

# **A G E N D A**

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, July 23, 2019 at 7:00 p.m.*** in the Council Chamber at 401 S. Rogers St., Waxahachie, TX

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

1. Call to Order
2. Invocation
3. ***Consent Agenda***

All matters listed under Item 3, 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 July 9, 2019
  - b. Minutes of the Planning and Zoning Commission briefing of July 9, 2019
4. ***Continue Public Hearing*** on a request by Joy Ranton, Daniel's Den, for a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-General Retail, with Concept Plan, to allow a Household Care Facility located at 512 N College Street (Property ID 170716) - Owner: ALFRED A & RHONNIE D TOMPKINS (PD-19-0066)
5. ***Consider*** recommendation of Zoning Change No. PD-19-0066
6. ***Continue Public Hearing*** on a request by Matt Moore, ClayMoore Engineering, Inc., for a Specific Use Permit (SUP) for **Drive Through Establishment** use within a Planned Development-42-Commercial zoning district, located at 1750 N Highway 77 (Property ID 263976) – Owner: WAX 77 INVESTORS LP (SU-19-0071)
7. ***Consider*** recommendation of Zoning Change No. SU-19-0071
8. ***Consider*** request by Dennis Little for a **Preliminary Plat** of Arrowhead Meadows for 2 lots, being 11.892 acres situated in the W. Harmoning Survey, Abstract 536 (Property ID 231890) in the Extra Territorial Jurisdiction – Owner: DENNIS LITTLE (PP-19-0080)

9. **Consider** request by Dennis Little for a **Final Plat** of Arrowhead Meadows for 2 lots, being 11.892 acres situated in the W. Harmoning Survey, Abstract 536 (Property ID 231890) in the Extra Territorial Jurisdiction – Owner: DENNIS LITTLE (FP-19-0081)
10. **Consider** request by Logan Garrett for a **Replat** of Lot 1, Block A, Hidden Falls Addition, to create Lots 1A, 1B, and 1C, Block A, Hidden Falls Addition, 6.023 acres (Property ID 180909) in the Extra Territorial Jurisdiction – Owner: LOGAN GARRETT (RP-19-0082)
11. **Public Hearing** on a request by Erica Ford, Titan Solar Power TX, for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Planned Development-43-Single Family-3 zoning district, located at 3033 Coventry Lane (Property ID 228671) – Owner: BRIAN & BRENDA S BUTLER (SU-19-0085)
12. **Consider** recommendation of Zoning Change No. SU-19-0085
13. **Public Hearing** on a request by Gaye Mitschke, Furniture By Sleep Quarters, for a Specific Use Permit (SUP) for **Outdoor Display** use within a Planned Development-24-General Retail zoning district, located at 500 N Highway 77 (Property ID 180847, 247596, 247595) – Owner: STEVEN F & RICHARD A CHAPMAN (SU-19-0084)
14. **Consider** recommendation of Zoning Change No. SU-19-0084
15. **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.
16. Adjourn

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

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

<p style="text-align: center;"><b><i>Notice of Potential Quorum</i></b> <b><i>One or more members of the Waxahachie City Council may be present at this meeting.</i></b> <b><i>No action will be taken by the City Council at this meeting.</i></b></p>
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Planning and Zoning Commission  
July 9, 2019

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, July 9, 2019 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX

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

Others Present: Shon Brooks, Director of Planning  
Colby Collins, Senior Planner  
James Gaertner, City Engineer  
Tommy Ludwig, Assistant City Manager  
Lori Cartwright, City Secretary  
Mary Lou Shipley, Council Representative

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

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

3. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of June 25, 2019
- b. Minutes of the Planning and Zoning Commission briefing of June 25, 2019

**Action:**

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

4. **Continue Public Hearing on a request by Matt Moore, ClayMoore Engineering, Inc., for a Specific Use Permit (SUP) for Drive Through Establishment use within a Planned Development-42-Commercial zoning district, located at 1750 N Highway 77 (Property ID 263976) – Owner: WAX 77 INVESTORS LP (SU-19-0071)**

Chairman Keeler continued the Public Hearing and announced the applicant requested to continue SU-19-0071 to the Planning and Zoning Commission meeting of July 23, 2019.

5. **Consider recommendation of Zoning Change No. SU-19-0071**

**Action:**

*Mrs. Bonney Ramsey moved to continue a request by Matt Moore, ClayMoore Engineering, Inc., for a Specific Use Permit (SUP) for Drive Through Establishment use within a Planned Development-42-Commercial zoning district, located at 1750 N Highway 77 (Property ID 263976) – Owner: WAX 77 INVESTORS LP (SU-19-0071) to the Planning and Zoning Commission meeting of July 23, 2019. Mr. David Hudgins seconded, All Ayes.*

(40)

6. **Consider request by George Susat for a Replat of a portion of Block 125, Town Addition, to create Lots 1 and 2, Block A, Susat Addition, 0.493 acres (Property ID 171228 and 171231) – Owner: GEORGE K G JR & PAULA C SUSAT (RP-19-0077)**

Senior Planner Colby Collins reported the applicant requested to Replat 1 lot into 2 lots noting the request is consistent with city regulations. Staff recommended approval subject to water and sanitary sewer services being installed prior to the recording of the plat.

**Action:**

*Chairman Melissa Ballard moved to approve a request by George Susat for a Replat of a portion of Block 125, Town Addition, to create Lots 1 and 2, Block A, Susat Addition, 0.493 acres (Property ID 171228 and 171231) – Owner: GEORGE K G JR & PAULA C SUSAT (RP-19-0077) subject to staff comments. Mr. David Hudgins seconded, All Ayes.*

7. **Consider request by Araceli Aguirre for a Replat of Tract 1, Whispering Meadows, Unit 1, to create Lots 1A, 1B, 1C, and 1D, Whispering Meadows, Unit 1, 30.562 acres (Property ID 199206) in the Extra Territorial Jurisdiction – Owner: ROSA L AGUIRRE (RP-19-0069)**

Mr. Collins reported the applicant requested to Replat 1 lot into 4 lots for residential use in the ETJ. He noted the request does meet the city's Subdivision Ordinance and recommended approval per staff comments.

**Action:**

*Mr. David Hudgins moved to approve a request by Araceli Aguirre for a Replat of Tract 1, Whispering Meadows, Unit 1, to create Lots 1A, 1B, 1C, and 1D, Whispering Meadows, Unit 1, 30.562 acres (Property ID 199206) in the Extra Territorial Jurisdiction – Owner: ROSA L AGUIRRE (RP-19-0069) per staff comments. Mr. Erik Test seconded, All Ayes.*

8. **Consider request by Chris Acker, Acker Construction, for a Site Plan Review located at 2100 Brown Street (Property ID 204843) – Owner: HAYOUNG & LEE SANG HUH (SP-19-0070)**

Mr. Collins reported the applicant proposes to construct an office building. The proposed development will replace the recently demolished carwash. He stated the site plan meets the city's zoning ordinance and recommended approval.

Mrs. Bonney Ramsey thanked Mr. Chris Acker, applicant, for the crape myrtle trees planted at the property.

Ms. Betty Square Coleman asked for clarification on sufficient parking.

Mr. Chris Acker, 5100 Honeysuckle Drive, Midlothian, reported there is adequate parking and the lot is large enough for two-way traffic.

**Action:**

(40)

*Mr. Jim Phillips moved to approve a request by Chris Acker, Acker Construction, for a Site Plan Review located at 2100 Brown Street (Property ID 204843) – Owner: HAYOUNG & LEE SANG HUH (SP-19-0070). Mrs. Bonney Ramsey seconded, All Ayes.*

**9. Consider recommendation of Site Plan Review No. SP-19-0070**

*Action taken under Item 8.*

**10. Public Hearing on a request by Jake Torpey, Kimley-Horn., for a Specific Use Permit (SUP) for Drive Through Establishment use within a Planned Development-42-Commercial zoning district, located at 1740 N Highway 77 (Property ID 263971) – Owner: WAX 77 INVESTORS LP (SU-19-0078)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant is proposing a Burger King within the Waxahachie Town Crossing addition. He stated the applicant has met the requirements for building materials and required landscaping on site. Mr. Collins noted staff is not opposed to the proposed use, staff has concerns with the proposed location of the use. He explained staff believes that a casual dining restaurant would be the best use for the property. Mr. Collins recommended to deny SU-19-0078.

Mr. Dallas Cothrum, Master Plan, 900 Jackson Street, Dallas, Texas, representing the applicant, asked the Commission to consider the land use only and not the name of the restaurant noting the applicant has done everything to be in compliance with the specific use permit request.

There being no others to speak for or against SU-19-0078, Chairman Keeler closed the Public Hearing.

**11. Consider recommendation of Zoning Change No. SU-19-0078**

**Action:**

*Vice Chairman Melissa Ballard moved to approve a request by Jake Torpey, Kimley-Horn., for a Specific Use Permit (SUP) for Drive Through Establishment use within a Planned Development-42-Commercial zoning district, located at 1740 N Highway 77 (Property ID 263971) – Owner: WAX 77 INVESTORS LP (SU-19-0078) subject to staff comments. Mr. David Hudgins seconded. The vote was as follows:*

*Ayes: Melissa Ballard  
Betty Square Coleman  
Bonney Ramsey  
David Hudgins*

*Noes: Rick Keller  
Jim Phillips  
Erik Test*

***The motion carried.***

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Planning and Zoning Commission  
July 9, 2019  
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**12. Public Comments**

None

**13. Adjourn**

Mr. David Hudgins announced the Ellis County Courthouse is going to reopen all four entries to the Courthouse. He stated the celebration and grand opening will held on Thursday, July 11, 2019 at 5:30 p.m.

There being no further business, the meeting adjourned at 7:46 p.m.

Respectfully submitted,

Lori Cartwright  
City Secretary

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, July 9, 2019 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  
Jim Phillips  
David Hudgins  
Erik Test

Others Present: Shon Brooks, Director of Planning  
Colby Collins, Senior Planner  
James Gaertner, City Engineer  
Tommy Ludwig, Assistant City Manager  
Lori Cartwright, City Secretary  
Mary Lou Shipley, Council Representative

**1. Call to Order**

Chairman Rick Keeler called the meeting to order.

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

Planning Director Shon Brooks announced the Dallas-Fort Worth bus tour for the Commissioners is Friday, July 12, 2019 and will start at City Hall at 8:30 a.m.

Senior Planner Colby Collins reviewed the following cases:

- SU-19-0071, applicant requested to continue to the P&Z meeting of July 23, 2019.
- RP-19-0077, applicant requested to replat 1 lot into 2 lots for residential use. Adequate public facilities are available. Staff recommended approval per water/sewer services being installed prior to recording of the plat.
- RP-19-0069, applicant requested to replat 1 lot into 4 lots for residential use. Adequate public facilities will be provided. Staff recommended approval per staff comments.
- SP-19-0070, applicant proposes to construct an office building. Staff recommended approval per staff comments.

*{Ms. Betty Square Coleman arrived}*

- SU-19-0078, applicant proposes a Burger King in front of the Waxahachie Town Crossing shopping center accessible via U.S. Highway 77. Site Plan does meet city requirements. While staff is not opposed to the proposed use, staff has concerns with the proposed location. Based on the projected growth of the surrounding area, staff believes a casual dining restaurant would be the best use for the property. Staff recommended to deny.

(46)

**3. Adjourn**

There being no further business, the meeting adjourned at 6:46 p.m.

Respectfully submitted,

Lori Cartwright  
City Secretary



(445)



## Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager

Date: July 2, 2019

Re: PD-19-0066 – 512 N. College – Household Care Facility (Daniel's Den)

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On July 2, 2019, the applicant requested to withdraw case no. PD-19-0066 from the July 23, 2019 Planning and Zoning Commission agenda, and the August 5, 2019 City Council meeting agenda.

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## Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager

Date: July 16, 2019

Re: SU-19-0071 – Drive Through Establishment (Car Wash)

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On July 16, 2019, the applicant requested to withdraw case no. SU-19-0071 from the July 23, 2019 Planning and Zoning Commission agenda, and the August 5, 2019 City Council meeting agenda.

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## Planning & Zoning Department

### Plat Staff Report

Case: PP-19-0080



#### MEETING DATE(S)

*Planning & Zoning Commission:* July 23, 2019

*City Council:* August 5, 2019

#### CAPTION

**Consider** request by Dennis Little for a **Preliminary Plat** of Arrowhead Meadows for 2 lots, being 11.892 acres situated in the W. Harmoning Survey, Abstract 536 (Property ID 231890) in the Extra Territorial Jurisdiction – Owner: DENNIS LITTLE (PP-19-0080)

#### CASE INFORMATION

*Applicant:* Dennis Little

*Property Owner(s):* Dennis Little

*Site Acreage:* 11.892 acres

*Number of Lots:* 2 lots

*Number of Dwelling Units:* 0 units

*Park Land Dedication:* N/A (ETJ)

*Adequate Public Facilities:* A water letter was received from Buena Vista-Bethel SUD stating adequate public services were available. Adequate fire flow is available for this property.

#### SUBJECT PROPERTY

*General Location:* South of 294 Arrowhead Road

*Parcel ID Number(s):* 231890

*Current Zoning:* N/A (ETJ)

*Existing Use:* Currently undeveloped

*Platting History:* 536 W G HARMONING Survey

**Site Aerial:****STAFF CONCERNS**

Staff does not have any concerns regarding this plat submittal.

**APPLICANT RESPONSE TO CONCERNS**

1. At the time of this staff report (7/17/19), an updated plat was submitted to staff that addressed all staff concerns.

**RECOMMENDATION**

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

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

**ATTACHED EXHIBITS**

1. Plat drawing.
2. Water letter.

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*  
Chris Webb  
Planner  
[cwebb@waxahachie.com](mailto:cwebb@waxahachie.com)

*Reviewed by:*  
Shon Brooks, AICP  
Director of Planning  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)



(8)

109 South Jackson Street  
Waxahachie, TX 75165  
Main Phone:  
972-825-5200



Department Website:  
www.co.ellis.tx.us/dod  
Department Email:  
dod@co.ellis.tx.us

### WATER UTILITY PROVIDER S ENDORSEMENT

Ellis County requires new lots in subdivisions to have adequate water flow and pressure to comply with Texas Commission on Environmental Quality (TCEQ) and the latest Insurance Service Office (ISO) guidelines. Subdivisions served by water providers will need to ensure they can provide water flow/pressure per TCEQ and fire flow per the latest ISO guidelines.

Applicants, please submit this form to your water provider for completion. This completed form must be turned in at the time you submit your plat application packet. If this letter is not submitted, it will be considered an incomplete application.

### PROPERTY INFORMATION

Site Address/General Location: 294 Arrowhead Road City/State: Waxahachie, Tx ZIP: 75167  
Legal Description: 11.82 AC situated in the W Harmoning Survey Abs # 536  
Proposed Use of plat or development: Residential Acres: 11.82 Lots: 2

### APPLICANT/OWNER INFORMATION

Applicant/Agent Name: Dennis Little Company Name: \_\_\_\_\_  
Mailing Address: 146 Denali Way City/State: Waxahachie, Tx ZIP: 75167  
Main Phone: 214-906-4992 Email: denniscittle@gmail.com

### TO BE COMPLETED BY THE WATER UTILITY PROVIDER

	YES	NO
1. I have reviewed a copy of the proposed plat/development.	<input checked="" type="radio"/>	<input type="radio"/>
2. The proposed plat/development falls within our CCN area.	<input checked="" type="radio"/>	<input type="radio"/>
3. Our water system can provide water flow and pressure for domestic service, per the latest adopted TCEQ regulations and requirements.	<input checked="" type="radio"/>	<input type="radio"/>
4. Our water system can provide the water flow and necessary minimum pressure for firefighting purposes, per established County regulations and ISO guidelines.	<input checked="" type="radio"/>	<input type="radio"/>
5. The waterline size service the proposed plat/development is currently listed as <u>12</u> inches and located along <u>Through the Middle of Property</u> Rd/Dr/Ln/St/Blvd, etc.	<input type="radio"/>	<input type="radio"/>
6. Are there plans to upsize or increase the existing water line mention in Question No. 5?	<input type="radio"/>	<input checked="" type="radio"/>

Wayne Pratt  
Print Name of General Manager of Water Provider or Designee

[Signature]  
Signature of General Manager of Water Provider or Designee

BUENA VISTA-BETHEL  
SPECIAL UTILITY DISTRICT  
Name of Water Provider Company

7.11.19  
Date

### CONTACT INFORMATION

Buena Vista-Bethel SUD 972-937-1212  
Carroll Water Company 972-617-0817  
Files Valley 254-689-2331  
Hill Co. Coop. 800-338-6425

Mountain Peak SUD 972-775-3765  
Nash Forrester WSC 972-483-3039  
Rockett SUD 972-617-3524  
Sardis Lone Elm WSC 972-775-8566  
South Ellis County WSC 972-483-6885  
South Garrett Water 972-875-5893

(9)

## Planning & Zoning Department

### Plat Staff Report

Case: FP-19-0081



#### MEETING DATE(S)

*Planning & Zoning Commission:* July 23, 2019

*City Council:* August 5, 2019

#### CAPTION

**Consider** request by Dennis Little for a **Final Plat** of Arrowhead Meadows for 2 lots, being 11.892 acres situated in the W. Harmoning Survey, Abstract 536 (Property ID 231890) in the Extra Territorial Jurisdiction – Owner: DENNIS LITTLE (FP-19-0081)

#### CASE INFORMATION

*Applicant:* Dennis Little

*Property Owner(s):* Dennis Little

*Site Acreage:* 11.892 acres

*Number of Lots:* 2 lots

*Number of Dwelling Units:* 0 units

*Park Land Dedication:* N/A (ETJ)

*Adequate Public Facilities:* A water letter was received from Buena Vista-Bethel SUD stating that adequate public facilities were available. Adequate fire flow is available for this property.

#### SUBJECT PROPERTY

*General Location:* South of 294 Arrowhead Road

*Parcel ID Number(s):* 231890

*Current Zoning:* N/A (ETJ)

*Existing Use:* Currently undeveloped

*Platting History:* 536 W G HARMONING Survey

*Site Aerial:*



#### **STAFF CONCERNS**

Staff does not have any concerns regarding this plat submittal.

#### **APPLICANT RESPONSE TO CONCERNS**

1. At the time of this staff report (7/17/19), an updated plat was submitted to staff that addressed all staff concerns.

#### **RECOMMENDATION**

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

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

#### **ATTACHED EXHIBITS**

1. Plat drawing
2. Water letter

#### **APPLICANT REQUIREMENTS**

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

#### **STAFF CONTACT INFORMATION**

*Prepared by:*  
Chris Webb  
Planner  
[cwebb@waxahachie.com](mailto:cwebb@waxahachie.com)

*Reviewed by:*  
Shon Brooks, AICP  
Director of Planning  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)



[illegible]

(9)

109 South Jackson Street  
Waxahachie, TX 75165  
Main Phone:  
972-825-5200



Department Website:  
www.co.ellis.tx.us/dod  
Department Email:  
dod@co.ellis.tx.us

### WATER UTILITY PROVIDER S ENDORSEMENT

Ellis County requires new lots in subdivisions to have adequate water flow and pressure to comply with Texas Commission on Environmental Quality (TCEQ) and the latest Insurance Service Office (ISO) guidelines. Subdivisions served by water providers will need to ensure they can provide water flow/pressure per TCEQ and fire flow per the latest ISO guidelines.

*Applicants, please submit this form to your water provider for completion. This completed form must be turned in at the time you submit your plat application packet. If this letter is not submitted, it will be considered an incomplete application.*

### PROPERTY INFORMATION

Site Address/General Location: 294 Arrowhead Road City/State: Waxahachie, Tx ZIP: 75167  
Legal Description: 11.82 AC situated in the W Harmoning Survey Abs # 536  
Proposed Use of plat or development: Residential Acres: 11.82 Lots: 2

### APPLICANT/OWNER INFORMATION

Applicant/Agent Name: Dennis Little Company Name: \_\_\_\_\_  
Mailing Address: 146 Denali Way City/State: Waxahachie, Tx ZIP: 75167  
Main Phone: 214-906-4992 Email: dennislittle@gmail.com

### TO BE COMPLETED BY THE WATER UTILITY PROVIDER

	YES	NO
1. I have reviewed a copy of the proposed plat/development.	<input checked="" type="radio"/>	<input type="radio"/>
2. The proposed plat/development falls within our CCN area.	<input checked="" type="radio"/>	<input type="radio"/>
3. Our water system can provide water flow and pressure for domestic service, per the latest adopted TCEQ regulations and requirements.	<input checked="" type="radio"/>	<input type="radio"/>
4. Our water system can provide the water flow and necessary minimum pressure for firefighting purposes, per established County regulations and ISO guidelines.	<input checked="" type="radio"/>	<input type="radio"/>
5. The waterline size service the proposed plat/development is currently listed as <u>12</u> inches and located along <u>Through the Middle of Property</u> Rd/Dr/Ln/St/Blvd, etc.	<input type="radio"/>	<input type="radio"/>
6. Are there plans to upsize or increase the existing water line mention in Question No. 5?	<input type="radio"/>	<input checked="" type="radio"/>

Wayne Pratt  
Print Name of General Manager of Water Provider or Designee

Signature of General Manager of Water Provider or Designee

BUENA VISTA-BETHEL  
SPECIAL UTILITY DISTRICT  
Name of Water Provider Company

7.11.19  
Date

### CONTACT INFORMATION

Buena Vista-Bethel SUD 972-937-1212  
Carroll Water Company 972-617-0817  
Files Valley 254-689-2331  
Hill Co. Coop. 800-338-6425

Mountain Peak SUD 972-775-3765  
Nash Forrester WSC 972-483-3039  
Rockett SUD 972-617-3524  
Sardis Lone Elm WSC 972-775-8566  
South Ellis County WSC 972-483-6885  
South Garrett Water 972-875-5893

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## Planning & Zoning Department Plat Staff Report

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**Case: RP-19-0082**

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### MEETING DATE(S)

*Planning & Zoning Commission:* July 23, 2019

*City Council:* August 5, 2019

### CAPTION

**Consider** request by Logan Garrett for a Replat of Lot 1, Block A, Hidden Falls Addition, to create Lots 1A, 1B, and 1C, Block A, Hidden Falls Addition, 6.023 acres (Property ID 180909) in the Extra Territorial Jurisdiction – Owner: LOGAN GARRETT (RP-19-0082)

### CASE INFORMATION

*Applicant:* Logan Garrett

*Property Owner(s):* Logan Garrett

*Site Acreage:* 6.023 acres

*Number of Lots:* 3 lots

*Number of Dwelling Units:* 0 units

*Park Land Dedication:* ETJ (N/A)

*Adequate Public Facilities:* A water letter was provided to us from Rockett SUD stating that adequate service could be provided to this property. Adequate fire flow is available for this property.

### SUBJECT PROPERTY

*General Location:* East of 537 Youngblood Road

*Parcel ID Number(s):* 180909

*Current Zoning:* N/A (ETJ)

*Existing Use:* The site is currently undeveloped.

*Platting History:* This property was both preliminary and final platted in the spring of 2019 under case numbers PP-19-0020 and FP-19-0021 Hidden Falls Addition.

**Site Aerial:****STAFF CONCERNS**

Staff has several concerns with this plat, most of which are clerical in nature.

1. The case number "RP-19-0082" needs to be added to the plat as well as a signature block for the City of Waxahachie.
2. A drainage study needs to be conducted for the site to ensure that the existing culverts are able to handle runoff.
3. A few clerical errors also need to be addressed.

**APPLICANT RESPONSE TO CONCERNS**

1. At the time of this report (7/15/19), no applicant response has been received by City staff.

**RECOMMENDATION**

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
  1. A drainage study needs to be conducted.
  2. The case number and signature block need to be added to the plat.
  3. The clerical issues need to be addressed.

**ATTACHED EXHIBITS**

1. Plat drawing
2. Water letter

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*

Chris Webb

Planner

[cwebb@waxahachie.com](mailto:cwebb@waxahachie.com)

*Reviewed by:*

Shon Brooks, AICP

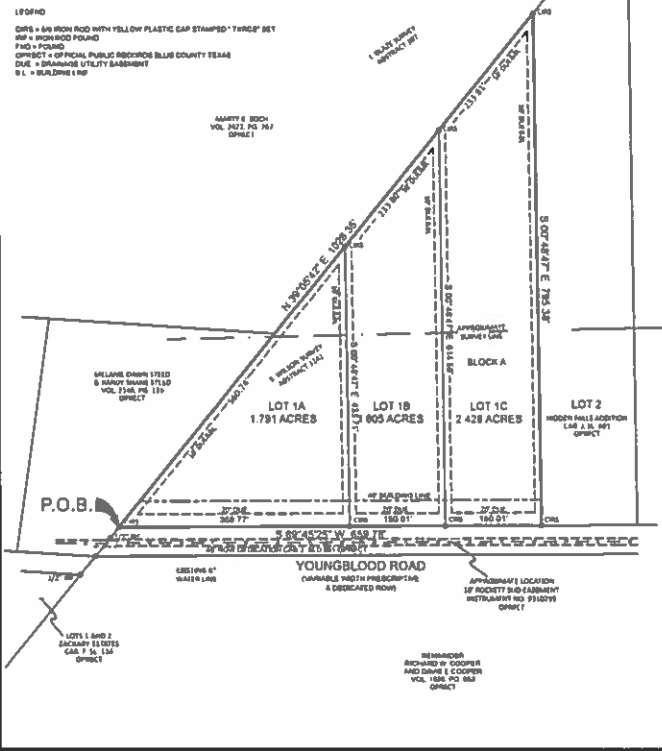
Director of Planning

[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

(110)



NOTES:  
BLARING BASE FOR THIS SURVEY IS TEXAS COORDINATE SYSTEM NORTH CENTRAL ZONE 14N, HAD BY THE OBSERVATION.  
THE SUBJECT PROPERTY LIES WITHIN ZONE "1", DEFINED AS "AREA DETERMINED TO BE OUTSIDE THE 5% ANNUAL CHANCE FLOODPLAIN" ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 141000000P DATED JUNE 1, 2015, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.  
ALL LOTS SHALL BE SERVICED BY AN ON-SITE SEWAGE FACILITY SYSTEM FOR RESIDENTIAL USE. AN ON-SITE EVALUATION SHALL BE PERFORMED BY A REGISTERED ENGINEER AND/OR A REGISTERED SANITARIAN.  
THE PROPERTY DOES NOT LIE WITHIN A CITY LIMIT OR AN EITZ OF A CITY.



OWNER'S CERTIFICATE  
STATE OF TEXAS  
COUNTY OF BLISS  
WHEREAS, LOGAN GARRETT IS THE SOLE OWNER OF A TRACT OF LAND SITUATED IN THE 1/4 SE 1/4 SURVEY AND RACE NO. 387 AND IN THE 1/4 SE 1/4 SURVEY ABSTRACT NO. 1141, BLISS COUNTY TEXAS, AND BEING ALL OF LOT 1, BLOCK A, HIDDEN FALLS ADDITION, RECORDED IN CADDEN 2, BLISS COUNTY TEXAS, THE OFFICIAL PUBLIC RECORDS OF BLISS COUNTY, TEXAS, AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN DEED TO LOGAN GARRETT, RECORDED IN INSTRUMENT NUMBER 191475, OBJECT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT A 1/4 SECTION CORNER WITH CAP 8 MARKED "TINCE" BE 1 FOR THE SOUTHWEST CORNER OF SAID LOT 1 IN THE EAST LINE OF THAT TRACT OF LAND DESCRIBED IN DEED TO MELBA DREW STEED AND RANNEY SHANE STEED, RECORDED IN VOLUME 114, PAGE 136, OBJECT IN THE NORTH 100' OF SAID 1/4 SECTION LINE OF YOUNGBLOOD ROAD (SAB 2, BLISS COUNTY TEXAS);  
THENCE S 89°42' E ALONG THE WEST LINE OF SAID LOT 1 AND THE COMMON EAST LINE OF SAID STEED TRACT TRACT, BEING AT A DISTANCE OF 267.19 FEET TO THE NORTHEAST CORNER OF SAID STEED TRACT AND THE COMMON SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO MARY E. JOCKI, RECORDED IN VOLUME 142, PAGE 787, OBJECT NUMBER AT A DISTANCE OF 198.84 FEET TO THE 1/4 SECTION CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO KAMAL Y. NAKED, RECORDED IN VOLUME 3916, PAGE 146, OBJECT A TOTAL DISTANCE OF 100.00 FEET TO A 1/4 SECTION CORNER WITH CAP 8 MARKED "TINCE" BE 1 FOR THE NORTHEAST CORNER OF SAID LOT 1 AND THE COMMON NORTHWEST CORNER OF LOT 2, OF SAID HIDDEN FALLS ADDITION;  
THENCE S 89°42' E ALONG THE WEST LINE OF SAID LOT 1 AND THE COMMON WEST LINE OF SAID LOT 2 A DISTANCE OF 267.19 FEET TO A 1/4 SECTION CORNER WITH CAP 8 MARKED "TINCE" BE 1 FOR THE SOUTHWEST CORNER OF SAID LOT 1 AND THE COMMON SOUTHWEST CORNER OF SAID LOT 2, IN THE NORTH 100' OF SAID YOUNGBLOOD ROAD;  
THENCE S 89°42' E ALONG THE SOUTH LINE OF SAID LOT 1 AND THE COMMON NORTH LINE OF SAID LOT 2 A DISTANCE OF 267.19 FEET TO A 1/4 SECTION CORNER WITH CAP 8 MARKED "TINCE" BE 1 FOR THE SOUTHWEST CORNER OF SAID LOT 1 AND THE COMMON SOUTHWEST CORNER OF SAID LOT 2, IN THE NORTH 100' OF SAID YOUNGBLOOD ROAD;  
NOW THEREFORE, SHOW ALL USE BY THESE PRESENTS  
THAT LOGAN GARRETT, DOUG HERSEY CERTIFY AND ADOPT THIS PLAN DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS REPLAY LOT 1, HIDDEN FALLS ADDITION, LOTS 1A-1C, AN ADDITION TO BLISS COUNTY, AND DOES HEREBY DEDICATE TO THE PUBLIC USE, FOREVER, THE STREETS AND ALLEYS SHOWN THEREON, LOGAN GARRETT DOES HEREBY CERTIFY THE FOLLOWING:  
1. THE STREETS AND ALLEYS ARE DEDICATED IN FEE SIMPLE FOR STREET AND ALLEY PURPOSES.  
2. ALL PUBLIC IMPROVEMENTS AND DEDICATIONS SHALL BE FREE AND CLEAR OF ALL DEBT LINGS.  
3. AND/OR ENCUMBRANCES.  
4. THE EASEMENTS AND PUBLIC USE AREAS AS SHOWN AND CREATED BY THIS PLAN ARE DEDICATED FOR THE PUBLIC USE FOREVER FOR THE PURPOSES INDICATED ON THIS PLAN.  
5. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTH SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN.  
6. BLISS COUNTY IS NOT RESPONSIBLE FOR REPLACING ANY IMPROVEMENTS IN UNDER, OR OVER ANY EASEMENTS CAUSED BY NEGLIGENCE OF OTHERS.  
7. UTILITY EASEMENTS MAY ALSO BE USED FOR THE UTILITY USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES OR BEING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC AND BLISS COUNTY'S USE THEREOF.  
8. BLISS COUNTY AND/OR PUBLIC UTILITIES SHALL HAVE THE RIGHT TO REMOVE AND REPAIR OR REMOVE ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTH WHICH MAY IN ANY MANNER INTERFERE OR CONTRADICT WITH THE CONSTRUCTION, MAINTENANCE, OR IMPROVEMENT OF THEIR RESPECTIVE SYSTEMS IN THE EASEMENTS.  
9. BLISS COUNTY AND PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF ACCESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSES OF CONSTRUCTION, RECONSTRUCTION, MAINTENANCE, REPAIRS, REPLACEMENTS, AND ADJUSTING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NEED OF ANY OTHER PERMITS OR PERMISSIONS FROM ANYONE.  
10. ALL MODIFICATIONS TO THIS DOCUMENT SHALL BE BY MEANS OF A PLAN AND APPROVED BY BLISS COUNTY.  
THIS PLAN IS APPROVED SUBJECT TO ALL CITY ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE BLISS COUNTY TEXAS.

WITNESSE MY HAND, THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019  
BY  
LOGAN GARRETT  
COUNTY OF BLISS  
I, THOMAS L. JACKSON, BEING A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEAR LOGAN GARRETT, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGE TO ME THAT HE/SH/IT SIGNED THE SAME FOR THE PURPOSES HEREIN SET FORTH AND IN THE CAPACITY STATED.  
GIVEN UNDER MY HAND AND SEAL THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019  
NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS

LOGAN GARRETT  
1807 FRYINGH  
WILMAMORE, TX 79166  
409 617 8912  
SURVEY FOR  
TEXAS REALTY CAPTIVE &  
BUYERS, LLC  
P.O. BOX 782  
WILMAMORE, TEXAS 79166  
409 617 8925  
100% FIRM NO. 1914-000  
THOMAS L. JACKSON  
REGISTRATION NUMBER 5444

STATE OF TEXAS  
COUNTY OF BLISS  
CERTIFICATE OF APPROVAL BY THE COMMISSIONERS COURT OF BLISS COUNTY TEXAS  
APPROVED THIS, THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019  
AT 10:07  
LOGAN GARRETT  
COUNTY JUDGE  
DAVID W. HAZEL  
COUNTY CLERK  
RANDY STINCH  
COMMISSIONER PRESENT 1  
LANCE BRAYSON  
COMMISSIONER PRESENT 2  
PAUL HARTY  
COMMISSIONER PRESENT 3  
KYLE BULLER  
COMMISSIONER PRESENT 4  
THIS PLAN HAS BEEN APPROVED BY THE SUPERVISORY BOARD OF DEVELOPMENT FOR AN ON-SITE SEWAGE FACILITY SYSTEM PERMITS AND ALL INFORMATION AS MAY BE REQUIRED BY THE BLISS COUNTY DEPARTMENT OF DEVELOPMENT  
DEPARTMENT OF DEVELOPMENT SECRETARY DATE

REPLAT  
HIDDEN FALLS ADDITION  
LOTS 1A-1C  
BEING A REPLAT OF LOT 1  
BLOCK A  
0.023 ACRES  
GLAZE SURVEY  
ABSTRACT NO. 387  
S. WILSON SURVEY  
ABSTRACT NO. 1141  
EITZ OF THE CITY OF WAXAHACHE  
BLISS COUNTY, TEXAS  
3 RESIDENTIAL LOTS  
JUNE 2019  
PAGE 1 OF 1



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



## WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Logan Garrett Parcel ID #: 180909  
Subdivision Name: Hidden Falls Lots 1A-1C

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

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

**Contact Information:**

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

**To be completed by the water utility provider:**

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

Kay Phillips  
Print Name of General Manager of water provider or Designee

Kay Phillips  
Signature of General Manager of water provider or Designee

Rockett SUD  
Name of water provider company

6/24/19  
Date

(11)

## Planning & Zoning Department

### Zoning Staff Report

Case: SU-19-0085



#### MEETING DATE(S)

Planning & Zoning Commission: July 23, 2019

City Council: August 5, 2019

#### CAPTION

**Public Hearing** on a request by Erica Ford, Titan Solar Power TX, for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Planned Development-43-Single Family-3 zoning district, located at 3033 Coventry Lane (Property ID 228671) – Owner: BRIAN & BRENDA S BUTLER (SU-19-0085)

#### CASE INFORMATION

**Applicant:** Erica Ford, Tital Solar Power TX

**Property Owner(s):** Brian & Brenda S Butler

**Site Acreage:** 0.252 acres

**Current Zoning:** Planned Development-43-Single Family-3

**Requested Zoning:** PD-43-SF-3 with Specific Use Permit

#### SUBJECT PROPERTY

**General Location:** 3033 Coventry Lane

**Parcel ID Number(s):** 228671

**Existing Use:** Existing Single Family Residence

**Development History:** The Final Plat for Windchase Addition Phase V was approved by City Council on August 16, 2004.

#### Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-43-SF-3	Single Family Residential
East	PD-43-SF-3	Single Family Residential
South	PD-43-SF-3	Single Family Residential
West	C	Rockett Special Utility District

**Future Land Use Plan:** Low Density Residential



(11)

**Comprehensive Plan:** This category is representative of smaller single family homes and some duplex units. The majority of Waxahachie's current development is of similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

**Thoroughfare Plan:** The subject property is accessible via Coventry Ln.

**Site Image:**



#### **PLANNING ANALYSIS**

The applicant seeks to install solar panels on the roof of the single family residence. Per the City of Waxahachie Zoning Ordinance, solar panels are permitted with a Specific Use Permit, and must be installed so that they do not front onto the right-of-way. According to the current site plan submitted by the applicant, there will be no solar panel systems facing the public ROW.

#### **PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 18 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 07/03/2019.

#### **PROPERTY OWNER NOTIFICATIONS**

Staff has received one (1) letter of support for the proposed development.

#### **STAFF CONCERNS**

1. Staff has no outstanding concerns for the applicant.

#### **APPLICANT RESPONSE TO CONCERNS**

1. Staff has no outstanding concerns for the applicant.

(11)

**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.

**ATTACHED EXHIBITS**

1. Site Plan

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*  
Colby Collins  
Senior Planner  
[ccollins@waxahachie.com](mailto:ccollins@waxahachie.com)

*Reviewed by:*  
Shon Brooks, AICP  
Director of Planning  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

(11)

TAG	DESCRIPTION
	ROOF ACCESS POINT: ROOF ACCESS POINT SHALL BE LOCATED IN AREAS THAT DO NOT REQUIRE THE PLACEMENT OF GROUND LADDERS OVER OPENINGS SUCH AS WINDOWS OR DOORS AND LOCATED AT STRONG POINTS OF BUILDING CONSTRUCTION IN LOCATIONS WHERE THE ACCESS POINT DOES NOT CONFLICT WITH OVERHEAD OBSTRUCTIONS SUCH AS TREE LIMBS, WIRES OR SIGNS
	PV SOLAR MODULES
	PROPERTY LINES
	Fence Line
	Black Wall
	Proposed PV Conduit Run Above Roof
	Proposed PV Conduit Run Through Attic (if Used)
	Proposed PV Conduit Run Through Trench (if Used)
PV-1	(0) (2) Mission Solar_Energy MSE310SCAT
OP-1	(1) (1) SolarEdge P320 (H) Optimizers
JB	(1) Junction Box
WV-1	(1) SolarEdge_Technologies SE6000H-US (240V)
AC-1	(1) 40A AC Disconnect (1) (VLLD)
MSP-1	(1) 200A MSP w/2 200A Main Breaker
OM-1	(1) ONCOR Meter

#### 4Change Energy

NOTES The visible, lockable, labeled AC disconnect is located within 10 ft of Oncor Meter.

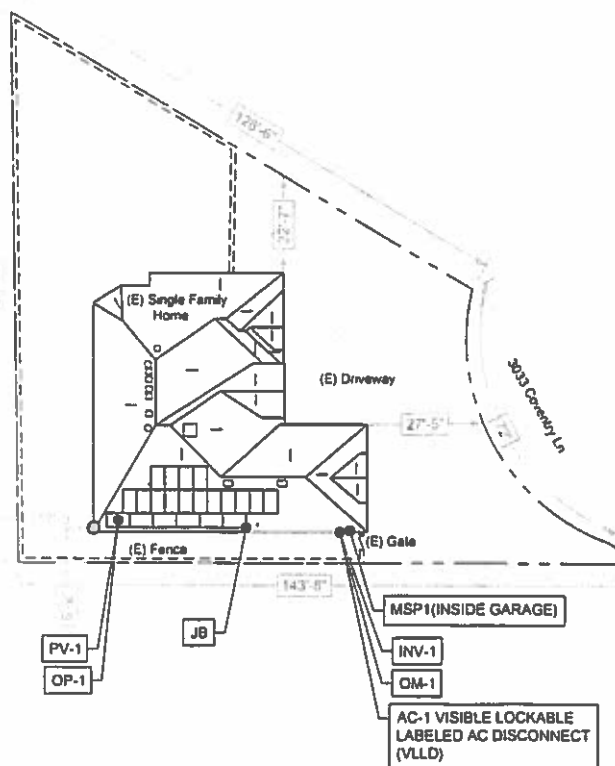
- (1) SolarEdge\_Technologies SE6000H-US (240V)  
 (2) SolarEdge P320 (H) OPTIMIZERS  
 (2) Mission Solar\_Energy MSE310SCAT

NOTE: AC DISCONNECT LOCATED ON ACCESSIBLE EXTERIOR WALL WITHIN 10 FEET OF ONCOR METER

Address: 3033 Coventry Ln.  
 City: Wexahachie, TX 75165  
 ES&D # 10443720007887838  
 Meter number: 105 652 627



Plot Plan  
 Scale: 1" = 20'



TSP26298

#### CUSTOMER INFORMATION

Butler, Brenda & Brian  
 3033 Coventry Ln  
 Wexahachie, TX 75165  
 (440) 477-6256  
 APN #228671

#### SYSTEM OVERVIEW

6.51 kW DC System (STC)  
 6 kW AC System  
 (2) Mission Solar\_Energy MSE310SCAT  
 (2) SolarEdge P320 (H) Optimizers  
 SolarEdge\_Technologies SE6000H-US (240V)

#### CONTRACTOR INFORMATION

Titan Solar Power  
 525 W. Baseline Rd  
 Mesa, AZ 85210  
 (480) 830-9290

CR11 #284331



2700 S. Baseline Rd., Suite 100  
 Mesa, AZ 85210  
 (480) 830-9290  
 E. John J. Smith

DESCRIPTION	DATE
Initial Draft of Plans	6/17/19

DATE: 6/17/19

DRAFTER: HCV

PROJECT NAME

PV-1

(11)

## **CASE SU-19-0085**

Request by Erica Ford, Titan Solar Power TX, for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Planned Development-43-Single Family-3 zoning district, located at 3033 Coventry Lane (Property ID 228671) – Owner: BRIAN & BRENDA S BUTLER (SU-19-0085)

### **INSIDE REQUIRED 200' NOTIFICATION AREA**

- 1 Support
- 0 Oppose

### **SUPPORT**

1. Robert Williams, 702 Adams Street, Waxahachie, TX 75165

### **OPPOSE**



(11)

**City of Waxahachie, Texas**  
**Notice of Public Hearing**  
**Case Number: SU-19-0085**

RECEIVED  
7/10/19

**WILLIAMS ROBERT R**  
**702 ADAMS ST**  
**WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Erica Ford, Titan Solar Power TX, for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Planned Development-43-Single Family-3 zoning district, located at 3033 Coventry Lane (Property ID 228671) – Owner: BRIAN & BRENDA S BUTLER (SU-19-0085)

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: [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com) for additional information on this request.

Case Number: **SU-19-0085**  
City Reference: 240085

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **Wednesday, July 17, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com).



SUPPORT



OPPOSE

Comments: \_\_\_\_\_

  
Signature

7/7/19  
Date

ROBERT WILLIAMS  
Printed Name and Title

702 ADAMS ST 75165  
Address

(13)

## Planning & Zoning Department Zoning Staff Report

Case: SU-19-0084



### MEETING DATE(S)

Planning & Zoning Commission: July 23, 2019

City Council: August 5, 2019

### CAPTION

**Public Hearing** on a request by Gaye Mitschke, Furniture By Sleep Quarters, for a Specific Use Permit (SUP) for **Outdoor Display** use within a Planned Development-24-General Retail zoning district, located at 500 N Highway 77 (Property ID 180847, 247596, 247595) – Owner: STEVEN F & RICHARD A CHAPMAN (SU-19-0084)

### CASE INFORMATION

**Applicant:** Gaye Mitschke, Furniture by Sleep Quarters

**Property Owner(s):** Steven F and Richard A Chapman

**Site Acreage:** 2.152 acres

**Current Zoning:** Planned Development-24-General Retail

**Requested Zoning:** PD-24-GR with Specific Use Permit

### SUBJECT PROPERTY

**General Location:** 500 N Highway 77

**Parcel ID Number(s):** 180847, 247596, 247595

**Existing Use:** Existing Furniture by Sleep Quarters

**Development History:** N/A

### Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-24-GR	Undeveloped Land
East	SF-2	Chapman Place Subdivision
South	PD-24-GR	Existing Car Wash and Detail Center; (Recently Approved 7-Eleven)
West	PD-24-GR	General Retail Development

**Future Land Use Plan:** Retail

**Comprehensive Plan:**

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

**Thoroughfare Plan:**

The subject property is accessible via N. Highway 77.

**Site Image:****PLANNING ANALYSIS**

Furniture by Sleep Quarters is proposing an outdoor furniture display within the Planned Development-General Retail zoning district at the existing site. The proposed outdoor display will allow customers to envision how the furniture will look in an outside setting before purchasing the furniture item(s). The applicant also intends to update the façade of the existing structure to stucco to help make the site more aesthetically pleasing.

**REQUESTED APPEALS**

- **Landscaping:**

Per the landscape plan, the applicant is not meeting the City of Waxahachie landscape requirements for the following information.

	Applicant Providing	City of Waxahachie Req.	Meets
Interior Landscape Areas (18,000x50%)	5,414 sf	9,000 sf	No
1 understory tree per 250 sf	15 trees	21 trees	No
1 shrub per 40 sf	97 shrubs	135 shrubs	No
Ground Color Cover 15% of req. area	810 sf	812 sf	No

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 26 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 07/03/2019.

**PROPERTY OWNER NOTIFICATIONS**

Staff has received one (1) letter of opposition for the proposed development.

**STAFF CONCERNS**

1. Staff has no outstanding concerns for the applicant.

**APPLICANT RESPONSE TO CONCERNS**

1. Staff has no outstanding concerns for the applicant.

**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. If approved, the outdoor display shall only be used for product presentation. Outside storage will be prohibited.

**ATTACHED EXHIBITS**

1. Site Plan
2. Landscape Plan
3. Elevation/Façade Plan

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*  
Colby Collins  
Senior Planner  
[ccollins@waxahachie.com](mailto:ccollins@waxahachie.com)

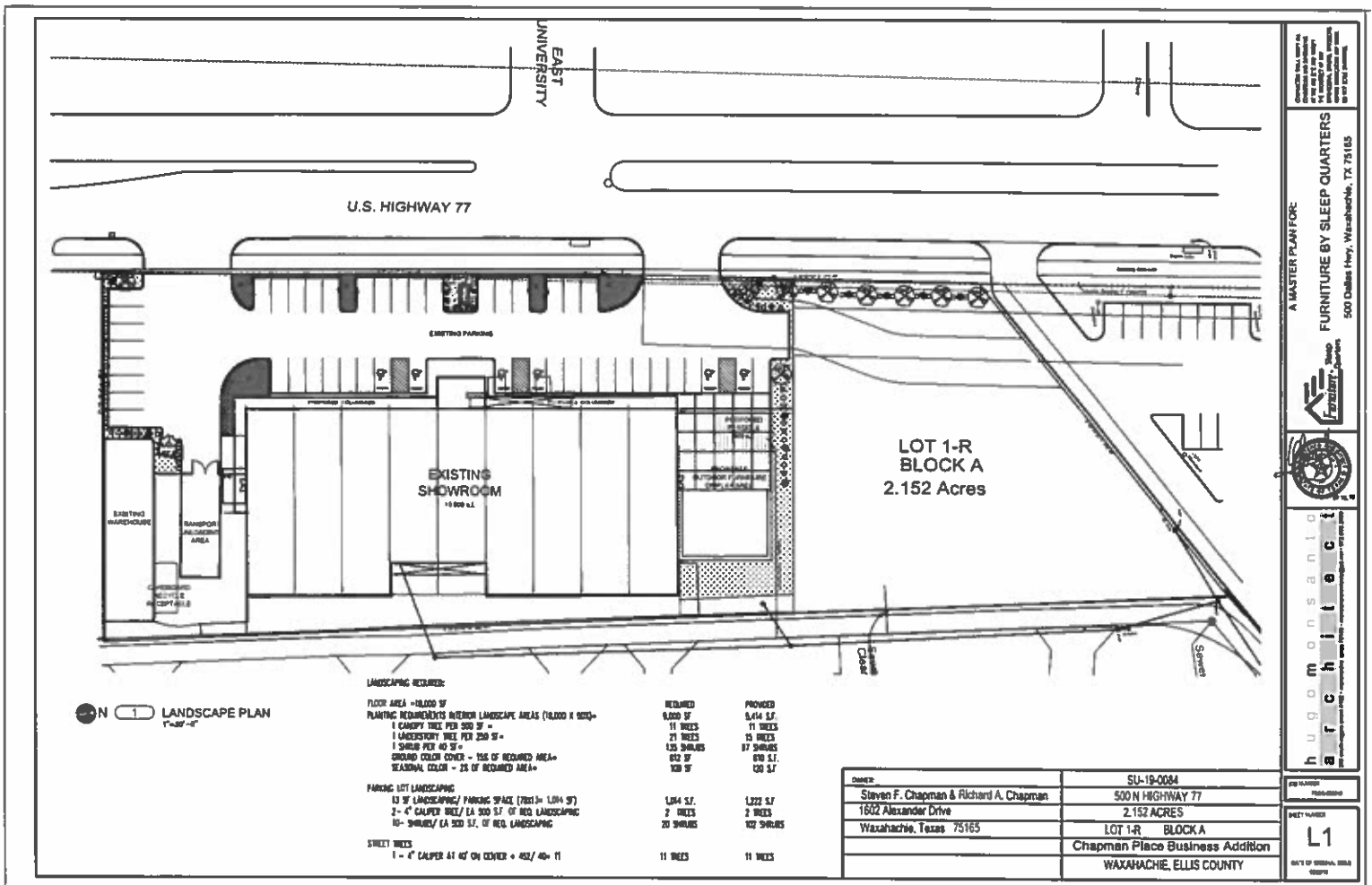
*Reviewed by:*  
Shon Brooks, AICP  
Director of Planning  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)





**A2**

(13)





(13)

	WEST ELEVATION		NORTH ELEVATION		SOUTH ELEVATION	
	SF	%	SF	%	SF	%
WOOD STRUCTURE	323 sqft.	3.8	117 sqft.	4.4	9 sqft.	0
3 PART CEMENT STUCCO (COLOR A)	2,527 sqft.	44.2	1,187 sqft.	45.1	1,080 sqft.	45.3
3 PART CEMENT STUCCO (COLOR B)	1,887 sqft.	33.8	832 sqft.	31.7	832 sqft.	36.8
CULTURED STONE	1,089 sqft.	18.8	523 sqft.	19.9	490 sqft.	18.9
EIFS TRIM	403 sqft.	7.7	183 sqft.	6.9	182 sqft.	7.8
TOTAL:	5,362 sqft.	100	2,621 sqft.	100	2,333 sqft.	100



**FURNITURE by SLEEP QUARTERS**  
500 DALLAS HWY  
WAXAHACHIE TEXAS

h u g o m o n s a n t o  
a r c h i t e c t  
200 south negro street #102 • waxahachie texas 75165 • hmonsonarchitect@aol.com • 817.933.2569

owner:	SU-18-0084
Steven F. Chapman & Richard A. Chapman	500 N HIGHWAY 77
1502 Alexander Drive	2.152 ACRES
Waxahachie, Texas 75165	LOT 1-R BLOCK A
	Chapman Place Business Addition
	WAXAHACHIE, ELLIS COUNTY

(13)

## **CASE SU-19-0084**

Request by Gaye Mitschke, Furniture By Sleep Quarters, for a Specific Use Permit (SUP) for **Outdoor Display** use within a Planned Development-24-General Retail zoning district, located at 500 N Highway 77 (Property ID 180847, 247596, 247595) – Owner: STEVEN F & RICHARD A CHAPMAN (SU-19-0084)

### **INSIDE REQUIRED 200' NOTIFICATION AREA**

- 0 Support
- 1 Oppose

### **SUPPORT**

### **OPPOSE**

1. Joyce Niederhaus, 1610 Alexander Drive, Waxahachie, TX 75165

(13)

RECEIVED  
7/19/19



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: SU-19-0084



NIEDERHAUS DONALD L & JOYCE R  
1610 ALEXANDER DR,  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 23, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, August 5, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Gaye Mitschke, Furniture By Sleep Quarters, for a Specific Use Permit (SUP) for Outdoor Display use within a Planned Development-24-General Retail zoning district, located at 500 N Highway 77 (Property ID 180847, 247596, 247595) - Owner: STEVEN F & RICHARD A CHAPMAN (SU-19-0084)

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: [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com) for additional information on this request.

Case Number: SU-19-0084  
City Reference: 172723

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on Wednesday, July 17, 2019 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com).

☐ SUPPORT ☒ OPPOSE

Comments:

Do not want furniture or stuff  
out front of business.

Many trees, bushes, flowers etc.

Joyce Niederhaus

Signature

Monday July 15, 2019

Date

Joyce NIEDERHAUS

Printed Name and Title

1610 Alexander Dr.

Address