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## APPLICATION REVIEW

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### Zoning Case Information

<b>Case #</b>	Z-25-19
<b>Energov #</b>	SP-000012-2025
<b>Property Address</b>	TBD
<b>Legal Description</b>	Approximately 4.70 acres of land situated in the Carlos O'Campo Survey, Abstract Number 32, City of Waco, McLennan County, Texas, out of a called 152.71 acre tract of land, being generally located approximately 800 feet south of the intersection of Vista View Drive and Southbound I-35 Access Road. (Property ID: 415554)
<b>Applicant/Owner</b>	Cara Castellow, Centerpoint Integrated Solutions, on behalf of CarMax Auto Superstores, Inc
<b>Mailing Address</b>	1626 Cole Blvd Suite 125 Suite 125 Lakewood, CO 80401

### Request(s)

<b>Special Permit</b>	Special Permit for Auto Sales in M-2, Light Industrial District
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"Auto, boat and recreation vehicles; sale, rental, parts, repair and storage (new and used, but not including wrecking yards)" is listed as a Special Permit in the M-2 Zoning District.

## **Planning Services Review**

### **Neighborhood Character:**

The property is located at the northeast corner of Bagby Avenue and Gateway Blvd., within the Kendrick Neighborhood and Council District III. The property is included within the recently approved Waco Gateway Addition Preliminary Plat, and was part of a voluntary annexation of 215.88 acres approved by Council in April of 2022 (ANX-22-1). There is a mix of developing properties consisting of residential, office, and commercial uses in the vicinity. The surrounding area has seen rapid development in the past few years. The property is bounded by single-family properties, a commercial truck driving school, and a towing company. The property fronts along the I-35 southbound access road.

### **Area Land Use Designations:**

Surrounding area land use designations include Medium Density Residential Office Flex (MDROF), Suburban Residential (SR) and Urban Residential (UR) to the North of the subject property. There is existing Office Industrial Flex (OIF) in small pockets along Bagby and immediately adjacent to this property.

### **Area Zoning and Surrounding Uses:**

The dominant area zoning is M-2 Light Industrial. The surrounding properties were recently rezoned to C-2 (to the north and south of this tract along the I-35 access road) and O-3 to the northwest of this tract.

## **Planning Services Recommendation**

Planning Services recommends **APPROVAL** of the special permit subject to the special provisions and conditions and based on the following findings\*:

1. That the proposed use is consistent with the comprehensive plan.
2. That the proposed use is compatible with the appropriate and orderly development of the area in which it is located.
3. That the proposed use would not be more objectionable to neighboring properties because of traffic congestion, noise, fumes, vibrations, or any other characteristics than any use permitted in the zoning district without the grant of a special exception.
4. That available community facilities and services, including the road system providing access to the proposed use, are adequate for the proposed use.

\* These findings are required for the granting of a special permit as per Section 28-122 of the City of Waco Zoning Ordinance.

Staff recommends the provisions and conditions noted under the “Special Provisions and Conditions” section of this report.

## Notices

5 mailed; 0 returned at the time of report preparation.

## Department/Agency Reviews

The following comments were received and considered in the development of the recommendation.

## Traffic Operations Review

- |   |                       |
|---|-----------------------|
| <b>1. Description of the adjacent street system:</b>  | SB IH35 Frontage Road |
| <b>Classification:</b>  | State Facility        |
| <b>Number of Lanes:</b>   | 2-lanes, one-way      |
| <b>Estimated Capacity (at LOSD):</b>  | N/A vpd               |
| <b>Avg. Daily Traffic:</b>  | 13,605 vpd            |
| <b>2. Estimated increase in traffic on adjacent streets at full build out:</b>                |                       |
| Immediate: 215 vpd  | Future: N/A           |
| <b>3. Will the development's impact be of sufficient magnitude to require mitigation for:</b> |                       |
| a) Access problems:   | No                    |
| b) Increased traffic congestion:  | No                    |
| c) Pedestrian traffic:  | No                    |
| d) Visibility problems:   | No                    |
| <b>4. Traffic Department comments and recommendations:</b>                                    |                       |
| None.   |                       |

## Engineering Services Review

1. Street Condition: Good
2. Street Width:  
Existing: ROW: 410' Pavement: 32'  
Required: ROW: N/A Pavement: N/A
3. Curb and Gutter: Exists
4. Offsite Drainage facilities are adequate to meet additional runoff resulting from the rezoning.
5. Water is available to the property, and it will not serve the heaviest uses allowed under the requested zoning.
6. Sewer is available to the property, and it will serve the heaviest uses allowed under the requested zoning.
7. Engineering Department comments and recommendations: Undersized 3" Water serves site; any required upsizing of line borne by developer. Sewer extension from 36" Sewer main north of site borne by developer.

## **Department/Agency Reviews, cont.**

### **Fire Department Review**

Anticipated Fire Response Time: <6 Minutes

Is Fire Response Time Adequate? Yes

Fire Department Comments and Recommendations:

No other comments received. (GL)

## **SPECIAL PROVISIONS & CONDITIONS AUTO SALES**

1. The permit here granted is to CarMax Auto Superstores, Inc, and may not be transferred or assigned except:
  - a. for a collateral transfer in connection with financing for auto sales;
  - b. for a transfer to another auto sales establishment; or
  - c. for a transfer resulting from a foreclosure of any lien on the auto sales establishment,provided that the use of the property remains as an auto sale establishment. Except for a transfer under 1A above, written notice of such transfer must be given to the City at least 10 days prior to the effective date of the transfer.
2. At any time if the permittee(s) ceases to use the permit for the purpose for which it has been granted, or if the permittee's license or permit from the appropriate state or federal licensing agency expires or is revoked for any reason, this permit shall become null and void, and the lawful use of the property listed as the location for the permit shall conform to the use for which it is zoned under the City of Waco's Zoning Ordinance.
3. This permit is for the specific location designated herein and shall not be transferred to another location.
4. This permit may be revoked for failure of the permittee to pay all taxes and/or fees due and owing the State or any political subdivision of the State, or for a violation of 'any ordinance of the City of Waco, or for good and sufficient cause, upon notice to the permittee and after a public hearing.
5. Permittee shall comply with all building, plumbing, electrical and other related construction codes of the City of Waco.
6. The structure and the grounds shall be maintained and shall be kept in good repair and condition.
7. The permit shall be amendable through the normal process of public hearings before the Plan Commission and City Council.
8. The site plan must meet all development standards consistent with the site requirements of the Plan Review Committee including but not limited to the following: site grading & drainage, parking, signage, vehicle/pedestrian access & circulation, landscaping, refuse location & access, and fire protection location & access. A building permit will not be issued until full compliance with all development standards.
9. The property cannot be transferred until the Waco Gateway Addition Final Plat is recorded.
10. No building permit shall be issued for the construction of any building or structure located on property within the City of Waco which has not been platted, approved by




**CASE #Z-25-19**

the city plan commission, and filed for record in the Official Public Records of McLennan County. (Subdivision Ordinance, Section 7.4)

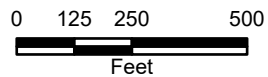
11. No certificate of occupancy shall be issued for any building in a subdivision unless and until the plat of said subdivision has been approved by the city plan commission and all required improvements have been completed and accepted for maintenance by the city. (Subdivision Ordinance, Section 7.5)



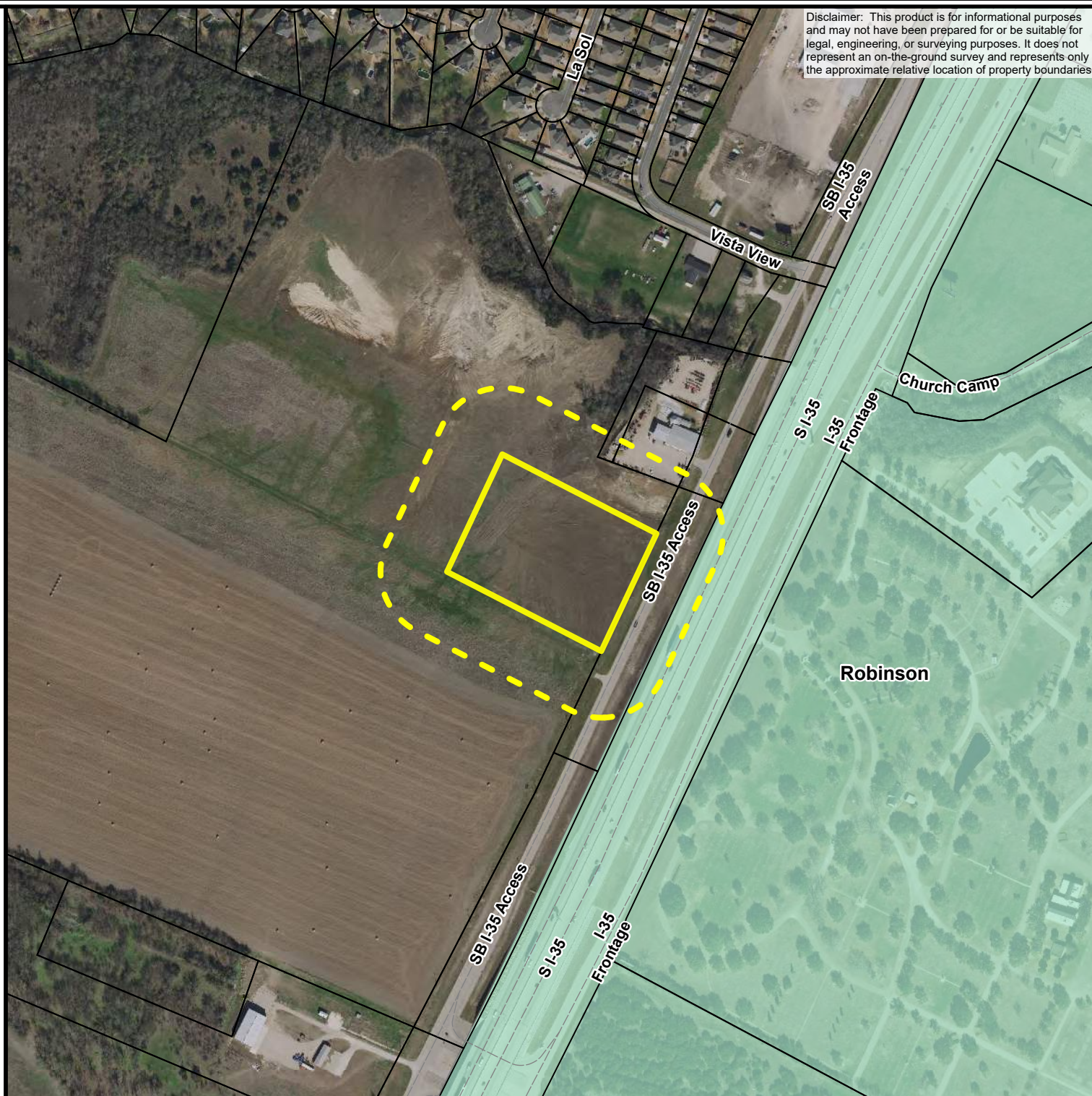
Zoning Case Z-25-19  
Waco Gateway Addition  
Waco, TX 76643  
Special Permit for a Car Max  
Automobile Dealership  
Property Location Map

-  Z-25-19
-  200' Property Notice
-  Robinson

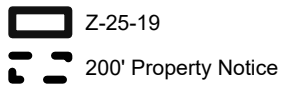
May 2025



Disclaimer: 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.



Zoning Case Z-25-19  
Waco Gateway Addition  
Waco, TX 76643  
Special Permit for a Car Max  
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Property Location Map



Land Use

Designations

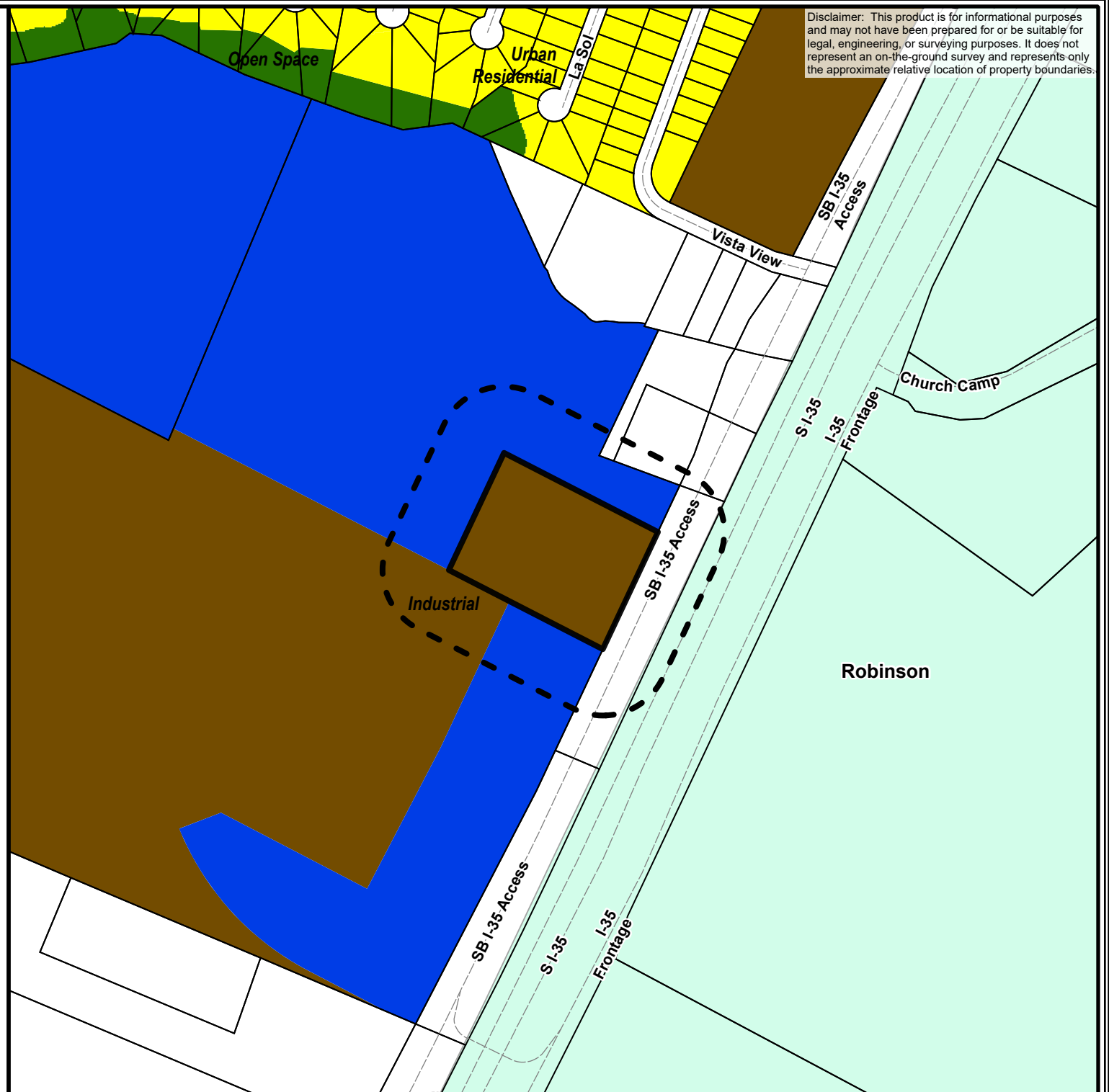
- Industrial
- Institutional
- Med Density Res Office Flex
- Mixed Use Core
- Mixed Use Flex
- Office Industrial Flex
- Open Space
- Rural Residential
- Suburban Residential
- Urban Residential
- Robinson



May 2025

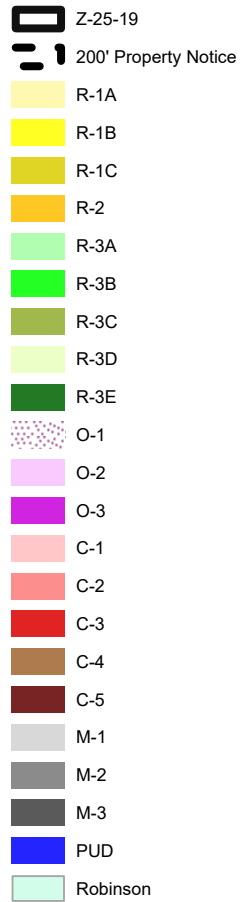


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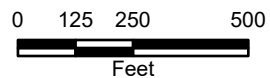




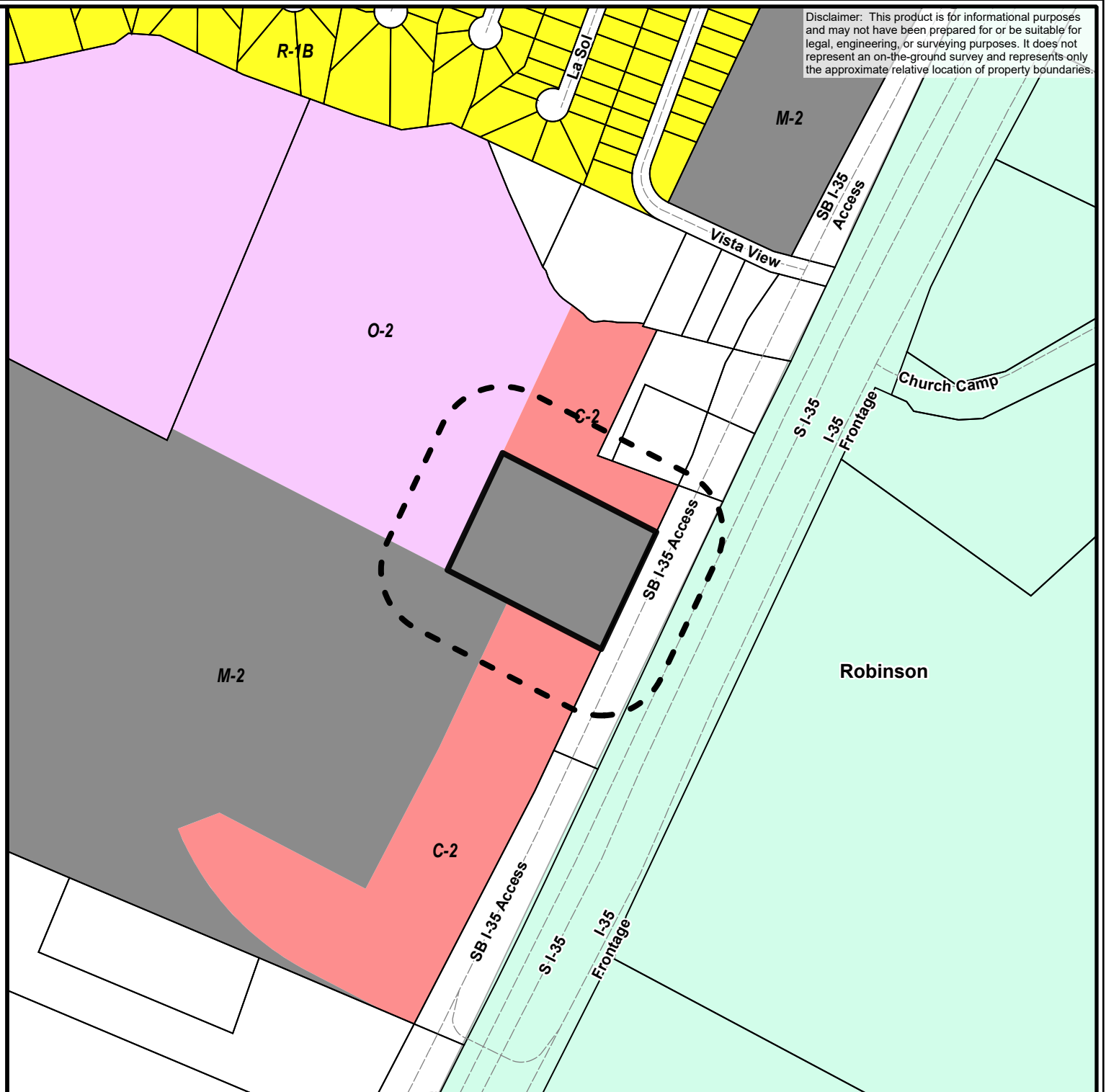
Zoning Case Z-25-19  
Waco Gateway Addition  
Waco, TX 76643  
Special Permit for a Car Max  
Automobile Dealership  
Surrounding Zoning Categories






April 2025



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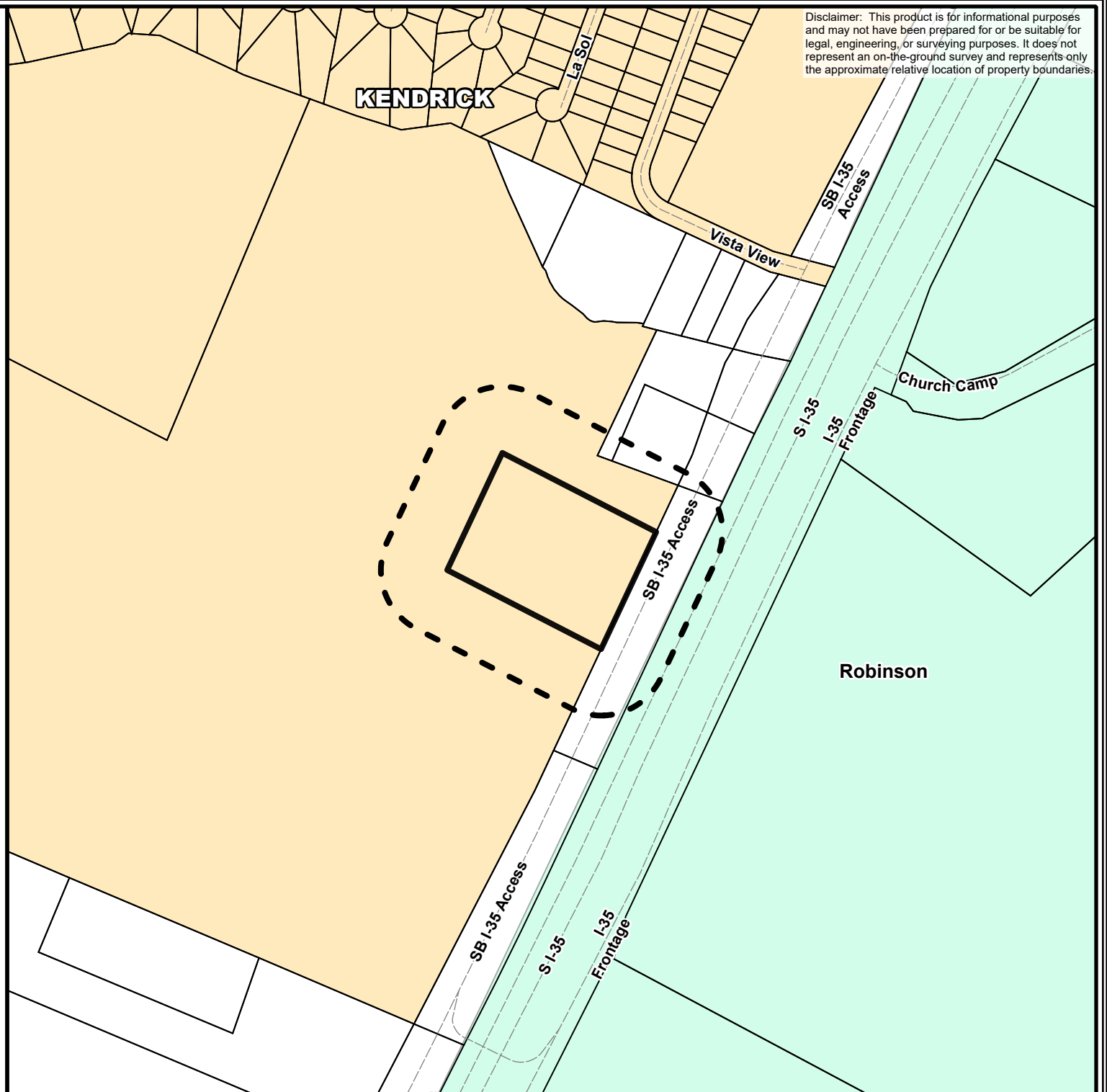
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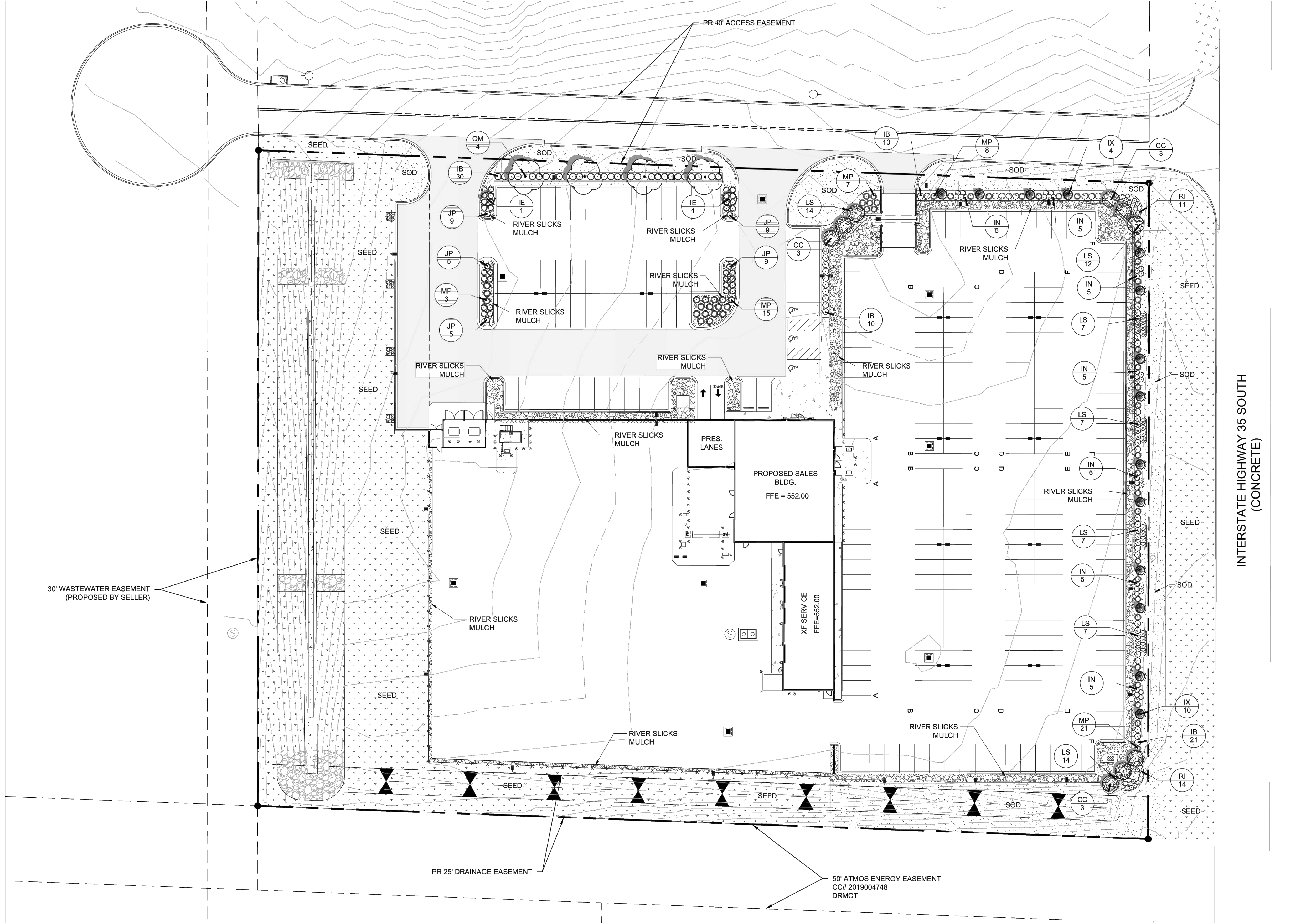
May 2025



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LANDSCAPE PLANTING PLAN

PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	CONT	CAL	SIZE
LARGE TREES						
	QM	4	Quercus muhlenbergii / Chinkapin Oak	Gallon or B&B	3" Cal.	10' - 12' Ht.
SMALL TREES						
	CC	9	Cercis canadensis / Eastern Redbud	Gallon or B&B	1 1/2" Cal.	6' Ht.
	IX	14	Ilex x 'Magland' / Oakland™ Holly	Gallon or B&B	1 1/2" Cal.	5' Min. Ht. Full to the ground
	IE	2	Ilex x attenuata 'Eagleston' / Eagleston Holly	Gallon or B&B	1 1/2" Cal. Standard Trunk	6'-8' ht.
SHRUBS						
	IB	71	Ilex cornuta 'Burfordii Nana' / Dwarf Burford Holly	7-Gal.	18" Min. Ht.	
	IN	35	Ilex vomitoria 'Nana' / Dwarf Yaupon Holly	7-Gal.	15" ht. 15" spd.	
	JP	37	Juniperus chinensis 'Parsonii' / Parsoni Juniper	5-Gal.	12'ht. 12"spd.	
	LS	68	Loropetalum chinense rubrum 'Suzanne' / Suzanne Fringe Flower	5-Gal.	15" ht. 15" spd.	
	MP	54	Muhlenbergia capillaris 'Pink Cloud' / Pink Cloud Pink Muhly Grass	5-Gal.	Full Pots	
	RI	25	Rosa x 'Meijocox' / Pink Drift® Groundcover Rose	3-Gal.	12'ht. 12"spd.	
SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	CONT	REMARKS	SPACING
GROUND COVERS						
	SEED	51,315 sf	Cynodon dactylon / Bermuda Seed	HydroSeeding		
	SOD	28,523 sf	Cynodon dactylon '419 Hybrid' / Bermuda Grass	Squares or Mini Rolls	Class 'A'	
	MULCH	7,587 sf	Mulch Area / Hardwood Mulch	Hardwood Mulch	4" Depth	
	GRAVEL	12,928 sf	Mulch Area / Gravel Mulch	River Rock Slicks	75% Round Brown 25% River Rock Slicks	



ALPHONSE BARCIA III  
LANDSCAPE ARCHITECT LLC.  
562 CLAYTON COURT  
SLIDELL, LOUISIANA 70461  
BARCIADESIGNS@GMAIL.COM  
(985) 960-0429



ENTITLEMENT  
(100%)

PRELIMINARY  
SUBJECT TO REVISION  
FOR REVIEW ONLY

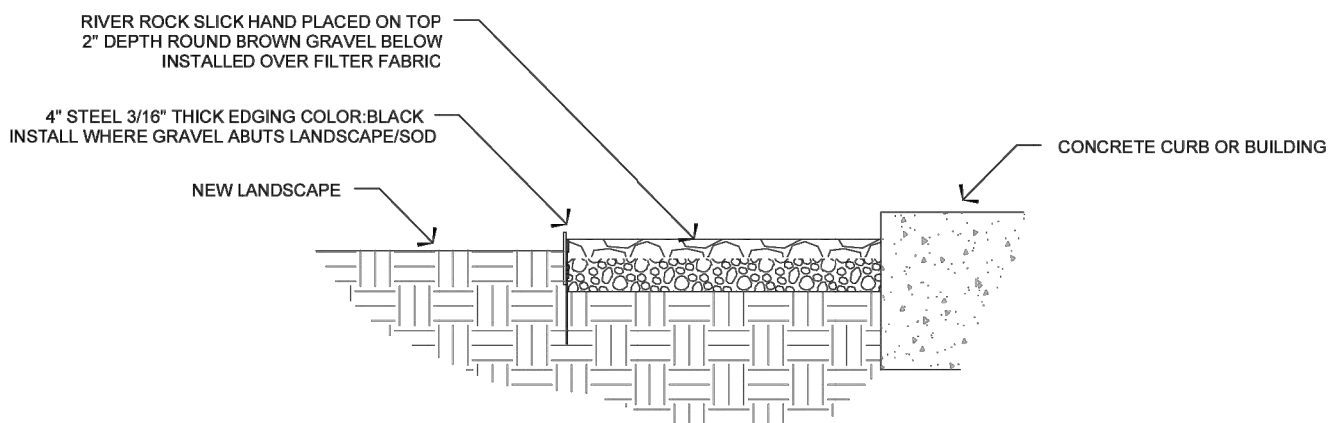
NOT RELEASED FOR CONSTRUCTION

LATEST DA/PC

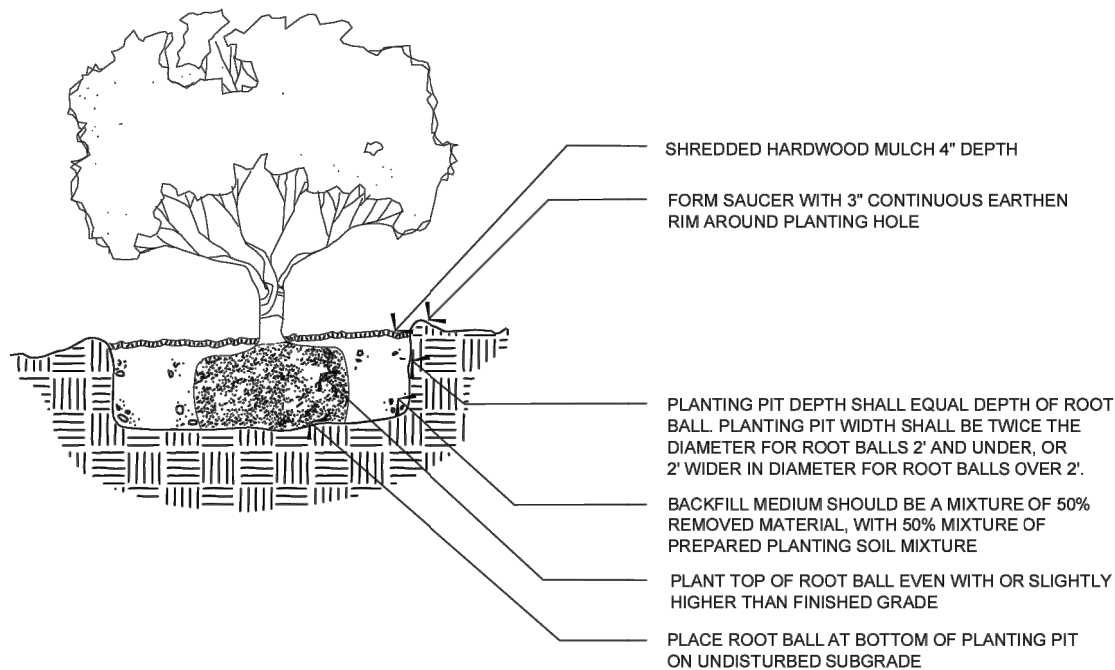
DRAWN BY: BASIN, LLC

CHECKED BY: BASIN, LLC

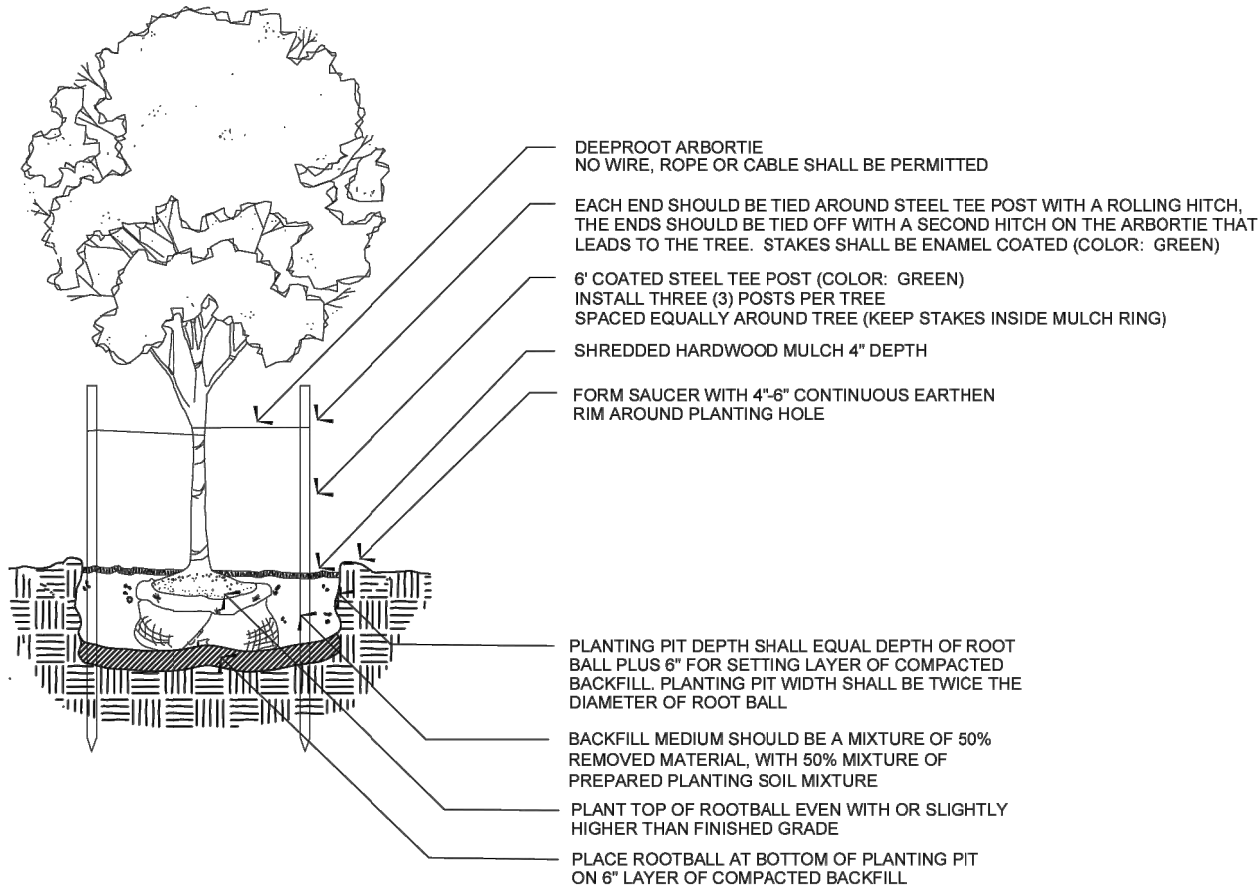
REVISIONS		
REV#	DATE	DESCRIPTION
03	MAR 25	ENTITLEMENT (DRAFT)
20	MAR 25	ENTITLEMENT (90%)
04	APR 25	ENTITLEMENT (90%)



1 RIVER SLICK MULCH WITH STEEL EDGING  
LS-1 N.T.S.



2 SHRUB PLANTING DETAIL  
LS-1 N.T.S.



3 TREE PLANTING DETAIL  
LS-1 N.T.S.

CARMAX  
THE AUTO SUPERSTORE

STORE NUMBER 6207  
I-35 N FRONTAGE RD  
WACO, TX 76706

PROJECT NO. 24-097  
DATE 04 APR 2025  
SHEET TITLE LANDSCAPE PLAN

SHEET NO. LS1.0



## EXHIBIT A SITE PLAN

The parties acknowledge and agree that the southeasterly boundary of the Property shall abut the right of way for the IH-35 frontage road as shown below.

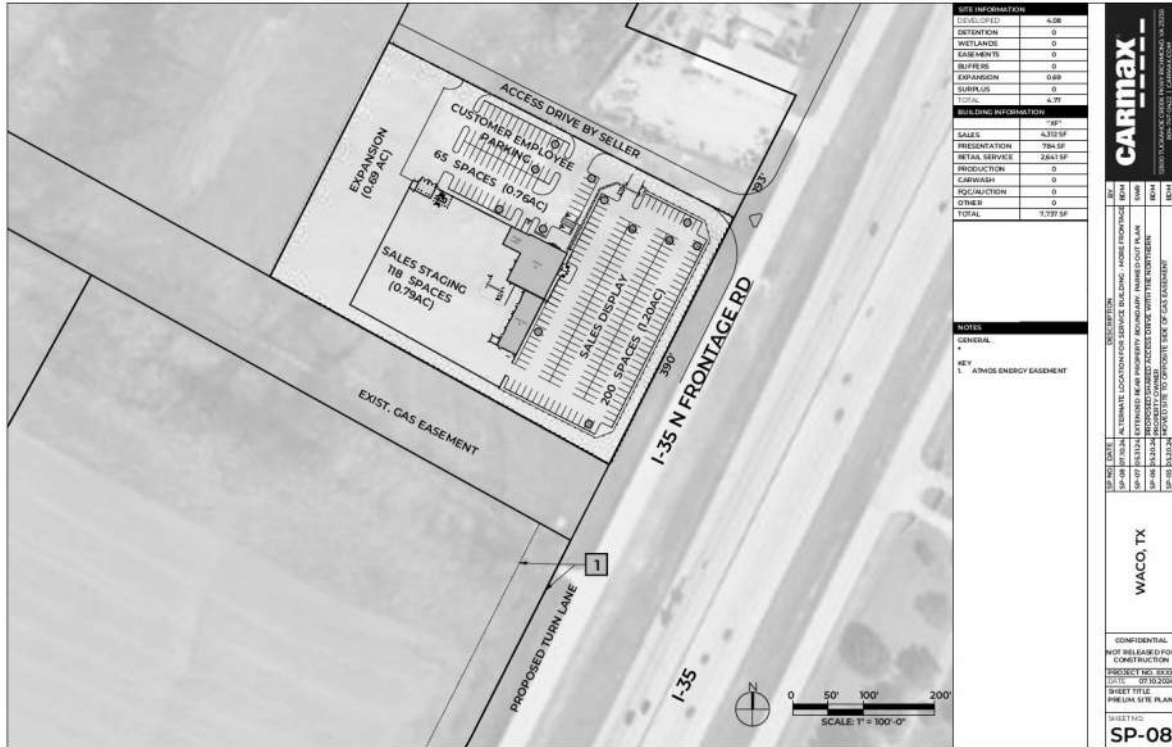


Exhibit B-1

**April 11, 2025**

City of Waco Planning Services  
Dr. Mae Jackson Development Center  
401 Franklin Avenue  
Waco, TX 76701

**Subject: CarMax Retail Sales Facility – Waco, TX – Project Narrative**

Overview:

The purpose of this letter is to outline the development and operation of a proposed CarMax pre-owned automobile retail sales facility to be constructed on the 4.74 acre lot within the 152.7 acre tract currently known as the “Waco Gateway Addition”, located between Bagby Avenue and Interstate 35.

Proposed Development:

The proposed development involves the construction of a CarMax pre-owned automobile sales and service facility, consisting of a sales building, service building, private fuel tank/dispenser, vehicle sales display area, vehicle staging area, public parking lots, driveways, and associated landscaped areas. The property is currently vacant. The following information outlines the proposed operations.

Site Layout:

The proposed site design includes a shared main access point from I-35 Frontage Rd to the east of the property. The sales inventory display area will be located in the front of the property along the I-35 S Frontage Road and will be secured by highway guardrail and embassy-style security gates for security purposes. Customer and employee parking will be located off of the shared access drive to the west of the display area. The sales and presentation buildings will be located west of the display area with customer access from the customer and employee parking lot on the north side of the property. The service building will be located adjacent to the sales building to the south. The sales staging area will be located adjacent to the sales building and surrounded by a combination of chain link fencing with privacy slats and highway guardrail. The staging area will also be secured by embassy-style security gates.

The current access to Construction Edge to the north will be vacated and will share the 30’ wide paved access road with the proposed CarMax development. The seller is also planning an extension of Gateway Blvd which will connect I-35 Frontage Rd to Bagby Ave and will provide access to the site from the Bagby Ave side. These improvements are being designed and permitted by the seller.

The following information outlines the proposed operations based on similarly operating CarMax facilities.

Architecture

The proposed building façade will be constructed of earth-tone colored split face and smooth CMU block along with large glazing areas. Massing will be articulated by a tonal color banding in the CMU. The architectural treatments will be applied consistently to all building facades to create a cohesive look. Varied roof forms will be incorporated to distinguish the main customer entry points to the building. These entry features will be constructed of white EIFS pilasters and a blue standing seam gable roof with

April 11, 2025

the CarMax logo above the entry doors. Roof-top equipment will be screened by a pre-finished earth-tone metal RTU screen and parapet walls.

#### Landscape

Landscaping will be incorporated into the public parking lot and around the perimeter of the sales display area. Landscaping will include a combination of groundcover, deciduous and evergreen shrubs and trees to meet the City's landscaping requirements.

#### Site Lighting & Security

CarMax will use LED lighting fixtures mounted on 26-foot-tall light poles for visibility and security. Fixtures will be full cut off and downcast to reduce light spill onto adjacent properties. CarMax typically does not use on-site security guards, but instead uses interior and exterior security cameras that are tied to its Home Office security system for safety and inventory protection.

#### Retail Sales Operations

CarMax operates differently from traditional car dealerships in that it physically separates its inventory area from customer and employee parking. This is both for loss prevention control as well as operational efficiency and safety. All inventory display areas will be separated from the general public by means of guardrails, gates, and fencing.

Vehicular access to the display areas is controlled by embassy-style security gates through the use of a secured key-card. Prospective customers are typically accompanied by an employee when they are in the display area. Only employees are permitted to drive cars within the display area. Emergency access will be provided within staging and display area as required by the local fire department.

CarMax does not use outdoor loudspeakers as associates carry pagers and / or cell phones for communications. In addition, CarMax does not use flags, balloons, inflatable gorillas (or any other animal), placards in open car hoods, painted window lettering or the like in its marketing. Instead, they promote a high-end retail operation, and a welcoming environment to their customers and associates.

#### Service Operations

CarMax stands behind every used vehicle with a 10-day money-back guarantee. An integral part of the CarMax used car consumer offer is the reconditioning process that is performed on all vehicles offered for sale. This process includes an inspection of the engine and all major systems. Most routine mechanical and cosmetic repairs required to bring the vehicle up to the CarMax internal quality standards are performed in house; however, for some reconditioning services, third parties specializing in those services are engaged.

CarMax currently offers limited retail vehicle service (routine maintenance, tires, diagnostic and mileage services) and provides repairs of vehicles covered by their extended service plans. All service work is performed inside fully-conditioned buildings equipped with rollup doors, providing the associates with a great work environment and eliminating the need to conduct operations with open bay doors.

Retail service vehicles are stored in the secured non-public staging area on a temporary basis. As a visual screen and to provide security for these vehicles, the staging area is surrounded by a six-foot-high chain link fence with screening slats. Vehicular access to this area is strictly controlled through the use of embassy-style security gates. Because the staging and storage of vehicles within this area is changing on a daily basis, parking spaces are not designated on the plan.



CarMax – Waco, TX  
April 11, 2025

A below ground fuel storage tank with a non-public fuel pump is proposed for this site. The tank and fuel pump will be located within the secured staging area to fuel inventory vehicles as needed.

Hours of Operation

Store management will set operating hours closer to the opening date; however, the showroom (sales) areas are typically open to the public Monday through Saturday from 9:00 a.m. to 9:00 p.m. with limited hours on Sundays, if permitted by local law. Associates will be present at the store several hours before and after the public operating hours.

In summary, CarMax looks forward to partnering with the City of Waco and its residents in constructing and operating a successful new retail sales location.

If you have any questions, or need additional information, please feel free to give me a call at (316) 841-8550.

Thank you,

A handwritten signature in black ink, appearing to read 'Kristen Cowan', written in a cursive style.

Kristen Cowan

Development Manager

CC: Bradley Escobar, CarMax Auto Superstores, Inc.

**April 11, 2025**

Aneela Ansar, Senior Planner  
City of Waco Planning Services  
Dr. Mae Jackson Development Center  
401 Franklin Avenue  
Waco, TX 76701

**RE: Special Permit Application for CarMax Auto Superstores Inc., Waco, TX  
Address: TBD I-35 S., Waco, TX 76643; Lot 6, Waco Gateway Addition**

Dear Ms. Ansar,

This cover letter is intended as a supplemental attachment to the CarMax Auto Superstores Inc. ("CarMax") Special Permit application and accompanying Project Narrative. CarMax is working in coordination with the current Owner of the property, PCRIF Waco Gateway, LLC to develop a shared access drive and easements to support the development of the proposed CarMax retail store. The Owner's preliminary plat application was approved by Planning Commission on February 25, 2025, reflecting the proposed access drive easement agreement and includes the CarMax parcel, Lot 6 of Waco Gateway Addition.

The requirements of the Special Permit were discussed with City Staff on December 11, 2024. At this meeting, it was determined by City Staff that all exceptions being requested should be included under one Special Permit application and are reflected in this submission. The exceptions being requested with this Special Permit application are standard to CarMax's retail operations and are outlined in this letter.

**Special Permit to allow the use of retail automobile sales in the M-2 district**

CarMax is requesting a Special Permit to allow the use of retail automobile sales in the M-2 district. The M-2 Light Industrial district is intended to provide for a variety of nuisance-free industrial uses and compatible related uses and permits retail automobile sales with Special Permit. This district allows light and retail automotive service, automotive reconditioning, and wholesale vehicle auctions by-right. The proposed CarMax store meets the following criteria for granting a Special Permit: the proposed use is compatible with the appropriate and orderly development of the neighborhood in which it is located; the proposed use will not be more objectionable to neighboring properties than any other use permitted in the zone district without the granting of a special permit; community facilities and services, including roads, will be adequate to support the proposed use. This retail automobile sales use will be consistent with adjacent uses and comply with the district's intent as outlined in the Comprehensive Plan.

**An exception to provide required interior parking lot landscaping elsewhere onsite**

CarMax is requesting an exception to provide interior parking lot landscaping required within the sales display area to the perimeter and elsewhere around the site. Because the sales display area functions as an “outdoor showroom,” this is requested in order to reduce the potential for plant matter and birds to drop waste on the vehicles on display. CarMax intends to provide the required interior landscaping within the perimeter landscaping, as discussed in the December 11, 2024 City Meeting.

**An exception to reduce stall dimensions in the sales display area**

CarMax is requesting an exception to reduce stall dimensions from the required 9’x18.5’ dimensions to 9’x17’ in the sales display area, which are the standard stall dimensions for CarMax display areas. These cars are moved only by CarMax employees who are experienced with reduced stall dimensions.

**An exception to reduce drive aisle widths in the sales display area**

CarMax is requesting an exception to reduce drive aisle width in the sales display area. This is also standard for all CarMax sales display areas.

Thank you,

A handwritten signature in black ink, appearing to read 'Kristen Cowan', with a stylized, cursive script.

Kristen Cowan

Development Manager

CC: Bradley Escobar, CarMax Auto Superstores, Inc.

### Property Location

TBD I-35 S., Waco, TX 76643. Address not yet assigned. The property is currently accessed via I-35 Frontage Road, to the east of the property.

### Parcel Information

A portion of 415554 - Lot 6 of the "Waco Gateway Addition"

### Description

The property consists of approximately 4.74 acres within an approximately 152.7-acre tract owned by the seller. The proposed CarMax property is located along the I-35 Frontage Road, with visibility of the site from the roadway on the far south end of the jurisdictional limits of Waco, TX, adjacent to the City of Hewitt. The site is currently vacant, with a commercial construction equipment business directly adjacent to the north, Interstate-35 to the east, and vacant land to the west and south. There is a residential development approximately 0.5 to the northwest, and industrial businesses to the southwest. There is a cemetery on the east side of I-35. The property is located immediately off I-35, with visibility of the site from the roadway.

The property is undeveloped scrub/brush land and is generally located in an undeveloped area with scattered industrial and commercial properties. The property is grassed and gently sloping down to the northeast. Historically, the property had been maintained agriculturally from the 1940s until the 1980s, when it became undeveloped land.