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 ***Monday, December 8, 2025 at 7:00 p.m***.

Commission Members: Wendy Johnson, Chair
Jenny Bridges, Vice Chair
Terry Connor
Chad Hicks
Ryan Simpson
Jimmy Poarch
Bart Underwood

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 November 10, 2025
   b. Consider a request by Joseph Cerqueira, Kimley-Horn, for a Plat of Haven Ranch Phase 2, 119 residential lots and 3 open space HOA X-lots, being 53.621 acres, located at 400 E Haven Road, situated in the Norman H. Whittenburg Survey, Abstract 1128, an addition to the City of Waxahachie (Property ID 183003) – Owner: GRBK Edgewood LLC (SUB-167-2025)
   c. Consider a request by Kati Watson, Windrose Land Services for a Plat of WOC ADDITION, Lot 1 and 11X, Block A being 4.394 acres, located directly west of 2374 W US Highway 287 Bypass, situated in the Irwin Survey, Abstract Number 545 and 546, an addition to the City of Waxahachie (Property ID 295243 and 295240) – Owner: WAXAHACHIE OFFICE CONDOS LLC & Montclair Development A Series of EIS Development II LLC (SUB-171-2025)

5. ***Public Hearing*** on a request by Joshua Bell and Tiffany Bell, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 zoning district located at 105 Indian Ct (Property ID 173005) - Owners: Joshua and Tiffany Bell (ZDC-137-2025)

6. ***Consider*** recommendation of ZDC-137-2025

7. ***Public Hearing*** on a request by Emilia Atkinson, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 zoning district located at 311 Morene Ave (Property ID 173731) - Owners: Emilia Ochoa-Atkinson and Joshua Atkinson (ZDC-144-2025)

8. ***Consider*** recommendation of ZDC-144-2025

9. ***Public Hearing*** on a request by Timothy Ramos, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 zoning district located at 211 Pecan St (Property ID 175135) - Owner: Seven Partners LLC (ZDC-165-2025)

10. ***Consider*** recommendation of ZDC-165-2025

11. ***Public Hearing*** on a request by Grant Easton, for a Specific Use Permit (SUP) for an Accessory Dwelling Unit use within a Planned Development-27-Single Family-2 zoning district located at 301 Buffalo Creek (Property ID 174372) - Owner: Claire Bridgeford and Brandon Bridgeford (ZDC-159-2025)

12. ***Consider*** recommendation of ZDC-159-2025

13. ***Public Hearing*** on a request by David Berryman, for a Specific Use Permit (SUP) for an Accessory Structure 700+ within a Single-Family 2 zoning district located at 303 Kirven Ave (Property ID 311319) - Owners: David Berryman and Barbara Schneider (ZDC-150-2025)

14. ***Consider*** recommendation of ZDC-150-2025

15. ***Public Hearing*** on a request by Todd Baker, YMCA Metro Dallas for a Zoning Change from an Office (O) zoning district to Planned Development-Neighborhood Services (PD-NS) zoning district, for a Public Community Center use, located at 100 YMCA Drive, (Property ID 193929) - Owner: YMCA of Metro Dallas (ZDC-139-2025)

16. ***Consider*** recommendation of ZDC-139-2025

17. ***Public Hearing*** on a request by Andrew Ruegg, Masterplan Consultants for a Zoning Change from a Future Development (FD) zoning district to Planned Development-Commercial (PD-C) zoning district for commercial and industrial uses, located at 3705 N US Highway 77, (Property ID185355) - Owner: NH Waxahachie LLC (ZDC-43-2025)

18. ***Consider*** recommendation of ZDC-43-2025

19. ***Public Hearing*** on a request by Dennis Church, Minto Communities Texas, LLC, for a Zoning Change from Planned Development-Mixed Use Residential (PD-MUR), Single Family-1 (SF-1), Future Development (FD), and General Retail (GR) zoning districts to a Planned Development (PD) zoning district, located at 300 Brookside Road (Property ID's 179468, 179534, 182520, 187960, 189323, 189326, 189333, 189336, 192306, 193815,

193822, 193823, 234203, 263786, 264568, 303651, 303652) – Owners: Walton Texas LP, United Presbyterian Homes, William & Leanne Kelley (ZDC-232-2024)

20. ***Consider*** recommendation of ZDC-232-2024

21. 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.

ACCESSIBILITY STATEMENT

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 ADA Coordinator at (469) 309-4000 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
November 10, 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 Monday, November 10, 2025 at 7:00 p.m.

Members Present:	Jenny Bridges, Vice Chair Chad Hicks Terry Connor Jimmy Poarch Ryan Simpson Bart Underwood
Member Absent:	Wendy Johnson, Chair
Others Present:	Trenton Robertson, Senior Director of Planning Zack King, Planning Manager Patrick Souter, Council Representative

1. Call to Order
2. Invocation

Vice Chair Jenny Bridges called the meeting to order and Jimmy Poarch gave the invocation.

3. Public Comments

None.

4. Consent Agenda

a. Minutes of the regular Planning & Zoning Commission meeting of October 28, 2025
b. Consider a request by Tim Jackson, for a Plat of Jerry Loyd Place, 2 residential lots, being 9.823-acres, located at 1183 Lone Elm Road, situated in the E Ballard Survey, Abstract 120, an addition to the City of Waxahachie (Property ID 180654) – Owner: Deanna Carter (SUB-161-2025)

Action:
Bart Underwood moved to approve the Consent Agenda, subject to the recommendations of staff. Motion was seconded by Jenny Bridges and carried unanimously (6-0).

5. Public Hearing on a request by Brian Burks, for a Replat of Lots 5 & 6 of the Leo Hightower Lots addition to create Lots 5A & 6A of the Leo Hightower Lots addition, 2 residential lots, being 1.194 acres, located at 139 Lakeshore Drive, (Property ID 174097) – Owner: William Larry Burks and John Brian Burks (SUB-155-2025)

Zack King presented the Item. The applicant requests to replat the subject property into two (2) lots for residential use. The subject property is currently platted as two lots; however, there is an existing structure that encroaches into the side yard setback. The property owners want to shift the shared lot line to decrease the encroachment of the existing structure located at 139 Lakeshore

Drive. The applicant is proposing to dedicate a fifteen-foot (15') utility easement along Lakeshore Drive.

The applicant requests relief from Section 3.1.c.6 of the Waxahachie Subdivision Ordinance, Street Dedications. Lakeshore Drive is identified as an 80' (eighty-foot) Major Collector per the City of Waxahachie Master Thoroughfare Plan. The property owners are responsible for their half of the right-of-way (ROW) dedication. The property owner is seeking relief from this ROW dedication because the City has no plans to expand Lakeshore Drive due to multiple existing homes being encroached into the ROW. Staff is in support of this plat variance request.

The applicant also requests relief from Section 3.04 of the Waxahachie Zoning Ordinance, Single-Family-1 (SF-1). The existing structure located at 139 Lakeshore Drive encroaches into the front yard setback of 40'. The existing structure located at 141 Lakeshore Drive encroaches into the 15' side yard setback and is less than 2,200 sq. ft. Therefore, the applicant requests relief from the minimum requirements. Staff is also in support of this plat variance request.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, seven (7) notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light, and a sign was visibly posted at the property. Staff received zero (0) letters of support and zero (0) letters of opposition for the proposed replat.

Vice Chair Jenny Bridges opened the Public Hearing at approximately 7:05 p.m.

There being no others to speak for or against SUB-155-2025, Vice Chair Bridges closed the Public Hearing at approximately 7:05 p.m.

6. Consider recommendation of SUB-155-2025

Action:
Chad Hicks moved to recommend approval of SUB-155-2025, a replat of Lots 5 & 6 of the Leo Hightower Lots addition, authorizing the Mayor and/or Interim City Manager to sign the associated documents accordingly. Motion was seconded by Jimmy Poarch and carried unanimously (6-0).

7. Public Hearing on a request by David Williams, for an Amendment to Ordinance No. 3583, to allow for reduced fire lane, paving, screening, landscaping, and sidewalk requirements within an approved Specific Use Permit (SUP) for Batch Plant and Outside Storage uses (Rinker Materials), located at 1220 Solon Road (Property ID 140094) - Owner: J & G Concrete Operations LLC (ZDC-154-2025)

Zack King presented the Item. The applicant proposes an amendment to the current Specific Use Permit (SUP) for Permanent Batch Plant and Outside Storage Uses to allow for reduced fire lane, paving, screening, landscaping, and sidewalk requirements.

A SUP for a Permanent Concrete Batch Plant that was originally approved for the subject property in 2003 with Ordinance 2208. However, at that time, the SUP only covered 5-acres of the 20-acre

site and did not permit Outside Storage uses on the rest of the property. In 2024, the property owner proposed to expand their operations by adding an 11,200 square-foot building located northeast of the existing 45,316 square-foot metal building. To accommodate this expansion, a new SUP for a Permanent Batch Plant and Outside Storage uses was proposed to cover the entire 20-acre site. To mitigate potential detriments to the surrounding area stemming from the expansion, the applicant proposed several site improvements. These improvements included the addition of concrete drive aisles, parking, and fire lanes (replacing the existing gravel), 8' masonry screening walls along the north, west, and south property lines, and the addition of landscaping. These improvements are typical requirements for all commercial or industrial development in the City of Waxahachie. City Council approved the proposed SUP with Ordinance 3583 on December 16, 2024.

Following approval of Ordinance 3583, the applicant began preparing construction plans for the Batch Plant expansion and required site improvements. The applicant approached staff in June of 2025 with concern that the required site improvements were too costly to undertake and requested direction on the process to reduce the required improvements. Staff directed the applicant to pursue to the SUP Amendment process to seek City Council approval of site improvement reductions.

The applicant submitted a formal SUP Amendment Application in October of 2025. The applicant identified six (6) specific site improvement requirements that are requested to be reduced or eliminated from the approved SUP. The applicant has requested that these reductions be considered for approval individually, if the reductions are not agreeable when considered all together. The requested reductions include the following:

- Firelane Path Reduction: Propose removing the East to West portion of the firelane on South side of existing building and the South to North portion on West side of existing building.
- Firelane Paving Material: Propose changing the Firelane material from Concrete to Asphalt
- Parking Lot Paving Material: Propose changing the parking lot paving to asphalt
- Screening Wall: Propose a similar wall but supplied by different vendor. Design would remain the same.
- Landscaping: Propose removing the landscaping inside the screening wall
- Sidewalks: Propose removing the portions of sidewalk along Solon Road and Austin Road

The site improvements required by City Council as part of the approval of the SUP for the subject property are compliant with minimum City requirements for new development and are necessary to ensure the use remains compatible with other existing and developing uses in the surrounding area. Staff has concern that the requested reductions to fire lane, paving, and sidewalk improvement requirements would result in negative aesthetic and infrastructure impacts on the surrounding area.

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

Vice Chair Bridges opened the Public Hearing at approximately 7:19 p.m.

There being no others to speak for or against ZDC-154-2025, Vice Chair Bridges closed the Public Hearing at approximately 7:19 p.m.

8. Consider recommendation of ZDC-154-2025

Action:
Chad Hicks moved to recommend denial of ZDC-154-2025, an amendment to Ordinance No. 3583, subject to the conditions of the staff report, and authorizing the Mayor and/or Interim City Manager to execute all documents accordingly. Motion was seconded by Jimmy Poarch and carried unanimously (6-0).

9. Public Hearing on a request by Dennis Church, Minto Communities Texas, LLC, for a Zoning Change from Planned Development-Mixed Use Residential (PD-MUR), Single Family-1 (SF-1), Future Development (FD), and General Retail (GR) zoning districts to a Planned Development (PD) zoning district, located at 300 Brookside Road (Property ID's 179468, 179534, 182520, 187960, 189323, 189326, 189333, 189336, 192306, 193815, 193822, 193823, 234203, 263786, 264568, 303651, 303652) – Owners: Walton Texas LP, United Presbyterian Homes, William & Leanne Kelley (ZDC-232-2024)

Mr. King announced that the applicant has requested to continue the case until the December 8, 2025 Planning and Zoning Commission meeting.

Vice Chair Bridges opened the Public Hearing at approximately 7:32 p.m.

Those that spoke in support:
Richard Rozier, 208 Katy Lake, Waxahachie, Texas

Those that spoke in opposition:
Bob Ferris, 6059 E. FM 875, Waxahachie, Texas
Kathy Kacal, 405 Brookside Road, Waxahachie, Texas
Tony Tovar, 415 Brookside Road, Waxahachie, Texas
Heather Fagan, 1720 Lone Elm Road, Waxahachie, Texas
Dean Settlemyer, 605 Brookside Road, Waxahachie, Texas
Terry Nay, 711 Brookside Road, Waxahachie, Texas
Mike Mohat, 810 Lone Elm Road, Waxahachie, Texas

Action:
Ryan Simpson moved to recommend a continuance of ZDC-232-2024 to the December 8, 2025 Planning & Zoning Commission Meeting, a Planned Development (PD) zoning change request for approximately 3,169.6 acres. Motion was seconded by Jimmy Poarch and carried unanimously (6-0).

10. Consider recommendation of ZDC-232-2024

No action taken.

11. Adjourn

There being no further business, the meeting adjourned at 8:25 p.m.

Respectfully submitted,

David Jones, Planner

Planning & Zoning Department

Plat Staff Report

Case: SUB-167-2025

MEETING DATE(S)

Planning & Zoning Commission: December 8, 2025

CAPTION

Present a request by Joseph Cerqueira, Kimley-Horn, for a **Plat** of Haven Ranch Phase 2, 119 residential lots and 3 open space HOA X-lots, being 53.621 acres, located at 400 E Haven Road, situated in the Norman H. Whittenburg Survey, Abstract 1128, an addition to the City of Waxahachie (Property ID 183003) – Owner: GRBK Edgewood LLC (SUB-167-2025)

RECOMMENDED MOTION

"I move to approve SUB-167-2025, a Plat of Haven Ranch 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 119 single-family residential lots and three (3) open space HOA X-lots as part of the Haven Ranch Phase 2 subdivision.

CASE INFORMATION

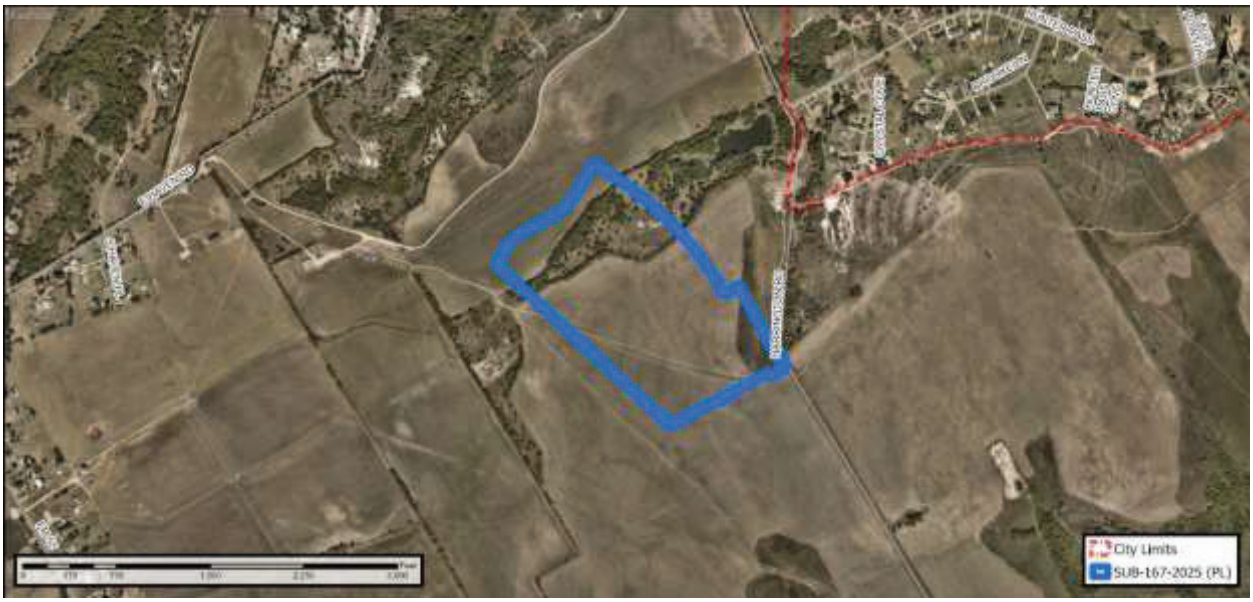
Applicant:	Joseph Cerqueira, Kimley-Horn
Property Owner(s):	GRBK Edgewood LLC
Site Acreage:	53.621 acres
Number of Lots:	122 lots
Number of Dwelling Units:	199 units
Park Land Dedication:	Parkland dedication requirements shall be satisfied by the development of the 120-acre "Haven Park" prior to filing the Plat for Phase 3 of the subdivision, as required by the Haven Ranch Development Agreement.
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:	400 E Haven Road
Parcel ID Number(s):	183003
Current Zoning:	N/A (ETJ) – The subject property is obligated to comply with the requirements of the Haven Ranch Development Agreement. The development agreement does obligate future phased annexation and zoning of the subject property.
Existing Use:	The subject property is currently undeveloped

Platting History: The subject property is not currently platted.

Site Aerial:



PLANNING ANALYSIS

The applicant requests to plat the subject property into 119 single-family residential lots and three (3) open space HOA X-lots as part of the Haven Ranch Phase 2 subdivision. The subject property is currently located outside of the Waxahachie City Limits; but is subject to the requirements of the Haven Ranch Development Agreement that was approved by the City Council in November of 2023. The development agreement requires phased annexation and zoning of the subject property as it develops. The development agreement also requires compliance with a concept plan that establishes lot size, lot dimension, and lot distribution requirements.

The design of the proposed subdivision substantially conforms to the requirements of the Haven Ranch Development Agreement. As part of this Phase 2 Plat, the applicant is providing a 120' wide right-of-way (ROW) dedication for the continued extension Haven Ranch Boulevard from Phase 1, as required by the 2024 Waxahachie Thoroughfare Plan. This thoroughfare will connect to the existing FM 55 and serve as the primary point of access for the subdivision.

Per Section 2.3.a.4 of the Waxahachie Subdivision Ordinance, the Plat is required to conform with the development regulations for subject property. The Development Agreement (Section 6.1) for Haven Ranch requires approval of Budgeted Costs for the PID to be submitted and approved by City Council concurrently with each Plat Application. City Council will consider the Budgeted Costs for Phase 2 at their December 15th meeting.

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

RECOMMENDATION

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

Conditions:

1. 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 Lot 2, Block U at the Build Line (front setback) to demonstrate compliance with the Manor Lot Width requirement.
2. 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 Lot 12, Block U at the Build Line (front setback) to demonstrate compliance with the Manor Lot Width requirement.
3. 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 Lot 28, Block V at the Build Line (front setback) to demonstrate compliance with the Manor Lot Width requirement.
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 Lot 28, Block U at the Build Line (front setback) to demonstrate compliance with the Manor Lot Width requirement.
5. 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 Lot 7, Block Wat the Build Line (front setback) to demonstrate compliance with the Manor Lot Width requirement.Per Section 2.3.b of the Waxahachie Subdivision Ordinance, a hard copy of the embossed tax certificate for the property showing that no delinquent taxes exist against the property is required to be provided at the time of plat filing.
6. Per section 2.4.c.3 of the Waxahachie Subdivision Ordinance, the name, location and recording information of all adjoining subdivisions (or property owners of unplatted property) shall be drawn and the recording information for the adjacent subdivision must be labeled. The recording information for the Phase 1 Plat is required to be added prior to filing this Phase 2 Plat.
7. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, street name approval is required at the time of platting. Please note that the following street names are unavailable. Please provide 2 alternative street names for each of the following: PRAIRIE GRASS WAY, JARDIN DRIVE. Additionally, the suffix "Court" can only be used for cul-de-sacs. The suffix for Rancho Vista must be changed accordingly.
8. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, street name approval is required at the time of platting. Please note that one road name suffix should be used for proposed roads.
9. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, street name approval is required at the time of platting. Please note that the street name should change following a 90-degree curve. Please update the street names accordingly.
10. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, only easements need to be shown on the plat, not build lines (setbacks). Remove setback lines from the lots on the plat. (Setbacks may be identified on your "Typical Lot Detail" for each type of proposed lot.) The Front Setback Line only needs to be shown in instances where lots along a curve do not meet the typical width requirement.
11. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, all proposed easements must be labeled. Please add "W.M.E. - WALL MAINTENANCE EASEMENT" to the Legend.
12. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, all proposed easements must be labeled. The 5' WME must be labeled on all applicable sheets. Instances of missing labels have been identified for correction.
13. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, Utility Easements adjacent to all street ROW must be labeled. The UE must be labeled on all applicable sheets.
14. Per Section 2.4.c.6 of the Waxahachie Subdivision Ordinance, the arrangement and square footage of lots (including lot and block numbers) and proposed use of same must be identified. Block Y is missing from the Lot Table. Please add it.

Conditions (continued):

15. Per Section 2.4.c.6 of the Waxahachie Subdivision Ordinance, the arrangement and square footage of lots (including lot and block numbers) and proposed use of same must be identified. Lot 1X, Block U is missing from the Lot Table. Please add it.
16. Per Section 2.4.c.6 of the Waxahachie Subdivision Ordinance, correct lot and block numbers must be identified. This lot should be identified as a typical non-residential lot, not be designated as an Open Space HOA X-Lot since the Development Agreement requires it to be a Neighborhood Services (commercial) lot.
17. Per Section 2.4.c.15 of the Waxahachie Subdivision Ordinance, all text should be legible on the plat. Please revise to prevent overlapping text.
18. Per Section 2.4.c.22 of the Waxahachie Subdivision Ordinance, please provide coordinates (northing, easting) for the POB and at least one additional corner of the proposed property boundary.
19. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. Revise the lot references to identify the Neighborhood Services lot (currently Lot 1X, Block Y). This lot should be identified as a typical non-residential lot, not be designated as an Open Space HOA X-Lot since the Development Agreement requires it to be a Neighborhood Services (commercial) lot.
20. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. The correct case number for this plat is "SUB-167-2025", revise accordingly.
21. Per Section 2.4.c.25 of the Waxahachie Subdivision Ordinance, a complete Property Description must be provided as part of the Owner's Certificate. The recording information for the Phase 1 Plat must be added the the Property Description prior the filing of the Phase 2 Plat.
22. Per Section 2.4.c.25.vi of the Waxahachie Subdivision Ordinance, the name and title of the signatory for the Plat needs to be printed in the signature block. Please revise accordingly.
23. Per Section 2.4.c.25 of the Waxahachie Subdivision Ordinance, remove the Ellis County Commissioner's Court Signature Blocks. Since this Plat will be filed after the property is annexed into the City, the Waxahachie Planning & Zoning Commission will be the only approval body for the plat.
24. Per Section 3.1.g.1 of the Waxahachie Subdivision Ordinance, the arrangement of such streets within a subdivision shall provide for the continuation or appropriate projection of existing streets from or into surrounding areas. Harrington Rd should ultimately connect to the existing portion of Harrington Rd to the south of the Haven Ranch Development, or will be required to have a different road name.
25. Per section 3.3 of the Waxahachie subdivision ordinance, a 15ft utility easement is required along all road frontages. If you'd like to request a narrower minimum requirement for utility easements in Phase 2, please provide a request in writing and support the request with letters of support/approval from Franchise Utility providers (AT&T, Oncor, Atmos) for the narrower width.
26. Per Section 7.2.h of the Waxahachie Subdivision Ordinance, Filing Fees are required to be paid with your Plat application prior to plat filing. These fees can be paid via check to the City of Waxahachie or via the invoice on our Citizen Self Service (CSS) Portal.

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:

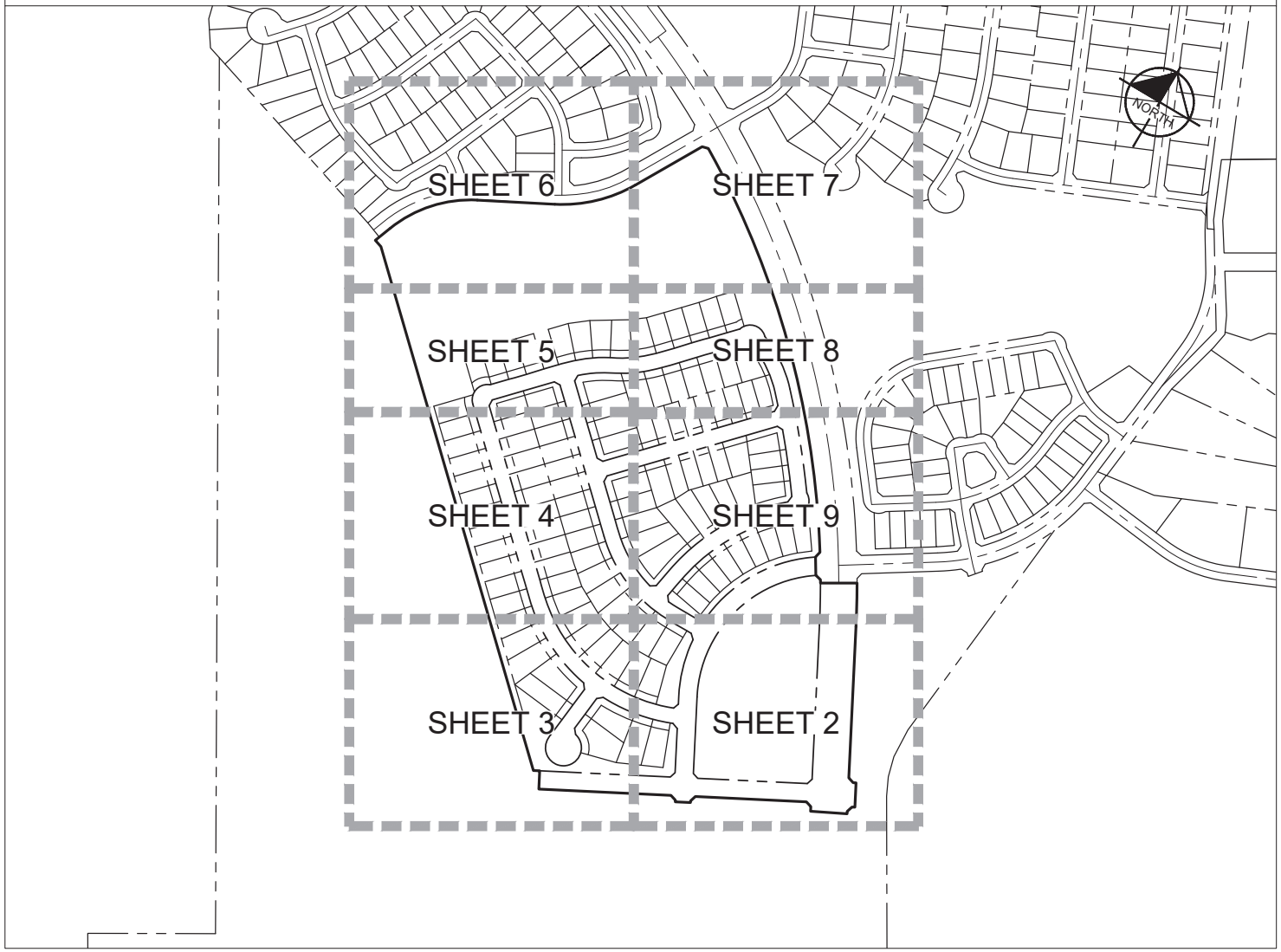
1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has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

STAFF CONTACT INFORMATION

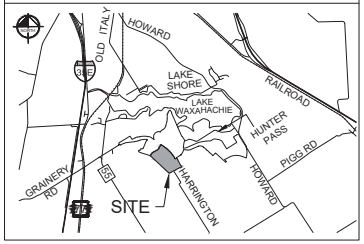
Prepared by:
Zack King, AICP
Planning Manager
zking@waxahachie.com

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

KEY MAP



VICINITY MAP N.T.S.



NOTES:

1. Easements shown hereon without recording information within this platted property are created by this plat, unless otherwise noted hereon.
2. Bearings shown hereon are based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011). All distances shown are surface distances. Coordinates shown hereon are grid coordinates. The grid to surface factor to convert coordinates to surface is 1.000072449.
3. Abstract lines shown hereon are approximate.
4. Lots designated with an "X" are Open Space Lots maintained by the HOA.
5. Unless otherwise shown, all property corners are 5/8-inch iron rods with red plastic cap stamped "KHA" set.
6. All retaining walls/fences shall not be installed within utility easements.
7. Detention areas shown hereon shall be maintained by the property owner or HOA.
8. Haven Ranch requires HOA maintenance of signage, landscape, and irrigation improvements within medians and parkways (including general mowing maintenance) as well.
9. **FLOOD STATEMENT:**

   According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48139C0330F, for Ellis County, Texas and incorporated areas, dated June 3, 2013, this property is located within Zone "X" (unshaded) defined as "areas determined to be outside the 0.2% annual chance floodplain" If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

   Flood elevations for any lots which may ultimately be adjacent to floodplain shall be designed and constructed a minimum of 2 feet above adjacent floodplain base elevation.
10. See lot area tables on sheet 10 for areas of all lots, line and curve table and typical lot details.

CITY CASE NO. SUB-___-____

PLAT

HAVEN RANCH PHASE 2

53.621 ACRES SITUATED IN THE
NORMAN H. WHITTENBURG SURVEY, ABSTRACT NO. 1128
WAXAHACHIE, ELLIS COUNTY, TEXAS
119 RESIDENTIAL LOTS AND 3 OPEN SPACE HOA X-LOTS

SURVEYOR:
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Phone: 972-335-3580
Contact : Sylviana Gunawan, RPLS

APPLICANT:
Kimley-Horn and Associates, Inc.
13455 Noel Road, Two Galleria
Office Tower, Suite 700
Dallas, Texas 75240
Phone: 972-776-1765
Contact : Bryan Moody, P.E.

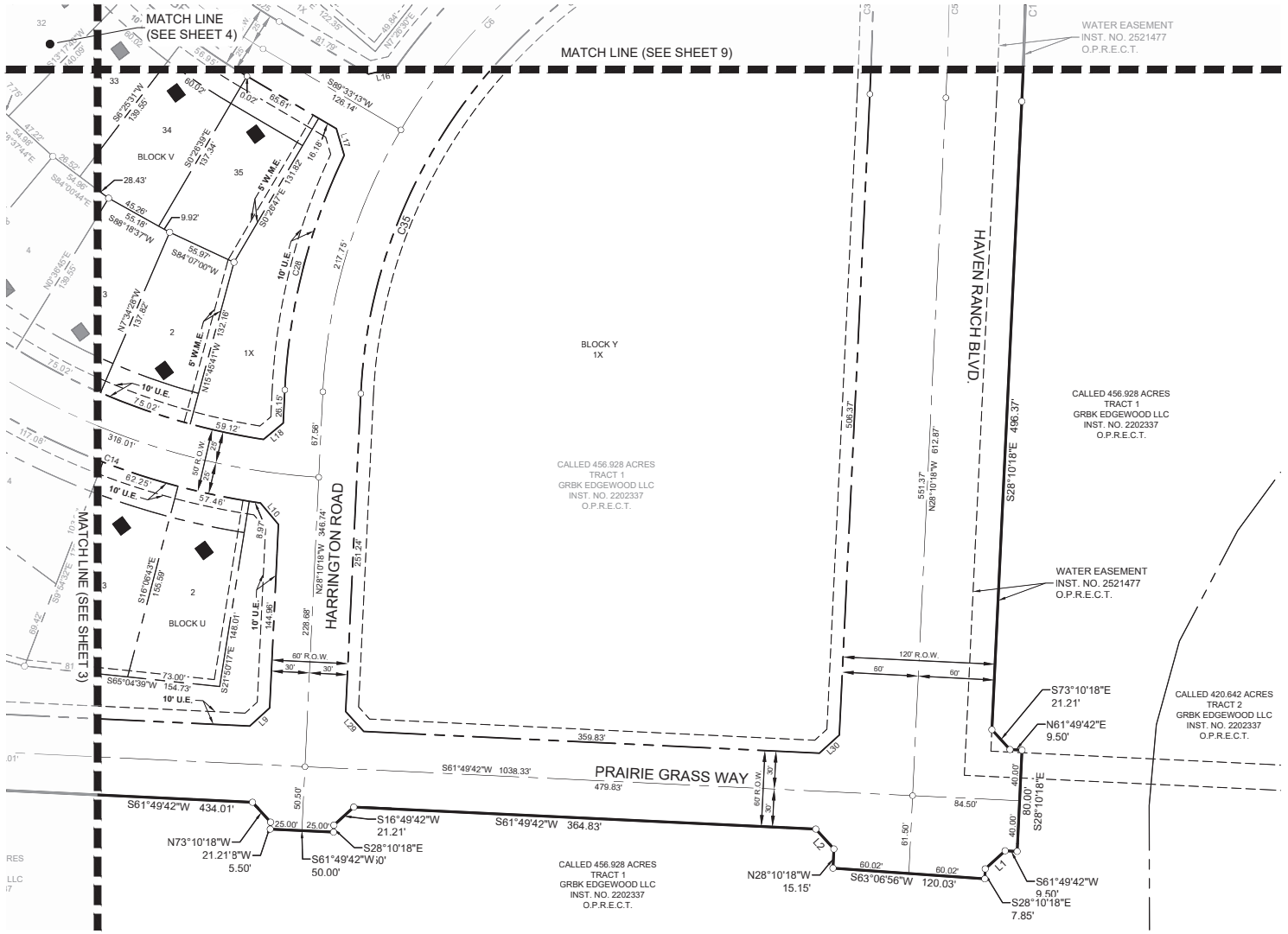
OWNER:
GRBK EDGEWOOD LLC.
2805 Dallas Parkway., Suite 400
Plano, Texas 75093
Phone: 817-658-2112
Contact: Bobby Samuel

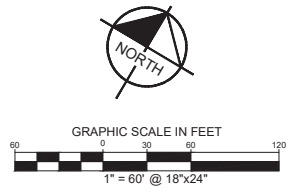
Kimley»Horn
6160 Warren Parkway, Suite 210 Tel. No. (972) 335-3580
Frisco, Texas 75034 FIRM # 10193822 Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 250'	CDS	KHA	Oct. 2025	064537507	1 OF 11

DWG NAME: K:\FRI_SURVEY\064537507-HAVEN RANCH PH2\HOW\064537507-HAVEN RANCH PH2 FP.DWG PLOTTED BY SKEETERS, CODY 10/27/2025 1:15 PM LAST SAVED 10/27/2025 11:47 AM

Item 4b





LEGEND	
POB	POINT OF BEGINNING
ROW	RIGHT-OF-WAY
IRF	IRON ROD FOUND
B.L.	BUILDING LINE
V.E.	VISIBILITY EASEMENT
U.E.	UTILITY EASEMENT
W.E.	WATER EASEMENT
S.W.E.	SIDEWALK EASEMENT
D.R.E.C.T.	DEED RECORDS ELLIS COUNTY, TEXAS
O.P.R.E.C.T.	OFFICIAL PUBLIC RECORDS ELLIS COUNTY, TEXAS
P.R.E.C.T.	PLAT RECORDS ELLIS COUNTY, TEXAS
	STREET NAME CHANGE
	LOT WIDTH AT BUILDING LINE

CITY CASE NO. SUB-___-____

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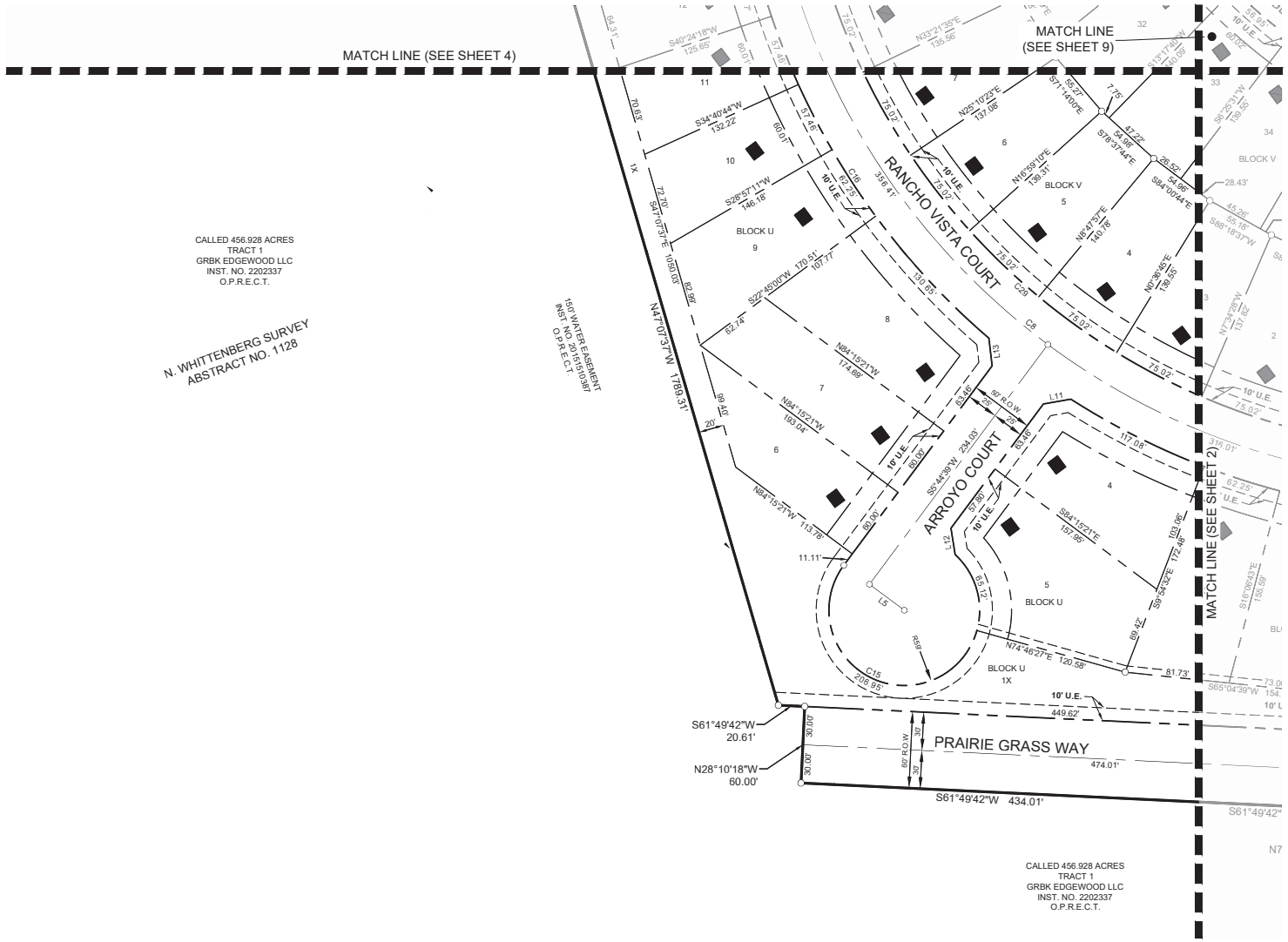
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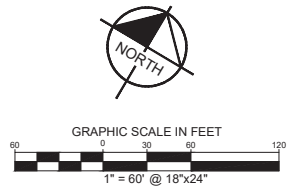
Kimley»Horn
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Tel. No. (972) 335-3580
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Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	CDS	KHA	Oct. 2025	064537507	2 OF 11

DWG NAME: K:\FRI_SURVEY\064537507-HAVEN RANCH PH2 FP.DWG PLOTTED BY SKEETERS, CODY 10/27/2025 1:15 PM LAST SAVED 10/27/2025 11:47 AM

Item 4b





LEGEND	
POB	POINT OF BEGINNING
ROW	RIGHT-OF-WAY
IRF	IRON ROD FOUND
B.L.	BUILDING LINE
V.E.	VISIBILITY EASEMENT
U.E.	UTILITY EASEMENT
W.E.	WATER EASEMENT
S.W.E.	SIDEWALK EASEMENT
D.R.E.C.T.	DEED RECORDS ELLIS COUNTY, TEXAS
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P.R.E.C.T.	PLAT RECORDS ELLIS COUNTY, TEXAS
	STREET NAME CHANGE
	LOT WIDTH AT BUILDING LINE

CITY CASE NO. SUB-___-____

PLAT

HAVEN RANCH PHASE 2

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NORMAN H. WHITTENBURG SURVEY, ABSTRACT NO. 1128
WAXAHACHIE, ELLIS COUNTY, TEXAS
119 RESIDENTIAL LOTS AND 3 OPEN SPACE HOA X-LOTS

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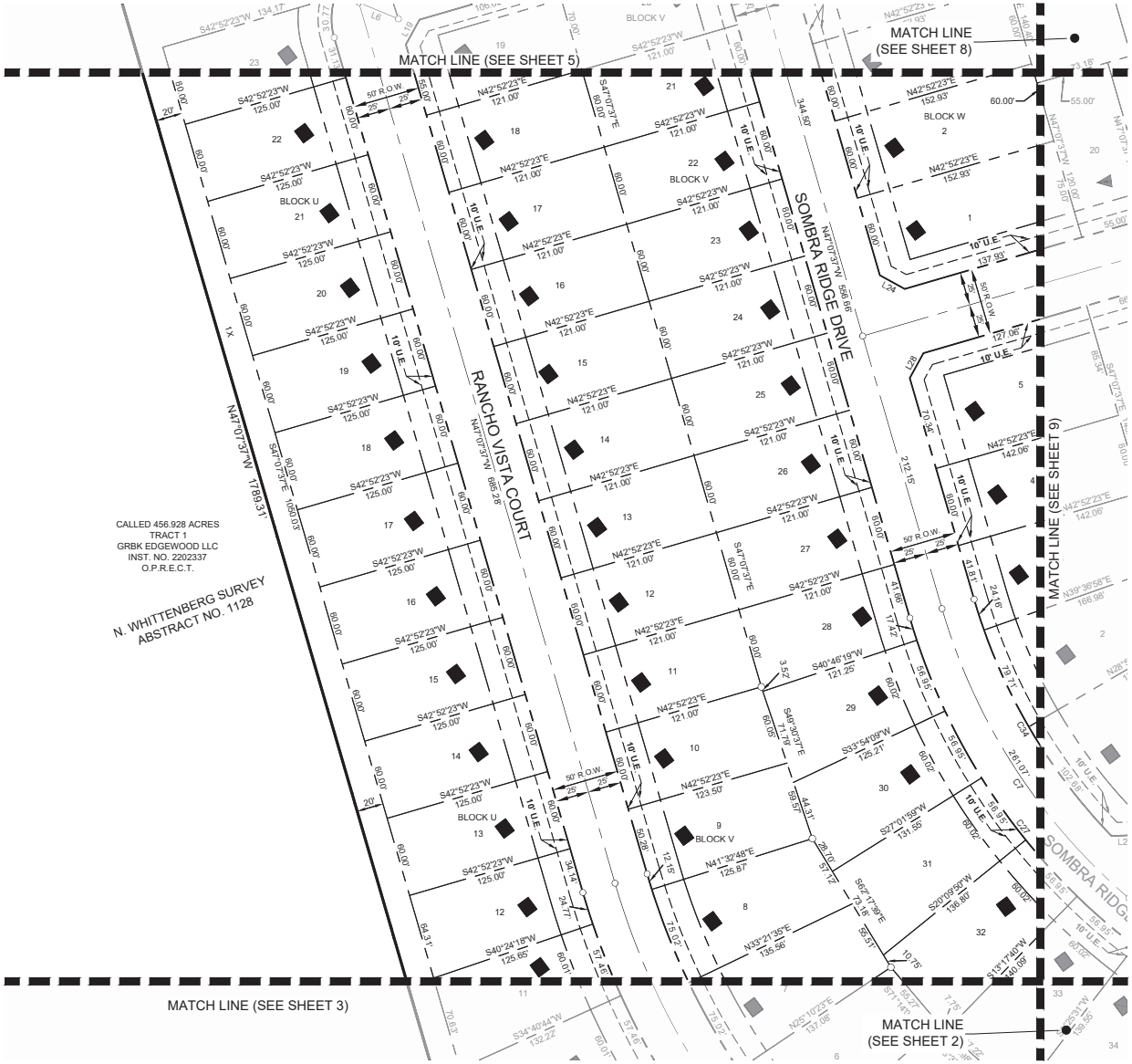
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DWG NAME: K:\FRI_SURVEY\064537507-HAVEN RANCH PH2\HORIZ\064537507-HAVEN RANCH PH2 FP.DWG PLOTTED BY SKEETERS, CODY 10/27/2025 1:15 PM LAST SAVED 10/27/2025 11:47 AM

Item 4b





GRAPHIC SCALE IN FEET

60 0 30 60 120

1" = 60' @ 18"x24"

LEGEND	
POB	POINT OF BEGINNING
ROW	RIGHT-OF-WAY
IRF	IRON ROD FOUND
B.L.	BUILDING LINE
V.E.	VISIBILITY EASEMENT
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	STREET NAME CHANGE
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CITY CASE NO. SUB-___-____

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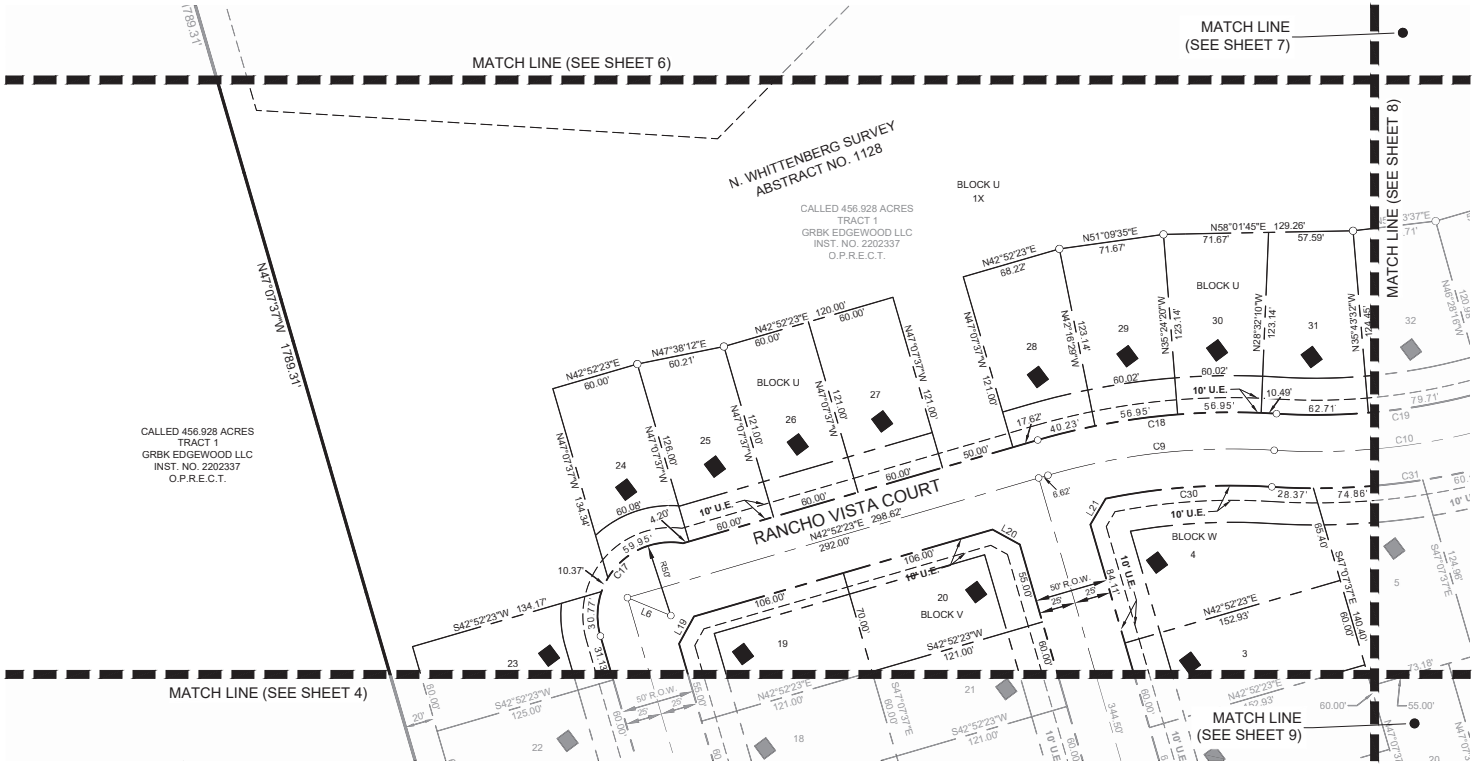
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1" = 60'	CDS	KHA	Oct. 2025	064537507	4 OF 11

DWG NAME: K:\FRI_SURVEY\064537507-HAVEN RANC HDW\064537507-HAVEN RANCH PH2 FP.DWG PLOTTED BY SKEETERS, CODY 10/27/2025 1:15 PM LAST SAVED 10/27/2025 11:47 AM

Item 4b



GRAPHIC SCALE IN FEET
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1" = 60' @ 18"x24"

LEGEND	
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ROW	RIGHT-OF-WAY
IRF	IRON ROD FOUND
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P.R.E.C.T.	PLAT RECORDS ELLIS COUNTY, TEXAS
	STREET NAME CHANGE
	LOT WIDTH AT BUILDING LINE

CITY CASE NO. SUB-___-____

PLAT

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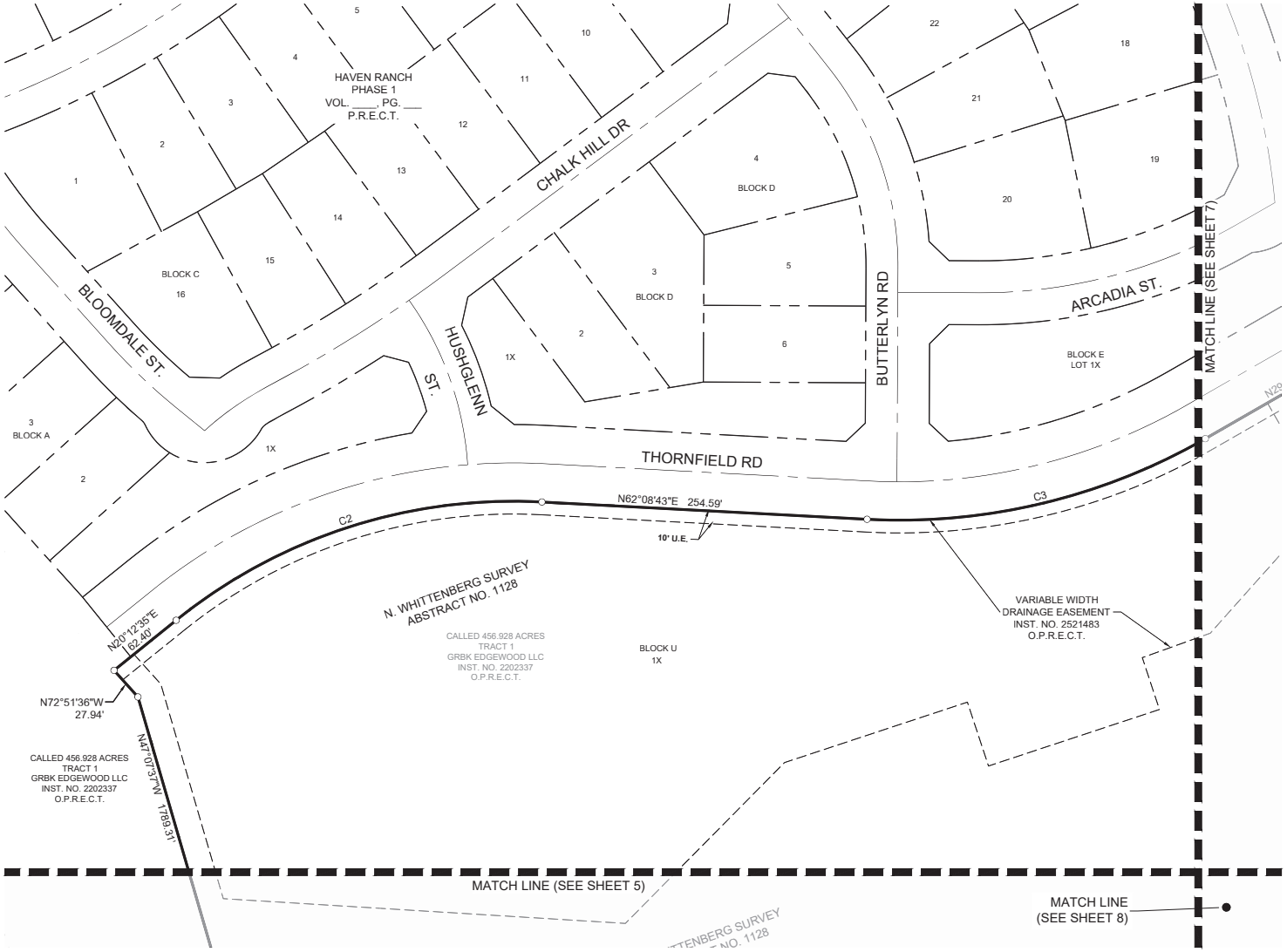
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1" = 60'	CDS	KHA	Oct. 2025	064537507	5 OF 11

DWG NAME: K:\FRI_SURVEY\064537507-HAVEN RANCH PH2\FP.DWG PLOTTED BY SKEETERS, CODY 10/27/2025 1:16 PM LAST SAVED 10/27/2025 11:47 AM

Item 4b



NORTH

GRAPHIC SCALE IN FEET
60 0 30 60 120
1" = 60' @ 18"x24"

LEGEND	
POB	POINT OF BEGINNING
ROW	RIGHT-OF-WAY
IRF	IRON ROD FOUND
B.L.	BUILDING LINE
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P.R.E.C.T.	PLAT RECORDS ELLIS COUNTY, TEXAS
◆	STREET NAME CHANGE
⟷	LOT WIDTH AT BUILDING LINE

CITY CASE NO. SUB-___-____

PLAT

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WAXAHACHIE, ELLIS COUNTY, TEXAS
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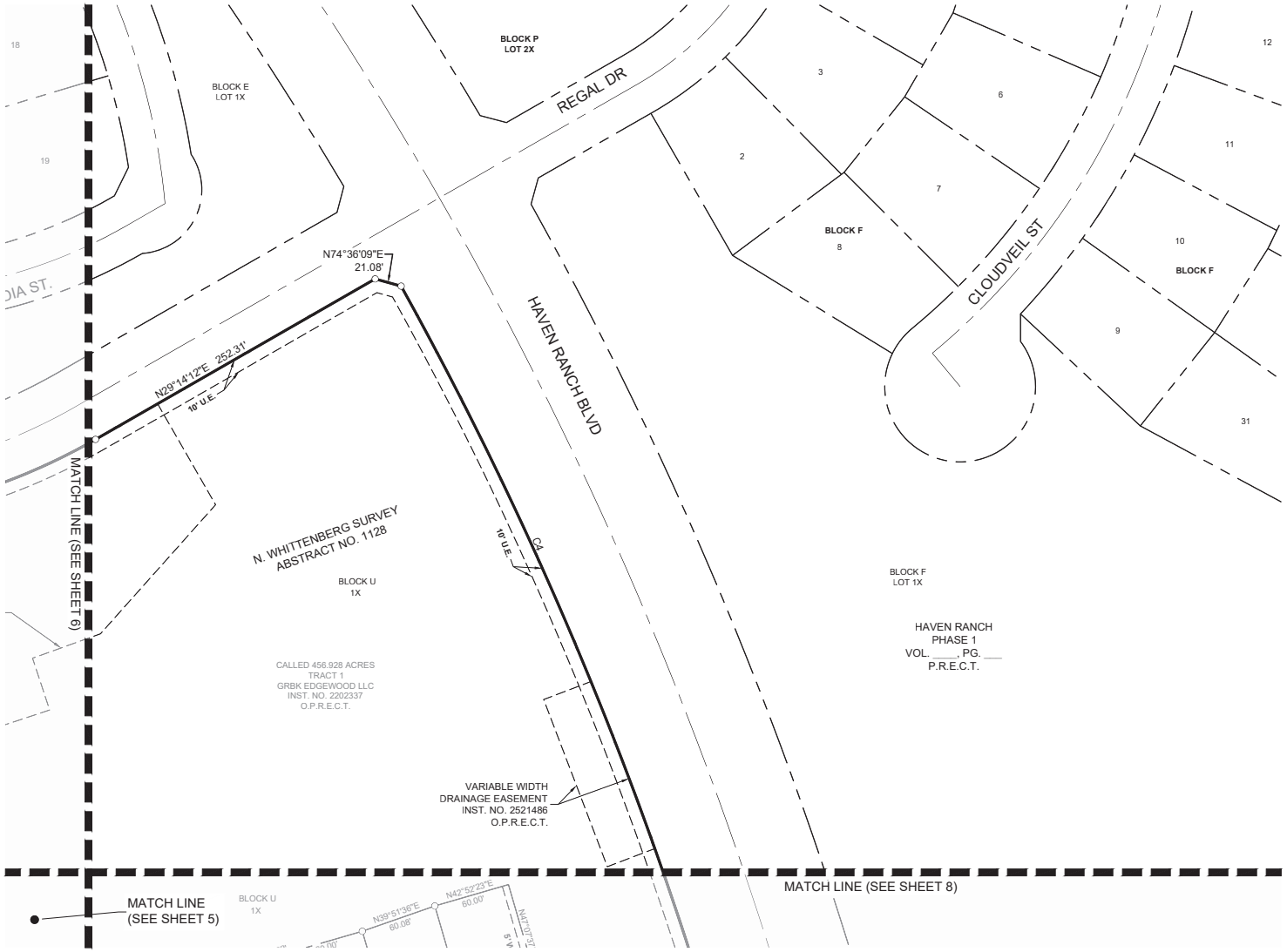
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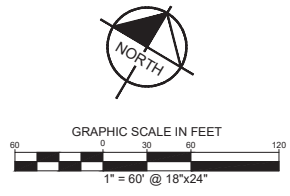
Kimley»Horn
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1" = 60'	CDS	KHA	Oct. 2025	064537507	6 OF 11

DWG NAME: K:\FRI_SURVEY\064537507-HAVEN RANC HDW\064537507-HAVEN RANCH PH2 FP.DWG PLOTTED BY SKEETERS, CODY 10/27/2025 1:16 PM LAST SAVED 10/27/2025 11:47 AM

Item 4b





LEGEND	
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IRF	IRON ROD FOUND
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◆	STREET NAME CHANGE
⟷	LOT WIDTH AT BUILDING LINE

CITY CASE NO. SUB-___-____

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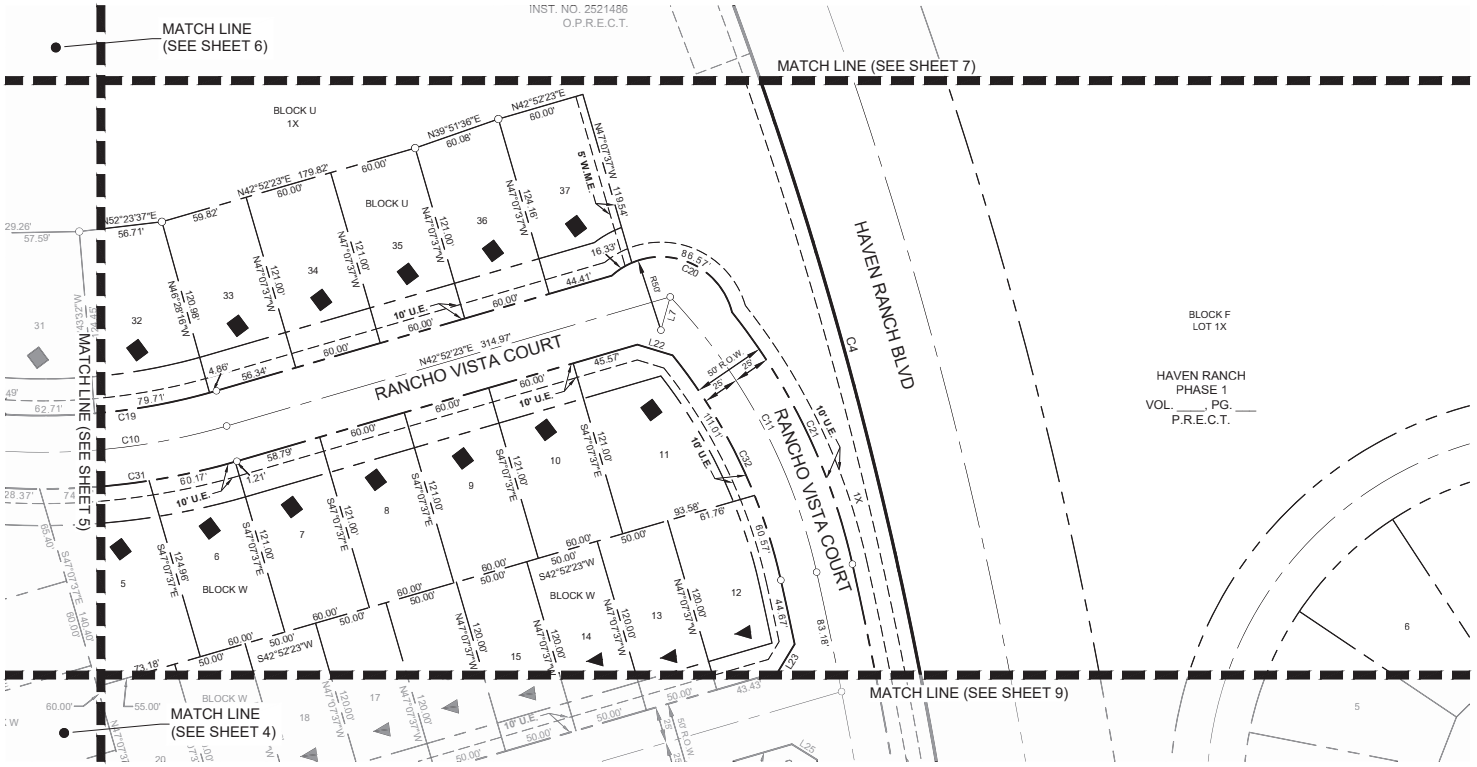
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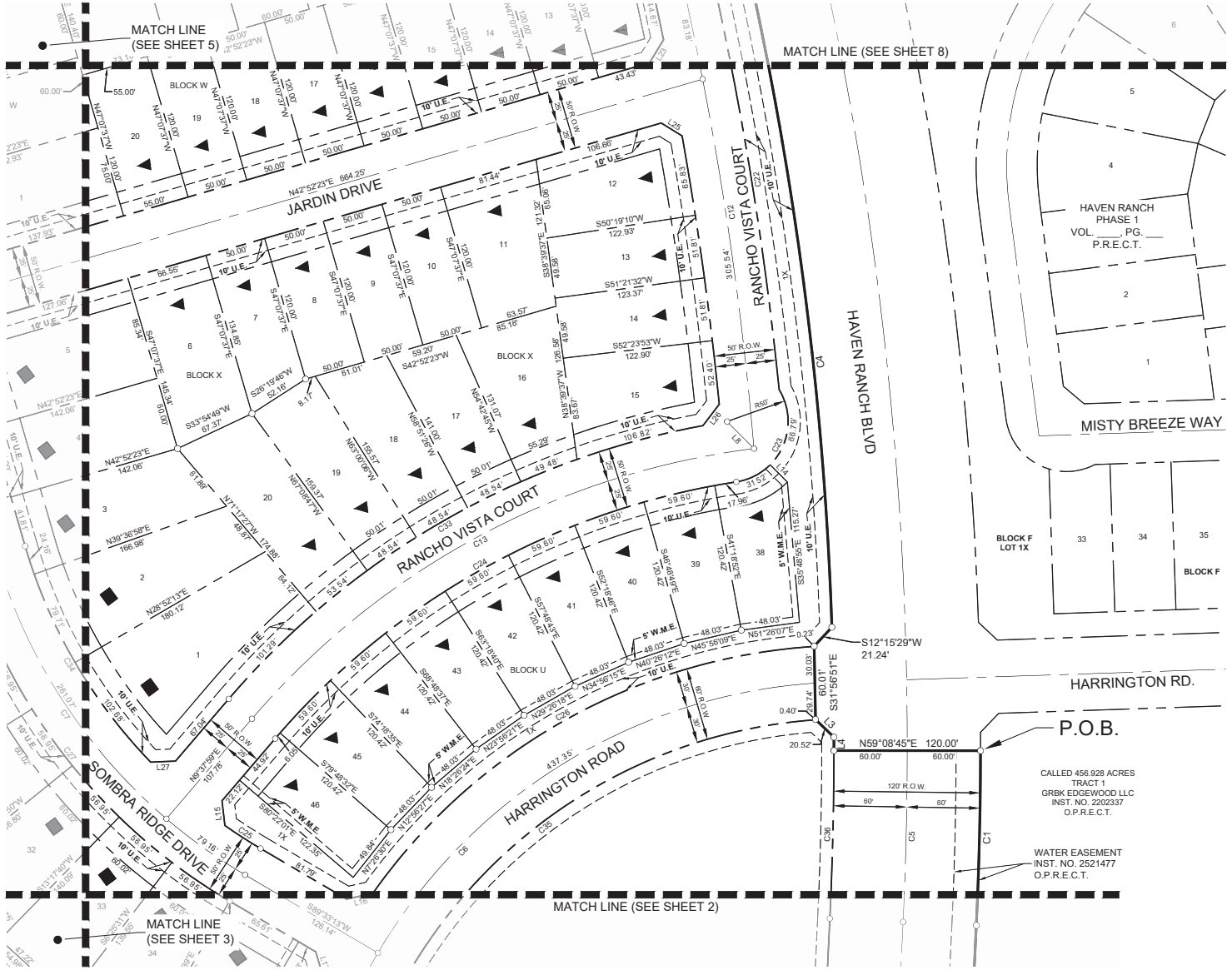
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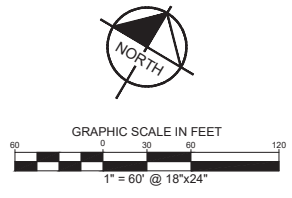
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Item 4b





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ROW	RIGHT-OF-WAY
IRF	IRON ROD FOUND
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LOT TABLE		
LOT NO.	ACRES	SQ. FT.
BLOCK U LOT 2	0.226	9,830
BLOCK U LOT 3	0.266	11,606
BLOCK U LOT 4	0.287	12,498
BLOCK U LOT 5	0.331	14,418
BLOCK U LOT 6	0.211	9,205
BLOCK U LOT 7	0.253	11,032
BLOCK U LOT 8	0.323	14,059
BLOCK U LOT 9	0.256	11,150
BLOCK U LOT 10	0.205	8,922
BLOCK U LOT 11	0.188	8,198
BLOCK U LOT 12	0.177	7,707
BLOCK U LOT 13	0.172	7,500
BLOCK U LOT 14	0.172	7,500
BLOCK U LOT 15	0.172	7,500
BLOCK U LOT 16	0.172	7,500
BLOCK U LOT 17	0.172	7,500
BLOCK U LOT 18	0.172	7,500
BLOCK U LOT 19	0.172	7,500
BLOCK U LOT 20	0.172	7,500
BLOCK U LOT 21	0.172	7,500
BLOCK U LOT 22	0.172	7,500
BLOCK U LOT 23	0.174	7,585
BLOCK U LOT 24	0.171	7,459
BLOCK U LOT 25	0.170	7,410
BLOCK U LOT 26	0.167	7,260
BLOCK U LOT 27	0.167	7,260
BLOCK U LOT 28	0.176	7,656
BLOCK U LOT 29	0.181	7,871
BLOCK U LOT 30	0.181	7,871
BLOCK U LOT 31	0.187	8,142

LOT TABLE		
LOT NO.	ACRES	SQ. FT.
BLOCK U LOT 32	0.193	8,420
BLOCK U LOT 33	0.168	7,322
BLOCK U LOT 34	0.167	7,260
BLOCK U LOT 35	0.167	7,260
BLOCK U LOT 36	0.169	7,355
BLOCK U LOT 37	0.170	7,406
BLOCK U LOT 38	0.152	6,627
BLOCK U LOT 39	0.149	6,500
BLOCK U LOT 40	0.149	6,500
BLOCK U LOT 41	0.149	6,500
BLOCK U LOT 42	0.149	6,500
BLOCK U LOT 43	0.149	6,500
BLOCK U LOT 44	0.149	6,500
BLOCK U LOT 45	0.149	6,500
BLOCK U LOT 46	0.140	6,116
BLOCK V LOT 1X	0.295	12,850
BLOCK V LOT 2	0.203	8,862
BLOCK V LOT 3	0.208	9,066
BLOCK V LOT 4	0.210	9,147
BLOCK V LOT 5	0.210	9,141
BLOCK V LOT 6	0.208	9,039
BLOCK V LOT 8	0.198	8,624
BLOCK V LOT 9	0.175	7,607
BLOCK V LOT 10	0.168	7,335
BLOCK V LOT 11	0.167	7,260
BLOCK V LOT 12	0.167	7,260
BLOCK V LOT 13	0.167	7,260
BLOCK V LOT 14	0.167	7,260
BLOCK V LOT 15	0.167	7,260
BLOCK V LOT 16	0.167	7,260

LOT TABLE		
LOT NO.	ACRES	SQ. FT.
BLOCK V LOT 17	0.167	7,260
BLOCK V LOT 18	0.167	7,260
BLOCK V LOT 19	0.192	8,357
BLOCK V LOT 20	0.192	8,358
BLOCK V LOT 21	0.167	7,260
BLOCK V LOT 22	0.167	7,260
BLOCK V LOT 23	0.167	7,260
BLOCK V LOT 24	0.167	7,260
BLOCK V LOT 25	0.167	7,260
BLOCK V LOT 26	0.167	7,260
BLOCK V LOT 27	0.167	7,260
BLOCK V LOT 28	0.170	7,420
BLOCK V LOT 29	0.181	7,877
BLOCK V LOT 30	0.193	8,387
BLOCK V LOT 31	0.199	8,667
BLOCK V LOT 32	0.208	9,065
BLOCK V LOT 33	0.210	9,139
BLOCK V LOT 34	0.208	9,065
BLOCK V LOT 35	0.203	8,853
BLOCK W LOT 1	0.261	11,357
BLOCK W LOT 2	0.211	9,176
BLOCK W LOT 3	0.211	9,176
BLOCK W LOT 4	0.301	13,101
BLOCK W LOT 5	0.221	9,636
BLOCK W LOT 6	0.169	7,341
BLOCK W LOT 8	0.167	7,260
BLOCK W LOT 9	0.167	7,260
BLOCK W LOT 10	0.167	7,260
BLOCK W LOT 11	0.222	9,665
BLOCK W LOT 12	0.168	7,319

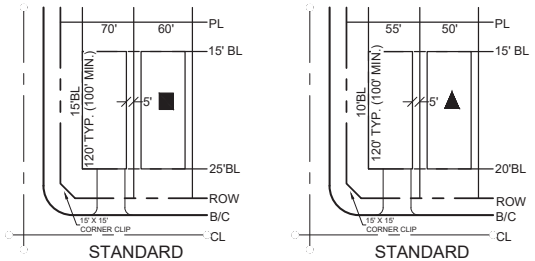
LOT TABLE		
LOT NO.	ACRES	SQ. FT.
BLOCK W LOT 13	0.138	6,000
BLOCK W LOT 14	0.138	6,000
BLOCK W LOT 15	0.138	6,000
BLOCK W LOT 16	0.138	6,000
BLOCK W LOT 17	0.138	6,000
BLOCK W LOT 18	0.138	6,000
BLOCK W LOT 19	0.138	6,000
BLOCK W LOT 20	0.152	6,600
BLOCK X LOT 1	0.369	16,057
BLOCK X LOT 2	0.254	11,047
BLOCK X LOT 3	0.219	9,529
BLOCK X LOT 4	0.196	8,523
BLOCK X LOT 5	0.276	12,011
BLOCK X LOT 6	0.214	9,324
BLOCK X LOT 7	0.146	6,371
BLOCK X LOT 8	0.138	6,000
BLOCK X LOT 9	0.138	6,000
BLOCK X LOT 10	0.138	6,000
BLOCK X LOT 11	0.200	8,701
BLOCK X LOT 12	0.202	8,786
BLOCK X LOT 13	0.143	6,247
BLOCK X LOT 14	0.143	6,246
BLOCK X LOT 15	0.204	8,870
BLOCK X LOT 16	0.196	8,557
BLOCK X LOT 17	0.166	7,251
BLOCK X LOT 18	0.183	7,970
BLOCK X LOT 20	0.228	9,927

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	2°40'57"	3056.50'	143.11'	S29°30'47"E	143.09'
C2	41°56'08"	420.00'	307.40'	N41°10'39"E	300.59'
C3	32°54'31"	480.00'	275.69'	N45°41'28"E	271.92'
C4	27°03'34"	2936.50'	1386.85'	S46°21'20"E	1373.99'
C5	2°40'57"	2996.50'	140.30'	N29°30'47"W	140.28'
C6	83°24'40"	450.00'	655.11'	S13°32'02"W	598.77'
C7	43°19'10"	450.00'	340.23'	S68°47'12"E	332.18'
C8	70°02'57"	550.00'	672.42'	S82°09'05"E	631.32'
C9	19°51'20"	450.00'	155.95'	S52°48'03"W	155.17'
C10	19°51'20"	450.00'	155.95'	N52°48'03"E	155.17'
C11	30°48'59"	400.00'	215.14'	N58°54'51"W	212.56'
C12	7°43'45"	2881.50'	388.72'	N39°38'29"W	388.42'
C13	42°20'40"	646.00'	477.43'	S30°48'19"W	466.64'
C14	24°29'24"	575.00'	245.77'	N79°30'46"E	243.91'
C15	264°12'27"	59.00'	272.07'	N53°38'26"E	87.55'
C16	33°08'32"	575.00'	332.60'	S63°41'53"E	327.99'
C17	115°50'31"	50.00'	101.09'	S10°47'38"W	84.73'
C18	19°51'20"	475.00'	164.61'	S52°48'03"W	163.79'
C19	19°51'20"	425.00'	147.28'	N52°48'03"E	146.55'
C20	117°54'43"	50.00'	102.90'	S75°59'14"W	85.68'
C21	25°52'57"	425.00'	191.99'	N56°26'50"W	190.36'
C22	6°49'00"	2906.50'	345.79'	N40°05'51"W	345.59'
C23	112°39'29"	50.00'	98.31'	N05°59'12"W	83.22'
C24	40°42'34"	621.00'	441.23'	S29°59'16"W	432.01'
C25	4°41'06"	425.00'	34.75'	S88°06'14"E	34.74'
C26	51°05'09"	480.00'	427.97'	S29°52'21"W	413.94'
C27	43°19'02"	475.00'	359.11'	S68°47'08"E	350.62'
C28	22°56'58"	480.00'	192.26'	S16°41'49"E	190.98'
C29	65°05'12"	525.00'	596.39'	S79°40'13"E	564.83'
C30	15°21'17"	425.00'	113.90'	S55°03'05"W	113.56'
C31	19°42'37"	475.00'	163.40'	N52°52'25"E	162.60'
C32	26°12'58"	375.00'	171.58'	N56°36'50"W	170.09'
C33	39°00'03"	671.00'	456.74'	S29°08'00"W	447.98'
C34	27°50'44"	425.00'	206.55'	S61°02'59"E	204.52'
C35	83°14'55"	420.00'	610.24'	N13°27'10"E	557.96'
C36	2°40'57"	2936.50'	137.49'	S29°30'47"E	137.47'

LINE TABLE

NO.	BEARING	LENGTH
L1	S16°49'42"W	21.21'
L2	N73°10'18"W	21.21'
L3	S77°00'36"E	20.92'
L4	S30°57'43"E	11.03'
L5	N84°15'21"W	34.00'
L6	N81°31'58"E	32.02'
L7	S15°16'26"E	23.55'
L8	N75°46'24"W	31.27'
L9	N16°49'42"E	21.21'
L10	S70°49'30"E	22.06'
L11	S49°07'26"W	21.80'
L12	S39°55'19"E	20.91'
L13	S37°38'07"E	21.80'
L14	N75°46'56"W	20.00'
L15	S37°33'25"E	20.39'
L16	S46°29'42"W	21.92'
L17	S47°23'16"E	21.92'
L18	S19°23'49"W	20.24'
L19	S02°07'37"E	21.21'
L20	N87°52'23"E	21.21'
L21	S00°23'01"E	20.56'
L22	S76°00'05"W	25.12'
L23	S00°12'25"W	22.06'
L24	S87°52'23"W	21.21'
L25	S89°08'21"E	20.08'
L26	S06°26'11"W	22.00'
L27	S56°49'23"W	20.39'
L28	S02°07'37"E	21.21'
L29	N73°10'18"W	21.21'
L30	S16°49'42"W	21.21'



STANDARD MANOR LOT

STANDARD COTTAGE LOT

CITY CASE NO. SUB-___-____

PLAT

HAVEN RANCH PHASE 2

53.621 ACRES SITUATED IN THE
NORMAN H. WHITTENBURG SURVEY, ABSTRACT NO. 1128
WAXAHACHIE, ELLIS COUNTY, TEXAS
119 RESIDENTIAL LOTS AND 3 OPEN SPACE HOA X-LOTS

APPLICANT:
Kimley-Horn and Associates, Inc.
13455 Noel Road, Two Galleria
Office Tower, Suite 700
Dallas, Texas 75240
Phone: 972-776-1765
Contact : Bryan Moody, P.E.

SURVEYOR:
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Phone: 972-335-3580
Contact : Sylviana Gunawan, RPLS

OWNER:
GRBK EDGEWOOD LLC.
2805 Dallas Parkway., Suite 400
Plano, Texas 75093
Phone: 817-658-2112
Contact: Bobby Samuel

Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, Texas 75034 FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	CDS	KHA	Oct. 2025	064537507	10 OF 11

DWG NAME: K:\FRI_SURVEY\064537507-HAVEN RANCH PH2\064537507-HAVEN RANCH PH2 FP.DWG PLOTTED BY SKEETERS, CODY 10/27/2025 1:16 PM LAST SAVED 10/27/2025 11:47 AM

OWNER'S CERTIFICATE AND DEDICATION
STATE OF TEXAS§
COUNTY OF ELLIS §

PROPERTY DESCRIPTION

WHEREAS, GRBK EDGEWOOD LLC, is the sole owner of a tract of a tract of land situated in the Norman H. Whittenberg Survey, Abstract No. 1128, City of Waxahachie, Ellis County, Texas, and being a portion of a called 456.928 acre tract of land described as "Tract 1" in a Special Warranty Deed to GRBK Edgewood LLC, as recorded in Instrument No. 2202337 of the Official Public Records, Ellis County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with plastic cap stamped "KHA" found for the southeast end of the southerly terminus of Haven Ranch Boulevard, a 120 foot wide right of way, according to Haven Ranch Phase 1, an addition to the City of Waxahachie, according to the Final Plat thereof recorded in Volume ____, Page ____, of the Plat Records of Ellis County, Texas, same being at the beginning of a non-tangent curve to the right with a radius of 3,056.50 feet, a central angle of 02°40'57", and a chord bearing and distance of South 29°30'47" East, 143.09 feet;

THENCE departing said terminus and crossing said 456.928 acre tract, the following:

In a southerly direction, with said non-tangent curve to the right, an arc distance of 143.11 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 28°10'18" East, a distance of 496.37 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 73°10'18" East, a distance of 21.21 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 61°49'42" East, a distance of 9.50 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 28°10'18" East, a distance of 80.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 61°49'42" West, a distance of 9.50 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 16°49'42" West, a distance of 21.21 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 28°10'18" East, a distance of 7.85 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 63°06'56" West, a distance of 120.03 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 28°10'18" West, a distance of 15.15 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 73°10'18" West, a distance of 21.21 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 61°49'42" West, a distance of 364.83 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 16°49'42" West, a distance of 21.21 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 28°10'18" East, a distance of 5.50 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 61°49'42" West, a distance of 50.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 28°10'18" West, a distance of 5.50 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 73°10'18" West, a distance of 21.21 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 61°49'42" West, a distance of 434.01 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 28°10'18" West, a distance of 60.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 61°49'42" West, a distance of 20.61 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 47°07'37" West, a distance of 1,789.31 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 72°51'36" West, a distance of 27.94 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

THENCE North 20°12'35" East, continuing across said 456.928 tract and along the southerly right of way of Thornfield Road, a 60 foot wide right of way, as dedicated in said Haven Ranch Phase 1, a distance of 62.40 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the right with a radius of 420.00 feet, a central angle of 41°56'08", and a chord bearing and distance of North 41°10'39" East, 300.59 feet;

THENCE along the southerly right of way line of said Thornfield Road, the following:

In a northerly direction, with said tangent curve to the right, an arc distance of 307.40 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 62°08'43" East, a distance of 254.59 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left with a radius of 480.00 feet, a central angle of 32°54'31", and a chord bearing and distance of North 45°41'28" East, 271.92 feet;

In an easterly direction, with said tangent curve to the left, an arc distance of 275.69 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 29°14'12" East, a distance of 252.31 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for west end of a corner clip at the intersection of the easterly right of way said Thornfield Road with the westerly right of way line of said Haven Ranch Boulevard;

THENCE North 74°36'09" East, along said corner clip, a distance of 21.08 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the east end of said corner clip and at beginning of a non-tangent curve to the right with a radius of 2,936.50 feet, a central angle of 27°03'34", and a chord bearing and distance of South 46°21'20" East, 1,373.99 feet;

THENCE along the westerly right of way line of said Haven Ranch Boulevard, the following:

In an easterly direction, with said non-tangent curve to the right, an arc distance of 1,386.85 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 12°15'29" West, a distance of 21.24 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 31°56'51" East, a distance of 60.01 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 77°00'36" East, a distance of 20.92 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 30°57'43" East, a distance of 11.03 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 59°08'45" East, a distance of 120.00 feet to the **POINT OF BEGINNING** and containing 53.621 acres (2,335,728 square feet) of land, more or less.

OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

That **GRBK EDGEWOOD LLC,** acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as **HAVEN RANCH PHASE 2**, an addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waxahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of Ingress and Egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

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

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

By: _____
Name: _____
Title: _____

STATE OF TEXAS §

COUNTY OF _____ §

Before me, the undersigned authority in and for _____ County, Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he is _____, and that he is authorized to execute the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

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

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

_____
TYPE OR PRINT NOTARY'S NAME

MY COMMISSION EXPIRES:_____

SURVEYOR'S CERTIFICATE

THAT I, Sylviana Gunawan, 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.

_____
Sylviana Gunawan Date
Registered Professional Land Surveyor NO. 6461
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Ph. 972-335-3580
sylviana.gunawan@kimley-horn.com

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

APPROVED BY:
PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE

_____ _____
Chairperson Date

_____ _____
Attest Date

ACERTIFICATE OF APPROVAL BY THE COMMISSIONER'S COURT OF ELLIS COUNTY, TEXAS:
APPROVED THE DATE, THE _____ DAY OF _____, 2024

_____
County Judge

_____ _____
Commissioner, Precinct No. 1 Commissioner, Precinct No. 3

_____ _____
Commissioner, Precinct No. 2 Commissioner, Precinct No. 4

_____
Attest

CITY CASE NO. SUB-___-____
PLAT

HAVEN RANCH PHASE 2

53.621 ACRES SITUATED IN THE
NORMAN H. WHITTENBURG SURVEY, ABSTRACT NO. 1128
WAXAHACHIE, ELLIS COUNTY, TEXAS
119 RESIDENTIAL LOTS AND 3 OPEN SPACE HOA X-LOTS

APPLICANT:
Kimley-Horn and Associates, Inc.
13455 Noel Road, Two Galleria
Office Tower, Suite 700
Dallas, Texas 75240
Phone: 972-776-1765
Contact : Bryan Moody, P.E.

SURVEYOR:
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Phone: 972-335-3580
Contact : Sylviana Gunawan, RPLS

OWNER:
GRBK EDGEWOOD LLC.
2805 Dallas Parkway., Suite 400
Plano, Texas 75093
Phone: 817-658-2112
Contact: Bobby Samuel

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034 FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	CDS	KHA	Oct. 2025	064537507	11 OF 11

DWG NAME: K:\FRI_SURVEY\064537507-HAVEN RANCH PH2\FP.DWG PLOTTED BY SKEETERS, CODY 10/27/2025 1:16 PM LAST SAVED 10/27/2025 11:47 AM

Planning & Zoning Department

Plat Staff Report

Case: SUB-171-2025

MEETING DATE(S)

Planning & Zoning Commission: December 8, 2025

CAPTION

Present a request by Kati Watson, Windrose Land Services for a Plat of WOC ADDITION, Lot 1 and 11X, Block A being 4.394 acres, located directly west of 2374 W US Highway 287 Bypass, situated in the Irwin Survey, Abstract Number 545 and 546, an addition to the City of Waxahachie (Property ID 295243 and 295240) – Owner: WAXAHACHIE OFFICE CONDOS LLC & Montclair Development A Series of EIS Development II LLC (SUB-171-2025)

RECOMMENDED MOTION

"I move to approve SUB-171-2025, a Plat of the WOC Addition, Lot 1 and 11X, Block A, 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 property into one (1) commercial lot and one (1) HOA maintained X-lot as part of the WOC Addition.

CASE INFORMATION

Applicant:	Kati Watson, Windrose Land Services
Property Owner(s):	WAXAHACHIE OFFICE CONDOS LLC & MONTCLAIR DEVELOPMENT A SERIES OF EIS DEVELOPMENT II LLC
Site Acreage:	4.394 acres
Number of Lots:	2 lots
Number of Dwelling Units:	0 units
Park Land Dedication:	The cash in lieu of park land dedication for this case is estimated at $2,491.20 ($600.00 per acre for non-residential lots).
Adequate Public Facilities:	Adequate public facilities are available to the subject property via the extension of off-site water from Sardis Lone-Elm WSC and City of Waxahachie sanitary sewer lines.

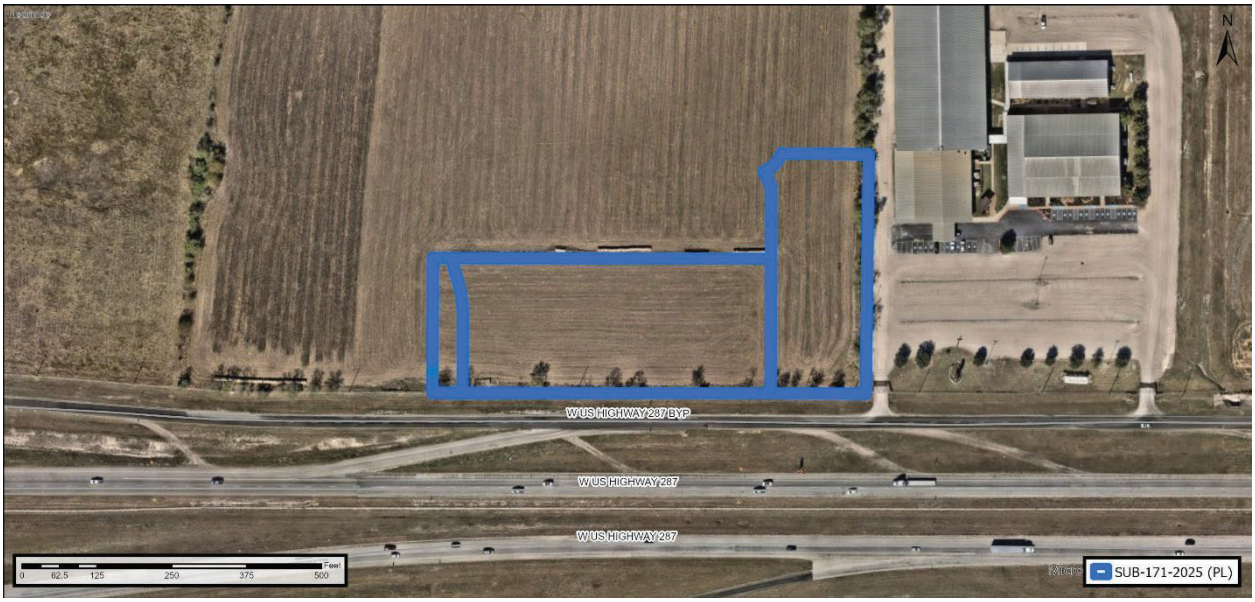
SUBJECT PROPERTY

General Location:	Directly west of 2374 W US Highway 287 Bypass
Parcel ID Number(s):	295243 and 295240
Current Zoning:	Planned Development-Mixed Use Residential (PD-MUR – Ord. 3315)

Existing Use: The subject property is currently undeveloped.

Platting History: A plat for the subject property (SUB-23-2022) was approved on May 10, 2022. Approval of the plat expired on May 10, 2024, due to lack of action to file the plat by the property owner.

Site Aerial:



PLANNING ANALYSIS

The applicant proposes to plat the subject property into one (1) commercial lot and one (1) HOA maintained X-lot as part of the WOC Addition. The subject property is located in the Montclair Heights Planned Development zoning district (Ord. 3315). The layout of the proposed subdivision adheres to the concept plan included in the Montclair Heights Planned Development. The proposed plat includes right-of-way (ROW) dedication for Fisher Way.

During the review of the plat application, staff identified technical errors that conflict with the requirements if 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 with the motion and conditions noted below.

Conditions:

1. Per Section 2.2.e of the Waxahachie Subdivision Ordinance, a notarize Property Owner Affidavit for Waxahachie Office Condos LLC must be provided. The Property Owner Affidavit provided with the initial submittal was for "Montclair 287 Land LLC".
2. Per Section 2.3.b of the Waxahachie Subdivision Ordinance, a hard copy of the embossed tax certificate for the property showing that no delinquent taxes exist against the property is required to be provided at the time of plat filing. The tax certificate provided with the initial application shows an outstanding tax balance due on the property.
3. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, show the proposed easements. There is an easement that is shown on the civil plans but not on this plat (for the meters).

Conditions (Continued):

4. Per Section 2.4.c.3 of the Waxahachie Subdivision Ordinance, please update the configuration of the adjacent property boundary. This tract of land has not been subdivided by plat; therefore, lots cannot be shown here.

5. Per Section 2.4.c.4 of the Subdivision Ordinance, please show all existing and proposed easements on the plat. The most recent review of civil plans indicates there is off-site grading for a drainage flume proposed along the north side of this site. If this is still the case, an easement would need to be shown on the plat.
6. Per Section 2.4.c.16 of the Waxahachie Subdivision Ordinance, a correct Title Block is required. Please revise the zoning for the subject property to "PD-MUR".
7. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block must be provided. Please revise the case number to "SUB-171-2025".
8. Per Section 2.4.c.25.vi of the Waxahachie Subdivision Ordinance, the actual name and title of the signatory for the Plat needs to be printed in the signature block. Please revise accordingly.
9. Per Section 3.10 of the Waxahachie Subdivision Ordinance, please add the following note pertaining to the drainage/detention easement:
   "The Owner shall be solely responsible for the construction, maintenance, repair, and replacement of all drainage facilities and improvements located within the Drainage Easement(s) on the Property. All such facilities shall be constructed pursuant to City standards and maintained in good working order and in compliance with all applicable laws, ordinances, regulations, and approved drainage plans of the City of Waxahachie. In the event the Owner fails to adequately maintain the Drainage Easement or drainage improvements therein, the City may, after providing written notice and a reasonable opportunity to cure (not less than thirty (30) days), enter the Drainage Easement to perform necessary maintenance or repairs. The City may recover all costs incurred from the Owner, including through any lawful means, including but not limited to the filing of a lien against the Property pursuant to applicable law."
10. Per Section 4.4.d of the Waxahachie Subdivision Ordinance, the Cash-in-Lieu of Park Land Dedication Fee must be paid prior to plat filing. This fee~~s~~ can be paid via check to the City of Waxahachie or via the invoice on our Citizen Self Service (CSS) Portal.
11. Per Section 7.2.h of the Waxahachie Subdivision Ordinance, Filing Fees are required to be paid with your Plat application prior to plat filing. These fees can be paid via check to the City of Waxahachie or via the invoice on our Citizen Self Service (CSS) Portal.

ATTACHED EXHIBITS

1. Plat
2. Water Utility Provider Endorsement Letter

APPLICANT REQUIREMENTS

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

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

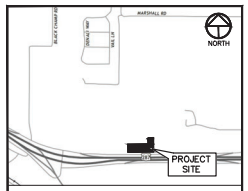
A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's Subdivision ordinance.
3. Installation and acceptance of a Traffic Signal at the intersection of the W US Highway 287 Business Service Road and W US Highway 287 Bypass Service Road is completed, as required by the Development Agreement for the subject property.

STAFF CONTACT INFORMATION

Prepared by:
David Jones
Planner
david.jones@waxachaie.com

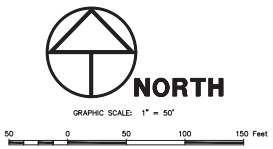
Reviewed by:
Trenton Robertson, AICP
Senior Director of Planning
trenton.robertson@waxahachie.com



CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

VICINITY MAP

NOT TO SCALE



SURVEYOR'S NOTES:

1. BEARINGS AND DISTANCES ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202 NORTH AMERICAN DATUM OF 1983 (NAD 83) (U.S. FOOT) WITH A COMBINED SCALE FACTOR OF 1.000072449.
2. SUBJECT PROPERTY IS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS, MAP NO. 48139C0170G, COMMUNITY-PANEL NO. 480798, EFFECTIVE DATE: OCTOBER 19, 2023. ALL OF THE SUBJECT PROPERTY IS SHOWN TO BE LOCATED IN ZONE "X" UNSHADED ON SAID MAP. THE LOCATION OF THE SAID FLOODZONES IS BASED ON SAID MAP, IS APPROXIMATE AND IS NOT LOCATED ON THE GROUND.
3. NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING CERTIFICATES.
4. THE PURPOSE OF THIS PLAT IS TO CREATE ONE COMMERCIAL LOT AND ONE "X" LOT FROM A UNPLATTED TRACT OF LAND.
5. DETENTION AREA SHALL BE MAINTAINED BY THE PROPERTY OWNER.
6. FENCES, RETAINING WALLS, AND SCREENING WALLS SHALL NOT BE PLACED IN UTILITY EASEMENTS.

STATE OF TEXAS §

COUNTY OF DENTON §

THIS IS TO CERTIFY THAT I, DANIEL L. JACKSON, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, HAVE PLATTED THE SUBDIVISION FROM AN ACTUAL SURVEY ON THE GROUND, AND THAT THIS PLAT CORRECTLY REPRESENTS THAT SURVEY MADE BY ME OR UNDER MY DIRECTION AND SUPERVISION.

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

DANIEL L. JACKSON, R.P.L.S.
NO. 5577

STATE OF TEXAS §

COUNTY OF ELLIS §

WHEREAS WAXAHACHIE OFFICE CONDOS LLC AND MONTCLAIR DEVELOPMENT, A SERIES OF EIS DEVELOPMENT II, LLC ARE THE OWNERS OF A 4.394 ACRE TRACT OF LAND SITUATED IN THE W. IRWIN SURVEY, ABSTRACT NUMBER (NO.) 545 & 546, ELLIS COUNTY, TEXAS, BEING A PORTION OF THAT TRACT OF LAND DESCRIBED TO MONTCLAIR DEVELOPMENT, A SERIES OF EIS DEVELOPMENT II, LLC IN SPECIAL WARRANTY DEED RECORDED IN DOCUMENT (DOC.) NO. 2225996, DEED RECORDS, ELLIS COUNTY, TEXAS (D.R.E.C.T.) AND BEING ALL OF THAT TRACT OF LAND DESCRIBED TO WAXAHACHIE OFFICE CONDOS LLC IN SPECIAL WARRANTY DEED RECORDED IN DOCUMENT (DOC.) NO. 2318571, D.R.E.C.T.; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS; (BEARINGS AND DISTANCES ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202) NORTH AMERICAN DATUM 83 (NAD83)(US FOOT) WITH A COMBINED SCALE FACTOR OF 1.000072449:

COMMENCING AT 5/8 INCH CAPPED IRON ROD STAMPED "WINDROSE" FOUND FOR THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED TO MONTCLAIR 287 LAND, LLC IN SPECIAL WARRANTY DEED RECORDED IN DOC. NO. 2436950, D.R.E.C.T., SAID POINT LYING ON THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 287 (VARIABLE WIDTH RIGHT-OF-WAY);

THENCE NORTH 88 DEG. 55 MIN. 18 SEC. EAST, WITH THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 287, A DISTANCE OF 50.00 FEET TO A 1/2 INCH CAPPED IRON STAMPED "WINDROSE" SET (CIRS) BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND BEING POINT OF BEGINNING;

THENCE NORTH 01 DEG. 04 MIN. 42 SEC. WEST TRAVERSING THROUGH SAID MONTCLAIR DEVELOPMENT TRACT AND WITH THE WEST LINE OF HEREIN DESCRIBED TRACT, A DISTANCE OF 225.00 FEET TO A CIRS FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT FROM A WHICH A 5/8 INCH CAPPED IRON ROD BEARS SOUTH 88 DEG. 55 MIN. 18 SEC. WEST, 31.04 FEET;

THENCE NORTH 88 DEG. 55 MIN. 18 SEC. EAST, WITH THE NORTH LINE OF THE HEREIN DESCRIBED TRACT AND THE SOUTH LINE OF SAID MONTCLAIR DEVELOPMENT TRACT, PASSING A 1/2 INCH FOUND IRON ROD FOR A DISTANCE OF 31.04 FEET, AND CONTINUING FOR A TOTAL DISTANCE OF 565.00 FEET TO A CIRS FOR AN INNER "ELL" CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE OVER AND ACROSS SAID MONTCLAIR DEVELOPMENT TRACT THE FOLLOWING CALLS AND DISTANCES:

NORTH 01 DEG. 04 MIN. 42 SEC. WEST, A DISTANCE OF 117.99 FEET TO A CIRS;

NORTH 25 DEG. 23 MIN. 53 SEC. WEST, A DISTANCE OF 30.00 FEET TO A CIRS AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

WITH SAID CURVE NON-TANGENT TO THE LEFT, HAVING A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 42 DEG. 08 MIN. 46 SEC., AN ARC LENGTH OF 44.14 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 43 DEG. 31 MIN. 44 SEC. EAST, 43.15 FEET TO A CIRS;

NORTH 89 DEG. 30 MIN. 33 SEC. EAST, A DISTANCE OF 144.75 FEET TO A CIRS FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT AND LYING ON THE WEST LINE OF LOT 2R, ELLIS COUNTY YOUTH EXPO, AN ADDITION TO THE CITY OF WAXAHACHIE ELLIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET (CAB.) G, PAGE (PG.) 359, PLAT RECORDS, ELLIS COUNTY, TEXAS (P.R.E.C.T.);

THENCE SOUTH 00 DEG. 29 MIN. 27 SEC. EAST, WITH THE WEST LINE OF SAID LOT 2R, A DISTANCE OF 399.58 FEET TO A 5/8 INCH FOUND IRON ROD FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, LYING IN THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 287;

THENCE SOUTH 88 DEG. 55 MIN. 18 SEC. WEST, WITH THE NORTH RIGHT-OF-WAY LINE OF SAID U.S HIGHWAY NO. 287, PASSING A 1/2 INCH CAPPED IRON ROD STAMPED "WINDROSE" FOUND FOR A DISTANCE OF 158.59 FEET, ALSO PASSING A 1/2 INCH CAPPED IRON ROD STAMPED "WINDROSE" FOUND FOR A DISTANCE OF 515.00 FEET AND CONTINUING FOR A TOTAL DISTANCE OF 723.59 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.3942 ACRES OR 191,410 SQUARE FEET OF LAND MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT WAXAHACHIE OFFICE CONDOS LLC AND MONTCLAIR DEVELOPMENT, A SERIES OF EIS DEVELOPMENT II, LLC ACTING HEREIN BY AND THROUGH IS DULY AUTHORIZED OFFICERS, DOES HEREBY CERTIFY AND ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS WOC ADDITION, AN ADDITION TO THE CITY OF WAXAHACHIE, AND DO 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, 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 PARTICULARLY UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF WAXAHACHIES'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, FENCE, TREE, SHRUB OR OTHER IMPROVEMENT OR GROWTH 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 THE 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: WAXAHACHIE OFFICE CONDOS LLC

_____
AUTHORIZED SIGNATORY

_____
PRINTED NAME/TITLE

_____
DATE

STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____DAY OF _____ 20____.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

BY: MONTCLAIR DEVELOPMENT, A SERIES OF EIS DEVELOPMENT II, LLC

_____
AUTHORIZED SIGNATORY

_____
PRINTED NAME/TITLE

_____
DATE

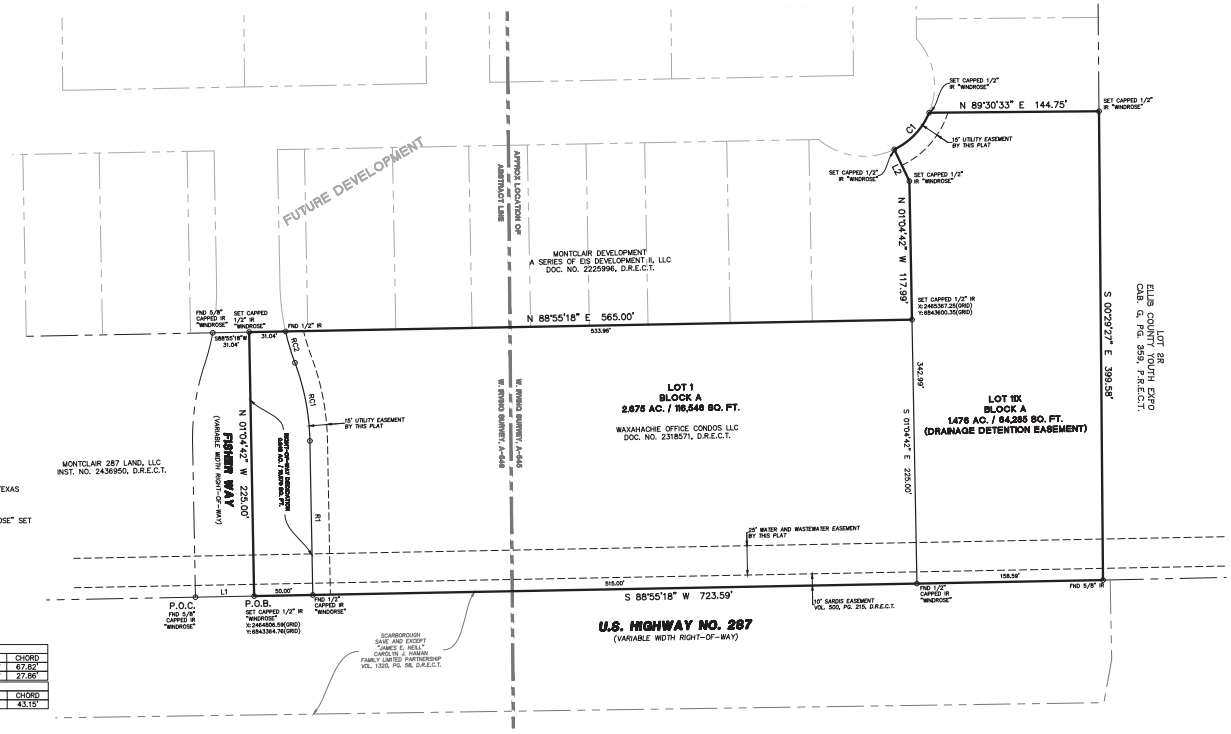
STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____DAY OF _____ 20____.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



LEGEND OF ABBREVIATIONS

- D.R.E.C.T. DEED RECORDS, ELLIS COUNTY, TEXAS
- O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
- P.R.E.C.T. PLAT RECORDS, ELLIS COUNTY, TEXAS
- ROW RIGHT OF WAY
- IRS 1/2 INCH CAPPED REBAR STAMPED "WINDROSE" SET
- C.M. CONTROLLING MONUMENT
- APPROX. APPROXIMATE
- P.O.C. POINT OF COMMENCING
- P.O.B. POINT OF BEGINNING

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 88°55'18" E	50.00'
L2	N 25°23'53" W	30.00'

ROW LINE TABLE		
LINE	BEARING	DISTANCE
R1	N 01°04'42" W	131.32'

ROW CURVE CHART					
CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
RC1	200.00'	19°31'27"	68.15'	N 10°50'26" W	67.82'
RC2	200.00'	7°58'14"	27.86'	N 16°36'32" W	27.86'

CURVE CHART					
CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C1	60.00'	42°08'46"	44.14'	N 43°31'44" E	43.15'

CERTIFICATE OF APPROVAL:

APPROVED BY: PLANNING AND ZONING COMMISSION– CITY OF WAXAHACHIE

BY: _____
CHAIRPERSON DATE

BY: _____
ATTEST DATE

ENGINEER
MACATEE ENGINEERING
4144 N. CENTRAL EXPRESSWAY, SUITE 340
DALLAS, TEXAS 75204

OWNER/DEVELOPER
MONTCLAIR DEVELOPMENT
A SERIES OF EIS DEVELOPMENT II, LLC
6350 NORTH IH 35E
WAXAHACHIE, TX 75165

OWNER/DEVELOPER
WAXAHACHIE OFFICE CONDOS LLC
21 TRANQUIL POND
FRISCO, TX 75034

WINDROSE
LAND SURVEYING | PLATTING
1760 S. STEMMONS FRWY., SUITE 180 | LEWISVILLE, TX 75057 | 214.217.2544
FIRM REGISTRATION NO. 10108800 | WINDROSESERVICES.COM
DRAWN BY: S.S DATE: 07/16/2024 CHECKED BY: D.L.J. JOB NO.: DS7380
POC: LUKE JACKSON EMAIL: LUKE.JACKSON@WINDROSESERVICES.COM PHONE: 940-389-9218

PLAT
WOC ADDITION
LOT 1 AND 11X, BLOCK A
BEING 4.394 ACRES/191,410 SQ. FT.
SITUATED IN THE
W. IRWIN SURVEY, ABSTRACT NO. 545 AND
THE IRWIN SURVEY, ABSTRACT NO. 546
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
ZONING: GENERAL RETAIL (GR)
CASE NUMBER SUB-144-2024
DATE PREPARED: 07/16/2024

PLANNING & ZONING DEPARTMENT
408 South Rogers Street | Waxahachie, Texas 75168
(469) 309-4290 | www.waxahachie.com/Departments/Planning_Department

WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: _____ **Parcel ID #:** _____

Subdivision Name: WOC Addition, Lot 1 & 11X, Block A

The City of Waxahachie requires new lots in subdivisions have adequate water flow and pressure to comply with TCEQ and latest Insurance Service Office (ISO) guidelines. Subdivisions served by water providers outside of the City of Waxahachie 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 application packet to the Planning Department.

Contact Information:

Buena Vista-Bethel SUD	(972) 937-1212
Carroll Water Company	(972) 617-0817
Mountain Peak SUD	(972) 775-3765
Rockett SUD	(972) 617-3524
Sardis-Lone Elm WSC	(972) 775-8566
Nash Foreston WSC	(972) 483-3039

To be completed by the water utility provider:

		Yes	No
1.	I have reviewed a copy of the proposed plat.	☑	☐
2.	The platted lots fall within our CCN area.	☑	☐
3.	Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	☑	☐
4.	Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	☑	☐
5.	The water line size servicing the lots is 12 inches.	☑	☐

Paul Tischler
Print Name of General Manager of water provider or Designee

Sardis Lone Elm WSC
Name of water provider company

Signature of General Manager of water provider or Designee

9-30-25
Date

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-137-2025

MEETING DATE(S)

Planning & Zoning Commission: December 8th, 2025
City Council: January 5, 2026

CAPTION

Public Hearing on a request by Joshua Bell and Tiffany Bell, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single Family-2 zoning district located at 105 Indian CT (Property ID 173005) - Owners: Joshua and Tiffany Bell (ZDC-137-2025)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-137-2022 a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the Mayor and/or Interim City Manager to execute all documents accordingly."

APPLICANT REQUEST

The Applicant requests a Specific Use Permit for a Short-Term Rental use at 105 Indian Court.

CASE INFORMATION

Applicant: Joshua Bell and Tiffany Bell
Property Owner(s): Joshua Bell and Tiffany Bell

Site Acreage: 0.1940 acres

Current Zoning: Single-Family 2(SF-2)

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

SUBJECT PROPERTY

General Location: 105 Indian Court

Parcel ID Number(s): 173005

Existing Use: Residential use

Development History: The subject property is currently platted as Lot 8 Block 2 of the Colonial Acres Addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	SF-2	Single Family Residence

Future Land Use Plan: Mixed Use Neighborhood

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

Site Image:



PLANNING ANALYSIS

The Applicant requests a SUP for short-term rental use at 105 Indian Court because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,340 square feet, with three (3) bedrooms and enough improved surface to accommodate parking for a maximum of three (3) vehicles. The subject property is situated on an approximately 0.1940 acres (8,450 square feet) lot. The applicant has not been operating the subject property as a short-term rental; therefore, they have not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant submitted the SUP application on September 15, 2025.

Planning Analysis (continued)

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered that there were no nuisance-related calls.

The applicant's local emergency contact is James Bell, 1734 Greathouse Road, Waxahachie, TX 75165, kbell@northtexas.ag, which is located approximately 12 (Twelve) miles from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 27 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Daily Light and a sign was visibly posted at the property.

PUBLIC NOTIFICATION RESPONSES

At the time of the publishing of this staff report, a total of no letters of support and opposition were received by staff.

RECOMMENDATION

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

Conditions:

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of eight (8) guests per stay.
4. The short-term rental operator shall permit a maximum of three (3) vehicles to be parked on the subject property. Off-site and/or on-street parking is prohibited.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
6. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.

ATTACHED EXHIBITS

1. Location Map (Exhibit A)
2. Zoning Map (Exhibit B)
3. Floorplan (Exhibit C)
4. Site Plan (Exhibit D)
5. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:
David Jones
Planner
david.jones@waxahachie.com

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


Exhibit-A
Item 5&6
HIGH SCHOOL DR
STADIUM DR
INDIAN CT
N
0
37.5
75
150
225
300
Feet
ZDC-137-2025 (SUP)

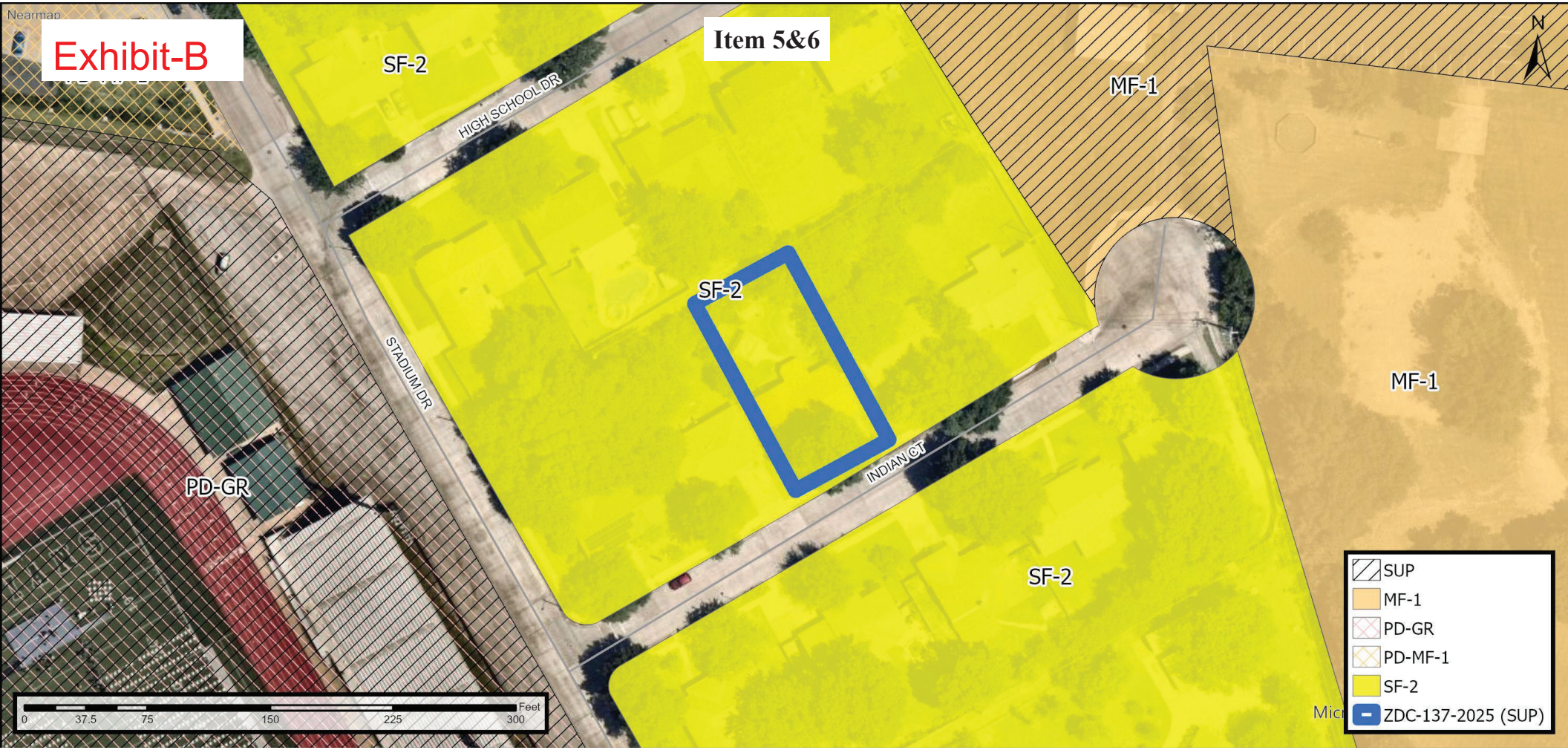
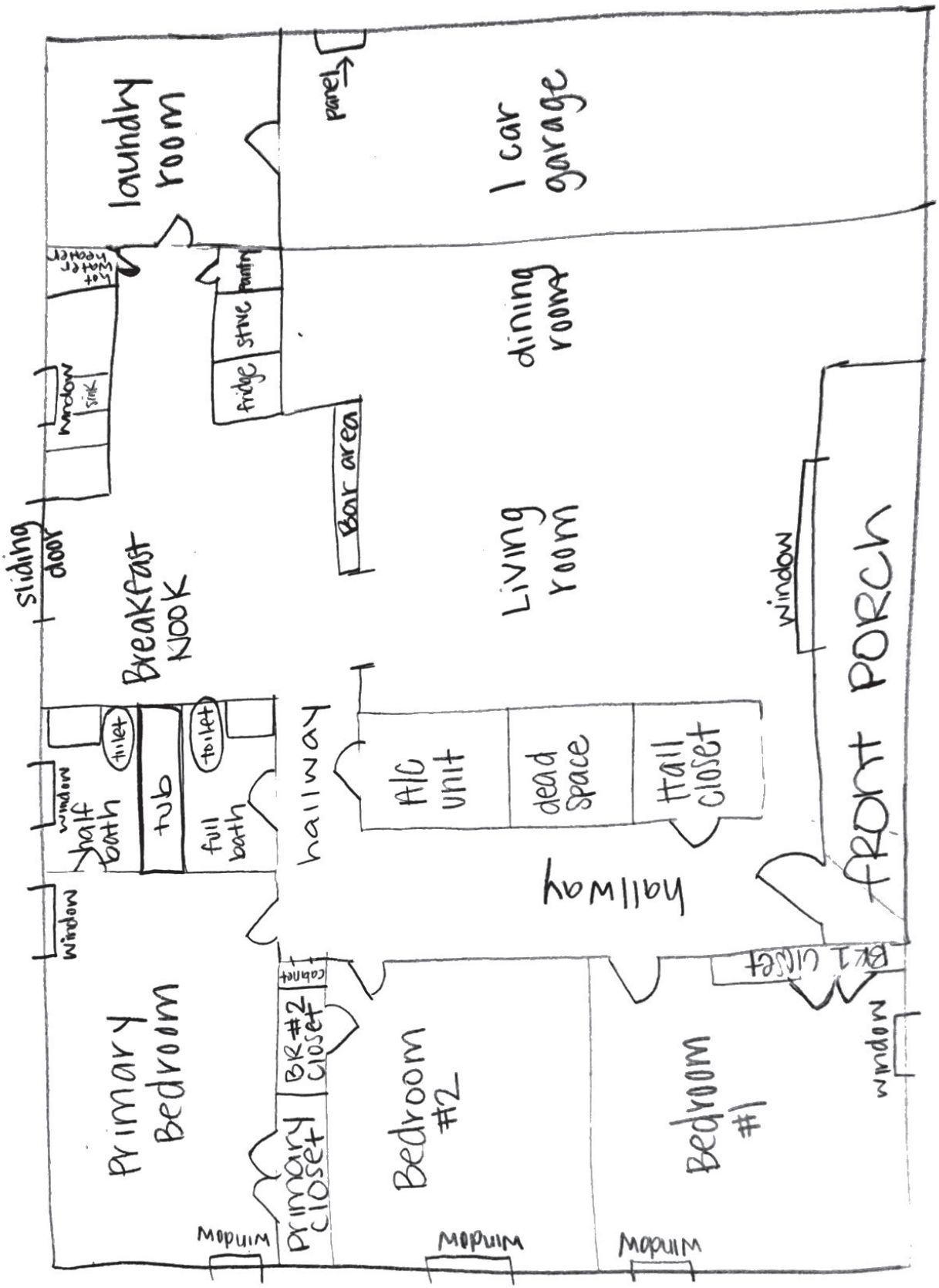

Exhibit-B
Item 5&6
SF-2
HIGH SCHOOL DR
MF-1
SF-2
STADIUM DR
MF-1
PD-GR
INDIAN CT
SF-2
N
SUP
MF-1
PD-GR
PD-MF-1
SF-2
ZDC-137-2025 (SUP)
0
37.5
75
150
225
300
Feet

Exhibit-C

Item 5&6



House Rules for 105 Indian Court, Waxahachie, Texas 75165

General Conduct

- No parties or events allowed. Quiet hours are from 8:00 PM to 10:00 AM.
- Only 6 registered guests are permitted to stay overnight.
- Only a maximum of 3 cars will be permitted.
- No smoking or vaping inside the home. Smoking is only allowed outdoors and cigarette butts must be disposed of properly.
- Illegal activity of any kind is strictly prohibited.

Safety & Security

- Keep all doors and windows locked when leaving the property.
- Security cameras are installed at exterior entrances for safety. Tampering with cameras is prohibited.
- Do not disable or remove smoke detectors, carbon monoxide detectors, or fire extinguishers.

Property Care

- Treat the home with respect. Please report any damages *immediately*.
- No rearranging furniture or removing items from the property.
- Garbage must be placed in the provided lidded trash containers.
- Do not flush anything other than toilet paper down the toilets.

Parking & Neighbors

- Parking is only permitted on the driveway or in the garage - NO parking will be permitted on the street
- Respect neighbors. No loud music, disruptive behavior, or trespassing on nearby properties.
- Follow all city noise and occupancy ordinances.

Amenities

- Outside: No glass containers outside. Gates must remain closed and latched at all times.
- Kitchen Use: Cooking is permitted, but please clean up after use and make sure ALL appliances are off.
- Laundry: Dryer lint trap must be cleaned after each use.

Check-In / Check-Out

- Check-in time: 2:00pm | Check-out time: 11:00pm
- Late check-outs may result in additional charges.

Acknowledgment

By staying at this property, all guests agree to follow these rules. Violation of rules may result in additional fees, cancellation of reservation, or removal from the property without refund.

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-144-2025

MEETING DATE(S)

Planning & Zoning Commission: December 8th, 2025
City Council: January 5, 2026

CAPTION

Public Hearing on a request by Emilia Atkinson, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single Family-2 zoning district located at 311 Morene Ave (Property ID 175135) - Owners: Emilia Ochoa-Atkinson and Joshua Atkinson (ZDC-144-2025)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-144-2022, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the authorizing the Mayor and/or Interim City Manager to execute all documents accordingly."

APPLICANT REQUEST

The Applicant requests a Specific Use Permit for a Short-Term Rental use at 311 Morene Avenue.

CASE INFORMATION

Applicant: Emilia Ochoa-Atkinson

Property Owner(s): Emilia Ochoa-Atkinson and Joshua Atkinson

Site Acreage: 0.1824 acres

Current Zoning: Single-Family 2 (SF-2)

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

SUBJECT PROPERTY

General Location: 311 Morene Avenue

Parcel ID Number(s): 173731

Existing Use: Residential use

Development History: The subject property is currently platted as Lot 224 of the Gingerbread Village Phase 1&2.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	SF-2	Single Family Residence

Future Land Use Plan: Mixed Use Neighborhood

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

Site Image:



PLANNING ANALYSIS

The Applicant requests a SUP for short-term rental use at 311 Morene Avenue because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,943 square feet, with four (4) bedrooms and enough improved surface to accommodate parking for a maximum of four (4) vehicles. The subject property is situated on an approximately 0.1940 acres (8,450 square feet) lot. The applicant has not been operating the subject property as a short-term rental; therefore, they have not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant submitted the SUP application on September 3, 2025.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered that there were no nuisance-related calls.

The applicant's local emergency contact is Priscilla Santiago, 1225 Hillview Drive, Waxahachie, TX 75165, priscilla099@outlook.com, which is located approximately six (6) miles from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 31 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

At the time of the publishing of this staff report, a total of 0 letters of support and 0 letters of opposition were received by staff.

RECOMMENDATION

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

Conditions:

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of ten (10) guests per stay.
4. The short-term rental operator shall permit a maximum of four (4) vehicles to be parked on the subject property. Off-site and/or on-street parking is prohibited.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
6. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.

ATTACHED EXHIBITS

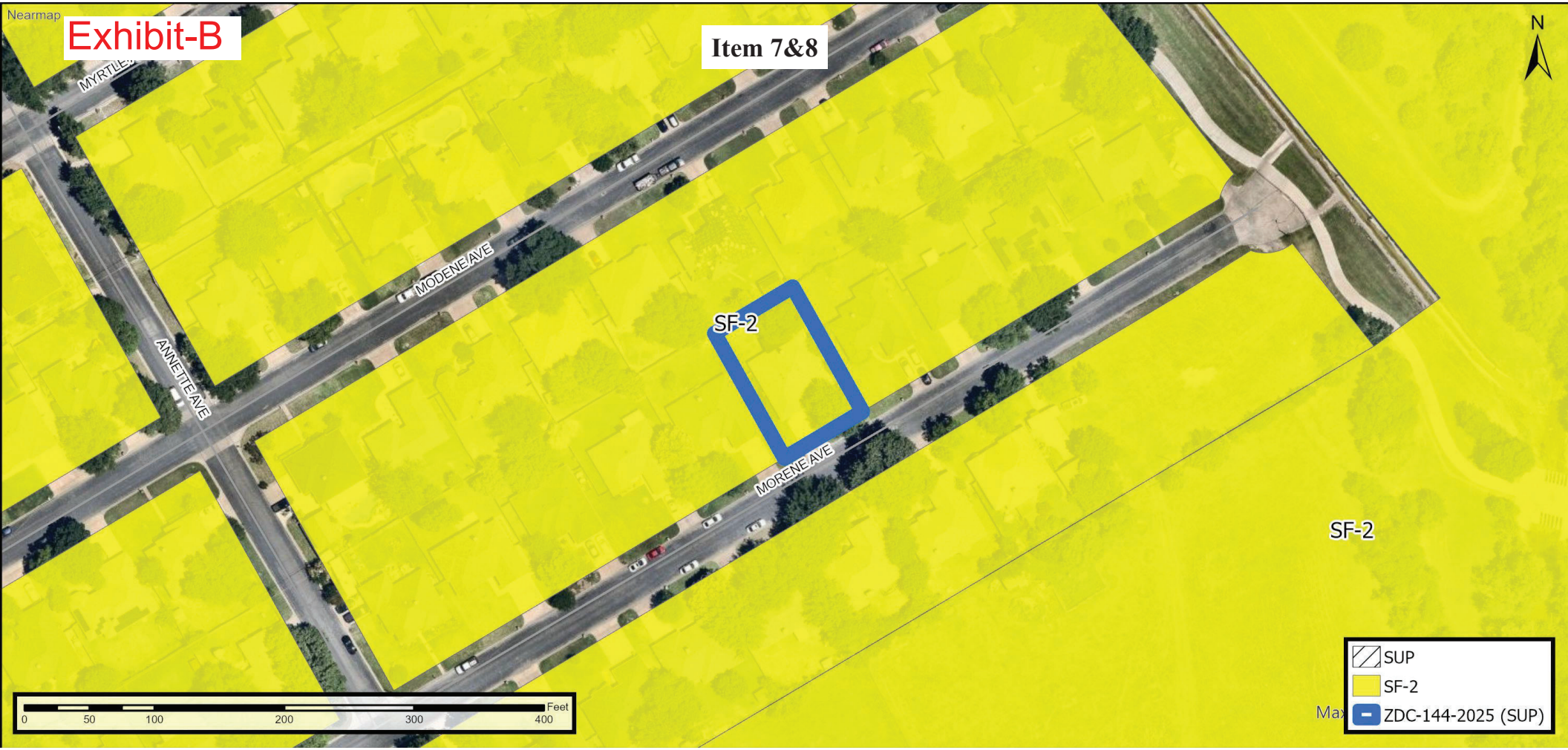
1. Location Map (Exhibit A)
2. Zoning Map (Exhibit B)
3. Floorplan (Exhibit C)
4. Site Plan (Exhibit D)
5. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:
David Jones
Planner
david.jones@waxahachie.com

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


Exhibit-A
Item 7&8
MODENE AVE
ANNETTE AVE
MORENE AVE
0
50
100
200
300
400
Feet
ZDC-144-2025 (SUP)


Nearmap
Exhibit-B
Item 7&8
N
MODENE AVE
ANNETTE AVE
SF-2
MORENE AVE
SF-2
0
50
100
200
300
400
Feet
SUP
SF-2
ZDC-144-2025 (SUP)

311 Morene Avenue, Waxahachie TX 75165 - Floorplan



Exhibit-D

E. 303
366

Item 7&8

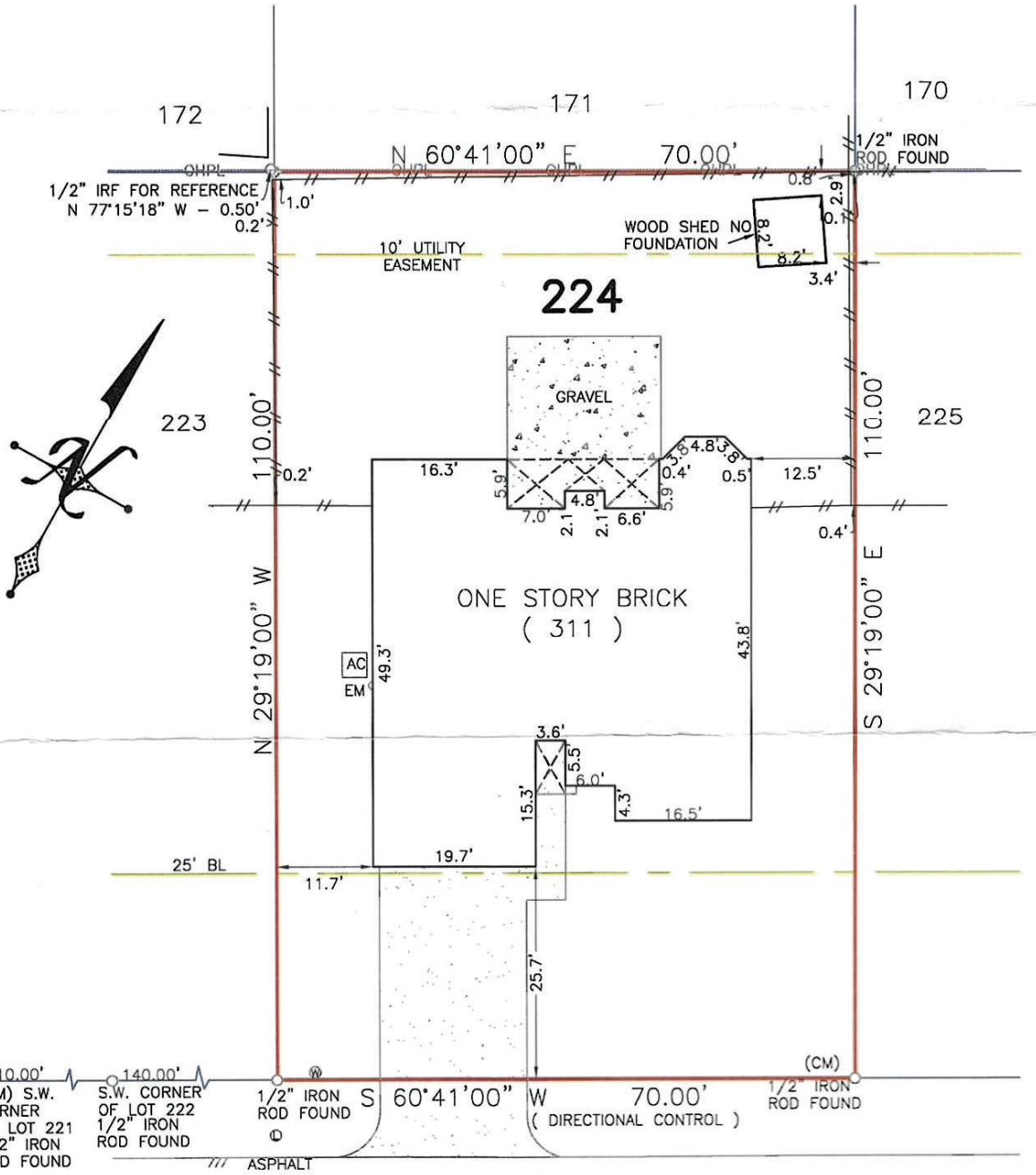
BURNS SURVEYING

BARRY S. RHODES Registered Professional Land Surveyor (214) 326–1090

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 311 MORENE AVENUE, in the City of WAXAHACHIE Texas.

Being All that certain lot, tract or parcel of land being Lot 224, Gingerbread Village Phase 1 & 2, an addition to the City of Waxahachie, Ellis County, Texas, according to the map or plat thereof recorded in Cabinet B, Slide 352 and 353 of the Plat Records of Ellis County, Texas.





MORENE AVENUE

ACCEPTED BY:

MCKNIGHT TITLE

PROPERTY SUBJECT TO EASEMENTS & RESTRICTIONS
Volume 1154, Page 947,
Volume 409, Page 369,
Volume 4838, Page 328

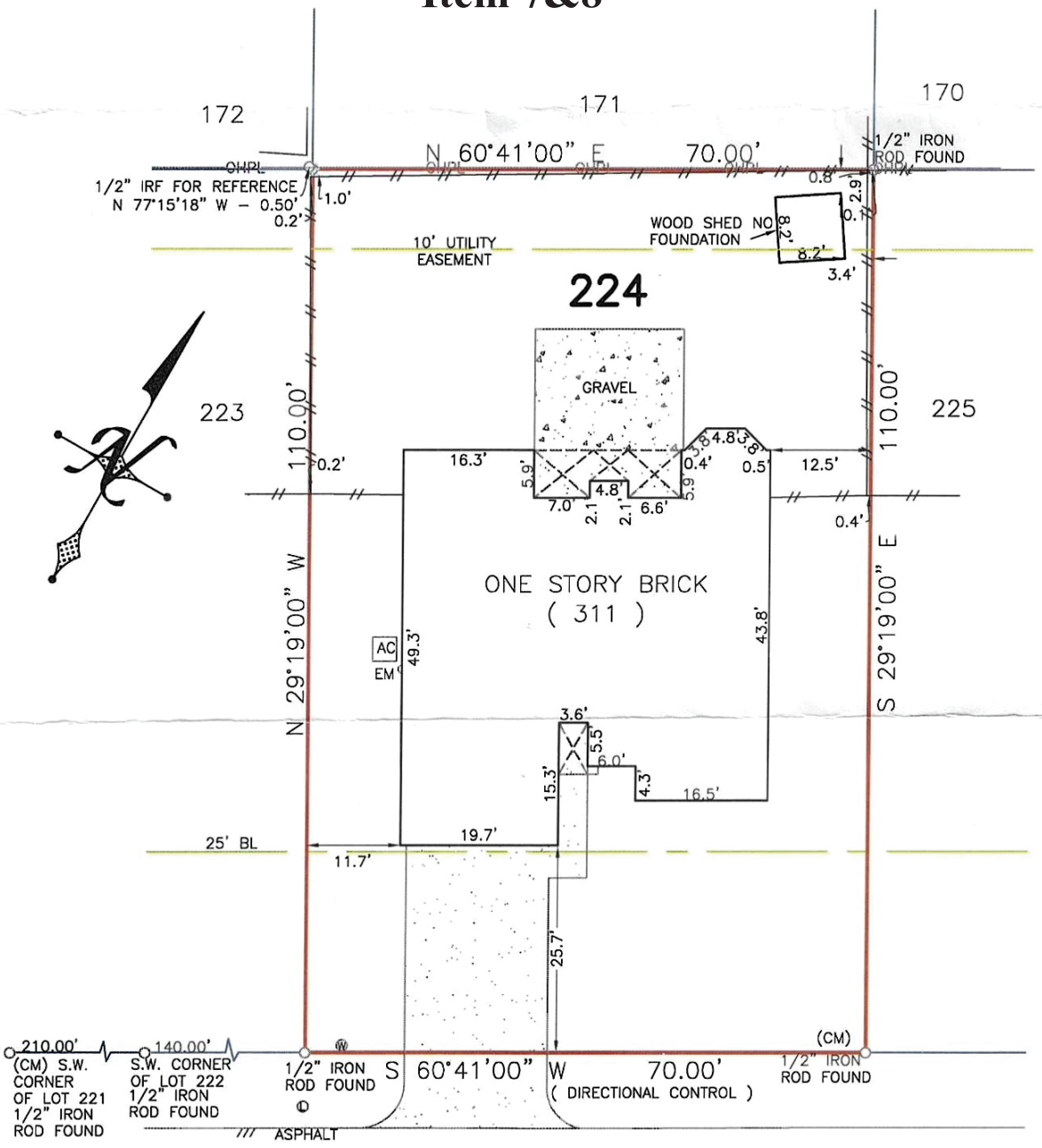
LEGEND
WOOD FENCE — IRON FENCE —

STATE OF TEXAS REGISTERED

Exhibit-D

Item 7&8





MORENE AVENUE

ACCEPTED BY: _____

MCKNIGHT TITLE

PROPERTY SUBJECT TO EASEMENTS & RESTRICTIONS
Volume 1154, Page 947,
Volume 409, Page 369,
Volume 4838, Page 328

The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat: the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated, or visible and apparent easements.

TITLE AND ABSTRACTING WORK FURNISHED BY MCKNIGHT TITLE

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 20'
Date: 10/25/2024
G. F. No.: CB-12901-VL
Job no.: 202409171
Drawn by: NM

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM.
THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR MCKNIGHT TITLE

LEGEND
WOOD FENCE -//- IRON FENCE -///-
CHAIN LINK -O- WIRE FENCE -X-
BOUNDARY LINE
EASEMENT SETBACK
CM – CONTROLLING MONUMENT
MRD – MONUMENT OF RECORD DIGNITY
POINT FOR CORNER
1/2" YELLOW-CAPPED IRON ROD SET STAMPED "BURNS SURVEYING"
X-CUT FOUND OR SET (AS NOTED)
FENCE POST FOR CORNER
MONUMENT FOUND EM – ELECTRIC METER
(C) – CABLE (E) – ELECTRIC
(CO) – CLEAN OUT PE – POOL EQUIP
(G) – GAS METER – POWER POLE
(FH) – FIRE HYDRANT (T) – TELEPHONE
(LP) – LIGHT POLE (W) – WATER METER
(MH) – MANHOLE (V) – WATER VALVE
(UNLESS OTHERWISE NOTED)

STATE OF TEXAS
REGISTERED
BARRY S. RHODES
3691
PROFESSIONAL
LAND SURVEYOR

Waxahachie Airbnb Host Rules

Welcome & General Guidelines

Welcome to your home-away-from-home! To ensure an enjoyable and respectful stay for everyone, we kindly ask you to follow these house guidelines. Adhering to them helps preserve our space and ensures a smooth experience for all guests.

Local Occupancy Regulation

Per the City of Waxahachie zoning requirements, no more than two adults per bedroom, plus two additional adults, are allowed—maximum occupancy: 10 people total, including children.

Check-In & Check-Out

Check-in: 3:00 PM

Check-out: 11:00 AM

Early or late times may be available upon request.

Noise & Neighbors

Please respect our neighbors by maintaining quiet hours from 10:00 PM to 8:00 AM. Loud gatherings, amplified music, or shouting that may disturb nearby homes is prohibited.

No Parties, Events, or Unregistered Guests

Parties and events are not permitted. Only registered guests are allowed on the property.

Smoking Policy

No smoking inside the property. If you wish to smoke, please use the designated outdoor area and properly dispose of cigarette waste.

Pets

Pets are not allowed unless pre-approved in writing. This helps maintain a high standard of cleanliness.

Cleanliness & Safety

Please leave the home in a tidy condition. Dispose of trash in designated bins. Report any damage promptly.

Parking

Two-car garage plus two spaces in the driveway are available on the property for use. A total of 4 vehicle spaces included. Street parking is **NOT** allowed - to comply with the City of Waxahachie zoning ordinances/requirements for short-term rentals.

No Surveillance Inside

No indoor cameras are installed. Outdoor cameras are in points of entrance (front & back door/backyard gate and garage) to monitor for parties/events and for property security.

Energy Conservation & Guest Comfort

Please turn off lights, heating, or AC when leaving for extended periods.

Emergencies & Security

For urgent matters, dial 911. Contact us immediately for assistance with locks or appliances

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-165-2025

MEETING DATE(S)

Planning & Zoning Commission: December 8th, 2025
City Council: January 5, 2026

CAPTION

Public Hearing on a request by Timothy Ramos, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single Family-2 zoning district located at 211 Pecan St (Property ID 175135) - Owner: Seven Partners LLC (ZDC-165-2025)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-165-2022, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the authorizing the Mayor and/or Interim City Manager to execute all documents accordingly."

APPLICANT REQUEST

The Applicant requests a Specific Use Permit for a Short-Term Rental use at 211 Pecan Street.

CASE INFORMATION

Applicant:	Timothy Ramos
Property Owner(s):	Seven Partners LLC
Site Acreage:	0.1640 acres
Current Zoning:	SF-2 with a Specific Use Permit (SUP) for Short-Term Rental use.
Requested Zoning:	SF-2 with a Specific Use Permit (SUP) for Short-Term Rental use.

SUBJECT PROPERTY

General Location:	211 Pecan Street
Parcel ID Number(s):	175135
Existing Use:	Residential Use
Development History:	Lots 7-R and 8-R, Block 3 Replat of Park Hill Addition. A Specific Use Permit (Ord. 3544) was approved for a Short-Term Rental use, conducted by a different Owner/Operator, in August of 2024.

Adjoining Zoning & Uses:

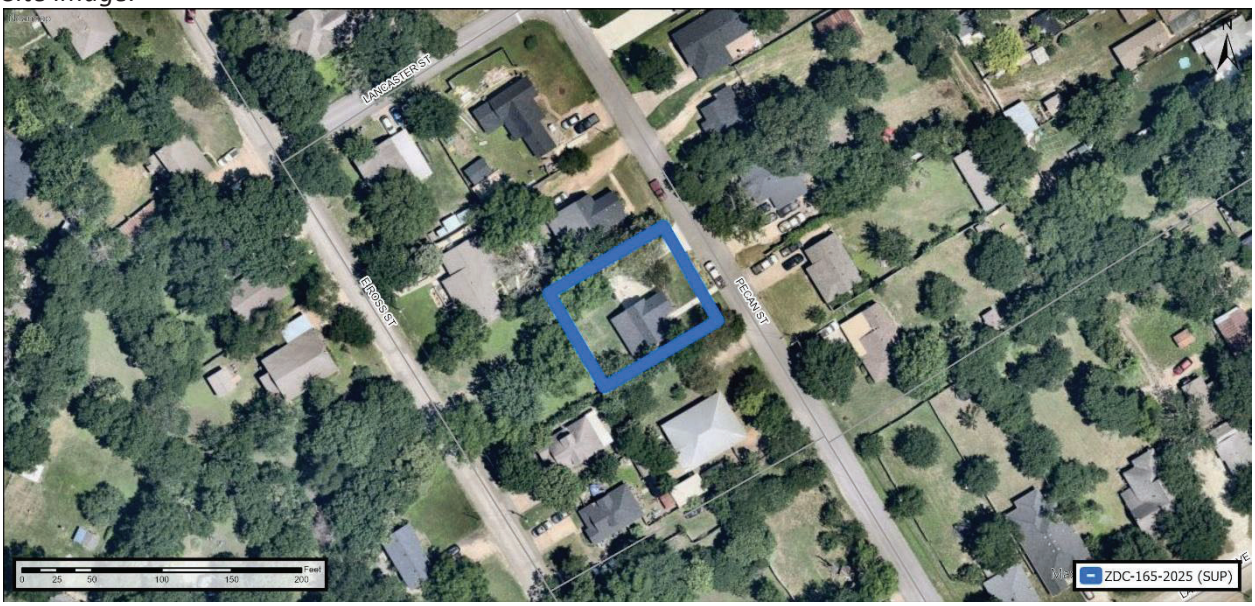
Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	SF-2	Single Family Residence

Future Land Use Plan: Mixed Use Neighborhood

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

Site Image:



PLANNING ANALYSIS

The Applicant requests a SUP for short-term rental use at 211 Pecan Street because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,007 square feet, with three (3) bedrooms and enough improved surface to accommodate parking for a maximum of three (2) vehicles. The subject property is situated on an approximately 0.1640 acres (7,143 square feet) lot. The applicant would normally be required to have 3 parking spaces but has requested for 2 with a maximum occupancy of 6 guests. The applicant has not been operating the subject property as a short-term rental; therefore, they have not been paying local hotel occupancy taxes. There is an existing SUP for Short-Term Rental use that is tied to previous ownership of the home. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant submitted the SUP application on October 16, 2025.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered that there were no nuisance-related calls.

The applicant's local emergency contact is Timothy Ramos, 2434 Savanna Circle, Midlothian, TX 76065, tisram9@gmail.com, which is located approximately 12 (Twelve) miles from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 32 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

At the time of the publishing of this staff report, a total of three (3) letters of support and 0 Letters of opposition were received by staff. Three (3) letters of support received are within the 200' buffer.

RECOMMENDATION

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

Conditions:

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of six (6) guests per stay.
4. The short-term rental operator shall permit a maximum of two (2) vehicles to be parked on the subject property. Off-site and/or on-street parking is prohibited.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
6. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.

ATTACHED EXHIBITS

1. Location Map (Exhibit A)
2. Zoning Map (Exhibit B)
3. Floorplan (Exhibit C)
4. Site Plan (Exhibit D)
5. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

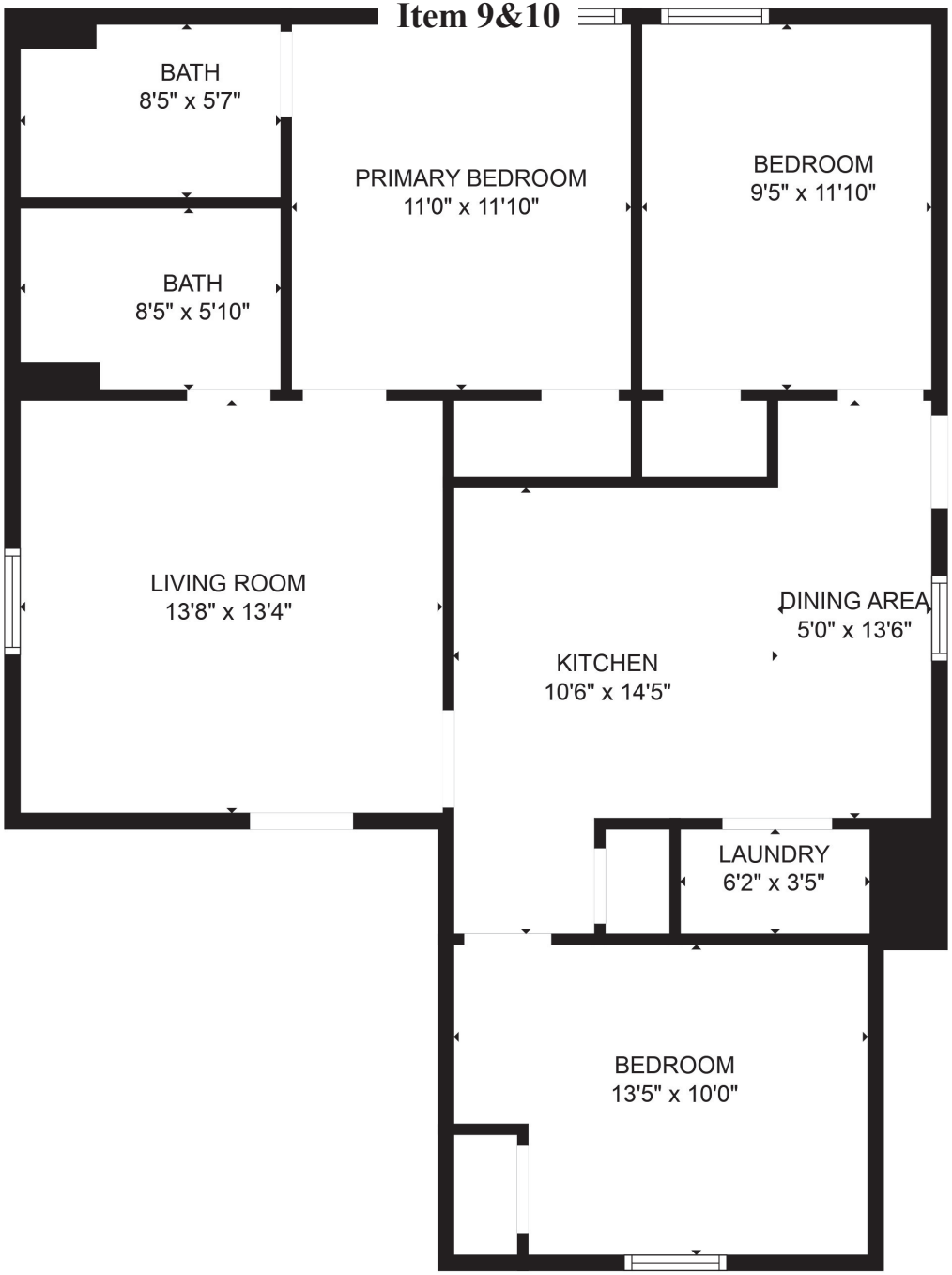
Prepared by:
David Jones
Planner
david.jones@waxahachie.com

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


Nearmap
Exhibit-A
Item 9&10
LANCASTER ST
E ROSS ST
PECAN ST
N
0 25 50 100 150 200 Feet
ZDC-165-2025 (SUP)


Nearmap
Exhibit-B
Item 9&10
N
SF-2
LANCASTER ST
SF-2
SF-2
SF-2
ELROSS ST
PECAN ST
SF-2
SF-2
SUP
SF-2
ZDC-165-2025 (SUP)
Feet
0
25
50
100
150
200

Exhibit-C



FLOOR PLAN CREATED BY CUBICASA APP. MEASUREMENTS DEEMED HIGHLY RELIABLE BUT NOT GUARANTEED.

If requested by the host, guests are required to provide a copy of their government-issued ID and a list of full names of all guests staying at the property to the host.

TRASH DAY: If you are staying on a Monday evening please roll out the trash bins for collection; Trash comes by early in the morning Tuesday

SUPPLIES: We provide an initial amount of supplies during your stay. WE DO NOT replenish items during your stay. Bath towels and wash towels are left for the max. number of guests that can occupy the property (6)

PLEASE NOTE: that routine grounds men come to keep the yard great and safe for families to enjoy. We ask that you be aware of this as they may be on the property. They will only ever be outside of course and for less than an hour. *If you do not wish to have the them come by during your stay please notify us BEFORE your check-in* .

***NO parties or social gatherings**
***NO unregistered guest- Each unregistered guest is subject to a surcharge of $25 a day/ per extra guest.**
***Please don't rearrange our furniture**
***Don't eat in the bedrooms**
***Smoking is NOT allowed inside the home or within 50 ft. of the property.**
***Pets are NOT allowed.**
***NO parking on empty lot; please park in the driveway.**
***Damages exceeding the deposit amount will be billed to the guest and reported to Airbnb**
***Quiet hours are between the hours of 10 pm- 8 am**

Thank you for following our house rules. We hope your stay is comfortable! Any questions, just message us through the Airbnb app.

Important

By booking you agree that you have read & agree to comply with these rules and failure could result in being asked to leave the property without refund:

No Parties: Zero tolerance policy for parties. $1000 fee if the police visit our home due to a neighborhood complaint.

Occupancy Limit: No more than 6 guests in our home at any one time due to city occupancy regulation.

Unregistered/Unauthorized guests are prohibited. Each unregistered/ Unauthorized guest is subject to a surcharge of $25 a day/ per extra guest.

No Smoking: $1000 fee if a guest smokes inside our home or leaves ashes or pieces of tobacco or marijuana inside our home. If smoking outside, guests are required to do so 50 ft away from the home and dispose of any cigarette butts before checking out.

Late Checkout: If housekeeping arrives after checkout and the guest has not vacated the home, the guest will be charged for housekeeping's time until they have vacated the home. This fee does not award the guest possession of the home after checkout. We strive to provide a great experience for guests. Unauthorized party, smoke, or pet requires an exhaustive process on short notice to ensure a great experience for the next guest. Thank you for your cooperation.

Other details to note

We allow 2 vehicles maximum. (2 in the driveway; DO NOT PARK in front of neighbors yard or on the yard of the property) There is a security camera and a noise sensor near the front door. The occupancy limit of our home is 6 guests.

Guests can log in to their own Netflix, Hulu, Disney+, and YouTube TV accounts. We do not provide login credentials for these services as part of your stay. If you log in to your account, please be sure to log out before checking out.

There are steps at the front entrance and side entrance doors.

This cozy home is nestled in a peaceful developing residential area, please note that you may hear typical neighborhood sounds such as passing cars and pets.

***Please note that we leave 1 bath towel and washcloth per guest up to 4; our home is equipped with a

Please read and acknowledge all house rules. House rules and additional house rules can be found under the "House Rules" section of the listing.

Airbnb Auto Messages

Reservation Confirmed
Thank you for your reservation!

We are excited to host you at [listing name], you are going to love our place!
If you already spoke with us about the house rules, this message does not apply to you.
But, if you automatically booked without talking to us first, please review our house rules, (insert house rules)
.
The Check-In Instructions can be accessed the day before check in on the app.
-Click Trips and select your reservation
-Click Things to know

-Go to Checking in and out for check-in instructions
-If you have other questions, please respond and we will get back to you as soon as possible.
We look forward to hosting you!
PARKING: 2 Vehicles MAX; Street parking is PROHIBITED (Per City Ordinance)

Your Trip is around the corner!

Pack your bags, your SUPER stay at [listing name]
is around the corner.
Closest airports: DFW International Airport and Dallas Love Field.
Check In time is between anytime after 4:00 pm
Our self-check-in process is very simple, and this allows you to check in whenever you like. But please note that our office hours end at 9pm. If you are able to check-in before 9pm, we would highly recommend it. Our guests typically don't have check in issues, but in the rare case that you do, we would love to be available to help with those issues.
Please ensure that the amount of registered guests at booking is correct; to avoid being charged an extra guest fee of $25 per guest/per night.
We are looking forward to your SUPER stay. Check-in instructions will be sent the morning of your stay. In the meantime, if you have any questions please don't hesitate to ask.

Your Trip is HERE!!!

Check In Times: 4:00 pm -9:00 pm
Check Out Time: is at 11:00 am
Address: (input property address)
ACCESSING THE HOME
-Click Trips and select your reservation
-Click Things to know
-Go to Checking in and out for check-in instructions.

Parking information: If the house has a driveway please park in the driveway. Please do not park in grass. STREET PARKING IS PROHIBITED (PER CITY ORDINANCE) Please do not park in front of your neighbor's yard.

WIFI
Username:
Password:
Please remember to follow House Rules

CHECK UP

Good Morning SUPER Guest,
We hope that you settled in nicely and had a great night's rest. We hope you are enjoying your stay at [listing name]. Should you have any questions during your stay please do not hesitate to contact us.

Check Out
Good Evening Super Guest,
We hope that your stay at [listing name], was relaxing and memorable. Check Out procedures can be located in the app. Here is how to access.
-Click Trips and select your reservation
-Click Things to know
-Go to Checking in and out for check-out instructions.
Check Out is at 11:00.

***Please send us a message when you have checked out. ***

After Check Out: Review

I wanted to thank you for choosing to stay with us and let you know that I just left you a 5-star review! As I'm sure you know, reviews are a big part of this platform as they help guests and hosts provide honest feedback that benefits all users on Airbnb. For our team and family, reviews even mean a little bit more! For this

reason, we'd love to know if you did indeed feel that your stay was deserving of a 5 star review!

If you didn't feel it was, may we ask you to kindly take a moment to message us here with your feedback so we can review and discuss as a team where we can make any proposed improvements? We greatly appreciate your time should you choose to give it.

Exhibit-D

94366

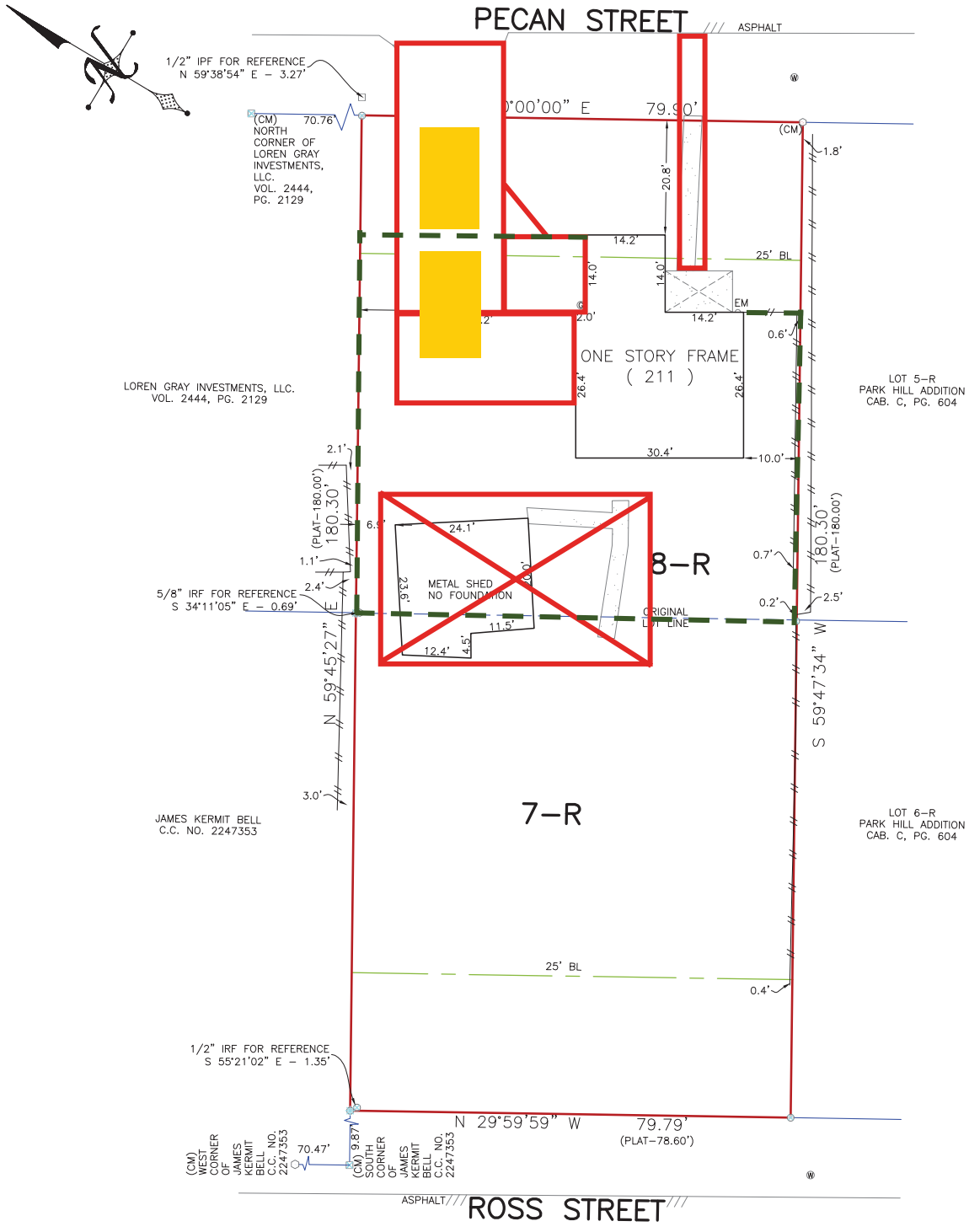
Item 9&10

BURNS SURVEYING

BARRY S. RHODES Registered Professional Land Surveyor (214) 326-1090

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at 211 PECAN STREET in the City of WAXAHACHIE Texas.

BEING LOTS 7-R AND 8-R, BLOCK 3, REPLAT OF PARK HILL ADDITION, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN CABINET B, SLIDE 395, OF THE MAP AND/OR PLAT RECORDS OF ELLIS COUNTY, TEXAS.



BEARINGS ARE BASED ON NAD 83 DATUM, TEXAS STATE PLANE COORDINATE SYSTEM. NORTH CENTRAL ZONE

ACCEPTED BY: _____

KANETITLE, LLC

PROPERTY SUBJECT TO
EASEMENTS & RESTRICTIONS
Cabinet A, Slide 22, Cabinet A, Slide 132

The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat: the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated, or visible and apparent easements.

TITLE AND ABSTRACTING WORK FURNISHED BY KANE TITLE

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 20'
Date: 06/01/2023
G. F. No.: 2023030615BW
Job no.: 202304596
Drawn by: JSR

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM. THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR KANE TITLE

LEGEND

WOOD FENCE	IRON FENCE
CHAIN LINK	WIRE FENCE
BOUNDARY LINE	EM - ELECTRIC METER
EASEMENT SETBACK	
CM - CONTROLLING MONUMENT	
MRD - MONUMENTS OF RECORD DIGNITY	
1/2" IRON ROD FOUND	
1/2" YELLOW-CAPPED IRON ROD FOUND	
1/2" IRON PIPE FOUND	
3/8" IRON ROD FOUND	
5/8" IRON ROD FOUND	
POINT FOR CORNER	FOUND 'X'
C - CABLE	E - ELECTRIC
CO - CLEAN OUT	PE - POOL EQUIP
G - GAS METER	PP - POWER POLE
FH - FIRE HYDRANT	T - TELEPHONE
LP - LIGHT POLE	WM - WATER METER
MH - MANHOLE	WV - WATER VALVE

(UNLESS OTHERWISE NOTED)



STATE OF TEXAS
REGISTERED
BARRY S. RHODES
3691
PROFESSIONAL
LAND SURVEYOR

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-159-2025

MEETING DATE(S)

Planning & Zoning Commission: December 8th, 2025
City Council: January 5, 2026

CAPTION

Public Hearing on a request by Grant Easton, for a **Specific Use Permit (SUP)** for an **Accessory Dwelling Unit use** within a Planned Development-27-Single Family-2 zoning district located at 301 Buffalo Creek (Property ID 174372) - Owner: Claire Bridgeford and Brandon Bridgeford (ZDC-159-2025)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-159-2025, a Specific Use Permit for an Accessory Dwelling Unit, subject to the conditions the staff report."

APPLICANT REQUEST

The applicant requests approval of a Specific Use Permit (SUP) to allow for the remodel of an existing accessory structure and garage into an Accessory Dwelling Unit.

CASE INFORMATION

Applicant:	Grant Easton, Rae Rock Services
Property Owner(s):	Claire Bridgeford and Brandon Bridgeford
Site Acreage:	0.4090 acres
Current Zoning:	Planned Development-27-Single Family-2 (SF-2)
Requested Zoning:	Planned Development-27-SF-2 with a SUP for an Accessory Dwelling Unit

SUBJECT PROPERTY

General Location:	301 Buffalo Creek Drive
Parcel ID Number(s):	174372
Existing Use:	Single Family Residence
Development History:	The property is platted as Lot 20, Block 20 of the Indian Hills Subdivision #2.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-27-SF-2	Single Family Home
East	PD-27-SF-2	Single Family Home
South	PD-27-SF-2	Single Family Home
West	PD-27-SF-2	Single Family Home

Future Land Use Plan: Residential Neighborhood

Comprehensive Plan: This place type serves to create neighborhoods built with a traditional walkable block/street grid network that allows some variation in housing typologies. Although this placetype will predominantly consist of traditional single family detached housing, denser housing types are encouraged such duplex, cottage courts, and townhomes. Commercial uses need to be context sensitive. Non-residential uses should have access and high visibility to collector streets. Commercial uses in this placetype may be a small pop up facility or a home converted to a small store front. Walkability is key for neighborhood commercial uses so that they are accessible from surrounding neighborhoods. This means that small or pop up facilities, or a residential home near a street corner converting to neighborhoodscale commercial use are generally acceptable. Stacked or horizontal live-work arrangements that are residentially scaled would also be well-suited to this placetype. Neighborhood-scale commercial should be allowed along collectors and higher intensity roadways. Auto-centric development, such as commercial strip centers, would be out of scale within this place type. A key indicator of a successful Residential Neighborhood area is if every residential property has access to some neighborhood scale commercial within a quarter mile of their front door. Since pedestrian connectivity is essential, on-street parking should be encouraged, and on-site parking limited and/or reduced. Small neighborhood and pocket parks are strongly encouraged.

Thoroughfare Plan: The property is accessible via Buffalo Creek Drive.

Site Image:



PLANNING ANALYSIS

The applicant proposes a Specific Use Permit (SUP) to allow for the remodel of an existing 1,500 square foot garage into a 1,552 square foot Accessory Dwelling Unit. The Waxahachie Zoning Ordinance requires approval of a SUP to allow for an Accessory Dwelling Unit use within a Single Family-2 (SF-2) zoning district. The proposed accessory dwelling unit is located to the rear of the primary home at 301 Buffalo Creek Drive and meets the minimum setback requirements for an accessory structure within the SF-2 zoning district. If approved, the existing driveway is sufficient to meet the parking requirements for the proposed accessory dwelling unit. The main dwelling has an attached 2-car garage.

The proposed accessory dwelling unit will include one (1) bedroom, one (1) bathroom, a washer/dryer connection, a full kitchen, and an open living area. Access doors will be available from the Northwest side of the property. The structure will be accessible from the driveway facing the alley behind the primary dwelling. Additionally, the proposed accessory dwelling unit will have a garage and will utilize the existing improved surfaces as off-street parking.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 30 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 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 dwelling shall be 1,552 square feet in size. An amendment to this SUP shall be required in the event the accessory dwelling is proposed to expand beyond 1,552 square feet in size.
2. The accessory dwelling shall only be occupied by the property owner or non-paying guest of the property owner.
3. The accessory dwelling shall not be used as a short-term rental without a Specific use Permit that has been approved by City Council.
4. The accessory dwelling shall not be used for commercial purposes.
5. The accessory dwelling shall not be leased or sold separately from the primary residence and shall not be separately metered for electric, water, or wastewater services.
6. The property owner shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory dwelling.

ATTACHED EXHIBITS

1. Public Notification Responses
2. Exhibit A – Location Map
3. Exhibit B – Site Plan
4. Exhibit C – Floor Plan
5. Exhibit D – Elevation/Façade Plan

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
David Jones
Planner
david.jones@waxahachie.com

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

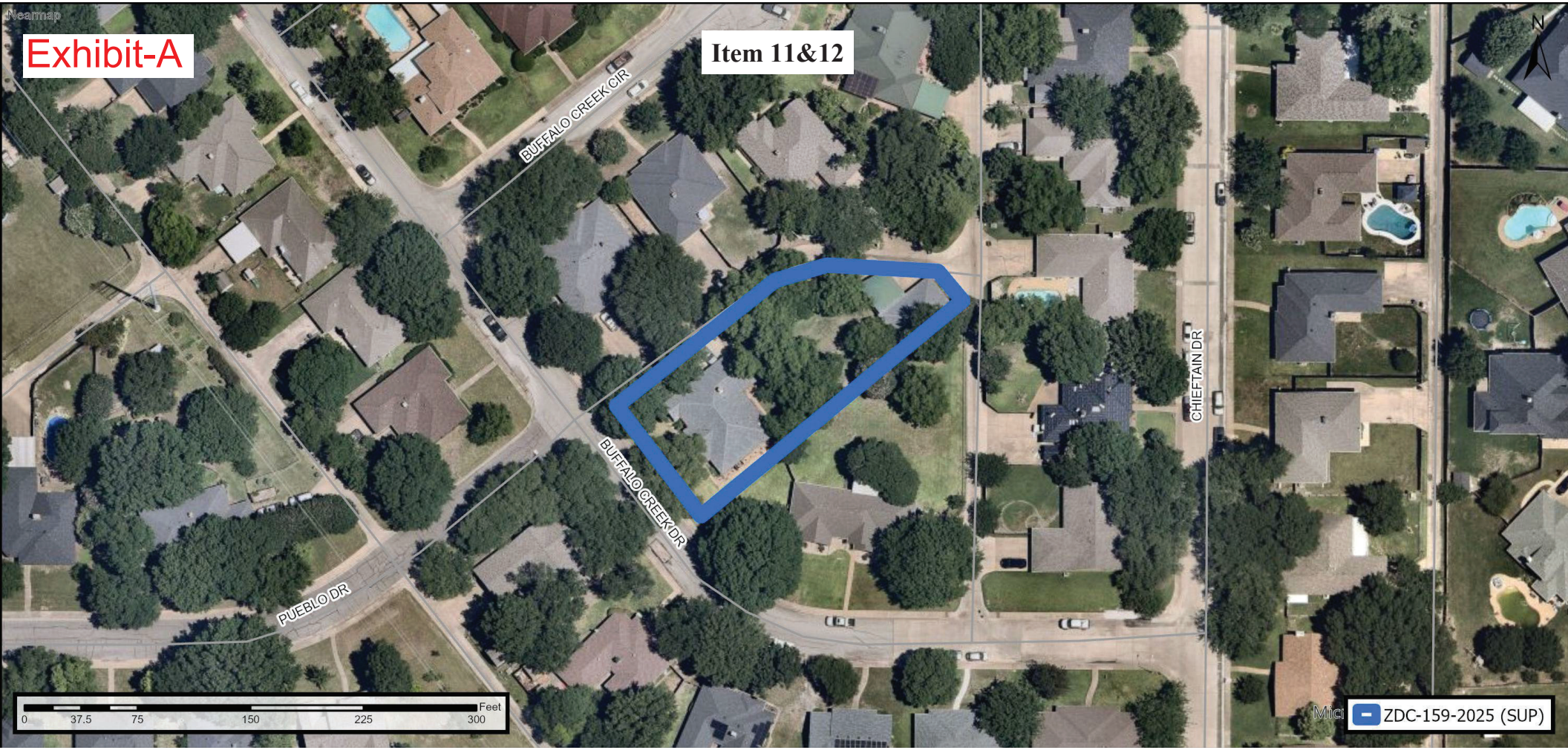
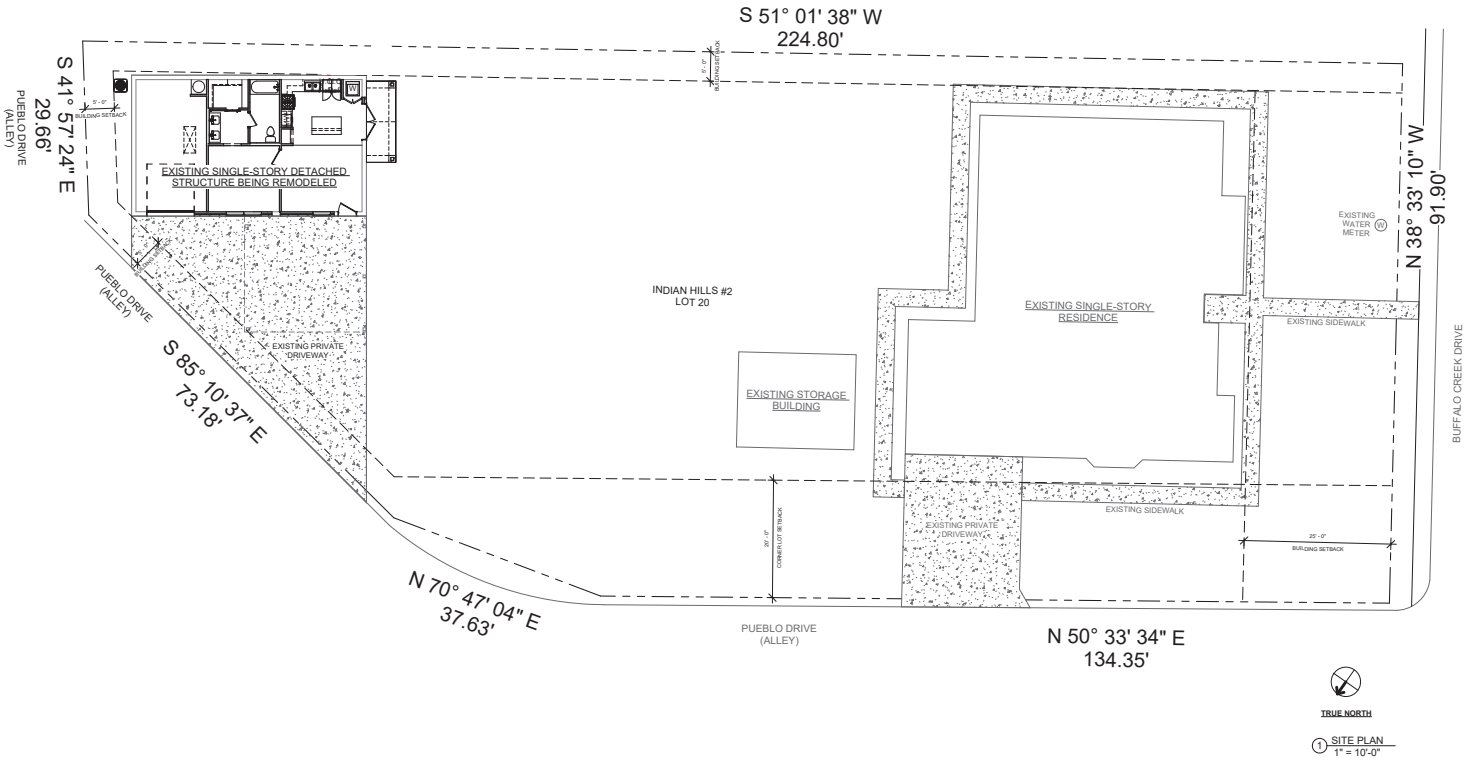

Nearmap
Exhibit-A
Item 11&12
BUFFALO CREEK CIR
BUFFALO CREEK DR
CHIEFTAIN DR
PUEBLO DR
N
0
37.5
75
150
225
300
Feet
ZDC-159-2025 (SUP)

Exhibit-B

Item 11&12



1 SITE PLAN
1" = 10'-0"

GENERAL SITE PLAN NOTES:

1.) LOT DRAINAGE TO COMPLY WITH THE INTERNATIONAL RESIDENTIAL CODE.

2.) BUILDING AREA TO BE CLEARED OF ALL HUMUS, ROOTS, AND VEGETATION. CUT STUMPS A MINIMUM OF 6" BELOW GRADE AND 4" BELOW BEAMS.

3) CONTRACTOR TO FIELD VERIFY BUILDING ELEVATIONS AND EXISTING CONDITIONS.

GENERAL 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 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 current city adopted International Residential Code. The construction shall conform to all national, state, and local building codes and ordinances. These codes shall take precedence over anything noted in these drawings.

3.) Contractor must verify all dimensions and scale drawings.

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Waxahachie , Texas 75165
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BRIDGFORD - DETACHED SUITE REMODEL

301 BUFFALO CREEK DRIVE
INDIAN HILLS #2, LOT 20
WAXAHACHIE, TX 75165

ISSUE FOR PERMIT
May 02, 2025

REGISTERED ARCHITECT
PHILIP M. COLWELL
13742
STATE OF TEXAS

05/02/2025

REVISIONS

DATE	ISSUE	DELTA

Title
SITE PLAN

Sheet
A-001

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DC TEXAS ARCHITECTURE

Exhibit-C

Item 11&12

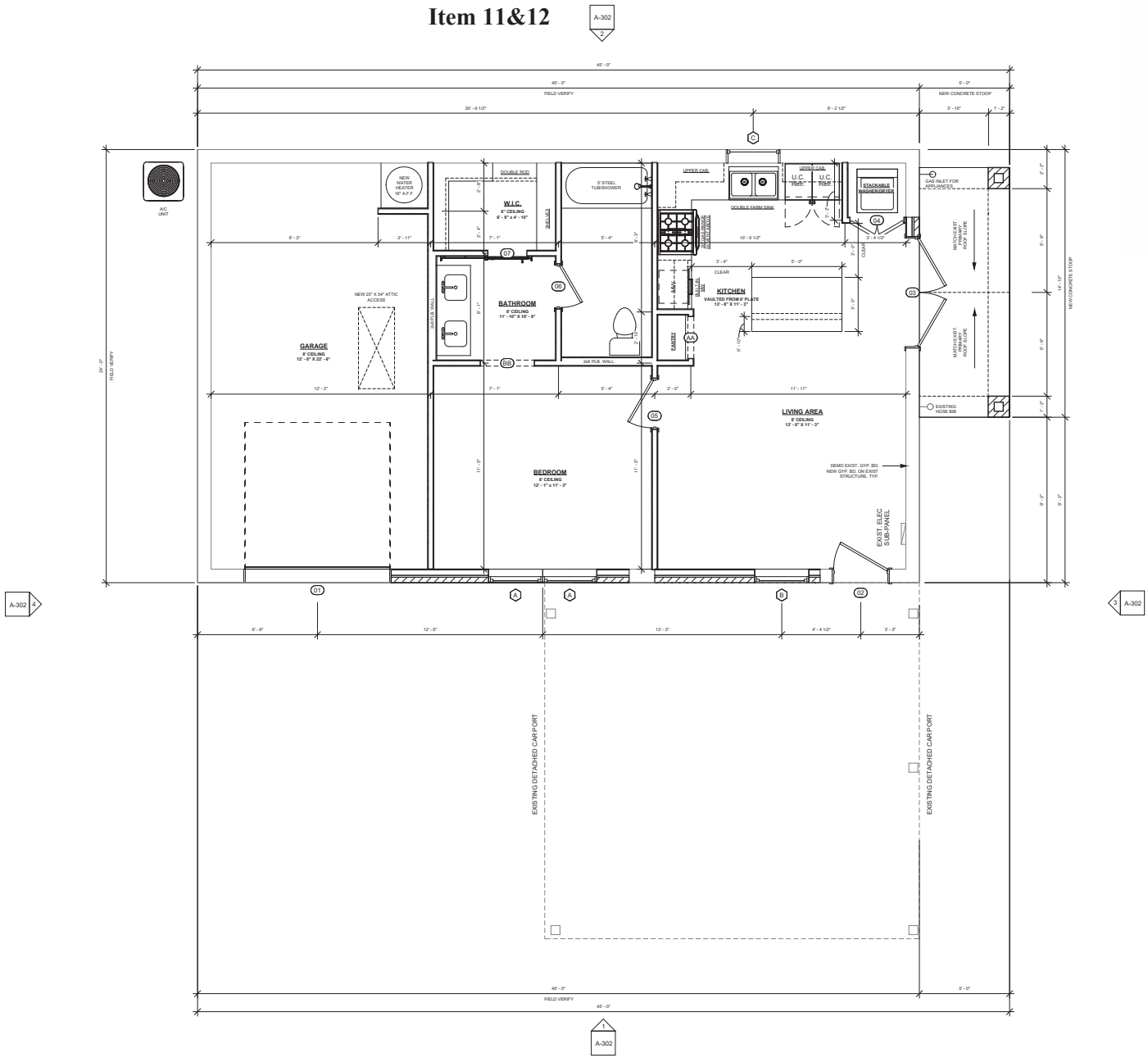
01	8' - 0"	7' - 0"	OVERHEAD	GARAGE
02	3' - 0"	6' - 8"	RIGHT	EXT. SOLID CORE W/ HALF LITE
03	6' - 0"	6' - 8"	LEFT/RIGHT	EXT. DOUBLE FRENCH DOOR W/ FULL LITE
04	1' - 6"	6' - 8"	LEFT/RIGHT	INT. DOUBLE HOLLOW CORE
05	2' - 8"	6' - 8"	RIGHT	INT. HOLLOW CORE
06	2' - 4"	6' - 8"	LEFT	INT. HOLLOW CORE
07	2' - 4"	6' - 8"	SLIDING	INT. BARN DOOR
AA	2' - 4"	6' - 8"		CABINET
BB	3' - 0"	6' - 8"		DW OPENING

ABBREVIATIONS:
DW - DRY WALL
EB ARCH - EYEBROW ARCH
EXT - EXTERIOR
NOTE:
GLASS IN DOORS MUST BE TEMPERED.

WINDOW TYPE SCHEDULE

WINDOW TYPE	WIDTH	HEIGHT	TYPE	HEAD HEIGHT
A	3' - 0"	6' - 0"	SINGLE-HUNG	6' - 8"
B	3' - 0"	6' - 0"	SINGLE-HUNG	6' - 8"
C	3' - 0"	1' - 6"	FIXED	7' - 4"

NOTE:
ALL WINDOWS ARE VINYL WITH LOW-E GLASS, DOUBLE GLAZED. R-VALUE TO MEET CODE.
WINDOWS MUST BE TEMPERED GLASS IF ALL OF THE FOLLOWING CRITERIA ARE MET: PANE IS LARGER THAN 9 SF, LESS THAN 18" FROM FLOOR, THE TOP EDGE OF THE GLASS IS GREATER THAN 36" ABOVE THE FLOOR, AND HAS A 36" WALKWAY ON EITHER SIDE OF THE GLASS. WINDOW MUST BE TEMPERED IF ADJACENT TO A DOOR IN A HAZARDOUS LOCATION.



1 FLOOR PLAN - NEW
3/8" = 1'-0"

NEW AREA TOTALS

GARAGE	308 SF
A/C AREA	652 SF
	960 SF
NEW COVERED PARKING	592 SF
	592 SF

TOTAL UNDER ROOF: 1,552 SF

LEGEND

	EXISTING
	TO BE DEMOISHED
	NEW CONSTRUCTION

GENERAL NOTES:

1.) CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS TO/FROM EXISTING.

GENERAL FLOOR PLAN NOTES:

1.) GLAZING IN HAZARDOUS LOCATIONS SHALL MEET REQUIREMENT OF IRC CODE SECTION R308.4, WHICH SHALL BE VERIFIED BY INSPECTOR IN FIELD.

2.) ALL SLEEPING ROOM EGRESS WINDOWS ARE TO MEET THE REQUIREMENTS OF SECTION R310 AND WILL BE FIELD VERIFIED.

3.) CASED DOOR OPENINGS PER BUILDER/OWNER SPEC.

4.) ALL UPPER CABINETS PER BUILDER/OWNER SPEC.

5.) TILE SHOWER WITH GLASS SURROUND UNLESS NOTED OTHERWISE.

6.) CLOSET SHELVES PER BUILDER/OWNER SPEC.

7.) ALL WALLS ARE 2X4 IN LESS OTHERWISE NOTED.

8.) PROVIDE 3/8" WATER LINE TO REFRIGERATOR.

9.) ALL WATER HEATERS ARE TO BE 18" A.F.F.

10.) AIR CONDITIONER CONDENSER MUST BE 3" ABOVE GRADE.

11.) IN ABSENCE OF STRUCTURAL ENGINEER PREPARED BY BUILDER, USE TABLE R602.3 IN THE INTERNATIONAL RESIDENTIAL CODE.

12.) REFER TO ENGINEER DRAWINGS FOR ALL FOUNDATIONS.

13.) CHECK PLANS FOR LEVEL CHANGES, FLOOR OUTLETS, AND PLUMBING FIXTURE LOCATIONS.

14.) ALL WORK MUST COMPLY WITH THE CURRENT CITY-ADOPTED BUILDING CODES.

GENERAL 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 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 current city adopted International Residential Code. The construction shall conform to all national, state, and local building codes and ordinances. These codes shall take precedence over anything noted in these drawings.

3.) Contractor must verify all dimensions and scale drawings.

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BRIDGFORD - DETACHED SUITE REMODEL

301 BUFFALO CREEK DRIVE
INDIAN HILLS #2, LOT 20
WAXAHACHIE, TX 75165

ISSUE FOR PERMIT

May 02, 2025

REGISTERED ARCHITECT
PHILIP M. COLWELL
27425
STATE OF TEXAS

05/02/2025

REVISIONS

DATE	ISSUE	DELTA

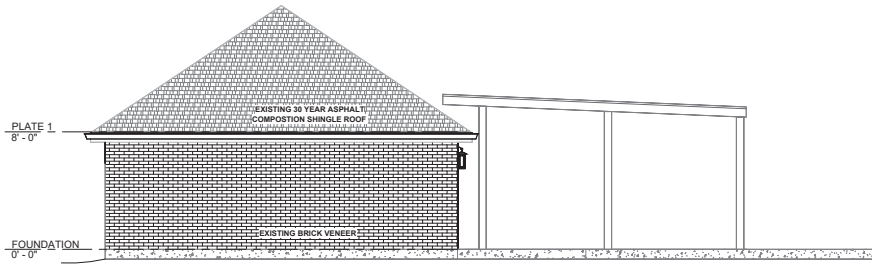
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FLOOR PLAN - NEW

Sheet
A-102

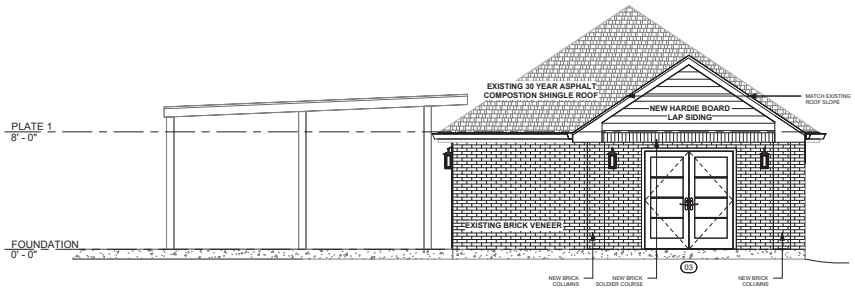
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Exhibit-D

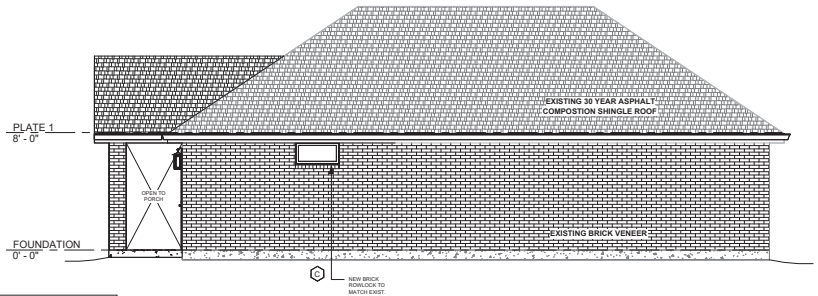
Item 11&12



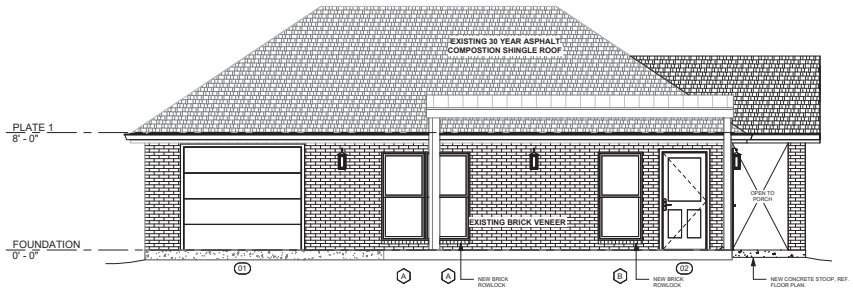
4 LEFT ELEVATION - NEW
1/4" = 1'-0"



3 RIGHT ELEVATION - NEW
1/4" = 1'-0"



2 REAR ELEVATION - NEW
1/4" = 1'-0"



1 FRONT ELEVATION - NEW
1/4" = 1'-0"

LEGEND	
	EXISTING
	TO BE DEMOISHED
	NEW CONSTRUCTION

GENERAL ELEVATION NOTES:

1.) REFER TO DOOR AND WINDOW SCHEDULE ON SHEET A-101.

GENERAL 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 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 current city adopted International Residential Code. The construction shall conform to all national, state, and local building codes and ordinances. These codes shall take precedence over anything noted in these drawings.

3.) Contractor must verify all dimensions and scale drawings.

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BRIDGFORD - DETACHED SUITE REMODEL

301 BUFFALO CREEK DRIVE
INDIAN HILLS #2, LOT 20
WAXAHACHIE, TX 75165

ISSUE FOR PERMIT
May 02, 2025

REGISTERED ARCHITECT
PHILIP M. COLWELL
37425
STATE OF TEXAS

05/02/2025

REVISIONS

DATE	ISSUE	DELTA

Title
ELEVATIONS - NEW

Sheet
A-302

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DC TEXAS ARCHITECTURE

Planning & Zoning Department

Zoning Staff Report

Case: CASE # ZDC-150-2025

MEETING DATE(S)

Planning & Zoning Commission: December 8, 2025
City Council: January 5, 2025

CAPTION

Public Hearing on a request by Kevin Tidwell, for a **Specific Use Permit (SUP)** for an **Accessory Structure 700+** within a Single-Family 2 zoning district located at 303 Kirven Ave (Property ID 311319) - Owners: David Berryman and Barbara Schneider (ZDC-150-2025)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-150-2025, a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet in use, subject to the conditions of the staff report, authorizing the Mayor and/or Interim City Manager to sign the associated documents accordingly."

APPLICANT REQUEST

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

CASE INFORMATION

Applicant:	Kevin Tidwell, Ashlyn Construction
Property Owner(s):	David Berryman and Barbara Schneider
Site Acreage:	0.307 acres
Current Zoning:	Single-Family-2 (SF-2)
Requested Zoning:	SF-2 with a SUP for an accessory structure exceeding seven hundred (700) square feet.

SUBJECT PROPERTY

General Location:	303 Kirven Avenue
Parcel ID Number(s):	311319
Existing Use:	Single-Family Residence
Development History:	The property is platted as Lot 2R1, Block 6 of the Trinity Heights 2nd Addition.

Adjoining Zoning & Uses:

Directio	Zoning	Current Use
North	Single-Family Residence-2	Residential
East	Single-Family Residence-2	Residential
South	Single-Family Residence-2	Residential
West	Single-Family Residence-2	Residential

Future Land Use Plan: Mixed Use Neighborhood

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

Site Image:



PLANNING ANALYSIS

The applicant proposes a Specific Use Permit (SUP) to construct an accessory structure which exceeds seven hundred (700) square feet at 303 Kirven Avenue. The City of Waxahachie Zoning ordinance requires City Council to approve a SUP to allow accessory structures over 700 square feet in size.

The applicant initially applied for a building permit to permit an interior remodel in 2024. The permit did not include the demolition or reconstruction of a detached garage. During a site visit in 2024, staff noticed that that an unpermitted accessory structure was under construction. Staff issued a stop work order and directed the applicant to seek approval of a Specific Use Permit due to the structure's size prior to resuming work on the structure. Per the provided site plan, the accessory structure is shown to sit 3 feet from the side property line and 6 feet from the rear property line. Due to the structure not being able to meet current setbacks as built, the structure is required to come into compliance with the 2021 International Building Code and the 2021 International Fire Code. This includes the southern wall of the accessory structure being redesigned to a fire-rated wall.

Additionally, the structure is built on top of 9-foot utility easement. Normally, structures are not permitted to be built in easements, however staff was able to confirm that there is no city infrastructure underneath the structure. An Amended Plat for the property would need to be approved and filed prior to the issuance of a building permit for the accessory structure and the resumption of work on the structure.

The applicant has confirmed to staff that the structure will not be used as a dwelling or short-term rental and will not be sold or leased separately 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, 24 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PUBLIC NOTIFICATION RESPONSES

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

RECOMMENDATION

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

Conditions:

1. The accessory structure shall not be used as a dwelling.
2. The accessory structure shall not be used as a Short-Term Rental.
3. The accessory structure shall not be used for commercial purposes.
4. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
5. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to resuming construction of the accessory structure. As part of the permitting process, the Applicant shall be required to bring the accessory structure into conformance with 2021 International Building Code (IBC) and 2021 International Fire Code (IFC). The southern wall of the accessory structure shall be a fire-rated wall due to the structure being located closer than 5' to the adjacent property line.
6. Property owner shall be required to submit an amended plat to abandon the easement currently located along the southern property line.

ATTACHED EXHIBITS

1. Site Photos
2. Plat
3. Exhibit A – Location Map
4. Exhibit B – Site Plan
5. Exhibit C – Elevation/Façade Plan
6. Exhibit D – Operational Plan

APPLICANT REQUIREMENTS

1. If approved by City Council, the applicant can proceed with the building permitting process with the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:
David Jones
Planner
david.jones@waxahachie.com

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


Item 13&14
BlackLand
BUILDING SUPPLY
BARRICADE
BUILDING WRAP
972-878-0995


Item 13&14
BARRICADE
BlackLand


Item 13&14
BARRICADE
BUILDING WRAP
BlackLand
BUILDING SUPPLY
972-878-0995

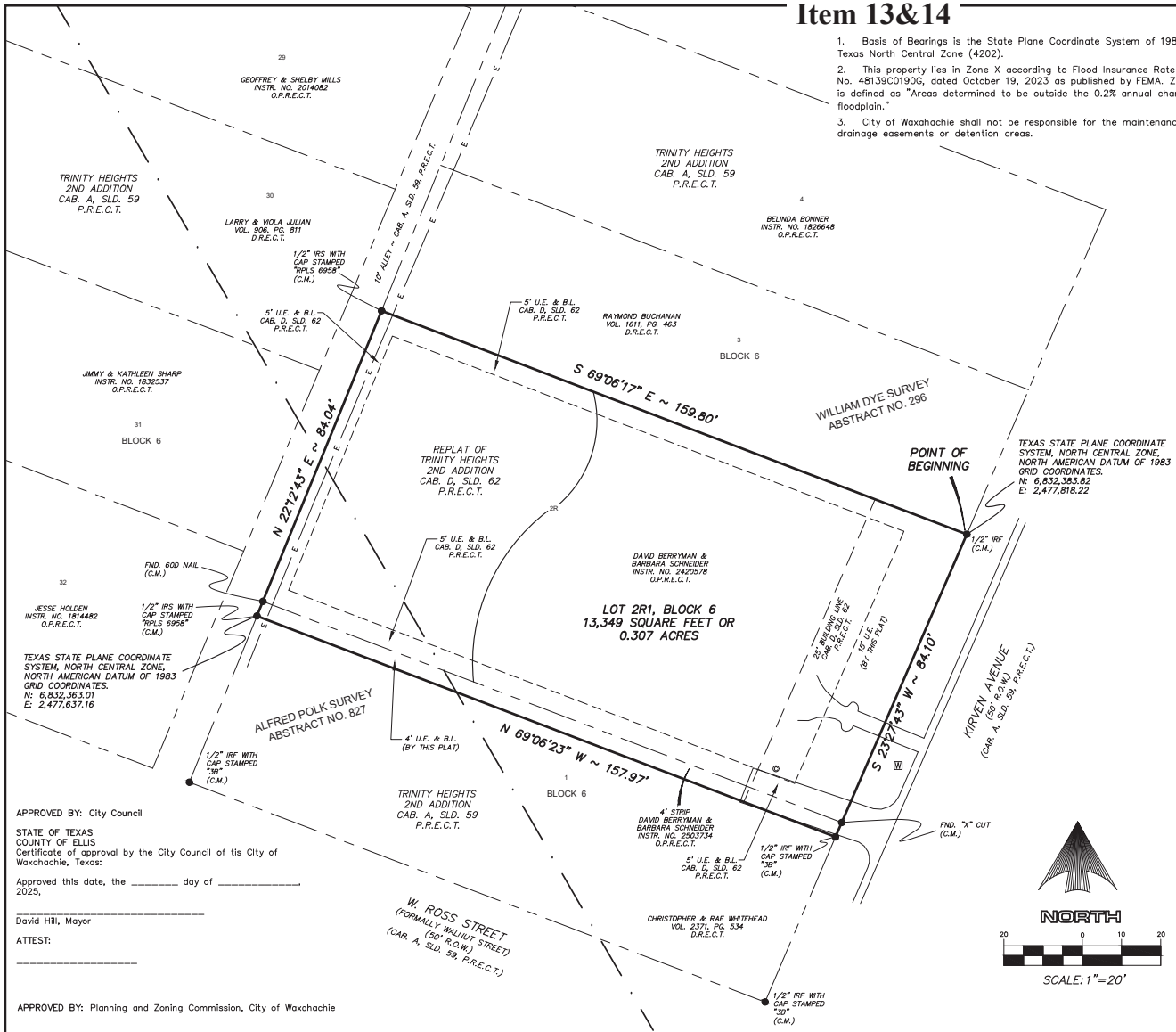

Item 13&14
972-878-0995
BlackLand
BARRICADE
24'


Item 13&14
BARRICADE
BUILDING WRAP
BARRICADE
BUILDING WRAP
BARRICADE
BUILDING WRAP
BlackLand
972-878
www.blackla


Item 13&14
972-878-0995
Garage is 24X48 footprint


Item 13&14
BARRICADE
BUILDING WRAP
BARRICADE
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BUILDING WRAP
BARRICADE
BUILDING WRAP
BlackLand
972-878
www.blackla

Item 13&14



1. Basis of Bearings is the State Plane Coordinate System of 1983, Texas North Central Zone (4202).
2. This property lies in Zone X according to Flood Insurance Rate Map No. 48139C0190G, dated October 19, 2023 as published by FEMA. Zone X is defined as "Areas determined to be outside the 0.2% annual chance floodplain."
3. City of Waxahachie shall not be responsible for the maintenance of drainage easements or detention areas.

APPROVED BY: City Council

STATE OF TEXAS
COUNTY OF ELLIS
Certificate of approval by the City Council of tis City of Waxahachie, Texas:

Approved this date, the _____ day of _____, 2025,

_____
David Hill, Mayor

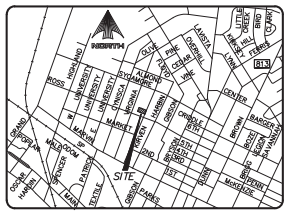
ATTEST:

_____

APPROVED BY: Planning and Zoning Commission, City of Waxahachie

By: _____ _____
Chairperson Date

_____
Attest



LOCATION MAP
(NOT TO SCALE)

ABBREVIATION LEGEND

O.P.R.E.C.T.	OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS
D.R.E.C.T.	DEED RECORDS OF ELLIS COUNTY, TEXAS
P.R.E.C.T.	PLAT RECORDS OF ELLIS COUNTY, TEXAS
DOC. NO.	DOCUMENT NUMBER
VOL., PG.	VOLUME, PAGE
SQ. FT.	SQUARE FEET
R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT
IRF	IRON ROD FOUND
CM	CONTROLLING MONUMENT

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, David S. Griffin, a Registered Professional Land Surveyor, licensed by the State of Texas, 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.

Dated this the _____ day of _____, 2025.

_____
David S. Griffin, Texas R.P.L.S. No. 6958
Registered Professional Land Surveyor
Griffin Land Surveying
903 W. Ennis Ave., Suite 1
Ennis, Texas 75119
(903) 600-1072
TBPELS Firm No. 101948-13

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 David S. Griffin, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/her 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 On:

OWNER:
DAVID BERRYMAN & BARBARA SCHNEIDER
303 KIRVEN AVENUE
WAXAHACHIE, TEXAS
(323) 646-8770

OWNERS'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF ELLIS §

WHEREAS David Berryman and Barbara Schneider are the owners of a tract of land situated in the Alfred Polk Survey, Abstract Number 827 and the William Dye Survey, Abstract No. 296, and being all of Lot 2R, Block 6 of the Replat of Trinity Heights 2nd Addition, an addition to the City of Waxahachie, Ellis County, Texas according to the plat thereof recorded in Cabinet D, Slide 62 of the Plat Records of Ellis County, Texas (P.R.E.C.T.) and described in the General Warranty Deed to David Berryman and Barbara Schneider recorded in Instrument Number 2420578 of the Official Public Records of Ellis County, Texas (O.P.R.E.C.T.) and being the north 4 feet of the remainder of Lot 1, Block 6 of Trinity Heights 2nd Addition, an addition to the City of Waxahachie, Ellis County, Texas according to the plat thereof recorded in Cabinet A, Slide 59, O.P.R.E.C.T. and described in the General Warranty Deed to David Berryman and Barbara Schneider recorded in Instrument Number 2503734, O.P.R.E.C.T., and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found in the northwest line of Kirven Avenue, a 50 foot wide Right of Way as shown on said Trinity Heights 2nd Addition, for the east corner of said Lot 2R, Block 6;

THENCE South 23 degrees 27 minutes 43 seconds West, along the northwest line of said Kirven Avenue, passing an "X" cut found in concrete marking the south corner of said Lot 2R, Block 6 at a distance of 80.10 feet and the east corner of said tract recorded in Instrument Number 2503734 and continuing for a total distance of 84.10 feet to a 1/2 inch iron rod with cap stamped "3B" found for the south corner of said tract recorded in Instrument Number 2503734;

THENCE North 69 degrees 06 minutes 23 seconds West, along the southwest line of said tract recorded in Instrument Number 2503734, a distance of 157.97 feet to a 1/2 inch iron rod with cap stamped "RPLS 6958" set in the southeast line of a 10 foot wide Alley as shown on said Trinity Heights 2nd Addition for the west corner of said tract recorded in Instrument Number 2503734;

THENCE North 22 degrees 12 minutes 43 seconds East, along the southeast line of said 10 foot wide Alley, passing a 60D Nail found marking the north corner of said tract recorded in Instrument Number 2503734 and the west corner of said Lot 2R, Block 6 at a distance of 4.00 feet and continuing for a total distance of 84.04 feet to a 1/2 inch iron rod with cap stamped "RPLS 6958" set for the north corner of said Lot 2R, Block 6;

THENCE South 69 degrees 06 minutes 17 seconds East, along the northeast line of said Lot 2R, Block 6, a distance of 159.80 feet to the POINT OF BEGINNING and containing 13,349 square feet or 0.307 acres of land, more or less.

OWNER'S DEDICATION

STATE OF TEXAS §
COUNTY OF ELLIS §

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That David Berryman and Barbara Schneider, acting herein by and through their duly authorized officers, do hereby adopt this plat designating the herein above described property as LOT 2R1, BLOCK 6, BERRYMAN 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, our hand, this the _____ day of _____, 2025.

BY:

_____ _____
David Berryman Barbara Schneider

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 David Berryman, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/her 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 On:

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 Barbara Schneider, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/her 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 On:

GRIFFIN LAND SURVEYING
903 W. Ennis Ave., Ste. 1
Ennis, TX 75119
903.600.1072 • www.glsurveying.com
TBPELS Firm No. 101948-13

REPLAT

BERRYMAN ADDITION

LOT 2R1, BLOCK 6

13,349 SQUARE FEET OR 0.307 ACRES
BEING A REPLAT OF LOT 2R, BLOCK 6 OF THE REPLAT OF TRINITY HEIGHTS 2ND ADDITION, AN ADDITION TO THE CITY OF WAXAHACHIE, TEXAS AS RECORDED IN CAB. D, SLD. 62, P.R.E.C.T. AND ALL OF A TRACT OF LAND DESCRIBED TO DAVID BERRYMAN & BARBARA SCHNEIDER RECORDED IN INSTR. NO. 2503734, O.P.R.E.C.T.

ALFRED POLK SURVEY, ABSTRACT NO. 827 & WILLIAM DYE SURVEY, ABSTRACT NO. 296
CITY OF WAXAHACHIE
1 RESIDENTIAL LOT

CASE NO. SUB-40-2025

APRIL, 2025 ***GLS JOB NO. 2502042***
SHEET 1 OF 1

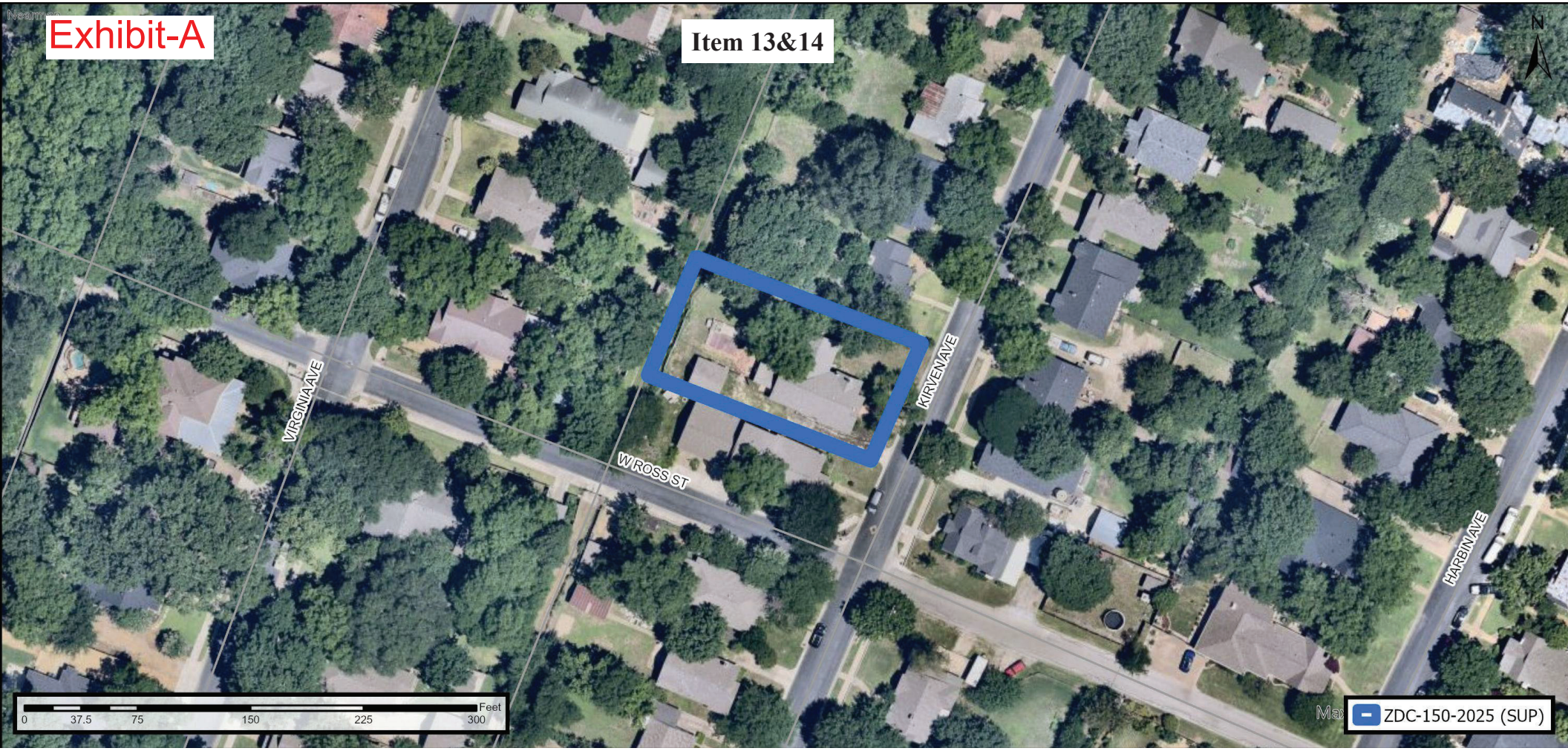

Exhibit-A
Item 13&14
N
VIRGINIA AVE
W ROSS ST
KIRVEN AVE
HARBIN AVE
0
37.5
75
150
225
300
Feet
ZDC-150-2025 (SUP)

Exhibit-B

Item 13&14

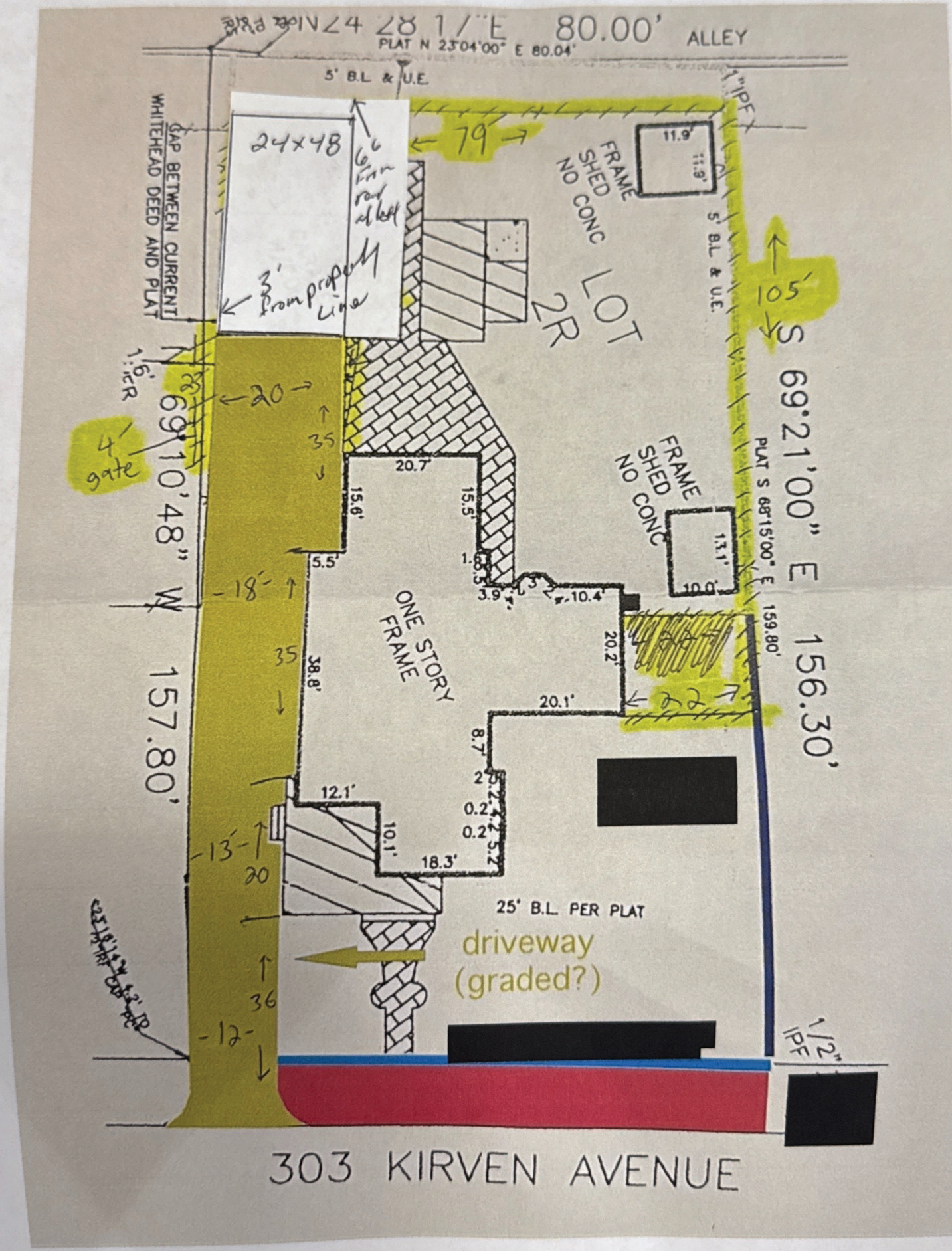


Exhibit-D

Item 13&14

Operation plan for 303 Kirven Ave Waxahachie tx

The structure at 303 Kirven Ave will be used to park owned vehicle, hobby projects and storage.

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-139-2025

MEETING DATE(S)

Planning & Zoning Commission: December 8, 2025
City Council: January 5, 2026

CAPTION

Public Hearing on a request by Todd Baker, YMCA Metro Dallas for a **Zoning Change** from an Office (O) zoning district to **Planned Development-Neighborhood Services (PD-NS)** zoning district, for a **Public Community Center** use, located at 100 YMCA Drive, (Property ID 193929) - Owner: YMCA of Metro Dallas (ZDC-139-2025)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-139-2025, a Planned Development Zoning Change request for a Public Community Center (YMCA), subject to the conditions the staff report, authorizing the Mayor and/or Interim City Manager to execute all documents accordingly."

APPLICANT REQUEST

The applicant requests a Zoning Change to a Planned Development-Neighborhood Services (PD-NS) district to facilitate the expansion of the Waxahachie Family YMCA. The YMCA proposes an expansion that encompasses additions to the existing building and the addition of multiple pavilions, sports courts/fields, outdoor activity areas, and parking that cannot be accommodated under the existing zoning regulations for the property.

CASE INFORMATION

Applicant:	Todd Baker, YMCA Metro Dallas
Property Owner(s):	YMCA of Metro Dallas
Site Acreage:	11.419 acres
Current Zoning:	Office (O)
Requested Zoning:	Planned Development-Neighborhood Services (PD-NS)

SUBJECT PROPERTY

General Location:	100 YMCA Drive
Parcel ID Number(s):	193929
Existing Use:	Waxahachie Family YMCA
Development History:	The subject property is platted as Lot 11, Block C of the Lakeridge I Addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	Commercial (C)	Expedian Urgent Care and US Highway 77
East	Office (O)	Multi-tenant office buildings
South	Office (O) & General Retail (GR)	Victron Energy & Multi-tenant office and retail buildings
West	Commercial (C)	Expedian Urgent Care and US Highway 77

Future Land Use Plan: Local Commercial, Urban Village, and Residential Neighborhood

Comprehensive Plan:

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

Urban Village: An urban village is intended to be a bustling center of activity with active streets and a focus on the pedestrian. Filled with high-yield development, it is also one of the most fiscally resilient placetypes and in the right proportion can subsidize low-value development patterns. Streets are narrow with on-street parking making the streetscape comfortable for people who inhabit and patronize the homes and businesses here. When uses which require large amounts of parking are built, parking is hidden with continuous building frontage. Commercial uses on the ground floor should have a higher proportion of glazing to create a more interesting interface between the public and private realm. Most commercial uses make sense in this area as long as the building form treats pedestrians as their principal user.

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

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

Site Image:



PLANNING ANALYSIS

The applicant proposes a Zoning Change to a Planned Development-Neighborhood Services (PD-NS) district to facilitate the expansion of the Waxahachie Family YMCA. The YMCA proposes an expansion that encompasses additions to the existing building and the addition of multiple pavilions, sports courts/fields, outdoor activity areas, and parking that cannot be accommodated under the existing zoning regulations for the property. As part of the request, the Applicant has proposed specific Planned Development Standards that are appropriate this unique expansion.

Permitted Uses and Development Standards:

In addition to the YMCA Public Community Center, the following uses are permitted by-right within the proposed Planned Development district: Child Daycare Center, Playfield or Stadium, Public, and Swimming Pool, Commercial. These are land uses that were identified by the applicant as consistent with the current mission and services provided by the YMCA.

The Planned Development Standards include provisions detailing site design requirements such as maximum building height, lot coverage, and setbacks that are consistent with the proposed expansion. In addition to these standards for new structures, provisions outlining parking, landscaping, signage, and lighting requirements are also provided. These standards are summarized in greater detail below.

Site Design:

The applicant has provided a Detailed Site Plan for the subject property, which is designed around an approximately 21,000 square foot addition to the YMCA building, a stand-alone restroom structure, and two outdoor pavilions totaling 29,000 square feet in area. In addition to these structures, the Detailed Site Plan identifies over 82,000 square feet of activity space designated as soccer fields, volleyball courts, pickleball courts, basketball courts, open-air exercise areas, and playground areas. The applicant has worked with staff to incorporate emergency access lanes into the center of the site between the pavilions to allow emergency services to quickly access all activity spaces. These emergency access lanes are designed to appear like pedestrian pathways that are integrated seamlessly into the site from an aesthetic standpoint; while remaining unobstructed for emergency services.

Site Design (continued):

Pedestrian access is provided via an 8' concrete trail around the perimeter of the property. This trail connects all proposed outdoor improvements to each other and the primary YMCA building. A vinyl coated chain-link fence is proposed along the perimeter of the property and along the retaining wall adjacent to the Mustang Creek to restrict access to the creek.

There are currently 109 parking spaces serving the existing YMCA facility. With this expansion, an additional 107 parking spaces are proposed to be installed, bringing the total parking on the subject property to 216 spaces. The existing dive-aisle and parking lot is proposed to be extended north, parallel to the western property line. Due to the total combined size of the sports fields and courts proposed on the property, the typical minimum parking requirement for this use would be 321 spaces. However, it is not feasible to provide this number of spaces and still construct the proposed number of sports courts and fields. The Applicant has noted that not all proposed facilities will be fully utilized at one time. With this context in mind, staff is supportive of the proposed parking for the development.

Access:

The subject property currently has three (3) points of access. Two (2) of the existing points of access provide a direct connection to YMCA Drive while the third access point connects to the internal drive-aisle of 102 YMCA Drive. These access points are proposed to remain in place to serve the expansion. However, the existing internal drive-aisle is proposed to extend to the north and connect to the drainage infrastructure running along the northern boundary of the subject property. The connection to the drainage infrastructure is proposed to be gated and to serve only as an additional means of emergency access to the rear of the property in the event that YMCA Drive is blocked.

Elevation/Façade:

The applicant has provided an Elevation/Façade Plan for the building expansion and outdoor pavilions proposed with this development. As part of the expansion, the south, east, and west facades of the building are proposed to change; while the north elevation is proposed to remain largely unchanged. The facade of the addition is proposed to be comprised primarily of architectural metal and EIFS panels that provide a modern look for the building. Similarly, the outdoor pavilions are proposed to be complimentary metal panels. Pavilion 2, the smaller pavilion, is proposed to cover metal shipping containers that have been converted for use as storage and activity spaces. Exhibit B can be referenced for additional detail regarding the proposed elevations, including material and color boards.

Landscaping:

The applicant has provided a Landscape Plan (Exhibit E) that identifies the proposed landscaping for the site. The proposed landscaping falls short of the minimum requirements of the Waxahachie Zoning Ordinance. However, the proposal is only short of typical minimum requirements due to the fact that a large portion of the site has been reserved for sports fields. While sod is provided in these areas, landscaping such as trees and shrubs cannot be provided. Due to the proposed use of the site and the provision of appropriate landscaping along walkways, parking lot, and the primary building, staff is supportive of the Landscape Plan as proposed.

Signage:

The applicant has proposed a dedicated Signage Plan (Exhibit F) with this PD application that includes wall signage and a monument sign. The proposed monument sign is 28' in height and approximately 224 square feet in size. The proposed design and exceeds to the typical height and size requirements of the Waxahachie Zoning Ordinance. The monument sign is proposed to feature a static YMCA logo and a 5'-7" x 8' electronic message board. The proposed wall signs for the development exceed the total maximum square footage allowed by the Waxahachie Zoning Ordinance; but are consistent with recently approved signage for large developments such as Tom Thumb and BJ's Wholesale Club to the northeast. Due to this, staff is supportive of the proposed signage for the site. The Signage Plan can be referenced in Exhibit F below.

Lighting:

The applicant has provided a Planned Development Standards that require all outdoor lighting that is included in the scope of the expansion to be compliant with the Waxahachie Lighting & Glare Standards. Lighting and Photometric plans have also been provided to demonstrate that the added lighting directed downward towards the site and properly shielded so as not to create a nuisance.

Site Grading & Drainage:

The subject property has historically been situated within the FEMA designated 100-year floodplain. However, over the last few years the YMCA has through extensive site grading and channel improvement efforts with the City and FEMA to remove a majority of the property from the 100-year floodplain. The YMCA has completed these efforts through the Letter of Map Revision (LOMR) process, thereby opening up the property for the expansion efforts detailed above. This work has also accounted for the drainage needs of the proposed expansion to ensure no adverse flooding occurs along Mustang Creek as a result of the expansion.

Phasing:

The applicant proposes to develop the subject property in two (2) phases. Phase 1 is proposed to include the outdoor pavilions and restroom facility, along with associated site infrastructure, landscaping, and lighting. Phase 1 is proposed to begin in Q1 of 2026 and be completed in Q4 of 2026.

Phase 2 is proposed to include the renovation and expansion of the current YMCA building along with final site infrastructure improvements such as parking. Phase 2 is proposed to begin in Q1 of 2026 and be completed in Q2 of 2027. The YMCA is planning to work with City staff to coordinate a plan to keep current services safely operational during the expansion.

Roadway Impact Fee Waiver Request

As part of the Planned Development application, the Applicant has requested that 100% of Roadway Impact Fees be waived for the expansion project. Typically, development that expands the footprint or scope of an existing facility is subject to Roadway Impact Fees commensurate with the expanded scope. The Applicant has noted that the YMCA is a nonprofit organization providing essential series to the community and reasons that the public benefit of the provided services are sufficient to off-set the cost of the impact on the City's roadway network.

The waiver of Roadway Impact Fees is a determination made by City Council and the Planning & Zoning Commission need not provide a specific recommendation on this topic.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 16 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PUBLIC NOTIFICATION RESPONSES

Staff has received zero (0) letters of support and zero (0) letters of opposition to the planned development request.

RECOMMENDATION

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

Conditions:

1. A mutually agreed upon Development Agreement shall be required for the development and filed within thirty (90) calendar days of City Council approval.
2. Prior to filing, the Development Agreement shall be updated to include language noting that the drainage infrastructure along the northern property line of the subject property shall not be maintained by the City.
3. Prior to filing, the Development Agreement shall be updated to include language documenting the waiver of Roadway Impact Fees.
4. All exterior construction materials, location of exterior construction materials, and percentage of exterior construction materials for each building in the development shall conform with the Elevation/Façade Plan (Exhibit B).
5. All exterior lighting, including accent and security lighting, shall maintain compliance with the Lighting & Glare Standards of Section 6.03 of the Waxahachie Zoning Ordinance.
6. The property owner shall provide a permanent irrigation system for all required landscape areas shown on Exhibit E - Landscape Plan and maintain the required landscaping at all times.
7. The property owner shall be responsible for obtaining all building and civil construction permits per the City's applicable rules and regulations governing such permits.

ATTACHED EXHIBITS

1. Exhibit A – Location Map
2. Exhibit B – Elevation/Façade Plan
3. Exhibit C – Planned Development Standards
4. Exhibit D – Site Plan
5. Exhibit E – Landscape Plan
6. Exhibit F – Signage Plan
7. Exhibit G – Photometric Plan

APPLICANT REQUIREMENTS

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

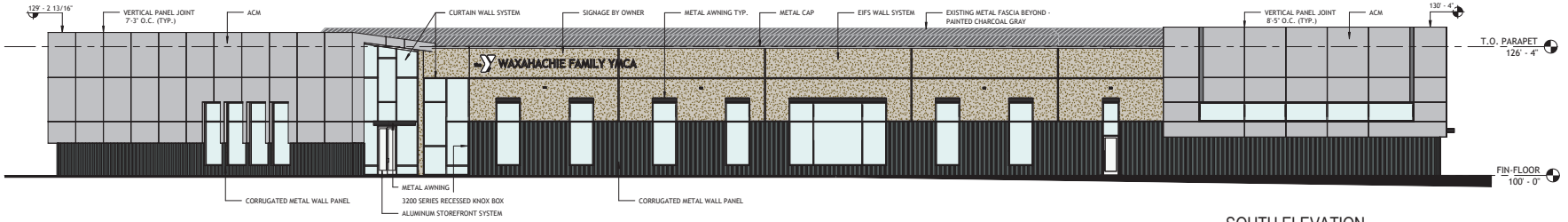
STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Planning Manager
zking@waxahachie.com

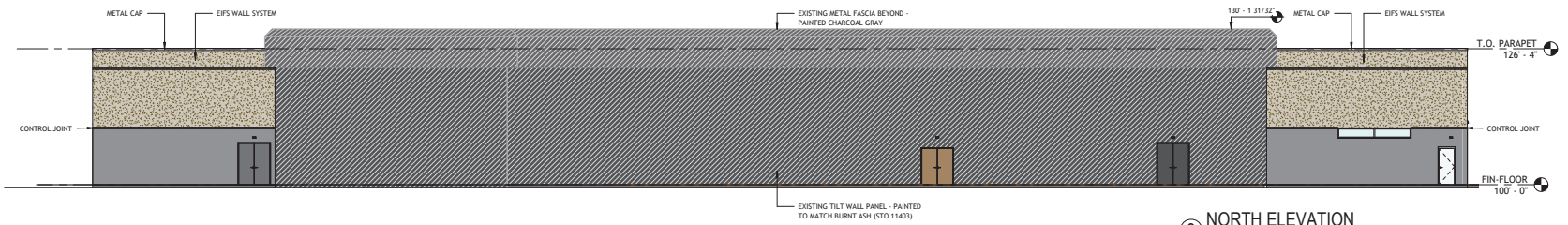
Reviewed by:
Trenton Robertson, AICP
Senior Director of Planning
trenton.robertson@waxahachie.com


Nearmap
Exhibit A - Location Map
Item 15&16
N
MARKETPLACE BLVD
NORTHTOWN BLVD
N US HIGHWAY 77
BESSIE COLEMAN BLVD
CHAMBER CIR
YMCA DR
LAKESIDE DR
WILDFLOWER DR
0 125 250 500 750 1,000
Feet
ZDC-139-2025 (PD)

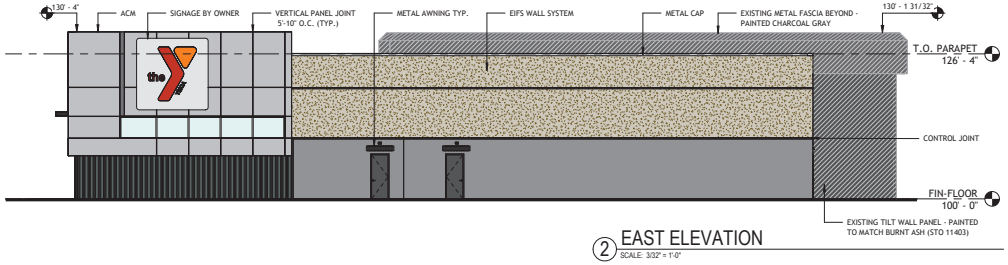
Exhibit B - ELEVATION/FACADE PLAN



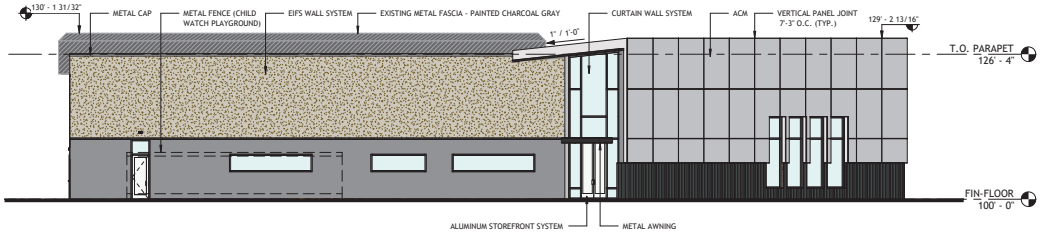
4 SOUTH ELEVATION
SCALE: 3/32" = 1'-0"



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



2 EAST ELEVATION
SCALE: 3/32" = 1'-0"



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

SOUTH ELEVATION		
MATERIAL	SQFT	PERCENTAGE
EIFS	1947 SF	24.55%
ACM METAL PANEL SYSTEM	2590 SF	32.6%
CORRUGATED METAL PANEL	2048 SF	25.75%
GLAZING	1363 SF	17.1%
TOTAL	7948 SF	100%

NORTH ELEVATION		
MATERIAL	SQFT	PERCENTAGE
EIFS	1908 SF	30.5%
GLAZING	48 SF	.75%
EXISTING TILT PANEL	4287 SF	68.75%
TOTAL	6243 SF	100%

EAST ELEVATION		
MATERIAL	SQFT	PERCENTAGE
EIFS	2814 SF	75.75%
ACM METAL PANEL SYSTEM	790 SF	21.25%
CORRUGATED METAL PANEL	--	
GLAZING	110 SF	3%
TOTAL	3714 SF	100%

WEST ELEVATION		
MATERIAL	SQFT	PERCENTAGE
EIFS	2216 SF	83.30%
ACM METAL PANEL SYSTEM	101 SF	3.80%
CORRUGATED METAL PANEL	--	
GLAZING	343 SF	12.90%
TOTAL	2660 SF	100%

MATERIAL LIST

- **EIFS WALL SYSTEM** CHAMPAGNE (STO 93330)
- **EIFS WALL SYSTEM** BURNT ASH (STO 11403)
- **ACM PANEL SYSTEM** SILVERSMITH LIGHT GRAY
- **CORRUGATED METAL PANEL** CHARCOAL GREY
- **GLAZING** CLEAR ANODIZED
- **METAL CAP** SILVERSMITH LIGHT GRAY

NOTES

a. ALL ELEVATIONS SUBJECT TO BUILDING INSPECTION DEPARTMENT APPROVAL
b. EXTERIOR MATERIALS SHALL BE IN ACCORDANCE WITH ZONING ORDINANCE REQUIREMENTS
c. BUILDING HEIGHT SHALL NOT EXCEED MAXIMUM ALLOWABLE PER ZONING DISTRICT
d. EXTERIOR COLORS AND FINISHES SHALL BE COORDINATED AND APPROVED BY DESIGN REVIEW COMMITTEE
e. ALL SIGNAGE LOCATIONS AND DIMENSIONS SUBJECT TO BUILDING INSPECTION DEPARTMENT APPROVAL
f. WINDOW AND DOOR SCHEDULES SHALL BE VERIFIED DURING CONSTRUCTION DOCUMENT PHASE
g. EXISTING BUILDING MATERIALS TO BE REPAINTED/REFINISHED WHERE INDICATED TO MATCH NEW ADDITION
h. ALL METAL PANELS AND TRIM TO BE FACTORY FINISHED - NO FIELD PAINTING UNLESS NOTED
i. EIFS INSTALLATION TO COMPLY WITH MANUFACTURER'S REQUIREMENTS FOR SUBSTRATE PREPARATION, MOISTURE BARRIERS, AND FINISH APPLICATION

SSARCO

CAMPUS PLAN

WAXAHACHIE FAMILY YMCA
100 YMCA DR,
WAXAHACHIE, TEXAS
75165
50% DESIGN DEVELOPMENT

No.	Date	Revision

THIS DOCUMENT IS NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.

SCOTT SOWER, AIA
17187
10/01/2025

Author
Drawn By
Approver
Reviewed By

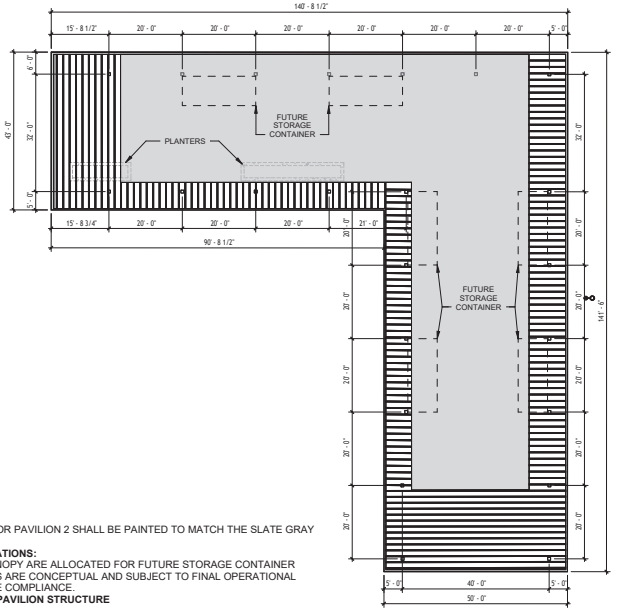
Project No. 25-YMCA05
Original Issue Date 10/01/2025

BUILDING ELEVATIONS

A201

Exhibit B - ELEVATION/FACADE PLAN

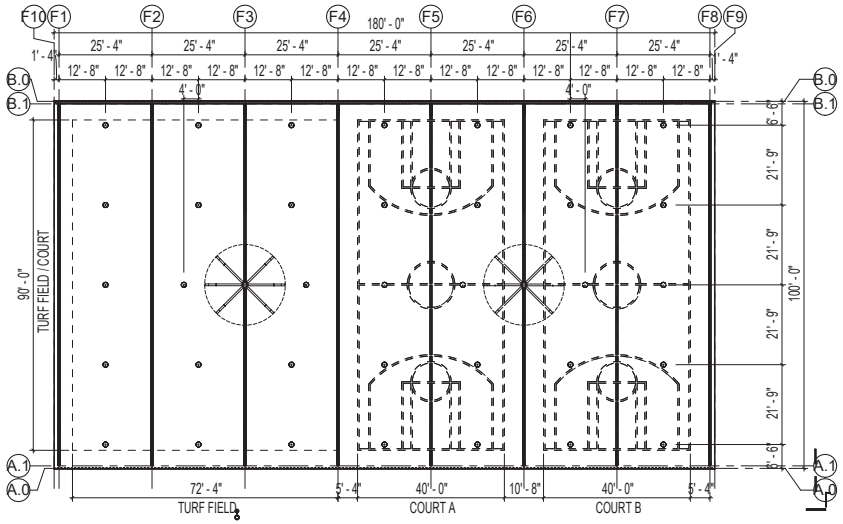
Item 15&16



NOTE:

1. **COLOR**: THE CANOPY STRUCTURE FOR PAVILION 2 SHALL BE PAINTED TO MATCH THE SLATE GRAY COLOR USED ON PAVILION 1.
2. **FUTURE STORAGE CONTAINER LOCATIONS:** AREAS SHOWN UNDER PAVILION CANOPY ARE ALLOCATED FOR FUTURE STORAGE CONTAINER PLACEMENT. CONTAINER LOCATIONS ARE CONCEPTUAL AND SUBJECT TO FINAL OPERATIONAL REQUIREMENTS AND BUILDING CODE COMPLIANCE.
3. **MINIMUM 14' CLEAR HEIGHT UNDER PAVILION STRUCTURE**

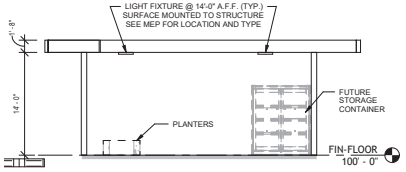
6 PAVILION 2 - REFLECTED CEILING PLAN
SCALE: 1/16" = 1'-0"



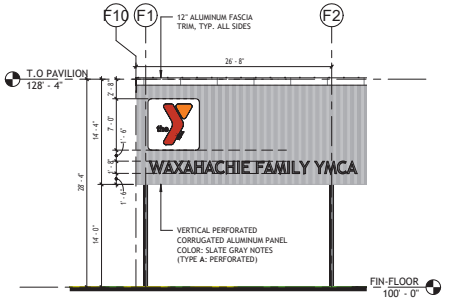
NOTE: VERIFY ALL MOUNTING REQUIREMENTS AND CLEARANCES:

1. **LIGHT FIXTURES: (35)** LITHONIA REBL ALO28 LED LIGHTS (OR APPROVED EQUAL).
2. **FAN MODEL: (2)** BIG ASS FANS E-SERIES (OR APPROVED EQUAL), 20 FT DIAMETER, 6-BLADE HVLS FAN, SUITABLE FOR COMMERCIAL INSTALLATION.

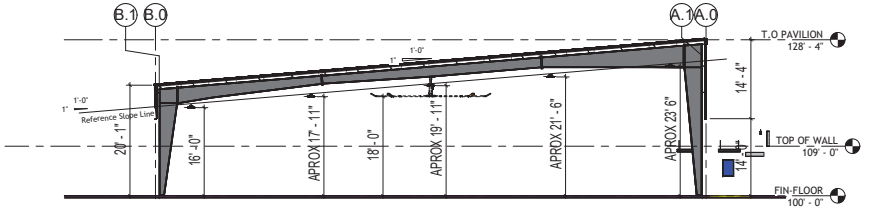
5 PAVILION 1 - REFLECTED CEILING PLAN
SCALE: 1/16" = 1'-0"



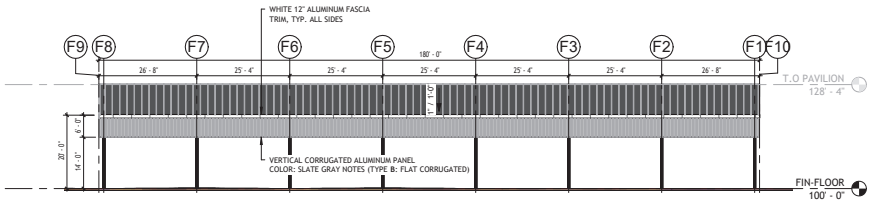
7 PAVILION 2 SECTION
SCALE: 1/8" = 1'-0"



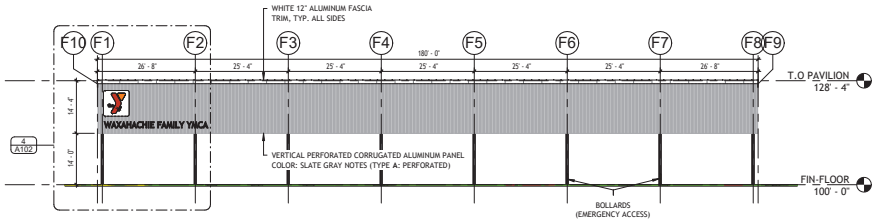
4 ENLARGED EAST ELEVATION
SCALE: 1/8" = 1'-0"



3 PAVILLION 1 SECTION
SCALE: 3/32" = 1'-0"



2 PAVILION 1 WEST ELEVATION
SCALE: 1/16" = 1'-0"



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

SSARCO

CAMPUS PLAN

WAXAHACHIE FAMILY YMCA
100 YMCA DR,
WAXAHACHIE, TEXAS
75165
50% DESIGN DEVELOPMENT

the YMCA

No.	Date	Revision

THIS DOCUMENT IS NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.
17187
SCOTT SOWER, AIA
10/01/2025
Author
Drawn by
Approver
Reviewed by

Project No. 25-YMCA05
Original Issue Date 10/01/2025

PAVILLION FLOOR PLANS

A102

WAXAHACHIE FAMILY YMCA -PLANNED DEVELOPMENT STANDARDS

- ***Section I. Purpose and Intent***

The subject property is part of Lot 11, Block C of Lakeridge I Addition (Cabinet B, Slide 245 OPRECT). The property is currently zoned Office (O). The applicant is requesting rezoning to Planned Development – Neighborhood Service (PD-NS) to help the renewal and expansion of the Waxahachie Family YMCA community facility at 100 YMCA Dr. This PD designation is intended to allow a mix of community-serving recreational, educational, and wellness uses consistent with the Neighborhood Service district, while setting customized development standards tailored to this site. The development aims to serve Waxahachie and adjacent neighborhoods, provide safe and accessible services for all ages, support healthy lifestyles, and uphold high standards of architecture, landscaping, circulation, and community design.

- ***Section II. The Use or the combination of uses proposed.***

The land use allocation for the Waxahachie Family YMCA Planned Development (PD-Neighborhood Service) is focused on community-serving recreational, educational, and wellness uses as summarized in the table below. The proposed uses correspond with the Neighborhood Service district zoning and are designed to support a safe, accessible, and inclusive community facility. The uses identified in Section II shall be permitted by right within this Planned Development.

Proposed Use	Base Zoning District	Description
Public Community Center	Neighborhood Service (NS)	The primary YMCA facility providing community recreation, wellness, fitness, and aquatic programs.
Child Daycare Center	Neighborhood Service (NS)	Facility space is dedicated to youth programming and childcare services.
Playfield or Stadium, Public	Neighborhood Service (NS)	Outdoor courts, soccer fields, pickleball, and volleyball courts for public use.
Swimming Pool, Commercial	Neighborhood Service (NS)	Indoor and outdoor pools support competitive and recreational aquatic activities.

All uses not explicitly listed but consistent with the Neighborhood Service zoning district may be allowed subject to administrative or City Council approval within this Planned Development framework. Uses requiring a Specific Use Permit (SUP) shall undergo the City's public hearing and permit review process.

- ***Section III. Lot Area and Height Regulations (Width, Depth, Coverage, Yard Depths and Building Height)***

The subject property is currently zoned Office (O). The applicant is requesting rezoning to Planned Development – Neighborhood Service (PD-NS) to allow the proposed YMCA community facility expansion. The following chart summarizes the area, height, density, and yard requirements for this Planned Development. Any lot or design aspect not specifically called out in the chart shall default to the requirements of the Neighborhood Service base zoning district.

Attribute	Requirement
Lot Number	11
Use Category	Public Community Center (NS)
Base Zoning District	PD - NS (Neighborhood Service)
Minimum Lot Area	7,000 SF
Maximum Lot Coverage	60%
Minimum Lot Width (ft)	60
Minimum Lot Depth (ft)	100
Minimum Front Yard (ft)	25
Minimum Side Yard (ft)	5
Minimum Rear Yard (ft)	20; 25 if next to residential
Maximum Height (ft)	31 ft

Total Site Area: 497,408 sq. ft. (11.419 acres)
Total Building Area*:* 66,976 sq. ft. (13.47% coverage)
Setbacks: 25 ft building setbacks along property lines adjacent to streets and 24 ft minimum fire lane clearance.

Building heights:

- **Building A:** 1 story - 31'-0" height max.
- **Building B:** 1 story - 13'-0" height max.
- **Pavilion 1**: 1 story - 29'-0" height max.
- **Pavilion 2**: 1 story - 16'-0" height max.

Lot coverage is defined by the footprints of building structures and accessory structures as shown on the Detailed Site Plan in **Exhibit A**.

Setback Requirement for Dumpster Enclosure

To address site-specific circulation constraints, the Planned Development standards propose the dumpster enclosure to be located within the 15-foot utility easement along the west property line.

The dumpster enclosure will be screened with a 7-foot-high masonry wall and metal gates, ensuring compliance with City screening standards and mitigating visual and odor affects to adjacent properties.

- ***Section IV. Building Elevations***

Primary building elevations are provided below as well as in **Exhibit B**, which offers examples of building facades, materials, and color palettes to be used. All buildings embody modern accents and YMCA architectural standards, featuring compatible materials and durable finishes. New construction and additions will match the exterior palette, massing, and scale appropriate for the neighborhood and broader community context.

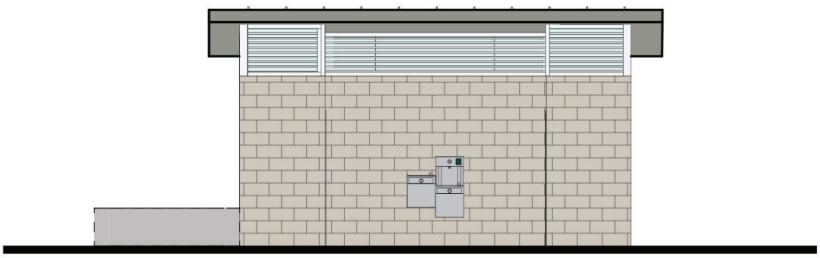
Building A - Principal Facility Addition

The primary expansion of the existing YMCA facility features a modern architectural design using an EIFS wall system, insulated metal panels, corrugated metal wall panels, and expansive glazing systems. The forms are clean and geometric, emphasizing simplicity and visual clarity. This addition is designed to seamlessly integrate with the existing structure, providing contemporary finishes for long-term durability and supporting YMCA brand consistency.



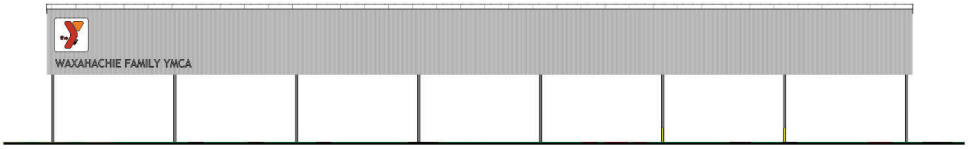
Building B - Outdoor Restroom Facility

A standalone restroom facility serving the active outdoor areas of the site. This building features a modest contemporary design with durable materials including concrete masonry and metal roofing systems. The facility is fully ADA accessible with an efficient layout designed to maximize functionality. It includes an integrated water fountain available for outdoor recreation users.



Pavilion 1 - Large-Scale Activity Structure

A large-scale Pre-Engineered Metal Building (PEMB) is designed to accommodate two basketball courts and active turf area for fitness activities. The primary elevation includes perforated corrugated metal panels providing both visual interest and functional ventilation. The YMCA logo is prominently displayed on the building facade as a key identifying element and color accent, reinforcing brand presence and wayfinding. The design ensures a clear-span interior with high ceilings to accommodate diverse programming needs while presenting a clean, contemporary exterior.



Pavilion 2 - Multi-Purpose Canopy Structure

An L-shaped canopy provides flexible outdoor programming space. The structure includes integrated shading, allocations for future storage containers, and seating areas. Steel frame construction with standing seam metal roofing provides a durable, minimal maintenance covered space for various outdoor activities.

All building elevations, materials, and architectural details are illustrated in ***Exhibit B.***

- ***Section V. Parking***

The Planned Development provides off-street parking designed to serve both the YMCA facilities and the park. The total activated space for the full build out of this proposed development is 160,724 square feet.

Parking Type	Required Spaces Calculation	Required Spaces	Provided Spaces	ADA Compliance Details
General Parking	10 base + 1 space per 500 sq. ft. over 5,000 sq. ft.	321	216	
Accessible Parking	Per ADA standards, minimum spaces based on total	7	7	Includes two van-accessible spaces per ADA 2010

- ***Section VI. Access***

Vehicular access is primarily from YMCA Drive, with additional emergency and service access from secondary driveways. The site includes a 24-foot-wide fire lane conforming to city and fire code standards, and a dedicated 16-foot-wide emergency access driveway connecting the parking lot to the site. A fire lane extension traverses a curb ramp to allow controlled emergency vehicle access. Knox Box entry systems providing emergency controls are installed on the east side of Building A. Internal circulation includes accessible driveway loops designed for fire apparatus. Pedestrian and bicycle access is provided via an 8-foot-wide reinforced concrete trail with accessible curb ramps at fire lane access points, connecting open turf areas, athletic fields, and amenities. Service access points feature masonry-walled dumpster enclosures with gates, screened transformer pads, and designated maintenance areas to support facility operations.

Fire Lane Extension

The fire lane extension traversing the interior of the campus shall be constructed using concrete pavement to meet Fire Marshal requirements. This pavement shall be engineered to support required fire apparatus loading while providing compatibility with adjacent landscape areas and integration into pedestrian/open space circulation. To limit non-emergency vehicle access to this area while maintaining rapid emergency response capability, the fire lane shall incorporate passive design elements such as:

- Decorative concrete pavement with contrasting color or texture from regular drive aisles
- Pavement striping and markings indicating emergency access only
- Signage designating the area as restricted to emergency vehicles

These design elements shall provide clear visual indication to visitors that this is not a regular drive aisle, while always ensuring unobstructed emergency vehicle access.

- ***Section VII. Landscaping and Screening***

Landscape shall be provided for Phase 1 and Phase 2 of the site development. This is exclusive of the flood plain/drainage channel zone which is currently bordered by a flood wall. New landscaping will be limited to areas outside of the floodplain. The flood wall will be topped with a 4' chain-link fence. Living grass turf shall be provided in adjacent YMCA public right-of-way and any non-hardscaped or areas otherwise not planted. Landscape for the site shall follow the guidelines set forth in Exhibit C. Reductions on City planting requirements are necessary to accommodate practice field and other sport play space. Buffer planting on the eastern (HWY77) boundary is limited by the drainage channel and by Oncor and other utility easements.

All dumpsters shall be screened from public view with a masonry enclosure and gates. Masonry dumpster enclosures shall complement the style of the development and shall be constructed with split face block. The color of the dumpster enclosure shall be consistent with the colors used for the principal building on the lot. In addition, ornamental trees shall be provided to screen the dumpster enclosure, providing effective visual screening.

All landscape details and plant schedules are illustrated in ***Exhibit C***

- ***Section VIII. Accessory Buildings***

Accessory structures on-site, including Pavilions 1 and 2, awnings, shade covers, and turf/play field-related facilities, are allowed as secondary and supportive to YMCA activities. These structures are clearly identified on the Detailed Site Plan on **Exhibit A** and shall be constructed using materials and colors compatible with the primary YMCA building to ensure visual cohesion. Any future accessory building additions or modifications require prior approval through the PD amendment process or site plan review to verify continued compatibility and compliance.

- ***Section IX. Signage***

The Waxahachie Family YMCA will use a comprehensive signage system that includes monument/pylon signage, building identification, wayfinding, and directional signage throughout the development. All signage shall follow YMCA international brand standards and City of Waxahachie signage regulations. The signage plan and site sign elevations are shown in **Exhibit D.**

Primary Identification Signage

Freestanding Pylon Sign (A)

The primary site identification shall be provided by one (1) freestanding pylon sign found at the main entrance as shown on the site plan **Exhibit A**. The pylon sign shall conform to the following regulations:

Specification	**Requirement**
Maximum Height	Twenty-nine (29) feet measured from grade
Sign Type	Freestanding pylon sign with integrated LED electronic display
Location	Main entrance area near YMCA Dr and US Highway 77 intersection
Setbacks	Fifteen (15) feet from street right-of-way - Fifteen (15) feet from property lines other than those property lines fronting public right-of-way - 250 feet from any other monument sign on the same plated lot, measured along the right-of-way
Construction	Fabricated aluminum sign cabinet with painted gloss white finish - Structural steel or reinforced aluminum base - Weather-sealed for exterior use
LED Display	Integrated electronic message display with automatic dimming - Outdoor visibility optimization - Content restricted to YMCA-approved messaging only

Side - Exterior Building Signage (B)

Building identification signage shall be provided on the main YMCA building East elevation facade as shown on **Exhibit D**.

Specification	Requirement
Sign Type	Wall-mounted channel letters
Cabinet Dimensions	Mounted within 13'-0" width × 13'-0" height area
Sign Area	Approximately 169 square feet
Mounting Height	East elevation building facade approximately 16'-2" above finished floor
Location	East elevation, mounted on insulated metal panels section (left side of elevation)
Materials	Aluminum channel letters
Finish	Base cabinet painted with white gloss finish and letters with solid color gloss painted finish to match YMCA brand standards

Entry - Exterior Building Signage (C)

Building identification signage shall be provided on the main south YMCA building facade near the primary entry, as shown on **Exhibit D.**

Specification	Requirement
Sign Type	Wall-mounted channel letters and Logo
Letter Dimensions	Overall width 31′-0″ × overall height 1′-8″
Sign Area	Max 150 square feet
Mounting Height	Mounted next to main entry, aligned with architectural facade elements
Location	Next to main building entry
Materials	Aluminum channel letters
Finish	Channel letters in white with LED internal illumination for maximum visibility

Pavilion 1 Signage (D)

Pavilion identification signage shall be provided on the East elevation of the Pavilion 2 structure as shown on **Exhibit D**.

Specification	Requirement
Sign Type	Wall-mounted channel letters and Logo cabinet
Letter Text	"WAXAHACHIE FAMILY YMCA" in Cachet typeface in all caps per YMCA brand standards and logo channel letters
Panel Dimensions	Channel letters mounted within 28'-3" width x 1'-8" height and a 7’-0” x 7’-0” logo cabinet
Location	East side, centered horizontally on elevation of perforated metal panel.
Materials	Aluminum channel letters
Background	Mounted on perforated metal panels
Finish	White painted finish to match YMCA brand standards

Wayfinding and Directional Signage

Wayfinding and directional signage are allowed throughout the development to help visitors in navigation and provide clear identification of facilities and safety requirements. See Wayfinding **(E)** signage locations on **Exhibit D**.

Wayfinding Signage System

Sign Type	Maximum Height	Maximum Area	Allowed Locations
Parking Area Identification	8 feet	32 square feet	Throughout parking areas
Program Area Directional	6 feet	24 square feet	Near playground, courts, fields
Building Entrance	4 feet	16 square feet	At all public entrances
Pedestrian Wayfinding	4 feet	12 square feet	Along walkways and trails

Note: This signage plan guidelines are part of the Planned Development application and may be modified during the approval process based on Planning and Zoning Commission and City Council review. All signage elements shall adhere to official YMCA national brand graphic standards.

- ***Section X. Lighting***

Outdoor lighting on-site shall follow the City of Waxahachie outdoor lighting regulations emphasizing safety, glare control, dark sky preservation, and energy efficiency. All fixtures will be fully shielded cut-off luminaires that direct light downward to prevent spillovers, glare, and light trespass onto adjoining properties and roadways.

Lighting across the site, including parking areas, pedestrian pathways, and recreational amenities, will be pole mounted. Parking lot luminaires will be mounted at approximately 20 feet height to provide uniform vehicular and pedestrian illumination. Pedestrian pathway and amenity lighting will be mounted on shorter poles designed to provide consistent, glare-free illumination proper for their scale and use.

Lighting controls will be implemented through a campus-wide strategy. Site lighting will utilize wireless controls integrated with a networked time clock, enabling scheduled operation and dimming in accordance with NEC requirements and ownership preferences. Each area—canopy, pickleball courts, and pavilion—will also be equipped with local overrides, allowing users to activate a timer for lighting during designated operational hours.

Site lighting plan and photometrics are illustrated in ***Exhibit E***

- ***Section XI. Project Phasing and Schedule***

The Waxahachie Family YMCA expansion and improvement effort is organized into two parallel construction stages, designed to help efficient sequencing, minimize disruption to ongoing operations, and accelerate the delivery of new amenities for YMCA members and the broader community.

Both project stages may progress concurrently, with clear priority given to early completion of outdoor amenities and restroom support.

Phase 1: Park and Grounds Stage (Q1 2026 – Q4 2026)

- Construction of Building B and Pavilions 1 and 2 to provide outdoor sheltered amenity spaces. Fire lanes must be completed prior to vertical construction.
- Site preparation includes grading and utility connections in areas surrounding these features.
- Installation of associated landscaping, lighting, and pathways to provide functional outdoor spaces.

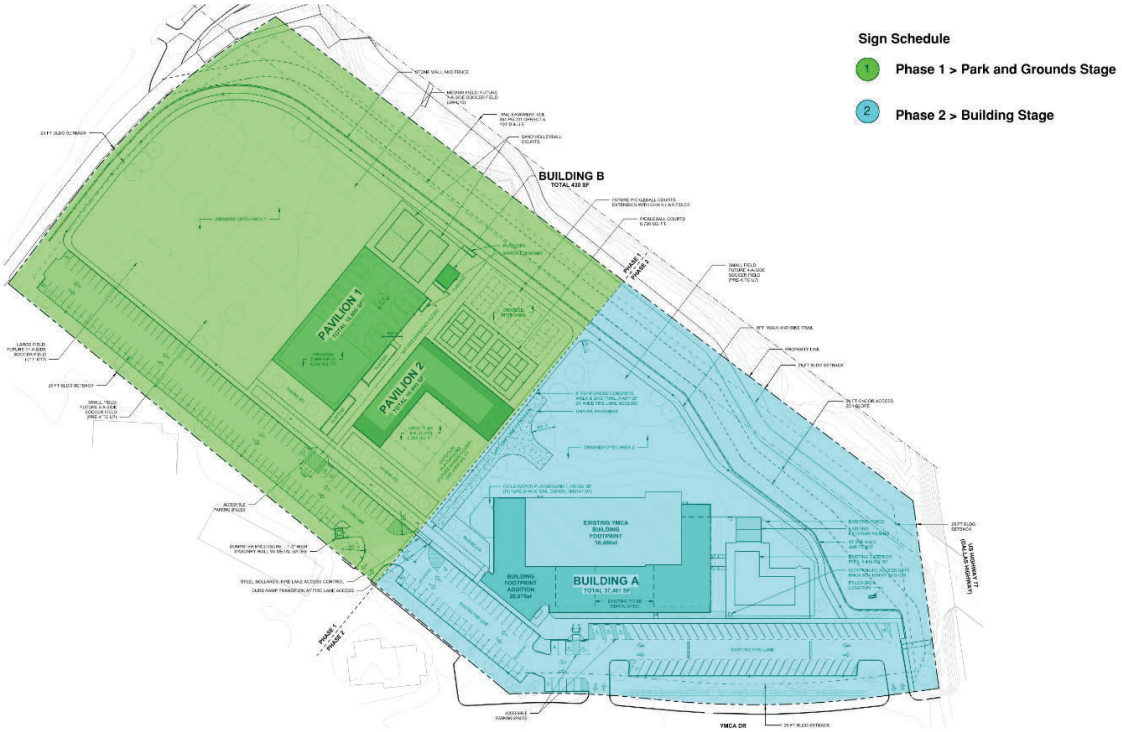
Phase 2: Building Stage (Q1 2026 – Q2 2027)

- Renovation, expansion, and modernization of the existing YMCA building facilities.
- Upgrades to program spaces, locker rooms, fitness areas, and administrative offices.
- Interior and exterior building finishes, equipment installation, and system commissioning.

- Final site integration improvements completing parking, circulation, and landscaping enhancements.

Project Schedule Summary

- Phase 1 Start: Q1 2026
- Phase 1 Completion: Q4 2026
- Phase 2 Start: Q1 2026
- Phase 2 Completion and Final Closeout: Q1 2027



This staged construction approach allows for prompt delivery of critical outdoor amenities to support programming and events, while minimizing disruption to indoor YMCA operations. Both the Park and Grounds Stage and the Building Stage are planned to move forward in parallel as site conditions and permits allow. Coordination with city staff, contractors, and stakeholders will ensure alignment with permitting and scheduling requirements.

- ***Section XII. Management Associations***

The Waxahachie Family YMCA, as property owner, shall be responsible for all maintenance of the facility, parking areas, screening walls, irrigation, landscaping, and site lighting throughout the property.

- ***Section XIII. Architectural Standards***

To support standards that promote uniformity in the development while allowing design flexibility to accommodate community center uses, the following architectural standards shall govern new vertical construction at the Waxahachie Family YMCA facility.

- All buildings shall be designed with compatible materials, colors, and architectural character as established in **Exhibit B**.
- Buildings shall incorporate horizontal and vertical design elements that provide visual interest and break up large wall planes. This may be achieved through:
    - Changes in building materials or textures
    - Vertical reveals or expressed structural elements
    - Horizontal banding or datum lines
    - Wall plane projections or recesses
    - Coordinated color transitions between materials

Materials and Colors

For the YMCA facility has been chosen to ensure architectural compatibility between all buildings and phases. Building materials for structures shall conform to the following standards to ensure design continuity throughout all phases. The following materials and color palettes are intended to guide future development that ensures a consistent appearance while still allowing enough flexibility for community center users to adapt their prototypes to. Strict adherence to the exact materials and/or colors is not needed, so long as the proposed materials and/or colors provide the same appearance. The compatibility of building materials for future development phases not shown on the current PD shall be decided administratively by the Director of Planning at the time of Site Plan submittal.

- ***EIFS/Stucco*** *(Texture = 1.0 / Fine)*
  - *Primary colors*
    - *Color: Champagne (STO 93330)*



  - *Accent Colors*
    - *Color: Sherwin Williams – Iron Ore (SW 7069)*

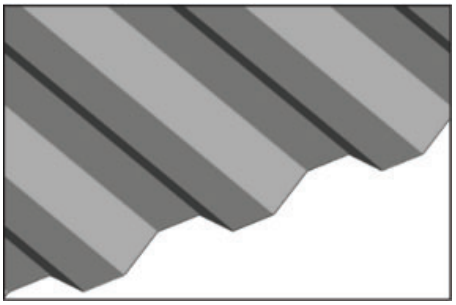


    - *Color: Burnt Ash (STO 11403)*

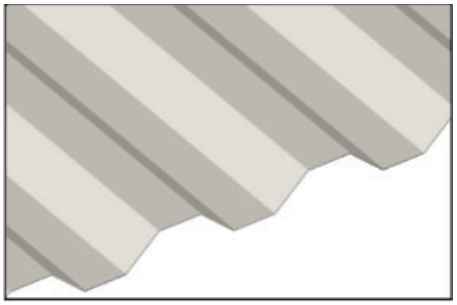


Note: Texture = 1.0 / Fine

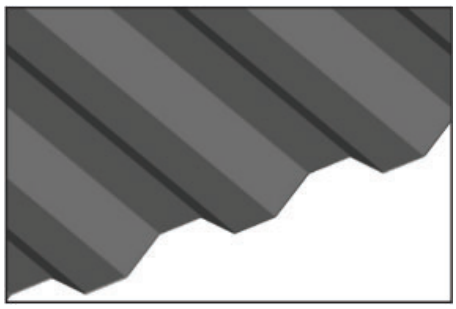
- ***Corrugated Metal Panel***
  - *Color: Slate Gray Notes (Type **A**: Perforated (Pattern A-25) - Type **B**: Flat Corrugated)*



  - *Color: Champagne (Type **A**: Perforated (Pattern A-25) - Type **B**: Flat Corrugated)*



- *Color: Charcoal Grey (Type **A**: Perforated (Pattern A-25) - Type **B**: Flat Corrugated)*



- ***Composite Metal Panel***
  - *Color: Silversmith – Light Gray*



  - *Color: Medium Gray Mica*



- ***Aluminum Curtain Wall System***
  - *Color: Clear Anodized*



- ***Concrete Block***
  - *Split Face CMU (Painted)*
    - *Painting Colors:*
      - *Color: Sherwin Williams – Accessible Beige (SW 7036)*

- *Color: Sherwin Williams – Steely Gray (SW 7664)*



- *Color: Sherwin Williams – Double Latte (SW 9108)*



- ***Section XIV. Rodway Impact Fee Waiver Request***

The Waxahachie Family YMCA requests a full waiver of Roadway Impact Fees associated with this Planned Development application.

Basis for Waiver Request

Nonprofit Community Service Mission

The Waxahachie Family YMCA is a 501(c)(3) nonprofit organization providing essential community services including youth development programs, childcare, health and wellness programs and senior programming. The facility serves residents of all ages and economic backgrounds ensuring equitable access.

Minimal Traffic Impact

The YMCA generates significantly lower traffic volumes than commercial development of comparable size due to staggered program schedules throughout the day, carpool programs for youth activities, and primary usage during midday and evening hours outside commuter peak periods. Additionally, the expanded on-site parking area accommodates peak demand entirely within the property, minimizing any potential impact on adjacent roadways.

Substantial Private Infrastructure Investment

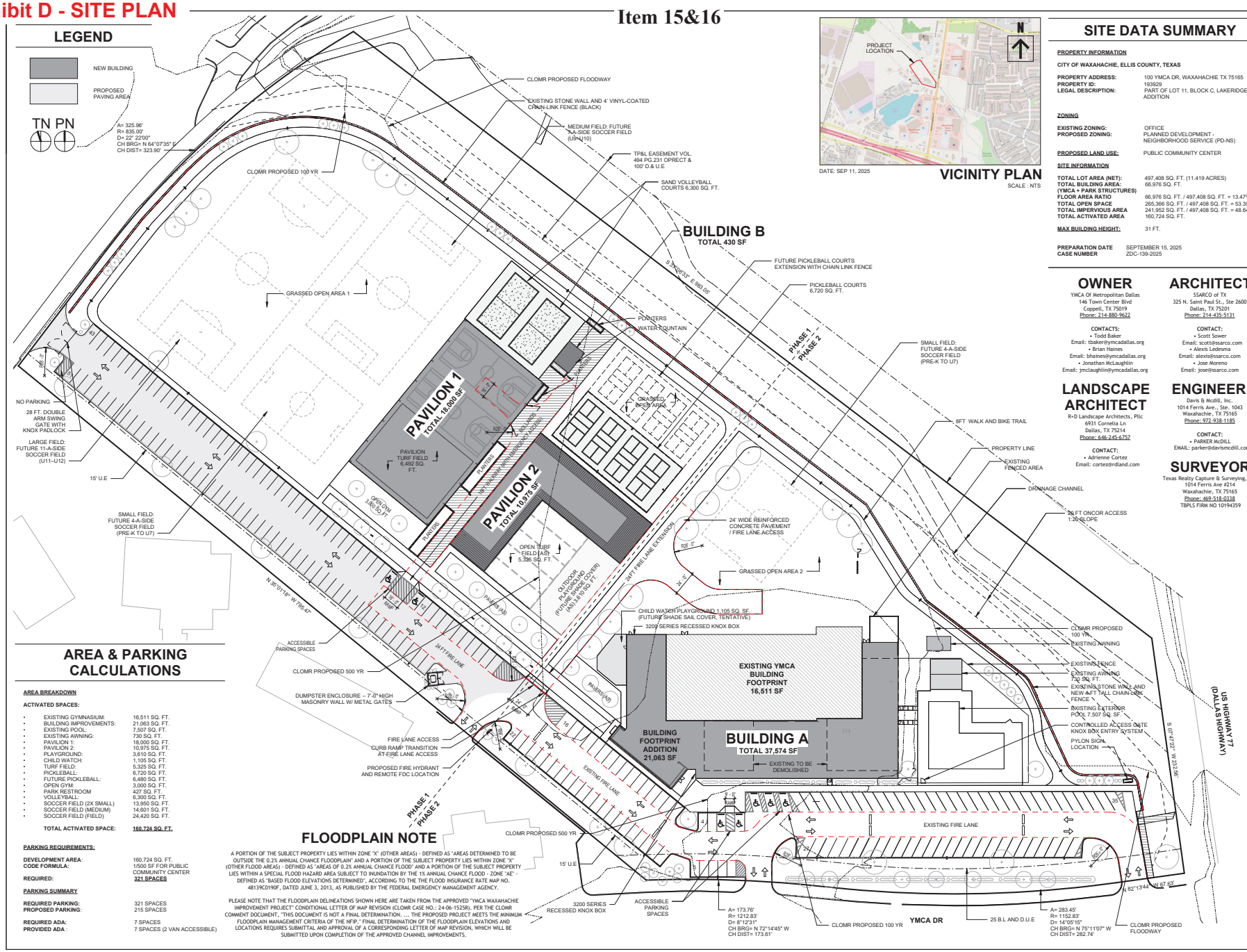
This project represents significant private investment including renovation and expansion of the existing YMCA building, construction of new outdoor pavilions and amenities, and comprehensive on-site improvements. These improvements include 24-foot fire lanes meeting city and fire code standards, emergency vehicle access infrastructure, ADA-accessible pedestrian pathways and trails, parking facilities serving both YMCA and adjacent park users, stormwater management and drainage systems, utility infrastructure upgrades, and landscape improvements.

Fee Waiver Amount

The Waxahachie Family YMCA requests a full waiver (100%) of all Roadway Impact Fees. This waiver will maximize capital investment in facilities and programs directly serving Waxahachie residents. The nonprofit mission, substantial public benefit, significant infrastructure investment, and limited roadway impact provide compelling justification for this request.

Exhibit D - SITE PLAN

Item 15&16



DATE: SEP 11, 2025

VICINITY PLAN

SCALE : NTS

SITE DATA SUMMARY

PROPERTY INFORMATION

CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

PROPERTY ADDRESS:	100 YMCA DR, WAXAHACHIE TX 75165
PROPERTY ID:	193929
LEGAL DESCRIPTION:	PART OF LOT 11, BLOCK C, LAKERIDGE I ADDITION

ZONING

EXISTING ZONING:	OFFICE
PROPOSED ZONING:	PLANNED DEVELOPMENT - NEIGHBORHOOD SERVICE (PD-NS)
PROPOSED LAND USE:	PUBLIC COMMUNITY CENTER

SITE INFORMATION

TOTAL LOT AREA (NET):	497,408 SQ. FT. (11.419 ACRES)
TOTAL BUILDING AREA: (YMCA + PARK STRUCTURES)	66,976 SQ. FT.
FLOOR AREA RATIO	66,976 SQ. FT. / 497,408 SQ. FT. = 13.47%
TOTAL OPEN SPACE	265,366 SQ. FT. / 497,408 SQ. FT. = 53.35%
TOTAL IMPERVIOUS AREA	241,952 SQ. FT. / 497,408 SQ. FT. = 48.64%
TOTAL ACTIVATED AREA	160,724 SQ. FT.
MAX BUILDING HEIGHT:	31 FT.
PREPARATION DATE	SEPTEMBER 15, 2025
CASE NUMBER	ZDC-139-2025

OWNER

YMCA Of Metropolitan Dallas
146 Town Center Blvd
Coppell, TX 75019
Phone: 214-880-9622

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Email: tbaker@ymcadallas.org
- Brian Haines
Email: bhaines@ymcadallas.org
- Jonathan McLaughlin
Email: jmclaughlin@ymcadallas.org

ARCHITECT

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Dallas, TX 75201
Phone: 214-435-5131

CONTACT:
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- Jose Moreno
Email: jose@ssarco.com

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R+D Landscape Architects, Pllc
6931 Cornelia Ln
Dallas, TX 75214
Phone: 646-245-6757

CONTACT:
- Adrienne Cortez
Email: cortez@rdland.com

ENGINEER

Davis & Mcdill, Inc.
1014 Ferris Ave., Ste. 1043
Waxahachie, TX 75165
Phone: 972-938-1185

CONTACT:
- PARKER McDILL
EMAIL: parker@davismcdill.com

SURVEYOR

Texas Realty Capture & Surveying, LLC
1014 Ferris Ave #214
Waxahachie, TX 75165
Phone: 469-518-0338
TBPLS FIRM NO 10194359

AREA & PARKING CALCULATIONS

AREA BREAKDOWN

ACTIVATED SPACES:

EXISTING GYMNASIUM:	16,511 SQ. FT.
BUILDING IMPROVEMENTS:	21,063 SQ. FT.
EXISTING POOL:	7,507 SQ. FT.
EXISTING AWNING:	730 SQ. FT.
PAVILION 1:	18,000 SQ. FT.
PAVILION 2:	10,975 SQ. FT.
PLAYGROUND:	3,610 SQ. FT.
CHILD WATCH:	1,105 SQ. FT.
TURF FIELD:	5,325 SQ. FT.
PICKLEBALL:	6,720 SQ. FT.
FUTURE PICKLEBALL:	6,480 SQ. FT.
OPEN GYM:	3,000 SQ. FT.
PARK RESTROOM	427 SQ. FT.
VOLLEYBALL:	6,300 SQ. FT.
SOCCER FIELD (2X SMALL)	13,950 SQ. FT.
SOCCER FIELD (MEDIUM)	14,601 SQ. FT.
SOCCER FIELD (FIELD)	24,420 SQ. FT.
TOTAL ACTIVATED SPACE:	**160,724 SQ. FT.**

PARKING REQUIREMENTS:

DEVELOPMENT AREA:	160,724 SQ. FT.
CODE FORMULA:	1/500 SF FOR PUBLIC COMMUNITY CENTER
REQUIRED:	**321 SPACES**

PARKING SUMMARY

REQUIRED PARKING:	321 SPACES
PROPOSED PARKING:	215 SPACES
REQUIRED ADA:	7 SPACES
PROVIDED ADA :	7 SPACES (2 VAN ACCESSIBLE)

FLOODPLAIN NOTE

A PORTION OF THE SUBJECT PROPERTY LIES WITHIN ZONE "X" (OTHER AREAS) - DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN' AND A PORTION OF THE SUBJECT PROPERTY LIES WITHIN ZONE "X" (OTHER FLOOD AREAS) - DEFINED AS "AREAS OF 0.2% ANNUAL CHANCE FLOOD' AND A PORTION OF THE SUBJECT PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD - ZONE "AE" - DEFINED AS "BASED FLOOD ELEVATIONS DETERMINED", ACCORDING TO THE THE FLOOD INSURANCE RATE MAP NO. 48139C0190F, DATED JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

PLEASE NOTE THAT THE FLOODPLAIN DELINEATIONS SHOWN HERE ARE TAKEN FROM THE APPROVED "YMCA WAXAHACHIE IMPROVEMENT PROJECT" CONDITIONAL LETTER OF MAP REVISION (CLOMR CASE NO.: 24-06-1525R), PER THE CLOMR COMMENT DOCUMENT, "THIS DOCUMENT IS NOT A FINAL DETERMINATION. ... THE PROPOSED PROJECT MEETS THE MINIMUM FLOODPLAIN MANAGEMENT CRITERIA OF THE NFIP." FINAL DELINEATION OF THE FLOODPLAIN ELEVATIONS AND LOCATIONS REQUIRES SUBMITTAL AND APPROVAL OF A CORRESPONDING LETTER OF MAP REVISION, WHICH WILL BE SUBMITTED UPON COMPLETION OF THE APPROVED CHANNEL IMPROVEMENTS.

SSARCO

CAMPUS PLAN

WAXAHACHIE FAMILY YMCA
100 YMCA DR,
WAXAHACHIE, TEXAS
75165
PD DETAILED SITE PLAN

No.	Date	Revision

THIS DOCUMENT IS NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.
17187

SCOTT SOWER, AIA
10/01/2025
Author
Drawn by
Approver
Reviewed by

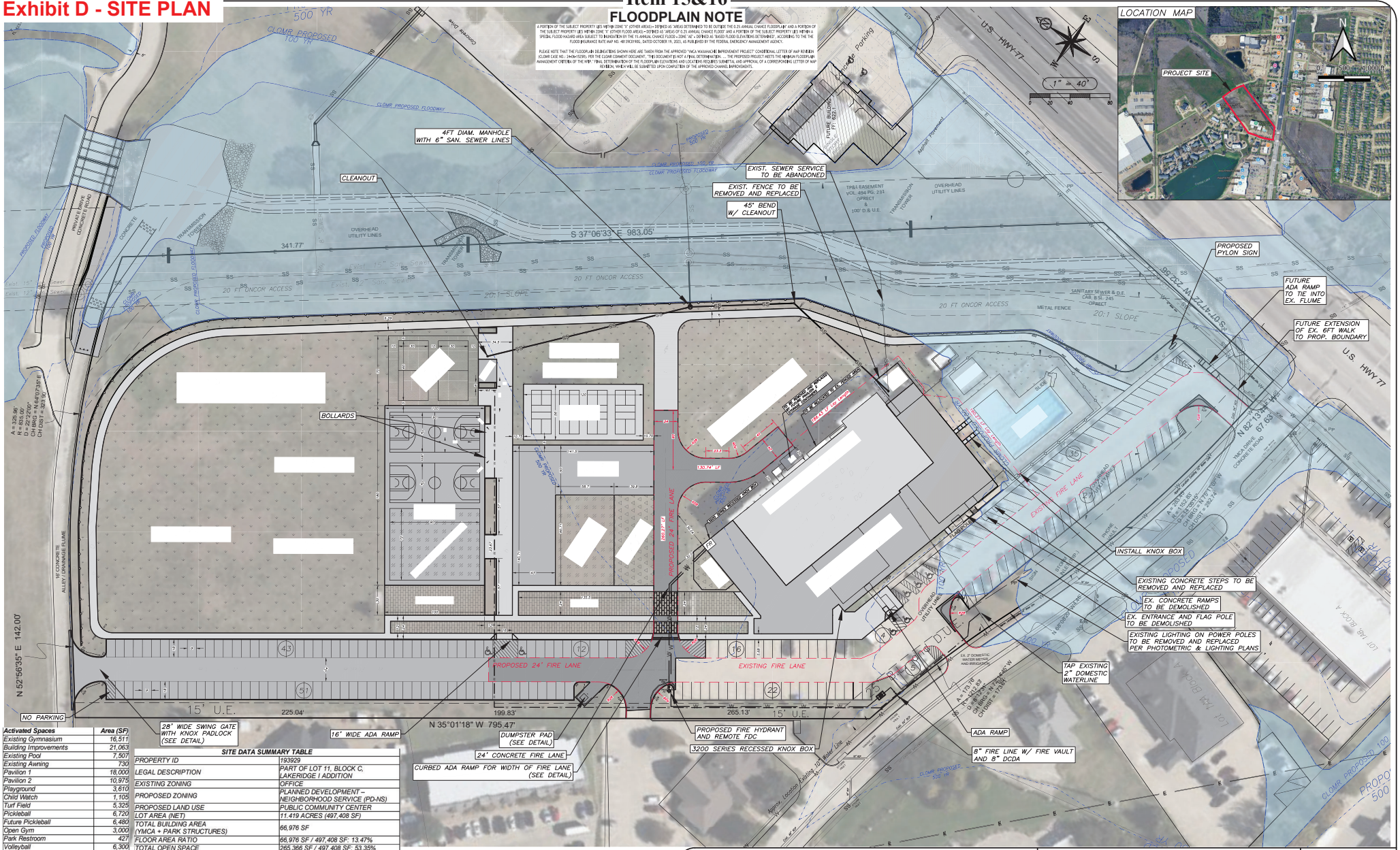
Project No. 25-YMCA05
Original Issue Date 10/01/2025

DETAILED SITE PLAN

A100

Exhibit D - SITE PLAN

Item 15&16



Activated Spaces	Area (SF)
Existing Gymnasium	16,511
Building Improvements	21,063
Existing Pool	7,507
Existing Awning	730
Pavilion 1	18,000
Pavilion 2	10,975
Playground	3,610
Child Watch	1,105
Turf Field	5,325
Pickleball	6,720
Future Pickleball	6,480
Open Gym	3,000
Park Restroom	427
Volleyball	6,300
Soccer Field (2x Small)	13,950
Soccer Field (Medium)	14,601
Soccer Field (Large)	24,420
TOTAL ACTIVATED SPACE	**160,724**
Required Parking	**321**
Proposed Parking	**215**
Proposed ADA Parking	**7**

SITE DATA SUMMARY TABLE	
PROPERTY ID	193929
LEGAL DESCRIPTION	PART OF LOT 11, BLOCK C, LAKERIDGE I ADDITION
EXISTING ZONING	OFFICE
PROPOSED ZONING	PLANNED DEVELOPMENT – NEIGHBORHOOD SERVICE (PD-NS)
PROPOSED LAND USE	PUBLIC COMMUNITY CENTER
LOT AREA (NET)	11.419 ACRES (497,408 SF)
TOTAL BUILDING AREA (YMCA + PARK STRUCTURES)	66,976 SF
FLOOR AREA RATIO	66,976 SF / 497,408 SF: 13.47%
TOTAL OPEN SPACE	265,366 SF / 497,408 SF: 53.35%
TOTAL IMPERVIOUS AREA	241,952 SF / 497,408 SF: 48.64%
TOTAL ACTIVATED AREA	160,724 SF
REQUIRED PARKING: 1/500 SF FOR PUBLIC COMMUNITY CENTER	321 SPACES
TOTAL PARKING PROPOSED	215
ADA PARKING PROPOSED	7
MAXIMUM BUILDING HEIGHT	31 FT

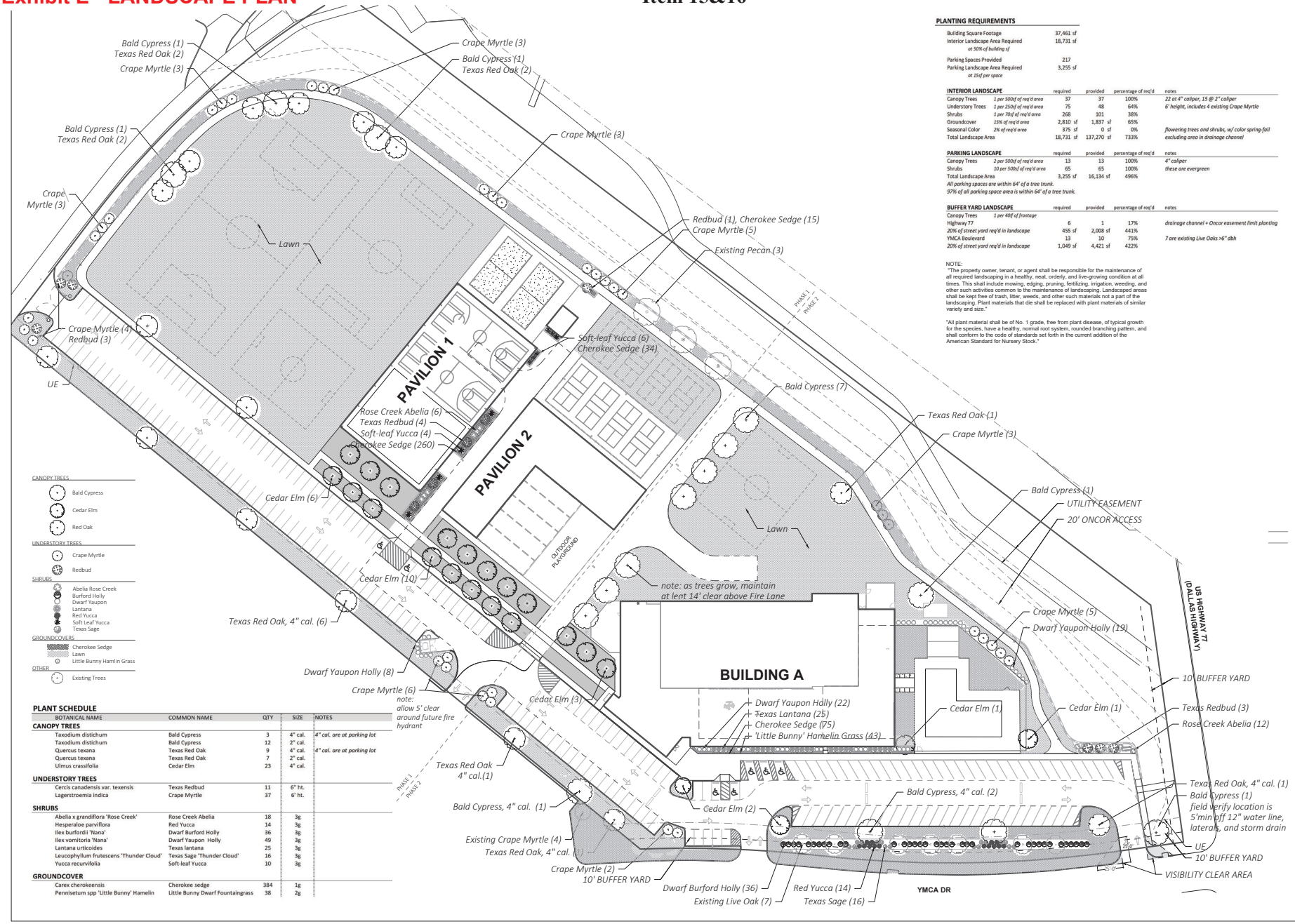
STATE OF TEXAS JAMES H. McDILL 53659 LICENSED PROFESSIONAL ENGINEER

SITE PLAN
YMCA IMPROVEMENTS
Case Number: ZDC-139-2025
100 YMCA Drive
in the City of Waxahachie, Ellis County, Texas

D&M ENGINEERS
DAVIS & McDILL, Inc.
P.O. BOX 428, Waxahachie, Texas 75168
Phone: Metro 972-938-1185
(A Texas licensed engineering firm # F-8439)

Date: 11/21/2025
Scale: 1" = 40'
Drawn: PMM
Job: 222-0080
SHEET 1

Exhibit E - LANDSCAPE PLAN



PLANTING REQUIREMENTS

Building Square Footage		37,461 sf
Interior Landscape Area Required		18,731 sf
	at 50% of building sf	
Parking Spaces Provided		217
Parking Landscape Area Required		3,255 sf
	at 15sf per space	

INTERIOR LANDSCAPE		required	provided	percentage of req'd	notes
Canopy Trees	1 per 500sf of req'd area	37	37	100%	22 at 4" caliper, 15 @ 2" caliper
Understory Trees	1 per 250sf of req'd area	75	48	64%	6' height, includes 4 existing Crape Myrtle
Shrubs	1 per 70sf of req'd area	268	101	38%	
Groundcover	15% of req'd area	2,810 sf	1,837 sf	65%	
Seasonal Color	2% of req'd area	375 sf	0 sf	0%	flowering trees and shrubs, w/ color spring-fall
Total Landscape Area		18,731 sf	137,270 sf	733%	excluding area in drainage channel

PARKING LANDSCAPE		required	provided	percentage of req'd	notes
Canopy Trees	2 per 500sf of req'd area	13	13	100%	4" caliper
Shrubs	10 per 500sf of req'd area	65	65	100%	these are evergreen
Total Landscape Area		3,255 sf	16,134 sf	496%	

All parking spaces are within 64' of a tree trunk.
97% of all parking space area is within 64' of a tree trunk.

BUFFER YARD LANDSCAPE		required	provided	percentage of req'd	notes
Canopy Trees	1 per 40lf of frontage				
Highway 77		6	1	17%	drainage channel + Oncor easement limit planting
20% of street yard req'd in landscape		455 sf	2,008 sf	441%	
YMCA Boulevard		13	10	75%	7 are existing Live Oaks >6" dbh
20% of street yard req'd in landscape		1,049 sf	4,421 sf	422%	

NOTE:
"The property owner, tenant, or agent shall be responsible for the maintenance of all required landscaping in a healthy, neat, orderly, and live-growing condition at all times. This shall include mowing, edging, pruning, fertilizing, irrigation, weeding, and other such activities common to the maintenance of landscaping. Landscaped areas shall be kept free of trash, litter, weeds, and other such materials not a part of the landscaping. Plant materials that die shall be replaced with plant materials of similar variety and size."

"All plant material shall be of No. 1 grade, free from plant disease, of typical growth for the species, have a healthy, normal root system, rounded branching pattern, and shall conform to the code of standards set forth in the current addition of the American Standard for Nursery Stock."

PLANT SCHEDULE

BOTANICAL NAME	COMMON NAME	QTY	SIZE	NOTES
CANOPY TREES				
Taxodium distichum	Bald Cypress	3	4" cal.	4" cal. are at parking lot
Taxodium distichum	Bald Cypress	12	2" cal.	
Quercus texana	Texas Red Oak	9	4" cal.	4" cal. are at parking lot
Quercus texana	Texas Red Oak	7	2" cal.	
Ulmus crassifolia	Cedar Elm	23	4" cal.	
UNDERSTORY TREES				
Cercis canadensis var. texensis	Texas Redbud	11	6" ht.	
Lagerstroemia indica	Crape Myrtle	37	6' ht.	
SHRUBS				
Abelia x grandiflora 'Rose Creek'	Rose Creek Abelia	18	3g	
Hesperaloe parviflora	Red Yucca	14	3g	
Ilex burfordii 'Nana'	Dwarf Burford Holly	36	3g	
Ilex vomitoria 'Nana'	Dwarf Yaupon Holly	49	3g	
Lantana urticoides	Texas lantana	25	3g	
Leucophyllum frutescens 'Thunder Cloud'	Texas Sage 'Thunder Cloud'	16	3g	
Yucca recurvifolia	Soft-leaf Yucca	10	3g	
GROUNDCOVER				
Carex cherokeensis	Cherokee sedge	384	1g	
Pennisetum spp 'Little Bunny' Hamelin	Little Bunny Dwarf Fountaingrass	38	2g	

R+D landscape architects pllc
6931 Cornelia Lane
Dallas, Texas 75214
646.245.6757
cortez@rdland.com

Scale: 1" = 40'-0"

Project Owner: YMCA of Metropolitan Dallas
146 Town Center Boulevard
Coppell, TX 75019
214-880-9622

Project Name and Address: WAXAHACHIE FAMILY YMCA
100 YMCA DRIVE
WAXAHACHIE, TEXAS 75165

No.	Date	Revision
1	10.29.2025	PD review comments

THIS DOCUMENT IS NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION
Adrienne Cortez, PLA
Texas Registration #3644

Drawn by: XXX
Date: 9-16-2025

LANDSCAPE CONCEPT--PD

L100

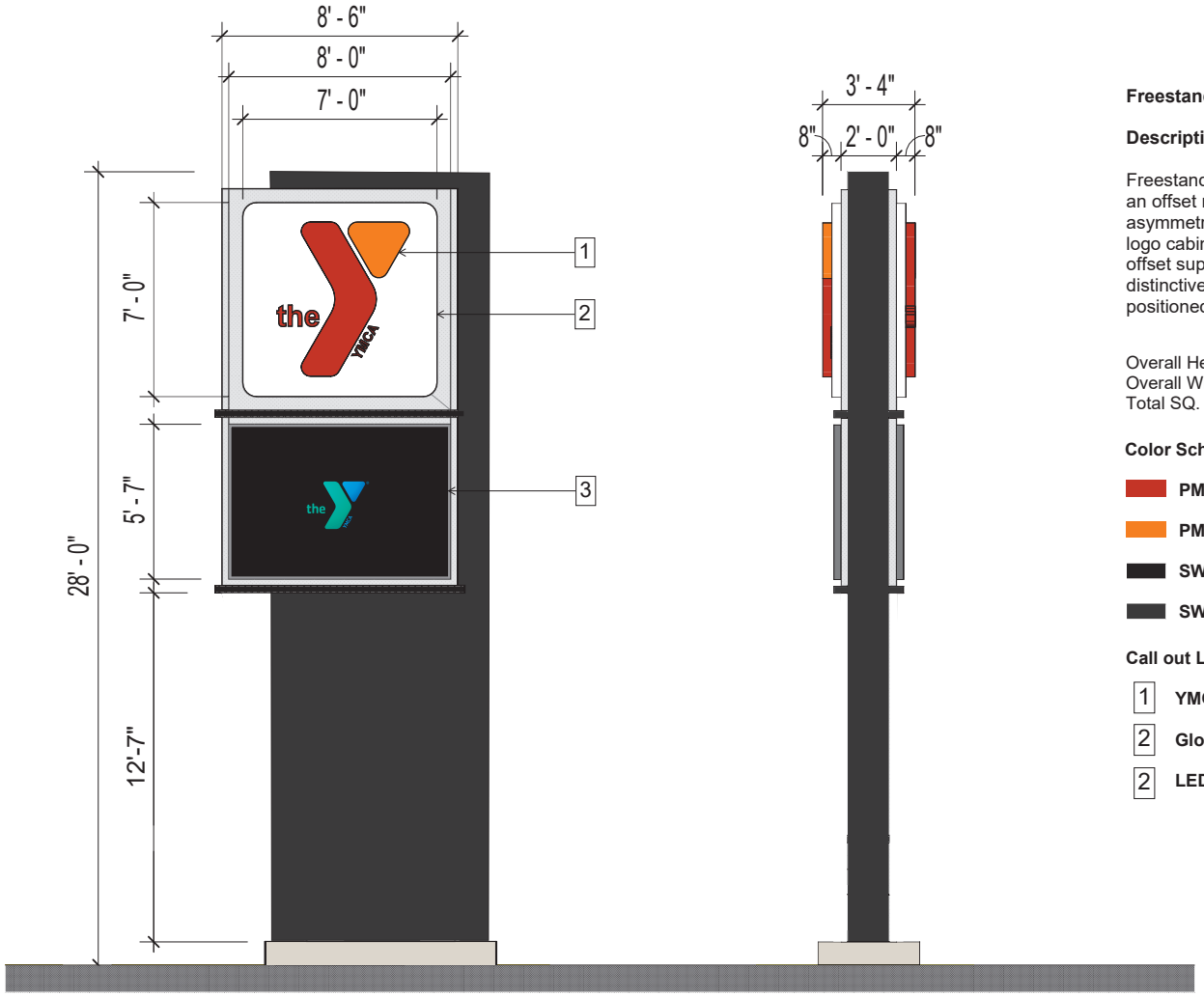


Sign Package Proposal

Waxahachie YMCA

09/15/2025 Scale: NTS

Exhibit F - SIGNAGE PLAN



Freestanding Pylon Sign

Description

Freestanding double-faced pylon sign rises 28′-0″ in overall height with an offset rectangular support profile that gives the structure a modern, asymmetrical appearance. The design integrates an illuminated YMCA logo cabinet above a full-color electronic message center (EMC). The offset support emphasizes the vertical lift of the sign while creating a distinctive architectural presence. Both the logo cabinet and EMC are positioned prominently for maximum visibility to passing traffic.

Overall Height > 28' - 0"
Overall Width > 4' - 8"
Total SQ. FT. > 224 ft

Color Schedule

- **PMS 485 C YMCA RED**
- **PMS 137 C YMCA ORANGE**
- **SW 6991 Black Magic (TBD)**
- **SW 7069 Iron Ore (TBD)**

Call out Legend

1. **YMCA Logo & Letters**
2. **Gloss White Cabinet Background**
2. **LED Screen (EMC)**

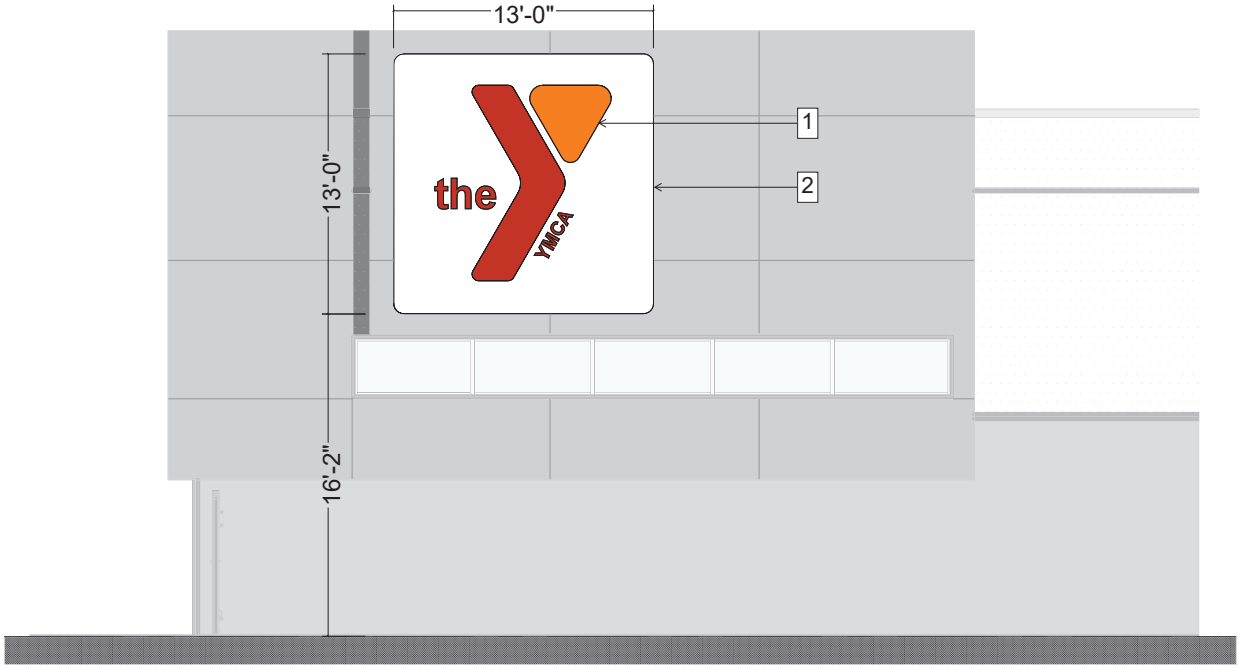
Freestanding Pylon Sign (A)

Waxahachie YMCA

09/15/2025 **Scale: NTS**

SSARCO

Exhibit F - SIGNAGE PLAN



Primary Exterior Building Sign – Channel Letters

Description

This wall-mounted sign consists of a 13′-0″ × 13′-0″ YMCA logo fabricated as individually mounted channel letters and logo elements. The design provides dimensionality and brand visibility. Letters and logo may be LED-illuminated for nighttime visibility or left non-illuminated for daytime-only presentation.

Overall Height > 13' - 0"
Overall Width > 13' - 8"
Total SQ. FT. > 169 ft

Color Schedule

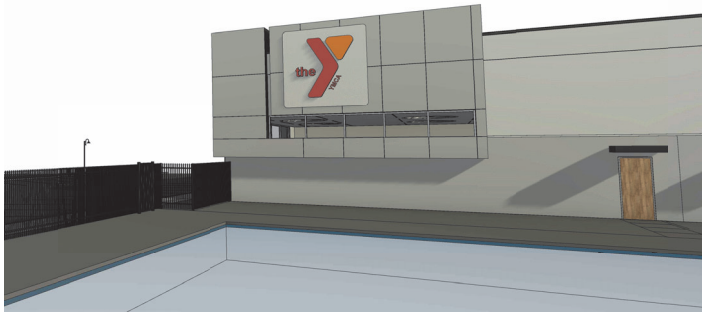
PMS 485 C YMCA RED

PMS 137 C YMCA ORANGE

Call out Legend

1 **YMCA Logo & Letters**

2 **Gloss White Cabinet Background**



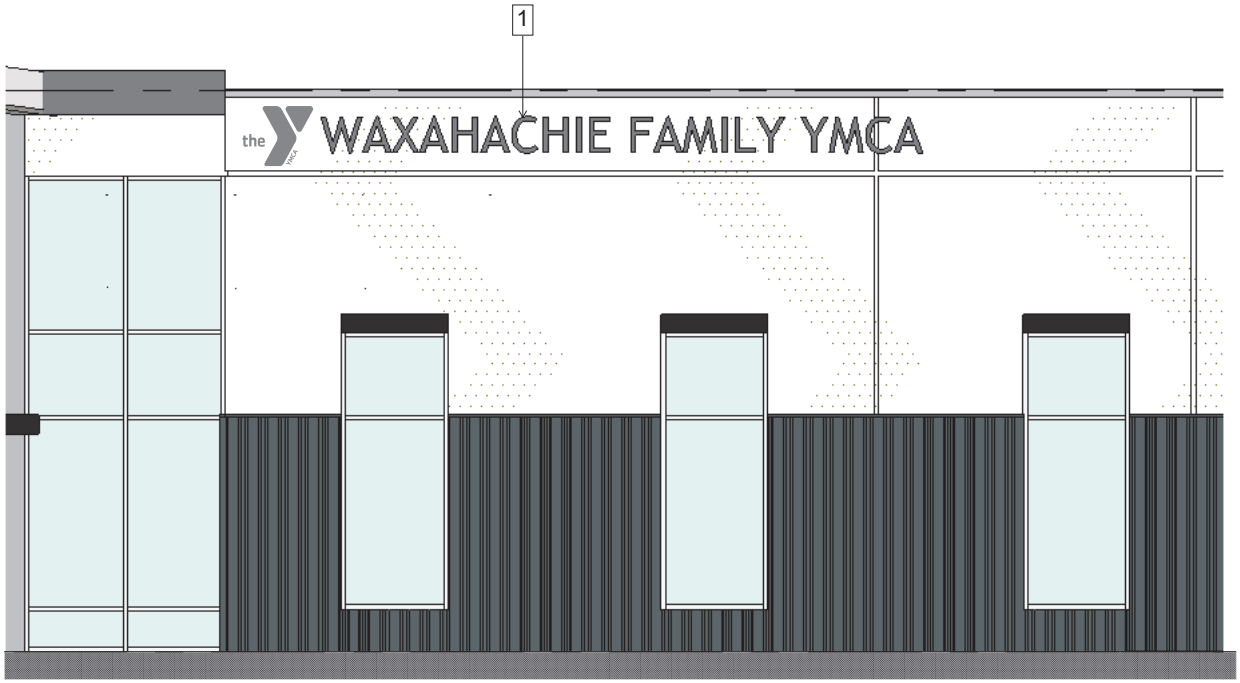
Side - Exterior Building Signage (B)

Waxahachie YMCA

09/15/2025 **Scale: NTS**

Exhibit F - SIGNAGE PLAN

Item 15&16



Primary Exterior Building Sign – Channel Letters

Description

Primary exterior building A signage located adjacent to the main entry. The design features channel letters in a white finish with LED illumination for maximum visibility. Positioned prominently on the façade, the sign clearly identifies the Waxahachie Family YMCA, serving as the main identifier for the facility while enhancing the architectural presence of the entry.

Overall Height > 1' - 8"
Overall Width > 31' - 0"
Total SQ. FT. > 51.8 ft

Color Schedule

PMS Cool Gray 11 C YMCA GRAY

Call out Legend

1 **YMCA Logo & Letters**

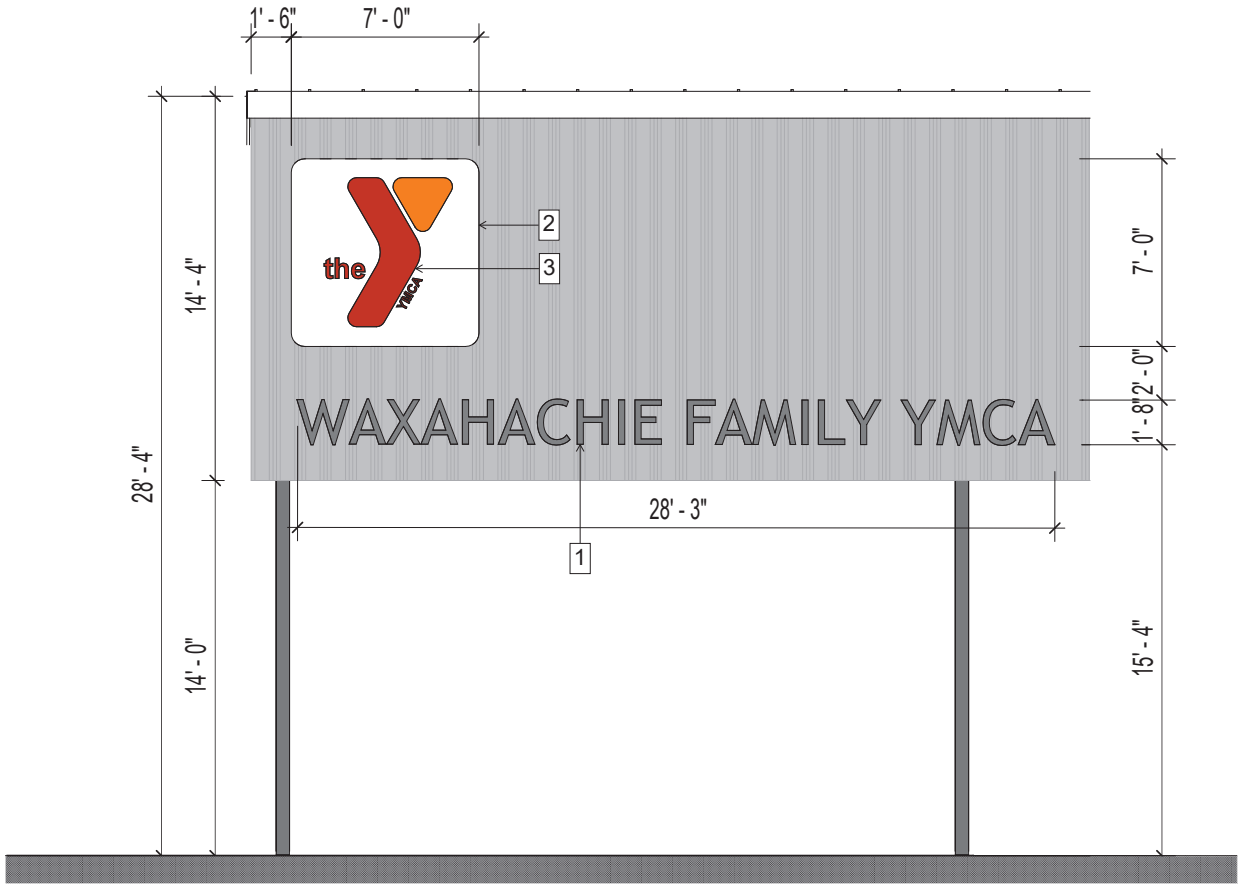
Entry - Exterior Building Signage (C)

Waxahachie YMCA

09/15/2025 **Scale: NTS**

SSARCO

Exhibit F - SIGNAGE PLAN



Pavilion 2 – Channel Letters

Description

This option features a wall-mounted signage system integrated into the pavilion's corrugated metal façade. The design includes aluminum channel letters spelling "WAXAHACHIE FAMILY YMCA" in a silver finish, paired with an illuminated YMCA logo cabinet placed above. Together, the elements establish a clear brand presence while complementing the building's architectural profile.

Overall Height > 1' - 8"
Overall Width > 28' - 3"
Total SQ. FT. > 43.3 ft

Color Schedule

- **PMS 485 C YMCA RED**
- **PMS 137 C YMCA ORANGE**

Call out Legend

1. **YMCA Channel Letters**
2. **Gloss White Cabinet Background**
3. **YMCA Logo & Letters**



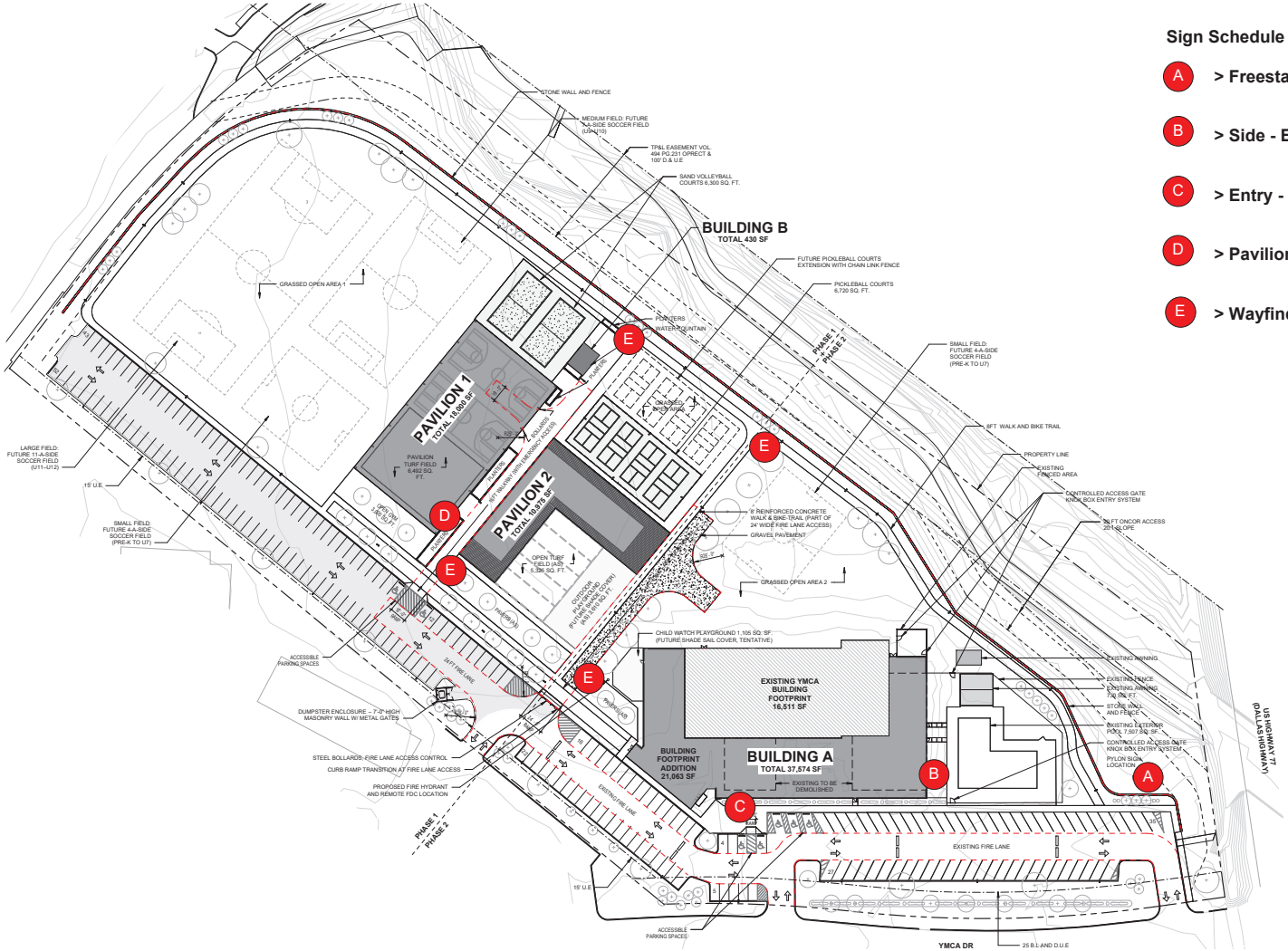
Pavilion 1 Signage (D)

Waxahachie YMCA

09/15/2025 **Scale: NTS**

Exhibit F - SIGNAGE PLAN

Item 15&16



Sign Schedule

- A > Freestanding Pylon Sign
- B > Side - Exterior Building Signage
- C > Entry - Exterior Building Signage
- D > Pavilion Signage
- E > Wayfinding Signage

Signage Location Plan

Waxahachie YMCA

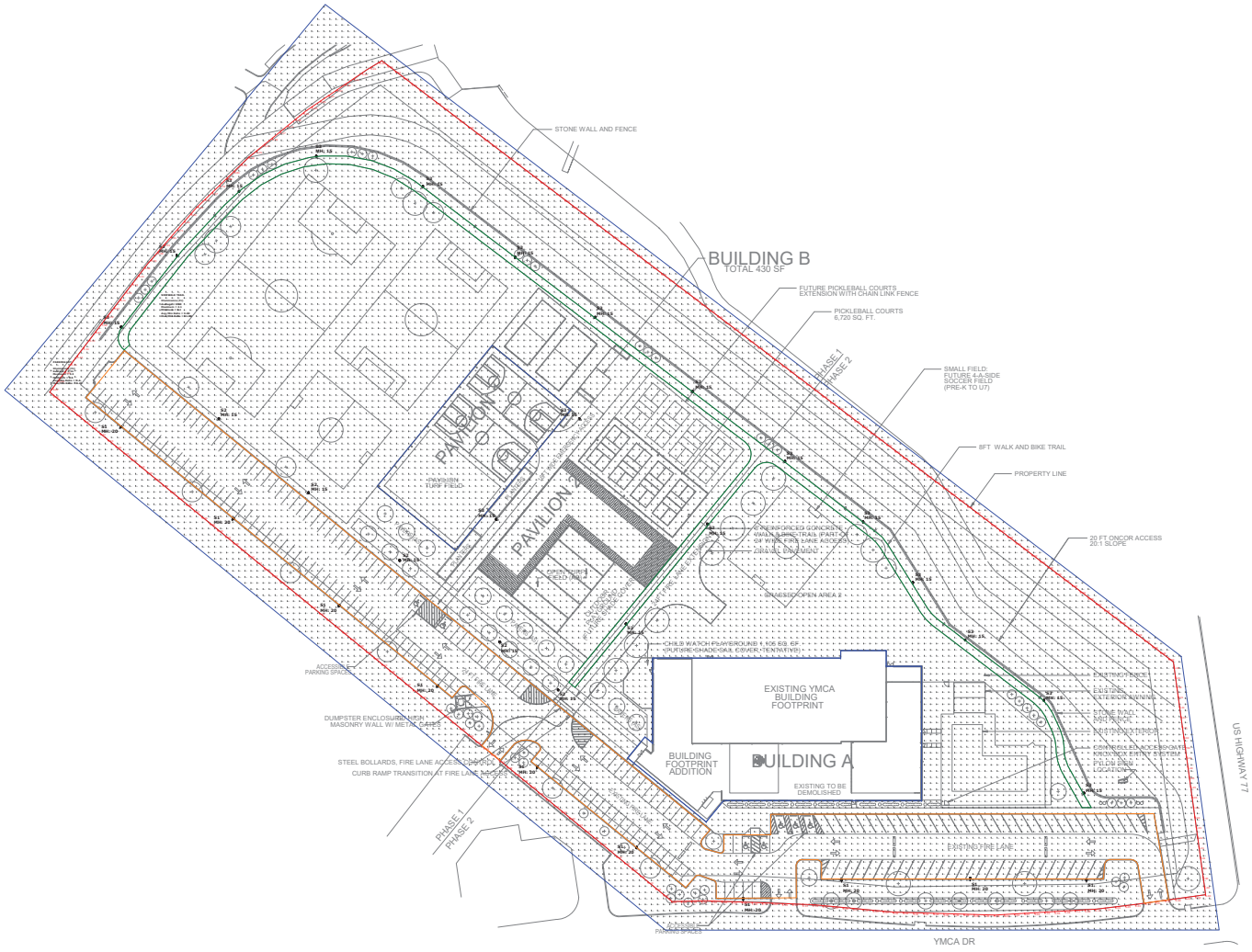
09/15/2025 **Scale: NTS**

SSARCO

EXHIBIT E

Exhibit G - PHOTOMETRIC PLAN

Item 15&16



Luminaire Schedule								
Symbol	Type	Qty	Manufacturer / Catalog Number	Total Lumen Output	Total Input Watts	Light Loss Factor	User Defined Factor
	S1	10	LITHONIA DSX0 LED P6 40K BDCR2 T4M [VOLTAGE] [MOUNTING] EGS [FINISH] DP61565 + POLE: 20'	13193	137	0.850	1.000
	S2	7	LUMINIS RG1S2 L2L50 SYM 40K MVOLT APS_[FINISH]	5041	64	0.850	1.000
	S3	18	LUMINIS RG1S2 L2L50 PATH 40K MVOLT PM [FINISH]	5002	52	0.850	1.000

Calculation Summary							
Calculation Grid Location	Calc. Height (ft.)	Units	Avg	Max	Min	Avg/Min
PROPERTY LINE	N.A.	Fc	0.15	2.51	0.00	N.A.
PARKING LOT		Fc	3.14	5.3	0.0	N.A.
SIDEWALK TRAIL		Fc	0.90	2.1	0.1	9.00

Notes:
1. Surface reflectances: Vertical/Horizontal - 40/20.
2. Calculation values are at height indicated in summary table.
3. Mounting heights are designated on drawing with "MH."
4. Luminaire description does not necessarily reflect specification model number. Contact salesperson for verification.
5. Sylvania lamp data used unless otherwise noted. LED luminaire use integrated photometric lamp data provided by manufacturer.
6. Lighting power density is calculated based on estimated ballast/driver energy consumption. Engineer to verify.
7. For lumen output of scaled luminaires, multiply Total Lumen Output by User Defined Factor.

PROJECT: WAXAHACHIE FAMILY YMCA
SALESPERSON: COLE COVINGTON
SCALE: 1" = 40'-0"
CALC BY: KB
FILE: 250915_WAXAHACHIE FAMILY YMCA - SITE_V3

2025-09-15

Architectural Lighting Alliance
101 Turtle Creek Blvd Dallas TX 75207
O 214-658-9000 | F 214-658-9001
www.alaia.com

Planning & Zoning Department
Zoning Staff Report

Case: ZDC-43-2025

MEETING DATE(S)

Planning & Zoning Commission: December 8, 2025
City Council: January 5, 2025

CAPTION

Public Hearing on a request by Andrew Ruegg, Masterplan Consultants for a **Zoning Change** from a Future Development (FD) zoning district to **Planned Development-Commercial (PD-C)** zoning district for commercial and industrial uses, located at 3705 N US Highway 77, (Property ID 185355) - Owner: NH Waxahachie LLC (ZDC-43-2025)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-43-2025, a Zoning Change request from a Future Development (FD) district to a Planned Development-Commercial (PD-C) district, subject to the conditions of the staff report, authorizing the Mayor and/or Interim City Manager to execute all documents accordingly."

APPLICANT REQUEST

The Applicant requests to rezone the subject property from a Future Development (FD) zoning district to a Planned Development-Commercial (PD-C) zoning district to facilitate occupancy of vacant warehouse structures and establish appropriate standards for future development of the property. No specific tenants or redevelopment plans for the property are proposed with this request.

CASE INFORMATION

Applicant:	Andrew Ruegg, Masterplan Consultants
Property Owner(s):	NH Waxahachie LLC
Site Acreage:	1.662 acres
Current Zoning:	Future Development (FD)
Requested Zoning:	Planned Development-Commercial (PD-C)

SUBJECT PROPERTY

General Location:	3705 N US Highway 77
Parcel ID Number(s):	185355
Existing Use:	State what currently exists on the site
Development History:	The subject property is not platted. The existing structures on the subject property were built in 1985, prior to the property being annexed in the City in 1998. As such, no original documentation of the building design, permitting or inspections are available to City Staff.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	Light Industrial-1 (LI-1)	Southern Grouts & Mortars Batch Plat
East	N/A	US Highway 77
South	Commercial (C) with SUP	The Greenery
West	Light Industrial-1 (LI-1)	JS Diesel Truck & Trailer Repair (Recently Vacated)

Future Land Use Plan: Local Commercial

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

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

Site Image:



PLANNING ANALYSIS

The Applicant proposes to rezone the subject property from a Future Development (FD) zoning district to a Planned Development-Commercial (PD-C) zoning district to facilitate occupancy of vacant warehouse structures and establish appropriate standards for future development of the property. No specific tenants or redevelopment plans for the property are proposed with this request.

Background

The existing structures on the subject property were built in 1985. The structures have historically been used as warehouses, with the most recent tenants being a furniture store and warehouse. The subject property was not annexed into the City of Waxahachie until 1998. As such, no original documentation of the building design, permitting, or inspections are available to City staff. Staff has been unable to verify whether the existing buildings or site improvements meet current City Building and Fire Code requirements due to the lack of available information.

Proposed Site Improvements

The existing buildings on the subject property are approximately 9700 square feet and 7100 square feet in size. Each building has with overhead doors for deliveries and loading/unloading. No expansions or modifications to the existing buildings are proposed as part of this Planned Development request.

The subject property features a single existing drive-aisle serving both buildings. The drive-aisle is currently comprised of a combination of materials; but the Applicant proposes to improve the drive-aisle to concrete sufficient to meet current Fire Code requirements. A total of 17 total parking spaces are currently present on the site. As part of the drive-aisle improvements, portions of some of the existing parking spaces that are not concrete, will be improved to concrete. As part of the site improvements for the property, the Applicant also proposes to install new dumpster and dumpster enclosure. The site does not currently have a dumpster enclosure.

The subject property includes several existing signs and a billboard that are proposed to be removed as part of this Planned Development request. Additionally, landscaping is proposed to be added to the site. The additional landscaping slightly exceeds minimum requirements and is proposed to be clustered heavily along US Highway 77 to serve a screen for the site. A 6’ cedar fence is also proposed along US Highway 77 behind the proposed landscaping. The fence will have a rolling gate with a knox box for emergency access.

Proposed Use

Beyond site improvements, the Applicant has proposed several new Planned Development standards to facilitate occupancy of the property. The proposed standards include reduced side and rear setback requirements to 10’. This proposal is less than the typical Commercial zoning requirement of 15’ and 20’. The existing structures are situated approximately 12’ from the rear property line, 16’ from the southern (side) property line, and 15’ from the northern (side) property line.

Additionally, the Applicant has proposed a set of allowable uses for the Planned Development that are unique to the subject property. All uses listed below are proposed to be allowed by right within the PD, in addition to the uses already permitted by right in the Commercial (C) zoning district.

- Auto Repaid, Major
- Dry Cleaning Establishment, On-Site
- Flea Market or Farmers Market
- Heavy Machinery and Equipment, Rental, Sales or Storage
- Micro-Brewery
- Data Center
- Equipment Sales, New or Used
- Heavy Manufacturing, Fully Indoor
- Machine or Welding Shop
- Medium Manufacturing, Fully Indoor
- Public or Private Utility Shop or Storage

STAFF CONCERNS

Land Use

Staff has concern that the current configuration of the site cannot support a number of land uses proposed to be allowed by right within the new Planned Development District. For example, Retail and Restaurant uses are proposed to be permitted by right; but the current site does not have sufficient parking to support these uses. Furthermore, the existing site and existing buildings are not situated to support more intense uses such as Heavy Manufacturing, or Heavy Machinery and Equipment, Rental, Sales, or Storage.

Other than repaving the existing drive-aisle, no drive-aisle reconfiguration or parking improvements are currently proposed. Without designing proper site improvements to accommodate higher intensity use of the property at this time, staff has concern that many of the proposed uses for the property are inappropriate.

To address this concern, staff has provided several recommendations in the "Conditions" section below that refines allowable uses and would require additional review and approval of the zoning for the property in the event that the owner wishes to modify or expand the site.

Code Compliance

Due to the lack of information regarding the original development of the site, staff has concern that the existing buildings are not incompliance with current City Building and Fire code requirements. Staff also has concern that the existing drive-aisles may not support the weight of a Fire Truck and are not configured to allow a Fire Truck to properly maneuver on site.

To address this concern, staff recommends that prior to the issuance of a Certificate of Occupancy (CO) for either existing building on the subject property, the property owner or prospective tenant shall be required to cause the property to come into compliance with 2021 International Building Code and 2021 International Fire Code. Additionally, staff recommends that Site Plan be revised to require a concrete turnaround, approved by the Fire Marshal, for emergency vehicles at the western end of the existing drive-aisle.

PUBLIC NOTIFICATIONS

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

RECOMMENDATION

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

Conditions:

1. A mutually agreed upon Development Agreement shall be required for the development and filed within thirty (90) calendar days of City Council approval.
2. The Planned Development Standards shall be revised to require approval of a Specific Use Permit (SUP) for all uses for which the Waxahachie Zoning Ordinance requires a SUP in the Commercial (C) zoning district.

Conditions (continued):

3. The Planned Development Standards shall be revised to prohibit "Auto Repair, Major", "Data Center", "Flea Market or Farmers Market", "Heavy Machinery and Equipment, Rental, Sales or Storage", "Heavy Manufacturing, Fully Indoor", "Pawn Shop", and "Public or Private Utility Shop or Storage" Land Uses.
4. No parking, loading, or unloading shall be permitted within the Fire Lane identified on Exhibit C – Site Plan.
5. Administrative approval of a Detailed Site Plan Application shall be required in the event the property owner chooses to add parking to the site to accommodate tenants or land uses that require more than the existing seventeen (17) parking spaces.
6. An Amendment to the PD shall be required to be approved by City Council in the event that the property owner chooses to reconfigure the site, add an additional structure to the site, or demolish one or both of the existing structures. The Amendment shall be required to include an updated Site Plan, Landscape Plan, Elevation/Façade Plan (if applicable), Signage Plan (if applicable), Photometric Plan (if applicable), and Planned Development Standards (if applicable).
7. All exterior lighting, including accent and security lighting, shall maintain compliance with the Lighting & Glare Standards of Section 6.03 of the Waxahachie Zoning Ordinance.
8. The Landscape Plan shall be revised to include sod along the entire northern property line.
9. The property owner shall provide a permanent irrigation system for all required landscape areas shown on Exhibit D - Landscape Plan and maintain the required landscaping at all times.
10. A 3200 series knox box shall be required to be installed at the front entry door of both existing buildings.
11. A knox gate key switch shall be installed as well as a chain drop box with a knox padlock on the proposed automatic gate at the entry of the property.
12. Prior to the issuance of a Certificate of Occupancy (CO) for either existing building on the subject property, the property owner or prospective tenant shall be required to cause the buildings to come into compliance with 2021 International Building Code and 2021 International Fire Code.
13. The property owner shall be responsible for obtaining all building and civil construction permits per the City's applicable rules and regulations governing such permits.

ATTACHED EXHIBITS

1. Exhibit A – Location Map
2. Exhibit B – Planned Development Standards
3. Exhibit C – Site Plan
4. Exhibit D – Landscape Plan

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
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Planning Manager
zking@waxahachie.com

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


Nearmap
Exhibit A - Location Map
Item 17&18
N
0
62.5
125
250
375
500
Feet
City Limits
ZDC-43-2025 (ZC)

Waxahachie, TX – ZDC-43-2025 New PD Development Standards

Statement of Intent – The purpose of this Planned Development District is to provide standards and regulations for property described in Exhibit A to facilitate development of compatible and appropriate future uses on the property.

PD Base Commercial (C) Standards

Height: Three (3) stories or 40’

Minimum Lot Area: 5,000 SF

Minimum Lot Width: 50’

Minimum Lot Depth: 100’

Minimum Front Yard: 25’

Minimum Side Yard: 10’

Minimum Rear Yard: 10’

Maximum Lot Coverage: 40% for the main structure

Parking Regulations: As established by Section 4.03. Parking count and location must adhere to the attached site plan. Except that, if a use requires more parking than is provided on the site plan, Staff may grant an administrative approval of an amendment to the site plan to provide for additional parking as required by use under Section 4.03.

PD Allowed Uses:

All uses permitted by right in Commercial (C) zoning

All uses permitted by SUP in Commercial (C) zoning.

All uses listed below shall be allowed by right within the PD:

Commercial and Retail Type Uses

Auto Repair, Major

Dry Cleaning Establishment, On-Site

Flea Market or Farmers Market

Heavy Machinery and Equipment, Rental, Sales or Storage

Micro-Brewery

Industrial and Utility Uses

Data Center

Equipment Sales, New or Used

Heavy Manufacturing, Fully Indoor

Machine or Welding Shop

Medium Manufacturing, Fully Indoor

Public or Private Utility Shop or Storage

Exhibit C - SITE PLAN

Item 17&18



VICINITY MAP
N.T.S.

A PROPOSED PLANNED DEVELOPMENT FOR:

OWNER:
JON NYLUND

3515 BROWN ST, STE 109
DALLAS, TEXAS 75219
JCNYLUND@GMAIL.COM

TEL: 214-578-0431

PREPARED BY:
BRIAN ANDREW HAYES, RA
ARCHITECTURE GRAVITAS, LLC

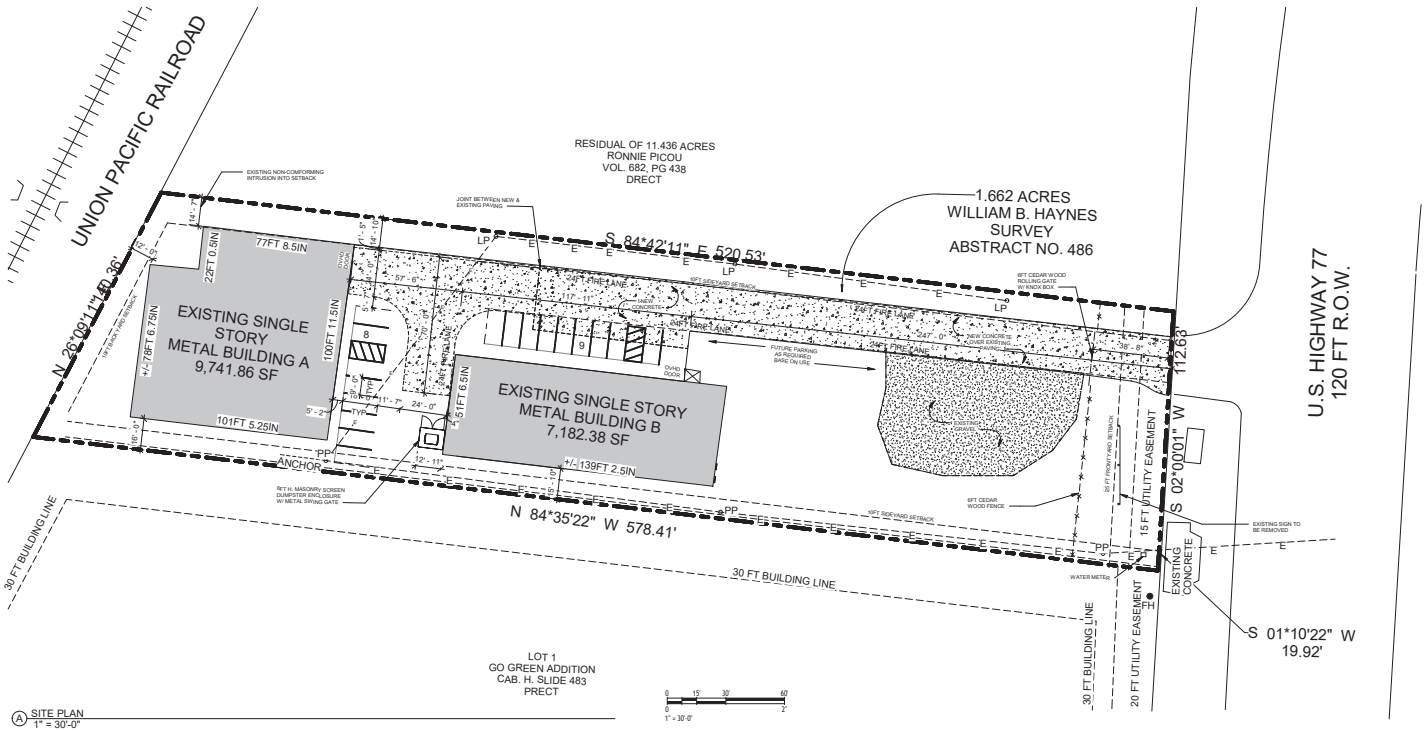
7736 MEADOW ROAD #102
DALLAS, TEXAS 75230
DREW@ARCHGRAVITAS.COM

972-992-8660

SITE PLAN DATA

SURVEY & ABSTRACT IDENTIFICATION:	WILLIAM B. HAYNES SURVEY, ABSTRACT 486
PROPOSED ZONING:	PLANNED DEVELOPMENT - COMMERCIAL
PROPOSED USE:	PERMITTED USES IN PLANNED DEVELOPMENT - COMMERCIAL
SITE AREA:	(1.662 ACRES) 72,397 SF GROSS
EXISTING BUILDING AREA	16,925 SF
OPEN SPACE:	76.6%
REQUIRED PARKING:	PER USER, SEC. 5.02 OF ZONING ORD.
F.A.R.	0.24: 1
IMPERVIOUS AREA	36,216 SF (50.02%)
PROVIDED PARKING:	15 + 2 ADA = 17 SPACES
ALLOWABLE HEIGHT:	40 FEET (3) STORIES
FRONT YARD SET BACK:	25 FT
SIDE YARD SETBACK:	10FT
BACK YARD SETBACK:	10FT

NOTE: A 3200 SERIES KNOX BOX SHALL BE INSTALLED AT THE PRIMARY ENTRANCE TO EACH BUILDING.



ACCESSIBLE PARKING NOTE

1. ACCESSIBLE PARKING SHALL BE PROVIDED IN ACCORDANCE WITH TEXAS ACCESSIBILITY STANDARDS

PLAN NORTH

3705 N. US Highway 77
Waxahachie, TX
ZDC-43-2025
Subdivision Name: William B. Haynes Survey Abstract 486 Waxahachie, TX
Ellis County 1.662 acres
SITE DEVELOPMENT PLAN APPROVAL

NOT FOR CONSTRUCTION OR PERMIT REGULATORY AGENCY.
11-24-2025
Author: Drawn By
Approver: Reviewed By

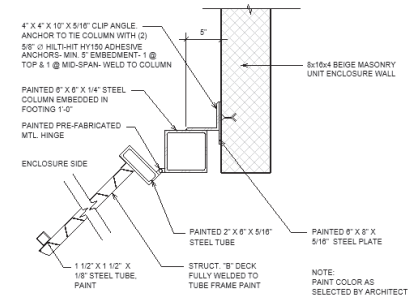
Project No. 2504
Date 11-24-2025

SITE PLAN

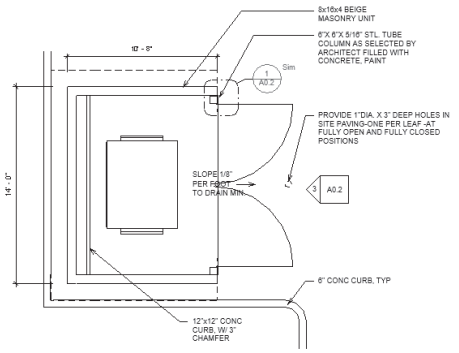
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Exhibit D - LANDSCAPE PLAN

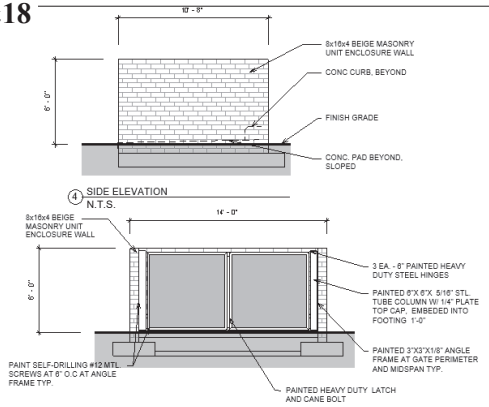
Item 17&18



1 REFUSE ENCLOSURE DETAIL
N.T.S.



2 ENLARGED SITE PLAN
N.T.S.



3 FRONT ELEVATION
N.T.S.

OWNER:
JON NYLUND

3515 BROWN ST, STE 109
DALLAS, TEXAS 75219
JCNYLUND@GMAIL.COM

TEL: 214-578-0431

PREPARED BY:
BRIAN ANDREW HAYES, RA
ARCHITECTURE GRAVITAS, L

7736 MEADOW ROAD #102
DALLAS, TEXAS 75230
DREW@ARCHGRAVITAS.COM

972-992-8660

LANDSCAPE NOTES:

1. THE PROPERTY OWNER, TENANT, OR AGENT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL REQUIRED LANDSCAPING IN A HEALTHY, NEAT, ORDERLY, AND LIVE-GROWING CONDITION AT ALL TIMES. THIS SHALL INCLUDE MOWING, EDGING, PRUNING, FERTILIZING, IRRIGATION, WEEDING, AND OTHER SUCH ACTIVITIES COMMON TO THE LANDSCAPING. LANDSCAPED AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS, AND OTHER SUCH MATERIAL NOT A PART OF THE LANDSCAPING. PLANT MATERIALS THAT DIE SHALL BE PLACED WITH PLAN MATERIALS OF SIMILAR VARIETY AND SIZE.

2. NO TREES SHALL BE INSTALLED WITHIN ANY EASEMENTS.

3. SHRUBS WILL NEED TO BE PLANTED A MINIMUM OF 5' FROM ANY UTILITY LINES.

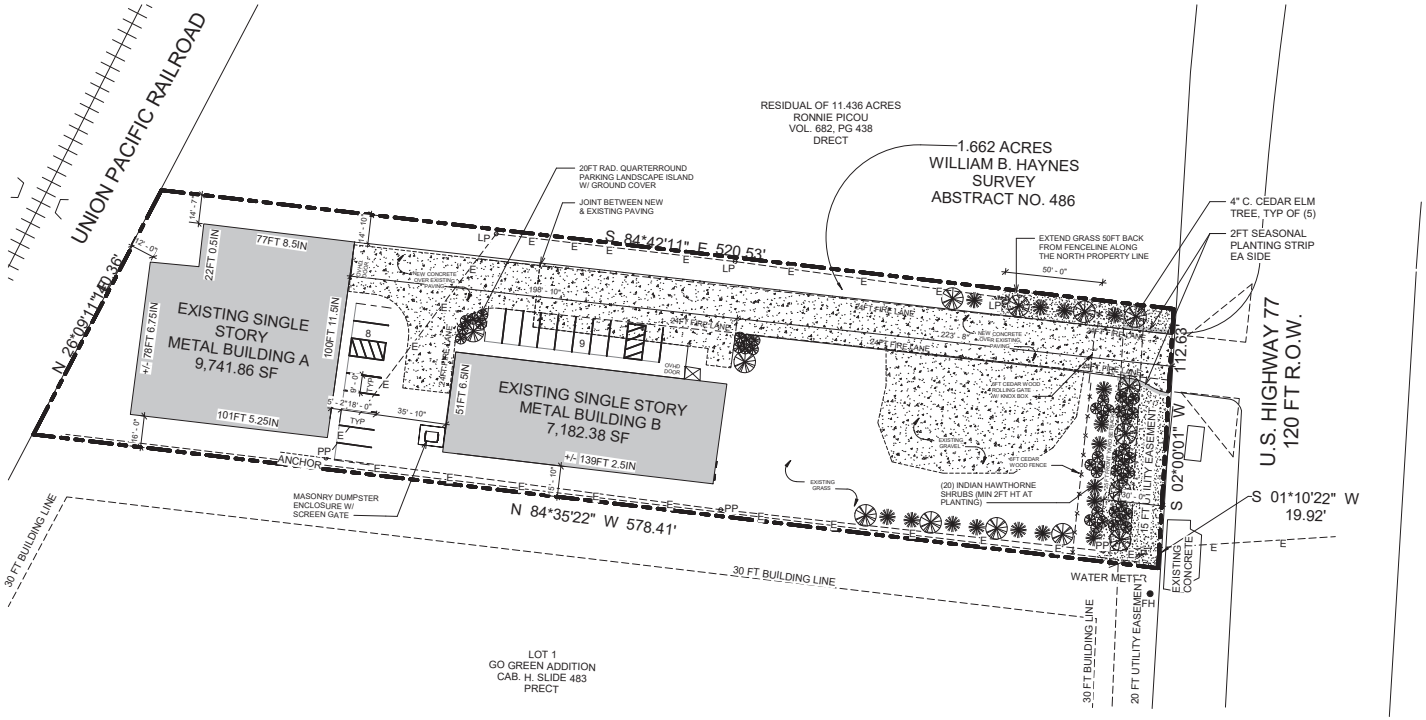
4. NO LANDSCAPE SHALL ENCROACH INTO THE VISIBILTY TRIANGLE.

PD Landscape Requirements for existing structures:

1. Interior Landscape Area Requirements: 15% of total sqft of all structures
   Total sqft of structures = 16,925 sqft
   (16,925)(0.15) = 2,539 sqft of required landscape area
   a. Planting Requirements
      i. 1 canopy tree per 500 sqft = 2,539 sqft/500 sqft = 6
      ii. 1 accent tree per 250 sqft = 2,539 sqft/250 sqft = 11
      iii. 15% of groundcover = (2,539 sqft)(0.15) = 381 sqft
      iv. 2% of seasonal required = (2,539 sqft)(0.02) = 51 sqft

2. Parking Lot Landscaping: This requirement is dependent on how many parking spaces is proposed, and the location of the parking spaces. This will calculated when an updated site plan is submitted and development standards is submitted.

3. Additional Landscape Requirements:
   a. Street trees requirement of 1 tree per 30 linear foot (LF) of frontage to the right-of-way (ROW); to be planted every 40'
      i. 112.63'/30' = 4



A LANDSCAPE PLAN
1" = 30'-0"

WAXAHACHIE INDUSTRIAL

CODE LANDSCAPE CALCULATIONS CHART

SITE DATA		
LOT AREA	(1.662 ACRES) 72,397 SF GROSS	
EXISTING BUILDING SQUARE FOOTAGE	16,925 SF	
PARKING SPOTS	17 SPACES	
SITE LANDSCAPE AREA	**REQUIRED**	**PROVIDED**
15% OF BUILDING SF TO BE LANDSCAPED	2,539 SF	3,048 SF AT FRONTAGE
PLANTING REQUIREMENTS		
CANOPY TREE 1:500 SF	6	7
UNDERSTORY TREE 1:250 SF	11	17
SHRUBS 1:70 SF	36	37
GROUNDCOVER - 15% OF LANDSCAPE AREA	381 SF	521 SF
SEASONAL COLOR - 2% OF LANDSCAPE AREA	51 SF	100 SF
STREET TREES	**REQUIRED**	**PROVIDED**
N US HIGHWAY 77 - 112.63 LF		
- 1 TREE PER 30 LF FRONTAGE	4	5
PARKING LOT	**REQUIRED**	**PROVIDED**
30 SF OF LANDSCAPE AREA EA. PARKING SPACE	510	521 SF
2 TREES (4" CAL.) PER 500 SF	2	2
10 THREE GALLON SHRUBS PER 500 SF	11	12
ONE 10FT WIDE LINEAR LANDSCAPE ISLAND PER 2 PARKING BAYS	1	2
TOTAL PLANTINGS OF TREES & SHRUBS	**70**	**89**

LANDSCAPE PLAN LEGEND:

CENTIPEDE GRASS

CEDAR ELM CANOPY TREE
(MIN. 4" CALIPER, 10FT TALL AT PLANTING)

UNDER CANOPY CRAPE MYRTLE TREE
(MIN. 2" CALIPER, 6FT TALL AT PLANTING)

INDIAN HAWTHORNE SHRUB
(MIN. 2 FT TALL AT PLANTING)

LP LIGHT POLE

FH FIRE HYDRANT

---E--- OVERHEAD ELECTRICAL SERVICE

PLAN NORTH

3705 N. US Highway 77
Waxahachie, TX
ZDC-43-2025

Subdivision Name: William B. Haynes Survey Abstract 486 Waxahachie, TX
Ellis County 1.662 acres

SITE DEVELOPMENT PLAN APPROVAL

NOT FOR CONSTRUCTION OR PERMITTING REGULATORY AGENCY.

11-24-2025
Author Drawn By
Approver Reviewed By

Project No. 2504
Date 11-24-2025

LANDSCAPE PLAN

A0.1

Planning & Zoning Department
Zoning Staff Report

Case: ZDC-232-2024

MEETING DATE(S)

Planning & Zoning Commission: December 8, 2025
City Council: December 15, 2025

CAPTION

Public Hearing on a request by Dennis Church, Minto Communities Texas, LLC, for a **Zoning Change** from Planned Development-Mixed Use Residential (PD-MUR), Single Family-1 (SF-1), Future Development (FD), and General Retail (GR) zoning districts to a Planned Development (PD) zoning district, located at 300 Brookside Road (Property ID's 179468, 179534, 182520, 187960, 189323, 189326, 189333, 189336, 192306, 193815, 193822, 193823, 234203, 263786, 264568, 303651, 303652) – Owners: Walton Texas LP, United Presbyterian Homes, William & Leanne Kelley (ZDC-232-2024)

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on October 28, 2025, the Commission voted 6-0 to continue case number ZDC-232-2024 to the November 10, 2025 Planning & Zoning Commission meeting. At the November 10, 2025 Planning & Zoning Commission meeting, the Commission voted 6-0 to continue case number ZDC-232-2024 to the December 8, 2025 Planning & Zoning Commission meeting. The Applicant requested these continuances to allow for additional time to address staff concerns with the Zoning Change proposal.

Staff met with the Applicant, City Management, and members of City Council on October 27th and November 4th to work through staff concerns and recommendations. The Applicant committed to providing revisions to the PD request to address staff concerns. Since the initial meeting with the Applicant, staff has received partial updates to the proposal on a day by day basis. A comprehensive resubmittal including the PD, Development Agreement, and Traffic Impact Analysis (TIA) was provided on November 19th. This staff report is based on the current status of the documents received on November 19th.

The Applicant has been able to address some technical comments previously provided by staff. However, the revisions to the PD and Development Agreement introduced additional staff concerns, leading to an increase in the total number of Conditions identified in the Staff Recommendation section below. At the time of the publishing of this report, a majority of major concerns identified in the initial staff report remain outstanding.

RECOMMENDED MOTION

Based on the present status of the documents submitted by the applicant, and the scale and intricacy of the request, staff recommends the following motion.

"I move to recommend denial of ZDC-232-2024, a Planned Development (PD) zoning change request for approximately 3,169.6 acres.

APPLICANT REQUEST

The Applicant requests approval of a Planned Development zoning district to allow for the development of an Active Adult and Traditional Master Planned Community on approximately 3,169.6 acres.

CASE INFORMATION

Applicant: Dennis Church, Minto Communities Texas, LLC

Property Owner(s): Walton Texas LP, United Presbyterian Homes, William & Leanne Kelley

Site Acreage: Approximately 3,169.6 acres

Current Zoning: Planned Development-Mixed Use Residential (PD-MUR), Single Family-1 (SF-1), Future Development (FD) and General Retail (GR)

Requested Zoning: Planned Development (PD)

SUBJECT PROPERTY

General Location: 300 Brookside Road

Parcel ID Number(s): 179468, 179534, 182520, 187960, 189323, 189326, 189333, 189336, 192306, 193815, 193822, 193823, 234203, 263786, 264568, 303651, 303652

Existing Uses: Agriculture, Presbyterian Children's Homes and Services, and four (4) Single Family Residences

Development History: On September 6, 2005, City Council approved Ordinance 2330, which rezoned the subject property from Single Family-1 (SF-1) and Future Development (FD) to Planned Devolvement-Mixed Use Residential (PD-MUR). The Planned Development-Mixed Use Community was approved as a "Free Standing" Planned Development District which included Single Family, Multi-Family, General Retail, and Mixed Use.

On April 19, 2021, City Council approved Ordinance 3265 which replaced PD Ordinance 2330 with a new Planned Development-Mixed Use Residential (PD-MUR) zoning district. In addition to modernizing the development standard for the subject property, Ordinance 3265 incorporated approximately 800 additional acres into the development.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	N/A (ETJ)	Single Family Residences & Agriculture
East	General Retail (GR) & Interstate 35E	Waxahachie Fire Station #4 and Interstate 35E
South	N/A (ETJ)	Single Family Residences & Agriculture
West	Future Development (FD) & ETJ	Single Family Residences & Agriculture

Future Land Use Plan (FLUP): Residential Neighborhood, Mixed Use Neighborhood, and Regional Commercial

FLUP Descriptions:

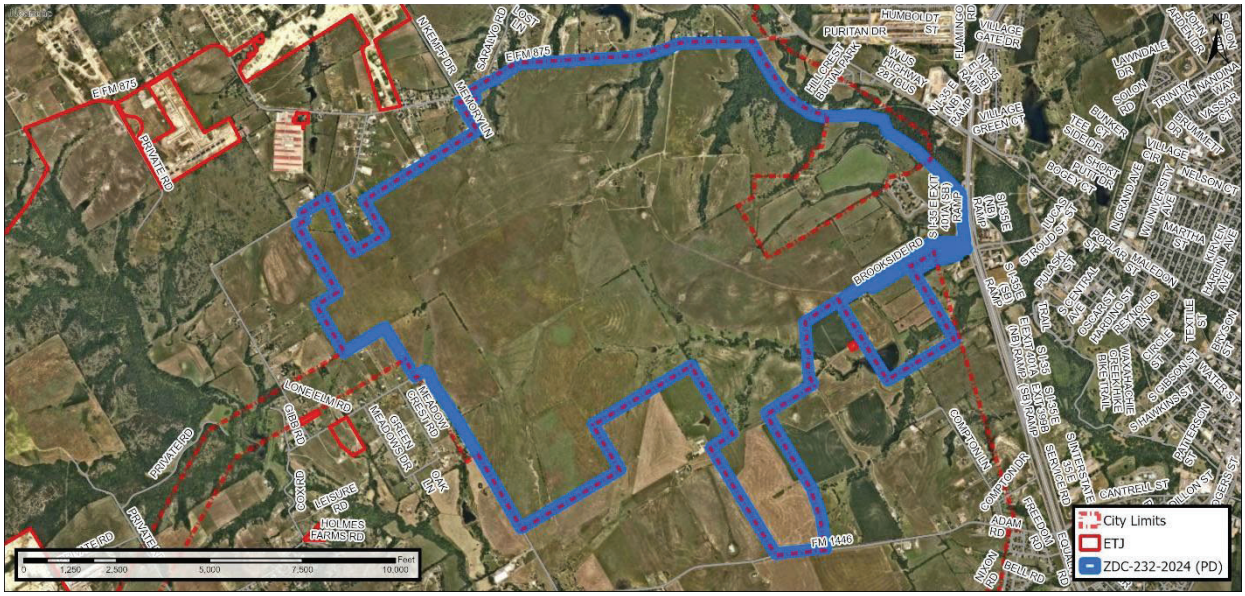
Residential Neighborhood: This placetype serves to create neighborhoods built with a traditional walkable block/street grid network that allows some variation in housing typologies. Although this placetype will predominantly consist of traditional single family detached housing, denser housing types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

Mixed Use Neighborhood: 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.

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

Thoroughfare Plan: The subject property is accessible via Interstate 35E, FM 1446, FM 875 and Lone Elm Road. The 2024 Waxahachie Thoroughfare Plan identifies multiple Major Arterial and Major Collector thoroughfares crossing through the subject property. The Applicant's proposal to dedicate right-of-way (ROW) for, and construct, these thoroughfares is discussed in the Planning Analysis section below.

Site Image:



PLANNING ANALYSIS

The Applicant requests approval of a zoning change for a Planned Development (PD) zoning district to allow for the development of a 3,169.6-acre master planned community that includes a combination of traditional single-family, age-restricted single-family, multi-family, mixed-use, and open space tracts.

A companion petition for Voluntary Annexation for the 206-acres currently located in the Extraterritorial Jurisdiction (ETJ) will be considered by City Council at the December 15, 2025 City Council meeting, prior to this Planned Development request. The portion of the subject property currently in the Waxahachie ETJ must be annexed before this Planned Development zoning request can be approved.

Property Background

The current Planned Development-Mixed Use Residential (PD-MUR) zoning for the subject property was approved with Ordinance 3265 in April of 2021. The existing zoning covers 2,813 acres in total and includes six (6) primary Development Districts: Single-Family Residential, Multi-family Residential, Mixed-Use Residential, Mixed-Use Nonresidential, General Retail, and Open Space. A total of 8,955 dwelling units are permitted with the current zoning. This total unit count is comprised of 5,769 single-family units, 1,926 multi-family units, and 1,260 units spread across the mixed-use districts. The maximum gross density of the existing district as a whole is 3.18 dwelling units per acre. The existing zoning requires a minimum of four amenity centers and 400 total acres of open space. The concept plan for the existing district centers around a collection of town-center styled mixed-use districts surrounded by single-family districts and general retail districts at major intersections.

Case History:

This application was originally submitted on December 18, 2024. Since that time, a total of ten (10) revised submittals for the application that have been formally reviewed by staff with an average turnaround time of 5.3 business days. Per the Applicant's request, City Council conducted Work Sessions in April of 2025 and August of 2025 to provide direct feedback on the application. At each Work Session, City Council provided feedback that identified ways in which the proposal could be revised to address City needs and directed the Applicant to continue to work with staff to address all concerns before returning for final City Council consideration.

Case History (continued):
It is important to note that at the time of this report, staff still has multiple outstanding concerns that the Applicant has declined or been unable to address. On September 30, 2025, the Applicant acknowledged these items and requested to be placed on the October 28, 2025 Planning & Zoning Commission meeting agenda and the November 3, 2025 City Council meeting agenda. As noted above, the Applicant subsequently submitted continuance requests to extend the public hearings of the application to the December 8th Planning & Zoning Commission meeting and the December 15th City Council meeting.

Proposed Use:
The PD is proposed to include a total of five (5) unique PD Districts to facilitate development of the 3,169.6-acre property. The PD Districts include the Traditional Residential District (TR), Active Adult Residential District (AA), Flex Residential District (FR), Multi-Family Residential District (MF), and Mixed-Use District (MU); which are described in greater detail below. The proposal allows for a maximum of 13,270 dwelling units across the entirety of the subject property. The total number of proposed dwelling units are comprised of 11,880 single family dwelling units and 1,390 dwelling units from the MF and MU districts. Based on current NCTCOG household occupancy estimates, this number of dwelling units may accommodate a population of up to 33,902 individuals. This figure represents approximately 65.9% of Waxahachie's population of 51,415, as of October 1, 2025.

Traditional Residential District (TR): The TR district is intended to establish a traditional neighborhood with park, open space, and school sites for families at all stages of life. A mixture of residential lot types and homes are intended to be available in this district to allow families to age in place without leaving the district.

Active Adult Residential District (AA): The AA district is intended to establish a neighborhood tailored exclusively to 55+ individuals and families. Accordingly, housing types and amenities are intended to take forms that are more accessible and desirable to citizens in the later stages of life rather than young families.

Flex Residential District (FR): The FR district is intended to be a placeholder. Prior to development of this district, the area will be designated for development under TR or AA standards. Due to the size of the proposed development, build-out of the FR district is unlikely to occur in the near term and thus the Applicant cannot determine whether it is more appropriate for this district to be developed as TR or AA at this time. The FR district provides for future development flexibility based on market conditions.

Multi-Family Residential District (MF): The MF district is proposed to develop in a traditional apartment form. In addition to garden style apartments, lower density multi-family products such as townhome/brownstone style units and build-for-rent communities are permitted.

Mixed-Use District (MU): The MU district is intended to facilitate the development of a mixture (approximately 20/80) of residential and non-residential uses. The MU district is intended to accommodate a range of residential uses and enable the development of a walkable, retail/restaurant-oriented development pattern.

Proposed Use (continued):

The PD proposal designates a total of 3,007.5 acres to be developed for single-family uses under the TR, AA, and FR districts. A total of 29 acres are designated for development under the MF district and 133.1 acres are designated for development under the MU district. Specific districts are not proposed for Civic, School, or Open Space/Park/Amenity areas as these uses are proposed to be integrated into each PD District. A total of 400 acres of the subject property are proposed to be developed as Open Space, with 45-50 acres located in the 100-year floodplain. A total of 10 acres are proposed to be dedicated for Civic uses and a minimum of 49 acres are proposed to be dedicated to WISD for future school sites. The proposal also includes major drainage, detention, utility and roadway infrastructure elements needed to support the development. These uses and the design of the associated infrastructure elements are discussed in greater detail below.

Concept Plan:

The Concept Plan (Exhibit B) proposed with this Planned Development request identifies the general location and size of each of the PD Districts. The TR District is situated on the northern half of the subject property covering 1,080-acres; while the AA District is situated on 1,019-acres on the southern half of the property. The FR District is situated on 907-acres on the western portion of the subject property. The MU District is primarily situated at the eastern entrance to the development at the intersection of Brookside Road and I-35E. The MF district is divided between two tracts situated near the center of the property and along FM 1446.

Beyond the general boundaries, gross acreage, and unit count allocated to each district, the Concept Plan provides no binding requirements for the location or internal design of each district. The Planned Development Standards call for general compliance with Concept Plan; but allow for PD District boundaries to be modified. The internal layout and design of each district is only established on a phase-by-phase basis with the approval of individual plats or site plans.

The Concept Plan also identifies major Amenity/Welcome Centers, parks, detention areas, school sites, and preserved open space in addition to the PD Districts. However, insufficient Planned Development Standards are present to ensure that the resulting development will reflect the layout of these features as shown on the Concept Plan. Staff has concern with the limited detail conveyed by the Concept Plan, as will be discussed in greater detail below.

Proposed Planned Development Residential Lot Standards:

The Planned Development proposal includes a total of fifteen (15) unique residential lot types between the TR and AA Districts. The proposed lot types generally fall into two primary categories: Front Loaded and Alley Loaded/Cluster. Front Loaded lot types include the Residential Detached, Estate, Zipper, Paired Villa, Courtyard Villa, and Shallow and Wide lots. Alley Loaded/Cluster lot types include the Residential Detached, Zero Lot Line, Courtyard Home, Courtyard Villa, Townhome, Park-Facing, and Cottage lots. A detail depicting each lot type and the associated dimension, setback, height and lot coverage requirements for each lot can be referenced below.

Proposed Planned Development Residential Lot Standards (continued):

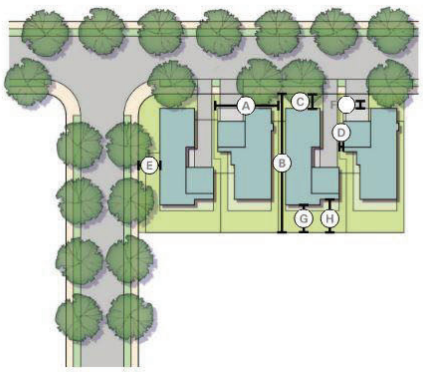
The proposed lot types range in minimum size from 2,250 square feet to 10,890 square feet for the largest lot type. Since the November 10, 2025 Planning & Zoning Commission meeting, the applicant has added three (3) new lot types that are larger than the previous maximum of 6,000 square feet. These new lots include the Residential Detached 60'-70' (min. 7,500sf), Residential Detached +70' (min. 8,750sf), and the Estate Lot (min. 10,890sf). The existing zoning for the subject property includes minimum lot sizes that range from 2,000 square feet to 12,500 square feet. Notably, the largest minimum lot size required in the Planned Development is comparable to the smallest minimum lot size allowed by Waxahachie's base Single Family-3 (SF-3) zoning district at 10,000 square feet. For additional context, the lots permitted by the SF-3 zoning district are the smallest lot types allowed in the base Waxahachie Zoning Ordinance. Only 5% of single-family homes developed on the property are proposed to be 10,000 square feet or larger. In terms of minimum home size, the SF-3 zoning district requires dwellings to be a minimum of 1,200 square feet. The proposed Planned Development Standards expressly eliminate the requirement for a minimum dwelling size for all lot types.

It is also important to note that the Cottage, Paired Villa, Courtyard Villa (Front Loaded), and Courtyard Villa (Alley Loaded) lot types are comparable to traditional duplex type lots. These lots are intended to be utilized with structures that contain two (2) dwelling units with a shared lot line running through the structure so that each individual lot only contains a single dwelling unit.

The larger lots (7,500sf – 10,890sf) added to the request are not proposed to be utilized in the AA district. Similarly, Courtyard Villa lot types are not proposed to be utilized in the TR district. The Applicant has not proposed a requirement that would result in the use of each lot type within the development. Instead, Chapters 5.3, 5.4.1, and 5.4.2 of the Planned Development Standards include general lot mix requirements. The proposed lot mix requirements are significantly below the current requirements of the Waxahachie Zoning Ordinance. As written, the Planned Development Standards would allow all 11,880 single family units to be comprised of just three (3) lot types. The proposed standards do not require different lot types to be sufficiently integrated within each block; which leads to significant monotony concerns for both individual neighborhoods and the development as a whole.

This concern is exacerbated by the narrow range of minimum lot sizes across the majority of proposed lot types; which restricts the type and size of homes that may be built within the community. The minimum standards proposed by the Applicant do not prevent the development of larger lot sizes, if demanded by the market; but without the inclusion of specific requirements for larger lots, it is unlikely that lots larger than 6,000 square feet will be developed in meaningful numbers across the development. The lot mix issue is discussed in greater detail in the Staff Concerns section below.

ZIPPER LOTS

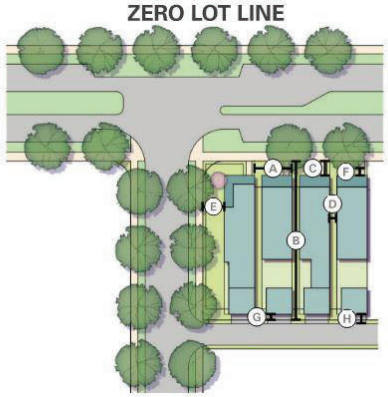


Typical Lot Dimensions
Zipper Lots

Minimum lot area	4,400 sf
A: Minimum lot width	40 ft
B: Minimum lot depth	90 ft
C: Minimum front setback from ROW	10 ft (alternating 20ft and 40 ft to garage entry)
D: Minimum side setback	2.5 ft (10 ft of separation between units)
E: Minimum side setback along ROW	15 ft
F: Maximum front porch setback encroachment	5 ft
G: Minimum rear setback	10 FT
Maximum height	35 ft
Maximum lot coverage	80%
Housing Type District:	**Active Adult / Traditional Residential***

*Housing Types as shown may be appropriate for both Active Adult and Traditional Residential. Floor plans and other design considerations will be tailored to the proposed end user.

ZERO LOT LINE



Typical Lot Dimensions
Zero Lot Line

Minimum lot area	2,600 sf
A: Minimum lot width	26 ft
B: Minimum lot depth	100 ft
C: Minimum front setback from ROW	10 ft
D: Minimum side setback	(5 ft/ 0 ft on the common wall with the adjoining unit)
E: Minimum side setback along ROW	10 ft
F: Maximum front porch setback encroachment	0 ft
G: Minimum rear setback	15 ft
H: Minimum rear alley setback (garage entry)	4 ft
Maximum height	35 ft
Maximum lot coverage	90%
Housing Type District:	**Active Adult / Traditional Residential***

*Housing Types as shown may be appropriate for both Active Adult and Traditional Residential. Floor plans and other design considerations will be tailored to the proposed end user.

TOWNHOMES



Typical Lot Dimensions
Townhomes

Minimum lot area	2,250 sf
A: Minimum lot width	25 ft
B: Minimum lot depth	90 ft
C: Minimum front setback from ROW	10 ft
D: Minimum side setback	(5 ft/ 0 ft on the common wall with the adjoining unit)
E: Minimum side setback along ROW	10 ft
F: Maximum front porch setback encroachment	0 ft
G:Minimum rear setback	10 ft
H: Minimum rear alley setback (garage entry)	4 ft
Maximum height	35 ft
Maximum lot coverage	90%
Housing Type District:	**Active Adult / Traditional Residential***

*Housing Types as shown may be appropriate for both Active Adult and Traditional Residential. Floor plans and other design considerations will be tailored to the proposed end user.

SHALLOW AND WIDE LOTS



Typical Lot Dimensions
Shallow and Wide Lots

Minimum lot area	4,875 sf
A: Minimum lot width	65 ft
B: Minimum lot depth	75 ft
C: Minimum front setback from ROW	15 ft (20ft to garage entry)
D: Minimum side setback	5 ft
E: Minimum side setback along ROW	10 ft
F: Maximum front porch setback encroachment	5 ft
G: Minimum rear setback	10 ft
Maximum height	35 ft
Maximum lot coverage	80%
Housing Type District:	**Active Adult / Traditional Residential***

*Housing Types as shown may be appropriate for both Active Adult and Traditional Residential. Floor plans and other design considerations will be tailored to the proposed end user.

COTTAGE



Typical Lot Dimensions
Cottages

Minimum lot area	3,700 sf
A: Minimum lot width	35 ft
B: Minimum lot depth	100 ft
C: Minimum front setback from ROW	10 ft
D: Minimum side setback	(5 ft/ 0 ft on the common wall with the adjoining unit)
E: Minimum side setback along ROW	10 ft
F: Maximum front porch setback encroachment	0 ft
G: Minimum rear setback	10 ft
H: Minimum rear alley setback (garage entry)	N/A
Maximum height	35 ft
Maximum lot coverage	90%
Housing Type District:	**Active Adult / Traditional Residential***

*Housing Types as shown may be appropriate for both Active Adult and Traditional Residential. Floor plans and other design considerations will be tailored to the proposed end user.

COURTYARD HOMES

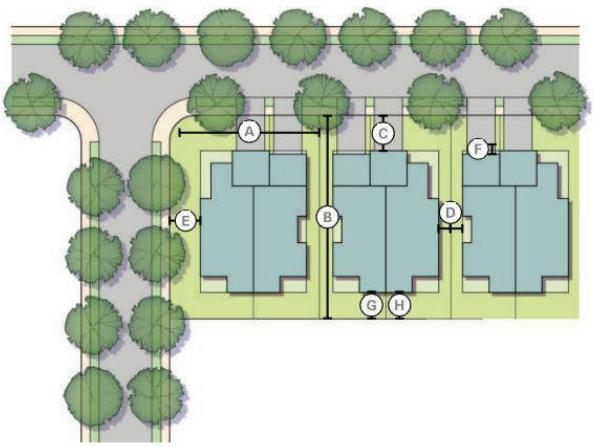


Typical Lot Dimensions
Courtyard homes

Minimum lot area	3,375 sf
A: Minimum lot width	40 ft
B: Minimum lot depth	75 ft
C: Minimum front setback from ROW	10 ft
D: Minimum side setback	5 ft (or flexible)
E: Minimum side setback along ROW	10 ft
F: Maximum front setback encroachment	0 ft
G: Minimum rear setback	10 ft
H: Minimum rear alley setback (garage entry)	20 ft
Maximum height	35 ft
Maximum lot coverage	60%
Housing Type District:	**Active Adult / Traditional Residential***

*Housing Types as shown may be appropriate for both Active Adult and Traditional Residential. Floor plans and other design considerations will be tailored to the proposed end user.

PAIRED VILLAS

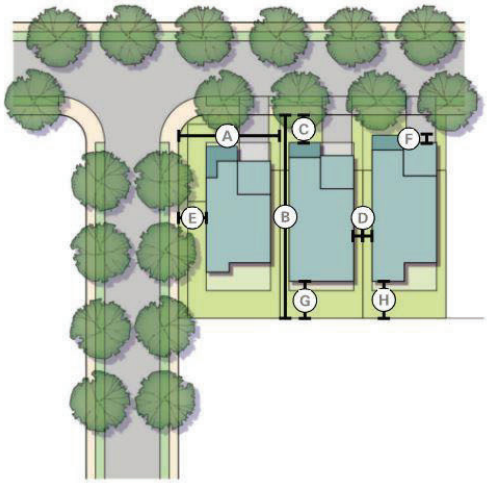


Typical Lot Dimensions
Paired Villas

Minimum lot area	3,000
A: Minimum lot width**	75 ft
B: Minimum lot depth	100 ft
C: Minimum front setback from ROW	10 ft (20ft to garage entry)
D: Minimum side setback	(5 ft/ 0 ft on the common wall with the adjoining unit)
E: Minimum side setback along ROW	10 ft
F: Maximum front porch setback encroachment	5 ft
G: Minimum rear setback	15 FT
Maximum height	35 ft
Maximum lot coverage	80%
Housing Type District:	**Active Adult / Traditional Residential***

*Housing Types as shown may be appropriate for both Active Adult and Traditional Residential. Floor plans and other design considerations will be tailored to the proposed end user.

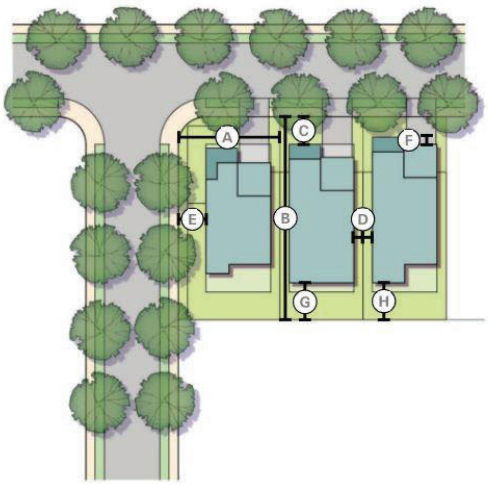
ACTIVE ADULT RESIDENTIAL DETACHED - FRONT LOADED



Typical Lot Dimensions
Residential Detached

Lot Type	< 60 ft	60 ft - 110 ft
Minimum lot area	4,400 sf	6,000 sf
A: Minimum lot width	40 ft	60 ft
B: Minimum lot depth	110 ft	110 ft
C: Minimum front setback from ROW	15 ft (20ft to garage entry)	15 ft (20ft to garage entry)
D: Minimum side setback	5 ft	5 ft
E: Minimum side setback along ROW	15 ft	15 ft
F: Maximum front porch setback encroachment	5 ft	5 ft
G: Minimum rear setback	15 ft	15 ft
Maximum height	35 ft	35 ft
Maximum lot coverage	80%	70%
Housing Type District:		**Active Adult**

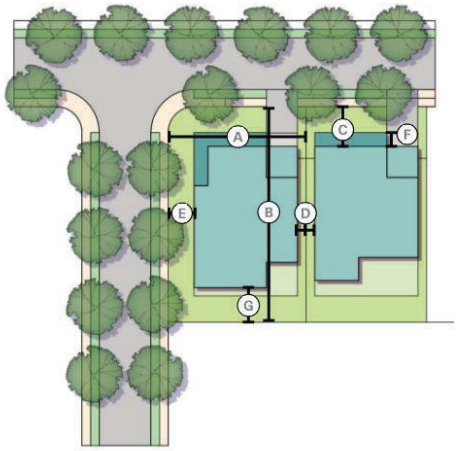
RESIDENTIAL DETACHED - FRONT LOADED



Typical Lot Dimensions
Residential Detached

Lot Type	< 50 ft	50 ft - 60 ft	60 ft - 70 ft
Minimum lot area	4,600 sf	6,250 sf	7,500 sf
A: Minimum lot width	40 ft	50 ft	60 ft
B: Minimum lot depth	115 ft	125 ft	125 ft
C: Minimum front setback from ROW	15 ft (20ft to garage entry)	15 ft (20ft to garage entry)	15 ft (20ft to garage entry)
D: Minimum side setback	5 ft	5 ft	5 ft
E: Minimum side setback along ROW	15 ft	15 ft	15 ft
F: Maximum front porch setback encroachment	5 ft	5 ft	5 ft
G: Minimum rear setback	15 ft	15 ft	15 ft
Maximum height	35 ft	35 ft	35 ft
Maximum lot coverage	80%	80%	70%
Housing Type District:			**Traditional Residential**

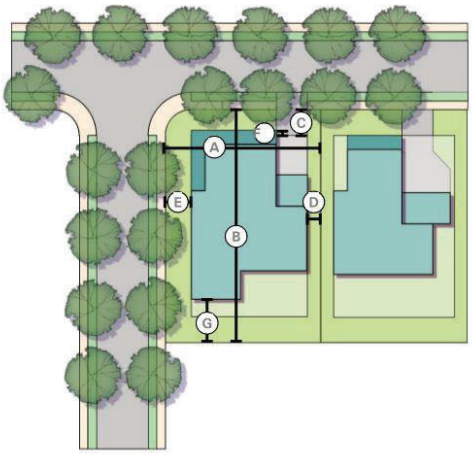
RESIDENTIAL DETACHED - FRONT LOADED >70



Typical Lot Dimensions
Residential Detached

Lot Type	> 70 ft
Minimum lot area	8,750 sf
A: Minimum lot width	70 ft
B: Minimum lot depth	125 ft
C: Minimum front setback from ROW	15 ft (20ft to garage entry)
D: Minimum side setback	5 ft
E: Minimum side setback along ROW	15 ft
F: Maximum front porch setback encroachment	5 ft
G: Minimum rear setback	15 ft
Maximum height	35 ft
Maximum lot coverage	80%
Housing Type District:	**Traditional Residential**

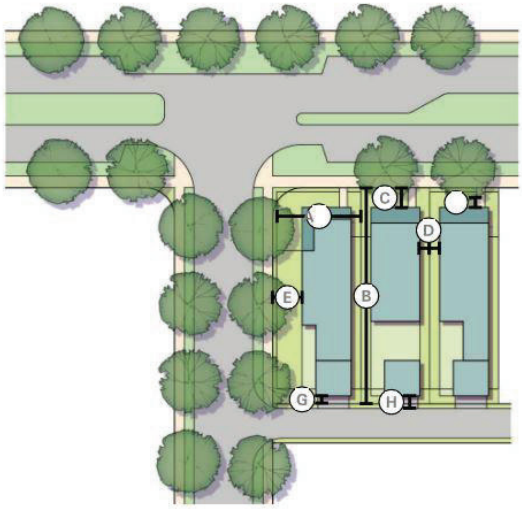
ESTATE LOT



Typical Lot Dimensions
Residential Detached

Lot Type	Estates
Minimum lot area	0.25 ac
A: Minimum lot width	70 ft
B: Minimum lot depth	135 ft
C: Minimum front setback from ROW	15 ft (20ft to garage entry)
D: Minimum side setback	7.5 ft
E: Minimum side setback along ROW	15 ft
F: Maximum front porch setback encroachment	5 ft
G: Minimum rear setback	15 ft
Maximum height	35 ft
Maximum lot coverage	80%
Housing Type District:	**Traditional Residential**

RESIDENTIAL DETACHED - ALLEY LOADED

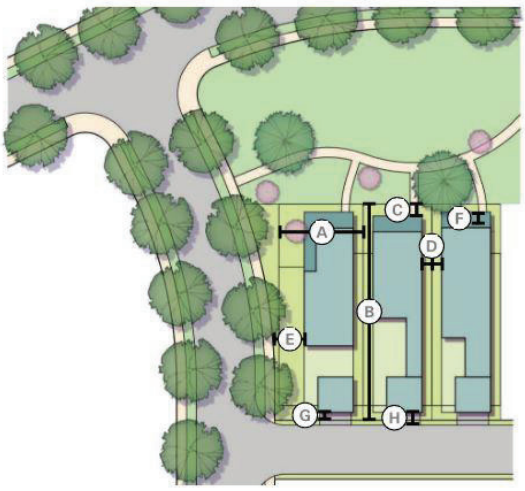


Typical Lot Dimensions
Residential Detached

Minimum lot area	3,000 sf
A: Minimum lot width	30 ft
B: Minimum lot depth	100 ft
C: Minimum front setback from ROW	10 ft
D: Minimum side setback	5 ft (or flexible)
E: Minimum side setback along ROW	10 ft
F: Maximum front porch setback encroachment	0 ft
G: Minimum rear setback	15 ft
H: Minimum rear alley setback (garage entry)	20 ft
Maximum height	35 ft
Maximum lot coverage	80%
Housing Type District:	**Active Adult / Traditional Residential***

*Housing Types as shown may be appropriate for both Active Adult and Traditional Residential. Floor plans and other design considerations will be tailored to the proposed end

PARK-FACING CONDITIONS

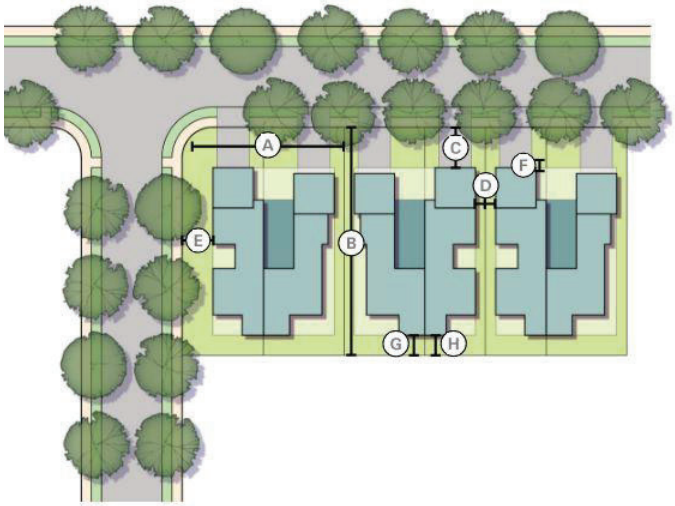


Typical Lot Dimensions
Park-Facing Condition for a variety of housing types

Minimum lot area	varies
A: Minimum lot width	varies
B: Minimum lot depth	varies
C: Minimum front setback from ROW	varies, 5 ft from property line
D: Minimum side setback	varies
E: Minimum side setback along ROW	10 ft
F: Maximum front setback encroachment	0 ft
G: Minimum rear setback	varies
H: Minimum rear alley setback (garage entry)	varies
Maximum height	35 ft
Maximum lot coverage	varies
Housing Type District:	**Active Adult / Traditional Residential***

*Housing Types as shown may be appropriate for both Active Adult and Traditional Residential. Floor plans and other design considerations will be tailored to the proposed end user.

COURTYARD VILLAS - FRONT LOADED



Typical Lot Dimensions
Courtyard Villas

Minimum lot area	6,000 sf
A: Minimum lot width	80 ft
B: Minimum lot depth	110 ft
C: Minimum front setback from ROW	15 ft (20ft to garage entry)
D: Minimum side setback	(5 ft/ 0 ft on the common wall with the adjoining unit)
E: Minimum side setback along ROW	10 ft
F: Maximum front porch setback encroachment	5 ft
G: Minimum rear setback	10 FT
Maximum height	35 ft
Maximum lot coverage	80%
Housing Type District:	**Active Adult**

COURTYARD VILLAS - ALLEY LOADED



Typical Lot Dimensions
Paired Villas

Minimum lot area	6,000sf
A: Minimum lot width	80 ft
B: Minimum lot depth	75 ft
C: Minimum front setback from ROW	10 ft
D: Minimum side setback	(5 ft/ 0 ft on the common wall with the adjoining unit)
E: Minimum side setback along ROW	10 ft
F: Maximum front porch setback encroachment	0 ft
G: Minimum rear setback	10 ft
H: Minimum rear alley setback (garage entry)	20 ft
Maximum height	35 ft
Maximum lot coverage	80%
Housing Type Distric:	**Active Adult**

Multi-Family Residential District (MF):

As noted above, the Planned Development request includes a proposal for a Multi-Family (MF) Residential District comprised of 29-acres in total. The Concept Plan (Exhibit B) identifies only two tracts within the subject property to be designated as the MF district. The tracts are situated along FM 1446 and near the center of the development. In total, the MF district is proposed to include a maximum of 725 dwelling units at a maximum density of 25 dwelling units per acre. The Planned Development Standards require a minimum of 500 single family dwelling units to be completed prior to development of the MF district. The Planned Development Standards also include a requirement limiting the number of 3- and 4-bedroom units to a maximum of 10% of the total number of units in the district. Despite the restriction on the number of 3- and 4-bedroom units, parking is a concern for the district. The Planned Development Standards have been revised to require 50% of the minimum parking requirement to be provided via attached garages. Additionally, the request has been revised to require Senior Apartments to be setback 1000' from the western site boundary and 500' from schools and all other perimeter boundaries of the PD.

It is important to note that apartments and build-for-rent products are permitted outside of the MF district and do not contribute to the 725 dwelling unit maximum of the MF district. Specifically, up to 500 Senior Apartment units are permitted within the AA district, up to 650 build-for-rent units are permitted within the TR district, and up to 665 multi-family units are permitted within the MU district. If maximized, these allowances for units outside of the MF district would permit up to 2,540 multi-family units across the development in total.

Mixed-Use District (MU):

The proposed development does not include dedicated retail or commercial districts. Instead, the Applicant has proposed to accommodate all retail and commercial uses for the development within a Mixed-Use (MU) district totaling 133.1-acres. This is a significant reduction from the existing zoning for the subject property in which 172.5-acres were allocated to a dedicated General Retail district along with a total of 307-acres of Mixed-Use districts. Staff has concern that the reduced acreage dedicated to the MU district will be insufficient to support the retail and commercial needs of the development. This concern is compounded by the fact that the proposed district is mixed-use; which means not all acreage in the district may be utilized for retail or commercial purposes. The Planned Development Standards allow for anywhere between 10% to 20% of the MU district to be comprised of residential uses; which adds uncertainty around exactly how much of the district will actually develop to serve retail or commercial purposes.

While the MU district is intended to cater towards local retail and commercial uses, the proposal includes a Permitted Use chart (Exhibit C) that allows several inappropriate uses by-right in the MU district. Specifically, uses such as Light Manufacturing, Storage Warehouse, and Data Center are permitted in the MU district. However, these uses are not consistent with the desired development pattern for the MU district as presented by the Applicant.

The Concept Plan (Exhibit B) proposed with this development heavily clusters MU tracts near I-35E, with just two 15-acre MU tracts being provided elsewhere in the development. This starkly contrasts to the existing zoning for the subject property in which General Retail and Mixed-Use tracts are distributed consistently across the subject property near major intersections. Staff is concerned that the poor distribution of MU tracts across the development will limit the availability of low-intensity neighborhood services to residents and result in increased congestion near the MU tracts that are provided. This concern is discussed in greater detail in the Staff Concerns section below.

Design criteria for structures and sites in the MU district are also a concern. Neither the Planned Development Standards nor the Development Agreement include sufficient design requirements to result in the in the retail oriented, walkable development pattern shown in the Illustrative Plans (Exhibit M). The current proposal for exterior building design is based largely on the existing Waxahachie Zoning Ordinance. The proposal does not include specific requirements to establish continuity between structures in the MU district or designs that complement the residential design standards for the development. This issue is also discussed in greater detail in the Staff Concerns section below.

Site Plan Requirements:

Chapter 3.2 of the Planned Development Standards outlines the proposed Site Plan approval process for this development. The proposal requires all non-residential and multi-family properties within the subject property to receive Site Plan approval prior to the issuance of a building permit for said uses. The traditional Waxahachie development process requires Site Plan approval for these uses prior to the approval of a Civil Construction permit.

Notably, the proposal allows Site Plan approval to be provided by the City Manager or City Staff designee, as opposed to the Planning & Zoning Commission and City Council. With this in mind, it is important to note that the Planned Development Standards do not require the non-residential, mixed-use, and multi-family tracts to be developed as shown in the Illustrative Plans (Exhibit M). Due to this, staff recommends that the Planned Development Standards be revised to require Planning & Zoning Commission and City Council approval of all Site Plans. This change would help ensure the subject property develops as intended by City Council, if approved.

Density:
The maximum gross density for the proposed development as a whole is 4.18 dwelling units per acre (DUA). This may be compared with the maximum gross density of the existing zoning at 3.18 DUA. The TR, AA, and FR Districts are proposed to have maximum gross densities of 3.95 DUA across the entirety of each district. However, Chapter 5.1.2 of the Planned Development Standards allows individual phases within these districts to reach up to 10 DUA.

Additionally, Chapter 3.5.1 of the Planned Development Standards obligates the City Council to approve a modification of any numerical standard in the proposal by up to 10% at the request of the Developer. This proposal would allow the density of some portions of the TR, AA, and FR Districts to be significantly higher than the proposed average. Despite the allowances for increased density, the maximum total dwelling unit count of 13,270 is not permitted to increase for the development as a whole.

Staff has concern that proposed variable density allowances may result in more dense development being prioritized in the initial phases of the development to such an extent that it is infeasible or impractical for later phases to meet the overall density requirement of 3.95 DUA for the TR, AA, and FR Districts. The variably density allowances may also result in a development pattern that is not representative of the conceptual material provided by the Applicant. These concerns are discussed in greater detail below.

Civic & School Sites:
The Applicant proposes to dedicate up to 10-acres of property to the City for Civic uses that may include Fire and/or Police Stations. This proposal is consistent with the Civic land dedication requirement of the existing zoning for the subject property. The Planned Development Standards and Development Agreement do not specify an exact location for the Civic land dedication; but do note that the 10-acres can be comprised of one or more individual tracts. The proposed Development Agreement states that dedication of the Civic land shall occur “when the City identifies a specific need”.

The Applicant also proposes to dedicate two (2) elementary school sites sized based on WISD needs; but not less than 12-acres each. Dedication of third elementary school site is identified as an option, if WISD provides evidence to the Developer that a third location is warranted. Additionally, one 25-30-acre site for a middle school is proposed to be dedicated as part of this development. Similar to the Civic land, the proposal notes that the final location and dedication timeline for the school sites shall occur “when the WISD identifies as specific need”. The Applicant is only proposing to dedicate land for future school sites, not participate in the development or construction of the schools.

Notably, the existing zoning requires a minimum of 85-100-acres of land dedication to WISD for up to five (5) Elementary School sites and one (1) Junior High site. The Applicant has noted the reason for the reduction in land dedication is due to between 1,019-acres and 1,926-acres of the subject property being designated as the Active Adult Residential (AA) district. This district is proposed to be age restricted to 55+ year old residents and thus will include little to no school-age children. Staff has concern that 3 Elementary Schools and 1 Middle School site are insufficient to serve the expected population if the Flex District is not comprised exclusively of the age-restricted products. This concern may be exacerbated if the age restriction requirement of the AA district is not sufficiently enforced.

Amenity Centers:

The Concept Plan (Exhibit B) proposed with this development identifies two (2) primary Amenity Center tracts. The Amenity Centers tracts are proposed to be a minimum of 20-acres each. An Amenity Center Tract is proposed for both the Traditional Residential (TR) district and the Active Adult Residential (AA) district. Chapter 6.5.2 of the Planned Development Standards includes design guidelines for the type and minimum number of amenities required with each tract. This chapter also includes construction phasing guidelines for the tract in each district that require construction of the primary amenity center to begin no later than final inspection for the 750th home in the TR district and the 500th home in the AA district respectively. Full build out of the Amenity Center tracts is not proposed until the final inspection of the 2,000th home in the TR district and the 1,500th home in the AA district. The Amenity Centers are proposed to be accessible only by members of the HOA, not the general public

The Developer is obligated to receive Site Plan approval for each Amenity Center tract prior to development. However, Site Plan approval is proposed to occur at the administrative level as opposed to the Planning & Zoning Commission and City Council. With this in mind, it is important to note that the Planned Development Standards do not require the Amenity Center Tracts to be developed as shown in the promotional material provided by the Applicant. This issue is discussed in greater detail in the Staff Concerns section below.

Open Space, Parks, Trails & Amenities:

As per Section 4.4 of the Waxahachie Subdivision Ordinance, residential developments are required to provide a clear fee simple dedication at a pro rata rate of two (2) acres of land for each proposed 100 dwelling units. If followed, this requirement would result in the dedication of approximately 265 acres for public parks with this development. The Applicant has not identified the exact acreage of park land that is proposed to be dedicated to the City. However, based on the Open Space and Trail Plan (Exhibit F), approximately 180-acres of total park land appears to be proposed for dedication. Approximately 45-50-acres of this total are located within the 100-year floodplain. It is important to note that the current Waxahachie requirement prohibits land with extreme topography or land located within a drainage area or FEMA designated 100-year floodplain from qualifying for dedication.

The Applicant has provided an alternative to the typical park land dedication requirement with this PD proposal. Chapter 6 of the Planned Development Standards includes a detailed proposal for Open Spaces, Parks, Trails, and Amenities that are tailored to this Development. The alternative proposal requires a minimum of 400 acres of total “Open Space” for the development. Passive areas such as floodplain, utility easements, and landscape buffers, including those located within street right-of-way (ROW), are proposed to count towards the total Open Space requirement. The amount of passive open space that can contribute to the 400-acre minimum requirement is not capped. Open Spaces are proposed to be accessible to the general public.

For additional context, the existing zoning for the subject property includes a similar requirement for a minimum of 400 acres of “Open Space” that may be comprised of passive areas such as floodplain, utility easements, and landscape buffers in addition to traditional parks. Notably, the existing zoning caps the amount of floodplain that can contribute to this total at 63.3 acres. The proposed Planned Development Standards require each residential plat containing 100 or more lots to provide a minimum of 10% of the total platted area as Open Space. As noted above, both passive and active amenity areas may contribute towards the Open Space requirement.

Open Space, Parks, Trails & Amenities (continued):

The Applicant has identified active amenities and park areas that are proposed to contribute to the minimum Open Space requirement with Exhibit F, the Open Space and Trail Plan. These active amenities include two (2) 20-acre amenity centers, the Waxahachie-Midlothian Regional Trail, a Regional Trail Park, Linear Parks, Specialty Parks, Neighborhood Parks, Pocket Parks, and Gas Line Parks that are proposed to be connected with a trail system.

Each of these active amenity and park areas are defined in detail in Chapter 6 of the Planned Development Standards. This chapter defines each of the amenity elements that are proposed within the development as a whole. Design criteria are provided for each type of park wherein the minimum size and frequency of each park is established along with the minimum number of required amenity elements. The number of required amenity elements is proposed to scale up as park size increases; but no single type of amenity element can comprise more than 25% of the required elements for a park. Per the Open Space and Trail Plan (Exhibit F), each park is proposed to connect to the trail network. All homesites are proposed to be located within 0.5-miles of a park; which is a greater distance than the typical precedent in Waxahachie for homes to be located within 0.25-miles of a park.

The Planned Development Standards and Development Agreement include provisions requiring the Developer to fund and install the portion of the Midlothian-Waxahachie Regional Trail that crosses the subject property. The proposal generally requires construction of the trail to commence once the adjacent section of the trail being constructed by the City is complete; but a definitive construction and dedication timeline for the trail is not provided in the Development Agreement.

While the Planned Development Standards generally define what parks will be present and what amenities may be provided in each type of park, they do not identify the exact location, size, or design of each park. This ambiguity provides flexibility for future park design; but is a concern as it relates to parks that are proposed to be dedicated to the City per the Development Agreement, such as the Specialty Parks and the Regional Trail Park. There is a need for the City to understand the exact size, location, and amenity package for each of these parks at this time so that it can be determined whether City maintenance is feasible and whether City ownership is appropriate. This issue is discussed in greater detail in the Staff Concerns section below.

Ambiguity around the timing of dedication of the Specialty Parks and Regional Trail Parks to the City is also a concern. The Planned Development Standards note that construction of the Specialty Parks and Regional Trail Parks shall commence concurrently with construction of the adjacent residential phase. However, dedication to the City is only proposed with “completion of 50% of homes in the adjacent residential subdivision”. This provision does not result in a definitive timeline for park dedication as it allows dedication to be delayed indefinitely if lots in the adjacent residential phase are left undeveloped. This has the potential to delay required amenities for adjacent residents and negatively impact City efforts to plan for maintenance obligations. This issue is discussed in greater detail in the Staff Concerns section below.

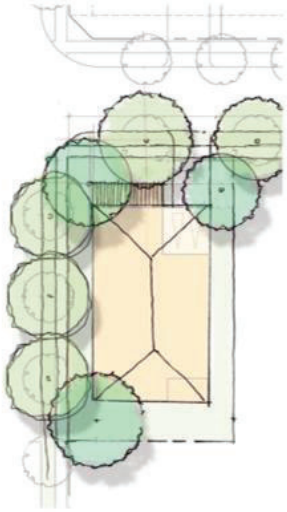
Additionally, the Applicant has clarified with the most recent revisions to the proposal that the Developer does not intend to develop the Specialty Parks as previously conveyed to staff. The Developer only intends to dedicate land for the parks with limited landscaping, irrigation, and fencing improvements. The revised proposal now requires the City to fund and construct Specialty Park field, sports court, restroom, seating, pavilion, trash receptacle, drinking fountain, bike rack, and parking improvements. This revised proposal is a major concern and exacerbates staff concern with the Developers intent to complete and deliver the other parks discussed above.

Park Land Dedication Fees:

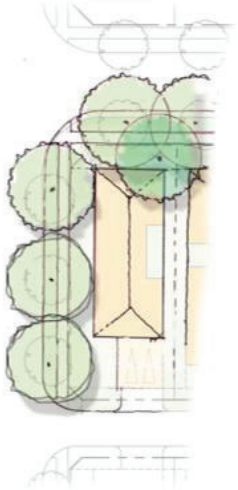
As noted above, residential developments are typically required to provide a clear fee simple dedication at a pro rata rate of two (2) acres of land for each proposed 100 dwelling units. Alternatively, a cash in lieu of park land dedication payment can be made at $400.00 per dwelling unit. For context, the total cash in lieu of park land dedication fee for this development is estimated at $5,308,000.00. The Applicant requests that the Open Space, Park, and Amenity proposal for the development satisfy the requirement for either direct park land dedication or cash-in-lieu fees.

Landscaping & Screening:

To accommodate the small size of the majority of single-family residential lots proposed with this development, the Applicant has included alternative residential landscape requirements in the Planned Development Standards. Lots greater than 50' in width with detached housing products are required to have two 3" canopy trees in the front yard and one 2" canopy tree in the rear yard. Lots less than 50' in width and those with attached products are required to have one 3" canopy tree in the front yard and one 2" canopy tree in the rear yard. The exhibit below identifies typical examples of street and interior trees on residential lots.



Lots Greater than 50' in Width

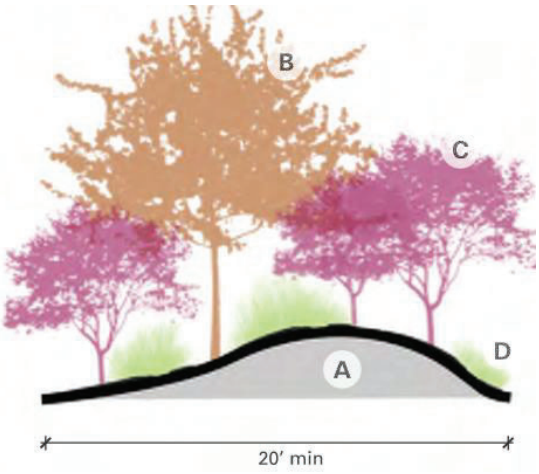


Lots 50' or Less in Width

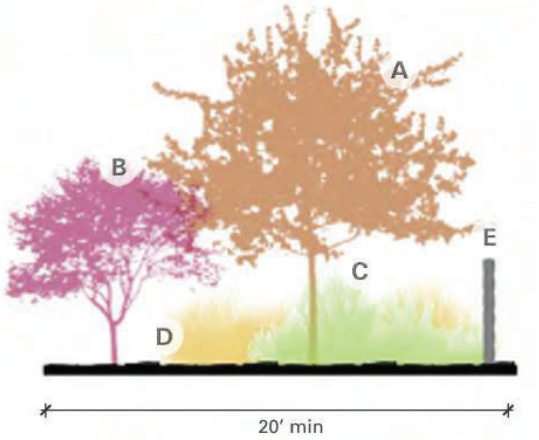
Street canopy trees a minimum of 3" in caliper are required to be planted in the right-of-way (ROW) in all PD districts, with the exception of areas developed as Cottage Lots. The Planned Development Standards also require Street Trees to be planted and irrigated in boulevard medians and right-of-way islands at a rate of one tree for every 1,000 square feet of median area. The Planned Development Standards also require a combination of canopy trees, ornamental trees, and shrubs to be planted in landscape bump-outs at regular intervals in the ROW of Enhanced Local Streets. Landscaping and irrigation that is located within the ROW is required to be installed concurrently with the public infrastructure in the ROW. These proposals for landscaping in the ROW are an enhancement to the current landscape requirements of the Waxahachie Zoning Ordinance.

Landscaping & Screening (continued):

The Planned Development Standards also include alternative screening proposals for major thoroughfares and non-residential uses. The Waxahachie Zoning Ordinance typically requires single family residential lots that are adjacent to major thoroughfares or non-residential uses to be screened by a 6' masonry wall. If strictly followed, a masonry screening wall without a supporting buffer area and landscaping can result in an undesirable aesthetic condition along thoroughfares and between land uses. The Screening Plan (Exhibit G) proposed by the Applicant replaces the typical screening wall requirement with a requirement for a 20' landscaped buffer intended to enhance the development. Screening Option 1 is proposed along major thoroughfares. The Option 1 buffer is required to include a 3' berm along with evergreen trees and shrubs at regular intervals. Screening Option 2 is proposed between residential and non-residential districts. The Option 2 buffer is required to include evergreen trees, 6'-8' Midstory plants, and shrubs at regular intervals. Option 2 also allows for the substitution of Midstory plants for a 6' masonry wall, if the 20' landscape buffer is still provided. A third screening option has been proposed with the latest revision to the Planned Development request. Screening Option 3 is proposed along the perimeter of subject property as seen in Exhibit G and is comprised a minimum 15' wide vegetated buffer with canopy trees, ornamental trees, and native shrubs at regular intervals.



PRIMARY SCREENING TYPE - 1



PRIMARY SCREENING TYPE - 2

Tree Preservation:

The Applicant has included a tree preservation provision with the Planned Development Standards. The provision limits tree removal in park and open space tracts that are on the City of Waxahachie Recommended Plant List. Specifically, the provision requires City review of all plans to remove trees from the list that are 8" in caliper and larger. This provision is necessary to avoid the clear cutting of trees and vegition in open space and amenity areas that cannot be easily replaced. It is important to note that this provision does not apply to the two primary Amenity Center tracts.

Floodplain

The subject property is immediately adjacent to Waxahachie Creek and approximately 45-50 acres of the property is located within FEMA designated 100-year Floodplain. Development within the 100-year Floodplain is subject to Appendix B (Flood Damage Prevention) of the City of Waxahachie Code of Ordinances as amended. Generally speaking, a very limited amount of activity can occur within the 100-year floodplain so as not to impact flooding along Waxahachie creek. Due to this, the Applicant proposes to incorporate all portions of the subject property within the 100-year floodplain in the Regional Trail Parks. As mentioned above, the Regional Trail Parks are proposed to be dedicated to the City and contain the Midlothian-Waxahachie Regional Trail. All proposed park and trail improvements within, and adjacent to, the 100-year floodplain are subject to review and approval by the Public Works and Engineering Department.

Architectural Styles:

Architectural design standards and exterior construction material standards are provided with Exhibit K of the Development Agreement. Exhibit K establishes these detailed standards for single-family residential homes; but does not provide the same degree of detail for non-residential and multi-family structures. The limited specificity for non-residential and multi-family structures is likely to result in development that is not architecturally compatible with adjacent single-family neighborhoods.

The Applicant proposes six (6) unique single-family home styles for use within this Planned Development. The home styles include Texas Farmhouse, Texas Craftsman, Texas Hill Country, Texas Tudor, Texas Colonial Revival, and Texas Victorian. To provide an opportunity for variety within each home style, a spectrum of design standards is proposed for Traditional, Transitional, and Bold versions of each home style. The proposed Design Guidelines also establish three (3) tiers of key architectural elements that are required to be incorporated into the design of a home in order for it to be considered a particular style. Graphic representations and example imagery are provided alongside these elements in Exhibit K to reduce ambiguity. It is important to note that Exhibit K does not require all single-family homes to utilize the Waxahachie standard of 75% masonry exterior construction materials. By contrast, Exhibit K establishes a minimum masonry exterior material requirement ranging from 0% to 50% based on the style of home.

Exhibit K also established alternative anti-monotony (or lot skip) requirements for the proposed development. The current Waxahachie Zoning Ordinance prohibits the same elevation from being duplicated within six (6) lots in either direction on the same blockface, directly across the street, and four (4) lots in any direction. The requirement reduces monotony by preventing the same home from being frequently repeated within a neighborhood. The Applicant proposes to only prohibit the same elevation immediately to either side of a lot, or directly across the street. Further departing from current minimum Waxahachie Standards, Exhibit K permits a change in color scheme to be considered a change in elevation for the purpose compliance with anti-monotony requirements. The current Waxahachie Zoning Ordinance requires architectural or structural differences to be present for an elevation to be considered changed. This proposal is a significant concern for staff that is discussed in greater detail below.

In regards to non-residential and mixed-use structures, Exhibit K provides design guidelines that are largely based on the current requirements of the Waxahachie Zoning Ordinance. The exhibit does not include requirements for the use of specific architectural elements, masonry products, or color palettes that are complimentary to the standards proposed for single-family homes. Similarly, Exhibit K includes language that generally requires pedestrian friendly streetscape design; but falls short of detailing specifically how street and sidewalk furnishings should be installed in the MU district to create a walkable, retail-oriented development. The lack of implementation guidelines leads to concern that intended installation of these design requirements and streetscape elements will not occur. This concern is also discussed in greater detail below.

Master Plan Review & Building Permitting:

The Development Agreement (Section 6.12(d)) includes provisions to establish a Master Approval process for building permits that operates outside of the City's typical Building Permitting process. The process is intended to allow the Developer to submit a set of Master single-family residential Floor Plans for review and approval ahead of the submission of a typical building permit. Once a Master Floor Plan is approved, the proposal obligates City approval and issuance of a building permit for a home utilizing the floor plan.

The proposal specifically obligates building permit review and issuance timelines for the life of the project without regard for potential local, state, or IBC changes that may impact permitting processes in the future. The proposal does not include requirements for the developer to provide any more rigorous building standards that may justify an expedited plan review process. The proposal introduces potential pitfalls and loopholes in the permitting process that are likely to lead to design monotony. Additionally, the proposal authorizes the developer to receive permit approval by third-party plan reviewers and obligates the City to accept the determination of the third-party without the opportunity for further review by City staff. This particular aspect of the proposal is likely to negatively impact the City's ability to properly review building permits and ensure up-to-date International Building Code (IBC) compliance through the life of the development. Staff concern with this proposal is addressed in greater detail in the Staff Concerns section below.

Signage:

The Applicant proposes to establish unique signage guidelines for the development via Signage standards (Chapter 10, Planned Development Standards) and a Signage Plan (Exhibit I). The Planned Development Standards establish written guidelines for a variety of signs that are not currently defined and/or not currently permitted by the Waxahachie Zoning Ordinance. These signs include Primary Entry, Secondary Entry, Tertiary Entry, Residential Navigation, and Directional signs that are proposed to take the form of large monuments. Due to the proposed size, proximity, and purpose of each of these signs, it was necessary for the Applicant to propose guidelines outside of the framework of the existing Waxahachie Zoning Ordinance. Exhibit I can be referenced for greater detail and a graphic representation of each sign.

Thoroughfare Plan:

The Applicant has provided a Thoroughfare Exhibit (Exhibit D) with this PD request that identifies the major thoroughfares proposed within subject property. The thoroughfares proposed on the subject property are generally consistent with the 2024 Waxahachie Thoroughfare Plan. The proposal includes two primary 120' Major Arterial thoroughfares in North-South and East-West directions. The North-South Major Arterial is proposed to extend from FM 1446 to FM 875; while the East-West Major Arterial is proposed to extend from the Brookside Road bridge to Lone Elm Road.

Additionally, 80' and 60' Collector thoroughfares are proposed throughout the subject property. A 72' "Enhanced Local Street" with on-street parking and upgraded landscaping is proposed to serve as a ring road around the center of the development. The Enhanced Local Street is a proposal unique to this development and is not found in the 2024 Waxahachie Thoroughfare Plan. Notably, the current proposal does not include specific right-of-way (ROW) dedication or improvement requirements for thoroughfares on the border of the development such as FM 875, FM 1446, or Lone Elm Road. Staff has informed the Applicant that ROW dedication, and potential improvements, for these thoroughfares is required with this development per the 2024 Waxahachie Thoroughfare Plan. At the time of this staff report, the Applicant has not revised the PD proposal or Traffic Impact Analysis (TIA) to include the appropriate improvements for these thoroughfares.

Access:

The Applicant's proposal to access the subject property is based primarily on the intersection of Brookside Road and I-35E. Beyond this intersection, the proposal includes two (2) direct connections to FM 875 to the north and one (1) direct connection to FM 1446 to the south. The proposal also includes one (1) additional future connection to FM 875 and FM 1446 via Lone Elm Road. However, these future connections via Lone Elm Road are proposed at full-build out of the development and do not currently include improvements to Lone Elm Road by the Developer.

The Applicant proposes to support the initial phases of the proposed development by building only two-lanes (one lane per direction) of the Major East-West Arterial thoroughfare extending from the Brookside Road bridge. Staff contends that the intersection of Brookside Road and I-35E alone cannot properly support any development of the subject property. Staff subsequently requested that a secondary connection to FM 875 be made with the initial phase of development. To address this concern, the Applicant has added a Chapter to the Planned Development Standards (9.2.1) requiring an "access route" in the form of a "public street, fire lane, or temporary all-weather access" be provided from I-35E to FM 875 prior to the issuance of the first Certificate of Occupancy (CO) in the development. Staff has requested that the "all-weather" language be revised to "asphalt" or "concrete".

Traffic Impact Analysis (TIA):

The Applicant has provided a TIA for the proposed development to address traffic demands generated by the development. Staff provided the latest round of technical comments on the TIA on November 25th, 2025. At the time of publishing of this report Staff still has major concerns with the TIA, specifically with regard to the lack of necessary roadway improvements proposed by the report. The TIA does not sufficiently mitigate or resolve the traffic impact directly generated by the proposed development.

The TIA stresses that only a high-level analysis of traffic demands could be conducted at this time due to the conceptual nature of the current proposal. The TIA focuses almost primarily on the on-site roadway improvements needed to support the proposed development. The TIA states that the on-site thoroughfare proposal (Exhibit D) is sufficient to support full build-out of the development. The TIA also notes that Phases 1-2 (1,582 lots) of the proposed development can be supported by a two-lane (one lane per direction) east-west thoroughfare extending from the Brookside Road bridge alone. As noted previously staff contends that the Brookside Road and I-35E intersection alone cannot properly support any development of the subject property and requested that a secondary connection to FM 875 be made with the initial phase of development. The Applicant has not addressed this concern in the TIA directly.

The TIA does not include sufficient analysis of major adjacent intersections and does not identify all off-site improvements for which it is the Developer's responsibility to fund and install. Off-site improvements are necessary to support the traffic generated by the proposed development; such as improvements along FM 875, FM 1446, the Brookside Road bridge, or I-35E service roads. As these items were not sufficiently analyzed with the TIA, the TIA also falls short of stating that the Developer is responsible for funding and constructing any off-site roadway improvements needed to support the proposed development.

The TIA recommends that detailed studies be conducted with the development of every 1,000 lots on the subject property to ensure planning and development of the appropriate roadway infrastructure occurs as the property develops. However, with the latest update, the Applicant has introduced a clause stating that the Developer will not be responsible for funding or constructing any roadway improvements (on-site or off-site) that are not specifically identified at this time. This is a major concern and contrary to the process used in the City. This issue is addressed by Condition 1 below.

Street Sections:

The Applicant has provided a Street Section Exhibit (Exhibit E) and detailed Street Design standards (Chapter 9, Planned Development Standards) for each proposed thoroughfare and street type within the development. The Exhibit includes graphics that identify the proposed drive-lanes, landscape buffer (parkway), and sidewalk/trail width for each street type. Where applicable, the exhibit identifies the width and location of landscaped medians and on-street parking. The proposed street sections are generally consistent with those identified in the 2023 Waxahachie Comprehensive Plan. The proposal for Arterial and Collector streets deviates slightly from the recommendations of the Comprehensive Plan by reducing the width of landscape buffers to accommodate wider lanes and sidewalks in some instances. Exhibit E also includes proposed alley sections for both residential and non-residential conditions.

Phasing:

The Applicant has not included a definitive Phasing Plan in the PD request for property. The Phasing Plan attached as Exhibit P is only conceptual and subject to change as development occurs. However, the Applicant has indicated that development of the subject property is anticipated to occur over at least thirty-nine (39) phases. Development of the subject property is generally expected to occur from east to west, beginning near the intersection of Brookside Road and Interstate 35E. There is no specific provision in the PD that requires development to progress from east to west; but the Development Agreement proposed for property does include several exhibits that summarize the initial infrastructure needed to develop "Phases 1-5" on the eastern portion of the property. Full buildout of the development is anticipated to take 15-20 years.

Comprehensive Plan Compliance:

The subject property is primarily situated within the Mixed Use Neighborhood placetype, as defined by the 2023 Waxahachie Future Land Use Plan (FLUP), with portions of the property identified under the Residential Neighborhood and Regional Commercial placetypes as well. Based on the current status of the documents submitted to support this proposal, staff has determined that the proposal is not compliant with the intent of the 2023 Waxahachie Comprehensive Plan. The proposal does not provide the range of housing, site design criteria, or integration of residential, employment, and retail opportunities that is necessary to result in the development pattern identified by the Mixed Use Neighborhood placetype. Due to the presence of large exclusively residential PD Districts, the proposal represents a barrier to compliance with the Comprehensive Plan by eliminating the residential, employment, and retail integration established by the current zoning of the subject property.

Development Agreement & Municipal Management District (MMD):

A Municipal Management District, or MMD, is special district designed to allow for specific improvements, and maintenance of said improvements, on a property. The Texas Commission on Environmental Quality (TCEQ) is responsible for authorizing and overseeing the MMD along with the City. MMD's are financed by an additional assessment levied against the property owners within the district. In a practical sense, future property owners in the proposed development would recognize the MMD as an additional "tax". The MMD functions by allowing the district (Developer) to issue bonds to fund the construction of public and semi-public infrastructure for the development. These bonds typically have 30-year lifespans are repaid by the assessments levied on future property owners within the district. A MMD may be used to maintain infrastructure in perpetuity, resulting in a perpetual assessment on members of the district, or may dissolve once the bonds are repaid.

Development Agreement & Municipal Management District (MMD) continued:

The Kemp Tract proposal includes a request for a Development Agreement to establish a MMD district to fund a wide range of infrastructure improvements on the property. The MMD assessment proposed for this development is $0.72 per $100 of taxable assessed value. This assessment rate is equivalent to approximately 118% of the current City property tax rate of $0.61 per $100.

It is important to note the extent to which the proposed MMD effects the zoning change request and vice versa. The Applicant proposes to utilize the MMD to fund construction and maintenance of a wide range of public streets, utilities, parks, trails, amenities, greenbelts, screening, and signage that are an integral part of the PD. A change to the MMD has the potential to significantly impact the final PD proposal or the ability of the developer to deliver the improvements required by the PD. Furthermore, the architectural and building material design guidelines for the structures proposed with this zoning request are enforceable only with the Development Agreement, not the PD itself. For these reasons, the PD proposal should not be approved without concurrent consideration and approval of the Development Agreement and MMD.

With such a significant assessment rate, it should be expected that the development provides the absolute highest possible level of value, quality, and design for future residents. Staff has concern that the proposed $0.72 MMD assessment rate is not justified by the quality of the current PD proposal. Staff is also concerned that a fully informed decision regarding the MMD cannot be made at this time due to the lack of detail provided for the capital costs and long-term maintenance costs of the MMD. Without a full breakdown of capital costs at this time, it cannot be determined how MMD funds are proposed to be appropriately allocated or whether the proposed assessment rate is reasonable. These concerns are discussed in greater detail below.

PRIMARY STAFF CONCERNS

The items discussed below represent the primary outstanding staff concerns that remain with the current PD proposal. Each of the concerns below have been extensively discussed with the Applicant and the Applicant's response to each concern is provided for additional context.

Brookside Road Chokepoint:

The primary access point for the property is the intersection of Brookside Road and I35E. This intersection is not sufficient to handle the traffic generated by initial phases, not to mention build-out conditions, due to the size of the Brookside Road bridge and the configuration of I35 entry/exit ramps and service roads. The TIA provided by the developer does not sufficiently address this issue and only identifies a need for restriping of the Brookside Road bridge at the end of the second phase (1,582 lots); which is inappropriate. The TIA also falls short of identifying all necessary off-site improvements for which it is the Developers responsibility to fund and construct based on the traffic directly generated by the development. If left unaddressed, the traffic issues created by this intersection will be untenable once development occurs.

- *Staff Recommendations:* Prior to approval of the PD request, require the Developer to provide a complete TIA that identifies the improvements needed to mitigate the Brookside Road bridge chokepoint in the immediate, interim, and build-out phases of the development. Specifically, the TIA should identify the improvements needed for the Brookside bridge, I35 entry/exit ramps, and the replacement of the I35 "jug-handle" service roads. The TIA should also identify when specific improvements need to be completed. The PD proposal should be revised to clearly identify the developer as the entity responsible for said improvements.

Brookside Road Chokepoint (continued):

- *Applicant Response to Concern:* The Applicant has acknowledged concerns related to roadway infrastructure and has committed to evaluating off-site improvements that are necessary to facilitate the development. However, the Applicant has not committed to being solely responsible for the funding and installation of the necessary improvements and the revised TIA provided in November of 2025 does not address staff concerns.

MMD Details:

Staff is concerned that insufficient financial details have been provided with the MMD proposal for a fully informed decision to be made on the MMD rate ($0.72) and approval of the MMD generally. The MMD proposal only includes general capital costs for water, wastewater, roadway, and stormwater infrastructure beyond Phase 6. Estimated maintenance costs for MMD maintained improvements such as trails, parks, etc. are not included. It is typical for proposals that include a request for a special district, such as a Public Improvement District (PID) or MMD, to include a fully detailed cost breakdown for all special district improvements at the time the zoning of the subject property is considered. For example, the most recently approved PID in Waxahachie, the Montclair Heights PID, included a fully detailed opinion of probable cost breakdown for all infrastructure proposed to be funded by the PID. This level of detail allowed the City to understand the full cost of the proposed infrastructure and exactly how the funds of the special district are allocated to be spent. Without this additional detail, the proposed MMD assessment rate of $0.72 cannot be justified.

- *Staff Recommendation:* Prior to approval of the PD request, require the Developer to revise the Development Agreement (Exhibits J-3 and J-4) to include full detail on the anticipated construction costs for all street, utility, drainage, park, landscaping/irrigation, screening, and signage infrastructure and associated construction costs proposed for the development. The additional detail should include anticipated debt service costs for all pieces of infrastructure included in the MMD.
- *Applicant Response to Concern:* The Applicant has noted that the requested information cannot be provided up front with this proposal and contends that the information currently provided in Exhibits J-3 and J-4 are sufficient to approve the MMD request.

Long Term Maintenance Obligations:

The proposal for division of ownership and maintenance responsibility for MMD infrastructure, including street, utility, park, trail, amenity, greenbelt, screening, irrigation, and signage improvements, has not been finalized. No maintenance cost estimates for these infrastructure items have been provided as part of the MMD request. Maintenance cost estimates for these infrastructure items are necessary for the City to understand what long-term financial obligations will be the respective responsibility of the City, MMD, and HOA. Without this information, the proposed MMD assessment rate of $0.72 cannot be properly evaluated.

- *Staff Recommendations:* Prior to approval of the PD request, require the Developer to revise the Development Agreement to include full detail on long-term maintenance costs for all infrastructure items identified in Exhibits J-3 and J-4, including street, utility, drainage, park, landscaping/irrigation, screening, and signage infrastructure that is proposed to be maintained in perpetuity by the City, MMD, or HOA. Additionally, require the Developer to revise the Development Agreement (Exhibit N) to require MMD or HOA maintenance of the Waxahachie Regional Trail Park and Specialty Purpose Parks (Sports Park).

Long Term Maintenance Obligations (continued):

- *Applicant Response to Concern:* The Applicant has noted that the requested information cannot be provided up front with this proposal and contends that the information currently provided in Exhibits J-3 and J-4 are sufficient to approve the MMD request.

Utility Infrastructure Clarity:

Staff is concerned that insufficient detail has been provided with regard to the proposal for wastewater infrastructure needed to serve the development. A final proposal identifying the specific wastewater infrastructure required to support the development has yet to be finalized. This information is needed prior to final consideration of the MMD, as it has the potential to significantly impact the MMD rate.

Additionally, the applicant is seeking to "double-dip" on reimbursements for the cost of constructing utility infrastructure needed to serve the development. Specifically, the developer is seeking to be reimbursed by both the MMD District and by the City via Impact Fee Reimbursement for certain pieces of utility infrastructure. This proposal only benefits the Developer financially and serves as an additional burden on the City due to the fact that the City will be left with little to no impact fee funds to support other necessary capacity expansion projects in the service area. Staff has requested that the applicant specify individual infrastructure items for exclusive reimbursement through either Impact Fees or the MMD; but not both. The Applicant has declined this request and intends to proceed with a proposal for "double-dip" reimbursements. The Applicant is also seeking Impact Fee credits and reimbursement from the City for utility infrastructure that is not on the City's 5-year Capital Improvement Plan (CIP) or Impact Fee Report. State law obligates the City to provide impact fee credits or reimbursement for infrastructure identified in the CIP or Impact Fee Report; but the City is under no obligation to provide credits or reimbursement for infrastructure outside of the CIP or Impact Fee Report. These requests by the Applicant can be referenced further in Exhibit P of the Development Agreement.

- *Staff Recommendations:* Prior to approval of the PD request, require the Developer to provide a complete (on-site & off-site) proposal for wastewater improvements. This should include financial details in addition to technical design details. This should also account for interim infrastructure, if the final proposal includes temporary or interim conditions. The revisions should also specify infrastructure elements that are eligible for reimbursement through either the MMD or Impact Fees; but not both. Staff recommends eliminating the potential for "double-dip" reimbursement from the proposal entirely. Staff also recommends that the Development Agreement be revised to eliminate the obligation for the City to provide Impact Fee Credits or Reimbursements for infrastructure not identified on the 5-year CIP or Impact Fee Report.
- *Applicant Response to Concern:* The Applicant has committed to addressing off-site infrastructure needs; but has not yet finalized a definitive proposal to address this concern. With regard to "double-dipping" on reimbursements, the Applicant has declined to eliminate the proposal and intends to proceed with a request for "double-dip" reimbursements.

Administrative Amendments:

The Planned Development Standards include language that obligates the City Council to approve amendments the development at the request of Developer. Staff contends that this is inappropriate as the amendments have the potential to change the character and form of the development without discretionary City Council input. For example, provisions obligate the City Council to approve up to a 10% change of any numerical standard in the development, an increase of maximum residential density from 3.95 dwelling units per acre (DUA) to 10 DUA, and the conversion of PD Districts. These proposals are well beyond the typical threshold for non-discretionary amendments and staff is concerned that these proposals are not appropriate considering the scale and characteristics of the proposed development.

- *Staff Recommendations:* Prior to approval of the PD request, require the Developer to revise the Planned Development Standards to require discretionary City Council approval of all PD Amendments. Additionally, require revisions to the Planned Development Standards to eliminate language allowing for the conversion of PD Districts other than the Flex Residential (FR) District without approval of a PD Amendment by City Council. Furthermore, require revisions to the Planned Development Standards to eliminate language allowing for an increase in single-family residential density above 3.95 DUA without discretionary City Council approval.
- *Applicant Response to Concern:* The Applicant has acknowledged staff concerns and committed to revising the Planned Development Standards following the November 10, 2025 Planning & Zoning Commission meeting; but failed to require discretionary City Council approval of PD Amendments with the revised submittal provided to staff on November 18, 2025. Notably, the Applicant is only agreeable to the Public Hearing Process for Major Amendments.

Master Plan Review (Building Permits):

Staff has serious concern with a provision in the Development Agreement that establishes a Master Plan Review process exclusively for this development that replaces the City's current Building Permitting process. The proposal introduces potential pitfalls and loopholes in the permitting process that would negatively impact the City's ability to properly review building permits and ensure up-to-date International Building Code (IBC) compliance through the life of the development. The proposal obligates permit review and issuance timelines for the life of the project without regard for potential local, state, or IBC changes that may impact permitting processes in the future. The proposal does not include requirements for the developer to provide any more rigorous building standards that may justify an expedited plan review process. Additionally, the proposal obligates the City to accept the determination of the third-party permit reviews without the opportunity for further review by City staff.

- *Staff Recommendations:* Prior to approval of the PD request, require the Developer to revise the Development Agreement to include requirements for elevated building standards in return for an expedited administrative review process. Alternatively, eliminate the proposal for Master Plan Review entirely and utilize the City's existing permitting process. (Elevated building standards are those above and beyond 2021 International Building Code (IBC) requirements. For example, a fire sprinkler system in a single-family home.)
- *Applicant Response to Concern:* The Applicant has acknowledged staff concerns and indicated they are not willing to offer elevated building standards or remove the proposal from the Development Agreement. The Applicant requested to proceed with the provisions for Master Plan Review that are currently present Development Agreement.

Permitted Uses in the MU District:

The narrative provided by the Applicant for the PD request and the promotional material provided by the Applicant identify the Mixed Use (MU) District as a walkable, retail/restaurant-oriented portion of the development. However, the Planned Development Standards include provisions that allow for uses such as Light Manufacturing, Storage Warehouse, and Data Center in the MU District with SUP approval. Staff is concerned that these uses are inappropriate given the intention for this district to cater towards local and neighborhood scale services.

- *Staff Recommendation:* Prior to approval of the PD request, require the Developer to revise the Planned Development Standards to eliminate inappropriate uses in the MU district. (For example, require Light Manufacturing, Storage Warehouse, Data Center, Portable Storage Structure, and related Land Uses.)
- *Applicant Response to Concern:* The Applicant has acknowledged staff concerns and requested to proceed with requiring approval of a Specific Use Permit (SUP) by the Planning & Zoning Commission and City Council for Land Uses that are inappropriate in the MU District.

Mixed Use (MU District) – Acreage & Placement:

The MU tracts proposed with this development are heavily clustered near I-35E, with just one MU tract in the northern and central portions of the development and no MU tracts being proposed in the southern or western portions of the development. Staff is concerned that this proposal falls well below the appropriate standard for total MU acreage and distribution across the development, given the total number of dwelling units proposed. As mentioned in the Planning Analysis section, the existing Emory Lakes PD includes approximately 480 acres of Mixed-Use and Retail tracts for just 8,955 total dwelling units. As noted above, the proposed MU district includes only 133.1-acres, less than half of the acreage provided in the existing zoning. Staff concern regarding the limited acreage proposed for the MU District is exacerbated by the inclusion of a provision in the Planned Development Standards that allows for the conversion of the MU District to a residential district without discretionary City Council approval. In order to provide sufficient local retail and service establishments to serve an expected population of 30,000+ within the development, additional acreage should be dedicated to the MU District and said acreage should be distributed more evenly throughout the subject property.

- *Staff Recommendation:* Prior to approval of the PD request, require the Developer to revise the Concept Plan in the Planned Development and Development Agreement to include additional MU tracts in the central, northern, southern, and western portions of the development at major intersections. A total minimum of 200 acres of MU tracts should be added across these portions of the development, with individual tracts being no less than 15 acres. To ensure the MU District develops as depicted in the Illustrative Plans and as intended by City Council, staff recommends that Site Plan applications for the MU District be required to receive discretionary approval by the Planning & Zoning Commission and City Council.
- *Applicant Response to Concern:* The Applicant has acknowledged staff concerns and requested to proceed with the current Concept Plan. The Applicant has provided a Commercial Market Demand study indicating that the current proposal for MU tracts may be sufficient to serve the commercial needs of the proposed development.

Insufficient Lot Mix:

Staff has concern that the proposal does not include sufficient lot mix standards to avoid a monotonous development pattern and ensure the provision of a wide range of housing options. The Planned Development Standards proposes single family lots that range in minimum size from 2,500 square feet to 10,890 square feet. However, insufficient lot mix standards have been provided to ensure that an appropriate number of lots larger than 6,000 square feet are constructed throughout the development. While lots less than 6,000 square feet in size may be appropriate in large numbers, it is not appropriate for 95% of the 11,880 proposed single-family lots to fall within this size range. The narrative provided by the Applicant strongly suggests the intent of this master-planned community is to provide a wide range of housing types that allow for residents to "age-in-place" and transition to different housing types as life changes demand. However, the narrow range of proposed minimum lot sizes will not accommodate this. The narrow range of minimum lot sizes also restricts the type and size of homes that may be built within the community, further limiting the range of housing that will be available. The minimum standards proposed by the Applicant do not prevent the development of larger lot sizes, if demanded by the market. However, it is much more common for large scale single-family development to occur along the lines of minimum dimensional standards, regardless of market forces, due to the increased density and revenue realized by the minimum standards. Without the inclusion of specific requirements for larger lots, it is unlikely that lots larger than 6,000 square feet will be developed in meaningful numbers across the development. Furthermore, provisions in the Planned Development Standards requiring a mixture of lot types within each phase of the development are substantially below current City requirements and will result in the monotonous repetition of homes. The image to the right is an existing Minto Community in Hilton Head, South Carolina that embodies staff concern regarding monotony resulting from a lack of lot mix.



Additionally, it is important to note that seven (7) of the fifteen (15) proposed lot types feature alley access. Without definitive lot mix requirements, it is impossible to determine how many alley-access lots and alleys themselves may be constructed as part of this development. This is a concern because alleys are considered public infrastructure that will be dedicated to the City for ownership and maintenance. A large number of alleys have the potential to dramatically increase future City maintenance costs related to the development. Due to this, the use of alleys must be responsibly managed by the PD Standards and clearly understood. There are currently no proposed development standards to guide the use or frequency of alleys in the development.

Insufficient Lot Mix (continued):

- *Staff Recommendations:* Prior to approval of the PD request, require the Developer to revise the Planned Development Standards to include requirements for the development of a minimum number of ½ acre+ lots, with minimum dimension and setback requirements mirroring those found in the current Waxahachie Zoning Ordinance. The addition of a requirement for even a small number of larger lots to be integrated throughout the community will have a beneficial impact on the monotony of a development of this scale and will result in an increase in housing diversity. Additionally, require the Developer to revise the Planned Development Standards and Development Agreement to prohibit the duplication of a lot type within: six (6) lots in either direction on the same blockface, directly across the street, and four (4) lots in any direction. This will ensure lots of differing sizes are utilized throughout the development and not strictly in pods or clusters that result in a monotonous development pattern. Finally, require the Developer to revise the Planned Development Standards and Development Agreement to include a maximum percentage of alley-access lots that may be developed. The maximum percentage should be determined by City Council.
- *Applicant Response to Concern:* The Applicant has acknowledged staff concerns and has revised the Planned Development Standards to include a ¼-acre Estate lot. However, the revisions have not gone so far as to require the development of the appropriate number of ¼ acre+ lots

Architectural/Material Controls for MF & MU:

The proposed Planned Development Standards do not contain specific architectural or exterior building material controls. Instead, these controls are provided as part of the Development Agreement. Specifically, the Development Agreement identifies Design Requirements with Exhibit K. This exhibit does not include Architectural/Material controls for multi-family or build-for-rent structures. The lack of specific requirements has a high likelihood to result in multi-family and/or build-for-rent design that appears out of context and incompatible with the rest of the development. When compared to the existing Emory Lakes PD, there is also room for increased specificity with regard to design requirements for the MU District. The current proposal includes vague streetscape requirements for the inclusion of items such as planters, seating, public art, water features, trash receptacles and wayfinding signs in the district; but falls short of identifying exactly how these items will be implemented into the district. Additional detail outlining the manner in which these items will be implemented into the MU district is needed to ensure the district develops in the retail oriented, walkable pattern identified by the Applicants promotional material.

- *Staff Recommendations:* Prior to approval of the PD request**,** require the Developer to revise the Development Agreement (Exhibit K) to include specific architectural and exterior construction material design requirements for multi-family and build-for-rent structures that are complimentary to those proposed for the single-family homes. These standards should be based in descriptive text and supplemented by graphic representations. Furthermore, require the Developer to revise the Development Agreement (Exhibit K) to include design requirements for non-residential and MU structures that result in a more walkable, pedestrian friendly development pattern. For example, require the addition of specific provisions that directly detail how oversized sidewalks, seating, landscape/art, wayfinding signage, lighting and public plazas are to be implemented in the district. The inclusion of specific standards for these items will help promote a pedestrian presence in the district similar to what is seen in downtown Waxahachie.

Architectural/Material Controls for MF & MU (continued):

- *Applicant Response to Concern:* The Applicant has acknowledged staff concerns; but has not revised the proposal to include specific architectural and material controls for multi-family or build-for-rent structures. With regard to multi-family and mixed-use structures, the applicant has revised the Development Agreement to include the same design criteria as the existing Waxahachie Zoning Ordinance; but not the design criteria necessary to result in the desired walkable, pedestrian friendly development pattern.

Anti-Monotony Controls:

The Development Agreement (Exhibit K) utilizes anti-monotony provisions that are based on the language found in the current Waxahachie Zoning Ordinance with regard to single-family home elevation/façade repetition. However, the proposed language reduces the separation requirement for identical homes and identifies a change in color scheme as a sufficient distinction between elevations/façades. Staff has concern that this provision is likely to result in increased monotony in a development of this size. A change in architectural elements alongside, or in addition to, a change in color scheme is required elsewhere in the City.

- *Staff Recommendation:* Prior to approval of the PD request, require the Developer to revise the Planned Development Standards and Development Agreement to prohibit the duplication of a home elevation, regardless of color scheme, within: six (6) lots in either direction on the same blockface, directly across the street, and four (4) lots in any direction. [This is the current requirement of the existing Waxahachie Zoning Ordinance.]
- *Applicant Response to Concern:* The Applicant has acknowledged staff concerns and previously committed to revising the Planned Development Standards and Development Agreement to prohibit the duplication of a home elevation, regardless of color scheme, within: four (4) lots in either direction on the same blockface, directly across the street, and two (2) lots in any direction. However, this revision was not included in the updated the Planned Development Standards and Development Agreement provided by the Applicant on November 18th.

Park Timing & Improvement Specificity:

Staff has concern that the Planned Development Standards and Development Agreement do not include sufficient specificity with regards to park improvements or park improvement timelines. This concern extends specifically to Specialty Parks and parks proposed to be dedicated to the City for ownership and maintenance. For parks proposed to be dedicated to the City, the City needs to understand what amenities will be installed, and when dedication is proposed, in order to determine whether that dedication is appropriate and whether maintenance is feasible. The Development Agreement includes language that would allow park improvements and park dedication to be indefinitely delayed if a portion of the adjacent residential phase is left undeveloped. The City cannot properly prepare for ownership and maintenance of these parks unless the specific park improvements for these areas and the dedication timeline is understood at this time. Furthermore, the update to the proposal provided on November 18th has clarified that the Developer has no intentions to improve the Specialty Parks as previously conveyed. The promotional material for the development and the Planned Development Standards identifies a wide range of park improvements such as sports fields, sports courts, parking, restroom facilities, landscaping, and a variety of other elements. The revised Planned Development Standards now oblige the City to fund and install these elements as proposed to the Developer. The Developer now proposes to only install sod, irrigation, fencing, and lighting prior to dedicating Specialty Parks to the City. This change represents a significant additional burden on the City.

Park Timing & Improvement Specificity (continued):

- *Staff Recommendation:* Prior to approval of the PD request, require the Developer to revise the Planned Development Standards and Development Agreement to identify the specific improvements the developer will install in the Specialty Parks and parks proposed to be dedicated to the City, along with the specific timing of said improvements and dedication. For example, additional language should be added to specify what is included with a "multi-field sports facility". Items such as field dimensions, field equipment, field striping, seating, fencing, sidewalks, landscaping, parking, pavilions, etc. should be identified. To ensure the Specialty Parks are developed as previously represented to the City, Concept Plans for the Specialty Parks need to be provided as Exhibits in the PD and Development Agreement at this time. Additionally, require the Developer to complete park improvements prior to the filing of the Plat for the park property and/or the plat for the adjacent residential phase.
- *Applicant Response to Concern:* The Applicant has acknowledged staff concerns; but has not committed to providing appropriate park improvement plans or park dedication timelines.

"Zoning in the Alternative":

The Developer requests that the proposed PD Zoning only become effective once the Developer closes on the property. This proposal includes a provision that reverts or maintains the current zoning of the property if the Developer never closes. This is referred to as "Zoning in the Alternative" and is an uncommon practice due to the ambiguity it creates around what and when the subject property is actually zoned. If approved, issues may arise if the Developer enters into an extended purchasing process, thereby delaying the effective date of the approved zoning to a time when it may no longer be appropriate. Waxahachie has not approved a "Zoning in the Alternative" request and staff recommends that this request not be granted.

- *Staff Recommendation:* Do not recommend approval for this application with a provision that allows for "Zoning in the Alternative".
- *Applicant Response to Concern:* The Applicant requests to proceed with a provision allowing for "Zoning in the Alternative".

Technical Concerns:

The request includes a number of remaining technical conflicts in the Planned Development Standards, Development Agreement, and the related Exhibits that need to be resolved prior to approval of the request or as a condition of approval of the request. These technical conflicts generally include inconsistent Exhibit references, remaining temporary text or footnotes, and grammatical errors.

- *Staff Recommendation:* Revise the Planned Development Standards and the associated exhibits to address technical concerns. Specific recommendations are included throughout the Conditions below.
- *Applicant Response to Concern:* The Applicant has acknowledged concern related to technical language and formatting for the request and has committed to resolving these items per staff direction. However, the revised Planned Development Standards and Development Agreement has not yet been finalized.

MMD Rate & Value for Future Owners:

The proposed MMD rate of $0.72 is a very high assessment that effectively constitutes an additional tax that is equivalent to approximately 118% of Waxahachie's current property tax rate. With such a significant assessment, it should be expected that the development provides the absolute highest possible level of value, quality, and design for future residents. Staff is generally concerned that the Planned Development Standards and Development Agreement do not include sufficient controls to ensure that the high-quality development characterized by the Applicant's narrative and promotional material will actually be constructed. Based on the current state of the documents provided to support this request, the proposal generally features development requirements below the standards of the existing zoning on the subject property. Without the establishment of appropriate requirements for architectural design, building materials, anti-monotony, lot mix, park improvements and dedication, the MU District, plan review, PD amendments, roadway improvements, MMD capital improvements and long-term infrastructure maintenance, the proposed MMD assessment rate cannot be justified.

- *Staff Recommendation:* Do not recommend approval for this application without requiring conditions 1-75 (all) to be met.
- *Applicant Response to Concern:* The Applicant has acknowledged staff concerns and requested to proceed with the current MMD assessment rate.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 141 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 twelve (12) letters of opposition to the proposed Planned Development zoning change request.

RECOMMENDATION

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

If the Commission is considering a recommendation of approval for the PD request, staff recommends the following conditions of approval.

Conditions:

1. Section 4.6 and Exhibit F-8 of the Development Agreement shall be revised to require the developer to fully fund and construct all roadway improvements deemed necessary by the current and future TIA's (every 1,000 lots) for the life of the development, regardless of whether future improvements are identified in the current conceptual TIA. This requirement shall extend to TxDOT roadways in addition to City roadways.
2. Chapter 3.2 of the Planned Development Standards shall be revised to require all Site Plans to receive approval by the Planning & Zoning Commission and City Council. Final approval shall be at the sole discretion of City Council and not obligatory.
3. Chapter 3.4 of the Planned Development Standards shall be revised to require Amendments to the PD that fall under the "Minor Amendment" or "Minor Text Amendment" categories to receive City Council approval. Final approval shall be at the sole discretion of City Council and not obligatory. Major Amendments to the PD shall be required to follow the Public Hearing and Notice process as defined by Section 2.04(d) of the Waxahachie Zoning Ordinance.

Conditions (continued):

4. Chapters 5.1, 5.1.1, and 5.1.2 of the Planned Development Standards shall be revised to require City Council approval of a Plat for a single-family residential phase of development in the TR, AA, or FR District that exceeds a density of 3.95 dwelling units per acre (DUA). Final approval shall be at the sole discretion of City Council and not obligatory.
5. Chapters 5.2, 5.3, and 5.4 of the Planned Development Standards shall be revised to include requirements for the development of a minimum of 250 ½ acre+ lots, with minimum dimension and setback requirements equivalent to those found in the current Waxahachie Zoning Ordinance.
6. Table 3 of the Planned Development Standards shall be revised to include a Minimum Lot Width requirement for Estate Lot types.
7. Chapters 5.2.2.2 and 5.3.2.2 of the Planned Development Standards shall be revised to require each block to contain a mixture of lot and housing types. The minimum number of different lot and housing types in a given block shall increase as the size of the block increases. For example, a minimum of two (2) lot types and home types shall be required to be used in blocks ranging from 0'-200' in length. A minimum of three (3) lot types and home types shall be required to be used in blocks ranging from 200'-400' in length. A minimum of four (4) lot types and home types shall be required to be used in blocks ranging from 400'-600' in length. A minimum of five (5) lot types and home types shall be required to be used in blocks exceeding 600' in length.
8. Chapters 5.2.2.2, 5.3.2.2, and 5.4 of the Planned Development Standards and Exhibit K of the Development Agreement shall be revised to prohibit the duplication of a home or lot type within: six (6) lots in either direction on the same blockface, directly across the street, and four (4) lots in any direction.
9. Chapter 5.4 of the Planned Development Standards and Exhibit K of the Development Agreement shall be revised to include a maximum percentage of alley-access lots that may be developed, as directed by City Council.
10. Planned Development Exhibit B and Table 2 of the Planned Development Standards Shall be revised to require the minimum total acreage of the MU District to be increased to 333.1 acres.
11. Planned Development Exhibit B, Chapter 5.7 of the Planned Development Standards, and Table 2 of the Planned Development Standards shall be revised to require the addition of MU tracts at major intersections throughout the northern, western, southern, and central portions of the subject property. Individual MU tracts shall be no less than 15 acres.
12. Chapters 6, 6.3.2.4, and 6.3.2.5 of the Planned Development Standards shall be revised to include full design criteria for improvements the Developer will install in the Waxahachie Regional Trail Parks and Specialty Parks, along with the specific timing of said improvements and dedication. For example, revised language should specify the full design of items such as field dimensions, field equipment, field striping, seating, fencing, sidewalks, landscaping, parking, pavilions, etc. for Specialty Parks. Additionally, these chapters shall be revised to include language requiring the Developer to fully fund, install, and complete park improvements prior to the filing of the Plat for Waxahachie Regional Trail Parks, Specialty Parks, and/or the plat(s) for the adjacent residential phases. Furthermore, Concept Plans for the Specialty Parks shall be provided as Exhibits in the Planned Development Standards and Development Agreement.
13. Chapter 6.1.2 of the Planned Development Standards shall be revised to state that it is the Developer's obligation to fully fund, construct, and complete the Open Space, Park Space, Trails, Landscaping, and Amenities identified in Chapter 6 of the Planned Development Standards.
14. Chapter 6 of the Planned Development Standards shall be revised to require completion of all park improvements and dedication of each phase of the Waxahachie-Midlothian Trail Reserve Conveyance prior to the filing of the Plat for the adjacent residential phase.
15. Chapter 6.3.3 of the Planned Development Standards shall be revised to require all homesites to be within 0.25 miles of an open space.

Conditions (continued):

16. Chapter 7.2.1 of the Planned Development Standards shall be revised to require Primary Screening Type 3 to include a 6' masonry screening wall along FM 875 and FM 1446. This chapter shall also be revised to include a minimum landscape buffer width of 15' and groundcover (4" container minimum) at regular intervals.
17. Chapter 9.2.1 of the Planned Development Standards shall be revised to replace the term "all weather access" with "two layers of chip-seal over lime-stabilized sub-grade".
18. Chapter 9.3.2 of the Planned Development Standards shall be revised to specify that the public roadway or access easement in question shall connect from the westernmost extent of the existing Brookside Road to the Nay tract.
19. Exhibit C of the Planned Development Standards shall be revised to prohibit "HUD Code Manufactured Home" and "Modular Prefabricated Structure or Modular Home" Land Uses in all PD Districts.
20. Exhibit C of the Planned Development Standards shall be revised to prohibit "Light Manufacturing", "Storage Warehouse", "Portable Storage Structure or Temporary Building", and "Data Center" Land Uses in all PD Districts.
21. Exhibit C of the Planned Development Standards shall be revised to require SUP approval of "Tavern" and "Furniture Manufacture and Refinishing Shop" Land Uses in the MU District.
22. Exhibit H of the Planned Development Standards shall be revised to eliminate duplicate Typical Lot Diagrams.
23. Section 6.13 of the Development Agreement shall be revised to require adherence to current City insurance requirements.
24. Exhibit J of the Planned Development Standards shall be revised to reference the correct maximum number of dwelling units for the development – 13,270.
25. Exhibit F-3 of the Development Agreement shall be revised to identify that the Developer is solely responsible for funding and constructing all right-of-way (ROW) dedication and roadway improvements called for by the current conceptual TIA or future TIA's.
26. Exhibit F-4 of the Development Agreement shall be revised to identify the multi-modal trail extending from the Waxahachie Fire Station #4 driveway as a 24' wide concrete emergency access route.
27. Exhibit F-5 of the Development Agreement shall be revised to replace the term "all weather access" with "two layers of chip-seal over lime-stabilized sub-grade".
28. Exhibit F-7 of the Development Agreement shall be revised to identify the widening of the Brookside Road bridge over Waxahachie Creek.
29. Exhibit F-8 of the Development Agreement shall be revised to identify all roadway improvements required by a finalized TIA, approved by City Staff. Exhibit F-8 shall specify that the Developer is obligated to fully fund, construction, and complete all roadway improvements identified in Exhibit F-8.
30. Exhibit F-8 of the Development Agreement shall be revised to require the construction of a round-about at the time of the initial construction of the intersection of the East-West Arterial and North-South Arterial roadways.
31. Exhibit F-8 of the Development Agreement shall be revised to require the Developer to fully fund, construction, and complete all roadway improvements identified in the current conceptual TIA and all future TIA's prepared for the development and approved by City Staff. The revision shall specify that the Developer is solely responsible for these obligations, not the City of Waxahachie or TxDOT.
32. Exhibit J-4 of the Development Agreement shall be revised to include full detail on the anticipated construction costs for all street, utility, drainage, park, landscaping/irrigation, screening, and signage infrastructure and associated construction costs proposed for the development. The additional detail shall include anticipated debt service costs for all pieces of infrastructure included in the MMD.

Conditions (continued):

33. Exhibit K of the Development Agreement shall be revised to include specific architectural design and exterior construction material requirements for multi-family, build-for-rent, non-residential, and mixed-use structures that are complimentary to those proposed for the single-family homes.
34. Exhibit K of the Development Agreement shall be revised to include specific provisions that detail implementation requirements sidewalks, seating, landscape/art, wayfinding signage, lighting and public plazas are to be developed in the district.
35. Exhibit K of the Development Agreement shall be revised to include requirements for City Council approval of all Elevation/Façade Plans for Multi-family, Mixed-Use, and non-residential structures in the Planned Development. Final approval shall be at the sole discretion of City Council and not obligatory.
36. Exhibit K of the Development Agreement shall be revised to eliminate provisions allowing for a variation of up to 15% of numerical standards in the exhibit without City Council approval.
37. Exhibit N of the Development Agreement shall be revised to ownership and maintenance of MMD infrastructure in the event the MMD dissolves. The revisions shall specify that infrastructure serving only the private development shall be owned and maintained by the adjacent HOA.
38. Exhibit P, Section 4.4, and Section 4.5 of the Development Agreement shall be revised to eliminate the ability for the Developer to receive MMD reimbursements and Impact Fee credits or reimbursements for the same piece of infrastructure ("double-dip" reimbursements).
39. Exhibit P, Section 4.4, and Section 4.5 of the Development Agreement shall be revised to eliminate the ability for the Developer to receive Impact Fee credits or reimbursements for infrastructure that is not identified on the City of Waxahachie 5-year Capital Improvement Plan or Impact Fee Report.
40. Exhibit P, Section 4.4, and Section 4.5 of the Development Agreement shall be revised to eliminate the ability for the Developer to Impact Fee credits or reimbursement for the dedication of right-of-way (ROW) or easements on the subject property.
41. Exhibit P of the Development Agreement shall be revised to identify the exact pieces of infrastructure for which the Developer requests Impact Fee credits or reimbursement. The revisions shall specify that infrastructure not identified in Exhibit P at this time shall not be eligible for Impact Fee credits or reimbursements in the future.
42. Exhibit P of the Development Agreement shall be revised to eliminate the requirement for the Developer to consent to the addition, removal, or modification of the Capital Improvement Plan (CIP) as it relates to infrastructure on the subject property. The City Council shall retain sole authority to add, remove, or modify infrastructure on the CIP.
43. Exhibit P, Section 4.4, and Section 4.5 of the Development Agreement shall be revised to eliminate the ability for the Developer to receive Impact Fee credits or reimbursements exceeding the amount of Impact Fees collected for the development.
44. Exhibit P of the Development Agreement shall be revised to assign a different section reference for the two (2) sections currently titled "8".
45. The definition of "Public Infrastructure" in Section 2 of the Development Agreement shall be revised to specify what infrastructure is proposed to be owned by the City versus the MMD. The definition shall differentiate infrastructure items that will be owned and maintained in perpetuity by HOA from infrastructure that will be owned and maintained by the City in the event the MMD dissolves.
46. Section 3.1(b), Section 3.2, and Section 4.1 of the Development Agreement shall be revised to prohibit division of the MMD into Sub-Districts without prior approval by City Council. These sections shall specifically state that final approval shall be at the sole discretion of City Council and not obligatory.
47. Section 3 of the Development Agreement shall be revised to specify ownership and maintenance responsibility for infrastructure improvements that will be maintained by the MMD and/or HOA in perpetuity once all MMD Improvement Costs have been fully reimbursed.

48. Section 3.7 of the Development Agreement shall be revised to differentiate infrastructure items that will be owned and maintained in perpetuity by HOA from infrastructure that will be owned and maintained by the City in the event the MMD dissolves.
49. Section 3.10 of the Development Agreement shall be revised to identify City Appointees as two (2) of the five (5) members of the Board of Directors for the MMD.
50. Section 3.11(b) of the Development Agreement shall be revised to eliminate the language "reasonable best efforts" and include language guaranteeing the appointment of two (2) City Appointees to the Board of Directors for the MMD.
51. Section 3.15 of the Development Agreement shall be revised to require review and approval of the City Manager, Finance Director, or their designee, of documents referenced in the section prior to the issuance of debt by the MMD district.
52. Section 4.1 of the Development Agreement shall be revised to identify City Council as the approval authority for MMD Improvement Costs.
53. Section 4.3(d) of the Development Agreement shall be revised to state that it is the Developer's obligation to fully fund, construct, and complete the Open Space, Park Space, Trails, Landscaping, and Amenities identified in Chapter 6 of the Planned Development Standards.
54. Section 4.3(d) of the Development Agreement shall be revised to eliminate the language allowing the HOA to unilaterally modify improvements on City owned property.
55. Sections 4.4(c)(2) and 4.5(d) of the Development Agreement shall be revised to expressly require the Developer to be solely responsible for obtaining off-site easements or rights-of-way needed for off-site utility improvements. All references to eminent domain and/or obligations for the City to utilize eminent domain to secure offs-site easements or rights-of-way (ROW) for the Developer shall be eliminated.
56. Section 4.4(c)(2) of the Development Agreement shall be revised to require City review and approval of all off-site improvement plans.
57. Section 4.4(c)(4) of the Development Agreement shall be revised to eliminate the ability for the Developer to charge the City interest on impact fee reimbursements for utility infrastructure or pro-rata costs associated up-sizing utility infrastructure. Section 4.4(c)(4) shall also be revised to establish a quarterly payment schedule as opposed to a monthly payment schedule.
58. Section 4.4(c)(4) of the Development Agreement shall be revised to specify that the pro-rate share of City improvements to the lift station is 4 MGD out of the 24 MGD total.
59. Section 4.4(c)(4) and Exhibit J-3 of the Development Agreement shall be revised to specify that the Developer is solely responsible for funding, construction, and completion of head works improvements at the Waxahachie Wastewater Treatment Plant.
60. Section 4.6 of the Development Agreement shall be revised to require the Developer to fully fund, construction, and complete all roadway improvements identified in the current conceptual TIA and all future TIA's prepared for the development and approved by City Staff. The revision shall specify that the Developer is solely responsible for these obligations, not the City of Waxahachie or TxDOT.
61. Section 4.6 of the Development Agreement and the TIA for the development shall be revised to identify the specific improvements needed to mitigate the Brookside Road chokepoint in the immediate, interim, and build-out phases of the development. Section 4.6 of the Development Agreement and the TIA shall identify the improvements needed for the Brookside bridge, I35 entry/exit ramps, and the replacement of the I35 "jug-handle" service roads. Section 4.6 of the Development Agreement and the TIA shall identify when specific improvements need to be completed. Section 4.6 of the Development Agreement and the TIA shall also specify that the Developer is obligated to fully fund, construct, and complete the improvements.
62. Section 4.6(a)(2) of the Development Agreement shall be revised to replace the term "all weather access" with "two layers of chip-seal over lime-stabilized sub-grade".

Conditions (continued):

63. Section 4.6(b) and Exhibit F-8 of the Development Agreement shall be revised to require the timing of roadway improvement construction and completion to correspond with the approved TIA for the development, once the TIA is approved by City Staff.
64. Section 4.6(c) of the Development Agreement shall be revised to eliminate the ability for the developer to receive reimbursement through the MMD for right-of-way (ROW) dedication from the subject property.
65. Section 4.7 of the of the Development Agreement shall be revised to eliminate the ability for the Developer to receive Impact Fee credits or reimbursements exceeding the amount of Impact Fees collected for the development.
66. Section 5.1 of the Development Agreement shall be revised to eliminate the language contractually obligating the City to take action on the previously approved Public Improvement District (PID) for the subject property.
67. Section 6.1 of the Development Agreement shall be revised to reference the obligations of Section 4.3(d) of the Development Agreement.
68. Section 6.12(d) of the Development Agreement shall be eliminated.
69. In the event Section 6.12(d) remains in the Development Agreement, the section shall be revised to replace all uses of the term “eliminate” with “promptly”.
70. Section 6.13 of the Development Agreement shall be revised to meet current City insurance requirements.
71. Section 6.19(a) of the Development Agreement shall be revised to include full design criteria for improvements proposed to be constructed by the Developer in parks that will be dedicated to the City for ownership and maintenance as identified in the Planned Development Standards.
72. Section 6.19(b), (c), and (d) shall be revised to require completion of Park Improvements prior to the filing of the plat for the subject property or the adjacent residential phase.
73. Section 10.3(f) of the Development Agreement shall be eliminated.
74. Section 10.8 of the Development Agreement shall be revised eliminate the obligation for the City to provide “unconditional and irrevocable” waiver of governmental immunity.
75. Section 10.20 of the Development Agreement shall be revised require reimbursement of all expenses incurred by the City as it relates to the Development Agreement. This section shall include the language “Such obligation to reimburse the City shall continue until the MMD is dissolved, pursuant to this Agreement”.

ATTACHED EXHIBITS

1. Public Notification Responses
2. Planned Development Standards
3. Exhibit A – Zoning Location Map
4. Exhibit B – Concept Plan
5. Exhibit C – Permitted Uses
6. Exhibit D – Thoroughfare Exhibit
7. Exhibit E – Street Sections
8. Exhibit F – Open Space and Trails Plan
9. Exhibit G – Screening Plan
10. Exhibit H – Typical Lot Diagrams
11. Exhibit I – Signage Plan
12. Exhibit J – Development Tracking
13. Exhibit K – Brookside Road Enlargement
14. Exhibit L – Existing Conditions
15. Exhibit M – Legal Description
16. Exhibit N – Waxahachie-Midlothian Trail Reserve Conveyance
17. Exhibit O – Design Requirements
18. Exhibit P – Phasing
19. Development Agreement (MMD)
20. Required Transportation Improvements and Timing (Development Agreement Exhibit F-8)
21. Impact Fee Credit Agreement (Development Agreement Exhibit P)
22. Supplemental Information
    - Commercial Land Use Analysis
    - Comprehensive Plan Compliance Analysis

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the Applicant shall provide the Planning Department one revised electronic plan set that incorporates all conditions of approval.
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.

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Planning Manager
zking@waxahachie.com

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

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-232-2024

SUN VALLEY CLUB LLC
PO BOX 954
WAXAHACHIE, TX 75168-0954

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 28, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, November 3, 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 Dennis Church, Minto Communities Texas, LLC, for a **Zoning Change** from Planned Development-Mixed Use Residential (PD-MUR), Single Family-1 (SF-1), Future Development (FD), and General Retail (GR) zoning districts to a Planned Development (PD) zoning district, located at 300 Brookside Road (Property ID's 179468, 179534, 182520, 187960, 189323, 189326, 189333, 189336, 192306, 193815, 193822, 193823, 234203, 263786, 264568, 303651, 303652) – Owners: Walton Texas LP, United Presbyterian Homes, William & Leanne Kelley (ZDC-232-2024)

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

Scan for additional information.

Case Number: ZDC-232-2024 **City Reference: 180476**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *October 22, 2025* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☒ OPPOSE

Comments:
I oppose the subject proposed zoning change, subject review of traffic & hyrdrology studies confirmed by the appropriate jurisdictions.

Signature

Robert G. Farris, Sr.
Printed Name and Title

October 11, 2025
Date

6059 E FM 875, Waxahachie, Texas 75167
Address

Scanned with CamScanner

Case Number: ZDC-232-2024 **Item 19&20** **City Reference: 189328**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *October 22, 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.

RECEIVED OCT 2 0 2025

☐ SUPPORT ☑ OPPOSE

Comments:
I am concerned about traffic flow, litter, noise & crime.

Barbara Owens
Signature

11-16-25
Date

BARBARA OWENS
Printed Name and Title

407 BROOKSIDE RD.
Address

Case Number: ZDC-232-2024 **Item 19&20** **City Reference:** 172330

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *October 22, 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.

RECEIVED OCT 20 2025

☐ SUPPORT ☒ OPPOSE

Comments: If they would build out with larger homes and lots and not be so dense, I would be for it.

Signature

10/15/25
Date

Dean Settlemyer Owner
Printed Name and Title

605 Brookside Rd 75167
Address

Case Number: ZDC-232-2024 **Item 19&20** **City Reference: 180734**

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☐ SUPPORT ☒ OPPOSE

RECEIVED OCT 20 2025

Comments:

Signature Catherine Pohlman

Date 10/12/25

Printed Name and Title Gary Pohlman - owner
Catherine Pohlman - owner

Address 1045 Lone Elm Rd.
WAXAHACHIE, TX.
75167

Venissat, Michelle

From: Chris Barnes <barnecd1234@yahoo.com>
Sent: Monday, October 20, 2025 6:54 PM
To: Planning
Subject: Case number ZDC-232-2024

[Some people who received this message don't often get email from barnecd1234@yahoo.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

To whom it may concern

My name is Christopher Barnes son of former Mayor Doug Barnes and I reside at 607 Brookside Road in waxahachie, TX. I oppose this case number zdc-232-2024. My reason is Brookside rd is one way in one way out with no exit points. This development would have to re-configure Brookside rd and the area would not be able to handle the traffic and the influx of homes/people to this area. The infrastructure alone would not be able to equip that many people and homes. This is a bad idea for development.

Thank you

Chris

...Homes, William & Item 19&20 lley (ZDC-232-2024)

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Scan for additional information.

Case Number: ZDC-232-2024 **City Reference: 172320**

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☐ SUPPORT ☑ OPPOSE

Comments: See Comments in Email

Signature

10/20/25
Date

Christopher Barnes
Printed Name and Title

607 Brookside RD
Address

Item 19&20

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-232-2024

LUNA MIREYA
1411 LONE ELM
WAXAHACHIE, TX 75167

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 28, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, November 3, 2025 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Scan for additional information.

Case Number: ZDC-232-2024 **City Reference: 194822**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on October 22, 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:

Mireya Luna.
Signature

10-22-25
Date

Mireya Luna
Printed Name and Title

1411 Lone Elm
Address

returning the bottom portion of this notice, please scan the QR Code or contact the Planning Department at (469) 309-4290 or Planning@Waxahachie.com for additional information on this request.

Item 19&20

Scan for additional information.

Case Number: ZDC-232-2024 **City Reference: 216895**

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *October 22, 2025* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT ☑ OPPOSE

Comments:
This plan will impede Public Roadway Farm Access & create Significant re-routing. Housing density is way too high. We have current Pending Litigation about this issue

Signature

10/21/2025
Date

Terry May
Printed Name and Title

711 Brookside Rd, Wax. TX.
Address

Item 19&20

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-232-2024

NAY TRUST B
PO BOX 605
WAXAHACHIE, TX 75168-0605

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 28, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, November 3, 2025 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Scan for additional information.

Case Number: ZDC-232-2024 **City Reference: 260392**

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☐ SUPPORT ☑ OPPOSE

Comments: Density too high, will impeed Farm/Ranch operations. Entire Farm/Ranch is adjoining To Walton Group - Meritas Devel.

Darrell Nay
Signature

10/23/25
Date

Nay Trust B, Darrell Nay Trustee
Printed Name and Title

1550 F.M. 1446, Waxahachie, TX
Address

Venissat, Michelle

From: terry.nay <terry.nay@att.net>
Sent: Tuesday, October 21, 2025 4:54 PM
To: Planning
Subject: ZDC-232-2024
Attachments: 20251021_153107.jpg

Some people who received this message don't often get email from terry.nay@att.net. Learn why this is important

We are ALL Opposed to the approval of this Zoning Change. Three effected land owners currently have pending litigation in Federal Court in reference to existing Ingress/Egress with The Walton Group and potentially Mentos.

The density of this development is way to high. Future Ingress/Egress, (through a dense sub-division, with normal street parking) will futher be hender and will significantly harm thr existing Farm/Ranch operations of adjoining properties.

Please take these issues into strong consideration for Planning, P&Z and City Council.

Terry Nay,
Darell Nay, Nay Trust,
Robert Ermatinger

Adjoining Property Owners

Sent from my Galaxy

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-232-2024

ANDERSON MARTHA K & MICHAEL W
413 BROOKSIDE RD
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 28, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, November 3, 2025 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Scan for additional information.

Case Number: ZDC-232-2024 **City Reference: 189335**

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☐ SUPPORT ☒ OPPOSE

Comments:

Michael W. Anderson
Signature

Wed. 9/22/25
Date

MICHAEL W. ANDERSON HOME OWNER
Printed Name and Title

413 BROOKSIDE RD.
Address

Waxahachie City Council
401 S. Rogers Street
Waxahachie, Texas 75165

October 20,2025

RECEIVED OCT 24 2025

City Council Commissioners:

My name is Kathy Kacal, I live at 405 Brookside Road in Waxahachie. I am protesting what the Minto Group is trying to build in this area. I am protesting this development because of the following;

1. Traffic and the cutting off the Brookside Road exit.
2. Thinking they can fill in the pond or divert the watercourse.
3. Noise from the traffic and music. . Brookside is a quiet family neighborhood.
4. Trash from the retail and others.
5. Seeing back yards from our front yards.
6. Lighting in the area.
7. Increase of crime in the area.
8. Treating our neighborhood as if we were nonexistent or second-class citizens... examples are available.
9. Also, the fact that Minto is a Canadian owned company. Should we be doing business with some company that is not US owned?
10. There are numerous problems with the building and construction after the sale of the properties/ granted there are some good reviews but the complaints are significant. Again information is available.
11. Their building types do not fit this area's historical view of Waxahachie.
12. I fear for the safety of our families, children, and property with the party lifestyle plan the Minto Company is planning brings, i.e. drunk drivers and obnoxious partiers.

There are already new 55+ housing communities now available in Waxahachie. Why should any more be built which may put a strain on the medical service around the area.

I value the sanctity of my home and the Brookside neighborhood over Minto's pocketbook; therefore, I am protesting any of this development.

Concerned Protesting Brookside Neighbor,

Waxahachie City Council
401 S. Rogers Street
Waxahachie, Texas 75165

October 20,2025

RECEIVED OCT 24 2025

City Council Commissioners:

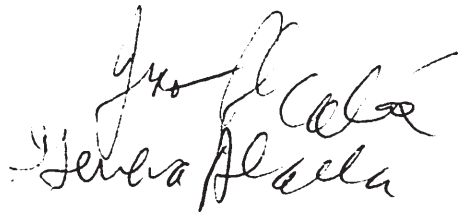
Our names are Jose and Geneva Alcala Jr. , We live at 411 Brookside Road in Waxahachie. We are protesting what the Minto Group is trying to build in this area. We are protesting this development because of the following;

1. Traffic and the cutting off the Brookside Road exit.
2. Thinking they can fill in the pond or divert the watercourse.
3. Noise from the traffic and music. . Brookside is a quiet family neighborhood.
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Concerned Protesting Brookside Neighbor,



Waxahachie City Council
401 S. Rogers Street
Waxahachie, Texas 75165

October 20,2025

RECEIVED OCT 2 4 2025

City Council Commissioners:

My name is Barbara Owens, I live at 413 Brookside Road in Waxahachie. I am protesting what the Minto Group is trying to build in this area. I am protesting this development because of the following;

1. Traffic and the cutting off the Brookside Road exit.
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There are already new 55+ housing communities now available in Waxahachie. Why should any more be built which may put a strain on the medical service around the area.

I value the sanctity of my home and the Brookside neighborhood over Minto's pocketbook; therefore, I am protesting any of this development.

Concerned Protesting Brookside Neighbor,

Barbara Owens

Waxahachie City Council
401 S. Rogers Street
Waxahachie, Texas 75165

October 20,2025

RECEIVED OCT 24 2025

City Council Commissioners:

Our names are Michael and Martha Anderson , We live at 413 Brookside Road in Waxahachie. We are protesting what the Minto Group is trying to build in this area. We are protesting this development because of the following;

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There are already new 55+ housing communities now available in Waxahachie. Why should any more be built which may put a strain on the medical service around the area.

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Concerned Protesting Brookside Neighbor,

Martha Anderson
Michael W. Anderson

Waxahachie City Council
401 S. Rogers Street
Waxahachie, Texas 75165

October 20,2025

RECEIVED OCT 24 2025

City Council Commissioners:

Our names are Jose and Veronica Tovar Jr. , We live at 415 Brookside Road in Waxahachie. We are protesting what the Minto Group is trying to build in this area. We are protesting this development because of the following;

1. Traffic and the cutting off the Brookside Road exit.
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We value the sanctity of our home and the Brookside neighborhood over Minto's pocketbook; therefore, We are protesting any of this development.

Concerned Protesting Brookside Neighbor,

Veronica Tovar

Item 19&20

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-232-2024

RECEIVED OCT 27 2025

KACAL KATHY L
405 Brookside Rd
Waxahachie, TX 75167-2209

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 28, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, November 3, 2025 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Scan for additional information.

Case Number: ZDC-232-2024 **City Reference: 189334**

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☐ SUPPORT ☒ OPPOSE

Comments:
I oppose due to traffic problem, noise, water course, Trash and lighting. All this will affect my home and the entire neighborhood

Kathy Kacal
Signature

10/15/2025
Date

Kathy Kacal
Printed Name and Title

405 Br
Address

DRAFT
111825 KEMP PD DRAFT

"KEMP TRACT" PLANNED DEVELOPMENT

DEVELOPMENT STANDARDS

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CHAPTER 1. TITLE, PURPOSE, FLEXIBILITY, APPLICABILITY
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CHAPTER 3: ADMINISTRATIVE APPROVAL
CHAPTER 4: PD DISTRICT COMPONENTS
CHAPTER 5: DIMENSIONAL STANDARDS
CHAPTER 6: OPEN SPACE, PARKS, TRAILS & AMENITIES
CHAPTER 7: LANDSCAPING & BUFFERS
CHAPTER 8: PARKING REQUIREMENTS
CHAPTER 9: STREET DESIGN
CHAPTER 10: SIGNAGE
CHAPTER 11: EXHIBITS

LIST OF EXHIBITS:

EXHIBIT A – ZONING LOCATION MAP
EXHIBIT B – CONCEPT PLAN
EXHIBIT C – PERMITTED USES
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EXHIBIT M-LEGAL DESCRIPTION
EXHIBIT N – WAXAHACHIE-MIDLOTHIAN TRAIL RESERVE CONVEYANCE
EXHIBIT O –DESIGN REQUIREMENTS
EXHIBIT P-PHASING

CHAPTER 1. TITLE, PURPOSE, FLEXIBILITY, APPLICABILITY

1.1. Title

These Development Standards for the Kemp Tract Planned Development District (the "PD") have been prepared on behalf of Minto Communities Texas, LLC (the "Developer") pursuant to the Waxahachie Code of Ordinances Sec. 7.02 and set forth the applicable land use regulations for the property subject to the PD. These regulations modify both the zoning regulations (Appendix A - Zoning) and the subdivision regulations (Appendix C - Subdivisions) adopted by the City of Waxahachie and codified in the City's Code of Ordinances. Upon final approval of the PD ordinance by the City Council, the Planned Development District is vested in accordance with Tex. Loc Gov't Code Ch. 245.

1.2. Purpose

This PD is to provide an alternate set of standards to the Emory Lakes Planned Development District to enable an optional development consisting of a comprehensive master planned community within the Property. This PD document establishes specific development standards for both a distinctive Active Adult Community and a Traditional Master Planned Community and establishes development regulations in conjunction with the Waxahachie Code of Ordinances through specific development, design, and engineering standards such as:

- Providing a PD document that can respond to current market conditions and maintain the flexibility necessary to address changes in the future;
- Incorporating residential single-family lots and innovative forms of housing types that have been proven successful in other Active Adult communities;
- Including a diversity of housing types that range from single-family detached homes to clusters of paired cottages, paired villas, single-family attached, and Multi-Family housing based on a market-driven program;
- Including a well-defined network of vehicular, bicycle, and pedestrian circulation systems that provide connectivity, not only within the project itself but also to adjacent land uses;
- Incorporating amenity centers which will include uses such as a fitness center, resort-style pool, restaurant, and concert venue;
- Developing an internal park system that will include walkable trails and significant open space that will contribute to the residents' quality of life; and,
- Incorporating golf cart pathways as a component of the street and trails system within the development.

An Active Adult Residential District is tailored to the needs of Active Adults through specific architecture, design, and engineering standards. The term "Active Adult" is defined as an age-qualified planned community, as permitted by law, that offers homes and community features and amenities that are oriented to adults aged 55 years and older.

1.3. Applicability

1.3.1 The property subject to these Planned Development standards consists of approximately 3,169 acres, generally identified in the Zoning Location Map in **EXHIBIT A- ZONING LOCATION MAP** and more particularly described in **EXHIBIT M - LEGAL DESCRIPTION** (the "Property"). Existing conditions are as shown in **EXHIBIT L- EXISTING CONDITIONS**.

1.3.2 This PD District is being created as a freestanding district. Development of the Property shall be in general conformance with **EXHIBIT B – CONCEPT PLAN** and the standards in this PD document, exhibits and accompanying documents. In the event of a conflict between the written text and the illustrations within this document, the written text contained herein shall control.

1.3.3 This PD document shall be the governing document for development of the Property and in the event of any conflict or inconsistency between the Waxahachie Code of Ordinances and this document, the terms and provisions of this PD shall control. This PD document is a vesting document for purposes of Chapter 245 of the Texas Local Government Code.

1.3.4 "PD" is used to refer to the "PD District," unless otherwise specified. References to the term "PD" mean either the physical area designated as the PD District or these PD Development Standards as a regulatory instrument, depending on the context.

1.3.5 All "Section" (Sec.) references are to the Waxahachie Code of Ordinances unless otherwise stated.

CHAPTER 2. COMPLIANCE WITH THE CITY'S COMPREHENSIVE PLAN

2.1. Compliance with the City's Comprehensive Plan

This PD is in compliance with the City's Comprehensive Plan and meets or exceeds Goals and Objectives identified throughout the Waxahachie Comprehensive Plan. The Property is divided into five different PD zoning districts that will create an appropriate mix of land uses. The boundaries of each district are indicated on **EXHIBIT B – CONCEPT PLAN**. (Refer to **EXHIBIT C – PERMITTED USES** for the approved uses within each district). The five districts reflect the land use designations consistent with the City's Future Land Use Plan (FLUP). Proposed public land uses (schools & civic uses) shall be provided as set forth herein.

CHAPTER 3. ADMINISTRATIVE APPROVAL

3.1. Administrative Approval Intent

This Chapter sets forth the provisions for reviewing and approving development applications within the PD District. The intent is to ensure that all development is consistent with the provisions of this PD.

3.2. Development Process Amendments

Development within the PD District shall follow the City's development process as outlined in Appendix A, Article II, Section 2.04 and Article VII, Section 7.02 of the City of Waxahachie's Code of Ordinances except as amended:

3.2.1 Site Plan approval is required for all nonresidential, mixed-use, and multi-family properties prior to the approval of a Civil Construction permit including said property. Approval of a Site Plan and Civil Construction Permit alongside the filing of a Plat shall be the basis for submission of a building permit.

3.2.2 Standard for Approval of Site Plan: If a Site Plan conforms to the standards set forth in this PD and applicable City regulations that are not in conflict with this Code, it shall be approved. Upon request by an Applicant, the authority charged with approving the Site Plan shall certify the reason(s) for an action taken on a development plan.

3.2.3 Section 7.02(e)(ii)(1) is amended as follows:

For the purposes of this PD, the PD Ordinance shall be considered complete with the submittal of **EXHIBIT B – CONCEPT PLAN** as described in Section 7.02.e of the City of Waxahachie Zoning Ordinance.

3.2.4 There is no time requirement for submittal of a Site Plan or Residential Plat after this PD Ordinance is approved. Detailed Site Plans are not required for the development of the Property.

3.2.5 Site Plans are only required for non-residential, mixed use, and multi-family properties and shall meet all requirements of Section 7.01 and shall be approved prior to the approval of a Civil Construction permit for the property subject to that Site Plan approval.

3.2.6 Sections 7.02(e)(vi)(2), (3)(4) and (5) do not apply to this PD.

3.2.7 Section 2.04 (b): At such time, a request to amend the zoning designation or PD development standards is submitted as to a specific property, only the owner of the property subject to such change, or their representative, initiating the request shall be named as the "Applicant." Such amendments shall be processed as subdistricts within the PD. No other owners of property within the boundaries of the PD are required to be applicants for such amendments to the PD.

3.2.8 The Concept Plan referenced in Section 7.02.c.ii.1 and 7.02.d.i of the City of Waxahachie Zoning Ordinance and referenced in this PD Ordinance is included in this zoning submittal as **EXHIBIT B – CONCEPT PLAN**.

3.3. City Manager or City Staff Designee Responsibility

City Manager or City Staff designee shall be responsible for the following:

- Making determinations on the applications and interpretations of standards in this PD;
- Any other approval deemed necessary or appropriate by the PD.

3.4. Amendments to the PD

The PD may be amended from time to time to reflect market conditions and consumer demand. Major amendments, supplements, deletions, or modifications to the PD Plan shall follow the process detailed in Appendix A, Article II, Section 2.04 of the Waxahachie Code of Ordinances. Minor Amendments may be approved as set forth hereinbelow.

3.4.1 Amendments

3.4.1.1 Definitions:

3.4.1.1.1 "Minor Amendment": A Minor Amendment is a proposed modification to the PD regulations and Site Plans that conforms to the criteria for a minor amendment in Table 1. Minor Amendments require City Council approval. City Council shall approve an amendment that qualifies as a "Minor Amendment" under Table 1 and such amendment shall be administratively approved at a City Council meeting. Approval of a Minor Amendment shall not require the same notice and public hearings required for zoning amendments as set forth in Section 2.04 of the City's Zoning Ordinance.

3.4.1.1.2 "Major Amendment": A Major Amendment is a proposed modification to the PD regulations and Site Plans that does not qualify as a Minor Amendment.

Modifications to **EXHIBIT B – CONCEPT PLAN**, Site Plans, Residential Plats, and other applications based on the Development Standards herein may be administered per the thresholds in **Table 1: Administrative Amendments.**

Table 1: Amendments

Development Standard	Amendment Criteria
1) Height 2) Lot Coverage	• MINOR AMENDMENT: an increase in the maximum standard of 10% or less

	• MAJOR AMENDMENT: an increase in the maximum standard of greater than 10%
3) Setbacks	• MINOR AMENDMENT: a decrease of 10% or more • MAJOR AMENDMENT: a decrease greater than 10%
4) Landscaping	• MINOR AMENDMENT: a decrease in the maximum standard of 10% or less on a lot • MAJOR: a decrease in the maximum standard greater than 10% on a lot
5) Density	• MINOR AMENDMENT: an increase in the maximum density of 10% or less in a District ○ The Maximum Number of Units identified in Section 5.1 shall not change. • MAJOR AMENDMENT: an increase in the maximum density greater than 10% in a District
6) Gross Acreage in a District	• MINOR AMENDMENT: an increase in the maximum density of 10% or less in a District ○ The Gross acreage of MU shall not be reduced. • MAJOR AMENDMENT: an increase in the maximum density greater than 10% in a District
7) Other numerical standards not enumerated	• MINOR AMENDMENT: an increase in the maximum standard of 10% or less • MAJOR AMENDMENT: an increase in the maximum standard of greater than 10%
8) Street Alignment	• MINOR AMENDMENT: a modification that maintains general thoroughfare connectivity as depicted in **EXHIBIT D – THOROUGHFARE EXHIBIT**. • MAJOR AMENDMENT: Any change that does not maintain connectivity, or removes a required thoroughfare as generally depicted in EXHIBIT D – THOROUGHFARE EXHIBIT.
9) Street Sections in **Exhibit E**	• MINOR AMENDMENT: a modification to accommodate specific considerations regarding traffic calming, emergency vehicle access, pedestrian and bike traffic, and to modify on-street parking configuration.

	• MAJOR AMENDMENT: N/A. Major Amendments to street sections shall not be permitted.
10) Designation of Flex Residential District	• MINOR AMENDMENT: Final designation of a Flex Residential District to either a Traditional Residential District or an Active Adult Residential District shall be considered a minor amendment. • MAJOR AMENDMENT: N/A. Designation of a Flex Residential District shall not be considered a Major Amendment.
11) Addition of undefined residential unit types	• MINOR AMENDMENT: Addition of undefined residential unit types provided the new units comply with development standards contained herein or approved by City Staff and does not result in the total number of residential units exceeding the Maximum Number of Units. • MAJOR AMENDMENT: Addition of undefined units that results in the total number of units exceeding the Maximum Number of Units.
12) Change to MU District	• MINOR AMENDMENT: Land within the Property not designated as MU may be changed to MU if the following criteria are satisfied: 1) A similar amount of land designated as MU is changed to another District; 2) The total amount of land designated as MU does not increase by more than 10%; and, 3) The amount of residential use in the new MU District does not increase the total number of multi-family units permitted within the Property by more than 10%. 4) Site Plan approval for site improvements for a relocated MU district shall be approved as noted in 3.2.2 above. • MAJOR AMENDMENT: A proposed change to MU that does not satisfy the Minor Amendment criteria 1)-5) above.

3.4.1.2 Minor Amendments

The City Manager, or City Staff designee, will review a Minor Amendment within ten (10) business days of receipt of the application.

CHAPTER 4: PD DISTRICT COMPONENTS

4.1 Concept Plan

Development of the Property shall be in general conformance with the Concept Plan, attached as **EXHIBIT B – CONCEPT PLAN.** The City hereby approves **EXHIBIT B – CONCEPT PLAN** and finds that it is consistent with the Waxahachie Code of Ordinances, as well as in conformance with the City's Comprehensive Plan and the general intent of the City's Major Thoroughfare Plan, but to the extent the Concept Plan is in conflict with the City's Major Thoroughfare Plan then this PD document is intended to supersede the Major Thoroughfare Plan. The contents of the exhibits attached as part of these Development Standards shall satisfy the requirements in full for the Concept Plan as described in City of Waxahachie Zoning Ordinance Sec. 7.02.

4.2 PD Zoning Districts

The Property is divided into five districts as indicated on **EXHIBIT B – CONCEPT PLAN**. Development standards for those Districts are set forth below. **EXHIBIT B – CONCEPT PLAN** provides a tabulation of each PD District within the project. All acreages shown are approximate and subject to change as development occurs within the PD boundaries and as permitted by these development standards.

4.3 PD Zoning Districts Defined

4.3.1 PD Zoning Districts include:

- Traditional Residential District
- Active Adult Residential District
- Flex Residential District
- Multi-Family Residential District
- Mixed-Use District

4.3.1.1 Traditional Residential District (TR)

This district provides a mixture of residential uses located along the open spaces and natural amenities. TR provides a variety of lot sizes to accommodate different home styles, buyer demographics, and home sizes. This land use will also include amenities such as recreation centers, schools, parks, and related facilities.

4.3.1.2 Active Adult Residential District (AA)

This district provides a mixture of Active Adult housing types that include, but are not limited to single-family detached units, townhomes, cottages, and single-family attached.

This District use will also include amenities such as recreation centers, parks, and related facilities.

4.3.1.3 Flex Residential District (FR)

The Flex Residential district allows property in an FR District to be designated as an Active Adult Residential or Traditional Residential District. Given the long-term nature of this project, this category provides the flexibility of housing types by allowing the ability to mix housing product types as needed based on future market conditions; provided, however, designation of a proposed District may not result in a total amount of units that exceeds the Maximum Number of Units.

4.3.1.3.1 Flex Residential District Designation Process

The Developer shall designate a property with an FR District as a TR or AA District during submittal of Site Plans and Residential Plats. The Property Development Regulations for the designated District will be applied to the identified tract when such designation is made. This designation will not be considered as a zoning amendment and will be approved administratively by the City Manager or City Staff designee.

4.3.1.4 Multi-Family Residential District (MF)

Traditional apartment and condominium-type units in attached living complexes characterize this district. These developments may take a variety of forms, including traditional garden style apartments to courtyard apartments, as well as brownstone style apartments.

4.3.1.5 Mixed-Use District (MU)

4.3.1.5.1 Land designated as MU is intended for a mixture of non-residential and residential uses with a greater percentage of non-residential components than residential.

4.3.1.5.2 Residential uses may range from 10% to 20% across all MU Districts cumulatively. The minimum percentage of residential uses may be amended to 0% upon City Council approval at time of Site Plan approval. Residential uses may be any single-family, or multi-family uses permitted elsewhere within any of the PD Districts subject to the development standards associated with

those housing types. Residential units may be platted on a tract in the Mixed-Use district that does not include other uses.

4.3.2 PD Zoning District Uses

The table of land uses permitted in each PD Zoning District is provided for in **EXHIBIT C – PERMITTED USES.** The land uses in **EXHIBIT C** are (i) from Section 4.01 of the Waxahachie Zoning Ordinance, or (ii) defined herein and identified with *.

4.4 Streets

The Developer intends to provide sufficient connectivity throughout the development of the Property through the interconnectivity of the streets required by the Waxahachie City Throughfare plan and the local street system as shown on **EXHIBIT D –THOROUGHFARE EXHIBIT**. Street cross sections shall be provided as shown in **EXHIBIT E – STREET SECTIONS.** Street criteria are further provided in **Chapter 9: Street Design.**

4.5 Utilities

The water, wastewater, and stormwater utilities located within this PD project shall be appropriately designed, sized, and constructed according to Appendix C – Subdivisions, the construction standards applicable to this PD project.

4.6 Phasing

Project phasing will be contingent on milestones and accompanying developer obligations as provided for in the Traffic Impact Assessment, Water Infrastructure Report, and Wastewater Infrastructure Report. Conceptual project phasing is indicated in **EXHIBIT P – PHASING** which shows phases of development; provided, however, development is not required to occur in any sequential order**.** Parks, infrastructure and required access for each phase of development shall be provided in accordance with the requirements in this PD and the TIA updates and identified by developer with the submittal of plats and site plans.

CHAPTER 5: DIMENSIONAL STANDARDS

5.1 Unit and Density Standards

The maximum number of residential units permitted is 13,270 (the “Maximum Number of Units”). The Maximum Number of Units is not subject to a Minor Amendment. Maximum residential densities for development within the PD Districts are set forth in **Table 2: Density Standards**. Maximum density shall be calculated cumulatively for the entire District. Individual Residential Plats or individual Site Plans may exceed the Maximum Residential Gross Density provided the overall density for the entire district is at or below the Maximum Residential Gross Density. Accessory Dwelling Units (“ADU’s”) shall count at a ratio of 1:1 against the Maximum Number of Units.

Table 2: Density Standards

	District	Gross Acreage (1) (4)	Max. Residential Gross Density (2)
TR	Traditional Residential	+/- 1,081 acres	3.95 du/ac
AA	Active Adult Residential	+/- 1019 acres	3.95 du/ac
FR	Flex Residential	+/- 907 acres	3.95 du/ac
MF	Multi-Family Residential	+/- 29 acres	25 du/ac
MU	Mixed-Use	+/- 133 acres	25 du/ac (3)

(1) Subject to adjustment per Table 1.

(2) Actual density may increase or decrease per Section 5.1.2.

(3) Max. Residential Gross Density in the MU district is shown for the allowed residential percentage of the district.

(4) Gross density includes acreage of all allowed uses in the Single-Family residential land use categories. (i.e. platted lots, open space, parks, amenities, lakes, schools, ROW, civic and utility uses)

5.1.1 Density Tracking

Unit Number and density shall be tracked by an exhibit, a template of which is included as **EXHIBIT J – DEVELOPMENT TRACKING**, which shall accompany each Site Plan and Plat submittal that depicts the number and density of units that have been approved. A Tracking Plan shall be provided with each plat and site plan application that identifies the following:

i. The Maximum Number of Units as 13,270;
ii. The number of units approved in previous plats and site plans;
iii. The number and types of units in the proposed plat or site plan;
iv. The number of units remaining that may be developed;
v. Dwelling Units per gross acre of total platted project area; and,
vi. Lot type mix percentages as described in 5.4.2.

5.1.2 Density Surplus

Notwithstanding the maximum number of single-family units allowed for each District as permitted in Table 2 above, in the event the maximum number of single-family units permitted in a District is not constructed, the balance not constructed in that District may be applied to and constructed in other Districts, provided, however, the maximum density for the entire district in Table 2 is not surpassed in totality and transferred density may not exceed 10 dwelling units per acre for single family housing types in any single phase of development.

5.2 Traditional Residential District Development Standards

5.2.1 Traditional Residential Development Standards

Except for multi-family uses, lots within the Traditional Residential District shall comply with the following standards for the respective housing types in **Table 3: Traditional**

Residential Development Standards-Front Loaded and as further depicted in **EXHIBIT H – TYPICAL LOT DIAGRAMS.**

Table 3: Traditional Residential Development Standards								
Front Loaded[1]								
	Residential less than 50'-	**Residential Detached 50-60**	**Residential Detached 60-70**	**Residential Detached +70**	**Estate Lot**	**Zipper Lots**	**Paired Villas**	**Shallow and Wide Lots**
Minimum lot area	4,600 sf	6,250 sf	7,500 sf	8,750 sf	0.25 ac	4,000 sf	3,500 sf	4,875 sf
Minimum lot width	40 ft	50 ft	60 ft	70 ft	N/A	42.5 ft	75' total for two units. No individual min. lot width	65 ft
Minimum lot depth	115 ft	125 ft	125 ft	125 ft	135 ft	90 ft	100 ft	75 ft
Minimum front setback from ROW	15 ft (20 ft to garage entry)	15 ft (20 ft to garage entry)	15 ft (20 ft to garage entry	15 ft (20 ft to garage entry)	15 ft (20 ft to garage entry)	10 ft (Alternating 20 ft and 40 ft to garage entry)	10 ft (20 ft to garage entry)	15 ft (20 ft to garage entry)
Minimum side setback	5 ft	5 ft	5 ft	5 ft	7.5 ft	2.5 ft (10' separation between units)	5 ft/0 ft on the common wall	5 ft
Minimum side setback along ROW	15 ft	15 ft	15 ft	15 ft	15 ft	15 ft	10 ft	10 ft
Maximum front setback porch encroachment	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Minimum rear setback	15 ft	15 ft	15 ft	15 ft	15 ft	10 ft	15 ft	10 ft
Minimum accessory structure setback from property line	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Maximum height	3 stories	3 stories	3 stories	3 stories	3 stories	3 stories	3 stories	3 stories
Maximum lot coverage	80%	80%	70%	80%	80%	80%	80%	80%
Alley Loaded/Cluster								
	Residential Detacl	**Zero Lot Line**		**Courtyard homes**		**Townhomes**		**Cottages**

[1] A minimum of 5% of the Traditional Residential lots shall be a minimum of 10,000 square feet in minimum lot area.. In addition to the 5% noted above as 10,000 sf in minimum lot area, an additional 100 lots will be a minimum of 1/3 of an acre (14,505 SF).

Minimum lot area	3,000 sf	2,600 sf	3,000 sf	2,250 sf	3,700 sf
Minimum lot width	30 ft	26 ft	40 ft	25 ft	35 ft
Minimum lot depth	100 ft	100 ft	75 ft	90 ft	100 ft
Minimum front setback from ROW	10 ft	10 ft	10 ft	10 ft	10 ft
Minimum side setback	5 ft or flexible (see below)	5 ft/ 0 ft on the common lot line or flexible (see below)	5 ft or flexible (see below)	5 ft/ 0 ft on the common wall with the adjoining unit	10 ft/ 0 ft on the common wall with the adjoining unit. or flexible (see below)
Minimum side setback along ROW	10 ft	10 ft	10 ft	10 ft	10 ft
Maximum front setbac porch encroachment	0 ft	0 ft	0 ft	0 ft	0 ft
Minimum rear setback	15 ft	15 ft	10 ft	10 ft	10 ft
Minimum rear Alley setback (to garage ent	4 ft	4 ft	20 ft	4 ft	N/A
Maximum height	3 stories	3 stories	3 stories	3 stories	3 stories
Maximum lot coverage	80%	90%	60%	90%	90%

5.2.2 General Traditional Residential District Regulations

5.2.2.1 Living Area

There shall be no restriction on minimum or maximum living area for any of the housing types.

5.2.2.2 Mixture of Housing Types

Each block shall be allowed to contain a mixture of housing types. Each Single Family Detached BlockFace containing more than six (6) lots shall have a minimum of two lot sizes or two product types. No Single Family elevation may be repeated on any adjacent lot or on any lot directly across the street.

5.2.2.3 Side Yard Setback Flexibility

Where flexible side yard setbacks are permitted the setback can vary between one (1) and nine (9) feet so long as the minimum building separation per building code is provided between buildings on adjacent lots.

5.2.2.4 Maximum Lot Coverage

Maximum lot coverage shall be determined by structures only; and excludes driveways, screened pools, screened lanais, porches, swimming pools, decks, and parking areas.

5.2.2.5 Minimum Lot Widths

Minimum lot widths are defined as the horizontal distance between the side lot lines of a lot measured along the required or actual front building setback line, whichever is greater.

5.2.2.6 Allowed Encroachments

Ancillary uses and structures such as roof overhangs, AC units, screening walls, pool equipment, generators etc. are not subject to building setbacks.

5.2.2.7 Additional Cottage Criteria

Cottage units are defined as attached or detached units in clusters of up to 8 units, each on a separate and distinct lot, which may share a zero (0) foot setback common lot line and is as shown on **EXHIBIT H – TYPICAL LOT DIAGRAMS**. Cottage units may have a non–traditional common lot line containing a jog in the common lot line. The Cottage units will be clustered and are oriented such that drive aisles and parking occur in the rear of the lot. The building orientations vary; therefore, the identification of front, rear, and side yard setbacks also vary between adjacent units. Access easements shall be located within the rear of the lots for the drive aisles and shall be maintained by a homeowner's association, MMD or other financing district. On-street parking in designated spaces shall be allowed in the Cottage unit areas. Additional spaces that exceed minimum requirements may be provided in the motor court as shown on **EXHIBIT H – TYPICAL LOT DIAGRAMS**.

5.2.2.8 Accessory Structure Setbacks

Accessory Structures such as decks, pools, shade structures, sheds, etc. shall be setback a minimum of five (5) feet from any property line and other structures on the lot. A setback from the principal structure is not required where decks, trellis's, spas, pools, pool cages and other similar structures normally are attached to a principal structure.

5.2.2.9 Easements Impacting Setbacks

An easement width will control in the event of a conflict with any setback. The allowed porch encroachment shall not conflict with any easement.

5.2.2.10 Park Facing Conditions

Any of the Alley Loaded / Cluster lots may front on to an open space. The front setback shall be measured from the property line between the lot and the open space.

5.2.2.11 Zipper Lots

Zipper lots shall utilize an alternating pattern of garage setbacks to ensure a streetscape less prominent with garage doors. A zipper lot with a minimum 20 ft garage door setback shall be paired with a zipper lot with a minimum 40 ft garage door setback.

5.3 Active Adult Residential District Development Standards

5.3.1 Active Adult Residential District Development Standards

Except for multi-family uses, lots within the Active Adult Residential District shall comply with the following standards for the respective housing types in **Table 4: Active Adult Residential Development Standards** and as further depicted in **EXHIBIT H – TYPICAL LOT DIAGRAMS.**

Table 4: Active Adult Residential Development Standards

	Front Loaded					
	Residential Detached 60-	**Residential Detached +60**	**Zipper Lots**	**Paired Villas**	**Courtyard Villas**	**Shallow and Wide Lots**
Minimum lot area	4,400 sf	6,000 sf	4,000 sf	3,500 sf	3,300 sf	4,875 sf
Minimum lot width	40 ft	60 ft	42.5 ft	75' total for two units. No individual min. lot width	30 ft	65 ft
Minimum lot depth	110 ft	110 ft	90 ft	100 ft	110 ft	75 ft
Minimum front setback from ROW	15 ft (20 ft to garage entry)	15 ft (20 ft to garage entry	10 ft (Alternating 20 ft and 40 ft to garage entry)	10 ft (20 ft to garage entry)	15 ft (20 ft to garage entry)	15 ft (20 ft to garage entry)
Minimum side setback	5 ft	5 ft	2.5 ft (10' separation between units)	5 ft/0 ft on the common wall	5 ft/0 ft on the common wall	5 ft
Minimum side setback along ROW	15 ft	15 ft	15 ft	10 ft	10 ft	10 ft
Maximum front setback porch encroachments	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Minimum rear setback	15 ft	15 ft	10 ft	15 ft	10 ft	10 ft
Minimum accessory structure setba from property line	5 ft	5 ft	5 ft	5 ft	5 ft	5 ft
Minimum rear Alley setback (to gara entry)	N/A	N/A	N/A	N/A	N/A	N/A

Maximum height	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft
Maximum lot coverage	80%	70%	80%	80%	80%	80%
Alley Loaded/Cluster						
	Residential Detached	**Zero Lot Line**	**Courtyard homes**	**Courtyard Villas**	**Townhomes**	**Cottages**
Minimum lot area	3,000 sf	2,600 sf	3,000 sf	3,000	2,250 sf	3,700 sf
Minimum lot width	30 ft	26 ft	40 ft	40 ft	25 ft	35 ft
Minimum lot depth	100 ft	100 ft	75 ft	75 ft	90 ft	100 ft
Minimum front setback from ROW	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft
Minimum side setback	5 ft or flexible (see below)	5 ft/ 0 ft on the common lot line or flexible (see below)	5 ft or flexible (see below)	5 ft/ 0 ft on the common wall with the adjoining unit or flexible (see below)	5 ft/ 0 ft on the common wall with the adjoining unit	5 ft/ 0 ft on the common wall with the adjoining unit or flexible (see below)
Minimum side setback along ROW	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft
Maximum front setback porch encroachments	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft
Minimum rear setback	15 ft	15 ft	10 ft	10 ft	10 ft	10 ft
Minimum rear Alley setback (to garage entry)	4 ft	4 ft	20 ft	20 ft	4 ft	N/A
Maximum height	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft
Maximum lot coverage	80%	90%	60%		90%	90%

5.3.2 General Active Adult Residential District Regulations

5.3.2.1 Living Area

There shall be no restriction on minimum or maximum living area for any of the housing types.

5.3.2.2 Mixture of Housing Types

Each block shall be allowed to contain a mixture of housing types. Each Single Family Detached Block Face containing more than six (6) lots shall have a minimum of two lot sizes or two product types. No Single Family elevation may be repeated on any adjacent lot or on any lot directly across the street.

5.3.2.3 Side Yard Setback Flexibility

Where flexible side yard setbacks are permitted the setback can vary between one (1) and nine (9) feet so long as the minimum building separation per building code is provided between buildings on adjacent lots.

5.3.2.4 Maximum Building Height

Maximum building height shall be measured at the midpoint between the eave line and the highest roof point.

5.3.2.5 Maximum Lot Coverage

Maximum lot coverage shall be determined by structures only; and excludes driveways, screened pools, screened lanais, porches, swimming pools, decks, and parking areas.

5.3.2.6 Minimum Lot Widths

Minimum lot widths are defined as the horizontal distance between the side lot lines of a lot measured along the required or actual front building setback line, whichever is greater.

5.3.2.7 Minimum Allowed Encroachments

Ancillary uses and structures such as roof overhangs, AC units, generators, screening walls, pool equipment, etc. are not subject to building setbacks.

5.3.2.8 Additional Cottage Criteria

A Cottage unit is defined as attached or detached units in clusters of up to 8 units, each on a separate and distinct lot, which may share a zero (0) foot setback common lot line and is as shown on **EXHIBIT H – TYPICAL LOT DIAGRAMS**. Cottage units may have a non–traditional common lot line containing a jog in the common lot line. The Cottage units will be clustered and are oriented such that drive aisles and parking occur in the rear of the lot. The building orientations vary; therefore, the identification of front, rear, and side yard setbacks also vary between adjacent units. Access easements shall be located within the rear of the lots for the drive aisles. On-street parking in designated spaces shall be allowed in the Cottage unit areas. Additional spaces that exceed minimum requirements may be provided in the motor court as shown on **EXHIBIT H – TYPICAL LOT DIAGRAMS**. On-street parking in designated spaces shall be allowed in the cottage unit areas.

5.3.2.9 Accessory Structure Setbacks

Accessory Structures such as decks, pools, shade structures, sheds, etc. shall be setback a minimum of five (5) feet from any property line and other structures on the lot. A setback from the principal structure is not required where decks, trellis's, spas, pools, pool cages and other similar structures normally are attached to a principal structure.

5.3.2.10 Easements Impacting Setbacks

An easement width will control in the event of a conflict with any setback.

5.3.2.11 Park Facing Conditions

Any of the Alley Loaded / Cluster lots may front on to an open space. The front setback shall be measured from the property line between the lot and the open space.

5.3.2.12 Zipper Lots

Zipper lots shall utilize an alternating pattern of garage setbacks to ensure a streetscape less prominent with garage doors. A zipper lot with a minimum 20 ft garage door setback shall be paired with a zipper lot with a minimum 40 ft garage door setback.

5.3.3 Active Adult District - Senior Apartment Development Standards

Multi-family uses in the Active Adult District shall comply with the standards in this Section 5.3.3 and **Table 5: Active Adult Senior Apartment Development Standards**. The total number of Senior Apartment Units in the Active Adult District shall not exceed 500 Units. Senior Apartment Units shall count towards the overall density maximum for the district. Senior apartment tracts may be clustered with apartments only and shall not be required to have multiple product types mixed together as stipulated in 5.4.2. A minimum of 300 feet separation shall be maintained between Senior Apartment tracts. Active Adult Senior Apartment design shall be in accordance with the Design Standards for Multifamily or consistent with a development theme for surrounding buildings.

Table 5: Active Adult Senior Apartment Development Standards	
Minimum lot area	15,000 sf
Minimum lot width	100 ft
Minimum lot depth	150 ft
Minimum front and side setback from ROW	20 ft
Minimum side and rear setback adjacent to single family detached uses	100 ft
Minimum side setback	10 ft

Minimum rear setback	20 ft
Maximum height	4 stories
Maximum lot coverage	80%
Minimum building separation	10 ft
Minimum distance to property line	1000 ft along the West perimeter of PD 500 ft along other PD boundary lines
Minimum distance to a WISD School lot line	500 ft

5.3.4 Stay and Play Residences

Stay and Play Residences are Active Adult housing types that are used for the "Stay and Play Getaway Program" which is an allowed use in the Active Adult District and is used herein to describe a program where potential purchasers of Active Adult residential units are allowed to stay at and enjoy residential units at the Property on a short–term basis prior to making a purchasing decision. This program generally provides the potential buyers with usage of a residential unit, golf cart, dining, and access to all amenities and events. Upon buildout and completion of the community, the residential units utilized for this program will be sold similar to the other residential units within the Property. In order to distinguish the Stay and Play program from short term rentals, the following shall be required:

5.3.4.1 Each dwelling unit shall be a conforming dwelling unit and contain cooking, living, sanitary and sleeping facilities.

5.3.4.2 There shall be no commercial areas for renters, such as breakfast rooms, associated with the residential occupation of the dwelling unit. Commercial enterprises on the Property must be completely separate and independent operations.

5.3.4.3 There are no exterior signs for the short–term use of the dwelling unit.

5.3.4.4 The Owner/Developer must comply will all business license and revenue collections laws of the City of Waxahachie and the State of Texas.

5.3.4.5 The maximum individual length of stay shall be 5 nights.

5.3.4.6 Units identified as "Stay and Play Residences" may change locations during the development of the Property; provided, however, no more than 30 "Stay and Play Residences" are permitted within the Property at any one time.

5.4 Housing Type Mix for Residential Districts

5.4.1 Housing types shall not exceed the maximum for the entire district at build out, measured as a percentage of total permitted units (13,270). Percentages to be tracked with each phase per **EXHIBIT J – DEVELOPMENT TRACKING**.

TABLE 6: Housing Type Mix For Residential Districts				
City of Waxahachie Residential Housing Categories	**Single-Family Dwelling, Detached**	**Single-Family Dwelling, Attached**	**Patio Home/ Zero Lot**	**Multiple-Family Dwelling or Apartment**
Corresponding Kemp Tract Housing Types	Residential Detached 30' to 70' minimum width (Front or alley loaded)	Paired Villas (Front loaded)	Zero Lot Line	Senior Apartments
	Estate Lots	Townhomes (Front or rear loaded)	Zipper Lots	Multi-family
	Residential Detached "Shallow and Wide"	Courtyard Villas (Alley or Front Loaded)	Courtyard Homes	
		Cottages		
Maximum Percentage Dwelling Units	80% max.	40% max.	20% max.	20% max.

5.4.2 As phases of single family or Patio Home/Zero Lot Line are platted, a minimum mixture of lot types will be provided as follows:

The mix of lot types will increase with the size of the plat as follows:

a) Platted lots up to 100 lots with only one lot size is permitted.
b) Platted lots from 101 to 250 units must have a minimum of 10% of the lots of a second type.
c) Platted lots from 251 to 500 units must have a minimum of 15% of the lots of a second type and 10% of a third type. Where additional lot types above three (3) types are provided, the additional lot types may be averaged to count towards the 10% of a third type required.
d) Compliance with these criteria will be documented on **EXHIBIT J– DEVELOPMENT TRACKING**. After the first 500 platted lots, a running total of percentages that meets these criteria will be tracked on **EXHIBIT J– DEVELOPMENT TRACKING**. After 500 units, regardless of the number of units built, the minimum lot mix shown in a, b and c above shall be maintained.
e) The mix criteria will be administered separately in the two residential districts.
f) A variation of minimum 5' of lot width or change in lot type from any of the approved lot types on **EXHIBIT H-TYPICAL LOT DIAGRAMS**, or subsequently approved lot types, qualifies as a change in lot type
g) Maximum Percentage of Dwelling Units in Table 6 shall be inclusive of both TR and AA units.
h) A mix of product types is not required for tracts platted as MF only.

TABLE 7: LOT MIX VARIATION CRITERIA FOR SINGLE FAMILY LOT TYPE					
Platted lots unit count	**Minimum number of lot size or single-family lot types***	**Maximum % first lot type - Type 1**	**Minimum % of second lot type - Type 2**	**Minimum % of third lot type - Type 3**	**Resultant min/max lot type mix**
0 to 100	1	100%	0		
101 to 250	2	90%	10	0	Maximum 90% type 1, minimum 10% type 2
251 - 500	3	75%	15%	10%	75% max lot Type 1, minimum 25% types 2 and 3

5.5 Multi-Family District Development Standards

5.5.1 Multi-Family District Development Types

Buildings within the Multi-Family Residential District shall follow the standards of one of the following housing types:

5.5.1.1 Multi-Family Buildings

A multi-family building is defined as three (3) or more dwelling units on a single lot.

5.5.1.2 Townhomes

A Townhome is defined as three (3) or more attached units per building, each on a separate and distinct lot, sharing a zero (0) foot setback common lot line and are as shown on **EXHIBIT H – TYPICAL LOT DIAGRAMS**.

5.5.2 Multi-Family District Development Standards

Development in the Multi-Family District shall comply with the following development standards:

Table 8: Multi-Family District Development Standards			
	Multi-Family	**Townhomes**	**Senior Apartments**
Minimum lot area	15,000 sf	1,800 sf	15,000 sf
Minimum lot width	100 ft	20 ft	100 ft
Minimum lot depth	150 ft	90 ft	150 ft
Minimum front setback from ROW	10 ft	10 ft	10 ft
Minimum side and rear setback adjacent to single family detached uses	50 feet for 3 story; 75 feet for four story	20 feet	50 feet
Minimum side setback along ROW	10 ft	10 ft	10 ft
Minimum rear setback	20 ft	5 ft	20 ft
Maximum front and side setback encroachments	5 ft	5 ft	5 ft
Maximum height	4 story	3 story	4 story
Maximum lot coverage	80%	90%	80%
Minimum building separation	10 ft	0 ft to adjacent unit in same structure or 10 ft	10 ft
Minimum building separation along paseos	NA	20 ft	NA

5.5.3 General Multi-Family Housing Regulations

5.5.3.1 Timing of First Multi-Family Units

The first Multi-Family tract will not be issued site development approval until at least 500 units of single family detached or attached units have received final inspection within the Property.

5.5.3.2 Living Area

The minimum living area for a multi-family unit shall be 600 SF.

5.5.3.3 Mixture of Housing Types

Each block shall be allowed but not required to contain a mixture of housing types.

5.5.3.4 Maximum Lot Coverage

Maximum lot coverage shall be determined by structures only; and excludes driveways, screened pools, screened lanais, porches, swimming pools, decks, and parking areas.

5.5.3.5 Minimum Lot Widths

Minimum lot widths are measured at the front building setback line. For curved or pie-shaped lots, minimum lot widths will be measured along a chord measured along the right of way line. For rear setbacks lot widths will be measured along a chord measured at the rear property line.

5.5.3.6 Allowed Encroachments

Ancillary uses and structures such as roof overhangs, AC units, screening walls, pool equipment, etc. are not subject to building setbacks.

5.5.3.7 Accessory Structure Setbacks

Accessory Structures such as decks, pools, shade structures, sheds, etc. shall be setback a minimum of five (5) feet from any property line and other structures on the lot. A setback from the principal structure is not required where decks, trellis's, spas, pools, pool cages and other similar structures normally are attached to a principal structure.

5.5.3.8 Easements Impacting Setbacks

An easement width will control in the event of a conflict with any setback.

5.5.3.9 Limitation on 3-and 4- Bedroom Units

The maximum number of 3- and 4-bedroom units in the aggregate is 10% of the total number of multi-family units within the Property .

5.5.4 Multi-Family Site Design Standards

5.5.4.1 Parking

a) Parking lot layout, landscaping, buffering, and screening shall minimize direct views of parked vehicles from streets and sidewalks.
b) Parking garages are permitted but may not be taller than any multi-family building abutting the garage.
c) A minimum of 50% of parking for multi-family units shall be provided by attached, enclosed garages. Lot coverage shall be calculated separate from the enclosed parking amount.

5.5.4.2 Screening

a) A six-foot (6) masonry wall shall be constructed along common multi-family and single-family property lines, but such wall shall not be required in the front of multi-family buildings along the public right-of-way upon which the multi-family tract fronts.

b) Transformers, HVAC equipment (if located at the ground level), utility meters, and other machinery, as well as garbage collection points, should be located at the rear lane, drive or alley subject to Utility Company standards. If such uses are visible from any adjacent rights-of way or property, they shall be fully screened by a fence (minimum 6-foot wood board-on-board) or a masonry wall (minimum 6 foot high) or suitable plants or other visual barrier of an appropriate height.

c) Trash dumpsters shall have a masonry enclosure screened on three sides with a minimum of 3-gallon evergreen shrubs and doors which shall remain closed except when required to be open for emptying the dumpster.

5.6 Cluster Residential

5.6.1 Cluster Residential Defined

"Cluster Residential" (built for rent residential) means any attached or detached building or portion thereof, which is designed, built, rented, leased, or let to be occupied as one (1) dwelling unit and which is located on a lot with other similar dwelling units with a net density not to exceed 12 units/acre. Individual buildings may be accessed through private streets and may not front on to a public right-of-way.

5.6.2 Cluster Residential Development Standards-General

5.6.2.1 Cluster Residential is a permitted housing type in Traditional and Multi-Family Districts.

5.6.2.2 Cluster Residential shall be limited to a total of 650 units in the aggregate in the Traditional and Multi-family Districts.

5.6.2.3 Cluster Residential units, whether platted on individual lots or platted on one tract in a multi-family or condominium format, shall be included in the number of residential units allowed in the Property.

5.6.2.4 There shall be no more than 150 Cluster Residential units in a contiguous neighborhood.

5.6.2.5 Cluster Residential neighborhoods will be located with frontage and direct access to an Arterial, Collector or Minor Collector Street.

5.6.2.6 The first Cluster Residential neighborhood will not be platted until 1000 residential units of any type in the Kemp Tract PD have been issued a final inspection permit.

5.6.2.7 Plat boundaries for Cluster Residential neighborhoods shall be spaced a minimum of one-half (1/2) mile apart.

5.6.3 Dimensional Standards

Table 9: Cluster Residential Development Standards		
	Detached Cluster Residential	**Attached Cluster Residential**
Minimum Front Yard Setback	25 feet from back of curb or lot line; 15 feet from back of curb or lot line if porches/stoops are provided	25 feet from back of curb or lot line; 15 feet from back of curb or lot line if porches/stoops are provided
Minimum Side Yard Setback	10 feet from back of curb	10 feet from back of curb
Minimum Rear Yard Setback	10 feet from back of curb 3 feet from alley or Mews	3 feet from alley or Mews
Minimum Distance between Structures	Side to Side - 10 feet Side to Rear -15 feet Rear to Rear -15 feet	Between attached units – 0 feet Between detached units – 10 feet
Minimum Lot Area	15,000 sf	15,000 sf
Minimum Lot Width	100 ft	100 ft
Minimum Lot Depth	150 ft	150 ft
Minimum Unit Width	20 feet	24 feet
Maximum Height	2 stories 35 feet	2 stories 35 feet
Maximum Lot Coverage	60%	70%
Minimum Parking in Attached or Detached Garage	50%	50%
Front Entry vs. Rear Entry	Front, Rear, Side, or no attached garage	Rear, side

5.6.4 Design Standards

5.6.4.1 Porches/ Stoops

- Porches are required to be 6 feet in depth and meet a 48 square foot minimum floor area.
- Stoops are permitted on units less than 30 feet wide and must be a minimum of 24 square feet in area and be either inset or covered with an architectural feature or awning.

5.6.4.2 Parking Standards

a) Generally

1) Surface parking may utilize head-in, angled, or parallel parking from a private drive;

2) Except as otherwise provided herein, surface parking may utilize parallel parking from a public or private right-of-way and may be located off a fire lane;

3) On-street parallel and angled parking may be located along a public right-of-way provided the following conditions are met:

i) On-Street Parking shall not be located on major arterial, major collector, or minor collector thoroughfares identified in **EXHIBIT D– THOROUGHFARE EXHIBIT**;

ii) Angled parking must be approved by the Director of Public Works; and,

iii) For angled parking, the angle of the parked car shall not exceed sixty (60) degrees.

b) Side Entry
Driveways shall be either 3 feet deep from the edge of the curb/fire lane or a minimum of 20 feet long from the edge of the closest curb/fire lane or sidewalk.

c) Rear Entry
Driveways shall be either 3 feet deep from the edge of the curb/fire lane or a minimum of 20 feet long from the edge of the curb/fire lane.

d) Front Entry
The face of garage shall be setback 5 feet behind the front of porch, and a minimum of 20 feet from the edge of the closest curb/fire lane or sidewalk.

5.6.4.3 Encroachments

The following portions of a Residential unit may encroach into a required building separation a maximum of 6 feet: eaves, roof extensions, porches, stoops, terraces, steps, lighting fixtures, railing, windowsills, patios, enclosed portion of the unit consistent with standards listed below and other similar building features. Attached Residential units may have private front yards with open fencing that encroach 10 feet into a required ten-foot front setback.

5.6.4.4 Design Details

- Exterior mechanical units shall be located behind the fence within private yards for all Residential units.
- Units that are not adjacent to fire lanes, parking spaces or public ways shall have unobstructed access from a fire lane with a 150-foot hose length.

5.7 Mixed-Use District Development Standards

Lots in the Mixed-Use District will primarily provide commercial and retail opportunities for the residents of the community and the greater Waxahachie community. “Mixed-Use” development includes a building or group of buildings that serves a non-residential, residential or mix of uses. Development within the Mixed-Use District shall comply with the following development standards:

Table 10: Mixed-Use District Development Standards	
Minimum lot area	7,000 SF
Minimum lot width	60 ft
Minimum lot depth	100 ft
Minimum front setback from ROW	10 ft
Minimum side setback along ROW	10 ft
Minimum side and rear setback adjacent to single family detached uses	50 ft
Minimum rear setback	20 ft
Maximum height	65 ft
Maximum lot coverage	80%

5.7.1 General Mixed-Use Regulations

5.7.1.1 Mixed-Use Residential Standards

When a building includes a vertical mix of uses , such as a ground floor retail with residential above, the development standards for multi-family residential uses will be utilized for the building design (lot area, width, depth, setback, etc.)

5.7.1.2 Allowed Encroachments

Ancillary uses and structures such as AC units, screening walls, pool equipment, etc. are not subject to building setbacks.

5.7.2 Mixed-Use Design Standards

5.7.2.1 Parking

a) Parking lot layout, landscaping, buffering, and screening shall minimize direct views of parked vehicles from streets and sidewalks.
b) Parking garages are permitted but may not be taller than any building abutting the garage.

5.7.2.2 Screening

a) A six-foot (6) masonry wall shall be constructed along common

nonresidential and single-family property lines, but such wall shall not be required in front of nonresidential buildings along the public right-of-way upon which the nonresidential tract fronts.

b) Transformers, HVAC equipment (if located at the ground level), utility meters, and other machinery, as well as garbage collection points, should be located at the rear lane, drive or alley subject to Utility Company standards. If such uses are visible from any adjacent rights-of way or property, they shall be fully screened by a fence (minimum 6-foot wood board-on-board) or a masonry wall (minimum 6 foot. high) or suitable plants or other visual barrier of an appropriate height.

5.7.3 Mixed-Use Parking

The predominate parking arrangement for Mixed-Use will be surface parking but other parking configurations are permitted. Where multi-family use is within a vertical Mixed-Use building, a minimum of 50% of parking for multi-family units shall be provided by attached, enclosed garages. Lot coverage shall be calculated separate from the enclosed parking amount.

5.7.3.1 Tuck Under

Garages may be located in the base of a multi-family building with garage access doors oriented toward the interior of the block. This configuration is considered “attached” structured parking.

5.8 Public Uses

The PD District will identify the future locations for civic and school sites as follows:

5.8.1 Civic Sites

Up to ten (10) acres of land will be identified for civic uses including, but not limited to, fire and/or police stations. The final location will be coordinated with the City at the Site Plan stage when the City identifies a specific need. Terms of conveyance will be provided in a Development Agreement. The site(s) will be determined as part of the submission and review of the Residential Plat(s).

5.8.2 School Sites

The Developer shall provide the following school sites within the Property subject to approval by the Waxahachie Independent School District (“WISD”):

- **Elementary Schools:** Two (2) sites shall be designated for elementary schools. The sizes of the elementary school sites shall be no more than fifteen (15) acres each except as otherwise provided herein. In the event Developer provides stormwater management serving a school site through an off-site regional

detention facility, the required area for such elementary school site(s) may be reduced to twelve (12) acres. A third elementary school site shall be designated if, and when, it is objectively determined, based on WISD's then-current student-to-school capacity standards, that an additional elementary school is warranted. The size of the third elementary school site shall be as specified for the elementary schools herein.

- **Middle School:** One (1) site shall be designated for a middle school at a size not to exceed thirty (30) acres except as otherwise provided herein. In the event Developer provides stormwater management serving the school site through an off-site regional detention facility, the required area for the middle school site may be reduced to twenty-five (25) acres.

- In the event that Specialty Parks, as defined herein, provide recreation area and facilities necessary for school recreation programming, WISD and Developer may mutually agree to modify school site acreages specified above. Such an agreement would require approval by City Council.

- Final school locations will be coordinated with the City at the Site Plan stage when the WISD identifies a specific need.

5.9 Model Homes

Model homes of each product type provided for herein may be constructed within the AA and TR Districts as part of and during the installation of the subdivision infrastructure. The completion of model homes shall not trigger a park or amenity construction requirement or contribute toward any park or amenity requirement until those homes no longer serve as a model home use. A total of fifty (50) model homes, in the aggregate, are permitted at any one time within the AA and TR Districts as part of the development, subject to the following conditions:

5.9.1 A final site plan must be submitted, depicting the proposed location of the model home(s).

5.9.2 All required hydrants must be in place in the vicinity of the model homes and, pursuant to testing to assure adequate fire flow, be approved by the Fire Chief.

5.9.3 Water and sanitary sewer service shall be provided either by City services or temporary systems approved by the City Engineer.

5.9.4 Bacteriological clearance of the potable water lines must be performed.

5.9.5 Road base shall be stabilized in the vicinity of the proposed model homes in accordance with the civil plans and certified by the geo-tech.

5.9.6 Adequate off-street parking for the real estate sales/leasing use of the model sales home/units shall be provided in accordance with the minimum standards for the number of off-street parking spaces.

5.9.7 Final inspection approvals shall be issued by the City upon completion of the lots on which the homes are located and shall be developed in full compliance with the PD.

Permits for model homes and the Welcome Center may be issued only after plats for lots for these structures are recorded and fire protection, as approved by the Fire Chief, is installed; provided, however, the permits for the model homes and Welcome Center may be issued prior to the completion of other subdivision improvements in accordance with the City's Subdivision Ordinance.

5.10 General Regulations

The following General Regulations shall apply for development within the Property:

5.10.1 Existing Housing Types

5.10.2 Housing types permitted under the Waxahachie Code of Ordinances, as amended, which are not expressly identified herein, are permitted within the PD; provided, however, Prefabricated Modular Homes are not permitted within the Development except for use as construction offices as outlined in sec. 5.9.4. **New Housing Types**

New housing types not currently permitted under the PD may be permitted by minor amendment upon approval of the City Manager, or City Staff designee. Approval of such new housing types shall include specific Dimensional Standards for such new housing type.

5.10.3 Utility Easements

With approval from franchise utility providers utility easements may be reduced to 10 feet in width adjacent to the ROW in front and side yards.

5.10.4 Temporary Offices in Residential Zoning Districts

5.10.4.1 Real estate sales offices are permitted during the development of residential subdivisions in which the office is located until ninety-five (95) percent of the building permits of the platted lots in the subdivision are issued.

5.10.4.2 Temporary field or construction office for uses incidental to construction work on the premises of an individual plat or Site Development Plan construction site are permitted ("Temporary Field Offices"). Temporary

Field Offices shall be removed no later than one year after the completion or abandonment of construction work for which they were installed or by order of the City Manager or designated representative. Specific time allowed and location for Temporary Field Offices shall be specified by the City Manager or designated representative. Temporary Field Offices are not required to be placed on platted lots.

5.10.4.3 Temporary construction office site facilities for uses incidental to construction work on the overall community by the master developer, PD Applicant or Assignee and their direct subcontractors are permitted ("Temporary Construction Office Compound"). The location of a Temporary Construction Office Compound shall be identified with plat submittal. A Temporary Construction Office Compound shall be removed no later than one year after the final inspection of the final residential home or building in a Site Development Plan on the Property. There may be multiple temporary structures in the Temporary Construction Office Compound. Site development and related buffering for a Temporary Construction Office Compound shall be subject to Site Plan approval and normal building inspection requirements. The property on which a Temporary Construction Office Compound is located shall be platted by way of a minor or administrative plat in which the Applicant for such plat is responsible only for infrastructure and utilities to serve the Temporary Construction Office Compound. Provision for water and wastewater may be satisfied with well and septic or holding tank systems which shall be subject to applicable regulations and approval by the City Manager or their designee. A lot used for a Temporary Construction Office Compound shall be cleared of materials and debris used for the Temporary Construction Office Compound use, graded, and seeded no later than 60 days after such removal. Landscaping that may have been installed may remain in place until the site is developed with its final use, at which time new landscaping will be installed in accordance with applicable codes.

5.10.4.4 Temporary parking lots for Temporary Field Offices, Temporary Construction Office Compounds, and real estate sales offices are permitted during the development of residential subdivisions with the approval of an Administrative Site Plan submitted to the Planning Department. They can remain in place until one hundred (100%) percent of the platted lots in the residential subdivision have obtained Certificates of Occupancy.

CHAPTER 6: OPEN SPACE, PARKS, TRAILS & AMENITIES

6.1 Open Space, Parks, Trails, and Amenities

As a master planned community, the Kemp Tract will have an extensive and programmed system of open space and amenities throughout. These amenities combine to create an

overall sense of place that would be difficult to achieve when considered as independent elements within smaller developments. The Amenity Centers will serve the residents of the planned community as central gathering and recreational facilities and contain a mix of passive and active amenities. Other smaller parks will be developed throughout the project with various forms of passive amenities. These parks will be developed as the adjacent residential tracts are developed and tracked using an exhibit, a template of which is included as **EXHIBIT J – DEVELOPMENT TRACKING**. The trails system, as shown on **EXHIBIT F - OPEN SPACE AND TRAILS PLAN**, will use a combination of Multi-Use Paths in the Street ROW, Utility Easement trails, neighborhood connecting trails in the open spaces and the extensive network of sidewalks throughout neighborhoods to serve the residents of the project and provide multiple pedestrian connections. The trail system will provide easy and safe pedestrian access to the Amenity Centers and various parks, and other community uses and provide for golf cart usage.

6.1.1 Definitions

For purposes of this PD, the following terms shall have the following meanings ("Amenity Elements"):

6.1.1.1 Art in the Landscape:

Sculptural elements built from materials that are resilient to an outdoor environment and shall not exceed 15 feet in height.

6.1.1.2 Amenity Center Building

A community facility that may include the following elements:

- **Fitness and Wellness Areas**

  Rooms designed to serve a variety of fitness or wellness classes or activities a minimum of 400 square feet.

- **Pro Shops**

  Store that provides a variety of sports-related retail items often coordinated with the adjacent sport and wellness facilities.

- **Restaurant Facilities:**

  A facility that may include a kitchen or bar and/or dining space to serve a variety of dining/hospitality formats such as snack bars, grills, restaurants, bars, and lounges associated with clubhouses.

- **Dog Grooming**

An area to provide dog grooming service to residents' dogs.

- **Hobby Space**

  Multiuse space to serve a variety of hobbies within a space that is a minimum of 200 square feet.

- **Personal Services**

  An area that provides personal services to residents such as a barber shop, beauty shop and nail salon services.

- **Community Recreation Facilities**

  An area that provides indoor recreation, meeting assembly space, and banquet rooms.

6.1.1.3 Amenity Center Community Offices / Administration Buildings

An office area to serve administration of the community and/or shared office space for use as an amenity. Amenity community offices are typically located in the Town Center area but could be a freestanding building.

6.1.1.4 Bike Rack

A structure for temporary storage of bikes that provides an area for a minimum of 2 bikes.

6.1.1.5 Community Garden

A garden for the growing of fruits, vegetables, and/or flowers with planned maintenance by community members and/or the HOA. Minimum of 2,500 square feet of planting area.

6.1.1.6 Dog Park

A fenced area with designated areas for both small dogs and large dogs. Dog parks will include a pet waste station and dog watering fountain. Dog Parks may include dog agility equipment, shade structures, sitting areas and a dog wash area.

6.1.1.7 Drinking Fountain

A commercially manufactured drinking fountain designed for outdoor use. If used in or near a dog park a combination pet drinking fountain should be used.

6.1.1.8 Educational/ Historical Display

A plaque or signage that provides educational value on history, physical features, local flora, or fauna, etc.

6.1.1.9 Fitness station

Commercially manufactured fitness station that serves a specific activity or exercise. Often best suited as part of a larger system or circuit of fitness stations.

6.1.1.10 Indoor and Outdoor Swimming Pools and Pool Bath Houses

Pool area and restrooms/shower facilities and lockers to serve the pool users.

6.1.1.11 Lawn Game Area

Site-built game area to accommodate at least one regulation sized sport such as bocce, croquet, shuffleboard, volleyball, putting green, or similar type activity.

6.1.1.12 Multi-Purpose Trail

A hard surface trail that meets ADA requirements and serves a variety of users including pedestrians, cyclists, and golf carts.

6.1.1.13 Multi–Use Fields

An irrigated field that serves as an open area that may serve a variety of uses without the constraint of any built-in structures or sports equipment.

6.1.1.14 Nature Trail

A hard or soft surface trail that is not required to meet ADA requirements and may be used in floodplain areas.

6.1.1.15 Outdoor Entertainment Venue

A stage and/or amphitheater space that includes electricity and lighting to facilitate musical performances. Designed and built to accommodate an audience of a minimum of 100 people.

6.1.1.16 Outdoor Living Area

A site-designed gathering space designed for specific use such as a fire pit, fireplace, barbeque grill or similar activity.

6.1.1.17 Pavilion/ shade structure

A fixed structure built of materials resilient to outdoor use that is a minimum of 100 square feet in covered area.

6.1.1.18 Pet waste station

A commercially manufactured feature that provides bags and refuse baskets for the disposal of pet waste.

6.1.1.19 Picnic area

A permanent table with fixed or movable benches or chairs that accommodate a minimum of 6 people. The picnic table and seating will be constructed of materials resilient to outdoor use.

6.1.1.20 Play Equipment

Play equipment will consist of commercially manufactured playground equipment that is constructed of materials resilient to outdoor use. The equipment will be targeted towards toddler-age children or young school-age. Where play equipment is targeted toward a particular age range the next closest park with play equipment should accommodate another age range of children.

6.1.1.21 Primary Amenity Centers

The two areas labeled as Traditional Amenity Center and Active Adult Amenity Center as shown on **EXHIBIT B – CONCEPT PLAN**.

6.1.1.22 Restrooms

Site built structure with restrooms or a modular manufactured restroom building.

6.1.1.23 School Bus Pick-up Area

This area shall consist of seating for a minimum of 10 children shaded by a permanent fixed structure, a minimum of 25 square feet in covered area.

6.1.1.24 Seating

Seating will consist of fixed or movable individual chairs or benches constructed of materials resilient to outdoor use. Pocket Parks will contain a minimum total seating area for four people. Neighborhood parks will contain minimum seating for 10 people. Design and quantity of seating for parks larger than the .5-acre minimum size of Neighborhood Parks will be based

on the size and type of park as designed and specified by the Licensed Landscape Architect signing and sealing the park design plans.

6.1.1.25 Secondary Amenity Centers

Recreation areas that provide recreation facilities in support of development into the Flex Residential. The size of the site(s) and program elements will be determined by the Developer and reviewed by the City during the Site Plan Review process for that facility.

6.1.1.26 Shade Pavilions and Gazebos

A fixed structure over a solid surface floor built of materials resilient to outdoor use that is a minimum of 200 square feet in covered area.

6.1.1.27 Splash Pad

Site built facility that emits water from the ground or overhead features that are designed for child water play, a minimum of 400 square feet in area. Includes water sanitation equipment.

6.1.1.28 Sports Court

Regulation size court to serve sports such as basketball, tennis or pickle ball that includes a solid surface slab with markings and required fencing and fixed equipment to serve the designed for sports.

6.1.1.29 Sports or multi-purpose field

Field meeting the size requirements for youth or full regulation size sports. Including fences, backstops, or nets to accommodate the designed sport or sports.

6.1.1.30 Trail lighting

Bollard or overhead lights that are spaced to provide lighting and key locations and shielded to focus light where it is needed and avoid spillover light pollution.

6.1.1.31 Trailhead & Wayfinding signage

Signage that indicates a trailhead and provides a map or graphics that indicates how the trail section is part of a larger trail network.

6.1.1.32 Trash / Recycling Receptacle

A commercially manufactured feature that provides basket for the disposal of waste.

6.1.1.33 Other Elements with Staff Approval

Other elements similar to subsections 6.1.1.1 to 6.1.1.30 that are approved by the Director of Planning.

6.1.2 Open Space, Parks and Trails Locations and Construction

6.1.2.1 Refer to **EXHIBIT F - OPEN SPACE AND TRAILS PLAN** for the general locations of Open Space, Parks, and Trail connections. The park locations are flexible so long as each park complies with the distance requirements in this Chapter.

6.1.2.2 The burden to fully fund, construct, and complete the required Open Space, Park Space, Trails, Landscaping and Amenity improvements shall be borne solely by the Developer and not by future Homeowner's Associations or Property Owners Associations. Completion of said improvements shall be required prior to turning the improvements over to the HOA. However, after turnover, the HOA may continue to add to the amenities without the participation of the Developer.

6.1.3 Open Space / Parks Requirement Tracking

6.1.3.1 Each residential plat that contains a minimum of 100 lots will provide 10% of the area within such plat as Open Space meeting the criteria in Section 6.2.1. Where the size or unique design of a plat does not provide for 10% this requirement may be waived if the total open space already platted exceeds previous open space minimums in accordance with 6.2.2.4 below. The first plat that includes any lots must include the required Open Space for that plat.

6.1.3.2 The project wide Open Space/Park requirement will be tracked and summarized at each Residential Plat and/or detailed Site Plan submittal with the submittal of a summary chart for Open Space a template of which is included as **EXHIBIT J – DEVELOPMENT TRACKING**.

6.1.3.3 The summary chart shall show Open Space/Park requirements for any previous submittals and the Open Space/Park requirement for the current submittal.

6.1.3.4 Any Open Space/Park area larger than what is required for Residential Plat and/or Site Plan submittal will be carried over to future Residential Plat and/or Site Plans.

6.1.3.5 Open Space/Park land must be indicated as such on a Plat or deed restricted as Open Space/Park. The entity to which the tracts are dedicated will be identified on the plat or within the deed restrictions.

6.1.4 Parks and Open Space Structures Criteria

Any structures (exclusive of signage monumentation and Amenity buildings) placed within a Park or Open Space area, the following development standards shall apply:

6.1.4.1 Maximum height: 2 stories or 35 feet

6.1.4.2 Maximum lot coverage by structures, driveways, and parking: 20%

6.1.4.3 Maximum lot coverage by structures: 10%

6.1.4.4 Minimum distance between structures: 10 feet

6.1.4.5 Minimum setback 10 feet

6.1.5 Park Land Dedication Requirement

The provision of Parks and Open Space as defined as described in this PD District shall satisfy all City requirements for Public Park Land Dedication.

6.1.5.1 The Parks and Amenity Centers, including linear parks, defined herein will count towards the total park land dedication requirement, regardless of if the areas are maintained by a homeowner's association, property owners' association, special district or city owned and maintained.

6.1.5.2 The Amenity Center and acreage within parks shall be counted towards the Open Space requirements (any commercial or retail spaces shall be excluded from park space calculations).

6.1.5.3 Any parks to be dedicated to the City will be agreed upon in a Development Agreement or by mutually agreed upon future amendment to that agreement.

6.1.6 Clearing and removal of Trees in Open Spaces and Parks.

Clearing of trees shall be limited to removal of trees only as needed to construct the trails and facilities. City review of plans to remove trees 8" caliper and larger that are located in park and open space tracts and are on the Recommended Plant List in Section 5.08 of the Waxahachie Zoning Ordinance shall be required. The amenity tracts shall be exempt from this requirement.

6.2 Open Space

6.2.1 Open Space Described

6.2.1.1 A minimum of 400 acres of the project area shall be committed as Open Spaces that are comprised of varying size areas. Open spaces may be passive areas such as floodplain, utility easements, landscape buffers or visual setbacks but

can also be active spaces such as Community Amenity Centers, Neighborhood Parks, or Public Parks.

6.2.1.2 Areas that meet the criteria outlined below shall qualify as Open Space.

6.2.1.2.1 An area of open space shall have no dimension of less than ten (10) feet in width and 0.2 acres minimum area.

6.2.1.2.2 Multipurpose trails and the immediately adjacent green spaces having a minimum width of ten (10') feet.

6.2.1.2.3 Areas of retained natural vegetation, active and passive parks as defined herein, and wet or dry detention water management areas.

6.2.1.2.4 Any landscape buffer or linear open space so long as it incorporates an amenity element every 300 linear feet.

6.2.1.2.5 Areas of amenity centers that comply with open space criteria found in Sec 5.05 of the Waxahachie Zoning Ordinance.

6.2.1.2.6 Areas of Site Plans for Multi-Family tracts and MU land uses, including any MF developed in the MU, that complies with the criteria found in Sec 5.05 of the Waxahachie zoning ordinance.

6.2.1.2.7 Open space provided on school or other civic sites that comply with Sec 5.05 of the Waxahachie Zoning Ordinance.

6.2.1.2.8 Any Open Space included in land dedicated to the City as Park shall qualify as required Open Space and may be used to satisfy the Open Space requirements.

6.2.2 Thoroughfare Landscape Buffers and Subdivision Open Space

Open space areas along rights-of-way and within pockets in a subdivision shall count towards open space so long as the open space area along a right-of-way incorporates an amenity element every 300 linear feet and the open space area within a subdivision contains at least one amenity for every 15,000 square feet of area. Restricted development areas shall be designated as landscape / open space on a plat. This acreage shall apply to the total open space acreage requirements within the PD project.

6.2.2.1 Thoroughfare Landscape Buffer Design

Thoroughfares will provide a continuity of design from points of community entry throughout the entirety of the Kemp Tract. These thoroughfares and the adjacent landscape buffers are detailed in Chapter 7: Landscaping & Buffers.

6.2.2.2 Maintenance

Thoroughfare landscape buffers will be developed at the time the adjacent development occurs. An HOA, POA, Special District, or Municipal Financing District will be established to maintain all thoroughfare landscape buffers.

6.3 Parks

6.3.1 Park Maintenance

All Pocket Parks, Linear Parks and Neighborhood Parks shall be maintained by a HOA, POA, or Special District. Specialty Parks and park land such as the Waxahachie-Midlothian Trail Reserve that are conveyed to the City shall be maintained by the City.
Park Design Criteria

Parks are to be integrated within the larger open space system as well as the neighborhoods that they serve. Each park should have a variety of amenities and should not be the exact same amenities provided within other neighborhood parks within a 1 -mile radius. Where park design criteria provides for a menu of Required Elements or Additional Elements, the unique elements shall not be repeated such that one type of element composes more than 25% of the overall required elements. Refer to definitions in Sec. 6.1.1. for definition of required elements.

6.3.1.1 Pocket Park Design Criteria

A Pocket Park is typically a passive park embedded in a neighborhood. A Pocket Park shall be a minimum of .25 ac. and include the indicated required elements and a minimum of one additional element for every 0.5 acres.

Required Elements:

- Landscaping with Irrigation
- Seating (individual seats and/ or benches)
- Pet waste station

Additional Elements:

- Play equipment
- Picnic area
- Pavilion/ shade structure
- Sports court
- Bike Rack
- Drinking Fountain
- Trash receptacle
- Art in the landscape
- Outdoor living area such as a fire pit, fireplace or barbeque

- Fitness station
- Dog park
- Educational/ Historical Display
- School bus pick up areas with covered seating areas
- Other Amenities with Staff approval

6.3.1.2 Linear Park Design Criteria

A Linear Park is typically either a Natural Area Linear Park or a Trail Linear Park. A Natural Area Linear Park typically follows a floodplain or flow way and shall be a minimum 25' width above the 25-year floodplain and will have 6' wide pathways of natural materials such as gravel or mulch. A Trail Linear Park shall be a minimum of 20' wide and may overlay a utility easement, parallel to a street ROW, or greenspace edges in stormwater facilities, floodplains and greenspaces throughout the community and contain a 10' minimum gravel path. Linear Parks within development tracts and along arterials and collectors will be a minimum of 20' wide minimum by 500' length. Multi-modal pathways serve as linear parks and shall be measured as linear park areas. They may include up to 10' of the landscape and trail portion of a ROW. . Linear Park shall include a minimum of one item from the following list and one additional item for every one acre:

Required Elements:

- Multi-purpose / nature trails
- Seating (individual seats and/ or benches) (seating provided at trailheads and every 500 feet of trail)
- Trailhead & wayfinding signage
- Pet waste station
- Landscaping that includes drought tolerant landscaping and irrigation as needed for such

Additional Elements:

- Trail lighting
- Play equipment
- Picnic area
- Pavilion/ shade structure
- Sports court
- Bike Rack
- Drinking Fountain
- Trash receptacle
- Art in the landscape
- Fitness station

- Dog park
- Educational/ Historical Display
- School bus pick-up areas with covered seating areas
- Restrooms
- Other Amenities with Staff approval

6.3.1.3 Neighborhood Park Design Criteria

A Neighborhood Park shall be a minimum of **.**5 ac. and include a minimum of one item from the following list and one additional item for every 0.5 acres:

Required Elements:

- Landscaping with Irrigation
- Seating (individual seats and/ or benches)

Additional Elements:

- Play equipment
- Picnic area
- Pavilion/ shade structure
- Sports court
- Bike Rack
- Drinking Fountain
- Pet waste station
- Trash receptacle
- Art in the landscape
- Outdoor living area such as a fire pit, fireplace, or barbeque
- Fitness station
- Dog park
- Educational/ Historical Display
- School bus pick up areas with covered seating areas
- Restrooms
- Splash Pad
- Sports or multi-purpose field
- Community garden (vegetable and/or flower)
- Other Amenities with Staff approval

6.3.1.4 Waxahachie-Midlothian Trail Reserve Design and Conveyance Criteria

6.3.1.4.1 The Waxahachie Midlothian Trail Reserve is to be designated as a regional park and is to be dedicated in segments to the City of Waxahachie. **EXHIBIT F - OPEN SPACE AND TRAILS PLAN** generally describes the regional park areas. **EXHIBIT – N** – **WAXAHACHIE-**

MIDLOTHIAN TRAIL RESERVE CONVEYANCE Describes the order and conditions of conveyance. The park improvements shown on **EXHIBIT N – WAXAHACHIE-MIDLOTHIAN TRAIL RESERVE CONVEYANCE** shall be conveyed or dedicated to the City at no cost or expense to the City. Developer and City shall coordinate for phased dedication of the parkland to the City as development occurs. Trails and amenities within the conveyed property will be constructed by the Developer and generally comply with **EXHIBIT F - OPEN SPACE AND TRAILS PLAN** contained within the PD and shall include amenities in accordance with PD language 6.3.4.2 describing requirements for the Waxahachie Regional Park.

6.3.1.4.2 The portion of the parkland described as the "Initial Conveyance" on **EXHIBIT N – WAXAHACHIE-MIDLOTHIAN TRAIL RESERVE CONVEYANCE** shall be dedicated by the Developer to the City within ninety (90) days of completion of the final inspection and issuance of the final certificate of completion by the City. Subject to issuance of permits from agencies having jurisdiction, this segment shall be completed by Developer no later than one year after permits are issued but not prior to when the segment being built by the city is completed from Getzendaner Park and open to the public where it connects to the Kemp Tract.

6.3.1.4.3 The portion of the parkland described as the "Second Conveyance" on **EXHIBIT N – WAXAHACHIE-MIDLOTHIAN TRAIL RESERVE CONVEYANCE** shall be dedicated by the Developer to the City within ninety (90) days of completion of the final inspection and issuance of the final certificate of completion by the City, provided that such request shall not be made until 50 percent of the homes platted in the immediately adjacent phase have received final inspections by the City. The "Second Conveyance" shall be described as a "Waxahachie-Midlothian Trail Reserve" on the final and recorded plat for the adjacent residential area and conveyance shall be done via plat; provided that Developer may reserve any easements as required for the conveyance of dry or wet utilities required to service the Property.

6.3.1.4.4 The portion of the parkland described as the "Third Conveyance" on **EXHIBIT N – WAXAHACHIE-MIDLOTHIAN TRAIL RESERVE CONVEYANCE** shall be dedicated by the Developer to the City within ninety (90) days of completion of the final inspection and issuance of the final certificate of completion by the City, provided that such request shall not be made until 50 percent of the homes platted in the immediately adjacent phase have received final

inspections by the City.. The "Third Conveyance" shall be described as a "Waxahachie-Midlothian Trail Reserve" on the final and recorded plat for the adjacent residential area and conveyance shall be done via plat; provided that Developer may reserve any easements as required for the conveyance of dry or wet utilities required to service the Property.

6.3.1.4.5 The portion of the parkland described as the "Fourth Conveyance" on **EXHIBIT N – WAXAHACHIE-MIDLOTHIAN TRAIL RESERVE CONVEYANCE** shall be dedicated by the Developer to the City within ninety (90) days of completion of the final inspection and issuance of the final certificate of completion by the City, provided that such request shall not be made until 50 percent of the homes platted in the immediately adjacent phase have received final inspections by the City. The "Fourth Conveyance" shall be described as a "Waxahachie-Midlothian Trail Reserve" on the final and recorded plat for the adjacent residential area and conveyance shall be done via plat; provided that Developer may reserve any easements as required for the conveyance of dry or wet utilities required to service the Property.

6.3.1.4.6 Developer shall be responsible for constructing the portion of the trail shown on **EXHIBIT N – WAXAHACHIE-MIDLOTHIAN TRAIL RESERVE CONVEYANCE** to the specifications set forth in cross section attached hereto as **EXHIBIT N – WAXAHACHIE-MIDLOTHIAN TRAIL RESERVE CONVEYANCE**.

6.3.1.4.7 The Waxahachie Midlothian Trail Reserve Park will count toward park area calculations including dedication requirements, if any.

6.3.1.4.8 In addition to the Waxahachie-Midlothian Trail Reserve, the Trail Park shall include a minimum of one item from the following Required Elements list and one additional item for every 500 feet of trail from the following Additional Elements list:

Required Elements:

- Seating (individual seats and/ or benches) (minimum will include two benches provided at trailheads and every 500 feet of trail)
- Trailhead & wayfinding signage
- Pet waste station
- Landscaping that includes drought tolerant landscaping and irrigation as needed for such

Additional Elements:

- Trail lighting
- Play equipment
- Picnic area
- Pavilion/ shade structure
- Sports court
- Bike Rack
- Drinking Fountain
- Trash receptacle
- Art in the landscape
- Fitness station
- Dog park
- Educational/ Historical Display
- Restrooms
- Other Amenities with Staff approval

6.3.2.4.9 For Floodplain areas not included in the Waxahachie Regional Trail Park described above, Floodplain areas and adjacent undevelopable areas above the elevation of the 25-year flood plain extending up to the rear of adjacent platted lots, Mixed Use tracts or ROW will count as park land and open space. These Floodplain areas shall include the installation of one of the following elements every 750 linear feet of paved trail subject to compliance with Floodplain regulations:

- Pet watering Station
- Drinking Fountain
- Picnic Area
- Play Equipment
- Seating
- Trash/ Recycling Receptacle
- Other elements with Staff Approval.

6.3.1.5 Specialty Park Design Criteria

6.3.1.5.1 A Specialty Park is a park that provides a specific recreation use or range of uses such as a multi-field sports facility for a larger multi-neighborhood area and is located adjacent to a school site and/or a residential subdivision. Specialty Parks shall be dedicated to the City upon completion and acceptance by the City. Open Space that is adjacent to Specialty Parks and contains public improvements,

such as public trails, shall be dedicated to the City with the dedication of the adjacent Specialty Park.

6.3.1.5.2 A Specialty Park shall be a minimum of twelve (12) acres. A minimum of 25 acres of specialty park will be provided in the overall community.

6.3.1.5.3 Elements within the Specialty Park will be designed to serve as a public recreation park which will be shared by the City and an adjacent WISD school. Specifications for a Specialty Parks, such as sports field types and dimensions, are to be identified prior to construction of the first residential home in the adjacent neighborhood or site plan approval for the adjacent school.

Developer shall provide sodding, irrigation system, site perimeter fencing and lighting. Technical specifications of lighting will be subject to agreement between the city and Developer. Utilities will be stubbed out at the site perimeter.

6.3.1.5.4 Each Specialty Park shall include the following Required Elements:

Required Elements:
Recreation areas and athletic fields of type and size as mutually determined by the City and the Developer. Potential sports field sizes and types will be selected by the City and may be any combination of the following uses that will fit within the acreage to be provided:

- High School size Baseball Field
- Little League size Baseball field
- Tee Ball Size Baseball Field
- Recreation Softball Field
- Soccer Field
- 12-and-under size Soccer Field
- Kiddie size Soccer Field
- Football Field
- Basketball Courts
- Volleyball Courts
- Perimeter fencing
- Grassing and sodding
- Irrigation for sports fields
- Lighting for sports fields
- Site amenities such as waste receptacles, drinking fountains and bike racks.

- Area to provide a minimum of thirty (30) automobile parking spaces
- Restrooms
- Shade structures

6.3.1.5.5 Construction of a Specialty Park shall commence with the earlier of:

(i) commencement of construction on the adjacent school, or

(ii) commencement of construction on the first residential unit in the adjacent subdivision.

Construction of the Specialty Park shall be completed the earlier of:

(x) the issuance of a certificate of occupancy for the adjacent school, or

(y) final inspection of the last unit of fifty (50) percent of the homes in the adjacent residential subdivision.

6.3.2 Traditional Residential Parks

6.3.2.1 All homesites will be within 0.5 miles of a park space. At a minimum homesites will be no further 0.5 miles of one of the types of parks described in this section

6.3.2.2 Parks will include paved or natural paths connecting with neighborhood sidewalks and, where proximity allows, they will connect to natural areas along flow ways and floodplains. Except for natural pathways along natural areas, all park features will comply with ADA requirements.

6.3.2.3 Traditional Residential Park Phasing

6.3.2.3.1 Two acres of park must be completed prior to final inspection of the first residential dwelling unit in the Traditional Residential District and continued in accordance with Table 12. For purposes of this condition, Model Homes will not count as the first residential dwelling unit.

6.3.2.3.2 Park areas will be designated on plats as landscape reserve tracts and dedicated to the HOA or MMD.

6.3.2.3.3 Total acreage of parks will be updated and tracked with each recorded plat.

6.3.2.3.4 Overages above the 2 acres/100 units may count towards requirements for future plats as long as required parks that comply with all other applicable park requirements herein are provided for all neighborhoods.

6.3.3 Active Adult Parks

6.3.3.1 At a minimum homesites will be no further than 0.5 miles from a Pocket Park, Linear Park, Neighborhood Park, Special Purpose Park, Secondary Amenity Center, or a Primary Amenity Center.

6.3.3.2 Parks will include paved or natural paths connecting with neighborhood sidewalks and, where proximity allows, they will connect to natural areas along flow ways and floodplains.

6.3.3.3 Except for unpaved pathways along natural areas, all park features will comply with ADA requirements.

6.3.3.4 Active Adult Neighborhood Park Phasing

6.3.3.4.1 Two acres of parks must be completed prior to final inspection of the first residential dwelling unit and continued in accordance with Table 13. For purposes of this condition, Model Homes will not count as the first residential dwelling unit or be counted towards closed homes for calculating required park acreage in the Active Adult land use area.

6.3.3.4.2 Park areas will be designated on plats as landscape reserve tracts and dedicated to the HOA or MMD.

6.3.3.4.3 Total acreage of parks will be updated and tracked with each recorded plat.

6.3.3.4.4 Overages above the 2 acres/100 units may count towards requirements for future plats as long as required parks that comply with all other applicable requirements herein are provided for all neighborhoods.

6.4 Trails

The Trail system will include interconnected trails including trails/sidewalks along roads, off-road concrete trails and natural trails as generally depicted in **EXHIBIT F - OPEN SPACE AND TRAILS PLAN**. Additionally, trailhead locations at key locations such as parks, amenity sites, and at schools, to include trail maps and site furnishings (trash, seating) shall be provided. The trails delineated in **EXHIBIT F - OPEN SPACE AND TRAILS PLAN** shall be developed when the adjacent land is developed. Trails around detention ponds and along throughfares count toward open space and park requirements.

6.4.1 Regional Trail Connection

6.4.1.1 The Kemp Tract trail system will connect to the Waxahachie Regional Trail located at the northeastern property boundary of the Kemp Tract PD.

6.4.2 Golf Cart Pathways

Golf carts will be an integral part of the multi-modal circulation system. Golf carts will be allowed on streets in compliance with Texas State Law and city ordinance. The PD project shall be considered a master-planned community within the meaning set forth in Section 551.403(c)(1) of the Texas Transportation Code. The project shall contain a system of golf cart pathways including the "multi-purpose" path that accommodates golf carts to provide connectivity between local roads and the residential and recreational areas. This pathway system, as indicated in **EXHIBIT F - OPEN SPACE AND TRAILS PLAN** and the proposed street cross sections, will promote accessibility via golf cart within the development without the need to use an automobile. The golf cart pathways shall comply with state and local statutes and regulations.

6.4.3 Trail Materials

Trails outside of the Right-of-Way may consist of natural materials such as mulch or crushed stone.

6.5 Amenity Centers

6.5.1 General:

6.5.1.1 In order to promote a sense of community and to fulfill the recreation needs for all ages, recreational amenities will be provided. These features will be set within an open space and multi-modal pathway network intended to create and support interaction among the families, neighbors, and neighborhoods within the Kemp Tract.

6.5.1.2 A minimum of two (2) separate Primary Amenity Centers, at least 20 acres in size, which include features as described in 6.5.2.4 below, shall be provided cumulatively in the Traditional Residential and Active Adult Residential Districts.

6.5.1.3 At minimum, 40 acres of Primary Amenity Centers will be provided.

6.5.1.4 In addition, there will be Secondary Amenity Centers spread through future phases to support the Flex District. The size of the site(s) and program elements will be determined by the Developer and reviewed by the City during the Site Plan Review process for that facility.

6.5.1.5 All amenity centers will be maintained by a homeowner's association or property owners' association. The Amenity Centers may satisfy the park 0.5-mile radius requirement.

6.5.1.6 All Amenity areas and Amenity Elements shall count towards open space and park requirements.

6.5.2 Amenity Center Development Standards

6.5.2.1 The Amenity Center standards apply to an amenity center in the Traditional Residential and Active Adult Districts as depicted on **EXHIBIT B – CONCEPT PLAN.**

6.5.2.2 Land uses may consist of indoor and outdoor, lighted, and unlighted, recreation facilities, food and beverage establishments, and services that include active and passive sports and entertainment (including outdoor concert facilities (i.e., the Bandshell) and ancillary facilities including on-site alcohol consumption.

6.5.2.3 The amenity facilities will primarily be provided in one Primary Amenity center in each of the TR and AA communities.

6.5.2.4 Primary Amenity Center Facilities and Uses

Each primary Amenity Center will include at least five (5) of the following facilities and uses in the following list. Changes to this list may be processed as a minor amendment.

List 1. Items on list 1 below may not be counted as more than one of the five required facilities, no matter how many are constructed in one Primary Amenity Center

- Community Offices / Administration Buildings
- Shade Pavilions and Gazebos
- Sports courts such as basketball (minimum one full court), Tennis or Pickle Ball Courts (Minimum of four)
- Lawn Games such as bocce, croquet, volleyball, putting green, etc.
- Multi–use fields
- Playgrounds
- Pro shops
- Dog Grooming
- Hobby Space

List 2. Items on list 2 below may only be counted as up to two of the five required facilities, no matter how many are constructed in one Primary Amenity Center

- Food and Beverage such as facilities: restaurants, bars, and lounges
- Personal services: such as barber and beauty shops and nail salons
- Community recreation facilities such as indoor recreation, meeting, assembly, and banquet rooms
- Outdoor entertainment venues such as an amphitheater
- Indoor and Outdoor Swimming Pools

- Fitness and wellness Centers

TABLE 11: Amenity Center Development Standards	
Minimum lot area	7,000 SF
Minimum lot width	60 ft
Minimum lot depth	100 ft
Minimum front setback from ROW	25 ft
Minimum side setback along ROW	25 ft
Minimum side and rear setback adjacent to single family detached uses	50 feet
Minimum rear setback	20 ft
Maximum height	65 ft
Maximum lot coverage	60%

6.5.3 Traditional Residential Amenities

6.5.3.1 The Traditional Residential Amenities will include a 20-acre Amenity Campus consisting of buildings for a community center and multipurpose rooms with a minimum of 15,000 square feet of covered area of which 5,000 square feet will be air-conditioned space. The Amenity Campus will also include a minimum of 7,500 total square feet of pool area, 8 pickle ball courts, 1 basketball court, and 2 tennis courts.

6.5.3.2 Phasing for construction of the Traditional Residential Amenities shall conform to Table 12:

TABLE 12: TRADITIONAL RESIDENTIAL AMENITY AND PARK PHASING		
Facility	**Trigger for Start of Construction**	**Estimated Date Available for Use**
Residential Phase - Development Parks and Open Space • Two (2) acres for the first residential lot developed • Prior to final inspection for the 1,000th lot, the greater of the park requirement in Section 6.1.3 or a total of 20 acres of park and open space (inclusive of the initial 2 acres) shall be provided within the Property; • Prior to the final inspection for each successive 1,000th lot, an additional 20 acres of open space and park	Begins with site development of each development phase	Completion prior to final inspection of the first owner occupied residential unit in initial phases. Upon completion of the first Phase of the primary amenity, park completion will not be required until 50% of the owner-occupied residential units in a phase are complete.

shall be provided within the Property.		
Primary Amenity: **Phase 1 - uses from menu in 6.5.2.4** • Food and beverage Facility • Fitness Center • Tennis Courts • Pickle Ball Courts • Resort-style Pool	Commencement of construction on the first 10,000 SF no later than final inspection the 750th home. *	24 months after start of construction
Primary Amenity: **Phase 2 - uses from menu in 6.5.2.4** • As necessary to supplement Phase 1 in compliance with Section 6.5.2.4.	Commencement of construction on the additional 5,000 SF no later than final inspection of the 2,000th home.	18 months from start of construction
Specialty Park: • Sports Park or other similar community gathering park, on twelve (12) or more acres.	With the construction of the adjacent school site or subdivision.	Completed by opening of the adjacent school site.

*For purposes of this planned development, "commencement of construction" means that an application for a building permit has been submitted to the City. Notice of commencement of construction shall be issued no more than 45 days from issuance of the building permit.

6.5.3.3 Constructing the Facilities

The developer is responsible for the construction of recreational facilities and/or amenities. Buyers are not responsible for any direct costs, beyond the purchase price under the purchase agreement, related to the construction of the facilities.

6.5.3.4 Maintenance of the Facilities

Upon completion of each phase of the Amenity Campus, the Homeowners Association will be responsible for maintaining the facilities.

6.5.3.5 Transfer of the Facilities

The facilities are to be conveyed by the developer to the Homeowners Association. All of the facilities conveyed to the Homeowners Association will be conveyed by Special Warranty Deed, free and clear of all monetary liens.

6.5.3.6 Who May Use the Facilities

The above-described facilities are available for the use and enjoyment of each member of the homeowner's association and their guests. Use of the common area shall be subject to a Declaration applicable to the common area and any rules and regulations that may be adopted by the Homeowners Association.

6.5.4 Active Adult Amenities

6.5.4.1 The recreational facilities in the Active Adult Amenity Center shall include an Amenity Campus consisting of buildings for a fitness center, food and beverage facilities and multipurpose rooms with a minimum of 22,500 square feet of indoor area. The Amenity Campus will also include a minimum of 7,500 total square feet of pool area, 8 pickle ball courts, and 2 tennis courts.

6.5.4.2 Phasing for construction of the Active Adult Amenities shall conform to **Table 13: Active Adult Amenity And Park Phasing**:

TABLE 13: ACTIVE ADULT AMENITY AND PARK PHASING

Facility	Trigger for Start of Construction	Estimated Date Available for Use
Residential Phase - Development Parks and Open Space • Two (2) acres per 300 lots for Neighborhood Park	Begins with site development of each development phase.	Completion prior to final inspection of the first single family residential unit in initial phases. Upon completion of the first Phase of the primary amenity, park completion will not be required until 50% of the single-family residential units in a phase are complete.
Primary Amenity: **Phase 1 - uses from menu in 6.5.2.4** • Food & Beverage Facility • Fitness Center • Tennis Courts • Pickle Ball Courts • Resort Style Pool	Commencement of construction on the first 12,500 SF no later than final inspection the 500th home. *	24 months after the start of construction.
Primary Amenity: **Phase 2 - uses from menu in 6.5.2.4** • As necessary to supplement Phase 1 in compliance with Section 6.5.2.4.	Commencement of construction on the additional 10,000 SF no later than final inspection of the 1,500th home.	18 months from the start of construction.

*For purposes of this planned development, "commencement of construction" means that an application for a building permit has been submitted to the City. Notice of commencement of construction shall be issued no more than 45 days from issuance of the building permit.

6.5.4.3 Constructing the Facilities

The Developer is responsible for the construction of recreational facilities and/or amenities.

6.5.4.4 Maintenance of the Facilities

Upon completion of each phase of the Amenity Campus, the Homeowners Association will be responsible for maintaining the facilities.

6.5.4.5 Transfer of the Facilities

The facilities are to be conveyed by the developer to the Homeowners Association. All of the facilities conveyed to the Homeowners Association will be conveyed by Special Warranty Deed, free and clear of all monetary liens.

6.5.4.6 Who May Use the Facilities

The above-described facilities are available for the use and enjoyment of each member of the homeowner's association and their guests. Use of the common area shall be subject to the Declaration applicable to the common area and any rules and regulations that may be adopted by the Homeowners.

6.5.5 Multi-Family Amenity Centers

Each multi-family amenity center must include at least 1 of the following program elements for each 150 units or fraction thereof:

a) Outdoor living area such as a fire pit, fireplace or barbeque/cooking area with seating.

b) Sport courts (bocce, pickle ball, tennis, basketball, etc.)

c) Cabana or other shade/picnic pavilion

d) Community pool or spray park

e) Play or practice sports fields (If intended for play fields, soccer fields will include goals, baseball fields will include a backstop)

f) Playground or tot lot with three (3) or more of the following elements:

- Activity Panels
- Balancing
- Climbing
- Fitness
- Overhead / Hanging
- Sensory
- Slides
- Swings
- Zip Line

CHAPTER 7: LANDSCAPING & BUFFERS

The landscape design within the Kemp Tract open spaces and development tracts will follow the City of Waxahachie ordinance Section 5.04 with the following exceptions.

7.1 Landscape Design for Water Conservation

Landscaping shall include annual or perennial landscaping with plant material that is native or adapted to the North Texas area. Landscaped planting beds and individual trees shall be irrigated. Turf areas in high visibility areas will be irrigated to the extent necessary for healthy growth. Limits of irrigated area shall be reviewed during Plat or Site Plan approval as mutually agreed upon by developer's licensed Landscape Architect and city staff. To encourage water conservation, drip irrigation or irrigation close to the ground is required. Water from a nonportable source is encouraged.

7.2 Screening/Buffer Yards

The City of Waxahachie Zoning Ordinance Section 5.03(e) and Section 5.04(g), except for Subsections 5.04(g)(iii), (iv) and (v) which shall remain in full force and effect, and the City of Waxahachie Subdivision Ordinance Section 5.7(a)(1) are revised to include the following alternatives in lieu of the buffer requirements identified in the City of Waxahachie zoning ordinance. Refer to **EXHIBIT G - SCREENING PLAN**. Landscape buffers required along streets that are outside of the ROW and the limits of the roadway construction shall be installed with the development of the adjacent property. Landscaping and screening required and shown on the construction plan set within a segment of street right-of -way, shall be installed prior to the acceptance of the public infrastructure within such segment of street right-of-way. Final acceptance of the landscaping for a roadway or subdivision may occur after final acceptance of the related infrastructure project but in no case shall the acceptance process extend beyond six (6) months after acceptance of the infrastructure. With approval of the city manager (or designee) landscape materials may be installed after the infrastructure is accepted but in no case installation and acceptance will be complete no later than six months following acceptance of the infrastructure.

7.2.1 Screening/ Buffer Yard Requirements are applicable as noted below:

7.2.1.1 Primary Screening Type 1

Primary Screening Type 1 is required where Kemp Tract development abuts residential areas along the Lone Elm and Brookside neighborhoods. Primary Screening Type 1 shall include a minimum twenty (20) foot landscape buffer with the following:

a) **Landscape Berms**
   at least three (3) feet in height
b) **Canopy Trees**
   One (1) canopy tree at least three (3) caliper inches, planted for every forty (40) linear feet (ratio is average and trees can be planted in clusters so long

as the ratio is met, and general screening is achieved) of roadway for the landscape buffers.

c) Evergreen or Ornamental Trees

One (1) evergreen or ornamental tree, at least six (6) feet in height, planted for every twenty (20) linear feet (ratio is average and trees can be planted in clusters so long as the ratio is met, and general screening is achieved) of roadway for the landscape buffers.

d) Shrubs

In between required trees, hedge materials shall be planted to screen views from street. Shrubs shall be 36 inches tall at time of installation and species having mature maintained height of up to five feet. Shrubs will be placed in cluster or linear hedge formation with minimum average spacing of five (5) feet on center along length of roadway segment on top of berms of varying height lining the roadway segment. Buffer shrubs will not be located in sight triangle areas.

7.2.1.2 Primary Screening Type 2

Primary Screening Type 2 is required where Mixed-Use land uses directly abut residential areas. Primary Screening Type 2 shall include a minimum twenty (20) foot landscape buffer with the following:

a) Screening wall

A six-foot (6') masonry wall shall be constructed along common nonresidential and single-family property lines, but such wall shall not be required in front of nonresidential buildings along the public right-of-way upon which the nonresidential tract fronts.

b) Canopy Trees

One (1) canopy tree at least three (3) inch caliper inches, planted for every forty (40) linear feet (ratio is average and trees can be planted in clusters so long as the ratio is met, and general screening is achieved) of roadway for the landscape buffers.

c) Evergreen or Ornamental Trees

One (1) evergreen or ornamental tree, at least six (6) feet in height, planted for every twenty (20) linear feet (ratio is average and trees can be planted in clusters so long as the ratio is met, and general screening is achieved) of roadway for the landscape buffers.

d) Shrubs:

In between required trees, hedge material or midstory trees shall be planted to screen views from street. Shrubs shall be 36 inches tall at time of installation with species having mature maintained height of up to five (5) feet. Shrubs will be placed in cluster or linear hedge formation with minimum average spacing of five (5) feet on-center along length of roadway segment. Buffer shrubs shall not be located in sight triangle areas.

e) Midstory Plant material:

Midstory Plant material shall be four feet at time of installation with species having mature maintained height minimum of six (6) feet. Midstory plant material will be placed in cluster or linear hedge formation with minimum average spacing of eight (8) feet on-center along MU perimeters that directly abut residential areas. Midstory plant material shall not be located in sight triangle areas. A masonry wall six (6) feet in height may be provided in lieu of Midstory Plant Material.

7.2.1.3 Primary Screening Type 3

Primary Screening Type 3 will be used generally in locations as shown on **EXHIBIT G - SCREENING PLAN**. It will be used where the rear or side of homes directly abut the perimeter of the Planned Development in locations where lakes, natural vegetation or other forms of visual screening will not be provided. Buffer specifications are as follows:

7.2.1.31. Plant species will be selected from those listed in Sec. 5.04 Landscape Requirements

7.2.1.32. Plant Material Type Minimum Sizes:

- Canopy Tree: Single Trunk 50% 2" caliper, 50% 4" caliper with minimum spacing of 30’ O.C.
- Native Midstory Shrub minimum 10 gallon spaced 50’ on-center
- Shrubs: 3 gallon minimum 5’ O.C**.**

7.2.2 Tree Spacing

All trees shall be planted at a minimum of 5 feet away from any public utility lines, sidewalks, or roadway paving. If root barrier is installed between the tree and street or sidewalk, minimum spacing dimension may be 2.5 feet.

7.3 Street Trees

7.3.1 Street Trees Required

7.3.1.1 Each multi-family, mixed use, and non-residential development shall have at least one (1) canopy tree, a minimum three (3) inches in caliper, for each thirty (30) linear feet of platted street frontage or a fraction thereof.

7.3.1.2 Each Single Family Attached, Single Family Detached, Paired Villa and Cottage development shall have at least one canopy tree, a minimum of three (3)

inches in caliper, for each thirty (30) linear feet of platted street frontage or a fraction thereof.

7.3.2 The street tree will be located within the street parkway. Where conflicts prevent this planting location, the street tree may be located between building and the ROW (within the building setback).

7.3.3 Any existing trees meeting the minimum caliper inch preserved in the ROW will count towards this requirement.

7.3.4 Street trees shall be planted, and irrigation installed in boulevard medians and right-of-way islands where such are wide enough to accommodate trees. The trees shall be planted in these areas at a rate of one canopy or understory tree for every 1,000 square feet of area within the boulevard median or right-of-way island. The location of these detailed elements is flexible and can be clustered so long as the placement does not violate visibility requirements. These trees shall be maintained by a homeowner's association, property owners' association, or MMD.

7.3.5 Required street trees and irrigation for a street required to be constructed beyond the boundary of a subdivision, but within the Property, shall be provided within 6 months of acceptance of the roadway by the City of Waxahachie Public Works Department.

7.3.6 Tree Spacing

All trees shall be planted at a minimum of 5 feet away from any public utility lines, sidewalks, or roadway paving. If root barrier is installed between the tree and street or sidewalk, minimum spacing dimension may be 2.5 feet.

7.4 Enhanced Local Street Landscaping Criteria for Enhanced Local Street

The Enhanced Local Street, indicated on the **EXHIBIT D– THOROUGHFARE EXHIBIT**, shall include the following landscaping in the Parkway and parking lane Bump Outs. The landscaping will serve as a landscape amenity and transition from the travel lanes. All of the landscaping in the Enhanced Local Street ROW shall be irrigated.

7.4.1 Street Trees

One (1) canopy tree at least three (3) caliper inches, planted for every forty (40) linear feet of platted street frontage or a fraction thereof.

7.4.2 Ornamental Trees

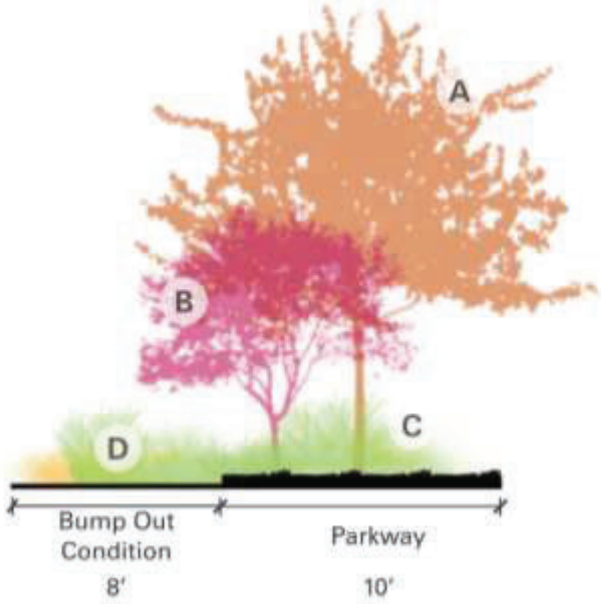
One (1) ornamental tree, at least six (6) feet in height, planted for every forty (40) linear feet of platted street frontage or a fraction thereof, planted in between and staggered with the canopy trees.

7.4.3 Shrubs

One (1) shrub, at least twenty-four (24) inches in height, planted for every ten (10) linear feet in between and staggered with the required trees. Shrubs will be placed in clusters or linear hedge formation. Shrubs will not be located in sight triangle areas.

7.4.4 Parking Bump Outs

Within the Parking Bump Outs 50% of the ground area shall be covered in living ground cover and/ or shrubs, at least twenty-four (24) inches in height. Shrubs will not be located in sight triangle areas.



Enhanced Local Street Landscape Requirements

The Enhanced Local Street, indicated on the Exhibit D Throughfare Plan, shall include the following landscaping in the Parkway and parking lane Bump Outs. The landscaping will serve as a landscape amenity and transition from the travel lanes. All of the landscaping in the Enhanced Local Street ROW shall be irrigated.

A **Street Trees**
One (1) canopy tree at least three (3) caliper inches, planted for every forty (40) linear feet of platted street frontage or a fraction thereof.

B **Ornamental Trees**
One (1) ornamental tree, at least six (6) feet in height, planted for every forty (40) linear feet of platted street frontage or a fraction thereof, planted in between and staggered with the canopy trees.

C **Shrubs**
One (1) shrub, at least twenty four (24) inches in height, planted for every ten (10) linear feet in between and staggered with the required trees. Shrubs will be placed in clusters or linear hedge formation. Shrubs will not be located in sight triangle areas.

D **Parking Bump Outs**
Within the Parking Bump Outs 50% of the ground area shall be covered in living ground cover and/ or shrubs, at least twenty four (24) inches in height. Shrubs will not be located in sight triangle areas.

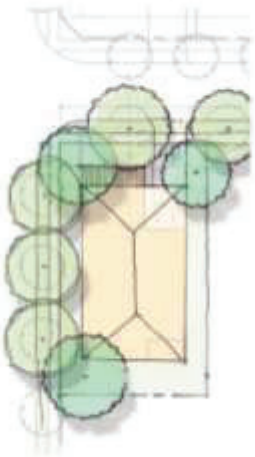
7.5 Detached Residential Landscape Requirements

7.5.1 Front Yard Trees:

Siting of front yard trees is commensurate with available space on the lot to provide for a tree canopy in conjunction with the street trees.

7.5.1.1 For lots 50 feet or less in width: Each lot shall have one Canopy Tree a minimum of three (3) caliper inches, in the front yard.

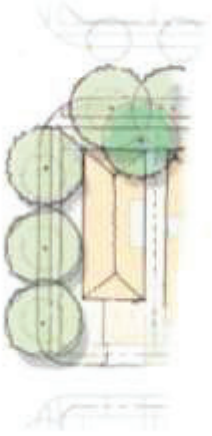
7.5.1.2 For lots greater than 50 feet in width: Each lot shall have two Canopy Trees a minimum of three (3) caliper inches each, in the front yard.



Lots Greater than 50' in Width

For lots greater than 50 feet in width: Each lot shall have two Canopy Trees a minimum of three (3) caliper inches each, in the front yard.

One Canopy Tree in rear yard minimum two (2) caliper inches. Homes that are alley loaded do not require rear yard canopy trees.



Lots 50' or Less in Width

For lots 50 feet or less in width: Each lot shall have one Canopy Tree a minimum of three (3) caliper inches, in the front yard.

One Canopy Tree in rear yard minimum two (2) caliper inches. Homes that are alley loaded do not require rear yard canopy trees.

7.5.2 Rear Yard Trees

One Canopy Tree, a minimum two (2) caliper inches, is required in the rear yard. Homes that are alley loaded do not require rear yard canopy trees.

7.5.3 Shrub Beds

7.5.3.2 Shrub beds are required along front façade of home with mix of one- and three-gallon plant sizes.

7.5.3.3 Where side yards abut streets, shrub beds along 40% of the home and a Canopy Tree with a 2-inch caliper is required.

7.5.4 Mechanical Equipment

Mechanical equipment shall be screened from direct view from the street with plant species that will grow to be maintained at the height of equipment to be screened.

7.5.5 Pervious Coverage

Sod, mulch, or another staff approved ground cover shall cover 100% of the pervious portions of the lot not covered by other plant material. Hydroseed and hydromulch will not be permitted unless approved by Staff.

7.6 Attached Residential and Paired Villas Landscape Requirements

7.6.1 Required Trees

One Canopy Tree per unit, a minimum three (3) caliper inches, is required. For Cottage units the trees may be arranged in front, rear or side yards and paseos.

7.6.2 Shrub Beds

7.6.2.2 Shrub beds required along front façade of home with mix of one- and three-gallon plant sizes.

7.6.2.3 Where side yards abut streets, shrub beds along 40% of the home and a Canopy Tree with a 2-inch caliper is required.

7.6.3 Mechanical Equipment

Mechanical equipment shall be screened from direct view from the street with plant species that will grow to be maintained at the height of equipment to be screened.

7.6.4 Pervious Coverage

Sod, mulch, or another staff approved ground cover shall cover 100% of the pervious portions of the lot not covered by other plant material.

7.7 Cottage Landscape Requirements

The unique housing type configuration necessitates tailored landscaping requirements.

7.7.1 Street Frontage

7.7.1.2 Required Trees

Two (2) Canopy Trees are required per four (4) cottage units, a minimum three (3) caliper inches, and planted for every forty (40) linear feet of platted street frontage or a fraction thereof. These trees may be planted as Street Trees in the landscape strip or parking bulb out. Two (2) Ornamental Trees are required per four (4) cottage units, at least six (6) feet in height.

7.7.1.3 Shrub Beds

Shrub beds are required along front façade of home with mix of one- and three-gallon plant sizes planted at 36 inches on center.

7.7.1.4 Living Groundcover

Living groundcover required along front façade of home planted at 24 inches on center.

7.7.2 Paseo Frontage

7.7.2.2 Required Trees

Four Ornamental Trees, at least six (6) feet in height, are required per four cottage units.

7.7.2.3 Shrub Beds

Shrub beds are required along front façade of home with mix of one- and three-gallon plant sizes planted at 36 inches on center.

7.7.2.4 Living Groundcover

Living groundcover is required along front façade of home planted at 24 inches on center.

7.7.3 Rear Lot Frontage

7.7.3.2 Required Trees

One (1) Ornamental Trees, at least six (6) feet in height, is required per four (4) cottage units,.

7.7.3.3 Shrub Beds

Shrub beds are required along front façade of home with mix of one- and three-gallon plant sizes planted at 36 inches on center.

7.7.3.4 Groundcover

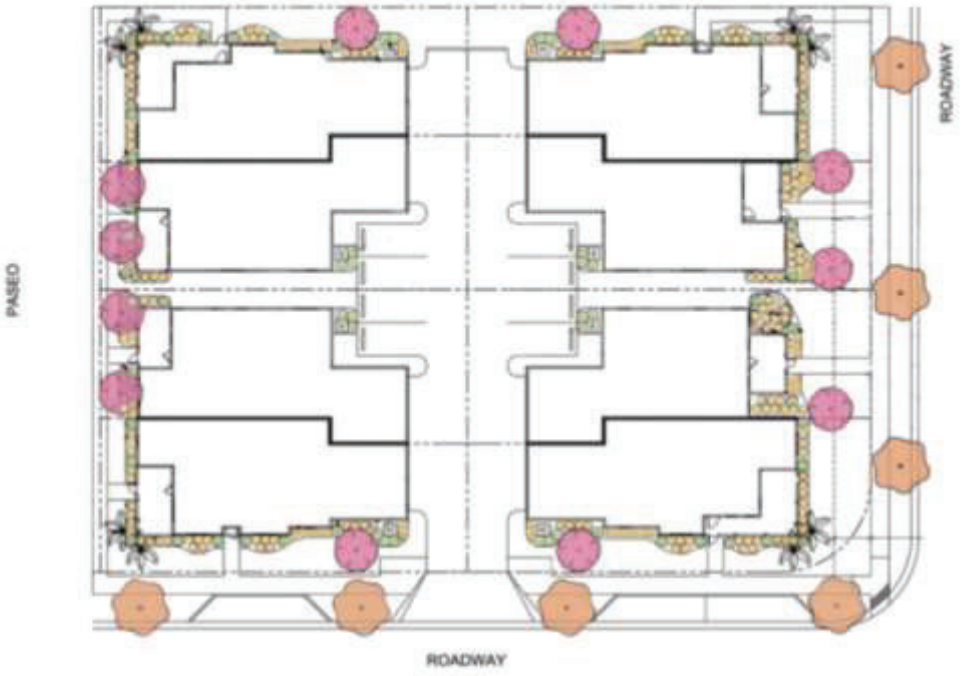
Living groundcover is required along front façade of home planted at 24 inches on center.

7.7.4 Mechanical Equipment

Mechanical equipment shall be screened from direct view from the street with plant species that will grow to be maintained at the height of equipment to be screened.

7.7.5 Pervious Coverage

Sod, mulch, or another staff approved ground cover shall cover 100% of the pervious portions of the lot not covered by the driveway or other plant material.



Cottage Landscape Requirements
The unique housing type configuration necessitates tailored landscaping requirements.

A **Street Trees**
Two (2) Canopy Trees per four (4) cottage units, minimum three (3) caliper inches, planted for every forty (40) linear feet of platted street frontage or a fraction thereof. May be planted as Street Trees in the landscape strip or parking bulb out.

B **Ornamental Trees**
Two (2) Ornamental Trees per four (4) cottage units, at least six (6) feet in height.

C **Shrub Beds**
Required along front façade of home with mix of one- and three-gallon plant sizes planted at 36 inches on center.

D **Living Groundcover**
Living groundcover required along front façade of home planted at 24 inches on center.

7.8 Non-Residential Tree Requirements

7.8.1 Required Trees

Trees shall be provided as required by Section 5.04 of the Zoning Ordinance. Tree massing within the designated landscaped area may be allowed to meet the overall requirement. Required trees shall be a minimum 3-inch caliper in common areas and streetscape.

7.8.2 Trees may be planted within the right-of-way provided they are planted consistent with the provisions of above and their location is approved by the City.

7.8.3 All tree species shall be approved by a registered Landscape Architect or certified arborist at the time of landscape plan submission to the City.

7.8.4 Subject to City staff approval, changes to the approved landscape plan's design may be modified in the field to better address existing site conditions and constraints while still maintaining landscape requirements.

7.9 Lighting

All lighting throughout the commercial sites shall be full cut-off and shall not exceed (0.25) footcandles at a property line shared with a residential lot or the external boundary of the PD area. The Developer shall install decorative streetlight fixtures throughout the project provided the decorative street light fixtures are approved by the electricity service provider. If decorative streetlight fixtures are caused to be installed by the Developer they will be maintained by the electricity service provider, HOA, POA, or MMD.

7.10 Fencing

Fencing along Thoroughfares and Collectors shall not be required due to the use of landscaping and berms, except as provided in this chapter. In areas the Developer installs fencing, the standards below shall apply:

a) Front Yard Fence: Front Fence shall mean a fence that is constructed out of wood or metal with a maximum height of four feet (4') and with openings not less than fifty (50) percent of the fence area.
b) Rear and Side Yard Fence: Wooden or ornamental metal fences (with openings not less than 50% of the fence area) with a minimum height of four feet (4') and a maximum height of six feet (6' 8") surrounding the rear yard of residential lots shall be permitted. This fence shall not exceed past the front façade of the dwelling.
c) Black, welded light gauge metal fence: A black, welded light gauge metal fence is a permitted fence material in parks or recreational facilities (such as WireWorks Anti-Climb and Jerith Patriot wire fence products).

7.10.1 Fence Materials

Allowed materials include fences made of treated or painted/stained wood, masonry, tubular steel, and wrought iron fencing. Examples of prohibited materials include chain link, plywood, particleboard, and corrugated metal sheets.

CHAPTER 8: PARKING REQUIREMENTS

All off-street parking & loading must comply with the City of Waxahachie Zoning Ordinance, Section 5.02 except the following:

8.1 Multi-Family and Mixed-Use Parking

8.1.1 Parking Ratio

Multi-Family Uses shall be parked at the following Ratio:

- 1 space for a studio/ efficiency
- 1.5 spaces per 1 bedroom
- 2 spaces per 2+ bedroom

8.1.2 On-Street Parking

On-street striped parking can be counted towards the off-street parking requirements for non-residential uses. On-street parking cannot count for more than 10% of the overall required parking and any on-street parking that is credited towards the required parking must be labeled on the Residential Plat and/or Site Plan. A parking stall may not be used for credit on more than one land use.

8.2 Amenity Center Parking

Amenity Centers shall be classified as Private Recreation Facilities with parking criteria as follows:

10 spaces minimum, plus 1 space per 500 sf over 5000 sf of building and active amenity recreation areas. Open space such as lawn or landscape areas, connective sidewalks, parking areas are not counted as active recreation areas.

CHAPTER 9: STREET DESIGN

9.1 Street Standards

All streets shall comply with the City of Waxahachie Subdivision Ordinance, Section 3.01 except as shown in **EXHIBIT E – STREET SECTIONS** and the standards in this Chapter.

9.2 Thoroughfare Plan

Refer to **EXHIBIT D - THOROUGHFARE EXHIBIT** for general types and locations of the various major public streets. The locations are general and may be modified prior to Plat approval so long as the overall connection points along the perimeter are provided.

9.2.1 Connection to FM 875

Prior to the issuance of a certificate of occupancy on the first home constructed within development, an access route shall be provided throughout the overall development from IH-35E to FM 875. The access route shall be provided by means of a minimum 24'-wide public street, fire lane, temporary all-weather access, or a combination thereof. The final alignment of the access route shall be coordinated with the Fire Marshal prior to the commencement of construction and periodically throughout the life of development.

9.3 Street Design Features

9.3.1 Traffic Circles and Roundabouts

Traffic circles and roundabouts are allowed intersection types with the approval of location and design by the City Engineer.

9.3.2 Brookside Road

Subject to final engineering design approval by the City, the alignment of Brookside Road shall generally comply with the alignment identified in **EXHIBIT K – BROOKSIDE ROAD ENLARGEMENT** No other direct connections to Brookside Road shall be permitted from the Property except for a connection necessary at the west end of Brookside Road to provide for access for landowners west of the Property which connection will be controlled with an access gate to be used only for that access and for emergency EMS access. A public roadway or combination of public roadway and private easement through the Kemp Tract Active Adult area will extend from the east Kemp Tract property line to the property line of the immediately adjacent landowner to the west.

9.3.3 Multi-Purpose Trail

The Multi-Purpose Trail, where used, is designed to serve a variety of users: golf carts, e-bikes, bicycles, and pedestrians.

9.4 Arterial Phasing

Per the TIA the 4-Lane Arterial shall be built where a Major Arterial is shown on **EXHIBIT D - THOROUGHFARE EXHIBIT**. The 4-Lane Arterial may be expanded to 6-Lane Arterial section when the traffic demand requires expansion as documented in an updated TIA.

CHAPTER 10: SIGNAGE

10.1 Signage Generally

All signage within the project shall comply with the Waxahachie Code of Ordinances Sec. 5.08 Sign Regulations, with the exception of the standards listed below. When there is a conflict between the requirements of the Sign Ordinance and this PD document, the PD document will supersede and control over the development. The project will include various development monument entry signs and neighborhood monument entry signs located at various perimeter entrances and neighborhood entries. For purposes of signage in this PD, the entire property is considered one lot.

10.2 Community Entry Signage

Points of entry into the Kemp Tract will be defined with a combination of monument signage, landscape, and lighting to create a sense of arrival commensurate in scale and character with a large master planned community (see **EXHIBIT I - SIGNAGE PLAN**). These Points of entry will be primary, secondary, or tertiary in scale. All monument entry signs shall be outside of any visibility triangles located at the intersections (as defined by City of Waxahachie Zoning & Subdivision Ordinances). For purposes of advertising different neighborhoods or amenities in the Development, signage is permitted within the Property to advertise neighborhoods and amenities not located on the same lot within the Property as set forth below. For purposes of signage in this PD, the entire property is considered one lot.

10.2.1 Primary Entry Signage

These types of monument signs shall be placed at the entry area on I-35, as shown on the Signage Plan attached as **EXHIBIT I- SIGNAGE PLAN**, to provide project identity.

- The primary entry monument is permitted within 300 feet of the IH-35 right-of-way and may be a maximum of sixty (60) feet in height.
- A wall sign which may be one sided or a two-sided blade sign may be developed in conjunction with the entry monument.
- In addition to the signage listed above, an attached or isolated sign blade wall with a maximum size of twelve (12) feet tall by eighty feet in length (12’x80’) for the purposes of identifying tenants of the Mixed Use area at I-35.

10.2.2 Secondary Entry Signage

These monument signs shall be placed at entry points, as shown on the Signage Plan attached as **EXHIBIT I- SIGNAGE PLAN**.

- Thirty-five (35) feet tall maximum and may have an attached or isolated sign blade wall with a maximum size of ten feet tall by fifty feet in length (10’x50’).

- In addition to the signage listed above, an attached or isolated sign blade wall with a maximum size of ten (10) feet tall by forty feet (40') in length (10'x 40') for the purposes of identifying tenants of the Mixed Use area located in the center of the community.

10.2.3 Tertiary Entry Signage

These monument signs shall be placed at entry points, as shown on the Signage Plan attached as **EXHIBIT I- SIGNAGE PLAN**.

- Thirty-five (15) feet tall maximum and may have an attached or isolated sign blade wall with a maximum size of ten feet tall by fifty feet in length (8'x35').
- A maximum of two entry signs will be provided at each entry point.

10.2.4 Neighborhood Entry Signage

These monument signs may be placed at multiple entry points to residential subdivisions within the project and at points where the ring road intersects with arterials. **EXHIBIT I- SIGNAGE PLAN** identifies potential neighborhood entry signage locations. As neighborhoods are designed and plats are submitted, additional neighborhood entry signage may be approved by the City Manager or his designee.

- Eight feet (8') tall maximum and an attached or isolated sign blade wall with a maximum size of six feet tall by twenty feet in length (6'x20').

10.2.5 Street Signs

The Developer shall install decorative street signs throughout the project.

10.3 Permitted Neighborhood Signs

The following sign types may be placed within the project:

10.3.1 Community Center Monument:

- This sign shall be placed at the community center located within the project.
- Eight feet (8') tall maximum and an attached or isolated sign blade wall with a maximum size of six feet tall by twenty feet in length (6'x20').

10.3.2 Parks Monument

These signs shall be placed at parks located throughout the project.

- The monuments shall not exceed eight feet (8') in height and 80 square feet in size.
- Directional/Marketing/Information Signs: Used to direct residents to various parks or trails located throughout the project. Additionally, there may be informational

signs about wildlife, wellbeing messaging, etc. The monuments shall not exceed eight feet (8') in height.

10.3.3 Residential Navigation Signs

A maximum of 10 Residential Navigation Signs shall be allowed in each phase. These signs are located in model homes centers and various residential neighborhoods available to potential home buyers.

- Ten feet (10') tall and six feet (6') wide maximum sign size, not including posts.
- The sign messaging area shall be a maximum of 125 square feet in size.
- All residential navigation signs must be removed when 90% of the model homes in the model home village are purchased and used as private homes.

10.3.4 Directional/Marketing/Information Signs:

- These signs are to be located along roadways and will direct potential home buyers to various neighborhoods and community features and/or model homes. These temporary signs may be installed at various locations within the project.
- The sign messaging area shall be a maximum of 100 square feet in size and they may not be spaced closer than 300' apart.
- All Marketing/Information signs must be removed when 100% of in the homes in the community have been completed and occupied. Real estate marketing signage subsequent to that milestone shall comply with sign codes in place at that time.
- Directional signs providing directions to permanent neighborhoods or community components such as amenities, town center, schools, parks will remain permanently

10.3.5 Wall Signs

- Wall signs shall comply with Section 5.08 except as otherwise provided herein.
- The maximum size of all wall signs on a façade shall not exceed 15% of the façade area.

10.3.6 Vacant Lot Signs

Vacant Lot Signs used to identify vacant lots available for sale to potential home buyers.

- There shall be one sign per lot.
- The sign shall have a maximum of sixteen (16) square feet in size and not to exceed four feet (4') in height.

10.4 Amenity Center and Surrounding Grounds Signage

This sub-chapter pertains to attached signs and wall mounted graphics placed within the project's private Amenity Center and surrounding grounds at the Developer's discretion.

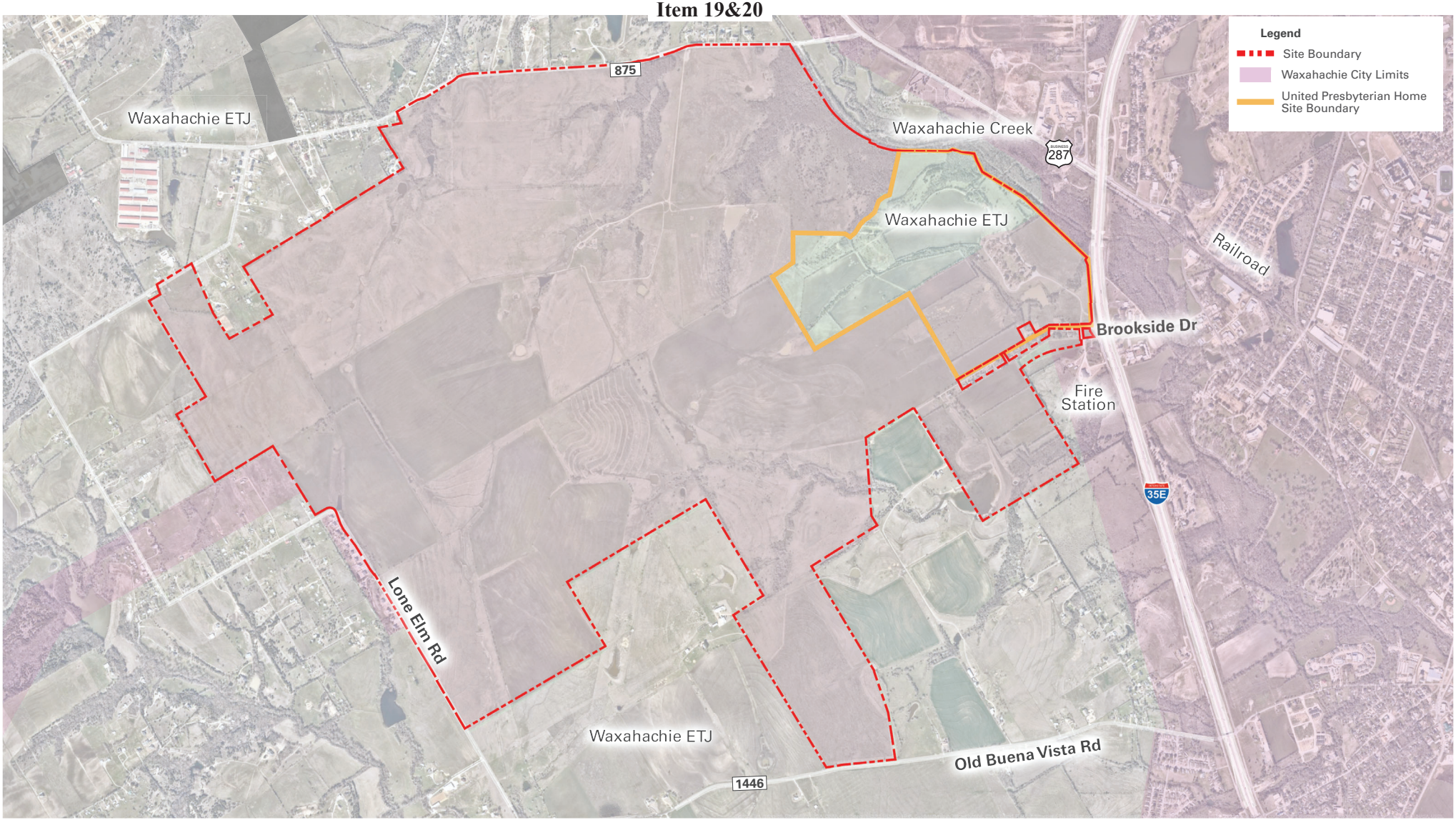
- The maximum percentage of each elevation of a building with applied signage graphics flush on the walls or on protruding structures shall not exceed twenty percent (20%).
- The area of the elevation of a building does not include measurements of exposed roof area or ornamental architectural features.
- Signage area is defined as the area measurement of a polygon line that tightly surrounds the graphics and text of a sign only.
- Ornamental walls, finishes, and colors on which the sign may be mounted do not apply to the area measurement.
- There shall be no restrictions on the design or size of projecting signs so long as the maximum percentage of sign coverage is not exceeded and a minimum clearance of eight (8) feet above any sidewalk or other pedestrian travel surface, and fourteen (14) feet above any vehicular parking or circulation surface is provided.
- Covered canopies, marquees, and other similar architectural features may be adorned with signage.
- Temporary signage, banners, miscellaneous site graphics, and marketing signage shall not be regulated except that marketing signage shall not exceed eight feet (8') in width and seven feet (7') in height.

CHAPTER 11: EXHIBITS

Item 19&20

EXHIBIT A – ZONING LOCATION MAP

Item 19&20



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Exhibit A - Zoning Location Map

Waxahachie, Texas
11/14/2025

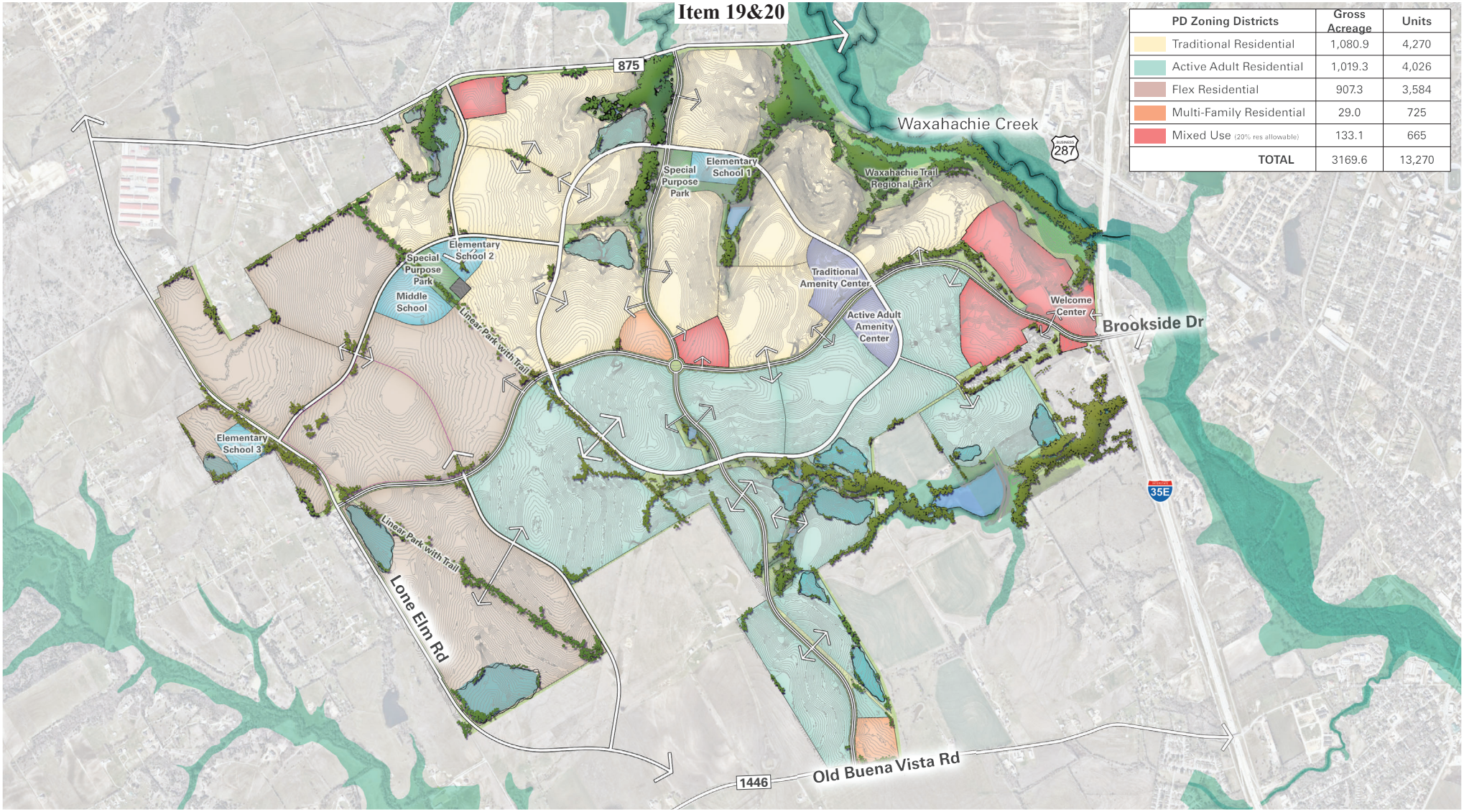
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0 400' 800' 1600'

EXHIBIT B – CONCEPT PLAN

Item 19&20



PD Zoning Districts	Gross Acreage	Units
Traditional Residential	1,080.9	4,270
Active Adult Residential	1,019.3	4,026
Flex Residential	907.3	3,584
Multi-Family Residential	29.0	725
Mixed Use (20% res allowable)	133.1	665
TOTAL	3169.6	13,270

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Exhibit B - Concept Plan

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EXHIBIT C – PERMITTED USES

ZONING DESIGNATIONS
AA-Active Adult Residential District
TR- Traditional Residential District
MF — Multi-Family Residential District
MU — Mixed-use Residential District
FR-Flex Residential District (uses permitted per selected Zoning Designation)

LEGEND
P - Permitted Use
S - Use may be approved via SUP
Blank - Prohibited Use

GENERAL: The land uses in the table below are (i) from Section 4.01 of the Waxahac
Zoning Ordinance, or (ii) defined herein and identified with *.

Land Use	AA	TR	MF	MU	Land Use	AA	TR	MF	MU
Residential Type Uses									
Bed and breakfast inn			P		Multiple-Family Dwelling or Apartment			P	P
Boarding House or Home					Single-Family Dwelling, Attached (Townhouse or Townhome)	P	P	P	P
Dormitory					Single-family Dwelling, Detached	P	P	P	P
Fraternity or Sorority House					Two family dwelling (Duplex, Paired Villas, Courtyard Villas)	P	P	P	P
Home Occupation	P	P	P	P	Accessory Building, MF or Non-Residential			P	P
Housing for the Elderly / Senior Apartments	P		P	P	Accessory Building (Residential), Less than 700 s.f.	P	P	P	P
HUD Code Manufactured** Home	P	P	P	P	Accessory Building (Residential), greater than or equal to 700 s.f.	S	S	S	S

					Accessory Building, Used as a Dwelling Unit	S	S	S	S
Mobile Home					Garage Accessory Dwelling	S	S	S	S
Mobile Home Park					Caretaker's or Guard's Residence	P	P	P	P
Modular Prefabricated Structure or Modular Home**	P	P	P	P	Stables, Private				
Cottages*	P	P	P	P	Build for Rent (Cluster Residential) *	P	P	P	P
Model Home	P	P			"Stay and Play" Residences*	P			

**HUD Code Manufactured Homes, and Modular Prefabricated Structures or Modular Homes are permitted as (i) Temporary Field Offices pursuant to Section 5.10.4, and (ii) temporary residences of 1 per MMD District to serve as initial homes for a special district, but must be removed one year after being located on the property.

Land Use	**AA**	**TR**	**MF**	**MU**	**Land Use**	**AA**	**TR**	**MF**	**MU**
Educational, Institutional, and Special Uses									
Adult Daycare Facility	P		P	P	Hospital, Acute Care				P
Art Gallery or Museum				P	Hospital, Chronic Care				P
Cemetery, Animal					Household Care Facility	S	S	S	S
Cemetery or Mausoleum					Institution for Alcoholic, Narcotic, or Psychiatric Patients				
Child Advocacy Center					Institution of Religious or Philanthropic Nature	S	S	S	S
Child Daycare Center	P	P	P	P	Jail or Prison				
Church, Rectory, or Temple	P	P	P	P	Juvenile Detention Center				
College or University			S	S	Kindergarten or Nursery School, Private	P	P	P	P
Community Home	S	S	S	S	Private Recreation Facility	P	P	P	P
Crematorium					Public Community Center	P	P	P	P

Day Camp for Children		S		S	Rehabilitation Care Facility or Halfway House				
Fairgrounds, Rodeo Grounds or Exhibition Area					Residential Home for Adults with Intellectual and Developmental Disabilities	S		S	S
Family Home (Child Care)				S	School, Private		S	S	P
Farm, Ranch, Garden, or Orchard	P	P	P	P	School, Public	P	P	P	P
Fraternal Organization	S	S	S	S	School, Vocational			S	S
Home for Aged, Residence (Assisted Living)	P		P	P	Skilled Nursing Facility	P		P	P

Land Use	**AA**	**TR**	**MF**	**MU**	**Land Use**	**AA**	**TR**	**MF**	**MU**
Commercial and Retail Types Uses									
Airport					Helistop				S
Alternative Financial Services					Household Appliance Service or Repair				P
Ambulance Service	S			S	HUD Code Manufactured Home Display or Sales				
Amusement, Indoor	P	P		P	Kiosk				P
Amusement, Outdoor	P	P	P	P	Laboratory, Medical or Dental				P
Animal Hospital or Kennel, Indoor Pens				P	Laboratory, Scientific or Research				P
Animal Hospital or Kennel, Outdoor Pens					Landscape Sales and Installation				S
Animal Pound					Laundromat				P
Antique Shop				P	Massage Establishment				P

Appliance Rental, Service or Repair					Massage Parlor				
Arcade				P	Medical Appliance Fitting or Retail Sales				P
Auto Leasing and Rental					Medical Facilities				P
Auto Parking for, Commercial					Metal Recycling Center				
Auto Parking Lot, Trucks and Trailers					Micro-Brewery				P
Auto Parts and Accessory Sales				S	Mini-Warehouse or Self Storage Facility				S
Auto Racing or Go-Cart Track					Hotel (Less than 75 Rooms)				P
Auto Repair, Major					Hotel (More than 75 Rooms)				P
Auto Repair, Minor or Automotive Care Center				S	Office, Professional and Administrative				P
Auto Sales, New				S	Outside Display				P
Auto Sales, Used				S	Outside Storage				S
Auto Storage or Auto Auction					Park or Playground, Private	P	P	P	P
Auto Wrecking Yard					Pawn Shop				
Bail Bond Agency					Pet Shop and Grooming				P
Bakery, Commercial					Pharmacy	P			P
Bakery, Retail				P	Playfield or Stadium, Public	S	S	S	S
Bank or Credit Union				P	Portable Building Sales				
Boat Sales				S	Private Club (limited to amenity and recreation areas)	P	P	P	P

Building Materials and Hardware Sales, Indoor				P	Railroad Freight Depot				
Building Materials and Hardware Sales, Outdoor				S	Restaurant	P			P
					Restaurant as part of an amenity	P	P	P	P
Bus Station or Terminal					Retail Stores and Shops (less than 5,000 s.f.)	P	P	P	P
					Retail Stores and Shops (greater than 5,000 s.f.)				P
Cabinet or Upholstery Shop					RV Sales				S
Car Wash				S	Screen Printing Shop				P
Clinic, Dental, Medical, or Chiropractic	P			P	Sexually Oriented Business				
Convenience Store				S	Small Engine Repair Shop				
Copy or Print Shop				P	Specialty Paraphernalia				
Country Club, Private	P	P			Stables, Public				
Custom Personal Service Shop				P	Studio	P	P	P	P
Drive-Through Establishment				S	Surgical Outpatient Facility				P
Dry Cleaning Establishment, Off-Site				P	Swimming Pool, Commercial	P	P	P	P
					Swimming Pool, Private	P	P	P	P
Dry Cleaning Establishment, On-Site				S	Tattoo or Body Piercing Shop				S
Feed and Grain Store				S	Tavern	P	P		P
Flea Market or Farmers Market				S	Theater, Indoor	P			P

Funeral Home or Mortuary				S	Tire Installation or Repair				S
Furniture Manufacture and Refinishing Shop				P	Tool and Equipment Rental				S
Gasoline Sales				S	Trailer and Heavy Load Vehicle Repair				
Golf Course	P	P			Trailer or Truck Sales or Rental				
Greenhouse, Nursery, Florist or Garden Shop				P	Truck Stop				
Hauling, Storage, or Motor Freight Terminal					Winery	S			P
Heating and Air Conditioning Sales				S	Zoo, Private				
Heavy Machinery and Equipment, Rental, Sales, or Storage					Zoo, Public				

Land Use	AA	TR	MF	MU	Land Use	AA	TR	MF	MU
Industrial and Utility Uses									
Animal Production Facility					Local Utility Lines	P	P	P	P
Antenna, Non-Commercial	P	P	P	P	Machine Shop or Welding Shop				
Batch Plant (Temporary Facility)	P	P	P	P	Medium Manufacturing, Fully Indoor				
Chemical Plant					Medium Manufacturing, Outdoor				
Electrical Generating Plant					Municipally Owned Facilities and Uses	P	P	P	P
Equipment Sales, New or Used					Noxious Uses				
Food Manufacturing or Processing Plant					Portable Storage Structure or Temporary Building				S

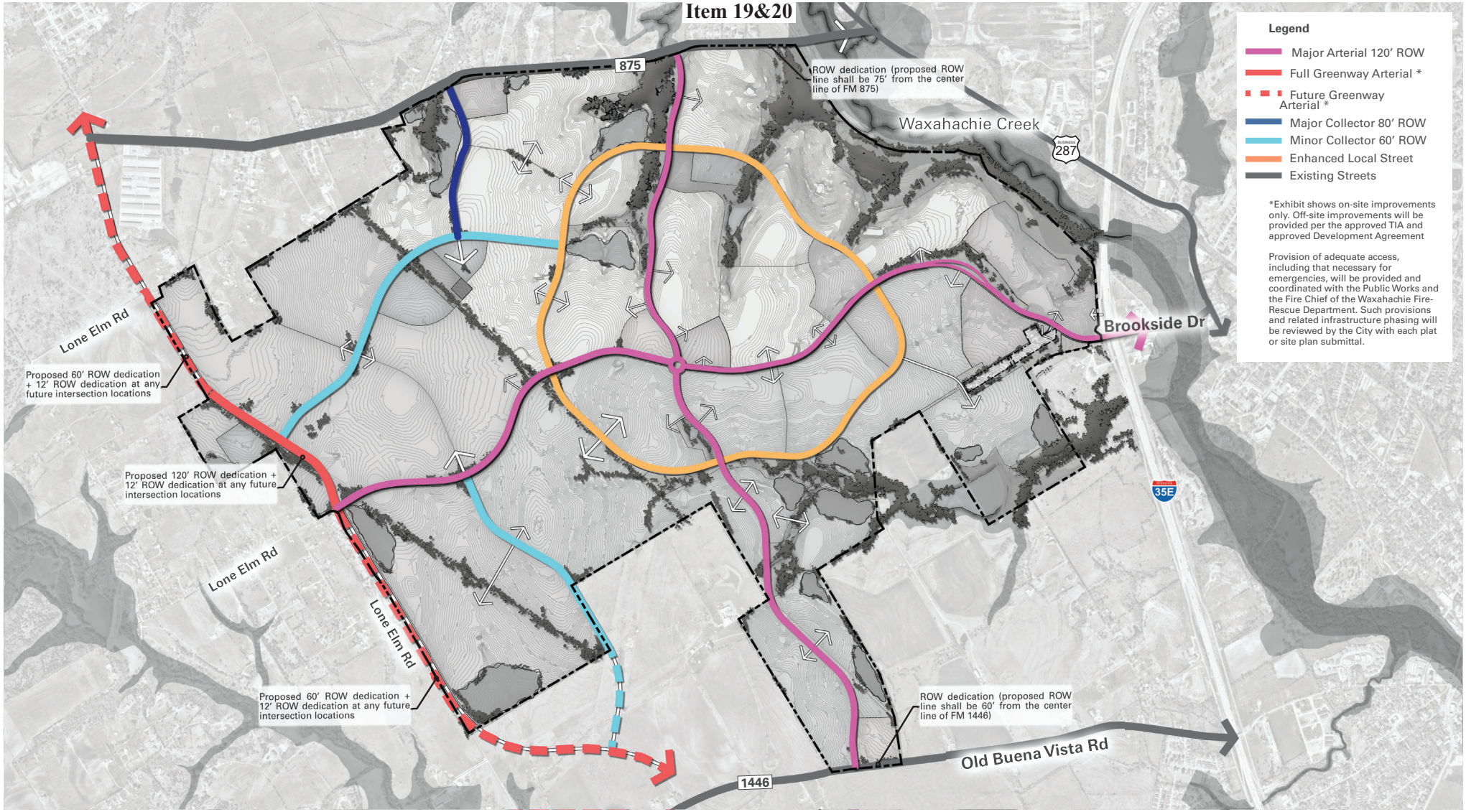
Franchised Private Utility (Not Listed)	S	S	S	S	Public Building, Shop, or Yard of a Local, State, or Federal Agency				P
Heavy Manufacturing, Fully Indoor					Public or Private Storage				
Heavy Manufacturing, Outdoor					Railroad Track	P	P	P	P
Landfill					Sand, Gravel, Stone, or Petroleum Extraction				
Light Manufacturing				S	Storage Warehouse				S
Cell Tower not to exceed 90 feet	S	S	S	P	Data Center				S

Land Use	AA	TR	MF	MU	Land Use	AA	TR	MF	MU
Accessory, Incidental and Sign Uses									
Awning Sign			P	P	Pole Sign				S
Canopy Sign			P	P	Portable Sign				P
Development Sign	P	P	P	P	Real Estate Sign	P	P	P	P
Directional Sign (On-Site)	P	P	P	P	Searchlights				
Electronic Message Sign				S	Small Wind System	S	S		P
Garage Sale Sign	P	P			Solar Panel Farm				
Informational Sign	P	P	P	P	Solar Panel System, Large In-Ground				P
Institutional Sign	P	P	P	P	Solar Panel System, Rooftop	P	P	P	P

Model Home Sign	P	P	P	P	Solar Panel System, Small In-Ground				
Monument Sign	P	P	P	P	Unified Lot Sign	P	P	P	P
Name Plate	P	P	P	P	Wall Sign (for amenity areas only)	P	P	P	P
Off-Street Parking Incidental to Main Use	P	P	P	P	Window Sign			P	P

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EXHIBIT D –THOROUGHFARE EXHIBIT



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Exhibit D - Thoroughfare Exhibit

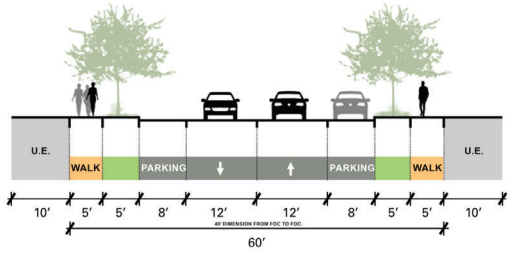
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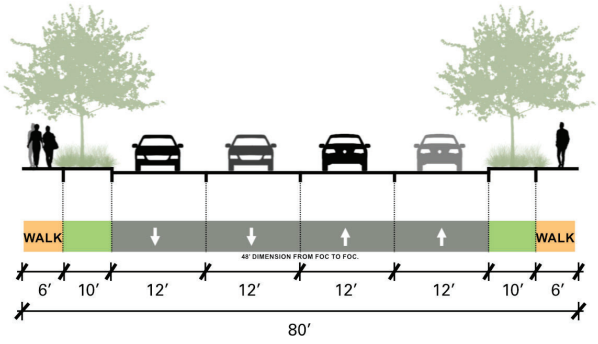
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0 400' 800' 1600'

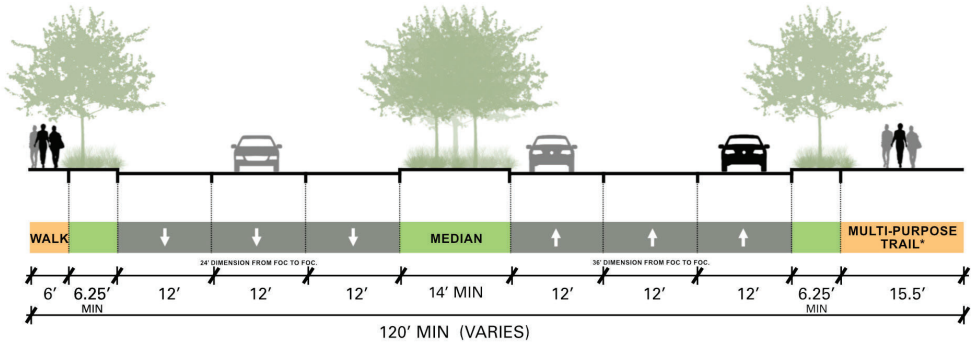
EXHIBIT E – STREET SECTIONS



MINOR COLLECTOR - 60′ ROW

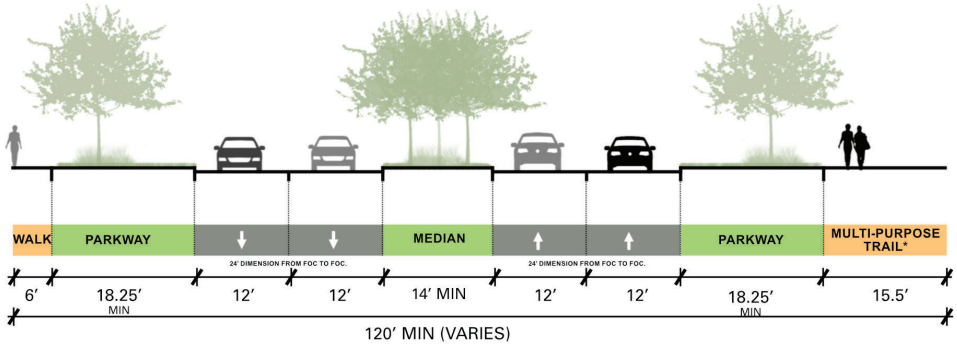


MAJOR COLLECTOR - 80′ ROW



MAJOR ARTERIAL - 120′ ROW

(full build-out condition)



MAJOR ARTERIAL - 120′ ROW

(interim condition)

* Multi-purpose trail may meander outside of right of way where adjacent to open space

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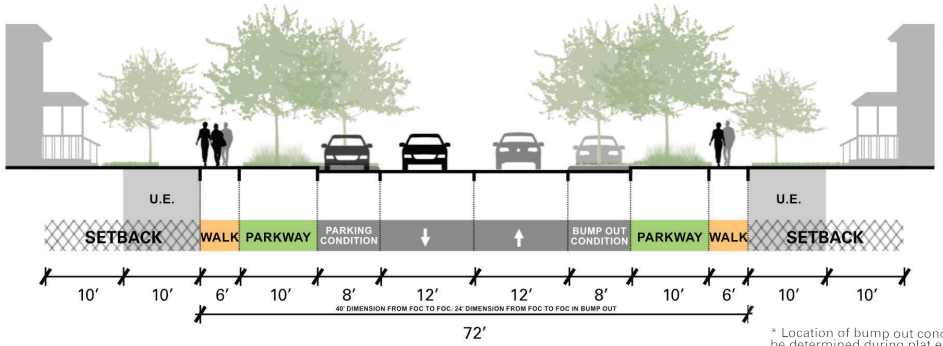
Exhibit E - Street Sections
Page 1

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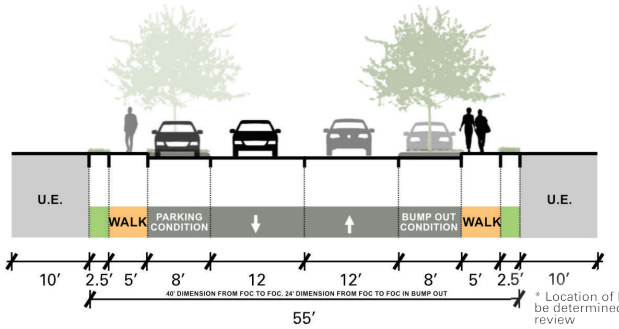
0 5′ 10′ 20′



ENHANCED LOCAL STREET - 72′ ROW

* Location of bump out condition will be determined during plat engineering review

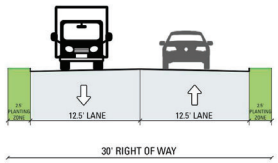
** Enhanced Local Street landscaping shall follow the standards in Chapter 7: Landscaping & Buffers



* Location of bump out condition will be determined during plat engineering review

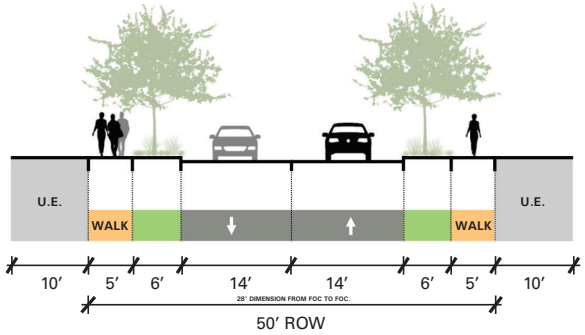
RESIDENTIAL STREET - 55′ ROW

(to be used in cottage neighborhoods)

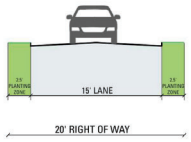


COMMERCIAL/PARK FACING ALLEY - 25′ PAVEMENT

Wider alley condition where units do not front on right of way.



RESIDENTIAL STREET - 50′ ROW



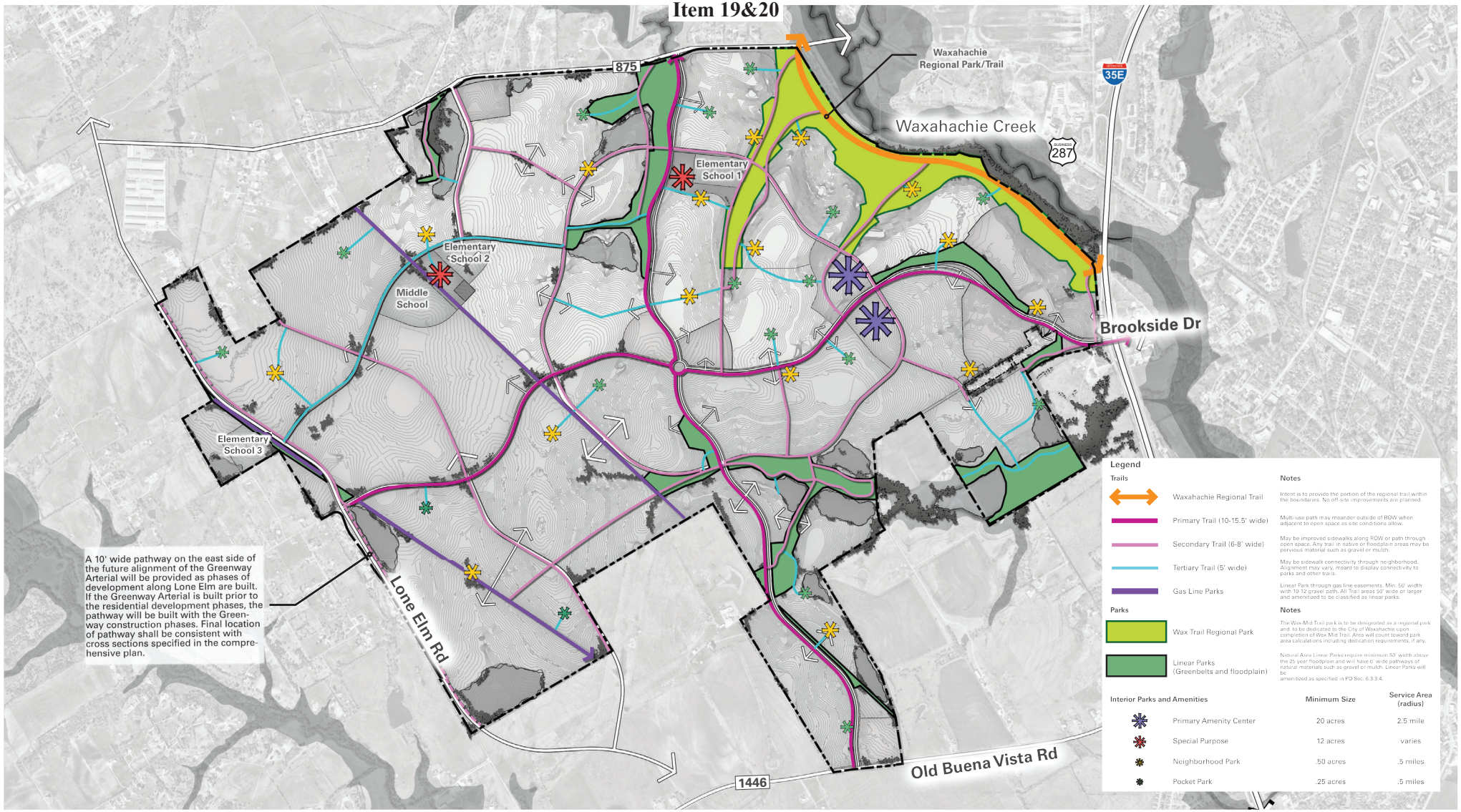
RESIDENTIAL ALLEY - 15′ PAVEMENT

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EXHIBIT F – OPEN SPACE AND TRAILS PLAN

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Exhibit F - Open Space and Trail Plan
Page 1

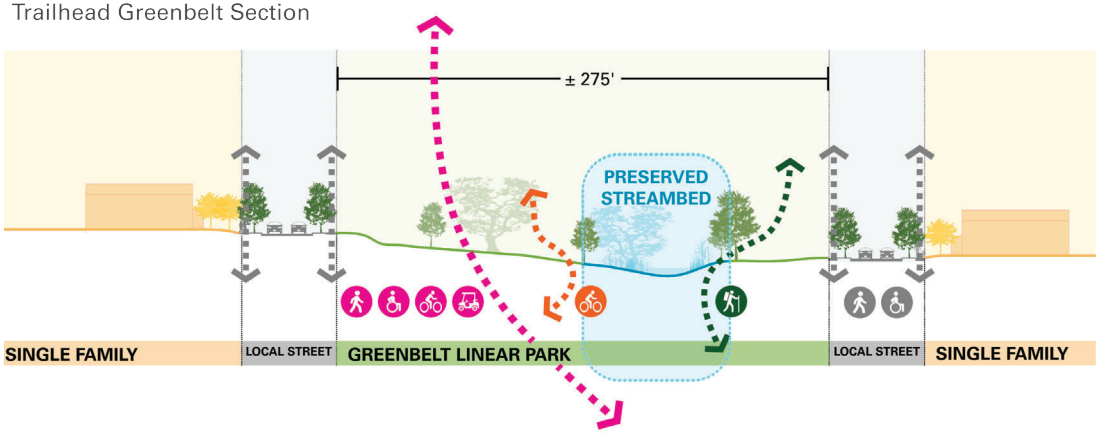
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Section A - A′
Trailhead Greenbelt Section





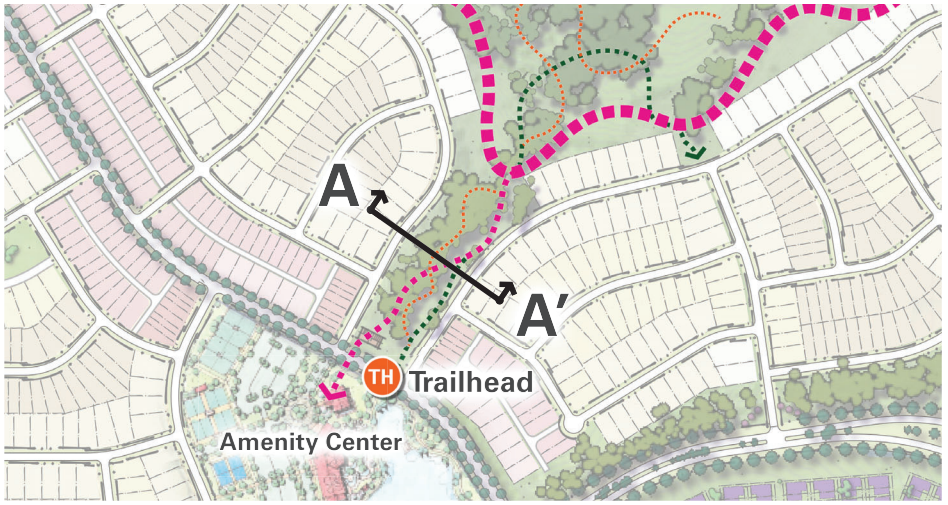
PAVED MULTI-USE TRAIL
8′ width



MULCH NATURE TRAIL
6′ width



NATURAL SURFACE BIKE PATH
width varies



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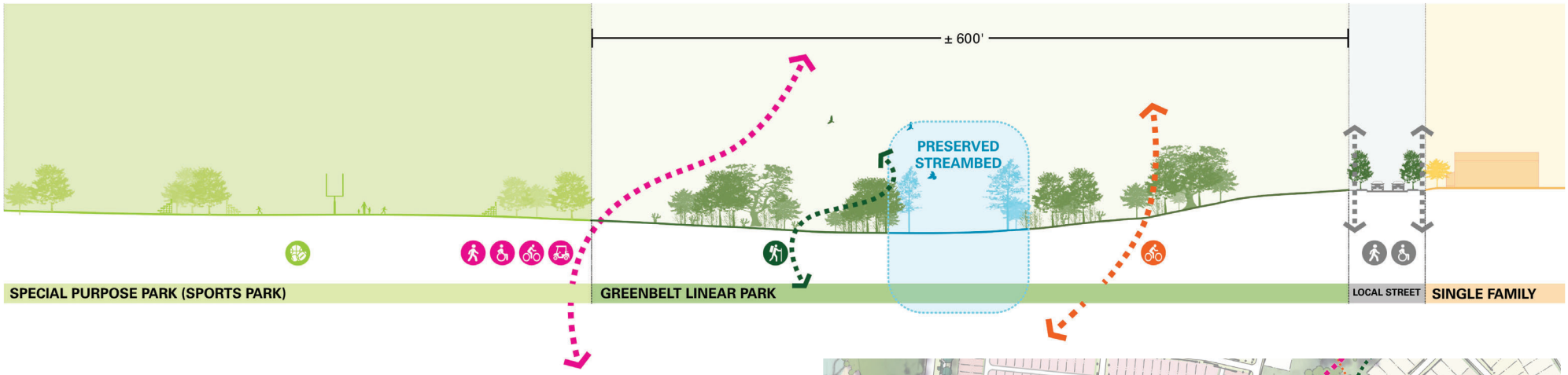
Exhibit F - Open Space and Trails Plan
Page 2: Trail Sections

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Section B - B′
Regional Park Greenbelt Section





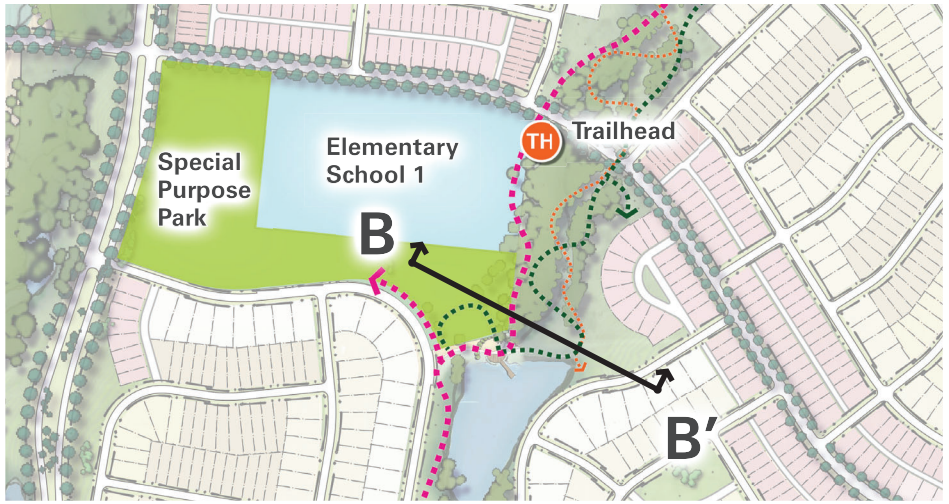
PAVED MULTI-USE TRAIL
8′ width



MULCH NATURE TRAIL
6′ width



NATURAL SURFACE BIKE PATH
width varies



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Kemp Tract

Exhibit F - Open Space and Trails Plan
Page 3: Trail Sections

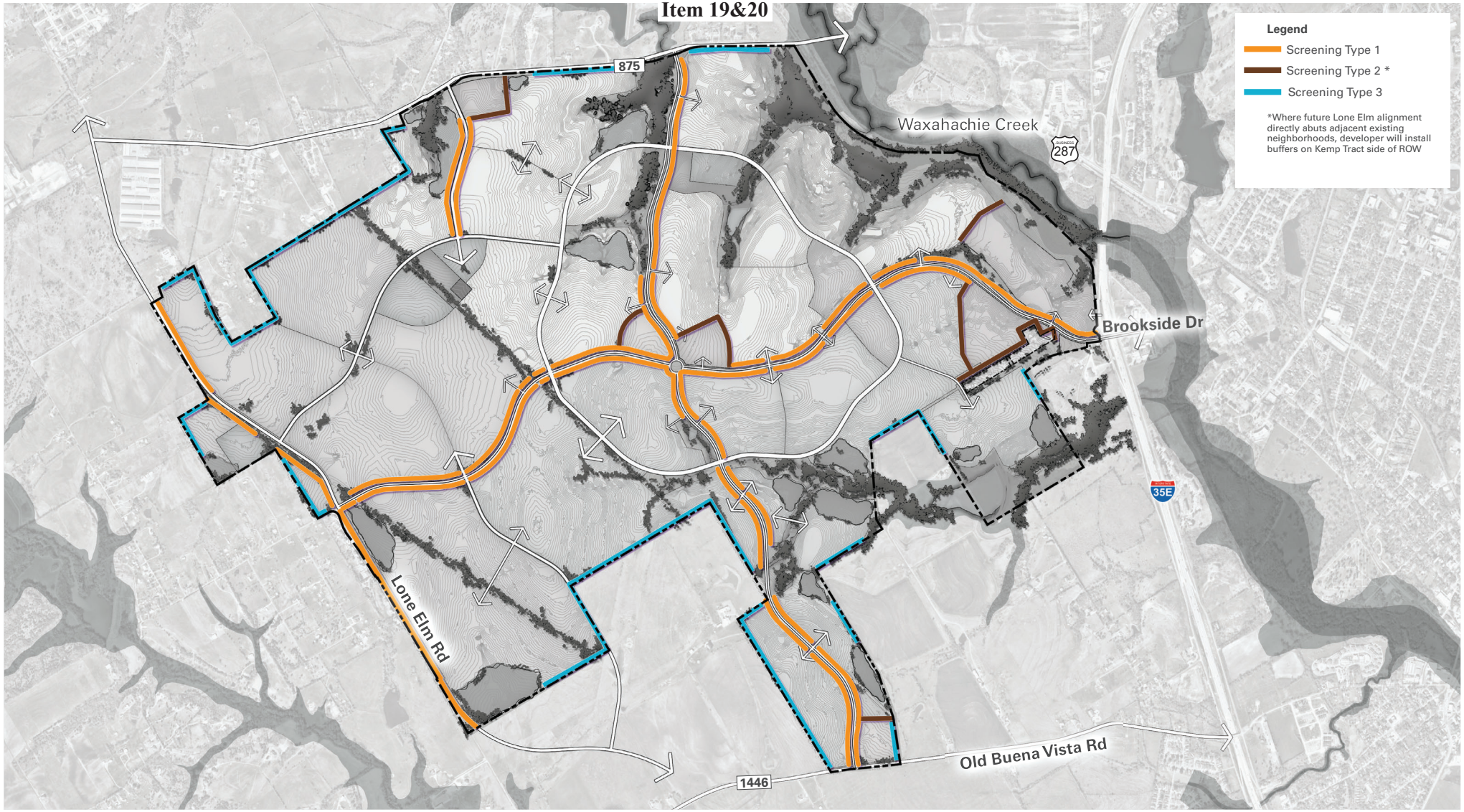
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EXHIBIT G – SCREENING PLAN

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Exhibit G - Screening Plan
Page 1

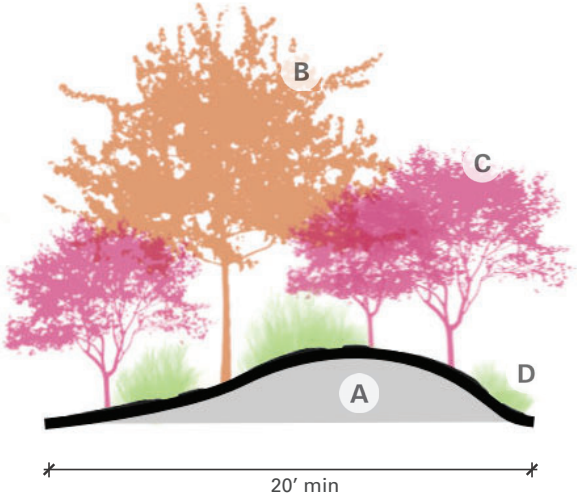
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Item 19&20



PRIMARY SCREENING TYPE - 1

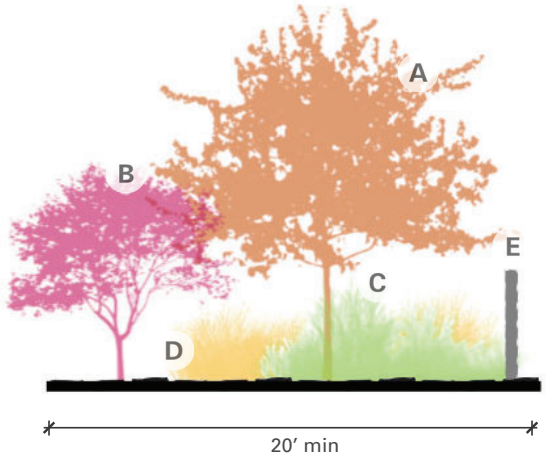
Primary Screening Type 1 is required where Kemp Tract development abuts residential areas along the Lone Elm and Brookside neighborhoods. Primary Screening Type 1 shall include a minimum twenty (20) foot landscape buffer with the following:

A **Landscape Berms**
at least three (3) feet in height

B **Canopy Trees**
One (1) canopy tree at least three (3) caliper inches, planted for every forty (40) linear feet (ratio is average and trees can be planted in clusters so long as the ratio is met) of roadway for the landscape buffers.

C **Evergreen or Ornamental Trees**
One (1) evergreen or ornamental tree, at least six (6) feet in height, planted for every twenty (20) linear feet (ratio is average and trees can be planted in clusters so long as the ratio is met) of roadway for the landscape buffers.

D **Shrubs**
In between required trees, hedge material shall be planted to screen views from street. Shrubs shall be 36" tall at time of installation and species having mature maintained height of up to five feet. Shrubs will be placed in cluster or linear hedge formation with minimum average spacing of five (5) feet o.c. along length of roadway segment. Buffer shrubs will not be located in sight triangle areas.



PRIMARY SCREENING TYPE - 2

Primary Screening Type 2 is required where Mixed-Use land uses directly abut residential areas. Primary Screening Type 2 shall include a minimum twenty (20) foot landscape buffer with the following:

A **Canopy Trees**
One (1) canopy tree at least three (3) inch caliper inches, planted for every forty (40) linear feet (ratio is average and trees can be planted in clusters so long as the ratio is met) of roadway for the landscape buffers.

B **Evergreen or Ornamental Trees**
One (1) evergreen or ornamental tree, at least six (6) feet in height, planted for every twenty (20) linear feet (ratio is average and trees can be planted in clusters so long as the ratio is met) of roadway for the landscape buffers.

C **Shrubs**
In between required trees, hedge material or midstory trees shall be planted to screen views from street. Shrubs shall be 36 inches tall at time of installation with species having mature maintained height of up to five (5) feet. Shrubs will be placed in cluster or linear hedge formation with minimum average spacing of five (5) feet o.c. along length of roadway segment. Buffer shrubs shall not be located in sight triangle areas.

D **Midstory Plant Material**
Midstory Plant material shall be four feet at time of installation with species having mature maintained height minimum of six (6) feet. Midstory plant material will be placed in cluster or linear hedge formation with minimum average spacing of eight (8) feet o.c. along MU perimeters that directly abut residential areas. Midstory plant material shall not be located in sight triangle areas.

E **Wall**
Masonry wall six (6) feet in height may be provided in lieu of Midstory Plant Material.

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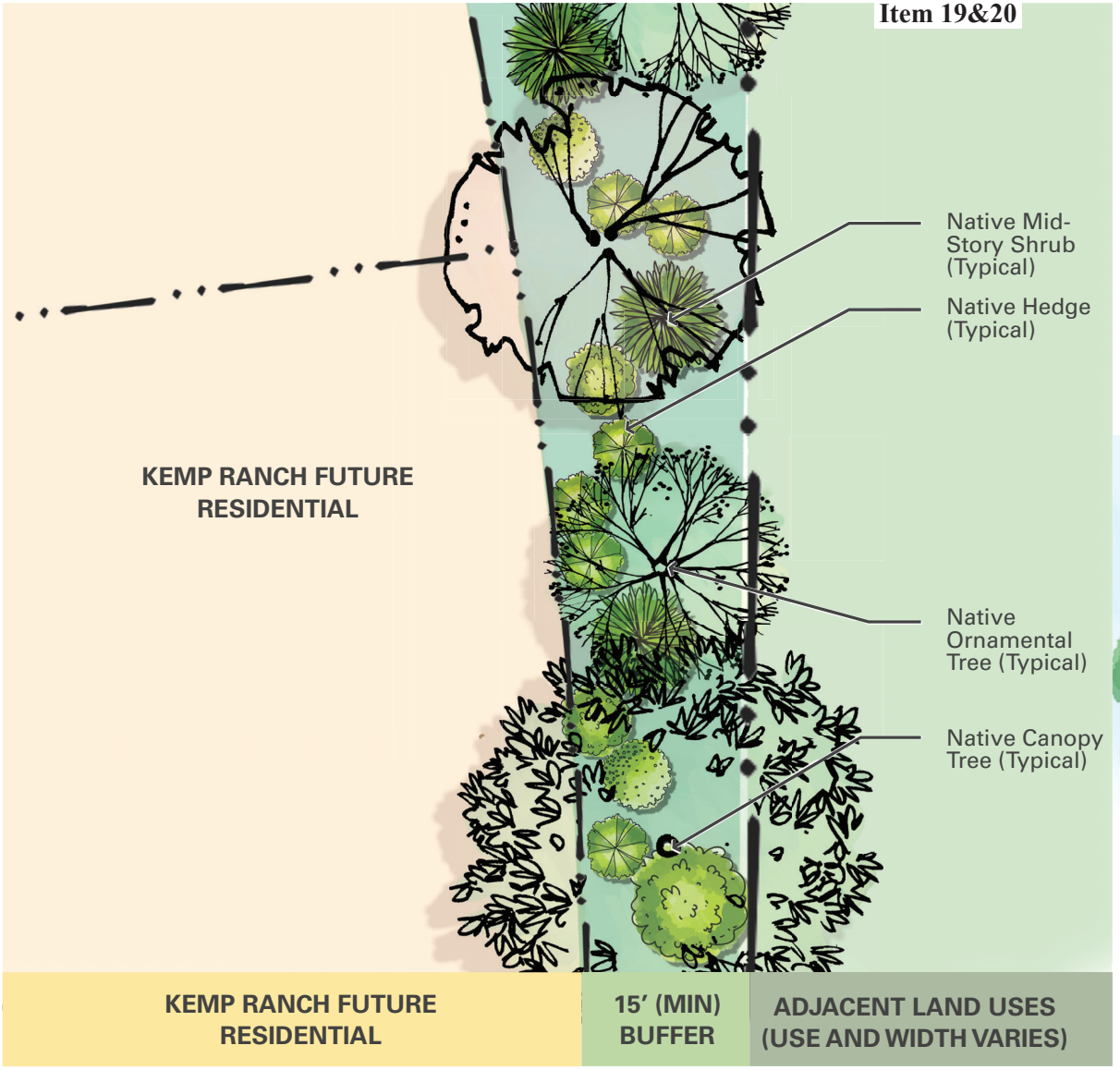
Kemp Tract

Exhibit G - Screening Plan
Page 2:
Screening Types

Waxahachie, Texas
11/14/2025

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Primary screening type 3 will be used generally in locations as shown on Exhibit G. It will be used where the rear or side of homes directly abut the perimeter of the Planned Development in locations where lakes, natural vegetation or other forms of visual screening will not be provided. Buffer specifications are as follows:

Plant species will be selected from those listed in Sec. 5.04 Landscape Requirements
Plant material and sizing:
- Canopy Tree Single Trunk 50% 2" caliper, 50% 4" caliper with spacing of 30' o.c. minimum.
- Native Midstory Shrub minimum 10 gallon spaced 50' o.c.
- Shrub 3 gallon minimum 5' o.c.
- Groundcover: 4" container min.

This buffer only required where rear or side of homes directly abut exterior property lines where no intervening landcape features such as lakes, parks or natural areas will remain.



Naturalized tree planting

Mix of canopy and ornamental trees

- spacing of 30' o.c. minimum

- minimum 50% shade trees

Note: Layout is meant to be naturalized mix of tree types, not a regularly spaced line or grid of trees

Native Mid-story shrub
Spacing of 50' O.C. minimum
Minimum: 10 gal. shrub

Native Hedge
Spacing of 5' O.C. minimum
Minimum: 3 gal. shrub

Buffer width varies. 15' minimum to be used where back or side of new lots abut perimeter property boundary.

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Kemp Tract

Exhibit G - Screening Plan
Page 3:
Screening Type 3

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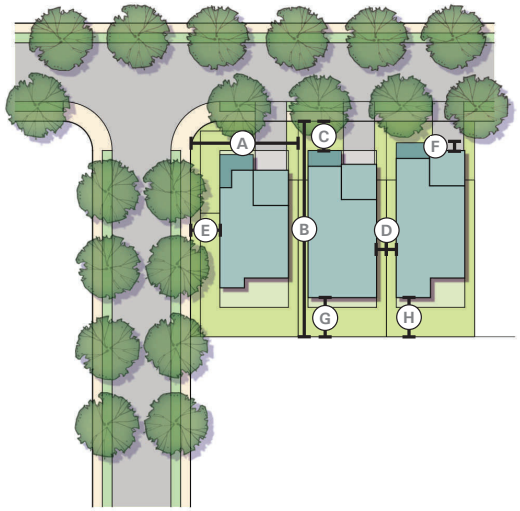
The information shown is based on the best information available and is subject to change without notice.

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Item 19&20

EXHIBIT H – TYPICAL LOT DIAGRAMS

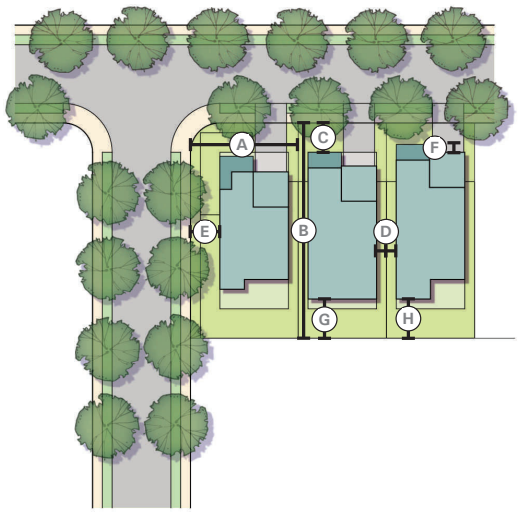
ACTIVE ADULT RESIDENTIAL DETACHED - FRONT LOADED



Typical Lot Dimensions
Residential Detached

Lot Type	< 60 ft	60 ft - 110 ft
Minimum lot area	4,400 sf	6,000 sf
A: Minimum lot width	40 ft	60 ft
B: Minimum lot depth	110 ft	110 ft
C: Minimum front setback from ROW	15 ft (20ft to garage entry)	15 ft (20ft to garage entry)
D: Minimum side setback	5 ft	5 ft
E: Minimum side setback along ROW	15 ft	15 ft
F: Maximum front porch setback encroachment	5 ft	5 ft
G: Minimum rear setback	15 ft	15 ft
Maximum height	35 ft	35 ft
Maximum lot coverage	80%	70%
Housing Type District:		**Active Adult**

RESIDENTIAL DETACHED - FRONT LOADED

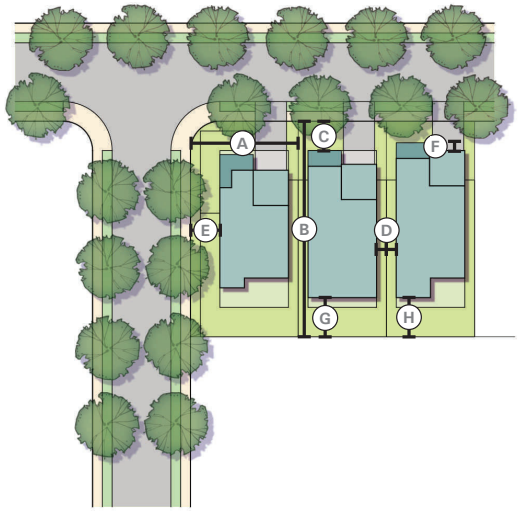


Typical Lot Dimensions
Residential Detached

Lot Type	< 50 ft	50 ft - 60 ft	60 ft - 70 ft
Minimum lot area	4,600 sf	6,250 sf	7,500 sf
A: Minimum lot width	40 ft	50 ft	60 ft
B: Minimum lot depth	115 ft	125 ft	125 ft
C: Minimum front setback from ROW	15 ft (20ft to garage entry)	15 ft (20ft to garage entry)	15 ft (20ft to garage entry)
D: Minimum side setback	5 ft	5 ft	5 ft
E: Minimum side setback along ROW	15 ft	15 ft	15 ft
F: Maximum front porch setback encroachment	5 ft	5 ft	5 ft
G: Minimum rear setback	15 ft	15 ft	15 ft
Maximum height	35 ft	35 ft	35 ft
Maximum lot coverage	80%	80%	70%
Housing Type District:			**Traditional Residential**

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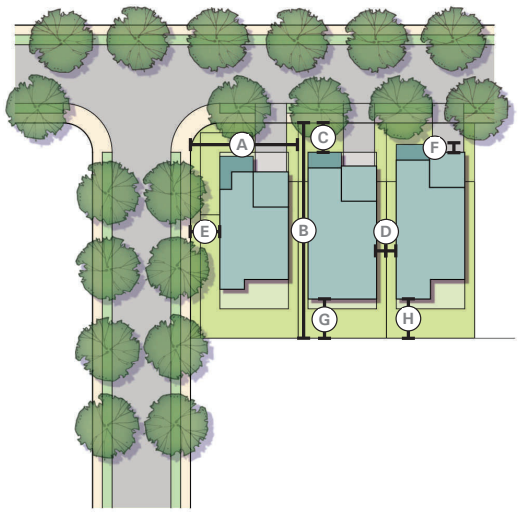
ACTIVE ADULT RESIDENTIAL DETACHED - FRONT LOADED



Typical Lot Dimensions
Residential Detached

Lot Type	< 60 ft	60 ft - 110 ft
Minimum lot area	4,400 sf	6,000 sf
A: Minimum lot width	40 ft	60 ft
B: Minimum lot depth	110 ft	110 ft
C: Minimum front setback from ROW	15 ft (20ft to garage entry)	15 ft (20ft to garage entry)
D: Minimum side setback	5 ft	5 ft
E: Minimum side setback along ROW	15 ft	15 ft
F: Maximum front porch setback encroachment	5 ft	5 ft
G: Minimum rear setback	15 ft	15 ft
Maximum height	35 ft	35 ft
Maximum lot coverage	80%	70%
Housing Type District:		**Active Adult**

RESIDENTIAL DETACHED - FRONT LOADED

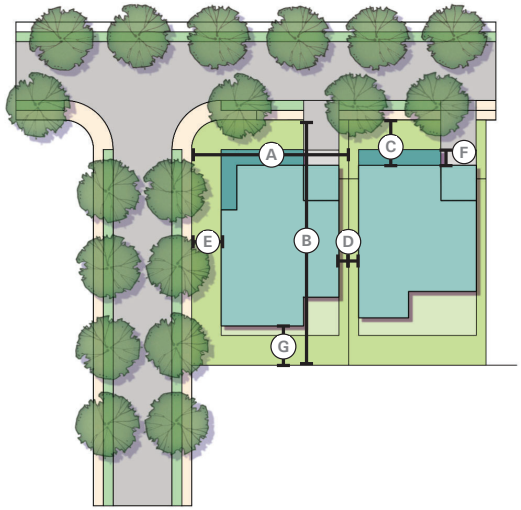


Typical Lot Dimensions
Residential Detached

Lot Type	< 50 ft	50 ft - 60 ft	60 ft - 70 ft
Minimum lot area	4,600 sf	6,250 sf	7,500 sf
A: Minimum lot width	40 ft	50 ft	60 ft
B: Minimum lot depth	115 ft	125 ft	125 ft
C: Minimum front setback from ROW	15 ft (20ft to garage entry)	15 ft (20ft to garage entry)	15 ft (20ft to garage entry)
D: Minimum side setback	5 ft	5 ft	5 ft
E: Minimum side setback along ROW	15 ft	15 ft	15 ft
F: Maximum front porch setback encroachment	5 ft	5 ft	5 ft
G: Minimum rear setback	15 ft	15 ft	15 ft
Maximum height	35 ft	35 ft	35 ft
Maximum lot coverage	80%	80%	70%
Housing Type District:			**Traditional Residential**

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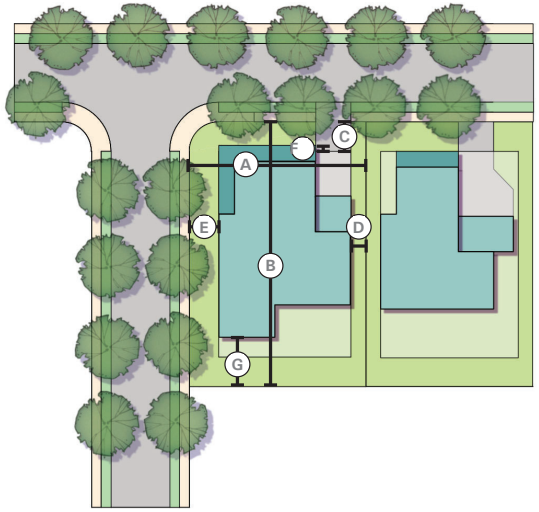
RESIDENTIAL DETACHED - FRONT LOADED >70



Typical Lot Dimensions
Residential Detached

Lot Type	> 70 ft
Minimum lot area	8,750 sf
A: Minimum lot width	70 ft
B: Minimum lot depth	125 ft
C: Minimum front setback from ROW	15 ft (20ft to garage entry)
D: Minimum side setback	5 ft
E: Minimum side setback along ROW	15 ft
F: Maximum front porch setback encroachment	5 ft
G: Minimum rear setback	15 ft
Maximum height	35 ft
Maximum lot coverage	80%
Housing Type District:	**Traditional Residential**

ESTATE LOT

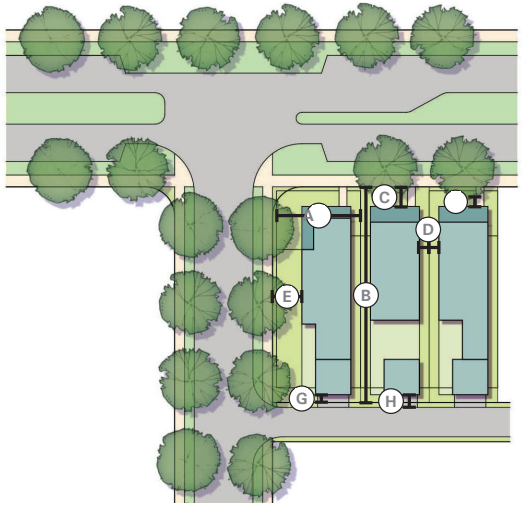


Typical Lot Dimensions
Residential Detached

Lot Type	Estates
Minimum lot area	0.25 ac
A: Minimum lot width	70 ft
B: Minimum lot depth	135 ft
C: Minimum front setback from ROW	15 ft (20ft to garage entry)
D: Minimum side setback	7.5 ft
E: Minimum side setback along ROW	15 ft
F: Maximum front porch setback encroachment	5 ft
G: Minimum rear setback	15 ft
Maximum height	35 ft
Maximum lot coverage	80%
Housing Type District:	**Traditional Residential**

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RESIDENTIAL DETACHED - ALLEY LOADED

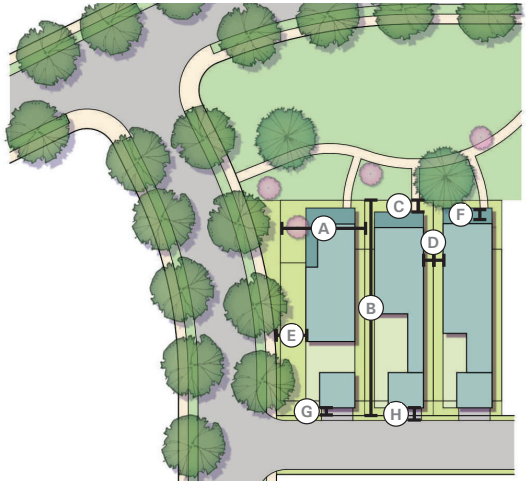


Typical Lot Dimensions
Residential Detached

Minimum lot area	3,000 sf
A: Minimum lot width	30 ft
B: Minimum lot depth	100 ft
C: Minimum front setback from ROW	10 ft
D: Minimum side setback	5 ft (or flexible)
E: Minimum side setback along ROW	10 ft
F: Maximum front porch setback encroachment	0 ft
G: Minimum rear setback	15 ft
H: Minimum rear alley setback (garage entry)	20 ft
Maximum height	35 ft
Maximum lot coverage	80%
Housing Type District:	**Active Adult / Traditional Residential***

*Housing Types as shown may be appropriate for both Active Adult and Traditional Residential. Floor plans and other design considerations will be tailored to the proposed end

PARK-FACING CONDITIONS



Typical Lot Dimensions
Park-Facing Condition for a variety of housing types

Minimum lot area	varies
A: Minimum lot width	varies
B: Minimum lot depth	varies
C: Minimum front setback from ROW	varies, 5 ft from property line
D: Minimum side setback	varies
E: Minimum side setback along ROW	10 ft
F: Maximum front setback encroachment	0 ft
G: Minimum rear setback	varies
H: Minimum rear alley setback (garage entry)	varies
Maximum height	35 ft
Maximum lot coverage	varies
Housing Type District:	**Active Adult / Traditional Residential***

*Housing Types as shown may be appropriate for both Active Adult and Traditional Residential. Floor plans and other design considerations will be tailored to the proposed end user.

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SHALLOW AND WIDE LOTS



Typical Lot Dimensions
Shallow and Wide Lots

Minimum lot area	4,875 sf
A: Minimum lot width	65 ft
B: Minimum lot depth	75 ft
C: Minimum front setback from ROW	15 ft (20ft to garage entry)
D: Minimum side setback	5 ft
E: Minimum side setback along ROW	10 ft
F: Maximum front porch setback encroachment	5 ft
G: Minimum rear setback	10 ft
Maximum height	35 ft
Maximum lot coverage	80%
Housing Type District:	**Active Adult / Traditional Residential***

*Housing Types as shown may be appropriate for both Active Adult and Traditional Residential. Floor plans and other design considerations will be tailored to the proposed end user.

COTTAGE



Typical Lot Dimensions
Cottages

Minimum lot area	3,700 sf
A: Minimum lot width	35 ft
B: Minimum lot depth	100 ft
C: Minimum front setback from ROW	10 ft
D: Minimum side setback	(5 ft/ 0 ft on the common wall with the adjoining unit)
E: Minimum side setback along ROW	10 ft
F: Maximum front porch setback encroachment	0 ft
G: Minimum rear setback	10 ft
H: Minimum rear alley setback (garage entry)	N/A
Maximum height	35 ft
Maximum lot coverage	90%
Housing Type District:	**Active Adult / Traditional Residential***

*Housing Types as shown may be appropriate for both Active Adult and Traditional Residential. Floor plans and other design considerations will be tailored to the proposed end user.

COURTYARD HOMES

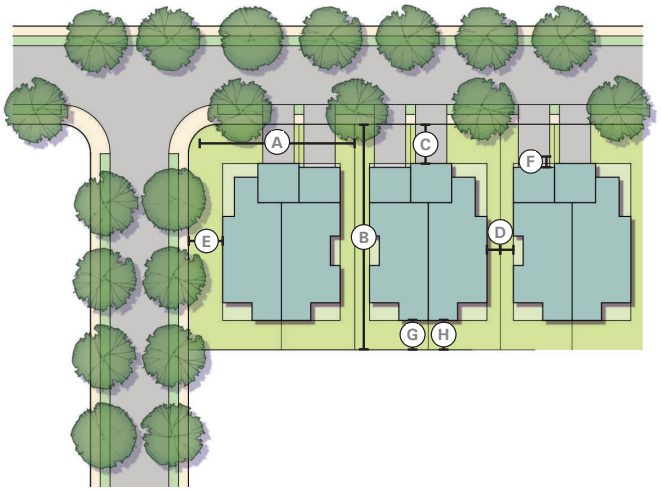


Typical Lot Dimensions
Courtyard homes

Minimum lot area	3,375 sf
A: Minimum lot width	40 ft
B: Minimum lot depth	75 ft
C: Minimum front setback from ROW	10 ft
D: Minimum side setback	5 ft (or flexible)
E: Minimum side setback along ROW	10 ft
F: Maximum front setback encroachment	0 ft
G: Minimum rear setback	10 ft
H: Minimum rear alley setback (garage entry)	20 ft
Maximum height	35 ft
Maximum lot coverage	60%
Housing Type District:	**Active Adult / Traditional Residential***

*Housing Types as shown may be appropriate for both Active Adult and Traditional Residential. Floor plans and other design considerations will be tailored to the proposed end user.

PAIRED VILLAS



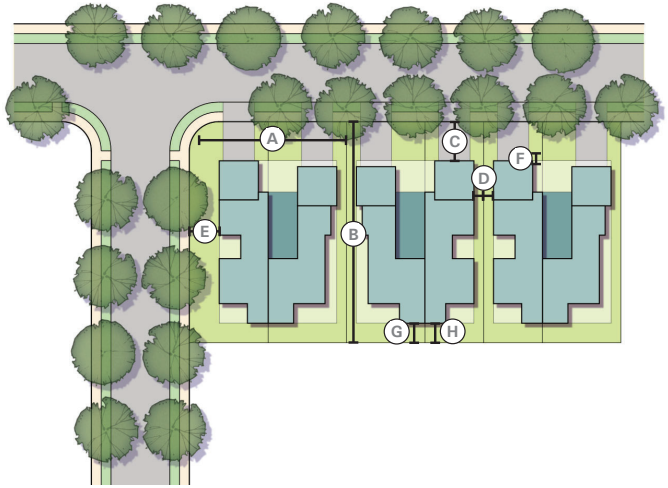
Typical Lot Dimensions
Paired Villas

Minimum lot area	3,000
A: Minimum lot width**	75 ft
B: Minimum lot depth	100 ft
C: Minimum front setback from ROW	10 ft (20ft to garage entry)
D: Minimum side setback	(5 ft/ 0 ft on the common wall with the adjoining unit)
E: Minimum side setback along ROW	10 ft
F: Maximum front porch setback encroachment	5 ft
G: Minimum rear setback	15 FT
Maximum height	35 ft
Maximum lot coverage	80%
Housing Type District:	**Active Adult / Traditional Residential***

*Housing Types as shown may be appropriate for both Active Adult and Traditional Residential. Floor plans and other design considerations will be tailored to the proposed end user.

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COURTYARD VILLAS - FRONT LOADED



Typical Lot Dimensions
Courtyard Villas

Minimum lot area	6,000 sf
A: Minimum lot width	80 ft
B: Minimum lot depth	110 ft
C: Minimum front setback from ROW	15 ft (20ft to garage entry)
D: Minimum side setback	(5 ft/ 0 ft on the common wall with the adjoining unit)
E: Minimum side setback along ROW	10 ft
F: Maximum front porch setback encroachment	5 ft
G: Minimum rear setback	10 FT
Maximum height	35 ft
Maximum lot coverage	80%
Housing Type District:	**Active Adult**

COURTYARD VILLAS - ALLEY LOADED



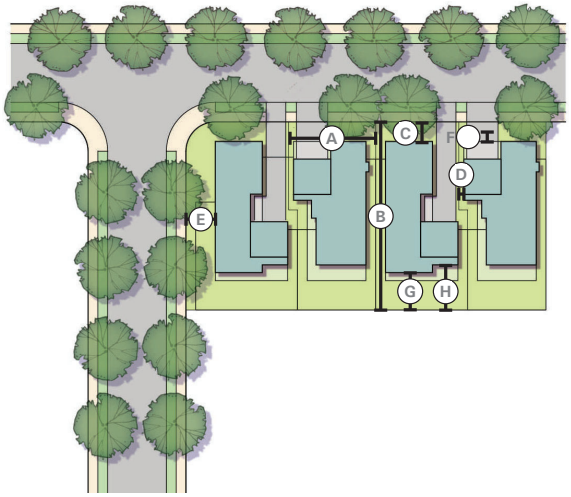
Typical Lot Dimensions
Paired Villas

Minimum lot area	6,000sf
A: Minimum lot width	80 ft
B: Minimum lot depth	75 ft
C: Minimum front setback from ROW	10 ft
D: Minimum side setback	(5 ft/ 0 ft on the common wall with the adjoining unit)
E: Minimum side setback along ROW	10 ft
F: Maximum front porch setback encroachment	0 ft
G: Minimum rear setback	10 ft
H: Minimum rear alley setback (garage entry)	20 ft
Maximum height	35 ft
Maximum lot coverage	80%
Housing Type Distric:	**Active Adult**

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0 15' 30' 60'

ZIPPER LOTS

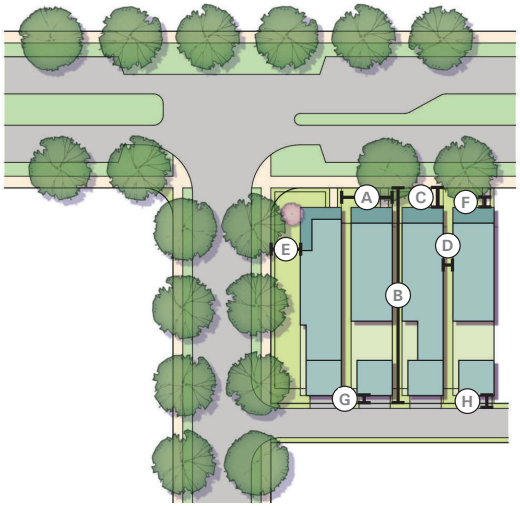


Typical Lot Dimensions
Zipper Lots

Minimum lot area	4,400 sf
A: Minimum lot width	40 ft
B: Minimum lot depth	90 ft
C: Minimum front setback from ROW	10 ft (alternating 20ft and 40 ft to garage entry)
D: Minimum side setback	2.5 ft (10 ft of separation between units)
E: Minimum side setback along ROW	15 ft
F: Maximum front porch setback encroachment	5 ft
G: Minimum rear setback	10 FT
Maximum height	35 ft
Maximum lot coverage	80%
Housing Type District:	**Active Adult / Traditional Residential***

*Housing Types as shown may be appropriate for both Active Adult and Traditional Residential. Floor plans and other design considerations will be tailored to the proposed end user.

ZERO LOT LINE

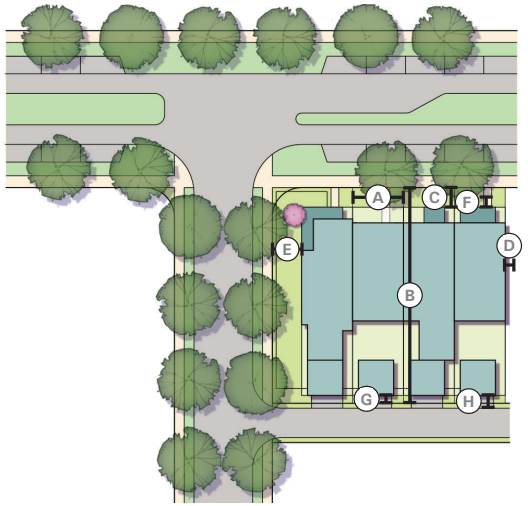


Typical Lot Dimensions
Zero Lot Line

Minimum lot area	2,600 sf
A: Minimum lot width	26 ft
B: Minimum lot depth	100 ft
C: Minimum front setback from ROW	10 ft
D: Minimum side setback	(5 ft/ 0 ft on the common wall with the adjoining unit)
E: Minimum side setback along ROW	10 ft
F: Maximum front porch setback encroachment	0 ft
G: Minimum rear setback	15 ft
H: Minimum rear alley setback (garage entry)	4 ft
Maximum height	35 ft
Maximum lot coverage	90%
Housing Type District:	**Active Adult / Traditional Residential***

*Housing Types as shown may be appropriate for both Active Adult and Traditional Residential. Floor plans and other design considerations will be tailored to the proposed end user.

TOWNHOMES



Typical Lot Dimensions
Townhomes

Minimum lot area	2,250 sf
A: Minimum lot width	25 ft
B: Minimum lot depth	90 ft
C: Minimum front setback from ROW	10 ft
D: Minimum side setback	(5 ft/ 0 ft on the common wall with the adjoining unit)
E: Minimum side setback along ROW	10 ft
F: Maximum front porch setback encroachment	0 ft
G:Minimum rear setback	10 ft
H: Minimum rear alley setback (garage entry)	4 ft
Maximum height	35 ft
Maximum lot coverage	90%
Housing Type Distric:	**Active Adult / Traditional Residential***

*Housing Types as shown may be appropriate for both Active Adult and Traditional Residential. Floor plans and other design considerations will be tailored to the proposed end user.

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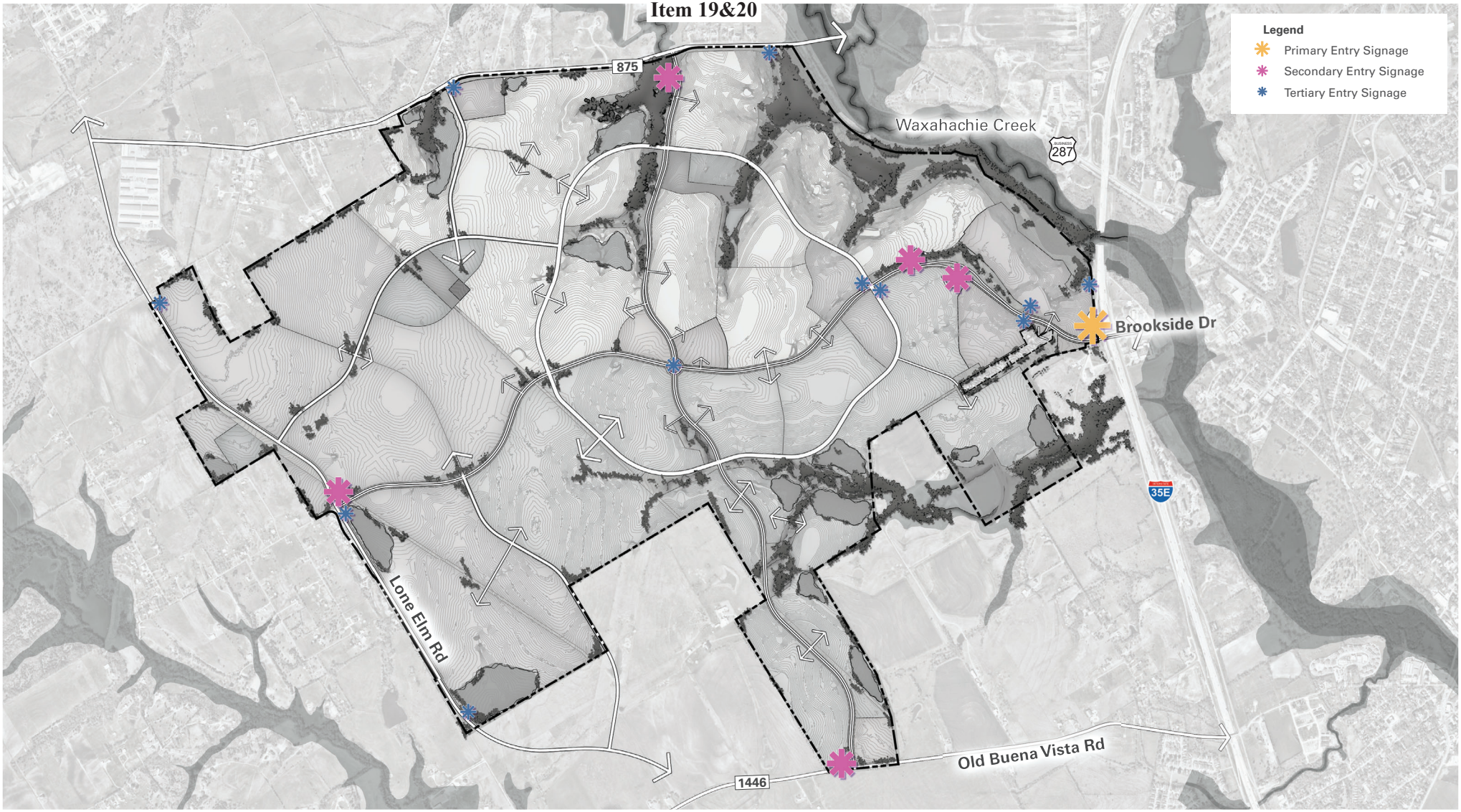
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0 15' 30' 60'

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EXHIBIT I – SIGNAGE PLAN

Item 19&20



minto

TBG

KFM

Kemp Tract

Exhibit I - Signage Plan
Page 1

Waxahachie, Texas
11/14/2025

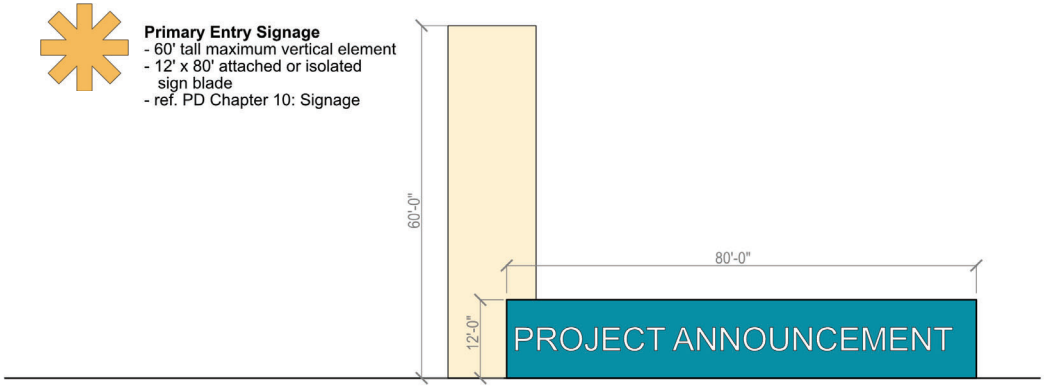
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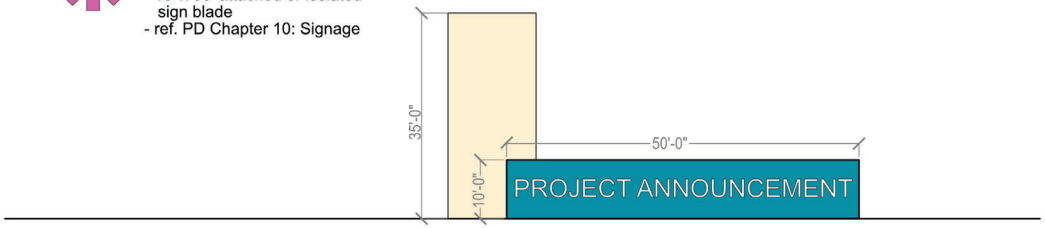
The information shown is based on the best information available and is subject to change without notice.

0 400' 800' 1600'

Primary Entry Signage
- 60' tall maximum vertical element
- 12' x 80' attached or isolated sign blade
- ref. PD Chapter 10: Signage



Secondary Entry Signage
- 35' tall maximum vertical element
- 10' x 50' attached or isolated sign blade
- ref. PD Chapter 10: Signage



Tertiary Entry Signage
- 15' tall maximum vertical element
- 8' x35' isolated sign blade
- ref. PD Chapter 10: Signage



Neighborhood Entry
- 8' tall maximum vertical element
- 6' x 20' isolated sign blade
- ref. PD Chapter 10: Signage



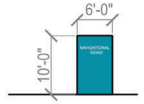
Community Center Monument
- 8' tall maximum vertical element
- 6' x 20' isolated sign blade
- ref. PD Chapter 10: Signage



Parks Monuments
- 8' tall maximum vertical element
- 80 square foot maximum area
- ref. PD Chapter 10: Signage



Residential Navigation Signs
- 10' tall maximum vertical element
- 6' x 10' isolated sign blade
- ref. PD Chapter 10: Signage



Directional/Marketing/Informational Signs:
- 100 square foot maximum sign messaging area
- ref. PD Chapter 10: Signage



Note: These graphics are not intended to illustrate design, configuration, materials, or graphic intent. They are only intended to demonstrate maximum dimensions proposed for vertical and horizontal signage areas.

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The information shown is based on the best information available and is subject to change without notice.

0 5' 10' 20'

Item 19&20

EXHIBIT J – DEVELOPMENT TRACKING

DRAFT - KEMP PD CUMULATIVE PROJECT TABLE

PROJECT NAME	CITY PLAT NUMBER	P&Z APPROVAL DATE	RESIDENTIAL (TRADITIONAL)															
			RESIDENTIAL UNIT TYPE*															
			Residential Detached - Front Load		Residential Detached - Alley Load		Cottage		Paired Villas		Town Homes		Estates		number of lots this phase above 1/4 acre	number of lots this phase above 1/3 acre	Total Residenital Units	OPEN SPACE (AC)	PARKS (AC)	TOTAL ACREAGE
			# OF LOTS	Min. DUA	# OF LOTS	Min. DUA	# OF LOTS	Min. DUA	# OF LOTS	Min. DUA	# OF LOTS	Min. DUA	# OF LOTS	Min. DUA						
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			-		-		-		-		-		-				-	-	-	-
DEVELOPMENT TOTALS			-		-		-		-				-		-	-	-	-	-	-

PROJECT NAME	CITY PLAT NUMBER	P&Z APPROVAL DATE	RESIDENTIAL (ACTIVE ADULT)															
			RESIDENTIAL UNIT TYPE *															
			Residential Detached - Front Load		Residential Detached - Alley Load		Cottage		Paired Villas		Town Homes		Estates		*add product types as introduced	*add product types as introduced	Total Residential Units	OPEN SPACE (AC)	PARKS (AC)	TOTAL ACREAGE
			# OF LOTS	Min. DUA	# OF LOTS	Min. DUA	# OF LOTS	Min. DUA	# OF LOTS	Min. DUA	# OF LOTS	Min. DUA	# OF LOTS	Min. DUA						
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DEVELOPMENT TOTALS			-		-		-		-				-		-	-	-	-	-	-

PROJECT NAME	CITY SITE PLAN NUMBER	P&Z APPROVAL DATE	NON-RESIDENTIAL (INCLUDES MULTIFAMILY)										
			USE	BUILDING AREA (SF)	# OF MULTIFAMILY UNITS							OPEN SPACE (AC)	PARKS (AC)
					1 BEDROOM UNIT	2 BEDROOM UNIT	3 BEDROOM UNIT	4 BEDROOM UNIT	TOTAL # UNITS				
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				-	-	-	-	-	-			-	-
DEVELOPMENT TOTALS				-	-	-	-	-	-			-	-

KEMP RESIDENTIAL UNIT SUMMARY	
Total Traditional Res.Units	-
Total Active Adult Res. Units	-
Total Res. Units	-
Maximum Res. Units Allowed	13,785
Remaining Res. Units Allowed	**13,785**

* Maximum Res. Units Allowed Per Section 5.1 of the Kemp Tract Planned Development District

2/27/2025

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DRAFT - KEMP PD LOT MIX TABLE

LOT GROUP	PROJECT/PHASE NAME	CITY PLAT NUMBER	P&Z APPROVAL DATE	RESIDENTIAL (TRADITIONAL) RESIDENTIAL UNIT TYPE*																										
				Residential Detached - Front Load								Residential Detached - Alley Load				Cottage		Paired Villas		Townhomes		Estate Lots				* add product type as introduced		* add product type as introduced		Total Residential Units
				40' Lot Width		50' Lot Width		60' Lot Width		70' Lot Width		40' Lot Width		60' Lot Width								1/4 Acre Lot		1/3 Acre Lot						
				# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	
0-100				-	0%	-	0%	-	0%	-	0%	-	0%	-	0%	-	0%	-	0%	-	0%	-	0%	-	0%	-	0%	-	0%	-
101-250				-		-		-		-		-		-		-		-		-		-		-		-		-		-
251-500				-		-		-		-		-		-		-		-		-		-		-		-		-		-
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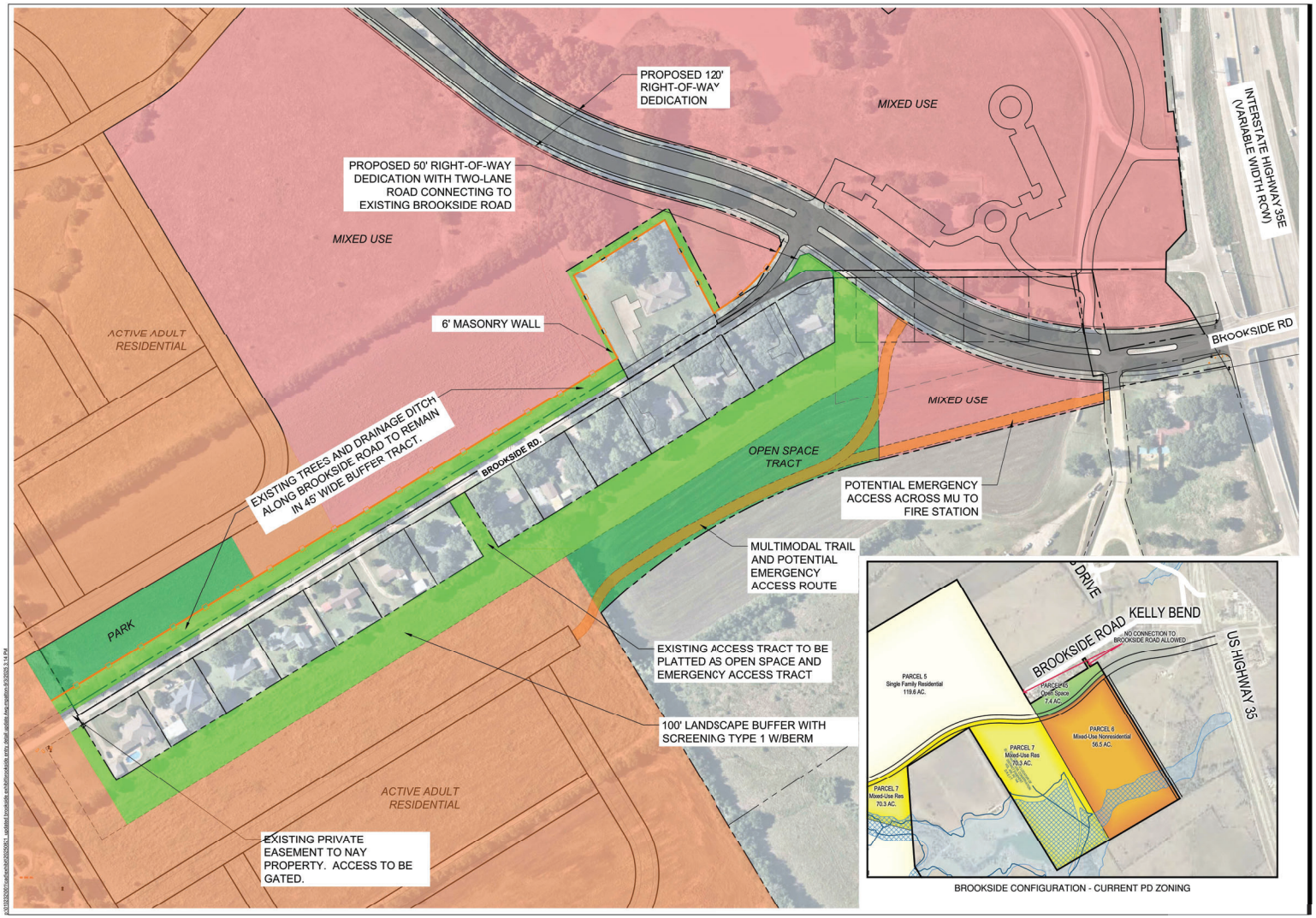
LOT GROUP	PROJECT/PHASE NAME	CITY PLAT NUMBER	P&Z APPROVAL DATE	RESIDENTIAL (ACTIVE ADULT) RESIDENTIAL UNIT TYPE*																										
				Residential Detached - Front Load								Residential Detached - Alley Load				Cottage		Paired Villas		Townhomes		* add product type as introduced		* add product type as introduced		* add product type as introduced		* add product type as introduced		Total Residential Units
				40' Lot Width		50' Lot Width		60' Lot Width		70' Lot Width		40' Lot Width		60' Lot Width																
				# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	# OF LOTS	% OF MIX	
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101-250				-		-		-		-		-		-		-		-		-		-		-		-		-		-
251-500				-		-		-		-		-		-		-		-		-		-		-		-		-		-
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	OVERALL ACTIVE ADULT DEVELOPMENT TOTALS			-	0%	-	0%	-	0%	-	0%		0%		0%	-	0%	-	0%	-	0%	-	0%	-	0%	-	0%	-	0%	-

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Item 19&20

EXHIBIT K-BROOKSIDE ROAD ENLARGEMENT



KFM
ENGINEERING & DESIGN
3501 OLYMPUS BLVD
SUITE 100
DALLAS, TEXAS 75019
PHONE: (469) 899-0536
WWW.KFM-LLC.COM
TBPE #: F-20821

PROJECT
KEMP RANCH
WAXAHACHIE, TEXAS

TITLE
BROOKSIDE SCREENING

CLIENT
MINTO COMMUNITIES
TEXAS, LLC

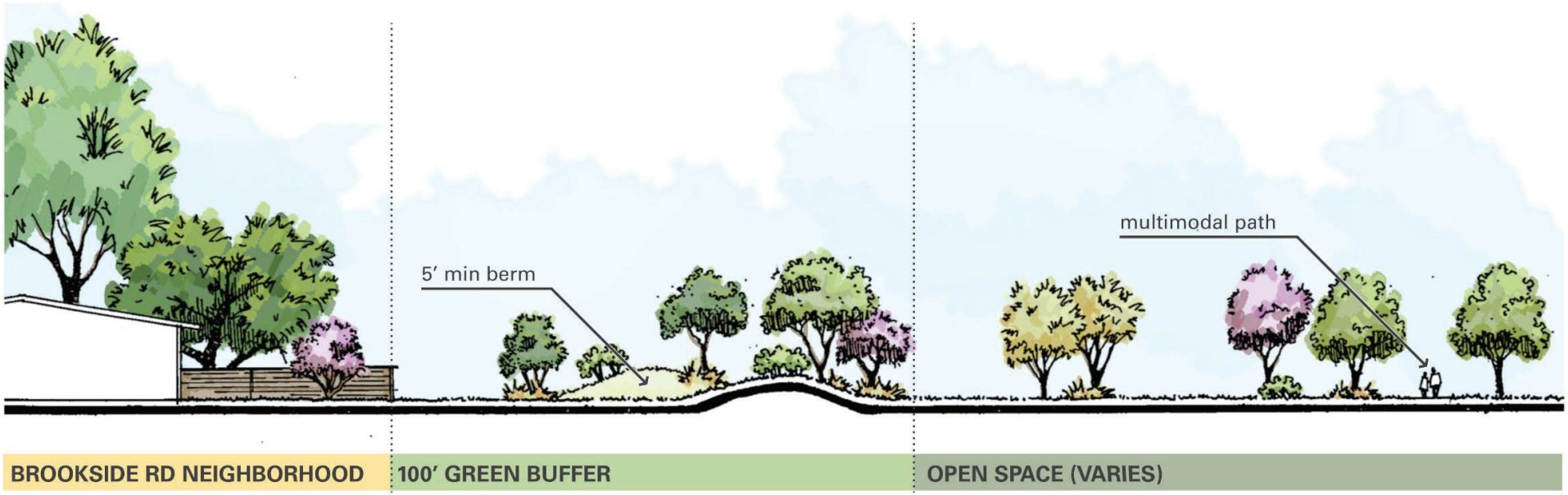
N

0 50 100 200
SCALE 1" = 100'

PROJECT NUMBER
010232001
DRAWN BY:
JAR
DATE:
2025/09/18
SHEET:
EXH 01

Exhibit K - Brookside Road enlargment

Section A - A'
Brookside RD Buffer Section





minto TBG KFM

Kemp Tract

Exhibit K - Brookside Road enlargment

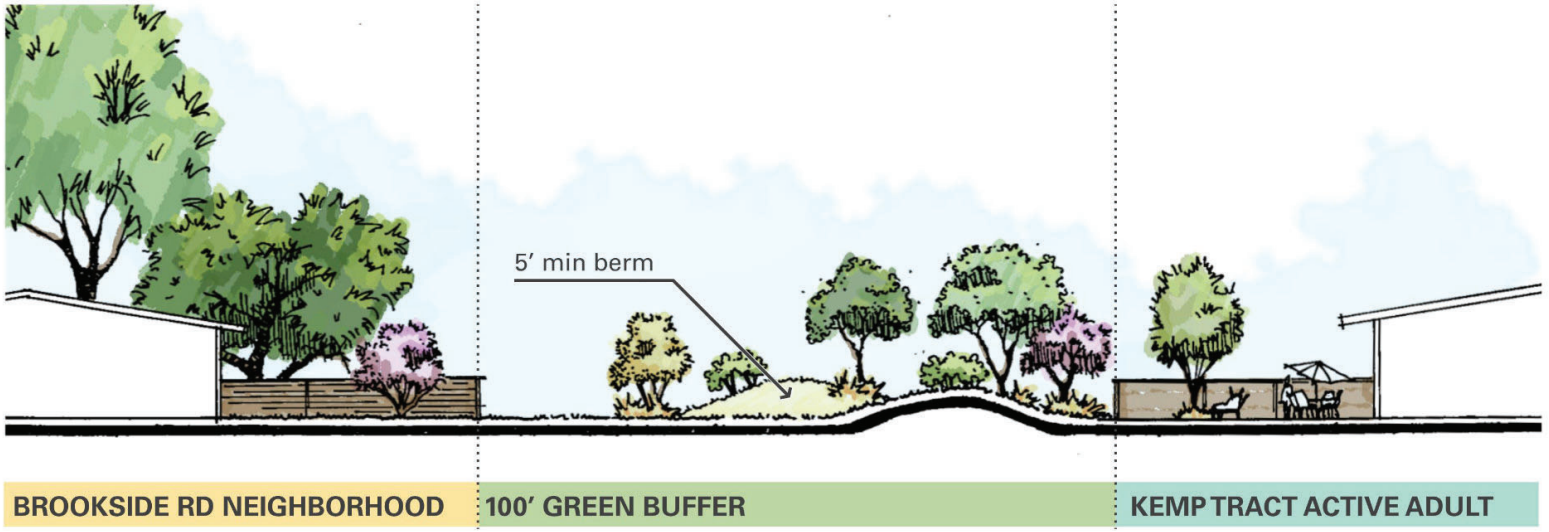
Brookside Rd. Buffer sections

Waxahachie, Texas
10/22/2025

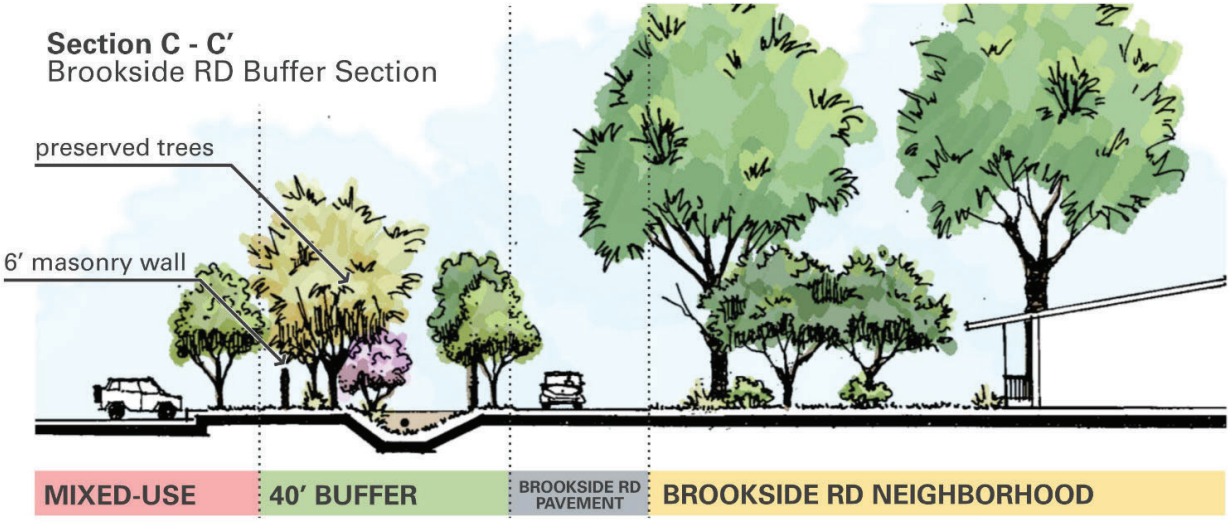
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austin, tx 78702

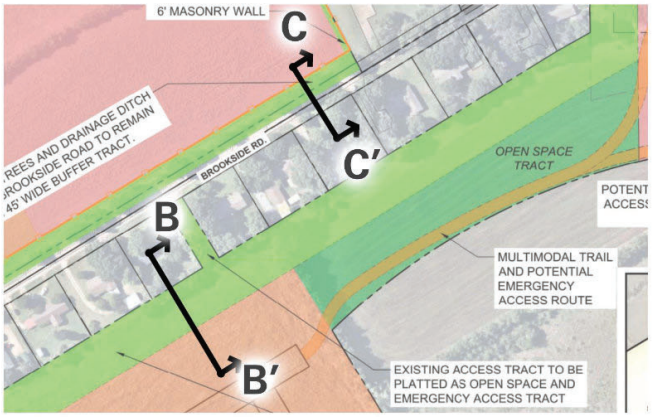
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Section B - B′
Brookside RD Buffer Section



Section C - C′
Brookside RD Buffer Section





minto

TBG

KFM

Kemp Tract

Exhibit K - Brookside Road enlargment

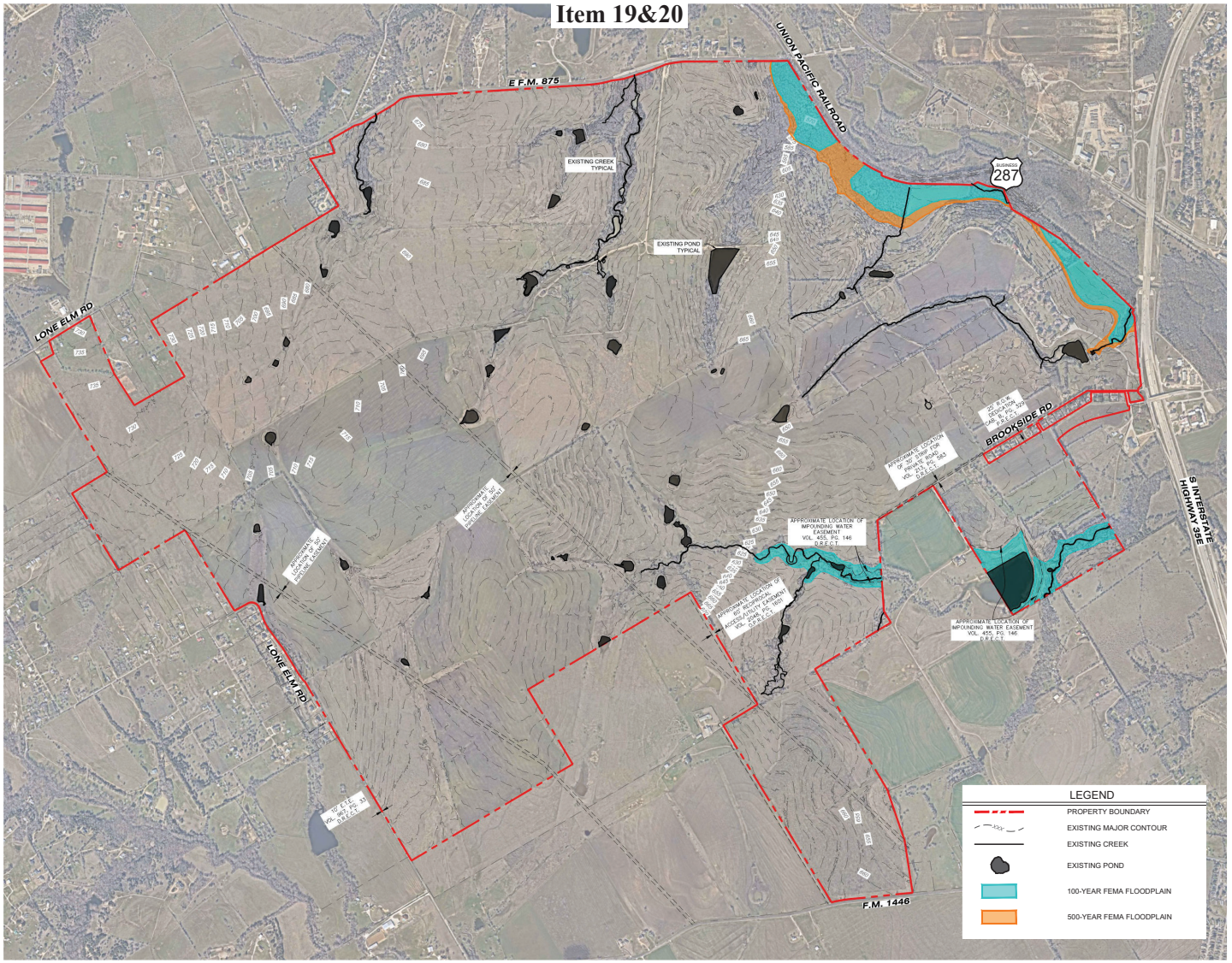
Brookside Rd. Buffer sections

Waxahachie, Texas
10/22/2025

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EXHIBIT L-EXISTING CONDITIONS



minto

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Exhibit L - Existing Conditions
Page 1

Waxahachie, Texas
09/19/2025

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austin, tx 78702

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0 400' 800' 1600'

Item 19&20

EXHIBIT M-LEGAL DESCRIPTION

4WARD Land Surveying
PO Box 90876
Austin, TX 78709
512.554.3371
jward@4wardls.com
www.4wardls.com

EXHIBIT "N"

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 3,169.5531 ACRES (138,065,732 SQUARE FEET) OUT OF THE JOHN BARKER SURVEY, ABSTRACT NO. 40, THE ELIJAH BELLOW SURVEY, ABSTRACT NO. 101, THE JONATHAN E. PRINCE SURVEY, ABSTRACT NO. 845, THE JOHN FIFER SURVEY, ABSTRACT NO. 351, THE MEREDITH MYERS SURVEY, ABSTRACT NO. 714, THE BENJAMIN WILTSHIRE SURVEY, ABSTRACT NO. 1132, THE E. H. BELCHER SURVEY, ABSTRACT NO. 143, THE JOHN DRINKARD SURVEY, ABSTRACT NO. 273, AND THE JESSE J. DAVIDSON SURVEY, ABSTRACT NO. 302, ALL IN ELLIS COUNTY, TEXAS, AND BEING:

(1) ALL OF A CALLED 1040.641 ACRE TRACT CONVEYED TO WALTON TEXAS, LP, IN DOCUMENT NO. 1532148 OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (O.P.R.E.C.T.), SAVE AND EXCEPT A CALLED .5877 ACRE TRACT (DESCRIBED AS PARCEL 2) CONVEYED TO THE STATE OF TEXAS IN DOCUMENT NO. 1610103 (O.P.R.E.C.T.), AN INTEREST IN WHICH WAS CONVEYED TO WALTON TX DALLAS KEMP RANCH LP 1, LP, IN DOCUMENT NOS. 1602022, 1602918, 1604532, 1606287, 1607796 AND 1611882 (O.P.R.E.C.T.),

(2) ALL OF A CALLED 117.601 ACRE TRACT CONVEYED TO WALTON TEXAS, LP, IN DOCUMENT NO. 1532149 (O.P.R.E.C.T.), AN INTEREST IN WHICH WAS CONVEYED TO WALTON TX DALLAS KEMP RANCH LP 1, LP, IN DOCUMENT NOS. 1602022, 1602918, 1604532, 1606287, 1607796 AND 1611882 (O.P.R.E.C.T.),

(3) ALL OF A CALLED 141.254 ACRE TRACT CONVEYED TO WALTON TEXAS, LP, IN DOCUMENT NO. 1532150 (O.P.R.E.C.T.), AN INTEREST IN WHICH WAS CONVEYED TO WALTON TX DALLAS KEMP RANCH LP 1, LP, IN DOCUMENT NOS. 1602022, 1602918, 1604532, 1606287, 1607796 AND 1611882 (O.P.R.E.C.T.),

(4) ALL OF A CALLED 6.035 ACRE TRACT (DESCRIBED AS TRACT 1) CONVEYED TO WALTON TEXAS, LP, AND WALTON TX DALLAS KEMP RANCH LP 1, LP, IN DOCUMENT NO. 2326832 (O.P.R.E.C.T.),

(5) ALL OF A CALLED 151.499 ACRE TRACT CONVEYED TO WALTON TEXAS, LP, IN DOCUMENT NO. 1616460 (O.P.R.E.C.T.), AN INTEREST IN WHICH WAS CONVEYED TO THE PARTIES LISTED IN APPENDIX "A" (IN SEPARATE ATTACHMENT);

(6) ALL OF A CALLED 182.727 ACRE TRACT (DESCRIBED AS TRACT 1-C) AND A CALLED 99.991 ACRE TRACT (DESCRIBED AS PARCEL 3) CONVEYED TO WALTON TEXAS, LP, IN DOCUMENT NO. 1515578 (O.P.R.E.C.T.), AN INTEREST IN WHICH WAS CONVEYED TO THE PARTIES LISTED IN APPENDIX "B" (IN SEPARATE ATTACHMENT);

(7) ALL OF A CALLED 398.282 ACRE TRACT CONVEYED TO WALTON TEXAS, LP, IN DOCUMENT NO. 1515579 (O.P.R.E.C.T.), AN INTEREST IN WHICH WAS CONVEYED TO THE PARTIES LISTED IN APPENDIX "B" (IN SEPARATE ATTACHMENT);

(8) ALL OF A CALLED 681.000 ACRE TRACT CONVEYED TO WALTON TEXAS, LP, IN DOCUMENT NO. 1526274 (O.P.R.E.C.T.), SAVE AND EXCEPT A CALLED 0.5506 ACRE TRACT (DESCRIBED AS PARCEL 1) CONVEYED TO THE STATE OF TEXAS IN DOCUMENT NO. 1610102 (O.P.R.E.C.T.), AN INTEREST IN WHICH WAS CONVEYED TO THE PARTIES LISTED IN APPENDIX "C" (IN SEPARATE ATTACHMENT);

(9) BEING ALL OF A CALLED 0.784 ACRE TRACT (DESCRIBED AS TRACT 2) CONVEYED TO WALTON TEXAS, LP, AND WALTON TX DALLAS KEMP RANCH LP 1, LP, IN DOCUMENT NO. 2326832 (O.P.R.E.C.T.),

(10) BEING ALL OF A CALLED 130 ACRE TRACT CONVEYED TO UNITED PRESBYTERIAN HOMES OF THE SYNOD OF TEXAS IN VOLUME 460, PAGE 200 OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS (D.R.E.C.T.), A PORTION OF A CALLED 202.85 ACRE TRACT (DESCRIBED AS TRACT I) CONVEYED TO UNITED PRESBYTERIAN HOMES OF THE SYNOD OF TEXAS IN VOLUME 460, PAGE 205 (D.R.E.C.T.), AND ALL OF A CALLED 60 ACRE TRACT AND A CALLED 5.61 ACRE TRACT CONVEYED TO UNITED PRESBYTERIAN HOMES OF THE SYNOD OF TEXAS IN VOLUME 532, PAGE 404 (D.R.E.C.T.);

(11) BEING A PORTION OF A CALLED 21.654 ACRE TRACT (DESCRIBED AS TRACT ONE) CONVEYED TO WILLIAM F. KELLEY IN DOCUMENT NO. 2228261 (O.P.R.E.C.T.);

(12) BEING ALL OF A CALLED 0.465 ACRE TRACT (DESCRIBED AS TRACT I) CONVEYED TO WILLIAM F. & LEANNE C. KELLEY IN VOLUME 866, PG. 390 (D.R.E.C.T.), INCLUDING A 0.034 ACRE PORTION OF SAID 0.465 ACRE TRACT CONVEYED IN CAUSE NO. 03-E-2061 RECORDED IN THE COUNTY COURT OF LAW OF ELLIS COUNTY, TEXAS;

(13) BEING ALL OF A CALLED 0.40 ACRE TRACT CONVEYED TO WILLIAM F. & LEANNE C. KELLEY IN VOLUME 1937, PG. 736 (D.R.E.C.T.);

(14) BEING ALL OF A CALLED 0.52 ACRE TRACT CONVEYED TO WILLIAM F. & LEANNE C. KELLEY IN DOC. NO. 1832041 (O.P.R.E.C.T.);

SAID 3,169.5531 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2-inch iron rod found in the south right-of-way line of East Farm to Market Road 875 (80' right-of-way), and being at the northeast corner of a called 1.725 acre tract conveyed to Patricia L. Knight in Volume 2273, Page 384 (O.P.R.E.C.T.), and being a corner in the north line of said Walton 681.000 acre tract, for the northwest corner and POINT OF BEGINNING hereof;

THENCE, with the south right-of-way line of said E FM 875 and the north line of said Walton 681.000 acre tract, the following two (2) courses and distances:

1) N59°54'03"E, a distance of 465.63 feet to a 5/8-inch iron rod with "TxDot" cap found for an angle point hereof, and
2) N59°21'46"E, a distance of 3.64 feet to a 5/8-inch iron rod with "TxDot" cap found for an angle point hereof, said point being at the west corner of said 0.5506 acre State of Texas tract;

THENCE, leaving the north line of said Walton 681.000 acre tract, over and across said Walton 681.000 acre tract, with the south right-of-way line of said E FM 875 and the south line of said 0.5506 acre State of Texas tract, the following three (3) courses and distances:

1) N73°02'53"E, a distance of 136.59 feet to a 5/8-inch iron rod with "TxDot" cap found for an angle point hereof,
2) N58°55'47"E, a distance of 616.79 feet to a 5/8-inch iron rod with "TxDot" cap found for an angle point hereof, and
3) N49°53'50"E, a distance of 111.30 feet to a 5/8-inch iron rod with "TxDot" cap found for a non-tangent point of curvature hereof, said point being at the east corner of said 0.5506 acre State of Texas tract, and being in the north line of said Walton 681.000 acre tract;

THENCE, continuing with the south right-of-way line of said E FM 875, in part with the north line of said Walton 681.000 acre tract, and in part with the north line of said Walton 1040.641 acre tract, the following three (3) courses and distances:

1) along the arc of a curve to the right, whose radius is 920.72 feet, whose arc length is 276.25 feet and whose chord bears N77°44'36"E, a distance of 275.22 feet to a 1/2-inch iron rod with "Goodwin & Marshall" cap found for an angle point hereof,
2) N86°18'23"E, passing at a distance of 1,981.94 feet, a 1/2-inch iron rod with illegible cap found at the common north corner of said Walton 681.000 acre and 1040.641

4WARD Land Surveying
PO Box 90876
Austin, TX 78709
512.554.3371
jward@4wardls.com
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acre tracts, and continuing for a total distance of 2836.42 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for a non-tangent point of curvature hereof, and

3) along the arc of a curve to the left, whose radius is 1504.82 feet, whose arc length is 358.26 feet and whose chord bears N79°30'37"E, a distance of 357.41 feet to a 5/8-inch iron rod with "TxDot" cap found for an angle point hereof, said point being at the west corner of said 0.5877 acre State of Texas tract;

THENCE, leaving the north line of said Walton 1040.641 acre tract, over and across said Wal 1040.641 acre tract, with the south right-of-way line of said E FM 875 and the south line of 0.5877 acre State of Texas tract, the following four (4) courses and distances:

1) N82°00'35"E, a distance of 204.67 feet to a 5/8-inch iron rod with "TxDot" cap found for an angle point hereof,
2) N72°12'49"E, a distance of 286.39 feet to a 1/2-inch iron rod found for an angle point hereof,
3) N72°43'49"E, a distance of 212.73 feet to a calculated point (that falls inside a utility pole) for an angle point hereof, and
4) N67°29'44"E, a distance of 236.32 feet to a mag nail with "LTRA" washer found for a non-tangent point of curvature hereof, said point being at the east corner of said 0.5877 acre State of Texas tract, and being in the north line of said Walton 1040.641 acre tract;

THENCE, continuing with the south right-of-way line of said E FM 875, with the north line of Walton 1040.641 acre tract, the following five (5) courses and distances:

1) along the arc of a curve to the right, whose radius is 2251.83 feet, whose arc length is 113.82 feet and whose chord bears N80°21'43"E, a distance of 113.81 feet to a 5/8-inch iron rod with "TxDot" cap found for an angle point hereof,
2) N81°52'50"E, a distance of 122.75 feet to a 5/8-inch iron rod with "TxDot" cap found for a non-tangent point of curvature hereof,
3) along the arc of a curve to the right, whose radius is 587.69 feet, whose arc length is 79.53 feet and whose chord bears N85°40'58"E, a distance of 79.47 feet to a 5/8-inch iron rod with "TxDot" cap found for an angle point hereof,
4) N89°38'08"E, a distance of 1554.82 feet to a 1/2-inch iron rod with "Goodwin & Marshall" cap found for a non-tangent point of curvature hereof, and
5) along the arc of a curve to the left, whose radius is 1931.89 feet, whose arc length is 119.98 feet and whose chord bears N87°43'32"E, a distance of 119.96 feet to a 1/2-inch iron rod with "Goodwin & Marshall" cap found for the northeast corner hereof, said point being at the intersection of the southwest right-of-way line of the Union Pacific Railroad (right-of-way varies) with the south line of said E FM 875, and being the northeast corner of said Walton 1040.641 acre tract;

THENCE, with the southwest right-of-way line of said Union Pacific Railroad and the north line of said Walton 1040.641 acre tract, the following two (2) courses and distances:

1) S31°23'18"E, a distance of 1239.44 feet to a 1/2-inch iron rod with "Goodwin & Marshall" cap found for a point of curvature hereof, and
2) along the arc of a curve to the left, whose radius is 1959.88 feet, whose arc length is 1199.91 feet and whose chord bears S48°55'56"E, a distance of 1181.26 feet to a 1/2-inch iron rod with "Goodwin & Marshall" cap found for an angle point hereof;

THENCE, leaving the southwest right-of-way line of said Union Pacific Railroad, with the called south line of a public road (per Volume 471, Page 557 (D.R.E.C.T.)), and with the northeast line of said Walton 1040.641 acre tract, the following two (2) courses and distances:

1) S06°43'05"W, a distance of 41.41 feet to a 1/2-inch iron rod with "Goodwin & Marshall" cap found for a non-tangent point of curvature hereof, and
2) along the arc of a curve to the left, whose radius is 1999.88 feet, whose arc length is 481.69 feet and whose chord bears S73°43'48"E, a distance of 480.52 feet to a 1/2-inch iron rod with "Goodwin & Marshall" cap found for an angle point hereof, said point being at the northwest corner of said United Presbyterian 130 acre tract (and called to be in the south line of a public road), and being the northeast corner of said Walton 1040.641 acre tract;

THENCE, with the south line of said public road and the north line of said United Presbyterian 130 acre tract, the following three (3) courses and distances:

1) S89°05'08"E, a distance of 725.17 feet to a 1/2-inch iron rod with "TXRCS" cap found for an angle point hereof,
2) S88°23'37"E, a distance of 306.97 feet to a 1/2-inch iron rod with "TXRCS" cap found for an angle point hereof,
3) N59°04'21"E, a distance of 86.14 feet to a 3/8-inch iron rod found for an angle point hereof, said point being a corner in the west line of a called 31.153 acre tract conveyed to Jose & Enriqueta Lopez Revocable Trust in Document No. 1831559 (O.P.R.E.C.T.), and being in the approximate center of said public road;

THENCE, along the center of said public road, in part with the east line of said Lopez tract, in part with the west line of a called 26.843 acre tract conveyed to Pioneer Concrete of Texas, Inc., in Volume 869, Page 832 (D.R.T.C.T.), in part with the east line of said United Presbyterian 130 acre and 202.85 acre tracts, the following nine (9) courses and distances:

1) S69°52'08"E, a distance of 190.27 feet to a 1/2-inch iron rod with "TXRCS" cap found for an angle point hereof,
2) S82°22'23"E, a distance of 249.85 feet to a 5/8-inch iron rod found for an angle point hereof,
3) S13°01'30"E, a distance of 91.73 feet to a 1/2-inch iron rod with "TXRCS" cap found for an angle point hereof,
4) S25°27'24"E, a distance of 269.19 feet to a 3/8-inch iron rod found for an angle point hereof,
5) S59°45'11"W, a distance of 10.98 feet to a 3/8-inch iron rod found for an angle point hereof,
6) S59°46'32"E, a distance of 382.10 feet to a 1/2-inch iron rod with "TXRCS" cap found for an angle point hereof,
7) S57°54'50"E, a distance of 543.74 feet to a railroad spike found for an angle point hereof,
8) S46°05'11"E, a distance of 1423.96 feet to a railroad spike found for an angle point hereof, and
9) S45°40'02"E, a distance of 256.25 feet to a 5/8-inch iron rod found at a corner in the west right-of-way line of S Interstate Highway 35E (right-of-way varies), and being the southeast corner of said Pioneer Concrete tract, and being the northeast corner of the remainder of said United Presbyterian 202.85 acre tract;

THENCE, with the west right-of-way line of said S IH 35E and the east line of said United Presbyterian 202.85 acre tract, the following three (3) courses and distances:

1) S01°33'25"E, a distance of 6.04 feet to a 1/2-inch iron rod with "TXRCS" cap found for an angle point hereof,
2) S44°16'38"W, a distance of 40.03 feet to a 1/2-inch iron rod with "TXRCS" cap found for an angle point hereof, and
3) S26°12'54"E, a distance of 85.41 feet to a 1/2-inch iron rod with "TXRCS" cap found for an angle point hereof, said point being at the north corner of a called 0.023 acre tract (described as Part 2) conveyed to the State of Texas in Document No. 2023488 of the Official Public Records of Ellis County, Texas (O.P.R.E.C.T.);

THENCE, with the west right-of-way line of said S IH 35E and the east line of said 0.023 acre State of Texas tract, over and across said United Presbyterian 202.85 acre tract, S04°31'52"E, a distance of 247.04 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for a non-tangent point of curvature hereof, said point being at the south corner of said 0.023 acre State of Texas tract, and being interior ell-corner hereof, and being in the east line of said United Presbyterian 202.85 acre tract;

THENCE, with the west right-of-way line of said S IH 35E and the east line of said United Presbyterian 202.85 acre tract, along the arc of a curve to the left, whose radius is 5894.58 feet, whose arc length is 275.92 feet and whose chord bears S04°31'52"E, a distance of 275.90 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for an angle point hereof, said point being the north corner of a called 0.048 acre tract (described as Part 1) conveyed to the State of Texas in Document No. 2023488 (O.P.R.E.C.T.);

THENCE, with the west right-of-way line of said S IH 35E and the east line of said 0.048 acre State of Texas tract, over and across said United Presbyterian 202.85 acre tract, the following two (2) courses and distances:

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1) S04°31'52"E, a distance of 327.68 feet to a 5/8-inch iron rod with aluminum TxDot cap found for an angle point hereof, and
2) N83°55'52"E, a distance of 13.17 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for an angle point hereof, said point being at the southeast corner of said 0.048 acre State of Texas tract, and being interior ell-corner hereof, and being in the east line of said United Presbyterian 202.85 acre tract;

THENCE, with the west right-of-way line of said S IH 35E, in part with the east line of said United Presbyterian 202.85 acre tract, and in part with the east line of said Walton 0.784 acre tract, the following six (6) courses and distances:

1) S06°07'58"E, a distance of 279.07 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for an angle point hereof,
2) S43°31'28"W, a distance of 67.82 feet to a 1/2-inch iron rod with illegible cap found for an angle point hereof,
3) S00°52'49"W, passing at a distance of 38.89 feet, a mag nail found at the common east corner of said Walton 0.784 acre tract and said United Presbyterian 202.85 acre tract, and continuing for a total distance of 72.22 feet to a 1/2-inch iron rod with "GMCivil" cap found for an angle point hereof,
4) S43°44'28"E, a distance of 77.18 feet to a leaning 1/2-inch iron rod found for an angle point hereof, and
5) S31°19'20"E, a distance of 72.00 feet to a 1/2-inch iron rod with "GMCivil" cap found for an angle point hereof, said point being at the intersection of the north right-of-way line of Kelly Bend (50' right-of-way, dedicated as a called 0.543 acre tract conveyed to the City of Waxahachie in Volume 570, Page 864 (D.R.E.C.T.)), and being the southeast corner of said Walton 0.584 acre tract;

THENCE, leaving the west right-of-way line of said IH 35E, with the north and east right-of-way lines of said Kelly Bend and the south and west lines of said Walton 0.584 acre tract, the following two (2) courses and distances:

1) S79°20'23"W, a distance of 225.03 feet to a 1/2-inch iron rod found for an angle point hereof, and
2) N12°12'57"W, a distance of 195.90 feet to a mag nail found in Brookside Road (no right-of-way information found), and being in the south line of said United Presbyterian 202.85 acre tract;

THENCE, with the approximate centerline of said Brookside Road, with the south line of said United Presbyterian 202.85 acre tract, and in part with the north line of a called 125 acre tract conveyed to J.C. Kelley et Ux. in Volume 404, Page 324 (D.R.E.C.T.), the following two (2) courses and distances:

1) S89°44'51"W, a distance of 665.14 feet to a 1/2-inch iron rod with "TXRCS" cap found for an angle point hereof, and
2) S58°31'10"W, a distance of 237.35 feet to a calculated point for an exterior ell corner hereof, said point being the southeast corner of a 23.4' right-of-way dedication, as shown on the proposed plat of Lot 1, Block "A", United Presbyterian Addition;

THENCE, over and across said United Presbyterian 202.85 acre tract, with the exterior line of Lot 1, Block "A" of said proposed United Presbyterian Addition, the following three (3) courses and distances:

1) N27°59'46"W, a distance of 270.10 feet to a 1/2-inch iron rod with "TXRCS" cap found for an interior ell corner hereof,
2) S58°33'11"W, a distance of 248.18 feet to a 1/2-inch iron rod with "TXRCS" cap found for an interior ell corner hereof, and
3) S28°01'36"E, a distance of 270.24 feet to a calculated point for an exterior ell corner hereof, said point being in the approximate centerline of said Brookside Road, and being in the south line of said United Presbyterian 202.85 acre tract, and being in the north line of said 125 acre Kelley tract;

THENCE, with the approximate centerline of said Brookside Road, with the south line of said United Presbyterian 202.85 acre tract, in part with the north line of said 125 acre Kelley tract, in part with the north line of a called 122.35 acre tract conveyed to Robert L. Beer in Volume 351, Page 107 (D.R.E.C.T.), and in part with the north line of a portion of Brookside Road dedicated per plat of Brookside Addition, recorded in Cabinet B, Slide 329 of the Plat Records of Ellis County, Texas (P.R.E.C.T.), S58°31'10"W, a distance of 1,496.80 feet to a mag nail with "4Ward Boundary" washer set for an angle point hereof, said point being at the common south corner of said 202.85 acre United Presbyterian tract and said Walton 1040.641 acre tract;

THENCE, with the northwest right-of-way line of said Brookside Drive and the south line of said Walton 1040.641 acre tract, S58°06'41"W, a distance of 4.10 feet to a mag nail with "4Ward Boundary" washer set for an angle point hereof, said point being a corner in the north line of said Walton 117.601 acre tract;

THENCE, with the north line of said Walton 117.601 acre tract, in part with the western right-of-way terminus of said Brookside Drive, and in part with the west line of Lot 4, Block 1 of said Brookside Addition, S31°25'29"E, a distance of 175.01 feet to a 1/2-inch iron rod found for an angle point hereof;

THENCE, with the north line of said Walton 117.601 acre tract, in part with the south line of Block 1 of said Brookside Addition, in part with the south line of a called 0.4304 acre tract conveyed to Monica Davis Watkins in Document No. 1607336 (O.P.R.E.C.T.), in part with the south line of a called 0.515 acre tract conveyed to Just Settle Investments, LLC, in Document No. 2120031 (O.P.R.E.C.T.), and in part with the south and east lines of a called 0.4309 acre tract conveyed to Katy R. Ryan and Bobby Hopgood in Volume 2512, Page 1420 (O.P.R.E.C.T.), the following two (2) courses and distances:

1) N58°34'31"E, a distance of 998.68 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for an angle point hereof, and
2) N31°25'29"W, a distance of 150.17 feet to a 1/2-inch iron pipe found for an angle point hereof, said point being in the south line of Brookside Road (no recording information found), and being the common north corner of said Ryan-Hopgood tract and said Walton 117.601 acre tract;

THENCE, with the south line of said Brookside Road and the north line of said Walton 117.601 acre tract, N58°37'26"E, a distance of 40.17 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for an angle point hereof, said point being at the northwest corner of a called 0.4312 acre tract conveyed to Jose Antonio Tovar, Jr., et ux., in Document No. 2100249 (O.P.R.E.C.T.);

THENCE, with the common line of said Tovar Jr. tract and said Walton 117.601 acre tract, the following two (2) courses and distances:

1) S31°25'29"E, a distance of 150.14 feet to a 1/2-inch iron rod with illegible cap found for an angle point hereof, and
2) N58°34'31"E, a distance of 125.17 feet to a 1/2-inch iron pipe found for an angle point hereof, said point being at the southwest corner of a called 0.5039 acre tract conveyed to Martha Kelley and Michael W. Anderson in Document No. 2033656 (O.P.R.E.C.T.), and being a southwest corner of said Walton 6.035 acre tract;

THENCE, with the north line of said Walton 6.035 acre tract, in part with the south line of said Anderson tract, in part with the south line of a called 0.5043 acre tract conveyed to Jose Alcala, Jr., et ux, in Document No. 2024098 (O.P.R.E.C.T.), in part with the south line of a called 0.517 acre tract conveyed to Deborah J. Timmerman in Document No. 2155833 (O.P.R.E.C.T.), in part with the south line of a called 0.0.47 acre tract (per ECAD) conveyed to Barbara A. Owens in Volume 2613, Page 1235 (O.P.R.E.C.T.), in part with the south line of a called 0.4860 acre tract conveyed to Kathy L. Kacal in Document No. 2236184 (O.P.R.E.C.T.), in part with the south line of a called 0.4304 acre tract and a called 0.4860 acre tract conveyed to Randall Wrey Adlof et al. in Document No. 2409235 (O.P.R.E.C.T.), the following three (3) courses and distances:

1) N58°35'07"E, a distance of 712.59 feet to a 1/2-inch iron pipe found for an angle point hereof, and
2) N60°53'27"E, a distance of 80.03 feet to a 1/2-inch iron pipe found for an angle point hereof, said point being a corner in the north line of said Kelley 21.654 acre tract, and being the southeast corner of said Adlof tract;

THENCE, with the common line of said Adlof tract and said Kelley 21.654 acre tract, N00°31'13"W, a distance of 149.81 feet to a 1/2-inch iron rod with "4466" cap found for an angle point hereof, said point being in the apparent south line of said Brookside Drive;

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THENCE, with the apparent south line of said Brookside Drive and the north line of said Kelley 21.654 acre tract, N89°34’51”E, a distance of 50.30 feet to a 1/2-inch iron rod with "4466" cap found for an angle point hereof, said point being the northwest corner of said Kelley 0.465 acre tract;

THENCE, with the apparent south line of said Brookside Drive, in part with the north line of Kelley 0.465 acre tract, in part with the north line of said 0.034 acre Kelley Probate tract, in part with the north line of said Kelley 0.40 acre tract, in part with the north line of said Kelley 0.52 acre tract, and in part with the north line of said Kelley 21.654 acre tract, N89°46’43”E, a distance of 501.04 feet to a 1/2-inch iron rod found for an angle point hereof, said point being in the west right-of-way line of said Kelley Bend, and being the northeast corner of said Kelley 21.654 acre tract;

THENCE, with the west right-of-way line of said Kelley Bend and the east line of said Kelley 21.654 acre tract, S12°10’56”E, a distance of 153.42 feet to a 1/2-inch iron rod found for an angle point hereof, said point being at the northeast corner of said Walton 6.035 acre tract;

THENCE, with the west and south right-of-way lines of said Kelly Bend and the east line of said Walton 6.035 acre tract, the following two (2) courses and distances:

1) S12°09'43"E, a distance of 81.04 feet to a 1/2-inch iron rod found for an angle point hereof, and
2) N79°10'06"E, a distance of 23.04 feet to a 1/2-inch iron rod with "TXRCS" cap found for an angle point hereof, said point being the northwest corner of Lot 1 of Kelley Bend Addition, recorded in Document No. 2229331 (O.P.R.E.C.T.);

THENCE, leaving the south right-of-way line of said Kelly Bend, with the common line of said Lot 1 and said Walton 6.035 acre tract, S02°12'06"E, a distance of 69.47 feet to a 1/2-inch iron rod with "TXRCS" cap found for an angle point hereof, said point being the southeast corner of said Walton 6.035 acre tract;

THENCE, with the south line of said Walton 6.035 acre tract, the following two (2) courses and distances:

1) S76°00'30"W, a distance of 547.94 feet to a 1/2-inch iron rod with "TXRCS" cap found for a point of curvature hereof, and
2) along the arc of a curve to the left, whose radius is 1420.00 feet, whose arc length is 738.91 feet and whose chord bears S61°06'17"W, a distance of 730.60 feet to a 11/2-inch iron rod with "TXRCS" cap found for an angle point hereof, said point being in the west line of said Kelley 21.654 acre tract, and being the east line of said Walton 117.601 acre tract, and being the southwest corner of said Walton 6.035 acre tract;

THENCE, with the east line of said Walton 117.601 acre tract, in part with the west line of said Kelley 21.654 acre tract, and in part with the west line of the remainder of a called 140.0 acre tract conveyed to Jack C. Kelley in Volume 404, Page 324 (D.R.T.C.T.), S31°10'08"E, passing at a distance of 576.57 feet, a 1/2-inch iron rod with "TXRCS" cap found at the southwest corner of said Kelley 21.654 acre tract, and continuing a total distance of 2104.57 feet to a calculated point for an angle point hereof, said point being in the north line of a called 140 acres conveyed to Alvin Riddle in Document No. 2001355 ((O.P.R.E.C.T.), said tract previously described in Volume 290, Page 172 (D.R.E.C.T.)), from which a 1/2-inch iron rod found bears, S31°10’08”E, a distance of 2.05 feet, and also from which, a 1/2-inch iron pipe found in the west right-of-way line of said E IH 35, and being the common east corner of said Riddle tract and said Kelley 140 acre tract bears, N59°45’10”E, a distance of 954.94 feet;

THENCE, with the south and west lines of said Walton 117.601 acre tract, in part with the north line of said Riddle tract, in part with the north line of a called 10.00 acre tract conveyed to Melissa Mims in Volume 2139, Page 2147 (O.P.R.E.C.T.), in part with the east line of a called 265.36 acre tract (described as Tract 1) conveyed to Nay Trust B in Volume 2739, Page 149 (O.P.R.E.C.T.), and in part with the east line of a called 2.113 acre tract conveyed to Terry L. Nay et ux in Volume 1621, Page 662 (O.P.R.E.C.T.), the following two (2) courses and distances:

1) S59°45'10"W, passing at a distance of 1,241.47 feet, a 1/2-inch iron rod found at the northeast corner of said Mims tract, and continuing for a total distance of 2106.54 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for an angle point hereof, and
2) N31°44'12"W, a distance of 2482.55 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for an angle point hereof, said point being in the south line of said Walton 1040.641 acre tract, and being at the common north corner of said Nay 2.113 acre tract and said Walton 117.601 acre tract;

THENCE, with the south line of said Walton 1040.641 acre tract, the following two (2) courses and distances:

1) S58°06'26"W, a distance of 1071.43 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for an angle point hereof, and
2) S04°10'55"E, a distance of 1491.37 feet to a calculated point (could not access) for an angle point hereof, said point being at a corner in the common line of said Nay Trust B tract and said Walton 1040.641 acre tract;

THENCE, with the common line of said Nay Trust B tract and said Walton 1040.641 acre tract, the following two (2) courses and distances:

1) S31°27'06"E, a distance of 214.04 feet to a calculated point (could not access) for an angle point hereof, and
2) S58°26'51"W, a distance of 1456.33 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for an angle point hereof, said point being at the northeast corner of said Walton 141.524 acre tract;

THENCE, with the common line of said Nay Trust B tract and said Walton 141.524 acre tract, S30°58'46"E, a distance of 2323.48 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for an angle point hereof, said point being at the northwest corner of a called 40.889 acre tract conveyed to H H Land and Livestock, LLC, in Document No. 2310892 (O.P.R.E.C.T.);

THENCE, with the common line of said H H Land and Livestock tract and said Walton 141.524 acre tract, S02°15'12"E, a distance of 25.10 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for an angle point hereof, said point being at the north corner of a called 0.7798 acre tract (described as Tract 3) conveyed to Hiram Clay Schoolfield in Volume 2424, Page 1248 (O.P.R.E.C.T.);

THENCE, with the common line of said Schoolfield tract and said Walton 141.524 acre tract, S18°58'34"E, a distance of 816.39 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for an angle point hereof, said point being at the common south corner of said Schoolfield tract and said H H Land and Livestock tract;

THENCE, with the common line of said H H Land and Livestock tract and said Walton 141.524 acre tract, S12°44'24"E, a distance of 19.10 feet to a calculated point (that falls inside a cedar fence post) for an angle point hereof, said point being at the north corner of a called 0.2831 acre tract (described as Tract 2) conveyed to Hiram Clay Schoolfield in Volume 2424, Page 1248 (O.P.R.E.C.T.);

THENCE, with the east line of said Walton 141.524 acre tract, in part with the west line of said Schoolfield Tract 2, and in part with the west line of a called 0.7778 acre tract (described as Tract Two) conveyed to Hiram Clay and Haley Elizabeth Schoolfield in Document No. 2032588 (O.P.R.E.C.T.), S08°46'42"E, a distance of 855.86 feet to a 1/2-inch iron rod with illegible cap found for the southeast corner hereof, said point being in the north right-of-way line of Farm To Market Road 1446 (80’ right-of-way), and being the southwest corner of a called 3.222 acre tract (described as Tract One) conveyed to Hiram Clay and Haley Elizabeth Schoolfield in Document No. 2032588 (O.P.R.E.C.T.), and being the south corner of said Schoolfield 0.7778 acre tract, and being the southeast corner of said Walton 141.524 acre tract;

THENCE, with the north right-of-way line of said FM 1446 and the south line of said Walton 141.524 acre tract, the following three (3) courses and distances:

1) S84°07'57"W, a distance of 1056.19 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for a non-tangent point of curvature hereof,
2) along the arc of a curve to the left, whose radius is 1949.86 feet, whose arc length is 262.11 feet and whose chord bears S80°07'00"W, a distance of 261.91 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for a point of tangency hereof, and

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3) S76°15'57"W, a distance of 16.06 feet to a 1/2-inch iron rod with "4Ward Bour cap set for an angle point hereof, said point being a corner in the north right-c line of said FM 1446, and being the southwest corner of said Walton 141.52 tract;

THENCE, with the west line of said Walton 141.524 acre tract, in part with the north ri line of said FM 1446, in part with the east line of a called 195.17 acre tract conveye Family Limited Partnership, Ltd., in Document No. 1810238 (O.P.R.E.C.T.), and in pa east line of a called 3.677 acre tract (described as Tract Two) conveyed to Jeffrey Jeanette Marie Frazier in Volume 2048, Page 1588 (O.P.R.E.C.T.), N31°29'42"W, a c 3390.11 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for an angle point h point being an angle point in the west line of said Frazier Tract Two, and being a co south line of a called 300.765 acre tract (described as Tract One) conveyed to Jeffre Jeanette Marie Frazier in Volume 2048, Page 1588 (O.P.R.E.C.T.);

THENCE, with the common line of said Frazier Tract One and said Walton 141.524 N58°27'20"E, a distance of 660.47 feet to a 1/2-inch iron rod found for an angle po said point being at the southwest corner of said Walton 1040.641 acre tract;

THENCE, with the common line of said Frazier Tract One and said Walton 1040.641 N30°52'03"W, a distance of 2132.75 feet to a 1/2-inch iron rod found for an angle pc said point being at the southeast corner of said Walton 398.282 acre tract;

THENCE, with the common line of said Frazier Tract One and said Walton 398.282 S59°05'08"W, a distance of 3095.58 feet to a 1/2-inch iron rod found for an angle pc said point being at the northeast corner of said Walton 99.991 acre tract;

THENCE, leaving the common line of said Frazier Tract One and said Walton 398.282 over and across said Frazier Tract One, with the east and south lines of said Walton 9 tract, the following two (2) courses and distances:

1) S30°52'38"E, a distance of 1419.83 feet to a 1/2-inch iron rod with "4Ward Bour cap set for an angle point hereof, and
2) S59°04'23"W, a distance of 3067.84 feet to a 1/2-inch iron rod found fo southwest corner hereof, said point being in Lone Elm Road (no right-c dedication found), and being in the east line of a called 30.000 acre tract con to Andrew Philip and Portia R. Wood in Volume 2646, Page 993 (O.P.R.T.C.T. being the southwest corner of said Walton 99.991 acre tract;

THENCE, along Lone Elm Road, in part with the east line of said Wood 30.00 acre tr with the east line of a called 132.09 acre tract conveyed to Richard E. Wood in Volume 1040 (D.R.E.C.T.), in part with the west line of said Walton 99.991 acre tract, and in pa west line of said Walton 398.282 acre tract, N30°52'01"W, a distance of 2347.95 fee nail with "4Ward Boundary" washer set for an angle point hereof, said point be

rtheast corner of said Wood 132.09 acre tract, and being the southeast corner of a portion of ne Elm Road dedicated by plat of Lone Elm Addition, recorded in Cabinet J, Slide 529 .R.E.C.T.), from which a 1/2-inch iron rod with illegible cap found at the southwest corner of e terminus of Lone Elm Road, and being in the north line of said Woods 132.09 acre tract, and ing the southeast corner Lot 13, Block A of said Lone Elm Addition bears, S57°39'11"W, a stance of 60.03 feet;

IENCE, with the east right-of-way line of said Lone Elm Road and the west line of said Walton 8.282 acre tract, N30°37'13"W, a distance of 1069.49 feet to a mag nail with "4Ward undary" washer set for an angle point hereof, said point being a corner in the east right-of-ay line of said Lone Elm Road, and being in the south line of said Walton 182.727 acre tract;

IENCE, with the east and north right-of-way line of said Lone Elm Road and the west line of said alton 182.727 acre tract, the following eight (8) courses and distances:

1) S59°17'24"W, a distance of 9.44 feet to a mag nail with "4Ward Boundary" washer set for an angle point hereof,
2) N36°25'33"W, a distance of 137.69 feet to a mag nail with "4Ward Boundary" washer set for an angle point hereof,
3) N31°48'27"W, a distance of 526.65 feet to a mag nail with "4Ward Boundary" washer set for an angle point hereof,
4) N36°30'52"W, a distance of 390.49 feet to a mag nail with "4Ward Boundary" washer set for an angle point hereof,
5) N28°06'50"W, a distance of 116.45 feet to a mag nail with "4Ward Boundary" washer set for an angle point hereof,
6) N20°10'56"W, a distance of 238.37 feet to a mag nail with "4Ward Boundary" washer set for a non-tangent point of curvature hereof,
7) along the arc of a curve to the left, whose radius is 135.00 feet, whose arc length is 235.09 feet and whose chord bears N69°39'42"W, a distance of 206.49 feet to a mag nail with "4Ward Boundary" washer set for a point of tangency hereof, and
8) S60°27'03"W, a distance of 239.14 feet to a mag nail with "4Ward Boundary" washer set for an angle point hereof, said point being at the northwest terminus of the portion of Lone Elm Road dedicated in said Lone Elm Addition, and being the southeast corner of a called 5.0854 acre tract conveyed to Jerry Allen Bowman, II, in Document No. 1633911 (O.P.R.E.C.T.), from which a 5/8-inch iron rod found in the western terminus of the portion of Lone Elm Road dedicated in said Lone Elm Addition, and being the northeast corner of a Lot 1 of Green Meadows, recorded in Cabinet A, Slide 443 (P.R.E.C.T.) bears, S38°02'45"E, a distance of 23.50 feet;

IENCE, with the east line of said Bowman tract, in part with the west line of said Walton 182.727 re tract, and in part with the west line of said Walton 681.000 acre tract, the following two (2) urses and distances:

1) N38°09'48"W, a distance of 30.25 feet to a 1/2-inch iron rod found for an angle point hereof, and
2) N31°37'11"W, a distance of 1519.64 feet to a 1/2-inch iron rod found for an angle point hereof, said point being in the south line of said Walton 151.499 acre tract;

THENCE, with the south line of said Walton 151.499 acre tract, in part with the north lien of said Bowman tract, in part with the north line of a called 25.01 acre tract conveyed to Randy Durret in Volume 804, Page 894 (D.R.E.C.T.), in part with the north line of a called 2 acre tract conveyed to Robin Adams in Document No. 1522248 (O.P.R.E.C.T.), in part with the north line of a called 2 acre tract conveyed to Robin Adams in Document No. 1522248 (O.P.R.E.C.T.), in part with the north line of a called 5.0 acre tract conveyed to Leila A. & Frank D. Boehler in Document No. 2139801 (O.P.R.E.C.T.), and in part with the north line of a called 5.00 acre tract (described as Tract 3-C) conveyed to the Joseph C. & Cynthia A. Murray Revocable Living Trust in Volume 2431, Page 1374 (O.P.R.E.C.T.), S58°48'23"W, a distance of 1266.43 feet to a 1.5-inch iron pipe found for an angle point hereof, said point being at the northeast corner of a called 4.986 acre tract conveyed to Robert W. & Roberta J. Shields in Volume 1692, Page 1170 (O.P.R.E.C.T.), and being the southeast corner of a called 23.699 acre tract conveyed to the Gary & Catherine Pohlman Revocable Living Trust in Volume 2570, Page 766 (O.P.R.E.C.T.), and being the northwest corner of said Murray tract, and being the southwest corner of said Walton 151.499 acre tract;

THENCE, with the west line of said Walton 151.499 acre tract, in part with the east line of said Pohlman tract, in part with the east line of a called 13.191 acre tract conveyed to Richard D. & Jamie N. Huffman in Document No. 1622238 (O.P.R.T.C.T.), in part with the east line of a called 5.48 acre tract conveyed to Sharon Hobbs in Document No. 1521807 (O.P.R.E.C.T.), and in part with the east line of a called 119.3 acre tract conveyed to Pitts Waxahachie Farm, LLC, in Document No. 2241200 (O.P.E.T.C.T.), the following three (3) courses and distances:

1) N31°16'00"W, a distance of 1466.49 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for an angle point hereof, from which a 1/2-inch iron rod found bears, N43°25'09"E, a distance of 2.36 feet,
2) N58°19'00"E, a distance of 672.39 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for an angle point hereof, and
3) N31°00'16"W, a distance of 2104.72 feet to a 1/2-inch iron rod with "Texas Surveying" cap found for an angle point hereof, said point being in the east line of said Pitts Waxahachie Farm tract, and being the southwest corner of a called 1.344 acre tract conveyed to Rodolfo & Crystal Santos, in Document No. 2405568 (O.P.R.E.C.T.);

THENCE, with the common line of said Santos tract and said Walton 151.499 acre tract, the following two (2) courses and distances:

1) N59°45'47"E, a distance of 246.19 feet to a 1/2-inch iron rod with "Texas Surveying" cap found for an angle point hereof, and

4WARD Land Surveying
PO Box 90876
Austin, TX 78709
512.554.3371
jward@4wardls.com
www.4wardls.com

2) N19°07'26"W, passing at a distance of 216.24 feet, a 1/2-inch iron rod with "Texas Surveying" cap found, and continuing for a total distance of 225.94 feet to a calculated point for an angle point hereof, said point being in the record south right-of-way line of said Lone Elm Road, and being the common north corner of said Santos tract and said Walton 151.499 acre tract;

THENCE, with the record south right-of-way line of said Lone Elm Road and the north line of said Walton 151.499 acre tract, N58°10'45"E, a distance of 778.11 feet to a calculated point for an angle point hereof, said point being at the northwest corner of a called 10.338 acre tract conveyed to Tyler Shane Boston in Document No. 2236270 (O.P.R.E.C.T.);

THENCE, leaving the record south right-of-way line of said Lone Elm Road, with the common line of said Boston tract and said Walton 151.499 acre tract, the following two (2) courses and distances:

1) S23°02'00"E, passing at a distance of 30.21 feet, a 1/2-inch iron rod with "4466" cap found, and continuing for a total distance of 1040.16 feet to a 1/2-inch iron rod with "4466" cap found for an angle point hereof, and
2) S32°49'28"E, a distance of 600.03 feet to a 1/2-inch iron rod with illegible cap found for an angle point hereof;

THENCE, with the north line of said Walton 151.499 acre tract, in part with the south line of said Boston tract, in part with the south line of a called 10.339 acre tract conveyed Dawn Knox in Volume 2791, Page 1504 (O.P.R.E.C.T.), and in part with the south line of a called 11.17 acre tract conveyed to Jeffery S. & Marci L. Coker in Document No. 1617992 (O.P.R.T.C.T.), N60°11'34"E, a distance of 947.57 feet to a 1/2-inch iron rod with illegible cap found for an angle point hereof, said point being in the west line of said Walton 681.000 acre tract, and being the southeast corner of said Coker tract;

THENCE, with the common line of said Coker tract and said Walton 681.000 acre tract, N31°20'06"W, a distance of 1060.01 feet to a 1/2-inch iron rod with illegible cap found for an angle point hereof, said point being at the southwest corner of a called 10.059 acre tract conveyed to Jose Felipe & Maria Del Carmen Martinez in Document No. 1630566 (O.P.R.E.C.T.);

THENCE, with the north line of said Walton 681.000 acre tract, in part with the south line of said Martinez tract, in part with the south line of a called 10.059 acre tract conveyed to the Joe & Barbara Bourland in Volume 2559, Page 2122 (O.P.R.E.C.T.), in part with the south line of the remainder of a called 20.586 acre tract conveyed to David K. Justus in Document No. 1601589 (O.P.R.E.C.T.), and in part with the south line of a called 10.01 acre tract conveyed to James Coy Roden, III, et ux, in Document No. 1824450 (O.P.R.E.C.T.), the following two courses and distances:

1) N58°36'32"E, a distance of 1893.07 feet to a calculated point for an angle point hereof, and
2) N31°38'43"W, a distance of 11.05 feet to a calculated point for an angle point hereof, said point being in the east line of said Roden tract, and being the southwest corner of a called 8 acre tract conveyed to Iglesia Vaquera in Volume 2504, Page 889 (O.P.R.E.C.T.);

THENCE, with the common line said Vaquera tract and said Walton 681.000 acre tract, N58°36'28"E, a distance of 289.71 feet to a 1/2-inch iron rod found for an angle point hereof, said point being at the southwest corner of the remainder of a called 26.34 acre tract conveyed to Nelson C. Ridgeway in Volume 1118, Page 464 (D.R.E.C.T.);

THENCE, with the common line of said Ridgeway tract and said Walton 681.000 acre tract, N58°42'03"E, a distance of 600.93 feet to a 1/2-inch iron rod found for an angle point hereof, said point being at the southwest corner of a called 10.168 acre tract (described as Tract 1) conveyed to Rapeet Unarut in Volume 2517, Page 1086 (O.P.R.T.C.T.);

THENCE, with the common line of said Unarut Tract 1 and said Walton 681.000 acre tract, N58°37'19"E, a distance of 439.53 feet to a 1/2-inch iron rod found for an angle point hereof, said point being at the southwest corner of a called 3.0 acre tract (described as Tract 2) conveyed to Rapeet Unarut in Volume 2517, Page 1086 (O.P.R.T.C.T.);

THENCE, with the common line of said Unarut Tract 2 and said Walton 681.000 acre tract, N58°37'55"E, a distance of 372.91 feet to a 1/2-inch iron rod found for an angle point hereof;

THENCE, with the north line of said Walton 681.000 acre tract, in part with the east line of said Unarut Tract 2, in part with the east line of Memory Lane (a private road), in part with the east line of a called 1.12 acre tract conveyed to Thomas and Aashley Fabby in Document No. 2322724 (O.P.R.E.C.T.), in part with the east line of the remainder of said Morrow tract, and in part with the east line of a called 1.119 acre tract conveyed to Thomas Fabby in Volume 2146, Page 869 (O.P.R.E.C.T.), N31°19'00"W, a distance of 898.70 feet to a 1/2-inch iron rod found for an angle point hereof, said point being in the east line of said 1.119 Fabby tract, and being the southwest corner of said Knight tract;

THENCE, with the common line of said Knight tract and said Walton 681.000 acre tract, the following two (2) courses and distances:

1. N76°28'22"E, a distance of 416.20 feet to a 1/2-inch iron rod found for an angle point hereof, and
2. N22°05'46"W, a distance of 225.51 feet to the POINT OF BEGINNING and containing 3,169.5531 Acres (138,065,732 Sq. Ft.) of land more or less.

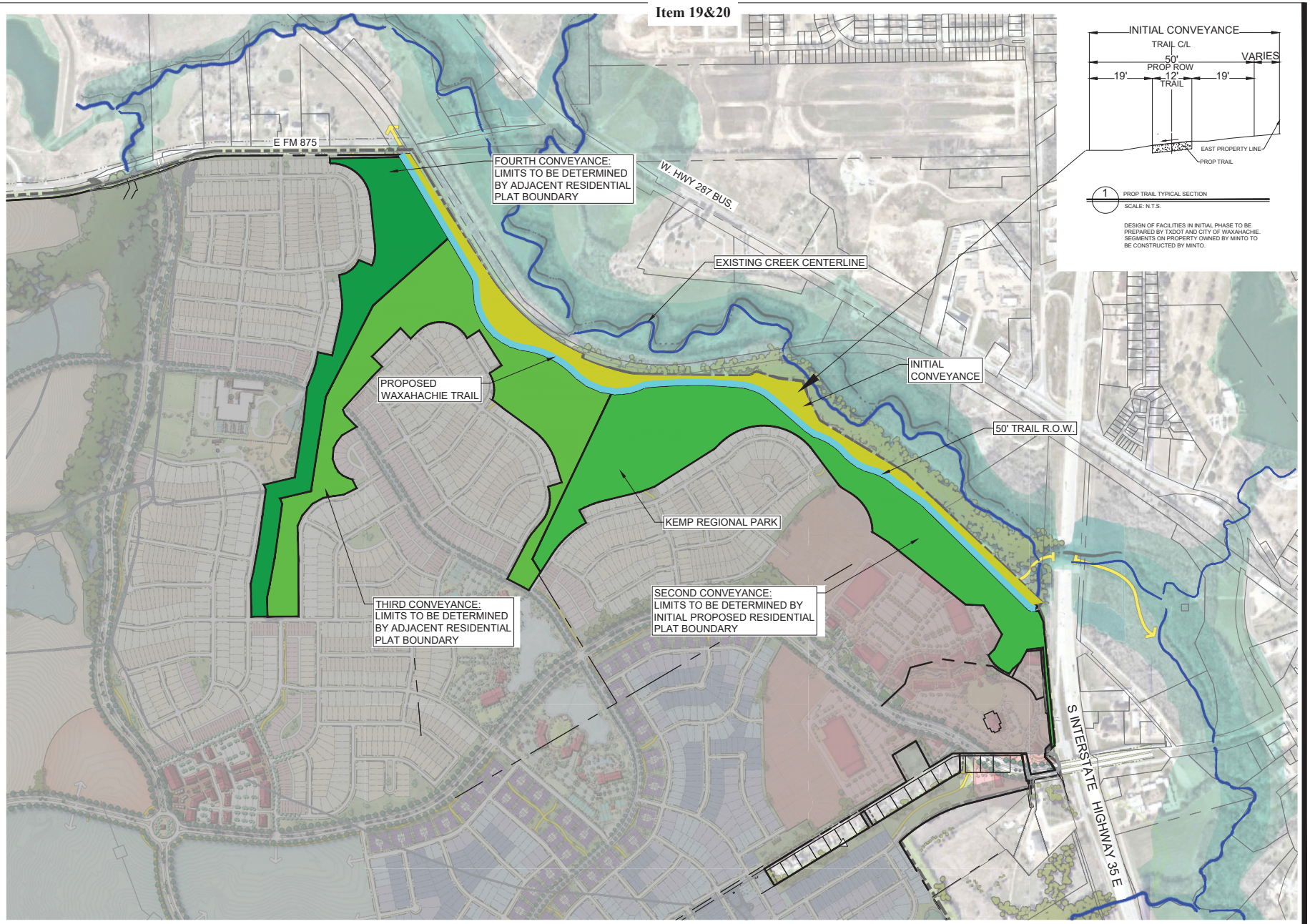
NOTE:

All bearings are based on the Texas State Plane Coordinate System, Grid North, North Central Zone (4202); all distances were adjusted to surface using a combined scale factor of 1.000095939448. See attached sketch (reference drawing: 01893-rev2.dwg)

_____

Steven M. Duarte, RPLS #5940
4Ward Land Surveying, LLC

EXHIBIT N – WAXAHACHIE-MIDLOTHIAN TRAIL RESERVE CONVEYANCE



KFM
ENGINEERING & DESIGN
3501 OLYMPUS BLVD, SUITE 100
DALLAS, TEXAS 75019
PHONE: (469) 899-0536
WWW.KFM-LLC.COM
TBPE #: F-20821
TBPELS #: 10194934

PROJECT

KEMP TRACT
WAXAHACHIE, TEXAS

TITLE

EXHIBIT N
REGIONAL PARKS AND MIDLOTHIAN-WAXAHACHIE TRAIL DEDICATION

CLIENT

MINTO TEXAS LLC

N

0 400 800
1"=800'

PROJECT NUMBER:
010000X00X

DATE:
2025/11/14

SHEET:
EXH 01

p:\010232001\cad\exhibit\20250507_regional trail\regional trail overlay.dwg-bwright-11/14/2025 11:51 AM

EXHIBIT O –DESIGN REQUIREMENTS

Item 19&20

KEMP TRACT

DESIGN REQUIREMENTS



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Item 19&20

RESIDENTIAL
DESIGN STANDARDS



EXISTING ARCHITECTURE IN WAXAHACHIE

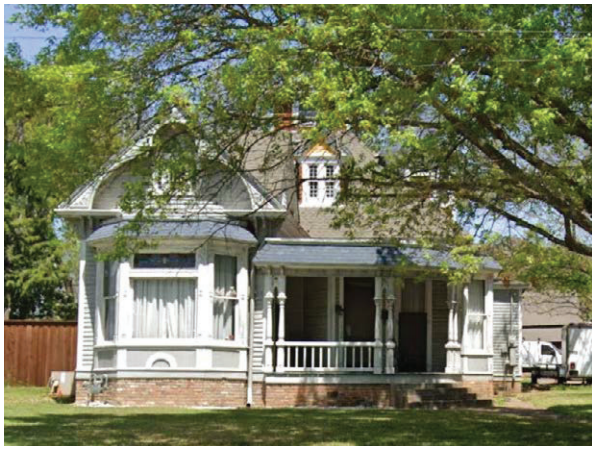
Waxahachie has a rich portfolio of architectural styles distributed throughout the historic district and in the earlier developed communities. The newer developments exhibit a repetitive use of masonry and simplified modern styles that lead neighborhoods to feel monotonous. Kemp Tract's architectural vision is to bring a varying set of modern styles to the community. This approach will compliment the diverse architecture around Waxahachie to provide a distinct sense of place within the neighborhood.

Existing **Historical Architecture**













PROPOSED ARCHITECTURAL STYLES

Texas **Farmhouse**



Texas **Craftsman**



Texas **Hill Country**



Texas **Tudor**



Texas **Colonial Revival**



Texas **Victorian**



Item 19&20



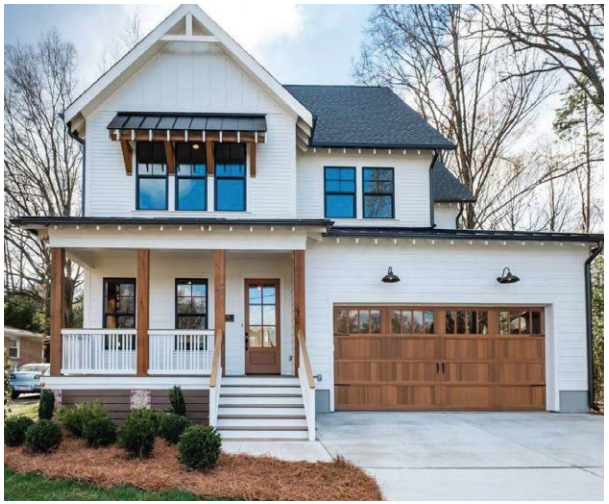
TEXAS FARMHOUSE

TEXAS
FARMHOUSE

TEXAS FARMHOUSE











All images are for inspiration purposes only and are meant to represent different design elements and components for each style & interpretation.

TEXAS FARMHOUSE ARCHITECTURAL DESIGN



TEXAS FARMHOUSE

Farmhouse style architecture is easily identified by its simple, functional and well-proportioned forms that are box-like and have minimal ornamentation. These homes have historically reflected a two-story massing with predominantly gabled roofs, roof dormers, and covered porches that provide utilitarian spaces without the extensive use of embellishment and ornamentation. Hipped roof forms are occasionally incorporated at covered entries, especially on wrap-around porches.

Key Elements:

Tier 1: Defining Characteristics

Must include all 3 — these are non-negotiable to maintain style integrity.

1. Simple Gable Roof Form(s) incorporating at least an 8:12 Pitch, with lower pitches allowed for main roof forms
2. Board & Batten or Lap Siding in Cement Fiber.
3. Tall, Narrow Windows with Multiple Panes are traditional, optional black or dark bronze frames with or without divided lights for a modern twist.

Tier 2: Strong Style Reinforcers

Must include at least 2 — highly recommended for authenticity.

4. Brick (Painted or Natural) Maximum 90%
5. Covered Front Porch with Simple Columns that are 8x8 minimum (6x6 may be incorporated if unique from other styles) and showcase modern profiles.
6. Standing Seam Metal Roof Accents.
7. Low-pitched (3-4:12 pitch) shed roof accents, or covered porches.
8. Accent dormers or window awnings.

Tier 3: Enhancements

Must include at least 1 — use to create variety or reinforce details.

9. Exposed Rafters or Rafter Tails
10. Shiplap or Horizontal Siding Accents
11. Simple Window Trim with Header Cap
12. Open Gable Ends with Decorative Brackets
13. Minimal Eave Overhangs with fascia and soffit painted the same color and provide high contrast to the monochromatic color palette

TEXAS FARMHOUSE DESIGN SPECTRUM

In order to enhance the Kemp Tract context, which will be urban in nature, the Texas Farmhouse style may be expressed in various ways to relate to a parcel's immediate context.



Traditional

Elevation reflect more **historical** siding treatments and detailing. A monochromatic color palette allow for subtle enhancements like the **wrap-around porch, standing-seam metal roof, and window awnings** to become strong focal points that define this style.

Transitional

The overall form and massing is familiar, but **windows packages** are grouped together to become strong visual components, **column details** are refined and introduce modern profiles and connection details, and dark **fascia** provides **high contrast** to an otherwise monochromatic color palette that highlights the simplistic forms of this style.

Bold

The overall form and massing is familiar, but material and window expressions create an **asymmetrical** image for a more **contemporary** feel. Materials are strategically placed to provide high contrast in **color and texture** to create interest and provide a more varied streetscape. Colors and materials are more **playful and unexpected.**

TEXAS FARMHOUSE PRODUCT MATRIX

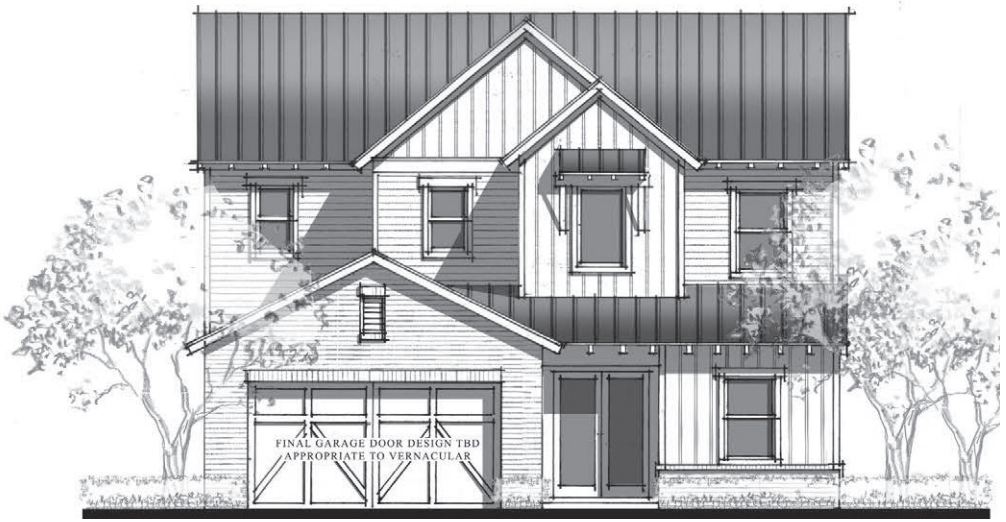
Rear Loaded Garage

Front Loaded Garage

2 - Story



30' Wide Home



40' Wide Home

1 - Story



30' Wide Home



40' Wide Home

TEXAS
CRAFTSMAN



TEXAS CRAFTSMAN











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TEXAS CRAFTSMAN ARCHITECTURAL DESIGN



TEXAS CRAFTSMAN

The Craftsman architectural style is characterized by low-pitched one and two-story building volumes with wide overhangs and rakes extending horizontally across the home. Large, one-story covered porch volumes provide semi-private outdoor areas. Traditionally, eaves and rakes are commonly supported by beams, exposed rafter tails, brackets, out-lookers or corbels as decorative elements. For a more modern interpretation, these elements can be incorporated with simpler, more refined profiles that integrate today's materials for a current look and feel. Boxed soffits are not allowed with this style.

Key Elements:

Tier 1: Defining Characteristics
Must include all 3 — foundational to the Craftsman identity.

1. Low-Pitched Gabled Roofs (4:12-5-12 pitch) with Deep Overhangs (1'-6" to 2') – Often front-facing or cross-gabled with strong horizontal emphasis.
2. Exposed Rafters, Rafter Tails, or Decorative Brackets – Under eaves or gables; a hallmark detail of the style.
3. Windows with Divided Light in Upper Sash Only. The classic 3-over-1 or 4-over-1 window configuration

Tier 2: Strong Style Reinforcers
Must include at least 2 — key elements to build character.

4. Board & Batten or Lap or Shake Siding in Cement Fiber.
5. Wide, Inviting Front Porch – Should span at least one-third of the front façade; ideally integrated into the main roof.
6. Shake or Shingle Siding in Gables – Adds texture contrast to the main cladding. (Not Shown.)
7. Exaggerated Trim and Fascia Boards – Typically with layered build-up for a handcrafted look.
8. Decorative Gable Vents or Knee Braces – Often placed in front-facing gables. (Not Shown.)
9. Tapered Round or Square Columns on Pedestals (Stone or Masonry Base) – Supporting a wide front porch; usually set on substantial piers or bases.

Tier 3: Enhancements
Must include at least 1 — for variety and depth

10. Multi-Part Window Trim with Head Casing Detail – Adds architectural layering.
11. Brick or Stone Wainscot – At the foundation or on porch piers for grounding and material interest.*
12. Built-in Window Boxes or Planter Ledges – Enhances charm and garden ethos. (Not Shown.)
13. Dormers with Shed or Gable Roofs – Breaks up the roof line and provides upper-level light.
14. Offset or Asymmetrical Front Entry – A subtle nod to informal Craftsman charm.

*Note: Masonry for this style is Tier 3 and shall be a minimum of 10% and a maximum of 100%.

TEXAS CRAFTSMAN DESIGN SPECTRUM

In order to enhance the Kemp Tract context, which will be urban in nature, the Texas Craftsman style may be expressed in various ways to relate to a parcel's immediate context.



Traditional

Elevation reflect more **historic** siding treatments and detailing. Color palette and materials reflect **high-contrast** between trim and primary body colors. Structural elements feature modern **profiles, materials, and connections** to evoke a more current image. Window **lites/grilles** are simplified.

Transitional

The overall form and massing is familiar, but **windows packages** are grouped together to become strong visual components. Varying **material sizes and applications** create a more enhanced elevation.

Bold

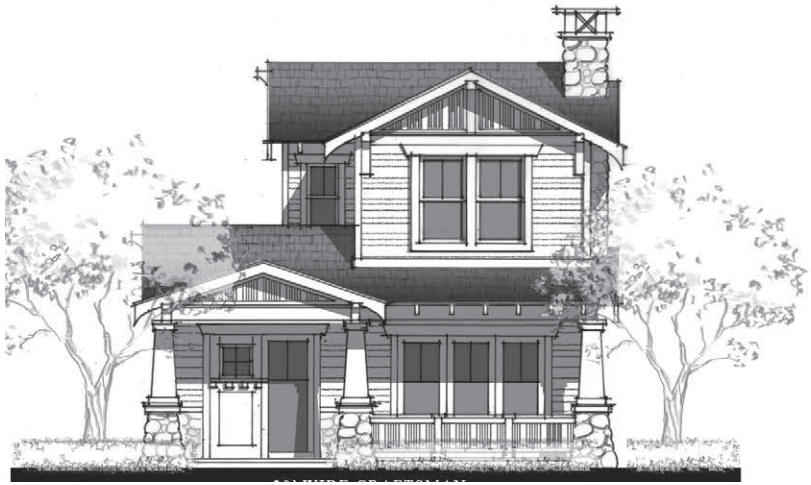
The overall form and massing is familiar, and a **flat roof** is introduced to create a **contemporary** look and feel. Materials are strategically placed to provide high contrast in **color and texture.** Colors and materials are more **playful and unexpected.**

TEXAS CRAFTSMAN PRODUCT MATRIX

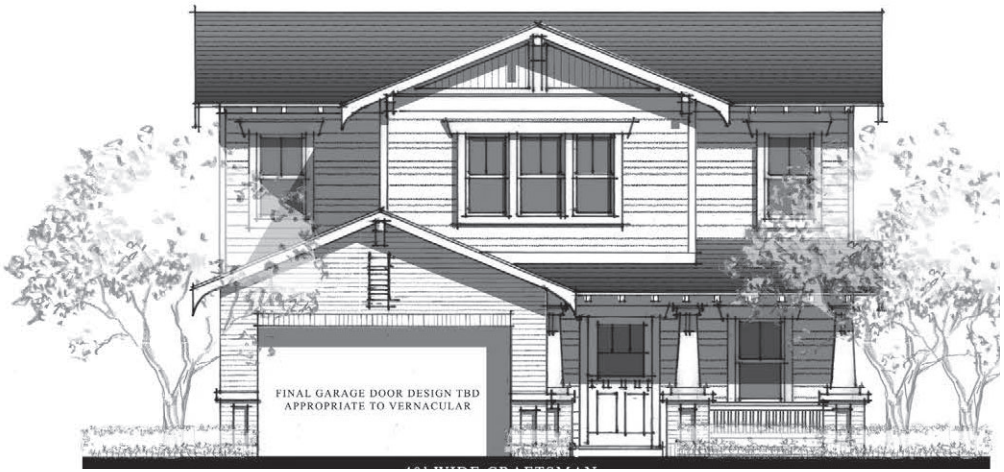
Rear Loaded Garage

Front Loaded Garage

2 - Story



30' Wide Home



40' Wide Home

1 - Story



30' Wide Home



40' Wide Home

TEXAS HILL COUNTRY

TEXAS
HILL COUNTRY



TEXAS HILL COUNTRY











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TEXAS HILL COUNTRY ARCHITECTURAL DESIGN



TEXAS HILL COUNTRY

Mix of traditional ranch and barn styles with a modern aesthetic. More rustic in nature with neutral to warm color pallets. Materials include stucco, rustic or smooth limestone and natural tone “wood” siding. Rustic wood and metal elements are key details for this style.

Key Elements:

Tier 1: Defining Characteristics
Must include both — Core identity elements.

1. Low-Pitched (5:12-8:12) Gable or Hipped Roofs – Often with broad overhangs, front-facing or side gables, evoking early ranch and mission forms.
2. Large, Narrow Windows with Minimal Trim – simple profiles without heavy casing and minimal or no divided lights.

Tier 2: Strong Style Reinforcers
Must include at least 2 — Essential for richness and variety.

3. Native or Native-Look Stone Facades – Limestone or rough-faced stone in warm, neutral tones.*
4. Natural Wood or Wood-Look Accents – Often seen in beams, brackets, entry doors, or porch posts; must appear authentic and warm.
5. Metal Roof or Metal Roof Accents – Standing seam or ribbed panels, typically in muted bronze, silver, or weathered tones.
6. Deep Covered Porches (Front or Back) – With thick timber or masonry columns; integral to indoor-outdoor lifestyle.
7. Timber Brackets (or a Timber look), Rafter Tails, or Corbels Under Eaves – Offers detail and shadow-play under roof lines.

Tier 3: Enhancements
Must include at least 1 — Regional flourishes and texture builders

8. Arched Entryways or Window Openings – Adds a nod to mission influences without becoming Mediterranean. (Not Shown.)
9. Board-and-Batten or Plank Siding Accents in Cement Fiber – Can be used on secondary masses or gables to break up stone facades. (Not Shown.)
10. Clerestory Windows or Transoms – Subtle modern twist that still honors Hill Country light and airflow.

*Note: Masonry for this style is shall be a minimum of 50% and a maximum of 100%.

TEXAS HILL COUNTRY DESIGN SPECTRUM

In order to enhance the Kemp Tract context, which will be urban in nature, the Texas Hill Country style may be expressed in various ways to relate to a parcel's immediate context.







Traditional

Elevation reflect more **regional** siding treatments and detailing. A monochromatic color palette allow for subtle enhancements like the **covered, standing-seam metal roof, and masonry** to become strong focal points that define this style.

Transitional

The overall form and massing is familiar, but **windows have minimal divided light** becoming strong visual components. **Columns** are refined and introduce modern profiles and connection details. **Metal brackets** are introduced and the secondary materials provides a strong modern balance.

Bold

The overall form and massing is familiar, but material and window expressions create an **asymmetrical** image for a more **contemporary** feel. Materials are strategically placed to provide high contrast in **color and texture** to create interest and provide a more varied streetscape.

TEXAS HILL COUNTRY PRODUCT MATRIX

Rear Loaded Garage

Front Loaded Garage

2 - Story



30' Wide Home



40' Wide Home

1 - Story



30' Wide Home



40' Wide Home

Item 19&20

TEXAS
TUDOR



TEXAS TUDOR











All images are for inspiration purposes only and are meant to represent different design elements and components for each style & interpretation.

TEXAS TUDOR ARCHITECTURAL DESIGN



TEXAS TUDOR

Influenced by classic European design, Tudor style homes evokes a cozy, rustic feel, often with elements like asymmetry and swooping roof line. Tudor homes typically have steeply pitched, gabled roofs, often with prominent dormer windows, giving a picturesque and dramatic look. Modern versions of Tudor homes might use lighter, more durable materials like smooth stucco, steel, or even glass in place of traditional brick and stone. The emphasis is on durability and low maintenance.

Key Elements:

Tier 1: Defining Characteristics
Must include both — absolutely essential to establish the style.

1. Steeply Pitched Gable Roofs 8:12 or more (Often Front-Facing) – Prominent, dramatic roof lines with a strong vertical emphasis.
2. Tall, Narrow Windows with Multiple Panes are fixed, single hung or casement and vertically oriented

Tier 2: Strong Style Reinforcers
Must include at least 2 — they bring the richness and nuance.

3. Masonry (Stone or Brick or Stucco) as Dominant Exterior Material – Typically limestone, fieldstone, or tumbled brick with a rustic or aged appearance.*
4. Half-Timbering Accents in Gables – Optional but highly recommended; typically darker wood tones contrasted with stucco or lighter fields. (Not Shown.)
5. Arched or Tudor-Arch Doorways – Flattened pointed arches or rounded arches over front doors or key windows. (Not Shown.)
6. Stone or Brick Chimney as a Visual Anchor – Ideally oversized and placed forward or visible from the street. (Not Shown.)
7. Board and Batten or Vertical Siding Accents – Simplified in secondary masses or gables; a rustic Texas twist on traditional Tudor paneling.
8. Brick Soldier Courses or Stone Lintels Over Windows – Subtle masonry detailing that evokes hand-built craftsmanship.

Tier 3: Enhancements
Must include at least 1 — regional variations and details.

9. Heavy Wood or Wood-Look Entry Doors – Often arched, plank-style, with iron hardware or strap hinges.
10. Recessed or Deeply Set Windows – Thick walls or trim details that imply deep-set construction.
11. Decorative Metal Light Fixtures and Hardware – Wrought iron or dark finishes for porch lighting, door knockers, etc. (Not Shown.)
12. Stone or brick window surrounds, used to accentuate and formalize windows.
13. Stepped or Asymmetrical Massing – Breaking up the overall form to mimic the organic growth of an old English house.

*Note: Masonry for this style is Tier 2 and shall be a minimum of 10% and a maximum of 100%.

TEXAS TUDOR DESIGN SPECTRUM

In order to enhance the Kemp Tract context, which will be urban in nature, the Texas Tudor style may be expressed in various ways to relate to a parcel's immediate context.



Traditional

Elevation reflect more **historical** siding treatments and detailing. A monochromatic color palette allow for subtle enhancements like the **curved entry, square muntin patterns, and steeply pitched roof** to become strong focal points that define this style.

Transitional

The overall form and massing is familiar, but **windows packages** are grouped together to become strong visual components, **column details** are refined and introduce modern profiles and connection details, and **standing-seam metal window awnings** to an otherwise monochromatic color palette that highlights the simplistic forms of this style.

Bold

The overall form and massing is familiar, but material and window expressions create an **asymmetrical** image for a more **contemporary** feel. Materials are strategically placed to provide high contrast in **color and texture** to create interest and provide a more varied streetscape. Colors and materials are more **modern.**

TEXAS TUDOR PRODUCT MATRIX

Rear Loaded Garage

Front Loaded Garage

2 - Story

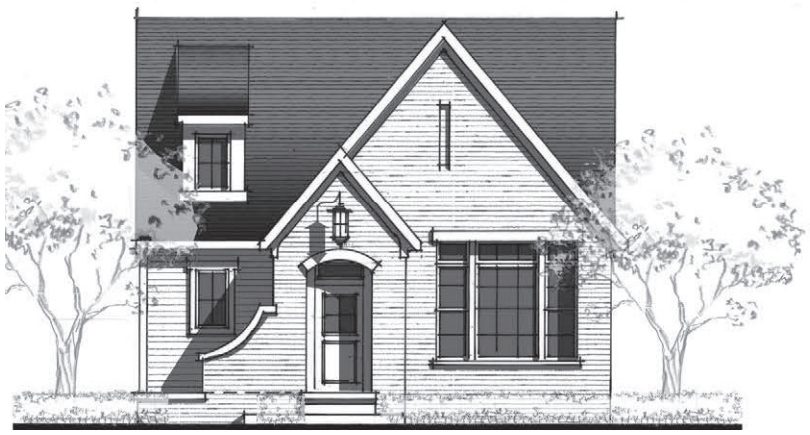


30' Wide Home



40' Wide Home

1 - Story



30' Wide Home



40' Wide Home

Item 19&20

TEXAS
COLONIAL REVIVAL



TEXAS COLONIAL REVIVAL











All images are for inspiration purposes only and are meant to represent different design elements and components for each style & interpretation.

TEXAS COLONIAL REVIVAL ARCHITECTURAL DESIGN



TEXAS COLONIAL REVIVAL

Colonial Revival architecture blends the charm of early American designs with classical refinement, creating timeless homes that evoke a sense of history and tradition. While the style was at its height in the early 20th century, Colonial Revival continues to influence home design today. Modern Colonial Revival homes often feature updated materials (like vinyl siding or steel windows) and may incorporate more contemporary floor plans and open spaces, but they still retain the symmetrical facades, gable roofs, and classical details that define the style.

Key Elements:

Tier 1: Defining Characteristics

Must include all 4 — essential for immediate style recognition.

1. Moderate to Steep Roof Pitch (6:12 to 10:12) – Side gabled or hipped roofs preferred; creates the dignified silhouette.
2. Exterior materials include Wood as Secondary Material, and Brick or Stone as Primary Material*
3. Symmetrical Front Façade – with windows and doors aligned in a regular pattern; formality is key.
4. Tall, Narrow Windows with Multiple Panes are traditional, optional black or dark bronze framea, often in a 6-over-6 or 8-over-8 configuration.

Tier 2: Strong Style Reinforcers

Must include at least 2 — essential to deepen authenticity.

5. Columned or Pilastered Front Porch or Portico – Full-width porches or more compact entries both work; square or slightly tapered columns.
6. Dormers (Gabled, Shed, or Eyebrow Style) – Adds livable second-floor spaces and rhythm to roof lines.
7. Centered or Decoratively Accented Front Door – The entry should be emphasized as the star of the façade.
8. Simple, Elegant Cornice Work – Modest overhangs with clean molding profiles, sometimes with dentils.
9. Classical-Inspired Front Door Surround – Pediment, pilasters, transom windows, or sidelights framing the entry.

Tier 3: Enhancements

Must include at least 1 — allows subtle variety while staying stylistically correct

10. Shutters (Functional-Look Preferred) – Proportional to windows; black, dark green, or deep blue are historically appropriate. (Not Shown.)
11. Roof Dormers with Windows – Breaks up large roof planes and keeps the vertical rhythm.
12. Wood, Fiber Cement, or Brick Detailing – Such as belt courses or brick soldier courses to subtly articulate stories.
13. Traditional Lantern-Style Exterior Lighting – Flanking the front door or at the porch. (Not Shown.)
14. Sympathetically Sized Two-Story Massing – Avoids tall, thin forms; aims for a stately, boxy presence with balanced proportions.

*Note: Masonry for this style is Tier 1 and shall be a minimum of 10% and a maximum of 100%.

TEXAS COLONIAL REVIVAL DESIGN SPECTRUM

In order to enhance the Kemp Tract context, which will be urban in nature, the Texas Colonial Revival style may be expressed in various ways to relate to a parcel's immediate context.







Traditional

Elevation reflect more **traditional** siding treatments and detailing. Color palette and materials reflect **high-contrast** between trim and primary body colors. Structural elements feature modern **profiles, materials, and connections** to evoke a more current image. **Windows feature shutters** on first story.

Transitional

The overall form and massing is familiar, but **windows packages** are grouped together to become strong visual components. Varying **material sizes and applications** create a more enhanced elevation.

Bold

The overall form and massing is familiar and retains the vertical proportions, but **simplify the architectural details**. Materials are strategically placed to provide high contrast in **color and texture.** Window trim darkens to **provide more contrast** with the lighter siding materials.

TEXAS COLONIAL REVIVAL PRODUCT MATRIX

Rear Loaded Garage

Front Loaded Garage

2 - Story

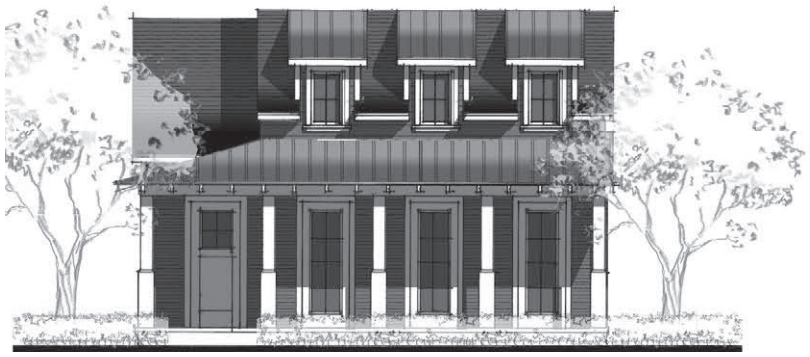


30' Wide Home



40' Wide Home

1 - Story



30' Wide Home



40' Wide Home

TEXAS
VICTORIAN



TEXAS VICTORIAN











TEXAS VICTORIAN ARCHITECTURAL DESIGN



TEXAS VICTORIAN

Modern Victorian blends the ornate charm and vertical proportions of 19th-century Victorian homes with simplified, updated materials and cleaner lines suited to contemporary living. This style retains key elements such as steep roof pitches, decorative gable trim, and textured siding while embracing a more restrained, modern color palette and streamlined detailing.

Key Elements:

Tier 1: Defining Characteristics

Must include all 3 — these are non-negotiable to maintain style integrity.

1. Simple Gable Roof Form(s) incorporating at least an 8:12 Pitch.
2. Decorative Gable Trim or Brackets - Evokes historic ornamentation
3. Vertical Siding Element (e.g., Board and Batten or Shiplap)- Brings texture and historical rhythm, often in accent gables or second stories.

Tier 2: Strong Style Reinforcers

Must include at least 2 — highly recommended for authenticity.

4. Decorative brickwork and patterned masonry*
5. Asymmetrical Façade with a Projecting Front Gable - Establishes a dynamic Victorian form.
6. Tall, Narrow Windows with Divided Lights - Classic proportions that hint at late 19th-century influence.
7. Contrasting Trim & Siding Colors - Helps accentuate the style's depth and detail.
8. Porch with Turned or Square Posts

Tier 3: Enhancements

Must include at least 1 — use to create variety or reinforce details.

9. Decorative Window Crowns or Surrounds - Adds elegance and refinement to window openings.
10. Use of Accent Shingles in Gables - Texture variety that recalls historic cladding details.
11. Transom or Sidelight at Entry Door - Enhances the entry's visual presence and brings light inside.
12. Tall Base or Water Table Trim - Defines a clear base visually and historically.
13. Metal Roof Accent (e.g., over porch or bay window) - Nods to the blend of modern with classic, adds subtle contrast.

*Note: Masonry for this style is Tier 2 and shall be a minimum of 10% and a maximum of 100%.

TEXAS VICTORIAN DESIGN SPECTRUM

In order to enhance the Kemp Tract context, which will be urban in nature, the Texas Victorian style may be expressed in various ways to relate to a parcel's immediate context.







Traditional

Elevation reflect more **historical** siding treatments and detailing. A **diverse color** palette allow for accented enhancements like the **decorative gables and trim** to become strong focal points that define this style.

Transitional

The overall form and massing is familiar, but **window packages** are grouped together and have minimal divided light. **Column details** are refined and introduce modern profiles and connection details. **Standing-seam metal window awnings** are introduced with modest ornamentation.

Bold

The overall form and massing is familiar, but material and window expressions create an **asymmetrical** image for a more **contemporary** feel. Materials are strategically placed to provide high contrast in **color and texture** to create interest and provide a more varied streetscape. Colors and materials are more **modern.**

TEXAS VICTORIAN PRODUCT MATRIX

Rear Loaded Garage

Front Loaded Garage

2 - Story



30' Wide Home

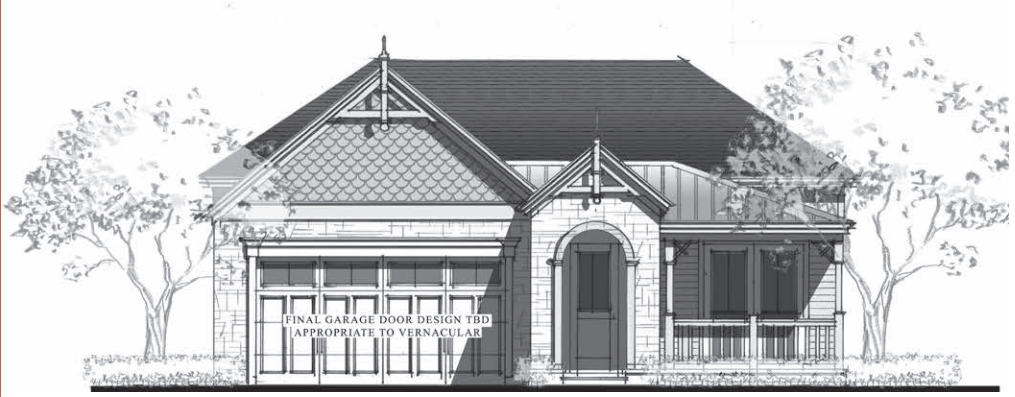


40' Wide Home

1 - Story



30' Wide Home



40' Wide Home

UNIFIED DIVERSITY

Plan Repetition

The intent of this section is to promote architectural diversity, maintain visual interest, and prevent repetitive streetscapes within the community. A home shall promote unified diversity by being compatible with neighboring houses.

Single Family Detached

A dwelling designed and constructed as a freestanding structure for occupancy by one (1) family and located on a lot or separate building tract and having no physical connection to a building located on any other lot or tract and occupied by one (1) family.

Repetition of Floor Plan and Elevation

- The same floor plan and elevation combination shall not be constructed on any lot immediately adjacent to, or directly across the street from, another home with the same combination.
- For the purpose of this section, "immediately adjacent" shall mean the lots directly to the left and right of a given lot.
- Identical floor plans may be used if paired with a different elevation.

Exterior Color Scheme

- No two homes located on adjacent lots or directly across the street from one another shall utilize the same exterior color scheme, regardless of floor plan or elevation.
- "Exterior color scheme" shall be defined as the combined palette of siding, trim, and accent colors.

Remedy for Non-Compliance: If two homes are constructed in violation of these standards, the preferred remedy shall be alteration of the exterior color scheme to a different palette to maintain architectural diversity.

Single Family Attached

A structure that has two (2) or more single-family dwelling units erected in a row as a single building on adjoining lots, each unit separated from the adjoining unit(s) by a fire wall.

Repetition of Floor Plan and Elevation

- The same floor plan and elevation combination shall not be constructed on any building immediately adjacent to, or directly across the street from, another building with the same combination.
- For the purpose of this section, "immediately adjacent" shall mean the lots directly to the left and right of a given lot.
- Identical floor plans may be used if paired with a different elevation.

Exterior Color Scheme

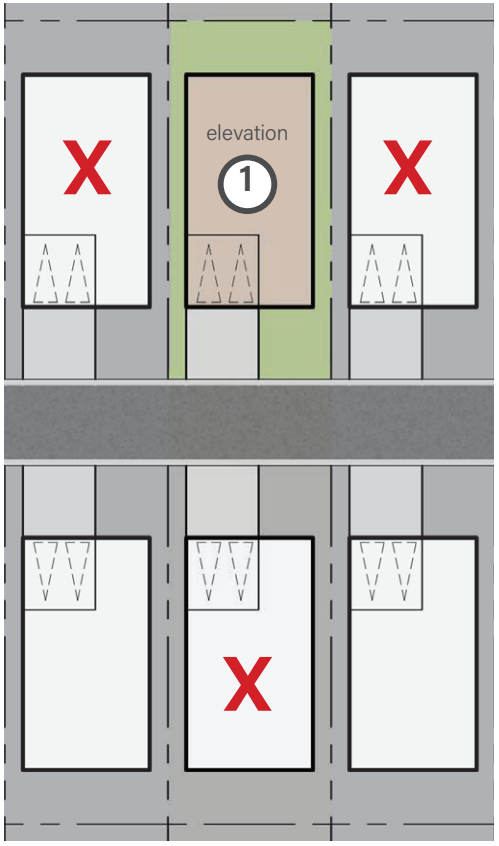
- No two buildings adjacent or directly across the street from one another shall utilize the same exterior color scheme, regardless of floor plan or elevation.
- "Exterior color scheme" shall be defined as the combined palette of siding, trim, and accent colors.

Remedy for Non-Compliance: If two buildings are constructed in violation of these standards, the preferred remedy shall be alteration of the exterior color scheme to a different palette to maintain architectural diversity.

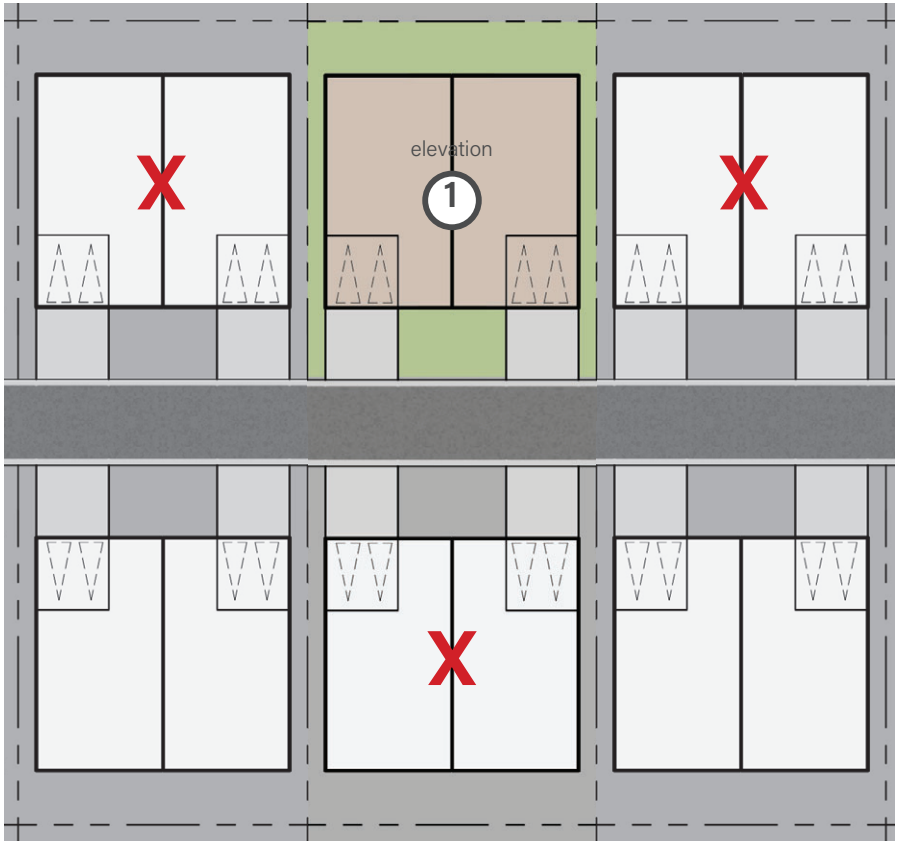
Anti Monotony Diagram:
Below is an example of acceptable color and elevation distribution. Various styles of architecture and product types throughout the community will aid in heightening the architectural diversity of the streetscape. This will lead to minimal elevation repetition within one block face.

1. The same floor plan and elevation combination shall not be constructed on any lot immediately adjacent to, or directly across the street from, another home/building with the same combination.
2. No two homes/buildings located on adjacent lots or directly across the street from one another shall utilize the same exterior color scheme, regardless of floor plan or elevation.

Single Family Detached

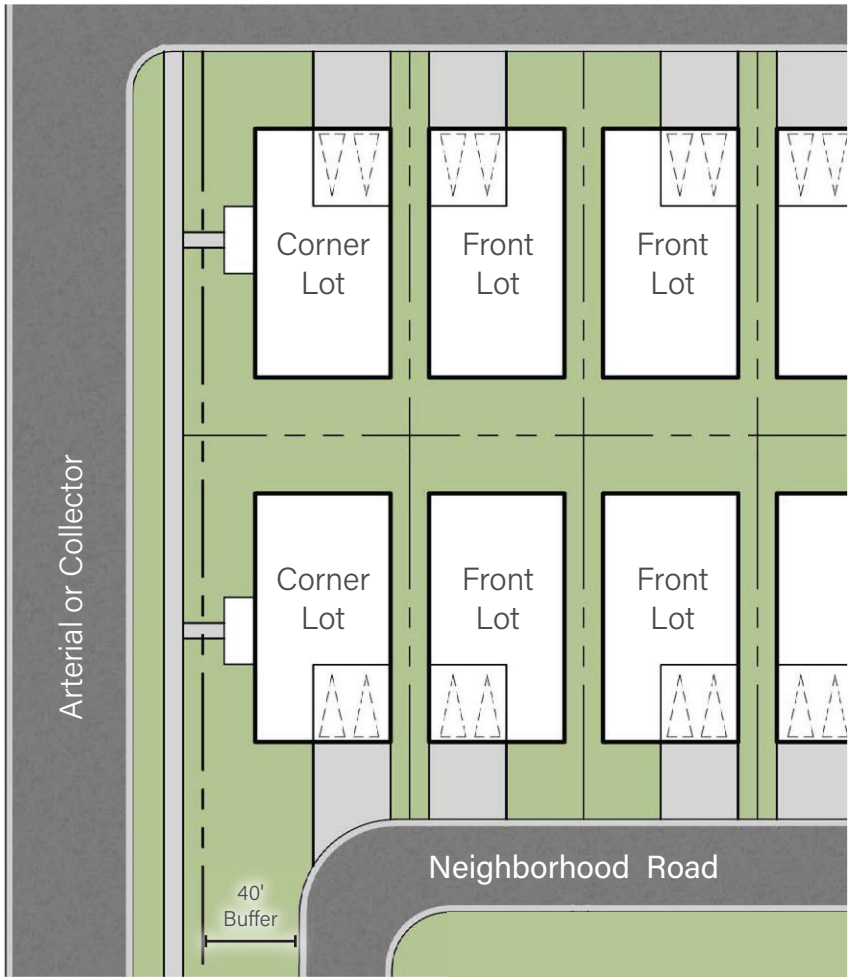


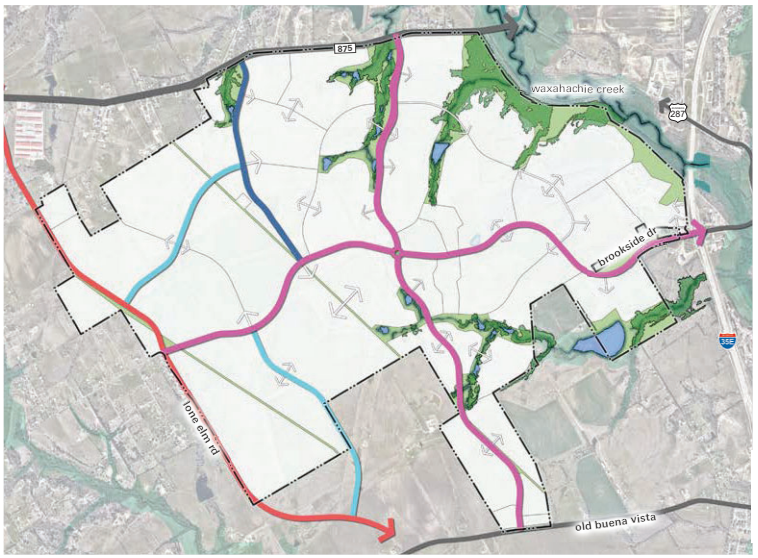
Single Family Attached



PRODUCT DISTRIBUTION FRONT LOAD PRODUCT

Front Load Product includes Single Family attached and detached units.



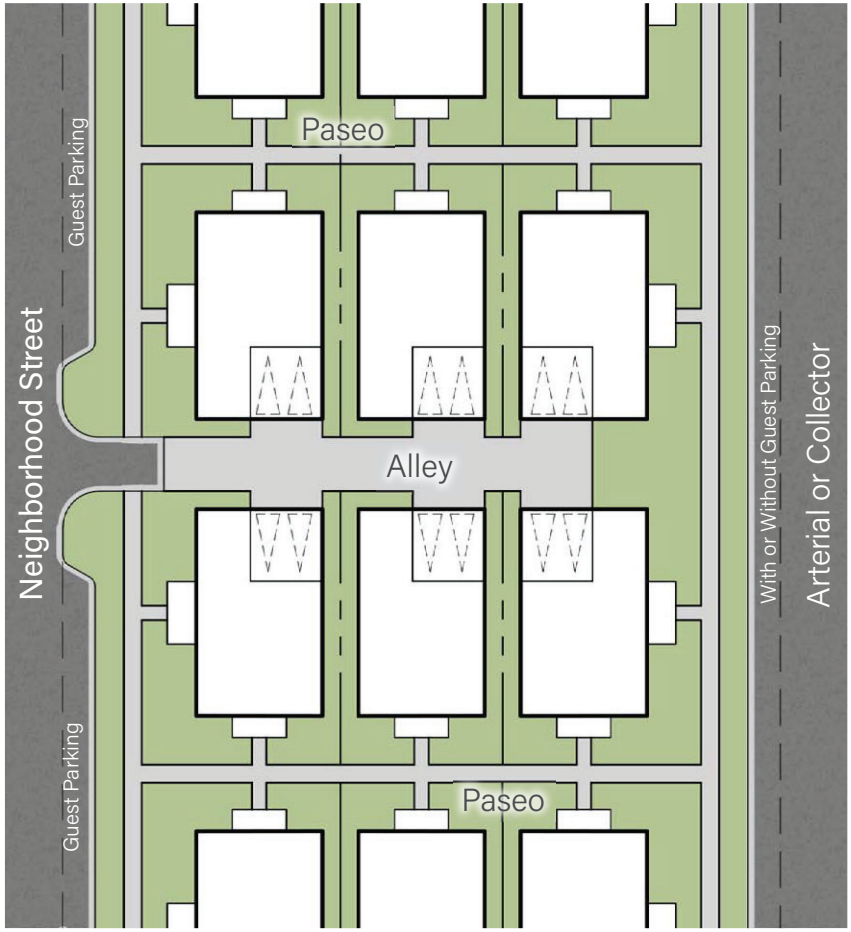


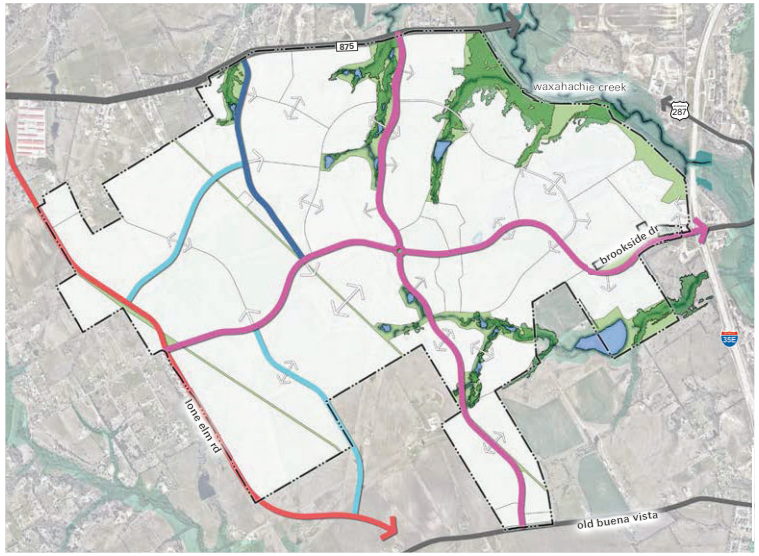
- Major Arterial
- Greenway Arterial
- Major Collector
- Minor Collector
- Existing Streets

Note: An important aspect supporting overall community aesthetics is to avoid locating the backs of homes or garage doors such that they are overtly visible from heavily traveled arterials and collector roads. In addition to berm and layered landscaping between the travel lanes and adjacent neighborhoods, the following product orientation diagrams prescribe how homes along arterials and collectors should address the street when no berms or walls are present.

PRODUCT DISTRIBUTION PERPENDICULAR PRODUCT

Perpendicular Product includes Cottages, Clusters, Townhomes and Single Family units. Porches must face the street when the unit is perpendicular to an road or street. Middle unit porches must face the Paseo.

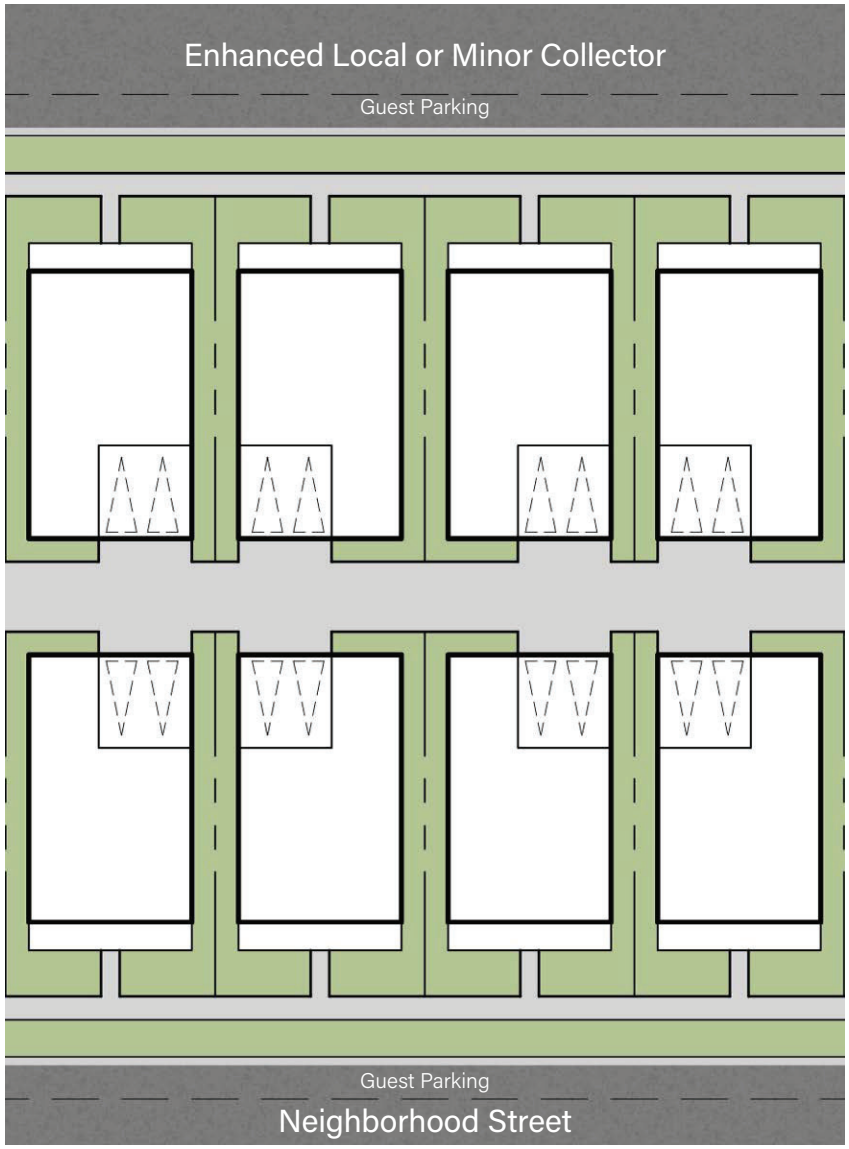


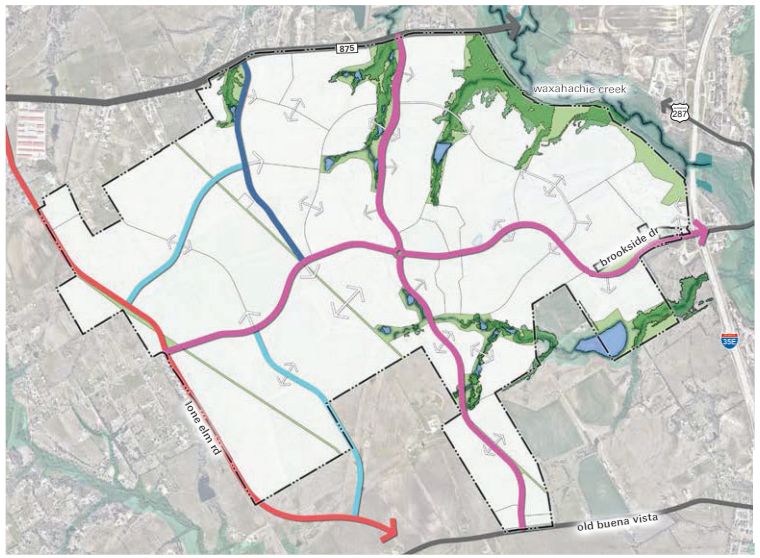


- Major Arterial
- Greenway Arterial
- Major Collector
- Minor Collector
- Existing Streets

PRODUCT DISTRIBUTION TYPICAL TND PRODUCT

Typical TND Product includes porches that face main roads. Corner units shall have side facing porches.

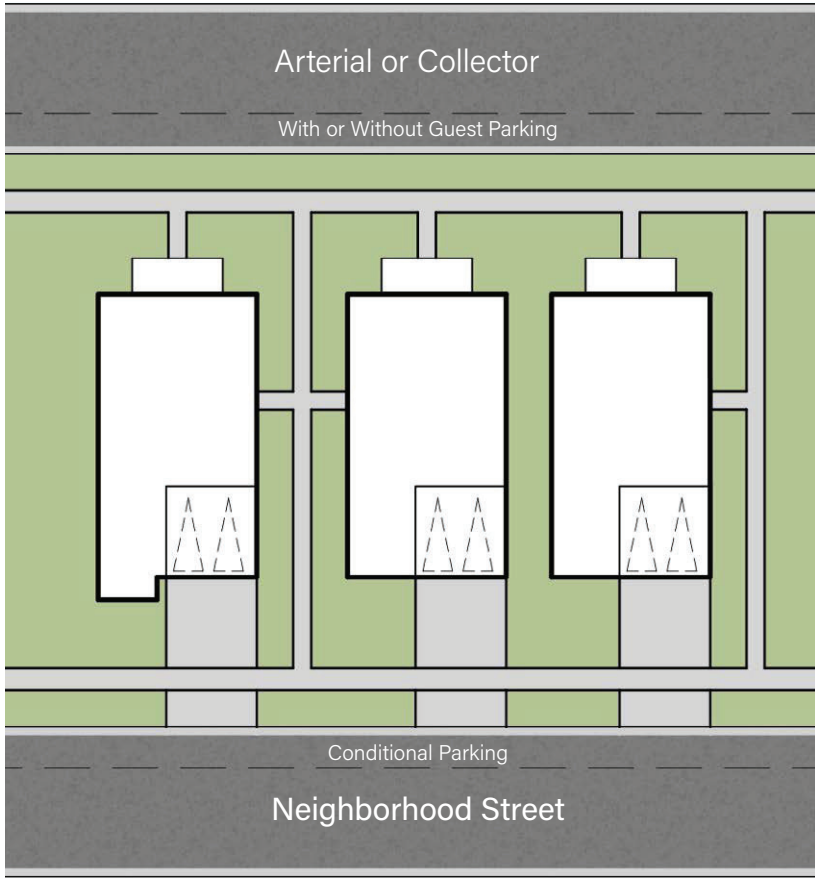


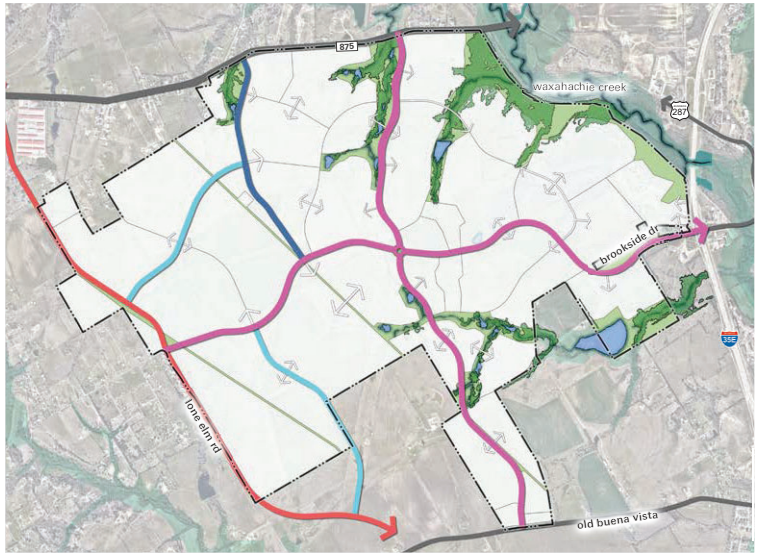


Major Arterial
Greenway Arterial
Major Collector
Minor Collector
Existing Streets

PRODUCT DISTRIBUTION HYBRID TND PRODUCT

For Hybrid TND Product porches must face the non-garage loaded roads. Guest Parking is allowed on the garage loaded road.





Major Arterial
Greenway Arterial
Major Collector
Minor Collector
Existing Streets

PURPOSE & INTENT

The following Development Standards are intended to incorporate high-quality requirements for the Kemp Tract to ensure that the resulting dwelling units positively contribute to Waxahachie's community image. These homes are inspired by the historic structures in Waxahachie and may incorporate new development concepts such as New Urbanism and Traditional Neighborhood Development (TND).

Since the standards are based upon historical styles located within and surrounding Waxahachie, the standards require adherence to elements of that style and not to applying broad material requirements that may be inappropriate for that style. All residential buildings and structures are intended to be constructed in such a manner as to coincide with the style-based approach within the Kemp Tract. Style characteristics including form, roof pitch, material applications and details are outlined on pages 4-33.

DESIGN STANDARDS

The standards and criteria contained within this section are deemed to be minimum standards and shall apply to all new residential building construction occurring within the Kemp Tract.

Definitions

For the purpose of this section, the following definitions shall apply:

Masonry Construction
This term means that form of exterior construction materials including brick, stone, granite, marble, decorative concrete block or tile, other similar building units or materials, or a combination of these materials laid up unit by unit and set in mortar and shall exclude wall area devoted to doors and windows. As applicable to meeting the minimum requirements for the exterior construction of buildings within each zoning district, this term shall include hard-fired brick, kiln-fired clay or slate materials; stone, including naturally-occurring granite, marble, limestone, slate, river rock, cast stone or other similar hard and durable all-weather stone; decorative concrete block; concrete pre-cast or brick tilt-wall panels; glass blocks or tiles; or stucco.

Non Masonry Construction
The following materials shall not qualify nor be defined as Masonry Construction in meeting the minimum requirements for the exterior construction of buildings, unless specifically approved by the City's Building Official for single-family or by the City Council on an approved Concept Plan or Detailed Site Plan.

- Adobe or mortar wash surface material;
- Exterior insulation and finish system (EIFS), acrylic matrix, synthetic plaster, or other similar synthetic material;
- Aluminum, PVC or other plastic-based siding material;
- Lightweight or featherweight concrete blocks or cinder blocks; or
- Any other cementitious product not listed above.

Single-family (detached or attached)*:

All residential buildings and structures located within the Kemp Tract shall be constructed in such manner as to coincide with the style-based approach for the Kemp Tract. Style characteristics include form, roof pitch, material applications and details are outlined in The Architectural Design Guide, pages 4-33. All construction shall also be performed in accordance with the City's building code and fire prevention code. Strict adherence to this rule shall not be such as to prevent architectural creativity.

All residential buildings and structures with an exterior wall other than the front elevation and adjacent to an arterial or collector public right of way (see The Architectural Design Guide, pages 36-39) must adhere to the following requirements:

- Side elevations not screened by solid walls or landscape shall demonstrate continuity of style. And shall be softened by one or a combination of building projections, one-story building elements, recognizable architectural element(s), breaks in eave lines, material patterns, balconies or covered porches.

DESIGN STANDARDS

- Window/opening composition must be proportional and cohesive with the architectural style of the building along the entire side elevation

Roof materials shall be comprised of one of the following:

- Laminated, three-dimensional appearance composition architectural shingle with a thirty (30) year minimum;
- Flat pan standing seam metal roofing with only a factory applied, low reflectivity finish.
- Terracotta, concrete, composite, or slate tile in muted colors.

*These criteria apply to Cluster Residential as defined in the Kemp Tract PD

Front Entry Walkways:

- A hard surface walkway with a minimum improved width of three (3) feet must be constructed from the sidewalk or driveway to the front door of each primary structure.
- Walkways may be surfaced with concrete, pavers, laid bricks, or any other such material and in accordance with City standards.

Front Covered Porches:

- Front covered porches shall be required for seventy-five (75) percent of all dwelling units within each subdivision.
- These covered porches must meet the following minimum criteria:
  - A front covered porch that is permanently attached to, and is an integral part of the primary structure, shall be constructed of like and similar materials to those of the primary structure. Alternative materials, i.e., cedar or other complimentary products, may be approved by the Building Official and Director of Planning as part of the Volume Builder – Architectural Master Set.
  - Each front covered porch must include a minimum usable area of forty (40) square feet with a minimum depth of five (5) feet from the primary structure, as measured perpendicular to the front door.
  - A front covered porch is any portion of the front elevation that is covered by a roof and has a usable area underneath. Porches include recessed front entrances and are not required to include posts, if appropriate to the architectural style.

Garages:

- Detached garages shall be constructed with exterior materials that are compatible to those used for the primary structure.
- All street-facing garages are to be located twenty (20) feet from either the front property line or adjacent sidewalk. Twenty-five (25) percent of these dwellings shall have garages with at least one of the following designs:
- Rear entry;
- J-Swing Drives (front entry), if the width of the lot allows; or
- Front entry garage greater than or equal to three (3) feet behind the front building face and/or porch or not more than five (5) feet forward from the front building face and/or porch.

Minimum Architectural Requirements:

- Architectural Relief:
  - The outside shape of a dwelling unit shall contain a minimum of five (5) outside corners with a minimum wall length of two (2) feet.
  - There shall be no uninterrupted wall length of twelve (12) feet or more on any façade that is adjacent to a public right-of-way or open space. This standard applies to the front façade on the interior lot or the front and side façade facing a street or open space on a corner lot. An interrupted wall can be achieved through a window, architectural detail, breaks in material patterns, or offset in the building face, or similar element that breaks the massing of the façade.
  - Minimum and maximum roof pitch is based upon the architectural style (see pages 4-33).
  - Each dwelling unit shall be constructed with a roof overhang of not less than twelve (12) inches as measured from the finished exterior building façade to the soffit unless a) on a gable end, b) the roof pitch is 8:12 or greater or c) the roof overhang reinforces the style characteristics (see pages 4-33).
- Minimum Number of Elevations for Single Family:
  - The same floor plan and elevation combination shall not be constructed on any lot immediately adjacent to, or directly across the street from, another home/building with the same combination. (See page 41)
  - No two homes/buildings located on adjacent lots or directly across the street from one another shall utilize the same exterior color scheme, regardless of floor plan or elevation. (See page 41)
- Front Building Face: The front building face must contain a minimum of thirty (30) percent of the wall area in windows or doors.
- Rooftop Solar Panel Systems:
  - Must be installed to leave no greater than six (6) inches between rooftops.
  - Must match the roof pitch on a pitched roof.
  - Screening is required on flat roofs.
  - Panels shall not be installed on rooftop elevations facing the front right-of-way.
  - If the solar panel request is denied by staff, applicant may appeal decision by applying for SUP approval when the request is in a zoning district permitting the placement of solar panels by right.
- Ground-mounted Solar Panel Systems must be located behind the primary residence and not visible from the right-of-way.
  - If the solar panel request is denied by staff, applicant may appeal decision by applying for a SUP for approval when the request is in a zoning district permitting the placement of solar panels by right.
- Roof Design
  - Screening of equipment is required on flat roofs.
  - Solar Panels shall not be installed on elevations facing a right-of-way.
  - Except for Flat roofs, porches and detailing, roof pitch should adhere to style characteristics.
  - Each dwelling unit shall be constructed with a roof overhang of not less than twelve (12) inches as measured from the finished exterior building façade to the soffit. Unless the roof is flat or consistent with style-based characteristics.
  - A flat roof and parapet that conceals the roof and any roof-mounted equipment, may be acceptable.

DESIGN STANDARDS

Exemptions
The following structures are exempt from the criteria outlined herein and from Development Standards, Sec. 5.01 Exterior Construction Requirements

- Temporary construction buildings, field offices and sales offices. Construction buildings and field offices shall be removed in accordance with applicable language in the approved PD.
- Private Recreation Facilities for the use of residents of homes in the Traditional Residential and Active Adult residential land use areas. These Private Recreation Facilities shall not be required to adhere strictly to any one of the styles described herein but must have common design elements that complement the various styles proposed for the residential dwelling units.
  See following Primary Amenity and Welcome Center section.

Multi-Family*
In addition to the standards outlined above, multi-family buildings shall have the following architectural requirements

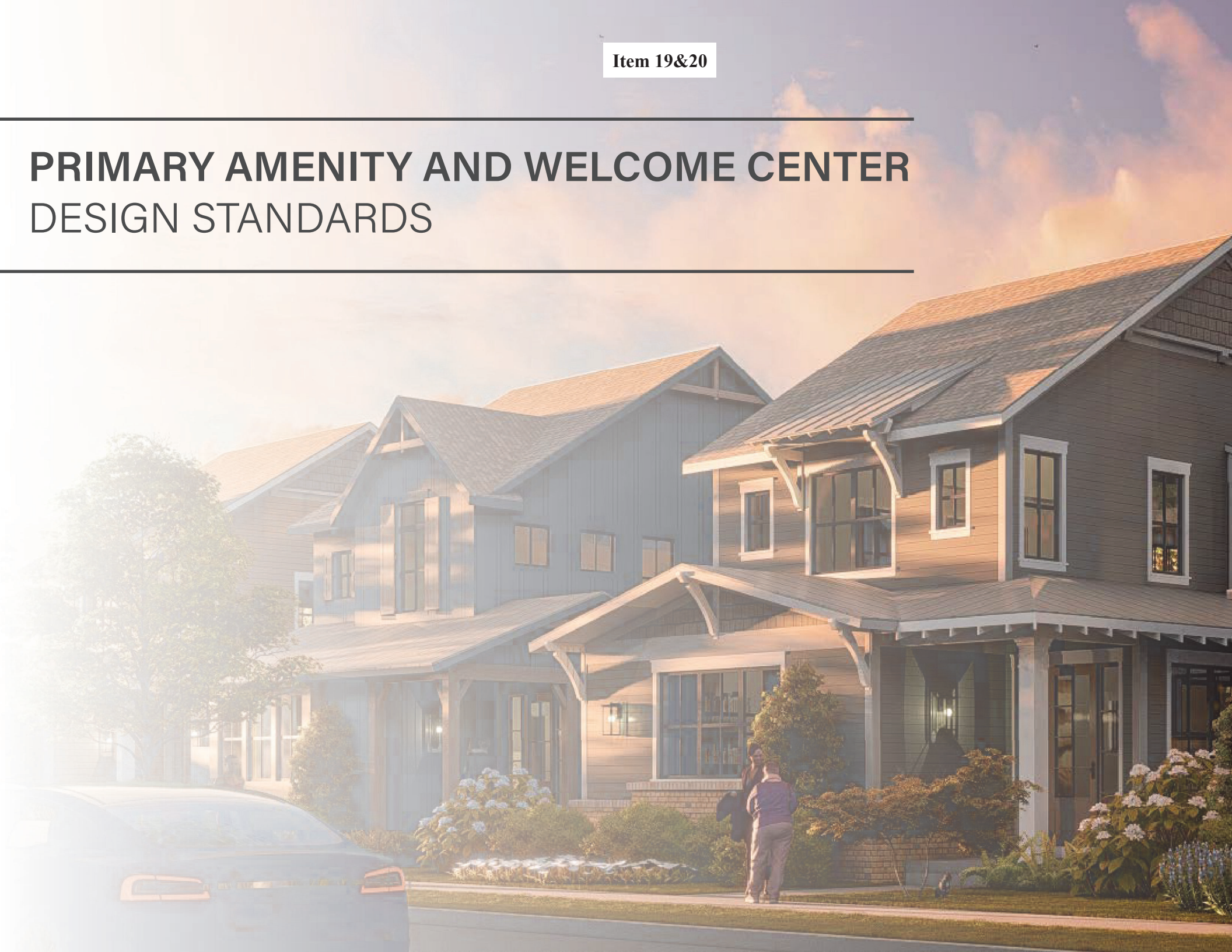
- Masonry
  All principal buildings and structures constructed for Multi-Family use, shall be constructed in such manner to include Masonry Construction per the style characteristics outlined in The Architectural Design Guide, pages 4-33 and covering the exterior walls, excluding doors and windows as follows:
  - Any exterior façade of a building that is adjacent to Arterial or Collector Streets shall have the same masonry requirements as the front elevation.
  - Building elevations that are not adjacent to Arterial or Collector Streets shall have a minimum of 50% Masonry Construction.
  - Multi-Family Masonry Considerations for Approval: In addition to the minimum standards herein, consideration for the use of non-masonry materials shall also be based on the following:
  - The architectural design and creativity of the dwelling units proposed;
  - The quality and creativity of the overall development proposed and
  - Compatibility of the dwelling units proposed with surrounding developed properties and structures.

- Architectural Styles
  - All buildings shall be designed and constructed specific to architectural style including form, roof pitch, material applications and details (see The Architectural Design Guide, pages 4-33).

*These criteria do apply to Senior Apartments as defined in the PD.

Item 19&20

PRIMARY AMENITY AND WELCOME CENTER
DESIGN STANDARDS



PURPOSE & INTENT

These Design Requirements are intended to establish a cohesive, high-quality, and contextually appropriate architectural character for the Kemp Tract Primary Amenities and Welcome Center. This Amendment is submitted in alignment with the spirit and intent of the proposed Residential Design Standards for the Kemp Tract which draw on local vernacular styles.

Our goal is to provide for the thoughtful use of authentic materials and regionally inspired design principles while maintaining the quality and durability envisioned for the overall Kemp Tract and the larger Waxahachie Community.

While the design intent is to be context sensitive to the surrounding vernacular themed residential architecture, the scale and diversity of uses of these facilities do not lend themselves to one particular style. These design standards propose guidance on fundamental forms and materials while also providing flexibility during the design and approval process.

Architectural Character & Vision

The Amenity Town Centers and Welcome Center will embody a modern interpretation of Texas vernacular architecture, blended with design principles inspired by regional architects. These buildings will serve as the social and lifestyle heart of the community and will:

- Integrate indoor-outdoor living
- Respond to the natural site and landscape
- Respect the historical precedents of local architecture
- Employ honest materials and craftsmanship
- Create a comfortable, human-scaled environment
- Use Texas regional styles with rustic elements mixed with modern interpretation of agrarian or ranch structures
- Use of native materials (stone, timber, metal)
- Provide strong indoor-outdoor connections (porches, breezeways, shade structures)
- Integrate asymmetrical building forms and massing that respond to site and landscape
- Include warm, natural color palettes

Material Palette

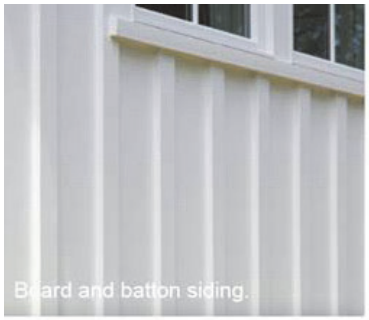
The images are provided for illustrative purposes only.

Materials Palette description

- Primary Materials (for walls and facades):
  - Masonry such as, but not limited to, Native limestone or sandstone, Brick and other forms of masonry as defined in the Non-Res and Residential code.
  - Board-formed or integral color concrete
  - Decorative Metal siding (factory-finished or weathered appearance)
  - Decorative Wood siding (natural, treated, or thermally modified)
  - Cementitious Board siding
  - Stucco (smooth troweled finish)
  - Painted metal panels (muted, earthy tones)
- Accent & Feature Materials:
  - Structural steel or painted steel elements
  - Weathering steel (Cor-Ten)
  - Heavy timber elements
  - Shou Sugi Ban or charred wood (limited application)
  - Decorative Cementitious Board siding to replicate wood appearance.

DESIGN STANDARDS

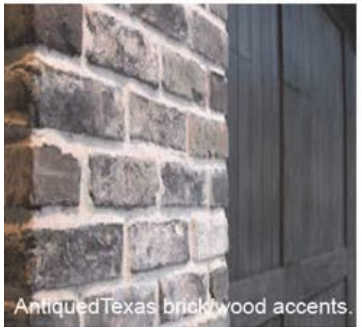
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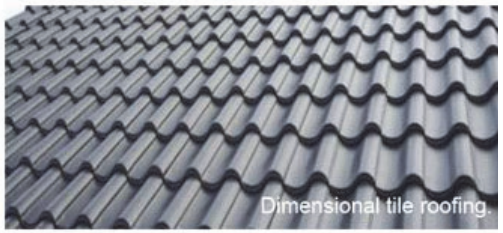
Images are provided for illustrative purposes only

Material Image 2:

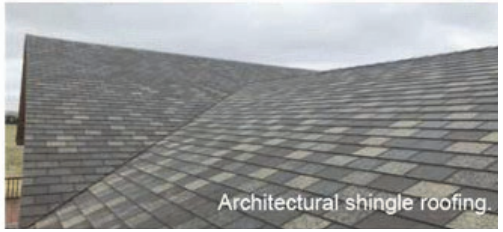






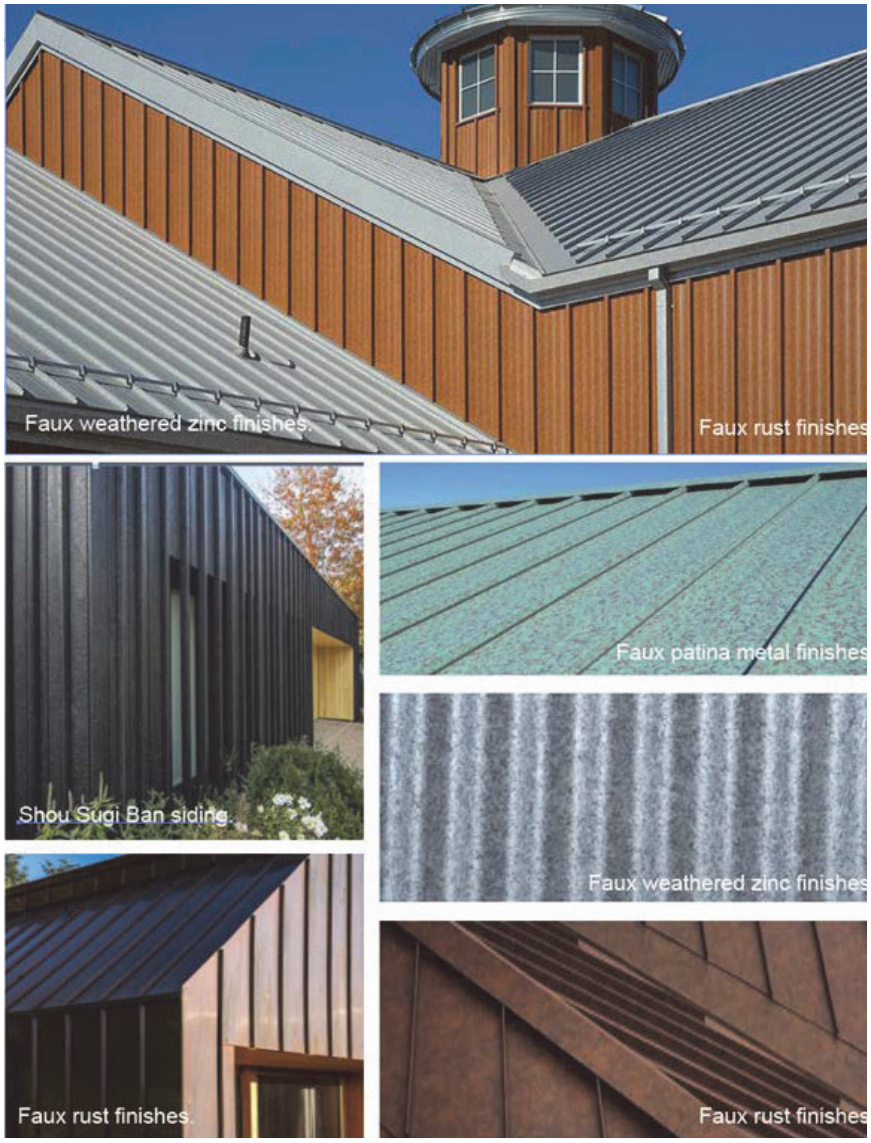






Images are provided for illustrative purposes only

Material Image 3:



Images are provided for illustrative purposes only

Roof Design

- Varied roof forms encouraged to break down building mass
- Permitted materials:
  - Standing seam metal roofs (preferred)
  - Cement or Clay Tiles (secondary material)
  - Dimensional (Architectural) shingles
  - Flat roofs with articulated parapets where there is a need to screen mechanical.
- Deep overhangs encouraged for shading

Fenestration & Openings

- Large window groupings to encourage transparency
- Operable window walls or doors for indoor-outdoor connectivity
- Aluminum-clad, steel, or wood windows

Color Palette

Colors shall be drawn from the regional landscape, including:

- Earth tones, natural stone colors, aged woods
- Weathered metals
- Bright accent colors used sparingly

DESIGN STANDARDS

Flexibility & Approval Process

Recognizing the Amenity Town Centers and Welcome Centers' roles as unique community features, materials and design approaches for these amenities , including alterations to the standard masonry requirements and to Sec. 5.01 Exterior Construction Requirements, may be approved administratively by the City Manager or his Designee, provided that:

- The design contains elements in the Architectural Character & Vision stated herein;
- Building materials conform to the Materials Palette (Primary Materials (for walls and facades) and Accent & Feature Materials) described herein;
- Roof design conforms to the Roof Design requirements herein;
- Fenestration & Openings are provided in accordance with the Fenestration & Openings requirements herein;
- Building material colors conform to the Color Palette herein;
- Material durability and longevity are confirmed through technical specifications; and,
- Building design is compatible with surrounding architecture.

Alignment with Spirit & Intent of Approved Requirements

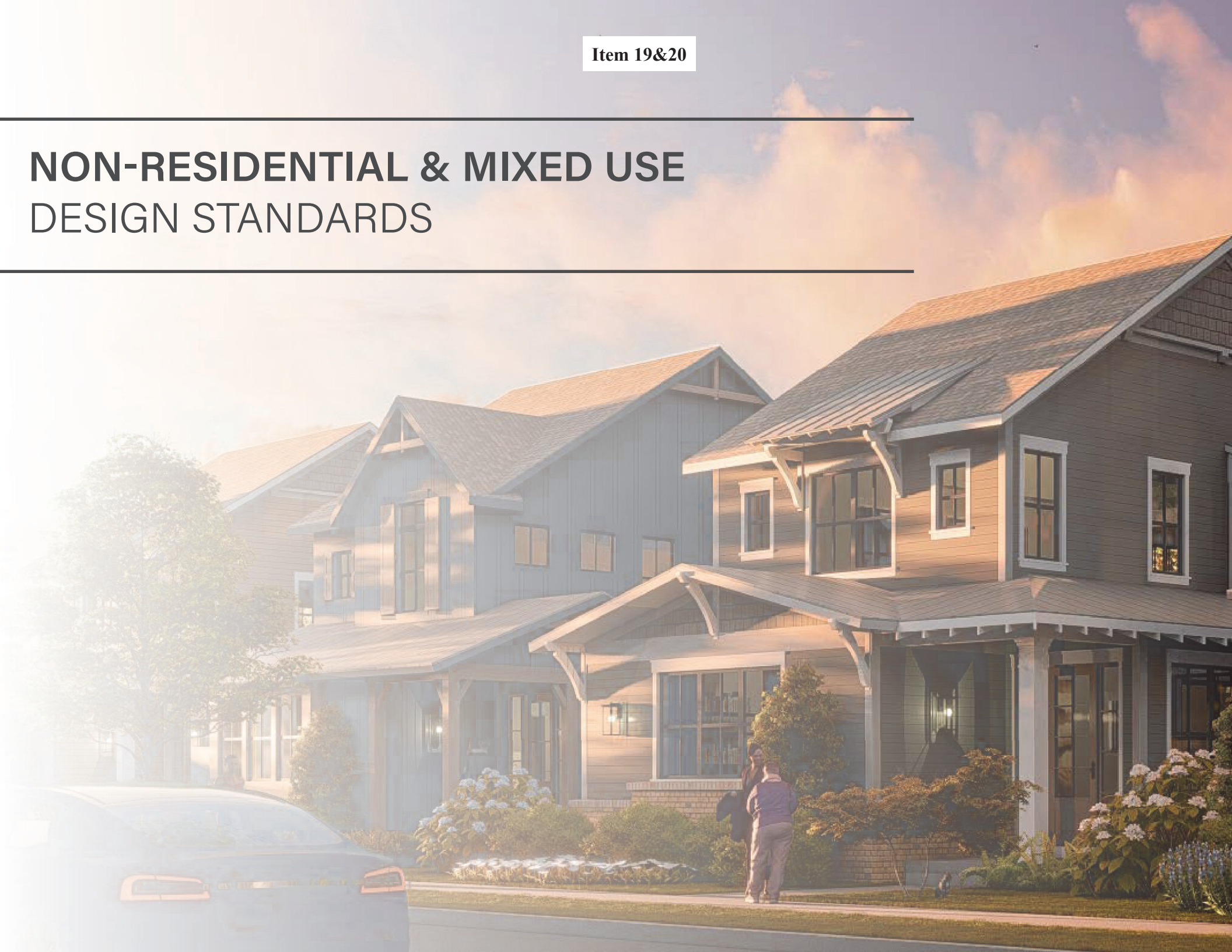
The design approach outlined herein is fully aligned with the foundational goals of the City-approved Emory Lakes Non-Residential Architectural Requirements:

- Commitment to high-quality materials
- Design creativity and innovation
- Contextual sensitivity to Waxahachie's architectural heritage
- Craftsmanship and durability

These requirements preserve the integrity and vision of the original code while providing the necessary flexibility to create a memorable and regionally authentic Amenity Center experience while at the same time maintaining the distinctiveness that makes the proposed development a desirable community for all ages.

Item 19&20

NON-RESIDENTIAL & MIXED USE
DESIGN STANDARDS



PURPOSE & INTENT

These Design Requirements are intended to establish a cohesive, high-quality, and contextually appropriate architectural character for the Kemp Tract Non-Residential and Mixed Use development areas.

Our goal is to provide flexibility for the thoughtful use of authentic materials and regionally inspired design principles while maintaining the quality and durability envisioned for all of the Kemp Tract and the larger Waxahachie Community.

The forms and materials are proposed to be consistent with the design that will be in the nearby Welcome Center and Primary Amenity areas, which in turn will be consistent with the larger vernacular style based approach that will be present in the residential architecture of the community.

The standards and criteria contained within this section are deemed to be minimum standards and shall apply to all new building construction occurring within the Kemp Tract.

Definitions

For the purpose of this section, the following definitions shall apply:

Masonry Construction

This term means that form of exterior construction materials including brick, stone, granite, marble, decorative concrete block or tile, other similar building units or materials, or a combination of these materials laid up unit by unit and set in mortar and shall exclude wall area devoted to doors and windows. As applicable to meeting the minimum requirements for the exterior construction of buildings within each zoning district, this term shall include hard-fired brick, kiln-fired clay or slate materials; stone, including naturally-occurring granite, marble, limestone, slate, river rock, or other similar hard and durable all-weather stone; decorative concrete block; concrete pre-cast or tilt-wall panels; glass blocks or tiles; or stucco. See the definition of Masonry construction for further information.

- Within the Mixed Use District, masonry shall include (in addition to the allowed masonry items above):
  - Glazed ceramic and porcelain tile.
- The following materials are permitted within the Mixed Use Districts;
  - Fiber reinforced plastic (with the exception of plastic or vinyl siding) - used for exterior building components, including but not limited to: cornice and entablature elements, decorative columns and pilasters, storefront trim, railings, and balustrades, spandrel panels, and similar elements.
  - Painted steel and aluminum, cast iron, bronze, brass, copper (including terne coated)
  - Roofing materials (visible from any public right-of-way): copper, factory finished painted metal, slate, synthetic slate, terracotta, cement tile, glass fiber shingles, composite tiles.
  - Materials other than those listed above may be used for architectural trim and accent applications including, but not limited to, cornices and decorative brackets, frieze panels, decorative lintels, shutters, and porch or balcony railings

Non-Masonry Construction

The following materials shall not qualify nor be defined as Masonry Construction in meeting the minimum requirements for the exterior construction of buildings, unless specifically approved by the City's Director of Planning during Site Plan approval.

- Adobe or mortar wash surface material;
- Exterior insulation and finish system (EIFS), acrylic matrix, synthetic plaster, or other similar synthetic material;
- Aluminum, PVC or other plastic-based siding material;
- Lightweight or featherweight concrete blocks or cinder blocks; or
- Any other cementitious product not listed above

DESIGN STANDARDS

Minimum Masonry Exterior Construction Standards

The standards and criteria contained within this subsection are deemed to be minimum standards and shall apply to all new building construction occurring within the Planned Development District or as otherwise required in this Development Agreement for changes of use, expansions of non-conformities, or other applicable building modifications.

Application Requirements

Any application for the use of masonry materials that is not otherwise permitted by this Development Agreement shall require the following:

Site Plan

All requests for the use of masonry materials shall be submitted to the City in writing on an application form available in the Planning Department office and shall be noted and described on a Site Plan. A building permit shall be required for any development wherein the use of masonry materials is proposed in accordance with this section of the Development Agreement.

Building Façade Plan

The architectural style and scale of a proposed nonresidential structure shall be submitted in the form of scaled drawings with proposed four façade elevations. This submission shaft be submitted with and shall be a component of the Site Plan or building permit application.

- If the use of masonry materials is approved, these drawings will serve as examples of what the City anticipates for the overall development.
- The Building and Community Services Department may require actual samples of any proposed masonry products and the actual colors to be used. Such samples shall be submitted as part of the Building Façade Plan.

Quality Control

Any question as to whether the durability or installation of the masonry materials is in accordance with this section of the Development Agreement, and/or with the City's Building Code, shall be determined by the City's Director of Planning. The appropriateness of the application in terms of quality shall be determined as part of a Site Plan or Building Façade Plan approval.

- If the Director of Planning deems the installation insufficient to meet the City's Building Code or the manufacturer's written specifications and requirements (including spirit and intent) of these regulations, then a Certificate of Occupancy shall not be issued unless and until the installation is deemed satisfactory. Any appeal of this decision may be made to the Planning and Zoning Commission. If denied by the Planning and Zoning Commission, may be further appealed to the City Council.
- The method of painting or color application, including the type of paint and materials to be used, must be approved as part of the Site Plan and related Building Facade Plan.

Nonresidential and Institutional Buildings

DESIGN STANDARDS

All non-residential and institutional buildings in a Mixed Use District shall have a minimum of ninety (90) percent Masonry Construction below the first floor ceiling plate.

- The minimum Masonry Construction required above the first floor ceiling plate is eighty (80) percent.
- The Masonry Construction shall be equally distributed around all sides of the building.
- Any exterior facade of a building that faces, or is visible from, a public street shall meet the same Masonry Construction requirements as the front building plane.
- All other facades that are not facing, or visible from, a right-of-way shall consist of not less than fifty (50) percent Masonry Construction for all stories.

Areas of a facade that are devoted to windows, doors, covered porches, stoops, breezeways, or courtyards shall not be counted as "wall surface" when calculating the Masonry Construction requirement.

Metal exterior construction in a Mixed Use District is not allowed except as noted on the exceptions below.

- The building facade containing the metal construction must not face or be visible from an existing or planned public right-of-way, as identified on the City's Thoroughfare Plan or plat records.
- Metal exterior exceptions:
  - If the structure is located on a through lot that both fronts and backs onto a right-of-way, and if the structure's rear façade is located more than one thousand (1,000) feet from the right-of- way, then the rear façade can be of metal exterior construction.
  - If the structure is on a corner lot, which fronts and sides onto two rights-of-way, the front and side façades cannot be metal exterior construction unless approved on the site plan.
- The use of any type of metal for exterior building construction, such as profiled panels, deep ribbed panels, concealed fastener system panels, or similar materials, shall be clearly shown on the Site Plan, and shall only be allowed with site plan approval.
  - The exterior finish of metal used in exterior construction shall be of a permanent, maintenance-free nature such as a baked-on finish.
  - The use of corrugated, galvanized, aluminum-coated, zinc- coated, unfinished, or similar metal surfaces shall be prohibited, unless approved on the site plan for a restaurant that uses such materials as part of its "signature design aesthetic," in which case a maximum of ten (10) percent of any wall façade may be devoted to such materials.
- Refer to Section (e) below for non masonry design requirements
- Applicable to all non-residential development
  - Horizontal Articulation. No building wall shall extend for a distance equal to three (3) times the wall's height without having an off-set equal to twenty-five (25) percent of the wall's height, and that new plane shall extend for a distance equal to at least twenty-five (25) percent of the maximum length of the first plan.
  - Vertical Articulation. No horizontal wall shall extend for a distance greater than three (3) times the height of the wall without changing height by a minimum of twenty-five (25) percent of the wall's height.
- Applicable to all commercial and retail settings and uses:

DESIGN STANDARDS

- All buildings shall be designed and constructed in tri-partite architecture so that they have a distinct base, middle, and top.
- External Facade Materials: In addition to the minimum Masonry Construction requirement, the following specific materials shall be used to construct all exterior walls of buildings and parking structures that are visible from a right-of-way, public walkway, or open space:
  - Ground floor: Excluding windows, doors, and other openings, the exterior facade(s) shall be constructed of one hundred (100) percent brick, natural stone, or cast stone.
  - Overall: A minimum of ninety (90) percent of entire exterior facade(s). excluding windows, doors, and other openings, shall be constructed of brick, natural stone, or cast stone. The brick, natural stone, or cast stone shall continue around corners a minimum of eight (8) feet. Portland cement stucco may account for up thirty (30) percent of this requirement.
  - Unpainted metal or metal subject to ordinary rusting, shall not be used as a building material. Factory finished metal elements as well as metals that develop an attractive oxidized finish, such as copper, galvanized metal, stainless steel or weathering steel, may be used as architectural accents by administrative approval.
  - Windows and glazing shall be a minimum of thirty (30) percent and up to a maximum of seventy (70) percent of each building elevation.
  - A variation of up to fifteen (15) percent of the standards above, and the material type may be approved administratively via a Site Plan or building permit, provided that the change will result in an improved architectural design without degrading the quality of public areas or increasing the need for maintenance.

Exemptions

The following structures are exempt from the masonry construction requirements outlined within this subsection :

- Temporary construction buildings, field offices, sales offices and temporary classroom or storage buildings for a public school only (provided that such facilities are legally permitted by the City for a specific period of time, and provided that they are completely removed from the premises upon expiration of the permit or upon completion of construction, whichever occurs first)

Minimum Non-Masonry Exterior Construction Standards For Nonresidential And Institutional Buildings

Roof materials for any non-residential or institutional structures that are visible from a right-of-way shall be comprised of the following:

- Laminated, three-dimensional architectural composition shingle with a 30- year minimum lifespan.
- Flat pan standing seam metal roofing with only a factory baked-on muted color finish. No bright colors or natural-colored metal roofing is allowed; or
- Terracotta or slate tile in muted colors.
- Minimum roof pitch shall be at least 6:12, unless otherwise

stated in the applicable City of Waxahachie zoning district or PD ordinance, and except for flat-roofed structures that shall have a highly articulated parapet that conceals the roof and any roof-mounted equipment.

- Rooftop solar panel systems
  - Must be installed to leave no greater than six (6) inches between rooftops.
  - Must match (he roof pitch on a pitched roof.
  - Screening is required on flat roofs.
  - Panels shall not be installed on elevations facing a right-of-way.

Minimum Architectural And Design Standards In a Mixed-Use District

Within a Mixed-Use District, masonry shall include:

- Synthetic stucco (exterior insulation finishing system - EFIS) is not allowed within 4 feet from the finished floor of the first floor.
- Glazed ceramic and porcelain tile.

The following materials are permitted within a Mixed Use District;

- Fiber reinforced plastic (with the exception of plastic or vinyl siding) - used for exterior building components, including but not limited to: cornice and entablature elements, decorative columns and pilasters, storefront trim railings, and balustrades, spandrel panels, and similar elements
  - Painted steel and aluminum, cast iron, bronze, brass, copper (including terne coated).
  - Roofing materials (visible from any public right-of-way): copper, factory finished painted metal, state, synthetic state, terracotta, cement tile, glass fiber shingles.
- Materials other than those listed above may be used for architectural trim and accent applications including, but not limited to, cornices and decorative brackets, frieze panels, decorative lintels, shutters, and porch or balcony railings.

Façade Treatments

- Retail ground floors shall have windows covering a minimum of 40 percent of the major street fronting facade(s). Other ground level uses shall have facade treatments appropriate to such use(s).
- All sides of a building shall be consistent with respect to style, colors, and details to the extent that they establish continuity with the main street-front façade.
- On facades fronting on service or parking areas, windows need not be provided at the ground floor level. However, buildings shall avoid long, monotonous, uninterrupted walls. Building wall offsets, including projections, recesses, niches, fenestration, or changes of materials or color shall be used to add architectural variety and interest, and to relieve the visual impact of a blank wall.

DESIGN STANDARDS



Example image showing façade treatments, variation of materials and building articulation for commercial buildings

- Parapet and roof-line offsets between facades may be provided in order to break down the scale of the block and create architectural interest and variety
- In mixed-use buildings, the difference between ground level commercial uses and entrances for upper level uses should be reflected by differences in façade treatment. Storefronts and other ground floor entrances should be accentuated through cornice fines. Further differentiation could be achieved through distinct but compatible exterior materials, signs, awnings and exterior lighting.





Example of ground articulation between ground floor and upper level mixed use

- All buildings shall be designed to incorporate no less than five (5) of the following architectural elements. Buildings over fifty thousand (50,000) square feet must include a minimum of seven (7) of the following elements. Buildings over one hundred thousand (100,000) square feet must include a minimum of eight (8) of the following elements.
  - Canopies, awnings, or porticos;
  - Overhangs;
  - Recesses or projections of at least three (3) feet:
  - Arcades;
  - Peaked roof forms,
  - Porches,
  - Outdoor patios
  - Recessed or "popped-out" display windows (must project out at least 12" in the front or rear elevation and at least 6' along any side elevations):
  - Visible and noticeable architectural details, such as tile work or moldings, integrated into building façade, or

- Integrated planters or wing walls that incorporate landscape and sitting areas.

- Façades greater than one hundred feet (100') in length shaft incorporate wall projections or recesses of ten feet (10') or greater. Projections or recesses shall be at least twenty percent (25%) of the length of the façade. No uninterrupted length of facade may exceed one hundred feet (100') in length. Projections and recesses shall not be required on the side of the building containing a loading dock and/or service area, provided that such area is located in the rear of the building and is not readily visible from any collector or arterial.

Lighting

- Exterior lighting shall be architecturally integrated with the building's style, material, and color.
- Pedestrian level lighting of building entrance-ways shall be provided.
- Illuminations of portions of buildings, direct or indirect, may be used for safety or aesthetic results.
- Street lights must be an approved spec from the City of Waxahachie staff prior to installation.



Example of lighting to accent building features, entries and architectural styles

Buildings shall be oriented toward the major street front with the primary entrance located on that street.

- Entrances shall be easily identifiable as primary points of access to buildings.
- Building entrances may be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades and others as appropriate. All building elements should be compatible with the architectural style, materials, colors, and details of the building as a whole.
- Site design should provide direct access into the building from the public sidewalk

- Buildings located on the corners of development adjacent to a Minor Collector or Enhanced Local Street should be architecturally significant structures.

DESIGN STANDARDS



Example of architecturally significantly designed corner building

Signage

- Signage in a Mixed-use District shall enhance the pedestrian character of the district by providing signs that are pedestrian in scale and located so as to be legible to pedestrians on sidewalks.
- Signs may be attached flush to the building so long as they do not obscure any significant architectural details.
- Signs may be hung from marquees or overhangs but shall not project lower than 7.5 feet above the sidewalk.
- Businesses are encouraged to create individually styled signage that distinguishes their establishment.
- Signs which are pedestrian oriented may be painted on the storefront glass, but in no case shall it occupy more than 25 percent of the glazed surface area.
- Directory signs may be provided to help direct the public to different businesses and services.
- Signs may be lit by external light sources as long as such sources are not visually intrusive.

Material Palette

The images are provided for illustrative purposes only.

Materials Palette description

- Primary Materials (for walls and facades):
  - Masonry such as, but not limited to, Native limestone or sandstone, Brick and other forms of masonry as defined in the Non-Res and Residential code.
  - Board-formed or integral color concrete
  - Decorative Metal siding (factory-finished or weathered appearance)
  - Decorative Wood siding (natural, treated, or thermally modified)
  - Stucco (smooth troweled finish)
  - Painted metal panels (muted, earthy tones)
- Accent & Feature Materials:
  - Structural steel or painted steel elements
  - Weathering steel (Cor-Ten)
  - Heavy timber elements
  - Shou Sugi Ban or charred wood (limited application)
  - Cementitious board siding to replicate wood appearance.

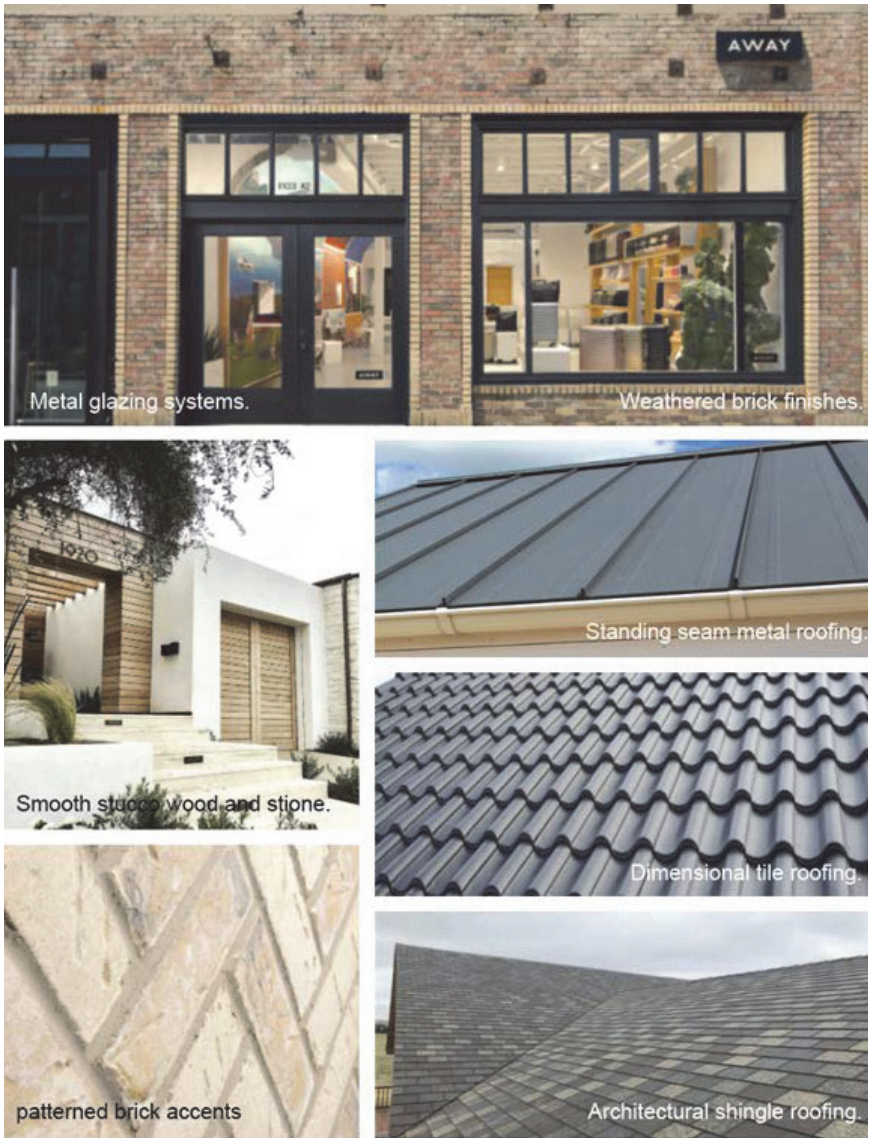
Material Image 1:



Images are provided for illustrative purposes only

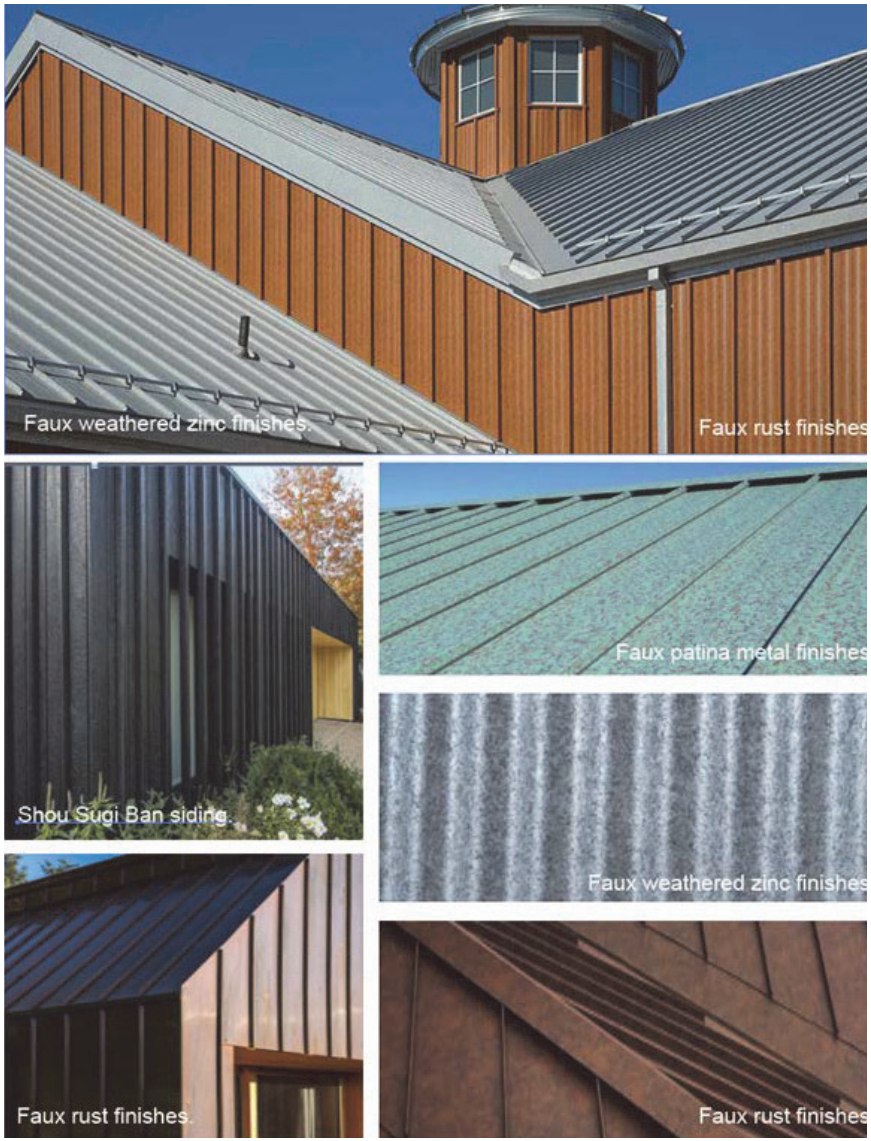
DESIGN STANDARDS

Material Image 2:



Images are provided for illustrative purposes only

Material Image 3:



MIXED USE DISTRICT SUPPLEMENTAL REGULATIONS

The following supplemental regulations are required within a Mixed Use District:

Parking

- For any Street Types (except Major Collectors and Major Arterials) (As depicted in Exhibit E: Street Sections) within a Mixed Use District, perpendicular, angled or on-street parking is required if approved by the Public Works Department. The parking must be within the street Right-Of-Way or a public access easement.
- Off-street surface parking shall be predominantly located behind buildings and accessed by alleys or rear drives whenever possible.
- Parking lot layout, landscaping, buffering, and screening shall minimize direct views of parked vehicles from streets and sidewalks.
- Parking garages are permitted but may not be taller than any building abutting the garage and while conforming to the design standards listed above.

Building Frontages

Buildings fronting on a Minor Collector, Enhanced Local Street or Residential Street (As depicted in Exhibit E) shall be constructed at the property line adjacent to the minimum 6' wide sidewalk so long as no required easement is encroached upon.

Sidewalks

Any Street Types (Refer to Exhibit E: Street Sections) within or abutting a Mixed Use District must have a minimum sidewalk width of 6 feet. The sidewalk width shall increase to 8 feet when abutting to the front of a building. The sidewalks may meander outside of the Right-Of-Way but must be in a public access easement if not located within the Right of Way. Adjacent sites shall be designed with a continuous pedestrian system throughout the development.



Example of wider sidewalk creating a pedestrian zone between building facade and street/parking.

MIXED USE DISTRICT SUPPLEMENTAL REGULATIONS

Streetscape

- Street and sidewalk furnishings including but not limited to; planting strips, raised planters, trash receptacles, streetlights, street signs, wayfinding signs, seating, public art, water features, fire hydrants and tree grates, shall be similar in design and materials to the images below to the greatest extent possible.
- Street trees may be planted in planting strips or tree wells.



Streetscape Example

Screening

All screening requirements listed in this section shall not supersede the Screening Exhibit contained within the PD.

- In the Mixed Use District, when multi-family or mixed use development fronts onto a thoroughfare or adjacent street, so long as no dumpsters, outside storage or loading areas are visible from the street, the required screening is only:
- Screen wall: none required
- Street Trees: One (1) canopy tree at least four (4) caliper inches, planted for every forty (40) linear feet
- Patio fences and perimeter fences for a gated development are permitted within the landscape area.
- The screening requirements for the perimeter areas of the site where buildings do not front onto an adjacent street will default to the City of Waxahachie screening requirement specified in section 5.03(f) of the City of Waxahachie Zoning Ordinance.
- Parking lots exposed to view from abutting single-family residential properties shall be surrounded by a minimum of a 3-foot high barrier in the form of berms, shrubs, walls, or a combination thereof.
- Transformers, HVAC equipment (if located at the ground level), utility meters, and other machinery, as well as garbage collection points, should be located at the rear lane, drive or alley.
    - If such uses are visible from any adjacent rights-of way or property, they shall be fully screened by a fence (minimum 6 ft. wood board on board) or a masonry wall (minimum 6 ft. high) or suitable plants or other visual barrier of an appropriate height.
- Trash dumpsters shall have a metal door which shall remain closed at all times.

Item 19&20

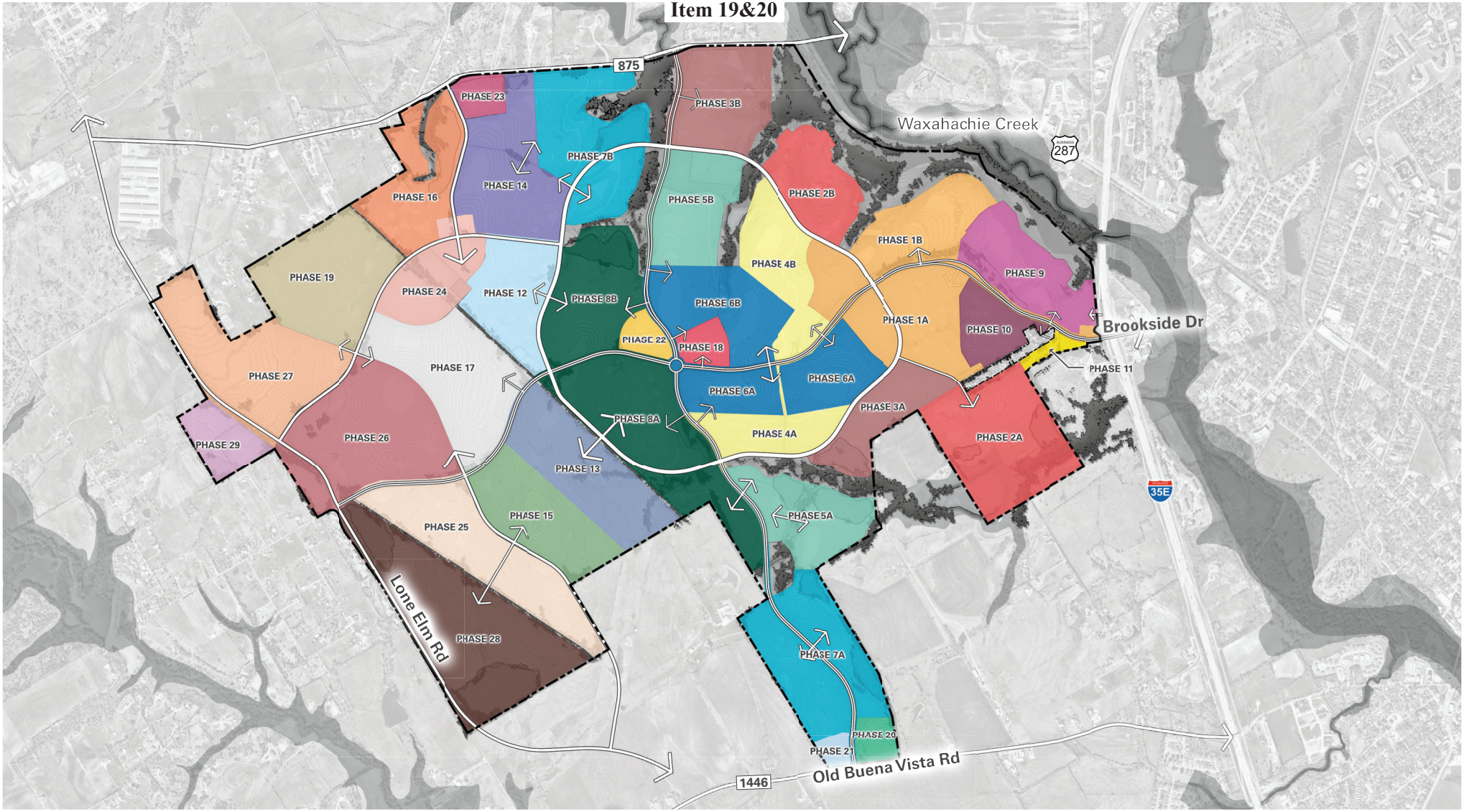
KEMP TRACT

DESIGN REQUIREMENTS



EXHIBIT P –PHASING

Item 19&20



minto

TBG

KFM

Kemp Tract

Exhibit P - Phasing Plans

Waxahachie, Texas
11/14/2025

TBG
3232 e cesar chavez st
bldg 1, suite 100
austin, tx 78702

[512] 327 1011
tbgpartners.com

Phasing shown as of 11/06/2025. Phasing exhibit will be updated as development proceeds.

0 400' 800' 1600'

After recording return to:
City Manager
Waxahachie City Hall
401 S. Rogers Street
Waxahachie, Texas 75165

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

DEVELOPMENT AGREEMENT

This Development Agreement (this "Agreement") by and between the City of Waxahachie, Texas, a home-rule municipality (the "City") and Minto Communities Texas, LLC, a Texas limited liability company (the "Developer"), is made and entered into effective _____, 2025. The "MMD" (hereinafter defined) will join this Agreement as set forth below and after such joinder shall become a party to this Agreement. The foregoing parties are sometimes referred to singularly as "Party" and collectively as the "Parties."

SECTION 1
RECITALS

WHEREAS, certain capitalized terms used in these recitals are defined in Section 2;

WHEREAS, the Developer has contracted for the acquisition of 3169.5 acres of real property, a portion of which is located within the corporate limits of the City, described by metes and bounds in **Exhibit A** and depicted in **Exhibit B** (the "Property");

WHEREAS, a portion of the Property is within the City's municipal boundaries and a portion of the Property is outside the municipal boundaries but within the City's extraterritorial jurisdiction (that portion outside of the City's municipal boundaries but within the City's extraterritorial jurisdiction is referred to herein as the "ETJ Parcel");

WHEREAS, Developer is agreeable that the ETJ Parcel will be annexed into the City's municipal boundaries after acquisition by the Developer and that this Agreement shall serve as a voluntary petition for annexation of the ETJ Parcel;

WHEREAS, as generally described and depicted on the Concept Plan, the Developer intends to develop the Property with traditional residential, active adult, mixed use and multifamily components (the "Project");

WHEREAS, on or about the Effective Date the City has approved a Planned Development District which sets forth development standards for the development of the Property (the "Zoning Ordinance");

WHEREAS, this Agreement contains additional standards for the development of the Property (the "Development Standards");

WHEREAS, the Zoning Ordinance and Development Standards are the exclusive standards for the development of the Property;

WHEREAS, a portion of the Property is located within the City's sewer and water CCN, and the Parties intend that the City will be the retail provider of water and sewer service to the Property and that the City will incorporate into the City's sewer and water CCN's the portion of the Property within Sardis-Lone Elm Water Service Corporation water CCN and the Buena Vista-Bethel Water Service Corporation water CCN after such portion of the Property is removed from such CCN's;

WHEREAS, a portion of the Property is located within Emory Lakes Public Improvement (the "PID") created by the City pursuant to Resolution No. 1308 adopted on April 19, 2021 and the City upon receipt of a property owner petition meeting the requirements of Chapter 372 intends to call a public hearing on the issue of whether to dissolve the PID;

WHEREAS, the Developer shall submit a petition to the Texas Commission on Environmental Quality ("TCEQ") for the creation of a Municipal Management District (the "MMD") for the Property, as a municipal management district operating pursuant to the laws of Chapter 375, Texas Local Government Code, as amended and Chapter 49, Texas Water Code, as amended (the "MMD Act");

WHEREAS, the MMD Act allows a district to divide, ultimately resulting in multiple districts within the original boundaries of the MMD and to avoid the duplication of effort and provide greater efficiency, the Parties have determined to provide for the acquisition, construction, improvement, and financing of certain MMD Improvements by designation of one of such new districts as the district (the "Master District") responsible for coordinating and managing such activities;

WHEREAS, it is contemplated the Master District will enter into contracts with the other new districts created by division of the MMD (the "Participating Districts" and along with the Master District, the "Districts") to undertake and perform the obligations of the Master Districts with regard to the (a) acquisition, construction, improvement, and financing of the MMD Improvements that are regional in nature (the "Regional Projects"); and

WHEREAS, it is contemplated that the Master District will issue its contract revenue bonds to finance the acquisition and construction of the Regional Projects secured by revenues, including payments from the Participating Districts; and

WHEREAS, the City has consented to the creation of the MMD by the TCEQ, and any divisions, annexations or exclusions of the MMD or any divided districts provided that such divisions, annexations and exclusions are within the Property and subject to any conditions set forth in the City TCEQ Consent Resolution attached hereto as **Exhibit H**;

WHEREAS, Developer anticipates commencing development of the Project upon the execution of this Agreement and creation of the MMD by the TCEQ as described herein;

WHEREAS, Developer and City desire that Developer be responsible for and shoulder the financial burden for the infrastructure impact required for the development of the Property as set forth in this Agreement;

WHEREAS, the Parties desire and intend that Developer will design, construct, install, and/or make financial contributions toward the MMD Improvements (as defined below) as authorized by the MMD Act, and that Developer's costs incurred therewith will be financed or reimbursed through multiple sources, including Impact Fee Credits and MMD Bond Proceeds (as defined below) or other revenues of the MMD in accordance with this Agreement, the applicable rules and regulations of the TCEQ, as amended, and the applicable requirements of the Texas Attorney General's Office; provided further that Developer shall only be entitled to either be reimbursed through MMD Bond Proceeds or Impact Fee Credits for a given cost;

WHEREAS, the Parties desire and intend for the design, construction, installation, and maintenance of the MMD Improvements to occur over the Term of this Agreement and that Developer will dedicate to and the City will accept certain of the MMD Improvements for public use and maintenance, and the MMD or HOA shall continue to maintain certain of the MMD Improvements subject to the City's approval of the plans and inspection of the MMD Improvements in accordance with **Exhibit N** to this Agreement and the City Regulations;

WHEREAS, the City and Developer intend that the MMD Improvements Costs of the MMD Improvements will be paid from the net proceeds of MMD Bonds issued by the Districts or other revenues of the MMD in accordance with this Agreement, the applicable rules and regulations of the TCEQ, as amended, and the applicable requirements of the Texas Attorney General's Office, as amended;

WHEREAS, the Districts, subject to the City TCEQ Consent Resolution, the satisfaction of all conditions for MMD Bond issuance, Developer's substantial compliance with this Agreement, and in accordance with the terms of this Agreement and all legal requirements, including but not limited to the indenture or Bond Resolution (each as defined below) authorizing the MMD Bonds, shall use good faith efforts to issue, in one or more series MMD Bonds for the purpose of financing the MMD Improvements, acquiring the MMD Improvements, and reimbursing Developer for certain associated costs as described herein; and

WHEREAS, to the extent funds must be advanced to pay for any costs associated with the creation of the MMD or the Districts, the issuance of MMD Bonds, or the preparation of documentation related thereto, including any costs incurred by the City or the MMD and its consultants and advisors (excluding the fees associated with closing the MMD Bonds and paid from MMD Bond Proceeds), Developer shall be responsible for advancing such funds and shall have a right to reimbursement for the funds advanced from the MMD Bond Proceeds, and the City will not be responsible for such reimbursement or the payment of any such costs from any other sources of funds.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Parties hereby agree as follows:

SECTION 2
DEFINITIONS

Certain terms used in this Agreement are defined in this Section 2. Other terms used in this Agreement are defined in the recitals or in other sections of this Agreement. Unless the context requires otherwise, the following terms shall have the meanings hereinafter set forth:

Bond Resolution means the resolution or order of the Board of Directors of the MMD authorizing the issuance of a series of MMD bonds.

Capital Improvement(s) shall have the meaning provided in Chapter 395, Texas Local Government Code as well as park and recreational facilities.

Capital Improvement Costs means any construction, contributions, or dedications of Capital Improvements, including actual costs of design, engineering, construction, acquisition, and inspection, and all costs related in any manner to the Capital Improvement.

Capital Improvements Plan ("CIP") means all capital improvements plan(s) duly adopted by the City under Chapter 395, Texas Local Government Code, as may be updated or amended from time to time.

Certificate of Convenience and Necessity ("CCN") means a certificate of public convenience and necessity issued by the Texas Public Utilities Commission or its predecessor or successor agency pursuant to Chapter 13, Texas Water Code.

Chapter 245 means Chapter 245, Texas Local Government Code.

Chapter 395 means Chapter 395, Texas Local Government Code.

City Code means the Code of Ordinances, City of Waxahachie, Texas.

City Council means the governing body of the City.

City Manager means the City's current or acting City Manager, or a person designated to act on behalf of that individual if the designation is in writing and signed by the current or acting City Manager.

City Regulations means the City's applicable development regulations in effect on the Effective Date, including without limitation City Code provisions, ordinances (including, without limitation, park dedication fees), design standards (including, without limitation, pavement thickness), and other policies duly adopted by the City; provided, however, that as it relates to Public Infrastructure for any given phase of the Project, the applicable construction standards (including, without limitation, uniform building codes) shall be those that the City has duly adopted at the time of the filing of an application for a plat for that phase unless construction has not commenced within two years of approval of such plat in which case the construction standards shall be those that the City has duly adopted at the time that construction commences. The term does not include Impact Fees, which shall be assessed on the Property in accordance with this

Agreement. Concept Plan means the intended conceptual plan for the development of the Project as depicted on **Exhibit C**.

Development Standards means the design specifications and construction standards permitted or imposed by this Agreement, including without limitation the standards set forth in the Zoning Ordinance and applicable City Regulations.

Districts means the Master District and any Participating Districts created through the division of the original MMD pursuant to Section 49.316 of the Texas Water Code.

Effective Date means the date on which Developer closes on the Property.

End User means any tenant, user, or owner of a Fully Developed Lot, but excluding the HOA.

Floor Plans means residential home construction documents for single family attached (such as townhomes and attached villas) and detached, prepared, signed and sealed by an Architect licensed in the State of Texas for a specific type of home.

Fully Developed Lot means any privately-owned lot in the Project, regardless of proposed use, intended to be served by the MMD Improvements and for which a plat has been approved by the City and recorded in the Real Property Records of Ellis County.

HOA means a homeowner's association that shall cover the traditional residential portion of the Property and a homeowner's association that shall cover the active adult portion of the Property, each of which shall privately function as a homeowners association for the Project, or such similar name as may be available with Texas Secretary of State, and its successors.

Impact Fees means those fees assessed and charged against the Project in accordance with Chapter 395 and as defined therein.

Impact Fee Credits means credits against Impact Fees otherwise due from the Project to offset Capital Improvement Costs.

Indenture means a trust indenture by and between the MMD and a trustee bank under which MMD Bonds are issued and funds are held and disbursed.

Mayor means the Mayor of the City.

MMD means Waxahachie Municipal Management District No. 1 to be created by the TCEQ for the Property pursuant to the MMD Act.

MMD Act means Chapter 375, Texas Local Government Code, as amended.

MMD Board means the Board of Directors of the MMD or any of the Districts.

MMD Bonds means bonds, notes, or other obligations or indebtedness that are issued or incurred by the Districts in accordance with the MMD Act.

MMD Bond Proceeds means the funds generated from the sale of the MMD Bonds.

MMD Initial Capital Improvement Plan means the capital improvement plan prepared in compliance with Section 375.207(b) approved herein and attached as **Exhibit J-1**, **Exhibit J-2**, **Exhibit J-3** and **Exhibit J-4.**

MMD Improvements means the on- and off-site public water, sewer, drainage, and roadway facilities, along with other public improvements authorized by the MMD Act that benefit the Property, to be constructed or caused to be constructed by Developer, including but not limited to the improvements identified on **Exhibit D-1**, **Exhibit D-2**, **Exhibit E-1**, **Exhibit E-2**, **Exhibit F-1**, **Exhibit F-2**, **Exhibit F-3**, **Exhibit F-4**, **Exhibit F-5**, **Exhibit F-6**, **Exhibit F-7**, and **Exhibit F-8**, the estimated costs of which are shown on **Exhibit J-3** and **Exhibit J-4** and for which the Parties intend Developer will be fully or partially reimbursed pursuant to the MMD Act and the terms of this Agreement.

MMD Improvements Cost means the actual costs of design, engineering, construction, acquisition, and inspection of the MMD Improvements and all costs related in any manner to the MMD Improvements.

Notice means any notice required or contemplated by this Agreement (or otherwise given in connection with this Agreement).

Public Infrastructure means all water, wastewater/sewer, detention and drainage, roadway, park and trail, and other infrastructure necessary to serve the full development of the Project and/or to be constructed by the Developer and dedicated to, owned by, and maintained by the City under this Agreement as shown in **Exhibit N**. The term includes the MMD Improvements.

Pro Rata means for any MMD Improvement that the City requests be oversized, the percentage of capacity in such MMD Improvement that is attributable to each Party.

Real Property Records means the official land recordings of the Ellis County Clerk's Office.

Zoning Ordinance City Ordinance No. [_____][1] which ordinance is attached hereto for reference only as **Exhibit G**, and subsequent amendments thereto.

SECTION 3
MUNICIPAL MANAGEMENT DISTRICT

3.1 City Consent to MMD Creation.

(a) On September 9, 2025, the City approved the resolution attached as **Exhibit H** (the "City TCEQ Consent Resolution") supporting the inclusion of the Property within the proposed MMD and consenting to the creation of the MMD in accordance with the MMD Act, subject to any conditions provided therein. While the City TCEQ Consent Resolution is in effect the City agrees to adopt such further consent resolutions and execute such further documents as

[1] **Note to Draft**: This will be the PD

may reasonably be necessary by the Developer, the TCEQ, the Attorney General of the State of Texas, or the MMD to evidence the City's consent consistent with the City TCEQ Consent Resolution.

(b) The City TCEQ Consent Resolution provides that the MMD shall be able to divide into a number of districts pursuant to the terms Section 49.316 of the Texas Water Code and be able to annex or exclude land within the boundary of the MMD or any other district created by the division of the MMD within the boundaries of the MMD without seeking additional consent from the City until such time all MMD Bonds are retired after which dividing the MMD into further districts will require City consent.

3.2 Division. Pursuant to Section 49.316 of the Texas Water Code, the MMD may divide, sequentially from time to time within the original boundaries of the MMD. A new district created by division of the MMD or any subsequently divided District may not at time of creation, contain any land outside of the original boundaries of the original MMD. A new district created by division of the MMD or any subsequent District is subject to the terms and conditions of the MMD Act, City TCEQ Consent Resolution, and this Agreement. Any Districts created by division of the original MMD shall be required to execute the Joinder Agreement at the time of its organizational meeting. Except as otherwise provided herein, any Joinder Agreement entered into pursuant to this Agreement shall not require the approval or consent of the City Staff or City Council but shall include a description of the portion of MMD Improvements that are projected to be constructed and financed by the new district.

3.3 Annexation and Exclusion. The City shall not require further consent for the MMD or any subsequently divided District to annex or exclude land from its boundaries; provided that any such land annexed or excluded must be within the original boundaries of the Property and the request to annex or exclude land outside of the Property shall require the consent of City Council.

3.4 Master District. The Master District intends to acquire, construct, extend, and finance certain of the regional MMD Improvements in stages to meet the needs of the continually developing Property. The Master District plans to finance the cost of acquiring and constructing the MMD Improvements through the issuance of MMD Bonds secured by charges paid by each Participating District and the Master District pursuant to contract from the proceeds of a special ad valorem tax (the "Contract Tax"), charges, or other legally available funds.

3.5 Tax Rate. The maximum tax rate equivalent of the MMD (including debt service taxes, Contract Tax maintenance and operations taxes and assessments) for financial feasibility of an MMD Bond shall not exceed $0.72 per $100 of taxable assessed value, unless otherwise agreed to by the Parties.

3.6 MMD Execution of Agreement. The Developer and the City intend that this Agreement shall be binding upon the MMD from and after the date the MMD executes a joinder to this Agreement in substantially the same form as set forth in **Exhibit I**, attached hereto (the "Joinder Agreement") and made a part hereof. The MMD shall execute such Joinder Agreement at the time of its organizational meeting. Any Districts created by division of the original MMD shall be required to execute such Joinder Agreement at the time of its organizational meeting. Such Joinder Agreement shall specify which of the MMD Improvements set forth on **Exhibit N** will be maintained by the newly divided District.

3.7 Dissolution of MMD. The City may dissolve the Districts at any time after all of the Districts have issued MMD Bonds to finance MMD Improvements Costs paid or incurred to construct the MMD Improvements that are required to serve full development of the Property and the Developer has been fully reimbursed for all MMD Improvements Costs. Any such dissolution shall be conducted in accordance with Texas Local Government Code § 375.263, which provides that, upon adoption of an ordinance dissolving a Municipal Management District, the City succeeds to all property and assets of the District and assumes all bonds, debts, obligations, and liabilities of the District. Upon dissolution, the City shall also assume the maintenance, operation, and ownership responsibilities of all MMD Improvements pursuant to Texas Local Government Code § 375.263 those items are further identified in **Exhibit N**.

3.8 Elected Board. The TCEQ petition for creation of the MMD shall include a request for an elected Board pursuant to Section 375.0645, Texas Local Government Code.

3.9 Coordination. In order to effectively and efficiently coordinate the development of the Property, the City, MMD and Developer agree to undertake, at a minimum, the actions described in this Article III.

3.10 Initial Board of Directors. The City and Developer agree the initial Board of Directors of the MMD shall be the following:

1. Jana Vinsonhaler
2. Michael Hume
3. Caerther Crustinger
4. Juan Valles
5. Michael Sudac

3.11 Director Replacement.

(a) During any period prior to a contested election within the MMD, the City and the Developer agree to coordinate recommended replacement directors. Upon determination that a vacancy exists on the Board, the Developer shall provide to the City three names of replacement directors for consideration by the City. The City may either accept or reject the proposed directors. If all proposed directors are rejected, this process will be repeated until a director acceptable to the City is approved. Upon approval of a proposed director, the Developer shall submit such proposed director for consideration and appointment by the MMD Board. In the event the proposed director is not appointed by a majority of the remaining qualified MMD directors, the process shall be repeated. This Section 3.8 shall also apply to any Districts created by division of the MMD prior to a contested election.

(b) After the District has been created and prior to a bond authorization election being called, Developer shall use reasonable best efforts to cause the appointment of two (2) City appointees to the Board of Directors of the MMD within thirty (30) days of the City providing written notice to the District of its proposed appointees.

3.12 Joint Planning Meeting. A semi-annual utility planning meeting shall be held each year in January and July between the Developer, engineer(s) for the Districts, and the appropriate

City staff to coordinate the development status, future utility requirements, and anticipated infrastructure demands within the MMD.

3.13 Provision of MMD Agendas. The City shall be provided with the agenda for all MMD Board meetings, and such meeting agendas shall be posted at City Hall in compliance with the Texas Public Information Act.

3.14 Transparency. Each of the Districts must provide the following information on a publicly available website:

(a) the name of each member of the governing body of the applicable District;

(b) the mailing address, e-mail address, and phone number of the applicable District;

(c) contact information for each member of the governing body of the applicable District;

(d) the applicable District's budget for the preceding two years;

(e) the applicable District's proposed or adopted budget for the current year, including the change in the amount of the applicable District's budget from the preceding year to the current year, by dollar amount and percentage;

(f) the amount of property tax revenue budgeted for maintenance and operations for the preceding two years and the current year;

(g) the amount of property tax revenue budgeted for debt service for the preceding two years and the current year;

(h) the maintenance and operations tax rate for the preceding two years;

(i) the debt service tax rate for the preceding two years;

(j) the proposed maintenance and operations tax rate for the current year;

(k) the proposed debt service tax rate for the current year; and

(l) the most recent financial audit.

3.15 Consultation with City Regarding Debt Issuance. Prior to the issuance of any debt by the Districts, the MMD shall provide to the City's Finance Director, City Manager or their designee not less than 30 days prior to the bond sale date the following documents in connection with the sale of MMD Bonds:

1. Preliminary Official Statement;
2. Maturity Schedule;
3. Cash Flow Schedule;
4. Confirmation that the District meets the requirements of Section 3.2 above.

SECTION 4
MMD IMPROVEMENT[2]

4.1 MMD Improvements. The MMD Improvements and MMD Improvements Cost are subject to change as may be agreed upon by the Developer and the MMD or any of the Districts and, if changed, shall be updated by the Developer and the MMD or any of the Districts consistent with the MMD Act. All approved plats within the Project shall include those MMD Improvements located therein. The Developer shall include any updates to the MMD Improvements with each plat application, which shall be submitted to City in accordance with the City's standard process for review of plats.

4.2 Construction, Ownership, and Transfer of MMD Improvements.

(a) Contract Specifications. Developer's engineers shall prepare, or cause the preparation of, and provide the City prior to any preconstruction meeting, contract specifications and necessary related documents for the MMD Improvements.

(b) Construction Standards, Inspections and Fees. Except as otherwise expressly set forth in this Agreement, the MMD Improvements and all other Public Infrastructure required for the development of the Property shall be constructed and inspected, and all applicable fees, including but not limited to Impact Fees (subject to the terms hereof and any applicable credits), permit fees, and inspection fees, shall be paid by Developer, in accordance with this Agreement, the City Regulations, and any other governing body or entity with jurisdiction over the MMD Improvements.

(c) Ownership. As set forth on **Exhibit N**, all of the MMD Improvements and Public Infrastructure that do not constitute MMD Maintained Improvements or HOA Maintained Improvements shall be owned by the City upon acceptance of them by the City. The Developer agrees to take any action reasonably required by the City to transfer, convey, or otherwise dedicate or ensure the dedication of land, right-of-way, or easements for the MMD Improvements and Public Infrastructure to the City for public use.

4.3 Operation and Maintenance.

(a) Upon inspection, approval, and acceptance of the water and sewer MMD Improvements or any portion thereof, the City shall maintain and operate the water and sewer MMD Improvements and provide retail water and sewer service to all portions of the Property then in the City's water CCN and wastewater CCN sufficient to serve all Living Unit Equivalents at full build out, currently estimated to be 13,555, at sufficient pressure to provide emergency service based on the development schedule attached hereto as **Exhibit M**.

[2] **Note to Draft:** This entire section to be discussed with in terms of what projects (water, wastewater, roadway) are required and at what stage.

(b) Upon final inspection, approval, and acceptance of the roadway MMD Improvements required under this Agreement or any portion thereof, the City shall maintain and operate the public roadways and related storm sewer improvements.

(c) Upon final inspection, approval, and acceptance of any MMD Improvements to be owned and/ or maintained by the MMD as set forth on **Exhibit N**, the MMD shall maintain such MMD Improvements (the "MMD Maintained Improvements").

(d) The burden to fully fund, construct, and complete the required open space, park space, trails, landscaping, and amenity improvements as set forth in the Zoning Ordinance shall be borne solely by the Developer and not by the HOA. Completion of said improvements shall be required prior to turning the improvements over to the HOA. However, after turnover, the HOA may continue to add to the amenities without the participation of the Developer. The HOA shall maintain and operate the facilities as set forth on **Exhibit N** designated as maintained by the HOA (the "HOA Maintained Improvements") including, but not limited to those located within public rights-of-way, MMD owned or City-owned property. The City hereby agrees to allow the HOA to access, modify and maintain the properties owned by City that are identified on **Exhibit N** as being maintained by the HOA.

4.4 Wastewater/Sanitary Sewer Facilities.[3]

(a) Developer's General Obligations. Developer is responsible for the design, installation, and construction of the wastewater improvements necessary to serve the Property (the "Wastewater Improvements"), including the major Wastewater Improvements as shown on **Exhibit D-1** attached hereto. Developer shall be responsible for the dedication of any easements lying within the Property necessary for Wastewater Improvements (the size and extent of each such easement or other property interest to be reasonably approved by the City) for all development. The costs of obtaining off-site easements may be included in the applicable MMD Improvement Costs to be reimbursed to the Developer through the MMD.

(b) Timing of Developer's Obligations. Except as otherwise provided herein, Developer shall complete in a good and workmanlike manner all Developer Wastewater Improvements necessary to serve each phase of the Project. The Parties acknowledge that the Property may be developed in phases, and the plats to be submitted to the City for approval may likewise be phased. If deemed necessary, Developer may submit a replat or amending plat for all or any portions of the Property in accordance with applicable law.

(c) Offsite Wastewater Lines

(1) Developer is responsible for the design, installation, and construction of the offsite wastewater improvements necessary to serve the Property (the "Offsite Wastewater Improvements"), as shown on **Exhibit D-2** attached hereto.

(2) The Developer shall use its commercially reasonable efforts to secure off-site easements and rights of way necessary for the Offsite Wastewater Improvements

[3] **Note to Draft**: Subject to further discussion between the City and Minto regarding the structure and timing of the offsite wastewater improvements.

lines set forth on **Exhibit D-2**. In the event the Developer is unable to obtain the off-site easements or rights-of-way, the City shall be required to obtain such easements or rights-of-way, including the use of the City's eminent domain power; provided that such easements shall be acquired at solely the Developer's cost.

(3) The Parties acknowledge that design of the Offsite Wastewater Improvements has begun and preliminary engineering documents have been provided to the City by the Developer.

(4) The Offsite Wastewater Improvements shall be constructed in phases as follows:

(a) Phase 1 Offsite Wastewater Improvements. Phase 1, as shown on **Exhibit D-2** shall consist of a lift station and an 18 inch force main extending from the lift station to the City's wastewater treatment plant, and shall be completed prior to the connection of the first lot to the City's wastewater system. Developer shall construct and pay all costs for Phase 1 and the City shall pay its Pro Rata share of Phase 1 at the time Phase 2 is completed.

(b) Phase 2 Offsite Wastewater Improvements. Phase 2, as shown on **Exhibit D-2** shall consist of a 30-inch force main extending from the lift station to the City's wastewater treatment plant, and shall be constructed when additional system capacity is required based on actual wastewater demand generated by development of the Property. Phase 2 shall serve areas beyond the Property and the costs shall be shared between the Parties on a Pro Rata basis based on the engineering at the time Each Parties' Pro Rata Share shall include engineering, design, legal, surveying, construction, material testing, inspection, materials, labor, bonds, construction management services, bidding, contracting, construction staking, insurance costs and all related fees and expenses related to the Offsite Wastewater Improvements.. The City shall pay its share of Phase 2 construction costs to the District on a monthly basis based on pay applications received by the District and provided to the City by the District's engineer. If City fails to make a payment for an applicable pay application when due, Developer has the right, but not the obligation, to pay the City's portion of such pay application and charge the City interest on the unpaid balance until the City pays its portion of such pay application. Interest shall be at 10% per annum or the maximum rate allowed by law, whichever is lower.

(c) Within 60 days of substantial completion of Phase 2, the City shall pay for its Pro Rata share of the Phase 1 improvements to the District. Such Pro Rata share shall be determined based on the total flows attributable to each Party within Phase 1 and Phase 2 of the Offsite Wastewater Improvements in the aggregate. Any penalty payments made pursuant

to subsection (b) above shall count towards the City's payment of its Pro Rata share of the Offsite Wastewater Improvements.

(d) Treatment Plant Improvements and Final Connection. All improvements necessary at the City's wastewater treatment plant to receive flows from the offsite wastewater system shall be designed, permitted, and constructed by the City at its sole cost and expense. The final physical connection of the Offsite Wastewater Improvements to the City's treatment facilities shall likewise be performed by the City.

(5) Developer shall be eligible for water, and sewer Impact Fee Credits as set forth in the Impact Fee Credits agreement attached hereto as **Exhibit P** for any payments made towards the Offsite Wastewater Improvements.

4.5 Water Facilities.

(a) Developer's General Obligations. Developer is responsible for design, installation, and construction of all water improvements necessary to serve the Property ("Water Improvements"), including: (i) the major Water Improvements as shown on **Exhibit E-1** attached hereto, (ii) two 16" offsite water lines with as shown on **Exhibit E-2** attached hereto, and (iii) an elevated storage tank as shown on **Exhibit E-1**attached hereto. The Developer shall be responsible for the dedication of any easements lying within the Property necessary for Water Improvements (the size and extent of each such easement or other property interest to be reasonably approved by the City). All costs incurred by Developer for obtaining off-site easements shall be included in the applicable MMD Improvement Costs to be reimbursed to the Developer through the MMD.

(b) Timing of General Obligations. Except as otherwise provided herein, Developer shall complete in a good and workmanlike manner all Water Improvements necessary to serve each phase of the Project. The Parties acknowledge that the Property may be developed in phases, and the plats to be submitted to the City for approval may likewise be phased. If deemed necessary, Developer may submit a replat or amending plat for all or any portions of the Property in accordance with applicable law.

(c) Timing of Major Water Improvements.

(1) Prior to the final inspection and approval for the first single-family residential lot, the Developer shall construct the 16" and 20" offsite water lines labeled as "Connection #1" and "Connection #2" shown on **Exhibit E-2** attached hereto.

(2) Prior to the City's final inspection and approval for a living unit equivalent above the 650-foot pressure plane, the Developer shall construct or cause to be constructed an elevated storage tank and associated appurtenances, as shown on **Exhibit E-1** attached hereto.

(3) Developer shall be eligible for water, and sewer Impact Fee Credits as set forth in the Impact Fee Credits agreement attached hereto as **Exhibit P** for any payments made towards the improvements set forth in this Section 4.5(c).

(d) Easements and Rights of Way. The Developer shall use its commercially reasonable efforts to secure off-site easements and rights of way necessary for the offsite water lines set forth on **Exhibit E-2**. In the event the Developer is unable to obtain the off-site easements or rights-of-way, the City shall be required to obtain such easements or rights-of-way, including the use of the City's eminent domain power; provided that such easements shall be acquired at solely the Developer's cost.

4.6 Roadway Facilities.

(a) Developer's General Obligations.

(1) The Developer is responsible for the design, installation, and construction of all roadway facilities required to serve the Property (the "Roadway Improvements"). The major Roadway Improvements required for the development of the Property are shown on **Exhibit F-1**, **Exhibit F-2**, **Exhibit F-3**, **Exhibit F-4**, **Exhibit F-5**, **Exhibit F-6**, **Exhibit F-7**, and **Exhibit F-8** attached hereto. Future roadway improvements shall be dictated by traffic impact analyses that are completed for each increment of approximately 1,000 residential lots, or such other combination of residential and non-residential land uses generating a comparable volume of traffic and **Exhibit F-1**, **Exhibit F-2**, **Exhibit F-3**, **Exhibit F-4**, **Exhibit F-5**, **Exhibit F-6**, **Exhibit F-7**, and **Exhibit F-8** may be amended from time to time solely with approval of the City Manager and Developer to reflect the Roadway Improvements dictated by such future traffic impact analyses. The design of all Roadway Improvements shall be approved by the City in advance of the construction of same.

(2) Prior to the issuance of a final permit on the first home constructed within development, a minimum 24 foot access route shall be provided throughout the overall development from IH-35E to an existing curb cut in FM 875 at the approximate location shown on **Exhibit F-5**, the Fire Access Easement. The access route shall be provided by means of public street, fire lane, temporary all-weather access, or a combination thereof. The final alignment of the access route shall be coordinated with the City's Fire Marshal prior to the commencement of construction and periodically throughout the life of development.

(b) Timing of General Obligations. Except as otherwise provided herein, Developer shall complete, in a good and workmanlike manner, construction of all roadway facilities and related Roadway Improvements necessary to serve such phase of the Project in accordance with construction plans approved by the City and generally in accordance with the phasing exhibit of **Exhibit F-8**. Thereafter, the roads shall be conveyed to the City for ownership and maintenance. The Parties acknowledge that the Property may be developed in phases, and the plats to be submitted to the City for approval may likewise be phased. If deemed necessary, Developer may submit a replat or amending plat for all or any portions of the Property in accordance with applicable law.

(c) Rights of Way. The Developer agrees to dedicate or cause to be dedicated to the City or applicable agency, free of liens, claims and encumbrances, the rights of way within the Property for F.M 875, F.M. 1446, and Lone Elm Parkway at the widths shown on **Exhibit F-3** attached hereto, each of which are identified on the City's major thoroughfare plan. The cost of rights of way dedicated for each such road shall be eligible for reimbursement by the MMD.

4.7 Impact Fees.

(a) Impact Fees. Water, sewer, and roadway Impact Fees for the Project shall be assessed at the rates adopted by the City Council in effect at the time the plat for a given phase of the Project is recorded in the Property Records and collected upon the issuance of a building permit for each lot within the Property.

(b) Impact Fee Credits. Developer shall be eligible for water, sewer, and roadway Impact Fee Credits or reimbursement of Impact Fees paid for the projects set forth in **Exhibit P**.

4.8 Payee Information. With respect to any and every type of payment/remittance due to be paid at any time by the City to Developer after the Effective Date under this Agreement, the name and delivery address of the payee for such payment shall be:

Minto Communities Texas, LLC
4042 Parks Oaks Blvd, #450
Tampa, FL 33610

Developer may change the name of the payee and/or address set forth above by delivering written notice to the City designating a new payee and/or address or through an assignment of Developer's rights hereunder.

4.9 MMD Initial Capital Improvement Plan. Developer's proposed initial 5-year MMD Capital Improvement Plan includes the MMD Improvements and MMD Bonds to be undertaken by the MMD is attached as **Exhibit J-1** and **Exhibit J-2.**

SECTION 5
PUBLIC IMPROVEMENT DISTRICT

5.1 PID Assessments. As of the Effective Date of this Agreement, the Property is located in whole or in part in the PID. The City agrees that if it receives a property owner petition meeting the requirements of Section 372.011 of the Local Government Code the City will promptly call a public hearing on the dissolution of the PID. Developer acknowledges that pursuant to the same statute that notwithstanding any dissolution the PID shall remain in effect for the purpose of meeting obligations of indebtedness for improvements, if any. The City also agrees to take reasonable best efforts to terminate any agreements between the City and the PID as it relates to the Property.

SECTION 6
ADDITIONAL OBLIGATIONS AND AGREEMENTS

6.1 Administration of Construction of Public Infrastructure. Subject to the terms of this Agreement including reimbursement, the Parties agree that Developer and/or the MMD will be solely responsible for the construction of all Public Infrastructure including the required Open

Space, Park Space, Trails, Landscaping, and Amenity improvements as set forth in the Zoning Ordinance.

6.2 Mandatory Homeowners Association.

(a) The Developer will, create the HOA, which shall be mandatory and shall levy and collect from homeowners annual fees in an amount calculated to maintain the HOA owned improvements within the Project. Common areas, including, but not limited to, all landscaped entrances to the Project and right-of-way landscaping and signage, shall be maintained solely by the HOA. Maintenance of public rights-of-way, landscaping, and signage by the HOA shall comply with City Regulations.

(b) The Developer agrees to include a provision in the conditions, covenants, and restrictions for the HOA restricting the use of short-term rentals, as defined in Section 6.5 below, within the Project.

6.3 Zoning. The City has zoned the portion of the Property currently within the City limits as a planned development district in accordance with the Zoning Ordinance attached hereto as **Exhibit G**, which is attached hereto for reference purposes only.

6.4 Manufactured Home.

(a) Residence. Notwithstanding any other provision of this Agreement or the Development Standards to the contrary, upon and after the Effective Date of this Agreement, one (1) HUD-certified manufactured home may be located within the boundaries of each of the Districts; provided, however, such manufactured home must be removed within two hundred seventy (270) days from the date of such installation. The parties acknowledge and agree that any voter trailer, sales trailer, or similar structure placed on the Property by the Developer (collectively, the "Temporary Structure") is intended to be a temporary improvement. The Temporary Structure shall be subject to all applicable City ordinances, codes, and permitting requirements governing temporary structures, including but not limited to requirements for placement, duration, appearance, and removal. Under no circumstances shall the filing or approval of a plat, preliminary or final, or the requirement of permanent water, wastewater, or power service be required as a condition to obtaining any permit or authorization for the Temporary Structure.

(b) If a water well, septic system, or any other on-site utility installation is used to serve the Temporary Structure, the Developer shall, at its sole cost and expense, obtain and maintain all permits and approvals required under applicable City ordinances, state law, and any other governing regulatory authority. All such facilities shall be installed, operated, and decommissioned in accordance with applicable health, safety, environmental, and construction standards.

(c) The Temporary Structure shall not be deemed a permanent improvement and shall be removed by the Developer at the cessation of its intended temporary use. Removal shall occur in compliance with all applicable City codes.

6.5 Prohibition on Short-Term Rentals, Accessory Dwelling Units and Hourly Rentals of Property.

(a) Developer agrees that all Property in the MMD shall contain a deed restriction or other real property covenant providing that at no time shall any of the Property be used, allowed to be used, or made available or offered for use as a short-term rental or as an hourly rental of residential property. The foregoing uses of and activities on any of the Property are expressly prohibited. For purposes of this Paragraph, (1) "short-term rental" shall mean a residential property, including a single-family dwelling or a unit in a condominium, cooperative, mixed use development, or timeshare, that is rented wholly or partly for a fee for a period not longer than thirty (30) consecutive days. A short-term rental shall not include a hotel, motel, bed and breakfast homes, bed and breakfast inns, or rentals made for less than thirty (30) days upon the sale of a residential dwelling when the tenancy is by the former owner; and (2) "hourly rental of residential property" shall mean a feature or facility that is part of a residential property, including a single-family dwelling or a unit in a condominium, cooperative, mixed-use development or timeshare, and is rented for a period of less than fifteen (15) hours and for a purpose other than providing sleeping accommodations to the lessee.

(b) Notwithstanding the foregoing, "Stay and Play Residences" shall be permitted. For the purposes of this paragraph (1)(b) a "Stay and Play Residence" are Active Adult housing types that are used for the "Stay and Play Getaway Program" which is an allowed use in the Active Adult District (as defined in the Zoning Ordinance) and is hereby used to describe a program where potential purchasers of active adult residential units are allowed to stay at and enjoy residential units at the Property on a short–term basis prior to making a purchasing decision. This program generally provides the potential buyers with usage of a residential unit, golf cart, dining, and access to all amenities and events. Upon buildout and completion of the community, the residential units utilized for this program will be sold similar to the other residential units within the Property. In order to distinguish the Stay and Play program from short term rentals, the stay and play residences must conform to the provisions set forth in Section 5.3.4 of the Zoning Ordinance.

(c) Accessory Dwelling Units are allowed as set forth in the Zoning Ordinance.

6.6 Building Materials and Architectural Standards.

(a) Following the execution of this Agreement by the Parties, for any structure built on the Property, Developer shall comply with the applicable building construction materials and architectural standards contained in **Exhibit K**, attached hereto and incorporated by reference for single family, cluster, and build-for-rent homes. Development of multifamily buildings shall comply with the City applicable standards in effect when applications for those buildings are submitted to the City. The Parties specifically agree and acknowledge that the provisions of this Paragraph shall apply to any structure constructed subsequent to the execution of this Agreement. Other than as set forth in **Exhibit K**, nothing in this Agreement shall be deemed to modify or otherwise amend any zoning or other regulation duly adopted by the City, previously or in the future.

(b) Developer shall not use copper cladded aluminum electrical wiring in homes within the Property.

(c) Site plans are required only for non-residential and multi-family properties and shall comply with all applicable requirements of Section 7.01 of the Zoning Ordinance.

Site plan approval shall be obtained prior to issuance of a civil construction permit for the property subject to that site plan.

6.7 Annexation. The Developer agrees that upon Developer's acquisition of the ETJ Parcel this Agreement shall serve as a voluntary petition to annex the ETJ Parcel into the City's municipal boundaries

6.8 Conflicts. In the event of any direct conflict between this Agreement and any other ordinance, rule, regulation, standard, policy, order, guideline, or other city-adopted or City enforced requirement, whether existing on the Effective Date or thereafter adopted, this Agreement, including its exhibits, as applicable, shall control. In the event of a conflict between the Concept Plan and the Development Standards, the Development Standards shall control to the extent of the conflict.

6.9 Compliance with City Regulations. Development and use of the Property, including, without limitation, the construction, installation, maintenance, repair, and replacement of all buildings and all other improvements and facilities of any kind whatsoever on and within the Property, shall be in compliance with City Regulations unless expressly stated to the contrary in this Agreement. City Regulations shall apply to the development and use of the Property unless expressly set forth to the contrary in this Agreement.

6.10 Public Infrastructure, Generally. Except as otherwise expressly provided for in this Agreement, Developer or the MMD shall provide all Public Infrastructure necessary to serve the Project, including streets, utilities, drainage, sidewalks, parks, trails, street lighting, street signage, and all other required improvements without oversizing. The City shall reimburse the Developer for oversizing Public Infrastructure in accordance with the terms of this Agreement. Developer or the MMD shall cause the installation of the Public Infrastructure within all applicable time frames in accordance with the City Regulations unless otherwise established in this Agreement. Developer shall provide engineering studies, plan/profile sheets, and other construction documents at the time of platting as required by City Regulations. Such plans must be approved by the City's engineer or his or her agent prior to the recording of a plat. Construction of any portion of the Public Infrastructure shall not be initiated until a pre-construction conference with a City representative has been held regarding the proposed construction. No plat may be recorded in the Real Property Records until appropriate surety for public improvements has been provided pursuant to Chapter 33, Appendix C Section 1.2 of the Waxahachie, Texas Code of Ordinances. For the avoidance of doubt, nothing in this Section 6.11 shall be construed to prevent the City from participating in the costs for or constructing Public Infrastructure within the Property for the purposes of oversizing public infrastructure to serve areas outside of the Property.

6.11 Maintenance Bonds. For each construction contract for any part of the Public Infrastructure for which the City will be responsible for the future maintenance, Developer, or Developer's contractor, must execute a maintenance bond in accordance with applicable City Regulations that guarantees the costs of any repairs that may become necessary to any part of the construction work performed in connection with the Public Infrastructure, arising from defective workmanship or materials used therein, for a full period of two (2) years from the date of final acceptance of the Public Infrastructure constructed under such contract.

6.12 Inspections, Acceptance of Public Infrastructure, and Developer's Remedy.

(a) Inspections, Generally. The City shall have the right to inspect, at any time, the construction of all Public Infrastructure necessary to support the Project, including water improvements, wastewater/sanitary sewer, drainage, roads, streets, alleys, public park facilities, electrical, and streetlights and signs. The City's inspections and/or approvals shall not release Developer from its responsibility to construct, or cause the construction of, adequate MMD Improvements and Public Infrastructure in accordance with approved engineering plans, construction plans, and other approved plans related to development of the Property.

(b) Acceptance; Ownership. From and after the inspection and acceptance by the City of the Public Infrastructure and any other dedications required under this Agreement, such improvements and dedications shall be owned by the City. Acceptance of Public Infrastructure by the City shall be evidenced in a writing issued by the City Manager or his designee.

(c) Approval of Plats/Plans. Approval by the City, the City's engineer, or other City employee or representative of any plans, designs, or specifications submitted by Developer pursuant to this Agreement or pursuant to applicable City Regulations shall not constitute or be deemed to be a release of the responsibility and liability of Developer, its engineer, employees, officers, or agents for the accuracy and competency of their design and specifications. Further, any such approvals shall not be deemed to be an assumption of such responsibility and liability by the City for any defect in the design and specifications prepared by the Developer or the Developer's engineer, or engineer's officers, agents, servants or employees, it being the intent of the parties that approval by the City's engineer signifies the City's approval on only the general design concept of the improvements to be constructed. In accordance with Chapter 245, all development related permits issued for the Project, including each plat, shall remain valid for two years from date of approval and shall not thereafter expire so long as progress has been made toward completion of the Project. Upon recordation of the first plat for the Project, the Project shall not expire for the duration of this Agreement, provided that the Developer shall be required to finalize improvements in each phase of the Development in accordance with subdivision ordinance adopted by the City.

(d) Timing for Approvals

(1) The City acknowledges that the pace of development for the Project shall exceed what has been the standard procedure for the City.

(2) The City shall endeavor to employ sufficient staff to ensure that the timeline for review of any residential building plans for the Project do not exceed twenty-one (21) days between the date of submittal for the issuance of a building permit and the issuance of such building permit by the City. If the City does not retain enough reviewers such that the building plan reviews are not able to be completed on the timeline described herein, the City shall, at Developer's expense, immediately retain any licensed third-party plan reviewer agreed upon by the City and Developer as set forth on **Exhibit Q** to complete any such plan reviews. City shall provide a credit towards permitting fees to the Developer in an amount equal to the cost of the permit whenever a third-party reviewer is engaged; provided that the City shall not be responsible to pay the costs of any third-party reviewer outside of granting the credit towards permitting fees.

Exhibit Q may be amended from time to time solely with approval of the City Manager and Developer.

(3) The City shall endeavor to employ sufficient staff to ensure that the timeline for review of initial civil construction plans, including site plans for commercial and multifamily projects, for the Project does not exceed twenty-eight (28) days between the date of submittal for the issuance of comments to ensure compliance with City ordinances. Upon resubmittal of revisions to the comments from Developer or Developer's engineer, the City shall have an additional 15 business days to review the revisions requested by the City and to provide approval of same provided the revisions are acceptable to the City. If the City does not retain enough reviewers such that the plan reviews are not able to be completed on the timeline described herein, City shall, at Developer's expense , immediately retain any licensed third-party plan reviewer agreed upon by the City and Developer as set forth on **Exhibit Q** to complete any such plan reviews which shall be deemed acceptable by the City. City shall provide a credit towards permitting fees in an amount equal to the cost of the permit whenever a third-party reviewer is engaged; provided that the City shall not be responsible to pay the costs of any third-party reviewer outside of granting the credit towards permitting fees..

6.13 Insurance. Developer or MMD or its contractor(s) shall acquire and maintain, during the period of time when any of the Public Infrastructure is under construction (and until the full and final completion of the Public Infrastructure and acceptance thereof by the City): (a) workers compensation insurance in the amount required by law; and (b) commercial general liability insurance including personal injury liability, premises operations liability, and contractual liability, covering, but not limited to, the liability assumed under any indemnification provisions of this Agreement, with limits of liability for bodily injury, death and property damage of not less than $1,000,000.00. Such insurance shall also cover any and all claims which might arise out of the Public Infrastructure construction contracts, whether by Developer, a contractor, subcontractor, material man, or otherwise. Coverage must be on a "per occurrence" basis. All such insurance shall: (i) be issued by a carrier that is rated "A-1" or better by A.M. Best's Key Rating Guide and licensed to do business in the State of Texas; and (ii) name the City as an additional insured and contain a waiver of subrogation endorsement in favor of the City. Upon the execution of Public Infrastructure construction contracts, Developer or the MMD shall provide to the City certificates of insurance evidencing such insurance coverage together with the declaration of such policies, along with the endorsement naming the City as an additional insured. Each such policy shall provide that, at least 30 days prior to the cancellation, non-renewal or modification of the same, the City shall receive written notice of such cancellation, non-renewal or modification.

6.14 INDEMNIFICATION AND HOLD HARMLESS. THE DEVELOPER, INCLUDING ITS RESPECTIVE SUCCESSORS AND ASSIGNS, HEREBY COVENANT AND AGREE TO RELEASE, DEFEND, HOLD HARMLESS, AND INDEMNIFY THE CITY AND ITS OFFICERS, AGENTS, REPRESENTATIVES, SERVANTS AND EMPLOYEES (COLLECTIVELY, THE "RELEASED PARTIES"), FROM AND AGAINST ALL THIRD-PARTY CLAIMS, SUITS, JUDGMENTS, DAMAGES, AND DEMANDS (TOGETHER, "CLAIMS") AGAINST THE CITY OR ANY OF THE RELEASED PARTIES, WHETHER REAL OR ASSERTED INCLUDING WITHOUT LIMITATION REASONABLE ATTORNEY'S FEES, RELATED EXPENSES, EXPERT WITNESS FEES, CONSULTANT FEES, AND OTHER COSTS, ARISING OUT OF THE NEGLIGENCE OR OTHER

WRONGFUL CONDUCT OF THE DEVELOPER, INCLUDING THE NEGLIGENCE OF ITS RESPECTIVE EMPLOYEES, CONTRACTORS, SUBCONTRACTORS, MATERIAL MEN, AND/OR AGENTS, IN CONNECTION WITH THE DESIGN OR CONSTRUCTION OF ANY PUBLIC INFRASTRUCTURE THAT ARE REQUIRED OR PERMITTED UNDER THIS AGREEMENT. **THE DEVELOPER SHALL NOT, HOWEVER, BE REQUIRED TO INDEMNIFY THE CITY AGAINST CLAIMS CAUSED BY THE CITY'S CONCURRENT, CONTRIBUTORY, OR SOLE NEGLIGENCE, GROSS NEGLIGENCE OR WILLFUL MISCONDUCT.** IF THE CITY INCURS CLAIMS THAT ARE CAUSED BY THE CONCURRENT NEGLIGENCE OF THE DEVELOPER AND THE CITY, THE DEVELOPER'S INDEMNITY OBLIGATION WILL BE LIMITED TO A FRACTION OF THE TOTAL CLAIMS EQUIVALENT TO THE DEVELOPER'S OWN PERCENTAGE OF RESPONSIBILITY.

6.15 Status of Parties. This Agreement does not create a joint enterprise or venture or employment relationship between the City and Developer.

6.16 Vested Rights. This Agreement shall constitute a "permit" (as defined in Chapter 245) that is deemed filed with the City on the Effective Date.

6.17 Conveyances for Public Facilities.

(a) The Developer agrees to dedicate or cause to be dedicated to the City, at no cost to the City, a maximum of 10 acres to accommodate municipal needs (the "Civic Sites"). The location of the Civic Sites shall be mutually agreed to by the Developer and the City prior to such dedication when the City identifies a specific need.

6.18 CCN. The portion of the Property shown on **Exhibit L** is currently within the boundaries of the Sardis-Lone Elm Water Service Corporation water CCN and the Buena Vista-Bethel Water Service Corporation water CCN. The City agrees to include that portion of the Property within the boundaries of the City's water and sewer CCN after removal of such portion from the Sardis-Lone Elm Water Service Corporation water CCN and the Buena Vista-Bethel Water Service Corporation water CCN and cooperate with Developer to execute any documents required for the decertification of the Property from the Sardis-Lone Elm Water Service Corporation and Buena Vista-Bethel Water Service Corporation CCNs. Developer shall be responsible for all costs associated with the decertification from Sardis-Lone Elm Water Service Corporation water CCN and the Buena Vista-Bethel Water Service Corporation water CCN.

6.19 Waxahachie-Midlothian Trail Reserve Design and Conveyance Criteria

(a) The Waxahachie Midlothian Trail Reserve is to be designated as a regional park and is to be dedicated in segments to the City of Waxahachie. The park improvements shown on **Exhibit O** shall be conveyed or dedicated to the City at no cost or expense to the City. Developer and City shall coordinate for phased dedication of the parkland to the City as development occurs. Trails and amenities within the conveyed property will be constructed by the Developer and generally comply with Exhibit F of the Zoning Ordinance and shall include amenities in accordance with Section 6.3.1.4.8 of the Zoning Ordinance describing requirements for the Waxahachie Regional Park.

(b) The portion of the parkland described as the "Initial Conveyance" on **Exhibit O** shall be dedicated by the Developer to the City within ninety (90) days of completion of the final inspection and issuance of the final certificate of completion by the City. Subject to issuance of permits from agencies having jurisdiction, this segment shall be completed by Developer no later than one year after permits are issued for construction of the segment but not prior to when the segment being built by the City is completed and open to the public from Getzendaner Park to where it connects to the Property.

(c) The portion of the parkland described as the "Second Conveyance" on **Exhibit O** shall be dedicated by the Developer to the City within ninety (90) days of completion of the final inspection and issuance of the final certificate of completion by the City, provided that such request shall not be made until 50 percent of the homes platted in the immediately adjacent phase have received final inspections by the City. The "Second Conveyance" shall be described as a "Waxahachie-Midlothian Trail Reserve" on the final and recorded plat for the adjacent residential area and conveyance shall be done via deed once the threshold set forth above is met; provided that Developer may reserve any easements as required for the conveyance of dry or wet utilities required to service the Property.

(d) The portion of the parkland described as the "Third Conveyance" on **Exhibit O** shall be dedicated by the Developer to the City within ninety (90) days of completion of the final inspection and issuance of the final certificate of completion by the City, provided that such request shall not be made until 50 percent of the homes platted in the immediately adjacent phase have received final inspections by the City.. The "Third Conveyance" shall be described as a "Waxahachie-Midlothian Trail Reserve" on the final and recorded plat for the adjacent residential area and conveyance shall be done via deed once the threshold set forth above is met; provided that Developer may reserve any easements as required for the conveyance of dry or wet utilities required to service the Property.

(e) The portion of the parkland described as the "Fourth Conveyance" on **Exhibit O** shall be dedicated by the Developer to the City within ninety (90) days of completion of the final inspection and issuance of the final certificate of completion by the City, provided that such request shall not be made until 50 percent of the homes platted in the immediately adjacent phase have received final inspections by the City. The "Fourth Conveyance" shall be described as a "Waxahachie-Midlothian Trail Reserve" on the final and recorded plat for the adjacent residential area and conveyance shall be done via deed once the threshold set forth above is met; provided that Developer may reserve any easements as required for the conveyance of dry or wet utilities required to service the Property.

(f) Developer shall be responsible for constructing the portion of the trail shown on **Exhibit O** to the specifications set forth in cross section attached hereto as **Exhibit O**.

6.20 Construction of Welcome Center and Model Homes. Permits for model homes and the Welcome Center may be issued only after plats for lots for these structures are filed and fire protection access, as approved by the Fire Chief, is installed; provided, however, the permits for the model homes and Welcome Center may be issued prior to the completion of other subdivision improvements required under the City's Subdivision Ordinance.

6.21 Fire Station. Developer agrees that each living unit equivalent within the Property shall be assessed a one-time fee, to be paid at the time of payment of Impact Fees for a given lot, to pay for a fire station to be located within the Property necessitated by development of the Property, provided however that common area amenities are exempt from this fee:

USE	ASSESSMENT
Single family Residential	$750.00/unit
Multifamily Residential	$500.00/unit
Retail/Commercial	$ 0.75/sq ft
Office	$ .75/sq ft

SECTION 7
EVENTS OF DEFAULT; REMEDIES; MEDIATION

7.1 Events of Default. No Party shall be in default under this Agreement until notice of the alleged failure of such Party to perform has been given in writing (which notice shall set forth in reasonable detail the nature of the alleged failure) and until such Party has been given a reasonable time to cure the alleged failure (such reasonable time to be determined based on the nature of the alleged failure, but in no event more than thirty (30) days (or any longer time period to the extent expressly stated in this Agreement as relates to a specific failure to perform) after written notice of the alleged failure has been given. Notwithstanding the foregoing, no Party shall be in default under this Agreement if, within the applicable cure period, the Party to whom the notice was given begins performance and thereafter diligently and continuously pursues performance until the alleged failure has been cured. Notwithstanding the foregoing, however, a Party shall be in default of its obligation to make any payment required under this Agreement if such payment is not made within twenty (20) business days after it is due.

7.2 Remedies. If a Party is in default, the aggrieved Party may, at its option and without prejudice to any other right or remedy under this Agreement, seek any relief available at law or in equity, including, but not limited to, an action under the Uniform Declaratory Judgment Act, specific performance, mandamus, and injunctive relief.

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

SECTION 8
ASSIGNMENT; ENCUMBRANCE

8.1 Assignment. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto. The agreements of the City with respect to the regulations applicable to the ETJ portion of the Property shall not be assignable but shall be benefits and obligations for compliance that run with the land. The other obligations,

requirements, or covenants to develop the Property subject to this Agreement shall be freely assignable by Developer, in whole or in part, to any affiliate or related entity of Developer, any lienholder on the Property, or the MMD, without the prior written consent of the City and the MMD or any of the Districts if the MMD joins in this Agreement. Except as otherwise provided in this paragraph, the obligations, requirements or covenants to the development of the Property shall not be assigned, in whole or in part, by Developer to a non-affiliate or non-related entity of Developer without the prior written consent of the City Manager, subject to the advice and written consent of the Mayor, which consent shall not be unreasonably withheld, conditioned, or delayed. An assignee shall be considered a "Party" for the purposes of this Agreement. Each assignment shall be in writing executed by Developer and the assignee and shall obligate the assignee to be bound by this Agreement to the extent this Agreement applies or relates to the obligations, rights, title, or interests being assigned. No assignment by Developer shall release Developer from any liability that resulted from an act or omission by Developer that occurred prior to the effective date of the assignment unless the City approves the release in writing. Developer shall maintain written records of all assignments made by Developer to assignees, including a copy of each executed assignment and, upon written request from any Party or assignee, shall provide a copy of such records to the requesting person or entity, and this obligation shall survive the assigning Party's sale, assignment, transfer, or other conveyance of any interest in this Agreement or the Property.

8.2 Assignees as Parties.

(a) An assignee authorized in accordance with this Agreement and for which notice of assignment has been provided in accordance herewith shall be considered a "Party" for the purposes of this Agreement. Any assignee named in an assignment under Section 8.1 hereof shall be deemed to be a "Developer" and have all of the rights and obligations of Developer as set forth in this Agreement and all related documents to the extent of said ownership or ownership interest with the exception of the City and an End User.

(b) Any assignee authorized under this agreement shall be required to execute a joinder agreement which shall include a description of the portion of the Public Infrastructure including parks and trails that are projected to be constructed and funded by the assignee.

8.3 Third Party Beneficiaries. Except as otherwise provided herein, this Agreement inures to the benefit of, and may only be enforced by, the Parties. No other person or entity shall have any right, title, or interest under this Agreement or otherwise be deemed to be a third-party beneficiary of this Agreement.

8.4 Notice of Assignment. Subject to Section 8.1 of this Agreement, the following requirements shall apply in the event that Developer sells, assigns, transfers, or otherwise conveys the Property or any part thereof and/or any of its rights or benefits under this Agreement: (i) Developer must provide written notice to the City and the MMD to the extent required under Section 8.1; (ii) said notice must describe the extent to which any rights or benefits under this Agreement will be sold, assigned, transferred, or otherwise conveyed; (iii) said notice must state the name, mailing address, telephone contact information, and, if known, email address, of the person(s) that will acquire any rights or benefits as a result of any such sale, assignment, transfer or other conveyance; and (iv) said notice must be signed by a duly authorized person representing

Developer and a duly authorized representative of the person that will acquire any rights or benefits as a result of the sale, assignment, transfer or other conveyance.

SECTION 9
RECORDATION AND ESTOPPEL CERTIFICATES

9.1 Binding Obligations. This Agreement and all amendments thereto and assignments hereof shall be recorded in the Real Property Records. This Agreement binds and constitutes a covenant running with the Property and, upon the Effective Date, is binding upon Developer, the MMD and the Districts if the MMD has executed as joinder, and the City, and forms a part of any other requirements for development within the Property. This Agreement, when approved by the governing body of the City, shall be binding upon the Parties and their successors and assigns as permitted by this Agreement and upon the Property.

9.2 Estoppel Certificates. From time to time, upon written request of Developer, the MMD or any future owner, the City Manager, or his/her designee will, in his/her official capacity and to his/her reasonable knowledge and belief, execute a written estoppel certificate identifying any obligations of an owner under this Agreement that are in default.

SECTION 10
GENERAL PROVISIONS

10.1 Term. This agreement shall be effective for a term of forty-five years from the Effective date. In so far as the MMD is bound by this Agreement, the term of this Agreement applicable to the MMD shall continue for the entire life of the MMD or forty-five (45) years, which ever is greater. In so far as the Developer is bound by this Agreement to construct Public Infrastructure, this Agreement shall bind the Developer until the completion of construction, acceptance by the City or MMD, as appropriate, and completion of the maintenance bond period for all Public Infrastructure required to serve the Property.

10.2 Recitals. The recitals contained in this Agreement: (a) are true and correct as of the Effective Date; (b) form the basis upon which the Parties negotiated and entered into this Agreement; (c) reflect the final intent of the Parties with regard to the subject matter of this Agreement; and (d) are fully incorporated into this Agreement for all purposes. In the event it becomes necessary to interpret any provision of this Agreement, the intent of the Parties, as evidenced by the recitals, shall be taken into consideration and, to the maximum extent possible, given full effect. The Parties have relied upon the recitals as part of the consideration for entering into this Agreement and, but for the intent of the Parties reflected by the recitals, would not have entered into this Agreement.

10.3 Acknowledgments. In negotiating and entering into this Agreement, the Parties respectively acknowledge and understand that:

(a) Developer's obligations hereunder are primarily for the benefit of the Property;

(b) the improvements to be constructed and the open space dedications and donations of real property that Developer is obligated to set aside and/or dedicate under this

Agreement will benefit the Project by positively contributing to the enhanced nature thereof, increasing property values within the Project, and encouraging investment in and the ultimate development of the Project;

(c) the MMD Improvements will benefit the City and promote state and local economic development, stimulate business and commercial activity in the City for the development and diversification of the economy of the state, promote the development and expansion of commerce in the state, and reduce unemployment or underemployment in the state;

(d) the MMD Improvements are public improvements and the MMD Improvements set forth as to be dedicated to the City on **Exhibit N** shall be dedicated to the City in accordance with the MMD Act;

(e) nothing contained in this Agreement shall be construed as creating or intended to create a contractual obligation that controls, waives, or supplants the City Council's legislative discretion or functions with respect to any matters not specifically addressed in this Agreement;

(f) pursuant to Section 395.023, Texas Local Government Code, Developer shall be entitled to Impact Fee Credits against roadway and utility Impact Fees for Capital Improvement Costs incurred in connection with collector or arterial roadways shown on the City's master thoroughfare plan (or comparable planning document) regardless of whether the particular collector or arterial roadway is designated on the City's roadway CIP.

10.4 Notices. Any notice, submittal, payment or instrument required or permitted by this Agreement to be given or delivered to any party shall be deemed to have been received when delivered personally or upon the expiration of 72 hours following deposit of the same in any United States Post Office, registered or certified mail, postage prepaid, addressed as follows:

To the City: City of Waxahachie, Texas
Attn: City Manager
Waxahachie City Hall
401 S. Rogers Street
Waxahachie, Texas 75165

With a copy to:	Terrence S. Welch Brown & Hofmeister, LLP 740 East Campbell Road, Suite 800 Richardson, Texas 75081
To Developer:	Mr. Theodore Neuweiler Division President Acquisitions & Development Minto Communities Texas, LLC 4042 Park Oaks Blvd, #450 Tampa, FL 33610
To the MMD:	City of Waxahachie Municipal Management District No. 1 4514 Cole Ave., Suite 1400 Dallas, TX 75205 Attn: Sanjay Bapat

Any Party may change its address or addresses for delivery of notice by delivering written notice of such change of address to the other Party.

10.5 Interpretation. Each Party has been actively involved in negotiating this Agreement. Accordingly, a rule of construction that any ambiguities are to be resolved against the drafting Party will not apply to interpreting this Agreement. In the event of any dispute over the meaning or application of any provision of this Agreement, the provision will be interpreted fairly and reasonably and neither more strongly for nor against any Party, regardless of which Party originally drafted the provision.

10.6 Time. In this Agreement, time is of the essence and compliance with the times for performance herein is required.

10.7 Authority and Enforceability. The City represents and warrants that this Agreement has been approved by official action by the City Council of the City in accordance with all applicable public notice requirements (including, but not limited to, notices required by the Texas Open Meetings Act) and that the individual executing this Agreement on behalf of the City has been duly authorized to do so. The Developer represents and warrants that this Agreement has been approved by appropriate action of Developer, and that each individual executing this Agreement on behalf of Developer has been duly authorized to do so. The MMD, if it executes a joinder, represents and warrants that this Agreement has been approved by appropriate action of MMD, and that each individual executing this Agreement on behalf of MMD has been duly authorized to do so. Each Party respectively acknowledges and agrees that this Agreement is binding upon such Party and is enforceable against such Party, in accordance with its terms and conditions.

10.8 Limited Waiver of Immunity. The Parties are entering into this Agreement in reliance upon its enforceability. Consequently, the City unconditionally and irrevocably waives all claims of sovereign and governmental immunity which it may have (including, but not limited to, immunity from suit and immunity to liability) as it relates to this Agreement. Notwithstanding the foregoing, the waiver contained herein shall not waive any immunities that the City may have with respect to claims of injury to persons or property, which claims shall be subject to all of their respective immunities and to the provisions of the Texas Tort Claims Act. Further, the waiver of immunity herein is not enforceable by any party not a Party to this Agreement, or any party that may be construed to be a third-party beneficiary to this Agreement.

10.9 Severability. This Agreement shall not be modified or amended except in writing signed by the Parties. If any provision of this Agreement is determined by a court of competent jurisdiction to be unenforceable for any reason, then: (a) such unenforceable provision shall be deleted from this Agreement; (b) the unenforceable provision shall, to the extent possible and upon mutual agreement of the parties, be rewritten to be enforceable and to give effect to the intent of the Parties; and (c) the remainder of this Agreement shall remain in full force and effect and shall be interpreted to give effect to the intent of the Parties.

10.10 Applicable Law; Venue. This Agreement is entered into pursuant to and is to be construed and enforced in accordance with, the laws of the State of Texas, and all obligations of the Parties are performable in Ellis County. Exclusive venue for any action related to, arising out of, or brought in connection with this Agreement shall be in the Ellis County District Court.

10.11 Non Waiver. Any failure by a Party to insist upon strict performance by the other Party of any material provision of this Agreement shall not be deemed a waiver thereof, and the Party shall have the right at any time thereafter to insist upon strict performance of any and all provisions of this Agreement. No provision of this Agreement may be waived except by writing signed by the Party waiving such provision. Any waiver shall be limited to the specific purposes for which it is given. No waiver by any Party of any term or condition of this Agreement shall be deemed or construed to be a waiver of any other term or condition or subsequent waiver of the same term or condition.

10.12 Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.

10.13 Force Majeure. Each Party shall use good faith, due diligence and reasonable care in the performance of its respective obligations under this Agreement, and time shall be of the essence in such performance; however, in the event a Party is unable, due to force majeure, to perform its obligations under this Agreement, then the obligations affected by the force majeure shall be temporarily suspended. Within ten (10) business days after the occurrence of a force majeure, the Party claiming the right to temporarily suspend its performance, shall give Notice to all the Parties, including a detailed explanation of the force majeure and a description of the action that will be taken to remedy the force majeure and resume full performance at the earliest possible time. The term "force majeure" shall include events or circumstances that are not within the reasonable control of the Party whose performance is suspended and that could not have been avoided by such Party with the good faith exercise of good faith, due diligence and reasonable care.

10.14 Complete Agreement. This Agreement embodies the entire Agreement between the Parties and cannot be varied or terminated except as set forth in this Agreement, or by written agreement of the Parties expressly amending the terms of this Agreement. By entering into this Agreement, any previous agreements or understanding between the Parties relating to the same subject matter are null and void.

10.15 Consideration. This Agreement is executed by the Parties hereto without coercion or duress and for substantial consideration, the sufficiency of which is hereby acknowledged.

10.16 Anti-Boycott Verification. Developer hereby verifies that it and its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, do not boycott Israel and will not boycott Israel during the term of this Agreement. The foregoing verification is made solely to comply with Section 2271.002, Texas Government Code, as amended, to the extent Section 2271.002, Texas Government Code does not contravene federal law. As used in the foregoing verification, 'boycott Israel' means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes. Developer understands "affiliate" to mean an entity that controls, is controlled by, or is under common control with the Developer and exists to make a profit. Notwithstanding anything contained herein, the representations and covenants contained in this Section 10.16 shall survive termination of the Agreement until the statute of limitations has run.

10.17 Verification under Chapter 2252, Texas Government Code. Developer hereby represents that neither it nor any of its parent company, wholly- or majority-owned subsidiaries, and other affiliates is a company identified on a list prepared and maintained by the Texas Comptroller of Public Accounts under Section 2252.153 or Section 2270.0201, Texas Government Code, and posted on any of the following pages of such officer's internet website: https://comptroller.texas.gov/purchasing/docs/sudan-list.pdf, https://comptroller.texas.gov/purchasing/docs/iran-list.pdf, or https://comptroller.texas.gov/purchasing/docs/fto-list.pdf. The foregoing representation is made solely to comply with Section 2252.152, Texas Government Code, and to the extent such Section does not contravene applicable federal law and excludes the Developer and each of its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, that the United States government has affirmatively declared to be excluded from its federal sanctions regime relating to Sudan or Iran or any federal sanctions regime relating to a foreign terrorist organization. Developer understands "affiliate" to mean any entity that controls, is controlled by, or is under common control with the Developer and exists to make a profit Notwithstanding anything contained herein, the representations and covenants contained in this Section 10.17 shall survive termination of the Agreement until the statute of limitations has run.

10.18 No Discrimination Against Fossil-Fuel Companies. Developer hereby verifies that it and its parent companies, wholly- or majority- owned subsidiaries, and other affiliates, if any, do not boycott energy companies and, will not boycott energy companies during the term of this Agreement. The foregoing verification is made solely to comply with Section 2274.002, Texas Government Code, as amended, to the extent Section 2274.002, Texas Government Code does not contravene applicable Texas or federal law. As used in the foregoing verification, "boycott energy

companies" shall have the meaning assigned to the term "boycott energy company" in Section 809.001, Texas Government Code. Developer understands "affiliate" to mean an entity that controls, is controlled by, or is under common control with the Developer and exists to make a profit. Notwithstanding anything contained herein, the representations and covenants contained in this Section 10.18 shall survive termination of the Agreement until the statute of limitations has run.

10.19 No Discrimination Against Firearm Entities and Firearm Trade Associations. Developer hereby verifies that it and its parent companies, wholly- or majority- owned subsidiaries, and other affiliates, if any,

(1) do not have a practice, policy, guidance or directive that discriminates against a firearm entity or firearm trade association; and

(2) will not discriminate during the term of this Agreement against a firearm entity or firearm trade association.

The foregoing verification is made solely to comply with Section 2274.002, Texas Government Code, as amended, to the extent Section 2274.002, Texas Government Code does not contravene applicable Texas or federal law. As used in the foregoing verification, "discriminate against a firearm entity or firearm trade association" shall have the meaning assigned to such term in Section 2274.001(3) (as added by SB 19), Texas Government Code. Developer understands "affiliate" to mean an entity that controls, is controlled by, or is under common control with the Developer and exists to make a profit. Notwithstanding anything contained herein, the representations and covenants contained in this Section 10.19 shall survive termination of the Agreement until the statute of limitations has run.

10.20 Reimbursement of City Expenses. All reasonable costs and expenses incurred by the City as it relates to this Agreement, including but not limited to legal fees, other professional fees, and City administrative costs and expenses, that are in any way associated with the operation and administration of the MMD shall be promptly reimbursed by Developer to the City upon presentation of an invoice for same.

10.21 Exhibits. The following exhibits are attached to this Agreement and are incorporated herein for all purposes:

Exhibit A	Metes and Bounds Description of the Property
Exhibit B	Depiction of the Property
Exhibit C	Concept Plan
Exhibit D-1	Map of Wastewater Improvements – General
Exhibit D-2	Map of Wastewater Improvements – Offsite Wastewater Improvements
Exhibit E-1	Map of Water Improvements – General
Exhibit E-2	Map of Water Improvements – Offsite Water Lines
Exhibit F-1	Preliminary Onsite Roadways
Exhibit F-2	Roadway Cross-sections
Exhibit F-3	Future Roadways and ROW Dedications and Roadway Commitments
Exhibit F-4	Brookside Configuration Exhibit
Exhibit F-5	FM 875 Fire Access Easement Exhibit

Exhibit F-6	Brookside Offsite Initial Improvements
Exhibit F-7	Brookside Full Buildout
Exhibit F-8	Required Transportation Improvements and Timing
Exhibit G	PD Ordinance
Exhibit H	City TCEQ Consent Resolution
Exhibit I	Form of MMD Joinder Agreement
Exhibit J-1	MMD Initial Capital Improvements Plan - Map
Exhibit J-2	MMD Initial Capital Improvements Plan – Costs
Exhibit J-3	MMD Overall Capital Improvements Summary
Exhibit J-4	MMD Overall Capital Improvements Detail
Exhibit K	Design Requirements
Exhibit L	CCN Boundary
Exhibit M	Project Phasing
Exhibit N	Infrastructure Responsibility
Exhibit O	Regional Parks and Midlothian-Waxahachie Trail Dedication
Exhibit P	Impact Fee Credit Agreement
Exhibit Q	Approved Third Party Reviewers

[SIGNATURES PAGES AND EXHIBITS FOLLOW;
REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

EXECUTED BY THE PARTIES TO BE EFFECTIVE ON THE EFFECTIVE DATE:

CITY OF WAXAHACHIE, TEXAS

By:_____
Name: Billie Wallace
Title: Mayor
Date: _____

STATE OF TEXAS §
COUNTY OF ELLIS §

This instrument was acknowledged before me on this __ day of _____ 2025, by Billie Wallace , Mayor of the City of Waxahachie, Texas, on behalf of said City.

_____
Notary Public, State of Texas

[SEAL]

DEVELOPER:

[_____],
a [_____] [_____]

By:_____
Name: Theodore Neuweiler
Title: Division President Acquisitions and Development

STATE OF TEXAS §
§
COUNTY OF DALLAS §

This instrument was acknowledged before me on the _____ day of _____, 2025 by [_____], [_____] of [_____], a [_____] [_____], as the [_____] of [_____], a [_____] [_____], on behalf of said entity.

_____
Notary Public in and for the State of Texas

[SEAL]

Item 19&20

EXHIBIT F-8
REQUIRED TRANSPORTATION IMPROVEMENTS AND TIMING

EXHIBIT F-8

REQUIRED TRANSPORATION IMPROVEMENTS AND TIMING

For each Phase identified in this Exhibit, the transportation improvements assigned to that Phase shall be constructed, operational, and accepted by the City before any lots within that Phase are delivered or capable of generating traffic. This Exhibit organizes all required transportation improvements into Phase 1, Phase 2, Phase 3, and subsequent Phases, based on the thresholds and conditions identified in the Traffic Impact Analysis together with any additional improvements included by agreement. The Phase structure is intended to clearly define when each improvement must be completed relative to the Project's development sequence.

A. PHASE 1 (approximately 882 units)

1. Construct four lanes of East West Arterial from IH35E to the western boundary of Phase 1 (developer has option to build all 6 lanes)
2. Construct two lanes of Ring Road contiguous to the Phase 1 boundary
3. Prepare intersection level Traffic Impact Analysis for Phase 1 traffic
4. Convert Brookside Road and Kelly Bend Westgate Drive to all way stop control

B. PHASE 2 (approximately 1,582 cumulative units)

5. Install traffic signal at IH 35E and FM 1446
   Note This signal is warranted by background growth and is included for sequencing reference only. Developer is not responsible for construction of this improvement.
6. Restripe Brookside Road bridge over IH 35E to a five lane cross section
7. Add a dedicated eastbound right turn lane at Brookside Road and Kelly Bend
8. Extend two lanes of Ring Road to the Phase 2 boundary
9. Prepare intersection level Traffic Impact Analysis for Phase 2 traffic
10. Prepare and submit a TxDOT compliant traffic signal warrant study to allow timely approval and construction prior to Phase 3 completion at the following intersections:

    (a) FM 875 & North/South Arterial
    (b) Brookside Road & Kelly Bend; and
    (c) IH-35E southbound frontage road & Brookside Road

C. PHASE 3 (approximately 2,393 cumulative units)

11. Construct a dedicated free right turn lane from the IH 35E southbound frontage road to Brookside Road
12. Install traffic signal at IH 35E southbound frontage road and Brookside Road
13. Extend Brookside Road to a full five lane cross section through Kelly Bend
14. Reconstruct eastbound right turn lane at Brookside Road and Kelly Bend
15. Widen Kelly Bend to add a free right turn receiving lane and an additional northbound approach lane
16. Install traffic signal at Brookside Road and Kelly Bend
17. Extend two lanes of Ring Road to North South Arterial
18. Construct two lanes of North South Arterial from Ring Road to FM 875

EXHIBIT F-8

REQUIRED TRANSPORATION IMPROVEMENTS AND TIMING

19. Construct and activate traffic signal at FM 875 and North South Arterial, subject to TxDOT approval, to be operational prior to completion of Phase 3
20. Prepare intersection level Traffic Impact Analysis for Phase 3 traffic

D. FULL BUILDOUT

21. Complete internal arterial roadway network as follows
    East West Arterial six lanes between IH 35E and Ring Road, four lanes elsewhere
    North South Arterial four lanes between FM 875 and FM 1446
    Ring Road two lanes
    FM 875 six lanes between North South Arterial and Business 287, four lanes elsewhere
    FM 1446 four lanes between IH 35E and Lone Elm Road
    Lone Elm Road two lanes within the project boundary
22. Construct two lane modern roundabout at the intersection of East West Arterial and North South Arterial

E. PERIODIC TRAFFIC IMPACT ANALYSIS UPDATES

Periodic TIA Updates. The Developer shall, at approximately each 1,000 platted lots within the Property, prepare and submit to the City an updated Traffic Impact Analysis (TIA Update) or TIA Addendum. Each TIA Update shall evaluate the Project's on the ground traffic conditions and confirm whether the assumptions, trip generation rates, distribution patterns, and improvement triggers from the original TIA remain valid. For clarity, the roadway improvements identified in this Agreement constitute the complete and exclusive list of improvements required of the Developer for the Project. Any updated Traffic Impact Analysis prepared under this section is intended solely to refine the timing of those improvements or to adjust the scope of an already identified improvement, such as confirming whether a planned widening should occur earlier than originally projected. No updated TIA shall impose new categories of improvements beyond those listed in this Agreement. The Developer may, at its sole discretion, elect to accelerate the construction or widening of any improvement identified herein, and such voluntary acceleration shall not create or imply any additional obligation beyond the improvements expressly described in this Agreement.

Right of Way Dedication: All required right-of-way shall be dedicated at the time of platting of the adjacent land. Right of way for improvements along FM 875, FM 1446, Lone Elm Road, or any internal arterial or collector roadway shall be dedicated concurrent with the plat submittal for the lots that abut such roadway. No right of way dedication shall be required in advance of the platting of adjacent property.

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EXHIBIT G

PD ORDINANCE

Item 19&20

EXHIBIT H

CITY TCEQ CONSENT RESOLUTION

Item 19&20

EXHIBIT I

FORM OF MMD JOINDER AGREEMENT

JOINDER AGREEMENT

THIS JOINDER AGREEMENT (the "Joinder Agreement"), dated as of _____, 20__, is executed by [_____] MUNICIPAL MANAGEMENT DISTRICT NO. 1 ("District"), in connection with that certain Development Agreement (the "Development Agreement") entered into by and between the CITY OF WAXAHACHIE, TEXAS, a home-rule municipality (the "City"), and [_____], a [_____] [_____], dated effective as of _____, 2025. Capitalized terms used herein but not otherwise defined herein shall have the definitions provided in the Development Agreement.

In accordance with Section ___ of the Development Agreement, a copy of which is attached hereto as Exhibit "A" and incorporated herein for all purposes, the District executes this Joinder Agreement in order to become a Party to the Development Agreement. Accordingly, the District hereby agrees as follows with City and the Developer:

1. The District acknowledges and confirms that it has received a copy of the Development Agreement and the schedules and exhibits thereto.

2. The District hereby acknowledges, agrees, and confirms that, by its execution of this Joinder Agreement, the District shall automatically be deemed to be a Party to the Development Agreement, and shall have all of the rights and obligations of the District with regard to property within the District thereunder as if it had originally executed the Development Agreement. The District hereby ratifies, as of the date hereof, and agrees to be bound by all of the terms, provisions and conditions contained in the Development Agreement applicable to it to the same effect as if it were an original Party thereto.

3. This Joinder Agreement shall be governed by and construed and interpreted in accordance with the laws of the State of Texas, and exclusive venue shall lie in Ellis County, Texas.

IN WITNESS WHEREOF, the District has caused this Joinder Agreement to be duly executed by its authorized officer as of the day and year first above written.

[Signature page to follow.]

Item 19&20

[DISTRICT]

By:_____
Name:
Its: President

ATTEST:

By:_____
Secretary

STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 20__ by _____, President of [_____] Municipal Management District No. 1, on behalf of said district.

_____
Notary Public, State of Texas

(SEAL)

_____
Name printed or typed

MINTO COMMUNITIES IMPACT FEES REFUNDING AGREEMENT

THIS MINTO COMMUNITIES IMPACT FEES REFUNDING AGREEMENT ("Agreement") is made and entered into this ___ day of _____, 2025, by and between the City of Waxahachie, Texas ("Waxahachie" or the "City"), and [Minto Entity] ("Developer"), collectively referred to as the "Parties."

W I T N E S S E T H:

WHEREAS, Developer is developing a project in the City ("Development"), which development previously has been approved by the City, and which contains multiple development phases; and

WHEREAS, the legal descriptions of the Development property ("Property") are attached hereto as Exhibit A; and

WHEREAS, the City and Developer wish to address the provision of water and wastewater services as well as the construction of roadways related to the Development; and

WHEREAS, the City and Developer acknowledge that the provision of water and wastewater services, as well as roadway facilities, to the Development is desirable; however, both parties recognize the capital costs associated with the construction of water and wastewater lines and facilities, as well as roadway improvements to the Development; and

WHEREAS, the City has adopted water, wastewater and roadway Capital Improvement Plans (each "CIP") as part of its impact fee ordinance, contained in Article VII, "Impact Fees," of Chapter 33, "Utilities," of the City's Code of Ordinances, as amended, all of which was adopted pursuant to the authority contained in Chapter 395 of the Texas Local Government Code, as amended; and

WHEREAS, the Developer has filed an application with the Texas Commission on Environmental Quality ("TCEQ") to create City of Waxahachie Municipal Management District No. 1 (the "District") to facilitate the design and construction of certain water, sewer, drainage, and roadway infrastructure required to serve the Development; and

WHEREAS, in an effort to facilitate the development of infrastructure serving the Development, the Parties have agreed to the terms and provisions of this Agreement; and

WHEREAS, this Agreement is in the best interests of the City and Developer and it is deemed mutually beneficial to each that the provision of water and wastewater services, as well as roadway improvements, for the Development to proceed uniformly; and

WHEREAS, the City and Developer agree and acknowledge that this Agreement is in addition to the terms and conditions contained in the Development Agreement approved by the Parties via ordinance No. [_____], the terms of which are incorporated by reference.

NOW, THEREFORE, in consideration of the foregoing premises and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the City and Developer covenant and agree as follows:

1. **Water, Wastewater and Roadway Impact Fees; Water, Wastewater and Roadway CIP Projects.** Developer shall pay the City water, wastewater and roadway impact fees, pursuant to applicable provisions of the City's Code of Ordinances, as amended (the "Impact Fees"). In some phases of development there are those impact-fee eligible water, wastewater and roadway projects (individually, "Water CIP Projects," "Wastewater CIP Projects" or "Roadway CIP Projects," and collectively "CIP Project(s)") which are generally identified on the City's Water CIP, Wastewater CIP, and Roadway CIP (or their equivalent) that Developer agrees and has agreed to construct, if and to the extent Developer elects to develop the applicable phase of the Development, which possible CIP Projects being reflected in attached Exhibit B, incorporated by reference. A periodic review of the CIP Projects listed on Exhibit B shall be performed not less than annually to determine if additions or deletions from the list of CIP projects is appropriate and to ensure that all projects that would have otherwise been funded through the City's Impact Fees are accounted for. Any mutually agreed upon revisions to Exhibit B shall be effected by approval of the City Manager in response to written request and not require approval of City Council.

2. **Project Costs; Credit; Payment and Performance Bonds; and Refunding.**

(a) Any CIP project herein shall be constructed by the District, and provided Developer constructs or causes the District to construct, and the City accepts, any CIP Project contemplated by this Agreement, Developer or District, as applicable shall be refunded the portion of the impact fees for the acquisition and construction costs associated with the respective CIP Project(s) that have been designed and constructed by the District. The term "Project Costs" as used herein shall mean the actual construction costs, including design costs, construction costs, engineering costs, surveying costs and geotechnical materials testing, associated with the CIP Project, including the acquisition cost of all right-of-way and offsite easements acquired by Developer or District for a CIP Project.

(b) The City shall deposit all Impact Fees paid from the Property into separate accounts held at the City for each of the roadway, water, and wastewater

impact fees collected from the Property for the purposes of refunding Developer for CIP Project Costs pursuant to this Agreement.

(c) No construction of any CIP Project shall proceed until the District's engineer submits the Project Costs to the City Engineer for review and receives written approval of the Project Costs by the City. The City will use its reasonable efforts to forward any refunding amounts to Developer or District, as applicable, annually for refunding owed by the City on or before March 31 of each calendar year for impact fees collected in the prior year.

3. **Impact Fee Refund.** Based on the cost of Phase 1 and anticipated future phases of the Development, the following is the impact fee refund for the Development as currently shown in the Zoning Ordinance:

(a) One hundred percent (100%) roadway impact fee refund for Project Costs for Roadway CIP Projects completed by the District in all phases until all Project Costs have been refunded;

(b) One hundred percent (100%) sewer impact fee refund for Project Costs for Wastewater CIP Projects completed by the District in all phases until all Project Costs have been refunded; and

(c) One hundred percent (100%) Water Impact Fee refund for Project Costs for Water CIP Projects completed by the District until all Project Costs have been refunded .

4. **Impact Fees Collected.** (a) Developer and the City acknowledge and agree that: (i) the impact fees collected may be less than the refunding to which Developer is entitled and the City does not guarantee the amount of impact fees that will be collected; and (ii) impact fees owed on the Property shall be paid in accordance with the City's impact fee ordinance, as amended. Moreover, the amount of any impact fee charged by the City shall never be deemed to have vested, and said amount shall be consistent with the impact fees then charged by the City.

5. **Refunds from Water, Wastewater or Roadway Impact Fees.** Any refund to Developer contemplated by this Agreement shall come only from water, wastewater, or roadway impact fees collected by the City for eligible CIP Projects in the Development. The refund of water impact fees for any Water CIP Project, wastewater impact fees for any Wastewater CIP Project or roadway impact fees for any Roadway CIP Project shall cease when the amount tendered through the refund of collected water, wastewater, or roadway impact fees equals the Project Costs, defined above.

6. **Timing of Refunding by the City.** Water, wastewater, and roadway impact fees collected by the City shall be refunded to Developer by eligible Water CIP Project, Wastewater CIP Project, or Roadway CIP Project, based upon the order of the City's acceptance of such Project. For purposes of clarification, upon the City's acceptance of the first Water CIP Project, Developer shall receive refunded amounts until Developer is paid the full amount deemed eligible for refunding. If a second Water CIP Project is accepted by the City prior to full refunding for the first Water CIP Project, no refunding shall be paid for the second Water CIP Project until refunding for the first Water CIP Project has been made in full.

7. **Obligation to Refund.** The City shall refund Developer from applicable impact fee eligible Water CIP Projects, Wastewater CIP Projects and/or the Roadway CIP Projects for the Development pursuant to this Agreement.

8. **Impact Fee Credits**. For certain projects that are not CIP Projects that are listed on Exhibit C attached hereto, Developer shall be entitled to impact fee credits from the City which shall be effective to offset future Impact Fees otherwise payable for improvements constructed on the Property.

8. **Assignment.** Developer shall have the right to assign this Agreement, in whole or in part, only to one or more parties purchasing undeveloped portions of the Development, which party (or parties) shall have the option to construct any CIP Projects located in such portions. As to the sale of land by Developer to any party to whom this Agreement has not been assigned, in whole or in part, the purchaser thereof shall have no rights or obligations under this Agreement and this Agreement shall not apply with respect to such land.

9. **Default**. If Developer fails to comply with any provision of this Agreement after receiving fifteen (15) days written notice to comply from City or such longer period as may be reasonably necessary provided that Developer commences to cure the default or breach within the 15-day period and proceeds with reasonable diligence thereafter to complete such cure, then so long as such default continues and is not cured, City shall have the following remedies, in addition to City's other rights and remedies:

(a) to refuse to accept any public improvements as to the applicable portion of the Development to which the default relates; and/or

(b) to construct and/or complete the CIP Projects and to recover any and all costs and expenses associated with the construction and/or completion of same, including, but not limited to, any and all reasonable attorney's fees and costs associated therewith; and/or

(c) The Water Impact fees deposited in separate city account shall return to the overall City Water Impact Fee fund account and the developer(s) shall waive their right for reimbursement of these funds and waive claims to unspent impact fee funds within the timeline set in Chapter 395 of the Texas Local Government Code; and/or

(d) to seek specific enforcement of this Agreement.

In the event City fails to comply with the terms and conditions of this Agreement, Developer may seek specific enforcement of this Agreement and/or bring suit to recover any amounts due and owing hereunder, including reasonable attorney fees, (but not consequential or punitive damages) as its sole and exclusive remedies.

10. **Other Applicable Development Ordinances.** Unless otherwise expressly stipulated in this Agreement, nothing herein shall relieve any developer from responsibilities for the construction of other public improvements under applicable development ordinances of the City.

11. **Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Ellis County, Texas. Venue for any action arising under this Agreement shall lie in Ellis County, Texas.

12. **Notices.** Any notices required or permitted to be given hereunder shall be given by certified or registered mail, return receipt requested, to the addresses set forth below or to such other single address as either party hereto shall notify the other:

If to the City: The City of Waxahachie, Texas
408 S. Rogers Street
Waxahachie, Texas 75165
Attn: City Manager's Office

If to Developer: [_____]
[_____]
[_____]
Attn: [_____]

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

14. **Sovereign Immunity**. The parties agree that City has not waived its sovereign immunity by entering into and performing its obligations under this

Agreement; however, for purposes of enforcement of this Agreement, City agrees that it has waived its sovereign immunity, and to that extent only.

15. **Effect of Recitals.** The recitals contained in this Agreement: (a) are true and correct as of the effective date; (b) form the basis upon which the parties negotiated and entered into this Agreement; (c) are legislative findings of the City Council; and (d) reflect the final intent of the Parties with regard to the subject matter of this Agreement. In the event it becomes necessary to interpret any provision of this Agreement, the intent of the Parties, as evidenced by the recitals, shall be taken into consideration and, to the maximum extent possible, given full effect. The Parties have relied upon the recitals as part of the consideration for entering into this Agreement and, but for the intent of the Parties reflected by the recitals, would not have entered into this Agreement.

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

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

18. **Entire Agreement.** This Agreement contains the entire agreement between the Parties hereto and supersedes all prior agreements, oral or written, with respect to the reimbursement of impact fees. The provisions of this Agreement shall be construed as a whole and not strictly for or against any party.

19. **Savings/Severability.** Invalidation of any one of the provisions of this document by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect. In the event any provision of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable, the Agreement shall, to the extent reasonably possible, remain in force as to the balance of its provisions as if such invalid provision were not a part hereof.

20. **Notification of Sale or Transfer.** Developer shall notify the City in writing of a sale or transfer of all or any portion of the Property where Developer plans to assign all or a portion of this Agreement, as contemplated herein, within ten (10) business days of such sale or transfer.

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

full authority to execute this Agreement and bind Developer to the same. This Agreement is and shall be binding upon Developer, its successors, heirs, assigns, grantees, vendors, trustees, representatives, and all others holding any interest now or in the future.

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

23. **Indemnification.** From the Effective Date of this Agreement to the date on which all work with respect to any CIP Project is completed and all improvements, as contemplated herein, have been accepted by the City, Developer, individually and on behalf of its respective officers, directors, partners, employees, representatives, agents, successors, assignees, vendors, grantees and/or trustees, does hereby agree to release, defend, indemnify and hold harmless City and its elected and appointed officials, officers, employees and agents from and against all damages, injuries (including death), claims, property damages (including loss of use) losses, demands, suits, judgments and costs, including reasonable attorney's fees and expenses (including attorney's fees and expenses incurred in enforcing this indemnity), caused by the negligent, grossly negligent, and/or intentional act and/or omission of the applicable developer, its officers, directors, partners, employees, representatives, agents, or any other third parties for whom such developer is legally responsible, in its/their performance of this Agreement, including but not limited to, the construction of any CIP Projects contemplated herein (hereinafter "claims"). Developer is expressly required to defend the City against all such claims arising under this Agreement, and the City is required to reasonably cooperate and assist developer(s) in providing such defense.

24. **Approval of Counsel.** In its reasonable discretion, the City shall have the right to approve counsel to be retained by Developer in fulfilling its obligation hereunder to defend and indemnify the City. The City reserves the right to provide a portion or all of its' own defense, at its sole cost; however, the City is under no obligation to do so. Any such action by the City is not to be construed as a waiver of Developer's obligation to defend the City or as a waiver of Developer's obligation to indemnify the City pursuant to this Agreement. Developer shall retain City-approved defense counsel within seven (7) business days of the City's written notice that the City is invoking its right to indemnification under this Agreement.

25. **Survival.** Paragraph 24, "Indemnification," shall survive the termination of this Agreement.

26. **Additional Representations.** Each signatory represents this Agreement has been read by the Party for which this Agreement is executed and that such Party has had the opportunity to confer with its counsel.

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

28. **No Third Party Beneficiaries.** Nothing in this Agreement shall be construed to create any right in any third party not a signatory to this Agreement, and the Parties do not intend to create any third party beneficiaries by entering into this Agreement.

29. **Applicability of City Ordinances.** The signatories hereto shall be subject to all applicable ordinances of the City, whether now existing or in the future arising.

30. **Rough Proportionality.** Developer hereby agrees that any land or property donated and/or dedicated pursuant to this Agreement, whether in fee simple, by easement or otherwise, to the City for utility or roadway purposes, including the provision of water and/or wastewater services or roadways to any lots that may be platted, relative to any development on the Property is roughly proportional to the need for such land and Developer hereby waives any claim therefor that it may have. Developer further acknowledges and agrees that all prerequisites to such a determination of rough proportionality have been met, and that any costs incurred relative to said donation are related both in nature and extent to the impact of the development referenced herein. Both Developer and the City further agree to waive and release all claims one may have against the other related to any and all rough proportionality and individual determination requirements mandated by the United States Supreme Court in *Dolan v. City of Tigard*, 512 U.S. 374 (1994), and its progeny, as well as any other requirements of a nexus between development conditions and the provision of water services to the Property.

31. **Attorney's Fees.** Developer agrees to pay, or cause to be paid, to Waxahachie any attorney's fees charged to Waxahachie by Waxahachie's legal counsel for, among other things, legal review and revision of this Agreement and all further agreements, ordinances or resolutions contemplated by this Agreement, negotiations and discussions with Developer's attorney and the provision of advice to applicable Waxahachie City Staff and the Waxahachie City Council, within ten (10) days upon receipt of an invoice of same from Waxahachie.

IN WITNESS WHEREOF, the parties hereto have caused this document to be executed as of the date first above written.

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THE CITY OF WAXAHACHIE, TEXAS

By: _____
Name:
Title: City Manager

STATE OF TEXAS)
)
COUNTY OF ELLIS)

This instrument was acknowledged before me on the ____ day of _____, 2025, by [_____], City Manager for the City of Waxahachie, Texas, on behalf of the City of Waxahachie, Texas.

_____
Notary Public, State of Texas

DEVELOPER:

[_____],
a [_____] [_____]

By:_____
Name: Theodore Neuweiler
Title: Division President Acquisitions and Development

STATE OF TEXAS §
§
COUNTY OF DALLAS §

This instrument was acknowledged before me on the _____ day of _____, 2025 by [_____], [_____] of [_____], a [_____] [_____], as the [_____] of [_____], a [_____] [_____], on behalf of said entity.

_____
Notary Public in and for the State of Texas

EXHIBIT A
(Property Legal Description)

EXHIBIT B
(CIP Projects to be Constructed by Developer)

Item 19&20

Exhibit B

Facility	Limits	Project responsibility	Project Estimated Cost	City CIP Allocation	City CIP Designation/ID	Proposed Impact Fee Credit	Proposed City Participation
Brookside Intersection							
Project 1 (Phase 2)	Brookside: IH-35 SBFR to Jug Handle Intersection	Added turn lanes & re-striping; see Exhibit F6 and F7 for laneage configuration	$ 990,582	N/A	N/A	$ 990,582	$0
Project 2 (Full Buildout)	Brookside: IH-35 SBFR to Business 287	4 lanes including widening Bridge Signalize Brookside/IH-35 SBFR Intersection and Brookside/Jug Handle Intersection Note - Brookside/Business 287 intersection is failing now. City responsible for remediation including right of way acquisition	$ 4,173,750	$ 5,909,000	140	$ 4,173,750	$0
North-South Arterial							
NSA-1 through NSA-5	1446 to 875	4 lanes - 15,045 LF	$ 22,567,500	$ 55,712,000	161	$ 22,567,500	$0
		Turn lanes and signalization at FM 1446 (see attached exhibit for intersection layout)	$ 1,134,827			$ 1,134,827	$0
		Turn lanes and signalization at FM 875 (see attached exhibit for intersection layout)	$ 978,170			$ 978,170	$0
East-West Arterial							
EWA-1 & EWA-2	IH-35 to RR-1	6 lanes - 4,955 LF	$ 8,919,000	$ 49,929,000	149	$ 8,919,000	$0
EWA-3 through EWA-7	RR-1 to GWA-2	4 lanes - 11,905 LF	$ 17,857,500			$ 17,857,500	$0
		Multi-lane Roundabout at EWA-4 intersection with NSA-2	$ 500,000			$ 500,000	$0
Greenway Arterial							
GWA-1	North	60' R.O.W. dedication + 12' R.O.W. dedication at any future intersection locations	$ -	$ 18,677,000	145 & 150	$ -	$0
GWA-2	Central	2 lanes - 3,325 LF 120' R.O.W. dedication + 12' R.O.W. dedication at any future intersection locations	$ 3,657,500			$ 3,657,500	$0
GWA-3	South	60' R.O.W. dedication + 12' R.O.W. dedication at any future intersection locations	$ -	$ 6,285,000	144	$ -	$0
Potable							
Offsite	20" at 287/875 to property	Construct 20" main from existing 16" at 287/875 to the property	$ 4,047,507	$ 4,903,600	D3	$ 4,047,507	$0
	16" parallel to IH-35	Construct 16" main from existing 24" on 287 along I35 to the property line in Phase 1	$ 582,768			$ 582,768	$0
Onsite						$ -	$0
	All onsite mains larger than 12"		$ 10,990,399			$ 10,990,399	$0
Sanitary							
Offsite	Gravity From Project to Proposed Lift Station	Contruct 36" Gravity Main from Property Line to the Proposed Regional Lift Station Site	$ 4,350,000	$ 49,375,500	Portion of 13, 14, 15	$ 4,350,000	$0
	Initial Regional Lift Station and Force Main	Lift Station and 18" Forcemain infrastructure from terminus of 30" Gravity to Treatment Plant	$ 19,742,800			$ 19,742,800	$0
	Final Regional Lift Station and Force Main	Lift Station and 30" Forcemain infrastructure from terminus of 30" Gravity to Treatment Plant	$ 22,783,700			$ 22,783,700	$12,000,000
Onsite	Gravity Mains above 12"		$ 13,035,220	$ 4,736,200	D2	$ 13,035,220	
TOTAL			$ 136,311,222.63			$ 136,311,223	$12,000,000

EXHIBIT C
(Impact Fee Credit Projects)

Item 19&20

EXHIBIT C

IMPACT FEE CREDITS

Facility	Limits	Project Responsibility	Project Estimated Cost	City CIP Allocation	Proposed Impact Fee Credit	Proposed City Participation
Potable						
	Water Tower and Pumping Facilities	1.0 MG Elevated Storage Tank, 5.0 MGD Pump Station, and 1.0 MGD Ground Storage Tank	$ 9,000,000	$0	$ 9,000,000	$0
TBD						

Item 19&20

SUPPLEMENTAL INFORMATION

Executive Summary

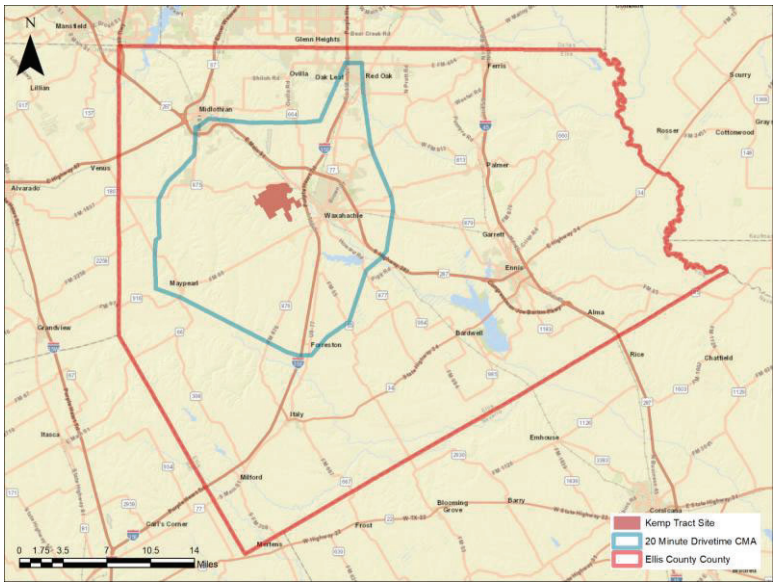
Purpose Of The Study

This is intended to be a high-level investigation of demand at the Kemp Ranch site for office and industrial space at all sizes and levels, as well as demand for retail, medical office, hospitality/hotels, and self-storage uses. The framework for this commercial real estate market analysis is the evaluation of supply and demand within the context of the economic conditions and trends that influence development opportunities within a reasonable market area.

Study Areas

The study areas depicted in the map to the right were used for most of the demographic and market examination in this project. In addition to Ellis County and the 20-minute drive time area centered on Kemp Ranch, certain demographic and market data was also examined for the Dallas-Fort Worth Metropolitan Statistical Area (MSA), the City of Waxahachie, and an expanded study area that includes Ellis, Johnson, Kauffman, and Navarro Counties.

Primary Study Areas



Demographic Highlights

The populations of both the 20-minute drive time area and Ellis County have grown by more than 16% since 2020 and are expected to grow by at least 12% by 2029. This is more than twice the rate of the Dallas-Fort Worth MSA as a whole. Median household incomes in both study areas also more than $15,000 than in the MSA as a whole.

Employment Highlights

Industry-wide, both employment and average weekly wages increased every year from 2015 to 2024, with the exception of 2020. Over 15,000 jobs have been added during this decade, nearly one third of which have been in Construction and Accomodation and Food Services. Nearly 40% of all jobs in Ellis County are in the Manufacturing, Educational Services, and Retail Trade sectors. Nearly 60% of employed Ellis County residents work outside of the County.

Office

There is just under 1.5 million square feet of office space located in Ellis County, about 675,000 square feet having a Waxahachie address. Occupancy is 89.8%, though nearly 98% of existing office space is leased. Rents average $27.79 per square foot. Forecast demand for new office space in the Kemp Ranch site over a ten year period from 2027-2037 is between 8,200 and 14,760 square feet.

There is nearly 1 million square feet of medical office space in Ellis County, over half of which is located in Waxahachie. Occupancy is 93.7% and rents average $29.10 per square foot. Forecast demand for new medical office space in the Kemp Ranch site over a ten year period from 2027-2037 is between 30,000 and 40,000 square feet.

Industrial

Over 31 million square feet of industrial space is presently located in Ellis County. Occupancy is 92.0% and rents average $9.04 per square foot. With average absorption of nearly 400,000 square feet per year in the past decade and nearly 2 million square feet proposed or under construction, industrial has been the most active commercial land use being developed in Ellis County in recent years. There is potential demand for a considerable amount of industrial space in Waxahachie, and it could serve as a secondary commercial land use in the Kemp Ranch site, likely on the periphery of the development.

Hospitality

Just over half of all keys and 2023 hotel room revenues in Ellis County are located in Waxahachie. Nearly 800 new hotel rooms are planned in Ellis County at present, also about half of which are to be located in Waxahachie. Given the expected increase in demand for hotels compared to what is presently planned, demand for hotel space will likely be met without a hotel being built on the Kemp Ranch property.

Self Storage

Presently, there is over 1.2 million square feet of self storage space located in the 20 minute drive time market area. Based on the projected future population for the land area within 20 minutes of the subject site, the current supply of rentable storage space would support the next five years of standard population growth. The are appears to be oversupplied with self-storage inventory at present. Any use of the Kemp Ranch site for self storage space would need to be constructed near the end of the property's development, if at all.

Retail

A total of 10.5 million square feet of retail space presently exists in Ellis County, about 4.5 million square feet located in Waxahachie. Occupancy is quite high at 97.1%. Rents average $21.75 per square foot. The most-recent twelve month absorption was 275,000 square feet, with nearly 300,000 square feet of newly-constructed space delivered. Over 800,000 square feet of retail space is presently under construction or proposed in Ellis County, 65,000 square feet of which is in Waxahachie.

To forecast demand for new retail space in the Kemp Ranch site over a ten year period from 2027-2037, CDS used capture rates of 25% and 37.5% of forecast county-wide growth during this period. Based on these capture rates and the recent absorption trends in the market area, forecast retail demand for the Kemp Ranch site from 2027 through 20237 is between 457,894 and 686,840 square feet.

The City of Waxahachie contains 282 square feet of retail per household living within its boundaries. For Ellis County, this figure is 133. Comparing the present retail situation in Waxhachie and Ellis County to the region, the state, and the nation indicates that these figures are considerably higher than those seen in more heavily developed areas. For example: The Dallas-Fort Worth MSA figure is 119, Collin County's is 117, and Denton County's is 96. The estimated national average is 53 square feet of retail per household.

Additional Retail

In addition to the site share analysis of retail potential for the Kemp Ranch site, which looks at retail development and performance in the recent past to inform its likely future, an examination of the long-term demographic forecasts and future retail demand was also produced. The long-term forecast used for this analysis is from the 2050 Regional Forecast and Mobility Plan issued by the North Central Texas Council of Governments (NCTCOG) in 2024. To produce this analysis, CDS examined the relationship between the number of households, estimated retail consumer buying power, and existing retail space located within the established retail CMA (Ellis County).

Using these metrics as a basis for the analysis, the NCTCOG 2050 Regional Forecast of households was examined. In addition to Ellis County, the forecast was collected for two other market areas, the 20-minute drive time area from the Kemp Ranch site (also used in the self-storage demand analysis) and an "expansive" regional retail demand area that includes Ellis County as well as Johnson, Kauffman, and Navarro Counties. The expected and aspirational capture rates for Kemp Ranch assumed for the Ellis County CMA were 20% and 30% respectively. For the 20-minute drive time area these rates were 50% and 70%. For the four county "expansive" area, the capture rates were 7% and 11%.

This analysis produced the following forecast demand for retail space in the Kemp Ranch site.

- Ellis County CMA: between 643,410 and 965,114 square feet
- 20-Minute Drive Time CMA: between 601,467 and 842,054 square feet
- Expansive CMA: between 651,587 and 1,023,923 square feet

minto Communities

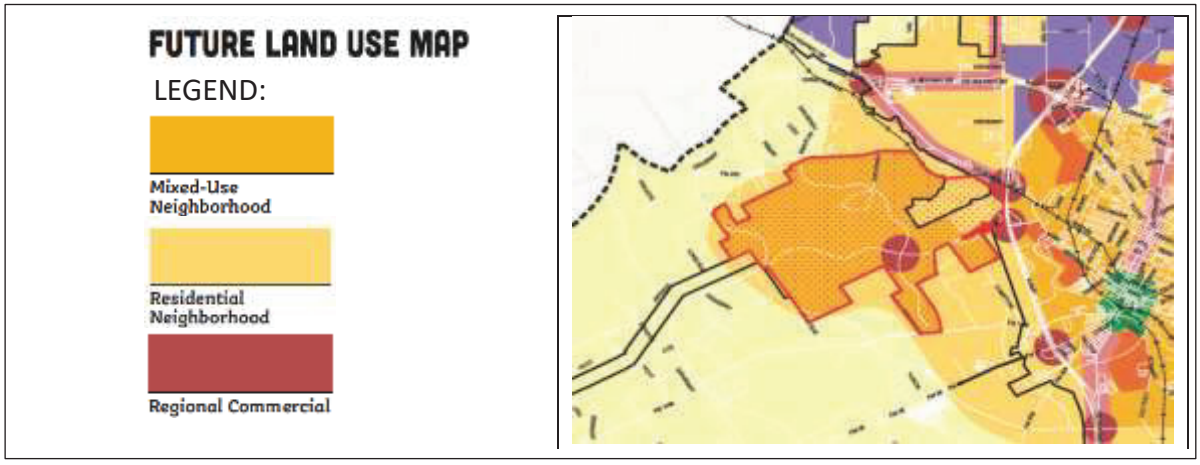
"KEMP TRACT"
COMPLIANCE WITH COMPREHENSIVE PLAN

The proposed "Kemp Tract" Planned Development is a thoughtfully designed master planned community that advances and realizes goals and objectives set forth in the City of Waxahachie's 2023 Comprehensive Plan. It will be the largest development in Waxahachie's history and will provide a balanced mix of housing options for future Waxahachie citizens while at the same time substantially expanding the economic base for generations to come.

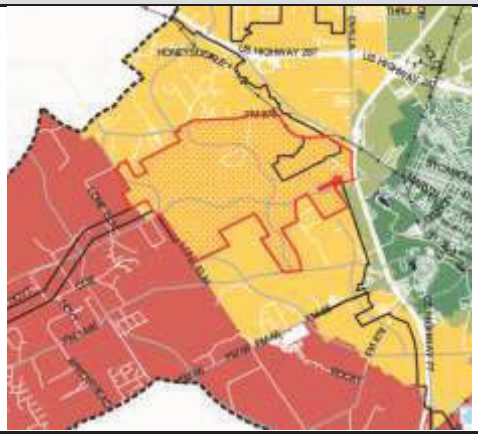
As presented in the table below, the proposed development is directly supported by the Future Land Use Map and a vast majority of the City's goals, objectives, policies and recommendations set forth in the City's Comprehensive Plan. The Plan consistently reiterates several themes carried through in the proposed development including mix of housing types, connectivity, pedestrian trails, open space, and fiscal responsibility which the proposed design and regulations meticulously incorporate.

The below chart details how MINTO's proposal directly conforms to the Future Lan Use Map in the City's Comprehensive Plan and meets or exceeds each principle or recommendation in that Comprehensive Plan.

FUTURE LAND USE MAP DESIGNATION
The Future Land Use Map shows three land use types for the subject property: Mixed-Use Neighborhood, Residential Neighborhood, and Regional Commercial.



Mixed-Use Neighborhood 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.	The majority of the subject site falls within the Mixed-Use Neighborhood designation. The proposal includes such Typologies recommended in the Comprehensive Plan for the Mixed-Use Neighborhood designation as single-family detached, accessory dwelling units, cottages, townhomes, and neighborhood-scale retail and commercial uses. Pocket parks and other open spaces are conveniently located throughout the site. This community will be an exceptional example of "live, work and play" as recommended by the Comprehensive Plan. Residents in both the Active Adult and Multigenerational neighborhoods will have robust amenities within this community in addition to being able to enjoy all that Waxahachie offers, including its historic Downtown. *The proposed development is directly supported by this land use classification.*
Residential Neighborhood Although this placetype will predominantly consist of traditional single family detached housing, denser housing types are encouraged such duplex, cottage courts, and townhomes.	Some of the eastern portions of the site close to I-35 fall within the Residential Neighborhood Future Land Use designation. This includes some of the Active Adult and Intergenerational residential neighborhoods. In addition, we propose a Mixed-Use area close to I-35. We believe this insertion of non-residential uses makes sense given the proximity to a major interstate highway, and minimizing traffic impact on the residential neighborhood areas further west within the proposed Planned Development. *The residential component of the proposed development is directly supported by this land use*

	classification. Other policies and objectives in the Comprehensive Plan support the proposed retail component.
Regional Commercial: Logically placed near high traffic intersections, these spaces bring people from many surrounding neighborhoods. Typical uses will include regional businesses including but not limited to restaurants, retail, gas stations, and office. Common Uses include: Major Retail Entertainment Restaurants Auto-Oriented Businesses Multi-Family Residential Over	The Future Land Use Map also includes a Regional Commercial node which was largely contemplated with the Emory Farms PD. We propose a very similar Mixed-Use area at this general location as shown in the Future Land Use Map. Mixed-Use areas per the proposed PD would be limited to 20% residential.
GROWTH SECTOR MAP	
	
Controlled Growth Sector designation: If development is allowed outside the infill growth and infill rim, it should	The property falls entirely within the Controlled Growth Sector (see below map). This is outside of the Infill Growth

develop in a higher density way that generates value above and beyond the cost of associated infrastructure costs. • Development in this sector should align with the guiding principles of this plan, particularly those related to diversifying the housing and neighborhood options in the city.	and Infill Rim areas, thus in an area where the Comprehensive Plan supports higher densities in order to generate revenues that cover and exceed infrastructure costs. The development will generate substantial density which will translate into significant revenues to pay for development amenities and municipal services. A development agreement will further provide the essentials for the extension of infrastructure for the development, help facilitate a tool to assist in the financing of the vast amount of amenities and infrastructure for the development, while at the same time establishing design standards to assure the aesthetic appeal for the neighborhoods. *The proposed development is firmly consistent with the Growth Sector Map recommendation.*
COMPREHENSIVE PLAN GOAL OR OBJECTIVE	**COMPLIANCE**
GUIDING PRINCIPLES	
Comprehensive Plan Guiding Principle #1 (page 36 of the Comprehensive Plan): "Resource stewardship and fiscally responsible growth ensures a more prosperous community for the long haul." "the city will seek to improve development to provide a better return on its investment and to align the services that they provide with what the community is willing to pay for." "Waxahachie is committed to protecting and preserving its natural resources as	MINTO proposes to develop in a Growth Sector in which the Comprehensive Plan supports higher densities in order to generate revenues that cover and exceed infrastructure costs, thus aligning with the recommendation for fiscally responsible growth. A Development Agreement is proposed to ensure the timely and high-quality delivery of the necessary infrastructure, and long-term maintenance, to successfully support this community for decades to come. In addition, a significant amount of natural areas will be preserved

well. Ensuring that the community has access to the scenic and natural qualities in and around Waxahachie is paramount to success."	for trails and other passive recreation activities for residents to enjoy.
Comprehensive Plan Guiding Principle #2 (page 36 of the Comprehensive Plan) : "Our historic core is valuable and worthy of investment and incremental improvement."	The proposed development will bring additional patrons, employees and business owners for the historic downtown which will further the City's investment and incremental improvement in the historic downtown.
Comprehensive Plan Guiding Principle #3 (page 37 of the Comprehensive Plan) : "When what we need is closer to home, we need fewer roads and quality of life improves." "Quality of life is measured at the neighborhood level."	The proposed community will consist of walkable neighborhoods with convenient retail and service uses, amenities and open spaces, as well as future schools and other public uses. The focus will be on creating active, interesting neighborhoods which will foster a high quality of life. In this regard, the neighborhoods will include many "complete" attributes promoted in the Comprehensive Plan including proximity to open space and parks, well-designed mix of residential, commercial and recreational uses which will further an enhanced quality of life which is set forth as a primary goal in the Comprehensive Plan.
Comprehensive Plan Guiding Principle #4 (page 37 of the Comprehensive Plan): "When housing types are diverse and plentiful, more people can afford to live comfortably." "it's important to understand that not everyone can afford or wants to live in a detached single-family home in an exclusively residential neighborhood." "As demographics shift to a more balanced mix of ages, interests, and incomes, more people are looking for options that are more affordable and/or in a different context, such as a duplex or small cottage	MINTO proposes numerous and diverse housing types including (but not limited to) residential detached homes, cottages, villas, townhomes, and multi-family living, giving residents of various ages and income levels choices of where to live. This mix of housing types directly furthers Comprehensive Plan Guiding Principle #4 primarily by providing a mix of options both in typology and context as suggested by the Comprehensive Plan. To that extent, this proposed development is uniquely situated to satisfy the Plan's recommendations for diverse housing stock and affordability and fulfill each and every Comprehensive Plan principle in a manner unmatched by any other development in Waxahachie.

that's more affordable due to the smaller size, or upscale urban living and townhomes that are more expensive but in a walkable, mixed-use context as discussed previously." "A critical piece of the puzzle required to keep housing affordable for everyone in a community is to build and maintain a mix of options both in typology and context.	
Comprehensive Plan Guiding Principle #5 (page 38 of the Comprehensive Plan): "Everyone deserves access to a safe, affordable, and efficient mobility system."	MINTO's proposal reflects a safe and efficient mobility system for pedestrians, bicyclists and automobiles and will comply with City of Waxahachie standards. Streets are well-designed, safe pedestrian connections are provided, trails are proposed through natural settings for hikers and bicyclers, and connectivity to open space and parks is a primary hallmark for the development. These attributes directly further Comprehensive Plan Guiding Principle #5.
Comprehensive Plan Guiding Principle #6 (page 38 of the Comprehensive Plan): Our culture, places, and people form the foundation for a diverse, resilient, and locally-focused economy.	MINTO's proposal will add residents, employment, retail and other services to the Waxahachie community. With this growth of the City comes a larger and more vibrant local economy, with more residents to patron and grow local businesses.
LAND USE & GROWTH MANAGEMENT RECOMMENDATIONS	
1. Build complete neighborhoods, not just residential subdivisions. (page 59 of the Comprehensive Plan) Complete neighborhoods are not only a quality of life improvement but also reap many financial benefits for the City. In a complete neighborhood, streets and sidewalks are interconnected to make daily needs more accessible by walking	The proposed development is a completely unique project with many benefits to be derived by the City. It represents a great example of a complete neighborhood and not just another residential subdivision. Multi-generational and resort-style Active Adult neighborhoods are included, with robust amenities such as mixed use nodes, adventure park, pocket parks and open spaces, nature trail systems, as well as retail

or biking. Complete neighborhoods have housing, schools, parks and commercial/personal services within a close proximity to make daily goods and services more accessible from home.	shopping, entertainment, and mixed-use areas. This proposal offers a high quality of life for residents of all ages. In this regard, the proposed development is directly in line with this first recommendation.
2. Implement new policies to manage and direct growth. (page 59 of the Comprehensive Plan) Analysis conducted with this Comprehensive Plan shows that expansion of the city limits and extension of new infrastructure is not necessarily required to accommodate a majority of the projected growth. The City should utilize the growth sector map to prioritize development in areas with existing infrastructure instead of extending infrastructure to undeveloped areas, which would unnecessarily increase the City's liabilities long-term.	While some properties are requested to be annexed into the City of Waxahachie, most of the property is currently within the city limits and within the previously approved Emory Lakes Planned Development (PD). MINTO's proposal falls within the Controlled Growth Sector which is outside of the Infill Growth and Infill Rim areas, thus in an area where the Comprehensive Plan supports higher densities in order to generate revenues that cover and exceed infrastructure costs which is consistent with the proposed planned development.
3. **Expand the City's Park, Open Space, and Trail System. (page 59 of the Comprehensive Plan)** As the City continues to grow, it is essential to prioritize and preserve open space areas for recreational purposes. Parks are a quality of life improvement and critical spaces for community gathering and interaction.	MINTO proposes to construct and dedicate to the City its portion of the Waxahachie-Midlothian Regional Trail, while including additional trail elements such as drinking water fountains and seating. MINTO proposes to build extensions of the Regional Trail system into the development thus providing important connectivity for future residents to the City's Regional Trail system. In addition, MINTO's proposal includes numerous internal parks, open spaces, and trails in furtherance of this recommendation.
4. Calibrate development standards to allow the type of development envisioned within each placetype. (page 59 of the Comprehensive Plan) Single use subdivisions and regional commercial centers conflict with the community's desired values, particularly fiscal responsibility, affordability, and	MINTO's proposal includes a diverse mix of residential housing types, retail and other personal services, amenities, parks, open spaces, and trails. The proposed PD development standards and development standards proposed for the development agreement ensure this mix of uses and amenities.

healthy living. Development standards should be updated to support the place types and complete neighborhood principles established in this Plan.	
Overcoming Barriers to success with regard to Land Use and Growth Management (pages 66-67 of the Comprehensive Plan): #2: Updating the land use approach to place types and combining that with upgraded design standards that clarify base expectations for different types of neighborhoods can improve clarity and reduce staff time processing developments, while still ensuring development meets the community's standards and goals.	MINTO's proposal is designed to be a series of communities with a variety of residential types in close proximity to retail, open space, parks and public spaces furthering the recommendation of creating placetypes in the Comprehensive Plan.
MOBILITY AND CONNECTIVITY RECOMMENDATIONS	
1. Coordinate land use and mobility strategies to create commercial nodes in each quadrant of the City and within neighborhoods (page 81 of the Comprehensive Plan). Currently the majority of commercial activity occurs along 77. Complete neighborhoods can remove the traffic burden from 77 by encouraging schools, parks, commercial and personal services within a short walking or biking distance.	Appropriate Mixed-Use nodes are proposed within the development that closely align land use with the street network. Larger, commercial nodes are appropriately planned at the perimeter of the development to capture regional traffic on major thoroughfares. In addition, there will be future schools within the community, providing opportunities for future students within this community to walk to school. The proposed commercial uses will provide retail alternatives to the overburdened 77 corridor.

3. Improve network connectivity (page 81 of the Comprehensive Plan). A grid style network with short block lengths promotes efficient traffic distribution, helps prevent congestion at concentrated intersections, and slows cars down in neighborhoods where pedestrian safety is the priority.	As shown on the Thoroughfare Plan exhibit, a well-connected network of roadways is proposed, with the arterial roadways including a multi-use trail. Final street sections and the roadway plan, which are proposed to conform to the standards in the Comprehensive Plan, are subject to City staff's acceptance.
4. Design neighborhood streets to prioritize people, place, and productivity (page 81 of the Comprehensive Plan). In order to build complete neighborhoods and mixed-use centers that generate above average value per acre, streets in these areas must prioritize human interaction, pedestrian mobility, and placemaking over traffic or speeds.	Streets are designed in a manner that prioritizes pedestrian safety and enjoyment over maximizing traffic speeds. Streets will be pedestrian-friendly with interconnected sidewalks and trails. Off-road trails provide alternate means of connectivity and separate the pedestrian and bicycle enthusiast from vehicles.
5. Prioritize safe and efficient movement of vehicles on arterials (page 81 of the Comprehensive Plan). Whereas neighborhood streets are designed to prioritize people and place over cars, arterial corridors should be dedicated to moving vehicles efficiently across the city. Major and minor arterials should be designed to limit access, crossings, and bike/pedestrian facilities to promote safe and efficient movement of vehicles and reduce opportunities for pedestrian conflict points.	MINTO agrees with this Recommendation. The proposed street sections include infrastructure for pedestrians with the arterial sections including a multi-purpose trail for pedestrians and bicyclists. Further, per Comprehensive Plan recommendation, green parkways are added outside of travel lanes to separate the pedestrian from the street providing another level of safety.
6. **Maximize return on Investment for mobility infrastructure (page 81 of the Comprehensive Plan).** The city currently has more street infrastructure than it can afford to maintain long-term without additional revenue. Proactive preventative maintenance and design strategies to	In this development, street sections are designed consistent with the Comprehensive Plan criteria in a manner so as not to build overly wide streets. Overly wide street would ultimately require more pavement to maintain while also increasing the design speed of vehicles, thus decreasing pedestrian and

reduce pavement width can spread costs out over longer periods, while intentional growth management strategies can be used to increase tax revenue productivity in served areas and new development. Together, these can help close the infrastructure funding gap over time.	bicycle safety. As noted above, the proposed streets are designed in a manner that prioritizes pedestrian safety and enjoyment over maximizing traffic speeds.
7. Provide mobility options for everyone (page 81 of the Comprehensive Plan). Building and maintaining a well-connected network of sidewalks and bike facilities will ensure those who want or need to get around the community without a car are able to do so safely and conveniently.	This Planned Development is designed in a manner that safely accommodates pedestrians, bicycles, and automobiles. Additionally, to promote additional modes of mobility, the Developer or MMD will provide locations for transit stops in the event public transit is available.
NEIGHBORHOODS & DOWNTOWN RECOMMENDATIONS	
1. Maintain the Character of Waxahachie (page 105 of the Comprehensive Plan). Development and redevelopment should match the existing character of Waxahachie. The traditional pattern of development in the older parts of Waxahachie reflects the principles and goals of this plan. New development should continue this pattern whether constructed in infill or greenfield settings.	Thoughtful architectural guidelines based on local vernacular architecture and sound development standards have been proposed that respect and align with the existing character of existing and historic Waxahachie neighborhoods. Further, much like other areas of Waxahachie, the proposal aims at building neighborhoods, not subdivisions.
2. Diversify housing mix to encourage diverse housing types at various price	MINTO proposes a robust and diverse mix of housing types including, but not limited to, residential detached homes, cottage

points (page 105 of the Comprehensive Plan). Building more smaller homes that use less land is one of the key takeaways for becoming more fiscally sustainable as a city and a key element of making housing more affordable to build, rent, and own. The City can work toward ensuring a healthy mix of options by requiring a percentage mix in existing and new neighborhoods dependent on the size of the development and applicable Place Type.	homes, villas, townhomes, and multi-family living, giving residents of various ages and income levels choices of where to live.
3. Prioritize infill and revitalization to maximize existing infrastructure and public services (page 105 of the Comprehensive Plan) . This is the fastest way to close the City's resource gap and maximize return on taxpayers' investments. There are numerous vacant parcels and plenty of opportunities for Accessory Dwelling Units (ADUs) and vertical development to add incremental density and diversify housing and commercial options without requiring more infrastructure. Additionally, providing smaller units makes them more affordable for residents and small business owners. All development, whether infill or greenfield, should be context-sensitive so as not to disrupt the neighborhood's character and fabric.	The proposal is not an infill development, but a series of neighborhoods offering a variety of residential types and retail uses intermingled with an intricate trail network. As noted in the Growth Sections section above, the diversity of housing types including some higher density products aligns with the Comprehensive Plan's recommendation for the Controlled Growth Sector and helps offset costs for new infrastructure.
4. Update design standards to preserve historic places and encourage higher quality design standards in historically significant areas of the City (page 105 of the Comprehensive Plan).	The proposal is not within the historic center of the City, so this recommendation would not apply.

Expand overlays to preserve and protect historic properties.	
5. Improve and enhance the central core of Waxahachie (page 105 of the Comprehensive Plan). Continue to improve and invest in downtown Waxahachie and ensure that development on the periphery compliments downtown.	The proposed community will add patrons, employees and possibly shop owners to Waxahachie to support Downtown and community events in the downtown. Amenities and events held within the community will be primarily private and unique to the community and will not compete with the special events held in Downtown Waxahachie.
NEIGHBORHOOD AND DOWNTOWN SNAPSHOT (page 106 of the Comprehensive Plan): Providing housing for Everyone	The proposed development offers substantial housing types for all furthering this objective stated in the Comprehensive Plan. By offering a wider variety of housing options such as "build-for-rent, accessory dwelling units and senior apartments, this proposal also directly addresses one of the barriers to success facing this series of recommendations. Further the proposal offers numerous amenities within each neighborhood as well as connectivity to vast open space and parks tackling another barrier to success.
Meeting housing Needs (page 111 of the Comprehensive Plan) • Access to more housing types within the city is critical, because the City is better able to facilitate the high-quality development it needs for fiscal sustainability. • Ensuring that housing typologies are as diverse as the community will make Waxahachie more attractive and competitive in the Metroplex.	MINTO's proposal squarely furthers the objectives for meeting housing need. The development will provide access to more housing types, facilitate high quality development through architectural and development standards which will contribute to making Waxahachie more attractive and competitive in the Metroplex.

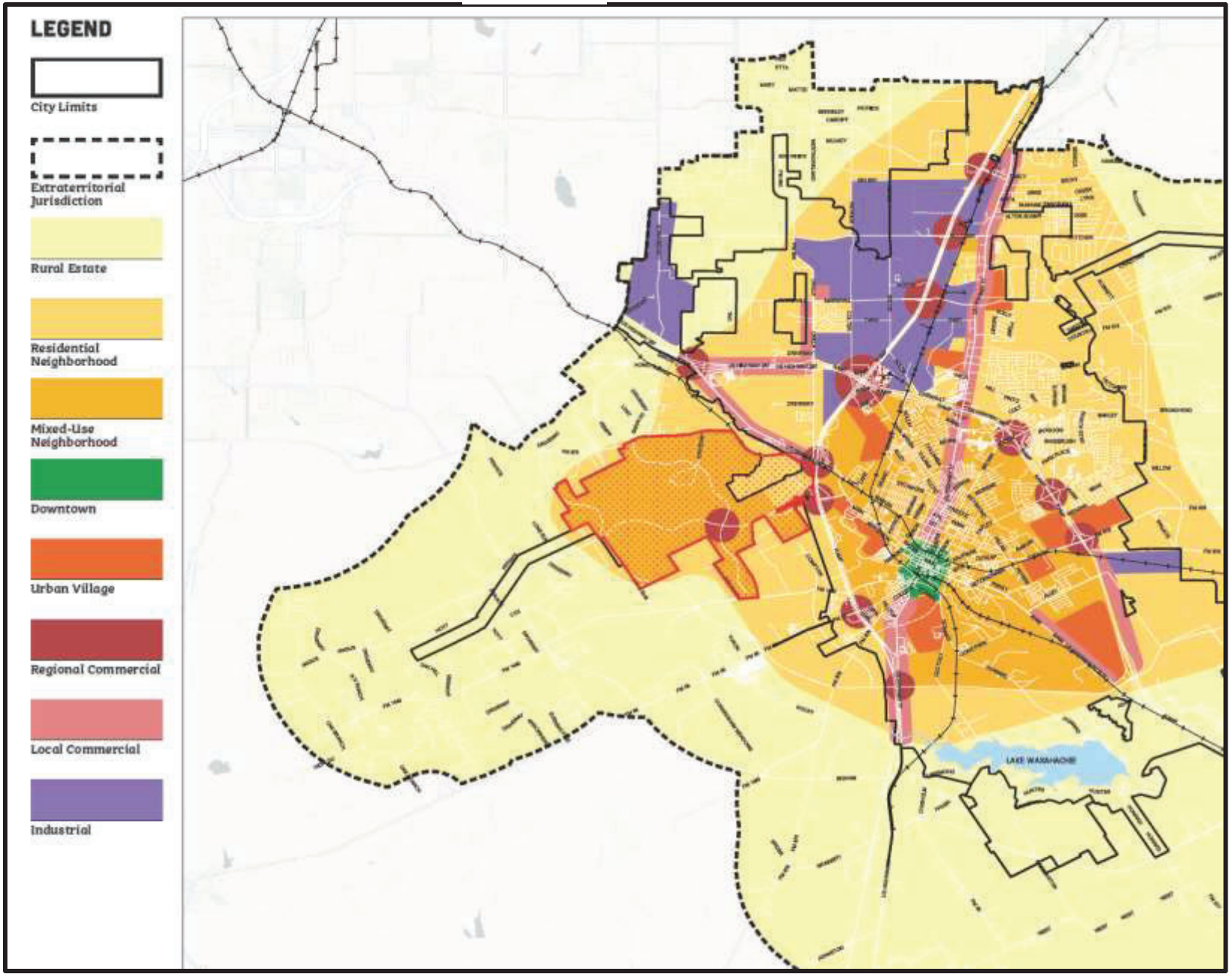
Neighborhood Hierarchy (page 116 of the Comprehensive Plan) • The neighborhood should become the central planning unit • The local (Neighborhood) Scale is where most residents' daily needs are met, and where they spend most of their time. For most neighborhoods, this means amenities and destinations are easily reached on foot. At this scale, traffic patterns should favor pedestrians and bicyclists, and access to transit should be available. Housing is mixed, and in less rural neighborhoods, uses are mixed more freely. Neighborhoods themselves differ from one to the next, so plans should be created with substantial input from current residents regarding their needs in that area.	In the proposed development, the neighborhood is the key element. MINTO proposes a series of neighborhoods with numerous amenities, connectivity, open space and trails which conforms to this neighborhood hierarchy objective.
Park Types (page 126 of the Comprehensive Plan)	MINTO proposes numerous neighborhood, pocket, linear, open space parks and a special purpose park in furtherance of this Comprehensive Plan objective.
Neighborhood Design (page 128 of the Comprehensive Plan) Scale, which is made up of size and shape of buildings, and how they interact with the public space (usually streets).	MINTO has incorporated numerous architectural designs and anti-monotony standards incorporated with pedestrian access, open space, and trails to create community character.
Complete Neighborhoods	Each of the MINTO neighborhoods contain elements expressed in the

(page 131 of the Comprehensive Plan) "Complete Neighborhoods are most commonly found in the Mixed-Use Neighborhood placetype and are most complete in terms of use mix, access, and activity. Those living in these neighborhoods should expect constant change where the scale and use of properties is incrementally evolving to meet the residential and commercial needs of those living and working there."	Comprehensive Plan for creation of "complete neighborhoods" including incorporating the following features throughout different neighborhoods: • Connectivity • Mix of housing types • Variety of lot sizes • Proximity to open space and parks • Proximity to retail uses • On-street parking • Primarily slow, narrow streets with parking on both sides • Street trees and sidewalks on both sides of the street • Green space within ¼ mile of all homes • Connection of parks and open space through sidewalks and trails • Integrate detention areas as meaningful parts of open space network, or should be created as scenic focal points • Architectural diversity • Use of common design themes across architectural styles • Use of porches, stoops, and balconies - to add visual interest • Alternative exterior materials that are more durable and sustainable long term • details such as pocket parks, or outdoor dining at terminated vistas to add interest to neighborhood design • Integration of civic uses

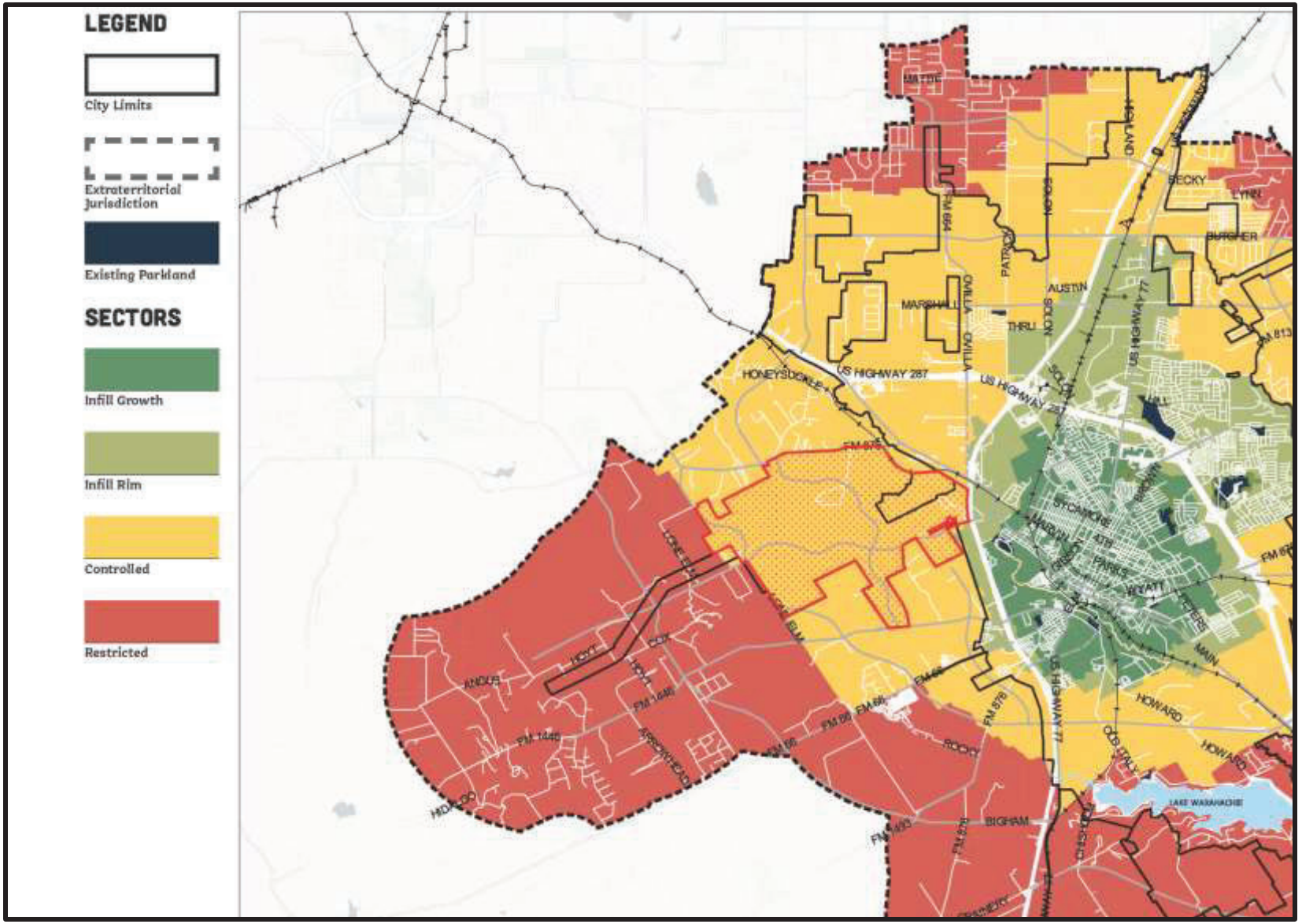
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FUTURE LAND USE MAP WITH PROPOSED SITE BOUNDARIES SHOWN



SECTOR MAP WITH PROPOSED SITE BOUNDARIES SHOWN