

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, July 13, 2021 at 7:00 p.m.*** in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Commission Members:

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

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

4. ***Consent Agenda***

All matters listed under Item 4, Consent Agenda, are considered routine by the Planning & Zoning Commission and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Chairman to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the Planning & Zoning Commission.

- a. Minutes of the regular Planning & Zoning Commission meeting of June 29, 2021
- b. Minutes of the Planning and Zoning Commission briefing of June 29, 2021

5. ***Continue Public Hearing*** on a request by Ross Graves, Triten Real Estate Partners, for a Specific Use Permit (SUP) for Auto Parking Lot, Trucks and Trailers & Outdoor Storage use within a Light Industrial-1 zoning district located at 7240 N I35 (Property ID 186924) - Owner: TPRF V/TREP ISF WAXA, LLC (ZDC-60-2021)
6. ***Consider*** recommendation of Zoning Change No. ZDC-60-2021
7. ***Consider*** a plat request by Tim Jackson, Texas Reality Capture & Surveying, LLC for a Plat of Gibson Place for one (1) lot being 3.111 acres situated in the G.W. Younger Survey, Abstract 1195 and the B. Barton Survey, Abstract 137 (Property ID 192608) in the Extra Territorial Jurisdiction – Owner: Ellis H&B, LLC. (SUB-56-2021)

8. **Consider** request by David Norris, Foresite Group, LLC, for a Final Plat of The Hamilton Addition, for 1 lot, being 7.7918 acres situated in the J.B. & Ann Adams Survey, Abstract 5 (Property ID 275562) – Owner: KALTERRA CAPITAL PARTNERS, LLC (SUB-92-2021)
9. **Public Hearing** on a request by Terri Atteberry, for a Specific Use Permit (SUP) for an Accessory Building +700 SF located at 131 Lakeshore Drive (Property ID 182032) - Owner: GERALD D SKINNER, JR & TERRI L ATTEBERRY (ZDC-94-2021)
10. **Consider** recommendation of Zoning Change No. ZDC-94-2021
11. Adjourn

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

This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at (469) 309-4005 or (TDD) 1-800-RELAY TX.

Notice of Potential Quorum

One or more members of the Waxahachie City Council may be present at this meeting.

No action will be taken by the City Council at this meeting.

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, June 29, 2021 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

Member Absent: Melissa Ballard, Vice Chairman

Others Present: Shon Brooks, Director of Planning
Colby Collins, Planning Manager
Chris Webb, Senior Planner
Zack King, Planner
Macey Martinez, Graduate Engineer
Tommy Ludwig, Assistant City Manager
Amber Villarreal, City Secretary
Melissa Olson, Council Representative

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

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

3. Public Comments

Mr. Steve Heyduck, 116 Old Settlers Trail, Waxahachie, Texas, spoke in opposition to ZDC-58-2021 and requested the Commission to not continue the case.

Mr. Garrett Thomas, 212 Colter Drive, Waxahachie, Texas, spoke in opposition to ZDC-58-2021 noting Patrick Road is unable to accommodate additional traffic capacity.

4. Consent Agenda

- a. Minutes of the regular Planning & Zoning Commission meeting of June 15, 2021
- b. Minutes of the Planning and Zoning Commission briefing of June 15, 2021

Action:

Ms. Bonney Ramsey moved to approve items a. and b. on the Consent Agenda. Mr. Erik Test seconded, All Ayes.

5. **Public Hearing on a request by Jackie Coffey, Four Point Investments & General Construction, LLC., for a for a Zoning Change from Single Family Residential-2 zoning district to Planned Development-Multi Family-2, located at 502 W. Parks Avenue (Property ID 173327) - Owner: FOUR POINT INVESTMENT GROUP, LLC (ZDC-88-2021)**

(4a)

Chairman Keeler announced the applicant requested to withdraw ZDC-88-2021.

6. Consider recommendation of Zoning Change No. ZDC-88-2021

No action taken.

7. Continue Public Hearing on a request by Shea Kirkman for a Zoning Change from a Commercial zoning district to Planned Development-Light Industrial, located just North of 1800 W Highway 287 Bypass (Property ID 279123) - Owner: SANDSTONE 93 PARTNERS, LTD (ZDC-58-2021)

Chairman Keeler continued the Public Hearing and announced the applicant requested to continue ZDC-58-2021 to the July 27, 2021 Planning and Zoning Commission meeting.

8. Consider recommendation of Zoning Change No. ZDC-58-2021

Action:

Mr. Jim Phillips moved to continue the Public Hearing on a request by Shea Kirkman for a Zoning Change from a Commercial zoning district to Planned Development-Light Industrial, located just North of 1800 W Highway 287 Bypass (Property ID 279123) - Owner: SANDSTONE 93 PARTNERS, LTD (ZDC-58-2021) to the July 27, 2021 Planning and Zoning Commission meeting. Mr. Erik Test seconded, All Ayes.

9. Public Hearing on a request by Mark Gundert, for a Specific Use Permit (SUP) to allow an Accessory Building (Residential), Greater than or Equal to 700 SF use within a Single-Family Residential-2 zoning district located at 124 Kaufman Street (Property ID 170849) - Owner: RICHARD T STOCK (ZDC-83-2021)

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue ZDC-83-2021 to the September 14, 2021 Planning and Zoning Commission meeting.

10. Consider recommendation of Zoning Change No. ZDC-83-2021

Action:

Ms. Betty Square Coleman moved to continue the Public Hearing on a request by Mark Gundert, for a Specific Use Permit (SUP) to allow an Accessory Building (Residential), Greater than or Equal to 700 SF use within a Single-Family Residential-2 zoning district located at 124 Kaufman Street (Property ID 170849) - Owner: RICHARD T STOCK (ZDC-83-2021) to the September 14, 2021 Planning and Zoning Commission meeting. Mr. David Hudgins seconded, All Ayes.

11. Consider request by Phillip Fisher, Macatee Engineering, LLC, for a Plat of Saddlebrook Estates N.E.C.E. for 2,973 lots, being 1,263.275 acres situated in the Benjamin Collier Survey, Abstract 216; Jonathan Johnson Survey, Abstract 557; George Carpenter Survey, Abstract 190; Robert M. Berry Survey, Abstract No. 96 & 97; Salis M. Durrett Survey, Abstract 272; McKinney & Williams Survey, Abstract

(4A)

750; Guadalupe Garcia Survey, Abstract 418 (Property ID 180365 and 180362) – Owner: HW Waxahachie LP (SUB-80-2021)

Senior Planner Chris Webb presented the case noting the applicant is requesting to plat the subject property into single-family lots, duplex lots, general retail/commercial, a multi-family lot, and two school sites. He explained the lot types comply with Planned Development Ordinance No. 2302.

Ms. Betty Square Coleman expressed concern with infrastructure supporting new development. Mr. Webb explained there will be a Utility Master Plan for the development.

Ms. Macey Martinez, Graduate Engineer, explained the city is working with an engineering firm compiling a utility analysis on the development.

Chairman Keeler asked if the city is funding infrastructure and Assistant City Manager Tommy Ludwig noted other than an Oversized Participation Agreement there are no plans for the city to contribute financially to adding infrastructure. Chairman Keeler confirmed the developer will be fully responsible for adding the infrastructure.

The Commission inquired about masonry standards and city staff noted due to the 2019 legislation cities can not regulate masonry unless a Development Agreement is in place.

Action:

Mr. David Hudgins moved to approve a request by Phillip Fisher, Macatee Engineering, LLC, for a Plat of Saddlebrook Estates N.E.C.E. for 2,973 lots, being 1,263.275 acres situated in the Benjamin Collier Survey, Abstract 216; Jonathan Johnson Survey, Abstract 557; George Carpenter Survey, Abstract 190; Robert M. Berry Survey, Abstract No. 96 & 97; Salis M. Durrett Survey, Abstract 272; McKinney & Williams Survey, Abstract 750; Guadalupe Garcia Survey, Abstract 418 (Property ID 180365 and 180362) – Owner: HW Waxahachie LP (SUB-80-2021) and approve the petition of relief waiver. Mr. Erik Test seconded, the vote was as follows: Ayes: Rick Keeler, Bonney Ramsey, Jim Phillips, David Hudgins, and Erik Test. Noes: Betty Square Coleman.

The motion carried.

- 12. Public Hearing on a request by Brian Ballard, Ballard and Braughton Engineering, for a detailed Site Plan Review for proposed Retail Stores and Shops uses within a Planned Development-18-General Retail zoning district, located at 509 N Highway 77 (Property ID 180833) – Owner: CLEAR LINK TELEPHONE CORP (SP-85-2021)**

Chairman Keeler opened the Public Hearing.

Planning Manager Colby Collins presented the case noting the applicant is proposing to construct a multi-tenant retail building on 0.368 acres and staff recommended approval per the following comments:

1. A mutually agreed upon Development Agreement must be signed by the applicant.
2. Any new pavement for the site shall be concrete.

(4A)

Chairman Keeler inquired about a dumpster on-site.

Mr. Brian Ballard, 3815 Old Bullard Road, Tyler, Texas, explained a dumpster is not requested on-site.

Planning Director Shon Brooks explained if the applicant requests a dumpster in the future they will have to meet city standards.

There being no others to speak for or against SP-85-2021, Chairman Keeler closed the Public Hearing.

13. Consider recommendation of Zoning Change No. SP-85-2021

Action:

Mr. Jim Phillips moved to approve a request by Brian Ballard, Ballard and Braughton Engineering, for a detailed Site Plan Review for proposed Retail Stores and Shops uses within a Planned Development-18-General Retail zoning district, located at 509 N Highway 77 (Property ID 180833) – Owner: CLEAR LINK TELEPHONE CORP (SP-85-2021) per staff comments. Ms. Bonney Ramsey seconded, All Ayes.

14. Public Hearing request by Don Merchant, DC Texas Construction, LLC, for an Amendment to Ordinance No. 3167 to allow for Accessory Buildings (Residential), Greater than or Equal to 700 SF within an approved residential planned development located at the corner of N Rogers Street and McMillan Street (Property IDs 282960, 282961, 282962, 282963, 282964) - Owner: DC CONSTRUCTION, LLC (ZDC-87-2021)

Chairman Keeler opened the Public Hearing.

Mr. Collins presented the case noting the applicant is requesting to amend Ordinance No. 3167 to allow for accessory buildings within the Planned Development (maximum 1,800 sq. ft.) and staff recommended approval per the following staff comments:

1. A mutually agreed upon Development Agreement must be signed by the applicant.
2. Accessory buildings shall not be used for residence by a non-family member (or to be rented out).
3. Any revision not included in the Planned Development Amendment shall meet the Ordinance No. 3167 requirements.

Chairman Keeler inquired about the middle houses sharing a rear drive.

Mr. Don Merchant, 166 Horseshoe Bend, Waxahachie, Texas, noted they will share a rear drive.

There being no others to speak for or against ZDC-87-2021, Chairman Keeler closed the Public Hearing.

15. Consider recommendation of Zoning Change No. ZDC-87-2021

(4A)

Action:

Ms. Bonney Ramsey moved to approve a request by Don Merchant, DC Texas Construction, LLC, for an Amendment to Ordinance No. 3167 to allow for Accessory Buildings (Residential), Greater than or Equal to 700 SF within an approved residential planned development located at the corner of N Rogers Street and McMillan Street (Property IDs 282960, 282961, 282962, 282963, 282964) - Owner: DC CONSTRUCTION, LLC (ZDC-87-2021) per staff comments. Mr. Erik Test seconded, All Ayes.

- 16. Public Hearing on a request by George Salvador, Waxahachie One, LLC, for a Zoning Change from a Single Family-1 to Single Family-3, located at 401 Ovilla Road (being Property ID 180391) - Owner: EIS DEVELOPMENT II, LLC (ZDC-84-2021)**

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue ZDC-84-2021 to the July 27, 2021 Planning and Zoning Commission meeting.

- 17. Consider recommendation of Zoning Change No. ZDC-84-2021**

Action:

Mr. Erik Test moved to continue the Public Hearing on a request by George Salvador, Waxahachie One, LLC, for a Zoning Change from a Single Family-1 to Single Family-3, located at 401 Ovilla Road (being Property ID 180391) - Owner: EIS DEVELOPMENT II, LLC (ZDC-84-2021) to the July 27, 2021 Planning and Zoning Commission meeting. Mr. David Hudgins seconded, All Ayes.

- 18. Public Hearing on a request by Keegan Amos, DAE, for a Specific Use Permit (SUP) to allow Heavy Machinery and Equipment, Rental, Sales or Storage at an existing industrial business use within a Light Industrial-1 zoning district located at 507 N. Interstate Highway 35 (Property ID 174768 and 174769) - Owner: WIDRICK HOLDINGS LTD (ZDC-81-2021)**

Chairman Keeler opened the Public Hearing.

Mr. Collins presented the case noting the applicant is requesting approval of a Specific Use Permit at an existing industrial business (Central Kubota) to allow Heavy Machinery and Equipment, Rental, Sales, or Storage, and construct a new 12,000 sq. ft. dealership at the northern portion of the property on 2.996 acres. Staff recommended approval per the following staff comments:

1. A mutually agreed upon Development Agreement will be required for the development.
2. Any new pavement for the site shall be concrete.
3. Staff suggests that the applicant incorporate some masonry material (min. 60% for total building) for the proposed building (specifically along the north and south elevations of the building). Currently, the applicant is proposing metal panel material for the building.
4. Ingress/egress for 18-wheeler trucks shall only be used along N. Interstate Highway 35 (east) service road.
5. Truck traffic exiting the facility shall be restricted to left turn only access onto North Interstate Highway 35 (east). Trucks exiting the facility may not have egress to Ovilla Rd. in the direction of West US Highway 287. The property owner will be required to install appropriate signage indicating ingress and egress restriction to and from the site.

(4a)

Mr. Collins noted staff is also requesting the landscape to continue along the I35 property line.

Mr. David Hudgins expressed concern with the city's request for a sidewalk noting there are no sidewalks in the area and the subdivisions along Ovilla Rd. do not have sidewalks.

Mr. Brooks noted the city has set standards to require sidewalks as displayed in recent cases.

Mr. Keegan Amos, Davidson Architecture and Engineering, noted he would prefer to only add masonry to the office area portion of the building and not the shop and expressed concerns with meeting the 60% masonry requirement.

Chairman Keeler asked Mr. Amos if he received staff comments and he explained he received them verbally today. He noted adding additional landscaping along the I35 property line was not an issue.

Mr. Brooks recommended the plantings be placed in front of the fencing.

Chairman Keeler reviewed each staff comment with Mr. Amos agreed to adhere to all staff comments, including the landscaping request.

There being no others to speak for or against ZDC-87-2021, Chairman Keeler closed the Public Hearing.

19. Consider recommendation of Zoning Change No. ZDC-81-2021

Action:

Mr. Jim Phillips moved to approve a request by Keegan Amos, DAE, for a Specific Use Permit (SUP) to allow Heavy Machinery and Equipment, Rental, Sales or Storage at an existing industrial business use within a Light Industrial-1 zoning district located at 507 N. Interstate Highway 35 (Property ID 174768 and 174769) - Owner: WIDRICK HOLDINGS LTD (ZDC-81-2021) per staff comments and approve waiving sidewalk requirement. Ms. Bonney Ramsey seconded, All Ayes.

20. Adjourn

Planning Director Shon Brooks announced Chris Webb was promoted to Senior Planner and Zack King was promoted to Planner.

There being no further business, the meeting adjourned at 8:17 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, June 29, 2021 at 6:15 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

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

Member Absent: Melissa Ballard, Vice Chairman

Others Present: Shon Brooks, Director of Planning
Colby Collins, Planning Manager
Chris Webb, Senior Planner
Zack King, Planner
Macey Martinez, Graduate Engineer
Tommy Ludwig, Assistant City Manager
Amber Villarreal, City Secretary
Melissa Olson, Council Representative

1. Call to Order

Chairman Rick Keeler called the meeting to order.

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

Planning Manager Colby Collins announced Chris Webb was promoted to Senior Planner, Zack King was promoted to Planner, and he welcomed Council Member Melissa Olson to the Commission.

Senior Planner Chris Webb reviewed the following case:

- SUB-80-2021, staff recommended approval of plat and approval of petition of hardship waiver allowing relief from the 80' right-of-way requirement as required by the Thoroughfare Plan. Staff is acceptable of the proposed 60' right-of-way in its place. Mr. Webb reported the zoning has been in place since 2005 and the proposed plat follows the Planned Development requirements of the ordinance.

Mr. Collins reviewed the following cases:

- ZDC-88-2021, the applicant withdrew the case.
- ZDC-58-2021, the applicant requested to continue the case to the July 27, 2021 Planning & Zoning Commission meeting.
- ZDC-83-2021, the applicant requested to continue the case to the September 14, 2021 Planning & Zoning Commission meeting.
- SP-85-2021, staff recommends approval per staff comments.
- ZDC-87-2021, staff recommends approval per staff comments.

(46)

- ZDC-84-2021, the applicant requested to continue the case to the July 27, 2021 Planning & Zoning Commission meeting.
- ZDC-81-2021, staff recommended approval per staff comments. Mr. Collins noted staff requests to continue the landscaping along the site of the property and would like masonry incorporated into the elevation façade.

3. Adjourn

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

Respectfully submitted,

Amber Villarreal
City Secretary

(5+6)



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Director of Planning
Thru: Michael Scott, City Manager
Date: July 6, 2021
Re: ZDC-60-2021 – Truck Depot and Outdoor Storage

On July 6, 2021, the applicant requested to withdraw case number ZDC-60-2021 from the July 13, 2021 Planning and Zoning Commission meeting agenda, and the July 19, 2021 City Council meeting agenda.

(1)

Planning & Zoning Department

Plat Staff Report

Case: SUB-56-2021



MEETING DATE(S)

Planning & Zoning Commission: July 13, 2021

CAPTION

Consider a plat request by Tim Jackson, Texas Reality Capture & Surveying, LLC for a **Plat** of Gibson Place for one (1) lot being 3.111 acres situated in the G.W. Younger Survey, Abstract 1195 and the B. Barton Survey, Abstract 137 (Property ID 192608) in the Extra Territorial Jurisdiction – Owner: Ellis H&B, LLC.

APPLICANT REQUEST

The applicant is requesting to plat the subject property into one lot for residential use.

CASE INFORMATION

<i>Applicant:</i>	Tim Jackson, Texas Reality Capture & Surveying, LLC
<i>Property Owner(s):</i>	Ellis H&B, LLC.
<i>Site Acreage:</i>	3.111 acres
<i>Number of Lots:</i>	1 lot
<i>Number of Dwelling Units:</i>	1 unit
<i>Park Land Dedication:</i>	N/A (ETJ)
<i>Adequate Public Facilities:</i>	Adequate domestic water flow and fire flow are available for this site.

SUBJECT PROPERTY

<i>General Location:</i>	This property is located adjacent to and south of Gibson Road approximately 150' east of the intersection of Gibson Road and Country Meadows Drive.
<i>Parcel ID Number(s):</i>	192608
<i>Current Zoning:</i>	N/A (ETJ)
<i>Existing Use:</i>	Undeveloped
<i>Platting History:</i>	This property is located in the G.W. Younger Survey, Abstract 1195 and the B. Barton Survey, Abstract 137.

Site Aerial:



PLATTING ANALYSIS

The applicant is requesting to plat the subject property into one (1) lot for residential use. The applicant has received a waiver from the Ellis County Commissioners' Court to allow for a roadway frontage less the County required frontage of 150'. The property falls in the Rockett SUD CCN and adequate domestic flow and fire flow are available. There will be a 40' ROW dedication for Gibson Road as part of this plat as well.

RECOMMENDATION

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

- ☐ Disapproval
☒ Approval, as presented.

ATTACHED EXHIBITS

1. Plat Drawing
2. Water Letter

APPLICANT REQUIREMENTS

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

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

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

(7)

STAFF CONTACT INFORMATION

Prepared by:

Chris Webb

Senior Planner

cwebb@waxahachie.com

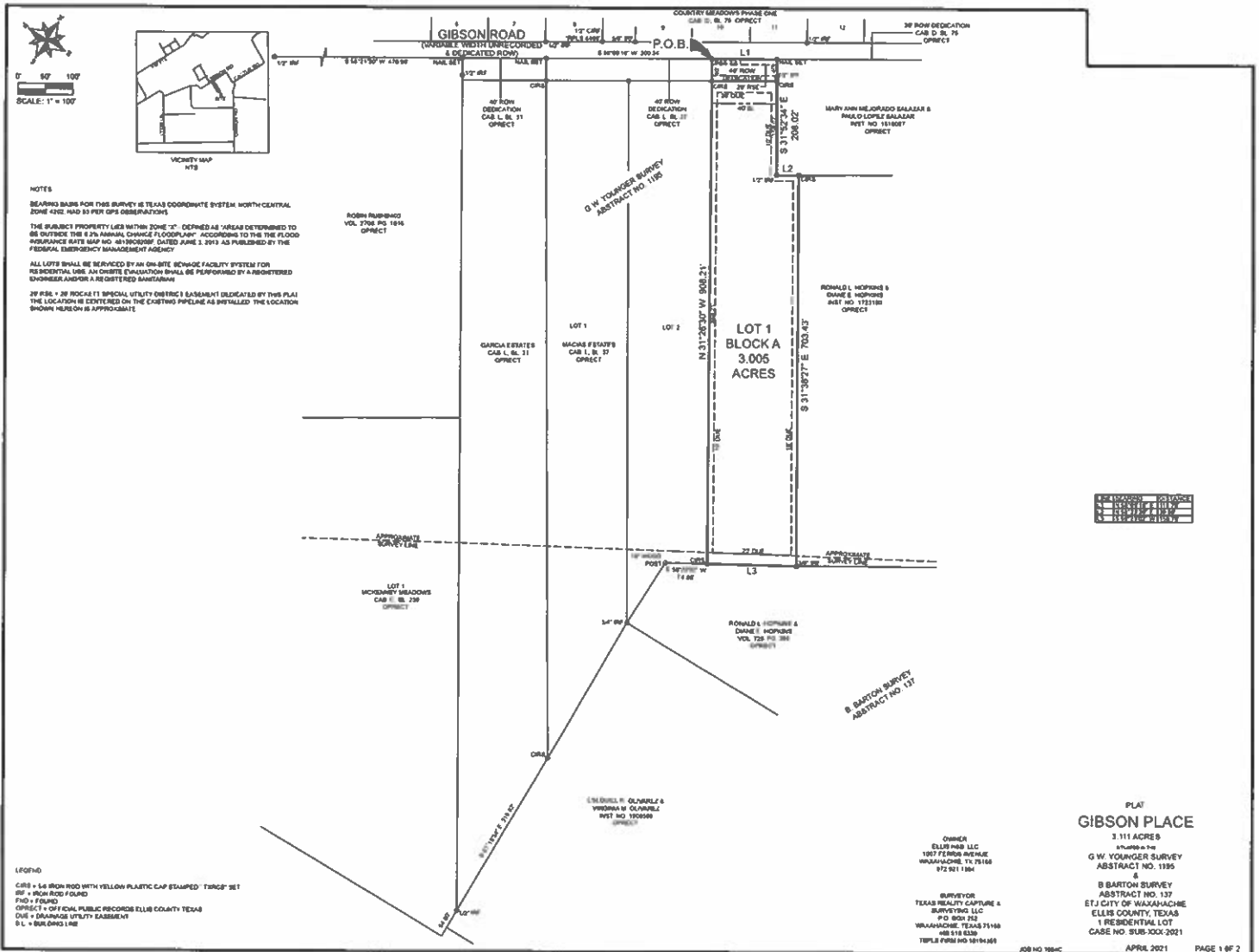
Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com

(7)



(7)

STATE OF TEXAS
COUNTY OF ELLIS

OWNER'S CERTIFICATE

WHEREAS ELLIS HAS LLC ARE THE SOLE OWNERS OF A TRACT OF LAND SITUATED IN THE G.W. YOUNGER SURVEY ABSTRACT NO. 1195 AND THE B. BARTON SURVEY ABSTRACT NO. 137, ELLIS COUNTY TEXAS AND BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO ELLIS HAS LLC RECORDED IN INSTRUMENT NO. 382523 OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY TEXAS (CORRECT), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A NAA, SET FOR THE NORTHEAST CORNER OF MACAS ESTATES, RECORDED IN CABINET L, SLIDE 17, CORRECT AND IN THE APPROXIMATE CENTERLINE OF GIBSON ROAD (A VARIABLE WIDTH UNRECORDED AND DEDICATED RIGHT OF WAY) FROM WHICH A NAA, SET FOR THE NORTHWEST CORNER OF SAID MACAS ESTATES, BEARS S 89°10'10" W A DISTANCE OF 385.34 FEET;

THENCE S 84°10'10" E ALONG THE NORTH LINE OF SAID ELLIS HAS TRACT AND THE APPROXIMATE CENTERLINE OF SAID GIBSON ROAD, A DISTANCE OF 115.19 FEET TO A NAA, SET FOR THE NORTHEAST CORNER OF SAID ELLIS HAS TRACT AND THE COMMON NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO HART AND MCKINNON SALAZAR AND PHILIP LOPEZ SALAZAR, RECORDED IN INSTRUMENT NO. 149087, CORRECT;

THENCE S 21°52'34" E ALONG THE EAST LINE OF SAID ELLIS HAS TRACT AND THE COMMON WEST LINE OF SAID SALAZAR TRACT, PASSING AT A DISTANCE OF 48.98 FEET TO A 6" IRON ROD WITH CAP ETIMPEDED "TORCE" SET FOR WITHNESS, A TOTAL DISTANCE OF 274.82 FEET TO A 1/2" IRON ROD FOUND FOR AN INTERIOR S.W. CORNER OF SAID ELLIS HAS TRACT AND THE COMMON SOUTHWEST CORNER OF SAID SALAZAR TRACT;

THENCE S 89°10'10" E ALONG A NORTH LINE OF SAID ELLIS HAS TRACT AND THE COMMON SOUTH LINE OF SAID SALAZAR TRACT, A DISTANCE OF 89.89 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID ELLIS HAS TRACT AND THE COMMON SOUTHWEST CORNER OF SAID HOPKINS TRACT AND IN THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN DEED TO RONALD L. HOPKINS AND DIANE E. HOPKINS, RECORDED IN INSTRUMENT NO. 125188, CORRECT;

THENCE S 21°30'27" S ALONG THE EAST LINE OF SAID ELLIS HAS TRACT AND THE COMMON WEST LINE OF SAID HOPKINS TRACT, A DISTANCE OF 753.43 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID ELLIS HAS TRACT AND THE COMMON SOUTHWEST CORNER OF SAID HOPKINS TRACT AND IN THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN DEED TO RONALD L. HOPKINS AND DIANE E. HOPKINS, RECORDED IN VOLUME 725, PAGE 368, CORRECT;

THENCE S 89°10'10" W ALONG THE SOUTH LINE OF SAID ELLIS HAS TRACT AND THE COMMON NORTH LINE OF SAID RONALD L. HOPKINS TRACT, A DISTANCE OF 149.79 FEET TO A 1/2" IRON ROD WITH CAP ETIMPEDED "TORCE" SET FOR THE SOUTHEAST CORNER OF SAID MACAS ESTATES, FROM WHICH A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID RONALD L. HOPKINS TRACT, BEARS S 89°10'10" W A DISTANCE OF 74.88 FEET;

THENCE N 31°20'30" W ALONG THE EAST LINE OF SAID MACAS ESTATES, PASSING AT A DISTANCE OF 386.21 FEET TO A 1/2" IRON ROD WITH CAP ETIMPEDED "TORCE" SET FOR WITHNESS, A TOTAL DISTANCE OF 386.21 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.111 ACRES OF LAND MORE OR LESS.

NOW, THEREFORE, OWNER ALL MEN BY THESE PRESENTS THAT ELLIS HAS LLC DO HEREBY CERTIFY AND ADOPT THIS PLAN SUBMITTING THE HEREIN ABOVE DESCRIBED PROPERTY AS GIBSON PLACE, AN ADDITION TO ELLIS COUNTY AND DOES HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS AND ALLEYS SHOWN THEREON. ELLIS HAS LLC DO HEREBY CERTIFY THE FOLLOWING:

1. THE STREETS AND ALLEYS ARE DEDICATED IN FEE SIMPLE FOR STREET AND ALLEY PURPOSES.
2. ALL PUBLIC IMPROVEMENTS AND DEDICATIONS SHALL BE FREE AND CLEAR OF ALL DEBT, LIENS, AND/OR ENCUMBRANCES.
3. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN AND CREATED BY THIS PLAN ARE DEDICATED FOR THE PUBLIC USE FOREVER FOR THE PURPOSES INDICATED ON THIS PLAN.
4. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN.
5. ELLIS COUNTY IS NOT RESPONSIBLE FOR REPLACING ANY IMPROVEMENTS IN UTILITY, OR OVER ANY EASEMENTS CAUSED BY MAINTENANCE OR REPAIR.
6. UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR CROSS THE EASEMENTS UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES. SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC USE AND ELLIS COUNTY'S USE THEREOF.
7. ELLIS COUNTY AND/OR PUBLIC UTILITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF SUCH RESPECTIVE SYSTEMS IN THE EASEMENTS.
8. ELLIS COUNTY AND/OR PUBLIC UTILITIES SHALL HAVE THE RIGHT OF INSPECTION AND ACCESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, IMPROVING, MAINTAINING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PRODUCING PERTURBATION FROM ANYONE.
9. ALL MODIFICATIONS TO THIS DOCUMENT SHALL BE BY MEANS OF A PLAN AND APPROVED BY ELLIS COUNTY.

THIS PLAN IS APPROVED SUBJECT TO ALL PLANS AND ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE ELLIS COUNTY TEXAS.

WITNESSE MY HAND AND SEAL THIS _____ DAY OF _____, 2021.

BY _____
ELLIS HAS LLC
CODY COCKERMAN

STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME, THE UNDERSIGNED, AUTHORITY A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED CODY COCKERMAN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/IT IS/ARE THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATE(S).

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

NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS

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

"FURTHERMORE, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED FOR ANY OTHER OR ALTERNATIVE AS A FINAL SURVEY DOCUMENT."
TIAHOTHY L. JACKSON
REGISTRATION NUMBER 5466

STATE OF TEXAS
COUNTY OF ELLIS

CERTIFICATE OF APPROVAL BY THE COMMISSIONER'S COURT OF ELLIS COUNTY TEXAS

APPROVED THIS, THE _____ DAY OF _____, 2021.

FOOT LITTLE
COUNTY CLERK

RANDY STODOL
COMMISSIONER PRECINCT 1

LAURE GRAYSON
COMMISSIONER PRECINCT 2

PAUL HENRY
COMMISSIONER PRECINCT 3

ATTEST
CRYSTAL WILDER
COUNTY CLERK

THIS PLAN HAS BEEN APPROVED BY THE DEPARTMENT OF DEVELOPMENT FOR AN ON-SITE SEWER FACILITY SYSTEM PENDING ANY AND ALL INFORMATION AS MAY BE REQUIRED BY THE ELLIS COUNTY DEPARTMENT OF DEVELOPMENT.

DEPARTMENT OF DEVELOPMENT DIRECTOR DATE

APPROVED BY PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE

BY _____ DATE _____

CHAIRPERSON

DATE

ATTEST

DATE

PLAT
GIBSON PLACE

3.111 ACRES
SHOWN IN THE
G.W. YOUNGER SURVEY
ABSTRACT NO. 1195

&
B. BARTON SURVEY
ABSTRACT NO. 137
ETJ CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS
1 RESIDENTIAL LOT

OWNER
ELLIS HAS LLC
1007 FERRIS AVENUE
WAXAHACHIE, TX 75165
P.O. BOX 1884
75165-1884
SURVEYOR
TEXAS REALTY CAPTURE &
SURVEYING, LLC
P.O. BOX 262
WAXAHACHIE, TEXAS 75166
409.518.0238
TSPS FORM NO. 501 6-13-00



(7)

PLANNING & ZONING DEPARTMENT
401 South Rogers Street | Waxahachie, Texas 75168
(469) 309-4290 | www.waxahachie.com/Departments/PlanningandZoning



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Ellis H&B, LLC (Cody Cockerham) **Parcel ID #:** 192608
Subdivision Name: Gibson Place

The City of Waxahachie requires new lots in subdivisions have adequate water flow and pressure to comply with TCEQ and latest Insurance Service Office (ISO) guidelines. Subdivisions served by water providers outside of the City of Waxahachie will need to ensure they can provide water flow/pressure per TCEQ and fire flow per the latest ISO guidelines.

Applicants, please submit this form to your water provider for completion. This completed form must be turned in at the time you submit your application packet to the Planning Department.

Contact Information:

Buena Vista-Bethel SUD	(972) 937-1212
Carroll Water Company	(972) 617-0817
Mountain Peak SUD	(972) 775-3765
Rockett SUD	(972) 617-3524
Sardis-Lone Elm WSC	(972) 775-8566
Nash Foreston WSC	(972) 483-3039

To be completed by the water utility provider:

	Yes	No
1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines. <i>A fireflow of 1,000 gpm can be projected</i>	<input type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>10</u> inches.	<input type="checkbox"/>	<input type="checkbox"/>

Jacob Mermes
Print Name of General Manager of water provider or Designee

[Signature]
Signature of General Manager of water provider or Designee

Rockett SUD
Name of water provider company

5/13/21
Date

(8)

Planning & Zoning Department

Plat Staff Report

Case: SUB-92-2021



MEETING DATE(S)

Planning & Zoning Commission: July 13, 2021

CAPTION

Consider a plat request by David Norris, Foresite Group, LLC, for a **Plat** of the Hamilton Addition for one (1) lot, being 7.7918 acres situated in the J.B. & Ann Adams Survey, Abstract 5 (Property ID 275562) – Owner: Kalterra Capital Partners, LLC (SUB-92-2021)

APPLICANT REQUEST

The applicant is requesting to plat the subject property into one lot for multifamily residential use.

CASE INFORMATION

Applicant: David Norris, Foresite Group, LLC

Property Owner(s): Kalterra Capital Partners, LLC

Site Acreage: 7.7918 acres

Number of Lots: 1 lot

Number of Dwelling Units: 175 units

Park Land Dedication: The cash in lieu of park land dedication is estimated to be \$70,000.00 (175 dwelling units at \$400.00 per unit).

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

SUBJECT PROPERTY

General Location: The subject property is located adjacent to and west of Garden Valley Pkwy and is approximately 125' south of the intersection of Garden Valley Pkwy and Goodnight Lane.

Parcel ID Number(s): 275562

Current Zoning: Planned Development – Multi Family - 2

Existing Use: Undeveloped

Platting History: This property is located in the J.B. & Ann Adams Survey, Abstract 5.

Site Aerial:**RECOMMENDATION**

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

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

ATTACHED EXHIBITS

1. Plat Drawing

APPLICANT REQUIREMENTS

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

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

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

STAFF CONTACT INFORMATION

Prepared by:

Chris Webb

Senior Planner

cwebb@waxahachie.com

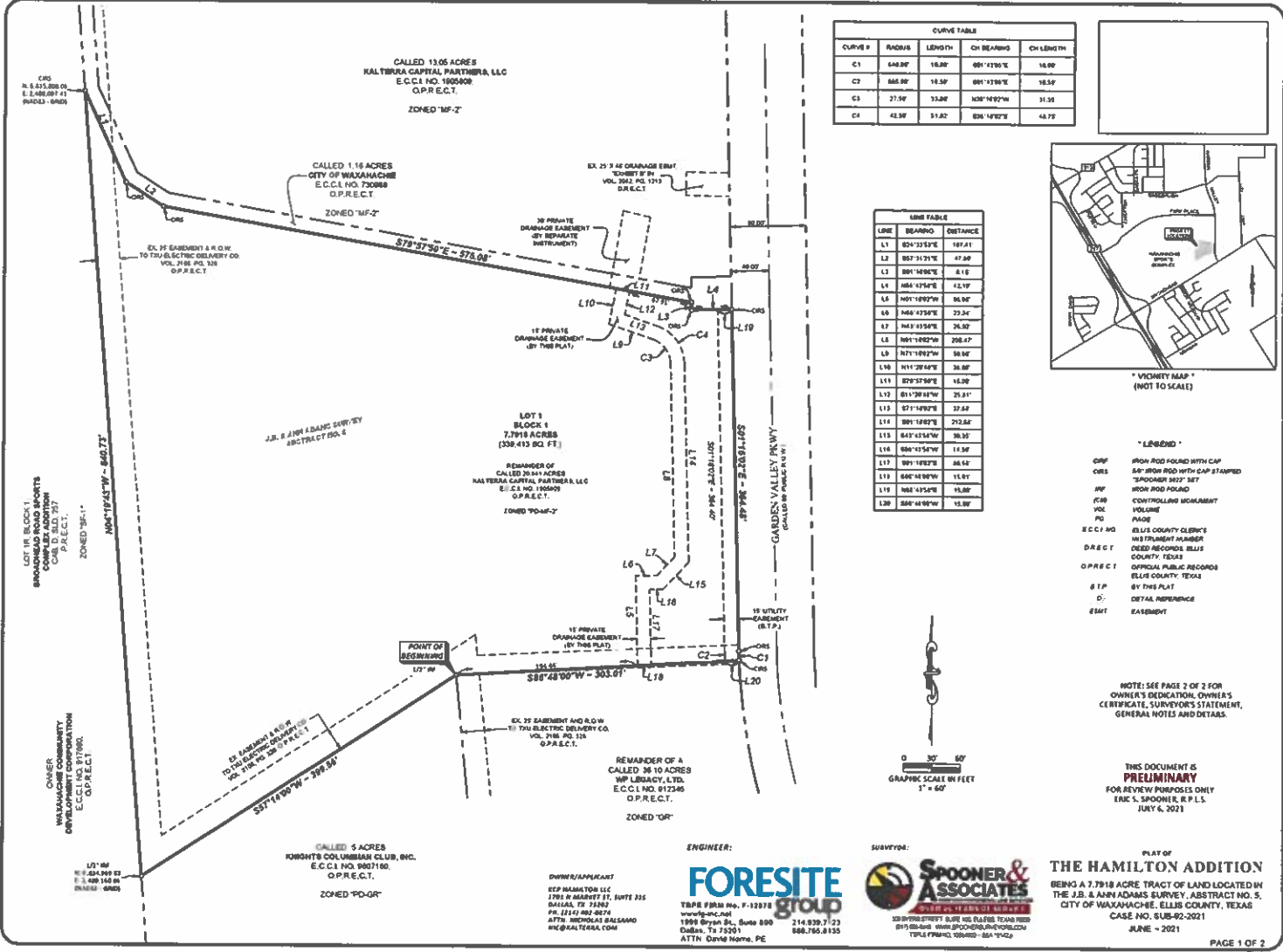
Reviewed by:

Shon Brooks, AICP

Director of Planning

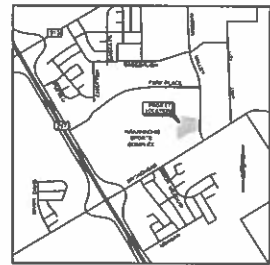
sbrooks@waxahachie.com

(8)



CURVE TABLE			
CURVE #	RADIUS	LENGTH	CH BEARING
C1	648.87	18.89	89° 17' 50" E
C2	588.87	18.59	89° 17' 50" E
C3	27.59	33.89	N 0° 17' 50" W
C4	42.59	31.82	S 89° 17' 50" E

LINE TABLE		
LINE	BEARING	DISTANCE
L1	89° 17' 50" E	187.41
L2	89° 17' 50" E	47.89
L3	89° 17' 50" E	8.18
L4	89° 17' 50" E	12.19
L5	89° 17' 50" E	16.19
L6	89° 17' 50" E	20.19
L7	89° 17' 50" E	24.19
L8	89° 17' 50" E	28.19
L9	89° 17' 50" E	32.19
L10	89° 17' 50" E	36.19
L11	89° 17' 50" E	40.19
L12	89° 17' 50" E	44.19
L13	89° 17' 50" E	48.19
L14	89° 17' 50" E	52.19
L15	89° 17' 50" E	56.19
L16	89° 17' 50" E	60.19
L17	89° 17' 50" E	64.19
L18	89° 17' 50" E	68.19
L19	89° 17' 50" E	72.19
L20	89° 17' 50" E	76.19



VICTORY MAP (NOT TO SCALE)

- LEGEND
- CRS IRON ROD FOUND WITH CAP
 - CRS 5/8" IRON ROD WITH CAP STAMPED "SPICER 1922 387"
 - IRV IRON ROD FOUND
 - FWW CONTROLLING EASEMENT
 - VOL VOLUME
 - PG PAGE
 - ECC NO ELLIS COUNTY CLERK'S INSTRUMENT NUMBER
 - DRECT DEED RECORDS ELLIS COUNTY, TEXAS
 - OPRECT OFFICIAL PUBLIC RECORDS ELLIS COUNTY, TEXAS
 - STP BY THIS PLAT
 - D DETAIL REFERENCE
 - EMT EASEMENT

NOTE: SEE PAGE 2 OF 2 FOR OWNER'S DECLARATION, OWNER'S CERTIFICATE, SURVEYOR'S STATEMENT, GENERAL NOTES AND DETAILS.

THIS DOCUMENT IS PRELIMINARY FOR REVIEW PURPOSES ONLY. ERIC S. SPOONER, R.P.L.S. JUNE 6, 2021

ENGINEER:
FORESITE group
TERRY E. SPOONER, P.E. 1-2021
www.foresitegroup.com
1999 Bryan St., Suite 800
Dallas, TX 75201
ATTN: David Hume, PE
214.839.7123
800.700.8155

SURVEYOR:
SPOONER & ASSOCIATES
2010 FOREST STREET, SUITE 100, DALLAS, TEXAS 75201
817.555.5555
TITLE: PRELIMINARY SURVEY

PLAT OF
THE HAMILTON ADDITION
BEING A 7.7918 ACRE TRACT OF LAND LOCATED IN THE J.B. & ANN ADAMS SURVEY, ABSTRACT NO. 5, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
CASE NO. SUB-92-2021
JUNE - 2021

(8)

OWNER'S CERTIFICATION

STATE OF TEXAS
COUNTY OF ELLIS

BEING a 7.7918 acre tract of land located in the J.B. & ANN ADAMS SURVEY, Abstract No. 5, City of Waskatchie, Ellis County, Texas, said 7.7918 acre tract of land being a portion of the remainder of a called 20.841 acre tract of land conveyed to KALTERPA CAPITAL PARTNERS, L.L.C. by deed thereof filed for record in Ellis County Clerk's Instrument No. 125509, Official Public Records, Ellis County, Texas (O.P.R.E.C.T.), said 7.7918 acre tract of land being more particularly described by metes and bounds as follows:

BEING more or less a 1/2 acre tract of land located at a southeast corner of the said 20.841 acre tract, same being the northeast property corner of a called 5 acre tract of land conveyed to Hughes Columbian Club, Inc., by deed thereof filed for record in Ellis County Clerk's Instrument No. 9807180, O.P.R.E.C.T.,

THENCE South 57°14'00" West, along a southeast property line of the said 20.841 acre tract, same being the northeast property line of the said 5 acre tract, a distance of 399.34 feet to a 1/2 acre tract of land (Containing Monument) at a southeast property corner of the said 20.841 acre tract, same being a northeast property corner of the said 5 acre tract, and being an east lot line of Lot 18, Block 1, Boulevard Plaza Office Complex Addition, being an Addition to the said City and State, according to the plat thereof filed for record in Cassard D. Bids 257 Plat Record, Ellis County Texas.

THENCE North 04°19'43" West, along the west property line of the said 20.841 acre tract and along the east lot line, a distance of 840.73 feet to a 5/8 inch iron rod with a cap stamped "SPOONER 5822" set (hereinafter referred to as an iron rod set) at a southeast property corner of a called 1.16 acre tract of land conveyed to the City of Waskatchie by deed thereof filed for record in Ellis County Clerk's Instrument No. 750866, O.P.R.E.C.T.,

THENCE departing the east west property line and the east lot line, and across the said 20.841 acre tract, and along the southerly property line of the said 1.16 acre tract the following courses and distances:

South 24°33'57" East, a distance of 107.41 feet to an iron rod set.

South 57°31'21" East, a distance of 47.89 feet to an iron rod set.

South 79°52'50" East, a distance of 575.08 feet to an iron rod set.

South 01°18'00" East, a distance of 8.15 feet to an iron rod set.

North 88°43'50" East, a distance of 43.19 feet to an iron rod set at the most easterly southeast property corner of the said 1.16 acre tract, same being an east property line of the said 20.841 acre tract and being the west right-of-way line of Garden Valley Parkway (being a called 80 foot wide public right-of-way).

THENCE South 01°18'00" East, along the east lot property line of the 20.841 acre tract and along the east west right-of-way line, a distance of 364.48 feet to an iron rod set at the beginning of a non-tangent curve to the left having a radius of 840.00 feet.

THENCE continuing along the east property line and the east right-of-way line, an arc length of 10.00 feet, and across a chord which bears South 01°43'00" East, a chord length of 10.00 feet to an iron rod set at a southeast property corner of the said 20.841 acre tract.

THENCE South 36°40'00" West along a southeast property line of the said 20.841 acre tract, a distance of 303.01 feet to the POINT OF BEGINNING.

The hereinabove described tract of land contains a computed area of 7.7918 acres (336,413 square feet) of land more or less.

OWNER'S DECLARATION

NOW, THEREFORE KNOWN BY ALL MEN THESE PRESENTS:

THAT KALTERPA CAPITAL PARTNERS, L.L.C., acting herein by and through their duly authorized agent, does hereby adopt this plat describing the hereinabove described property as THE HAMILTON ADDITION, an Addition to the City of Waskatchie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and other shown thereon. The streets and alleys are dedicated for public use forever, for the purpose indicated on this plat, no buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City of Waskatchie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utility, said use by public utilities being subordinate to the public and City of Waskatchie's use thereof. The City of Waskatchie and public utility entities shall have the right to remove and have removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Waskatchie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, repairing, maintaining, reading meters, and adding to or removing from all or parts of their respective systems without the necessity of any time procuring permission from anyone.

This plat approved subject to all planning ordinances, rules, regulations and resolutions of the City of Waskatchie, Texas.

WITNESS MY HAND this _____ day of _____, 2021.

CCP Hamilton L.L.C.
By: Katerpa Capital Partners, L.L.C. its Manager

By: _____
Name: Nicholas Bohanna
Title: Manager

STATE OF _____

COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Nicholas Bohanna known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this _____ day of _____, 2021.

Notary Public, State of _____

STATE OF TEXAS

COUNTY OF TARRANT

THAT: Eric S. Spooner, a Registered Professional Land Surveyor, in the State of Texas, do hereby certify that this plat was prepared from an actual survey on the ground of the property and that all block monuments and corners were placed under my personal supervision, and in accordance with the plotting regulations of the City of Waskatchie, Texas.

Surveyed on the ground during the month of December, 2019.

Eric S. Spooner, R.P.L.S.
Texas Registration No. 5927

Date

THIS DOCUMENT IS
PRELIMINARY
FOR REVIEW PURPOSES ONLY
(ERIC S. SPOONER, R.P.L.S.)
JULY 6, 2021

GENERAL NOTES

- The bearings, distances and coordinates shown hereon are referenced to the Texas Coordinate System of 1983, Texas North Central Zone, and are based on the North American Datum of 1983, 2011 Adjustment.
- According to the Flood Insurance Rate Map published by the Federal Emergency Management Agency, Department of Homeland Security, the subject property appears to be located in Zone "X" (area determined to be outside the 1% annual chance floodway as shown on Map No. 48130C0200F, was revised June 1, 2013 for Ellis County and incorporated areas. This flood statement does not imply that the property and/or structures located in Zone "X" will be free from flooding in flood damage. This flood statement shall not create liability on the part of the Surveyor.
- All property corners are monuments with a 5/8 inch iron rod with a cap stamped "SPOONER 5822" unless shown otherwise hereon.
- Selling a portion of this addition by notes and bounds is a violation of City Ordinance and State Law and is subject to fines and withholding of utilities and building permits.
- The applicant has or will apply for a variance to leave the public right-of-way of Garden Valley Parkway at a width 80 feet adjacent to the subject property.
- Private Easement Easements shown hereon shall be maintained by the property owner.

CERTIFICATE OF APPROVAL

Approved by Planning and Zoning Commission, City of Waskatchie

Chairperson Date

Attest Date

ENGINEER

OWNER/APPLICANT
CCP HAMILTON L.L.C.
1702 N. MARKET ST., SUITE 325
DALLAS, TX 75201
PH: (214) 402-0874
ATTN: MICHAEL BALLARD
MICHAEL@CCP.HAMILTON.COM

FORESITE group
TYPED FROM FILE: F-12576
survey@fsgroup.com
1950 Bryon St., Suite 800
Dallas, TX 75201
214.929.7123
888.766.8135
ATTN: David Bourne, PE

SURVEYOR

SPOONER & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYORS
3010 W. BRYAN STREET, SUITE 100, DALLAS, TEXAS 75201
P.O. BOX 1000, 8000 SPOONER DRIVE, FORT WORTH, TEXAS 76104
TEL: (817) 794-1000 FAX: (817) 794-1001

PLAT OF
THE HAMILTON ADDITION
BEING A 7.7918 ACRE TRACT OF LAND LOCATED IN
THE J.B. & ANN ADAMS SURVEY, ABSTRACT NO. 5,
CITY OF WASKATCHIE, ELLIS COUNTY, TEXAS
CASE NO. SUB-92-2021
JUNE - 2021

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-94-2021



MEETING DATE(S)

Planning & Zoning Commission: July 13, 2021

City Council: July 19, 2021

CAPTION

Public Hearing on a request by Terri Atteberry, for a **Specific Use Permit (SUP)** to allow an **Accessory Building +700 SF** located at 131 Lakeshore Drive (Property ID 182032) - Owner: GERALD D SKINNER, JR & TERRI L ATTEBERRY (ZDC-94-2021)

APPLICANT REQUEST

The applicant is requesting to construct a +700 sq. ft. (1,095 sq. ft.) accessory structure on a single family property. The applicant is also requesting a side yard setback variance for the proposed structure.

CASE INFORMATION

Applicant: Terri Atteberry

Property Owner(s): Terri Atteberry

Site Acreage: 0.52 acres

Current Zoning: Planned Development-23-Single-Family-1

Requested Zoning: Planned Development-23-Single Family-1 with SUP

SUBJECT PROPERTY

General Location: 131 Lakeshore Dr.

Parcel ID Number(s): 182032

Existing Use: Single Family Residence

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	PD-23-SF1	Undeveloped Land
East	PD-23-SF1	Single Family Residences
South	-----	Lake Waxahachie
West	PD-23-SF1	Single Family Residences

Future Land Use Plan: Estate Residential

Comprehensive Plan:

This use is representative of traditional, single-family detached dwellings on large lots that are over one acre in size. This type of land is envisioned to primarily be located in the southern portion of the City and in the ETJ area south and west of Waxahachie.

Thoroughfare Plan:

The subject property is accessible via Lakeshore Dr.

Site Image:**PLANNING ANALYSIS****Purpose of Request:**

The applicant is requesting to construct a +700 sq. ft. (1,095 sq. ft.) accessory structure on a single family property. The applicant is also requesting a side yard setback variance for the proposed structure. Ellis County Appraisal District states that the primary structure on the property is 2,249 sq. ft. Per the City of Waxahachie Zoning Ordinance, an accessory structure that is equal to or greater than 700 square feet requires a SUP to be approved by City Council.

Proposed Use:

The applicant is requesting approval to construct a 45ft. 7in. x 24ft. x 20ft. 5in. tall accessory structure. The applicant is proposing to construct the structure out of wood and hardie siding, and intends to use the accessory structure as a garage to store cars and RV, and storage space. The applicant is also requesting a side yard setback variance of 7 ft. 2 in. (10 ft. requirement) for the proposed structure. The location of the proposed structure is a minimum of 50ft. from the adjacent single family residence. During site visits, staff noticed there are other accessory structures within the surrounding neighborhood area.

Subject to approval of this application, an approved building permit will be required prior to the commencement of the construction. As part of the building permit review process, the Building Inspections department will ensure construction complies with all regulations.

SPECIAL EXCEPTION/VARIANCE REQUEST**Sidewalk**

The side yard setback requirement is 10ft.

- The applicant is proposing a minimum 7ft. 2in. side yard setback.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 7 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PROPERTY OWNER NOTIFICATION RESPONSES

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

RECOMMENDATION

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

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

1. The applicant will need to obtain a building permit from the City of Waxahachie Building Inspections department prior to construction of the proposed structure.
2. A concrete drive that leads from the home to the accessory structure shall be provided by the applicant.
3. The structure shall not be used as a dwelling.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Site Layout 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
Planning Manager
ccollins@waxahachie.com

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

(9)

PropertyID	Owner's Name	Acreage	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
174087	FROST JEFFREY E & PATRICIA S	0.358	7 HIGHTOWER 0.358 ACRES	137 LAKESHORE DR	WAXAHACHIE	TX	75165	137 LAKESHORE DR WAXAHACHIE TX 75165
174088	LAWTON JAMES W & PATRICIA A	0.574	8 HIGHTOWER 0.574 ACRES	135 LAKESHORE DR	WAXAHACHIE	TX	75165	135 LAKE SHORE DR WAXAHACHIE TX 75165
181859	MOUGH ALAN & PAMELA	0.411	272 S M DURRETT 0.411 ACRES	127 LAKESHORE DR	WAXAHACHIE	TX	75165	127 LAKE SHORE DR WAXAHACHIE TX 75165
182059	TODD LAURIE L & WESLEY M HIGHTOWER ETAL	.88	272 S M DURRETT .88 ACRES	258 NICOONA DR	WAXAHACHIE	TX	75165	LAKE SHORE DR WAXAHACHIE TX 75165
182031	SKINNER GERALD D JR & ATTBERRY TERRI L	0.52	272 S M DURRETT 0.52 ACRES	131 LAKE SHORE DR	WAXAHACHIE	TX	75165	131 LAKE SHORE DR WAXAHACHIE TX 75165
182032	SKINNER GERALD D JR & ATTBERRY TERRI L	0.52	272 S M DURRETT 0.52 ACRES	131 LAKE SHORE DR	WAXAHACHIE	TX	75165	131 LAKE SHORE DR WAXAHACHIE TX 75165
182033	SKINNER GERALD D JR & ATTBERRY TERRI L	0.52	272 S M DURRETT 0.52 ACRES	131 LAKE SHORE DR	WAXAHACHIE	TX	75165	131 LAKE SHORE DR WAXAHACHIE TX 75165

(9)

Case Number: ZDC-94-2021

City Reference: 182031

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Tuesday, July 6, 2021* 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.

Comments:

☒ SUPPORT

☐ OPPOSE

RECEIVED JUN 30 2021

Signature

Date

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.



(9)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-94-2021

~~\$ 713.00~~
MONARCH
~~210.40~~
~~HSCCO~~

DROLET ROBERT L & MICHELLE M
128 LAKESHORE DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 13, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 19, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Terri Atteberry, for a **Specific Use Permit (SUP) for Accessory Building +700 SF** located at 131 Lakeshore Drive (Property ID 182032) - Owner: GERALD D SKINNER, JR & TERRI L ATTEBERRY (ZDC-94-2021)

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

Case Number: ZDC-94-2021

City Reference: 233849

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, July 6, 2021** 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:

WE BELIEVE THEY SHOULD BE ABLE TO DO
WHATEVER THEY WANT ON THEIR PROPERTY.


Signature

1 JUL 21
Date

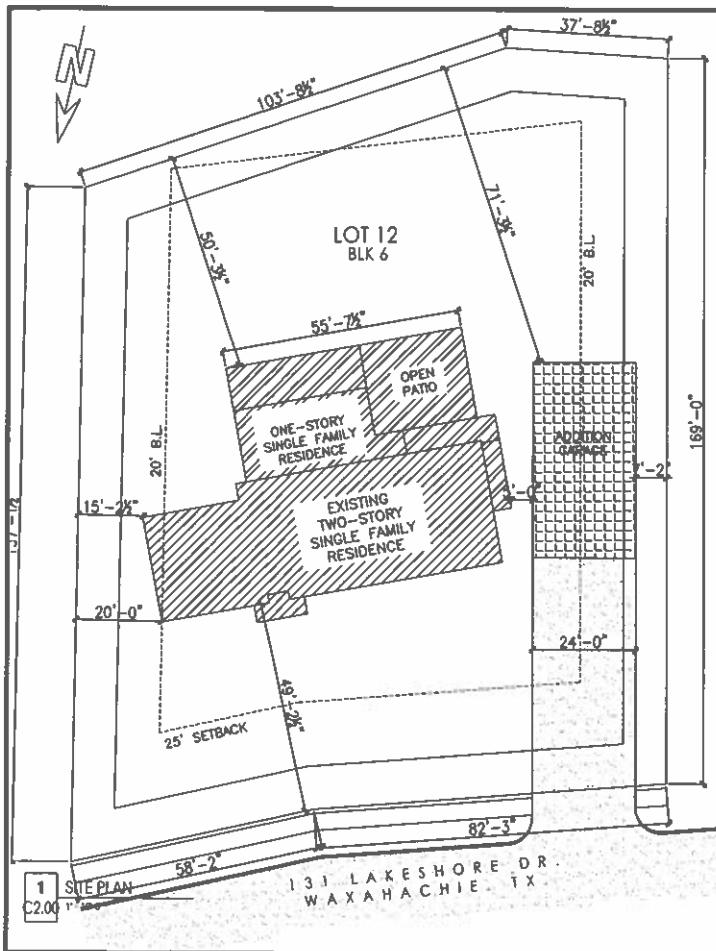
ROBERT DROLET
Printed Name and Title

128 LAKESHORE DR
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.

(9)



PROJECT INFORMATION	
ZONING	PD-SF-1 PLANNED DEVELOPMENT Single Family 1
LEGAL DESCRIPTION	272 S M DURRETT 0.52 ACRES
CONSTRUCTION TYPE	III-A

PROJECT AREA CALCULATIONS	
EXISTING LIVING AREA (AC)	TOTAL FINISHED AC
FIRST FLOOR 1,553 S.F.	3,512 S.F.
SECOND FLOOR 888 S.F.	TOTAL UNDER ROOF 3,975 S.F.
REMODEL LIVING AREA (AC)	
FIRST FLOOR 888 S.F.	FOOTPRINT 3,339 S.F.
ADDITION (AC)	
FIRST FLOOR 567 S.F.	
EXISTING UNCONDITION AREA	LOT USAGE
CON. PORCH 88 S.F.	FOOTPRINT 3,975 S.F.
PROP. UNCONDITION AREA	LOT SIZE 22,861 S.F.
CON. PORCH 120 S.F.	NEW ROOF AREA 19,887 S.F.
DETACHED GARAGE 1,035 S.F.	% OF LOT 17.5 %



1 VICINITY MAP
C2.00 FOR REFERENCE ONLY

SEAL

CONSTRUCTION CONCEPTS, INC.
Planning and Engineering & Survey Services
317 E. JEFFERSON BLVD.
DALLAS, TX 75201
TEL: 214-343-3333

REVISIONS		
SYMBOL	DESCRIPTION	DATE

ADDRESS
131 LAKESHORE DR.
WAXAHACHIE, TEXAS
75165

DATE
05/14/2021

DRAWN BY
MCR

CHECKED BY
MCR

DESCRIPTION
Detached garage

SCALE
1" = 10'-0"

SHEET TITLE
SITE PLAN

SHEET #
C2.00

FILE NAME
C2.00_SITE_PLAN

All Rights Reserved