

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, July 12, 2022 at 7:00 p.m.*** in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

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

4. ***Consent Agenda***

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

- a. Minutes of the regular Planning & Zoning Commission meeting of June 28, 2022
- b. Minutes of the Planning and Zoning Commission briefing of June 28, 2022

5. ***Consider*** request by Johnny Williams, Whitfield-Holl, for a **Replat** of Lot 10, Block A, of the Bob White Estates Phase Two, to create Lots 10R1 and 10R2, Block A, of the Bob White Estates Phase Two, 2 Residential Lots, being 2.687 acres, located at 651 Cross Creek Drive, in the City of Waxahachie Extra Territorial Jurisdiction (Property ID 267249) – Owner: SUZETTE AND JASON CROW (SUB-44-2022)
6. ***Consider*** request by Brian Newcomer, for a **Plat** of Faith Farms, Lots 1 & 2, Block 1, being 6.9712 acres, located at 3132 FM 813, situated in the TR Follett Survey, Abstract 373, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 183573 & 201573) – Owner: BRIAN NEWCOMER & WENDY NEWCOMER (SUB-53-2022)
7. Adjourn

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

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

Notice of Potential Quorum

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

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

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, June 28, 2022 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
Jim Phillips
David Hudgins

Members Absent: Bonney Ramsey
Erik Test

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Senior Director of Planning
Eleana Tuley, Senior Planner
Ashlie Jones, Senior Planner
Macey Martinez, Graduate Engineer
Amber Villarreal, City Secretary
Chris Wright, 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 June 14, 2022
- b. Minutes of the Planning and Zoning Commission briefing of June 14, 2022

Action:

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

5. **Consider request by Jamie Gallagher, Hart Gaugler & Associates, for a Plat of the Kelley Bend Addition, Lots 1 & 2, being 6.632 acres, located at 850 S Interstate 35, situated in the J. Barker Survey, Abstract 40, the J. Prince Survey, Abstract 845, and the A. Polk Survey, Abstract 827, an addition to the City of Waxahachie (Property ID: 179533) – Owner: City of Waxahachie (SUB-145-2021).**

Senior Planner Eleana Tuley presented the case noting the applicant is requesting to plat the subject property into two (2) lots for commercial and municipal facility use. Staff recommended approval as presented.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Jamie Gallagher, Hart Gaugler & Associates, for a Plat of the Kelley Bend Addition, Lots 1 & 2, being 6.632 acres, located at 850 S Interstate 35, situated in the J. Barker Survey, Abstract 40, the J. Prince Survey, Abstract 845, and the A. Polk Survey, Abstract 827, an addition to the City of Waxahachie (Property ID: 179533) – Owner: City of Waxahachie (SUB-145-2021) as presented. Mr. David Hudgins seconded, All Ayes.

- 6. Public Hearing on a request by Brad Yates, Loren Gray Investments LLC, for a Replat of Lots 18 and 19, Block 180, of the Oak Lawn Addition, to create Lot 18R, Block 180, of the Oak Lawn Addition, 1 Residential Lot, being 0.1036 acres, located at 319 Henry Street, (Property ID 175110) – Owner: LOREN GRAY INVESTMENTS LLC (SUB-60-2022)**

Ms. Tuley presented the case noting the applicant is requesting to replat the subject property into one (1) lot for single-family residential use and is also requesting a Petition of Relief Waiver for a right-of-way and utility easement dedication along Henry Street. Ms. Tuley explained staff is supportive of the variance request for right-of-way dedication due to the lot remaining consistent with the surrounding properties and the provision of a sidewalk easement. Staff recommends approval of the plat and approval of the Petition of Relief Waivers per the following staff comment:

1. The applicant shall provide letters from the franchise utilities serving the subject property stating that a 10' easement is an acceptable alternative to the typical 15' utility easement.

Chairman Keeler opened the Public Hearing.

Brad Yates, 626 Kaufman, Waxahachie, Texas, noted he agrees with the conditions and will build the sidewalk as requested.

Commissioner Betty Square Coleman expressed her support for adding the sidewalk on the property even though there are no other sidewalks along Henry Street. She noted sidewalks are needed throughout the City.

There being no others to speak for or against SUB-60-2022, Chairman Keeler closed the Public Hearing.

- 7. Consider approval of SUB-60-2022**

Action:

Ms. Betty Square Coleman moved to approve a request by Brad Yates, Loren Gray Investments LLC, for a Replat of Lots 18 and 19, Block 180, of the Oak Lawn Addition, to create Lot 18R, Block 180, of the Oak Lawn Addition, 1 Residential Lot, being 0.1036 acres, located at 319 Henry Street, (Property ID 175110) – Owner: LOREN GRAY INVESTMENTS LLC (SUB-60-2022) subject to staff comments. Mr. David Hudgins seconded, All Ayes.

- 8. Public Hearing on a request by Dustin Phillipp, J. Volk Consulting, Inc. for a Plat of The Place at North Grove, lots 10, 11, 12X Block 1, being 10.67 acres, located at**

northwest corner of North Grove Boulevard and Washington Avenue, situated in the John B. and Ann Adams Survey, Abstract No. 5, Robert Russell Survey, Abstract No. 911, and Henry Sange Survey, Abstract No. 1009, an addition to the City of Waxahachie (Property ID 283993) – Owner: North Grove 12.5 LLC Series 1 (SUB-15-2022)

Ms. Tuley presented the case noting the applicant is proposing to plat approximately 10.67 acres of land into three (3) lots. Lot 10 is for mixed-use, Lot 11 is for retail and commercial uses, and Lot 12X is an open space common area. Additionally, the applicant is requesting a variance to reduce the utility easement along North Grove Boulevard and Washington Avenue from 15 feet to 10 feet. She noted the applicant has provided letters of support for the variance from the franchise utility providers and staff recommends approval of the plat and variance per the following staff comments:

1. The applicant receive approval of a variance to reduce the utility easement along North Grove Boulevard and Washington Avenue from 15 feet to 10 feet.
2. All public improvements must be constructed, inspected, and accepted by the Public Works and Engineering Department before the plat is recorded with the County Clerk's Office.
3. The applicant must sign and execute the associated development agreement for the subject property before recording the plat with the County Clerk's Office.

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against SUB-15-2022, Chairman Keeler closed the Public Hearing.

9. Consider recommendation of SUB-15-2022

Action:

Mr. David Hudgins moved to approve a request by Dustin Phillipp, J. Volk Consulting, Inc. for a Plat of The Place at North Grove, lots 10, 11, 12X Block 1, being 10.67 acres, located at northwest corner of North Grove Boulevard and Washington Avenue, situated in the John B. and Ann Adams Survey, Abstract No. 5, Robert Russell Survey, Abstract No. 911, and Henry Sange Survey, Abstract No. 1009, an addition to the City of Waxahachie (Property ID 283993) – Owner: North Grove 12.5 LLC Series 1 (SUB-15-2022) subject to staff comments. Vice Chairman Melissa Ballard seconded, All Ayes.

- 10. Continue Public Hearing on a request by Chad Adams, Oak Hull Investments, for a Replat of Lots 8, 9, & 10, Block 11, University Annex Addition, to create Lots 8A-10B, Block 11, University Annex Addition, 6 Residential Lots, being 1.129 acres, located at 107 Olive St and 510 Cynisca St., (Property ID 176473 & 176474) – Owner: STONEDALE DEVELOPMENT LLC (SUB-28-2022)**

Senior Planner Ashlie Jones presented the case noting the applicant is requesting to revise property lines resulting in six (6) residential lots and is also requesting approval of a Petition of Relief Waiver to reduce the required 15' utility easement to 8' along the Cynisca Street and Floyd Street frontage. The standard 15' utility easement will be provided along Olive Street. The applicant

provided letters of support for the variance from the franchise utility providers and staff recommends approval of the plat and variance.

Chairman Keeler continued the Public Hearing.

There being no others to speak for or against SUB-28-2022, Chairman Keeler closed the Public Hearing.

11. Consider recommendation of SUB-28-2022

Action:

Vice Chairman Melissa Ballard moved to approve a request by Chad Adams, Oak Hull Investments, for a Replat of Lots 8, 9, & 10, Block 11, University Annex Addition, to create Lots 8A-10B, Block 11, University Annex Addition, 6 Residential Lots, being 1.129 acres, located at 107 Olive St and 510 Cynisca St., (Property ID 176473 & 176474) – Owner: STONEDALE DEVELOPMENT LLC (SUB-28-2022) as presented. Ms. Betty Square Coleman seconded, All Ayes.

12. Public Hearing on a request by Tom Wright, Heart-In-Hand, for a Zoning Change from a Central Area (CA) zoning district to a Planned Development – Central Area (PD-CA) zoning district, located at 212 S Rogers Street, (Property ID 170517) - Owner: Waxahachie 100F Lodge (ZDC-54-2022)

Ms. Tuley presented the case noting the applicant is requesting approval of a Planned Development District (PD) with a base zoning of Central Area District (CA) to allow for a tattoo shop at 212 S. Rogers Street. Staff recommended the following proposed Development Standards:

- A tattoo shop may occupy up to 800 square feet of the first-floor building area within Heart-In-Hand.
- The property owner will need Planning and Zoning Commission and City Council approval to expand the floor area of the use.
- A tattoo shop may operate from 10 am to 10 pm Wednesday through Saturday. The property owner will need Planning and Zoning Commission and City Council approval to modify hours of operation.
- A tattoo shop shall require a license by the Texas Department of State Health Services (DSHS) at all times.
- All exterior signage shall require a sign permit from the Building Department.

Staff recommended approval per the following staff comments:

1. The subject property comply with the development standards proposed with the zoning request.
2. The applicant receive approval of the necessary building permits necessary to establish and operate a tattoo shop.

Ms. Tuley noted no letters of opposition have been received.

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against ZDC-54-2022, Chairman Keeler closed the Public Hearing.

13. Consider recommendation of Zoning Change No. ZDC-54-2022

Action:

Vice Chairman Melissa Ballard moved to approve a request by Tom Wright, Heart-In-Hand, for a Zoning Change from a Central Area (CA) zoning district to a Planned Development – Central Area (PD-CA) zoning district, located at 212 S Rogers Street, (Property ID 170517) - Owner: Waxahachie 100F Lodge (ZDC-54-2022) as presented. Mr. David Hudgins seconded, All Ayes.

14. Adjourn

Commissioner Melissa Ballard announced upcoming Crape Myrtle Festival activities July 3-4, 2022.

Mayor Pro Tem Chris Wright announced HEB donated \$10 million to build a new elementary school in Uvalde, Texas.

There being no further business, the meeting adjourned at 7:19 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, June 28, 2022 at 6:30 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
Jim Phillips
David Hudgins

Members Absent: Bonney Ramsey
Erik Test

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Senior Director of Planning
Eleana Tuley, Senior Planner
Ashlie Jones, Senior Planner
Macey Martinez, Graduate Engineer
Amber Villarreal, City Secretary
Chris Wright, Council Representative

1. Call to Order

Chairman Rick Keeler called the meeting to order.

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

Senior Planner Eleana Tuley reviewed the following cases:

- SUB-145-2021, the applicant is requesting to plat the subject property into two (2) lots for commercial and municipal facility use. Staff recommends approval as presented.
- SUB-60-2022, the applicant is requesting to replat the subject property into one (1) lot for single-family residential use and is also requesting a Petition of Relief Waiver for a right-of-way and utility easement dedication along Henry Street. Staff recommends approval of the plat and approval of the Petition of Relief Waivers, on the condition that the applicant shall provide letters from the franchise utilities serving the subject property stating that a 10' easement is an acceptable alternative to the typical 15' utility easement.
- SUB-15-2022, the applicant is proposing to plat approximately 10.67 acres of land into three (3) lots. Lot 10 is for mixed-use, Lot 11 is for retail and commercial uses, and Lot 12X is an open space common area. Additionally, the applicant is requesting a variance to reduce the utility easement along North Grove Boulevard and Washington Avenue from 15 feet to 10 feet. She noted the applicant has provided letters of support for the variance from the franchise utility providers and staff recommends approval of the plat and variance.
- ZDC-54-2022, the applicant is requesting approval of a Planned Development District (PD) with a base zoning of Central Area District (CA) to allow for a tattoo shop at 212 S. Rogers Street. Staff recommends approval of the request with the proposed Development Standards.

Senior Planner Ashlie Jones reviewed the following case:

- SUB-28-2022, the applicant is requesting to revise property lines resulting in six (6) residential lots and is also requesting approval of a Petition of Relief Waiver to reduce the required 15' utility easement to 8' along the Cynisca Street and Floyd Street frontage. The standard 15' utility easement will be provided along Olive Street. The applicant provided letters of support for the variance from the franchise utility providers and staff recommends approval of the plat and variance.

3. Adjourn

There being no further business, the meeting adjourned at 6:42 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

Planning & Zoning Department

Plat Staff Report

Case: SUB-44-2022



MEETING DATE(S)

Planning & Zoning Commission: July 12, 2022

CAPTION

Public Hearing on a request by Johnny Williams, for a **Replat** of Lot 10, Block A, Bob White Estates Phase Two, to create Lot 10R1 and 10R2, Block A, Bob White Estates Phase Two, 2 Residential Lots, being 2.687 acres, located at 651 Cross Creek Dr., an addition in the Extra Territorial Jurisdiction of the City of Waxahachie, (Property ID 267249) – Owner: Suzette and Jason Crow (SUB-44-2022)

APPLICANT REQUEST

The purpose of this request is to Replat Lot 10, Block A, Bob White Estates Phase Two, to create Lot 10R1 and 10R2, Block A, Bob White Estates Phase Two, 2 Residential Lots, being 2.687 acres.

CASE INFORMATION

<i>Applicant:</i>	Johnny Williams
<i>Property Owner(s):</i>	Suzette and Jason Crow
<i>Site Acreage:</i>	2.687 acres
<i>Number of Lots:</i>	2 lots
<i>Number of Dwelling Units:</i>	Undeveloped
<i>Park Land Dedication:</i>	N/A
<i>Adequate Public Facilities:</i>	Adequate public utilities are provided to the property.

SUBJECT PROPERTY

<i>General Location:</i>	651 Cross Creek Drive
<i>Parcel ID Number(s):</i>	267249
<i>Current Zoning:</i>	N/A
<i>Existing Use:</i>	The subject property is currently undeveloped
<i>Platting History:</i>	Lot 10, Block A, Bob White Estates Phase 2

Site Aerial:**PLATTING ANALYSIS**

The applicant is proposing to replat Lot 10, Block A, Bob White Estates Phase Two to create two (2) residential lots 10R1 and 10R2, Block A, Bob White Estates Phase Two. All City of Waxahachie and Ellis County standards have been met. The subject property is located in the ETJ. There is a 100' electrical easement located on the eastern portion of proposed lot 10R2, but the applicant has provided a letter from Brazos Electric Power Coop, Inc. that there is no objection to improvements within this easement.

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:

- ☒ Approval, as presented.

ATTACHED EXHIBITS

Identify the exhibits that will be included as agenda backup material.

1. Plat

APPLICANT REQUIREMENTS

1. If approved by the Planning and Zoning Commission, 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:

Ashlie Jones

Senior Planner

ashlie.jones@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

LEGEND



VICINITY MAP
NOT TO SCALE

- | | |
|-------------------------------------|------------------|
| <input type="checkbox"/> | IRON ROD END |
| <input checked="" type="checkbox"/> | "X" IN CONC. |
| <input type="checkbox"/> | CAPPED IR. SET |
| <input checked="" type="checkbox"/> | POWER POLE |
| <input type="checkbox"/> | LIGHT POLE |
| <input type="checkbox"/> | WATER VALVE |
| <input checked="" type="checkbox"/> | WATER METER |
| <input type="checkbox"/> | FLY MANHOLE |
| <input type="checkbox"/> | SEPTIC LID |
| <input type="checkbox"/> | PROPANE TANK LID |
| <input type="checkbox"/> | TEL. PVD |
| <input type="checkbox"/> | FENCE CORNER |
| <input type="checkbox"/> | GAS METER |
| <input type="checkbox"/> | FIRE HYDRANT |
| <input type="checkbox"/> | CLEAN OUT |

CTKS-4 APPED IRON SET
STAMPED "HPLA 401"

SURVEY BENCHMARK #1

SET SQUARE IN HEADWALL
N: 6,860,005.722
E: 2,464,268.274
ELEV: 711.71

SURVEY BENCHMARK #2:

SET SQUARE IN HEADWALL
N: 6,860,087.213
E: 2,462,915.542
ELEV: 715.73

CURVE TABLE					
Id	Delta	Radius	Arc Length	Chord	Ch Bear
C2	07°11'00"	460.00'	57.67'	57.63'	N 04°33'00" W
C1	71°04'12"	460.00'	173.67'	173.67'	S 10°00'16" E

NOTES:

1. THE BEARINGS FOR THIS SURVEY ARE BASED ON THE BEARINGS OF BOB WHITE ESTATES, PHASE 2. AN ADDITION TO ELLIS COUNTY, TEXAS, RECORDED IN CABINET 1, SLIDE 71X, PLAT RECORDS, ELLIS COUNTY, TEXAS.

2. NO PORTION OF THE PROPERTY DEPICTED IN THIS SURVEY LIES WITHIN THE 100 YEAR FLOOD PLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS, MAP NO. 48139C0190 F, EFFECTIVE DATE JUNE 3, 2013.

GENERAL NOTES:

- J. ALL LOT CORNERS, ANGLE POINTS, POINTS OF TANGENCY AND POINTS OF CURVATURE WERE PHYSICALLY SET, SAID POINTS WERE MARKED WITH 1/2" IRON RODS WITH A CAP STAMPED "RPLS 4818", DRIVEN INTO THE GROUND, UNLESS OTHERWISE NOTED.

4. D.E. - DRAINAGE EASEMENT, U.E. - UTILITY EASEMENT, B.L. - BUILDING SETBACK LINE, D.U.E. - DRAINAGE & UTILITY EASEMENT

5. WOOD FENCES WITH STEEL POSTS ARE TO BE CONSTRUCTED ON ALL LOTS ADJACENT TO EXISTING RESIDENTIAL USES. FENCES TO BE CONSTRUCTED BY HOME BUILDERS AT THE TIME OF INDIVIDUAL LOT CONSTRUCTION.

6. BM1-SQUARE CUT IN HEADWALL N-6860005.722, E-2464268.274, ELEV=711.71
BM2-SQUARE CUT IN HEADWALL N-6860007.213, E-2462915.542, ELEV=715.73.

OWNER:

SUZETTE AND JACSEN CROW
*420 CHAMBERS BAY CIRCLE
WAXAHACHIE, TEXAS 79166

SURVEYOR:

WINTFIELD - HALL SURVEYORS
REGISTERED PROFESSIONAL LAND SURVEYORS
209 WILLIAMSBURG BLVD. W. #110
P.O. BOX 110, JEFFERSON, ALA 36261
(205) 568-2911
FIELD PHONE: 205-661-0000

**REPLAT
LOT 10, BLOCK A,
BOB WHITE ESTATES
PHASE TWO
BEING LOTS 10R1 AND 10R2, BLOCK A
AND BEING A 2.687 ACRE TRACT OF LAND
LOCATED IN
THE MARY POWERS SURVEY, ABSTRACT NO. 843,
ELLIS COUNTY, TEXAS, IN THE E.T.J. OF
WAXAHACHIE, ELLIS COUNTY, TEXAS
2 RESIDENTIAL LOTS DATE: MAY 27, 2022**

CASE No. SUB-44-2022

STATE OF TEXAS
COUNTY OF ELLIS

WHEREAS, SUZETTE AND JASON CROW are the Owners of a tract of land situated in the Mary Powers Survey, Abstract Number 843, situated in Ellis County, Texas, and being all of that certain tract of land described as Lot 10, Block A, Bob White Estates, Phase 2, an addition to Ellis County, Texas, recorded in Cabinet 1, Slide 71R, Plat Records, Ellis County, Texas and in deed to Suzette and Jason Crow, recorded in Instrument Number 2146444, Deed Records, Ellis County, Texas. The bearings for this description are based on the bearings as they appear in Cabinet 1, Slide 71R, Plat Records, Ellis County, Texas. Said 2.687 acre tract of land being described by meters and bounds as follows:

BEGINNING at a 1/2" iron rod found at the southwest corner of that certain tract of land described as Lot 6 of said Block A, and in deed to Derrill Pace and Carmen Prator, recorded in Instrument Number 1809166, Deed Records, Ellis County, Texas, the northern corner of said Lot 10 and in the east right of way line of Black Camp Road, a variable width right of way;

THENCE North 87°35'51" East, along the north line of said Lot 10, a distance of 759.30 Feet to a 1/2" iron rod with plastic cap found for the northeast corner of said Lot 10, the southeast corner of Lot 9 of said Block A, and in the west right of way line of Cronn Creek, Court, a 60 foot wide right of way;

THENCE South 00°58'50" East, departing said north line and continuing along the east line of said Lot 10 and said west right of way line, a distance of 159.15 Feet to a 1/2" iron rod found for the southeast corner of said Lot 10 and the northeast corner of Lot 11 of said Block A;

THENCE South 86°17'03" West, departing said east line and said west right of way line, a distance of 706.18 Feet to a 1/2" iron rod found for the southeast corner of said Lot 10, the northeast corner of said Lot 11 and in the said east right of way line for the point of curvature of a non-tangent curve, concave to the east, having a radius of 480.00 Feet a central angle of 120°09'38", and a chord of 173.53 Feet bearing North 19°00'16" West;

THENCE northerly along said east right of way line, the west line of said Lot 10 and said curve, a distance of 174.48 Feet to the POINT OF BEGINNING and containing a computed area of 2.687 Acres, more or less.

THIS IS TO CERTIFY THAT I, JOHNNY D.L. WILLIAMS, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, HAVE PLATTED THE ABOVE SUBDIVISION FROM AN ACTUAL SURVEY ON THE GROUND, AND THAT ALL LOT CORNERS, ANGLE POINTS, AND POINTS OF CURVE HAVE BEEN PROPERLY MARKED ON THE GROUND, AND THAT THIS PLAT CORRECTLY REPRESENTS THAT SURVEY MADE BY ME.

**PRELIMINARY - FOR REVIEW ONLY.
NOT TO BE FILED FOR ANY REASON.**

JOHNNY D.L. WILLIAMS
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4818
TPELS FIRM REG. NO. 10138508

DATE: MAY 31, 2022

**OWNER'S CERTIFICATE
NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:**

THAT Suzette and Jason Crow acting herein by and through its duly authorized officers, do hereby certify and adopt this plat designating the herein above described property as Lots 10 and 10R2, Block A, Bob White Estates, an addition to Ellis County, and do hereby dedicate to the public use forever, the streets and alleys shown thereon. Suzette and Jason Crow do hereby certify the following:

1. The streets and alleys are dedicated in fee simple for street and alley purposes.
2. All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
3. The easements and public use areas, as shown, and created by this plat, are dedicated for the public use forever for the purposes indicated on this plat.
4. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown.
5. Ellis County and/or public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements.
6. Utility easements may also be used for the mental 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 public's and Ellis County's use thereof.
7. Ellis County and/or public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in the easements.
8. Ellis County and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, 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.
9. All modifications to this document shall be by means of plat and approved by Ellis County.

This plat is approved subject to all platting ordinances, rules, regulations, and resolutions of the Ellis County, Texas.

WITNESS, BY MY HAND, THIS THE _____ DAY OF _____, 2022.

SUZETTE CROW

JASON CROW

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 SUZETTE CROW, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2022.

Notary Public State of Texas

My Commission expires _____

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 JASON CROW, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2022.

Notary Public State of Texas

My Commission expires _____

**APPROVED BY:
PLANNING AND ZONING COMMISSION
CITY OF WAXAHACHIE**

By: _____ DATE _____

CHAIRPERSON _____ DATE _____

Attest: _____ DATE _____

Approved _____ 2022

STATE OF TEXAS
COUNTY OF ELLIS

Certificate of approval by the Commissioners' Court of Ellis County, Texas:
Approved this date, the _____ day of _____, 2022.

Todd Little, County Judge

Randy Stinson
Commissioner, Precinct No. 1

Loose Grayson
Commissioner, Precinct No. 2

Paul Perry
Commissioner, Precinct No. 3

Nyle Butler
Commissioner, Precinct No. 4

ATTEST:

Krystal Valdez, County Clerk

ON-SITE SEWAGE FACILITY STATEMENT

This plat has been approved by the Department of Development of Ellis County, Texas for on-site sewage disposal facilities and meets or exceeds the minimum requirements established by TCEQ and the Ellis County Septic Ordinance, providing any and all information as may be required by the Ellis County Department of Development.

Department of Development Director _____

Approval Date _____

NOTES:

1. THE BEARINGS FOR THIS SURVEY ARE BASED ON THE BEARINGS OF BOB WHITE ESTATES, PHASE 2, AN ADDITION TO ELLIS COUNTY, TEXAS, RECORDED IN CABINET 1, SLIDE 71R, PLAT RECORDS, ELLIS COUNTY, TEXAS.

2. NO PORTION OF THE PROPERTY DEPICTED IN THIS SURVEY LIES WITHIN THE 100 YEAR FLOOD PLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS, MAP NO. 48139C0190 F, EFFECTIVE DATE JUNE 3, 2013.
GENERAL NOTES:

3. ALL LOT CORNERS, ANGLE POINTS, POINTS OF TANGENCY AND POINTS OF CURVATURE WERE PHYSICALLY SET, SAID POINTS WERE MARKED WITH 1/2" IRON RODS WITH A CAP STAMPED "RPLS 4818", DRIVEN INTO THE GROUND, UNLESS OTHERWISE NOTED.

4. D.E. - DRAINAGE EASEMENT, U.E. - UTILITY EASEMENT, B.L. - BUILDING SETBACK LINE, D.U.E. - DRAINAGE & UTILITY EASEMENT

5. WOOD FENCES WITH STEEL POSTS ARE TO BE CONSTRUCTED ON ALL LOTS ADJACENT TO EXISTING RESIDENTIAL USES. FENCES TO BE CONSTRUCTED BY HOME BUILDERS AT THE TIME OF INDIVIDUAL LOT CONSTRUCTION.

6. BM1 - SQUARE CUT IN HEADWALL N-6860005.722, E-2464268.274, ELEV - 711.71
BM2 - SQUARE CUT IN HEADWALL N-6860007.313, E-2462915.542, ELEV - 715.73.

OWNER:
SUZETTE AND JASON CROW
"OF COURTESY BOB WHITE"
WAXAHACHIE, TEXAS 75181

SURVEYOR:
JOHNNY D.L. WILLIAMS
REGISTERED PROFESSIONAL LAND SURVEYOR
300 WILLIAMS ROAD, SUITE 107
FARM WORTH, TEXAS 75042
TPELS FIRM REG. NO. 10138508

**REPLAT
LOT 10, BLOCK A,
BOB WHITE ESTATES
PHASE TWO**
BEING LOTS 10R1 AND 10R2, BLOCK A
AND BEING A 2.687 ACRE TRACT OF LAND
LOCATED IN
THE MARY POWERS SURVEY, ABSTRACT NO. 843,
ELLIS COUNTY, TEXAS, IN THE E.T.J. OF
WAXAHACHIE, ELLIS COUNTY, TEXAS
2 RESIDENTIAL LOTS DATE: MAY 31, 2022

CASE NO. SUB-44-2022

Planning & Zoning Department

Plat Staff Report

Case: SUB-53-2022



MEETING DATE(S)

Planning & Zoning Commission:

July 12, 2022

CAPTION

Consider request by Brian Newcomer, for a **Plat** of Faith Farms, Lots 1 & 2, Block 1, being 6.9712 acres, located at 3132 FM 813, situated in the TR Follett Survey, Abstract 373, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 183573 & 201573) – Owner: Brian Newcomer & Wendy Newcomer

APPLICANT REQUEST

The applicant is requesting to plat the subject property into two (2) lots for commercial use.

CASE INFORMATION

Applicant:

Brian Newcomer

Property Owner(s):

Brian Newcomer and Wendy Newcomer

Site Acreage:

7.1972 acres

Number of Lots:

2 lots

Number of Dwelling Units:

2 units

Park Land Dedication:

N/A (ETJ)

Adequate Public Facilities:

Adequate public facilities are available via Rockett SUD and on-site septic systems.

SUBJECT PROPERTY

General Location:

3132 FM 813

Parcel ID Number(s):

183573 & 201573

Current Zoning:

N/A (ETJ)

Existing Use:

A single family home and five (5) accessory structures currently exist on the subject property.

Platting History:

The subject property is a portion of the TR Follett Survey, Abstract 373.

(u)

Site Aerial:



PLATTING ANALYSIS

The applicant is proposing to plat the subject property into two (2) lots for commercial use. All lot size and dimension requirements have been met. The applicant has provided a roughly 15' right-of-way (ROW) dedication in conformance with the City of Waxahachie Thoroughfare Plan.

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:

- ☒ Approval, as presented.

ATTACHED EXHIBITS

1. Plat
2. Water Letter

APPLICANT REQUIREMENTS

1. If approved by the Planning & Zoning Commission, 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 the applicant will be notified to make corrections.
 - b. If all comments were satisfied, then the applicant shall provide five signed, hard-copy plats.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

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

STAFF CONTACT INFORMATION

Prepared by:

Zack King

Planner

zking@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

ON SITE SEWAGE FACILITY STATEMENT
This plat has been approved by the Department of Development of Ellis County, Texas for on-site sewage disposal facilities and meets or exceeds the minimum requirements established by TCEQ and the Ellis County Health Order, pending any and all information as may be required by the Ellis County Department of Development.

Department of Development Dir. Approval Date
COURTY OF ELLIS

KNOW ALL MEN BY THESE PRESENTS

AS that certain tract or parcel of land, a part of the (R. 1st Survey A-371) The County, Texas, and also being all of that certain tract or parcel of land that is described in an Instrument Dated December 10, 2021 from Dana Glass, et al, Mark to Wendy Newcomer that is recorded in 215414 and also being all of that certain tract that is described in a Deed dated January 11, 2022 from Dana Glass, et al, Wendy Newcomer, et al, Wendy Christina, that is recorded in 220124 of the Deed Records of Ellis County, Texas, and being more completely described as follows to wit:

METES AND BOUNDS DESCRIPTION

Beginning at a 1/4 inch Iron Rod found for corner at the N 1/4 C. of said tract and the N 1/4 C. of that certain tract (181524, 12-04-2018) and in the S 1/4 C. of P 14 813.

Thence South 19 Degrees 17 Minutes 46 Seconds East, along the E 1/4 L. of said tract and the W 1/4 L. of said tract (181524) for a distance of 419.00 feet to a 1/4 inch Iron Rod found for corner at the S 1/4 C. of said tract.

Thence South 49 Degrees 37 Minutes 46 Seconds West, along the S 1/4 L. of said tract and the N 1/4 L. of that certain tract (181524, 12-04-2018) for a distance of 401.95 feet to a 1/4 inch Iron Rod found for corner.

Thence South 49 Degrees 30 Minutes 21 Seconds West, along the S 1/4 L. of said tract and the N 1/4 L. of that certain tract (181524, 12-04-2018) for a distance of 152.04 feet to a 1/4 inch Iron Rod found for corner.

Thence South 46 Degrees 12 Minutes 53 Seconds West, along the S 1/4 L. of said tract and the N 1/4 L. of that certain tract (181524, 12-04-2018) for a distance of 214.88 feet to a 1/4 inch Iron Rod found for corner at the S 1/4 C. of said tract.

Thence North 04 Degrees 40 Minutes 51 Seconds West, along the W 1/4 L. of said tract and the E 1/4 L. of that certain tract (181524, 12-04-2018) for a distance of 244.76 feet to a 1/4 inch Iron Rod found for corner.

Thence North 76 Degrees 48 Minutes 46 Seconds East, along the W 1/4 L. of said tract for a distance of 121.55 feet to a 1/4 inch Iron Rod found for corner.

Thence North 29 Degrees 30 Minutes 22 Seconds West, along the W 1/4 L. of said tract and the E 1/4 L. of that certain tract (181524, 12-04-2018) for a distance of 148.72 feet to a 1/4 inch Iron Rod found for corner at the N 1/4 C. of said tract.

Thence North 19 Degrees 17 Minutes 46 Seconds East, along the N 1/4 L. of said tract and the S 1/4 L. of said P 14 813 for a distance of 247.50 feet to a 1/4 inch Iron Rod found for corner.

Thence North 59 Degrees 19 Minutes 15 Seconds East, along the S 1/4 L. of said tract for a distance of 404.93 feet to the place of beginning containing 3.9712 acres.

- 1) A drainage / utility easement (DUE) is only required as necessary, to show any existing / future easements or drainage easements to help with the flow of water of placement of
- 2) Ellis County will not be responsible for the maintenance of drainage easements or detention
- 3) All bearings shown herein are based on the Texas State Plane Coordinate System, NAD83, Texas North Central Zone (4208). All distances shown herein are surface distances

The area shown appears to be in Zone X unshaded according to FEMA Community Panel No. 480796 Ellis, 48180C 9800F

Effective Date: 06/06/2018

This information was obtained from FEMA prepared maps and should not be used as a hydrology study.

Best Price Surveying, Inc. assumes no liability for flood damages to this property.

I, RUBEN GREGG SAXON, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5669, do hereby certify that the plat shown hereon was prepared from an actual survey made on the ground under my direction and supervision during the month of April 2022. Apparent, above ground, conflicts, protrusions or encroachments, if any, are as shown.

GIVEN UNDER MY HAND AND SEAL, this the 27th day of June 2022.

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5669
Bearing Source: (TX NC NAD83)

- = point for corner
- = 1/2" Iron Rod Fnd.
- = 1/4" Iron Rod Fnd.
- = 1" Iron Pipe Fnd.
- = 1/2" Iron Rod Set

Owner-developer
Brian Newcomer
1006 S Lavaca
Bed 04 Texas 79154
972-400-8048

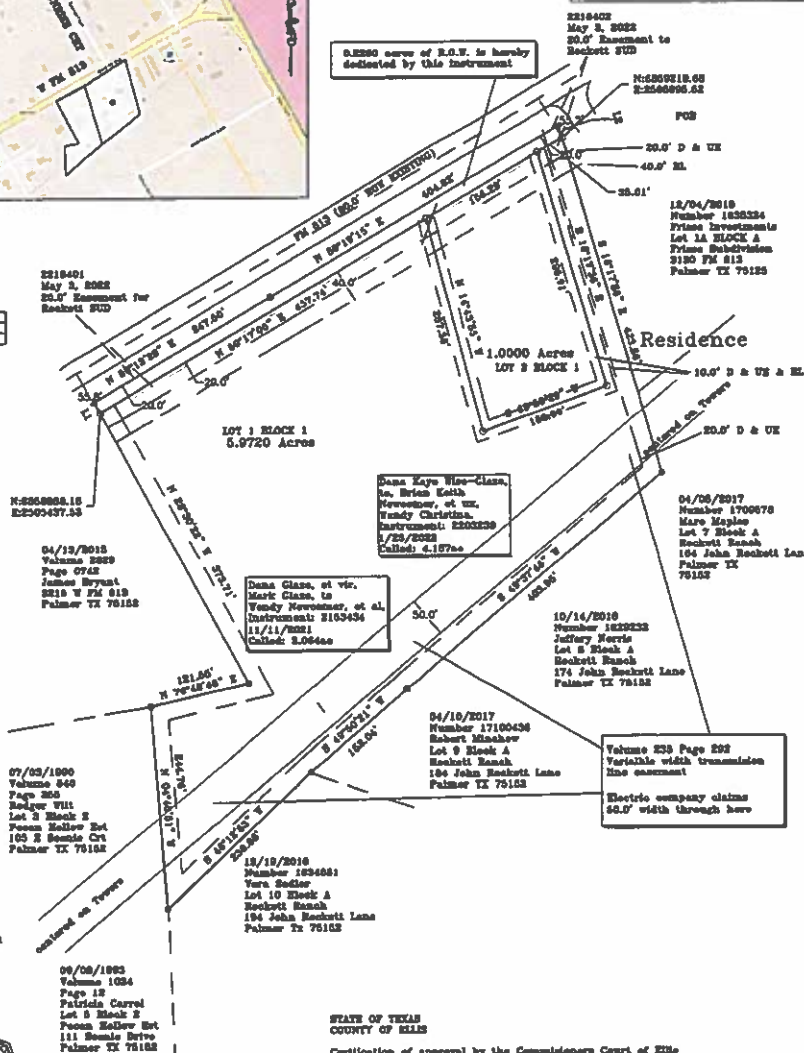


Surveyor
Best Price Surveying, Inc.
10061 E FM 817 #605
Dallas TX 75061
BestPriceSurveying.com
gregg@BestPriceSurveying.com
FID # 1016435



FOR R.O.V. DEDICATION

DATE	REASON	INITIALS
06/06/2018	FOR R.O.V. DEDICATION	[Signature]



STATE OF TEXAS
COUNTY OF ELLIS
Certification of approval by the Commissioners Court of Ellis County, Texas. Approved this the ____ day of ____ 2022.

Todd Little, County Judge
Bandy Blumstein, Precinct One Lane Grayson, Precinct Two
Paul Perry, Precinct Three Kyle Butler, Precinct Four
Attests
Krystal Valdez, County Clerk

APPROVED BY: Planning and Zoning Commission City of Waxahachie, Texas
By: _____ Date: _____
Chairperson
By: _____ Date: _____
Attest

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT WE, BRIAN KEITH NEWCOMER AND WENDY CHRISTINA NEWCOMER acting hereto by and through the duly authorized officers, do hereby certify and attest this plat designating the hereto described property as Lot 1 & 2, BLOCK 1 OF FAITH FARMS, an addition to the ETJ of the City of Waxahachie and County of Ellis, Texas, and do hereby dedicate to the public use forever the street and alley shown thereon. WE, BRIAN KEITH NEWCOMER AND WENDY CHRISTINA NEWCOMER, do hereby certify the following:

1. The streets and alleys are dedicated in fee simple for street and alley purposes.
2. All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
3. The easements and public use areas, on shown, and created by this plat, are dedicated for the public use forever for the purposes indicated on this plat.
4. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown.
5. Ellis County is not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair.
6. Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate County's use thereof.
7. Ellis County and/or public utilities all have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in the easements.
8. Ellis County and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, repairing, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of any time preventing permission from anyone.
9. All modifications to this document shall be by means of plat and approved by Ellis County.

This plat is approved subject to all planning ordinances, rules, regulations and resolutions of the Ellis County, Texas.

WITNESS, my hand, this the ____ day of ____, 20____.
BRIAN KEITH NEWCOMER
WITNESS, my hand, this the ____ day of ____, 20____.

WENDY CHRISTINA NEWCOMER

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared BRIAN KEITH NEWCOMER known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated

GIVEN under my hand and seal of office, this ____ day of ____, 20____

Notary Public in and for the State of Texas

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared WENDY CHRISTINA NEWCOMER known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated

GIVEN under my hand and seal of office, this ____ day of ____, 20____

Notary Public in and for the State of Texas

PLAT OF LOTS 1 & 2, BLOCK 1
FAITH FARMS LOCATED IN THE ETJ OF THE CITY
OF WAXAHACHIE
PART OF THE T.R. FOLLET SURVEY A-373
ELLIS COUNTY, TEXAS
SURVEYED APRIL 2022
SCALE 1 INCH = 100.00 FEET
2 LOTS 6.9712 ACRES & 0.2260 ACRES IN ROW
DEDICATION
CASE NUMBER (SUB-53-2022)

RECEIVED MAY 23 2022

(6)



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: Brian/Wendy Newcomer Parcel ID #: 201573/183573
Subdivision Name: Faith Farms

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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>20</u> inches.	<input type="checkbox"/>	<input type="checkbox"/>

Jacob Morales (Development coordinator)
Print Name of General Manager of water provider or Designee

Rockett SUD
Name of water provider company

Jacob Morales
Signature of General Manager of water provider or Designee

5/19/2022
Date