

A G E N D A

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on ***Tuesday, September 29, 2026 at 7:00 p.m.***

Commission Members:

Wendy Johnson, Chair
Jenny Bridges, Vice Chair
Terry Connor
Ryan Simpson
Jimmy Poarch
Bart Underwood
Twyla U. Williams

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 must observe the three (3) minute time limit.***

In order to be recognized during Public Comments or during a Public Hearing, please complete a Public Appearance Card located at the entrance of the meeting room. If you would like to speak on more than one Public Hearing item, please submit a separate card for each item. Please present the card(s) to the City Secretary, or their designee, by 6:50 p.m., ten minutes before the start of the 7:00 p.m. regular business meeting. [Online Public Appearance Cards](#) must be submitted by 4:00 p.m. on the day of the meeting.

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 September 15, 2026
- b. Consider request by Joseph Cerqueira, for a Plat of Ellis County Fresh Water Supply District NO. 3 Addition, Lot 2, Block A, being 1.0421 acres, located at 234 FM 55, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 314590 – Owner: Ellis County Fresh Water Supply District NO. 3 (SUB-109-2026)
- c. Consider request by Lisa Ross-Hyter, Burns Surveying, for a Replat of the Lakeview Addition, to create one residential lot, being 3.113 acres, located at 133 Willowcrest Drive, situated in the William Steward Survey, Abstract No. 956, an addition to the City of Waxahachie (Property ID 174733) – Owner(s): Marvin E. Singleton, III, Trustee of

the George H. Singleton and Shirley K. Singleton 2011 Irrevocable Trust (SUB-118-2026)

5. **Recognize** Wendy Johnson for her service on the Planning and Zoning Commission
6. **Public Hearing** on a request by Derek McCall, Tanner Consulting, for a Specific Use Permit (SUP) for a Drive-Thru Establishment use, including requested deviations from base site plan, parking, and landscape plan regulations for a restaurant with a drive-thru within a Planned Development-General Retail (PD-GR) zoning district located at 504 N Hwy 77 (Property ID: 172327) Owner: Mark Godwin, Retail Buildings, INC (ZDC-60-2026)
7. **Consider** recommendation of ZDC-60-2026
8. **Public Hearing** on a request by Kevin McIntosh, Bomac Wax Investments, LLC, to amend a Specific Use Permit (SUP) for a Unified Lot Sign use and providing for deviations from the base sign regulations for a multi-tenant shopping center within a Planned Development-42-Commercial (PD-42-C) zoning district located at the 100 block of Bessie Coleman Blvd (Property ID: 223131) Owner: Bomac Wax Investments, LLC (ZDC-117-2026)
9. **Consider** recommendation of ZDC-117-2026
10. 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
September 15, 2026

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 September 15, 2026 at 7:00 p.m.

Members Present: Wendy Johnson, Chair
Jenny Bridges, Vice Chair
Terry Connor
Ryan Simpson
Jimmy Poarch

Members Absent: Twyla U. Williams
Bart Underwood

Others Present: Billie Wallace, Mayor, Council Representative
Trenton Robertson, Director of Planning & Zoning
Brian Guenzel, Assistant Director of Planning & Zoning

1. Call to Order

Chair Wendy Johnson called the meeting to order at 7:00 p.m.

2. Invocation

Commissioner Jimmy Poarch gave the invocation.

3. Public Comments

None.

4. Consent Agenda

- a. Minutes of the regular Planning & Zoning Commission meeting of August 25, 2026
- b. Consider a request by Stephanie Foster, for a **Replat** of a portion of Lots 19 and 20, Block 6, of Hillcrest Addition, to create Lot 19R, Block 6, of Hillcrest Addition, A residential Lot, being 0.2992 acres, located at 732 N Gibson Street, (Property ID 174210) – Owners: William Marth and Susan Marth (SUB-105-2026)
- c. Consider a request by David Robinson, Winkelmann & Associates, Inc., for a **Replat** of Spirolite Addition, Portion of Lot 1, Block A, being 20.989 acres, located directly east of 1701 West U.S. Highway 287 Bypass (Property ID: 234710) – Owner: Navarro College District (SUB-114-2026)

Action:

Jimmy Poarch moved to approve the Consent Agenda subject to the conditions of the staff reports. Motion was seconded by Terry Connor and carried unanimously (5-0).

5. Public Hearing on a request by Jeremy Nelson, Westfall Engineering, for a Specific Use Permit (SUP) for a Unified Lot Sign use for a Child Daycare Center within a General Retail (GR) zoning district located at 1328 and 1332 Brown Street (Property ID(s): 295112 and 295113); Owner(s): Buffalo Creek Plaza LLC and Desert Owl Realty, LLC (ZDC-83-2026)

Chair Johnson opened the hearing at 7:02 p.m.

Director of Planning Trenton Robertson presented the item.

The applicant and their representatives spoke in support of their request and stated their case for reduced glazing.

Chair Johnson called a brief recess for staff to present images provided by applicant at 7:36 p.m. and reconvened at 7:42 p.m.

Vice Chair Jenny Bridges made comment for the need for day cares in the city.

There were no other speakers for or against the request.

There being no others to speak for or against the item, Chair Johnson closed the public hearing at approximately 7:48 p.m.

6. Consider approval of ZDC-83-2026

Elevations from the applicant that are referenced in the motion were presented in Exhibit B of the staff report.

Action:

Jenny Bridges moved to recommend approval of the SUP and associated deviations by the applicant and the elevations as requested by the applicant. Motion was seconded by Ryan Simpson and carried unanimously (5-0).

7. Adjourn

There being no further business, the meeting adjourned at 7:52 p.m.

Respectfully submitted,

Brian Guenzel, Assistant Director of Planning

Planning & Zoning Department

Zoning Staff Report

Case: SUB-109-2026



MEETING DATE(S)

Planning & Zoning Commission:

September 29, 2026

CAPTION

Consider request by Joseph Cerqueira, for a **Plat** of Ellis County Fresh Water Supply District NO. 3 Addition, Lot 2, Block A, being 1.0421 acres, located at 234 FM 55, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 314590 – Owner: Ellis County Fresh Water Supply District NO. 3 (SUB-109-2026))

RECOMMENDED MOTION

*"I move to approve of SUB-109-2026 for a **Replat** of Block A, Lot 2 of the Ellis County Fresh Water Supply District NO. 3 Addition, to create 1 nonresidential use lots, subject to the conditions of the staff report, authorizing the Chair of the Planning & Zoning Commission to sign the associated documents accordingly."*

APPLICANT REQUEST

The Applicant requests to plat the property into one (1) nonresidential use Lots.

CASE INFORMATION

<i>Applicant:</i>	Joseph Cerqueira
<i>Property Owner(s):</i>	Ellis County Fresh Water Supply District NO. 3
<i>Site Acreage:</i>	1.0421 acres
<i>Number of Lots:</i>	1
<i>Number of Dwelling Units:</i>	0
<i>Park Land Dedication:</i>	N/A ETJ
<i>Adequate Public Facilities:</i>	Adequate public facilities are available to the subject property via Ellis County Fresh Water Supply District NO. 3

SUBJECT PROPERTY

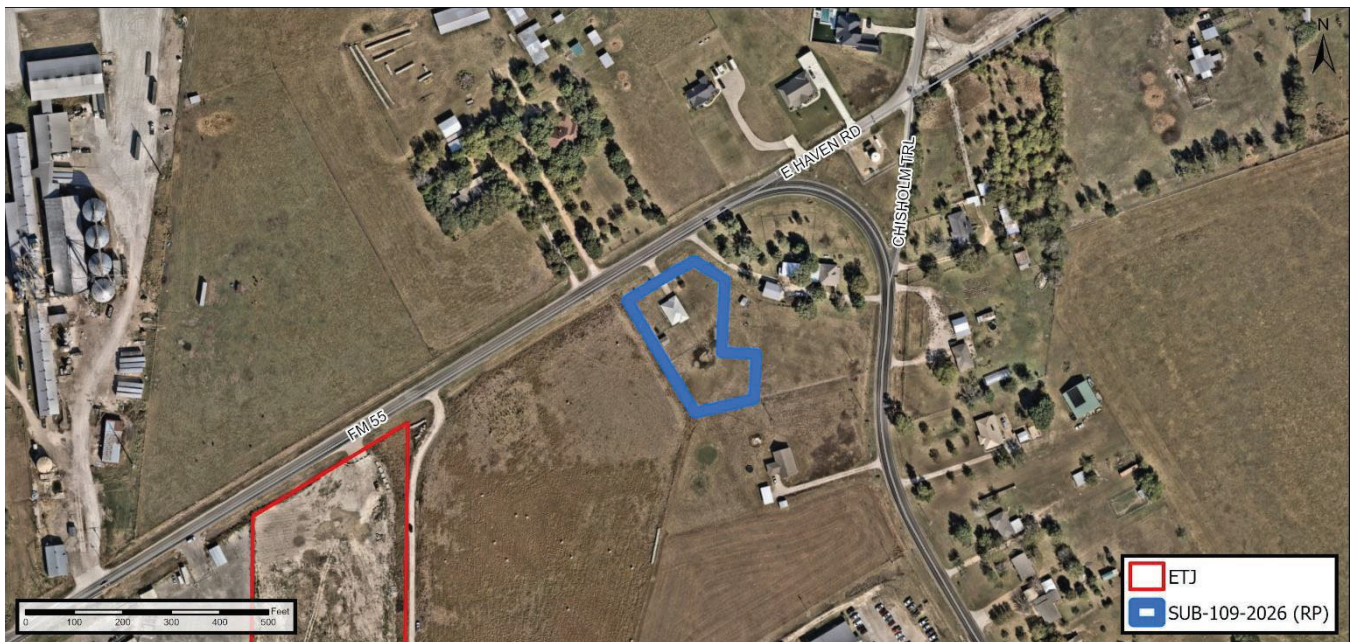
General Location: 234 FM 55

Parcel ID Number(s): 314590

Current Zoning: N/A ETJ

Existing Use: Office

Platting History: The subject property is currently platted as lot 1 of the Hinds Addition and Part of Lot 1 of the T&T Wiles Addition.

Site Aerial:**PLANNING ANALYSIS**

The applicant proposes to replat the subject property into one (1) nonresidential use lot as part of the Ellis County Fresh Water Supply District NO. 3 Subdivision. The property is located within the Waxahachie Extraterritorial Jurisdiction (ETJ). Due to this, the Plat is subject to approval by the Ellis County Commissioner's Court in addition to the Waxahachie Planning & Zoning Commission.

During the review of the plat application, staff identified technical errors that conflict with the requirements of the Waxahachie Subdivision Ordinance and the Ellis County Subdivision and Development Standards. These technical items are required to be corrected prior to filing 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 information provided in this Staff Report and the present status of the documents subject to the request, the Planning Department recommends approval of the Replat subject to the condition listed below.

Conditions:

1. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, the location and width of all streets, alleys and easements, existing or proposed, within the subdivision limits and adjacent to the subdivision; FM 55 is a 120' R.O.W. Which means that 60' of R.O.W. dedication must be given from the center line of the road. Please update accordingly.
2. 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-109-2026", please revise accordingly.
3. Correct Signature to reflect approval by the "Planning & Zoning Commission" and signed by "Chair Person".
4. Provide a complete and signed Water Utility Endorsement Form matching the lot count and legal description found within the plat. *
5. Provide a copy of the recorded deed. *
6. At the time of plat delivery, provide an original TIA form with a completed notary statement.

7. At the time of plat delivery, provide an original Tax Certificate issued by the Tax Office indicating a zero-dollar balance. (Please note: The County Clerk will require a 2026 Tax Certificate if the taxes for 2026 are assessed by the time this plat goes for filing.)
8. Any infrastructure improvements requested by the County Engineer's Office or Road and Bridge Precinct Office must be completed and inspected before plat filing.
9. Per GIS, please revise the plat name. "Ellis County Fresh Water Special District No. 3 Addition" is subject to cause confusion between departments jurisdictions and plat filing.
10. Prior to filing this plat, provide an exhibit with measurements of all current structures in relation to the setbacks for review. Separate action may be required (i.e. approval of variance request) by the Commissioners Court, or other alternative satisfying requirements, prior to the filing of the plat based on the location of those existing structures in proximity to the required building line setbacks and easements. Staff will follow up on any additional steps once an exhibit has been provided.
11. The current lot configuration does not meet the County's minimum road frontage requirement of 150-feet. Revise the plat to include Tract 1 and Tract 2 as shown within Instrument No. 2541849.*
12. This is a replat of a portion of Lot 1 of T & T Wiles Addition. Update the plat title block to reflect this revision.
13. Remove "Zoning: N/A" and "Case No." from the plat title block.
14. Revise the lot designation on the plat drawing and within the plat title block to be Lot 1R, Block A.
15. Label Chisholm Trail in the vicinity map.
16. Increase the front building setback line to fifty (50) feet on the plat drawing.
17. Update the plat drawing to include a twenty (20) foot front drainage and utility easement, and ten (10) foot side drainage and utility easements.
18. Per Ellis County's Master Thoroughfare Plan, FM 55 is classified as a principal arterial with a planned width of 140 feet. However, pursuant to TLGC § 232.102, the maximum right-of-way dedication the County can require is 120 feet. Therefore, sixty (60) feet of right-of-way, measured from the centerline of FM 55, is required. Revise the plat to reflect the proper right-of-way dedication.
19. Label two (2) survey benchmarks with coordinates on the plat drawing.
20. Add any deed record calls that differ from the ground calls of this plat on the plat drawing.
21. Revise the owner's dedication, owner's signature line, and court signature block to match the County's sample final plat.

ATTACHED EXHIBITS

1. Replat

APPLICANT REQUIREMENTS

1. If approved by the Planning & Zoning Commission, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If the comments were not satisfied, the applicant will be notified to make corrections.
 - b. If all comments satisfied, the applicant shall provide three (3) signed, hard copy of the plats and a tax certificate for each parcel located within the subject property that is not expired.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

1. The applicant has received a letter of acceptance from the Public Works Department confirming all utilities, infrastructure, and other required improvements have been installed, inspected, and accepted by the City.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.

If comments were not satisfied, then the applicant will be notified to make corrections.

If all comments were satisfied, then the applicant shall provide five signed, hard-copy plats.

STAFF CONTACT INFORMATION

Prepared by:

David Jones

Planner

djones@waxahachietx.gov

Reviewed by:

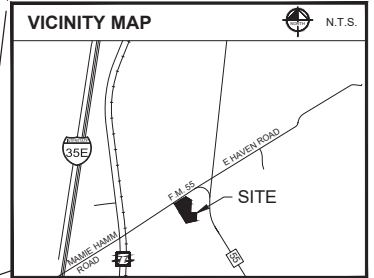
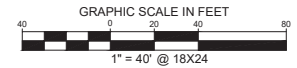
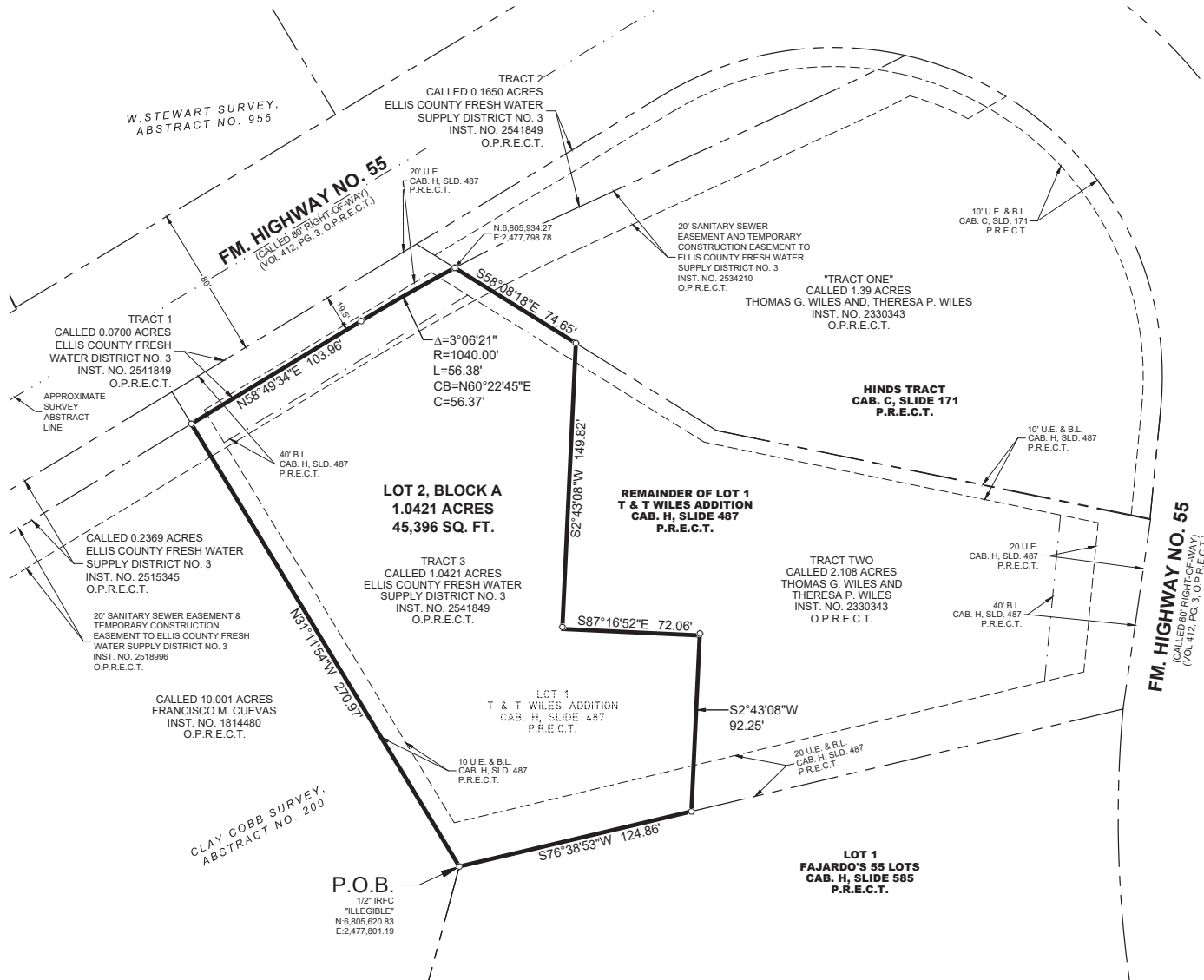
Trenton Robertson, AICP

Director of Planning

trobertson@waxahachietx.gov

NOTES

- Bearings shown hereon are based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011). Coordinates shown hereon are State Plane coordinates. Scale Factor is 1.000072449.
- All corners hereon are 5/8" iron rod with red plastic cap stamped "KHA" found unless noted otherwise.
- The purpose of this plat is to subdivide an existing platted lot for development.
- Notice: Selling a portion of any lot within this addition by metes and bounds is a violation of state law and city ordinance and is subject to fines and withholding of utility services and building permits.



LEGEND

IRFC	IRON ROD WITH CAP FOUND
U.E. & B.L.	UTILITY EASEMENT & BUILDING LINE
INST. NO.	INSTRUMENT NUMBER
CAB. / SLD.	CABINET / SLIDE
VOL. / PG.	VOLUME / PAGE
O.P.R.E.C.T.	OFFICIAL PUBLIC RECORDS
P.R.E.C.T.	PLAT RECORDS
ELLIS COUNTY, TEXAS	
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING

LINE TYPE LEGEND

---	BOUNDARY LINE
---	ADJACENT PROPERTY LINE
---	EASEMENT LINE
---	BUILDING LINE

REPLAT
ELLIS COUNTY FRESH WATER
SPECIAL DISTRICT NO. 3 ADDITION
LOT 2, BLOCK A
 1.0421 ACRES
 BEING A REPLAT OF LOT 1 OF
 T & T WILES ADDITION, AN ADDITION TO ELLIS
 COUNTY, TEXAS, AS RECORDED IN CABINET H,
 SLIDE 487 OF THE PLAT RECORDS OF ELLIS
 COUNTY, TEXAS
 CLAY COBB SURVEY, ABSTRACT NO. 200
 CITY OF WAXAHACHIE ETJ, ELLIS COUNTY, TEXAS
 ZONING: N/A
 CASE NO.
 DATE OF PREPARATION: July 14, 2026

Kimley»Horn

801 Cherry Street, Unit 11, # 1300
 Fort Worth, Texas 76102
 FIRM # 10115500

Tel. No. (817) 335-6511
 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	AEL	DJD	July 2026	065000703	1 OF 2

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.

OWNER

ELLIS COUNTY FRESH WATER
 SUPPLY DISTRICT NO. 3
 2728 N. HARWOOD ST., SUITE 500
 DALLAS, TX 75201
 PHONE: 972-937-6243
 CONTACT: ROSS MARTIN
 EMAIL: rmartin@winstead.com

SURVEYOR

KIMLEY-HORN & ASSOCIATES INC.
 801 CHERRY ST.
 UNIT 11, #1300
 FORT WORTH, TEXAS 76102
 PHONE: 817-335-6511
 CONTACT: DAVE DE WEIRDT, R.P.L.S.
 EMAIL: dave.dewirdt@kimley-horn.com

OWNER'S CERTIFICATE AND DEDICATION

STATE OF TEXAS §
COUNTY OF ELLIS §

WHEREAS Ellis County Fresh Water Supply District No. 3 is the Owner of a tract of land situated in the Clay Cobb Survey, Abstract No. 200, Ellis County, Texas, being all of a tract called 1.0421 acre tract of land designated as "Tract 3" in the Special Warranty Deed to Ellis County Fresh Water Supply District No. 3, recorded in Instrument No. 2541849, Official Public Records, Ellis County, Texas, and being a portion of Lot 1 of T & T Wiles Addition, an addition to Ellis County, according to the plat thereof recorded in Cabinet H, Slide 487, Plat Records, Ellis County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with plastic cap (stamping illegible) found at the southwest corner of said Lot 1 of T & T Wiles Addition, the northwest corner of Lot 1 of Fajardo's 55 Lots, an addition to Ellis County, according to the plat thereof recorded in Cabinet H, Slide 585, Plat Records, Ellis County, Texas, and being an a southeast corner in the east line of a called 10.001 acre tract of land described in the Texas Warranty Deed with Vendor's Lien to Francisco M. Cuevas recorded in Instrument No. 1814480, Official Public Records, Ellis County, Texas;

THENCE North 31°11'54" West, with the common line of said Lot 1 of T & T Wiles Addition and said 10.001 acre tract, a distance of 270.97 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the northwest corner of said 1.0421 acre tract, the south corner of a called 0.0700 acre tract of land designated as "Tract 1" in said Special Warranty Deed to Ellis County Fresh Water Supply District No. 3, recorded in Instrument No. 2541849, Official Public Records, Ellis County, Texas, and being the east corner of a called 0.2369 acre tract of land described in the Special Warranty Deed to Ellis County Fresh Water Supply District No. 3, recorded in Instrument No. 2515345, Official Public Records, Ellis County, Texas;

THENCE over and across said Lot 1 of T & T Wiles Addition and with the common line of said 1.0421 acre tract and said 0.0700 acre tract, the following courses and distances:

North 58°49'34" East, a distance of 103.96 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found at the beginning of a tangent curve to the right with a radius of 1,040.00 feet, a central angle of 03°06'21", and a chord bearing and distance of North 60°22'45" East, 56.37 feet;

In a northeasterly direction, with said tangent curve to the right, an arc distance of 56.38 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the most northerly corner of said 1.0421 acre tract, the most easterly corner of said 0.0700 acre tract, the southwest corner of a called 0.1650 acre tract of land described in the Special Warranty Deed to Ellis County Fresh Water Supply District No. 3, recorded in Instrument No. 2541849, Official Public Records, Ellis County, Texas, in the northeast line of said Lot 1 of T & T Wiles addition, and being in the southwest line of Hinds Tract, an addition to Ellis County, according to the plat thereof recorded in Cabinet C, Slide 171, Plat Records, Ellis County, Texas;

THENCE South 58°08'18" East, with the common line of said Lot 1 of T & T Wiles Addition, and said Hinds Tract, a distance of 74.65 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for a northeast corner of said 1.0421 acre tract;

THENCE over and across said Lot 1 of T & T Wiles Addition and with the east line of said 1.0421 acre tract, the following courses and distances:

South 02°43'08" West, a distance of 149.82 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for corner;

South 87°16'52" East, a distance of 72.06 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for corner;

South 02°43'08" West, a distance of 92.25 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for corner in the common line of said Lot 1 of T & T Wiles Addition and said Lot 1 of Fajardo's 55 Lots;

THENCE South 76°38'53" West, with the common line of said Lot 1 of T & T Wiles Addition and said Lot 1 of Fajardo's 55 Lots, a distance of 124.86 feet to the POINT OF BEGINNING and containing a computed area of 45,396 square feet or 1.0421 acres of land.

ON-SITE SEWAGE FACILITY STATEMENT

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

Department of Development Director Approval Date

OWNER
ELLIS COUNTY FRESH WATER
SUPPLY DISTRICT NO. 3
2728 N. HARWOOD ST., SUITE 500
DALLAS, TX 75201
PHONE: 972-937-6243
CONTACT: ROSS MARTIN
EMAIL: rmartin@winstead.com

SURVEYOR
KIMLEY-HORN & ASSOCIATES INC.
801 CHERRY ST.
UNIT 11, #1300
FORT WORTH, TEXAS 76102
PHONE: 817-335-6511
CONTACT: DAVE DE WEIRD, R.P.L.S.
EMAIL: dave.deweyrdt@kimley-horn.com

OWNER'S DEDICATION
NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Ellis County Fresh Water Supply District No. 3 acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as **ELLIS COUNTY FRESH WATER SPECIAL DISTRICT NO. 3 ADDITION**, an addition to Ellis County, Texas, and 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 _____ day of _____, 2026.

By:

Authorized Signature of Owner

Printed Name and Title

STATE OF TEXAS §
COUNTY OF §

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

Given under my hand and seal of office, this _____ day of _____, 2026.

Notary Public in and for the State of Texas

STATE OF TEXAS §
COUNTY OF ELLIS §

Certificate of approval by the Commissioner's Court of Ellis County, Texas:
Approved this date the _____ day of _____, 2026

John Wray, County Judge

Randy Stinson
Commissioner, Precinct No. 1

Lane Grayson
Commissioner, Precinct No. 2

Louis Ponder
Commissioner, Precinct No. 3

Kyle Butler
Commissioner, Precinct No. 4

Attest:

Krystal Valdez, County Clerk

SURVEYOR'S STATEMENT:

KNOW ALL MEN BY THESE PRESENTS:

That I, David J. De Weirtd, 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.

David J. De Weirtd
Registered Professional Land Surveyor No. 5066
Kimley-Horn and Associates, Inc.
801 Cherry Street, Unit 11, #1300
Fort Worth, Texas 76102
Ph. (817) 335-6511
david.deweyrdt@kimley-horn.com

STATE OF TEXAS §
COUNTY OF TARRANT §

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

Given under my hand and seal of office, this _____ day of _____, 2026.

Notary Public in and for the State of Texas

APPROVED BY: City Council
City of Waxahachie

By: Mayor Date

Attest Date

REPLAT
ELLIS COUNTY FRESH WATER
SPECIAL DISTRICT NO. 3 ADDITION
LOT 2, BLOCK A

1.0421 ACRES
BEING A REPLAT OF LOT 1 OF
T & T WILES ADDITION, AN ADDITION TO ELLIS
COUNTY, TEXAS, AS RECORDED IN CABINET H,
SLIDE 487 OF THE PLAT RECORDS OF ELLIS
COUNTY, TEXAS
CLAY COBB SURVEY, ABSTRACT NO. 200
CITY OF WAXAHACHIE ETJ, ELLIS COUNTY, TEXAS
ZONING: N/A
CASE NO.

DATE OF PREPARATION: July 14, 2026

Kimley»Horn

801 Cherry Street, Unit 11, # 1300
Fort Worth, Texas 76102 FIRM # 10115500

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	AEL	DJD	July 2026	065000703	2 OF 2

Planning & Zoning Department

Zoning Staff Report

Case: SUB-118-2026



MEETING DATE(S)

Planning & Zoning Commission:

September 29, 2026

CAPTION

Consider request by Lisa Ross-Hyter, Burns Surveying, for a **Replat** of the Lakeview Addition, to create one residential lot, being 3.113 acres, located at 133 Willowcrest Drive, situated in the William Steward Survey, Abstract No. 956, an addition to the City of Waxahachie (Property ID 174733) – Owner(s): Marvin E. Singleton, III, Trustee of the George H. Singleton and Shirley K. Singleton 2011 Irrevocable Trust (SUB-118-2026)

RECOMMENDED MOTION

*"I move to approve of SUB-118-2026 for a **Replat** of the Lakeview Addition, to create one single-family residential lot, subject to the conditions of the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."*

APPLICANT REQUEST

The Applicant requests a replat of the Lakeview Addition to create one single-family residential lot.

CASE INFORMATION

<i>Applicant:</i>	Lisa Ross-Hyter, Burns Surveying
<i>Property Owner(s):</i>	Marvin E. Singleton, III, Trustee of the George H. Singleton & Shirley K. Singleton 2011 Irrevocable Trust
<i>Site Acreage:</i>	16.22 acres
<i>Number of Lots:</i>	1
<i>Number of Dwelling Units:</i>	1
<i>Park Land Dedication:</i>	N/A
<i>Adequate Public Facilities:</i>	Adequate public facilities are available to the subject property.

SUBJECT PROPERTY

<i>General Location:</i>	133 Willowcrest Drive
<i>Parcel ID Number(s):</i>	174733
<i>Current Zoning:</i>	Planned Development-23-Single-Family-1 (PD-23-SF-1)
<i>Existing Use:</i>	Single-Family residence
<i>Platting History:</i>	The subject property is currently platted as the Lot 9 & Lot 8 of the Lakeview Addition.

Site Aerial:**PLANNING ANALYSIS**

The Applicant requests a replat Lot 9 and Lot 8 of the Lakeview Addition to create one lot for a single-family residential use. The subject property is at 133 Willowcrest Drive. This application request coincides with the current zoning of Planned Development-23-Single-Family-1 (PD-23-SF-1)) consisting of approximately of 3.113 acres.

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

RECOMMENDATION

Based on the information provided in this Staff Report and the present status of the documents subject to the request, the Planning Department recommends approval of the Replat subject to the condition listed below.

Conditions:

1. Per Section 1.3 of the Waxahachie Subdivision Ordinance, an embossed hard copy of the Tax Certificate for the subject property (dated within 90-days of your filing date) will need to be provided with your plat at the time of filing.
2. Per Section 2.3 of the Waxahachie Subdivision Ordinance, perform a title search to locate all easements on the property. Label the existing easement width and recording information. It seems logical that the Texas Power UE on the adjacent lot would continue onto the subject lot.
3. Per Section 2.4.c.1 of the Waxahachie Subdivision Ordinance, an accurate location (vicinity) map is required. Please note that this portion of Old Italy Rd was renamed to Eastham Way on 6/1/2026. Please revise accordingly.
4. Per Section 2.4.c.3 of the Waxahachie Subdivision Ordinance, please include adjoining property information.
5. Per Section 2.4.c.6 of the Waxahachie Subdivision Ordinance, the proposed arrangement and square footage of lots (including lot and block numbers) need be shown. Please include the block number on the plat itself.

6. Per Section 2.4.c.16 of the Waxahachie Subdivision Ordinance, the proposed ZONING for the subject property is PD-23-SF-1, also state in the title block that the case number is SUB-118-2026.
7. Per Section 2.4.c.16 of the Waxahachie Subdivision Ordinance, a correct title block must be included. Please ensure that the correct block number is being shown.
8. Per Section 2.4.c.16 of the Waxahachie Subdivision Ordinance, a correct title block must be included. Please ensure that the correct plat type is being shown. Please change to "Replat."
9. Per Section 2.4.c.16 of the Waxahachie Subdivision Ordinance, a correct title block must be included. Please ensure that the correct block number is being shown.
10. Per Section 2.4.c.16 of the Waxahachie Subdivision Ordinance, a correct title block must be included. Please ensure that the correct type of lot is shown in the title block. This will be a "residential lot."
11. Per Sections 2.4.c.16 of the Waxahachie Subdivision Ordinance, proposed or existing zoning of the subject property and all adjacent properties need to be shown. Please revise accordingly.
12. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, space is required to be reserved for the placement of recording information by the Ellis County Clerk. Reserve a 12"x1.5" blank box in the top right-hand corner.
13. Per Section 2.4.c.24 of the Waxahachie Subdivision Ordinance, "Finished floor elevations of building foundations shall be shown for lots adjacent to a floodplain, floodway and/or an area that may be susceptible to flooding". Since this lot is adjacent to the FEMA Zone A floodplain of Lake Waxahachie, a minimum finished floor elevation (MFFE) shall be shown. A BFE determination will be required, with the MFFE being 2 ft higher.
14. Per Section 2.6.j of the Waxahachie Subdivision Ordinance, the title shall identify the document as " _____ Addition, Block _____, Lot(s) _____, Being a Replat of Block _____, Lot(s) _____ of the _____ Addition, an addition to the City of Waxahachie, Texas, as recorded in Volume/Cabinet _____, Page/Slide _____ of the Plat Records of Ellis County, Texas".
15. Per Section 2.4.c.25.vi.c of the Waxahachie Subdivision Ordinance, A certificate of approval of the Planning and Zoning Commission, attested by the Chairperson of the Planning and Zoning Commission, and the City Secretary, as provided herein, shall be attached on the plat. Please remove county court signature block.
16. Per Sections 2.4. c.25.vi. (a) of the Waxahachie Subdivision Ordinance, the correct owner certificate needs to be shown. Please revise accordingly.
17. Per Section 3.9 of the Waxahachie Subdivision Ordinance: Water and sewer services are required for each lot prior to filing the plat. Since this is the consolidation of two lots, one each of the existing water and sewer services will need to be abandoned because multiple services are not permitted for a single property.
18. Per Sections 5.6 and 5.7 of the Waxahachie Subdivision Ordinance, fences, retaining walls, and screening walls shall not be placed in utility easements. Add this to the notes.
19. Per Section 7.1 of the Waxahachie Subdivision Ordinance, Filing Fees are required to be paid with the Plat application prior to plat filing.
20. Per Appendix C, V, Section 3.3 of the City's Subdivision ordinance: A 15ft utility easement is required along the road frontage.

ATTACHED EXHIBITS

1. Replat

APPLICANT REQUIREMENTS

1. If approved by the Planning & Zoning Commission, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If the comments were not satisfied, the applicant will be notified to make corrections.
 - b. If all comments satisfied, the applicant shall provide three (3) signed, hard copy of the plats and a tax certificate for each parcel located within the subject property that is not expired.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

1. The applicant has received a letter of acceptance from the Public Works Department confirming all utilities, infrastructure, and other required improvements have been installed, inspected, and accepted by the City.

STAFF CONTACT INFORMATION

Prepared by:

Caleb Ensley

Planner

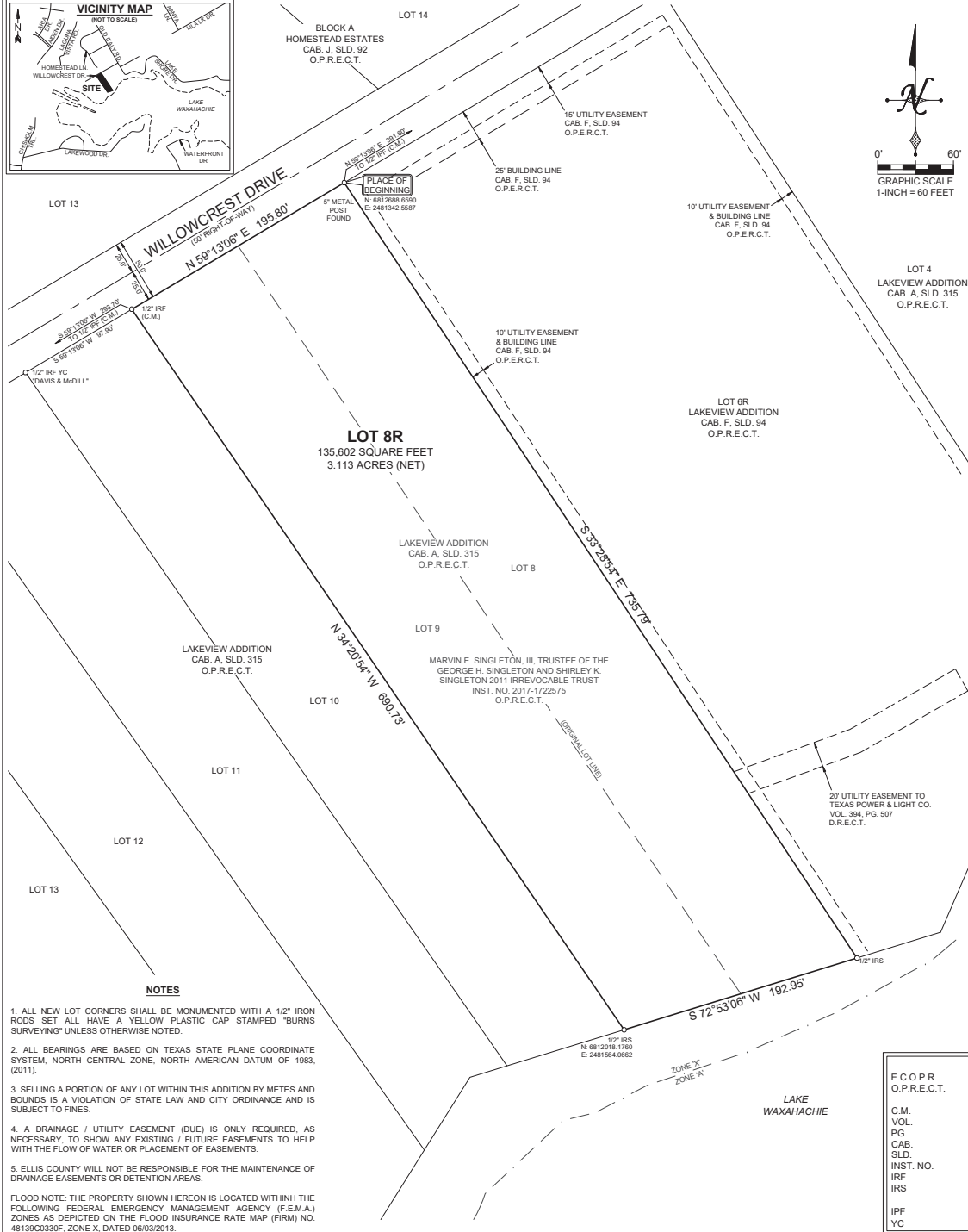
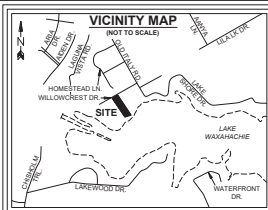
censley@waxahachietx.gov

Reviewed by:

Trenton Robertson, AICP

Director of Planning

trobertson@waxahachietx.gov



OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF ELLIS §
 WHEREAS, Marvin E. Singleton, III, Trustee of the George H. Singleton and Shirley K. Singleton 2011 Revocable Trust, is the sole owner of all that tract of land situated in the WILLIAM STEWART SURVEY, Abstract No. 956, City of Waxahachie, Ellis County, Texas, being Lots 8 and 9, of Lakeview Addition, an addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Cabinet A, Slide 315, Official Public Records, Ellis County, Texas, and being the same tract of land described in deed to Marvin E. Singleton, III, Trustee of the George H. Singleton and Shirley K. Singleton 2011 Revocable Trust, recorded in Instrument No. 2017-1722575, Ellis County Official Public Records, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5 inch metal post found in the Southeast line of Willowcrest Drive, a 50 foot right-of-way, at the West corner of Lot 6R, of Lakeview Addition, an addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Cabinet F, Slide 94, Official Public Records, Ellis County, Texas, and being the North corner of said Lot 8;

THENCE South 33 deg. 28 min. 54 sec. East, a distance of 735.79 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "Burns Surveying" set in the Northwest line of Lake Waxahachie, at the South corner of said Lot 6R, and being the East corner of said Lot 8;

THENCE South 75 deg. 53 min. 06 sec. West, along said Northwest line of Lake Waxahachie, a distance of 192.95 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "Burns Surveying" set at the South corner of said Lot 9, and being the East corner of Lot 10, of said Lakeview Addition;

THENCE North 34 deg. 20 min. 54 sec. West, a distance of 690.73 feet to a 1/2 inch iron rod found in the said Southeast line of Willowcrest Drive, at the common Northerly corner of said Lots 9 and 10;

THENCE North 59 deg. 13 min. 06 sec. East, along said Southeast line of Willowcrest Drive, a distance of 195.80 feet to the PLACE OF BEGINNING and containing 165,602 square feet or 3.113 acres of land.

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Barry S. Rhodes, a Registered Professional Land Surveyor in 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.

WITNESS MY HAND AT _____, TEXAS this _____ day of _____, 20____.

PRELIMINARY PLAT FOR REVIEW PURPOSES ONLY

Barry S. Rhodes
 Registered Professional Land Surveyor
 R.P.L.S. No. 3691

ON-SITE SEWAGE FACILITY STATEMENT

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

Department of Development Director _____

Approval Date: _____

OWNER'S DEDICATION

NOW, THEREFORE, KNOWN TO ALL MEN BY THESE PRESENTS:

That Marvin E. Singleton, III, Trustee of the George H. Singleton and Shirley K. Singleton 2011 Revocable Trust, does hereby adopt this plat designating the herein above described property as **LAKEVIEW ADDITION, LOT 8R**, an addition to the Ellis County, and does hereby dedicate to the public use forever, the streets and alleys shown thereon. Marvin E. Singleton, III, does herein certify the following:

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

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

Witness my hand at _____, Texas, This _____ day of _____, 20____.

Name: Marvin E. Singleton, III
 Title: Trustee of the George H. Singleton and Shirley K. Singleton 2011 Revocable Trust

STATE OF TEXAS §

COUNTY OF ELLIS §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared Marvin E. Singleton, III, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged and in the capacity therein stated.

Witness my hand at _____, Texas, This _____ day of _____, 20____.

Notary Public in and for the State of Texas
 My commission expires: _____

APPROVAL CERTIFICATE

APPROVED BY: Planning and Zoning Commission City of Waxahachie

By: _____ Date: _____
 Attest: _____ Date: _____

STATE OF TEXAS §

COUNTY OF ELLIS §

Certificate of approval by the Commissioners' Court of Ellis County, Texas:

Approved this date, the _____ day of _____, 20____.

Todd Little, County Judge

Randy Stinson
 Commissioner, Precinct No. 1

Lane Grayson
 Commissioner, Precinct No. 2

Paul Perry
 Commissioner, Precinct No. 3

Kyle Butler
 Commissioner, Precinct No. 4

ATTEST:

Krystal Valdez, County Clerk

PLAT LAKEVIEW ADDITION LOT 8R

BEING 135,602 SQUARE FEET OR 3.113 ACRES
 SITUATED IN THE WILLIAM STEWART SURVEY,
 ABSTRACT NO. 956, CITY OF WAXAHACHIE,
 ELLIS COUNTY, TEXAS
 ZONE PD-SF-1
 1 RESIDENTIAL LOT
 CASE NO. _____
 OWNER: MARVIN E. SINGLETON, III
 ADDRESS: PO BOX 717, WAXAHACHIE, TEXAS 75168
 PHONE: 972-351-5220



PROFESSIONAL LAND SURVEYORS
 BARRY S. RHODES - R.P.L.S. NO. 3691 - FIRM NO. 10194368
 2701 SUNSET RIDGE DRIVE, SUITE 303, ROCKWALL, TEXAS 75087
 WEBSITE: WWW.BURNSSURVEYING.COM
 PHONE: (214) 326-1090
 JOB NO.: 202606777 DATE: 07/30/2026 DRAWN BY: TD

LEGEND

E.C.O.P.R.	ELLIS COUNTY, OFFICIAL PUBLIC RECORDS
O.P.R.E.C.T.	OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
C.M.	CONTROLLING MONUMENT
VOL.	VOLUME
PG.	PAGE
CAB.	CABINET
S.L.D.	SLIDE
INST. NO.	INSTRUMENT NUMBER
IRS	IRON ROD FOUND
IRON ROD SET WITH A YELLOW PLASTIC CAP	
STAMPED "BURNS SURVEYING"	
IPF	IRON PIPE FOUND
YC	YELLOW PLASTIC CAP

NOTES

- ALL NEW LOT CORNERS SHALL BE MONUMENTED WITH A 1/2" IRON RODS SET ALL HAVE A YELLOW PLASTIC CAP STAMPED "BURNS SURVEYING" UNLESS OTHERWISE NOTED.
- ALL BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983, (2011).
- SELLING A PORTION OF ANY LOT WITHIN THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF STATE LAW AND CITY ORDINANCE AND IS SUBJECT TO FINES.
- A DRAINAGE / UTILITY EASEMENT (DUE) IS ONLY REQUIRED, AS NECESSARY, TO SHOW ANY EXISTING / FUTURE EASEMENTS TO HELP WITH THE FLOW OF WATER OR PLACEMENT OF EASEMENTS.
- ELLIS COUNTY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF DRAINAGE EASEMENTS OR DETENTION AREAS.

FLOOD NOTE: THE PROPERTY SHOWN HEREON IS LOCATED WITHIN THE FOLLOWING FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) ZONES AS DEPICTED ON THE FLOOD INSURANCE RATE MAP (FIRM) NO. 48139C0330F, ZONE X, DATED 06/03/2013.

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-60-2026



MEETING DATE(S)

Planning & Zoning Commission:
City Council:

September 29, 2026
October 5, 2026

CAPTION

Public Hearing on a request by Derek McCall, Tanner Consulting, for a **Specific Use Permit (SUP)** for a **Drive-Thru Establishment use**, including requested deviations from base site plan, parking, and landscape plan regulations for a restaurant with a drive-thru within a Planned Development-General Retail (PD-GR) zoning district located at 504 N Hwy 77 (Property ID: 172327) Owner: Mark Godwin, Retail Buildings, Inc (ZDC-60-2026)

RECOMMENDED MOTION

"I move to recommend approval of ZDC-60-2026, a Specific Use Permit (SUP) for a Drive-Thru Establishment use, subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly."

APPLICANT REQUEST

The Applicant requests approval of a SUP to allow for a Drive-Thru Establishment use (Braum's) at 504 North US Highway 77.

CASE INFORMATION

<i>Applicant:</i>	Derek McCall, Tanner Consulting
<i>Property Owner(s):</i>	Retail Buildings, Inc.
<i>Site Acreage:</i>	1.75 acres
<i>Current Zoning:</i>	Planned Development District 19 – General Retail (PD-19-GR)
<i>Requested Zoning:</i>	PD-19-GR with a SUP for a Drive-Thru Establishment use

SUBJECT PROPERTY

<i>General Location:</i>	504 North Highway 77
<i>Parcel ID Number(s):</i>	172327
<i>Existing Use:</i>	Restaurant with a Drive-Thru Establishment use
<i>Development History:</i>	The subject property is platted as Lot 1R of The Braum's Addition in 1991.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-19-GR with SUP for Drive-Thru Establishment for Little Caesars	Multitenant restaurant use
East	SF-2	Chapman Place Unit 5 Addition
South	PD-24-GR with SUP for Drive-Thru Establishment for HTeaO	HTeaO
West	PD-18-GR and PD-20-GR	Northgate Plaza

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.

Throughfare Plan:

The primary access to the subject property is from US Highway 77.

Site Aerial:

PLANNING ANALYSIS

Property History

The subject property was originally part of the Blockbuster Addition development (SP91-7), approved by the City Council in February 1991. Later that year, the City Council approved a revised site plan for Braum's to reflect its current building layout, subject to staff and Planning & Zoning Commission conditions. Under the applicable 1984 Zoning Ordinance (Ordinance No. 1401), a restaurant with drive-in services required a Specific Use Permit (SUP).

In 2020, Braum's submitted a building permit application (BLDC-000826-2020) for an interior remodel, a new entrance vestibule, and updated wall signage; however, this permit never received final inspection approval.

In April 2026, the Building & Community Services Department received a building permit application to construct a second drive-through lane. Because expanding the drive-through increases the site's non-conforming status, a new SUP is required. Consequently, the applicant submitted an SUP application in May 2026 to bring the property into compliance with current city zoning standards.

Proposed Use

The applicant requests approval of a SUP for a Drive-Thru Establishment (Braum's) at 504 North US Highway 77. The SUP will bring the existing drive-through facility into compliance with the Waxahachie Zoning Ordinance and allow for the addition of a second drive-through lane.

Landscaping

The applicant requests a variance from Section 5.04 of the current Waxahachie Zoning Ordinance (Ordinance No. 3020, adopted in 2018) to follow the older landscaping standards under Ordinance No. 1897 (adopted in 1997). The proposed plan does not meet current municipal landscaping requirements.

Some items worth noting are that the applicant is not proposing any canopy or ornamental trees along US Highway 77, the application request lacks clarity regarding the specific species and total count of proposed plantings.

PUBLIC NOTIFICATIONS

In accordance with Chapter 211 of the Texas Local Government Code and the City's public hearing notification requirements, 21 notices were mailed to property owners located within 200 feet of the subject property. In addition, notice of the public hearing was published in the Waxahachie Daily Light, and a sign was posted in a visible location on the subject property. Staff received no letters in support and opposition of the SUP request.

RECOMMENDATION

Based on the information provided in this Staff Report and the materials submitted in support of the request, the Planning Department recommends approval of the Specific Use Permit, subject to the conditions listed below.

Conditions:

1. The property owner shall provide a permanent irrigation system for all required landscape areas shown on the Landscape Plan and maintain the required landscaping at all times.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. SUP Ordinance
3. Deviation Request Letter
4. Exhibit A – Location Map
5. Exhibit B – Site Plan
6. Exhibit C – Landscape Plan

STAFF CONTACT INFORMATION

Prepared by:

Oanh Vu

Senior Planner

ovu@waxahachietx.gov

Reviewed by:

Trenton Robertson, AICP

Director of Planning

trobertson@waxahachietx.gov

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A DRIVE-THROUGH ESTABLISHMENT USE WITHIN A PLANNED DEVELOPMENT-19-GENERAL RETAIL (PD-19-GR) ZONING DISTRICT, LOCATED AT 504 NORTH US HIGHWAY 77, BEING PROPERTY ID 172327, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1R OF THE BRAUM'S ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, the described property is classified in said ordinance and any amendments thereto as PD-19-GR; and

WHEREAS, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-60-2026. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from PD-19-GR to PD-19-GR with a SUP in order to permit a Drive-Through Establishment use on the following property: Lot 1R of The Braum's Addition, which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit B, and Landscape Plan attached as Exhibit C.

SPECIFIC USE PERMIT

Purpose and Intent

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

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A DRIVE-THROUGH ESTABLISHMENT USE WITHIN A PLANNED DEVELOPMENT-19-GENERAL RETAIL (PD-19-GR) ZONING DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The development shall conform as approved by the City Council under case number ZDC-60-2026.
2. The development shall adhere to the City Council approved in Exhibit A – Location Map, Exhibit B – Site Plan, and Exhibit C – Landscape Plan.
3. The SUP shall follow the term of the tenant's Certificate of Occupancy.
4. All improvements within the subject property will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.
5. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
6. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance (Ordinance No. **TBD**) or the Development Agreement, shall conform to those requirements and/or standards prescribed in Exhibit B – Site Plan, and Exhibit C – Landscape Plan. Where regulations are not specified in Exhibit B, in this Zoning Ordinance (Ordinance No. **TBD**) or the Development Agreement, the regulations of the General Retail (GR) zoning district and the City of Waxahachie Zoning Ordinance shall apply to this development.
7. The City Council shall have the right to review the Specific Use Permit at any point, if needed.
8. The property owner and/or applicant shall adhere to the Waxahachie Zoning Ordinance.
9. The property owner shall provide a permanent irrigation system for all required landscape areas shown on the Landscape Plan and maintain the required landscaping at all times.
10. The property owner shall obtain all necessary permits from the City of Waxahachie Building & Community Services Department prior to opening the business on the subject property.
11. The property owner will replace any landscaping lost in future expansions by TxDOT or the City of Waxahachie.

Compliance

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

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

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

PASSED, APPROVED AND ADOPTED on this 5th day of October, 2026.

MAYOR

ATTEST:

City Secretary



5323 SOUTH LEWIS AVENUE
TULSA OKLAHOMA 74105-6539
OFFICE: 918.745.9929

25 August 2026

Oanh Vu
Senior Planner
City of Waxahachie
O: 469.309.4290
ovu@waxahachietx.gov

RE: Braum's (504 N Hwy 77) SUP Application - Ordinance Deficiency Letter

We are applying for an SUP for the existing Braum's located at 504 N Hwy 77. Our landscape plan follows Section 36 Landscape Requirements within the 1997 Zoning Ordinance #1897 (dated June 2, 1997) to extents possible. Following is a list of ordinance items that the Landscape Plan is deficient followed by the reason for deficiency in red:

36.6 Minimum Landscaping Requirements for Nonresidential and Multi-Family :

A. Nonresidential and multi-family parcels having two hundred fifty feet (250') or more of frontage shall have at least twenty percent (20%) of the street yard in permanent landscape area. This store was constructed in 1992 with approximately 2,870 sq. ft. (12.8%) of permanent landscape area within the street yard. Achieving that 20% will require losing parking spaces.

B. A minimum ten-foot (10') landscape buffer (interior parkway) adjacent to right-of-way of any street is required. A 10' landscape buffer adjacent to the right-of-way will require the loss of all parking (18 spaces) along Hwy 77.

B. Developers shall be required to plant one (1) large tree per forty (40) linear feet or portion thereof of street frontage. Any trees planted in the street frontage will be located less than 7' from an existing water main and underground telecommunication transmission line.

C. Landscape areas within parking lots shall be no less than five feet (5') wide. 3 existing landscape island is approximately 4 feet wide. Widening them will require the loss of parking spaces.

C. There shall be a landscaped area with at least one (1) tree within sixty feet (60') of every parking space. There are no existing planting beds large enough for the northern bays of 6 and 10 parking spaces to have a tree located within 60 feet of the spaces. Adding a planting bed will require the loss of parking spaces.

C. A landscape island shall be located at the terminus of all parking rows, and should contain at least one tree. 3 existing landscape islands that are at the terminus of parking rows are less than 5' in width and cannot support a healthy tree growing. The west end of the north bay of 6 parking spaces does not have a landscape island at the west end. Braum's cannot lose parking spaces, especially at the building.

Let us know if you need anything else to complete the review.

Respectfully,

A handwritten signature in blue ink, appearing to read 'SRL', is positioned above the printed name.

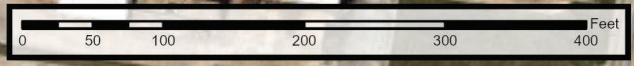
Scott Robinson, PLA

Mapbox

Item 6 & 7



EXHIBIT A



N US HIGHWAY 77

N US HIGHWAY 77

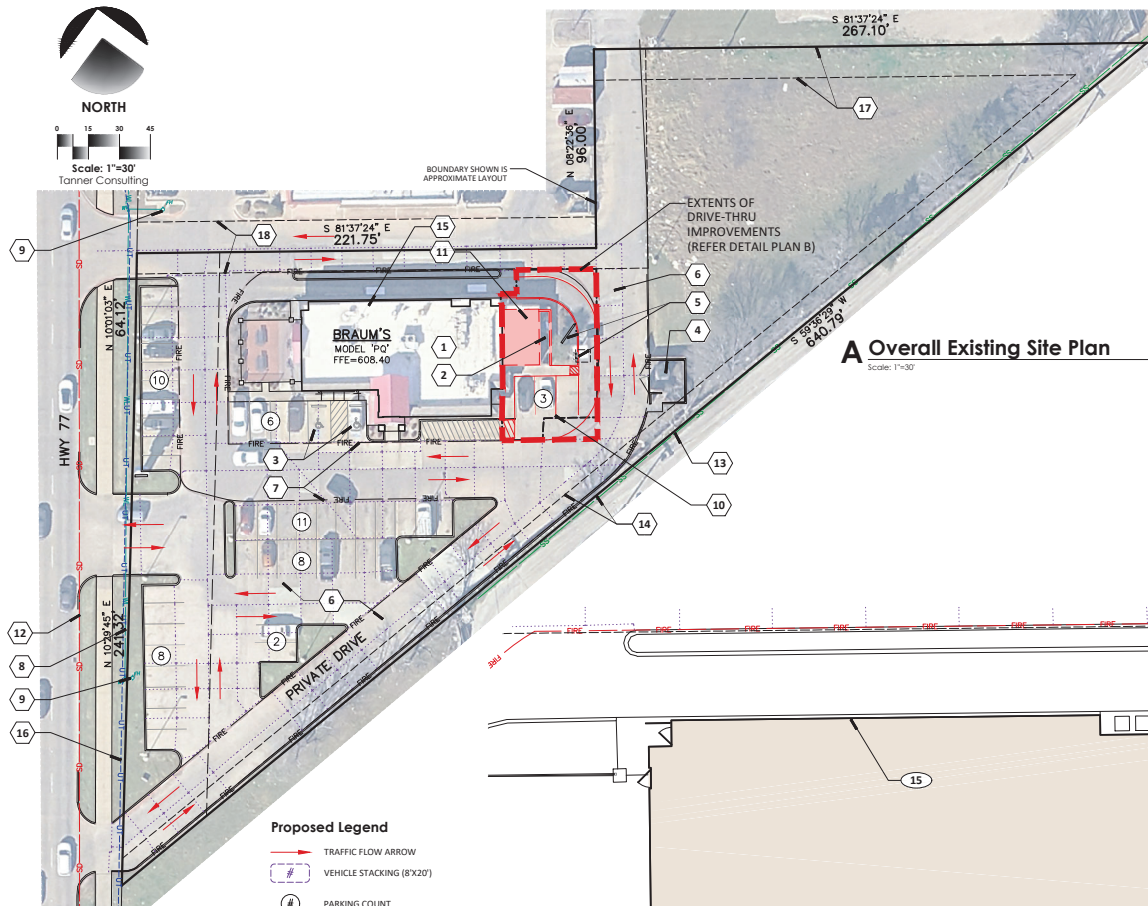
ALEXANDER DR

LITTLE CREEK DR

 ZDC-60-2026 (SUP)



Item 6 & 7



Existing Key Notes

1. BRAUM'S ESTABLISHMENT
2. BUNKER WELL
3. ADA PARKING SPACES
4. EXISTING TRASH ENCLOSURE
5. MENU BOARD LAYOUT TO RECONCRETE
6. CONCRETE PAVEMENT
7. FIRE LANE STRIPING
8. 8" WATER MAIN (APPROX. LOCATION)
9. FIRE HYDRANT
10. (3) NON-ADA SPACES TO BE REMOVED
11. DEMO BUILDING (APPROX. 492 SF)(RE-ARCH AND BLDG PERMIT)
12. 54" STORMWATER PIPE (APPROX. LOCATION)
13. 6" SEWER MAIN (APPROX. LOCATION)
14. 30" UTILITY EASEMENT
15. ORDER/PICKUP WINDOW
16. UNDERGROUND TELEPHONE CABLE (APPROX. LOCATION)
17. 15" UTILITY EASEMENT
18. 25' FIRE LANE AND PUBLIC ACCESS EASEMENT

Existing Legend

- TRAFFIC FLOW ARROW
 PARKING COUNT

THESE PLANS AND DRAWINGS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION AND CONSENT OF TANNER CONSULTING, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT OBTAINING SAID WRITTEN PERMISSION AND CONSENT. ANY CHANGES MADE FROM THESE PLANS WITHOUT CONSENT OF TANNER CONSULTING ARE UNAUTHORIZED, AND SHALL RELIEVE TANNER CONSULTING OF RESPONSIBILITY FOR ALL CONSEQUENCES ARISING OUT OF SUCH CHANGES.



OWNER:
Retail Buildings, Inc.
3000 NE 63rd Street
Oklahoma City, Oklahoma 73121
Phone: (405) 478-1656
Contact: Lane Wren
lane.wren@braums.com



5323 SOUTH LEWIS AVENUE
TULSA OKLAHOMA 74105-6539
OFFICE: 918.745.9929
www.tannerbaitshop.com
TEXAS CERTIFICATION OF
AUTHORIZATION
NO. F-4367 EXP. 12/31/2026



MILESTONE	DATE
SUP 3rd SUBMITTAL	7/31/26
SUP 4th SUBMITTAL	8/25/26
PLOT DATE: 8/25/26	

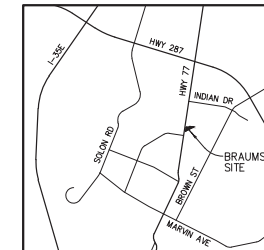
A Overall Existing Site Plan

Scale: 1"=30'

Site Metrics

	TOTAL
ZONING: PD-GR (ORDINANCE NUMBER 1887)	
PROPOSED USE: RESTAURANT WITH DRIVE-THRU	
TOTAL LOT AREA:	76,206 SF (1,750 AC)
EXISTING BUILDING AREA:	5,332 SF
PROPOSED BUILDING AREA:	6,840 SF
EXISTING AREA OF IMPERVIOUS SURFACE:	48,498 SF (63.6%)
PROPOSED AREA OF IMPERVIOUS SURFACE:	48,361 SF (63.4%)
TOTAL REQUIRED PARKING:	43 SPACES (SEE BREAKDOWN BELOW)
-RESTAURANT FLOOR AREA (1/100):	3,719 SF (17 SPACES)
-EXISTING FLOOR AREA (1/200):	1,121 SF (6 SPACES)
TOTAL EXISTING PARKING:	48 SPACES
TOTAL PROPOSED PARKING:	45 SPACES
EXISTING AND ACCESSIBLE PARKING TO REMAIN:	2 SPACES
LOCATED IN FEMA FLOODPLAIN:	NO
SCOPE OF WORK AREA:	3,408 SF

*BLDG SF BREAKDOWN BASED ON ARCH PLANS. REFER TO BRAUM'S FLOOR PLAN SHEET.



Location Map

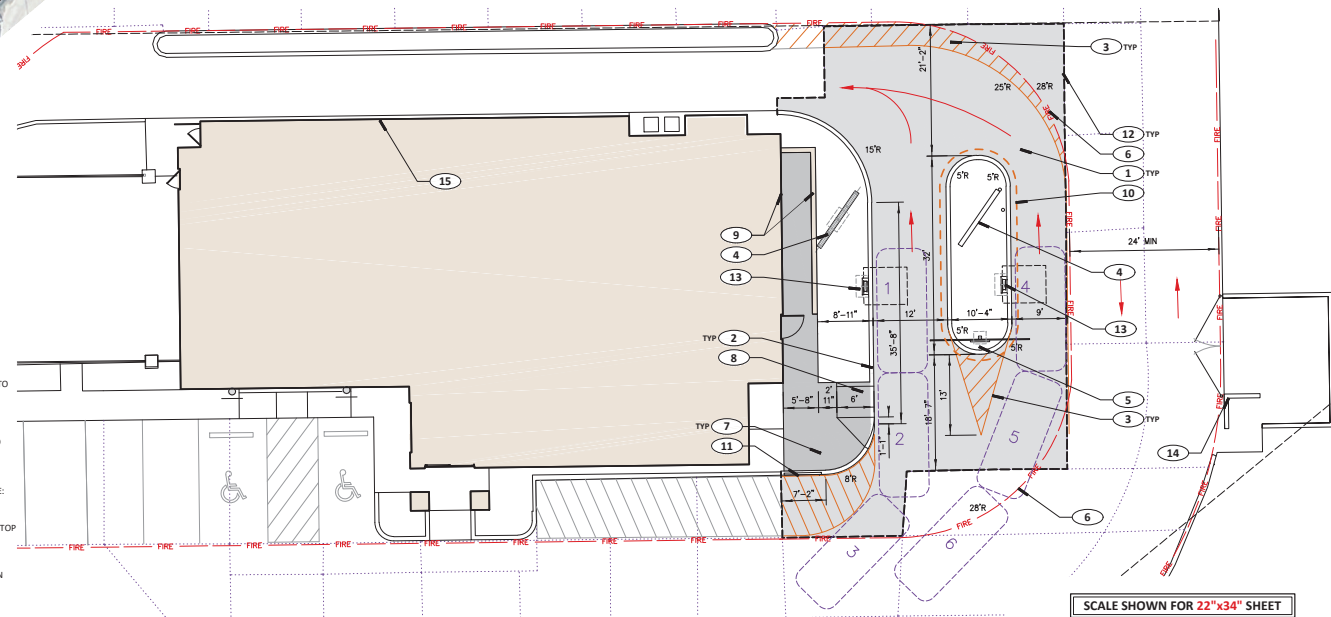


Proposed Legend

-  TRAFFIC FLOW ARROW
 VEHICLE STACKING (8'X20')
 PARKING COUNT

Proposed Key Notes (#)

1. CONCRETE PAVING (RE: DTL 3/C1)
2. INTEGRAL CONCRETE CURB (RE: DTL 6/C1)
3. PAVEMENT STRIPE (PAINT)4" WIDE(COLOR TO MATCH EXISTING)
4. BRAUM'S STANDARD DOUBLE MENU BOARD LAYOUT
5. BRAUM'S STANDARD CLEARANCE BAR
6. FIRE LANE STRIPE(PAINT)4" WIDE(COLOR TO MATCH EXISTING)
7. CONCRETE SIDEWALK (RE: DTL 4/C1)
8. ADA CURB RAMP TYPE A/B (RE: DTL 7/C1)
9. BRAUM'S STANDARD BUNKER WELL WALL (RE: ARCH)
10. MOUNTAIN LENGTH ANGLE IRON (RE: DTL 5/C1)
11. 4"x6"x6" MIN. LENGTH ANGLE IRON ALONG TOP EDGE OF CURB
12. FULL DEPTH SAWCUT
13. BRAUM'S ORDER BOARD
14. EXISTING DUMPTSTER WITH MASONRY SCREEN
15. BRAUM'S ORDER/PICKUP WINDOW



B Proposed Drive-Thru Improvements

Scale: 1"=10'

SCALE SHOWN FOR 22"x34" SHEET

THESE PLANS ARE TO BE REPRODUCED IN **COLOR**

Braum's #139
Civil Remodel Plans
504 N Hwy 77
Waxahachie, Texas



PRODUCERS, PROCESSORS & RETAILERS OF FINE DAIRY PRODUCTS
P.O. BOX 25429, 3000 N.E. 63RD, OKLAHOMA CITY, OKLAHOMA 73121
(405) 478-1656

PROJECT: 19144
 ISSUE DATE: 05/14/2026
 SUBMISSION: Braums Addn
 Lot 1
 Zoning PD-GR
 City/County Waxahachi/Ellis
 Case Number
Site Plan

SP1

EXHIBIT C

Item 6 & 7



Tanner Consulting LLC
CIVIL ENGINEERING | LAND SURVEYING
LANDSCAPE ARCHITECTURE | PLANNING
5323 SOUTH LEWIS AVENUE
TULSA, OKLAHOMA 74105-6539
OFFICE: 918.445.8929
www.tannerbaltshop.com
TEXAS CERTIFICATION OF
AUTHORIZATION
NO. BR 2921 EXP. 03/31/2027



DATE	REVISION	DESCRIPTION
7/25/26	1	SUP. 3rd SUBMITTAL
8/25/26	2	SUP. 4th SUBMITTAL
8/25/26		PLOT DATE

Braum's #139
Civil Remodel Plans
504 N Hwy 77
Waxahachie, Texas



PROJECT: 19144
ISSUE DATE: 05/13/2026
SUBDIVISION: Braums Addn
Zoning: PD-GR
City/County: Waxahachi/Ellis
Case Number

Existing Landscape Plan

L1

SCALE SHOWN FOR 22"x34" SHEET

THESE PLANS ARE TO BE REPRODUCED IN COLOR

Item 6 & 7



Planning & Zoning Department

Zoning Staff Report

Case: ZDC-117-2026



MEETING DATE(S)

Planning & Zoning Commission:

September 29, 2026

City Council:

October 5, 2026

CAPTION

Public Hearing on a request by Ryan McIntosh, Trinity Partners, for a **Specific Use Permit (SUP)** for a **Unified Lot Sign** use within a Planned Development-42-C (PD-42-C) zoning district, located directly south of 1650 N US Highway 77 (Property IDs: 316822, 316823, 316824, 316825, 316826, and 316827) – Owner: Bomac Wax Investments LLC (ZDC-14-2025)

RECOMMENDED MOTION

“I move to recommend approval of ZDC-117-2026, a Unified Lot Sign for the Plaza at Bessie Coleman, subject to the conditions the staff report.”

APPLICANT REQUEST

The applicant requests approval of a Specific Use Permit to allow for the construction of a Unified Lot Sign for the Plaza at Bessie Coleman multi-tenant shopping center.

CASE INFORMATION

Applicant: Ryan McIntosh, Trinity Partners

Property Owner(s): Bomac Wax Investments LLC

Site Acreage: Approximately 8.53 acres

Current Zoning: Planned Development-Commercial (PD-42-C) – Ord. 1528, and Specific Use Permit (SUP) Ord. 3632

Requested Zoning: Amend SUP Ord. 3632 for additional wall signage.

SUBJECT PROPERTY

General Location: Directly south of 1650 N US Highway 77

Parcel ID Number(s): 316822, 316823, 316824, 316825, 316826, and 316827

Existing Use: Multi-tenant shopping center (under construction)

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-42-C	Academy, Raising Canes
East	PD-64-SF-3	Country Meadows Subdivision
South	PD-1-C & PD-42-C	Belk, Boot Barn, Ellis County Music Center

West	O & GR w/ SUP	Waxahachie YMCA, Expedient Urgent Care
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Future Land Use Plan:

Local Commercial & Residential Neighborhood

Comprehensive Plan:

Placetype: Local Commercial

- Purpose & Uses: Preserves key business corridors with shopping centers, restaurants, grocery stores, offices, and personal services.
- Scale: Mid-sized commercial (larger than neighborhood shops, smaller than regional centers), featuring single buildings or multi-pad clusters centered around an anchor tenant.
- Location: Positioned along or at the intersections of major thoroughfares.
- Design & Pedestrian Access: Buildings must connect via sidewalks for easy walking. Developments with multiple pad sites are encouraged to include a shared plaza or park.

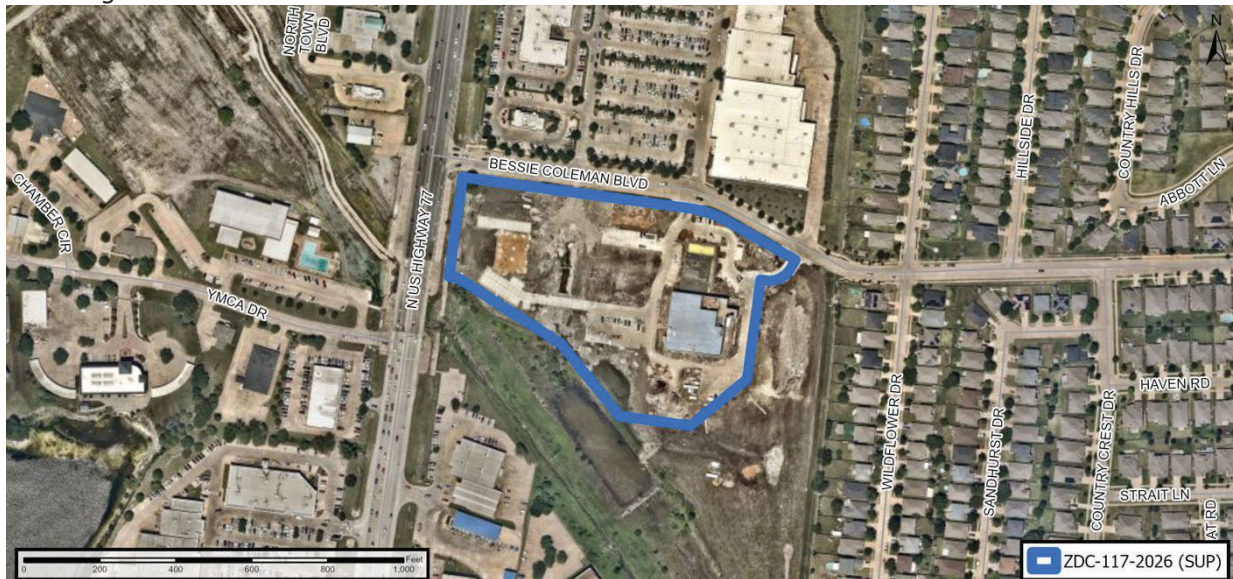
Placetype: Residential Neighborhood

- Purpose & Layout: Creates walkable, connected neighborhoods built on a traditional street and block grid.
- Neighborhood Commercial: Allows small, context-appropriate businesses—such as pop-up shops or homes converted into storefronts—that blend into the neighborhood.

Thoroughfare Plan:

The subject property is accessible via Bessie Coleman Blvd only.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant requests approval of an amendment to a Specific Use Permit to allow for additional wall signage. The Waxahachie Zoning Ordinance only allows for a maximum of four wall signs per building, this conflicts with the needs of a multi-tenant shopping center, such as when a building has three tenants and all four walls are in public view.

Proposed Use:

The subject property is currently situated in a Planned Development-42-Commercial (PD-42-C) zoning district. In 2025 the City approved a Site Plan for the development of the Plaza at Bessie Coleman; which is anchored by Sprouts Farmers Market and includes 3 additional multi-tenant retail buildings; an SUP for a Unified Lot Sign Plan was later approved. The proposed amendment to the SUP will provide greater opportunity for the tenants to have adequate wall signage.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 18 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PUBLIC NOTIFICATION RESPONSES

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

RECOMMENDATION

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

Conditions:

1. City Council shall have the right to review the Specific Use Permit at any point, if needed.

ATTACHED EXHIBITS

1. Draft Ordinance

STAFF CONTACT INFORMATION

Prepared by:

Brian Guenzel, MCRP
Assistant Director of Planning
bguenzel@waxahachietx.gov

Reviewed by:

Trenton Robertson, AICP
Director of Planning
trenton.robertson@waxahachie.com

ORDINANCE NO. _____

AN AMENDMENT TO ORDINANCE 3632 AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A UNIFIED LOT SIGN USE WITHIN A PLANNED DEVELOPMENT-42-COMMERCIAL (PD-42-C) ZONING DISTRICT, LOCATED DIRECTLY SOUTH OF 1650 N US HIGHWAY 77, BEING PROPERTY IDS 316822, 316823, 316824, 316825, 31826, AND 316827 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, the described property is classified in said ordinance and any amendments thereto as PD-42-C; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-117-2026. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from PD-42-C to PD-42-C, with a SUP in order to permit a Unified Lot Sign use on the following property: Property IDs 316822, 316823, 316824, 316825, 316826, and 316827 which is shown on Exhibit A, in accordance with the Sign Plan attached as Exhibit B.

SPECIFIC USE PERMIT

SECTION 1.

Purpose and Intent

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

SECTION 2.

Specific Use Permit

FOR OPERATION OF A **SPECIFIC USE PERMIT FOR A UNIFIED LOT SIGN USE WITHIN A PLANNED DEVELOPMENT-42-COMERCIAL (PD-42-C) ZONING DISTRICT**; the following standards and conditions are hereby established as part of this ordinance:

1. The development shall conform as approved by the City Council under case number ZDC-117-2026.
2. The development shall adhere to the City Council approved in Exhibit A- Location Map and Exhibit B – Sign Plan.
3. Wall Signs for the development shall be permitted in accordance with the Signage Site Plan (Exhibit B) and the following standards:
 - a. Maximum Sign Quantities:
 - i. Building A: A maximum of eight (8) wall signs.
 - ii. Building B: A maximum of six (6) wall signs.
 - iii. Building C: A maximum of six (6) wall signs.
 - iv. Building Z: A maximum of four (4) wall signs.
 - v. Grocery Store: A maximum of four (4) wall signs.
 - b. Eligible Building Façades and Area Calculation:
 - i. Wall signs shall be restricted solely to the building walls/elevations designated in green on Exhibit B.
 - ii. For the purpose of calculating allowable wall sign area, each building wall designated in green on Exhibit B shall be deemed an eligible building frontage.
 - iii. Sign area per wall shall not exceed one (1) square foot of sign area per linear foot of building wall frontage (or individual lease space wall frontage for multi-tenant spaces) along that specific eligible elevation, up to a maximum of two hundred fifty (250) square feet per sign/façade. Notwithstanding the foregoing, individual lease spaces in Building A shall be permitted a minimum wall sign area of up to forty (40) square feet on an eligible façade, regardless of whether the lease space frontage is less than forty (40) linear feet. Sign area allocations cannot be transferred between different building elevations.
 - c. Multi-Tenant Building, Wall Sign Allocations:
 - i. Each individual tenant lease space in a multi-tenant building shall be permitted a maximum of one (1) wall sign per eligible building elevation (designated in green on Exhibit B) that the tenant space directly abuts (the designated green line).
 - ii. Under no circumstance shall any individual tenant space exceed one (1) wall sign per eligible façade, nor shall sign area calculated from one elevation be transferred to another elevation.
4. All improvements within the subject property will be subject to obtaining building permits

from the City in accordance with the City's applicable rules and regulations governing such permits.

5. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
6. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance (Ordinance No. ____) or the Development Agreement, shall conform to those requirements and/or standards prescribed in Exhibit B – Sign Plan. Where regulations are not specified in Exhibit B in this Zoning Ordinance (Ordinance No. ____) or the Development Agreement, the regulations of the Planned Development-42-Commercial (PD-42-C) zoning district and the City of Waxahachie Zoning Ordinance shall apply to this development.
7. City Council shall have the right to review the Specific Use Permit at any point, if needed.

Compliance

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

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

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

PASSED, APPROVED AND ADOPTED on this 5th day of October, 2026.

MAYOR

ATTEST:

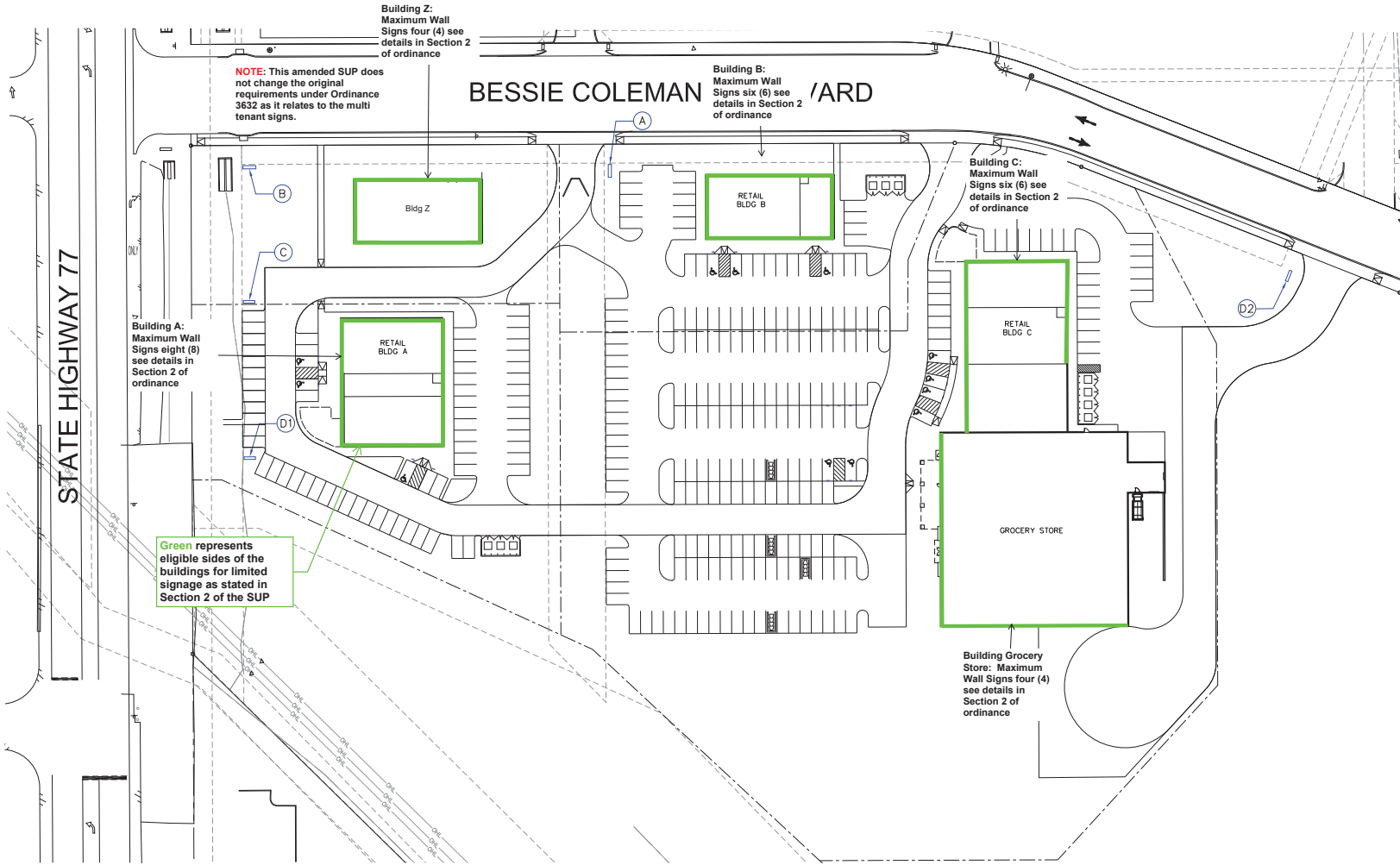
City Secretary

EXHIBIT A - LOCATION MAP

Item 8 & 9



EXHIBIT B - LOCATION MAP



1 SIGNAGE SITE PLAN
SCALE: NTS

CONCEPT © 2024

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



SHELL BUILDINGS
TBD HWY 77 & BESSIE COLEMAN
WAXAHACHIE, TX

Revisions:

File Name:	23234- SG-1
Project No:	23234
Date:	12/20/2024
Drawn By:	AB
Checked By:	TI

SG-1
SIGNAGE
SITE
PLAN