A G E N D A

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on ***Tuesday, March 11, 2025 at 7:00 p.m***.

Commission Members: Rick Keeler, Chairman
Marlene Norcross, Vice-Chairman
Jenny Bridges
David Hudgins
Chad Hicks
Wendy Johnson
Vacant

1. Call to Order

2. Invocation

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

4. ***Consent Agenda***

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

   a. Minutes of the regular Planning & Zoning Commission meeting of February 25, 2025
   b. Consider a request by Hector Hernandez, for a Replat of Lot 1 and 2, Block 1 of the West Road Subdivision, to create Lots 1A and 2A, Block 1 of the West Road Subdivision, 2 residential lots, being 5 acres, located at 1480 West Road (Property ID 279426) – Owner: Ospicio Hernandez (SUB-21-2025)
   c. Consider a request by Caleb Jones, Kimley Horn, for a Plat of BJ's Wholesale Membership Club, Lot 1-3, Block A, being 15.3486-acres, located approximately 170 feet east of 2181 North Highway 77, situated in the James Starrett Survey, Abstract 1024, and the Henry Sange Survey, Abstract 1009, an addition to the City of Waxahachie (Property ID 298186 & 191272) – Owner: Dr. Adam Arredondo & Christopher Donohoe (SUB-22-2025)
   d. Consider a request by Ricky Johnston and Steven R. & Cheryl R. Chambers, for a Replat of Lot 5 and Lot 6, Block 57 of the Bullard's Addition, 2 residential lots, being 0.57 acres, located at 709 and 711 South College Street (Property ID 172408 & 172399) – Owner: Ricky Johnston, Steven R. & Cheryl R. Chambers (SUB-26-2024)

5. ***Public Hearing*** on a request by Rajiv Rugwani, All R&N Holdings LLC, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a Commercial (C) zoning district located at 2271 N Highway 77 (Property ID 235438) - Owner: All R&N Holdings LLC (ZDC-13-2025)

6. ***Consider*** recommendation of ZDC-13-2025

7. ***Public Hearing*** on a request by Paul Corp for a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet use within a Future Development (FD) zoning district located at 2820 Howard Rd (Property ID 138980) - Owner: Daniel & Monica Siebert (ZDC-223-2024)

8. ***Consider*** recommendation of ZDC-223-2024

9. ***Public Hearing*** on a request by Julissa Lopez, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 302 Farley Street (Property ID 171737) – Owner(s): Higher Solutions Properties, LLC (ZDC-161-2024)

10. ***Consider*** recommendation of ZDC-161-2024

11. Adjourn

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

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

Planning and Zoning Commission
February 25, 2025

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Tuesday, February 25, 2025 at 7:00 p.m.

Members Present:	Rick Keeler, Chairman Marlene Norcross, Vice Chair David Hudgins Jenny Bridges Chad Hicks Wendy Johnson
Member Absent:	Jeff Reed
Others Present:	Shon Brooks, Executive Director of Development Services Trenton Robertson, Senior Director of Planning Zack King, Planning Manager Amber Villarreal, City Secretary

1. Call to Order
2. Invocation

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

3. Public Comments

None.

4. Consent Agenda

a. Minutes of the regular Planning & Zoning Commission meeting of February 11, 2025
b. Consider a request by David Griffin for a Plat of Lot 1, Block A, Warbrouck Addition, being 16.363-acres, located approximately 190 feet east of 2254 East Highway Bus, situated in the Silas M. Duritt Survey, Abstract 272, an addition to the City of Waxahachie (Property ID 209777) – Owner: TX DOT (SUB-10-2025)
c. Consider a request by Stephanie Gienger, for a Plat of Carbon Waxahachie, 2 residential lots, being 13.655 acres, located at 2795 John Arden Drive, situated in the Jonathan E. Prince Survey, an addition to the City of Waxahachie (Property ID 189265, 189266, and 275156) – Owner: Arden Group LLC and International Church of the Four Square Gospel (SUB-16-2025)

Action:
Wendy Johnson moved to approve the Consent Agenda, subject to the recommendations of staff. Motion was seconded by Chad Hicks and carried unanimously (6-0).

5. Public Hearing on a request by Richard Shinpaugh, Ellis County Bail Bond, for a Specific Use Permit (SUP) for a Bail Bond Agency use within a Commercial (C) zoning district located at 104 North Jackson Street (Property ID 170540 - Owner: 201 Main Wax LLC (ZDC-6-2025)

Planning Manager Zack King presented the Item and applicant, Richard Shinpaugh, requested approval. Mr. Shinpaugh has been operating a bail bond agency at the subject property since the approval of the SUP (ZDC-58-2023) on June 19, 2023. One of the conditions of the prior SUP approval is that Mr. Shinpaugh is allowed to operate a bail bond agency at the subject property for a maximum of two (2) years. This time limitation was added to the SUP due to Mr. Shinpaugh's intention to build a new office for his bail bond agency at 216 S Jackson Street. Since approval of the two-year SUP for 104 N Jackson Street, Mr. Shinpaugh has received SUP (ZDC-112-2023) approval for a Bail Bond Agency and Site Plan (SP-106-2023) approval for a new two-story building located at 216 S Jackson Street. The approved Site Plan includes a 4,000 square foot building with multiple professional office suites. Mr. Shinpaugh has since decided not to move his bail bond agency to his new building and is requesting a SUP for bail bond agency use at the subject property.

The subject property is surrounded by retail and commercial establishments. If the bail bond agency is approved, it will be located across the street from the Ellis County Administration

Building and diagonally opposite from several multi-tenant retail and professional office buildings. The rear of the property is next to Rogers Spring Branch Creek, which acts as a natural buffer between the bail bond agency and the properties north of the creek. Although the property on the north side of the creek is zoned for single-family use (SF-2), the nearest existing residential homes are located along Kaufman Street. Staff recommends approval of the specific use permit since the bail bond agency will remain compatible and in harmony with surrounding land uses. Mr. King outlined the changes from the previously approved SUP, including the removal of the expiration date and a revision to the hours of operation.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 22 notices were mailed to property owners within 200 feet of the request. Staff has received one (1) letter in support and no letters in opposition for the SUP request.

The Commissioners discussed the property's zoning, with Mr. King noting that it is near downtown but not in the Central Area (CA). It is zoned Commercial (C). He also confirmed that the SUP will not transfer with ownership and is specific to the current owner and location.

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

There being no others to speak for or against ZDC-6-2025, Chairman Keeler closed the Public Hearing at approximately 7:10 p.m.

6. Consider recommendation of ZDC-6-2025

Action:
David Hudgins moved to recommend approval of ZDC-6-2025, a Specific Use Permit (SUP) for a Bail Bond Agency use, subject to the conditions the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly. Motion was seconded by Jenny Bridges and carried unanimously (6-0).

7. Adjourn

There being no further business, the meeting adjourned at 7:11 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

Planning & Zoning Department

Plat Staff Report

Case: SUB-21-2025

MEETING DATE(S)

Planning & Zoning Commission: March 11, 2025

CAPTION

Present a request by Hector Hernandez, for a **Replat** of Lot 1 and 2, Block 1 of the West Road Subdivision, to create Lots 1A and 2A, Block 1 of the West Road Subdivision, 2 residential lots, being 5 acres, located at 1480 West Road (Property ID 279426) – Owner: Ospicio Hernandez (SUB-21-2025)

RECOMMENDED MOTION

"I move to disapprove SUB-21-2025, a Replat of the West Road Subdivision, Lot 1A and 2A, Block 1.

APPLICANT REQUEST

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

CASE INFORMATION

Applicant:	Hector Hernandez
Property Owner(s):	Ospicio Hernandez
Site Acreage:	5 acres
Number of Lots:	2 lots
Number of Dwelling Units:	2 units
Park Land Dedication:	N/A (ETJ)
Adequate Public Facilities:	It is unclear whether adequate public facilities are available to the subject property via Nash Foreston WSC and on-site sewage systems.

SUBJECT PROPERTY

General Location:	1480 West Road
Parcel ID Number(s):	279426
Current Zoning:	N/A (ETJ)
Existing Use:	Single-Family Residence
Platting History:	A Plat for West Road Subdivision, Lots 1 and 2, Block 1 was filed for the subject property on November 21, 2017.

Platting History: A Plat for West Road Subdivision, Lots 1 and 2, Block 1 was filed for the subject property on November 21, 2017.

Site Aerial:



PLANNING ANALYSIS

A Replat Application is required by the Waxahachie Subdivision Ordinance in instances where a property owner wishes to change the configuration of the existing lot. In this instance, the subject property is comprised of two (2) previously platted lots that front West Road. The property owner proposes to shift the location of the shared property line to create a 1-acre lot and a 3.874-acre lot. Due to this, a replat is necessary to change the configuration of these two (2) existing lots.

As part of the review of the Replat application, staff identified technical items that conflict with the requirements of the Waxahachie Subdivision Ordinance. These technical items are required to be corrected prior to filing the Replat. Each item has been identified as a reason for disapproval in the staff recommendation section below.

RECOMMENDATION

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

Reasons for Disapproval:

1. Per Section 1.3 of the Waxahachie Subdivision Ordinance, an embossed hard copy of the Tax Certificate for the subject property (dated within 90-days of your filing date) will need to be provided with your plat at the time of filing.
2. Per Section 2.2.b of the Waxahachie Subdivision Ordinance, a completed application submission is required. Please provide a TIA waiver form with this submittal.
3. Per Section 2.3.b of the Waxahachie Subdivision Ordinance, an embossed hard copy of the Tax Certificates for the subject property (dated within 90 days of your filing date) showing that no delinquent taxes exist against the property is required to be provided at the time of Plat filing.
4. Per Section 2.4.c.5 of the Waxahachie Subdivision Ordinance, the location of existing lot lines is required to be shown. Since the internal lot line are being removed with this replat, please show the existing lot lines in a ghosted manner.
5. Per Section 2.4.c.9 of the Waxahachie Subdivision Ordinance the correct preparation date needs to be provided. Please change your date to 2025.

Reasons for Disapproval (continued):

6. Per Section 2.4.c.22 of the Waxahachie Subdivision Ordinance, please provide coordinates (northing, easting) for at least one (1) additional property corner.
7. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. The correct case number for this plat is “SUB-21-2025.”
8. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. Please provide the acreage for this location.
9. Per Section 2.4.c.25.ii of the Waxahachie Subdivision Ordinance, please verify the correct bearing for this portion of the property line. The bearing does not match the legal description.
10. Per Section 2.4.c.25.vi.c of the Waxahachie Subdivision Ordinance, a correct Planning & Zoning Commission signature block for the City of Waxahachie is required. Please include an "Attest" with an accompanying "date" line for this signature block.
11. Per Section 3.1.c.6.a of the Waxahachie Subdivision Ordinance, the plat shall conform to the thoroughfare plan. West road is shown as an 80ft ROW on the City's thoroughfare plan. Ensure 40ft is dedicated from the centerline of the roadway.
12. Per Section 5.6 and 5.7 of the Waxahachie Subdivision Ordinance, fences, retaining walls, and screening walls shall not be placed in utility easements. Add this to the notes.
13. Per Section 5.8 of the Waxahachie Subdivision Ordinance, water and sewer shall be installed prior to filing the plat.
14. Per Sections 5.8.b of the Waxahachie Subdivision Ordinance, a completed Water Utility Provider's Endorsement form is required.
15. Per Section 5.8.f of the Waxahachie Subdivision Ordinance, a subdivision of four (4) or fewer lots is not required to have a water system with mains of sufficient size and having sufficient number of outlets to furnish fire protection to all lots. If on the Utility Provider's Endorsement form it is indicated that the provided water system cannot provide the water flow and pressure for firefighting per ISO guidelines.
16. Per Section 7.2.h of the Waxahachie Subdivision Ordinance, Filing Fees are required to be paid with the Plat application prior to plat filing.

Reasons for Disapproval (Ellis County):

1. Per Section IV.A of the Ellis County Subdivision and Development Standards, an OSSF statement and Department of Development Director Signature Block matching the formatting in the attached "Sample Plat" is required to be added to the Plat
2. Per Section IV.A of the Ellis County Subdivision and Development Standards, please add a 1 to “being a Replat of Lot & Lot 2” within the plat title block.
3. Per Section IV.A of the Ellis County Subdivision and Development Standards, call S 58° 46’ 48” W does not match the plat drawing
4. Per Section IV.A of the Ellis County Subdivision and Development Standards, add 10’ of ROW dedication to West Road.
5. Per Section IV.A of the Ellis County Subdivision and Development Standards, add an OSSF statement and signature line to match the attached sample plat.
6. Per Section IV.A of the Ellis County Subdivision and Development Standards, provide an original, embossed tax certificate demonstrating all property taxes are paid in full for parcel 279426.
7. Per Section IV.A of the Ellis County Subdivision and Development Standards, provide a letter of endorsement and service from an applicable water utility provider.
8. Per Section II.b.2 of the Ellis County Subdivision and Development Standards, provide a completed TIA Waiver.

ATTACHED EXHIBITS

1. Replat

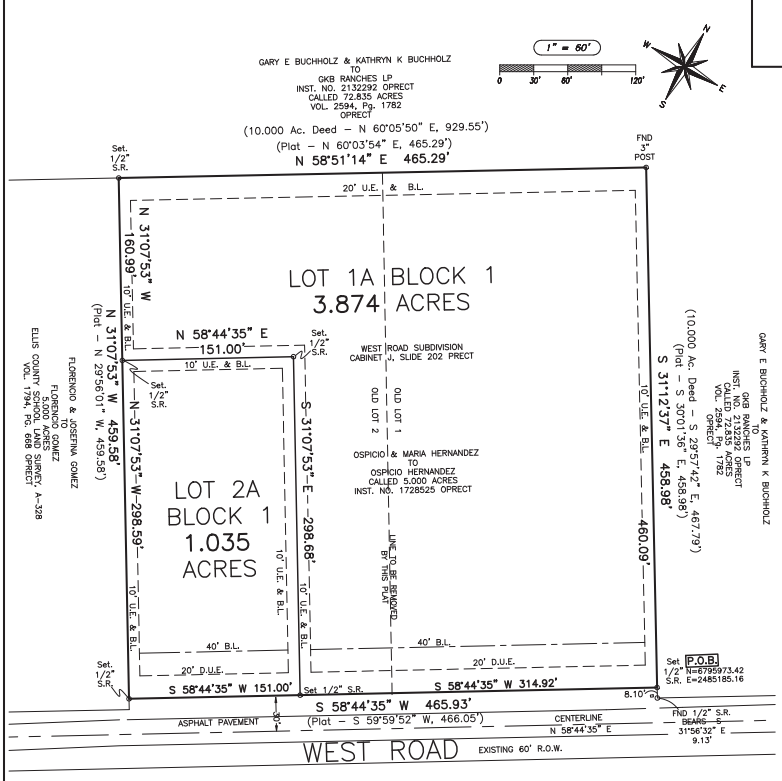
APPLICANT REQUIREMENTS

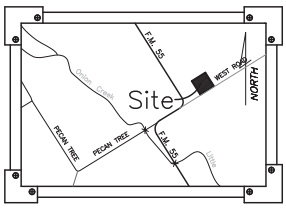
1. If approved by the Planning & Zoning Commission, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
    a. If comments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

STAFF CONTACT INFORMATION

Prepared by:
Caleb Ensley
Planner
caleb.ensley@waxahachie.com

Reviewed by:
Trenton Robertson, AICP
Senior Director of Planning
Trenton.Robertson@waxahachie.com





LOCATION MAP SCALE : 1" = 3000'

LEGEND

O	–	Property Corner Symbol Found
S.R.C.	–	Steel Rod Capped
S.R.	–	Steel Rod
S.P.	–	Steel Pipe
U.E.	–	Utility Easement
P/P	–	Utility Pole
R.O.W.	–	Right of Way
P.O.B.	–	Point of Beginning
C/L	–	Centerline
——>	–	Drainage Flow
B.L.	–	Building Line
W/L	–	Water Line
W/M	–	Water Meter
M/H	–	Sewer Manhole
C/O	–	Cleanout
F/H	–	Fire Hydrant
W/V	–	Water Valve
D.U.E.	–	Drainage & Utility Easmnt
T/R	–	Telephone Riser
PRECT–		Plat Records, Ellis County, TX
DRECT–		Deed Records, Ellis County, TX
OPRECT–		Official Public Records, Ellis County, TX

NOTE:
PROPERTY IS IN THE EXTRA–TERRITORIAL JURISDICTION OF THE CITY OF WAXAHACHIE, IN ELLIS COUNTY, TEXAS AND IS SUBJECT TO THEIR PLATTING RULES AND REGULATIONS.

GENERAL NOTES:

1. 100–Year Flood Note:
   NO 100–Year Floodplain
   Per FIRM Map # 48139C0350 F
   Zone: X UNSHADED
   Dated: June 3, 2013
2. Interior lot corners monumented with 1/2" steel rods set and marked with "DAVIS & MCDILL", unless otherwise noted.

OWNER:
OSPICIO HERNANDEZ
1480 WEST RD
WAXAHACHIE, TEXAS 75165

STATE OF TEXAS §
COUNTY OF ELLIS §

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, Ospicio Hernandez, being the owner of that certain lot, tract, or parcel of land lying in the Ellis County School Land Survey, Abstract Number 328, Ellis County, Texas, and being Lots 1 and 2, Block 1, WEST ROAD SUBDIVISION, a subdivision in Ellis County, Texas, according to the plat thereof recorded in Cabinet J, Slide 202, Plat Records, Ellis County, Texas (PRECT)and being a part the tract described in deed from Maria Hernandez to Ospicio Hernandez recorded in Instrument Number 1728525, Official Public Records, Ellis County, Texas (OPRECT), and being more particular described as follows:

BEGINNING at a point on the northwest right of way line of West Road, a public road dedicated Ellis County in said West Road Subdivision at the southeast corner of said Lot 1, Block 1, a ½ inch steel rod, with plastic cap stamped "DAVIS & McDILL", having surface coordinate values of North = 6795973.42 feet and East = 2485185.16 feet, all bearings and coordinates are based on the Texas Coordinate System, North Central Zone (Zone 4202) North American Datum of 1983 and are obtained from observations of Global Positioning System satellites and from which a ½ inch steel rod found at the southeast corner of said WEST ROAD SUBDIVISION bears S 31°56'32" E 9.13';

THENCE S 58°46'48" W, with said West Rood right of way line and the south line of Lots 1 and 2 of said WEST ROAD SUBDIVISION, passing the common south corner of said Lots 1 and 2, in all, 465.93 feet (Plat– S 59°59'52" W, 466.05 feet), to the southwest corner of said Lot 2, a 1/2 inch steel rod, with plastic cap stamped "DAVIS & McDILL" set;

THENCE N 31°07'53" W, with the southwest line of said Lot 2 and generally along a fence, 459.58 feet (Plat – N 29°56'01" W, 459.58 feet) to the northwest corner of said Lot 2 and on the northwest line of the 10.000 acre tract described in deed from Estate of Everett R. Davis to Florencio Gomez and Lorenzo Rodriguez, recorded in Volume 1794, Page 668, OPRECT, and on the southeast line of 140.691 acre tract described in deed from JWR Family Partnership to Kathryn Knox Buchholz, et con, Gary E. Buchholz, recorded in Volume 2594, Page 1874, OPRECT and subsequently described in deed from Gary E. Buchholz, et ux, to GKB Ranches, LP, recorded in Instrument Number 2132292, OPRECT, a 1/2 inch steel rod, with plastic cap stamped "DAVIS & McDILL" set, from which a 3/8 inch steel rod found at the southwest corner of said Gomez/Rodriguez 10.000 acre tract, bears S 58°51'44" W, 464.37 feet;

THENCE N 58°51'44" E, with the northwest line of Lots 2 and 1 of said WEST ROAD SUBDIVISION and the northwest line of said Gomez/Rodriguez 10.000 acre tract and the southeast line of said 140.691 acre tract, and generally along a fence, passing the common north corner of said Lots 1 and 2, in all 465.29 feet (Plat – N 60°03'54" E, 465.29 feet) to the common northeast corner of said Lot 1, said SUBDIVISION and said Gomez/Rodriguez 10.000 acre tract and an interior corner of said 140.691 acre tract, a 3 inch steel fence post found;

THENCE S 31°12'37" E with the northeast line of said Lot 1, said WEST ROAD SUBDIVISION, and said Gomez/Rodriguez 10.000 acre tract and a southwest line of said 140.691 acre tract 458.98 feet (Plat– S 30°01'36" E, 458.98 feet), to the point of beginning and containing approximately 4.909 acres of land.

SURVEYOR'S CERTIFICATE
This is to certify that I, Stuart G. Hamilton, RPLS 4480, a Registered Professional Land Surveyor of the State of Texas, have platted the above subdivision from an actual survey on the ground and that all lot corners, angle points, and points of curve have been properly marked on the ground, and that this plat correctly represents that survey made by me.

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

Stuart G. Hamilton
Registered Professional land Surveyor
Number 4480

THIS PLAT IS VALID ONLY WITH REGISTERED PROFESSIONAL LAND SURVEYOR'S ORIGINAL SIGNATURE AND SEAL IN RED INK

REPLAT
WEST ROAD SUBDIVISION
LOTS 1A & 2A, BLOCK 1

Being a Replat of Lot & Lot 2
WEST ROAD SUBDIVISION
A Subdivision in Ellis County, Texas
according to the plat thereof recorded in Cabinet J, Slide 202 of the Plat Records of Ellis County, Texas
In the Extra–Territorial Jurisdiction (E.T.J.) of the City of Waxahachie, Ellis County, Texas
Case Number: SUB–XXX–2024

Revisions	By

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

D&M

Date: 12/12/2024
Scale: 1" = 60'
Drawn: D. Hocutt
Job: 224–0039
Sheet 1 of 2 sheets.

OWNER'S CERTIFICATE

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, Ospicio Hernandez, owner, do hereby certify and adopt this plat designating the herein above described property as REPLAT – LOT 1A & LOT 2A, WEST ROAD SUBDIVISION, an addition in the Extra-Territorial Jurisdiction of the city of Waxahachie, in Ellis County, and do hereby dedicate to the public use forever, the streets and alleys shown thereon. The owner does herein certify the following:

1. The streets and alleys are dedicated in fee simple for street and alley purposes.
2. All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
3. The easements and public use areas, as shown, and created by this plat, are dedicated for the public use forever for the purposes indicated on this plat.
4. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown.
5. The City of Waxahachie and Ellis County are not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair.
6. Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's, and to the City of Waxahachie's, and to Ellis County's use thereof.
7. The City of Waxahachie, Ellis County and/or public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in the easements.
8. The City of Waxahachie, Ellis County and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.
9. All modifications to this document shall be by means of plat and approved by Ellis County.

This plat is approved subject to all platting ordinances, rules, regulations and resolutions of The City of Waxahachie and Ellis County, Texas.

WITNESS, my hand, this the _____ day of _____, 20___.

BY:

_____
Ospicio Hernandez, owner

STATE OF _____ §
COUNTY OF _____ §

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

Given under my hand and seat of office, this _____ day of_____20___.

_____ _____
Notary Public My Commission Expires On:

DRAINAGE NOTES:

(1) BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED.

(2) THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVERSING ALONG OR ACROSS THE ADDITION WILL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO THE DRAINAGE COURSES ALONG OR ACROSS SAID LOTS.

(3) ELLIS COUNTY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGE WAYS OR FOR THE CONTROL OF EROSION.

(4) ELLIS COUNTY WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OR LOSS OF LIFE OR PROPERTY OCCASIONED BY FLOODING OR FLOOD CONDITIONS.

NOTE:
PROPERTY IS IN THE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF WAXAHACHIE, IN ELLIS COUNTY, TEXAS AND IS SUBJECT TO THEIR PLATTING RULES AND REGULATIONS.

OWNER:
OSPICIO HERNANDEZ
1480 WEST RD
WAXAHACHIE, TEXAS 75165

APPROVED BY: Planning and Zoning Commission City of Waxahachie

By: _____ _____
Chairperson Date

STATE OF TEXAS:
COUNTY OF ELLIS:

Certificate of approval by the Commissioners Court of Ellis County, Texas:
Approved this date, the _____ day of _____, 20___.

_____
Todd Little, County Judge

_____ _____
Randy Stinson *Lane Grayson*
Commissioner Precinct # 1 *Commissioner Precinct # 2*

_____ _____
Louis Ponder *Kyle Butler*
Commissioner Precinct # 3 *Commissioner Precinct # 4*

ATTEST:

_____
Krystal Valdez, County Clerk

REPLAT
WEST ROAD SUBDIVISION
LOTS 1A & 2A, BLOCK 1

Being a Replat of Lot & Lot 2
WEST ROAD SUBDIVISION
A Subdivision in Ellis County, Texas
according to the plat thereof recorded in Cabinet J, Slide 202 of the Plat Records of Ellis County, Texas
In the Extra-Territorial Jurisdiction (E.T.J.) of the City of Waxahachie, Ellis County, Texas
Case Number: SUB-XXX-2024

Revisions	By

Davis & McDill, LLC
SURVEYING – LAND PLANNING – FLOODPLAIN MANAGEMENT
P.O BOX 428, WAXAHACHIE, TEXAS 75168
PHONE: 972-935-1185
A Texas licensed surveying firm # 10194681

D&M

Date: 08/14/2024
Scale: N/A
Drawn: D. Hocutt
Job: 224-0039
Sheet 2
of 2 sheets.

Planning & Zoning Department

Plat Staff Report

Case: SUB-22-2025

MEETING DATE(S)

Planning & Zoning Commission: March 11, 2025

CAPTION

Present a request by Caleb Jones, Kimley Horn, for a **Plat** of BJ's Wholesale Membership Club, Lot 1-3, Block A, being 15.3486-acres, located directly east of 2181 North Highway 77, situated in the James Starrett Survey, Abstract 1024, and the Henry Sange Survey, Abstract 1009, an addition to the City of Waxahachie (Property ID 298186 & 191272) – Owner: Dr. Adam Arredondo & Waxahachie Hedgewood 1 LLC (SUB-22-2025).

RECOMMENDED MOTION

"I move to approve SUB-22-2025, a Plat of the BJ's Wholesale Membership Club, subject to the conditions the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

The applicant requests to plat the subject property into 3 non-residential lots as part of the BJ's Wholesale Membership Club.

CASE INFORMATION

Applicant:	Caleb Jones, Kimley Horn
Property Owner(s):	Dr. Adam Arredondo & Waxahachie Hedgewood 1 LLC
Site Acreage:	15.3486 acres
Number of Lots:	3 lots
Number of Dwelling Units:	N/A (Non-residential Lots)
Park Land Dedication:	The cash in lieu of park dedication for this case is estimated at **$9,209.16** ($600.00 per acre for non-residential lots).
Adequate Public Facilities:	Adequate public facilities are available to the subject property via the extension of City water and wastewater lines.

SUBJECT PROPERTY

General Location:	Directly east of 2181 North Highway 77
Parcel ID Number(s):	298186 & 191272
Current Zoning:	General Retail (GR) & Planned Development (PD) – Ordinance 3588
Existing Use:	The subject property is currently undeveloped.

Platting History: The subject property is not currently platted.

Site Aerial:



PLANNING ANALYSIS

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

The applicant proposes to plat the subject property into three (3) non-residential lots. The subject property is currently zoned General Retail (GR) and Planned Development-General Retail (Ord. 3588). The proposed Plat adheres to the zoning district's lot size and dimension requirements.

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

RECOMMENDATION

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

Conditions:

1. Per Section 1.3 of the Waxahachie Subdivision Ordinance, an embossed hard copy of the Tax Certificate for the subject property (dated within 90-days of your filing date) will need to be provided with your plat at the time of filing.
2. Per Section 2.3 of the Waxahachie Subdivision Ordinance, perform a title search to locate all easements on the property. Label the existing easement width and recording information.

Conditions (continued):

3. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, the width of all easements needs to be labeled.
4. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, the width of all Right-of-Ways need to be labeled.
5. Per Section 2.4.c.15 of the Waxahachie Subdivision Ordinance, all plats shall be submitted in legible format. All line work needs to be labeled. If the lines in questions are not pertinent, those lines can be removed.
6. Per Section 2.4.c.18 of the Waxahachie Subdivision Ordinance, bearings and distances for each individual lot line must be provided on the plat.
7. Per Section 2.4.c.19 of the Waxahachie Subdivision Ordinance, a correct location map is required. Please update to E NORTH GROVE BLVD.
8. Per Section 2.4.c.22 of the Waxahachie Subdivision Ordinance, please provide coordinates (northing, easting) for at least one (1) additional property corner.
9. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. The correct case number for this plat is “SUB-22-2025” (for all sheets).
10. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. Please indicate "Plat" instead of "Final Plat."
11. Per Section 2.4.c.25.vi.a of the Waxahachie Subdivision Ordinance, the name of the signatory needs to be printed on the plat.
12. Per Section 2.4.c.25.vi.c of the Waxahachie Subdivision Ordinance, only the Planning and Zoning Commission Approval Block is needed due to the fact that the Planning and Zoning Commission is the approval body for this plat. Please remove the City Council and Mayor Approval Block.
13. Per Section 4.4.d.1 of the Waxahachie Subdivision Ordinance, the Cash in Lieu if Park Land Dedication Fee must be paid with the Plat Application prior to plat filing.
14. Per Sections 5.6 and 5.7 of the Waxahachie Subdivision Ordinance: fences, retaining walls, and screening walls shall not be placed in utility easements. Add this to the notes.
15. Per Section 7.1 of the Waxahachie Subdivision Ordinance, Filing Fees are required to be paid with the Plat application prior to plat filing.

ATTACHED EXHIBITS

1. Plat

APPLICANT REQUIREMENTS

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

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

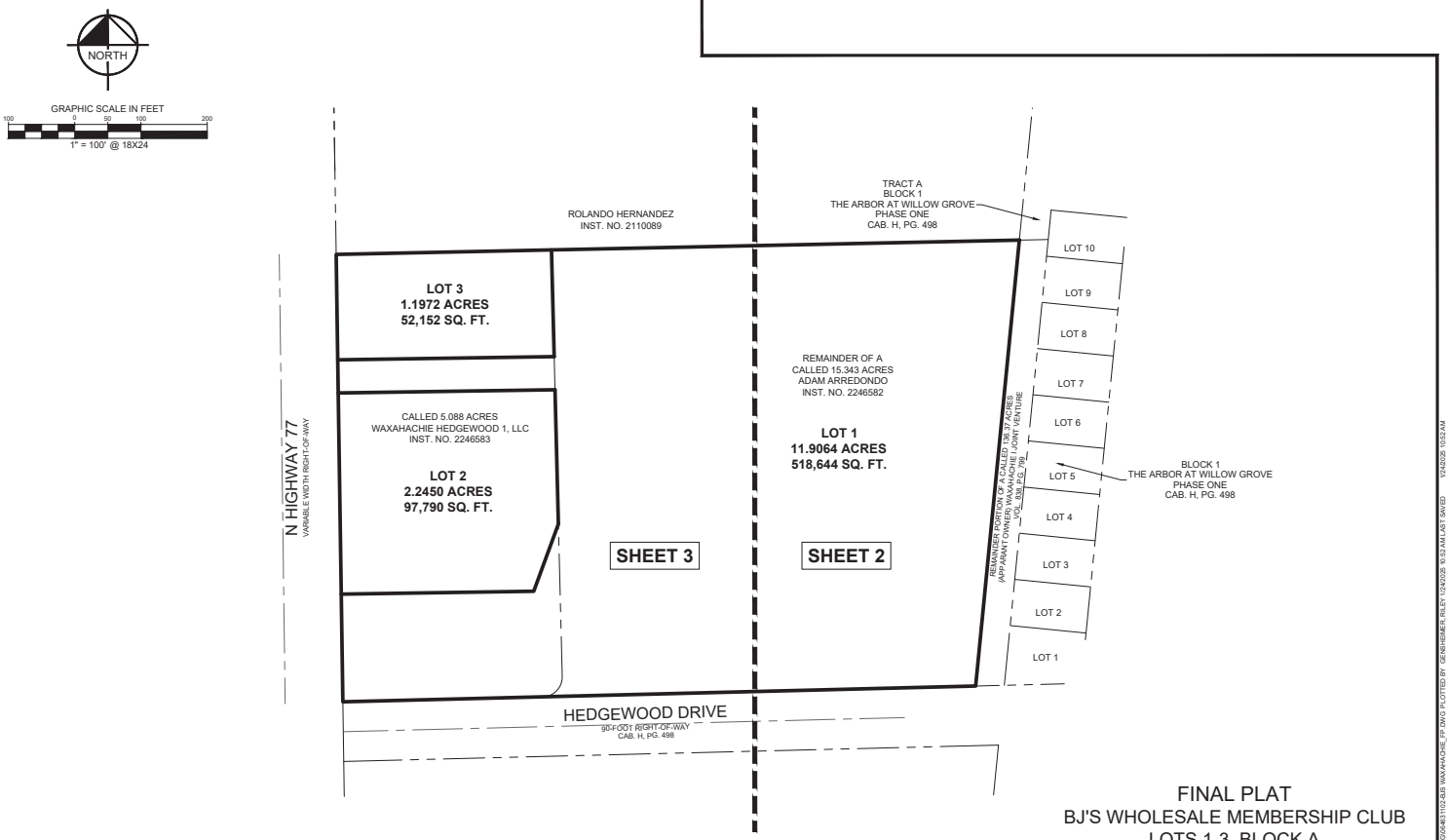
1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has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

STAFF CONTACT INFORMATION

Prepared by:
Caleb Ensley
Planner
caleb.ensley@waxahachie.com

Reviewed by:
Trenton Robertson, AICP
Senior Director of Planning
Trenton.Robertson@waxahachie.com

Item 4c



FINAL PLAT
BJ'S WHOLESALE MEMBERSHIP CLUB
LOTS 1-3, BLOCK A
15.3486 ACRES
JAMES STARRETT SURVEY, ABSTRACT No. 1024
HENRY SANGE SURVEY, ABSTRACT No. 1009
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
ZONING: PD-GR & GR
3 COMMERCIAL LOTS
CASE No:

OWNER
WAXAHACHIE HEDGEWOOD 1, LLC
5629 SMU BOULEVARD, SUITE 100
DALLAS, TEXAS 75206

OWNER
ADAM ARREDONDO
203 SOUTH COLLEGE STREET, SUITE 200
WAXAHACHIE, TEXAS 75165

ENGINEER
KIMLEY-HORN AND ASSOC. INC.
2600 N. CENTRAL EXPRESSWAY,
SUITE 400, RICHARDSON, TEXAS 75080
CALEB JONES, P.E.
TEL. NO. 972-471-9403
caleb.jones@kimley-horn.com

SURVEYOR
KIMLEY-HORN AND ASSOC. INC.
801 CHERRY STREET, UNIT 11, SUITE 1300
FORT WORTH, TEXAS 76102
JOSHUA D. WARGO, RPLS
TEL. NO. 817-335-6511
josh.wargo@kimley-horn.com

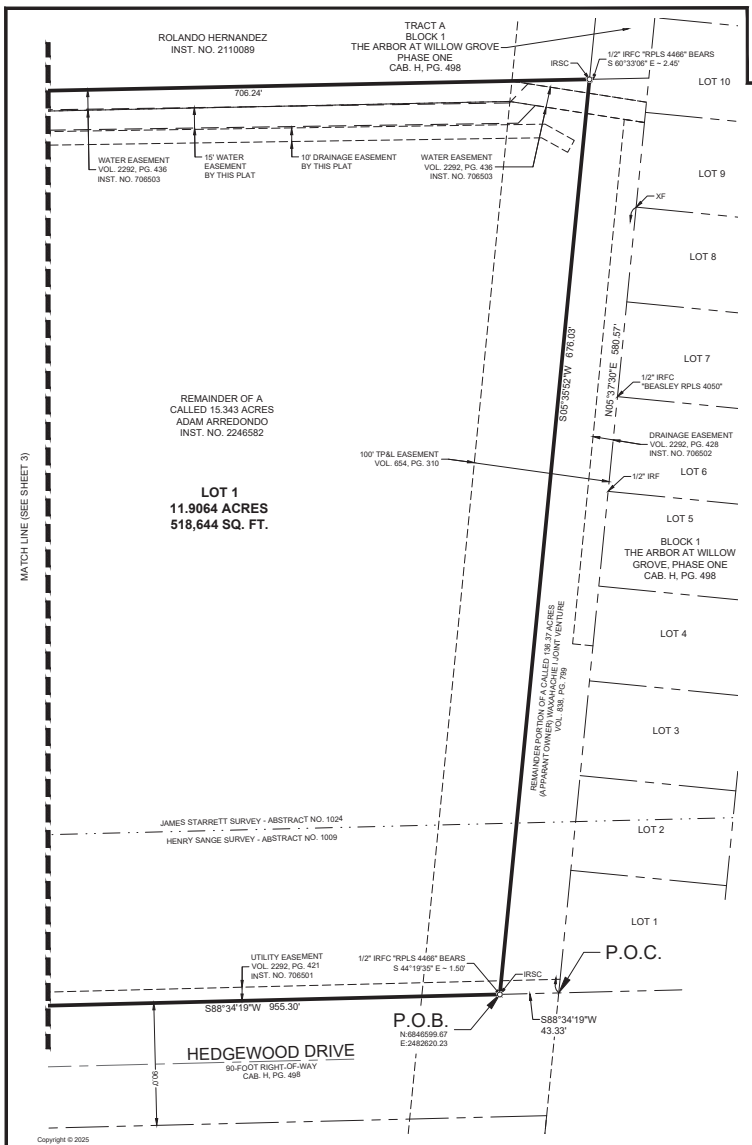
Kimley»Horn
801 Cherry Street, Unit 11, # 1300
Fort Worth, Texas 76102
FIRM # 10194040
Tel. No. (817) 335-6511
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	CRG	JDW	1/24/2025	064631102	1 OF 4

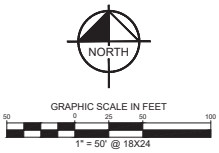
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DWG NAME: \\KHLEY-HORNCN_FTWP\TW_SURVEY\064631102\8.0 WAXAHACHIE\DWG\064631102-8.0 WAXAHACHIE_FP.DWG PLOTTED BY: GENSHEIMER, RILEY 1/24/2025 9:53:21 AM LAST SAVED: 1/24/2025 10:52 AM

Item 4c

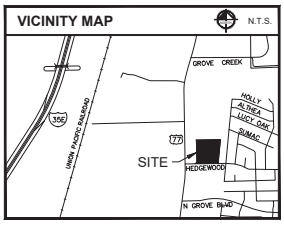


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LEGEND

P.O.B. = POINT OF BEGINNING
IRF = IRON ROD FOUND
XF = "X" CUT FOUND
IRSC = 5/8" IRON ROD SET WITH A CAP STAMPED "KHA"



LINE TYPE LEGEND

	BOUNDARY LINE
	ADJACENT PROPERTY LINE
	EXISTING EASEMENT LINE
	PROPOSED EASEMENT LINE
	DENIAL OF ACCESS LINE

NOTES

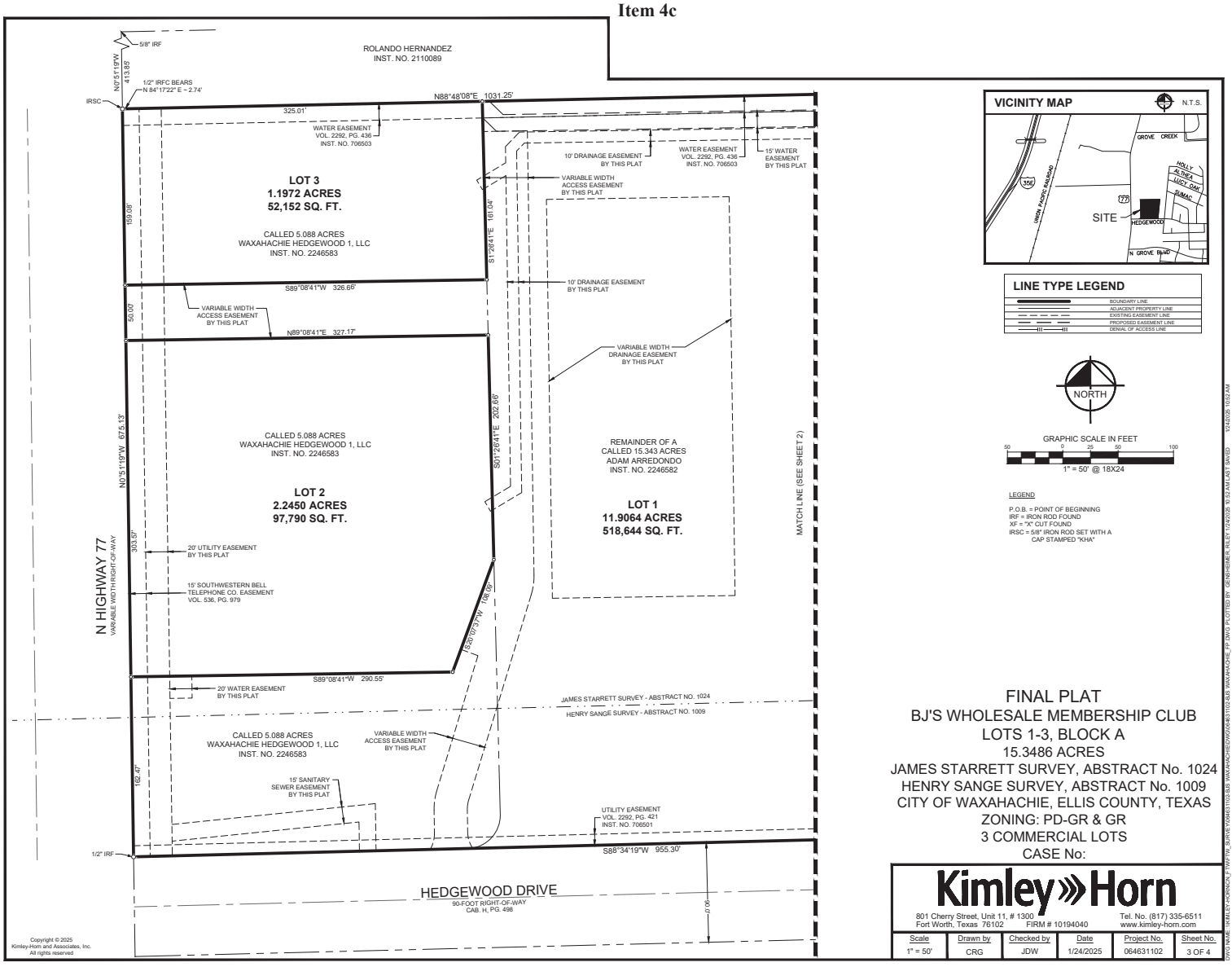
1. The bearing system for this survey is based on the Texas Coordinate System of 1983 (2011), North Central Zone 4202 based on observations made on February 26, 2024 with an applied combined scale factor of 1.000072449.
2. The grid coordinates shown hereon are based on the Texas Coordinate System of 1983, North Central Zone 4202, no scale and no projection.
3. All corners hereon are 5/8" iron rod set with a cap stamped "KHA" unless noted otherwise.
4. According to Map No. 48139C0180G and 48139C0190G, dated October 19, 2023 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Ellis County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, this property is not located within a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
5. The purpose of this plat is to create three lots
6. Notice: Selling a portion of any lot within this addition by metes and bounds is a violation of state law and city ordinance and is subject to fines and withholding of utility services and building permits.

FINAL PLAT
BJ'S WHOLESALE MEMBERSHIP CLUB
LOTS 1-3, BLOCK A
15.3486 ACRES
JAMES STARRETT SURVEY, ABSTRACT No. 1024
HENRY SANGE SURVEY, ABSTRACT No. 1009
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
ZONING: PD-GR & GR
3 COMMERCIAL LOTS
CASE No:

Kimley»Horn
801 Cherry Street, Unit 11, # 1300
Fort Worth, Texas 76102
FIRM # 10194040
Tel. No. (817) 335-6511
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	CRG	JDW	1/24/2025	064631102	2 OF 4

DWG NAME: I:\KHALEY-HORN\CN_FTWP\TW_SURVEY\064631102\4.0 WAXAHACHIE\WO\064631102 4.0 WAXAHACHIE_FP.DWG PLOTTED BY: GENSHEIMER, RILEY 1/24/2025 10:52 AM LAST SAVED: 1/24/2025 10:52 AM



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GRAPHIC SCALE IN FEET
50 0 25 50 100
1" = 50' @ 18X24

LEGEND

P.O.B. = POINT OF BEGINNING
IRF = IRON ROD FOUND
XF = "X" CUT FOUND
IRSC = 5/8" IRON ROD SET WITH A
CAP STAMPED "KHA"

FINAL PLAT
BJ'S WHOLESALE MEMBERSHIP CLUB
LOTS 1-3, BLOCK A
15.3486 ACRES
JAMES STARRETT SURVEY, ABSTRACT No. 1024
HENRY SANGE SURVEY, ABSTRACT No. 1009
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
ZONING: PD-GR & GR
3 COMMERCIAL LOTS
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 50'	CRG	JDW	1/24/2025	064631102	3 OF 4

DWG NAME: \\KHALEY-HORNCO_P TWP\TW_SURVEY\064631102\8.0 WAXAHACHIE\DWG\064631102-8.0 WAXAHACHIE_FP.DWG PLOTTED BY: GENEHEMER, RILEY 1/24/2025 10:52 AM LAST SAVED: 1/24/2025 10:52 AM

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, **Adam Arredondo and Waxahachie Hedgewood 1, LLC**, acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as **LOTS 1-3, BLOCK A, BJ'S WHOLESALE MEMBERSHIP CLUB**, an addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waxahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of Ingress and Egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

The undersigned does covenant and agree that the Access Easement may be utilized by any person or the general public for ingress and egress to other real property, and for the purpose of General Public vehicular and pedestrian use and access, and for Fire Department and emergency use in, along, upon and across said premises, with the right and privilege at all times of the City of Waxahachie, its agents, employees, workmen and representatives having ingress, egress, and regress in, along, upon and across said premises.

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

WITNESS, my hand, this ____ day of _____, 2025.

By: Adam Arredondo

_____
Authorized Signature

_____
Printed Name and Title

WITNESS, my hand, this ____ day of _____, 2025.

By: Waxahachie Hedgewood 1, LLC

_____
Authorized Signature

_____
Printed Name and Title

STATE OF TEXAS §
COUNTY OF _____ §

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

Given under my hand and seal of office this ____ day of _____, 2025.

_____
Notary Public in and for the State of Texas

STATE OF TEXAS §
COUNTY OF _____ §

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

Given under my hand and seal of office this ____ day of _____, 2025.

_____
Notary Public in and for the State of Texas

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OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF ELLIS §

BEING a 15.3486 acre (668,587 square foot) tract of land situated in the James Starrett Survey, Abstract No. 1024 and the Henry Sange Survey, Abstract No. 1009, City of Waxahachie, Ellis County, Texas, and being all of a called 15.343 acre tract of land described in the General Warranty Deed to Adam Arredondo, recorded in Instrument No. 2246582, Official Public Records, Ellis County, Texas, and being all of a called 5.088 acre tract of land described in the General Warranty Deed to Waxahachie Hedgewood 1, LLC, recorded in Instrument No. 2246583, said Official Public Records, and being more particularly described as follows:

COMMENCING at the southwest corner of Lot 1, Block 1, The Arbor at Willow Grove, Phase One, an addition to the City of Waxahachie according to the plat recorded in Cabinet H, Slide 498, Plat Records, Ellis County, Texas, and being in the north right-of-way line of Hedgewood Drive, a 90-foot right-of-way, from which a cut "X" found for the common west corner of Lot 8 and Lot 9, said Block 1 bears North 05°37'30" East, a distance of 580.57 feet;

THENCE South 88°34'19" West, along the said north right-of-way line, a distance of 43.33 feet to a 5/8-inch iron rod with "KHA" cap set for corner being at the southeast corner of the said called 15.343 acre tract, and being the **POINT OF BEGINNING**, from which a 1/2-inch iron rod with "RPLS 4466" cap bears South 44°19'35" East, a distance of 1.50 feet;

THENCE South 88°34'19" West, continuing along the said north right-of-way line, a distance of 955.30 feet to a 1/2-inch iron rod found for the southwest corner of the said called 5.088 acre tract, and being in the intersection of the said north right-of-way line and the east right-of-way line of Highway 77, a variable width right-of-way;

THENCE North 00°51'19" West, along the said east right-of-way line, a distance of 675.13 feet to a 5/8-inch iron rod with "KHA" cap set at the northwest corner of the said called 5.088 acre tract, from which a 1/2-inch iron rod with "RPLS 4466" cap found bears North 84°17'22" East, a distance of 2.74 feet, and from which a 5/8-inch iron rod found for the northwest corner of a called 10.0212 acre tract of land described in the deed to Rolando Hernandez and Angela Hernandez, recorded in Instrument No. 2110089, said Official Public Records, bears North 00°51'19" West, a distance of 413.85 feet;

THENCE North 88°48'08" East, along the north line of the said called 5.088 acre tract, a distance of 1,031.25 feet to a 5/8-inch iron rod with "KHA" cap set for corner, being at the northeast corner of the said called 15.343 acre tract, and being at the southwest corner of Tract A, Block 1, said The Arbor at Willow Grove, Phase One, from which a 1/2-inch iron rod with "RPLS 4466" cap found bears South 60°33'06" East, a distance of 2.45 feet;

THENCE South 05°35'52" West, along the east line of the said called 15.343 acre tract, a distance of 676.03 feet to the **POINT OF BEGINNING** and containing 668,587 square feet or 15.3486 acres of land, more or less.

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, Joshua D. Wargo, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal direction in accordance with the Subdivision Ordinance of the City of Waxahachie.

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

_____
Joshua D. Wargo
Registered Professional Land Surveyor
No. 6391

APPROVED BY: Planning and Zoning Commission City of Waxahachie

BY:

_____ _____
Chairperson Date

_____ _____
Attest Date

APPROVED BY: City Council City of Waxahachie

BY:

_____ _____
Mayor Date

_____ _____
Attest Date

FINAL PLAT
BJ'S WHOLESALE MEMBERSHIP CLUB
LOTS 1-3, BLOCK A
15.3486 ACRES
JAMES STARRETT SURVEY, ABSTRACT No. 1024
HENRY SANGE SURVEY, ABSTRACT No. 1009
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
ZONING: PD-GR & GR
3 COMMERCIAL LOTS
CASE No:

OWNER
WAXAHACHIE HEDGEWOOD 1, LLC
5629 SMU BOULEVARD, SUITE 100
DALLAS, TEXAS 75206

OWNER
ADAM ARREDONDO
203 SOUTH COLLEGE STREET, SUITE 200
WAXAHACHIE, TEXAS 75165

ENGINEER
KIMLEY-HORN AND ASSOC. INC.
2600 N. CENTRAL EXPRESSWAY,
SUITE 400, RICHARDSON, TEXAS 75080
CALEB JONES, P.E.
TEL. NO. 972-471-9403
caleb.jones@kimley-horn.com

SURVEYOR
KIMLEY-HORN AND ASSOC. INC.
801 CHERRY STREET, UNIT 11, SUITE 1300
FORT WORTH, TEXAS 76102
JOSHUA D. WARGO, RPLS
TEL. NO. 817-335-6511
josh.wargo@kimley-horn.com

Kimley»Horn
801 Cherry Street, Unit 11, # 1300
Fort Worth, Texas 76102 FIRM # 10194040
Tel. No. (817) 335-6511
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	CRG	JDW	1/24/2025	064631102	4 OF 4

DWG NAME: I:\KIMLEY-HORN\CN_FWP\TW_SURVEY\064631102.6.8 WAXAHACHIE\DWG\064631102.6.8 WAXAHACHIE_FP.DWG PLOTTED BY: GENEHEMER, RILEY 1/24/2025 9:52 AM LAST SAVED: 1/24/2025 10:52 AM

Planning & Zoning Department

Plat Staff Report

Case: SUB-26-2025

MEETING DATE(S)

Planning & Zoning Commission: March 11, 2025

CAPTION

Present a request by Ricky Johnston and Steven R. & Cheryl R. Chambers, for a **Replat** of Lot 5 and Lot 6, Block 57 of the Bullard's Addition, 2 residential lots, being 0.57 acres, located at 709 and 711 South College Street (Property ID 172408 & 172399) – Owner: Ricky Johnston, Steven R. & Cheryl R. Chambers (SUB-26-2024)

RECOMMENDED MOTION

"I move to approve SUB-26-2025, a Replat of the Bullard's Addition, Lot 5 and 6, Block 57, subject to the conditions the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

The applicant requests to replat the subject properties to adjust the location of a shared property line.

CASE INFORMATION

Applicant:	Ricky Johnston and Steven R. & Cheryl R. Chambers
Property Owner(s):	Ricky Johnston and Steven R. & Cheryl R. Chambers
Site Acreage:	0.57 acres
Number of Lots:	2 lots
Number of Dwelling Units:	2 units
Park Land Dedication:	N/A
Adequate Public Facilities:	Adequate public facilities are available to the subject property.

SUBJECT PROPERTY

General Location:	709 & 711 South College Street
Parcel ID Number(s):	172408 & 172399
Current Zoning:	Single Family-3 (SF-3)
Existing Use:	Residential
Platting History:	The subject property is platted as Lot 5 and Lot 6, Block 57 of the Bullard's Addition.

Site Aerial:



PLANNING ANALYSIS

A Replat Application is required by the Waxahachie Subdivision Ordinance in instances where a property owner wishes to change the configuration of the existing lot. In this instance, the subject property is comprised of two residential lots (2) platted lots that front South College Street. The property owners propose this Replat to adjust the location of a shared property line.The Applicant notes the purpose of the replat is to facilitate the future construction new concrete driveway for 711 S Rogers Street.

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

RECOMMENDATION

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

Conditions:

1. Per section 2.4.c.5 of the Waxahachie subdivision ordinance: Recorded Ins. number needs to be provided or removed.
2. Per section 2.4.c.9 of the Waxahachie subdivision ordinance: plat exhibit is 5X smaller in scale than the reference scale of 1” =20’.
3. Per section 2.4.c.16 of the Waxahachie subdivision ordinance Please remove zoning comment that has been highlighted.
4. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block must be provided. The case number is "SUB-26-2025".
5. Per Section 25.vi.a of the Waxahachie Subdivision Ordinance, please remove City Council approval signature block. Additional note: this is a PZ approval only.

Conditions (continued):

6. Per Appendix C, V, Section 3.3 of the City's Subdivision ordinance: A 15ft utility easement is required along the road frontage.
7. Per Appendix C, V, sections 5.6 and 5.7 of the City's subdivision ordinance: fences, retaining walls, and screening walls shall not be placed in utility easements.

ATTACHED EXHIBITS

1. Replat

APPLICANT REQUIREMENTS

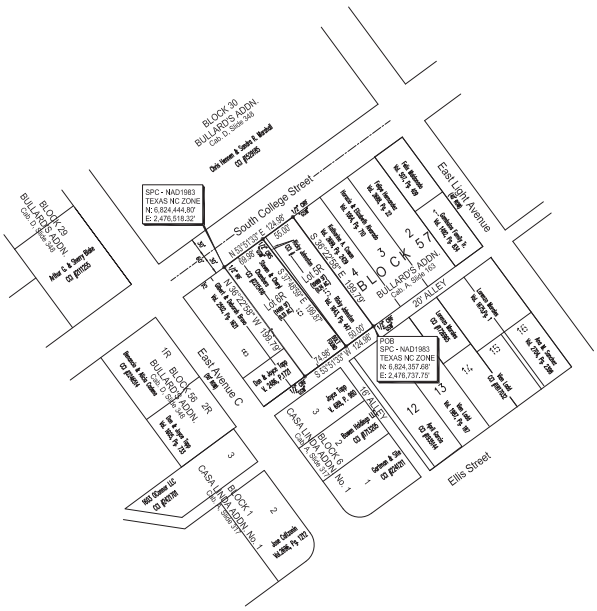
1. If approved by the Planning & Zoning Commission, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
    a. If comments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

STAFF CONTACT INFORMATION

Prepared by:
Harper Lindamood
Planner
Harper.lindamood@waxahachie.com

Reviewed by:
Trenton Robertson, AICP
Senior Director of Planning
Trenton.robertson@waxahachie.com

Item 4d



PLANNING & ZONING COMMISSION APPROVAL :

APPROVED BY:Planning & Zoning Commission City of Waxahachie

By:_____ _____
Chairperson Date

CITY COUNCIL APPROVAL

City of Waxahachie

By:_____ _____
Mayor Date

_____ _____
Attest Date

OWNER'S DEDICATION

STATE OF TEXAS §
COUNTY OF ELLIS §

WHEREAS Ricky Johnston is the owner of that certain tract of land lying and being situated in the City of Waxahachie, Ellis County, Texas, according to the deed filed of record in Volume 1643, Page 447, Real Records of Ellis County, Texas, being all of Lot 5, Block 57, Bullard's Addition to the city of Waxahachie according to the plat filed of record in Cabinet A, Slide 163, Plat Records of Ellis County, Texas, and

WHEREAS Stephen R. Chambers, and wife Cheryl R. Chambers are the owners of that certain tract of land lying and being situated in Ellis County, Texas, according to the deed filed of record as County Clerk Instrument #2215416, Official Public Records of Ellis County, Texas, being all of Lot 6 and the east one half of Lot 7, Block 57, Bullard's Addition to the City of Waxahachie according to the plat filed of record in Cabinet A, Slide 163, Plat Records of Ellis County, Texas, both tracts being described together more particularly as follows:

BEGINNING at a ½ inch iron rod with a yellow plastic cap marked "GSW Surveyors", the state plane coordinate value of said point being Northing: 6,824,357.68 Feet, and Easting: 2,476,737.75 feet, as correlated to the Texas Coordinate System of 1983, North Central Zone, based upon the North American Datum Of 1983 (2011) [Epoch: 2010.0000], said point being in the north line of a 20 foot alley, and being the southeast corner of said Lot 5, and being the southeast corner of that certain tract of land conveyed to Ricky Johnston according to the deed filed of record in Volume 1643, Page 447, Real Records of Ellis County, Texas, for the southeast corner of this tract;

THENCE S 53° 51' 33" W, along the north line of said alley and along the south line of said Lot 5, Lot 6, and Lot 7, at a distance of 50.00 feet pass a square headed bolt found, the southwest corner of said Lot 5, and the southeast corner of said Lot 6, in all a distance of 124.98 feet to a ½ inch iron rod with a yellow plastic cap marked "GSW Surveyors" set near a chain-link fence corner post, the southeast corner of that certain tract of land conveyed to Don Tapp, and wife Joyce Tapp according to the deed filed of record in Volume 2486, Page 1721, Official Public Records of Ellis County, Texas, said point also being the southwest corner said Chambers tract, for the southwest corner of this tract;

THENCE N 36° 22' 58" W, along the west line of said Chambers tract , and along the east line of said Tapp tract, at a distance of 51.6 feet pass the northeast corner of said Tapp tract, and the southeast corner of that certain tract of land conveyed to Gilbert Bravo, and wife Deborah Bravo, according to the deed filed of record in Volume 2502, Page 1621, Official Public Records of Ellis County, Texas, in all a distance of 199.79 feet to a ½ inch iron rod found at a fence corner, said point being in the south line of South College Street, and being the northeast corner of said Bravo tract and the northwest corner of said Chambers tract, the state plane coordinate value of said point being Northing: 6,824,444.80 feet, and Easting: 2,476,518.32 feet, as correlated to the Texas Coordinate System of 1983, North Central Zone, based upon the North American Datum of 1983 (2011) [Epoch: 2010.0000], for the northwest corner of this tract;

THENCE N 53° 51' 33" E, along the south line of said South College Street, and along the north line of said Chambers tract, at 74.98 feet pass a ½ inch iron rod found, said point being the northeast corner of said Lot 6, and the northwest corner of said Lot 5, and being the northeast corner of said Chambers tract, and the northwest corner of said Johnston tract, continuing along the south line of said street and along the north line of said Johnston tract, in all a distance of 124.98 feet to a ½ inch iron rod with a yellow plastic cap marked "GSW Surveyors" set for the northeast corner of said Lot 5 and the northwest corner of Lot 4 in said Block 57, also being the northeast corner of said Johnston tract, and the northwest corner of that certain tract of land conveyed to Katharine A. Cowan according to the deed filed of record in Volume 2699, Page 2429, Official Public Records of Ellis County, Texas, for the northeast corner of this tract;

THENCE S 36° 22' 58" E, along the east line of said Johnston tract and along the west line of said Cowan tract, and along the east line of said Lot 5 and the west line of said Lot 4, a distance of 199.79 feet to the PLACE OF BEGINNING, and containing 0.57 acres of land, more or less;

NOW THEREFORE KNOW ALL KNOW MEN BY THESE PRESENTS:

THAT Ricky Johnston, Stephen R. Chambers, and Cheryl R. Chambers do hereby adopt this plat designating the herein above-described property as Lot 5R, and the Lot 6R, Block 57, BULLARD's ADDITION to the City of Waxahachie, Texas, and does hereby dedicates, in fee simple, to the public use forever, the streets and alleys shown hereon. The streets and alleys are dedicated for street purposes. The easements and the public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waxahachie. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easements limit the use two particular utilities, said use by public utilities being subordinate to the Public's and the City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance or efficiency of their respective systems in said easements. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to and from their respective easements for the purpose of constructing, reconstructing, inspecting, controlling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone.

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

WITNESS our hands this the_____ day of_____, 2025.

_____ _____ _____ _____
Ricky Johnston , owner Stephen R. Chambers , owner Cheryl R. Chambers, owner

STATE OF TEXAS §
COUNTY OF ELLIS §

This instrument was acknowledged before me on the ____ day of _____, 2019, by Ricky Johnston, for the purposes and considerations therein expressed.

_____
Notary Public My Commision Expires:

Printed Name:_____ _____

STATE OF TEXAS §
COUNTY OF ELLIS §

This instrument was acknowledged before me on the ____ day of _____, 2019, by Steven R. Chambers, for the purposes and considerations therein expressed.

_____
Notary Public My Commision Expires:

Printed Name:_____ _____

STATE OF TEXAS §
COUNTY OF ELLIS §

This instrument was acknowledged before me on the ____ day of _____, 2019, by Cheryl R. Chambers, for the purposes and considerations therein expressed.

_____
Notary Public My Commision Expires:

Printed Name:_____ _____



VICINITY MAP

Not to scale

GENERAL NOTES

1. BASIS OF BEARINGS: The bearings and coordinates shown hereon are grid bearings and coordinates based upon an actual field survey and are related to the Texas Coordinate System of 1983, North Central Zone(NAD 1983 [Epoch 2010]).
2. The combined grid factor is 0.99991751, and the Angle of Convergence is 00°53'51.8".
3. The distances shown hereon are Surface distances.
4. Land areas shown are within the tolerances stated In the Professional and Technical Standards of the Texas Board of Professional Land Surveying.
5. FLOOD PLAIN NOTE: The subject property is indicated to be In Zone "X" according to the Federal Emergency Management Agency, Flood Insurance Rate Map, Panel No. 48139C0190G, Effective Date: October19, 2023. The undersigned surveyor is not responsible for the preparation or contents of said FEMA FIRM panel, or any flooding that may occur on the subject property of any kind.
6. ZONING NOTE: This property is zoned SF-3, Single Family 3, according to the Waxahachie Zoning Map dated 11/22/2019, and is also a part of an overlay district for infill development, with the following setbacks and easements:

   Front Yard Setback must be within five (5) feet of the average of each structure that is within fifty (50) feet from the buildable lot's property lines, as measured from the front building plane, and not including porches.

   Side yards will be at least ten (10) percent of lot width,

   25' minimum rear yard

SURVEYOR'S STATEMENT:

This Is to affirm that I, W. Michael Evans, a Registered Professional Land Surveyor of the State of Texas, have platted the subdivision shown hereon from an actual survey on the ground, and that all lot corners, and angle points shall be properly marked on the ground, and that this plat represents that survey made by me in accordance with the Subdivision Ordinance of the City of Waxahachie.

Dated this the10th day of February, 2025.

PRELIMINARY

This Document shall not be recorded for any purposes and shall not be used or viewed or relied upon as a final survey document.

W. Michael Evans
Registered Professional Land Surveyor No. 4715

OWNERS/DEVELOPERS:
RICKY JOHNSTON
1339 FEASTER ROAD
WAXAHACHIE TX 75165
(214) 478-9392
johnstonfarms4@yahoo.com

STEVEN R. CHAMBERS
CHERYL R. CHAMBERS
711 S. COLLEGE STREET
WAXAHACHIE TX 76165
(972) 935-8174
steve.chambers81@yahoo.com

PROJECT NO. 98240

0 20' 40'
Graphic Scale in Feet
1"=20'

LEGEND

IRF	= IRON ROD FOUND
CIRS	= CAPPED IRON ROD SET (YELLOW PLASTIC CAP MARKED "GSW LAND SURVEYORS")
SPC	= STATE PLANE COORDINATES (TEXAS COORDINATE SYSTEM)
NAD83	= NORTH AMERICAN DATUM OF 1983 (EPOCH 2010)
TXNC ZONE	= TEXAS NORTH CENTRAL ZONE
P.O.B.	= PLACE OF BEGINNING
R.O.W.	= RIGHT-OF-WAY

REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSED STATE LAND SURVEYOR
Michael Evans
Registered Professional Land Surveyor
Licensed State Land Surveyor
1305 Brook Arbor Drive
Mansfield, Texas 76063
(817) 822-3581
mevans@gswland.com

RE-PLAT

LOT 5R & LOT 6R, BLOCK 57
BULLARD'S ADDITION
to the
City of Waxahachie
ELLIS COUNTY, TEXAS

Being all of Lots 5 and 6 and a portion of Lot 7, Block 57
Bullard's Addition
to the CIty of Waxahachie as filed of
record In Cabinet A, SIide 163
Plat Records of Ellis County, Texas
(0.57 ACRES) Case #RP-XX-XXXX

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-13-2025

MEETING DATE(S)

Planning & Zoning Commission: March 11, 2025
City Council: March 17, 2025

CAPTION

Public Hearing on a request by Rajiv Rugwani, All R&N Holdings LLC, for a **Specific Use Permit (SUP)** for an **Electronic Message Sign use** within a Commercial (C) zoning district located at 2271 N Highway 77 (Property ID 235438) - Owner: All R&N Holdings LLC (ZDC-13-2025)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-13-2025, a Specific Use Permit (SUP) for an Electronic Message Sign use, subject to the conditions the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly."

APPLICANT REQUEST

The Applicant is requesting a Specific Use Permit (SUP) for an Electronic Message Sign use.

CASE INFORMATION

Applicant:	Rajiv Rugwani, All R&N Holdings LLC
Property Owner(s):	All R&N Holdings LLC
Site Acreage:	0.864 acres
Current Zoning:	Commercial (C)
Requested Zoning:	Commercial (C) with a SUP for an Electronic Message Sign use

SUBJECT PROPERTY

General Location:	Generally located at 2271 N US Highway 77
Parcel ID Number(s):	235438
Existing Use:	Medical Office
Development History:	The subject property currently is developed as Medical Office use. The subject property is platted as Lot 2A, Block A of the Revco Subdivision.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	LI-1	Caliber Collision
East	GR	Roland's Nursery
South	LI-1	Carpet One
West	LI-2	Berry Plastic Logistics

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 primary access to the subject property is from North Town Boulevard.

Site Image:



PLANNING ANALYSIS

The applicant requests a SUP for an Electric Message Sign use. The proposed use requires a SUP to be approved by City Council within the Commercial (C) zoning district. The applicant proposes the Electronic Message board to be 4' by 6' in size. The Electronic Message Board will be situated in a monument sign that is 10' in height and 8' in width. The applicant proposes that the monument sign will follow the code requirements of Waxahachie Lighting and Glare standards. The proposed sign will meet the requirements for Electronic Message Signs, as established by Section 5.08 of the Waxahachie Zoning Ordinance.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 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. Staff has received no letters in support and zero (0) letters in opposition for the SUP request.

RECOMMENDATION

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

Conditions:

1. The property owner shall obtain all necessary permits from the City of Waxahachie Building & Community Services Department prior to construction on the subject property.
2. The sign shall not be illuminated between the hours of 10pm – 6am.
3. The electronic messaging sign shall not be used to display commercial messages relating to products or services that are not offered on the premises.
4. The electronic message sign shall not exceed a brightness level of 0.3-foot candles above ambient light. The sign shall come equipped with automatic dimming technology, which automatically adjusts the sign's brightness based on ambient light.
5. The sign shall not have flashing copy or lights; revolving beacon lights; chasing, blinking, or stroboscopic lights; or, fluttering, undulating, swinging, or otherwise moving parts.
6. If the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to reestablish the use.
7. City Council shall have the right to review the Specific Use Permit at any point, as needed.

ATTACHED EXHIBITS

1. Operational Plan
2. Exhibit A – Location Map
3. Exhibit B – Site Plan
4. Exhibit C – Sign Plan

APPLICANT REQUIREMENTS

1. Obtain all necessary permits from the City of Waxahachie Building & Community Services Department prior to construction on the subject property.

STAFF CONTACT INFORMATION

Prepared by:
Harper Lindamood
Planner
Harper.lindamood@waxahachie.com

Reviewed by:
Trenton Robertson, AICP
Senior Director of Planning
Trenton.robertson@waxahachie.com

Operational Plan for Electronic Message Center/Sign for Apex Plaza

To whom it may concern:

We formally request your approval to install a new electronic message sign at our business location, 2271 N Hwy 77, Waxahachie. This modern, visually appealing sign will significantly enhance our storefront presence and improve brand visibility for potential clients.

The proposed signage will be used exclusively for our medical practices and tenants. It is not a billboard and will not be used to advertise offsite products or services. This exterior display will capture attention with engaging visuals and messaging, effectively communicate services, and allow for quick updates.

We fully understand and will abide by the rules set forth:

Proposed monument sign shall have no flashing copy or lights; revolving beacon lights; chasing, blinking, or stroboscopic lights; or, fluttering, undulating, swinging, or otherwise moving parts.

Electronic message center will not display commercial messages relating to products or services that are not offered on the premises.

Signage is not located with 400' of a residence, park, playground, or scenic area as designated by a governmental agency having such authority.

Proposed electronic message center shall not exceed a brightness level of 0.3-foot candles above ambient light. The sign will come equipped with automatic dimming technology, which automatically adjusts the sign's brightness based on ambient light.

Thank you for your consideration and kindly request for its approval

Sincerely

Rajiv Rugwani MD

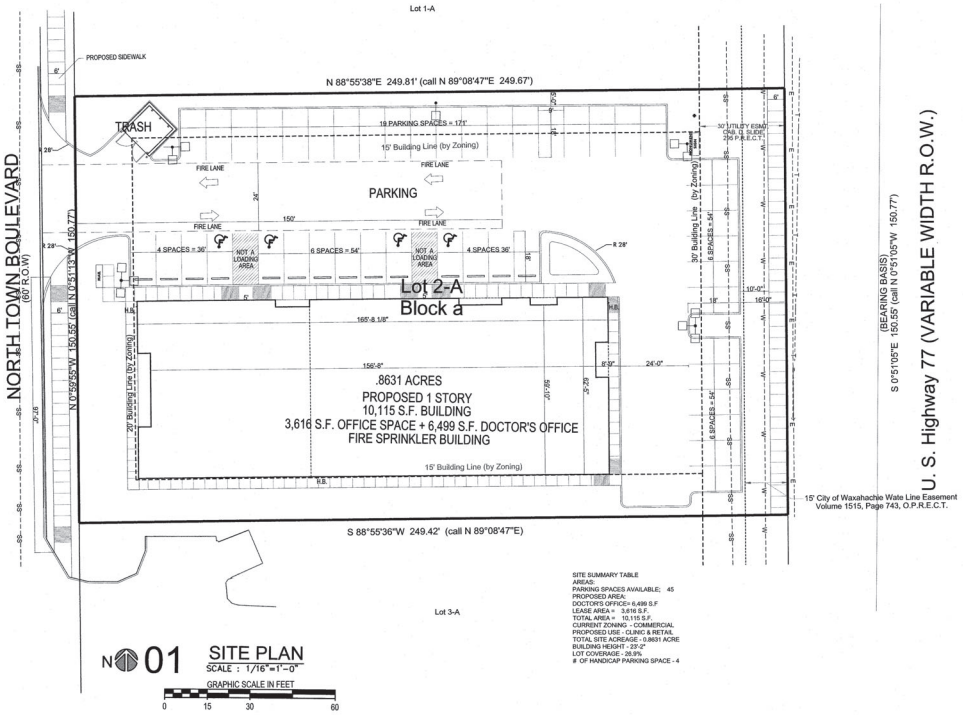

Exhibit A - Location Map
Item 5&6
NORTH TOWN BLVD
NORTH TOWN CROSSING
N US HIGHWAY 77
Feet
0 50 100 200 300 400
ZDC-13-2025 (SUP)

Exhibit B - Site Plan

Item 5&6



01 VICINITY MAP
NTS



LEGEND:

- 3X3 LED LIGHT POLE
- VIEWPORT LINE
- FIRE LANE LINE
- BUILDING LINE
- UTILITY EASEMENT LINE
- WATER LINE EASEMENT
- BURIED SPECTRUM CABLE
- SANITARY SEWER LINE
- WATER LINE

SITE SUMMARY TABLE
AREAS:
PARKING SPACES AVAILABLE: 45
PROPOSED AREA:
DOCTOR'S OFFICE= 6,499 S.F
LEASE AREA = 3,616 S.F.
TOTAL AREA = 10,115 S.F.
CURRENT ZONING - COMMERCIAL
PROPOSED USE - CLINIC & RETAIL
TOTAL SITE ACREAGE - 0.8631 ACRE
BUILDING HEIGHT - 23'-2"
LOT COVERAGE - 26.9%
OF HANDICAP PARKING SPACE - 4

N 01 SITE PLAN
SCALE : 1/16"=1'-0"
GRAPHIC SCALE IN FEET
0 15 30 60

AVILA + CASTILLO
Architecture & Construction
614 N. Bishop Ave. #2
Dallas, Texas 75208
214.478.2645
noe@avilacastillo.com

REGISTERED ARCHITECT
NOE AVILA
24059
STATE OF TEXAS
06.05.20

A PROJECT FOR:
APEX PLAZA
2271 N. HWY.77 WAXAHACHIE, TEXAS 75165

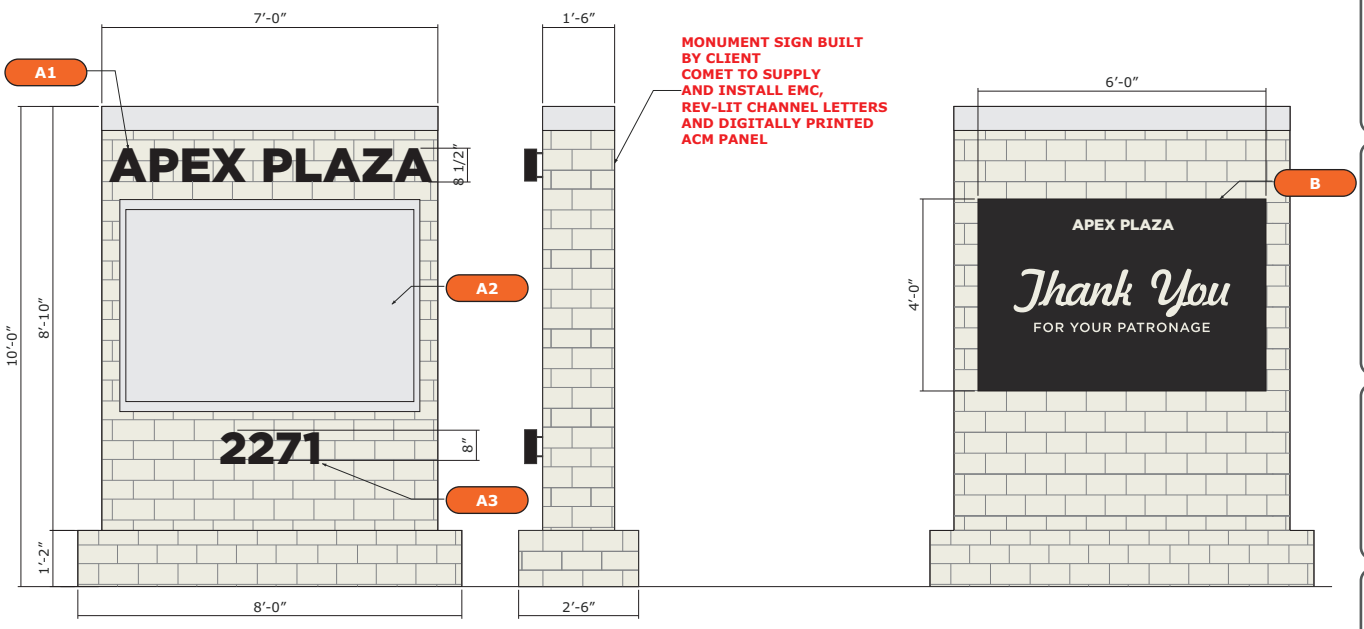
REVISIONS:

SUBDIVISION: REVCO SUBDIVISION
PLAT INFO: LOT 2-A, BLOCK A
CASE NUMBER: SP-106-2022
PROJECT NUMBER: AC060520
ISSUE: PERMIT SET
TYPE OF APPLICATION: SITE PLAN
SHEET NO. SP1-1

Exhibit C - Sign Plan

Item 5&6

©2023 Comet Signs



A1-3,B **INSTALL ELEMENTS ON EXISTING MONUMENT**

QTY: ONE (1) **Scale: ½" = 1'-0"**

SCOPE OF WORK:

INSTALL ONLY:
- SIDE 1- EMC – **10MM - Full Color Daktronics Galaxy**

CABINET SIZE: 4'-5" X 6'-3" VIEWING AREA SIZE: 4'-0" X 6'-0"

MFG & INSTALL:

- A1 - SIDE 1- 3" DEEP REVERSE LIT CHANNEL LETTER SET, PAINT COLOR TBD, WHITE LED ILLUMINATION. LETTER ARE FABRICATED FROM ALUMINUM.
- A3 - SIDE 1- 3" DEEP REVERSE LIT CHANNEL LETTER SET, PAINT COLOR TBD, WHITE LED ILLUMINATION. LETTER ARE FABRICATED FROM ALUMINUM.
- B - SIDE 2- DIGITALLY PRINTED ACM PANEL, UV LAMINATED, FLUSH MOUNT

CUSTOMER APPROVAL

APPROVED BY: _____ **DATE:** ____ / ____ / ____

Job Name:

APEX PLAZA

■ **Proposal Drawing**
□ Final Drawing

Location: 2271 N. HWY. 77
WAXAHACHIE, TX 75165

Salesperson: Gregg Bartus
Prj. Mngr.: N/A
Date: 12/15/2023
Designer: Jacob Nowak
File Name: 78063 R11 APEX PLAZA.cdr

Proposal #: 78063
Job #: n/a

Revisions (M/D/Y)-(initials): desc

Comet SIGNS
TDLR: 18010 • MET: E113766
Corporate Office
5003 Stout Drive
San Antonio, TX 78219
(210) 341-7244
Dallas
2703 Mockingbird Lane
Dallas, TX 75235
(972) 870-1594
Houston (State Sign)
7630 Hansen Road
Houston, TX 77061
(713) 943-1831
Austin (Custom Sign Creations)
1130 Rutherford, Suite 180
Austin, TX 78753
(512) 374-9300
Tyler (Design Center Signs)
2971 Elkton Trail
Tyler, TX 75703
(903) 561-4995

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Planning & Zoning Department

Zoning Staff Report

Case: ZDC-223-2024

MEETING DATE(S)

Planning & Zoning Commission: March 11, 2025
City Council: March 17, 2025

CAPTION

Public Hearing on a request by Paul Corp for a **Specific Use Permit (SUP)** for an **Accessory Structure exceeding seven hundred (700) square feet** use within a Future Development (FD) zoning district located at 2820 Howard Rd (Property ID 138980) - Owner: Daniel & Monica Siebert (ZDC-223-2024)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-223-2024, Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet in use, subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to sign the associated documents accordingly."

APPLICANT REQUEST

The applicant requests approval of a Specific Use Permit (SUP) for an enclosed Accessory Structure exceeding seven hundred (700) square feet.

CASE INFORMATION

Applicant:	Paul Corp, Corp Custom Homes
Property Owner(s):	Daniel & Monica Siebert
Site Acreage:	4.60 acres
Current Zoning:	Future Development (FD)
Requested Zoning:	Future Development (FD) with a SUP for an accessory structure exceeding seven hundred (700) square feet.

SUBJECT PROPERTY

General Location:	2820 Howard Road
Parcel ID Number(s):	138980
Existing Use:	Single-Family Residence
Development History:	A plat for Penn Farm Ranchettes, Lot 2, Block A was filed for the subject property on January 1, 2004.

Adjoining Zoning & Uses:

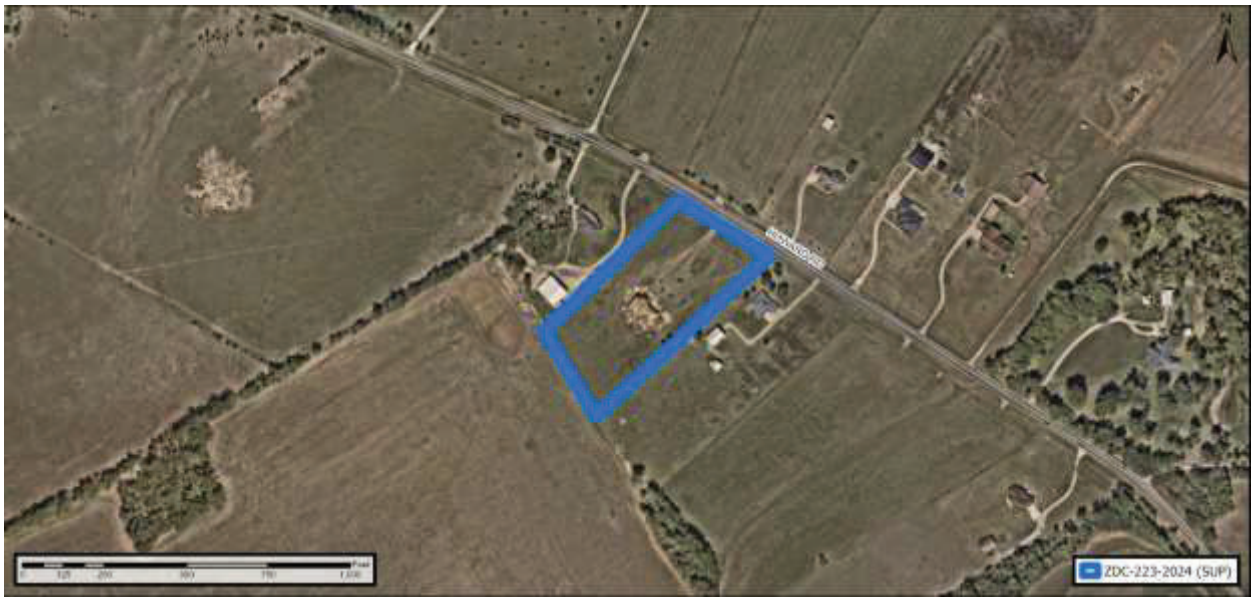
Direction	Zoning	Current Use
North	FD	Vacant lot/Single-Family Residence
East	FD	Single-Family Residence
South	FD	Vacant Tract of Land
West	FD	Single-Family Residence

Future Land Use Plan: Mixed Use Neighborhood

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

Thoroughfare Plan: The subject property is accessible via Howard Road.

Site Image:



PLANNING ANALYSIS

The applicant is requesting a Specific Use Permit (SUP) to construct an accessory structure which exceeds seven hundred (700) square feet at 2820 Howard Road. The City of Waxahachie Zoning ordinance requires City Council to approve a SUP to allow accessory structures over 700 square feet in size.

Proposed Use:

According to the applicant's site plan, the existing single-family dwelling is approximately 5,622 square feet. The proposed accessory structure is one-story and has an area of 1,824 square feet. The proposed accessory structure does meet the requisite setback requirements of the Waxahachie Zoning Ordinance for accessory structures in Future Development (FD) zoning districts. The accessory structure is comprised entirely of metal r-panel and is proposed to be used for storage and a hobby space. The applicant proposes to extend the concrete driveway from their existing home to the proposed accessory structure.

The applicant has confirmed to staff that the structure will not be used as a dwelling or short-term rental and will not be metered, sold, or leased separately from the existing primary structure. The applicant also noted that this structure will not be used for commercial purposes.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 7 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property. Staff has received zero (0) letters of opposition and zero (0) letters of support 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. The accessory structure shall not be used as a dwelling without a Specific Use Permit approved by City Council.
2. The accessory structure shall not be used as a short-term rental without a Specific Use Permit that has been approved by City Council.
3. The accessory structure shall not be used for commercial purposes.
4. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
5. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to construction of the accessory structure.

ATTACHED EXHIBITS

1. Operational Plan
2. Site Plan
3. Elevation and Façade Plan

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Caleb Ensley
Planner
caleb.ensley@waxahachie.com

Reviewed by:
Trenton Robertson, AICP
Senior Director of Planning
Trenton.Robertson@waxahachie.com

January 23rd, 2025

To whom it may concern:

For the metal shop at 2820 Howard Rd.

The metal building (structure) will be used for storage and hobby workspace.

The structure will not be used as a dwelling

The structure will not be used for commercial purposes

The structure will not be leased or sold separately from the primary residence

The structure will not be separately metered

The structure will not be used as a short-term rental

X _____

X DocuSigned by: Daniel Siebert 590A1520859149A...

X DocuSigned by: Monica Siebert B7FA20927A754F4...

Final Permit Set 03/19/24
(revised SITE PLAN 02/05/25)

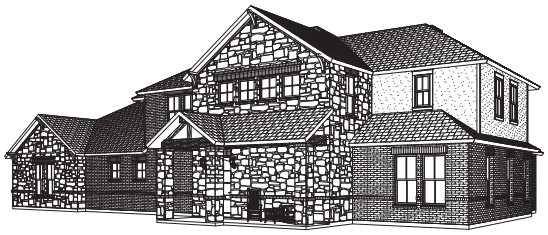
Siebert Residence
2820 Howard Road
FM 877 (Lot 02 Blk "A")
Penn Farm Ranchettes - Waxahachie, Texas



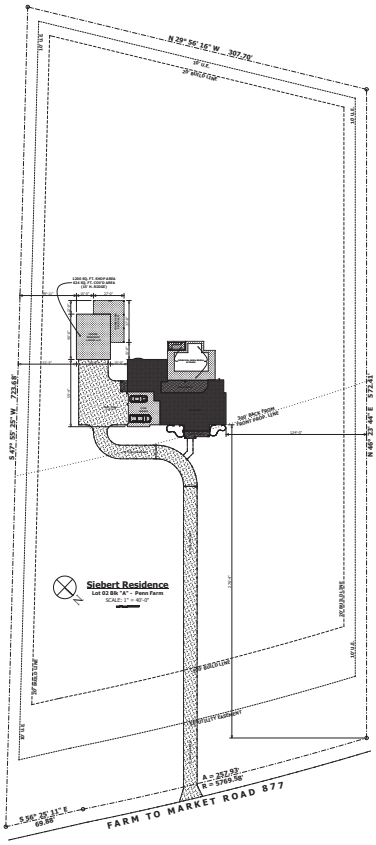
01 FRONT VIEW 01
SCALE: NTS



02 FRONT VIEW 02
SCALE: NTS



03 FRONT VIEW 03
SCALE: NTS





2820 Howard Rd. Vicinity Map

04 SITE PLAN
SCALE: 1" = 40'-0"

This Site Plan is not a survey. It is provided for building and site-work layout only. Prior to the start of construction the general contractor shall verify with the city and/or the appropriate utilities all grades, existing improvements, property lines, required building setbacks, easements, utilities, substructures, and any other existing site condition that could present a hazard or interfere with construction. Any discrepancies between this Site Plan and actual on-site conditions shall be the responsibility of the general contractor to resolve. (DVK) shall be responsible only for the revision correction of the documents, and then only as the information as provided by the general contractor. These requirements apply from the time these documents are issued, and continue throughout the course of construction.

Finish grade shall provide positive drainage away from (all) structure(s) on this site, and shall furthermore be sensitive to adjacent sites, and shall meet all local requirements.

FLOOR AREAS

NAME	STORY	AREA (sq ft)
A/C		
	1ST FLOOR	2,935.
	2ND FLOOR	1,113.
		4,048.
GARAGE		
	1ST FLOOR	831.
		831.
PORCH (FRONT)		
	1ST FLOOR	125.
		125.
PORCH (REAR)		
	1ST FLOOR	561.
		561.
PORCH (SIDE)		
	1ST FLOOR	58.
		58.
		5,622.

2024111208 TEXAS_Siebert_V3_SK2.pln

Revisions:	By:

L I V | Design | Build
DESIGN & CONSTRUCTION
DFW & AUSTIN AREA | 214.213.4744
DAVID@LIVDESIGNBUILD.COM
LIVDESIGNBUILD.COM
TEXAS REGISTERED ARCHITECTURAL FIRM #21,100
TEXAS REGISTERED BUILDER #36,100

Paul Cline
Professional Engineer
pcline@cplusstructures.com
C+ STRUCTURES

Sibert Residence
2820 Howard Road
Waxahachie, TEXAS

COVER SHEET/VIEWS

Date: 2/5/2025
Scale:
Drawn: DVK
Job: 23-0x
Sheet Number:
A0.01
Sheet: OF

Invoice: 1727-1921-9849-9971, Sep 27, 2024

Item 7&8

Texwin
800-636-4700

BUILDING IMAGES



Perspective View



Front



Left Side



Right Side



Back

DocuSigned by:
Daniel Siebert
590A1520859149A...

9/27/2024

Garage ridge height to be 15'

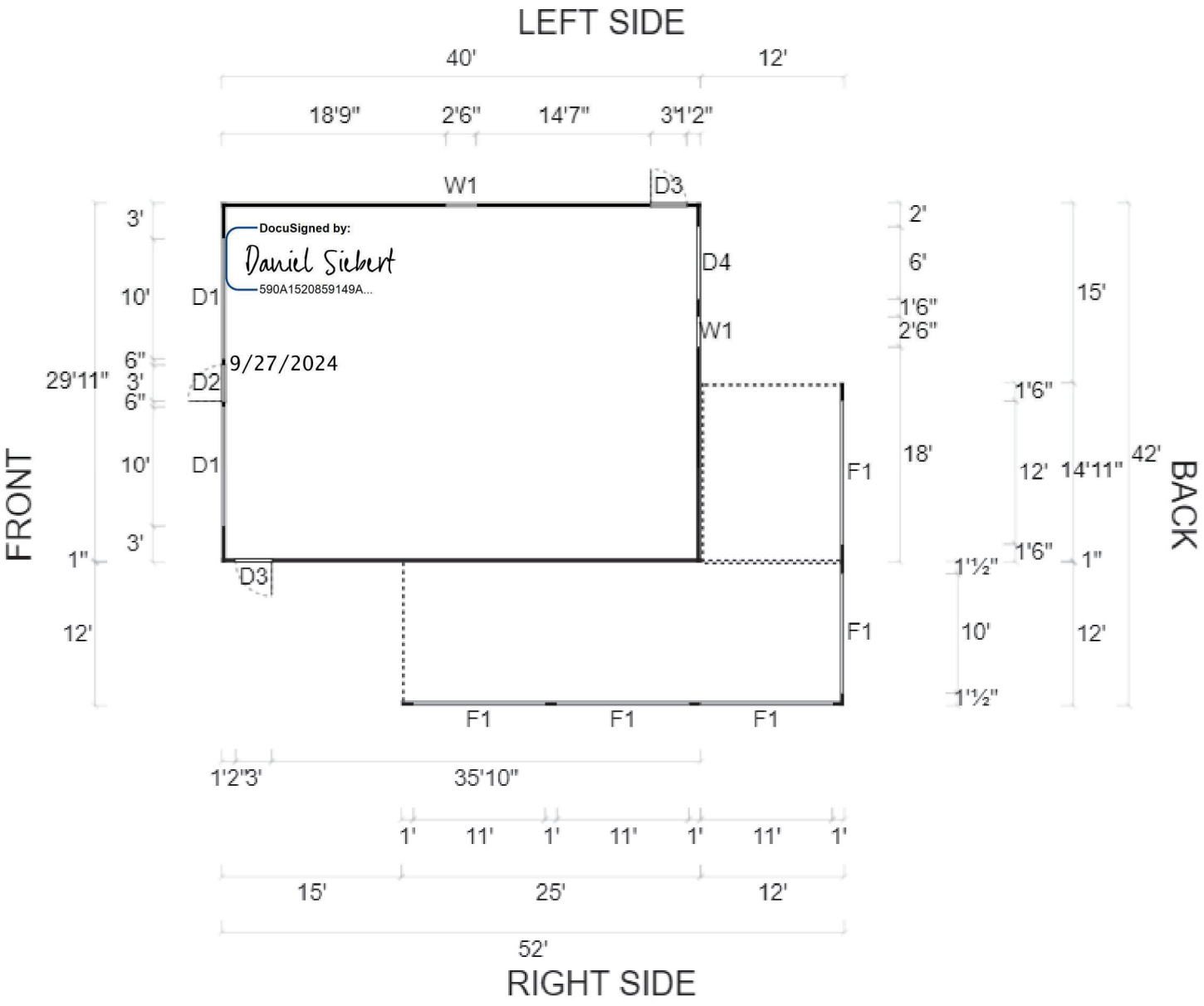
R-panel steel walls and roof

#1727192198499971-2

Invoice: 1727-1921-9849-9971, Sep 27, 2024

Item 7&8

Texwin
800-636-4700



SYMBOL LEGEND

D1 — 10'x10' Rollup Door	D2 — Walk-In Door 9-Lite (36x80)
D3 — Walk-In Door (36x80)	W1 — 30W x 27H White Frame (Includes Shutters if Horizontal Siding)
D4 — 6'x7' Rollup Door	F1 — Custom Size up to 14'
Closed Wall	Open Wall

#1727192198499971-2

Planning & Zoning Department
Zoning Staff Report

Case: ZDC-161-2024

MEETING DATE(S)

Planning & Zoning Commission: March 11, 2025
City Council: March 17, 2025

CAPTION

Public Hearing on a request by Julissa Lopez, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single-Family-2 (SF-2) zoning district located at 302 Farley Street (Property ID 171737) – Owner(s): Higher Solutions Properties, LLC (ZDC-161-2024)

RECOMMENDED MOTION

- *"I move to recommend denial of ZDC-161-2024, a Specific Use Permit (SUP) for Short-Term Rental use."*

- *"I move to recommend approval of ZDC-161-2024, 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."*

APPLICANT REQUEST

The Applicant requests a Specific Use Permit for a Short-Term Rental use at 302 Farley Street.

CASE INFORMATION

Applicant:	Julissa Lopez
Property Owner(s):	Higher Solutions Properties, LLC
Site Acreage:	0.275 acres
Current Zoning:	Single-Family Dwelling-2 (SF-2)
Requested Zoning:	SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental use

SUBJECT PROPERTY

General Location:	302 Farley Street
Parcel ID Number(s):	171737
Existing Use:	Residential use
Development History:	The subject property was platted as Lot 2, Block 278 of the Town Addition.

Adjoining Zoning & Uses:

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

Future Land Use Plan: Mixed Use Neighborhood

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

Thoroughfare Plan: The subject property is accessible via Farley 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 302 Farley Street because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,772 square feet, built in 1945 with two (2) bedrooms, one (1) bathroom, one-half bathroom and enough improved surface to accommodate for the maximum parking spaces of two (2) vehicles. The subject property is situated on an approximately 0.275 acres (11,979 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 July 31, 2024.

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

The applicant's local emergency contact is Julissa Lopez, 5625 South 14th Street, Midlothian, TX 76065, julissalopez@verizon.net, which is located approximately eleven (11) miles from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 100 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of four (4) letters of support and two (2) letters of opposition were received by staff, with two (2) letters of opposition and no letters of support being inside the 200' buffer.

RECOMMENDATION

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

Conditions:

1. The applicant shall provide insurance of a minimum of $1,000,000 per occurrence.
2. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
3. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
4. The short-term rental operator shall allow a maximum occupancy of six (6) guests per stay.
5. The short-term rental operator shall provide a maximum of two (2) off-street parking spaces.
6. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
7. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Location Map (Exhibit A)
3. Zoning Map (Exhibit B)
4. Floorplan (Exhibit C)
5. Survey (Exhibit D)
6. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:
Oanh Vu
Senior Planner
oanh.vu@waxahachie.com

Reviewed by:
Trenton Robertson, AICP
Senior Director of Planning
trenton.robertson@waxahachie.com

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-161-2024

<>

TENPENNY IRA
109 ROSA ST
WAXAHACHIE, TX 75165

RECEIVED FEB 2 1 2025

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 11, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, March 17, 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 Julissa Lopez, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 302 Farley Street (Property ID 171737) – Owner(s): Higher Solutions Properties, LLC (ZDC-161-2024)

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

Case Number: ZDC-161-2024 **City Reference: 172567**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 5, 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 2-25-2025

Ira Tenpenny Citizen
Printed Name and Title

109 Rosa
Address

Item 9&10

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-161-2024

LAKES REGIONAL MHMR CENTER
PO BOX 747
TERRELL, TX 75160-0014

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Case Number: ZDC-161-2024 **City Reference: 172050**

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☐ SUPPORT ☑ OPPOSE

Comments: TOO CLOSE TO A GROUP HOME

Signature

2/27/25
Date

RICHARD WILSON
Printed Name and Title

306 JOSEPH
Address

Item 9&10

...hearings, you ... your views known by attending the hearings. ...notification as required by 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-161-2024

City Reference: 171751

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

Marla Graham
Signature

3-3-25
Date

MARLA GRAHAM
Printed Name and Title

3046 FM 66
Address Waxahachie, TX 75167

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-161-2024

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

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 11, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, March 17, 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-161-2024 **City Reference: 172064**

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

3/3/25
Date

Brad Yates member
Printed Name and Title

500 Farley
Address

Item 9&10

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-161-2024

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

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Case Number: ZDC-161-2024 **City Reference: 175879**

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

3/3/25
Date

Bro Gates member
Printed Name and Title

110 Farley
Address

Item 9&10

City of Waxahachie, Texas

Notice of Public Hearing

Case Number: ZDC-161-2024

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

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 11, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, March 17, 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-161-2024 **City Reference: 175886**

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

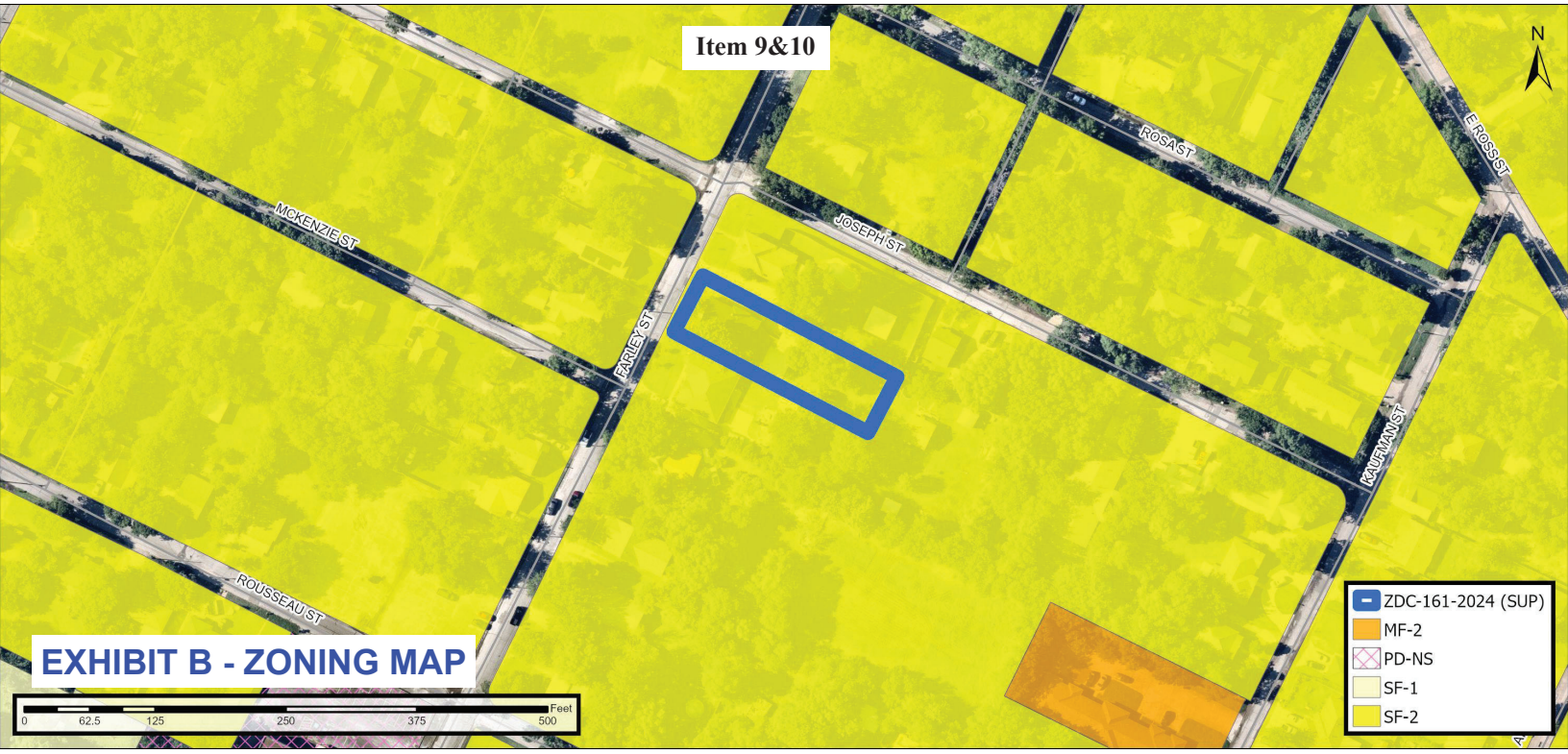
Signature

3/3/25
Date

Brad Yates member
Printed Name and Title

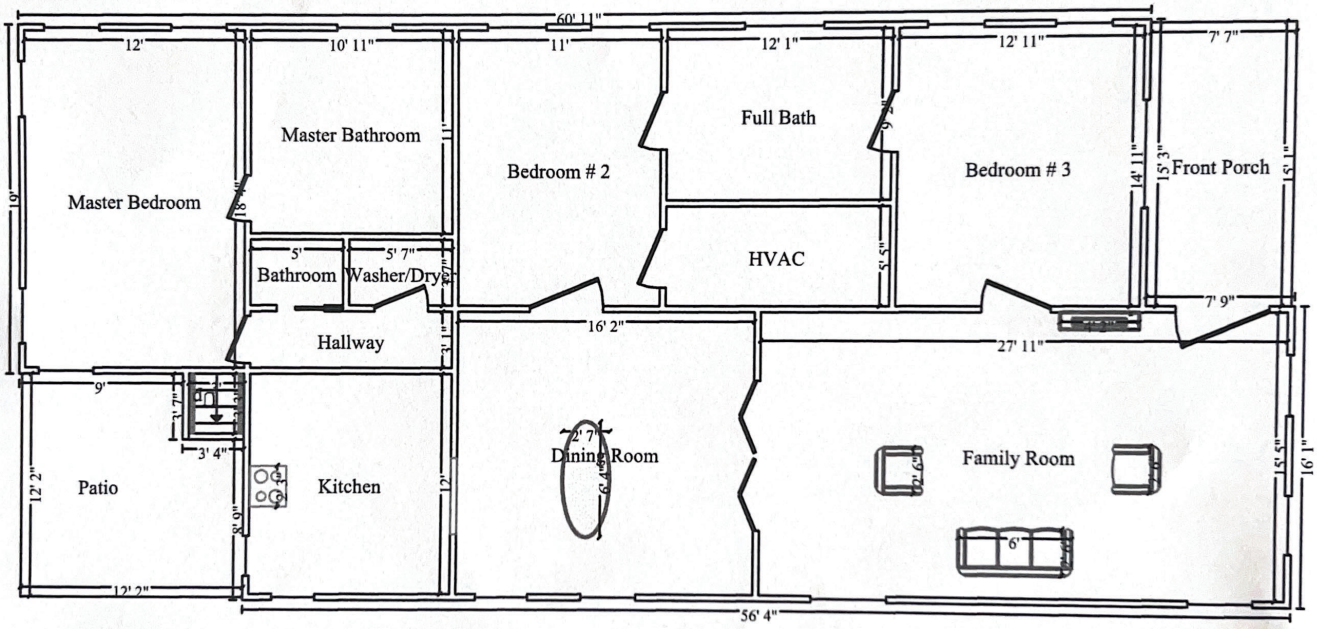
202 Rousseau
Address


Item 9&10
MCKENZIE ST
JOSEPH ST
ROSA ST
E ROSS ST
FARLEY ST
KAUFMAN ST
ROUSSEAU ST
EXHIBIT A - LOCATION MAP
0
62.5
125
250
375
500
Feet
ZDC-161-2024 (SUP)


Item 9&10
N
ROSA ST
E ROSS ST
MCKENZIE ST
JOSEPH ST
FARLEY ST
KAUFMAN ST
ROUSSEAU ST
EXHIBIT B - ZONING MAP
0
62.5
125
250
375
500
Feet
ZDC-161-2024 (SUP)
MF-2
PD-NS
SF-1
SF-2

Main Level

Item 9&10



N

Main Level

FARLEY

8/23/2024

Item 9&10

11/21/2005 04:13 2173713300 JIMMY W POGUE INC PAGE 02

SURVEY PLAT

JIMMY W. POGUE, INC.

COPYRIGHTO DATE NOVEMBER 21, 2005

This is to certify that I have, this date, made a careful FIELD survey on the ground of property located at No. 302 FARLEY STREET in the city of WAXAHACHIE, Texas.

BEING LOT 2, BLOCK 278, ORIGINAL TOWN OF WAXAHACHIE, AN ADDITION IN THE TOWN OF WAXAHACHIE, ELLIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET A, SLIDE 181, MAP RECORDS, ELLIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED ITS METES AND BOUNDS AS FOLLOWS:

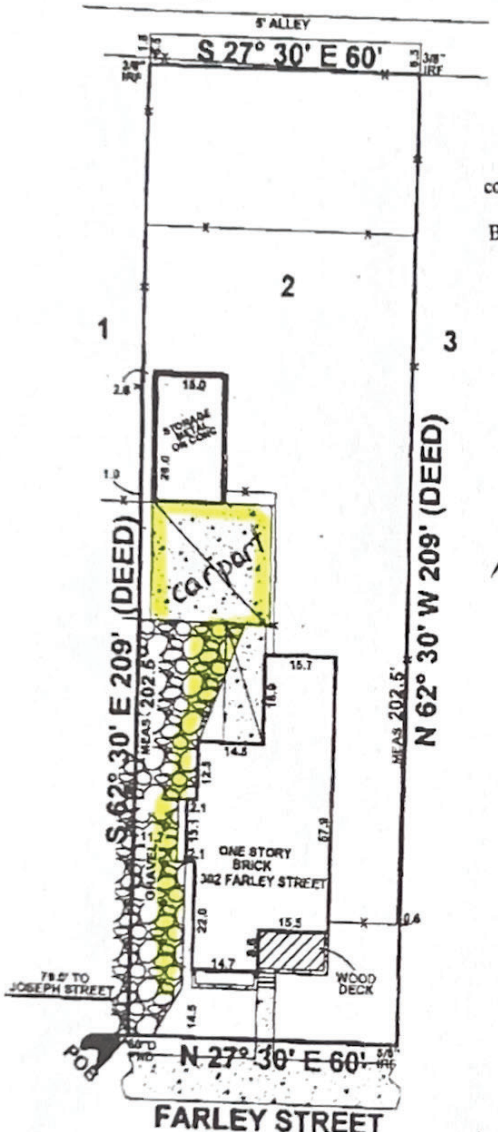
BEGINNING AT A 60'D NAIL FOUND AT THE EAST LINE OF FARLEY STREET THAT IS SOUTH 27 DEGREES 30 MINUTES WEST, 79.0 FEET FROM THE SOUTH LINE OF JOSEPH STREET;

THENCE SOUTH 62 DEGREES 30 MINUTES EAST, 209.0 FEET (202.5 FEET MEAS.)TO A 3/8 INCH IRON ROD FOUND ON THE WEST LINE OF A 5 FOOT ALLEY;

THENCE SOUTH 27 DEGREES 30 MINUTES WEST WITH SAID ALLEY 60.00 FEET TO A 3/8 INCH IRON ROD FOUND;

THENCE NORTH 62 DEGREES 30 MINUTES WEST, 209.0 FEET (202.5 FEET MEAS.) TO A 5/8 INCH IRON PIN FOUND ON THE EAST LINE OF FARLEY STREET;

THENCE NORTH 27 DEGREES 30 MINUTES EAST, WITH SAID STREET, 60.00 FEET TO THE POINTOF BEGINNING AND CONTAINING 0.28 ACRES OF LAND.



parking

I certify the above to be a true and correct copy of the original instrument.
TITLE TEXAS, INC.
By:

This plat hereon is a representation of the property as determined by me on ground survey, the lines and dimensions of said property being as indicated by the plat; the size, location and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, and except from the property lines as shown, all visible encroachments are as shown.

EXCEPT AS SHOWN ON PLAT/SKETCH, THERE ARE NO ABOVE GROUND ENCROACHMENTS OR ABOVE GROUND PROTRUSIONS.

Scale 1"=20'
Date 11/21/05
Job No. 99823

This survey was performed EXCLUSIVELY for use in connection with the transaction identified by G.F. No. WX05-317643
of TITLE TEXAS

This Company does not certify hereby for any other purposes or by any other parties except to whom prepared, or those making to a copyright owned by Jimmy W. Pogue, Inc., and all other uses are prohibited, without prior written consent of Jimmy W. Pogue, Inc.®

JIMMY W. POGUE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1722
PRESIDENT
JIMMY W. POGUE, INC.
3310 MARVIN D. LOVE FREEWAY
DALLAS, TEXAS 75224
PHONE (214) 371-0066
FAX (214) 371-9900
1-800-507-0666

SHORT TERM RENTAL
HOUSE RULES

1. GENERAL REQUIREMENTS

The property has a total occupancy of 8 overnight guests.

a) All Guests must comply with all House Rules and any other instructions from the Property Manager during their stay.

b) Guest must notify the Property Manager of any disputes or complaints from neighbors as soon as reasonably practicable.

2. NOISE AND THE NEIGHBORHOOD

a) Quiet hours are between 11pm and 8am. Please keep noise to a minimum as not to disturb the occupants of neighboring properties.

b) Excessive noise is always prohibited and may result in termination of the short term rental agreement, eviction, and even loss of rent paid.

3. PARTIES

a) Large gatherings of any kind are strictly prohibited.

b) Any small gathering (with an 8 person maximum) must comply with other rules set regarding noise and neighborhood.

4. PARKING

Guests and any visitors are to comply with parking regulations and other requirements set out below and show consideration to neighbors and other vehicles. Parking arrangements are as follows:

a) Keep in mind this is a shared driveway.

b) 3 parking spots are provided between the carport and driveway.

c) Park under carport and alongside house to avoid blocking the shared driveway.

5. GARBAGE AND RECYCLING

Dispose of garbage and recycling in accordance with the practice set out below:

a) Trash and Recycling containers are located by the carport.

b) Green containers are for trash. Blue containers are used for recyclables (as labeled).

c) All trash must fit inside the provided container. Special permission is needed from city in order to put out extra trash. Contact the property manager in this case.

d) Trash collection is every Tuesday morning.

e) Green trash containers should be put out on the curb every Tuesday morning by 6:45am (no earlier than 7:00pm Monday evening).

f) Recyclables (blue containers) are collected every other Tuesday.

6. SECURITY

a) The unit is equipped with security cameras that monitor and record both the front and back entrances. Cameras are located at the front door, side of house (monitoring driveway) and at the carport to monitor back gate entrance.

b) Any time guests leave the rental, it is their responsibility to ensure all windows and doors ae closed/locked to maintain security and prevent rain and water damage.

c) Guests must switch off lights, fans, electronics such as television when not in

use to promote energy saving.

7. HOT TUB

a) Keep hot tub covered when not in use.
b) Supervise children around the hot tub area.
c) For safety reasons, it is not permitted to use any glassware in or near the hot tub.

8. OUTDOOR / PORCH AREAS

a) Guests must supervise children at all times when using either front or back porch areas.

9. SMOKING

a) Smoking is not permitted in the home.

10. PETS

a) Pets (specifically dogs) are permitted at the rental.
b) No cats allowed at the rental.
c) A maximum of 2 dogs are allowed per stay at an additional fee of $225. per dog.
d) If letting your dog out to the backyard, please pick up after your dog. We provide bags for you!

11. DAMAGES AND BREAKAGES

a) All damages and/or breakages must be reported to the Property Manager as soon as reasonably practicable. Failure to report them will likely result in a penalty.
b) To avoid damages, do not move furniture from one room to another.

12. CHECK IN / CHECK OUT PROCEDURES

a) Check in is electronic.
b) The keycode for both front and back entrances will be sent the day of check in.
c) Keys are in the lockbox at back fence in case of emergency. If keys are used, return to lockbox at check out.
d) Upon checkout, ensure all used towels are left in the bathrooms.
e) Place dirty dishes in the dishwasher. Dishwasher does not need to be turned on, just loaded.
f) Ensure doors are locked at check out.

13. EMERGENCY CONTACT DETAILS

In the event of an emergency relating to the rental property, contact Property Manager, Julissa Lopez at 347-414-2795.

14. COMPLIANCE

Breach of any of the House Rules is a breach of the Terms and Conditions of occupancy as per the Rental Agreement.

The owner and manager reserve the right to terminate permission to occupy and to evict from the rental any guest or visitor who refuse to follow these rules or who cause a nuisance to neighbors or other residents of the community.