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, April 29, 2025 at 7:00 p.m***.

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

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 April 15, 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 Claudio Segovia, for a Plat of The Retreat at North Grove Phase 2, 111 residential lots and 3 open space lots, being 33.375 acres, located north of Red Maple Road, an addition to the City of Waxahachie (Property ID 294793) – Owner: J Huston Homes LLC (SUB-46-2025)
   d. Consider a request by Jerod Mandrele, for a Replat of Lots 8 & 9, Block B of the Phillips Resubdivision, Block 18 of the West End Addition, to create Lots 8R, & 9R, Block B of the Phillips Resubdivision, Block 18 of the West End Addition, 3 residential lots, being 0.3521 acres, located at 108 Maledon Street (Property ID 176725) – Owner: Marsha Fincher (SUB-47-2025)

5. ***Public Hearing*** on a request by Ray Porter for a Specific Use Permit (SUP) for Accessory Structures exceeding 1,000 square feet in combined area use within a Commercial (C) zoning district located at 105 Lucas Street (Property ID 189027) – Owner(s): Ray Porter & Wanda Porter (ZDC-133-2024)

6. ***Consider*** recommendation of ZDC-133-2024

7. ***Public Hearing*** on a request by Robert Morgan, Robert Morgan Construction for a Specific Use Permit (SUP) for Accessory Structures exceeding 1,000 square feet in combined floor area use within a Future Development (FD) zoning district located at 3349 Howard Road (Property ID 176528) – Owner(s): Robert & Kristy Pennock (ZDC-39-2025)

8. ***Consider*** recommendation of ZDC-39-2025

9. 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
April 15, 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, April 15, 2025 at 7:00 p.m.

Members Present:	Rick Keeler, Chairman Marlene Norcross, Vice Chair Jenny Bridges Chad Hicks David Hudgins Wendy Johnson Terry Connor
Others Present:	Shon Brooks, Executive Director of Development Services Trenton Robertson, Senior Director of Planning Zack King, Planning Manager Jami Bonner, Assistant 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 March 25, 2025
b. Consider a request by David Griffin, for a Replat of Lot 2R, Block 6 of the Berryman Addition, 1 residential lot, being 0.307 acres, located at 303 Kirven Avenue (Property ID 176067) – Owner: David Berryman & Barbara Schneider (SUB-40-2025)
c. Consider a request by Tammy Varner, for a Plat of Woodward Estates, being 0.758 acres, located directly west of 943 Saralvo Rd, situated in the Joseph C. Read Survey, Abstract 903, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 189873) – Owner: Ricky Woodard (SUB-42-2025)

Action:
Marlene Norcross moved to approve the Consent Agenda, subject to the recommendations of staff. Motion was seconded by Chad Hicks and carried unanimously (7-0).

5. Public Hearing on a request by Tim Jackson, Texas Realty Capture & Surveying LLC, for a Replat of Lots 5 & 6, Leo Hightower Lots subdivision, to create Lots 5A & 6A, Leo Hightower Lots subdivision, 2 residential lots, being 1.194 acres, located at 139 and 141 Lakeshore Drive (Property ID 174097) – Owner: William Burks and John Burks (SUB-37-2025)

Chairman Keeler announced that on March 28, 2025, the applicant requested to withdraw this application from the April 15, 2025 Planning & Zoning Commission meeting.

6. Consider recommendation of SUB-37-2025

No action taken.

7. Public Hearing on a request by Steven Chambers & Cheryl Chambers for a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet, use within a Single Family-3 (SF-3) zoning district located at 711 College Street (Property ID 172399) – Owner: Steven Chambers & Cheryl Chambers (ZDC-27-2025)

Planner Harper Lindamood presented the Item. The applicant proposes a Specific Use Permit (SUP) to construct a 1,975-square-foot accessory structure at 711 South College Street. The primary structure on the subject property is approximately 2,490 square feet. The property does have an existing accessory structure. The applicant is proposing to remove the existing structure prior to constructing the proposed accessory structure. The applicant has provided a Site Plan for the accessory structure that verifies all setback requirements established by the Waxahachie Zoning Ordinance have been met.

The applicant proposes to utilize the structure for a personal garage to park vehicles. The structure will be used for the storage of personal vehicles and household materials. The proposed accessory structure is comprised of metal R-panel. The applicant proposes to extend a 15' wide concrete driveway from the edge of the existing gravel driveway to the proposed accessory structure. The applicant requests not to replace the existing gravel with concrete at this time. The applicant will not be extending the water or electrical services to the proposed accessory structure.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, twenty-six (26) 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.

Michael Evans, 1305 Brook Arbor Drive, Mansfield, Texas, explained that the proposed concrete driveway will extend 30 feet, connecting to the existing gravel section and continuing to the street. He noted that the gravel driveway has been in place since 1972 and currently features concrete runners on either side. Mr. Evans confirmed that a formal entrance will not be constructed from the portico, though it will remain accessible.

Chairman Keeler opened the Public Hearing at approximately 7:06 p.m.

There being no others to speak for or against ZDC-27-2025, Chairman Keeler closed the Public Hearing at approximately 7:06 p.m.

8. Consider recommendation of ZDC-27-2025

Action:

Chad Hicks moved to recommend approval of ZDC-27-2025, a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet, subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to sign the associated documents accordingly. Motion was seconded by David Hudgins and carried unanimously (7-0).

{An error occurred when the motion was read, referencing the incorrect case. However, the staff report and agenda correctly reflect the case number as ZDC-27-2025.}

9. Public Hearing on a request by Alfredo Rojas for a Specific Use Permit (SUP) for an Accessory Dwelling Unit (ADU) use within a Single Family-2 (SF-2) zoning district located at 303 McKenzie Street (Property ID 172575) – Owner: Alfredo Rojas (ZDC-34-2025)

Ms. Lindamood presented the Item. The applicant proposes a Specific Use Permit (SUP) to construct an approximately 630-square-foot accessory dwelling unit (ADU) at 303 McKenzie Street. The primary structure on the subject property is approximately 1,587 square feet. The proposed ADU is existing and was not properly permitted prior to construction.

The applicant received approval for an accessory structure (shed) that was approximately 496 square feet in size in October of 2022. However, the permitted structure is not the same structure that was then built by the applicant. Staff received a complaint that led to a code enforcement visit to the property. Staff identified unpermitted construction activity had taken place that included electrical and plumbing work intended to make the structure into a dwelling unit. Once this was identified, the property owner was instructed to submit a SUP application to seek zoning level approval for an ADU before continuing through the building permitting process.

As part of this SUP application, the applicant has provided a Site Plan for the subject property. The Site Plan does not appear to show that the accessory dwelling unit meets the 5’ setback requirement of Waxahachie Zoning Ordinance. Additionally, the Site Plan does not identify the correct size, shape, or dimensions of the existing structure. The proposed accessory dwelling unit is constructed of wood siding. The applicant proposes to utilize the structure for familial use as an accessory dwelling unit. The structure is specifically proposed to be used for the applicant’s father.

To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, twenty-six (26) notices were mailed to property owners within 200 feet of the request. Staff has received two (2) letters of opposition and one (1) letter of support for the proposed SUP.

Ms. Lindamood confirmed that the ADU does not comply with standard zoning regulations, the City of Waxahachie Code of Ordinances, or applicable building codes. She also noted that a tenant answered the door during a City visit, despite the property being listed as a homestead with the Ellis County Appraisal District.

Alfredo Rojas, 303 McKenzie Street, Waxahachie, Texas, stated that he purchased the home in 2020. He noted that he resides at the property approximately half of the year, as he also lives part-time in Duncanville. Mr. Rojas explained that he was unaware a new permit was required for the recent structure, as he had previously obtained a permit for another structure on the property. He

stated that the ADU complies with setback requirements, as his measurements meet the 5-foot minimum. While no one has lived in the ADU to date, he indicated that it is intended for use by his family in the future.

Council Member Patrick Souter encouraged the applicant to update the homestead exemption status with the Ellis County Appraisal District to ensure it accurately reflects his residency, thereby avoiding the receipt of unearned tax benefits.

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

There being no others to speak for or against ZDC-34-2025, Chairman Keeler closed the Public Hearing at approximately 7:17 p.m.

10. Consider recommendation of ZDC-34-2025

Action:
Chad Hicks moved to recommend denial of ZDC-34-2025. Motion was seconded by Jenny Bridges and carried unanimously (7-0).

11. Public Hearing on a request by Richard Shinpaugh, Ellis County Bail Bonds, to consider revoking a Specific Use Permit (Ordinance 3495) which allows for the use of a Bail Bond Agency located at 216 South Jackson Street (Property ID 170438) – Owner: Richard Shinpaugh (ZDC-35-2025)

Senior Planner Oanh Vu presented the Item. The applicant requests the revocation of an approved SUP (Ordinance 3495) for a Bail Bond Agency use (Ellis County Bail Bonds) within the Central Area (CA) zoning district located at 216 South Jackson Street.

The property owner, Richard Shinpaugh, received approval of a two-year SUP for a Bail Bond Agency (ZDC-58-2023) at 104 North Jackson Street on June 19, 2023. The temporary SUP was requested because he planned to build a new building for his Bail Bond Agency at the subject property (216 South Jackson Street). Mr. Shinpaugh proposed to move his business from 104 North Jackson Street to 216 South Jackson Street when the new building was completed. Mr. Shinpaugh received approval of a SUP for a Bail Bond Agency (ZDC-112-2023) for the subject property on May 20, 2024.

Mr. Shinpaugh no longer wishes to operate a Bail Bond Agency at the subject property and submitted a new SUP application (ZDC-6-2025) to continue to operate a Bail Bond Agency at 104 North Jackson Street. If the SUP application (ZDC-6-2025) was approved, he requested to have the current SUP (ZDC-112-2023) at 216 South Jackson Street revoked. The SUP application (ZDC-6-2025) was approved with the condition that Mr. Shinpaugh is allowed to operate Ellis County Bail Bonds for five (5) years from the approval date. Mr. Shinpaugh would like to proceed with the process of having his SUP (ZDC-112-2023) at 216 South Jackson Street to be revoked since he no longer wishes to operate a Bail Bond Agency at the subject property. Mr. Shinpaugh is aware that he will have to submit a SUP application for the Bail Bond Agency use should he choose to move his business to 216 South Jackson Street in the future.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 25 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 on the property. Staff has received no letters in support and opposition for the SUP request.

Richard Shinpaugh, 703 E. Marvin, Waxahachie, Texas, confirmed that he does not intend to establish his business at 216 South Jackson Street, either now or in the future. He plans to continue operating his Ellis County Bail Bonds business at its current location.

Chairman Keeler opened the Public Hearing at approximately 7:20 p.m.

There being no others to speak for or against ZDC-35-2025, Chairman Keeler closed the Public Hearing at approximately 7:20 p.m.

12. Consider recommendation of ZDC-35-2025

Action:
Marlene Norcross moved to recommend approval of ZDC-35-2025, revoking the Specific Use Permit (SUP) Ordinance 3495 for the use of a Bail Bond Agency, authorizing the Mayor and/or City Manager to execute all documents accordingly. Motion was seconded by David Hudgins and carried unanimously (7-0).

13. Public Hearing on a request by Ben Williams, QuikTrip South, LLC for a Specific Use Permit (SUP) for a Convenience Store & Gasoline Sales uses within a Light Industrial-1 zoning district located east of 1000 Solon Road (Property ID 291997) - Owner: Round Top Assets, LLC (ZDC-17-2025)

Ms. Vu presented the Item. The applicant requests a Specific Use Permit (SUP) for Convenience Store and Gasoline Sales uses (QuikTrip) within the Light Industrial-2 (LI-2) zoning district located at the northwest corner of Marshall Road. The uses of Convenience Store and Gasoline Sales require a SUP approved by City Council per the City of Waxahachie Zoning Ordinance.

QuikTrip is proposing to develop their third location within the City of Waxahachie of a convenience store with gasoline sales. The proposed development will contain an approximately 5,100 square foot primary structure and a fuel canopy with eight (8) dual-sided gas pumps (totaling 16 nozzles). QuikTrip plans to operate 24 hours a day, seven days a week, with staff ranging from 2 to 10 employees on site at any given time. QuikTrip has noted that this site will not accommodate 18-Wheelers.

The proposed development exceeds the City's minimum parking requirements. While only 29 spaces are required, the applicant proposes 58 parking spaces. The applicant has met the minimum required landscape of thirty-eight (38) canopy trees, five (5) ornamental trees, and thirty-eight (38) shrubs per the City of Waxahachie Zoning Ordinance. However, no preservation of the existing trees on the property is proposed. The nearest existing QuikTrip location is approximately 1.5 miles north of the subject property and is currently a truck stop for 18-wheelers in addition to commuter vehicles.

The applicant is seeking the approval of the following deviations from the City's Codes of Ordinances should this SUP request be approved. Staff is not supportive of the following proposed deviations:

1. To allow a pole sign of 65' in height and 10' from the nearest property line. This request is for relief for the height and encroachment of multiple easements belonging to the City of Waxahachie, Tarrant Regional Water District, and Oncor. The typical height for a pole sign that was approved by City Council for various projects is 35'. Also, the minimum setback for a pole sign is 15' from the nearest property line; however, it shall be placed outside of an easement.
2. To eliminate setback restrictions for monument signs.
3. To allow two monument signs of 89 square feet, each, to be erected. The monument signs are proposed to be located at the entrances of the site on Marshall Road and Interstate 35E Service Road. This request exceeds the maximum allowed size of 80 square feet, per Section 5.08 of the City of Waxahachie Zoning Ordinance.
4. To allow less than the required minimum of 30% of glazing on the west and east elevations due to the width of the elevations.

The applicant has provided three sets of architectural elevations that are similar to those submitted for the most recently constructed location on Highway 287 and Brown Street. All elevations options have the same building design and simply feature differing exterior construction materials. The applicant is offering one option with brick and Exterior Insulated and Finish System (EIFS) while the other options offer a combination of brick and stone.

Per the City's Zoning Ordinance, all pole signs require approval of a Specific Use Permit. The applicant is proposing to install the pole sign in the southeast portion of the site. The proposed pole will include a wrapped six-foot (6') tall base with brick to match the structure, a dual-sided pricer of approximately 139 square feet, and a dual-sided QuikTrip brand sign of approximately 199 square feet. The proposed pole sign is sixty-five (65) feet tall and is approximately fifteen (15) feet wide. The proposed location of the pole sign is within an existing twenty-foot (20') water easement that belongs to the City of Waxahachie along Marshall Road and a fifteen-foot (15') utility easement that will be required to be dedicated, along Interstate 35E Service Road, when the subject property is platted. As presented, the pole sign does not comply with the City's sign requirements per Section 5.08 of the City of Waxahachie Zoning Ordinance; which requires placement outside of all utility easements and a minimum setback of 65' for a 65' tall sign.

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

Staff has several concerns regarding the proposed development that have not been addressed by the applicant.

One of the primary concerns is that the development is encroaching into various easements that belong to the City of Waxahachie, Tarrant Regional Water District (TRWD), and Oncor. Ms. Vu noted that a letter of no objection from TRWD was delivered to staff after the agenda packet was

posted and a printed copy was also provided to the Commissioners at their seat. The proposed development has the potential to be rendered infeasible or change drastically if approval to access and or place infrastructure in these easements is not received. Prior approval from easement holders for development is a standard due-diligence item to complete for SUP requests.

The western side of the subject property has a significant sedimentation issue from the existing concrete batch plant on the adjacent property. Staff recommends a solid screening wall or physical barrier (possibly a berm) be proposed along the western property line to mitigate this on-going issue.

Lastly, the documents submitted with this application do not contain all technical design criteria or information required by Section 7.01 of the City of Waxahachie Zoning Ordinance. The Site Plan provided by the applicant must be revised for compliance with Section 7.01 of the Waxahachie Zoning Ordinance to demonstrate that the technical site plan design criteria for the development have been met.

The subject property is located at one of the prime intersections leading into the City. The proposed elevations do not offer an enhanced building design from QT's most recently approved location at Brown Street and Highway 287.

Staff also has concerns regarding the location and size of the proposed pole sign and the total number of signs proposed for the development. Staff is in support of a monument sign of thirty (30) feet in height due to the location of the subject property where it has frontage to Interstate 35E Service Road, and the height of the monument sign located at Highway 287 and Brown Street was approved for. A primary concern regarding the proposed pole sign is that it is encroaching into multiple easements and the applicant has not submitted a letter of no objection from the easement holders for the proposed location of the pole sign. Staff recommends that the applicant propose a smaller monument sign since the sign is situated along Interstate 35E Service Road, and there isn't much of a change in topography from a mile north and south of the subject property. Lastly, staff has a concern regarding the amount of signage along Interstate 35E Service Road, and recommends that the applicant remove the smaller proposed monument sign at the entrance located on Interstate 35E Service Road to avoid a cluster of signage.

After careful consideration and analysis, staff recommends denial of the proposed SUP request for the Convenience Store and Gasoline Sales uses. This recommendation is based on the concerns mentioned above and the lack of pertinent information/documents required to properly evaluate the SUP request in its entirety.

Commissioner Wendy Johnson inquired whether the applicant had submitted a complete application for staff review prior to the Planning & Zoning Commission meeting. Ms. Vu responded that the presented staff report reflects the most current information received from the applicant as of the time of posting.

Commissioner Jenny Bridges clarified with Ms. Vu that while the City does not oppose QuikTrip establishing the proposed location, several significant concerns remain unresolved. Ms. Vu confirmed this assessment.

(4a)

Commissioner David Hudgins expressed that the application, as submitted, does not appear to be ready for consideration by either the Planning & Zoning Commission or City Council. He suggested continuing the item to allow additional time for the applicant and staff to address outstanding staff and zoning concerns.

Ben Williams, 4217 Foxborough Trail, Arlington, Texas, provided a presentation addressing several issues presented by Ms. Vu. He explained that the proposed QuikTrip location will require a Special Use Permit (SUP) for gasoline sales and for having less than 30% window glazing. He noted that letters of no objection from both TRWD and Oncor have been submitted to staff.

Mr. Williams presented site plan revisions in response to staff feedback, including:

- Relocating the monument sign at Loflin Drive outside the sewer easement;
- Removing the monument sign on the east side of the property and replacing it with pricing signs on the gas canopy;
- Relocating the high-rise sign from the corner to the retention pond area, where it now meets setback requirements.

He also presented elevation slides and discussed the addition of downlighting for security. Mr. Williams elaborated on how the height of the high-rise sign was determined, explaining the importance of visibility for customers. He requested approval of the SUP, with the condition that construction will begin within one year of the completion of TxDOT's roadway improvements.

Commissioner Johnson asked whether Mr. Williams' presentation addressed the conditions outlined in the staff report. Mr. Williams responded that while they are still in the process of securing a no-objection letter from TxDOT, letters from TRWD and Oncor have been submitted to staff.

Tommy Vilbig, 1700 Alma Drive, Suite 375, Plano, Texas, explained that he has been coordinating with TRWD, Oncor, and TxDOT on the civil engineering aspects of the project. He acknowledged delays in the process, largely due to inclement weather.

Trenton Robertson, Senior Director of Planning, confirmed that a letter from Oncor had been received, but noted it has not been executed by both the property owner and Oncor, and therefore has not been formally submitted to staff.

Chairman Keeler questioned Mr. Williams about why staff concerns were being addressed for the first time during the meeting. He asked why the information had not been provided in advance to give staff adequate time for review and validation before presentation to the Commission. Mr. Robertson confirmed that staff had not received the revised SUP information presented by Mr. Williams. In response, Mr. Williams explained that the delay was partially due to contractual obligations and the need for the SUP to be approved before QuikTrip can close on the property.

Commissioner Marlene Norcross acknowledged the applicant's need for SUP approval to facilitate the property closing but explained the importance of allowing staff sufficient time to review the presented proposals to ensure all concerns and zoning issues are properly addressed.

(4a)

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

There being no others to speak for or against ZDC-17-2025, Chairman Keeler closed the Public Hearing at approximately 7:45 p.m.

The Planning & Zoning Commissioners and staff discussed the possibility of continuing the case until the May 13th P&Z Commission meeting.

Craig Honeywell, 1120 North Industrial Blvd., Euless, Texas, cautioned that extending the case beyond two weeks would negatively affect the project's contractual timeline. He urged the Commission to review and consider the information presented at the meeting during the next Planning & Zoning Commission meeting, scheduled in two weeks, emphasizing that a one-month delay would not be acceptable to the applicant.

14. Consider recommendation of ZDC-17-2025

Action:
Chad Hicks moved to recommend denial of ZDC-17-2025, a Specific Use Permit (SUP) for Convenience Store and Gasoline Sales uses. Motion was seconded by Rick Keeler and carried 4-3 with Marlene Norcross, Jenny Bridges, and David Hudgins voting in opposition.

15. Public Hearing on a request by Joey Scott, Stephens Engineering, for a Specific Use Permit (SUP) for a Self-Storage Facility use within a General Retail zoning district located at 51 Indian Drive (Property ID 295119) - Owner: Buffalo Creek Plaza, LLC (ZDC-231-2024)

Ms. Vu presented the Item. The applicant requests a SUP for a Self-Storage Facility use (Oak View Self-Storage) within the General Retail (GR) zoning district located at 51 Indian Drive. A Self-Storage Facility Land Use requires a SUP to be approved by City Council per the City of Waxahachie Zoning Ordinance. Staff received the SUP application on December 18, 2024. Staff reviewed the application and provided comments to the applicant on December 31, 2024. Staff provided comments to the applicant within five (5) business days of each of the three (3) resubmittals provided by the applicant.

Oak View Capital Partners, LLC (the business owner of Oak View Self-Storage) is a Dallas-based development firm who focuses on developing multi-story climate-controlled self-storage facilities with locations within the Dallas-Fort Worth metroplex and Kansas City area. This location will consist of a primary structure of approximately 97,800 square feet with the total height of 46'-10 ½". The proposed facility is staffed by one employee during the hours of operation of 6:00 a.m. to 10 p.m., every day.

The proposed project does meet the minimum parking requirements and minimum landscape requirements per the City of Waxahachie Zoning Ordinance. The applicant is not requesting any deviations from the City's Code of Ordinances.

Typically, a six-foot (6') masonry screening wall is required for all proposed non-residential developments located adjacent to a residential zoning district or residential use property per

Section 5.03 of the City of Waxahachie Zoning Ordinance. The adjacent properties located to the south and west are within a residential zoning district; however, it is undeveloped. The applicant is proposing to install a combination of canopy trees and ornamental trees along the southern property boundary to provide live screening in the event that the adjacent property develops; which is an appropriate alternative in this context.

The applicant has provided two sets of architectural elevations. Both elevations have the same building design and exterior finishes except the color scheme for each option is different. Staff recommends Option 1 because the color scheme offers earthy tones that are more compatible with the adjacent ClearkSky Rehabilitation Hospital, whereas Option 2 offers a red undertone.

The applicant proposes to mount shielded wall packs on the proposed building, along with a twenty-foot light pole to be located at the parking lot located on the western side of the property. The applicant has provided a photometric plan that meets Section 6.03 of the City of Waxahachie Zoning Ordinance, along with the lighting specifications of the proposed lighting fixtures

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 11 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 five (5) letters in support and no letters in opposition for the SUP request.

Although the photometric plan meets Section 6.03 of the City of Waxahachie Zoning Ordinance, Staff has a concern that the proposed fixtures may cause a glare issue. The applicant shall provide a shield for each lighting fixtures at the time of building permitting to prevent any glare issues.

Brad Tidwell, 178 Jellico Circle, Southlake, Texas, commended City staff for their diligence and expressed his longstanding interest in establishing a presence in Waxahachie, noting that he has finally found the right location.

Chairman Keeler inquired about the site plan and the visibility of the facility from Brown Street and Indian Drive. Zack King, Planning Manager, explained that the canopy will face Brown Street, while the drive-up unit doors will be positioned at the rear of the building, facing the creek and not visible from the roadway. Mr. Tidwell confirmed that the facility will include an on-site office.

Chairman Keeler encouraged the applicant to exceed the minimum landscaping requirements, noting that the applicant is permitted to install landscape screening in place of a masonry wall. Mr. Tidwell agreed and expressed his willingness to provide enhanced landscaping. He also stated his preference for Elevation Option Two as presented.

Chairman Keeler opened the Public Hearing at approximately 8:02 p.m.

There being no others to speak for or against ZDC-231-2024, Chairman Keeler closed the Public Hearing at approximately 8:02 p.m.

16. Consider recommendation of ZDC-231-2024

Action:
Jenny Bridges moved to recommend approval of ZDC-231-2024, a Specific Use Permit (SUP) for a Self-Storage Facility use with Elevation Option 2, adding an enhanced landscape requirement, subject to the conditions of the staff report, and authorizing the Mayor and/or City Manager to sign the associated documents accordingly. Motion was seconded by Wendy Johnson and carried unanimously (7-0).

17. Discussion about Planning and Zoning Board Member City Tour on May 16, 2025

Mr. Robertson announced that staff will be contacting the Commissioners to coordinate a tour of the Viridian Development in Arlington, Texas, scheduled for May 16, 2025. He explained that the purpose of organizing these tours is to provide Commissioners with real-world examples of development elements such as density, lot sizes, amenities, and overall site design. The tours will also offer an opportunity for questions and discussion, helping to enhance the Commissioners' understanding of the types of projects being brought forward for consideration.

18. Adjourn

Zack King welcomed Terry Connor as the newest member of the Planning & Zoning Commission.

Commissioner Hudgins expressed disappointment that QuikTrip did not agree to continue the case, noting that additional time would have allowed for a more thorough review.

Commissioner Hicks agreed with Commissioner Hudgins and stated that the Commission should not be pressured into making rushed decisions.

Commissioner Johnson commended staff members Harper Lindamood and Oanh Vu for their professionalism in presenting cases.

Commissioner Norcross wished everyone a Happy Easter.

There being no further business, the meeting adjourned at 8:09 p.m.

Respectfully submitted,

Jami Bonner
Assistant City Secretary

Planning & Zoning Department

Plat Staff Report

Case: SUB-21-2025

MEETING DATE(S)

Planning & Zoning Commission: April 29, 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 approve SUB-21-2025, a Replat of the West Road Subdivision, Lot 1A and 2A, Block 1, subject to the conditions of the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

Case History

The applicant applied for this replat on February 12th 2025, and was placed on the March 11th, 2025 Planning & Zoning Commission consent agenda. The commission voted to disapprove this item 6-0 due to items in non-compliance with the Waxahachie Subdivision Ordinance. Since that time, the applicant has provided a revised submittal addressing the items in non-compliance with the Subdivision Ordinance.

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:	Adequate public facilities for domestic service only are available to the subject property. There is inadequate public facilities for firefighting purposes.

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.

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 resubmitted Replat application, staff identified remaining technical items that are in non-compliance 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, 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 2.2.b of the Waxahachie Subdivision Ordinance, a completed application submission is required. Please provide a TIA waiver form with this submittal.
3. Per Section 5.8 of the Waxahachie Subdivision Ordinance, water and sewer shall be installed prior to filing the plat.

Conditions (continued):

4. Per Section 7.1 of the Waxahachie Subdivision Ordinance, Filing Fees are required to be paid with the Plat application prior to plat filing.

Conditions (Ellis County):

1. 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.
2. Per Section II.b.2 of the Ellis County Subdivision and Development Standards, provide a completed TIA Waiver.

ATTACHED EXHIBITS

1. Replat
2. Water Utility Provider's Endorsement Letter (Nash Forreston WSC)

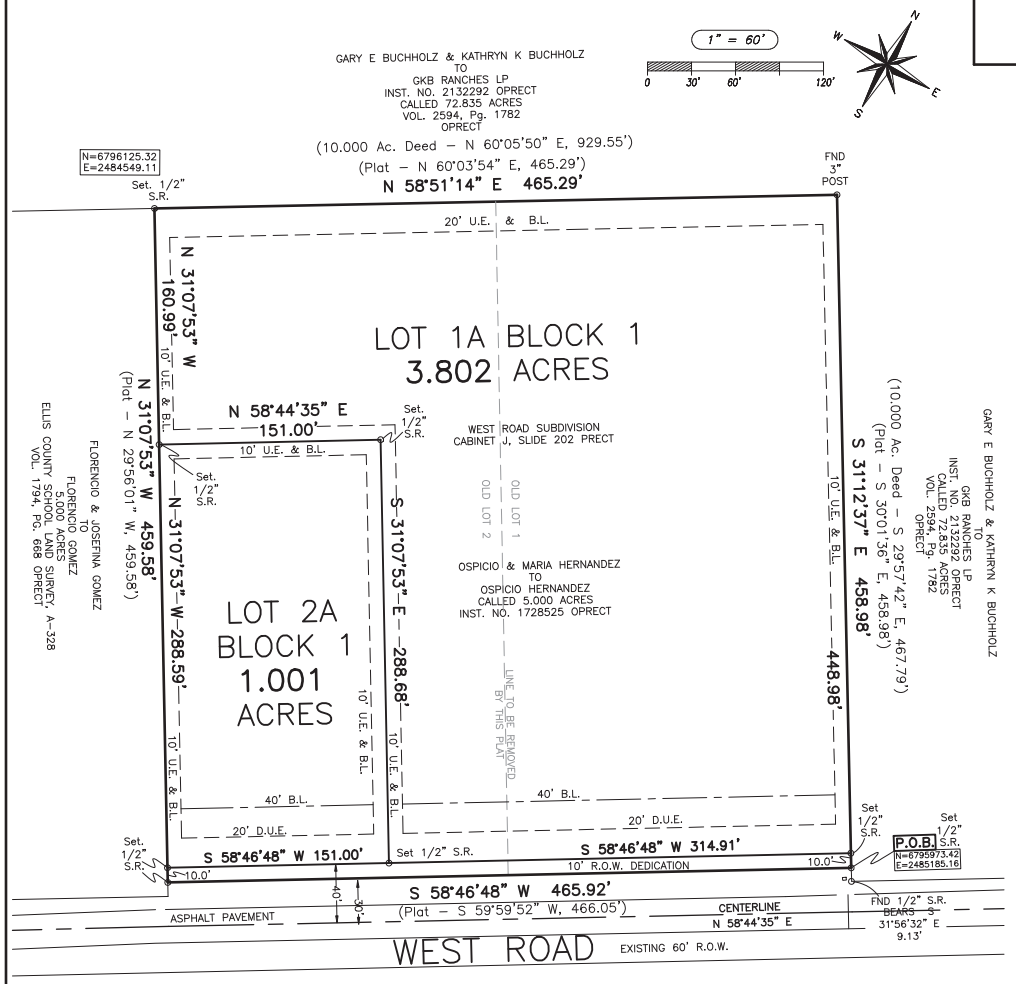
APPLICANT REQUIREMENTS

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.

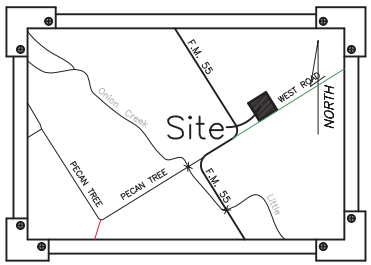
STAFF CONTACT INFORMATION

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

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



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.



LOCATION MAP SCALE : 1" = 3000'

LEGEND

O	–	Property Corner Symbol
Fnd.	–	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 Esmnt
T/R	–	Telephone Riser
PRECT	–	Plat Records, Ellis County, TX
DRECT	–	Deed Records, Ellis County, TX
OPRECT	–	Official Public Records, Ellis County, TX

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.
3. Fences, retaining walls, and screening walls shall not be placed in utility easements.

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 Road 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, 465.92 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°51'14" 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.

PRELIM, NOT TO BE RECORDED FOR ANY PURPOSES

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 1 & Lot 2
WEST ROAD SUBDIVISION
A 4.909 Acres 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-21-2025

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: 3/3/2025
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:

ON–SITE SEWAGE FACILITY STATEMENT

This plat has been approved by the Department of Development of Ellis County, Texas for on–site sewage disposal facilities and meets or exceeds the minimum requirements established by the TCEQ and the Ellis County Septic Order, pending any and all information as may be required by the Ellis County Department of Development.

_____ _____
Department of Development Director Date

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: AT TIME OF PLAT APPROVAL, THIS DEVELOPMENT DOES NOT HAVE ADEQUATE WATER FLOW TO ALLOW FOR FIRE FIGHTING AND FIRE SUPPRESSION SERVICES TO ANY IMPROVED PROPERTIES.

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

ATTEST:_____ _____
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 1 & Lot 2
WEST ROAD SUBDIVISION
A 4.909 Acres 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–21–2025

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: 3/3/2025
Scale: N/A
Drawn: D. Hocutt
Job: 224–0039
Sheet 2
of 2 sheets.

109 South Jackson Street
Waxahachie, TX 75165
Main Phone:
972-825-5200

ELLIS COUNTY
DEPARTMENT OF DEVELOPMENT
CULTIVATING IDEAS. HARVESTING SOLUTIONS.

Department Website:
www.co.ellis.tx.us/dod
Department Email:
dod@co.ellis.tx.us

WATER UTILITY PROVIDER S ENDORSEMENT

Ellis County requires new lots in subdivisions to have adequate water flow and pressure to comply with Texas Commission on Environmental Quality (TCEQ) and the latest Insurance Service Office (ISO) guidelines. Subdivisions served by water providers will need to ensure they can provide water flow/pressure per TCEQ and fire flow per the latest ISO guidelines.

Applicants, please submit this form to your water provider for completion. This completed form must be turned in at the time you submit your plat application packet. If this letter is not submitted, it will be considered an incomplete application.

PROPERTY INFORMATION

Site Address/General Location: 1480 West Rd **City/State:** Waxahachie, TX **ZIP:** 75165

Legal Description: _____

Proposed Use of plat or development: Residential **Acres:** 5.00 **Lots:** 3

APPLICANT/OWNER INFORMATION

Applicant/Agent Name: Ospicio Hernandez **Company Name:** -

Mailing Address: 1480 West Rd **City/State:** Waxahachie, TX **ZIP:** 75165

Main Phone: _____ **Email:** _____

TO BE COMPLETED BY THE WATER UTILITY PROVIDER

		YES	NO
1.	I have reviewed a copy of the proposed plat/development.	⊗	○
2.	The proposed plat/development falls within our CCN area.	⊗	○
3.	Our water system can provide water flow and pressure for domestic service, per the latest adopted TCEQ regulations and requirements.	⊗	○
4.	Our water system can provide the water flow and necessary minimum pressure for firefighting purposes, per established County regulations and ISO guidelines.	○	⊗
5.	The waterline size service the proposed plat/development is currently listed as 3 inches and located along WEST Rd/Dr/Ln/St/Blvd, etc.	⊗	○
6.	Are there plans to upsize or increase the exisiting water line mention in Question No. 5?	○	⊗

STANLEY H. LEWIS
Print Name of General Manager of Water Provider or Designee

Nash-Forreston WSC
Name of Water Provider Company

Signature of General Manager of Water Provider or Designee

1-15-2024
Date

CONTACT INFORMATION

Buena Vista-Bethel SUD	972-937-1212
Carroll Water Company	972-617-0817
Files Valley	254-689-2331
Hill Co. Coop.	800-338-6435
Mountain Peak SUD	972-775-3765
Nash Forreston WSC	972-483-3039 → 972-921-5033
Rockett SUD	972-617-3524
Sardis Lone Elm WSC	972-775-8566
South Ellis County WSC	972-483-6885
South Garnett Water	972-875-5893

NOTARY PUBLIC STATE OF TEXAS
STANLEY HIGGINS LEWIS
My Notary ID # 126539697
Expires March 3, 2027

NOTARY PUBLIC STATE OF TEXAS
STANLEY HIGGINS LEWIS
My Notary ID # 126539697
Expires March 3, 2027

Planning & Zoning Department

Plat Staff Report

Case: SUB-46-2025

MEETING DATE(S)

Planning & Zoning Commission: April 29, 2025

CAPTION

Present a request by Claudio Segovia, for a **Plat** of The Retreat at North Grove Phase 2, 111 residential lots and 3 open space lots, being 33.375 acres, located at located North of Red Maple Road, an addition to the City of Waxahachie (Property ID 294793) – Owner: J Huston Homes LLC (SUB-46-2025).

RECOMMENDED MOTION

"I move to approve SUB-46-2025, a Plat of The Retreat at North Grove Phase 2, 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 111 residential lots and 3 open space lots as part of The Retreat at North Grove Phase 2 subdivision.

CASE INFORMATION

Applicant:	Claudio Segovia
Property Owner(s):	J Huston Homes LLC
Site Acreage:	33.375 acres
Number of Lots:	114 lots
Number of Dwelling Units:	111 units
Adequate Public Facilities:	Adequate public facilities are available to the subject property via the extension of City water and wastewater infrastructure.

SUBJECT PROPERTY

General Location:	North of Red Maple Road
Parcel ID Number(s):	294793
Current Zoning:	P-SF1,2,3, MF-1, GR
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 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 approve Civil Construction Permits or issue building permits for the subject property.

With this application, the property owner proposes to plat the subject property into 111 residential lots and 3 open space X-lots as part of The Retreat at North Grove Phase 2 neighborhood. The proposed lots meet the minimum size and dimension requirements of the Planned Development zoning district for the subject property. The proposed subdivision will be accessible via ROW extensions from the following existing streets: Barbara Way, Country Drive, Refuge Way, Sandy Lane, and Terlingua Drive.

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 Plat request, subject to the conditions listed below.

Conditions:

1. Per Section 2.2.a of the Waxahachie Subdivision Ordinance, compliance with the zoning of the subject property is required. Ordinance 2914 allows for a minimum rear setback of 10'. Revise the Typical Lot Detail to reflect a minimum setback of 10' for consistency with the zoning of the subject property.
2. Per Section 2.3.b of the Waxahachie Subdivision Ordinance, an embossed hard copy of the Tax Certificate for the subject property (dated within 90-days of your filing date) showing that no delinquent taxes exist against the property is required to be provided at the time of Plat filing.

Conditions (continued):

3. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, space is required to be reserved for the placement of recording information by the Ellis County Clerk. Reserve a 12"x1.5" blank box in the top right-hand corner.
4. Per Section 2.2.a of the Waxahachie Zoning Ordinance, proposed lots must be in compliance with the zoning for the subject property. Identify the width of Lots 18, 19, 33, 34, 35, 36, 37, 38, and 39, Block 3 at the Build Line (front setback) to demonstrate compliance with the lot width requirement established by the zoning for the property.
5. Per Section 2.4.c.18 and 2.4.c.25 of the Waxahachie Subdivision Ordinance, the boundary displayed on the Plat and the legal description need to match. Please revise accordingly.
6. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, all proposed easements must be labeled. Add a label for the proposed easement crossing Lots 17X, 18, 34, and 34, Block 3.
7. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, street name approval is required at the time of platting. Please submit two street names for review.
8. Per Section 2.4.c.7 of the Waxahachie Subdivision Ordinance, the correct name of the Property Owner must be referenced on the Plat. Ownership has been transferred from "JHDMC LLC" to "J Houston Homes LLC". Please revise the ownership reference accordingly.
9.
10. Per Section 2.4.c.22 of the Waxahachie Subdivision Ordinance, please provide coordinates (northing, easting) for the POB.
11. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block including reference to the survey(s) and abstract(s) in which the property is located is required to be provided. The property also falls within the "John W. Wright Survey, Abstract No. 1182". Please add this to the title block.
12. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block including the current zoning for the property is required to be provided. The zoning is "PD-SF1,2,3, MF-1, GR". Please revise accordingly. (The zoning only needs to be referenced in the Title Block.)
13. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block must be provided. The case number is "SUB-46-2025".
14. Per Section 7.1 of the Waxahachie Subdivision Ordinance, Filing Fees are required to be paid with the Plat application prior to plat filing.
15. Per Section 3.5 of the Waxahachie subdivision ordinance, sidewalks are required along the road frontage. This will need to be shown with any building permit application.
16. Per section 5.8, water and sewer services shall be installed prior to filing the plat.
17. Per Chapter 33, Article XII, Division 2, Section 33-705: The detention pond shall be maintained by the property owner or HOA. Drainage and detention easement by this plat (to be privately maintained).
18. Per Section 2.3: Perform a title search to locate all easements on the property. Label the existing easement width and recording information.
19. Per Appendix C, V, Section 3.1 of the City's Subdivision Ordinance: Traffic impact analysis is required if the site will generate 1000 trips per day. If you believe it will not, provide a trip generation memo.
20. Per Section 4.3.d.1 of the Subdivision Ordinance, add a note documenting the HOA requirement to be responsible for "The maintenance and operation of all common property".
21. According to sections 5.6 and 5.7, retaining walls shall not be placed in utility easements. Add this to the notes.

ATTACHED EXHIBITS

1. Plat

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.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

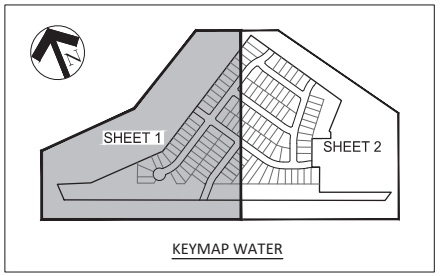
A plat shall not be filed with the Ellis County Clerk until:

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:
Harper Lindamood
Planner
Harper.lindamood@waxahachie.com

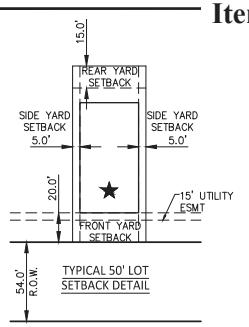
Reviewed by:
Trenton Robertson, AICP
Senior Director of Planning
Trenton.robertson@waxahachie.com



KEYMAP WATER

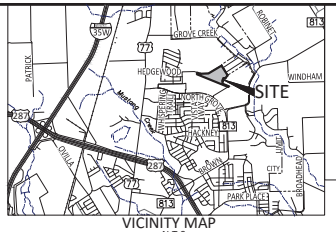
Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	126.38	250.00	28.96	N73° 42' 40"E	125.04
C2	24.12	277.00	4.99	N61° 43' 25"E	24.11
C3	22.37	277.00	4.63	N85° 52' 46"E	22.36
C4	104.13	50.00	119.33	N83° 57' 34"E	86.31
C5	29.65	50.00	33.97	S19° 23' 26"E	29.22
C6	42.06	50.00	48.20	S21° 41' 40"W	40.83
C7	34.43	50.00	39.46	S65° 31' 14"W	33.76
C8	46.38	50.00	53.15	N68° 10' 30"W	44.74
C9	9.80	243.00	2.31	S44° 15' 08"W	9.80
C10	33.75	297.00	6.51	S46° 21' 08"W	33.74
C11	76.02	270.00	16.13	S51° 09' 46"W	75.77
C12	122.09	250.00	27.98	S73° 13' 12"W	120.88
C13	128.17	250.00	29.37	N72° 31' 27"E	126.77
C14	97.41	250.00	22.33	S21° 00' 08"E	96.80
C15	45.22	223.00	11.62	S26° 21' 22"E	45.14
C16	29.78	277.00	6.16	S29° 05' 09"E	29.76
C17	43.25	277.00	8.95	S21° 31' 59"E	43.21
C18	17.91	277.00	3.70	S61° 04' 52"W	17.91
C19	6.83	277.00	1.41	S86° 30' 17"W	6.83

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C20	78.45	250.00	17.98	S48° 49' 45"W	78.12
C21	21.63	277.00	4.47	S42° 04' 37"W	21.63
C22	8.97	277.00	1.86	S38° 54' 43"W	8.97
C23	30.51	277.00	6.31	S35° 19' 15"E	30.50
C24	99.61	250.00	22.83	S43° 34' 49"E	98.96
C25	126.61	250.00	29.02	S25° 19' 54"W	125.26
C26	119.22	600.00	11.39	N16° 30' 57"E	119.03
C27	10.68	627.00	0.98	N11° 18' 40"E	10.68
C28	13.29	627.00	1.21	N21° 36' 04"E	13.29
C29	155.94	250.00	35.74	S50° 02' 04"E	153.42
C30	22.04	223.00	5.66	S34° 59' 50"E	22.03
C31	31.26	223.00	8.03	S63° 53' 15"E	31.24
C32	23.08	277.00	4.77	S65° 31' 00"E	23.07
C33	52.48	250.00	12.03	S73° 55' 04"E	52.39
C34	42.57	250.00	9.76	N75° 03' 13"W	42.52
C35	9.80	277.00	2.03	S78° 55' 05"E	9.80
C36	37.98	223.00	9.76	N75° 03' 13"W	37.93
C37	37.98	223.00	9.76	N75° 03' 13"W	37.93



TYPICAL 50' LOT SETBACK DETAIL





VICINITY MAP
N.T.S.

SCALE 1" = 100'

LEGEND

•	Point of Curvature or Tangency on Center Line
●	1/2" Iron rod set with a yellow plastic cap stamped "JVC" (unless otherwise noted)
◉	1/2" IRF (unless otherwise noted)
AC	Acre
BL	Building Line
C1	Curve No.
<CM>	Control Monument
DE	Drainage Easement
Esmt	Easement
L1	Line No.
SF	Square Feet
UE	Utility Easement
VAM	Visibility, Access & Maintenance Easement
FEE	Fence Encroahment Easement
D.R.E.C.T.	= Deed Records of Ellis County, Texas

GENERAL NOTES:

1. All lot corners monumented with a 1/2" iron rod with a yellow plastic cap stamped "JVC"unless otherwise noted.
2. All Utility easements and Drainage easements within this platted property are created by this plat, unless otherwise noted.
3. Basis of Bearing and Coordinates shown hereon refer to "Texas State Plane Coordinate System, North Central Zone (4202), North American Datum of 1983 on Grid Coordinate values.
4. Open space X lots shall be maintained by the H.O.A.
5. The property depicted in this survey lies within Zone "X" (unshaded) Floodplain as determined by the Flood Insurance Rate Map for Ellis County, Texas and incorporated areas, Map number 48139C0190F, effective date June 3, 2013.
6. Fences, retaining walls, and screening walls shall not be placed in utility easements.

BENCHMARKS:

MONUMENT NO. 3:
Mag nail set in concrete on the north sidewalk of North Grove Boulevard approximately 390' west of the centerline intersection of North Grove Boulevard and Highland Drive. The monument is located approximately 15' northeast of a fire hydrant and 100 feet northwest of a storm inlet.
Elevation = 616.73'

MONUMENT NO. 4:
Mag nail set in concrete on the north sidewalk of North Grove Boulevard at the northeast corner of the intersection of North Grove Boulevard with Vista Way. the monument is located approximately 15' north of a fire hydrant and 3' from a pair of water valves.
Elevation = 596.12'

PLAT

THE RETREAT AT NORTH GROVE PHASE 2

33.375 ACRES

LOTS 17X, 18-48, BLOCK 3; LOTS 23X, 24-40, BLOCK 5;
LOTS 1-21, BLOCK 21; LOTS 1-17, BLOCK 22; LOTS 1-13
BLOCK 23; LOTS 1-5, 6X, BLOCK 28; LOTS 1-6, BLOCK 29;
OUT OF THE
HENRY SANGE SURVEY, ABSTRACT NO. 1009
JOHN B. ADAMS & ANN ADAMS SURVEY, ABSTRACT NO. 5
JOHN BILLINGSLEY SURVEY, ABSTRACT NO. 83
CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS
111 SINGLE RESIDENTIAL LOTS
3 OPEN SPACES

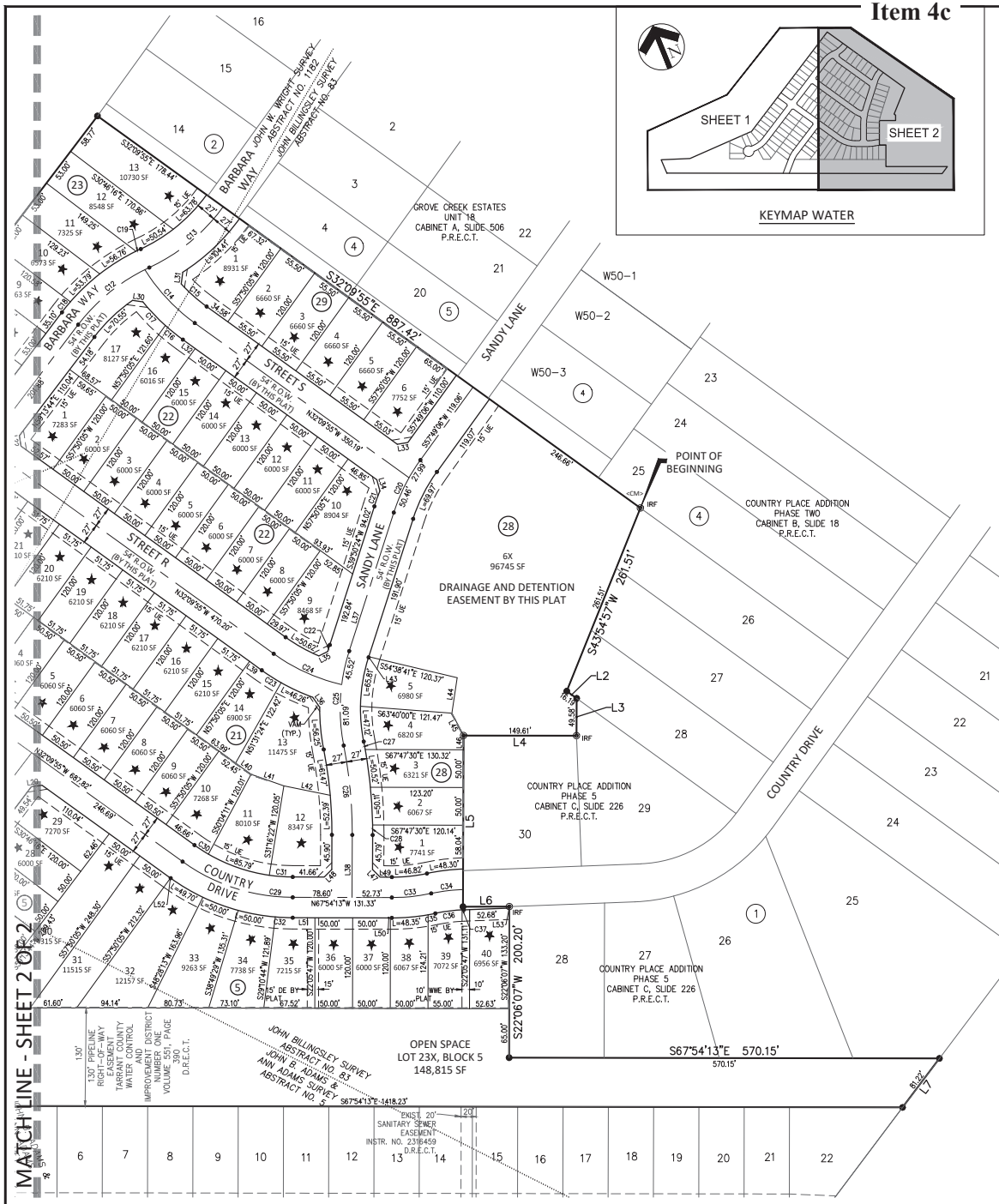
Owner:
JHDMC LLC
421 Century Way
Red Oak, TX 75154
Phone: 972-937-4085
Contact: Chad Miles

Developer/Applicant:
Bloomfield Homes, L.P.
1900 W. Kirkwood Blvd., Ste. 2300B
Southlake, TX 76092
Phone: 817-764-3015
Contact: Clint Vincent

Engineer/Surveyor:
Johnson Volk Consulting, Inc.
704 Central Parkway East, Ste. 1200
Plano, TX 75074
Phone: 972-201-3102
Contact: Claudio Segovia, P.E.

JOHNSON VOLK CONSULTING
TBPELS Engineering Firm No. 11962 / Land Surveying Firm No. 10194033
704 Central Parkway East | Suite 1200 | Plano, TX 75074 | 972.201.3100

20 March 2025
SHEET 1 OF 3



GENERAL NOTES:

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5. The property depicted in this survey lies within Zone "X" (unshaded) Floodplain as determined by the Flood Insurance Rate Map for Ellis County, Texas and incorporated areas, Map number 48139C0190F, effective date June 3, 2013.
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LEGEND

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◉	1/2" IRF (unless otherwise noted)
AC	Acre
BL	Building Line
C1	Curve No.
<CM>	Control Monument
DE	Drainage Easement
Esmt	Easement
L1	Line No.
SF	Square Feet
UE	Utility Easement
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BENCHMARKS:

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Mag nail set in concrete on the north sidewalk of North Grove Boulevard at the northeast corner of the intersection of North Grove Boulevard with Vista Way. the monument is located approximately 15' north of a fire hydrant and 3' from a pair of water valves.
Elevation = 596.12'

Line Table		
Line	Length	Direction
L1	135.11	N1° 06' 42"W
L2	16.19	S32° 08' 14"E
L3	49.58	S22° 14' 19"W
L4	149.61	N67° 54' 53"W
L5	226.88	S22° 12' 30"W
L6	61.50	S68° 10' 28"E
L7	81.22	S58° 56' 29"W
L8	4.00	N1° 48' 26"W
L9	63.60	S88° 11' 34"W
L10	24.13	S59° 13' 44"W
L11	19.43	N59° 13' 44"E
L12	18.70	S88° 11' 34"W
L13	16.16	N88° 11' 34"E
L14	9.01	N88° 11' 34"E
L15	32.98	N53° 37' 19"E
L16	14.47	S59° 13' 44"W
L17	10.84	S67° 54' 13"E
L18	11.00	N43° 05' 47"E

Line Table		
Line	Length	Direction
L19	0.36	N59° 13' 44"E
L20	14.31	N76° 28' 05"W
L21	13.97	N13° 31' 55"E
L22	13.97	S13° 31' 55"W
L23	14.31	N76° 28' 05"W
L24	9.14	S88° 11' 34"W
L25	139.89	N43° 05' 47"E
L26	13.97	N13° 31' 55"E
L27	14.31	S76° 28' 05"E
L28	13.97	S13° 31' 55"W
L29	14.31	N76° 28' 05"W
L30	13.59	N59° 51' 07"W
L31	15.32	S29° 26' 37"W
L32	20.28	N32° 09' 55"W
L33	14.14	N77° 10' 24"W
L34	15.60	N6° 35' 30"E
L35	13.31	S85° 14' 48"W
L36	16.12	N12° 47' 37"W

Line Table		
Line	Length	Direction
L37	192.84	N39° 50' 24"E
L38	82.85	N22° 12' 30"E
L39	20.09	S32° 09' 55"E
L40	25.30	N32° 09' 55"W
L41	46.06	S48° 29' 31"E
L42	62.74	S56° 25' 32"E
L43	0.94	N39° 50' 24"E
L44	47.48	S30° 26' 45"W
L45	33.47	N5° 29' 15"W
L46	18.94	N22° 12' 30"E
L47	14.13	N22° 50' 51"W
L48	14.16	N67° 09' 09"E
L49	15.68	N67° 54' 13"W
L50	50.00	S67° 54' 13"E
L51	29.43	S67° 54' 13"E
L52	50.00	S32° 09' 55"E
L53	200.20	S22° 06' 07"W

PLAT

THE RETREAT AT NORTH GROVE PHASE 2

33.375 ACRES

LOTS 17X, 18-48, BLOCK 3; LOTS 23X, 24-40, BLOCK 5; LOTS 1-21, BLOCK 21; LOTS 1-17, BLOCK 22; LOTS 1-13 BLOCK 23; LOTS 1-5, 6X, BLOCK 28; LOTS 1-6, BLOCK 29; OUT OF THE HENRY SANGE SURVEY, ABSTRACT NO. 1009 JOHN B. ADAMS & ANN ADAMS SURVEY, ABSTRACT NO. 5 JOHN BILLINGSLEY SURVEY, ABSTRACT NO. 83 CITY OF WAXAHACHIE ELLIS COUNTY, TEXAS

111 SINGLE RESIDENTIAL LOTS
3 OPEN SPACES

Owner:
JHDMC LLC
421 Century Way
Red Oak, TX 75154
Phone: 972-937-4085
Contact: Chad Miles

Developer/Applicant:
Bloomfield Homes, L.P.
1900 W. Kirkwood Blvd., Ste. 2300B
Southlake, TX 76092
Phone: 817-764-3015
Contact: Clint Vincent

Engineer/Surveyor:
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Phone: 972-201-3102
Contact: Claudio Segovia, P.E.

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TBPELS Engineering Firm No. 11962 / Land Surveying Firm No. 10194033
704 Central Parkway East | Suite 1200 | Plano, TX 75074 | 972.201.3100

20 March 2025
SHEET 2 OF 3

LEGAL DESCRIPTION

33.375 ACRES

BEING a tract of land situated in the JOHN B. ADAMS & ANN ADAMS SURVEY, ABSTRACT NO. 5, the JOHN BILLINGSLEY SURVEY, ABSTRACT NO. 83, the HENRY SANGE SURVEY, ABSTRACT NO. 1009 and the JOHN W. WRIGHT SURVEY, ABSTRACT NO. 1182, City of Waxahachie, Ellis County, Texas and being a remainder of that tract of land described in Deed to J. Houston Homes, LLC, as recorded in Document No. 2120235, Deed Records, Ellis County, Texas;

BEGINNING at a 1/2 inch iron rod found for the northwest corner of Lot 26, COUNTRY PLACE ADDITION, PHASE TWO, an Addition to the City of Waxahachie, Ellis County, Texas according to the plat filed or record in Cabinet B, Slide 18, Plat Records, Ellis County, Texas, for the most northerly northeast corner of this tract;

THENCE South 43 degrees 54 minutes 57 seconds West, a distance of 261.51 feet to a 1/2 inch iron rod with yellow plastic cap stamped "JVC" set for a corner;

THENCE South 32 degrees 08 minutes 14 seconds East, a distance of 16.19 feet to a 1/2 inch iron rod with yellow plastic cap stamped "JVC" set for a corner;

THENCE South 22 degrees 14 minutes 19 seconds West, a distance of 49.58 feet to a point for corner from which a 1/2 inch iron rod found for witness to said corner bears South 28 degrees 06 minutes 48 seconds East, 0.25 feet;

THENCE North 67 degrees 54 minutes 53 seconds West, a distance of 149.61 feet to a 1/2 inch iron rod found for the northwest corner of Lot 30, COUNTRY PLACE ADDITION PHASE 5, an addition to the City of Waxahachie, Ellis County, Texas as recorded by plat filed in Cabinet C, Slide 226, Plat Records Ellis County, Texas for an interior "ell" corner of this tract;

THENCE South 22 degrees 12 minutes 30 seconds West, a distance of 226.88 feet to a 1/2 inch iron rod with yellow plastic cap stamped "JVC" set for a corner;

THENCE South 68 degrees 10 minutes 28 seconds East, a distance of 61.50 feet to a point for corner from which a 1/2 inch iron rod found for witness to said corner bears South 09 degrees 50 minutes 13 seconds West, 0.31 feet;

THENCE South 22 degrees 06 minutes 07 seconds West, a distance of 200.20 feet to a 1/2 inch iron rod with yellow plastic cap stamped "JVC" set for a corner;

THENCE South 67 degrees 54 minutes 13 seconds East, a distance of 570.15 feet to a 1/2 inch iron rod with yellow plastic cap stamped "JVC" set for a corner;

THENCE South 58 degrees 56 minutes 29 seconds West, a distance of 81.22 feet to a 1/2 inch iron rod with yellow plastic cap stamped "JVC" set for a corner;

THENCE North 67 degrees 54 minutes 13 seconds West, a distance of 2553.58 feet to a 1/2 inch iron rod with yellow plastic cap stamped "JVC" set for a corner;

THENCE North 01 degrees 06 minutes 42 seconds West, a distance of 135.11 feet to a 1/2 inch iron rod with yellow plastic cap stamped "JVC" set for a corner;

THENCE South 70 degrees 21 minutes 04 seconds East, a distance of 267.80 feet to a point for corner from which a 1/2 inch iron rod found for witness to said corner bears North 50 degrees 17 minutes 32 seconds East, 0.25 feet;

THENCE North 88 degrees 11 minutes 34 seconds East, a distance of 624.86 feet to a 1/2 inch iron rod with plastic cap stamped "BEASLEY" found for a corner;

THENCE North 59 degrees 13 minutes 44 seconds East, a distance of 1,157.94 feet to a point for corner from which a 1/2 inch iron rod found for witness to said corner bears North 32 degrees 09 minutes 55 seconds West, 2.82 feet;

THENCE South 32 degrees 09 minutes 55 seconds East, a distance of 887.42 feet to the POINT OF BEGINNING and containing 33.375 acres of land, more or less.

OWNER'S DEDICATION:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT _____. acting by and through their duly authorized agent, do hereby adopt this plat, designating the herein described property as **THE RETREAT AT NORTH GROVE, PHASE 2**, an addition to the City of Waxahachie, Texas, and do hereby dedicate in fee simple the streets, alleys, and common areas shown thereon. The streets, 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 building, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective system 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 its respective systems without the necessity at any time of procuring the 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 _____ day of _____, 2025.

By: _____

_____

NAME: _____

TITLE: _____

STATE OF TEXAS §
COUNTY OF ELLIS §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State on this date personally appeared Clint Vincent, Owner's Agent, 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

My Commission Expires: _____

SURVEYORS CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS: That I, Ryan S. Reynolds, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the platting rules and regulations of City of Waxahachie, Texas.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2025.

_____
RYAN S. REYNOLDS, R.P.L.S.
Registered Professional Land Surveyor No. 6385

STATE OF TEXAS §
COUNTY OF ELLIS §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State on this date personally appeared Ryan Reynolds, 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

My Commission Expires: _____

Visibility, Access and Maintenance Easements: The area or areas shown on the plat as "VAM" (Visibility, Access and Maintenance) Easement(s) are hereby given and granted to the City, its successors and assigns, as an easement to provide visibility, right of access for maintenance upon and across said VAM Easement. The City shall have the right but not the obligation to maintain any and all landscaping within the VAM Easement. Should the City exercise this maintenance right, then it shall be permitted to remove and dispose of any and all landscaping improvements, including without limitation, any trees, shrubs, flowers, ground cover and fixtures. The City may withdraw maintenance of the VAM Easement at any time. The ultimate maintenance responsibility for the VAM Easement shall rest with the owners. No building, fence, shrub, tree or other improvements or growths, which in any way may endanger or interfere with the visibility, shall be constructed in, on, over or across the VAM Easement. The City shall also have the right but not the obligation to add any landscape improvements to the VAM Easement, to erect any traffic control devices or signs on the VAM Easement and to remove any obstruction thereon. The City, its successors, assigns, or agents shall have the right and privilege at all times to enter upon the VAM Easement or any part thereof for the purposes and with all rights and privileges set forth herein.

APPROVED BY: Planning and Zoning Commission
City of Waxahachie

By: _____ _____
Chairperson Date

_____ _____
Attest Date

APPROVED BY: CITY COUNCIL
City of Waxahachie

By: _____ _____
Chairperson Date

_____ _____
Attest Date

PLAT
THE RETREAT AT NORTH GROVE PHASE 2
33.375 ACRES
LOTS 17X, 18-48, BLOCK 3; LOTS 23X, 24-40, BLOCK 5;
LOTS 1-21, BLOCK 21; LOTS 1-17, BLOCK 22; LOTS 1-13
BLOCK 23; LOTS 1-5, 6X, BLOCK 28; LOTS 1-6, BLOCK 29;
OUT OF THE
HENRY SANGE SURVEY, ABSTRACT NO. 1009
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JOHN BILLINGSLEY SURVEY, ABSTRACT NO. 83
CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS
111 SINGLE RESIDENTIAL LOTS
3 OPEN SPACES

20 March 2025
SHEET 3 OF 3

Owner:
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421 Century Way
Red Oak, TX 75154
Phone: 972-937-4085
Contact: Chad Miles

Developer/Applicant:
Bloomfield Homes, L.P.
1900 W. Kirkwood Blvd., Ste. 2300B
Southlake, TX 76092
Phone: 817-764-3015
Contact: Clint Vincent

Engineer/Surveyor:
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TBPELS Engineering Firm No. 11962 / Land Surveying Firm No. 10194033
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Planning & Zoning Department

Plat Staff Report

Case: SUB-47-2025

MEETING DATE(S)

Planning & Zoning Commission: April 29, 2025

CAPTION

Present a request by Jerod Mandrele, for a **Replat** of Lots 8 & 9, Block B of the Phillips Resubdivision, Block 18 of the West End Addition, to create Lots 8R, & 9R, Block B of the Phillips Resubdivision, Block 18 of the West End Addition, 3 residential lots, being 0.3521 acres, located at 108 Maledon Street (Property ID 176725) – Owner: Marsha Fincher (SUB-47-2025).

RECOMMENDED MOTION

"I move to approve SUB-47-2025, a Replat of the Berryman Addition, subject to the conditions the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

APPLICANT REQUEST

The applicant requests to replat the subject property to reconfigure the shared property line between two existing lots.

CASE INFORMATION

Applicant:	Jerod Mandrele
Property Owner(s):	Marsha Fincher
Site Acreage:	.3521 acres
Number of Lots:	3 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:	108 Maledon Street
Parcel ID Number(s):	176725
Current Zoning:	Single Family-2 (SF-2)
Existing Use:	Residential
Platting History:	The subject property is platted as Lots 7, 8, & 9, Block B of the Phillips Resubdivision, Block 18 of the West End 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 (2) platted lots that front Maledon Street. The property owner proposes this Replat to reconfigure the shared property line between the two lots. The proposed Replat will orient Lot 9R to front along Spencer Street as opposed to Maledon 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 2.3.b of the Waxahachie Subdivision Ordinance, an embossed hard copy of the Tax Certificate for the subject property (dated within 90-days of your filing date) showing that no delinquent taxes exist against the property is required to be provided at the time of Plat filing.
2. Per Section 7.1 of the Waxahachie Subdivision Ordinance, all fees must be paid before filling with the county.
3. Per section 5.8 of the Waxahachie Subdivision Ordinance, water and sewer services shall be installed prior to filing the plat.

ATTACHED EXHIBITS

1. Replat

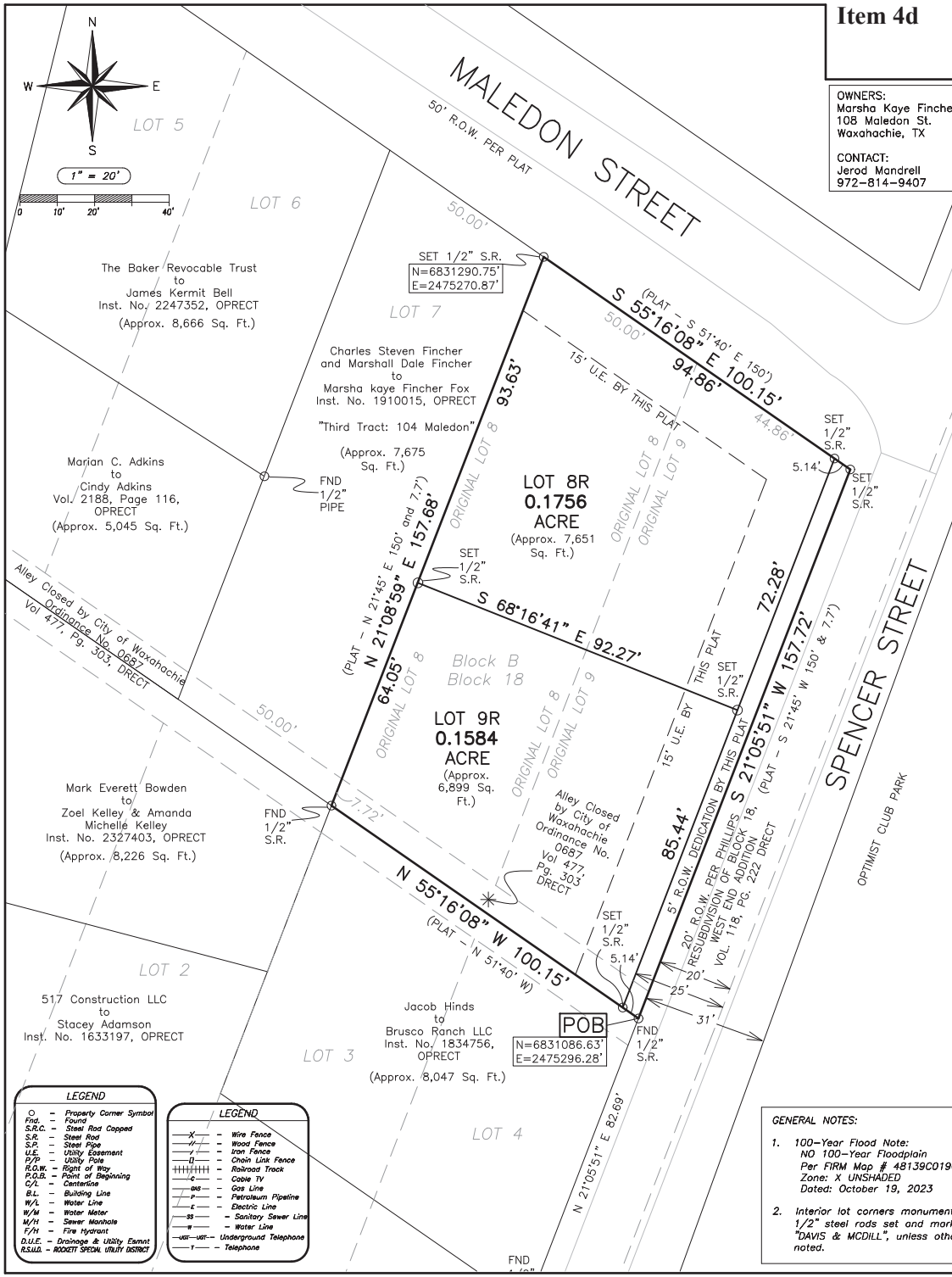
APPLICANT REQUIREMENTS

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



OWNERS:
Marsha Kaye Fincher Fox
108 Maledon St.
Waxahachie, TX

CONTACT:
Jerod Mandrell
972-814-9407

STATE OF TEXAS §
COUNTY OF ELLIS §
WHEREAS, Marsha Kaye Fincher Fox is the Owner of the tract of land described below:

BEING a part of Alfred Polk Survey, Abstract Number 827, City of Waxahachie, Ellis County, Texas and being Lots 8 and 9 and part of a closed 15 foot alley in Block B, Phillips Re Subdivision of Block 18, West End Addition, according to the plat thereof recorded in Volume 118, Page 222, Deed Records, Ellis County, Texas, and being the First Tract, Second Tract and Third Tract described in deed from Charles Steven Fincher and Marshall Dale Fincher to Marsha Kaye Fincher Fox, recorded in Instrument Number 1910015, Official Public Records, Ellis County, Texas (OPRECT) and being more particularly described by its metes and bounds as follows:

BEGINNING at a point on the northwest right of way line of Spencer Street, a 20 foot wide public street dedicated in said Phillips Re Subdivision of Block 18, West End Addition, at the southeast corner of said First Tract and the northeast corner of the tract described in deed from Jacob Hinds and Jessica Hinds to Brusco Ranch LLC, recorded in Instrument Number 1834756, OPRECT and in the center of said 15 foot wide alley closed and released to adjoining lot owners by City of Waxahachie, Texas, Ordinance Number 0687, recorded in Volume 477, Page 303, DRECT, a ½ inch steel rod found, having surface coordinate values of North (Y) = 6831086.63 feet and East = (X) = 2475296.28 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;

THENCE N 55°16'08" W (PLAT – N 51°40' W), with the southwest line of said First Tract, the center of said Alley, and the northeast line of said Brusco Ranch LLC tract, 100.15 feet to a ½ inch steel rod found at the southeast corner of said First Tract, the northwest corner of said Brusco Ranch LLC and the northeast corner of the tract described in deed from Mark Everett Bowden to Zoel Kelley & Amanda Michelle Kelley, recorded in Instrument Number 2327403, OPRECT, a ½ inch steel rod with plastic cap stamped "DAVIS & McDILL" set;

THENCE N 21°08'59" E (PLAT – N 21°45' E, 150' and 7.7') passing at 7.72 feet the northeast line of said Alley and the southwest corner of Lot 8, and the southeast corner of Lot 9, continuing with the common line of said Lot 8 and Lot 7, Phillips Re Subdivision of Block 18, West End Addition, in all, 157.68 feet to the southwest line of Maledon Street, a 50 foor wide public street dedicated in said Phillips Resubdivision of Block 18, Block 18, West End Addition, the northeast line of said Block B, the common north corner of said Lot 7 and Lot 8, a 1/2" steel rod with plastic cap stamped "DAVIS & MCDILL" set;

THENCE S 55°16'08" E, with said right of way line of Maledon Street, the northeast line of said Block B, the northeast line of said Lot 8, passing at 50.00 feet the northeast corner of said Lot 8, and the northwest corner of said Lot 9, in all 100.15 feet to the northeast corner of said Lot 9 and the intersection of said Maledon Street right of way line with said Spencer Street right of way line, a ½ inch steel rod with plastic cap stamped "DAVIS & McDILL" set;

THENCE S 21°05'51" W (PLAT – S 21°45' W), with said right of way line of said Spencer Street, the southeast line of said Block B, the southeast line of said Lot 9 and the southeast line of said Fox, Second and First tracts, passing the southeast corner of said Lot 9 and the northeast corner of said alley at 150.00 feet, continuing with said right of way line of said Spencer Street, the southeast line of said Block B, and the southeast line of said Fox First tract, in all, 157.72 feet to the point of beginning and containing approximately 15,338 square feet or 0.3521 acre of land.

Surveyor's Certificate:

KNOW ALL MEN BY THESE PRESENTS§

That I, Stuart G. Hamilton, RPLS 4480, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie.

"Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document."

Stuart G. Hamilton
Registered Professional Land Surveyor
Number 4480

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: 4/21/2025
Scale: 1" = 20'
Drawn: D. McDill
Job: 224-0056
Sheet 1 of 2 sheets.

LEGEND

O	Property Corner Symbol
Fnd.	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
B.L.	Building Line
W/L	Water Line
W/M	Water Meter
M/H	Sewer Manhole
F/H	Fire Hydrant
D.U.E.	Drainage & Utility Easmnt
R.S.U.D.	ROCKETT SPECIAL UTILITY DISTRICT

LEGEND

X	Wire Fence
//	Wood Fence
//	Iron Fence
CL	Chain Link Fence
	Railroad Track
C	Cable TV
GAS	Gas Line
P	Petroleum Pipeline
E	Electric Line
SS	Sanitary Sewer Line
W	Water Line
UGT UGT	Underground Telephone
T	Telephone

GENERAL NOTES:

1. 100-Year Flood Note:
   NO 100-Year Floodplain
   Per FIRM Map # 48139C0190 G
   Zone: X UNSHADED
   Dated: October 19, 2023
2. Interior lot corners monumented with 1/2" steel rods set and marked with "DAVIS & MCDILL", unless otherwise noted.

REPLAT
LOTS 8R & 9R, BLOCK B
Phillips Resubdivision of
Block 18, West End Addition

A 0.3521 Acre Addition to the City of Waxahachie
City of Waxahachie, Ellis County, Texas
2 Single Family Residential Lots
Current Zoning SF-2
Case Number: SUB-47-2025

OWNER'S CERTIFICATE:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Marsha Kaye Fincher Fox, does hereby adopt this plat designating the herein above described property as Lot 7R, LOT 8R, AND LOT 9R, Block B, Phillips Re Subdivision of Block 18, West End Addition, an addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waxahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of Ingress and Egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

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

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

BY:

_____
Marsha Kaye Fincher Fox

STATE OF TEXAS §
COUNTY OF ELLIS §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Marsha Kaye Fincher Fox, 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 _____, 20__.

_____
Notary Public in and for the State of Texas

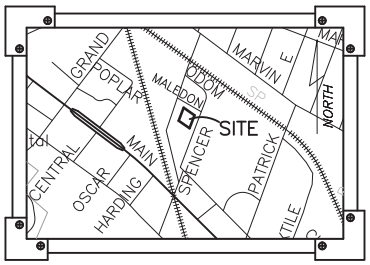
My Commission Expires On: _____

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

STATE OF TEXAS:
COUNTY OF ELLIS:

APPROVED BY: Planning and Zoning Commission City of Waxahachie

By: _____ _____
Chairperson Date



LOCATION MAP SCALE : 1" = 1000'

DRAINAGE NOTES:

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

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

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

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

(5) RETAINING WALLS SHALL NOT BE PLACED IN UTILITY EASEMENTS.

REPLAT
LOTS 8R & 9R, BLOCK B
Phillips Resubdivision of
Block 18, West End Addition

A 0.3521 Acre Addition to the City of Waxahachie
City of Waxahachie, Ellis County, Texas
2 Single Family Residential Lots
Current Zoning SF-2
Case Number: SUB-47-2025

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 # 10194881

D&M

Date: 4/21/2025
Scale: N/A
Drawn: D. McDill
Job: 224-0056
Sheet 2 of 2 sheets.

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-133-2024

MEETING DATE(S)

Planning & Zoning Commission: April 29, 2025
City Council: May 5, 2025

CAPTION

Public Hearing on a request by Ray Porter for a **Specific Use Permit (SUP)** for Accessory Structures exceeding 1,000 square feet in combined area use within a Commercial (C) zoning district located at 105 Lucas Street (Property ID 189027) – Owner(s): Ray Porter & Wanda Porter (ZDC-133-2024)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-133-2024, a Specific Use Permit (SUP) for Accessory Structures exceeding 1,000 square feet in combined floor area use, subject to the conditions 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 Accessory Structures exceeding 1,000 square feet in combined floor area use.

CASE INFORMATION

Applicant:	Ray Porter
Property Owner(s):	Ray Porter & Wanda Porter
Site Acreage:	0.402 acres
Current Zoning:	Commercial (C)
Requested Zoning:	C with a SUP for Accessory Structures exceeding 1,000 square feet in combined floor area.

SUBJECT PROPERTY

General Location:	105 Lucas Street
Parcel ID Number(s):	189027
Existing Use:	Single-family residential
Development History:	A portion of the subject property is platted as a portion of Lot 2 of the Strength addition. The majority of the property is unplatted.

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 Lucas Street

Site Image:



PLANNING ANALYSIS

The applicant is requesting a Specific Use Permit (SUP) to construct Accessory structures exceeding 1,000 square feet in combined floor area at 105 Lucas Street. The subject property has three existing accessory structures totaling approximately 2,155 square feet in size located at the rear of the property. The applicant is proposing to keep all existing accessory structures in addition to the carport accessory structure requested with this SUP Application.

Proposed Use:

According to the Ellis County Appraisal District, the existing primary structure is approximately 1,782 square feet, and the proposed accessory structure is approximately 576 square feet. The accessory structure is proposed to be comprised of either wooden beams or 4" steel posts and a bronze metal roof. The applicant is proposing to expand the existing gravel driveway to access the accessory structure as opposed to installing a new concrete driveway. With this application, the property owner is requesting deviations from the Waxahachie Zoning Ordinance to allow the structure to encroach within the typical front setback requirement of 25'. The structure is proposed to be located approximately 12' from the front property line. The applicant has noted that the carport is desired at this time to shield personal vehicles from fallen tree debris, as there is no garage for the home.

Staff Concern – Utility Easement Conflict at the time of Platting:

The accessory structure is proposed to be located within the unplatted portion of the subject property. Per the Waxahachie Subdivision Ordinance, the subject property is required to be platted prior to the issuance of building permits. With this in mind, the Applicant will need to receive approval of, and file, a Replat for the subject property before a building permit may be issued. At the time of platting, the Waxahachie Subdivision Ordinance requires the dedication of a 15' Utility Easement along all public right-of-way (ROW). The proposed location of the accessory structure approximately 12' from the front property line presents a conflict with the requirement for a 15' Utility Easement dedication.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, fourteen (14) notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PUBLIC NOTIFICATION RESPONSES

Staff received zero (0) letters of support and zero (0) letters of opposition for the proposed SUP.

RECOMMENDATION

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

Conditions:

1. The accessory structure shall not be used for commercial purposes.
2. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
3. The applicant shall Replat the subject property prior to the issuance of a building permit for the accessory structure.
4. The applicant shall obtain all necessary permits for construction and demolition from the City of Waxahachie Building Department prior to the construction of the accessory structure.

ATTACHED EXHIBITS

1. Public Notification Responses
2. Applicant Letter
3. Site Photos
4. Location Map (Exhibit A)
5. Site Plan (Exhibit B)
6. Elevations (Exhibit C)

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

Applicant Letter

Item 5&6

William R. & Wanda J. Porter
105 Lucas Street
Waxahachie, Texas 75165

Waxahachie City Council &
Planning & Zoning Board
408 South Rogers Street
Waxahachie, Texas 75165

June 11, 2024

RE: Specific Use Permit for
Carport for our home

Uploaded on the Citizen Self Service Portal

Ladies & Gentlemen,

Following is the Specific Use Permit (SUP) Application and the documents that I am uploading to the Citizen Self Service Portal with this letter.

Wanda and I would like to build a carport in front of our house on the Northeast corner of our lot where we have been parking for many years. I know the Building Code is that carports must be located no closer to the facing street than half-way from the side of our house to the street so we are also asking for a Variance for that as well.

We would also like to widen our existing driveway up to 6' on both sides due to the constraints of our property as discussed below.

We have a grackle and pecan tree problem. In the Spring, grackles swarm in the hundreds and perch on the Pecan trees above our cars. They leave many, many white splotches on our cars each day. In Summer, the 100+ year old pecan trees above our cars leave copious amounts of sap and provide broken limbs as they "self-prune". We also have a hail problem with the extreme weather we are now experiencing. These are the main reasons we would like to build a carport.

We have lived in our house for 36 years. It was grandfathered in and is Residential Use as long as the owner wants to use it as residential. Originally, we had access to the one-car garage in the back of the property using an unimproved road from Business Hwy. 287 that we used for 14 years. It now is where the Strength Medical Building is located. When Kevin Strength was planning the building, we made a deal whereby he would take away our rear access and sell us a 13' wide strip along the North side of our tract for access from Lucas Street in front to the back of our property. The garage in the back of our property has been used as a work shop for all these years. For this reason, we have been parking on the Northeast corner of our lot for the last 22 years. We also put crushed concrete down over our parking area many years ago.

Continued

Applicant Letter

Item 5&6

William R. & Wanda J. Porter
105 Lucas Street
Waxahachie, Texas 75165

When we began planning for a 24' x 24' carport, we knew that we had to leave enough room along the Strength fence line on the North side of our property so we could have access to the back of the property. This requires us to move the carport just a few feet left of the existing 24' wide driveway when facing the front of our parking area. Our request for widening the driveway up to 6' on either side is to align the left side of the carport with the driveway for easier entrance and exit on that side and to accommodate access to the back of the property on the right side, see Corner Detail following.

Our house was built in 1932 and since our house is recognized by Historic Waxahachie, Inc., we want to make sure the carport matches the architecture of our house as much as possible. We plan to use either composite wood planks miter cut to be flush and to cover the 4" square steel posts or to use rock that matches the rock on our house. The carport will have a bronze metal roof and front which will match our chimney cap.

I have spoken with City officials and they believe that approving our SUP and Variance may be feasible since we are surrounded by commercial property on all sides and since this is an "infill" request with no future development available on Lucas Street.

We hope that you will approve our Application and please contact me if you need additional information.

Sincerely,

W Ray Porter

William Ray Porter

C: Attachments

Site Photos

Item 5&6



Site Photos

Item 5&6



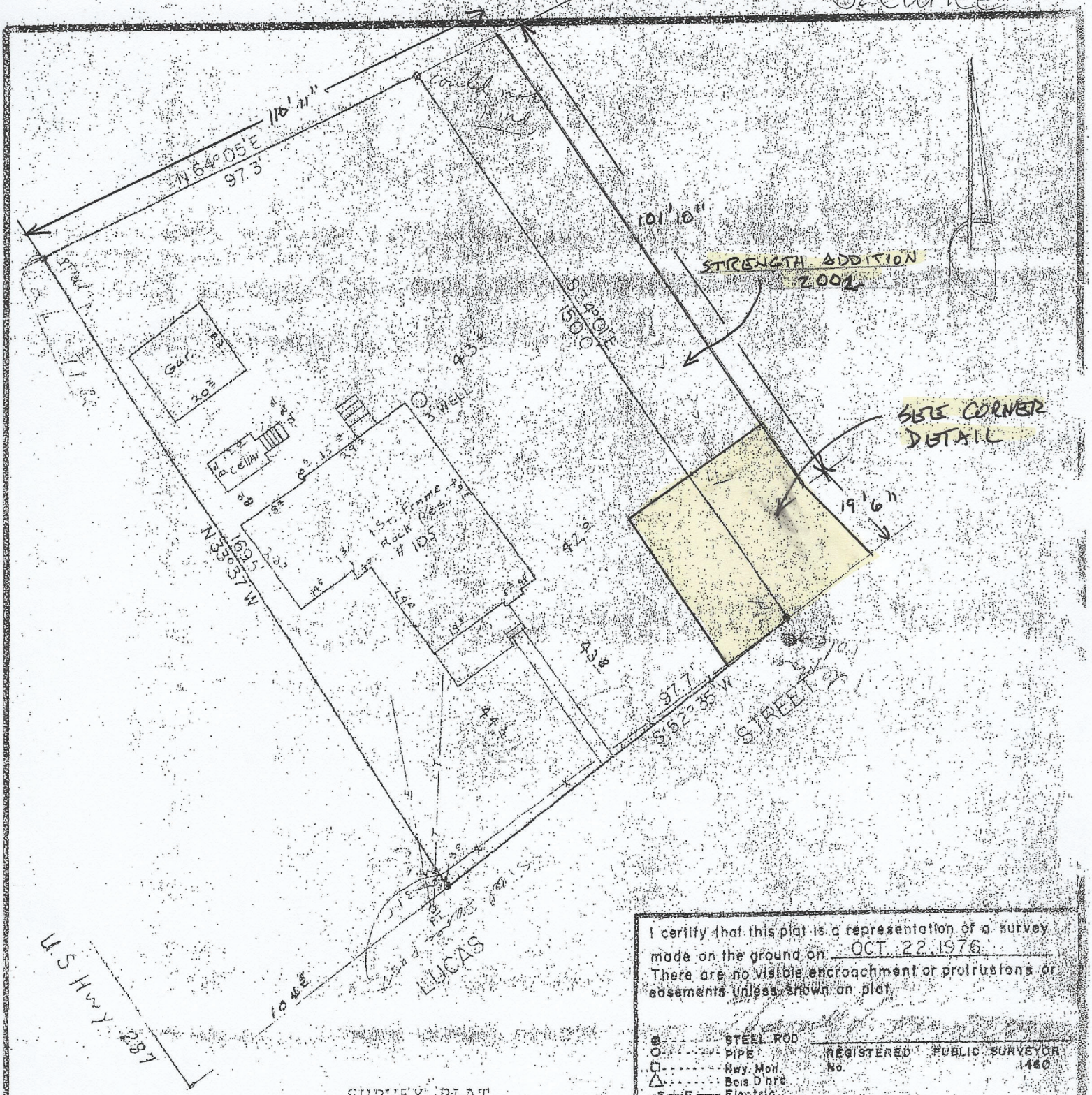

Location Map (EXHIBIT A)
Item 5&6
BROOKSIDE RD
W US HIGHWAY 287 BUS
LUCAS ST
STROUD ST
N
0
125
250
500
750
1,000
Feet
ZDC-133-2024 (SUP)

Site Plan (EXHIBIT B)

Item 5&6

105 LUCAS ST - SURV... ATED FOR STRENGTH PURCHASE - 2002
TOTAL .402 AC

J. Curlee



SURVEY PLAT
of
0.36 Acres in the
A. Polk Survey
Abstract 827
Ellis County, Texas

I certify that this plat is a representation of a survey made on the ground on OCT. 22, 1976. There are no visible encroachment or protrusions or easements unless shown on plat.

@ ..... STEEL ROD
O ..... PIPE
□ ..... Nwy. Mon.
△ ..... Bois D'arc
-E—E— Electric
-X—X— Fence
-T—T— Telephone
-P—P— Pipeline
-W—W— Waterline

REGISTERED PUBLIC SURVEYOR No. 1480

SEAL

SCALE: 1" = 30' JOB NO. 2101-T

ELLIS ASSOCIATES
SURVEYORS
106 N. COLLEGE Ph. 214/937-7474
WAXAHACHIE, TEXAS 75165

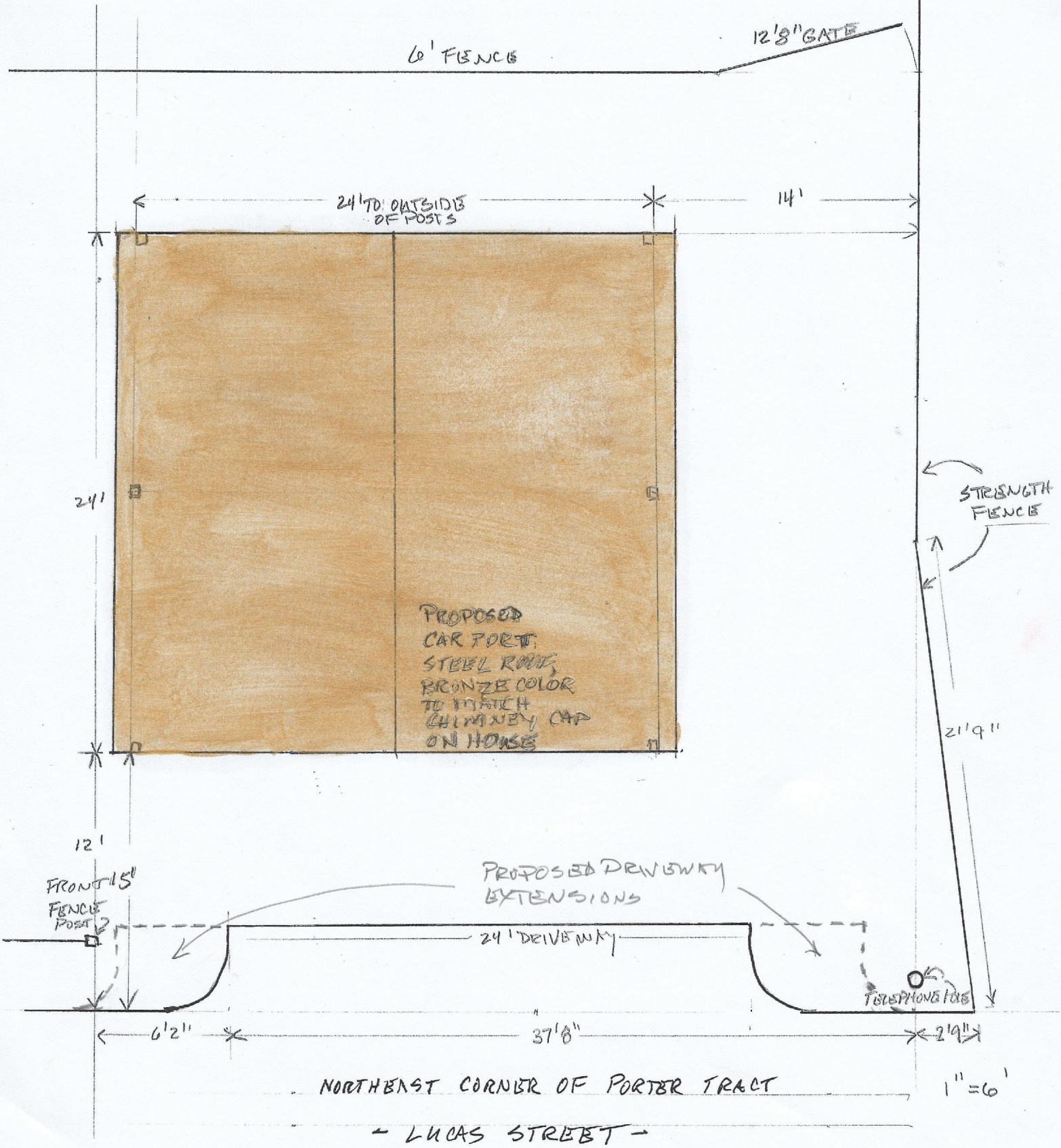
Site Plan (EXHIBIT B)

Item 5&6

WILLIAM & WANDA PORTER - 105 LUCAS STREET

PROPOSED CAR PORT - CORNER DETAIL

TOP VIEW



NORTHEAST CORNER OF PORTER TRACT

1" = 6'

- LUCAS STREET -

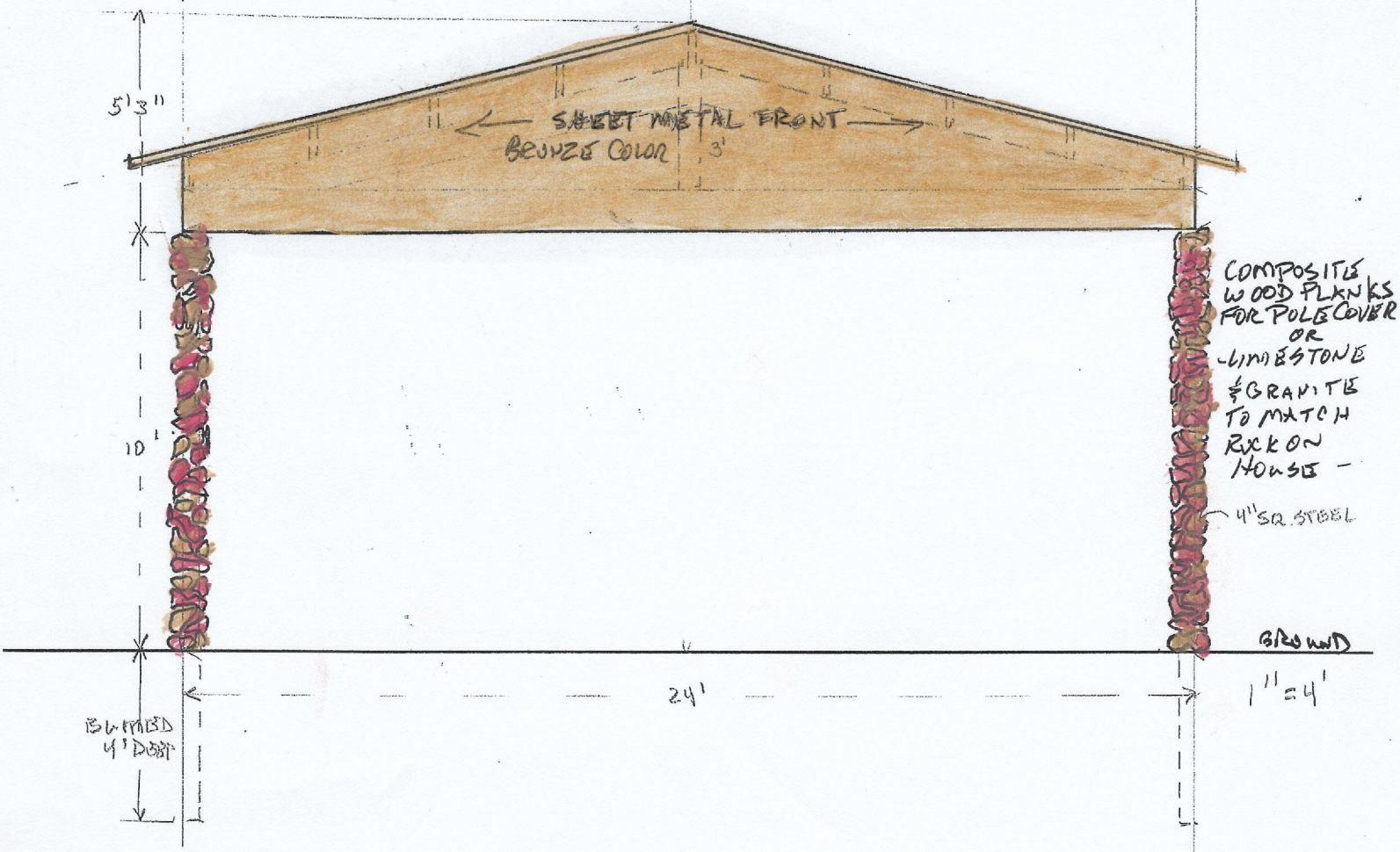
Elevations (EXHIBIT C)

Item 5&6

PORTER CAR PORT 2024

24' X 24' = 576 ☐ OUTSIDE POLES

FRONT ELEVATION

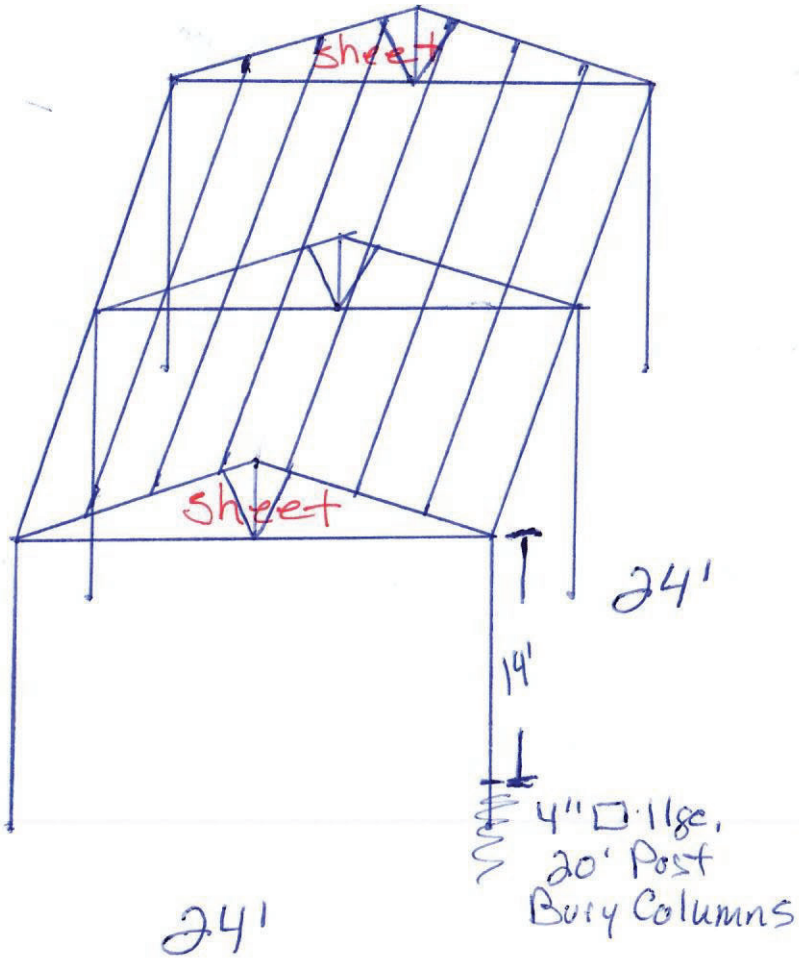


Elevations (EXHIBIT C)

Item 5&6

Ray Porter
#972-268-0696

Metal Mart 03
7200 N IH 35E
Waxahachie, TX 75165
1-800-677-2503
metalmart03@mcelroymetal.com



Planning & Zoning Department
Zoning Staff Report

Case: ZDC-39-2025

MEETING DATE(S)

Planning & Zoning Commission: April 29, 2025
City Council: May 5, 2025

CAPTION

Public Hearing on a request by Robert Morgan, Robert Morgan Construction for a **Specific Use Permit (SUP)** for Accessory Structures exceeding 1,000 square feet in combined floor area use within a Future Development (FD) zoning district located at 3349 Howard Road (Property ID 176528) – Owner(s): Robert & Kristy Pennock (ZDC-39-2025)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-39-2025, a Specific Use Permit (SUP) for Accessory Structures exceeding 1,000 square feet in combined floor area 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 Accessory Structures exceeding 1,000 square feet in combined floor area use.

CASE INFORMATION

Applicant:	Robert Morgan, Robert Morgan Construction
Property Owner(s):	Robert & Kristy Pennock
Site Acreage:	1.52 acres
Current Zoning:	Future Development (FD)
Requested Zoning:	FD with a specific use permit (SUP) for Accessory Structures exceeding 1,000 square feet in combined floor area use

SUBJECT PROPERTY

General Location:	3349 Howard Road
Parcel ID Number(s):	176528
Existing Use:	Residential use
Development History:	The subject property is platted as Lot 7 of the Waxahachie Lake Estates Section One Addition in 1985

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	FD	Residential use
East	FD	Residential use
South	PD-SF-1	Undeveloped land
West	RR	Residential use

Future Land Use Plan: Rural Estate

Comprehensive Plan: This placetype is characterized by large lots with single-family homes in rural settings away from the city center as well as public services. This type of development leaves ample amount of surrounding open space, and should involve minimal infrastructure investment. Though this placetype will almost exclusively be single family homes, it is to be expected that home-based businesses may thrive in this environment.

Thoroughfare Plan: The primary access to the subject property is from Howard Road, a Minor Arterial (100' right-of-way) on the Thoroughfare Plan.

Site Image:



PLANNING ANALYSIS

The Applicant requests a Specific Use Permit (SUP) for Accessory Structures exceeding 1,000 square feet in combined floor area use at 3349 Howard Road. The subject property has two existing accessory structures used for storing lawncare items and a boat. Per the City of Waxahachie Zoning Ordinance, accessory structures exceeding 1,000 square feet in combined floor area use requires a SUP to be approved by the City Council.

Proposed Use:

According to the Ellis County Appraisal District, the subject property currently has an existing primary structure of approximately 3,528 square feet, and the proposed accessory structure has 698 square feet of air-conditioned space with a covered porch of 318 square feet, totaling 1,016 square feet. The accessory structure features an exterior façade and roof that provides a modern element to the existing home, while complimenting the characteristics of the existing home. The proposed accessory structure will be utilized as a pool house for their grandchildren so that they will not have to walk to the primary structure. The location of the proposed accessory structure meets the typical setback requirements of the City of Waxahachie Zoning Ordinance. It is also important to note that there are several existing accessory structures of comparable size within 0.5 miles of the subject property. Plumbing and electrical work are proposed for the accessory structure; however, the property owners are aware that the accessory structure shall not be separately metered. The property owners have confirmed to Staff that the structure will not be used as a dwelling or short-term rental and will not be separately sold or leased from the existing primary structure.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 12 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 two (2) letters of support and two (2) letters of opposition.

RECOMMENDATION

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

Conditions:

1. The accessory structure shall not be used as an accessory dwelling or Short-Term Rental without a Specific Use Permit approved by City Council.
2. The accessory structure shall not be used for commercial purposes.
3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The accessory structure shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory structure.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Location Map (Exhibit A)
3. Site Plan (Exhibit B)
4. Floor Plan (Exhibit C)
5. Elevation/Façade Plan (Exhibit D)

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

Case Number: ZDC-39-2025 **City Reference: 263579**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *April 23, 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

4/16/25
Date

RUDY A. COVINGTON
Printed Name and Title

3343 FM 877, WAXAHACHIE
Address

Case Number: ZDC-39-2025 **Item 7&8** **City Reference: 201920**

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☐ SUPPORT ☒ OPPOSE **RECEIVED APR 16 2025**

Comments: This is a residential area

Patrick Kunke
Signature

April 15, 2025
Date

PATRICK KUNKE
Printed Name and Title

241 Ash Drive
Address

Case Number: ZDC-39-2025 **Item 7&8** **City Reference: 201920**

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☐ SUPPORT ☒ OPPOSE RECEIVED APR 16 2025

Comments: Not appropriate for residential area,

Vicki Kunke
Signature

4/15/2025
Date

Vicki Kunke
Printed Name and Title

241 Ash Dr.
Address

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-39-2025

<>

RECEIVED APR 22 2025

WALSER DAN & LORI
3359 HOWARD RD
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 29, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 5, 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 Robert Morgan, Robert Morgan Construction for a Specific Use Permit (SUP) for Accessory Structures exceeding 1,000 square feet in combined floor area use within a Future Development (FD) zoning district located at 3349 Howard Road (Property ID 176528) – Owner(s): Robert & Kristy Pennock (ZDC-39-2025)

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-39-2025 **City Reference: 242726**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *April 23, 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: It is their property, they should be able to do what they want

Dan E Walser
Signature

4/18/2025
Date

Dan Walser
Printed Name and Title

3359 Howard Road Waxahachie TX 75165
Address


Item 7&8
Howard Rd
Ash Dr
Oak Tree Dr
Post Oak Ln
Ash Dr
N
EXHIBIT A - LOCATION MAP
0
100
200
400
600
800
Feet
ZDC-39-2025 (SUP)

EXHIBIT B - SITE PLAN

Item 7&8

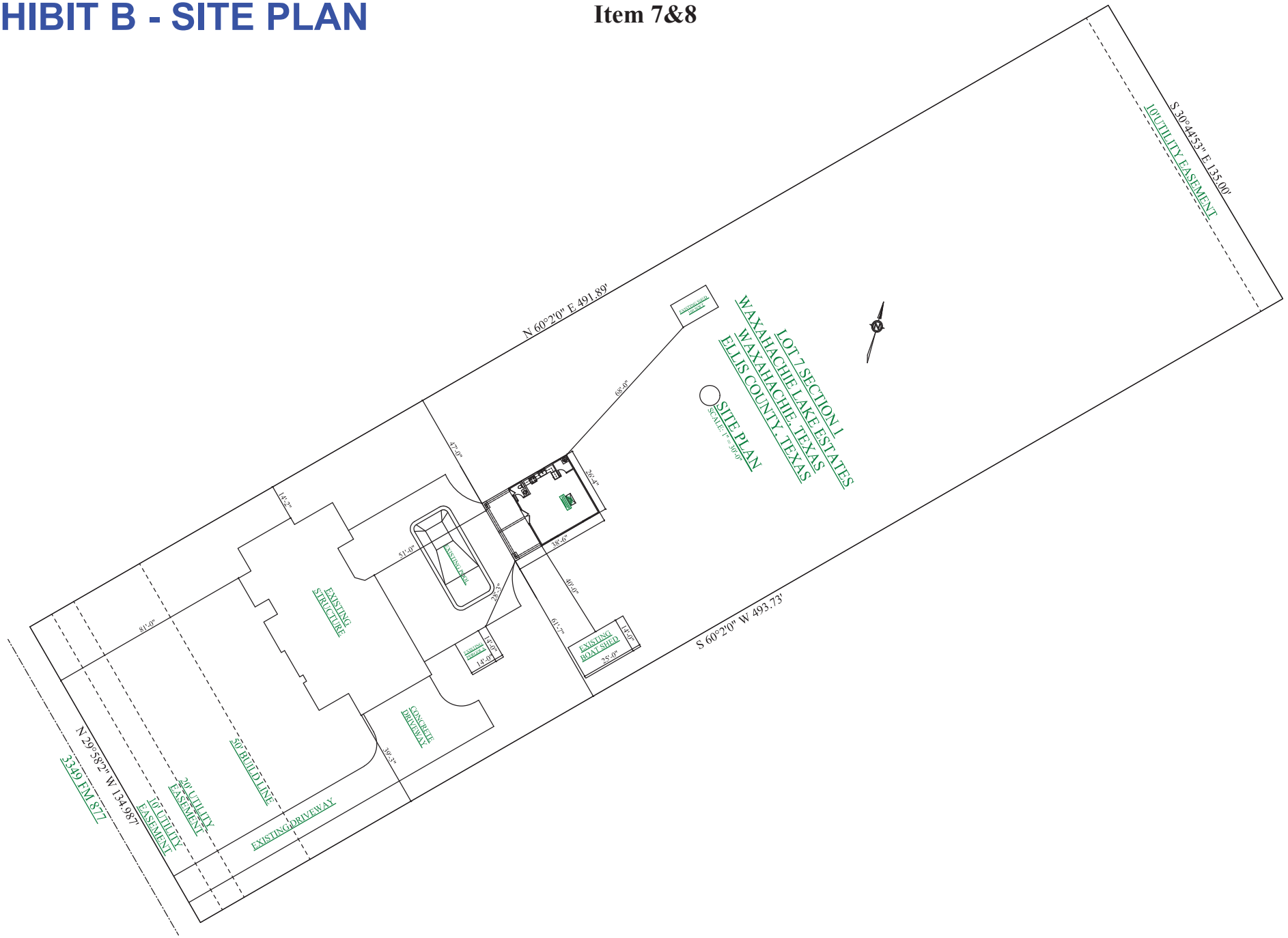
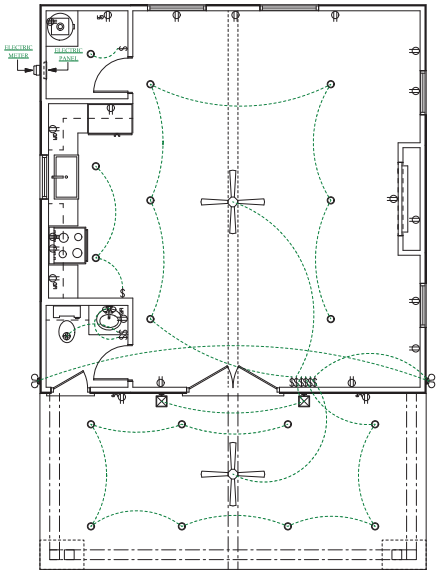


EXHIBIT C - FLOOR PLAN

Item 7&8

GENERAL ELECTRICAL NOTES

1. ELECTRICAL SHALL COMPLY WITH 2020 EDITION OF NEC
12 GA. WIRE FOR HOMERUNS
14 GA FOR SWITCH LEGS & LOW AMP LIGHTING
2. VERIFY ALL EXTERIOR ELECTRICAL,
FLOOR PLUGS, PHONE & TV JACKS,
SECURITY & SOUND SYSTEM WIRING WITH
OWNER PRIOR TO CONSTRUCTING PROJECT.
3. INSTALL ARC FAULT CIRCUIT INTERPRETER
PROTECTION FOR ALL SLEEPING ROOMS & ALL COMMON AREAS.
4. DEDICATED CIRCUITS FOR MICROWAVE,
WASHER, REFRIGERATOR, & DISHWASHER.
5. PROVIDE SWITCHED LIGHTING & 110 VOLT
RECEPTACLE IN ATTIC @MECHANICAL PLATFORM.



ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"

PLAN COPYRIGHT, OWNERSHIP AND LIABILITY

These plans are copyrighted and are subject to copyright protection as an "Architectural Work" under section 102 of the Copyright Act, 17 U.S.O. as amended December 1990 and known as Architectural Works Copyright Protection Act of 1990. Reproduction of these home plans or designs either in whole or in part, including any form and/or preparation of derived works thereof for any reason without prior written permission is strictly prohibited. The purchase of a set of home plans in no way transfers any copyright or other ownership interest in it to the buyer except for a limited license to use that set of home plans for the construction of dwelling unit. The protection includes but not limited to the overall form as well as the arrangements and compositions of spaces and elements of the design. These plans are the property of TWB Custom Homes.

TWB Custom Homes assumes no liability for any structure constructed from this plan. It is the responsibility of the purchaser of this plan to perform the following before any construction starts.
1. Verify dimensions and all aspects of plans for compliance with all local codes and ordinances where house is to be constructed.
2. Verify all structural for design, size and reinforcement with local engineer and building officials.
3. Plans indicate locations only; engineering aspects should incorporate actual size and soil conditions.

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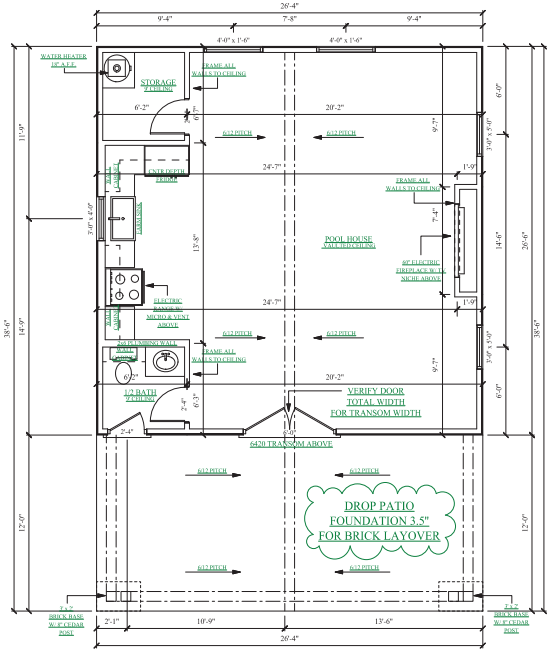
NOTES
1. These plans are intended to provide the basic construction information necessary to substantially complete this structure. These plans must be verified and checked completely by the builder. Any discrepancy, error and /or omission is found is to be brought to the attention of the designer before any construction work or purchases have been made.
2. these plans are designed to be in substantial compliance with the 2018 International Residential Code. The construction shall conform to all national, state, and local building codes and ordinance. These codes shall take precedence over anything noted in these drawings.
3. Contractor must verify all dimensions and scale drawings.
4. All and walls are dimensioned 4" nominal brick 5" and thin walls 2" nominal.
5. Provide 3/8" water line to refrigerator.
6. All water heaters in are to be 18" x 18".
7. Air conditioner condenser must be 3" above grade.
8. In absence of nailing schedule prepared by building official use Table R602.3 in the International Residential Code.
9. Refer to engineer drawings for all foundations.
10. Lot drainage to comply with the International Residential Code.
11. Building area to be cleared of all humus roots and vegetation. cut stumps a minimum of 8" below grade and 4" below beams.
12. Check plans form level changes floor outlets and plumbing fixture locations.

AREA TOTALS

POOL HOUSE 698

COVERED PORCH 318

TOTAL FOUNDATION 1016



FLOOR PLAN
SCALE: 1/4" = 1'-0"

JANUARY 24TH, 2025

3349 FM 877 POOL HOUSE
LOT 7 SECTION 1
WAXAHACHIE LAKE ESTATES
WAXAHACHIE, TEXAS

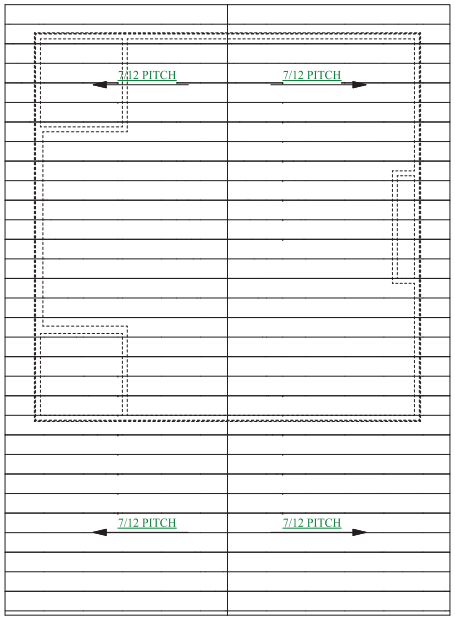
TWB CUSTOM DESIGNS
4013 FM 813
WAXAHACHIE, TEXAS 75165
PHONE # 972-921-7306

PENNOCK RESIDENCE

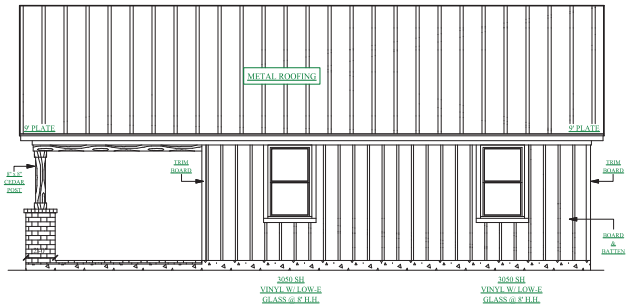
FINAL PLANS

EXHIBIT D - ELEVATIONS PLAN

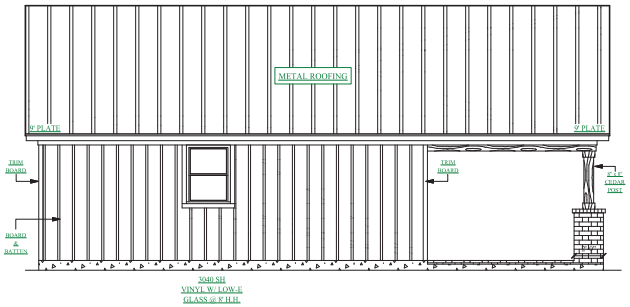
Item 7&8



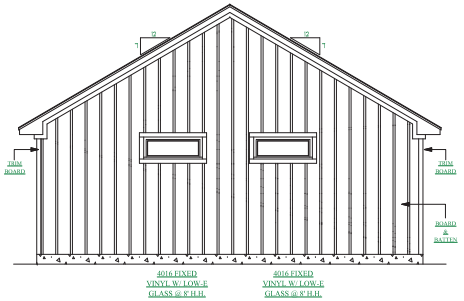
ROOF FRAMING PLAN
SCALE: 1/4" = 1'-0"



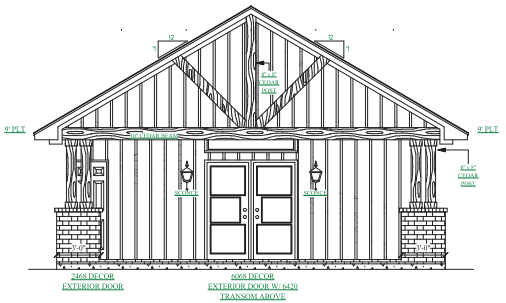
RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



LEFT ELEVATION
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 1/4" = 1'-0"



FRONT ELEVATION
SCALE: 1/4" = 1'-0"

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PENNOCK RESIDENCE

FINAL PLANS