

A G E N D A

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas to be held in the Council Chamber at City Hall, 401 S. Rogers on **Monday, January 6, 2020 at 7:00 p.m.**

Council Members: David Hill, Mayor
Mary Lou Shipley, Mayor Pro Tem
Chuck Beatty, Councilmember
Kevin Strength, Councilmember
Melissa Olson, Councilmember

1. Call to Order
2. Invocation
3. Pledge of Allegiance and Texas Pledge of Allegiance
4. **Public Comments:** Persons may address the City Council on any issues. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Council may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code.

5. **Consent Agenda**

All matters listed under Item 5, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager 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 City Council.

- a. Minutes of the City Council meeting of December 16, 2019
- b. Minutes of the City Council briefing of December 16, 2019
- c. Event Application for SAGU Half Marathon to be held February 1, 2020
- d. Event Application for Mardi Gras 2020 to be held February 21-22, 2020
- e. Set City Council meeting of Tuesday, January 21, 2020

6. **Introduce** Honorary Councilmember

7. **First Public Hearing at 7:00 p.m. and second Public Hearing at 7:30 p.m.** to consider requested annexation by Chip G. Boyd, Chief Operating Officer, JH-Development, LLC, for annexation of approximately 82+/- acres tract generally situated off of Farm to Market Road No. 877

8. **Continue Public Hearing** on a request by Dalton Bradbury, Southfork Capital, for a Zoning Change from a Planned Development-30-Office zoning district to Planned Development-Single Family-3, with Concept Plan, located at 315 N Rogers (Property ID 193492) - Owner: Southfork Capital LLC (PD-19-0147)

9. **Consider** proposed Ordinance approving PD-19-0147

10. **Continue Public Hearing** on a request by James Pool, Cross Development, for a Specific Use Permit (SUP) for Auto Repair (Major) use within a Commercial zoning district, located at 2001 Corporate Parkway (Property ID 273977) – Owner: LEDBETTER REAL ESTATE LTD (SU-19-0133)
11. **Consider** proposed Ordinance approving SU-19-0133
12. **Consider** request by Brian Shaw, Blue Bonnet Trail LLC, for a detailed Site Plan review for a proposed multi-family development, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (SP-19-0176)
13. **Consider** Development Agreement for SP-19-0176 located at the SW corner of Northgate Drive at Stadium Drive
14. **Public Hearing** on a request by Ronald E. Bunch, Attorney, for a Zoning Change from a Commercial zoning district to a Central Area zoning district located at 106 Monroe (Property ID 170381) - Owner: Getzendaner & Reed (ZC-19-0156)
15. **Consider** proposed Ordinance approving ZC-19-0156
16. **Public Hearing** on a request by Kevin Cribley, Cribley Enterprises, Inc., for a Specific Use Permit (SUP) for Outside Storage use within a Commercial and Light Industrial-1 zoning district, located at 100 W Sterrett (Property ID 273754) – Owner: M AND M INVESTMENTS (SU-19-0155)
17. **Consider** proposed Ordinance approving SU-19-0155
18. **Public Hearing** on a request by Jennifer Gansert, Kimley-Horn and Associates, Inc., for a Zoning Change from a Planned Development-General Retail zoning district to Planned Development-General Retail, with Concept Plan, located at 108 Broadhead Road (Property ID 245022) - Owner: Crepe Myrtle Enterprises LLC (PD-19-0159)
19. **Consider** proposed Ordinance approving PD-19-0159
20. **Convene** into Executive Session for:
 - a. Consultation with City Attorney on Oak Cliff Metals Specific Use Permit as permitted by the Texas Government Code, Section 551.071
 - b. Deliberation regarding real property as permitted by the Texas Government Code Section 551.072
21. **Reconvene**
 - a. Take any possible action by City Council to initiate a zoning change under Section 2.04 and 7.03 of the Zoning Ordinance, and to consider calling public hearing to consider revocation of a Specific Use Permit held by Oak Cliff Metals
 - b. Take any necessary action
22. Comments by Mayor, City Council, City Attorney and City Manager
23. Adjourn

The City Council 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

(50)

City Council
December 16, 2019

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers on Monday, December 16, 2019 at 7:00 p.m.

Councilmembers Present: Mary Lou Shipley, Mayor Pro Tem
Chuck Beatty, Councilmember
Kevin Strength, Councilmember
Melissa Olson, Councilmember

Councilmember Absent: David Hill, Mayor

Others Present: Albert Lawrence, Assistant City Manager
Tommy Ludwig, Assistant City Manager
Robert Brown, City Attorney
Amber Villarreal, Acting City Secretary

1. Call to Order

Mayor Pro Tem Mary Lou Shipley called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Councilmember Chuck Beatty gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Ms. Regina Bonner, 105 High School Drive, thanked the city for the street rehabilitations in the Colonial Acres subdivision. She expressed concerns regarding the proposed 49 unit apartment complex going in at the southwest corner of Northgate Drive at Stadium Drive. She reviewed the concerns of the neighboring subdivision in regards to traffic, safety, parking, crowding, drainage, and increased crime.

5. Consent Agenda

- a. Minutes of the City Council meeting of December 2, 2019
- b. Minutes of the City Council briefing of December 2, 2019
- c. Mobile Home License Renewals for 2020
- d. Consider award of a bid to Utility Trailer of Dallas, Inc. for an additional sludge trailer at the Wastewater Treatment Plant
- e. Consider award of a professional services contract with Birkhoff, Hendricks & Carter, L.L.P. for flow monitoring services associated with the wastewater collection system
- f. Event Application for Sweethearts and Orphans Car Show on March 14, 2020

Action:

Councilmember Kevin Strength moved to approve items a. through f. on the Consent Agenda. Councilmember Melissa Olson seconded, All Ayes.

(5A)

6. Introduce Honorary Councilmember

Councilmember Kevin Strength introduced Rachael Edgar as the Honorary Councilmember for the month of December and presented her a certificate of recognition. Ms. Edgar is a Senior at Global High and is ranked #14 in her class. She plans on attending Texas A&M to become a Civil Engineer. Ms. Edgar is the Global High Student Council President, a member of Global High's Bowling Team, and on the Waxahachie Shotgun Team.

7. Consider request by Michael Crocker, Canyon Creek, for a Plat of Palomino Estates for 4 residential lots being 5.043 acres situated in the W. Berry Survey, Abstract 73 (Property ID 180064) in the Extra Territorial Jurisdiction - Owner: Paula Upchurch Crabtree (PL-19-0141)

Action:

Councilmember Kevin Strength moved to deny a request by Michael Crocker, Canyon Creek, for a Plat of Palomino Estates for 4 residential lots being 5.043 acres situated in the W. Berry Survey, Abstract 73 (Property ID 180064) in the Extra Territorial Jurisdiction - Owner: Paula Upchurch Crabtree (PL-19-0141). Councilmember Chuck Beatty seconded, All Ayes.

8. Public Hearing on a request by Dalton Bradbury, Southfork Capital, for a Zoning Change from a Planned Development-30-Office zoning district to Planned Development-Single Family-3, with Concept Plan, located at 315 N Rogers (Property ID 193492) - Owner: Southfork Capital LLC (PD-19-0147)

Mayor Pro Tem Shipley opened the Public Hearing and announced the applicant requested to continue PD-19-0147 to the January 6, 2020 City Council meeting.

9. Consider proposed Ordinance approving PD-19-0147

Action:

Councilmember Chuck Beatty moved to continue the Public Hearing on a request by Dalton Bradbury, Southfork Capital, for a Zoning Change from a Planned Development-30-Office zoning district to Planned Development-Single Family-3, with Concept Plan, located at 315 N Rogers (Property ID 193492) - Owner: Southfork Capital LLC (PD-19-0147) to the January 6, 2020 City Council meeting. Councilmember Kevin Strength seconded, All Ayes.

10. Continue Public Hearing on a request by Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135)

Mayor Pro Tem Shipley continued the Public Hearing and announced the applicant requested to continue PD-19-0135 to the January 6, 2020 City Council meeting. Planning Director Shon Brooks explained the applicant updated their plan and will comply to city standards under the original Planned Development approved in 1985; therefore, City Council will only need to approve the detailed site plan at their next meeting.

(5a)

11. Consider proposed Ordinance approving PD-19-0135

Action:

Councilmember Chuck Beatty moved to continue the Public Hearing on a request by Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135) to the January 6, 2020 City Council meeting. Councilmember Kevin Strength seconded, All Ayes.

12. Public Hearing on a request by Kayla Sterling, Sunrun Installation Services Inc., for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-23-Single Family-1 zoning district located at 313 Lakeshore Drive (Property ID 174787) – Owner: Walter R Jackson (SU-19-0140)

Mayor Pro Tem Shipley opened the Public Hearing.

Mr. Brooks presented SU-19-0140 noting the applicant is requesting the use of residential solar panels and staff recommended approval as presented.

There being no others to speak for or against SU-19-0140, Mayor Pro Tem Shipley closed the Public Hearing.

13. Consider proposed Ordinance approving SU-19-0140

ORDINANCE NO. 3162

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A ROOFTOP SOLAR PANEL SYSTEM USE WITHIN A PLANNED DEVELOPMENT SINGLE FAMILY-1 (PD-SF-1) ZONING DISTRICT, LOCATED 313 LAKESHORE DRIVE, BEING PROPERTY ID 174787, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 1 IN THE MAJOR PLACE SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember Melissa Olson moved to approve Ordinance No. 3162. Councilmember Chuck Beatty seconded, All Ayes.

14. Public Hearing on a request by Bridget Wright, Marc Jones Construction LLC DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-Single Family-2 zoning district located at 131 Lariat Trail (Property ID 267480) – Owner: Gary R & Cynthia E Joslin (SU-19-0150)

Mayor Pro Tem Shipley opened the Public Hearing.

(5a)

Mr. Brooks presented SU-19-0150 noting the applicant is requesting the use of residential solar panels and staff recommended approval as presented.

There being no others to speak for or against SU-19-0150, Mayor Pro Tem Shipley closed the Public Hearing.

15. Consider proposed Ordinance approving SU-19-0150

ORDINANCE NO. 3163

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A ROOFTOP SOLAR PANEL SYSTEM USE WITHIN A PLANNED DEVELOPMENT SINGLE FAMILY-2 (PD-SF-2) ZONING DISTRICT, LOCATED AT 131 LARIAT TRAIL, BEING PROPERTY ID 267480, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 9 BLK C IN THE BUFFALO RIDGE ADDN PH IIIA SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember Kevin Strength moved to approve Ordinance No. 3163. Councilmember Chuck Beatty seconded, All Ayes.

16. Public Hearing on a request by Bridget Wright, Marc Jones Construction LLC DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-23-Single Family-1 zoning district located at 406 Laguna Vista (Property ID 273631) – Owner: John R & Laurie Musselwhite (SU-19-0151)

Mayor Pro Tem Shipley opened the Public Hearing.

Mr. Brooks presented SU-19-0151 noting the applicant is requesting the use of residential solar panels and staff recommended approval as presented.

There being no others to speak for or against SU-19-0151, Mayor Pro Tem Shipley closed the Public Hearing.

17. Consider proposed Ordinance approving SU-19-0151

ORDINANCE NO. 3164

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A ROOFTOP SOLAR PANEL SYSTEM USE WITHIN A PLANNED DEVELOPMENT SINGLE FAMILY-1 (PD-SF-1) ZONING DISTRICT, LOCATED AT 406 LAGUNA VISTA, BEING PROPERTY ID 273631, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1, BLK 1 IN THE LAGUNA VISTA PLACE PHASE 2 SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

(5A)

Action:

Councilmember Chuck Beatty moved to approve Ordinance No. 3164. Councilmember Melissa Olson seconded, All Ayes.

- 18. Public Hearing on a request by Jarod Scoggin, Scoggin Outdoor Living & Shops, for a Specific Use Permit (SUP) for Accessory Building (Residential) Greater than or Equal to 700 S.F. use within a Planned Development-Single Family-1 zoning district located at 109 Willowcrest Drive (Property ID 174739) – Owner: Keith M & Teresa A Williams (SU-19-0144)**

Mayor Pro Tem Shipley opened the Public Hearing.

Mr. Brooks presented SU-19-0144 explaining the applicant is requesting to construct a 480 square foot addition to an existing 960 square foot garage structure. Staff recommended approval per the following comments:

1. Staff suggests that a Developer's Agreement be in place before final approval.
2. 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, Building Inspections will ensure that the materials and construction complies with all regulations.

There being no others to speak for or against SU-19-0144, Mayor Pro Tem Shipley closed the Public Hearing.

- 19. Consider proposed Ordinance approving SU-19-0144**

ORDINANCE NO. 3165

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A +700 ACCESSORY STRUCTURE USE WITHIN A PLANNED DEVELOPMENT-23-SINGLE FAMILY 1 (PD-23-SF1) ZONING DISTRICT, LOCATED AT 109 WILLOWCREST DRIVE, BEING PROPERTY ID 174739, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 3 IN THE LAKEVIEW-REV SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember Kevin Strength moved to approve Ordinance No. 3165. Councilmember Melissa Olson seconded, All Ayes.

- 20. Consider Development Agreement for 109 Willowcrest Drive**

Action:

Councilmember Chuck Beatty moved to approve a Development Agreement for 109 Willowcrest Drive. Councilmember Kevin Strength seconded, All Ayes.

(5A)

- 21. Public Hearing on a request by Staci Dean, Daiquiriville, for a Specific Use Permit (SUP) for Convenience Store (Daiquiri Shop) use within a General Retail zoning district located at 2801 N Highway 77, Suite 140 (Property ID 272779) – Owner: SAP Properties LLC (SU-19-0143)**

Mayor Pro Tem Shipley opened the Public Hearing.

Mr. Brooks reviewed SU-19-0143 noting the applicant is requesting approval to allow a proposed daiquiri shop within an existing retail strip center (North Grove Business Park). He noted the proposed development will provide food, beer, and wine-based daiquiris. The proposed alcohol to food percentage sales ratio will be seventy percent alcohol to thirty percent food. Per the operational plan, in addition to four owners, there will be three additional employees.

Staff recommended approval per the following staff comments:

1. The business must conform to City of Waxahachie requirements as well as adhere to TABC provisions, as defined in the Alcoholic Beverage Code of the State of Texas.
2. The operator must maintain compliance with State regulations and local ordinances for food service operations.
3. If approved, the City Council shall have the right to review the Specific Use Permit after 12-months if needed.

Staci Dean, 313 Bond Street, Red Oak, TX, explained sealed drinks will be sold on premise to take to go. She explained beer and wine will be available for sale but not to go.

There being no others to speak for or against SU-19-0143, Mayor Pro Tem Shipley closed the Public Hearing.

- 22. Consider proposed Ordinance approving SU-19-0143**

ORDINANCE NO. 3166

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A CONVENIENCE STORE WITH ALCOHOL SALES (DAIQUIRI SHOP) USE WITHIN A GENERAL RETAIL (GR) ZONING DISTRICT, LOCATED AT 2801 N. HIGHWAY 77, SUITE 140, BEING PROPERTY ID 272779, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1, BLOCK B IN NORTH GROVE BUSINESS PARK PHASE 1 AND 3, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember Chuck Beatty moved to approve Ordinance No. 3166. Councilmember Kevin Strength seconded, All Ayes.

- 23. Public Hearing concerning a substandard structure located at 10 Yinger St.**
Mayor Pro Tem Shipley opened the Public Hearing.

(50)

Assistant City Manager Tommy Ludwig explained in July 2019 a Notice of Substandard Structure were issued to the following properties: 10 Yinger Street, 608 Dr. Martin Luther King, Jr. Blvd., 214 Dunlap Street, 712 Givens Street, 218 Wyatt Street, 400 Wyatt Street, and 908 Wyatt Street. The notice identified why the structures had been determined to be substandard and what action was required to bring the properties into compliance.

Building and Community Services Director Jose Martinez reviewed the above properties identifying the following violations: structural hazard, faulty weather protection, inadequate sanitation and nuisance. He confirmed all of the properties are currently unoccupied and attempts were made to contact the owners through the appraisal district and title searches.

Mr. Chris Wright, 808 West Marvin, Waxahachie, asked if staff checked to see if taxing liens were on the property and Mr. Martinez confirmed they did.

There being no others to speak for or against the substandard structure located at 10 Yinger St., Mayor Pro Tem Shipley closed the Public Hearing.

- 24. Consider an action to require the substandard structure located at 10 Yinger St. to be secured, repaired, removed, and/or demolished**

Action:

Councilmember Kevin Strength moved for the property located at 10 Yinger Street to be repaired or demolished within 60 days. If after the 60 days, and Council's order has not been carried out, staff is authorized to demolish the property. Councilmember Chuck Beatty seconded, All Ayes.

- 25. Public Hearing concerning a substandard structure located at 608 Dr. Martin Luther King, Jr. Blvd.**

Mayor Pro Tem Shipley opened the Public Hearing.

Mr. Martinez noted the substandard structure located at 608 Dr. Martin Luther King, Jr. Blvd. has been recently demolished by the owner.

There being no others to speak for or against the substandard structure located at 608 Dr. Martin Luther King, Jr., Blvd., Mayor Pro Tem Shipley closed the Public Hearing.

- 26. Consider an action to require the substandard structure located at 608 Dr. Martin Luther King, Jr. Blvd. to be secured, repaired, removed, and/or demolished**

Action:

No action taken.

- 27. Public Hearing concerning a substandard structure located at 214 Dunlap St.**

Mayor Pro Tem Shipley opened the Public Hearing.

(50)

Mr. Martinez reviewed the property by identifying the following violations: structural hazard, faulty weather protection, inadequate sanitation and nuisance. He noted he was unable to make contact with the owner.

There being no others to speak for or against the substandard structure located at 214 Dunlap St., Mayor Pro Tem Shipley closed the Public Hearing.

28. Consider an action to require the substandard structure located at 214 Dunlap St. to be secured, repaired, removed, and/or demolished

Action:

Councilmember Chuck Beatty moved for the property located at 214 Dunlap Street to be repaired or demolished within 60 days. If after the 60 days, and Council's order has not been carried out, staff is authorized to demolish the property. Councilmember Kevin Strength seconded, All Ayes.

29. Public Hearing concerning a substandard structure located at 712 Givens St.

Mayor Pro Tem Shipley opened the Public Hearing.

Mr. Martinez reviewed the property by identifying the following violations: structural hazard, faulty weather protection, inadequate sanitation and nuisance.

Ms. Angelina Alejandre, 710 Givens Street, expressed concern with having someone on the property taking pictures. She noted the intent is to fix the property to code.

Ms. Eva Cedillo, 710 Givens Street, explained she is in the process to have the structure repaired or demolished and is working with a local bank to assist.

Council asked if 60 days would provide adequate time for her to develop an action plan and she noted she doesn't have a definite time schedule but is wanting to have this completed as soon as possible.

There being no others to speak for or against the substandard structure located at 712 Givens St., Mayor Pro Tem Shipley closed the Public Hearing.

30. Consider an action to require the substandard structure located at 712 Givens St. to be secured, repaired, removed, and/or demolished

Action:

Councilmember Kevin Strength moved for the property located at 712 Givens Street to provide an action plan within 60 days. Councilmember Melissa Olson seconded, All Ayes.

31. Public Hearing concerning a substandard structure located at 218 Wyatt St.

Mayor Pro Tem Shipley opened the Public Hearing.

(5A)

Mr. Martinez reviewed the property by identifying the following violations: structural hazard, faulty weather protection, inadequate sanitation and nuisance. He noted he didn't receive a response from the owner but they did sign twice for the certified letter.

There being no others to speak for or against the substandard structure located at 218 Wyatt St., Mayor Pro Tem Shipley closed the Public Hearing.

32. Consider an action to require the substandard structure located at 218 Wyatt St. to be secured, repaired, removed, and/or demolished

Action:

Councilmember Kevin Strength moved for the property located at 218 Wyatt Street to be repaired or demolished within 60 days. If after the 60 days, and Council's order has not been carried out, staff is authorized to demolish the property. Councilmember Chuck Beatty seconded, All Ayes.

33. Public Hearing concerning a substandard structure located at 400 Wyatt St.

Mayor Pro Tem Shipley opened the Public Hearing.

Mr. Martinez reviewed the property by identifying the following violations: structural hazard, faulty weather protection, inadequate sanitation and nuisance. He noted the owner signed for the notice and spoke with the Senior Code Enforcement Officer expressing his intent to fix the property some day.

There being no others to speak for or against the substandard structure located at 400 Wyatt St., Mayor Pro Tem Shipley closed the Public Hearing.

34. Consider an action to require the substandard structure located at 400 Wyatt St. to be secured, repaired, removed, and/or demolished

Action:

Councilmember Chuck Beatty moved for the property located at 400 Wyatt Street to be repaired or demolished within 60 days. If after the 60 days, and Council's order has not been carried out, staff is authorized to demolish the property. Councilmember Kevin Strength seconded, All Ayes.

35. Public Hearing concerning a substandard structure located at 908 Wyatt St.

Mayor Pro Tem Shipley opened the Public Hearing.

Mr. Martinez reviewed the property by identifying the following violations: structural hazard, faulty weather protection, inadequate sanitation and nuisance. He noted he had no success with speaking to the owner.

(5A)

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Mr. Chris Wright, 808 West Marvin, Waxahachie, recommended demolishing properties that are not maintained.

There being no others to speak for or against the substandard structure located at 908 Wyatt St., Mayor Pro Tem Shipley closed the Public Hearing.

36. Consider an action to require the substandard structure located at 908 Wyatt St. to be secured, repaired, removed, and/or demolished

Action:

Councilmember Chuck Beatty moved for the property located at 908 Wyatt Street to be repaired or demolished within 60 days. If after the 60 days, and Council's order has not been carried out, staff is authorized to demolish the property. Councilmember Kevin Strength seconded, All Ayes.

37. Convene into Executive Session for deliberation regarding real property as permitted under Section 551.072 of the Texas Government Code

Mayor Pro Tem Shipley announced at 8:11 p.m. the City Council would convene into Executive Session for deliberation regarding real property as permitted under Section 551.072 of the Texas Government Code.

38. Reconvene and take any necessary action

The meeting reconvened at 8:36 p.m.

Action:

No action taken.

39. Comments by Mayor, City Council, City Attorney and City Manager

City Council and Staff wished everyone a Merry Christmas.

40. Adjourn

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

Respectfully submitted,

Amber Villarreal
Acting City Secretary

City Council
December 16, 2019

(5b)

A briefing session of the Mayor and City Council of the City of Waxahachie, Texas was held in the City Council Conference Room at City Hall, 401 S. Rogers, Waxahachie, Texas, on Monday, December 16, 2019 at 6:00 p.m.

Councilmembers Present: Mary Lou Shipley, Mayor Pro Tem
Chuck Beatty, Councilmember
Melissa Olson, Councilmember

Councilmembers Absent: David Hill, Mayor
Kevin Strength, Councilmember

Others Present: Albert Lawrence, Assistant City Manager
Tommy Ludwig, Assistant City Manager
Robert Brown, City Attorney
Amber Villarreal, Acting City Secretary

1. Call to Order

Mayor Pro Tem Mary Lou Shipley called the meeting to order.

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

Assistant City Manager Albert Lawrence reviewed the following agenda items:

- Item 5c required annual renewal of mobile home licenses.
- Item 5d requested approval for the purchase of a Stainless Steel Sludge Trailer in the amount of \$57,000.00.
- Item 5e requested approval of a Professional Services Agreement with Birkhoff, Hendricks and Carter, LLP for Wastewater Flow Monitoring in the amount of \$248,900.00.
- Item 5f requested approval of event application for Sweethearts and Orphans Car Show to be held March 14, 2020.

Planning Director Shon Brooks reviewed the following cases:

- PL-19-0141, requested approval of a petition for relief for 10 feet of right-of-way dedication. Staff recommended denial due to the need of the right-of-way dedication for the Thoroughfare Plan.
- PD-19-0147, applicant requested a continuance to the January 6, 2020 City Council meeting.
- PD-19-0135, applicant requested a continuance to the January 6, 2020 City Council meeting. Due to the applicant complying with the original Planned Development approved in 1985, the case will only be reviewed as a detailed site plan.
- SU-19-0140, SU-19-0150, SU-19-0151, were rooftop solar panel cases that complied with city standards and staff recommended approval as presented.
- SU-19-0144, applicant requested adding an additional 480 square feet to the existing garage structure. Staff recommended approval subject to Staff Comments.
- SU-19-0143, applicant requested approval of a proposed daiquiri shop at North Grove Business Park. Staff recommended approval subject to Staff Comments.

(5b)

Assistant City Manager Tommy Ludwig and Building and Community Services Director Jose Martinez reviewed the following substandard cases as structural hazards, faulty weather protection, inadequate sanitation, and a nuisance:

- 10 Yinger Street
- 608 Dr. Martin Luther King, Jr. Blvd. demolished the structure since the agenda was posted.
- 214 Dunlap Street
- 712 Givens Street
- 218 Wyatt Street
- 400 Wyatt Street
- 908 Wyatt Street

Council expressed concern with displacing residents from their homes. Mr. Martinez noted all of the properties above are currently unoccupied. He explained a Notice of Substandard Structure was issued in July 2019 identifying why the structures had been determined to be substandard and what action was required to bring the properties into compliance.

3. Adjourn

There being no further business, the meeting adjourned at 6:54 p.m.

Respectfully submitted,

Amber Villarreal
Acting City Secretary

(5c)



Application for a Festival or Event Permit

Event Name and Description: SAGU Half Marathon

Applicant Information

Name: Jason Covarrubias

Address: 1200 Sycamore St

City, State, Zip: Waxahachie, TX Phone: 214-983-2881

E-mail Address: jcovarrubias@sagu.edu

Organization Information

Organization Name: Southwestern Assemblies of God Univ.

Address: 1200 Sycamore St

Authorized Head of Organization: Jason Covarrubias

Phone: 214-983-2881 E-mail Address: jcovarrubias@sagu.edu

Event Chairperson/Contact

Name: SAME

Address: SAME

City, State, Zip: SAME Phone: SAME

E-mail Address: SAME

Event Information

Event Location/Address: Southwestern Campus and throughout city

Purpose: Fitness and Community

Event Start Date and Time: 2/1/20 7:00 AM

Received in
City Secretary's Office
10/31/19 MW
City of Waxahachie, Texas

Event End Date and Time: 2/1/20 12:00 AM ⁽⁵⁰⁾

Approximate Number of Persons Attending Event Per Day: 400

Site Preparation and Set-Up Date and Time: 2/1/20 5:00 AM

Clean-Up Completion Date and Time: 2/1/20 12:00 PM

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc. Include any requests for city services.

Police escorts at Sycamore: 77, Brown: 287 (NB),
Brown: 287 (SB), and Brown: Ross

Will food and/or beverages be available and/or sold? YES/NO

*Will alcohol be available and/or sold? YES/NO

If yes, will the event be in the Historic Overlay District? YES/NO

If food will be prepared on-site, a Temporary Food Permit must be obtained by the Environmental Health Department.

Will dumpsters be needed? None

Will an Unmanned Aircraft Systems Unit (drone) be used? YES/NO If so, provide a copy of the current FAA License.

Please submit a site plan showing the layout of the event including equipment, stages, and street locations

I THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT.

[Signature] 10/3/19
Signature of Applicant Date

* Please note that approval of this permit does not replace/modify compliance with all applicable state laws as specified by the Texas Alcoholic Beverage Commission (TABC).



USA Topo World Topo Map Satellite

DISTANCE
13.25 MI

Southwestern
Assemblies
of God
University

Chapman Park

Robbie E Howard
Jr High School

Waxahachie
Sports Complex

Brown
Singleton Park

(5C)

Villarreal, Amber

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Friday, October 04, 2019 9:35 AM
To: Villarreal, Amber
Subject: RE: Event Application-SAGU Half Marathon

The main concern I have is using Farley. The road is narrow with no shoulder and part of it does not have a sidewalk.

Ricky Boyd, Fire Chief

Waxahachie Fire-Rescue
214-463-9335

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Thursday, October 3, 2019 2:55 PM
To: Boyd, Ricky <RBoyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Ojeda, Eneida <Eojeda@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Cartwright, Lori <cartwright@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>
Subject: Event Application-SAGU Half Marathon

Good afternoon,

Please review the attached event application and send me your comments/concerns.

Thank you,

Amber Villarreal, TRMC, CMC
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

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(54)

Villarreal, Amber

From: Wade Goolsby <wgoolsby@waxahachiepd.org>
Sent: Wednesday, October 09, 2019 2:43 PM
To: Villarreal, Amber
Subject: RE: Event Application-SAGU Half Marathon

Amber,

We don't have any issues. We have already contacted the applicant and will have the same traffic control as last year.

Wade G. Goolsby

Chief of Police

Waxahachie Police Department

630 Farley St.

Waxahachie, TX 75165

469-309-4411



From: Villarreal, Amber [mailto:avillarreal@waxahachie.com]

Sent: Thursday, October 03, 2019 2:55 PM

To: Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsby <wgoolsby@waxahachiepd.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Matt Massey <mmassey@waxahachie.com>; Eneida Ojeda <eojeda@waxahachie.com>

Cc: Michael Scott <msscott@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>; Albert Lawrence <alawrence@waxahachie.com>; Tommy Ludwig <tludwig@waxahachie.com>

Subject: Event Application-SAGU Half Marathon

Good afternoon,

Please review the attached event application and send me your comments/concerns.

Thank you,

Amber Villarreal, TRMC, CMC

Assistant City Secretary

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Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168

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(50)

Villarreal, Amber

From: Massey, Matt
Sent: Thursday, December 26, 2019 2:49 PM
To: Villarreal, Amber; Ojeda, Eneida; Dernovich, Kip
Subject: RE: Event Application-SAGU Half Marathon

Looks to be the same as every year before.

Matt Massey
City of Waxahachie
Street Dept.
Office 469-309-4312
mmassey@waxahachie.com

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Thursday, December 26, 2019 2:08 PM
To: Massey, Matt <mmassey@waxahachie.com>; Ojeda, Eneida <Eojeda@waxahachie.com>; Dernovich, Kip <kdernovich@waxahachie.com>
Subject: FW: Event Application-SAGU Half Marathon

Please send me your comments/concerns by Tuesday, December 31, 2019.

Thank you,

Amber Villarreal, TRMC, CMC
Acting City Secretary
City of Waxahachie
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

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Attention Public Officials: A "Reply to All" of this email message could lead to violations of the Texas Open Meetings Act. If replying, please reply only to the sender.

From: Villarreal, Amber
Sent: Thursday, November 14, 2019 9:29 AM
To: Massey, Matt <mmassey@waxahachie.com>; Ojeda, Eneida <Eojeda@waxahachie.com>; Dernovich, Kip <kdernovich@waxahachie.com>
Subject: FW: Event Application-SAGU Half Marathon

Please review the attached application and send me your comments/concerns. They are requesting the same services from Public Works as last year. I've attached Kip's email to them confirming details from their last event.

Thank you,

(51)

Application for a Festival or Event Permit

Event Name and Description: Mardi Gras 2020
Parade, music, and beer stroll in celebration
of Mardi Gras

Applicant Information

Name: Arita Simpson
Address: 401 S. Rogers
City, State, Zip: Waxahachie, TX 75165 Phone: 469-309-4111
E-mail Address: asimpson@waxahachie.com

Organization Information

Organization Name: WOMA
Address: P.O. Box 2802, Waxahachie, TX 75168
Authorized Head of Organization: Cindy Burch
Phone: 214-502-9052 E-mail Address: cindy@thedovesnestrestaurant.com

Event Chairperson/Contact

Name: Amber Adams
Address: 301 S. Rogers
City, State, Zip: Waxahachie, TX 75165 Phone: 214-679-8778
E-mail Address: acawerly@sbcglobal.net

Event Information

Event Location/Address: Downtown Waxahachie - square + amphitheater
Purpose: to bring people downtown to celebrate Mardi Gras
+ patronize downtown businesses
Event Start Date and Time: Schedule is below

Friday, Feb. 21, 2020 - Pub Crawl 6-10 pm
Saturday, Feb. 22, 2020 - DJ on the square 2-6 pm
Parade 3 pm
Beer stroll 4-8 pm
live Zydeco music @ amphitheater 6-8 pm

Received in
City Secretary's Office
12/12/19 AV
City of Waxahachie, Texas

(5d)

Event End Date and Time: all events are over @ 8 pm, 2/22/2020

Approximate Number of Persons Attending Event Per Day: 500 - 4000

Site Preparation and Set-Up Date and Time: Parade staged on N. Rogers St @ 1:30 pm Feb. 22, 2020

Clean-Up Completion Date and Time: 8 pm, 2/22/2020

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc.

No street closures required; traffic control assistance at intersections during parade requested (see attached parade map); request portable toilets downtown and at amphitheater for Saturday
See schedule for list of activities

Will food and/or beverages be available and/or sold? YES/NO Beer Stroll tickets

Will alcohol be available and/or sold? YES/NO Beer Stroll ticket holders only

If food will be prepared on-site, a Temporary Food Permit must be obtained by the Environmental Health Department.

Will dumpsters be needed? poly carts only

Please submit a site plan showing the layout of the event including equipment, stages, and street locations

I THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT.

Quita Simpson

12/11/2019

Signature of Applicant

Date

(SA)

Mardi Gras 2020

Schedule of Events

Friday, February 21, 2020

Pub Crawl

6 pm to 10 pm

Various downtown restaurants

Saturday, February 22, 2020

DJ on the Square

2 pm to 6 pm

Mardi Gras Parade

3 pm to ???

Staging on North Rogers between Singleton Plaza and CNB; parade route will go south on Rogers to S. College (in front of MKT Depot), turn right on S. College, go north on College to Singleton Plaza

Beer Stroll

4 pm to 8 pm

Various downtown businesses

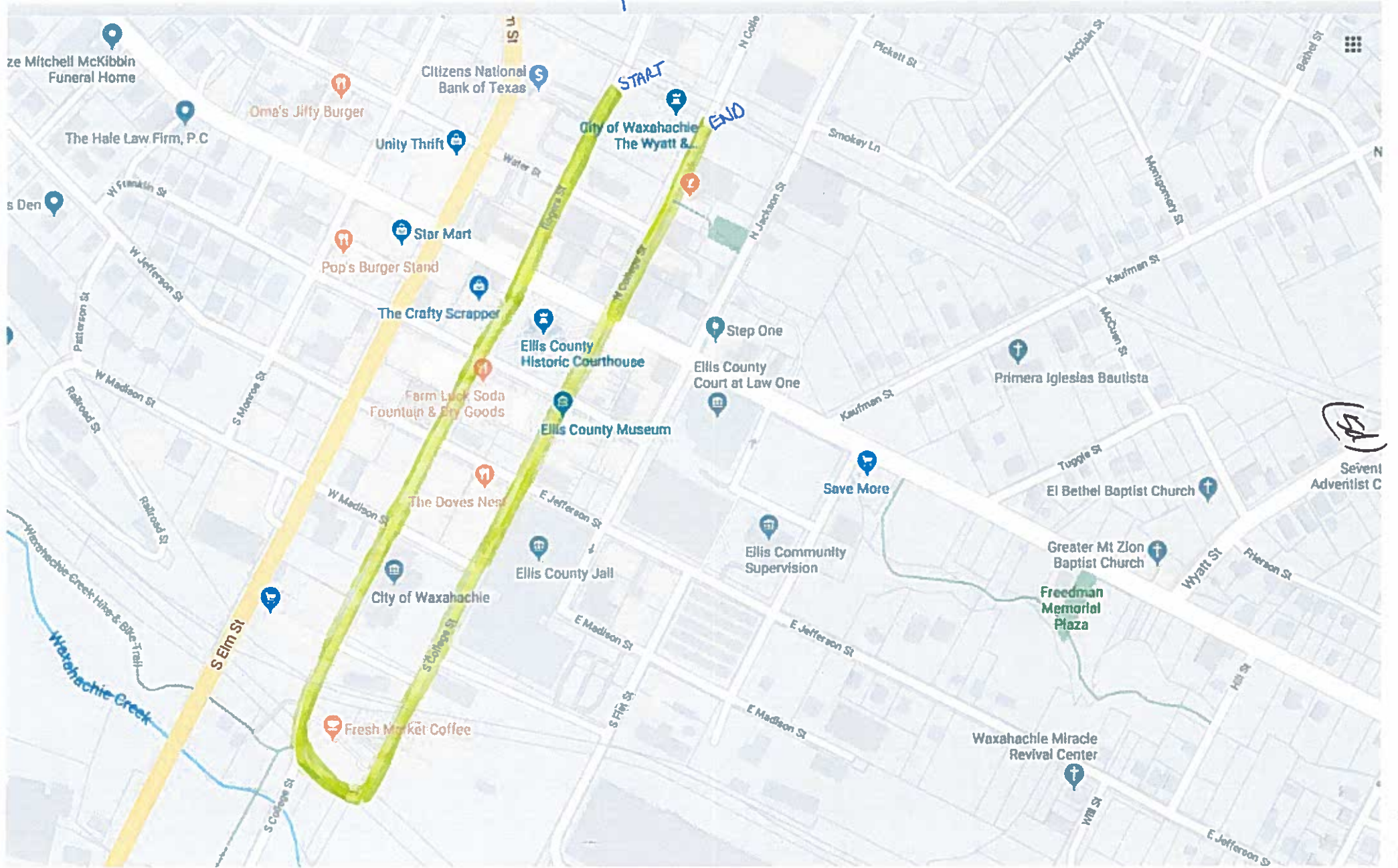
Keyun & the Zydeco Masters

6 pm to 8 pm

Railyard Amphitheater

Free to the public

Mardi Gras Parade Route
Saturday, Feb. 22, 2020
3 pm



(5d)

Villarreal, Amber

From: Smith, John
Sent: Thursday, December 12, 2019 2:31 PM
To: Villarreal, Amber; Wade Goolsbey; Ricky Boyd; Griffith, Thomas; Hill, Krystyne; Martinez, Jose; Simpson, Anita; Martinez, Gumaro
Cc: Scott, Michael; Lawrence, Albert; Ludwig, Tommy
Subject: RE: Event Application-Mardi Gras 2020

I see no issues on our end.

Approved.

Thanks,
John

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Thursday, December 12, 2019 2:22 PM
To: Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Hill, Krystyne <khill@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Smith, John <jsmith@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>
Subject: Event Application-Mardi Gras 2020

Please review the attached event application and send me your comments/concerns.

Thank you,

Amber Villarreal, TRMC, CMC
Acting City Secretary
City of Waxahachie
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
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(sd)

Villarreal, Amber

From: Simpson, Anita
Sent: Thursday, December 12, 2019 4:08 PM
To: Villarreal, Amber
Cc: Wade Goolsbey
Subject: RE: Event Application-Mardi Gras 2020
Attachments: Ord2819-Alcohol in Overlay.pdf

Okay. The beer stroll will depend on what stores are participating. I think they are limiting it to 12. They will all be in the Overlay and comply to our ordinance for these events. (see attached)

We may not know the number of entries in the parade until days before. We don't expect more than a dozen based on past Mardi Gras parades. But a lot of things have changed since it stopped so who knows?

I will keep you both posted on the stores and parade entries as that information comes available.

| | |
|--|---|
|  | <p>Anita Simpson <i>Director of Downtown Development Heritage Preservation Officer</i></p> |
| <p>City of Waxahachie 401 S. Rogers P.O. Box 757 Waxahachie, Texas 75165</p> | <p>Office 469-309-4111 Cell 972-672-3035 Fax 469-309-4003 asimpson@waxahachie.com</p> |

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Thursday, December 12, 2019 3:20 PM
To: Simpson, Anita <asimpson@waxahachie.com>
Cc: Wade Goolsbey <>wgoalsby@waxahachiepd.org>
Subject: FW: Event Application-Mardi Gras 2020

Anita,

Please see Chief's response below.

Thanks!

Amber Villarreal, TRMC, CMC
Acting City Secretary
City of Waxahachie
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
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(5A)

Villarreal, Amber

From: Hill, Krystyne
Sent: Thursday, December 12, 2019 4:13 PM
To: Villarreal, Amber
Subject: RE: Event Application-Mardi Gras 2020

The downtown businesses are already permitted with me so this is acceptable!

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Thursday, December 12, 2019 2:22 PM
To: Wade Goolsbey <wgoolsby@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Hill, Krystyne <khill@waxahachie.com>; Martinez, Jose <jose.martinez@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Smith, John <jsmith@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>
Subject: Event Application-Mardi Gras 2020

Please review the attached event application and send me your comments/concerns.

Thank you,

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Acting City Secretary
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(7)



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Director of Planning
Thru: Michael Scott, City Manager
Date: December 31, 2019
Re: Annexation of Property on FM 877

The City of Waxahachie has received a request for annexation of land on behalf of Bobby Lide, property owner, from Chip G. Boyd, Chief Operating Officer, JH Development LLC, on FM 877 just Southeast of Lake Waxahachie. The requested area is a portion of the WC Coleman Survey, Abstract 204, AB Fluey Survey, Abstract 374, and the M Rafferty Survey, Abstract 898.

The first Public Hearing is scheduled for Monday, January 6, 2020 at 7:00 P.M., the second Public Hearing is scheduled for January 6, 2020 at 7:30 P.M., and action will take place on Monday, February 3, 2020.

This land is proposed as a 110.484 acre single-family residential development. The total acreage of the requested annexation is approximately 81.454 acres.



RECEIVED
11/6/19

November 5, 2019

RE: Request for Annexation of +/-110ac, a portion of Ellis CAD parcel 183566

City of Waxahachie Planning Department:

On behalf of Bobby Lide, land owner, and acting as authorized agent, JH-Development, LLC, would like to formally request annexation of the +/-110ac tract, as represented in the attached survey, a portion of the Ellis CAD parcel 183566. It is our intent to purchase the land and zone it, in accordance with City of Waxahachie processes, so that we can develop a single-family residential community on the tract.

We appreciate your consideration of the project and look forward to working with you!

Respectfully,

A handwritten signature in blue ink, appearing to read 'Chip G. Boyd', is written over a light blue horizontal line.

Chip G. Boyd

Chief Operating Officer

JH-Development, LLC

ANX-DNX-000025-2019

421 CENTURY WAY

RED OAK, TX 75154

(19)

RECEIVED
11/6/19

November 4, 2019

City of Waxahachie
401 S. Rogers
Waxahachie, TX 75165

To Whom it May Concern:

I, Bobby Lide, do hereby authorize JH-Development, LLC and it's assigns to represent me on the +/-110-acre tract of land, as represented by the survey, attached as Exhibit A.

JH-Development is my authorized agent for any and all meetings and submittals, regarding zoning and requested annexation of said property, through the annexation and zoning processes. JH-Development shall close on the property and own the property, however, prior to final reading and adoption at City Council, of any annexation or zoning entitlement.

Sincerely,



Bobby Lide,
Bobby Lide, Inc.

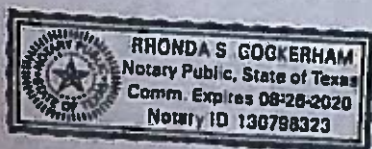
THE STATE OF TEXAS)
COUNTY OF ELLIS)

Before me, the undersigned authority, on this day personally appeared Bobby Lide, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he did the same for the purposes and considerations expressed.

By: Rhonda S. Cockerham

Notary Public in and for the State of Texas

My Commission Expires: 08-26-2020







Bobby Lide Inc. Property (283.902 Acres)

Location Exhibit

Legend

-  Bobby Lide Property
-  City Limit



LEGAL DESCRIPTION:

BEING a part of land situated in the W.C. COLEMAN SURVEY, ABSTRACT NO. 204, the A.B. FLERY SURVEY, ABSTRACT NO. 374 and the M. RAFFERTY SURVEY, ABSTRACT NO. 868, City of Waco, Texas and being part of that tract of land described in deed to Boley Line, Inc., as recorded in Volume 2720, Page 1243, Deed Records, Ellis County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found in the southeast line of farm to Market Road No. 877, on 90 foot right-of-way for the most northerly east-south-east corner of said Boley Line, Inc. tract;

THENCE Eastwary, with the north line of said Boley Line, Inc. tract, the following bearings (13) courses and distances:

South 63 degrees 34 minutes 10 seconds East, leaving said southeast line, a distance of 72.37 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner;

South 01 degree 30 minutes 12 seconds East, a distance of 333.78 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner;

South 87 degrees 23 minutes 58 seconds East, a distance of 110.34 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner;

North 00 degrees 43 minutes 05 seconds East, a distance of 98.25 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner;

North 82 degrees 27 minutes 02 seconds East, a distance of 88.34 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner;

North 80 degrees 23 minutes 07 seconds East, a distance of 575.43 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner;

North 80 degrees 23 minutes 03 seconds East, a distance of 31.30 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner;

South 28 degrees 30 minutes 46 seconds East, a distance of 8.21 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner;

North 80 degrees 27 minutes 53 seconds East, a distance of 230.18 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner;

South 21 degree 08 minutes 44 seconds East, a distance of 84.73 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner;

North 48 degrees 02 minutes 18 seconds East, a distance of 388.40 feet to a 1/2 inch iron rod found for corner;

North 18 degrees 02 minutes 38 seconds West, a distance of 242.08 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner;

North 84 degrees 23 minutes 14 seconds East, a distance of 576.17 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner;

THENCE South 28 degrees 23 minutes 08 seconds East, leaving said north line, a distance of 1,191.14 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner;

THENCE South 16 degrees 37 minutes 16 seconds West, a distance of 1,442.80 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner;

THENCE South 58 degrees 01 minutes 15 seconds West, a distance of 258.63 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner;

THENCE North 73 degrees 23 minutes 44 seconds West, a distance of 1,019.78 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner;

THENCE South 08 degrees 15 minutes 27 seconds West, a distance of 131.43 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner;

THENCE South 85 degrees 28 minutes 46 seconds West, a distance of 316.16 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner;

THENCE South 70 degrees 32 minutes 15 seconds West, a distance of 567.10 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner;

THENCE South 80 degrees 41 minutes 52 seconds West, a distance of 238.44 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "NPLS 4488" found for corner in the southeast line of the above mentioned farm to Market Road No. 877 at the beginning of a non-tangent curve to the right having a central angle of 38 degrees 47 minutes 07 seconds, a radius of 808.53 feet and a chord bearing and distance of North 08 degrees 26 minutes 40 seconds West, 819.22 feet;

THENCE Northwary, with said southeast line and said curve to the right, an arc distance of 831.84 feet to a steel right-of-way monument found for corner;

THENCE North 12 degrees 57 minutes 24 seconds East, continuing with said southeast line, a distance of 1,230.83 feet to the POINT OF BEGINNING and containing 110.484 acres of land, more or less.

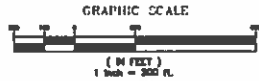
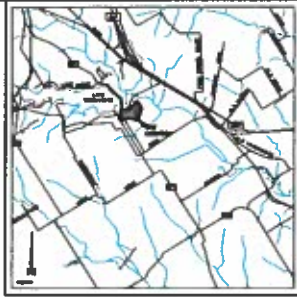
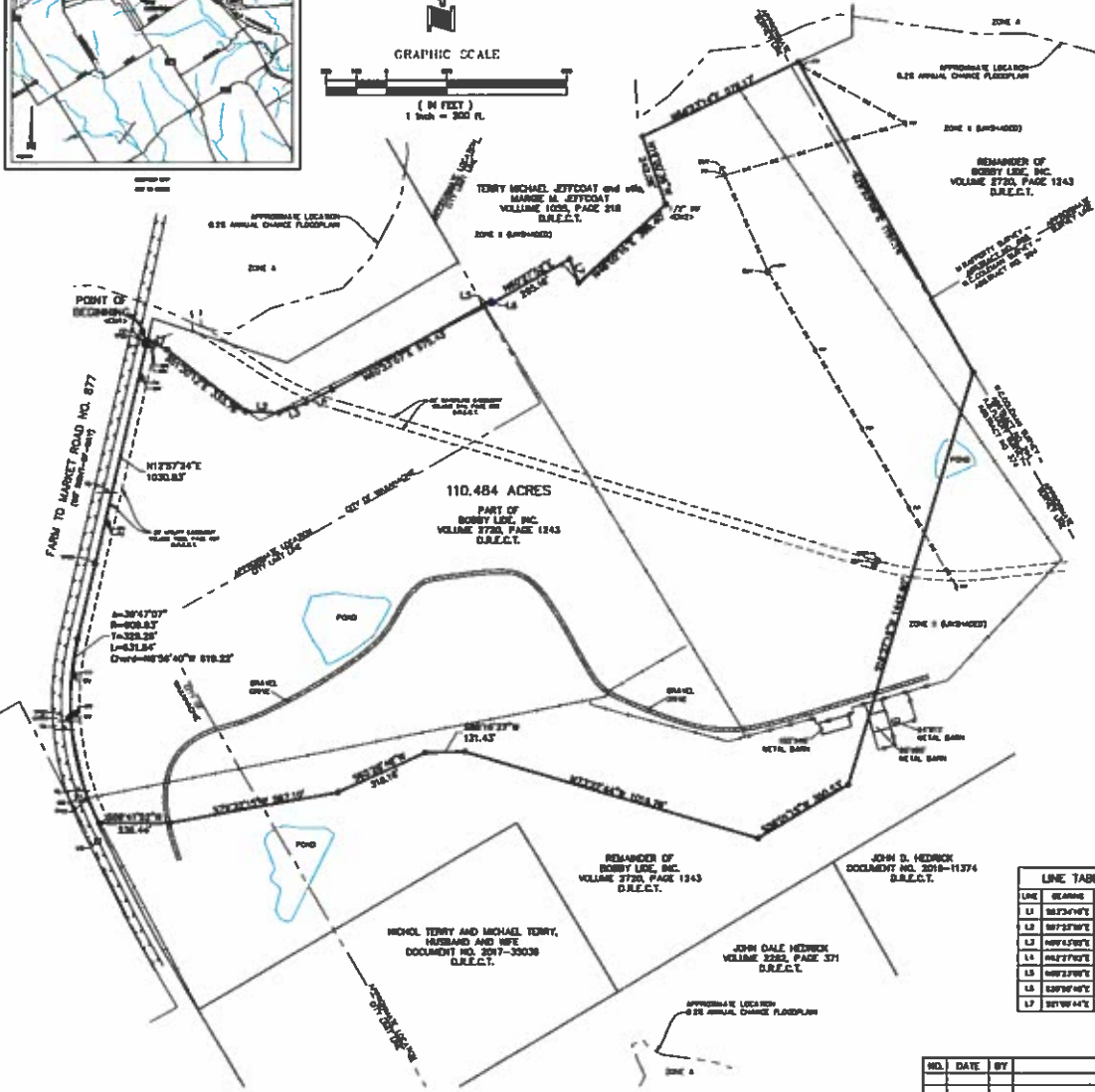


Exhibit B - Survey



| LINE | BEARING | LENGTH |
|------|-------------|---------|
| L1 | S87°24'N | 72.37 |
| L2 | S01°30'E | 333.78 |
| L3 | S87°23'58"E | 110.34 |
| L4 | N00°43'05"E | 98.25 |
| L5 | N82°27'02"E | 88.34 |
| L6 | N80°23'07"E | 575.43 |
| L7 | N80°23'03"E | 31.30 |
| L8 | S28°30'46"E | 8.21 |
| L9 | N80°27'53"E | 230.18 |
| L10 | S21°08'44"E | 84.73 |
| L11 | N48°02'18"E | 388.40 |
| L12 | N18°02'38"W | 242.08 |
| L13 | N84°23'14"E | 576.17 |
| L14 | S28°23'08"E | 1191.14 |
| L15 | S16°37'16"W | 1442.80 |
| L16 | S58°01'15"W | 258.63 |
| L17 | N73°23'44"W | 1019.78 |
| L18 | S08°15'27"W | 131.43 |
| L19 | S85°28'46"W | 316.16 |
| L20 | S70°32'15"W | 567.10 |
| L21 | S80°41'52"W | 238.44 |
| L22 | N12°57'24"E | 831.84 |
| L23 | N12°57'24"E | 1230.83 |

| NO. | DATE | BY | REVISION |
|-----|------|----|----------|
| | | | |
| | | | |
| | | | |

NOTES:

1. BASIS OF BEARINGS DERIVED FROM THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, NORTH CENTRAL ZONE, DIRECTION FOR CONTROL ESTABLISHED THROUGH \langle CH \rangle 1 and \langle CD \rangle 2 HAVING A BEARING AND DISTANCE OF N79°17'20"E, 1,782.10'.
2. THE SUBJECT TRACT LIES WITHIN ZONE 1 (UNSHADED), DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.25 ANNUAL CHANCE FLOODPLAIN" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) AS SHOWN ON COMMUNITY MAP NO. 481300080, DATED JUNE 3, 2013 FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS.
3. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT COMMITMENT FOR TITLE INSURANCE, AND ONLY REFLECTS THOSE EASEMENTS OF WHICH I HAVE BEEN ADVISED AND SHOWN HEREON. NO OTHER RESEARCH WAS PERFORMED BY SURVEYOR.
4. VISIBLE IMPROVEMENTS/UTILITIES WERE LOCATED WITH THIS SURVEY, NO SUBSURFACE PROBING, EXCAVATION OR EXPLORATION WAS PERFORMED FOR THIS SURVEY.
5. FENCES SHOWN HEREON ARE GRAPHIC ONLY AND MAY VARY BETWEEN MEASURED LOCATIONS.
6. THE ACREAGE TOTALS AS SHOWN HEREON ARE BASED ON THE MATHEMATICAL CLOSURE OF THE COURSES AND DISTANCES REFLECTED ON THIS SURVEY. THEY DO NOT INCLUDE THE TOLERANCES THAT MAY BE PRESENT DUE TO THE POSITIONAL ACCURACY OF THE BOUNDARY INDICUMENTATION.
7. THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR THE PARTIES IDENTIFIED TO HEREON AND REMAINS THE PROPERTY OF THE SURVEYOR. THE UNAUTHORIZED USE OR REUSE OF THIS SURVEY WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE SURVEYOR IS NOT PERMITTED. THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE CERTIFIED PARTIES OR FOR ANY UNAUTHORIZED USE WILL HOLD SURVEYOR FROM BURDEN OF ANY DAMAGES INCURRED.
8. THE TERM "CERTIFY" OR "CERTIFICATE" AS SHOWN AND USED HEREON INDICATES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, OTHER EXPRESSED OR IMPLIED, AND IS EXCLUSIVELY TO THE PARTIES INVOLVED IN AND LIMITED TO THE TRANSACTION CLOSING AT THE TITLE COMPANY INDICATED HEREON.

SURVEYOR'S CERTIFICATE:

I, Ryan S. Reynolds, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this plan is based on an actual on the ground survey made under my direct supervision and all returns are summarized as shown herein. Except as shown, there are no visible encroachments, conflicts or professions apparent on the ground.

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.

RYAN S. REYNOLDS
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6385

SURVEYED ON THE GROUND: NOVEMBER 1, 2019

| LEGEND | |
|------------|--|
| ● | 1/2" IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "NPLS 4488" (UNLESS OTHERWISE NOTED) |
| ○ | 1/2" IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "NPLS 4488" (UNLESS OTHERWISE NOTED) |
| ◊ | CONTROL MONUMENT |
| D.A.E.C.T. | DEED RECORDS, ELLIS COUNTY, TEXAS |
| P.A.E.C.T. | PLAT RECORDS, ELLIS COUNTY, TEXAS |
| TS | TRAFFIC SIGN |
| UCS | UNDERGROUND CABLE SURVEY |
| FM | FIRE HYDRANT |
| GH | CUT WIRE ANCHOR |
| PP | POWER POLE |
| TPED | TELEPHONE PEDESTAL |
| WM | WATER METER |
| WV | WATER VALVE |
| WMM | WATER MANHOLE |
| WF | WIRE FENCE |
| RF | ROCK FENCE |
| OE | OVERHEAD ELECTRIC LINE |
| AS | ASPHALT |
| G | GRAVEL |

| LAND TITLE SURVEY | |
|---------------------------------------|--|
| 110.484 ACRES | |
| W.C. COLEMAN SURVEY, ABSTRACT NO. 204 | |
| A.B. FLERY SURVEY, ABSTRACT NO. 374 | |
| M. RAFFERTY SURVEY, ABSTRACT NO. 868 | |
| CITY OF WACO, TEXAS | |

| DESIGN | DRAWN | CHECKED | DATE | SCALE | JOB | SHEET |
|--------|-------|---------|------------|---------|-------|-------|
| RSR | | | 2019-11-01 | 1"=300' | 18028 | 1 |

(8)

Planning & Zoning Department

Zoning Staff Report

Case: PD-19-0147



MEETING DATE(S)

Planning & Zoning Commission: December 17, 2019

City Council: January 6, 2020

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held December 17, 2019, the Commission voted 6-0 to recommend approval of zoning change PD-19-0147, as presented by staff.

It should be noted that this request is for a Planned Development (PD) Concept Plan. The second part of the PD process is the Detailed Site Plan. If the Concept Plan ordinance is adopted, then the applicant's Detailed Site Plan will be administratively reviewed and can be approved in accordance with the Concept Plan.

CAPTION

Continue Public Hearing on a request by Dalton Bradbury, Southfork Capital, for a Zoning Change from a Planned Development-30-Office zoning district to Planned Development-Single Family-3, with Concept Plan, located at 315 N Rogers (Property ID 193492) - Owner: Southfork Capital LLC (PD-19-0147)

APPLICANT REQUEST

The applicant is requesting to create a Planned Development construct five (5) single family homes.

CASE INFORMATION

| | |
|---------------------------|-------------------------------------|
| <i>Applicant:</i> | Dalton Bradbury |
| <i>Property Owner(s):</i> | South Fork Capital LLC |
| <i>Site Acreage:</i> | 2.477 acres |
| <i>Current Zoning:</i> | Planned Development-Office |
| <i>Requested Zoning:</i> | Planned Development-Single Family-3 |

SUBJECT PROPERTY

| | |
|-----------------------------|-----------------------|
| <i>General Location:</i> | 315 N. Rogers St. |
| <i>Parcel ID Number(s):</i> | 193492 |
| <i>Existing Use:</i> | Currently Undeveloped |
| <i>Development History:</i> | N/A |

(4)

Table 1: Adjoining Zoning & Uses

| Direction | Zoning | Current Use |
|-----------|--------------|-----------------------------|
| North | SF1 | Single Family Residences |
| East | PD-O | Single Family Residences |
| South | GR and C | First Baptist Church |
| West | PD-GR and GR | Residential and Retail Uses |

Future Land Use Plan: Low Density Residential

Comprehensive Plan: This 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 N. Rogers St.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is requesting to create a Planned Development construct five (5) single family homes.

Proposed Use:

The applicant is requesting approval for a zoning change to accommodate development of five (5) single family homes on 2.477 acres located at 315 N. Rogers St. The current zoning for the property is Planned Development-Office. Per the information provided in Table 2, the applicant is not meeting all of the required development standards for the requested zoning. However, it should be noted that the

(8)

proposed development is within the Infill Overlay, and will meet or exceed the existing surrounding development.

Conformance with the Comprehensive Plan:

Residential developments can include low density residential, medium density residential, and high density residential. The proposed development is consistent with the FLUP and the following goals and objectives in the 2016 Comprehensive Plan Addendum:

- Growth Strategies – Goal 12: Promote growth of the community where infrastructure exists.

Development Standards:

The applicant is proposing a base zoning district of Single Family-3 (SF3). Allowed uses shall be those provided within the City of Waxahachie Zoning Ordinance for Single Family-3 with additional changes listed below.

Permitted Uses:

- Single Family Housing

Table 2: Proposed Planned Development Standards (Single Family-3)

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

| Standard | City of Waxahachie | Bradbury | Meets Y/N |
|--------------------------------|---------------------|--------------------|-----------|
| Min. Lot Area (Sq. Ft.) | 10,000 | 9,500 | No |
| Min. Dwelling Unit (Sq. Ft.) | 1,200 | 1,600 | Yes |
| Min. Lot Width (Ft.) | 80 | 50 | No |
| Min. Lot Depth (Ft.) | 100 | 190 | Yes |
| Min. Front Yard (Ft.) | 30 | 15 | No |
| Min. Side Yard (Ft.) | 10; 15 (ROW) | 5; 15 (ROW) | No |
| Min. Rear Yard (Ft.) | 25 | 25 | Yes |
| Max. Height | 2 stories | 2 stories | Yes |
| Max. Lot Coverage (%) | 50 | 60 | No |

**It should be noted that the subject property is located within the City of Waxahachie Infill Overlay*

***Though Table 2 reflects that some requirements are not met, the proposed development will meet or exceed the existing surrounding development*

Additional Notes/Exception and Variance Request:

- *Exterior Material:* The applicant is proposing 100% cementitious fiberboard siding. Per the City of Waxahachie Zoning Ordinance, the material is not allowed. *House Bill 2439 allows the use of the material.*
- The applicant is requesting to provide a 6ft. wood fence opposed to a required masonry fence.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 8 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.

(8)

STAFF CONCERNS

1. Staff has no outstanding concerns for the applicant.

APPLICANT RESPONSE TO CONCERNS

1. The applicant has addressed all staff concerns.

RECOMMENDATION

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

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

ATTACHED EXHIBITS

1. Ordinance
2. Location Exhibit
3. Planned Development Provisions
4. Site Plan

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:
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Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

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ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-OFFICE (PD-O) TO PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF-3), WITH CONCEPT PLAN LOCATED AT 315 NORTH ROGERS STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 2.477 ACRES KNOWN AS PROPERTY ID 193492, LOT 1-9, BLOCK 23 OF THE TOWN SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, a proper application for a PD, with Concept Plan has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number PD-19-0147. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from PD-O to PD-SF3, with Concept Plan; and

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

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

NOW, THEREFORE, this property is rezoned from PD-O to PD-SF3, with Concept Plan in order to construct five (5) single family home structures on the following property: a portion of Property ID 193492, Lots 1-9, Block 23, of the Town subdivision, which is shown on Exhibit A, in accordance with the Planned Development Provisions attached as Exhibit B, and the Concept Plan attached as Exhibit C.

PLANNED DEVELOPMENT

Purpose and Intent

The purpose of this planned development is to create a single family residential development and to establish appropriate restrictions and development controls necessary to ensure predictable land development, safe and efficient vehicular and pedestrian circulation, compatible uses of land and compliance with appropriate design standards.

Development Standards

All development on land located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in this ordinance. The locations of buildings, driveways,

(9)

parking areas, amenity areas, trails, fencing, and other common areas shall substantially conform to the locations shown on the approved Concept Plan (Exhibit C).

Development Regulations

1. The Site Plan shall conform as approved by the City Council under case number PD-19-0147.
2. Any zoning, land use requirement, or restriction not contained within this zoning ordinance shall conform to those requirements and/or standards prescribed in Exhibits C – Concept Plan. Where regulations are not specified in Exhibit C or in this ordinance, the regulations of Single Family-3 zoning district of the City of Waxahachie Zoning Ordinance shall apply to this development.
3. A detailed Site Plan packet shall be administratively reviewed and can be approved in accordance with the Concept Plan.
4. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.

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

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

PASSED, APPROVED, AND ADOPTED on this 6th day of January, 2020.

MAYOR

ATTEST:

City Secretary



Exhibit A - Location Exhibit

PD-19-0147

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Exhibit B - Planned Development Provisions

PD-19-0147

Bradbury Planned Development

Purpose and Intent

The purpose and intent of this Planned Development (PD) is to allow for the development of five single family homes.

Key Design Features: The residential architectural style for this development will consist mainly of southern farm house and Texas regional architecture that lends itself to large front porches and homes opening directly on both public and private spaces. Features that Promote a Unique Identity and Quality of Life. Payton's Place is designed to evoke a neo-classical feel. The architecture within the community is one of similarity and continuity, but with a variety of design options. The main design idea is to mimic the existing Waxahachie "original town" and downtown areas that were constructed in the later 1800s and to mid-1900s.

Sustainability of Site Location: Within walking distance to Downtown Waxahachie and ¼ mile of mile to hike and bike trail. All residential development will be Green Built and Energy Star certified. All lots will have a 2 car enclosed garages. No garage doors will be visible from the street. **Strategies for Healthy Communities and Indoor Environments:** Existing walkable streets and sidewalks provide connections from the development to the nearby hike and bike trail as well as downtown Waxahachie and the Amphitheater.

Any conditions found within the Single Family Residential District-3 (SF-3) zoning district or Zoning Ordinance that are not written herein, shall default to the City of Waxahachie's Code of Ordinances, as amended.

Compliance with the City's Comprehensive Plan

Zoning District (SF-3) is the intended base zoning classification underlying this PD. The SF-3, Single Family Residential District-3, is a residential district intended to provide the highest residential density of four (4) dwelling units per acre. The principal permitted land uses will include single family dwellings, residential areas are permitted in this District.

PD District Development Standards

Description of Request

- We intend to modify the existing zoning general retail requirements under a Planned Development which will allow for the development of FIVE single family homes and leave the existing concrete parking lot on lot 1 as it currently is.

Proposed Use of Property

- The proposed development is compiled of 5 new single family homes. The development will create a common look that will serve as a model for future development in the surrounding area. The development will feature large front porches and exterior vintage style lighting.
- **Elevations:** 100% fiber-cement exterior.
- **Density:** 5 dwelling units per 1.15 acres (5 units total)
- **landscaping:** Landscaping will be to City of Waxahachie SF3 Standards.
- **Façade Materials:** All exterior materials will be Fibercementitious siding to match the existing neighborhood.

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- **Parking:** 2 enclosed parking spaces will be detached from each dwelling unit and an additional 1 car parking space will be provided behind the front build line.
- **Height:** A maximum of 2 stories above grade.
- **Screening:** A 6' wood privacy fence shall screen all lots from the existing parking lot on lot 1.
- **Phasing:** Construction shall begin as soon as the plat has been approved.
- **Property management Association:** No property management association will be provided.

• **Sec. 3.06 - Single-Family Residential-3 (SF3).**

(a)

General purpose and description: The Single-Family Residential-3 (SF3) Zoning District is intended to be similar to the SF2 except composed of detached, single-family residences on lots of not less than ten thousand (10,000) square feet.

(b)

SF-3 Standards

| | |
|----------------------|---|
| Height Regulations | 2 stories for the main building. 1 story for accessory buildings without garages |
| Area Regulations | |
| Minimum Lot Area | 10,000 SF |
| Minimum Lot Width | 80' |
| Minimum Lot Depth | 100' |
| Minimum Front Yard | 30' |
| Minimum Side Yard | 10'; 15' on corner lots adjacent to a street |
| Minimum Rear Yard | 25' |
| Maximum Lot Coverage | 50% by main and accessory buildings |
| Parking Regulations | Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure |
| Minimum DUA | 1,200 SF |

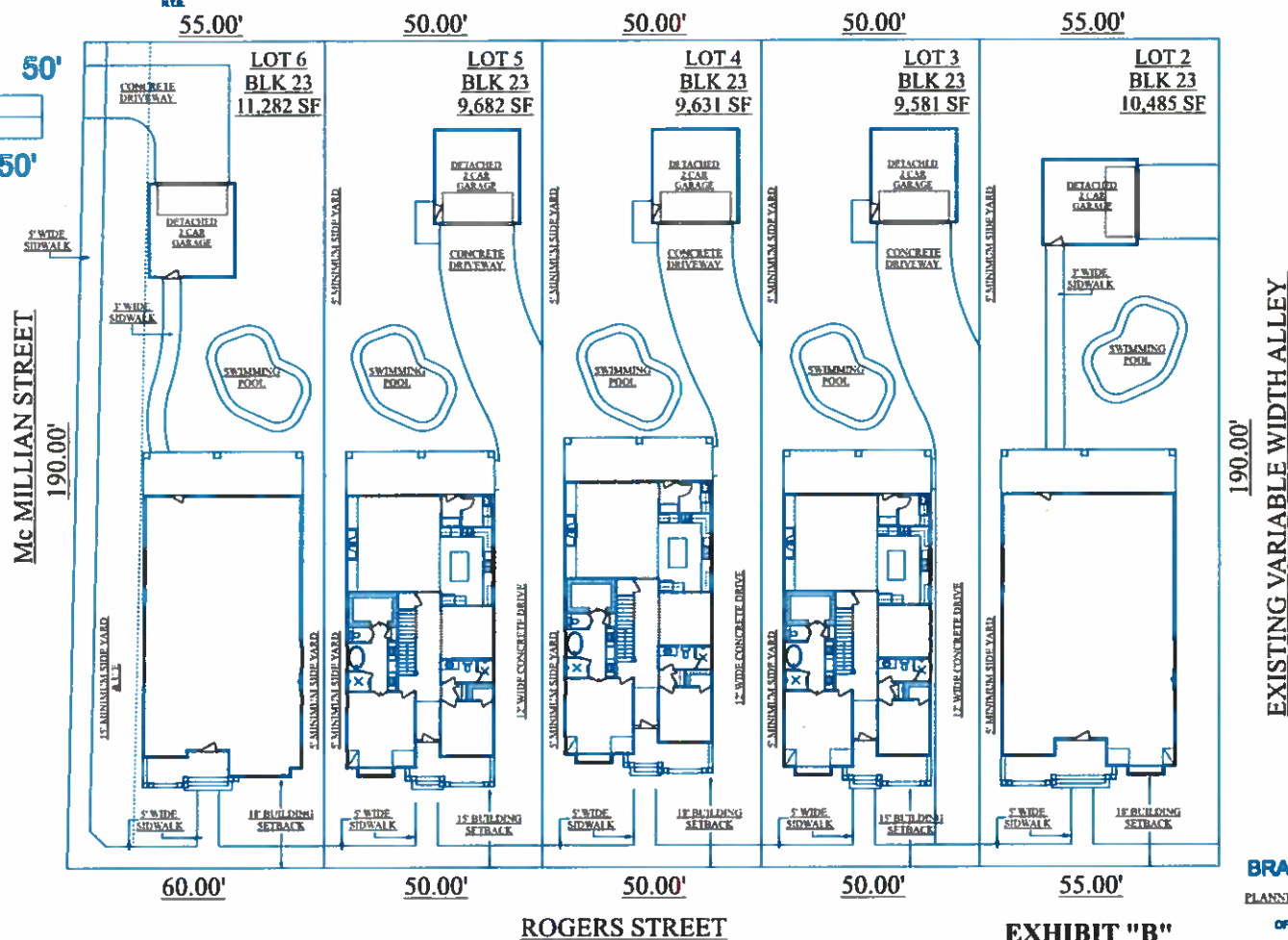
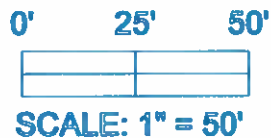
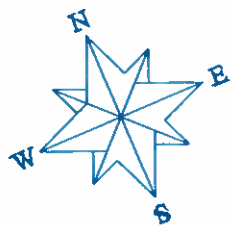
(9)

- Proposed Planned Development Single-Family Residential 3

Planned Development Standards

| | |
|----------------------|---|
| Height Regulations | |
| | 2 stories for the main building. 1 story for accessory buildings without garages |
| Area Regulations | |
| Minimum Lot Area | 9,500 SF |
| Minimum Lot Width | 50' |
| Minimum Lot Depth | 190.00' |
| Minimum Front Yard | 15' |
| Minimum Side Yard | 5'; 15' on corner lots adjacent to a street |
| Minimum Rear Yard | 25' |
| Maximum Lot Coverage | 60% by main and accessory buildings |
| Parking Regulations | Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure |
| Minimum DUA | 1,600 SF |
| Exterior Facade | 100 percent fiber-cement exterior façade |

Exhibit C - Concept Plan



(A)

BRADBURY ADDITION
 SINGLE FAMILY
 PLANNED DEVELOPMENT (PD-19-0147)
 BLOCK 33
 OFFICIAL MAP OF WAXAHACHIE,
 CANNETT A, BLIDE 101,
 PLAT RECORD, ELLIS COUNTY TEXAS
 CITY OF WAXAHACHIE, TEXAS
 ELLIS COUNTY, TEXAS
 1.172 ACRES
 5 RESIDENTIAL LOTS
 ZONED OR

EXHIBIT "B"

OFFICIAL SITE PLAN
 OWNER: SOUTHFORK CAPITAL LLC.
 3751 HWY 287
 WAXAHACHIE, TEXAS 75165
 OFFICE # 462-382-5932

(10+11)



Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager *for [signature]*

Date: December 11, 2019

Re: SU-19-0133 – Caliber Collision

On December 4, 2019, the applicant requested to continue case no. SU-19-0133 to the January 14, 2020 Planning and Zoning meeting and the January 21, 2020 City Council meeting agenda.

(12)

Planning & Zoning Department

Zoning Staff Report



Case: SP-19-0176

MEETING DATE(S)

Planning & Zoning Commission: December 17, 2019

City Council: January 6, 2020

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held December 17, 2019, the Commission voted 6-0 to recommend approval of case number SP-19-0176, subject to staff comments.

CAPTION

Consider request by Brian Shaw, Blue Bonnet Trail LLC, for a detailed Site Plan review for a proposed multi-family development, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (SP-19-0176)

APPLICANT REQUEST

Create a 49 unit multi-family residential development within an existing Planned Development zoning district.

CASE INFORMATION

Applicant: Brian Shaw, Blue Bonnet Trail LLC

Property Owner(s): Blue Bonnet Trail LLC

Site Acreage: 2.965 acres

Current Zoning: Planned Development-11-Multiple Family-1

Requested Zoning: Planned Development-11-Multiple Family-1

SUBJECT PROPERTY

General Location: SW corner of Northgate Drive at Stadium Drive

Parcel ID Number(s): 239255

Existing Use: Currently Undeveloped

Development History: N/A

(12)

Table 1: Adjoining Zoning & Uses

| Direction | Zoning | Current Use |
|-----------|------------------|----------------------------|
| North | PD-GR | Currently Undeveloped |
| East | PD-GR | Single Family Residential |
| South | PD-GR | Stuart B. Lumpkins Stadium |
| West | PD-MF1 and PD-GR | Vacant Retail Building |

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 Northgate Dr. and Stadium Dr.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The purpose of this request is to create a multi-family residential development within an existing Planned Development zoning district.

*It should be noted that the applicant meets the requirements of the existing zoning (Planned Development-11-Multiple Family-1). However, the Planned Development zoning requires that "any site plan for the site is subject to approval by the Planning and Zoning Commission and City Council prior to the issuance of any Building Permit or Certificate of Occupancy for any structure or use on the premises."

(12)

Proposed Use:

The applicant is requesting approval to construct a forty-nine (49) unit apartment complex on 2.965 acres located at the southwest corner of Northgate Drive at Stadium Drive. The proposed development will consist of six two-story residential apartment buildings. The Concept Plan depicts a residential development that includes elements such as:

- App enabled communication between residents and management
- Pet Park
- Washer and Dryer included
- Common Area and Playground Area
- Drought tolerant native plant options

Conformance with the Comprehensive Plan:

Residential developments can include low density residential, medium density residential, and high density residential. The proposed development is consistent with the FLUP and the following goals and objectives in the 2016 Comprehensive Plan Addendum:

- Growth Strategies – Goal 12: Promote growth of the community where infrastructure exists.

Development Standards:

The applicant is proposing a base zoning district of Multi Family-1 (MF1). Allowed uses shall be those provided within the City of Waxahachie Zoning Ordinance for Multi Family-1 with additional changes listed below.

Permitted Uses:

- Multi-Family Apartments (MF1)

Table 2: Proposed Planned Development Standards (Multi Family-1)

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

| Standard | City of Waxahachie | The Park at Northgate Proposed | Meets Y/N |
|-------------------------|---|--|-----------|
| Max. Density | 18 DU per acre | 17.53 DU per acre | Yes |
| Min. Lot Area (Sq. Ft.) | 7,260 SF | 2.965 acres | Yes |
| Min. Dwelling Unit | 1 bedroom – 600 SF 2 bedroom – 700 SF | 1 bedroom – N/A 2 bedroom – 932 SF (max. 1,298 SF) | Yes |
| Min. Lot Width (Ft.) | 60 | 502 | Yes |
| Min. Lot Depth (Ft.) | 120 | 388 | Yes |
| Min. Front Yard (Ft.) | 25 adjacent to SF 25 adjacent to MF or NR | 25 | Yes |
| Min. Side Yard (Ft.) | 50 adjacent to residential 25 adjacent to MF or NR | 25 | Yes |
| Min. Rear Yard (Ft.) | 50 adjacent to residential 25 adjacent to MF or NR | 25 | Yes |
| Max. Lot Coverage (%) | 40 | 32 | Yes |
| Max. Height | 2 stories | 2 stories | Yes |
| Parking | 1 & 2 bedroom units – 1.5 spaces per unit 73.5 required spaces 36.75 required attached garages | 83 spaces provided 38 attached garages | Yes |

(12)

Additional Applicant (Variance/Special Exception) Request/Notes:

- *Exterior Material:* The applicant is proposing cementitious fiberboard siding. Per the City of Waxahachie Zoning Ordinance, the material is not allowed. *House Bill 2439 allows the use of the material.* No single building elevation is comprised of more than 50% of the material.

PLANNING AND ZONING MEETING NOTES

Per the applicant's request, staff created a Development Agreement with the applicant indicating that a minimum 6 ft. ornamental fence with masonry columns spaced every 30 ft. will surround the property, and additional masonry material will be added to the façade proposed development.

PON RESPONSES

Inside 200 ft. Notification Area: Staff has received five (5) letters of opposition for the proposed development.

Outside 200 ft. Notification Area: Staff has received three (3) letters of opposition for the proposed development.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 16 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

STAFF CONCERNS

1. Staff has no outstanding concerns for the applicant.

APPLICANT RESPONSE TO CONCERNS

1. The applicant has addressed staff concerns.

RECOMMENDATION

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

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

ATTACHED EXHIBITS

1. Land Use Statement
2. Development Agreement
3. Site Plan
4. Elevation/Façade Plan
5. Landscape Plan
6. Proposed Amenities
7. Property Owner Notification

(12)

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
Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

Case PD-19-0135
 Responses Received Inside Required 200' Notification Area
 Support: 0 Oppose: 5

| Property ID | Owner's Name | Acres | Legal Description | Owner's Address | Owner's City | Owner's State | Owner's Zip | Physical Address |
|-------------|--|---------|---|-----------------------|--------------|---------------|-------------|--|
| 172989 | ROBERTSON LEONARD & JOYCE M | 0 | LOT 3 BLK 3 COLONIAL AC 3 | 105 COMANCHE CT | WAXAHACHIE | TX | 75165 | 105 COMANCHE CT WAXAHACHIE TX 75165 |
| 172990 | [REDACTED] | 0 | 4 3 COLONIAL AC 3 | 107 COMANCHE CT | WAXAHACHIE | TX | 75165 | 107 COMANCHE CT WAXAHACHIE TX 75165 |
| 172991 | STOWHAS CLAUDIO JR | 0 | LOT 5 BLK 3 COLONIAL AC 3 | 106 COMANCHE CT | WAXAHACHIE | TX | 75165 | 106 COMANCHE CT WAXAHACHIE TX 75165 |
| 172992 | CANTU RICHARD | 0 | 6 3 COLONIAL AC 3 | 104 COMANCHE CT | WAXAHACHIE | TX | 75165 | 104 COMANCHE CT WAXAHACHIE TX 75165 |
| 172994 | [REDACTED] | 0.224 | LOT 2 BLK 3 COLONIAL AC 2 .224 AC | 105 HIGH SCHOOL DR | WAXAHACHIE | TX | 75165 | 105 HIGH SCHOOL DR WAXAHACHIE TX 75165 |
| 172995 | DANIEL ROBERT M & CARMEN C LE O DANIEL IRREVOCABLE GRANTOR TRUST RHONDA M O DANIEL TRUSTEE | 0.224 | 3 3 COLONIAL AC 2 0.224 ACRES | 103 HIGH SCHOOL DR | WAXAHACHIE | TX | 75165 | 103 HIGH SCHOOL DR WAXAHACHIE TX 75165 |
| 172998 | [REDACTED] | 0.224 | 4 3 COLONIAL AC 2 0.224 ACRES | 101 HIGH SCHOOL DR | WAXAHACHIE | TX | 75165 | 101 HIGH SCHOOL DR WAXAHACHIE TX 75165 |
| 173001 | GONZALES FRANK | 0.207 | 4 2 COLONIAL AC 2 0.207 ACRES | 102 HIGH SCHOOL DR | WAXAHACHIE | TX | 75165 | 102 HIGH SCHOOL DR WAXAHACHIE TX 75165 |
| 173002 | EUBANKS WILLIAM | 0.234 | LOT 5 BLK 2 COLONIAL AC 2 .234 AC | 100 HIGH SCHOOL DR | WAXAHACHIE | TX | 75165 | 100 HIGH SCHOOL DR WAXAHACHIE TX 75165 |
| 193939 | WAXAHACHIE ISD | 12.397 | 393 J GOUGH HIGH SCHOOL 12.397 ACRES | 411 N GIBSON ST | WAXAHACHIE | TX | 75165 | 1000 N HIGHWAY 77 WAXAHACHIE TX 75165 |
| 201149 | ASSEMBLY OF GOD CHURCH | 5.6583 | LOT 9 BLK 3 COLONIAL AC 4 5.6583 AC | 701 W HIGHWAY 287 BYP | WAXAHACHIE | TX | 75165 | 701 W HIGHWAY 287 WAXAHACHIE TX 75165 |
| 202253 | WAL MART STORES #01-0260 PROPERTY TAX | 22.6488 | LOT PT 1RR WAL-MART/EASON-REV 22.6488 AC | PO BOX 8050 | BENTONVILLE | AR | 72712 | 1200 N HIGHWAY 77 WAXAHACHIE TX 75165 |
| 239252 | CHINDU UROLOGY ASSOCIATES PLLC | 1 | LOT 3 THE VILLAGE AT WAXAHACHIE PH I 1 AC | 3112 W HWY 22 | CORSICANA | TX | 75110 | 20 NORTHGATE DR WAXAHACHIE TX 75165 |
| 239253 | ELLIS LEGACY GROUP LLC | 1.108 | LOT 4 THE VILLAGE AT WAXAHACHIE PH I 1.108 AC | 873 BROOKGLEN CT | WAXAHACHIE | TX | 75165 | E HIGHWAY 287 WAXAHACHIE TX 75165 |
| 239255 | BLUE BONNET TRAIL LLC | 2.984 | LOT 5 THE VILLAGE AT WAXAHACHIE PH I 2.984 AC | 6225 WOOLAND DR | DALLAS | TX | 75226 | E HIGHWAY 287 WAXAHACHIE TX 75165 |
| 239257 | NAVARRO ALEJANDRO Q | 0.5 | LOT 6 THE VILLAGE AT WAXAHACHIE PH I 0.5 AC | 3620 SOUTH 6TH ST | ARLINGTON | VA | 22204 | 87 NORTHGATE DR WAXAHACHIE TX 75165 |

(a)



(12)

RECEIVED
11/19

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **PD-19-0135**

SCHUSTER LELAND M & JUDITH M
105 COMANCHE CT
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 19, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 2, 2019 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 Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135)

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: **PD-19-0135**
City Reference: 172989

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, November 13, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com.

SUPPORT

OPPOSE

Comments: _____

Leland M. Schuster Judith M. Schuster
Signature

11/7/2019

Date

Leland M. Schuster homeowner
Judith M. Schuster homeowner

105 Comanche Court, Waxahachie

Printed Name and Title

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.

(18)

November 7, 2019

Shon Brooks
Director of Planning
City of Waxahachie
401 S. Rogers St.
Waxahachie, Texas 75165


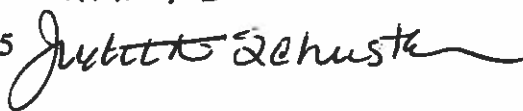
Re: Case Number PD-19-0135, City Reference 172989

Mr. Brooks:

Enclosed with this letter please find our response to your Notice of Public Hearing. We oppose, for numerous reasons, the plan to construct an apartment complex on the property located between the WISD Stadium and across the street from LaQuinta as indicated on your map.

I would suggest that you speak with Robert Brown, the city's legal counsel, as I object to the construction of your legal notice that was sent to certain people within the area of notification as required by law. Your notice is defective as it does not give an address to return the response and it apparently assumes that all persons have access to e-mail which is not true. We would strongly recommend that your "legal notices" be reissued and resent to the interested parties with the corrections pointed out and the dates be rescheduled for your public hearings.

L. Max and Judith Schuster
104 Comanche Court
Waxahachie, Texas 75165
972/351-4972
972/921-4874

(12)



RECEIVED
11/13/19

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **PD-19-0135**



SMALTZ MICHAEL
107 COMANCHE CT
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 19, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 2, 2019 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 Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135)

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: **PD-19-0135**
City Reference: 172990

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, November 13, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com.

SUPPORT OPPOSE

Comments: INADEQUATE PARKING, INCREASED TRAFFIC ON ALREADY CONGESTED NORTHGATE AS WELL AS STADIUM DRIVE

Michael Smaltz
Signature

11/11/2019
Date

MICHAEL SMALTZ - HOMEOWNER
Printed Name and Title

107 COMANCHE CT. WAXAHACHIE, TX 75165
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.

Case Number: **PD-19-0135**

City Reference: 172994

RECEIVED
11/10/19

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, November 13, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com.

SUPPORT

OPPOSE

Comments: The space ID 239255 is too small for 52 housing units + the ensuing cars. The traffic is already impacted in that area to the point that more cars each day use the 1 lane each way street.

Regina Bonner
Signature

11/5/19
Date

Regina L. Bonner Homeowner
Printed Name and Title 105 High School

105 High School Dr.
Address Waxahachie, Tx. 75165

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.

(18)

RECEIVED
11/19/19



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **PD-19-0135**

O DANIEL ROBERT M & CARMEN C L/E O DANIEL IRREVOCABLE GRANTOR
TRUST RHONDA M O DANIEL TRUSTEE
103 HIGH SCHOOL DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 19, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 2, 2019 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 Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135)

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: **PD-19-0135**
City Reference: 172995

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, November 13, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com.

SUPPORT OPPOSE

Comments: TOO MUCH TRAFFIC

Robert O'Daniel
Signature

11-8-19
Date

ROBERT O'DANIEL HOMEOWNER
Printed Name and Title

103 HIGH SCHOOL DR WAX.
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.

(18)

RECEIVED
11/13/19



City of Waxahatchie, Texas
Notice of Public Hearing
Case Number: PD-19-0135

GREEN MARSH
100 HURSH SCHOOL DR
WAXAHATCHIE, TX 75165

The Waxahatchie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 19, 2019 at 7:00 p.m. and the Waxahatchie City Council will hold a Public Hearing on Monday, December 2, 2019 at 7:00 p.m. in the Council Chamber at the Waxahatchie City Hall, 501 South Kyles Street, Waxahatchie, Texas to consider the following:

- Request by Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-14 Multiple Family I zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Parcel ID 239255). Owner: Blue Bonnet Trail LLC (PD-19-0135)

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@Waxahatchie.com for additional information on this request.

Case Number: PD-19-0135
City Reference: 172996

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on Wednesday, November 21, 2019 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahatchie.com.

SUPPORT

OPPOSE

Comments:

Traffic on this area is already one of the biggest problems. We can't enjoy our property here, and we can't.

Signature

Date

Printed Name and Title

Address

By e-mail, you are submitting a public hearing application (Final Form) to the City of Waxahatchie.

If you are not the addresser of this form, but would like to submit an application, please contact the City for a blank form.

(12)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: PD-19-0135

RECEIVED
11/12/19

Outside Notification Area
PID: 72930

Name: DANNY E Leslie SANFORD
Address: 102 INDIAN CT WAXAHACHIE TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 19, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 2, 2019 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 Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135)

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: PD-19-0135
City Reference: 72930

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, November 13, 2019* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com.

SUPPORT OPPOSE

Comments: Not Enough Room on Road
CANNOT ACCOMODATE MORE TRAFFIC

Signature: Danny Sanford

Date: 11-12-19

Printed Name and Title: DANNY SANFORD

Address: 102 INDIAN CT
WAXAHACHIE
TX 75165

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.

(10)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: PD-19-0135

RECEIVED
11/25/19

Outside Notification Area
PID: 172999

Name: Ingrid Dehaa
Address: 106 Highschool Dr. Waxahachie Tx 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 19, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 2, 2019 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 Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135)

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: PD-19-0135
City Reference: 172999

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, November 13, 2019* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com.

SUPPORT OPPOSE

Comments: I oppose this development. Our streets have been eroded for years specially during school drop of and pick-up times.

Buses have ruined our streets. Traffic flow is horrible during school hours. Kids waiting for buses have almost been hit by speeding cars.

Signature: Ingrid Dehaa

Date: 11-25-19

Ingrid Dehaa / home owner
Printed Name and Title

106 Highschool Dr. Waxahachie Tx
Address 75165

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.



(18)

RECEIVED
11/19/19

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: PD-19-0135

Outside Notification Area
PID: 173003

Name: Harry & Jo Brennen
Address: 107 High School Dr., Waxahachie, TX

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 19, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 2, 2019 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 Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135)

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: PD-19-0135
City Reference: 173003

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, November 13, 2019* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com.

SUPPORT OPPOSE

Comments: To many apartment on a small space.
This would cause to much Traffic problems.

Jo Brennen 11-19-19
Signature Date

Harry Brennen, (Home owner) 107 High School Dr.
Printed Name and Title 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*

(18)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: PD-19-0135

RECEIVED
12/4/19

Outside Notification Area
PID: 172931

Name: Mr and Mrs Michael J. Bryant
Address: 100 Indian Court

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 19, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 2, 2019 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 Brian Shaw, Blue Bonnet Trail LLC, for a Zoning Change from a Planned Development-11-Multiple Family-1 zoning district to Planned Development-Multiple Family-1, with Concept Plan, located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255) - Owner: Blue Bonnet Trail LLC (PD-19-0135)

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: PD-19-0135
City Reference: 172931

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, November 13, 2019* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com.

SUPPORT OPPOSE

Comments: see attached sheet

Mr and Mrs Michael J. Bryant
Signature

12-4-19
Date

Mr and Mrs Michael J. Bryant
Printed Name and Title

100 Indian Court
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.

(18)

I oppose the Zoning Change for Case Number PD-19-0135 located at the SW corner of Northgate Drive at Stadium Drive (Property ID 239255).

- (1) Waxahachie needs safe quality housing that will appeal to responsible tenants that want a safe environment in which to live.
- (2) Because of traffic issues listed below any multiply family complex need parking on the property for a minimum of at least 2 parking places per unit with extra places for visitor to park and handicap parking for each building.

TRAFFIC ISSUES

Stadium Drive is not wide enough for 2 lanes of traffic when a vehicle is parked along to curb basically making Stadium Drive into a one line street. During the street improvement project for Stadium Drive a few years ago Stadium Drive was reduced to one lane of traffic for a period of time with signs at the intersection of Stadium Drive and Northgate Drive Informing drivers do not enter with an arrow directing traffic to make a left turn toward the 287 service road. Numerous drivers chose to ignore the directions turned right against the traffic directions and a few even drove as fast as they could to the intersection of Stadium Drive and Brown Street which is a very dangerous intersection with a history of accidents trough out the years.

In order to have enough space for first responders, fire, ambulance, and police) 2 lanes of traffic are needed.

Stadium Drive is a bus route used to transport students from campus to campus through the district.

Parents use the street to drop off and/or pick-up students.

Citizens from the community use the street to go to and/or come from Wal Mart, Race Tract, Starbucks, Hwy 77 and point beyond.

No speed limit signs are posted

- (3) Not enough land to include the number of units with amenities and places for cars to park.

(13)

| | | |
|-----------------|---|---------------------------|
| STATE OF TEXAS | § | DEVELOPMENT AGREEMENT |
| | § | FOR THE PARK AT NORTHGATE |
| COUNTY OF ELLIS | § | |

This Development Agreement for The Park at Northgate ("Agreement") is entered into between Blue Bonnet Trail LLC ("BBT") and the City of Waxahachie, Texas ("City"). BBT and the City are sometimes referred herein together as the "Parties" and individually as a "Party."

Recitals:

1. BBT is the owner of approximately 2.965 acres of real property generally located at the Southwest corner of Northgate Dr. and Stadium Dr., approximately Property ID Number: 239255, in the City of Waxahachie, Texas (the "Property"), for which he has requested a Site Plan ("SP") to allow for a multi-family residential development. The Property is currently zoned Planned Development-Multi Family by the City, and is anticipated to have a Site Plan reviewed on January 6, 2020.

2. The planned use of the Property is to create a forty-nine (49) unit multi-family residential development within an existing Planned Development zoning district. The detailed SP review process is utilized to ensure that the Property would develop in a manner that meets the City's desired development standards, as well as providing BBT with agreed-upon and negotiated standards consistent with his business objectives.

3. As is reflected by the public records of the City, significant discussions and negotiations between BBT and the City of Waxahachie staff have occurred during various meetings, in an effort to obtain an agreed-upon and negotiated set of zoning and development standards to be reflected in the detailed Park at Northgate SP Packet.

4. This Agreement seeks to incorporate the negotiated and agreed upon zoning and development standards as contractually-binding obligations between the City of Waxahachie and BBT, and to recognize BBT's reasonable investment-backed expectations in the Park at Northgate SP Packet.

NOW, THEREFORE, for and in consideration of the above and foregoing premises, the benefits to each of the Parties from this Agreement, and other good and valuable consideration, the sufficiency of which is hereby acknowledged and agreed, the Parties do hereby agree as follows:

Section 1. Incorporation of Premises. The above and foregoing Recitals are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Term. This Agreement shall be effective as of the date of execution of this Agreement by the last of the Parties to do so ("Effective Date"). This Agreement shall remain in full force and effect from the Effective Date until terminated by the mutual agreement of all of the Parties in writing ("Term").

(13)

Section 3. Agreements. The Parties agree as follows:

Incorporation of Zoning and Recognition of Investment-Backed Expectations:

The negotiated and agreed upon zoning and development standards contained in the Park at Northgate SP Packet, which incorporate by reference the general zoning regulations of the City of Waxahachie zoning ordinance, are hereby adopted and incorporated into this Agreement as contractually-binding obligations of BBT. BBT agrees to provide a minimum of 50% masonry to the facades of the proposed development. Cementitious fiberboard siding will be allowed as depicted in the elevation/façade plan. In consideration of BBT's agreement in this regard, the City of Waxahachie agrees that BBT has reasonable investment-backed expectations in the Park at Northgate SP Packet, and that the City of Waxahachie may not unilaterally change the zoning and development standards contained in the Park at Northgate SP Packet without impacting BBT's reasonable investment-backed expectations.

Section 4. Miscellaneous.

- A. This Agreement and any dispute arising out of or relating to this Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without reference to its conflict of law rules. In the event of any dispute or action under this Agreement, venue for any and all disputes or actions shall be instituted and maintained in Ellis County, Texas.
- B. It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership, joint venture, joint enterprise, or other relationship between or among the Parties.
- C. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.
- D. The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by either Party shall not preclude or waive its right to use any or all other remedies. Said rights and remedies are given in addition to any other rights the Parties may have by law statute, ordinance, or otherwise. The failure by any Party to exercise any right, power, or option given to it by this Agreement, or to insist upon strict compliance with the terms of this Agreement, shall not constitute a waiver of the terms and conditions of this Agreement with respect to any other or subsequent breach thereof, nor a waiver by such Party of its rights at any time thereafter to require exact and strict compliance with all the terms hereof. Any rights and remedies any Party may have with respect to the other arising out of this Agreement shall survive the cancellation, expiration or termination of this Agreement, except as otherwise expressly set forth herein.

(13)

E. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.

F. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination or expiration of this Agreement shall survive termination or expiration.

G. This Agreement is made subject to the existing provisions of the City of Waxahachie, its present rules, regulations, procedures and ordinances, and all applicable laws, rules, and regulations of the State of Texas and the United States.

H. The undersigned officers and/or agents of the Parties hereto are the properly authorized persons and have the necessary authority to execute this Agreement on behalf of the Parties hereto.

I. This Agreement may be only amended or altered by written instrument signed by the Parties.

J. The headings and captions used in this Agreement are for the convenience of the Parties only and shall not in any way define, limit or describe the scope or intent of any provisions of this Agreement.

K. This Agreement is the entire agreement between the Parties with respect to the subject matters covered in this Agreement. There are no other collateral oral or written agreements between the Parties that in any manner relates to the subject matter of this Agreement, except as provided or referenced in this Agreement.

L. This Agreement shall be recorded in the real property records of Ellis County, Texas. This Agreement and all of its terms, conditions, and provisions is and shall constitute a restriction and condition upon the development of the Property and all portions thereof and a covenant running with the Property and all portions thereof, and is and shall be binding upon BBT and all of his heirs, successors, and assigns and the future owners of the Property and any portion thereof; provided, however, this Agreement shall not constitute an obligation of or be deemed a restriction or encumbrance with respect to any platted residential lot upon which a completed structure has been constructed.

{Signature Pages Follow}

(13)

EXECUTED by the Parties on the dates set forth below, to be effective as of the date first written above.

CITY OF WAXAHACHIE, TEXAS

By: _____
Michael Scott, City Manager

Date: _____

ATTEST:

By: _____
City Secretary

Blue Bonnet Trail LLC:

By: _____
Massey Shaw

Date: _____

(13)

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

Before me, the undersigned authority, on this 6th day of January, 2020, personally appeared MICHAEL SCOTT, City Manager of the City of Waxahachie, Texas, 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 consideration therein expressed.

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

Before me, the undersigned authority, on this 6th day of January, 2020, personally appeared BLUE BONNET TRAIL LLC (MASSEY SHAW), 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 consideration therein expressed.

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

(13)

Land Use Statement

The Park at North Gate Apartment Community

Introduction

This request seeks to gain approval to build a 49 unit apartment community on the subject property on 2.965 acres. The subject property is located on the corner of Northgate Dr. and Stadium Dr.

Proposed Uses

The proposed Planned Development will have a base zoning of MF-1. These rights carried forward include apartment development subject to the use, zoning, and development regulations of the MF-1 district.

Building Elevations

The proposed project includes six two-story buildings that will meet the required architectural requirements of the City of Waxahachie Zoning Ordinance.

Exterior Building Materials (VARIANCE REQUESTED)

- The elevations will not meet the MF1 masonry requirement.
- Applicant request that Cementitious fiberboard siding is an allowed material provided no single building elevation is comprised of more than 50% of such material

Parking

The proposed project has 84 total parking spaces. 38 of the 83 spaces will be attached garage spaces, and the remaining 45 exterior parking spaces, 10 of which will be used for additional visitor parking.

Access

Access to the property would be from two locations. One from Northgate Dr., and the other from Stadium Dr. Additional sidewalks will be provided along both streets frontage and connecting to the pedestrian path along the North and East sides of the property line.

Landscaping and screening

Landscaping and screening will be provided in accordance with the landscaping plan. The proposed landscaping plan provides a proportional amount of landscaping material for the use, density, and open space.

(13)

Proposed Amenities

The facility will offer amenities including a playground, a splash pad, and outdoor sitting areas.

All amenities includes:

Granite Countertops

10' ceilings throughout

Crown molding and upgraded trim work

Walk in closets

Recessed LED lighting

Integrated USB ports in kitchen & master bedroom

App enabled communication between residents & management

Ceiling fans in all bedrooms

Upgraded kitchen faucet and undercount stainless steel sink

Full size stainless steel appliances

Pet Park

Private Balconies

Washer & Dryer for each unit

Outdoor water feature

Outdoor playground and communal spaces

High efficiency windows

Drought tolerant native plant options

Permeable pavement for select areas

Radiant barrier roof sheathing

Modern finish outs throughout

Garage availability

Signs

All signage will comply with the City of Waxahachie Zoning Ordinance. We will provide a sign (ground monument) at each entrance, one on Northgate and one on Stadium Dr.

Lighting

All lighting will comply with the City of Waxahachie Zoning Ordinance

Project Phasing

The project is anticipated to be constructed in a single phase, with construction expected to commence approximately 6 months from zoning approval. Construction is expected to take approximately 18 months upon commencement.

Management associations

No management association has been identified for the project at this time. Professional leasing and management for the facility will be implemented.



ARCHITECTURAL SITE PLAN
1" = 20'-0"

Site Plan

| RETRACTS 20' BUILDING LINE | TABULATION | PARKING COUNT | |
|--|-------------------------------|---------------------------|----------------------|
| | | REQUIRED | PROVIDED |
| LOT WIDTH AND DEPTH | 48 UNITS (25 STORED) | | |
| WIDTH ALONG NORTHGATE DR. ROW = 652 LF | 2.366 ACRES (129,766 SF) | | |
| DEPTH ALONG STADIUM DR. ROW = 388 LF | 50 UNITS PER ACRE MAX | | |
| | 17.53 UNITS PER ACRE PROVIDED | | |
| LOT COVERAGE | BUILDING A-C BUILDINGS | 1.51 PARKING | |
| BUILDING A 61,134 SF | HEIGHT 34' - 50' | STAIRWELL | 20 |
| SITE = 128,184 SF | 1ST FLOOR SF 8,422 SF | DRIVEWAY | 21 |
| 25% PROPOSED BUILDING COVERAGE | 2ND FLOOR SF 8,422 SF | AREA | 25 |
| | 74,340 SF | CONCRETE DRIVEWAYS | 25 |
| ROW | BUILDING D-F BUILDINGS | STAIRWELL | 25 |
| NORTHGATE DRIVE = 80 A.D.W. | HEIGHT 30' - 35' | ADA PARKING | 1 |
| STADIUM DRIVE = 50 A.D.W. | 1ST FLOOR SF 2,738 SF | ADA DRIVEWAY | 25 |
| | 2ND FLOOR SF 2,738 SF | TOTAL GARAGE | 25 |
| | 1,283 SF | VISUAL OCCULTING PROVIDED | 25 |
| | | PERCENT UNITS PROVIDED | 25 |
| | | TOTAL PARKING PROVIDED | 25 |
| | | | 1.9 PARKING PER UNIT |



SITE PLAN

THE PARK AT NORTHGATE
NORTHGATE DR AND STADIUM DR.
WAXAHACHIE TEXAS, ELLIS COUNTY

CASE NUMBER: PD-19-0116
LOT 9, CABINET H, BLOCK 379-274
P.R.E.C.T.

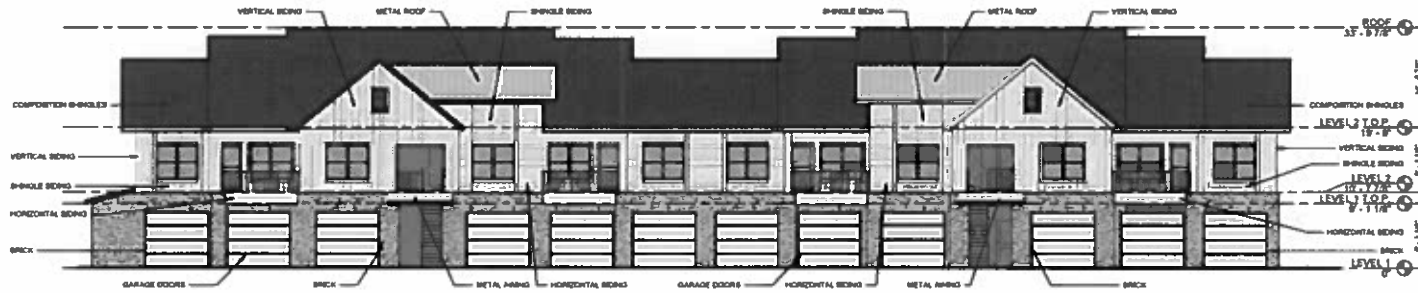
callaway
architecture

1307 HAZARDWINE L.L. STREET
RICHARDSON, TX 75080
PHONE 214.388.2525

| | |
|---------------------|-----------|
| ISSUE DATE | JOB NO. |
| 11/05/2019 | 19028 |
| PLAN TYPE | SHEET NO. |
| PLANNED DEVELOPMENT | G-004 |

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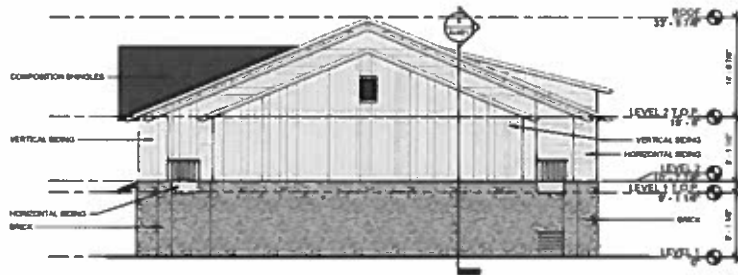
Elevation/Facade Plan



1 BUILDING A - NORTH ELEVATION

1/8" = 1'-0"

| | |
|---------------|--------|
| ROOF PITCH | 12/12 |
| ROOF HEIGHT | 14'-0" |
| ROOF OVERHANG | 2'-0" |
| ROOF SLOPE | 1/2" |
| ROOF DRAIN | 1/2" |
| ROOF VENT | 1/2" |



1 BUILDING A - WEST ELEVATION

1/8" = 1'-0"

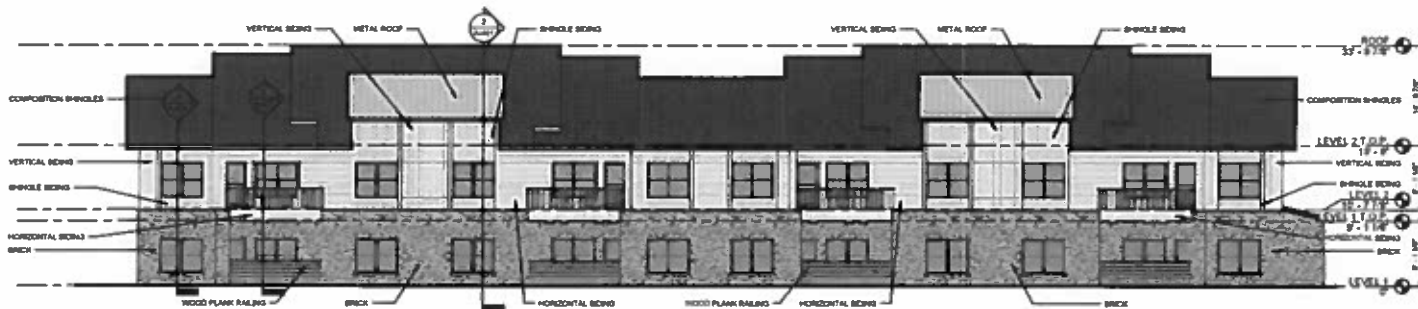
| | |
|---------------|--------|
| ROOF PITCH | 12/12 |
| ROOF HEIGHT | 14'-0" |
| ROOF OVERHANG | 2'-0" |
| ROOF SLOPE | 1/2" |
| ROOF DRAIN | 1/2" |
| ROOF VENT | 1/2" |



1 BUILDING A - EAST ELEVATION

1/8" = 1'-0"

| | |
|---------------|--------|
| ROOF PITCH | 12/12 |
| ROOF HEIGHT | 14'-0" |
| ROOF OVERHANG | 2'-0" |
| ROOF SLOPE | 1/2" |
| ROOF DRAIN | 1/2" |
| ROOF VENT | 1/2" |



1 BUILDING A - SOUTH ELEVATION

1/8" = 1'-0"

| | |
|---------------|--------|
| ROOF PITCH | 12/12 |
| ROOF HEIGHT | 14'-0" |
| ROOF OVERHANG | 2'-0" |
| ROOF SLOPE | 1/2" |
| ROOF DRAIN | 1/2" |
| ROOF VENT | 1/2" |

EXTERIOR MATERIALS SCHEDULE

| | |
|--|--|
| | BRICK COLOR SHERWIN-WILLIAMS HIGH REFLECTIVE WHITE SW 777 |
| | BRICK COLOR ACME BRICK - ELON PLANT ESCALANTE BLEND CLP31 |
| | COMPOSITION SHINGLES CERTANTZ LANDMARK HEATHER BLEND |
| | METAL ROOF STANCO BEAR METAL ROOF ARM GRAY COLOR |
| | FRAME COLOR - GRAY |
| | LEADY VINYL WINDOW LOW E GRAY TINT GLASS |

BUILDING A - ELEVATIONS

THE PARK AT NORTHGATE
NORTHGATE DR AND STADIUM DR.
WAXAHACHE TEXAS, ELLIS COUNTY

CASE NUMBER: PD-19-018
LOT & CABINET: 14, BURE 173-374
P.L.L.C.

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11/05/2019

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1397 HAASBROOK LN. #1006
RICHARDSON, TX 75081
PHONE: 214.988.2528

| | |
|-------------|--------------------|
| ISSUE DATE | JOB NO. |
| PLANNED | 19028 |
| DEVELOPMENT | SHEET NO. A-201 |

Elevation/Facade Plan



① BUILDING C - NORTH ELEVATION
1/8" = 1'-0"

| | | |
|------------------|----|-----|
| NO. OF WINDOWS | 11 | 000 |
| NO. OF DOORS | 2 | 000 |
| NO. OF BALCONIES | 2 | 000 |
| NO. OF STAIRS | 1 | 000 |



② BUILDING C - WEST ELEVATION
1/8" = 1'-0"

| | | |
|------------------|---|-----|
| NO. OF WINDOWS | 1 | 000 |
| NO. OF DOORS | 2 | 000 |
| NO. OF BALCONIES | 0 | 000 |
| NO. OF STAIRS | 1 | 000 |



③ BUILDING C - EAST ELEVATION
1/8" = 1'-0"

| | | |
|------------------|---|-----|
| NO. OF WINDOWS | 1 | 000 |
| NO. OF DOORS | 2 | 000 |
| NO. OF BALCONIES | 0 | 000 |
| NO. OF STAIRS | 1 | 000 |



④ BUILDING C - SOUTH ELEVATION
1/8" = 1'-0"

| | | |
|------------------|----|-----|
| NO. OF WINDOWS | 11 | 000 |
| NO. OF DOORS | 2 | 000 |
| NO. OF BALCONIES | 2 | 000 |
| NO. OF STAIRS | 1 | 000 |

EXTERIOR MATERIALS SCHEDULE

| | |
|--|---|
| | BRNO COLOR SHERRILL LINER HIGH REFLECTIVE WHITE 990 771 |
| | BRNO COLOR ACME BRICK - ELON PLANT BLEND ELP31 |
| | COMPOSITION BRICKS CERTAINTEED LANDMARK HEATHER BLEND |
| | WICKBOY METAL STANDING SEAM METAL ROOF ASH GRAY COLOR |
| | FRAME COLOR - GRAY |
| | LEADY VINYL WINDOW LHM & GRAY TRIT GLASS |

BUILDING C - ELEVATIONS

THE PARK AT NORTHGATE
NORTHGATE DR AND STADIUM DR
WAXAHACHE TEXAS, ELLIS COUNTY

CASE NUMBER: PD-16-019
LOT & CABINET #: BLDE 375-374
P.A.C.T.

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11/05/2018

1387 HAASPOHLE IN STEPHEN
RICHARDSON, TX 75081
PHONE: 214.988.2523

| | |
|-------------|-----------|
| SCALE DATE | JOB NO. |
| PLAN TYPE | SHEET NO. |
| DEVELOPMENT | A-203 |

Elevation/Facade Plan



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

| | |
|--------------------|-----------|
| 1110A FINISH SQ FT | 118 SQ FT |
| 1110B FINISH SQ FT | 111 SQ FT |
| 1110C FINISH SQ FT | 118 SQ FT |
| 1110D FINISH SQ FT | 118 SQ FT |
| 1110E FINISH SQ FT | 118 SQ FT |



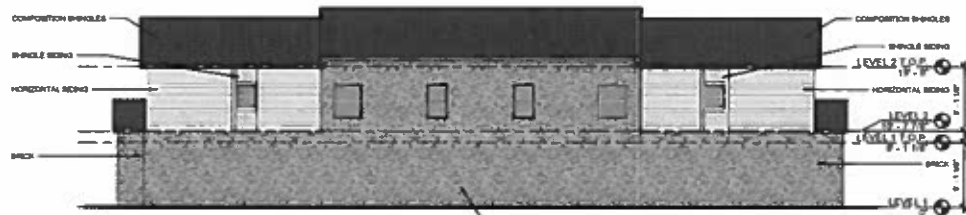
③ BUILDING - WEST ELEVATION
1/8" = 1'-0"

| | |
|--------------------|-----------|
| 1110A FINISH SQ FT | 118 SQ FT |
| 1110B FINISH SQ FT | 111 SQ FT |
| 1110C FINISH SQ FT | 118 SQ FT |
| 1110D FINISH SQ FT | 118 SQ FT |



② BUILDING - EAST ELEVATION
1/8" = 1'-0"

| | |
|--------------------|-----------|
| 1110A FINISH SQ FT | 118 SQ FT |
| 1110B FINISH SQ FT | 111 SQ FT |
| 1110C FINISH SQ FT | 118 SQ FT |
| 1110D FINISH SQ FT | 118 SQ FT |



④ BUILDING - SOUTH ELEVATION
1/8" = 1'-0"

| | |
|--------------------|-----------|
| 1110A FINISH SQ FT | 118 SQ FT |
| 1110B FINISH SQ FT | 111 SQ FT |
| 1110C FINISH SQ FT | 118 SQ FT |
| 1110D FINISH SQ FT | 118 SQ FT |

EXTERIOR MATERIALS SCHEDULE

| | |
|--|--|
| | BRICK COLOR HIGH REFLECTIVE WHITE (HW 1701) |
| | BRICK COLOR AGING BRICK - ELON PLANT ESCALANTE BLEND (LP281) |
| | COMPOSITION SHINGLES CERTAINTED LANDMARKS WEATHER BLEND |
| | METALRY METAL STANDING SEAM METAL ROOF ASH GRAY COLOR |
| | FRAME COLOR - GRAY |
| | LEADAC VINYL WINDOW LOW E GRAY TINT GLASS |

BUILDING D, E & F - ELEVATIONS

THE PARK AT NORTHGATE
NORTHGATE DR AND STADIUM DR
WAXAHACHE TEXAS, ELLIS COUNTY

CASE NUMBER: PD-146139
LOT 2, CANNETT BLIDE 375-374
P.A.C.C.

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11/05/2018

| | |
|---------------------|-----------|
| ISSUE DATE | JOB NO. |
| 19/028 | |
| PLAN TYPE | SHEET NO. |
| PLANNED DEVELOPMENT | A-211 |

(13)

RENDERING



Landscape Plan



Plant List
(see additional plans for plant locations)

| QTY | PLANT NAME | PLANT SIZE | PLANT TYPE |
|-----|------------------|------------|------------|
| 28 | Chinese pistache | 4' cal | Tree |
| 6 | Box oak | 2' cal | Tree |
| 14 | Chinese pistache | 2' cal | Tree |
| 4 | Box oak | 2' cal | Tree |
| 1 | Chinese pistache | 4' cal | Tree |
| 12 | Box oak | 2' cal | Tree |
| 28 | Chinese pistache | 4' cal | Tree |
| 28 | Chinese pistache | 4' cal | Tree |

David Rolston
Registered Landscape Architects
214.354.5383
www.davidrolston.com
5607 Drey Street
Dallas, TX 75226

Date: 4-Dec-2011
Revision:
Scale: 1" = 50'

The Park at Northgate
Ellis County, TX
Waxahachie, TX

Landscape Plan



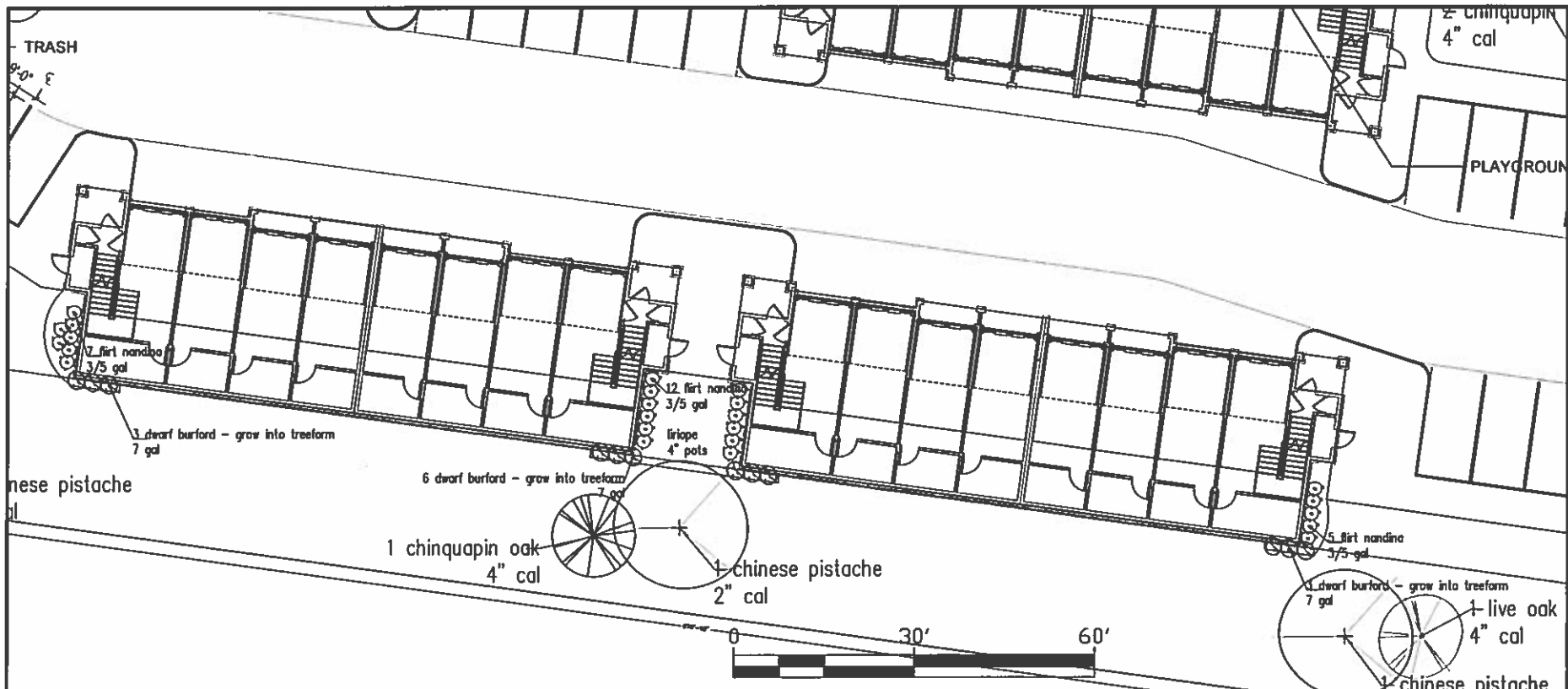
Plant List
(see additional plans for plant locations)

| | | | |
|----|------------------|----|----------|
| 1 | Chinese pistache | 1 | Live oak |
| 2 | Live oak | 2 | Live oak |
| 3 | Chinkapin oak | 3 | Live oak |
| 4 | Live oak | 4 | Live oak |
| 5 | Live oak | 5 | Live oak |
| 6 | Live oak | 6 | Live oak |
| 7 | Live oak | 7 | Live oak |
| 8 | Live oak | 8 | Live oak |
| 9 | Live oak | 9 | Live oak |
| 10 | Live oak | 10 | Live oak |
| 11 | Live oak | 11 | Live oak |
| 12 | Live oak | 12 | Live oak |
| 13 | Live oak | 13 | Live oak |
| 14 | Live oak | 14 | Live oak |
| 15 | Live oak | 15 | Live oak |
| 16 | Live oak | 16 | Live oak |
| 17 | Live oak | 17 | Live oak |
| 18 | Live oak | 18 | Live oak |
| 19 | Live oak | 19 | Live oak |
| 20 | Live oak | 20 | Live oak |

David Rolston
Registered Landscape Architects
5607 Dyer Street
Dallas, TX 75206
214.354.3383
www.dallandscape.com

Date: 11/26/2011
Revisions:
Scale: 1" = 50'-0"

The Park at Northgate
Ellis County, TX
Waxahachie, TX



David Rolston
 Registered Landscape Architects
 500 Davis Street
 Dallas, TX 75206
 214.344.3180
 www.davidrolston.com

Date: 4/26/2015
 Revisions:
 Scale: 1/8"=1'-0"

Plant List
 (see additional plans for plant locations)

| COUNT | COMMON NAME | BOTANICAL NAME | HEIGHT & WIDTH |
|-------|---------------------|-----------------------|----------------|
| 25 | Live Oak | Quercus virginiana | 40'x75' |
| 8 | Chinquapin Oak | Quercus muhlenbergii | 50'x45' |
| 14 | Chinese Pistache | Pistacia chinensis | 50'x50' |
| 4 | Yaupon Holly | Ilex vomitoria | 18'x20' |
| 2 | Crepemyrtle | Lagerstroemia indica | 25'x15' |
| 12 | Dwarf Burford Holly | Ilex burfordii "Nana" | 5'x5' |
| 26 | Flirt Nandina | Nandina "Murasaki" | varies |
| 250 | Liriope | Liriope muscari | varies |

Landscape Plan

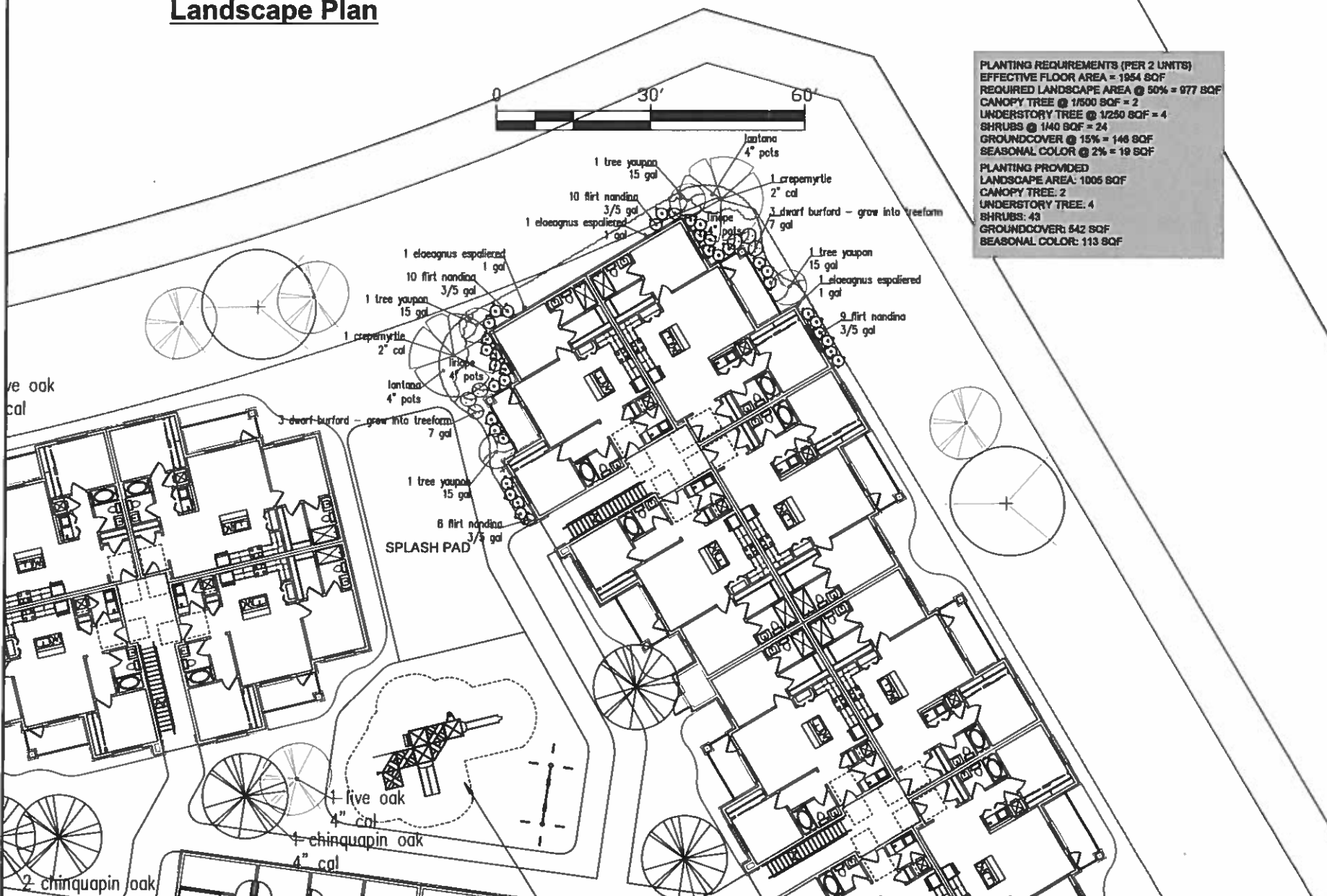
The Park at Northgate
 Ellis County, TX
 Waxahachie, TX

Landscape Plan



PLANTING REQUIREMENTS (PER 2 UNITS)
 EFFECTIVE FLOOR AREA = 1854 SQF
 REQUIRED LANDSCAPE AREA @ 50% = 927 SQF
 CANOPY TREE @ 1/500 SQF = 2
 UNDERSTORY TREE @ 1/250 SQF = 4
 SHRUBS @ 1/40 SQF = 24
 GROUND COVER @ 15% = 148 SQF
 SEASONAL COLOR @ 2% = 19 SQF

PLANTING PROVIDED
 LANDSCAPE AREA: 1005 SQF
 CANOPY TREE: 2
 UNDERSTORY TREE: 4
 SHRUBS: 43
 GROUND COVER: 542 SQF
 SEASONAL COLOR: 113 SQF



David Rolston
 Registered Landscape Architects
 5407 Dyer Street
 Dallas, TX 75206
 214.344.3380
 www.davidrolston.com

| | | |
|------------------|------------|---------------------|
| Date: 4 Dec 2012 | Revisions: | Scale: 1/8" = 1'-0" |
| | | |
| | | |
| | | |

The Park at Northgate
 Ellis County, TX
 Waxahachie, TX

(12)

Amenities

Granite Countertops

10' ceilings throughout

Crown molding and upgraded trim work

Walk in closets

Recessed LED lighting

Integrated USB ports in kitchen & master bedroom

App enabled communication between residents & management

Ceiling fans in all bedrooms

Upgraded kitchen faucet and undercount stainless steel sink

Full size stainless steel appliances

Pet Park

Private Balconies

Washer & Dryer

Outdoor water feature

Outdoor playground and communal spaces

High efficiency windows

Drought tolerant native plant options

Permeable pavement for select areas

Radiant barrier roof sheathing

Modern finish outs throughout

Garage availability

114)

Planning & Zoning Department
Zoning Staff Report

Case: ZC-19-0156



MEETING DATE(S)

Planning & Zoning Commission: December 17, 2019

City Council: January 6, 2020

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held December 17, 2019, the Commission voted 6-0 to recommend approval of zoning change ZC-19-0156, as presented by staff.

CAPTION

Public Hearing on a request by Ronald E. Bunch, Attorney, for a Zoning Change from a Commercial zoning district to a Central Area zoning district located at 106 Monroe (Property ID 170381) - Owner: Getzendaner & Reed (ZC-19-0156)

APPLICANT REQUEST

The applicant is requesting a zoning change from Commercial (C) to Central Area (CA) to no longer have parking requirements at the site.

CASE INFORMATION

Applicant: Ronald E. Bunch, Attorney
Property Owner(s): William H. Getzendaner, Jr.
Site Acreage: 0.236 acres
Current Zoning: Commercial
Requested Zoning: Central Area

SUBJECT PROPERTY

General Location: 106 S. Monroe St.
Parcel ID Number(s): 170381
Existing Use: Existing Retail/Office Space
Development History: N/A

(14)

Adjoining Zoning & Uses:

| Direction | Zoning | Current Use |
|-----------|--------|------------------------------|
| North | C | Martin's Car Wash and Detail |
| East | CA | Pop's Burger Stand |
| South | C/CA | Undeveloped Land |
| West | C | Retail/Office Space |

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 S. Monroe St.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is requesting a zoning change from Commercial (C) to Central Area (CA) to no longer have parking requirements at the site.

Proposed Use:

The applicant is requesting a zoning change from Commercial (C) to Central Area (CA) to no longer have parking requirements at the site. The existing building was constructed on the subject property in the 1950's. Currently, the subject property consists of retail/office space and a beauty shop. While applying for a building permit to allow for an antique shop on the property, the Building Inspections department informed the applicant that the property did not have sufficient parking for the proposed use.

Due to being surrounded by uses such as Pop's Hamburger Stand and Two Amigos Mexican Restaurant across the street, both zoned Central Area with more business traffic, the applicant believes that

(14)

rezoning the subject property from Commercial to Central Area will be consistent with the surrounding neighborhood district.

Per the City of Waxahachie Zoning Ordinance, Retail Stores and Shops, Custom Personal Service Shop (Beauty Shop), and Antique Shop all require 1 parking space per 200 sq. ft. Per Ellis County Appraisal District (ECAD), the existing square footage for the Beauty Shop is 680 and the Retail space is 4,500 sq. ft. The property currently provides 18 parking spaces (12 within the parking lot, 3 spaces in the front of the building, and 3 street parking spaces). Based on the uses provided, and the existing square footage of the building, the applicant is required to have 25 parking spaces. Conversely, due to the subject property not acquiring as much business traffic as the surrounding businesses, staff believes that rezoning the property from Commercial to Central Area will not alter the essential character of the district.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 34 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 NOTIFICATIONS

Staff has received one (1) letter of support for the zoning change request.

STAFF CONCERNS

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

APPLICANT RESPONSE TO CONCERNS

- 1. The applicant has addressed all staff concerns.

RECOMMENDATION

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

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

ATTACHED EXHIBITS

- 1. Ordinance
- 2. Letter of Request
- 3. Location Exhibit
- 4. Site Layout
- 5. Map Exhibit

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.

(14)

STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

(14)

RONALD E. BUNCH

Attorney at Law

*112 S. Rogers, 2nd Floor
P. O. Box 884
Waxahachie, Texas 75168*

*Phone 972.937.7080
Metro 972.938.7088*

Fax 972.937.7081

December 3, 2019

To: Mr. Colby Collins, Senior Planner:

Pursuant to your request, I am providing the following information:

As you know, I represent William H. Getzendaner, Jr. as the Trustee and Owner of the subject property. This property was built in the 1950's by William H. Getzendaner, Sr. (now deceased). The property has been in continuous use since the 1950's when the current improvements were constructed. The original tenant of the property was the United States Department of Agriculture (USDA). The USDA occupied the premises for many years. Most recently, the property was occupied by Ellis County as the Ellis County Elections Office. After the County built a new building and vacated the property, we leased the property to Waxahachie Salvage. Waxahachie Salvage is moving part of their business to the subject property as they are moving from their lease with the City of Waxahachie. They have moved into the property and intend to operate an antique store. The subject property also contains a beauty shop.

The subject property is located on the northwest corner of the intersection of Monroe and Franklin Streets. It is our understanding that the subject property is zoned as commercial (C) and always has been as far as we know. Directly across the street is Pop's Hamburger Stand. Also, across the street on Monroe, is the old Groner Morton Cadillac building, which has retail spaces on the ground floor and lofts on the second floor. Across the street from the subject property on Franklin Street are the new condos constructed by Mr. Acker. Also adjacent to the subject property is Two Amigos Mexican Restaurant. It is my understanding that the adjacent properties listed are part of the central area (CA) zoning designation.

This requested change from C to CA became necessary because the Waxahachie Building Department denied the Antique Store a Certificate of Occupancy. The building department denied our tenant's request and informed them that they could not open for business. The explanation given from the building department was that the building did not have enough parking. We, of course, were surprised by this as the property has been in continuous use by commercial tenants since it was built in the 1950s. We view the requested change as a minor zoning amendment or a zoning correction rather than a substantive change. Simply put, we would like to enjoy the same benefits and privileges as our immediate commercial or retail neighbors.

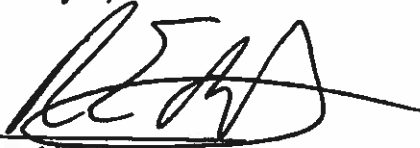
Regarding the parking issue, the two tenants share a parking lot that is on the corner of Monroe and Franklin. The parking lot has spaces for 12 vehicles. There is also street parking on Monroe

(14)

for 3 vehicles immediately in front of the building and 3 more street parking spaces on Franklin Street (both streets border the property). So, there are 18 parking spaces available to the property not considering other adjacent street parking. We are aware of the scarcity of parking in the area as the adjacent businesses previously mentioned regularly park on the two streets immediately in front of and on the side of the subject property. This is especially true of the customers of Two Amigos Restaurant. We also regularly see people park in front of the subject property for long periods of time and walk to the lofts across the street. This is also true of the employees and customers of Pop's Hamburgers and the retail spaces across the street. The parking lot on the subject parking lot is posted in an attempt to curtail this practice. It is also important to note regarding the parking issue that the customers of the Waxahachie Salvage Antique Store are typically shoppers who are at the location for a very short time. Likewise, the customers at the beauty shop are there for a short time and are there pursuant to appointments.

I have attached some photos of the subject property as well as a rough drawing of the site map. Please let me know if you need any further information.

Thank you,



Ronald E. Bunch

Case ZC-19-0156
 Responses Received Inside Required 200' Notification Area
 Support: 1 Oppose: 0

| Property ID | Owner's Name | Acreage | Legal Description | Owner's Address | Owner's Suite | Owner's City | Owner's State | Owner's ZIP | Physical Address |
|-------------|---------------------------------------|---------|--|-------------------------------|---------------|--------------|---------------|-------------|--|
| 170380 | DOUBLE EAGLE INVESTMENT LLC | 0.078 | LOT 1B BLK 6 O T WAXAHACHIE .078 AC | 404 W FRANKLIN ST | | WAXAHACHIE | TX | 75165 | 404 W FRANKLIN ST WAXAHACHIE TX 75165 |
| 170381 | GETZENDANER & READ | 0.236 | LOT 3B 2 BLK 6 O T WAXAHACHIE .236 AC | 4445 SKINNER RD | | MIDLOTHIAN | TX | 76065 | 108 S MONROE ST WAXAHACHIE TX 75165 |
| 170382 | POARCH PROPERTIES LLC SERIES E | 0.223 | LOT 3A BLK 6 O T WAXAHACHIE .223 AC | 1119 W MARVIN AVENUE | | WAXAHACHIE | TX | 75165 | 401 W MAIN ST WAXAHACHIE TX 75165 |
| 170383 | MI CROSS PROPERTY LLC SERIES A | 0.23 | LOT 4 BLK 6 O T WAXAHACHIE .23 AC | 407 W MAIN ST | | WAXAHACHIE | TX | 75165 | 407 W MAIN ST WAXAHACHIE TX 75165 |
| 170385 | JABBOK INC DAVID BROWN | 0.103 | LOT 1B BLK 5 O T WAXAHACHIE .103 AC | PO BOX 953 | | WAXAHACHIE | TX | 75168 | 404 W MAIN ST WAXAHACHIE TX 75165 |
| 170386 | ATKINS WILLIAM L III & KELI O | 0.23 | LOT 2 BLK 5 O T WAXAHACHIE .23 AC | 1202 W MAIN ST | | WAXAHACHIE | TX | 75165 | 400 W MAIN ST WAXAHACHIE TX 75165 |
| 170390 | SMITH PATRICIA ANNE | 0.154 | LOT 1A BLK 6 O T WAXAHACHIE .154 AC | 1145 MAREE DR | | WAXAHACHIE | TX | 75165 | 408 W FRANKLIN ST WAXAHACHIE TX 75165 |
| 170394 | THORNHILL JOHN | 0.459 | LOT 1A, 1B, 4 BLK 4 OT WAXAHACHIE .459 AC | 408 VICTORIAN DR | | WAXAHACHIE | TX | 75165 | 314 W MAIN ST WAXAHACHIE TX 75165 |
| 170473 | MAIN & MONROE PARTNERS LP | 0.7988 | LOT 1 & 2 & ALLEY & 3A & 4 BLK 7 O T WAXAHACHIE .7988 AC | 1350 MANUFACTURING ST STE 101 | | DALLAS | TX | 75207 | 107 S MONROE ST WAXAHACHIE TX 75165 |
| 170474 | COLWELL JOHN P ETAL | 0.138 | LOT 3B BLK 7 O T WAXAHACHIE .138 AC | P O BOX 892 | | WAXAHACHIE | TX | 75168 | 100 S ELM ST WAXAHACHIE TX 75165 |
| 170496 | BEG PARTNERS LLC | 0.109 | LOT 4B BLK 18 O T WAXAHACHIE .109 AC | 1795 N HWY 77 STE 101 | | WAXAHACHIE | TX | 75165 | 405 W FRANKLIN ST WAXAHACHIE TX 75165 |
| 170503 | SMOTTS THEA R | 0.138 | LOT 1A BLK 18 O T WAXAHACHIE .138 AC | 107 LAKECREST CT | | WAXAHACHIE | TX | 75165 | 406 W JEFFERSON ST WAXAHACHIE TX 75165 |
| 170504 | BEAN ROBIN | 0.138 | LOT 1B & 2B BLK 18 O T WAXAHACHIE .138 AC | 404 W JEFFERSON ST | | WAXAHACHIE | TX | 75165 | 404 W JEFFERSON ST WAXAHACHIE TX 75165 |
| 170505 | SETTLEMYER TAMMY | 0.184 | LOT 2A BLK 18 O T WAXAHACHIE .184 AC | 400 W JEFFERSON | | WAXAHACHIE | TX | 75165 | 400 W JEFFERSON ST WAXAHACHIE TX 75165 |
| 170506 | MCROY INC | 0.0589 | LOT 3R-1 BLK 18 O T WAXAHACHIE-REV .0589 AC | 232 S MONROE | | WAXAHACHIE | TX | 75165 | 232 S MONROE ST WAXAHACHIE TX 75165 |
| 170507 | BIG BLUE TRUCK LLC | 0.1195 | LOT 4A BLK 18 O T WAXAHACHIE .1195 AC | 1023 W MAIN ST | | WAXAHACHIE | TX | 75165 | 407 W FRANKLIN ST WAXAHACHIE TX 75165 |
| 170508 | ALHAJ MAJDA | 0.046 | LOT 1B BLK 17 O T WAXAHACHIE .046 AC | 8261 GLENWICK DR | | WAXAHACHIE | TX | 75165 | 312 W JEFFERSON ST WAXAHACHIE TX 75165 |
| 170512 | AUTREY DUSTY & GARY | 0.115 | LOT 3B BLK 17 O T WAXAHACHIE .115 AC | 200 S ELM ST | | WAXAHACHIE | TX | 75165 | 200 S ELM ST WAXAHACHIE TX 75165 |
| 170518 | RRSA PROPERTIES LLC | 0.2076 | LOT PT 1A & 2A BLK 17 O T WAXAHACHIE 0.2076 AC | 310 W JEFFERSON ST | | WAXAHACHIE | TX | 75165 | 310 W JEFFERSON ST WAXAHACHIE TX 75165 |
| 171026 | FORD NEAL P & KAYCE | 0.166 | LOT 5 BLK 79 TOWN .166 AC | 1004 N OAK CLIFF BLVD | | DALLAS | TX | 75208 | 409 W FRANKLIN ST WAXAHACHIE TX 75165 |
| 171027 | NEIGHBOR RYAN W & MARRIA K | 0.145 | LOT 6 BLK 79 TOWN .145 AC | 7335 CORONADO AVE | | DALLAS | TX | 75214 | 408 W JEFFERSON ST WAXAHACHIE TX 75165 |
| 171035 | FORD NEAL P & KAYCE | 0.124 | LOT 4 BLK 79 TOWN .124 AC | 413 W FRANKLIN ST | | WAXAHACHIE | TX | 75165 | 413 W FRANKLIN ST WAXAHACHIE TX 75165 |
| 171036 | ROGERS HOTEL PARTNERS LLC | 0.254 | LOT 3-R BLK 77 TOWN .254 AC | 1350 MANUFACTURING ST STE 101 | | DALLAS | TX | 75207 | 411 W MAIN ST WAXAHACHIE TX 75165 |
| 171039 | ROUND HEAD PROPERTIES LLC | 0.38 | LOT PT 6 BLK 77 TOWN .380 AC | P O BOX 183 | | MIDLOTHIAN | TX | 76065 | 410 W FRANKLIN ST WAXAHACHIE TX 75165 |
| 258933 | AGUILAR ROGELIO R & DIANA L | 0.0689 | LOT 1R-1 BLK 17 O T WAXAHACHIE-REV .0689 AC | 112 MARVIN GARDENS | | WAXAHACHIE | TX | 75165 | 241 S MONROE ST WAXAHACHIE TX 75165 |
| 269207 | SCRUGGS GEORGE L III & VALINDA R | 0.0546 | LOT 3R-1 BLK 17 O T WAXAHACHIE-REV 0.0546 AC | 311 W FRANKLIN ST | | WAXAHACHIE | TX | 75165 | 311 W FRANKLIN ST WAXAHACHIE TX 75165 |
| 269208 | HARRIS LARRY W & TAMMY J | 0.0435 | LOT 3R-2 BLK 17 O T WAXAHACHIE-REV 0.0435 AC | 321 WEST FRANKLIN ST | | WAXAHACHIE | TX | 75165 | 321 W FRANKLIN ST WAXAHACHIE TX 75165 |
| 269209 | RENFRO CHADWICK R & CINDY L | 0.0436 | LOT 4R-1 BLK 17 O T WAXAHACHIE-REV .0436 AC | 4295 FM 1446 | | WAXAHACHIE | TX | 75167 | 331 W FRANKLIN ST WAXAHACHIE TX 75165 |
| 269210 | HOLLINGSWORTH BRUCE E & CHARLENE D | 0.0434 | LOT 4R-2 BLK 17 O T WAXAHACHIE-REV .0434 AC | 341 W FRANKLIN ST | | WAXAHACHIE | TX | 75165 | 341 W FRANKLIN ST WAXAHACHIE TX 75165 |
| 269211 | MC KIBBIN CHARLOTTE | 0.0433 | LOT 4R-3 BLK 17 O T WAXAHACHIE-REV 0.0433 AC | 351 W FRANKLIN ST | | WAXAHACHIE | TX | 75165 | 351 W FRANKLIN ST WAXAHACHIE TX 75165 |
| 269212 | MUNDY MARK & BARBARA NORRIS | 0.0897 | LOT 4R-4 BLK 17 O T WAXAHACHIE-REV 0.0897 AC | 361 W FRANKLIN | | WAXAHACHIE | TX | 75165 | 361 W FRANKLIN ST WAXAHACHIE TX 75165 |
| 269213 | RAWLINGS MICHAEL C & TINA P | 0.0471 | LOT 3R-2 BLK 18 O T WAXAHACHIE-REV .0471 AC | 222 S MONROE | | WAXAHACHIE | TX | 75165 | 222 S MONROE ST WAXAHACHIE TX 75165 |
| 269214 | NIESEN ROBERT & DAVILA | 0.0471 | LOT 3R-3 BLK 18 O T WAXAHACHIE-REV .0471 AC | 212 S MONROE | | WAXAHACHIE | TX | 75165 | 212 S MONROE ST WAXAHACHIE TX 75165 |
| 269215 | REAGAN DAVID W | 0.077 | LOT 3R-4 BLK 18 O T WAXAHACHIE-REV .077 AC | 202 S MONROE ST | | WAXAHACHIE | TX | 75165 | 202 S MONROE ST WAXAHACHIE TX 75165 |

(14)

(14)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZC-19-0156

RECEIVED
12/19/19

MJ CROSS PROPERTY LLC SERIES A
407 W MAIN ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 17, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, January 6, 2020 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 Ronald E. Bunch, Attorney, for a Zoning Change from a Commercial zoning district to a Central Area zoning district located at 106 Monroe (Property ID 170381) - Owner: Getzendaner & Reed (ZC-19-0156)

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: ZC-19-0156
City Reference: 170383

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, December 11, 2019* to ensure inclusion in the Agenda Packet. Forms can be e-mailed 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: _____

Mark Cornell
Signature

12/2/19
Date

Mark Cornell President
Printed Name and Title

407 w main St, Waxahachie TX 75165
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

(15)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM COMMERCIAL (C) TO CENTRAL AREA (CA) LOCATED AT 106 S. MONROE STREET, PARCEL NUMBER 170381, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.236 ACRES KNOWN AS LOT 3B 2, BLOCK 6, OF THE ORIGINAL TOWN WAXAHACHIE SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, a proper application for a Zoning Change has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZC-19-0156. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from C to CA; and

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

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

NOW, THEREFORE, this property is rezoned from C to CA in order to no longer have parking requirements on the following property: Lot 3B 2, Block 6 of the Original Town Waxahachie subdivision, which is shown on Exhibit A.

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

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

PASSED, APPROVED AND ADOPTED on this 6th day of January, 2020.

(15)

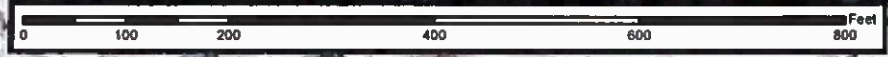
MAYOR

ATTEST:

City Secretary

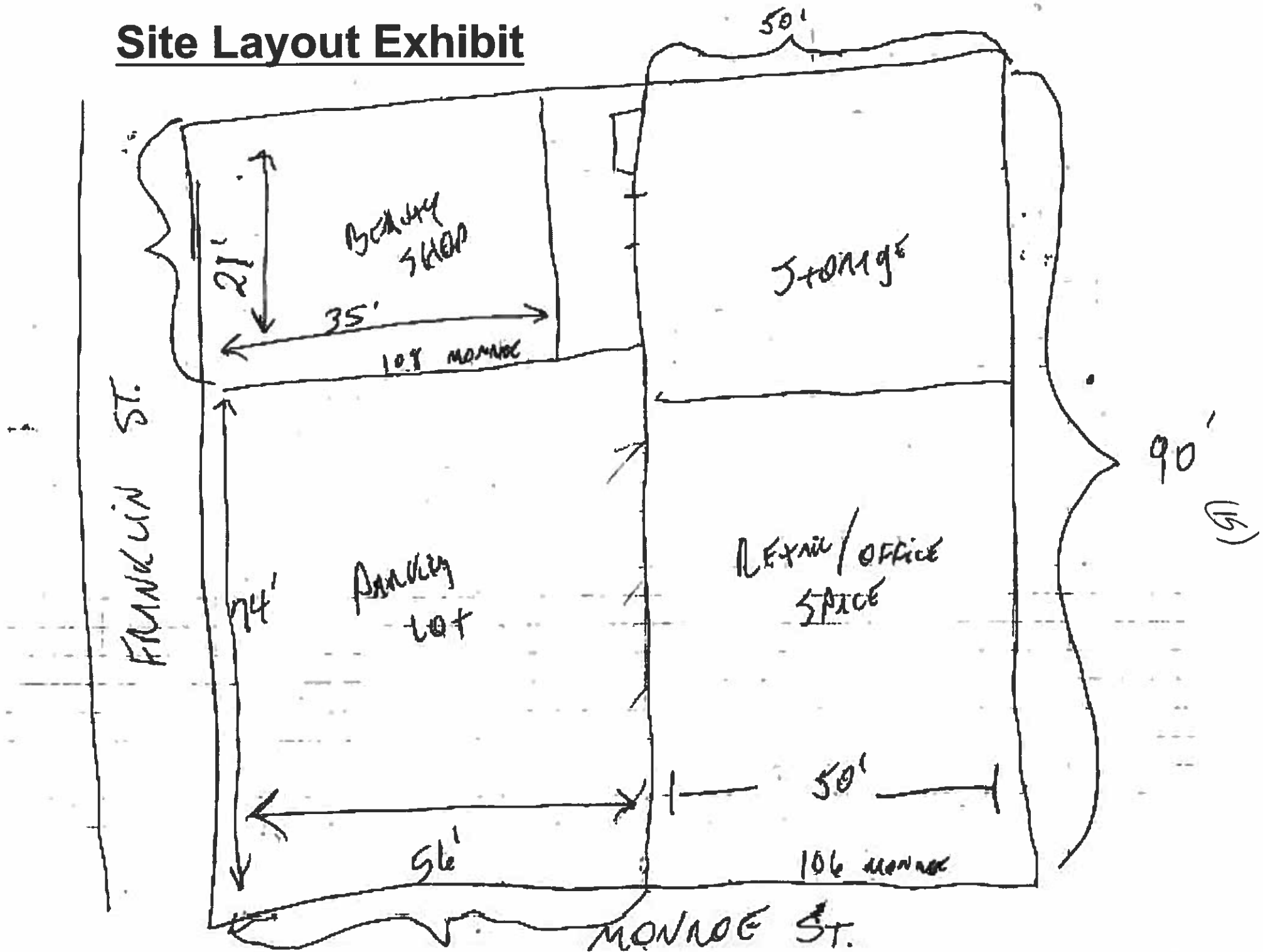


Exhibit A - Location Exhibit



ZC-19-0158

Site Layout Exhibit



(5)

106 Monroe St. -
Currently zoned
Commercial (C)

Note property is ±10.5
feet from Central Area
(CA) Zoning



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



0 300 600 900 1,200 Feet



Property ID: 170381
106 Monroe St.
Zoning Exhibit

- SUP
- ZC-19-0156 (106 Monroe)
- Zoning**
- C Commercial
- CA Central Area
- GR General Retail
- LI-2 Light Industrial-2
- PD-CA Planned Development-Central Area
- SF-1 Single Family-1
- SF-2 Single Family-2



(1/10)

Planning & Zoning Department

Zoning Staff Report

Case: SU-19-0155



MEETING DATE(S)

Planning & Zoning Commission: December 17, 2019

City Council: January 6, 2020

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held December 17, 2019, the Commission voted 3-3 for case number SU-19-0155.

CAPTION

Public Hearing on a request by Kevin Cribley, Cribley Enterprises, Inc., for a Specific Use Permit (SUP) for **Outside Storage** use within a Commercial and Light Industrial-1 zoning district, located at 100 W Sterrett (Property ID 273754) – Owner: M AND M INVESTMENTS (SU-19-0098)

APPLICANT REQUEST

The applicant is requesting approval for a Specific Use Permit to allow the use of outside storage.

CASE HISTORY

The initial request for a SUP for outside storage was heard at the Planning & Zoning Commission meeting, held May 14, 2019, the Commission voted 5-1 to recommend denial of case number SU-19-0048 (original submittal case number). The applicant requested to be heard by City Council.

At the City Council meeting, held May 20, 2019, the Council voted 5-0 to continue case no. SU-19-0048 back to the June 11, 2019 Planning and Zoning Commission meeting.

- At the City Council meeting, held May 20, 2019, Council provided requirements that include:
 - The applicant must submit a signed and sealed plan from a Landscape Architect to staff. The landscape plan must be fully vetted by staff before attending the Planning and Zoning meeting.
 - Once a landscape plan is approved by the Planning and Zoning Commission and City Council, the applicant shall apply the approved landscaping to the property.

At the Planning & Zoning Commission meeting, held June 11, 2019, the Commission voted 5-1 to recommend denial of case number SU-19-0048. The case was not reviewed by City Council on June 17, 2019, due to the applicant's request.

Due to work being done on the site before City Council approval of a SUP, the Code Enforcement department issued a city violation on 8/22/2019. The applicant had until 9/4/2019 to cease and desist all operations at the location until a valid Certificate of Occupancy is issued by the City of Waxahachie.

At the time of this report (12/27/2019), equipment for the site has not been completely removed. However, the equipment has been moved to the back of the site so that it is not visible from Interstate 35. Code Enforcement has issued citations regarding this case on 9/4/2019, 9/10/2019, 9/17/2019, 9/25/2019, 10/1/2019, 10/17/2019, 10/25/2019, and 12/9/2019.

(10)

CASE INFORMATION

Applicant: Kevin Cribley, Cribley Enterprises, Inc.

Property Owner(s): M & M Investments

Site Acreage: 9.686 acres

Current Zoning: Commercial and Light Industrial-1

Requested Zoning: C and LI-1 with Specific Use Permit

SUBJECT PROPERTY

General Location: 100 W Sterrett

Parcel ID Number(s): 273754

Existing Use: Undeveloped Land

Development History: The Final Plat for Sterrett Industrial Addition, was approved by City Council on June 18, 2018.

Table 1: Adjoining Zoning & Uses

| Direction | Zoning | Current Use |
|------------------|---------------|---------------------|
| North | LI-1 and C | Undeveloped Land |
| East | FD | Undeveloped Land |
| South | LI-1 | Industrial Building |
| West | C | Undeveloped Land |

Future Land Use Plan: Industrial

Comprehensive Plan: Industrial applies to areas intended for a range of heavy commercial, assembly, warehousing, and manufacturing uses. Large tracts of land with easy access to major roadways and air transportation are becoming increasingly difficult to find for the industrial business community. However, these businesses can be advantageous for a municipality in terms of providing employment and an increased tax base. Examples of desirable uses within these areas include company headquarters, computer technology businesses, and other types of large businesses.

Thoroughfare Plan: The subject property is accessible via W. Sterrett Rd.

(14)

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is seeking a Specific Use Permit on a 9.686 acre property to allow the use of outside storage. Per the City of Waxahachie Zoning Ordinance, Outside Storage requires a Specific Use Permit.

Proposed Use:

The applicant intends to operate a yard that will receive rock aggregate via rail and then distribute it amongst the Dallas-Fort Worth area to retail landscaping firms. The applicant anticipates to store the rock material behind concrete blocks before ultimately selling the rock material. Per the Operational Plan, approximately fourteen (14) rail cars a month would deliver aggregate and four (4) truckloads of rock would leave the yard each day. Furthermore, the site will be operated by two (2) employees who will work four 10 hour days a week (on average) with an operational day of eight hours.

At the City Council meeting, held May 20, 2019 *(during the original submittal)*, Council provided requirements that include:

- The applicant must submit a signed and sealed plan from a Landscape Architect to staff. The landscape plan must be fully vetted by staff before attending the Planning and Zoning meeting. The landscape plan should indicate the same screening and landscape pattern (6 ft. ornamental fencing, shrubs/crepe myrtles) along Sterrett Rd. and Interstate 35.
- Once a landscape plan is approved by the Planning and Zoning Commission and City Council, the applicant shall apply the approved landscaping to the property.

The applicant has submitted a Landscape Plan to staff indicating that fourteen Crape Myrtle trees (7 ft. tall) will be planted every twenty feet between existing Red Oak trees, currently spaced every forty feet, on the property. The plan also indicates that forty-two Texas Sage shrubs will be planted between the Crape Myrtle and Red Oak trees. The applicant also will provide mulch along the property as well as a 6 ft. ornamental fence along Interstate-35 and Sterrett Rd.

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 Daily Light and a sign was visibly posted at the property on 11/27/2019.

(10)

PROPERTY OWNER NOTIFICATIONS

Staff has received one (1) letter of support for the proposed development.

STAFF CONCERNS

1. Staff does not believe the proposed use is the highest and best use for the property.

APPLICANT RESPONSE TO CONCERNS

1. The applicant understands staff's concerns and will state his reasoning at the January 6, 2020 City Council meeting.

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. Ordinance
2. Letter to Planning and Zoning Commission and City Council
3. Location Exhibit
4. Site Plan
5. Landscape Plan
6. Proposed Storage Bins/Storage Bin Locations
7. Concept Packet
8. Operational 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:
Colby Collins
Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

(17)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT OUTSIDE STORAGE USE WITHIN A COMMERCIAL (C) AND LIGHT INDUSTRIAL (LI) ZONING DISTRICT, LOCATED AT 100 W STERRETT ROAD, BEING PROPERTY ID 273754, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1, BLOCK A IN THE STERRETT INDUSTRIAL ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

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

WHEREAS, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number SU-19-0155. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for no recommendation and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from C and LI to C and LI, with an SUP in order to permit an Outside Storage use on the following property: Lot 1, Block A of the Sterrett Industrial Addition, which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit B, and the Landscape Plan attached as Exhibit C.

SPECIFIC USE PERMIT

Purpose and Intent

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

(17)

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR AN OUTSIDE STORAGE USE IN THE COMMERCIAL (C) AND LIGHT INDUSTRIAL (LI) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The site plan shall conform as approved by the City Council under case number SU-19-0155.
2. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
3. The development shall adhere to the City Council approved in Exhibit A- Location Exhibit, Exhibit B – Site Plan, Exhibit C – Landscape Plan, and the Operational Plan.
4. If approved, the City Council shall have the right to review and/or deny the Specific Use Permit after 12-months if needed.

Compliance

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

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

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

PASSED, APPROVED AND ADOPTED on this 6th day of January, 2020.

MAYOR

ATTEST:

City Secretary



CRIBLEY ENTERPRISES, INC.

12019 Nacogdoches Rd. • San Antonio, Texas 78217
(210) 590-1313 • Fax (210) 590-1355
www.cribleyenterprises.com

The City of Waxahachie
Planning and Zoning Commission
401 South Rogers Street
Waxahachie, Texas 75168

Honorable members,

Cribley Enterprises entered into a partnership with Maverick Aggregates (a mining company in Eagle Pass, Texas) in late 2017. In an effort to expand our market for landscape aggregate, we signed a 5 year lease on the property at 100 W. Sterrett Rd. in Waxahachie on November 1, 2018. Our intention was to move landscape aggregate via rail from Eagle Pass to the Sterrett Rd. property and then distribute the aggregate to the Dallas Ft. Worth metroplex and surrounding areas.

Neither the land owner nor realtor mentioned anything to us about needing an SUP so we could use the property as intended. It wasn't until we attempted to get a Certificate of Occupancy and move a portable office building to the site that we found out that we couldn't get a Certificate of Occupancy, or move a building to the site and that we could not store rock aggregate without a SUP.

In the past year we have hired two people hoping that they would bring some knowledge and experience to the table. Instead, they proved to be counterproductive and so we had to terminate them.

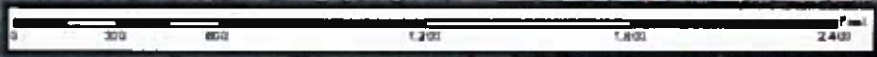
The entire process of obtaining a SUP was foreign to us. We made a failed attempt at the SUP process. Unfortunately, while we were struggling to meet the SUP requirements, we were apparently in violation of several city ordinances. Your Code Compliance officer has been issuing us at least 2 citations a week since September 4, 2019. Currently we are days from having everything completely removed from the site so that we are in compliance.

The mistakes that have been made during the SUP process were made unintentionally. The repeated code violations have occurred due to a lack of understanding regarding the city ordinances of the City of Waxahachie. In San Antonio, where our company is based, an LI-1 designation allows for the outside storage of rock and gravel without an SUP. Had there been a full disclosure of what needed to be done in order for us to store the aggregate at the Sterrett Rd. location, we would have approached this in an entirely different manner.



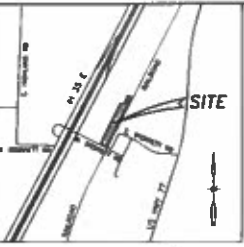


Exhibit A - Location Exhibit



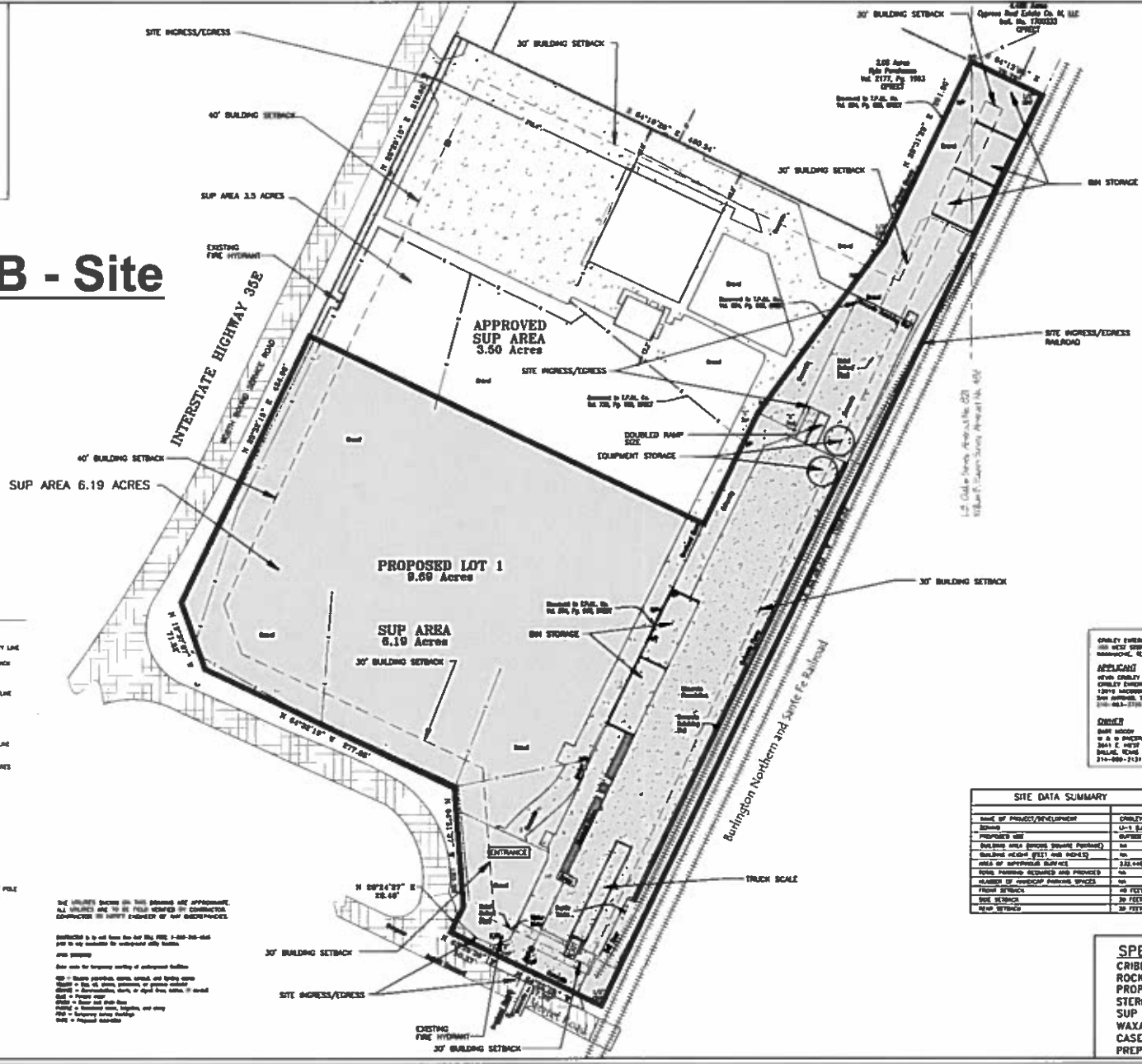
SU 19-0098

(17)



VICINITY MAP NOT TO SCALE

Exhibit B - Site Plan



LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- 40' BUILDING SETBACK
- 30' BUILDING SETBACK
- SURVEY ABSTRACT LINE
- ELECTRIC LINE
- FENCE PIPE
- DIVIDING FENCE LINE
- SUP AREA 6.19 ACRES
- SUP AREA 3.50 ACRES
- SUP AREA 3.3 ACRES
- GRAVEL
- ASPHALT
- FIRE HYDRANT
- WATER VALVE
- POWER TELEPHONE POLE

| | |
|----|-------------------------------|
| 1 | Proposed Building |
| 2 | Proposed Storage |
| 3 | Proposed Equipment |
| 4 | Proposed Access Road |
| 5 | Proposed Site Ingress/Egress |
| 6 | Proposed 30' Building Setback |
| 7 | Proposed 40' Building Setback |
| 8 | Proposed Property Line |
| 9 | Proposed Survey Abstract Line |
| 10 | Proposed Electric Line |
| 11 | Proposed Fencing |
| 12 | Proposed Fire Hydrant |
| 13 | Proposed Water Valve |
| 14 | Proposed Power Telephone Pole |

THE UNITS SHOWN ON THIS DRAWING ARE APPROXIMATE. ALL VALUES ARE TO BE FIELD VERIFIED BY CONSTRUCTION SURVEYORS OR SURVEY ENGINEERS OF THE UNDERTAKING.

NOTED TO BE IN ACCORDANCE WITH THE 2012 TEXAS LAND SURVEYING ACT AND THE 2012 TEXAS PROFESSIONAL LAND SURVEYING REGULATIONS.

DATE: 12-06-19

BY: [Signature]

OWNER'S REPRESENTATIVE
 CRIBLEY ENTERPRISES - ROCK YARD
 100 WEST STERRETT ROAD
 WAXAHACHIE, TEXAS 75165
 (940) 939-7131

APPLICANT
 CRIBLEY ENTERPRISES, INC.
 12015 WOODBRIDGE ROAD
 SAN ANTONIO, TEXAS 78217
 (214) 652-7700

OWNER
 CRIBLEY ENTERPRISES, INC.
 12015 WOODBRIDGE ROAD
 SAN ANTONIO, TEXAS 78217
 (214) 652-7700

SITE DATA SUMMARY

| | |
|--|-------------------------------|
| NAME OF PROJECT/DEVELOPMENT | CRIBLEY ENTERPRISES ROCK YARD |
| ZONING | U-1 (URBAN INDUSTRIAL-1) |
| PROPOSED USE | ROCK YARD DEVELOPMENT |
| BUILDING AREA (TOTAL SQUARE FEET) | NA |
| BUILDING HEIGHT (FEET) OVER FINISHED GRADE | NA |
| AREA OF IMPERVIOUS SURFACE | 222,046.20 SQ FT |
| PERCENT PAVEMENT, ASPHALT AND GRASS | NA |
| NUMBER OF VEHICULAR PARKING SPACES | NA |
| TRUCK SPACES | NA FEET |
| TRUCK SETBACK | 30 FEET |
| TRUCK SETBACK | 30 FEET |

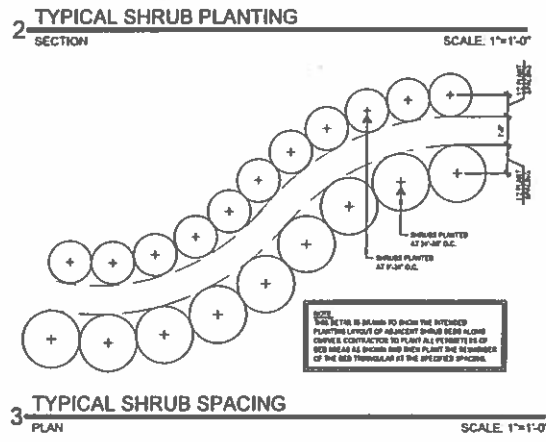
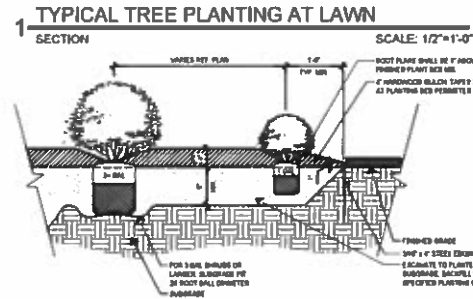
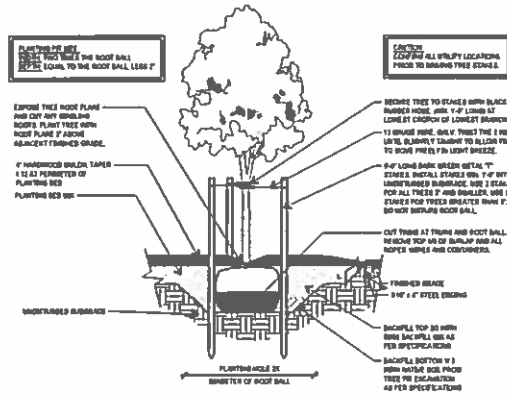
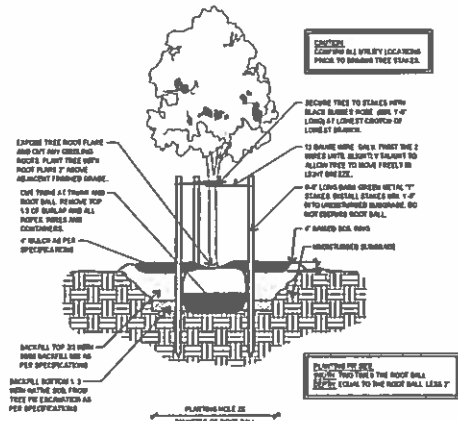
SPECIFIC USE PERMIT
 CRIBLEY ENTERPRISES
 ROCK YARD
 PROPOSED LOT 1, BLOCK A
 STERRETT INDUSTRIAL ADDITION
 SUP AREA: 6.19 ACRES
 WAXAHACHIE, TEXAS, ELLIS COUNTY
 CASE NUMBER: SU-19-0155
 PREPARATION DATE: 12-06-19

GGA
 GOMEZ-GARCIA & ASSOCIATES, INC.
 19250 STONE OAK PARKWAY, SUITE 302, SAN ANTONIO, TEXAS 78258
 (210) 832-9608 - (210) 832-9815 FAX
 TYPE PERM REGISTRATION #5382

TECHNICAL
 DATE: 12-06-19
 BY: [Signature]

DESIGN 12-06-19
DRAWN 12-06-19
CHECKED 12-06-19
DATE 12-06-19
JOB NO. 2019-001
SHEET
 C-1

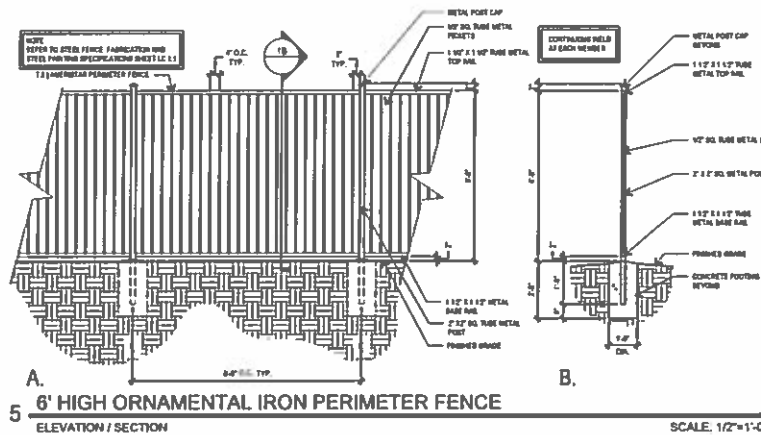
Exhibit C - Landscape Plan



HAND WATERING SCHEDULE

NEW TREE WATERING SCHEDULE. NOTE: AVOID WATERING DURING THE HOTTEST PART OF THE DAY - 10 AM TO 4 PM - TO CONSERVE WATER.

1. THE GOAL AND INTENT IS TO DEVELOP DEEP ROOTS FOR MAXIMUM DROUGHT TOLERANCE. ALL WATERING TIMES SHALL FOLLOW 8 AM TO 5 PM STAGE RESTRICTIONS THAT MAY APPLY.
2. WEEK 1: ONE-HALF INCH PER DAY (PREFERABLY A QUARTER INCH IN THE MORNING AND A QUARTER INCH IN THE EVENING)
3. WEEK 2: ONE-HALF INCH PER DAY (PREFERABLY ALL AT ONE TIME TO BEGIN DEVELOPING A DEEPER ROOT SYSTEM)
4. WEEK 3: ONE-HALF INCH EVERY TWO-TO-THREE DAYS (EXACT NEED DEPENDS ON TIME OF YEAR, SITE CONDITIONS, TREE TYPE, AND INST. ALLIANCE)
5. AT LEAST YEAR 1 TO YEAR 3: ONE-INCH TO ONE & ONE-HALF INCH EVERY 1 DAY'S EXACT NEED DEPENDS ON TIME OF YEAR, SITE CONDITIONS, TREE TYPE, AND INST. ALLIANCE)



GENERAL NOTES

LANDSCAPE CONTRACTOR SHALL ACCEPT THE SITE IN ITS EXISTING CONDITION AND SHALL BE RESPONSIBLE FOR EXISTING CONDITIONS AND CONTROL SUCH AS EXISTING GRADES AND BULK ELEVATIONS AS NECESSARY TO MEET THE INTENT OF THE PLAN.

BEFORE PROCEEDING WITH ANY WORK ON AN AREA, LANDSCAPE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, LAYOUTS AND NOTES AND SHALL NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES BETWEEN PLANS AND ACTUAL SITE CONDITIONS. IF ANY UTILITIES OR OBSTRUCTIONS ARE DISCOVERED DURING CONTRACT WHICH MAY NOT HAVE BEEN SHOWN DURING DESIGN, CONTRACTOR SHALL STOP WORK AND IMMEDIATELY NOTIFY LANDSCAPE ARCHITECT BEFORE PROCEEDING. LANDSCAPE CONTRACTOR SHALL BE LIABLE FOR ALL MODIFICATIONS AND DAMAGE TO HIGHWAYS OR OTHER OF THE ABOVE STRUCTURES WITHOUT NOTIFYING LANDSCAPE ARCHITECT.

IN THE EVENT OF ANY EXCAVATION, LANDSCAPE CONTRACTOR SHALL CONTACT APPROPRIATE AUTHORITIES INCLUDING, BUT NOT LIMITED TO, TEXAS ONE CALL SYSTEM AT 1-888-88-4848 TO LOCATE EXISTING UNDERGROUND UTILITIES.

LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH ANY DAMAGE TO ANY UTILITIES OR PROPERTY THAT MAY OCCUR IN THE EXECUTION OF HIS CONTRACT WORK, WHEN WORK REQUIRES EXCAVATING EXISTING UTILITIES OR CLASH WITH EQUIPMENT. LANDSCAPE CONTRACTOR SHALL PROVIDE APPROVED BRIDGE MATERIAL, SUCH AS WEDGED PLANKS AND EARTH TO PREVENT DAMAGE TO FINISHED WORK. LANDSCAPE CONTRACTOR SHALL COORDINATE HIS WORK WITH OTHER CONTRACTORS THAT MAY BE WORKING ON THE SITE. SHALL BE RESPONSIBLE AND SHALL COORDINATE STAGING OF HIS WORK WITH OWNER AND LANDSCAPE ARCHITECT. ALL TRUCKS AND DEBRIS GENERATED FROM CONTRACT OPERATIONS SHALL BE REMOVED ON A DAILY BASIS. ALL WORK SHALL BE IN COMPLIANCE WITH ALL APPLICABLE CODES AND ORDINANCES. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR JOB SITE SAFETY IN CONJUNCTION WITH CONSTRUCTION OF THE PROJECT.

MATERIALS

1. PLANT MATERIALS
 - a. CERTIFIED BY ACCORDANCE WITH ITDA REQUIREMENTS.
 - b. SPECIES AND SIZE AS INDICATED IN PLANT SCHEDULE. LARGER SIZE MAY BE SUBSTITUTED WITHOUT ADDITIONAL COST TO OWNER.
 - c. PROVIDED ROOT BALL OR BURLAP PROPORTIONATE TO SIZE.
 - d. WHERE MATERIALS ARE PLANTED IN BASKETS, PROVIDE PLANTS OF UNIFORM SIZE.
 - e. GROWN IN PLANT CONTAINERS SIMILAR TO THOSE AT SITE. FRESH PLANTS, DEFECTS INCLUDING HEAVY OR BROWN LEAVES, CRACKS AND DAMAGED TRUNKS, ROOTS OR LEAVES, SUR SCALD, FREE OR BARK ABRASION, EXCESSIVE ABRASION, AND COLLECTORIALY DAMAGED BARK.
 - f. EXHIBIT MORNING GROWTH HABITS, VIGOROUS HEALTH, FULL, WELL-PROPORTIONED AND SYMMETRICAL.
 - g. TREE TRUNKS TO BE STURDY AND EXHIBIT HARDENED SYSTEMS AND VIGOROUS AND FIBROUS ROOT SYSTEMS, NOT ROOT OR POT BOUND.
 - h. NOT PRUNED, THINNES, OR FORCED.
 - i. CONTAINERS-GROWN STOCK, GROWN IN CONTAINERS FROM SEEDING.
2. SOIL
 - a. UNBLENDED, COMPOSTED HARDWOOD BARK OF VARIOUS LENGTH BY NEW EARTH LLC OR APPROVED SUBSTITUTE, PARTIALLY DECOMPOSED, FREE FROM STONES, CLAY, AND GROWTH AND WEEDING INHIBITORS.
3. BRICKS
 - a. PLANT BED USE: BRICKS SHALL BE NEW 4" x 8" x 16" OR AS PRODUCED BY NEW EARTH LLC. DOCUMENTATION OF PURCHASE OF THIS SPECIFIC BRICK SHALL BE SUBMITTED TO LANDSCAPE ARCHITECT IF EQUAL OR PROPOSED. CONTRACTOR SHALL BRUSH SAMPLE AND COMPLETE ANALYSIS WITH TEST RESULTS AND METHOD OF PRODUCTION FOR EVALUATION AS AN EQUAL SUBSTITUTE.

PREPARATION

LANDSCAPE CONTRACTOR SHALL RECEIVE THE SITE AT APPROXIMATELY FINISH GRADE LESS ANY SETTLEMENT THAT MAY HAVE OCCURRED SINCE SITE CONSTRUCTION AND BACKFILLING. THIS GRADE SHALL BE RAISED TO REMOVE ALL DEBRIS INCLUDING STONES, CLAYS, AND STONES AND SHALL BE FINE GRADED TO ELIMINATE ALL LARGE ROOTS, DISCONTINUOUS AND UNLAYERED CHANGES IN GRADE AND ANY AREA THAT COULD CAUSE WATER TO POOL.

a. IF ANY EXISTING GRASS OR PLANTING MATERIAL IS APPLICABLE, REMOVE AT WATER NEIGHBORHOOD BY MANUAL ACTURES, ALLOW TO DRY, AND THEN DELIVER TO ROOTS TO REPAIR AS EACH DEPTH.

b. MARK LOCATION OF TREES AND OUTLINES OF PLANTS BEING USED USING COLORED WOOD STAKES OR FLAGS PRIOR TO BEGINNING PLANTING. OBTAIN LANDSCAPE ARCHITECT'S APPROVAL PRIOR TO PROCEEDING.

- PLANTING TREES**
1. REMOVE CONTAINERS WITHOUT DAMAGE TO ROOTS.
 2. REMOVE BOTTOM OF PLANT BASKETS FROM 1/2" PLACING TREE & REMOVE BRUSH AFTER PLACEMENT AND PARTIAL BACKFILLING. PREVENT DAMAGE TO ROOTS.
 3. REMOVE UPPER THIRD OF BURLAP FROM BASKETS AND BURLAP TREES AFTER PLACEMENT.
 4. PLACE PLANT UPRIGHT AND PLANT IN CENTER OF HOLE. SHALL ANY WEDGES OR BRUSH IN TREE BALL AND EXPOSE ROOT PLANT (THIS SHALL BE THE TOP MOST IDENTIFIABLE ROOTS) REMOVE ANY GROWING ROOTS AND SET PLANT SO THAT ROOT PLANT IS AT FINISH GRADE. ORIENT PLANTS FOR BEST APPEARANCE. BACKFILL THE BOTTOM 1/2" OF THE EXCAVATION WITH SOIL CUT FROM EXCAVATION OF PIT AND RECONSTRUCT WITH THIS SOIL. TO SETTLE IN, BACKFILL THE REMAINDER OF THE EXCAVATION WITH A MIXTURE OF 50% TOPSOIL AND 50% NATIVE SOIL, EXCAVATED FROM THE PIT OR PLACE OUTSIDE. TREE BRUSH IS BACKFILL AS THE FUTURE DIRECTION AND APPLICATION WATER. LOCATE 1/2" TAP AND WATER SOIL TO RELOCATE ALL AIR BUBBLES. TOP PLANTS OUTSIDE OF PLANTING BEDS, CONSTRUCT 1 INCH HIGH WATER CONTAINING BRUSH AND/OR PLANT SPREAD WITH OVER PLANT BASKET.
 5. REBURY PLANT HEIGHT IF SETTLEMENT OCCURS AFTER BACKFILL AND STAKE AS DETAIL ED.
 6. TWO TO THREE WEEKS FOLLOWING PLANTING, INJECT PLANT WITH LIQUID FERTILIZER IN ACCORDANCE WITH MANUFACTURER'S DIRECTIONS AND APPLICATION RATE TO CONTACT LANDSCAPE ARCHITECT TO OBSERVE THIS OPERATION.
 7. FRESH PLANTS TO REMOVE DEAD AND BRUISED BRANCHES OR "TREAT" CUTS OVER 24 INCH DIAMETER WITH TREE PAINT.
 8. BRACE PLANTS OVER 24 INCH DIAMETER IMMEDIATELY AFTER PLANTING.
 1. FOR TREES 2" CAL. AND GREATER PROVIDE STAKES AS DETAIL ED POSITION TO PREVENT DAMAGE TO FEED STAMINA.
 2. DO NOT RESTRICT PLANT FROM BENT LIGHTS LIGHT VIBRATIONS OR DAMAGE BARK.

ADJACENT
CRAWLEY ENTERPRISES, INC.
1201 WEST STEPHEN ROAD
SAN ANTONIO, TEXAS 78217
761-463-3276

OWNER
WILLIAM B. WILSON, PRESIDENT, 1000
L.B. GURLEY BLVD., SUITE 100, 831
WAXAHACHIE, DALLAS COUNTY, TEXAS
75110-1101

SPECIFIC USE PERMIT
CRAWLEY ENTERPRISES - 1000 WEST STEPHEN ROAD
WAXAHACHIE, TEXAS 75110
LOT 1 BLOCK A (SUP) - 3.5 ACRES
LOT 1 BLOCK B (SUP) - 3.5 ACRES
LOT 1 BLOCK C (SUP) - 2.5 ACRES
TRACT 1 - 0.69 TOTAL ACRES
WILLIAM B. WILSON, PRESIDENT, 1000 L.B. GURLEY BLVD., SUITE 100, 831 WAXAHACHIE, DALLAS COUNTY, TEXAS 75110-1101
DATE ISSUED: 08-13-2019
SHEET NUMBER: 2 OF 2
CASE # SU-19-0155

MP STUDIO
301 GROVEVIEW | 54TH FLOOR
DALLAS, TEXAS 75219

CRAWLEY ENTERPRISES, INC.
1201 WEST STEPHEN ROAD
SAN ANTONIO, TEXAS 78217

CRIBLEY ENTERPRISES
LANDSCAPE IMPROVEMENTS
1201 WEST STEPHEN ROAD
WAXAHACHIE, TEXAS 75110

CRIBLEY ENTERPRISES, INC.
1201 WEST STEPHEN ROAD
SAN ANTONIO, TEXAS 78217
OWNER'S REPRESENTATIVE
KEVIN C. CRIBLEY
979-468-8725
kcr@ce.com | www.ce.com

REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
| | | |
| | | |
| | | |
| | | |

ISSUE SETS

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
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| | | |
| | | |

SHEET TITLE

SPECIFIC USE PERMIT

LANDSCAPE NOTES

DATE ISSUED
DECEMBER 9, 2019

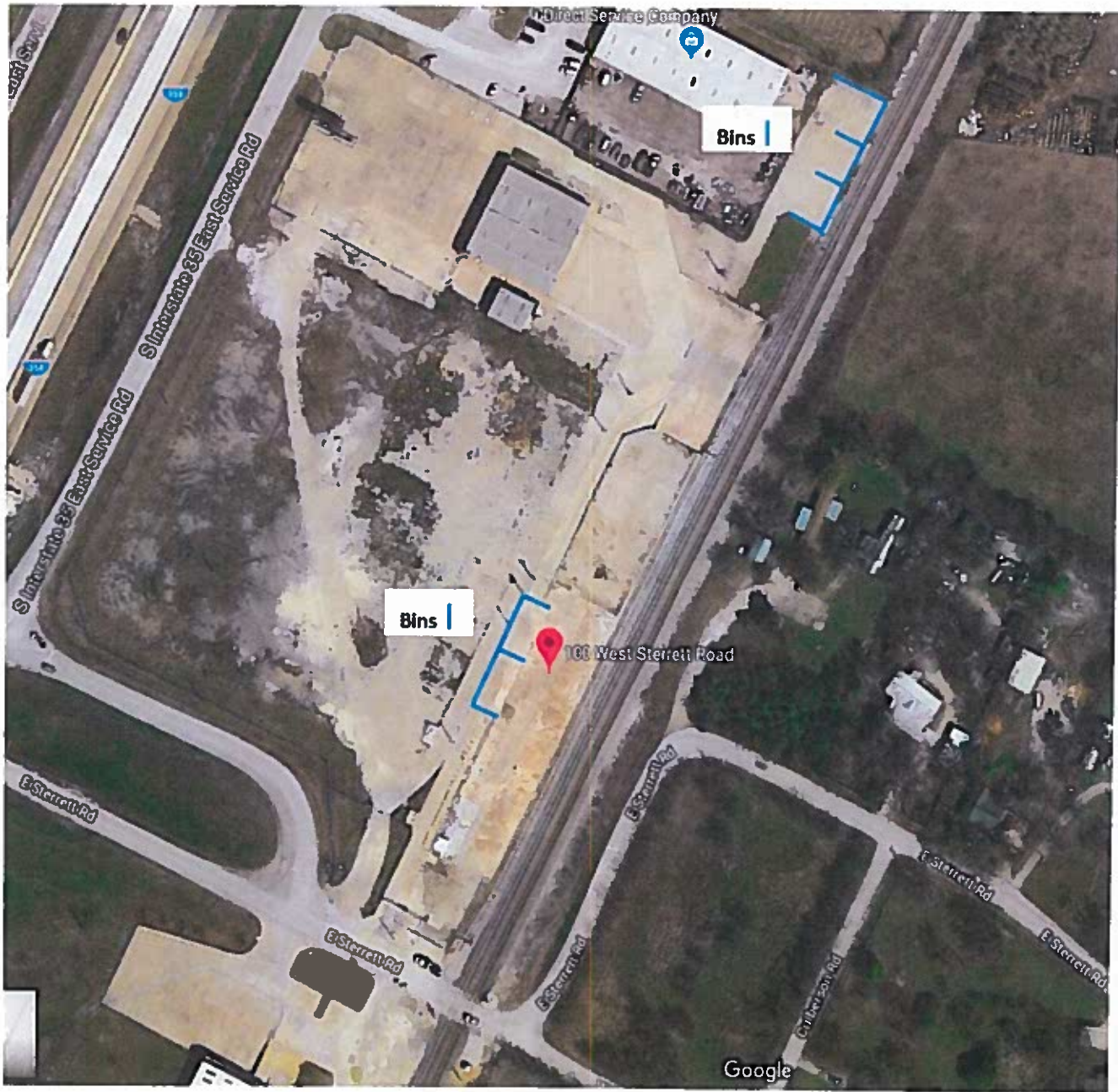
SHEET NUMBER
2 OF 2
CASE # SU-19-0155



(61)

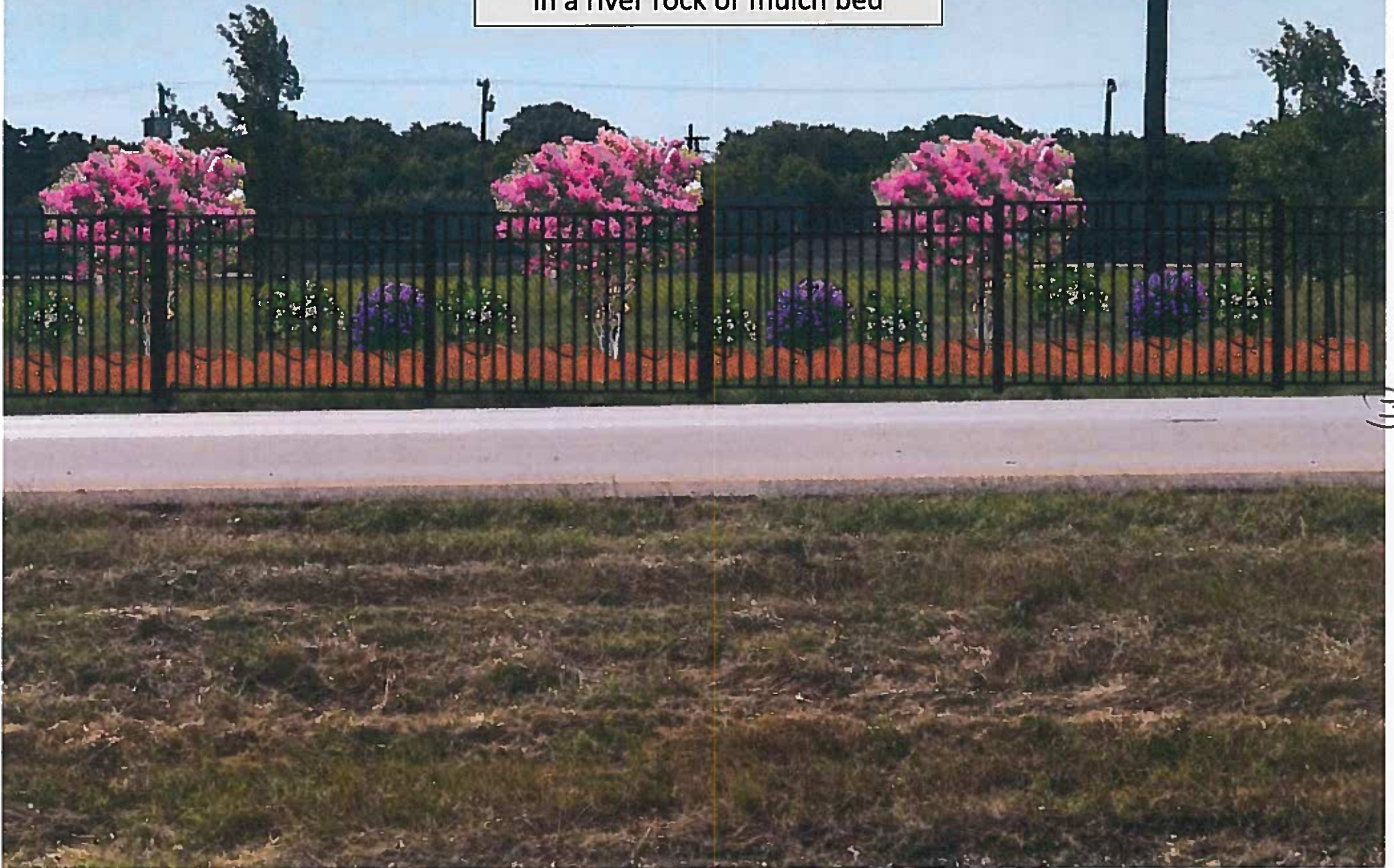
(17)






(17)

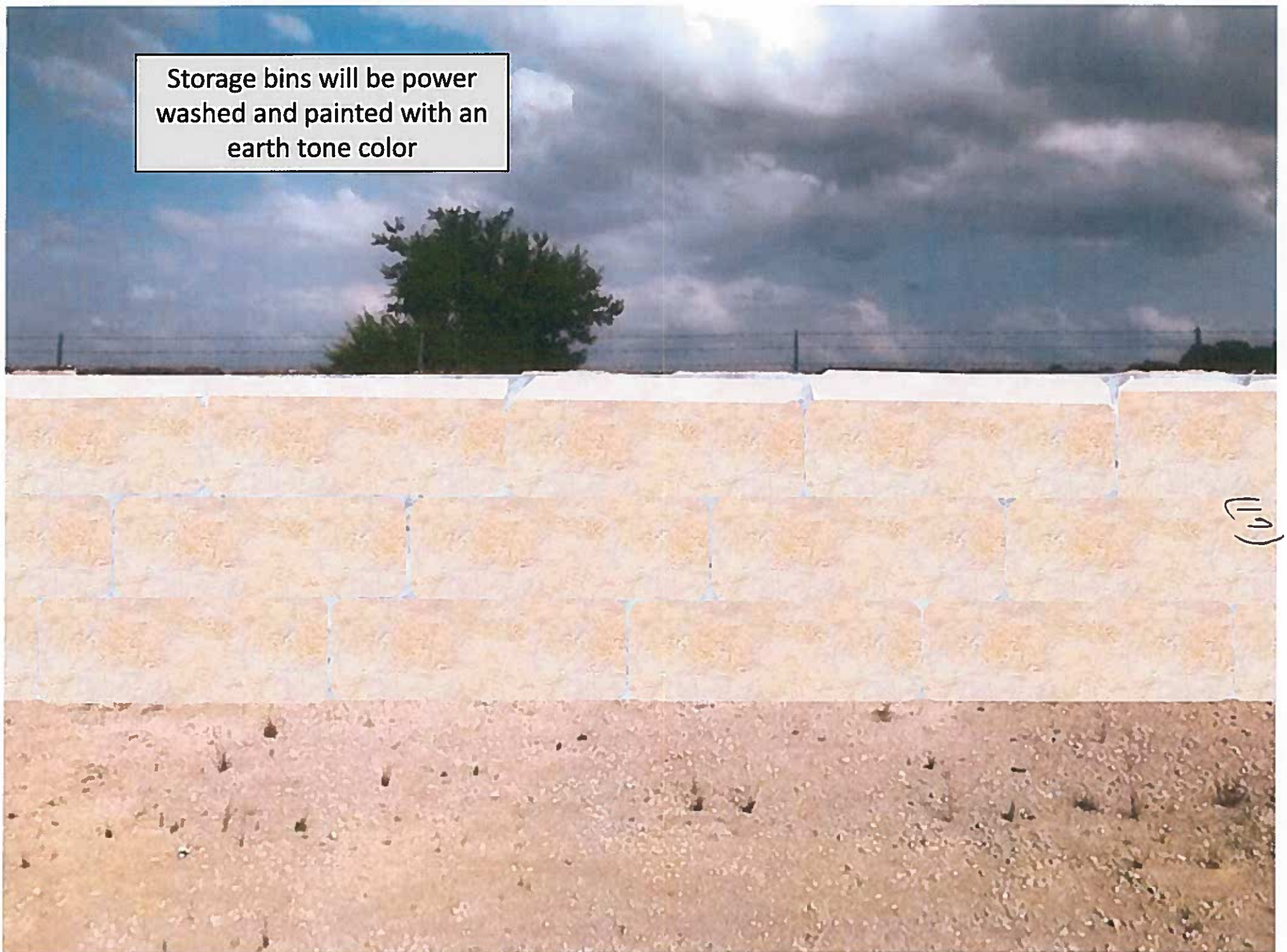
310' I-35 frontage w/ ornamental
fencing, shrubs and crepe myrtles
in a river rock or mulch bed





6 abandoned, unsightly yard
light poles scattered throughout
the subject property will be
removed

Storage bins will be power washed and painted with an earth tone color



Operational Plan

(17)
Cribley Enterprises, Inc
12109 Nacogdoches Road
San Antonio, Texas 78217
Phone: 210-590-1313 Fax: 210-590-1355

November 4, 2019

City of Waxahachie
401 S. Rogers
Waxahachie, Texas 75165

To Whom It May Concern:

Please accept this letter as our intended operational plan for the site located at 100 West Sterrett Road, Waxahachie, Texas.

Cribley Enterprises, Inc. is a family owned business with over 30 years of service to the Austin/San Antonio region. Cribley Enterprises, Inc. operates in a multitude of diverse areas, such as retaining walls, paver installations, landscaping and more. We have cultivated an enduring reputation for our integrity and our dedication to our clients, employees and community. More information about our company can be found on our website at: <https://cribleventerprises.com/>

Regarding the property at 100 West Sterrett Road, we would like to operate a yard that will receive rock aggregate via rail and then distribute it to the Dallas Fort Worth area. Our objective is to have the yard functioning at maximum capability by the summer of 2020. This means that approximately 14 rail cars a month would deliver aggregate and 4 truckloads of rock would leave the yard each day.

Our intent is to store aggregate outside in the yard. The aggregate will be stored behind a 6' high screen constructed of 6'x2'x2' Ecology Block (see attached Exhibit A and B). The block will be power washed and painted and earth tone color. The yard will be operated by 2 employees who will work 4 10 hours days a week with an operational day of 8 hours. We do not anticipate any weekend or holiday hours.

Please note that there is no building on this site. This is an unimproved tract of land that suits our needs perfectly and requires little to no support from the City of Waxahachie with regards to utilities.

Impact Statement: Since Cribley Enterprises, Inc. will not be manufacturing anything at the Waxahachie location there will be little to no demand on the local natural resources. Additionally, there will be no toxic odors or waste discharge from the facility and our product is nonflammable and therefore not a fire hazard. We also will not be adding any lighting to the site and therefore will not contribute to any light pollution.

Please do not hesitate to call us with any questions and we look forward to having a mutually beneficial relationship with the City of Waxahachie.

Sincerely,

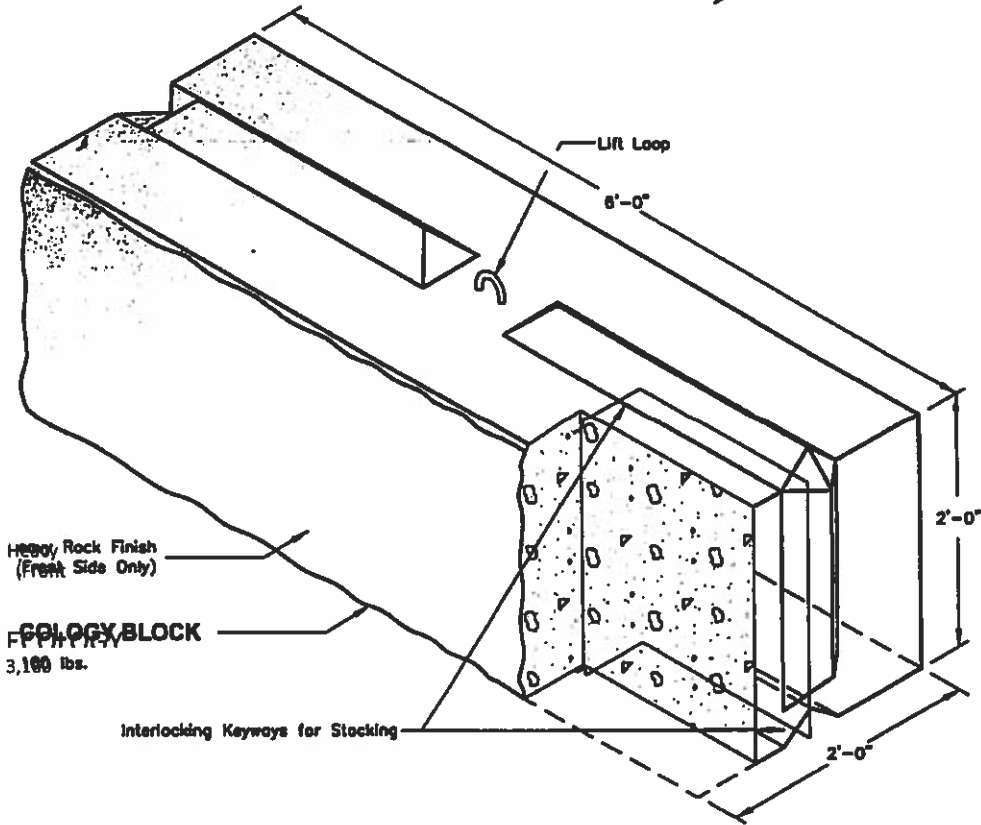
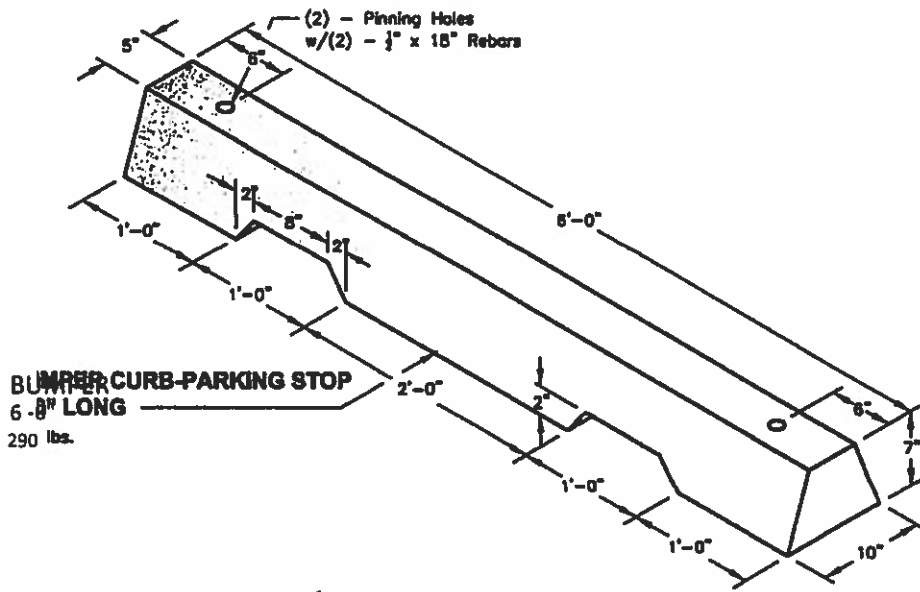


Kevin Cribley
Cribley Enterprises, Inc.
Cell 210-683-3725

BUMPER CURBS 1 ECOLOGY BLOCK

EXHIBIT A

(17)



1

| | | |
|--|--|--|
| <p>Oldcastle Precast^e</p> <p>PO Box 323, Wilsonville, Oregon 97070-0323 Tel: (503) 682-2844 Fax: (503) 682-2657</p> | <p>B. CURB 1 E. BLOCK</p> | <p>BUMPER CURBS ECOLOGY BLOCK</p> |
| | <p>File Name: 020-CRBBLK Issue Date: 2018 oldcastleprecast.com/wilsonville</p> | |

EXHIBIT B

Storage bins will be power washed and painted with an earth tone color



(17)

(18)

Planning & Zoning Department

Zoning Staff Report

Case: PD-19-0159



MEETING DATE(S)

Planning & Zoning Commission: December 17, 2019

City Council: January 6, 2020

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held December 17, 2019, the Commission voted 6-0 to recommend approval of zoning change PD-19-0159, as presented by staff.

It should be noted that this request is for a Planned Development (PD) Concept Plan. The second part of the PD process is the Detailed Site Plan. If the Concept Plan ordinance is adopted, then the applicant's Detailed Site Plan will be administratively reviewed and can be approved in accordance with the Concept Plan.

CAPTION

Public Hearing on a request by Jennifer Gansert, P.E., Kimley-Horn & Associates, Inc, for a Zoning Change from a Planned Development-General Retail to Planned Development-General Retail, with Concept Plan, located at 108 Broadhead Road (Property ID 245022) - Owner: Crepe Myrtle Enterprises LLC (PD-19-0159)

APPLICANT REQUEST

The applicant is requesting to revise the existing Planned Development to construct an approximately 20,000 square foot addition to an existing 485,000 square foot movie theater. The addition includes an Arcade, which requires a SUP in this zoning district.

CASE INFORMATION

| | |
|---------------------------|------------------------------------|
| <i>Applicant:</i> | Jennifer Gansert, P.E. |
| <i>Property Owner(s):</i> | Crepe Myrtle Enterprises LLC |
| <i>Site Acreage:</i> | 11.1414 acres |
| <i>Current Zoning:</i> | Planned Development-General Retail |
| <i>Requested Zoning:</i> | Planned Development-General Retail |

SUBJECT PROPERTY

| | |
|-----------------------------|-------------------------------|
| <i>General Location:</i> | 108 Broadhead Road |
| <i>Parcel ID Number(s):</i> | 245022 |
| <i>Existing Use:</i> | Showbiz Cinemas Movie Theater |

(18)

Development History:

Planned Development for existing theater and surrounding retail uses established in 2008.

Table 1: Adjoining Zoning & Uses

| Direction | Zoning | Current Use |
|-----------|-------------|--------------------------|
| North | GR | Drive Through Restaurant |
| East | SF-2 | Single Family Residences |
| South | GR and SF-2 | Single Family Residences |
| West | Not Zoned | US-287 |

Future Land Use Plan:

Commercial

Comprehensive Plan:

Commercial areas are intended for establishments that provide services to customers. Examples include car dealerships, self-storage businesses, and repair shops. Such uses are generally not significant contributors to a municipality's tax revenue, and, by their nature, commercial businesses can detract from positive aesthetics. Primarily for these reasons, commercial uses have generally only been recommended in locations consistent with where such uses currently exist.

Thoroughfare Plan:

The subject property is accessible via East US Highway 287 and Broadhead Road.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is requesting to revise the existing Planned Development to construct an approximately 20,000 square foot addition to an existing 485,000 square foot movie theater. The addition includes an Arcade, which requires a SUP in this zoning district.

Proposed Use:

The applicant is requesting approval for a revision to the existing Planned Development for Movie Theater use on 11.1414 acres located at 108 Broadhead Road. The current zoning for the property is Planned Development-General Retail. The addition to the existing structure is proposed to include a family entertainment area, including an arcade. The arcade use requires a Specific Use Permit in the General Retail Zoning district.

Development Standards:

The applicant is proposing a base zoning district of General Retail (GR). Allowed uses shall be those provided within the City of Waxahachie Zoning Ordinance for General Retail with additional changes listed below.

Permitted Uses:

- Uses as allowed in GR Zoning
- Arcade
- Bank with a drive-thru

Table 2: Proposed Planned Development Standards

| Standard | Existing PD | City of Waxahachie | Proposed PD |
|-----------------------|-------------|--------------------|-------------|
| Min. Parking Required | 504 | 461 | 463 |

Additional Notes:

The property currently depicts 565 parking spaces. Due to the addition of an arcade (20,000 sq. ft.) and reducing the number of theater seats (2,017 to 1,044), the proposed plan will provide 463 parking spaces. It should be noted that though there is a decrease in parking from the previous Planned Development, the applicant is still meeting the required parking standards per the City of Waxahachie Zoning Ordinance.

SPECIAL EXCEPTION/VARIANCE REQUEST

- Per the City of Waxahachie Zoning Ordinance, the maximum square footage (sq. ft.) for a pylon sign is 200 sq. ft. Per the proposed plan, the applicant is proposing a 460 sq. ft. sign.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 40 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 NOTIFICATIONS

Staff has received two (2) letter of support for the proposed development.

STAFF CONCERNS

1. Staff has no outstanding concerns for the applicant.

APPLICANT RESPONSE TO CONCERNS

1. The applicant has addressed all staff concerns.

RECOMMENDATION

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

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

ATTACHED EXHIBITS

- 1. Ordinance
- 2. Location Exhibit
- 3. Concept Provisions
- 4. Site Plan
- 5. Landscape Plan
- 6. Elevations/Façade Plan
- 7. PON Responses

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
 Senior Planner
ccollins@waxahachie.com

Reviewed by:
 Shon Brooks, AICP
 Director of Planning
sbrooks@waxahachie.com

Case PD-19-0159
 Responses Received Inside Required 200' Notification Area
 Support: 2 Oppose: 0

| PropertyID | Owner's Name | Acreage | Legal Description | Owner's Address | Owner's Suite | Owner's City | Owner's State | Owner's ZIP | Physical Address |
|------------|---|---------|--|--------------------|---------------|--------------|---------------|-------------|--|
| 141594 | BODEY AARON & KERRI | 0.257 | LOT 8 BLK 5 KARSEN HEIGHTS INST 2 PH 1 0.257 AC | 201 VIVIAN DR | | WAXAHACHIE | TX | 75165 | 201 VIVIAN DR WAXAHACHIE TX 75165 |
| 141595 | JEFFERSON MARCUS | 0.219 | 19 4 KARSEN HEIGHTS INST 2 PH 1 0.219 ACRES | 119 VIVIAN DR | | WAXAHACHIE | TX | 75165 | 119 VIVIAN DR WAXAHACHIE TX 75165 |
| 141596 | ARMSTRONG JW | 0.219 | LOT 20 BLK 4 KARSEN HEIGHTS INST 2 PH 1 0.219 AC | 3531 SHILOH | | MIDLOTHIAN | TX | 76065 | 121 VIVIAN DR WAXAHACHIE TX 75165 |
| 141597 | PRICE AMANDA J & DAVID | 0.219 | LOT 21 BLK 4 KARSEN HEIGHTS INST 2 PH 1 0.219 AC | 123 VIVIAN DR | | WAXAHACHIE | TX | 75165 | 123 VIVIAN DR WAXAHACHIE TX 75165 |
| 141598 | NAVARRO MICHAEL S | 0.259 | LOT 22 BLK 4 KARSEN HEIGHTS INST 2 PH 1 .259 AC | 125 VIVIAN DR | | WAXAHACHIE | TX | 75165 | 125 VIVIAN DR WAXAHACHIE TX 75165 |
| 141605 | GUTIERREZ MANUEL H & SOCORRO P | 0.219 | 17 4 KARSEN HEIGHTS INST 2 PH 1 0.219 ACRES | 115 VIVIAN DR | | WAXAHACHIE | TX | 75165 | 115 VIVIAN DR WAXAHACHIE TX 75165 |
| 141606 | LACEY TYRUS N | 0.219 | 18 4 KARSEN HEIGHTS INST 2 PH 1 0.219 ACRES | 117 VIVIAN DR | | WAXAHACHIE | TX | 75165 | 117 VIVIAN DR WAXAHACHIE TX 75165 |
| 181707 | CVP INVESTMENTS LLC | 5.793 | 235 W C CALDER 5.793 ACRES | 1823 WILDFLOWER DR | | WAXAHACHIE | TX | 75165 | HIGHWAY 287 SR WAXAHACHIE TX 75165 |
| 181708 | CREPE MYRTLE ENTERPRISES LLC | 3.3775 | LOT 4 BLK A SHOWBIZ CINEMAS ADDITION 3.3775 AC | 12400 COIT RD | STE 800 | DALLAS | TX | 75251 | 108 BROADHEAD RD WAXAHACHIE TX 75165 |
| 215624 | WAXAHACHIE COMMUNITY DEVELOPMENT COR | 99.28 | LOT 1R BROADHEAD ROAD SPORTS COMPLEX 99.28 AC | PO BOX 757 | | WAXAHACHIE | TX | 75168 | 501 BROADHEAD RD WAXAHACHIE TX 75165 |
| 226881 | FIELDS JASON & LORI | 0.27 | 12 4 KARSEN HEIGHTS INST 1 PH I 0.27 ACRES | 103 VIVIAN DR | | WAXAHACHIE | TX | 75165 | 103 VIVIAN DR WAXAHACHIE TX 75165 |
| 226882 | GENTRY JERRY & ANGELA | 0.219 | 13 4 KARSEN HEIGHTS INST 1 PH II 0.219 ACRES | 105 VIVIAN DR | | WAXAHACHIE | TX | 75165 | 105 VIVIAN DR WAXAHACHIE TX 75165 |
| 226883 | STEVENS JUSTIN | 0.219 | 14 4 KARSEN HEIGHTS INST 1 PH I 0.219 ACRES | 107 VIVIAN DR | | WAXAHACHIE | TX | 75165 | 107 VIVIAN DR WAXAHACHIE TX 75165 |
| 226884 | ONTIVEROS MANUEL & ELLEN E | 0.219 | LOT 15 BLK 4 KARSEN HEIGHTS INST 1 PH I 0.219 AC | 109 VIVIAN DR | | WAXAHACHIE | TX | 75165 | 109 VIVIAN DR WAXAHACHIE TX 75165 |
| 226885 | BERNARD BENNIE B JR & PATSY A | 0.219 | 16 4 KARSEN HEIGHTS INST 1 PH I 0.219 ACRES | 111 VIVIAN DR | | WAXAHACHIE | TX | 75165 | 111 VIVIAN DR WAXAHACHIE TX 75165 |
| 226886 | ROACH ROY G | 0.334 | LOT 5 BLK 3 KARSEN HEIGHTS INST 1 PH I .334 AC | 101 ALVIS LN | | WAXAHACHIE | TX | 75165 | 101 ALVIS LN WAXAHACHIE TX 75165 |
| 230334 | MCCUTCHEN GLEN & LINDA | 0.222 | 35 7 KARSEN HEIGHTS ADDN PH III 0.222 ACRES | PO BOX 2933 | | WAXAHACHIE | TX | 75168 | 121 RICHH ST WAXAHACHIE TX 75165 |
| 230335 | WALTON JOSHUA W | 0.308 | LOT 36 BLK 7 KARSEN HEIGHTS ADDN PH III .308 AC | 119 SHEA ST | | WAXAHACHIE | TX | 75165 | 119 SHEA ST WAXAHACHIE TX 75165 |
| 230336 | OSBORNE JUSTIN | 0.176 | LOT 37 BLK 7 KARSEN HEIGHTS ADDN PH III .176 AC | 117 SHEA ST | | WAXAHACHIE | TX | 75165 | 117 SHEA ST WAXAHACHIE TX 75165 |
| 230340 | TRAPP CORBIT & BARBARA | 0.195 | 29 7 KARSEN HEIGHTS ADDN PH III 0.195 ACRES | 196 BRANDIE MAC LN | | WAXAHACHIE | TX | 75165 | 196 BRANDIE MAC LN WAXAHACHIE TX 75165 |
| 230341 | POTTER KIMBERLY J | 0.244 | LOT 30 BLK 7 KARSEN HEIGHTS ADDN PH III 0.244 AC | 198 BRANDIE MAC LN | | WAXAHACHIE | TX | 75165 | 198 BRANDIE MAC LN WAXAHACHIE TX 75165 |
| 230345 | DOWNES FLOYD W JR & PAMELA L | 0.185 | LOT 34 BLK 7 KARSEN HEIGHTS ADDN PH III 0.185 AC | 123 RICHH ST | | WAXAHACHIE | TX | 75165 | 123 RICHH ST WAXAHACHIE TX 75165 |
| 230346 | GALBAN HILTON & OLGA | 0.21 | LOT 23 BLK 7 KARSEN HEIGHTS ADDN PH III 0.21 AC | 193 BRANDIE MAC LN | | WAXAHACHIE | TX | 75165 | 193 BRANDIE MAC LN WAXAHACHIE TX 75165 |
| 230347 | CISCO DANIEL & DONNA PREVIOUSLY RETURNED MAIL | 0.259 | LOT 24 BLK 7 KARSEN HEIGHTS ADDN PH III 0.259 AC | P O BOX 909 | | KEMP | TX | 75143 | 191 BRANDIE MAC LN WAXAHACHIE TX 75165 |
| 230348 | VALLLES JOSE M | 0.229 | LOT 25 BLK 7 KARSEN HEIGHTS ADDN PH III 0.229 AC | 189 BRANDIE MAC LN | | WAXAHACHIE | TX | 75165 | 189 BRANDIE MAC LN WAXAHACHIE TX 75165 |
| 230349 | FULFER NAOMI G & BRENT C | 0.442 | LOT 26 BLK 7 KARSEN HEIGHTS ADDN PH III 0.442 AC | 190 BRANDIE MAC LN | | WAXAHACHIE | TX | 75165 | 190 BRANDIE MAC LN WAXAHACHIE TX 75165 |
| 230350 | JACKSON ORA F | 0.213 | LOT 27 BLK 7 KARSEN HEIGHTS ADDN PH III 0.213 AC | 192 BRANDIE MAC LN | | WAXAHACHIE | TX | 75165 | 192 BRANDIE MAC LN WAXAHACHIE TX 75165 |
| 230351 | BRUNING LORI | 0.186 | LOT 28 BLK 7 KARSEN HEIGHTS ADDN PH III 0.186 AC | 194 BRANDIE MAC LN | | WAXAHACHIE | TX | 75165 | 194 BRANDIE MAC LN WAXAHACHIE TX 75165 |
| 230352 | MARTINEZ ANGELA | 0.285 | LOT 20 BLK 7 KARSEN HEIGHTS ADDN PH III 0.285 AC | 199 BRANDIE MAC LN | | WAXAHACHIE | TX | 75165 | 199 BRANDIE MAC LN WAXAHACHIE TX 75165 |
| 230356 | BRUCE REAGAN & SANDRA | 0.2154 | LOT 21 BLK 7 KARSEN HEIGHTS ADDN PH III .2154 AC | 197 BRANDIE MAC LN | | WAXAHACHIE | TX | 75165 | 197 BRANDIE MAC LN WAXAHACHIE TX 75165 |
| 230357 | NOGIC TRAVIS D & MARCUS S NOGIC | 0.218 | LOT 22 BLK 7 KARSEN HEIGHTS ADDN PH III 0.218 AC | 195 BRANDIE MAC LN | | WAXAHACHIE | TX | 75165 | 195 BRANDIE MAC LN WAXAHACHIE TX 75165 |
| 230362 | DURAN NOE B & IRENE G | 0.181 | LOT 18 BLK 7 KARSEN HEIGHTS ADDN PH III 0.181 AC | 203 BRANDIE MAC LN | | WAXAHACHIE | TX | 75165 | 203 BRANDIE MAC LN WAXAHACHIE TX 75165 |
| 230363 | MARTINEZ ERICK I | 0.281 | LOT 19 BLK 7 KARSEN HEIGHTS ADDN PH III .281 AC | 201 BRANDIE MAC LN | | WAXAHACHIE | TX | 75165 | 201 BRANDIE MAC LN WAXAHACHIE TX 75165 |
| 230380 | BATES PATRICK L & MOLLYE G | 0.19 | LOT 2 BLK 7 KARSEN HEIGHTS ADDN PH III .19 AC | 200 VIVIAN DR | | WAXAHACHIE | TX | 75165 | 200 VIVIAN DR WAXAHACHIE TX 75165 |
| 230381 | KAMERBEEK LEO | 0.19 | 3 7 KARSEN HEIGHTS ADDN PH III 0.19 ACRES | 208 OVERHILL DR | | WAXAHACHIE | TX | 75165 | 202 VIVIAN DR WAXAHACHIE TX 75165 |
| 230483 | MITCHELL BILLY C & JOAN E | 0.243 | LOT 1 BLK 7 KARSEN HEIGHTS ADDN PH III 0.243 AC | 126 VIVIAN DR | | WAXAHACHIE | TX | 75165 | 126 VIVIAN DR WAXAHACHIE TX 75165 |
| 234387 | BARRAND INC | 0.879 | LOT 1 BLK 7 WHATABURGER .879 AC | 114 BROADHEAD RD | | WAXAHACHIE | TX | 75165 | 114 BROADHEAD RD WAXAHACHIE TX 75165 |
| 245022 | CREPE MYRTLE ENTERPRISES LLC | 11.1414 | LOT 1 BLK A SHOWBIZ CINEMAS ADDITION 11.1414 AC | 12400 COIT RD | STE 800 | DALLAS | TX | 75251 | 108 BROADHEAD RD WAXAHACHIE TX 75165 |
| 245023 | THE FIRST STATE BANK | 0.9528 | LOT 2 BLK A SHOWBIZ CINEMAS ADDITION 0.9528 AC | 100 N MC KINNEY | | RICE | TX | 75155 | 104 BROADHEAD RD WAXAHACHIE TX 75165 |
| 245024 | CREPE MYRTLE ENTERPRISES LLC | 2.5291 | LOT 3 BLK A SHOWBIZ CINEMAS ADDITION 2.5291 AC | 12400 COIT RD | STE 800 | DALLAS | TX | 75251 | BROADHEAD RD WAXAHACHIE TX 75165 |

(18)

Case Number: PD-19-0159

City Reference: 230346

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Wednesday, December 11, 2019* to ensure inclusion in the Agenda Packet. Forms can be e-mailed 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

RECEIVED
12/11/19

Comments:

To support

Olga Galban

Signature

12-13-2019

Date

193 Brandie Mac Ln

Address

Printed Name and Title

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.

(18)

(18)

RECEIVED
12/5/19



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **PD-19-0159**



THE FIRST STATE BANK
100 N MC KINNEY
RICE, TX 75155

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 17, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, January 6, 2020 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Jennifer Gansert, Kimley-Horn and Associates, Inc., for a Zoning Change from a Planned Development-General Retail zoning district to Planned Development-General Retail, with Concept Plan, located at 108 Broadhead Road (Property ID 245022) - Owner: Crepe Myrtle Enterprises LLC (PD-19-0159)

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: **PD-19-0159**

City Reference: 245023

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, December 11, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed 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:

Dan E. Mouton SVP

Signature

12-4-19

Date

DAN E. MOUTON, SENIOR VICE PRESIDENT

Printed Name and Title

P.O. Box 876, WAXAHACHIE, TX

Address

75163

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.

119)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR) TO PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR), WITH CONCEPT PLAN LOCATED AT 108 BROADHEAD ROAD IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 11.14 ACRES KNOWN AS A PORTION OF PROPERTY ID 245022, LOT 1, BLOCK A, SHOWBIZ CINEMAS ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, a proper application for a PD, with Concept Plan has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number PD-19-0159. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from PD-GR to PD-GR, with Concept Plan; and

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

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

NOW, THEREFORE, this property is rezoned from PD-GR to PD-GR, with Concept Plan in order to construct an approximately 20,000 square foot addition (family entertainment) to an existing 485,000 square foot movie theater on the following property: a portion of Property ID 245022, Lot 1, Block A, of the Showbiz Cinemas Addition, which is shown on Exhibit A, in accordance with the Concept Plan provisions attached as Exhibit B, and Site Plan attached as Exhibit C, Landscape Plan attached as Exhibit D, and Elevations/Façade Plan attached as Exhibit E.

PLANNED DEVELOPMENT

Purpose and Intent

The purpose of this planned development to construct an approximately 20,000 square foot addition (family entertainment center) to an existing 485,000 square foot movie theater, and to establish appropriate restrictions and development controls necessary to ensure predictable land development, safe and efficient vehicular and pedestrian circulation, compatible uses of land and compliance with appropriate design standards.

(19)

Development Standards

All development on land located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in this ordinance. The locations of buildings, driveways, parking areas, amenity areas, trails, fencing, and other common areas shall substantially conform to the locations shown on the approved Site Plan (Exhibit C).

Development Regulations

1. The Site Plan shall conform as approved by the City Council under case number PD-19-0159.
2. Permitted uses within the planned development shall consist of a movie theater, arcade, bowling alley, and other uses allowed under the General Retail zoning district per the City of Waxahachie Zoning Ordinance.
3. Maximum building height for Movie Theater and Indoor Amusement is sixty (60) feet.
4. Attached sign for Movie Theater and Indoor Amusement may project up to fifteen (15) feet above top of theater per the approved Site Plan.
5. Maximum allowed square footage for a pylon sign shall be 460 sq. ft.
6. Signage attached to the Movie Theater may be illuminated by neon, light emitting diode, but must be less than two hundred-foot lamberts. This sign must be more than 150 ft. from any adjacent residential property or be shielded from public view.
7. Solid brick or masonry screening wall of not less than size (6) feet shall be erected on property line separating this district from Single-Family to the east and southern side of property. The City of Waxahachie reserves the right to consider landscape/living wall in lieu of masonry wall, however the landscaping must be irrigated and maintained by Property Owners Association.
8. Masonry wall/Living wall between this development and Karsen Heights subdivision shall be built during first phase of development.
9. Property Owners Association shall maintain detention areas as manicured areas.
10. All parking within the development shall comply with Article IV – Section 4.03 of the City of Waxahachie Zoning Ordinance.
11. Any zoning, land use requirement, or restriction not contained within this zoning ordinance shall conform to those requirements and/or standards prescribed in Exhibits C – Site Plan, Exhibit D – Landscape Plan, and Exhibit E – Elevations/Façade Plan. Where regulations are not specified in Exhibit C, D, and E, or in this ordinance, the regulations of General Retail zoning district of the City of Waxahachie Zoning Ordinance shall apply to this development.
12. A detailed Site Plan packet shall be administratively reviewed and can be approved in accordance with the Concept Plan.
13. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.

(19)

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

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

PASSED, APPROVED, AND ADOPTED on this 6th day of January, 2020.

MAYOR

ATTEST:

City Secretary



Exhibit A - Location Exhibit

0 350 700 1,400 2,100 2,800 Feet

PD-19-0159

(19)

Exhibit B

PD-GR ORDINANCE 2462 REVISION PROVISIONS

Purpose and Intent

The purpose and intent of this Planned Development (PD) is to revise the required and provided parking found within the existing PD-GR Ordinance 2462 Any conditions found within the General Retail (GR) zoning district or Zoning Ordinance that are not written herein, shall default to the City of Waxahachie's Code of Ordinances, as amended.

Compliance with the City's Comprehensive Plan

Zoning District (GR) is the intended base zoning classification underlying this PD. The GR zoning district is intended predominately for general retail, and certain light commercial uses of a service nature which typically have operating characteristics of traffic service requirements generally compatible with typical office, retail, shopping, and some residential environments.

PD District Development Standards

Description of Request

- Applicant plans to add a ±20,000 Sq. Ft. Family Entertainment / Indoor Amusement addition to an existing ±485,000 Sq. Ft. movie theater.

Proposed Use of Property

- The proposed use of the property will be movie theater (indoor amusement) / family entertainment.

General Development Requirements

- Applicant is requesting that the required and provided parking found within the existing PD-GR Ordinance 2462 be amended to comply with the parking requirements found within Article IV – Section 4.03 of the Waxahachie, Texas Code of Ordinance and more clearly defined by the following:

Movie Theater: 1 Parking Space per 4 Seating Spaces

Indoor Amusement: 1 Parking Space per 100 Sq. Ft.

The property is rezoned to be a Planned Development General Retail District, and subject to the following conditions and restrictions:

1. Applicant requests a zoning change from PLANNED DEVELOPMENT – GENERAL RETAIL ORDINAANCE NO. 2462 to PLANNED DEVELOPMENT – GENERAL RETAIL on approximately 11.1 acres.
2. The Planned Development district accommodates planned associations of uses developed as integral land use units. A planned development district may be used to permit new or innovative concepts.

(19)

3. Base Zoning will be General Retail
 - a. Minimum lot size will be 7,000 sq. feet
 - b. Minimum lot depth will be 100 feet
 - c. Minimum lot width will be 60 feet
 - d. Minimum setback
 - i. If facing Public Street, it will be twenty-five (25) feet
 - ii. If facing 287 frontage road, it will be forty (40) feet
 - e. Side yard setback will be a minimum ten (10) feet, with an average of twenty (20) feet.
4. In addition to those uses already prohibited by General Retail Zoning, the following shall also be prohibited;
 - a. Multiple Family Dwelling or Apartment
 - b. Single Family Dwelling Attached
 - c. Single Family Dwelling Detached
 - d. Two Family Dwelling (Duplex)
 - e. Farm, Ranch Crops or Orchard
 - f. Institution for alcoholic, narcotic, or psychiatric patients
 - g. Antenna, non-commercial (amateur radio, television, or CB radio)
 - h. Portable sign
 - i. Pole sign
 - j. Searchlights (temporary use only)
 - k. Funeral Home or Mortuary
 - l. Veterinarian hospital with outside animal pens
 - m. Day camp for children
 - n. Commercial auto parking lot
 - o. New and used auto sales
 - p. Tire installation and repair (inside storage only)
 - q. Tire installation and repair (outside storage only)
 - r. Motel or hotel (less than 75 rooms)
 - s. Motel or hotel (over 75 rooms)
 - t. School, commercial trade
 - u. Laundromat
 - v. Pawn Shop
 - w. Amusement Commercial (outdoor)
5. Maximum building height for Movie Theater and Indoor Amusement is sixty (60) feet.
6. Attached sign for Movie Theater and Indoor Amusement may project up to fifteen (15) feet above top of theater per this Site Plan.
7. Pylon Sign is depicting 460 square feet of area, City of Waxahachie allows 200 square feet, this is for multitenant pylon sign, this will be the only pole/pylon sign allowed for this development.
8. Two wall signs requested, the lettering on each one is 208 square feet.
9. Signing attached to Movie Theater may be illuminated by neon, light emitting diode, but must be less than two hundred-foot lamberts. This sign must be great than 150' from residential or be shielded from view.
10. Solid brick or masonry screening wall of not less than size (6) feet shall be erected on property line separating this district from Single-Family to the east and southern side of property. (Sec

(19)

- 38.2A) City may consider landscape/living wall in lieu of masonry wall, must be irrigated and maintained by Property Owners Association.
11. Masonry wall/Living wall between this development and Karsen Heights subdivision shall be built shall be built during first phase of development.
 12. Property Owners Association shall maintain detention areas as manicured areas.
 13. Shared parking arrangements shall be encouraged when applicable.
 14. Theater and Indoor Amusement parking will comply with parking requirements found within Article IV – Section 4.03 of the Waxahachie, Texas Code of Ordinance and more clearly defined by the following:
 - a. Movie Theater: 1 Parking Space per 4 Seating Spaces
 - b. Indoor Amusement: 1 Parking Space per 100 Sq. Ft.
 15. Pedestrian circulation shall be a priority throughout the development, sidewalks shall be built adjoining all roads, public and private, aside from US 287 bypass.
 16. Any lots that are not built at this point should be graded and maintained.
 17. Bank with drive-thru will be allowed.
 18. Additional site plans shall comply with all applicable ordinances at the time of their submittal.

Planned Development District permitting retail uses as prescribed in the Use Schedule of the Zoning Ordinance of Waxahachie, Texas, for the GR, General Retail District, subject to the approval of a site plan by the Planning and Zoning Commission and City Council prior to the issuance of any Building Permit or Certificate of Occupancy for any structure or use on the premises. Such site plan shall be set forth the building areas, off-street parking, points of access, any screening walls, open areas, building setbacks, utility easements, curbs, sidewalks, drives and drainage facilities indicated as necessary to accommodate the use and function of the premises.

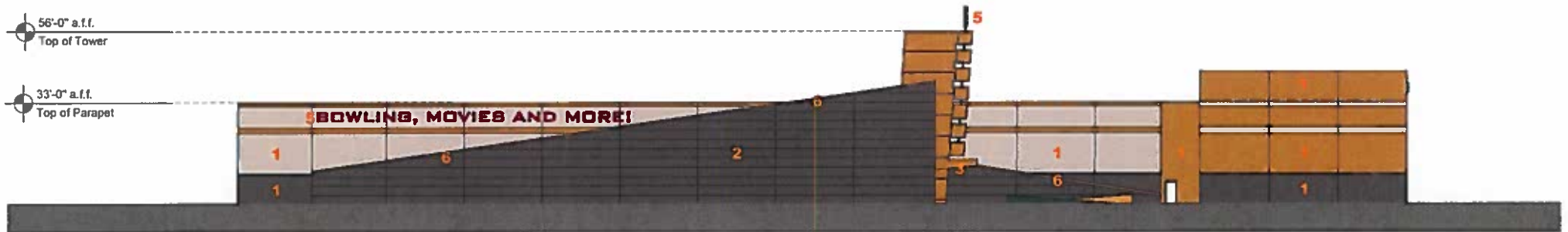
The density, coverage, height, parking, and off-street loading standard shall comply with the minimum standards specified for the GR, General Retail District for all development.

The requisite site plan may be approved in whole or in part provided the elements influencing the development of the entire tract, such as access, parking and circulation are considered by the partial site plan.

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

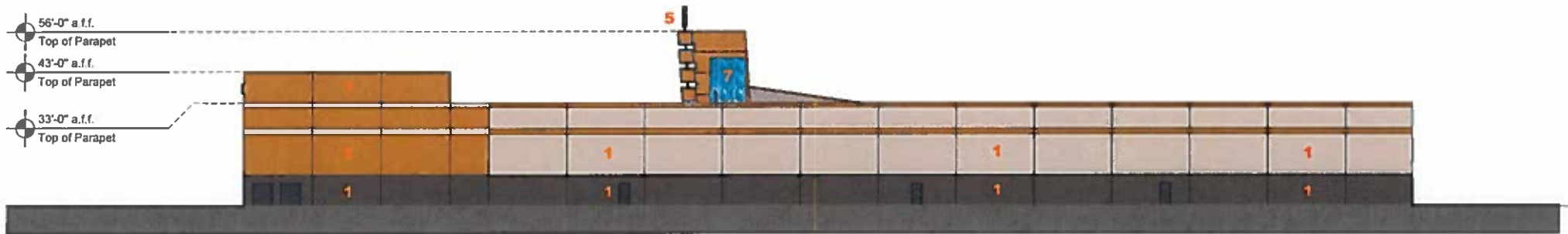
Exhibit E- Elevation/Facade Plan

1. Painted Concrete Wall with Reveals
2. Painted EIFS with Reveals
3. Metal Canopy
4. Storefront Glazing
5. Internally Illuminated Signage
6. LED Strip Light at Cornice
7. Metal Tile



PLAN SOUTH ELEVATION

(b)



PLAN NORTH ELEVATION



ELEVATIONS

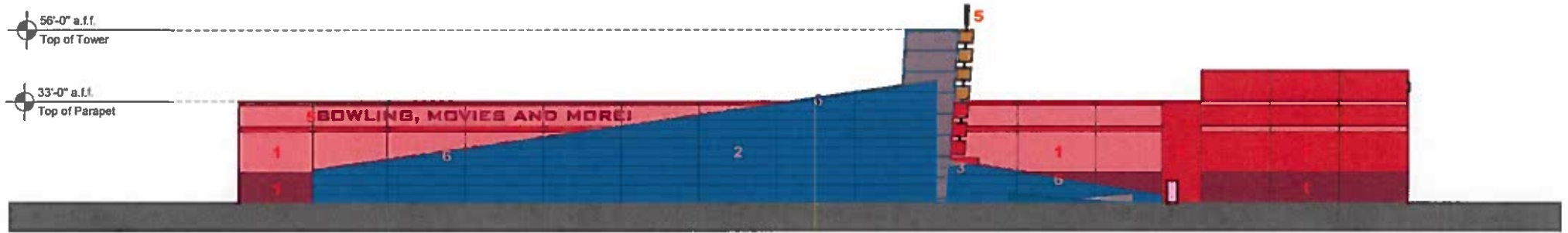
Richard S. Walker, Architect, 1217 Main St. #500, Dallas, TX 75202

Showbiz Waxahachie Remodel | Waxahachie, TX

1. Painted Concrete Wall with Reveals
2. Painted EIFS with Reveals
3. Metal Canopy
4. Storefront Glazing
5. Internally Illuminated Signage
6. LED Strip Light at Cornice
7. Metal Tile

| | | |
|--|------------------|-----|
| | EIFS WITH REVEAL | 34% |
| | PAINTED CONCRETE | 66% |

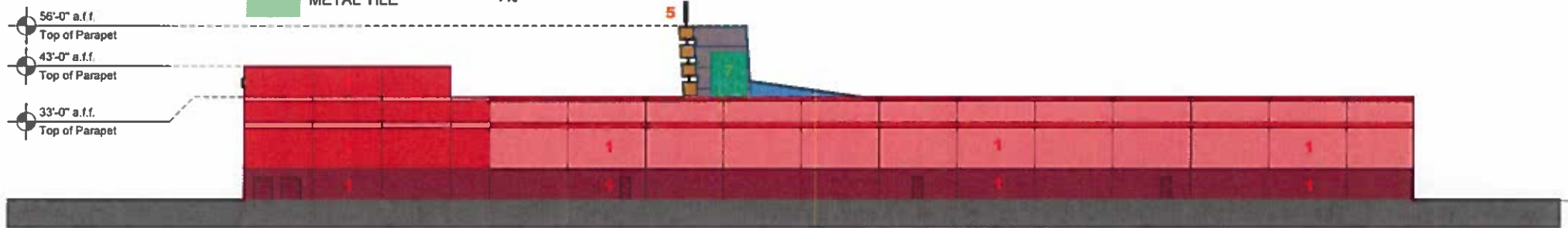
Exhibit E- Elevation/Facade Plan



PLAN SOUTH ELEVATION

| | | |
|--|------------------|-----|
| | EIFS WITH REVEAL | 6% |
| | PAINTED CONCRETE | 93% |
| | METAL TILE | 1% |

(b)



PLAN NORTH ELEVATION



ELEVATIONS

Richard S. Walker, Architect, 1217 Main St. #500. Dallas, TX 75202

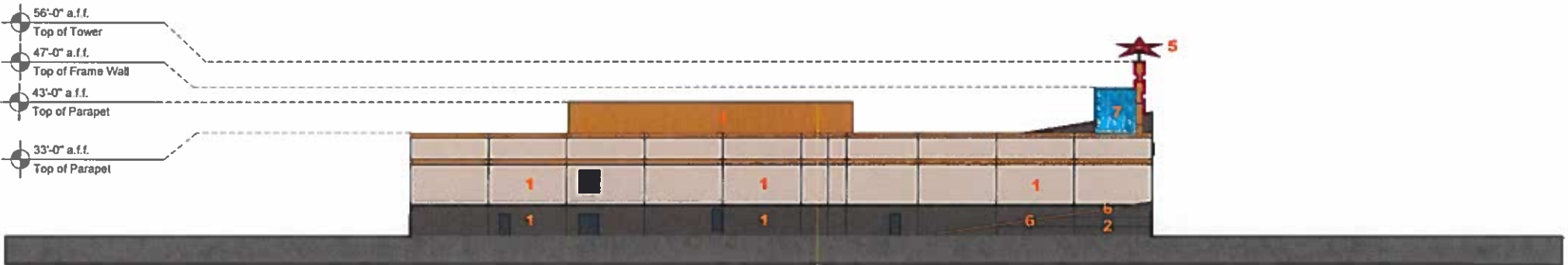
Showbiz Waxahachie Remodel | Waxahachie, TX

Exhibit E- Elevation/Facade Plan

1. Painted Concrete Wall with Reveals
2. Painted EIFS with Reveals
3. Metal Canopy
4. Storefront Glazing
5. Internally Illuminated Signage
6. LED Strip Light at Cornice
7. Metal Tile



PLAN WEST ELEVATION



PLAN EAST ELEVATION



ELEVATIONS

Richard S. Walker, Architect, 1217 Main St. #500. Dallas, TX 75202

Showbiz Waxahachie Remodel | Waxahachie, TX

(14)

1. Painted Concrete Wall with Reveals
2. Painted EIFS with Reveals
3. Metal Canopy
4. Storefront Glazing
5. Internally Illuminated Signage
6. LED Strip Light at Cornice
7. Metal Tile

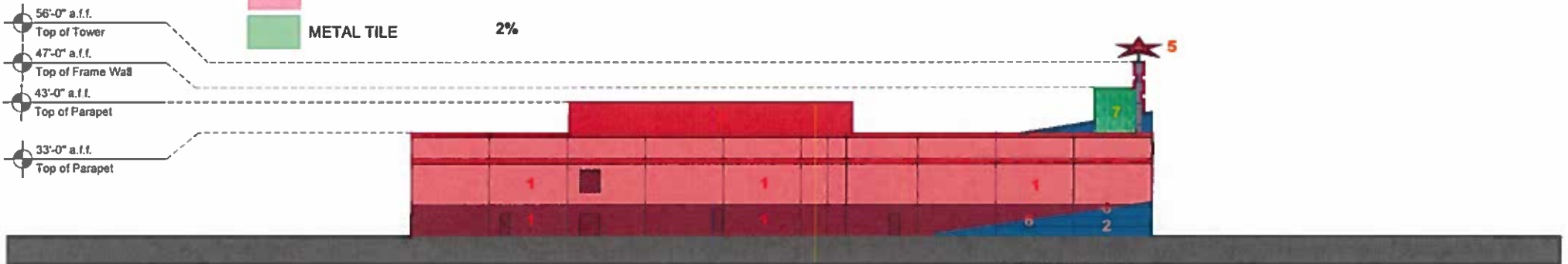
| | | |
|--|------------------|-----|
| | EIFS WITH REVEAL | 27% |
| | PAINTED CONCRETE | 66% |
| | METAL TILE | 4% |
| | METAL TRIM | 3% |

Exhibit E- Elevation/Facade Plan



PLAN WEST ELEVATION

| | | |
|--|------------------|-----|
| | EIFS WITH REVEAL | 6% |
| | PAINTED CONCRETE | 92% |
| | METAL TILE | 2% |



PLAN EAST ELEVATION



ELEVATIONS

Richard S. Walker, Architect, 1217 Main St. #500, Dallas, TX 75202

Showbiz Waxahachie Remodel | Waxahachie, TX



