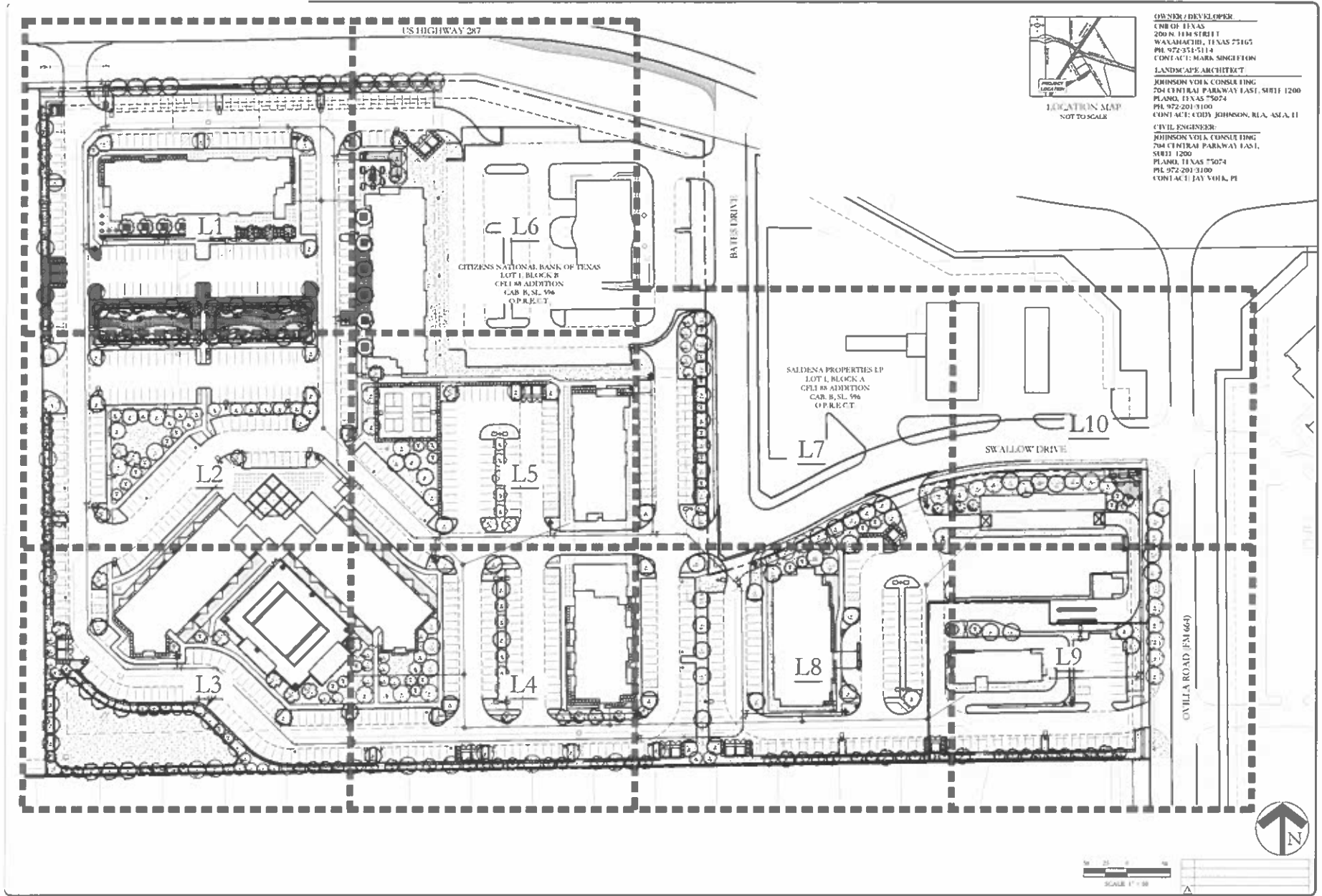
Owner/Applicant:
ENB of Texas
P.O. Box 717,
Waxahatchie, Texas 75168
Phone: 972-938-4900
Contact: Mark Singleton

SITE PLAN
HIGHLANDS AT BATES DRIVE
15.21 ACRES BEING
REMAINDER OF LOT 1, BLOCK 8, U-88 ADDITION &
1080 W.M.I. TUNNELL
PREPARATION DATE: 12/17/2024
CASE # 2024-272-2024

JOHNSON VOLK CONSULTING
www.johnsonvolk.com | 972.201.3100 | 972.938.4900

(12)

EXHIBIT E - LANDSCAPE PLAN



OWNER / DEVELOPER
 CNB OF TEXAS
 200 N. 11th STREET
 WAXAHACHIE, TEXAS 75165
 PH: 972.354.5114
 CONTACT: HARA SINGELTON

LANDSCAPE ARCHITECT
 JOHNSON VOLK CONSULTING
 704 CENTRAL PARAWAY EAST, SUITE 1200
 PLANO, TEXAS 75074
 PH: 972.291.3100
 CONTACT: JAY VOLK, AIA, ASLA, LEED

CIVIL ENGINEER
 JOHNSON VOLK CONSULTING
 704 CENTRAL PARAWAY EAST, SUITE 1200
 PLANO, TEXAS 75074
 PH: 972.291.3100
 CONTACT: JAY VOLK, PE



HIGHLANDS AT BATES DRIVE
 CITY OF WAXAHACHIE
 TARRANT COUNTY, TEXAS

LANDSCAPE PLAN
 OVERALL LANDSCAPE PLAN



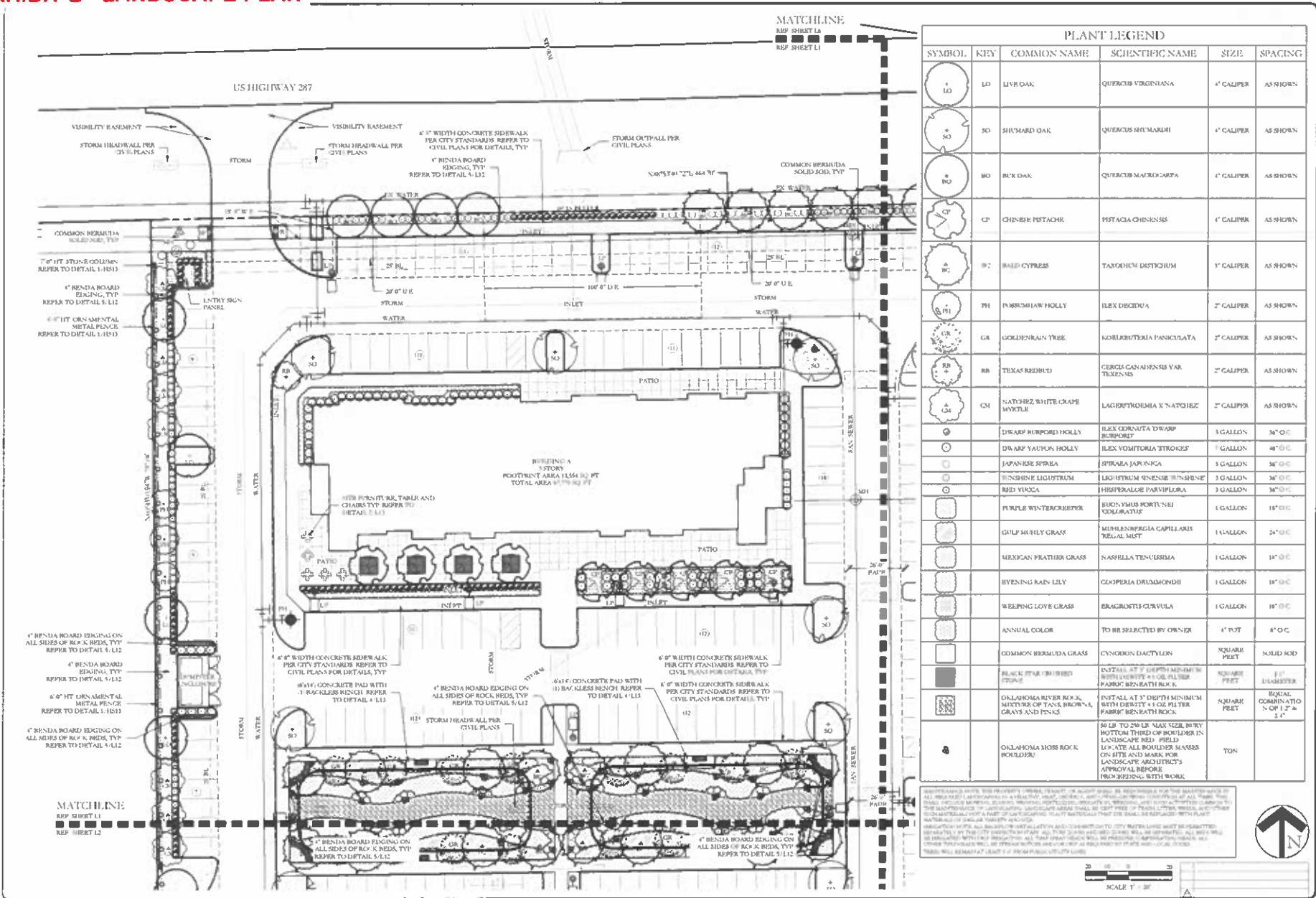
SCALE
 1" = 50'
 (SEE PLAN SHEETS)

LS1

CITY PROJECT NO. ZDC-171-2024

(110)

EXHIBIT E - LANDSCAPE PLAN



PLANT LEGEND					
SYMBOL	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING
(LO)	LO	LIVE OAK	QUERCUS VIRGINIANA	4" CALIPER	AS SHOWN
(SO)	SO	SHUMARD OAK	QUERCUS SHUMARDII	4" CALIPER	AS SHOWN
(BO)	BO	BUR OAK	QUERCUS MACROCARPA	4" CALIPER	AS SHOWN
(CP)	CP	CHINESE NUTCH	PISTACIA CHINENSIS	4" CALIPER	AS SHOWN
(WC)	WC	WEED CYPRUS	TAXODIUM DISTICHUM	1" CALIPER	AS SHOWN
(FH)	FH	FORSYTHIA HOLLY	ILEX DECIDUA	2" CALIPER	AS SHOWN
(GR)	GR	GOLDENRAN YRBE	KOeleruteria paniculata	2" CALIPER	AS SHOWN
(RB)	RB	TEXAS REDBUD	CERES CANADENSIS VAR. TEXENSIS	2" CALIPER	AS SHOWN
(CN)	CN	NATCHEZ WHITE GRAPE MYRTLE	Lagerstroemia x natchez	2" CALIPER	AS SHOWN
(DW)	DW	DWARF BURFORD HOLLY	Ilex cornuta 'Dwarf Burford'	3 GALLON	36" O.C.
(DY)	DY	DWARF YAUPOIN HOLLY	Ilex vomitoria 'Stokes'	1 GALLON	48" O.C.
(JP)	JP	JAPANESE SPIREA	Spiraea japonica	1 GALLON	36" O.C.
(LS)	LS	SHINE LIGULSTRUM	Ligustrum 'Shine'	3 GALLON	36" O.C.
(RY)	RY	RED YUCCA	Hesperaloe parviflora	3 GALLON	36" O.C.
(PT)	PT	PURPLE WINTERCREEPER	Buonvissus fortunei 'Coleratus'	1 GALLON	18" O.C.
(GC)	GC	GRASS MERRY GRASS	Muhlenbergia capillaris 'Regal Mist'	1 GALLON	24" O.C.
(MX)	MX	MEXICAN FEATHER GRASS	Nassella tenuissima	1 GALLON	18" O.C.
(BL)	BL	BYENING RAIN LILY	Cooperia drummondii	1 GALLON	18" O.C.
(WG)	WG	WEERING LOVE GRASS	Eragrostis curvula	1 GALLON	18" O.C.
(AN)	AN	ANNUAL COLOR	TO BE SELECTED BY OWNER	1" POT	8" O.C.
(CB)	CB	COMMON BERMUDA GRASS	Cynodon dactylon	SQUARE FEET	SOLID SOD
(PL)	PL	PLANK STAIR (18" DEEP TREAD)	INSTALL AT 3" DEPTH MINIMUM WITH DENSITY 4-5 GOLF CLUB PATTERN BEN RATH ROCK	SQUARE FEET	1 1/2" DIAMETER
(OR)	OR	OKLAHOMA RIVER ROCK	INSTALL AT 3" DEPTH MINIMUM WITH DENSITY 4-5 GOLF CLUB PATTERN BEN RATH ROCK	SQUARE FEET	3/4" DIAMETER
(BR)	BR	OKLAHOMA CROSS ROCK BOULDER	36 LB TO 250 LB MAX SIZE, BURY BOTTOM THIRD OF BOULDER IN LA-ATE ALL BOULDER CLASSES ON SITE AND MARK FOR LANDSCAPE ARCHITECT'S APPROVAL BEFORE PROCEEDING WITH WORK	TON	3/4" DIAMETER

REVISIONS: 1. 08/15/2024: REVISED PLANTING SCHEDULE AND MATERIALS LIST TO REFLECT CHANGES TO THE LANDSCAPE PLAN. 2. 08/15/2024: REVISED PLANTING SCHEDULE AND MATERIALS LIST TO REFLECT CHANGES TO THE LANDSCAPE PLAN. 3. 08/15/2024: REVISED PLANTING SCHEDULE AND MATERIALS LIST TO REFLECT CHANGES TO THE LANDSCAPE PLAN.



JOHNSON VOLK CONSULTING
 10000 Engineering Blvd., Suite 1000 | Houston, TX 77036 | 281.231.1300

HIGHLANDS AT BATES DRIVE
 CITY OF WAXAHACHIE
 TARRANT COUNTY, TEXAS

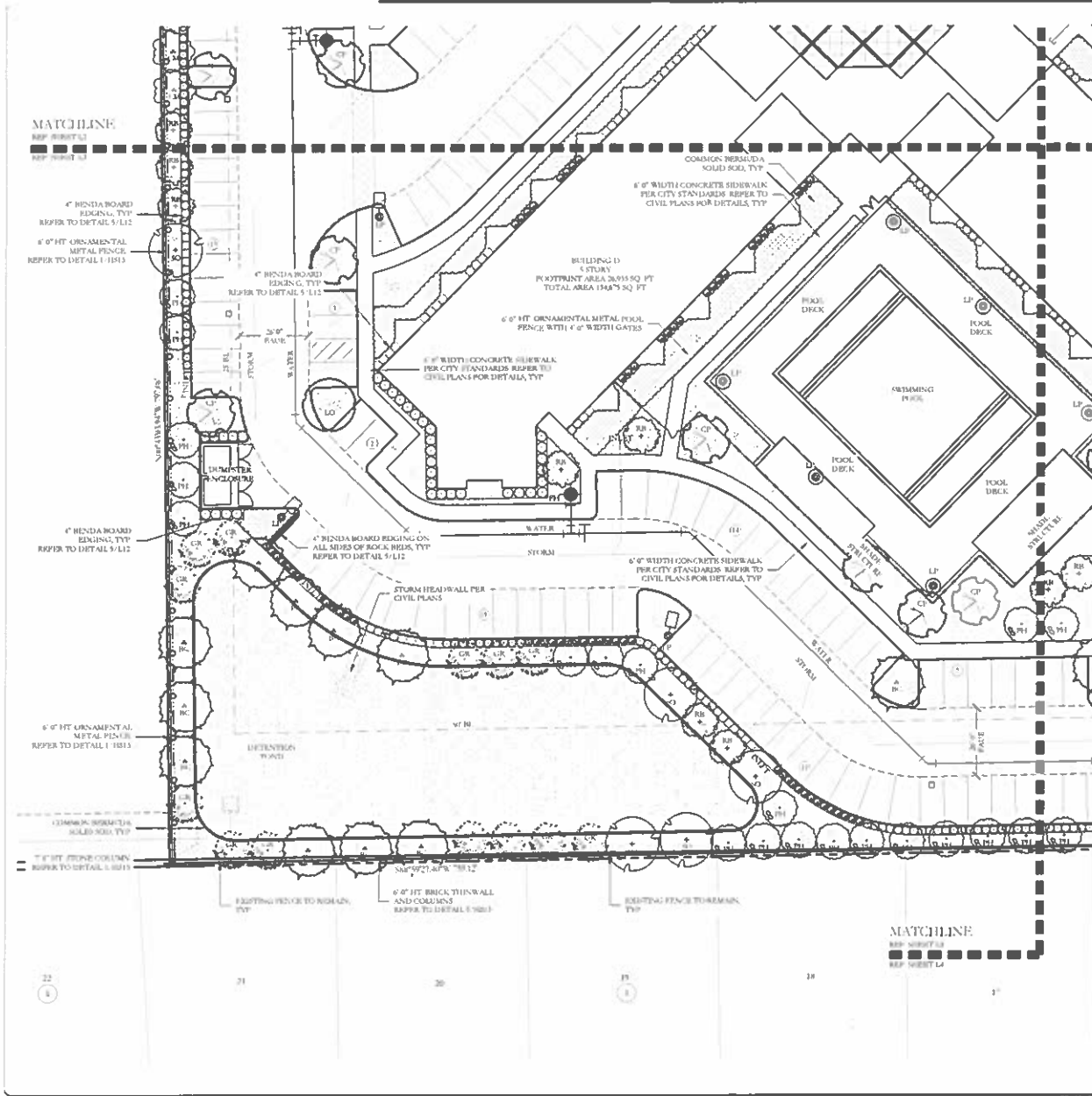
LANDSCAPE PLAN
 DETAILED LANDSCAPE PLAN

SCALE: 1" = 30'
 Date: 08/15/24
 11 of 13

CITY PROJECT NO. ZDC-171-2024

(11)

EXHIBIT E - LANDSCAPE PLAN



PLANT LEGEND					
SYMBOL	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING
(LO)	LO	LIVE OAK	QUERCUS VIRGINIANA	4" CALIPER	AS SHOWN
(SO)	SO	SHUMARD OAK	QUERCUS SHUMARDII	4" CALIPER	AS SHOWN
(BO)	BO	BUR OAK	QUERCUS MAUROCARPA	4" CALIPER	AS SHOWN
(CP)	CP	CHINESE PISTACHE	PESTALIA CHINENSIS	4" CALIPER	AS SHOWN
(AC)	AC	BALE COTONEE	TAXODIUM DISTICHUM	3" CALIPER	AS SHOWN
(PH)	PH	POSSUMHAW HOLLY	ILEX DECIDUA	2" CALIPER	AS SHOWN
(GR)	GR	GOLDENRAIN TREE	KORLEA TERETA PASCULATA	2" CALIPER	AS SHOWN
(BR)	BR	TEXAS REDBUD	CERES CANADENSIS VAR. TEXENSIS	2" CALIPER	AS SHOWN
(CM)	CM	NATCHEZ WHITE Crape MYRTLE	LAGERSTRÖMIA X NATCHEZ	2" CALIPER	AS SHOWN
(DWH)	DWH	DWARF BURFORD HOLLY	ILEX CORNUTA DWARF BURFORD	3 GALLON	36" O.C.
(DVA)	DVA	DWARF YAU-YAN HOLLY	ILEX VOMITORIA STROBILIF	3 GALLON	48" O.C.
(JES)	JES	JAPANESE SPIREA	SPYRAEA JAPONICA	3 GALLON	36" O.C.
(LIG)	LIG	BURNING BUSH	LAGYSTRUM SPINOSA	3 GALLON	36" O.C.
(YU)	YU	RED YUCCA	HESPERALOE PARVIFLORA	3 GALLON	36" O.C.
(S)	S	PURPLE WYTHEBERRY	BYRONIUM FORTUNII	1 GALLON	18" O.C.
(G)	G	GULF MUHLY GRASS	MITHENBERGIA CAITLIANS REGAL MIX	1 GALLON	24" O.C.
(M)	M	MEXICAN FEATHER GRASS	NASSELLA TENUISSIMA	1 GALLON	18" O.C.
(E)	E	EVENING PAIN LILY	EUOPHIA DRYMONDII	1 GALLON	18" O.C.
(W)	W	WEEPING LOVE GRASS	PARAGRISPS CURVULA	1 GALLON	18" O.C.
(A)	A	ANNUAL COLOR	TO BE SELECTED BY OWNER	4" POT	8" O.C.
(G)	G	COMMON BERMUDA GRASS	CYNODON DACTYLON	SQUARE FEET	SOLID BOD
(S)	S	BLACK STAR CRUSHED STONE	INSTALL AT 3" DEPTH MINIMUM WITH DENSITY 4 OZ FILTER FABRIC BENEATH ROCK	SQUARE FEET	11" DIAMETER
(R)	R	OKLAHOMA RIVER ROCK, MIXTURE OF TANS, BROWNS, GRAYS AND PINKS	INSTALL AT 3" DEPTH MINIMUM WITH DENSITY 4 OZ FILTER FABRIC BENEATH ROCK	SQUARE FEET	SQUAL COMBINATION OF 1" 2" & 3"
(B)	B	OKLAHOMA MOSS ROCK BOULDERS	90 LB TO 250 LB MAX SIZE, RUBY BOTTOM THIRD OF BOULDER IN LANDSCAPE BED. PLACE ALL BOULDER MASSES ON SITE AND MARK FOR LANDSCAPE ARCHITECT'S APPROVAL BEFORE PROCEEDING WITH WORK.	TON	



HIGHLANDS AT BATES DRIVE
CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS

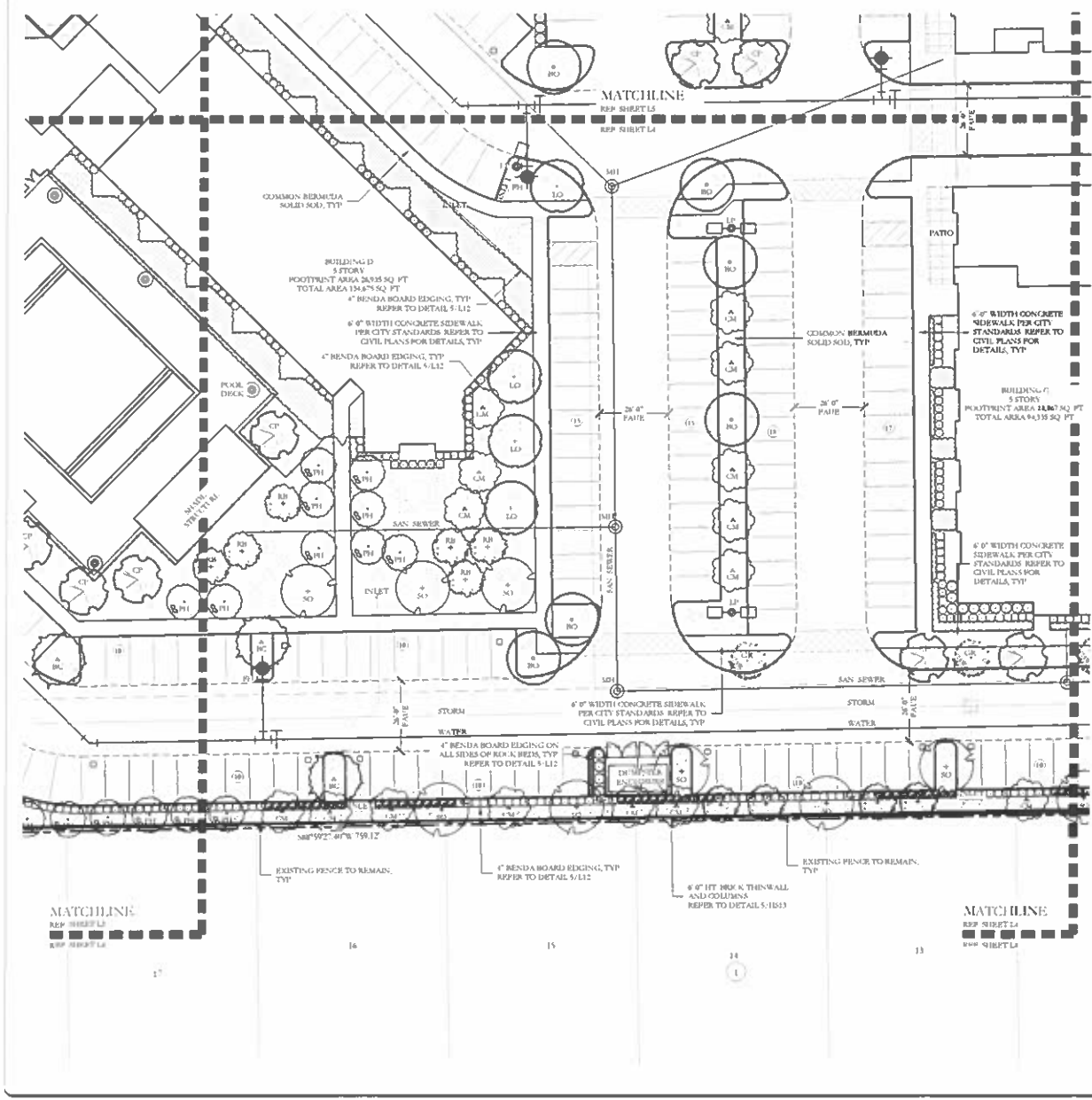
LANDSCAPE PLAN
DETAILED LANDSCAPE PLAN



SCALE
1" = 20'
DATE: 02/24/2024

(11)

EXHIBIT E - LANDSCAPE PLAN



PLANT LEGEND

SYMBOL	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING
(Symbol)	LO	LIVE OAK	QUERCUS VIRGINIANA	4" CALIPER	AS SHOWN
(Symbol)	SO	SHUMARD OAK	QUERCUS SUMMARDII	4" CALIPER	AS SHOWN
(Symbol)	BO	BUR OAK	QUERCUS MACROCARPA	4" CALIPER	AS SHOWN
(Symbol)	CP	CHINESE PISTACHE	PISTACIA CHINENSIS	4" CALIPER	AS SHOWN
(Symbol)	NO	NOEL HOLLY	ILEX DECIDUA	2" CALIPER	AS SHOWN
(Symbol)	TH	TEXAS HOLLY	ILEX DECIDUA	2" CALIPER	AS SHOWN
(Symbol)	UR	GREENBAY TREE	KOELARUTERA PANICULATA	2" CALIPER	AS SHOWN
(Symbol)	NR	TEXAS REDWOOD	GEORGIA CANADENSIS VAR. TEXONENSIS	2" CALIPER	AS SHOWN
(Symbol)	CM	NATCHEZ WHITE GRAY MYRTLE	LACONOSTOMA X NATCHEZ MYRTLE	2" CALIPER	AS SHOWN
(Symbol)	(Symbol)	LEAFY BURNING BUSH	ILEX CORNUTA 'BURNING BUSH'	3 GALLON	36" O.C.
(Symbol)	(Symbol)	LEAFY YAUPOIN HOLLY	ILEX VOMITORIA 'YAUPOIN'	3 GALLON	48" O.C.
(Symbol)	(Symbol)	JAPANESE SPINNA	SPERALEA JAPONICA	3 GALLON	36" O.C.
(Symbol)	(Symbol)	SUNSHINE LIGULASTRUM	LIGULASTRUM SINENSE 'SUNSHINE'	3 GALLON	36" O.C.
(Symbol)	(Symbol)	RED YUCCA	HESTOPHYLLON PARVIFLORA	3 GALLON	36" O.C.
(Symbol)	(Symbol)	PURPLE WINTERCREEPER	BUNYANUS PORTUNENSIS 'COLORADO'	1 GALLON	18" O.C.
(Symbol)	(Symbol)	GULF MOULDI GRASS	MULLENBERGIA CAPILLARIS 'REGAL MIST'	1 GALLON	24" O.C.
(Symbol)	(Symbol)	MEXICAN FEATHER GRASS	NASSELLA TENNESSEANA	1 GALLON	18" O.C.
(Symbol)	(Symbol)	EVENING RAIN LILY	COXIPERIA DRUMMONDII	1 GALLON	18" O.C.
(Symbol)	(Symbol)	WEeping LOVE GRASS	ERAGROSTIS CURVULA	1 GALLON	18" O.C.
(Symbol)	(Symbol)	ANNUAL ODOR	TORUS SELECTED BY OWNER	4" POT	1' O.C.
(Symbol)	(Symbol)	COMMON BERMUDA GRASS	CYNODON DACTYLON	SQUARE FEET	SOLID SOIL
(Symbol)	(Symbol)	BLACK STAR CURBED STONE	INSTALL AT 3" DEPTH MINIMUM WITH DENSITY 41 OZ FILTER FABRIC BENEATH ROCK	SQUARE FEET	1" DIAMETER
(Symbol)	(Symbol)	OKLAHOMA RIVER ROCK	INSTALL AT 3" DEPTH MINIMUM WITH DENSITY 41 OZ FILTER FABRIC BENEATH ROCK	SQUARE FEET	EQUAL COMBINATION OF 1" & 2" & 2"
(Symbol)	(Symbol)	OKLAHOMA MUSS ROCK	50 LB TO 50 LB MAX SIZE, 3/4" BY 1" BOTTOM THIRD OF BOULDER IN LANDSCAPE BED (FIELD) LOCATE ALL BOULDER MARKS ON SET AND MARK FOR LANDSCAPE ARCHITECTS AT FINAL BIDDING PROCEEDING WITH WORK	TON	

MAINTENANCE NOTE: THE PROPERTY OWNER, TENANT, OR ADJACENT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL REQUIRED LANDSCAPING IN A HEALTHY, NEAT, ORDERLY, AND LIVING GROWING CONDITION AT ALL TIMES. THIS SHALL INCLUDE WATERING, FERTILIZING, PRUNING, WEEDING, AND REPLACEMENT OF PLANTS. THE MAINTENANCE OF LANDSCAPING AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS, AND OTHER DEBRIS MATERIALS NOT A PART OF LANDSCAPING. PLANT MATERIALS THAT ARE SHALL BE REPLACED WITH PLANT MATERIALS OF SIMILAR VARIETY AND SIZE.

IRIGATION NOTE: ALL BIDDERS OF INSTALLATION AND CONNECTION TO CITY WATER LINES MUST BE PERMITTED SEPARATELY BY THE CITY INSPECTION STAFF. ALL TURF SOILS AND BED ZONES WILL BE SEPARATELY ALL BEDS WILL BE IRRIGATED WITH GRIP IRRIGATION. ALL TURF HEADS WILL BE PROVIDED BY CONTRACTOR. ALL OTHER TURF HEADS WILL BE STREAM ACROSS AND/OR AS REQUIRED BY STATE AND LOCAL CODES.

THRESHOLD: SHALL BE AT LEAST 1/4" IF BELOW FINISH COURTSIDE.

SCALE: 1" = 20'

North Arrow: (Symbol)

JOHNSON VOLK CONSULTING
 11001/11002/Land Surveying Permit 10110023
 2010 Certified Surveyor License # 10110023

**HIGHLANDS AT BATES DRIVE
 CITY OF WAKARUSA
 FLEMING COUNTY, TEXAS**

**LANDSCAPE PLAN
 DETAILED LANDSCAPE PLAN**

CITY PROJECT NO. ZDC-171-2024

November 14, 2024

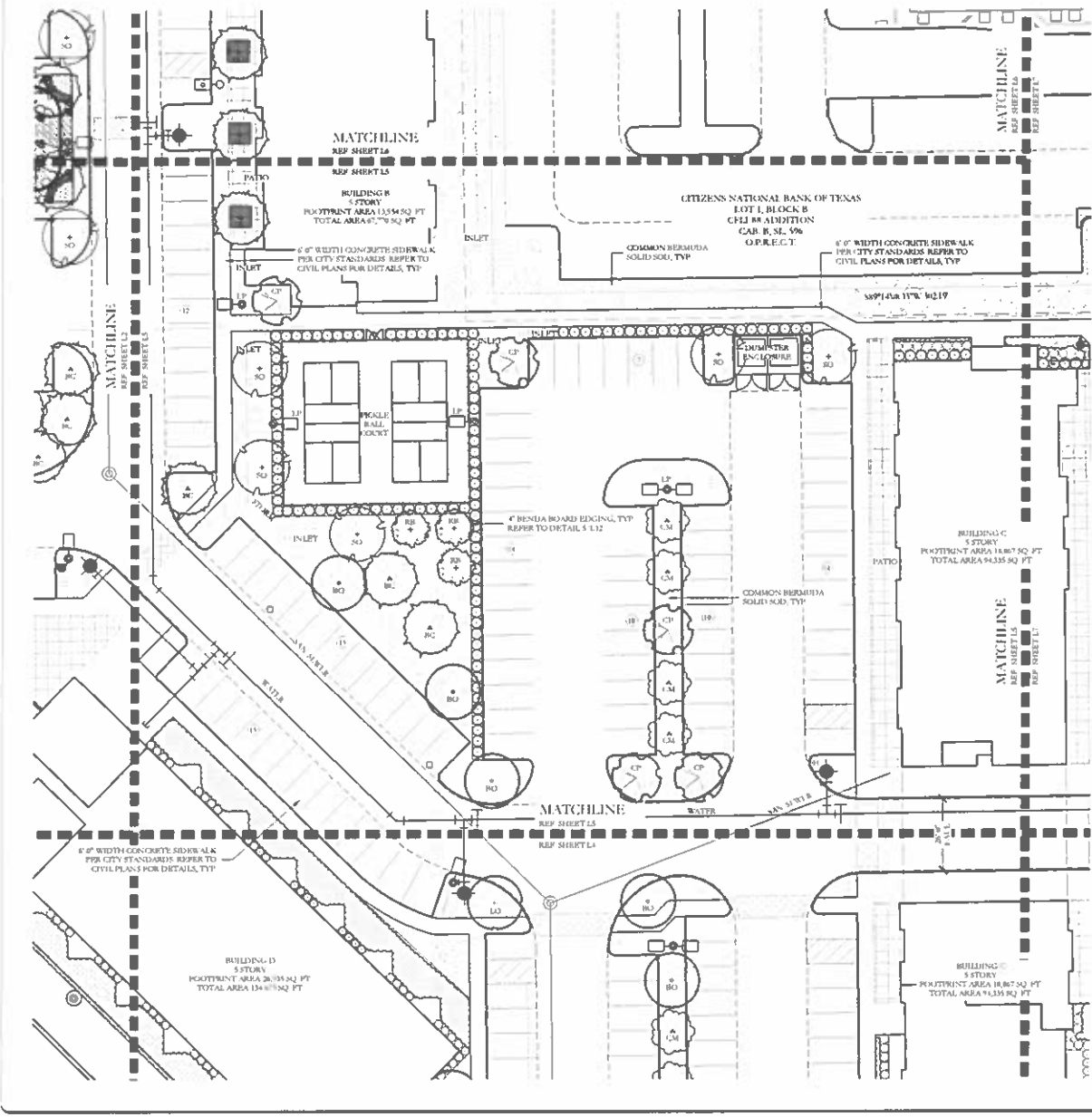
SCALE: 1" = 20'

One Inch = 20 Feet

L4 of 13

(116)

EXHIBIT E - LANDSCAPE PLAN



PLANT LEGEND					
SYMBOL	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING
	LO	LIVE OAK	QUERCUS VIRGINIANA	4" CALIPER	AS SHOWN
	SO	SHUMARD OAK	QUERCUS SHUMARDII	4" CALIPER	AS SHOWN
	BO	BUR OAK	QUERCUS MACROCARPA	4" CALIPER	AS SHOWN
	CP	CHINESE PISTACHE	PISTACHIA CHINENSIS	4" CALIPER	AS SHOWN
	BC	BALD CYPRESS	TAXODIUM DISTICHUM	3" CALIPER	AS SHOWN
	PH	NOVEBORAC HOLLY	ILEX DECIDUA	2" CALIPER	AS SHOWN
	GR	GOLDENRAIN TREE	KOELERIA PANICULATA	2" CALIPER	AS SHOWN
	RB	TEXAS REDBUD	CERCIS CANADENSIS VAR. TEXANENSIS	2" CALIPER	AS SHOWN
	CM	NATCHEZ WHITE CRAPE MYRTLE	LAGERSTROEMIA X NATCHIEZ	2" CALIPER	AS SHOWN
		DWARF BURFORD HOLLY	ILEX CORNUTA DWARF BURFORD	3 GALLON	16" O.C.
		DWARF YAUPON HOLLY	ILEX VOAMITORA STROKES	3 GALLON	16" O.C.
		JAPANESE SPIREA	SPIRAEA JAPONICA	3 GALLON	16" O.C.
		SUNSHINE LIGUSTRUM	LIGUSTRUM SINENSE SUNSHINE	3 GALLON	16" O.C.
		RED YUCCA	HESPERALOE PARVIFLORA	3 GALLON	16" O.C.
		PURPLE WINTERCREEPER	EUONYMUS FORSTNERI 'COLLORATUS'	1 GALLON	18" O.C.
		GULF MUHLY GRASS	MUHLENBERGIA CAPILLARIS 'REGAL MIST'	1 GALLON	24" O.C.
		MEDCAN FEATHER GRASS	NASSELLA TENUISSIMA	1 GALLON	18" O.C.
		EVENING RAIN LILY	ZHIPERIA DRUMMONDII	1 GALLON	18" O.C.
		WEEPING LOVE GRASS	BRACHYOTIS SPICATA	1 GALLON	18" O.C.
		ANNUAL COLOR	TO BE SELECTED BY OWNER	4" PLANT	18" O.C.
		COMMON BERMUDA GRASS	CYNODON DACTYLON	SQUARE FEET	SOLID SOD
		BLACK STAR CRUSHED STONE	INSTALL AT 3" DEPTH MINIMUM WITH DEPTH 1 OZ FILTER FABRIC BENEATH BED.	SQUARE FEET	1 1/2" DIAMETER
		OKLAHOMA RIVER ROCK, MIXTURE OF PINK, BROWN, GRAYS AND PINKS	INSTALL AT 3" DEPTH MINIMUM WITH DEPTH 1 OZ FILTER FABRIC BENEATH BED.	SQUARE FEET	SOLID COMBINATION OF 1 1/2" X 2 1/2"
		OKLAHOMA MOSS ROCK BOULDERS	50 LB TO 250 LB MAX SIZE, BURY BOTTOM THIRD OF BOULDER IN LANDSCAPE BED. FIELD LOCATE ALL BOULDER MASS ON SITE AND MARK FOR LANDSCAPE ARCHITECT'S APPROVAL BEFORE PROCEEDING WITH WORK.	TON	

INSTALLER NOTE: THE PROPERTY OWNER, TENANT, OR PLANTER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL PLANTED LANDSCAPING IN AREAS THEY WANT, OPERATE, AND CONTROL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL PLANTED LANDSCAPING IN AREAS THEY WANT, OPERATE, AND CONTROL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL PLANTED LANDSCAPING IN AREAS THEY WANT, OPERATE, AND CONTROL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL PLANTED LANDSCAPING IN AREAS THEY WANT, OPERATE, AND CONTROL.



JOHNSON VOLK CONSULTING
 11015 Engineering Avenue | 1162 Landmark | Houston, TX 77033
 281.461.1100 | www.jvconsulting.com | 1972-2013

HIGHLANDS AT BATES DRIVE
 CITY OF WAXAHACHIE
 TARRANT COUNTY, TEXAS

LANDSCAPE PLAN
 DETAILED LANDSCAPE PLAN

November 14, 2024

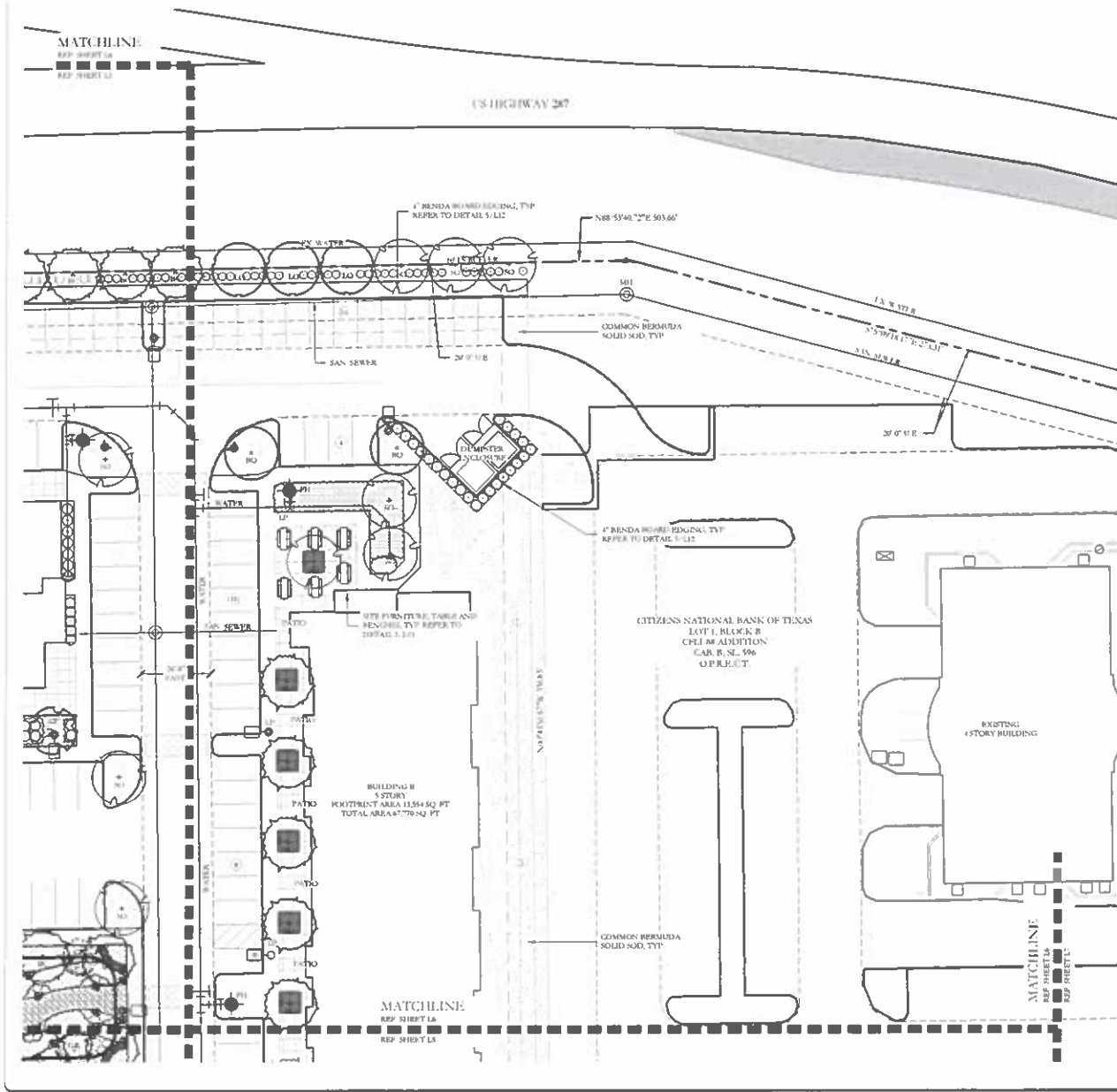
SCALE
 1" = 30'
 One Inch
 JVC No. 247562

15 of 13

CITY PROJECT NO. ZDC-171-2024

(11)

EXHIBIT E - LANDSCAPE PLAN



PLANT LEGEND					
SYMBOL	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING
	LO	LIVE OAK	QUERCUS VIRGINIANA	4" CALIPER	AS SHOWN
	BO	BURFORD OAK	QUERCUS BURFORDII	4" CALIPER	AS SHOWN
	WO	WHITE OAK	QUERCUS MACROCARPA	4" CALIPER	AS SHOWN
	CP	CHINESE PISTACHE	HESTACIA CHINENSIS	4" CALIPER	AS SHOWN
	BC	BALD CYPRESS	TAXODIUM DISTICHUM	3" CALIPER	AS SHOWN
	BH	BURFORD HOLLY	ILEX DECIDUA	2" CALIPER	AS SHOWN
	GR	GOLDENRAIN TREE	ABILETHERIA PANICULATA	2" CALIPER	AS SHOWN
	RB	TEXAS REDBUD	CERCIS CANADENSIS VAR. TEXENSIS	2" CALIPER	AS SHOWN
	GM	NATCHEZ WHITE GRAPE MYRTLE	LAGERSTROEMIA X NATCHOZ	2" CALIPER	AS SHOWN
		DWARF BURFORD HOLLY	ILEX CORNUTA DWARF BURFORDII	3 GALLON	36" O.C.
		DWARF YAUPON HOLLY	ILEX VOXITORIA STROKES	7 GALLON	48" O.C.
		JAPANESE SPIREA	SPYRAEA JAPONICA	3 GALLON	36" O.C.
		SUNSHINE LIGUSTRUM	LIGUSTRUM SINENSE 'SHINSHINE'	3 GALLON	36" O.C.
		RED YUCCA	HESTERALOE PARVIFLORA	3 GALLON	36" O.C.
		PURPLE WINTER JUBBERLIPPER	BIANCAVIVUS PORTINELI 'COLORATUS'	1 GALLON	18" O.C.
		GULP MISTLE GRASS	MULLENBERGIA CAPILLARIS 'REGAL MIST'	1 GALLON	24" O.C.
		MEXICAN FEATHER GRASS	NASSELLA TENNENSIS	1 GALLON	18" O.C.
		EVENING RAIN LILY	COOPERIA DRUMMONDII	1 GALLON	18" O.C.
		WEEPING LOVE GRASS	ERAGROSTIS CURVATA	1 GALLON	18" O.C.
		ANNUAL COLOR	TO BE SELECTED BY OWNER	4" POT	6" O.C.
		COMMON BERMUDA GRASS	CYNODEN DACTYLON	SQUARE FEET	SOLID SOIL
		BLACK STAR CRUSHED STONE	INSTALL AT 1" DEPTH MINIMUM WITH DENSITY 4.1 GZ FILTER FABRIC; BEN-EATH ROCK.	SQUARE FEET	1 1/2" DIAMETER
		OKLAHOMA RIVER ROCK, MIXTURE OF TANS, BROWN, GRAYS AND PINKS	INSTALL AT 1" DEPTH MINIMUM WITH DENSITY 4.1 GZ FILTER FABRIC; BEN-EATH ROCK.	SQUARE FEET	BI-COLOR COMBINATION OF 1/2" & 3/4"
		OKLAHOMA MOSS ROCK, Boulders	50 LB TO 250 LB MAX SIZE, BURY BOTTOM THIRD OF BOULDER IN LANDSCAPE REEF FIELD; LOCATE ALL BOULDER MASSES ON SITE AND MARK FOR LANDSCAPE ARCHITECT'S APPROVAL BEFORE PROCEEDING WITH WORK.	TON	

MAINTENANCE NOTE: THE PROPERTY OWNER, TENANT, OR AGENT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL PLANTS AND MATERIALS INSTALLED ON THIS SITE. THE CITY SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE PUBLIC RIGHT-OF-WAY AND ALL PLANTS AND MATERIALS INSTALLED THEREIN. THE CITY SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE PUBLIC RIGHT-OF-WAY AND ALL PLANTS AND MATERIALS INSTALLED THEREIN. THE CITY SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE PUBLIC RIGHT-OF-WAY AND ALL PLANTS AND MATERIALS INSTALLED THEREIN.

IRRIGATION NOTE: ALL IRRIGATION INSTALLATION AND CONNECTION TO CITY WATER LINES MUST BE PERMITTED SEPARATELY BY THE CITY OF WAXAHACHIE. ALL TYPING SHALL BE IN INCHES UNLESS OTHERWISE NOTED. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME. ALL TYPING SHALL BE IN INCHES UNLESS OTHERWISE NOTED. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

SCALE: 1" = 20'

JOHNSON VOLK CONSULTING
 11062 Lund Lane, Suite 100
 Waxahachie, TX 76798

HIGHLANDS AT BATES DRIVE
 CITY OF WAXAHACHIE
 TARRANT COUNTY, TEXAS

LANDSCAPE PLAN
 DETAILED LANDSCAPE PLAN

November 16, 2024

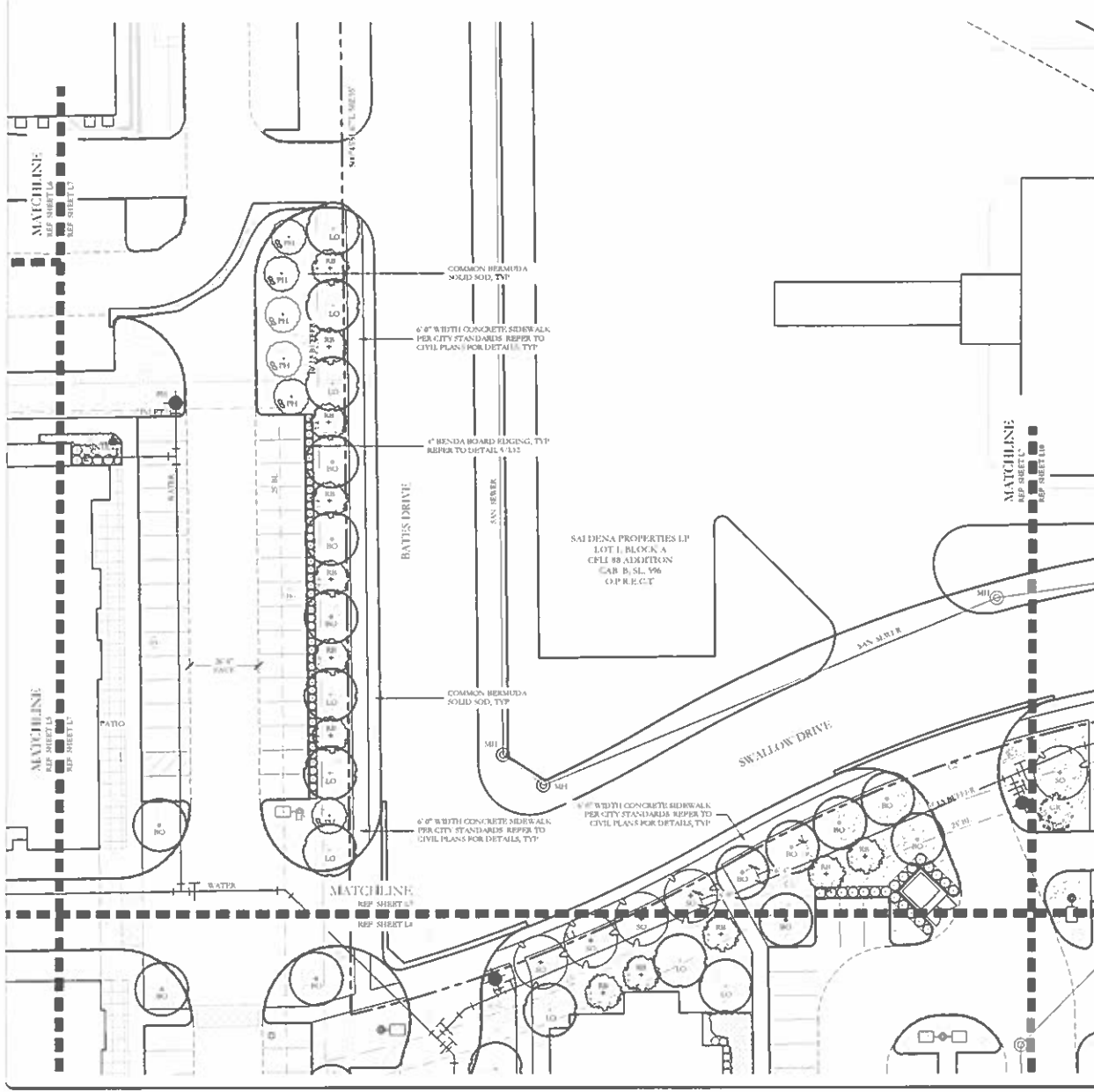
SCALE: 1" = 20'

Sheet No. 16 of 13

CITY PROJECT NO. ZDC-171-2024

(111)

EXHIBIT E - LANDSCAPE PLAN



PLANT LEGEND					
SYMBOL	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING
	LO	LIVE OAK	QUERCUS VIRGINIANA	4" CALIPER	AS SHOWN
	RO	RICHMOND OAK	QUERCUS RICHMONDII	4" CALIPER	AS SHOWN
	RO	ROCK OAK	QUERCUS MACROCARPA	4" CALIPER	AS SHOWN
	CP	CHINESE PISTACHE	PISTACIA CHINENSIS	4" CALIPER	AS SHOWN
	BC	BALD CYPRESS	TAXODIUM DISTICHUM	3" CALIPER	AS SHOWN
	PH	POINSETTIA HOLLY	ILEX DECIDUA	2" CALIPER	AS SHOWN
	GR	GOLDENRAIN TREE	KOELBUTERIA PANICULATA	2" CALIPER	AS SHOWN
	RB	TEXAS REDBUD	CERCIS CANADENSIS VAR. TEXENSIS	2" CALIPER	AS SHOWN
	CM	NATCHEZ WHITE GRAPE MYRTLE	LAGOSTROBILIA X NATCHEZ	2" CALIPER	AS SHOWN
		DWARF BURFORD HOLLY	ILEX CORNUTA DWARF BURFORD	3 GALLON	16" O.C.
		DWARF YAUPON HOLLY	ILEX VOMITORIA 'STROKEE'	7 GALLON	16" O.C.
		JAPANESE SPIREA	SPIREA JAPONICA	3 GALLON	16" O.C.
		SUNSHINE LIGUSTRUM	LIGUSTRUM SINENSE 'SUNSHINE'	3 GALLON	16" O.C.
		RED YUCCA	Hesperaloe parviflora	3 GALLON	16" O.C.
		PURPLE WINTERCREEPER	ELONIMYUS PORTINENSIS 'COLORATUS'	1 GALLON	18" O.C.
		GULF MUHLY GRASS	Muhlenbergia capillaris 'BURGLA MIST'	1 GALLON	24" O.C.
		MEXICAN FEATHER GRASS	NANPALLA TENUESIMA	1 GALLON	18" O.C.
		EVENING PRIMROSE	Oenothera drummondii	1 GALLON	18" O.C.
		WEEPING LOVE GRASS	BRACHYOTIS CURVULA	1 GALLON	18" O.C.
		ANNUAL COLOR	TO BE SELECTED BY OWNER	4" POT	8" O.C.
		COMMON BERBERDA GRASS	CYNODON DACTYLON	SQUARE FEET	SOLID SOB
		BLACK STAR CRUSHED STONE	INSTALL AT 3" DEPTH MINIMUM WITH DENSITY 41 OZ PER TON FABRIC BENEATH ROCK	SQUARE FEET	4" DIAMETER
		OKLAHOMA RIVER ROCK, MIXTURE OF TANS, BROWNS, GRAYS AND PINKS	INSTALL AT 3" DEPTH MINIMUM WITH DENSITY 41 OZ PER TON FABRIC BENEATH ROCK	SQUARE FEET	SQUARE COMBINATION OF 2" & 2 1/2"
		OKLAHOMA MOSS ROCK BOULDERS	36 LB TO 250 LB MAX SIZE, RUBY BOTTOM THIRD OF BOULDER IN LANDSCAPE BED. FIELD LAYOUT ALL BOULDER MASSES ON SITE AND MARK FOR LANDSCAPE ARCHITECT'S APPROVAL BEFORE PROCEEDING WITH WORK	TON	

MAINTENANCE RATE THE PROPERTY, TREES, SHRUBS, OR PLANTS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL REQUIRED LANDSCAPING BY A FIRM, INDIVIDUAL, OR LANDSCAPING CONTRACTOR AT ALL TIMES. THIS SHALL INCLUDE WATERING, SOILING, PRUNING, FERTILIZING, IRIGATION, WEEDING, AND OTHER ACTIVITIES NECESSARY TO THE MAINTENANCE OF LANDSCAPING. LANDSCAPING AREAS SHALL BE KEPT FREE OF WEEDS, LITTER, RUBBISH, AND OTHER SUCH MATERIALS NOT A PART OF LANDSCAPING. PLANT MATERIALS THAT ARE SHALL BE REPLACED WITHIN 14 DAYS OF THE DATE OF THE CITY INSPECTION STAFF. ALL TRIP SCREWS AND BIRD SCREWS WILL BE SEPARATED. ALL BIDS WILL BE NEGOTIATED WITH CITY INSPECTION STAFF. ALL TRIP SCREWS SHALL BE PROVIDED BY CONTRACTOR. ALL OTHER TRIP SCREWS WILL BE PROVIDED BY STATE AND LOCAL CODES. THERE WILL REMAIN AT LEAST 4" FROM PUBLIC UTILITY LINES.



HIGHLANDS AT BATES DRIVE
CITY OF WAKARUSA, TEXAS
ELIAS COUNTY, TEXAS

LANDSCAPE PLAN
DETAILED LANDSCAPE PLAN

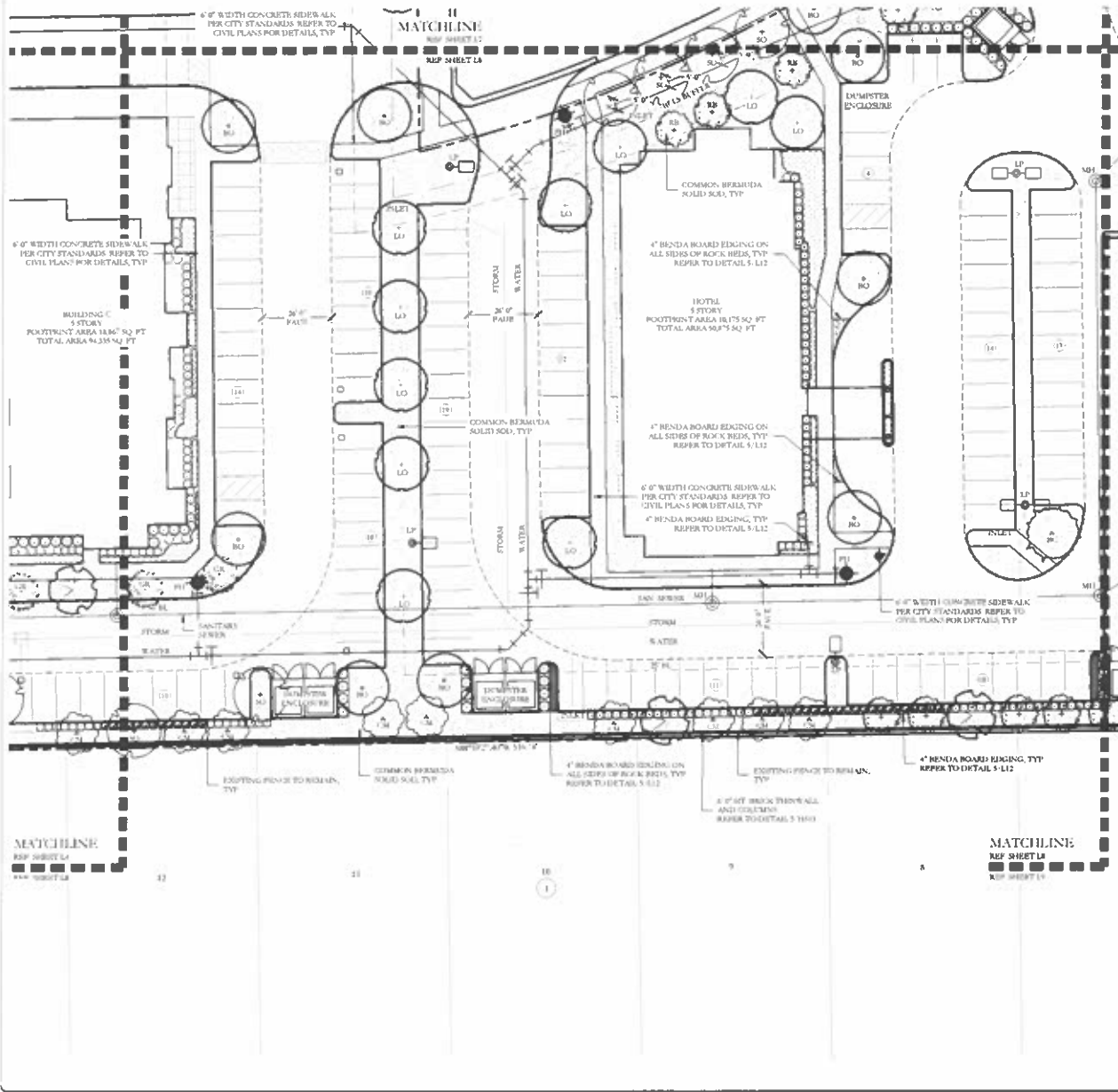


SCALE
1" = 20'
One Inch
JVC No. 567502
1.7 of 13

CITY PROJECT NO. ZADC-171-2024

(16)

EXHIBIT E - LANDSCAPE PLAN



PLANT LEGEND					
SYMBOL	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING
(Symbol)	LO	LIVE OAK	QUERCUS VIRGINIANA	4" CALIPER	AS SHOWN
(Symbol)	SO	SHUMARD OAK	QUERCUS SHUMARDII	4" CALIPER	AS SHOWN
(Symbol)	BO	BUR OAK	QUERCUS MAULDBRANDII	4" CALIPER	AS SHOWN
(Symbol)	CP	CHINESE PISTACHE	PISTACHIA CHINENSIS	4" CALIPER	AS SHOWN
(Symbol)	BC	BALD CYPRESS	TAXODIUM DISTICHUM	3" CALIPER	AS SHOWN
(Symbol)	PH	POSSUMTAW HOLLY	ILEX DECIDUA	2" CALIPER	AS SHOWN
(Symbol)	GR	GOLDENRAIN TREE	KOELBUTERIA PANICULATA	2" CALIPER	AS SHOWN
(Symbol)	AB	TEXAS REDBUD	CERCIS CANADENSIS VAR. TEXENSIS	2" CALIPER	AS SHOWN
(Symbol)	CM	NATCHEZ WHITE GRAPE MYRTLE	LIGULASTRODIA X NATCHEZ	2" CALIPER	AS SHOWN
(Symbol)	(Symbol)	DWARF BURSPUR HOLLY	ILEX CORNUTA DWARF BURSPUR	1 GALLON	36" OC
(Symbol)	(Symbol)	DWARF YAWBON HOLLY	ILEX VOMITORIA STRENUA	1 GALLON	48" OC
(Symbol)	(Symbol)	JAPANESE SPirea	SPIRAEA JAPONICA	1 GALLON	36" OC
(Symbol)	(Symbol)	SHENSHU LALACUM	QUERCUS KANEKUNOENSIS	1 GALLON	36" OC
(Symbol)	(Symbol)	RED TIGER	FOURBARK PARROTWOOD	1 GALLON	36" OC
(Symbol)	(Symbol)	POPPLE WITH BLUE BLOSSOM	FRAXINUS PURTINII	1 GALLON	36" OC
(Symbol)	(Symbol)	GULF MOORE GRASS	MIDICHAETALIA CAPILLARE	1 GALLON	24" OC
(Symbol)	(Symbol)	MEXICAN FEATHER GRASS	NAUTILA TENNESSENSIS	1 GALLON	36" OC
(Symbol)	(Symbol)	EVENING PRAIRIE	TRICHRIS DICHROMIDI	1 GALLON	36" OC
(Symbol)	(Symbol)	WEPPEN LURE GRASS	GRAMINIFOLIA	1 GALLON	36" OC
(Symbol)	(Symbol)	ANNUAL COLOR	TO BE SELECTED BY OWNER	4" POT	8" OC
(Symbol)	(Symbol)	COMMON BERBERDA GRASS	CYNODON DACTYLON	SQUARE FOOT	SOLID SOIL
(Symbol)	(Symbol)	BLACK STAR CRUSHED STONE	INSTALL AT 3" DEPTH MINIMUM WITH 1/2" 4:1 SLOPE FILTER FABRIC BENEATH ROCK	SQUARE FOOT	12" DIAMETER
(Symbol)	(Symbol)	OKLAHOMA RIVER ROCK, MIXTURE OF SANDS, SILTS, GRAVS AND PINNS	INSTALL AT 3" DEPTH MINIMUM WITH 1/2" 4:1 SLOPE FILTER FABRIC BENEATH ROCK	SQUARE FOOT	SQUARE DIMENSIONS N OF 12" & 12"
(Symbol)	(Symbol)	OKLAHOMA REDDIP ROCK BURLERS	10 LB TO 25 LB MAX SIZE BURY BOTTOM THIRD OF BURLER IN LANDSCAPE BED. (FIELD LOCATE ALL BURLERS NEARBY ON SITE AND MARK FOR LANDSCAPE ARCHITECT APPROVAL BEFORE PROCEEDING WITH WORK)	TON	



HIGHLANDS AT BATES DRIVE
CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS

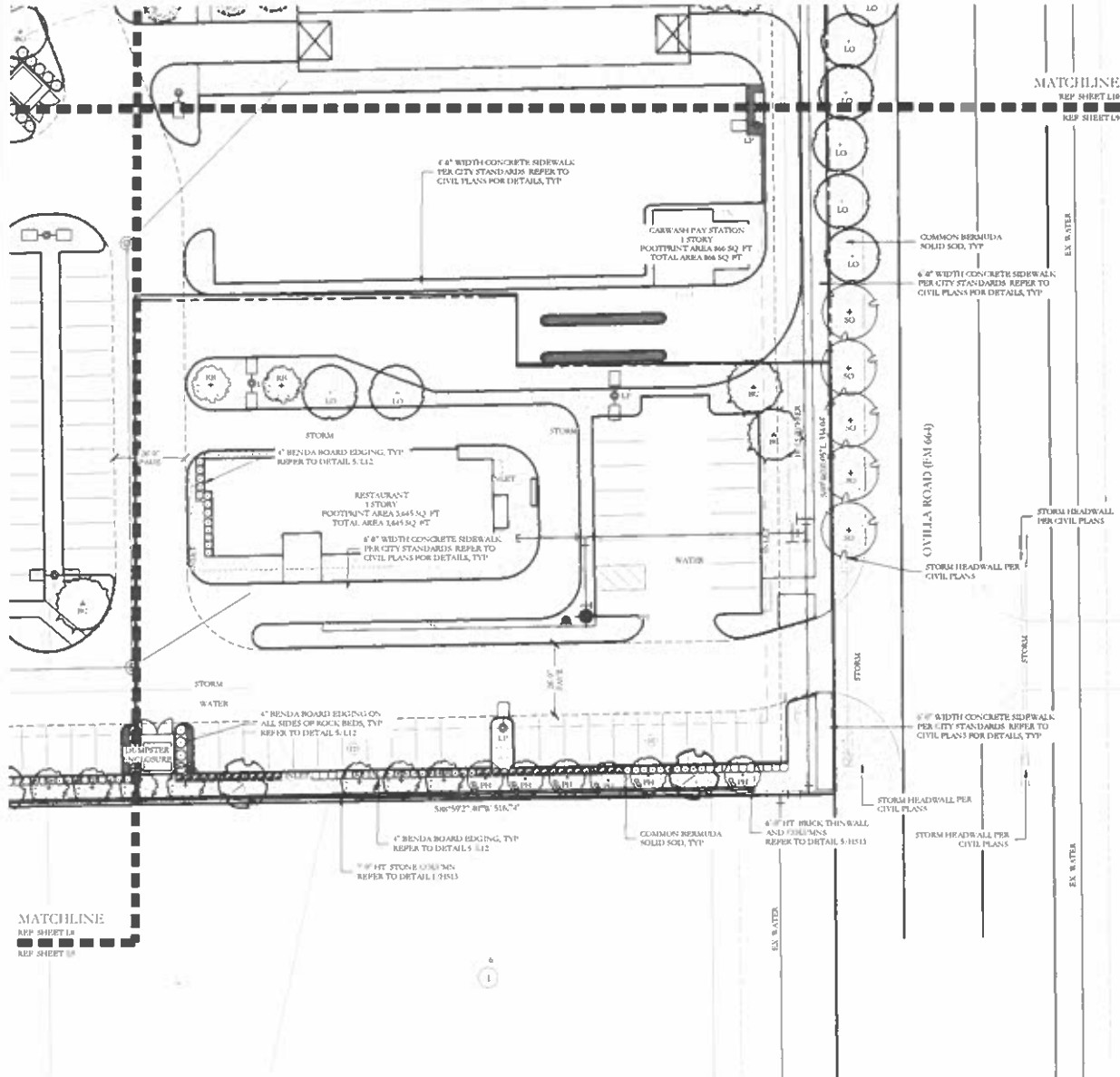
LANDSCAPE PLAN
DETAILED LANDSCAPE PLAN



DATE: 11-20-24
SCALE: 1" = 30'
BY: JVS/NJF

(11)

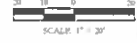
EXHIBIT E - LANDSCAPE PLAN



PLANT LEGEND					
SYMBOL	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING
(LO)	LO	LIVE OAK	QUERCUS VIRGINIANA	1" CALIPER	AS SHOWN
(SO)	SO	SHUMARD OAK	QUERCUS S. RUMARHII	1" CALIPER	AS SHOWN
(BO)	BO	BUR OAK	QUERCUS MARSCOPFII	1" CALIPER	AS SHOWN
(CP)	CP	CHINESE PISTACHE	PESTALIA CHINENSIS	1" CALIPER	AS SHOWN
(BC)	BC	BALD CYPRESS	TAXODIUM DISTICHUM	1" CALIPER	AS SHOWN
(PH)	PH	REDSHAW HOLLY	ILEX DEXTERA	2" CALIPER	AS SHOWN
(GR)	GR	GULDBRAIN TREE	KOHLERIA PALMIFOLIA	1" CALIPER	AS SHOWN
(RB)	RB	TEXAS REDWOOD	QUERCUS CANADENSIS VAR. TEXANENSIS	1" CALIPER	AS SHOWN
(CM)	CM	NATCHEZ WHITE GRAPE MYRTLE	LACINOSTROPHAX NATCHEZ	1" CALIPER	AS SHOWN
(DW)	DW	DWARF BURFORD HOLLY	ILEX CORNUTA DWARF BURFORD	3 GALLON	36" O.C.
(DY)	DY	DWARF YALTON HOLLY	ILEX VOMITORIA STROOKSII	1 GALLON	48" O.C.
(JP)	JP	JAPANESE SPYRA	SPYRA JAPONICA	3 GALLON	36" O.C.
(LS)	LS	SUNSHINE LIGULOSTRUM	LIGULOSTRUM SENENSE 'SUNSHINE'	3 GALLON	36" O.C.
(RV)	RV	RED YUCCA	HESPERALOE PARVIFLORA	3 GALLON	36" O.C.
(PW)	PW	PURPLE WINTERKIEPER	RUONONIA PORTUNSI 'SELOLORATUS'	1 GALLON	18" O.C.
(MG)	MG	GULF MIGHTY GRASS	MIRHELENBERGIA CAPILLARIS 'REGAL MIST'	1 GALLON	24" O.C.
(MT)	MT	MEXICAN FEATHER GRASS	NASSELLA TENUESIMA	1 GALLON	18" O.C.
(EL)	EL	EVENING BURN LILY	COOPERIA DRUMMONDII	1 GALLON	18" O.C.
(WV)	WV	WEeping LOVE GRASS	FRAGRARIOPSIS TRIFIDA	1 GALLON	18" O.C.
(AN)	AN	ANNUAL COLOR	TO BE SELECTED BY OWNER	1" POT	6" O.C.
(CB)	CB	COMMON BERBERIDA GRASS	CYNODON DACTYLON	SQUARE FEET	SOLID SOD
(FS)	FS	BLACK STAR CRUMBED STONE	INSTALL AT 3" DEPTH MINIMUM WITH 1/2" 1/2" OZ. FILTER FABRIC BENEATH ROCK	SQUARE FEET	1" DIAMETER
(OR)	OR	OKLAHOMA RIVER ROCK, MIXTURE OF TANS, WOODS, GRAYS AND PINKS	INSTALL AT 3" DEPTH MINIMUM WITH 1/2" 1/2" OZ. FILTER FABRIC BENEATH ROCK	SQUARE FEET	SQUARE COMB TO 1" O.P. 2" x 2"
(MR)	MR	OKLAHOMA MOSS ROCK BOULDERS	40 LB TO 250 LB MAX SIZE, BUY BOTTOM THIRD OF BOULDER IN LANDSCAPE BED FIELD LOCATE ALL BOULDER MASSES ON SITE AND MARK FOR LANDSCAPE ARCHITECT'S APPROVAL BEFORE PROCEEDING WITH WORK	TON	

MAINTENANCE: THE PROPERTY OWNER, TENANT, OR AGENT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL INSTALLED LANDSCAPING IN A HEALTHY, BEAUTIFUL, ORDERLY AND LIVABLE CONDITION AT ALL TIMES. THE SMALL BUCKLE MOWING, WEEDING, PRUNING, FERTILIZING, IRRIGATION, WEEDING, AND OTHER ACTIVITIES COMMON TO THE MAINTENANCE OF LANDSCAPING AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS, AND OTHER DEBRIS. MATERIALS NOT PART OF LANDSCAPING: PLANT MATERIALS THAT ARE REPLACED WITH PLANT MATERIALS OF SIMILAR VARIETY AND SIZE.

IRRIGATION: ALL IRRIGATION INSTALLATION AND CONNECTION TO CITY WATER LINES MUST BE PERMITTED SEPARATELY BY THE CITY INSPECTION STAFF. ALL TURF ZONES AND BED ZONES WILL BE SEPARATED. ALL BEDS WILL BE LOCATED WITH IRRIGATION ON ALL TURF ZONES WILL BE PERMITTED TO ADJACENT AREAS. ALL OTHER TURF ZONES WILL BE STRIPED NOTICED AND/OR LAMP AS REQUIRED BY STATE AND LOCAL CODES. THERE WILL REMAIN AT LEAST 1" OF FLOW FROM UTILITY LINES.



HIGHLANDS AT BATES DRIVE
CITY OF WAKAHACHIE
ELLIS COUNTY, TEXAS

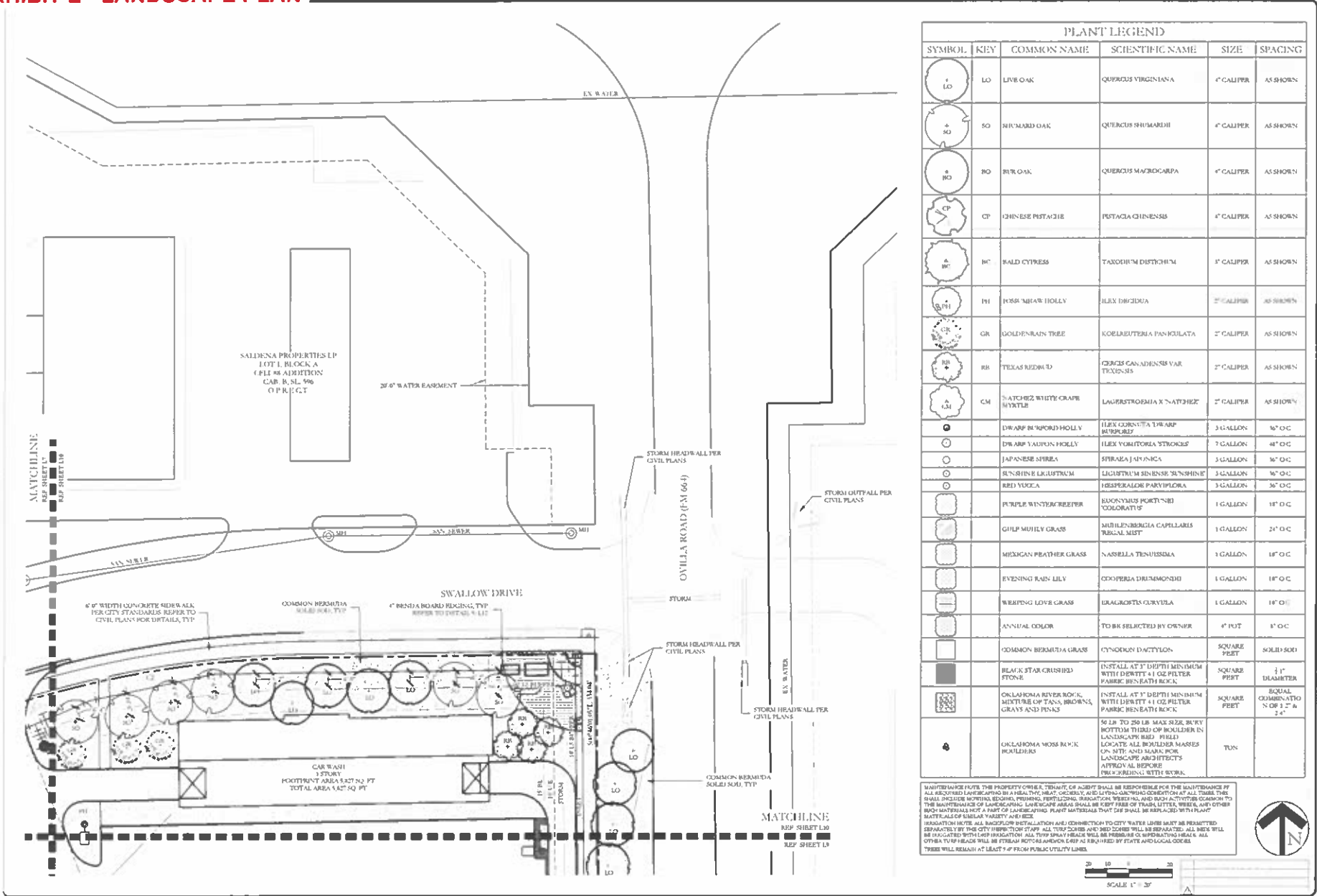
LANDSCAPE PLAN
DETAILED LANDSCAPE PLAN



SCALE: 1" = 30'
DWG No. SCL782

(91)

EXHIBIT E - LANDSCAPE PLAN



PLANT LEGEND					
SYMBOL	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING
	LO	LIVE OAK	QUERCUS VIRGINIANA	4" CALIPER	AS SHOWN
	SO	SHUMARD OAK	QUERCUS SHUMARDII	4" CALIPER	AS SHOWN
	RO	RED OAK	QUERCUS MAJORCARPA	4" CALIPER	AS SHOWN
	CP	CHINESE PISTACHE	PESTALIA CHINENSIS	4" CALIPER	AS SHOWN
	BC	BALD CYPRRESS	TAXODIUM DISTICHUM	1" CALIPER	AS SHOWN
	HI	HORN MEADOW HOLLY	ILEX DEXIEDUA	2" CALIPER	AS SHOWN
	GR	GOLDENRAIN TREE	KOELBUTERIA PANICULATA	2" CALIPER	AS SHOWN
	RB	TEXAS REDBUD	CEGROS CANADENSIS VAR TEXINENSIS	2" CALIPER	AS SHOWN
	CM	SMOOTH WHITE GRAPE HYDRANGEA	LAURUSTROPHIA X SAPHIRE	2" CALIPER	AS SHOWN
		DWARF BURFORD HOLLY	ILEX CORNUTA DWARF BURFORD	3 GALLON	36" O.C.
		DWARF YAPUN HOLLY	ILEX VOMITORIA STROCKES	2 GALLON	48" O.C.
		JAPANESE SPIREA	SPYRAEA JAPONICA	3 GALLON	36" O.C.
		SUNSHINE LIGULSTRUM	LIGULSTRUM SINENSE 'SUNSHINE'	3 GALLON	36" O.C.
		RED YUCCA	DESFERALOE PARVIFLORA	3 GALLON	36" O.C.
		PURPLE WINTERCREEPER	BOENYUNUS PORTUNIB 'COLORATUS'	1 GALLON	18" O.C.
		GULF MUHLY GRASS	MULLENBERGIA CAPILLARIS 'REGAL MUST'	1 GALLON	24" O.C.
		MICHIGAN FEATHER GRASS	NAUSELLA TENUISSIMA	1 GALLON	18" O.C.
		EVENING GLAZED LILY	COOPERIA DRUMMONDII	1 GALLON	18" O.C.
		WESTING LOVE GRASS	ERAGROPSIS CURVULA	1 GALLON	18" O.C.
		ANNUAL COLOR	TO BE SELECTED BY OWNER	4" POT	1" O.C.
		COMMON BERMUDA GRASS	CYNODON DACTYLON	SQUARE FEET	SOLID SOIL
		BLACK STAR CRUSHED STONE	INSTALL AT 3" DEPTH MINIMUM WITH DENSITY 4 OZ FILTER FABRIC BENEATH ROCK	SQUARE FEET	1/2" DIAMETER
		OKLAHOMA RIVER ROCK	INSTALL AT 3" DEPTH MINIMUM WITH DENSITY 4 OZ FILTER FABRIC BENEATH ROCK	SQUARE FEET	EQUAL COMBINATION OF 3/4", 2" & 3"
		OKLAHOMA MOSS ROCK Boulders	36 LB TO 250 LB MAX SIZE, SURVEY BOTTOM THIRD OF BOULDER IN LANDSCAPE BED. PLACE LOCATE ALL BOULDER MASSES ON TOP AND MARK FOR LANDSCAPE ARCHITECT'S APPROVAL BEFORE PROCEEDING WITH WORK.	TUN	

MAINTENANCE NOTE: THE PROPERTY OWNER, TENANT, OR AGENT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL BIODIVERSITY LANDSCAPING AS A REALTY INVESTMENT AND AS A CONDITION OF ALL TRACTS. THIS SHALL INCLUDE MOISTURE REGULATION, FERTILIZATION, PRUNING, WEEDING, AND SUCH ACTIVITIES COMMON TO THE MAINTENANCE OF LANDSCAPING. LANDSCAPING AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS, AND OTHER SUCH MATERIALS NOT A PART OF LANDSCAPING. PLANT MATERIALS THAT DIE SHALL BE REPLACED WITH PLANT MATERIALS OF SIMILAR VARIETY AND SIZE. RELOCATION NOTE: ALL BIODIVERSITY INSTALLATION AND CONNECTION TO CITY WATER LINES MUST BE PERMITTED SEPARATELY BY THE CITY INSPECTION STAFF. ALL TYPING AND RED LINES SHALL BE SEPARATED. ALL BIRDS WILL BE INDICATED WITH LIGHT INDICATION. ALL TYPING SHALL BE PERFORMED IN A SUPPORTIVE MANNER. ALL OTHER TYPING SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF WAXAHACHIE. THESE WILL REMAIN AT LEAST 4" FROM PUBLIC UTILITY LINES.



HIGHLANDS AT BATES DRIVE
CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS

LANDSCAPE PLAN
DETAILED LANDSCAPE PLAN



SCALE: 1" = 20'
One Inch
JVC No. 817501

(11)

EXHIBIT E - LANDSCAPE PLAN

LANDSCAPE PROVIDED

INTERIOR LANDSCAPE AREA REQUIREMENTS	
A	TOTAL BUILDING FOOTPRINT 93.94 x 50 = 4697.00 SF REQUIRED INTERIOR LANDSCAPE AREA REQUIRED PROVIDED 143.84 SF INTERIOR LANDSCAPE AREA PROVIDED
B	1" CAL CANOPY TREE 500 SF OF REQUIRED LANDSCAPE 4637.00 / 500 = 9.27 1" CAL TREE REQUIRED PROVIDED 187 2" CALIPER AND GREATER CANOPY TREES PROVIDED
C	1" CAL DISINFESTANT TREE 250 SF OF REQUIRED LANDSCAPE 4637.00 / 250 = 18.55 1" CAL TREE REQUIRED PROVIDED 187 2" CALIPER OR SEMI-PANICAL TREES PROVIDED
D	1 1/2 GALLON SHRUB 40 SF OF REQUIRED LANDSCAPE 4637.00 / 40 = 115.92 1 1/2 GALLON SHRUBS REQUIRED PROVIDED 128 1 1/2 GALLON SHRUBS PROVIDED
E	1% OF REQUIRED LANDSCAPE SHALL BE GREEN COVER 4637.00 / 100 = 46.37 SF GREEN COVER REQUIRED PROVIDED 16.19 SF GREEN COVER PROVIDED
F	2" OF REQUIRED LANDSCAPE SHALL BE SEASONAL COLOR 4637.00 / 2 = 2318.50 SF SEASONAL COLOR REQUIRED PROVIDED 1267.92 SF SEASONAL COLOR PROVIDED
BUFFER YARD AND LANDSCAPE BUFFER	
USE HIGHWAY 207	
A	1" CAL CANOPY TREE 10 LF OF LANDSCAPE EDGE 46.37 LF OF FRONTAGE / 10 LF = 4.64 1" CAL TREES REQUIRED PROVIDED 15 1" CALIPER AND GREATER CANOPY TREES PROVIDED
B	20% OF THE LANDSCAPE BUFFER SHALL BE PERMANENT LANDSCAPE 46.37 x 20% = 9.27 SF PERMANENT LANDSCAPE REQUIRED PROVIDED 1267.92 SF PERMANENT LANDSCAPE PROVIDED
RADIUS DRIVE	
A	1" CAL CANOPY TREE 10 LF OF LANDSCAPE EDGE 281.42 LF OF FRONTAGE / 10 LF = 28.14 1" CAL TREES REQUIRED PROVIDED 9 1" CALIPER AND GREATER CANOPY TREES PROVIDED
B	20% OF THE LANDSCAPE BUFFER SHALL BE PERMANENT LANDSCAPE 46.37 x 20% = 9.27 SF PERMANENT LANDSCAPE REQUIRED PROVIDED 1267.92 SF PERMANENT LANDSCAPE PROVIDED
SWALLOW DRIVE	
A	1" CAL CANOPY TREE 10 LF OF LANDSCAPE EDGE 128.42 LF OF FRONTAGE / 10 LF = 12.84 1" CAL TREES REQUIRED PROVIDED 15 1" CALIPER AND GREATER CANOPY TREES PROVIDED
B	20% OF THE LANDSCAPE BUFFER SHALL BE PERMANENT LANDSCAPE 46.37 x 20% = 9.27 SF PERMANENT LANDSCAPE REQUIRED PROVIDED 1267.92 SF PERMANENT LANDSCAPE PROVIDED
OVIALL ROAD DRIVE	
A	1" CAL CANOPY TREE 10 LF OF LANDSCAPE EDGE 154.42 LF OF FRONTAGE / 10 LF = 15.44 1" CAL TREES REQUIRED PROVIDED 11 1" CALIPER AND GREATER CANOPY TREES PROVIDED
B	20% OF THE LANDSCAPE BUFFER SHALL BE PERMANENT LANDSCAPE 46.37 x 20% = 9.27 SF PERMANENT LANDSCAPE REQUIRED PROVIDED 1267.92 SF PERMANENT LANDSCAPE PROVIDED
PARKING REQUIREMENTS	
A	13 SF PARKING LANDSCAPE PER PARKING SPACE REQUIRED 751 SPACES x 13 SF = 9763 SF REQUIRED PARKING LANDSCAPE AREA 30015 SF PROVIDED
B	2" CAL TREE 1600 SF REQUIRED 9763 SF / 1600 SF = 6.10 2" CAL TREE REQUIRED PROVIDED 41 2" CALIPER AND GREATER CANOPY TREES PROVIDED
C	1 GALLON SHRUB 160 SF REQUIRED 9763 SF / 160 SF = 61.02 1 GALLON SHRUBS REQUIRED PROVIDED 126 1 GALLON OR GREATER SHRUBS PROVIDED
D	PARK SPACE MUST BE WITHIN 1 LF OF A CANOPY TREE

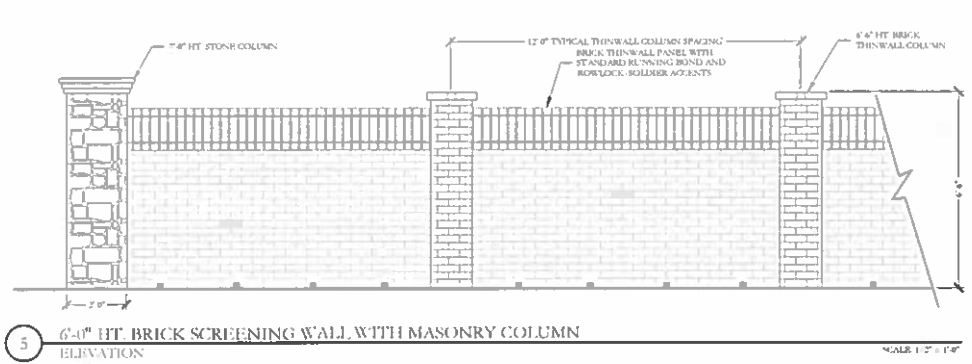
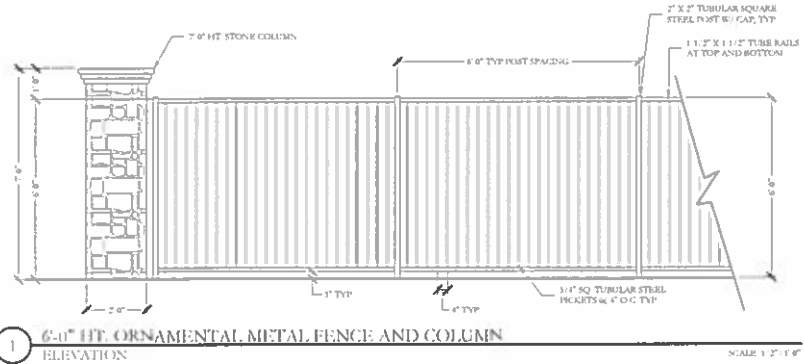
PLANT LIST

KEY	ESTIMATED QUANTITY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING	REMARKS
LD	43	LIVE OAK	QUERCUS VIRGINIANA	4" CALIPER	AS SHOWN	NURSERY GROWN, FULL HEAD, MINIMUM BRANCHING HEIGHT AT 4' 6" MINIMUM 8' OVERALL HEIGHT
SO	52	SHUMARD OAK	QUERCUS SHUMARDII	4" CALIPER	AS SHOWN	NURSERY GROWN, FULL HEAD, MINIMUM BRANCHING HEIGHT AT 4' 6" MINIMUM 8' OVERALL HEIGHT
BO	32	BUR OAK	QUERCUS MACROCARPA	4" CALIPER	AS SHOWN	NURSERY GROWN, FULL HEAD, MINIMUM BRANCHING HEIGHT AT 4' 6" MINIMUM 8' OVERALL HEIGHT
CP	32	CHINESE PISTACHE	PISTACIA CHINENSIS	4" CALIPER	AS SHOWN	NURSERY GROWN, FULL HEAD, MINIMUM BRANCHING HEIGHT AT 4' 6" MINIMUM 8' OVERALL HEIGHT
BC	42	BALI CYPRUS	TAXODIUM DISTICHUM	4" CALIPER	AS SHOWN	NURSERY GROWN, FULL HEAD, MINIMUM BRANCHING HEIGHT AT 4' 6" MINIMUM 8' OVERALL HEIGHT
PH	43	PRINCEBIA HOLLY	ILEX DECIDUA	2" CALIPER	AS SHOWN	NURSERY GROWN, FULL HEAD, MINIMUM 8' OVERALL HEIGHT
GR	16	GOLDENRAIN TREE	KOELBUTERIA PANICULATA	2" CALIPER	AS SHOWN	NURSERY GROWN, FULL HEAD, MINIMUM 8' OVERALL HEIGHT
RR	48	TEXAS REDBUD	CECILEIA CANADENSIS VARIETAS TEXENSIS	2" CALIPER	AS SHOWN	NURSERY GROWN, FULL HEAD, MINIMUM 8' OVERALL HEIGHT
CM	48	NATCHES WHITE CRAWP MYRTLE	LANCESTRONCHIA X NATCHES	2" CALIPER	AS SHOWN	NURSERY GROWN, FULL HEAD, MINIMUM 8' OVERALL HEIGHT
	280	DWARF BURFORD HOLLY	ILEX CORNUTA 'DWARF BURFORD'	1 GALLON	36" O.C.	CONTAINER GROWN, FULL PLANT
	320	DWARF YAUON HOLLY	ILEX VOMITORIA 'STRONG'	1 GALLON	48" O.C.	CONTAINER GROWN, FULL PLANT
	243	JAPANESE SPIREA	SPIRAEA JAPONICA	1 GALLON	36" O.C.	CONTAINER GROWN, FULL PLANT
	335	SUNSHINE LIGUSTRUM	LIGUSTRUM CHINENSIS 'SUNSHINE'	1 GALLON	36" O.C.	CONTAINER GROWN, FULL PLANT
	244	RED YUCCA	HESPERALOE PARVIFLORA	1 GALLON	36" O.C.	CONTAINER GROWN, FULL PLANT
	2415	PURPLE WINTERDRESSER	DIANYSUS PORTUNSI 'COLORATIF'	1 GALLON	18" O.C.	CONTAINER GROWN, FULL PLANT
	425	GULF MUSHY GRASS	HECHMANSERIA CAPILLARE 'RURAL MIST'	1 GALLON	24" O.C.	CONTAINER GROWN, FULL PLANT
	1335	MEXICAN PRATHER GRASS	NASSELLA TENUESISMA	1 GALLON	18" O.C.	CONTAINER GROWN, FULL PLANT
	1420	EVENING RAIS LILY	ODONDISA DRUMMONDII	1 GALLON	18" O.C.	CONTAINER GROWN, FULL PLANT
	1835	WEERING LOVE GRASS	BRACHYOTIS CURVULA	1 GALLON	18" O.C.	CONTAINER GROWN, FULL PLANT
	2415	ANNUAL COLOR	TO BE SELECTED BY OWNER	4" POT	8" O.C.	CONTAINER GROWN, FULL PLANT
	15740	COMMON BERBERIS GRASS	CYNODON DACTYLON	SQUARE FEET	SOLID 600	MINIMUM 100% COVERAGE ALL AREAS SHOWN
	435	BLACK STAR CRUSHED STONE	N/A	SQUARE FEET	100% COVERAGE	INSTALL AT 3" DEPTH MINIMUM WITH DEWITT 1 1/2" FILTER FABRIC PERMATEX ROCK STONE SHALL BE 1" DIAMETER IN SIZE
	3300	OKLAHOMA RIVER ROCK	N/A	SQUARE FEET	100% COVERAGE	1" DEPTH RIVER ROCK BED WITH LANDSCAPE FABRIC RESULTS AS SHOWN IN DETAILS RIVER ROCK SHALL INCLUDE A MIXTURE OF TAN, BROWN, GRAY, AND IVORY RIVER ROCK SHALL BE AN EQUAL COMBINATION OF 1", 2" AND 3" IN SIZE
	12	OKLAHOMA MOSS ROCK Boulders	N/A	TON	AS SHOWN	BE 18" TO 24" LB MAX SIZE, BULKY BOTTOM THIRD OF BOLDER IN LANDSCAPE BED FIELD LOCATE ALL BOLDER MARKERS ON SITE AND MARK FOR LANDSCAPE ARCHITECTS APPROVAL BEFORE PROCEEDING WITH WORK

GENERAL LANDSCAPE NOTES

- INSPECTIONS:**
- NO EXCAVATION SHALL OCCUR IN CITY ROW WITHOUT A ROW PERMIT CONTAINING THE PUBLIC WORKS DEPARTMENT.
 - THE CONTRACTOR SHALL MARK ALL WATER LINES, SEWER LINES, AND TREE LOCATIONS PRIOR TO COMMENCING ANY EXCAVATION AND PERMIT.
 - THE LANDSCAPE INSTALLATION SHALL COMPLY WITH APPROVED LANDSCAPE DRAWINGS PRIOR TO FINAL ACCEPTANCE BY THE CITY AND ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
 - WATER METERS, CLEANOUTS AND OTHER APPLIANCE-ANGES SHALL BE ACCESSIBLE, ADJUSTED TO GRADE, CLEARLY MARKED WITH PENCILING AND COMPLIANT WITH PUBLIC WORKS DEPARTMENT STANDARDS PRIOR TO CALLING FOR FINAL LANDSCAPE AND ROW INSPECTIONS.
- LANDSCAPE STANDARDS:**
- PLANTINGS AND LANDSCAPE ELEMENTS SHALL COMPLY WITH THE CITY'S ENGINEERING DESIGN STANDARDS, PUBLIC ROW VISIBILITY REQUIREMENTS.
 - UNLESS OTHERWISE SPECIFIED, TREES SHALL BE PLANTED NO LESS THAN 4' FROM CURBS, SEWER ALIAS UTILITY LINES, SIDEWALKS, WALLS AND OTHER STRUCTURES. THE CITY HAS FINAL APPROVAL FOR ALL TREE PLACEMENTS.
 - A MINIMUM THREE FEET (3) RADIUS AROUND A FIRE HYDRANT MUST REMAIN CLEAR OF LANDSCAPE PURSUANT TO THE FIRE CODE.
 - STREET TREES WHERE REQUIRED, SHALL BE (1) MINIMUM FROM THE EDGE OF A STORM SEWER (2) 18" DIA. (3) 24" DIA. (4) 30" DIA. (5) 36" DIA. (6) 42" DIA. (7) 48" DIA. (8) 54" DIA. (9) 60" DIA. (10) 66" DIA. (11) 72" DIA. (12) 78" DIA. (13) 84" DIA. (14) 90" DIA. (15) 96" DIA. (16) 102" DIA. (17) 108" DIA. (18) 114" DIA. (19) 120" DIA. (20) 126" DIA. (21) 132" DIA. (22) 138" DIA. (23) 144" DIA. (24) 150" DIA. (25) 156" DIA. (26) 162" DIA. (27) 168" DIA. (28) 174" DIA. (29) 180" DIA. (30) 186" DIA. (31) 192" DIA. (32) 198" DIA. (33) 204" DIA. (34) 210" DIA. (35) 216" DIA. (36) 222" DIA. (37) 228" DIA. (38) 234" DIA. (39) 240" DIA. (40) 246" DIA. (41) 252" DIA. (42) 258" DIA. (43) 264" DIA. (44) 270" DIA. (45) 276" DIA. (46) 282" DIA. (47) 288" DIA. (48) 294" DIA. (49) 300" DIA. (50) 306" DIA. (51) 312" DIA. (52) 318" DIA. (53) 324" DIA. (54) 330" DIA. (55) 336" DIA. (56) 342" DIA. (57) 348" DIA. (58) 354" DIA. (59) 360" DIA. (60) 366" DIA. (61) 372" DIA. (62) 378" DIA. (63) 384" DIA. (64) 390" DIA. (65) 396" DIA. (66) 402" DIA. (67) 408" DIA. (68) 414" DIA. (69) 420" DIA. (70) 426" DIA. (71) 432" DIA. (72) 438" DIA. (73) 444" DIA. (74) 450" DIA. (75) 456" DIA. (76) 462" DIA. (77) 468" DIA. (78) 474" DIA. (79) 480" DIA. (80) 486" DIA. (81) 492" DIA. (82) 498" DIA. (83) 504" DIA. (84) 510" DIA. (85) 516" DIA. (86) 522" DIA. (87) 528" DIA. (88) 534" DIA. (89) 540" DIA. (90) 546" DIA. (91) 552" DIA. (92) 558" DIA. (93) 564" DIA. (94) 570" DIA. (95) 576" DIA. (96) 582" DIA. (97) 588" DIA. (98) 594" DIA. (99) 600" DIA. (100) 606" DIA. (101) 612" DIA. (102) 618" DIA. (103) 624" DIA. (104) 630" DIA. (105) 636" DIA. (106) 642" DIA. (107) 648" DIA. (108) 654" DIA. (109) 660" DIA. (110) 666" DIA. (111) 672" DIA. (112) 678" DIA. (113) 684" DIA. (114) 690" DIA. (115) 696" DIA. (116) 702" DIA. (117) 708" DIA. (118) 714" DIA. (119) 720" DIA. (120) 726" DIA. (121) 732" DIA. (122) 738" DIA. (123) 744" DIA. (124) 750" DIA. (125) 756" DIA. (126) 762" DIA. (127) 768" DIA. (128) 774" DIA. (129) 780" DIA. (130) 786" DIA. (131) 792" DIA. (132) 798" DIA. (133) 804" DIA. (134) 810" DIA. (135) 816" DIA. (136) 822" DIA. (137) 828" DIA. (138) 834" DIA. (139) 840" DIA. (140) 846" DIA. (141) 852" DIA. (142) 858" DIA. (143) 864" DIA. (144) 870" DIA. (145) 876" DIA. (146) 882" DIA. (147) 888" DIA. (148) 894" DIA. (149) 900" DIA. (150) 906" DIA. (151) 912" DIA. (152) 918" DIA. (153) 924" DIA. (154) 930" DIA. (155) 936" DIA. (156) 942" DIA. (157) 948" DIA. (158) 954" DIA. (159) 960" DIA. (160) 966" DIA. (161) 972" DIA. (162) 978" DIA. (163) 984" DIA. (164) 990" DIA. (165) 996" DIA. (166) 1002" DIA. (167) 1008" DIA. (168) 1014" DIA. (169) 1020" DIA. (170) 1026" DIA. (171) 1032" DIA. (172) 1038" DIA. (173) 1044" DIA. (174) 1050" DIA. (175) 1056" DIA. (176) 1062" DIA. (177) 1068" DIA. (178) 1074" DIA. (179) 1080" DIA. (180) 1086" DIA. (181) 1092" DIA. (182) 1098" DIA. (183) 1104" DIA. (184) 1110" DIA. (185) 1116" DIA. (186) 1122" DIA. (187) 1128" DIA. (188) 1134" DIA. (189) 1140" DIA. (190) 1146" DIA. (191) 1152" DIA. (192) 1158" DIA. (193) 1164" DIA. (194) 1170" DIA. (195) 1176" DIA. (196) 1182" DIA. (197) 1188" DIA. (198) 1194" DIA. (199) 1200" DIA. (200) 1206" DIA. (201) 1212" DIA. (202) 1218" DIA. (203) 1224" DIA. (204) 1230" DIA. (205) 1236" DIA. (206) 1242" DIA. (207) 1248" DIA. (208) 1254" DIA. (209) 1260" DIA. (210) 1266" DIA. (211) 1272" DIA. (212) 1278" DIA. (213) 1284" DIA. (214) 1290" DIA. (215) 1296" DIA. (216) 1302" DIA. (217) 1308" DIA. (218) 1314" DIA. (219) 1320" DIA. (220) 1326" DIA. (221) 1332" DIA. (222) 1338" DIA. (223) 1344" DIA. (224) 1350" DIA. (225) 1356" DIA. (226) 1362" DIA. (227) 1368" DIA. (228) 1374" DIA. (229) 1380" DIA. (230) 1386" DIA. (231) 1392" DIA. (232) 1398" DIA. (233) 1404" DIA. (234) 1410" DIA. (235) 1416" DIA. (236) 1422" DIA. (237) 1428" DIA. (238) 1434" DIA. (239) 1440" DIA. (240) 1446" DIA. (241) 1452" DIA. (242) 1458" DIA. (243) 1464" DIA. (244) 1470" DIA. (245) 1476" DIA. (246) 1482" DIA. (247) 1488" DIA. (248) 1494" DIA. (249) 1500" DIA. (250) 1506" DIA. (251) 1512" DIA. (252) 1518" DIA. (253) 1524" DIA. (254) 1530" DIA. (255) 1536" DIA. (256) 1542" DIA. (257) 1548" DIA. (258) 1554" DIA. (259) 1560" DIA. (260) 1566" DIA. (261) 1572" DIA. (262) 1578" DIA. (263) 1584" DIA. (264) 1590" DIA. (265) 1596" DIA. (266) 1602" DIA. (267) 1608" DIA. (268) 1614" DIA. (269) 1620" DIA. (270) 1626" DIA. (271) 1632" DIA. (272) 1638" DIA. (273) 1644" DIA. (274) 1650" DIA. (275) 1656" DIA. (276) 1662" DIA. (277) 1668" DIA. (278) 1674" DIA. (279) 1680" DIA. (280) 1686" DIA. (281) 1692" DIA. (282) 1698" DIA. (283) 1704" DIA. (284) 1710" DIA. (285) 1716" DIA. (286) 1722" DIA. (287) 1728" DIA. (288) 1734" DIA. (289) 1740" DIA. (290) 1746" DIA. (291) 1752" DIA. (292) 1758" DIA. (293) 1764" DIA. (294) 1770" DIA. (295) 1776" DIA. (296) 1782" DIA. (297) 1788" DIA. (298) 1794" DIA. (299) 1800" DIA. (300) 1806" DIA. (301) 1812" DIA. (302) 1818" DIA. (303) 1824" DIA. (304) 1830" DIA. (305) 1836" DIA. (306) 1842" DIA. (307) 1848" DIA. (308) 1854" DIA. (309) 1860" DIA. (310) 1866" DIA. (311) 1872" DIA. (312) 1878" DIA. (313) 1884" DIA. (314) 1890" DIA. (315) 1896" DIA. (316) 1902" DIA. (317) 1908" DIA. (318) 1914" DIA. (319) 1920" DIA. (320) 1926" DIA. (321) 1932" DIA. (322) 1938" DIA. (323) 1944" DIA. (324) 1950" DIA. (325) 1956" DIA. (326) 1962" DIA. (327) 1968" DIA. (328) 1974" DIA. (329) 1980" DIA. (330) 1986" DIA. (331) 1992" DIA. (332) 1998" DIA. (333) 2004" DIA. (334) 2010" DIA. (335) 2016" DIA. (336) 2022" DIA. (337) 2028" DIA. (338) 2034" DIA. (339) 2040" DIA. (340) 2046" DIA. (341) 2052" DIA. (342) 2058" DIA. (343) 2064" DIA. (344) 2070" DIA. (345) 2076" DIA. (346) 2082" DIA. (347) 2088" DIA. (348) 2094" DIA. (349) 2100" DIA. (350) 2106" DIA. (351) 2112" DIA. (352) 2118" DIA. (353) 2124" DIA. (354) 2130" DIA. (355) 2136" DIA. (356) 2142" DIA. (357) 2148" DIA. (358) 2154" DIA. (359) 2160" DIA. (360) 2166" DIA. (361) 2172" DIA. (362) 2178" DIA. (363) 2184" DIA. (364) 2190" DIA. (365) 2196" DIA. (366) 2202" DIA. (367) 2208" DIA. (368) 2214" DIA. (369) 2220" DIA. (370) 2226" DIA. (371) 2232" DIA. (372) 2238" DIA. (373) 2244" DIA. (374) 2250" DIA. (375) 2256" DIA. (376) 2262" DIA. (377) 2268" DIA. (378) 2274" DIA. (379) 2280" DIA. (380) 2286" DIA. (381) 2292" DIA. (382) 2298" DIA. (383) 2304" DIA. (384) 2310" DIA. (385) 2316" DIA. (386) 2322" DIA. (387) 2328" DIA. (388) 2334" DIA. (389) 2340" DIA. (390) 2346" DIA. (391) 2352" DIA. (392) 2358" DIA. (393) 2364" DIA. (394) 2370" DIA. (395) 2376" DIA. (396) 2382" DIA. (397) 2388" DIA. (398) 2394" DIA. (399) 2400" DIA. (400) 2406" DIA. (401) 2412" DIA. (402) 2418" DIA. (403) 2424" DIA. (404) 2430" DIA. (405) 2436" DIA. (406) 2442" DIA. (407) 2448" DIA. (408) 2454" DIA. (409) 2460" DIA. (410) 2466" DIA. (411) 2472" DIA. (412) 2478" DIA. (413) 2484" DIA. (414) 2490" DIA. (415) 2496" DIA. (416) 2502" DIA. (417) 2508" DIA. (418) 2514" DIA. (419) 2520" DIA. (420) 2526" DIA. 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(479) 2880" DIA. (480) 2886" DIA. (481) 2892" DIA. (482) 2898" DIA. (483) 2904" DIA. (484) 2910" DIA. (485) 2916" DIA. (486) 2922" DIA. (487) 2928" DIA. (488) 2934" DIA. (489) 2940" DIA. (490) 2946" DIA. (491) 2952" DIA. (492) 2958" DIA. (493) 2964" DIA. (494) 2970" DIA. (495) 2976" DIA. (496) 2982" DIA. (497) 2988" DIA. (498) 2994" DIA. (499) 3000" DIA. (500) 3006" DIA. (501) 3012" DIA. (502) 3018" DIA. (503) 3024" DIA. (504) 3030" DIA. (505) 3036" DIA. (506) 3042" DIA. (507) 3048" DIA. (508) 3054" DIA. (509) 3060" DIA. (510) 3066" DIA. (511) 3072" DIA. (512) 3078" DIA. (513) 3084" DIA. (514) 3090" DIA. (515) 3096" DIA. (516) 3102" DIA. (517) 3108" DIA. (518) 3114" DIA. (519) 3120" DIA. (520) 3126" DIA. (521) 3132" DIA. (522) 3138" DIA. (523) 3144" DIA. (524) 3150" DIA. (525) 3156" DIA. (526) 3162" DIA. (527) 3168" DIA. (528) 3174" DIA. (529) 3180" DIA. (530) 3186" DIA. (531) 3192" DIA. (532) 3198" DIA. (533) 3204" DIA. (534) 3210" DIA. (535) 3216" DIA. (536) 3222" DIA. (537) 3228" DIA. (538) 3234" DIA. (539) 3240" DIA. (540) 3246" DIA. (541) 3252" DIA. (542) 3258" DIA. (543) 3264" DIA. (544) 3270" DIA. (545) 3276" DIA. (546) 3282" DIA. (547) 3288" DIA. (548) 3294" DIA. (549) 3300" DIA. (550) 3306" DIA. (551) 3312" DIA. (552) 3318" DIA. (553) 3324" DIA. (554) 3330" DIA. (555) 3336" DIA. (556) 3342" DIA. (557) 3348" DIA. (558) 3354" DIA. (559) 3360" DIA. (560) 3366" DIA. (561) 3372" DIA. (562) 3378" DIA. (563) 3384" DIA. (564) 3390" DIA. (565) 3396" DIA. (566) 3402" DIA. (567) 3408" DIA. (568) 3414" DIA. (569) 3420" DIA. (570) 3426" DIA. (571) 3432" DIA. (572) 3438" DIA. (573) 3444" DIA. (574) 3450" DIA. (575) 3456" DIA. (576) 3462" DIA. (577) 3468" DIA. (578) 3474" DIA. (579) 3480" DIA. (580) 3486" DIA. (581) 3492" DIA. (582) 3498" DIA. (583) 3504" DIA. (584) 3510" DIA. (585) 3516" DIA. (586) 3522" DIA. (587) 3528" DIA. (588) 3534" DIA. (589) 3540" DIA. (590) 3546" DIA. (591) 3552" DIA. (592) 3558" DIA. (593) 3564" DIA. (594) 3570" DIA. (595) 3576" DIA. (596) 3582" DIA. (597) 3588" DIA. (598) 3594" DIA. (599) 3600" DIA. (600) 3606" DIA. (601) 3612" DIA. (602) 3618" DIA. (603) 3624" DIA. (604) 3630" DIA. (605) 3636" DIA. (606) 3642" DIA. (607) 3648" DIA. (608) 3654" DIA. (609) 3660" DIA. (610) 3666" DIA. (611) 3672" DIA. (612) 3678" DIA. (613) 3684" DIA. (614) 3690" DIA. (615) 3696" DIA. (616) 3702" DIA. (617) 3708" DIA. (618) 3714" DIA. (619) 3720" DIA. (620) 3726" DIA. (621) 3732" DIA. (622) 3738" DIA. (623) 37

EXHIBIT E - LANDSCAPE PLAN



400 SERIES

MTB-0400-00007
Maglin # 0400-00007

DETAILS: The square table is made of cast iron. The legs and seats are made of heavy gauge steel.
FINISH: All steel components are finished with a black powder coating.
ASSEMBLY: The Maglin 400 series table and chairs are designed for easy assembly.
WEIGHT: The table is 40 lbs and the chairs are 10 lbs each.
TABLE LENGTH: 30" (76.2 cm) | **TABLE WIDTH:** 30" (76.2 cm)

MAGLIN

2 TABLE AND CHAIRS
SCALE TO MATCH

700 SERIES

MTB-0720-00002
Maglin # 0720-00002

DETAILS: The rectangular table is made of cast iron. The benches are made of heavy gauge steel.
FINISH: All steel components are finished with a black powder coating.
ASSEMBLY: The Maglin 700 series table and benches are designed for easy assembly.
WEIGHT: The table is 60 lbs and the benches are 20 lbs each.
TABLE LENGTH: 48" (121.9 cm) | **TABLE WIDTH:** 24" (61.0 cm)

MAGLIN

3 TABLE AND BENCHES
SCALE TO MATCH

ICONIC

MBE-2300-00029

DETAILS: The bench is made of cast iron. The seat and backrest are made of heavy gauge steel.
FINISH: All steel components are finished with a black powder coating.
ASSEMBLY: The bench is designed for easy assembly.
WEIGHT: The bench is 40 lbs.
SEAT LENGTH: 48" (121.9 cm) | **SEAT WIDTH:** 18" (45.7 cm) | **SEAT HEIGHT:** 18" (45.7 cm)

MAGLIN

4 BACKLESS BENCH
SCALE TO MATCH



HIGHLANDS AT BATES DRIVE
CITY OF WAXAHACHE
ELLIS COUNTY, TEXAS

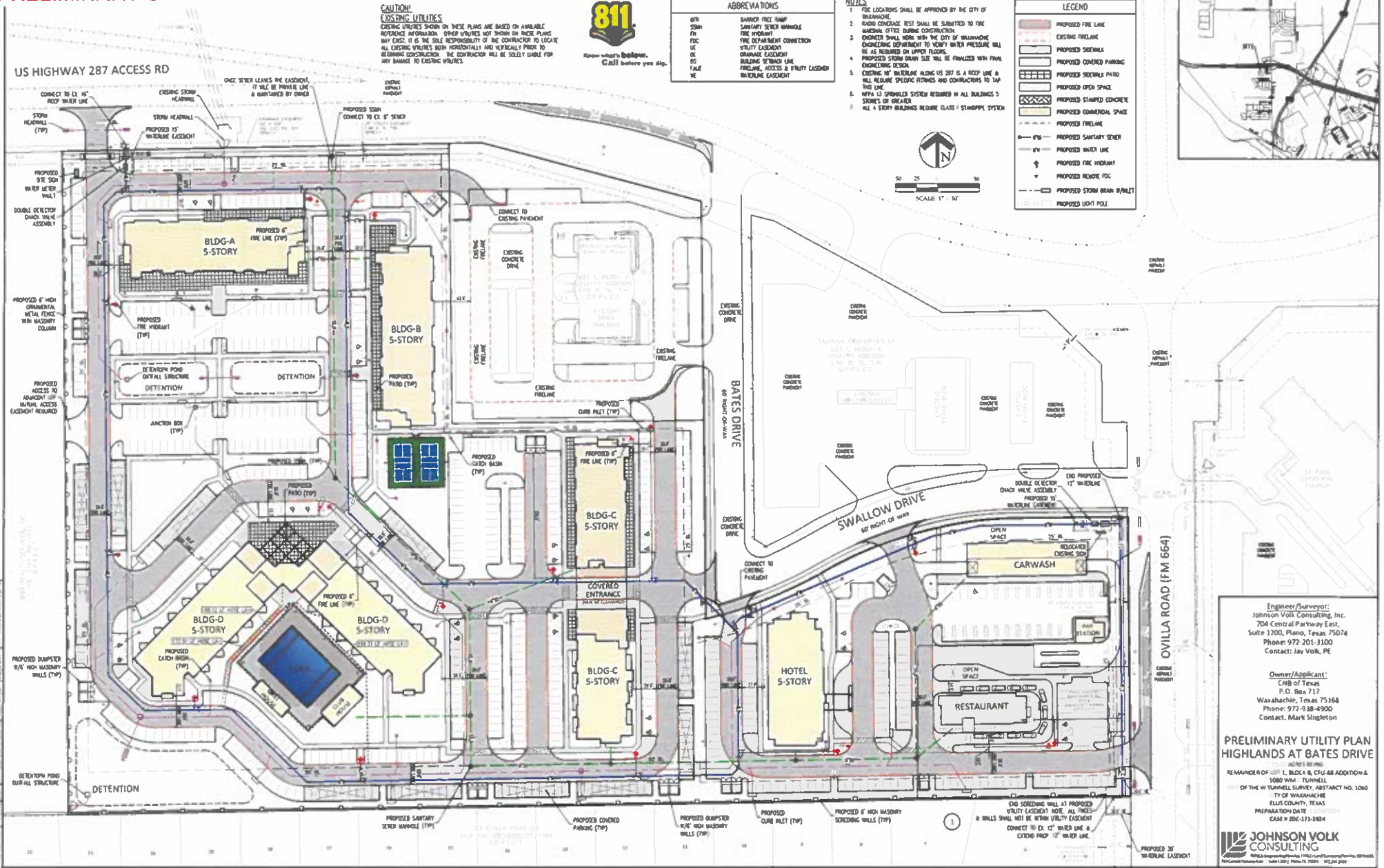
LANDSCAPE PLAN
HARDSCAPE DETAILS



SCALE
REFER TO
DETAILS
Our Task
JVC No. SUT362

(112)

PRELIMINARY UTILITY PLAN



CAUTION
EXISTING UTILITIES
 EXISTING UTILITIES SHOWN ON THESE PLANS ARE BASED ON AVAILABLE REFERENCE INFORMATION. OTHER UTILITIES NOT SHOWN ON THESE PLANS MAY EXIST. IT IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL EXISTING UTILITIES BOTH HORIZONTALLY AND VERTICALLY PRIOR TO BEGINNING CONSTRUCTION. THE CONTRACTOR WILL BE SOLELY LIABLE FOR ANY DAMAGE TO EXISTING UTILITIES.



ABBREVIATIONS

6"R	6" FIRE LINE
8"R	8" FIRE LINE
12"R	12" FIRE LINE
18"R	18" FIRE LINE
24"R	24" FIRE LINE
30"R	30" FIRE LINE
36"R	36" FIRE LINE
42"R	42" FIRE LINE
48"R	48" FIRE LINE
54"R	54" FIRE LINE
60"R	60" FIRE LINE
66"R	66" FIRE LINE
72"R	72" FIRE LINE
78"R	78" FIRE LINE
84"R	84" FIRE LINE
90"R	90" FIRE LINE
96"R	96" FIRE LINE
102"R	102" FIRE LINE
108"R	108" FIRE LINE
114"R	114" FIRE LINE
120"R	120" FIRE LINE
126"R	126" FIRE LINE
132"R	132" FIRE LINE
138"R	138" FIRE LINE
144"R	144" FIRE LINE
150"R	150" FIRE LINE
156"R	156" FIRE LINE
162"R	162" FIRE LINE
168"R	168" FIRE LINE
174"R	174" FIRE LINE
180"R	180" FIRE LINE
186"R	186" FIRE LINE
192"R	192" FIRE LINE
198"R	198" FIRE LINE
204"R	204" FIRE LINE
210"R	210" FIRE LINE
216"R	216" FIRE LINE
222"R	222" FIRE LINE
228"R	228" FIRE LINE
234"R	234" FIRE LINE
240"R	240" FIRE LINE
246"R	246" FIRE LINE
252"R	252" FIRE LINE
258"R	258" FIRE LINE
264"R	264" FIRE LINE
270"R	270" FIRE LINE
276"R	276" FIRE LINE
282"R	282" FIRE LINE
288"R	288" FIRE LINE
294"R	294" FIRE LINE
300"R	300" FIRE LINE
306"R	306" FIRE LINE
312"R	312" FIRE LINE
318"R	318" FIRE LINE
324"R	324" FIRE LINE
330"R	330" FIRE LINE
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342"R	342" FIRE LINE
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1026"R	1026" FIRE LINE
1032"R	1032" FIRE LINE
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1092"R	1092" FIRE LINE
1098"R	1098" FIRE LINE
1104"R	1104" FIRE LINE
1110"R	1110" FIRE LINE
1116"R	1116" FIRE LINE
1122"R	1122" FIRE LINE
1128"R	1128" FIRE LINE
1134"R	1134" FIRE LINE
1140"R	1140" FIRE LINE
1146"R	1146" FIRE LINE
1152"R	1152" FIRE LINE
1158"R	1158" FIRE LINE
1164"R	1164" FIRE LINE
1170"R	1170" FIRE LINE
1176"R	1176" FIRE LINE
1182"R	1182" FIRE LINE
1188"R	1188" FIRE LINE
1194"R	1194" FIRE LINE
1200"R	1200" FIRE LINE

- NOTES**
1. FIRE LOCATIONS SHALL BE APPROVED BY THE CITY OF WILMAMORE.
 2. RAIN COVERAGE TEST SHALL BE SUBMITTED TO FIRE DEPARTMENT OFFICE DURING CONSTRUCTION.
 3. CONTRACTOR SHALL WORK WITH THE CITY OF WILMAMORE AND FIRE DEPARTMENT TO VERIFY WATER PRESSURE WILL BE AS REQUIRED ON UPPER FLOORS.
 4. PROPOSED STORM DRAIN SIZE WILL BE FINISHED WITH FINAL CONCRETE DESIGN.
 5. EXISTING 12" WATER MAIN ALONG US HWY 287 IS A HOOP LINE & WILL REQUIRE SPECIAL FITTINGS AND CONNECTIONS TO TAP THIS LINE.
 6. NFPA 13 SPRINKLER SYSTEM REQUIRED IN ALL BUILDINGS 3 STORIES OR GREATER.
 7. ALL 4 STORY BUILDINGS REQUIRE CLASS 1 STANDPIPE SYSTEM.

LEGEND

[Symbol]	PROPOSED FIRE LINE
[Symbol]	EXISTING FIRELINE
[Symbol]	PROPOSED SEWERLINE
[Symbol]	PROPOSED COVERED PARKING
[Symbol]	PROPOSED SEWERLINE PAIRO
[Symbol]	PROPOSED OPEN SPACE
[Symbol]	PROPOSED STAMPED CONCRETE
[Symbol]	PROPOSED COVERED SPACE
[Symbol]	PROPOSED FIRELINE
[Symbol]	PROPOSED SANITARY SEWER
[Symbol]	PROPOSED WATER LINE
[Symbol]	PROPOSED FIRE HYDRANT
[Symbol]	PROPOSED REARER FDC
[Symbol]	PROPOSED STORM DRAIN MANHOLE
[Symbol]	PROPOSED LIGHT POLE



Engineer/Surveyor:
 Johnson Volk Consulting, Inc.
 704 Central Parkway East,
 Suite 1100, Plano, Texas 75074
 Phone: 972-201-3100
 Contact: Jay Volk, PE

Owner/Applicant:
 CMB of Texas
 P.O. Box 717
 Watauga, Texas 75168
 Phone: 972-938-4900
 Contact: Mark Singleton

**PRELIMINARY UTILITY PLAN
 HIGHLANDS AT BATES DRIVE**

REMANINDER OF LOT 1, BLOCK 6, CU-88 ADDITION &
 1080 W.M. TUNNELL
 PART OF THE W. TUNNELL SURVEY, ADJACENT TO LOT 1080
 TTY OF WILMAMORE
 ELLIS COUNTY, TEXAS
 PREPARATION DATE: 08/20/2024
 CASE # 2024-111-2824

**JOHNSON VOLK
 CONSULTING**

Professional Engineer License No. 11424 / Professional Surveyor License No. 10910
 8600 Central Expressway, Suite 1100, Plano, Texas 75074 (972) 201-3100

(110)

SITE RENDERINGS



NORTH VIEW
NYS



KEY PLAN
NYS

HIGHLANDS DEVELOPMENT
AT BATES DRIVE
WAXAHACHIE, TEXAS

tma cha
architects

THESE DOCUMENTS ARE
NOT COMPLETE AND MAY
NOT BE USED FOR
REGULATORY APPROVAL,
PERMIT OR CONSTRUCTION

FOR REVIEW
ONLY

1"

NORTH VIEW

DATE: 04/11/2018
DRAWN BY: TMA
CHECKED BY: TMA
SCALE: 1" = 100'-0"

R.1

(111)

SITE RENDERINGS



WEST VIEW
R/S



**HIGHLANDS DEVELOPMENT
AT BATES DRIVE
WAXAHACHIE, TEXAS**

**tma cha
architects**

THESE DOCUMENTS ARE
NOT COMPLETE AND MAY
NOT BE USED FOR
REGULATORY APPROVAL,
PERMIT, OR CONSTRUCTION.

**FOR REVIEW
ONLY**

SCALE: 1" = 10'-0"

WEST VIEW

DATE: AUG 13, 2024
DRAWN BY: TMA
CHECKED BY: BMM/TA
PROJECT: 24-15-204

R.2

(11)

STATE OF TEXAS	§	<u>DEVELOPMENT AGREEMENT FOR</u>
	§	<u>HIGHLANDS AT BATES DRIVE</u>
COUNTY OF ELLIS	§	

THIS DEVELOPMENT AGREEMENT ("Agreement") is entered into by and between the City of Waxahachie, Texas ("City"), and CNB of Texas ("Developer") (individually, a "Party" and collectively, the "Parties") to be effective (the "Effective Date") on the latest date executed by a Party.

WHEREAS, the City is a home-rule municipal corporation, located in Ellis County, Texas, organized and existing under the laws of the State of Texas; and

WHEREAS, Developer is developing in the City a mixed-use residential land use on approximately 15.21 acres of land generally located at south of 2001 Bates Drive, Parcel Number 191635 & 194998 in the City (the "Property"), and a legal description and depiction of the Property is attached hereto as Exhibit A and incorporated by reference; and

WHEREAS, the foregoing Property was rezoned by the City Council on or about January 21, 2025, when the City Council approved a (Planned Development or insert other type of development) for the Property, contained in Ordinance No. _____, and this Agreement seeks to incorporate, in part, the negotiated and agreed upon development standards contained in the underlying zoning ordinance, as may be amended, and/or this Development Agreement, to recognize Developer's reasonable investment-backed expectations in the Development, as may be amended, and as more fully described herein.

NOW, THEREFORE, in consideration of the foregoing premises, and for other good and valuable consideration the receipt and adequacy of which are hereby acknowledged, the Parties to this Agreement agree as follows:

1. Development Standards. For any structure built on the Property following the Effective Date, it shall comply with the elevations and building materials requirements contained in Exhibit B, attached hereto and incorporated herein. The Parties agree and acknowledge that the provisions of this Paragraph shall apply to any structure constructed subsequent to the execution of this Agreement. Nothing in this Agreement shall be deemed to modify or otherwise amend any zoning regulation duly adopted by the City, previously or in the future.

2. Covenant Running with the Land. The terms, conditions, rights, obligations, benefits, covenants and restrictions of the provisions of this Agreement shall be deemed covenants running with the land, and shall be binding upon and inure to the benefit of the Developer and its heirs, representatives, successors and assigns. This Agreement shall be deemed to be incorporated into each deed and conveyance of the Property or any portion thereof hereafter made by any other Developers of the Property, regardless of whether this Agreement is expressly referenced therein.

(17)

3. **Applicability of City Ordinances.** Developer shall develop the Property, and construct all structures on the Property, in accordance with all applicable City ordinances and building/construction codes. Further, Developer shall plat the Property prior to the submission of any applications for any building permit.

4. **Rough Proportionality.** Developer hereby agrees that any land or property donated and/or dedicated to the City pursuant to this Agreement, including but not limited to any dedication of right-of-way along US Highway 287 Bypass and/or Ovilla Road (FM 664), whether in fee simple or otherwise, including any easements (as may be reflected in any Final Plat), including any utility and/or access easements, relative to any development on the Property is roughly proportional to the need for such land and Developer hereby waives any claim therefor that it may have. Developer further acknowledges and agrees that all prerequisites to such a determination of rough proportionality have been met, and that any costs incurred relative to said donation are related both in nature and extent to the impact of the development referenced herein. Both Developer and the City further agree to waive and release all claims one may have against the other related to any and all rough proportionality and individual determination requirements mandated by the United States Supreme Court in *Dolan v. City of Tigard*, 512 U.S. 374 (1994), and its progeny, as well as any other requirements of a nexus between development conditions and the provision of roadway services to the Property.

5. **Exactions/Infrastructure Costs.** Both the City and Developer have been represented by legal counsel in the negotiation of this Agreement and been advised or each has had the opportunity to have legal counsel review this Agreement and advise them, regarding Developer's and the City's rights under Texas and federal law. Developer and the City hereby waive any requirement that the other retain a professional engineer, licensed pursuant to Chapter 1001 of the Texas Occupations Code, to review and determine that the exactions are roughly proportional or roughly proportionate to the proposed development's anticipated impact. Developer specifically reserves its right to appeal the apportionment of municipal infrastructure costs in accordance with § 212.904 of the Texas Local Government Code and any exemptions from impact fees under current or future law; however, notwithstanding the foregoing and to the extent permitted by law, Developer hereby releases the City from any and all liability under § 212.904 of the Texas Local Government Code, as amended, regarding or related to the cost of those municipal infrastructure requirements imposed by this Agreement.

6. **Default.** No Party shall be in default under this Agreement until notice of the alleged failure of such Party to perform has been given (which notice shall set forth in reasonable detail the nature of the alleged failure) and until such Party has been given a reasonable time to cure the alleged failure (such reasonable time determined based on the nature of the alleged failure, but in no event less than thirty (30) days after written notice of the alleged failure has been given). In addition, no Party shall be in default under this Agreement if, within the applicable cure period, the Party to whom the notice was given begins performance and thereafter diligently and continuously pursues performance until the alleged failure has been cured. If either Party is in default under this Agreement, the other Party shall have the right to enforce the Agreement in

accordance with applicable law, provided, however, in no event shall any Party be liable for consequential or punitive damages.

7. **Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Ellis County, Texas.

8. **Notice.** Any notices required or permitted to be given hereunder (each, a "Notice") shall be given by certified or registered mail, return receipt requested, to the addresses set forth below or to such other single address as either party hereto shall notify the other:

If to the City: The City of Waxahachie
 408 S. Rogers Street
 Waxahachie, Texas 75165
 Attention: City Manager

If to Developer: CNB of Texas
 P.O. Box 717,
 Waxahachie, TX 75165
 Attention: Mark Singleton

9. **Prevailing Party.** In the event any person initiates or defends any legal action or proceeding to enforce or interpret any of the terms of this Agreement, the prevailing party in any such action or proceeding shall be entitled to recover its reasonable costs and attorney's fees (including its reasonable costs and attorney's fees on any appeal).

10. **Entire Agreement.** This Agreement contains the entire agreement between the Parties hereto with respect to development of the Property and supersedes all prior agreements, oral or written, with respect to the subject matter hereof. The provisions of this Agreement shall be construed as a whole and not strictly for or against any Party.

11. **Savings/Severability.** In the event any provision of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable, the Agreement shall, to the extent reasonably possible, remain in force as to the balance of its provisions as if such invalid provision were not a part hereof.

12. **Binding Agreement.** A telecopied facsimile of a duly executed counterpart of this Agreement shall be sufficient to evidence the binding agreement of each party to the terms herein, including without limitation a scanned copy sent via electronic mail by either Party.

13. **Authority to Execute.** This Agreement shall become a binding obligation on the Parties upon execution by all Parties hereto. The City warrants and represents

that the individual executing this Agreement on behalf of the City has full authority to execute this Agreement and bind the City to the same. Developer warrants and represents that the individual executing this Agreement on behalf of Developer has full authority to execute this Agreement and bind Developer to the same. The City Council hereby authorizes the City Manager of the City to execute this Agreement on behalf of the City.

14. **Filing in Deed Records.** This Agreement, and any and all subsequent amendments to this Agreement, shall be filed in the deed records of Ellis County, Texas.

15. **Mediation.** In the event of any disagreement or conflict concerning the interpretation of this Agreement, and such disagreement cannot be resolved by the signatories hereto, the signatories agree to submit such disagreement to nonbinding mediation.

16. **Notification of Sale or Transfer; Assignment of Agreement.** Except with respect to a sale or transfer to a related entity of Developer, Developer shall notify the City in writing of any sale or transfer of all or any portion of the Property, within ten (10) business days of such sale or transfer. Developer has the right (from time to time without the consent of the City, but upon written notice to the City) to assign this Agreement, in whole or in part, and including any obligation, right, title, or interest of Developer under this Agreement, to any person or entity (an "Assignee") that is or will become an Developer of any portion of the Property or that is an entity that is controlled by or under common control with Developer. Each assignment shall be in writing executed by Developer and the Assignee and shall obligate the Assignee to be bound by this Agreement. Except with respect to a sale or transfer to a related entity of Developer, a copy of each assignment shall be provided to the City within ten (10) business days after execution. Provided that the successor Developer assumes the liabilities, responsibilities, and obligations of the assignor under this Agreement and/or the building has been constructed on the Property as provided in this Agreement, the assigning party will be released from any rights and obligations under this Agreement as to the Property that is the subject of such assignment, effective upon such transfer. No assignment by Developer shall release Developer from any liability that resulted from an act or omission by Developer that occurred prior to the effective date of the assignment. Developer shall maintain true and correct copies of all assignments made by Developer to Assignees, including a copy of each executed assignment and the Assignee's Notice information.

17. **Sovereign Immunity.** The Parties agree that the City has not waived its sovereign immunity from suit by entering into and performing its obligations under this Agreement.

18. **Effect of Recitals.** The recitals contained in this Agreement: (a) are true and correct as of the Effective Date; (b) form the basis upon which the Parties negotiated and entered into this Agreement; (c) are legislative findings of the City Council; and (d) reflect the final intent of the Parties with regard to the subject matter of this Agreement. In the event it becomes necessary to interpret any provision of this Agreement, the intent

(17)

of the Parties, as evidenced by the recitals, shall be taken into consideration and, to the maximum extent possible, given full effect. The Parties have relied upon the recitals as part of the consideration for entering into this Agreement and, but for the intent of the Parties reflected by the recitals, would not have entered into this Agreement.

19. **Consideration**. This Agreement is executed by the parties hereto without coercion or duress and for substantial consideration, the sufficiency of which is forever confessed.

20. **Counterparts**. This Agreement may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes. A facsimile signature will also be deemed to constitute an original.

21. **Amendment**. This Agreement shall not be modified or amended except in writing signed by the Parties. A copy of each amendment to this Agreement, when fully executed and recorded, shall be provided to each Party, Assignee and successor Developer of all or any part of the Property; however, the failure to provide such copies shall not affect the validity of any amendment.

22. **Waiver of Texas Government Code § 3000.001 et seq.** With respect to any structures or improvements constructed on the Property pursuant to this Agreement, Developer hereby waives any right, requirement or enforcement of Texas Government Code §§ 3000.001-3000.005, as amended.

23. **Miscellaneous Drafting Provisions**. This Agreement shall be deemed drafted equally by all Parties hereto. The language of all parts of this Agreement shall be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any Party shall not apply.

IN WITNESS WHEREOF, the parties hereto have caused this document to be executed as of the date referenced herein.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

(17)

CITY:

THE CITY OF WAXAHACHIE, TEXAS

By: _____

Name: Michael Scott

Title: City Manager

STATE OF TEXAS)

)

COUNTY OF ELLIS)

This instrument was acknowledged before me on the ___ day of _____, 202__, by Michael Scott, City Manager of the City of Waxahachie, Texas, on behalf of the City of Waxahachie, Texas.

Notary Public, State of Texas

My Commission Expires: _____

(17)

EXHIBIT A

(Property Legal Description)

Property Description: Ellis County Appraisal District Parcel Number 191635 & 194998.

(17)

EXHIBIT B

(Building Materials/Elevations)

Planning & Zoning Department Zoning Staff Report

Case: ZDC-206-2024



MEETING DATE(S)

Planning & Zoning Commission: January 14, 2025
City Council: January 21, 2025

CAPTION

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-206-2024) Staff: Zack King

RECOMMENDED MOTION

"I move to approve ZDC-206-2024, a Specific Use Permit (SUP) for a Drive-Through Establishment, subject to the conditions the staff report, authorizing the Mayor and/or City Manager to sign the associated documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on January 14, 2025, the Commission voted 5-0 to recommend approval of case number ZDC-206-2024, subject to the conditions of the staff report.

In May of 2024, the applicant submitted an initial SUP Application (ZDC-103-2024) for the proposed development. On October 9, 2024, before proceeding to the Planning & Zoning Commission for consideration, the applicant requested to withdraw the SUP Application. The applicant noted the purpose of the withdrawal was to allow the development team additional time to assess the language in the City's standard SUP Ordinance and the Development Agreement accompanying this request.

On October 30, 2024, the applicant informed staff that their evaluation of the City's standard SUP Ordinance and Development Agreement was complete. The applicant subsequently submitted a new SUP Application (ZDC-206-2024). No changes to the language in the accompanying SUP Ordinance or Development Agreement have been made since the time of the withdrawal request.

APPLICANT REQUEST

The applicant requests approval of a Specific Use Permit (SUP) to allow for a Drive-Through Establishment as part of a proposed multi-tenant retail building at 2932 N US Highway 77.

CASE INFORMATION

Applicant:	Kevin Patel, Triangle Engineering
Property Owner(s):	Vaquero Highway 77 Waxahachie Partners LP
Site Acreage:	1.512 acres
Current Zoning:	Planned Development-General Retail (PD-GR)
Requested Zoning:	Planned Development-General Retail (PD-GR) with SUP for a Drive-Through Establishment

SUBJECT PROPERTY

General Location: 2932 N US Highway 77

Parcel ID Number(s): 189379

Existing Use: The subject property is currently undeveloped.

Development History: In March of 2023, a SUP (ZDC-157-2022) for an Automotive Care Center use (Strickland Brothers) was approved for the subject property. The property owner is no longer pursuing the development of this use. In March of 2024, the property was platted as Lot 2 of the Shridharani Subdivision (SUB-160-2021).

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-GR with SUP	O'Reilly's Auto Parts
East	N/A (ETJ)	Northside RV Resort
South	PD-GR	Undeveloped
West	PD-GR/PD-MF-2	Wash Masters Waxahachie

Future Land Use Plan: Local Commercial

Comprehensive Plan: The local commercial placetype includes areas for restaurants, shops, grocery stores, offices, and personal service establishments. This placetype was incorporated to preserve the City's commercial corridors. Where appropriate, local commercial uses should be located at the intersection or frontage of major thoroughfares (60 feet or greater). The intensity of this placetype falls between neighborhood scale commercial and regional commercial. Local commercial will consist of a single or cluster of standalone office, retail, or commercial buildings with an anchor. Local commercial uses should be interconnected with sidewalks to increase walkability. In addition, a shared open space comprised of a plaza or park is encouraged for multi-pad site developments.

Thoroughfare Plan: The subject property will be accessible via N US Highway 77.

Site Image:



PLANNING ANALYSIS

The applicant proposes a Specific Use Permit (SUP) to allow for the development of a Drive-Through Establishment use (Starbucks) as part of a proposed multi-tenant retail building at 2932 N US Highway 77. The subject property is situated in an existing Planned Development-General Retail (PD-GR) zoning district. The Waxahachie Zoning Ordinance requires that a SUP be approved to allow for Drive-Through Establishment land uses within a General Retail (GR) zoning district.

The SUP process is utilized to evaluate certain land uses that may not otherwise be compatible with permitted uses in a base zoning district. The SUP process allows a land use to be evaluated to determine whether it compatible with adjacent uses by ensuring the nature of the proposed land use is reasonable and any potential negative impacts of the land use have been mitigated. Through the SUP process, a specific site design is also developed to ensure the intent of the base zoning district is maintained.

Background

In December of 2021, the City Council approved a SUP (ZDC-174-2021) for a stand-alone Starbucks Drive-Through Establishment just south of the subject property. In November of 2022, City Council approved an amendment to this SUP (ZDC-123-2022) to modify the design of the site and the development agreement. Following approval of these SUP's, Starbucks opted not to pursue development of a standalone store in this area. In 2024, the property owner began working with Starbucks again to consider using a single suite within a multi-tenant retail building.

In May of 2024, the applicant submitted a new redesigned SUP request (ZCDC-103-2024) for a Drive-Through Establishment to allow for Starbucks to occupy the northern suite within the proposed multi-tenant retail building. Due to concerns with the language in the City's standard SUP Ordinance, the applicant withdrew the new SUP Application in order to take time to review the City's standard SUP Ordinance with the Starbucks corporate team. In November of 2024, the applicant completed their review and determined they had no concerns with the City's standard language. The applicant this current SUP request (ZDC-206-2024) in November of 2024. This request includes an identical site, landscaping, and building design as the request submitted in May of 2024.

Proposed Use

The applicant proposes a Specific Use Permit (SUP) for a Drive-Through Establishment use (Starbucks) as part of a proposed multi-tenant retail building at 2932 N US Highway 77. The proposed multi-tenant retail building is a total of 8,439 square feet in size, with the drive-through suite (Starbucks) comprising 2,439 square feet of the building. The remainder of the building is proposed to be finished out as three (3) retail suites. No specific tenants have been identified for these suites. The applicant has noted that the typical hours of operation of the business will be Monday through Saturday from 5:00 am to 10:00 pm and Sunday from 6:00 am to 10:00 pm. A total of fifteen (15) to twenty-five (25) employees are expected at this location. It is important to note that a restaurant (Starbucks) land use without a drive-through is permitted within the General Retail (GR) zoning district by right.

The proposed site plan includes a drive-through lane with sufficient stacking for eleven (11) vehicles. The drive-through lane is designed to wrap around the entirety of the building to provide the maximum amount of vehicle stacking possible. Outside of the dedicated drive-through lane, additional drive-isles totaling approximately 400 feet are available for customer use to ensure no traffic stacks onto Highway 77.

Proposed Use (continued)

A total of forty-five (45) parking spaces are required for the proposed multi-tenant retail building. The applicant has designed the site to provide fifty-six (56) parking spaces. The parking provided for the site is sufficient to support indoor and outdoor seating for up to two (2) restaurants. The applicant has reserved space on the southeast corner of the property to serve as an on-site detention basin for the property.

Access & Circulation

The applicant proposes to access the subject property via an existing, TxDOT-approved driveway connection to N US Highway 77. This existing driveway connection aligns with Dena Drive across N US Highway 77. The Plat for the subject property includes a mutual access easement dedication to allow for cross access between adjacent properties to the north and south. Construction of the mutual access drive is ongoing. The applicant has designed their site around this mutual access easement to ensure that cross-access between lots is preserved.

The applicant has provided a drive aisle around the entirety of the proposed building to ensure adequate on-site circulation. The drive aisle extends along the outside of the drive-through lane; which will allow customers to exit the drive-through lane at any point, if necessary.

Elevation/Façade

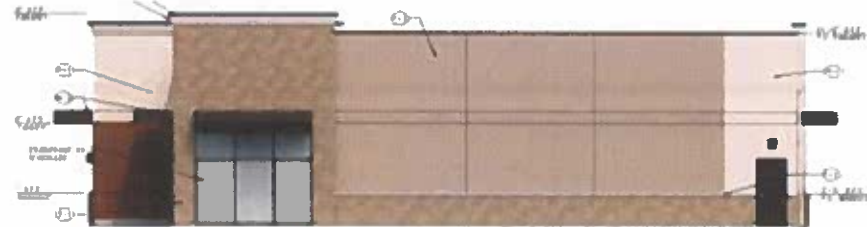
The applicant has provided an elevation/façade plan that features a façade primarily comprised of CMU (concrete masonry unit) veneer and stucco. The facade also includes composite wood siding on the northern (drive-through) suite and CMU veneer banding around the bottom of the building.

The renderings below can be referenced for a look at the front and side façades proposed for the building. The full Elevation/Façade Plan for the proposed building attached below as Exhibit D.

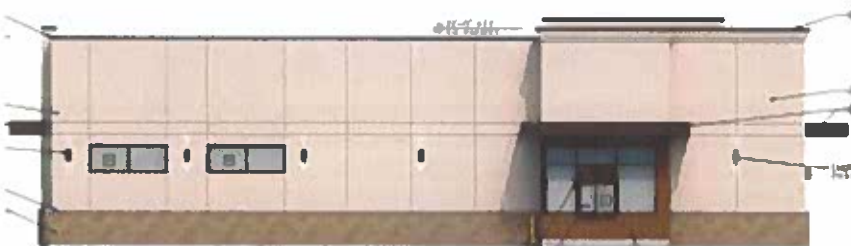
West (Front) Façade



South (Side) Façade



North (Side) Façade



Landscaping

The landscaping proposed with this SUP meets the requirements of the Waxahachie Zoning Ordinance. The applicant has incorporated nine (9) Crape Myrtles into the landscape plan.

Signage

The applicant proposes to install a multi-tenant monument sign that adheres to the typical height and size requirements of the Waxahachie Zoning Ordinance. The base of the monument sign is proposed to utilize the same CMU block proposed for the primary building. The sign will be located outside of all easements on the site.

Detention & Utilities:

The applicant has designed an on-site detention pond for the development and has noted that the design will adhere to the Waxahachie Manual for The Design of Storm Drainage Systems. The applicant will utilize an existing City sanitary sewer line and an existing Rockett SUD water line along Highway 77 to serve the proposed retail building. 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.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 13 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 zero (0) letters of support and zero (0) letters of opposition for the SUP 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 SUP 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 the Landscape Plan and maintain the required landscaping at all times.
3. The applicant shall receive all necessary building permits from the Building & Community Services Department prior to construction.
4. 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.

ATTACHED EXHIBITS

1. Development Agreement
2. SUP Ordinance
3. Location Map – Exhibit A
4. Elevation/Façade Plan – Exhibit B
5. Site Plan – Exhibit C
6. Landscape Plan – Exhibit D
7. Sign Plan – Exhibit E
8. Operational Plan
9. Preliminary Grading Plan
10. Preliminary Drainage Plan
11. Preliminary Utility Plan

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

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Reviewed by:

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

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A RETAIL STORES & SHOPS USE AND A DRIVE-THROUGH ESTABLISHMENT USE WITHIN A PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR) ZONING DISTRICT, LOCATED 2932 N US HIGHWAY 77, BEING PROPERTY ID 189379, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 2, BLOCK 1 IN THE SHRIDHARANI SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, the described property is classified in said ordinance and any amendments thereto as PD-GR; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-206-2024 Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from PD-GR to PD-GR, with a SUP in order to permit a Retail Stores & Shops use and a Drive-Through Establishment use on the following property: Lot 2, Block 1 of the Shridharani subdivision, which is shown on Exhibit A, in accordance with the Elevation/Façade Plan attached as Exhibit B, the Detailed Site Plan attached as Exhibit C, the Landscape Plan attached as Exhibit D, and the Sign Plan attached as Exhibit E.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and Zoning Ordinance.

(19)

Specific Use Permit

FOR THE OPERATION OF A SPECIFIC USE PERMIT FOR A RETAIL STORES & SHOPS USE AND A DRIVE-THROUGH ESTABLISHMENT USE WITHIN A PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR) ZONING DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. A mutually agreed upon Development Agreement will be required for the property.
2. The development shall conform as approved by the City Council under case number ZDC-206-2024.
3. The development shall adhere to the City Council approved in Exhibit A- Location Map, Exhibit B – Elevation/Façade Plan, Exhibit C – Detailed Site Plan, Exhibit D – Landscape Plan, and Exhibit E – Sign Plan.
4. 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 B).
5. The Property Owner shall provide a permanent irrigation system(s) for all required landscape areas shown on Exhibit D - Landscape Plan and maintain or cause to be maintained the required landscaping at all times.
6. All improvements 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.
7. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
8. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance (Ordinance No. **TBD**) or the Development Agreement, shall conform to those requirements and/or standards prescribed in Exhibit B – Elevation/Façade Plan, Exhibit C – Detailed Site Plan, Exhibit D – Landscape Plan, and Exhibit E – Sign Plan. Where regulations are not specified in Exhibits B, C, D, E, in this Zoning Ordinance (Ordinance No. **TBD**) or the Development Agreement, the regulations of the General Retail (GR) zoning district and the City of Waxahachie Zoning Ordinance shall apply to this development.
9. City Council shall have the right to review the Specific Use Permit at any point, if needed.

(19)

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or cease to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to re-establish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this 21st day of January, 2025.

MAYOR

ATTEST:

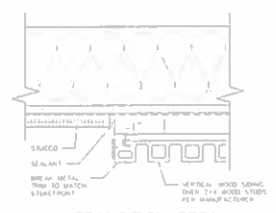
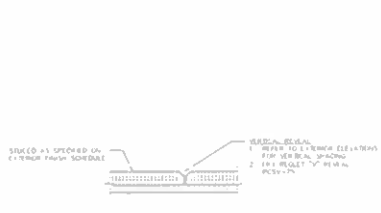
City Secretary

LOCATION MAP - EXHIBIT A



(19)

ELEVATION/FACADE PLAN - EXHIBIT B



EXTERIOR FINISH SCHEDULE

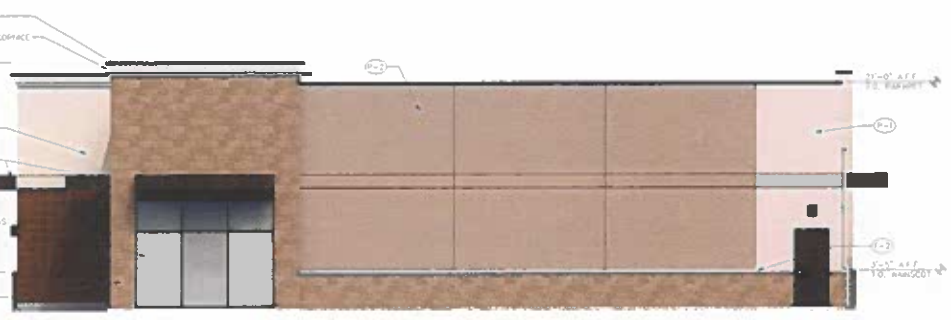
ITEM	COLOR	MANUFACTURER	REMARKS
F-1) LAM VENEER	SW 7014 "TORY TAPE"	LOCAL SOURCE	-
F-2) STUCCO	OFF WHITE	CONCRETE	-
F-3) COMPOSITE WOOD SIDING	PERJURAN TEAK	NEWTECHWOOD	EUROPEAN STYLE, HELDAN H3400
F-4) PAINT FINISH	SW 7030 "AQUA GREY"	SHERWIN WILLIAMS	-
F-5) PAINT FINISH	SW 7032 "RAINY STONE"	SHERWIN WILLIAMS	-
M-1) PREFABRICATED METAL CORNING	SW 7020 "BLACK FOI"	SHERWIN WILLIAMS	-
M-2) PRE-ENGINEERED METAL CANOPY	TO MATCH "BLACK FOI" SW 7020	ARCHITECTURAL FABRICATION	FACTORY APPLIED FINISH
MISCELLANEOUS METALS	SW 7020 "BLACK FOI"	SHERWIN WILLIAMS	-
STOREFRONT FRAMES	DARK ANODIZED ALUMINUM FRAME AND DOORS	F-ANHELP	REFER TO WINDOW AND DOOR SCHEDULE
HARDWARE	SATIN CLEAR FINISH	FACTORY FINISHED	REFER TO HARDWARE LEGEND
DOWN SPOUTS	TO MATCH STUCCO COLOR	AEZ SPAN	FACTORY APPLIED BURATECH FINISH
POPE LADDERS	TO MATCH STUCCO COLOR	SHERWIN WILLIAMS	-
LIGHT FIXTURE A	BLACK	MINNER	LED (REFER TO ELEC.)
STUCCO	-	LOCAL SOURCE	3-PART STUCCO

STONE TO BE CHECKED FROM EACH SOURCE (NO SUBSTITUTIONS) CONTACT: BRAL BARTON #1774 3194 BRALB@BRTN.COM
 BRICK TO BE ORDERED FROM ATME BRICK (NO SUBSTITUTIONS) CONTACT: BR-HOME, HANOVER #1724 7634 BRH@ME-SWBRICK.COM

NOTE: REFER TO SHEET A4.0 FOR WINDOW SCHEDULE

FINISH LEGEND

STUCCO P-1	STUCCO P-2	WOOD SIDING	EMJ VENEER
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MATERIAL	SQ FT	PERCENTAGE
STUCCO	845	82%
EMJ VENEER	490	2%
GLAZING	120	1%
TOTAL	1,455	100%

MATERIAL	MAXIMUM LENGTH BETWEEN ARTICULATIONS
STUCCO	60'-0" (45' BLD. HGT. @ 2/3'-0")
EMJ VENEER	50'-4"
GLAZING	1'-0"
PROVIDED VERTICAL ARTICULATION	2'-0"



MATERIAL	SQ FT	PERCENTAGE
STUCCO	756	22%
WOOD SIDING	1113	45%
EMJ VENEER	481	18%
GLAZING	1,419	21%
TOTAL	3,769	100%

MATERIAL	MAXIMUM LENGTH BETWEEN ARTICULATIONS
STUCCO	65'-0" (45' BLD. HGT. @ 2/3'-0")
EMJ VENEER	51'-0"
GLAZING	2'-4"
PROVIDED VERTICAL ARTICULATION	2'-0"

PRELIMINARY NOT TO BE USED FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION

FRANZ architects

1875 271-8822
 7008 Southwestern Parkway
 Dallas, TX 75226

SHELL BUILDING
 N HWY 77
 WAXAHACHIE, TX 75165

Project No. 07/27/24
 Date By: [Signature]
 Drawn By: [Signature]

Sheets: 1 of 1

A2.0
 EXTERIOR ELEVATIONS

(b1)

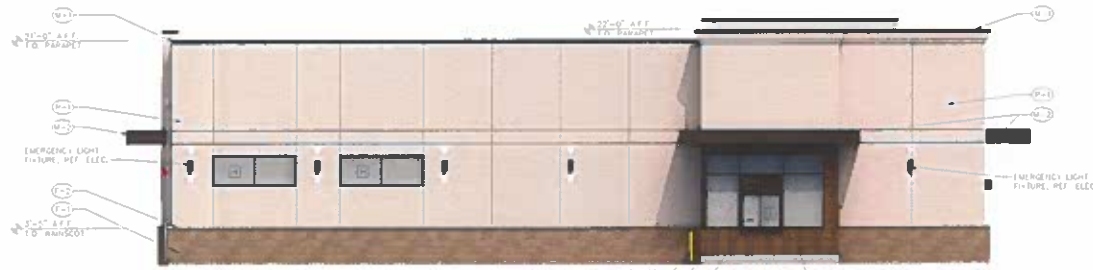
ELEVATION/FACADE PLAN - EXHIBIT B

EXTERIOR FINISH SCHEDULE			
ITEM	COLOR	MANUFACTURER	REMARKS
F-1) EMU VEHICLE	SA 7038 "TOM" FAUPEL"	LOCAL SOURCE	-
F-2) STONE SILL	01) WHITE	CORonado	-
F-3) COMPOSITE WOOD SIDING	PERUVIAN TEAK	HEATECHWOOD	EUROPEAN STYLE BELGIAN BOARD
F-4) PAINT FINISH	SA 7030 "AHE & GRAF"	SHERWIN WILLIAMS	-
F-5) PAINT FINISH	SA 7033 "WARM STONE"	SHERWIN WILLIAMS	-
F-6) PREFERRED METAL COPING	SW 7020 "BLACK FO"	SHERWIN WILLIAMS	-
F-7) PREFERRED METAL CANOPY	TO MATCH "BLACK FO" SA 7020	ARCHITECTURAL FABRICATION	FACTORY APPLIED FINISH
MISCELLANEOUS METALS	SW 7020 "BLACK FO"	SHERWIN WILLIAMS	-
STOREFRONT FRAMES	DARK BRONZE ANODIZED TRAVE AND DOORS	AAWDED	REFER TO WINDOW AND DOOR SCHEDULE
HARDWARE	SATIN CLEAR FINISH	FACTORY FINISHED	REFER TO HARDWARE LEGEND
DOWN SPOUTS	TO MATCH STUCCO COLUMN	ALP SPAN	FACTORY APPLIED DUPATECH FINISH
MOOP LADDER	TO MATCH STUCCO COLUMN	SHERWIN WILLIAMS	-
LIGHT FIXTURE & INLETS	BLACK	HEWLETT	LED (REFER TO ELEC.)
STUCCO	-	LOCAL SOURCE	3-PART STUCCO

STONE TO BE ORDERED FROM BLACK SOY BRICK (NO SUBSTITUTIONS) CONTACT: BRAC BARTON 417.874.3164 BRAC@BLACKSOYBRICK.COM
 VINYL TO BE ORDERED FROM ACAL VINYL (NO SUBSTITUTIONS) CONTACT: BRAC BARTON 417.874.3164 BRAC@BLACKSOYBRICK.COM

NOTE: REFER TO SHEET A4-D FOR WINDOW SCHEDULE

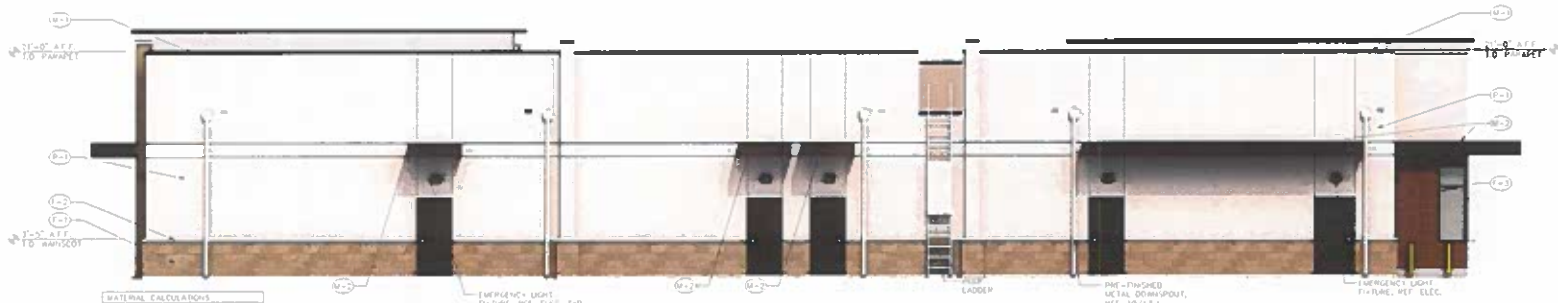
FINISH LEGEND			
STUCCO P-1	STUCCO P-2	WOOD SIDING	EMU VEHICLE



2 NORTH ELEVATION
SCALE: 3/16" = 1'-0"

MATERIAL	SQ FT	PERCENTAGE
STUCCO	1,743	78%
WOOD SIDING	48	3%
EMU VEHICLE	262	12%
GLAZING	124	6%
TOTAL	2,277	100%

ARTICULATION CALCULATIONS:
 MAXIMUM LENGTH BETWEEN ARTICULATIONS: 63'-0" (+13 P.L.D. HGT @ 21'-0")
 LENGTH PROVIDED BETWEEN ARTICULATIONS: 58'-4"
 PROVIDED HORIZONTAL ARTICULATION: 1'-6 1/2"
 PROVIDED VERTICAL ARTICULATION: 1'-0"



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

MATERIAL	SQ FT	PERCENTAGE
STUCCO	1,724	78%
EMU VEHICLE	243	11%
TOTAL	2,173	100%

ARTICULATION CALCULATIONS:
 MAXIMUM LENGTH BETWEEN ARTICULATIONS: 43'-0" (+13 P.L.D. HGT @ 21'-0")
 LENGTH PROVIDED BETWEEN ARTICULATIONS: 38'-9"
 PROVIDED HORIZONTAL ARTICULATION: 1'-0"
 PROVIDED VERTICAL ARTICULATION: 1'-0"

PRELIMINARY
NOT TO BE USED
FOR
REGULATORY
APPROVAL
PERMITTING OR
CONSTRUCTION



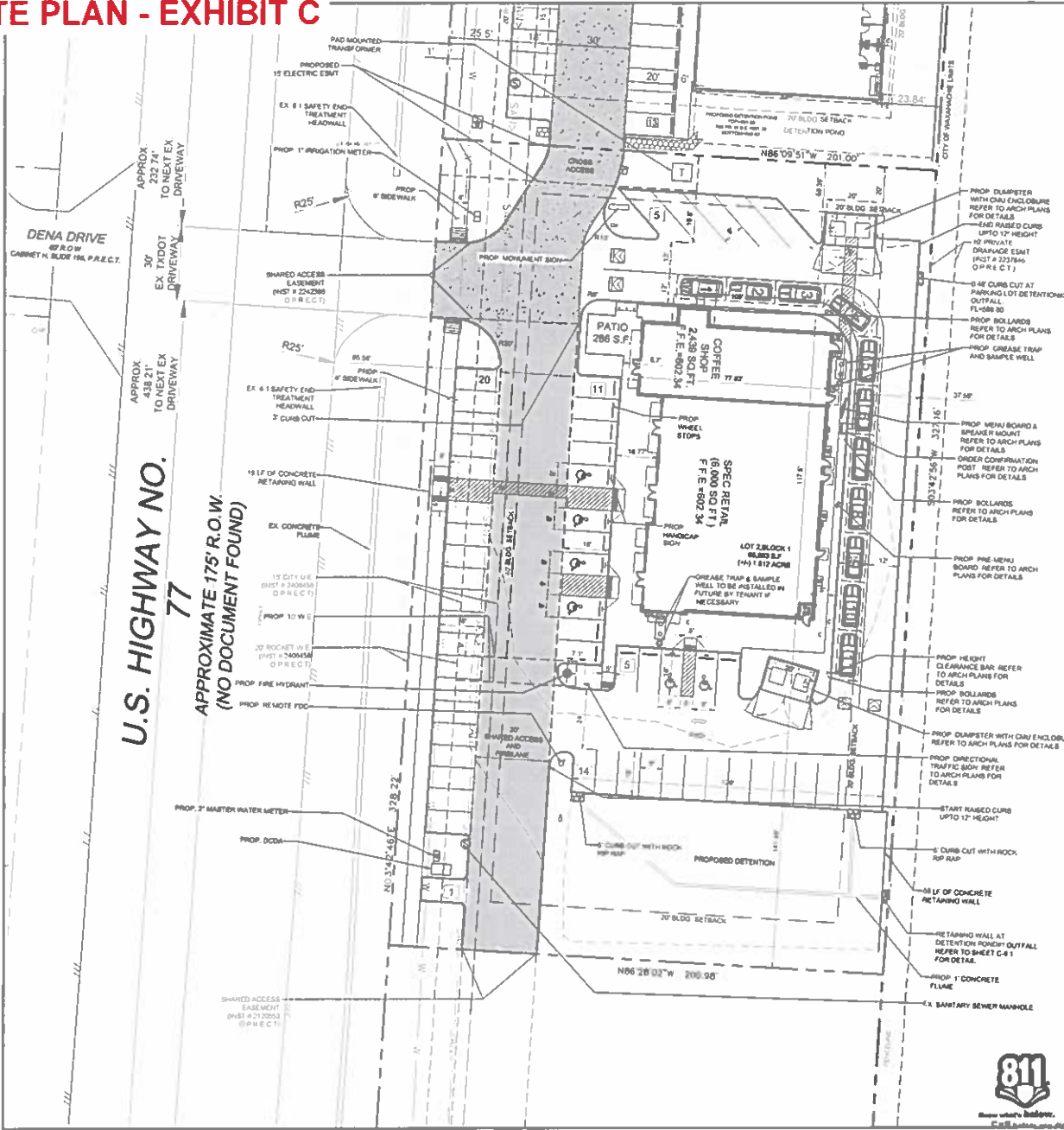
SHELL BUILDING
 N HWY 77
 WAXAHACHIE, TX 75165

Project No: 2108
 Date: 07/27/21
 Drawn By: [Name]
 Checked By: [Name]

SHEET
A2.1
 EXTERIOR ELEVATIONS

(b1)

SITE PLAN - EXHIBIT C



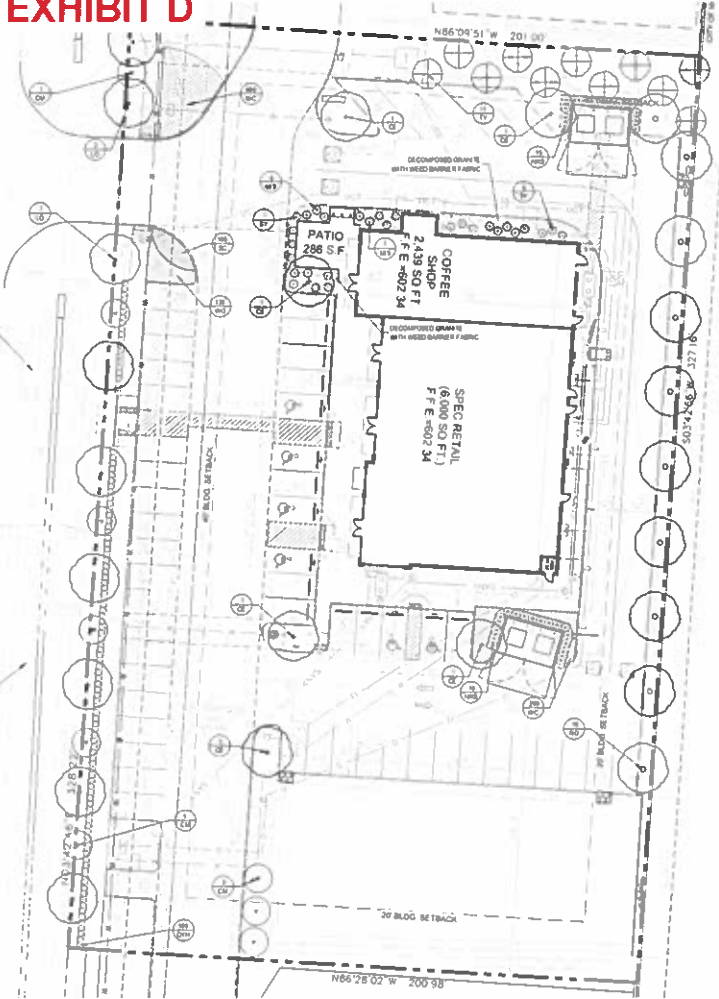
EXISTING LEGEND

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LANDSCAPE PLAN - EXHIBIT D

DENA DRIVE
80' R.O.W.
CABINET 1/4" SCALE TR. PROJECT

U.S. HIGHWAY NO. 77
APPROXIMATE 175' R.O.W.
(NO DOCUMENT FOUND)



LANDSCAPE TABULATIONS

REQUIREMENT: 30% OF THE BUILDING SQUARE FOOTAGE SHALL BE LANDSCAPE AREA

BUILDING AREA 6,438 S.F.	REQUIRED	19,300 S.F. (110%)
LANDSCAPE REQUIREMENTS	REQUIRED	PROVIDED
ADMITTED TREES THREE PER 500 S.F.	17 TREES	17 TREES
UNDERSTORY TREES	1 TREE PER 250 S.F.	25 TREES
SHRUBS	1 SHRUB PER 75 S.F.	84 SHRUBS
GRASS COVER	15% OF REQUIRED AREA	PROVIDED
SEASONAL COLOR	2% OF REQUIRED AREA	PROVIDED
PARKING LOT LANDSCAPING	REQUIREMENT: 20 S.F. OF LANDSCAPING PER PARKING SPACE TWO (2) TREES 6" CAL. AND TEN (10) SHRUBS REQUIRED FOR EVERY 500 S.F. OF REQUIRED PARKING LOT LANDSCAPE AREA.	PROVIDED
TOTAL PARKING SPACES - 56	REQUIRED	1,120 S.F.
		1,120 S.F.
		22 SHRUBS
		22 SHRUBS

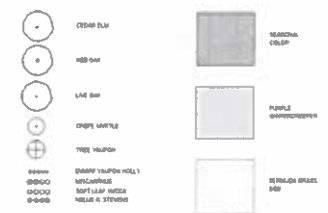
STREET LIGHTS

REQUIREMENT: 1 TREE PER 40 S.F. OF STREET FRONTAGE

HIGHWAY 77 (22' L.F.)

REQUIRED	PROVIDED
3 TREES	3 TREES

PLANT MATERIAL LEGEND



LANDSCAPE NOTES

- CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE UTILITIES AND VERIFY ALL EXISTING OR ADJACENT UTILITIES. DATE OF EXISTING CONDITIONS AND SUPPLY BY OTHERS.
- CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY AGENCY OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION TO AVOID WORKING ON THE VICINITY OF UNDERGROUND UTILITIES.
- CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.
- CONTRACTOR TO PROVIDE A MINIMUM 7% SLOPE AWAY FROM ALL STRUCTURES.
- ALL PLANTING BEDS AND LAWN AREAS TO BE BARRIERS BY STEEL BODIES. NO STEEL TO BE INSTALLED NEARBY TO SIGNALS OR CURBS.
- ALL LANDSCAPE AREAS TO BE IRRIGATED WITH AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM AND SHALL INCLUDE RAIN AND FROST SENSORS.

SOLID SOIL NOTES

- THE GRASS AREAS TO ACHIEVE FINAL CONTIGUOUS GRASSED LEANS AREAS TO BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. PLANTING AREAS AND 1' BLDG. SETBACK GRASS IN PLANT AREAS.
- ADJUST CONDITIONS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNDERDRAINAGE AT TOP AND BOTTOM OF SLOPES AND OTHER SLOPES IN GRADE. CORRECT SLOPES TO ACHIEVE POSITIVE DRAINAGE AWAY FROM AREAS.
- ALL LAWN AREAS TO RECEIVE SOLID SOIL SHALL BE LEFT IN A MANNER OF 1" BELOW FINAL FINISH GRADE. CONTRACTOR TO COORDINATE OPERATIONS WITH ON-SITE CONSTRUCTION WORKERS.
- CONTRACTOR TO COORDINATE WITH ON-SITE CONSTRUCTION WORKER FOR AVAILABILITY OF 1" FINISH TOPSOIL.
- PLANT SOIL TO BE COVERED IN INDICATED AREA. CONTRACTOR SHALL MAINTAIN SOIL TO REMAIN TOPSOIL. TOP DRESSING TO BE APPLIED TO FILL VOIDS.
- SOIL GRASS AREAS TO ACHIEVE A MINIMUM 1" FINISH GRADE. FRESH PRODUCE MATERIALS TO BE USED.
- WATER SOIL THROUGHOUT 1" AS SOIL OPERATION PROGRESSES.
- CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS LAWN FROM ACCEPTANCE. THIS SHALL INCLUDE SOIL NOT LATER TO ACHIEVE A MINIMUM 1" FINISH GRADE. CLEANING AND REPLACING GRASS OR SOIL AREAS TO BE LEFT IN PLACE IN A MANNER OF 1" FINISH GRADE.
- CONTRACTOR SHALL MAINTAIN THE EXISTENCE OF AN ACCEPTABLE LAWN AREA AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY, IF NECESSARY.
- IF ANY ALLA TON OCCURS BE FRESH IN SITE USER 1 AND MAINTAIN ALL SOIL AREAS TO BE GRASS SEEDS WITH WATERING. MAINTAIN AT A RATE OF 10 POUNDS PER ONE ACRE (ONE SQUARE FOOT).

PLANT MATERIAL SCHEDULE

GROUP	TYPE	CITY	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
CE	8		Cedar Elm	<i>Ulmus crinitus</i>	6" cal.	container 12" H. 1/2" spread min. 5" clear trunk
	9		Live Oak	<i>Quercus agrifolia</i>	6" cal.	container 12" H. 1/2" spread min. 5" clear trunk
	10		Red Oak	<i>Quercus rubra</i>	6" cal.	container 12" H. 1/2" spread min. 5" clear trunk
OR	9		Orange Marble Dogwood	<i>Cornus florida</i>	7" H.	container 3 or 5" trunk, 1/2" clear trunk
	11		Fire Yucca	<i>Yucca filamentosa</i>	7" H.	1/2" spread min. 1/2" clear trunk
DTR	108		Doyle's Ficus Holly	<i>Ficus virens</i>	3 gal.	container 18" H. 18" spread
	113		Adiantum Garden Crane	<i>Adiantum species</i>	3 gal.	container 18" H. 18" spread
	115		Hebe	<i>Hebe</i>	3 gal.	container 18" H. 18" spread
SC	155		Seashore Cedar	<i>Juniperus horizontalis</i>	4" pots	spread by 12" x 6" container 3" 12" narrow base
	162		Purple Yucca	<i>Yucca filamentosa</i>	4" pots	spread by 12" x 6" container 3" 12" narrow base
	163		Blue Yucca	<i>Yucca filamentosa</i>	4" pots	spread by 12" x 6" container 3" 12" narrow base

GENERAL LAWN NOTES

- THE GRASS AREAS TO ACHIEVE FINAL CONTIGUOUS GRASSED LEANS AREAS TO BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. PLANTING AREAS AND 1' BLDG. SETBACK GRASS IN PLANT AREAS.
- ADJUST CONDITIONS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNDERDRAINAGE AT TOP AND BOTTOM OF SLOPES AND OTHER SLOPES IN GRADE. CORRECT SLOPES TO ACHIEVE POSITIVE DRAINAGE AWAY FROM AREAS.
- ALL LAWN AREAS TO RECEIVE SOLID SOIL SHALL BE LEFT IN A MANNER OF 1" BELOW FINAL FINISH GRADE. CONTRACTOR TO COORDINATE OPERATIONS WITH ON-SITE CONSTRUCTION WORKERS.
- CONTRACTOR TO COORDINATE WITH ON-SITE CONSTRUCTION WORKER FOR AVAILABILITY OF 1" FINISH TOPSOIL.
- PLANT SOIL TO BE COVERED IN INDICATED AREA. CONTRACTOR SHALL MAINTAIN SOIL TO REMAIN TOPSOIL. TOP DRESSING TO BE APPLIED TO FILL VOIDS.
- SOIL GRASS AREAS TO ACHIEVE A MINIMUM 1" FINISH GRADE. FRESH PRODUCE MATERIALS TO BE USED.
- WATER SOIL THROUGHOUT 1" AS SOIL OPERATION PROGRESSES.
- CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS LAWN FROM ACCEPTANCE. THIS SHALL INCLUDE SOIL NOT LATER TO ACHIEVE A MINIMUM 1" FINISH GRADE. CLEANING AND REPLACING GRASS OR SOIL AREAS TO BE LEFT IN PLACE IN A MANNER OF 1" FINISH GRADE.
- CONTRACTOR SHALL MAINTAIN THE EXISTENCE OF AN ACCEPTABLE LAWN AREA AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY, IF NECESSARY.
- IF ANY ALLA TON OCCURS BE FRESH IN SITE USER 1 AND MAINTAIN ALL SOIL AREAS TO BE GRASS SEEDS WITH WATERING. MAINTAIN AT A RATE OF 10 POUNDS PER ONE ACRE (ONE SQUARE FOOT).

01 LANDSCAPE PLAN



SITE DATA SUMMARY TABLE	
SITE ACREAGE	1.512 ACRES (65,983 S.F.)
ZONING	RSO-CR
PROPOSED USE	MIXED RETAIL & DRIVE THRU RESTAURANT
BUILDING AREA	6,438 S.F.
NUMBER OF STORES	1
BUILDING HEIGHT	27' 0"
BUILDING COVERAGE	15%
FLOOR AREA RATIO	0.15
IMPERVIOUS AREA	28,325 S.F. (80.0%)
PERVIOUS LANDSCAPE AREA	17,325 S.F. (49.0%)
REGULAR PARKING REQUIRED	45 SPACES
REGULAR PARKING PROVIDED	50 SPACES
HANDICAP PARKING REQUIRED	8 SPACES (1 VAN ACCESSIBLE)
HANDICAP PARKING PROVIDED	8 SPACES (1 VAN ACCESSIBLE)
TOTAL PARKING PROVIDED	58 SPACES

PROJECT CONTACT LIST	
OWNER TRIANGLE DEVELOPING LLC 1784 MADENOTT DR. STE 110 ALLEN, TX 75013 KARTAVYA PATEL 214-608-9271	OWNER/DEVELOPER YACQUELLE VENTURES PARTNERS LP 2900 WINGATE ST. STE 200 FORT WORTH TX 76107 CONTACT: KAYLEE HURVICH 817-992-7375
SURVEYOR JPH LAND SURVEYING INC 785 LONESOME DOVE TRAIL HURST, TX 76024 JOSE B. HERRERO III 817-431-8871	



LANDSCAPE ARCHITECT
STUDIO GREEN SPOT INC
1182 W. MADENOTT DR.
ALLEN, TEXAS 75013
TEL: 282-4448
CHROUGHTLOOK@GREENSPOT.COM

MIXED RETAIL
NORTH HWY. 77
CITY OF WAKAHACHE
ELLIS COUNTY, TEXAS 75165
LOT 1, BLOCK 1 SHRIDHARANI SUBDIVISION
CASE NUMBER: ZDC-XXX-2024

DATE: 11/20/2024
SHEET NAME: LANDSCAPE PLAN
SHEET NUMBER: L.1

(61)

SIGN PLAN - EXHIBIT E



ES12316
STARBUCKS

NORTH HWY 77
WAXAHACHIE, TX



SIGN PLAN - EXHIBIT E

1. FABRICATE AND INSTALL -
NEW GROUND SIGN

Survey Required

A
QTY: 1



16611 West Little York Rd
Houston, Texas 77084
EZZISIGNS.COM
713-232-0771

PROJECT:
STARBUCKS

ADDRESS:
NORTH HWY 77
WAXAHACHIE, TX

DATE: 05/07/2024

PROJECT NUMBER:
E512316

DESIGNER:
RAMON

REVISIONS
R1:

R2:

R3:

APPROVALS / DATE

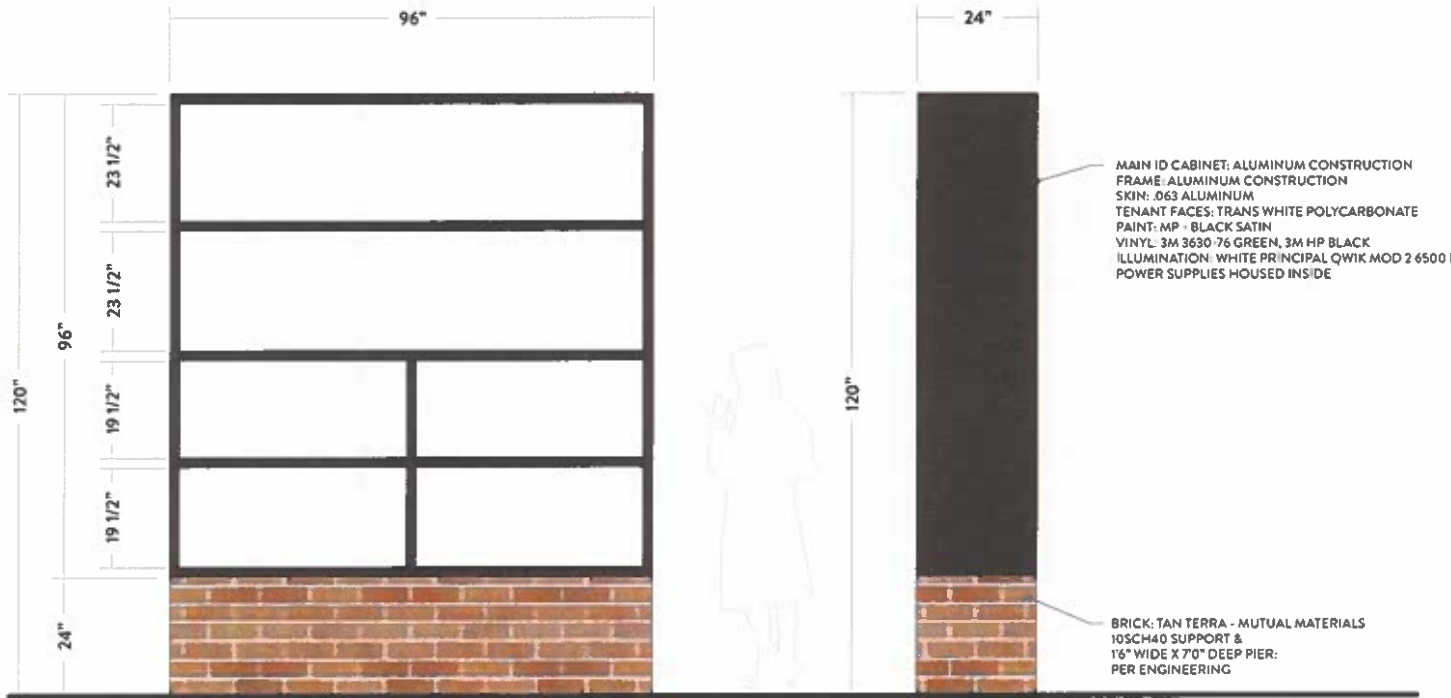
CLIENT:

LANDLORD:



Installation requirements. This sign is to be installed in accordance with the requirements of article 600 of the national electrical code and other applicable local codes. This includes proper grounding and bonding. The location of the disconnect switch after installation shall comply with Article 600.61A(1) of the National Electrical Code.

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PROPOSED SIGNAGE / CROSS SECTION
SCALE: 1/2" = 1' - 0"

(19)

OPERATIONAL PLAN

Operational Plan: Starbucks Corporation



OPERATIONAL PLAN

About: Starbucks Coffee Company



Mission Statement

- To inspire & nurture the human spirit – one person, one cup, and one neighborhood at a time

Starbucks Values

- Creating a culture of warmth and belonging, where everyone is welcome.
- Delivering our very best in all we do, holding ourselves accountable for results.
- Acting with courage, challenging the status quo and finding new ways to grow our company and each other.
- Being present, connecting with transparency, dignity and respect.

History

- Starbucks started in Seattle, WA in 1971 in the Pike Place Market which has now grown into 32,660 Stores Worldwide including 15,328 stores in the U.S.



OPERATIONAL PLAN

Starbucks Coffee Company At a Glance



Hours of Operation:

- Monday – Saturday: 5 AM – 10 PM
- Sunday: 6 AM – 10 PM

Employment Opportunity

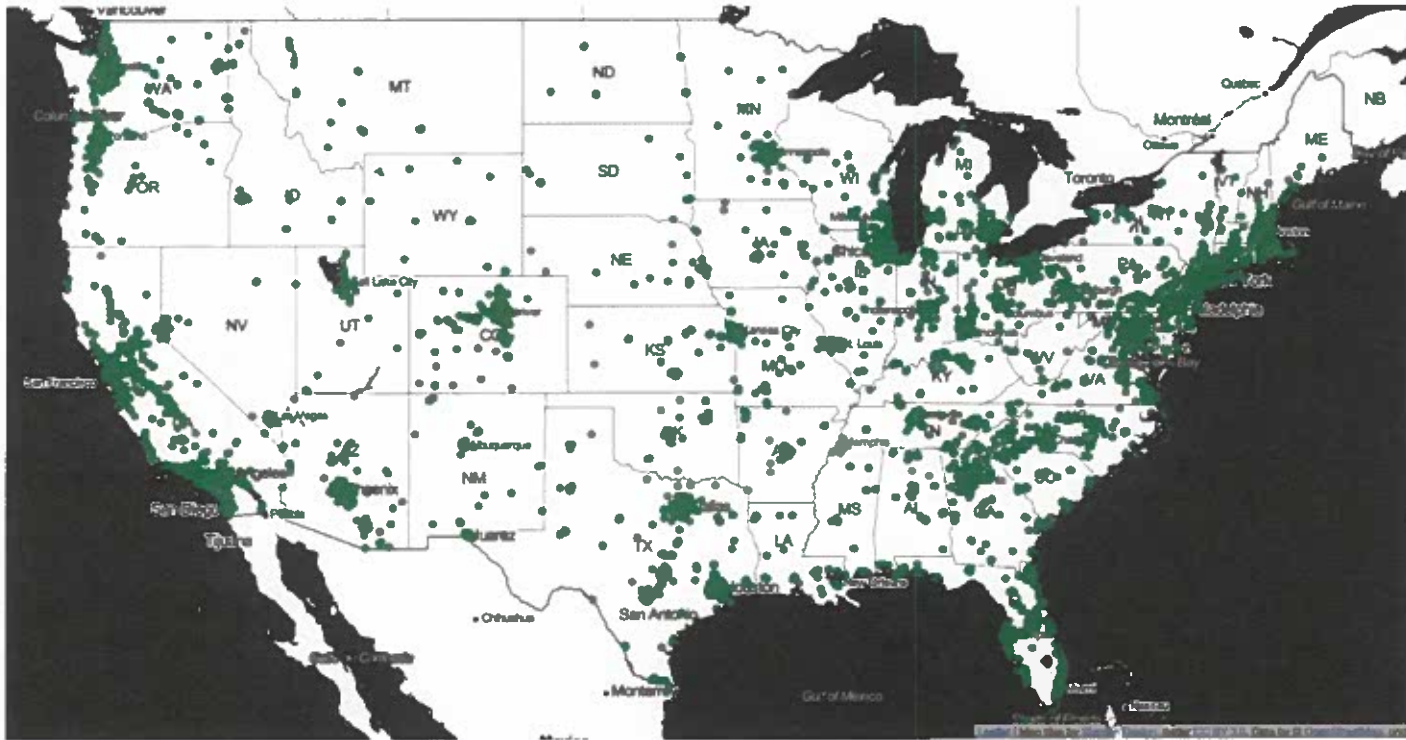
- The typical Starbucks Location employs between 15-25 People with 5-8 Staff Members at one time

Starbucks specializes in a variety of specialty coffees, teas, and other brewed beverages. Starbucks also provides sustainable, health-conscious breakfast and lunch items.



OPERATIONAL PLAN

Starbucks Nationwide



OPERATIONAL PLAN

Starbucks Locations



Helping Hand



Starbucks College Achievement Plan

- Starbucks is committed to their employee's success. Every benefits eligible US Employee working part or full time receives 100% tuition coverage for a first-time bachelor's degree through Arizona State online program

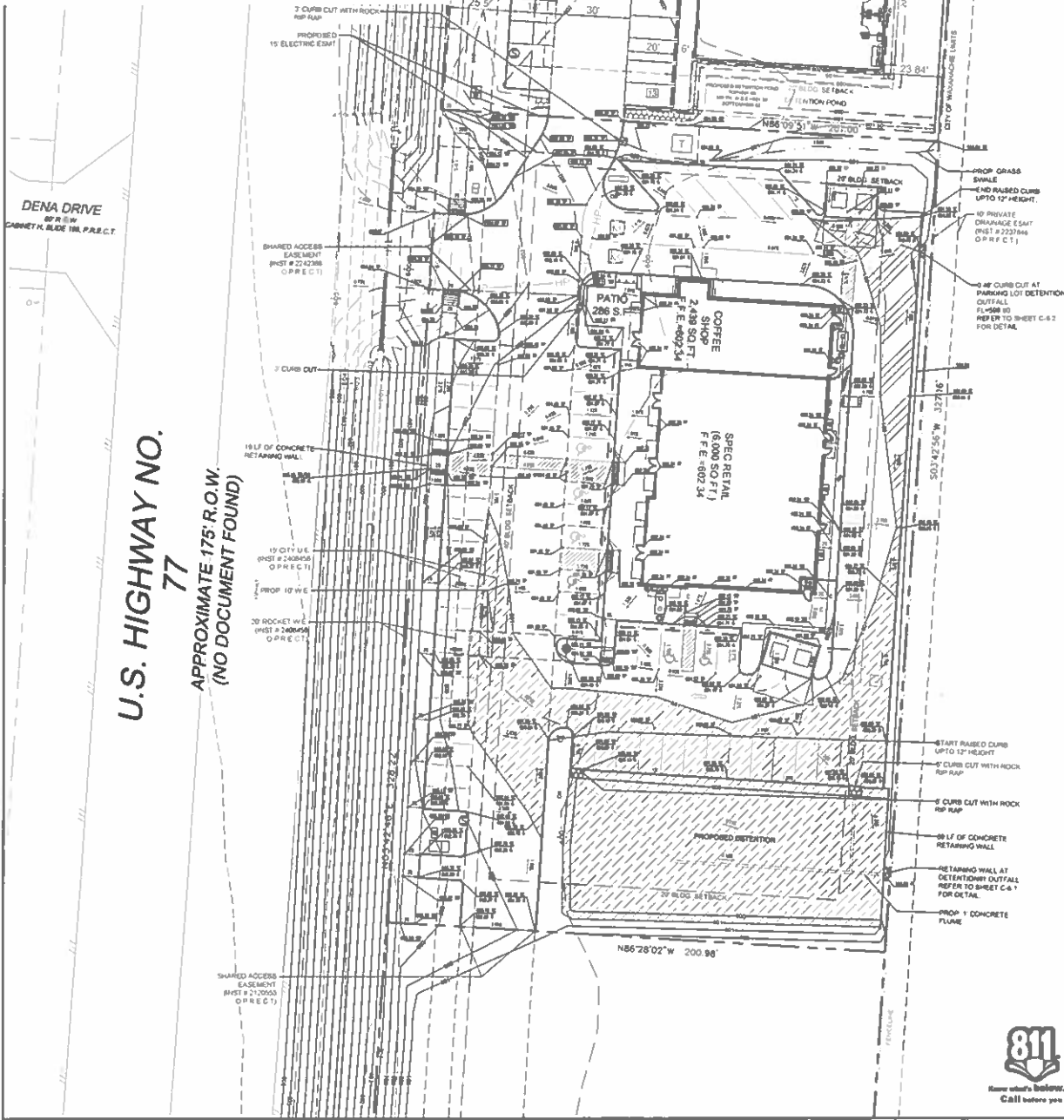
Honoring Our Service Members

- To show gratitude to veteran partners for their service, they can extend an additional Starbucks College Achievement Plan benefit to a qualifying family member of their choice.

The Starbucks Foundation

- Supports thriving communities through grants to nonprofit organizations, from Seattle and neighborhoods across the country, to coffee & tea-growing communities around the world.
 - **Neighborhood Grants** - are investments that help build sustained local impact and inspire increased partner volunteerism with nonprofit organizations that work in our communities.
 - **Disaster Response** - The Starbucks Foundation strengthens communities affected by disaster by investing in response and preparedness programs.
 - **Origin Grants** - The Starbucks Foundation has invested more than \$25 million in programs that strengthen coffee and tea-growing communities since its founding.

PRELIMINARY GRADING PLAN



EXISTING LEGEND

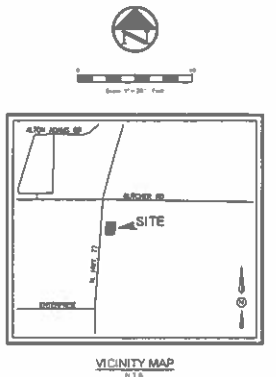
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GRADING LEGEND

EXISTING ELEVATION	---	804.0000
EXISTING MINOR CONTOURS	---	484
EXISTING MAJOR CONTOURS	---	485
MINOR CONTOURS	---	486
MAJOR CONTOURS BY OTHERS	---	487
MINOR CONTOURS BY OTHERS	---	488
GRASS SWALE	---	489
HIGH POINT	---	490
STORM RISE	---	491
RETAINING WALL	---	492
HP RAP	---	493
CONCRETE PAVEMENT BY OTHERS	---	494
ABOVE GROUND & PARKING LOT DETENTION POND	---	495
PARKING LOT DETENTION POND	---	496
ELEVATIONS BY OTHERS	---	497
FRESH FLOOR ELEVATION	---	498
TOP OF CURB ELEVATION	---	499
OUTLET ELEVATION	---	500
SIDEWALK ELEVATION	---	501
TOP OF PAVEMENT	---	502
GROUND ELEVATION	---	503
TOP OF WALL	---	504
INSIDE GRADE	---	505
OUTSIDE GRADE	---	506
DRAINAGE FLOW DIRECTION	---	507
SANITARY SEWER MANHOLE	---	508
SANITARY SEWER CLEANOUT	---	509
SANITARY SEWER DOUBLE CLEANOUT	---	510
SANITARY SEWER SAMPLE POINT	---	511
GREASE TRAP	---	512
DOMESTIC WATER METER	---	513
IRRIGATION METER	---	514

BENCHMARK

THE BENCHMARK IS A MAG NAIL WITH A WASHER STAMPED "PH BENCHMARK" SET IN A CONCRETE CURB ON THE SOUTH RIGHT OF WAY OF DENA DRIVE APPROXIMATELY 775' SOUTH OF THE INTERSECTION OF U.S. HIGHWAY NO. 77 AND IF IT IS HIGHWAY NO. 77, BENCHMARK ELEVATION = 805.30 (NAD83)



GRADING GENERAL NOTES

- ALL SURPLUS EXCAVATION AND WASTE MATERIAL SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND IT SHALL BE HIS SOLE RESPONSIBILITY TO REMOVE SUCH SURPLUS EXCAVATION AND WASTE MATERIAL FROM THE SITE TO A PUBLIC DUMP SITE APPROVED FOR THE DISPOSAL OF SUCH MATERIALS. IF SURPLUS EXCAVATION IS REMOVED FROM THIS SITE TO ANOTHER PROPERTY IT SHALL BE PLACED ON SUCH PROPERTY WITH THE WRITTEN CONSENT OF THE OWNERS OF SUCH PROPERTY. A COPY OF SUCH WRITTEN CONSENT SHALL BE PROVIDED TO THE OWNER. IF THE CONTRACTOR WISHES TO DISPOSE OF SURPLUS EXCAVATION ON SITE, IT SHALL BE ONLY WITH THE PRIOR APPROVAL OF THE OWNER'S PROJECT REPRESENTATIVE AND CARE SHOULD BE TAKEN TO AVOID BLOCKING NATURAL DRAINAGE AND INCREASING STEEP SLOPES. THE CONTRACTOR IS REQUIRED TO PROVIDE HIS OWN STAKING AND TO VERIFY PROJECT ELEVATIONS. MATCH EXISTING SHALL BE UNDERSTOOD TO APPLY TO BOTH VERTICAL ELEVATION AND HORIZONTAL ALIGNMENT. THE CONTRACTOR SHALL PREPARE ALL LANDSCAPE AREAS INCLUDING STREET RIGHT-OF-WAY AREAS TO AN ACCEPTABLE SUBGRADE CONDITION IN ACCORDANCE WITH THE LANDSCAPE PLANS IF THE CONTRACTOR IS NOT EMPLOYED TO PROVIDE AND INSTALL LANDSCAPING. HE SHALL PREPARE A FINISHED AND COMPACTED SUB-GRADE IN THE LANDSCAPING AREAS.
- NO SLOPES TO EXCEED 3H:1V WITHOUT SLOPE STABILIZATION.

GRADING PLAN

MIXED RETAIL & DRIVE-THRU RESTAURANT
 282 NORTH HWY. 77
 CITY OF WAXAHACHIE
 BELL COUNTY, TEXAS 75165
 LOT 2, BLOCK 1 SHRIDHARAN SUBDIVISION
 CASE NUMBER: ZDC-206-3924

Triangle Engineering & Construction Management
 1000 S. 11th Street, Suite 111, Dallas, TX 75215
 Phone: 972.342.1111 Fax: 972.342.1112
 P.L. DES. DATE SCALE PROJECT NO. SHEET NO.
 HP 04-25-24 1/8"=1'-0" 027-24 C-4.0

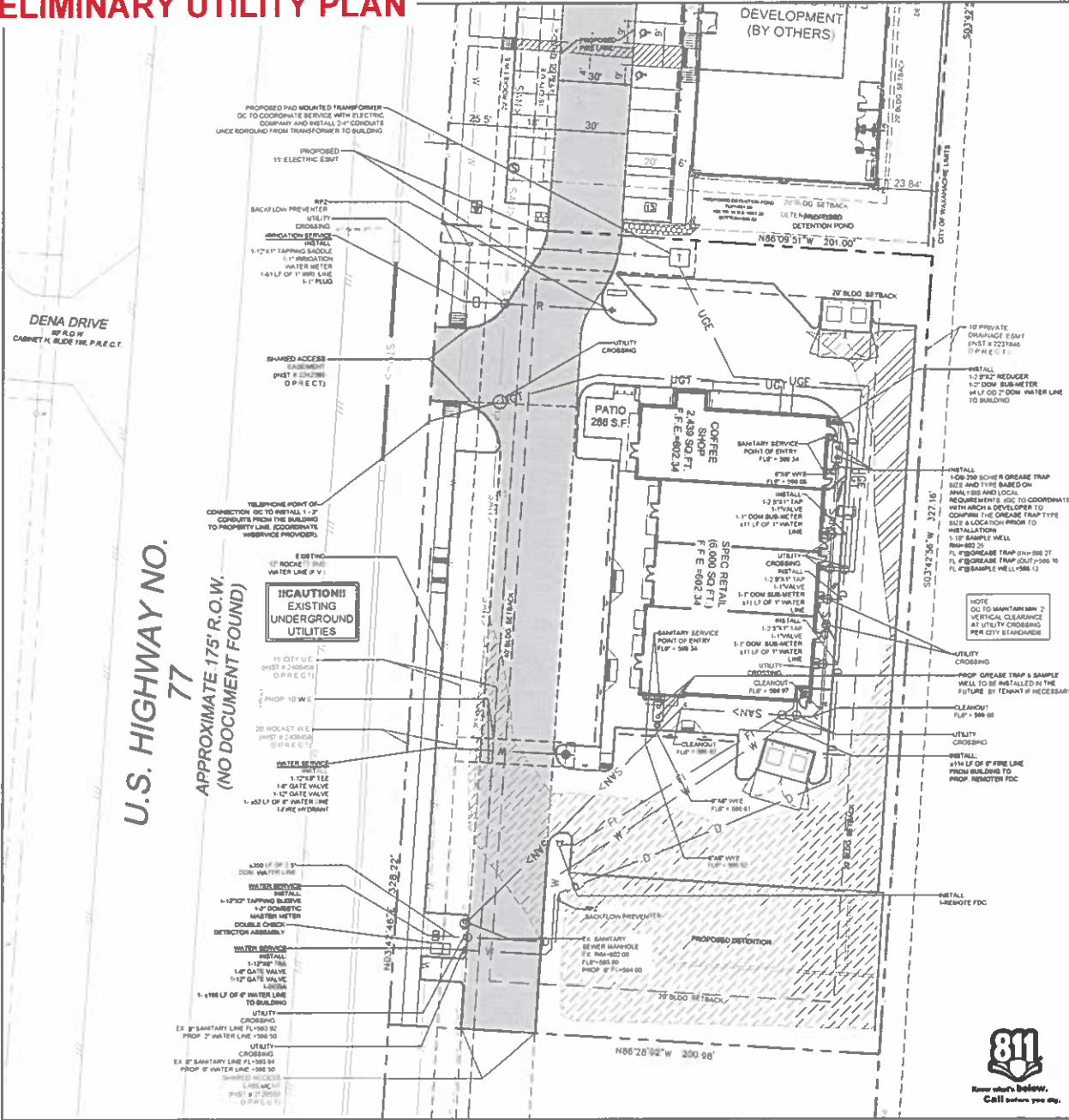


NO.	DATE	DESCRIPTION	BY
1	05-15-24	SUP. SUBMITTAL	KP
2	06-13-24	SUP. SUBMITTAL	KP
3	07-15-24	SUP. SUBMITTAL	KP
4	07-31-24	SUP. SUBMITTAL	KP
5	11-18-24	SUP. SUBMITTAL	KP



(19)

PRELIMINARY UTILITY PLAN



EXISTING LEGEND

UTILITY LEGEND

UTL GENERAL NOTES



U.S. HIGHWAY NO. 77

APPROXIMATE 175' R.O.W. (NO DOCUMENT FOUND)

CAUTION!! EXISTING UNDERGROUND UTILITIES

(19)

STATE OF TEXAS § DEVELOPMENT AGREEMENT FOR
 § MIXED RETAIL & DRIVE-THROUGH
 § ESTABLISHMENT

COUNTY OF ELLIS §

THIS DEVELOPMENT AGREEMENT ("Agreement") is entered into by and between the City of Waxahachie, Texas ("City"), and Vaquero Highway 77 Waxahachie Partners, LP ("Developer") (individually, a "Party" and collectively, the "Parties") to be effective (the "Effective Date") on the latest date executed by a Party.

WHEREAS, the City is a home-rule municipal corporation, located in Ellis County, Texas, organized and existing under the laws of the State of Texas; and

WHEREAS, Developer is developing in the City a retail stores & shops and drive-through establishment land use on approximately 1.512 acres of land located at Lot 2, Block 1, according to the Plat of Lots 1, 2, 3, and 4, Block 1, Shridharani Subdivision, an addition in the City of Waxahachie Texas, recorded as Instrument No. 2408458, Plat Records of Ellis County, Texas (the "Property"); and

WHEREAS, the foregoing Property was rezoned by the City Council on or about January 21, 2025, when the City Council approved a (Planned Development or insert other type of development) for the Property, contained in Ordinance No. _____, and this Agreement seeks to incorporate, in part, the negotiated and agreed upon development standards contained in the underlying zoning ordinance, as may be amended, and/or this Development Agreement, to recognize Developer's reasonable investment-backed expectations in the Development, as may be amended, and as more fully described herein.

NOW, THEREFORE, in consideration of the foregoing premises, and for other good and valuable consideration the receipt and adequacy of which are hereby acknowledged, the Parties to this Agreement agree as follows:

1. Development Standards. For any structure built on the Property following the Effective Date, it shall comply with the elevations and building materials requirements contained in Exhibit B, attached hereto and incorporated herein. The Parties agree and acknowledge that the provisions of this Paragraph shall apply to any structure constructed subsequent to the execution of this Agreement. Nothing in this Agreement shall be deemed to modify or otherwise amend any zoning regulation duly adopted by the City, previously or in the future.

2. Covenant Running with the Land. The terms, conditions, rights, obligations, benefits, covenants and restrictions of the provisions of this Agreement shall be deemed covenants running with the land, and shall be binding upon and inure to the benefit of the Developer and its heirs, representatives, successors and assigns. This Agreement shall be deemed to be incorporated into each deed and conveyance of the

Property or any portion thereof hereafter made by any other Developers of the Property, regardless of whether this Agreement is expressly referenced therein.

3. **Applicability of City Ordinances.** Developer shall develop the Property, and construct all structures on the Property, in accordance with all applicable City ordinances and building/construction codes.

5. **Exactions/Infrastructure Costs.** Both the City and Developer have been represented by legal counsel in the negotiation of this Agreement and been advised or each has had the opportunity to have legal counsel review this Agreement and advise them, regarding Developer's and the City's rights under Texas and federal law.

6. **Default.** No Party shall be in default under this Agreement until notice of the alleged failure of such Party to perform has been given (which notice shall set forth in reasonable detail the nature of the alleged failure) and until such Party has been given a reasonable time to cure the alleged failure (such reasonable time determined based on the nature of the alleged failure, but in no event less than thirty (30) days after written notice of the alleged failure has been given). In addition, no Party shall be in default under this Agreement if, within the applicable cure period, the Party to whom the notice was given begins performance and thereafter diligently and continuously pursues performance until the alleged failure has been cured. If either Party is in default under this Agreement, the other Party shall have the right to enforce the Agreement in accordance with applicable law, provided, however, in no event shall any Party be liable for consequential or punitive damages.

7. **Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Ellis County, Texas.

8. **Notice.** Any notices required or permitted to be given hereunder (each, a "Notice") shall be given by certified or registered mail, return receipt requested, to the addresses set forth below or to such other single address as either party hereto shall notify the other:

If to the City: The City of Waxahachie
408 S. Rogers Street
Waxahachie, Texas 75165
Attention: City Manager

If to Developer: Vaquero Highway 77 Waxahachie Partners, LP
2627 Tillar Street, Suite 111
Fort Worth, TX 76107
Attention: Emily L. Crockett

9. **Prevailing Party.** In the event any person initiates or defends any legal action or proceeding to enforce or interpret any of the terms of this Agreement, the prevailing party in any such action or proceeding shall be entitled to recover its reasonable

costs and attorney's fees (including its reasonable costs and attorney's fees on any appeal).

10. **Entire Agreement.** This Agreement contains the entire agreement between the Parties hereto with respect to development of the Property and supersedes all prior agreements, oral or written, with respect to the subject matter hereof. The provisions of this Agreement shall be construed as a whole and not strictly for or against any Party.

11. **Savings/Severability.** In the event any provision of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable, the Agreement shall, to the extent reasonably possible, remain in force as to the balance of its provisions as if such invalid provision were not a part hereof.

13. **Authority to Execute.** This Agreement shall become a binding obligation on the Parties upon execution by all Parties hereto. The City warrants and represents that the individual executing this Agreement on behalf of the City has full authority to execute this Agreement and bind the City to the same. Developer warrants and represents that the individual executing this Agreement on behalf of Developer has full authority to execute this Agreement and bind Developer to the same. The City Council hereby authorizes the City Manager of the City to execute this Agreement on behalf of the City.

14. **Filing in Deed Records.** This Agreement, and any and all subsequent amendments to this Agreement, shall be filed in the deed records of Ellis County, Texas.

15. **Mediation.** In the event of any disagreement or conflict concerning the interpretation of this Agreement, and such disagreement cannot be resolved by the signatories hereto, the signatories agree to submit such disagreement to nonbinding mediation.

16. **Notification of Sale or Transfer; Assignment of Agreement.** Except with respect to a sale or transfer to a related entity of Developer, Developer shall notify the City in writing of any sale or transfer of all or any portion of the Property, within ten (10) business days of such sale or transfer. Developer has the right (from time to time without the consent of the City, but upon written notice to the City) to assign this Agreement, in whole or in part, and including any obligation, right, title, or interest of Developer under this Agreement, to any person or entity (an "Assignee") that is or will become an owner of any portion of the Property or that is an entity that is controlled by or under common control with Developer. Each assignment shall be in writing executed by Developer and the Assignee and shall obligate the Assignee to be bound by this Agreement. Except with respect to a sale or transfer to a related entity of Developer, a copy of each assignment shall be provided to the City within ten (10) business days after execution. Provided that the successor Developer assumes the liabilities, responsibilities, and obligations of the assignor under this Agreement and/or the building has been constructed on the Property as provided in this Agreement, the assigning party will be released from

any rights and obligations under this Agreement as to the Property that is the subject of such assignment, effective upon such transfer. No assignment by Developer shall release Developer from any liability that resulted from an act or omission by Developer that occurred prior to the effective date of the assignment. Developer shall maintain true and correct copies of all assignments made by Developer to Assignees, including a copy of each executed assignment and the Assignee's notice information.

17. **Sovereign Immunity.** The Parties agree that the City has not waived its sovereign immunity from suit by entering into and performing its obligations under this Agreement.

18. **Effect of Recitals.** The recitals contained in this Agreement: (a) are true and correct as of the Effective Date; (b) form the basis upon which the Parties negotiated and entered into this Agreement; (c) are legislative findings of the City Council; and (d) reflect the final intent of the Parties with regard to the subject matter of this Agreement. The Parties have relied upon the recitals as part of the consideration for entering into this Agreement.

19. **Consideration.** This Agreement is executed by the parties hereto without coercion or duress and for substantial consideration, the sufficiency of which is forever confessed.

21. **Amendment.** This Agreement shall not be modified or amended except in writing signed by the Parties. A copy of each amendment to this Agreement, when fully executed and recorded, shall be provided to each Party, Assignee and successor Developer of all or any part of the Property; however, the failure to provide such copies shall not affect the validity of any amendment.

22. **Waiver of Texas Government Code § 3000.001 et seq.** With respect to any structures or improvements constructed on the Property pursuant to this Agreement, Developer hereby waives any right, requirement or enforcement of Texas Government Code §§ 3000.001-3000.005, as amended.

23. **Miscellaneous Drafting Provisions.** This Agreement shall be deemed drafted equally by all Parties hereto. The language of all parts of this Agreement shall be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any Party shall not apply.

IN WITNESS WHEREOF, the parties hereto have caused this document to be executed as of the date referenced herein.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

(20)

CITY:

THE CITY OF WAXAHACHIE, TEXAS

By: _____

Name: Michael Scott

Title: City Manager

Date: _____

STATE OF TEXAS)

)

COUNTY OF ELLIS)

This instrument was acknowledged before me on the ___ day of _____, 202__, by Michael Scott, City Manager of the City of Waxahachie, Texas, on behalf of the City of Waxahachie, Texas.

Notary Public, State of Texas

My Commission Expires: _____

(20)

DEVELOPER:

Vaquero Highway 77 Waxahachie Partners, LP,
a Texas limited partnership

By: Vaquero Ventures Management, LLC,
its General Partner

By: _____

Name: _____

Title: _____

Date: _____

STATE OF _____)

COUNTY OF _____)

This instrument was acknowledged before me on the ___ day of _____, 2025, by _____ in his/her capacity as Manager of Vaquero Ventures Management, LLC, General Partner of Vaquero Highway 77 Waxahachie Partners, LP, known to be the person whose name is subscribed to the foregoing instrument, and that he/she executed the same on behalf of and as the act of Developer.

Notary Public, State of _____

My Commission Expires: _____

(20)

EXHIBIT B

(Building Materials/Elevations)