

# *A G E N D A*

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, August 24, 2021 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 August 10, 2021
  - b. Minutes of the Planning and Zoning Commission briefing of August 10, 2021
5. ***Continue Public Hearing*** on a request by Perry Thompson, Thompson Architectural Group, Inc., for a **Specific Use Permit (SUP)** for a **Heavy Machinery And Equipment Rental, Sales, Or Storage** use within a Commercial zoning district located at 1313 N Interstate 35 (Property ID 180355) - Owner: JP TYLER, LLC (ZDC-100-2021)
6. ***Consider*** recommendation of Zoning Change No. ZDC-100-2021
7. ***Public Hearing*** on a request by Asa Tsang, Saturn Star, LLC, for a **Zoning Change** from General Retail (GR) to Planned Development – General Retail (PD-GR) to allow a Private Club use, at 617 Solon Road (Property ID 180405) - Owner: SATURN STAR REALTY, LLC (ZDC-122-2021)
8. ***Consider*** recommendation of Zoning Change No. ZDC-122-2021

9. **Public Hearing** on a request by Josh Meredith, Van Trust Real Estate, for a **Zoning Change** from Planned Development – Commercial (PD-C) and Future Development (FD) to Planned Development – Light Industrial – 1 (PD-LI1), to allow Storage Warehouse use, located just West of Interstate 35 and South of Butcher Road (Property ID 188448 & 188453) - Owner: JAMES R PITTS TRUSTEE & BUCEES, LTD (ZDC-116-2021)
10. **Consider** recommendation of Zoning Change No. ZDC-116-2021
11. **Public Hearing** on a request by Gilberto Escobedo, Jr., for a **Replat** of Lot 13R, Block 180, Oak Lawn Addition, to create lot 13R-A and Lot 14R, Block 180, Oak Lawn Addition, being 0.191 acres (Property ID 175115) – Owner: GILBERTO ESCOBEDO, JR (SUB-109-2021)
12. **Consider** recommendation of Replat No. SUB-109-2021
13. **Consider** a request by Harvey & Gaye Mitscke, for a **Replat** of Chapman Place Business Addition Lot 1 & Lot 2, and 1.4 acres situated in the W.M. Baskins Survey, Abstract No 148, to create lots 1R and 2R, Chapman Place Business Addition, being 2.151 (Property ID 180847, 247595 & 247596) – Owner: SLEEP QUARTERS PLUS, INC (SUB-114-2021)
14. **Consider** a request by Alex Beitler, ECM Development, for a **Plat** of Ridge Crossing, 128 lots, being 51.48 acres situated in the William C. Tunnel Survey, Abstract 1080 (Property ID 191627) – Owner: JDS OVILLA ROAD, LLC (SUB-118-2021)
15. **Public Hearing** on a request by Cody Crannell, CCM Engineering, for a **Replat** of Symphony Estates, to create 127 residential lots, being 24.76 acres shown as, Lot PT 3 Blk 1 & PT 3 & 4A & 5 Blk 2 Harriet I Nowlin Addition (Property ID 283260) – Owner: WB WAXAHACHIE LAND, LLC (SUB-106-2021)
16. **Consider** recommendation of Replat No. SUB-106-2021
17. **Continue Public Hearing** on a request by Matthew Smith, Vaquero Ventures, for a Specific Use Permit (SUP) for **Convenience Store with Gasoline Sales** (7-Eleven) within a General Retail zoning district located at 1851 N. Hwy 77 (Property ID 262430) - Owner: TRIUMPH SQUARE, LLC (ZDC-113-2021)
18. **Consider** recommendation of Zoning Change No. ZDC-113-2021
19. **Continue Public Hearing** on a request by Josh Dunlap for a **Zoning Change** from a Planned Development-General Retail to Planned Development-Multiple Family-2 zoning district, located at 809 Dr. Martin Luther King Jr. Blvd. (Property ID 205458 and 171253) - Owner: GIBSON & GIBSON, LLC (ZDC-105-2021)
20. **Consider** recommendation of Zoning Change No. ZDC-105-2021
21. 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) 309-4005 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  
August 10, 2021

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, August 10, 2021 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman  
Betty Square Coleman  
Bonney Ramsey  
Jim Phillips  
David Hudgins  
Erik Test

Absent Members: Melissa Ballard, Vice Chairman

Others Present: Shon Brooks, Executive Director of Development Services  
Colby Collins, Planning Manager  
Chris Webb, Senior Planner  
Zack King, Planner  
Macey Martinez, Graduate Engineer  
Jami Bonner, Assistant City Secretary  
Melissa Olson, Council Representative

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

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

A moment of silence was held for past City Secretary Lori Cartwright.

3. **Public Comments**

Mr. Chris Wright, 808 W. Marvin, Waxahachie, TX, stressed the importance of adequate road signage.

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of July 27, 2021
- b. Minutes of the Planning and Zoning Commission briefing of July 27, 2021

**Action:**

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

5. **Continue Public Hearing on a request by Josh Dunlap, for a Zoning Change from a Planned Development-General Retail to Planned Development-Multiple Family-2 zoning district, located at 809 Dr. Martin Luther King Jr. Blvd. (Property ID 205458 and 171253) - Owner: GIBSON & GIBSON, LLC (ZDC-105-2021)**

Chairman Keeler continued the Public Hearing and announced the applicant requested to continue ZDC-105-2021 to the August 24th Planning and Zoning Commission meeting.

(4a)

**6. Consider recommendation of Zoning Change No. ZDC-105-2021**

**Action:**

*Mr. Jim Phillips moved to continue the Public Hearing on a request by Josh Dunlap, for a Zoning Change from a Planned Development-General Retail to Planned Development-Multiple Family-2 zoning district, located at 809 Dr. Martin Luther King Jr. Blvd. (Property ID 205458 and 171253) - Owner: GIBSON & GIBSON, LLC (ZDC-105-2021) to the August 24, 2021 Planning and Zoning Commission meeting. Ms. Betty Square Coleman seconded, All Ayes.*

**7. Consider a request by Brian Wade, RLG, Inc. for a Plat of Lone Star Storage Addition for one (1) lot, being 3.0946 acres situated in the A.W. Brown Survey, Abstract 102 (Property ID 180374) – Owner: Connell Storage Partners #1, LLC. (SUB-93-2021)**

Senior Planner Chris Webb presented the case noting the applicant is requesting to plat the subject property into one lot for the purpose of commercial use and staff recommended approval as presented.

**Action:**

*Mr. David Hudgins moved to approve a request by Brian Wade, RLG, Inc. for a Plat of Lone Star Storage Addition for one (1) lot, being 3.0946 acres situated in the A.W. Brown Survey, Abstract 102 (Property ID 180374) – Owner: Connell Storage Partners #1, LLC. (SUB-93-2021) as presented. Ms. Bonney Ramsey seconded, All Ayes.*

**8. Consider a request by Dalton Bradbury, Southfork Capital LLC, for a Replat of Block 22 and 34, Town Addition, two (2) lots, being 3.032 acres (Property ID 193493, 193491, and 170678) – Owner: SOUTHFORK CAPITAL LLC (SUB-50-2021)**

Mr. Webb presented the case noting the applicant is requesting to replat the subject property into two (2) lots for the purpose of constructing an administration building for Ellis County. Mr. Webb stated this particular case will be for the first phase of Cathedral Addition which consists only of Lot 1. Staff recommends approval for Lot 1, as presented.

**Action:**

*Ms. Bonney Ramsey moved to approve a request by Dalton Bradbury, Southfork Capital LLC, for a Replat of Block 22 and 34, Town Addition, two (2) lots, being 3.032 acres (Property ID 193493, 193491, and 170678) – Owner: SOUTHFORK CAPITAL LLC (SUB-50-2021) as presented for Lot 1. Mr. Jim Phillips seconded, All Ayes.*

**9. Public Hearing on a request by Jaclyn Archer, Archer Recycling Inc., for a Specific Use Permit (SUP) for a Clothing Donation Box within a Planned Development General Retail zoning district located at 2100 Brown Street (Property ID 204843) - Owner: HUH HAYOUNG & LEE SANG HUH (ZDC-111-2021)**

Chairman Keeler opened the Public Hearing.

Planner Zack King presented the case noting the applicant is requesting approval of a Specific Use Permit (SUP) to allow for the continued use of four clothing recycling bins in the parking lot of the Tiger Mart gas station at 2100 Brown St. Mr. King addressed staff concerns including the accumulation of donations and trash around the bin site and the locations of the bins currently being located in an utility easement and visibility easement. Mr. King stated that the applicant has informed staff that the bins are required to be maintained in an orderly state as per the applicant's franchise agreement. Due to staff concerns, staff recommends denial for the proposed use.

Jaclyn and Heath Archer, 2011 London Lane, Crowley, TX, introduced themselves as the owners of Archer Recycling, Inc. Ms. Archer addressed staff concerns by detailing weekly maintenance routines and stating the bins can be relocated as she and the site operator were unaware of the utility easement.

Mr. David Hudgins encouraged Mr. and Mrs. Archer to work with City staff to determine a solution.

Mr. Jim Phillips clarified the position of the Planning and Zoning Commission is to consider zoning and ordinance requests brought before the Commission. Mr. Phillips explained the land owner has entered into an agreement with the City of Waxahachie for a certain purpose and the current Specific Use Permit being requested does not meet the original intended purpose of the agreement.

There being no others to speak for or against ZDC-111-2021, Chairman Keeler closed the Public Hearing.

**10. Consider recommendation of Zoning Change No. ZDC-111-2021**

**Action:**

*Mr. Jim Phillips moved to deny a request by Jaclyn Archer, Archer Recycling Inc., for a Specific Use Permit (SUP) for a Clothing Donation Box within a Planned Development General Retail zoning district located at 2100 Brown Street (Property ID 204843) - Owner: HUH HAYOUNG & LEE SANG HUH (ZDC-111-2021) as presented. Ms. Bonney Ramsey seconded, All Ayes.*

**11. Public Hearing on a request by Jaclyn Archer, Archer Recycling Inc., for a Specific Use Permit (SUP) for a Clothing Donation Box within a Commercial zoning district located at 1713 W Hwy 287 Business (Property ID 201987) - Owner: RAJU CORPORATION (ZDC-112-2021)**

Chairman Keeler opened the Public Hearing.

Mr. Webb presented the case noting the applicant is requesting a Specific Use Permit (SUP) to allow for one clothing bin to be located on site. Staff concerns include the accumulation of trash around the bin on the site and the bin is currently located in a TXDOT right-of-way. City staff received two letters of opposition for the proposed development. Due to staff concerns, staff recommends denial for the proposed use.

Jaclyn and Heath Archer, 2011 London Lane, Crowley, TX, addressed staff concerns reiterating the importance of the franchise agreement and notification by the land owner of a need to service the bin. Ms. Archer stated she was unaware the bin was not on the land owner's property and is willing to relocate to an appropriate location on the property

Mr. Jim Phillips noted that an SUP is typically requested by the land owner opposed to a sub-leasee.

Mr. David Hudgins noted the Planning and Zoning Commission indicated several concerns; however, more information is needed to respond to concerns appropriately.

Chairman Keeler stated the applicant's request will be considered at the City Council meeting. If needed, the applicant could re-submit their request and be heard again before the Planning and Zoning Commission with further information.

Chris Wright, 808 W. Marvin, Waxahachie, TX, expressed concern that the bins may be located in required parking spaces.

There being no others to speak for or against ZDC-112-2021, Chairman Keeler closed the Public Hearing.

**12. Consider recommendation of Zoning Change No. ZDC-112-2021**

**Action:**

*Mr. Jim Phillips moved to deny a request by Jaclyn Archer, Archer Recycling Inc., for a Specific Use Permit (SUP) for a Clothing Donation Box within a Commercial zoning district located at 1713 W Hwy 287 Business (Property ID 201987) - Owner: RAJU CORPORATION (ZDC-112-2021) as presented. Mr. David Hudgins seconded, All Ayes.*

**13. Public Hearing on a request by Matthew Smith, Vaquero Ventures, for a Specific Use Permit (SUP) for Convenience Store with Gasoline Sales (7-Eleven) within a General Retail zoning district located at 1851 N. Hwy 77 (Property ID 262430) - Owner: TRIUMPH SQUARE, LLC (ZDC-113-2021)**

Chairman Keeler opened the Public Hearing.

Mr. Webb presented the case noting the applicant is requesting approval to allow a convenience store with gasoline sales on 1.52 acres. Mr. Webb stated an SUP submitted by the applicant was approved on August 17, 2020; however, after approval, 7-Eleven decided to not proceed with construction. The applicant is submitting a new design which includes increased square footage and a new 7-Eleven 2.0 prototype design. Staff recommends approval, per the following staff comments:

1. A mutually agreed upon development agreement.
2. Staff suggests the applicant incorporate a minimum of 40% masonry material.
3. Staff suggests the applicant provide more materials along the rear and right elevation.

(4a)

4. The screening wall surrounding the dumpster shall be constructed of brick or stone material.
5. The canopy support poles for the fueling stations shall be constructed of brick and/or stone.
6. The base of the monument sign be constructed out of a masonry material.

Brad White, 2900 Wingate St., Ft. Worth, stated 7-Eleven is introducing the new 2.0 prototype store which will allow for a larger building that will provide a concept coffee bar, more food options, and new sandwiches. Mr. White stated he would need to address staff comments in regards to masonry materials with the tenant, 7-Eleven.

There being no others to speak for or against ZDC-113-2021, Chairman Keeler closed the Public Hearing.

**14. Consider recommendation of Zoning Change No. ZDC-113-2021**

**Action:**

*Mr. Jim Phillips moved to continue a request by Matthew Smith, Vaquero Ventures, for a Specific Use Permit (SUP) for Convenience Store with Gasoline Sales (7-Eleven) within a General Retail zoning district located at 1851 N. Hwy 77 (Property ID 262430) - Owner: TRIUMPH SQUARE, LLC (ZDC-113-2021) to the August 24, 2021 Planning and Zoning Commission meeting. Mr. Erik Test seconded, All Ayes.*

**15. Public Hearing request by Anita Linney-Isaacson, HKS, Inc., for an Amendment to Ordinance No. 2649 to allow for an additional Medical Facility, within an approved commercial planned development located at 2400 N I-35 (Property IDs 180334) - Owner: BAYLOR HEALTH CARE SYSTEM (ZDC-110-2021)**

Chairman Keeler opened the Public Hearing.

Planning Manager Colby Collins presented the case stating the applicant is requesting to amend Ordinance No. 2649 to allow for an additional medical facility for Baylor Scott & White. The proposed project will include an additional building to the site that will house a second hospital, medical office suites, and shell space that will be connected to the existing hospital with a second floor connector. Staff recommends approval per the following staff comments:

1. A mutually agreed upon development agreement must be signed by the applicant.
2. Any revisions not included in the planned development agreement shall meet the Ordinance 2649 requirements.

Anita Isaacson, 350 North St. Paul, Dallas, TX, responded to staff questions stating HKS, Inc. was the architect to construct the original Baylor Waxahachie building and the same materials used on the original building have been located.

There being no others to speak for or against ZDC-110-2021, Chairman Keeler closed the Public Hearing.

**16. Consider recommendation of Zoning Change No. ZDC-110-2021**



(4a)

Planning and Zoning Commission  
August 10, 2021  
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**Action:**

*Ms. Bonney Ramsey moved to approve a request by Anita Linney-Isaacson, HKS, Inc., for an Amendment to Ordinance No. 2649 to allow for an additional Medical Facility, within an approved commercial planned development located at 2400 N I-35 (Property IDs 180334) - Owner: BAYLOR HEALTH CARE SYSTEM (ZDC-110-2021) per staff comments. Ms. Betty Square Coleman seconded, All Ayes.*

**17. Adjourn**

Planning Director Shon Brooks thanked attendees at the Comprehension Plan Community Meeting. Mr. Brooks encouraged citizens to provide input on [www.waxahachieplan.com](http://www.waxahachieplan.com).

Planning Manager Colby Collins thanked citizens for participating in the Comprehension Plan process. Mr. Collins recognized Planner Zack King for presenting at the meeting.

There being no further business, the meeting adjourned at 8:37 p.m.

Respectfully submitted,

Jami Bonner  
Assistant City Secretary

(4b)

Planning and Zoning Commission  
August 10, 2021

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, August 10, 2021 at 6:15 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman  
Bonney Ramsey  
Jim Phillips  
David Hudgins  
Erik Test

Members Absent: Melissa Ballard, Vice Chairman  
Betty Square Coleman

Others Present: Shon Brooks, Executive Director of Development Services  
Albert Lawrence, Deputy City Manager  
Colby Collins, Planning Manager  
Chris Webb, Senior Planner  
Zack King, Planner  
Macey Martinez, Graduate Engineer  
Jami Bonner, Assistant City Secretary

**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**

Planning Manager Colby Collins reviewed the following cases:

- ZDC-105-2021, applicant requested to continue this case to the August 24<sup>th</sup> Planning & Zoning Commission Meeting.
- ZDC-110-2021, staff recommended approval, per staff comments.

Senior Planner Chris Webb reviewed the following cases:

- SUB-93-2021, staff recommended approval, as presented.
- SUB-50-2021, staff recommends approval of phase one, as presented.
- ZDC-112-2021, due to staff concerns, staff recommends denial for the proposed use. The applicant is requesting a Specific Use Permit to allow for one clothing bin to be located at the proposed location. Mr. Webb stated staff concerns include the accumulation of trash around the bin and the location of the bin is currently located in a TXDOT right-of-way and not on the subject property. Staff received two letters of opposition.
- ZDC-113-2021, staff recommended approval, per staff comments.

Planner Zack King reviewed the following case:

(4b)

Planning and Zoning Commission

August 10, 2021

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- ZDC-111-2021, due to staff concerns, staff recommends denial for this purpose. The applicant is requesting approval of a Specific Use Permit to allow for the continued use of four clothing recycling bins in the parking lot of the proposed location. Mr. King stated the bins are currently located in a utility easement and visibility easement. Also noted, the applicant has stated they have a contract with the property owner; however, the contract is technically with the property leasee. The contract is not with the property owner listed on ECAD for this address.

### **3. Adjourn**

There being no further business, the meeting adjourned at 6:57 p.m.

Respectfully submitted,

Jami Bonner  
Assistant City Secretary

(5+6)



## Memorandum

To: Honorable Mayor and City Council  
From: Shon Brooks, Executive Director of Development Services  
Thru: Michael Scott, City Manager  
Date: August 13, 2021  
Re: ZDC-100-2021 – Sunbelt Rentals

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On August 11, 2021, the applicant requested to continue case number ZDC-100-2021 from the August 24, 2021 Planning and Zoning Commission meeting agenda and the September 7, 2021 City Council meeting agenda to the September 14, 2021 Planning and Zoning Commission meeting agenda, and the September 28, 2021 City Council meeting agenda.



## Memorandum

To: Honorable Mayor and City Council  
From: Shon Brooks, Executive Director of Development Services  
Thru: Michael Scott, City Manager  
Date: August 13, 2021  
Re: ZDC-122-2021 – 617 Solon Road – Private Club


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On August 13, 2021, the applicant requested to continue case no. ZDC-122-2021 from the August 24, 2021 Planning and Zoning Commission agenda and the September 7, 2021 City Council meeting agenda to the September 14, 2021 Planning and Zoning Commission meeting and the September 20, 2021 City Council meeting agenda.

(9+10)



## Memorandum

To: Honorable Mayor and City Council  
From: Shon Brooks, Executive Director of Development Services  
Thru: Michael Scott, City Manager   
Date: August 19, 2021  
Re: ZDC-116-2021 – I-35E Logistics Hub

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On August 19, 2021, the applicant asked staff to continue case no. ZDC-116-2021 from the August 24, 2021 Planning and Zoning Commission agenda, as well as the September 7, 2021 City Council meeting agenda to the September 14, 2021 Planning and Zoning Commission meeting agenda, and the September 20, 2021 City Council meeting agenda.

(11)

# Planning & Zoning Department

## Plat Staff Report



**Case: SUB-109-2021**

**MEETING DATE(S)**

*Planning & Zoning Commission:* August 24<sup>th</sup>, 2021

*City Council:* September 7<sup>th</sup>, 2021

**CAPTION**

**Public Hearing** on a request by Gilberto Escobedo, for a **Replat** of Lot 13R, Block 180, Oak Lawn Addition, to create Lot 13R-A and Lot 14R, Block 180, Oak Lawn Addition, 0.191 acres (Property ID 175115) – Owner: ESCOBEDO GILBERTO JR (SUB-109-2021)

**APPLICANT REQUEST**

The applicant is requesting to replat the subject property into two (2) lots for single family, residential use.

**CASE INFORMATION**

*Applicant:* Gilberto Escobedo Jr.

*Property Owner(s):* Gilberto Escobedo Jr.

*Site Acreage:* 0.191 acres

*Number of Lots:* 2 lots

*Number of Dwelling Units:* 2 units

*Park Land Dedication:* N/A

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

**SUBJECT PROPERTY**

*General Location:* 309 Henry Street

*Parcel ID Number(s):* 175115

*Current Zoning:* SF-3

*Existing Use:* The site is currently undeveloped

*Platting History:* The subject property is lot 13R, Block 180 of the Oak Lawn Addition.

Site Aerial:



**PLATTING ANALYSIS**

The applicant is requesting to replat the subject property from one (1) lot into two (2) lots for single family, residential use. The property was originally platted as Lots 13 & 14 of the Oak Lawn Addition before being replatted into lot 13R in 1985. The original Lots 13 & 14 were of similar size to the currently proposed lots. The property is located within the City’s infill overlay district and the proposed lots will be consistent in size with the neighboring lots on Henry Street. Due to the lots closely aligning with the surrounding area, staff is supportive of this replat and the Petition of Relief Waiver.

**PETITION OF RELIEF WAIVER**

The applicant has requested a Petition of Relief Waiver for the right-of-way (ROW) dedication requirement along Henry Street for this property. The applicants’ Petition of Relief Waiver will allow the proposed properties to remain consistent with the surrounding lots; none of which have dedicated additional right-of-way for Henry Street. The waiver would also allow the homes to be built on the properties to remain consistent with the surrounding homes in terms of size and placement on the lots.

**PUBLIC NOTIFICATIONS**

To comply with State Ia 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**

Staff received five (5) letters of support for the proposed replat.

- The 5 letters of support for the replat were submitted by 1 property owner.

**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:



**ATTACHED EXHIBITS**

- 1. Property Owner Notification Responses
- 2. Plat Drawing
- 3. Petition of Relief Waiver

**APPLICANT REQUIREMENTS**

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

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

*Reviewed by:*  
Shon Brooks, AICP  
Executive Director of Development Services  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

(11)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-109-2021



LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 24, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, September 07, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

- 1. Request by Gilberto Escobedo, Jr., for a Replat of Lot 13R, Block 180, Oak Lawn Addition, to create lot 13R-A and Lot 14R, Block 180, Oak Lawn Addition, being 0.191 acres (Property ID 175115) – Owner: GILBERTO ESCOBEDO, JR (SUB-109-2021)

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: SUB-109-2021

City Reference: 175849

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, August 17, 2021** to ensure inclusion in the Agenda Packet. Forms can be emailed 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

Brad Yates member

Printed Name and Title

Date

8/11/21

Address

PO Box 2868

Wax. TX. 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.*

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City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-109-2021



LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 24, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, September 07, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

- 1. Request by Gilberto Escobedo, Jr., for a Replat of Lot 13R, Block 180, Oak Lawn Addition, to create lot 13R-A and Lot 14R, Block 180, Oak Lawn Addition, being 0.191 acres (Property ID 175115) – Owner: GILBERTO ESCOBEDO, JR (SUB-109-2021)

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: SUB-109-2021

City Reference: 171254

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, August 17, 2021** 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

Brad Yates member  
Printed Name and Title

8/11/21  
Date

PO Box 2868  
Wax. TX. 75168  
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.*

(11)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-109-2021



LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 24, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, September 07, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

- 1. Request by Gilberto Escobedo, Jr., for a Replat of Lot 13R, Block 180, Oak Lawn Addition, to create lot 13R-A and Lot 14R, Block 180, Oak Lawn Addition, being 0.191 acres (Property ID 175115) – Owner: GILBERTO ESCOBEDO, JR (SUB-109-2021)

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: SUB-109-2021

City Reference: 175105

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SUPPORT

OPPOSE

Comments:

*[Handwritten Signature]*

Signature

Date

8/11/21

Printed Name and Title

Brad Yates member

Address

PO Box 2868  
Wax, TX 75168

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City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-109-2021



LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

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Case Number: SUB-109-2021

City Reference: 175110


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SUPPORT

OPPOSE

Comments:

\_\_\_\_\_

  
Signature

8/11/21  
Date

Brad Yates member  
Printed Name and Title

PO Box 2868  
Address  
Wax. TX. 75168

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(11)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SUB-109-2021



LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

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Case Number: SUB-109-2021

City Reference: 175116

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SUPPORT

OPPOSE

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature

Printed Name and Title

*Brad Yates member*

Date

Address

*8/11/21*

*PO Box 2868*

*Wax. Tx. 75168*

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(11)

Property ID	Owner's Name	Acres	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
171350	VLEN LADD	0.149	LOT 77 & 78 BLK 181 TOWN	1015 FERRIS AVE	WAXAHACHIE	TX	75165	119 BATEMAN ST WAXAHACHIE TX 75165
171351	TUNSON NETTIE	0.034	LOT 79 BLK 181 TOWN	114 BATEMAN ST	WAXAHACHIE	TX	75168	114 BATEMAN ST WAXAHACHIE TX 75165
171367	JACKSON FRONCELL C/O RENARD JACKSON	0.101	LOT 58B & 59 BLK 181 TOWN	2715 TRANQUIL WAY	DALLAS	TX	75237	117 JARRETT ST WAXAHACHIE TX 75165
175099	AMERITEX HOMES LLC	0.148	LOT 28 OAKLAWN	14643 DALLAS PKWY STE 1050	DALLAS	TX	75254	302 HENRY ST WAXAHACHIE TX 75165
175100	TATUM EDGAR ETAL	0.17	LOT 30-32 OAKLAWN	818 OVERLOOK DR	MIDLOTHIAN	TX	76065	300 HENRY ST WAXAHACHIE TX 75165
175104	IBRAHIM AISHA N	0.121	LOT 35 & PT 36A OAKLAWN	3010 RED RIVERT CT	WAXAHACHIE	TX	75167	212 HENRY ST WAXAHACHIE TX 75165
175106	JOHNSON LESTER B & HENRIETTA	0.063	25 OAKLAWN	312 HENRY ST	WAXAHACHIE	TX	75165	312 HENRY ST WAXAHACHIE TX 75165
175107	MIMS ARTIE MAE	0.078	26 OAKLAWN	414 N FLAT ST	WAXAHACHIE	TX	75165	310 HENRY ST WAXAHACHIE TX 75165
175108	JEFFERSON JOSEPH	0.098	LOT 27 OAKLAWN	433 CLD HWY 287	WAXAHACHIE	TX	75165	308 HENRY ST WAXAHACHIE TX 75165
175109	AMERITEX HOMES LLC	0.124	LOT 28 OAKLAWN	14643 DALLAS PKWY STE 1050	DALLAS	TX	75254	308 HENRY ST WAXAHACHIE TX 75165
175113	MALONE SYLVESTER	0.034	LOT 22 OAKLAWN	219 NORTHGATE DR	WAXAHACHIE	TX	75165	318 HENRY ST WAXAHACHIE TX 75165
175115	ESCOBEDO GILBERTO JR	0.179	LOT 13R OAKLAWN REV	1100 PIERCE RD	RED OAK	TX	75154	309 HENRY ST WAXAHACHIE TX 75165
175118	ROBINSON MATTIE L & JESSIE G	0.063	17 OAKLAWN	317 HENRY ST	WAXAHACHIE	TX	75165	317 HENRY ST WAXAHACHIE TX 75165
175120	VAZQUEZ LUIS E	0.092	LOT 8 OAKLAWN	211 HENRY ST	WAXAHACHIE	TX	75165	211 HENRY ST WAXAHACHIE TX 75165
175121	HANCOCK WILLARD	0.096	LOT 9 OAKLAWN	18148 VALLEY VIEW RD	FORNEY	TX	75126	301 HENRY ST WAXAHACHIE TX 75165
175122	GRIFFITH AGUILAR CRISTIAN	0.096	LOT 10 OAKLAWN	303 HENRY ST	WAXAHACHIE	TX	75165	303 HENRY ST WAXAHACHIE TX 75165
175123	AMERITEX HOMES LLC	0.092	LOT 11 OAKLAWN	14643 DALLAS PKWY STE 1050	DALLAS	TX	75254	305 HENRY ST WAXAHACHIE TX 75165
175124	AMERITEX HOMES LLC	0.092	LOT 12 OAKLAWN	14643 DALLAS PKWY STE 1050	DALLAS	TX	75254	307 HENRY ST WAXAHACHIE TX 75165
175857	AMERITEX HOMES LLC	0.115	LOT 12 BLK 2 TEMPLE-REV	14643 DALLAS PKWY STE 1050	DALLAS	TX	75254	111 KINCHUM ST WAXAHACHIE TX 75165
175858	BUCKLEY JOHN	0.09	LOT 13 BLK 2 TEMPLE-REV	113 KINCHUM	WAXAHACHIE	TX	75165	113 KINCHUM ST WAXAHACHIE TX 75165
175935	DOMINGUEZ CARLOS & COSTILLA ELIZABETH M	0.148	LOT 1-2 BLK 4 TEMPLE-REV	112 RYBURN ST	WAXAHACHIE	TX	75165	112 RYBURN ST WAXAHACHIE TX 75165
175944	PEREZ PRISCILIANO & ALICIA	0.249	LOT 12, 13 BLK 3 TEMPLE-REV	109 RYBURN ST	WAXAHACHIE	TX	75165	109 RYBURN ST WAXAHACHIE TX 75165
175948	TAYLOR FREDDIE H ETAL	0.145	LOT 3R BLK 3 TEMPLE-REV	1313 STAFFORD DR	FT WORTH	TX	76134	110 KINCHUM ST WAXAHACHIE TX 75165
205458	GIBSON & GIBSON LLC	7	LOT PT1 BLK 171 TOWN	105 CRYSTAL COVE	WAXAHACHIE	TX	75165	E MAIN ST WAXAHACHIE TX 75165
274867	KACZMARSKI ADAM M	0.1117	LOT 60R BLK 181 PHILLIPS ADDN	116 JARRETT ST	WAXAHACHIE	TX	75165	116 JARRETT ST WAXAHACHIE TX 75165



(11)

STATE OF TEXAS §  
COUNTY OF ELLIS §

WHEREAS, Gilberto Escobedo are the Owners of a tract of land situated in the A. M. Keen Survey, Abstract No. 596, Ellis County, Texas and being out of a 0.179 acre tract (by Ellis Appraisal District) conveyed to them by Ladd Vien and being more particularly described as follows:

BEING Lot 13R, Block 180, Oak Lawn Addition, an addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Cabinet B, Slide 308, Plat Records, Ellis County, Texas (PRECT), described in deed from Ladd Vien to Gilberto Escobedo, Jr., recorded in Instrument Number 1912735, Official Public Records, Ellis County, Texas, and being Lots 13 and 14, Block 180, Oak Lawn Addition, an addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Cabinet A, Slide 34, PRECT, and being more particularly described by its metes and bounds as follows:

BEGINNING at a 1/4 inch steel rod found on the south line of Henry Street, at the common north corner of said Lot 13R and Lot 12, Block 180 of said, Oak Lawn Addition, recorded in Cabinet A, Slide 34, PRECT;

THENCE with the south line of Henry Street and the north line of said Lot 13R, the following courses and distances: S 83°20'20" E, 49.98' feet to a 1/4 inch steel rod found and S 83°30'56" E, 50.05' feet (plat call 100 feet) to a 1/4 inch steel rod found at the common north corner of said Lot 13R and Lot 15, Block 180 of said, Oak Lawn Addition, recorded in Cabinet A, Slide 34, PRECT;

THENCE S 07°42'54" W, with the common line of said Lots 13R and 15 for 78.51' feet, (plat call 76 feet) to a 1/4 inch steel rod, with plastic cap stamped "DAVIS & McDILL", set at the common south corner of said Lots 13R and 15, on the north right of way line of the Southern Pacific Railroad, formerly the Houston and Texas Central Railroad and the Waxahachie Tap Railroad, said right of way being in a curve;

THENCE Westerly, with said Railroad right of way and the arc of said curve to the right, having a central angle of 3°40'41", a radius of 1566.37' feet, an arc length of 100.55' feet (plat call 100 feet), whose long chord bears N 88°04'44" W a distance of 100.538 feet to the end of said curve, a 1/4 inch steel rod with plastic cap stamped "DAVIS & McDILL" set, at the common south corner of said Lots 13R and 12;

THENCE N 07°42'54" W, with the common line of said Lots 13R and 12 for 86.67' feet (plat call 80 feet) to the point of beginning and containing approximately 8311 square feet or 0.191 acre of land.

STATE OF TEXAS §  
COUNTY OF ELLIS §

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Gilberto Escobedo Jr. acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as Oak Lawn Addition, Block 180, Lots 13R-A and 14R, an addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waxahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of 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\_\_\_\_.

Authorized Signature of Owner

Gilberto Escobedo Jr., Owner  
Printed Name and Title

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 Gilberto Escobedo, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

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

Notary Public in and for the State of Texas

My Commission Expires On:

Surveyor's Certificate:

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

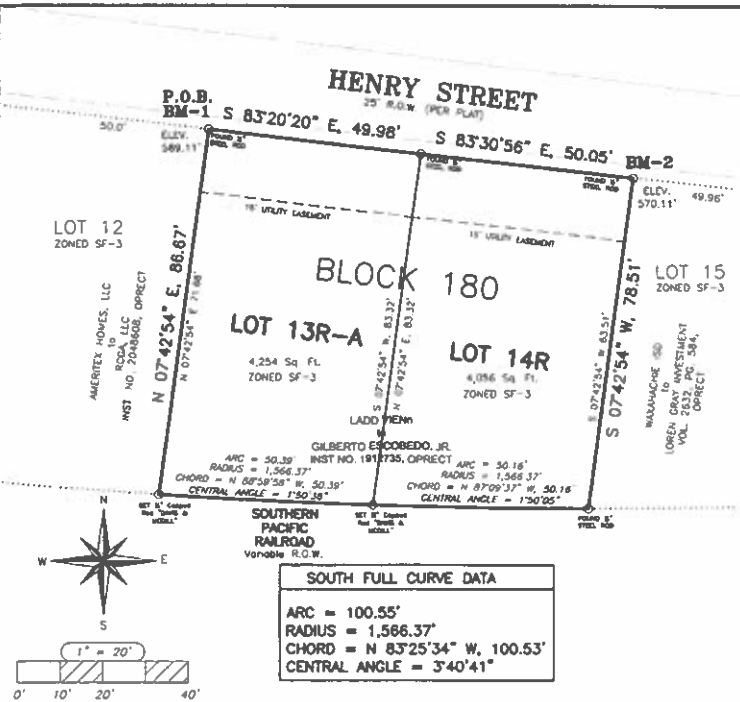
\*Preliminary, this document shall not be recorded for any purpose.\*

Registered Professional Land Surveyor  
Number 4480

Approval Block.  
APPROVED BY: Planning and Zoning Commission City of Waxahachie

By: \_\_\_\_\_ Date \_\_\_\_\_  
Chairperson

Attest \_\_\_\_\_ Date \_\_\_\_\_



**SOUTH FULL CURVE DATA**  
ARC = 100.55'  
RADIUS = 1,566.37'  
CHORD = N 83°25'34" W, 100.53'  
CENTRAL ANGLE = 3°40'41"

**BENCHMARK DATA**  
BM-1: FND 1/2" STEEL ROD FOR NORTHWEST CORNER OF LOT 13. N=6826675.045, E=2482531.090, ELEVATION=569.11'  
BM-2: FND 1/2" STEEL ROD FOR THE NORTHEAST CORNER OF LOT 14. N=6826663.594, E=2482630.472, ELEVATION=570.11'

**BUILDING SET BACK NOTE**  
THE BUILDING SETBACKS WILL ADHERE TO THE REQUIREMENTS OUTLINED IN SEC. 3.25 OVERLAY DISTRICT FOR INFILL DEVELOPMENT OF THE CITY OF WAXAHACHIE ZONING ORDINANCE.

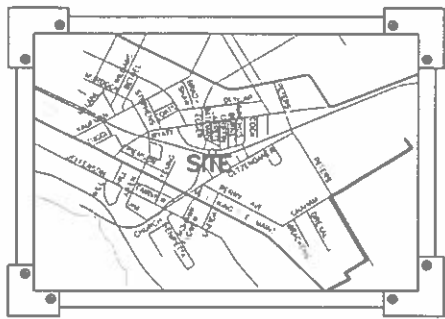
**CITY NOTE:**  
WATER AND SEWER SERVICES MUST BE INSTALLED PRIOR TO FILING OF THIS PLAT. ALSO SIDEWALKS SHALL BE CONSTRUCTED ACROSS LOTS 13R-A AND 14R AT THE TIME OF CONSTRUCTION PER CITY STANDARDS.

OWNER: GILBERTO ESCOBEDO JR  
120 DEER CREEK DRIVE  
WAXAHACHIE, TX. 75165  
469-441-2984

ELLISCAD PROPERTY ID 175115  
DEED OF RECORD: INSTRUMENT NUMBER 1912735, OPRECT

- LEGEND  
O - Property Corner Symbol  
--- Spot Elevation  
--- Building Line  
--- Centerline  
--- Centerline & Utility Easement  
--- Found  
--- Point of Beginning  
--- Utility Pipe  
--- Sewer Pipe  
--- Gas Pipe  
--- Electric Line  
--- Utility Easement

- 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



**REPLAT**  
Of  
**Oak Lawn Addition**  
**Block 180, Lots 13R-A and 14R**  
**Zoned SF-3**  
Being a 0.191 Acre Replat of Block 180, Lot 13R of the Oak Lawn Addition, an addition to the City of Waxahachie, Texas as recorded in Cabinet B, Slide 308, of the Plat Records of Ellis County, Texas.  
**2 Residential Lots**

Planning and Zoning Case Number SUB-109-2021

**ENGINEERS DAVIS & McDILL, Inc.**  
**D&M SURVEYORS**

CONSULTING ENGINEERS  
70168  
P.O. BOX 428, WAXAHACHIE, TEXAS  
PHONE: 972-538-1185  
(A Texas Licensed Surveying Firm # 10184681  
and a Texas Licensed Engineering Firm # 17-2613)

Date: 07/20/2021  
Scale: 1" = 20'  
Drawn: DWH  
Job: 221-0045  
Sheet 1  
of 1 sheets.



(117)

**July 20, 2021**

**Petition of Relief Waiver  
Oak Lawn Addition, Block 180, Lots 13RA and 14R**

Honorable City Council of Waxahachie,

The Planning and Zoning Department has requested this letter as a formality in the process of a Replat for the above mentioned project located on Henry Street in the City of Waxahachie. The P&Z issue was about the right of way dedication for Henry Street, stating it needed to be approximately 15 feet more dedication on the Replat.

Unfortunately in doing this, the new right of way would not be uniform with its surrounding properties, so Mr. King at P&Z has decided that I should request this Waiver of Dedication, to keep the existing right of way as it has been since it was platted originally in Cabinet A, Slide 34, Plat Records, Ellis County, Texas.

Please let Zachary King and I know the ruling on this request.

Thank you for your time,

Daryl Hocutt  
Unlicensed Survey & Engineer Tech  
Davis & McDill, Inc.  
972-938-11856  
dh@davismcdill.com

(13)

# Planning & Zoning Department

## Plat Staff Report



**Case: SUB-114-2021**

### MEETING DATE(S)

*Planning & Zoning Commission:* August 24<sup>th</sup>, 2021

*City Council:* September 7<sup>th</sup>, 2021

### CAPTION

**Consider** a request by Harvey & Gaye Mitscke, for a Replat of Chapman Place Business Addition Lot 1 & Lot 2, and 1.4 acres situated in the W.M. Baskins Survey, Abstract No 148, to create lots 1R and 2R, Chapman Place Business Addition, being 2.151 (Property ID 180847, 247595 & 247596) – Owner: SLEEP QUARTERS PLUS, INC (SUB-114-2021)

### APPLICANT REQUEST

The applicant is requesting to replat the subject properties into two (2) lots for general retail use.

### CASE INFORMATION

*Applicant:* Tim Jackson

*Property Owner(s):* Harvey & Gaye Mitscke, Sleep Quarters Plus Inc.

*Site Acreage:* 2.151 acres

*Number of Lots:* 2 lots

*Number of Dwelling Units:* 0 units

*Park Land Dedication:* N/A

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

### SUBJECT PROPERTY

*General Location:* 500 & 502 N US Highway 77

*Parcel ID Number(s):* 180847, 247595 & 247596

*Current Zoning:* Planned Development-24-General Retail (PD-24-GR) with a SUP for an Outdoor Display use.

*Existing Use:* The site is currently occupied by Furniture By Sleep Quarters and a Twice the Ice vending booth. The northernmost portion of the property is undeveloped.

**Platting History:**

Final plats were approved for this property in 2009 and 2010 under Case Nos. FINAL PLAT 2009-05 and FINAL PLAT 2010-20. The remaining 1.4 acres on the southern portion of the property is situated in the W.M. Baskins Survey.

**Site Aerial:**



**PLATTING ANALYSIS**

The applicant is requesting to replat the subject property from three (3) lots into two (2) lots for general retail use. The applicant is dedicating 3' from the property line as part of a ROW dedication along US Hwy 77. This dedication is consistent with the surrounding properties and our 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.
- Approval, per the following comments:

**ATTACHED EXHIBITS**

- 1. Plat Drawing

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*

Zack King

Planner

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

*Reviewed by:*

Shon Brooks, AICP

Executive Director of Development Services

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

(13)



NOTES: BEARING BASIS FOR THIS SURVEY IS TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE 4302, NAD 83 PER OP'S OBSERVATIONS. ROW DIMENSIONS PER CITY OF WAXAHACHE THOROUGHFARE PLAN

LEGEND: CIRB = 5/8 IRON ROD WITH YELLOW STAMPED CAP STAMPED "TRCS" "BET" CIRF = 1/2" IRON ROD WITH CAP STAMPED "RPLS 4480" FOUND

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

WHEREAS, SLEEP QUARTERS PLUS, INC. ARE THE SOLE OWNERS OF A TRACT OF LAND SITUATED IN THE W.M. BASKINS SURVEY, ABSTRACT NO. 148 AND THE J. GOOCH SURVEY, ABSTRACT NO. 393, CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS AND BEING ALL OF CHAPMAN PLACE BUSINESS ADDITION LOT 1, RECORDED IN CABINET H, SLIDE 890, AND BEING ALL OF LOT 2 CHAPMAN PLACE BUSINESS ADDITION, RECORDED IN CABINET I, SLIDE 28 OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT) AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN DEED TO SLEEP QUARTERS PLUS, INC. RECORDED IN INSTRUMENT NO. 2008264, OPRECT, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH CAP STAMPED "RPLS 4480" FOUND FOR THE NORTHWEST CORNER OF SAID SLEEP QUARTER TRACT AND THE COMMON SOUTHWEST CORNER OF THE BRAUM'S ADDITION, LOT 1R, BLOCK A, RECORDED IN CABINET C, SLIDE 73, OPRECT AND IN THE EAST RIGHT-OF-WAY (ROW) LINE OF FM HIGHWAY 77 (A VARIABLE WIDTH ROW);

THENCE N 59°12'51" E ALONG THE NORTH LINE OF SAID SLEEP QUARTERS TRACT AND THE COMMON SOUTH LINE OF SAID BRAUM'S ADDITION, A DISTANCE OF 206.28 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 4480" FOUND FOR THE NORTHEAST CORNER OF SAID SLEEP QUARTERS TRACT AND THE COMMON NORTHWEST CORNER OF CHAPMAN PLACE ADDITION, UNIT V, RECORDED IN CABINET A, SLIDE 439, OPRECT AND IN THE COMMON WEST ROW LINE OF A CALLED 16' ALLEY;

THENCE S 05°29'15" W ALONG THE EAST LINE OF SAID SLEEP QUARTERS TRACT AND THE COMMON WEST LINE OF SAID CHAPMAN PLACE ADDITION, UNIT V, AND THE WEST ROW LINE OF SAID 16' ALLEY, A DISTANCE OF 586.05 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 4480" FOUND FOR THE SOUTHEAST CORNER OF SAID SLEEP QUARTER TRACT;

THENCE N 82°15'26" W ALONG THE SOUTH LINE OF SAID SLEEP QUARTER TRACT, PASSING AT A DISTANCE OF 1.37 FEET THE NORTHEAST CORNER OF CHAPMAN ACRES SUBDIVISION, RECORDED IN CABINET J, SLIDE 788, OPRECT, CONTINUING ALONG THE SOUTH LINE OF SAID SLEEP QUARTERS TRACT AND THE COMMON NORTH LINE OF SAID CHAPMAN ACRES, A TOTAL DISTANCE OF 191.19 FEET TO A NAIL SET FOR THE SOUTHWEST CORNER OF SAID SLEEP QUARTERS TRACT AND THE COMMON NORTHWEST CORNER OF CHAPMAN ACRES AND IN THE EAST ROW LINE OF SAID FM HIGHWAY 77;

THENCE N 07°48'27" E ALONG THE WEST LINE OF SAID SLEEP QUARTERS TRACT AND THE COMMON EAST ROW LINE OF SAID FM HIGHWAY 77, A DISTANCE OF 252.39 FEET TO A NAIL FOUND FOR CORNER;

THENCE N 09°05'33" E, CONTINUING ALONG THE WEST LINE OF SAID SLEEP QUARTERS TRACT AND THE COMMON EAST ROW LINE OF SAID FM HIGHWAY 77, A DISTANCE OF 205.53 FEET TO THE POINT OF BEGINNING, AND CONTAINING 2.151 ACRES OF LAND MORE OR LESS

GIVEN UNDER MY HAND AND SEAL THIS, \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS

TIMOTHY L. JACKSON, RPLS, HEREBY CERTIFY THAT THIS PLAT WAS MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

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

TIMOTHY L. JACKSON REGISTRATION NUMBER 5644

APPROVED BY PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

BY: CHAIRPERSON DATE

ATTEST DATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT WE, SLEEP QUARTERS PLUS, INC. DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOTS 1R AND 2R, CHAPMAN PLACE BUSINESS ADDITION, AN ADDITION TO THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE CITY OF WAXAHACHE, TEXAS FOR 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 WAXAHACHE. 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 PUBLICS AND CITY OF WAXAHACHE'S USE THEREOF. THE CITY OF WAXAHACHE 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 WAXAHACHE 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 WAXAHACHE, TEXAS.

WITNESS, MY HAND, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

GAYE MITSCHKE AUTHORIZED AGENT

REPLAT LOTS 1R & 2R CHAPMAN PLACE BUSINESS ADDITION

BEING A REPLAT OF CHAPMAN PLACE BUSINESS ADDITION LOT 1, CAB. H, SL. 860 LOT 2 CHAPMAN PLACE BUSINESS ADDITION, CAB. I, SL. 24 AND THE REMAINDER OF A CALLED 2.152 ACRE TRACT 2.151 ACRES

SITUATED IN THE W.M. BASKINS SURVEY, ABSTRACT NO 148 J. GOOCH SURVEY, ABSTRACT NO 393

CITY OF WAXAHACHE ELLIS COUNTY, TEXAS

ZONED PD-GR CASE NO 840-114-2021

OWNER: SLEEP QUARTERS PLUS, INC. P.O. BOX 1233 ENNIS, TX 75120 214 816 3327

SURVEYOR: TEXAS REALTY CAPTURE & SURVEYING, LLC P.O. BOX 252 WAXAHACHE, TEXAS 75108 409.814.0238 TBPUS FIRM NO 10194390

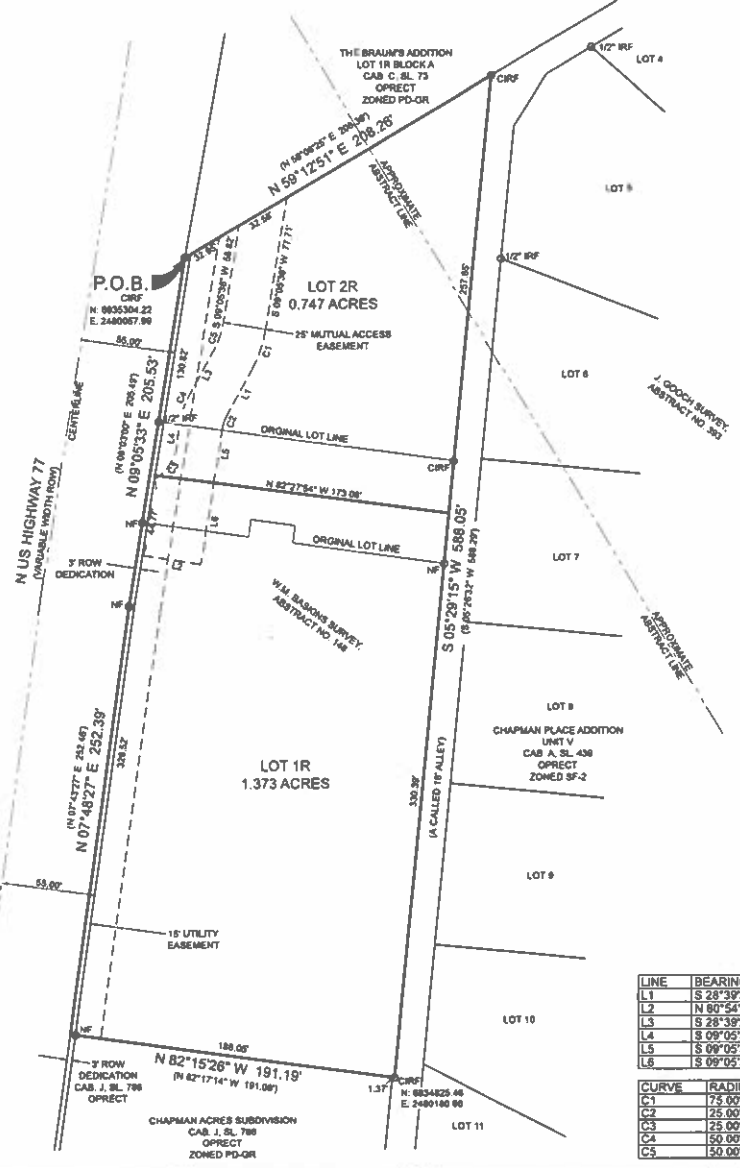


Table with 3 columns: LINE, BEARING, DISTANCE. Lists lines L1 through L6 with their respective bearings and distances.

Table with 5 columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Lists curves C1 through C5 with their respective measurements.

# Planning & Zoning Department Plat Staff Report



**Case: SUB-118-2021**

**MEETING DATE(S)**

*Planning & Zoning Commission:* August 24<sup>th</sup>, 2021

*City Council:* N/A

**CAPTION**

**Consider** a request by Alex Beitler, ECM Development, for a **Plat** of Ridge Crossing, 128 lots, being 51.48 acres situated in the William C. Tunnel Survey, Abstract 1080 (Property ID 191627) – Owner: JDS OVILLA ROAD, LLC (SUB-118-2021)

**APPLICANT REQUEST**

The applicant is requesting to plat the subject property into 128 lots; 122 of which are single family residential and 6 open space lots.

**CASE INFORMATION**

*Applicant:* Alex Beitler, ECM Development

*Property Owner(s):* JDS OVILLA ROAD, LLC

*Site Acreage:* 51.48 acres

*Number of Lots:* 128 lots

*Number of Dwelling Units:* 122 units

*Park Land Dedication:* Park land will be dedicated as part of future phases of this development.

*Adequate Public Facilities:* Adequate Public Facilities are available to the site.

**SUBJECT PROPERTY**

*General Location:* Located directly south of 601 Ovilla Rd.

*Parcel ID Number(s):* 191627

*Current Zoning:* PD-SF-3 (Ord. 3061)

*Existing Use:* The property is currently undeveloped.

*Platting History:* The property is part of the William C. Tunnel Survey, Abstract 1080

Site Aerial:



**PLATTING ANALYSIS**

The applicant is proposing to plat the subject property into 128 lots. Out this lot total, 122 will consist of single family residential lots and the remaining 6 will be open space/common area lots. The proposed plat is consistent with Phase 1 of the recently approved site plan (SP-76-2021) for this property as well. The proposed plat provides two connections to Ovilla Road (FM 664) to the east and conforms to the City of Waxahachie Thoroughfare Plan, as it pertains to 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 and Zoning Department recommends:

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

**ATTACHED EXHIBITS**

- 1. Plat

**APPLICANT REQUIREMENTS**

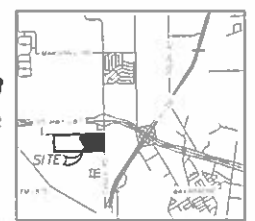
- 1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
- 2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
  - a. If comments were not satisfied,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

**STAFF CONTACT INFORMATION**

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

*Reviewed by:*  
 Shon Brooks, AICP  
 Executive Director of Development Services  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)





VICINITY MAP



LEGEND/ABBREVIATIONS

- 5/8" CAPPED IRON ROD SET STAMPED "MM"
- FOUND MONUMENT
- CAPPED IRON ROD FOUND
- DECT DEED RECORDS ELLIS COUNTY, TEXAS
- PRECT PLAT RECORDS ELLIS COUNTY, TEXAS
- DPRECT OFFICIAL PUBLIC RECORDS ELLIS COUNTY, TEXAS
- VOL VOLUME
- PG PAGE
- UE UTILITY EASEMENT
- BL BUILDING LINE
- DE DRAINAGE EASEMENT
- SEW SANITARY SEWER EASEMENT
- POB POINT OF BEGINNING
- POB POINT OF BEGINNING
- FOUND FOUND
- IRF IRON ROD FOUND
- MF7 MANHOLE FINISHED FLOOR ELEVATION
- FEVA ELEVATION CERTIFICATE NOT REQUIRED
- CLP COUNTY CLERK'S INSTRUMENT NUMBER
- POSE PRIVATE OPEN SPACE EASEMENT

**CALL 1** - THE CITY MONUMENT IS A 3.5" ALUMINUM DISH IN CONCRETE, SET ON THE SOUTHEAST CORNER OF A STORM DRAIN INLET, LOCATED ON THE WEST SIDE OF ROGERS ST. APPROXIMATELY 137' NORTH OF THE INTERSECTION OF S COLLEGE ST. AND S ROGERS ST. ELEV. 531.84

**TRADERS TRNG (COR)**  
N 4626147.23'  
E 2477814.16'

**CALL 2** - 7" CUT IN SOLID ON CONCRETE WEIRWALL LOCATED IN THE WEST RIGHT-OF-WAY OF FM 644 (M.A. OVILLA ROAD), APPROXIMATELY 1050' SOUTH OF THE INTERSECTION OF FM 644 AND SWALLOW DR. BENCHMARK IS APPROXIMATELY 80' NORTHEAST OF A POWER POLE IN THE WEST RIGHT-OF-WAY OF FM 644. ELEV. 672.14

**TRADERS TRNG (COR)**  
N 6841433.35'  
E 2470290.48'

**FLOODPLAIN STATEMENT**

BY SCALE: MAP LOCATIONS THE SUBJECT PROPERTY IS LOCATED IN ZONE "A" AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN AND SHADDED FLOODPLAIN ZONE "A" AREAS SUBJECT TO INUNDATION BY THE 1%-PERCENT ANNUAL CHANCE FLOOD EVENT GENERALLY DETERMINED USING APPROXIMATE METHODOLOGIES, ACCORDING TO THE FLOOD INSURANCE RATE MAP MAP NO. 48158C01750 AND 48159C01900. (EFFECTIVE DATE: JUNE 1, 2015) THE SURVEYOR OFFERS NO OPINION AS TO THE FLOOD POTENTIAL OF THE SUBJECT PROPERTY.

- GENERAL NOTES**
1. A DRAINAGE / UTILITY EASEMENT (DUE) IS ONLY REQUIRED, AS NECESSARY, TO SHOW ANY EXISTING / FUTURE EASEMENTS OR DRAINAGE EASEMENTS TO HELP WITH THE FLOW OF WATER OR PLACEMENT OF EASEMENTS.
  2. THE CITY OF WAXAHACHE WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF DRAINAGE EASEMENTS OR DETENTION AREAS.
  3. ALL BEARINGS AND COORDINATES ARE GRID BASED ON THE "TEXAS COORDINATE SYSTEM OF 1983 NORTH CENTRAL ZONE" AS DETERMINED BY GPS OBSERVATIONS. ALL DISTANCES SHOWN HEREIN ARE SURFACE DISTANCES. THE CONVERSION ANGLE AT THE POINT OF BEGINNING IS 89.38 337
  4. HOA WILL BE RESPONSIBLE FOR MAINTAINING ALL OPEN SPACE (OS) AND SCREENING

LINE NUMBER	LINE NUMBER	LINE NUMBER	CHORD BEARING	CHORD BEARING	CHORD BEARING
1.00 36.48666 0.000000	1.00 36.48666 0.000000	1.00 36.48666 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000
1.01 36.51333 0.000000	1.01 36.51333 0.000000	1.01 36.51333 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000
1.02 36.54000 0.000000	1.02 36.54000 0.000000	1.02 36.54000 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000
1.03 36.56667 0.000000	1.03 36.56667 0.000000	1.03 36.56667 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000
1.04 36.59333 0.000000	1.04 36.59333 0.000000	1.04 36.59333 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000
1.05 36.62000 0.000000	1.05 36.62000 0.000000	1.05 36.62000 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000
1.06 36.64667 0.000000	1.06 36.64667 0.000000	1.06 36.64667 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000
1.07 36.67333 0.000000	1.07 36.67333 0.000000	1.07 36.67333 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000
1.08 36.70000 0.000000	1.08 36.70000 0.000000	1.08 36.70000 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000
1.09 36.72667 0.000000	1.09 36.72667 0.000000	1.09 36.72667 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000
1.10 36.75333 0.000000	1.10 36.75333 0.000000	1.10 36.75333 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000
1.11 36.78000 0.000000	1.11 36.78000 0.000000	1.11 36.78000 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000
1.12 36.80667 0.000000	1.12 36.80667 0.000000	1.12 36.80667 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000	0.00 0.00000 0.000000

**THE OVILLA ROAD LLC**  
2201 E. LAMAR BLVD STE. 290  
ARLINGTON, TX 76010  
TEL: (817) 389-8304

**CONTACT: ALEX BOTLER**  
ALEX@THEOVILLAROAD.COM



1000 South Street  
Arlington, Texas 76010  
Tel: 817.389.8304  
www.mimainc.com



(14)

STATE OF TEXAS  
COUNTY OF ELLIS

WHEREAS, JDS OVELLA ROAD, LLC IS THE SOLE OWNER OF A 51.48 ACRE (2,242,000 SQUARE FEET) TRACT OF LAND SITUATED IN THE WILLIAM C. TUNNELL SURVEY, ABSTRACT NO. 1080, ELLIS COUNTY, TEXAS, AND BEING PART OF A CALLED 119.883 ACRE TRACT OF LAND CONVEYED TO JDS OVELLA ROAD, LLC BY A ONE PLUS INVESTMENT GROUP, LLC AS RECORDED IN COUNTY CLERK'S FILE NO. D0802491, OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS SAID 49.07 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

(BEARINGS AND COORDINATES ARE GRID BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE) AS DETERMINED BY GPS OBSERVATIONS THE CONVERGENCE ANGLE AT THE POINT OF BEGINNING IS 0531911" ALL DISTANCES HAVE BEEN ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000095343722)

BEGINNING AT A 1/2" IRON PIPE FOUND FOR THE COMMON NORTHEAST CORNER OF SAID 119.883 ACRE TRACT AND THE SOUTHWEST CORNER OF A CALLED 1.005 ACRE TRACT OF LAND DESCRIBED IN DEED TO ERN BARNHART, ETAL, AS RECORDED IN COUNTY CLERK'S INSTRUMENT NO. D0202810 OF SAID OFFICIAL PUBLIC RECORDS, AND BEING IN THE WEST RIGHT-OF-WAY LINE OF FARM TO MARKET ROAD 864 (AH 40 1000) RIGHT-OF-WAY ALSO KNOWN AS OVELLA ROAD, VOL. 353, PG. 195 OF SAID DEED RECORDS;

THENCE, SOUTH 00°27'00" EAST, WITH THE COMMON EAST BOUNDARY LINE OF SAID 119.883 ACRE TRACT AND SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 1325.03 FEET TO A 1/2" IRON ROD FOUND FOR THE COMMON SOUTHEAST CORNER OF SAID 119.883 ACRE TRACT AND THE NORTHEAST CORNER OF A CALLED 40.48 ACRE TRACT OF LAND DESCRIBED IN DEED TO DANIEL WAYNE WILLIAMS AS RECORDED IN COUNTY CLERK'S INSTRUMENT NO. D0107274 OF SAID OFFICIAL PUBLIC RECORDS;

THENCE, SOUTH 89°11'15" WEST, WITH THE COMMON SOUTH BOUNDARY LINE OF SAID 119.883 ACRE TRACT AND THE NORTH BOUNDARY LINE OF SAID 40.35 ACRE TRACT, A DISTANCE OF 1652.34 TO A 5/8" IRON PLASTIC CAPPED IRON ROD SET STAMPED "WMA11HE04MFTER CALLED 5/8" IRON ROD SET;

THENCE, OVER AND ACROSS SAID 119.883 ACRE TRACT THE FOLLOWING TWENTY-ONE (21) CURVES AND DISTANCES:

- NORTH 01°46'35" WEST, A DISTANCE OF 146.35 FEET TO A 5/8" IRON ROD SET,
- NORTH 00°20'38" EAST, A DISTANCE OF 39.38 FEET TO A 5/8" IRON ROD SET,
- SOUTH 47°25'21" EAST, A DISTANCE OF 13.75 FEET TO A 5/8" IRON ROD SET FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 225.00 FEET, A DELTA ANGLE OF 45°20'23" AND A LONG CHORD BEARING AND DISTANCE OF NORTH 62°28'58" EAST, 173.44 FEET,
- NORTHEASTERLY, WITH SAID NON-TANGENT CURVE TO THE LEFT AN ARC DISTANCE OF 178.03 FEET TO A 5/8" IRON ROD SET,
- NORTH 39°48'45" EAST, A DISTANCE OF 50.93 FEET TO A 5/8" IRON ROD SET,
- NORTH 04°19'12" WEST, A DISTANCE OF 14.35 FEET TO A 5/8" IRON ROD SET FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 840.00 FEET, A DELTA ANGLE OF 20°53'26" AND A LONG CHORD BEARING AND DISTANCE OF NORTH 37°40'00" WEST, 504.58 FEET,
- NORTHWESTERLY, WITH SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 306.27 FEET TO A 5/8" IRON ROD SET,
- NORTH 27°13'17" WEST, A DISTANCE OF 279.45 FEET TO A 5/8" IRON ROD SET FOR THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 760.00 FEET, A DELTA ANGLE OF 15°52'50" AND A LONG CHORD BEARING AND DISTANCE OF NORTH 35°01'01" WEST, 206.17 FEET,
- NORTHWESTERLY, WITH SAID TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 206.81 FEET TO A 5/8" IRON ROD SET,
- NORTH 89°28.31" WEST, A DISTANCE OF 13.06 FEET TO A 5/8" IRON ROD SET,
- NORTH 45°27'04" WEST, A DISTANCE OF 50.00 FEET TO A 5/8" IRON ROD SET,
- NORTH 01°34'34" WEST, A DISTANCE OF 13.06 FEET TO A 5/8" IRON ROD SET,
- NORTH 44°33'38" EAST, A DISTANCE OF 80.00 FEET TO A 5/8" IRON ROD SET,
- NORTH 88°34'21" EAST, A DISTANCE OF 14.36 FEET TO A 5/8" IRON ROD SET,
- NORTH 44°33'45" EAST, A DISTANCE OF 112.57 FEET TO A 5/8" IRON ROD SET FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, A DELTA ANGLE OF 88°54'39" AND A LONG CHORD BEARING AND DISTANCE OF NORTH 45°37'50" EAST, 69.83 FEET,
- NORTHEASTERLY, WITH SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 77.30 FEET TO A 5/8" IRON ROD SET AND
- N 00°04'31" WEST, A DISTANCE OF 99.81 FEET TO A 5/8" IRON ROD SET IN THE COMMON NORTH BOUNDARY LINE OF THE AFORESAID 119.883 ACRE TRACT AND THE SOUTHWEST CORNER OF A CALLED 32.681 ACRE TRACT CALLED TRACT 7 DESCRIBED IN DEED TO B & T REALTY SERVICES AS RECORDED IN WILLIAMS 2798, PAGE 1442 OF SAID DEED RECORDS.

THENCE, NORTH 89°22'56" EAST, WITH SAID COMMON LINE, PASSING A POINT FOR THE COMMON SOUTHWEST CORNER OF SAID 32.681 ACRE TRACT AND THE SOUTHWEST CORNER OF LOT 1, BLOCK B, CDT-88 ADDITION, AN ADDITION TO THE CITY OF WAXAHACHIE AS SHOWN ON THE PLAT RECORDED IN CABINET B, SLIDE 596, PLAT RECORDS, ELLIS COUNTY, TEXAS, CONTINUING WITH COMMON NORTH BOUNDARY LINE OF SAID 119.883 ACRE TRACT AND THE SOUTH BOUNDARY LINE OF SAID LOT 1, PASSING A POINT FOR THE COMMON SOUTHWEST CORNER OF SAID LOT 1 AND THE SOUTHWEST CORNER OF THE AFORESAID 1.005 ACRE TRACT, CONTINUING WITH THE COMMON NORTH BOUNDARY LINE OF SAID 119.883 ACRE TRACT AND THE SOUTH BOUNDARY LINE OF SAID 1.005 ACRE TRACT IN ALL A DISTANCE OF 1724.96 FEET TO THE POINT OF BEGINNING AND BEING 51.48 ACRES OR 2,242,000 SQUARE FEET OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT \_\_\_\_\_ ACTING HEREIN BY AND THROUGH HIS DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS \_\_\_\_\_ AN ADDITION TO THE CITY OF WAXAHACHIE, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES, THE EASEMENTS AND PUBLIC USE AREAS AS SHOWN, ARE DEDICATED FOR THE PUBLIC USE FOREVER. FOR THE PURPOSES INDICATED ON THIS PLAT, NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHIE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LAWS 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 ACCESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSES OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PAROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OBTAINING PERMISSION FROM ANYONE.

THIS PLAT APPROVED SUBJECT TO ALL PLATING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHIE, TEXAS

IN WITNESS MY HAND, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021

BY \_\_\_\_\_

AUTHORIZED SIGNATURE OF OWNER

PRINTED NAME AND TITLE

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 \_\_\_\_\_ OWNER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON \_\_\_\_\_

CITY OF WAXAHACHIE, TEXAS  
PLAT APPROVAL

APPROVED BY \_\_\_\_\_ PLANNING AND ZONING COMMISSION  
CITY OF WAXAHACHIE

BY \_\_\_\_\_ CHAIRPERSON DATE \_\_\_\_\_

ATTEST \_\_\_\_\_ DATE \_\_\_\_\_

NOTARY STATEMENT  
STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

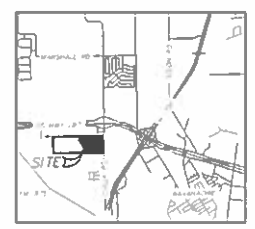
KNOW ALL MEN BY THESE PRESENTS

THAT I, TIMOTHY A. HOLL, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON AS SET HERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF WAXAHACHIE.

PRELIMINARY

This document shall not be recorded for any purpose and shall not be used or relied upon as a final survey document

REGISTERED PROFESSIONAL LAND SURVEYOR



VICINITY MAP

SCALE

LEGEND/ABBREVIATIONS

- 5/8" CAPPED IRON ROD SET STAMPED "WMA"
- FOUND MONUMENT
- OPEN CAPPED IRON ROD FOUND
- DEED DEED RECORDS ELLIS COUNTY TEXAS
- PLAT PLAT RECORDS ELLIS COUNTY TEXAS
- OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS
- VOL VOLUME
- PG PAGE
- UT UTILITY EASEMENT
- BL BUILDING LINE
- DE DRAINAGE EASEMENT
- SS SANITARY SEWER EASEMENT
- POB POINT OF BEGINNING
- FRD FOUND
- IRF IRON ROD FOUND
- WF WAXAHACHIE FINISHED FLOOR ELEVATION
- FEA FEMA ELEVATION CERTIFICATE NOT REQUIRED
- CLC COUNTY CLERK'S INSTRUMENT NUMBER
- POSE PRIVATE OPEN SPACE EASEMENT

PLAT  
**RIDGE CROSSING**  
SITUATED IN THE WILLIAM C. TUNNELL SURVEY  
ABSTRACT NO. 1080  
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS  
51.48 ACRES  
SUB-118-2021  
122 BURDLAKE LOTS, 6 OPEN SPACE LOTS  
AUGUST 2021  
ZONING PD-18-0110

JDS OVELLA ROAD LLC  
2701 E. LAMAR BLVD STE 290  
ARLINGTON, TX 76010  
TEL (817) 389-8304  
CONTACT ALEX BEITLER  
ABEITLER@OVRDVEY.COM



THIS PLAT IS FILED IN DOCUMENT # \_\_\_\_\_ OFFICE DATE \_\_\_\_\_

(157)

# Planning & Zoning Department Plat Staff Report

Case: SUB-106-2021



**MEETING DATE(S)**

*Planning & Zoning Commission:* August 24, 2021

**CAPTION**

**Public Hearing Request** by Cody Crannell, CCM Engineering, for a **Replat** of Symphony Estates, to create 127 residential lots, being 24.76 acres shown as, Lot PT 3 Blk 1 & PT 3 & 4A & 5 Blk 2 Harriet I Nowlin Addition (Property ID 283260) – Owner: WB WAXAHACHIE LAND, LLC (SUB-106-2021)

**APPLICANT REQUEST**

The applicant is requesting to replat the subject property into 127 lots for single-family residential use.

**CASE INFORMATION**

*Applicant:* Cody Crannell, CCM Engineering

*Property Owner(s):* WB Waxahachie Land, LLC

*Site Acreage:* 24.76 acres

*Number of Lots:* 133 lots

*Number of Dwelling Units:* 127 units

*Park Land Dedication:* Cash-in-lieu of park land dedication for this replat is **\$50,800.00** (\$400.00 per lot at 127 lots).

*Adequate Public Facilities:* Adequate public facilities are available to this site.

**SUBJECT PROPERTY**

*General Location:* The subject property is located just south of Lee Penn Park and along and adjacent to Graham Street and Peters Street.

*Parcel ID Number(s):* 283260

*Current Zoning:* Planned Development – Single Family - 3

*Existing Use:* Undeveloped

*Platting History:* The subject property is located in the Harriet I. Nowlin Addition.

Site Aerial:



**PLATTING ANALYSIS**

The applicant is requesting to replat the subject property into 127 lots for single-family residential use. A Planned Development zoning change for the subject property was approved by City Council on July 20, 2020. The replat of the subject property aligns with all of the requirements specified in the Planned Development document and the associated Development Agreement. In addition to the 127 single-family lots, there will be 5 open space lots and a lot that will be dedicated to the Friendship Baptist Church (Lot 16, Block C). A Homeowner’s Association will be responsible for maintaining private drainage easements, open spaces, and the utility easement for the sewer line.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, 64 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 and Zoning Department recommends:

- Disapproval
- Approval, as presented.**
- Approval, per the following conditions:

**ATTACHED EXHIBITS**

1. Plat Drawing

**APPLICANT REQUIREMENTS**

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

**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:*

Chris Webb

Senior Planner

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

*Reviewed by:*

Shon Brooks, AICP

Executive Director of Development Services

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





**OWNER'S CERTIFICATION**

STATE OF TEXAS  
COUNTY OF ELLIS

Being a 24 7/8 acre lot, tract or parcel of land situated in the S M Durrett Survey, Abstract No. 272, Ellis County, Texas, and being all of a called 24 7/8 acre tract of land conveyed from Symphony Commercial LLC, a Texas limited liability company, to HB Waxahachie Land, LLC, a Texas limited liability company, by Special Warranty Deed as recorded in Document No. 244805, Real Property Records, Ellis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found at the East corner of said 24 7/8 acre tract and at the intersection of the Southwest line of Peters Street (50' P.O.H.) and the Northwest line of Graham Street (50' P.O.H.)

THENCE South 58 degrees 50 minutes 04 seconds West, with a Southeast line of said 24 7/8 acre tract and the Northwest line of Graham Street, a distance of 649.17 feet to a 1/2 inch iron rod and yellow cap found at a South corner of said 24 7/8 acre tract and at the East corner of a called 0.209 acre tract of land conveyed to The Melba J. Ray Revocable Living Trust, dated June 10, 2005, recorded in Volume 2204, Page 1490, Real Property Records, Ellis County, Texas.

THENCE North 30 degrees 47 minutes 43 seconds West, with the Northeast line of said 0.209 acre tract, a distance of 202.60 feet to a 1/2 inch iron rod and yellow cap found at an ell corner of said 24 7/8 acre tract and at the North corner of said 0.209 acre tract.

THENCE South 59 degrees 09 minutes 39 seconds West, with a Southeast line of said 24 7/8 acre tract, the Northwest line of said 0.209 acre tract and a called 0.349 acre tract of land conveyed to P. E. Galloway Trustee, by deed as recorded in Volume 262, Page 743, Deed of Trust Records, Ellis County, Texas, and a distance of 118.70 feet to a 1/2 inch iron rod and yellow cap stamped "3463" found at a South corner of said 24 7/8 acre tract, at the West corner of said 0.349 acre tract, and on the Northeast line of a called 2.000 acre tract of land conveyed to Friendship Baptist Church, by deed as recorded in Volume 1920, Page 974, Real Property Records, Ellis County, Texas.

THENCE North 30 degrees 29 minutes 25 seconds West, with a Southwest line of said 24 7/8 acre tract and with the Northeast line of said 2.000 acre tract, a distance of 112.54 feet to a 1/2 inch iron rod and yellow cap stamped "3463" found at the North corner of said 2.000 acre tract and at an ell corner of said 24 7/8 acre tract.

THENCE South 58 degrees 55 minutes 33 seconds West, with a Southeast line of said 24 7/8 acre tract and the Northwest line of said 2.000 acre tract, a distance of 383.73 feet to a point for corner at a South corner of said 24 7/8 acre tract, the West corner of said 2.000 acre tract and on the Northeast line of Highland Park Addition, according to the plat thereof recorded in Cabinet A, Slide 202, Plat Records, Ellis County, Texas. From said point a 1/2 inch iron rod and yellow cap stamped "4466" found bears South 58 degrees 55 minutes 33 seconds West, a distance of 0.43 feet, and from said point a 1/2 inch iron pipe found bears South 63 degrees 54 minutes 13 seconds East, a distance of 129.13 feet.

THENCE North 63 degrees 54 minutes 13 seconds West, with a Southwest line of said 24 7/8 acre tract and the Northeast line of said Highland Park Addition, at 51.27 feet passing a 1/2 inch iron rod found, at 412.26 feet passing a 1/2 inch iron rod and yellow cap stamped "Sheldis" found, at 532.29 feet, passing a 1/2 inch iron rod and orange cap stamped "Primmer" found 0.58 feet to the right of the property line, at 902.47 feet passing a 5/8 inch iron pipe found 0.83 feet to the left of the property line, and continuing in all a total distance of 709.24 feet to the West corner of said 24 7/8 acre tract, from which a 1/2 inch iron pipe found for witness bears North 66 degrees 34 minutes 06 seconds West, a distance of 3.96 feet, and from said corner a 1 inch iron pipe found bears North 63 degrees 54 minutes 13 seconds West, a distance of 483.40 feet.

THENCE North 51 degrees 18 minutes 09 seconds East, with a Northwest line of said 24 7/8 acre tract, a distance of 1,193.49 feet to a 1/2 inch iron rod and yellow cap stamped "By-Line" found at a North corner of said 24 7/8 acre tract, from which an "x" found cut in concrete bears North 31 degrees 03 minutes 32 seconds West, a distance of 703.48 feet.

THENCE South 31 degrees 03 minutes 32 seconds East, with a Northeast line of said 24 7/8 acre tract, at 150.34 feet passing a 1/2 inch iron rod found in concrete, continuing in all a total distance of 159.74 feet to a 1/2 inch iron rod and yellow cap found at an ell corner of said 24 7/8 acre tract.

THENCE North 58 degrees 38 minutes 55 seconds East, with a Northwest line of said 24 7/8 acre tract, a distance of 49.97 feet to a 1/2 inch iron rod and yellow cap stamped "By-Line" found at a North corner of said 24 7/8 acre tract and at the West corner of a called 5.33 acre tract of land conveyed to Waxahachie DTA Housing, L.P., by deed as recorded in Volume 1915, Page 1614, Real Property Records, Ellis County, Texas.

THENCE South 31 degrees 02 minutes 22 seconds East, with a Northeast line of said 24 7/8 acre tract and with the Southwest line of said 5.33 acre tract, a distance of 445.22 feet to a 1/2 inch iron rod and yellow cap found at the South corner of said 5.33 acre tract and at an ell corner of said 24 7/8 acre tract.

THENCE North 58 degrees 55 minutes 26 seconds East, with a Northwest line of said 24 7/8 acre tract and with the Southwest line of said 5.33 acre tract, a distance of 520.43 feet to a 1/2 inch iron rod and yellow cap stamped "4468" found at the East corner of said 5.33 acre tract, at a North corner of said 24 7/8 acre tract and on the Southwest line of said Peters Street.

THENCE South 31 degrees 07 minutes 47 seconds East, with a Northeast line of said 24 7/8 acre tract and the Southwest line of said Peters Street, a distance of 444.34 feet to the POINT OF BEGINNING and CONTAINING 24 7/8 acres of land

APPROVED BY: Planning and Zoning Commission, City of Waxahachie

Chairperson \_\_\_\_\_ Date \_\_\_\_\_

Attest \_\_\_\_\_ Date \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

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

**PRELIMINARY THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR HEED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.**

L. Wayne Beets, II  
Registered Professional Land Surveyor  
State of Texas No. 40394

SELLING A PORTION OF ANY LOT WITHIN THIS ADDITION BY METES AND BOUNDS OR SUBDIVIDING LOTS SHOWN HEREON BY ANY MEANS WITHOUT THE FILING OF A PLAT IN ACCORDANCE WITH STATE LAW AND CITY ORDINANCE MAY RESULT IN FINES AND/OR WITHHOLDING OF UTILITIES, BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY

**OWNER'S DEDICATION**

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT HB Waxahachie Land, LLC, a Texas limited liability company, acting herein by and through its duly authorized officers, does hereby certify and adopt this plat designating the herein above described property as SYMPHONY ESTATES, an addition to the City of Waxahachie, Ellis County, and does hereby dedicate, in fee simple, to the public use forever any streets and alleys shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility easements is the responsibility of the property owner. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. Any public utility shall have the right of ingress and egress to property properly for the purpose of reading meters and any maintenance of service required or ordinarily performed by that utility.

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

WITNESS, my hand at \_\_\_\_\_, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

BY: \_\_\_\_\_  
Peter Lai, a representative for HB Waxahachie Land, LLC

**NOTARY STATEMENT**  
STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, a Notary Public in and for said County and State on this date personally appeared Peter Lai, known to me to be the persons 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 \_\_\_\_\_, 2021.

\_\_\_\_\_  
Notary Public in and for the State of Texas

**NOTES**

- 1) The purpose of this final plat is to create 127 residential lots, 5 open space "x" lots and 1 lot to be conveyed to Friendship Baptist Church (Lot 16, Block C)
- 2) Homeowner's Association is responsible for maintaining private drainage easements, open spaces and the utility easement for the sewer line
- 3) All bearings shown herein are based upon the Texas State Plane Coordinate System, NAD83 (GCRS), Texas North Central Zone (4202). All distances shown herein are surface distances
- 4) No easement record search was made by this office concerning this property.
- 5) The property is shown as being located in Zone X by Flood Insurance Rate Map No. 48139C0190F, dated June 03, 2013. It is shown as not being located in a special flood hazard area inundated by 100-year flood.
- 6) There are 1/2 inch iron rod set with a yellow cap stamped (By-Line) at all lot corners and angle points.
- 7) Any fence constructed on a lot with a side yard adjacent to the street can only be built to the side yard build line setback.

(15)

127 RESIDENTIAL LOTS (MIN. 4000 S.F.)  
**REPLAT OF**  
**SYMPHONY ESTATES**  
**ZONING PD-SF-3**  
**BEING A 24.76 ACRE OF LAND IN THE**  
**S. M. DURRETT SURVEY,**  
**ABSTRACT NO. 272 AND A PORTION IN THE HARRIET I.**  
**NOWLIN ADDITION**  
**CITY OF WAXAHACHIE,**  
**ELLIS COUNTY, TEXAS**  
**SHEET 2 OF 2**  
**CASE NO. SUB-106-2021**

DEVELOPER -  
 HB WAXAHACHIE LAND LLC  
 CONTACT: PETER LAI  
 5210 SPRUCE ST.  
 BELLAIRE, TX 77401  
 PHONE: (713) 498-8022

ENGINEER - CCM ENGINEERING  
 2570 FM 407, SUITE 209  
 HIGHLAND VILLAGE, TEXAS 75077  
 PHONE: (972) 691-6633

PROJECT NAME:  
 REPLAT OF  
 SYMPHONY ESTATES  
 ADDRESS: WAXAHACHIE, TEXAS  
 ACREAGE: 24.76 ACRES  
 CASE # SUB-106-2021  
 ZONING: PD-SF-3  
 PREPARED: 7/15/2021  
 BY-LINE JOB NO. 2020-1641  
 SCALE: 1" = 100'  
 TECHNICIAN: TYB



**BY-LINE**  
**SURVEYING LLC**  
 P.O. Box 834  
 Beauty, TX 75448  
 Ph: (903) 473-5150  
 Fax: No. 18194233  
 www.bylinesurveying.com

# Planning & Zoning Department

## Zoning Staff Report



**Case: ZDC-113-2021**

**MEETING DATE(S)**

*Planning & Zoning Commission:* August 24, 2021

*City Council:* September 7, 2021

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting, held August 10, 2021, the Commission voted 6-0 to recommend a continuance of a Specific Use Permit request, ZDC-113-2021, for a Convenience Store with Gasoline Sales (7 Eleven) use.

**CAPTION**

**Public Hearing** on a request by Matthew Smith, Vaquero Ventures, for a Specific Use Permit (SUP) for **Convenience Store with Gasoline Sales (7-Eleven)** within a General Retail zoning district located at 1851 N. Hwy 77 (Property ID 262430) - Owner: TRIUMPH SQUARE, LLC (ZDC-113-2021)

**APPLICANT REQUEST**

The applicant is requesting approval to allow a Convenience Store with Gasoline Sales (7-Eleven) on 1.52 acres.

**CASE INFORMATION**

*Applicant:* Matthew Smith, Vaquero Ventures

*Property Owner(s):* Triumph Square, LLC

*Site Acreage:* 1.52 acres

*Current Zoning:* General Retail (GR)

*Requested Zoning:* General Retail with SUP for Convenience Store with Gasoline Sales use

**SUBJECT PROPERTY**

*General Location:* 1851 N Hwy 77

*Parcel ID Number(s):* 262430

*Existing Use:* Undeveloped

*Development History:* An SUP for a Convenience Store with Gasoline Sales was approved on August 17, 2020 (Ordinance 3204). However, after approval, 7-Eleven decided to not proceed with any construction on the site.

**Table 1: Adjoining Zoning and Uses**

Direction	Zoning	Current Use
North	GR	Community National Bank
East	North Grove PD	Undeveloped
South	GR	Medical Office
West	LI1	Undeveloped

*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 is accessible via N Hwy 77, W North Grove Blvd, and North Town Blvd.

*Site Image:*



**PLANNING ANALYSIS**

**Purpose of Request:**

The applicant is requesting approval to allow a Convenience Store with Gasoline Sales (7-Eleven) on 1.52 acres.

**Case History:**

At the City Council meeting, held August 17, 2020, City Council voted 5-0 to recommend approval of case number ZDC-89-2020 (original case number), to allow a 7-Eleven Convenience Store/Gas Station on the subject property. Prior to any construction on the site, 7-Eleven elected to not proceed with development on the property. After further consideration, 7-Eleven decided to revive the project proposal and submitted a zoning application to staff on June 30, 2021.



The applicant is proposing to primarily remain consistent with what was originally approved by City Council, with the exception of the following modifications:

**CHANGES FROM THE 8/17/2021 CC MEETING**

**Building Size (Sq. ft.)**

The building size will be increased from 4,088 sq. ft. to 4,872 sq. ft. The increase in square footage would allow the development to be consistent with the 7 Eleven 2.0 prototype (*per Elevation/Façade Plan*). The size increase would allow the store to incorporate concepts such as a larger coffee bar as well as more food options to provide to customers.

**Elevation/Façade**

At the August 17, 2020 City Council meeting, City Council approved a “standard” 7-Eleven concept design which consisted of a 4,088 sq. ft. building primarily constructed of brick and stone. The applicant is now requesting approval of a new design, “7-Eleven 2.0 prototype” (*per Elevation/Façade plan*), that provides a more modern aesthetic to the structure. The facade will primarily be constructed out of French limestone and brick. Fiber cement panels will be used for the wood aesthetic around the northeast corner of the building.

**Fueling pumps**

The new layout will feature a straight, in-line canopy (opposed to stacked fueling canopy) with 6 pumps and 12 fueling stations. This change would allow the store employees to have full visibility of the customers at the pumps, providing a safer fueling environment for customers. The applicant is proposing to use French limestone for the exterior of the support poles.

**Proposed Use:**

Per the operational plan, 7-Eleven plans to operate a convenience store and gas station at 1851 N Hwy 77. This store will operate 24 hours a day, 7 days a week. 7-Eleven anticipates there will be an average of three (3) staff members per shift that will be on hand at all times, day and night. There will be six (6) pumps which will allow for up to 12 vehicles to get gas at any given time. The fuel pumps will be able to service both gasoline and diesel vehicles.

**Table 2: Proposed Development Standards (General Retail)**

Standard	City of Waxahachie	7-Eleven	Meets Y/N
Min. Lot Area (Sq. Feet)	7,000	66,385	Yes
Min. Lot Width (Feet)	60	250.08	Yes
Min. Lot Depth (Feet)	100	268.53	Yes
Min. Front Yard (Feet)	40	40	Yes
Min. Side Yard (Feet)	20	20	Yes
Min. Rear Yard (Feet)	20; 25 (adjacent to residential)	40	Yes
Max. Height	2 stories	1 story	Yes
Max. Lot Coverage (%)	40	7	Yes
Parking: Convenience Store 1 space per 200 sq. feet	25 spaces	25 spaces	Yes
Parking: Gasoline Sales 1 space per 3 gas pumps	2 spaces	2 spaces	Yes

*\*Additional Note: The building is proposed to be constructed with French limestone, brick, fiber cement panels and metal trim.*

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, 9 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 and Zoning Department recommends:

- Denial
- Approval, as presented.
- Approval, per the following comments:**
  - 1. A mutually agreed upon Development Agreement will be required for the development.

**ATTACHED EXHIBITS**

- 1. Operational Plan
- 2. Site Plan
- 3. Building Elevations
- 4. Landscape Plan
- 5. Sign Plan

**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:*  
 Chris Webb  
 Planner  
[cwebb@waxahachie.com](mailto:cwebb@waxahachie.com)

*Reviewed by:*  
 Shon Brooks, AICP  
 Executive Director of Development Services  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

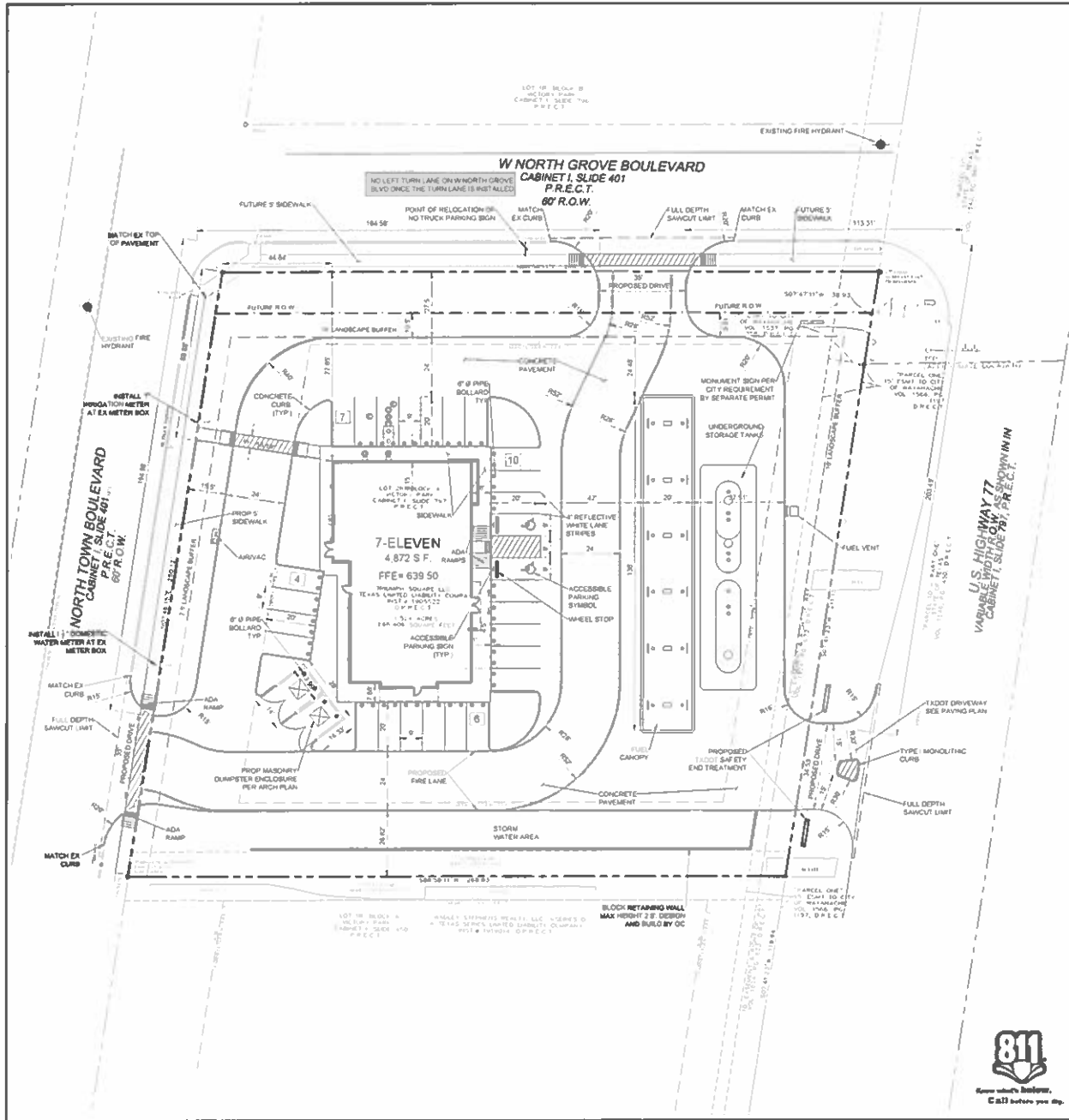
(17)



### Operational Plan

7 Eleven plans to operate a convenience store and gas station at 1851 N. Highway 77 Waxahachie, TX 75165. The location will operate 24 hours a day, 7 days a week. There will be six gas pumps which allows for a maximum of 12 cars to fuel at any given time. The pumps will service both gasoline and diesel vehicles. There will be an average of three employees per shift throughout the day and night.

(17)



**PROJECT CONTACT LIST**

<b>ENGINEER</b> TRIANGLE ENGINEERING LLC 1704 MADENOTT DR., STE 110 ALEXIA, TX 75011 CONTACT: RHEW RAM TEL: 800-213-2266	<b>OWNER/DEVELOPER</b> VIGORIO VENTURES 7800 WINGATE STREET, SUITE 200 FORT WORTH, TX 76116 CONTACT: MATTHEW BARTH TEL: 817-307-8084
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**SITE DATA SUMMARY TABLE**

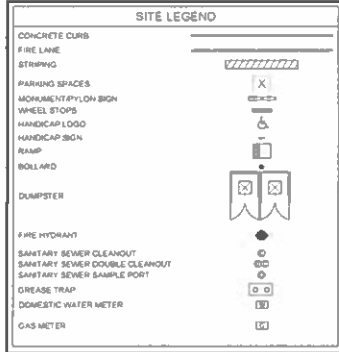
SITE ACREAGE	1.15 ACRES (49,365 S.F.)
ZONING	GR GENERAL RETAIL
PROPOSED USE	CONVENIENCE STORE
BUILDING AREA	4,872 S.F.
NUMBER OF STOREYS	1
BUILDING HEIGHT	1
BUILDING COVERAGE	7.3%
FLOOR AREA RATIO	0.07
PERVIOUSLANDSCAPE AREA	14,870 S.F. (37.2%)
REGULAR PARKING REQUIRED	27 SPACES (25' x 2')
REGULAR PARKING PROVIDED	23 SPACES
HANDICAP PARKING REQUIRED	1 SPACE (1 VAN ACCESSIBLE)
HANDICAP PARKING PROVIDED	2 SPACES (1 VAN ACCESSIBLE)
TOTAL PARKING PROVIDED	25 SPACES
ON-SITE PARKING PROVIDED	27 PARKING SPACES
OFF-SITE SHARED PARKING PROVIDED	0 PARKING SPACES



**ZONING SUMMARY TABLE**

ZONING	REQUIRED	PROVIDED
ZONING	GR GENERAL RETAIL	GR GENERAL RETAIL
MIN. LOT AREA	7,000 SF	69,365 SF
MIN. LOT WIDTH	40'	200.00'
MIN. LOT DEPTH	100'	200.00'
MIN. FRONT SETBACK	40'	40'
MIN. REAR SETBACK	20' 22' ADJACENT TO RESIDENTIAL	40'
MIN. SIDE SETBACK	20'	20'
MAX. BUILDING HEIGHT	2 STOREYS	1 STORY
MAX. LOT COVERAGE	80%	7%

- SITE GENERAL NOTES**
- ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH THE CITY OR LOCAL JURISDICTION STANDARDS.
  - THE LOCATION OF UNDERGROUND UTILITIES INDICATED ON THE PLANS IS TAKEN FROM AS-BUILTS, UTILITY PLANS OR SURVEY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAKE ARRANGEMENTS WITH THE OWNERS OF SUCH UNDERGROUND UTILITIES PRIOR TO HORING IN THE AREA TO CONFIRM THEIR EXACT LOCATION AND TO DETERMINE WHETHER ANY ADDITIONAL UTILITIES OTHER THAN THOSE SHOWN ON THE PLANS MAY BE PRESENT. THE CONTRACTOR SHALL PRESERVE AND PROTECT ALL UNDERGROUND UTILITIES IF EXISTING UNDERGROUND UTILITIES ARE DAMAGED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COST OF REPAIRING THE UTILITY.
  - WHERE EXISTING UTILITIES ON SERVICE LINES ARE CUT, BROKEN OR DAMAGED, THE CONTRACTOR SHALL REPLACE OR REPAIR THE UTILITIES OR SERVICE LINES WITH THE SAME TYPE OF ORIGINAL MATERIAL AND CONSTRUCTION OR BETTER UNLESS OTHERWISE SHOWN OR NOTED ON THE PLANS. AT HIS OWN COST AND EXPENSE, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER AT ONCE OF ANY CONFLICTS WITH UTILITIES.
  - ALL EXCAVATIONS, TRENCHING AND BORING OPERATIONS SHALL COMPLY WITH THE REQUIREMENTS OF THE U.S. DEPARTMENT OF LABOR OSHA CONSTRUCTION SAFETY AND HEALTH REGULATIONS AND ANY AMENDMENTS THEREIN.
  - THE CONTRACTOR SHALL RESTORE ALL AREAS DISTURBED BY CONSTRUCTION TO ORIGINAL CONDITION OR BETTER. RESTORED AREAS INCLUDE, BUT ARE NOT LIMITED TO, TRENCH BACKFILL, SOLE SLOPES, FENCES, DRAINAGE DITCHES, DRIVEWAYS, PRIVATE YARDS AND ROADWAYS.
  - ANY CHANGES NEEDED AFTER CONSTRUCTION PLANS HAVE BEEN RELEASED SHALL BE APPROVED BY THE CITY ENGINEER. THESE CHANGES MUST BE RECEIVED IN WRITING.
  - THE CONTRACTOR SHALL PROVIDE "RED LINED" MARKED PLANTS TO THE ENGINEER PRIOR TO FINAL INSPECTION INDICATING ALL CONSTRUCTION WHICH DEVIATED FROM THE PLANS OR WAS CONSTRUCTED IN ADDITION TO THAT INDICATED ON THE PLANS.
  - ALL CURB RADIIUS TO BE 10' OR 7' UNLESS OTHERWISE NOTED ON THE SITE PLAN.



**FLOODPLAIN NOTE**  
NO PORTION OF THIS PROPERTY LIES WITHIN A 100-YEAR FLOOD PLAIN, ZONE X (UNSHADED) ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR ELLIS COUNTY, TEXAS (MAP# 15023101.F), DATED JUNE 3, 2013.

ONSITE DETENTION POND SHALL BE PROVIDED TO RELEASE AT PRE-DEVELOPED FLOW CONDITION AS SHOWN ON THE VICTORY PARK PHASE I

CASE # ZDC-113-2021  
SITE ACREAGE: 1.524 ACRES (66,385 SF)

**SITE PLAN**  
7-ELEVEN  
1851 N HIGHWAY 77  
MAXAMMOCHES  
ELLIS COUNTY, TEXAS 75119  
VICTORY PARK LOT 2R, BLOCK A



NO.	DATE	SUP.	DESCRIPTION	BY
1	07-06-21		SUP. SUBMITTAL	KL
2	07-21-21		CITY COMMENTS	KL

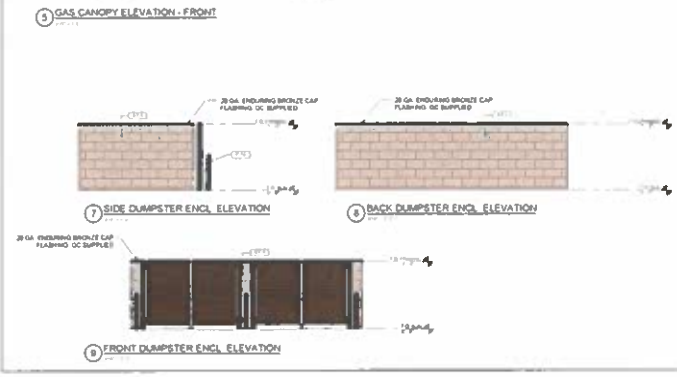
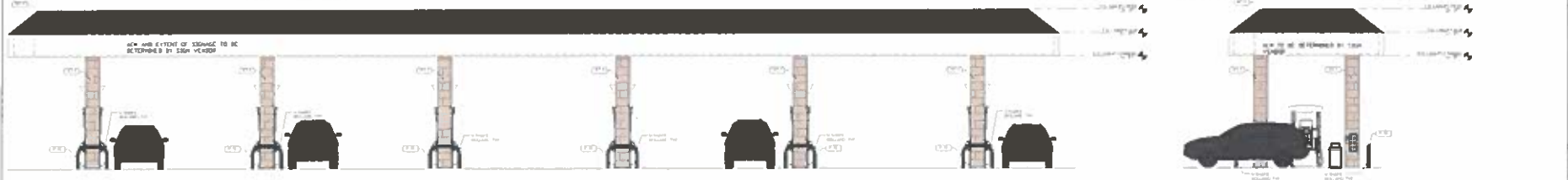
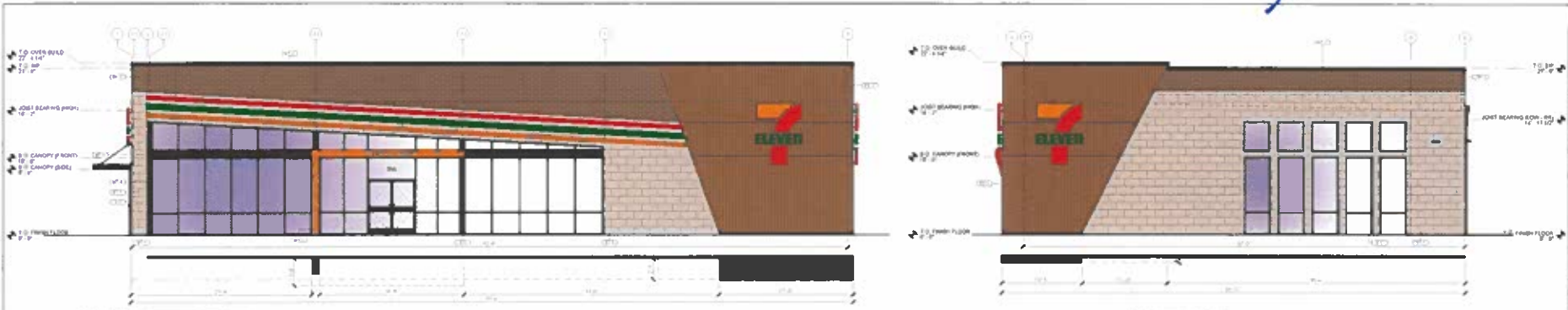


P.E.	DES.	DATE	SCALE	PROJECT NO.	SHEET NO.
KL	80	06-20-20	AS SHOWN	064-20	C-3.0



07/21/2021

(17)



MATERIAL PALETTE

MT-1 DARK GREY/BLACK METAL CORNER & COMPRESSION EDGE	MT-2 PRE-FINISHED ALUMINUM CANOPY BRUSHED TIGERWOOD BLACK	MT-3 PRE-FINISHED ALUMINUM CANOPY "OCEAN DRUM"	MT-4 BRASS SET TO MATCH STOREFRONT HANDBLES "DARK BRONZE"	MT-5 STANDING SEAM ROOF "DARK BRONZE"
BR-1 MUSHROOM BROWN THIN BRICK	S-1 ALUMINUM STOREFRONT FRAME 1" INSULATED CLEAR GLAZING BY OLDCASTLE OR EQUAL	ST-1 CORONADO STONE FRENCH LIMESTONE "FRENCH WHITE"	FC-1 FIBERGLASS PANELS HONEYCOMB LEGAL	FC-P, J, PH PAINT SW 7055 "ENDURING BRONZE"

8. GAS CANOPY ELEVATION - SIDE

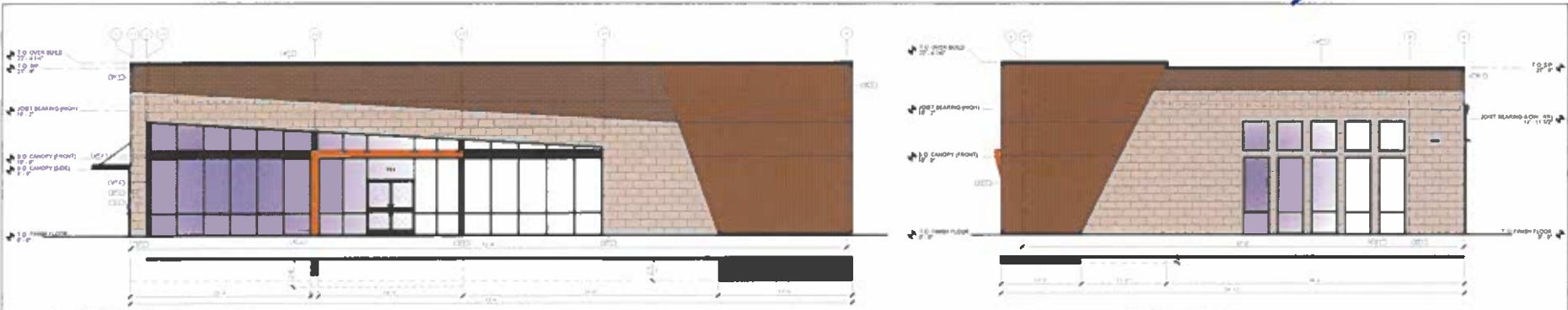
EXT. MATERIALS	DESCRIPTION	MANUFACTURER	FINISH	NOTES
MT-1	Dark grey/black metal corner & compression edge			
MT-2	Pre-finished aluminum canopy brushed tigerwood black			
MT-3	Pre-finished aluminum canopy "ocean drum"			
MT-4	Brass set to match storefront handbles "dark bronze"			
MT-5	Standing seam roof "dark bronze"			
BR-1	Mushroom brown thin brick			
S-1	Aluminum storefront frame 1" insulated clear glazing by Oldcastle or equal			
ST-1	Coronado stone French limestone "French white"			
FC-1	Fiberglass panels honeycomb legal			
FC-P, J, PH	Paint SW 7055 "Enduring Bronze"			

7-ELEVEN INC.  
3000 HATCHERY ROAD, PLYMOUTH, TX 75442  
7-ELEVEN #1048297  
N. HIGHWAY 75 W. JACOBSVILLE BLVD.  
ZOO-113-2001

2000-507  
Scale AS NOTED  
Date 08/19/21  
Drawn By  
Checked By

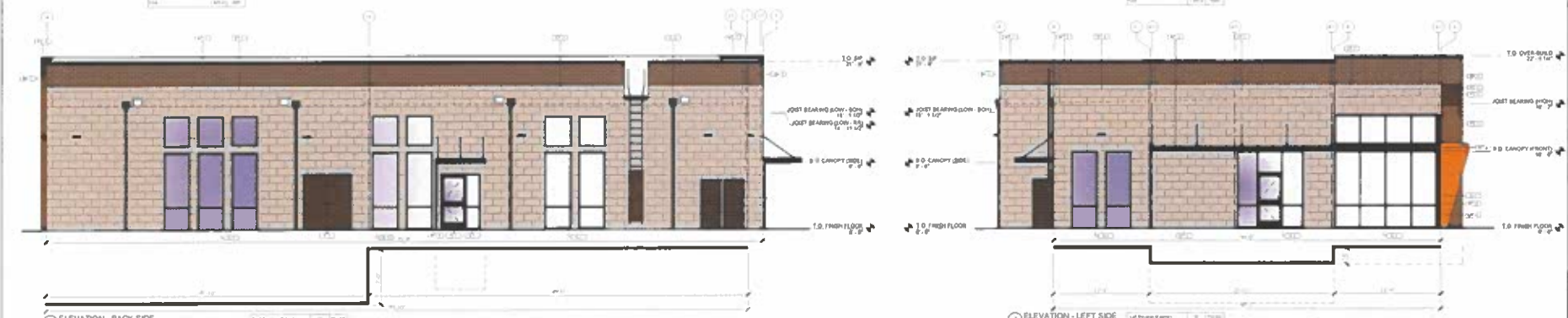
20 PHOTO CU

(17)



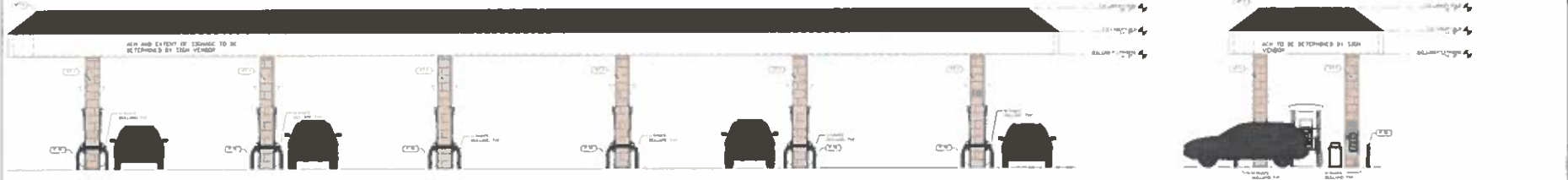
1 ELEVATION - FRONT

2 ELEVATION - RIGHT SIDE



3 ELEVATION - BACK SIDE

4 ELEVATION - LEFT SIDE

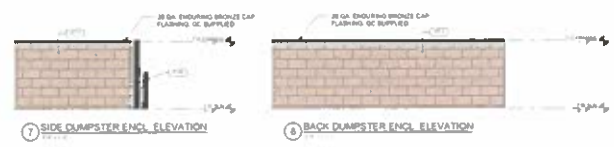


5 GAS CANOPY ELEVATION - FRONT

6 GAS CANOPY ELEVATION - SIDE

MATERIAL PALETTE

<b>MT-1</b> DUROLAST PRE-FINISHED METAL ROOFING & COMPRESSION EDGE	<b>MT-2</b> PRE-FINISHED ALUMINUM CANOPY WITH 1/2" THICK B&K-1	<b>MT-3</b> PRE-FINISHED ALUMINUM CANOPY "DUSTON DRAIN"	<b>MT-4</b> BRONZE METAL TO MATCH STOREFRONT WINDOWS "DARK BRONZE"	<b>MT-5</b> STANDING SEAM ROOF "DARK BRONZE"
<b>BK-1</b> MUSHROOM BROWN THIN BRICK	<b>S-1</b> KAWNEER "DARK BRONZE" ALUMINUM STOREFRONT FRAME 1" INSULATED CLEAR GLAZING BY OLDCASTLE OR EDRAL	<b>ST-1</b> CORONADO STONE FRENCH LIMESTONE "FRENCH WHITE"	<b>FC-1</b> 1/2" X 8' CEMENT PANELS WHITE - CEDAR	<b>FC-3 P-3 P10</b> PAINT SW 7055 "ENDURING BRONZE"



7 SIDE DUMPSTER ENCL. ELEVATION

8 BACK DUMPSTER ENCL. ELEVATION



9 FRONT DUMPSTER ENCL. ELEVATION

REVISION	DATE	DESCRIPTION
1	06/18/21	ISSUED FOR PERMITS
2	06/18/21	ISSUED FOR PERMITS
3	06/18/21	ISSUED FOR PERMITS
4	06/18/21	ISSUED FOR PERMITS
5	06/18/21	ISSUED FOR PERMITS
6	06/18/21	ISSUED FOR PERMITS
7	06/18/21	ISSUED FOR PERMITS
8	06/18/21	ISSUED FOR PERMITS
9	06/18/21	ISSUED FOR PERMITS
10	06/18/21	ISSUED FOR PERMITS
11	06/18/21	ISSUED FOR PERMITS
12	06/18/21	ISSUED FOR PERMITS
13	06/18/21	ISSUED FOR PERMITS
14	06/18/21	ISSUED FOR PERMITS
15	06/18/21	ISSUED FOR PERMITS
16	06/18/21	ISSUED FOR PERMITS
17	06/18/21	ISSUED FOR PERMITS
18	06/18/21	ISSUED FOR PERMITS
19	06/18/21	ISSUED FOR PERMITS
20	06/18/21	ISSUED FOR PERMITS

7-ELEVEN, INC.  
3300 WACHNER ROAD, RIVINGTON, TX 75083  
7-ELEVEN #1046297  
N. HIGHWAY 75A, WACHNER BLVD  
WACHNER, TX 75083  
ZDC-113-2021

7-ELEVEN  
DIMENSION  
C O U  
Scale: AS NOTED  
Date: 06/18/21  
Drawn By: [Name]  
Checked By: [Name]

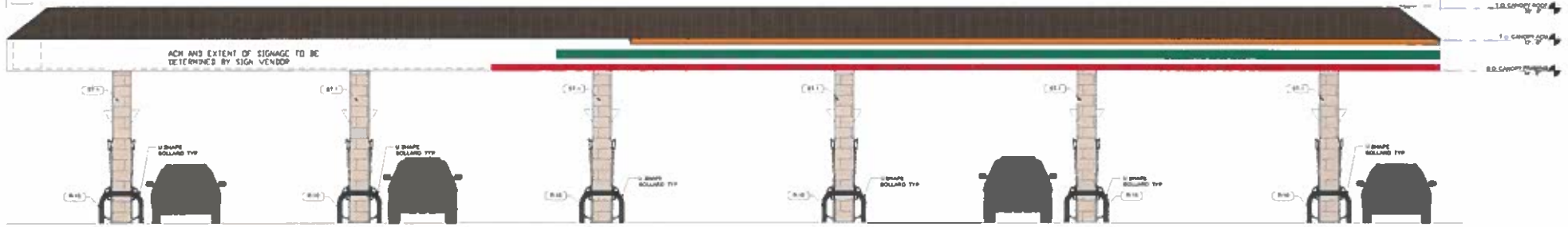
0/18/21  
SHEET  
2 OF 20



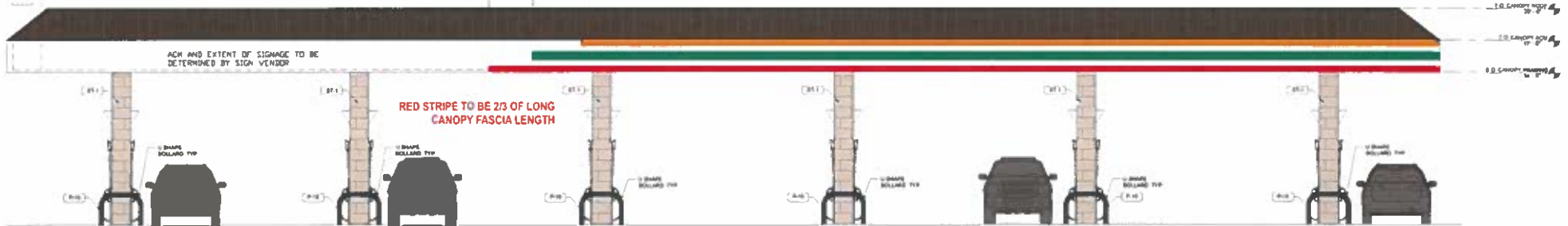


# FUEL CANOPY FASCIA CHANNEL LETTERS & STRIPES

136'-0"



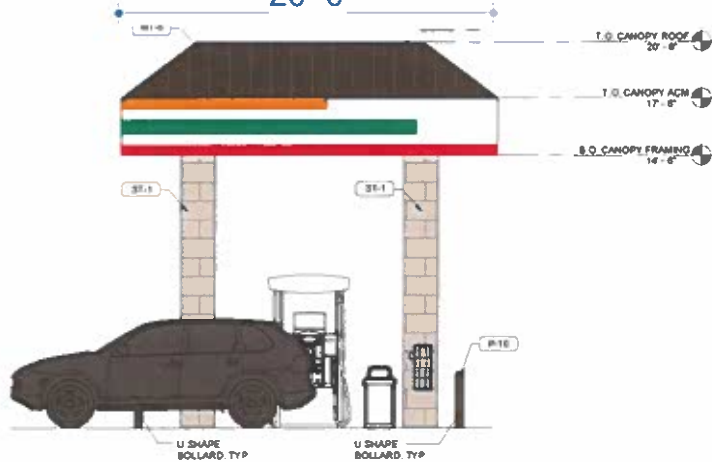
FRONT (FACING STREET) - ILLUMINATED STRIPES BY CUMMINGS



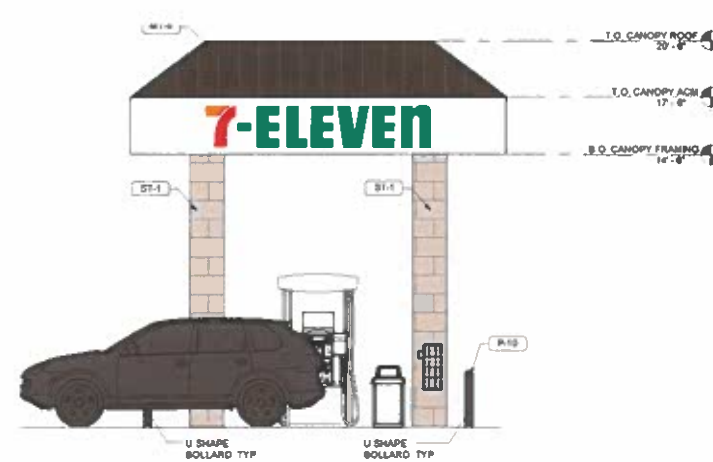
REAR (FACING STORE) - VINYL STRIPES BY OTHERS

FUEL CANOPY SIGNAGE CANNOT EXCEED 25 SQ FT

20'-0"



LEFTSIDE - VINYL STRIPES BY OTHERS



RIGHT SIDE  
- ILLUMINATED LETTERS BY CUMMINGS

Job Location: 1048297  
N. Town BLVD & Triumph Ln  
Waxahachie, TX 75165  
Date: August 19, 2021



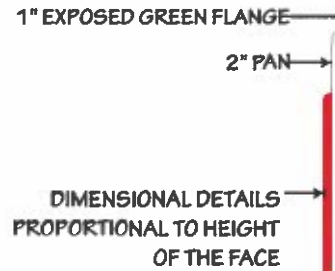
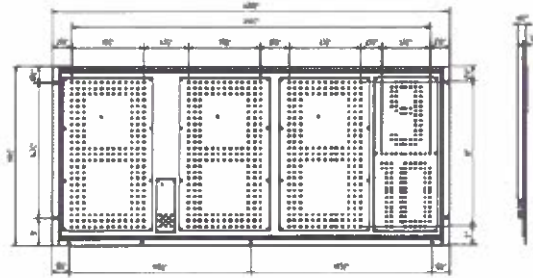
D-ORDER# 715848470.05 WSJ  
Project Mgr.: Jennifer Atkinson  
jennifer.atkinson@cummingsigns.com  
Page: 8 of 16



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

L & M 37 DF MONUMENT SIGN - (PWM FLAT PCU TRACK) -W/WORDPLATES

M



BRICK				
BK-1	THIN BRICK	MUSHROOM BROWN VELOUR	ACME	DTP102-126092



7-ELEVEN FACE DETAIL

DF INTERNALLY ILLUMINATED MONUMENT SIGN

7-ELEVEN SIGN HEAD

- 8" DEEP, DF EXTRUDED ALUMINUM CABINET & RETAINERS PAINTED TRICORN BLACK SW 6258
- PAN-FORMED & EMBOSSED WHITE POLYCARBONATE FACES W/1ST SURFACE DECORATION
- LED ILLUMINATION

FUEL PRICE SIGN HEAD

- 8" DEEP, DF EXTRUDED ALUMINUM CABINET & RETAINER PAINTED TRICORN BLACK SW 6258
- PAN-FORMED CLEAR POLYCARBONATE FACES BACK SPRAYED BLACK WITH WHITE RECTANGLES FOR FLAT CLEAR ACRYLIC WORD PLATES WITH COPY WEEDED FROM BLACK & GREEN BACK-GROUNDS TO SLIDE INTO 1ST SURFACE APPLIED CLEAR TRACKS. **FLAT PCU TRACK (PWM) 16" WHITE LED DIGTS.**

- LED ILLUMINATION

WORD PLATES:

4.75" X 46" CLEAR ACRYLIC W/ 3.5" COPY WEEDED FROM BLACK VINYL TM FACE.

**REGULAR UNLEADED**

4.75" X 46" CLEAR ACRYLIC W/ 3.5" COPY WEEDED FROM 3M 3630-26 GREEN VINYL

**DIESEL**

BASE

FABRICATED ALUMINUM PAINTED TRICORN BLACK

7-ELEVEN COLORS

- 3M 3630-26 GREEN VINYL
- 3M 3630-33 RED
- 3M 3630-44 ORANGE
- WHITE

7-ELEVEN STREET SIDE



16" DIGITS / 3.5" COPY

73.3 S.F.

MAX ALLOWED: 80 SQ. FT.

SETBACK: MINIMUM OF 15' FROM ROW

Job Location: 1048297

N. Town BLVD & Triumph Ln  
Waxahachie, TX 75165

Date: August 19, 2021



CUMMING'S

D-ORDER# 715848470.05 WSJ

Project Mgr.: Jennifer Atkinson

jennifer.atkinson@cummingsigns.com

Page: 11 of 16

(19)

# Planning & Zoning Department

## Zoning Staff Report



**Case: ZDC-105-2021**

**MEETING DATE(S)**

*Planning & Zoning Commission:* August 24, 2021 (continued from August 10, 2021 PZ Meeting)

*City Council:* September 7, 2021

**ACTION SINCE INITIAL STAFF REPORT**

On July 8, 2021, 2021 the applicant requested to continue case number ZDC-105-2021 from the July 27, 2021 Planning and Zoning Commission meeting agenda and the August 2, 2021 City Council meeting agenda to the August 10, 2021 Planning and Zoning Commission meeting agenda, and the August 16, 2021 City Council meeting agenda.

On August 5, 2021, 2021 the applicant requested to continue case number ZDC-105-2021 from the August 10, 2021 Planning and Zoning Commission meeting agenda and the August 16, 2021 City Council meeting agenda to the August 24, 2021 Planning and Zoning Commission meeting agenda, and the September 7, 2021 City Council meeting agenda.

**CAPTION**

**Public Hearing** on a request by Josh Dunlap, for a **Zoning Change** from a Planned Development-General Retail to Planned Development-Multiple Family-2 zoning district, located at 809 Dr. Martin Luther King Jr. Blvd. (Property ID 205458 and 171253) - Owner: GIBSON & GIBSON, LLC (ZDC-105-2021)

**APPLICANT REQUEST**

The applicant is requesting approval of a Planned Development to allow for 101 multi-family (hybrid/cottage style housing) units on 7.9 acres.

**CASE INFORMATION**

*Applicant:* Josh Dunlap

*Property Owner(s):* Gibson & Gibson, LLC.

*Site Acreage:* 7.9 acres

*Current Zoning:* Planned Development-General Retail

*Requested Zoning:* Planned Development-Multi-Family-2

**SUBJECT PROPERTY**

*General Location:* 809 Dr. Martin Luther King Jr. Blvd.

*Parcel ID Number(s):* 205458 and 171253

*Existing Use:* Currently Undeveloped

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	SF3	Railroad
East	SF3	Single Family Residences
South	SF3	Single Family Residences
West	SF3 & PD-GR	Single Family Residences & Retail Strip Center

Future Land Use Plan: Low Density Residential

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

Thoroughfare Plan: The subject property is accessible via Dr. Martin Luther King Jr. Blvd. and N. Young St.

Site Image:



**PLANNING ANALYSIS**

**Purpose of Request:**

The applicant is requesting approval of a Planned Development to allow for 101 multi-family (hybrid/cottage style housing) units on 7.9 acres. Per the City of Waxahachie Zoning Ordinance, a Planned Development request is required to be reviewed by City Council.

Proposed Use:

The applicant is requesting approval for a Planned Development (Gibson Crossing) to accommodate development of 101 multi-family units (44 one bedroom/57 two bedroom) on 7.9 acres. The applicant is proposing hybrid/cottage style housing, which combines elements of traditional single family and multi-family development. Hybrid/cottage style housing occasionally includes a mixture of detached and attached units on a single lot. The proposed density for the development will be 11.5 units per acre, and will also offer features such as (*but not limited to*) pool, outdoor courtyard/common area, on-site maintenance, dog park, and valet trash and recycling services.

**STAFF ANALYSIS:**

The City has concerns with access to the site. Although the concept plan depicts two points of access from Dr. Martin Luther King Jr. Blvd. and N. Young St., staff has concerns regarding the primary access for the development. Staff suggests that the applicant provide two lanes each of ingress/egress for the connection of Dr. Martin Luther King Jr. Blvd. to the entrance of the development. As the development is currently presented, if the primary access point to the development (Dr. Martin Luther King Jr. Blvd.) was impassable for any reason, a fire truck would not be able to access the development from N. Young St. A fire truck would need a 24ft. wide fire lane. N. Young St. is estimated to only provide a 15ft. wide access. If the applicant cannot provide the required access to support the development, staff suggests that the project be denied.

**STAFF CONCERNS:**

Access

Two lanes each of ingress/egress is required for the primary point of access to the development (Dr. Martin Luther King Jr. Blvd.). The applicant is currently proposing one lane of ingress/egress for the primary point of access to the development. If the primary access point to the development (Dr. Martin Luther King Jr. Blvd.) was impassable for any reason, a fire truck would not be able to access the development from N. Young St. If the applicant cannot provide the required access to support the development, staff suggests that the project be denied.

The proposed site plan provided by the applicant also depicts the primary access point to MLK Blvd as being only 20ft. wide for some segments. This is less than the required 24ft. wide fire lane.

Parking

152 total parking spaces are required as part of this development, the applicant is providing a total of 235 parking spaces. As per Sec. 5.05 of the City of Waxahachie Zoning Ordinance, at least half of the required minimum off-street parking spaces shall be fully enclosed garages. For this development, 76 attached garage parking spaces would be required, however, no attached fully enclosed garages are proposed as part of this development.

Additionally, as shown in the attached site plan, the applicant is proposing 36 detached garage parking spaces. However, per Sec. 5.05, garages shall be set back a minimum of eight (8) feet from the circulation aisle. The proposed garages in this development show no setback from the circulation aisle.

Screening

Due to being adjacent to Single Family zoning, a minimum 6ft. masonry screening wall is required to surround the development. Currently, the applicant is proposing to provide a 6ft. ornamental iron fencing to surround the development. Staff suggests that the applicant incorporate masonry into the required screening wall.

Elevation/Façade

The proposed development contains 53 individual buildings to be used as dwelling units. The applicant is only providing three (3) unique elevation types for the entire development. Staff has concern regarding the repetition of building elevations within the development, due to the number of buildings and minimal elevations proposed. Though the applicant provides several façade variations, staff suggests that the applicant provide a more diverse array of building elevations.

Green Space

Staff has concern regarding the lack of green space proposed within the development. Though the applicant is providing a dog park and some small dedicated sections of open space along the eastern boundary of the property, little to no green space is proposed in between or around a majority of the dwelling units. Instead of concrete, staff suggests that the applicant incorporate additional green space sections between the proposed dwelling units.

**SPECIAL EXCEPTION/VARIANCE REQUEST:**

Access

Two lanes each of ingress/egress is required for the primary point of access to the development (Dr. Martin Luther King Jr. Blvd.).

- The applicant is currently proposing one lane of ingress/egress for the primary point of access to the development.

Masonry Screening Wall

Due to being adjacent to Single Family zoning, a minimum 6ft. masonry screening wall is required to surround the development.

- The applicant is proposing to provide a 6ft. ornamental iron fencing to surround the development.

**APPLICANT RESPONSE TO CONCERNS**

1. The applicant understands staff’s concerns and intends to state their reasoning at the August 24, 2021 Planning and Zoning meeting.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, **83** 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**

Staff has received eleven (11) letters of opposition for the proposed development.

- The 11 letters of opposition for the development was submitted by 1 property owner.

**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**  
**Due to staff concerns regarding emergency access to the site, staff is recommending denial.**
- Approval, as presented.
- Approval, per the following comments:

**ATTACHED EXHIBITS**

1. Property Owner Notification Responses
2. City of Waxahachie Fire Department Response Letter
3. Gibson Crossing Exhibit Packet

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*

Colby Collins

Planning Manager

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

*Reviewed by:*

Shon Brooks, AICP

Executive Director of Development Services

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



(19)

PropertyID	Owner's Name	Acres	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
171242	BUSBY JAMES	0.561	LOT 1 BLK 174 TOWN 0.561 AC	575 LEE DR	COPELL	TX	75019	YOUNG ST WAXAHACHE TX 75165
171243	WILLIAMS HELEN L	0.217	LOT PT 2 BLK 174 TOWN 0.217 AC	114 MUNCHUS ST	WAXAHACHE	TX	75165	207 YOUNG ST WAXAHACHE TX 75165
171248	GIBSON & GIBSON LLC	0.14	LOT 5A BLK 173 TOWN 0.14 AC	105 CRYSTAL COVE	WAXAHACHE	TX	75165	YOUNG ST WAXAHACHE TX 75165
171250	CERRITOS JUAN C	0.24	LOT 30 BLK 173 TOWN 0.24 AC	803 DR MARTIN LUTHER KING JR BLVD	WAXAHACHE	TX	75165	803 DR MARTIN LUTHER KING JR BLVD WAXAHACHE TX 75165
171251	KOFAR GROUP	0.459	LOT 4 BLK 173 TOWN 0.459 AC	3010 RED RIVER CT	WAXAHACHE	TX	75167	807 DR MARTIN LUTHER KING JR BLVD WAXAHACHE TX 75165
171253	GIBSON & GIBSON LLC	1.91	LOT 1 BLK 171 TOWN 1.91 AC	105 CRYSTAL COVE	WAXAHACHE	TX	75165	809 DR MARTIN LUTHER KING JR BLVD WAXAHACHE TX 75165
171255	COLE LEVADA M & TMOYTHY R SCROGGINS	0.382	LOT 1A BLK 173 TOWN 0.382 AC	202 YOUNG ST	WAXAHACHE	TX	75165	205 YOUNG ST WAXAHACHE TX 75165
171289	SARGENT BRODERICK L	0.5136	60.158 TOWN 0.5136 ACRES	224 FRIERSON ST	WAXAHACHE	TX	75165	224 FRIERSON ST WAXAHACHE TX 75165
171307	ISSOKSON MICHAEL	0.154	LOT 5A BLK 178 TOWN 0.154 AC	518 HOLLY LANE	DUNCANVILLE	TX	75116	116 HENRY ST WAXAHACHE TX 75165
171316	PAGE BROTHERS CUSTOM HOMES LLC	0.468	LOT 6 BLK 178 TOWN 0.468 AC	2807 SYLVAN AVE	DALLAS	TX	75212	110 HENRY ST WAXAHACHE TX 75165
171318	BUSBY JAMES G	1.58	LOT 1 BLK 177 TOWN 1.58 AC	575 LEE DR	COPELL	TX	75019	YOUNG ST WAXAHACHE TX 75165
171321	NEWTON R D	0.718	LOT 3 & 7 BLK 178 TOWN 0.718 AC	408 WYATT ST	WAXAHACHE	TX	75165	408 WYATT ST WAXAHACHE TX 75165
171328	SCOTT RONALD W & KIMBERLY R	0.098	LOT 2J BLK 175 TOWN 0.098 AC	305 FRIERSON ST	WAXAHACHE	TX	75165	305 FRIERSON ST WAXAHACHE TX 75165
171338	LORDUY CARLOS	0.31	LOT 3 BLK 174 TOWN 0.31 AC	205 YOUNG ST	WAXAHACHE	TX	75165	205 YOUNG ST WAXAHACHE TX 75165
171340	SCOTT RONALD W & KIMBERLY R	0.603	LOT 1 & 2A BLK 175 TOWN 0.603 AC	305 FRIERSON ST	WAXAHACHE	TX	75165	200 YOUNG ST WAXAHACHE TX 75165
171340	SCOTT RONALD W & KIMBERLY R	0.098	LOT 2B BLK 175 TOWN 0.098 AC	305 FRIERSON ST	WAXAHACHE	TX	75165	201 YOUNG ST WAXAHACHE TX 75165
173252	CADE B G ESTATE	0.115	15 FAIRVIEW 0.115 ACRES	2308 DEBRA CT DR	FORT WORTH	TX	76112	812 MLK WAXAHACHE TX 75165
173253	MITCHELL SHANTESSA A	0.172	LOT 16 FAIRVIEW 0.172 AC	814 DR MARTIN LUTHER KING JR DR	WAXAHACHE	TX	75165	814 MARTIN LUTHER KING DR WAXAHACHE TX
173254	FLOWERS SHELBY JR	0.582	LOT 17-20 FAIRVIEW 0.582 AC	121 JIM ST	WAXAHACHE	TX	75165	106 GETZENDANER RD WAXAHACHE TX
173259	PATLAN JUAN D	0.115	12 FAIRVIEW 0.115 ACRES	503 S SHERMAN STREET	ENNIS	TX	75119	806 DR MARTIN LUTHER KING JR BLVD WAXAHACHE TX 75165
173260	GAY JAMES R ETAL	0.115	13 FAIRVIEW 0.115 ACRES	4378 WARDALS DR	FLORISSANT	MO	63033	808 MLK WAXAHACHE TX 75165
173261	FANTONI HECTOR J & GINA E	0.115	LOT 14 FAIRVIEW 0.115 AC	810 MLK	WAXAHACHE	TX	75165	810 MLK WAXAHACHE TX 75165
174076	ROSS FOSTER R	0.119	LOT 1 HIGHLAND PARK 0.119 AC	1317 CARDIGAN LN	DESOTO	TX	75115	100 PERRY AVE WAXAHACHE TX 75165
174781	WILLIAMS ROBERT C	0.124	LOT 4A MATTHEWS 124 AC	724 BYRON DR	WILMER	TX	75172	900 DR MARTIN LUTHER KING JR BLVD WAXAHACHE TX 75165
174782	POOLE BILLIE JEAN WILLIAMS	0.115	LOT 48 5A 6C 8C MATTHEWS-REV 0.115 AC	1724 BYRON	WILMER	TX	75172	101 GETZENDANER ST WAXAHACHE TX 75165
174783	PITTS ALBERT R	0.178	58.64 60.7C ALLEY MATTHEWS @ 178 ACRES	103 S GETZENDANER ST	WAXAHACHE	TX	75165	103 GETZENDANER ST WAXAHACHE TX 75165
174793	WILLIAMS RODNEY	0.146	LOT 3 MATTHEWS 0.146 AC	724 BYRON RD	WILMER	TX	75172	902 DR MARTIN LUTHER KING JR BLVD WAXAHACHE TX 75165
175059	ROSS FOSTER R JR & LINDA F	0.18	4.13 HI NOWLIN 0.18 ACRES	1317 CARDIGAN LN	DESOTO	TX	75115	104 GETZENDANER ST WAXAHACHE TX 75165
175095	JACKSON RENARD	0.145	2.13 HI NOWLIN 0.145 ACRES	2715 TRANQUIL WAY	DALLAS	TX	75237	905 MARTIN LUTHER KING DR WAXAHACHE TX 75165
175097	JACKSON FRONCELL	0.204	3.13 HI NOWLIN 0.204 ACRES	2715 TRANQUIL WAY	DALLAS	TX	75237	907 MLK WAXAHACHE TX 75165
175094	SARGENT BRODERICK	0.095	368 37A OAKLAWN 0.095 ACRES	224 FRIERSON ST	WAXAHACHE	TX	75168	208 HENRY ST WAXAHACHE TX 75165
175099	AMERITEX HOMES LLC	0.148	LOT 29 OAKLAWN 0.148 AC	14643 DALLAS PKWY STE 1050	DALLAS	TX	75254	302 HENRY ST WAXAHACHE TX 75165
175100	TATUM EDGAR ETAL	0.17	LOT 30-32 OAKLAWN 0.17 AC	618 OVERLOOK DR	MIDLOTHIAN	TX	76065	300 HENRY ST WAXAHACHE TX 75165
175104	IBRAHIM AISHA N	0.121	LOT 35 & PT 36A OAKLAWN 0.121 AC	3010 RED RIVER CT	WAXAHACHE	TX	75167	212 HENRY ST WAXAHACHE TX 75165
175106	JOHNSON LESTER B & HENRIETTA	0.036	25 OAKLAWN 0.036 ACRES	412 HI RRY ST	WAXAHACHE	TX	75165	312 HENRY ST WAXAHACHE TX 75165
175107	IBMS ARTIE MAE	0.078	28 OAKLAWN 0.078 ACRES	414 N FLAT ST	WAXAHACHE	TX	75165	310 HENRY ST WAXAHACHE TX 75165
175108	JEFFERSON JOSEPH	0.098	LOT 27 OAKLAWN 0.098 AC	433 OLD HWY 287	WAXAHACHE	TX	75165	308 HENRY ST WAXAHACHE TX 75165
175109	AMERITEX HOMES LLC	0.124	LOT 28 OAKLAWN 0.124 AC	14643 DALLAS PKWY STE 1050	DALLAS	TX	75254	306 HENRY ST WAXAHACHE TX 75165
175113	MALONE SYLVESTER	0.034	LOT 22 OAKLAWN 0.034 AC	219 NORTHGATE DR	WAXAHACHE	TX	75165	318 HENRY ST WAXAHACHE TX 75165
175115	ESCOBEDO GILBERTO JR	0.179	LOT 13R OAKLAWN REV 0.179 AC	1100 PEARCE RD	REGINA	TX	75154	308 HENRY ST WAXAHACHE TX 75165
175118	ROBINSON MATTIE L & JESSIE G	0.083	17 OAKLAWN 0.083 ACRES	317 HENRY ST	WAXAHACHE	TX	75165	317 HENRY ST WAXAHACHE TX 75165
175120	VAZQUEZ LUIS E	0.092	LOT 8 OAKLAWN 0.092 AC	211 HENRY ST	WAXAHACHE	TX	75165	211 HENRY ST WAXAHACHE TX 75165
175121	HANCOCK WILLARD	0.096	LOT 9 OAKLAWN 0.096 AC	16148 VALLEY VIEW RD	FORNEY	TX	75126	301 HENRY ST WAXAHACHE TX 75165
175122	GRIFITH-AGUILAR CRISTIAN	0.096	LOT 10 OAKLAWN 0.096 AC	303 HENRY ST	WAXAHACHE	TX	75165	303 HENRY ST WAXAHACHE TX 75165
175123	AMERITEX HOMES LLC	0.092	LOT 11 OAKLAWN 0.092 AC	14643 DALLAS PKWY STE 1050	DALLAS	TX	75254	305 HENRY ST WAXAHACHE TX 75165
175124	AMERITEX HOMES LLC	0.092	LOT 12 OAKLAWN 0.092 AC	14643 DALLAS PKWY STE 1050	DALLAS	TX	75254	307 HENRY ST WAXAHACHE TX 75165
175126	MC KENZIE HENRY C	0.08	LOT 4 OAKLAWN 0.08 AC	203 HENRY ST	WAXAHACHE	TX	75165	203 HENRY ST WAXAHACHE TX 75165
175127	FLOWERS GERALD M & TRACY L	0.08	5 OAKLAWN 0.08 ACRES	203 HENRY ST	WAXAHACHE	TX	75165	205 HENRY ST WAXAHACHE TX 75165
175128	FLOWERS GERALD M & TRACY L	0.086	6 OAKLAWN 0.086 ACRES	207 HENRY ST	WAXAHACHE	TX	75165	207 HENRY ST WAXAHACHE TX 75165
175129	CLIP HOLDINGS LLC	0.092	LOT 7 OAKLAWN 0.092 AC	PO BOX 254	LAYTON	UT	84041	209 HENRY ST WAXAHACHE TX 75165
175133	VIEN LADD	0.247	LOT 1 OAKLAWN 0.247 AC	1015 FERRIE AVE	WAXAHACHE	TX	75165	115 HENRY ST WAXAHACHE TX 75165
175856	MC GRUDER SHEILA Y	0.115	11.2 TEMPLE 0.115 ACRES	107 CHURCH ST	WAXAHACHE	TX	75165	108 KINCHUM ST WAXAHACHE TX 75165
175857	AMERITEX HOMES LLC	0.115	LOT 12 BLK 2 TEMPLE-REV 0.115 AC	14643 DALLAS PKWY STE 1050	DALLAS	TX	75254	111 KINCHUM ST WAXAHACHE TX 75165
175858	BUCKLEY JOHN	0.09	LOT 13 BLK 2 TEMPLE-REV 0.09 AC	113 KINCHUM	WAXAHACHE	TX	75165	113 KINCHUM ST WAXAHACHE TX 75165
175859	JONES LARRY & LARONDA HAYES	0.23	LOT 2-3 BLK 2 TEMPLE-REV 0.23 AC	3720 PERWINNLE DR	FORT WORTH	TX	76137	108 MYERS ST WAXAHACHE TX 75165
175884	JEFFERSON LULA & ELLA	0.115	3.1 TEMPLE 0.115 ACRES	305 SALTER ST	WAXAHACHE	TX	75165	105 MYERS ST WAXAHACHE TX 75165
175886	BALL FLOYD	0.115	LOT 5 BLK 1 TEMPLE-REV 115 AC	205 N GETZENDANER ST	WAXAHACHE	TX	75165	206 GETZENDANER ST WAXAHACHE TX 75165
175887	JONES KATHERINE	0.109	LOT 1 BLK 2 TEMPLE-REV 109 AC	110 MYERS ST	WAXAHACHE	TX	75165	110 MYERS ST WAXAHACHE TX 75165
175877	POLK CURTIS LEE	0.101	1.1 TEMPLE 0.101 ACRES	285 DUNN AP ST	WAXAHACHE	TX	75165	109 MYERS ST WAXAHACHE TX 75165
175935	DOMINGUEZ CARLOS & COSTILLA ELIZABETH M	0.148	LOT 1-2 BLK 4 TEMPLE-REV 148 AC	112 RYBURN ST	WAXAHACHE	TX	75165	112 RYBURN ST WAXAHACHE TX 75165
175943	HERNANDEZ PRICILIANO P & ALICIA Z PEREZ	0.115	LOT 11 BLK 3 TEMPLE-REV 0.115 AC	109 RYBURN ST	WAXAHACHE	TX	75165	107 RYBURN ST WAXAHACHE TX 75165
175944	PEREZ PRICILIANO & ALICIA	0.249	LOT 12 13 BLK 3 TEMPLE-REV 249 AC	109 RYBURN ST	WAXAHACHE	TX	75165	109 RYBURN ST WAXAHACHE TX 75165
175946	TAYLOR FREDDIE M ETAL	0.145	LOT 3R BLK 3 TEMPLE-REV 145 AC	1313 STAFFORD DR	FT WORTH	TX	76134	110 KINCHUM ST WAXAHACHE TX 75165
175947	LOPEZ ANTONIO D JR	0.257	LOT 4R BLK 3 TEMPLE-REV 257 AC	325 CREEKSIDE WAY	WAXAHACHE	TX	75165	104 KINCHUM ST WAXAHACHE TX 75165
197149	COLWELL JOHN P	0.58	TR 1 170 TOWN 0.58 ACRES	P O BOX 892	WAXAHACHE	TX	75168	MANGETZENDANER RR WAXAHACHE TX 75165
197760	BLACK GIBSON & WATERS INC	1.299	LOT 3 BLK 171 TOWN 1.299 AC	105 CRYSTAL COVE	WAXAHACHE	TX	75165	809 DR MARTIN LUTHER KING JR BLVD WAXAHACHE TX 75165
205449	KOFAR GROUP	1	LOT PT2 BLK 171 TOWN 1 AC	3010 RED RIVER CT	WAXAHACHE	TX	75167	DR MARTIN LUTHER KING JR BLVD WAXAHACHE TX 75165
205458	GIBSON & GIBSON LLC	7	LOT PT1 BLK 171 TOWN 7 AC	105 CRYSTAL COVE	WAXAHACHE	TX	75165	E MAIN ST WAXAHACHE TX 75165
230532	SARGENT BRODERICK	0.084	LOT PT 2 BLK 174 TOWN 0.084 AC	224 FRIERSON	WAXAHACHE	TX	75168	FRIERSON ST WAXAHACHE TX 75165
262506	MULTIPLE OWNERS	0.6355	LOT 24R BLK 173 TOWN 0.6355 AC	200 N GETZENDANER AVE	WAXAHACHE	TX	75165	202 YOUNG ST WAXAHACHE TX 75165
274974	SUTTON WAYNE	0.543	LOT 1 BLK 13 SUTTON ADDN 543 AC	PO BOX 2061	WAXAHACHE	TX	75168	909 MARTIN LUTHER KING DR WAXAHACHE TX 75165
174101	PROPERTY OWNER	0		200 N GETZENDANER AVE	WAXAHACHE	TX	75165	200 N GETZENDANER AVE WAXAHACHE TX 75165



(19)

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-105-2021

RECEIVED JUL 16 2021

LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 27, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 2, 2021 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-105-2021

City Reference: 175125

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SUPPORT

OPPOSE

Comments:

limited frontage & density issues

Signature

Brad Yates member

Printed Name and Title

Date

7/16/21

Address

Box 2868 Wax TX.  
75168

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

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(19)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-105-2021

RECEIVED JUL 16 2021

LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

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Case Number: ZDC-105-2021

City Reference: 175134

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SUPPORT

OPPOSE

Comments:

limited frontage & density issues  
next to a single family PD

  
Signature

7/16/21  
Date

Brad Yates member  
Printed Name and Title

PO Box 2868  
Wax. Tx 75168  
Address

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(19)

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-105-2021

RECEIVED JUL 16 2021

LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

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Case Number: ZDC-105-2021

City Reference: 175849

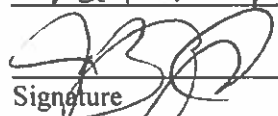
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SUPPORT

OPPOSE

Comments:

limited frontage & density issues  
next to a single family PD

  
Signature

7/16/21  
Date

Brad Yates member  
Printed Name and Title

Box 2868 Wax. TX  
75168  
Address

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(19)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-105-2021

RECEIVED JUL 16 2021

LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

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Case Number: ZDC-105-2021

City Reference: 175865

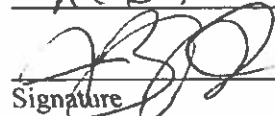
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SUPPORT

OPPOSE

Comments:

limited frontage & density issues  
next to a single family PD

  
Signature

7/16/21  
Date

Brad Yates member  
Printed Name and Title

Box 2868 Wax,  
Address TX. 75168

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City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-105-2021

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PO BOX 2868  
WAXAHACHIE, TX 75168

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Case Number: ZDC-105-2021

City Reference: 175873


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SUPPORT

OPPOSE

Comments:

limited frontage & density concerns next to a single family AD

  
Signature

7/16/21  
Date

Brad Yates member  
Printed Name and Title

Box 2868 Wax.  
Address TX 75168

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(19)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-105-2021

RECEIVED JUL 16 2021

LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

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Case Number: ZDC-105-2021

City Reference: 171254

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SUPPORT

OPPOSE

Comments:

limited access + frontage + density concerns  
next to a single family PD

[Signature]  
Signature

7/16/21  
Date

Brad Yates member  
Printed Name and Title

Box 2868 Wax.  
TX 75168  
Address

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City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-105-2021

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WAXAHACHIE, TX 75168

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Case Number: ZDC-105-2021

City Reference: 175095

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SUPPORT

OPPOSE

Comments:

limited access & frontage & density  
concerns next to a singlefamily PD

  
Signature

7/16/21  
Date

Brad Yates member  
Printed Name and Title

Box 2868 Wax.  
Address TX. 75168

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City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-105-2021

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WAXAHACHIE, TX 75168

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Case Number: ZDC-105-2021

City Reference: 175096

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SUPPORT

OPPOSE

Comments:

limited access & frontage & density  
concerns next to a single family PD

BJO  
Signature

7/16/21  
Date

Brad Yates member  
Printed Name and Title

Box 2868 Wax.  
TX. 75168  
Address

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(19)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-105-2021

RECEIVED JUL 16 2021

LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 27, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 2, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

- 1. Request by Josh Dunlap, for a Zoning Change from a Planned Development-General Retail zoning district to Planned Development-Multiple Family, located at 809 Dr Martin Luther King Jr Blvd (Property ID 205458 and 171253) - Owner: GIBSON & GIBSON, LLC (ZDC-105-2021)

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-105-2021

City Reference: 175105

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on Tuesday, July 20, 2021 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:

limited access & frontage & density  
concerns next to a single family PD

  
Signature

7/16/21  
Date

Brad Yates member  
Printed Name and Title

Box 2868 Wax TX  
Address 75168

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

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Case Number: ZDC-105-2021

City Reference: 175110

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Signature

7/16/21  
Date

Brad Yates member  
Printed Name and Title

Box 2868 Wax.  
Address  
Tx. 75168

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Case Number: ZDC-105-2021

City Reference: 175116


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Signature

7/16/21  
Date

Brad Yates member  
Printed Name and Title

Box 2868 Wax.  
Address TX: 75168

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(19)

# WAXAHACHIE FIRE-RESCUE

407 Water Street Box 1045 • Waxahachie TX, 75168  
(469) 309-4200 Fax: (469) 309-4208

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Fire Marshal John Rodgers  
407 Water Street  
Waxahachie, TX 75168  
jrodgers@waxahachiefire.org  
469-309-4203

August 11, 2021

RE: Gibson Crossing

All,

I would like to start by saying this is a very attractive development. The renderings are beautiful.

My concern is the proposed secondary ingress/egress road off of Young Street. 2018 International Fire Code 503.1.2 allows the fire code official to require more than one fire department access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climate conditions or other factors that could limit access.

This street is very narrow and congested and would not be adequate to support this size of a development. Fire department access roads need to be a minimum of 26' wide and Young Street is significantly less than that at only 14'.

As presented, I would not be in support of this particular layout for the reasons listed above.



John Rodgers  
Fire Marshal



GIBSON CROSSING

PROJECT NARRATIVE

PLANNED DEVELOPMENT PROVISIONS

AMENITIES LIST

SITE PLANS

STREET SECTIONS

ELEVATIONS

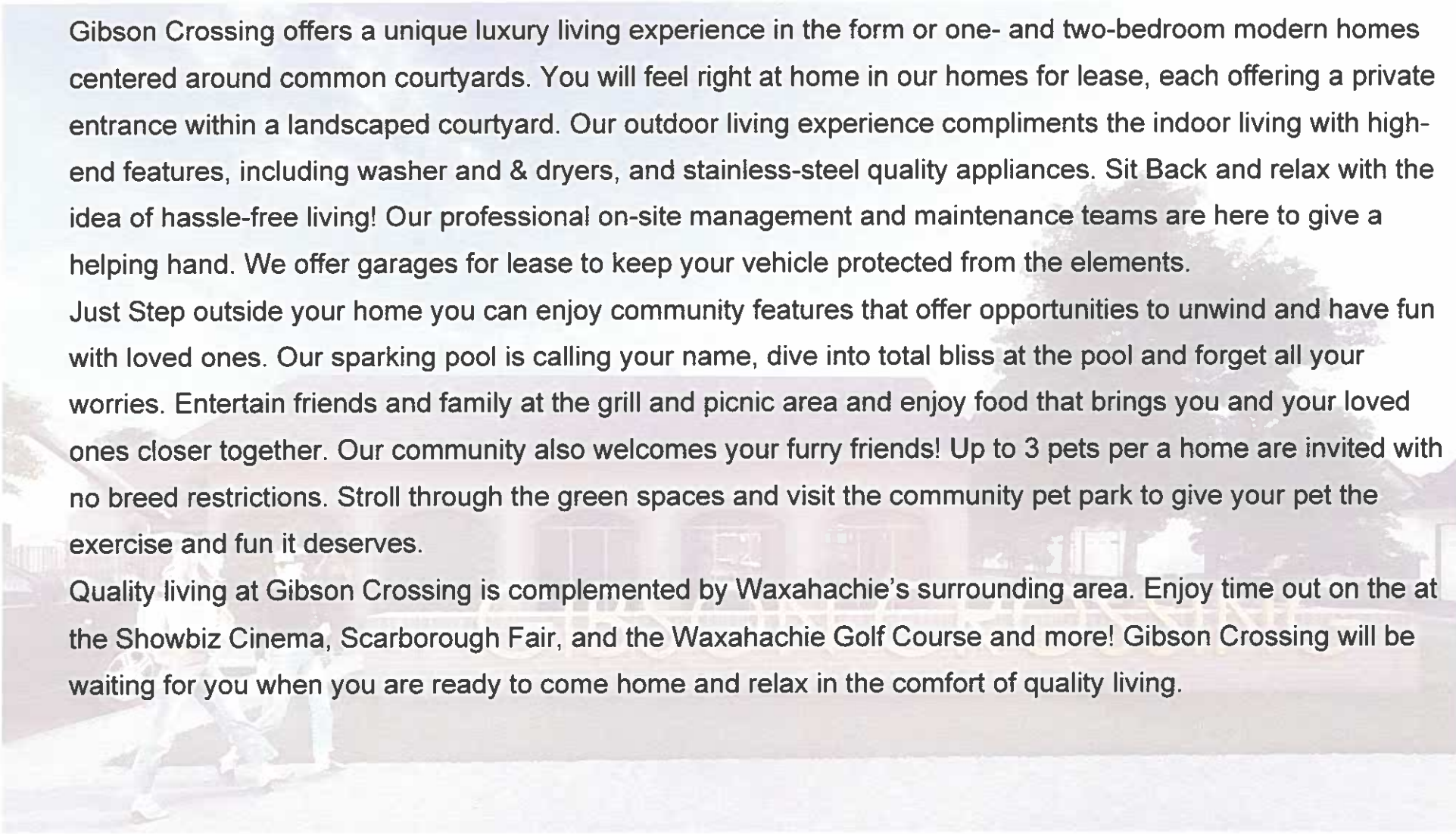
RENDERINGS

WAXAHACHE, TX

August 4, 2021







Gibson Crossing offers a unique luxury living experience in the form of one- and two-bedroom modern homes centered around common courtyards. You will feel right at home in our homes for lease, each offering a private entrance within a landscaped courtyard. Our outdoor living experience compliments the indoor living with high-end features, including washer and & dryers, and stainless-steel quality appliances. Sit Back and relax with the idea of hassle-free living! Our professional on-site management and maintenance teams are here to give a helping hand. We offer garages for lease to keep your vehicle protected from the elements.

Just Step outside your home you can enjoy community features that offer opportunities to unwind and have fun with loved ones. Our sparkling pool is calling your name, dive into total bliss at the pool and forget all your worries. Entertain friends and family at the grill and picnic area and enjoy food that brings you and your loved ones closer together. Our community also welcomes your furry friends! Up to 3 pets per a home are invited with no breed restrictions. Stroll through the green spaces and visit the community pet park to give your pet the exercise and fun it deserves.

Quality living at Gibson Crossing is complemented by Waxahachie's surrounding area. Enjoy time out on the at the Showbiz Cinema, Scarborough Fair, and the Waxahachie Golf Course and more! Gibson Crossing will be waiting for you when you are ready to come home and relax in the comfort of quality living.

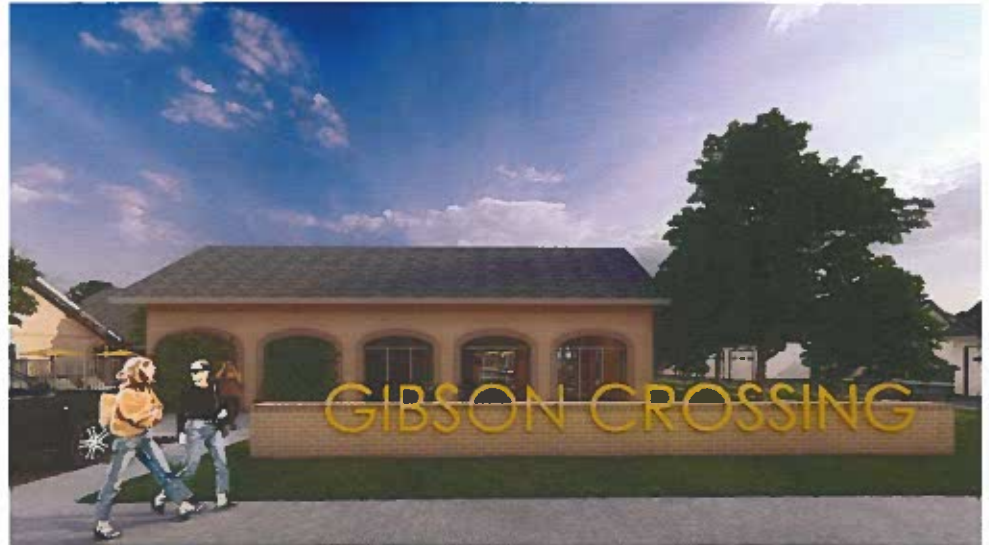


## COMMUNITY AMENITIES

- i. Pet Friendly – No Breed Restrictions
- ii. Pool
- iii. BBQ/ Picnic Area
- iv. Covered Parking
- v. 24/7 Emergency Maintenance
- vi. Concierge Lifestyle Services
- vii. Dog Park
- viii. Garages Available
- ix. On-Site Management

## IN-HOME FEATURES

- i. Shared Common Courtyards
- ii. Hard-Surface Flooring
- iii. Granite Countertops
- iv. Ceiling Fans
- v. Air Conditioner
- vi. High Ceilings
- vii. No Carpet
- viii. Stainless Appliances
- ix. Washer/ Dryer









B1	ONE BEDROOM	44
B2	TWO BEDROOM	57
TOTAL		101
PARKING		
P	STREET SPOTS	150
CP	COVER SPOTS	46
V	VISITOR SPOTS	31
HC	HANDICAP SPOTS	8
TOTAL		235

CONNECTION





B1 ONE BEDROOM	44	
B2 TWO BEDROOM	57	
TOTAL	101	
P1 GARAGE2	18	
ROD IRON FENCEING		

CONNECTION






ENTRY

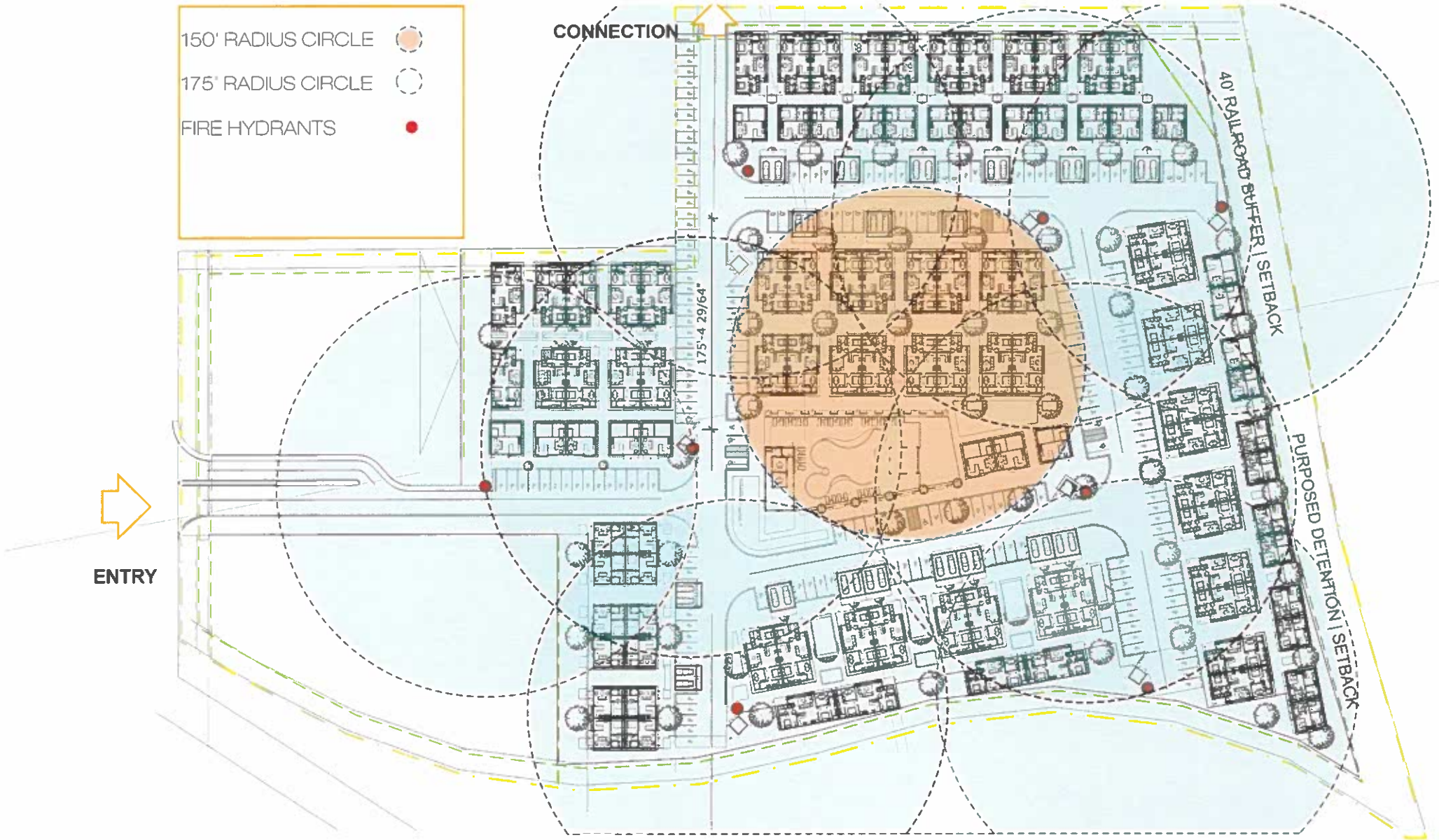
15' UTILITY EASEMENT



NOTES:  
 DEVELOPMENT WILL BE ONE PLAT  
 BUILDINGS TO BE A MINIMUM OF 12 FT APART WITH 12" EAVE OVER HANG



- 150' RADIUS CIRCLE 
- 175' RADIUS CIRCLE 
- FIRE HYDRANTS 





STREET DIAGRAMS

CONNECTION

40' RAILROAD BUFFER | SETBACK

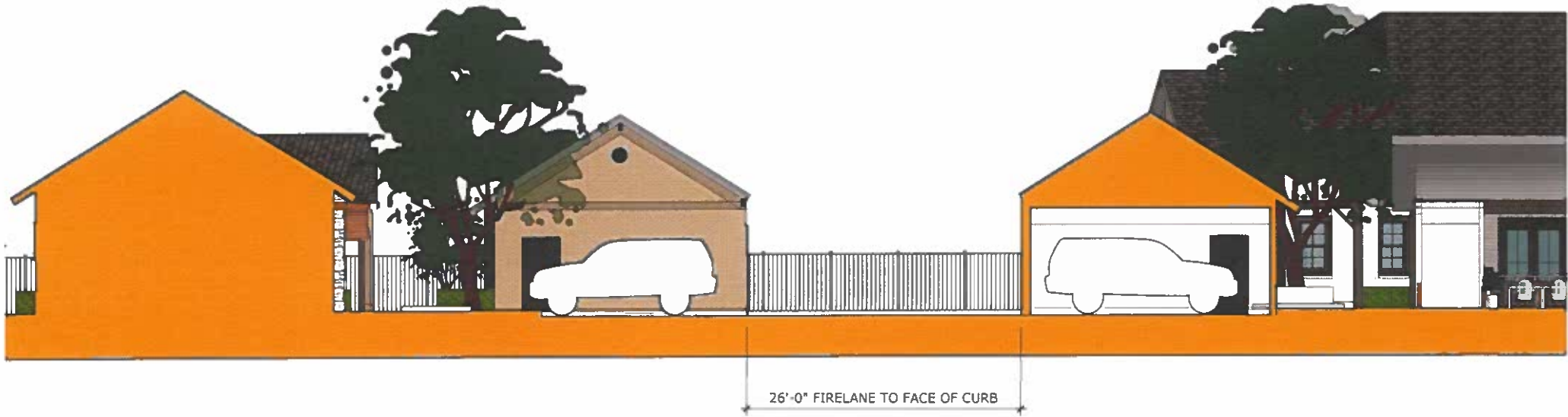
PURPOSED DETENTION | SETBACK



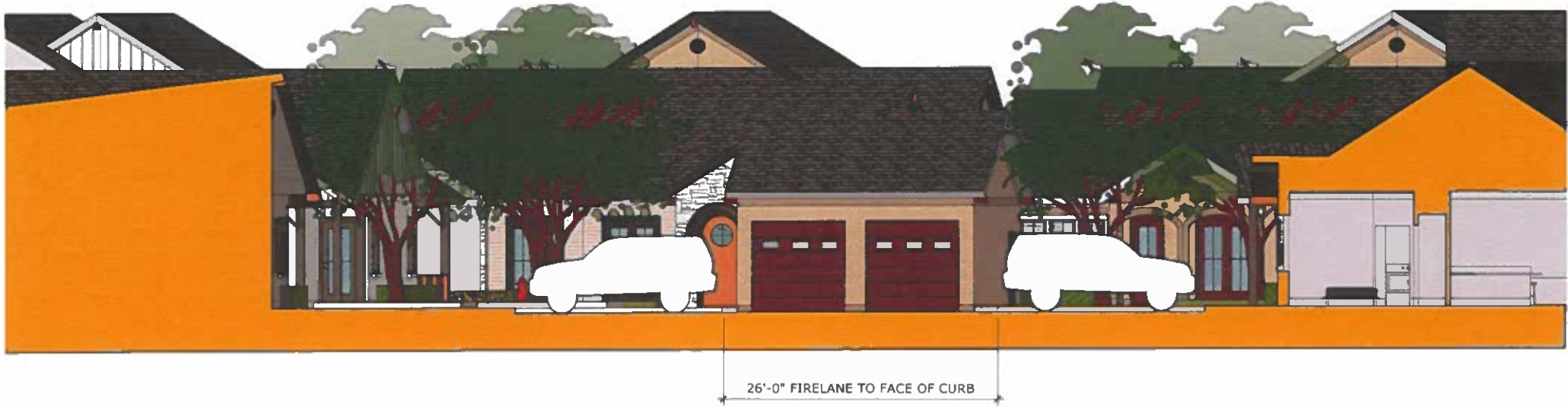
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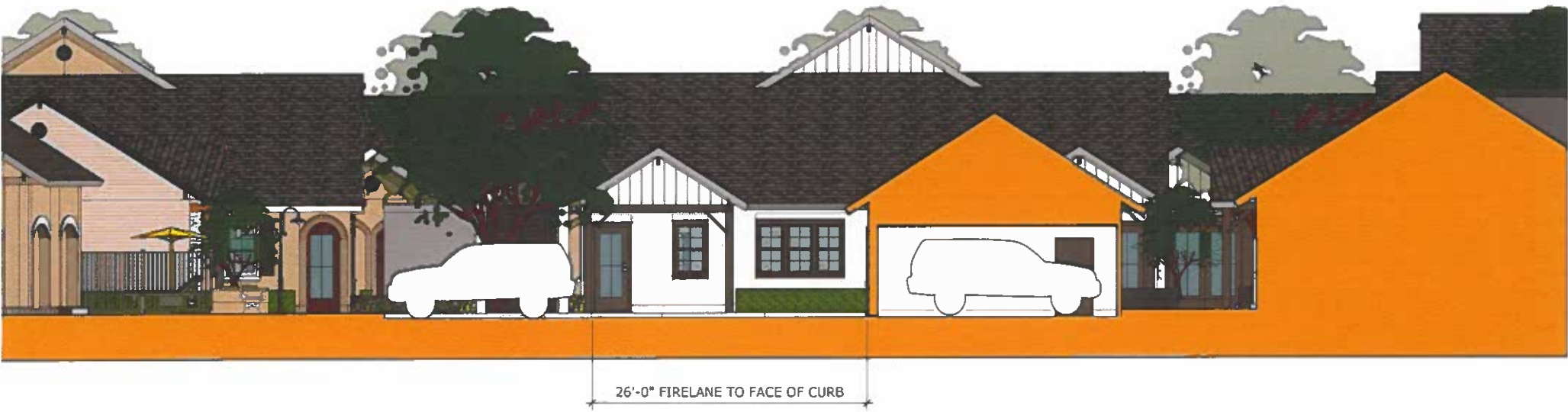


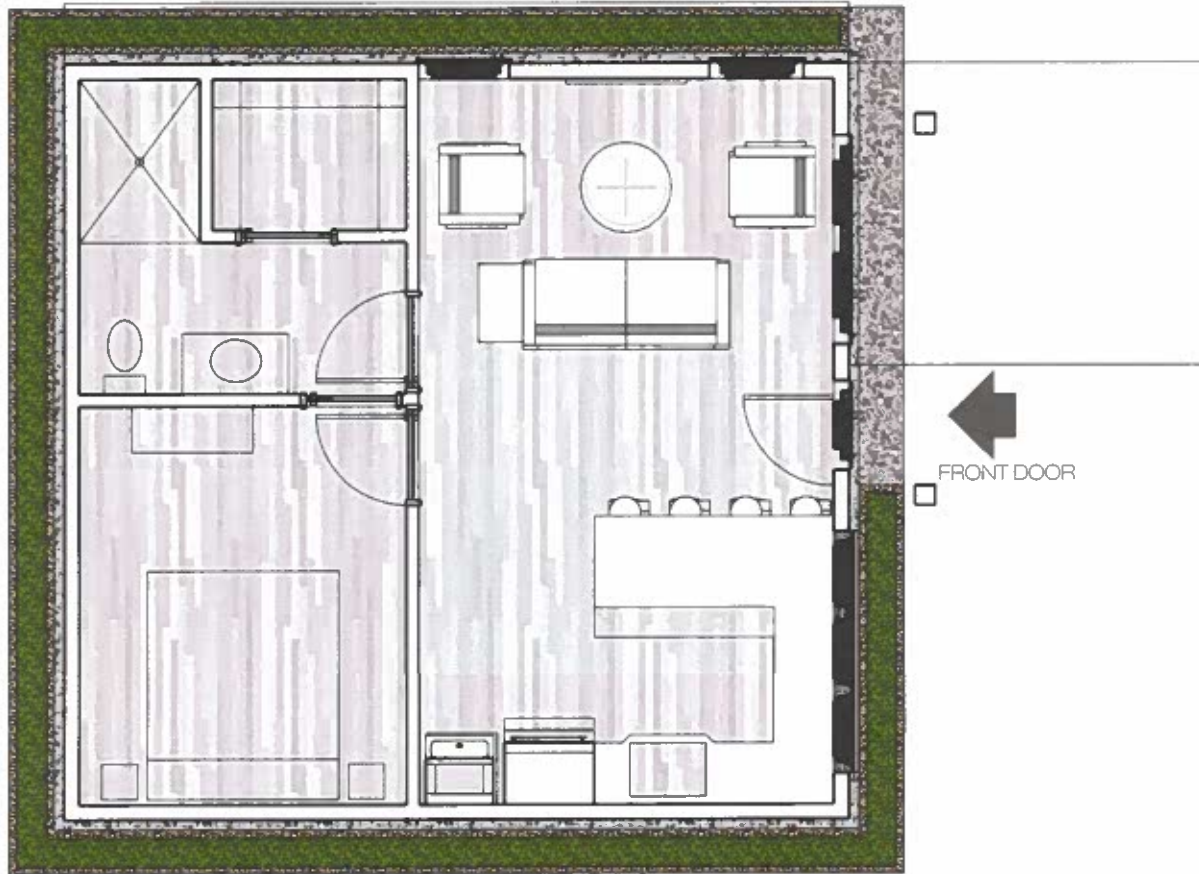




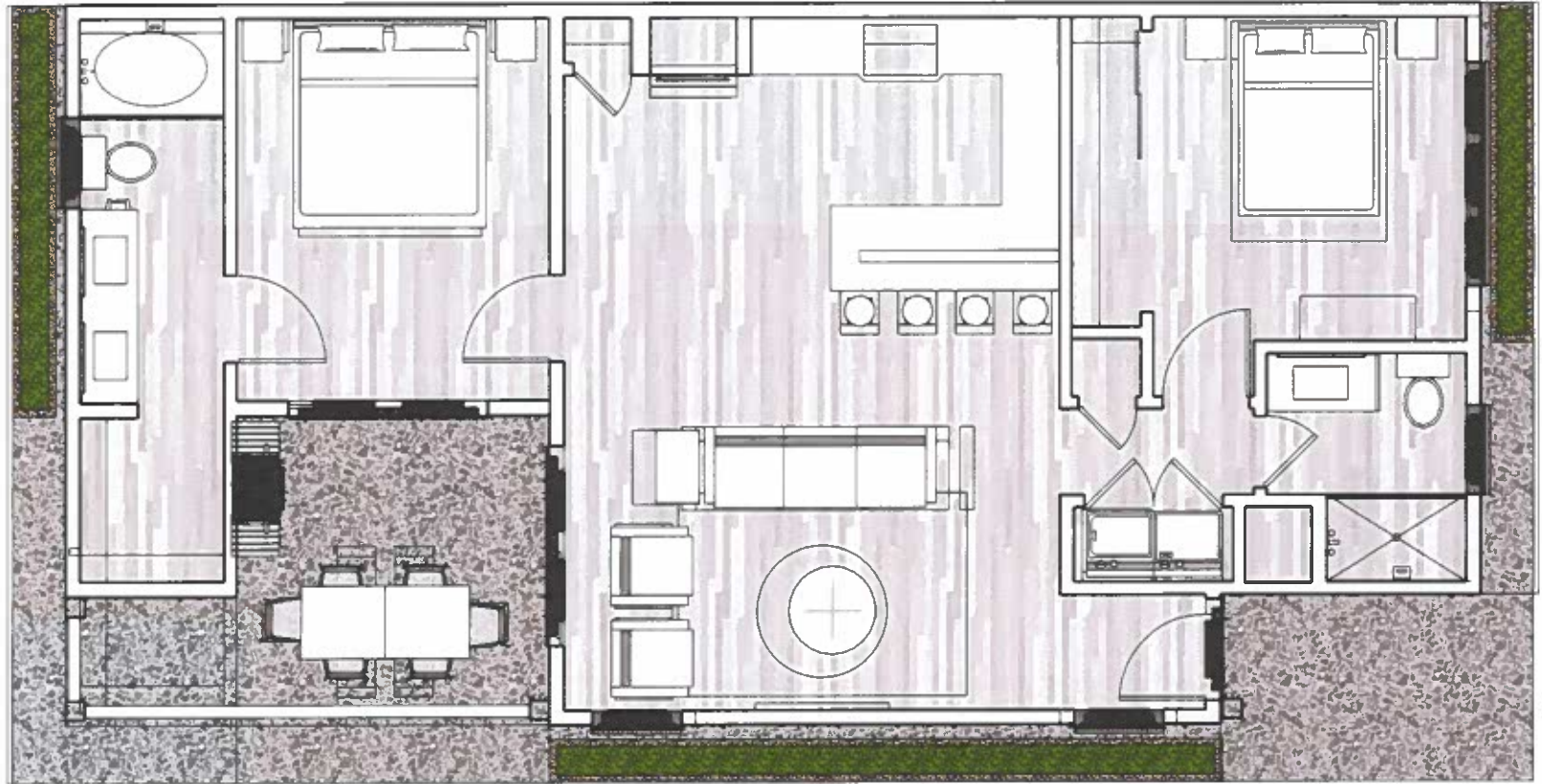








650 SF



FRONT DOOR

1062 SF



