

AGENDA

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

10. **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
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.***

(5a)

Planning and Zoning Commission
September 27, 2022

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

(5a)

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.

(5a)

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 SUPPRESSION 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**

(5a)

Planning and Zoning Commission

September 27, 2022

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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

Planning and Zoning Commission
September 27, 2022

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.

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 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:
 - 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.

(5b)

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 SUPPRESSION 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

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PROCLAMATION

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

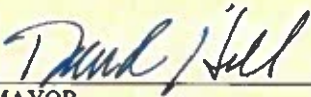
WHEREAS, we recognize the many valuable contributions made by the professional community and regional planners of the City of Waxahachie, Texas and extend our heartfelt thanks for the continued commitment to public service by these professionals;

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.


MAYOR

ATTEST:


CITY SECRETARY



(8)

Planning & Zoning Department Plat Staff Report

Case: ZDC-93-2022



MEETING DATE(S)

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

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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 Residential

Comprehensive 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, 22 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)



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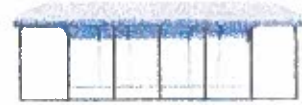
Building Images



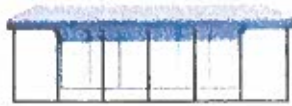
Perspective View



Front



Left Side



Right Side



Back



(8)

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 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

Date

Printed Name and Title

Address

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

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

Planning & Zoning Department

Plat Staff Report

Case: SUB-113-2022



MEETING DATE(S)

Planning & Zoning Commission: October 11, 2022

CAPTION

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

APPLICANT REQUEST

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

CASE INFORMATION

<i>Applicant:</i>	Priya Acharya, Wier & Associates, Inc.
<i>Property Owner(s):</i>	DML LAND, LLC
<i>Site Acreage:</i>	3.454 acres
<i>Number of Lots:</i>	2 lots
<i>Number of Dwelling Units:</i>	0 units
<i>Park Land Dedication:</i>	N/A
<i>Adequate Public Facilities:</i>	Adequate public facilities are available to the subject property.

SUBJECT PROPERTY

<i>General Location:</i>	3348 S Interstate 35 E
<i>Parcel ID Number(s):</i>	284599
<i>Current Zoning:</i>	General Retail (GR) & Light Industrial-1 (LI-1)
<i>Existing Use:</i>	The subject property is currently undeveloped.
<i>Platting History:</i>	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 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. 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

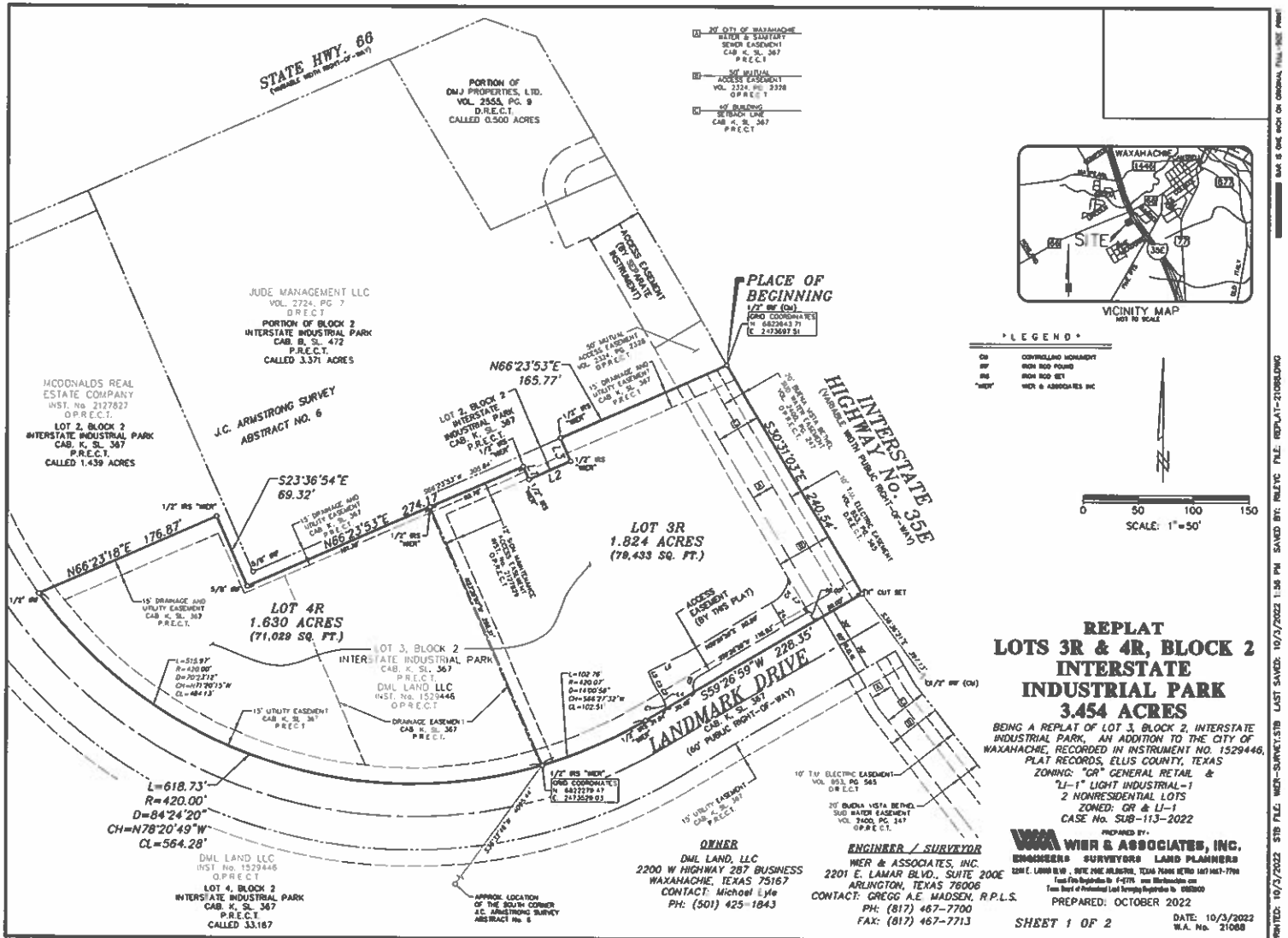
eleana.tuley@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning

jennifer.pruitt@waxahachie.com

(10)



PRINTED: 10/3/2022 5:15 PM SURVEY: 10/3/2022 1:36 PM SAVED BY: RILEY.C. FILE: REPLAT-21088.DWG

(10)

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ELLIS

WHEREAS, DML LAND, LLC IS THE OWNER OF A TRACT OF LAND SITUATED IN THE J.C. ARMSTRONG SURVEY, ABSTRACT NO. 6, ELLIS COUNTY, TEXAS AND BEING A 3.454 ACRE TRACT CONVEYED TO THEM BY INSTRUMENT NUMBER 1529446, OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS (O.P.R.C.T.) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A TRACT OF LAND LOCATED IN THE J.C. ARMSTRONG SURVEY, ABSTRACT NO. 6, ELLIS COUNTY, TEXAS, BEING ALL OF LOT 3, BLOCK 2, INTERSTATE INDUSTRIAL PARK, AN ADDITION TO THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CARMET K. SIDE 361, PLAT RECORD, ELLIS COUNTY, TEXAS (P.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND IN THE SOUTHWEST RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 35E (A VARIABLE WIDTH RIGHT-OF-WAY), BEING THE MOST EASTERLY NORTHEAST CORNER OF SAID LOT 3 AND THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO JADE MANAGEMENT, LLC, RECORDED IN VOLUME 2724, PAGE 7, DEED RECORDS, ELLIS COUNTY, TEXAS (D.R.C.T.);

THENCE S 30°31'01" E, ALONG THE SOUTHWEST RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY NO. 35E AND THE EAST LINE OF SAID LOT 3, A DISTANCE OF 240.54 FEET TO AN "X" CUT SET AT THE INTERSECTION OF THE SOUTHWEST RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY NO. 35E WITH THE NORTH RIGHT-OF-WAY LINE OF LANDMARK DRIVE (A 60 FOOT WIDE RIGHT-OF-WAY), SAID "X" CUT BEING THE SOUTHEAST CORNER OF SAID LOT 3;

THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID LANDMARK DRIVE AND THE SOUTH LINE OF SAID LOT 3 AS FOLLOWS:

(1) S 89°26'30" E, A DISTANCE OF 230.35 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "MER & ASSOC INC" BEING THE BEGINNING OF A CURVE TO THE RIGHT;

(2) SOUTHWESTERLY, AN ARC LENGTH OF 818.73 FEET ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 420.00 FEET, A DELTA ANGLE OF 84°24'20" AND A CHORD BEARING OF N 78°20'48" E, 564.28 FEET TO A 1/2" IRON ROD FOUND BEING THE NORTHEAST CORNER OF SAID LOT 3 AND THE SOUTHWEST CORNER OF LOT 3 OF SAID INTERSTATE INDUSTRIAL PARK;

THENCE DEPARTING THE NORTH RIGHT-OF-WAY LINE OF SAID LANDMARK DRIVE AND THE SOUTH LINE OF SAID LOT 3, ALONG A NORTH LINE OF SAID LOT 3 AND A SOUTH LINE OF SAID LOT 2 AS FOLLOWS:

(1) N 62°33'58" E, A DISTANCE OF 178.82 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "MER & ASSOC INC";

(2) S 23°38'34" E, A DISTANCE OF 68.32 FEET TO A 3/8" IRON ROD FOUND BEING AN ELL CORNER OF SAID LOT 3 AND SAID LOT 2;

(3) N 62°33'58" E, A DISTANCE OF 274.17 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "MER & ASSOC INC";

(4) S 23°38'43" E, A DISTANCE OF 13.00 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "MER & ASSOC INC";

(5) N 62°24'01" E, A DISTANCE OF 41.87 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "MER & ASSOC INC";

(6) N 23°38'48" E, A DISTANCE OF 25.00 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "MER & ASSOC INC" IN THE SOUTH LINE OF SAID JADE MANAGEMENT TRACT, 1/2" IRON ROD SET BEING THE MOST EASTERLY NORTHEAST CORNER OF SAID LOT 2;

THENCE N 62°33'53" E, ALONG A NORTH LINE OF SAID LOT 3 AND THE SOUTH LINE OF SAID JADE MANAGEMENT TRACT, A DISTANCE OF 163.77 FEET TO THE PLACE OF BEGINNING AND CONTAINING 3.454 ACRES (150,482 SQUARE FEET OF LAND), MORE OR LESS.

NOW THEREFORE, KNOWN ALL MEN BY THESE PRESENTS:

THAT DML LAND, LLC, ACTING BY AND THROUGH ITS DULY AUTHORIZED AGENT, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOTS 3R & 4R, BLOCK 2, INTERSTATE INDUSTRIAL PARK, BEING A REPLAT OF LOT 3, BLOCK 2, INTERSTATE INDUSTRIAL PARK, AN ADDITION TO THE CITY OF WAXAHACHE, RECORDED IN INSTRUMENT NO. 1529446, ELLIS COUNTY, TEXAS, AND DOES HEREBY DESIGNATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN HEREON, THE STREETS AND ALLEYS ARE DESIGNATED FOR STREET PURPOSES, THE EASEMENTS AND PUBLIC USE AREAS AS SHOWN ARE DESIGNATED FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT AND BUILDINGS, FENCES, UTILITY SHEDS OR OTHER IMPROVEMENTS OR OBSTRUCTIONS SHALL BE CONSIDERED 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 SAME UNLESS THE EASEMENT LIMITS ARE INDICATED. THE CITY OF WAXAHACHE AND PUBLIC UTILITY OWNERS SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHEDS OR OTHER IMPROVEMENTS OR OBSTRUCTIONS WHICH VIOLATE ANY CITY ORDINANCES OR VIOLATE THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHE AND PUBLIC UTILITY OWNERS SHALL AT ALL TIMES HAVE THE FULL RIGHT OF ACCESS TO AND FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, MAINTAINING, MAINTAINING, REPAIRING, REPAIRING, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OBTAINING PERMISSION FROM ANYONE.

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

WHEREBY, BY NAME AT _____ TEXAS, THIS THE _____ DAY OF _____, 2022.

BY: _____
AUTHORIZED SIGNATURE OF OWNER

PRINTED NAME AND TITLE

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED MICHAEL LYLE, KNOWN TO ME TO BE THE PERSON OR PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE CAPACITY HERIN STATED AND THE ACT AND DEED OF SAID COMPANY.

ON THIS ORDER BY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 2022.

NOTARY PUBLIC, _____ COUNTY, TEXAS

MY COMMISSION EXPIRES _____

SURVEYOR'S CERTIFICATE

I, GREGG A.E. MADSEN, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON AS SET HERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF WAXAHACHE.

DATE OF PLAT OR MAP: October 3, 2022

"THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF GREGG A.E. MADSEN, R.P.L.S. NO. 5788 ON October 3, 2022. IT IS NOT TO BE USED FOR RECORDING, CONSTRUCTION, BIDDING, OR PERMIT PURPOSES. THIS DOCUMENT IS NOT TO BE RELIED UPON AS A COMPLETE SURVEY AND SHALL NOT BE RECORDED."

GREGG A.E. MADSEN, R.P.L.S.
STATE OF TEXAS No. 5788
E-MAIL: Gmadsen@wmaassociates.com

NOTES

1. ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) "FLOOD INSURANCE RATE MAP" (FIRM), MAP NO. 4813000300, MAP REVISED JUNE 1, 2013, ALL OF THE SUBJECT TRACT LIES WITHIN ZONE X.

2. ALL BEARINGS SHOWN HEREON ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD OF 1983, AS DERIVED BY FIELD OBSERVATIONS UTILIZING THE RTK NETWORK ADMINISTERED BY ALLTERRA CENTRAL, INC.

3. THE DETENTION POND WILL BE MAINTAINED BY THE OWNER OF LOT 4.



VICINITY MAP
NOT TO SCALE

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

BY: _____ CHAIRPERSON _____ DATE _____

BY: _____ ATTEST _____ DATE _____

LINE TABLE		
LINE	BEARING	DIST
L1	S23°38'43"E	13.00'
L2	N68°24'01"E	41.67'
L3	N23°38'48"W	23.00'

EASEMENT CURVE TABLE					
CURVE	ARC	RADIUS	DELTA	BEARING	DIST.
C1	6.40'	30.00'	18°20'28"	N71°25'33"W	6.37'
C2	6.77'	30.00'	12°50'58"	N30°48'37"W	6.78'
C3	12.83'	52.00'	14°08'08"	N30°40'13"W	12.80'
C4	26.12'	38.00'	53°26'22"	N38°43'48"E	26.16'
C5	15.71'	10.00'	88°58'34"	S74°27'08"W	14.14'

EASEMENT LINE TABLE		
LINE	BEARING	DIST
L4	N23°38'07"W	2.00'
L5	N23°35'41"W	9.28'
L6	N63°28'23"E	48.80'
L7	S20°21'30"E	38.32'

**REPLAT
LOTS 3R & 4R, BLOCK 2
INTERSTATE
INDUSTRIAL PARK
3.454 ACRES**

BEING A REPLAT OF LOT 3, BLOCK 2, INTERSTATE INDUSTRIAL PARK, AN ADDITION TO THE CITY OF WAXAHACHE, RECORDED IN INSTRUMENT NO. 1529446, PLAT RECORDS, ELLIS COUNTY, TEXAS

ZONING: "GR" GENERAL RETAIL &
"LI-1" LIGHT INDUSTRIAL-1
ZONED: GR & LI-1
CASE No. SUB-113-2022

PREPARED BY:
WMA WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS

2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76010 PHONE (817) 467-7700
Fax: (817) 467-7700
Texas Notary Public No. 1-0775 exp. 08/01/2024
Texas Board of Professional Land Surveying No. 00000000

PREPARED: OCTOBER 2022

SHEET 2 OF 2

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

(11)

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.

(11)

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' right-of-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

(12)

Planning & Zoning Department

Plat Staff Report

Case: SUB-97-2022



MEETING DATE(S)

Planning & Zoning Commission: October 11, 2022

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

<i>Applicant:</i>	Mike Davis, Bannister Engineering
<i>Property Owner(s):</i>	Kumar Investments Prop-Co TX LLC
<i>Site Acreage:</i>	0.882 acres
<i>Number of Lots:</i>	1 lot
<i>Number of Dwelling Units:</i>	0 units
<i>Park Land Dedication:</i>	The cash in lieu of park land dedication is \$600.00 (0.882 acres at \$600.00 per acre.)
<i>Adequate Public Facilities:</i>	Adequate public facilities are available to the subject property.

SUBJECT PROPERTY

<i>General Location:</i>	Directly south of 150 W Butcher Road
<i>Parcel ID Number(s):</i>	289909
<i>Current Zoning:</i>	Planned Development-General Retail & Planned Development-Multi Family-2 (PD-GR/PD-MF-2)
<i>Existing Use:</i>	The subject property is currently undeveloped.
<i>Platting History:</i>	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.

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

zking@waxahachie.com

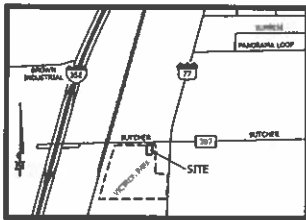
Reviewed by:

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

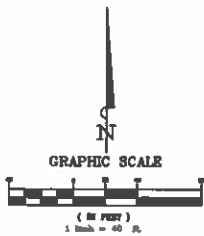
Senior Director of Planning

jennifer.pruitt@waxahachie.com

(12)



VICINITY MAP
NOT TO SCALE
WAXAHACHIE, TEXAS



SITE BENCHMARK NO. 1
SET 2-CUT IN CONCRETE
N: 6823886.78
E: 7461686.78
ELEVATION = 665.08
SITE BENCHMARK NO. 2
SET 1-CUT IN CONCRETE
N: 6823886.78
E: 7461686.78
ELEVATION = 612.41

LEGEND	
N	NORTH
S	SOUTH
E	EAST
W	WEST
-	DEGREES
-	MINUTES/FEET
-	SECONDS/INCHES
SF	SQUARE FEET
O.P.R.E.C.T.	OFFICIAL PUBLIC RECORDS
CLERK COUNTY, TEXAS	
P.R.E.C.T.	PLAT RECORDS
CLERK COUNTY, TEXAS	

GENERAL NOTES:

- All bearings shown herein are Texas Coordinate System, NAD83 (CGRS), Texas North Central Zone (4202). All distances shown herein are surface distances.
- According to surveyor's interpretation of information shown on the National Road Insurance Program (NRIP) "Road Insurance Rate Map" (RIRM), Countywide Panel No. 4833902000, dated June 1, 2013, this property appears to be within Zone "3" and the entire property lies within a "3" area determined to be outside of the 0.2% annual chance floodplain" zone as defined by the U.S. Department of Housing and Urban Development, Federal Insurance Administration, or the Federal Emergency Management Agency.
- The above referenced "RIRM" map is for use in administering the "NRIP"; it does not necessarily show all areas subject to flooding, particularly from local sources of small size, which could be flooded by severe, concentrated rainfall caused with inadequate local drainage systems. There may be other streams, creeks, low areas, drainage systems or other surface or subsurface conditions existing on or near the subject property which are not depicted or indicated as a part of the "RIRM".
- All lot corners shall be iron pipe set (IPS) and 5/8" x 6" with a red plastic cap stamped "RPLS 4809".
- The property owner is responsible for maintaining the private streets within the property.

ENGINEER / SURVEYOR:
BANNISTER ENGINEERING, LLC
240 NORTH MITCHELL ROAD
MANSFIELD, TEXAS 76063
CONTACT: MICHAEL DAVIS, RPLS
PHONE: 817-842-2094
Mike@bannistereng.com

OWNER / DEVELOPER:
KUMAR INVESTMENTS PROP CO TX LLC
1118 CHESS DRIVE
FOSTER CITY, CALIFORNIA 94404
CONTACT: RAKESH KUMAR
PHONE: 650-312-9934
rakesh@kmcdbell.com

PREPARED BY:

BANNISTER
ENGINEERING
240 North Mitchell Road
Mansfield, TX 76063 817.842.2094
TBPLS REGISTRATION NO. 10193823

PLAT
OF
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

1 COMMERCIAL LOT
ZONED: PD-GR/PO-MP-2
Preparation Date: July 1, 2021
Revision Date: September 2022
SHEET 1 OF 2

DATE NUMBER: 10-07-2023
PROJECT NO: 229-21-002

(12)

OWNER'S CERTIFICATE:

STATE OF TEXAS
COUNTY OF ELLIS

WHEREAS, KUMAR INVESTMENTS PROP-CO TX, LLC, is the owner of a tract of land in the Albert Pruitt Survey, Abstract Number 848, City of Waxahachie, Ellis County, Texas, said 38,437 square feet (0.882 acre) of land being a portion of that certain tract of land described in a deed to KUMAR INVESTMENTS PROP-CO TX, LLC (hereinafter referred to as KUMAR tract), as recorded in Instrument Number 2120687, Official Public Records, Ellis County, Texas (D.J.E.C.T.); said 38,437 square feet (0.882 acre) of land being more particularly described, by metes and bounds, as follows:

BEGINNING at a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" found for the Northwest corner of said KUMAR tract, same being an angle point in the Northerly line of the remainder of that certain tract of land described in a Warranty Deed with Vendor's Lien to DMU Properties, Ltd. (hereinafter referred to as DMU Properties tract), as recorded in Volume 1995, Page 540, Deed Records, Ellis County, Texas (D.J.E.C.T.), same also being the existing South right-of-way line of Butcher Road, also known as F.M. Road 387 (variable width right-of-way);

THENCE South 00 degrees 35 minutes 19 seconds East, departing the existing South right-of-way line of said Butcher Road, with the common line between said KUMAR tract and the remainder of said DMU Properties tract, a distance of 272.50 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" found for the Southeast corner of said KUMAR tract;

THENCE South 09 degrees 24 minutes 41 seconds West, continue with the common line between said KUMAR tract and the remainder of said DMU Properties tract, a distance of 141.05 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" found for the Southwest corner of said KUMAR tract;

THENCE North 00 degrees 35 minutes 19 seconds West, continue with the common line between said KUMAR tract and the remainder of said DMU Properties tract, a distance of 272.50 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" found for the Northwest corner of said KUMAR tract, same being the existing South right-of-way line of said Butcher Road;

THENCE North 09 degrees 24 minutes 41 seconds East with the common line between said KUMAR tract and the existing South right-of-way line of said Butcher Road, a distance of 141.05 feet to the PLACE OF BEGINNING, and containing a calculated area of 38,437 square feet (0.882 acre) of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

That KUMAR INVESTMENTS PROP-CO TX, LLC acting herein by and through its duly authorized officers does hereby adopt this plat designating the herein above described property as VICTRON 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. These Easements and public use areas, as shown, are dedicated to 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, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements. 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 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 purposes of constructing, reconstructing, inspecting, repairing, maintaining, handling material, 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 planning ordinances, rules, regulations and resolutions of the City of Waxahachie, Texas.

WITNESS, my hand, this the ____ day of _____, 2022.

KUMAR INVESTMENTS PROP-CO TX, LLC

By: _____
Rakesh Kumar

STATE OF CALIFORNIA §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared Rakesh Kumar, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he or she executed the same for the purpose and consideration thereof expressed, as _____ of KUMAR INVESTMENTS PROP-CO TX, LLC, on behalf of said limited liability company and limited partnership.

Notary Public, State of California

SURVEYOR'S CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS

That I, Michael Don Davis, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I prepared from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie.

PRELIMINARY,
THIS DOCUMENT SHALL NOT BE
RECORDED FOR ANY PURPOSE AND SHALL NOT BE
USED OR VIEWED OR RELIED UPON AS A FINAL
SURVEY DOCUMENT

Michael Don Davis DATE
Registered Professional Land Surveyor No. 4838
BANNISTER ENGINEERING, LLC
T & P L S REGISTRATION NO. 10193823



PLAT

OF
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

ZONED: PD-GU/PD-HF-2
Preparation Date: July 1, 2021
Revision Date: August 2022
SHEET 2 OF 2

PREPARED BY: **BANNISTER**
ENGINEERING
240 North Mitchell Road
Hansfield, TX 76063 817.842.2094
TBPLS REGISTRATION NO. 10193823

ENGINEER / SURVEYOR:
BANNISTER ENGINEERING, LLC
240 NORTH MITCHELL ROAD
HANSFIELD, TEXAS 76063
CONTACT: MICHAEL DAVIS, RPLS
PHONE: 817-842-2094
Mike@bannistereng.com

OWNER / DEVELOPER:
KUMAR INVESTMENTS PROP CO TX, LLC
1118 CHESS DRIVE
FOSTER CITY, CALIFORNIA 94404
CONTACT: RAKESH KUMAR
PHONE: 650-312-9934
rakesh@krcmbell.com