

**NOTICE OF PLANNING & ZONING COMMISSION BRIEFING SESSION**  
**JUNE 11, 2019**  
**CITY COUNCIL CONFERENCE ROOM**  
**401 S. ROGERS**  
**WAXAHACHIE TEXAS**  
**6:15 P.M.**

**Agenda**

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

1. Call to Order
2. 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

***Notice of Potential Quorum***  
***One or more members of the Waxahachie City Council may be present at this meeting.***  
***No action will be taken by the City Council at this meeting.***

# **A G E N D A**

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, June 11, 2019 at 7:00 p.m.*** in the Council Chamber at 401 S. Rogers St., Waxahachie, TX

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

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

All matters listed under Item 3, Consent Agenda, are considered routine by the Planning & Zoning Commission and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Chairman to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the Planning & Zoning Commission.

- a. Minutes of the regular Planning & Zoning Commission meeting of May 14, 2019
  - b. Minutes of the Planning and Zoning Commission briefing of May 14, 2019
4. ***Consider*** request by Juan Carlos Flores, Flores Homes INC, for a **Preliminary Plat** of Clift Estates Phase V for 21 lots, being 7.356 acres situated in the Silas M. Durrett Survey, Abstract 272 (Property ID 239606) – Owner: JUAN C FLORES (PP-19-0058)
5. ***Consider*** request by Vernon L. Witherspoon, FirstLook, for a **PETITION TO EXTEND APPROVAL** pursuant to Appendix C – Subdivisions, Section 2.3 – Procedures and Submission Requirements for Preliminary Plat Approval of PP-17-0088 Lakeridge II (Property ID 186874) – Owner: FERRIS AVENUE BAPTIST DBA THE AVENUE (PP-19-0064)
6. ***Consider*** request by James Bledsoe for a **Replat** of Lot 9A, Whispering Meadows Addition, to create Lots 9A-1 and 9A-2, Whispering Meadows Addition, 4.997 acres (Property ID 210307) in the Extra Territorial Jurisdiction – Owner: JAMES BLEDSOE AND NETA BLEDSOE (RP-19-0059)
7. ***Consider*** request by Michael Evans, GSW Land Surveyors, for a **Replat** of a portion of Lots 3 and 4 and all of Lot 5, Block 14, West End, to create Lot 5R, Block 14, West End, 4.478 acres (Property ID 176761 and 176763) – Owner: CHRISTOPHER L GLEASON (RP-19-0051)

8. **Consider** request by Brett Hess, Hi View Real Estate, for a **Replat** of Lot 1, Americase Business Park, to create Lots 1A, 1B, 1C, and 1D, Americase Business Park, 10.71 acres (Property ID 273983) in the Extra Territorial Jurisdiction – Owner: R&R AMERICASE HOLDINGS LTD (RP-19-0055)
9. **Consider** request by Brett Hess, Hi View Real Estate, for a **Replat** of Lot 4, Americase Business Park, to create Lots 4A and 4B, Americase Business Park, 6.06 acres (Property ID 273986) in the Extra Territorial Jurisdiction – Owner: R&R AMERICASE HOLDINGS LTD (RP-19-0056)
10. **Public Hearing** on a request by Edwin Walker, Standard ECO, for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Single Family Residential-2 zoning district, located at 1565 Reserve Road (Property ID 265966) – Owner: LOUIE C RODRIGUEZ (SU-19-0060)
11. **Consider** recommendation of Zoning Change No. SU-19-0060
12. **Public Hearing** on a request by Ben Martinez, Kosmos Solar, for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Single Family Residential-2 zoning district, located at 129 Liberty Way (Property ID 242010) – Owner: ROBERT & JANET LESIKAR (SU-19-0065)
13. **Consider** recommendation of Zoning Change No. SU-19-0065
14. **Consider** a request by Blain Vinson, Aspen Community Development, for a **Site Plan** Review of The Cottages on Cantrell located East of 865 Cantrell Street (Property ID 244351) - Owner: SAP PROPERTIES LLC (SP-19-0076)
15. **Public Hearing** on a request by Chris Acker, Southfork Capital LLC, for a Zoning Change from a Commercial zoning district to Planned Development-Single-Family Residential-3, with Detailed Site Plan, located at 500 Dunaway (Property ID 172322) - Owner: SOUTHFORK CAPITAL LLC (PD-19-0062)
16. **Consider** recommendation of Zoning Change No. PD-19-0062
17. **Consider** request by Chris Acker, Southfork Capital LLC, for a **Replat** of Lot 1B, Block 1, Bullards Addition, to create Lots 1-8, Block A, Payton's Place Addition, 1.031 acres (Property ID 172322) – Owner: SOUTHFORK CAPITAL LLC (RP-19-0063)
18. **Public Hearing** on a request by Terry Weaver, Sterling Development Co., for a Specific Use Permit (SUP) for **Outside Storage** use within a Commercial and Light Industrial-1 zoning district, located at 100 W Sterrett (Property ID 273754) – Owner: M & M INVESTMENTS (SU-19-0048)
19. **Consider** recommendation of Zoning Change No. SU-19-0048
20. **Public Hearing** on a request by Maxwell Fisher, AICP, Masterplan, for a Zoning Change from a Future Development zoning district to Planned Development-Commercial, with Detailed Site Plan, located at 3502 N Highway 77 (Property ID 193323, 209693, and 151344) - Owner: LOCKWOOD PROPERTIES LLC (PD-19-0057)

21. **Consider** recommendation of Zoning Change No. PD-19-0057
22. **Public Hearing** on a request by Joy Ranton, Daniel's Den, for a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-General Retail, with Concept Plan, to allow a Household Care Facility located at 512 N College Street (Property ID 170716) - Owner: ALFRED A & RHONNIE D TOMPKINS (PD-19-0066)
23. **Consider** recommendation of Zoning Change No. PD-19-0066
24. **Public Comments:** Persons may address the Planning & Zoning Commission on any issues. This is the appropriate time for citizens to address the Commission on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Commission may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code.
25. Adjourn

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

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

***Notice of Potential Quorum***

***One or more members of the Waxahachie City Council may be present at this meeting.  
No action will be taken by the City Council at this meeting.***



Planning and Zoning Commission  
May 14, 2019

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, May 14, 2019 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX

Members Present: Rick Keeler, Chairman  
Bonney Ramsey  
Jim Phillips  
David Hudgins  
Erik Test

Members Absent: Melissa Ballard, Vice Chairman  
Betty Square Coleman

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

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

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

3. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of April 9, 2019
- b. Minutes of the Planning and Zoning Commission briefing of April 9, 2019

**Action:**

*Ms. Bonney Ramsey moved to approve items a. and b. on the Consent Agenda. Mr. Erik Test seconded, All Ayes.*

4. **Consider request by Brett Hess, Hi View Real Estate, for a Replat of Lot 1, Americase Business Park, to create Lots 1A, 1B, 1C, and 1D, Americase Business Park, 10.71 acres (Property ID 273983) in the Extra Territorial Jurisdiction – Owner: R&R AMERICASE HOLDINGS LTD (RP-19-0055)**

Chairman Keeler announced the applicant requested to continue RP-19-0055 to the next Planning and Zoning Commission meeting on June 11, 2019.

5. **Consider request by Brett Hess, Hi View Real Estate, for a Replat of Lot 4, Americase Business Park, to create Lots 4A and 4B, Americase Business Park, 6.06 acres (Property ID 273986) in the Extra Territorial Jurisdiction – Owner: R&R AMERICASE HOLDINGS LTD (RP-19-0056)**

Chairman Keeler announced the applicant requested to continue RP-19-0056 to the next Planning and Zoning Commission meeting on June 11, 2019.

**6. Public Hearing on a request by Matthew Smith, Vaquero Ventures, for a Specific Use Permit (SUP) for Convenience Store and Gasoline Sales uses within a Planned Development-24-General Retail zoning district, located at 400 and 402 N Highway 77 (Property ID 180816 and 180826) – Owner: RICHARD A CHAPMAN & STEVEN F CHAPMAN (SU-19-0047)**

Chairman Keeler opened the Public Hearing.

Senior Planner Colby Collins presented SU-19-0047 noting the applicant is requesting a Specific Use Permit to allow a convenience store with gasoline and diesel fuel sales (7 Eleven). There will be six gas pumps allowing for a maximum of 12 cars to fuel at any given time. Staff informed the applicant that a brick wall shall be constructed along the rear of the property adjacent to the Chapman Place subdivision. The applicant also requested a variance to allow for 17% glazing.

Ms. Bonney Ramsey asked if the wall will be built all the way to Braums and staff noted the wall will only be constructed the length of their property to Sleep Quarters.

Ms. Faye Ellison, 1611 Alexander Drive, expressed concern about the fence behind her property adjacent to Sleep Quarters. Chairman Keeler suggested contacting the city's Code Enforcement department.

There being no others to speak for or against SU-19-0047, Chairman Keeler closed the Public Hearing.

**7. Consider recommendation of Zoning Change No. SU-19-0047**

**Action:**

*Mr. David Hudgins moved to approve a request by Matthew Smith, Vaquero Ventures, for a Specific Use Permit (SUP) for Convenience Store and Gasoline Sales uses within a Planned Development-24-General Retail zoning district, located at 400 and 402 N Highway 77 (Property ID 180816 and 180826) – Owner: RICHARD A CHAPMAN & STEVEN F CHAPMAN (SU-19-0047). Ms. Bonney Ramsey seconded, All Ayes.*

**8. Consider request by James Seymour for a Replat of Block 201 and East part of Block 194, Town Addition, to create Lot 1, Block 1, Marvin Seymour Addition, 0.45 acres (Property ID 234965) – Owner: JAMES SEYMOUR (RP-19-0050)**

Mr. Collins presented RP-19-0050 noting staff recommended approval as presented.

**Action:**

*Mr. Jim Phillips moved to approve a request by James Seymour for a Replat of Block 201 and East part of Block 194, Town Addition, to create Lot 1, Block 1, Marvin Seymour Addition, 0.45 acres (Property ID 234965) – Owner: JAMES SEYMOUR (RP-19-0050). Mr. David Hudgins seconded, All Ayes.*

**9. Consider request by Wes Dorough, JH Development LLC, for a Final Plat of The Cove Phase 3 for 89 residential lots and 2 open space lots, being 26.170 acres situated**

**in the Henry Sange Survey, Abstract 1009 and the Henri Levy Survey, Abstract 629 (Property ID 223031) - Owner: MORITZ INTERESTS LTD (FP-19-0049)**

Mr. Collins presented FP-19-0049 noting staff recommended approval per the following comment:

1. A letter of acceptance is still required from the Public Works Department prior to recording of the plat.

**Action:**

*Ms. Bonney Ramsey moved to approve a request by Wes Dorough, JH Development LLC, for a Final Plat of The Cove Phase 3 for 89 residential lots and 2 open space lots, being 26.170 acres situated in the Henry Sange Survey, Abstract 1009 and the Henri Levy Survey, Abstract 629 (Property ID 223031) - Owner: MORITZ INTERESTS LTD (FP-19-0049) subject to staff comments. Mr. Erik Test seconded, All Ayes.*

- 10. Consider request by Michael Evans, GSW Land Surveyors, for a Replat of a portion of Lots 3 and 4 and all of Lot 5, Block 14, West End, to create Lot 5R, Block 14, West End, 4.478 acres (Property ID 176761 and 176763) – Owner: CHRISTOPHER L GLEASON (RP-19-0051)**

Mr. Collins presented RP-19-0051 noting the applicant requested to replat two lots into one for a proposed vet office. Staff recommended approval per the following staff comment:

1. The applicant will need to connect to city utilities before the plat is filed.

Mr. Michael Evans, applicant, requested to continue RP-19-0051 to the next Planning and Zoning Commission meeting on June 11, 2019 to allow discussion with staff to allow them to continue to use the existing septic on the property.

City Engineer James Gaertner explained city sewer is close to the property and staff recommends connectivity. Director of Planning Shon Brooks noted the plat can be continued with a written request and Mr. Evans noted he would send an email by the end of the day.

- 11. Consider request by Blain Vinson, SAP Properties LLC, for a Preliminary Plat of The Cottages on Cantrell for 73 lots, being 17.348 acres situated in the J. Armstrong Survey, Abstract 6 (Property ID 244351) – Owner: SAP PROPERTIES LLC (PP-19-0053)**

Mr. Collins presented PP-19-0053 noting the applicant requested approval for 73 lots. Staff recommended approval per the following staff comments:

1. The applicant needs to change the roadway width to 30' from the current 28' that is shown.
2. The applicant will have to address continued concerns made by the Waxahachie Fire Marshal.

Mr. Jim Phillips expressed concern regarding the removal of the pedestrian bridge to the adjacent city park on the plat. He noted the pedestrian bridge was presented in the concept plan that was approved in 2018.

Mr. Blain Vinson, applicant, explained the bridge was removed after negative feedback was received from future residents who did not wish to connect to a “neglected” city park.

Mr. Phillips questioned the initial approval that was based on additional amenities including the pedestrian bridge connectivity to the city park.

Mr. Vinson explained there is still 60% green space in the development. He also requested a variance to the 30’ street requirement.

Chairman Keeler echoed Mr. Phillips concerns noting the pedestrian bridge was a key component to the initial improvement of the planned development.

Mr. David Hudgins inquired about the issue with the 30’ street requirement and Mr. Vinson explained he is requesting a variance because of the cost and additional topography required.

**Action:**

*Mr. David Hudgins moved to approve a request by Blain Vinson, SAP Properties LLC, for a Preliminary Plat of The Cottages on Cantrell for 73 lots, being 17.348 acres situated in the J. Armstrong Survey, Abstract 6 (Property ID 244351) – Owner: SAP PROPERTIES LLC (PP-19-0053) subject to staff comments. Ms. Bonney Ramsey seconded, the vote was as follows: Ayes: Rick Keeler, Bonney Ramsey, and David Hudgins. Noes: Jim Phillips and Erik Test.*

***The motion carried.***

- 12. Public Hearing on a request by Matthew Monteiro, B&M Assessment Services, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single-Family Residential-3 zoning district, located at 208 Boardwalk (Property ID 239190) – Owner: LARRY & CAROL SKUZIE (SU-19-0052)**

Chairman Keeler opened the Public Hearing.

Mr. Collins presented SU-19-0052 noting staff recommended approval as presented.

There being no others to speak for or against SU-19-0052, Chairman Keeler closed the Public Hearing.

- 13. Consider recommendation of Zoning Change No. SU-19-0052**

**Action:**

*Ms. Bonney Ramsey moved to approve a request by Matthew Monteiro, B&M Assessment Services, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single-Family Residential-3 zoning district, located at 208 Boardwalk (Property ID 239190) – Owner: LARRY & CAROL SKUZIE (SU-19-0052) subject to staff comments. Mr. Erik Test seconded, All Ayes.*

**14. Public Hearing on a request by Kelli Coash, TriSmart Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single-Family Residential-1 zoning district, located at 243 Bent Creek Drive (Property ID 216561) – Owner: WESLEY & TAMARA SMALLWOOD (SU-19-0046)**

Chairman Keeler opened the Public Hearing.

Mr. Collins presented SU-19-0046 noting staff recommended approval as presented.

There being no others to speak for or against SU-19-0046, Chairman Keeler closed the Public Hearing.

**15. Consider recommendation of Zoning Change No. SU-19-0046**

**Action:**

*Mr. Jim Phillips moved to approve a request by Kelli Coash, TriSmart Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single-Family Residential-1 zoning district, located at 243 Bent Creek Drive (Property ID 216561) – Owner: WESLEY & TAMARA SMALLWOOD (SU-19-0046). Mr. David Hudgins seconded, All Ayes.*

**16. Public Hearing on a request by Jacob A. Perry, Waxahachie ISD, for a Specific Use Permit (SUP) for Portable Storage Structure or Temporary Building use within a Single-Family Residential-2 zoning district, located at 411 N. Gibson (Property ID 193942) – Owner: WAXAHACHIE ISD (SU-19-0045)**

Chairman Keeler opened the Public Hearing.

Mr. Collins presented SU-19-0045 noting the Waxahachie Independent School District is requesting a Specific Use Permit to allow a temporary building and provide signage to the property. The building will be set at the rear of the property for administrative personnel. Staff recommended approval per the following staff comments:

1. Note: Planning Department staff has informed the applicant that if the Specific Use Permit is approved, the SUP shall expire and the temporary building shall be removed, once WISD leaves the property. Also, if the applicant is occupying the building after two years, staff recommends that the applicant come back to City Council to renew the Specific Use Permit.
2. Note: This site plan does not include any site improvements.

Mr. Erik Test inquired about how long the portable building will be used. Mr. Jacob Perry, 208 Rock Springs, explained the foreseeable plan is 2-3 years but could possibly be longer.

There being no others to speak for or against SU-19-0045, Chairman Keeler closed the Public Hearing.

**17. Consider recommendation of Zoning Change No. SU-19-0045**

**Action:**

*Ms. Bonney Ramsey moved to approve a request by Jacob A. Perry, Waxahachie ISD, for a Specific Use Permit (SUP) for Portable Storage Structure or Temporary Building use within a Single-Family Residential-2 zoning district, located at 411 N. Gibson (Property ID 193942) – Owner: WAXAHACHIE ISD (SU-19-0045) subject to staff comments. Mr. Erik Test seconded, All Ayes.*

**18. Public Hearing on a request by Randy Roden, Hope Clinic, for a Zoning Change from a Single-Family Residential-3 zoning district to Planned Development-Office, with Concept Plan, located at 428 E. Jefferson (Property ID 171252) - Owner: PHINIS & ELIZABETH J MORGAN (PD-19-0044)**

Chairman Keeler opened the Public Hearing.

Mr. Collins presented PD-19-0044 explaining the intent of the proposed Planned Development is to provide additional administrative offices for Hope Clinic at 428 E. Jefferson Street by moving their call center into this location. There will be no patient traffic occurring at this location and they intend to lease this property until new facilities are built or otherwise obtained. Staff recommended approval per the following staff comments:

1. Note: If the Planned Development is approved, once Hope Clinic leaves the property, the zoning shall continue to allow for Office and Single Family-3 uses.

Mr. Randy Roden, applicant, explained Hope Clinic has outgrown its current location and is in the beginning stages of finding a new facility within the next two years.

There being no others to speak for or against PD-19-0044, Chairman Keeler closed the Public Hearing.

**19. Consider recommendation of Zoning Change No. PD-19-0044**

**Action:**

*Mr. Jim Phillips moved to approve a request by Randy Roden, Hope Clinic, for a Zoning Change from a Single-Family Residential-3 zoning district to Planned Development-Office, with Concept Plan, located at 428 E. Jefferson (Property ID 171252) - Owner: PHINIS & ELIZABETH J MORGAN (PD-19-0044) subject to staff comments. Mr. David Hudgins seconded, All Ayes.*

**20. Public Hearing on a request by Terry Weaver, Sterling Development Co., for a Specific Use Permit (SUP) for Outside Storage use within a Commercial and Light Industrial-1 zoning district, located at 100 W Sterrett (Property ID 273754) – Owner: M & M INVESTMENTS (SU-19-0048)**

Chairman Keeler opened the Public Hearing.

Mr. Collins presented SU-19-0048 noting the applicant is seeking a Specific Use Permit on a 9.686 acre property to allow the use of outside storage. The applicant intends to store rock (river rock) as a wholesaler to retail landscaping firms. The applicant anticipates to store the rock material in concrete block before ultimately selling the rock material. Staff recommended denial due to the following staff concerns:

1. Due to the site being visible from Interstate 35, staff has concerns with approving the use of outside storage for the site without any screening, building or landscaping, being provided for the site.
2. The applicant shall show all setbacks for the property. The applicant shall also show the distance from the proposed storage concrete block to the nearest property line.
3. The applicant shall submit a Site Plan for review. The submitted plan is a survey.

Mr. Kevin Cribley, 22423 Fossil Ridge, San Antonio, explained he is only leasing 2 acres on the tract of land along side the railroad tracks.

Mr. Hudgins asked if the applicant has considered landscaping for the area closest to Interstate 35 and he said no, because he isn't leasing that portion of the tract.

Mr. Brooks explained they were informed by the applicant that a building is not in the plans to be constructed for the site due to lack of infrastructure.

There being no others to speak for or against SU-19-0048, Chairman Keeler closed the Public Hearing.

## **21. Consider recommendation of Zoning Change No. SU-19-0048**

### **Action:**

*Mr. Jim Phillips moved to deny a request by Terry Weaver, Sterling Development Co., for a Specific Use Permit (SUP) for Outside Storage use within a Commercial and Light Industrial-1 zoning district, located at 100 W Sterrett (Property ID 273754) – Owner: M & M INVESTMENTS (SU-19-0048) due to staff concerns. Mr. Erik Test seconded, All Ayes.*

## **22. Continue 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)**

Chairman Keeler continued the Public Hearing.

Mr. Collins presented PD-19-0031 and reviewed the following updates from the applicant since the April 9, 2019 Planning and Zoning Commission meeting:

- Provided a 15 ft. landscape buffer adjacent to Mustang Creek Phase I.
- Provided attached parking.
- Provided detached garages away from the property.
- Removed the proposed Assisted Living Facility from Tract 6. The tract will remain vacant General Retail zoning.

- Added 5 additional units (225 total units) to the proposed Multi Family complex in Tract 1. The acreage was also increased from 6.45 acres to 7.16 acres.
- The total acreage for Tract 3 was decreased from 0.99 acres to 0.70 acres.
- The total acreage for Tract 4 was decreased from 1.18 acres to .95 acres.

Items listed below also include revisions made from the original Planned Development:

- The acreage for all tracts have been revised.
- Due to the addition of the new tracts the Village Parkway spine drive was slightly revised, but still acts as the main drive through the Master Plan.
- The Multi Family building layout located in tract 1 was revised.
- 2 additional tracts were added to the master plan (Tract 5 and Tract 6).
- The detention/amenity pond was removed from tract 1.

Mr. Collins also noted the applicant is requesting a 4:12 roof pitch as opposed to the 6:12 roof pitch. He also noted there were two letters of opposition.

Ms. Ramsey inquired about drainage with the removal of the detention pond. Mr. Gaertner explained there was an engineer analysis and it showed that the detention pond would actually cause flooding due to flow at peak times.

Mr. Richard Rozier, 4250 Black Champ Road, Midlothian, reviewed the improvements to the proposed Planned Development.

Mr. Test asked if the masonry requirement is met and Mr. Collins noted they meet the requirement.

Chairman Keeler asked if the stand-alone retail will mirror the architectural style of the apartments and Mr. Rozier noted they would.

Ms. Carolyn Duncan, 204 Cheyenne Drive, asked how tall the buffer is between the development and her property. Mr. Rozier noted it will be a six foot masonry fence. Ms. Duncan expressed concern with traffic flow from the 287 Frontage Road to her subdivision off Palomino Drive.

Staff recommended approval per the following staff comments:

1. Tract 5 shall only be used for construction of a hotel.

There being no others to speak for or against PD-19-0031, Chairman Keeler closed the Public Hearing.

## **23. Consider recommendation of Zoning Change No. PD-19-0031**

### **Action:**

*Ms. Bonney Ramsey moved to approve 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) subject to staff comments and allowing 4:12 roof pitch as presented. Mr. Jim Phillips seconded, **All Ayes.***

**24. Public Comments**

None

**25. Adjourn**

There being no further business, the meeting adjourned at 8:20 p.m.

Respectfully submitted,

Amber Villarreal  
Assistant City Secretary

Planning and Zoning Commission  
May 14, 2019

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, May 14, 2019 at 6:15 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

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

Member Absent: Melissa Ballard, Vice Chairman

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

## **1. Call to Order**

Chairman Rick Keeler called the meeting to order.

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

Senior Planner Colby Collins reviewed the following cases:

- RP-19-0055 and RP-19-0056, applicant requested to continue to the next P&Z meeting on June 11, 2019.
- SU-19-0047, applicant is requesting a Specific Use Permit to allow for a 7-11 gas station. The applicant requests a 17% glazing as opposed to the required 30%. Staff recommended approval as presented.
- RP-19-0050, staff recommended approval as presented.
- FP-19-0049, staff recommended approval per staff comments.
- RP-19-0051, applicant is requesting to combine two lots into one for a proposed vet clinic. Staff recommended approval per staff comments.
- PP-19-0053, applicant requested approval for 73 residential units and a 28' wide roadway as opposed to the 30' required. The commission questioned the pedestrian bridge from the development to the adjacent city park and staff noted the applicant removed it from the plat. The commission explained that was a key amenity during the zoning approval process. Staff recommended approval per staff comments.
- SU-19-0052 and SU-19-0046, applicants requested roof top solar panels and staff recommended approval as presented.
- SU-19-0045, applicant is requesting a temporary portable building to be located on site at the Waxahachie ISD Administration Building for office personnel. Staff recommends approving the Specific Use Permit for a period of two years and if the temporary structure is needed longer than the applicant will have to request a renewal for the SUP.

- PD-19-0044, Hope Clinic is requesting to use the structure at 428 E. Jefferson for call center staff members. The building will be used for office use only and the zoning change will allow for office use only or can revert back to residential use.
- SU-19-0048, applicant is requesting to store rock material on the site to sell. Staff recommended denial due to no landscape or building barrier to protect the visibility from IH 35 and Sterrett Road.
- PD-19-0031, staff reviewed the plan update since the last meeting noting the applicant provided the following: 15 ft. landscape buffer adjacent to Mustang Creek Phase I, attached parking, detached garages away from the property, removed the proposed Assisted Living Facility from Tract 6, added five additional units (225 total units) to the proposed Multi-family complex in Tract 1 (the acreage was increased from 6.45 acres to 7.16 acres), total acreage for Tract 3 was decreased from 0.99 acres to 0.70 acres, and total acreage for Tract 4 was decreased from 1.18 acres to .95 acres. Mr. Collins also noted the applicant is requesting a 4:12 roof pitch as opposed to the 6:12 required by the city. He noted staff recommended approval per staff comments.

### **3. Adjourn**

There being no further business, the meeting adjourned at 7:00 p.m.

Respectfully submitted,

Amber Villarreal  
Assistant City Secretary

# Planning & Zoning Department

## Plat Staff Report

---

**Case: PP-19-0058**

---



### MEETING DATE(S)

*Planning & Zoning Commission:* June 11, 2019

*City Council:* June 17, 2019

### CAPTION

**Consider** request by Juan Carlos Flores, Flores Homes INC, for a **Preliminary Plat** of Clift Estates Phase V for 21 lots, being 7.356 acres situated in the Silas M. Durrett Survey, Abstract 272 (Property ID 239606) – Owner: JUAN C FLORES (PP-19-0058)

### CASE INFORMATION

*Applicant:* Juan Carlos Flores, Flores Homes, Inc.

*Property Owner(s):* Juan C Flores

*Site Acreage:* 7.356 acres

*Number of Lots:* 21 lots

*Number of Dwelling Units:* 21 units

*Park Land Dedication:* The cash in lieu of park land dedication for this case is estimated at **\$8,400** (21 residential units at \$400.00 per unit).

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

### SUBJECT PROPERTY

*General Location:* South of Parks School House Road, between US Highway 287 and Dr. Martin Luther King, Jr. Blvd.

*Parcel ID Number(s):* 239606

*Current Zoning:* Planned Development-Single Family-3 (Ordinance 3062)

*Existing Use:* Undeveloped

*Platting History:* 272 S M DURRETT 7.37 ACRES

*Site Aerial:*



**STAFF CONCERNS**

1. Staff has no concerns at the time this report was made (5/31/19).

**APPLICANT RESPONSE TO CONCERNS**

1. The applicant submitted an updated plat that 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.

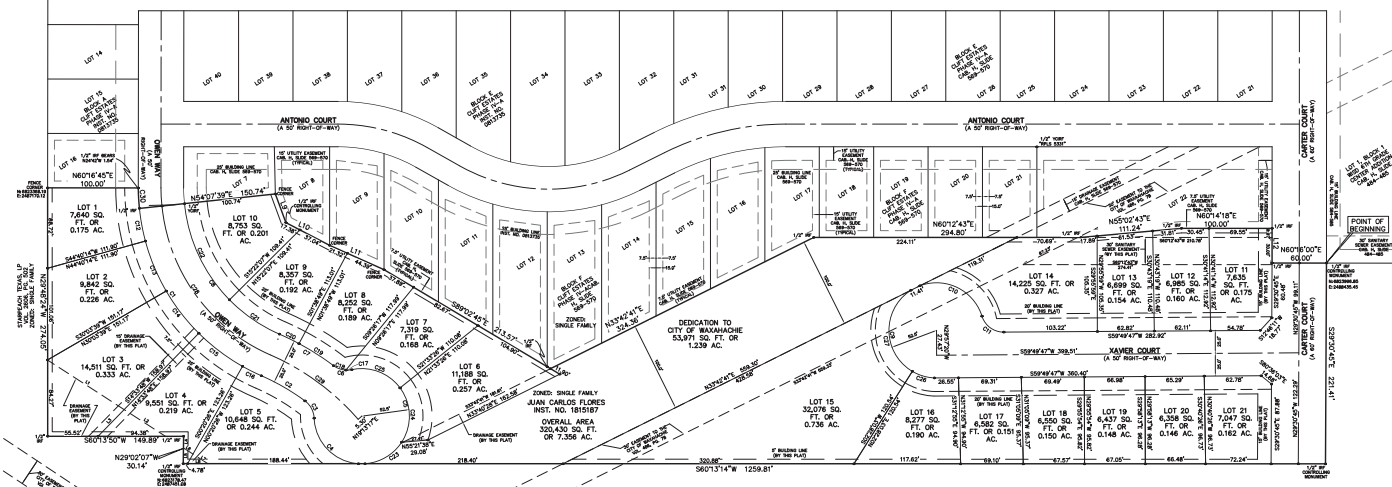
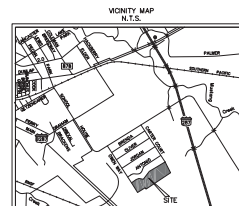
**STAFF CONTACT INFORMATION**

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

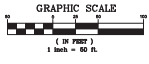
*Reviewed by:*  
Shon Brooks, AICP  
Director of Planning  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

LINE	BEARING	DISTANCE
1	N 89° 16' 40" E	100.00
2	N 89° 16' 40" E	100.00
3	N 89° 16' 40" E	100.00
4	N 89° 16' 40" E	100.00
5	N 89° 16' 40" E	100.00
6	N 89° 16' 40" E	100.00
7	N 89° 16' 40" E	100.00
8	N 89° 16' 40" E	100.00
9	N 89° 16' 40" E	100.00
10	N 89° 16' 40" E	100.00
11	N 89° 16' 40" E	100.00
12	N 89° 16' 40" E	100.00
13	N 89° 16' 40" E	100.00
14	N 89° 16' 40" E	100.00
15	N 89° 16' 40" E	100.00
16	N 89° 16' 40" E	100.00
17	N 89° 16' 40" E	100.00
18	N 89° 16' 40" E	100.00
19	N 89° 16' 40" E	100.00
20	N 89° 16' 40" E	100.00
21	N 89° 16' 40" E	100.00
22	N 89° 16' 40" E	100.00
23	N 89° 16' 40" E	100.00
24	N 89° 16' 40" E	100.00
25	N 89° 16' 40" E	100.00
26	N 89° 16' 40" E	100.00
27	N 89° 16' 40" E	100.00
28	N 89° 16' 40" E	100.00
29	N 89° 16' 40" E	100.00
30	N 89° 16' 40" E	100.00
31	N 89° 16' 40" E	100.00
32	N 89° 16' 40" E	100.00
33	N 89° 16' 40" E	100.00
34	N 89° 16' 40" E	100.00
35	N 89° 16' 40" E	100.00
36	N 89° 16' 40" E	100.00
37	N 89° 16' 40" E	100.00
38	N 89° 16' 40" E	100.00
39	N 89° 16' 40" E	100.00
40	N 89° 16' 40" E	100.00
41	N 89° 16' 40" E	100.00
42	N 89° 16' 40" E	100.00
43	N 89° 16' 40" E	100.00
44	N 89° 16' 40" E	100.00
45	N 89° 16' 40" E	100.00
46	N 89° 16' 40" E	100.00
47	N 89° 16' 40" E	100.00
48	N 89° 16' 40" E	100.00
49	N 89° 16' 40" E	100.00
50	N 89° 16' 40" E	100.00
51	N 89° 16' 40" E	100.00
52	N 89° 16' 40" E	100.00
53	N 89° 16' 40" E	100.00
54	N 89° 16' 40" E	100.00
55	N 89° 16' 40" E	100.00
56	N 89° 16' 40" E	100.00
57	N 89° 16' 40" E	100.00
58	N 89° 16' 40" E	100.00
59	N 89° 16' 40" E	100.00
60	N 89° 16' 40" E	100.00
61	N 89° 16' 40" E	100.00
62	N 89° 16' 40" E	100.00
63	N 89° 16' 40" E	100.00
64	N 89° 16' 40" E	100.00
65	N 89° 16' 40" E	100.00
66	N 89° 16' 40" E	100.00
67	N 89° 16' 40" E	100.00
68	N 89° 16' 40" E	100.00
69	N 89° 16' 40" E	100.00
70	N 89° 16' 40" E	100.00
71	N 89° 16' 40" E	100.00
72	N 89° 16' 40" E	100.00
73	N 89° 16' 40" E	100.00
74	N 89° 16' 40" E	100.00
75	N 89° 16' 40" E	100.00
76	N 89° 16' 40" E	100.00
77	N 89° 16' 40" E	100.00
78	N 89° 16' 40" E	100.00
79	N 89° 16' 40" E	100.00
80	N 89° 16' 40" E	100.00
81	N 89° 16' 40" E	100.00
82	N 89° 16' 40" E	100.00
83	N 89° 16' 40" E	100.00
84	N 89° 16' 40" E	100.00
85	N 89° 16' 40" E	100.00
86	N 89° 16' 40" E	100.00
87	N 89° 16' 40" E	100.00
88	N 89° 16' 40" E	100.00
89	N 89° 16' 40" E	100.00
90	N 89° 16' 40" E	100.00
91	N 89° 16' 40" E	100.00
92	N 89° 16' 40" E	100.00
93	N 89° 16' 40" E	100.00
94	N 89° 16' 40" E	100.00
95	N 89° 16' 40" E	100.00
96	N 89° 16' 40" E	100.00
97	N 89° 16' 40" E	100.00
98	N 89° 16' 40" E	100.00
99	N 89° 16' 40" E	100.00
100	N 89° 16' 40" E	100.00

LINE	BEARING	DISTANCE
1	N 89° 16' 40" E	100.00
2	N 89° 16' 40" E	100.00
3	N 89° 16' 40" E	100.00
4	N 89° 16' 40" E	100.00
5	N 89° 16' 40" E	100.00
6	N 89° 16' 40" E	100.00
7	N 89° 16' 40" E	100.00
8	N 89° 16' 40" E	100.00
9	N 89° 16' 40" E	100.00
10	N 89° 16' 40" E	100.00
11	N 89° 16' 40" E	100.00
12	N 89° 16' 40" E	100.00
13	N 89° 16' 40" E	100.00
14	N 89° 16' 40" E	100.00
15	N 89° 16' 40" E	100.00
16	N 89° 16' 40" E	100.00
17	N 89° 16' 40" E	100.00
18	N 89° 16' 40" E	100.00
19	N 89° 16' 40" E	100.00
20	N 89° 16' 40" E	100.00
21	N 89° 16' 40" E	100.00
22	N 89° 16' 40" E	100.00
23	N 89° 16' 40" E	100.00
24	N 89° 16' 40" E	100.00
25	N 89° 16' 40" E	100.00
26	N 89° 16' 40" E	100.00
27	N 89° 16' 40" E	100.00
28	N 89° 16' 40" E	100.00
29	N 89° 16' 40" E	100.00
30	N 89° 16' 40" E	100.00
31	N 89° 16' 40" E	100.00
32	N 89° 16' 40" E	100.00
33	N 89° 16' 40" E	100.00
34	N 89° 16' 40" E	100.00
35	N 89° 16' 40" E	100.00
36	N 89° 16' 40" E	100.00
37	N 89° 16' 40" E	100.00
38	N 89° 16' 40" E	100.00
39	N 89° 16' 40" E	100.00
40	N 89° 16' 40" E	100.00
41	N 89° 16' 40" E	100.00
42	N 89° 16' 40" E	100.00
43	N 89° 16' 40" E	100.00
44	N 89° 16' 40" E	100.00
45	N 89° 16' 40" E	100.00
46	N 89° 16' 40" E	100.00
47	N 89° 16' 40" E	100.00
48	N 89° 16' 40" E	100.00
49	N 89° 16' 40" E	100.00
50	N 89° 16' 40" E	100.00
51	N 89° 16' 40" E	100.00
52	N 89° 16' 40" E	100.00
53	N 89° 16' 40" E	100.00
54	N 89° 16' 40" E	100.00
55	N 89° 16' 40" E	100.00
56	N 89° 16' 40" E	100.00
57	N 89° 16' 40" E	100.00
58	N 89° 16' 40" E	100.00
59	N 89° 16' 40" E	100.00
60	N 89° 16' 40" E	100.00
61	N 89° 16' 40" E	100.00
62	N 89° 16' 40" E	100.00
63	N 89° 16' 40" E	100.00
64	N 89° 16' 40" E	100.00
65	N 89° 16' 40" E	100.00
66	N 89° 16' 40" E	100.00
67	N 89° 16' 40" E	100.00
68	N 89° 16' 40" E	100.00
69	N 89° 16' 40" E	100.00
70	N 89° 16' 40" E	100.00
71	N 89° 16' 40" E	100.00
72	N 89° 16' 40" E	100.00
73	N 89° 16' 40" E	100.00
74	N 89° 16' 40" E	100.00
75	N 89° 16' 40" E	100.00
76	N 89° 16' 40" E	100.00
77	N 89° 16' 40" E	100.00
78	N 89° 16' 40" E	100.00
79	N 89° 16' 40" E	100.00
80	N 89° 16' 40" E	100.00
81	N 89° 16' 40" E	100.00
82	N 89° 16' 40" E	100.00
83	N 89° 16' 40" E	100.00
84	N 89° 16' 40" E	100.00
85	N 89° 16' 40" E	100.00
86	N 89° 16' 40" E	100.00
87	N 89° 16' 40" E	100.00
88	N 89° 16' 40" E	100.00
89	N 89° 16' 40" E	100.00
90	N 89° 16' 40" E	100.00
91	N 89° 16' 40" E	100.00
92	N 89° 16' 40" E	100.00
93	N 89° 16' 40" E	100.00
94	N 89° 16' 40" E	100.00
95	N 89° 16' 40" E	100.00
96	N 89° 16' 40" E	100.00
97	N 89° 16' 40" E	100.00
98	N 89° 16' 40" E	100.00
99	N 89° 16' 40" E	100.00
100	N 89° 16' 40" E	100.00



NOTES:  
 1. IRF - Iron Rod Found  
 2. IRS - Iron Rod Set w/ "PEISER & MANKIN SURV" red plastic cap on all corners dedicated hereon, unless otherwise noted.  
 3. Basis of bearings - Bearings of lines shown hereon refer to Grid North of the Texas Coordinate System of 1983 (North Central Zone 4202; NAD83 (2011) Epoch 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) Methods. An average Combination Factor of 1.00012 was used to scale grid coordinates and distances to surface.  
 4. No structures on site.  
 FLOOD CERTIFICATE  
 As determined by the FLOOD INSURANCE RATE MAPS for Ellis County, the subject property Does not appear to lie within a Special Flood Hazard Area (100 Year Flood). Map date 06/03/2013 Community Panel No. 48139C02192F and Map date 06/03/2013 Community Panel Number 48139C0330F, subject lot is located in Zone X.  
 If this site is not within an identified flood hazard area, this Flood Statement does not imply that the property and/or structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This Flood Statement shall not create liability on the part of the Surveyor.



UTILITY EASEMENT NOTE  
 (UNLESS OTHERWISE NOTED)  
 15' Front Easement  
 Front Building Line As Noted  
 15' Side Street Building Line  
 5' Rear Building Line

ENGINEER:  
 SHOLA MORHUNFOLA  
 DDM ENGINEERING, INC.  
 112 S. MADISON AVENUE  
 DALLAS, TX 75208  
 214-941-9412  
 OWNER:  
 JUAN CARLOS FLORES  
 611 WALLEY ROAD  
 OVIALLA, TEXAS 75154

PRELIMINARY PLAT  
 CLIFT ESTATES PHASE V  
 21 LOTS  
 BEING 7.356 ACRES  
 SITUATED IN THE  
 SILAS M. DURRETT SURVEY, ABSTRACT NO. 272  
 CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS  
 CASE NO. PP-19-0058

PEISER & MANKIN SURVEYING, LLC  
 www.peisersurveying.com

823 E. DALLAS ROAD  
 GRAPEVINE, TEXAS 76051  
 817-481-1886 (O)  
 817-481-1808 (F)  
 A.L.A.  
 T.A.S.  
 COMMERCIAL  
 RESIDENTIAL  
 BOUNDARY  
 SURVEYS  
 MORTGAGE  
 Member Since 1971

DATE: 06/01/2019  
 PLOT DATE: 06/13/2019  
 SCALE: 1" = 80'  
 TILES: A.L.A.  
 DRAWN: A.L.A.  
 CHECKED: T.A.S.

SHEET 1 OF 2

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, JUAN CARLOS FLORES, BEING THE OWNER OF THE ABOVE REFERENCED PARCELS OF LAND, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINMORE DESCRIBED PROPERTY AS A FINAL PLAT OF CLIFT ESTATES, PHASE V, AN ADDITION TO THE CITY OF WAXAHACHE, TEXAS, AND DO HEREBY DEDICATE TO THE CITY OF WAXAHACHE FOR PUBLIC USE, THE STREETS AND ALLEYS SHOWN HEREON, AND WE DO HEREBY RESERVE THE EASEMENTS SHOWN ON THIS PLAT FOR THE ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING SAME. ANY PUBLIC UTILITY APPROVED BY THE CITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REPOSED ALL OR PART OF ANY BUILDING, FENCE, TREE, SHRUB, OR EGRESS OF ITS RESPECTIVE SYSTEM ON ANY OF THESE EASEMENTS, AND ANY PUBLIC UTILITY SHALL AT ALL TIMES, HAVE THE RIGHT OF INGRESS AND EGRESS TO AND FROM AND UPON SAID EASEMENTS FOR THE SUSPECTING, PAROLLING, MAINTAINING, AND ADJOINING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE PURPOSE OF CONSTRUCTION OR RECONSTRUCTING SYSTEM, AND HOUSE, DWELLING UNIT, OR OTHER STRUCTURE SHALL BE CONSTRUCTED ON ANY LOT IN THIS ADDITION BY ANYONE UNTIL ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE HAVE BEEN MET.

JUAN CARLOS FLORES (OWNER)

STATE OF TEXAS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JUAN CARLOS FLORES, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, IN THE CAPACITY THEREIN STATED, AND AS THE ACT AND DEED OF SAID PARTNERSHIP.

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

NOTARY PUBLIC IN AND FOR \_\_\_\_ COUNTY  
MY COMMISSION EXPIRES: \_\_\_\_

CITY OF WAXAHACHE CERTIFICATE OR APPROVAL

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON AND DESIGNATED AS THE FINAL PLAT OF CLIFT ESTATES, PHASE V, AN ADDITION TO THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS WAS APPROVED \_\_\_\_ DAY \_\_\_\_ 2019, BY THE CITY COUNCIL OF THE CITY OF WAXAHACHE, TEXAS, SAID ADDITION SHALL BE SUBJECT TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF THE CITY OF WAXAHACHE, TEXAS.

WITNESS MY HAND THIS THE \_\_\_\_ DAY OF \_\_\_\_ 2019

MAYOR

CITY SECRETARY

SURVEYOR'S CERTIFICATE

THIS IS to certify that I, Timothy R. Mankin, a Registered Professional Land Surveyor of the State of Texas, have plotted the above subdivision from an actual survey on the ground, and that this plot correctly represents that survey made by me or under my direction and supervision.

PRELIMINARY—NOT TO BE RECORDED

Timothy R. Mankin  
Texas Registration No. 8122

BEING all that certain 7.356 acre tract of land situated in the Silas M. Durrett Survey, Abstract No. 272, City of Waxahatche, Ellis County, Texas, and being all that certain tract of land conveyed to Juan Carlos Flores, by General Warranty Deed filed in Instrument No. 1815187, Official Public Records, Ellis County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for the most easterly northeast corner of said Flores tract, same being the southeast corner of Carter Court (60 foot right-of-way per Instrument No. 1813730, said Official Public Records), same being a north corner of that certain tract of land conveyed to Sharpshoot Texas, LP, by deed recorded in Volume 2606, Page 502, said Official Public Records;

THENCE along the common line of said Flores tract and said Sharpshoot tract as follows:  
South 29 deg. 30 min. 45 sec. East, a distance of 221.41 feet to a 1/2 inch iron rod found for the southeast corner of said Flores tract;

South 60 deg. 13 min. 14 sec. West, a distance of 1259.81 feet to a 1/2 inch iron rod found for the most southeasterly southwest corner of said Flores tract;

North 29 deg. 02 min. 07 sec. West, a distance of 30.14 feet to a 1/2 inch iron rod found for corner;

South 60 deg. 13 min. 50 sec. West, a distance of 149.89 feet to a 1/2 inch iron rod found for the most westerly southwest corner of said Flores tract;

North 29 deg. 48 min. 24 sec. West, a distance of 274.05 feet to a fence corner found for the most easterly northeast corner of said Flores tract, same being the southeast corner of Block A, CDR Estates Phase IV-A, an addition to the City of Waxahatche, Ellis County, Texas, according to the plat thereof recorded in Instrument No. 1813735, aforesaid Official Public Records;

THENCE North 60 deg. 16 min. 40 sec. East, along the common line of said Flores tract and said Block A, a distance of 100.00 feet to a point for corner, from which a 1/2 inch iron rod found bears North 24 deg. 42 min. West, 1.54 feet, same being the southeast corner of said Block A, same being in the westerly right-of-way line of Owen Way (50 foot right-of-way per Instrument No. 1813735, said Official Public Records), same being the beginning of a non-tangent curve to the left, having a radius of 225.00 feet and a central angle of 05 deg. 48 min. 24 sec.;

THENCE Along said non-tangent curve to the left, and along the common line of said Flores tract and said Owen Way, on arc distance of 22.65 feet and a chord bearing and distance of South 32 deg. 58 min. 30 sec. East, 22.64 feet to a 1/2 inch iron rod found for corner, same being the southwest corner of said Owen Way;

THENCE North 14 deg. 07 min. 16 sec. East, continuing along the common line of said Flores tract and said Owen Way, passing a 1/2 inch iron rod with yellow cap found for the southeast corner of said Owen Way, same being the southwest corner of Block F, said CDR Estates Phase IV-A, and continuing along the common line of said Flores tract and said Block F, a total distance of 152.74 feet to a fence corner found for corner;

THENCE along the common line of said Flores tract and said Block F as follows:  
South 49 deg. 56 min. 42 sec. East, a distance of 33.71 feet to a 1/2 inch iron rod found for corner;

North 87 deg. 40 min. 02 sec. East, a distance of 54.42 feet to a fence corner found for angle point;

North 84 deg. 17 min. 19 sec. East, a distance of 85.71 feet to a fence corner found for angle point;

South 89 deg. 02 min. 45 sec. East, a distance of 213.57 feet to a point for internal corner;

North 33 deg. 42 min. 41 sec. East, a distance of 324.36 feet to a 1/2 inch iron rod found for corner;

North 60 deg. 12 min. 43 sec. East, a distance of 294.80 feet to a 1/2 inch iron rod found for corner;

North 55 deg. 02 min. 43 sec. East, a distance of 111.24 feet to a 1/2 inch iron rod found for corner;

North 60 deg. 14 min. 18 sec. East, a distance of 100.00 feet to a 1/2 inch iron rod found for the most northerly northeast corner of the herein described tract, same being the southeast corner of said Block F, same being in the easterly right-of-way line of aforesaid Carter Court;

THENCE along the common line of said Flores tract and said Carter Court as follows:  
South 29 deg. 45 min. 42 sec. East, a distance of 98.30 feet to a 1/2 inch iron rod found for corner, same being the southwest corner of said Carter Court;

North 60 deg. 18 min. 00 sec. East, a distance of 60.00 feet to the POINT OF BEGINNING and containing 7.356 acres of corrected land, more or less.

PRELIMINARY PLAT  
CLIFT ESTATES PHASE V

21 LOTS  
BEING 7.356 ACRES  
SITUATED IN THE  
SILAS M. DURRETT SURVEY, ABSTRACT NO. 272  
CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS  
CASE NO. 199-19-0058

ENGINEER:  
SHILA MOHANTAPOLA  
OWM ENGINEERING, INC.  
112 S. MADISON AVENUE  
DALLAS, TX 75208  
214-941-9412

OWNER:  
JUAN CARLOS FLORES  
811 MALLOY ROAD  
OWILLA, TEXAS 75154

JOB NO.: 19-010	DATE: 06/05/2019	FIELD DATE: 02/13/2019	OWNER: JUAN CARLOS FLORES 811 MALLOY ROAD OWILLA, TEXAS 75154	ENGINEER: SHILA MOHANTAPOLA OWM ENGINEERING, INC. 112 S. MADISON AVENUE DALLAS, TX 75208 214-941-9412	PROJECT: 823 E. DALLAS ROAD DALLAS, TEXAS 75001 817-481-1800 (O) 817-481-1800 (F)	COMMENTS: COMMERCIAL RESIDENTIAL DOWNGRADES RECONSTRUCTION MORTGAGE	DATE OF PRELIMINARY PLAT: 06/05/2019	SHEET: 2 OF 2
-----------------	------------------	------------------------	---	---	--	---	--------------------------------------	---------------

# Planning & Zoning Department

## Plat Staff Report

**Case: PP-19-0064**



### MEETING DATE(S)

*Planning & Zoning Commission:* June 11, 2019

*City Council:* June 17, 2019

### CAPTION

**Consider** request by Vernon L. Witherspoon, FirstLook, for a **PETITION TO EXTEND APPROVAL FOR 2 YEARS** pursuant to Appendix C – Subdivisions, Section 2.3 – Procedures and Submission Requirements for Preliminary Plat Approval of PP-17-0088 Lakeridge II (Property ID 186874) – Owner: FERRIS AVENUE BAPTIST DBA THE AVENUE (PP-19-0064).

### CASE INFORMATION

*Applicant:* Donna Young, First LookClinic

*Property Owner(s):* Ferris Avenue Baptist Church DBA The Avenue

*Site Acreage:* 2.596 acres

*Number of Lots:* 1 lot

*Number of Dwelling Units:* 0 units

*Park Land Dedication:* Cash in lieu of park land dedication for the property is set at \$1,610.40. This fee will be due at time of final plat.

*Adequate Public Facilities:* Adequate facilities will be provided by City water and wastewater.

### SUBJECT PROPERTY

*General Location:* End of YMCA Drive

*Parcel ID Number(s):* 186874

*Current Zoning:* Commercial

*Existing Use:* Undeveloped

*Platting History:* PP-17-0088 was initially submitted to staff on February 2, 2017. This is an extension request for the same plat.



*Site Aerial:*



### **STAFF CONCERNS**

1. All staff concerns have been addressed at the time of this report (6/4/2019).

### **APPLICANT RESPONSE TO CONCERNS**

1. The applicant submitted an updated plat that addressed staff concerns.

### **RECOMMENDATION**

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

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

### **ATTACHED EXHIBITS**

1. Plat drawing.
2. Preliminary Drainage and utility map.

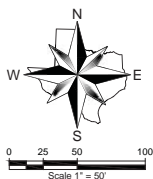
### **APPLICANT REQUIREMENTS**

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)



Owner of the remainder tract shall install the water, sewer, streets, drainage, and dedicate right-of-way when the overall property develops.

**BENCHMARK:**

BM Number 612 Elev. = 620.199'  
North of Waxahachie. From the intersection of Highway 77 - Ferris Street and Business Route 287 - Main Street in Waxahachie, go north along Highway 77 for 2.99 miles to the station. The station is 60-feet north of YMCA Road in south corner of the east headwall over Mustang Creek. See Superconducting Super Collider report on Permanent Monumentation for Horizontal and Vertical Control at the SSC Site dated May 1991.

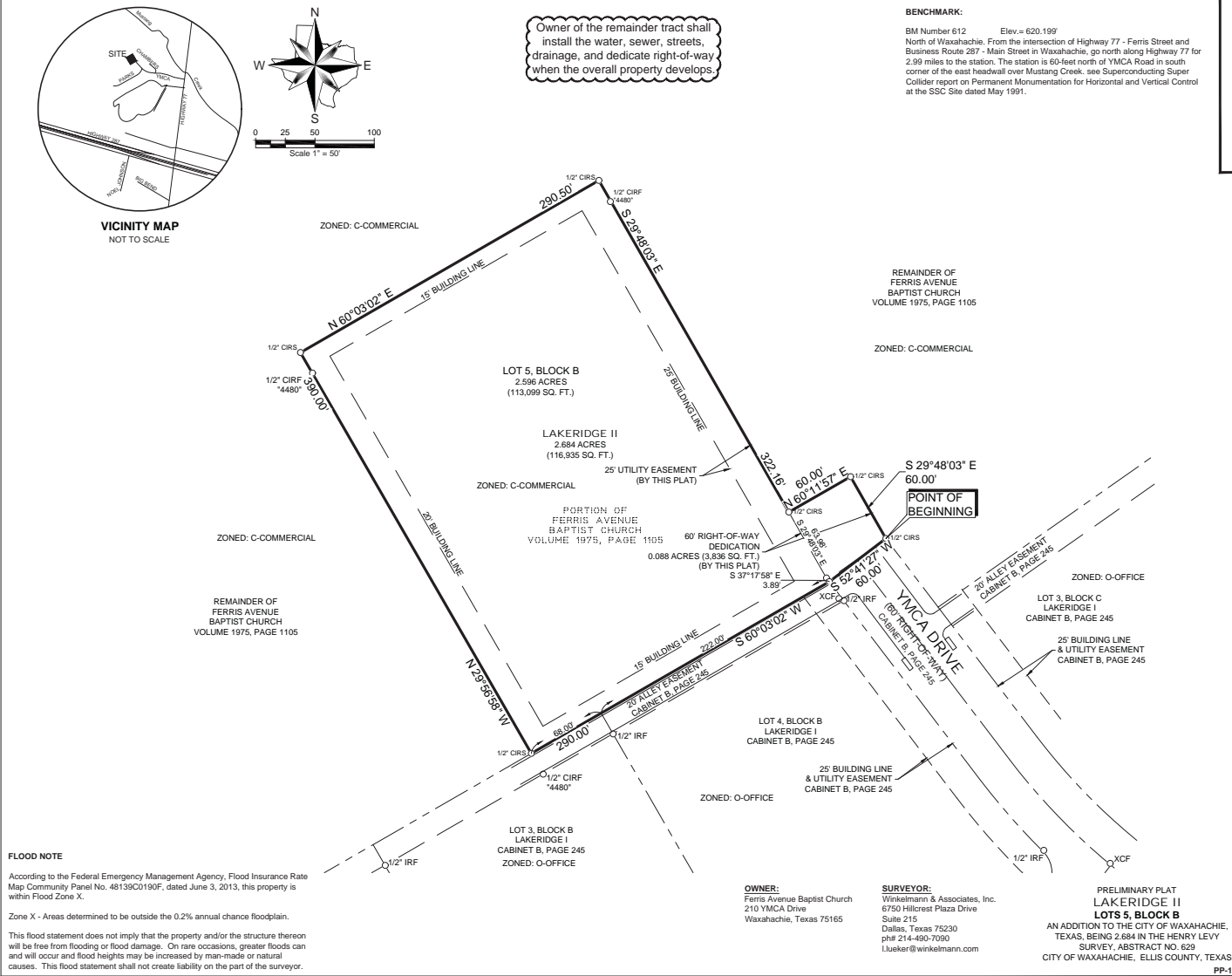
**Winkelmann  
& Associates, Inc.**  
CONSULTING CIVIL ENGINEERS & SURVEYORS  
(972) 482-7050  
(972) 482-7044 FAX  
Texas Engineers Noted on the  
Top 500 Engineering Firms  
CQEP#R 01/13, 2019, Winkelman & Associates, Inc.

PRELIMINARY PLAT  
AKERIDGE I  
LOT 5, BLOCK B

Date : 11.29.16  
Scale : 1" = 50'  
File : 69148-PPL  
Project No. : 69148

**SHEET  
1  
OF  
2**

G:\691\48\SURVEY\Plats\69148-P\1.T.dwg



**OWNERS DEDICATION**  
STATE OF TEXAS §  
COUNTY OF ELLIS §

BEING a tract of land situated in the HENRY LEVY SURVEY, ABSTRACT NO. 629, in the City of Waxahachie, Ellis County, Texas, and being part of a tract of land described in deed to Ferris Avenue Baptist Church as recorded in Volume 1975, Page 1105, Official Public Records, Ellis County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with a red plastic cap stamped "WAI" set for corner at the Northeastly corner of YMCA Drive, a 60-foot right-of-way dedicated by plat of Lakeridge I, an addition to the City of Waxahachie, Ellis County, Texas, according to the Plat thereof recorded in Cabinet B, Page 245, Official Public Records, Ellis County, Texas;

THENCE South 52 deg 41 min 27 sec West, along the Northwestly right-of-way of said YMCA Drive, a distance of 60.00 feet to a 1/2-inch iron rod with a red plastic cap stamped "WAI" set for the Northeast corner of Lot 4, Block B, of said Lakeridge I;

THENCE South 60 deg 03 min 02 sec West, along the Northwest line of said Lot 4, passing the Northwest corner of said Lot 4 and the Northeast corner of Lot 3, Block B, of said Lakeridge I at a distance of 222.00 feet, continuing along the Northwest line of said Lot 3 an additional distance of 68.00 feet, for a total distance of 290.00 feet to a 1/2-inch iron rod with a red plastic cap stamped "WAI" set for corner on the Northwest line of said Lot 3;

THENCE North 29 deg 56 min 58 sec West, departing the Northwest line of said Lot 3, over and across said Ferris Avenue Baptist Church tract, a distance of 350.00 feet to a 1/2-inch iron rod with a red plastic cap stamped "WAI" set for corner;

THENCE North 60 deg 03 min 02 sec East, continuing over and across said Ferris Avenue Baptist Church tract, a distance of 290.50 feet to a 1/2-inch iron rod with a red plastic cap stamped "WAI" set for corner;

THENCE South 29 deg 48 min 03 sec East, continuing over and across said Ferris Avenue Baptist Church tract, a distance of 322.16 feet to a 1/2-inch iron rod with a red plastic cap stamped "WAI" set for corner;

THENCE North 60 deg 11 min 57 sec East, continuing over and across said Ferris Avenue Baptist Church tract, a distance of 60.00 feet to a 1/2-inch iron rod with a red plastic cap stamped "WAI" set for corner;

THENCE South 29 deg 48 min 03 sec East, continuing over and across said Ferris Avenue Baptist Church tract, a distance of 60.00 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 116,935 square feet or 2.684 acres of land, more or less. Bearings shown herein are based upon an on-the-ground Survey performed in the field on the 8th day of July, 2017, utilizing a G.P.S. measurement (NAD 83, Grid) from the GeoShack VRS network.

**NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:**

That, Ferris Avenue Baptist Church, acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as LAKERIDGE II, an addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waxahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of Ingress and Egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or part of their respective systems without the necessity at any time procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Waxahachie, Texas.

WITNESS, my hand, this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

BY:

Authorized Signature of Owner

Printed Name and Title

STATE OF TEXAS §  
COUNTY OF DALLAS §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_, Owner, 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 \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Notary Public in and for the State of Texas

My Commission Expires On:

**SURVEYORS CERTIFICATE**

STATE OF TEXAS §  
COUNTY OF DALLAS §

**KNOW ALL MEN BY THESE PRESENTS:**

That I, Leonard J. Lueker, 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 viewed or relied upon as a final survey document.**

Leonard J. Lueker  
Registered Professional Land Surveyor  
Texas Registration No. 5714  
Winkelmann & Associates, Inc.  
6750 Hillcrest Plaza Drive, Suite 325  
Dallas, Texas 75230  
(972) 490-7090

STATE OF TEXAS §  
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledge to me that he executed the same for the purposes and considerations therein stated.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Notary Public in and for the State of Texas

My Commission Expires On:

APPROVED BY: Planning and Zoning Commission; City of Waxahachie

By: \_\_\_\_\_ Date \_\_\_\_\_  
Chairperson

APPROVED BY: City Council; City of Waxahachie

By: \_\_\_\_\_ Date \_\_\_\_\_  
Mayor

Attest \_\_\_\_\_ Date \_\_\_\_\_

Owner's Acknowledgment:

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

Owner's Signature \_\_\_\_\_

**OWNER:**  
Ferris Avenue Baptist Church  
210 YMCA Drive  
Waxahachie, Texas 75165

**SURVEYOR:**  
Winkelmann & Associates, Inc.  
6750 Hillcrest Plaza Drive  
Suite 325  
Dallas, Texas 75230  
ph# 214-490-7090  
llueker@winkelmann.com

PRELIMINARY PLAT  
LAKERIDGE II  
LOTS 5, BLOCK B  
AN ADDITION TO THE CITY OF WAXAHACHIE,  
TEXAS, BEING 2.684 IN THE HENRY LEVY  
SURVEY, ABSTRACT NO. 629  
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS  
PP-19-0064

**Winkelmann & Associates, Inc.**  
REGISTERED PROFESSIONAL LAND SURVEYORS  
6750 HILLCREST PLAZA, SUITE 325  
DALLAS, TEXAS 75230  
PHONE: (972) 490-7090 FAX: (972) 490-7099  
WWW.WINKELMANN-INC.COM  
COURTESY OF: © 2019, Winkelmann & Associates, Inc.

PRELIMINARY PLAT  
LAKERIDGE II  
LOT 5, BLOCK B

Date : 07/11/17  
Scale : N/A  
File : 69148-PPLT  
Project No. : 69148

**SHEET**  
**2**  
**2**

NOTE:

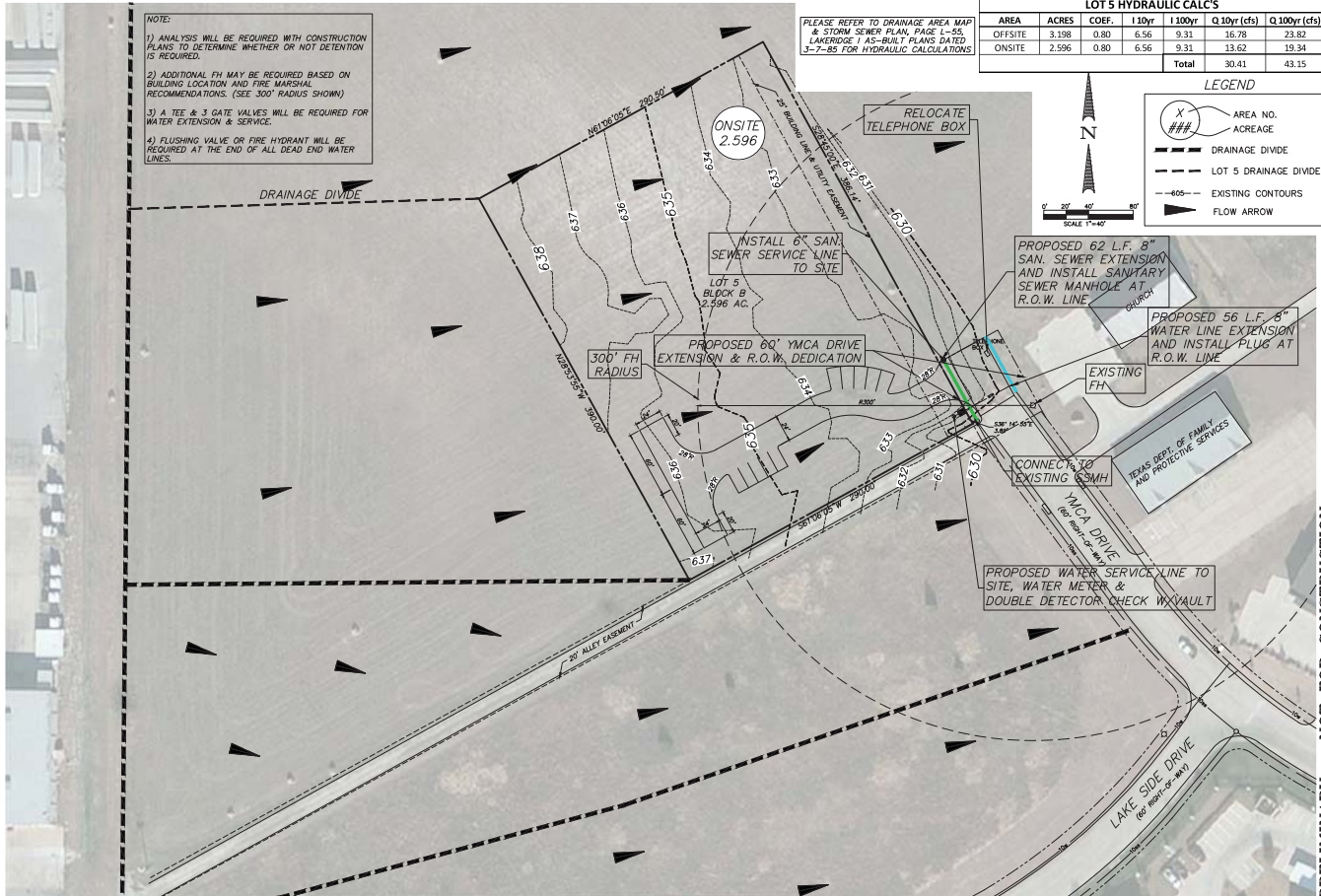
- 1) ANALYSIS WILL BE REQUIRED WITH CONSTRUCTION PLANS TO DETERMINE WHETHER OR NOT DETENTION IS REQUIRED.
- 2) ADDITIONAL FH MAY BE REQUIRED BASED ON BUILDING LOCATION AND FIRE MARSHAL RECOMMENDATIONS. (SEE 300' RADIUS SHOWN)
- 3) A TEE & 3 GATE VALVES WILL BE REQUIRED FOR WATER EXTENSION & SERVICE.
- 4) FLUSHING VALVE OR FIRE HYDRANT WILL BE REQUIRED AT THE END OF ALL DEAD END WATER LINES.

PLEASE REFER TO DRAINAGE AREA MAP & STORM SEWER PLAN, PAGE L-55, LAKERIDGE I AS-BUILT PLANS DATED 3-7-85, FOR HYDRAULIC CALCULATIONS.

LOT 5 HYDRAULIC CALC'S						
AREA	ACRES	COEF.	110yr	1100yr	Q 10yr (cfs)	Q 100yr (cfs)
OFFSITE	3.198	0.80	6.56	9.31	16.78	23.82
ONSITE	2.596	0.80	6.56	9.31	13.62	19.34
Total					30.41	43.15

**LEGEND**

- AREA NO. ACREAGE
- DRAINAGE DIVIDE
- LOT 5 DRAINAGE DIVIDE
- EXISTING CONTOURS
- FLOW ARROW



**PRELIMINARY - NOT FOR CONSTRUCTION**

**Winkelmann & Associates, Inc.**  
 10000 Katy Freeway, Suite 100  
 Houston, Texas 77059  
 Tel: 281-469-1100  
 Fax: 281-469-1101  
 www.winkelmann.com

**PRELIMINARY DRAINAGE & UTILITY PLAN**  
 LAKERIDGE II  
 WAXAHACHIE, TEXAS

05-21-2019

05-21-2019

05-21-2019

# Planning & Zoning Department

## Plat Staff Report

**Case: RP-19-0059**



### MEETING DATE(S)

*Planning & Zoning Commission:* June 11, 2019

*City Council:* June 17, 2019

### CAPTION

Request by James Bledsoe for a **Replat** of Lot 9A, Whispering Meadows Addition, to create Lots 9A-1 and 9A-2, Whispering Meadows Addition, 4.997 acres (Property ID 210307) in the Extra Territorial Jurisdiction – Owner: JAMES BLEDSOE AND NETA BLEDSOE (RP-19-0059)

### CASE INFORMATION

*Applicant:* James Bledsoe

*Property Owner(s):* James and Neta Bledsoe

*Site Acreage:* 4.997 acres

*Number of Lots:* 2 lots

*Number of Dwelling Units:* 2 units

*Park Land Dedication:* N/A

*Adequate Public Facilities:* A water letter was received from Rockett SUD regarding this plat. While Rockett SUD said their water system can provide water flow and pressure for domestic service per TCEQ regulations, they are not able to project fire flow.

### SUBJECT PROPERTY

*General Location:* NE corner of Old Boyce Road and Wilson Road

*Parcel ID Number(s):* 210307

*Current Zoning:* N/A (ETJ)

*Existing Use:* Undeveloped

*Platting History:* Two attempts were made to replat this property in 2018. RP-18-0084 was withdrawn on June 12, 2018. RP-18-0127 was denied by City Council on September 4, 2018.



*Site Aerial:*



**STAFF CONCERNS**

While most comments have been addressed, there are still a few concerns regarding this plat.

1. The southeast corner of lot 2 still shows it as a prescriptive ROW. Based off the dimensions they need to dedicate some ROW to get the minimum 60 foot ROW.

**APPLICANT RESPONSE TO CONCERNS**

1. The applicant submitted an updated plat drawing that addressed most issues staff initially had with the first submittal.

**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. R.O.W. needs to be dedicated to meet the minimum 60 foot ROW requirement.
  2. A waiver will be needed for Fire Flow.

**ATTACHED EXHIBITS**

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

1. Plat drawing
2. Water letter from Rockett-SUD

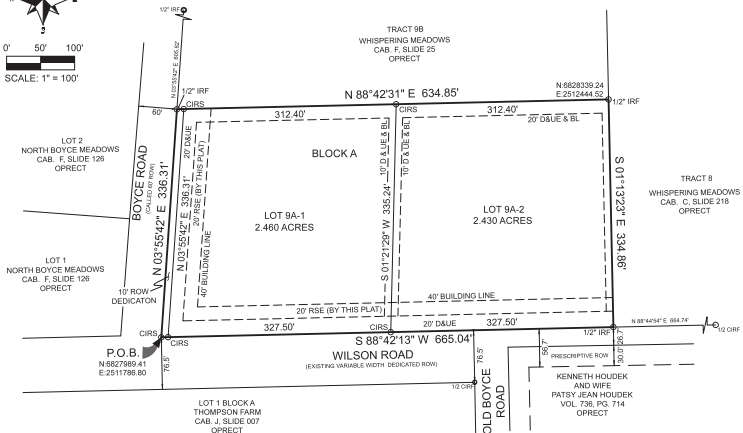
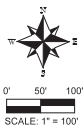
**APPLICANT REQUIREMENTS**

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)



STATE OF TEXAS:  
COUNTY OF ELLIS:      KNOW ALL MEN BY THESE PRESENTS:

THAT WE, JAMES BLEDSOE AND NETA BLEDSOE, ARE THE SOLE OWNERS OF A THAT TRACT OF LAND SITUATED IN THE F.M. WOODARD SURVEY ABSTRACT NO. 1120, ELLIS COUNTY, TEXAS AND BEING ALL OF TRACT 1 AND 2, OF A REPLAT OF LOT 9, WHISPERING MEADOWS ADDITION, AN ADDITION TO ELLIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF, RECORDED IN CABINET F, SLIDE 25, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT), AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN DEED TO JAMES BLEDSOE AND NETA BLEDSOE, RECORDED IN INSTRUMENT NUMBER 1910599 (OPRECT), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR THE INTERSECTION OF THE NORTH RIGHT-OF-WAY (ROW) LINE OF WILSON ROAD (A VARIABLE WIDTH PRESCRIPTIVE AND DEDICATED ROW) AND THE EAST ROW LINE OF BOYCE ROAD (A CALLED 60' ROW), AND THE SOUTHWEST CORNER OF SAID TRACT 9A.

THENCE N 03°54'42" E, ALONG THE WEST LINE OF SAID TRACT 9A AND THE COMMON EAST ROW LINE OF SAID BOYCE ROAD, A DISTANCE OF 336.31 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID TRACT 9A AND THE COMMON SOUTHWEST CORNER OF TRACT 9B OF SAID REPLAT, FROM WHICH A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF TRACT 9C AND THE COMMON SOUTHWEST CORNER OF TRACT 9D OF SAID REPLAT, BEARS N 03°55'42" E A DISTANCE OF 605.82 FEET.

THENCE N 88°42'31" E, ALONG NORTH LINE OF SAID TRACT 9A AND THE COMMON SOUTH LINE OF SAID TRACT 9B, A DISTANCE OF 634.85 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID TRACT 9A AND THE COMMON SOUTHEAST CORNER OF SAID TRACT 9B, IN THE WEST LINE OF TRACT 8 OF WHISPERING MEADOWS ADDITION, RECORDED IN CABINET C, SLIDE 218, OPRECT.

THENCE S 01°13'23" E, ALONG THE EAST LINE OF SAID TRACT 9A AND THE COMMON WEST LINE OF SAID TRACT 8, A DISTANCE OF 334.86 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID TRACT 9A AND THE COMMON SOUTHWEST CORNER OF SAID TRACT 8, IN THE NORTH ROW LINE OF SAID WILSON ROAD, FROM WHICH A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID TRACT 8 BEARS N 88°44'54" E A DISTANCE OF 664.74 FEET.

THENCE S 88°42'13" W, ALONG THE SOUTH LINE OF SAID TRACT 9A AND THE COMMON NORTH ROW LINE OF SAID WILSON ROAD, A DISTANCE OF 665.04 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.997 ACRES OF LAND, MORE OR LESS.

I, TIMOTHY L. JACKSON, RPLS, HEREBY CERTIFY THAT THIS PLAT WAS MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

VICINITY MAP  
1" = 2.5 MILES

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT JAMES BLEDSOE AND NETA BLEDSOE, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN DESCRIBED PROPERTY AS TRACT 9A WHISPERING MEADOWS ADDITION, AND DO HEREBY DEDICATE, IN FEE SIMPLE, TO ELLIS COUNTY AND THE CITY OF WAXAHACHE, TEXAS FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON, AND HERIN CERTIFY THE FOLLOWING:

1. THE STREETS AND ALLEYS ARE DEDICATED IN FEE SIMPLE FOR STREET AND ALLEY PURPOSES.
2. ALL PUBLIC IMPROVEMENTS AND DEDICATIONS SHALL BE FREE AND CLEAR OF ALL DEBT, LIENS, AND/OR ENCUMBRANCES.
3. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, AND CREATED BY THIS PLAT, ARE DEDICATED FOR THE PUBLIC USE FOREVER FOR THE PURPOSES INDICATED ON THIS PLAT.
4. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN.
5. ELLIS COUNTY AND THE CITY OF WAXAHACHE ARE NOT RESPONSIBLE FOR REPLACING ANY IMPROVEMENTS IN, UNDER, OR OVER ANY EASEMENTS CAUSED BY MAINTENANCE OR REPAIR.
6. UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND ELLIS COUNTY'S AND THE CITY OF WAXAHACHE'S USE THEREOF.
7. ELLIS COUNTY, THE CITY OF WAXAHACHE AND/OR PUBLIC UTILITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN THE EASEMENTS.
8. ELLIS COUNTY, THE CITY OF WAXAHACHE AND PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.
9. ALL MODIFICATIONS TO THIS DOCUMENT SHALL BE BY MEANS OF PLAT AND APPROVED BY ELLIS COUNTY AND THE CITY OF WAXAHACHE.

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

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

JAMES BLEDSOE      NETA BLEDSOE

STATE OF TEXAS:  
COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED JAMES BLEDSOE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

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

NOTARY PUBLIC, IN AND FOR THE  
STATE OF TEXAS

STATE OF TEXAS:  
COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED NETA BLEDSOE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

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

NOTARY PUBLIC, IN AND FOR THE  
STATE OF TEXAS

STATE OF TEXAS:  
COUNTY OF ELLIS:

CERTIFICATE OF APPROVAL BY THE COMMISSIONERS COURT OF ELLIS COUNTY TEXAS:

APPROVED THIS, \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

ATTEST:

TODD LITTLE      KRYSTAL VALDEZ  
COUNTY JUDGE      COUNTY CLERK

RANDY STINSON      LANE GRAYSON  
COMMISSIONER PRECINCT 1      COMMISSIONER PRECINCT 2

PAUL PERRY      KYLE BUTLER  
COMMISSIONER PRECINCT 3      COMMISSIONER PRECINCT 4

THIS PLAT HAS BEEN APPROVED BY THE DEPARTMENT OF DEVELOPMENT FOR AN ON-SITE SEWAGE FACILITY SYSTEM PENDING ANY AND ALL INFORMATION AS MAY BE REQUIRED BY THE ELLIS COUNTY DEPARTMENT OF DEVELOPMENT.

DEPARTMENT OF DEVELOPMENT DIRECTOR      DATE

STATE OF TEXAS:  
COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED TIMOTHY L. JACKSON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

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

NOTARY PUBLIC, IN AND FOR THE  
STATE OF TEXAS

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

BY: \_\_\_\_\_ DATE \_\_\_\_\_  
CHAIRPERSON

APPROVED BY: CITY COUNCIL  
CITY OF WAXAHACHE

BY: \_\_\_\_\_ DATE \_\_\_\_\_  
MAYOR

ATTEST      DATE

OWNER  
JAMES BLEDSOE AND  
NETA BLEDSOE  
3317 OVALLA ROAD  
RED OAK, TX 75154  
214.786.4836

SURVEYOR  
TEXAS REALITY CAPTURE &  
SURVEYING, L.L.C.  
P.O. BOX 252  
WAXAHACHE, TEXAS 75168  
469.518.0338  
TBPLS FIRM NO. 10194559

RP-19-0059      JOB NO 1057

LEGEND

CRS = 5/8 IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TXRCS" SET

IRF = IRON ROD FOUND

FND = FOUND

OPRECT = OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS

D & UE = DRAINAGE AND UTILITY EASEMENT

RSE = ROCKETT SUB EASEMENT - DEDICATED BY THIS PLAT

BL = BUILDING LINE

NOTES:

BEARING BASIS FOR THIS SURVEY IS TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD 83, PER GPS OBSERVATIONS

THE SUBJECT PROPERTY LIES WITHIN ZONE "X" - DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48136C0205P, DATED JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

ALL LOTS SHALL BE SERVICED BY AN ON-SITE SEWAGE FACILITY SYSTEM FOR RESIDENTIAL USE. AN ONSITE EVALUATION SHALL BE PERFORMED BY A REGISTERED ENGINEER AND/OR A REGISTERED SANITARIAN.

# REPLAT TRACT 9A WHISPERING MEADOWS ADDITION

4.997 ACRES  
2 RESIDENTIAL LOTS  
SITUATED IN THE  
F.M. WOODARD SURVEY  
ABSTRACT NO 1120  
ETJ OF THE CITY OF WAXAHACHE,  
TEXAS  
ELLIS COUNTY, TEXAS

APRIL 2019



## WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: James & Neta Bledsoe Parcel ID #: 210307  
Subdivision Name: Whispering Meadows

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. <u>no fire flow can be projected</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. The water line size servicing the lots is <u>4</u> inches.	<input 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

5/9/19

Date



# Planning & Zoning Department

## Plat Staff Report

**Case: RP-19-0051**



### MEETING DATE(S)

*Planning & Zoning Commission:* May 14, 2019

*City Council:* May 20, 2019

### CAPTION

Consider request by Michael Evans, GSW Land Surveyors, for a Replat of a portion of Lots 3 and 4 and all of Lot 5, Block 14, West End, to create Lot 5R, Block 14, West End, 4.478 acres (Property ID 176761 and 176763) – Owner: CHRISTOPHER L GLEASON (RP-19-0051)

### CASE INFORMATION

*Applicant:* Michael Evans, GSW Land Surveyors

*Property Owner(s):* Christopher L Gleason

*Site Acreage:* 4.478 acres

*Number of Lots:* 2 lot

*Number of Dwelling Units:* 0 units

*Park Land Dedication:* Exempt

*Adequate Public Facilities:* The property owner will need to connect to city sewer and water.

### SUBJECT PROPERTY

*General Location:* 309 N Grand Avenue

*Parcel ID Number(s):* 176761, 176763

*Current Zoning:* General Retail and Light Industrial-1

*Existing Use:* Veterinary Clinic

*Platting History:* 3D; 4A; 5B 827 14 WEST END, 5A 14 WEST END

*Site Aerial:*



#### **STAFF CONCERNS**

1. The applicant is currently not connected to City sewer and will need to do so before the plat is filed.

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

1. The applicant has submitted an updated plat that addressed all engineering/planning 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 applicant will need to connect to city utilities before the plat is filed.

#### **ATTACHED EXHIBITS**

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

1. Plat drawing

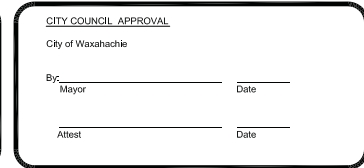
#### **APPLICANT REQUIREMENTS**

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)

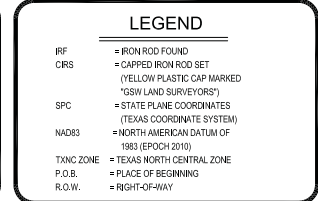
*Reviewed by:*  
Shon Brooks, AICP  
Director of Planning  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)



**OWNER/DEVELOPER:**  
DR. CHRIS GLEASON, DVM  
309 N. GRAND AVE  
WAXAHACHIE TX 75165  
(972) 298-2898  
cgleasondvm@att.net

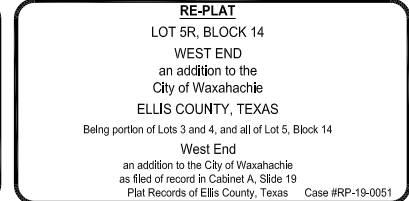
**SURVEYOR:**  
MICHAEL EVANS, RPLS  
1305 BROOK ARBOR DR.  
MANSFIELD TX 76063  
817-822-3591  
mevans@gswland.com

**PROJECT NO. 98146**



1305 Brook Arbor Drive  
Mansfield, Texas 76063  
(817) 622-3591

Firm Registration No. 10163400



## GENERAL NOTES

1. BASIS OF BEARINGS: The bearings and coordinates shown herein are old bearings and coordinates based upon an actual field survey and are related to the Texas Coordinate System of 1983, North Central Zone NAD 83 (Epoch 2010).
2. The combined  $k_d$  factor is 0.00091308, and the Angle of Convergence is  $0^{\circ}53'35.44''$ .
3. The distances shown herein are Surface distances.
4. Land areas shown are within the tolerances stated in the Professional and Technical Standards of the Texas Board of Professional Land Surveying.
5. Zoning designation for subject and surrounding properties is "GR".

# Planning & Zoning Department

## Plat Staff Report

---

**Case: RP-19-0055**

---



### MEETING DATE(S)

*Planning & Zoning Commission:* June 11, 2019

*City Council:* June 17, 2019

### CAPTION

Request by Brett Hess, Hi View Real Estate, for a Replat of Lot 1, Americase Business Park, to create Lots 1A, 1B, 1C, and 1D, Americase Business Park, 10.71 acres (Property ID 273983) in the Extra Territorial Jurisdiction – Owner: R&R AMERICASE HOLDINGS LTD (RP-19-0055)

### CASE INFORMATION

*Applicant:* Brett Hess, Hi View Real Estate

*Property Owner(s):* R&R Americase Holdings LLC

*Site Acreage:* 10.71 acres

*Number of Lots:* 4 lots

*Number of Dwelling Units:* N/A

*Park Land Dedication:* N/A

*Adequate Public Facilities:* A water letter was received from Buena Vista Bethel endorsing this replat.

### SUBJECT PROPERTY

*General Location:* FM 1446 at Hoyt Road

*Parcel ID Number(s):* 273983

*Current Zoning:* N/A (ETJ)

*Existing Use:* Currently Undeveloped

*Platting History:* PP-18-0052; FP-18-0053

*Site Aerial:*



### **STAFF CONCERNS**

There are a few staff concerns regarding this replat application.

1. The Case Number, RP-19-0055, needs to be added to the lower right hand corner Title Block of the plan.
2. Per City engineering and following a discussion with the applicant, a water detention pond will be required to handle the increased surface flow for the 4 proposed lots in this replat.
3. The point of beginning needs to be labeled.
4. Label the Right of Way dedication for Cox Road.
5. Change Carol Bush to Todd Little in the Signature Block.

### **APPLICANT RESPONSE TO CONCERNS**

1. At the time of this report (5/31/19), the applicant has submitted an updated plat that addressed most of the staff's concerns. However, the Case Number, Point of Beginning, and a ROW dedication label for Cox Road will need to be added in order for the plat to be 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. The Case Number, RP-19-0055, needs to be added to the lower right hand corner Title Block of the plan.
  2. The point of beginning needs to be labeled.
  3. Label the Right of Way dedication for Cox Road.
  4. Change Carol Bush to Todd Little in the Signature Block.

### **ATTACHED EXHIBITS**

1. Plat Drawing
2. Water Letter
3. PON Responses
  - 1 in support
  - 1 opposed

### **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

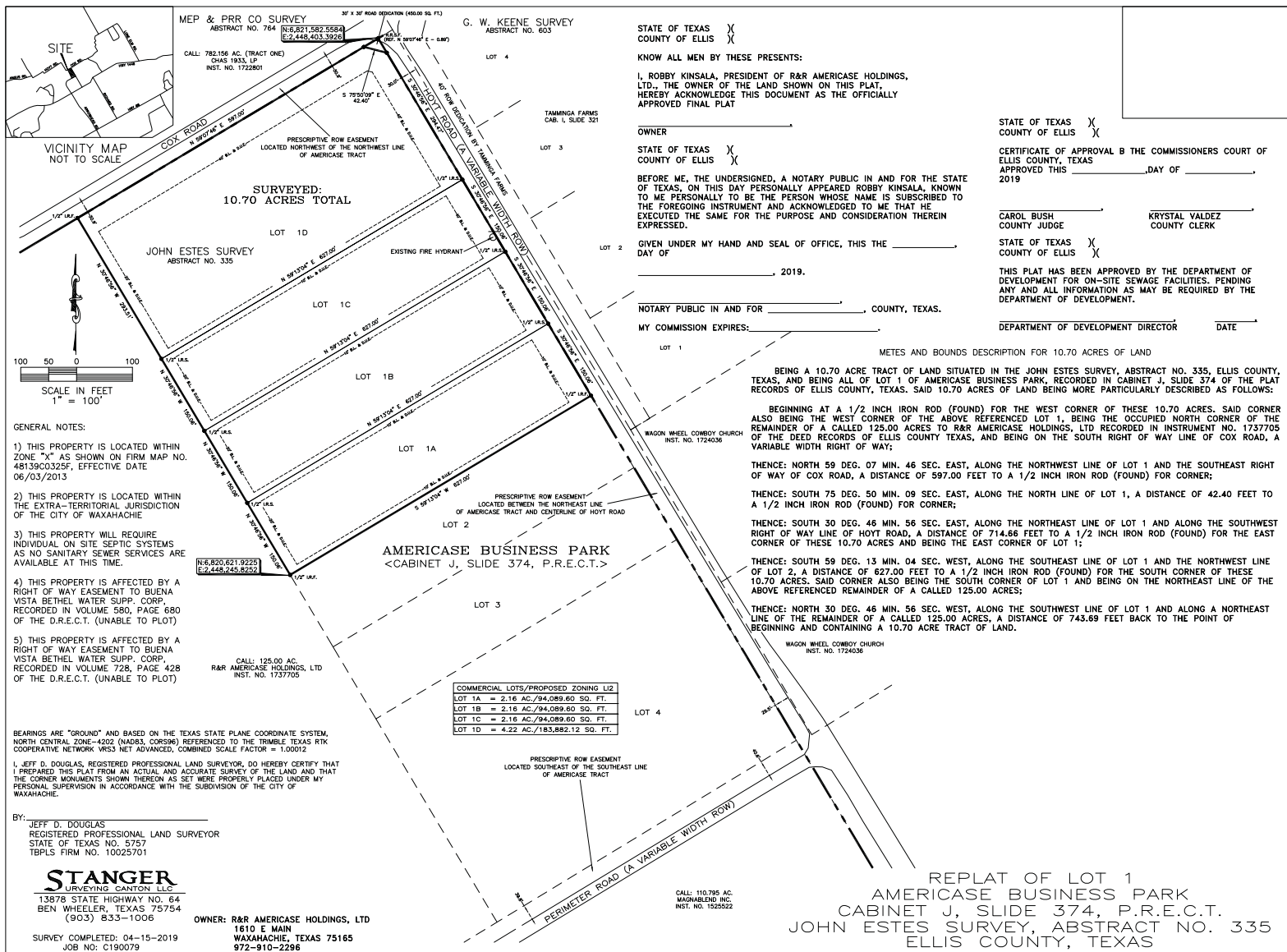
[cwebb@waxahachie.com](mailto:cwebb@waxahachie.com)

*Reviewed by:*

Shon Brooks, AICP

Director of Planning

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







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: Bobby Kinsella<sup>(owner)</sup> Brett Hess<sup>(agent)</sup> Parcel ID #: 209253  
Subdivision Name: Americase Business Park

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>12</u> inches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Joe Buchanan

Print Name of General Manager of water provider or Designee

Buena Vista-Bethel SUD

Name of water provider company

Joe Buchanan

Signature of General Manager of water provider or Designee

Date



**CE** CHILDRESS ENGINEERS  
ENGINEERS & CONSULTANTS

TEXAS REGISTERED ENGINEERING FIRM F-702

ROBERT T. CHILDRESS, JR., P.E. • BENJAMIN S. SHANKLIN, P.E. • ROBERT T. CHILDRESS III, P.E.

April 25, 2019

Mr. Joe Buchanan, Manager  
Buena Vista-Bethel Special Utility District  
312 S. Oak Branch Road  
Waxahachie, Texas 75167

Re: Hydraulic Analysis for  
Americase Business Park  
6 Lots  
Near Node 131, Map Sheet 13

Dear Mr. Buchanan:

In response to your request, we have examined the hydraulic capability of the Buena Vista-Bethel SUD water distribution system to provide the above referenced service. We assume that this includes a 500 gpm fire flow and 6 meters to be served.

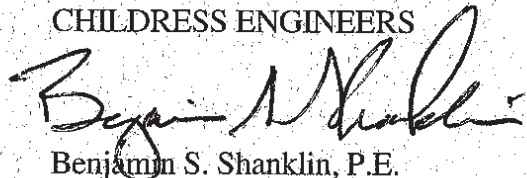
Our evaluation indicates that at this time the existing system can furnish the requested service in conformity with Texas Commission on Environmental Quality standards for water distribution. Per the ISO "Guide for Determination of Needed Fireflow," Chapter 7, structures separated by greater than 30 feet require a 500 gpm fireflow. A fireflow greater than 1,500 gpm can be projected at this location.

Please be advised that this hydraulic analysis is only good for six (6) months from the date of this letter. In addition, by this letter we are not expressing an opinion on the applicability or the enforceability of any "fire flow" standards within the Subdivision by an entity other than the Buena Vista-Bethel SUD and the TCEQ.

If you have any questions concerning this matter, please call.

Very truly yours,

CHILDRESS ENGINEERS



Benjamin S. Shanklin, P.E.

BSS/cv

## **CASE RP-19-0055**

Request by Brett Hess, Hi View Real Estate, for a **Replat** of Lot 1, Americase Business Park, to create Lots 1A, 1B, 1C, and 1D, Americase Business Park, 10.71 acres (Property ID 273983) in the Extra Territorial Jurisdiction – Owner: R&R AMERICASE HOLDINGS LTD (RP-19-0055)

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

- 1 Support
- 1 Oppose

### **SUPPORT**

1. Robert Kinsala, 6200 N I-35E, Waxahachie, TX 75165

### **OPPOSE**

1. Brent McDowell, 380 Hoyt Road, Waxahachie, TX 75167



RECEIVED  
4/29/19

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: RP-19-0055



**R&R AMERICASE HOLDINGS LTD**  
6200 N I-35E  
WAXAHACHIE, TX 75165

The Waxahachie City Council will hold a Public Hearing on Monday, May 20, 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 Brett Hess, Hi View Real Estate, for a **Replat** of Lot 1, Americase Business Park, to create Lots 1A, 1B, 1C, and 1D, Americase Business Park, 10.71 acres (Property ID 273983) in the Extra Territorial Jurisdiction – Owner: R&R AMERICASE HOLDINGS LTD (RP-19-0055)

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-19-0055



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, MAY 8, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com).

Signature

Date

4/29/2019

Printed Name and Title

ROBERT KINSALA, OWNER

Address

6200 N I-35E, WAXAHACHIE, TX  
75165





City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: RP-19-0055

RECEIVED  
5/8/19



MC DOWELL BRENT & CATRINA  
380 HOYT RD  
WAXAHACHIE, TX 75167

The Waxahachie City Council will hold a Public Hearing on Monday, May 20, 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 Brett Hess, Hi View Real Estate, for a **Replat** of Lot 1, Americase Business Park, to create Lots 1A, 1B, 1C, and 1D, Americase Business Park, 10.71 acres (Property ID 273983) in the Extra Territorial Jurisdiction – Owner: R&R AMERICASE HOLDINGS LTD (RP-19-0055)

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-19-0055 \_\_\_\_\_ SUPPORT ☒ OPPOSE

Comments: ① The building at 361 Hoyt has caused major flooding because the culverts they installed are too small. This has also caused massive amounts of dirt to wash into the creek. Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on WEDNESDAY, MAY 8, 2019 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com).

NEXT PAGE  
→

Brent McDowell  
Signature

5/7/19  
Date

Brent McDowell  
Printed Name and Title

380 Hoyt RD Waxahachie TX  
Address

This has caused blockage in the flow of the creek.  
Our property is at 380 Hoyt next to the creek. 361 has caused flooding issues onto our property and we oppose more lots ~~being~~ being divided causing additional drainage issues.

The second reason I oppose this property being divided is the additional ~~theft~~ theft risk by having commercial properties across from my personal property. (HOME)

The third reason I work nights and this will create more noise not allowing me to sleep during the day.

Brent McDowell  
380 Hoyt Rd  
469-233-1836

# Planning & Zoning Department

## Plat Staff Report

---

**Case: RP-19-0056**

---



### MEETING DATE(S)

*Planning & Zoning Commission:* June 11, 2019

*City Council:* June 17, 2019

### CAPTION

Request by Brett Hess, Hi View Real Estate, for a Replat of Lot 4, Americase Business Park, to create Lots 4A and 4B, Americase Business Park, 6.06 acres (Property ID 273986) in the Extra Territorial Jurisdiction – Owner: R&R AMERICASE HOLDINGS LTD (RP-19-0056)

### CASE INFORMATION

*Applicant:* Brett Hess, Hi View Real Estate

*Property Owner(s):* R&R Americase Holdings LLC

*Site Acreage:* 6.06 acres

*Number of Lots:* 2 lots

*Number of Dwelling Units:* N/A

*Park Land Dedication:* N/A

*Adequate Public Facilities:* A water letter was received from Buena Vista Bethel endorsing this replat.

### SUBJECT PROPERTY

*General Location:* FM 1446 at Hoyt Road

*Parcel ID Number(s):* 273986

*Current Zoning:* N/A (ETJ)

*Existing Use:* Currently Undeveloped

*Platting History:* PP-18-0052; FP-18-0053

*Site Aerial:*



### **STAFF CONCERNS**

There are multiple staff concerns regarding this replat application.

1. The Case Number, RP-19-0056, needs to be added to the lower right hand corner Title Block of the plan.
2. Label point of beginning.
3. Per City engineering and following a discussion with the applicant, a water detention pond will be required to handle the increased surface flow for the 2 proposed lots in this replat.
4. Change Carol Bush to Todd Little in the Signature Block.

### **APPLICANT RESPONSE TO CONCERNS**

1. At the time of this report (5/31/19), the applicant has submitted an updated plat. However, the Case Number and a Point of Beginning will need to be added before the plat can be 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. The Case Number, RP-19-0056, needs to be added to the lower right hand corner Title Block of the plan.
  2. Label point of beginning.
  3. Change Carol Bush to Todd Little in the Signature Block.

### **ATTACHED EXHIBITS**

1. Plat Drawing
2. Water Letter
3. PON Responses
  - 1 in support

### **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)

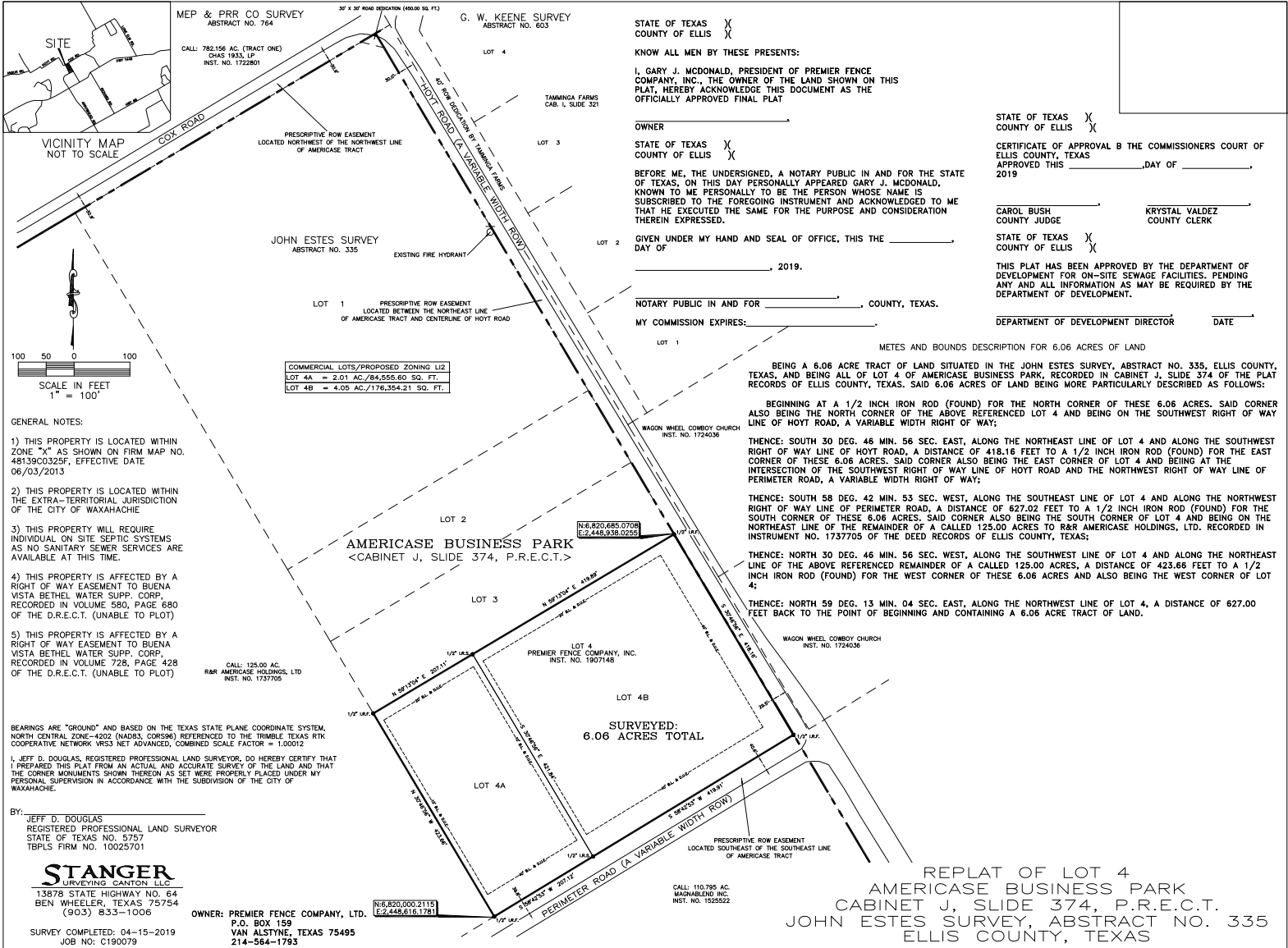
*Reviewed by:*

Shon Brooks, AICP

Director of Planning

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







## WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Bobby Kinsella<sup>(owner)</sup> Brett Hess<sup>(agent)</sup> Parcel ID #: 209253  
Subdivision Name: Americase Business Park

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>12</u> inches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Joe Buchanan

Print Name of General Manager of water provider or Designee

Buena Vista-Bethel SUD

Name of water provider company

Joe Buchanan

Signature of General Manager of water provider or Designee

Date

**CE** CHILDRESS ENGINEERS  
ENGINEERS & CONSULTANTS

TEXAS REGISTERED ENGINEERING FIRM F-702

ROBERT T. CHILDRESS, JR., P.E. • BENJAMIN S. SHANKLIN, P.E. • ROBERT T. CHILDRESS III, P.E.

April 25, 2019

Mr. Joe Buchanan, Manager  
Buena Vista-Bethel Special Utility District  
312 S. Oak Branch Road  
Waxahachie, Texas 75167

Re: Hydraulic Analysis for  
Americase Business Park  
6 Lots  
Near Node 131, Map Sheet 13

Dear Mr. Buchanan:

In response to your request, we have examined the hydraulic capability of the Buena Vista-Bethel SUD water distribution system to provide the above referenced service. We assume that this includes a 500 gpm fire flow and 6 meters to be served.

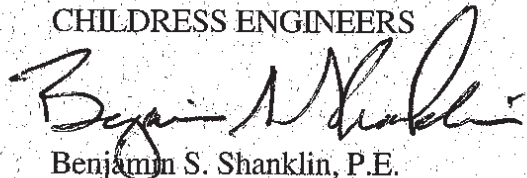
Our evaluation indicates that at this time the existing system can furnish the requested service in conformity with Texas Commission on Environmental Quality standards for water distribution. Per the ISO "Guide for Determination of Needed Fireflow," Chapter 7, structures separated by greater than 30 feet require a 500 gpm fireflow. A fireflow greater than 1,500 gpm can be projected at this location.

Please be advised that this hydraulic analysis is only good for six (6) months from the date of this letter. In addition, by this letter we are not expressing an opinion on the applicability or the enforceability of any "fire flow" standards within the Subdivision by an entity other than the Buena Vista-Bethel SUD and the TCEQ.

If you have any questions concerning this matter, please call.

Very truly yours,

CHILDRESS ENGINEERS



Benjamin S. Shanklin, P.E.

BSS/cv

## **CASE RP-19-0056**

Request by Brett Hess, Hi View Real Estate, for a **Replat** of Lot 4, Americase Business Park, to create Lots 4A and 4B, Americase Business Park, 6.06 acres (Property ID 273986) in the Extra Territorial Jurisdiction – Owner: R&R AMERICASE HOLDINGS LTD (RP-19-0056)

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

- 1 Support
- 0 Oppose

### **SUPPORT**

1. Robert Kinsala, 6200 N I-35E, Waxahachie, TX 75165

### **OPPOSE**





RECEIVED  
4/29/19

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: RP-19-0056



R&R AMERICASE HOLDINGS LTD  
6200 N I-35E  
WAXAHACHIE, TX 75165

The Waxahachie City Council will hold a Public Hearing on Monday, May 20, 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 Brett Hess, Hi View Real Estate, for a **Replat** of Lot 4, Americase Business Park, to create Lots 4A and 4B, Americase Business Park, 6.06 acres (Property ID 273986) in the Extra Territorial Jurisdiction – Owner: R&R AMERICASE HOLDINGS LTD (RP-19-0056)

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-19-0056



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, MAY 8, 2019 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com).

Signature

ROBERT KINSALA, OWNER

Date

4/29/2019

Address

6200 N I-35E, WAXAHACHIE, TX  
75165

# Planning & Zoning Department

## Zoning Staff Report

**Case: SU-19-0060**



### MEETING DATE(S)

*Planning & Zoning Commission:* June 11, 2019

*City Council:* June 17, 2019

### CAPTION

**Public Hearing** on a request by Edwin Walker, Standard ECO, for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Single Family Residential-2 zoning district, located at 1565 Reserve Road (Property ID 265966) – Owner: LOUIE C RODRIGUEZ (SU-19-0060)

### CASE INFORMATION

*Applicant:* Edwin Walker, Standard ECO

*Property Owner(s):* Louie C Rodriguez

*Site Acreage:* .232 acres

*Current Zoning:* Single Family-2

*Requested Zoning:* Single Family-2 with Specific Use Permit

### SUBJECT PROPERTY

*General Location:* 1565 Reserve Road

*Parcel ID Number(s):* 265966

*Existing Use:* Single Family Residence

*Development History:* The Final Plat for The Cove Phase I, was approved by City Council on March 7, 2016.

### Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Single Family Residential
East	SF-2	Single Family Residential
South	SF-2	Single Family Residential
West	SF-2	Single Family Residential

*Future Land Use Plan:* Low Density Residential

*Comprehensive Plan:*

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

*Thoroughfare Plan:*

The subject property is accessible via Reserve Road.

*Site Image:*



**PLANNING ANALYSIS**

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

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, **28** 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 5/24/19.

**STAFF CONCERNS**

1. Staff has no outstanding concerns for the applicant.

**APPLICANT RESPONSE TO CONCERNS**

1. Staff has no outstanding concerns for the applicant.

**RECOMMENDATION**

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

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

**ATTACHED EXHIBITS**

1. Site Plan

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

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

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



## STANDARD ECO

110 E. Houston St.,  
San Antonio, TX 78205  
TX License #:32439

### VICINITY MAP



### AERIAL IMAGE



#### SHEET INDEX

- 00- COVER SHEET AND PLOT MAP
- 1- SITE PLAN DRAWING
- 2- RACKING PLAN
- 3- ELECTRICAL NOTES
- 4- SINGLE LINE DIAGRAM
- 5- ARRAY MAP
- 5.1- THREE LINE DIAGRAM
- 6- PLACARDS
- - REFERENCE PAGE
- ATTACHED SPEC. SHEETS / ETC. -
- INVERTER SPECIFICATIONS
- MODULE SPECIFICATIONS

#### GENERAL NOTES

1. ALL CONSTRUCTION / INSTALLATION SHALL COMPLY WITH:
  - 2011 NATIONAL ELECTRIC CODE (NEC)
  - 2012 INTERNATIONAL FIRE CODE (IFC)
  - 2012 INTERNATIONAL BUILDING CODE
  - 2012 INTERNATIONAL RESIDENTIAL CODE
  - 2015 INTERNATIONAL MECHANICAL CODE
  - 2012 INTERNATIONAL PLUMBING CODE
  - 2012 INTERNATIONAL EXISTING BUILDING CODE
  - 2012 INTERNATIONAL FUEL GAS CODE
  - 2015 INTERNATIONAL ENERGY CONSERVATION CODE
2. ALL DIMENSIONS WITHIN THESE PLANS ARE APPROXIMATE.
3. ALL CONDUITS ON ROOF SHALL BE A MINIMUM OF 1/2" OFF ROOF.
4. CONSTRUCTION LIMITS: ALL IMPROVEMENTS AND ACCESS SHALL OCCUR WITHIN PLANT PROPERTY LINES.
5. PV EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH 2011 NEC 690 & POSTED WITH APPLICABLE WARNINGS, SIGNAGE AND PLAQUES PER 2011 NEC ARTICLE 705-10, 690-17, 690-64, AND 2012 IFC SECTION 605.11.
6. ALL PV ARRAYS AND ASSOCIATED EQUIPMENT, CONDUIT AND CONDUCTORS SHALL COMPLY WITH SECTION 605.11 OF THE 2012 IFC FOR MARKING DC CONDUCTORS, LOCATION OF DC CONDUCTORS, ROOF ACCESS, PATHWAYS AND SPACING. PLANS WILL SHOW COMPLIANCE WITH THE IFC.

#### SYSTEM EQUIPMENT

- (31x) MISSION SOLAR MSE305SQ5K
- (31x) POWER OPTIMIZERS P320
- (1x) SOLAREEDGE SE7600H-US

**RODRIGUEZ Residence**  
1565 RESERVE ROAD, WAXAHACHIE, TX 75165

ASSESSORS PARCEL NUMBER:  
**90863090701300112**

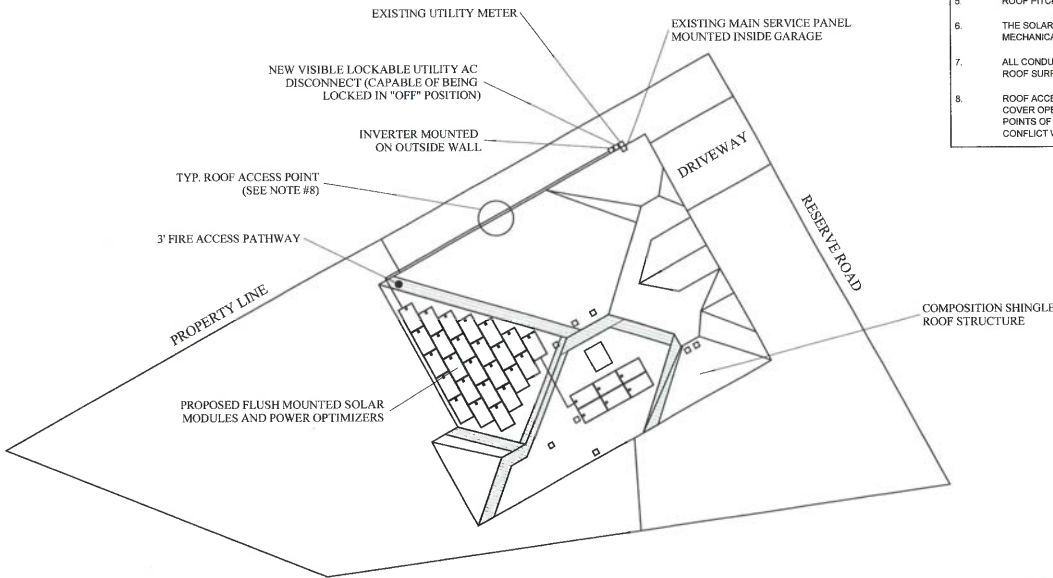
SERVING ELECTRICAL UTILITY:  
**ONCOR**

**9.455 kW DC**  
**7.600 kW AC**

ISSUE:  
**04/16/2019**

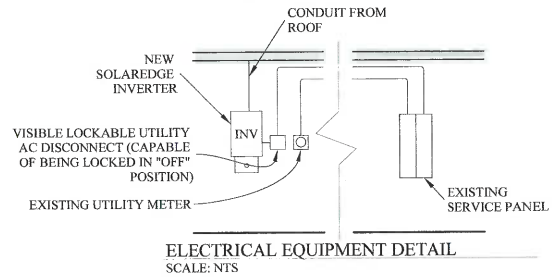
DRAWN BY:  
 **ASD**

**00**



# **CONSTRUCTION NOTES:**

1. SOLAR PHOTOVOLTAIC SYSTEM TO BE INSTALLED ON RESIDENTIAL STRUCTURE.
2. THIS PROJECT HAS BEEN DESIGNED IN COMPLIANCE WITH THE IBC SECTION 1609 TO WITHSTAND A BASIC WIND SPEED OF 115 MPH (3 SECOND GUST).
3. THE HOUSE IS A SINGLE STORY STRUCTURE.
4. THE ROOF MEMBERS ARE 2x4 RAFTERS ON 24" CENTERS. CONNECTION TO STRUCTURE SHALL NOT BE WITHIN 6" OF NAILING PLATES.
5. ROOF PITCH IS: 20° (4.5:12 SLOPE)
6. THE SOLAR PHOTOVOLTAIC INSTALLATION SHALL NOT OBSTRUCT ANY PLUMBING, MECHANICAL OR BUILDING ROOF VENTS.
7. ALL CONDUCTORS AND CONDUITS MOUNTED ON ROOF SHALL BE MINIMUM 3/4" ABOVE ROOF SURFACE (INCLUDING CABLES UNDERNEATH MODULES AND RACKING).
8. ROOF ACCESS POINTS SHALL BE LOCATED IN AREAS WHERE GROUND LADDERS DO NOT COVER OPENINGS SUCH AS DOORS OR WINDOWS. LADDERS TO BE LOCATED AT STRONG POINTS OF BUILDING CONSTRUCTION IN LOCATIONS WHERE ACCESS POINT DOES NOT CONFLICT WITH OVERHEAD OBSTRUCTIONS SUCH AS: TREE LIMBS, WIRES, OR SIGNS.



**SITE PLAN**  
SCALE: 1" = 20'-0"

**STANDARD ECO**

110 E. Houston St.,  
San Antonio, TX 78205  
TX License #:32439

**PHOTOVOLTAIC  
SYSTEM SIZE:**

7,600 KW AC  
9,455 KW DC  
SINGLE PHASE 120V/240V

**RODRIGUEZ Residence**  
1565 RESERVE ROAD, WAXAHACHIE,  
TX 75165

REVISIONS:

DRAWN BY: ASD  
DATE: 04/16/2019

SITE PLAN  
DRAWING

SHEET: **1**

## **CASE SU-19-0060**

Request by Edwin Walker, Standard ECO, for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Single-Family Residential-2 zoning district, located at 1565 Reserve Road (Property ID 265966) – Owner: LOUIE C RODRIGUEZ (SU-19-0060)

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

- 0 Support
- 1 Oppose

### **SUPPORT**

### **OPPOSE**

1. Lauren Riley, 359 South Hill Drive, Waxahachie, TX 75165

RECEIVED  
5/29/19

If you cannot attend the hearings, you may express your views known by attending the hearings.  
bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via  
email: [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com) for additional information on this request.

Case Number: SU-19-0060

City Reference: 265965

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

☐

SUPPORT

☒

OPPOSE

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

Lauren Riley  
Signature

Lauren Riley  
Printed Name and Title

5/29/2019  
Date

359 South Hill Dr,  
Address Waxahachie, TX

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

# Planning & Zoning Department

## Zoning Staff Report

**Case: SU-19-0065**



### MEETING DATE(S)

*Planning & Zoning Commission:* June 11, 2019

*City Council:* June 17, 2019

### CAPTION

**Public Hearing** on a request by Ben Martinez, Kosmos Solar, for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Single Family Residential-2 zoning district, located at 129 Liberty Way (Property ID 242010) – Owner: ROBERT & JANET LESIKAR (SU-19-0065)

### CASE INFORMATION

*Applicant:* Ben Martinez, Kosmos Solar

*Property Owner(s):* Robert & Janet Lesikar

*Site Acreage:* .1767 acres

*Current Zoning:* Single Family Residential-2

*Requested Zoning:* Single Family Residential-2 with Specific Use Permit

### SUBJECT PROPERTY

*General Location:* 129 Liberty Way

*Parcel ID Number(s):* 242010

*Existing Use:* Existing Single Family Residential Use

*Development History:* N/A

### Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Single Family Residential
East	PD-SF-3	Single Family Residential
South	SF-2	Single Family Residential
West	SF-2	Single Family Residential

*Future Land Use Plan:* Low Density Residential



*Comprehensive Plan:*

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

*Thoroughfare Plan:*

The subject property is accessible via Liberty Way.

*Site Image:*



**PLANNING ANALYSIS**

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

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 30 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 5/24/19.

**STAFF CONCERNS**

1. Staff has no outstanding concerns for the applicant.

**APPLICANT RESPONSE TO CONCERNS**

1. Staff has no outstanding concerns for the applicant.

**RECOMMENDATION**

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

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

**ATTACHED EXHIBITS**

1. Site Plan



**APPLICANT REQUIREMENTS**

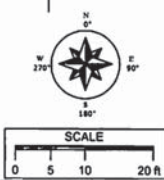
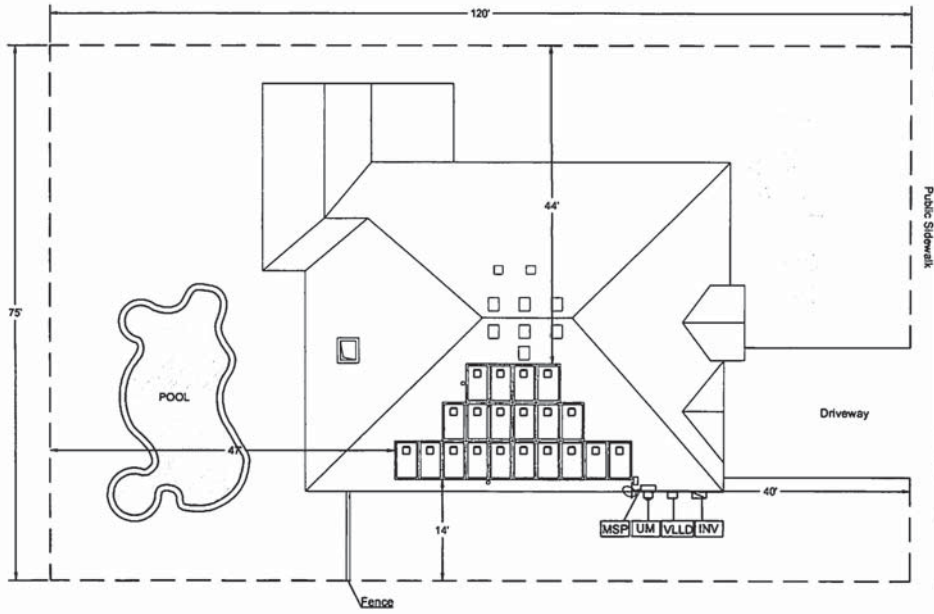
1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

**STAFF CONTACT INFORMATION**

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

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

UNIT INDEX	
MSP	(E) Main Service Panel
UM	(E) Utility Meter
INV	(N) Inverter
VLLD	(N) Visible Lockable Labeled Disconnect
	Power Optimizer
	Solar Module



General Notes		
<b>SITE PLAN</b>		
Drawn By: Harsh A		
CONTRACTOR		
Kosmos Solar		
Address: 1320 Post & Paddock Rd. #500 Grand Prairie, TX 75050 Phone Number: (817) 200 6111 support@kosmosolar.com TECL# 32242		
X		
KOSMOS SOLAR		
Project Name & Address Bob Leslkar 129 Liberty Way, Warrichole, TX 75167		
Date MAY 03, 2019	Drawn AS INDICATED	Sheet 4
PV SYSTEM		



# Planning & Zoning Department

## Zoning Staff Report

**Case: SP-19-0076**



### MEETING DATE(S)

*Planning & Zoning Commission:* June 11, 2019

*City Council:* June 17, 2019

### CAPTION

Request by Blain Vinson, Aspen Community Development, for a Site Plan Review of The Cottages on Cantrell located East of 865 Cantrell Street (Property ID 244351) - Owner: SAP PROPERTIES LLC (SP-19-0076)

### CASE INFORMATION

*Applicant:* Blain Vinson, Aspen Community Development

*Property Owner(s):* SAP Properties LLC

*Site Acreage:* 17.348 acres

*Current Zoning:* Planned Development-Single Family-3 – Ordinance 3043)

*Request:* Site Plan Review

### SUBJECT PROPERTY

*General Location:* East of 865 Cantrell Street

*Parcel ID Number(s):* 244351

*Existing Use:* Undeveloped

*Development History:* The Preliminary Plat for The Cottages on Cantrell was approved by City Council on May 20, 2019.

*Adjoining Zoning & Uses:*

Direction	Zoning	Current Use
North	SF-3/GR	Single Family Residential/Poston Gardens
East	SF-3	Single Family Residential
South	SF-3	Single Family Residential
West	MF-1	Undeveloped Land

*Future Land Use Plan:* Commercial

*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 site is accessible via Cantrell St.

*Site Image:*



**PLANNING ANALYSIS**

The applicant is requesting approval of a Site Plan to allow a residential development (The Cottages on Cantrell). Per the Planned Development Ordinance, approved July 2, 2018, the residential development will consist of 73 residential lots, with the addition of 10 carriage lots. When the Planned Development was approved, City Council required that a detailed Site Plan be reviewed and ultimately approved by the Planning and Zoning Commission and City Council before the applicant can submit a Final Plat to the Planning Department.

Key Features of the development include:

- Gym
- Walking trail
- Bridge (connection to Bullard Heights Neighborhood Park)
- Dog Park

**STAFF CONCERNS**

1. Staff has no outstanding comments for the applicant.

**APPLICANT RESPONSE TO CONCERNS**

1. The applicant has no outstanding 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:
  1. There can be a maximum of seventy-three (73) residential lots.
  2. There can be a maximum of a ten (10) carriage lots.
  3. At least sixty (60) percent of the total area must be reserved for greenspace.
  4. The applicant shall provide decomposed granite along the proposed walking trail within the development.

**ATTACHED EXHIBITS**

1. Site plan
2. Design Standards
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:*  
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)

# Cottages on Cantrell Design Standards

2019

The Architectural intent of the design team for the Cottages on Cantrell has been one of strict adherence in maintaining the original vision presented to the Officials and Citizens of Waxahachie, while ensuring the required continuity of design.

In pursuit of this insurance, countless discussions have ensued to utilize the expertise of contractors, builders, architects, designers, officials to design and implement the best ideas and practices currently in place for this type of development.

This design team along with the experts in each field will be selected to reflect and fulfill the comprehensive selection of custom cottages as envisioned in the early stages of inception and further defined and detailed in the June 15<sup>th</sup>, 2018 narrative.

## A. ELEVATIONS

The Cottages on Cantrell will have 5 Cottage plans each with 2 complimenting elevations for a total of 10 options in each POD.

1. 945 SF – A or B
2. 1192 SF – A or B
3. 1393 SF - A or B
4. 1482 SF – A or B
5. 1766 SF – A or B

**A1.** No outside cottage, carriage or garage plans will be allowed unless first approved in writing by the developer. Every plan approved in addition to the existing plans 1-5 must have 2 elevations.

## B. FLOOR PLANS

**B1.** All floor plans are provided per Exhibit “A”. Floor plans may be revised per builder and homeowner requests so long as the revision does not change the exterior elevation. Builders are encouraged to follow the designed floor plan, but changes shall be allowed upon written request to the developer. Each **Approved** change is considered for the betterment of the said Plan and will be recorded for future builders to consider as an “Option”.

**B2.** Options - Once a change has been approved and is priced as an “option”, the price for that particular change will be recorded and remain consistent amongst all builders.

## C. EXTERIOR SIDING AND TRIM

**C1.** All exterior siding and trim shall be **HARDIE “Color Plus”** cementitious/fiber cement siding. The 13 approved “Color Plus” colors chosen for siding for all Cottages, Carriage Houses or Garage units shall be:

1. Sail Cloth
2. Light Mist
3. Cobble Stone
4. Monterey Taupe
5. Navajo Beige
6. Evening Blue
7. Boothbay Blue
8. Pearl Gray
9. Aged Pewter
10. Heathered Moss
11. Woodstock Brown
12. Timber Bark
13. Rich Espresso

C1A. No Color Plus color shall be used in any pod of 8 homes more than 3 times.

C1B. Carriage homes MUST be of any remaining colors NOT used in the pod of homes.

C1C. No Plan “X” (A or B) or Color Plus color “#” shall be repeated for every 3<sup>rd</sup> home.

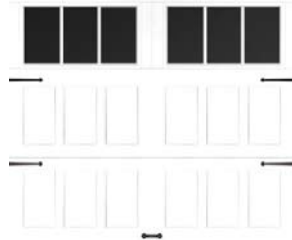
**Example:** Plan XA #2.....Plan YA #5.....Plan ZA #8.....Plan XB #1 (Not XA nor #2)

C1D. No Color Plus color shall be repeated on any elevation directly across a common area from another identical elevation.

**Example:** X.....Common Space.....X

C1E. Garages – Garages will be approximately 12 'x 22' each in size and normally be in clusters of 4. Each Cluster will be approximately 23' D x 50' W. All exterior walls of any Garage unit must be Color Plus "Pearl Gray" with Artic White Trim. Final construction drawings will govern.

C1F. All Garage doors must be ordered in a color closely matching the trim color of Artic White. All garage doors in the development will be one design – The approved design is a Carriage Style as depicted in the following image.



**C2.** Allowable Hardie Product siding types and profiles are as follows:

C2A. Lap Siding (Cedarmill or Smooth Plank)

C2B. Shingle/ Shake Siding (Straight Edge or Staggered Edge)

C2C. Hardie Panel (Select Cedarmill or Smooth) may only be used in conjunction with vertical Hardie Trim Batten Boards in gables, dormers, or second story elevations. Stucco or Sierra 8 will not be approved.

**C3.** No siding shall have more than a 5" exposure.

**C4.** Siding shall not transition around an outside or inside corner, or any other change of plane, horizontal or vertical without terminating into an approved trim or frieze board.

**C5.** Approved **TRIM** color for all Cottages, Carriage houses and Garages will be "Color Plus" **ARTIC WHITE** only. Vertical trim boards shall be a minimum of 5" wide (dressed).

**C6.** All horizontal or diagonal frieze boards (in the case of a gable), shall be a minimum of 8" wide (dressed).

**C7.** Any secondary or incidental elements within a siding field shall be trimmed with minimum 4" trim on all sides.

**C8.** See WINDOW AND EXTERIOR DOOR CASINGS below for additional information.

#### **D. WINDOWS AND EXTERIOR DOORS**

- a. All window units shall be either single-hung or fixed. No casement, hopper or awning-types windows are allowed.
- b. Bay and Bow windows are allowed on the front and rear elevations of the dwelling only
- c. Glazing in all window units should be insulated units of clear, low-e glass only. Exception: *Privacy glass is allowed within a bathroom- but not on either the front or rear elevation of the dwelling*
- d. All window units shall be constructed of wood and clad in either aluminum or vinyl. All window sashes shall be a minimum of 1 ½" wide as measured from the interior edge of the exterior window casing to the edge of the glass. All units should have either an integral, sloped and projected window sill/ stool; or the ability to have one field-applied. No aluminum windows of any kind are allowed.
- e. Both true and simulated divided lite windows are allowed. In either case, the lites must create a minimum 3/8" profile past the exterior face of the glass to which it is adjacent. Applied storm window units are not allowed.
- f. Exterior doors must be a minimum 1 ¾" thick; be of a single or multiple raised-panel design and contain at least 10% of glass- relative to the overall area of the door itself. No slab-type doors shall be allowed.
- g. Storm doors are not allowed over the primary entrance door. Screen doors over the primary entrance doors are allowed; provided that they are constructed of wood and are consistent with the architectural style of the dwelling. Wood storm doors and screen doors are allowed on all secondary doors. No aluminum screen doors are allowed over any exterior door.

## **E. WINDOW AND EXTERIOR DOOR CASINGS**

- E1.** Vertical door and window casings and horizontal head casings will meet the minimum standards of B4. and B5. within these standards.
- E2.** At the top of all door and window head casings; a minimum 1 ½" molding of any profile with cap trim shall be applied.
- E3.** All window sills/ stools shall project a minimum of 1" out from the face of the surrounding casings.

## **F. PORCHES AND MASONRY**

- F1.** Each dwelling shall have a front porch facing the common area.
- F2.** The overall length of the porch shall be at least 50% of the length of the front elevation facing the common area.
- F3.** No part of the dwelling shall project past the front plane of the porch towards the common area.
- F4.** Each porch shall have at least (2) columns. These columns shall be articulated with appropriate capital and base trim. The minimum dimension for a square column shall be 6" x 6" (dressed) and accordingly 6" in diameter for a round column. No unadorned posts or manufactured column covers of any kind or material are allowed.
- F5.** Columns may be either of wood or allowable masonry- in full or in part; consistent with the architectural style of the dwelling.
- F6.** If porches are to have balustrades/ railings: Top rail must be 36" high or greater. Balusters or pickets shall be either turned or flat stock. If flat is used; then a 1' x 4" minimum shall used for each baluster. A 4" dia. Ball shall be unable to pass between any baluster or picket used. No metal, fiberglass or composite material of any kind shall be used for any element of the balustrade or railing assembly.
- F7.** Masonry may be used at only the following locations:

*F71 Porch Columns, Porches*

### **F8. Allowable Masonry:**

**F81 Brick:** Modular common brick in a running bond shall be used for the primary field of the surface to be bricked. Soldier, rowlock, header courses, etc. are allowed as appropriate decorative elements. No king-size, Roman or other uncommon sized brick shall be used. Only smooth, wire-cut or raked finishes are allowed.

**F82 Masonry:** Masonry shall be laid-up in a coursed ashlar-pattern-with modular sizes and with distinct and regular horizontal and vertical mortar joints. Random patterns are not allowed. Finish of stone should be muted grays and natural neutral colors. No stark colored stone shall be allowed.

**D9.** For both brick and masonry, full or fully-adhered thin-units are allowed-depending upon the application. Lightweight concrete masonry products to approximate allowable stone patterns and finishes are allowed.

## **G. ROOF**

- G1.** No roof or part of a roof shall have a slope less than 8:12.

*Exception: Parts of the roof that exclusively cover an exterior porch area may have a minimum slope of 3:12*

- G2.** All finished roofs shall have composition shingles as its primary roofing material.
- G3.** Composition shingles shall be 'architectural grade' or similar and have a minimum 25-year warranty. All cottages, garages and carriage houses shall have the same color roofing carried throughout the entire "pod".
- G4.** All shingles shall be Charcoal or of similar Charcoal character only. No other shingles are allowed.
- G5.** A maximum of 10% of the overall roof area may be of an alternate roofing finish such as standing or batten seam roofing provided that it logically adds to the architectural character of the exterior.
- G6.** At least (1) gable shall be located on the front elevation facing the Common Area. This gable should compliment and be proportional to this front elevation and be sided with one or more of the approved exterior finishes contained in these standards.

**G7.** All roof penetrations (vents, flues, etc.) shall be painted to approximate the roof color. All roof penetrations shall be placed on the back side of the roof line only and not visible from the front elevation. Exposed sheet metal, lead or galvanized finishes are not allowed.

**G8.** No boxed chimney flues with siding are allowed. All chimneys will be constructed of either full-brick or applied thin-brick (or allowable masonry) veneer depending on the nature of the fireplace served.

#### **H. FENCING**

**H1.** Yard Fences shall be constructed of Aluminum or Natural Wood materials only.

H1A. Front yard “privacy” shall be no taller than 36” spaced picket Vinyl “Chelsea” style fencing. Fencing must stop at both sides of the front walk leading to the home or at builders discretion, can be connected with a gate of the same style.– White only

H1B. Rear yard shall be 48” Steel 2 Rail “Kent” style residential fencing only – Black only – Reference Merchant Metals

#### **I. MISCELLANEOUS**

**I1.** A continuous water-table molding shall define the transition from the top of the concrete slab to the first course of any approved siding along the front elevation. The water table must return around the front corners of the house and continue for a minimum of 4’ before terminating. Exception: This is not required where a front porch is attached to the dwelling.

**I2.** No hose caddies, tool racks or similar elements shall be affixed anywhere on the front elevation of any dwelling.

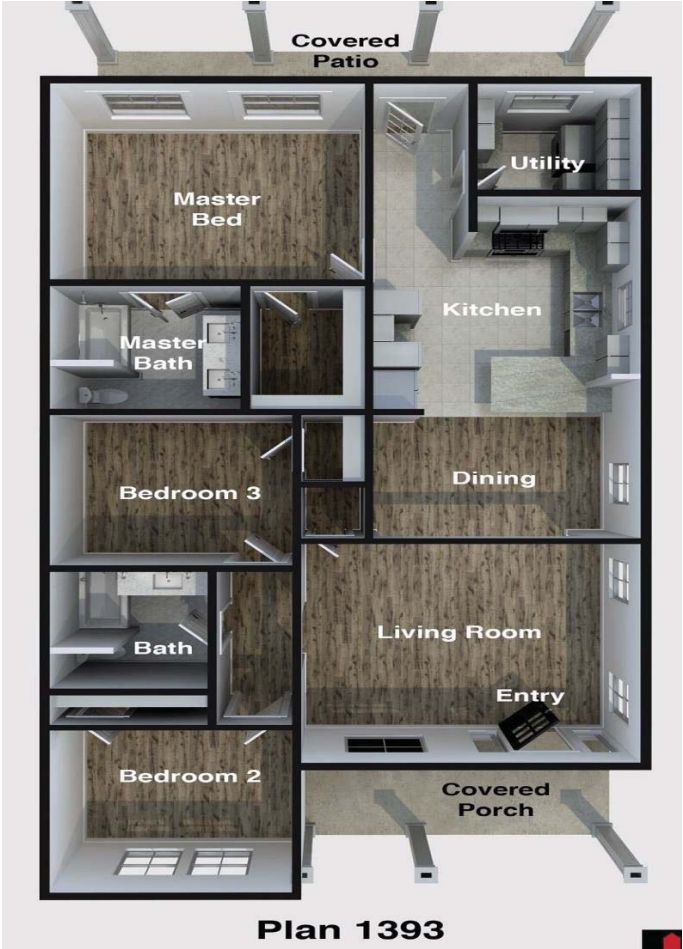
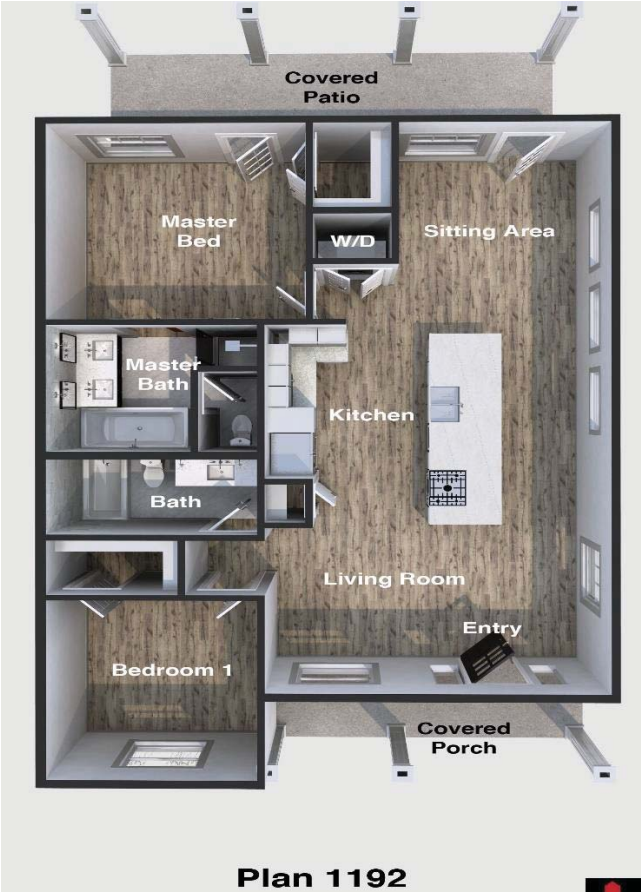
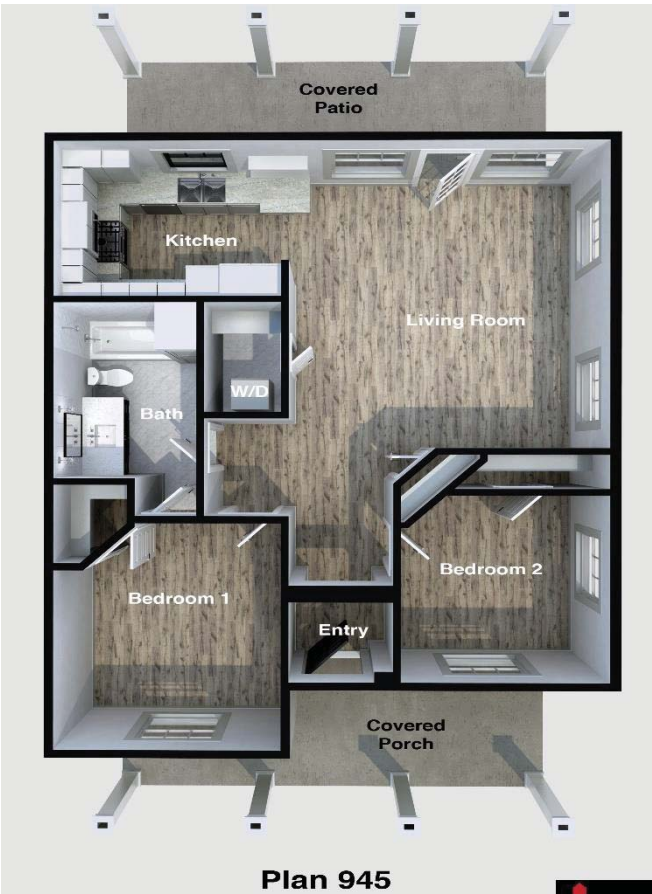
**I3.** Postal numbering shall be posted on the front facing post of each cottage. Numbering shall not be larger than 6” in size and must be black in color.

**I4.** Yard equipment including HVAC, utility meters, clotheslines, satellite dishes, play equipment, hot tubs, and the like shall be permitted in rear yards only.

**I5.** Any outdoor lighting, including motion sensor lighting must be directed down and not facing any adjacent home windows.



**Exhibit "A" - Floor Plans**







**Plan 1482**



**Plan 1766**





F.M. HIGHWAY  
CANTRELL STREET

BEARS  
46° E 4.2'  
(W)

INVESTMENTS LTD  
MENT NO. 1718217  
OPRECT

MULTI-FAMILY  
ZONING

GINA MOORE  
VOL. 2872  
PG. 1010  
OPRECT  
J. ARMSTRONG SUR.  
ABSTRACT NO. 6

HOA LOT  
BLOCK B

HOA LOT  
BLOCK A

17.348 ACRES

DOG  
PARK

OSCIE KIRKLAND  
INSTRUMENT NO.  
1515792  
OPRECT

E. ROGER  
ABSTRACT

THE  
WAY  
SF-3  
ZONING VOL. 15

ZONE AE  
SEE FLOOD NOTE  
GRANTIVA  
INSTRUMENT  
NO. 1734507  
OPRECT

# PRELIMINARY CIVIL SITE PLAN

## THE COTTAGES ON CANTRELL

Being a 17.348 Acre Addition in the  
J. ARMSTRONG SURVEY, ABSTRACT NO. 6  
in the City of Waxahachie, ELLIS COUNTY, TEXAS

LEGEND	LEGEND
--- Wire Fence	--- Property Corner Symbol
--- Road Fence	--- Road
--- Chain Link Fence	--- Utility Easement
--- Railroad Track	--- Utility Pole
--- Utility Pole	--- Right of Way
--- Electric Line	--- Point of Beginning
--- Sanitary Sewer Line	--- Easement
--- Water Line	--- Drainage Flow
--- Underground Telephone	--- Spot Elevation
--- Telephone	--- Building Line
	--- Street Easement
	--- Easement
	--- Fire Hydrant
	--- Water Valve
	--- Drainage & Utility Easement

Owner/Developer:  
SAP PROPERTIES, LLC  
7881 CLARK COURT  
DALLAS, TEXAS 75234  
Phone: 469-715-8034

D&M  
ENGINEERS

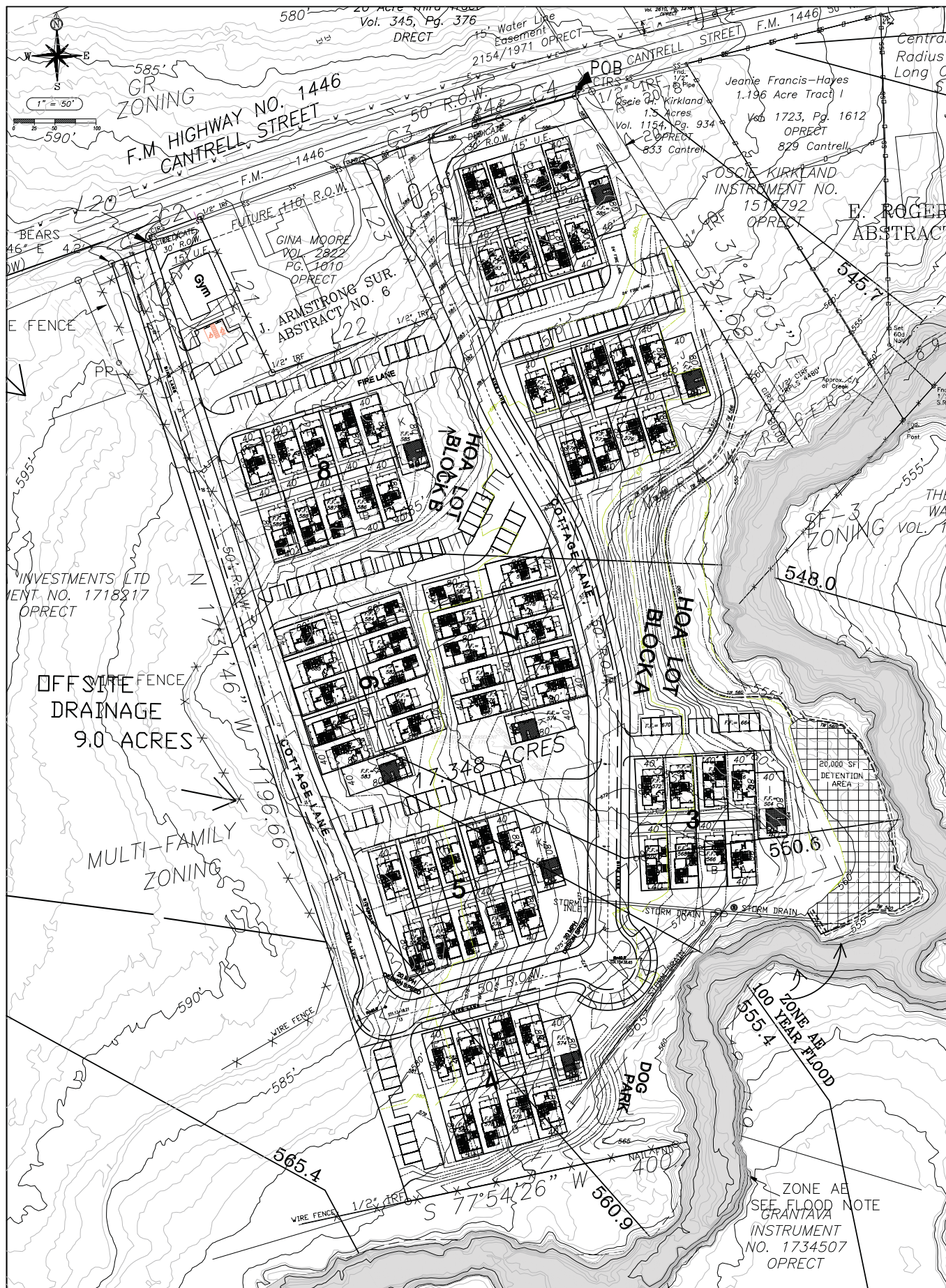
## DAVIS & McDILL, Inc.

P.O. BOX 428, Waxahachie, Texas 75168  
Phone: Metro 972-938-1185 Fax: 972-937-0507  
(A Texas Licensed engineering firm # F-8439)

CASE NUMBER-PP-19-0053

Date: \_\_\_\_\_  
Scale: 1" = 50'  
Drawn: DMM/zhm  
Job: 219-0009  
SHEET 4 OF 4 SHEETS





# **PRELIMINARY CIVIL SITE PLAN**

## **THE COTTAGES AT CANTRELL**

Being a 17.348 Acre Addition in the  
J. ARMSTRONG SURVEY, ABSTRACT NO. 6  
in the City of Waxahachie, ELLIS COUNTY, TEXAS

LEGEND	LEGEND
— Wire Fence	— Property Corner Symbol
— Wood Fence	— Street
— Iron Fence	— Utility Easement
— Chain Link Fence	— Right of Way
— Railroad Track	— Point of Beginning
— Cable TV	— Contour Line
— Gas Line	— Spot Elevations
— Petroleum Pipeline	— Building Footprint
— Electric Line	— Sewer Mainline
— Sanitary Sewer Line	— Storm Mainline
— Water Line	— Fire Hydrant
— Underground Telephone	— Water Valve
— Telephone	— Drainage & Utility Easement

Owner/Developer:  
SAP PROPERTIES, LLC  
7881 CLARK COURT  
DALLAS, TEXAS 75154  
BLANK WAXAH  
Phone: 972-938-1185 Fax: 972-937-0307  
A Texas Licensed Engineering Firm # F-8439

**D&M**  
ENGINEERS

**DAVIS & McDILL, Inc.**

P.O. BOX 428, Waxahachie, Texas 75168  
Phone: Metro 972-938-1185 Fax: 972-937-0307  
A Texas Licensed Engineering Firm # F-8439

CASE NUMBER-PP-19-0053

Date: JUNE 05, 2019  
Scale: 1" = 50'  
Drawn: DAM/itm  
Job: 219-0009

SHEET 4 OF 4 SHEETS

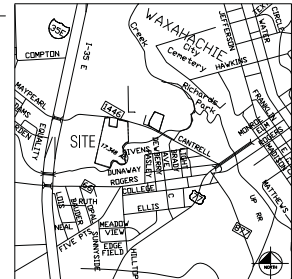
## LEGEND & NOTES

POD AREA LIMIT LINE AND R.O.W. LINE ON STREET  
SEE LA-4 FOR LANDSCAPE PLANT LIST  
SEE LA-1 FOR LEGEND LANDSCAPE PLANT SYMBOLS  
ALL PLANTS NOTED WITH (B) ARE REQUIRED BY THE BUILDER TO INSTALL ON EACH POD WHERE NOTED  
SEE LA-4 FOR LEGEND WALL/FENCE NOTES  
SEE LA-4 FOR POD LOT LANDSCAPE PLAN(TYPICAL)

## LEGEND & PLANT SYMBOLS SEE SHEET LA-4 FOR LANDSCAPE PLANT LIST

- QUANTITY  
SYMBOL KEY TO PLANT LIST  
SYMBOL KEY FOR BUILDER REQUIRED TREES  
IRRIGATION SLEEVE  
SITE DEVELOPER REQUIRED  
STREET TREES ONE PER 30 FEET  
INSTALL BETWEEN SIDEWALK AND CURB  
AND ALONG THE EDGES OF PARKWAY AS SHOWN  
POD BUILDER REQUIRED  
STREET TREES ONE PER 30 FEET  
INSTALL BETWEEN SIDEWALK AND CURB  
AND ALONG THE EDGES OF PARKWAY AS SHOWN  
POD BUILDER REQUIRED  
REQUIRED PARKING LOT TREES,  
INSTALL NO MORE THAN 60 FEET OF  
EACH PARKING SPACE, PER PLAN  
REQUIRED CANOPY SITE TREES ONE PER  
4500 SQ FT OF OPEN SPACE AREA  
SITE AND LOT ORNAMENTAL TREES  
LOTS ONE PER REAR YARD

- LARGE SCREENING SHRUB  
EVERGREEN SHRUBS  
EVERGREEN FLOWERING SHRUBS  
COLORFUL FLOWERING SHRUBS  
EVERGREEN SHRUBS  
PERENNIALS  
NATIVE GRASSES  
VINES, WIRE TO WALL OR FENCE  
SEASONAL COLOR BEDS, 8" DEEP MIRACLE GROW SOIL  
SITE DEVELOPER REQUIRED  
BERMUDA GRASS, "SEEDING" HYDRO-MULCH  
SITE DEVELOPER REQUIRED, RAIN GARDENS  
TO BE PLANTED WITH MIX OF PERENNIALS  
AND NATIVE GRASSES AT 1 GAL. PER 20 SQ. FT.



LOCATION MAP

ASPEN COMMUNITY DEVELOPMENT  
BLAIR WELSH, NCM/PLANNING  
1014 FIFTH AVE. # 1040  
DENVER, CO 80202  
P: 303.733.4520

DAVIS MCILL  
LANDSCAPE ARCHITECTS  
1014 FIFTH AVE. # 1040  
DENVER, CO 80202  
P: 303.733.4520

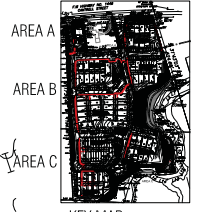
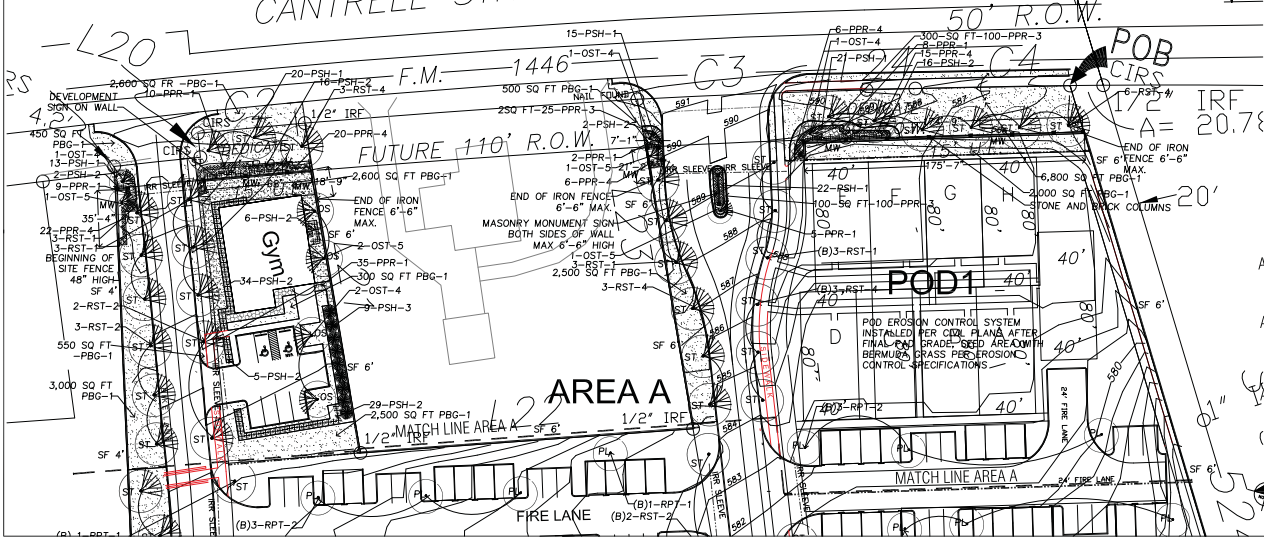


PRELIMINARY PLAT  
THE COTTAGES ON CANTRELL  
Being a 17.268 Acre Addition to the  
Westside Subdivision, EL PASO COUNTY, TEXAS  
in the City of Westside, EL PASO COUNTY, TEXAS

AREA A - NORTH SIDE  
SITE DEVELOPER LANDSCAPE PLAN  
SITE DEVELOPMENT PLANS  
LA-1

F.M HIGHWAY NO. 1446  
CANTRELL STREET

15' Water Line  
Easement  
2154/1971 OPRECT



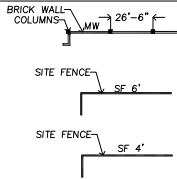
KEY MAP







### LEGEND SITE WALLS/FENCE



SITE SCREENING MASONRY WALL 8'-0" HIGH MAXIMUM AND STEP AS REQUIRED IN 12" STEPS TO 6'-0" MINIMUM. MASONRY SET BRICKS, WITH DECORATIVE BRICK AND STONE COLUMNS AT 30 FOOT MAX. SPACING MAX HEIGHT 8'-6" HIGH, 12" HIGHER THAN ADJACENT BRICK WALLS, TYPICAL.

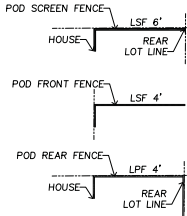
SITE IRON FENCE, 0.5" IRON PICKET FENCE MAX SPACING 4" AND MINIMUM 6'-0" & MAX HEIGHT 7'-0" HIGH, 2" POSTS AT MAXIMUM 8' APART AND CORNERS, NOTE: FENCE MANUFACTURED BY AMERISTAR FENCE COMPANY, "MONTAGE GENESIS" STYLE. BLACK COLOR.

SITE IRON FENCE, 0.5" IRON PICKET FENCE MAX SPACING 4" AND MINIMUM 4'-0" & MAX HEIGHT 4'-6" HIGH, 2" POSTS AT MAXIMUM 8' APART AND CORNERS, NOTE: FENCE MANUFACTURED BY AMERISTAR FENCE COMPANY, "MONTAGE GENESIS" STYLE. BLACK COLORPAINTED BLACK.

WEST SIDE MASONRY BRICK WALL AT MULTI-FAMILY ZONING EDGE WILL BE INSTALLED BY MULTI-FAMILY DEVELOPER AT TIME OF THE FUTURE DEVELOPMENT. 4' SITE FENCE WILL BE REMOVED AT THAT TIME.

### LEGEND POD FENCES

BUILDER SHALL PROVIDE DETAIL PLAN FOR ALL LOTS IN EACH POD WITH FENCE LOCATIONS FOR APPROVAL BY THE HOA AND THE CITY FOR PERMIT.

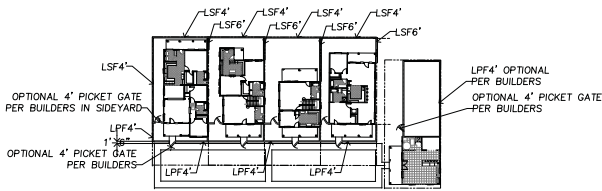


POD LOT SCREEN VINYL FENCE MAX 6'-0" HIGH. TO EXTEND FROM ONE REAR CORNER OF HOUSE TO SIDE LOT LINE AND EXTEND TO BACK LOT LINE. INSTALL "VERANDA" CEDAR GROVE WEATHERED CEDAR VINYL PRIVACY FENCE PANEL KIT, MODEL 889833SHD, WITH "VERANDA 5 IN. X 5 IN. X 8 FT. CEDAR GROVE WEATHERED PRIVACY FENCE POST END, CORNER, POSTS TO MATCH. FROM HOME DEPOT.

POD LOT LOW VINYL PICKET FENCE, MAX 48" HIGH, "VERANDA" 4FT H X 8 FT. W. CEDAR GROVE WEATHERED CEDAR VINYL PICKET FENCE PANELS, MODEL 889833SHD, WITH "VERANDA 5 IN. X 5 IN. X 8 FT. CEDAR GROVE WEATHERED PRIVACY FENCE POST END, CORNER, POSTS TO MATCH. FROM HOME DEPOT. OPTION TO ADD 4 FT H X 4 FT W CEDAR GROVE VINYL PICKET FENCE "GATE" AT FRONT WALK AND FRONT SIDE OF THE HOUSE. FROM HOME DEPOT.

POD REAR AND SIDE IRON FENCE, 0.5" IRON PICKET FENCE MAX SPACING 4" AND MINIMUM 4'-0" & MAX HEIGHT 4'-6" HIGH, 2" POSTS AT MAXIMUM 8' APART AND CORNERS, PAINTED BLACK.

### LOT EXAMPLE FENCE PLANS



### LANDSCAPE PLANT LIST

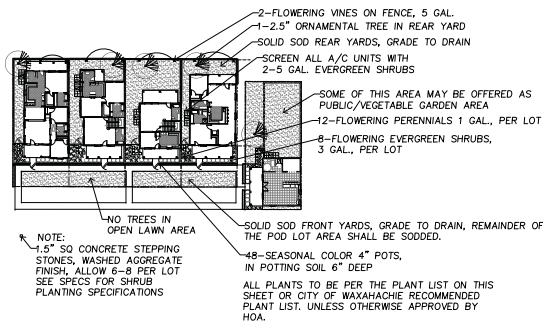
NOTE: NOT ALL OF PLANTS LISTED ARE USED ON THE PLANTING PLAN

COMMON NAME	BOTANICAL NAME	SIZE
REQUIRED STREET TREES		
RST-1 LIVE OAK, SINGLE TRUNK	QUERCUS VIRGINIANA	100 GAL. 4.00"-4.25" CALIPER, SINGLE TRUNK
RST-2 CEDAR ELM	ULMAS CRASSIFOLIA	100 GAL. 4.00"-4.25" CALIPER, SINGLE TRUNK
RST-3 CHINKAPIN OAK, SINGLE TRUNK	QUERCUS MULLENBURGII	100 GAL. 4.00"-4.25" CALIPER, SINGLE TRUNK
RST-4 OCTOBER GLORY MAPLE	ACER RUBRUM, OCTOBER GLORY	100 GAL. 4.00"-4.25" CALIPER, SINGLE TRUNK
REQUIRED PARKING LOT TREES		
RPT-1 CEDAR ELM	ULMAS CRASSIFOLIA	65 GAL. 3.0"-3.5" CAL. SINGLE TRUNK TO 2 FEET
RPT-2 OCTOBER GLORY MAPLE	ACER RUBRUM, OCTOBER GLORY	65 GAL. 3.0"-3.5" CAL. SINGLE TRUNK TO 3 FEET
OPEN SPACE TREES ON SITE		
OST-1 LIVE OAK, SINGLE TRUNK	QUERCUS VIRGINIANA	65 GAL. 3.0"-3.5" CAL. SINGLE TRUNK TO 6 FEET
OST-2 OCTOBER GLORY MAPLE	ACER RUBRUM, OCTOBER GLORY	65 GAL. 3.0"-3.5" CAL. SINGLE TRUNK TO 6 FEET
OST-3 CEDAR ELM	ULMAS CRASSIFOLIA	65 GAL. 3.0"-3.5" CAL. SINGLE TRUNK TO 6 FEET
OST-4 CREPEMYRTLE NATCHEZ WHITE	LAGERSTROMIA INDICA, (W) WHITE	65 GAL. 3.0"-4.5" CAL. MULTI TRUNK, FULL HEAD
OST-5 LITTLE GEM MAGNOLIA	MAGNOLIA LITTLE GEM	65 GAL. 3.0"-3.5" CAL. SINGLE TRUNK TO 1 FEET
SHRUBS, HEDGES		
PSH-1 DWARF YAUPOH HOLLY	ILEX VOMITORIA, NANA	3 GAL.
PSH-2 DWARF BURFORD HOLLY	ILEX CORNUTA, BURFORDII	3 GAL.
PSH-3 NELLIE R. STEVENS	LEX OPACA, N.R. STEVENS	25 GAL.
PSH-4 TEXAS MOUNTAIN LAUREL	DERMOTOPHLLUM SECUNDIFLORUM	25 GAL. PURPLE
GROUND COVERS		
PGC-1 PURPLE WINTER CREEPER	STIPA TENUISSIMA "PONYTAIL"	1 GALLON
PGC-2 MEXICAN FEATHER GRASS		1 GALLON
PERENNIALS		
PPR-1 TEXAS RED YUCCA	HESPERALOE PARVIFOLIA	3 GAL. OR BB WITH SPIKE
PPR-2 CHERRY SAGE	Salvia Greggii	3 GAL. (R) RED, (C) CORAL
PPR-3 DAYLILIES, EVERGREEN	HEMEROCALLIS, YELLOW	1 GAL.
PPR-4 LANTANA TRAILING, WHITE	LANTANA MONTEVINES	1 GAL. (W) WHITE
PPR-5 PURPLE MUHLY GRASS	MUHLY FLUPES	5 GAL.
GRASS		
PBG-1 TIF BERMUDA GRASS	BERMUDA SPECIES, 419 TIFF	SOLID SOD SEED, HYDROMULCH
PBG-2 BERMUDA GRASS	BERMUDA SPECIES, COMMON	

### TREE PRESERVATION NOTES

A TREE REMOVAL PERMIT IS REQUIRED FOR THE PROTECTED TREES TO BE REMOVED FROM SITE.

### REQUIRED MINIMUM LOT LANDSCAPE PLANS (TYPICAL)



ASPER COMMUNITY DEVELOPMENT

BLANKINSHIP, Alex President  
1014 HENRIE AVE. # 1100  
E-800-743-0200  
P-813-404-1220  
P-813-404-1220

DAVIS MEDILL

ONE ENGINEERS  
1014 HENRIE AVE. # 1100  
E-800-743-0200  
P-813-404-1220  
P-813-404-1220

T.H. Pritchett / Associates

LANDSCAPE ARCHITECTS  
1014 HENRIE AVE. # 1100  
E-800-743-0200  
P-813-404-1220  
P-813-404-1220

THE CITY OF WAXAHACHIE, TEXAS

WAXAHACHIE, TEXAS  
MAY 24, 2018  
2-14-18-2500  
P-813-404-1220

PRELIMINARY PLAT  
THE COTTAGES ON CANTRELL  
Being a 7.7 Acre Addition to the City of Waxahachie, Ellis County, Texas

LANDSCAPE PLANT LIST  
WALL / FENCE NOTES  
REQUIRED LOT LANDSCAPE  
SITE DEVELOPMENT PLANS

SHEET NUMBER  
LA-4



# Planning & Zoning Department

## Zoning Staff Report

**Case: PD-19-0062**



### MEETING DATE(S)

*Planning & Zoning Commission:* June 11, 2019

*City Council:* June 17, 2019

### CAPTION

**Public Hearing** on a request by Chris Acker, Southfork Capital LLC, for a Zoning Change from a Commercial and Single Family-3 zoning district to Planned Development-Single Family Residential-3, with Detailed Site Plan, located at 500 Dunaway (Property ID 172322) - Owner: SOUTHFORK CAPITAL LLC (PD-19-0062)

### CASE INFORMATION

*Applicant:* Chris Acker, Southfork Capital LLC

*Property Owner(s):* Southfork Capital LLC

*Site Acreage:* 1.031 acres

*Current Zoning:* Commercial and Single Family-3

*Requested Zoning:* Planned Development-Single Family Residential-3

### SUBJECT PROPERTY

*General Location:* 500 Dunaway

*Parcel ID Number(s):* 172322

*Existing Use:* Undeveloped Land

*Development History:* N/A

### Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-3	Single Family Residential
East	C	Undeveloped Land
South	C	Single Family Residential
West	SF-3	Single Family Residential

*Future Land Use Plan:* Retail with a portion Low Density Residential

*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).

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

*Thoroughfare Plan:*

The subject property is accessible via Dunaway St.

*Site Image:*



**PLANNING ANALYSIS**

The applicant is requesting a Zoning Change from a Commercial and Single Family-3 zoning district to Planned Development-Single Family Residential-3 to allow construction of 7 single family homes. The development will feature gated access to all units, wrought iron fencing, large front porches and exterior vintage style lighting. 100% of all landscaping will be maintained by the existing HOA that is currently in place at Franklin Township and Kaufman Township East.

*It should be noted that this request is for a Planned Development (PD) Concept Plan. The second part of the PD process is the Detailed Site Plan. If the Concept Plan ordinance is adopted, then the applicant's Detailed Site Plan will be administratively reviewed and can be approved in accordance with the Concept Plan.*

**Table 1: Proposed Payton's Place Standards (Planned Development-SF-3 Base Zoning)**

*\*\*\*Rows highlighted in **bold** represent a deviation from SF-3 of the City of Waxahachie Zoning Ordinance*

<b>Standard</b>	<b>Payton's Place</b>	<b>City of Waxahachie</b>	<b>Meets Y/N</b>
Height	2 stories for the main building. 1 story for accessory buildings without garages	2 stories for the main building. 1 story for accessory buildings without garages	Yes
<b>Min. Lot Area</b>	<b>4,757 sq. ft.</b>	<b>10,000 sq. ft.</b>	<b>No</b>
<b>Min. Lot Width</b>	<b>55 ft.</b>	<b>80 ft.</b>	<b>No</b>
<b>Min. Lot Depth</b>	<b>87.5 ft.</b>	<b>100 ft.</b>	<b>No</b>
<b>Min. Front Setback</b>	<b>15 ft.</b>	<b>30 ft.</b>	<b>No</b>
<b>Min. Side Setback</b>	<b>5'; 15' on corner lots adjacent to a street</b>	<b>10'; 15' on corner lots adjacent to a street</b>	<b>No</b>
<b>Min. Rear Setback</b>	<b>10 ft.</b>	<b>25 ft.</b>	<b>No</b>
<b>Max. Lot Coverage</b>	<b>60%</b>	<b>50%</b>	<b>No</b>
Min. DUA	1,600 sq. ft.	1,200 sq. ft.	Yes
Parking	Minimum of 2 covered parking spaces behind the front building line on the same lot as the main structure	Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure	Yes

#### **ADDITIONAL STANDARDS**

- Façade materials (fiber cement siding w/ stone accent) will match the surrounding character of the neighborhood district.
- Shared access easements smaller than 28 ft. shall not allow for on-street parking.
- Gates designed for vehicular access shall be set back from the property line a minimum of twenty (20) feet.
- All property lines shall meet in the middle of the street within the Planned Development.
- The road shall be maintained by the development's HOA.
- The City of Waxahachie will maintain utilities in the road.
- Water and sewer utilities will remain public and be placed in the shared drive.
- The HOA will be required by the bylaws to set aside a percentage of dues for road maintenance.

#### **PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 22 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 5/24/19.

#### **STAFF CONCERNS**

1. Per the City of Waxahachie Zoning Ordinance, gates designed for vehicular access shall be set back from the property line a minimum of twenty (20) feet. The applicant currently shows a 15 ft. setback.
2. Shared access easements smaller than 28 ft. shall not allow for on-street parking. The applicant is currently showing a 26 ft. shared access easement.

3. Lot sizes. The smallest lot size, per the City of Waxahachie Zoning Ordinance is 10,000 sq. ft. The applicant is currently providing 4,757 sq. ft.

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

1. The applicant informed staff that revised plans will be submitted to show the sliding gate setback 20 ft. from the property line.
2. The applicant is aware of staff's concern and will state his reasoning at the June 11, 2019 Planning and Zoning meeting and June 17, 2019 City Council meeting.

#### **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. Shared access easements smaller than 28 ft. shall not allow for on-street parking. The applicant is currently showing a 26 ft. shared access easement.
  2. Per the City of Waxahachie Zoning Ordinance, gates designed for vehicular access shall be set back from the property line a minimum of twenty (20) feet. The applicant currently shows a 15 ft. setback. *Staff shall receive revised plans from the applicant showing the sliding gate setback 20 ft. from the property line.*
  3. All property lines shall meet in the middle of the street within the Planned Development.
  4. The road shall be maintained by the development.
  5. The HOA will be required by the bylaws to set aside a percentage of dues for road maintenance.
  6. The City of Waxahachie will maintain utilities in the road.

#### **ATTACHED EXHIBITS**

1. Development Plan
2. Concept Plan Provisions
3. Elevations

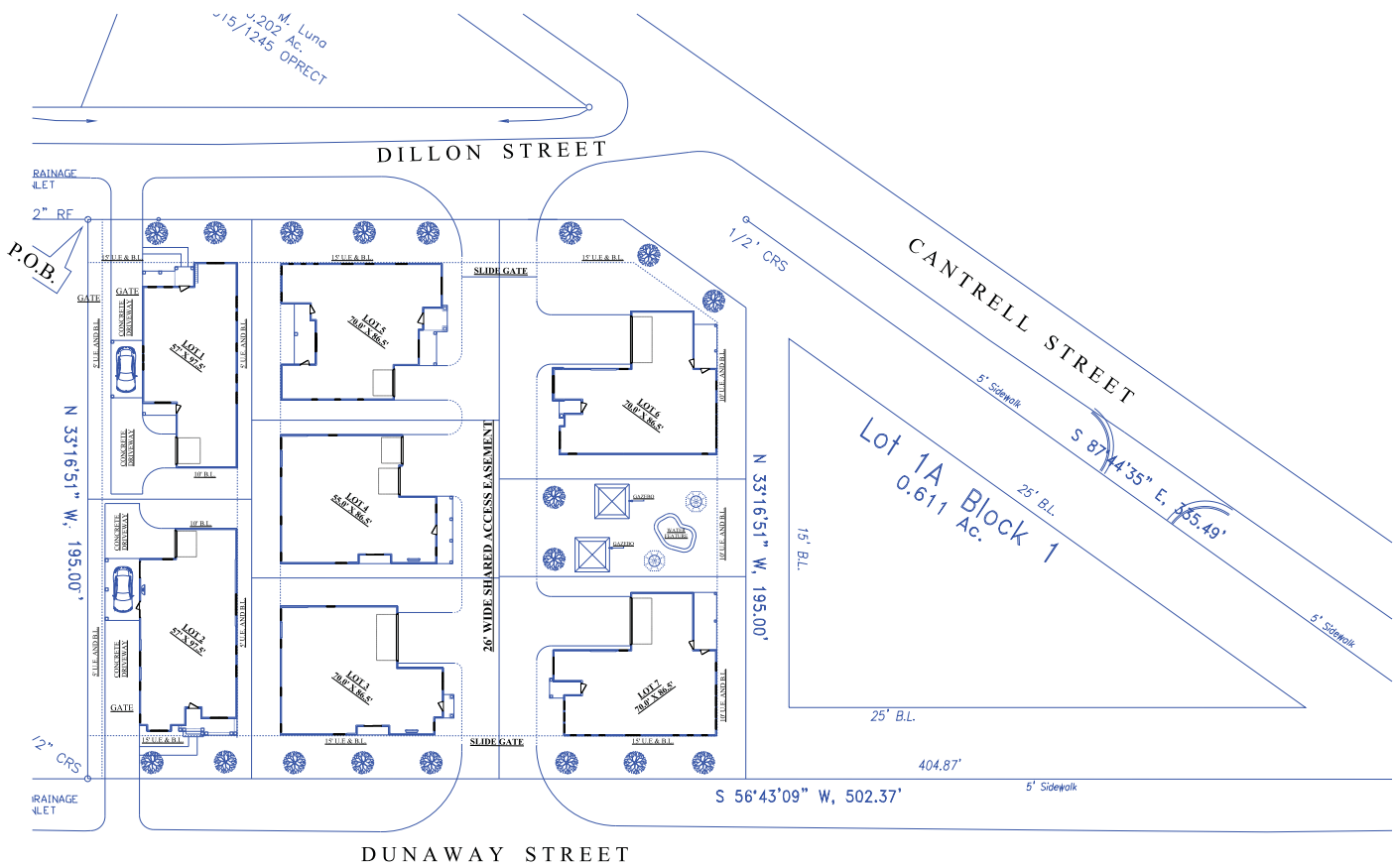
#### **APPLICANT REQUIREMENTS**

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)



DEVELOPEMENT PLAN  
NOT TO SCALE



LEARN MORE ABOUT OUR  
EXPERIENCE WITH  
YOUR PROJECTS



JUNE 5th, 2019  
**EXHIBIT "C"**  
PD-19-0062 PANTONS PLACE ADDITION  
LOTS 1 & 2 BLOCK 1  
WAXAHACHIE, TEXAS 75165



**Professional Engineer**  
J. R. Luna  
273 LUNY 2ND SOUTH  
WAXAHACHIE, TEXAS 75165  
OFFICE: (972) 335-2710





LOT 1 ELEVATION



LOT 2 ELEVATION



LOT 3 ELEVATION



LOT 4 ELEVATION



LOT 5 ELEVATION



LOT 6 ELEVATION



ALTERNATE ELEVATION



LOT 7 ELEVATION



LEARN MORE ABOUT OUR  
ARCHITECTURAL RENDERING  
SERVICES AT [WWW.ACKERCONSTRUCTION.COM](http://WWW.ACKERCONSTRUCTION.COM)



JUNE 5th, 2019  
**EXHIBIT "D"**  
PD-19-0062 PANTONS PLACE ADDITION  
LOTS 1-8, BLOCK 1  
1.031 ACRES  
WAXAHACHIE, TEXAS 75165



*Charles R. Baker*  
2721 HWY. 295 SOUTH  
WAXAHACHIE, TEXAS 75165  
OFFICE: (972) 273-5270



## **PD-19-0062 EXHIBIT “B”**

### **Concept Plan Provisions**

#### Purpose and Intent

The purpose and intent of this Planned Development (PD) is to allow for the development of seven single family homes.

**Key Design Features:** The residential architectural style for this development will consist mainly of southern farm house and Texas regional architecture that lends itself to large front porches and homes opening directly on both public and private spaces. Features that Promote a Unique Identity and Quality of Life. Payton’s Place is designed to evoke a neo-classical feel. The architecture within the community is one of similarity and continuity, but with a variety of design options. The main design idea is to mimic the existing Waxahachie “original town” and downtown areas that were constructed in the later 1800s and to mid 1900s.

**Sustainability of Site Location:** Within 1/8 mile to hike and bike trail and ¼ mile of Downtown Waxahachie. All residential development will be Energy Star rated.

**Strategies for Healthy Communities and Indoor Environments:** Walkable streets; Vintage street lighting and bike and pedestrian trails that provide connections from the development to the nearby hike and bike trail as well as downtown Waxahachie and the Amphitheater.

Any conditions found within the Single Family Residential District-3 (SF-3) zoning district 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

Zoning District (SF-3) is the intended base zoning classification underlying this PD. The SF-3, Single Family Residential District-3, is a residential district intended to provide the highest residential density of four (4) dwelling units per acre. The principal permitted land uses will include single family dwellings, residential areas are permitted in this District.

#### PD District Development Standards

##### ***Description of Request***

- We intend to modify the existing zoning commercial requirements under a Planned Development which will allow for the development of eight single family homes.

##### ***Proposed Use of Property***

- The proposed development is compiled of 7 new single family homes. The development will create a common look that will serve as a model for future development in the surrounding area. The development will feature gated access to all units, wrought iron fencing, large front porches and exterior vintage style lighting. 100% of all landscaping will be maintained by the existing HOA that is currently in place at Franklin Township and Kaufman Township East. We intend to break ground in early summer, with completion of the project in spring 2020.

##### ***General Development Requirements***

- **Site Plan:** The development plan is attached as Exhibit “C”
- **Elevations:** Per elevation plan Exhibit “D” 100% fiber-cement exterior with stone accents
- **Density:** 7 dwelling units per acre (7 units total)

- **Sec. 3.06 - Single-Family Residential-3 (SF3).**

(a)

General purpose and description: The Single-Family Residential-3 (SF3) Zoning District is intended to be similar to the SF2 except composed of detached, single-family residences on lots of not less than ten thousand (10,000) square feet.

(b)

SF-3 Standards

Height Regulations	
	2 stories for the main building. 1 story for accessory buildings without garages
Area Regulations	
Minimum Lot Area	10,000 SF
Minimum Lot Width	80'
Minimum Lot Depth	100'
Minimum Front Yard	30'
Minimum Side Yard	10'; 15' on corner lots adjacent to a street
Minimum Rear Yard	25'
Maximum Lot Coverage	50% by main and accessory buildings
Parking Regulations	Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure
Minimum DUA	1,200 SF

- **Proposed Planned Development Single-Family Residential 3**

Payton's Place Planned Development Standards

Height Regulations	
	2 stories for the main building. 1 story for accessory buildings without garages
Area Regulations	
Minimum Lot Area	4,757 SF
Minimum Lot Width	55'
Minimum Lot Depth	87.5'
Minimum Front Yard	15'
Minimum Side Yard	5'; 15' on corner lots adjacent to a street
Minimum Rear Yard	10'
Maximum Lot Coverage	60% by main and accessory buildings
Parking Regulations	Minimum of 2 covered parking spaces behind the front building line on the same lot as the main structure
Minimum DUA	1,600 SF
Exterior Facade	100 percent fiber-cement exterior façade with stone accents

# Planning & Zoning Department

## Plat Staff Report

---

**Case: RP-19-0063**

---



### MEETING DATE(S)

*Planning & Zoning Commission:* June 11, 2019

*City Council:* June 17, 2019

### CAPTION

Request by Chris Acker, Southfork Capital LLC, for a **Replat** of Lot 1B, Block 1, Bullards Addition, to create Lots 1-8, Block A, Payton's Place Addition, 1.031 acres (Property ID 172322) – Owner: SOUTHFORK CAPITAL LLC (RP-19-0063)

### CASE INFORMATION

*Applicant:* Chris Acker, Southfork Capital, LLC

*Property Owner(s):* Southfork Capital, LLC

*Site Acreage:* 1.031 acres

*Number of Lots:* 8 lots

*Number of Dwelling Units:* 7 units

*Park Land Dedication:* Cash in lieu of park land dedication for the property is set at \$2,800.00. This fee must be paid before the plat is filed.

*Adequate Public Facilities:* Adequate public facilities will be established

### SUBJECT PROPERTY

*General Location:* 500 Dunaway

*Parcel ID Number(s):* 172322

*Current Zoning:* Commercial with SUP (Ordinance 2651)

*Existing Use:* Undeveloped

*Platting History:* Replat/Final: Lots 1A and 1B, Block 1, being a Replat of Blocks 1 and 2, Bullards Addition bordered by Cantrell, Dillion, Turner and Dunaway Streets was approved by City Council on October 1, 2007.

*Site Aerial:*



**STAFF CONCERNS**

At the time of this report (6/3/19), staff has some concerns regarding Payton's Place:

1. According to the civil plans Water flow contours show water flowing from lot to lot while not providing a discernable path to proposed water inlets.
2. The HOA Area on the plat and the Site plan differ in size.
3. The lots need to be labeled 1-7, with the HOA area or the HOA area labeled as an "x" lot.
4. The current zoning needs to be included for the subject site on the plat.
5. At the time of this report (6/5/19), the plat on file is out of date. An updated plat will need to be submitted to staff before it can be filed.

**APPLICANT RESPONSE TO CONCERNS**

Staff received an updated plat and civil plans showing the proposed building layout and infrastructure. However, the above concerns are still outstanding, even with the latest submittal.

**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. Plans for a retaining wall designed by an engineer will be required before plat filing.
  2. Current zoning for the subject site must be represented on the plat.
  3. The HOA area needs to be addressed as to which drawing is the correct size.
  4. The lots need to be labeled 1-7, with the HOA area or the HOA area labeled as an "x" lot.
  5. An up to date plat needs to be submitted to staff.

**ATTACHED EXHIBITS**

1. Plat drawing.
2. Preliminary civil plans.

**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)

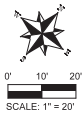
*Reviewed by:*

Shon Brooks, AICP

Director of Planning

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



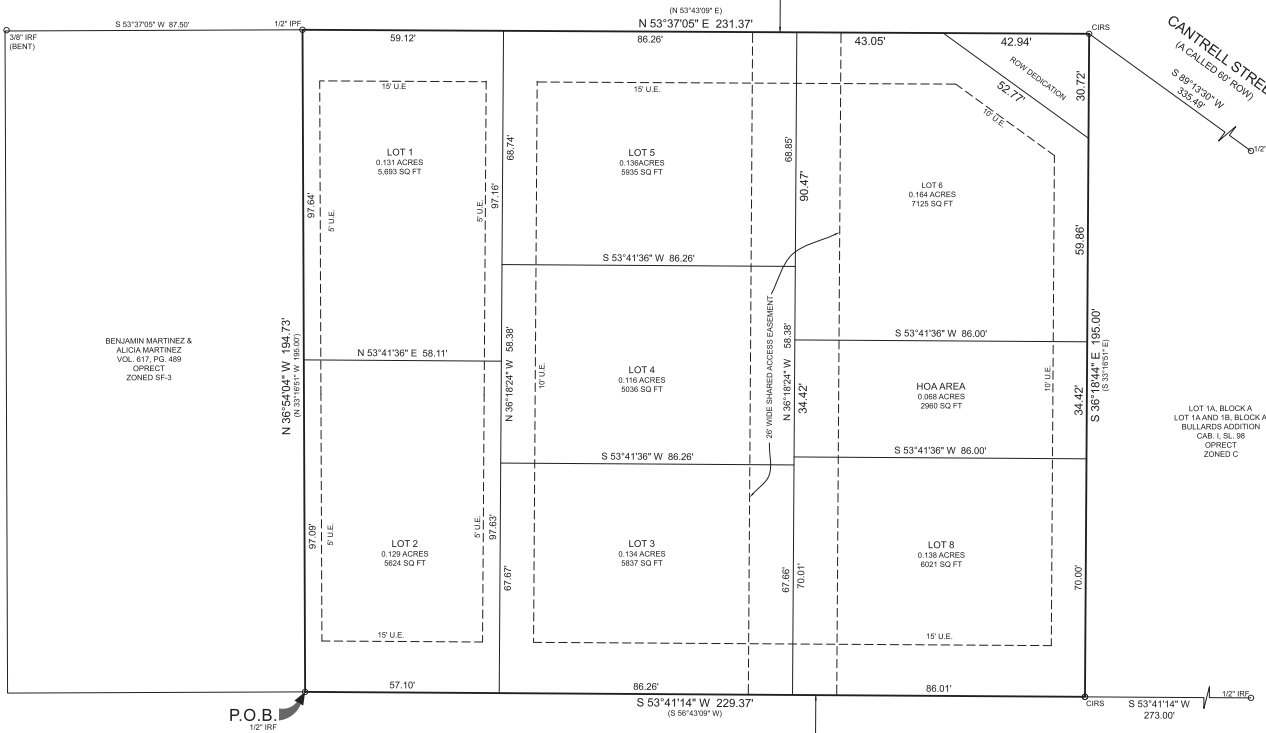


VICINITY MAP  
NOT TO SCALE

TURNER STREET  
(A CALLED 60' ROW)

DILLON STREET  
(A CALLED 60' ROW)

CANTRELL STREET  
(A CALLED 60' ROW)



BENJAMIN MARTINEZ &  
ALICIA MARTINEZ  
VOL. 617, PG. 489  
CORRECT  
ZONED SF-3

LOT 1A, BLOCK A  
LOT 1A AND 1B, BLOCK A  
BULLARDS ADDITION  
CAB. 1, SL. 98  
CORRECT  
ZONED C

#### LEGEND

CIRS = 5/8 IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TXRCS" SET  
IRF = IRON ROD FOUND  
FND = FOUND  
U.E. = UTILITY EASEMENT

#### NOTES:

BEARING BASIS FOR THIS SURVEY IS TEXAS COORDINATE SYSTEM, NORTH CENTRAL  
ZONE 4202, NAD 83 PER GPS OBSERVATIONS

THE SUBJECT PROPERTY LIES WITHIN ZONE "X", DEFINED AS "AREAS DETERMINED TO  
BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN", ACCORDING TO THE FLOOD  
INSURANCE RATE MAP NO. 48136C0180F, DATED JUNE 3, 2013, AS PUBLISHED BY THE  
FEDERAL EMERGENCY MANAGEMENT AGENCY.

DUNAWAY STREET  
(A CALLED 60' ROW)

OWNER:  
SOUTHPARK CAPITAL, LLC  
P.O. BOX 537  
WAXAHACHIE, TX 75168  
469.383.5599

SURVEYOR:  
TEXAS REALITY CAPTURE &  
SURVEYING, LLC  
P.O. BOX 262  
WAXAHACHIE, TEXAS 75168  
469.518.0338  
TBPLS FIRM NO 10194359

REPLAT  
LOT 1-8, BLOCK 1  
PAYTON'S PLACE ADDITION

BEING A REPLAT OF LOT 1B

BLOCK 1

BULLARDS ADDITION

CABINET 1, SLIDE 98

1.031 ACRES

SHOWN IN THE

E. W. ROGERS SURVEY,

ABSTRACT NO 896

CITY OF WAXAHACHIE,

ELLIS COUNTY, TEXAS

8 RESIDENTIAL LOTS

ZONED C

JOB NO 1324

MAY 2019

PAGE 1 OF 2

STATE OF TEXAS  
COUNTY OF ELLIS

OWNER'S CERTIFICATE

WHEREAS SOUTHFORK CAPITAL, LLC, IS THE SOLE OWNER OF A TRACT OF LAND SITUATED IN THE E.W. ROGERS SURVEY, ABSTRACT NO. 896, IN THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS, AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN DEED TO SOUTHFORK CAPITAL, LLC, RECORDED IN INSTRUMENT NO. 1719215, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT), AND BEING ALL OF LOT 1B, BLOCK 1 OF LOT 1A AND 1B, BLOCK 1 OF BULLARDS ADDITION, AN ADDITION TO THE CITY OF WAXAHACHE, ACCORDING TO THE PLAT THEREOF, RECORDED IN CABINET 1, SLIDE 98, OPRECT, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 1B AND THE COMMON SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO BENJAMIN MARTINEZ AND WIFE, ALICIA MARTINEZ, RECORDED IN VOLUME 617, PAGE 489, OPRECT, AND IN THE NORTH RIGHT-OF-WAY (ROW) LINE OF DUNAWAY STREET (A CALLED 60 FOOT ROW);

THENCE N 36°54'04" W, ALONG THE WEST LINE OF SAID LOT 1B AND THE COMMON EAST LINE OF SAID MARTINEZ TRACT, A DISTANCE OF 194.73 FEET TO A 1/2" IRON PIPE FOUND FOR THE NORTHWEST CORNER OF SAID LOT 1B AND THE COMMON NORTHEAST CORNER OF SAID MARTINEZ TRACT, AND IN THE SOUTH ROW LINE OF BULLON STREET (A CALLED 60 FOOT ROW);

THENCE N 53°37'09" E, ALONG THE NORTH LINE OF SAID LOT 1B AND THE COMMON SOUTH ROW LINE OF SAID DILLON STREET, A DISTANCE OF 231.37 FEET TO A 3/8" IRON ROD FOUND WITH CAP STAMPED "XKCS" SET FOR THE NORTHEAST CORNER OF SAID LOT 1B AND THE COMMON NORTH CORNER OF LOT 1A, BLOCK 8, OF SAID LOT 1A AND 1B, BLOCK 1 OF BULLARDS ADDITION, AND IN THE WEST ROW LINE OF CANTRELL STREET (A CALLED 60 ROW);

THENCE S 36°18'44" E, ALONG THE EAST LINE OF SAID LOT 1B AND THE COMMON WEST LINE OF SAID LOT 1A, A DISTANCE OF 168.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1B AND THE COMMON SOUTHWEST CORNER OF SAID LOT 1A, AND IN THE NORTH ROW LINE OF SAID DUNAWAY STREET;

THENCE S 53°41'14" W, ALONG THE SOUTH LINE OF SAID LOT 1B AND THE COMMON NORTH ROW LINE OF SAID DUNAWAY STREET, A DISTANCE OF 229.37 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1.031 ACRES OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT SOUTHFORK CAPITAL, LLC, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOT 1-8, BLOCK 1, PAYTON'S PLACE ADDITION, AN ADDITION TO THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE CITY OF WAXAHACHE, TEXAS FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON, THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES, THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED, FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT, NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME, UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLICS AND CITY OF WAXAHACHE'S USE THEREOF. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

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

WITNESS, MY HAND, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

SOUTHFORK CAPITAL, LLC  
CHRIS ACKER

STATE OF TEXAS  
COUNTY OF ELLIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED CHRIS ACKER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SH/HE EXECUTED THE SAME FOR THE PURPOSES HEREIN EXPRESSED AND IN THE CAPACITY STATED.

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

NOTARY PUBLIC, IN AND FOR THE  
STATE OF TEXAS

I, TIMOTHY L. JACKSON, RPLS, HEREBY CERTIFY THAT THIS PLAT WAS MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

"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"

TIMOTHY L. JACKSON  
REGISTRATION NUMBER 5644

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

BY: CHAIRPERSON \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED BY: CITY COUNCIL  
CITY OF WAXAHACHE

BY: MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

ATTEST \_\_\_\_\_ DATE \_\_\_\_\_

REPLAT  
LOT 1-8, BLOCK 1  
PAYTON'S PLACE ADDITION

BEING A REPLAT OF LOT 1B  
BLOCK 1

BULLARDS ADDITION  
CABINET 1, SLIDE 98  
1.031 ACRES  
DIVIDED IN TWO

E. W. ROGERS SURVEY,  
ABSTRACT NO. 896  
CITY OF WAXAHACHE,  
ELLIS COUNTY, TEXAS  
8 RESIDENTIAL LOTS  
ZONED C

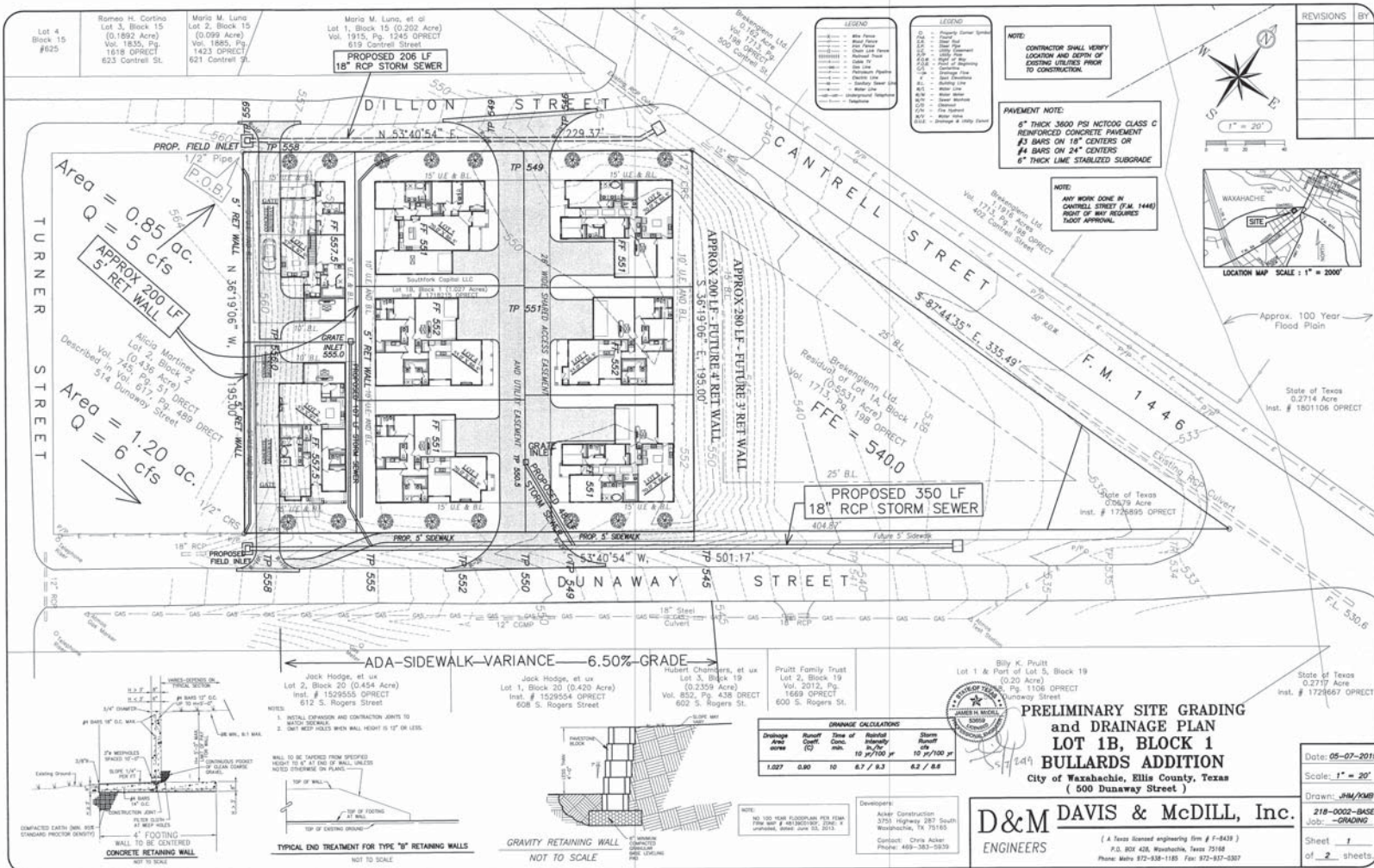
OWNER:  
SOUTHFORK CAPITAL, LLC  
P.O. BOX 537  
WAXAHACHE, TX 75168  
469.383.5599

SURVEYOR:  
TEXAS REALITY CAPTURE &  
SURVEYING, LLC  
P.O. BOX 252  
WAXAHACHE, TEXAS 75168  
469.518.0338  
TBPLS FIRM NO 10194359

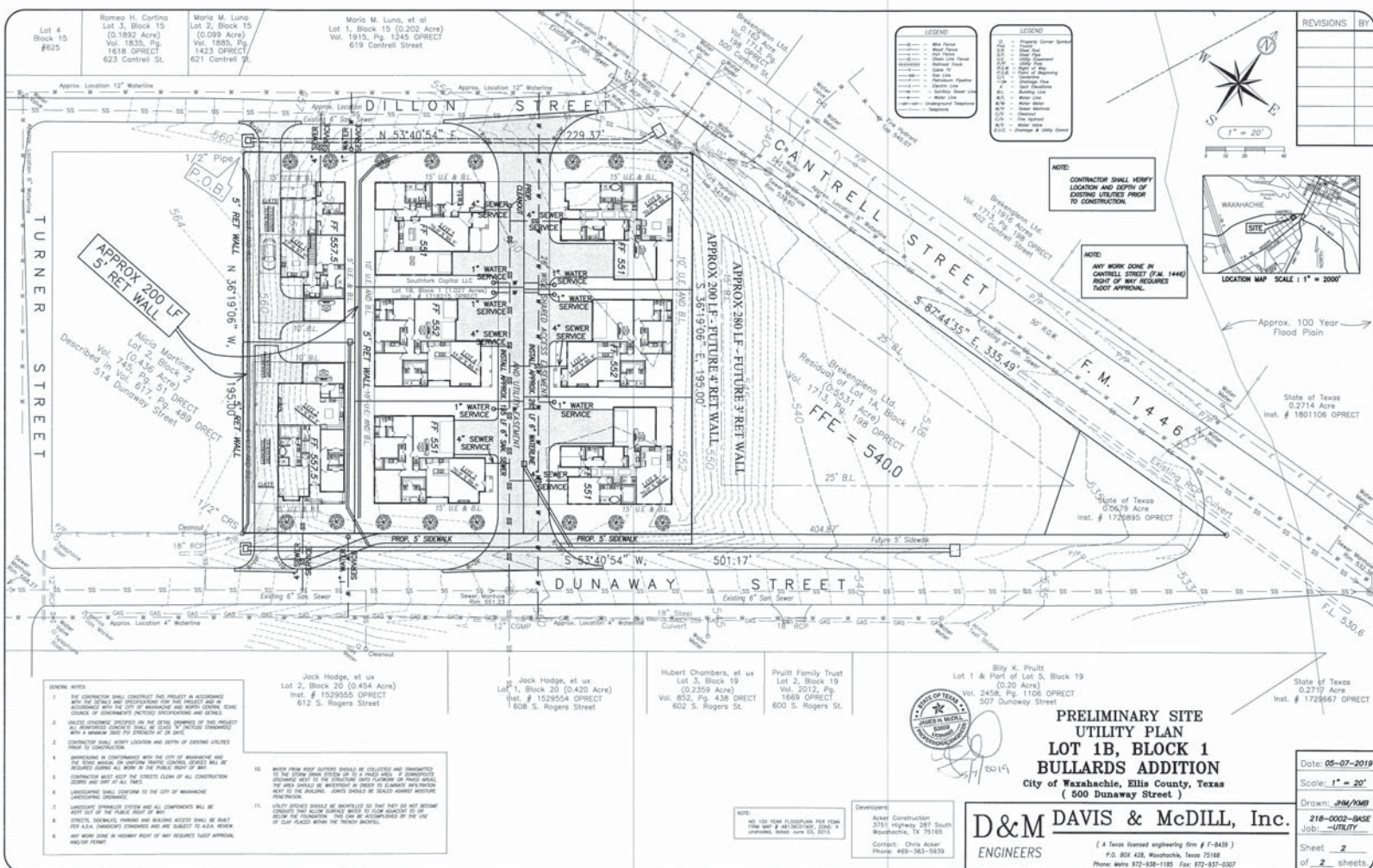
JOB NO 1324

MAY 2019

PAGE 2 OF 2







# Planning & Zoning Department

## Zoning Staff Report

Case: SU-19-0048



### MEETING DATE(S)

*Planning & Zoning Commission:* June 11, 2019 (continued from May 20, 2019 City Council meeting)

*City Council:* June 17, 2019

### CAPTION

**Public Hearing** on a request by Terry Weaver, Sterling Development Co., for a Specific Use Permit (SUP) for **Outside Storage** use within a Commercial and Light Industrial-1 zoning district, located at 100 W Sterrett (Property ID 273754) – Owner: M & M INVESTMENTS (SU-19-0048)

### UPDATE SINCE MAY 14, 2019 PLANNING AND ZONING MEETING

At the City Council meeting, held May 20, 2019, the Council voted 5-0 to continue case no. SU-19-0048 back to the June 11, 2019 Planning and Zoning Commission meeting. City Council requirements include:

- Submitting a signed and sealed plan from a Landscape Architect to staff. The landscape plan must be fully vetted before the June 11, 2019 Planning and Zoning meeting.
- Once a landscape plan is approved by the Planning and Zoning Commission and City Council, the applicant shall apply the approved landscaping to the property.

At the time of this report (6/5/2019), staff has yet to receive any revisions from the applicant.

### CASE INFORMATION

*Applicant:* Terry Weaver, Sterling Development Co.

*Property Owner(s):* M & M Investments

*Site Acreage:* 9.686 acres

*Current Zoning:* Commercial and Light Industrial-1

*Requested Zoning:* C and LI-1 with Specific Use Permit

### SUBJECT PROPERTY

*General Location:* 100 W Sterrett

*Parcel ID Number(s):* 273754

*Existing Use:* Undeveloped Land

*Development History:* The Final Plat for Sterrett Industrial Addition, was approved by City Council on June 18, 2018.

*Adjoining Zoning & Uses:*

Direction	Zoning	Current Use
North	LI-1 and C	Undeveloped Land
East	FD	Undeveloped Land
South	LI-1	Industrial Building
West	C	Undeveloped Land

*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 property is accessible via W. Sterrett Rd.

*Site Image:*





### **PLANNING ANALYSIS**

The applicant is seeking a Specific Use Permit on a 9.686 acre property to allow the use of outside storage. The applicant intends to store rock (river rock) as a wholesaler to retail landscaping firms. The applicant anticipates to store the rock material in concrete blocks before ultimately selling the rock material.

The applicant informed staff that a building is currently not in the plans to be constructed for the site. Due to the site being visible from Interstate 35, staff has concerns with approving the use of outside storage for the site. Staff also has a concern that no screening will be provided for the property. As the site plan is currently illustrated, staff cannot offer full support for the proposed outside storage use at the property.

At the City Council meeting, held May 20, 2019, the Council voted 5-0 to continue case no. SU-19-0048 back to the Planning and Zoning Commission. City Council requirements include:

- Submitting a signed and sealed plan from a Landscape Architect to staff. The landscape plan must be fully vetted before the June 11, 2019 Planning and Zoning meeting.
- Once a landscape plan is approved by the Planning and Zoning Commission and City Council, the applicant shall apply the approved landscaping to the property.

At the time of this report (6/5/2019), staff has yet to receive any revisions from the applicant.

### **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 04/24/2019.

### **PON RESPONSE**

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

### **STAFF CONCERNS**

1. Due to the site being visible from Interstate 35, staff has concerns with approving the use of outside storage for the site without any screening or landscaping, being provided for the site.
2. The applicant shall show all setbacks for the property on the Site Plan. The applicant shall also show the distance from the proposed storage concrete blocks to the nearest property line.
3. The applicant shall submit a Site Plan for review. The submitted plan is a survey.

### **APPLICANT RESPONSE TO CONCERNS**

1. At the time of this report (6/5/2019), staff has yet to receive any revisions from the applicant. The applicant is aware of staff's concerns regarding screening for the site. The applicant intends to state his case at the June 11, 2019 Planning and Zoning meeting.
2. At the time of this report (6/5/2019), the applicant has yet to submit a Site Plan showing setbacks to staff.

**RECOMMENDATION**

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

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

**ATTACHED EXHIBITS**

1. Site Plan
2. Location Exhibit
3. Proposed Bin Locations

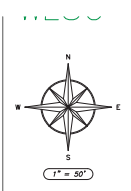
**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

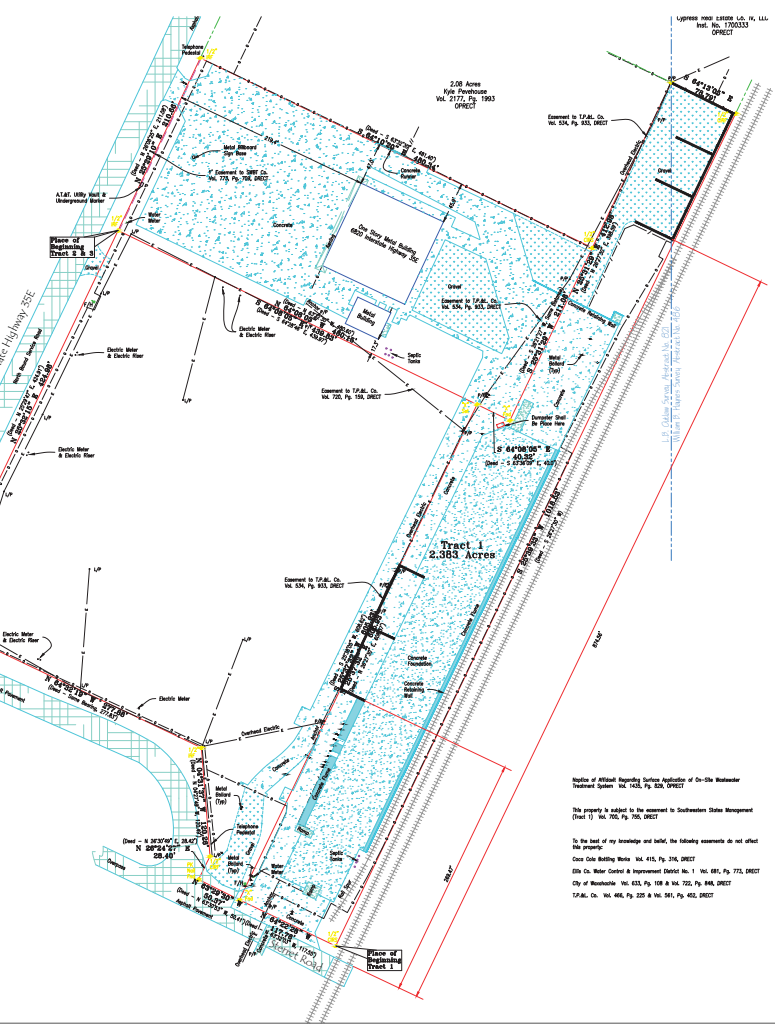
*Prepared by:*  
Colby Collins  
Senior Planner  
[ccollins@waxahachie.com](mailto:ccollins@waxahachie.com)

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



LEGEND	
1	Survey Boundary
2	Survey Boundary
3	Survey Boundary
4	Survey Boundary
5	Survey Boundary
6	Survey Boundary
7	Survey Boundary
8	Survey Boundary
9	Survey Boundary
10	Survey Boundary
11	Survey Boundary
12	Survey Boundary
13	Survey Boundary
14	Survey Boundary
15	Survey Boundary
16	Survey Boundary
17	Survey Boundary
18	Survey Boundary
19	Survey Boundary
20	Survey Boundary
21	Survey Boundary
22	Survey Boundary
23	Survey Boundary
24	Survey Boundary
25	Survey Boundary
26	Survey Boundary
27	Survey Boundary
28	Survey Boundary
29	Survey Boundary
30	Survey Boundary
31	Survey Boundary
32	Survey Boundary
33	Survey Boundary
34	Survey Boundary
35	Survey Boundary
36	Survey Boundary
37	Survey Boundary
38	Survey Boundary
39	Survey Boundary
40	Survey Boundary
41	Survey Boundary
42	Survey Boundary
43	Survey Boundary
44	Survey Boundary
45	Survey Boundary
46	Survey Boundary
47	Survey Boundary
48	Survey Boundary
49	Survey Boundary
50	Survey Boundary
51	Survey Boundary
52	Survey Boundary
53	Survey Boundary
54	Survey Boundary
55	Survey Boundary
56	Survey Boundary
57	Survey Boundary
58	Survey Boundary
59	Survey Boundary
60	Survey Boundary
61	Survey Boundary
62	Survey Boundary
63	Survey Boundary
64	Survey Boundary
65	Survey Boundary
66	Survey Boundary
67	Survey Boundary
68	Survey Boundary
69	Survey Boundary
70	Survey Boundary
71	Survey Boundary
72	Survey Boundary
73	Survey Boundary
74	Survey Boundary
75	Survey Boundary
76	Survey Boundary
77	Survey Boundary
78	Survey Boundary
79	Survey Boundary
80	Survey Boundary
81	Survey Boundary
82	Survey Boundary
83	Survey Boundary
84	Survey Boundary
85	Survey Boundary
86	Survey Boundary
87	Survey Boundary
88	Survey Boundary
89	Survey Boundary
90	Survey Boundary
91	Survey Boundary
92	Survey Boundary
93	Survey Boundary
94	Survey Boundary
95	Survey Boundary
96	Survey Boundary
97	Survey Boundary
98	Survey Boundary
99	Survey Boundary
100	Survey Boundary

Walker Land Surveying Company  
P.O. Box 2015, Waxahatchee, Texas 75165  
Phone: (817) 538-4833 FAX: (817) 538-4834  
Copyright © 2018 Walker Land Surveying Company. All rights reserved.



Tract 1  
BEING all that certain parcel of land lying in the City of Waxahatchee, Texas and being situated in the WILLIAM B. HAYNES SURVEY, ABSTRACT NO. 486 and in the L.B. OUDAW SURVEY, ABSTRACT NO. 821, Ellis County, Texas, and being a portion of the 3.0994 acre tract of land conveyed to Maygland, Inc. by Deed without Warranty recorded in Volume 1238, Page 542 of the Official Public Records of Ellis County, Texas (OPREC), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod set with cap marked "WLSIC RP15 5331" at the intersection of the north line of Starrett Road with the west line of the Burlington Northern and Santa Fe Railroad for the southeast corner of said 3.0994 acre tract;

THENCE N 64°22'30" W (Deed - N 64°22'30" W, 117.50 feet) along the south line of said 3.0994 acre tract and the north line of Starrett Road, a distance of 117.50 feet to an "X" found for the southeast corner of said 3.0994 acre tract and the southeast corner of the 4.9850 acre tract of land conveyed to Maygland, Inc. by said Warranty Deed recorded in Volume 2672, Page 585, OPREC;

THENCE S 27°32'30" E (Deed - N 27°32'30" E, 688.32 feet) along the southerly west line of said 3.0994 acre tract and the west line of said 4.9850 acre tract, a distance of 688.32 feet to an "X" found for the south line of the 2.331 acre tract of land conveyed to Maygland, Inc. by General Warranty Deed recorded in Volume 2162, Page 1013, OPREC for the southerly northwest corner of said 3.0994 acre tract and the northwest corner of said 4.9850 acre tract;

THENCE S 64°22'30" E (Deed - S 64°22'30" E, 40.10 feet) along the westerly north line of said 3.0994 acre tract and the south line of said 2.331 acre tract, a distance of 40.10 feet to an "X" found for an interior corner of said 3.0994 acre tract and the southeast corner of said 2.331 acre tract;

THENCE N 27°32'30" E (Deed - N 27°32'30" E, 388.59 feet) along the northerly west line of said 3.0994 acre tract and the west line of said 2.331 acre tract, a distance of 388.59 feet to a 1/2" iron rod set with cap marked "WLSIC RP15 5331" for the northeast corner of said 2.331 acre tract and the southeast corner of the 4.9850 acre tract of land conveyed to Maygland, Inc. by said Warranty Deed recorded in Volume 2171, Page 1063, OPREC; in a distance of 412.88 feet to a point within a utility pole and in the south line of the 4.9850 acre tract of land conveyed to Oudaw Road Estate Co. by Deed without Warranty Deed recorded in Instrument Number 1700333, OPREC for the northeast corner of said 2.08 acre tract;

THENCE S 64°13'00" E, along the south line of said 4.9850 acre tract, a distance of 78.79 feet to a 1/2" iron rod found with cap marked "RP15 4406" in the west line of said 3.0994 acre tract and in the west line of said E.A. & S.F. Railroad for the southeast corner of said 4.9850 acre tract;

THENCE S 27°32'30" W (Deed - S 27°32'30" W, along the west line of said 3.0994 acre tract and the west line of the E.A. & S.F. Railroad, a distance of 1035.53 feet to the POINT OF BEGINNING and containing 2.383 acres of land as hereunto set forth January 10, 2018 by Walker Land Surveying Company. Book of bearings in GPS observation, Texas Coordinate System, North Central Zone. Beginning coordinates - Northing=655370.83, Easting=2482276.64.

Certified to:  
M and M Investments  
Maygland, Inc.  
Only Affecting & This Company

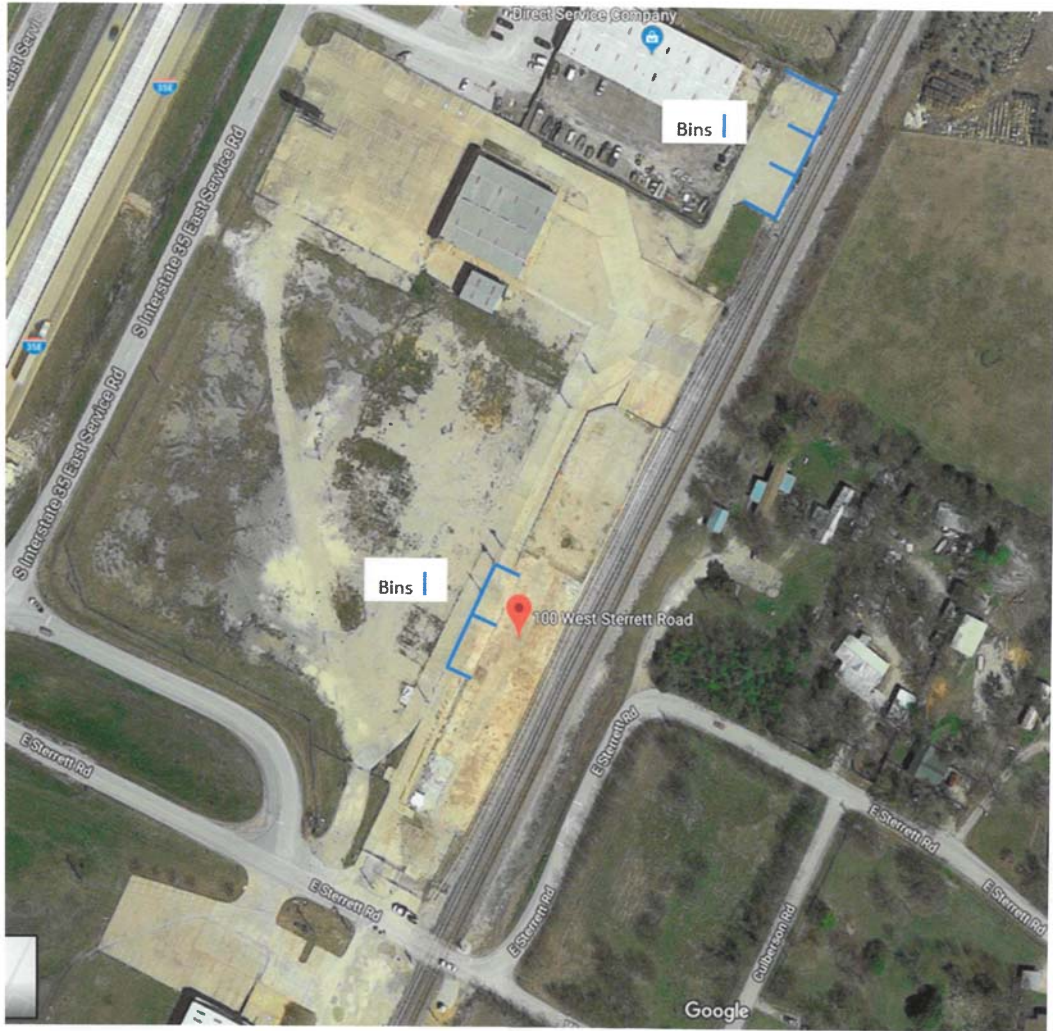
This is to certify that I have, on this date, made a true and correct on the ground survey of the subject property. The said survey is an accurate representation of the boundary and area as determined by survey. The size, location, and type of buildings and improvements are as shown. Any utility lines and easements are located as shown. I do not warrant that these shown copies of such utilities in the area, whether in service or abandoned. I further certify that a portion of the subject property is located in a Special Flood Hazard Boundary according to the Flood Insurance Rate Map for Ellis County, Texas, Map 48130C0200 F, Zone A. This survey and was prepared for the purposes in conjunction with Tract 1, Abstract & This Company, 2018. Comments, right-of-way, and other easements shown are according to the Schedule B provided. The surveyor has not indicated the property. This survey is not intended to be a Survey of the Survey. This survey was completed exclusively for the above named parties in the original transaction only. It was completed for study use only and no Survey is intended for any other use without the express written consent of Walker Land Surveying Company. This survey and contains material protected by United States copyright law and international treaties. Copyright © 2018 Walker Land Surveying Company. All rights reserved. All original copies are multi-colored and marked with the Surveyor's embossed seal. Only these copies may be considered true and correct copies. Any copies not multi-colored and marked with the embossed seal are illegal copies and render this certification null and void.

FOR INSPECTION PURPOSES ONLY.  
AND IN NO WAY OFFICIAL OR  
WALKER LAND SURVEYING COMPANY  
J. Steven Baker, S.L.S.  
Texas Registration No. 5331

File: D:\Carlson Projects\Drawings\Blocks\Walker Seal Block.pdf  
Blanking for invalid reference

SITE PLAN  
Tract 1 - 2.383 Acres  
William B. Haynes Survey, Abstract No. 486  
L.B. Oudaw Survey, Abstract No. 821  
City of Waxahatchee  
Ellis County, Texas

Date: January 10, 2018  
Scale: 1"=50'  
Project: 180004  
Case No.: 18-18-0008











## **CASE SU-19-0048**

Request by Terry Weaver, Sterling Development Co., for a Specific Use Permit (SUP) for **Outside Storage** use within a Commercial and Light Industrial-1 zoning district, located at 100 W Sterrett (Property ID 273754) – Owner: M & M INVESTMENTS (SU-19-0048)

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

- 1 Support
- 0 Oppose

### **SUPPORT**

1. Bart Moody, 3641 E Kiest Blvd, Dallas, TX 75203

### **OPPOSE**



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: **SU-19-0048**

RECEIVED  
5/3/19

M AND M INVESTMENTS  
3641 E KEST BLVD  
DALLAS, TX 75203

Attm:

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 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:

75165

1. Request by Terry Weaver, Sterling Development Co., for a Specific Use Permit (SUP) for **Outside Storage** use within a Commercial and Light Industrial-1 zoning district, located at 100 W Sterrett (Property ID 273754) – Owner: M & M INVESTMENTS (SU-19-0048)

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com) for additional information on this request.

Case Number: **SU-19-0048**

☒ SUPPORT

☐ OPPOSE

Comments:

Attachment - letter

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, MAY 8, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com).

Signature

Printed Name and Title

Date

Address

Bart Moody

Bart Moody

May 3-2019

3641 E. Kiest Blvd.

**Subject: Cribley Enterprises SUP Request**

Waxahachie City Council,  
Planning & Zoning Commission and Staff

As owner of the subject property, I would like to **express my support** for this SUP request. As owner of the property, it was my goal to bring a **quality tenant** to the property that would **work in harmony** with neighboring property owners and tenants.

My real estate broker and I have received much interest in this property over the past 6 months and we finally agreed that this was the best use for the property. We have turned away several other potential tenants who's use would not have been conducive to this area. Cribley's **river rock landscaping products are clean** and will be used to help beautify landscaping projects throughout the DFW area. They will be a **good neighbor** and tenant and I ask for your support on this request.

Thank you for your consideration.

# Planning & Zoning Department

## Zoning Staff Report

**Case: PD-19-0057**



### MEETING DATE(S)

*Planning & Zoning Commission:* June 11, 2019

*City Council:* June 17, 2019

### CAPTION

**Public Hearing** on a request by Maxwell Fisher, AICP, Masterplan, for a Zoning Change from a Future Development zoning district to Planned Development-Commercial, with Detailed Site Plan, located at 3502 N Highway 77 (Property ID 193323, 209693, and 151344) - Owner: LOCKWOOD PROPERTIES LLC (PD-19-0057)

### CASE INFORMATION

*Applicant:* Maxwell Fisher, AICP, Masterplan

*Property Owner(s):* Lockwood Properties LLC

*Site Acreage:* 1.145 acres

*Current Zoning:* Future Development

*Requested Zoning:* Planned Development-Commercial

### SUBJECT PROPERTY

*General Location:* 3502 N Highway 77

*Parcel ID Number(s):* 193323, 209693, 151344

*Existing Use:* Vacant Office Building

*Development History:* N/A

### Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-GR	HGO Tire Shop
East	-	Ellis County/ City of Waxahachie City Limits
South	GR	77 Donuts
West	C	Atmos Energy

*Future Land Use Plan:* Retail

*Comprehensive Plan:*

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

*Thoroughfare Plan:*

The subject property is accessible via US Highway 77.

*Site Image:*



**PLANNING ANALYSIS**

**Purpose/Use:**

The applicant is requesting a Planned Development approval to allow for restricted Commercial uses on 1.145 acres. The 1.145 acre site contains two developable parcels, with Lot 1 developed with a 5,065-square foot warehouse building, along with an enclosed exterior storage area on Lot 2 (Lot 2 - reserved for potential development).

The applicant is requesting a zoning change for the property from Future Development (FD) to a Planned Development (PD) District for Commercial uses. The prospective buyer for the property, Stiller Roofing and Remodeling, is proposing to operate from the existing building. Once established, the prospective buyer is interested in developing the northern lot, Lot 2, with a similar 4,500-square foot office warehouse-type building, leasing to a similar business or businesses.

**Table 1: Proposed Planned Development Standards**

Attribute	Lot 1	Lot 2
Area	25,331 s.f. (.58 acres)	24,541 sf. (.56 acres)
Zoning	Proposed PD for (C)	Proposed PD for (C)
Proposed Use	Contractor's office, warehouse, and storage	Commercial use TBD
Building Area (SF)	5,065 s.f. (office 384 sf)	4,500 s.f. (office – TBD)
Building Height	13 ft.	15 ft.
Impervious Area (SF)	16,000 s.f.	16,363 s.f.



Parking Required	10	7
Parking Provided	11	19
ADA Spaces	1	1
Front Setback	25	25
Site Yard Setback	5 (Perimeter – 10 ft.)	5 (Perimeter – 10 ft.)
Rear Yard Setback	20 ft.	20 ft.

#### Fencing, Walls and Screening:

*\*standards not listed shall refer to Section 5.03 of the City of Waxahachie Zoning Ordinance*

- Dedicated outdoor storage areas must be screened from public streets and residential districts with a minimum 6-foot tall solid wood fence.
- Lots 1 and 2: Perimeter screening adjacent to residential districts is not required provided all outside storage is screened with a 6-foot tall solid wood fence.
- Landscape Requirements: The landscaping required for Lots 1 and 2 shall be as generally shown on the Landscape Plan.
- Outdoor Storage, Surface Area: The surface of outdoor storage areas may consist of gravel, asphalt, or decomposed granite.

#### **PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, **15** 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 5/24/19.

#### **PON RESPONSE**

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

#### **STAFF CONCERNS**

1. The existing plan shows the proposed outside storage located near septic devices and spray fields. Due to safety concerns, staff informed the applicant that no outside storage should be located on any septic devices.
2. If sewer connection is not available, the applicant may have to combine the two lots and share the septic system. The size of the septic system will need to be verified by a Professional Sanitarian.

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

1. At the time of this report (5/28/2019), the applicant has informed staff that they are currently working with a building inspector and hope to resolve the issue as soon as possible. The applicant also informed staff that the outdoor storage will be kept out of spray fields and septic devices.  
*New plans shall be submitted to show the outdoor storage outside of the spray fields and septic devices before final approval is made by staff.*
2. The prospective owner is aware of the possible options for sanitary sewer vs. septic connection. If sanitary sewer connection is infeasible, it is understood that the existing septic system may need replaced to accommodate both building and the "site" would remain as one lot of record.



### **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. Staff recommends approval pending that the staff concerns regarding outside storage and the sewer/septic system for the property is addressed.

### **ATTACHED EXHIBITS**

1. Site Plan
2. Landscape Plan
3. Planned Development Conditions

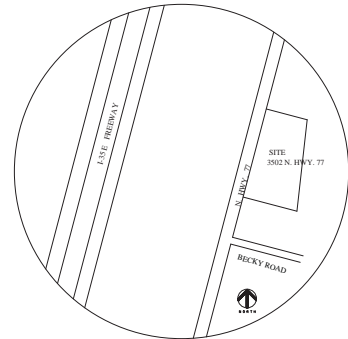
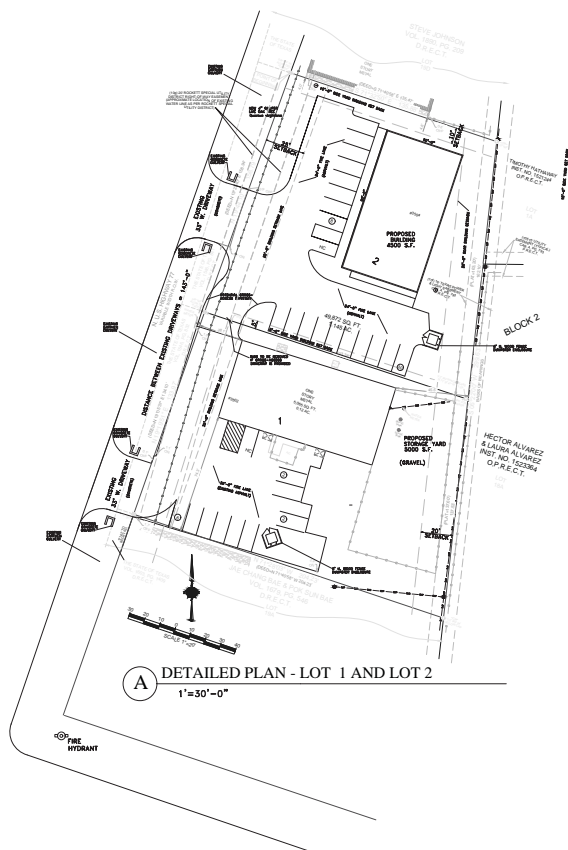
### **APPLICANT REQUIREMENTS**



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)




**SITE DATA - 3502 N. HWY. 77, WAXAHACHIE, TEXAS**

ATTRIBUTE	LOT 1	LOT 2
AREA	25,331 S.F. (.58 ACRES)	24,541 S.F.(.56 ACRES)
ZONING	PD FOR COMMERCIAL	PD FOR COMMERCIAL
PROPOSED USE	CONTRACTOR'S OFFICE WAREHOUSE, AND S.T.O.	COMMERCIAL USES TBD
BUILDING AREA (S.F.)	5085 S.F.	4500 S.F.
BUILDING HEIGHT	13'-0"	OFFICE - TBD
IMPERVIOUS AREA (S.F.)	16,000 S.F.	16,363 S.F.
PARKING REQUIRED	16 (2-OFFICE; 8 WAREHOUSE; 2 - OUTDOOR STORAGE)	7 (3-OFFICE; 4 WAREHOUSE)
PARKING PROVIDED	11	19
ADA SPACES	1	1
<b>FRONT BUILDING SET BACK - 25'-0" (LOTS 1 AND 2)</b> <b>SIDE YARD SETBACK-(INTERIOR) 5'-0" (PERIMETER) 10'-0"</b> <b>REAR YARD SET BACK -20'-0"</b>		

ZONING CASE NO. - PD-19-0057

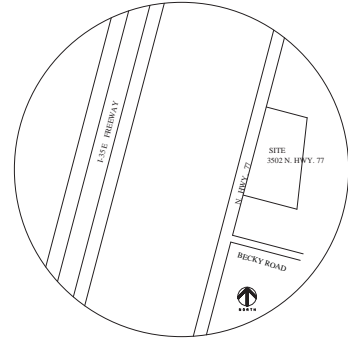
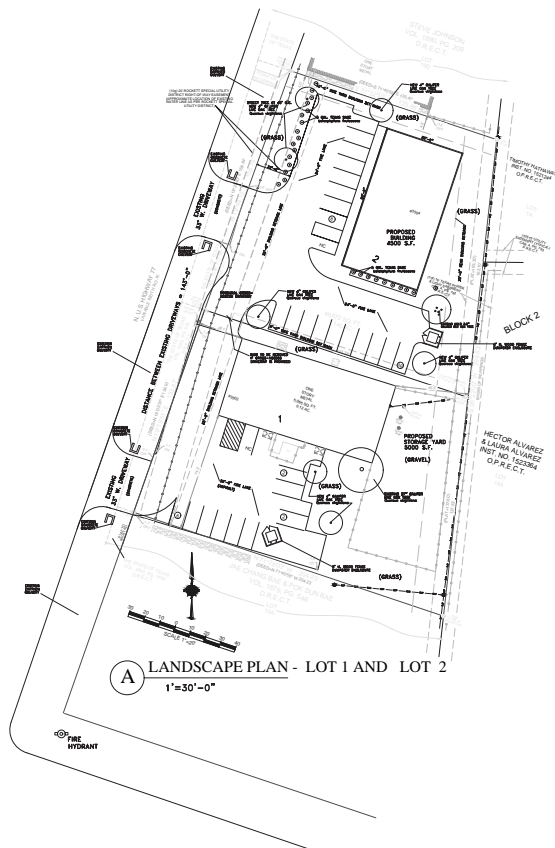


**SITE PLAN- 3502 N. HWY. 77, WAXAHACHIE, TEXAS**  
**LOT 19 B AND LOT 19 C BLOCK 2 OF HILLVIEW RES.**

**AREA = 1.145 ACRES**

**CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS**

**OWNER - TODD LOCKWOOD OF LOCKWOOD PROPERTIES LLC**  
**ADDRESS: 7618 CHATTAHOON, DALLAS TEXAS 75248**  
**PHONE: 469-805-4005**



SCALE 1" = 30'-0"			
DATE: 04/19/19			
LANDSCAPE DATA - 3502 N. HWY. 77, WAXAHACHIE, TEXAS			
ATTRIBUTE	LOT 1 CALCULATION	LOT 1 PROPOSED	LOT 2 PROPOSED
SITE LAND-SCAPE AREA	0.40 X 5065 S.F.	2,026 S.F.	1800 S.F. REQUIRED 1900 S.F. PROVIDED
SITE CANOPY TREES	1/800 S.F.	n/a; 3 PROVIDED	4
SITE UNDER-STORY TREES	1/250 S.F.	n/a	NONE REQUIRED
SITE SHRUBS	1/70 S.F.	n/a	25/25
GROUND COVER	15%	n/a	NONE REQUIRED
SEASONAL COLOR	2%	n/a	NONE REQUIRED
PARKING LOT LANDSCAPE AREA	13 S.F. / PARKING SPACE	n/a	267 S.F. REQUIRED; 1400 S.F. PROVIDED
PARKING LOT TREES	MIN. OF 2,500 S.F. (OP 80 S.F.)	3	3
PARKING LOT SHRUBS	10 SHRUBS / 500 S.F. (OP 80 S.F.)	n/a	16
STREET BUFFER AREA	15% OF STREET YARD	n/a	>60X, 10'-0" WIDE
STREET BUFFER TREES PER 40 L.F.	1 CANOPY TREE	n/a	2 REQUIRED 2 PROVIDED

SCALE 1" = 30'-0"	
DATE: 04/19/19	
LANDSCAPE PLAN: 3502 N. HWY. 77, WAXAHACHIE, TEXAS	
LOT 19 B AND LOT 19 C BLOCK 2 OF HILLVIEW REV.	
AREA = 1.145 ACRES	
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS	
OWNER- TODD LOCKWOOD OF LOCKWOOD PROPERTIES LLC	
ADDRESS; 7619 CHATTINGTON, DALLAS TEXAS 75248	
PHONE; 469-805-4005	

PROPOSED PLANNED DEVELOPMENT  
3502 N. HWY. 77  
WAXAHACHIE, TEXAS

REVISIONS  
NO. DESCRIPTION DATE

SHEET NUMBER  
D

## **3502 N. Highway 77 – Planned Development – Lockwood Properties, LLC**

### **Land Use Statement**

On behalf of Lockwood Properties, LLC, Masterplan requests a change of zoning from FD - Future Development to a PD - Planned Development District for Commercial Uses. The 1.145-acre area of request contains two developable parcels with Lot 1 developed with a 5,065-square foot warehouse building along with an enclosed exterior storage area on Lot 2. The property is under new ownership. The new owner, Lockwood Properties, has recently made significant financial and physical investment in improving a challenged piece of property that included eviction of the previous tenant and illegal use of the building as a residence as part of a used goods re-sale shop. Lockwood Properties has cleaned up the inside and outside of the property and painted the exterior to ready the property for more meaningful commercial activities that better serve the local community and contribute to the tax base.

The property under the current FD zoning, is severely restricted in use of the current building, and future development on Lot 2. The FD District allows very few uses, and is more of a holding designation, until more appropriate zoning can be established. There has been significant interest in purchasing the property for several commercial uses including contractors, tool rental businesses and other office showroom and warehouse prospects. The prospective buyer, Stiller Roofing and Remodeling, owns and operates a local, Waxahachie based company. The prospective buyer's business has significantly grown and Mr. Stiller would like to keep his business in Waxahachie and operate from the existing building. Once established, the prospective buyer is interested in developing the northern lot, Lot 2, with a similar 4,500-square foot office warehouse type building, leasing to a similar business or businesses.

An application for a PD was primarily chosen to allow certain commercial uses but prohibit the most objectionable ones that would not be appropriate for the corridor, or for the residents living in the vicinity. This request would better align the zoning with the type of businesses that are interested in and fit with the style and size of the property, and the prevailing uses of this section of the US Highway 77 corridor. The PD will accommodate the proposed business program, but set forth PD conditions that limit uses, govern on-site operational activities, and require detailed and landscape plans that ensure a quality and compatible development. Please refer to the enclosed exhibits for additional information.

## **Proposed PD Conditions (Draft)**

### **Lockwood Properties – Waxahachie**

**Concept Plan:** Concept Plans are not required.

**Development Plan:** Development on Lots 1 and 2 shall be in general conformance with Exhibit C, Detailed Plan. In the event there is a conflict between Exhibit D and the PD conditions herein, the PD conditions prevail. Expansion of a building footprint by 20% or less does not require amendment of the Detailed Site Plan. Building expansion of greater than 20%, collectively or sequentially within a 2-year time period, requires amendment of the Detailed Site Plan through the city's public hearing process. Any expansion of the building shall be reviewed by the City of Waxahachie Building Inspections and Planning Department.

#### **Definitions:**

**Contractor's Office/Storage Yard:** An office and storage facility for materials, equipment, tools, products, and vehicles used in the conduct of a construction-related business such as those specializing in welding, plumbing, electrical, heating/air conditioning, roofing, paving, pest control, janitorial, major appliance repair/service, masonry, carpet installation/cleaning, windows/glass (excluding automotive glass), landscaping installation/maintenance, swimming pools, fencing, and similar contractors.

**Contractor's Office/Warehouse:** An indoor office and storage facility for materials, equipment, tools, products, and vehicles used in the conduct of a construction-related business such as those specializing in welding, plumbing, electrical, heating/air conditioning, roofing, paving, pest control, janitorial, major appliance, repair/service, masonry, carpet installation/cleaning, windows/glass (excluding automotive glass), landscaping installation/maintenance, swimming pools, fencing and other similar contractors.

**Outside Storage:** The keeping, in an unenclosed or unroofed area, of any new or used goods, materials or merchandise in the same place for more than twenty-four hours.

**Warehouse, Office/Showroom (Indoor):** An establishment with at least fifteen percent of its total floor area devoted to office and showroom space (that is, an establishment where a maximum of eighty-five percent of its total floor area is devoted to storage and warehousing that is generally not accessible to the public). The term includes sales offices, retail or wholesale sales areas, display areas (showrooms) for products sold and distributed from the warehousing area.

#### **Permitted Uses:**

Unless specified herein, the permitted uses are those allowed in the Commercial District as provided in Section 4.03 of Article IV, Appendix A of the Waxahachie Comprehensive Zoning Ordinance:

#### **Additionally Allowed/Clarified Uses:**

Contractor's Office/Storage Yard

Contractor's Office/Warehouse

Outside Storage

Warehouse, Office/Showroom (Indoor)

**Uses Allowed by Right (Instead of by SUP only):**

Commercial and Retail Type Uses:

Auto Repair, Major  
Outside Display  
Outside Storage

Accessory, Incidental and Sign Uses:

Pole Sign – Signs existing as of May 30, 2019 are allowed to remain and be re-faced.  
Monument Sign – In the event the pole sign is removed, each lot is permitted one monument sign per the sign regulations of the Code of Ordinances.  
Unified Lot Sign

**Prohibited Uses:**

Educational, Institutional, and Special Uses:

Crematorium  
Home for Aged, Residence (Assisted Living)  
Institution for Alcoholic, Narcotic, or Psychiatric Patients  
Juvenile Detention Center (SUP)  
Rehabilitation Care Facility or Halfway House

Commercial and Retail Type Uses:

Airport  
Alternative Financial Services  
Ambulance Services  
Bail Bond Agency  
Funeral Home or Mortuary  
Golf Course  
Hauling, Storage or Motor Freight Terminal  
Heavy Machinery and Equipment, Rental, Sales or Storage  
Helistop  
Massage Parlor  
Motel or Hotel (less than 75 Rooms)  
Railroad Freight Depot  
Specialty Paraphernalia  
Stables, Public  
Tattoo or Body Piercing Shop  
Truck Stop  
Zoo, Public

Industrial and Utility Uses:

Electrical Generating Plant  
Food Manufacturing or Processing Plant  
Franchised Private Utility



**Development Standards:**

Unless specified herein, the property is subject to the development regulations of the Commercial District and those regulations of Appendix A – Zoning, as generally applicable.

**Parking and Loading:** Unless specified herein, consult the parking and loading requirements of Section 5.02:

Off-Street Parking Requirements:

Outside Storage: One parking space is required for each 2,500 square feet of outdoor storage space.

Contractor's Office/Storage Yard: One parking space per 300 square feet of office. One parking space per 1,000 square feet of remaining inside floor area. One parking space per 2,500 square feet of outside storage area as accessory to a contractor's building.

Contractor's Office/Warehouse: One parking space per 300 square feet of office space. One parking space per 1,000 feet of remaining area.

Remote Parking: For the purposes of parking, the entire PD is considered one lot provided that any remote parking used to comply with the minimum parking requirements is outlined by lease agreement, as outlined in Section 5.02 of the Comprehensive Zoning Ordinance.

**Fencing, Walls and Screening:** Unless specified herein, consult Section 5.03 for fencing, walls and screening requirements:

Dedicated outdoor storage areas must be screened from public streets and residential districts with a minimum 6-foot tall solid wood fence.

Lots 1 and 2: Perimeter screening adjacent to residential districts is not required provided all outside storage is screened with a 6-foot tall solid wood fence.

Landscape Requirements: The landscaping required for Lots 1 and 2 shall be as generally shown on the Landscape Plan, exhibit D. No additional landscaping requirements apply.

**Exterior Building Elevations:** For Lot 1, the exterior building elevations are as provided on exhibit C. For Lot 2, any new development must adhere to the city's exterior building material standards unless otherwise amended through the city's standard relief provisions. No new or amended Detailed Plan is required for exterior building materials.

**Special Standards:**

Outdoor Storage, Surface Area: The surface of outdoor storage areas may consist of gravel, asphalt, or decomposed granite.

Outdoor storage areas must be screened from public streets and residential districts with a minimum 6-foot tall solid wood fence.

Sign Provisions: The existing sign on Lot 1 may remain and be re-faced. One freestanding monument sign is permitted on Lot 2 per the city's sign regulations. In the event the existing pole sign on Lot 1 is removed, one additional monument sign is allowed on Lot 1 constructed per the city's sign regulations.

Lighting: Existing exterior lighting on Lot 1 may remain provided it complies with the city's lighting ordinance. Lot 2: Any future lighting provided must comply with the city's lighting standards.

## **CASE PD-19-0057**

Request by Maxwell Fisher, AICP, Masterplan, for a Zoning Change from a Future Development zoning district to Planned Development-Commercial, with Detailed Site Plan, located at 3502 N Highway 77 (Property ID 193323, 209693, and 151344) - Owner: LOCKWOOD PROPERTIES LLC (PD-19-0057)

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

- 0 Support
- 1 Oppose

### **SUPPORT**

### **OPPOSE**

1. Jose Herrera, 104 Becky Lane, Waxahachie, TX 75165



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: PD-19-0057

RECEIVED  
6/4/19

HERRERA JOSE  
104 BECKY LN  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 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 Maxwell Fisher, AICP, Masterplan, for a Zoning Change from a Future Development zoning district to Planned Development-Commercial, with Detailed Site Plan, located at 3502 N Highway 77 (Property ID 193323, 209693, and 151344) - Owner: LOCKWOOD PROPERTIES LLC (PD-19-0057)

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-19-0057  
City Reference: 151339

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

☐

SUPPORT



OPPOSE

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

JOSE HERRERA  
Signature

6-03-2019  
Date

JOSE HERRERA owner  
Printed Name and Title

104 Becky Ln.  
Address

# Planning & Zoning Department

## Zoning Staff Report

**Case: PD-19-0066**



### MEETING DATE(S)

*Planning & Zoning Commission:* June 11, 2019

*City Council:* June 17, 2019

### CAPTION

**Public Hearing** on a request by Joy Ranton, Daniel's Den, for a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-Commercial (limited to transitional housing and retail) , with Concept Plan, located at 512 N College Street (Property ID 170716)  
- Owner: ALFRED A & RHONNIE D TOMPKINS (PD-19-0066)

### CASE INFORMATION

*Applicant:* Joy Ranton, Daniel's Den

*Property Owner(s):* Alfred A & Rhonnie D Tompkins

*Site Acreage:* .459 acres

*Current Zoning:* Planned Development-28-General Retail

*Requested Zoning:* Planned Development-Commercial (limited to transitional housing and retail)

### SUBJECT PROPERTY

*General Location:* 512 N College Street

*Parcel ID Number(s):* 170716

*Existing Use:* Existing Single Family Residential

*Development History:* N/A

### Adjoining Zoning & Uses:

Directio	Zoning	Current Use
North	PD-GR	Single Family Residential
East	SF-2	Single Family Residential
South	PD-28-GR	Single Family Residential
West	PD-28-GR	Single Family Residential

*Future Land Use Plan:* Low Density Residential



*Comprehensive Plan:*

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

*Thoroughfare Plan:*

The subject property is accessible via N. College St.

*Site Image:*



**PLANNING ANALYSIS**

The applicant is requesting a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-Commercial to allow a Transitional Housing Facility. The applicant currently has an existing Transitional Housing Facility located at 507 W. Jefferson St. If the proposed zoning change is approved, the applicant intends to relocate the existing Transitional Housing Facility to 512 N. College St. *The maximum occupancy load for the property shall be 10.*

Daniel's Den is proposing to use the two story home as a Resale Shop, Community Involvement Area, and Office (1<sup>st</sup> Floor). The second floor will be used for the Transitional Housing Program (*see full description below*).

At the time of this report (5/30/2019), the applicant has yet to address staff comments. The applicant still needs to submit a survey/plan for staff to review and make comments, and provide an electronic copy of the survey/plan. Due to the aforementioned information not being submitted, staff cannot offer full support of the proposal due to insufficient information.

**Daniel's Den Proposal**

Floor I

- The Resale Shop will occupy the front portion (gathering room and parlor) of the first floor and has an entrance facing the street.
- The Community Involvement Areas (kitchen, dining room and den) will be used to accommodate request received from groups and individuals who want to teach life skills to clients such as

cooking, financial literacy and Bible studies. This area will also have a private entrance, accessible from the side of the house.

- The Office will be located in the back of the house (sunroom) and has a private entrance accessible from the back porch.

#### Floor 2 (Transitional Housing Program)

- The upper floor also has a private entrance accessible from the back porch. Clients will be required to enter via Jackson St and park in the back section of the property.
- It consists of four bedrooms, two kitchens and two bathrooms.
- Three bedrooms will be used for housing women with children, a maximum of three women and seven children. The fourth bedroom will be used to house three single women
- Total capacity is (13) thirteen individuals.
- The space will be equipped with security cameras allowing for the monitoring of client activity.
- All transitional housing clients must be drug and alcohol free. Criminal background checks are done on all clients.
- Women who are registered sex offenders or have any violence related charges cannot be housed.
- Housing for victims of domestic violence is not provided.
- Clients must be residents of Ellis County (defined as a minimum of three months) in order to qualify for our program.

#### **PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 22 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 5/24/19.

#### **PON RESPONSE**

Staff has received three (3) letters of opposition for the proposed development.

#### **STAFF CONCERNS**

1. At the time of this report (6/5/2019), the applicant has yet to address staff comments. The applicant still needs to submit a survey/plan for staff to review and make comments, and provide an electronic copy of the survey/plan.
2. The location of the proposed use is concerning to staff due to the historic character of the neighborhood.
3. The maximum occupancy load for the property shall be 10.
4. Staff has received opposition from surrounding neighbors for the proposed development.

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

1. At the time of this report (6/5/2019), the applicant has yet to address any staff concerns.

#### **RECOMMENDATION**

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

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

**ATTACHED EXHIBITS**

1. Development Description

**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)



# Daniel's Den, Inc.

507 W Jefferson

Waxahachie, TX 75165

972.938.0103

To: Planning and Zoning Commission and City Council Members

Re: Proposed use for Property located at 512 N College St, Waxahachie, TX 75165

Date: May 10, 2019

Upon finalizing the purchase of the above referenced property, the proposed use is as follows:

## Floor 1

Resale Shop (Second Chance Apparel and More), Community Involvement Areas and Office (one room)

The Resale Shop will occupy the front portion (gathering room and parlor) of the first floor and has an entrance facing the street. The resale shop will generate revenue for our mission as well as providing our clients with retail training.

The Community Involvement Areas (kitchen, dining room and den) will be used to accommodate the many request we receive from groups and individuals who want to teach life skills to our clients. For example; cooking, financial literacy and Bible studies. This area will also have a private entrance, accessible from the side of the house.

The Office will be located in the back of the house (sunroom) and has a private entrance accessible from the back porch.

## Floor 2

Samaritan House (Transitional Housing Program)

The upper floor also has a private entrance accessible from the back porch. Clients will be required to enter via Jackson St and park in the back section of the property. It consists of four bedrooms, two kitchens and two bathrooms. Three bedrooms will be used for housing women with children, a maximum of three women and seven children. The fourth bedroom will be used to house three single women, making our total capacity thirteen individuals. Please note, we rarely exceed six clients total. The kitchen and bathroom areas will be shared by all clients. This space will be equipped with security cameras allowing for the monitoring of client activity. All of our transitional housing clients must be drug and alcohol free. Criminal background checks are done on all clients. We cannot house women who are registered sex offenders or have any violence related charges. Clients must be residents of Ellis County (defined as a minimum of three months) in order to qualify for our program. We do not provide housing for victims of domestic violence.

While we do provide emergency assistance to anyone in need, intake for this program is done via the police or sheriff's department and hospitals only. It does not involve providing services on site.

If you require any further information, please free to contact me at 972.938.0103. Thank you in advance for your kind consideration of our request.

Respectfully Submitted,

A handwritten signature in black ink that reads "Joy Ranton".

Joy Ranton  
Executive Director  
Daniel's Den  
Samaritan House

Daniel's Den is a 501(c) (3) non-profit corporation. We are an ecumenical Christian ministry providing emergency assistance and transitional housing in Ellis County, Texas. Our services are made possible by the support of individuals, churches, civic groups, companies and the United Way of West Ellis County who serve as donors and volunteers.

## **CASE PD-19-0066**

Request by Joy Ranton, Daniel's Den, for a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-General Retail, with Concept Plan, to allow a Household Care Facility located at 512 N College Street (Property ID 170716) - Owner: ALFRED A & RHONNIE D TOMPKINS (PD-19-0066)

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

- 0 Support
- 3 Oppose

#### **SUPPORT**

#### **OPPOSE**

1. William Kevin and Phyllis M. Hannon, 508 N. College St., Waxahachie, TX 75165
2. Jamie Mills, 516 N. College St., Waxahachie, TX 75165
3. Robin Cole Lane, 515 N. College St., Waxahachie, TX 75165

### **OUTSIDE REQUIRED 200' NOTIFICATION AREA**

- 0 Support
- 2 Oppose

#### **SUPPORT**

#### **OPPOSE**

1. Raymond Kelley, 418 N. College St., Waxahachie, TX 75165
2. William E. and Janet Tamplin, 504 N. Jackson, Waxahachie, TX 75165





RECEIVED  
6/5/19

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: **PD-19-0066**



HANNON WILLIAM K & PHYLLIS M  
508 N COLLEGE ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 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 Joy Ranton, Daniel's Den, for a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-General Retail, with Concept Plan, to allow a Household Care Facility located at 512 N College Street (Property ID 170716) - Owner: ALFRED A & RHONNIE D TOMPKINS (PD-19-0066)

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-19-0066**  
City Reference: **170705**

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

☐

SUPPORT

☒

OPPOSE

Comments:

*The proposed placement of Daniel's Den will negatively affect our property values and possibly endanger our lives*  
*Phyllis M. Hannon* *6/4/2019*

Signature

Date

Printed Name and Title

Address

*Phyllis M. Hannon*  
*Resident*

*508 North College St.*



RECEIVED  
11/5/19

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: **PD-19-0066**



HANNON WILLIAM K & PHYLLIS M  
508 N COLLEGE ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 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 Joy Ranton, Daniel's Den, for a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-General Retail, with Concept Plan, to allow a Household Care Facility located at 512 N College Street (Property ID 170716) - Owner: ALFRED A & RHONNIE D TOMPKINS (PD-19-0066)

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-19-0066**  
City Reference: **170705**

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

☐

SUPPORT

☒

OPPOSE

Comments:

*The placement of Daniel's Den will negatively affect our property value and possibly endanger Roger's kids.*

Signature

Date

Printed Name and Title

Address

*William Kevin Hannon* *June 4, 2019*  
*William Kevin Hannon* *508 N. College St*



**Wright, Destiny**

---

RECEIVED  
4/15/19

**From:** Brooks, Shon  
**Sent:** Wednesday, June 5, 2019 12:38 PM  
**To:** Wright, Destiny  
**Subject:** FW: 512 N. College

inside notification area

**From:** Jamie Mills <jamesbmills@gmail.com>  
**Sent:** Wednesday, June 5, 2019 12:27 PM  
**To:** Brooks, Shon <sbrooks@waxahachie.com>  
**Subject:** 512 N. College

Mr. Brooks,

I am the co owner of 516 N. College along with my wife Megan. We do not want the zoning change to allow Daniel's Den to move next door. I believe the College Street corridor will be a major gateway into the changing city, and Daniel's Den does not fit into the range of businesses the City corridor needs to have as a welcoming business at this time for the direction the City is growing.

Along with this, our house is the biggest investment we have, and we are counting on the value of it to grow, and we feel that having Daniel's Den next door will bring down the value of our house. I do not think I would look at a property with an establishment like this as a neighbor, and I believe future sales of the property will be negatively affected.

Also, I have wanted to see this corridor grow with restaurants and family establishments and we have concerns about the safety Daniel's Den clients will bring and the negative impact it would have on the overall family atmosphere of the corridor.

Thank you for your time.

Jamie Mills  
516 N. College Street  
Waxahachie, TX  
[Jamesbmills@gmail.com](mailto:Jamesbmills@gmail.com)



RECEIVED  
6/5/19

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: PD-19-0066



LANE PATRICK D & ROBIN C  
1512 EASTUS DR  
DALLAS, TX 75208

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 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 Joy Ranton, Daniel's Den, for a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-General Retail, with Concept Plan, to allow a Household Care Facility located at 512 N College Street (Property ID 170716) - Owner: ALFRED A & RHONNIE D TOMPKINS (PD-19-0066)

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-19-0066  
City Reference: 171103

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



SUPPORT



OPPOSE

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

Robin Cole Lane  
Signature

06/05/19  
Date

Robin Cole Lane - owner  
Printed Name and Title

515 N. College St.  
Address



RECEIVED  
05/11/19

# ATTENTION COLLEGE STREET RESIDENTS

512 College Street, former residence of Rhonnie and Alfred Tompkins is proposed to become Daniel's Den where the Homeless will stay. This will disrupt the quality of life and bring down our property values. We will be forced to live with possible drug addicts, alcoholics and prostitutes as well as violent persons searching for the protected, thus putting us in harm's way of physical danger or even death.

You should have received a letter from the City of Waxahachie, Case# PD-19-0066, City Reference #170705 concerning the proposed. It is our understanding that an alternate site has been proposed at hwy 287 and Brown Street.

The proposed site may endanger children at Marvin Elementary very close to the proposed site.

If you disapprove of the proposal, sign the petition below and attend the proposed hearings on June 11, and June 17, at 7 PM. At the Council Chamber, Waxahachie City Hall, 401 South Rogers Street. For questions, call 972-352-8243.

Name

Address

James Mills	516 N. College Street	inside
Megan Inad	516 N. College	inside
William Tamm	508 N. College	inside
Thyllis M. Tannon	508 N. College Street	inside
Calla Ross	515 N. College Street	inside
Rachel King	418 N. COLLEGE ST.	outside
William E. Tamplin	504 N. JACKSON	outside
JANET TAMPLIN Janet Tamplin	" "	outside





RECEIVED  
6/5/19

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: PD-19-0066



KELLEY RAYMOND & JANICE  
418 N COLLEGE ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 Solith Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Joy Ranton, Daniel's Den, for a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-General Retail, with Concept Plan, to allow a Household Care Facility located at 512 N College Street (Property ID 170716) - Owner: ALFRED A & RHONNIE D TOMPKINS (PD-19-0066)

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-19-0066

City Reference: 170705

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



SUPPORT



OPPOSE

Comments: ALLOWING THIS CHANGE WILL LOWER PROPERTY VALUES.

Raymond Kelley  
Signature

RAYMOND O KELLEY  
Printed Name and Title

6-5-19  
Date

418 N. COLLEGE ST.  
Address