<u>A GENDA</u>

The Waxahachie Planning & Zoning Commission will hold a regular meeting on *Tuesday*, *October 11, 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
	David Hudgins
	Erik Test
	Ron Ansell

- 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. *Reorganize* the Commission
- 5. Consent Agenda

All matters listed under Item 5, 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 September 27, 2022
- b. Minutes of the Planning and Zoning Commission briefing of September 27, 2022
- 6. *Present* Proclamation proclaiming October 2022 as Community Planning Month
- 7. *Recognize* Mr. Jim Phillips for his service on the Planning & Zoning Commission
- 8. *Public Hearing* on a request by Reginald Levingston, for a Specific Use Permit (SUP) for an Accessory Structure +700sf, use within a Single Family – 3 (SF-3) zoning district located at 110 Elder St (Property ID 171560) - Owner: REGINALD LEVINGSTON (ZDC-93-2022) Staff: Ashlie Jones
- 9. *Consider* recommendation of Zoning Change No. ZDC-93-2022

- Consider a request by Priya Acharya, Wier & Associates, Inc, for a Replat of Lot 3, Block
 Interstate Industrial Park Addition, two (2) lots, being 3.454 acres, located at 3348 S
 Interstate 35E, (Property ID 284599) Owner: DML LAND, LLC (SUB-113-2022) Staff: Eleana Tuley
- 11. Consider a request by Mike Davis, Bannister Engineering, for a Plat of Victron Park, eight (8) commercial lots and four (4) open space lots, being 21.228 acres, located southwest of the intersection of Butcher Road and US Highway 77, situated in the Albert Pruitt Survey, Abstract 848, the John Shaver Survey, Abstract 1000, and the Peter B. Stout Survey, Abstract 1003, an addition to the City of Waxahachie (Property ID: 189377) Owner: DMJ Properties LTD (SUB-96-2022) Staff: Zack King
- 12. Consider a request by Mike Davis, Bannister Engineering, for a Plat of Victron Park, Lot 2, Block 6, one (1) commercial lot, being 0.882 acres, 171 W Butcher Road, situated in the Albert Pruitt Survey, Abstract 848, an addition to the City of Waxahachie (Property ID: 289909) Owner: KUMAR INVESTMENTS PROP-CO TX LLC (SUB-97-2022) Staff: Zack King
- 13. 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, September 27, 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 Bonney Ramsey David Hudgins Erik Test
Member Absent:	Jim Phillips
Others Present:	Jennifer Pruitt, Senior Director of Planning 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 September 13, 2022
- b. Minutes of the Planning & Zoning Commission briefing of September 13, 2022

Action:

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

5. Consider a request by Chad Adams, Levante Partners, LP, for a Plat of Levante, Lot 1X, Block A, Lots 1-6, 7X, 8-20, Block B, Lots 1-8, 9X, 10-11, Block C, Lots 1-17, Block D, Lots 1-18, Block E, Lots 1X, 2-10, Block F, Lots 1-26, Block G, Lots 1-9, Block H, Lots 1-13, Block I, being 150.59 acres, located on the west side of Howard Road (FM 877) across from 3175 Howard Road, situated in the S.M. Durrett Survey, Abstract No. 272, an addition to the City of Waxahachie (Property ID 182020) – Owner: LEVANTE PARTNERS, LP (SUB-66-2022) Staff: Eleana Tuley

Jennifer Pruitt, Senior Director of Planning, presented the case noting the applicant is requesting to plat approximately 150 acres into 121 single-family lots and four open space lots. Ms. Pruitt explained the applicant performed a Traffic Impact Analysis and started designing the

infrastructure and improvements for the project as approved in ZDC-27-2022. During the process, the applicant determined the topography and the road's curvature obstructed the minimum sight distance for the ingress and egress on the second point of access that was initially proposed. After much consideration, the Fire Chief supported adding a second entrance once 61 lots are developed. Staff recommended approval per the following staff comment:

1. The applicant revise and update the plat in the future to reflect the right-of-way improvements required by the Traffic Impact Analysis.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Chad Adams, Levante Partners, LP, for a Plat of Levante, Lot 1X, Block A, Lots 1-6, 7X, 8-20, Block B, Lots 1-8, 9X, 10-11, Block C, Lots 1-17, Block D, Lots 1-18, Block E, Lots 1X, 2-10, Block F, Lots 1-26, Block G, Lots 1-9, Block H, Lots 1-13, Block I, being 150.59 acres, located on the west side of Howard Road (FM 877) across from 3175 Howard Road, situated in the S.M. Durrett Survey, Abstract No. 272, an addition to the City of Waxahachie (Property ID 182020) – Owner: LEVANTE PARTNERS, LP (SUB-66-2022) as presented. Mr. Erik Test seconded, All Ayes.

6. Consider a request by Daniel and Alba Villareal, for a Plat of Villareal Estate, Tract 3, Block 1, 1 lot being 1.700 acres, located on Patrick Road, situated in the Carter H. Hurst Survey, Abstract 456, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 197804) – Owner: DANIEL VILLAREAL AND ALBA VILLAREAL. (SUB-91-2022) Staff: Ashlie Jones

Ashlie Jones, Senior Planner, presented the case noting the applicant is requesting to plat the subject property into one lot for residential use. Ms. Jones explained the plat does provide a 30' right-of-way dedication on Patrick Road in conformance with the City of Waxahachie and Ellis County Thoroughfare Plans and all standards have been met. Staff recommended approval as presented.

Action:

Ms. Bonney Ramsey moved to approve a request by Daniel and Alba Villareal, for a Plat of Villareal Estate, Tract 3, Block 1, 1 lot being 1.700 acres, located on Patrick Road, situated in the Carter H. Hurst Survey, Abstract 456, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 197804) – Owner: DANIEL VILLAREAL AND ALBA VILLAREAL. (SUB-91-2022) as presented. Ms. Betty Square Coleman seconded, All Ayes.

7. Consider a request by Donna Arnold for a Plat of Arnold Addition, Lots 1 & 2, Block A, being 3.746 acres, located at 7845 Little Branch Road, situated in the W.C. Berry Survey, Abstract 73, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 180068) – Owner: ARNOLD DONNA J (SUB-86-2022) Staff: Zack King

Ms. Jones presented the case noting the applicant is requesting to plat the subject property into two (2) lots for single-family residential use and the applicant is providing a 40' right-of-way dedication for Little Branch Road in conformance with the City of Waxahachie Thoroughfare Plan.

She noted all lot size and dimension requirements have been met and staff recommended approval per the following staff comments:

- 1. The Instrument Number identified in the Owner's Certificate is updated to read "215912."
- 2. The Owner's Dedication is updated to identify "Ellis County" instead of City of Waxahachie.

Action:

Mr. David Hudgins moved to approve a request by Donna Arnold for a Plat of Arnold Addition, Lots 1 & 2, Block A, being 3.746 acres, located at 7845 Little Branch Road, situated in the W.C. Berry Survey, Abstract 73, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 180068) – Owner: ARNOLD DONNA J (SUB-86-2022) per staff comments. Ms. Betty Square Coleman seconded, All Ayes.

8. Consider a request by Claudia and Jose Rodriguez for a Plat of Compton Estates, three (3) lots being 10.300 acres, located on Compton Lane, situated in the J. Fifer Survey, Abstract 351, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 217169) – Owner: CLAUDIA RODRIGUEZ AND JOSE RODRIGUEZ (SUB-94-2022) Staff: Ashlie Jones

Ms. Jones presented the case noting the applicant is requesting to plat the subject property into three (3) lots for residential use and all City of Waxahachie and Ellis County Standards have been met. She noted the plat does provide a 56' right-of-way dedication on Compton Lane in conformance with the City of Waxahachie and Ellis County Thoroughfare Plans and staff recommended approval per the following staff comment:

1. A revised version of the plat shall be provided to staff that includes a note stating the following: "NOTE: AT THE TIME OF PLAT APPROVAL, THIS DEVELOPMENT DOES NOT HAVE ADEQUATE WATER FLOW TO ALLOW FOR FIRE FIGHTING AND FIRE SUPRESSION SERVICES TO ANY IMPROVED PROPERTIES."

Action:

Mr. David Hudgins moved to approve a request by Claudia and Jose Rodriguez for a Plat of Compton Estates, three (3) lots being 10.300 acres, located on Compton Lane, situated in the J. Fifer Survey, Abstract 351, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID: 217169) – Owner: CLAUDIA RODRIGUEZ AND JOSE RODRIGUEZ (SUB-94-2022) per staff comments. Mr. Erik Test seconded, All Ayes.

 9. Consider a request by Garrett Rhoden, Johnson Volk Consulting Inc., for a Plat of Wooded Creek, 30 single family lots, being 52.243 acres, located directly west of Waterford Crossing, situated in the John Drinkard Survey, Abstract 273, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 196487)
 – Owner: SOUTH PRONG CREEK VENTURE, LLC, SERIES 2 (SUB-95-2022) Staff: Zack King

Ms. Pruitt presented the case noting the applicant is requesting to plat the subject property into thirty (30) lots for single-family residential use as part of the Wooded Creek Subdivision. Staff recommended approval as presented.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Garrett Rhoden, Johnson Volk Consulting Inc., for a Plat of Wooded Creek, 30 single family lots, being 52.243 acres, located directly west of Waterford Crossing, situated in the John Drinkard Survey, Abstract 273, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 196487) – Owner: SOUTH PRONG CREEK VENTURE, LLC, SERIES 2 (SUB-95-2022) as presented. Ms. Bonney Ramsey seconded, All Ayes.

10. Consider a request by Mike Davis, Bannister Engineering, for a Plat of Villaggio at Victron Park, 143 residential lots and 19 open space lots, being 16.975 acres, located southwest of the intersection of Butcher Road and US Highway 77, situated in the Albert Pruitt Survey, Abstract 848, the John Shaver Survey, Abstract 1000, and the Peter B. Stout Survey, Abstract 1003, an addition to the City of Waxahachie (Property ID: 189377) – Owner: VICTRON PARK DEVELOPMENT LP (SUB-98-2022) Staff: Zack King

Ms. Pruitt presented the case noting the applicant is requesting to plat the subject property into 143 residential lots and 19 open space lots for the Villaggio at Victron Park, which is a townhome development within the Victron Park Planned Development (PD). All lots size, dimension, setback, and easement requirements have been met in accordance with the Victron Park PD. Staff recommended approval as presented.

Action:

Ms. Bonney Ramsey moved to approve a request by Mike Davis, Bannister Engineering, for a Plat of Villaggio at Victron Park, 143 residential lots and 19 open space lots, being 16.975 acres, located southwest of the intersection of Butcher Road and US Highway 77, situated in the Albert Pruitt Survey, Abstract 848, the John Shaver Survey, Abstract 1000, and the Peter B. Stout Survey, Abstract 1003, an addition to the City of Waxahachie (Property ID: 189377) – Owner: VICTRON PARK DEVELOPMENT LP (SUB-98-2022). Mr. Erik Test seconded, All Ayes.

11. Adjourn

Ashlie Jones, Senior Planner, announced she accepted a position in Glenn Heights and expressed it was a pleasure working with City staff and the Planning and Zoning Commission.

Planning and Zoning Commission members wished Ms. Jones the best in her new position.

There being no further business, the meeting adjourned at 7:18 p.m.

Respectfully submitted,

Amber Villarreal City Secretary

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, September 27, 2022 at 6:30 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

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Members Present:	Rick Keeler, Chairman Melissa Ballard, Vice Chairman Betty Square Coleman Bonney Ramsey David Hudgins Erik Test
Member Absent:	Jim Phillips
Others Present:	Jennifer Pruitt, Senior Director of Planning 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

Jennifer Pruitt, Senior Director of Planning, reviewed the following cases:

- SUB-66-2022, the applicant is requesting to plat approximately 150 acres into 121 singlefamily lots and four open space lots. Ms. Pruitt explained the applicant performed a Traffic Impact Analysis and started designing the infrastructure and improvements for the project as approved in ZDC-27-2022. During the process, the applicant determined the topography and the road's curvature obstructed the minimum sight distance for the ingress and egress on the second point of access that was initially proposed. After much consideration, the Fire Chief supported adding a second entrance once 61 lots are developed. Staff recommended approval per the following staff comment:
 - The applicant revise and update the plat in the future to reflect the right-of-way improvements required by the Traffic Impact Analysis.
- SUB-95-2022, the applicant is requesting to plat the subject property into thirty (30) lots for single-family residential use as part of the Wooded Creek Subdivision. Staff recommended approval as presented.
- SUB-98-2022, the applicant is requesting to plat the subject property into 143 residential lots and 19 open space lots for the Villaggio at Victron Park, which is a townhome development within the Victron Park Planned Development (PD). All lots size, dimension, setback, and easement requirements have been met in accordance with the Victron Park PD. Staff recommended approval as presented.

Ashlie Jones, Senior Planner, reviewed the following cases:

- SUB-91-2022, the applicant is requesting to plat the subject property into one lot for residential use. Staff recommended approval as presented.
- SUB-86-2022, the applicant is requesting to plat the subject property into two (2) lots for single-family residential use. Staff recommended approval per the following staff comments:
 - The Instrument Number identified in the Owner's Certificate is updated to read "215912."
 - The Owner's Dedication is updated to identify "Ellis County" instead of City of Waxahachie.
- SUB-94-2022, the applicant is requesting to plat the subject property into three (3) lots for residential use. Staff recommended approval per the following staff comment:
 - A revised version of the plat shall be provided to staff that includes a note stating the following: "NOTE: AT THE TIME OF PLAT APPROVAL, THIS DEVELOPMENT DOES NOT HAVE ADEQUATE WATER FLOW TO ALLOW FOR FIRE FIGHTING AND FIRE SUPRESSION SERVICES TO ANY IMPROVED PROPERTIES."

3. Adjourn

There being no further business, the meeting adjourned at 6:55 p.m.

Respectfully submitted,

Amber Villarreal City Secretary

PROCLAMATION

(le)

WHEREAS, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

WHEREAS, community planning and plans can help manage this change in a way that provides better choices for how people live, work and play; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS, the full benefits of planning require public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, the month of October is designated as National Community Planning Month throughout the United States of America and its territories, and

WHEREAS, American Planning Association endorses National Community Planning Month as an opportunity to highlight how planning is essential to recovery and how planners can lead communities to equitable, resilient and long-lasting recovery; and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning commissions and other citizen planners who have contributed their time and expertise to the improvement of the City of Waxahachie, Texas; and

WHEREAS, we recognize the many valuable contributions made by the professional community and regional planners of the City of Waxahachie, Texas and extend our heartfelt thanks for the continued commitment to public service by these professionals;

NOW, THEREFORE, be it resolved that I, David Hill, Mayor of Waxahachie, along with the entire City Council hereby designated the month of October 2022 as

"NATIONAL COMMUNITY PLANNING MONTH"

in the City of Waxahachie, Texas, in conjunction with the celebration of National Community Planning Month.

Proclaimed this 3rd day of October 2022.

ATTEST:

amber Villarreal CITY SECRETARY

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Planning & Zoning Department

Plat Staff Report

Case: ZDC-93-2022

MEETING DATE(S)

Planning & Zoning Commission: City Council: October 11, 2022 October 17, 2022

CAPTION

Public Hearing on a request Reginald Levingston, for a Specific Use Permit (SUP) for an Accessory Structure +700sf, use within a Single Family – 3 (SF-3) zoning district located at 110 Elder St (Property ID 171560) - Owner: Reginald Levingston.

APPLICANT REQUEST

The applicant is requesting a Specific Use Permit for a metal carport structure with approximately 26' X 31' dimensions.

CASE INFORMATION Applicant:	Reginald Levingston
Property Owner(s):	Reginald Levingston
Site Acreage:	0.65 acres
Current Zoning :	SF-3
Requested Zoning:	SF-3 with a Specific Use Permit (SUP) for an accessory structure greater than 700 square feet.
SUBJECT PROPERTY General Location:	110 Elder St.
Parcel ID Number(s):	171560
Current Zoning:	Single Family-3 (SF-3)
Existing Use:	The existing use is residential.
Development History	The property is platted.



(8)

Adjoining Zoning & Uses:

Direction	Zoning	Current Use	
North	Single-Family-1	Single Family Residential Home	
East	Single-Family-1	Single Family Residential Home	
South	Single-Family-1	Single Family Residential Home	
West	Single-Family-1	Single Family Residential Home	

Future Land Use Plan:Low Density ResidentialComprehensive Plan:This use is representative of smaller single-family homes and
some duplex units. The majority of Waxahachie's current
development is of a similar density. It is appropriate to have
approximately 3.5 dwelling units per acre.

Thoroughfare Plan: The subject property is accessible via Elder St.

Site Aerial:



PLANNING ANALYSIS

The applicant is requesting a SUP for an existing metal carport, +700 sq. ft. (806 sq. ft.) accessory structure located to the side of a single-family residential lot at 110 Elder Street. The Ellis County Appraisal District, did not reflect information about the primary structure on the property. Still, staff determined that the primary structure is approximately 2,300 square feet. Per the City of Waxahachie Zoning Ordinance, an accessory structure equal to or greater than 700 square feet requires a Specific Use Permit (SUP) to be approved by City Council. This request was preceded by a Code Enforcement violation for not having a SUP or building permit for the accessory structure. The applicant applied for the SUP immediately after being notified by Code Enforcement.

Proposed Use:

The existing accessory structure is a metal carport with open sides, approximately 806 sq ft in size. The structure is intended to protect vehicles from harsh Texan elements. The applicant has confirmed to staff that the structure will not be used as a dwelling of any kind and will not be metered, sold, or leased separately from the existing home. The accessory structure is connected to the existing driveway with a concrete drive.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, <u>22</u> 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

At the time of this report (September 16, 2022), staff has received one (1) letter of support for this case.

RECOMMENDATION

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

- Denial
- Approval, as presented.

Approval, per the following comments:

- 1. The accessory structure shall not be used as a dwelling.
- 2. The accessory structure shall not be used for commercial purposes.
- 3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
- 4. The applicant shall obtain a permit from the City of Waxahachie Building Department.

ATTACHED EXHIBITS

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

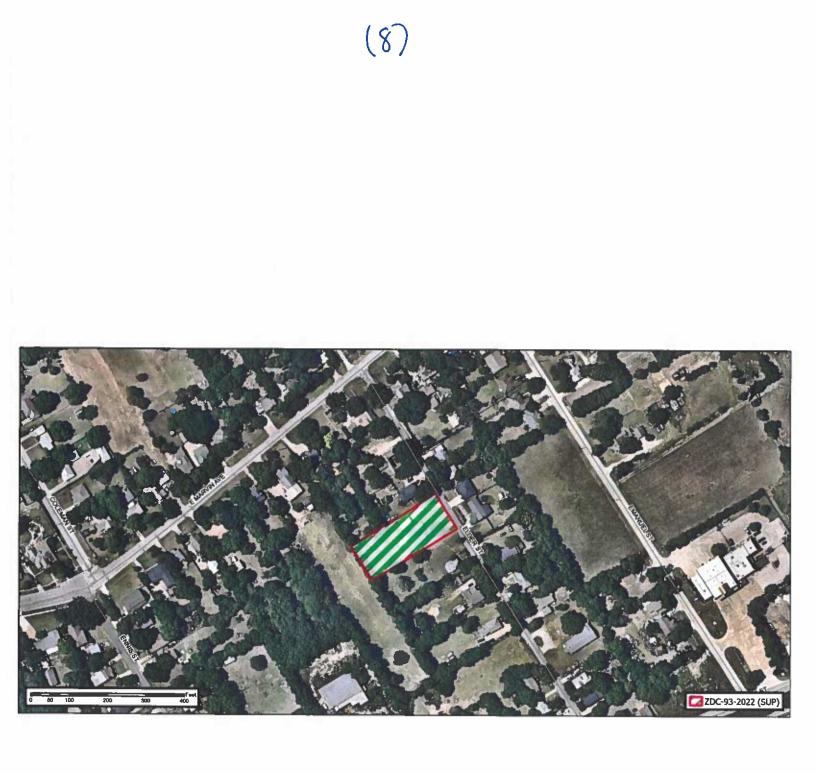
- 1. Location Map
- 2. Site Layout Exhibit
- 3. Structure Rendering
- 4. Support letter

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Reviewed by: Jennifer Pruitt, AICP, LEED-AP, CNU-A Senior Director of Planning jennifer.pruitt@waxahachie.com





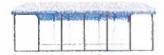
(8)

Building Images

(8)







Perspective View

Front





Right Side

Back



City of Waxahachie, Texas Notice of Public Hearing Case Number: ZDC-93-2022

ESTRADA AURORA 118 ELDER ST WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 11, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 17, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Reginald Levingston, for a Specific Use Permit (SUP) for an Accessory Structure +700sf, use within a Single Family - 3 (SF-3) zoning district located at 110 Elder St (Property ID 171560) - Owner: REGINALD LEVINGSTON (ZDC-93-2022) Staff: Ashlie Jones

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-93-2022

City Reference: 171563

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on October 5, 2022 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to enning@Waxabachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

ISUPPORT

OPPOSE

Comments:

rinted Name and Title

Date 119-116 5 Har S

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

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

(10)

Planning & Zoning Department

Plat Staff Report

Case: SUB-113-2022

MEETING DATE(S)

Planning & Zoning Commission:

October 11, 2022

<u>CAPTION</u>

Consider a request by Priya Acharya, Wier & Associates, Inc., for a **Replat** of Lot 3, Block 2, Interstate Industrial Park Addition, two (2) lots, being 3.454 acres, located at 3348 S Interstate 35E, (Property ID 284599) – Owner: DML LAND, LLC (SUB-113-2022) Staff: Eleana Tuley

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APPLICANT REQUEST

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

CASE INFORMATION Applicant:	Priya Acharya, Wier & Associates, Inc.
Property Owner(s):	DML LAND, LLC
Site Acreage:	3.454 acres
Number of Lots:	2 lots
Number of Dwelling Units:	0 units
Park Land Dedication:	N/A
Adequate Public Facilities:	Adequate public facilities are available to the subject property.
SUBJECT PROPERTY	
General Location:	3348 S Interstate 35 E
Parcel ID Number(s):	284599
Current Zoning:	General Retail (GR) & Light Industrial-1 (LI-1)
Existing Use:	The subject property is currently undeveloped.
Platting History:	The subject property was previously platted as Lot 3, Block 2 of 66 Crossing subdivision.



Site Aerial:



PLATTING ANALYSIS

The applicant is proposing to replat the subject property into two (2) lots for commercial use. As part of this replat, the applicant is proposing an access easement to provide a connection from Landmark Drive north through the subject property and the existing Exxon Gas Station (PID: 179116) at the intersection of FM66 and the I-35E service road. The access easement will provide direct access to the I-35E service road from the subject property. All lot size, dimension, and easement requirements gave been met.

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. Replat

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:

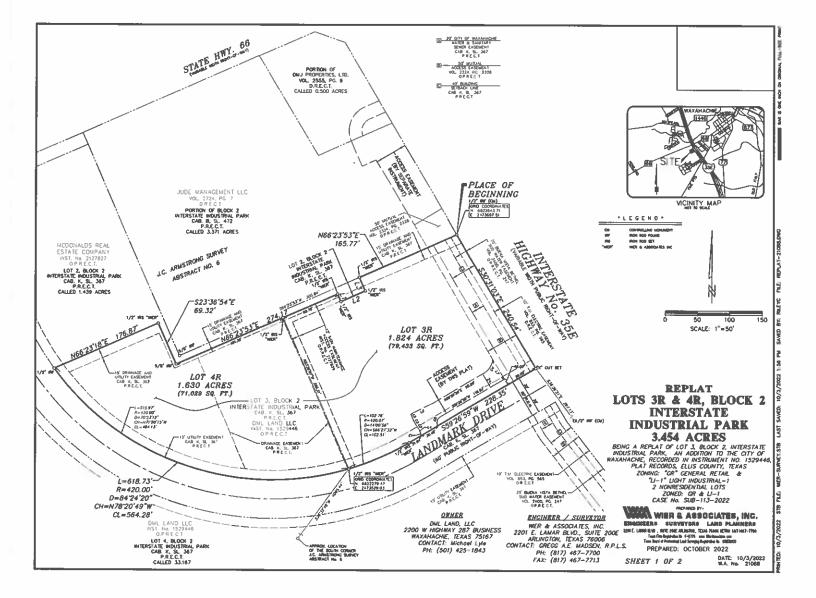
- 1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
- 2. A drainage study has been conducted and/or a traffic impact analysis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

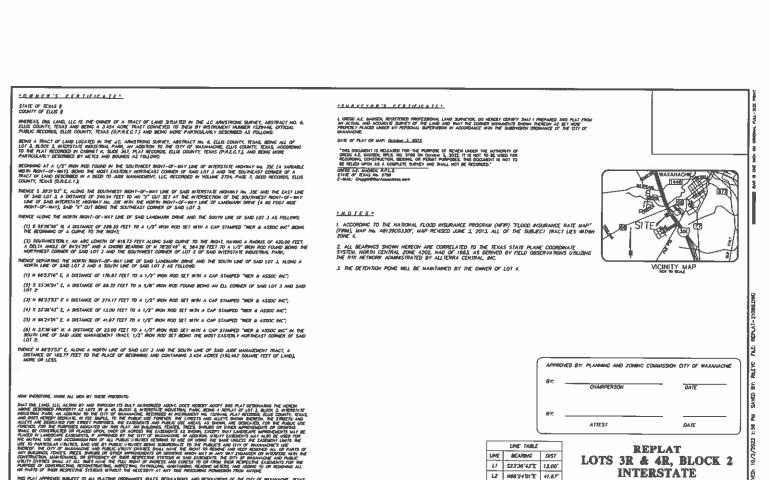
STAFF CONTACT INFORMATION

Prepared by: Eleana Tuley, AICP Senior Planner <u>eleana.tuley@waxahachie.com</u> Reviewed by: Jennifer Pruitt, AICP, LEED-AP, CNU-A Senior Director of Planning jennifer.pruitt@waxahachie.com

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ENCINEER / SURVEYOR ENGINEER, 2 SURFILIER WER ASSOCIATES, INC. 2201 E. LAMAR BLVD, SURFIZ 200E ARLINGTON, TEXAS JE006 CONTACT: GREGG A.E. MADSEN, R.P.L.S. PH: (817) 467-7700 FAX: (817) 467-7713

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<u>OWHER</u> DML LAND, LLC 2200 W HIGHMAY 287 BUSINESS WAXAHACHE, TEXAS 75167 CONTACT: Michael Lyle PH: (501) 425-1843

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PREPARED: OCTOBER 2022

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10/3/2022

DATE: 10/3/2022 W.A. No. 21088

ATY COMMISSION EXPINES ____

Planning & Zoning Department

Plat Staff Report

Case: SUB-96-2022

MEETING DATE(S)

Planning & Zoning Commission:

October 11, 2022

CAPTION

Consider request by Mike Davis, Bannister Engineering, for a **Plat** of Victron Park, eight (8) commercial lots and four (4) open space lots, being 21.228 acres, located southwest of the intersection of Butcher Road and US Highway 77, situated in the Albert Pruitt Survey, Abstract 848, the John Shaver Survey, Abstract 1000, and the Peter B. Stout Survey, Abstract 1003, an addition to the City of Waxahachie (Property ID: 189377) – Owner: DMJ Properties LTD (SUB-96-2022) Staff: Zack King

APPLICANT REQUEST

The applicant is requesting to plat the subject property into eight (8) commercial lots and four (4) open space lots as part of the Victron Park Planned Development (PD).

CASE INFORMATION Applicant:	Mike Davis, Bannister Engineering
Property Owner(s):	DMJ Properties LTD
Site Acreage:	21.228 acres
Number of Lots:	12 lots
Number of Dwelling Units:	0 units
Park Land Dedication:	The cash in lieu of park land dedication is \$12,736.80 (21.228 acres at \$600.00 per acre.)
Adequate Public Facilities:	Adequate public facilities are available to the subject property.
SUBJECT PROPERTY General Location:	Southwest of the intersection of Butcher Road & US Highway 77
Parcel ID Number(s):	189377
Current Zoning:	Planned Development-General Retail/Planned Development- Multi-Family-2 (PD-GR/PD-MF-2)
Existing Use:	The subject property is currently undeveloped.
Platting History:	The subject property is a portion of the approved Land Use Study (LUS-169-2020) for Victron Park. However, changes to the proposed lot layout have been made since approval of the Land Use Study.

A HACHIM

Site Aerial:



PLANNING ANALYSIS

The applicant is proposing to plat the subject property into eight (8) commercial lots and four (4) open space lots as part of the Victron Park Planned Development (PD). The applicant is providing a 10' rightof-way (ROW) dedication along Butcher Road, in conformance with the City of Waxahachie Thoroughfare Plan. All lot size, dimension, & easement requirements have been met. However, the size of some commercial tracts identified in the Victron Park PD have been reduced due to a need for larger detention areas than initially anticipated. The proposed lot layout is still in conformance with the PD. The recording information for Dena Drive, Ali Drive, Venture Way, and the adjacent Villaggio at Victron Park will need to be added to the plat prior to plat filing.

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, per the following comments:
 - 1. The plat will be updated to include the recording information for Dena Drive, Ali Drive, Venture Way, and the adjacent Villaggio at Victron Park prior to plat filing.

ATTACHED EXHIBITS

1. Plat

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

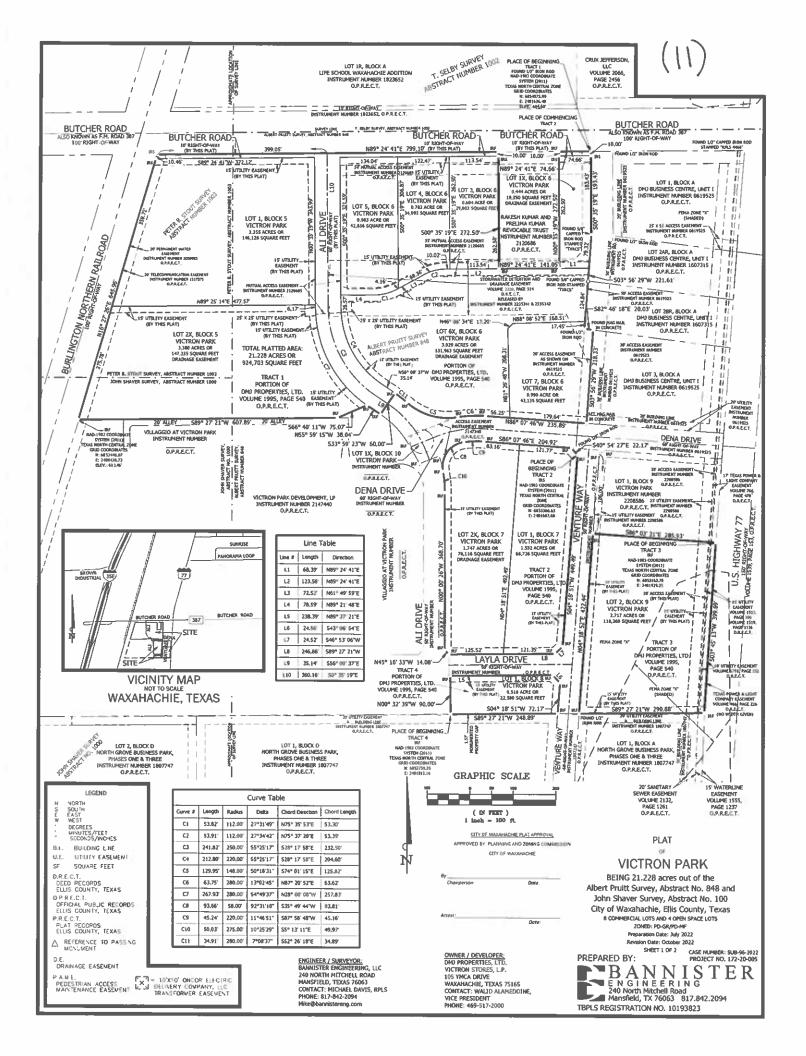
A plat shall not be filed with the Ellis County Clerk until:

- 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.

(11)

STAFF CONTACT INFORMATION

Prepared by: Zack King Senior Planner zking@waxahachie.com Reviewed by: Jennifer Pruitt, AICP, LEED-AP, CNU-A Senior Director of Planning jennifer.pruitt@waxahachie.com



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BANNISTER ENGINEERUNG, LLC 240 NORTH HITCHELL ROAD HANSFIELD, TEXAS 20043 CONTACT. HICHAEL DAVIS, RPLS 20040E: 617-662-2094

OWNER / DEVELOPER: DHU PROPERTIES, LTD. VICTRON STORES, LTD. VICTRON STORES, LP, 105 YHCA DRIVE WAXMADYE, TEXAS 75165 CONTACT: WALED ALAMEDODIE, VICE RESIDENT PHONE: 404-517-2000

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ENGINEER / SURVEYOR: BANNISTER ENGINEERING, LLC

Planning & Zoning Department

Plat Staff Report

Case: SUB-97-2022

MEETING DATE(S)

Planning & Zoning Commission:

October 11, 2022

(12)

CAPTION

Consider request by Mike Davis, Bannister Engineering, for a **Plat** of Victron Park, Lot 2, Block 6, one (1) commercial lot, being 0.882 acres, located directly south of 150 W Butcher Road, situated in the Albert Pruitt Survey, Abstract 848, an addition to the City of Waxahachie (Property ID: 289909) – Owner: Kumar Investments Prop-Co TX LLC (SUB-97-2022) Staff: Zack King

APPLICANT REQUEST

The applicant is requesting to plat the subject property into one (1) lot for commercial use as a Taco Bell.

CASE INFORMATION Applicant:	Mike Davis, Bannister Engineering
Property Owner(s):	Kumar Investments Prop-Co TX LLC
Site Acreage:	0.882 acres
Number of Lots:	1 lot
Number of Dwelling Units:	0 units
Park Land Dedication:	The cash in lieu of park land dedication is \$600.00 (0.882 acres at \$600.00 per acre.)
Adequate Public Facilities:	Adequate public facilities are available to the subject property.
SUBJECT PROPERTY General Location:	Directly south of 150 W Butcher Road
Parcel ID Number(s):	289909
Current Zoning:	Planned Development-General Retail & Planned Development- Multi Family-2 (PD-GR/PD-MF-2)
Existing Use:	The subject property is currently undeveloped.
Platting History:	The subject property is a portion of the approved Land Use Study (LUS-169-2020) for Victron Park. However, changes to the proposed lot layout have been made since approval of the Land Use Study.

A HACHIM

Page 1 of 2

Site Aerial:



PLATTING ANALYSIS

The applicant is proposing to plat the subject property into one (1) lot for commercial use as a Taco Bell, as per the approved Victron Park Planned Development. The applicant is providing a 10' right-of-way (ROW) dedication along W Butcher Road, in conformance with the City of Waxahachie Thoroughfare Plan. All lot size, dimension, setback, and easement requirements have been met.

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

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:

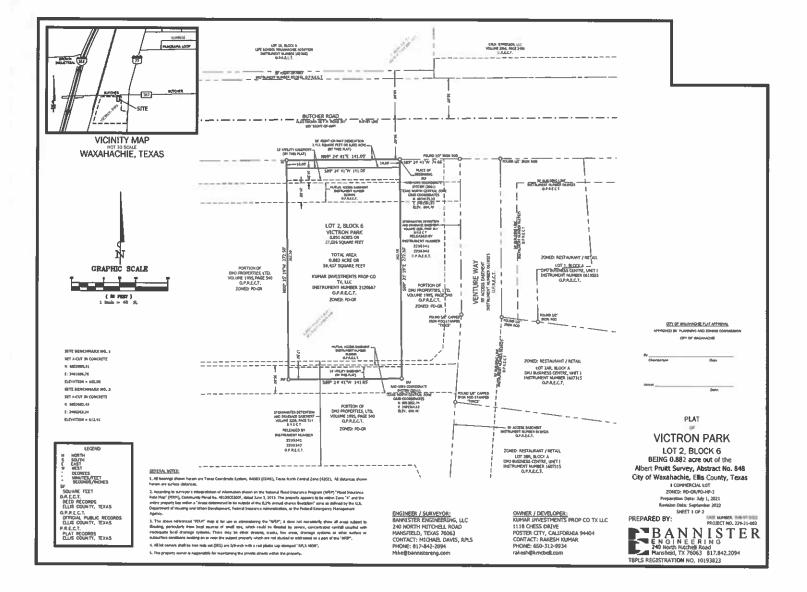
- 1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
- 2. A drainage study has been conducted and/or a traffic impact analysis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

STAFF CONTACT INFORMATION

Prepared by: Zack King Senior Planner <u>zking@waxahachie.com</u> Reviewed by: Jennifer Pruitt, AICP, LEED-AP, CNU-A Senior Director of Planning jennifer.pruitt@waxahachie.com

Page 2 of 2

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OWNER'S CERTIFICATE: STATE OF TEXAS & COUNTY OF ELLIS &

WHEREAS, KUMBAR SIMPLETIMBUTS PROP-CO TX, LLC, in the average of a tract of land in the Abart Prutt Survey, Astrinat Number MID, Chy of Wasshaptine, Ellis Control, Team; seld 39, 437 agener find (ABR2 and of land baing a perturb of the curtain trust of land described in a dead to KUMAR INVESTMENTS INDIP-CO TX, LLC (Instrumber entered to a KUMAR HALL), an recursion in Interneron Namber 202007, Official MARk Records, Ellis Courby, Tosse (O.P.R.E.C.T.); sed 39, 437 square feet (O.R.B corts) of land being more particularly described, by mellia and lavanda, as follows:

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KUMAR INVESTMENTS PROP-CO TX, LLC

Rakeeh Kurner

STATE OF CALIFORNIA COUNTY OF ____

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Notary Public, State of California

ENGINEER / SURVEYOR: BANNISTER ENGINEERING, LLC BANNUSTER ENGINEERLING, LLL 240 NORTH MITCHELL ROAD NANSFIELD, TEXAS 76063 CONTACT: MICHAEL DAVIS, RPLS PHONE: 817-842-2094 Nike@bannistereng.com OWNER / DEVELOPER: KUHAR INVESTNERTS PROP CO TX U.C 1118 CHESS DRIVE FOSTER CTY, CALIFORNIA 94404 CONTACT: RACEM KUMAR PHONE: 650-312-9934 rakeb@kmcbell.com



INOW ALL MEN BY THESE PRESENTS

Thet I, Michael Dan Davis. a Registered Physicaneous Land Surveyor in the State of Texas, do liveshy certify that I properly floced under my passent exervey of the linet and that the camer moments shown bareon as set www properly ploced under my passent apprviam in accurate with the Solidivision Cellmance of the City of Wavahadus.

PRELIMINARY, PYCELLIPITIVANY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PRIPOSE AND SHALL NOT BE USED OR VIEWED OR ALLED UPON AS A FRANL SURVEY DOCSIMENT

Nichael Dan Lavis DATE Registered Professional Land Lurveyor No. 4638 BANNISTER ENGINEERING LLC T.8 PL.S. REGISTRATION NO. 19193823



PLAT

VICTRON PARK LOT 2, BLOCK 6 BEING 0.882 acre out of the Albert Pruitt Survey, Abstract No. 848 City of Waxahachie, Ellis County, Texas Vaxanacchie, Eulis Country, Fexas Iconversita, tot Zoneb: PD-GX/PD-HP-2 Preparation Date: Mg 1, 2021 Bentien Date: Mg 1, 2021 Bentien Date: August 2022 SHEET 2 OF 2 CREE NUMBER: SIM-HT-MBI PROSECT ND, 225-21-002

PREPARED BY: MARCH DI JUPALON IN BANNISTERINO 240 North Michell Road Anglisterino 10, 10193823