

Planning and Zoning Commission
October 28, 2025

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Tuesday, October 28, 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
Jami Bonner, Assistant City Secretary

1. **Call to Order**
2. **Invocation**

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

3. **Public Comments**

None.

4. **Present Proclamation proclaiming October 2025 as Community Planning Month and Recognize the City of Waxahachie for their Richard R. Lillie, FAICP Program for Planning Excellence Certificate of Achievement**

Mayor Pro Tem Patrick Souter presented a Proclamation recognizing October 2025 as Community Planning Month.

Senior Director of Planning Trenton Robertson recognized the Planning Department for their Richard R. Lillie, FAICP Program for Planning Excellence Certificate of Achievement.

5. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of October 14, 2025
- b. Consider a request by Sherri Taylor, GMcivil, for a Plat of Myrtle Creek Phase 4A, 136 residential lots and 9 non-residential lots, being 48.365-acres, located approximately 3,000 feet northeast of 2325 S US Highway 287 Bypass, situated in the Robert M. Berry Survey, Abstract 96 & 97, an addition to the City of Waxahachie (Property ID 180362) – Owner: Spur Creek Development, L.P. (SUB-149-2025)
- c. Consider a request by Kati Watson, Windrose Land Services, for a Plat of WOC Addition, Lots 1 and 11X, Block A, being 4.394 acres, located at Highway 287 North Access Road approximately one (1) mile West of Ovilla Road, situated in the D.S.

Gentry Survey, Abstract No. 409, W. Irwin Survey, Abstract No. 545, and W. Irwin Survey, Abstract No. 546, an addition to the City of Waxahachie (Property IDs: 295243, 295240) – Owner(s): Waxahachie Office Condos, LLC and Montclair Development A Series of EIS Development II LLC (SUB-153-2025)

Vice Chair Bridges announced the applicant requested to withdraw item 5c, SUB-153-2025, from the consent agenda.

Action:

Chad Hicks moved to approve items a and b on the Consent Agenda, subject to the recommendations of staff. Motion was seconded by Ryan Simpson and carried unanimously (6-0).

6. Public Hearing on a request by Dr. Haroon Rasheed, for a Zoning Change from a General Retail (GR) zoning district to Planned Development-General Retail (PD-GR) zoning district with reduced minimum parking requirements, located at 600 Ferris Avenue (Property ID 170756) - Owner: HR Waxahachie Land LP (ZDC-143-2025)

Planning Manager Zack King presented the Item. The applicant proposes to rezone the subject property from a General Retail (GR) zoning district to a Planned Development-General Retail (PD-GR) zoning district to reduce the minimum parking requirements for the subject property to 69 spaces. The number of parking spaces currently present on the subject property is 69. No other modifications to the typical requirements of the GR zoning district are proposed with this PD request.

The subject property was originally developed in 1965. At that time, approximately 69 parking spaces were developed with the subject property. The property was purchased by the current owner in 2015 and the building on the subject property was significantly remodeled at that time. The parking count and configuration was not changed as part of the remodel, but a portion of the parking lot was improved to concrete along Ferris Avenue and the rest of the parking lot was resurfaced as asphalt. Since the remodel of the site was completed, the building has been partially occupied by medical office users.

Since the time of the original development of the property in 1965, minimum parking requirements have changed. The site is fully developed and no additional parking can be added to the property. The current parking count prevents full occupancy of the building. For example, if the entire building were to be occupied by medical office users, the current GR zoning would require a minimum of 290 parking spaces to be present on site. The proposed PD reduces the minimum parking requirement for the property to 69, the current number of existing parking spaces on the property. Approval of the PD would eliminate minimum parking requirements as a barrier to full occupancy of the building.

Mr. King noted that the subject property has historically been adequately supported by the current number of parking spaces on the site. The property owner has submitted a letter with this PD request noting that approximately 40% of the building is currently occupied. The applicant states that current occupants routinely use less than 50% of the current parking on the subject property. Due to the limited use of the existing parking on the property, and the history of the existing parking being sufficient to support past tenants, staff is supportive of the PD request.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 19 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in The Waxahachie Sun and a sign was visibly posted at the property. Staff has received zero (0) letters of support and zero (0) letters of opposition for the PD request.

Dr. Haroon Rasheed, 3620 Ranchero Rd., Plano, Texas noted that no complaints have been received regarding parking at 600 Ferris Avenue. Typically, a maximum of 25 cars are onsite at any given time. The building is currently at 40% occupancy; however, Dr. Rasheed intends to lease the remaining space to other medical offices and believes that the 69 available parking spaces will be sufficient to accommodate full occupancy.

Vice Chair Jenny Bridges opened the Public Hearing at approximately 7:13 p.m.

There being no others to speak for or against ZDC-143-2025, Vice Chair Bridges closed the Public Hearing at approximately 7:13 p.m.

7. Consider recommendation of ZDC-143-2025

Action:

Chad Hicks moved to approve ZDC-143-2025, a Planned Development zoning change request for 600 Ferris Avenue, 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).

8. Public Hearing on a request by Matthew Smith, Darwood Partners, for a Zoning Change from a General Retail (GR) zoning district to Planned Development – Neighborhood Services (PD-NS) zoning district located directly east of 365 Broadhead Road (Property ID(s): 242234, 231109 – Owner(s): WP Legacy LTD (ZDC-24-2025)

Senior Planner Oanh Vu presented the Item. The subject property was zoned to General Retail (GR) as part of the Garden Valley planned development in 2002 (ZA2002-21) to promote commercial development properties along the entrance corridor. The subject property is currently situated on an unplatted lot.

Previously, the applicant submitted a Specific Use Permit (SUP) application to allow a Convenience Store with Gasoline Sales use (ZDC-139-2024). However, the SUP request was disapproved by City Council on December 2, 2024.

The applicant is now proposing to rezone the subject property from General Retail (GR) zoning district to a Planned Development – Neighborhood Services (PD-NS) zoning district to lower the intensity of uses that would typically be allowed on the subject property under the GR zoning district but not the NS zoning district. Therefore, the applicant proposes to rezone the subject property to allow non-residential uses on a smaller scale to serve the adjacent properties without compromising the characteristics of the existing development(s). This application includes a concept plan to reflect how the owner visualizes for the subject property to be developed. A site

plan application is required to be submitted for administrative approval prior to the development of each lot.

The Neighborhood Service (NS) Zoning District is defined as a limited retail category intended for the use of nearby neighborhood areas for the purpose of supplying day-to-day needs and personal services. Establishments should include small, freestanding retail structures, such as convenience stores and neighborhood oriented personal service establishments. Sites zoned NS should generally utilize an existing or small corner lot within a logical neighborhood area.

The applicant has revised the proposed 7-Eleven proposal since the disapproval of the previous SUP request in 2024. Specifically, the proposal has been updated by shifting the structures towards the center of the western tract of land of the subject property. The applicant has provided a different set of elevations/façade that utilizes over 80% of masonry throughout the building, and redesigned the structure to incorporate some of the existing architectural features of the adjacent subdivision (Garden Valley and Buffalo Ridge).

The applicant proposes to specifically allow for a Convenience Store with Gasoline Sales use with this PD request while maintaining other requirements of the existing NS zoning district. The proposed 7-Eleven is an approximately 4,800 square foot single-story building. The proposal includes a gasoline canopy with five (5) dual-sided pumps. The site plan proposed by the applicant includes a sufficient number of parking spaces to support the development.

The applicant has provided one set of elevations/façade. The proposed elevations/façade includes a combination of brick, stone, and stucco.

The lot(s) located on the eastern and western sides of the subject property will both have one access point onto Garden Valley Parkway and one access point onto Broadhead Road. The subject property will have private drives covered by mutual access easements for cross access between lots. The access easements shall be dedicated by plat prior to each lot being developed. The applicant also proposes to install pedestrian sidewalks along Garden Valley Parkway and Broadhead Road, connecting to the existing sidewalks. In addition, the applicant is proposing to install 4' decorative iron fencing along the sidewalks located at all entrances and corners of both thoroughfares to provide a safety barrier for pedestrians, cyclists, and drivers, and to redirect traffic flow for pedestrians and cyclists.

The applicant proposes to preserve the existing mature trees that are located within the subject property by acquiring more land to shift the proposed location of the structure and gas canopy to install required trees without disturbing the existing trees. The applicant proposes to meet the landscape requirements as required. The applicant proposes to construct an eight-foot (8') masonry screening wall and a 40' landscape buffer with installation of additional canopy trees adjacent to the Garden Valley neighborhood to the north to provide a buffer between the existing residential subdivision.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 39 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 has received two (2) letters in opposition and two (2) letters in support for the proposed Zoning Change request.

Matthew Smith, 1008 Macon Street, Fort Worth, Texas, explained that Darwood Partners, applicant, has spent nearly a year collaborating with staff to address neighborhood concerns. He noted that the proposed 7-Eleven building has been shifted westward, further from the intersection, and that sidewalks and fencing have been incorporated to enhance pedestrian safety. Additional site plan improvements include meeting an 80% masonry requirement for the building, increasing landscaping with a 40-foot buffer adjacent to single-family residences, requiring a 24-hour enhanced security system for all buildings, preserving the majority of existing trees on the site, and upgrading the 7-Eleven elevations to better complement the surrounding neighborhood.

Commissioner Chad Hicks inquired about the possibility of installing a fence between the sidewalk and the street, or alternatively, relocating the sidewalk further away from the street. Mr. Smith responded that the applicant is not opposed to the idea; however, an encroachment agreement would be required to install the proposed fence within the right-of-way. Commissioner Hicks' suggestion prompted further discussion, during which Mr. Robertson expressed concerns regarding long-term maintenance, visibility through the fence, and potential safety hazards. In response, Mr. Smith noted that 7-Eleven is willing to assume responsibility for maintaining the fence.

Commissioner Jimmy Poarch asked the applicant whether there is any evidence that the proposed sidewalks would improve pedestrian safety. Mr. Smith responded that the design of the proposed sidewalks encourages pedestrians to remain more aware of their surroundings by reducing distractions, such as looking down at a phone. He added that the sidewalks are intended to enhance visibility between drivers and pedestrians, allowing both parties more time to see one another and react appropriately, if necessary.

Vice Chair Bridges acknowledged the applicant's efforts in addressing neighborhood concerns and commended the improvements made to the revised proposal. She also cited FBI crime statistics, noting that violent crimes occur more frequently in residential homes than in convenience stores or gas stations.

Justin Stoker, Senior Director of Public Works, stated that the Public Works Department is implementing sidewalk designs similar to those proposed by the applicant, which include intentional hard turns to encourage pedestrians to be more aware of crossings and their surroundings. He expressed the department's support for the proposed sidewalk layout as a means to enhance pedestrian safety. Mr. Stoker added that he is also supportive of relocating the sidewalk if that is the will of the Commission; however, he noted that such a change would require a sidewalk easement. He cautioned that if relocating the sidewalk eliminates the hard turns currently included in the design, he would recommend maintaining the sidewalk configuration as proposed.

Commissioner Ryan Simpson confirmed that, if approved, the Planned Development (PD) zoning would remain with the site. Mr. Robertson affirmed that the PD-NS zoning designation would continue to apply to the property even if 7-Eleven were to vacate the site.

Commissioner Simpson also offered several recommendations to enhance site security. These included:

- Limiting window coverings to no more than 25% of the window area,
- Prohibiting any window coverings that obstruct a clear line of sight to the cashier(s) or cash handling areas, and
- Updating the PD language to require the installation of a monitored alarm system connected to both a licensed security provider and a local public safety authority.

Vice Chair Bridges opened the Public Hearing at approximately 7:31 p.m.

Those that spoke against ZDC-24-2025:

Steven Vedro, 219 Range Road, Waxahachie, Texas

There being no others to speak for or against ZDC-24-2025, Vice Chair Bridges closed the Public Hearing at approximately 7:40 p.m.

9. Consider recommendation of ZDC-24-2025

Action:

Ryan Simpson moved to recommend approval of ZDC-24-2025, a zoning change from a General Retail (GR) zoning district to a Planned Development – Neighborhood Services (PD-NS) zoning district, subject to the conditions of the staff report, and add limiting window coverings to 25%, no window coverings to obstruct the line of sight of the cash handling areas, and to amend the PD standards to include “a monitored security and alarm system to be connected to a licensed security provider and a local public safety authority” 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).

10. 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 presented the Item and noted that the applicant intends to request a continuance of case ZDC-232-2024 to the November 10, 2025 Planning & Zoning Commission meeting, but has requested to discuss the case during tonight’s meeting.

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 November 3, 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.

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 including 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.

This application was originally submitted on December 18, 2024. Since that time, a total of seven (7) revised submittals for the application have been formally reviewed by staff with an average turnaround time of 6.85 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. It is important to note that at the time of this report, staff still has multiple outstanding concerns that the applicant has declined 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.

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). 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 North Central Texas Council of Governments (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.

The Traditional Residential District (TR) 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.

The Active Adult Residential District (AA) 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.

The Flex Residential District (FR) 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.

The Multi-Family Residential District (MF) 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.

The Mixed-Use District (MU) 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.

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 ten (10) acres are proposed to be dedicated for civic uses and a minimum of 49 acres are proposed to be dedicated to Waxahachie Independent School District (WISD) for future school sites. The proposal also includes major drainage, detention, utility and roadway infrastructure elements needed to support the development.

The Concept Plan 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.

The Planned Development proposal includes a total of twelve (12) unique residential lot types. The proposed lot types generally fall into two primary categories including Front Loaded and Alley Loaded/Cluster. Front Loaded lot types include the Residential Detached, 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.

The proposed lot types range in minimum size from 2,500 square feet to 6,000 square feet for the largest lot type. 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 significantly smaller than the minimum lot size required 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. 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 eliminates 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.

All twelve (12) lot types are proposed to be utilized in the AA district, but the TR district is not proposed to utilize the Courtyard Villa lot type. The applicant has not proposed a requirement that would result in the use of each lot type within the development. Instead, Chapters 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 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 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 Planned Development request includes a proposal for a Multi-Family (MF) Residential District comprised of 29-acres in total. The Concept Plan 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 include a provision reducing the requirement for attached garage parking spaces from 50% to 20%. Staff recommends that the attached garage parking minimum be increased to 50% to ensure sufficient parking within the district.

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.

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 0% 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 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 that is indicated on the Illustrative Plans

The Concept Plan 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 neighborhood services to residents and result in increased congestion near the MU tracts that are provided.

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.

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.

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. 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.

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 allows for the developer to modify any numerical standard in the proposal by up to 10% without City Council approval. 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 variable density allowances may also result in a development pattern that is not representative of the Illustrative Plans provided by the applicant.

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. Despite the intent for a large portion of the development to be age-restricted, staff has concern that three (3) elementary schools and one (1) middle school is insufficient to serve the expected population. This concern may be exacerbated if the age restriction requirement of the AA district is not sufficiently enforced.

The Concept Plan proposed with this development identifies two (2) primary amenity center tracts. The amenity center 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 Illustrative Plans and do not adequately prevent individual amenities from being duplicated to meet minimum amenity requirements.

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, 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. Both passive and active amenity areas may contribute towards the open space requirement.

The applicant has identified active amenities and park areas that are proposed to contribute to the minimum open space requirement in 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 has been 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, 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.

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 the last unit 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 just one (1) lot in the adjacent residential phase is left undeveloped. This has the potential to delay required amenities for adjacent residents and negatively impact City efforts to plan for maintenance obligations.

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.

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.

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.

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 nonresidential 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 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.

The applicant has included a tree preservation provision with the Development Agreement for proposed development. The provision states that "Tree Preservation requirements set forth in City Ordinances shall be satisfied by the installation of trees required under the Zoning Ordinance". The proposed language does not actually result in a requirement to preserve existing trees on the property and instead expressly allows for clear cutting. This is a concern specifically as it relates to park areas, open spaces, and floodplain areas where tree preservation is a crucial amenity and a key part of erosion control.

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, 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 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. Notably, this Exhibit is titled "Design Guidelines" rather than "Design Requirements."

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.

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 Planned Development Standards (Chapter 3.3) and the Development Agreement (Section 6.13(d)) include 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 2- and 3- business day 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.

The applicant proposes to establish unique signage guidelines for the development via Chapter 10, Planned Development Standards and a Signage Plan. 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.

The applicant has provided a thoroughfare exhibit 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 thoroughfare proposal does not include right-of-way (ROW) dedication or improvements 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 the staff report, the applicant has not revised the proposal to include the appropriate ROW dedication for these thoroughfares.

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 Chapter 9.2.1 to the Planned Development Standards 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.

The applicant has provided a Traffic Impact Analysis (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 July 30, 2025, but has not received a revised submittal from the applicant since that time.

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 exclusively on the on-site roadway improvements needed to support the proposed development. The TIA states that the on-site thoroughfare proposal is sufficient to support full build-out of the development. The TIA also notes that Phases 1-3 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 an analysis of major adjacent intersections and does not identify the off-site improvements 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 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 concurrently 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.

The applicant has provided a Street Section Exhibit 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. The Exhibit also includes proposed alley sections for both residential and non-residential conditions.

The applicant has not included a specific Phasing Plan in the PD request for property; 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.

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 does not believe the proposal is 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.

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.

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 \$0.80 per \$100 of taxable assessed value. This assessment rate is equivalent to approximately 131% of the current City property tax rate of \$0.61 per \$100.

The Planning & Zoning Commission is tasked with providing a recommendation to City Council on the proposed zoning of the subject property. The Commission historically has not offered a direct recommendation related to a special district, such as an MMD, to the City Council. In this instance, staff suggests that the Commission consider the Development Agreement and MMD proposed for the development when making their recommendation to City Council on this zoning request. This is due to 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 established only within 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.

Staff has concerns that the proposed \$0.80 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 allocated or whether the proposed assessment rate is reasonable.

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. Staff received zero (0) letters of support and seven (12) letters of opposition to the proposed Planned Development zoning change request.

Based on the current Planned Development details available, staff recommends denial of the PD request, with prejudice.

Vice Chair Bridges asked whether it is typical for developers to be somewhat vague or flexible in their requests regarding the size of a proposed development. Mr. King responded that while such flexibility is not necessarily unusual with larger cities, the City of Waxahachie has not previously encountered a development request of this scale and does not currently have individualized permitting processes in place to accommodate it.

Richard Rozier, 208 Katy Lake, Waxahachie, Texas, provided an overview of Minto Communities and the history of the Kemp Tract project. He acknowledged prior miscommunication with staff and apologized for not providing timely responses. Mr. Rozier stated that the development team has since spent significant time working with staff to address concerns. He emphasized that Ellis County is experiencing growth, and housing preferences and density needs are evolving. He referenced the City's 2023 Comprehensive Plan, which supports increased density to sustain City services. Mr. Rozier requested a continuance to allow further collaboration with staff and the community. He expressed Minto Communities' intent to create a development that reflects Waxahachie's unique culture and charm. He acknowledged infrastructure challenges and noted that the proposed development would extend water, sewer, and roadway infrastructure to the west side of I-35. Mr. Rozier clarified that the Municipal Management District (MMD) tax rate of \$0.80 per \$100 valuation is a maximum cap, and a study will be conducted to determine the actual rate. He explained that the current PD does not include specific design standards, as housing types will be market-driven. Once a development partner is ready to proceed, they will be required to go through the PD process for Planning & Zoning Commission and City Council approval. He also noted that the developer has met with the school district, which has expressed support for the project.

Bill Dahlstrom, 2323 Ross Avenue, Dallas, Texas, introduced himself as a land use attorney representing Minto Communities. He outlined key elements of the proposed development, which include a diverse range of housing options, high-quality retail and mixed-use spaces, parks, trails, amenities, school and civic sites, and supporting infrastructure. Mr. Dahlstrom emphasized that the project is anticipated to have a positive impact on Waxahachie's economic growth.

Lynn Caposo, representing Community Planning, Product Design, and Strategic Marketing, introduced himself as the project's architect working with Minto Communities. He stated that the primary goal is to design homes that reflect the character and heritage of the Waxahachie community. While acknowledging that housing styles will likely evolve over the next two decades, Mr. Caposo explained that the current Planned Development (PD) incorporates traditional architectural vernaculars with flexibility to adapt to future market trends. He presented proposed architectural styles inspired by designs found throughout Texas, emphasizing their regional relevance. Mr. Caposo also discussed key design principles—such as defining architectural characteristics, strong stylistic elements, and design enhancements—and introduced the Texas Farmhouse design spectrum, which includes three elevation types: Traditional, Transitional, and Bold.

Commissioner Poarch requested clarification regarding the number of school sites proposed within the PD. Mr. Rozier responded that they are actively coordinating with WISD and expect to have a clearer understanding of the district's needs in the near future. Vice Chair Bridges added that, based on her discussion with a WISD representative, she would not support a PD that allocates fewer than 75 acres for school sites.

Commissioner Hicks confirmed Mr. Rozier's role as an elected official with the Ellis County Appraisal District and requested clarification on his responsibilities related to the proposed development. Mr. Rozier explained that he has long worked in consulting and holds no fiduciary responsibility with the City.

Commissioner Simpson inquired about the water and sewer requirements for the development. James Gaertner, Executive Director of Public Works and Utilities, stated that the City is currently conducting a Master Plan for its water and wastewater treatment plants to accommodate the city's anticipated future growth.

Vice Chair Bridges opened the Public Hearing at approximately 8:56 p.m.

Those that spoke in opposition:

Bob Ferris, 6059 E FM 875, Waxahachie, Texas

James Fabby, 5236 E FM 875, Waxahachie, Texas

David Higley, 945 Lone Elm Road, Waxahachie, Texas

Cynthia Prescott, 5241 E FM 875, Waxahachie, Texas

Jose Tovar, 415 Brookside Road, Waxahachie, Texas

Driller Fiegel, 5955 FM 875, Waxahachie, Texas

Michael Anderson, 413 Brookside Road, Waxahachie, Texas

Terry Nay, 711 Brookside Road, Waxahachie, Texas

Dean Settlemeyer, 605 Brookside Road, Waxahachie, Texas

Kathy Kacal, 405 Brookside Road, Waxahachie, Texas

Action:

Chad Hicks moved to continue the Public Hearing to the November 10, 2025 P&Z Commission Meeting. Motion was seconded by Bart Underwood and carried unanimously (6-0).

11. Consider recommendation of ZDC-232-2024

No action taken.

12. Convene into Executive Session to consult with the City Attorney about contemplated litigation; to consult with the City Attorney regarding legal issues associated with land development and annexation issues; as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto

Vice Chair Bridges announced that it was not necessary to convene into Executive Session, as the Commission had approved a continuance for Case ZDC-232-2024.

13. Reconvene and take any necessary action

No action taken.

14. Adjourn

Senior Director of Planning Trenton Robertson expressed his appreciation to the Planning Department staff for their hard work and attention to detail on projects of all sizes. He stated that he is grateful for their continued dedication and professionalism.

Planning Manager Zack King thanked the Commission for their ongoing contributions to the city's planning efforts and acknowledged that their participation played a key role in the City's receipt of the Richard R. Lillie Planning Excellence Award.

Mayor Pro Tem Patrick Souter, Terry Connor, and Ryan Simpson also commended staff for their thorough preparation of detailed staff reports for the Commission and expressed their gratitude for the team's continued efforts and commitment.

There being no further business, the meeting adjourned at 9:50 p.m.

Respectfully submitted,

Jami Bonner
Assistant City Secretary