

AGENDA

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, September 14, 2021 at 7:00 p.m.*** in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

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

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

 - a. Minutes of the regular Planning & Zoning Commission meeting of August 24, 2021
 - b. Minutes of the Planning and Zoning Commission briefing of August 24, 2021
5. ***Continue Public Hearing*** on a request by Asa Tsang, Saturn Star, LLC, for a Zoning Change from General Retail (GR) to Planned Development – General Retail (PD-GR) to allow a Private Club use, at 617 Solon Road (Property ID 180405) - Owner: SATURN STAR REALTY, LLC (ZDC-122-2021)
6. ***Consider*** recommendation of Zoning Change No. ZDC-122-2021
7. ***Public Hearing*** on a request by Robert Alva, for a Replat of Lots 28R & 29 of Pecan Valley, to create Lot 28R-1, Pecan Valley, 1 Residential Lot, being 1.508 acres (Property ID 175311)– Owner: ROBERT & ALMA J ALVA (SUB-125-2021)
8. ***Consider*** approving SUB-125-2021

9. **Consider** a request by the City of Waxahachie & Waxahachie ISD, for a Replat of Lee Penn Park, to create one lot, being 18.807 acres (Property ID: 193358 & 193944) – Owner: CITY OF WAXAHACHIE & WAXAHACHIE ISD (SUB-128-2021)
10. **Consider** a request by Brian Wade, RLG, Inc., for a Replat of Blocks 30, 30A, and 95 Old Town Addition, to create Lot 1, Block 30B, City Hall Annex, 1.975 acres (Property IDs 261578, 261576, 170570) – Owner: CITY OF WAXAHACHIE (SUB-35-2020)
11. **Consider** a request by Michael Westfall, Westfall Engineering, for a Plat of The Sunrise at Garden Valley, Phase 1, for 128 residential lots, 4X Lots (HOA) and 7 Blocks, being 57.532 acres situated in the J.B. & Ann Adams Survey, Abstract 5 (Property ID 178972) – Owner: LEGACY GROVE DEVELOPMENT, LLC (SUB-123-2021)
12. **Consider** a request by Michael Westfall, Westfall Engineering, for a Plat of The Sunrise at Garden Valley, Phase 2, for 108 residential lots, 3X Lots (HOA) and 7 Blocks, being 41.163 acres situated in the J.B. & Ann Adams Survey, Abstract 5 (Property ID 178972) – Owner: LEGACY GROVE DEVELOPMENT, LLC (SUB-124-2021)
13. **Public Hearing** on a request by Danille Brunson, Texas Reality Capture and Surveying LLC., for a Replat of Lot 6, Block 178, Town Addition, to create Lot 1-2, Pace Addition, being 0.536 acres (Property ID 171316)– Owner: PACE BROTHERS CUSTOM HOMES, LLC (SUB-97-2021)
14. **Consider** approving SUB-97-2021
15. **Consider** request by Leslie Porterfield for a Plat of Porterfield Acres for two (2) lots being 4.001 acres situated in the H.G. Hurst Survey, Abstract 458 (Property ID 271129 & 202575) in the Extra Territorial Jurisdiction – Owner: DURAWN MCDANIEL (SUB-98-2021)
16. **Public Hearing** on a request by Kyle Hunt, Hunt Restoration, for a Specific Use Permit (SUP) for a Drive Through Establishment (restaurant) use within a Commercial zoning district located at 1735 N US Hwy 77 (Property ID 237029) - Owner: DSK PROPERTIES, LLC (ZDC-129-2021)
17. **Consider** recommendation of Zoning Change No. ZDC-129-2021
18. **Public Hearing** on a request by Brad Yates, Colonial Restoration Group, Inc. for Planned Development (PD) to allow a Private Club (Event Center) use within a Single Family - 3 Zoning District located at 716 Dunaway Street (Property ID 193948) - Owner: LOREN GRAY INVESTMENTS, LLC (ZDC-131-2021)
19. **Consider** recommendation of Zoning Change No. ZDC-131-2021
20. **Continue Public Hearing** on a request by Perry Thompson, Thompson Architectural Group, Inc., for a Specific Use Permit (SUP) for a Heavy Machinery and Equipment Rental, Sales, or Storage use within a Commercial zoning district located at 1313 N Interstate 35 (Property ID 180355) - Owner: JP TYLER, LLC (ZDC-100-2021)
21. **Consider** recommendation of Zoning Change No. ZDC-100-2021

22. ***Continue Public Hearing*** on a request by Josh Meredith, Van Trust Real Estate, for a Zoning Change from Planned Development – Commercial (PD-C) and Future Development (FD) to Planned Development – Light Industrial – 1 (PD-LI1), to allow Storage Warehouse use, located just West of Interstate 35 and South of Butcher Road (Property ID 188448 & 188453) - Owner: JAMES R PITTS TRUSTEE & BUCEES, LTD (ZDC-116-2021)
23. ***Consider*** recommendation of Zoning Change No. ZDC-116-2021
24. 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, August 24, 2021 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

Member Absent: Erik Test

Others Present: Shon Brooks, Executive Director of Development Services
Colby Collins, Planning Manager
Chris Webb, Senior Planner
Macey Martinez, Graduate Engineer
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**

None

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of August 10, 2021
- b. Minutes of the Planning and Zoning Commission briefing of August 10, 2021

Action:

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

5. **Continue Public Hearing on a request by Perry Thompson, Thompson Architectural Group, Inc., for a Specific Use Permit (SUP) for a Heavy Machinery And Equipment Rental, Sales, Or Storage use within a Commercial zoning district located at 1313 N Interstate 35 (Property ID 180355) - Owner: JP TYLER, LLC (ZDC-100-2021)**

Chairman Keeler continued the Public Hearing and announced the applicant requested to continue ZDC-100-2021 to the September 14, 2021 Planning and Zoning Commission meeting.

6. **Consider recommendation of Zoning Change No. ZDC-100-2021**

Action:

(4a)

Vice Chairman Melissa Ballard moved to continue the Public Hearing on a request by Perry Thompson, Thompson Architectural Group, Inc., for a Specific Use Permit (SUP) for a Heavy Machinery and Equipment Rental, Sales, Or Storage use within a Commercial zoning district located at 1313 N Interstate 35 (Property ID 180355) - Owner: JP TYLER, LLC (ZDC-100-2021) to the September 14, 2021 Planning and Zoning Commission meeting. Ms. Betty Square Coleman seconded, All Ayes.

7. **Public Hearing on a request by Asa Tsang, Saturn Star, LLC, for a Zoning Change from General Retail (GR) to Planned Development – General Retail (PD-GR) to allow a Private Club use, at 617 Solon Road (Property ID 180405) - Owner: SATURN STAR REALTY, LLC (ZDC-122-2021)**

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue ZDC-122-2021 to the September 14, 2021 Planning and Zoning Commission meeting.

8. **Consider recommendation of Zoning Change No. ZDC-122-2021**

Action:

Vice Chairman Melissa Ballard moved to continue the Public Hearing on a request by Asa Tsang, Saturn Star, LLC, for a Zoning Change from General Retail (GR) to Planned Development – General Retail (PD-GR) to allow a Private Club use, at 617 Solon Road (Property ID 180405) - Owner: SATURN STAR REALTY, LLC (ZDC-122-2021) to the September 14, 2021 Planning and Zoning Commission meeting. Ms. Betty Square Coleman seconded, All Ayes.

9. **Public Hearing on a request by Josh Meredith, Van Trust Real Estate, for a Zoning Change from Planned Development – Commercial (PD-C) and Future Development (FD) to Planned Development – Light Industrial – 1 (PD-LI1), to allow Storage Warehouse use, located just West of Interstate 35 and South of Butcher Road (Property ID 188448 & 188453) - Owner: JAMES R PITTS TRUSTEE & BUCEES, LTD (ZDC-116-2021)**

Chairman Keeler opened the Public Hearing and announced the applicant requested to continue ZDC-116-2021 to the September 14, 2021 Planning and Zoning Commission meeting.

Those who spoke in opposition to ZDC-116-2021:

Ray Przybylski, 5375 N. IH35, Waxahachie, Texas

10. **Consider recommendation of Zoning Change No. ZDC-116-2021**

Action:

Vice Chairman Melissa Ballard moved to continue the Public Hearing on a request by Josh Meredith, Van Trust Real Estate, for a Zoning Change from Planned Development – Commercial (PD-C) and Future Development (FD) to Planned Development – Light Industrial – 1 (PD-LI1), to allow Storage Warehouse use, located just West of Interstate 35 and South of Butcher Road (Property ID 188448 & 188453) - Owner: JAMES R PITTS TRUSTEE & BUCEES, LTD (ZDC-

(4a)

116-2021) to the September 14, 2021 Planning and Zoning Commission meeting. Mr. David Hudgins seconded, All Ayes.

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

Chairman Keeler opened the Public Hearing.

Planner Zack King presented the case noting the applicant is requesting to replat the subject property into two (2) lots for single-family residential use. Mr. King explained the property was originally platted as Lots 13 & 14 of the Oak Lawn Addition before being replatted into Lot 13R in 1985. He noted the property is located within the City's infill overlay district and the proposed lots will be consistent in size with the neighboring lots on Henry Street; therefore, staff recommended approval of the replat and the petition of relief waiver for the right-of-way dedication requirement along Henry Street.

Commissioner Betty Square Coleman clarified the lots are infill lots and Mr. King concurred.

There being no others to speak for or against SUB-109-2021, Chairman Keeler closed the Public Hearing.

- 12. Consider recommendation of Replat No. SUB-109-2021**

Action:

Mr. David Hudgins moved to approve a request by Gilberto Escobedo, Jr., for a Replat of Lot 13R, Block 180, Oak Lawn Addition, to create lot 13R-A and Lot 14R, Block 180, Oak Lawn Addition, being 0.191 acres (Property ID 175115) – Owner: GILBERTO ESCOBEDO, JR (SUB-109-2021) with approval of petition of relief waiver. Vice Chairman Melissa Ballard seconded, the vote was as follows: Ayes: Rick Keeler, Melissa Ballard, Bonney Ramsey, Jim Phillips, and David Hudgins. Noes: Betty Square Coleman.

The motion carried.

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

Mr. King presented the case noting the applicant is requesting to replat the subject properties into two (2) lots for general retail use and staff recommended approval as presented. He noted there is a mutual access easement for the properties.

Action:

(4a)

Ms. Bonney Ramsey moved to approve a request by Harvey & Gaye Mitscke, for a Replat of Chapman Place Business Addition Lot 1 & Lot 2, and 1.4 acres situated in the W.M. Baskins Survey, Abstract No 148, to create lots 1R and 2R, Chapman Place Business Addition, being 2.151 (Property ID 180847, 247595 & 247596) – Owner: SLEEP QUARTERS PLUS, INC (SUB-114-2021) as presented. Ms. Betty Square Coleman seconded, All Ayes.

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

Mr. King presented the case noting the applicant is requesting to plat the subject property into 128 lots; 122 of which are single-family residential and six (6) open space lots. He explained the plat conforms to the Planned Development zoning requirements for the property and staff recommended approval as presented. Mr. King noted park land will be dedicated as part of future phases of this development.

Action:

Mr. David Hudgins moved to approve a request by Alex Beitler, ECM Development, for a Plat of Ridge Crossing, 128 lots, being 51.48 acres situated in the William C. Tunnel Survey, Abstract 1080 (Property ID 191627) – Owner: JDS OVILLA ROAD, LLC (SUB-118-2021) as presented. Vice Chairman Melissa Ballard seconded, All Ayes.

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

Chairman Keeler opened the Public Hearing.

Senior Planner Chris Webb presented the case noting the applicant is requesting to replat the subject property into 127 lots for single-family residential use and staff recommended approval as presented. He explained the replat conforms to the previous zoning and site plan approval for this site.

Commissioner Coleman noted the owner has worked well with the community and church and is following through with their plan.

There being no others to speak for or against SUB-106-2021, Chairman Keeler closed the Public Hearing.

- 16. Consider recommendation of Replat No. SUB-106-2021**

Action:

Ms. Betty Square Coleman moved to approve a request by Cody Crannell, CCM Engineering, for a Replat of Symphony Estates, to create 127 residential lots, being 24.76 acres shown as, Lot PT 3 Blk 1 & PT 3 & 4A & 5 Blk 2 Harriet I Nowlin Addition (Property ID 283260) – Owner: WB

(4a)

WAXAHACHIE LAND, LLC (SUB-106-2021) as presented. Ms. Bonney Ramsey seconded, All Ayes.

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

Chairman Keeler continued the Public Hearing.

Mr. Webb presented the case noting the applicant is requesting approval to allow a Convenience Store with Gasoline Sales (7-Eleven) on 1.52 acres. He explained the proposal conforms to all general retail zoning and he presented the revised elevation/façade renderings. He noted staff recommended approval per the following staff comment:

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

Brad White, 2900 Wingate St., Ft. Worth, Texas, noted the applicant is agreeable to the Development Agreement.

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

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

Action:

Mr. Jim Phillips moved to approve a request by Matthew Smith, Vaquero Ventures, for a Specific Use Permit (SUP) for Convenience Store with Gasoline Sales (7-Eleven) within a General Retail zoning district located at 1851 N. Hwy 77 (Property ID 262430) - Owner: TRIUMPH SQUARE, LLC (ZDC-113-2021) with Development Agreement. Mr. David Hudgins seconded, All Ayes.

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

Chairman Keeler continued the Public Hearing.

Planning Manager Colby Collins presented the case noting the applicant is requesting approval of a Planned Development to allow for 101 multi-family (hybrid/cottage style housing) units on 7.9 acres. He reviewed staff concerns with emergency access to the site noting two lanes each of ingress/egress is required for the primary point of access to the development and the applicant is currently proposing one lane of ingress/egress for the primary point of access to the development. Mr. Collins also reviewed the additional staff concerns as follows: parking, screening, elevation/façade, and lack of green space. Due to staff concerns regarding emergency access to the site, staff recommended denial. Mr. Collins noted 11 letters of opposition from one property owner.

John Dunlap, 2911 Magnolia Hill Court, Dallas, Texas, explained he is willing to work with the Fire Marshal on alternate options to address the emergency access concern. He noted he has been unable to receive a response from the Fire Marshal.

Pedro Rodriguez, 1050 Pierce Road, Red Oak, Texas, offered the following options to address the emergency access concern:

- Four-lane egress/ingress to Dr. Martin Luther King, Jr. Boulevard
- Gated exit to Young Street to be used for emergency access only
- Construct direct access to Myers Street if adjacent property owner moves forward with his project

Those who spoke in favor:

Jesse Gibson, 105 Crystal Cove, Waxahachie, Texas
 Ron Levingston, 508 Peters Street, Waxahachie, Texas

Commissioner David Hudgins explained the Fire Marshal has a Fire Code that must be followed and recommended continuing to work with him for a solution.

The consensus of the Commission was to recommend the applicant continue to work with the Fire Marshal and staff towards a solution to address all concerns.

Mr. Collins noted the Fire Marshal's representative has been in all meetings with the developer and the same following three options are presented each time:

- Work with adjacent property owner for connection to Myers Street
- Work with adjacent property owner to obtain additional property on Dr. Martin Luther King, Jr. Boulevard to widen that area
- Review N. Young Street widening options to minimum requirement

Mr. Dunlap explained he would like to meet with the Fire Marshal to discuss a variance to the Fire Code requirement.

20. Consider recommendation of Zoning Change No. ZDC-105-2021

Action:

Mr. Jim Phillips moved to continue the Public Hearing on a request by Josh Dunlap for a Zoning Change from a Planned Development-General Retail to Planned Development-Multiple Family-2 zoning district, located at 809 Dr. Martin Luther King Jr. Blvd. (Property ID 205458 and 171253) - Owner: GIBSON & GIBSON, LLC (ZDC-105-2021) to the September 28, 2021 Planning and Zoning Commission meeting. Vice Chairman Melissa Ballard seconded, All Ayes.

21. Adjourn

Executive Director of Development Services Shon Brooks announced the Comprehensive Plan Advisory Committee meeting will be Tuesday, August 31, 2021 at 6:30 p.m.

(4a)

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There being no further business, the meeting adjourned at 8:03 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, August 24, 2021 at 6:15 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

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

Member Absent: Erik Test

Others Present: Shon Brooks, Executive Director of Development Services
Colby Collins, Planning Manager
Chris Webb, Senior Planner
Macey Martinez, Graduate Engineer
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 the Comprehensive Plan Advisory Committee meeting will be on Tuesday, August 31st at 6:30 p.m. Mr. Collins reviewed the following cases:

- ZDC-100-2021, applicant requested to continue this case to the September 14, 2021 Planning & Zoning Commission Meeting.
- ZDC-105-2021, staff recommended denial due to staff concerns with emergency access to the site, parking, screening, elevation/façade, and lack of green space.

Senior Planner Chris Webb reviewed the following cases:

- ZDC-122-2021, applicant requested to continue this case to the September 14, 2021 Planning & Zoning Commission Meeting.
- ZDC-116-2021, applicant requested to continue this case to the September 14, 2021 Planning & Zoning Commission Meeting.
- SUB-106-2021, staff recommended approval as presented.
- ZDC-113-2021, staff recommended approval per staff comments with Development Agreement.

Planner Zack King reviewed the following case:

(4b)

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- SUB-109-2021, staff recommended approval of plat as presented and recommended approval of petition of relief waiver.
- SUB114-2021, staff recommended approval as presented.
- SUB-118-2021, staff recommended approval as presented.

3. Adjourn

There being no further business, the meeting adjourned at 7:01 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(5+6)



Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Executive Director of Development Services

Thru: Michael Scott, City Manager 

Date: September 2, 2021

Re: ZDC-122-2021 – 617 Solon Road – Private Club

On September 2, 2021, the applicant requested to continue case no. ZDC-122-2021 from the September 14, 2021 Planning and Zoning Commission agenda and the September 20, 2021 City Council meeting agenda to the September 28, 2021 Planning and Zoning Commission meeting agenda and the October 4, 2021 City Council meeting agenda.

Planning & Zoning Department

(7+9)

Plat Staff Report

Case: SUB-125-2021



MEETING DATE(S)

Planning & Zoning Commission: September 14th, 2021

CAPTION

Public Hearing on a request by Robert Alva, for a **Replat** of Lots 28R & 29 of Pecan Valley, to create Lot 28R-1, Pecan Valley, 1 Residential Lot, being 1.508 acres (Property ID 175311)– Owner: ROBERT & ALMA J ALVA (SUB-125-2021)

APPLICANT REQUEST

The applicant is requesting to replat the subject property from two (2) lots into one (1) lot for continued single family residential use.

CASE INFORMATION

<i>Applicant:</i>	Robert Alva
<i>Property Owner(s):</i>	Robert Alva
<i>Site Acreage:</i>	1.508 acres
<i>Number of Lots:</i>	1 lots
<i>Number of Dwelling Units:</i>	1 units
<i>Park Land Dedication:</i>	N/A
<i>Adequate Public Facilities:</i>	Adequate public facilities are available to the site.

SUBJECT PROPERTY

<i>General Location:</i>	141 Oak Tree Drive
<i>Parcel ID Number(s):</i>	175311
<i>Current Zoning:</i>	Future Development (FD)
<i>Existing Use:</i>	A single family home currently exists on the property.
<i>Platting History:</i>	This property was originally platted in 1985 as part of the Pecan Valley subdivision. In 2000, a portion of this property was replatted as lot 28R of Pecan Valley.

(7+8)

Site Aerial:



PLATTING ANALYSIS

The applicant is requesting to replat Lot 28R and 29 of the Pecan Valley subdivision into one 1.508 acre lot (28R-1) for continued single family residential use. The proposed replat would be the third replat within the Pecan Valley subdivision to take place in which two lots have been combined to create a single lot greater than an acre in size. All three of the aforementioned replats in this neighborhood have occurred on Oak Tree Drive. The proposed replat would create a lot that remains consistent with the surrounding area.

RECOMMENDATION

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

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

ATTACHED EXHIBITS

1. Plat Drawing

APPLICANT REQUIREMENTS

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

(7+8)

STAFF CONTACT INFORMATION

Prepared by:

Zack King

Planner

zking@waxahachie.com

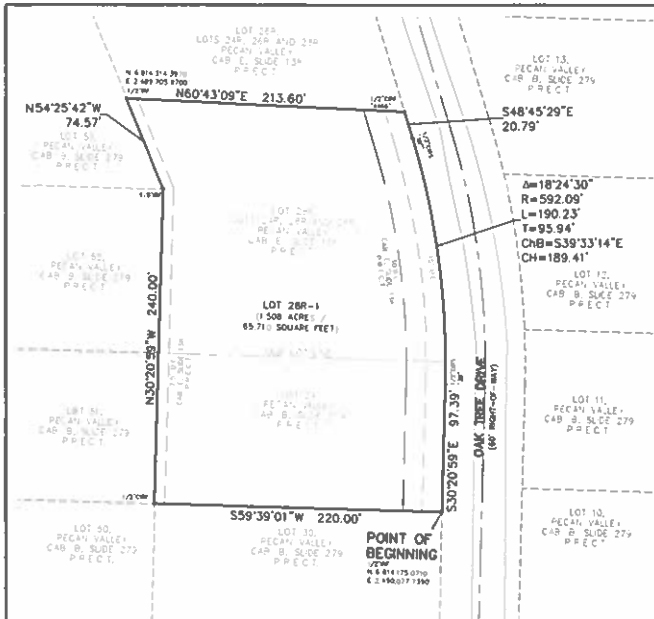
Reviewed by:

Shon Brooks, AICP

Executive Director of Development Services

sbrooks@waxahachie.com

(1748)



SURVEY CERTIFICATION

That I, Edward Scott Bacak, P.L.S., do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown hereon, as set, were properly placed under my personal supervision in accordance with the well-known ordinance of the City of Waxahachie.

"Preliminary, this document shall not be recorded for any purpose and shall not be used as a final survey document."

Edward Scott Bacak, P.L.S. No. 6248

STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME, the undersigned authority in and for the State of Texas, on this day personally appeared Edward Scott Bacak, known to me to be the person whose name is subscribed to the consideration therein expressed and in the capacity therein stated.

WITNESS MY HAND at Ennis, Ellis County, Texas, this ____ day of _____, 2021.

FLOOD STATEMENT According to Community Flood No. M13PH0350F, dated June 03, 2013, of the Federal Emergency Management Agency, National Flood Insurance Program Map, this property is within Flood Zone "X", (areas determined to be outside 500-year floodplains), which is not a special flood hazard area. If this area is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. (The use of levees, greater flood zone and wall levee and flood height may be required by man-made or natural causes. This statement shall not create liability on the part of the Surveyor.

STATE OF TEXAS
COUNTY OF ELLIS

KNOW ALL MEN BY THESE PRESENTS

WHEREAS Robert Alva and Alma J. Alva are the owners of all that parcel of land in the City of Waxahachie, Ellis County, Texas, being a part of the Salis M Duritt Survey, Abstract No. 272, being all of that tract of land described in deed to Robert Alva and Alma J. Alva recorded as Volume 2813, Page 1046, Fred Records Ellis County, Texas, being all of that tract of land described in deed to Robert Alva and Alma J. Alva recorded as County Clerk's Instrument Number 1524152, Real Property Records Ellis County, Texas and all of Lot 29, Pecan Valley, an addition to Waxahachie, Texas recorded in Cabinet B, Slide 279, Fred Records Ellis County, Texas, being all of Lot 28R, of Lots 24R, 26R and 28R, Pecan Valley, an addition to the City of Waxahachie, Texas recorded in Cabinet E, Slide 134, Fred Records Ellis County, Texas, and being further described as follows:

BEGINNING at a one-half inch iron rod found at the east corner of said Lot 29, said point being at the north corner of Lot 30, of said Pecan Valley and said point being at the southwesterly right-of-way line of Oak Tree Drive (60' right-of-way),

THENCE South 59 degrees 39 minutes 01 seconds West, 220.00 feet to a one-half inch iron rod with cap found at the south corner of said Lot 29, said point being at the west corner of said Lot 30, said point being at the north corner of Lot 50, of said Pecan Valley and said point being at the east corner of Lot 51, of said Pecan Valley,

THENCE North 30 degrees 30 minutes 59 seconds West, 240.00 feet to a five-eighths inch iron rod found in the southwest line of said Lot 28R, said point being at the north corner of Lot 52, of said Pecan Valley and said point being at the east corner of Lot 53, of said Pecan Valley,

THENCE North 54 degrees 25 minutes 42 seconds West, 74.57 feet along the northeast line of said Lot 53 to a one-half inch iron rod found at the west corner of said Lot 28R and said point being at the south corner of said Lot 28R, of said Lots 24R, 26R, and 28R, Pecan Valley,

THENCE North 60 degrees 43 minutes 09 seconds East, 213.40 feet to a one-half inch iron rod with cap stamped "4462" found at the north corner of said Lot 28R, said point being at the east corner of said Lot 28R and said point being at the southwesterly right-of-way line of Oak Tree Drive,

THENCE along the southwesterly right-of-way line of Oak Tree Drive as follows:

South 64 degrees 05 minutes 29 seconds East, 20.79 feet along the northeast line of said Lot 28R to a one-half inch iron rod with cap stamped "38" set for corner,

Southwesterly, 190.21 feet along the northeast line of said Lot 28R and along a link-tangent curve to the right having a central angle of 18 degrees 24 minutes 30 seconds, a radius of 392.09 feet, a tangent of 95.94 feet, and a whole chord bears South 39 degrees 33 minutes 14 seconds East, 147.41 feet to a one-half inch iron rod with cap stamped "38" set in the northeast line of said Lot 29,

South 30 degrees 30 minutes 59 seconds East, 97.39 feet along the northeast line of said Lot 29 to the POINT OF BEGINNING and containing 65,710 square feet or 1.51 acres of land.

Basis of Bearing is derived from GPS observations relative to the Texas WGS 84 RTK Network - Texas State Plane Coordinate System, North Central Zone (4202), NAD83.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS,

THAT We, Robert Alva and with, Alma J. Alva, do hereby adopt this plat designating the herein above described property as Lot 28R-1, Pecan Valley, an addition to the City of Waxahachie, Texas and do hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No building, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements, as shown, except that landscape improvements may be placed in landscape easements, if approved by the City of Waxahachie. In addition, utility easements may also be used for the mutual use and administration of all public utilities desiring to use it, using the same unless the easement limits the use to a particular utility, said use by public utilities being subordinate to the public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, repairing, jacking, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of any time preserving permission from anyone.

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

WITNESS, my hand, this ____ day of _____, 2021.

By: Robert Alva Alma J. Alva

STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME, the undersigned authority in and for the State of Texas, on this day personally appeared Robert Alva and Alma J. Alva, known to me to be the persons whose name is subscribed to the consideration therein expressed and in the capacity therein stated.

WITNESS MY HAND at Ennis, Ellis County, Texas, this ____ day of _____, 2021.

Notary Public in and for the State of Texas

BEING 1.508 ACRES OUT OF THE
SALIS M DURITT SURVEY, ABSTRACT NO. 272 AND BEING
A REPLAT OF LOTS 28R AND 29 OF PECAN VALLEY.

CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

ROBERT ALVA
ALMA J. ALVA OWNERS

141 Oak Tree Drive
Waxahachie, Texas 75165 (972) 977-3178
Contact: Robert Alva

3B LAND SURVEYING, INC SURVEYOR

656 Bacak Rd
Ennis, Texas 75119 (972) 825-7949
TBPLS No. 10194480

Revised: August 17, 2021
Dated: July 19, 2021

Sheet 1 of 1



LEGEND

001	IRON ROD SET
002	IRON ROD FOUND
003	IRON PIPE FOUND
004	BUILDING LINE SETBACK
005	EASEMENT
006	UTILITY EASEMENT
007-010	INSTRUMENT NUMBER
011	VOLUME
012	CABINET
013	PAGE
014-015	DEED RECORDS ELLIS COUNTY, TEXAS
016-017	PLAT RECORDS ELLIS COUNTY, TEXAS
018-019	REAL PUBLIC RECORDS ELLIS COUNTY, TEXAS

APPROVED BY PLANNING AND ZONING COMMISSION
CITY OF WAXAHACHIE, TEXAS

BY: _____ Date: _____

Attest: _____ Date: _____

GENERAL NOTES

- ALL CORNERS ARE A ONE-HALF INCH IRON ROD SET WITH CAP STAMPED "38" UNLESS OTHERWISE NOTED HEREON.
- COORDINATES SHOWN HEREON ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202).

**CASE NUMBER SUB-125-2021
REPLAT**

**LOT 28R-1
PECAN VALLEY**

**1 RESIDENTIAL LOT
ZONED: FD**

Drawing © Victor E. Bacak/3B Land Surveying, Inc. (Project/V4001) - All Rights Reserved. Save Time. 8/17/2021 1:23 PM

Planning & Zoning Department

(9)

Plat Staff Report

Case: SUB-128-2021



MEETING DATE(S)

Planning & Zoning Commission:

September 14th, 2021

CAPTION

Consider a request by the City of Waxahachie & Waxahachie ISD, for a **Replat** of Lee Penn Park, to create one lot, being 18.807 acres (Property ID: 193358 & 193944) – Owner: CITY OF WAXAHACHIE & WAXAHACHIE ISD (SUB-128-2021)

APPLICANT REQUEST

The applicant is requesting to replat the subject properties into one (1) lot for continued use as Lee Penn Park.

CASE INFORMATION

Applicant:

Michael Westfall, Westfall Engineering

Property Owner(s):

City of Waxahachie & Waxahachie ISD

Site Acreage:

18.807 acres

Number of Lots:

1 lots

Number of Dwelling Units:

0 units

Park Land Dedication:

N/A

Adequate Public Facilities:

Adequate public facilities are available to the site.

SUBJECT PROPERTY

General Location:

404 N Getzendaner Street

Parcel ID Number(s):

193358 & portions of 193944

Current Zoning:

Single Family-3

Existing Use:

The site is currently occupied by Lee Penn Park

Platting History:

This site was originally platted as Lot 1, 2 & portions of lot 3, Block 1 and portions of Block 2 of the Harriet I Nowlin Addition.

Site Aerial:**PLATTING ANALYSIS**

The purpose of this replat is to create a single 18.807 acre lot for public use as Lee Penn Park. Currently the property covered by the Lee Penn Park site is divided between multiple lots; which are owned separately by the City of Waxahachie and Waxahachie ISD. As part of this proposed replat, the City of Waxahachie shall abandon Gammon Avenue; which is a 30', unimproved Right-of-Way (ROW) connecting this property to Perry Avenue. Additionally, a 7' ROW dedication is proposed along N Getzendaner Avenue in accordance with the minimum required ROW width of N. Getzendaner (54').

RECOMMENDATION

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

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

ATTACHED EXHIBITS

1. Plat Drawing

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

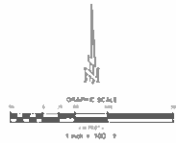
Prepared by:
 Zack King
 Planner
zking@waxahachie.com

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

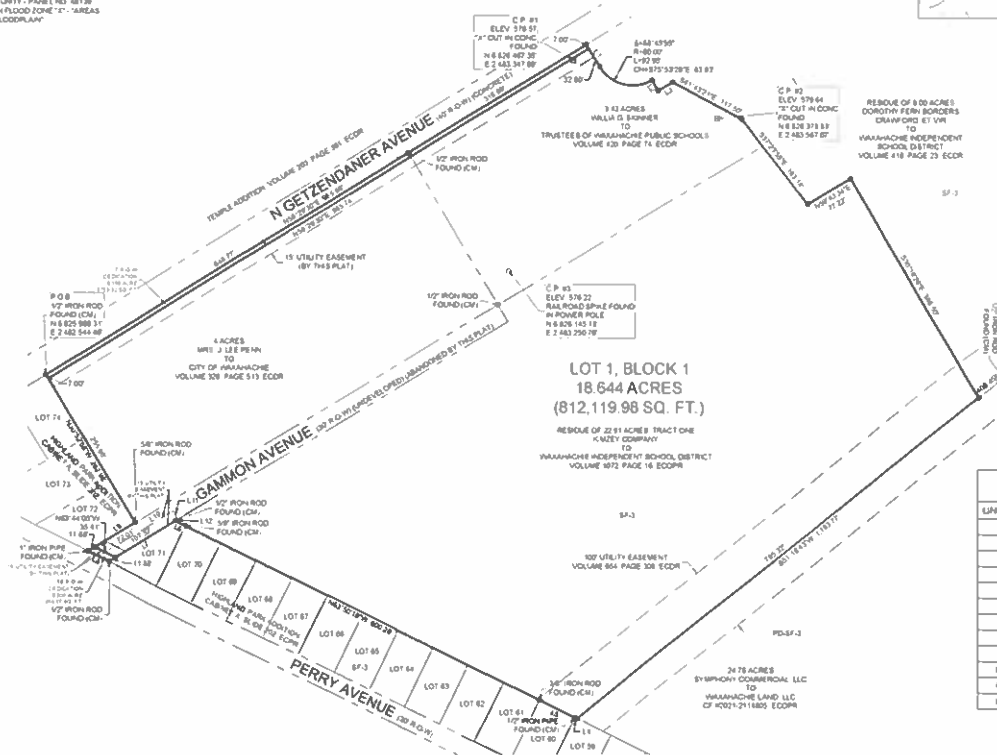
(9)

NOTES:

- COORDINATES AND BEARINGS ARE BASED UPON THE TEXAS COORDINATE SYSTEM OF 1983 NORTH CENTRAL ZONE
- DISTANCES SHOWN ARE GRID DISTANCES. CONVERT TO SURFACE DISTANCES BY DIVIDING GRID DISTANCES BY THE SCALE FACTOR OF 0.999999
- ACCORDING TO TEXAS LOCAL GOVERNMENT CODE CHAPTER 212.004 AND 212.006 DIVIDING ANY TRACT OR LOT INTO TWO OR MORE PARTS WITHOUT BENEFIT OF A SUBDIVISION PLAT APPROVED AND RECORDED WITH THE COUNTY CLERK IS A VIOLATION OF CITY ORDINANCE AND STATE LAW, SUBJECTING THE VIOLATOR TO FINES AND/OR THE WITHHELD OF UTILITIES AND BUILDING PERMITS
- ZONING FOR THIS SITE IS SINGLE FAMILY 1 (SF-1)
- ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAPS FOR ELUS COUNTY, TEXAS, COMMUNITY - PANET NO. 48138 01001 DATED JUNE 3 2013 THIS PROPERTY IS LOCATED IN FLOOD ZONE "X" AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN



LEGEND	
•	5/8" IRON ROD SET
—	EXISTING/OLD BOUNDARY
---	OLD PROPERTY LINE
---	PROPOSED BOUNDARY LINE



LINE TABLE		
LINE NO.	BEARING	LENGTH
L-1	S31°30'11"E	38.40'
L-2	S30°40'28"E	18.47'
L-3	N49°43'34"E	25.26'
L-4	N64°17'48"W	3.61'
L-5	N65°52'12"W	28.75'
L-6	N64°48'14"W	17.52'
L-7	S14°51'42"W	119.20'
L-8	N67°44'05"W	36.40'
L-9	N68°38'01"E	83.89'
L-10	N68°57'47"E	133.43'
L-11	S31°52'12"E	15.00'
L-12	S36°57'42"W	5.00'

THE PURPOSE OF THIS
REPLAT IS TO CREATE ONE LOT

REPLAT

LOT 1
LEE PENN PARK

SUB-128-2021
18.607 ACRES (819,235.81 SQ. FT.)
1 LOT AND 1 BLOCK

IN THE S M DURRETT SURVEY, A-272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS



360 SURVEYING
1410 N. G. MOBLEY BLVD. • DALLAS, TEXAS 75243
972.987.2171 • dallas@360survey.com
PHYSICAL ADDRESS

SURVEYOR
360 SURVEYING
1410 N. G. MOBLEY BLVD.
LONGVIEW, TX 75801
CONTACT: BRIET READ RPLS
803.367.2077

ENGINEER
WESTFALL ENGINEERING
1779 ANGLE PARKWAY
816.808.0306 ALLEN, TX 75002
CONTACT: MICHAEL WESTFALL
214.648.9387

OWNER
TRIMARK INC. d/b/a
411 N. GIBSON ST.
WAXAHACHIE, TX 75165
972.823.4631

(9)

OWNER'S CERTIFICATE:

STATE OF TEXAS
COUNTY OF ELLIS

WHEREAS WAXAHACHIE INDEPENDENT SCHOOL DISTRICT AND CITY OF WAXAHACHIE ARE THE OWNERS OF A TRACT OF LAND SITUATED IN THE S W DURRETT SURVEY, A-272, ELLIS COUNTY, TEXAS AND BEING ALL OF A TRACT WHICH WAS CALLED 4 ACRES CONVEYED FROM MR. J. LEE PENN TO CITY OF WAXAHACHIE BY AN INSTRUMENT OF RECORD IN VOLUME 328, PAGE 593, ELLIS COUNTY DEED RECORD (ECP), ALL OF GAMBORN AVENUE, COMBINED BY HIGHLAND PARK ADDITION, A SUBDIVISION OF RECORD IN CANNON A, BLOCK 302, ELLIS COUNTY PLAT RECORD (ECP), AND A PORTION OF THE FOLLOWING TWO (2) TRACTS: A TRACT WHICH WAS CALLED 14.3 ACRES CONVEYED FROM MRS. G. M. GARNER TO TRUSTEES OF WAXAHACHIE PUBLIC SCHOOLS BY AN INSTRUMENT OF RECORD IN VOLUME 420, PAGE 14, ECP, AND A PORTION OF A TRACT WHICH WAS CALLED 22.81 ACRES CONVEYED FROM GARY E. GAMBORN TO WAXAHACHIE INDEPENDENT SCHOOL DISTRICT BY AN INSTRUMENT OF RECORD IN VOLUME 1077, PAGE 16, ELLIS COUNTY OFFICIAL PUBLIC RECORD (ECP), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGAINING AT A 1/2" IRON ROD FOUND FOR NORTHWEST CORNER, BEING THE NORTHWEST CORNER OF SAID 4 ACRE TRACT AND NORTH-EAST CORNER OF LOT 71 OF SAID SUBDIVISION, LYING IN THE SOUTH RIGHT OF WAY 18-0-00 LINE OF N. G. ZETZENDORF AVENUE

THENCE N61°37'00" E. ALONG THE COMMON LINE OF SAID 4 ACRE TRACT AND N. G. ZETZENDORF AVENUE AT 848.77 FEET PASS A 10" IRON ROD FOUND FOR NORTH-EAST CORNER OF SAID 4 ACRE TRACT AND NORTHWEST CORNER OF SAID 31.43 ACRE TRACT AND CONTINUING ALONG THE COMMON LINE OF SAID 31.43 ACRE TRACT AND N. G. ZETZENDORF AVENUE FOR A DISTANCE IN ALL OF 989.88 FEET TO A 5/8" IRON ROD SET FOR NORTH-EAST CORNER

THENCE DEPARTING N. G. ZETZENDORF AVENUE, S31°13'01" E. 38.80 FEET CROSSING SAID 31.43 ACRE TRACT TO A 5/8" IRON ROD SET FOR BEGINNING OF A CURVE

THENCE 92.88 FEET CONTINUING ACROSS SAID 31.43 ACRE TRACT ALONG THE ARC OF A CURVE TO THE LEFT (DELTA 88°45'50" RADHUS 8000 FEET CHORD 97.5729 FEET 83.92 FEET) TO A 5/8" IRON ROD SET AT THE END OF CURVE

THENCE S89°18'20" E. 18.11 FEET CROSSING SAID 31.43 ACRE TRACT TO A 5/8" IRON ROD SET FOR INTERIOR CORNER

THENCE N61°43'18" E. 25.38 FEET CONTINUING ACROSS SAID 31.43 ACRE TRACT TO A 5/8" IRON ROD SET FOR EXTERIOR CORNER

THENCE N61°43'21" E. 117.36 FEET CONTINUING ACROSS SAID 31.43 ACRE TRACT TO A 5/8" IRON ROD SET FOR ANGLE POINT

THENCE S31°23'50" E. 163.11 FEET CONTINUING ACROSS SAID 31.43 ACRE TRACT AND SAID 22.81 ACRE TRACT TO A 5/8" IRON ROD SET FOR EXTERIOR CORNER

THENCE N61°43'18" E. 77.22 FEET CONTINUING ACROSS SAID 22.81 ACRE TRACT TO A 5/8" IRON ROD SET FOR EXTERIOR CORNER

THENCE N61°43'18" E. 38.80 FEET CONTINUING ACROSS SAID 22.81 ACRE TRACT AND SAID LOT 58 TO A 1/2" IRON PIPE FOUND FOR ANGLE POINT, BEING THE COMMON NORTH CORNER OF SAID LOT 58 AND LOT 59 OF SAID SUBDIVISION

THENCE N61°43'18" E. 59.75 FEET ALONG THE COMMON LINE OF SAID 22.81 ACRE TRACT AND SAID LOT 60 TO A 5/8" IRON ROD FOUND FOR ANGLE POINT, BEING THE COMMON NORTH CORNER OF SAID LOT 60 AND LOT 61 OF SAID SUBDIVISION

THENCE N61°43'18" E. 78.32 FEET CROSSING SAID 22.81 ACRE TRACT ALONG THE NORTH LINE OF SAID 74.86 ACRE TRACT TO A 5/8" IRON ROD SET FOR SOUTH-EAST CORNER, BEING THE NORTH-EAST CORNER OF SAID 21.76 ACRE TRACT, LYING IN THE WEST LINE OF SAID 22.81 ACRE TRACT AND EAST LINE OF LOT 59 OF SAID SUBDIVISION

THENCE N61°43'18" E. 34.01 FEET ALONG THE COMMON LINE OF SAID 22.81 ACRE TRACT AND SAID LOT 58 TO A 1/2" IRON PIPE FOUND FOR ANGLE POINT, BEING THE COMMON NORTH CORNER OF SAID LOT 58 AND LOT 59 OF SAID SUBDIVISION

THENCE N61°43'18" E. 59.75 FEET ALONG THE COMMON LINE OF SAID 22.81 ACRE TRACT AND SAID LOT 60 TO A 5/8" IRON ROD FOUND FOR ANGLE POINT, BEING THE COMMON NORTH CORNER OF SAID LOT 60 AND LOT 61 OF SAID SUBDIVISION

THENCE N61°43'18" E. 117.32 FEET ALONG THE COMMON LINE OF SAID 22.81 ACRE TRACT AND SAID LOT 71 TO A 1/2" IRON ROD FOUND FOR A NORTH-EAST CORNER, BEING THE NORTH-EAST CORNER OF SAID 22.81 ACRE TRACT AND NORTH-EAST CORNER OF SAID LOT 71, LYING IN THE SOUTH 18-0-00 LINE OF GAMBORN AVENUE

THENCE S89°18'20" E. 119.20 FEET ALONG THE COMMON LINE OF LOT 71 AND GAMBORN AVENUE TO A 1/2" IRON ROD FOUND FOR A SOUTH-EAST CORNER, BEING THE NORTH-EAST CORNER OF SAID LOT 71 AND SOUTH-EAST CORNER OF GAMBORN AVENUE, LYING IN THE EAST 18-0-00 LINE OF PERRY AVENUE

THENCE N61°43'18" E. 35.40 FEET CROSSING GAMBORN AVENUE ALONG THE EAST 18-0-00 LINE OF PERRY AVENUE TO A 1" IRON PIPE FOUND FOR A NORTH-EAST CORNER, BEING THE SOUTH-EAST CORNER OF A TRACT WHICH WAS CALLED LOT 72 OF SAID SUBDIVISION AND NORTH-EAST CORNER OF GAMBORN AVENUE

THENCE DEPARTING PERRY AVENUE, N61°55'01" E. 88.16 FEET ALONG THE COMMON LINE OF SAID LOT 72 AND GAMBORN AVENUE TO A 5/8" IRON ROD FOUND FOR EXTERIOR CORNER, BEING THE NORTH-EAST CORNER OF SAID LOT 72 AND SOUTH-EAST CORNER OF SAID 4 ACRE TRACT

THENCE DEPARTING GAMBORN AVENUE, N61°55'01" E. 263.98 FEET ALONG THE COMMON LINE OF SAID 4 ACRE TRACT, LOT 72, LOT 73 AND SAID LOT 74 TO THE PLACE OF BEGINNING CONTAINING 18.00 ACRES OF LAND MORE OR LESS

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT THE CITY OF WAXAHACHIE INDEPENDENT SCHOOL DISTRICT ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS DOES HEREBY ADOPT THIS PLAT BECOMING THE HEREIN ABOVE DESCRIBED PROPERTY AS LEE PENN PARK, AN ADDITION TO THE CITY OF WAXAHACHIE, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS AS SHOWN ARE DEDICATED FOR THE PUBLIC USE FOREVER FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON OR OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS IF APPROVED BY THE CITY OF WAXAHACHIE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES. SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLICS AND CITY OF WAXAHACHIE USE THEREOF. THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY EXCHANGE OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF ACCESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METER, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE. THIS PLAT APPROVED SUBJECT TO ALL PLATING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHIE, TEXAS. WITNESS MY HAND THIS _____ DAY OF _____, 2021, BY _____

AUTHORIZED SIGNATURE OF OWNER

PRINTED NAME AND TITLE

THAT THE CITY OF WAXAHACHIE ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS DOES HEREBY ADOPT THIS PLAT BECOMING THE HEREIN ABOVE DESCRIBED PROPERTY AS LEE PENN PARK, AN ADDITION TO THE CITY OF WAXAHACHIE, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS AS SHOWN ARE DEDICATED FOR THE PUBLIC USE FOREVER FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON OR OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS IF APPROVED BY THE CITY OF WAXAHACHIE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES. SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLICS AND CITY OF WAXAHACHIE USE THEREOF. THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY EXCHANGE OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF ACCESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METER, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE. THIS PLAT APPROVED SUBJECT TO ALL PLATING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHIE, TEXAS. WITNESS MY HAND THIS _____ DAY OF _____, 2021, BY _____

AUTHORIZED SIGNATURE OF OWNER

PRINTED NAME AND TITLE

DATE READ: _____
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 8816

AUGUST 18, 2021
DATE

CITY OF WAXAHACHIE APPROVALS:

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE

CHAIRPERSON _____ DATE _____

ATTEST _____ DATE _____

ACKNOWLEDGMENTS:

STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED _____ OWNER KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED, GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON _____

ACKNOWLEDGMENTS:

STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED _____ OWNER KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED, GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON _____

SURVEYOR'S CERTIFICATE:

I, THE BUREAU OF LAND MANAGEMENT, CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON AS SET FORTH WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF WAXAHACHIE.

SURVEYOR

360 SURVEYING
31416 S. MOBILE PARKWAY
LONGVIEW, TEXAS 75604
CONTACT: BRET READ (936) 803-3671

ENGINEER

ONE EIGHT EIGHT EIGHT
1718 ANDEL PARKWAY
SUITE 400-206 ALLEN TX 75002
CONTACT: MICHAEL WEBSTER
214-646-9997

OWNER

WAXAHACHIE ISD
411 N. GIBSON ST
WAXAHACHIE, TX 75080
875-823-6621

THE PURPOSE OF THIS
REPLAT IS TO CREATE ONE LOT

REPLAT
LOT 1
LEE PENN PARK
SUB-126-2021
18.807 ACRES (819,235.81 SQ. FT.)
1 LOT AND 1 BLOCK
IN THE S M DURRETT SURVEY, A-272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS



360 SURVEYING
31416 S. MOBILE PARKWAY
LONGVIEW, TEXAS 75604
(936) 803-3671
bret@360surveying.com

Planning & Zoning Department

(10)

Plat Staff Report

Case: SUB-35-2020



MEETING DATE(S)

Planning & Zoning Commission: September 14, 2021

CAPTION

Consider request by Brian Wade, RLG, Inc., for a **Replat** of Blocks 30, 30A, and 95 Old Town Addition, to create Lot 1, Block 30B, City Hall Annex, 1.975 acres (Property IDs 261578, 261576, 170570) – Owner: CITY OF WAXAHACHIE (SUB-35-2020)

APPLICANT REQUEST

The applicant is requesting to replat Blocks 30, 30A, and 95 Old Town Addition into one lot in order to allow for the construction of the City Hall Annex.

CASE INFORMATION

Applicant: Brian Wade, RLG, Inc.

Property Owner(s): The City of Waxahachie

Site Acreage: 1.975 acres

Number of Lots: 1 lot

Number of Dwelling Units: 0 units

Park Land Dedication: N/A (Replat will not add any lots)

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

SUBJECT PROPERTY

General Location: 401 S Elm and 408 & 410 S Rogers Street

Parcel ID Number(s): 261578, 261576, 170570

Current Zoning: Light Industrial – 2 (LI-2)

Existing Use: Two structures have recently been demolished on the site. The Parks and Recreation office still occupies the northern end of the property.

Platting History: The subject property was originally platted as part of the Old Town Addition.

(107)

Site Aerial:



PLATTING ANALYSIS

The applicant is requesting to replat the subject property to consolidate the existing three lots into one lot. The replat will allow for the construction of the City Hall Annex. The site is 1.975 acres in size and zoned Light Industrial – 2 (LI-2). Adequate public facilities are available to this site. At the time of this report (9/9/2021), two structures have recently been demolished on the subject property in preparation for the future construction of the annex.

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

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.

(10)

STAFF CONTACT INFORMATION

Prepared by:

Chris Webb

Senior Planner

cwebb@waxahachie.com

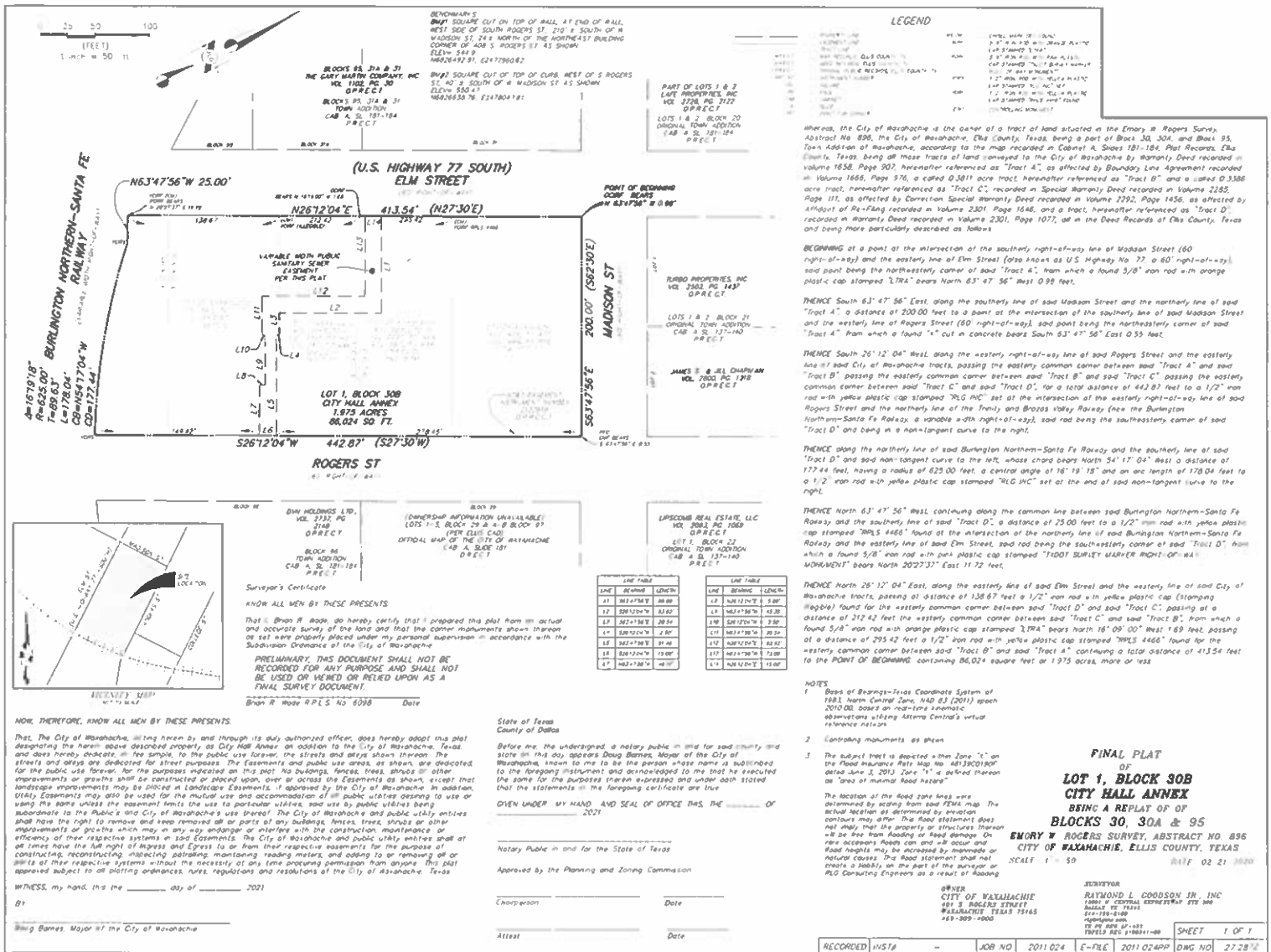
Reviewed by:

Shon Brooks, AICP

Executive Director of Development Services

sbrooks@waxahachie.com

(10)



Planning & Zoning Department

Plat Staff Report

(11)



Case: SUB-123-2021

MEETING DATE(S)

Planning & Zoning Commission: September 14, 2021

CAPTION

Consider request by Michael Westfall, Westfall Engineering, for a **Plat** of The Sunrise at Garden Valley, Phase 1 for 132 lots, being 57.532 acres situated in the J.B. & Ann. Adams Survey, Abstract 5 (Property ID 178972) – Owner: LEGACY GROVE DEVELOPMENT, LLC (SUB-123-2021)

APPLICANT REQUEST

The applicant is requesting to plat Phase 1 of the subject property into 132 lots for single family residential development.

CASE INFORMATION

Applicant: Michael Westfall, Westfall Engineering

Property Owner(s): Legacy Grove Development, LLC

Site Acreage: 57.532 acres

Number of Lots: 132 lots

Number of Dwelling Units: 128 units

Park Land Dedication: The cash-in-lieu of park land dedication for this proposed subdivision is estimated to be **\$51,200.00** (\$400.00 per residential lot at 128 lots).

Adequate Public Facilities: Adequate public facilities for the subject property are available.

SUBJECT PROPERTY

General Location: The subject property is located adjacent to and east of the Garden Valley subdivision, North of Mustang Meadows Phase 1, and along and adjacent to Broadhead Rd.

Parcel ID Number(s): 178972

Current Zoning: PD-SF-3

Existing Use: The site is currently being graded. However, no construction has taken place on the site.

(11)

Platting History:

The subject property is situated in the J.B. & Ann Adams Survey, Abstract 5.

Site Aerial:



PLATTING ANALYSIS

The applicant is requesting to plat the subject property into 132 lots of which 128 lots will be for single family residential use. The proposed plat will be for Phase 1 of the Sunrise at Garden Valley subdivision. PD-SF-3 zoning for the subject property was approved by City Council on April 20, 2020. The plat for the subdivision aligns with all requirements set forth in the approved zoning. Access will be provided via a connection to Broadhead Road and Memory Lane.

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

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.

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2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's subdivision ordinance.

(11)

STAFF CONTACT INFORMATION

Prepared by:

Chris Webb

Senior Planner

cwebb@waxahachie.com

Reviewed by:

Shon Brooks, AICP

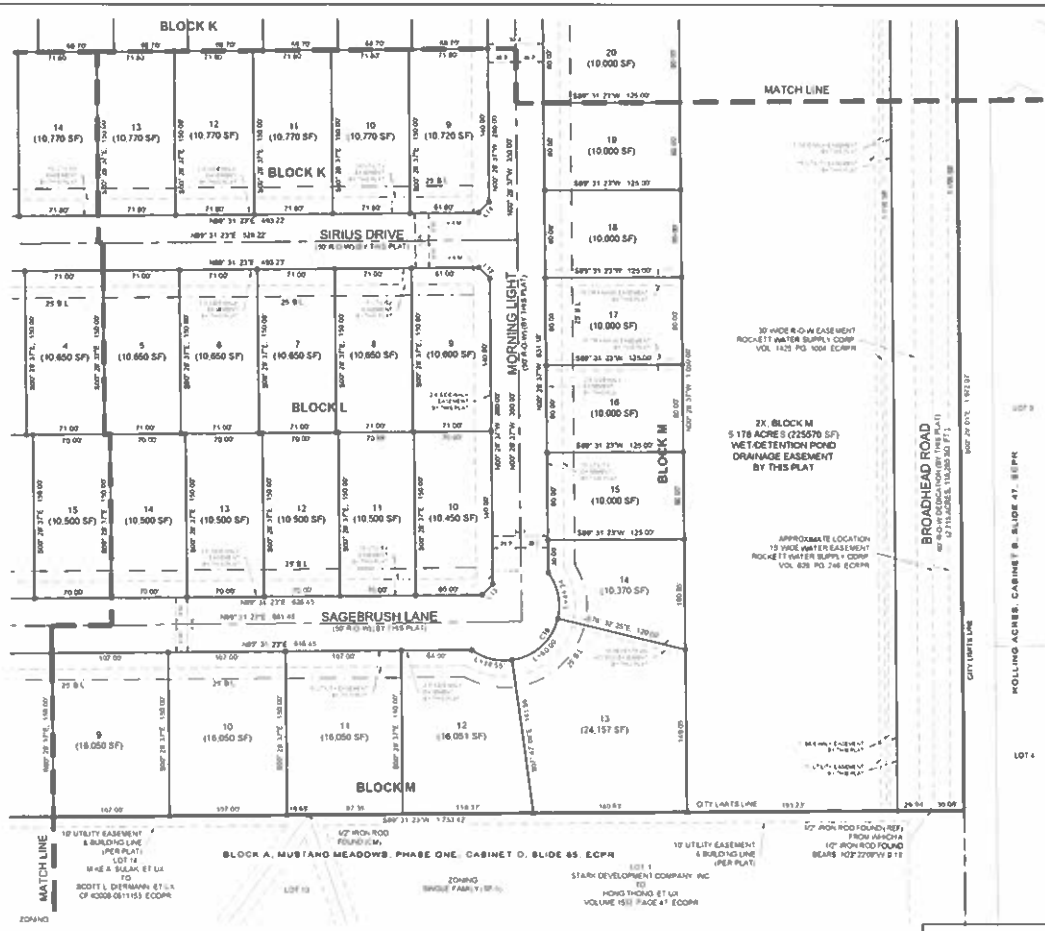
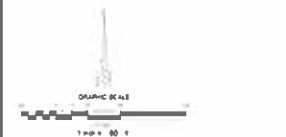
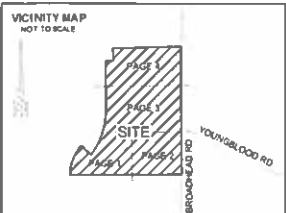
Executive Director of Development Services

sbrooks@waxahachie.com

(11)



(11)



SURVEYOR
360 SURVEYING
310 H-G MOBILE PKWY
LONGVIEW, TEXAS 75602
CONTACT: BRIET REARD, RPLS
800.967.2577

ENGINEER
MICHAEL VINCE REARD
1718 ANGEL PARKWAY
SUITE 400-204 ALLEN, TX 75002
CONTACT: MICHAEL VINCE REARD
214.866.8387

OWNER
LEGACY GROVE
DEVELOPMENT, LLC
1400 HARRINGTON ROAD
WAXAHACHIE, TX 75165
CONTACT: DAVID HARGROVE
214.405.5800

PLAT
**THE SUNRISE AT
GARDEN VALLEY, PHASE 1**
SUB-123-2021
57,532 ACRES (2,506,076 SQ FT)
128 LOTS, 4X LOTS (HOA) AND 7 BLOCKS
IN THE J B & ANN ADAMS SURVEY, A-5
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

360 SURVEYING
1400 HARRINGTON ROAD
WAXAHACHIE, TX 75165
CONTACT: DAVID HARGROVE
214.405.5800

360 SURVEYING
1400 HARRINGTON ROAD
WAXAHACHIE, TX 75165
CONTACT: DAVID HARGROVE
214.405.5800

THE PURPOSE OF THIS
PLAT IS TO CREATE A
132 LOT SUBDIVISION

(11)



[illegible]

STATE OF TEXAS
COUNTY OF EL PASO

WHEREAS LEGACY GROVE DEVELOPMENT, LLC IS THE OWNER OF A TRACT OF LAND SITUATED IN THE E B & ANN ADAMS SURVEY, A.S. ELLIS COUNTY, TEXAS, BEING A PORTION OF THE FOLLOWING TWO (2) TRACTS: (1) A TRACT WHICH WAS CALLED 57.627 ACRE TRACT 1 AND (2) A TRACT WHICH WAS CALLED 41.884 ACRE TRACT 2 CONVEYED FROM OUR ANCESTOR TO LEGACY GROVE DEVELOPMENT, LLC BY AN INSTRUMENT OF RECORD IN CLERK'S FILE #2023-3373645, ELLIS COUNTY OFFICIAL PUBLIC RECORD (EOPR), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 98.100 ACRES PARCEL FOR THE NORTHEAST CORNER, BEING THE NORTHEAST CORNER OF SAID 37.627 ACRE TRACT, LYING IN THE LINE OF A TRACT WHICH WAS CALLED 27.487 ACRES & CONVEYED FROM NINA EPTON BURLESON, EXECUTOR, TO NINA EPTON BURLESON BY AN INSTRUMENT OF RECORD IN VOLUME 2648 PAGE 1708 & CANCELED ALBO LYING IN THE PAVEMENT OF BROADHEAD ROAD.

THENCE 809.209 FEET, 1.972 OF 118.1 ALONG THE EAST LINE OF SAID 37.627 ACRE TRACT AND GENERALLY ALONG BROADHEAD ROAD TO A POINT IN THE SOUTHEAST CORNER BEING THE SOUTHWEST CORNER OF SAID 86.740 ACRE TRACT AND NORTHEAST CORNER OF LOT 1 BLOCK 4 SUSTAIN MEADOWS PHASE ONE A SUBDIVISION OF RECORD IN CABINET D BLIDE 86 ELLIS COUNTY PLAT RECORDS (ECP), LYING NEAR THE CENTER, BROADHEAD ROAD.

THENCE DEPARTING BROADHEAD ROAD, S89°31'23"W, ALONG THE COMMON LINE OF SAID 89.740 ACRE TRACT AND LOT 1 AT 30.06 FEET PASS A 1/2 INCH ROD FOUND FOR REFERENCE AND CONTINUING ALONG THE COMMON LINE OF SAID 57.627 ACRE TRACT, BLOCK A MUSTANG MEADOWS PHASE ONE, BLOCK A MUSTANG MEADOWS PHASE THREE, A SUBDIVISION OF RECORD IN CABINET M, BLK 408, C/P# 4 AND SAID 41.058 ACRE TRACT FOR A DISTANCE IN ALL OF 1733.42 FEET TO A POINT FOR SOUTHWEST CORNER.

THE NICE CROSSING SAID 41.066 ACRE TRACT THE FOLLOWING SEVENTEEN (17) CALLS

1 82.62 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, DELTA = 96.170° RADIUS = 630.00 FEET CHORD = 101.5457E 32.61 FEET; TO AN END OF
CURVE
2 N38°57'18" E 14.41 FEET

3 407.293FE 90.00 FEET
4 453.9125FE 16.47 FEET
5 388.75 FEET ALONG THE ARC OF A CURVE TO THE RIGHT (DELTA = 24°32'08" RADIUS = 630.00 FEET CHORD = N22°56'34"E 387.73 FEET) TO AN END OF CURVE

7 HQT3122W 14 00 FEET

10 860° 15' 77" E 0 78' 45" E

13 030°12'43"N 0-30°EET
14 007°31'22"E 14-00°EET
15 050°15'27"E 00-27°EET

17. N 34° 02' 37" E 125.67 FEET TO A POINT FOR A COMMON CORNER OF SAID 41.068 ACRE TRACT AND 57.627 ACRE TRACT

THENCE N25°21'13"E 71.88 FEET TO AN ANGLE POINT FOR CORNER
THENCE N21°42'43"E 71.88 FEET TO AN ANGLE POINT FOR CORNER

THENCE N15°04'14"E 71.80 FEET TO AN ANGLE POINT FOR CORNER
THENCE N14°23'45"E 71.80 FEET TO AN ANGLE POINT FOR CORNER
THENCE N30°47'19"E 71.80 FEET TO AN ANGLE POINT FOR CORNER

THE NCE 107 08 49E 71 40 FEET TO AN ANGLE POINT FOR CORNER
THE NCE 103 50 23E 76 55 FEET TO AN ANGLE POINT FOR CORNER

THENCE 88°12'21"E 114.22 FEET CONTINUING ACROSS SAID S1/2 27 ACRES TRACT TO A POINT FOR AN INTERIOR CORNER

THENCE N88°17'21"E 1,056.16 FEET ALONG THE COMMON LINE OF SAID S 82° ACRE TRACT AND SAID S 49° ACRE TRACT TO THE PLACE OF BEGINNING

THAT LEGACY GROVE DEVELOPMENT LLC, ACTING HEREBY BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS PLAN

CONVEYING THE HEREIN ABOVE DESCRIBED PROPERTY AS THE SUNRISE AT GARDEN VALLEY PHASE II, AN ADDITION TO THE CITY OF ANAHAHACHE, TEXAS, AND DOES HEREBY DEDICATE THE SAME TO THE PUBLIC USE FOREVER. THE STREETS AND ALLEYS SHOWN THEREON, THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS AS SHOWN ARE DEDICATED FOR THE PUBLIC USE FOREVER. FOR THE PURPOSES INDICATED ON THIS PLAN, NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON OR ACROSS THE EASEMENTS AS SHOWN. EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED ON

LANDSCAPE EASEMENTS IF APPROVED BY THE CITY OF WANAHAHACHE IN ADDITION UTILITY EASEMENTS MAY ALSO BE USED FOR THE UTILITY USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNDER THE EASEMENT AFTER THE USE TO PARTICULAR UTILITIES SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLICS AND CITY OF WANAHAHACHE'S USE THEREOF THE CITY OF WANAHAHACHE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS FENCE TREES SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENHANCE OR INTERFERE WITH THE CONSTRUCTION MAINTENANCE OR

EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS, THE CITY OF WARSAW AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF ACCESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

THIS PLAN APPROVES SUBJECT TO PLATING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF INDIANAPOLIS, INDIANA
WITNESS MY HAND THIS THE _____ DAY OF _____, 2021. BY _____
AUTHORIZED SIGNATURE OF OWNER

ACKNOWLEDGMENTS:

STATE OF TEXAS
COUNTY OF ELIAS

THIS DAY PERSONALITY APPEARED YVON HARGROVE OWNER KNOWN TO ME TO BE THE PERSON
WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGE TO ME THAT HE
EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 10 DAY OF NOVEMBER 2021

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON _____

LINE TABLE			CURVE TABLE					
LINE	DIRECTION	LENGTH	CURVE	CELEA	RADIUS	LENGTH	COORDINATION	COORDINATION
1	S 53° 30' 00" E	50.00	C1	080° 58' 00"	300.00	33.46	080° 30' 00"	50.00
2	S 12° 00' 00" E	62.00	C2	027° 43' 00"	300.00	208.26	52° 15' 00" E	52.00
3	S 60° 13' 00" E	17.00	C3	025° 30' 00"	300.00	247.72	162° 05' 00"	17.00
4	S 12° 00' 00" E	41.00	C4	041° 30' 00"	300.00	17.48	302° 14' 00"	41.00
5	N 73° 00' 00" E	25.00	C5	042° 00' 00"	300.00	162.50	162° 05' 00"	25.00
6	S 00° 17' 00" E	77.00	C6	000° 00' 00"	300.00	127.28	000° 30' 00"	77.00
7	S 12° 00' 00" E	39.00	C7	019° 32' 14"	1300.00	308.81	N 12° 11' 00" E	39.00
8	S 20° 30' 00" E	13.00	C8	000° 00' 00"	300.00	17.21	080° 18' 00"	13.00
9	N 05° 05' 00" E	14.00	C9	000° 47' 00"	300.00	32.42	000° 34' 00"	14.00
10	N 62° 00' 00" E	17.82	C10	026° 52' 00"	300.00	208.78	102° 56' 00"	17.82
11	N 60° 00' 00" E	14.00	C11	030° 00' 00"	350.00	47.43	203° 18' 00"	14.00
12	N 60° 00' 00" E	14.00	C12	030° 00' 00"	350.00	47.43	203° 18' 00"	14.00
13	N 54° 31' 00" E	14.00	C13	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
14	N 54° 31' 00" E	14.00	C14	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
15	N 54° 31' 00" E	14.00	C15	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
16	N 54° 31' 00" E	14.00	C16	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
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19	N 54° 31' 00" E	14.00	C19	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
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21	N 54° 31' 00" E	14.00	C21	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
22	N 54° 31' 00" E	14.00	C22	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
23	N 54° 31' 00" E	14.00	C23	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
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42	N 54° 31' 00" E	14.00	C42	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
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44	N 54° 31' 00" E	14.00	C44	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
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46	N 54° 31' 00" E	14.00	C46	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
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59	N 54° 31' 00" E	14.00	C59	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
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67	N 54° 31' 00" E	14.00	C67	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
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71	N 54° 31' 00" E	14.00	C71	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
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76	N 54° 31' 00" E	14.00	C76	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
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83	N 54° 31' 00" E	14.00	C83	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
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88	N 54° 31' 00" E	14.00	C88	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
89	N 54° 31' 00" E	14.00	C89	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
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91	N 54° 31' 00" E	14.00	C91	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
92	N 54° 31' 00" E	14.00	C92	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
93	N 54° 31' 00" E	14.00	C93	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
94	N 54° 31' 00" E	14.00	C94	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
95	N 54° 31' 00" E	14.00	C95	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
96	N 54° 31' 00" E	14.00	C96	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
97	N 54° 31' 00" E	14.00	C97	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
98	N 54° 31' 00" E	14.00	C98	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
99	N 54° 31' 00" E	14.00	C99	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00
100	N 54° 31' 00" E	14.00	C100	034° 00' 00"	350.00	103.87	162° 05' 00"	14.00

VICINITY MAP
1000000:1

100



NOTES

- COORDINATES AND BEARINGS ARE BASED UPON THE TEXAS COORDINATE SYSTEM OF 1983 NORTH CENTRAL ZONE
- 2 DISTANCE IS SHOWN AND ORIGIN DATE IS EIGHTY FIVE BURNAGE DISTANCE IS DIVIDED BY TWO STANCES BY THE SCALE FACTOR OF 0.0009100
- 3 ZONING FOR THIS SITE IS PD-3, PLANNED DEVELOPMENT SINGLE FAMILY
- 4 ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY FEMA FLOOD INSURANCE RATE MAPS FOR PROPERTY IN TEXAS COUNTY PARCEL NO. 008967 DATED APRIL 8 2013 THIS PORTION OF THE PARCELS ARE CATEGORIZED INTO FLOOD ZONE "X" -NO BASE FLOOD EVENT HAZARD AND ZONE "X" AREAS ARE DETERMINED TO BE OUTSIDE THE 2% ANNUAL CHANCE FLOODPLAIN
- 5 THERE SHALL BE NO TREE SHRUB PLANT BUSH SOIL BANK RETAIN OR SCREENING WALL OR OTHER VERTICAL ELEMENTS THAT OBSTRUCT THE VIEW OF A VEHICLE WHEELED HIGHER THAN TWO FEET OFF THE ROAD SURFACE
- 6 A MICHIGAN TOWNSHIP ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL SCREENING WALLS INTER FEATURES LANDSCAPING IRRIGATION OPEN SPACE LIGHTS AND/OR ENHANCED OR NON-STANDARD CONSTRUCTION
- 7 NOTICE REGARDING PORTION OF AMT LOT WITHIN THIS ADDITION BY MEET AND BOUND IN A VOLUNTARY STATE LAKE ACQUISITION AGREEMENT SUBJECT TO RULES AND REGULATIONS OF UTILITY SERVICE AND BULKHEAD PERMITS
- 8 CONDITIONS OF ACCEPTANCE OF DRAINAGE AND/OR FLOODWAY EASEMENTS

THIS PLAN IS PROPOSED BY THE OWNERS OF PROPERTIES DESCRIBED HEREIN HEREINAFTER REFERRED TO AS "PROPERTY OWNERS" AND IS APPROVED BY THE CITY OF WAXAHACHE SUBJECT TO THE FOLLOWING CONDITIONS WHICH SHALL BE BINDING UPON THE PROPERTY OWNERS, HIS HEIRS, GRANTEES, SUCCESSORS AND ASSIGNS:

NO OBSTRUCTION TO THE FLOW OF STORMWATER RUN-OFF SHALL BE PERMITTED BY FILING OR BY CONSTRUCTION OF ANY TYPE OF DRAIN BUILDING, BRIDGE, FENCE, OR ANY OTHER STRUCTURE WITHIN THE DRAINAGE EASEMENT SHOWN HEREON ON THIS PLAT, UNLESS APPROVED BY THE CITY OF INDIANAPOLIS. HOWEVER, IT IS UNDERSTOOD THAT IN THE EVENT IT BECOMES NECESSARY FOR THE CITY OF INDIANAPOLIS TO ERECT DRAINAGE FACILITIES IN ORDER TO APPROVE THE STORM DRAINAGE THAT MAY BE REQUIRED BY THE STATE OF INDIANA, THE CITY OF INDIANAPOLIS SHALL HAVE THE RIGHT TO ENTER SAID DRAINAGE EASEMENT AT ANY POINT OR POINTS TO ERECT CONSTRUCT AND MAINTAIN ANY FACILITY DEEMED NECESSARY FOR DRAINAGE PURPOSES.

THE PROPERTY OWNERS SHALL BE RESPONSIBLE FOR MAINTAINING SAID DRAINAGE EASEMENT. THE PROPERTY OWNERS SHALL KEEP SAID DRAINAGE EASEMENT CLEAN AND FREE OF DEBRIS, BILT HIGH WOODS AND ANY SUBSTANCE WHICH WOULD RESULT IN LAYSANARY OR UNDESIRABLE CONDITIONS. THE CITY OF WASHINGTON SHALL BE RESPONSIBLE FOR THE REPAIR AND MAINTENANCE OF THE CITY OF WASHINGTON'S DRAINAGE SYSTEM. THE CITY OF WASHINGTON SHALL BE RESPONSIBLE FOR THE PURPOSE OF INSPECTING AND SUPERVISING MAINTENANCE WORK DONE BY THE PROPERTY OWNERS IF AT ANY TIME THE PROPERTY OWNERS FAIL TO SATISFY ANY OF THEIR AFORESAID RESPONSIBILITIES OR OBLIGATIONS. THE CITY OF WASHINGTON SHALL BE RESPONSIBLE FOR THE OBTAINING OF THE NECESSARY PERMITS FOR THE EASEMENT AT ANY POINT OR POINTS TO PERFORM MAINTENANCE OR CLEAN-UP AND SHALL THE PROPERTY OWNERS THE COST INCURRED OR PLACE A LEMON ON SAID PROPERTIES IF THE BILL IS NOT PAID WITHIN

OVERDRAINAGE EASEMENT AS IN THE CASE OF ALL DRAINAGE EASEMENTS IS SUBJECT TO STORMWATER DIVERSION AND EROSION TO AN EXTENT WHICH CANNOT BE SPECIFICALLY DEFINED. THE CITY OF WASHINGTON BEING UNABLE TO MAKE REPAIRS FOR ANY DAMAGE RESULTING FROM THE OPERATION OF THESE NATURAL PHENOMENA OR THE FAILURE OF ANY FACILITIES WITHIN SAID DRAINAGE EASEMENT. FURTHER, THE CITY OF WASHINGTON WILL NOT BE RESPONSIBLE FOR EROSION CONTROL OR ANY DAMAGE TO PRIVATE PROPERTIES OR PERSONS RESULTING FROM THE FLOW OF WATER WITHIN SAID DRAINAGE EASEMENT AND PROPERTIES.

CITY OF WAXAHACHIE APPROVALS:

APPROVED BY PLANNING AND ZONING COMMISSION CITY OF WAXAHOLE

CHAMPAGNE REGION

DATE _____

五、中国书画函授大学

DATE _____

SURVEYOR'S CERTIFICATE:

THAT I, BRETT REARD, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE OTHER MONUMENTS SHOWN THEREON AS SET HEREIN PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF WILMINGTON.

AUGUST 2021

THE PURPOSE OF THE
PLAN IS TO CREATE A
132 LOT SUBDIVISION

SURVEYOR
380 SURVEYING
310 H Q MOBLEY DRIVE
LONGVIEW TEXAS 75804
CONTACT BRIE READ RPL
903-387-2577

PLAT
THE SUNRISE AT
GARDEN VALLEY, PHASE 1
SUB-123-2021
57.532 ACRES (2,506,076 SQ FT)
128 LOTS, 4X LOTS (HOA) AND 7 BLOCKS
IN THE J.B. & ANN ADAMS SURVEY, A-5
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

360 SURVEYING
360 SURVEYING
1404 G. WOODLEY PARK DRIVE, SUITE 200
NASH, VT 05751
802.253.8800
www.360surveying.com

Planning & Zoning Department

Plat Staff Report

(12)



Case: SUB-124-2021

MEETING DATE(S)

Planning & Zoning Commission: September 14, 2021

CAPTION

Consider request by Michael Westfall, Westfall Engineering, for a **Plat** of The Sunrise at Garden Valley, Phase 2 for 111 lots, being 41.163 acres situated in the J.B. & Ann. Adams Survey, Abstract 5 (Property ID 178972) – Owner: LEGACY GROVE DEVELOPMENT, LLC (SUB-124-2021)

APPLICANT REQUEST

The applicant is requesting to plat Phase 2 of the subject property into 111 lots for single family residential development.

CASE INFORMATION

Applicant: Michael Westfall, Westfall Engineering

Property Owner(s): Legacy Grove Development, LLC

Site Acreage: 41.163 acres

Number of Lots: 111 lots

Number of Dwelling Units: 108 units

Park Land Dedication: The cash-in-lieu of park land dedication for this proposed subdivision is estimated to be **\$43,200.00** (\$400.00 per residential lot at 108 lots).

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

SUBJECT PROPERTY

General Location: The subject property is located adjacent to and east of the Garden Valley subdivision, North of Mustang Meadows Phase 1, and along and adjacent to Broadhead Rd.

Parcel ID Number(s): 178972

Current Zoning: PD-SF-3

Existing Use: The site is currently being graded. However, no construction has taken place on the site.

(112)

Platting History:

The subject property is situated in the J.B. & Ann Adams Survey, Abstract 5.

Site Aerial:



PLATTING ANALYSIS

The applicant is requesting to plat the subject property into 111 lots of which 108 lots will be for single family residential use. The proposed plat will be for Phase 2 of the Sunrise at Garden Valley subdivision. PD-SF-3 zoning for the subject property was approved by City Council on April 20, 2020. The plat for the subdivision aligns with all requirements set forth in the approved zoning. Access will be provided via a connection to Sagebrush Lane and Memory Lane in Phase 1 of the Sunrise at Garden Valley.

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

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.

(12)

STAFF CONTACT INFORMATION

Prepared by:

Chris Webb

Senior Planner

cwebb@waxahachie.com

Reviewed by:

Shon Brooks, AICP

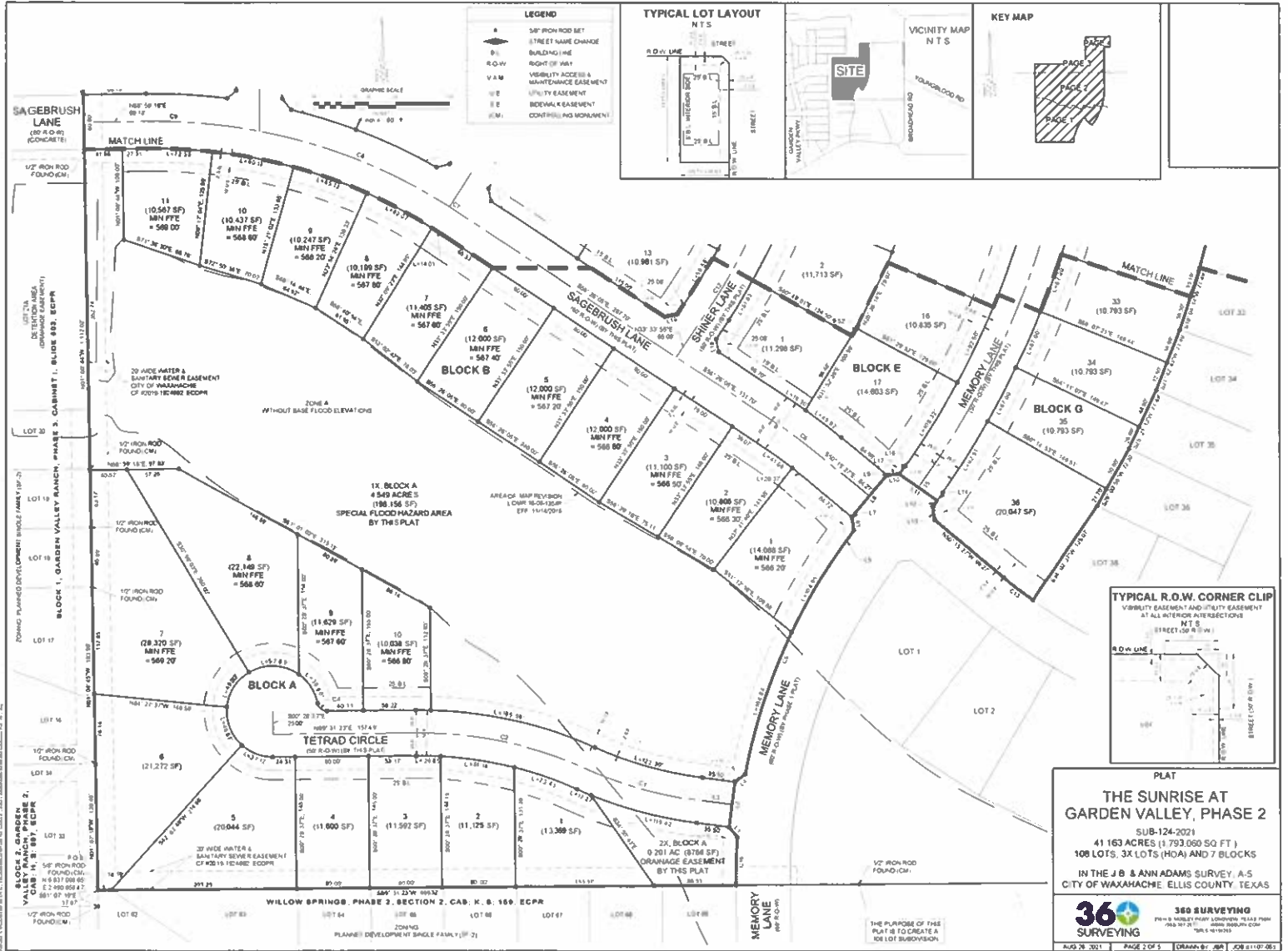
Executive Director of Development Services

sbrooks@waxahachie.com

[illegible]

PLAT
THE SUNRISE AT
GARDEN VALLEY, PHASE 2
SUB-124-2021
41 163 ACRES (1 793,060 SQ FT)
108 LOTS, 3X LOTS (HOA) AND 7 BLOCKS
IN THE J B & ANN ADAMS SURVEY, A-5
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

 360 SURVEYING 340 S. G. WOODLEY PARK LANE, SUITE 100 (910) 347-7477 WWW.360SURV.COM FAX: 910-347-7478		360 SURVEYING 340 S. G. WOODLEY PARK LANE, SUITE 100 (910) 347-7477 WWW.360SURV.COM FAX: 910-347-7478	
Aug 28, 2021	PAGE 1 OF 5	DRAWN BY: JWB	JOB #1197-05



LEGEND

- STREET NAME CHANCE
- BUILT-UP AREA
- RIGHT OF WAY
- VISIBILITY ACCESS & MAINTENANCE EASEMENT
- UTILITY EASEMENT
- SIDEWALK EASEMENT
- CONTROLLING MONUMENT

VICINITY MAP

KEY MAP

GRAPHIC SCALE

PLAT

THE SUNRISE AT GARDEN VALLEY, PHASE 2

SUB-124-2021

41.163 ACRES (1,793,060 SQ FT)

108 LOTS, 3X LOTS (HOA) AND 7 BLOCKS

IN THE J.B. & ANN ADAMS SURVEY A-5

CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS

36 SURVEYING

360 SURVEYING

1000 N. MOORE / FRONT CORNER, SUITE 100

7000 31ST STREET, SUITE 100

WAXAHACHE, TEXAS 76791

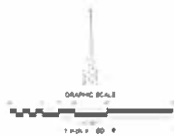
TEL: 817-935-3300

AUG 28, 2021

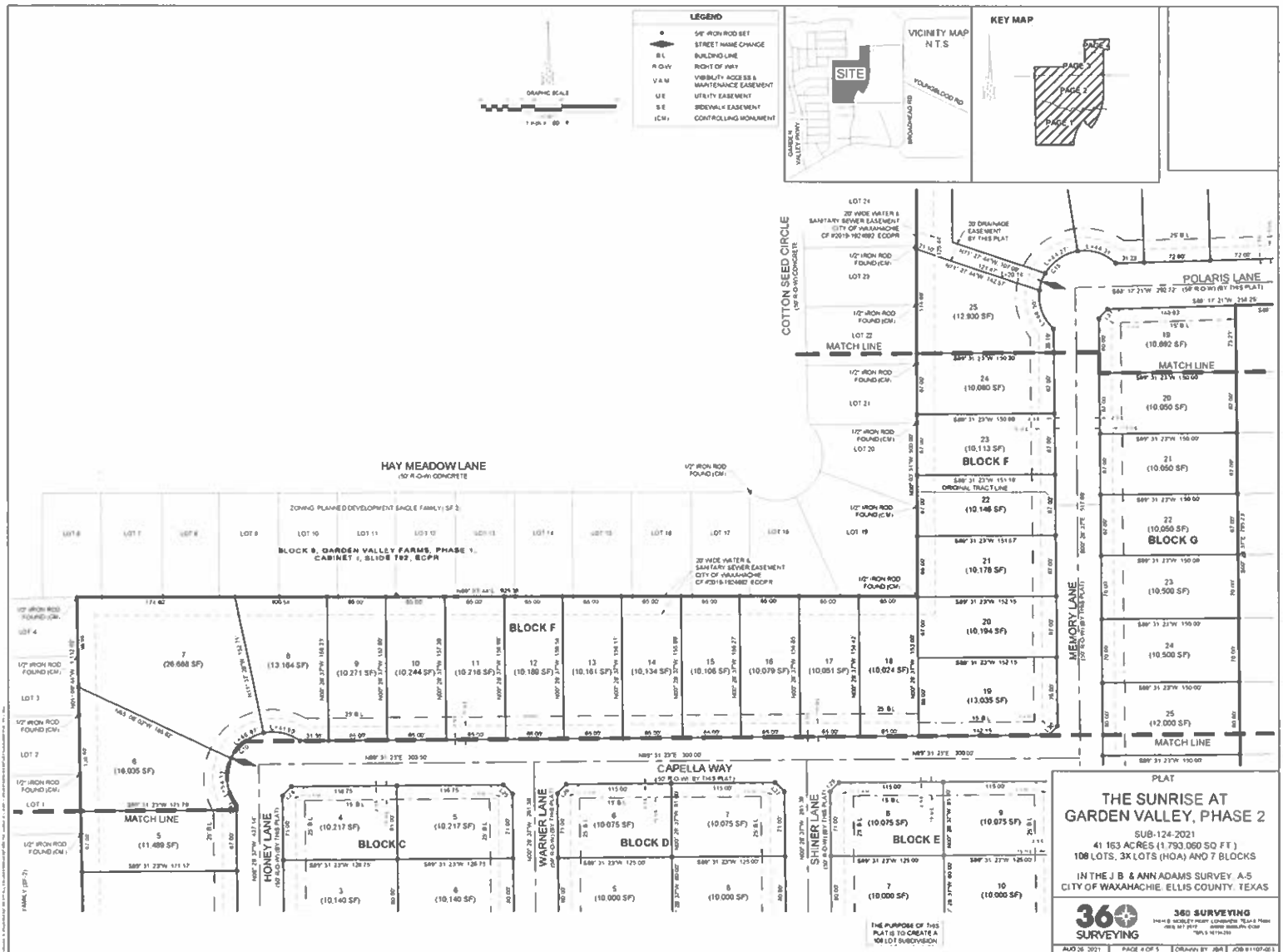
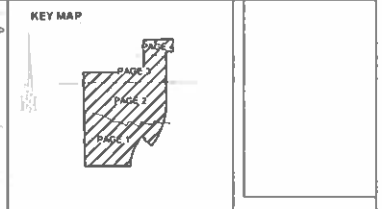
PAGE 2 OF 5

FORM BY: JMT, JES, JES, JES

THE PURPOSE OF THIS PLAT IS TO CREATE A SUBDIVISION



LEGEND	
○	5/8" IRON ROD SET
—	STREET NAME CHANGE
BL	BUILDING LINE
R.O.W.	RIGHT OF WAY
V.A.M.	UTILITY ACCESS & MAINTENANCE EASEMENT
UE	UTILITY EASEMENT
SE	SEWER EASEMENT
ICM	CONTROLLING MONUMENT



PLAT
THE SUNRISE AT GARDEN VALLEY, PHASE 2
SUB-124-2021
41.163 ACRES (1,793,060 SQ. FT.)
108 LOTS, 3X LOTS (HOA) AND 7 BLOCKS
IN THE J.B. & ANN ADAMS SURVEY A-5
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

360 SURVEYING
360 SURVEYING
1404 N. MOORE STREET, SUITE 100, WAXAHACHIE, TEXAS 76791
PH: 817-974-2021 FAX: 817-974-2021

AUG 26, 2021 PAGE 2 OF 5 DRAWN BY: JBR JOB #115745.1

Planning & Zoning Department

(13)

Plat Staff Report

Case: SUB-97-2021



MEETING DATE(S)

Planning & Zoning Commission: September 14, 2021

CAPTION

Public Hearing on a request by Danille Brunson, Texas Reality Capture and Surveying LLC., for a **Replat** of Lot 6, Block 178, Town Addition, to create Lot 1-2, Pace Addition, being 0.536 acres (Property ID 171316)– Owner: PACE BROTHERS CUSTOM HOMES, LLC (SUB-97-2021)

APPLICANT REQUEST

The applicant is requesting to replat the subject property into two lots to construct an additional single-family dwelling.

CASE INFORMATION

Applicant: Danille Brunson, Texas Reality Capture and Surveying, LLC.

Property Owner(s): Pace Brothers Custom Homes, LLC.

Site Acreage: 0.536 acres

Number of Lots: 2 lots

Number of Dwelling Units: 2 units

Park Land Dedication: The cash-in-lieu of park land dedication is estimated to be **\$400.00** (\$400.00 per additional lot at 1 additional lot)

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

SUBJECT PROPERTY

General Location: 110 Henry St.

Parcel ID Number(s): 171316

Current Zoning: Single Family – 3 (SF-3)

Existing Use: A single-family home has recently been constructed on the northern portion of the subject property.

Platting History: This property was originally platted as part of the Town Addition.

(13)

Site Aerial:



PLATTING ANALYSIS

The applicant is requesting to replat the subject property into two lots for single-family residential use. The applicant has already constructed a single-family house on the northern portion of the property and would like to construct an additional single-family residence. A 15' sanitary sewer easement runs through the middle of the proposed Lot 2 and a 20' drainage easement is located around the southern end of the property. The property owner will be responsible for maintaining the drainage easement.

PROPERTY OWNER NOTIFICATION RESPONSES

Staff received three (3) letters of support for the proposed plat request.

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. PON Responses
2. Plat Drawing

APPLICANT REQUIREMENTS

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

(13)

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

Executive Director of Development Services

sbrooks@waxahachie.com

(13)

PropertyID	Owner's Name	Acreage	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
171307	ISSOKSON MICHAEL	0.154	LOT 8A BLK 178 TOWN 0.154 AC	518 HOLLY LANE	DUNCANVILLE	TX	75116	116 HENRY ST WAXAHACHIE TX 75165
171312	NEWTON BRENDA F	0.126	LOT 4A BLK 178 TOWN 126 AC	410 WYATT	WAXAHACHIE	TX	75165	410 WYATT ST WAXAHACHIE TX 75165
171313	SANTIBANEZ RENE	0.126	LOT 4B BLK 178 TOWN 126 AC	5576 N INTERSTATE HIGHWAY 45	ENNIS	TX	75119	412 WYATT ST WAXAHACHIE TX 75165
171314	RANGEL PABLO & CLEOTILDE PEDRAZA	0.133	LOT 5A BLK 178 TOWN 133 AC	903 E DENTON	ENNIS	TX	75119	106 HENRY ST WAXAHACHIE TX 75165
171315	SANDERS JESSICA	0.106	LOT 5B BLK 178 TOWN 106 AC	108 HENRY ST	WAXAHACHIE	TX	75165	108 HENRY ST WAXAHACHIE TX 75165
171316	PACE BROTHERS CUSTOM HOMES LLC	0.468	LOT 6 BLK 178 TOWN 0.468 AC	2607 SYLVAN AVE	DALLAS	TX	75212	110 HENRY ST WAXAHACHIE TX 75165
171318	BUSBY JAMES G	1.58	LOT 1 BLK 177 TOWN 1.58 AC	575 LEE DR	COPPELL	TX	75019	YOUNG ST WAXAHACHIE TX 75165
171319	WILSON JONATHAN I	0.706	LOT 1 & 8B BLK 178 TOWN 706 AC	202 S ELM ST	WAXAHACHIE	TX	75165	400 & 406 WYATT ST WAXAHACHIE TX 75165
171320	HERNANDEZ VERONICA	0.348	LOT 2 BLK 178 TOWN 348 AC	533 BEACH WOOD DR	GRAND PRAIRIE	TX	75052	404 WYATT ST WAXAHACHIE TX 75165
171321	NEWTON R D	0.718	LOT 3 & 7 BLK 178 TOWN 718 AC	408 WYATT ST	WAXAHACHIE	TX	75165	408 WYATT ST WAXAHACHIE TX 75165
175098	COOK TRESHONDA D & KACHARO SR	0.346	LOT 45 OAKLAWN 0.346 AC	106 N HILL ST E	MILFORD	TX	76670	510 EGGAR ST WAXAHACHIE TX 75165
175122	MC KENZIE HENRY C	0.08	LOT 4 OAKLAWN 0.08 AC	203 HENRY ST	WAXAHACHIE	TX	75165	203 HENRY ST WAXAHACHIE TX 75165
175133	VIEN LADD	0.247	LOT 1 OAKLAWN 0.247 AC	1015 FERRIS AVE	WAXAHACHIE	TX	75165	115 HENRY ST WAXAHACHIE TX 75165
205458	GIBSON & GIBSON LLC	7	LOT PT1 BLK 171 TOWN 7 AC	105 CRYSTAL COVE	WAXAHACHIE	TX	75165	E MAIN ST WAXAHACHIE TX 75165

(13)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **SUB-97-2021**



RECEIVED AUG 31 2021

LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 14, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 20, 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 Danille Brunson, Texas Reality Capture and Surveying LLC., for a Replat of Lot 6, Block 178, Town Addition, to create Lot 1-2, Pace Addition, being 0.536 acres (Property ID 171316)– Owner: PACE BROTHERS CUSTOM HOMES, LLC (SUB-97-2021)

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

Case Number: **SUB-97-2021**

City Reference: 175125

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, September 7, 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.

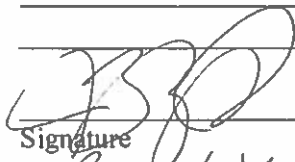


SUPPORT



OPPOSE

Comments:


Signature
Brad Yates
Printed Name and Title

8/30/21
Date
PO Box 2868
Address
Wax. Tx. 75168

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

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

(13)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **SUB-97-2021**

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LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168

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Case Number: **SUB-97-2021**

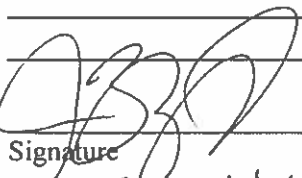
City Reference: 175134

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☒ SUPPORT

☐ OPPOSE

Comments:


Signature
Brad Yates
Printed Name and Title

8/30/21
Date
PO Box 2868
Address
Wax. TX. 75168

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



(13)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SUB-97-2021

◇◇◇◇

LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168

RECEIVED AUG 31 2021

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 14, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 20, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

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Case Number: SUB-97-2021

City Reference: 175096

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, September 7, 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:

Signature

Printed Name and Title

Date

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.

(13)



LEGEND

CRS = 54" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TINCP" SET
CRS = 1/2" IRON ROD WITH CAP STAMPED "BURING SURVEYING" FOUND
RP = IRON ROD FOUND
PND = FOUND
EFFECT = OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS
V & E = UTILITY EASEMENT
B.L. = BUILDING LINE

STATE OF TEXAS
COUNTY OF ELLIS

OWNER'S CERTIFICATE

WHEREAS PRICE BROTHERS CUSTOM HOMES, LLC, ARE THE OWNERS OF A TRACT OF LAND SITUATED IN THE A.M. KEEN SURVEY, ABSTRACT NO. 394, CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS, AND BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO PRICE BROTHERS CUSTOM HOMES, LLC, RECORDED IN 2025534, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (HEREIN "DEED") AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH CAP STAMPED "BURING SURVEYING" FOUND FOR THE NORTHEAST CORNER OF SAID PACE TRACT AND THE COMMON SOUTHEAST CORNER OF A CALLED 3.11 ACRES TRACT OF LAND DESCRIBED IN DEED TO PRICE BROTHERS CUSTOM HOMES, LLC, RECORDED IN 2025534, CORNER AND IN THE WEST RIGHT-OF-WAY (ROW) LINE OF HENRY STREET (A VARIABLE WIDTH ROW);

THENCE S 10°37'56" E, ALONG THE EAST LINE OF SAID PACE TRACT AND THE COMMON WEST ROW LINE OF SAID HENRY STREET, A DISTANCE OF 63.58 FEET TO A SUBSTANTIAL SPOT FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 266.34 FEET, A CHORD BEARING S 47°12'12" E, A CHORD LENGTH OF 138.51 FEET;

THENCE CONTINUOUS ALONG THE EAST LINE OF SAID PACE TRACT AND THE COMMON WEST ROW LINE OF SAID HENRY STREET AND WITH SAID CURVE TO THE LEFT IN AN ARC LENGTH OF 132.80 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "BURING SURVEYING" FOUND FOR THE SOUTHWEST CORNER OF SAID PACE TRACT;

THENCE ALONG THE SOUTH LINE OF SAID PACE TRACT, AS FOLLOWS:

S 46°32'11" W, A DISTANCE OF 34.12 FEET TO A POINT FOR CORNER,

S 52°37'34" W, A DISTANCE OF 15.71 FEET TO A POINT FOR CORNER,

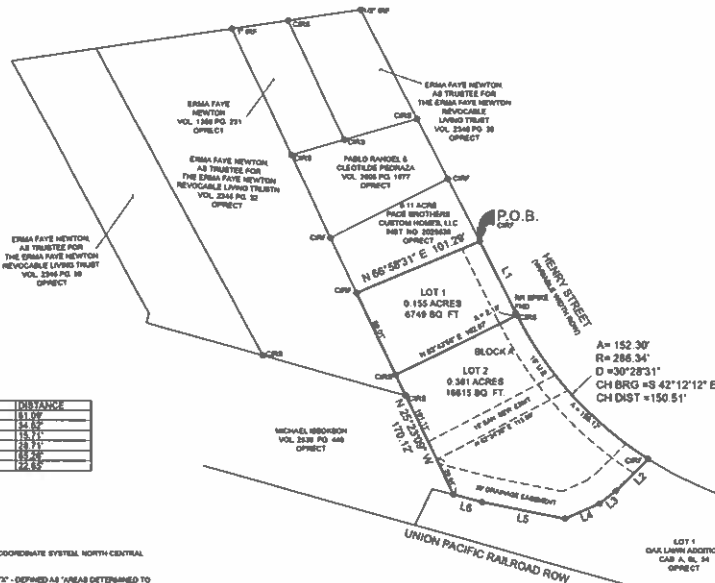
S 44°02'32" W, A DISTANCE OF 65.71 FEET TO A POINT FOR CORNER,

N 70°32'40" W, A DISTANCE OF 65.36 FEET TO A POINT FOR CORNER,

N 75°33'37" W, A DISTANCE OF 71.63 FEET TO THE SOUTHWEST CORNER OF SAID PACE TRACT AND THE COMMON SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO MICHAEL BRIDGEMAN, RECORDED IN VOLUME 2336, PAGE 448, CORNER;

THENCE N 20°37'09" W, ALONG THE WEST LINE OF SAID PACE TRACT AND THE COMMON EAST LINE OF SAID BRIDGEMAN TRACT, PASSING AT A DISTANCE OF 14.83 FEET A 1/2" IRON ROD WITH CAP STAMPED "BURING SURVEYING" FOUND FOR CORNER, PASSING AT A DISTANCE OF 83.57 FEET A 1/2" IRON ROD WITH CAP STAMPED "TINCP" SET FOR THE NORTHEAST CORNER OF SAID BRIDGEMAN TRACT AND THE COMMON SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO ERMA FAYE NEWTON, AS TRUSTEE FOR THE ERMA FAYE NEWTON REVOCABLE LIVING TRUST, RECORDED IN VOLUME 2344, PAGE 32, CORNER, CONTINUOUS ALONG THE WEST LINE OF SAID PACE TRACT AND THE COMMON EAST LINE OF SAID NEWTON TRACT, A TOTAL DISTANCE OF 136.12 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "BURING SURVEYING" FOUND FOR THE NORTHEAST CORNER OF SAID PACE TRACT AND THE COMMON SOUTHWEST CORNER OF SAID 3.11 ACRES PACE TRACT;

THENCE N 84°34'51" E, ALONG THE NORTH LINE OF SAID PACE TRACT AND THE COMMON SOUTH LINE OF SAID 6.11 ACRES PACE TRACT, A DISTANCE OF 385.20 FEET TO THE POINT OF BEGINNING, AND CONTINUOUS TO SAID POINT OF BEGINNING OR LESS.



LINE	BEARING	DISTANCE
L1	S 46°32'11" W	34.12 FT
L2	S 52°37'34" W	15.71 FT
L3	S 44°02'32" W	65.71 FT
L4	N 70°32'40" W	65.36 FT
L5	N 75°33'37" W	71.63 FT
L6	N 20°37'09" W	136.12 FT
L7	N 84°34'51" E	385.20 FT

NOTES

BEARING BASIS FOR THIS SURVEY IS TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE 43N, NAD 83 PLAN GRS OBSERVATIONS.
THE SUBJECT PROPERTY LIES WITHIN ZONE "C", DEFINED AS "NEARLY DETERMINED TO BE OUTSIDE THE 2% ANNUAL CHANCE FLOODPLAIN" ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48180C100F DATED JUNE 8, 2013 AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
THE PROPERTY OWNER WILL BE RESPONSIBLE FOR MAINTAINING THE DRAINAGE EASEMENT SHOWN HEREON.

HOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT PRICE BROTHERS CUSTOM HOMES, LLC, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS PACE ADDITION. IN ADDITION TO THE CITY OF WAXAHACHE, AND DOES HEREBY DEDICATE, IN PERMANENCE, TO THE CITY OF WAXAHACHE, TEXAS, FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN AND DEDICATED FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT NO. BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR STRUCTURES SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS. IF APPROVED BY THE CITY OF WAXAHACHE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR CROSS THE EASEMENTS. THE EASEMENT LIMITS THE USE OF INDIVIDUAL UTILITIES. SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLICS AND CITY OF WAXAHACHE'S USE. THEREOF. THE CITY OF WAXAHACHE AND PUBLIC UTILITY UTILITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDING, FENCE, TREE, SHRUB OR OTHER IMPROVEMENTS OR STRUCTURES WHICH MAY IN ANY WAY OBSTRUCT OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHE AND PUBLIC UTILITY UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF WORKING AND COMING TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSES OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, MAINTAINING, MAINTENANCE, REPAIRING, REPAIRING, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

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

WITNESSE MY HAND, THIS _____ DAY OF _____, 2021

BY _____

PRICE BROTHERS CUSTOM HOMES, LLC
RICHARD PRICE

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

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

REMYA PUBLIC, IN AND FOR THE
STATE OF TEXAS

LEAHANN L. JACKSON, REAL, HEREBY CERTIFY THAT THIS PLAT WAS MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL PROPERTY CORNERS HAVE BEEN FOUND OR SET AS SHOWN.
"THIS INSTRUMENT, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT"

LEAHANN L. JACKSON
REGISTRATION NUMBER 15648

APPROVED BY PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

BY _____ DATE _____
CHAIRPERSON

BY _____ DATE _____
ATTORNEY

REPLAT
PACE ADDITION
0.536 ACRES
BEING A REPLAT
OF A PORTION OF BLOCK 178, OFFICIAL
TOWN MAP OF WAXAHACHE
CITY OF WAXAHACHE
ELLIS COUNTY, TEXAS
3 RESIDENTIAL LOT
CASE NO. SUB-97-2021
ZONED: BF-3

OWNER
PRICE BROTHERS CUSTOM HOMES, LLC
3817 EYAN AVENUE
GALLATON, TX 75213
409 331 7021
SURVEYOR
TEXAS REALTY CAPTURE &
SURVEYING, LLC
P.O. BOX 252
WAXAHACHE, TEXAS 76180
409 510 0290
TIPPLE ROAD NO 1518-0280

JOB NO 1796A

MAY 2021

PAGE 1 OF 1

Planning & Zoning Department

Plat Staff Report

(15)



Case: SUB-98-2021

MEETING DATE(S)

Planning & Zoning Commission: September 14, 2021

City Council: September 20, 2021

CAPTION

Consider a request by Leslie Porterfield for a **Plat** of Porterfield Acres for two (2) lots being 4.001 acres situated in the H.G. Hurst Survey, Abstract 458 (Property ID 271129 & 202575) in the Extra Territorial Jurisdiction – Owner: Durawn McDaniel

APPLICANT REQUEST

The applicant is requesting to plat the subject property into two lots for single family residential use.

CASE INFORMATION

Applicant: Leslie Porterfield

Property Owner(s): Durawn McDaniel

Site Acreage: 4.001 acres

Number of Lots: 2 lots

Number of Dwelling Units: 2 units

Park Land Dedication: N/A (ETJ)

Adequate Public Facilities: Adequate domestic flow is available to the subject property.

SUBJECT PROPERTY

General Location: 200 Mulkey Rd

Parcel ID Number(s): 271129 & 202575

Current Zoning: N/A (ETJ)

Existing Use: A single family residence is located on 200 Mulkey Rd.

Platting History: The subject property is situated in the H.G. Hurst Survey, Abstract 458.

(15)

Site Aerial:



PLATTING ANALYSIS

The applicant is requesting to plat the subject property into two lots for residential use. Both lots already exist through metes and bounds, but neither has officially been platted. A single-family residence already exists on the 1-acre tract being platted. A water letter from Rockett SUD states a 6" water line supplies adequate domestic flow to the subject property and supplies the site with 1,000 gpm of pressure for fire flow.

VARIANCE REQUEST

Request:

The applicant is requesting a petition for relief waiver be granted for ROW dedication to the subject property. Per the City of Waxahachie Thoroughfare Plan, Mulkey Road is defined as an existing 120' thoroughfare.

Staff's Response:

Per Section 3.1 of the subdivision ordinance, the property owner shall provide all rights-of-way required for existing or future streets and for all required street improvements, including perimeter streets and approach roads, as shown in the City's Thoroughfare Plan. Due to the City's thoroughfare plan reflecting the 120' ROW along Mulkey, it is staff's belief that 60' of ROW be dedicated from the centerline of Mulkey.

Required Planning and Zoning Commission Action

Due to this case having a petition for relief waiver associated with it, the Planning and Zoning Commission must provide City Council with a recommendation on two separate items:

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

This action can be performed in one motion.

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:
Per Section 3.1 of the subdivision ordinance, the property owner shall provide all rights-of-way required for existing or future streets and for all required street improvements, including perimeter streets and approach roads, as shown in the City's Thoroughfare Plan. Due to the City's thoroughfare plan reflecting the 120' ROW along Mulkey, it is staff's belief that 60' of ROW be dedicated from the centerline of Mulkey.
- ☐ 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.

STAFF CONTACT INFORMATION

Prepared by:

Chris Webb

Senior Planner

cwebb@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Executive Director of Development Services

sbrooks@waxahachie.com

(15)



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: Leslie Porterfield Parcel ID #: 271129
Subdivision Name: _____

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. <u>1000 gpm</u>	<input type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>12</u> inches.	<input type="checkbox"/>	<input type="checkbox"/>

Jacob Morales
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

9/7/2021
Date

Planning & Zoning Department

Zoning Staff Report

(116)



Case: ZDC-129-2021

MEETING DATE(S)

Planning & Zoning Commission: September 14, 2021

City Council: September 20, 2021

CAPTION

Public Hearing on request by Kyle Hunt, Hunt Restoration, for a **Specific Use Permit (SUP)** for a **Drive Through Establishment (restaurant)** use within a Commercial zoning district located at 1735 N US Hwy 77 (Property ID 237029) - Owner: DSK PROPERTIES, LLC (ZDC-129-2021)

APPLICANT REQUEST

The applicant is requesting a Specific Use Permit (SUP) to allow a drive through use at an existing restaurant (Ta Molly's Restaurant) on the subject property.

CASE INFORMATION

Applicant: Kyle Hunt, Hunt Restoration

Property Owner(s): DSK PROPERTIES, LLC

Site Acreage: 1.562 acres

Current Zoning: Commercial

Requested Zoning: Commercial with SUP for a Drive Through Establishment

SUBJECT PROPERTY

General Location: 1735 N US Hwy 77

Parcel ID Number(s): 237029

Existing Use: Ta Molly's Restaurant

Development History: The subject property is located on Lot 3, Block A, Spring Lake Development

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	C	Altus Emergency Center
East	N/A	N Hwy 77
South	C	Best Western Plus
West	C	Parking Lot for Ferris Ave Baptist Church

Future Land Use Plan:

Retail

(116)

Comprehensive Plan:

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

Thoroughfare Plan:

The subject property is accessible via N Hwy 77 and North Town Blvd

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The purpose of this request is to allow a proposed drive through establishment use to be added onto an already existing restaurant (Ta Molly's). Per the City of Waxahachie Zoning Ordinance, a drive through establishment requires a Specific Use Permit.

Proposed Use:

The applicant is requesting approval to allow for the construction of a drive through window to their existing restaurant (Ta Molly's). Per the Site Plan, the proposed drive through will be located at the rear of the existing building, and provides six (6) stacking spaces which is consistent with the City of Waxahachie Zoning Ordinance. Per the applicant, the use of a drive through would allow the restaurant to offer customers the option(s) of dining in the restaurant or pick up to-go orders.

The proposed addition of a drive through is consistent with the character of the surrounding area.

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.

(16)

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. Site Plan

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

Chris Webb

Senior Planner

cwebb@waxahachie.com

Reviewed by:

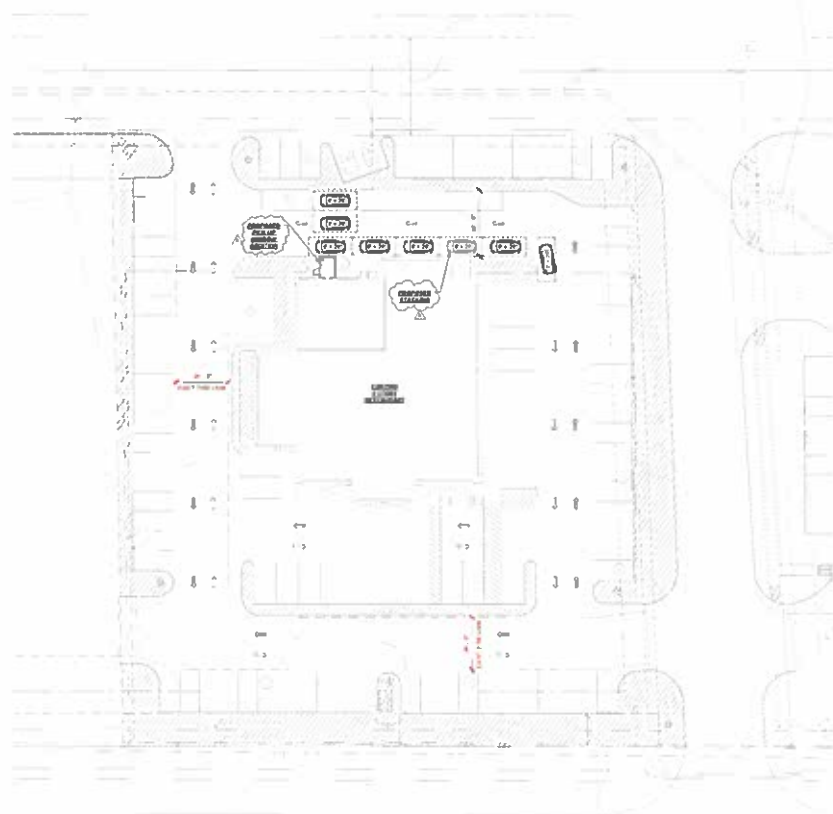
Shon Brooks, AICP

Executive Director of Development Services

sbrooks@waxahachie.com

(16)

CODE SUMMARY	
OVERALL	
1.00	1.00
2.00	2.00
3.00	3.00
4.00	4.00
5.00	5.00
6.00	6.00
7.00	7.00
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98.00	98.00
99.00	99.00
100.00	100.00



DC TEXAS
1735 Hwy. 77 N.
WALDORF, TX 76160

Tea Mollis
MEXICAN KITCHEN
ADDITION
1735 Hwy. 77 N.
WALDORF, TX 76160

ISSUE FOR
PERMIT
June 30, 2021



REVISIONS

NO.	DATE	BY	REVISION
1	06/30/21	DC	ISSUE FOR PERMIT

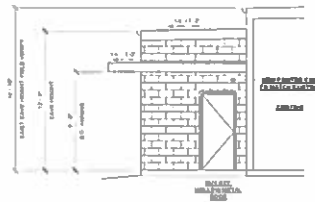
Site
SITE PLAN

CASE NUMBER:
ZDC-129-2021

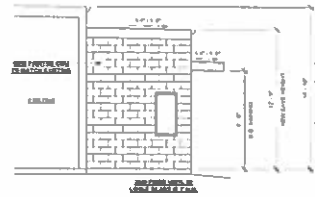
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DC TEXAS ENGINEERING, LLC

(14)



① LEFT ELEVATION
1/4" = 1'-0"



② RIGHT ELEVATION
1/4" = 1'-0"



③ REAR ELEVATION
1/4" = 1'-0"



Ta Maly's
MEXICAN KITCHEN
ADDITION
1735 Hwy. 77 N.
WADSWORTH, TX 75165

ISSUE FOR
PERMIT
June 30, 2021



REVISIONS

NO.	DATE	DESCRIPTION
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THIS
ELEVATIONS

CASE NUMBER:
ZDC-129-2021

Sheet
A-103

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DC TEXAS ENGINEERS, LLC

Architectural section drawing of a building facade. The drawing shows a brick wall with a large window and a door. The window is labeled 'WINDOW' and the door is labeled 'DOOR'. The brick wall is labeled 'BRICK WALL'. The drawing includes various annotations such as 'CONCRETE FOUNDATION', 'ROOF', 'FLOOR', 'CEILING', 'WALL', 'DOOR', 'WINDOW', 'BRICK WALL', 'CONCRETE FOUNDATION', 'ROOF', 'FLOOR', 'CEILING', 'WALL', 'DOOR', 'WINDOW', 'BRICK WALL'. The drawing is oriented vertically on the page.

① WALL SECTION
10' x 14'



WAXAHACHIE, TX 75160

**ISSUE FOR
PERMIT**
June 30, 2021



SYNOPSIS

DATE	TIME	PAGE
		4

3

WALL SECTIONS

CASE NUMBER.
ZDC-129-2021

not

A-104

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 The YEA's Foundation, Inc.

Planning & Zoning Department

Zoning Staff Report

(118)



Case: ZDC-131-2021

MEETING DATE(S)

Planning & Zoning Commission: September 14, 2021

City Council: September 20, 2021

CAPTION

Public Hearing Request by Brad Yates, Colonial Restoration Group, Inc. for **Planned Development (PD)** to allow a **Private Club (Event Center)** use within a Single Family - 3 Zoning District located at 716 Dunaway Street (Property ID 193948) - Owner: LOREN GRAY INVESTMENTS, LLC (ZDC-131-2021)

APPLICANT REQUEST

The applicant is requesting to change the zoning of the subject property from Single Family-3 (SF-3) to Planned Development-Single Family-3 (PD-SF-3) to allow a Private Club (Event Center) use.

CASE INFORMATION

Applicant: Brad Yates, Colonial Restoration Group, Inc.

Property Owner(s): Loren Gray Investments, LLC.

Site Acreage: 0.873 acres

Current Zoning: SF-3

Requested Zoning: PD-SF-3 to allow for Private Club (Event Center)

SUBJECT PROPERTY

General Location: 716 Dunaway

Parcel ID Number(s): 193948

Existing Use: Vacant building (formerly The South Ward School/Bullard Heights School) is located on the subject property.

Development History: The property was platted as Lot 5 of the Bullard Addition. The school house on the site was constructed in 1911.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-3	Single Family House
East	SF-3	Single Family House
South	SF-3	Undeveloped
West	SF-3	Single Family House

Future Land Use Plan:

Retail

(18)

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:

This site will be accessible via Dunaway Street.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant is requesting a zoning change for this site from SF-3 zoning to PD-SF-3 zoning to allow for a Private Club (Event Center) use on 0.873 acres. The school house located on the site will remain. A parking lot will be added to the subject site as well as additional screening and vegetation. An outdoor courtyard will also be included as part of the overall proposal.

Proposed Use:

The applicant is requesting approval for a zoning change to allow the existing South Ward/Bullard Heights School House to be converted into an Event Center. The building is currently 4,576 sq. ft. consisting of four rooms. The applicant intends to update the floorplan of the building to make the building more conducive to an event center use. A portion of the building will be converted to one large ballroom, while the remaining rooms remain intact. The remaining rooms will consist of restroom facilities, a small prep kitchen, and two gathering rooms. In addition to the already existing building, the applicant is proposing the addition of a courtyard area with a gazebo that will allow for an outdoor use as part of the Event Center. Examples of anticipated Event Center uses include weddings, class reunions, business and corporate events, and other small gatherings. Alcohol will be provided by outside vendors. A parking lot will be constructed to allow for on-site parking and a circular drive will be added to provide a drop-off/pick-up point to the main entrance of the proposed Event Center. The applicant will also repair and update the facade of the building by updating the building with new stucco material to help the building look more aesthetically pleasing. Additional vegetation and screening is also proposed to be added to the site.

SPECIAL EXCEPTION/VARIANCE REQUEST:

(18)

On-site Screening

The applicant is requesting that screening for the subject property be primarily vegetative with more enhanced screening to be constructed for the courtyard area. The courtyard screening will consist of a concrete base with concrete columns and decorative cedar fencing in between the columns. The applicant is requesting the easing of screening restrictions due to the fact that that building already exists, and that the surrounding three existing streets and one unimproved alley act as an additional buffer to this site.

- Per Sec. 5.03 (f)(i) of the Zoning Ordinance, a solid brick or masonry screening wall of not less than six (6) feet nor more than eight (8) feet in height shall be erected on the property line separating these districts.
 - o Staff is willing to be flexible in regard to the screening. Since the schoolhouse is already existing on this site, staff believes that requiring a masonry screening wall to be constructed around the perimeter of the property would not be aesthetically pleasing. However, staff would like to see 6' ornamental iron fencing with masonry columns placed every 30' around the perimeter of the subject property. This would not be required for the enhanced screening the applicant is already proposing for the courtyard area. Vegetative screening will need to be included as part of the screening as well.

Sidewalks

The applicant is requesting that the sidewalk requirement be waived due to there not being other sidewalks in the area. The applicant has also stated that sidewalks would encourage additional street parking to the proposed event center.

- Per the City of Waxahachie Subdivision Ordinance, "sidewalks not less than six feet (6') shall be provided within all non-residential developments".
 - o Staff suggests that sidewalks be constructed along the front and side(s) of the property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, **28** 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

Inside 200 ft.: Staff received two (2) letters of support and one (1) letter of opposition for the proposed development.

Outside 200 ft.: Staff received one (1) letters of support for the proposed development.

STAFF CONCERNS

Noise

Due to the SF-3 zoning in place and the existing single family use that largely surrounds the subject property, staff is concerned that noise generated from the event center will be disruptive to the surrounding neighbors.

Street Parking

Staff is concerned that the proposed site will be under parked leading to street parking around the site. Given that the width of the streets in this area are narrow, street parking could lead to the clogging of thoroughfares in the area.

APPLICANT RESPONSE TO CONCERNS

(18)

Noise

The applicant has proposed self-imposed curfews of 10pm on weekdays and 12am on weekends. The applicant has also provided staff with signed documents expressing support of the proposed use from the property owners of 802 S Rogers Street, 700 S Rogers Street, and 401 Brady Street.

- Per the noise ordinance, staff believes the late curfew should only be extended to 11pm on weekends.

Street Parking

The applicant has presented staff with a mutually signed agreement with the Full Life Assembly of God (800 S Rogers Street) stating that their parking lot can be used for overflow parking for the proposed event center and vice versa (approx. 37 additional spaces). While staff cannot officially count these spaces when reviewing the available parking for the site, this does reduce concerns regarding the possibility of street parking.

RECOMMENDATION

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
 1. A mutually agreed upon Development Agreement will be required for the development.
 2. 6ft. ornamental fencing with landscaping should be provided along the front and side(s) of the property.
 3. A detailed Site Plan packet shall be reviewed administratively by staff.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Letters of Support
3. Operational Plan
4. Conceptual Site Plan
5. Conceptual Elevations
6. Mutual Parking Agreement

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:

Chris Webb

Senior Planner

cwebb@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Executive Director of Development Services

sbrooks@waxahachie.com

PropertyID	Owner's Name	Owner's Address	Owner's City	Owner's State	Owner's ZIP
172311	JONES NELSON W	107 CHAPMAN CIR	WAXAHACHIE	TX	75165
202987	GONZALEZ LEONARD & DEBORAH	1231 AMBERWOOD DR	DUARTE	CA	91010
202989	GILAD YUVAL	1709 MACKENZIE LN	CEDAR PARK	TX	78613
202988	MARTINEZ ALFREDO & SARA	225 CHIMNEY ROCK DR	WAXAHACHIE	TX	75167
173187	405 W AVE C SERIES OF CM SANCHES & ASSOCIATES LLC	300 LYNN ST	WAXAHACHIE	TX	75165
173188	409 W AVE C A SERIES OF CM SANCHEZ & ASSOCIATES LLC	300 LYNN ST	WAXAHACHIE	TX	75165
173195	403 W AVE C SERIES OF CM SANCHEZ & ASSOCIATES LLC	300 LYNN ST	WAXAHACHIE	TX	75165
173196	400 DEWBERRY SERIES OF CM SANCHEZ & ASSOCIATES LLC	300 LYNN ST	WAXAHACHIE	TX	75165
172312	HARBIN JAMES B II	302 DEWBERRY ST	WAXAHACHIE	TX	75165
172305	STRENGTH GUNTHER	302 MODENE AVE	WAXAHACHIE	TX	75165
172313	DUNBAR JEFFREY G	303 W AVENUE C	WAXAHACHIE	TX	75165
172314	TURBO PROPERTIES LLC	307 S ELM	WAXAHACHIE	TX	75165
193948	SOUND BRIDGE ACOUSTIC LABS INC	3501 I 35 E	WAXAHACHIE	TX	75165
202980	SOSA STACY & CHRIS AGUAYO	401 BRADY ST	WAXAHACHIE	TX	75165
194026	CONTRERRAS RACHEL	402 DEWBERRY ST	WAXAHACHIE	TX	75165
276671	SKEANS ABIGAIL K	407 W LIGHT ST	WAXAHACHIE	TX	75165
202985	BRANTLEY ZACK JACOB	6250 KINGSTON DR	MIDLOTHIAN	TX	76065
172310	COLE DONALD I & PEGGY E	700 DUNAWAY ST	WAXAHACHIE	TX	75165
172319	COLE I CHRISTOPHER	700 DUNAWAY ST	WAXAHACHIE	TX	75165
172367	SLETMOEN ROSAL S	700 S ROGERS ST	WAXAHACHIE	TX	75165
172368	MARCHBANKS STEPHANIE C	708 S ROGERS ST	WAXAHACHIE	TX	75165
172391	SMITH PATRICIA L	801 GIVENS ST	WAXAHACHIE	TX	75165
202986	VILLA JUAN M & MISSY R	805 GIVENS ST	WAXAHACHIE	TX	75165
172306	BRUNNER DENISA	806 DUNAWAY ST	WAXAHACHIE	TX	75165
172369	SOUTH PARK ASSEMBLY OF GOD	PO BOX 249	WAXAHACHIE	TX	75168
193799	SOUTH PARK ASSEMBLY OF GOD	PO BOX 249	WAXAHACHIE	TX	75168
172384	SANCHEZ CARLOS I SR	PO BOX 2673	WAXAHACHIE	TX	75168
172393	SANCHEZ CARLOS I SR	PO BOX 2673	WAXAHACHIE	TX	75168

(118)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **SUB-131-2021**

RECEIVED SEP 03 2021

JONES NELSON W
107 CHAPMAN CIR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 14, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 20, 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 Brad Yates, Colonial Restoration Group, Inc. for **Planned Development (PD)** to allow a Private Club (Event Center) use within a Single Family - 3 Zoning District located at 716 Dunaway Street (Property ID 193948) - Owner: LOREN GRAY INVESTMENTS, LLC (ZDC-131-2021)

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

Case Number: **SUB-131-2021**

City Reference: 172311

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, September 7, 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:

This is a quiet residential neighborhood. The proposed location is practically in the back yard of my property. NOT appropriate

Signature

Nelson W. Jones, M.D.

Printed Name and Title

Date

8-29-21
303 W. Light 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.

(118)

Loren Gray Investments, LLC

PO Box 2868

Waxahachie, TX. 75168

City of Waxahachie

August 23, 2021

This letter is to show support and acknowledgement of Loren Gray Investments, LLC plan for the building located at 716 Dunaway. The proposed plan will take the existing structure and renovate for use as an event center that will become known as "The Heights". This center will be used for class reunions, family gatherings, weddings and baby showers, corporate events, weddings, and small gatherings.

Roger Restw

802 S. Rogers St.

Address

Loren Gray Investments, LLC

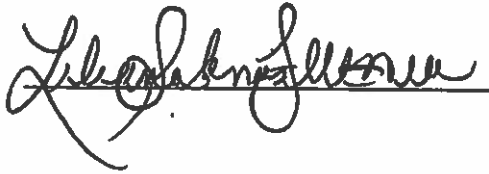
PO Box 2868

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City of Waxahachie

August 23, 2021

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700 S. Rogers 86
Address

1469-563-5841

Loren Gray Investments, LLC


PO Box 2868

Waxahachie, TX. 75168

City of Waxahachie

August 23, 2021

This letter is to show support and acknowledgement of Loren Gray Investments, LLC plan for the building located at 716 Dunaway. The proposed plan will take the existing structure and renovate for use as an event center that will become known as "The Heights". This center will be used for class reunions, family gatherings, weddings and baby showers, corporate events, weddings, and small gatherings.


Chris Aguayo

401 Brady St
Address

Loren Gray Investments, LLC
PO Box 2868
Waxahachie, TX 75168
972-938-3383

Proposed Project:
The Heights Event Venue
716 Dunaway Street
Waxahachie, TX 75165

August 4, 2021

Loren Gray Investments, LLC is a Real Estate Investment Company that was formed in 2009. It currently holds, manages and develops properties throughout Ellis County. The Bullard Heights School located at 716 Dunaway in Waxahachie was purchased roughly 9 months ago. After extensive investigation and informal conversations with the surrounding neighbors, it was concluded that the current best use of the space is an event venue.

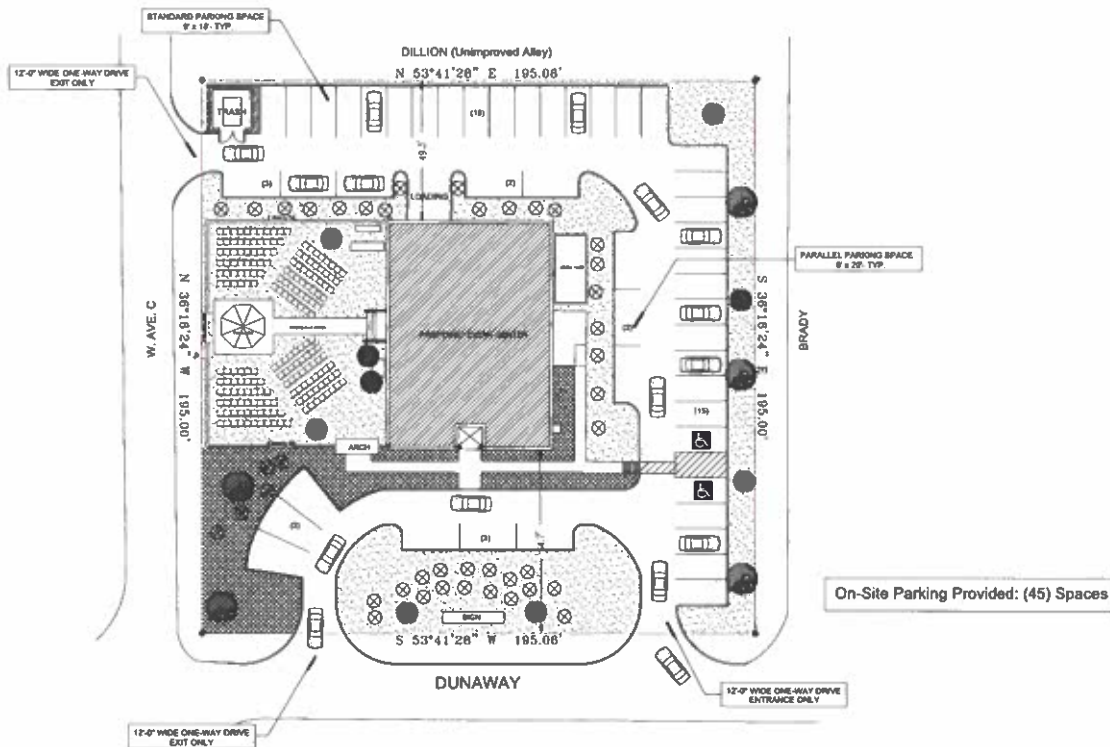
The existing structure is approximately 4576 square feet consisting of basically 4 rooms. With minimal changes, a portion can be converted to one large ballroom leaving the remaining rooms intact. These rooms will consist of restroom facilities, small prep kitchen and two gathering rooms. In addition to indoor space, there will be an approximately 5500 square foot fenced in courtyard to allow for outdoor gatherings. Anticipated occupancy for indoor facilities is 225.

The finished project will be a multi-use facility that will house activities such as class reunions, family reunions, wedding and baby showers, weddings, receptions, business and corporate events, and small gatherings. All food and beverage will be outside vendors, but require insurance and security onsite for event.

The attractiveness of this project is that the facility is small in size and located near the heart of downtown. Due to it being surrounded by residential properties, the events scheduled will be sensitive to the noise ordinances currently in place.

The Bullard Heights School has been vacant since approximately 2000. It has fallen into disarray, been vandalized and is quickly becoming a forgotten part of Waxahachie's history. The easiest use of this space would be to raze the structure and develop the land; however, with Waxahachie's deep rooted history and sensitivity to old structures, the restoration of the Bullard Heights School into The Heights Event Center would allow us to remember the past and find an alternate use for a struggling building.

(18)



Landscaping Requirements

PROPOSED BUILDING FLOOR AREA:	4,718 SF
80% LANDSCAPING REQUIREMENT BASED ON FLOOR AREA:	2,369 SF
ACTUAL LANDSCAPED SITE AREA:	7,783 SF
CANOPY TREE	1/500 SF REQUIRED: (5) PROVIDED: (5)
UNDERSTORY TREE	1/250 SF REQUIRED: (10) PROVIDED: (10)
SHRUBS	1/75 SF 34 PROVIDED: (40)
GROUND COVER	15% REQUIRED: (163 SF) PROVIDED: (776 SF)

Landscaping Notes

ALL LANDSCAPING TO BE COMPLIANT WITH THE CITY OF WAXAHACHIE LANDSCAPE ORDINANCE
ALL PLANT MATERIALS ARE TO BE ON THE CITY'S APPROVED PLANTING LIST PER SEC. 5.04
ALL PLANT MATERIALS WILL BE PROVIDED BY AN APPROVED AUTOMATIC SPRINKLER SYSTEM
FOR WHICH COMPLETE PLANS ARE TO BE PROVIDED UPON SUBMITTAL FOR THE BUILDING PERMIT

Landscape Key

	CANOPY TREE
	UNDERSTORY TREE
	SHRUB WITH SEASONAL COLOR
	GROUND COVER
	HYDROPHILIC BERMDA GRASS

Conceptual Site Plan

Proposed Bullard Heights Event Center
716 Dunaway Street
City of Waxahachie, Ellis County, Texas



1:15

FOR CONCEPT REVIEW ONLY

REVISED 9.7.21

Bullard Heights Event Center
716 Dunaway
Waxahachie, Texas

Colonial Restoration Group
Waxahachie, Texas



200 East North Street
Waxahachie, TX 76791
940.855.2222

Designed by: M. Mortimer, Inc.
Drawn by: M. Mortimer, Inc.
Check by: M. Mortimer, Inc.
Scale: As noted

716 Dunaway

www.mortimerinc.com



(18)



(18)





Mutual Release and Agreement

August 23, 2021

This agreement is between Loren Gray Investments, LLC, owner of The Heights Event Center, and Full Life Assembly of God. Both agree that terms of agreement are for mutual use of parking facilities that each entity has on their respective properties for use only as overflow parking. In addition, to granting parking both Loren Gray Investments, LLC and Full Life Assembly of God hold harmless from liability each entity from actions of persons either incorporated with or without the said organization.

Roger Reston, Pastor

Full Life Assembly of God


Loren Gray Investments, LLC

Planning & Zoning Department

Zoning Staff Report

(207)



Case: ZDC-100-2021

MEETING DATE(S)

Planning & Zoning Commission: September 14, 2021 (continued from August 24, 2021)

City Council: September 20, 2021

CAPTION

Public Hearing on a request by Perry Thompson, Thompson Architectural Group, Inc., for a **Specific Use Permit (SUP)** for a **Heavy Machinery And Equipment Rental, Sales, Or Storage** use within a Commercial zoning district located at 1313 N Interstate 35 (Property ID 180355) - Owner: JP TYLER, LLC (ZDC-100-2021)

APPLICANT REQUEST

The applicant (Sunbelt Rentals) is requesting approval of a Specific Use Permit at a vacant industrial/commercial building (*formerly Stelco Industries Inc.*) to allow the use of Heavy Machinery and Equipment, Rental, Sales or Storage and Outdoor Display.

CASE INFORMATION

Applicant: Perry Thompson, Thompson Architectural Group, Inc.

Property Owner(s): JP Tyler, LLC

Site Acreage: 3.095 acres

Current Zoning: Commercial

Requested Zoning: Commercial with SUP

SUBJECT PROPERTY

General Location: 1313 N. Interstate Highway 35

Parcel ID Number(s): 180355

Existing Use: Vacant Industrial/Commercial building (Previously Stelco Industries, Inc.)

Development History: N/A

Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	C	Undeveloped Land
East	C	Industrial Use(s)
South	N/A	Interstate Highway 35
West	C	Undeveloped Land

(20)

Future Land Use Plan:

Mixed Use Non-Residential

Comprehensive Plan:

Similar to Mixed Use Residential, land designated with this land use are intended for a mixture of nonresidential and residential uses. The only difference would be that Mixed Use Nonresidential has a greater percentage of nonresidential components than residential. Specifically, 80 percent of the acreage or square footage of proposed developments are required to be nonresidential with the remaining 20 percent of the acreage or square footage allocated to residential. Southlake's Town Center is an example of Nonresidential Mixed Use.

Thoroughfare Plan:

The subject property is accessible via N. Interstate Highway 35 (East) service road.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant (Sunbelt Rentals) is requesting approval of a Specific Use Permit at a vacant industrial/commercial building (formerly Stelco Industries Inc.) to allow the use of Heavy Machinery and Equipment, Rental, Sales or Storage and Outdoor Display.

Proposed Use:

The applicant is proposing to use the existing building, located at 1313 N. Interstate Highway 35, for a Sunbelt Rentals business. The Sunbelt Rentals facility will serve as a retail center for the rental and maintenance of heavy equipment. Areas of construction include(s) a finish-out of the existing office space, the addition of a wash bay area to the south of the original building, site work including addition of concrete drive(s), striping for fire lanes, and the removal of approximately (5) existing trees to the northwest corner of the site.

In addition, the applicant intends to provide additional landscaping and ornamental iron fencing to the site. The proposed landscaping will provide trees and shrubs to a site that currently has limited vegetation within the property boundaries. Customer parking is proposed to remain near the front of the property. The applicant intends to have operational hours for the property of 7am-5pm Monday through Friday.

Table 2: Development Standards (Commercial)

***Table 2 reflects current standards for the existing building at the subject property**

Standard	City of Waxahachie	Sunbelt Rentals	Meets Y/N
Min. Lot Area (Sq. Ft.)	5,000	134,818 (3.095 acres)	Yes
Min. Building Size (Sq. Ft.)	N/A	12,134 (existing building)	Yes
Min. Lot Width (Ft.)	50	228	Yes
Min. Lot Depth (Ft.)	100	699	Yes
Max. Height	3 stories	1 story	Yes
Max. Lot Coverage (%)	40	9	Yes
Parking 1 space per 500 sq. ft.	24	25	Yes

Landscaping

The property is subject to landscape and screening requirements per the City of Waxahachie Zoning Ordinance. Table 3, listed below, summarizes the landscaping requirements in a comparison chart.

Table 3: Landscaping

Standard	City of Waxahachie	Sunbelt Rentals	Meets Y/N
Area (Sq. Ft.)	4,853.6	4,854	Yes
1 Canopy Tree per 500 sq. ft.	10	10	Yes
1 Understory Tree per 250 sq. ft.	20	20	Yes
1 Shrub per 70 sq. ft.	70	70	Yes

Additional Landscaping Notes

Canopy Trees: Shumard Oak (*Quercus Texana*)

Understory Trees: Mexican Buckeye (*Ungnadia Speciosa*)

Shrubs: Dwarf Yaupon (*Ilex Vomitoria*)

Additional: 12 Wax Myrtle (*Morella Cerifera*)

**All landscaping and irrigation shall comply with the City of Waxahachie Zoning Ordinance*

STAFF ANALYSIS

Currently, there is an existing 2-inch water line that does not provide sufficient fire protection to the site. Due to this, staff is requiring the applicant to provide a 16" water line utility connection from the North of the property that would provide sufficient fire protection for the subject property. If the applicant is unable to provide a utility connection from the North of the property to the site, staff would not be supportive of the request due to inadequate fire protection.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 6 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.

(20)

RECOMMENDATION

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ **Approval, per the following comments:**
 1. A mutually agreed upon Development Agreement will be required for the development.
 2. Any new pavement for the site shall be concrete. In addition, areas with outdoor display structures shall be located on a concrete surface.
 3. The existing chain link fence shall be replaced with ornamental iron fencing along the front and side to ornamental iron fencing.
 4. The applicant is responsible for providing a utilities connection to the site from the Northern direction of the property.
 - a. An official Certificate of Occupancy shall not be issued until all necessary utilities are provided to the site.
 5. The fire sprinkler FDC (Fire Department Connection) must be within 100 ft. of a fire hydrant.
 6. All parts of the building must be within 600 ft. of a fire hydrant.
 7. Note: The city would pay oversize participation for water lines greater than 12" in diameter, provided funds are available, or this participation may be in form of water impact fee credits and would be included in an Oversize Participation Agreement approved by the City Council.

ATTACHED EXHIBITS

1. Site Layout Plan
2. Landscape Plan
3. Demolition 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

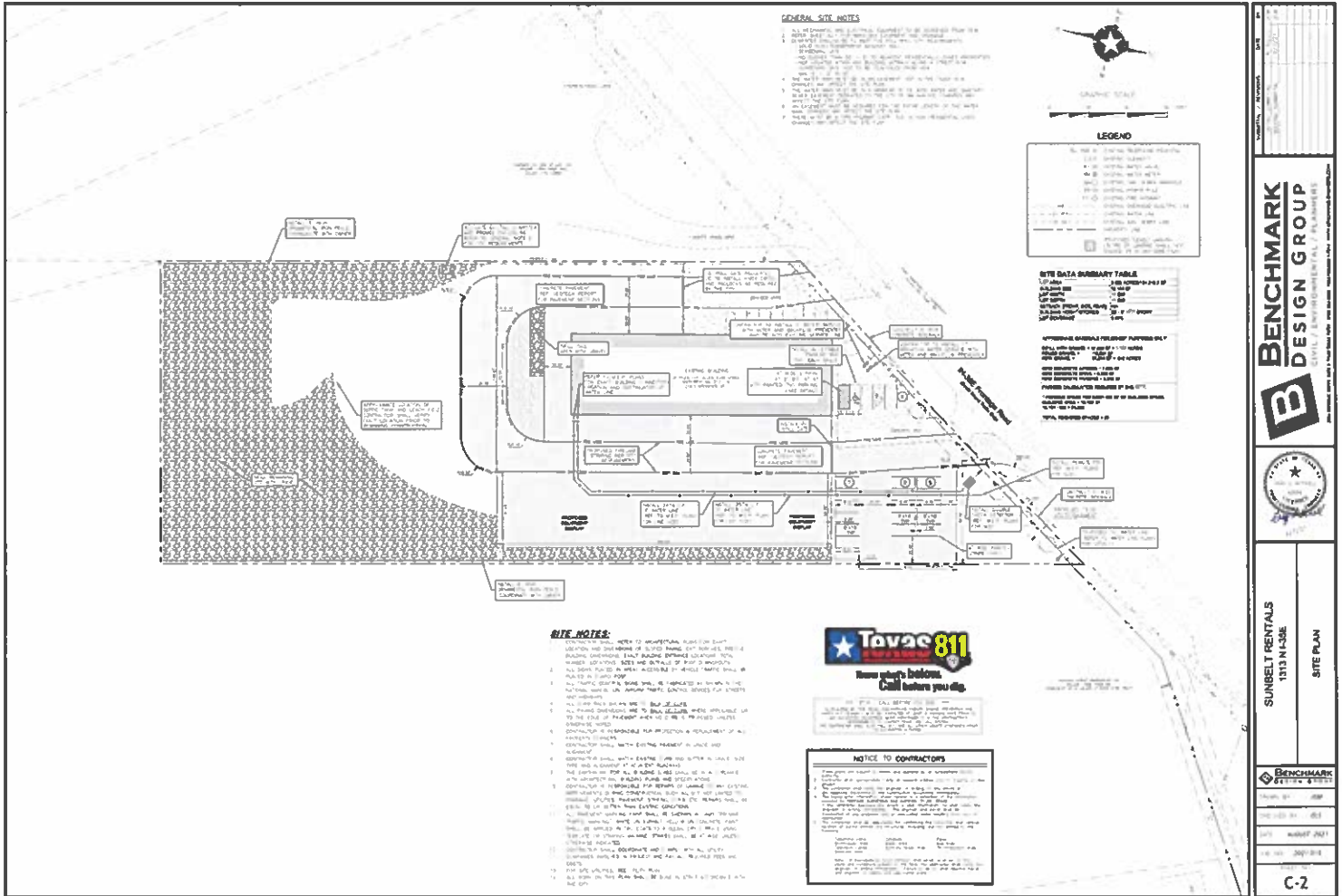
ccollins@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Executive Director of Development Services

sbrooks@waxahachie.com



BENCHMARK
DESIGN GROUP

1313 N-306



SUNBELT RENTALS
1313 N-306

BENCHMARK
DESIGN GROUP

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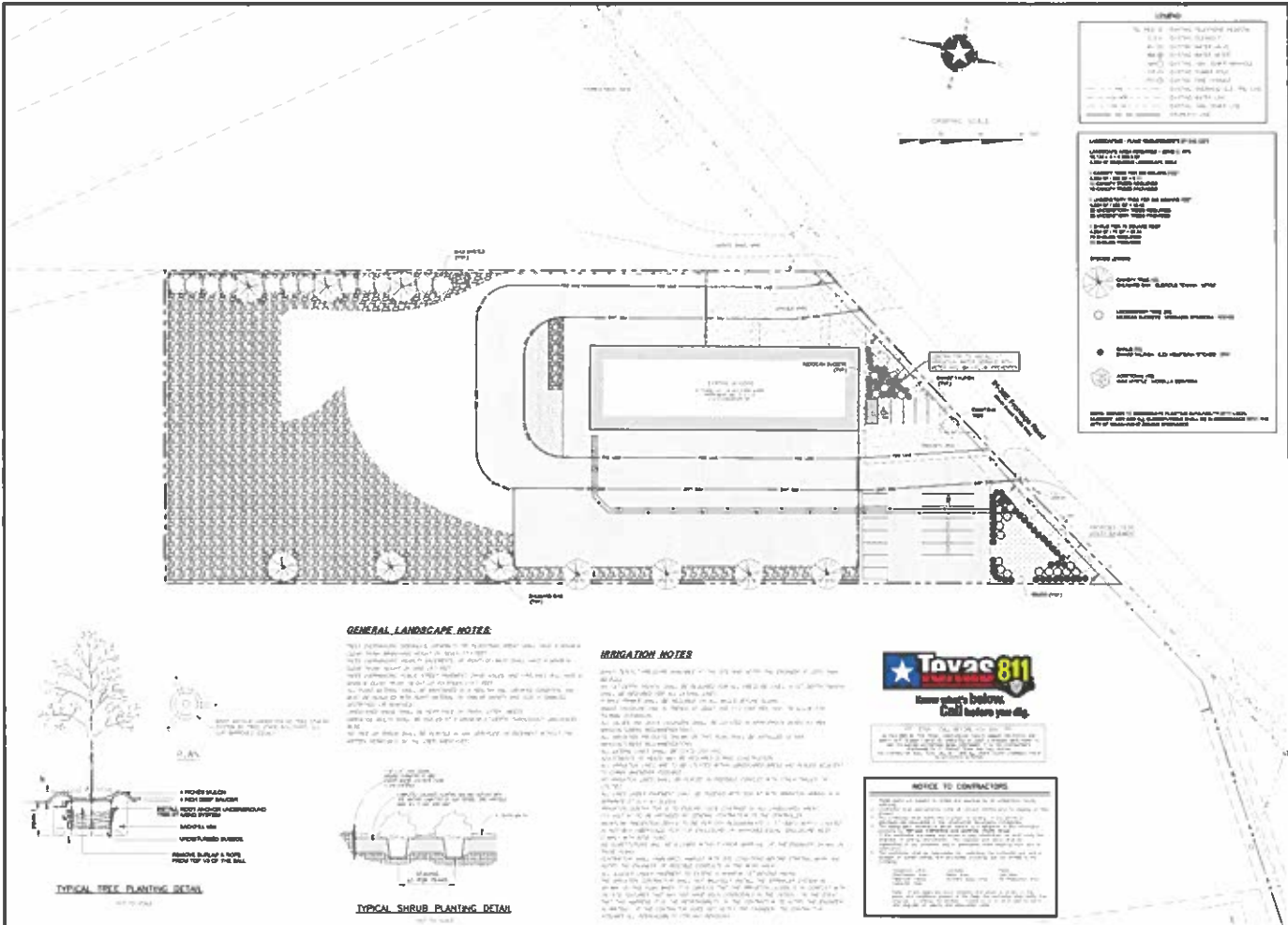
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BENCHMARK
DESIGN GROUP
CIVIL / ENVIRONMENTAL / PLANNERS



SUNBELT RENTALS
1313 N 1435E



10/12/2021	8.4
10/12/2021	8.4
10/12/2021	8.4

L-1



Planning & Zoning Department

Zoning Staff Report

(22)



Case: ZDC-116-2021

MEETING DATE(S)

Planning & Zoning Commission:

September 14, 2021 (originally scheduled for August 24, 2021 P&Z)

City Council:

September 20, 2021

CAPTION

Public Hearing on a request by Josh Meredith, Van Trust Real Estate, for a **Zoning Change** from Planned Development – Commercial (PD-C) and Future Development (FD) to Planned Development – Light Industrial – 1 (PD-LI1), to allow **Storage Warehouse** use, located just West of Interstate 35 and South of Butcher Road (Property ID 188448 & 188453) - Owner: JAMES R PITTS TRUSTEE & BUCEES, LTD (ZDC-116-2021)

APPLICANT REQUEST

The applicant is requesting approval of a Planned Development to allow for an industrial logistics business park.

CASE INFORMATION

Applicant:

Josh Meredith, Van Trust Real Estate

Property Owner(s):

James R. Pitts Trustee & Buc-ee's, LTD

Site Acreage:

73.7 acres

Current Zoning:

Planned Development – Commercial (PD-C) and Future Development (FD)

Requested Zoning:

Planned Development – Light Industrial – 1 (PD-LI1)

SUBJECT PROPERTY

General Location:

Southwest corner of I-35E and Butcher Rd.

Parcel ID Number(s):

188448 and 188453

Existing Use:

Undeveloped

Development History:

Case no. PD-18-0088, which created a PD-C zoning to allow for a Buc-ee's Travel Center on the subject property, was approved by City Council on 6/18/18.

(22)

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	LI1	Undeveloped
East	HI	ABC Supply Co. Inc.
South	LI1	Outside Storage
West	N/A (ETJ)	Undeveloped

Future Land Use Plan:

Highway Commercial

Comprehensive Plan:

Highway Commercial areas are intended to allow for traditional commercial land uses, but such uses should be developed to a higher standard. For example, outside storage may be permitted, but would have to be screened and not visible from the road. In addition, a more limited array of commercial uses would be permitted. Hotels, motels, and car dealerships would be permitted, for example, but manufactured home sales and self-storage businesses would not. The idea is for these areas to show a positive image of Waxahachie and make visitors want to travel into the main part of the City.

Thoroughfare Plan:

The subject property is accessible via I-35E South Service Road. In addition to the service road, the applicant is proposing to extend Butcher Road to the west, with Butcher Road extending the entire length of the property. This extension would allow for additional access to the site.

Site Image:



PLANNING ANALYSIS**Purpose of Request:**

The applicant is requesting approval of a Planned Development to allow an industrial business park on 73 acres. Per the City of Waxahachie Zoning Ordinance, a Planned Development request is required to be reviewed by City Council.

Proposed Use:

The applicant intends to create a Planned Development to allow for an industrial business park. The project is located on the southwest corner of I-35E and Butcher Road. Per the Concept Plan, the applicant is proposing to construct one (1) industrial warehouse that can be up to 1,215,200 sq. feet in size. Though the proposed industrial warehouse will be capable of housing multiple tenants, there are currently no confirmed tenant(s) at this time.

The development intends to allow uses such as Auto Parking Lot (Commercial), Auto Parking Lot (Trucks and Trailers), Outside Storage, Storage Warehouse, Open storage (display, or work areas for merchandise or machinery uses), Cold Storage Warehouse, Data Processing Center, Distribution Warehouse, General Warehouse, Logistics Warehouse, Office Showroom, and Package Delivery Services. The development also intends to allow 24-hour operation, propane storage, and tarping of loaded flatbed trailers, by right within the development

Planned Development Notes

- A. There will be a maximum height of 6 stories for the proposed structure within the Planned Development.
- B. The primary building material will be concrete. Additional materials include glass and metal paneling.
- C. The developer is proposing to construct Butcher Road from its current location along the entire length of their northern property boundary. This is approximately 2,185 feet in length.

SPECIAL EXCEPTION/VARIANCE REQUEST:**Parking Regulations:**

Per the City of Waxahachie Zoning Ordinance, one (1) parking space is required for every 1,000 s.f. of storage area or for every 2 employees.

- One (1) parking space per 1,000 s.f. of warehouse space up to 20,000 s.f. and one (1) space per 4,000 s.f. thereafter. Parking for office shall be one (1) parking space per 300 s.f. of office area. Truck court areas may be striped to meet this requirement if necessary. The utilization of shared and/or converted parking is encouraged to reduce impervious coverage.

Landscape Requirements:

The applicant has requested multiple variances from the Landscape Requirements that are provided in the City of Waxahachie Zoning Ordinance. These include the following:

- Street trees must be planted at the average rate of one (1) tree for every forty (40) linear feet of street frontage.
 - Per the City of Waxahachie Zoning Ordinance, a street tree must be planted at the average rate of one (1) tree for every thirty (30) linear feet of street frontage.
- All auto parking shall be within one-hundred (100) linear feet of a tree trunk.

- Per the City of Waxahachie Zoning Ordinance, to reduce the thermal impact of unshaded parking lots, the required landscaping must be planted throughout parking lots so that no portion of a parking space is more than sixty-four (64) feet away from the trunk of a tree.
- The applicant is requesting deviations from the following:
 - Trailer and Auto parking shall be excluded from all landscape and shrub square footage requirements set forth in Section 5.04.
 - This site shall be excluded from all requirements set forth in sections 5.04.e, 5.04.f, 5.04.g.i, 5.04.g.ii, and 5.04g.vi.
 - 5.04.e. covers Interior Landscape Area Requirements
 - 5.04.f. covers Parking Lot Landscaping
 - 5.04.g.i specifies buffer yard requirements
 - 5.04.g.ii specifies landscape buffers
 - 5.04.g.iv specifies irrigation requirements
 - Trailer parking spaces are exempt from the parking lot tree coverage requirement for passenger cars.
- Parking areas within truck loading and maneuvering areas shall not require landscape islands of trees.
 - Per the City of Waxahachie Zoning Ordinance, in addition to the required landscaping per parking space above, one (1) linear landscaping island with a minimum width of ten (10) feet is required for every two (2) parking bays. The intent is to prevent the massing of a large number of parking spaces and to address safety issues concerning the flow of traffic in the parking lot.

STAFF CONCERNS

Unknown Uses

Staff has concerns with rezoning the subject property without knowing the specific uses/tenants that will potentially occupy the development. Staff suggests that the applicant specify which uses are likely to be used within the development, opposed to the wide-ranging list provided.

Current proposed uses include: Auto Parking Lot (Commercial), Auto Parking Lot (Trucks and Trailers), Outside Storage, Storage Warehouse, Open storage (display, or work areas for merchandise or machinery uses), Cold Storage Warehouse, Data Processing Center, Distribution Warehouse, General Warehouse, Logistics Warehouse, Office Showroom, and Package Delivery Services.

Proposed Use

While staff recognizes the appeal of the subject site for the purpose of a warehouse and realizes the significance of extending Butcher Road to the west, staff is concerned that the overwhelming presence a building of this size will have will disrupt efforts to make the I-35E gateway to the City more visually appealing. City staff views the intersection of I-35E and Butcher Road as one of the most important intersections in the City. With only the warehouse use being proposed for this site, staff does not believe that this presents enough of an opportunity for the City to change the zoning. Staff suggests that any requested zoning change made to any existing zoning shall only be granted when an applicant demonstrates that the alternative zoning, design or measure, provides an equal or greater level of quality and standard of development as that is mandated by the existing regulations.

Landscaping and Screening

Per the latest concept landscaping proposal, the applicant has failed to provide adequate vegetative screening for the site along the I-35E frontage. In the proposal a cluster of trees are to be located around the northeast corner of the property and will provide additional screening from Butcher Road.

Per this proposal, the screening follows I-35E for approximately 25% of the property width before the landscaping becomes largely nonexistent, along the rest of the I-35E frontage. It is City staff's belief that the applicant has failed to achieve any form of adequate vegetative screening for the subject site along the I-35E frontage. (22)

Staff has not received any proposal to install improved fencing (ornamental iron, screening wall, etc.) along both I-35E and Butcher Road. The applicant has indicated they are willing to enter into dialogue with the City regarding this matter.

City staff and City leaders have worked diligently with applicants in the past few years to ensure landscaping and fencing features provided adequate screening to commercial/industrial sites along the I-35E corridor. Due to the size of the proposed warehouse structure as well as the proposed uses, staff believes the proposed screening is insufficient for the warehouse. Staff believes the standard that has been established should remain and that approval of the proposed landscaping and screening plan for this site undermines this effort. Staff would request that some form of ornamental iron fencing at least 6 feet in height be placed along I-35E as well as the Butcher Road extension. In addition, staff believes that increased screening vegetation will be needed in an effort to better conceal the use on the site. Per the City of Waxahachie Zoning Ordinance, Section 5.04 of the Zoning Ordinance requires that the applicant be consistent with the landscaping requirements of the City. Staff suggests that the applicant meet the standards of the development.

APPLICANT RESPONSE TO CONCERNS

1. The applicant understands staff's concerns and intends to state their reasoning at the September 14, 2021 Planning and Zoning meeting.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 14 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

Inside 200 ft.: Staff received one (1) letter of opposition within the 200 ft. noticing buffer for the proposed development.

Outside 200 ft.: Staff received one (1) letter of opposition outside of the 200 ft. noticing buffer 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**
Due to staff concerns, staff is recommending denial.
- ☐ Approval, as presented.
- ☐ Approval, per the following comments:

ATTACHED EXHIBITS

(22)

1. PON Responses
2. Proposed Planned Development Regulations
3. Proposed Site Plan Exhibit
4. Proposed Building Elevation
5. Proposed Landscape Plan 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.

STAFF CONTACT INFORMATION

Prepared by:

Chris Webb

Senior Planner

cwebb@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Executive Director of Development Services

sbrooks@waxahachie.com

(22)

PropertyID	Owner's Name	Acreage	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
148295	WALDONADO RAUL RODAS	3.368	LOT 7 BROWN IND SITES 2 3.368 AC	524 BROWN INDUSTRIAL RD	WAXAHACHIE	TX	75167	524 BROWN INDUSTRIAL RD WAXAHACHIE TX 75167
182299	REED LAND MANAGEMENT LTD	71.92	297 WM DOWNING 71.92 ACRES	4125 WINDSOR PKWY	DALLAS	TX	75205	SCOLON RD WAXAHACHIE TX 75185
187580	REED LAND MANAGEMENT LTD	150.65	688 WM B MILLER 155.85 ACRES	4125 WINDSOR PKWY	DALLAS	TX	75205	PATRICK RD WAXAHACHIE TX 75167
188448	PITTS JAMES R TRUSTEE	131.18	790 EC NEWTON & 1000 J SHAVER 131.18 ACRES	710 SYCAMORE ST	WAXAHACHIE	TX	75185	INTERSTATE 35 WAXAHACHIE TX 75185
188453	BUCEES LTD	58.718	790 E C NEWTON 58.718 ACRES	327 FM 2004	LAKE JACKSON	TX	77568	INTERSTATE 35 WAXAHACHIE TX 75185
188458	CARLNGFORD PROPERTIES LLC	7.081	LOT 1 BLK A ESPINOZA ADDITION 7.081 AC	16120 OZARKS PATH	BEE CAVE	TX	78738	4743 N INTERSTATE 35 WAXAHACHIE TX 75185
188490	ESTRADA LUIS	29.74	790 E C NEWTON 29.74 ACRES	410 SUNFLOWER ST	RED OAK	TX	75154	4675 N INTERSTATE 35 WAXAHACHIE TX 75185
191827	REED LAND MANAGEMENT LTD	1.5	1000 J SHAVER 1.5 ACRES	4125 WINDSOR PKWY	DALLAS	TX	75205	BROWN INDUSTRIAL RD WAXAHACHIE TX 75167
191834	PRZYBYLSKI FAMILY REVOCABLE LIVING TRUST	54.186	1000 J SHAVER & 1003 P B STOUT 54.186 ACRES	5375 N INTERSTATE HIGHWAY 35 E	WAXAHACHIE	TX	75185	5375 N INTERSTATE 35 WAXAHACHIE TX 75185
191874	VEA LLC	28.38	1003 PETER B STOUT 28.38 ACRES	524 BROWN INDUSTRIAL RD	WAXAHACHIE	TX	75167	N INTERSTATE 35 WAXAHACHIE TX 75185
194418	SCHWING THOMAS	14.182	790 E C NEWTON 14.182 ACRES	521 OAK DELL LN	RED OAK	TX	75154	4775 N INTERSTATE 35 WAXAHACHIE TX 75185
215582	TRAN MICHAEL & WENDY VO	7.081	790 E C NEWTON 7.081 ACRES	3418 BERNKEE DR	GARLAND	TX	75044	4823 N INTERSTATE 35 WAXAHACHIE TX 75185



(22)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-116-2021

WELCH REBECCA
2520 SOLON RD STE 100
WAXAHACHIE, TX 75167

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

1. Request by Josh Meredith, Van Trust Real Estate, for a Zoning Change from Planned Development - Commercial (PD-C) and Future Development (FD) to Planned Development - Light Industrial - 1 (PD-LI1), to allow Storage Warehouse use, located just West of Interstate 35 and South of Butcher Road (Property ID 188448 & 188453) - Owner: JAMES R PITTS TRUSTEE & BUCEES, LTD (ZDC-116-2021)

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-116-2021

City Reference: 191034

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on Tuesday, August 17, 2021 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☒ OPPOSE

Comments:

See attached page 2

Rebecca Welch
Signature

8/16/21
Date

Rebecca Welch
Printed Name and Title

2520 Solon Rd
Address #100
Waxahachie, Tx
75167

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.

Rebecca Welch
2520 Solon Road #100 (a house, not an apartment)
Waxahachie, TX 75167

Page 2 of 2

I protest this rezoning for several reasons. If this property is rezoned light industrial, we could have the same unsightly mess we have at the back of my property in the Brown Industrial Park. Oak Cliff Recycle moved in and is an eyesore, noise maker and fire hazard. Three or four fires have been started with at least one moving up the back of our pasture headed to the homes on Solon Road. The City has given the owner regulations and guidelines; however, they don't enforce them. They have scrap metal stacked way over the fence – it stays that way – and the city told him it could not be over the fence. He parks those big metal containers down the street and in front of the gate at the back of the pasture on my neighbor's land. You can barely get down that road because of the containers and the poor condition of the road due to big trucks. I believe there is a possibility the owner of Oak Cliff Recycle could be trying to get the realtor to get the zoning change then step in and buy the property. He has tried expanding on the north side and was stopped because of rezoning. For that reason, and others, I would like the zoning to remain the as is.

Solon is a very narrow road that if two cars pass, both have to move over to the shoulder or ditch. It's in poor condition now, imagine if big trucks started using it. So, I would have a problem with through traffic coming down Solon to the back of the land next door.

If big storage facilities come in, there would be a huge lighting issue right in the bedroom windows at the south end of my house. If there is traffic going up and down Solon and a lot of people in and out of the facility, there could be a huge noise factor also.

It also looks like there are 2 separate pieces of land. If the piece fronting on the service road of I-35 sells, it looks like the only access to the larger piece behind it is Solon Road unless there is going to be an easement through the 1st piece on the service road through it to the second larger tract behind it. Or you plan on rebuilding the bridge going across the creek and extending Solon out to the service road of I-35 south of Breezy Acres.

Then, a final question, is the real estate agent representing Buckeye's interest or does he have another client for whom he is trying to get the zoning change. And, what is the specific use for the property and where on the property will their building be located and the size?

My final statement is I dislike the industrial park behind me because I believe it brings the value of my land down. Now you want to put another industrial park next to me. My land isn't going to have any value before long. But the Appraisal District will still be charging me as if there is still value.



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-116-2021



AUSTIN INTERNATIONAL VENTURES INC % AUSTIN INDUSTRIES INC
3535 TRAVIS ST STE 300
DALLAS, TX 75204

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

1. Request by Josh Meredith, Van Trust Real Estate, for a Zoning Change from Planned Development – Commercial (PD-C) and Future Development (FD) to Planned Development – Light Industrial – I (PD-LI1), to allow Storage Warehouse use, located just West of Interstate 35 and South of Butcher Road (Property ID 188448 & 188453) - Owner: JAMES R PITTS TRUSTEE & BUCEES, LTD (ZDC-116-2021)

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-116-2021**

City Reference: 188455

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Tuesday, August 17, 2021** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.



SUPPORT



OPPOSE

Comments:

Chris Wong
 Signature

8/31/2021
 Date

Chris Wong, Asset Manager
 Printed Name and Title

P.O. Box 1590
 Address
Dallas, TX 75221

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.

(22)

From: Judy Hendrich <jhendrich47@ymail.com>
Sent: Tuesday, August 17, 2021 1:45 PM
To: Planning@waxahachie.com
Subject: Case Number: ZDC-116-2021

This is in reference to above case number for changing zoning West of I35 and South of Butcher Road to allow Storage Warehouse use. According to the map these will also be on Solon Road which is a residential road. We STRONGLY OPPOSE the approval of this plan.

Submitted by email Tuesday August 17, 2021

By: Bill and Judith Hendrich Revocable Living Trust at 2530 Solon Road Waxahachie, Texas

PLANNED DEVELOPMENT REGULATIONS

Purpose and Intent

The purpose and intent of this Planned Development District is to facilitate development of an industrial business park on 73.6565 acres of land within the City of Waxahachie, Texas. These regulations are intended to provide flexibility in terms of development while maintaining standards that will encourage future growth. Except as modified herein, this Planned Development shall conform to all applicable sections of the City of Waxahachie Code of Ordinances.

PD District Development Standards

Exhibits

The Exhibits listed below are by reference made a part hereof, and copies or reduced size copies are attached hereto. Full-sized copies of the Exhibits shall be retained by the City Clerk and shall be controlling in case of any ambiguity in the Exhibits. In the event of a conflict between the graphic illustrations of any Exhibit and the textual provisions of this Agreement, the Exhibit shall control.

Exhibit A: Property legal description, survey.

Exhibit B: Detailed Site Plan

Exhibit C: Landscape Plan

Exhibit D: Architectural Elevations

Description of Request

The intent of the PD zoning request is to permit the development of logistics and distribution center in Waxahachie, Texas.

Permitted Uses

The base zoning for this subject property shall comply with Light Industrial-1 (LI1) Zoning District as it exists in the Zoning Ordinance. In addition to the uses permitted by right under the Light Industrial-1 (LI1) Zoning District, the following uses shall be permitted by right within the subject property:

1. Agricultural uses;
2. Auto Parking Lot, Commercial;
3. Auto Parking Lot, Trucks and Trailers;
4. Hauling, Storage, or Motor Freight Terminal;
5. Outside Storage;
6. Storage Warehouse;
7. Open storage, display, or work areas for merchandise or machinery uses;
8. Cold Storage Warehouse;
9. Data Processing Center and/or Services;
10. Distribution Warehouse;
11. General Warehouse;
12. Logistics Warehouse;
13. Office Showroom; and
14. Package Delivery Services.

Permitted Activities

The following activities are permitted by right:

1. 24 hour operation;
2. Propane storage; and
3. Tarping of loaded flatbed trailers.

Height and Area Requirements

Except as provided in this section, building and area regulations are the standards as set forth in the Light Industrial-I (LI1) Zoning District.

Parking Regulations

One (1) parking space per 1,000 s.f. of warehouse space up to 20,000 sf and one (1) space per 4,000 s.f. thereafter. Parking for office shall be one (1) parking space per 300 s.f. of office area. Truck court areas may be striped to meet this requirement if necessary. The utilization of shared and/or converted parking is encouraged to reduce impervious coverage. The Planning Director or his/her designee is authorized to permit on a case by case basis a reduction in the required parking based on the actual demonstrated needs of a specific tenant or user.

Landscape Requirements

Landscaping of the Planned Development shall be provided as shown on the Exhibit C and as follows:

1. Plant material provided by the developer within right of way shall be located on the city recommended plant list.
2. Plant Material shall meet minimum sizes set forth in Section 5.04.i.iii.2.
3. Street trees must be planted at the average rate of one (1) tree for every forty (40) linear feet of street frontage. Drive isles shall be excluded from the overall linear footage requiring planting.
4. Understory trees must be planted at the average rate of two (2) trees for every fifty (50) linear feet of street frontage. Drive isles shall be excluded from the overall linear footage required planting.
5. Trees planted along street frontage may be grouped or clustered to facilitate site design.
6. Auto and Trailer parking spaces shall be screened from the right of way by a single row of evergreen shrubs.
7. Screening shrubs shall be a minimum height of twenty-four (24) inches at planting.
8. All auto parking shall be within one-hundred (100) linear feet of a tree trunk.
9. Trailer and Auto parking shall be excluded from all landscape and shrub square footage requirements set forth in Section 5.04
10. This site shall be excluded from all requirements set forth in sections 5.04.e., 5.04.f. 5.04.g.i, 5.04.g.ii and 5.04g.vi.
11. All Auto parking islands shall have ground cover.
12. All new trees in parking lots must have a pervious area of at least 100 square feet.
13. Trailer parking spaces are exempt from the parking lot tree coverage requirement for passenger cars.
14. Upon parking lot expansion, the same available landscape area shall be planted in the same manner shown on Exhibit C.
15. Parking areas within truck loading and maneuvering areas shall not require landscape islands or trees.

Screening of Outside Storage

Allowable outside storage in the Planned Development may include parked trailers without cabs. Such trailers and other outside storage shall be screened as shown on the Exhibit C.

Building Articulation

The unique function of this building type necessitates the following building articulation elements:

1. Except the south west corner, the horizontal articulation zone is limited to 100 feet measured from the building corners of the of the ultimate expansion building footprint. Building corners where the zone is used for dock doors and intended for future building expansion are exempt from horizontal articulation.
2. Within the 100 foot horizontal articulation zone, no building wall may extend more than two (2) times the wall's height before having an offset of a minimum of 10% of the wall height. The new plane must extend for a minimum of twenty (20) percent of the length of the first plane.
3. Vertical articulation is limited to the horizontal articulation zone and the building elevations not utilized for dock doors.
4. Within the vertical articulation zone, no horizontal wall shall extend for a distance greater than two and one-half (2.5) times the wall height without changing height by a minimum of five (5) percent of the wall's height.

Thoroughfare Standards

1. Thoroughfare Standards and Pavement Design Methods, Section II-Geometrics D.2.b.1 Amendment- Commercial driveways shall have a minimum width of twenty-four (24) feet and a maximum width of 45-feet.
2. Thoroughfare Standards and Pavement Design Methods, Section II-Geometrics D.3.a.2 Amendment - The curb radii for a commercial drive shall be 20-feet and a maximum radius of 45-feet.

Site Plan:

For purposes of this planned development district, the Detailed Site Plan attached hereto shall satisfy the requirement for a Concept Plan. Development of the Property shall generally comply with the Detailed Site Plan. Amendments to the Detailed Site Plan shall be administratively reviewed and approved in accordance by the Planning Director, or his/her designee, such approval not to be unreasonably withheld, delayed or conditioned and with full rights of appeal to the Planning and Zoning Commission and/or City Council. Revisions to the Detailed Site Plan shall not be considered to be an amendment to the PD zoning requirements.



Know what's below.
Call before you dig.

WARNING: CONTRACTOR TO
VERIFY PRESENCE AND EXACT
LOCATION OF ALL UTILITIES
PRIOR TO CONSTRUCTION

NO.	DATE	DESCRIPTION	BY	CHKD
1	12/15/2011	PRELIMINARY	J. HORN	
2	12/15/2011	REVISED	J. HORN	
3	12/15/2011	REVISED	J. HORN	
4	12/15/2011	REVISED	J. HORN	
5	12/15/2011	REVISED	J. HORN	
6	12/15/2011	REVISED	J. HORN	
7	12/15/2011	REVISED	J. HORN	
8	12/15/2011	REVISED	J. HORN	
9	12/15/2011	REVISED	J. HORN	
10	12/15/2011	REVISED	J. HORN	

DEVELOPER

VANTRUST REAL ESTATE LLC
6000 VANTRUST DRIVE
SUITE 200
DALLAS, TEXAS 75241
PH: 469.775.5500
CONTACT: JESSICA P. FEE

ENGINEER

KIMLEY-HORN
TECHNICAL INFORMATION NO. 100
10000 W. LBJ FREEWAY
SUITE 1000
DALLAS, TEXAS 75241
PH: 469.775.5500
CONTACT: JESSICA P. FEE

ARCHITECT

ALLIANCE ARCHITECTS
10000 W. LBJ FREEWAY
SUITE 1000
DALLAS, TEXAS 75241
PH: 469.775.5500
CONTACT: JESSICA P. FEE

SURVEYOR

KIMLEY-HORN
TECHNICAL INFORMATION NO. 100
10000 W. LBJ FREEWAY
SUITE 1000
DALLAS, TEXAS 75241
PH: 469.775.5500
CONTACT: JESSICA P. FEE

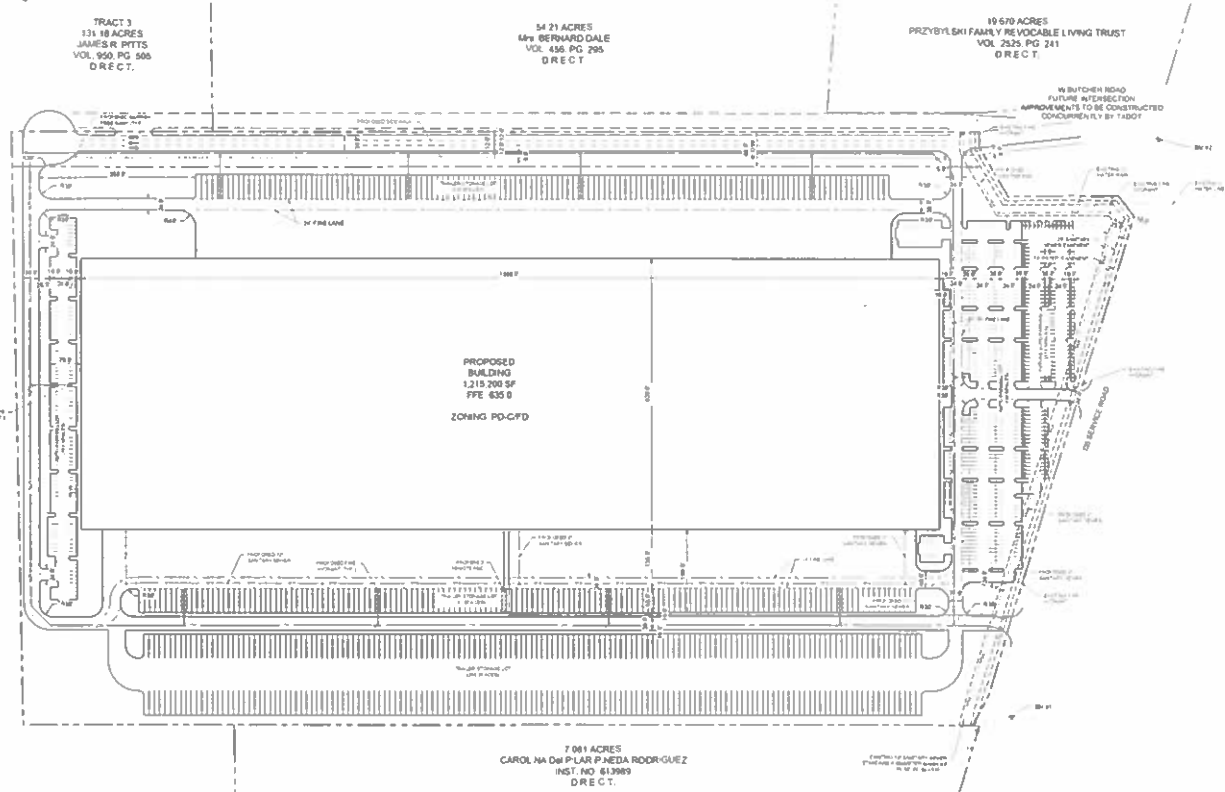
NOTES:
1. ALL UTILITIES ARE SHOWN AS LOCATED BY FIELD SURVEY AND/OR RECORD DRAWINGS.
2. ALL UTILITIES ARE SHOWN AS LOCATED BY FIELD SURVEY AND/OR RECORD DRAWINGS.
3. ALL UTILITIES ARE SHOWN AS LOCATED BY FIELD SURVEY AND/OR RECORD DRAWINGS.
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10. ALL UTILITIES ARE SHOWN AS LOCATED BY FIELD SURVEY AND/OR RECORD DRAWINGS.



TRACT 3
131.18 ACRES
JAMES R. PITTS
VOL. 950, PG. 505
DIRECT

54.21 ACRES
Mrs. BERNARD DALE
VOL. 436, PG. 295
DIRECT

19.670 ACRES
PRZYBYLSKI FAMILY REVOCABLE LIVING TRUST
VOL. 2325, PG. 241
DIRECT



7.081 ACRES
CAROL NA DAI PLAN P. NEDA RODRIGUEZ
INST. NO. 613985
DIRECT

Kimley-Horn

Kimley-Horn

WAXAHACHE INDUSTRIAL S9

PREPARED FOR
VANTRUST REAL ESTATE LLC

WAXAHACHE

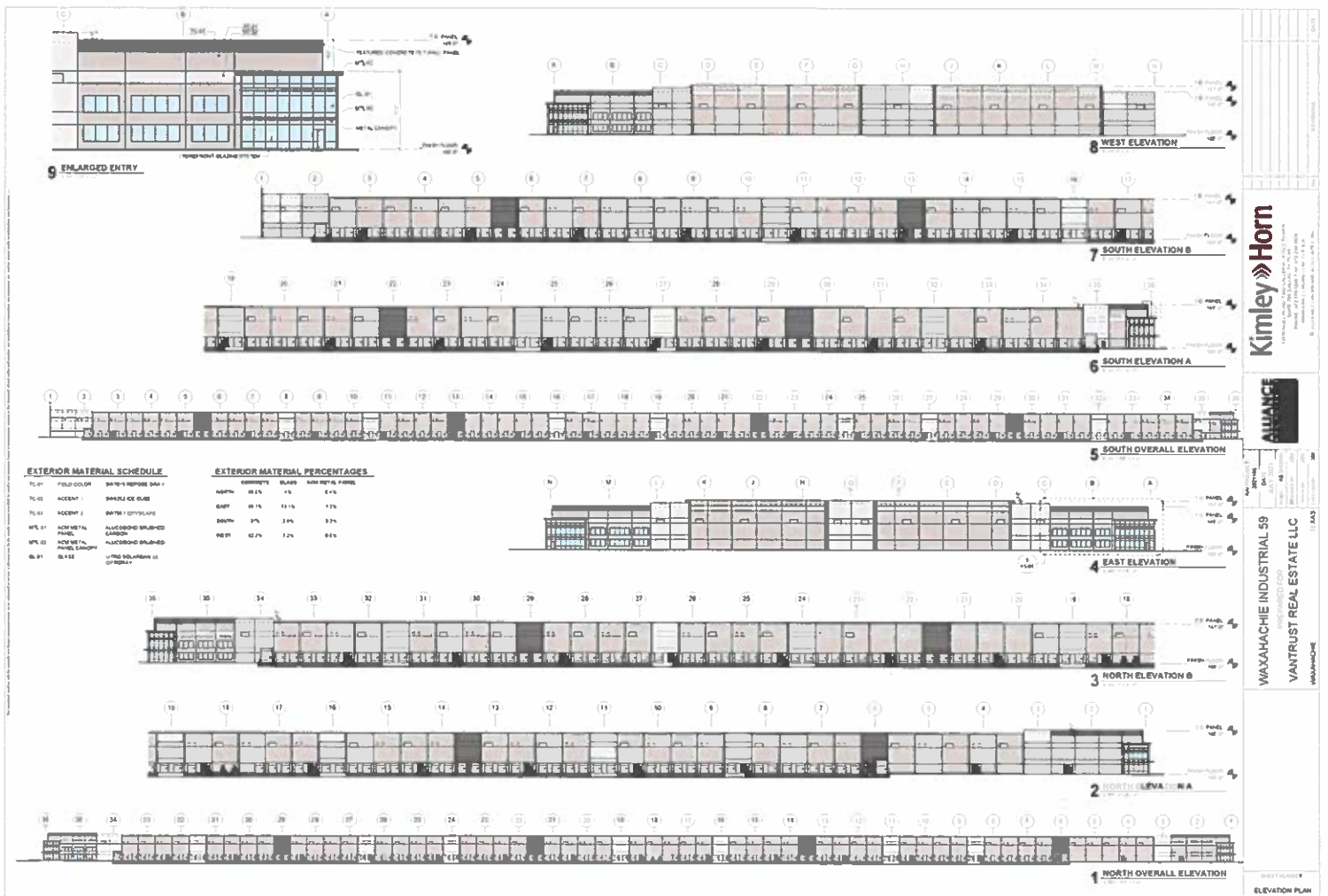
SITE PLAN

13.7 ACRES
CITY OF WAXAHACHE
WAXAHACHE, TEXAS

1/20/2012

C-101

(22)



[illegible]

5140 PINEVIEW AVE
 BAYVIEW, MI 48064
 313-963-7000
 WWW.BAYVIEWMI.COM

CLAY HORN
REAS-0204789400 F 23
1346 MC BL RD#B
FWD SALLER (SAGE TOWNS)
SALLER REAS-0204
Re (2) 776 100
CONTACT AGES COME & B

ALLIANCE APPOINTMENT
1000 N. COLLINS BLVD
SUITE 1000
DENVER, COLORADO 80202
TEL: 303.733.6800
FAX: 303.733.6800

[illegible]

TRACT 3
131.18 ACRES
JAMES R PITTS
VOL 950, PG 505
DIRECT

54.21 ACRES
Mrs. BEHNANDI WALE
VOL. 458, PG. 295
DIRECT

19.670 ACRES
PRZYBYLSKI FAMILY REVOCABLE LIVING TRUST
VOL 2525, PG 241
DIRECT

W BUTCHER ROAD
FUTURE INTERSECTION IMPROVEMENTS TO BE
CONSTRUCTED CONCURRENTLY BY TxDOT

**PROPOSED
BUILDING
1,215,211 SF
FFE: 635.0**

ZONING:
PD-C/FD

NO.	SYM.	QTY.	DESCRIPTION	UNIT	AMOUNT
1	1" x 12" x 12" x 12"	1	1" x 12" x 12" x 12"	EA	1.00
2	2" x 12" x 12" x 12"	1	2" x 12" x 12" x 12"	EA	2.00
3	3" x 12" x 12" x 12"	1	3" x 12" x 12" x 12"	EA	3.00
4	4" x 12" x 12" x 12"	1	4" x 12" x 12" x 12"	EA	4.00
5	5" x 12" x 12" x 12"	1	5" x 12" x 12" x 12"	EA	5.00
6	6" x 12" x 12" x 12"	1	6" x 12" x 12" x 12"	EA	6.00
7	7" x 12" x 12" x 12"	1	7" x 12" x 12" x 12"	EA	7.00
8	8" x 12" x 12" x 12"	1	8" x 12" x 12" x 12"	EA	8.00
9	9" x 12" x 12" x 12"	1	9" x 12" x 12" x 12"	EA	9.00
10	10" x 12" x 12" x 12"	1	10" x 12" x 12" x 12"	EA	10.00
11	11" x 12" x 12" x 12"	1	11" x 12" x 12" x 12"	EA	11.00
12	12" x 12" x 12" x 12"	1	12" x 12" x 12" x 12"	EA	12.00
13	13" x 12" x 12" x 12"	1	13" x 12" x 12" x 12"	EA	13.00
14	14" x 12" x 12" x 12"	1	14" x 12" x 12" x 12"	EA	14.00
15	15" x 12" x 12" x 12"	1	15" x 12" x 12" x 12"	EA	15.00
16	16" x 12" x 12" x 12"	1	16" x 12" x 12" x 12"	EA	16.00
17	17" x 12" x 12" x 12"	1	17" x 12" x 12" x 12"	EA	17.00
18	18" x 12" x 12" x 12"	1	18" x 12" x 12" x 12"	EA	18.00
19	19" x 12" x 12" x 12"	1	19" x 12" x 12" x 12"	EA	19.00
20	20" x 12" x 12" x 12"	1	20" x 12" x 12" x 12"	EA	20.00
21	21" x 12" x 12" x 12"	1	21" x 12" x 12" x 12"	EA	21.00
22	22" x 12" x 12" x 12"	1	22" x 12" x 12" x 12"	EA	22.00
23	23" x 12" x 12" x 12"	1	23" x 12" x 12" x 12"	EA	23.00
24	24" x 12" x 12" x 12"	1	24" x 12" x 12" x 12"	EA	24.00
25	25" x 12" x 12" x 12"	1	25" x 12" x 12" x 12"	EA	25.00
26	26" x 12" x 12" x 12"	1	26" x 12" x 12" x 12"	EA	26.00
27	27" x 12" x 12" x 12"	1	27" x 12" x 12" x 12"	EA	27.00
28	28" x 12" x 12" x 12"	1	28" x 12" x 12" x 12"	EA	28.00
29	29" x 12" x 12" x 12"	1	29" x 12" x 12" x 12"	EA	29.00
30	30" x 12" x 12" x 12"	1	30" x 12" x 12" x 12"	EA	30.00
31	31" x 12" x 12" x 12"	1	31" x 12" x 12" x 12"	EA	31.00
32	32" x 12" x 12" x 12"	1	32" x 12" x 12" x 12"	EA	32.00
33	33" x 12" x 12" x 12"	1	33" x 12" x 12" x 12"	EA	33.00
34	34" x 12" x 12" x 12"	1	34" x 12" x 12" x 12"	EA	34.00
35	35" x 12" x 12" x 12"	1	35" x 12" x 12" x 12"	EA	35.00
36	36" x 12" x 12" x 12"	1	36" x 12" x 12" x 12"	EA	36.00
37	37" x 12" x 12" x 12"	1	37" x 12" x 12" x 12"	EA	37.00
38	38" x 12" x 12" x 12"	1	38" x 12" x 12" x 12"	EA	38.00
39	39" x 12" x 12" x 12"	1	39" x 12" x 12" x 12"	EA	39.00
40	40" x 12" x 12" x 12"	1	40" x 12" x 12" x 12"	EA	40.00
41	41" x 12" x 12" x 12"	1	41" x 12" x 12" x 12"	EA	41.00
42	42" x 12" x 12" x 12"	1	42" x 12" x 12" x 12"	EA	42.00
43	43" x 12" x 12" x 12"	1	43" x 12" x 12" x 12"	EA	43.00
44	44" x 12" x 12" x 12"	1	44" x 12" x 12" x 12"	EA	44.00
45	45" x 12" x 12" x 12"	1	45" x 12" x 12" x 12"	EA	45.00
46	46" x 12" x 12" x 12"	1	46" x 12" x 12" x 12"	EA	46.00
47	47" x 12" x 12" x 12"	1	47" x 12" x 12" x 12"	EA	47.00
48					

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