

# *A G E N D A*

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, August 9, 2022 at 7:00 p.m.*** in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Commission Members: Rick Keeler, Chairman  
Melissa Ballard, Vice Chairman  
Betty Square Coleman  
Bonney Ramsey  
Jim Phillips  
David Hudgins  
Erik Test

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.

4. ***Consent Agenda***

All matters listed under Item 4, Consent Agenda, are considered 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 Chairman 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 July 26, 2022
- b. Minutes of the Planning and Zoning Commission briefing of July 26, 2022

5. ***Consider*** request by Claudia Rodriguez, for a Plat of the Rodriguez Addition, Lot 1, Block A, being 0.6013 acres, located directly west of 1400 Dr. Martin Luther King Jr. Blvd., situated in the S.M. Durrett Survey, Abstract 272, an addition to the City of Waxahachie (Property ID: 182035) – Owner: JOSE RODRIGUEZ (SUB-11-2022) Staff: Zack King
6. ***Public Hearing*** on a request by Clint Rhodes, for a Plat of Rhodes Addition, 1 Residential Lot, being 1.00 acres, located at 2407 Howard Rd., (Property ID 182086,) – Owner: MASTERPIECE PROPERTIES (SUB-58-2022) Staff: Ashlie Jones
7. ***Consider*** approval of SUB-58-2022
8. ***Consider*** request by Chris Muder, REES Associates Inc., for a detailed Site Plan Review for the Villages of Country Lane, an Assisted & Senior Living use within a Planned Development-90 (Office) zoning district at 110 Park Hills Drive (Property ID: 241956) – Owner: BRIDGEVIEW REALTY CAPITAL LLC (SP-55-2022) Staff: Zack King

9. **Public Hearing** on a request by Michelle Kucaba, Interplan, LLC, for a Specific Use Permit (SUP) for a Restaurant with a Drive-Through use within a Planned Development-General Retail (PD-GR) zoning district located at 996 W Highway 287 (Property ID 142134) - Owner: CHICK-FIL-A INC (ZDC-47-2022) Staff: Eleana Tuley
10. **Consider** recommendation of ZDC-47-2022
11. **Public Hearing** on a request by Jeb Jones, Pro Star Rental, for a Specific Use Permit (SUP) for a Heavy Machinery and Equipment Sales and Rental, use within a Light Industrial (LI-1) zoning district located at 2601 North Highway 77 (Property ID 174803) - Owner: CJ COMMERCIAL CO LLC (ZDC-52-2022) Staff: Eleana Tuley
12. **Consider** recommendation of ZDC-52-2022
13. **Public Hearing** on a request by Shannon Childs, for a Specific Use Permit (SUP) for an Accessory Dwelling Unit, use within a Single Family – 2 (SF-2) zoning district located at 301 Olive Street (Property ID 180822) - Owner: SHANNON MARIE CHILDS (ZDC-76-2022) Staff: Ashlie Jones
14. **Consider** recommendation of ZDC-76-2022
15. **Public Hearing** on a request by Nic Paul, for a Specific Use Permit (SUP) for an Accessory Structure +700sf, use within a Single Family – 1 (SF-1) zoning district located at 116 Spring Creek Drive (Property ID 206116) - Owner: LEE & ANNA L. MARTIN (ZDC-83-2022) Staff: Ashlie Jones
16. **Consider** recommendation of ZDC-83-2022
17. **Public Hearing** on a request by Gregory Nehib, Big Blue Truck, LLC, for a Zoning Change from Single Family Residential-2 (SF-2) zoning district to Central Area (CA) zoning district, located at 206 and 208 N Jackson Street (Property ID 170695 and 170696) - Owner: BIG BLUE TRUCK, LLC (ZDC-80-2022) Staff: Eleana Tuley
18. **Consider** recommendation of ZDC-80-2022
19. Adjourn

**The P&Z reserves the right to go into Executive Session on any posted item.**

This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at (469) 309-4006 or (TDD) 1-800-RELAY TX.

***Notice of Potential Quorum***

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

(4a)

Planning and Zoning Commission  
July 26, 2022

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, July 26, 2022 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

- Members Present: Rick Keeler, Chairman  
Melissa Ballard, Vice Chairman  
Betty Square Coleman  
Bonney Ramsey  
Jim Phillips  
Erik Test
- Member Absent: David Hudgins
- Others Present: Shon Brooks, Executive Director of Development Services  
Jennifer Pruitt, Senior Director of Planning  
Ashlie Jones, Senior Planner  
Zack King, Senior Planner  
Macey Martinez, Graduate Engineer  
Amber Villarreal, City Secretary  
Chris Wright, Council Representative

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

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

3. **Public Comments**

None.

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of July 12, 2022
- b. Minutes of the Planning and Zoning Commission briefing of July 12, 2022

**Action:**

*Ms. Bonney Ramsey moved to approve items a. and b. on the Consent Agenda. Ms. Betty Square Coleman seconded, All Ayes.*

5. **Public Hearing on a request by Tim Jackson, for a Replat of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022)**

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue the case to the August 23, 2022 Planning and Zoning Commission meeting.

**6. Consider recommendation of SUB-73-2022**

**Action:**

*Vice Chairman Melissa Ballard moved to continue the Public Hearing on a request by Tim Jackson, for a Replat of Lots 8, Block 3, University Annex Addition, to create Lots 8A & 8B, Block 3, University Annex Addition, 2 Residential Lots, being 0.350 acres, located at 800 Sycamore Street, (Property ID 176411) – Owner: A GARRETT REAL ESTATE VENTURES LLC (SUB-73-2022) to the August 23, 2022 Planning and Zoning Commission meeting. Mr. Jim Phillips seconded, All Ayes.*

**7. Consider a request by Christopher Addison, JPH Land Surveying, Inc., for a Plat of Shridharani Subdivision, Lots 1-4, Block 1, being 8.414 acres, located north of 2800 N US Highway 77, situated in the Albert S. Pruett Survey, Abstract 848, an addition to the City of Waxahachie (Property ID: 189379 & 189387) – Owner: VAQUERO HIGHWAY 77 WAXAHACHIE PARTNERS LP (SUB-160-2021)**

Senior Planner Zack King presented the case noting the applicant is requesting to plat the subject property into four (4) lots for commercial use. All proposed lots meet or exceed the minimum lot size and dimension requirements established by the zoning for the property and there will be a Shared Access Easement for a private drive that connects all four (4) lots. Staff recommends approval per the following condition:

1. The applicant shall update the plat to include recording information for the Shared Access Easement and all offsite easements prior to plat filing.

**Action:**

*Vice Chairman Melissa Ballard moved to approve a request by Christopher Addison, JPH Land Surveying, Inc., for a Plat of Shridharani Subdivision, Lots 1-4, Block 1, being 8.414 acres, located north of 2800 N US Highway 77, situated in the Albert S. Pruett Survey, Abstract 848, an addition to the City of Waxahachie (Property ID: 189379 & 189387) – Owner: VAQUERO HIGHWAY 77 WAXAHACHIE PARTNERS LP (SUB-160-2021) as presented. Ms. Bonney Ramsey seconded, All Ayes.*

**8. Consider a request by Shannon Lawless, LJA Engineering, for a Plat of Saddlebrook Estates Phase 3, 350 lots, being 105.956 acres, located northeast of Charismatic Road, situated in the G. Carpenter Survey, Abstract 190, S.M. Durrett Survey, Abstract 272, and M. Rafferty Survey, Abstract 898, an addition to the City of Waxahachie (Property ID: 189842) – Owner: 287 WAXAHACHIE LP (SUB-213-2021)**

Mr. King presented the case noting the applicant is requesting to plat the subject property into 341 single-family residential lots, and nine (9) open space lots. The plat contains two types of residential lots and the mix of these different lot types adheres to the requirements of the Villages of Mustang Creek Planned Development (PD) zoning for the property. Staff recommends approval as presented.

**Action:**

(4a)

*Mr. Jim Phillips moved to approve a request by Shannon Lawless, LJA Engineering, for a Plat of Saddlebrook Estates Phase 3, 350 lots, being 105.956 acres, located northeast of Charismatic Road, situated in the G. Carpenter Survey, Abstract 190, S.M. Durrett Survey, Abstract 272, and M. Rafferty Survey, Abstract 898, an addition to the City of Waxahachie (Property ID: 189842) – Owner: 287 WAXAHACHIE LP (SUB-213-2021). Mr. Erik Test seconded, All Ayes.*

**9. Consider a request by Brad Yates, Loren Gray Investments, LLC, for a detailed Site Plan review for a proposed Private Club (Event Center) within a Planned Development zoning district, located at 716 Dunaway Street, (Property ID 193948) – Owner: LOREN GRAY INVESTMENTS LLC (SP-70-2022)**

Senior Planner Ashlie Jones presented the case noting the applicant is requesting approval of a detailed site plan review for a proposed Private Club (Event Center). She reviewed the changes from the previously approved concept plan, noting the civil construction plans and renderings show a second story addition to the existing structure, which consists of a storage area and a balcony overlook. She also noted the applicant is requesting not to install a sidewalk along Avenue C, as agreed to by the applicant in the Development Agreement and stated in the Planned Development Ordinance. Staff recommends approval per the following staff comments:

1. Installation of sidewalk along Avenue C.
2. Second story enclosed addition (1250 sf) will only be used for indoor storage as indicated by applicant. To use this are for event center purposes, the Site Plan shall be reevaluated at P&Z and City Council for the compatibility of the proposed use of the space and mitigation measures if needed.
3. Evergreen shrubbery will be installed to screen refuse wall per zoning ordinance.

Brad Yates, 626 Kaufman, Waxahachie, Texas, explained the removal of the sidewalk on Avenue C is to discourage off-street parking on the narrow street.

Commissioner Betty Square Coleman asked if the applicant would consider adding a landscaped screening wall in place of the sidewalk and Mr. Yates agreed.

Chairman Rick Keeler asked if the fencing can be moved and Mr. Yates noted that is a possibility.

Senior Planning Director Jennifer Pruitt explained Public Works would need to review any modifications to ensure there would be no issues.

Graduate Engineer Macey Martinez asked for clarification on the sidewalks citing ADA compliance may be an issue if there is no connectivity with the adjacent church, in which Mr. Yates has a shared parking agreement with for his venue. Commissioner Jim Phillips noted Mr. Yates will be responsible for ADA compliance on his property and the church will be responsible for ADA compliance on their property.

**Action:**

*Mr. Jim Phillips moved to approve a request by Brad Yates, Loren Gray Investments, LLC, for a detailed Site Plan review for a proposed Private Club (Event Center) within a Planned Development zoning district, located at 716 Dunaway Street, (Property ID 193948) – Owner:*

(4a)

Planning and Zoning Commission

July 26, 2022

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*LOREN GRAY INVESTMENTS LLC (SP-70-2022) with the modification for the installation of the sidewalk along Avenue C to connect from the archway of the site plan to the corner of Avenue C and Dunaway Street, the applicant has agreed to add landscaping along the fence of Avenue C pavilion side, and include staff comments 2. and 3. Ms. Betty Square Coleman seconded, All Ayes.*

**10. Adjourn**

Senior Planning Director Jennifer Pruitt announced the promotion of Zack King to Senior Planner.

There being no further business, the meeting adjourned at 7:27 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary

(4b)

Planning and Zoning Commission  
July 26, 2022

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, July 26, 2022 at 6:30 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman  
Melissa Ballard, Vice Chairman  
Betty Square Coleman  
Bonney Ramsey  
Jim Phillips  
Erik Test

Member Absent: David Hudgins

Others Present: Shon Brooks, Executive Director of Development Services  
Jennifer Pruitt, Senior Director of Planning  
Ashlie Jones, Senior Planner  
Zack King, Senior Planner  
Macey Martinez, Graduate Engineer  
Amber Villarreal, City Secretary  
Chris Wright, Council Representative

**1. Call to Order**

Chairman Rick Keeler called the meeting to order.

**2. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting**

Senior Planner Zack King reviewed the following cases:

- SUB-73-2022, the applicant requested to continue the Public Hearing to the August 23, 2022 Planning and Zoning Commission meeting.
- SUB-160-2022, the applicant is requesting to plat the subject property into four (4) lots for commercial use. All proposed lots meet or exceed the minimum lot size and dimension requirements established by the zoning for the property and there will be a Shared Access Easement for a private drive that connects all four (4) lots. Staff recommends approval noting the applicant shall update the plat to include recording information for the Shared Access Easement and all offsite easements prior to plat filing.
- SUB-213-2021, the applicant is requesting to plat the subject property into 341 single-family residential lots, and nine (9) open space lots. The plat contains two types of residential lots and the mix of these different lot types adheres to the requirements of the Villages of Mustang Creek Planned Development (PD) zoning for the property. Staff recommends approval as presented.

Senior Planner Ashlie Jones reviewed the following case:

- SP-70-2022, the applicant is requesting approval of a detailed Site Plan review for a proposed Private Club (Event Center). She reviewed the changes from the previously approved concept plan, noting the civil construction plans and renderings show a second story addition to the existing structure, which consists of a storage area and a balcony

(4b)

Planning and Zoning Commission

July 26, 2022

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overlook. She also noted the applicant is requesting not to install a sidewalk along Avenue C, as agreed to by the applicant in the Development Agreement and stated in the Planned Development Ordinance. Staff recommends approval per the following staff comments:

1. Installation of sidewalk along Avenue C.
2. Second story enclosed addition (1250 sf) will only be used for indoor storage as indicated by applicant. To use this area for event center purposes, the Site Plan shall be reevaluated at P&Z and City Council for the compatibility of the proposed use of the space and mitigation measures if needed.
3. Evergreen shrubbery will be installed to screen refuse wall per zoning ordinance.

The Commission discussed the need to require sidewalk installation on properties for walkability and compliance with the zoning ordinance.

### **3. Adjourn**

There being no further business, the meeting adjourned at 6:47 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary



(5)

**Planning & Zoning Department**  
**Plat Staff Report**

**Case: SUB-11-2022**



**MEETING DATE(S)**

*Planning & Zoning Commission:* August 9, 2022

**CAPTION**

**Consider** request by Claudia Rodriguez, for a Plat of the Rodriguez Addition, Lot 1, Block A, being 0.6013 acres, located directly west of 1400 Dr. Martin Luther King Jr. Blvd., situated in the S.M. Durrett Survey, Abstract 272, an addition to the City of Waxahachie (Property ID: 182035) – Owner: Jose Rodriguez

**APPLICANT REQUEST**

The applicant is requesting to plat the subject property into one (1) lot for single family residential use.

**CASE INFORMATION**

*Applicant:* Claudia Rodriguez

*Property Owner(s):* Jose Rodriguez

*Site Acreage:* 0.642 acres

*Number of Lots:* 1 lot

*Number of Dwelling Units:* 1 unit

*Park Land Dedication:* N/A (Located within the Infill Overlay)

*Adequate Public Facilities:* Adequate public facilities area available to the site.

**SUBJECT PROPERTY**

*General Location:* 1400 Dr. Martin Luther King Jr. Blvd.

*Parcel ID Number(s):* 182035

*Current Zoning:* Single Family-3 (SF-3)

*Existing Use:* The subject property is currently undeveloped.

*Platting History:* The subject property is currently part of the S.M. Durrett Survey, Abstract 272.

*Site Aerial:*



**PLATTING ANALYSIS**

The applicant is proposing to plat the subject property into one (1) lot for single family residential use. The property is located within the Infill Overlay District and adheres to all lot size and dimension requirements of the Infill Overlay District. The proposed plat provides a twenty-five (25) foot right-of-way (ROW) dedication along Dr. MLK Jr. Boulevard in conformance with the City of Waxahachie Thoroughfare Plan.

**RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, as presented.

**ATTACHED EXHIBITS**

1. Plat

**APPLICANT REQUIREMENTS**

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

**CITY REQUIREMENTS FOR PLAT RECORDING AND FILING**

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

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

**STAFF CONTACT INFORMATION**

*Prepared by:*

Zack King

Senior Planner

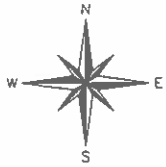
[zking@waxahachie.com](mailto:zking@waxahachie.com)

*Reviewed by:*

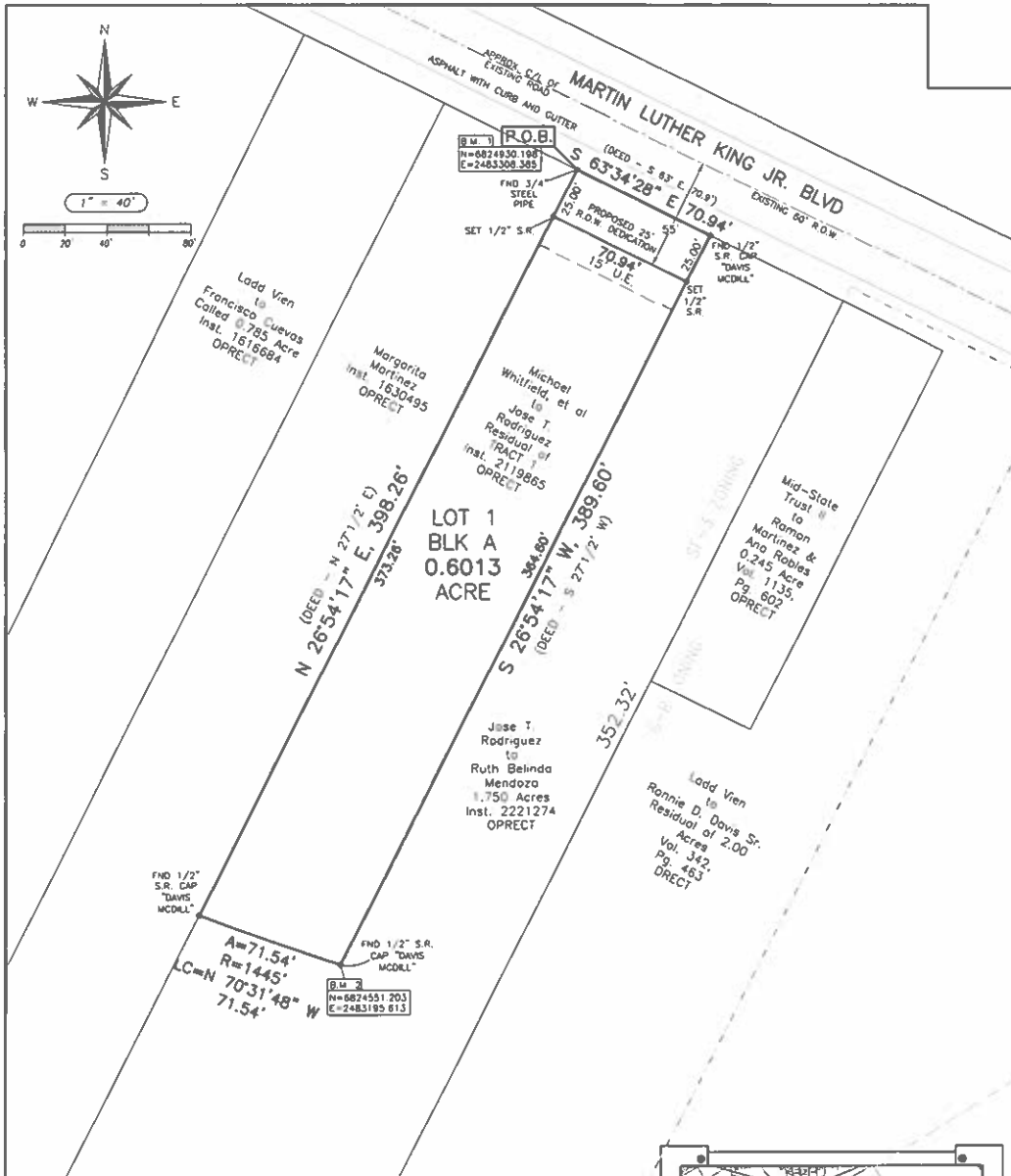
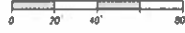
Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)



1" = 40'

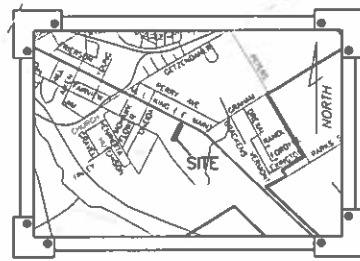


LEGEND	
O	Property Corner Symbol
Fin	Four Inch Cap Pipe
S.R.C.	Steel Rod Cap Pipe
S.R.	Steel Rod
S.P.	Steel Pipe
U.L.C.	Utility Casement
P.P.	Utility Pole
R.O.W.	Right of Way
P.O.B.	Point of Beginning
C/L	Centerline
D.F.	Drainage Flow
B.L.	Building Line
W/L	Water Line
M/W	Water Meter
M/H	Manhole
C/D	Chimney
F/H	Fire Hydrant
W/V	Water Valve
D.U.E.	Drainage & Utility Ejector
T/P	Telephone Pole

LEGEND	
---	Wire Fence
---	Wood Fence
---	Iron Fence
---	Chain Link Fence
-----	Railroad Track
----	Cable TV
---	Gas Line
---	Plumbing Pipes
---	Electric Line
---	Sanitary Sewer Line
---	Water Line
---	Underground Telephone
---	Telephone

**GENERAL NOTES:**

- 100-Year Flood Note:  
NO 100-Year Floodplain  
Per FIRM Map # 48139CD190 F  
Zone: X UNSHADED  
Dated: June 3, 2013
- Interior lot corners monumented with 1/2" steel rods set and marked with "DAVIS & MCDILL", unless otherwise noted.



LOCATION MAP SCALE: 1" = 1000'

OWNER:  
Jose Rodriguez  
469-471-4240

STATE OF TEXAS:  
COUNTY OF ELLIS: KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Jose Rodriguez is the Owner of all of that certain lot, tract or parcel of land situated in the S.M. Durrett Survey, Abstract No. 272, in the City of Waxahachie, in Ellis County, Texas, and being a part of Tract 1, described in deed from Michael Whitfield, et al to Jose T. Rodriguez, recorded in Instrument Number 2119865, Official Public Records, Ellis County, Texas (OPRECT), and being more particularly described as follows

BEGINNING at a 3/4" Steel Pipe found in the southwest line of Martin Luther King Jr. Boulevard (A 60' Right of Way) for the north corner of said Tract 1, and being the same for this tract, and being the east corner of the tract described in deed from FANNIE MAE, aka Federal National Mortgage Association to Margarita Martinez recorded in Instrument Number 1630495, OPRECT, said pipe having surface coordinate values of North = 6824930.198 feet and East = 2463308.365 feet, based on the Texas Coordinate System, North Central Zone (Zone 4202) North American Datum of 1983 (NAD83).

THENCE S 63°34'28" E, 70.94 feet (Deed = S 63° E, 70.9') along the northeast line of said Tract 1 and this tract, and along the southwest line of Martin Luther King Jr. Boulevard to a 1/2" steel rod found with cap marked "Davis McDill" for the east corner of said Tract 1, and being the same for this tract, and being the west corner of a called 1.750 acres tract described in deed from Jose T. Rodriguez to Ruth Belinda Mendoza, recorded in instrument number 2221274 OPRECT,

THENCE S 26°54'17" W, 389.60 feet (Deed = S 27° 1/2' W) along the southeast line of said Tract 1 and this tract, and along the northwest line of said Mendoza tract to a 1/2" steel rod with cap marked "Davis McDill" found for the south corner of this tract, and being an inset corner of the Mendoza tract, and being at the beginning of a curve oriented clockwise and to the right;

THENCE through said Tract 1 along the arc of said curve (Radius=1445.00', Long Chord=N 70°31'48" W 71.54') an arc length of 71.54' along the southwest line of this tract, and along a northeast line of said Mendoza tract to a 1/2" steel rod with cap marked "Davis McDill" found in the northwest line of Tract 1 for the west corner of this tract, and being the most westerly north corner of said Mendoza tract, and being in the southeast line of the aforementioned Martinez tract.

THENCE N 26°54'17" E, 398.26 feet (Deed = N 27° 1/2' E) along the northwest line of said Tract 1 and this tract, and along the southeast line of said Martinez tract to the POINT OF BEGINNING and containing approximately 0.6420 acre of land.

**SURVEYOR'S CERTIFICATE**

This is to certify that I, Stuart G. Hamilton, a Registered Public Land Surveyor of the State of Texas, have plotted the subdivision hereon from an actual survey on the ground and that all lot corners, angle points, and points of curve have been properly marked on the ground, and that this plot correctly represents that survey made by me.

PRELIMINARY, THIS DOCUMENT NOT TO BE RECORDED FOR ANY PURPOSES

Stuart G. Hamilton \_\_\_\_\_ Date \_\_\_\_\_  
Registered Professional Land Surveyor  
Number 4480

THIS SURVEY IS VALID ONLY WITH ORIGINAL SIGNATURE IN RED INK

**PLAT**  
**RODRIGUEZ ADDITION**  
**0.6420 ACRES**  
**An Addition to the City of Waxahachie**  
**in the S.M. Durrett Survey, A-272**  
**Ellis County, Texas**  
**1 Single Family Lot**  
**Zoning: SF-3**  
**Case Number: SUB-11-2022**

Revisions	By

**Davis & McDill LLC**  
SURVEYING - LAND PLANNING - FLOODPLAIN MANAGEMENT  
P.O. BOX 428, WAXAHACHIE, TEXAS 75165  
PHONE: 972-938-1185  
A Texas licensed surveying firm # 10194681



Date: 7/28/22  
Scale: 1" = 40'  
Drawn: D. McDill  
Job: 221-0224  
Sheet 1  
of 2 sheets.



**OWNER'S CERTIFICATE**

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

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

WITNESS, my hand, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

By:

**PRELIMINARY, THIS DOCUMENT NOT TO BE RECORDED FOR ANY PURPOSES**

Jose Rodriguez, owner

Printed Name \_\_\_\_\_

STATE OF TEXAS §  
COUNTY OF ELLIS §

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

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

**PRELIMINARY, THIS DOCUMENT NOT TO BE RECORDED FOR ANY PURPOSES**

Notary Public \_\_\_\_\_ My Commission Expires On \_\_\_\_\_

Witness my hand on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

This is to certify that I, Stuart G. Hamilton, a Registered Public Land Surveyor of the State of Texas, have plotted the subdivision hereon from an actual survey on the ground and that all lot corners, angle points, and points of curve have been properly marked on the ground, and that this plat correctly represents that survey made by me.

**PRELIMINARY, THIS DOCUMENT NOT TO BE RECORDED FOR ANY PURPOSES**

Stuart G. Hamilton \_\_\_\_\_ Date \_\_\_\_\_

Registered Professional Land Surveyor  
Number 4480

THIS SURVEY IS VALID ONLY WITH ORIGINAL SIGNATURE IN RED INK

STATE OF TEXAS  
COUNTY OF ELLIS:

APPROVED BY: Planning and Zoning Commission City of Waxahachie

By: **PRELIMINARY, THIS DOCUMENT NOT TO BE RECORDED FOR ANY PURPOSES**

Chairperson \_\_\_\_\_

Date \_\_\_\_\_

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

OWNER:  
Jose Rodriguez  
469-471-4240

**DRAINAGE NOTES:**

- (1) BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED.
- (2) THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVERSING ALONG OR ACROSS THE ADDITION WILL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO THE DRAINAGE COURSES ALONG OR ACROSS SAID LOTS.
- (3) CITY OF WAXAHACHIE WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGE WAYS OR FOR THE CONTROL OF EROSION.
- (4) CITY OF WAXAHACHIE WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OR LOSS OF LIFE OR PROPERTY OCCASIONED BY FLOODING OR FLOOD CONDITIONS.

LEGEND	
O	- Property Corner Symbol
F	- Fenced
S.R.C.	- Sheet Road Capment
S.R.	- Steel Road
S.P.	- Steel Pipe
U.E.	- Utility Easement
C.P.	- Caddy Pole
R.O.W.	- Right of Way
P.O.B.	- Point of Beginning
C/L	- Centerline
D.F.	- Drainage Flow
B.L.	- Building Line
W/L	- Water Line
W/M	- Water Meter
S/M	- Sewer Manhole
C/O	- Cloakout
F/H	- Fire Hydrant
W/V	- Water Valve
D.U.E.	- Drainage & Utility Easement
T/P	- Telephone Pole

LEGEND	
---	- Wire Fence
---	- Wood Fence
---	- Iron Fence
---	- Chain Link Fence
----	- Railroad Track
---	- Cable TV
---	- Gas Line
---	- Petroleum Pipeline
---	- Electric Line
---	- Sanitary Sewer Line
---	- Water Line
---	- Underground Telephone
---	- Telephone

Revisions	By

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

Date: 7/28/2022  
 Scale: N/A  
 Drawn: D. McDill  
 Job: 221-0224  
 Sheet: 2  
 of 2 sheets

**PLAT**  
**RODRIGUEZ ADDITION**  
**0.6420 ACRES**  
 An Addition to the City of Waxahachie  
 in the S.M. Durrett Survey, A-272  
 Ellis County, Texas  
 1 Single Family Lot  
 Zoning: SF-3  
 Case Number: SUB-11-2022

(5)

(6)

# Planning & Zoning Department Plat Staff Report



**Case: SUB-58-2022**

**MEETING DATE(S)**

*Planning & Zoning Commission:* August 9, 2022

*City Council:* August 15, 2022

**CAPTION**

**Public Hearing** on a request by Clint Rhodes, for a **Plat** of Rhodes Addition, being 1.00 acres, located at 2407 Howard Rd., situated in the Silas M. Durett Survey, A-272, an addition in the City of Waxahachie. (Property ID 182086) – Owner: Masterpiece Properties, LLC (SUB-28-2022)

**APPLICANT REQUEST**

The applicant is requesting to plat the subject property into one (1) lot for single-family residential use.

**CASE INFORMATION**

*Applicant:* Clint Rhodes

*Property Owner(s):* Masterpiece Properties, LLC

*Site Acreage:* 1.00

*Number of Lots:* 1 lot

*Number of Dwelling Units:* 1 existing Dwelling Unit

*Park Land Dedication:* The cash in lieu of park land fee is estimated to be \$400.00 (1 residential dwelling at \$400/dwelling).

*Adequate Public Facilities:* Adequate public utilities are provided to the property.

**SUBJECT PROPERTY**

*General Location:* 2407 Howard Rd.

*Parcel ID Number(s):* 182086

*Current Zoning:* Single-Family Residential – 1 (SF-1)

*Existing Use:* The subject property use is residential.

*Platting History:* The subject property is currently part of the Silas M. Durett Survey, A-272.



(u)

**Site Aerial:**



**PLATTING ANALYSIS**

The applicant is requesting to Plat Rhodes Addition, 1 residential lot, being 1.00 acres. All City of Waxahachie lot size and dimension requirements have been met. The subject property is part of a larger tract, which resulted in a split zoning of Future Development (FD) and Single-Family-1 (SF-1). The applicant is requesting to plat the portion that is zoned SF-1. The remaining portion of the parent parcel will remain zoned FD and unplatted at this time.

**VARIANCE REQUEST – PETITION FOR RELIEF WAIVER**

**Request:**

As part of the platting process, the applicant is required to meet all minimum setbacks. The applicant has made a Petition for Relief Waiver request for the 40' Front Building Line setback. The applicant is requesting a 25' Front Building Line setback. The applicant is requesting this variance due to the existing structure encroaching into the required 40' Front Building Line setback.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 11 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

**PROPERTY OWNER NOTIFICATION RESPONSES**

As of the date of this staff report, no letters of opposition or support have been received.

**RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, as presented.

(u)

**ATTACHED EXHIBITS**

Identify the exhibits that will be included as agenda backup material.

1. Plat

**APPLICANT REQUIREMENTS**

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department with one revised electronic plan set that incorporates all comments.

**CITY REQUIREMENTS FOR PLAT RECORDING AND FILING**

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

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

**STAFF CONTACT INFORMATION**

*Prepared by:*

Ashlie Jones

Senior Planner

[ashlie.jones@waxahachie.com](mailto:ashlie.jones@waxahachie.com)

*Reviewed by:*

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)





STATE OF TEXAS:  
 COUNTY OF ELLIS: KNOW ALL MEN BY THESE PRESENTS:  
 WHEREAS, Clint Rhodes, am the owner of that tract of land situated in the S.M. DURETT SURVEY, ABSTRACT NO. 272, in the City of Waxahachie, in Ellis County, Texas, hereinafter described:

FIELD NOTES  
 1.000 ACRE  
 BEING a part of the Silas M. Durett Survey, Abstract Number 272, in the City of Waxahachie, in Ellis County, Texas, and being a portion of a called 13.186 acres tract of land described in deed from Connie L. Ballard to Masterpiece Properties, LLC, recorded in Instrument Number 2205375, Official Public Records, Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at a 5/8" steel rod found in the northeast line of F.M. Highway 877 (Howard Road), for the south corner of said 13.186 acres tract and being the west corner of Lot 3R, Hewitt Addition, an addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Cabinet D, Slide 19, Plat Records, Ellis County, Texas (PRECT):

THENCE N 67°00'30" W, with the southwest line of said 13.186 acres tract and with the northeast line of F.M. Highway 877, a distance of 6.46 feet the beginning of a curve to the right, having a radius of 563.11 feet, a 1/2 inch steel rod, with plastic cap stamped DAVIS & MCDILL, set;

THENCE NORTHWESTERLY, with the westerly line of said 13.186 acre tract, said F.M. Highway 877 easterly right of way line and the arc of said curve through a central angle of 24°32'55" and having a chord bearing and distance of N 54°44'02" W, 239.43 feet for an arc length of 241.27 feet to a 1/2 inch steel rod, with plastic cap stamped "DAVIS & MCDILL", set;

THENCE N 49°55'26" E, entering said 13.186 acres tract, 163.57 feet to a 1/2 inch steel rod, with plastic cap stamped "DAVIS & MCDILL", set;

THENCE S 55°46'38" E, 271.84 feet to the southeast line of said 13.186 acres tract, and in the northwest line of said Lot 3R, Hewitt Addition, a 1/2 inch steel rod, with plastic cap stamped "DAVIS & MCDILL", set;

THENCE S 57°53'36" W, with the southeast line of said 13.186 acres tract and the northwest line of said Lot 3R, Hewitt Addition, 175.31 feet to the POINT OF BEGINNING, and containing approximately 1.029 acre of land of which 0.029 acre is dedicated for a 5 foot right of way along said F.M. Highway the bearings recited hereon are based on the Texas Coordinate System of 1983, Texas North Central Zone per GPS observations.

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

Stuart C. Hamilton  
 Registered Professional Land Surveyor  
 Number 4480  
 Date

**THIS SURVEY IS VALID ONLY WITH ORIGINAL SIGNATURE IN RED INK**

**PLAT**  
**RHODES ADDITION**  
**1.000 ACRES**  
 An Addition to the City of Waxahachie  
 in the Silas M. Durett Survey, A-272  
 Ellis County, Texas  
**1 Single Family Residential Lot**  
 Zoning: SF-1  
 Case Number: SUB-58-2022

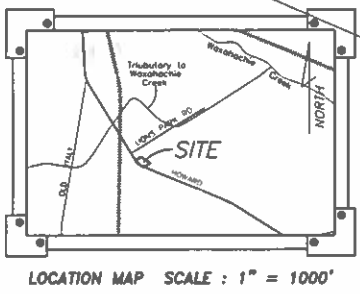
Revisions	By

**Davis & McDill LLC**  
 SURVEYING - LAND PLANNING - FLOODPLAIN MANAGEMENT  
 P.O. BOX 408, WAXAHACHIE, TEXAS 75108  
 PHONE: 972-938-1145  
 A Texas licensed surveying firm # 10194681

Date: 7/18/2022  
 Scale: 1" = 30'  
 Drawn: D. McDill  
 Job: 221-0151FP  
 Sheet 1  
 of 2 sheets

(7)

**GENERAL NOTES:**  
 1. 100-Year Flood Note  
 ND 100-Year Floodplain  
 Per FIRM Map # 48139C0330 F  
 Zone: X UNSHADED  
 Dated: June 3, 2013  
 2. Interior lot corners monumented with 1/2" steel rods set and marked with "DAVIS & MCDILL", unless otherwise noted.



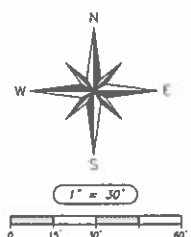
**LEGEND**

⊙	Property Corner Symbol
⊙	Found
S.R.C.	Steel Rod Cap
⊙	Steel Rod
⊙	Steel Pipe
⊙	Utility Corner
⊙	Chain Line
R.O.W.	Right of Way
P.O.B.	Point of Beginning
C/L	Centerline
→	Drainage Flow
—	Building Line
B.L.	Boundary Line
W/L	Water Line
W/W	Water Well
W/H	Water Hydrant
C/D	Chain Drive
T/H	Tax Hydrant
W/V	Water Valve
D.U.E.	Drainage & Utility Easement
T/R	Telephone

**LEGEND**

—	Wire Fence
—	Wood Fence
—	Iron Fence
—	Chain Line Fence
—	Railroad Track
—	Cap Line
—	Gas Line
—	Petroleum Pipeline
—	Electric Line
—	Sanitary Sewer Line
—	Water Line
—	Underground Telephone
—	Telephone

**OWNERS:**  
 Masterpiece Properties LLC  
 817-343-3142  
 Clint Rhodes



OWNER'S CERTIFICATE

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

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

WITNESS, my hand, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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

Clint Rhodes, Owner

Printed Name

STATE OF TEXAS §  
COUNTY OF ELLIS §

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

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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

Notary My Commission Expires On:

WITNESS, my hand, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

SURVEYOR'S CERTIFICATE

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

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

Stuart G. Hamilton Date

Registered Professional Land Surveyor  
Number 4480

THIS SURVEY IS VALID ONLY WITH ORIGINAL SIGNATURE IN RED INK

STATE OF TEXAS  
COUNTY OF ELLIS

APPROVED BY: Planning and Zoning Commission City of Waxahachie

By: **"Preliminary, this document shall not be recorded for any purpose."**  
Chairperson Date

STATE OF TEXAS  
COUNTY OF ELLIS

APPROVED BY: City Council City of Waxahachie

By: **"Preliminary, this document shall not be recorded for any purpose."**  
Mayor Date

ATTEST: \_\_\_\_\_ Date

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

OWNERS:  
Masterpiece  
Properties LLC  
817-343-3142  
Clint Rhodes

DRAINAGE NOTES:

- (1) BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED.
- (2) THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVERSING ALONG OR ACROSS THE ADDITION WILL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO THE DRAINAGE COURSES ALONG OR ACROSS SAID LOTS.
- (3) CITY OF WAXAHACHIE WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGE WAYS OR FOR THE CONTROL OF EROSION.
- (4) CITY OF WAXAHACHIE WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OR LOSS OF LIFE OR PROPERTY OCCASIONED BY FLOODING OR FLOOD CONDITIONS.

LEGEND	
⊙	Property Corner Symbol
⊕	Found
S.R.C	Steel Road Cap
S.R	Steel Road
S.P	Steel Pipe
G.E	Utility Easement
U.P	Utility Pole
R.O.W	Right of Way
P.O.B	Point of Beginning
C/L	Centerline
D.F	Drainage Flow
B.L	Building Line
M/L	Water Line
M/W	Water Meter
M/H	Sanitary Manhole
C/P	Cleanout
F/H	Fire Hydrant
M/V	Water Valve
D.U.E	Drainage & Utility Easement
T/R	Telephone Pole

LEGEND	
—X—	Wire Fence
—•••••	Wood Fence
—r—	Iron Fence
—O—	Chain Link Fence
+++++	Railroad Track
—•—	Cable TV
—aa—	Gas Line
—•••••	Petroleum Pipeline
—•••••	Electric Line
—BB—	Sanitary Sewer Line
—•••••	Water Line
—•••••	Underground Telephone
—•••••	Telephone

Revisions	By

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



Date: 7/18/2022  
 Scale: N/A  
 Drawn: D. McDill  
 Job: 221-0151  
 Sheet 2  
 of 2 sheets.

(7)

**PLAT**  
**RHODES ADDITION**  
**1.000 ACRES**  
**An Addition to the City of Waxahachie**  
**in the S.M. Durett Survey, A-272**  
**Ellis County, Texas**  
**1 Single Family Residential Lot**  
**Zoning: SF-1**  
**Case Number: SUB-58-2022**

# Planning & Zoning Department

## Zoning Staff Report



Case: SP-55-2022

**MEETING DATE(S)**

*Planning & Zoning Commission:* August 9, 2022

*City Council:* August 15, 2022

**CAPTION**

**Consider** request by Chris Muder, REES Associates Inc., for a detailed **Site Plan Review** for the Villages of Country Lane, an Assisted & Senior Living use within a Planned Development-90 (Office) zoning district at 110 Park Hills Drive (Property ID: 241956) – Owner: Bridgeview Realty Capital LLC

**APPLICANT REQUEST**

The applicant is requesting Site Plan approval to construct a two-story assisted & senior living facility on 5.215 acres at 110 Park Hills Drive.

**CASE INFORMATION**

*Applicant:* Chris Muder, REES Associates Inc.

*Property Owner(s):* Bridgeview Realty Capital LLC

*Site Acreage:* 5.215 acres

*Current Zoning:* Planned Development-90 (Office) (Ord. 2404 & 2696)

**SUBJECT PROPERTY**

*General Location:* 110 Park Hills Drive

*Parcel ID Number(s):* 241956

*Existing Use:* The subject property is currently undeveloped.

*Development History:* The subject property is platted as Lot 2R, Block B of the Country Lane Addition.

**Table 1: Adjoining Zoning & Uses**

Direction	Zoning	Current Use
North	Planned Development-90 (Two-Family)	Undeveloped
East	Planned Development-90 (Two-Family)	Undeveloped & Duplexes
South	Planned Development-90 (Office)	Waxahachie Senior Center
West	Light Industrial-1 with a SUP for Storage	Lawn Master Outdoor Living

*Future Land Use Plan:* Mixed Use Non-Residential

*Comprehensive Plan:*

Similar to Mixed Use Residential, land designated with this land use are intended for a mixture of nonresidential and residential uses. The only difference would be that Mixed Use Nonresidential has a greater percentage of nonresidential components than residential. Specifically, 80 percent of the acreage or square footage of proposed developments are required to be nonresidential with the remaining 20 percent of the acreage or square footage allocated to residential. Southlake's Town Center is an example of Nonresidential Mixed Use.

*Comprehensive Plan:*

The subject property is accessible via US Highway 77 to the West, Maple Wood Drive to the North, and Park Hills Drive to the East.

*Site Image:*



**PLANNING ANALYSIS**

**Purpose of Request:**

The applicant is proposing to construct a two-story, 79,346 square foot assisted & senior living facility on 5.215 acres at 110 Park Hills Drive, in conformance with the property's Planned Development zoning.

**Proposed Use:**

The proposed development includes 78 dwelling units for independent senior living, 59 assisted living beds, and 28 memory care beds. The mix of unit types is intended to both adhere to the zoning for the property and allow residents to age in place at the facility. The proposed facility includes 4 outdoor courtyards and a pool for residents. Additionally, on site amenities including a restaurant, fitness center, yoga studio, theater, game room, dog park, solons, and activity spaces are proposed with the facility.

Staff would like to note that the western portion of the property, along Highway 77, is covered by an 80-foot TXU electric easement. No structures or landscaping is allowed to be placed within this easement; however, the applicant has received permission from Oncor to place a dog park and additional parking spaces within the easement. Despite the challenges posed by the electric easement, the proposed parking, landscaping, and signage for the development adheres to the requirements of the City of Waxahachie Zoning Ordinance. The applicant is proposing to provide a sidewalks easement along Highway 77 in order to provide sidewalks that comply with City of Waxahachie requirements.

Proposed Use (continued):

The applicant has provided two (2) exterior elevation options for the proposed development. Both options feature natural stone and stucco as the primary materials, with siding and board & batten accents. Rooftop AC units are proposed to be located in roof wells as shown on the Roof Plan below. The type of stone and color of these materials vary between the two proposed options.

**STAFF CONCERNS**

- 1. Staff has no outstanding concerns for the applicant.

**APPLICANT RESPONSE TO CONCERNS**

- 1. The applicant has addressed all staff concerns.

**RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, as presented.

**ATTACHED EXHIBITS**

- 1. Site Plan
- 2. Landscape Plan
- 3. Floor Plan
- 4. Roof Plan
- 5. Elevations (Option 1 & 2)

**APPLICANT REQUIREMENTS**

- 1. If approved by City Council, applicant can submit Civil Construction plans to the Public Works & Engineering Department and apply for building permits from the Building and Community Services Department.

**STAFF CONTACT INFORMATION**

*Prepared by:*  
 Zack King  
 Senior Planner  
[zking@waxahachie.com](mailto:zking@waxahachie.com)

*Reviewed by:*  
 Jennifer Pruitt, AICP, LEED-AP, CNU-A  
 Senior Director of Planning  
[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)

# VILLAGES OF COUNTRY LANE WAXAHACHIE, TEXAS

## SITE PLAN SUBMITTAL

**OWNER**  
SAHARA EQUITY, LLC  
8665 NORTH MACARTHUR BLVD  
IRVING, TEXAS 75039  
214-774-6257

**CONTRACTOR**  
BRIDGEVIEW CONSTRUCTION MANAGEMENT  
16200 DALLAS PARKWAY, SUITE 170  
DALLAS, TEXAS 75248  
469-607-4400

**ARCHITECT**  
REES  
1025 N STEMMONS FWY, SUITE 737  
DALLAS, TEXAS 75207  
214-522-7337

**CIVIL ENGINEER**  
TURLEY ASSOCIATES, INC.  
301 NORTH 3RD STREET  
TEMPLE, TEXAS 76501  
254-773-2400

**LANDSCAPE ARCHITECT**  
LONDON LANDSCAPES  
PO BOX 28  
COLLINSVILLE, TEXAS 76233  
972-800-0676

**STRUCTURAL ENGINEER**  
CONNECT STRUCTURAL ENGINEERS  
9330 LYNDON B JOHNSON FWY, SUITE 1000  
DALLAS, TEXAS 75423  
214-221-2220

**M.C.P. ENGINEER**  
RESTL ENGINEERS TX, LLC  
2705 SWISS AVE, SUITE 220  
DALLAS, TEXAS 75204  
972-897-2641

REVISIONS	DATE	DESCRIPTION	SHEET
1	05/13/22	CITY OF WAXAHACHIE STAFF COMMENTS	
2	07/22/22	CITY OF WAXAHACHIE STAFF COMMENTS	
3	07/29/22	CITY OF WAXAHACHIE STAFF COMMENTS	

SHEET INDEX	
---	COVER SHEET
C1.0	DIMENSIONAL SITE PLAN
C1.1	UTILITY PLAN
C1.2	FIRE TURNING RADIUS EXHIBIT
LT.00	OVERALL LANDSCAPE PLAN



VICINITY MAP  
NTS

**PROJECT INFORMATION**  
LOT 28, BLOCK 8, COUNTRY LANE ADDITION  
ZONING: PD-30  
CASE NUMBER: SP-55-2022

- TOTAL LOT AREA = 5.215 ACRES
- TOTAL AREA DISTURBED = 5.215 ACRES
- TOTAL BUILDING AREA = 79,346 SQ. FT.
- PERCENTAGE OF LOT COVERED BY BUILDING = 34.9%
- MAXIMUM PROPOSED BUILDING HEIGHT = 30'
- RECEIVING WATERS OF THE UNITED STATES
- NO WATERS OF THE U.S. ON SITE
- PROJECT EVENTUALLY DRAINS TO WAXAHACHIE CREEK
- SOILS
  - AUSTIN CHALK GEOLOGIC FORMATION
  - DARK COLOR EXPANSIVE CLAY OVER WEATHER AND UNWEATHERED LIMESTONE
  - SOIL STRATIGRAPHY
    - #1. 0 TO 4 FEET - FAT CLAY
    - #2. 0 TO 3 FEET - LEAN CLAY/FAT CLAY
    - #3. 3 TO 3 FEET - WEATHERED LIMESTONE
    - #4. 1/2 TO 2+ FEET - LIMESTONE
- SITE IS GRASS COVERED WITH NO TREES
- MONUMENT SIGN AND WALL SIGN WILL ADHERE TO SECTION 5.04 OF THE WAXAHACHIE ZONING ORDINANCE AND WILL BE SUBMITTED UNDER SEPARATE APPLICATION

**PARKING COUNTS**

REQUIRED PARKING	PROVIDED PARKING
<ul style="list-style-type: none"> <li>ASSISTED LIVING</li> <li>59 BEDS = 9.83 PARKING SPOTS</li> <li>INDEPENDENT LIVING</li> <li>78 DWELLING UNITS = 78 PARKING SPOTS</li> <li>MEMORY CARE</li> <li>28 BEDS = 4.67 PARKING SPOTS</li> <li>TOTAL REQUIRED = 83 PARKING SPOTS</li> </ul>	<ul style="list-style-type: none"> <li>NOT WITHIN ONCOR TRANSMISSION EASEMENT</li> <li>83 PROVIDED</li> <li>WITHIN ONCOR TRANSMISSION EASEMENT</li> <li>79 PROVIDED</li> <li>TOTAL PROVIDED = 172 SPOTS</li> <li>5 ADA ACCESSIBLE</li> <li>117 STANDARD</li> <li>22 COVERED</li> </ul>

**SITE BENCHMARK**  
ELEV=590.77'  
N 6821022.5240"  
E 2476848.0880"  
CHISELED "X" ON TOP OF INLET

**REVIEWED FOR CONSTRUCTION:**

RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION, AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY, AND ADEQUACY OF HIS/HER SUBMITTAL, WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEERS.

AUTHORIZED AGENT \_\_\_\_\_ DATE \_\_\_\_\_

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY, THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THESE PLANS.



*WFS*  
WILLIAM F. SISCO, P.E. (TX #123121) \_\_\_\_\_ DATE 07/29/2022

**Call Before You Dig on TxDot R.O.W.**  
(214) 320-6682  
DAL.Locater@txdot.gov  
AND Call Texas 811  
(800) 344-8377

**811**  
Know what's below.  
Call before you dig.

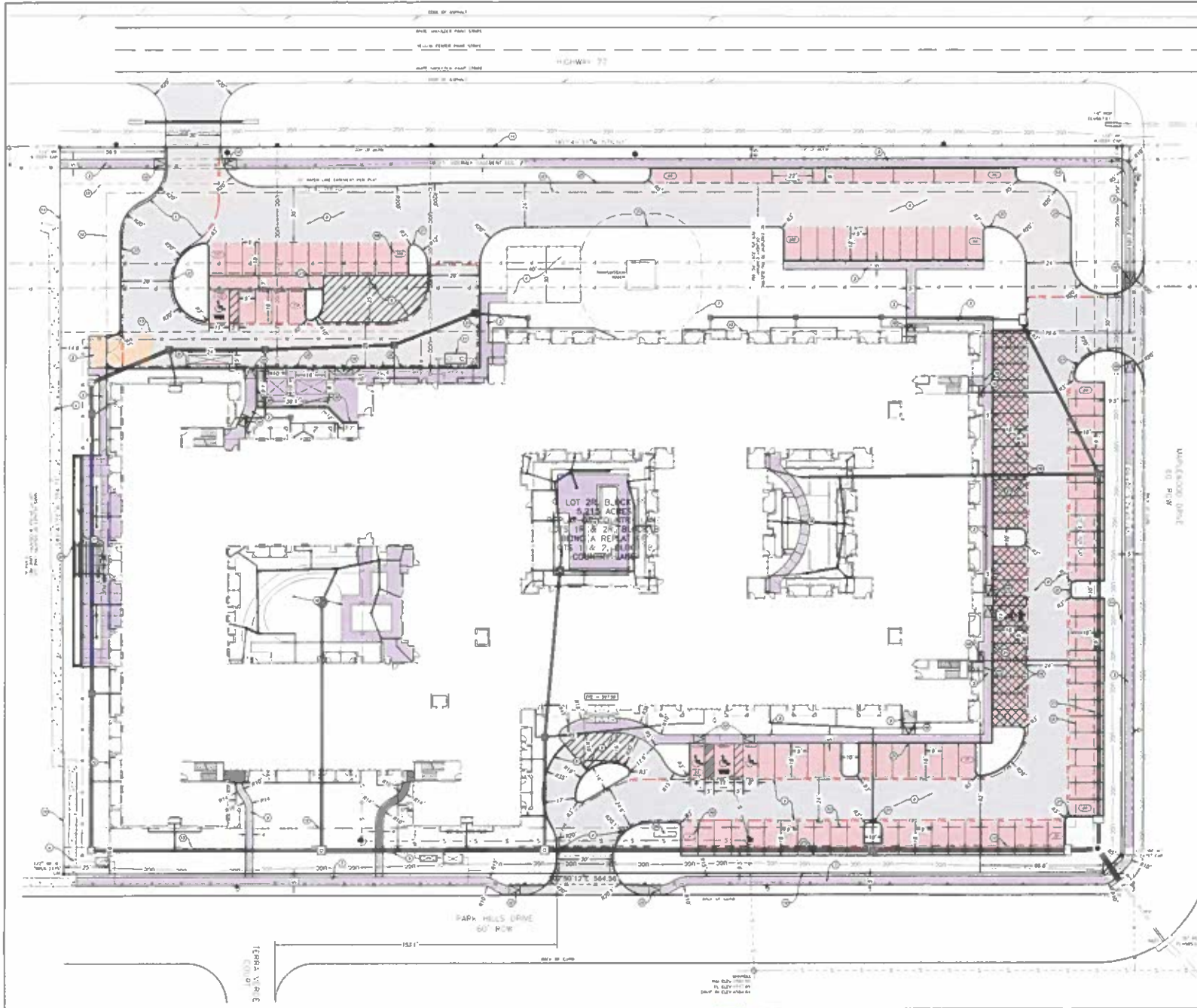
**TURLEY**  
ENGINEERING & SURVEYING

301 N. 3rd Street  
Temple, TX 76501  
office 254.773.2400  
www.turley-inc.com  
TBPE No. F-1658, TBPLS No. 10056000

19-2384  
VILLAGES OF COUNTRY LANE, WAXAHACHIE, TX

(8)





**SITE PLAN KEYED NOTES**

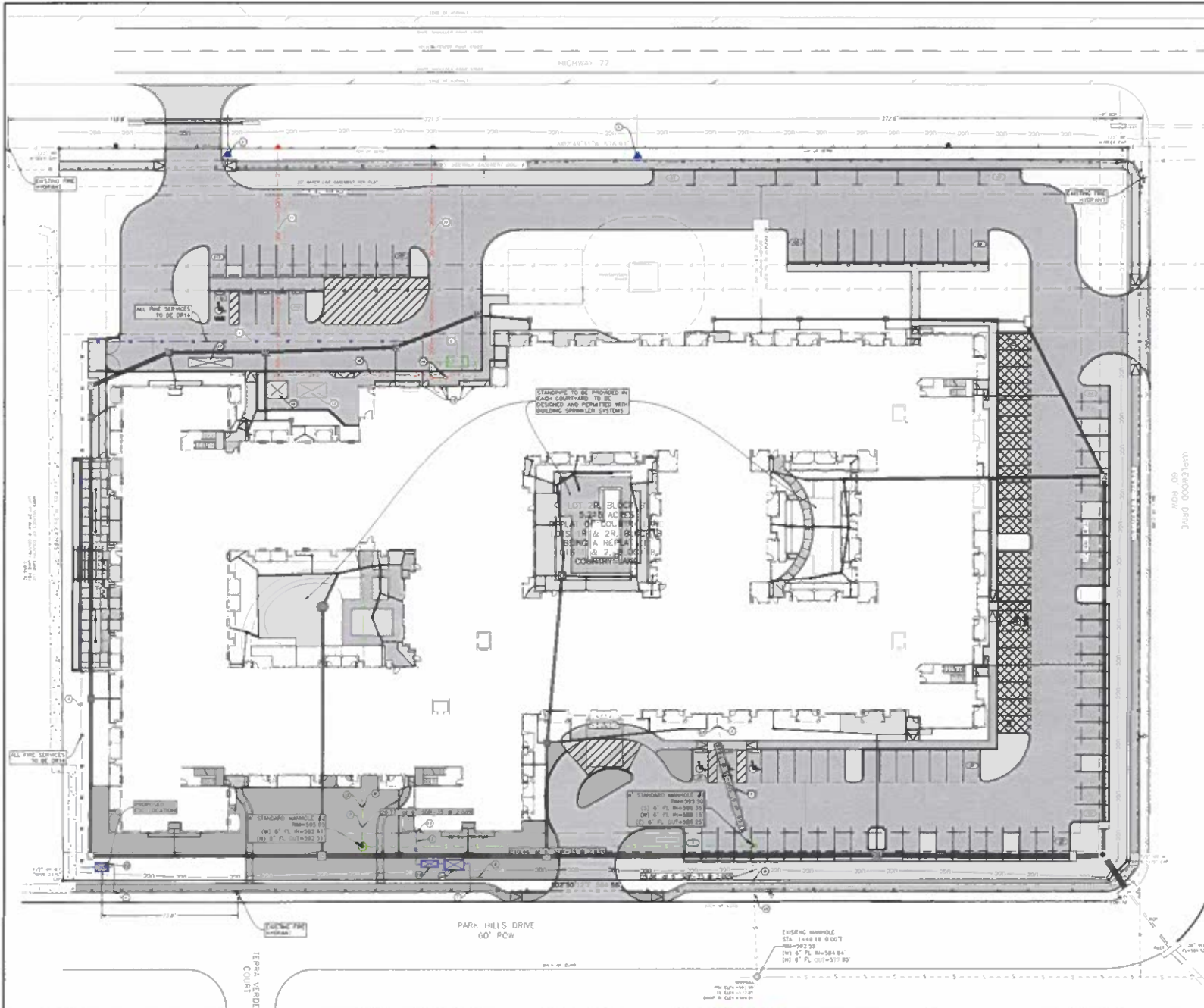
- 1 FIRE LANE STRIPPING (REF SITE DETAILS)
- 2 TRASH ENCLOSURE (REF ARCHITECTURAL PLANS)
- 3 CONCRETE SIDEWALK - WIDTH AS SHOWN (REF SITE DETAILS)
- 4 EXISTING CONCRETE SIDEWALK
- 5 LOADING/UNLOADING ZONE (STRIPPED CURB)
- 6 DOG PARK (REF ARCHITECTURAL PLANS)
- 7 ONCOR TRANSMISSION TOWER OFFSET (25')
- 8 CONCRETE PAVING (REF PAVING PLAN)
- 9 ACCESSIBLE LOADING/UNLOADING ZONE
- 10 ACCESSIBLE CURB RAMP (REF SITE DETAILS)
- 11 GREASE INTERCEPTOR (REF PLUMBING PLANS)
- 12 EXISTING BUILDING LINES - SETBACK AS SHOWN
- 13 EXISTING EASEMENTS - WIDTH AS SHOWN
- 14 PROJECT PROPERTY LINE
- 15 COVERED PARKING (REF ARCHITECTURAL PLANS)
- 16 INTERIOR COURTYARDS/GARDENS (REF LANDSCAPE PLANS)
- 17 MEMORY CARE GARDEN (REF LANDSCAPE PLANS)
- 18 PARKING SPOT NUMBERING (TYPICAL)
- 19 6" STEP
- 20 MASONRY SCREENED HALL PER ARCHITECT
- 21 6" STANDARD CURB PER DETAIL
- 22 6" MOUNTABLE CURB PER DETAIL
- 23 WOOD FENCE
- 24 MONUMENT SIGN

**CAUTION!**  
 THE EXISTING UTILITIES SHOWN ON THIS PLAN ARE FROM THE BEST INFORMATION AVAILABLE AT THE TIME AND IS GUARANTEED TO BE COMPLETE OR PRECISE. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE HORIZONTAL AND VERTICAL LOCATION OF ALL UTILITIES SHOWN OR NOT SHOWN PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGES TO UTILITIES DUE TO DAMAGING GROUND CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES ON THE PLANS.

**SITE PLAN LEGEND**

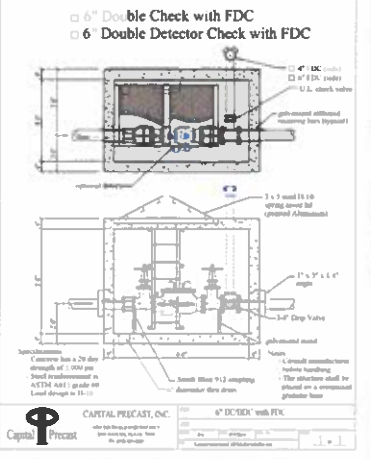
- PROPOSED HEAVY DUTY CONCRETE
- PROPOSED LIGHT DUTY CONCRETE
- PROPOSED SUPER HEAVY DUTY CONCRETE (MIN. 8" THICK)
- PROPOSED SIDEWALK/PAV

(8)



**CAUTION!!**  
 THE EXISTING UTILITIES SHOWN ON THIS PLAN ARE FROM THE BEST INFORMATION AVAILABLE AT THE TIME AND IS UNLIKELY TO BE COMPLETE OR PRECISE. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE ACCURACY AND VERTICAL LOCATION OF ALL UTILITIES SHOWN OR NOT SHOWN PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY REPAIRS TO UTILITIES DUE TO DAMAGE DURING CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE OWNER OF ANY DISCREPANCIES ON THE PLANS.

- UTILITY PLAN KEYED NOTES**
- CONNECT TO EXISTING WATER LINE WITH 6" TAPPING SLEEVE AND VALVE
  - 6" WATER METER VAULT PER DETAILS (OR APPROVED EQUIVALENT) (CONFORM SIZE WITH MEP PLAN) (CONFORM METER SPECS WITH CITY OF WAXAHACHIE)
  - 6" RPZ BACKFLOW PREVENTER WITH ENCLOSURE PER DETAILS (OR APPROVED EQUIVALENT)
  - 6" DOUBLE DETECTOR CHECK ASSEMBLY/VAULT WITH INTEGRATED FDC PER DETAILS (OR APPROVED EQUIVALENT)
  - 6" DOMESTIC WATER SERVICE (CONFORM SIZE WITH MEP PLANS)
  - 6" FIRE SERVICE (CONFORM SIZE WITH MEP PLANS) (FIRE LINE FROM PUBLIC WATER MAIN TO BUILDING SHALL BE DESIGNED BY LICENSED FIRE SPRINKLER DESIGNER)
  - PROPOSED FIRE HYDRANT ASSEMBLY PER DETAILS
  - 3" SERVICE STUB FOR FUTURE CONNECTION BY IRRIGATION CONTRACTOR UNDER A SEPARATE PERMIT (CONFORM SIZE WITH LICENSED IRRIGATOR)
  - 6" SCH40 PVC SEWER SERVICE (FIELD VERIFY SLOPE PRIOR TO INSTALLATION)
  - CLEANOUTS AS SHOWN, AT INTERVALS OF NOT MORE THAN 100' & AT ALL CHANGES OF DIRECTION AS REQUIRED BY PLUMBING CODE (COORDINATE WITH CLEANOUTS SHOWN ON M.E.P. PLANS)
  - PROPOSED GREASE INTERCEPTOR (REF. PLUMBING PLANS)
  - APPROX. LOCATION OF EXISTING SEWER STUB (SEE CIVIL (1) 2' TO 3" SCALE) PER UTILITY (COORDINATE WITH PROVIDER'S ELECTRICAL SITE PLAN AND TENANT SPECS)
  - UNDERGROUND CONDUIT FOR ELEC, COMM, DATA, PHONE, ETC. (TYP. (1) 2' TO 3" SCALE) PER UTILITY (COORDINATE WITH PROVIDER'S ELECTRICAL SITE PLAN AND TENANT SPECS)
  - PROPOSED GENERATOR BY OWNER
  - SEE M.E.P. FOR CONTINUATION
  - APPROX. GAS SERVICE ALIGNMENT
  - JUNCTION BOX ACCORDING TO PROVIDER SPECIFICATIONS
  - PROPOSED TRANSFORMER BY OWNER
  - PROPOSED UNDERGROUND PROPANE TANK BY OWNER (MAINTAIN 1' FROM BUILDING AND PROPERTY LINE)



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DATE	DESCRIPTION	BY

www.TURLEY-INC.COM  
 254-773-2400  
 301 W. 3RD ST.  
 TEMPLE, TEXAS 76701  
 ENGINEERING FIRM NO. 1838  
 SURVEY FIRM NO. 10056000

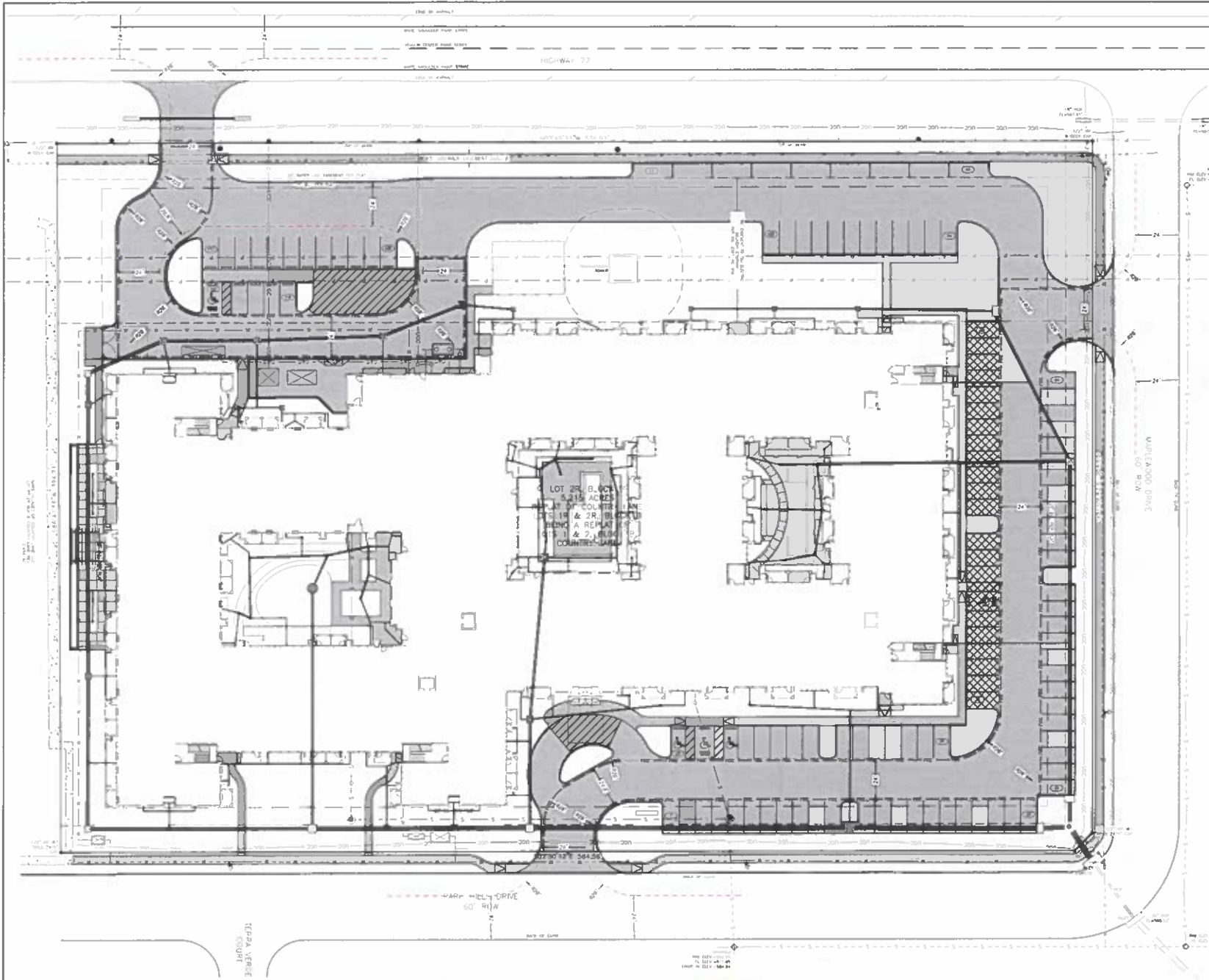


WIT & S  
 WILLIAM F. STUBBS  
 121511  
 07/19/2022

CAPITAL PRECAST, INC.  
 6" DC/DCR with FDC  
 VILLAGES OF COUNTRY LANE  
 WAXAHACHIE, ELLIS COUNTY, TEXAS  
 UTILITY PLAN  
 JOB# 19-2384 PAGE# C1.1

(12)





**CAUTION!!**  
 THE EXISTING UTILITIES SHOWN ON THIS PLAN ARE FROM THE BEST INFORMATION AVAILABLE AT THE TIME AND IS UNLIKELY TO BE COMPLETE OR ACCURATE. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE HORIZONTAL AND VERTICAL LOCATION OF ALL UTILITIES SHOWN OR NOT SHOWN PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY REPAIRS TO UTILITIES DUE TO DAMAGE DURING CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE OWNER OF ANY DISCREPANCIES ON THE PLANS.

(8)



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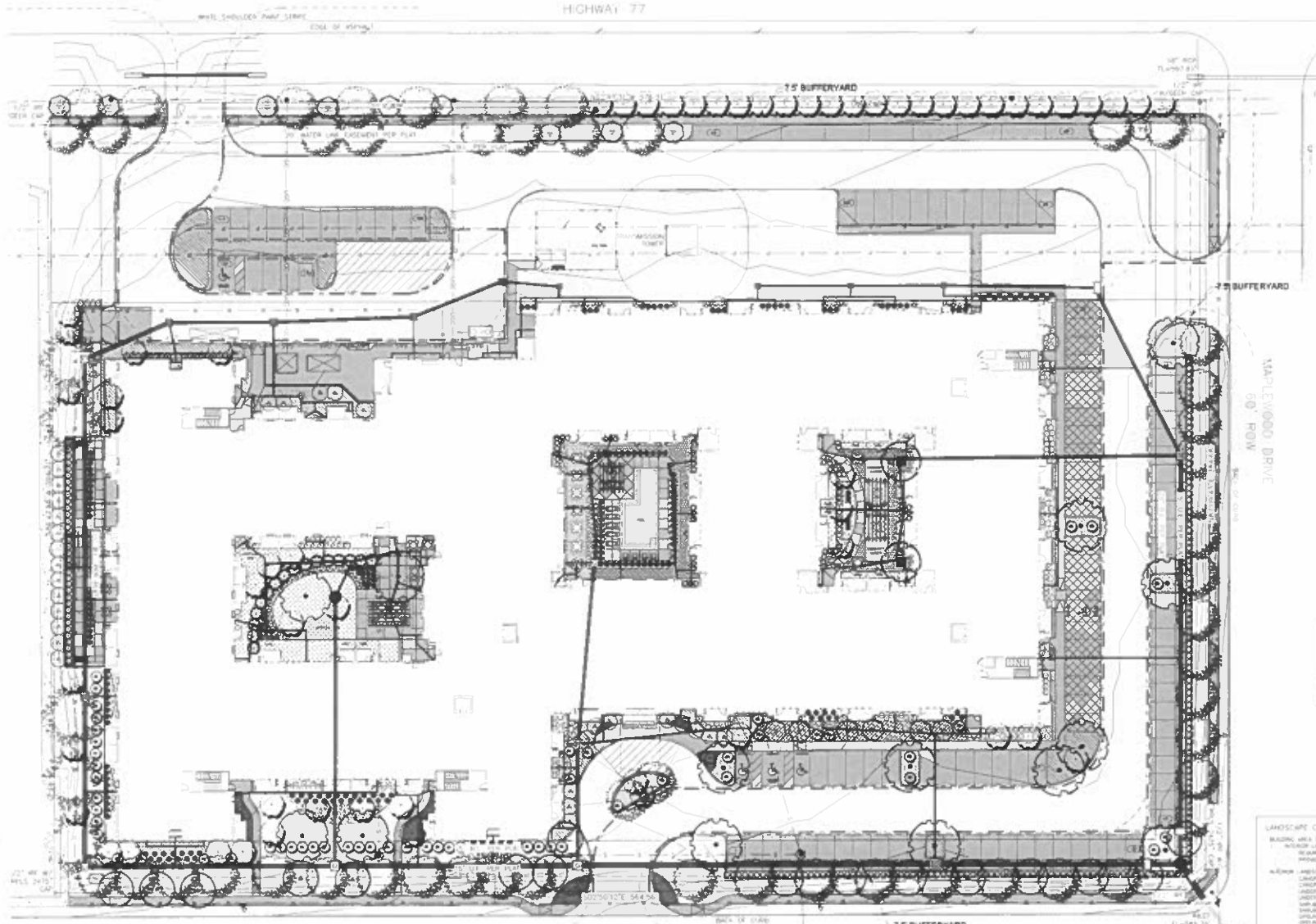
DATE	DESCRIPTION	BY

TURLEY+INC.COM  
 254-773-2400  
 301 N. 3RD ST.  
 TEMPLE, TEXAS 76701  
 ENGINEERING FIRM NO. 1628  
 SURVEY FIRM NO. 10024000



VILLAGES OF COUNTRY LANE  
 WAXAHACHIE, ELLIS COUNTY, TEXAS

TITLE: FIRE TURNING RADIUS EXHIBIT  
 PROJECT: 19-2384 Site Plan Submittal 4.dwg  
 FILE NAME: 19-2384\_Site Plan Submittal 4.dwg  
 REF. ENG: 1 DESIGNER/TURLEY ASSOCIATES  
 SHEET # 19-2384 PAGE # C1.2



**KEY**

TREE	NO.	COMMON NAME	SIZE	PLANTING NOTES
(Symbol)	1	Red Maple	10" DBH	Plant in 10' x 10' hole with 10" topsoil.
(Symbol)	2	White Oak	10" DBH	Plant in 10' x 10' hole with 10" topsoil.
(Symbol)	3	Red Oak	10" DBH	Plant in 10' x 10' hole with 10" topsoil.
(Symbol)	4	Black Oak	10" DBH	Plant in 10' x 10' hole with 10" topsoil.
(Symbol)	5	White Birch	10" DBH	Plant in 10' x 10' hole with 10" topsoil.
(Symbol)	6	Red Birch	10" DBH	Plant in 10' x 10' hole with 10" topsoil.
(Symbol)	7	Yellow Birch	10" DBH	Plant in 10' x 10' hole with 10" topsoil.
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**IRRIGATION NOTE**  
ALL LANDSCAPED AREAS MUST BE IRRIGATED BY AN AUTOMATIC IRRIGATION SYSTEM WITH CAPABILITY TO OPERATE IN WET WEATHER.



**LANDSCAPE CALCULATIONS**

**PLANTING AREA OF 75,000 SQ. FT.**

**MINIMUM LANDSCAPE REQUIREMENTS (PER COUNTY CODE)**  
 REQUIRED: 50% OF TOTAL AREA OF 75,000 SQ. FT.  
 PROVIDED: 41,250 SQ. FT.

**MINIMUM LANDSCAPE REQUIREMENTS (PER COUNTY CODE)**  
 LANDSCAPE TREES REQUIRED: 11 PER 7,500 SQ. FT. OF PLANTING AREA.  
 LANDSCAPE TREES PROVIDED: 11 PER 7,500 SQ. FT. OF PLANTING AREA.  
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**MINIMUM LANDSCAPE REQUIREMENTS (PER COUNTY CODE)**  
 PLANTING AREA OF 75,000 SQ. FT. OF PLANTING AREA.  
 PROVIDED: 11 PER 7,500 SQ. FT. OF PLANTING AREA.  
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 PROVIDED: 11 PER 7,500 SQ. FT. OF PLANTING AREA.

**MINIMUM LANDSCAPE REQUIREMENTS (PER COUNTY CODE)**  
 PLANTING AREA OF 75,000 SQ. FT. OF PLANTING AREA.  
 PROVIDED: 11 PER 7,500 SQ. FT. OF PLANTING AREA.  
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- Owner**  
 Rees Realty, L.L.C.  
 10000 Rees Road, Suite 100  
 Dallas, Texas 75243  
 972.343.1111
- Contractor**  
 Bridgeway Construction Management  
 10000 Rees Road, Suite 100  
 Dallas, Texas 75243  
 972.343.1111
- Civil Engineer**  
 Turley Associates, Inc.  
 10000 Rees Road, Suite 100  
 Dallas, Texas 75243  
 972.343.1111
- Landscape Architect**  
 Landmark Landscapes  
 10000 Rees Road, Suite 100  
 Dallas, Texas 75243  
 972.343.1111
- Structural Engineer**  
 Concrete Structural Engineers  
 10000 Rees Road, Suite 100  
 Dallas, Texas 75243  
 972.343.1111
- Mechanical, Electrical, Plumbing Engineer**  
 Rees, Engineers T.L.L.C.  
 10000 Rees Road, Suite 100  
 Dallas, Texas 75243  
 972.343.1111
- Law Firms**  
 Sullivan, LLC  
 10000 Rees Road, Suite 100  
 Dallas, Texas 75243  
 972.343.1111
- Food Service**  
 Kelly Restaurant & Cafeteria Supply  
 10000 Rees Road, Suite 100  
 Dallas, Texas 75243  
 972.343.1111

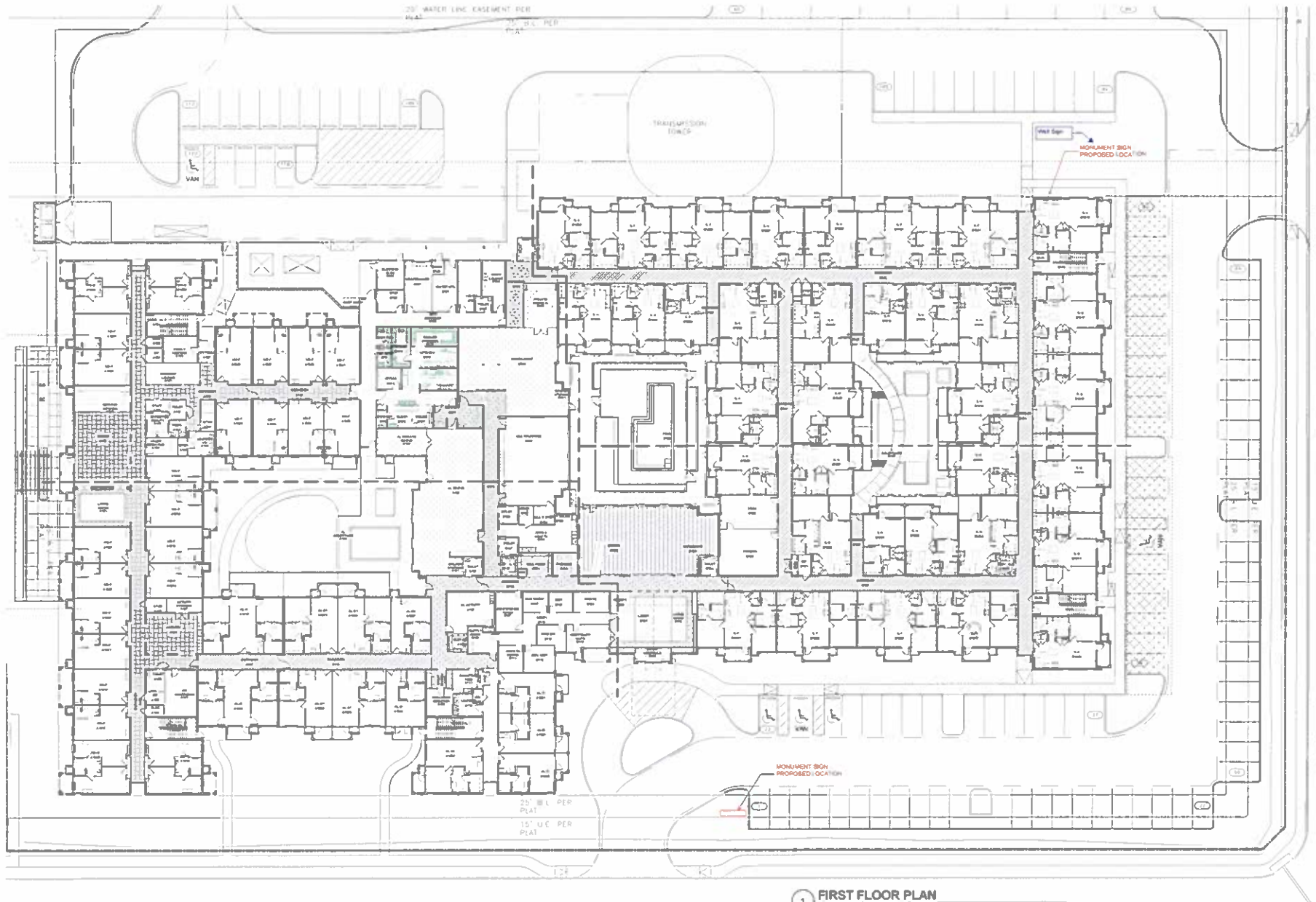
**WARR VILLAGES OF COUNTRY LANE**  
 WILMAMOR, TX



**SITE PLAN SUBMITTAL**  
 THE OVERALL LANDSCAPE PLAN

**L1.00**  
 JULY 26, 2023  
 10000 REES ROAD, SUITE 100, DALLAS, TX 75243

(8)



1 FIRST FLOOR PLAN  
1/8" = 1'-0"

# MARS VILLAGES OF COUNTRY LANE

WAXAHACHIE, TX 06/15/22

**REES**  
ARCHITECTURE PLANNING INTERIOR DESIGN

© 2022

(8)



1 SECOND FLOOR PLAN  
1/8" = 1'-0"

## MARS VILLAGES OF COUNTRY LANE

WAXAHACHIE, TX 0615/22

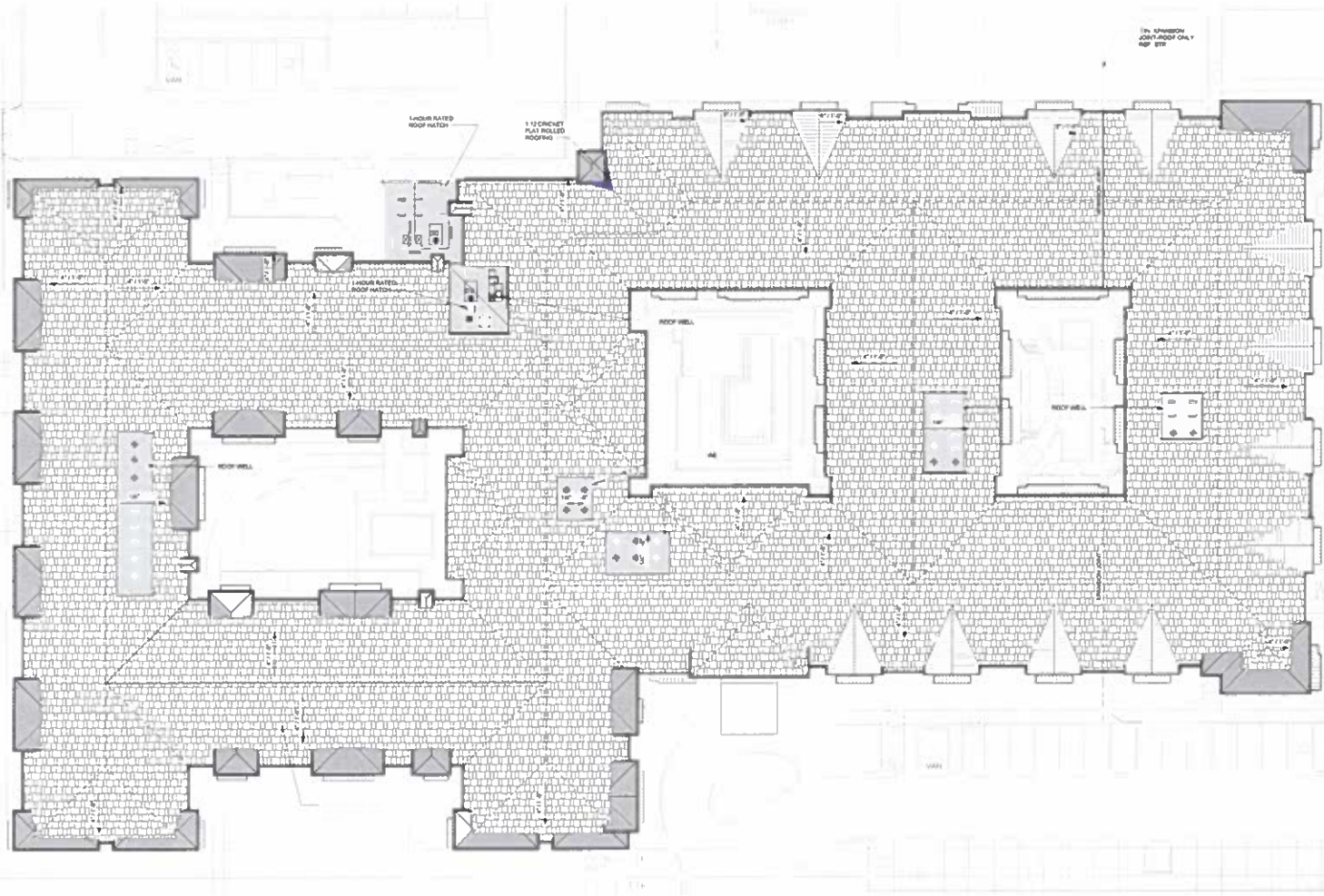
# REES

ARCHITECTURE PLANNING INTERIOR DESIGN

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(8)





1 ROOF PLAN  
1/8" = 1'-0"

# MARS VILLAGES OF COUNTRY LANE

WAXAHACHIE, TX 06/15/22

**REES**  
ARCHITECTURE PLANNING INTERIOR DESIGN

© 2022

(8)



NATURAL STONE  
ANTIQUE BARK COLOR

STANDING SEAM METAL ROOF  
ZINK GRAY COLOR

NATURAL STONE  
ANTIQUE BARK COLOR

BOARD & BATTEN  
GRAY CHARCOAL COLOR

STUCCO  
PPG1001  
DELICATE WHITE COLOR

EAST PERSPECTIVE VIEW INDEPENDENT LIVING



NATURAL STONE  
ANTIQUE BARK COLOR

ASPHALT SINGLE ROOF  
GRAY COLOR

STANDING SEAM METAL ROOF  
ZINK GRAY COLOR

NATURAL STONE  
ANTIQUE BARK COLOR

FC LAP SIDING  
PPG1025-2  
COMMERCIAL WHITE COLOR

BOARD & BATTEN  
GRAY CHARCOAL COLOR

STUCCO  
PPG1001  
DELICATE WHITE COLOR

NORTH ELEVATION VIEW INDEPENDENT LIVING

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# MARS Villages Of Country Lane

Waxahachie, Texas

06/13/22

Exterior Materials Option 1

# REES

(8)



- NATURAL STONE  
GERMAN CHOCOLATE SAWN
- STANDING SEAM METAL  
ROOF  
ZINK GRAY COLOR
- NATURAL STONE  
GERMAN CHOCOLATE SAWN
- BOARD & BATTEN  
GRAY CHARCOAL COLOR
- STUCCO  
PPG1025-2  
COMMERCIAL WHITE COLOR

EAST PERSPECTIVE VIEW INDEPENDENT LIVING



- NATURAL STONE  
GERMAN CHOCOLATE SAWN
- STANDING SEAM METAL ROOF  
ZINK GRAY COLOR
- STANDING SEAM METAL  
ROOF  
ZINK GRAY COLOR
- NATURAL STONE  
GERMAN CHOCOLATE SAWN
- FC LAP SIDING  
WOOD LIKE SERIES
- BOARD & BATTEN  
GRAY CHARCOAL COLOR
- STUCCO  
PPG1007-2  
SWIRLING SMOKE COLOR

NORTH ELEVATION VIEW INDEPENDENT LIVING

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# MARS Villages Of Country Lane

Waxahachie, Texas

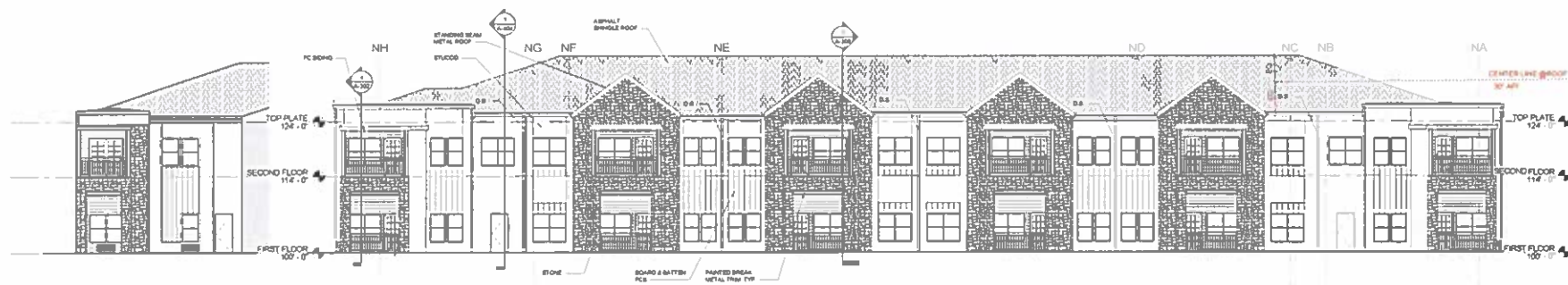
06/13/22

Exterior Materials Option 2

# REES

(8)



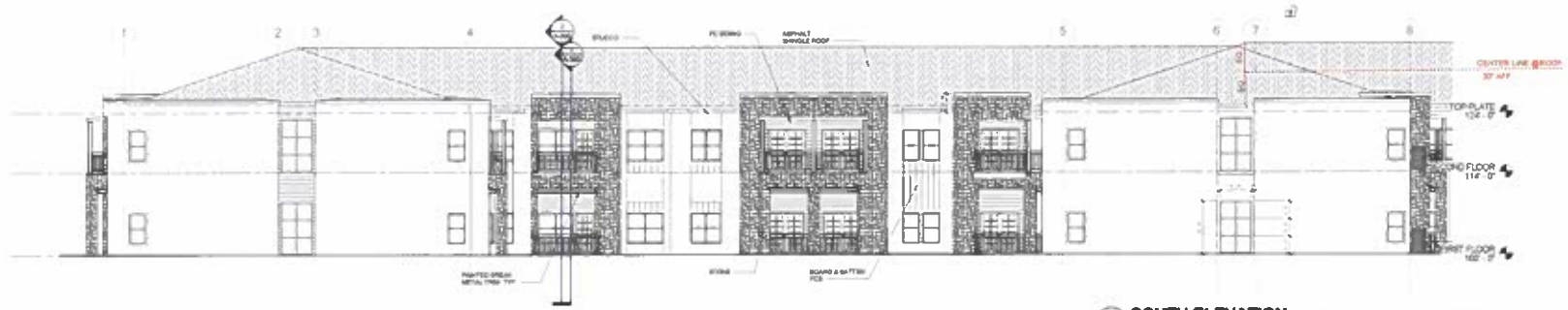


**4 ELEVATION**  
1/8" = 1'-0"

**3 NORTH ELEVATION**  
1/8" = 1'-0"



**1 EAST ELEVATION**  
1/8" = 1'-0"



**2 SOUTH ELEVATION**  
1/8" = 1'-0"

**Owner**  
Sawyer Realty, LLC  
5000 West Loop West  
P.O. Box 7028  
Dallas, TX 75221

**Contractor**  
Bridgeway Construction  
Management  
14002 Dallas Parkway, Suite 110  
Dallas, Texas 75244  
972-487-4422

**Civil Engineer**  
Tertiary Associates, Inc.  
308 North Ivy Street  
Forsyth, Texas 75041  
281-775-2400

**Landscaping Architect**  
Landscape Architecture  
PO Box 261003  
Dallas, Texas 75226  
972-487-0074

**Structural Engineer**  
Chadwick Structural Engineers  
6301 Lyndon B. Johnson Fwy. Suite 1000  
Dallas, Texas 75243  
714-271-2829

**Mechanical, Electrical, Plumbing Engineer**  
Randy L. Engineers TX, LLC  
3700 Ross Ave. Suite 208  
Dallas, Texas 75206  
972-487-2611

**Low Voltage**  
Sawyer, LLC  
1878 E. Loop Park, Suite 400  
Dallas, TX 75206  
972-487-5855

**Food Service**  
Korby Restaurant & Chemical  
Supply  
1001 E. South St.  
Lubbock, Texas 79402  
806-337-6574

MARS VILLAGES OF  
COUNTRY LANE  
  
WAMACHE, TX

No.	Rev.	Date
1	01	06/15/22

Project No. 22118-02

Notes:  
1. These drawings have been prepared under the direct supervision of the Professional Engineer.  
2. Specifications for materials and methods of construction shall be as shown on the drawings, unless otherwise indicated.

Checked: \_\_\_\_\_ Approved: \_\_\_\_\_  
Date: \_\_\_\_\_

Scale: 1/8" = 1'-0"

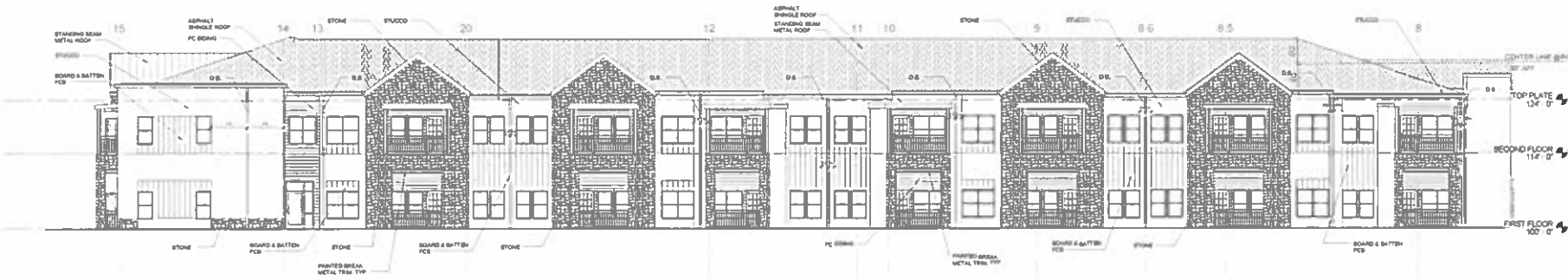
Drawing No. **A-201**

Date: **JUNE 15, 2022**

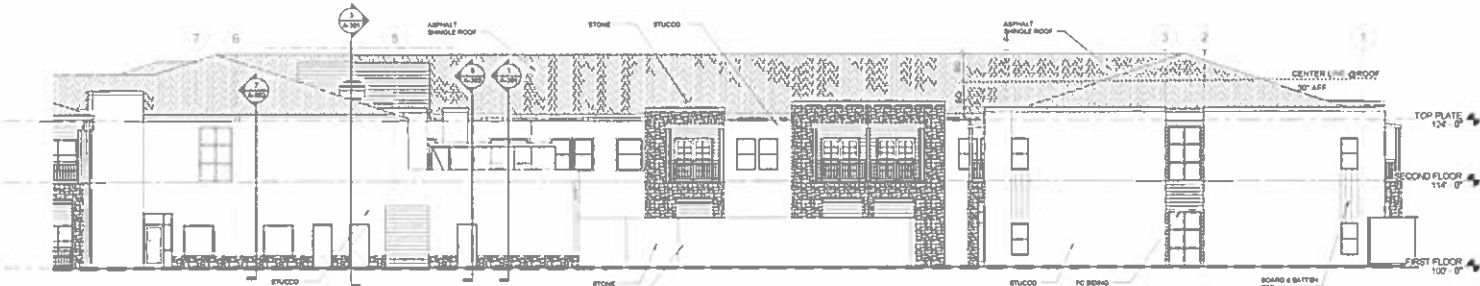
NOT FOR CONSTRUCTION OR REGULATORY REVIEW

(8)





1 WEST ELEVATION  
1/8" = 1'-0"



2 NORTH ELEVATION 2  
1/8" = 1'-0"



3 WEST AL ELEVATION  
1/8" = 1'-0"

- Owner**  
Sovereign Equity, LLC  
5650 North Henderson Blvd  
Ft. Worth, Texas 76133
- Contractor**  
Bridgeway Construction  
Management  
1888 Dallas Parkway, Suite 110  
Dallas, Texas 75240  
972.355.4000
- Civil Engineer**  
Talley Associates, Inc.  
281 North 3rd Street  
Ft. Worth, Texas 76102  
817.773.3400
- Landscape Architect**  
Landscape Architecture  
PO Box 21  
Culverton, Texas 76023  
817.455.0519
- Mechanical Engineer**  
Covington Mechanical Engineers  
8500 Lyndon B. Johnson Fwy, Suite 1400  
Dallas, Texas 75240  
214.221.2239
- Mechanical, Electrical, Plumbing Engineer**  
Red H. Engineers P.C., LLC  
2708 South Ave. Suite 200  
Dallas, Texas 75216  
(214) 343-1111
- Low Voltage**  
Sullivan, LLC  
6216 E. Lakes Park Corporate Blvd  
Suite 142  
Irving, Texas 75039  
972.251-0100
- Food Service**  
Kathy Restaurant & Chemical  
Supply  
201 E. Commerce Rd  
Lubbock, Texas 79402  
806.322.6919

MARS VILLAGES OF  
COUNTRY LANE  
  
WAXAHACHE, TX

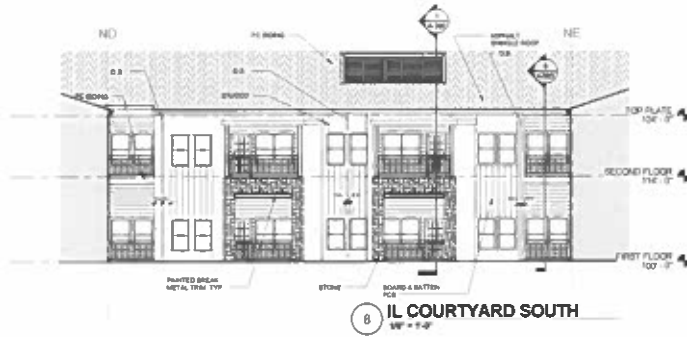
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100	02/18/22

CONSTRUCTION DOCUMENTS  
EXTERIOR ELEVATIONS

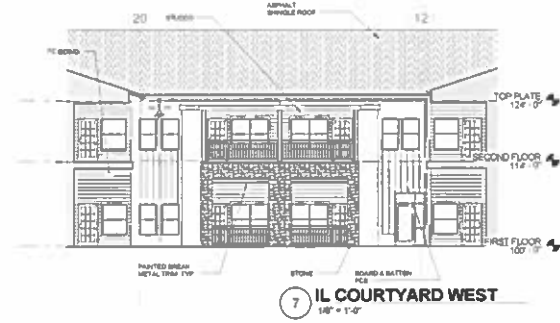
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Drawing No: **A-202**  
Date: **JUNE 18, 2022**  
Copyright REES & ASSOCIATES, INC. 2022

NOT FOR CONSTRUCTION OR REGULATORY REVIEW

(8)



8 IL COURTYARD SOUTH  
18' x 1-0"



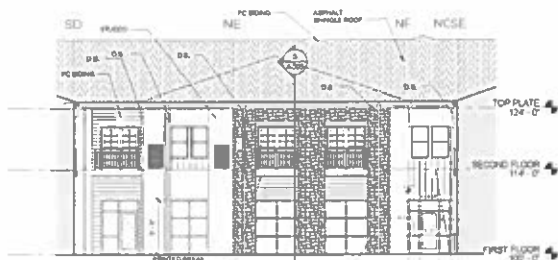
7 IL COURTYARD WEST  
18' x 1-0"



5 IL COURTYARD EAST  
18' x 1-0"



6 IL COURTYARD NORTH  
18' x 1-0"



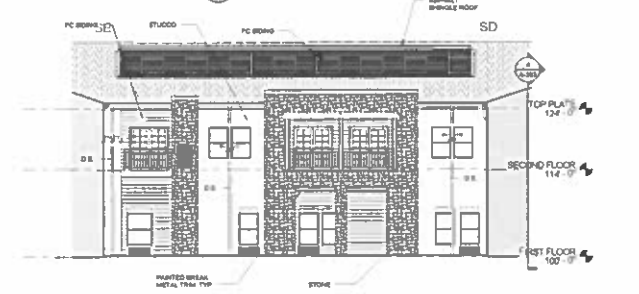
2 AL COURTYARD SOUTH  
18' x 1-0"



4 AL COURTYARD WEST  
18' x 1-0"



1 AL COURTYARD EAST  
18' x 1-0"



3 AL COURTYARD NORTH  
18' x 1-0"

**Owner**  
Sahara Equity, LLC  
5555 North Loop West  
Dallas, Texas 75247  
214-775-2377

**Contractor**  
Enterprise Construction  
Management  
1820 Dallas Parkway, Suite 110  
Dallas, Texas 75241  
972-437-4533

**Civil Engineer**  
Turkey Associates, Inc.  
408 North Loop West  
Dallas, Texas 75241  
214-775-3400

**Landscaping Architect**  
Landscape Architecture  
PO Box 20 1820  
Dallas, Texas 75241  
972-437-4533

**Structural Engineer**  
Connect Structural Engineers  
8230 Preston Road, Suite 1400  
Dallas, Texas 75225  
214-351-3333

**Mechanical, Electrical,  
Plumbing Engineer**  
Red TL Engineers TX, LLC  
1700 Ross Ave. Suite 110  
Dallas, Texas 75201  
972-352-2001

**Lighting Designer**  
Lily Motion  
Studio, LLC  
4210 E. Ross Park, Suite 200  
Dallas, Texas 75246  
972-352-2001

**Food Service**  
Kibby Restaurant & Chemical  
Supply  
632 N. Lamar, #10  
Lubbock, Texas 79401  
806-799-1111

MARS VILLAGES OF  
COUNTRY LANE  
  
WAXAHACHIE, TX

Project No.	20191010	Date	
Drawn	PL	Checked	PL
Scale	AS SHOWN	Approved	
Notes	<p>These documents have been prepared under the strict supervision of the Professional Engineer or Registered Professional Architect for regulatory approval. Any other use without the written consent of the architect or engineer is prohibited.</p>		
Plan			

NOT FOR CONSTRUCTION OR REGULATORY REVIEW

CONSTRUCTION DOCUMENTS

EXTERIOR ELEVATIONS

Scale: 1/8" = 1'-0"

Drawing No. **A-203**

Date: JUNE 15, 2022

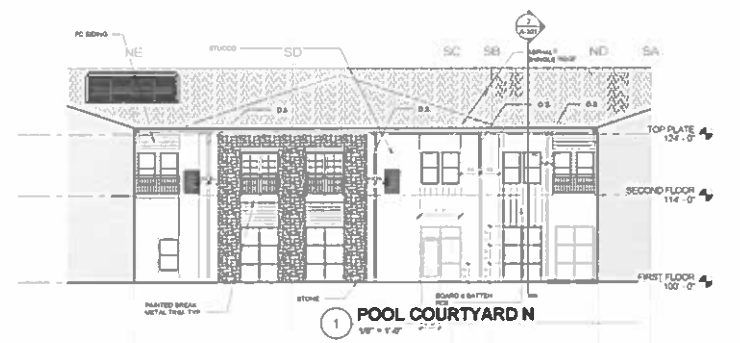
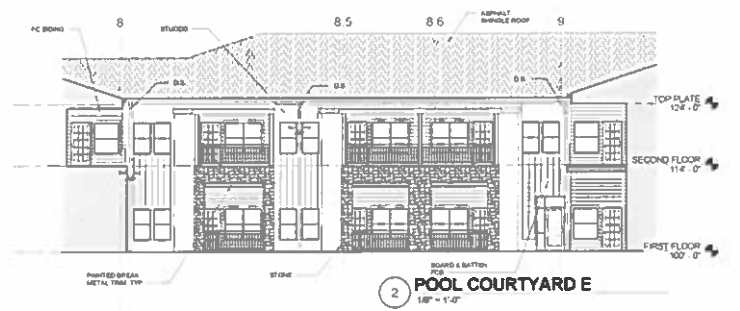
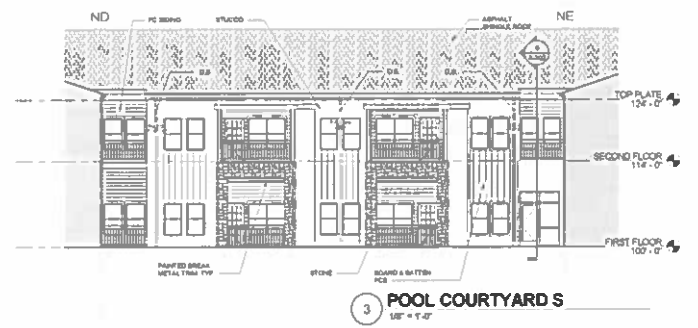
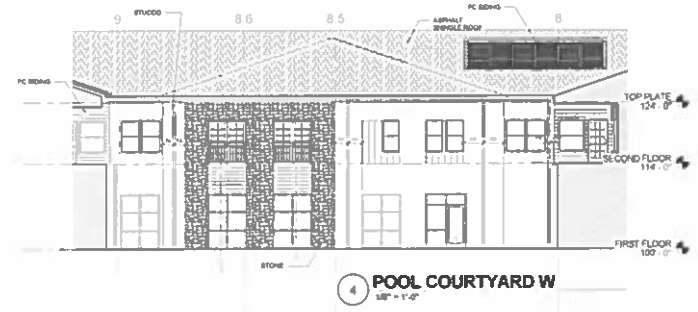
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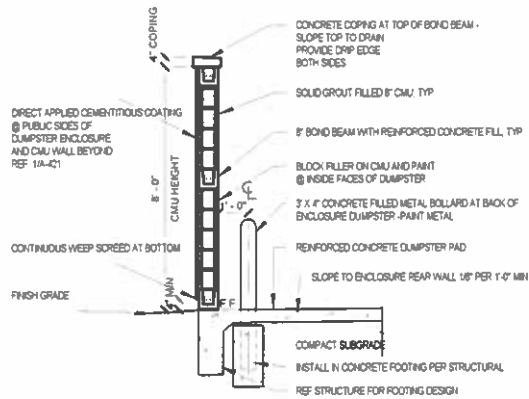
(S)

- Owner**  
Sahara County, LLC  
1800 West McDougal Blvd  
Dallas, Texas 75208  
214.774.4797
- Contractor**  
Bridgeway Construction  
Management  
1020 Dallas Parkway, Suite 110  
Dallas, Texas 75243  
469.697.4428
- Civil Engineer**  
Turley Associates, Inc.  
361 North 34 Street  
Ft. Worth, Texas 76102  
817.773.3888
- Landscape Architect**  
Landscape Architecture  
7700 Star  
Coppell, Texas 75011  
972.466.8811
- Structural Engineer**  
Cannon Structures Engineers  
5601 Lyndon B. Johnson Fwy, Suite 100  
Dallas, Texas 75243  
214.359.3338
- Mechanical, Electrical,  
Plumbing Engineer**  
Radtcliff Engineers TX, LLC  
25 Dallas Street, Suite 218  
Dallas, Texas 75201  
214.742.1001
- Law Offices**  
Saffery, LLC  
6210 Stone Park, Columbia Blvd  
Dallas, TX  
214.359.3338
- Food Service**  
Kirby Restaurant & Cheesecake  
Supply  
408 S. Feltner, #2  
Longview, Texas 75702  
940.227.0278

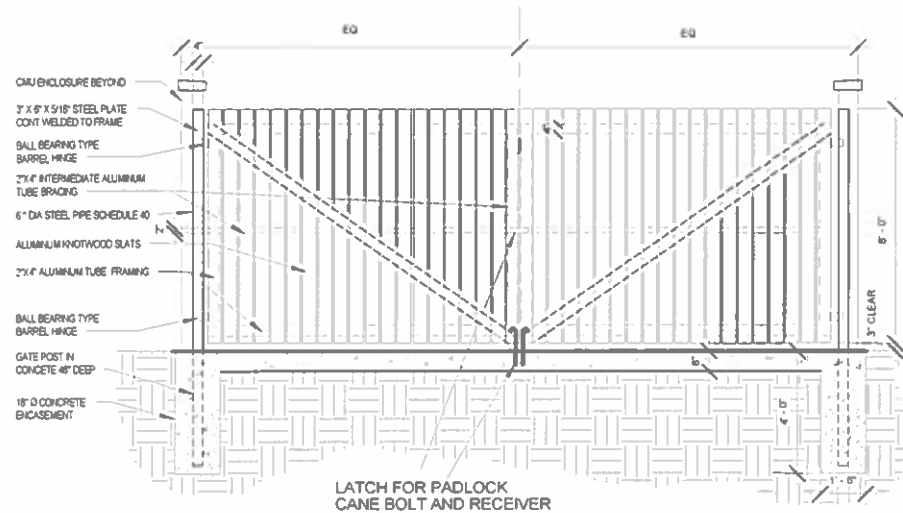
MARS VILLAGES OF  
COUNTRY LANE  
  
WALWACHIE, TX

No.	Date
Revisions	
Project No.	22116-00
Drawn	These documents have been prepared under the direct supervision of the Designer and shall not be used for regulatory approval without the Designer's approval.
Checked	Approved
Key	
Plan	North
<b>CONSTRUCTION DOCUMENTS</b>	
EXTERIOR ELEVATIONS	
Scale:	1/8" = 1'-0"
Drawing No.	<b>A-204</b>
Date:	JUNE 16, 2022
NOT FOR CONSTRUCTION OR REGULATORY REVIEW	
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**1 WALL SECTION**  
1/4" = 1'-0"



**2 ELEVATION**  
1/4" = 1'-0"

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

**MARS VILLAGES OF COUNTRY LANE  
DUMPSTER ENCLOSURE**

WAXAHACHIE, TX 06/15/22

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**REES**

(8)

(9)

# Planning & Zoning Department

## Zoning Staff Report

Case: ZDC-47-2022



**MEETING DATE(S)**

*Planning & Zoning Commission:* August 9, 2022

*City Council:* August 15, 2022

**CAPTION**

**Public Hearing** on a request by Michelle Kucaba, Interplan, LLC, for a Specific Use Permit (SUP) for a Restaurant with a Drive-Through use within a Planned Development-General Retail (PD-GR) zoning district located at 996 W Highway 287 (Property ID 142134) - Owner: Chick-fil-A Inc. (ZDC-47-2022)

**APPLICANT REQUEST**

The Applicant requests a specific use permit to modify the drive-through circulation and configuration for the existing Chick-fil-A located at 996 W Highway 287. The Applicant is not proposing any changes to the building.

**CASE INFORMATION**

*Applicant:* Michelle Kucaba, Interplan, LLC

*Property Owner(s):* Chick-fil-A Inc.

*Site Acreage:* 1.66 acres

*Current Zoning:* PD-GR – Planned Development – General Retail

*Requested Zoning:* PD-GR with a specific use permit (SUP) for a restaurant with a drive-through

**SUBJECT PROPERTY**

*General Location:* 996 W Highway 287

*Parcel ID Number(s):* 142134

*Existing Use:* Chick-fil-A

*Development History:* A SUP (ZA2016-64) for a restaurant with a drive-through was approved in 2016.

The subject property was platted in its current configuration in 2003.

(9)

**Adjoining Zoning & Uses:**

Direction	Zoning	Current Use
North	PD-GR	Target
East	PD-GR	Johnny Cariños
South	PD-GR	Wal-Mart
West	PD-GR	Chili's Grill and Bar

**Future Land Use Plan:**

Retail

**Comprehensive Plan:**

Retail includes areas that have restaurants, shops, grocery stores, and personal service establishments. Retail businesses generally require greater visibility than other types of nonresidential land use (e.g., office, commercial).

**Thoroughfare Plan:**

The subject property has frontage along US Highway 287 and cross access to US Highway 77, which is classified as a Major Thoroughfare (Type A - 120').

**Site Image:**



**PLANNING ANALYSIS**

The subject property was originally granted a specific use permit to operate a restaurant with a drive-through in 2016. The Applicant is required to receive approval of another specific use permit since the Applicant is substantially changing the configuration and circulation of the site. Significant changes to the site include incorporating two drive-through lanes, which accommodate a total of 42 stacking spaces (20-22 stacking spaces in each drive-through lane). Additionally, the Applicant has accommodated 60 parking spaces free and clear from the drive-through queuing. The Applicant eliminated 31 parking spaces to accommodate the new drive-through configuration, which will significantly manage traffic congestion and conflicts during peak operating times. Staff recommends approval of the SUP given the site's innovative design and layout proposed to handle current traffic conflicts for Chick-fil-A.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 6 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

**RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning Department recommends:

- Denial
- Approval, as presented.
- Approval, per the following comments:
  1. The subject property shall conform to the layout shown in the site plan.
  2. The applicant shall obtain a permit from the City of Waxahachie Building Department and Public Works and Engineering Department prior to construction.

**ATTACHED EXHIBITS**

1. Location Map (Exhibit A)
2. Site Plan (Exhibit B)
3. Landscape Plan (Exhibit C)

**APPLICANT REQUIREMENTS**

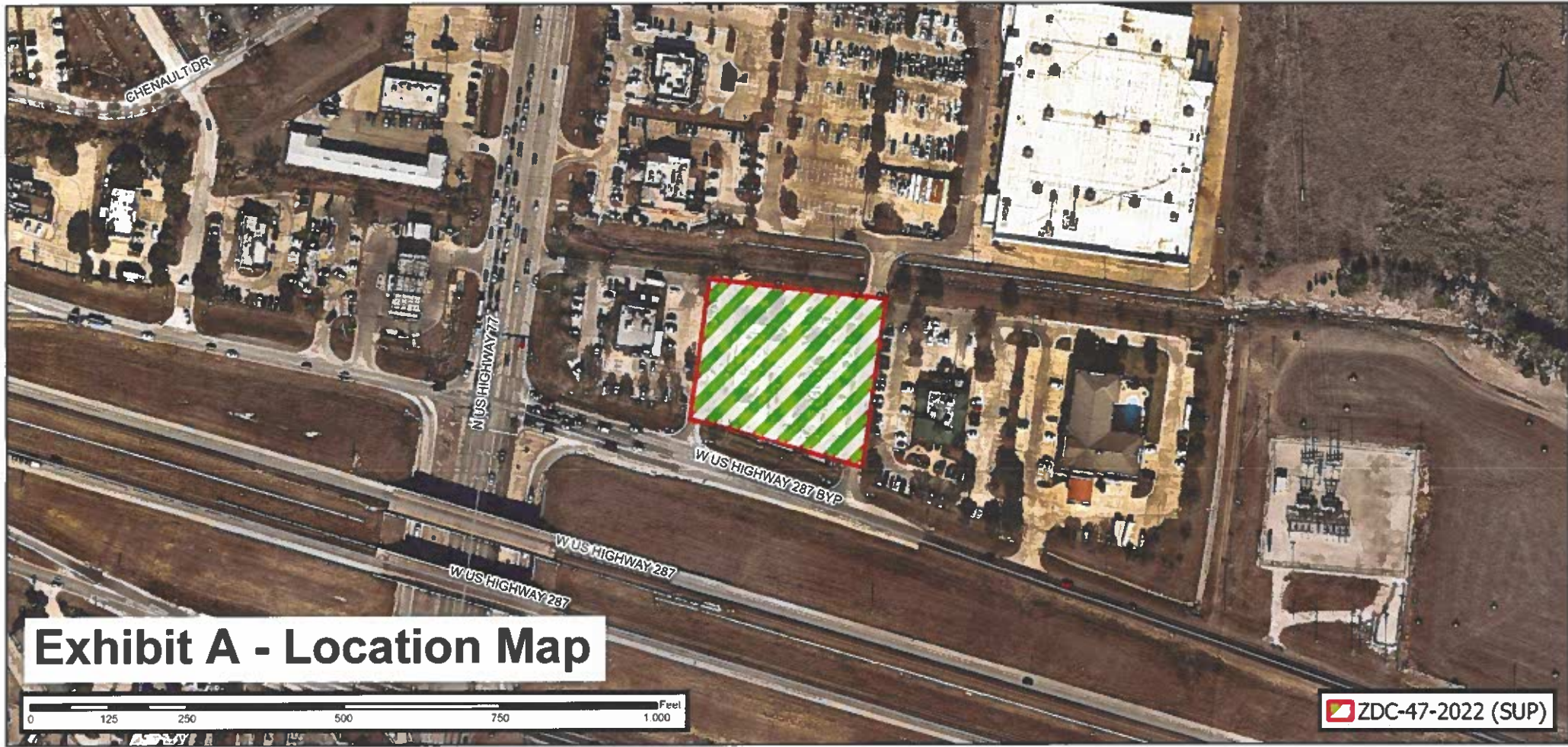
1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

**STAFF CONTACT INFORMATION**

*Prepared by:*  
 Eleana Tuley, AICP  
 Senior Planner  
[eleana.tuley@waxahachie.com](mailto:eleana.tuley@waxahachie.com)

*Reviewed by:*  
 Jennifer Pruitt, AICP, LEED-AP, CNU-A  
 Senior Director of Planning  
[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)





# Exhibit A - Location Map

0 125 250 500 750 1,000 Feet

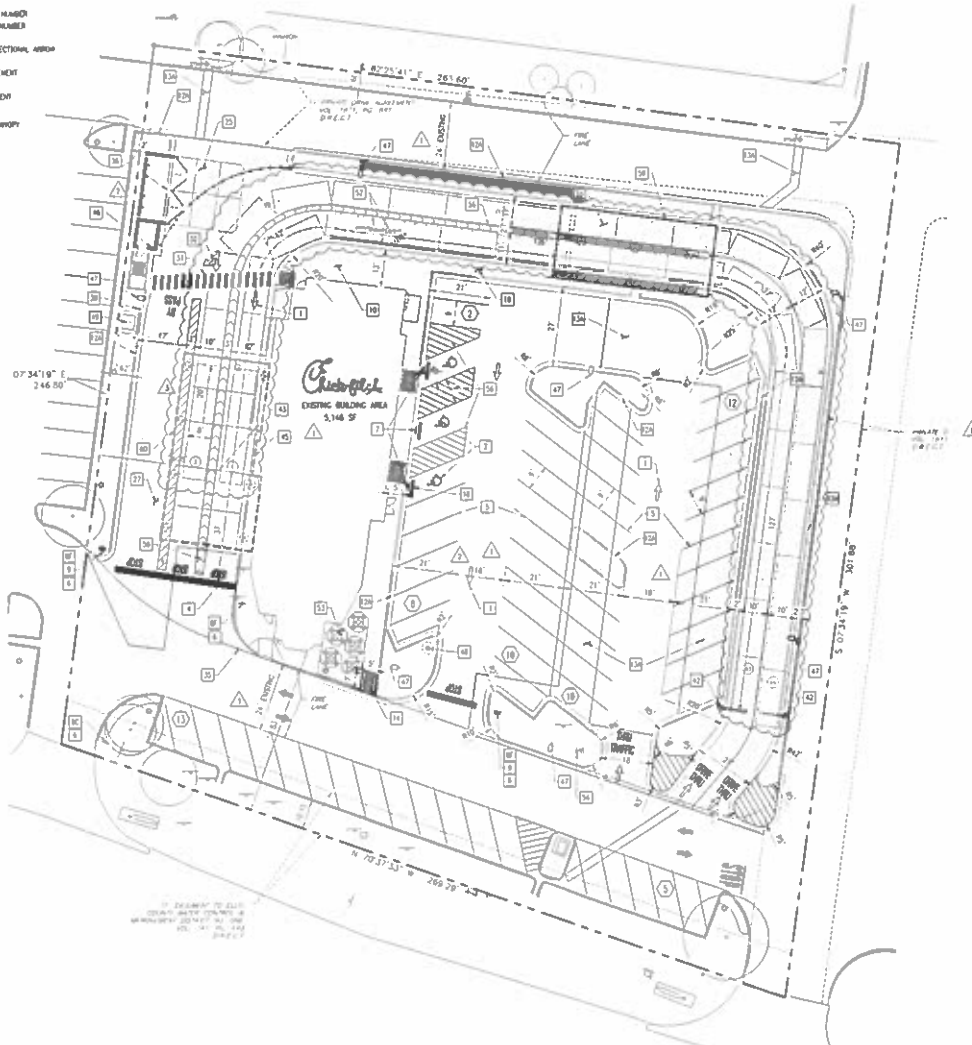
ZDC-47-2022 (SUP)

(b)



**LEGEND**

- ① PARKING SPACE TOTALS
- ② DETAIL NUMBER
- ④ SHEET NUMBER
- ↔ TRAFFIC DIRECTIONAL ARROW
- ▭ CONCRETE PAVEMENT
- ▭ ASPHALT PAVEMENT
- ▭ DRIVEWAY CANOPY



NOTE: CONTRACTOR SHALL DEMARKATE EXISTING STRIPING WITH EITHER SAND BLASTING, OR WATER PRESSURE. THEN SEAL EXISTING ASPHALT BEFORE APPLYING NEW STRIPING. DO NOT PAINT THE EXISTING STRIPING BLACK.

**SITE DATA**

LEASE AREA	72,316 SF	1.66 ACRES
PROPOSED PAVEMENT AREA	56,739 SF	(78.5 %)
PROPOSED GREEN AREA	18,431 SF	(14.4 %)
EXISTING BUILDING AREA	5,146 SF	(7.1 %)
		100 %
PROPOSED IMPERVIOUS AREA	61,885 SF	(85.6 %)
PROPOSED PERVIOUS (OPEN SPACE) AREA	18,431 SF	(14.4 %)
		100 %
EXISTING IMPERVIOUS AREA	62,285 SF	(86.0 %)
EXISTING PERVIOUS (OPEN SPACE) AREA	18,110 SF	(14.0 %)
		100 %

<b>MAXIMUM BUILDING HEIGHT</b>	<b>ALLOWED</b>	<b>PROVIDED</b>
BUILDING HEIGHT	50 FT.	23 FT.

<b>NUMBER OF SEATS</b>	
INDOOR	132 SEATS
OUTDOOR	28 SEATS

**PARKING REQUIRED**  
 ONE (1) PARKING SPACE PER EACH 100SF OF SEATING OR WAITING AREA (INDOOR AND OUTDOOR AREAS) OR ONE (1) SPACE FOR EVERY THREE (3) SEATS (SEAT NUMBER SEATING APPROXIMATION PROVIDED AS CHECKED)  
 = 152/3  
 = 50.66 OR 51 SPACES

<b>PARKING PROVIDED</b>	
REGULAR	57 SPACES
HANDICAP	3 SPACES
<b>TOTAL</b>	<b>60 SPACES</b>

- 52 EXISTING DRIVEWAY INTERCEPTOR
- 53 EXISTING OUTDOOR SEATING (20 SEATS) (REFER TO ARCH. PLANS FOR DETAILS)
- 54 RELOCATED WINDROW
- 55 4" WIDE WHITE STRIPING (SEE PAINT NOTES IN DETAIL A SHEET C-1-B)
- 56 PAINTED DIAGONAL / CHEVRON STRIPING
- 57 DRAINAGE STRUCTURE (NOT USED)
- 58 LANDSCAPE AND IRRIGATION PROTECTION (NOT USED)
- 59 MULTI-LANE ORDER POINT (H/O/P) CANOPY
- 60 ORDER MEAL DELIVERY (O/M) CANOPY

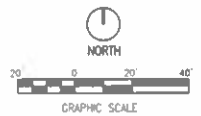
**SITE PLAN DESIGN NOTES & KEY PLAN**

- 1 DIRECTIONAL ARROW
  - 2 PAINTED HANDICAP PARKING SYMBOL
  - 3 DRIVE-IN/OUT GRAPHICS
  - 4 STOP LINE GRAPHIC
  - 5 STANDARD PARKING STALL
  - 6 BOLLARD MOUNTED SIGN
  - 7 ACCESSIBLE PARKING SIGN
  - 8 DIRECTIONAL SIGNAGE
- NOTES: 1. ALL SIGNS SHALL CONFORM TO THE "MANUAL ON SIGNIFICANT GRAPHIC SYMBOLS" BY THE U.S. DEPARTMENT OF TRANSPORTATION.  
 2. SIGNS SHALL BE PROVIDED AND INSTALLED BY OWNER/GENERAL CONTRACTOR.  
 3. "ORANGE BUILDING FOR DRIVE-THRU" SIGN (NOT USED)  
 4. "LEFT TURN ONLY" SIGN (NOT USED)  
 5. "RIGHT-TURN ONLY" SIGN  
 6. "CAUTION - WATCH FOR PEDESTRIAN" SIGN (NOT USED)  
 7. "ONE WAY" WITH ARROW SIGN (NOT USED)  
 8. "DO NOT ENTER" SIGN
- 9 "STOP" SIGN
  - 10 CONCRETE SIDEWALK
  - 11 SIDEWALK WITH CURB AND GUTTER (NOT USED)
  - 12 2" CONCRETE CURB AND GUTTER
  - 13 SPALLING CURB AND GUTTER
  - 14 CARBONIC CURB AND GUTTER
  - 15 DEEPRESSED SPALLING CURB AND GUTTER
  - 16 DEEPRESSED CARBONIC CURB AND GUTTER
  - 17 CONCRETE PAVEMENTS
  - 18 MEDIUM DUTY
  - 19 HEAVY DUTY (NOT USED)
  - 20 CURB RAMP w/ SHORT FLARED SIDES
  - 21 CURVED RAMP WITH FLARED SIDES (NOT USED)
  - 22 SIDEWALK ACCESSIBLE RAMP
  - 23 TRUNCATED DOMES - CAST IN PLACE (NOT USED)
  - 24 SOLID YELLOW PLASTIC WHEEL STOP
  - 25 EXPANSION JOINT
  - 26 TRANSVERSE & LONGITUDINAL DOWELED CONCRETE JOINT
  - 27 KEYED CONSTRUCTION JOINT (NOT USED)
  - 28 CONSTRUCTION JOINT
  - 29 TRANSVERSE & LONGITUDINAL CONSTRUCTION JOINT
  - 30 PAVEMENT JOINT (NOT USED)
  - 31 CONCRETE APPROX AT DAMPPROOF ENCLOSURE
  - 32 LONGITUDINAL BUTT JOINT
  - 33 CONCRETE PAVING AT DRIVE-THRU LANE
  - 34 TYPICAL HANG (APPROX) PAVEMENT SECTION (NOT USED)
  - 35 BUTT JOINT (NOT USED)
  - 36 CONCRETE BOLLARD
  - 37 MULTI-LANE DIRECTIONAL GRAPHICS
  - 38 CROSSWALK WARNING
  - 39 ALUMINUM HANDRAIL (NOT USED)
  - 40 TYPICAL ADA RAMP AND HANDRAIL (NOT USED)
  - 41 PROPOSAL FIRE LANE
  - 42 TRASH ENCLOSURE WILL BE SCHEDULED WITH A 6" WOODFRY WALL AND ENCLOSED WITH A METAL GATE
  - 43 SCREENED REFUSE ENCLOSURE PLAN (A1) (NOT USED)
  - 44 SCREENED REFUSE ENCLOSURE (A1) DRAINAGE (NOT USED)
  - 45 HEAVY BOARD LOOP DETECTION SYSTEM
  - 46 DRIVE-THRU ORDER POINT ISLAND CURB (HEAVY BOLLARDS)
  - 47 DRIVE-THRU PLAN (AUTOMATIC DOOR) (NOT USED)
  - 48 DRIVE-THRU CLEARANCE BAR
  - 49 DRIVE-IN/OUT GRAPHIC
  - 50 BOLLARD / HOUSABLE CURB (1 FT WIDE) (NOT USED)
  - 51 EXISTING DRIVE-THRU PLAN (PICK-UP WINDOW)
  - 52 REFUSE/STORAGE BUILDING (REFER TO ARCH. PLANS)
  - 53 TYPICAL LIGHT POLE BASE (REFER TO SHEET ES-1-B)
  - 54 RELOCATED FLAGPOLE - EXISTING SERIES FOOD FLAG POLE PACKAGE BY APPROVED VENDOR, INCLUDING STAIRCASE OR STAIR PLANS
  - 55 RELOCATED PAID MOUNTED TRANSFORMER
  - 56 EXISTING CHICK-FIL-A PAVING (MONUMENTAL) SIGN  
 NOTE: GENERAL CONTRACTOR SHALL COORDINATE WITH SIGN COMPANY IF THERE WILL BE SPECIAL FREIGHT REQUIREMENTS AT THE BASE OF THE MONUMENTAL SIGN
  - 57 CASH STATION (24" x 48" x 3" x 3.5" CONCRETE PAD) (NOT USED)

**Exhibit B - Site Plan**

SITE PLAN

1" = 20'



**Chick-fil-A**  
 Chick-fil-A  
 5200 Buffington Road  
 Atlanta, Georgia  
 30348-2996

**INTERPLAN**  
 ARCHITECTS

ARCHITECTS  
 2241 COLLETT DRIVE, SUITE 400  
 WAXAHACHIE, TEXAS 75165  
 409.843.1500



**CHICK-FIL-A**  
 996 W HWY 287 BP,  
 WAXAHACHIE,  
 TX 75165

**FSR#01698**

Project Division  
 01/20/2022 CITY CHFS  
 02/07/2022 CITY CHFS  
 03/07/2022 CITY CHFS

DATE: 01/20/2022  
 TIME: 10:00 AM  
 PROJECT: 118599  
 SHEET: 001

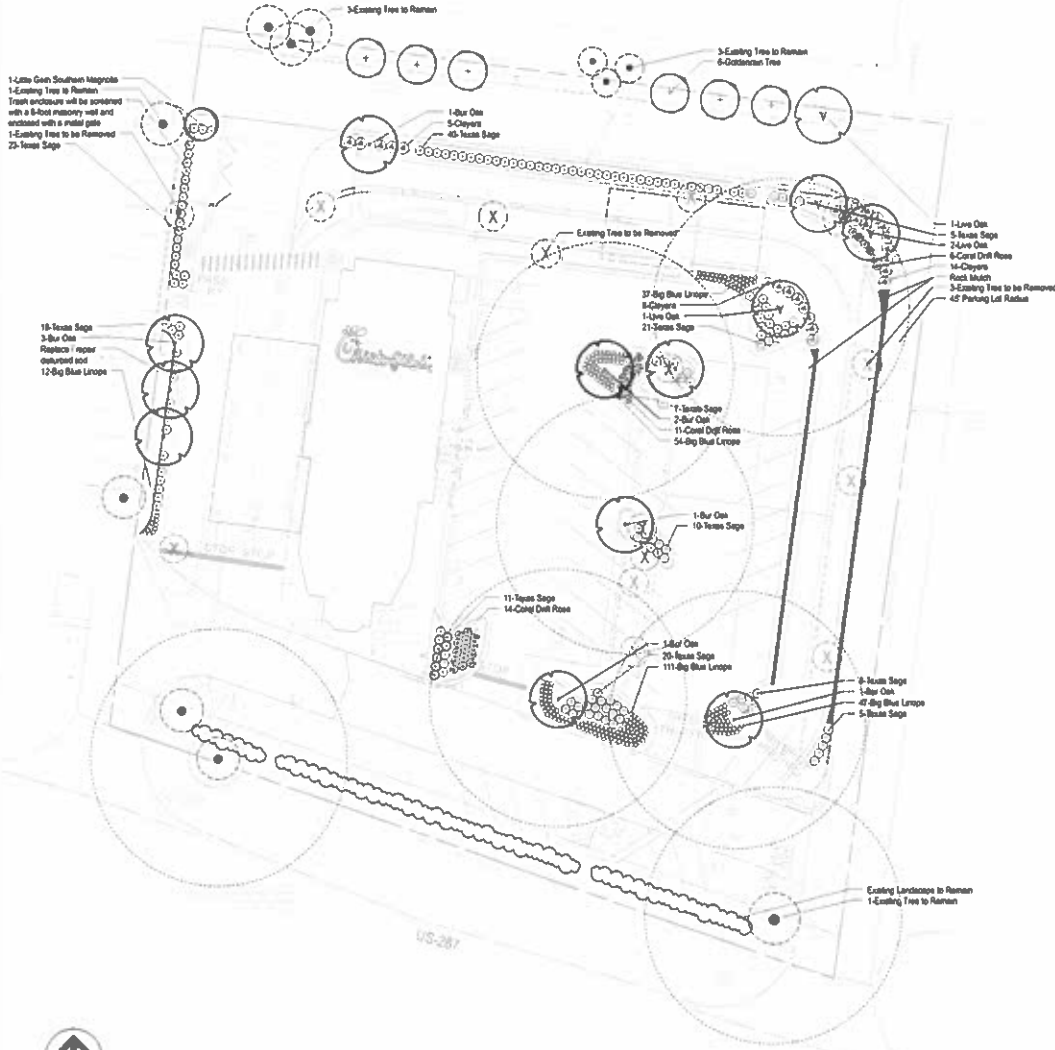
**SITE PLAN**

**C-2.0**



CITY OF WAXAHACHE MAINTENANCE NOTE

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



LANDSCAPE REQUIREMENTS

A. EXISTING LANDSCAPE

- (1) 4" Cal trees per 20 LF of landscape area.
(2) 2 1/2" Cal trees per 20 LF of landscape area.
(3) 2 1/2" Cal trees per 20 LF of landscape area.

B. INTERIOR LANDSCAPE

- (1) 4" Cal trees per 20 LF of landscape area.
(2) 2 1/2" Cal trees per 20 LF of landscape area.
(3) 1 1/2" Cal trees per 20 LF of landscape area.
(4) 1 1/2" Cal trees per 20 LF of landscape area.
(5) 1 1/2" Cal trees per 20 LF of landscape area.
(6) 1 1/2" Cal trees per 20 LF of landscape area.

C. PARKING LOT

- (1) Planting in landscaping in an existing lot.
(2) No portion of a parking space to exceed 45 feet away from the front of a tree.
(3) 1 1/2" Cal trees per 20 LF of landscape area.
(4) 1 1/2" Cal trees per 20 LF of landscape area.

PLANT LIST

Table with 4 columns: No., Botanical Name, Common Name, and Remarks. Rows include plants like Magnolia grandiflora, Liquidambar styraciflua, and various types of Oaks and Sages.

SOUTHWEST LANDSCAPE NOTES

- 1. Landscaper Contractor shall read and understand the Landscape Specifications prior to bidding each.
2. Contractor is responsible for mowing and pruning of all landscape plants prior to digging.
3. Contractor is responsible for installing existing trees from storage during construction.
4. All tree protection barriers to be installed prior to the start of land disturbance and maintained until final landscaping.



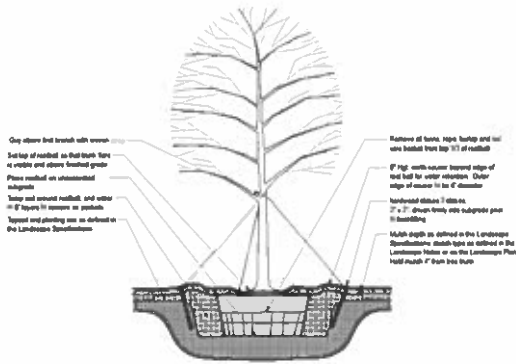
CHICK-FIL-A 996 W HWY 287 BP, WAXAHACHIE, TX 75165

FSU# 01698

Permit application form for Landscape Plan L-100, including project name, permit number, date, and signature fields.

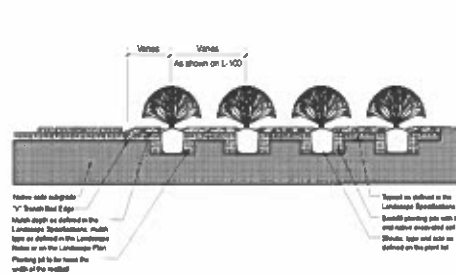
(6)

# Exhibit C - Landscape Plan



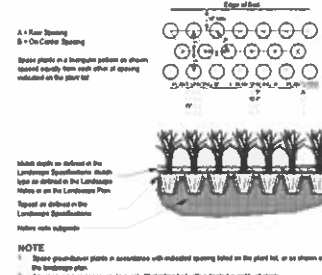
- NOTE**
1. Plant to be done on south side of the road.
  2. Do not heavily grade back at planting. Plants only experience better, broken or about broken. Do not reduce the terminal buds of branches that extend to the edge of the crown.
  3. If any tree must be planted such that the trunk face is south of the top of the rootball. Trees where the trunk face is not south can be required to be planted to the north side of the road. Do not plant to the north side of the road.
  4. Assume One Week and Blowing when concrete period has expired (after one year).

1 TREE PLANTING & STAKING  
SCALE: 1/8" = 1'-0"



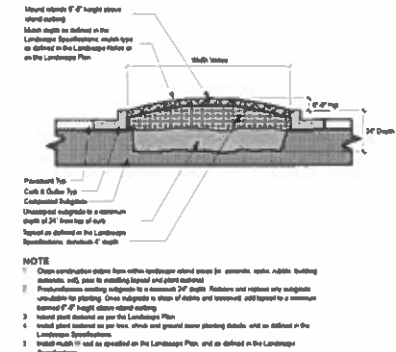
- NOTE**
1. Space groundcover plants in accordance with indicated spacing listed on the plant list, or as shown on the landscape plan.
  2. Adjust spacing as necessary to evenly fill planting bed with indicated quantity of plants.
  3. Plant to within 1/2" of the bottom of trees and shrubs within planting bed and 1/2" within 1/2" of edge of bed.

2 GROUND BED PLANTING DETAIL  
SCALE: 1/8" = 1'-0"



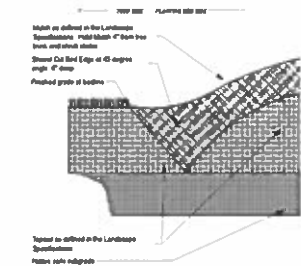
- NOTE**
1. Space groundcover plants in accordance with indicated spacing listed on the plant list, or as shown on the landscape plan.
  2. Adjust spacing as necessary to evenly fill planting bed with indicated quantity of plants.
  3. Plant to within 1/2" of the bottom of trees and shrubs within planting bed and 1/2" within 1/2" of edge of bed.

3 GROUND COVER PLANTING DETAIL  
SCALE: 1/8" = 1'-0"

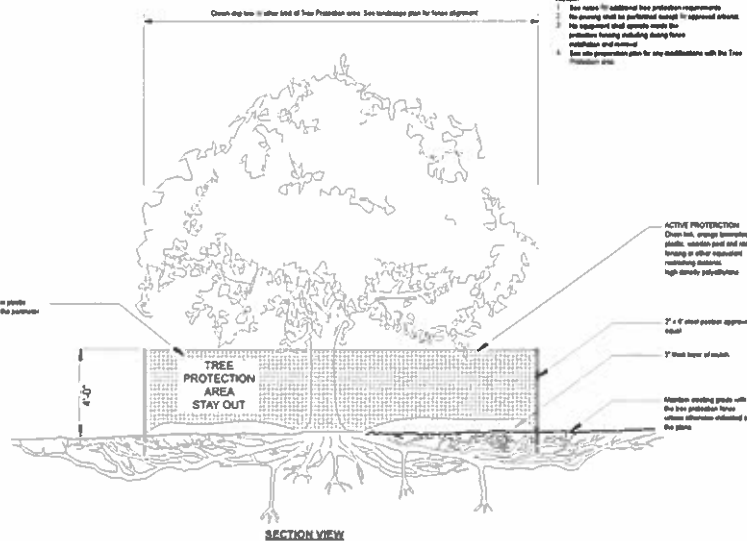


- NOTE**
1. Check construction codes from other jurisdiction codes for example, space, adding building materials, etc. prior to installing island and plant material.
  2. Foundations, including subgrade to a minimum 24" depth. Retainers and rip-rap any subgrade vulnerable to planting. Once subgrade is slope of slope and approved, add support to a minimum 6" height above island surface.
  3. Island plant material as per the Landscape Plan.
  4. Island plant material as per tree, shrub and ground cover planting details, and as defined in the Landscape Specifications.
  5. Island plant material as per the Landscape Plan, and as defined in the Landscape Specifications.

4 PARKING ISLAND DETAIL  
SCALE: 1/8" = 1'-0"



5 TREE PROTECTION AREA DETAIL  
SCALE: 1/8" = 1'-0"



6 TREE PROTECTION FENCING DETAIL  
SCALE: 1/8" = 1'-0"

UPMBA TREE FOUNDATION © 2014  
OPEN SOURCE PRICE !!! USE



Manley Land Design, Inc.  
31 One Center Street  
Agapeville, Georgia 30501  
770-442-8171 ext.



**CHICK-FIL-A**  
996 W HWY 287 BP,  
WAXAHACHIE,  
TX 75165

FSU# 01698

CONTRACT NO. 2014-12-000000

453 PROJECT # 20140000

PROJECT NO. 20140000

DATE: 2-11-15

DRAWN BY: ACH

PERMIT Landscape Details

SHEET

L-101



(11)

**Planning & Zoning Department**  
**Zoning Staff Report**

**Case: ZDC-52-2022**



**MEETING DATE(S)**

*Planning & Zoning Commission:* August 9, 2022

*City Council:* August 15, 2022

**CAPTION**

**Public Hearing** on a request by Jeb Jones, Pro Star Rental, for a Specific Use Permit (SUP) for a Heavy Machinery and Equipment Sales and Rental use within a Light Industrial (LI-1) zoning district located at 2601 North Highway 77 (Property ID 174803) - Owner: CJ Commercial Co LLC (ZDC-52-2022)

**APPLICANT REQUEST**

The applicant requests a specific use permit to expand an existing heavy machinery and equipment sales and rental business (Pro Star Rental of Waxahachie). The property owner plans to purchase and acquire an additional 0.5 acres from the Northside Church of Christ to integrate into the site and expand the business's equipment rental and sales storage area. No changes are proposed to the existing building.

**CASE INFORMATION**

*Applicant:* Jeb Jones, CEO, Pro Star Rental

*Property Owner(s):* CJ Commercial Co., LLC

*Site Acreage:* 1.85 acres

*Current Zoning:* LI-1 – Light Industrial District

*Requested Zoning:* LI-1 with a specific use permit (SUP) for heavy machinery and equipment sales and rental use

**SUBJECT PROPERTY**

*General Location:* 2601 North Highway 77

*Parcel ID Number(s):* 174803

*Existing Use:* Heavy Machinery and Equipment Sales and Rental Business (Pro Star Rental of Waxahachie)



*Development History:*

An SUP (ZA 2013-38) for Heavy Machinery and Equipment Sales and Rental use was approved in 2013.

The subject property was platted into its current configuration in 2015.

*Adjoining Zoning & Uses:*

Direction	Zoning	Current Use
North	LI-1	Northside Church of Christ
East	LI-1	Multi-tenant office building
South	LI-1	Multi-tenant office building
West	LI-1	Lippert

*Future Land Use Plan:*

Retail

*Comprehensive Plan:*

Retail includes areas that have restaurants, shops, grocery stores, and personal service establishments. Retail businesses generally require greater visibility than other types of nonresidential land use (e.g., office, commercial).

*Thoroughfare Plan:*

The subject property has access onto North Highway 77, which is classified as a Major Thoroughfare (Type A -120').

*Site Image:*

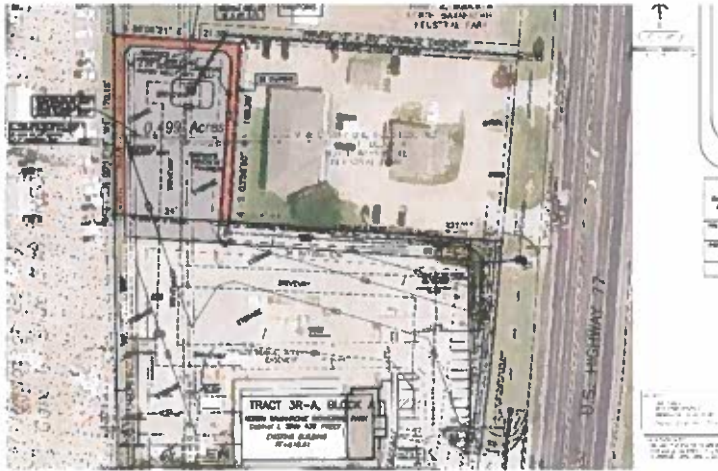


**PLANNING ANALYSIS**

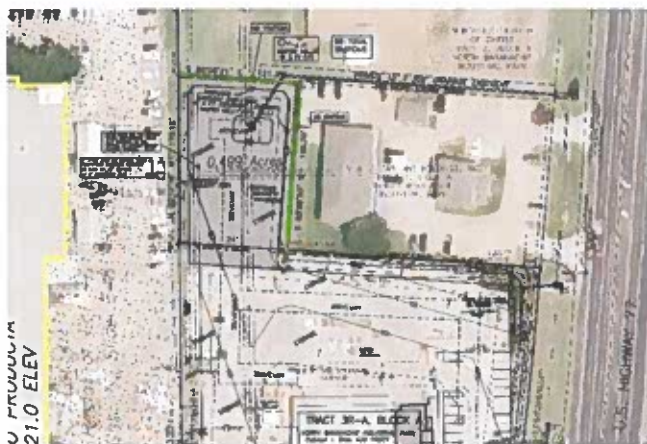
The applicant requests a specific use permit to expand an existing heavy machinery and equipment sales and rental business (Pro Star Rental of Waxahachie). The property owner plans to purchase and acquire an additional .5 acres from the Northside Church of Christ to integrate into the site and expand the business's equipment rental and sales storage area. No changes are proposed to the existing building. As shown in the site image above, the new equipment storage area will be located behind two existing multi-

tenant buildings located north of Pro Star Rental. In addition to the SUP, the Applicant requests approval of two variance requests, which are discussed in greater detail below.

The Applicant is requesting a variance to allow for gravel along the perimeter of the new storage area instead of using concrete as proposed in the remainder. The storage area proposed with gravel is 10 feet deep and approximately 463 linear feet. The gravel portion of the site is shown in red in the image below. The existing storage area for Pro Star Rental is predominantly unpaved, and only the customer parking in front of the building is paved with a concrete surface material. The Applicant intends to park and store heavy equipment in areas with gravel. Staff recommends approval of the variance given that the majority of the new outdoor storage area will be paved with a concrete surface material and will not interfere with site circulation.



The Applicant is also requesting a variance to not screen the outdoor storage along the western property line. Per section 5.03 (Fencing, Walls, and Screening Requirements) of the zoning ordinance, the Applicant is required to screen the outdoor storage with a 6-foot wall or fence in combination with a living screen (consisting of evergreen shrubs typically 3 feet at the time of planting) along all property lines. The Applicant is proposing to screen the new outdoor storage area with a 6-foot wrought iron fence with a living screen (composed of yaupon hollies 6-feet at the time of planting) along the eastern and northern property lines of the new storage area as shown in the image below. Staff is okay with the Applicant not extending the living screen along the western property line since the property on the west (Lippert) currently uses that area for outdoor storage, causing minimal visual impact where no screening is proposed. Staff recommends approval of the variance request since the Applicant has adequately screened the new outdoor storage area from existing establishments on the north (Northside Church of Christ) and east (multi-tenant office buildings) sides of the property.



**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, 10 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. City Staff has received one letter of support.

**RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning Department recommends:

- Denial
- Approval, as presented.
- Approval, per the following comments:
  1. Approval of a variance request to utilize gravel in areas shown on the site plan.
  2. Approval of a variance request to not screen the newly incorporated outdoor storage area along the western property line as shown on the site plan.
  3. The Applicant shall include a landscape plan for the living screen with the civil plan application submitted to the City of Waxahachie Public Works and Engineering Department.
  4. The applicant shall obtain an irrigation permit from the City of Waxahachie Building Department prior to construction.

**ATTACHED EXHIBITS**

1. Location Map (Exhibit A)
2. Site Plan (Exhibit B)
3. Letter of Support

**APPLICANT REQUIREMENTS**

1. If approved by City Council, applicant can apply for building permits from the Building and Public Works and Engineering Department.

**STAFF CONTACT INFORMATION**

*Prepared by:*  
Eleana Tuley, AICP  
Senior Planner  
[eleana.tuley@waxahachie.com](mailto:eleana.tuley@waxahachie.com)

*Reviewed by:*  
Jennifer Pruitt, AICP, LEED-AP, CNU-A  
Senior Director of Planning  
[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)



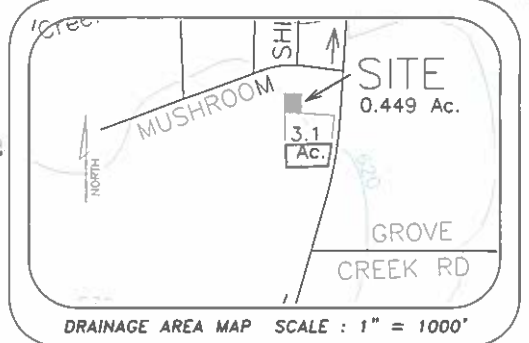
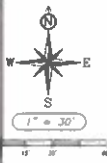
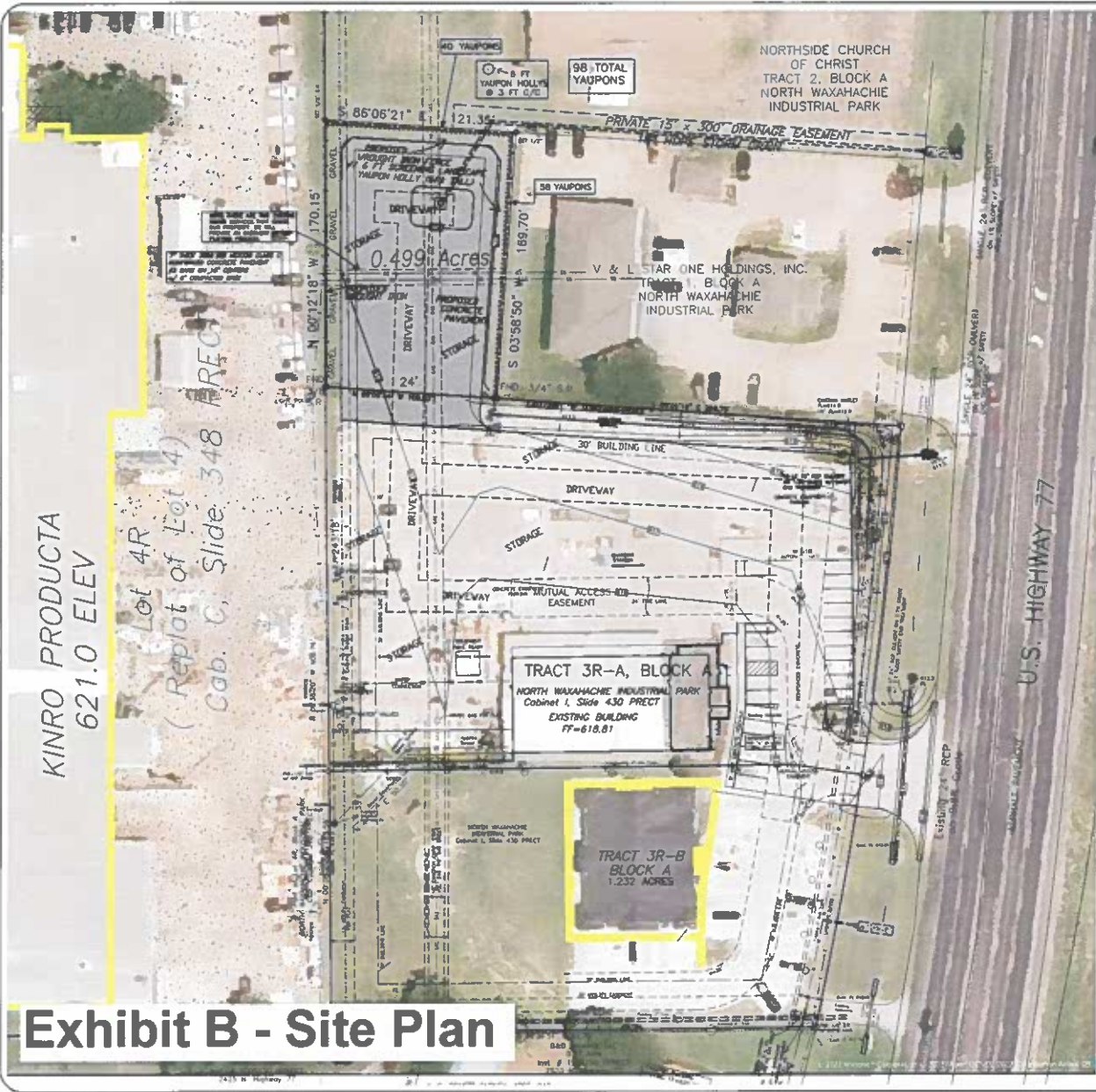


**Exhibit A - Location Map**

0 62.5 125 250 375 500 Feet

 ZDC-52-2022 (SUP)





**NORTH WAXAHACHIE INDUSTRIAL PARK - LOT 3R-B**

Drainage Area	Runoff Coef. (C)	Time of Conc. (min)	Rainfall Intensity in./hr. 2/5/10/25/50/100 yr	Storm Runoff 2/5/10/25/50/100 yr
PRE-DEVELOPMENT - 0.449 ACRE ADDITION	0.40	10	4.76/9.32/7.32/9.87/9.82/11.2	0.06/1.15/1.32/1.56/1.77/2.01
POST-DEVELOPMENT - 0.449 ACRE ADDITION	0.80	10	4.76/9.32/7.32/9.87/9.82/11.2	1.33/2.52/2.99/3.97/4.53

**GENERAL NOTES:**

ZONING: U-1 LIGHT INDUSTRIAL  
 PROPOSED USE: HEAVY MACHINERY and EQUIPMENT SALES & RENTAL  
 ADDITIONAL LOT AREA: 18,558 SF (0.449 ac.)  
 TOTAL LOT AREA: 100,162 SF (2,300 ac.)  
 TOTAL BUILDING AREA: 8,500 SF  
 TOTAL BUILDING HEIGHT: 16 FT  
 LOT COVERAGE: 8,500 SF/100,162 SF = 0.849 % COVERAGE  
 TOTAL PARKING REQUIRED: 1 SPACE PER 500 SF - 17 SPACES REQUIRED  
 TOTAL PARKING PROVIDED: 18 SPACES

CONTACT  
 J&P ACRES  
 AND STAR RENTALS  
 Waxahachie, Texas 75165  
 Phone 214-912-7191

FLOODPLAIN NOTE  
 NO 100 YEAR FLOODPLAIN PER FEMA  
 FIRM MAP # 44 10010017 ZONE  
 F 000002D (REVISED APRIL 2, 2011)

BENCHMARK (ENTRANCE DRIVE)  
 BENCHMARK #111  
 FOUND + IN CONCRETE  
 ELEVATION = 617.53  
 BENCHMARK #112  
 FOUND + IN CONCRETE  
 ELEVATION = 617.89

- LEGEND**
- Proposed Building
  - Proposed Parking
  - Proposed Driveway
  - Proposed Storage
  - Proposed Fencing
  - Proposed Site
  - Proposed Utility
  - Proposed Easement
  - Proposed Right-of-Way
  - Proposed Survey
  - Proposed Boundary
  - Proposed Elevation
  - Proposed Area
  - Proposed Volume
  - Proposed Weight
  - Proposed Length
  - Proposed Width
  - Proposed Height
  - Proposed Depth
  - Proposed Diameter
  - Proposed Circumference
  - Proposed Area
  - Proposed Volume
  - Proposed Weight
  - Proposed Length
  - Proposed Width
  - Proposed Height
  - Proposed Depth
  - Proposed Diameter
  - Proposed Circumference

- LEGEND**
- Proposed Building
  - Proposed Parking
  - Proposed Driveway
  - Proposed Storage
  - Proposed Fencing
  - Proposed Site
  - Proposed Utility
  - Proposed Easement
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  - Proposed Boundary
  - Proposed Elevation
  - Proposed Area
  - Proposed Volume
  - Proposed Weight
  - Proposed Length
  - Proposed Width
  - Proposed Height
  - Proposed Depth
  - Proposed Diameter
  - Proposed Circumference



CASE NO.: ZDC-52-2022

**PRO STAR RENTAL  
 S.U.P. APPLICATION  
 2.308 ACRES  
 LOT 3R-A, BLOCK A  
 North Waxahachie  
 Industrial Park  
 in the City of Waxahachie, Ellis County, Texas**

**D&M DAVIS & McDILL, Inc.**  
 P.O. BOX 428, Waxahachie, Texas 75168  
 Phone: Metro 972-932-1185  
 (A Texas Licensed engineering firm # 1-8433)

Date: JUNE-24-2022  
 Scale: 1" = 30'  
 Drawn: [Signature]  
 Job: 218-0007-BASE  
 PRELIM-SITE-PLAN  
**SHEET 1**

**Exhibit B - Site Plan**



(11)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-52-2022

CJ COMMERCIAL CO LLC  
302 PINE TREE RD  
LONGVIEW, TX 75604

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Jeb Jones, Pro Star Rental, for a **Specific Use Permit (SUP)** for a **Heavy Machinery and Equipment Sales and Rental**, use within a Light Industrial (LI-1) zoning district located at 2601 North Highway 77 (Property ID 174803) - Owner: CJ COMMERCIAL CO LLC (ZDC-52-2022)

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

Case Number: ZDC-52-2022

City Reference: 174803

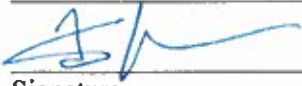
Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 2, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

\_\_\_\_\_

  
\_\_\_\_\_  
Signature

7/27/22  
\_\_\_\_\_  
Date

Timothy Moore  
\_\_\_\_\_  
Printed Name and Title

302 Pine Tree Rd., Longview TX  
\_\_\_\_\_  
Address 75604

*It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)*

*If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.*

# Planning & Zoning Department Plat Staff Report



**Case: ZDC-76-2022**

**MEETING DATE(S)**

*Planning & Zoning Commission:* August 9, 2022

*City Council:* August 15, 2022

**CAPTION**

**Public Hearing** on a request by Shannon Childs for a **Specific Use Permit (SUP)** for an **Accessory Dwelling Unit** use within a Single Family-3 (SF-2) zoning district located at 301 Olive Street. (Property ID 180822) – Owner: SHANNON CHILDS (ZDC-76-2022).

**APPLICANT REQUEST**

The applicant requests to utilize an existing accessory structure (731 sq ft) as an accessory dwelling unit.

**CASE INFORMATION**

*Applicant:* Shannon Childs

*Property Owner(s):* Shannon Childs

*Site Acreage:* 0.448 acres

*Current Zoning:* Single Family-2

*Requested Zoning:* SF-2 with a Specific Use Permit (SUP) for an Accessory Dwelling Unit.

**SUBJECT PROPERTY**

*General Location:* 301 Olive St.

*Parcel ID Number(s):* 180822

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

*Existing Use:* The existing use is residential.

*Development History* The subject property is not platted.

**Adjoining Zoning & Uses:**

Direction	Zoning	Current Use
North	PD-56-SF-2	Single Family Residential Home
East	Single-Family-2	Single Family Residential Home
South	Single-Family-2	Single Family Residential Home
West	Single-Family-2	Single Family Residential Home

*Future Land Use Plan:* Low Density Residential

*Comprehensive Plan:* This category is representative of smaller single-family homes and some duplex lots. The majority of Waxahachie's current development is of a similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

*Thoroughfare Plan:* The subject property is accessible via John Arden Dr.

*Site Aerial:*



**PLANNING ANALYSIS**

The applicant proposes to utilize an existing +700 sq. ft. (731 sq. ft.) accessory structure to the side and rear of a single-family residential lot at 301 Olive Street. The Ellis County Appraisal District states that the primary structure on the property is 3,139 square feet. The use of the accessory structure as an accessory dwelling unit without a Specific Use Permit was brought to the attention of Code Enforcement, and a case was subsequently opened. The applicant quickly got in touch with the Planning department to begin steps toward resolution. Per the City of Waxahachie Zoning Ordinance, an accessory structure used as a dwelling unit requires a Specific Use Permit (SUP) to be approved by City Council.

**Proposed Use:**

The proposed accessory structure comprises 731 square feet of fully enclosed space. The structure contains a bedroom, bathroom, living and kitchen area, and a small enclosed storage space. The accessory structure has been used as an accessory dwelling unit for several years. Currently, the accessory dwelling unit is occupied by family members of the property owner. Staff could not determine if the accessory dwelling unit obtained building permits at the time of construction.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, **30** notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property.

**PROPERTY OWNER NOTIFICATION RESPONSES**

As of the date of this staff report, staff has received three responses in support.

**RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, as presented.
- Approval, per the following comments:
  1. The accessory dwelling unit shall not be used for residence by a non-family member.
  2. The structure shall, in any case, not be leased or sold and shall not be separately metered.
  3. The applicant will need to ensure that the structure is habitable.
  4. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to renovating the accessory structure.

**ATTACHED EXHIBITS**

Identify the exhibits that will be included as agenda backup material.

1. Site Layout Plan
2. Property Owner Notification Responses

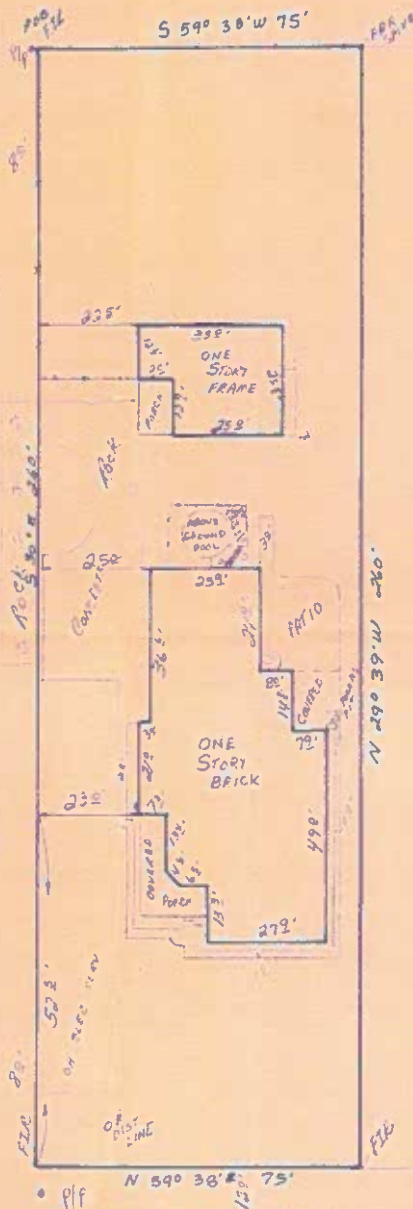
**STAFF CONTACT INFORMATION**

*Prepared by:*  
 Ashlie Jones  
 Senior Planner  
[ashlie.jones@waxahachie.com](mailto:ashlie.jones@waxahachie.com)

*Reviewed by:*  
 Jennifer Pruitt, AICP, LEED-AP, CNU-A  
 Senior Director of Planning  
[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)



JOHN ARDEN DRIVE



301 OLIVE STREET

PROPERTY ADDRESS: 301 OLIVE STREET

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, SITUATED IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS, TO-WIT:

BEING A PART OF 20 ACRES OUT OF THE WILLIAM BASKINS SURVEY, ABSTRACT NO. 148, ELLIS COUNTY, TEXAS, OUT OF THE SOUTHWEST QUARTER OF BLOCK NO. 7 OF THE SUBDIVISION OF SAID WILLIAM BASKINS SURVEY, ACCORDING TO THE MAP THEREOF RECORDED IN THE DEED RECORDS OF ELLIS COUNTY, TEXAS, AND ALSO BEING A PART OF 36-1/4 ACRE TRACT CONVEYED BY J. T. SHANNON TO O. H. CHAPMAN ON JUNE 9, 1929, BY DEED RECORDED IN VOLUME 300, PAGE 322, DEED RECORDS OF ELLIS COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID 20 ACRE TRACT, THE SAME ALSO BEING THE NORTHWEST CORNER OF THE SAID 36-1/4 ACRE TRACT:

THENCE SOUTH 30° EAST, WITH THE WEST LINE OF SAID TRACTS, 260 FEET TO CORNER ON SAID LINE, THE SAME BEING THE SOUTHWEST CORNER OF A LOT CONVEYED BY O. H. CHAPMAN AND WIFE, TO J. A. HUNT, BY DEED DATED OCTOBER 27, 1943, AND RECORDED IN VOLUME 353, PAGE 1, DEED RECORDS OF ELLIS COUNTY, TEXAS;

THENCE NORTH 59 degrees 36 minutes EAST, WITH THE SOUTH LINE OF SAID LOT CONVEYED BY CHAPMAN TO HUNT, 75 FEET TO THE MOST SOUTHERN SOUTHEAST CORNER THEREOF, THE SAME BEING THE SOUTHWEST CORNER OF A LOT CONVEYED BY T. G. ESTES AND WIFE, TO J. A. HUNT, BY DEED DATED FEBRUARY 19, 1942, AND RECORDED IN VOLUME 354, PAGE 189, DEED RECORDS OF ELLIS COUNTY, TEXAS;

THENCE NORTH 29 degrees 39 minutes WEST, WITH THE WEST LINE OF SAID LOT CONVEYED BY ESTES TO HUNT, AT 200 FEET PASS THE NORTHWEST CORNER THEREOF, CONTINUING THE SAME COURSE IN ALL 260 FEET TO THE NORTH LINE OF SAID 36-1/4 ACRE TRACT;

THENCE SOUTH 59 degrees 38 minutes WEST, WITH THE NORTH LINE OF SAID 36-1/4 ACRE TRACT, 75 FEET TO THE PLACE OF BEGINNING.

I, JAMES M. MOBLY, A REGISTERED PROFESSIONAL LAND SURVEYOR HEREBY CERTIFY THAT THE ABOVE PLAT WAS COMPILED FROM AN ACCURATE SURVEY, MADE ON THE GROUND, UNDER MY PERSONAL SUPERVISION, AND THERE ARE NO CONFLICTS, PROTRUSIONS, OR ENCROACHMENTS, OR EASEMENTS EXCEPT AS NOTED ON THE PLAT.



EASEMENTS TO TEXAS POWER & LIGHT IN VOLUME 303, PAGE 274 AND VOLUME 351, PAGE 330 DO NOT AFFECT

I CERTIFY THAT THIS PROPERTY LIES IN ZONE C WHICH IS AREAS OUTSIDE THE 500-YEAR FLOOD PLAIN PER F.E.M.A. COMMUNITY PANEL #480211 0015 B.

PREPARED BY: MARGIE MARIE CHILDS

MOBLY LAND SURVEYING  
2353 N.W. DALLAS ST.  
GRAND PRAIRIE, TX 75050  
(214)262-1300

SCALE: 1" = 20'	APPROVED BY:	DRAWN BY:
DATE: 10/3/50		RE-FILED:
G.F.M. Mobly		STATE OF TEXAS
		11-6572

(13)



(13)

RECEIVED JUL 27 2022



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-76-2022

MC FALL STEPHEN & CHRISTINA DRAKE  
311 OLIVE ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Shannon Childs, for a **Specific Use Permit (SUP)** for an **Accessory Dwelling Unit**, use within a Single Family – 2 (SF-2) zoning district located at 301 Olive Street (Property ID 180822) - Owner: SHANNON MARIE CHILDS (ZDC-76-2022)

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

Case Number: ZDC-76-2022

City Reference: 180819

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 2, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT  OPPOSE

Comments: ADU's support Multi-generational families - My mother just moved in-

Christina Drake  
Signature

7-23-2022  
Date

Christina Drake  
Printed Name and Title

311 Olive St  
Address

I understand the need for ADU's & might get one myself.

*It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)*

*If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.*

Case Number: ZDC-76-2022

City Reference: 203023

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 2, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

RECEIVED JUL 27 2022

Comments:

Marie H. Sizen

Signature

July 25, 2022

Date

MARIE H. SIZEN

Printed Name and Title

405 CARNATION Ct.

Address

*It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)*

*If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.*

(13)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-76-2022



**BROWN GEORGE E & WYLINDA A**  
402 CARNATION CT  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Shannon Childs, for a **Specific Use Permit (SUP)** for an **Accessory Dwelling Unit**, use within a Single Family – 2 (SF-2) zoning district located at 301 Olive Street (Property ID 180822) - Owner: SHANNON MARIE CHILDS (ZDC-76-2022)

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

Case Number: ZDC-76-2022

City Reference: 203019

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 2, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Wylinda Brown  
Signature

July 27, 2022  
Date

Wylinda Brown  
Printed Name and Title

402 Carnation Ct.  
Address  
Waxahachie

*It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)*

*If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.*

(15)

# Planning & Zoning Department Plat Staff Report



**Case: ZDC-83-2022**

**MEETING DATE(S)**

*Planning & Zoning Commission:* August 9, 2022  
*City Council:* August 15, 2022

**CAPTION**

**Public Hearing** on a request by Lee & Anna Martin for a **Specific Use Permit (SUP)** for an **Accessory Structure equal to or greater than 700SF** use within a Single Family-1 (SF-1) zoning district located at 116 Spring Creek Dr. (Property ID 206166) – Owner: LEE & ANNA MARTIN (ZDC-83-2022).

**APPLICANT REQUEST**

The applicant requests to construct a +700 sq. ft. (1,500 sq. ft.) accessory structure to the rear of a single-family residential lot.

**CASE INFORMATION**

*Applicant:* Lee & Anna Martin  
*Property Owner(s):* Lee & Anna Martin  
*Site Acreage:* 3.758 acres  
*Current Zoning :* SF-1  
*Requested Zoning:* SF-1 with a Specific Use Permit (SUP) for an accessory structure greater than 700 square feet.

**SUBJECT PROPERTY**

*General Location:* 116 Spring Creek Dr.  
*Parcel ID Number(s):* 206166  
*Current Zoning:* Single Family-1 (SF-1)  
*Existing Use:* The existing use is residential.  
*Development History* The subject property is platted as Lot 11A of the Rock Bottom Ranch Addition

**Adjoining Zoning & Uses:**

Direction	Zoning	Current Use
North	Single-Family-1	Single Family Residential Home
East	Single-Family-1	Undeveloped
South	Single-Family-1	Undeveloped
West	Single-Family-1	Single Family Residential Home

**Future Land Use Plan:** Low Density Residential

**Comprehensive Plan:** This category is representative of smaller single-family homes and some duplex lots. The majority of Waxahachie’s current development is of a similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

**Thoroughfare Plan:** The subject property is accessible via Spring Creek Dr.

**Site Aerial:**



**PLANNING ANALYSIS**

The applicant proposes constructing a +700 sq. ft. (1,500 sq. ft.) accessory structure to the side and rear of a single-family residential lot at 116 Spring Creek Drive. The Ellis County Appraisal District states that the primary structure on the property is 2,702 square feet. Per the City of Waxahachie Zoning Ordinance, an accessory structure equal to or greater than 700 square feet requires a Specific Use Permit (SUP) to be approved by City Council.

**Proposed Use:**

The proposed accessory structure comprises 1,500 square feet of fully enclosed space. The applicant is proposing to construct the structure out of exterior metal panels. The structure is intended to be used as a barn for livestock and storage. The applicant has confirmed to staff that the structure will not be used



as a dwelling of any kind and will not be metered, sold, or leased separately from the existing home. The accessory structure will be connected to the existing driveway with a concrete drive. At the time of this report (August 1, 2022), staff has received one letter of opposition.

**PUBLIC NOTIFICATIONS**

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

**PROPERTY OWNER NOTIFICATION RESPONSES**

As of the date of this staff report, staff has received one response in opposition.

**RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, as presented.
- Approval, per the following comments:
  1. The accessory structure shall not be used as a dwelling.
  2. The accessory structure shall not be used for commercial purposes.
  3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
  4. The concrete will be extended from the driveway to the accessory structure.
  5. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to the construction of the accessory structure.

**ATTACHED EXHIBITS**

Identify the exhibits that will be included as agenda backup material.

1. Site Layout Exhibit
2. PON Responses

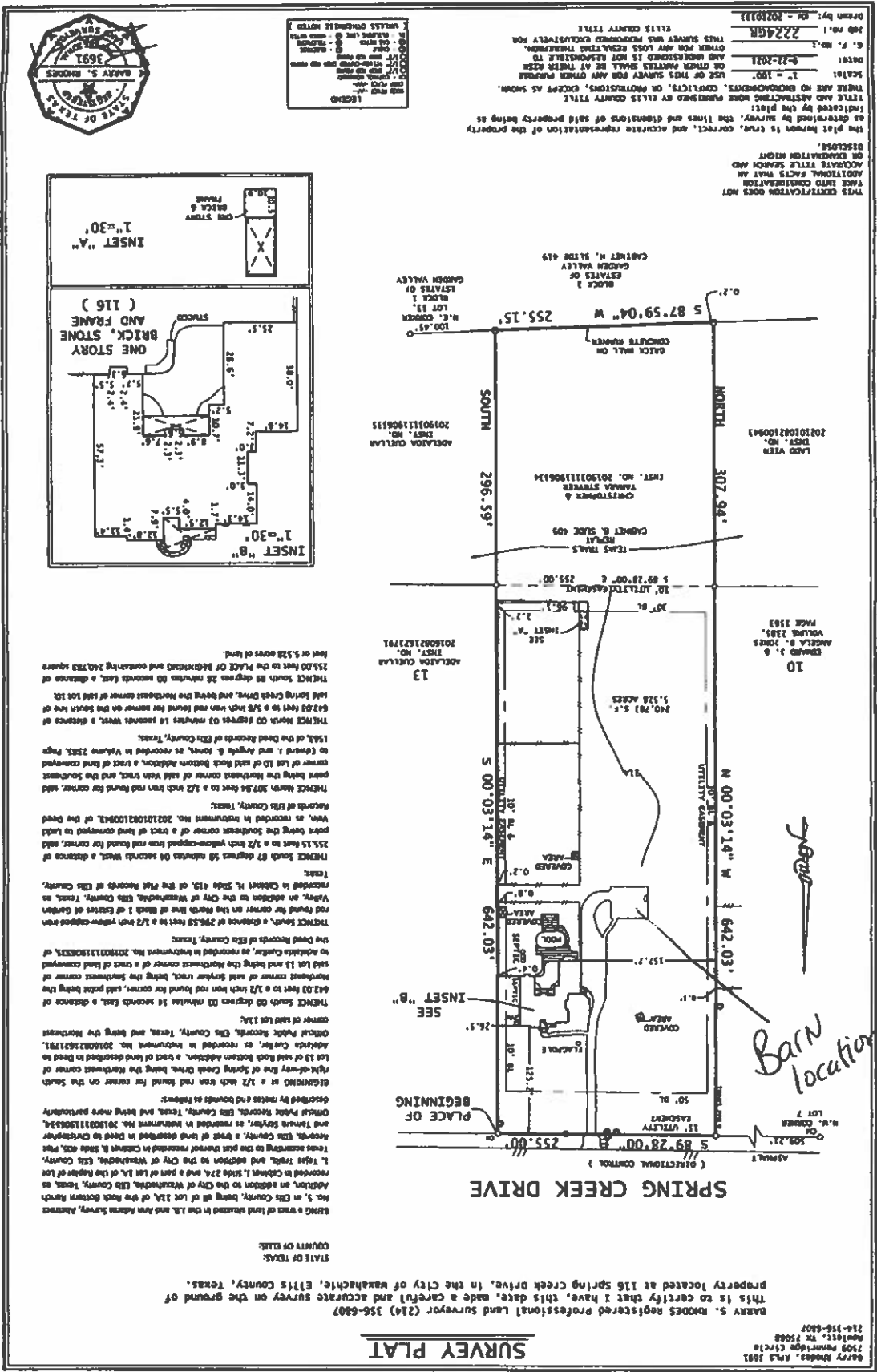
**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*  
Ashlie Jones  
Senior Planner  
[ashlie.jones@waxahachie.com](mailto:ashlie.jones@waxahachie.com)

*Reviewed by:*  
Jennifer Pruitt, AICP, LEED-AP, CNU-A  
Senior Director of Planning  
[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)



LEGEND

- 1. WALLS OR CURBSTONE MARKERS
- 2. IRON PIPES
- 3. IRON RODS
- 4. IRON NAILS
- 5. IRON BOLTS
- 6. IRON SCREWS
- 7. IRON WIRE
- 8. IRON CHAINS
- 9. IRON BANDS
- 10. IRON PLATES
- 11. IRON DISCS
- 12. IRON COINERS
- 13. IRON STAPLES
- 14. IRON NUTS
- 15. IRON WASHERS
- 16. IRON SCREWS
- 17. IRON BOLTS
- 18. IRON PIPES
- 19. IRON RODS
- 20. IRON NAILS
- 21. IRON BOLTS
- 22. IRON SCREWS
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- 34. IRON PIPES
- 35. IRON RODS
- 36. IRON NAILS
- 37. IRON BOLTS
- 38. IRON SCREWS
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- 61. IRON STAPLES
- 62. IRON NUTS
- 63. IRON WASHERS
- 64. IRON SCREWS
- 65. IRON BOLTS
- 66. IRON PIPES
- 67. IRON RODS
- 68. IRON NAILS
- 69. IRON BOLTS
- 70. IRON SCREWS
- 71. IRON WIRE
- 72. IRON CHAINS
- 73. IRON BANDS
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- 75. IRON DISCS
- 76. IRON COINERS
- 77. IRON STAPLES
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- 79. IRON WASHERS
- 80. IRON SCREWS
- 81. IRON BOLTS
- 82. IRON PIPES
- 83. IRON RODS
- 84. IRON NAILS
- 85. IRON BOLTS
- 86. IRON SCREWS
- 87. IRON WIRE
- 88. IRON CHAINS
- 89. IRON BANDS
- 90. IRON PLATES
- 91. IRON DISCS
- 92. IRON COINERS
- 93. IRON STAPLES
- 94. IRON NUTS
- 95. IRON WASHERS
- 96. IRON SCREWS
- 97. IRON BOLTS
- 98. IRON PIPES
- 99. IRON RODS
- 100. IRON NAILS

THIS CERTIFICATION DOES NOT  
 GUARANTEE THE ACCURACY OF THE  
 SURVEY OR THE TITLE THEREON.  
 THE SURVEYOR'S LIABILITY IS LIMITED  
 TO THE DUTY OF A REASONABLE  
 PROFESSIONAL PERSON.  
 THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR  
 THE CLIENT AND IS NOT TO BE USED FOR ANY OTHER  
 PURPOSES WITHOUT THE WRITTEN CONSENT OF THE  
 SURVEYOR.  
 DATE: 11-27-2021  
 SURVEY NO.: 222458  
 COUNTY: ELLIS COUNTY, TEXAS

BARRY S. RHOADS registered professional land surveyor (214) 356-6807  
 This is to certify that I have, this date, made a careful and accurate survey on the ground of  
 property located at 116 Spring Creek Drive, in the City of Waxahatchie, Ellis County, Texas.  
 STATE OF TEXAS  
 COUNTY OF ELLIS

BEING a tract of land bounded by the 1st and 2nd Adkins Survey, Abstract  
 No. 5, in Ellis County, being all of Lot 11A, of the Rock Bottom Ranch  
 Addition, an addition to the City of Waxahatchie, Ellis County, Texas, as  
 recorded in Volume 1, Page 274, and a part of Lot 1A, of the Sample of Lot  
 1, 1941 Tract, and in addition to the City of Waxahatchie, Ellis County, Texas,  
 being according to the plat thereof recorded in Volume 1, Page 205, Part  
 1, 1941 Tract, and in addition to the City of Waxahatchie, Ellis County,  
 Texas, as recorded in Volume 1, Page 274, and a part of Lot 1A, of the Sample of Lot  
 1, 1941 Tract, and in addition to the City of Waxahatchie, Ellis County,  
 Texas, and being more particularly described by metes and bounds as follows:  
 BEGINNING at a 1/2 inch iron rod found for corner on the South  
 right-of-way line of Spring Creek Drive, being the Northwest corner of  
 Lot 13 of said Rock Bottom Addition, a tract of land described in Deed no  
 Official Public Record, Ellis County, Texas, and being the Northwest  
 corner of said Lot 11A.  
 THENCE South 00 degrees 03 minutes 14 seconds East, a distance of  
 642.03 feet to a 1/2 inch iron rod found for corner, said point being the  
 Northwest corner of said Survey Tract, being the Southwest corner of  
 said Lot 13 and being the Northwest corner of a tract of land conveyed to  
 the Deed Records of Ellis County, Texas.  
 THENCE South, a distance of 296.59 feet to a 1/2 inch yellow-coppered iron  
 rod found for corner on the North line of Block 1 of Section 4, Garden  
 Valley, an addition to the City of Waxahatchie, Ellis County, Texas, as  
 recorded in Volume 1, Page 419, of the Plat Records of Ellis County,  
 Texas.  
 THENCE South 87 degrees 58 minutes 04 seconds West, a distance of  
 121.13 feet to a 1/2 inch yellow-coppered iron rod found for corner, said  
 point being the Southeast corner of a tract of land conveyed to said  
 Vero, as recorded in Instrument No. 202101082100941, of the Deed  
 Records of Ellis County, Texas.  
 THENCE North 00 degrees 03 minutes 14 seconds West, a distance of  
 154.10 feet to the Dead Boundary of Ellis County, Texas.  
 THENCE North 00 degrees 03 minutes 14 seconds West, a distance of  
 642.03 feet to a 3/8 inch iron rod found for corner on the South line of  
 said Spring Creek Drive, and being the Northwest corner of said Lot 13.  
 THENCE South 89 degrees 28 minutes 00 seconds East, a distance of  
 255.00 feet to the PLACE OF BEGINNING and containing 240,789 square  
 feet or 5.528 acres of land.

**SURVEY PLAT**

(15)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-83-2022

FARMER THOMAS K & ROBIN R  
111 SPRING CREEK DR  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Nic Paul, for a **Specific Use Permit (SUP)** for an **Accessory Structure +700sf**, use within a Single Family – 1 (SF-1) zoning district located at 116 Spring Creek Drive (Property ID 206116) - Owner: LEE & ANNA L. MARTIN (ZDC-83-2022)

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

Case Number: ZDC-83-2022

City Reference: 175760

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 2, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

*Will Not Be same material as home Dr. Covered by privacy fence. This is a Residential Area Not Commercial Business zones already works as RUS and Society Commercial Activities In Drive Way.*

*Robin Turner*  
Signature

Date

*Robin Farmer Owner*  
Printed Name and Title

*111 Spring Creek Dr  
WAXAHACHIE*  
Address

*It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)*

*If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.*

(17)

# Planning & Zoning Department

## Zoning Staff Report

Case: ZDC-80-2022



**MEETING DATE(S)**

*Planning & Zoning Commission:* August 9, 2022

*City Council:* August 15, 2022

**CAPTION**

**Public Hearing** on a request by Gregory Nehib, Big Blue Truck, LLC, for a Zoning Change from Single Family Residential-2 (SF-2) zoning district to Central Area (CA) zoning district, located at 206 and 208 N Jackson Street (Property ID 170695 and 170696) - Owner: Big Blue Truck, LLC (ZDC-80-2022)

**APPLICANT REQUEST**

The applicant is requesting to rezone approximately 1.98 acres of land located at 206 and 208 North Jackson Street from Single Family Residential-2 (SF-2) district to Central Area (CA) district.

**CASE INFORMATION**

*Applicant:* Gregory Nehib, Managing Partner, Big Blue Truck, LLC

*Property Owner(s):* Big Blue Truck, LLC

*Site Acreage:* 1.98 acres

*Current Zoning:* SF-2 – Single Family Residential-2 District

*Requested Zoning:* CA – Central Area District

**SUBJECT PROPERTY**

*General Location:* 206 and 208 North Jackson Street

*Parcel ID Number(s):* 170695 & 170696

*Existing Use:* A vacant commercial building (formerly a cabinet shop), and two vacant accessory structures

*Development History:* N/A

*Adjoining Zoning & Uses:*

Direction	Zoning	Current Use
North	SF-2	Newness of Life Bible Church
East	SF-2	Single Family Residences
South	SF-2	Undeveloped Land
West	CA	George Brown Plaza & Former Police Department

*Future Land Use Plan:*

Retail

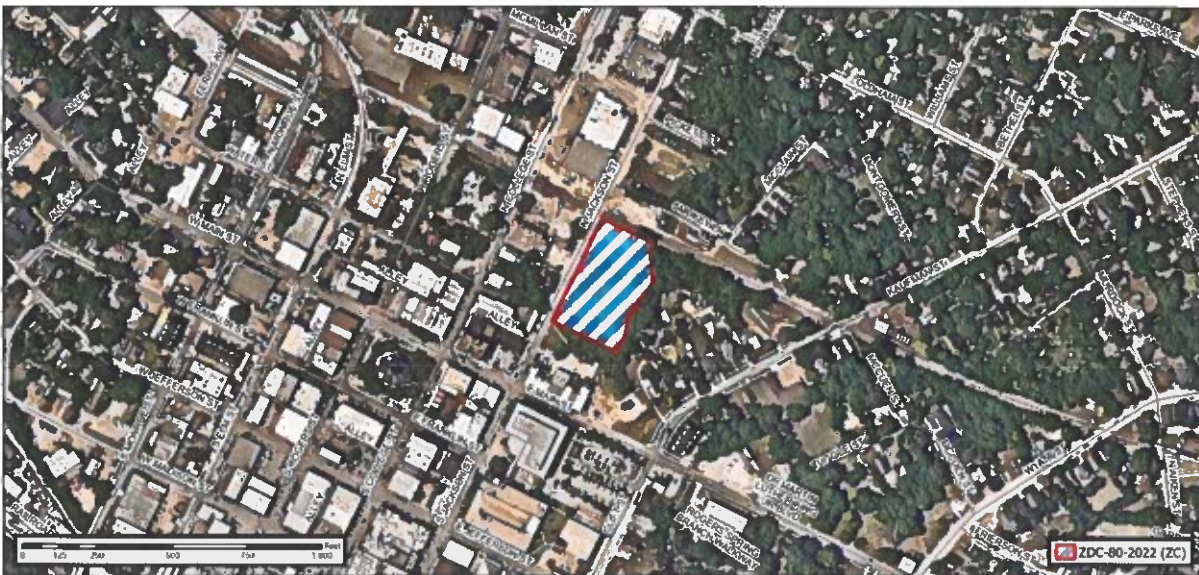
*Comprehensive Plan:*

Retail includes areas that have restaurants, shops, grocery stores, and personal service establishments. Retail businesses generally require greater visibility than do other types of nonresidential land use (e.g., office, commercial).

*Thoroughfare Plan:*

The subject property has frontage onto North Jackson Street, a local street, and not a major thoroughfare on the City's Thoroughfare Plan.

*Site Image:*



**PLANNING ANALYSIS**

The Applicant is requesting to rezone approximately 1.98 acres of land located at 206 and 208 North Jackson Street from Single Family Residential-2 (SF-2) district to Central Area (CA) district to reuse the existing building (a former cabinet shop) for indoor amusement. The property owner has a prospective tenant who would like to operate a haunted house and a skate park. The prospective tenant has owned and operated a haunted house (Reindeer Manor) in Red Oak, Texas, for the past eight years and is looking to relocate to downtown Waxahachie. The tenants would operate the haunted house in October and use the facility as a skate park for the remainder of the year. Based on Staff's correspondence with the Applicant, they do not plan on making any exterior changes to the building or site improvements. Instead, the prospective tenant intends to make interior changes to occupy the building.

The Applicant is aware that the site is in the Tax Increment Reinvestment Zone #1 (TIRZ), making it eligible for public funding to help the property owner make site improvements and building enhancements. The TIRZ is a special district created by the City to reinvest added tax revenue from new development back into the properties within the TIRZ boundary, which includes downtown. The Applicant chose not to provide further details regarding the proposed indoor amusement uses, such as hours of operation, the



number of employees, and potential building and site improvements. A letter of intent from the Applicant is in the attachments for this staff report.

Although the zoning change from SF-2 District to CA District is appropriate, Staff is concerned with the haunted house use and the lack of enhancement or improvements to the existing building. Given the property's proximity to the downtown core, it should contribute to the character and the overall fabric of the downtown area. It is across from the George Brown Plaza and the former Waxahachie Police Department, which plans are underway to repurpose the building for another use. Given the context of the area, the subject property should complement and enhance the surrounding uses to attract and increase activity in downtown. The subject property is an opportunity for incremental change that can significantly improve the northeast edge of downtown, which is ripe for redevelopment. A single project cannot revitalize an entire downtown. However, an ongoing series of projects can. Projects, such as this one, are imperative to creating lasting change and progress in downtown. As such, staff is recommending denial of the proposed zoning request due to its lack of contribution to downtown.

Staff would also like to inform the Commission, City Council, and the property owner that a site plan will be required if the property owner makes any site and building improvements requiring the approval of a site plan. This zoning request does not exempt the property owner from submitting a site plan if it is necessary. Including but not limited to these improvements, the planning department will require a site plan for new construction, the expansion of existing buildings, and the addition of any pavement, such as parking. Depending on the scope of improvements, the property owner may also need the approval of additional permits from various City departments.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 38 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 1 letter of opposition and 5 letters of support.

**RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning Department recommends:

- Denial
- Approval, as presented.
- Approval, per the following comments:

**ATTACHED EXHIBITS**

1. Location Map (Exhibit A)
2. Boundary Survey (Exhibit B)
3. Letter of Intent
4. Letter of Support

**STAFF CONTACT INFORMATION**

*Prepared by:*  
Eleana Tuley, AICP  
Senior Planner  
[eleana.tuley@waxahachie.com](mailto:eleana.tuley@waxahachie.com)

*Reviewed by:*  
Jennifer Pruitt, AICP, LEED-AP, CNU-A  
Senior Director of Planning  
[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)



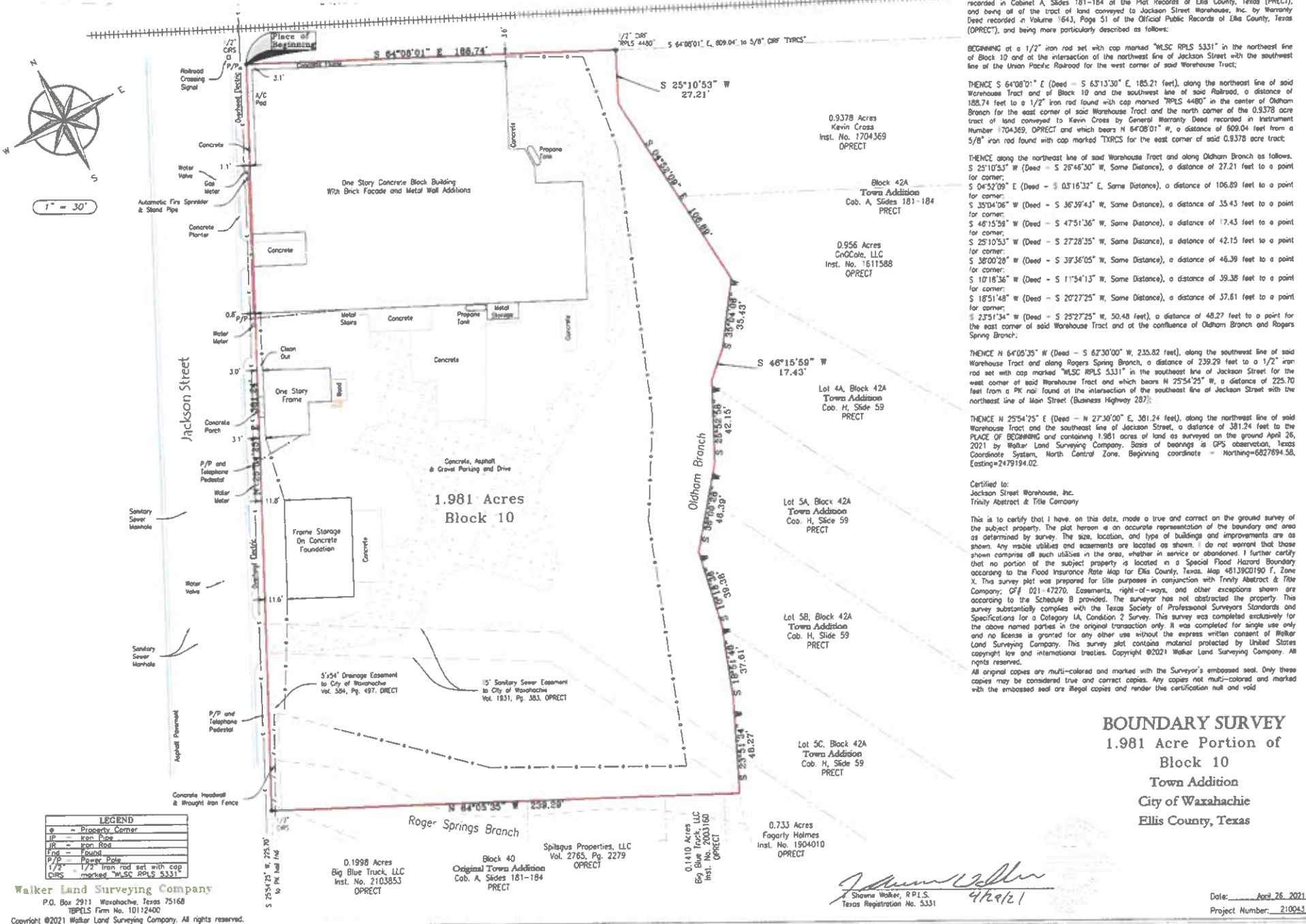


**Exhibit A - Location Map**

(17)



# Exhibit B - Boundary Survey



**PROPERTY DESCRIPTION**  
 BEING all that certain parcel of land being a portion of Block 10 in Town Addition, on addition in the City of Waxahachie Texas, according to the Official Phillips and Hawkins Map thereof recorded in Cabinet A, Sides 181-184 of the Plat Records of Ellis County, Texas (PRECT), and being all of the tract of land conveyed to Jackson Street Warehouse, Inc. by Warranty Deed recorded in Volume 1643, Page 51 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod set with cap marked "WLSR RPLS 5331" in the northeast line of Block 10 and at the intersection of the northeast line of Jackson Street with the southwest line of the Union Pacific Railroad for the west corner of said Warehouse Tract;

THENCE S 64°08'01" E (Deed - S 63°13'30" E, 185.21 feet), along the northeast line of said Warehouse Tract and of Block 10 and the southwest line of said Railroad, a distance of 188.74 feet to a 1/2" iron rod found with cap marked "RPLS 4480" in the center of Oldham Branch for the east corner of said Warehouse Tract and the north corner of the 0.9378 acre tract of land conveyed to Kevin Cross by General Warranty Deed recorded in Instrument Number 1704369, OPRECT and which bears N 64°08'01" W, a distance of 609.04 feet from a 5/8" iron rod found with cap marked "TYRCS" for the east corner of said 0.9378 acre tract;

THENCE along the northeast line of said Warehouse Tract and along Oldham Branch as follows:  
 S 25°10'53" W (Deed - S 25°46'30" W, Some Distance), a distance of 27.21 feet to a point for corner;  
 S 04°52'09" E (Deed - S 03°16'32" E, Same Distance), a distance of 106.89 feet to a point for corner;  
 S 35°04'06" W (Deed - S 36°59'43" W, Same Distance), a distance of 35.43 feet to a point for corner;  
 S 46°15'58" W (Deed - S 47°51'36" W, Same Distance), a distance of 17.43 feet to a point for corner;  
 S 25°10'53" W (Deed - S 27°28'35" W, Same Distance), a distance of 42.15 feet to a point for corner;  
 S 36°00'28" W (Deed - S 39°36'05" W, Same Distance), a distance of 46.39 feet to a point for corner;  
 S 10°18'36" W (Deed - S 11°54'13" W, Same Distance), a distance of 39.38 feet to a point for corner;  
 S 18°51'48" W (Deed - S 20°27'25" W, Same Distance), a distance of 37.61 feet to a point for corner;  
 S 27°51'34" W (Deed - S 25°27'25" W, 50.48 feet), a distance of 48.27 feet to a point for the east corner of said Warehouse Tract and of the confluence of Oldham Branch and Rogers Springs Branch;

THENCE N 64°05'35" W (Deed - S 62°30'00" W, 235.82 feet), along the southwest line of said Warehouse Tract and along Rogers Springs Branch, a distance of 239.29 feet to a 1/2" iron rod set with cap marked "WLSR RPLS 5331" in the southwest line of Jackson Street for the west corner of said Warehouse Tract and which bears N 25°54'25" E, a distance of 225.70 feet from a PK nail found at the intersection of the southwest line of Jackson Street with the northeast line of Main Street (Business Highway 287);

THENCE N 25°54'25" E (Deed - N 27°30'00" E, 361.24 feet), along the northwest line of said Warehouse Tract and the southwest line of Jackson Street, a distance of 381.24 feet to the PLACE OF BEGINNING and containing 1.981 acres of land as surveyed on the ground April 26, 2021 by Walker Land Surveying Company. State of bearings is GPS observation, Texas Coordinate System, North Central Zone. Beginning coordinate = Northing=6827694.58, Easting=2479194.02.

Certified to:  
 Jackson Street Warehouse, Inc.  
 Trinity Abstract & Title Company

This is to certify that I have, on this date, made a true and correct on the ground survey of the subject property. The plot hereon is an accurate representation of the boundary and area as determined by survey. The size, location, and type of buildings and improvements are as shown. Any visible utilities and easements are located as shown. I do not warrant that these shown comprise all such utilities in the area, whether in service or abandoned. I further certify that no portion of the subject property is located in a Special Flood Hazard Boundary according to the Flood Insurance Rate Map for Ellis County, Texas, Map 48139C0190 F, Zone X. This survey plat was prepared for title purposes in conjunction with Trinity Abstract & Title Company; GP# 021-47270. Easements, right-of-ways, and other exceptions shown are according to the Schedule B provided. The surveyor has not abstracted the property. This survey substantially complies with the Texas Society of Professional Surveyors Standards and Specifications for a Category IA, Condition 2 Survey. This survey was completed exclusively for the above named parties in the original transaction only. It was completed for single use only and no license is granted for any other use without the express written consent of Walker Land Surveying Company. This survey plat contains material protected by United States copyright law and international treaties. Copyright ©2021 Walker Land Surveying Company. All rights reserved.

All original copies are multi-colored and marked with the Surveyor's embossed seal. Only these copies may be considered true and correct copies. Any copies not multi-colored and marked with the embossed seal are illegal copies and render this certification null and void.

**BOUNDARY SURVEY**  
 1.981 Acre Portion of  
 Block 10  
 Town Addition  
 City of Waxahachie  
 Ellis County, Texas

LEGEND	
⊙	Property Corner
⊕	Iron Pipe
⊖	Iron Rod
⊘	Found
P/P	Power Pole
1/2"	1/2" Iron rod set with cap marked "WLSR RPLS 5331"
CRS	CRS

Walker Land Surveying Company  
 P.O. Box 2911 Waxahachie, Texas 75168  
 TPELS Firm No. 10112400  
 Copyright ©2021 Walker Land Surveying Company. All rights reserved.

*Sharon Walker*  
 Sharon Walker, R.P.L.S.  
 Texas Registration No. 5311

Date: April 26, 2021  
 Project Number: 210063

(177)

Name: Greg Nehib, Managing Partner, Big Blue Truck

Address: 1023 W Main St. Waxahachie, TX

Phone No.: 972 839-9441

RE: ZDC-80-2022 Big Blue Truck, LLC (owner), for Reindeer Manor (tenant)

Big Blue Truck, LLC is requesting to rezone 206, 208 and 210 N Jackson St. from residential to commercial in order to remedy a past zoning error. This property has been commercial for over 100 years and has been used commercially as a church furniture factory, a cabinet shop and as storage. In an effort to prepare the site for the next tenant, Reindeer Manor, we are seeking to have this property recognized formally as a part of the historic Downtown District and become a part of the Central Area as it is marked that way on many City produced maps. Ellis County and all local utilities recognize this property as Commercial today. We pay tax and utilities based on the commercial rates.

Reindeer Manor, the new tenant, is proposing to use this property as a seasonal haunted house and skate park. Reindeer Manor operated successfully for over 40 years in Red Oak. They lost their lease in Red Oak at the end of the 2021 season when the old location was sold for a large residential housing development. The owners of Reindeer Manor have leased 210 N Jackson and the adjoining yard behind 208 and 206 N Jackson for this venture. The owners of Reindeer Manor also moved to Waxahachie and now reside on Main St.

We are proposing to divide this project into 2 parts:

1. Re-Zoning and correcting zoning issues led by Big Blue Truck, LLC
2. Business Review, Site Plans, Building Drawings and Permit Applications from Reindeer Manor

Once we pass the re-zoning and enter Reindeer Manor's portion of the project, they agree to provide you with project details including:

- Operational Information for both the haunted house and the skate park:
  - Hours of Operation
  - No. of Employees
  - Peak attendance times for both the skate park and the haunted house
  - Exterior and interior improvements anticipated for the building, to operate for both of these uses, including plans and permit applications as required
  - Fire safety precautions/procedures for the haunted house
  - Food Service Plans including Where? When? How?
  - Timeframe for being operational on both of these businesses
- Graphic depiction of site utilization

(17)

Based on phone conversations between Big Blue Truck and the City, the stated desire is to have this property included in the street parking, parking garage and City parking lot plans for downtown. It is also important to note that the building at 210 N Jackson has an existing, inspected, fully operational sprinkler system with a marked SPKR nozzle on Jackson St. This should address all major comments on the survey for the purpose of zoning. Comments sent to Big Blue Truck, LLC related to building use, site plan, fire safety and building permits will be addressed at a later date by Reindeer Manor.

Both parties agree to decouple the zoning change from the haunted house and skate park permitting process. Regardless of the City's intent on the haunted house and skate park, Big Blue Truck, LLC is requesting that the City re-zone 206, 208 and 210 N Jackson St. to commercial and make it a recognized part of the Downtown District, Central Area.

Regards,

Greg Nehib

Managing Partner, Big Blue Truck, LLC



(17)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-80-2022



201 MAIN WAX LLC  
6982 WALLING LN  
DALLAS, TX 75231

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Gregory Nehib, Big Blue Truck, LLC, for a **Zoning Change** from Single Family Residential-2 (SF-2) zoning district to Central Area (CA) zoning district, located at 206 and 208 N Jackson Street (Property ID 170695 and 170696) - Owner: BIG BLUE TRUCK, LLC (ZDC-80-2022)

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

Case Number: ZDC-80-2022

City Reference: 170540

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 2, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

IF THIS REZONING IS APPROVED IT WILL IMPINGE ON OUR PROPERTY AND NEGATIVELY IMPACT OUR TENANTS

Bill Bell

Signature

8-2-2022

Date

BILL BELL, MANAGING MEMBER

Printed Name and Title

201 E MAIN ST, WAXAHACHIE  
Address  
6982 WALLING LN, DALLAS TX

*It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)*

*If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.*



# CITY OF WAXAHACHIE - PROPERTY OWNER NOTIFICATION ZDC-80-2022 - ZONING CHANGE - COMMERCIAL HAUNTED HOUSE - PON MAP

*If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.*

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This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the City of Waxahachie for the sole purpose of geographic reference. No warranty is made by the City of Waxahachie regarding specific accuracy or completeness.



201 E MAIN  
TOO CLOSE FOR US!  
WILL IMPACT OUR TENANTS NEGATIVELY

(17)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ~~ZDC-80-2022~~  
◇◇◇◇

**BIG BLUE TRUCK LLC**  
1023 W MAIN ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Gregory Nehib, Big Blue Truck, LLC, for a **Zoning Change** from Single Family Residential-2 (SF-2) zoning district to Central Area (CA) zoning district, located at 206 and 208 N Jackson Street (Property ID 170695 and 170696) - Owner: BIG BLUE TRUCK, LLC (ZDC-80-2022)

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-----  
Case Number: \_\_\_\_\_ City Reference: 274682

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on \_\_\_\_\_ to ensure inclusion in the Agenda Packet. Forms can be e-mailed to \_\_\_\_\_ or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

Comments:  SUPPORT  OPPOSE

\_\_\_\_\_  
Signature  
Lorinda Yates / Member  
Printed Name and Title

\_\_\_\_\_  
Date  
8-1-22  
PO Box 2868 Wax. 75168  
Address

*It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)*  
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(17)



City of Waxahachie, Texas

Notice of Public Hearing

Case Number: 2022-80-0022



**BIG BLUE TRUCK LLC**  
1023 W MAIN ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

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Case Number: City Reference: 170695

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on to ensure inclusion in the Agenda Packet. Forms can be e-mailed to or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT  OPPOSE

Comments:

L. Yates  
Signature

8-1-22  
Date

Lorinda Yates / Member  
Printed Name and Title

P.O. Box 2868 Wax. 75168  
Address

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(17)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-80-2022  
◇◇◇◇

**BIG BLUE TRUCK LLC**  
1023 W MAIN ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

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Case Number: ZDC-80-2022

City Reference: 279746

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on August 11, 2022 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planning@cityofwaxahachie.com](mailto:planning@cityofwaxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

lyates  
Signature

8-1-22  
Date

Lorinda Yates / Member  
Printed Name and Title

PO Box 2868  
Address  
Wax. 75168

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(17)



**City of Waxahachie, Texas**  
**Notice of Public Hearing**  
**Case Number:** 2022-08-0002  
◇◇◇◇

**BIG BLUE TRUCK LLC**  
**1023 W MAIN ST**  
**WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

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Case Number: 2022-08-0002

City Reference: 170696

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on \_\_\_\_\_ to ensure inclusion in the Agenda Packet. Forms can be e-mailed to \_\_\_\_\_ or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments: \_\_\_\_\_

\_\_\_\_\_  
Signature  
Lorinda Yates / Member  
Printed Name and Title

8-1-22  
Date  
PO Box 2868  
Address  
Wax 75168

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(17)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: 170539  
◇◇◇◇

**BIG BLUE TRUCK LLC**  
1023 W MAIN ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

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Case Number: 170539

City Reference: 170539

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on 8-1-22 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to \_\_\_\_\_ or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

Comments:  SUPPORT  OPPOSE

Signature W Yates  
Printed Name and Title Lorinda Yates/Member

Date 8-1-22  
Address PO Box 2868  
Wax. 75168

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City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC 80-2022



**BIG BLUE TRUCK LLC**  
1023 W MAIN ST  
WAXAHACHIE, TX 75165

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Case Number: \_\_\_\_\_

City Reference: 274682

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SUPPORT

OPPOSE

Comments: \_\_\_\_\_

L. Yates  
Signature

8-1-22  
Date

Londa Yates / Member  
Printed Name and Title

PO Box 2868 Wax, 75168  
Address

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(17)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: 2022-08-01-0022  
◇◇◇◇

**BIG BLUE TRUCK LLC**  
1023 W MAIN ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

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-----  
Case Number: \_\_\_\_\_ City Reference: 170695

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on \_\_\_\_\_ to ensure inclusion in the Agenda Packet. Forms can be e-mailed to \_\_\_\_\_ or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT                       OPPOSE

Comments: \_\_\_\_\_

\_\_\_\_\_  
Signature

Lorinda Yates / Member  
Printed Name and Title

8-1-22  
Date

Po Box 2363 Wax. 75168  
Address

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(17)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ~~2022-08-09-002~~



**BIG BLUE TRUCK LLC**  
1023 W MAIN ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

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Case Number: \_\_\_\_\_

City Reference: 279746

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on \_\_\_\_\_ to ensure inclusion in the Agenda Packet. Forms can be e-mailed to \_\_\_\_\_ or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Address

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(17)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: 2022-08-001  
◇◇◇◇

**BIG BLUE TRUCK LLC**  
1023 W MAIN ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

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-----  
Case Number: \_\_\_\_\_ City Reference: 170696

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Comments:  SUPPORT  OPPOSE

\_\_\_\_\_  
Signature  
Lorinda Yates / Member  
Printed Name and Title

8-1-22  
\_\_\_\_\_  
Date  
PO Box 2868  
\_\_\_\_\_  
Address  
Wax 75168

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(17)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: 170539

**BIG BLUE TRUCK LLC**  
1023 W MAIN ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 9, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 15, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Gregory Nehib, Big Blue Truck, LLC, for a **Zoning Change** from Single Family Residential-2 (SF-2) zoning district to Central Area (CA) zoning district, located at 206 and 208 N Jackson Street (Property ID 170695 and 170696) - Owner: BIG BLUE TRUCK, LLC (ZDC-80-2022)

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

Case Number: 170539

City Reference: 170539

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on August 11, 2022 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to \_\_\_\_\_ or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

Comments:  SUPPORT  OPPOSE

W Yates  
Signature  
Lorinda Yates/Member  
Printed Name and Title

8-1-22  
Date  
P.O. Box 2868  
Address  
Wax. 75168

*It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)*

*If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.*