

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, October 26, 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 October 12, 2021
 - b. Minutes of the Planning and Zoning Commission briefing of October 12, 2021
5. ***Continue 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)
6. ***Consider*** recommendation of Zoning Change No. ZDC-116-2021
7. ***Continue Public Hearing*** on a request by Andrew Garrett, for a Specific Use Permit (SUP) for an Accessory Dwelling located at 800 Sycamore St (Property ID 176411) - Owner: A GARRETT REAL ESTATE VENTURES, LLC (ZDC-134-2021)
8. ***Consider*** recommendation of Zoning Change No. ZDC-134-2021

9. **Continue Public Hearing** on a request by Yomi and Siyanade Fayiga for a Zoning Change from a Future Development Zoning to Planned Development-General Retail zoning district, located at Broadhead Road (Property ID 178923) - Owner: EQUITY TRUST COMPANY CUSTODIAN FBO (ZDC-146-2021)
10. **Consider** recommendation of Zoning Change No. ZDC-146-2021
11. **Public Hearing** on a request by Michael C. Jackson, Wynne Jackson, for Zoning Change from a Single Family-1 (SF1) zoning to Planned Development-Light Industrial-1 (PD-LI-1) for an Industrial Complex (Manufacturing/Distribution) use located West of Solon Road and East of Patrick Road (Property ID 284811) - Owner: REED LAND MANAGEMENT (ZDC-155-2021)
12. **Consider** recommendation of Zoning Change No. ZDC-155-2021
13. **Public Hearing** on a request by Andria Moore, In York Industries, LLC for a Replat of the Harriet I. Nowlin Addition, to create two (2) residential lots, being 0.325 acres shown as, Lot 3, Block 14, Harriet I. Nowlin Addition (Property ID 175062) – Owner: In York Industries, LLC (SUB-79-2021)
14. **Consider** approval of SUB-79-2021
15. **Public Hearing** on a request by Robert Morgan, Robert Morgan Construction, for a Specific Use Permit (SUP) for an Accessory Structure +700SF use within a Single Family-3 zoning district located at 1150 Dunaway St (Property ID 276925) - Owner: MORGAN ROBERT C & JENNIFER MORGAN (ZDC-152-2021)
16. **Consider** recommendation of Zoning Change No. ZDC-152-2021
17. **Public Hearing** on a request by Sidney Stratton, Manhard Consulting, for a Specific Use Permit (SUP) for an Auto Repair, Major (Caliber Collision) use within a Light Industrial-1 zoning district located at the intersection of Dart Way and North Highway 77 (Property ID 222752) - Owner: ADEMM 1 FAMILY LIMITED PARTNERSHIP LTD (ZDC-150-2021)
18. **Consider** recommendation of Zoning Change No. ZDC-150-2021
19. Adjourn

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

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

<p style="text-align: center;">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.</p>
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(4a)

Planning and Zoning Commission
October 12, 2021

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, October 12, 2021 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

Member Absent: Erik Test

Others Present: Shon Brooks, Executive Director of Development Services
Colby Collins, Planning Manager
Chris Webb, Senior Planner
James Gaertner, Director of Public Works & Engineering
Amber Villarreal, City Secretary
Melissa Olson, Council Representative

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

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

3. **Public Comments**

Judith Hendrich, 2530 Solon Road, Waxahachie, Texas, requested clarification on ZDC-116-2021. Chairman Keeler explained the Commission has not received any information on the case and directed Ms. Hendrich to contact City staff.

4. **Reorganize the Commission**

Action:

Ms. Melissa Ballard moved to nominate Rick Keeler as Chairman. Mr. David Hudgins seconded, All Ayes.

Mr. Jim Phillips moved to nominate Melissa Ballard as Vice Chairman. Ms. Betty Square Coleman seconded, All Ayes.

5. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of September 28, 2021
- b. Minutes of the Planning and Zoning Commission briefing of September 28, 2021

Action:

Vice Chairman Melissa Ballard moved to approve items a. and b. on the Consent Agenda. Ms. Bonney Ramsey seconded, All Ayes.

(4a)

Planning and Zoning Commission

October 12, 2021

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6. **Continue Public Hearing on a request by Michael Cervantes, for a Specific Use Permit (SUP) for an Accessory Dwelling located at 240 Brookbend Drive (Property ID 208068) - Owner: EXOUSIA CONSTRUCTION, LLC (ZDC-133-2021)**

Chairman Keeler continued the Public Hearing and announced the applicant requested to continue ZDC-133-2021 to the October 26, 2021 Planning and Zoning Commission meeting.

7. **Consider recommendation of Zoning Change No. ZDC-133-2021**

Action:

Vice Chairman Melissa Ballard moved to continue the Public Hearing on a request by Michael Cervantes, for a Specific Use Permit (SUP) for an Accessory Dwelling located at 240 Brookbend Drive (Property ID 208068) - Owner: EXOUSIA CONSTRUCTION, LLC (ZDC-133-2021) to the October 26, 2021 Planning and Zoning Commission meeting. Ms. Betty Square Coleman seconded, All Ayes.

8. **Public Hearing on a request by Yomi and Siyanade Fayiga for a Zoning Change from a Future Development zoning to Planned Development-General Retail zoning district, located at Broadhead Road (Property ID 178923) - Owner: EQUITY TRUST COMPANY CUSTODIAN FBO (ZDC-146-2021)**

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue ZDC-146-2021 to the October 26, 2021 Planning and Zoning Commission meeting.

9. **Consider recommendation of Zoning Change No. ZDC-146-2021**

Action:

Ms. Bonney Ramsey moved to continue the Public Hearing on a request by Yomi and Siyanade Fayiga for a Zoning Change from a Future Development zoning to Planned Development-General Retail zoning district, located at Broadhead Road (Property ID 178923) - Owner: EQUITY TRUST COMPANY CUSTODIAN FBO (ZDC-146-2021) to the October 26, 2021 Planning and Zoning Commission meeting. Vice Chairman Melissa Ballard seconded, All Ayes.

10. **Public Hearing on a request by Kristin Brasher, Playgrounds, Etc., for a Specific Use Permit (SUP) for an Auto Repair Facility (Caliber Collision) use within a Light Industrial-1 zoning district located at North Highway 77 (Property ID 222752) - Owner: ADEMM 1 FAMILY LIMITED PARTNERSHIP LTD (ZDC-150-2021)**

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue ZDC-150-2021 to the October 26, 2021 Planning and Zoning Commission meeting.

11. **Consider recommendation of Zoning Change No. ZDC-150-2021**

Action:

Ms. Bonney Ramsey moved to continue the Public Hearing on a request by Kristin Brasher, Playgrounds, Etc., for a Specific Use Permit (SUP) for an Auto Repair Facility (Caliber Collision) use within a Light Industrial-1 zoning district located at North Highway 77 (Property ID 222752)

- Owner: ADEMM1 FAMILY LIMITED PARTNERSHIP LTD (ZDC-150-2021) to the October 26, 2021 Planning and Zoning Commission meeting. Ms. Betty Square Coleman seconded, All Ayes.

12. **Public Hearing on a request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Replat of Lots 49 & 50, Thompson's Southland Addition, to create Lot 49R, 1 Residential Lot, being 0.230 acres (Property ID 175967) – Owner: DARMAR INVESTMENTS (SUB-82-2021)**

Chairman Keeler opened the Public Hearing.

Senior Planner Chris Webb reviewed the case noting the applicant is requesting to replat the property into one (1) lot for single-family residential use and staff recommended approval as presented.

There being no others to speak for or against SUB-82-2021, Chairman Keeler closed the Public Hearing.

13. **Consider approval of SUB-82-2021**

Action:

Vice Chairman Melissa Ballard moved to approve a request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Replat of Lots 49 & 50, Thompson's Southland Addition, to create Lot 49R, 1 Residential Lot, being 0.230 acres (Property ID 175967) – Owner: DARMAR INVESTMENTS (SUB-82-2021) per staff comments. Ms. Betty Square Coleman seconded, All Ayes.

14. **Consider request by Bibiana Ramirez, for a Final Plat of Patrick Road Addition, Lot 1, Block A, being 1.011 acres situated in the Carter H. Hurst Survey, Abstract 456, an Addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 234433) – Owner: BIBIANA RAMIREZ & SALVADOR R MARTINEZ (SUB-132-2021)**

Planner Zack King presented the case noting the applicant is requesting to plat the property into one (1) lot for single-family residential use and staff recommended approval as presented.

Action:

Ms. Bonney Ramsey moved to approve a request by Bibiana Ramirez, for a Final Plat of Patrick Road Addition, Lot 1, Block A, being 1.011 acres situated in the Carter H. Hurst Survey, Abstract 456, an Addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 234433) – Owner: BIBIANA RAMIREZ & SALVADOR R MARTINEZ (SUB-132-2021) as presented. Mr. David Hudgins seconded, All Ayes.

15. **Public Hearing on a request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Replat of Lot 9, College Addition, to create Lots 9A & 9B, College Addition, 2 Residential Lots, being 0.323 acres (Property ID 172807) – Owner: LARRY & ASHLEY DANTIC (SUB-137-2021)**

Chairman Keeler opened the Public Hearing.

Mr. King presented the case noting the applicant is requesting to replat the property into two (2) lots for single-family residential use and staff recommended approval as presented.

There being no others to speak for or against SUB-137-2021, Chairman Keeler closed the Public Hearing.

16. Consider approval of SUB-137-2021

Action:

Mr. David Hudgins moved to approve a request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Replat of Lot 9, College Addition, to create Lots 9A & 9B, College Addition, 2 Residential Lots, being 0.323 acres (Property ID 172807) – Owner: LARRY & ASHLEY DANTIC (SUB-137-2021). Ms. Betty Square Coleman seconded, All Ayes.

17. Public Hearing on a request by Barbara Turner, for a Replat of Lots 42 & 43, Block 181, Town Addition, to create Lot 42R, Block 181, Town Addition, 1 Residential Lot, being 0.171 acres (Property ID 171375) – Owner: BARBARA ANN TURNER (SUB-147-2021)

Chairman Keeler opened the Public Hearing.

Mr. King presented the case noting the applicant is requesting to replat the property from two (2) lots into one (1) lot for single-family residential use and staff recommended approval as presented. He explained a new fire hydrant is required in order to provide adequate fire coverage to the site and the hydrant will be furnished by the City of Waxahachie.

There being no others to speak for or against SUB-147-2021, Chairman Keeler closed the Public Hearing.

18. Consider approval of SUB-147-2021

Action:

Ms. Betty Square Coleman moved to approve a request by Barbara Turner, for a Replat of Lots 42 & 43, Block 181, Town Addition, to create Lot 42R, Block 181, Town Addition, 1 Residential Lot, being 0.171 acres (Property ID 171375) – Owner: BARBARA ANN TURNER (SUB-147-2021) as presented. Ms. Bonney Ramsey seconded, All Ayes.

19. Public Hearing on a request by Barbara Turner, for a Replat of Lots 54 & 55, Block 181, Town Addition, to create Lot 54R, Block 181, Town Addition, 1 Residential Lot, being 0.171 acres (Property ID 171364) – Owner: BARBARA ANN TURNER (SUB-148-2021)

Chairman Keeler opened the Public Hearing.

Mr. King presented the case noting the applicant is requesting to replat the property from two (2) lots into one (1) lot for single-family residential use and staff recommended approval as presented.

There being no others to speak for or against SUB-148-2021, Chairman Keeler closed the Public Hearing.

20. Consider approval of SUB-148-2021

Action:

Ms. Bonney Ramsey moved to approve a request by Barbara Turner, for a Replat of Lots 54 & 55, Block 181, Town Addition, to create Lot 54R, Block 181, Town Addition, 1 Residential Lot, being 0.171 acres (Property ID 171364) – Owner: BARBARA ANN TURNER (SUB-148-2021) as presented. Ms. Betty Square Coleman seconded, All Ayes.

21. Public Hearing on a request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Replat of Lots 1 & 2, Hill-View Addition, to create Lot 1R, Hill-View Addition, 1 Residential Lot, being 0.253 acres (Property ID 174262) – Owner: GENOVER JOHNSON (SUB-138-2021)

Chairman Keeler opened the Public Hearing.

Mr. King presented the case noting the applicant is requesting to replat the property from two (2) lots into one (1) lot for single-family residential use and staff recommended approval as presented. He explained, before filing of the plat, the applicant must extend an 8-inch water line from the intersection of Finley St. and Henrietta St., and an 8-inch sewer line from the intersection of Flower St. and Henrietta St. in order to have access to adequate public utilities.

There being no others to speak for or against SUB-138-2021, Chairman Keeler closed the Public Hearing.

22. Consider approval of SUB-138-2021

Action:

Ms. Betty Square Coleman moved to approve a request by Tim Jackson, Texas Reality Capture & Surveying, LLC, for a Replat of Lots 1 & 2, Hill-View Addition, to create Lot 1R, Hill-View Addition, 1 Residential Lot, being 0.253 acres (Property ID 174262) – Owner: GENOVER JOHNSON (SUB-138-2021) as presented. Mr. Jim Phillips seconded, All Ayes.

23. Public Hearing on a request by Justin Bright, Bright Pools. LLC, for a Specific Use Permit (SUP) for an Accessory Structure +700SF use within a Single Family-2 zoning district located at 201 E University (Property ID 176324) - Owner: JASON W & JACLYN L WILSON (ZDC-141-2021)

Chairman Keeler opened the Public Hearing.

Mr. King presented the case noting the applicant is requesting approval to construct a 264 sq. ft. accessory structure to be used as an outdoor kitchen and pergola and staff recommended approval per the following staff comments:

1. The applicant will obtain a building permit from the City of Waxahachie Building Inspections department prior to construction of the proposed structure.
2. The accessory structure shall not be used as a dwelling unit.
3. The structure shall in any case not be leased or sold separately and shall not be separately metered.

Jaclyn Wilson, 201 E. University Avenue, Waxahachie, Texas, requested approval to add the outdoor kitchen and pergola to her property for family use.

There being no others to speak for or against ZDC-141-2021, Chairman Keeler closed the Public Hearing.

24. Consider recommendation of Zoning Change No. ZDC-141-2021

Action:

Mr. Jim Phillips moved to approve a request by Justin Bright, Bright Pools. LLC, for a Specific Use Permit (SUP) for an Accessory Structure +700SF use within a Single Family-2 zoning district located at 201 E University (Property ID 176324) - Owner: JASON W & JACLYN L WILSON (ZDC-141-2021) per staff comments. Ms. Bonney Ramsey seconded, All Ayes.

25. Continue Public Hearing request by Ronald Fraser, Fraser Real Estate Group, for a Specific Use Permit (SUP) for a Unified Lot Sign located at 3298 S Interstate 35E (Property ID 225222, 223397, 179035) - Owner: H&D REALTY INVESTMENTS, LLC. (ZDC-140-2021).

Chairman Keeler continued the Public Hearing.

Mr. Webb presented the case noting the applicant is requesting a Specific Use Permit be approved to allow for a unified lot sign use (pole sign and directional sign) and an electronic message sign for a carwash. He noted staff recommended approval per the following staff comment:

1. The exterior of the electronic message sign shall be constructed out of masonry (stone or brick) material.

Chairman Keeler inquired about the landscape buffer and Mr. Webb noted with the TxDOT right-of-way acquisition the applicant no longer meets the landscape ordinance. However, due to the acquisition, staff considers it a hardship.

Chairman Keeler requested landscape replacement if only a portion is removed.

Commissioner David Hudgins noted the current 60-foot sign is visible and questioned the need for the additional 15 ft. for the new sign.

Ron Fraser, 2631 White Rock Road, Dallas, Texas, explained the sign will be moved further back on the property due to the TxDOT right-of-way acquisition.

Commissioner Hudgins inquired about adding additional masonry to the proposed electronic message sign and Mr. Fraser noted he did not see an issue with that request.

There being no others to speak for or against ZDC-140-2021, Chairman Keeler closed the Public Hearing.

26. Consider recommendation of Zoning Change No. ZDC-140-2021

Action:

Mr. David Hudgins moved to approve a request by Ronald Fraser, Fraser Real Estate Group, for a Specific Use Permit (SUP) for a Unified Lot Sign located at 3298 S Interstate 35E (Property ID 225222, 223397, 179035) - Owner: H&D REALTY INVESTMENTS, LLC. (ZDC-140-2021) with the addition of the exterior of the electronic message sign to be constructed out of masonry (stone or brick) material. Ms. Betty Square Coleman seconded, the vote was as follows: Ayes: Betty Square Coleman, Bonney Ramsey, and David Hudgins. Noes: Rick Keeler, Melissa Ballard, and Jim Phillips.

The motion did not carry.

27. Public Hearing on a request by George Salvador for a Zoning Change from a Single Family-1 Zoning to Planned Development-Single Family zoning district, located at 401 Ovilla Road (Property ID 205458 and 171253) - Owner: EIS DEVELOPMENT II, LLC (ZDC-142-2021)

Chairman Keeler opened the Public Hearing.

Mr. Webb presented the case noting the applicant is requesting to create a Planned Development, known as Dominion Park, to allow for the development of 207 single-family detached homes and staff recommended approval per the following comment:

1. A mutually agreed upon Development Agreement will be required for the development.

Mr. Webb noted one letter of opposition was received and he reviewed the following changes to the zoning request since the May 17, 2021 City Council meeting:

- Reduced the total number of lots from 209 lots to 207 lots
- Revised the plan to create a greater mix of lot sizes within the proposed development
- Removed the alleyways that were located behind lots along the edges of the subdivision
- Reduced the number of lots less than 10,000 sq. ft. in size from 134 lots to 121 lots
- Increased the number of 10,000+ sq. ft. lots from 75 lots to 86 lots
 - 22 of these lots are greater than 11,000 sq. ft.

Chairman Keeler expressed his preference for side entry garages for the lots without alleys.

(4a)

Commissioner Jim Phillips asked if the owner can provide 6-7 floor plan variations for each of the architectural style houses and an additional roundabout to the last street intersection of the development.

George Salvador, 111 Spider Road, Waxahachie, Texas, agreed to Mr. Phillips' requests.

Commissioner Hudgins asked if the Fire Department had reviewed the plan and Mr. Webb noted they reviewed the submittal and did not express any concerns. Mr. Hudgins asked if the roundabouts would allow for ladder truck access.

James Gaertner, Director of Public Works & Engineering, explained details about the roundabouts will be further looked at during the platting process, but they are typically designed to allow ladder truck access around or over the roundabout.

There being no others to speak for or against ZDC-142-2021, Chairman Keeler closed the Public Hearing.

28. Consider recommendation of Zoning Change No. ZDC-142-2021

Action:

Mr. Jim Phillips moved to approve a request by George Salvador for a Zoning Change from a Single Family-1 Zoning to Planned Development-Single Family zoning district, located at 401 Ovilla Road (Property ID 205458 and 171253) - Owner: EIS DEVELOPMENT II, LLC (ZDC-142-2021) with an additional roundabout at Burrow Drive and Territorial Way and seven (7) variations of floor plans for each architectural style home. Vice Chairman Melissa Ballard seconded, All Ayes.

29. Continue 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)

Chairman Keeler continued the Public Hearing and announced the applicant requested to continue ZDC-116-2021 to the October 26, 2021 Planning and Zoning Commission meeting.

30. Consider recommendation of Zoning Change No. ZDC-116-2021

Action:

Mr. Jim Phillips moved to continue the 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) to the October 26, 2021 Planning and Zoning Commission meeting. Ms. Betty Square Coleman seconded, All Ayes.

(4a)

31. Adjourn

Executive Director of Development Services Shon Brooks announced Senior Planner Chris Webb has resigned to take a position with another city. He noted he was proud of Mr. Webb and wished him well on his new endeavor.

Planning Manager Colby Collins, the Planning and Zoning Commission, and Council Representative Melissa Olson echoed Mr. Brooks' comments and wished Mr. Webb the best in his future.

There being no further business, the meeting adjourned at 8:04 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(4b)

Planning and Zoning Commission
October 12, 2021

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, October 12, 2021 at 6:00 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

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

Member Absent: Erik Test

Others Present: Shon Brooks, Executive Director of Development Services
Colby Collins, Planning Manager
Chris Webb, Senior Planner
James Gaertner, Director of Public Works & Engineering
Amber Villarreal, City Secretary
Melissa Olson, Council Representative

1. Call to Order

Chairman Rick Keeler called the meeting to order.

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

Senior Planner Chris Webb reviewed the following cases:

- ZDC-133-2021, applicant requested to continue this case to the October 26, 2021 Planning and Zoning Commission Meeting.
- ZDC-146-2021, applicant requested to continue this case to the October 26, 2021 Planning and Zoning Commission Meeting.
- ZDC-150-2021, applicant requested to continue this case to the October 26, 2021 Planning and Zoning Commission Meeting.
- SUB-82-2021, applicant requested to replat the property into one (1) lot for single-family residential use. Staff recommends approval as presented.
- ZDC-140-2021, applicant requested a Specific Use Permit to allow for a unified lot sign use (pole sign and directional sign) and an electronic message sign for a carwash. He noted the current pole sign is 60 ft. in height and the applicant is requesting a 75 ft. sign. Staff recommends approval per staff comments. The Commission discussed concerns with the additional height of the sign.
- ZDC-142-2021, applicant requested to create a Planned Development, known as Dominion Park, to allow for the development of 207 single-family detached homes. Staff recommends approval per staff comments which allows additional control of architectural styles, amenity locations, and regulate masonry requirements through a Development Agreement.
- ZDC-116-2021, applicant requested to continue this case to the October 26, 2021 Planning and Zoning Commission Meeting.

(4b)

Planner Zack King reviewed the following cases:

- SUB-132-2021, applicant is requesting to plat the property into one (1) lot for single-family residential use. Staff recommends approval as presented.
- SUB-137-2021, applicant is requesting to replat the property into two (2) lots for single-family residential use. Staff recommends approval as presented.
- SUB-147-2021, applicant is requesting to replat the property from two (2) lots into one (1) lot for single family residential use. Staff recommends approval as presented.
- SUB-148-2021, applicant is requesting to replat the property from two (2) lots into one (1) lot for single family residential use. Staff recommends approval per staff comments.
- SUB-138-2021, applicant is requesting to replat the subject property from two (2) lots into one (1) lot for single-family residential use. Staff recommends approval as presented.
- ZDC-141-2021, applicant is requesting approval to construct a 264 sq. ft. accessory structure to be used for an outdoor kitchen and pergola. Staff recommends approval per staff comments.

3. Adjourn

There being no further business, the meeting adjourned at 7:00 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(5+6)



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Executive Director of Development Services
Thru: Albert Lawrence – Deputy City Manager *AL*
Date: October 19, 2021
Re: ZDC-116-2021 – 35 South Logistics Hub

On October 19, 2021, the applicant asked staff to withdraw case no. ZDC-116-2021 from the October 26, 2021 Planning and Zoning Commission agenda, as well as the November 1, 2021 City Council meeting agenda.

(7+8)



Memorandum


To: Honorable Mayor and City Council
From: Shon Brooks, Executive Director of Development Services
Thru: Albert Lawrence, Deputy City Manager *AL*
Date: October 20, 2021
Re: ZDC-134-2021 – 800 Sycamore – Accessory Dwelling

On October 20, 2021, the applicant requested to continue case no. ZDC-134-2021 from the October 26, 2021 Planning and Zoning Commission agenda and the November 1, 2021 City Council meeting agenda to the November 9, 2021 Planning and Zoning Commission meeting agenda and the November 15, 2021 City Council meeting agenda.

(9+10)



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Executive Director of Development Services
Thru: Albert Lawrence, Deputy City Manager 
Date: October 20, 2021
Re: ZDC-146-2021 – Broadhead Road Mixed Use Development

On October 20, 2021, the applicant requested to continue case no. ZDC-146-2021 from the October 26, 2021 Planning and Zoning Commission agenda and the November 1, 2021 City Council meeting agenda to the November 9, 2021 Planning and Zoning Commission agenda and the November 15, 2021 City Council meeting agenda.

(11+12)



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Executive Director of Development Services
Thru: Albert Lawrence, Deputy City Manager *AL*
Date: October 15, 2021
Re: ZDC-155-2021 – Wynne Jackson Industrial Development

On October 15, 2021, the applicant requested to continue case number ZDC-155-2021 from the October 26, 2021 Planning and Zoning Commission agenda and the November 1, 2021 City Council meeting agenda and be placed on the November 9, 2021 Planning and Zoning Commission agenda and the November 15, 2021 City Council Agenda.

(13)

Planning & Zoning Department Plat Staff Report

Case: SUB-79-2021



MEETING DATE(S)

Planning & Zoning Commission: October 26, 2021

City Council: November 1, 2021

CAPTION

Public Hearing on a request by Andria Moore, In York Industries, LLC for a **Replat** of the Harriet I. Nowlin Addition, to create two (2) residential lots, being 0.325 acres shown as, Lot 3, Block 14, Harriet I. Nowlin Addition (Property ID 175062) – Owner: In York Industries, LLC (SUB-79-2021)

APPLICANT REQUEST

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

CASE INFORMATION

Applicant: Andria Moore, In York Industries, LLC

Property Owner(s): In York Industries, LLC

Site Acreage: 0.325 acres

Number of Lots: 2 lots

Number of Dwelling Units: 2 units

Park Land Dedication: N/A (Infill)

Adequate Public Facilities: Adequate facilities are available to the subject property.

SUBJECT PROPERTY

General Location: 917 MLK Blvd

Parcel ID Number(s): 175062

Current Zoning: SF-3 (Infill)

Existing Use: The site is currently undeveloped.

Platting History: The subject property was platted as Lot 3, Block 14 of the Harriet I. Nowlin Addition

Site Aerial:**PLANNING ANALYSIS**

The applicant is proposing to replat the subject property into two (2) lots for single family residential use. Each lot will be served by water and sewer. Due to the water line running along MLK Blvd, and the sewer line running in the alley behind the subject property, a private utility easement will be established with this replat that will allow each lot to have access to the necessary utilities. The applicant will be providing a 10' ROW dedication to MLK Blvd as well as establishing 15' utility easements along the roadway frontage (both MLK Blvd and Oneida St).

PETITION OF RELIEF REQUEST

MLK Blvd is shown to be a 110' ROW, per the City of Waxahachie Thoroughfare Map. Per Sec. 2.3.a (1) of the City Subdivision Ordinance, the plat will need to substantially conform to the thoroughfare plan. Per this language, the requirement for ROW dedication would be 55' from the centerline of the road (approx. 25' of ROW dedication is needed).

Waiver Request

The applicant is requesting a petition of relief waiver from the ROW dedication that has been requested by staff. The applicant's argument regarding this dedication request is that the dedication, coupled with the necessary utility easements would essentially render the property useless for any development purpose.

Staff believes a 10' ROW dedication for this property is sufficient. All other infill development standards will be adhered to which will allow for a single family structure. It is important to note that due to the property already being platted, the developer will be able to construct a single family residence on this property without giving up any ROW dedication.

Required Planning and Zoning Commission Action

Due to this case having a petition for relief waiver associated with it, City Council will need approve the Petition of Relief Request. However, the Planning and Zoning Commission will be able to make a recommendation on the Petition to Council. The action required will be the following:

1. Either a recommendation for approval or disapproval of the plat.
2. Either a recommendation of approval or disapproval of the petition of relief waiver.

Note: These recommendations can be made in one motion.

PROPERTY OWNER NOTIFICATION

To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, 29 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 three (3) letters in support and one (1) letter in opposition of the proposed replat.

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. PON Responses
2. 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:
Zack King
Planner
zking@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Executive Director of Development Services
sbrooks@waxahachie.com

(13)

PropertyID	Owner's Name	Acres	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
174057	MAHDI NIMR A	0.086	LOT 13 HIGHLAND PARK 086 AC	PO BOX 1	FORRESTON	TX	75041	308 PERRY AVE WAXAHACHIE TX 75165
174052	COOKS DOROTHY RUTH	0.086	LOT 8 HIGHLAND PARK 086 AC	208 PERRY AVE	WAXAHACHIE	TX	75165	208 PERRY AVE WAXAHACHIE TX 75165
174054	PACE CUSTOM HOMES I INC	0.086	LOT 10 HIGHLAND PARK 0.086 AC	2750 MAJORIE AVE	DALLAS	TX	75216	302 PERRY AVE WAXAHACHIE TX 75165
174085	RODRIGUEZ SANDRA	0.052	LOT 11 HIGHLAND PARK 0.052 AC	1721 GIBSON RD	WAXAHACHIE	TX	75165	304 PERRY AVE WAXAHACHIE TX 75165
174086	HARNSBERRY S M JR	0.086	LOT 12 HIGHLAND PARK 0.086 AC	PO BOX 2628	WAXAHACHIE	TX	75168	308 PERRY AVE WAXAHACHIE TX 75165
174089	FULCHER KIMBL Y R & FULCHER DETRA D	0.086	LOT 5 HIGHLAND PARK 0.086 AC	202 PERRY AVE	WAXAHACHIE	TX	75165	202 PERRY AVE WAXAHACHIE TX 75165
174070	JOHNSON MELVIN ETAL %CONNAILUS MC COWAN	0.086	LOT 8 HIGHLAND PARK 0.086 AC	1012 E JEFFERSON ST	WAXAHACHIE	TX	75165	204 PERRY AVE WAXAHACHIE TX 75165
174071	CASTRO MARY B & LUTHER CASTRO	0.086	LOT 7 HIGHLAND PARK 0.086 AC	208 PERRY ST	WAXAHACHIE	TX	75165	208 PERRY AVE WAXAHACHIE TX 75165
174153	HATTER AUDIE RAE	0.136	09 HIGHLAND PARK 0.136 ACRES	305 PERRY AVE	WAXAHACHIE	TX	75165	305 PERRY AVE WAXAHACHIE TX 75165
174104	JEFFERSON LULA M	0.136	70 HIGHLAND PARK 0.136 ACRES	305 SADLER ST	WAXAHACHIE	TX	75165	303 PERRY AVE WAXAHACHIE TX 75165
174105	CRUX VENTURES LLC SERIES A	0.125	LOT 71 HIGHLAND PARK 0.125 AC	14650 ROSELAWN LN	FRISCO	TX	75035	301 PERRY AVE WAXAHACHIE TX 75165
174106	CFLP INVESTMENTS LLC	0.221	LOT 72 HIGHLAND PARK 0.221 AC	1080 PIERCE RD	RED OAK	TX	75154	205 PERRY AVE WAXAHACHIE TX 75165
174107	HERNANDEZ ISELA & FRANCISCO	0.321	LOT 73 HIGHLAND PARK 0.321 AC	3450 S IH35 LOT 143	WAXAHACHIE	TX	75165	203 PERRY AVE WAXAHACHIE TX 75165
174888	ZIERCE LLC	0.889	1 S. CUS ST 8 HI NOWLIN 0.889 ACRES	101 CRYSTAL COVE	WAXAHACHIE	TX	75165	614 DR MARTIN LUTHER KING JR BLVD WAXAHACHIE TX 75165
174900	LUREN GRAY INVESTMENTS LLC	0.172	3 8 HI NOWLIN 0.172 ACRES	PO BOX 881	WAXAHACHIE	TX	75168	932 ONEIDA ST WAXAHACHIE TX 75165
174897	REYNOLDS DEBRA ANN	0.271	1 9 HI NOWLIN 0.271 ACRES	810 DR MARTIN LUTHER KING JR	WAXAHACHIE	TX	75165	807 DR MARTIN LUTHER KING JR BLVD WAXAHACHIE TX 75165
175054	REYNOLDS DEBRA ANN	0.271	1 15 HI NOWLIN 0.271 ACRES	1001 DR MARTIN LUTHER KING JR	WAXAHACHIE	TX	75165	1001 DR MARTIN LUTHER KING JR BLVD WAXAHACHIE TX 75165
175056	JACKSON VINCENT G	0.39	3 15 HI NOWLIN 0.39 ACRES	1412 DR MARTIN LUTHER KING JR	WAXAHACHIE	TX	75165	1005 DR MARTIN LUTHER KING JR BLVD WAXAHACHIE TX 75165
175060	WEDGEWORTH EMMETT B JR	0.382	LOT 1R BLK 14 HARRIET I NOWLIN ADDN 0.382 AC	913 DR MARTIN LUTHER KING JR BLVD	WAXAHACHIE	TX	75165	913 DR MARTIN LUTHER KING JR BLVD WAXAHACHIE TX 75165
175061	HERRING GEORGE & TONYA	0.344	LOT 2 BLK 14 HARRIET I NOWLIN ADDN 0.344 AC	915 DR MARTIN LUTHER KING JR BLVD	WAXAHACHIE	TX	75165	915 DR MARTIN LUTHER KING JR BLVD WAXAHACHIE TX 75165
175062	MAXWELL BERTRAND SR & BERTRAND JR	0.344	3 14 HI NOWLIN 0.344 ACRES	1512 MOSSY RIDGE DR	DESOTO	TX	75115	917 DR MARTIN LUTHER KING JR BLVD WAXAHACHIE TX 75165
175064	JONES WILLIAM T & BRENDA F	0.371	1 13 HI NOWLIN REV 0.371 ACRES	911 1/2 DR MARTIN LUTHER KING	WAXAHACHIE	TX	75165	911 DR MARTIN LUTHER KING JR BLVD WAXAHACHIE TX 75165
175088	CHANDLER ROSCOE	0.08	1 9 HI NOWLIN 0.08 AC	7613 LISA CT	FORT WORTH	TX	76112	101 ONEIDA ST WAXAHACHIE TX 75165
183671	MACIAS RAFAEL & ESTER	0.172	LOT 3-4 HIGHLAND PARK 0.172 AC	106 PERRY AVE	WAXAHACHIE	TX	75165	106 PERRY AVE WAXAHACHIE TX 75165
202130	HALEY PATRICIA	0.23	PT 1 9 HI NOWLIN 0.23 ACRES	PO BOX 881	WAXAHACHIE	TX	75168	1002 DR MARTIN LUTHER KING JR BLVD WAXAHACHIE TX 75165
205427	FLANGIN KATHRYN ETAL & GLORIA WHITE	0.23	PT 1 9 HI NOWLIN 0.23 ACRES	PO BOX 1283	DESOTO	TX	75123	1004 DR MARTIN LUTHER KING JR BLVD WAXAHACHIE TX 75165
205428	FLANGIN KATHRYN ETAL & GLORIA WHITE	0.17	PT 1 9 HI NOWLIN 0.17 ACRES	PO BOX 1283	DESOTO	TX	75123	1006 DR MARTIN LUTHER KING JR BLVD WAXAHACHIE TX 75165

(13)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SUB-79-2021



RECEIVED OCT 14 2021

MAXWELL BERTRAND
910 DR MARTIN LUTHER KING JR B
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, November 1, 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 Andria Moore, In York Industries, LLC for a **Replat** of the Harriet I. Nowlin Addition, to create two (2) residential lots, being 0.325 acres shown as, Lot 3, Block 14, Harriet I. Nowlin Addition (Property ID 175062) – Owner: In York Industries, LLC (SUB-79-2021)

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 for additional information on this request.

Case Number: SUB-79-2021

City Reference: 174997

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, October 19, 2021** to ensure inclusion in the Agenda Packet. Forms can be emailed to 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:

Bertrand Maxwell
Signature

10-14-2021
Date

BeATRANd MaxwELL
Printed Name and Title

910 MLK B RD
Address Waxahachie

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

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

(13)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **SUB-79-2021**



RECEIVED OCT 14 2021

LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, November 1, 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: **SUB-79-2021**

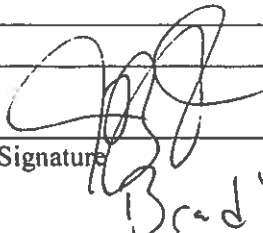
City Reference: 174990

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SUPPORT

OPPOSE

Comments:

Signature: 

Printed Name and Title: Brad Yates

Date: 10/13/21

Address: PO Box 2868

Wax. TX- 75168

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(13)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SUB-79-2021

RECEIVED OCT 14 2021

LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168

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Case Number: SUB-79-2021

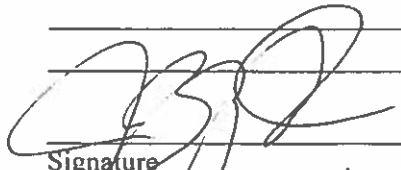
City Reference: 175055

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SUPPORT

OPPOSE

Comments:



Signature
Brad Yates

Printed Name and Title

10/13/21

Date
PO Box 2868

Address
Wax. Tx. 75168

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(13)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SUB-79-2021

JOHNSON CHRISTOPHER JAMES & TATIANA BELLANOVA
918 DR MARTIN LUTHER KING JR BLVD
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 26, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, November 1, 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: SUB-79-2021

City Reference: 174989

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SUPPORT

OPPOSE

Comments:

Our historic neighborhood welcomes 1 residential lot.
Two lots causes overcrowding and detracts from beauty.

Christopher J. Johnson, Tatiana Bellanova 10/18/2021
Signature Date

Christopher J. Johnson
Printed Name and Title Address

Tatiana Bellanova, Ph.D.

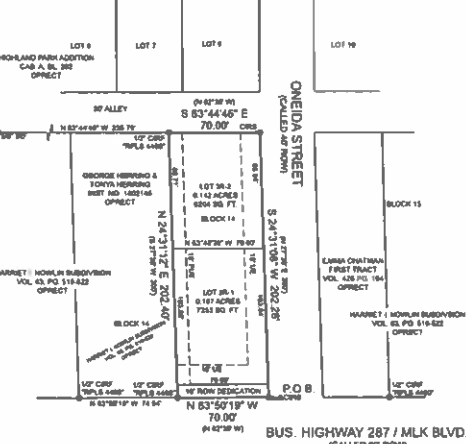
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(13)



LOCUS
GPS - 58 IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TRACIP SET
8P - IRON ROD FOUND
FIND FOUND
CORRECT - OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS
U 2 - UTILITY EASEMENT
P U 2 - PRIVATE UTILITY EASEMENT
B L - BUILDING LINE



STATE OF TEXAS
COUNTY OF ELLIS

WHEREAS BERTRAND MAXWELL, JR. BERTRAND MAXWELL, SR. ARE THE OWNERS OF A TRACT OF LAND SITUATED IN THE S M DURRETT SURVEY ABSTRACT NO. 272, CITY OF WAUWACHAE, ELLIS COUNTY, TEXAS AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN DEED TO BERTRAND MAXWELL, JR. AND BERTRAND MAXWELL, SR., RECORDED IN VOLUME 282E, PAGE 884, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS, AND FURTHER DESCRIBED AS THE SECOND TRACT IN DEED TO EMMA CHATMAN, RECORDED IN VOLUME 428, PAGE 184, CORRECT, AND BEING A PORTION OF BLOCK 14, HARRIET I. NOWLIN SUBDIVISION, AN ADDITION TO THE CITY OF WAUWACHAE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 53, PAGE 522, CORRECT, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AS A 54' IRON ROD WITH CAP STAMPED "TRACIP SET FOR THE SOUTHEAST CORNER OF SAID MAXWELL TRACT AND THE CORNER INTERSECTION OF THE WEST RIGHT-OF-WAY ROW LINE OF ONIDA STREET (A CALLED BY ROW) AND THE NORTH ROW LINE OF BUSINESS HIGHWAY 287 (A CALLED BY ROW) (BUS. 287), SAME BEING THE SOUTHEAST CORNER OF SAID BLOCK 14.

THENCE N 83° 44' 46" E ALONG THE SOUTH LINE OF SAID MAXWELL TRACT, SAME BEING THE SOUTH LINE OF SAID BLOCK 14 AND THE COMMON NORTH ROW LINE OF SAID BUS. 287, A DISTANCE OF 79.89 FEET TO A 1/4" IRON ROD WITH CAP STAMPED "TRACIP SET FOR THE SOUTHWEST CORNER OF SAID MAXWELL TRACT AND THE COMMON SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO GEORGE HERBING AND THOMAS HERBING, RECORDED IN INSTRUMENT NO. 185184, CORRECT, FROM WHICH A 1/4" IRON ROD WITH CAP STAMPED "TRACIP SET WAS FOUND FOR THE SOUTHWEST CORNER OF SAID HERBING TRACT, BEARS N 83° 44' 46" E A DISTANCE OF 74.94 FEET.

THENCE N 83° 44' 46" E ALONG THE WEST LINE OF SAID MAXWELL TRACT, SAME BEING THE WEST LINE OF SAID BLOCK 14 AND THE COMMON NORTH ROW LINE OF SAID BUS. 287, A DISTANCE OF 79.89 FEET TO A 1/4" IRON ROD WITH CAP STAMPED "TRACIP SET FOR THE NORTHWEST CORNER OF SAID MAXWELL TRACT AND THE COMMON INTERSECTION OF THE SOUTH LINE OF SAID 287 ALLEY AND THE WEST ROW LINE OF SAID ONIDA STREET, SAME BEING THE NORTHEAST CORNER OF SAID BLOCK 14.

THENCE S 83° 44' 46" E ALONG THE NORTH LINE OF SAID MAXWELL TRACT, SAME BEING THE NORTH LINE OF SAID BLOCK 14 AND THE COMMON SOUTH LINE OF SAID BUS. 287, A DISTANCE OF 79.89 FEET TO A 1/4" IRON ROD WITH CAP STAMPED "TRACIP SET FOR THE NORTHWEST CORNER OF SAID MAXWELL TRACT AND THE COMMON INTERSECTION OF THE SOUTH LINE OF SAID 287 ALLEY AND THE WEST ROW LINE OF SAID ONIDA STREET, SAME BEING THE NORTHEAST CORNER OF SAID BLOCK 14.

THENCE S 83° 44' 46" E ALONG THE EAST LINE OF SAID MAXWELL TRACT, SAME BEING THE EAST LINE OF SAID BLOCK 14 AND THE COMMON WEST ROW LINE OF SAID ONIDA STREET, A DISTANCE OF 302.24 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.225 ACRES OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS THAT BERTRAND MAXWELL, JR. AND BERTRAND MAXWELL, SR., DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOTS 3R-1, 3R-2 AND 3R-3, BLOCK 14, HARRIET I. NOWLIN SUBDIVISION (THE ORIGINAL TOWN MAP OF WAUWACHAE, AN ADDITION TO THE CITY OF WAUWACHAE, AND DOES HEREBY DECLARE, IN FREE BEMPLE, TO THE CITY OF WAUWACHAE, TEXAS, FOR THE PUBLIC USE, PURPOSES, 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 GROUNTS 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 WAUWACHAE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR CROSS THE SAME UNLESS THE EASEMENT LIMITS THE USE TO INDIVIDUAL UTILITIES. SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC AND CITY OF WAUWACHAE. THE CITY OF WAUWACHAE 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 GROUNTS WHICH MAY IN ANY MANNER INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAUWACHAE AND PUBLIC UTILITY ENTITIES SHALL ALL THOSE HAVE THE FULL RIGHT OF REMOVE AND REMOVE TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADJUDICATING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY OF ANY TIME PROCEDURE PERMISSION FROM ANYONE.

THIS PLAT APPROVED SUBJECT TO ALL PLANNING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAUWACHAE, TEXAS.

WITNESSE MY HAND THIS 28th DAY OF _____ 2021
BY
BERTRAND MAXWELL, JR. BERTRAND MAXWELL, SR.

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 BERTRAND MAXWELL, JR., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/HIS EXECUTED THE SAME FOR THE PURPOSES HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____ 2021

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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 BERTRAND MAXWELL, JR., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/HIS EXECUTED THE SAME FOR THE PURPOSES HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____ 2021

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

I, JERRY D. BUCKMAN, BEING CERTIFY THAT THIS PLAT WAS MADE ON THE ORIGINAL 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 BELIED UPON AS A FINAL SURVEY DOCUMENT"

ELLEN B. SULLIVAN
REGISTRATION NUMBER 6787

APPROVED BY PLANNING AND ZONING COMMISSION CITY OF WAUWACHAE

BY CHAIRPERSON DATE

ATTEST DATE

APPROVED BY CITY COUNCIL, CITY OF WAUWACHAE

BY MAYOR DATE

ATTEST DATE

NOTES
BLANKING SHALL BE ON THIS SURVEY AS TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE 4302, NAD 83 PER GPS OBSERVATIONS

THE SUBJECT PROPERTY LIES WITHIN ZONE "D" DEFINED AS "ANIMAL DETERMINED" BE OUTSIDE THE 6% ANNUAL CHANCE FLOODPLAIN, ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 8810000101, DATED JUNE 3, 2015, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY

REPLAT
LOTS 3R-1 & 3R-2
BLOCK 14
BEING A REPLAT OF BLOCK 14,
HARRIET I. NOWLIN SUB-DIVISION
ORIGINAL TOWN MAP OF WAUWACHAE
0.225 ACRES
shown on the
S M DURRETT SURVEY, ABSTRACT NO. 272
CITY OF WAUWACHAE, ELLIS COUNTY, TEXAS
7 RESIDENTIAL LOTS
CASE NO. SUB-79-2021
ZONED SF-3
OWNER
BERTRAND MAXWELL, JR. &
BERTRAND MAXWELL, SR.
1112 MORPHY DRIVE DR
DRESDEN, TX 75114
214-286-1188
SURVEYOR
TEXAS REALTY CAPTURE &
SURVEYING, LLC
P.O. BOX 212
WAUWACHAE, TEXAS 75185
689-518-8538
TSP#3 PRM# 04-1914308
JOB NO 1812A
APRIL 2021
PAGE 1 OF 1

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-152-2021

MEETING DATE(S)

Planning & Zoning Commission: October 26, 2021

City Council: November 1, 2021

CAPTION

Public Hearing on a request by Robert Morgan, Robert Morgan Construction, for a **Specific Use Permit (SUP)** for an **Accessory Structure +700SF** use within a Single Family-3 zoning district located at 1150 Dunaway St (Property ID 276925) - Owner: MORGAN ROBERT C & JENNIFER MORGAN (ZDC-152-2021)

APPLICANT REQUEST

The applicant is requesting approval to construct a 1,589 sq. ft. accessory structure, to be used as a garage, personal office and storage space.

CASE INFORMATION

Applicant: Robert Morgan
Property Owner(s): Robert Morgan & Jennifer Morgan
Site Acreage: 2.517 acres
Current Zoning: Single Family-3 (SF-3)
Requested Zoning: Single Family-3 (SF-3) with an SUP for an Accessory Structure +700 square feet.

SUBJECT PROPERTY

General Location: 1150 Dunaway St.
Parcel ID Number(s): 276925
Existing Use: A single family home currently exists on the property.
Development History: The subject property is platted as Lot 1 Block A of Morgan Estate

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-SF-3	Cottages on Cantrell
East	SF-3	Bullard Heights Park
South	SF-3	Residential
West	SF-3 & PD-SF-3	Vacant Parcels & Residential

Future Land Use Plan:

Retail

Comprehensive Plan:

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

Thoroughfare Plan:

This property is accessible via Dunaway Street.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is requesting a Specific Use Permit to allow for the addition of a 1,589 sq. ft., 2-story accessory structure within a Single Family-3 zoning district. Per the City of Waxahachie Zoning Ordinance, an accessory structure exceeding 699 sq. ft. shall be reviewed by the Planning and Zoning Commission and City Council for a Specific Use Permit.

Proposed Use:

The accessory structure is proposed to be used by the property owner as a garage, personal office and storage space. A portion of the structure (780 sq. ft.) will consist of a two (2) car garage. The remainder of the first floor is comprised of "living space" to be used as a home office with no facilities constituting a dwelling unit (No bedroom, kitchen etc...). The second floor is proposed to be unfinished space for storage. The accessory structure is proposed to be constructed of siding, metal awnings and a brick skirt, which will match the existing home.

Staff requires accessory structures to connect to a ROW with a concrete drive. However, the existing home on the subject property received a variance from this requirement that allowed for the driveway to be constructed out of asphalt due to the unique configuration of the site. Due to this, staff has only requested that the immediate approach to the accessory structure be concrete (Note: The applicant has agreed to this request).

This SUP request, if approved, would allow an accessory structure that cannot be used or leased as dwelling unit or office space. Subject to approval of this application, an approved building permit will be required prior to the commencement of the construction. As part of the building permit review process, the Building Inspections department will ensure construction complies with all regulations.

SPECIAL EXCEPTION/VARIANCE REQUEST:

Location

The applicant is proposing to place the accessory structure closer to the front property line than the existing home. Per Sec. 5.07 of the Waxahachie Zoning Ordinance, "Accessory structures are not allowed to be located closer to the front property line than the primary structure in a SF3 zoning district". The applicant has requested a variance from this requirement due to the unique shape of the lot.

Height

The accessory structure is proposed to be two (2) stories in height, with a maximum height of 23.75 feet. Per Sec. 5.07 of the Waxahachie Zoning Ordinance, "accessory structures shall not exceed one story in height". The applicant has requested a variance from this requirement due to the topography of the site. The existing home on the property has a height of 22.5 feet. However, the proposed location of the accessory structure is 3 feet lower than the location where the existing home sits. This will result in the overall height of accessory building being 1.75 feet lower than the home.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 15 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. The applicant will need to obtain a building permit from the City of Waxahachie Building Inspections department prior to construction of the proposed structure.
 2. The accessory structure shall not be used as a dwelling unit.
 3. The structure shall in any case not be leased or sold separately and shall not be separately metered.

ATTACHED EXHIBITS

1. Site Plan
2. Floor Plan
3. Elevation Plan

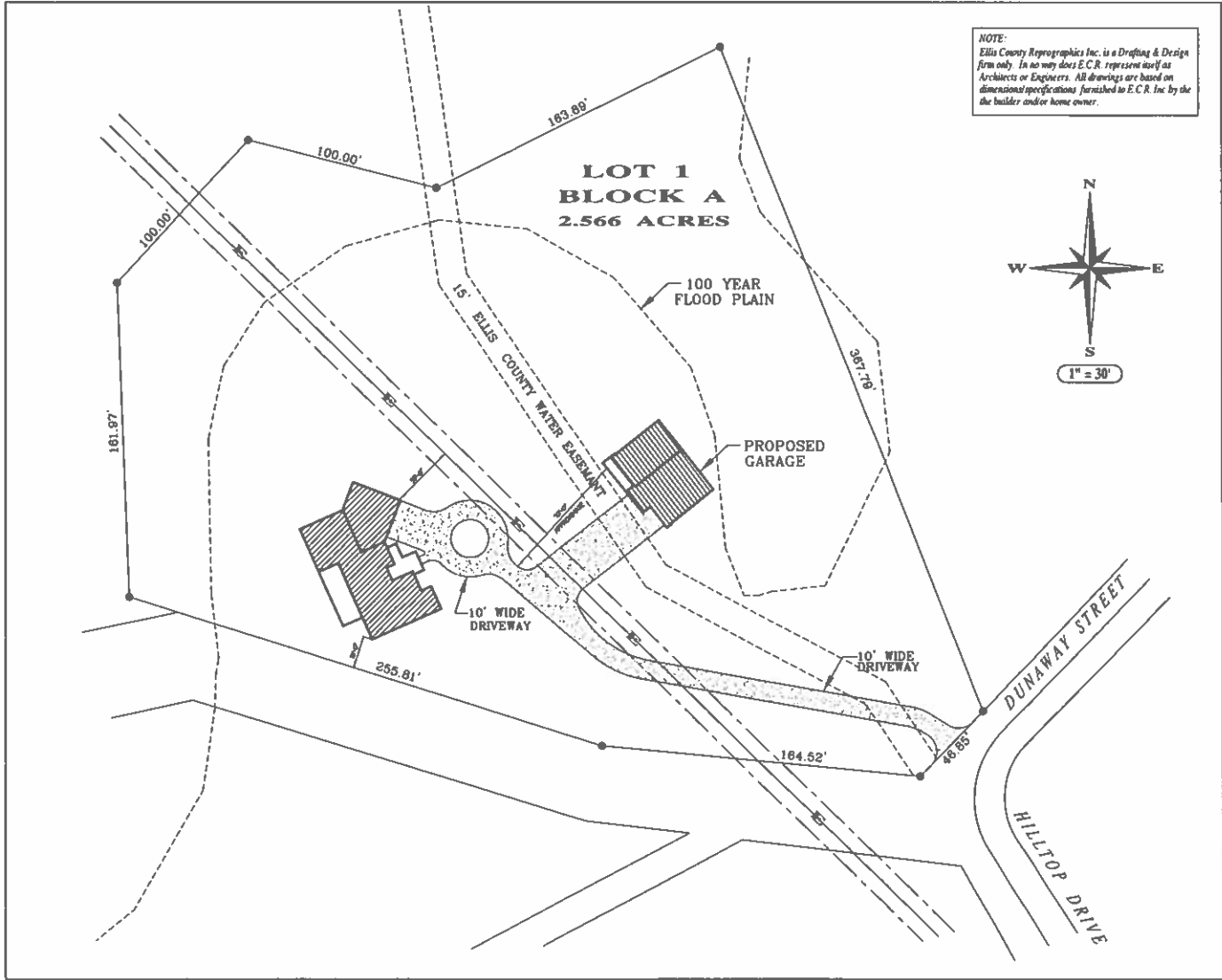
APPLICANT REQUIREMENTS

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

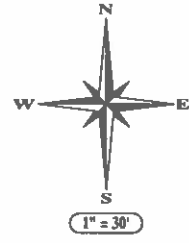
STAFF CONTACT INFORMATION

Prepared by:
Zack King
Planner
zking@waxahachie.com

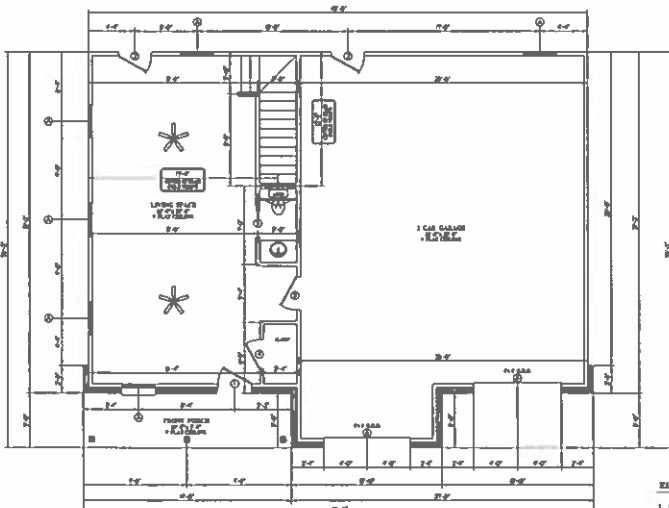
Reviewed by:
Shon Brooks, AICP
Executive Director of Development Services
sbrooks@waxahachie.com



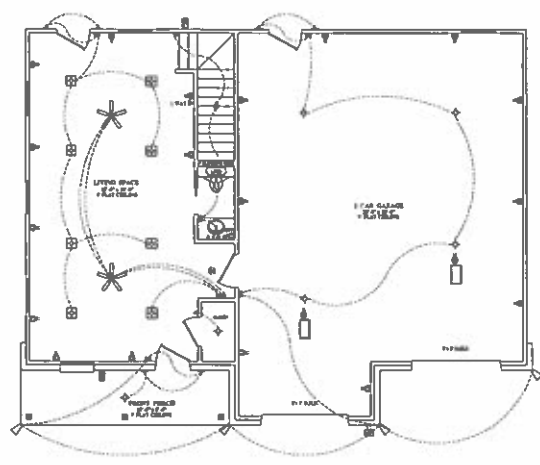
NOTE:
 Ellis County Reographics Inc. is a Drafting & Design firm only. In no way does E.C.R. represent itself as Architects or Engineers. All drawings are based on dimensional specifications furnished to E.C.R. Inc. by the the builder and/or home owner.



DRAWN BY: Ellis County Reographics, Inc. 551 SOUTH PINE ROAD WAXAHACHIE, TEXAS 75145 972-231-2420 www.ecri.com	NOTICE OF LIABILITY-RESPONSIBILITY I, the undersigned, being a duly licensed Professional Engineer in the State of Texas, do hereby certify that the above is a true and correct copy of the original drawing as filed in the public records of the County of Tarrant, State of Texas, and that I am not aware of any other copies of the same being made or disseminated.
PLANS FOR: MORGAN GARAGE PLAT 11972 DUNLAP WAXAHACHIE, TEXAS	DRAWN BY: ELLIS COUNTY REOGRAPHICS, INC. 551 SOUTH PINE ROAD WAXAHACHIE, TEXAS 75145 972-231-2420 www.ecri.com
PLOT PLAN	



FLOOR PLAN
1/4" = 1'-0"



ELECTRICAL PLAN
1/4" = 1'-0"

GENERAL NOTES:

1. ALL WALLS PER BE SHALL BE 16" O.C. UNLESS NOTED OTHERWISE BY CONTRACTOR.
2. ALL CEILING JOIST AND ROOF RAFTERS SHALL BE 16" O.C. UNLESS OTHERWISE NOTED BY CONTRACTOR.
3. MAXIMUM SPAN FOR ROOF JOIST AND BATTERS PER CONTRACTOR'S SPEC.
4. ALL CONSTRUCTION SHALL CONFORM TO ALL APPLICABLE CODES & ORDINANCES.
5. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
6. THE CONTRACTOR SHALL PROVIDE THE OWNER WITH A COMPLETE LIST OF ALL PRODUCTS, SUPPLIERS & MATERIALS TO BE USED PRIOR TO PERMITS AND INSTALLATION.
7. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND INSURANCE.
8. THE CONTRACTOR SHALL PROVIDE ALL THE NECESSARY CALLS FROM, BELOW-GRADE, AND OTHER REQUIREMENTS FOR THE DESIGN AND INSTALLATION OF THE FOUNDATION.
9. THE FOUNDATION SHALL BE DESIGNED BY A PROFESSIONAL CIVIL/STRUCTURAL ENGINEER LICENSED IN THE STATE OF TEXAS WHO HAS AT LEAST FIVE YEARS EXPERIENCE IN THE DESIGN OF FOUNDATIONS FOR BUILT UP THE WALLS AND FT. WORKS AREA.
10. ALL REQUIRED JOB TESTING, OBSERVATIONS, LAB ANALYSIS AND OTHER REQUIRED DATA SHALL BE PROVIDED BY THE CONTRACTOR.

DRAWING INDEX

- A-1 FLOOR AND ELECTRICAL PLAN
- A-2 FRONT/LEFT ELEVATIONS & ROOF PLAN
- A-3 REAR/RIGHT ELEVATIONS & ROOF PLAN



ELECTRICAL NOTES:

1. ELECTRICAL INSTALLATION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE CODES AND NATIONAL CODES AND ORDINANCES. THE ELECTRICAL CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND INSURANCE.
2. ALL CONSUMER'S OUTLETS SHALL BE MOUNTED AT 18" ABOVE FINISH FLOOR UNLESS NOTED OTHERWISE. SPECIALTY OUTLETS ARE AS NOTED OR ACCORDING TO STANDARD PRACTICE.
3. SWITCHES, OUTLETS AND RECEPTACLES FOR OUTLETS AND APPLIANCE OUTLETS ARE TO BE MOUNTED 48" ABOVE FINISH FLOOR (AFT).
4. ALL EXTERIOR OUTLETS SHALL BE GFI AND WEATHER PROTECTED.
5. GARAGE OUTLETS SHALL BE GFI AND WEATHER 4" ABOVE FINISH FLOOR.
6. WASHED AND DRYED SHALL HAVE RECEPTACLES AND OUTLETS MOUNTED 4" ABOVE FINISH FLOOR.
7. OUTLET FOR WASH-DRYER WITH OR WITHOUT HOOD SHALL BE A RECEPTACLE AND SINGLE 120V ABOVE FINISH FLOOR.
8. FRONT PORCH SHALL BE MOUNTED AT 18" ABOVE FINISH FLOOR TO CORRELATE WITH OR CLUSTER OUTLET.
9. ATTIC SHALL BE EQUIPPED WITH SUFFICIENT EXTERIOR FEEDS WITH SUFFICIENT CONDUIT LOCATED CONVENIENTLY TO ATTIC ACCESS OPENINGS.
10. ALL SWITCHES AND S.A.F.E. ROOM OUTLETS SHALL BE GFI PROTECTED.
11. ALL CEILING FAN SHALL HAVE METAL BOXES AND WOOD BLOCKING FOR SUPPORT.
12. THE OWNER SHALL VERIFY THE FITS AND FINISH FOR ALL LIGHT FIXTURES.

ELECTRICAL LEGEND

- ◆ LIGHT FIXTURE AS PER SPEC'S
- ◇ 120 VOLT OUTLET AS PER SPEC'S
- ▽ WALL MOUNTED SWITCH AS PER SPEC'S
- ⊕ RECEPTACLE/OUTLET AS PER SPEC'S
- ⊙ GFI OUTLET AS PER SPEC'S
- ⊙ GFI OUTLET IN WET/POOR COVER AS PER SPEC'S
- ⊙ TWO POLE SWITCH AS PER SPEC'S
- ⊙ GARAGE RECEPTACLE AS PER SPEC'S
- ⊙ RECEPTACLE AS PER SPEC'S
- ⊙ BIVOLTAGE LIGHTS AS PER SPEC'S
- ⊙ BIVOLTAGE LIGHTS AS PER SPEC'S
- ⊙ GFI OUTLET IN WET/POOR COVER UNDER SINK AS PER SPEC'S
- ⊙ FLOORMOUNTED AS PER SPEC'S
- ⊙ GARAGE RECEPTACLE
- ⊙ OUTDOOR SPOT LIGHTS AS PER SPEC'S
- ⊙ WALL MOUNTED FLOOR LIGHT AS PER SPEC'S
- ⊙ RECEPTACLE/OUTLET AS PER SPEC'S
- ✱ FLOOR PLAN WITH LIGHTS KEY

WINDOW SCHEDULE		
NO.	TYPE	SIZE
1	VERTICAL SINGLE HUNG VINYL	3'-0" x 5'-0"

DOOR SCHEDULE		
NO.	SIZE	MATERIAL
1	3'-0" x 6'-0"	B EXTERIOR DOOR MILL CONST. (FRONT)
2	3'-0" x 6'-0"	B EXTERIOR DOOR MILL CONST. (UTILITY)
3	3'-0" x 6'-0"	B INTERIOR WOOD RAISED PANEL
4	3'-0" x 6'-0"	B INTERIOR WOOD RAISED PANEL
5	3'-0" x 6'-0"	B INTERIOR WOOD POCKET RAISED PANEL
6	3'-0" x 8'-0"	B OVERHEAD GARAGE DOOR UNIT

PLEASE NOTE:

HOME OWNER/CONTRACTOR IS ADVISED TO WALK THRU HOME WITH ELECTRICAL CONTRACTOR PRIOR TO ANY ELECTRICAL WORK BEING STARTED. CONFIRM LOCATION OF ALL SWITCHES, OUTLETS, FIXTURES, ETC. PRIOR TO COMPLETION.

NOTE:

THIS ELECTRICAL PLAN IS A RECOMMENDATION ONLY AND ACTUAL PLACEMENT OF ALL FIXTURES CAN BE MOVED PER OWNERS REQUEST. THE ELECTRICAL SUBCONTRACTOR SHALL COORDINATE THE PLACEMENT AND HEIGHT OF ALL FIXTURES AND PLUGS WITH THE CONTRACTOR.

SPACE LIST	
TITLE	SQ. FT.
LIVING	683
3 CAR GARAGE	591
FRONT PORCH	95
TOTAL UNDER ROOF	1369

NOTE:
Ellis County Reprographics Inc. is a Drafting & Design firm only. In no way does E.C.R. represent itself as Architects or Engineers. All drawings are based on dimensions/specifications furnished to E.C.R. Inc. by the builder and/or home owner.

DRAWN BY
 Ellis County Reprographics, Inc.
 1150 DUNAWAY
 WAXAHACH, TEXAS
 972-438-5230

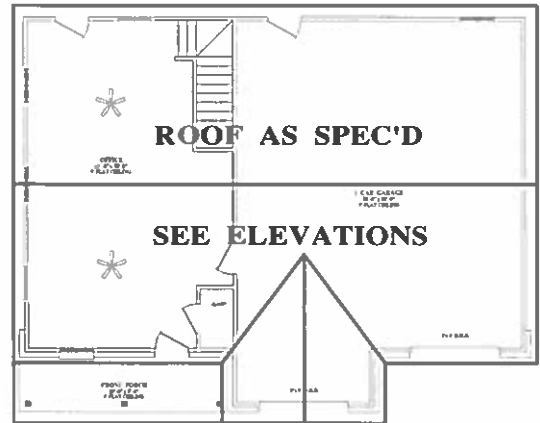
CLIENT:
 ROBERT MORGAN GARAGE
 1150 DUNAWAY
 WAXAHACH, TEXAS

SCALE:
 A-1

(15)



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



ROOF PLAN
1/4"=1'-0"



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

NOTES:

1. ALL PLATE LINES ARE ESTIMATES ONLY & MUST BE FIELD VERIFIED & ADJUSTED AS NEEDED TO MAKE ROOF ALIGN PROPERLY.
2. ALL RIDGE PITCHES ARE ESTIMATES ONLY AND MUST BE FIELD VERIFIED AND ADJUSTED AS NEEDED TO MAKE ROOF ALIGN PROPERLY.
3. ALL CEILING HEIGHTS TO BE FIELD VERIFIED AND APPROVED BY OWNER & BUILDER BEFORE ANY CEILING OR ROOF RAFTERS ARE FRAMED.
4. THESE ELEVATIONS ARE RECOMMENDATIONS ONLY AND CAN BE FIELD MODIFIED AND ADJUSTED AS NEEDED FOR BUILDER'S DISTRIBUTIONS AND OWNER APPROVAL.
5. IT IS THE RESPONSIBILITY OF THE BUILDER, OWNER & FRAMER TO FOLLOW THE ABOVE NOTES AND VERIFY AND INFORM THE OWNER AND BUILDER OF ANY AND ALL DISCREPANCIES BEFORE ROOF IS COMPLETED.

NOTE:
Eliza County Reprographics, Inc. is a Drafting & Design Firm only. In no way does E.C.R. represent itself as Architects or Engineers. All drawings are based on dimensional specifications furnished to E.C.R. Inc. by the builder and/or home owner.

DRIVEN BY:
Eliza County Reprographics, Inc.
20 JOHNSON BLVD.
WASAHACHE, TEXAS 75788
TEL: 214-988-1111
FAX: 214-988-1112
WWW.ELIZACOUNTYREPRO.COM

DATE OF ISSUE: 11/11/2011
DRAWING NO.: 1111111111
PROJECT NO.: 1111111111
SHEET NO.: A-2

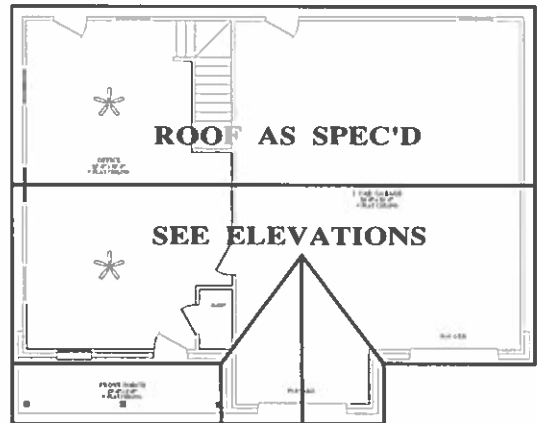
PLANS FOR:
ROBERT MORGAN GARAGE
1150 DUNAWAY
WASAHACHE, TEXAS

FRONT/LEFT
ELEVATIONS
AND ROOF
PLAN

(15)



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



ROOF PLAN
1/4" = 1'-0"



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

NOTES:

1. ALL PLATE LINES ARE ESTIMATES ONLY & MUST BE FIELD VERIFIED & ADJUSTED AS NEEDED TO MAKE ROOF ALIGN PROPERLY.
2. ALL ROOF PITCHES ARE ESTIMATES ONLY AND MUST BE FIELD VERIFIED AND ADJUSTED AS NEEDED TO MAKE ROOF ALIGN PROPERLY.
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DRAWN BY: **Ellis County Reprographics, Inc.**
 201 JOHNSON BLVD.
 MARSHALL, TEXAS 75670
 TEL: 336-2259

NOTE: ALL DIMENSIONS ARE ESTIMATES ONLY. ALL DIMENSIONS MUST BE FIELD VERIFIED AND ADJUSTED AS NEEDED TO MAKE ROOF ALIGN PROPERLY.

PLANS FOR: **ROBERT MORGAN GARAGE**
 1150 DUNAWAY
 WASSAHECHE, TEXAS

REAR/RIGHT ELEVATIONS AND ROOF PLAN
 SHEET NO. **A-3**

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-150-2021

MEETING DATE(S)

Planning & Zoning Commission: October 26, 2021

City Council: November 1, 2021

CAPTION

Public Hearing on a request by Sidney Stratton, Manhard Consulting, for a **Specific Use Permit (SUP)** for an **Outside Storage/Auto Repair, Major (Caliber Collision)** use within a Light Industrial-1 zoning district located at the intersection of Dart Way and North Highway 77 (Property ID 222752) - Owner: ADEMM 1 FAMILY LIMITED PARTNERSHIP LTD (ZDC-150-2021)

APPLICANT REQUEST

The applicant is requesting a Specific Use Permit (SUP) to allow outside storage as part of a proposed Caliber Collision.

CASE INFORMATION

Applicant: Sidney Stratton, Manhard Consulting
Property Owner(s): Ademm 1 Family Limited Partnership LTD
Site Acreage: 1.707 acres
Current Zoning: Light Industrial-1 (LI1)
Requested Zoning: LI1 with SUP for Outside Storage

SUBJECT PROPERTY

General Location: Located at the Southwest corner of Dart Way and Us Hwy 77
Parcel ID Number(s): 222752
Existing Use: Undeveloped

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	LI1	Ann's Health Food Center & Market
East	N/A	US Hwy 77
South	C	Undeveloped
West	LI1	Warehouse

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 Dart Way.



Site Image:

PLANNING ANALYSIS

Purpose of Request

The applicant is requesting approval of a Specific Use Permit to allow for Outside Storage to be included as part of a proposed Caliber Collision. Per the City of Waxahachie Zoning Ordinance, an Outdoor Storage use requires a Specific Use Permit.

Proposed Use

Caliber Collision intends to operate as an Auto Body Repair and Paint Shop. Per the operational plan provided to staff, the applicant is anticipating the proposed business will consist of the following:

- 12-15 employees
- 8-13 customers per day
- 2-3 drop offs, 2-3 pickups, and 2-3 estimates per day
- 7:00 AM – 6:00 PM (Proposed Hours of Operation Monday – Friday)

Table 2: Proposed Development Standards (Light Industrial-1)

****Items highlighted in bold do not meet the City of Waxahachie requirements***

Standard	City of Waxahachie	Caliber Collision	Meets Y/N
Min. Lot Area (Sq. Feet)	7,000	74,505	Yes
Min. Front Yard (Feet)	40	40	Yes
Min. Side Yard (Feet)	30	30	Yes
Min. Rear Yard (Feet)	30	30	Yes
Max. Height	6 stories	1 story	Yes
Max. Lot Coverage (%)	40	22	Yes
Parking: Auto Repair, Major 1 space per 200 sq. feet	81 spaces	*75 spaces	No

**Per the City of Waxahachie Zoning Ordinance, Auto Repair (Major) requires 1 parking space for every 200 sq. ft. of building space (81 required spaces). Of the 75 spaces proposed by the applicant, 33 spaces will be used for Customer/Employee parking, and 42 spaces will be used for Outdoor Storage of cars for Caliber Collision. Though the applicant is requesting a variance, staff believes that 33 spaces would be sufficient to support customers and employee parking for the site.*

***Additional Note: The building is proposed to be constructed of stucco, stone, and metal.*

Outside Storage:

The proposed use would be considered Auto Repair, Major per the City’s Use Chart, and is allowable by right in LI1 zoning. However, the applicant is anticipating the need to store vehicles outdoors while awaiting repairs. Per the Site Plan, the vehicles awaiting repairs will be parked behind the building and will largely be concealed from view from US Hwy 77.

Landscape/Screening:

Per the landscape plan, the applicant is proposing to plant a combination of 4” caliper Cedar Elms and 2” caliper Chinese Pistache along the southern property boundary. The applicant is also proposing to plant 4” caliper Red Oaks and 2” caliper Chinese Pistache along the western property boundary and multi-trunk Eastern Redbuds along the eastern property boundary (facing US Hwy 77). In addition to the vegetative screening, the applicant is proposing to place a 6’ ornamental iron fence along the southern and eastern property lines.

Ingress/Egress:

At staff’s request, the applicant has moved their proposed ingress/egress to the subject property away from US Hwy 77. The applicant has now provided ingress/egress onto the subject site via Dart Way. The staff request to move the point of access from US Hwy 77 was made in anticipation of a future median that will be constructed on US Hwy 77 and will prevent northbound traffic from accessing the property. While Dart Way is considered a private drive/right-of-way (ROW), the applicant has presented staff with documentation allowing Caliber Collision to have access to Dart Way.

VARIANCE REQUEST

Parking

Per the City’s Use Chart, the parking requirement for Auto Repair, Major is 1 space/200 sq. feet (81 spaces).

- The applicant is proposing 33 spaces for customer/employee parking. An additional 42 spaces (all double-stacked) will be used for storage.

STAFF CONCERNS

Elevation/Façade:

Staff suggests that the applicant incorporate more faux windows, as well as another façade material (such as stone) along the east elevation. Due to the North and East elevations being located along two separate ROW’s (Dart Way and US 77), staff believes that both elevations should appear as primary facades to help make the building look more aesthetically pleasing. The building is currently proposed to be primarily constructed of stucco with a stone veneer running along the base and main point of entry to the building.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 10 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

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.
 2. Staff suggests that the applicant revise the Elevation/Façade Plan to show more architectural design elements used to help break up the stucco along the east and north elevations. Staff also suggest that the applicant incorporate more faux windows along the East elevation.
 - a. Note: Staff is suggesting the applicant provide faux windows to prevent being able to see into the service area of the shop.

ATTACHED EXHIBITS

1. Site Plan
2. Landscape Plan
3. Building Elevations

APPLICANT REQUIREMENTS

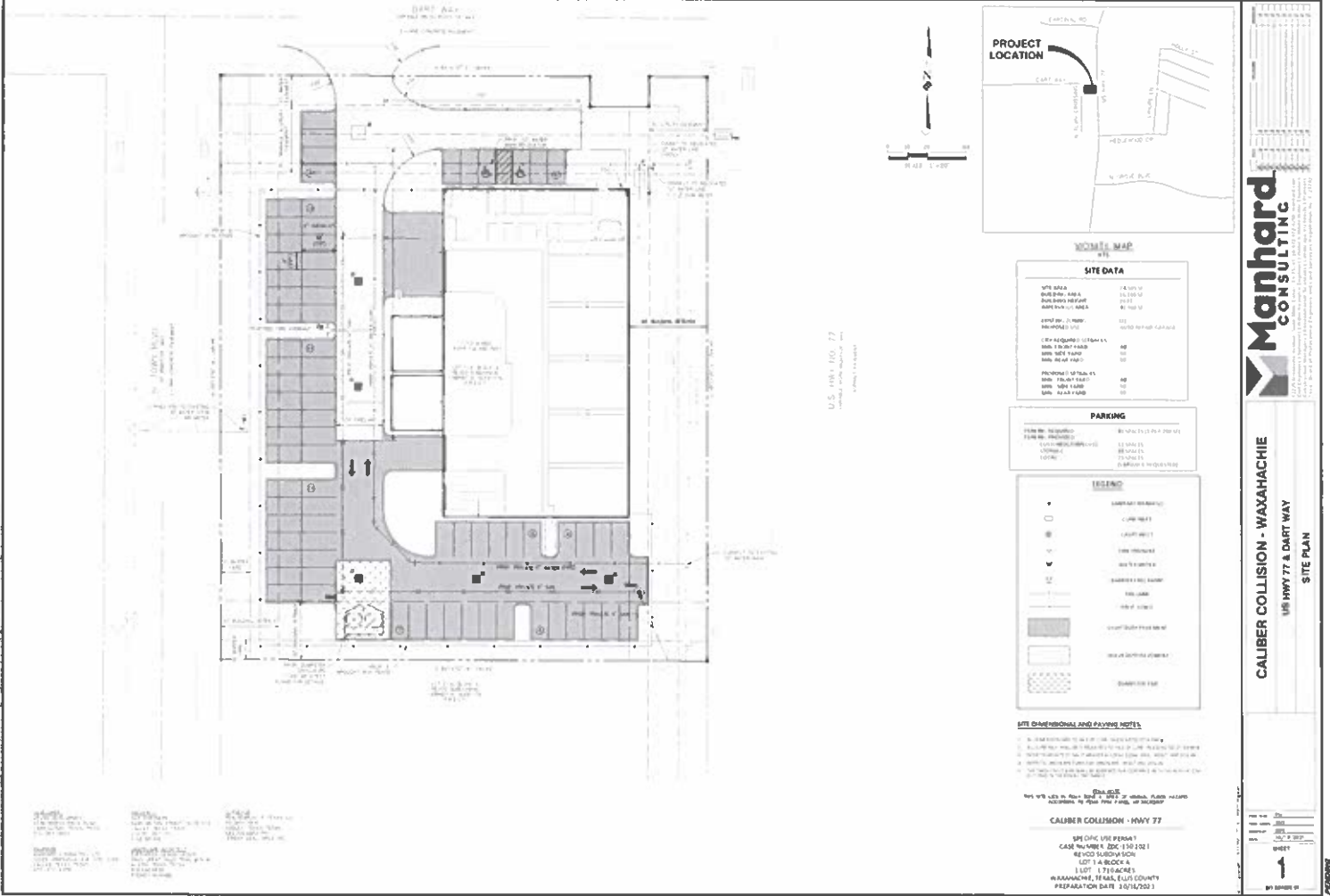
1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

STAFF CONTACT INFORMATION

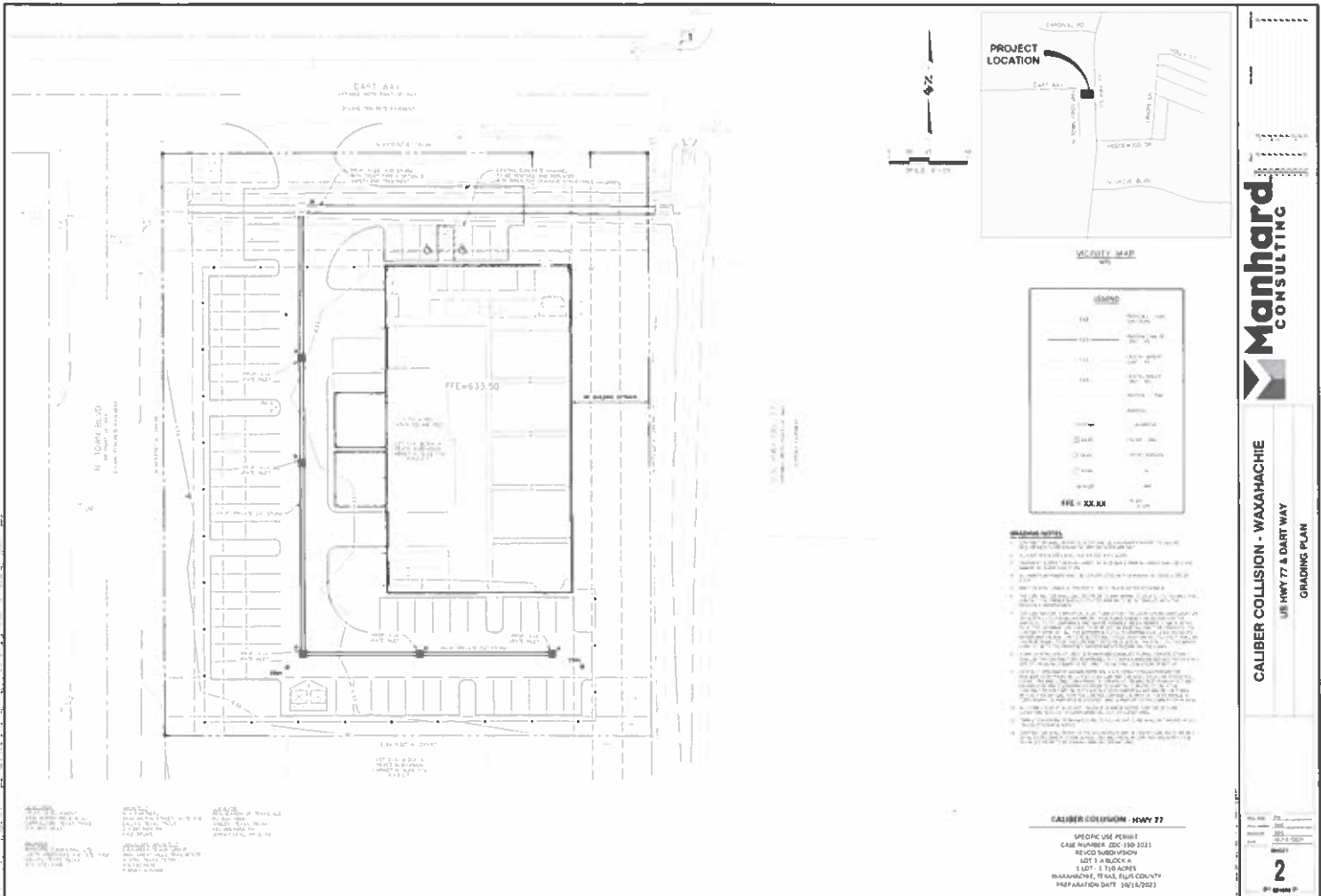
Prepared by:
 Colby Collins
 Planning Manager
ccollins@waxahachie.com

Reviewed by:
 Shon Brooks, AICP
 Executive Director of Development Services
sbrooks@waxahachie.com

(17)



(17)



Manhard
CONSULTING

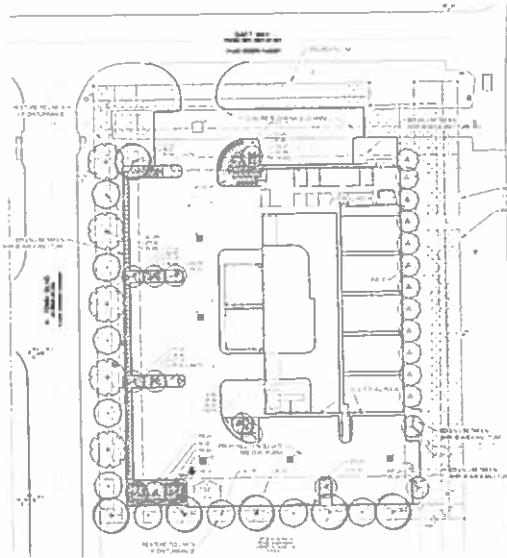
CALIBER COLLISION - WAXAHACHIE
US HWY 77 & DART WAY
GRADING PLAN

Sheet No. 2
Project No. 2301000000
Date 10/18/2023
Scale
2
P. 0000 P.

USING	
110	GRAVEL DRIVE
112	GRAVEL DRIVE
114	GRAVEL DRIVE
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- REVISIONS**
1. 10/18/23: REVISED TO SHOW FINAL GRADING PLAN.
 2. 10/18/23: REVISED TO SHOW FINAL GRADING PLAN.
 3. 10/18/23: REVISED TO SHOW FINAL GRADING PLAN.
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 19. 10/18/23: REVISED TO SHOW FINAL GRADING PLAN.
 20. 10/18/23: REVISED TO SHOW FINAL GRADING PLAN.

CALIBER COLLISION - HWY 77
SPECIFIC USE PERMIT
CASE NUMBER: ZDC-150-1021
RECORD SUBMISSION
LOT 1 - 18.0000 ACRES
3.6071 TIER ACRES
WAXAHACHIE, TEXAS, TARRANT COUNTY
PREPARATION DATE: 10/18/2023



PLANT SCHEDULE

Table with columns: TREE, CODE, QTY, BOTANICAL COMMON NAME, CAL, EDHT, SIZE. Lists various plant species like 'Carya ovata', 'Liquidambar styraciflua', etc., with their quantities and specifications.

GENERAL GRADING AND PLANTING NOTES

- List of notes providing instructions for grading, drainage, and planting, including details about soil conditions, tree spacing, and irrigation system requirements.

LANDSCAPE CALCULATIONS

Table showing calculations for tree quantities, area requirements, and irrigation needs, including sub-totals for different tree sizes and landscape components.

ROOT BARRIERS

THE CONTRACTOR SHALL INSTALL ROOT BARRIERS... NOTES: PLANTED TREES SHALL BE LOCATED AT LEAST 10 FEET FROM FOUNDATION...

IRRIGATION CONCEPT

- 1. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED AND MAINTAINED BY THE USER OF THIS PROPERTY... 2. THE IRRIGATION SYSTEM SHALL BE INSTALLED BY A LICENSED AND QUALIFIED IRRIGATION CONTRACTOR...

IRIGATION NOTES

INSTALL ALL IRRIGATION COMPLETE CONTRACTOR SHALL INSTALL 3" THICK LAYER OF 1/2" SAND/SHALE MIXTURE... CONTRACTOR SHALL SUBMIT SAMPLES OF ALL MATERIALS TO LANDSCAPE ARCHITECT FOR APPROVAL...



CALIBER COLLISION - WAXAHACHIE U.S. HWY 77 & BART WAY LANDSCAPE PLANNING



Scale 1" = 30'



LP-1

(17)



- KEY NOTES**
- A1.01 SEE ARCHITECT'S GENERAL NOTES FOR FINISHES AND MATERIALS.
 - A1.02 SEE ARCHITECT'S GENERAL NOTES FOR FINISHES AND MATERIALS.
 - A1.03 SEE ARCHITECT'S GENERAL NOTES FOR FINISHES AND MATERIALS.
 - A1.04 SEE ARCHITECT'S GENERAL NOTES FOR FINISHES AND MATERIALS.
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 - A1.30 SEE ARCHITECT'S GENERAL NOTES FOR FINISHES AND MATERIALS.



MATERIAL CALCULATIONS

NORTH ELEVATION			
BRICK	10000	10000	10000
STONE	5000	5000	5000
PAINT	1000	1000	1000
TOTAL	15000	15000	15000

SOUTH ELEVATION			
BRICK	10000	10000	10000
STONE	5000	5000	5000
PAINT	1000	1000	1000
TOTAL	15000	15000	15000

WEST ELEVATION			
BRICK	10000	10000	10000
STONE	5000	5000	5000
PAINT	1000	1000	1000
TOTAL	15000	15000	15000

EAST ELEVATION			
BRICK	10000	10000	10000
STONE	5000	5000	5000
PAINT	1000	1000	1000
TOTAL	15000	15000	15000

NCA Partners

CALIBER COLLISION

PHOTO: BSI WAXAHACHE, TX

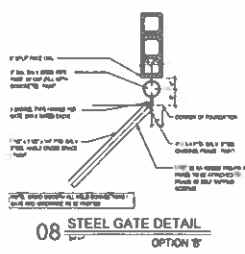
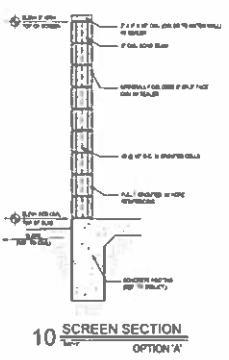
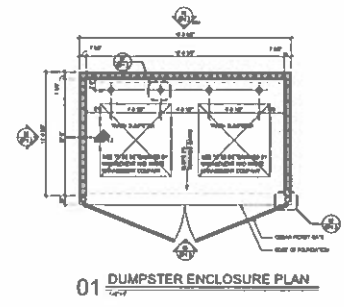
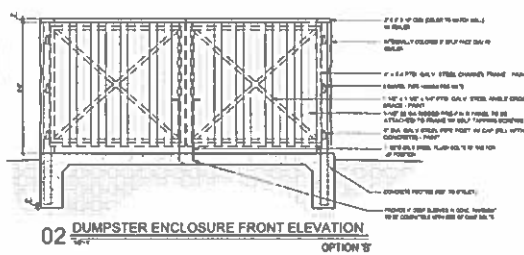
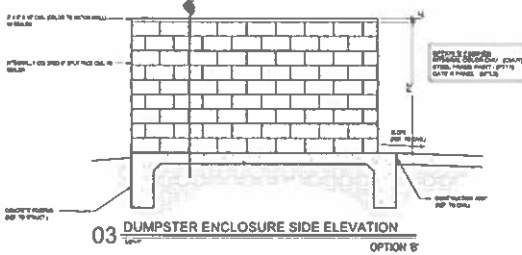
PROJECTIONS

DATE Description

NO. JOB 2302

COLOR ELEVATIONS

F1.0



NCA Partners
ARCHITECTS

3200 W. L. D. ST.
DALLAS, TX 75241
TEL: 214.425.1234
WWW.NCA-ARCHITECTS.COM

PRELIMINARY
NO WARRANTY PROVIDED AS TO ANY UNDISCLOSED
CONSTRUCTION. NO GUARANTEE OF ACCURACY OR COMPLETION
UNLESS SPECIFICALLY STATED OTHERWISE

NCA JOB # 20000
TRASH ENCLOSURE DETAILS
SP1.2