

**NOTICE OF CITY COUNCIL BRIEFING SESSION  
APRIL 15, 2019  
CITY COUNCIL CONFERENCE ROOM  
401 S. ROGERS  
WAXAHACHIE TEXAS  
6:00 P.M.**

**Agenda**

Council Members: Kevin Strength, Mayor  
David Hill, Mayor Pro Tem  
Chuck Beatty, Councilmember  
Mary Lou Shipley, Councilmember  
Melissa Olson, Councilmember

1. Call to Order
2. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting
3. Adjourn

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

# **A G E N D A**

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas to be held in the Council Chamber at City Hall, 401 S. Rogers on ***Monday, April 15, 2019 at 7:00 p.m.***

Council Members: Kevin Strength, Mayor  
David Hill, Mayor Pro Tem  
Chuck Beatty, Councilmember  
Mary Lou Shipley, Councilmember  
Melissa Olson, Councilmember

1. Call to Order
2. Invocation
3. Pledge of Allegiance and Texas Pledge of Allegiance
4. ***Consent Agenda***

All matters listed under Item 4, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager 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 City Council.

- a. Minutes of the City Council meeting of April 1, 2019
  - b. Minutes of the City Council briefing of April 1, 2019
  - c. Minutes of the City Council retreat of April 4, 2019
  - d. Minutes of the City Council retreat of April 5, 2019
  - e. Funding for landscaping at MKT Depot
  - f. Funding contribution for rehabilitation of police station building at 216 N. College Street
  - g. Antique Alley on the Square on April 20, 2019
  - h. Application for seasonal vendor permit at Lake Waxahachie
5. ***Introduce*** Honorary Councilmember
6. ***Present*** Proclamation proclaiming April as “Child Abuse Awareness and Prevention Month”
7. ***Consider*** request by Dennis Little for a Preliminary Plat of Hidden Falls Addition for 4 lots, being 20.944 acres situated in the I. Glaze Survey, Abstract 397, the BBB & CRR Survey, Abstract 175, and the S. Wilson Survey, Abstract 1141 (Property ID 180909) in the Extra Territorial Jurisdiction – Owner: DENNIS LITTLE (PP-19-0020)
8. ***Consider*** request by Dennis Little for a Final Plat of Hidden Falls Addition for 4 lots, being 20.944 acres situated in the I. Glaze Survey, Abstract 397, the BBB & CRR Survey, Abstract 175, and the S. Wilson Survey, Abstract 1141 (Property ID 180909) in the Extra Territorial Jurisdiction – Owner: DENNIS LITTLE (FP-19-0021)

9. **Consider** request by Todd Wintters, Engineering Concepts & Design, LP, for a Final Plat of Settler's Glen Addition, Phase 6 for 100 lots, being 18.912 acres situated in the William Paine Survey, Abstract 835 (Property ID 189178) – Owner: SETTLER'S GLEN LTD (FP-19-0030)
10. **Consider** request by Dalton Bradbury, Acker Construction, for a Final Plat of Crossroads Business Park for 1 lot, being 3.512 acres out of the John B. Bounds Survey, Abstract 99 (Property ID 180414) – Owner: COREY & JULIE SANCHEZ (FP-19-0038)
11. **Consider** request by Jeff Whanger, RLG, Inc., for a Preliminary Plat of CSP1 Addition for 2 lots, being 2.531 acres situated in the A.W. Brown Survey, Abstract 102 (Property ID 180374) – Owner: CONNELL STORAGE PARTNERS #1 LLC (PP-19-0037)
12. **Consider** request by Tim Cummings, 122 Ike Rd LLC, for a Final Plat of Ike Farms for 16 lots, being 19.290 acres situated in the T. Jackson Survey, Abstract 574 (Property ID 186239) in the Extra Territorial Jurisdiction – Owner: 122 IKE RD LLC (FP-19-0041)
13. **Public Hearing** on a request by Chris Acker, Acker Construction, for a Replat of part of Lot 1 and Lot 2, Block 7, Nora Alexander's Subdivision to create Lot 1R, Block 7, Nora Alexander's Subdivision, 0.415 acres (Property ID 172037) – Owner: JUAN P & MARISOL TAVERA RICO (RP-19-0034)
14. **Consider** approving RP-19-0034
15. **Public Hearing** on a request by Harlan Lowrance for a Replat of a part of Lots 1, 2 and 5, Block 5, and parts of Lots 3 and 4, Block 5, Park Hill Addition to create Lots 1R and 5R, Block 5, Park Hill Addition, 0.868 acres (Property ID 175221 and 175222) – Owner: DOROTHY ANN CURRY and HARLAN R AND MICHELLE LOWRANCE (RP-19-0032)
16. **Consider** approving RP-19-0032
17. **Consider** request by Joshua Trees, Cross Fence Development, LLC, for a Preliminary Plat of The Cross Fence at Oak Vista for 173 lots, being 248.575 acres situated in the S.B. Orton Survey, Abstract 813, J. Fifer Survey, Abstract 352, and the D.M. McNeil Survey, Abstract 717 (Property ID 188040 and 183375) in the Extra Territorial Jurisdiction – Owner: CROSS FENCE DEVELOPMENT LLC (PP-19-0036)
18. **Public Hearing** on a request by Dusty Autrey for a Zoning Change from a Light Industrial-2 zoning district to Planned Development-Central Area, with Concept Plan, located at 421 S. College Street (Property ID 220752) - Owner: DAJP Holdings, LLC (PD-19-0029)
19. **Consider** proposed ordinance approving Zoning Change No. PD-19-0029
20. **Public Hearing** on a request by Mike Siefert, Lookout Development Group, for a Planned Development Amendment for the purpose of removing the height restriction for hotels located adjacent to the Waxahachie Civic Center (Property ID 208655, 208656, and 227433) – Owner: LOOKOUT PARTNERS LP (PD-19-0039)
21. **Consider** proposed ordinance approving Zoning Change No. PD-19-0039

22. **Continue Public Hearing** on a request by Ron Barson, Ledbetter Real Estate, Ltd., for a Specific Use Permit (SUP) for Mini-Warehouse or Self-Storage Facility use within a Commercial zoning district, located at 2050 Corporate Parkway (Property ID 273979) – Owner: LEDBETTER REAL ESTATE LTD (SU-19-0026)
23. **Consider** proposed ordinance approving Zoning Change No. SU-19-0026
24. **Public Hearing** on a request by Josh Spoerl, Arrive Architecture Group, for a Zoning Change from a Planned Development-General Retail-Mixed Use Residential zoning district to Planned Development-Multiple Family Residential-2 and Planned Development-General Retail, with Concept Plan, located at the NE corner of US 287 Bypass Service Road at FM 813, being 911 R RUSSELL 7.121 ACRES and 911 R RUSSELL 10.6200 ACRES (Property ID 227073 and 138302) - Owner: LYONS AMERICAN SECURITIES INC (PD-19-0031)
25. **Consider** proposed ordinance approving Zoning Change No. PD-19-0031
26. **Discuss** candidate nomination for the Ellis Appraisal District Board of Directors vacancy for the year 2019
27. **Consider** Interlocal Agreement with Ellis County Jail
28. **Consider** award of bid to Circle H Contractors LP for the rehabilitation of South Jackson and East Ross sewer lines
29. **Public Comments:** Persons may address the City Council on any issues. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Council may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code.
30. **Convene** into Executive Session for deliberation regarding real property as permitted under Section 551.072 of the Texas Government Code
31. **Reconvene** and take any necessary action
32. Comments by Mayor, City Council, City Attorney and City Manager
33. Adjourn

**The City Council reserves the right to go into Executive Session on any posted item.**

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City Council  
April 1, 2019

(4a)

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers on Monday, April 1, 2019 at 7:00 p.m.

Council Members Present: Kevin Strength, Mayor  
David Hill, Mayor Pro Tem  
Chuck Beatty, Councilmember  
Mary Lou Shipley, Councilmember  
Melissa Olson, Councilmember

Others Present: Michael Scott, City Manager  
Albert Lawrence, Assistant City Manager  
Tommy Ludwig, Assistant City Manager  
Robert Brown, City Attorney  
Amber Villarreal, Assistant City Secretary

**1. Call to Order**

Mayor Kevin Strength called the meeting to order.

**2. Invocation**

**3. Pledge of Allegiance and Texas Pledge of Allegiance**

City Manager Michael Scott gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4. Consent Agenda**

- a. Minutes of the City Council meeting of March 18, 2019
- b. Minutes of the City Council briefing of March 18, 2019
- c. National Child Abuse Awareness Block Party on April 26, 2019
- d. Waxahachie Labor Day Triathlon on September 2, 2019
- e. C-10's Car Show and Concert on September 21, 2019

**Action:**

*Mayor Pro Tem David Hill moved to approve items a. through e. on the Consent Agenda. Councilmember Melissa Olson seconded, All Ayes.*

**5. Introduce Honorary Councilmember**

Councilmember Mary Lou Shipley introduced Andi Katelyn Wallace as the Honorary Councilmember for the month of April. Ms. Wallace is an 18 year old senior at Waxahachie High School. She is active in Student Council, the Interact Club, and a member of the National Honor Society. She lettered in softball as well as played on the golf team during her time Waxahachie. She is an active member of The Oaks Fellowship and volunteers at the Little Chief's Academy daycare located at Turner Elementary School. Her volunteering extends to the Rotary Flag Program, The Community Garden, and the Salvation Army bell ringer program. She has worked part time while in high school, including as an undercover minor with the Texas Alcoholic Beverage Commission. Andi has received honors including AB Honor Roll, two Navarro

(4a)

Brilliance Scholarships, The University of Oklahoma Legacy Scholars Award and Academic Award. She will be attending the University of Oklahoma this fall as a premed major. She is the daughter of retired Waxahachie Police Lieutenant Billie Wallace and District Judge William Wallace.

**6. Present Proclamation proclaiming April 8-12, 2019 as "Boys and Girls Club Week"**

Mayor Strength read a Proclamation proclaiming April 8-12, 2019 as "Boys and Girls Club Week" and presented it to Torch Club members of our local Boys and Girls Club.

**7. Present Proclamation proclaiming April as "Alcohol Awareness Month"**

Mayor Strength read a Proclamation proclaiming April as "Alcohol Awareness Month" and presented it to Ms. Shari Phillips, Impact Waxahachie. He thanked Ms. Phillips for all she does for our local children.

**8. Continue Public Hearing on a request by Barb Hall, Ervin USA, for a Specific Use Permit (SUP) for Trailer, Truck Sales or Rental use within a Light Industrial-2 and Future Development zoning district, located at 4675 N Interstate 35, being 790 EC NEWTON 29.74 ACRES (Property ID 188460) - Owner: LUIS ESTRADA (SU-18-0180)**

Mayor Strength continued the Public Hearing.

Planning Director Shon Brooks explained the applicant submitted a stamped landscape architect plan today that is in compliance with city standards. However, since the trees have not been planted as requested by council at the last meeting, staff recommended denial.

Councilmember Chuck Beatty entertained the idea of continuing the Public Hearing to allow the applicant time to have the trees planted.

Mayor Strength noted he did not want to approve the Specific Use Permit without all 2015 stipulations met.

**Action:**

*Councilmember Chuck Beatty moved to continue the Public Hearing on a request by Barb Hall, Ervin USA, for a Specific Use Permit (SUP) for Trailer, Truck Sales or Rental use within a Light Industrial-2 and Future Development zoning district, located at 4675 N Interstate 35, being 790 EC NEWTON 29.74 ACRES (Property ID 188460) - Owner: LUIS ESTRADA (SU-18-0180) to the May 6, 2019 City Council meeting to allow time to plant trees for screening. Mayor Pro Tem David Hill seconded, the vote was as follows: Ayes: Kevin Strength, David Hill, Chuck Beatty, Melissa Olson. Noes: Mary Lou Shipley.*

***The motion carried.***

**9. Consider proposed Ordinance approving Zoning Change No. SU-18-0180**

***No action taken.***

(4a)

10. **Continue Public Hearing on a request by Todd Wintters, Engineering Concepts & Design LP, for a Zoning Change from a Future Development and Single Family-1 zoning district to Planned Development-Single Family-3, with Concept Plan, located at the NW corner of Marshall Road and Ovilla Road (Property IDs 195446, 191103, 191114, 191113, 191112, 191111, 182906, 182907, 200367, 180351, 200379, 200380) - Owner: ARBORS DEVELOPMENT LLC (PD-18-0210)**

Mayor Strength announced the applicant withdrew their application.

Those who spoke in opposition:

Marvin Johnson, 2153 Marshall Road  
Linda Donner, 2060 Marshall Road

Mayor Strength explained the city is growing and the council and staff are doing the best they can to progress with growth.

Mayor Strength closed the Public Hearing.

11. **Consider proposed Ordinance approving Zoning Change No. PD-18-0210**

*No action taken.*

12. **Consider request by Dalton Bradbury, Acker Construction, for a Plat Vacation of a Replat of Lots 4R-A and 4R-B, RVG Plaza, as recorded in Cabinet I, Slide 236 OPRECT on October 15, 2013, being 2.3887 acres situated in the Robert Parks Survey, Abstract 851 and the N.P. Neal Survey, Abstract 1320 (Property ID 238271 and 259297) – Owner: MAQBUL PROPERTY SERVICES & MANAGEMENT INC (PV-19-0014)**

**Action:**

*Councilmember Mary Lou Shipley moved to approve a request by Dalton Bradbury, Acker Construction, for a Plat Vacation of a Replat of Lots 4R-A and 4R-B, RVG Plaza, as recorded in Cabinet I, Slide 236 OPRECT on October 15, 2013, being 2.3887 acres situated in the Robert Parks Survey, Abstract 851 and the N.P. Neal Survey, Abstract 1320 (Property ID 238271 and 259297) – Owner: MAQBUL PROPERTY SERVICES & MANAGEMENT INC (PV-19-0014). Mayor Pro Tem David Hill seconded, All Ayes.*

13. **Public Hearing on a request by Kendall Wiley for a Replat of Lot 1R-A, Block A, Wiley's Retail to create Lots 1R-A and 1R-B, Block A, Wiley's Retail, 0.996 acres (Property ID 231665) – Owner: KENDALL L & MICHELLE L WILEY (RP-19-0017)**

Mayor Strength opened the Public Hearing.

(4A)

Mr. Brooks presented RP-19-0017 noting staff recommended approval subject to the following staff comments:

1. Right of Way dedication is required along Brown Street. The thoroughfare plan indicates this roadway as a 110 foot roadway.
2. Correct the zoning to GR. General Retail
3. Indicate if the parking in the parking easement is open to all three lots. A site plan will be required to determine if the parking is sufficient on the site.
4. Change dates to indicate 2019.
5. Label the Plan Southwestern most line segment.
6. Provide a property closure document to ensure the legal description and graphical plat match.
7. Indicate the proposed water and sewer services for Lot 1R-A1. A 6-inch sanitary sewer minimum and a connection to an existing or proposed manhole.
8. Indicate the existing drainage easement on the plan west side of Lot 1R-B.

Mr. Brooks requested approval per staff comments and asked council to determine the request to waive the right-of-way dedication.

There being no others to speak for or against RP-19-0017, Mayor Strength closed the Public Hearing.

**14. Consider approving RP-19-0017**

**Action:**

*Mayor Pro Tem David Hill moved to approve a request by Kendall Wiley for a Replat of Lot 1R-A, Block A, Wiley's Retail to create Lots 1R-A and 1R-B, Block A, Wiley's Retail, 0.996 acres (Property ID 231665) – Owner: KENDALL L & MICHELLE L WILEY (RP-19-0017) subject to Staff Comments. Councilmember Mary Lou Shipley seconded, All Ayes.*

- 15. Consider request by Jay Volk, J. Volk Consulting, Inc., for a Final Plat of WISD Ag Center for 1 lot, being 10.647 acres situated in the J. Boyd Survey, Abstract 108 and W.C. Tunnell Survey, Abstract 1080 (Property ID 180503) – Owner: WAXAHACHIE ISD (FP-19-0018)**

Mr. Brooks presented FP-19-0018 noting the plat meets all city requirements.

**Action:**

*Mayor Pro Tem David Hill moved to approve a request by Jay Volk, J. Volk Consulting, Inc., for a Final Plat of WISD Ag Center for 1 lot, being 10.647 acres situated in the J. Boyd Survey, Abstract 108 and W.C. Tunnell Survey, Abstract 1080 (Property ID 180503) – Owner: WAXAHACHIE ISD (FP-19-0018). Councilmember Mary Lou Shipley seconded, All Ayes.*

- 16. Consider request by James R. Henry, for a Final Plat of Crooked Creek Farms for 3 lots, being 95.973 acres situated in the S.M. Durrett Survey, Abstract 272 (Property ID 257995 and 182121) – Owner: JAMES R HENRY and LINDA S OSBORN (FP-19-0019)**



(4a)

Mr. Brooks presented FP-19-0019 noting the plat meets city requirements. He noted the applicant requested to waive Park Land Dedication Fees and Roadway Impact Fees.

Mr. James Henry, 2801 Howard Road, reviewed with council the process and costs he has endured during the process of building a home on the 95 acres he owns. He expressed his disagreement with being classified as a subdivision on his property noting there will only be two dwellings on the 95 acres.

Mayor Strength explained Impact Fees are collected to do many infrastructure projects in different zones not including farm to market roads. He explained everyone pays impact fees but is in agreement with waiving the Park Dedication Fees.

Councilmember Melissa Olson expressed her agreement with Mr. Henry and support for waiving all fees.

**Action:**

*Councilmember Melissa Olson moved to approve a request by James R. Henry, for a Final Plat of Crooked Creek Farms for 3 lots, being 95.973 acres situated in the S.M. Durrett Survey, Abstract 272 (Property ID 257995 and 182121) – Owner: JAMES R HENRY and LINDA S OSBORN (FP-19-0019) subject to Staff Comments and waive Park Dedication Fees and Roadway Impact Fees.*

***Motion died due to lack of second.***

**Action:**

*Mayor Strength moved to approve a request by James R. Henry, for a Final Plat of Crooked Creek Farms for 3 lots, being 95.973 acres situated in the S.M. Durrett Survey, Abstract 272 (Property ID 257995 and 182121) – Owner: JAMES R HENRY and LINDA S OSBORN (FP-19-0019) including paying Roadway Impact Fees and waiving Park Dedication Fees. Councilmember Mary Lou Shipley seconded, the vote was as follows: Ayes: Kevin Strength, Chuck Beatty, Mary Lou Shipley. Noes: Melissa Olson. Abstain: David Hill.*

***The motion carried.***

City Attorney Robert Brown explained Mayor Pro Tem Hill's Conflict Affidavit is actively on file when the Preliminary Plat for this property was presented to council.

- 17. Public Hearing on a request by John Harkins for a Replat of Tract 13, Nod Hill Estates and 1.124 acres out of the J. Barker Survey, Abstract 40 to create Lots 1 and 2, Block A, Harkins Addition, 2.180 acres (Property ID 152926 and 179593) in the Extra Territorial Jurisdiction – Owner: BOBBY D HARKINS and JOHN AND TRINA HARKINS (RP-19-0024)**

Mayor Strength opened the Public Hearing.

Mr. Brooks presented RP-19-0024 noting staff recommended approval per staff comments. There being no others to speak for or against RP-19-0024, Mayor Strength closed the Public Hearing.

(4A)

**18. Consider approving RP-19-0024**

**Action:**

*Councilmember Melissa Olson moved to approve a request by John Harkins for a Replat of Tract 13, Nod Hill Estates and 1.124 acres out of the J. Barker Survey, Abstract 40 to create Lots 1 and 2, Block A, Harkins Addition, 2.180 acres (Property ID 152926 and 179593) in the Extra Territorial Jurisdiction – Owner: BOBBY D HARKINS and JOHN AND TRINA HARKINS (RP-19-0024) subject to Staff Comments. Councilmember Chuck Beatty seconded, All Ayes.*

**19. Public Hearing on a request by Massey Shaw for a Planned Development Amendment for the development of a live screening wall along the Single-Family and Multi-Family lots in lieu of the required brick or masonry screening wall located on the South side of Farley Street at River Oaks (Property ID 182267) – Owner: BLUE BONNET TRAILS LLC (PD-19-0025)**

Mayor Strength opened the Public Hearing.

Mr. Brooks presented PD-19-0025 noting the request is to replace the masonry-screening wall, as previously required, with a living wall with an ornamental iron fence behind the living wall per the recommendation of the Planning and Zoning Commission.

Councilmember Olson asked if there is currently a timeline for the widening of Farley Street and Mr. Brooks noted not at this time.

Mr. Chris Wright, 808 West Marvin, asked if there is a long-term plan to widen Farley Street. Assistant City Manager Tommy Ludwig explained there are no plans to widen Farley Street in the current five-year Capital Improvements Plan.

There being no others to speak for or against PD-19-0025, Mayor Strength closed the Public Hearing.

**20. Consider proposed ordinance approving Zoning Change No. PD-19-0025**

**ORDINANCE NO. 3103**

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF-3) TO PLANNED DEVELOPMENT AMENDMENT LOCATED AT THE SOUTH SIDE OF FARLEY STREET AT RIVER OAKS IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 27.73 ACRES KNOWN AS A PORTION OF PROPERTY ID 182267 OF THE B DAVIS SURVEY, ABSTRACT NO. 290, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Councilmember Mary Lou Shipley moved to approve Ordinance No. 3103 with ornamental iron fence behind landscaping screen. Councilmember Chuck Beatty seconded, All Ayes.*

(4a)

- 21. Public Hearing on a request by Ron Barson, Ledbetter Real Estate, Ltd., for a Specific Use Permit (SUP) for Mini-Warehouse or Self-Storage Facility use within a Commercial zoning district, located at 2050 Corporate Parkway (Property ID 273979) – Owner: LEDBETTER REAL ESTATE LTD (SU-19-0026)**

Mayor Strength announced the applicant requested to continue the Public Hearing to the next meeting.

**Action:**

*Councilmember Chuck Beatty moved to continue a request by Ron Barson, Ledbetter Real Estate, Ltd., for a Specific Use Permit (SUP) for Mini-Warehouse or Self-Storage Facility use within a Commercial zoning district, located at 2050 Corporate Parkway (Property ID 273979) – Owner: LEDBETTER REAL ESTATE LTD (SU-19-0026) to the City Council meeting of April 15, 2019. Councilmember Melissa Olson seconded, All Ayes.*

- 22. Consider proposed ordinance approving Zoning Change No. SU-19-0026**

*No action taken.*

- 23. Public Hearing on a request by John P. Sullivan, Howard Road Industrial Park LLC, for a Specific Use Permit for Heavy Manufacturing use within a Heavy Industrial zoning district, located at 1807 Howard Road (Property ID 195230) – Owner: JOHN PATRICK SULLIVAN (SU-19-0040)**

Mayor Strength opened the Public Hearing.

Mr. Brooks presented SU-19-0040 noting the applicant is requesting a zoning change to allow for a distillery with no onsite tasting or sales. He explained the product will be made to order and will be picked up by scheduled deliveries only. He noted staff recommended approval per compliance with the Texas Alcoholic and Beverage Commission. He noted the Planning & Zoning Commission expressed concerns with truck traffic. Mayor Strength noted staff will contact TxDOT to install additional signage warning of truck traffic.

Mr. Alan Fox, 327 University, expressed his concerns with truck traffic leaving Howard Road and asked how it would affect everyone else.

Mayor Strength noted trucks leaving Howard Road will have the options of turning southbound on Highway 77, FM 66, or Cantrell Street to get to Interstate 35.

There being no others to speak for or against SU-19-0040, Mayor Strength closed the Public Hearing.

- 24. Consider proposed ordinance approving Zoning Change No. SU-19-0040**

(4a)

**ORDINANCE NO. 3104**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A HEAVY MANUFACTURING (CRAFT DISTILLERY) USE WITHIN A HEAVY INDUSTRIAL (HI) ZONING DISTRICT, LOCATED AT 1807 HOWARD ROAD, BEING PROPERTY ID 195230, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 3 HOWARD ROAD INDUSTRIAL PARK, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Councilmember Chuck Beatty moved to approve Ordinance No. 3104 subject to Staff Comments. Councilmember Melissa Olson seconded, All Ayes.*

- 25. Public Hearing on a request by Brett Hess, Hachie Properties LLC, for a Zoning Change from a Single Family-3 zoning district to Planned Development-Multiple-Family Residential-1, with Concept Plan, located at the NW corner of Peters Street at Parks School House Road (Property ID 226116) – Owner: OLIVER C MCELROY (PD-19-0023)**

Mayor Strength opened the Public Hearing.

Mr. Brooks presented PD-19-0023 noting the applicant is requesting the zoning change to allow for townhomes and single-family homes. He explained the Planning and Zoning Commission recommended approval with a minimum 1,500 square foot housing units and requested a detailed site plan be brought back for approval by the Commission and City Council. He noted staff recommended approval.

Councilmember Olson inquired about parking and Mr. Brett Hess, 327 Blue Ribbon Road, noted there will be one car garages with an additional two parking spots behind them.

There being no others to speak for or against PD-19-0023, Mayor Strength closed the Public Hearing.

- 26. Consider proposed ordinance approving Zoning Change No. PD-19-0023**

**ORDINANCE NO. 3105**

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-3 (SF-3) TO PLANNED DEVELOPMENT WITH SINGLE FAMILY-ATTACHED (SF-A) DEVELOPMENT STANDARDS, WITH CONCEPT PLAN LOCATED AT THE NORTHWEST CORNER OF PETERS STREET AT PARKS SCHOOL HOUSE ROAD IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 2.662 ACRES KNOWN AS A PORTION OF PROPERTY ID 226116 OF THE SM DURRETT ABSTRACT, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

(4A)

*Councilmember Mary Lou Shipley moved to approve Ordinance No. 3105 including 1,500 square foot minimum housing units. Mayor Pro Tem David Hill seconded, All Ayes.*

- 27. Public Hearing on a request by Scott Johnson, Palladium USA International, Inc., for a Zoning Change from a Light Industrial-1 and Commercial zoning district to Planned Development-Multiple-Family Residential-2, with Concept Plan, located on the West side of N Highway 77, just North of the Life School (Property ID 193933) – Owner: FUSCOM PROPERTY COMPANY NO. 1 LLC (PD-19-0022)**

Mayor Strength opened the Public Hearing.

Mr. Brooks presented PD-19-0022 noting the applicant is requesting to build a senior living facility next to the Life School on Highway 77. He reported the Planning and Zoning Commission denied the request 4-3 due to the following city standards not being met: enclosed garages, roof pitch, accessibility, and masonry. He noted staff is concerned that this is not the highest and best use for this site and the building design exceeds the 200 foot length that is not allowed by city ordinance. Mr. Brooks thanked the applicant for attempting to improve their case; however, staff recommended denial due to the city standards not being fully met.

Mr. Scott Johnson, 2813 Meadowbrook Drive, Plano, requested a continuance of the case. He reviewed the Planning and Zoning Commission concerns noting since that meeting he worked with the Fire Department to add an emergency entrance/exit to the property with a locked gate, aligned entrance with Anita Lane, and increased masonry to 76%. He explained their development is a great buffer to the school with sixty additional parking spaces than required with many amenities for seniors. He noted the roof pitch was designed by the recommendation of the architect.

Ms. Kim Schwimmer, RKS Group, reviewed the support for this development from the following: City Council, State Representative John Wray, Life School Superintendent, Meals on Wheels, and Waxahachie Chamber of Commerce. She noted affordable senior housing is needed in this area.

Mr. Tom Booth, President and CEO of Palladium, echoed Ms. Schwimmer regarding the need for affordable senior housing. He explained Palladium is 130 years old, operates in six countries, and self manages it's properties.

Those who spoke for PD-19-0022:

Mr. Brett Hess, 327 Blue Ribbon Road

There being no others to speak for or against PD-19-0022, Mayor Strength closed the Public Hearing.

**Action:**

*Mayor Pro Tem David Hill moved to re-open the Public Hearing. Councilmember Chuck Beatty seconded, All Ayes.*

(42)

**Action:**

*Councilmember Chuck Beatty moved to continue the Public Hearing on a request by Scott Johnson, Palladium USA International, Inc., for a Zoning Change from a Light Industrial-1 and Commercial zoning district to Planned Development-Multiple-Family Residential-2, with Concept Plan, located on the West side of N Highway 77, just North of the Life School (Property ID 193933) – Owner: FUSCOM PROPERTY COMPANY NO. 1 LLC (PD-19-0022) to the May 6, 2019 City Council meeting. Mayor Pro Tem David Hill seconded, All Ayes.*

**28. Consider proposed ordinance approving Zoning Change No. PD-19-0022**

*No action taken.*

**29. Consider proposed ordinance amending the City of Waxahachie Drought Contingency Plan**

Utilities Director David Bailey presented an update to the City's Drought Contingency Plan noting the law requires cities to review and update the plan at least every five years. He explained the plan includes minor revisions to key dates and including the use of social media as part of public outreach efforts.

**ORDINANCE NO. 3106**

**AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING AND RESTATING THE DROUGHT CONTINGENCY PLAN; ESTABLISHING CRITERIA FOR THE INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES; ESTABLISHING RESTRICTIONS ON CERTAIN WATER USES; ESTABLISHING PENALTIES FOR THE VIOLATION OF AND PROVISIONS FOR ENFORCEMENT OF THESE RESTRICTIONS; ESTABLISHING PROCEDURES FOR GRANTING VARIANCES; AND AMENDING ORDINANCE NO. 2740; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE:**

**Action:**

*Councilmember Mary Lou Shipley moved to approve Ordinance No. 3106. Councilmember Chuck Beatty seconded, All Ayes.*

**30. Consider proposed ordinance amending the City of Waxahachie Water Conservation Plan**

Mr. Bailey presented the update to the City's Water Conservation Plan. He explained the plan is required in an effort to reduce water consumption to meet projected goal expressed as gallons per capita per day and to reduce unaccounted for water in the system. After adoption, the final plan will be forwarded to the Texas Commission on Environmental Quality, the Texas Water Development Board, and the Region C Water Planning Group.

Assistant City Manager Ludwig noted an updated table was revised with new numbers for Projected Population Served by Wholesale Water Service.

(42)

**ORDINANCE NO. 3107**

**AN ORDINANCE ADOPTING A WATER CONSERVATION PLAN FOR THE CITY OF WAXAHACHIE, TEXAS, DECLARING AN EMERGENCY, AND SETTING AN EFFECTIVE DATE:**

**Action:**

*Councilmember Melissa Olson moved to approve Ordinance No. 3107 with updated draft exhibit. Councilmember Chuck Beatty seconded, All Ayes.*

Mayor Strength thanked Mr. Bailey and his staff for their work.

**31. Consider Schematic Design Services for Phase One of City Hall Annex Project**

Mr. Scott requested approval to begin schematic design services for Phase One of City Hall Annex Project. He explained the city has used Architexas for other projects such as the fire suppression system at the Chautauqua. Architexas will provide for both schematic architectural services as well as engineering and site layout planning.

Councilmember Olson asked about the future of the current tenant and Mr. Scott noted the tenant will occupy the space until their lease is up.

**Action:**

*Mayor Pro Tem David Hill moved to approve the Schematic Design Services for Phase One of City Hall Annex Project as presented. Councilmember Mary Lou Shipley seconded, All Ayes.*

**32. Consider funding request for Sims Library Capital Project**

Mr. Scott requested funding to contribute to Sims Library for improving the access to the Lyceum Auditorium by adding an elevator, renovation of adequate restroom facilities, and providing for common areas to be used for congregating during an event. He explained the Sims Library Board and staff have long discussed the idea of being able to better utilize the Lyceum Auditorium located on the third floor of the library.

**Action:**

*Councilmember Mary Lou Shipley moved to approve the funding request for Sims Library Capital Project as presented. Councilmember Chuck Beatty seconded, All Ayes.*

Mr. Steve Chapman, 1602 Alexander, thanked council support of Sims Library.

**33. Public Comments**

Mr. Alan Fox, 327 University, noted he thinks the downtown neighborhood zoning is a good idea but it needs to be worked on to protect the homeowners. He also noted it is important to make downtown a destination point to lure people off of the highway through Waxahachie. He expressed his desire to make Waxahachie the best it can be.

(4a)

- 34. Convene into Executive Session to consult with City Attorney about pending or contemplated litigation as permitted under Section 551.071 of the Texas Government Code**

Mayor Strength announced at 9:12 p.m. the City Council would convene into Executive Session to consult with the City Attorney about pending or contemplated litigation as permitted under Section 551.071 of the Texas Government Code.

- 35. Reconvene and take any necessary action**

The meeting reconvened at 9:21 p.m.

**Action:**

*Councilmember Mary Lou Shipley moved to approve the proposed agreement with Media Choice for a digital billboard as presented. Councilmember Chuck Beatty seconded, All Ayes.*

- 36. Comments by Mayor, City Council, City Attorney and City Manager**

None

- 37. Adjourn**

There being no further business, the meeting adjourned at 9:23 p.m.

Respectfully submitted,

Amber Villarreal  
Assistant City Secretary



City Council  
April 1, 2019

(46)

A briefing session of the Mayor and City Council of the City of Waxahachie, Texas was held in the City Council Conference Room at City Hall, 401 S. Rogers, Waxahachie, Texas, on Monday, April 1, 2019 at 6:00 p.m.

Council Members Present: Kevin Strength, Mayor  
David Hill, Mayor Pro Tem  
Chuck Beatty, Councilmember  
Mary Lou Shipley, Councilmember  
Melissa Olson, Councilmember

Others Present: Michael Scott, City Manager  
Albert Lawrence, Assistant City Manager  
Tommy Ludwig, Assistant City Manager  
Robert Brown, City Attorney  
Amber Villarreal, Assistant City Secretary

**1. Call to Order**

Mayor Kevin Strength called the meeting to order.

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

City Manager Michael Scott reviewed the consent agenda acknowledging the successful C-10 Car Show and Labor Day Triathlon in September.

Planning Director Shon Brooks reviewed the following cases:

- SU-18-0180, applicant turned in a plan today stamped by a certified landscape architect; however, no trees have been planted in accordance with that plan. Council expressed the idea of continuing the public hearing to allow time for the applicant to install the trees. Mr. Scott recommended letting the applicant know the plan is sufficient to proceed with tree planting.
- PD-18-0210, applicant withdrew their request. Mr. Scott explained the case was added to the agenda to close the public hearing from the previous meeting. City Attorney Robert Brown explained there is no legal requirement to close the public hearing or allow for comments once the request was withdrawn by the applicant.
- PV-19-0014, applicant is requesting to vacate a Replat of Lots 4R-A and 4R-B, Block B, RVG Plaza as filed October 15, 2013.
- RP-19-0017, plat meets city requirements and the applicant is requesting to waive the 15 foot Right-of-Way dedication requirement to avoid running over five feet of his concreted parking lot. Staff noted they have no issue with waiving the dedication.
- FP-19-0018, plat meets all requirements.
- FP-19-0019, plat meets all requirements and the applicant is requesting a waiver of Park Dedication Fees and Roadway Impact Fees.
- RP-19-0024, plat meets city requirements; however, there are additional outstanding comments from the county. The applicant will request a deviation from the county.
- PD-19-0025, applicant is requesting to put in a living screen wall instead of a masonry wall on the short sections in the development. The Planning & Zoning Commission recommended adding an ornamental rod iron fence behind the live screen wall and staff

(4b)

concurred. Mr. Brooks noted the property owner that abuts the development has requested a fence to separate her property from the development; however, there was no requirement for one in the approved case. Mr. Scott explained the city does not typically require fencing to abutting properties of subdivisions.

- SU-19-0025, applicant is requesting a continuance of their Public Hearing.
- SU-19-0040, applicant is requesting a Specific Use Permit for a manufacturing distillery with no onsite sales or consumption. Mr. Brooks noted blocking traffic on Howard Road was a concern. It was the consensus of staff and city council to request additional signage from TxDOT for Howard Road.
- PD-19-0023, applicant is requesting the zoning to allow for townhomes and single-family homes. The Planning and Zoning Commission recommended approval and requested a detailed site plan be brought back for approval by the Commission and City Council.
- PD-19-0022, applicant is requesting additional time to work on their request. By a vote of 4-3, the Planning and Zoning Commission denied the request due to accessibility and not meeting city requirements for masonry, roof pitch, and required number of parking garages. Mr. Scott expressed concern with the development not being the highest and best use on our retail corridor. Council expressed concern with approving the zoning change to less than our standards.

Utilities Director David Bailey reviewed the updated Drought Contingency Plan and Water Conservation Plan. He explained the city is required to update or amend the plans at least every five years. He explained the approved plans are due to TCEQ by May 1<sup>st</sup>. He noted an updated table was revised with new numbers for Projected Population Served by Wholesale Water Service.

Mr. Scott reviewed his request to authorize staff to execute the proposal from Architexas in the amount of \$14,700 (plus reimbursable expenses) to begin the process for Phase One of City Hall Annex Project at the old lumberyard building across the street from city hall.

Mr. Scott also requested a budget to allow for the city to contribute \$200,000 to better utilize the Lyceum Auditorium at Sims Library by adding an elevator and bathrooms. He explained the estimated cost for the project is \$1.8 million with additional funding coming from a variety of sources including library endowment funds and fund raising efforts.

### **3. Adjourn**

There being no further business, the meeting adjourned at 6:52 p.m.

Respectfully submitted,

Amber Villarreal  
Assistant City Secretary

A City of Waxahachie City Council Retreat was held at the Waxahachie Police Department, 630 Farley Street, Waxahachie, Texas on Thursday, April 4, 2019 at 8:00 a.m.

Council Members Present: Kevin Strength, Mayor  
David Hill, Mayor Pro Tem  
Chuck Beatty, Councilmember  
Mary Lou Shipley, Councilmember  
Melissa Olson, Councilmember

Others Present: Michael Scott, City Manager  
Albert Lawrence, Assistant City Manager  
Tommy Ludwig, Assistant City Manager  
Amber Villarreal, Assistant City Secretary

**1. Call to Order**

Mayor Kevin Strength called the meeting to order.

**2. Presentations and Discussion:**

- Introduction - City Manager Michael Scott thanked everyone for their attendance and explained the purpose of the retreat is to give department updates to City Council and discuss future projects and requests for City Council.
- City Attorney Update - City Attorney Robert Brown reviewed the Open Meetings Act and frequently asked questions.
- Human Resources Update - Human Resources Director Jamie Holbert reviewed the different responsibilities of the department and 2018 highlights including NEOGOV implementation, the development of city values and update of employee benefits.
- Communications/Marketing Update – Director of Communications and Marketing Amy Borders reviewed the new city website, social media presence, and the A Place in Your Heart campaign efforts.
- Downtown Development Update – Downtown Development Director Anita Brown presented a department overview, downtown change in recent years, growth, Downtown Farmers Market, beautification projects, and future projects.
- Finance Update – Finance Director Charlie Harris presented the city's budget including the various funds, present revenues, future planning, funding sources, and future challengers and uncertainties.
- Police Department Update – Police Chief Wade Goolsby presented the department overview including staffing and recruiting efforts, operations, and community outreach efforts. City Manager Scott discussed creating an Emergency Management Department to house at the Police Department. This department would be strictly dedicated to Emergency Management.
- Fire Department Update – Fire Chief Ricky Boyd presented the department overview, staffing, budget, growth plans including the addition of Station 4 and relocation of Station 1, and ambulance service update.
- Citizen Survey – Assistant to the City Manager Chelsey Gordon reviewed the possibility of engaging the community in a citizen survey to measure satisfaction with city services, communicate resident priorities, assess broad community

(4C)

support or opposition to potential changes in programs or policies, and assist in setting priorities for council and creating budget decisions.

- Civic Center Update – Assistant City Manager Albert Lawrence presented a department overview, budget, past replacement program, future replacement program, facility usage, and projects at the center.
- Parks Update – Parks and Recreation Director John Smith presented an update of the Parks Department, Sports Complex, Community Beautification, and Senior Center. Assistant Parks and Recreation Director Gumaro Martinez presented an update on the city parks, including improvements at Lake Waxahachie, Little Creek Trail, Chautauqua Auditorium, Lee Penn Park, Oak Lawn Park, current Capital Improvement Projects, and future Capital Improvement Projects.

### **3. Adjourn**

There being no further business, the meeting adjourned at 4:24 p.m.

Respectfully submitted,

Amber Villarreal  
Assistant City Secretary

City Council  
April 5, 2019

(4A)

A City of Waxahachie City Council Retreat was held at the Waxahachie Police Department, 630 Farley Street, Waxahachie, Texas on Friday, April 5, 2019 at 8:00 a.m.

Council Members Present: Kevin Strength, Mayor  
David Hill, Mayor Pro Tem  
Chuck Beatty, Councilmember  
Mary Lou Shipley, Councilmember  
Melissa Olson, Councilmember

Others Present: Michael Scott, City Manager  
Albert Lawrence, Assistant City Manager  
Tommy Ludwig, Assistant City Manager  
Amber Villarreal, Assistant City Secretary

**1. Call to Order**

Mayor Pro Tem David Hill called the meeting to order.

**2. Presentations and Discussion:**

- Convention and Visitor's Bureau Update – Convention and Visitor's Bureau Director Laurie Mosley presented a department overview and reviewed city events, marketing strategies and efforts, and partnerships.
- Utilities Update – Director of Utilities David Bailey presented a department overview including recognitions and rewards. He reviewed the budgets for the water fund, Sokoll Water Treatment Plant, and wastewater fund. Mr. Bailey also reviewed the asset inventory and Italy wholesale water update. Assistant Director of Utilities Richard Abernathy reviewed FY 18-19 Capital Improvement Plan Updates for water and wastewater. Assistant Director of Utilities Kendall Borg presented an update of the Sanitary Sewer Overflow Initiative including corrective actions completed.
- Public Works Update – Public Works Director Jeff Chambers presented a department overview, budget updates for the street department and engineering department, five-year street maintenance overview, and FY 18-19 Street Project status updates. Capital Projects Manager Kip Dernovich reviewed the update of various small projects including adding additional speed limit signage to various neighborhoods.
- Economic Development Update – Director of Economic Development Doug Barnes presented a department overview, changes in recent years for retail, industrial, and medical, development strategies and incentives, and future land development.
- Building and Community Services Update – Assistant City Manager Tommy Ludwig presented a department overview, key statistics and performance measures, code enforcement efforts, Life Cycle Management Software update, facility maintenance improvements, and future city hall annex.
- Engineering Update – City Engineer James Gaertner presented a department overview, Municipal Separate Storm Water Sewer System and five-year plan, LIDAR 2019 topography, GIS mapping of stormwater, sanitary sewer, and water

(4d)

lines, and integration of record drawings. He also reviewed the Stormwater Master Plan and updated improvements within the city.

- Planning Update – Planning Director Shon Brooks presented a department overview, population overview, zoning caseload chart, growth maps, Comprehensive Plan Update, and GIS completed and future projects.
- Wrap-up discussion – Mayor Kevin Strength expressed appreciation of the department updates. Councilmember Melissa Olson inquired about providing GIS mapping to WISD to aid with school population growth. Councilmember Olson requested to see the building department software at the next retreat. City Manager Michael Scott suggested annual retreats to keep the City Council abreast of departmental activities. Mr. Scott thanked everyone for their attendance and recognized the city's professional staff.

### **3. Adjourn**

There being no further business, the meeting adjourned at 2:19 p.m.

Respectfully submitted,

Amber Villarreal  
Assistant City Secretary



## Memorandum

To: City Council

From: Anita Brown, Downtown Development Director/Heritage Preservation Officer

Thru: Michael Scott, City Manager

Date: April 2, 2019

Re: Consider TIRZ Board Recommendation for Funding of Landscaping at MKT Depot

---

**Item Description:** Consider TIRZ Board recommendation for funding of landscaping at MKT Depot.

**TIRZ Board Recommendation:** The TIRZ Board approved funding the proposed landscape and planting plan at the MKT Depot up to \$15,000 pending the receipt of two additional bids.

**Item Summary:** When the long term tenant of the depot vacated the property in January much of the landscaping that remained was dead and/or dying. Those elements were removed and what could be saved and used was left in place. A landscape plan was developed by the new tenant and Chris Seale, the city horticulturist, and a request for \$15,000 funding for the initial installation of the new landscaping was presented to the TIRZ board. The board approved the request pending the receipt of two additional bids. Two additional bids were obtained—one at \$17,300 and one at \$18,700—and both exceeded the original bid from Lantana. The original quote with planting plan is attached.

The majority of the cost comes from the planters and preparation for the planters. A bobcat or skid steer will be needed to set the planters in place but extra care will needed to not damage the paver stones. Laying down  $\frac{3}{4}$  inch plywood to distribute the weight of the machine is what Chris Seale advised.

(4e)

**LANTANA LAWN CARE**

P O BOX 744  
MIDLOTHIAN TX, 76065  
214-500-2560

**Estimate**

Date	Estimate #
3/8/2019	258

Name / Address
City of Waxahachie PO Box 757 Waxahachie, TX 75168



			Project
Description	Qty	Cost	Total
SoCo Depot - Pots by Train			
48" square wok Sandstone color with sealer	6	1,100.00	6,600.00
Cost for delivering product to job site and setting in place	1	1,000.00	1,000.00
Miracle Gro potting soil	15	25.00	375.00
Irrigation modifications to water pots	1	1,000.00	1,000.00
Construct concrete pads for pots to sit on	1	1,700.00	1,700.00
Canyon Creek Abelia 3 Gallon	41	35.00	1,435.00
Twist of Lime Abelia	10	35.00	350.00
Big Blue Liriope	50	12.00	600.00
Turks cap	4	15.00	60.00
Creeping sedum 18 count flats 4 of one color, 2 of another	6	45.00	270.00
Zexmenia	48	12.00	576.00
Flowers - 18 count annual color	27	18.00	486.00
Day lillies	45	12.00	540.00
Thank you for your business.		<b>Subtotal</b>	<b>\$14,992.00</b>
		<b>Sales Tax (0.00)</b>	<b>\$0.00</b>
		<b>Total</b>	<b>\$14,992.00</b>

Phone #
214-500-2560



(4f)



## Memorandum

To: City Council

From: Anita Brown, Downtown Development Director/Heritage Preservation Officer

Thru: Michael Scott, City Manager

Date: April 2, 2019

Re: Consider TIRZ Board Recommendation for Funding Contribution for Rehabilitation of Police Station Building at 216 North College Street

---

**Item Description:** Consider TIRZ Board recommendation for funding contribution for rehabilitation of police station building at 216 North College Street.

**TIRZ Board Recommendation:** The TIRZ Board approved funding not to exceed \$100,000 for the rehabilitation and make ready of the former police station for a new use. The proposed work—interior demolition, replacement of HVAC units, roof replacement/resurfacing--will need to be performed regardless of eventual use or tenant.

**Item Summary:** After the Police Department vacated the building at 216 N. College signs advertising it for lease were placed at the location. The city received a few inquiries and two proposals for the use of that building. After reviewing the proposals and meeting with the party whose proposal best fits future plans for downtown, city staff requested funding from the TIRZ board to effectively clear out the interior of the building and get major systems like the HVAC and the roof in good working order for the new tenant.

Over the years, the interior of the police department has been so "chopped up" to make more offices and rooms needed to do police work that the space is not conducive to any other use. Review of the building plans revealed that there are no load bearing walls which allows for the interior to be cleared out into one expanse that can be adapted to a variety of uses. The current restrooms are functioning and require little

(4f)

renovation and the building has a fire suppression system in place. These features, along with the attached parking lot, make it an attractive space for a new tenant.

John Bailey, a local resident, former commercial real estate appraiser, and former business owner, is proposing a combination steak restaurant/bar/live music venue for the building at 216 N. College. With his background in commercial real estate he has been able to formulate a make ready plan that is efficient and cost effective. His history as a successful business owner both here and elsewhere bodes well for his concept for this property.

Mr. Bailey will oversee the demolition and rehabilitation efforts with input and oversight from city staff (via the demolition permit review and inspection process). He anticipates that the total cost of the project will be below the approved amount and will be responsible for any costs in excess of the approved \$100,000. All costs for finish out, kitchen-related expenses, and fixtures and furnishings for the new business will be paid by Mr. Bailey.

There are three documents that provide direction in making decisions for downtown projects—the Downtown Master Plan of 2001, the Comprehensive Plan of 2007 with a downtown component, and the 2012 Economic Development Strategic Plan of which downtown is one of the major focuses. Mr. Bailey's concept for the former PD building is in keeping with the objectives outlined in these documents.

(49)



## Memorandum

To: Honorable Mayor and City Council

From: Anita Brown *AB*

Thru: Michael Scott, City Manager *MS*

Date: April 3, 2019

Re: Antique Alley on the Square, Saturday, April 20, 2019

---

The Waxahachie Downtown Merchants Association would like to host an event similar to their Junk in the Trunk event in conjunction with the Spring Antique Alley that is held locally. All funds from space rental go towards their programs to promote downtown.

I am requesting permission to close Franklin Street from College to Jackson and College Street from Main to Franklin from 7 am to 6 pm on Saturday, April 20<sup>th</sup>.

Amber Caverly will be in attendance to answer any questions regarding this request.

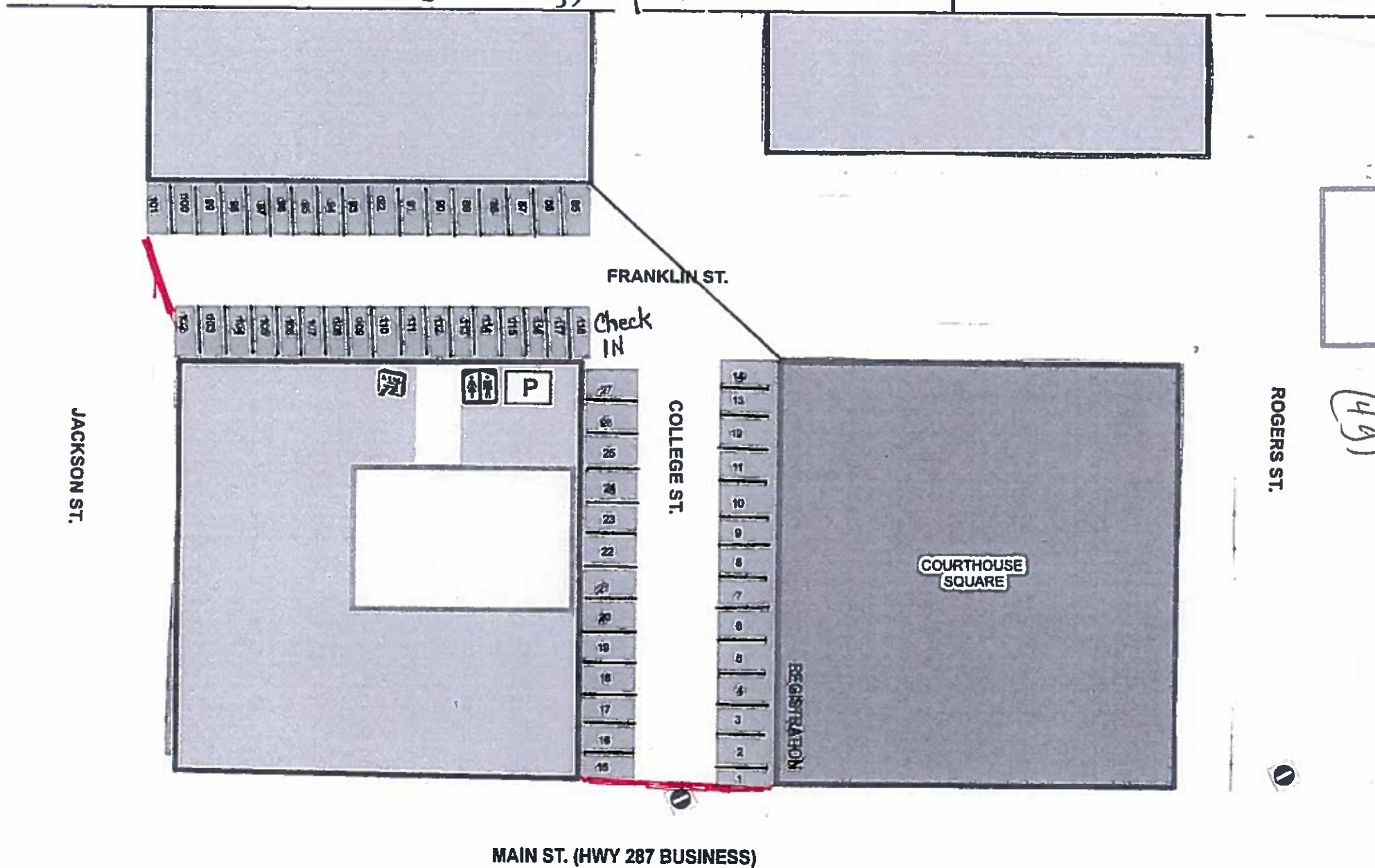
Thank you for your consideration of this event.



# ANTIQUE ALLEY ON THE SQUARE

## EVENT MAP

Saturday, April 20th 9am - 5pm



(4h)

Return this form to: City Secretary's Office, P.O. Box 757, Waxahachie, TX 75168 or fax to (469) 309-4003



**APPLICATION FOR SPECIAL SEASONAL VENDORS PERMIT**  
**AT LAKE WAXAHACHIE**

Applicant Name PAT BARRETT Male \_\_\_\_\_ Female X  
Home Address 200 FARLEY ST WAXAHACHIE TX  
Street or Box No. City State  
Home Phone No. \_\_\_\_\_ Business Phone No. \_\_\_\_\_  
Name to be used at business location WHAT'S SUP + KAYAKS

Proposed temporary location for selling: (describe in detail) BOAT DOCK PARK  
WAXAHACHIE LAKE

Proposed services provided: (describe in detail) KAYAK, PADDLE BOARD, Tube  
& Misc. WATER Float Rentals

It is understood and agreed that the premises will be kept clean and neat, that no radio or other noise-making equipment will be used, that the business will only be operated between sun-up and 10:00 p.m., that sale or rental shall be allowed only for water sport related equipment such as canoes, kayaks, life preservers, fishing equipment, and water sports related equipment. No food or beverages may be sold.

The City may revoke the permit if all city, state, or other governmental rules and regulations are not followed. The permit is from May 16, 2019 to September 30, 2019

Date 3/26/19 Pat Barrett  
Applicant Signature

For Office Use Only	
Date Received: <u>3-26-19</u>	Staff approval: <u>3-26-19</u>
<input checked="" type="checkbox"/> Completed Application	Park Board Approval: <u>4-11-19</u>
<input type="checkbox"/> \$1,000,000 Liability Insurance	City Council Approval: _____
<input type="checkbox"/> \$25 fee	Permit issued: _____

(U)

# PROCLAMATION

**WHEREAS**, in Federal fiscal year 2018, the Texas Department of Family & Protective Services confirmed 66,382 victims of child abuse or neglect, including 320 in Ellis County; and

**WHEREAS**, child abuse and neglect is a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone in our community; and

**WHEREAS**, our children are our most valuable resources and will shape the future of Texas; and

**WHEREAS**, child abuse can have long-term psychological, emotional, and physical effects that can have lifelong consequences for victims of abuse; and

**WHEREAS**, protective factors are conditions that reduce or eliminate risk and promote the social, emotional, and developmental well-being of children; and

**WHEREAS**, effective child abuse prevention activities succeed because of the meaningful connections and partnerships created between child welfare, education, health, community- and faith-based organizations, businesses and law enforcement agencies; and

**WHEREAS**, communities must make every effort to promote programs and activities that benefit children and their families; and

**WHEREAS**, we acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, nurturing environment; and

**WHEREAS**, prevention remains the best defense for our children and families; and

**WHEREAS**, the impact of abuse and neglect has long-term personal, economic and social costs; therefore, hurting Texas' future; and

**WHEREAS**, in 2018, 58,432 children received critical services at a children's advocacy centers in Texas; and

**WHEREAS**, every child deserves a safe, child friendly environment to tell their story in a neutral, non-biased, developmentally appropriate, culturally sound, and non-leading manner; and

**WHEREAS**, the Ellis County Children's Advocacy Center provided 244 families with advocacy services, completed 396 forensic interviews, and provided over 520 hours of free therapy services for children and families in 2018; and

**WHEREAS**, Ellis County Children's Advocacy Center, Child Protective Services, Law Enforcement Agencies, Ellis County District and County Attorney's Office, and others work together to ensure that child abuse victims in our community have justice, hope, and healing and grow up in a safe, loving environment; and

**NOW, THEREFORE**, I, Mayor Kevin Strength, along with the entire City Council, do hereby proclaim April 2019 as

## **"NATIONAL CHILD ABUSE PREVENTION MONTH"**

in WAXAHACHIE and urge all citizens to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families.

PROCLAIMED this 15<sup>th</sup> day of April, 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
ASSISTANT CITY SECRETARY

(7)

## Planning & Zoning Department Plat Staff Report

Case: PP-19-0020



### MEETING DATE(S)

*Planning & Zoning Commission:* April 9, 2019

*City Council:* April 15, 2019

### CAPTION

**Consider** request by Dennis Little for a **Preliminary Plat** of Hidden Falls Addition for 4 lots, being 20.944 acres situated in the I. Glaze Survey, Abstract 397, the BBB & CRR Survey, Abstract 175, and the S. Wilson Survey, Abstract 1141 (Property ID 180909) in the Extra Territorial Jurisdiction – Owner: DENNIS LITTLE (PP-19-0020)

### ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held April 9, 2019, the Commission voted 6-0 to recommend approval of plat no. PP-19-0020, subject to staff comments.

### CASE INFORMATION

*Applicant:* Dennis Little

*Property Owner(s):* Dennis Little

*Site Acreage:* 20.944 acres

*Number of Lots:* 4 lots

*Number of Dwelling Units:* 4 proposed residential units

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

*Adequate Public Facilities:* Rockett SUD has indicated that their existing system can furnish the requested service in conformity with the Texas Commission on Environmental Quality standards for water distribution and the ISO fire flow requirements.

### SUBJECT PROPERTY

*General Location:* Near the intersection of Youngblood at FM 878

*Parcel ID Number(s):* 180909

*Current Zoning:* N/A (ETJ)

*Existing Use:* Currently Undeveloped



(7)

*Platting History:*

BBB & CRR CO Survey, Abstract 175

*Site Aerial:*



**STAFF CONCERNS**

1. Before the plat is filed, the applicant shall add a County Approval Block to the plat sheet.

**APPLICANT RESPONSE TO CONCERNS**

1. On 3/20/2019 the applicant submitted a revised plat that addressed staff comments. Staff is still in need of a County Approval Block added to the plat.

**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. Before the plat is filed, the applicant shall add a County Approval Block to the plat sheet.

**ATTACHED EXHIBITS**

1. Preliminary Plat
2. Water letter from Rockett SUD

**APPLICANT REQUIREMENTS**

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



(7)

**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)





(7)  
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: Dennis Little Parcel ID #: 180909  
Subdivision Name: Hidden Falls

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>16</u> inches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Rockett SUD  
Name of water provider company

Kay Phillips  
Signature of General Manager of water provider or Designee

2/27/19  
Date

(8)

## Planning & Zoning Department Plat Staff Report

Case: FP-19-0021



### MEETING DATE(S)

*Planning & Zoning Commission:* April 9, 2019

*City Council:* April 15, 2019

### CAPTION

*Consider* request by Dennis Little for a Final Plat of Hidden Falls Addition for 4 lots, being 20.944 acres situated in the I. Glaze Survey, Abstract 397, the BBB & CRR Survey, Abstract 175, and the S. Wilson Survey, Abstract 1141 (Property ID 180909) in the Extra Territorial Jurisdiction – Owner: DENNIS LITTLE (FP-19-0021)

### ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held April 9, 2019, the Commission voted 6-0 to recommend approval of plat no. FP-19-0021, subject to staff comments.

### CASE INFORMATION

*Applicant:* Dennis Little

*Property Owner(s):* Dennis Little

*Site Acreage:* 20.944 acres

*Number of Lots:* 4 lots

*Number of Dwelling Units:* 4 proposed residential units

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

*Adequate Public Facilities:* Rockett SUD has indicated that their existing system can furnish the requested service in conformity with the Texas Commission on Environmental Quality standards for water distribution and the ISO fire flow requirements.

### SUBJECT PROPERTY

*General Location:* Near the intersection of Youngblood at FM 878

*Parcel ID Number(s):* 180909

*Current Zoning:* N/A (ETJ)

*Existing Use:* Currently Undeveloped

*Platting History:* BBB & CRR CO Survey, Abstract 175

(8)

**Site Aerial:**



**STAFF CONCERNS**

1. A 45' ROW dedication needs to be added to Youngblood Rd instead of the 30' that is currently shown on the plat.

**APPLICANT RESPONSE TO CONCERNS**

1. A revised Final Plat was submitted that met all of Ellis County's concerns. One remaining concern is the required 45' ROW dedication along Youngblood Rd. as mentioned in the above 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:
  1. A 45' ROW dedication needs to be added to Youngblood Rd instead of the 30' that is currently shown on the plat.

**ATTACHED EXHIBITS**

1. Final plat
2. Water letter from Rockett SUD

**APPLICANT REQUIREMENTS**

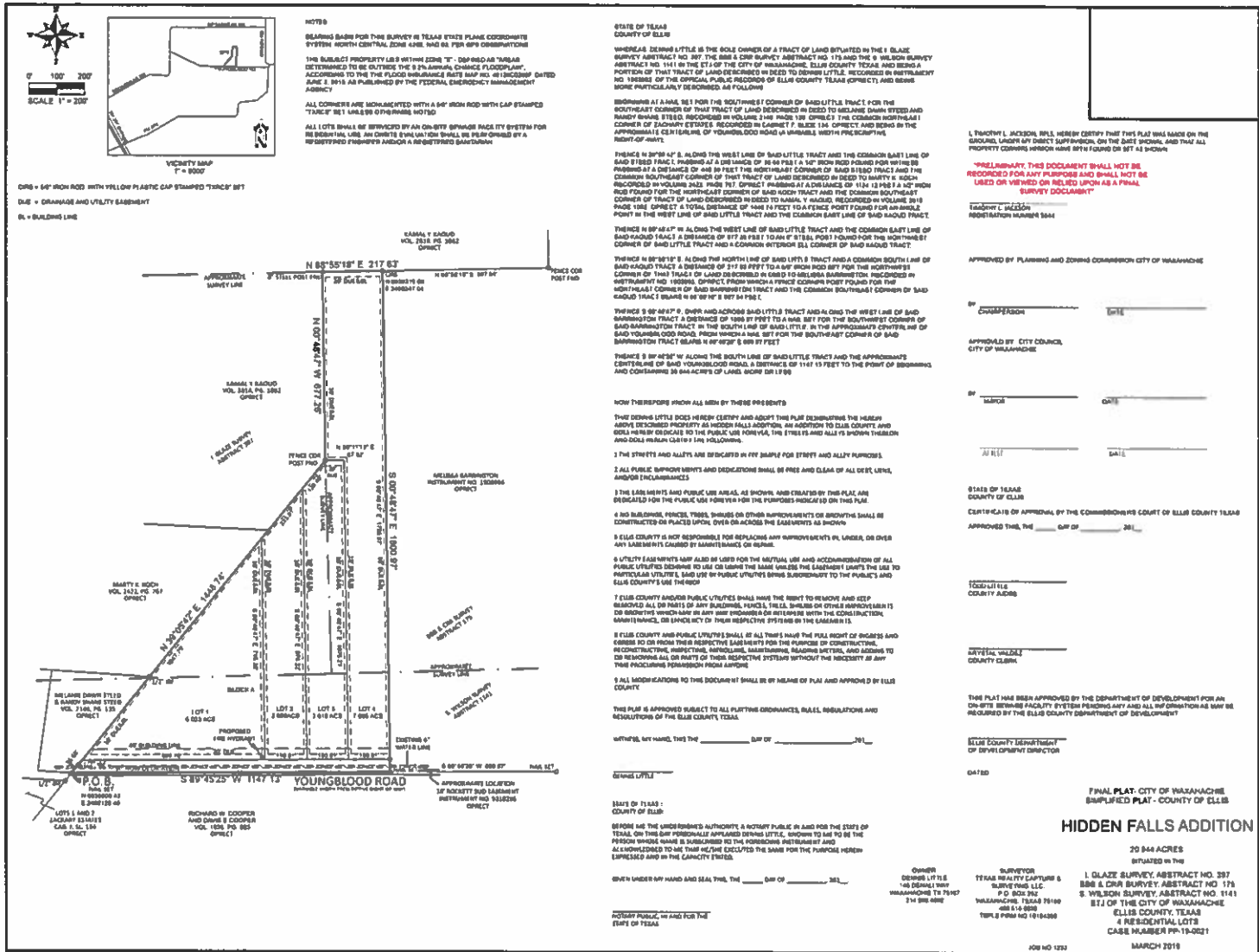
1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
  - a. If comments were not satisfied, 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)



(8)



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: Dennis Little Parcel ID #: 180909  
Subdivision Name: Hidden Falls

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

Rockett SUD  
Name of water provider company

Kay Phillips  
Signature of General Manager of water provider or Designee

2/27/19  
Date



(9)

## Planning & Zoning Department Plat Staff Report

Case: FP-19-0030



### MEETING DATE(S)

*Planning & Zoning Commission:* April 9, 2019

*City Council:* April 15, 2019

### CAPTION

**Consider** request by Todd Wintters, Engineering Concepts & Design, LP, for a **Final Plat** of Settler's Glen Addition, Phase 6 for 100 lots, being 18.912 acres situated in the William Paine Survey, Abstract 835 (Property ID 189178) – Owner: SETTLER'S GLEN LTD (FP-19-0030)

### ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held April 9, 2019, the Commission voted 6-0 to recommend approval of plat no. FP-19-0030, as presented.

### CASE INFORMATION

*Applicant:* Todd Wintters, Engineering Concepts & Design, LP

*Property Owner(s):* Settler's Glen Ltd.

*Site Acreage:* 18.912 acres

*Number of Lots:* 100 lots

*Number of Dwelling Units:* 100 units

*Park Land Dedication:* N/A

*Adequate Public Facilities:* The development will be on City water and wastewater.

### SUBJECT PROPERTY

*General Location:* North of Walgreens Distribution Center

*Parcel ID Number(s):* 189176

*Current Zoning:* Planned Development-Single Family-3 (Ordinance 2153 and 3001)

*Existing Use:* Undeveloped Land

*Platting History:* WM PAINE Abstract 835



(9)

**Site Aerial:**



**STAFF CONCERNS**

1. No staff concerns.

**APPLICANT RESPONSE TO CONCERNS**

1. Applicant addressed and revised all planning and engineering comments.

**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. Final Plat

**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)

**LEGEND**

L.S.	IRON RAIL FENCE
L.S.	IRON RAIL SET
1/2" L.S.	1/2" IRON RAIL FOUND WITH TOP OF CURB
R.A.E.C.T.	ROAD EASEMENT ALUM COUNTY TEXAS
P.A.E.C.T.	PLAT EASEMENT ALUM COUNTY TEXAS
V.L.C.	VELOCITY EASEMENT
S.L.	SHOULDER REVERSE LINE
L.V.L.C.	UTILITY EASEMENT
S.E.	SHOWING EASEMENT
N.A.E.	WALL, MAINTENANCE EASEMENT

**NOTES:**

- Beats of bearing being S 45°42'31" W for the east-west boundary line of Lot 2, Block G, of plat recorded in Cosh. & B. 102, P.A.E.C.T.
- A 1/2-inch iron rail set will be set at all boundary corners, lot corners, points of curvature, points of tangency and single points in public right-of-way easement possible unless otherwise shown or noted in this drawing after construction of this subdivision is complete.
- By graded plotting, the parcel described herein lies within Zone X (unmarked) as delineated on the Life County, Texas and Incorporated Areas, Final Insurance Rate Map, Map Number 48-10-00000000, dated June 3, 2015, as published by the Federal Emergency Management Agency. Zone X (unmarked) is defined as "Areas determined to be outside the U.S. Flood Hazard Boundary Map." The Surveyor utilized the above referenced information for his determination that the Surveyor does not carry that required floodable information from or has not been published by the Federal Emergency Management Agency or some other source. This statement shall not create liability on the part of the surveyor.
- The Landscape Covenant is dedicated to and will be maintained by the Homeowners Association.

**CURVE TABLE**

CURVE	BEGIN	BEARS	TANGENT	LENGTH	CHORD BEARING	CHORD
C1	02°16'03"	274.12'	0.50'	1.15'	N 67°41'23" W	1.15'
C2	00°47'07"	228.05'	2.31'	1.81'	N 66°41'23" W	7.26'
C3	04°28'58"	268.65'	163.74'	108.74'	S 88°22'30" E	108.23'
C4	04°56'15"	488.85'	388.25'	248.25'	S 87°54'30" E	248.23'

**SETTLER'S GLEN ADDITION PHASE 6**

100 INDUSTRIAL LOT SUBDIVISION  
3.86 AC. PUBLIC R.O.W.  
SUBDIVISION PD-60-27-3  
RECORD 16,812 ACROSS

**WILLIAM PAINE SURVEY, ABST. NO. 636 CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS**

ENGINEERING CONCEPTS & DESIGN, L.P.  
REGISTERED PROFESSIONAL ENGINEERS AND ARCHITECTS  
ONE CHERRY STREET, SUITE 200, WAXAHACHIE, TEXAS 76791  
PH: 817-566-6666 FAX: 817-566-6667

**DEVELOPER:**  
**SETTLER'S GLEN, L.P.**  
ONE N. H. ST., Suite 200  
AMARILLO, TEXAS 79101  
(817) 471-6950

**LAND SURVEYOR:**  
**GARY V. BURTON, L.L.P.**  
ONE NORTH E. STATE 110  
LAWRENCE, TX 76044  
(817) 566-1588  
FAX (817) 566-1575

**EASEMENT & BUILDING LINE DETAIL**

**TYPICAL LOT DETAIL**

**15'x115' CORNER CLIP & 25'x25' VELOCITY EASTMENT DETAIL**  
TYPICAL AT ALL INTERSECTIONS  
R.L.S.

**VICINITY MAP**



(10)

## Planning & Zoning Department Plat Staff Report

Case: FP-19-0038



### MEETING DATE(S)

*Planning & Zoning Commission:* April 9, 2019

*City Council:* April 15, 2019

### CAPTION

*Consider* request by Dalton Bradbury, Acker Construction, for a Final Plat of Crossroads Business Park for 1 lot, being 3.512 acres out of the John B. Bounds Survey, Abstract 99 (Property ID 180414) – Owner: COREY & JULIE SANCHEZ (FP-19-0038)

### ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held April 9, 2019, the Commission voted 6-0 to recommend approval of plat no. FP-19-0038, as presented.

### CASE INFORMATION

*Applicant:* Dalton Bradbury, Acker Construction

*Property Owner(s):* Corey & Julie Sanchez

*Site Acreage:* 3.512 acres

*Number of Lots:* 1 lot

*Number of Dwelling Units:* 5 pad sites (office buildings)

*Park Land Dedication:* The cash in lieu of park land dedication for this case is estimated at \$2,107.20 (3.512 acres at \$600.00 per acre).

*Adequate Public Facilities:* The development will have adequate public facilities for the subject property.

### SUBJECT PROPERTY

*General Location:* Intersection of John Arden Drive at Solon Road

*Parcel ID Number(s):* 180414

*Current Zoning:* Planned Development-115-General Retail (Ordinance 2695)

*Existing Use:* Vacant Land

*Platting History:* John B. Bounds Survey, Abstract 99

(10)

Site Aerial:



**STAFF CONCERNS**

1. There are no outstanding comments.

**APPLICANT RESPONSE TO CONCERNS**

1. The applicant has addressed all of staff's 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

**APPLICANT REQUIREMENTS**

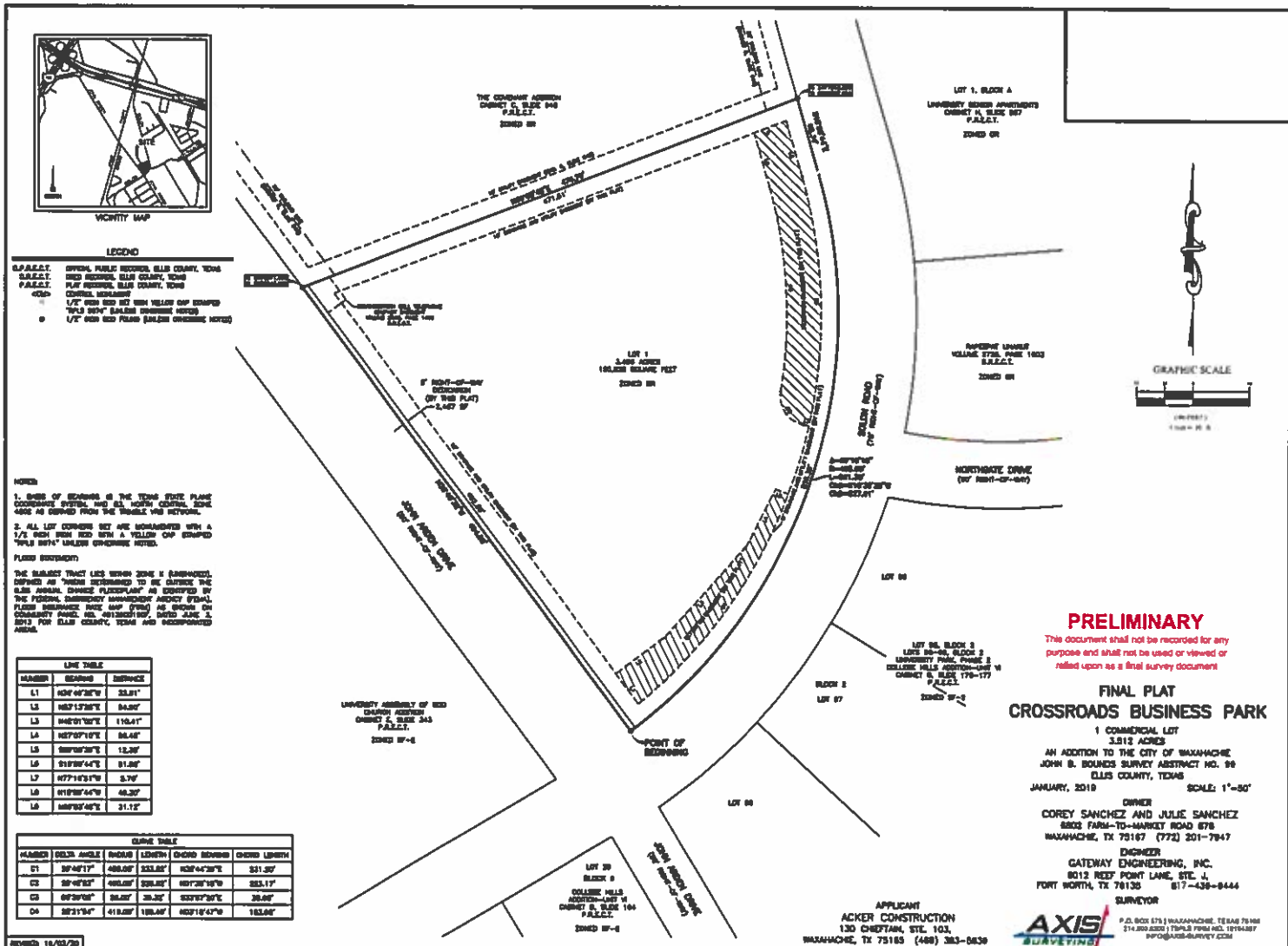
1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
  - a. If comments were not satisfied, 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)

(10)



(10)



**OWNER'S CERTIFICATE AND REDUCTION**

STATE OF TEXAS  
COUNTY OF CLAY

WACON, COREY SANCHEZ AND JULIE SANCHEZ ARE THE OWNERS OF A TRACT OF LAND LOCATED IN THE JOHN B. SANCHEZ SURVEY, ABSTRACT NO. 99, WACON, CLAY COUNTY, TEXAS AND BEING ALL OF A TRACT OF LAND DESCRIBED IN DEED TO COREY SANCHEZ AND JULIE SANCHEZ, A UNIFIED COUPLE, RECORDED IN INSTRUMENT NO. 181874, OFFICIAL PUBLIC RECORDS, CLAY COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A 1/2-ACRE RICH RED FORDS FOR CORNER AT THE INTERSECTION OF THE NORTHEAST RIGHT-OF-WAY LINE OF JOHN AND SON TRACT, AN 80-FOOT RIGHT-OF-WAY, WITH THE WESTERN RIGHT-OF-WAY LINE OF SOLON ROAD, A 70-FOOT RIGHT-OF-WAY, AND POINT BEING THE SOUTH CORNER OF SAID SANCHEZ TRACT;

THENCE NORTH 28°45'30" WEST, ALONG SAID NORTHEAST RIGHT-OF-WAY LINE, A DISTANCE OF 44.88 FEET TO A 1/2-ACRE RICH RED FORDS AT THE WEST CORNER CORNER OF SAID SANCHEZ TRACT AND THE CORNER HEREIN, AS ACCESS TO THE CITY OF WACON, ACCORDING TO THE PLAT THEREOF RECORDED IN CHAPTER 1, PAGE 446, PLAT RECORDS, CLAY COUNTY, TEXAS;

THENCE NORTH 89°23'44" EAST, LEAVING SAID NORTHEAST RIGHT-OF-WAY LINE AND ALONG THE CORNER LINE OF SAID SANCHEZ TRACT AND SAID ACCORD, A DISTANCE OF 47.70 FEET TO A 1/2-ACRE RICH RED FORDS IN SAID WESTERN RIGHT-OF-WAY LINE OF SOLON ROAD, AT THE EAST CORNER CORNER OF SAID SANCHEZ TRACT AND SAID ACCORD;

THENCE SOUTH 18°04'44" EAST, LEAVING SAID CORNER LINE AND ALONG SAID WESTERN RIGHT-OF-WAY LINE, A DISTANCE OF 84.34 FEET TO A 1/2-ACRE RICH RED FORDS WITH A YELLOW PLASTIC CAP STAMPED "181874" SET FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CURVE ANGLE OF 89°14'14", A RADIUS OF 48.88 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 17°23'30" WEST, 827.81 FEET;

THENCE SOUTHWEST, ALONG SAID CURVE TO THE POINT AND CONTINUING ALONG SAID WESTERN RIGHT-OF-WAY LINE, AN ARC DISTANCE OF 841.38 FEET TO THE POINT OF BEGINNING AND CONTINUING FOLLOWING SOLON ROAD FOR 3.512 ACRES OF LAND, MORE OR LESS.

NOW, THEREFORE, WHEN ALL MEN BY THESE PRESENTS THAT COREY AND JULIE SANCHEZ ACTING HEREIN BY AND THROUGH THEIR LEGAL AUTHORIZED OFFICIAL, DOES HEREBY ADOPT THIS PLAT CONCERNING THE HEREIN ABOVE DESCRIBED PROPERTY AS CROSSROADS BUSINESS PARK, AN ADDITION TO THE CITY OF WACON, TEXAS, AND DOES HEREBY RECORD, IN THE PUBLIC TO THE PUBLIC USE FURNISH THE STREETS AND ALLEYS SHOWN THEREON, THE STREETS AND ALLEYS ARE DESIGNATED FOR STREET PURPOSES, THE CROSSROADS AND PUBLIC USE AREAS, AS SHOWN, ARE INTENDED FOR THE PUBLIC USE FURNISH, FOR THE PURPOSES INDICATED ON THIS PLAT, NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR ENCLOSURES SHALL BE CONSTRUCTED OR PLACED UPON, NOR BE PLACED IN LANDSCAPE INCIDENTS, IF APPROVED BY THE CITY OF WACON, IN ADDITION, UTILITY EXCHANGES MAY ALSO BE USED FOR THE PUBLIC USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES SERVING TO USE OR USING THE SAME UNLESS THE EXCHANGES LIMIT THE USE TO PARTICULAR UTILITIES, SAID USE OF PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLICS AND CITY OF WACON'S USE THEREOF; THE CITY OF WACON AND PUBLIC UTILITY UTILITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR ENCLOSURES WHICH MAY IN ANY WAY INTERFERE OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EXCHANGES; THE CITY OF WACON AND PUBLIC UTILITY UTILITIES SHALL, AT ALL TIMES HAVE THE FULL RIGHT OF PASSAGE AND ACCESS TO OR FROM THEIR RESPECTIVE SYSTEMS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, MAINTENANCE, REPAIRS, REMOVALS, AND ACCESS TO OR FROM SAID RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OBTAINING PERMISSION FROM ANYONE.

THIS PLAT APPROVED SUBJECT TO ALL PLATING ORDINANCES, RULES, REGULATIONS AND REGULATIONS OF THE CITY OF WACON, TEXAS.

WITNESSE MY HAND, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

BY \_\_\_\_\_

AUTHORIZED SIGNATURE OF OWNER

PRINTED NAME AND TITLE

\_\_\_\_\_

AUTHORIZED SIGNATURE OF OWNER

PRINTED NAME AND TITLE

\_\_\_\_\_

STATE OF TEXAS  
COUNTY OF CLAY

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_

KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF CLAY

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_

KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

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NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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COUNTY OF CLAY

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GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF CLAY

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_

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NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF CLAY

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GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF CLAY

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GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF CLAY

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KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF CLAY

STATE OF TEXAS  
COUNTY OF CLAY

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_

KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF CLAY

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_

KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF CLAY

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_

KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF CLAY

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_

KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF CLAY

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_

KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON \_\_\_\_\_

STATE OF TEXAS  
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NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

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BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_

KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF CLAY

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_

KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF CLAY

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_

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GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF CLAY

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_

KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF CLAY

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_

KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF CLAY

**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.

**FINAL PLAT**  
**CROSSROADS BUSINESS PARK**  
1 COMMERCIAL LOT  
3.512 ACRES  
AN ADDITION TO THE CITY OF WACON, TEXAS  
JOHN B. SANCHEZ SURVEY ABSTRACT NO. 99  
CLAY COUNTY, TEXAS  
JANUARY, 2019  
OWNER  
COREY SANCHEZ AND JULIE SANCHEZ  
6802 FARM-TO-MARKET ROAD 876  
WACON, TX 76717 (772) 201-7847  
DESIGNER  
GATEWAY ENGINEERING, INC.  
8012 REDD FORT LANE, STE. J  
FORT WORTH, TX 76135 817-439-8444  
SURVEYOR  
APPLICANT  
ACKER CONSTRUCTION  
130 CHESTNUT, STE. 103  
WACON, TX 76718 (480) 363-8636

**AXIS SURVEYING**  
P.O. BOX 878 | WACON, TEXAS 76718  
214.888.8200 | TEXAS PLS# NO. 0016387  
BPO@AXIS-SURVEYING.COM

**NOTES**

1. SHOTS OF BEARINGS IN THE TOWN STATE PLAT CONCERNING SPOTON, AND ALL NORTH CENTRAL ZONE ARE AS OBTAINED FROM THE TOWN AND VICTORY.

2. ALL LOT CORNERS SET ARE MONUMENTED WITH A 1/2 INCH RICH RED WITH A YELLOW CAP STAMPED "181874" UNLESS OTHERWISE NOTED.

**FLUOR STATEMENT**

THE SUBJECT TRACT LIES WITHIN ZONE 1 (EASTERN), OFFICE IS THEREIN DESIGNATED TO BE OUTSIDE THE CLAY ANNUAL CHANGE FLOODPLAIN AS DETERMINED BY THE FEDERAL BUREAU OF SURVEYING (FBS), FLOOD INSURANCE RATE MAP (FIRM) AS SHOWN ON COMMUNITY PANEL NO. 49125C/187, DATED JUNE 3, 2013 FOR CLAY COUNTY, TEXAS AND MONUMENTED AREAS.

RECORDED 11/12/20



(11)

## Planning & Zoning Department

### Plat Staff Report

Case: PP-19-0037



#### MEETING DATE(S)

Planning & Zoning Commission: April 9, 2019

City Council: April 15, 2019

#### CAPTION

**Consider** request by Jeff Whanger, RLG, Inc., for a **Preliminary Plat** of CSP1 Addition for 2 lots, being 2.531 acres situated in the A.W. Brown Survey, Abstract 102 (Property ID 180374) – Owner: CONNELL STORAGE PARTNERS #1 LLC (PP-19-0037)

#### ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held April 9, 2019, the Commission voted 6-0 to recommend approval of plat no. PP-19-0037, as presented.

#### CASE INFORMATION

**Applicant:** Jeff Whanger, RLG, Inc.

**Property Owner(s):** Connell Storage Partners #1 LLC

**Site Acreage:** 11.712 acres

**Number of Lots:** 2 lots

**Number of Dwelling Units:** 0 units

**Park Land Dedication:** The cash in lieu of park land dedication for this case is estimated at **\$1,518.60** (2.531 non-residential at \$600.00 per unit).

**Adequate Public Facilities:** The development will provide adequate public facilities for the subject property.

#### SUBJECT PROPERTY

**General Location:** SW corner of N Highway 77 and Cardinal

**Parcel ID Number(s):** 180374

**Current Zoning:** Light Industrial-2 and Commercial

**Existing Use:** Undeveloped land

**Platting History:** A W BROWN Survey, Abstract 102



(11)

**Site Aerial:**



**STAFF CONCERNS**

1. There are no outstanding staff concerns.

**APPLICANT RESPONSE TO CONCERNS**

1. The applicant has no outstanding 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.

**ATTACHED EXHIBITS**

1. Preliminary Plat

**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.

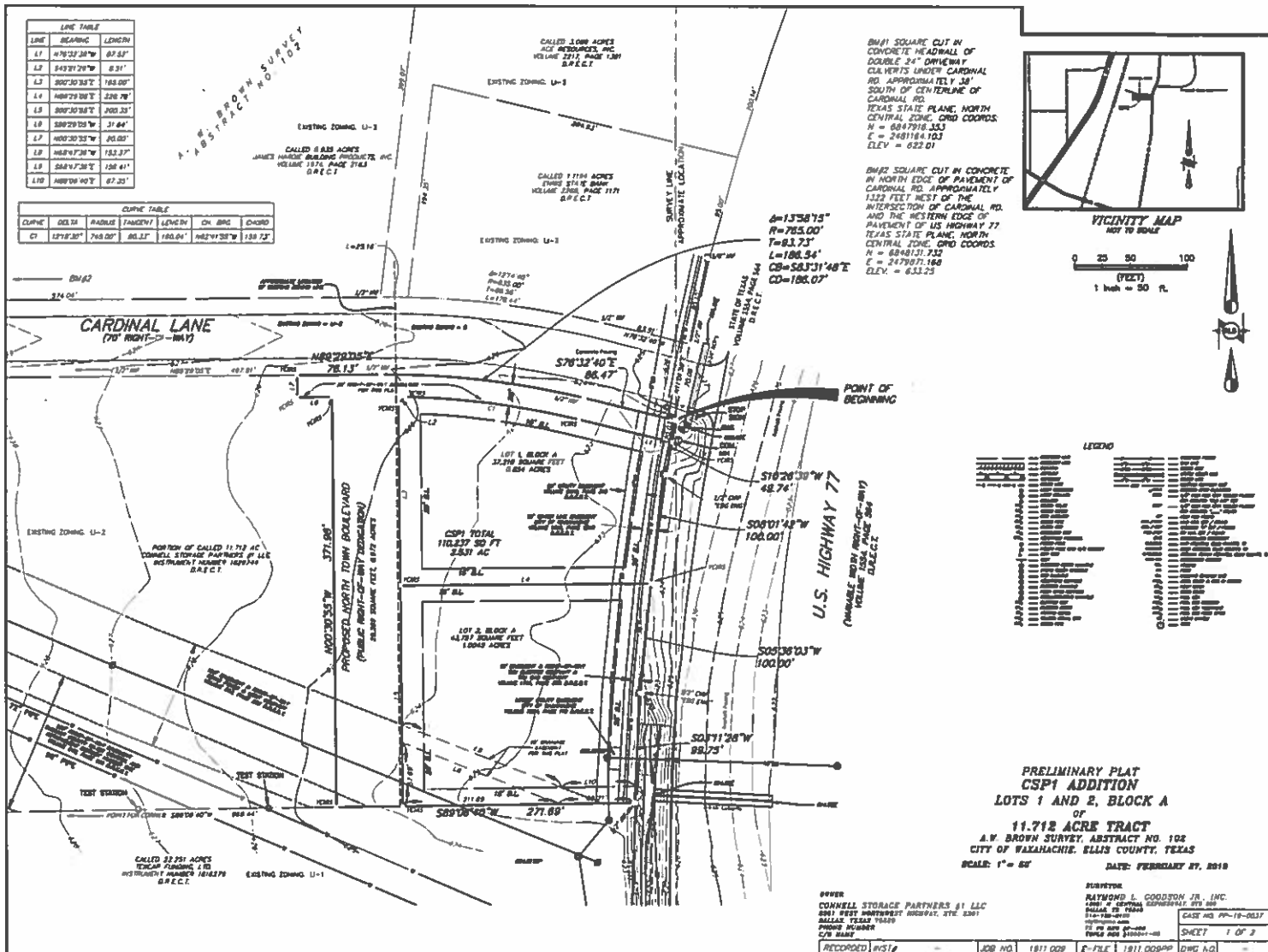
**STAFF CONTACT INFORMATION**

*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)

LINE TABLE		
LINE	MEASUREMENT	LENGTH
1.1	476.33.38 W	67.53'
1.2	543.31.29 W	8.31'
1.3	300.30.55 E	165.08'
1.4	408.29.38 E	326.78'
1.5	300.30.55 E	305.23'
1.6	230.29.25 W	31.64'
1.7	400.30.33 W	50.03'
1.8	265.67.38 E	152.33'
1.9	265.67.38 E	126.41'
1.10	400.30.40 E	67.23'

CURVE TABLE						
CURVE	DELTA	RADIUS	TANGENT	CHORD	CH. BEG.	CH. END
C1	127°52'30"	768.00'	80.11'	180.04'	482+91.35'W	139+73'



(111)

BEING a tract of land situated in the A.W. BROWN SURVEY, ABSTRACT NO. 102, WAXAHACHIE, Ellis County, Texas and being a portion of a certain 11.712 acre tract of land described in a Warranty Deed to Connell Storage Partners #1 LLC, a Texas Limited Liability Company, recorded in Instrument No. 1829744, Official Public Records, Ellis County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found at the intersection of the westerly right-of-way of U.S. Highway 77 (a variable width right-of-way), recorded in Volume 1354, Page 364, Deed Records, Ellis County, Texas and the south line of Cardinal Lane (a 70 foot right-of-way) according to the Cardinal IG Addition, an addition to the City of Waxahachie, Texas, recorded in Cabinet D, Slide 248, Plat Records, Ellis County, Texas, from which a 1/2" iron rod found bears North 11 degrees 01 minute 50 seconds East, a distance of 70.06 feet along the west line of said U.S. Highway 77 to the southeast corner of a certain 1.1164 acre tract of land described in a deed to Ellis State Bank, recorded in Volume 3268, Page 1171, Deed Records, Ellis County, Texas;

THENCE along the common line between said U.S. Highway 77 and said 11.712 acre tract, the following bearings and distances:

South 10 degrees 26 minutes 39 seconds West, a distance of 49.74 feet to a 1/2" capped iron rod stamped "EBC INC." found for corner;

South 03 degrees 01 minute 42 seconds West, a distance of 100.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC." set;

South 03 degrees 36 minutes 03 seconds West, a distance of 100.00 feet to a 1/2" capped iron rod stamped "EBC INC." found for corner;

South 03 degrees 11 minutes 28 seconds West, a distance of 99.75 feet to a 1/2" iron rod found for the southeast corner of said 11.712 acre tract and the northeast corner of a certain 22.231 acre tract of land described in a special warranty deed to Tascap Funding, Ltd., recorded in Instrument No. 1816239, Deed Records, Ellis County, Texas, from which a 1/2" iron rod found bears South 00 degrees 23 minutes 38 seconds West a distance of 111.54 feet;

THENCE South 88 degrees 08 minutes 40 seconds West, along the common line between said 11.712 acre tract and said 22.231 acre tract, a distance of 271.89 feet to a 1/2" capped iron rod stamped "RLG INC." set, from which bears a point for corner on the east line of Lot 1, Block A, of said Cardinal IG Addition, for the southwest corner of said 11.712 acre tract and the northwest corner of said 22.231 acre tract South 88 degrees 08 minutes 40 seconds West a distance of 969.44;

THENCE over and across said 11.712 acre tract the following bearings and distances:

North 00 degrees 33 minutes 55 seconds West, a distance of 371.98 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC." set;

South 89 degrees 29 minutes 03 seconds West, a distance of 31.84 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC." set;

North 00 degrees 30 minutes 53 seconds West, a distance of 20.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC." set in the south line of said Cardinal Lane.

THENCE along the common line between said Cardinal Lane and said 11.712 acre tract, the following bearings and distances:

North 89 degrees 29 minutes 03 seconds East, a distance of 76.13 feet to a 1/2" iron rod found for the beginning of a tangent curve to the right;

Along said curve to the right, whose chord bears South 83 degrees 31 minutes 48 seconds East, a chord distance of 186.07 feet, having a radius of 763.00 feet, a central angle of 13 degrees 58 minutes 15 seconds, and an arc length of 186.54 feet to a 1/2" iron rod found for the end of said curve;

South 78 degrees 32 minutes 40 seconds East, a distance of 86.47 feet to the POINT OF BEGINNING, containing 110,237 square feet or 2.531 acres of land, more or less.

City Approval of Preliminary Plat  
Approved for preparation of the final plat:

\_\_\_\_\_ Date

Approved by the Planning and Zoning Commission

\_\_\_\_\_ Date

Approved by the City Council

\_\_\_\_\_ Date

Owner's Acknowledgment

I hereby acknowledge this document as the officially approved preliminary plat:

Owner's Signature

\_\_\_\_\_ Date

Surveyor's Certificate

KNOW ALL MEN BY THESE PRESENTS:

That I, Brian R. Wade, 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 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 HEEDED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

Registered Professional Land Surveyor

\_\_\_\_\_ Date

State of Texas  
County of Ellis

Before me, the undersigned, a notary public in and for said county and state on this day appears Brian R. Wade, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS, THE \_\_\_\_\_ OF \_\_\_\_\_, 2019.

Notary Public in and for the State of Texas

### General Notes

1. Bearings shown hereon are based on field observations using the Western Data Systems Virtual Reference Station Global Positioning System survey instruments and procedures, North American Datum of 1983, North Central Texas Zone 4202.
2. The purpose of this plat is to create three lots from one existing lot.
3. There are no buildings to be removed from subject property.
4. Any structure new or existing may not extend across property lines.
5. This property may be subject to charges relating to impact fees, and the applicant should contact the city regarding any applicable fees due.
6. This plat does not alter or remove deed restrictions or covenants, if any, on this property.
7. Flood Insurance Rate Map number 48139C0200F, effective date of June 1, 2010, shows the subject property shown hereon lies within zone "X" defined as areas determined to be outside the 0.2% annual chance floodplain.

### PRELIMINARY PLAT CSP1 ADDITION LOTS 1 AND 2, BLOCK A

OF  
11.712 ACRE TRACT  
A.W. BROWN SURVEY, ABSTRACT NO. 102  
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS  
SCALE: 1" = 100' DATE: FEBRUARY 27, 2019

BY: CONNELL STORAGE PARTNERS #1 LLC  
JONI EVELYN HORTON/STAFF, STS. 0001  
DALLAS, TEXAS 75240  
PHONE NUMBER  
C/O NAME  
RECORDED BY: JLG -- JOB NO. 1811.008 E-FILE 1811.008PP DISC NO.

SURVEYOR: RAYMOND L. COOPERSON JR., INC.  
1800 W. GARDNER, SUITE 200, STE. 200  
DALLAS, TX 75240  
1-817-462-6000  
7000 WESTERN BLVD  
FLO 100 DALLAS, TEXAS 75240-1000  
CASE NO. 18-18-0017  
SHEET 2 OF 2

(118)

## Planning & Zoning Department Plat Staff Report

Case: FP-19-0041



### MEETING DATE(S)

*Planning & Zoning Commission:* April 9, 2019

*City Council:* April 15, 2019

### CAPTION

**Consider** request by Tim Cummings, 122 Ike Rd LLC, for a Final Plat of Ike Farms for 16 lots, being 19.290 acres situated in the T. Jackson Survey, Abstract 574 (Property ID 186239) in the Extra Territorial Jurisdiction – Owner: 122 IKE RD LLC (FP-19-0041)

### ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held April 9, 2019, the Commission voted 6-0 to recommend approval of plat no. FP-19-0041, subject to staff comments.

### CASE INFORMATION

*Applicant:* Tim Cummings, Ike Rd LLC

*Property Owner(s):* Ike Rd LLC

*Site Acreage:* 19.290 acres

*Number of Lots:* 16 lots

*Number of Dwelling Units:* 16 units

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

*Adequate Public Facilities:* Rockett Special Utility District has indicated that their existing system can furnish the requested service in conformity with the Texas Commission on Environmental Quality standards for water distribution and the ISO fire flow requirements.

### SUBJECT PROPERTY

*General Location:* FM 878 @ Ike Road

*Parcel ID Number(s):* 186241 and 186239

*Current Zoning:* N/A (ETJ)

*Existing Use:* Vacant Land

*Platting History:* T. Jackson Survey, Abstract No. 574

(112)

**Site Aerial:**



**STAFF CONCERNS**

1. A drainage easement currently exists outside of the plat boundary. The applicant has indicated to staff that he will remain in charge of the easement. A new plat shall be submitted to staff detailing a resolution to the drainage easement before the plat is filed with the County.

**APPLICANT RESPONSE TO CONCERNS**

1. The applicant has responded to the concerns presented by staff and addressed them. A new plat will be submitted detailing changes to the drainage easement running along the western boundary before the plat is filed.

**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 new plat shall be submitted to staff detailing a resolution to the drainage easement before the plat is filed with the County.

**ATTACHED EXHIBITS**

1. Final Plat
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.

(12)

**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]



(12)

**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:** Tim Cummings **Parcel ID #:** 186239  
**Subdivision Name:** Ike Farms

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

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

**Contact Information:**

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

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

	Yes	No
1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>8</u> inches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

ROCKETT SUD  
Name of water provider company

Kay Phillips  
Signature of General Manager of water provider or Designee

03-14-19  
Date



(17)

## Planning & Zoning Department

### Plat Staff Report

Case: RP-19-0034



#### MEETING DATE(S)

Planning & Zoning Commission: April 9, 2019

City Council: April 15, 2019

#### CAPTION

**Consider** request by Chris Acker, Acker Construction, for a Replat of part of Lot 1 and Lot 2, Block 7, Nora Alexander's Subdivision to create Lot 1R, Block 7, Nora Alexander's Subdivision, 0.415 acres (Property ID 172037) – Owner: JUAN P & MARISOL TAVERA RICO (RP-19-0034)

#### ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held April 9, 2019, the Commission voted 6-0 to recommend approval of plat no. RP-19-0034, subject to staff comments.

#### CASE INFORMATION

Applicant: Chris Acker, Acker Construction

Property Owner(s): Juan P & Marisol Tavera Rico

Site Acreage: 0.415 acres

Number of Lots: 1 lot

Number of Dwelling Units: 2 units

Park Land Dedication: N/A

Adequate Public Facilities: The development will be on City water and wastewater.

#### SUBJECT PROPERTY

General Location: 907 Kaufman Street

Parcel ID Number(s): 172037

Current Zoning: Single Family-2

Existing Use: Currently a residence.

Platting History: LOT 1B & 2 BLK 7 NORA ALEXANDER

(13)

**Site Aerial:**



**STAFF CONCERNS**

Staff received a letter from Chris Acker's surveyor, Tim Jackson, detailing reasons for calling the alley "apparent[ly] abandoned", however no official documentation of this has been found. A neighboring house has been placed on the suspected alley way and it is staff's belief that, with this plat, the alleyway will officially be abandoned. DigTess results came back negative for utilities within the proposed abandoned alleyway.

**APPLICANT RESPONSE TO CONCERNS**

At the time of this report (4/1/2019), staff has not received confirmation from the applicant determining whether the alley located north of Lot 3, Block 7 of Nora Alexander's Subdivision is abandoned or not.

**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 phrase on the plat, "Apparent abandoned alley", needs to be revised to "Abandoned Alley".

**ATTACHED EXHIBITS**

1. Replat
2. PON Responses

**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.

(13)

**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)



(13)

**CASE RP-19-0034**

Request by Chris Acker, Acker Construction, for a **Replat** of part of Lot 1 and Lot 2, Block 7, Nora Alexander's Subdivision to create Lot 1R, Block 7, Nora Alexander's Subdivision, 0.415 acres (Property ID 172037) – Owner: JUAN P & MARISOL TAVERA RICO (RP-19-0034)

**INSIDE REQUIRED 200' NOTIFICATION AREA**

- 1 Support
- 0 Oppose

**SUPPORT**

1. Brad Yates, PO Box 2868, Waxahachie, TX 75168

**OPPOSE**



(13)

RECEIVED  
4/11/19

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: **RP-19-0034**



LOREN GRAY INVESTMENTS LLC  
PO BOX 2868  
WAXAHACHIE, TX 75168

The Waxahachie City Council will hold a Public Hearing on Monday, April 15, 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 Chris Acker, Acker Construction, for a **Replat** of part of Lot 1 and Lot 2, Block 7, Nora Alexander's Subdivision to create Lot 1R, Block 7, Nora Alexander's Subdivision, 0.415 acres (Property ID 172037) – Owner: JUAN P & MARISOL TAVERA RICO (RP-19-0034)

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: **RP-19-0034**

☒ SUPPORT

☐ OPPOSE

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

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, APRIL 3, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com).

Signature

Date

Printed Name and Title

Address

Brad Yates

member

4/1/19

PO Box 2868 Wax.  
TX. 75168

(15)

## Planning & Zoning Department

### Plat Staff Report

Case: RP-19-0032



#### MEETING DATE(S)

Planning & Zoning Commission: April 9, 2019

City Council: April 15, 2019

#### CAPTION

**Consider** request by Harlan Lowrance for a **Replat** of a part of Lots 1, 2 and 5, Block 5, and parts of Lots 3 and 4, Block 5, Park Hill Addition to create Lots 1R and 5R, Block 5, Park Hill Addition, 0.868 acres (Property ID 175221 and 175222) – Owner: DOROTHY ANN CURRY and HARLAN R AND MICHELLE LOWRANCE (RP-19-0032)

#### ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held April 9, 2019, the Commission voted 6-0 to recommend approval of plat no. RP-19-0032, subject to staff comments.

#### CASE INFORMATION

**Applicant:** Harlan Lowrance

**Property Owner(s):** Dorothy Ann Curry and Harlan R and Michelle Lowrance

**Site Acreage:** 0.868 acres

**Number of Lots:** 2 lots

**Number of Dwelling Units:** 2 dwelling units

**Park Land Dedication:** N/A

**Adequate Public Facilities:** The development will be on City water and wastewater.

#### SUBJECT PROPERTY

**General Location:** 1101 E. Marvin and 106 Pecan

**Parcel ID Number(s):** 175222 and 175221

**Current Zoning:** Single Family-2

**Existing Use:** 1 single family home and 1 work barn.

**Platting History:** Lots 1A, 1B, 2A, 2B, PT3, PT 4, ALL 5 & ALLEY Park Hill Addition

(15)

**Site Aerial:**



**STAFF CONCERNS**

At the April 9, 2019 Planning and Zoning Commission meeting, the Commission voted 6-0 to recommend no ROW requirement for the proposed Replat. A 15 foot utility easement is required, however, the Commission recommends the applicant to provide a 10 ft. utility easement for the property.

**APPLICANT RESPONSE TO CONCERNS**

At the time of this report (4/10/2019), the applicant has yet to submit a revised plat showing the correct utility easement for the property. Prior to final approval, the applicant must submit a revised plat to staff showing a 10 foot utility easement for the property. Per Planning and Zoning Commission recommendation, no ROW dedication is to be required along Marvin Ave.

**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:  
At the April 9, 2019 Planning and Zoning Commission meeting, the Commission voted 6-0 to recommend no ROW requirement for the proposed Replat. A 15 foot utility easement is required, however, the Commission recommends the applicant to provide a 10 ft. utility easement for the property.

**ATTACHED EXHIBITS**

1. Replat
2. PON Responses

**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.



(15)

**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)



(15)

## **CASE RP-19-0032**

Request by Harlan Lowrance for a **Replat** of a part of Lots 1, 2 and 5 and parts of Lots 3 and 4, Block 5, Park Hill Addition to create Lots 1R and 5R, Block 5, Park Hill Addition, 0.868 acres (Property ID 175221 and 175222) – Owner: DOROTHY ANN CURRY and HARLAN R AND MICHELLE LOWRANCE (RP-19-0032)

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

- 4 Support
- 0 Oppose

### **SUPPORT**

1. Forrest B. John, 1005 E. Marvin Avenue
2. Robert Robinson, 103 Lewis Street
3. Betty L. Smith, 103 ½ Lewis Street
4. Matt Okorowski, 1105 E. Marvin Avenue

### **OPPOSE**

1. Robert Robinson, 103 Lewis Street (*opposition withdrawn*)
2. Betty L. Smith, 103 ½ Lewis Street (*opposition withdrawn*)



RECEIVED  
4/11/19

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: RP-19-0032



JOHN FORREST B  
PO BOX 1017  
WAXAHACHIE, TX 75168

The Waxahachie City Council will hold a Public Hearing on Monday, April 15, 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 Harlan Lowrance for a Replat of a part of Lots 1, 2 and 5 and parts of Lots 3 and 4, Block 5, Park Hill Addition to create Lots 1R and 5R, Block 5, Park Hill Addition, 0.868 acres (Property ID 175221 and 175222) – Owner: DOROTHY ANN CURRY and HARLAN R AND MICHELLE LOWRANCE (RP-19-0032)

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: RP-19-0032    ☒ SUPPORT    ☐ OPPOSE

Comments: THIS WILL BE AN IMMENSE IMPROVEMENT TO THE NEIGHBORHOOD AND CODE ENFORCEMENT. PLEASE RECOMMEND TO PROCEED AS PROPOSED.

Your response to this notification is OPTIONAL. If you choose to respond, please return this form by 5:00 P.M. on WEDNESDAY, APRIL 3, 2019 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com).

Signature

FORREST B. JOHN  
Printed Name and Title

28 MARCH 2019  
Date

1005 EAST MARLIN AVE.  
Address

(15)



RECEIVED  
4/18/19

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: **RP-19-0032**



**OKOROWSKI MATTHEW & BETH**  
1105 E MARVIN AVE  
WAXAHACHIE, TX 75165

The Waxahachie City Council will hold a Public Hearing on Monday, April 15, 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 Harlan Lowrance for a **Replat** of a part of Lots 1, 2 and 5 and parts of Lots 3 and 4, Block 5, Park Hill Addition to create Lots 1R and 5R, Block 5, Park Hill Addition, 0.868 acres (Property ID 175221 and 175222) – Owner: DOROTHY ANN CURRY and HARLAN R AND MICHELLE LOWRANCE (RP-19-0032)

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: **RP-19-0032**

☒ SUPPORT

☐ OPPOSE

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

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, APRIL 3, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com).

Signature

MATT OKOROWSKI

Printed Name and Title

4-14-19

Date

1105 E MARVIN AVE

Address

WAXAHACHIE TX 75165

(15)

## Wright, Destiny

---

**From:** Robinson, Robert <Robert.Robinson@oncor.com>  
**Sent:** Tuesday, April 9, 2019 2:34 PM  
**To:** Wright, Destiny  
**Cc:** Robinson, Robert  
**Subject:** RE: RP-19-0032

Ms. Wright,  
Please change our position to SUPPORT.  
Thanks,  
Robert

*A pessimist sees the difficulty in every opportunity; an optimist sees the opportunity in every difficulty.*

**Robert Robinson**  
HCL Senior Consultant  
214-486-4022 (Office)  
972-679-4310 (Mobile) \* Best  
robert.robinson@oncor.com

**Escalation:**  
**Subhash Jha**  
214-486-2248 (Office)  
469-321-1002 (Mobile)

---

**From:** Wright, Destiny [mailto:dwright@waxahachie.com]  
**Sent:** Tuesday, April 9, 2019 2:14 PM  
**To:** Robinson, Robert <Robert.Robinson@oncor.com>  
**Subject:** FW: RP-19-0032

Good afternoon,

To confirm, are you wanting to simply withdraw your opposition or would you like to change your position to SUPPORT?

*Destiny Wright*  
City of Waxahachie  
Planning Technician



(15)

From: Robinson, Robert <[Robert.Robinson@oncor.com](mailto:Robert.Robinson@oncor.com)>  
Sent: Tuesday, April 9, 2019 1:49 PM  
To: Webb, Christopher <[cwebb@waxahachie.com](mailto:cwebb@waxahachie.com)>; Brooks, Shon <[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)>  
Cc: Robinson, Robert <[Robert.Robinson@oncor.com](mailto:Robert.Robinson@oncor.com)>  
Subject: RP-19-0032

To the Planning and Zoning Commission:

Having discussed the proposed Replat of Lots 1,2 and 5, block 5 of the Park Hill Addition (RP-19-0032), Betty Smith (103 ½ Lewis Street) and myself (Robert Robinson 103 Lewis Street) would like to withdraw our objections to this proposal. We both have a better understanding of this proposal and no longer have any objections. Our property (duplex) at 103 & 103 ½ Lewis Street is owned by myself (Robert Robinson) and my wife (Beverly Robinson). If you have any questions concerning this matter, please feel free to contact me on my mobile number (below).

Thank you for addressing this matter.

Sincerely,  
Robert Robinson

*A pessimist sees the difficulty in every opportunity; an optimist sees the opportunity in every difficulty.*

Robert Robinson  
HCL Senior Consultant  
214-486-4022 (Office)  
**972-679-4310 (Mobile) \* Best**  
[robert.robinson@oncor.com](mailto:robert.robinson@oncor.com)

Escalation:  
Subhash Jha  
214-486-2248 (Office)  
469-321-1002 (Mobile)

Confidentiality Notice: This email message, including any attachments, contains or may contain confidential information intended only for the addressee. If you are not an intended recipient of this message, be advised that any reading, dissemination, forwarding, printing, copying or other use of this message or its attachments is strictly prohibited. If you have received this message in error, please notify the sender immediately by reply message and delete this email message and any attachments from your system.

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(15)

RECEIVED  
4/11/19

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: **RP-19-0032**



ROBINSON ROBERT & BEVERLY  
103 LEWIS ST  
WAXAHACHIE, TX 75165

The Waxahachie City Council will hold a Public Hearing on Monday, April 15, 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 Harlan Lowrance for a Replat of a part of Lots 1, 2 and 5 and parts of Lots 3 and 4, Block 5, Park Hill Addition to create Lots 1R and 5R, Block 5, Park Hill Addition, 0.868 acres (Property ID 175221 and 175222) – Owner: DOROTHY ANN CURRY and HARLAN R AND MICHELLE LOWRANCE (RP-19-0032)

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: **RP-19-0032**      ☐ SUPPORT      ☒ OPPOSE

Comments: MY OPPOSITION IS CONDITIONAL DEPENDING ON  
MORE INFORMATION

Your response to this notification is OPTIONAL. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, APRIL 3, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com).

Robert Robinson  
Signature

3-31-2019  
Date

ROBERT ROBINSON  
Printed Name and Title

103 LEWIS ST.  
Address



(15)

RECEIVED  
4/11/19



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: **RP-19-0032**



SMITH DOYLE & BETTY L  
103 LEWIS ST  
WAXAHACHIE, TX 75165

The Waxahachie City Council will hold a Public Hearing on Monday, April 15, 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 Harlan Lowrance for a Replat of a part of Lots 1, 2 and 5 and parts of Lots 3 and 4, Block 5, Park Hill Addition to create Lots 1R and 5R, Block 5, Park Hill Addition, 0.868 acres (Property ID 175221 and 175222) – Owner: DOROTHY ANN CURRY and HARLAN R AND MICHELLE LOWRANCE (RP-19-0032)

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: **RP-19-0032**

☐ SUPPORT

☒ OPPOSE

Comments:

*My opposition is conditional depending on more information.*

Your response to this notification is OPTIONAL. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, APRIL 3, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com).

*Betty L. Smith*  
Signature

Date

*3/31/2019*

*Betty L. Smith*  
Printed Name and Title

Address

*103 1/2 LEWIS*

(17)

## Planning & Zoning Department Plat Staff Report

**Case: PP-19-0036**



**MEETING DATE(S)**

*Planning & Zoning Commission:* April 9, 2019

*City Council:* April 15, 2019

**CAPTION**

**Consider** request by Joshua Trees, Cross Fence Development, LLC, for a **Preliminary Plat** of The Cross Fence at Oak Vista for 173 lots, being 248.575 acres situated in the S.B. Orton Survey, Abstract 813, J. Fifer Survey, Abstract 352, and the D.M. McNeil Survey, Abstract 717 (Property ID 188040 and 183375) in the Extra Territorial Jurisdiction – Owner: CROSS FENCE DEVELOPMENT LLC (PP-19-0036)

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting, held April 9, 2019, the Commission voted 6-0 to recommend approval of plat no. PP-19-0036, subject to staff comments.

**CASE INFORMATION**

*Applicant:* Joshua Trees, Cross Fence Development, LLC

*Property Owner(s):* Cross Fence Development, LLC

*Site Acreage:* 248.575 acres

*Number of Lots:* 173 lots

*Number of Dwelling Units:* 173 proposed dwelling units

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

*Adequate Public Facilities:* Buena Vista-Bethel SUD has indicated that their existing system can furnish the requested service in conformity with the Texas Commission on Environmental Quality standards for water distribution and the ISO fire flow requirements.

**SUBJECT PROPERTY**

*General Location:* Northeast of McGregor Estates on FM 66

*Parcel ID Number(s):* 188040 and 183375

*Current Zoning:* N/A (ETJ)

*Existing Use:* Undeveloped Land

(17)

**Platting History:**

D MC NEIL, Abstract 717; J FIFER, Abstract 352; S BORTON, Abstract 813

**Site Aerial:**



**STAFF CONCERNS**

1. Applicant still needs to provide detail about how the detention pond will be handled for the previous development.
2. There are remaining outstanding comments with Ellis County that still needs to be addressed by the applicant before the plat is filed.

**APPLICANT RESPONSE TO CONCERNS**

1. The applicant submitted revisions to staff on 3/22/2019. *There are remaining comments from Ellis County that still need to be addressed by the applicant before the plat is filed.*

**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. Applicant still needs to provide detail about how the detention pond will be handled for the previous development.
  2. There are remaining outstanding comments with Ellis County that still needs to be addressed by the applicant before the plat is filed.

**ATTACHED EXHIBITS**

1. Preliminary Plat
2. Water Letter

(17)

#### **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**

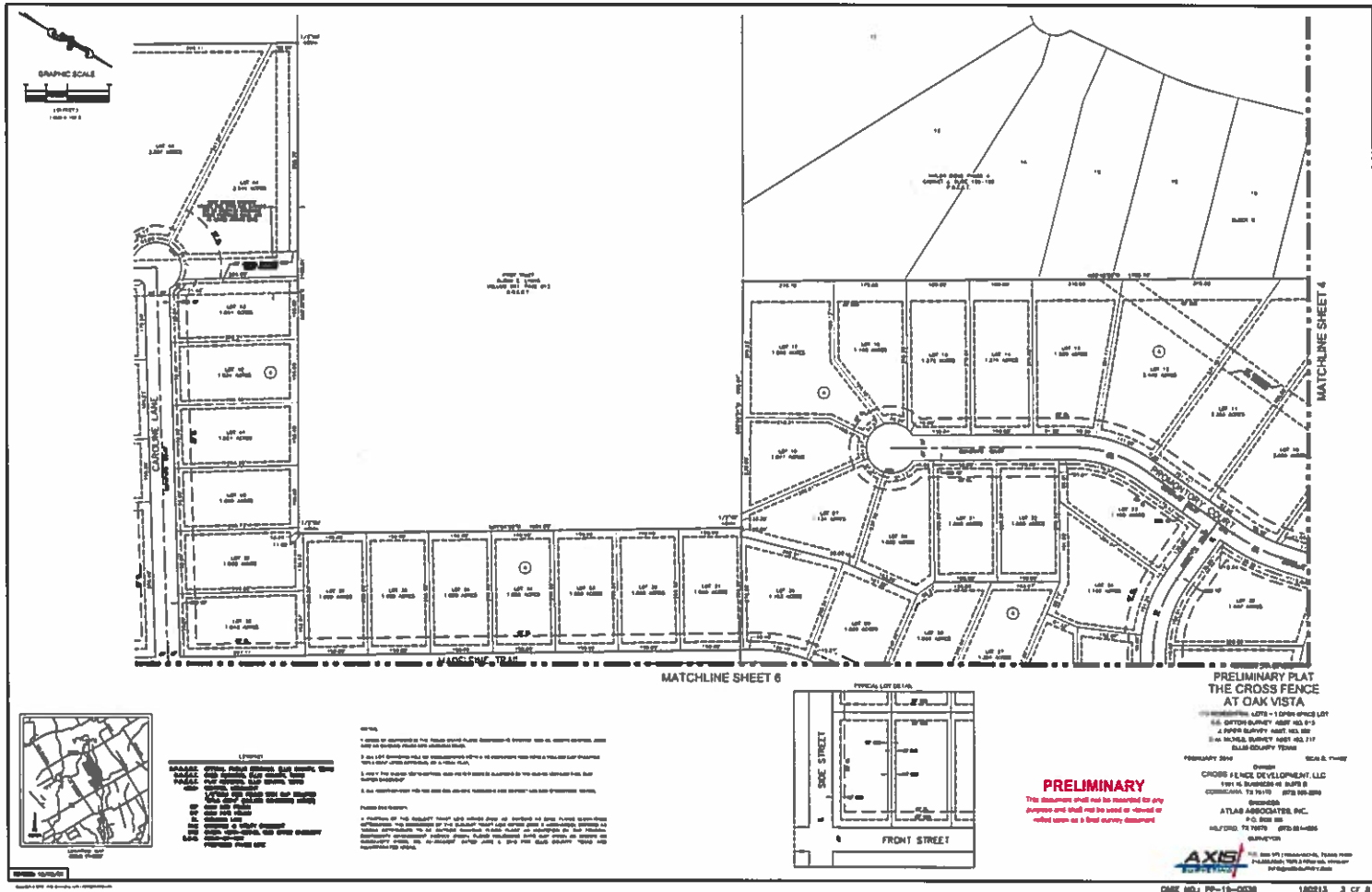
*Prepared by:*  
Chris Webb  
Planner  
[cwebb@waxahachie.com](mailto:cwebb@waxahachie.com)

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

[illegible]



(17)










<https://www.usa.gov>











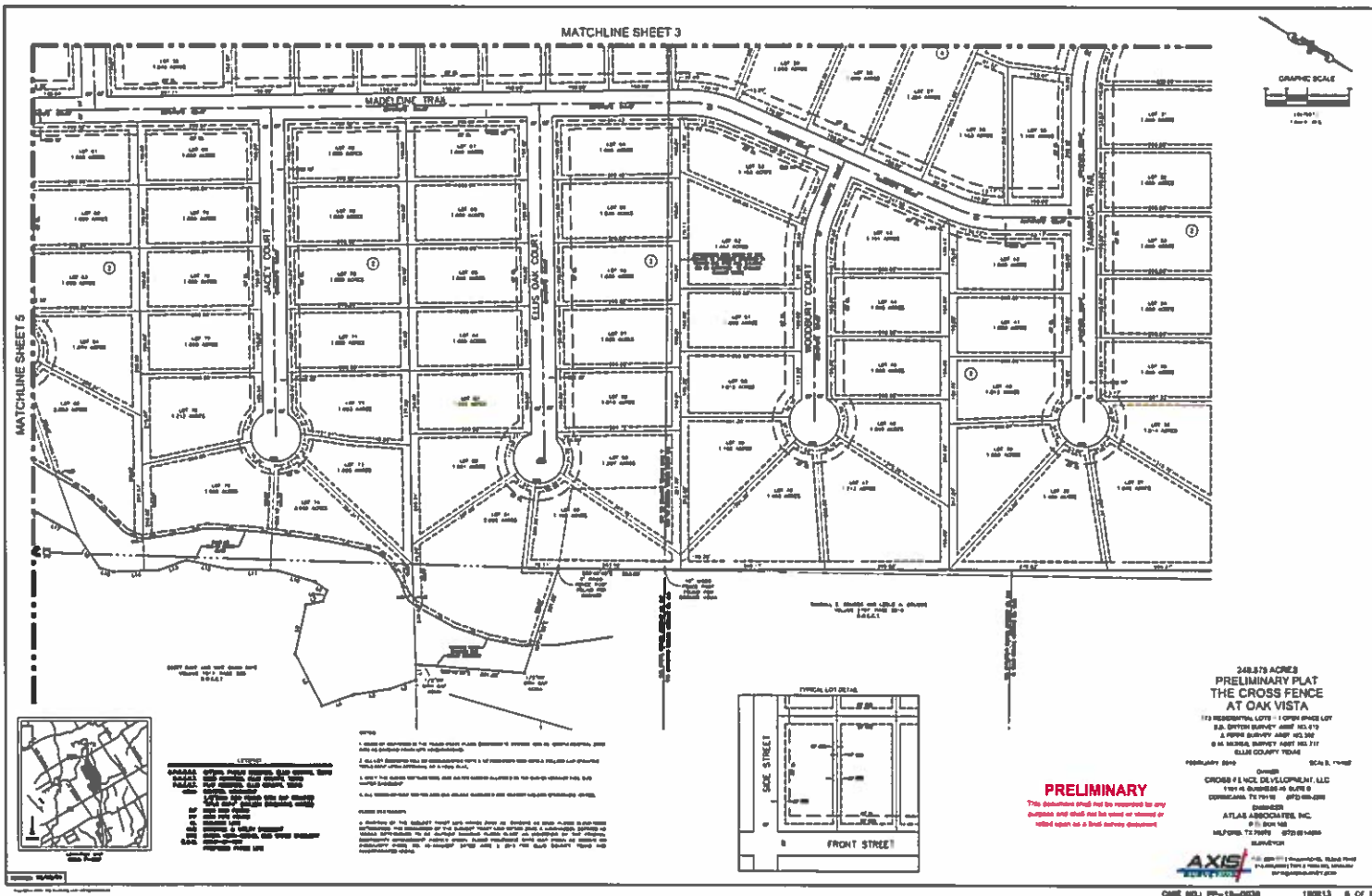









(17)





DOI: 10.1002/9781118471996.ch10

(17)



PLANNING & ZONING DEPARTMENT  
401 South Rogers Street | Waxahachie, Texas 75168  
(469) 309-1290 | [www.waxahachie.com/Departments/PlanningandZoning](http://www.waxahachie.com/Departments/PlanningandZoning)



## WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Joshua Trees  
Subdivision Name: Oak Vista Phase 3

Parcel ID #:

188040, 183375

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>8</u> inches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Joe Buchanan

Print Name of General Manager of water provider or Designee

Joe Buchanan  
Signature of General Manager of water provider or Designee

Buena Vista-Bethel SUD

Name of water provider company

2-26-19

Date

(18)

## Planning & Zoning Department

### Zoning Staff Report

Case: PD-19-0029



#### MEETING DATE(S)

Planning & Zoning Commission: April 9, 2019

City Council: April 15, 2019

#### CAPTION

**Public Hearing** on a request by Dusty Autrey for a Zoning Change from a Light Industrial-2 zoning district to Planned Development-Central Area, with Concept Plan, located at 421 S. College Street (Property ID 220752) - Owner: DAJP Holdings, LLC (PD-19-0029)

#### ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held April 9, 2019, the Commission voted 5-0-1 (Commissioner Jim Phillips abstained) to recommend approval of zoning change PD-19-0029, as presented.

#### CASE INFORMATION

Applicant: Dusty Autrey

Property Owner(s): DVN Holdings LTD

Site Acreage: 0.158 acres

Current Zoning: Light Industrial-2

Requested Zoning: Planned Development-Central Area

#### SUBJECT PROPERTY

General Location: 421 S College Street

Parcel ID Number(s): 220752

Existing Use: Vacant Building

Development History: N/A

#### Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	LI-2	City of Waxahachie City Hall
East	PD-CA	Ellis County Jail
South	LI-2	Tejas Logistics
West	LI-2	Boyce Fee and Grain Corporation

**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 site is accessible via College St.

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

The applicant is requesting a zoning change from a Light Industrial-2 zoning district to Planned Development-Central Area to allow a proposed restaurant and office use on 0.158 acres. The property was originally zoned Light Industrial when the facility was used to load cargo for the railroad. With the approval of the proposed Planned Development, the site will not have any required parking due to the Central Area zoning district not containing off-street parking and loading requirements.

**REQUESTED EXCEPTION(S)****Landscaping**

- Planting requirements for interior landscape areas (3,359x50%)  
City of Waxahachie Requirement: 1,679 sq. ft.  
Applicant Providing: 1,070 sq. ft.
- Ground Color Cover - 15% of Required Area  
City of Waxahachie Requirement: 252 sq. ft.  
Applicant Providing: 220 sq. ft.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 4 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 03/22/2019.

**STAFF CONCERNS**

1. Staff has no outstanding comments.

**APPLICANT RESPONSE TO CONCERNS**

1. The applicant submitted revisions to staff on 4/2/2019 addressing staff's 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:
  1. The Planning and Zoning Commission suggested that the applicant work with the Heritage Preservation Commission.

**ATTACHED EXHIBITS**

1. Concept Plan Provisions
2. Site Plan
3. Elevations
4. Landscape Plan

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*  
 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)



(18)



## Exhibit A - Location Exhibit



### PD-19-0029 DJAP Development Location Exhibit

#### Legend

 PD-19-0029

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the City of Waxahachie for the sole purpose of geographic reference. No warranty is made by the City of Waxahachie regarding specific accuracy or completeness.

**Exhibit B****Concept Plan Provisions**

The purpose and intent of this Planned Development (PD) is to request a change from Light Industrial to Planned Development-Central Area. Found within the Base Zoning District (BD) or Zoning Ordinance that are not written herein, shall default to the City of Waxahachie's Code of Ordinances, as amended

**Compliance with the City's Comprehensive Plan**

Commercial Zoning is the intended base zoning classification underlying this PD. The property lies within the Central business district as defined by the city in its Code of Ordinances.

**PD District Development Standards****Description of Request**

The applicant is requesting a zoning change from a Light Industrial-2 zoning district to Planned Development-Central Area to allow a proposed restaurant and office use on 0.158 acres. The property was originally zoned Light Industrial when the facility was used to load cargo for the railroad. *With the approval of the proposed Planned Development, the site will not have any required parking due to the Central Area zoning district not containing off-street parking and loading requirements.*

**Proposed Use of Property**

The property was originally zoned Light Industrial when the facility was used to load cargo for the railroad. The land owner plans update an existing building to use for restaurant and office retail.

**General development Requirements.**

No parking owned by land owner for commercial building, use of surrounding city and Rail road owned parking lots.

(18)

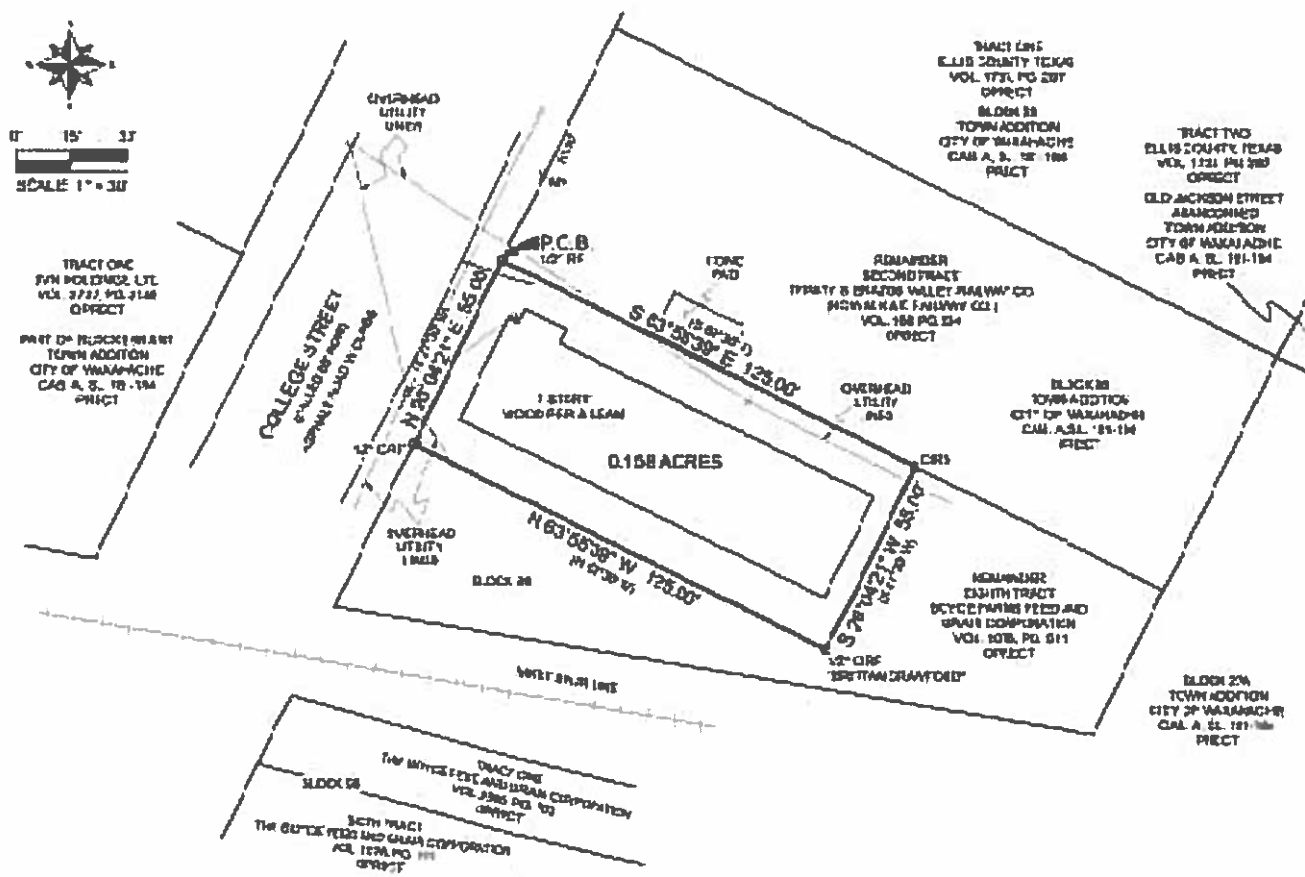
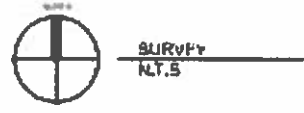
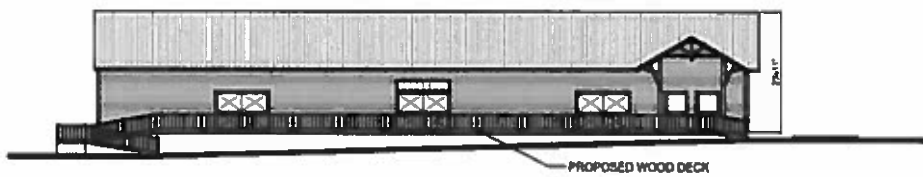


Exhibit C - Site Plan



(18)



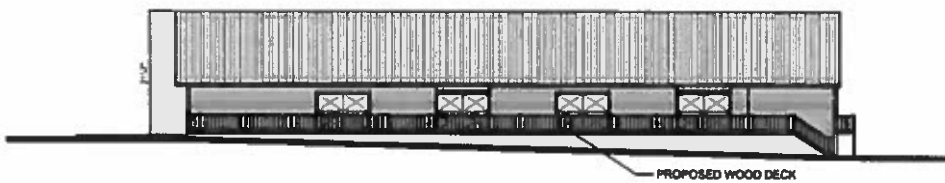
1 NORTH ELEVATION  
1/8" = 1'-0"



2 WEST ELEVATION  
1/8" = 1'-0"



3 EAST ELEVATION  
1/8" = 1'-0"

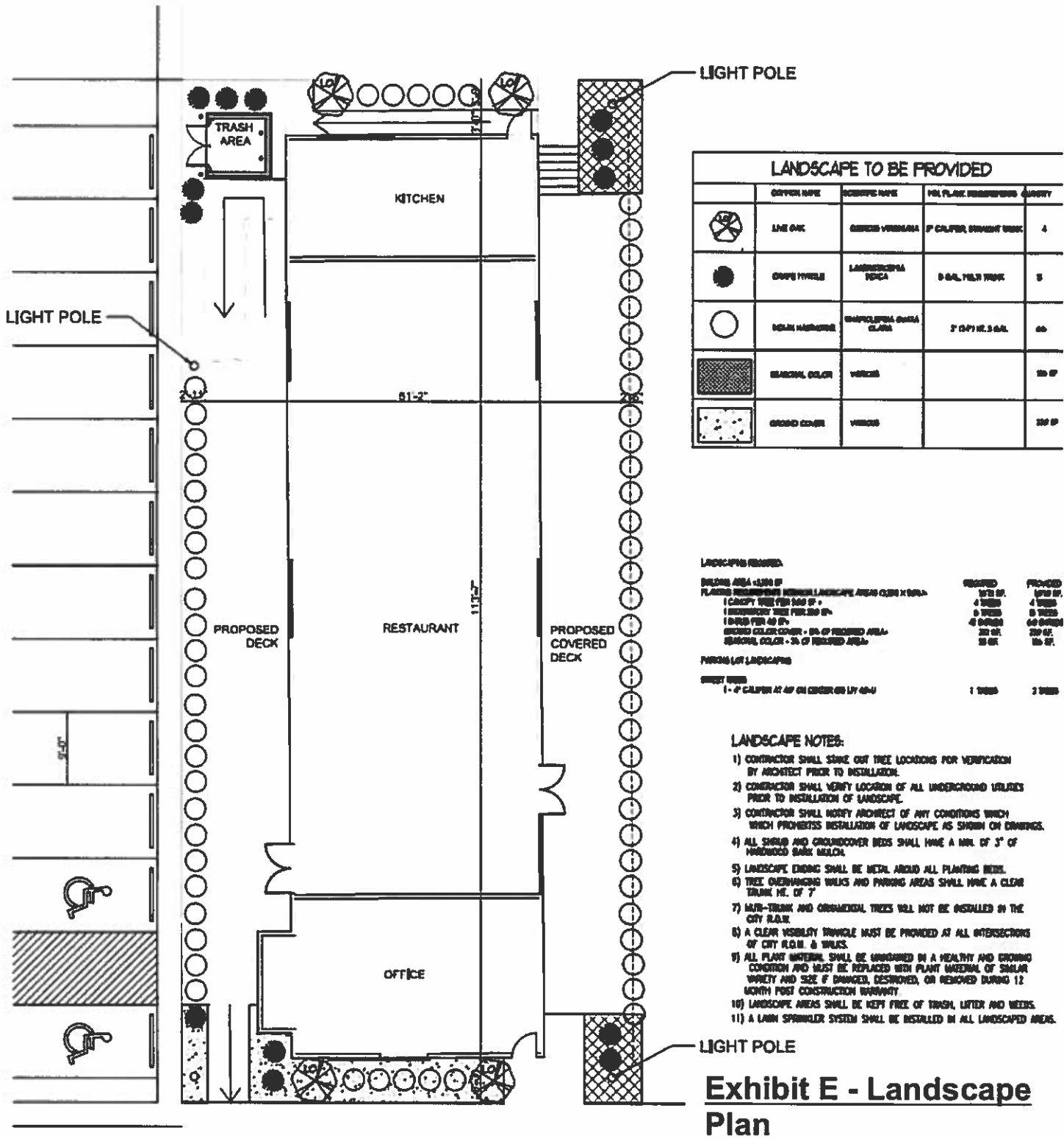


4 SOUTH ELEVATION  
1/8" = 1'-0"

## Exhibit D - Elevations

OWNER	PROJECT LOCATION
DJAP HOLDINGS LLC	421 S COLLEGE ST
WAXAHACHE, TEXAS 75166	LOT AREA: .158 AC
	WAXAHACHE, ELLIS COUNTY
	CASE # PD-19-0029

(18)



**Exhibit E - Landscape Plan**

(19)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM LIGHT INDUSTRIAL-2 (LI2) TO PLANNED DEVELOPMENT-CENTRAL AREA (PD-CA), WITH CONCEPT PLAN LOCATED AT 421 S. COLLEGE STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.158 ACRES KNOWN AS A PORTION OF PROPERTY ID 220752 OF THE TOWN ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

**WHEREAS**, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

**WHEREAS**, a proper application for a PD, with Concept Plan has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number PD-19-0029. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from LI2 to PD-CA, with Concept Plan; and

**WHEREAS**, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and

**WHEREAS**, a proper hearing was held as required by law and the Council having heard all arguments for and against said zoning amendment;

**NOW, THEREFORE**, this property is rezoned from LI2 to PD-CA, with Concept Plan in order to allow a restaurant and office use on the following property: a portion of Property ID 220752 of the Town Addition, which is shown on Exhibit A, in accordance with the Concept Plan provisions attached as Exhibit B, Site Plan as show in Exhibit C, Elevations shown in Exhibit D, and the Landscape Plan as shown in Exhibit E.

### **PLANNED DEVELOPMENT**

#### **Purpose and Intent**

The intent of this Planned Development is to create a Planned Development District to allow a restaurant and office use on 0.158 acres. The applicant intends renovate an existing building to allow restaurant and office space. The property shall have a base zoning of Central Area (PD-CA). The location and design of building areas shall conform to the attached zoning exhibit and conceptual building elevations, Exhibit A, B, C, D, and E incorporated herein by reference.

#### **Zoning**

1. Any zoning, land use requirement or restriction not contained within this zoning ordinance shall conform to those requirements and/or standards prescribed in Exhibits A-E. Where regulations are not specified in Exhibits A-E or in this ordinance, the regulations of the Central

(19)

Area (CA) district and City of Waxahachie Zoning Ordinance shall apply to this development.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

**PASSED, APPROVED, AND ADOPTED** on this 15<sup>th</sup> day of April, 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary

(26)

## Planning & Zoning Department

### Zoning Staff Report

Case: PD-19-0039



#### MEETING DATE(S)

Planning & Zoning Commission: April 9, 2019

City Council: April 15, 2019

#### CAPTION

Request by Mike Siefert, Lookout Development Group, for a **Planned Development Amendment** for the purpose of removing the height restriction for hotels located adjacent to the Waxahachie Civic Center (Property ID 208655, 208656, and 227433) – Owner: LOOKOUT PARTNERS LP (PD-19-0039)

#### ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held April 9, 2019, the Commission voted 6-0 to recommend approval of zoning change PD-19-0039, subject to staff comments.

#### CASE INFORMATION

Applicant: Mike Siefert

Property Owner(s): Lookout Partners LP

Site Acreage: 10.210 acres

Current Zoning: Planned Development-General Retail (Ordinance 2569)

Requested Zoning: Planned Development Amendment

#### SUBJECT PROPERTY

General Location: Adjacent to Waxahachie Civic Center

Parcel ID Number(s): 208655, 208656, 227433

Existing Use: Undeveloped Land

Development History: The Final Plat for Waxahachie Civic Center, was approved by City Council on April 18, 2005.

#### Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-HI	Carlisle Group Insurance/Chevrolet
East	PD-MF-GR	Oxford at Crossroads Centre Apartments
South	PD-LI-1	Undeveloped Land
West	PD-LI-1	Waxahachie Civic Center

Future Land Use Plan: Mixed Use Non-Residential



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**Comprehensive Plan:**

Commercial areas are intended for establishments that provide services to customers. Examples include car dealerships, self-storage businesses, and repair shops. Such uses are generally not significant contributors to a municipality's tax revenue, and, by their nature, commercial businesses can detract from positive aesthetics. Primarily for these reasons, commercial uses have generally only been recommended in locations consistent with where such uses currently exist.

**Thoroughfare Plan:**

The subject sites are accessible via Alliance Blvd and Interstate 35 service Rd. (Parcel ID: 227433), John Arden Dr. and Rae Blvd. (Parcel ID: 208655, 208656).

**Site Images:**



**PLANNING ANALYSIS**

The applicant is requesting to amend an existing approved Ordinance (No. 2569). On June 7, 2010, City Council voted to approve Planned Development Ordinance 2569. Within the Planned Development, it states that "The height standards shall comply with the minimum standards specified for the General Retail District or the Multi Family District, as specified for all development." Per the City of Waxahachie Zoning Ordinance, the maximum height for General Retail is two (2) stories and the highest maximum height for the Multi Family zoning district is three (3) stories. The applicant is requesting to amend the ordinance to remove any height restrictions for hotels within the Planned Development district. The applicant believes that the current height restrictions prevent potential hotels from coming to the location.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 9 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 03/22/2019.

(20)

#### **RECOMMENDATION**

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:  
The Planning and Zoning Commission recommended approval for the PD Amendment proposal pending that a six (6) story maximum height requirement be allowed for hotels. The Commission also recommended that all Site Plans for hotels within the Planned Development district be reviewed by the Planning and Zoning Commission and City Council.

#### **ATTACHED EXHIBITS**

1. Location Exhibit
2. PON Response

#### **APPLICANT REQUIREMENTS**

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

#### **STAFF CONTACT INFORMATION**

*Prepared by:*  
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)

(20)



(20)

## **CASE PD-19-0039**

Request by Mike Siofert, Lookout Development Group, for a **Planned Development Amendment** for the purpose of removing the height restriction for hotels located adjacent to the Waxahachie Civic Center (Property ID 208655, 208656, and 227433) – Owner: LOOKOUT PARTNERS LP (PD-19-0039)

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

- 0 Support
- 1 Oppose

### **SUPPORT**

### **OPPOSE**

1. Michael Chen, Managing Member of Waxmar LLC, 7001 Corporate Drive, Suite 300, Houston, TX 77036

(20)

RECEIVED  
4/13/19



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: PD-19-0039



WAXMAR LLC  
7001 CORPORATE DR STE 300  
HOUSTON, TX 77036

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 9, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 15, 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 Mike Siefert, Lookout Development Group, for a **Planned Development Amendment** for the purpose of removing the height restriction for hotels located adjacent to the Waxahachie Civic Center (Property ID 208655, 208656, and 227433) – Owner: LOOKOUT PARTNERS LP (PD-19-0039)

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: PD-19-0039      ☐ SUPPORT      ☒ OPPOSE

Comments: We own the Marriott and tried to remove the height restriction during design and failed. It is not equitable for us for this to be changed now.

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, APRIL 3, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com).

  
Signature

4/3/2019  
Date

Michael Chen Managing Member of  
Printed Name and Title      Waxmar, LLC

7001 Corporate Dr., Ste. 300, Houston, TX 77036  
Address



(21)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-MULTI FAMILY-GENERAL RETAIL (PD-MF-GR) TO PLANNED DEVELOPMENT AMENDMENT LOCATED IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 10.210 ACRES KNOWN AS A PORTION OF PROPERTY ID 208655, 208656, AND 227433 OF THE WAXAHACHIE CIVIC CENTER REV., AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:**

**WHEREAS**, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

**WHEREAS**, a proper application for a PD, with Concept Plan has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number PD-19-0039. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from PD-MF-GR to PD, with Concept Plan; and

**WHEREAS**, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and

**WHEREAS**, a proper hearing was held as required by law and the Council having heard all arguments for and against said zoning amendment;

**NOW, THEREFORE**, this property is rezoned from PD-MF-GR to PD, with Concept Plan in order to amend Ordinance 2569 to allow a 6-story maximum building height for hotels within the Planned Development district on the following property: a portion of Property ID 208655, 208656, and 227433 of the Waxahachie Civic Center Rev., which is shown on Exhibit A. All Site Plans for hotels within the Planned Development shall be reviewed by the City of Waxahachie Planning and Zoning Commission and City Council.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

**PASSED, APPROVED, AND ADOPTED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary

(22)

## Planning & Zoning Department

### Zoning Staff Report

Case: SU-19-0026



#### MEETING DATE(S)

*Planning & Zoning Commission:* April 9, 2019 (continued from March 26, 2019)

*City Council:* April 15, 2019

#### CAPTION

**Public Hearing** on a request by Ron Barson, Ledbetter Real Estate, Ltd., for a Specific Use Permit (SUP) for Mini-Warehouse or Self-Storage Facility use within a Commercial zoning district, located at 2050 Corporate Parkway (Property ID 273979) – Owner: LEDBETTER REAL ESTATE LTD (SU-19-0026)

#### ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held April 9, 2019, the Commission voted 6-0 to recommend approval of zoning change SU-19-0026, subject to staff comments.

#### CASE INFORMATION

*Applicant:* Ron Barson

*Property Owner(s):* Ledbetter Real Estate, Ltd.

*Site Acreage:* 7.00 acres

*Current Zoning:* Commercial – Ordinance 2878

*Requested Zoning:* Commercial with SUP for Mini-Warehouse or Self-Storage Facility Use

#### SUBJECT PROPERTY

*General Location:* 2050 Corporate Parkway

*Parcel ID Number(s):* 273979

*Existing Use:* Undeveloped Land

*Development History:* The Amended Plat for North Grove Business Park Phases Two & Four was approved by City Council on September 17, 2018.

#### Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-GR	Atwood's Distributing
East	C	Undeveloped Land
South	LI-2	Dlubak Glass Co.
West	LI-2	Nutri Ag. Inc.



(22)

*Future Land Use Plan:*

Industrial

*Comprehensive Plan:*

Industrial applies to areas intended for a range of heavy commercial, assembly, warehousing, and manufacturing uses. Large tracts of land with easy access to major roadways and air transportation are becoming increasingly difficult to find for the industrial business community. However, these businesses can be advantageous for a municipality in terms of providing employment and an increased tax base. Examples of desirable uses within these areas include company headquarters, computer technology businesses, and other types of large businesses.

*Thoroughfare Plan:*

The subject site is accessible via Corporate Pkwy.

*Site Image:*



#### **PLANNING ANALYSIS**

The applicant is requesting a Specific Use Permit approval for an 8-building 549 unit storage facility on 7 acres. According to the Site Plan, two of the eight buildings will be indoor storage facility buildings totaling 389 units. The building also anticipates including an office building within Building A of the development. *The development shall comply with the City's environmental standards and noise ordinance.*

#### **AREAS OF CONCERN:**

##### **Surrounding Area:**

At the March 26, 2019 Planning and Zoning meeting, there were growing concerns whether a storage facility would be the best use of the property. Although the property is surrounded by industrial uses, the property is currently zoned Commercial.

#### **REQUESTED EXCEPTIONS:**

##### **Masonry:**

The applicant is proposing an eight (8) building storage facility. Two buildings, Building A and Building B, will only have 35% masonry material for the building. Buildings C, D, E, F, G, and H is proposed to be constructed of metal.

(22)

#### **PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 20 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 03/08/2019.

#### **STAFF CONCERNS**

1. The applicant is currently proposing an ornamental iron fence for the property. Due to the applicant constructing a storage facility, staff suggests that a minimum 6 ft. (maximum 8 ft.) masonry fence be provided to help provide a visual and protective barrier between surrounding properties.

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

1. The applicant informed staff that he intended on providing a masonry screening wall opposed to the proposed ornamental iron fence for the property. However, the applicant still needs to label the proposed masonry fence on the plan.

#### **RECOMMENDATION**

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, pending:
  1. Provides an 8 foot chain link fence along the rear of the property adjacent to the railroad. No barbed wire shall be allowed along the fence.
  2. A 6 foot masonry wall shall be constructed around the front and sides of the property.

#### **ATTACHED EXHIBITS**

1. Location Exhibit
2. Site Plan Layout/Elevations
3. Landscape 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)

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**SU-19-0026**  
**2050 Corporate Pkwy Self-Storage**  
**Location Exhibit**

**Legend**

 SU-19-0026

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the City of Waxahachie for the sole purpose of geographic reference. No warranty is made by the City of Waxahachie regarding specific accuracy or completeness.

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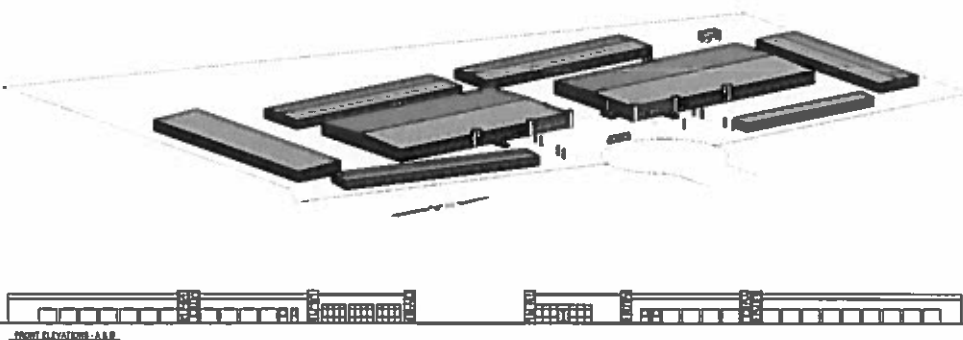
LRE18001

# NORTH GROVE STORAGE

NORTH GROVE BUSINESS PARK - LOT 4, BLOCK C  
WAXAHACHIE TEXAS

## Exhibit B - Site Plan Layout/Elevations

ISSUED FOR PERMIT



### SHEET INDEX

#### GENERAL

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CIVIL & LANDSCAPE - ISSUED UNDER SEPARATE COVER

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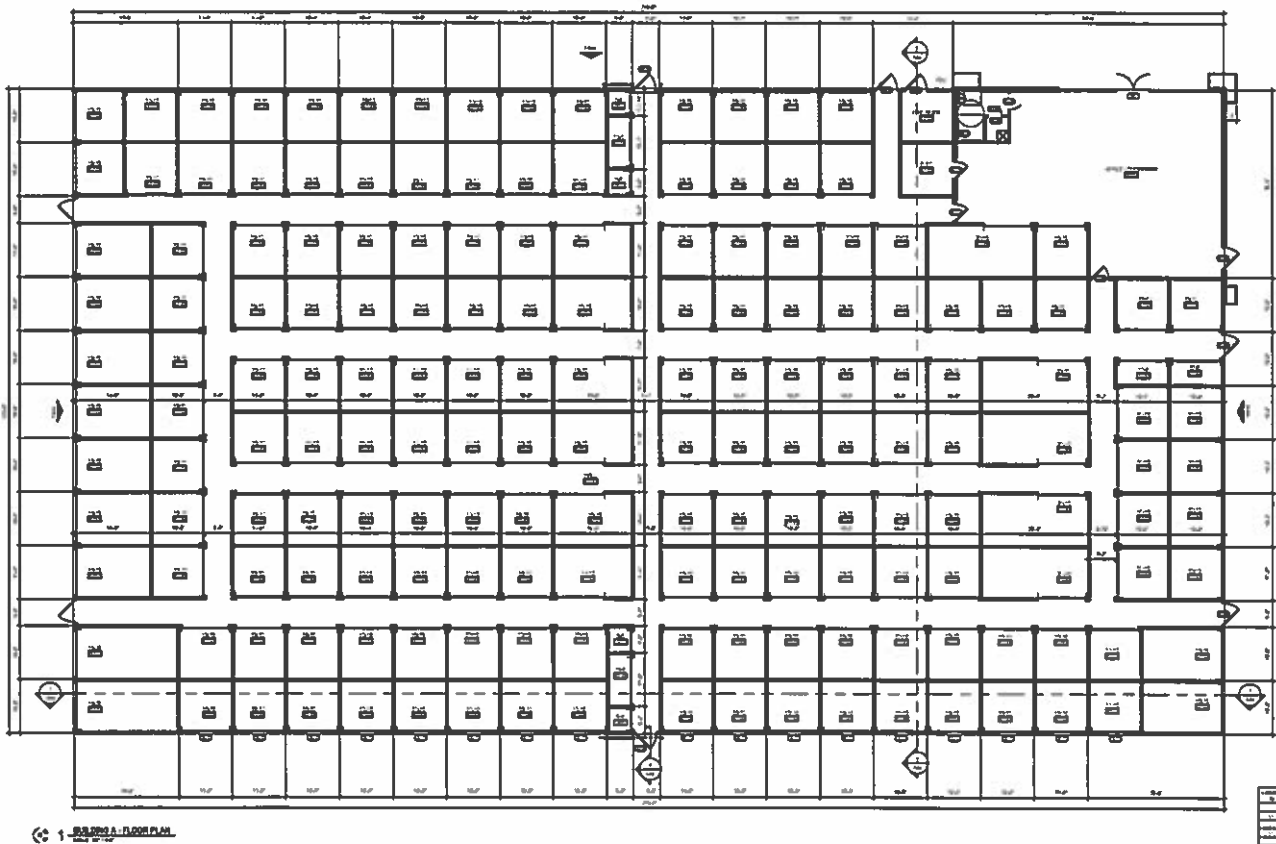
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**Exhibit B - Site Plan Layout/Elevations**

GENERAL NOTES	
1. ALL DIMENSIONS ARE IN FEET AND INCHES. DIMENSIONS ARE GIVEN TO THE CENTER OF THE UNIT OR TO THE FACE OF THE CURB OR WALL, UNLESS OTHERWISE NOTED.	
2. ALL DIMENSIONS ARE TO THE CENTER OF THE UNIT OR TO THE FACE OF THE CURB OR WALL, UNLESS OTHERWISE NOTED.	
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**ACHESON**  
ARCHITECTURE

OWNER & DEVELOPER:  
ROOM BRACKEN

BUILDING A - FLOOR PLAN  
NORTH DRIVE STORAGE  
NORTH DRIVE BRACKEN PARK, WILSONVILLE, TEXAS

2010  
A2a

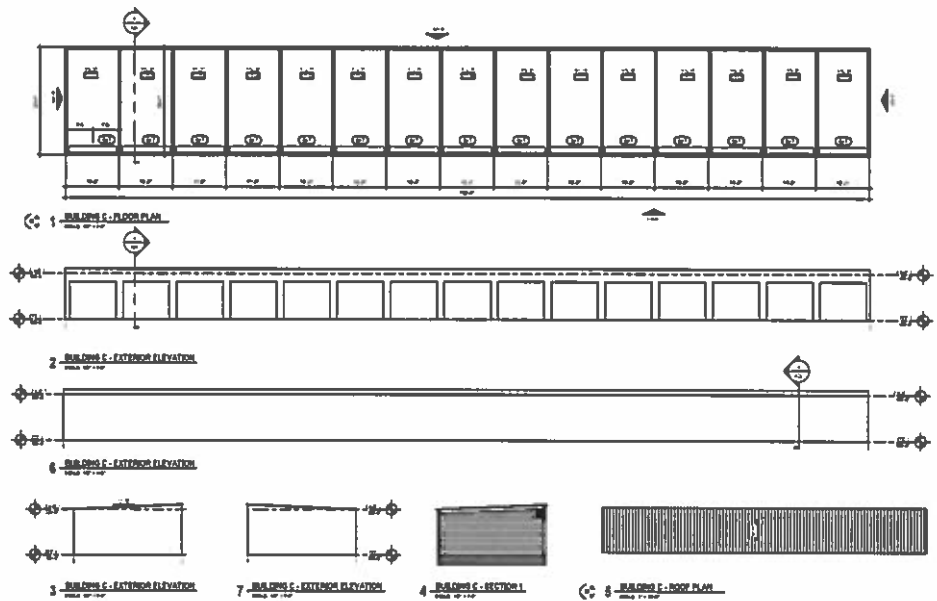
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3	DOOR	4	DOOR
5	DOOR	6	DOOR
7	DOOR	8	DOOR

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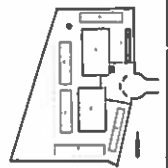
(22)



**Exhibit B - Site Plan Layout/Elevations**

NO.	DESCRIPTION	DATE
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2	REVISION	10/1/10
3	REVISION	10/1/10
4	REVISION	10/1/10
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6	REVISION	10/1/10
7	REVISION	10/1/10
8	REVISION	10/1/10
9	REVISION	10/1/10
10	REVISION	10/1/10

NO.	DESCRIPTION	DATE
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6	REVISION	10/1/10
7	REVISION	10/1/10
8	REVISION	10/1/10
9	REVISION	10/1/10
10	REVISION	10/1/10



**Acheson**  
ARCHITECTURE



OWNER & DEVELOPER:  
RON BRANSON

**BUILDING C - FLOOR PLAN**  
NORTH SHORE BEACH  
NORTH SHORE BEACH  
NORTH SHORE BEACH  
NORTH SHORE BEACH  
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NORTH SHORE BEACH  
NORTH SHORE BEACH  
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NORTH SHORE BEACH  
NORTH SHORE BEACH

DATE: 10/1/10  
PAGE: 2 OF 2



The architectural drawings for Building D include:

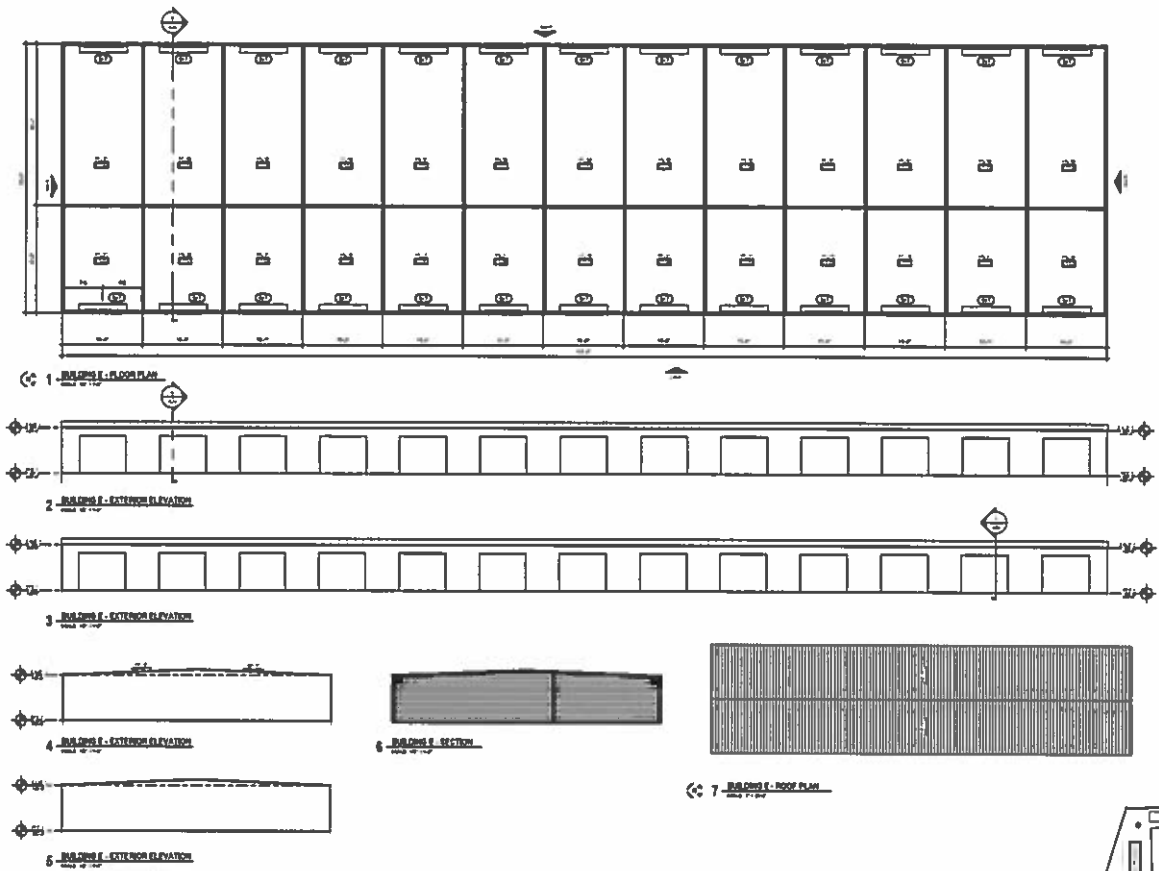
- 1. BUILDING D - FLOOR PLAN**: A detailed plan showing a long, narrow building with a central corridor and multiple rooms. Rooms are numbered 101 through 150. The plan includes dimensions and a north arrow.
- 2. BUILDING D - EXTERIOR ELEVATION**: A side elevation showing the building's facade with a series of windows and doors. The elevation is marked with dimensions and a north arrow.
- 3. BUILDING D - EXTERIOR ELEVATION**: Another side elevation showing the building's facade from a different angle. The elevation is marked with dimensions and a north arrow.
- 4. BUILDING D - EXTERIOR ELEVATION**: A third side elevation showing the building's facade. The elevation is marked with dimensions and a north arrow.
- 5. BUILDING D - SECTION 1**: A cross-section of the building showing the internal structure, including the roof, walls, and floor. The section is marked with dimensions and a north arrow.
- 6. BUILDING D - EXTERIOR ELEVATION**: A fourth side elevation showing the building's facade. The elevation is marked with dimensions and a north arrow.
- 7. BUILDING D - POOL PLAN**: A plan of the swimming pool area, showing the pool's shape, dimensions, and surrounding deck. The plan is marked with dimensions and a north arrow.

DOOR SCHEDULE			
1	2	3	4
5	6	7	8
9	10	11	12
13	14	15	16
17	18	19	20
21	22	23	24
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89	90	91	92
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97	98	99	100

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(22)



**Exhibit B - Site Plan Layout/Elevations**

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(22)

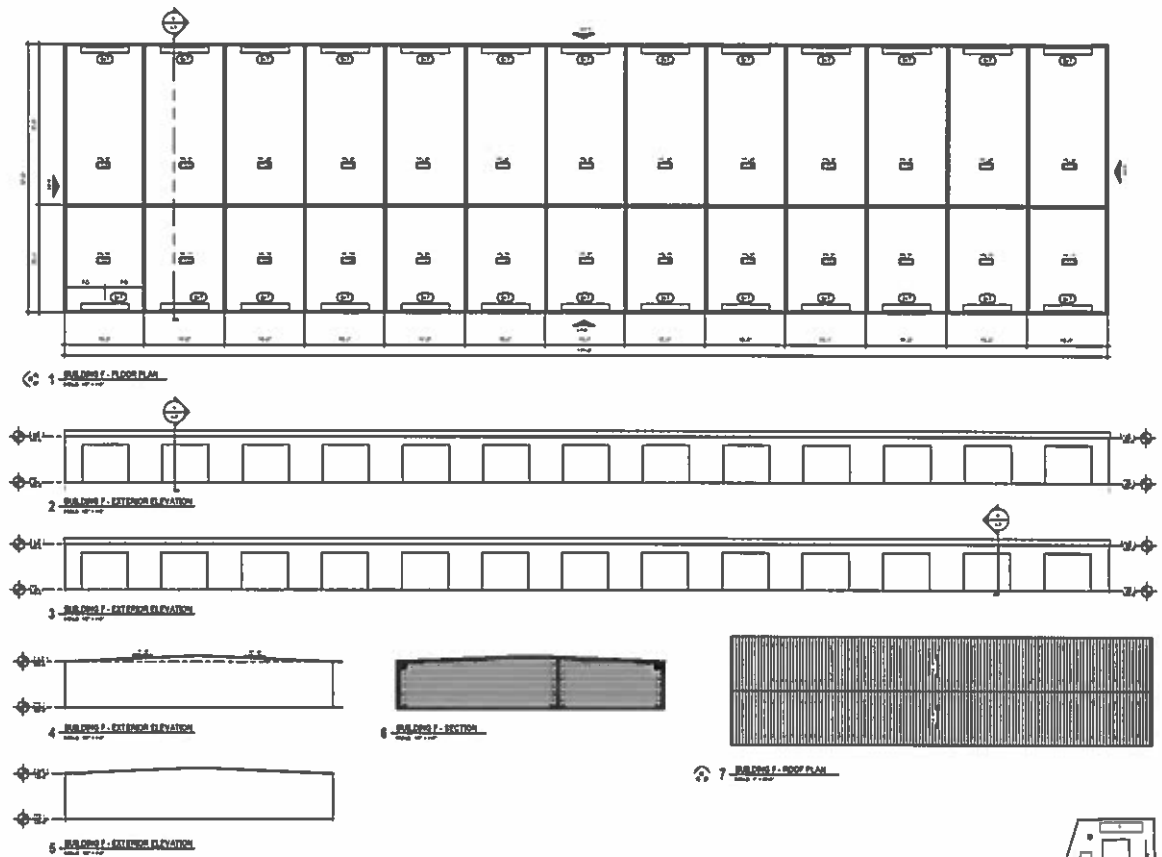


Exhibit B - Site Plan Layout/Elevations

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FLOOR SCHEDULE	
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**Acheson**  
ARCHITECTURE

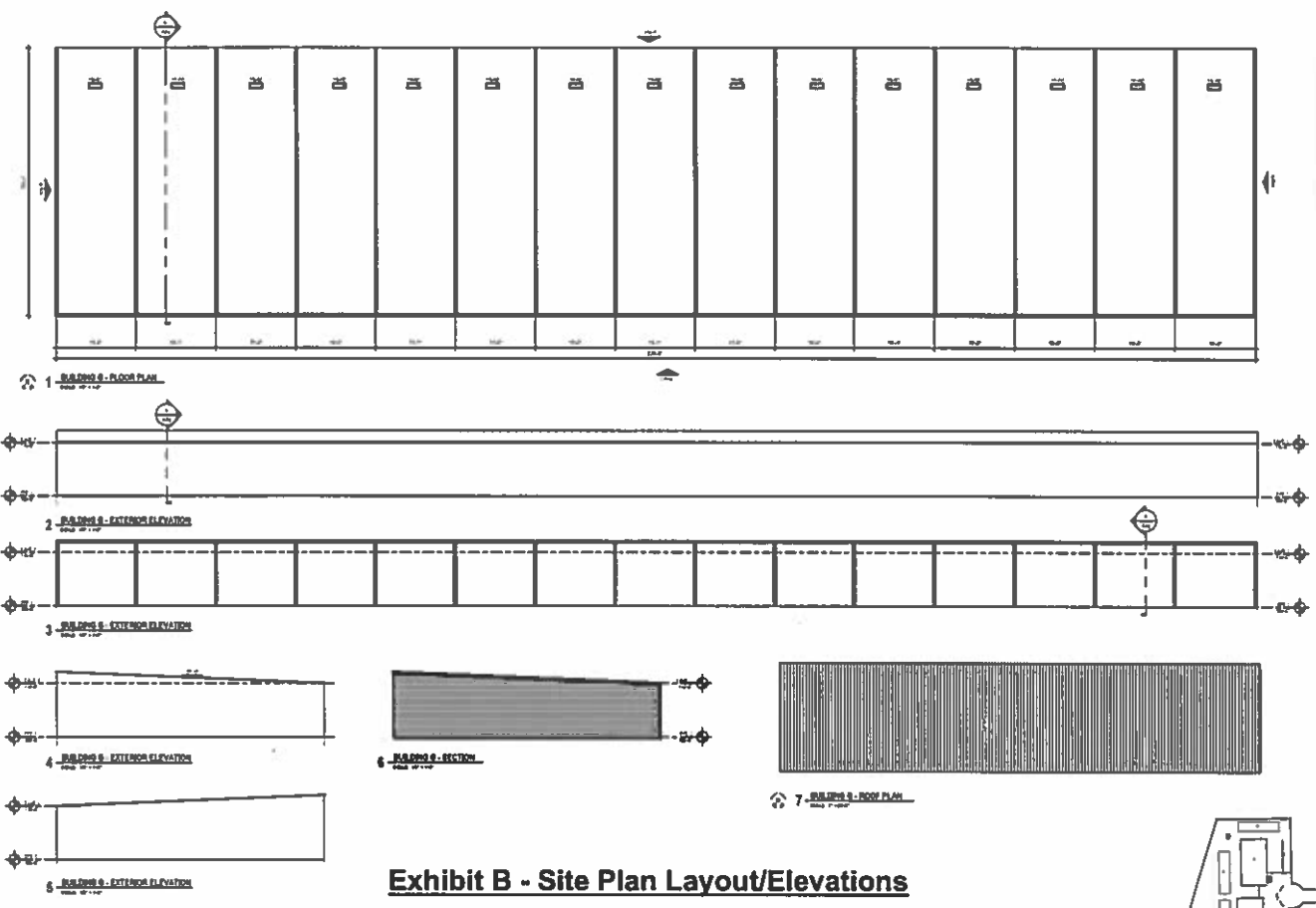
OWNER & DEVELOPER:  
RON BRADSON

**BUILDING F - FLOOR PLAN**  
NORTH SHORE ESTATE  
NORTH SHORE BUSINESS PARK  
BELLINGHAM, TEXAS

LIFT & SLIDE  
PAGE 3 OF 4

DATE: 07/14  
A21

(b2)



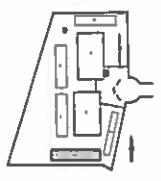
**Exhibit B - Site Plan Layout/Elevations**

**DOOR SCHEDULE**

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2	ENTRY	WOOD
3	ENTRY	WOOD

**WINDOW SCHEDULE**

NO.	TYPE	FINISH
1	ENTRY	WOOD
2	ENTRY	WOOD
3	ENTRY	WOOD



Architectural drawings of Building H, including:

- 1 - BUILDING H - FLOOR PLAN**: A detailed floor plan showing a long, narrow building with multiple rooms, each labeled with a number (e.g., 101, 102, 103, etc.).
- 2 - BUILDING H - EXTERIOR ELEVATION**: A side elevation of the building showing a series of rectangular windows and doors.
- 3 - BUILDING H - EXTERIOR ELEVATION**: Another side elevation of the building, showing a different set of windows and doors.
- 4 - BUILDING H - EXTERIOR ELEVATION**: A third side elevation of the building, showing a different set of windows and doors.
- 5 - BUILDING H - EXTERIOR ELEVATION**: A fourth side elevation of the building, showing a different set of windows and doors.
- 6 - BUILDING H - SECTION**: A cross-section of the building, showing the internal structure and floor levels.
- 7 - BUILDING H - ROOF PLAN**: A plan view of the building's roof, showing the layout of the roof structure.

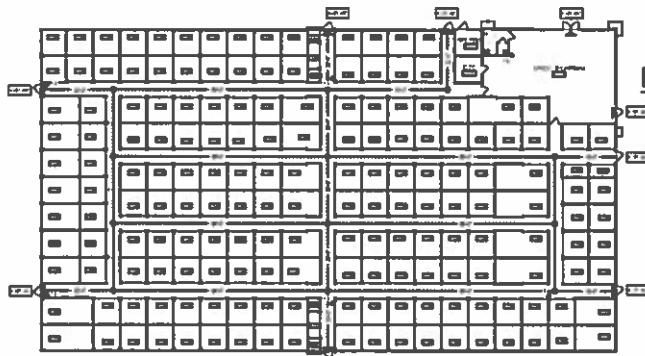
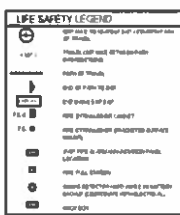
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10/1/01	10:00 AM	JOHN DOE
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10/1/01	12:00 PM	JOHN DOE

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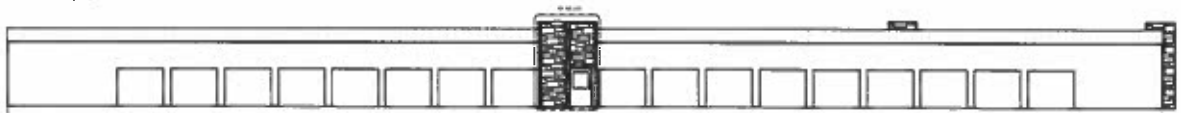


(22)

### Exhibit B - Site Plan Layout/Elevations



☐ 3. BUILDING A LIFE-SAFETY PLAN

2 EAST ELEVATION  
FRONT VIEW

### 3. MILITATION



#### 4 NORTH ELEVATION



**5. CONCLUSION**

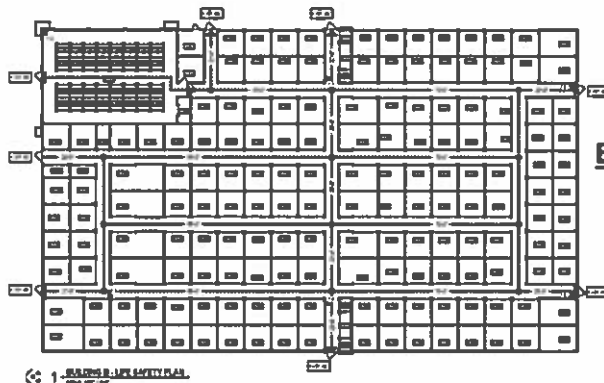
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93	8:00	2.0	2.0
94	8:00	2.0	2.0

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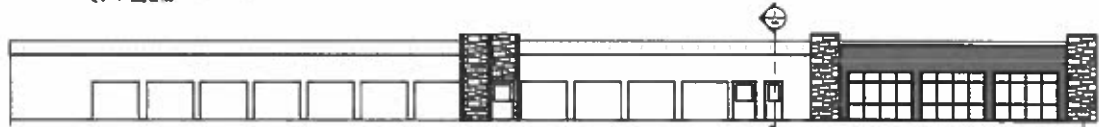
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LIFE SAFETY LEGEND	
	EXIT SIGN - TO BE PLACED ON LAST ELEVATION OF CORRIDOR
	FIRE ALARM PULL STATION - TO BE PLACED IN MAIN CORRIDOR
	FIRE ALARM CONTROL PANEL - TO BE PLACED IN MAIN CORRIDOR
	FIRE ALARM CONTROL PANEL WITH MANUAL RESET - TO BE PLACED IN MAIN CORRIDOR
	FIRE ALARM CONTROL PANEL WITH MANUAL RESET AND ALARM SILENCE - TO BE PLACED IN MAIN CORRIDOR
	FIRE ALARM CONTROL PANEL WITH MANUAL RESET AND ALARM SILENCE AND ALARM TRANSFER - TO BE PLACED IN MAIN CORRIDOR
	FIRE ALARM CONTROL PANEL WITH MANUAL RESET AND ALARM SILENCE AND ALARM TRANSFER AND ALARM TRANSFER TO FIRE DEPARTMENT - TO BE PLACED IN MAIN CORRIDOR
	FIRE ALARM CONTROL PANEL WITH MANUAL RESET AND ALARM SILENCE AND ALARM TRANSFER AND ALARM TRANSFER TO FIRE DEPARTMENT AND ALARM TRANSFER TO FIRE DEPARTMENT - TO BE PLACED IN MAIN CORRIDOR

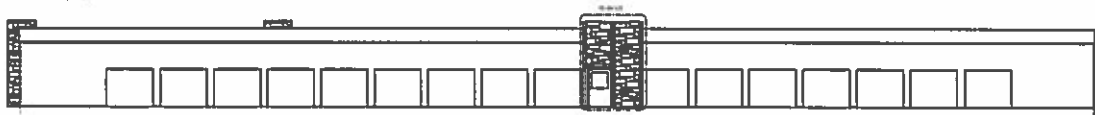


1 - BUILDING B - LIFE SAFETY PLAN

## Exhibit B - Site Plan Layout/Elevations



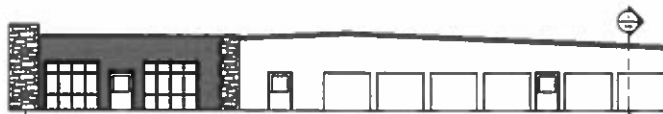
2 - EAST ELEVATION



3 - WEST ELEVATION



4 - NORTH ELEVATION



5 - SOUTH ELEVATION

DOOR SCHEDULE	
NO.	DESCRIPTION
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2	DOOR 2
3	DOOR 3
4	DOOR 4
5	DOOR 5
6	DOOR 6
7	DOOR 7
8	DOOR 8
9	DOOR 9
10	DOOR 10
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97	DOOR 97
98	DOOR 98
99	DOOR 99
100	DOOR 100

DOOR SCHEDULE	
NO.	DESCRIPTION
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3	DOOR 3
4	DOOR 4
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6	DOOR 6
7	DOOR 7
8	DOOR 8
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Acheson  
ARCHITECTURE

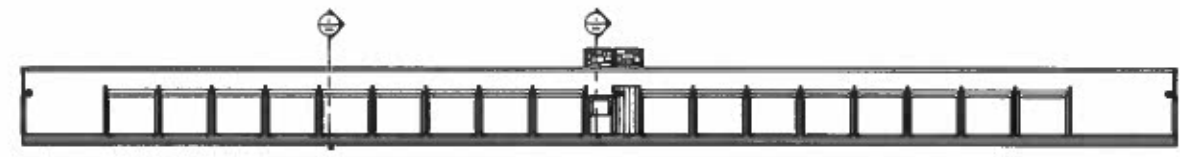


OWNER & DEVELOPER:  
NOM BRANDSON

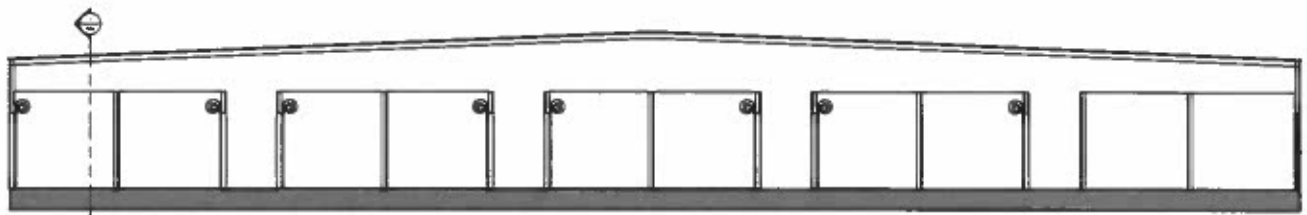
BUILDING B - LIFE SAFETY PLAN & EXTERIOR ELEVATIONS  
NORTH BRIDGE STREET  
NORTH BRIDGE STREET, WILMINGTON, DE

DATE: 10/1/17  
BY: [Signature]  
A33

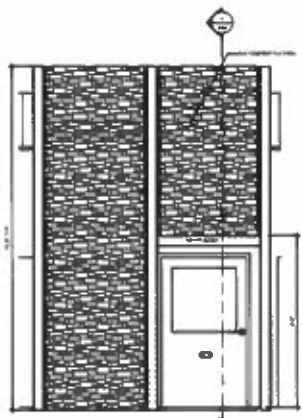
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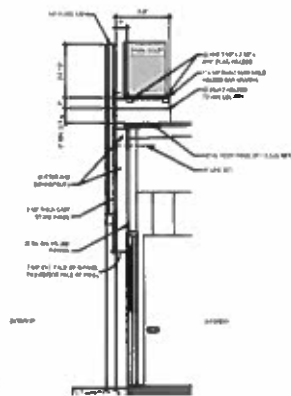
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2 - BUILDING A - SECTION  
Scale: 1/8" = 1'-0"



3 - NORTH ELEVATION - ENLARGED VIEW  
Scale: 1/8" = 1'-0"



4 - SECTION  
Scale: 1/8" = 1'-0"

### Exhibit B - Site Plan Layout/Elevations

Acheson  
ARCHITECTURE



OWNER & DEVELOPER:  
RON BRANSON

BUILDING A - SECTIONS  
NORTH ELEVATION  
NORTH ELEVATION - ENLARGED VIEW

A44



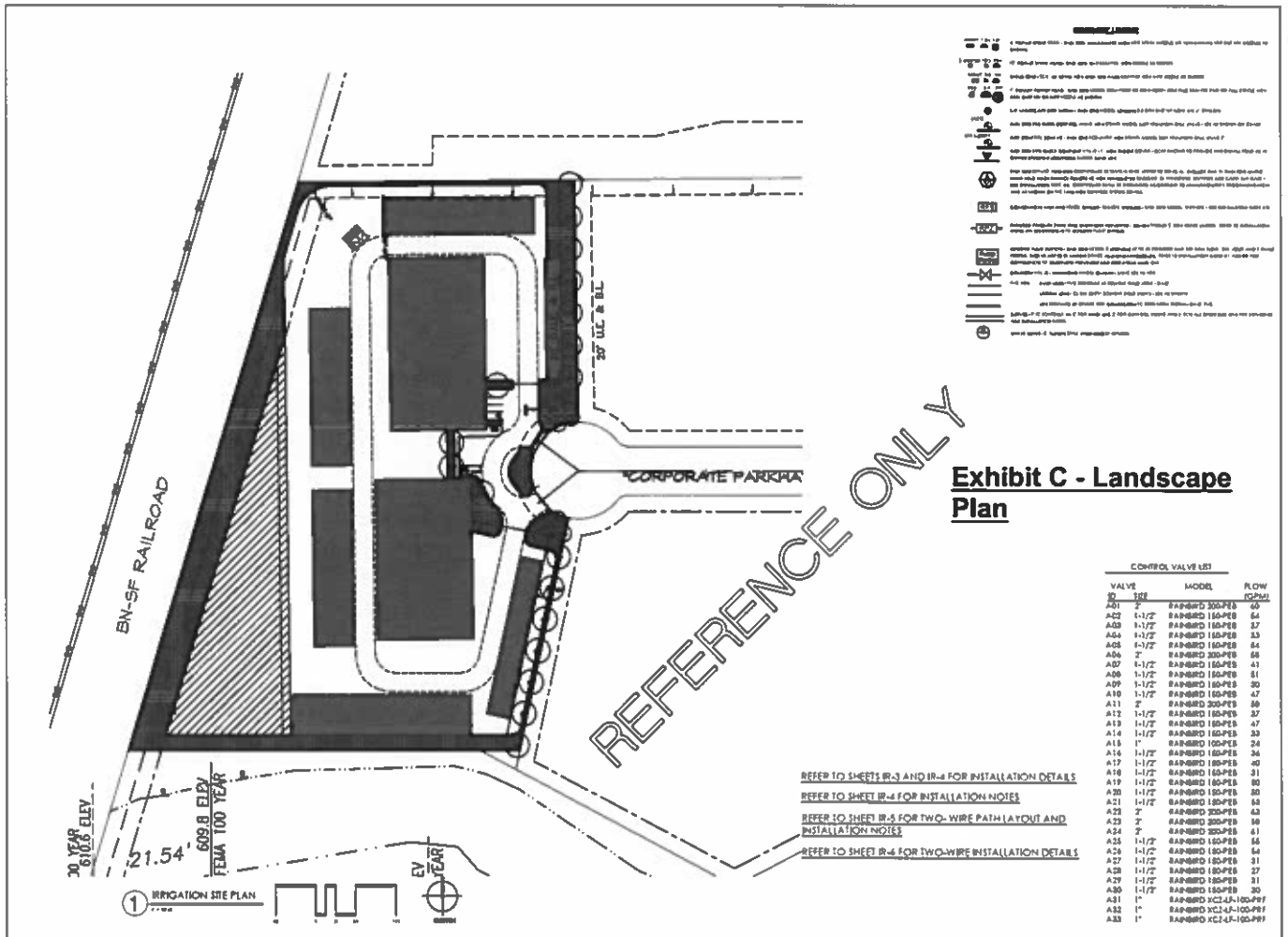
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## LS.1

(27)



(22)



Report Number: 10-10-2010 (10-10-2010) 10-10-2010

Project Name: North Grove Mini Storage

Project Location: 10-10-2010 (10-10-2010) 10-10-2010

Project Date: 10-10-2010 (10-10-2010) 10-10-2010

Project Status: 10-10-2010 (10-10-2010) 10-10-2010

Project Owner: 10-10-2010 (10-10-2010) 10-10-2010

Project Manager: 10-10-2010 (10-10-2010) 10-10-2010

Project Engineer: 10-10-2010 (10-10-2010) 10-10-2010

Project Designer: 10-10-2010 (10-10-2010) 10-10-2010

Project Draftsman: 10-10-2010 (10-10-2010) 10-10-2010

Project Checker: 10-10-2010 (10-10-2010) 10-10-2010

Project Approver: 10-10-2010 (10-10-2010) 10-10-2010

Project Reviewer: 10-10-2010 (10-10-2010) 10-10-2010

Project Coordinator: 10-10-2010 (10-10-2010) 10-10-2010

Project Assistant: 10-10-2010 (10-10-2010) 10-10-2010

Project Secretary: 10-10-2010 (10-10-2010) 10-10-2010

Project Receptionist: 10-10-2010 (10-10-2010) 10-10-2010

Project Mailroom: 10-10-2010 (10-10-2010) 10-10-2010

Project Janitor: 10-10-2010 (10-10-2010) 10-10-2010

Project Security Guard: 10-10-2010 (10-10-2010) 10-10-2010

Project Custodian: 10-10-2010 (10-10-2010) 10-10-2010

Project Maintenance: 10-10-2010 (10-10-2010) 10-10-2010

Project Cleaning: 10-10-2010 (10-10-2010) 10-10-2010

Project Landscaping: 10-10-2010 (10-10-2010) 10-10-2010

Project Painting: 10-10-2010 (10-10-2010) 10-10-2010

Project Electrical: 10-10-2010 (10-10-2010) 10-10-2010

Project Plumbing: 10-10-2010 (10-10-2010) 10-10-2010

Project HVAC: 10-10-2010 (10-10-2010) 10-10-2010

Project Fire Alarm: 10-10-2010 (10-10-2010) 10-10-2010

Project Security System: 10-10-2010 (10-10-2010) 10-10-2010

Project Access Control: 10-10-2010 (10-10-2010) 10-10-2010

Project Video Surveillance: 10-10-2010 (10-10-2010) 10-10-2010

Project Intercom: 10-10-2010 (10-10-2010) 10-10-2010

Project Mailbox: 10-10-2010 (10-10-2010) 10-10-2010

Project Signage: 10-10-2010 (10-10-2010) 10-10-2010

Project Lighting: 10-10-2010 (10-10-2010) 10-10-2010

Project Sound System: 10-10-2010 (10-10-2010) 10-10-2010

Project Telephony: 10-10-2010 (10-10-2010) 10-10-2010

Project Data Network: 10-10-2010 (10-10-2010) 10-10-2010

Project Internet: 10-10-2010 (10-10-2010) 10-10-2010

Project Intranet: 10-10-2010 (10-10-2010) 10-10-2010

Project Extranet: 10-10-2010 (10-10-2010) 10-10-2010

Project Web Portal: 10-10-2010 (10-10-2010) 10-10-2010

Project Mobile App: 10-10-2010 (10-10-2010) 10-10-2010

Project Social Media: 10-10-2010 (10-10-2010) 10-10-2010

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Project Courier: 10-10-2010 (10-10-2010) 10-10-2010

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Project Workers' Comp: 10-10-2010 (10-10-2010) 10-10-2010

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Project UGMA: 10-10-2010 (10-10-2010) 10-10-2010

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Project CRAT: 10-10-2010 (10-10-2010) 10-10-2010

Project CLUT: 10-10-2010 (10-10-2010) 10-10-2010

Project GRAT: 10-10-2010 (10-10-2010) 10-10-2010

Project SLIP: 10-10-2010 (10-10-2010) 10-10-2010

Project RUT: 10-10-2010 (10-10-2010) 10-10-2010

Project SUT: 10-10-2010 (10-10-2010) 10-10-2010

Project CLUT: 10-10-2010 (10-10-2010) 10-10-2010

Project CRAT: 10-10-2010 (10-10-2010) 10-10-2010

Project SLIP: 10-10-2010 (10-10-2010) 10-10-2010

Project RUT: 10-10-2010 (10-10-2010) 10-10-2010

Project SUT: 10-10-2010 (10-10-2010) 10-10-2010

Project CLUT: 10-10-2010 (10-10-2010) 10-10-2010

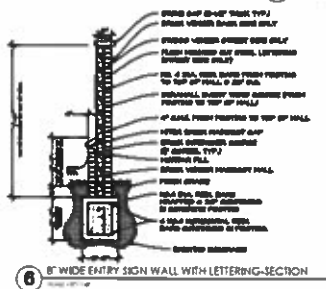
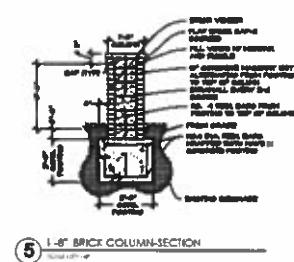
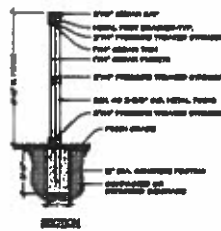
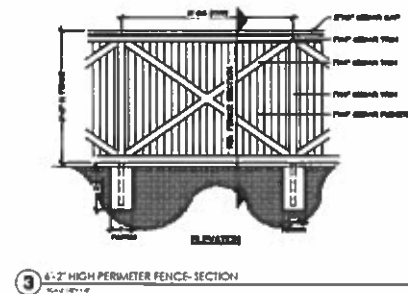
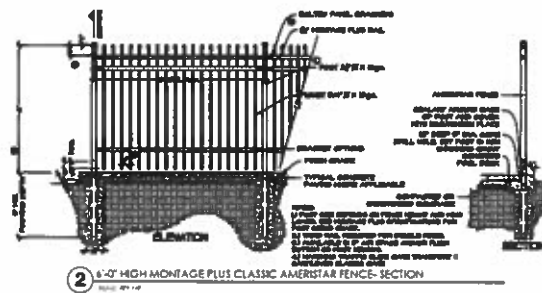
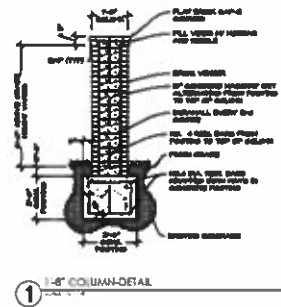
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Project RUT: 10-10-2010 (10-10-2010) 10-10-2010

Project SUT: 10-10-2010 (10-10-2010) 10-10-2010

## Exhibit C - Landscape Plan



- DETAIL NOTES**
1. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.
  2. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.
  3. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.
  4. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.
  5. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.
  6. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.
  7. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.
  8. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.
  9. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.
  10. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.

NORTH GROVE MINI  
STORAGE  
APR 2010

Texas  
Landscape  
Landscape

LANDSCAPING  
DETAILS

10-10-2010

D.1

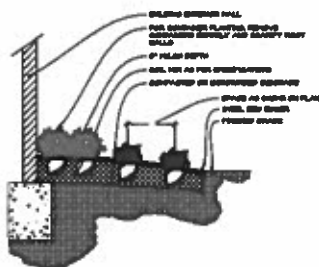
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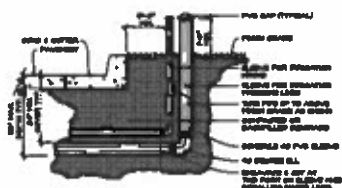
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2 CONIFEROUS TREE PLANTING - TYPICAL SECTION



3 SHRUB PLANTING - TYPICAL SECTION

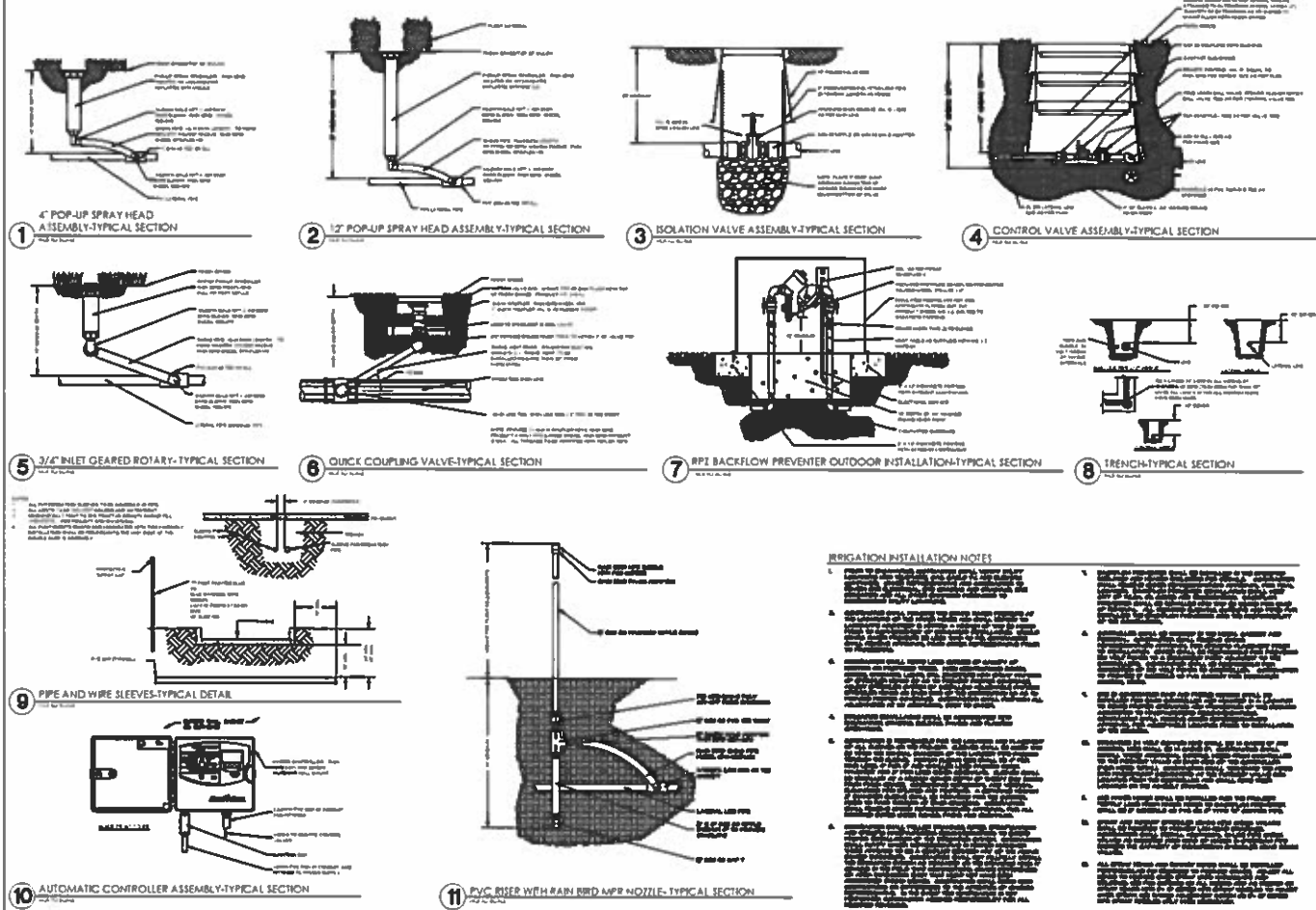


4 SLEEVE AND CONDUIT ASSEMBLY-TYPICAL SECTION

## Exhibit C - Landscape Plan

(22)

## Exhibit C - Landscape Plan



North Grove Mini Storage

NORTH GROVE MINI STORAGE

Texas

IRIGATION DETAILS

D.3



(23)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A STORAGE FACILITY USE WITHIN A COMMERCIAL (C) ZONING DISTRICT, LOCATED AT 2050 CORPORATE PARKWAY, BEING PROPERTY ID 273979, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 4, BLOCK C IN THE NORTH GROVE BUSINESS PARK PHASE 2 & 4 SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:**

**WHEREAS**, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

**WHEREAS**, the described property is classified in said ordinance and any amendments thereto as C; and

**WHEREAS**, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number SU-19-0026. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

**WHEREAS**, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

**WHEREAS**, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

**NOW, THEREFORE**, this property is rezoned from C to C, with an SUP in order to permit a Storage Facility use on the following property: Lot 4, Block C of the North Grove Business Park Phase 2 & 4 subdivision, which is shown on Exhibit A, in accordance with the Site Layout Plan/Elevations attached as Exhibit B, and Landscape Plan as shown in Exhibit C.

#### **SPECIFIC USE PERMIT**

##### **Purpose and Intent**

The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and Zoning Ordinance.



(23)

### Specific Use Permit

**FOR OPERATION OF A SPECIFIC USE PERMIT FOR A STORAGE FACILITY USE IN THE COMMERCIAL (C) DISTRICT;** the following standards and conditions are hereby established as part of this ordinance:

1. The site plan shall conform as approved by the City Council under case number SU-19-0026.
2. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
3. The development shall adhere to the City Council approved in Exhibit A- Location Exhibit, Exhibit B – Site Layout Plan/Elevations, and Exhibit C – Landscape Plan.
4. An 8 foot chain link fence shall be allowed along the rear of the property adjacent to the railroad. No barbed wire shall be allowed along the fence.
5. A 6 foot masonry wall shall be constructed around the front and sides of the property.
6. Building A and Building B, as shown on the Site Layout Plan (Exhibit B), shall have a minimum requirement of 35% masonry material for the building. Buildings C, D, E, F, G, and H, as shown on the Site Layout Plan (Exhibit B), are allowed to be constructed of metal.
7. If approved, the City Council shall have the right to review the Specific Use Permit after 12-months if needed.

### Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

**PASSED, APPROVED AND ADOPTED** on this 15<sup>th</sup> day of April, 2019.

(23)

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary

(24+25)



## Memorandum

To: Honorable Mayor and City Council  
From: Shon Brooks, Director of Planning  
Thru: Michael Scott, City Manager  
Date: April 10, 2019  
Re: PD-19-0031 – The Village at Waxahachie

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On April 9, 2019, the Planning and Zoning Commission voted 6-0 to continue case no. PD-19-0031 to the May 14, 2019 Planning and Zoning Commission meeting. The case will be reviewed at the May 14, 2019 Planning and Zoning meeting, and the May 20, 2019 City Council meeting.

(26)

**Villarreal, Amber**

**Subject:** FW: Resignation of Ellis Appraisal District Board of Director Member - Tommy Hamilton  
**Attachments:** Resolutions for BOD Election Vacancy.docx

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**From:** Kathy Rodrigue [<mailto:kathy@ellisgad.com>]  
**Sent:** Wednesday, April 3, 2019 6:09 PM  
**Subject:** Resignation of Ellis Appraisal District Board of Director Member - Tommy Hamilton

Hello All,  
Tommy Hamilton, who has served on the Ellis Appraisal District Board of Directors(BOD) since 2012, has submitted his resignation from the Board.

Words cannot fully express what Tommy has meant to EAD in serving the 42 taxing units and all the property owners of Ellis County. His service and insight have been impeccable and EAD is better for his part in its leadership!

The Texas Property Tax Code Section 6.03(l) speaks to the process where a vacancy on the BOD is filled. Each taxing unit that is entitled to vote may nominate by resolution adopted by its governing body a candidate to fill the vacancy. The unit shall submit the name of its nominee to the chief appraiser within 45 days after notification from the board of directors of the existence of the vacancy, and the chief appraiser shall prepare and deliver to the board of directors within the next five days a list of the nominees. The board of directors shall elect by majority vote of its members one of the nominees to fill the vacancy.

So, here is the time line to address this vacancy:

- Please have your governing body act to nominate a candidate by resolution(please see attachment) by **Monday, May 20<sup>th</sup>**
- Please submit your nominations on Monday, May 20<sup>th</sup> by 4pm
- The list of nominees will be sent to the current Board of Directors
- The **Board of Directors will act on Thursday, May 23<sup>rd</sup> at 4pm** to fill the vacancy from the list of nominees
- You will receive notification of the new member on the Board of Directors

Please let me know if you have any questions,  
Kathy

Kathy Rodrigue, RPA  
Chief Appraiser, Ellis Appraisal District

***Let's serve others and make a difference in this world!***

Direct Line: 972.937.3218  
Fax: 972.937.1618

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## Memorandum

To: Honorable Mayor and City Council  
From: Dale Sigler, Assistant Chief of Police  
Thru: Michael Scott, City Manager  
Date: April 5, 2019  
Re: Inter-Local Agreement with Ellis County Jail

The Waxahachie Police Department and Ellis County Sheriff's Office would like to renew the Inter-Local Cooperation Contract and Agreement for detention services. For the past several years, the Waxahachie Police Department has utilized the Ellis County Sheriff's Office to house inmates who have been arrested on a class "C" misdemeanor. County jails are required by statute to house inmates charged with offenses higher than a class "C" at no expense to arresting agencies.

We feel this agreement is beneficial to both parties. The County has the dedicated resources, including trained professional staff, to meet the unique challenges of housing inmates. The jail provides housing, feeding, security, and health care supplies for the inmates housed under this agreement. Without this agreement, we would have to construct, maintain, and staff a jail facility and take on many other expenses.

The most notable difference in the new agreement is the cost. The cost in the original agreement was \$35 per day, per inmate. The cost in the proposed agreement is \$60 per day, per inmate; however, it is important to note that the County has not increased its rate in approximately 15 years. We feel the rate is fair and wish to continue the agreement. Sheriff Edge told us months ago he was considering raising the rate. We

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budgeted for the increase and do not foresee this agreement negatively affecting our current year budget.

As stated previously, I believe this agreement is positive for both the Police Department and Sheriff's Office. I am asking for your approval of the attached Inter-Local Cooperation Contract and Agreement for Detention Services between the County of Ellis and the City of Waxahachie.

(271)

**INTER-LOCAL COOPERATION CONTRACT AND AGREEMENT  
FOR DETENTION SERVICES  
BETWEEN  
THE COUNTY OF ELLIS AND THE CITY OF WAXAHACHIE**

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**WHEREAS:** the hereinafter described government entities desire to increase their efficiency and effectiveness by entering into this contract one with the other; and

**WHEREAS:** such contracts are authorized under Chapter 791 of the Government Code of the State of Texas, said law cited as the Inter-local Cooperation Act of the State of Texas; and

**WHEREAS:** the functions or services contracted for and to be provided by this agreement are within the definition of "Governmental function and services as defined by Section 791.003 of the Government Code; and

**WHEREAS:** the function or services contracted to be provided are functions or services that each party to the contract is authorized to perform individually; and

**NOW, THEREFORE,** the parties agree and covenant one with the other as follows:

The County of Ellis of the State of Texas (hereinafter, COUNTY) shall be the party providing the function or service; to wit, detention services.

The City of Waxahachie, of the State of Texas (hereinafter, CITY) shall be the party receiving the function or services and providing the consideration for such function or services.

Both parties acknowledge, understand and agree in reference to this agreement, the following:

1. That COUNTY shall provide housing to inmates of CITY who are charged with Class C misdemeanor offenses only.
2. That the cost to be charged to CITY by COUNTY providing housing of Class C misdemeanor inmates shall be \$60 per day.
3. That a day, for purposes of this agreement, shall include any part of a day beginning at 12:01 a.m. and ending at midnight of the same calendar day.
4. That the COUNTY by and through the Ellis County Sheriff's Office shall provide the housing, feeding, and security for the inmate housed under this agreement as well as providing health care supplies for the inmate as needed.

(27)

5. That the transportation of an inmate housed under the terms of this agreement to and from the Wayne McCollum Detention Center will be the sole responsibility of CITY.
6. That the CITY shall be responsible to take any and all inmates held under the terms of this agreement before a magistrate within twenty-three (23) hours from the time of said inmate's arrest or said inmate shall be released from the custody by the Ellis County Sheriff's personnel.
7. That the arresting agency of CITY shall provide the Ellis County Sheriff's Detention staff with a copy of the commitment order for the inmate and a copy of the judgment of the Court of the indigence hearing on the inmate wherein the inmate was found not to be indigent prior to the time or simultaneous with the time said inmate is delivered to the Wayne McCollum Detention Center.
8. That regardless of whether an inmate has been taken before a magistrate and regardless of whether a commitment order has been issued, the CITY agrees to pay for all expenses, including any medical or dental expenses, of an arrestee up until such arrestee is actually incarcerated in the Wayne McCollum Detention Center. The CITY also agrees to guard their arrestee during such arrestee's hospitalization prior to actual physical delivery for incarceration in the Wayne McCollum Detention Center. Once an arrestee is actually incarcerated in the Wayne McCollum Detention Center, the CITY agrees to pay the expenses of an inmate as agreed to herein this agreement.
9. That any inmate detained under this agreement shall undergo a medical screening process prior to acceptance into the Wayne McCollum Detention Center. Any prospective inmate found to be in immediate need of medical care by the intake officer will be rejected for admission. Regardless of any statutory provision, all emergency medical services required for an inmate being held for CITY will be the sole responsibility of CITY. If an inmate shall make a medical call to see a doctor, then CITY shall be billed for the actual cost of such medical call plus the cost of transporting the inmate to and from the location to provide that inmate with medical or dental services in an amount of \$0.32 per mile. Medical calls that require only the staff nurse on duty at the Wayne McCollum Detention Center will be provided as part of the service provided by COUNTY. In the event a medical emergency shall require transportation of the inmate to the hospital emergency room or confinement in the hospital, the detention personnel of COUNTY shall provide security on a temporary basis, not to exceed eighteen (18) hours. It shall be the responsibility of CITY to provide security for any inmate being held at the hospital for which CITY is financially responsible under the terms of this agreement within a reasonable time period that must begin no later than eighteen (18) hours from the inmate being delivered to the hospital. All emergency medical cost or other medical cost shall be the responsibility of CITY. Determination of the need to seek medical attention shall be made by COUNTY without any requirement for consultation with CITY prior to the time such medical service is required.
10. That the CITY shall indemnify and agree to hold harmless COUNTY for any loss which may occur to COUNTY while housing any inmate under this agreement except for acts or omissions of COUNTY which are intentional or grossly negligent.



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11. The CITY agrees that is shall pay monthly to COUNTY as billed for services rendered under the terms of this agreement.
12. The parties agree that this inter-local agreement shall continue in force indefinitely. Said contract shall continue until such time as it shall be canceled or modified by either party. Either party may cancel this agreement upon one hundred eighty (180) days written notice to the other for any reason or cause or without cause.

EXECUTED in triplicate this, the            day of            , 2019.

\_\_\_\_\_  
Todd Little

COUNTY JUDGE, ELLIS COUNTY, TEXAS

Pursuant to minute order \_\_\_\_\_

Attest:

Approved:

\_\_\_\_\_  
Krystal Valdez  
ELLIS COUNTY CLERK

\_\_\_\_\_  
Chuck Edge  
ELLIS COUNTY SHERIFF

\_\_\_\_\_  
Kevin Strength  
MAYOR, CITY OF WAXAHACHIE, TEXAS

Attest:

Approved:

\_\_\_\_\_  
Lori Cartwright  
CITY SECRETARY

\_\_\_\_\_  
Wade Goolsby  
CHIEF OF POLICE



## Memorandum

To: Honorable Mayor and City Council

From: Tommy Ludwig, Assistant City Manager

Thru: Michael Scott, City Manager

Date: April 12, 2019

Re: Bid Award for Sanitary Sewer Rehabilitation

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On Monday, April 15, 2019 a bid award for the construction/rehabilitation of sanitary sewer lines in the 200 Block of South Jackson and 500 Block of East Ross Streets will appear before the City Council in the amount \$107,770. Public bids were received on March 28, 2019 with Circle H Contractors, LP being the only bid received for this project. This Jackson Street project consists of approximately 352 linear feet of new 6" sanitary sewer line, manholes, taps and street repairs along the 200 Block of South Jackson and a portion in the alley behind the El Mexicana Restaurant. The East Ross project consists of approximately 290 linear feet of 6" sanitary sewer line in the 500 Block of East Ross Street.

These locations have reported several sanitary sewer overflows and the rehabilitation of these line will relieve the overflow conditions. Funding is currently available and will come from the Wastewater Collection System Operations and Maintenance Budget. City staff performed the engineering design for these projects, has reviewed the contractor's submission and recommends award of the bid. The bid tabulation, along with general location exhibits are included as attachments to this memorandum.

I am available at your convenience should you have questions.

Tommy Ludwig

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**Bid Tabulation**

Project Name: 200 Block of South Jackson and East Ross Street Sanitary Sewer Improvement Project

Bid Opening: March 28, 2019 at 2:00 pm

Engineer of Record: James Gaertner, PE, CFM

				Contractor	
Section 1 - 200 Block of South Jackson Street				Circle H Contractors	
No.	Quantity	Unit	Description	Unit Price	Extended Amount
1	109	S.Y.	Asphalt Demolition	\$ 20.00	\$ 2,180.00
2	14	S.Y.	Concrete Pavement Demolition	\$ 30.00	\$ 420.00
3	352	L.F.	6" SDR 26 PVC Sewer Line	\$ 55.00	\$ 19,360.00
4	4	E.A.	Concrete Manhole	\$ 4,500.00	\$ 18,000.00
5	4	E.A.	Sanitary Sewer Services with Property Line Cleanout	\$ 950.00	\$ 3,800.00
6	109	S.Y.	Asphalt Repair	\$ 65.00	\$ 7,085.00
7	14	S.Y.	Concrete Pavement Repair (Driveway and Sidewalk)	\$ 75.00	\$ 1,050.00
8	1	L.S.	Barricades, Signs, and Traffic Handling. Includes traffic plan and all traffic control devices.	\$ 3,500.00	\$ 3,500.00
<b>Total Section 1</b>					\$ 55,395.00

**Section 2 - East Ross Street**

No.	Quantity	Unit	Description	Unit Price	Extended Amount
1	165	S.Y.	Asphalt Demolition	\$ 20.00	\$ 3,300.00
2	290	L.F.	6" SDR 26 PVC Sewer Line	\$ 60.00	\$ 17,400.00
3	2	E.A.	Concrete Manhole	\$ 5,000.00	\$ 10,000.00
4	8	E.A.	Sewer Services with Property Line Cleanout	\$ 850.00	\$ 6,800.00
5	165	S.Y.	Asphalt Repair	\$ 75.00	\$ 12,375.00
6	1	L.S.	Barricades, Signs, and Traffic Handling. Includes traffic plan and all traffic control devices.	\$ 2,500.00	\$ 2,500.00
<b>Total Section 2</b>					\$ 52,375.00

<b>TOTAL AMOUNT</b>		\$ 107,770.00
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