NOTICE OF PLANNING & ZONING COMMISSION BRIEFING SESSION JANUARY 29, 2019 CITY COUNCIL CONFERENCE ROOM 401 S. ROGERS WAXAHACHIE TEXAS 6:30 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 GENDA

The Waxahachie Planning & Zoning Commission will hold a regular meeting on *Tuesday*, *January 29, 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 January 8, 2019
- b. Minutes of the Planning and Zoning Commission briefing of January 8, 2019
- 4. *Consider* request by William Collard for a **Preliminary Plat** of Cowboy Acres for 4 lots, being 9.4184 acres situated in the Ellis County School Land Survey, Abstract 328 (Property ID 194702) in the Extra Territorial Jurisdiction Owner: KEVIN R & CHERRISSA S SMITH (PP-18-0219)
- 5. *Consider* request by William Collard for a **Final Plat** of Cowboy Acres for 4 lots, being 9.4184 acres situated in the Ellis County School Land Survey, Abstract 328 (Property ID 194702) in the Extra Territorial Jurisdiction Owner: KEVIN R & CHERRISSA S SMITH (FP-18-0220)
- 6. **Public Hearing** on a request by Khalid Ali, Aztec Renewable Energy, for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Planned Development-Single Family-2 zoning district, located at 208 North Star Lane (Property ID 265846) Owner: THOMAS M DAVIS (SU-18-0221)
- 7. *Consider* recommendation of Zoning Change No. SU-18-0221
- 8. *Consider* request by Grant Robinson, The Mark on 287 LLC, for a **Final Plat** of The Mark on 287 for 1 lot, being 6.525 acres situated in the William C. Tunnel Survey, Abstract 1080 (Property ID 264879) Owner: MARK ON 287 OWNER LLC (FP-18-0217)

- 9. *Consider* request by Ladd Vien for a **Replat** of Lot 2 & 3, Block 29 and Lot 1A, 1B, & 6, Block 30, Town Addition, to create Lot 1, Block A, Ferris Place Center, 1.162 acres (Property ID 170749) Owner: KAY BUNMUNGMEE (RP-19-0006)
- 10. *Continue Public Hearing* on a request by Drew Dubocq, Bannister Engineering, for a Specific Use Permit (SUP) for **Outside Storage** use within a Heavy Industrial zoning district, located at 201 Butcher Road (Property ID 173464) Owner: WAXAHACHIE ASSOCIATES LLC (SU-18-0194)
- 11. *Consider* recommendation of Zoning Change No. SU-18-0194
- 12. **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.
- 13. Adjourn

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

This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at (469) 309-4005 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 January 8, 2019

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, January 8, 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 December 11, 2018
- b. Minutes of the Planning and Zoning Commission briefing of December 11, 2018

Action:

Mrs. Bonney Ramsey moved to approve items a. and b. on the Consent Agenda. Mr. David Hudgins seconded, All Ayes.

4. Consider request by Lance Rust, Joe Rust Co., for a Final Plat of Lone Elm Addition for 13 residential lots, being 21.607 acres in the E. H. Belcher Survey, Abstract 143 (Property ID 180711) – Owner: TRES GROUP LLC (FP-18-0208)

Senior Planner Colby Collins reviewed FP-18-0208 noting staff recommended approval as presented.

Action:

Mr. Jim Phillips moved to approve a request by Lance Rust, Joe Rust Co., for a Final Plat of Lone Elm Addition for 13 residential lots, being 21.607 acres in the E. H. Belcher Survey, Abstract 143 (Property ID 180711) – Owner: TRES GROUP LLC (FP-18-0208). Mr. David Hudgins seconded, All Ayes.

5. Consider request by Anthony C. Lohden for a Replat of Lot 4, Block 4, College Addition, to create Lots 4-1R and 4-2R, Block 4, College Addition, 0.366 acres (Property ID 172822) – Owners: ANTHONY COLE LOHDEN AND ANNA MICHELLE LOHDEN (RP-18-0197)

Mr. Collins reviewed RP-18-0197 noting staff recommended approval subject to the following staff comment:

1. The plat cannot be filed until public infrastructure has been installed and accepted.

Action:

Mrs. Bonney Ramsey moved to approve a request by Anthony C. Lohden for a Replat of Lot 4, Block 4, College Addition, to create Lots 4-1R and 4-2R, Block 4, College Addition, 0.366 acres (Property ID 172822) – Owners: ANTHONY COLE LOHDEN AND ANNA MICHELLE LOHDEN (RP-18-0197) subject to Staff Comments. Mr. Erik Test seconded, All Ayes.

6. Consider request by Jeff Douglas, Stanger Surveying, for a Final Plat of Silo House Ranch for 4 lots, being 5.84 acres situated in the S.C. White Survey, Abstract 1252 (Property ID 227069) in the Extra Territorial Jurisdiction – Owner: LYKELE K TAMMINGA (FP-18-0203)

Mr. Collins reviewed FP-18-0203 noting staff recommended approval per the following staff comments:

- 1. The location of proposed fire hydrants must be indicated on the plat drawing. They must be installed so as to comply with Section 5.8 of the City's Subdivision Ordinance.
- 2. The City must receive written confirmation from the water provider that hydrants will be installed. Proof of payment for the installation must be received prior to the City Council meeting date.

Action:

Mr. Jim Phillips moved to approve a request by Jeff Douglas, Stanger Surveying, for a Final Plat of Silo House Ranch for 4 lots, being 5.84 acres situated in the S.C. White Survey, Abstract 1252 (Property ID 227069) in the Extra Territorial Jurisdiction — Owner: LYKELE K TAMMINGA (FP-18-0203). Mr. David Hudgins seconded, All Ayes.

7. Consider request by Linda Kuckuck for a Replat of Lot 12, Green Meadow, to create Lots 12-1R, 12-2R, and 12-3R, Green Meadow, 5.174 acres (Property ID 150740 and 242437)D in the Extra Territorial Jurisdiction – Owners: KERRY L & LINDA K KUCKUCK and OVIDIO & CHANDRA PENA (RP-18-0207)

Mr. Collins reviewed RP-18-0207 noting staff recommended approval per the following staff comment:

1. A Fire hydrant is to be installed on the property.

Action:

Mr. Jim Phillips moved to approve a request by Linda Kuckuck for a Replat of Lot 12, Green Meadow, to create Lots 12-1R, 12-2R, and 12-3R, Green Meadow, 5.174 acres (Property ID 150740 and 242437)D in the Extra Territorial Jurisdiction — Owners: KERRY L & LINDA K KUCKUCK and OVIDIO & CHANDRA PENA (RP-18-0207) subject to Staff Comments. Mrs. Bonney Ramsey seconded, All Ayes.

8. Public Hearing on a request by David Hill for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 S.F. use within a Single Family-2 zoning district, located at 607 W Marvin (Property ID 171941) – Owner: WILLIAM D & MICKIE HILL (SU-18-0206)

Chairman Keeler opened the Public Hearing.

Mr. Collins reviewed SU-18-0206 noting the applicant will tear down an existing accessory structure and rebuild the proposed 888 sq. ft. accessory building on the 1.741 acre lot. He explained staff recommended approval as presented.

There being no others to speak for or against SU-18-0206, Chairman Keeler closed the Public Hearing.

9. Consider recommendation of Zoning Change No. SU-18-0206

Action:

Mr. David Hudgins moved to approve a request by David Hill for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 S.F. use within a Single Family-2 zoning district, located at 607 W Marvin (Property ID 171941) – Owner: WILLIAM D & MICKIE HILL (SU-18-0206). Mrs. Bonney Ramsey seconded, **All Ayes**.

10. Public Hearing on a request by Billy Hufstetler for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 S.F. use within a Single Family-2 zoning district, located at 704 Bryson (Property ID 176921) – Owner: BILLY JOE HUFSTETLER (SU-18-0209)

Chairman Keeler opened the Public Hearing.

Mr. Collins reviewed SU-18-0209 noting the applicant requests to build a 1,200 sq. ft. accessory building, equivalent in size to the existing home on the 0.251 acre lot, and explained staff recommended denial due to the following staff concerns:

1. The applicant is currently not meeting the required rear yard setback requirement. Per Article 5, Section 7 of the city ordinance, "Rear Yard: When the accessory structure is a garage with rear access, the rear setback shall be a minimum of twenty (20) feet from the property line. All other accessory structures including carports shall not be located closer than three (3) feet to the rear property line." Currently, the applicant is only providing a 3ft. rear setback.

Owner Mr. Billy Hufstetler, 704 Bryson, explained he needs the large accessory building for storage of vehicles and other household items.

The Commission explained the setback requirements are necessary so that adjacent property owners don't have buildings right up against their fences.

There being no others to speak for or against SU-18-0209, Chairman Keeler closed the Public Hearing.

11. Consider recommendation of Zoning Change No. SU-18-0209

Action:

Mrs. Bonney Ramsey moved to deny a request by Billy Hufstetler for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 S.F. use within a Single Family-2 zoning district, located at 704 Bryson (Property ID 176921) – Owner: BILLY JOE HUFSTETLER (SU-18-0209) per Staff Comments. Mr. Jim Phillips seconded, **All Ayes**.

12. Public Hearing on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for Unified Lot Sign and Electronic Message Sign uses within a Planned Development-44-General Retail zoning district, located at the NW corner of Brown Street at Professional Place, being Lot 5, Block A, Chapman Plaza Phase II 0.459 acres (Property ID 230478) – Owner: TAHOE CITY PARNERS LLC (SU-18-0173)

Chairman Keeler opened the Public Hearing.

Mr. Collins reviewed SU-18-0173 noting the applicant requests to include the addition of an electronic message sign to the existing sign. Mr. Collins explained the existing sign was constructed within a 20-foot utility easement, which is not allowed per the City of Waxahachie Ordinance. He noted the sign has been located in this location for a minimum of 10 years and if approved, the applicant shall meet the requirements for both the ground monument sign as well as the electronic message sign per the City of Waxahachie Ordinance.

Mr. Chris Reeves, 306 W. Main, Quickway Signs, explained an additional 4 inches is needed to each side of the existing sign to support the additional electronic message sign.

Chairman Keeler asked if the applicant is aware that if the city needs to get to the water line in the easement and their sign is removed it will be at the expense of the applicant to replace. The applicant noted they understood.

There being no others to speak for or against SU-18-0173, Chairman Keeler closed the Public Hearing.

13. Consider recommendation of Zoning Change No. SU-18-0173

Action:

Mrs. Bonney Ramsey moved to approve a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for Unified Lot Sign and Electronic Message Sign uses within a Planned

Development-44-General Retail zoning district, located at the NW corner of Brown Street at Professional Place, being Lot 5, Block A, Chapman Plaza Phase II 0.459 acres (Property ID 230478) – Owner: TAHOE CITY PARNERS LLC (SU-18-0173) subject to discussion and Staff Comments. Mr. Erik Test seconded, All Ayes.

14. Continue Public Hearing on a request by Alan Lauhoff, Atlas Associates, Inc., for a Zoning Change from a Single Family-2 zoning district to Planned Development-Single Family-3 and General Retail, with Concept Plan, located South of Blue Bonnet Trails Phases 1 & 2 being 290 B B DAVIS 9.31 AC and 290 B B DAVIS 40.469 ACRES (Property ID 264992 and 182275) - Owner: BLUE BONNET TRAILS LLC (PD-18-0119)

Chairman Keeler announced the applicant requested to continue the Public Hearing to the February 12, 2019 Planning and Zoning Commission meeting.

15. Consider recommendation of Zoning Change No. PD-18-0119

Action:

Mr. Jim Phillips moved to continue a request by Alan Lauhoff, Atlas Associates, Inc., for a Zoning Change from a Single Family-2 zoning district to Planned Development-Single Family-3 and General Retail, with Concept Plan, located South of Blue Bonnet Trails Phases 1 & 2 being 290 B B DAVIS 9.31 AC and 290 B B DAVIS 40.469 ACRES (Property ID 264992 and 182275) - Owner: BLUE BONNET TRAILS LLC (PD-18-0119) to the February 12, 2019 Planning and Zoning Commission meeting. Mr. Erik Test seconded, All Ayes.

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

Chairman Keeler opened the Public Hearing.

Mr. Collins presented SU-18-0180 explaining the current SUP for this property expired on January 1, 2019. He explained the applicant would like to continue the usage at this site, however the use and the maintenance of the site are not in compliance with the City's future land use plan. Additionally, the parking lot at the site is unpaved, trailers are parked on gravel, dirt and grass, and has existing illegal signage along the property. The requirements of the 2015 SUP required landscaping and ornamental fencing be installed along the I-35 frontage to enhance the property and no efforts have been made to comply. He noted staff recommended denial.

Mr. Kevin McDonnel, Mr. Steve Burnett, and Mr. Luis Estrada (applicant), 205 W. Second Street, thanked the Commission and the City for their patience. Mr. McDonnel explained Mr. Estrada didn't understand the urgency to comply with the improvement requests from 2015. He noted Mr. Estrada submitted receipts to the Planning Department late Friday afternoon showing the efforts he has put in by fixing the aesthetics of the site. He explained Mr. Estrada has ordered landscaping and the fencing has started to be replaced. The applicant requested to comprise no alternate paving options other than concrete.

Chairman Keeler explained the Commission was adamant about the applicant completing all of the requirements for the SUP and the applicant made no effort to comply. He noted the Commission makes decisions based on ordinances and not economic issues.

There being no others to speak for or against SU-18-0180, Chairman Keeler closed the Public Hearing.

17. Consider recommendation of Zoning Change No. SU-18-0180

Action:

Mr. Jim Phillips moved to deny a request by Barb Hall, Ervin USA, for a Specific Use Permit (SUP) for Trailer, Truck Sales or Rental use within a Light Industrial-2 and Future Development zoning district, located at 4675 N Interstate 35, being 790 EC NEWTON 29.74 ACRES (Property ID 188460) - Owner: LUIS ESTRADA (SU-18-0180). Mrs. Bonney Ramsey seconded, All Ayes.

18. Public Hearing on a request by the City of Waxahachie for a textual change to Section 2.01 (B) of the City of Waxahachie Zoning Ordinance, located at Appendix A of Waxahachie City Code, regarding existing non-conforming single family uses. (TA-18-0196)

Chairman Keeler opened the Public Hearing.

Mr. Collins reviewed TA-18-0196 noting the Zoning Ordinance adopted on May 21, 2018 removed residential use types from non-residential zoning districts. The City recognizes that non-residential zoning districts do contain a number of existing legal non-conforming single-family residences and the changes presented will provide a means to continue their right of use and repair of such residences.

Chairman Keeler clarified the residents will also have to comply with all other city requirements and Mr. Collins concurred.

There being no others to speak for or against TA-18-0196, Chairman Keeler closed the Public Hearing.

19. Consider recommendation of Zoning Change No. TA-18-0196

Action:

Mr. David Hudgins moved to approve a request by the City of Waxahachie for a textual change to Section 2.01 (B) of the City of Waxahachie Zoning Ordinance, located at Appendix A of Waxahachie City Code, regarding existing non-conforming single family uses (TA-18-0196). Mr. Erik Test seconded, All Ayes.

20. Public Hearing on a request by the City of Waxahachie for a textual change to Section 5.01 (B) of the City of Waxahachie Zoning Ordinance, located at Appendix A of Waxahachie City Code, regarding masonry construction for Single-Family and Duplex structures. (TA-18-0223)

Chairman Keeler opened the Public Hearing.

Mr. Collins presented TA-18-0223 noting the Zoning Ordinance adopted on May 21, 2018 addressed development standards for single-family and duplex structures. The proposed text change seeks to amend the masonry construction requirements for single-family and duplex structures in residential zoning districts to restrict the use of non-masonry materials on elevations that face a right-of-way larger than a Type F Minor Street as described in the City's most recent Comprehensive Plan.

There being no others to speak for or against TA-18-0223, Chairman Keeler closed the Public Hearing.

21. Consider recommendation of Zoning Change No. TA-18-0223

Action:

Mrs. Bonney Ramsey moved to approve a request by the City of Waxahachie for a textual change to Section 5.01 (B) of the City of Waxahachie Zoning Ordinance, located at Appendix A of Waxahachie City Code, regarding masonry construction for Single-Family and Duplex structures (TA-18-0223). Mr. Jim Phillips seconded, All Ayes.

22. Public Comments

None

23. Adjourn

There being no further business, the meeting adjourned at 7:57 p.m.

Respectfully submitted,

Amber Villarreal Assistant City Secretary Planning and Zoning Commission January 8, 2019

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, January 8, 2019 at 6:00 p.m. in the City Council Conference Room 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

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:

- SU-18-0180, noting the applicant has not complied with any of the staff comments from the 2015 SUP approval.
- PD-18-0119 requests to be continued to the February 12, 2019 meeting.
- SU-18-0173, explaining the current sign is placed in a city easement and staff recommended changes to the sign not interfere with the easement anymore than it currently does.
- SU-18-0209, noting staff recommended denial due to the size of the proposed accessory building on the small lot.
- SU-18-0206, noting staff recommended approval of this accessory building explaining the applicant will tear down the existing accessory building and replace with the new one.
- TA-18-0196 will allow for the property owner to rebuild their home to city standards in a commercial or general retail area where it currently co-exists.
- TA-18-0223 will require brick or stone masonry on all facades that face or can be seen from the street.

Mr. Collins reported there were no issues with the plats requesting approval and staff recommended approval on all of the plat cases on the agenda.

3. Adjourn

There being no further business, the meeting adjourned at 6:36 p.m.

Respectfully submitted,

Amber Villarreal Assistant City Secretary

Planning & Zoning Department Plat Staff Report

Case: PP-18-0219



MEETING DATE(S)

Planning & Zoning Commission: January 29, 2019

City Council: February 4, 2019

CAPTION

Consider request by William Collard for a **Preliminary Plat** of Cowboy Acres for 4 lots, being 9.4184 acres situated in the Ellis County School Land Survey, Abstract 328 (Property ID 194702) in the Extra Territorial Jurisdiction – Owner: KEVIN R & CHERRISSA S SMITH (PP-18-0219).

CASE INFORMATION

Applicant: William Collard

Property Owner(s): Kevin and Cherrissa Smith

Site Acreage: 9.4184

Number of Lots: 4 lots

Number of Dwelling Units: 4 units

Park Land Dedication: N/A (ETJ)

Adequate Public Facilities: Nash-Forreston Water Supply Corporation has indicated that

their existing system can furnish the requested service in conformity with the Texas Commission on Environmental Quality standards for water distribution and the ISO fire flow requirements. A fire hydrant is required and the applicant has

provided the proposed location.

SUBJECT PROPERTY

General Location: 836 E Pecan Tree Road

Parcel ID Number(s): 194702

Current Zoning: N/A (ETJ)

Existing Use: Currently undeveloped

Platting History: Ellis County School Land Survey, Abstract 328

Site Aerial:



STAFF CONCERNS

1. Minor formatting issues remain outstanding.

APPLICANT RESPONSE TO CONCERNS

1. Applicant submitted revised drawings. Minor formatting issues remain outstanding.

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.
- - 1. Minor formatting issues remain outstanding.

ATTACHED EXHIBITS

- 1. Plat drawing
- 2. Water Utility Provider's Endorsement

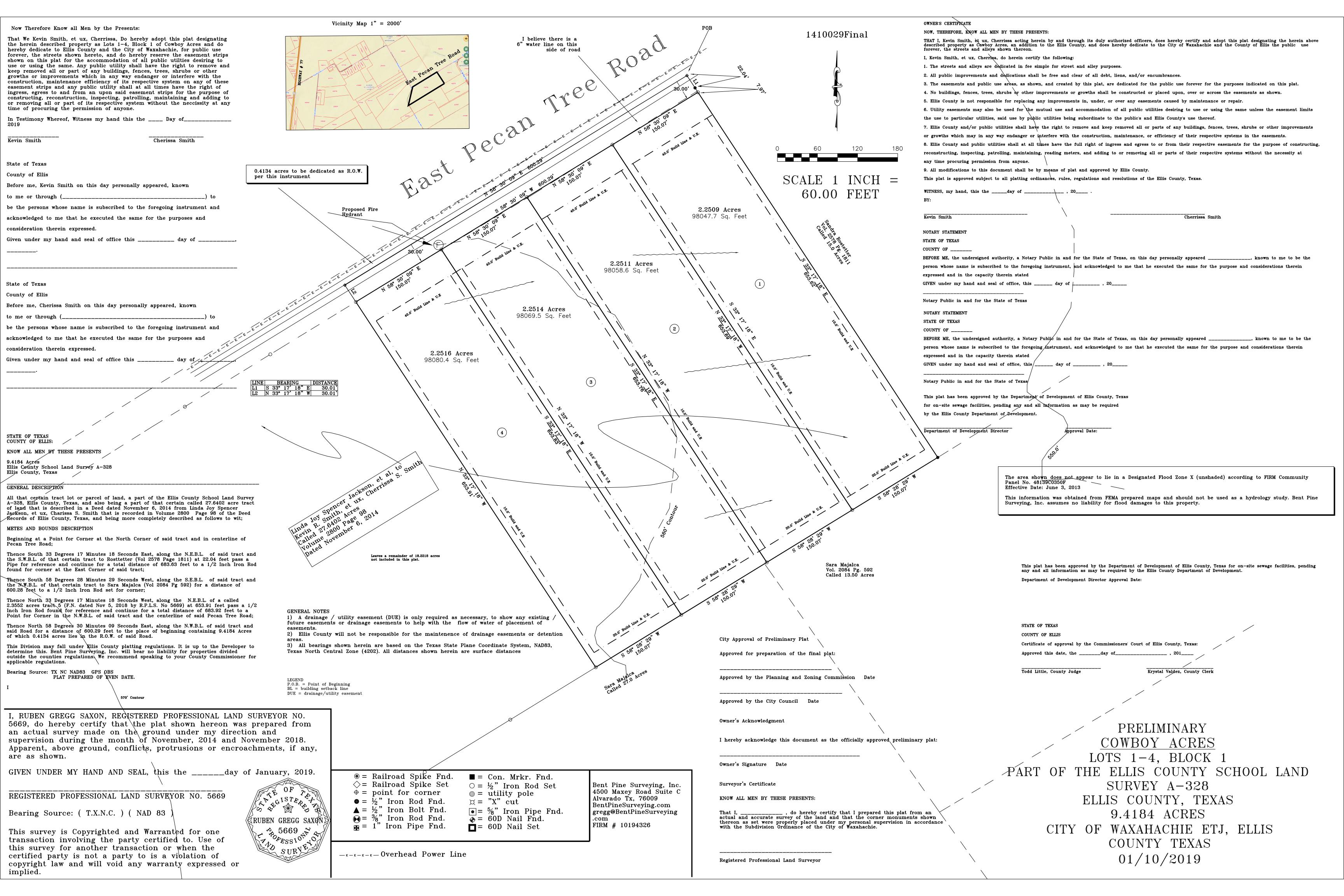
APPLICANT REQUIREMENTS

- 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:
Kelly Dent, MPA
Planner
kdent@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com







PLANNING & ZONING DEPARTMENT 401 South Rogers Street | Waxahachie, Texas 75168

(469) 309-4290 www.waxahachie.com/Departments/PlanningandZoning



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name:	William	Colland	Parcel ID #:	194702	
Subdivision Name:	Coupry	ACRES		111102	

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:

Г.		Yes	No
1.	I have reviewed a copy of the proposed plat.	⊠ [′]	
2.	The platted lots fall within our CCN area.	DY.	
3.	Our water system can provide water flow and pressure for domestic service per TCEQ regulations.)M	
4.	Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	A	
5.	The water line size servicing the lots is inches.	Ø	

			_
3.	Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	Ø	
4.	Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	Ø	
5.	The water line size servicing the lots is6 // inches.	Ø	

STANLEY H, LEW IS Print Name of General Manager of water provider or Designee

Signature of General Manager of water provider or Designee

Nash-Foreston

Name of water provider company

11-20-2018

Planning & Zoning Department Plat Staff Report

Case: FP-18-0220



MEETING DATE(S)

Planning & Zoning Commission: January 29, 2019

City Council: February 4, 2019

CAPTION

Consider request by William Collard for a **Final Plat** of Cowboy Acres for 4 lots, being 9.4184 acres situated in the Ellis County School Land Survey, Abstract 328 (Property ID 194702) in the Extra Territorial Jurisdiction – Owner: KEVIN R & CHERRISSA S SMITH (FP-18-0220).

CASE INFORMATION

Applicant: William Collard

Property Owner(s): Kevin and Cherrissa Smith

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Number of Dwelling Units: 4 units

Park Land Dedication: N/A (ETJ)

Adequate Public Facilities: Nash-Forreston Water Supply Corporation has indicated that

their existing system can furnish the requested service in conformity with the Texas Commission on Environmental Quality standards for water distribution and the ISO fire flow requirements. A fire hydrant is required and the applicant has

provided the proposed location.

SUBJECT PROPERTY

General Location: 836 E Pecan Tree Road

Parcel ID Number(s): 194702

Current Zoning: N/A (ETJ)

Existing Use: Currently undeveloped

Platting History: Companion case no. PP-18-0219 was heard this evening.

Site Aerial:



STAFF CONCERNS

1. Formatting issues remain outstanding and must be addressed before the plat drawings are sent to Ellis County for approval.

APPLICANT RESPONSE TO CONCERNS

1. Applicant submitted revised drawings. Formatting issues remain outstanding.

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
- \square Approval, as presented.
- - 1. Formatting issues remain outstanding and must be addressed before the plat drawings are sent to Ellis County for approval.

ATTACHED EXHIBITS

- 1. Plat drawing
- 2. Water Utility Provider's Endorsement

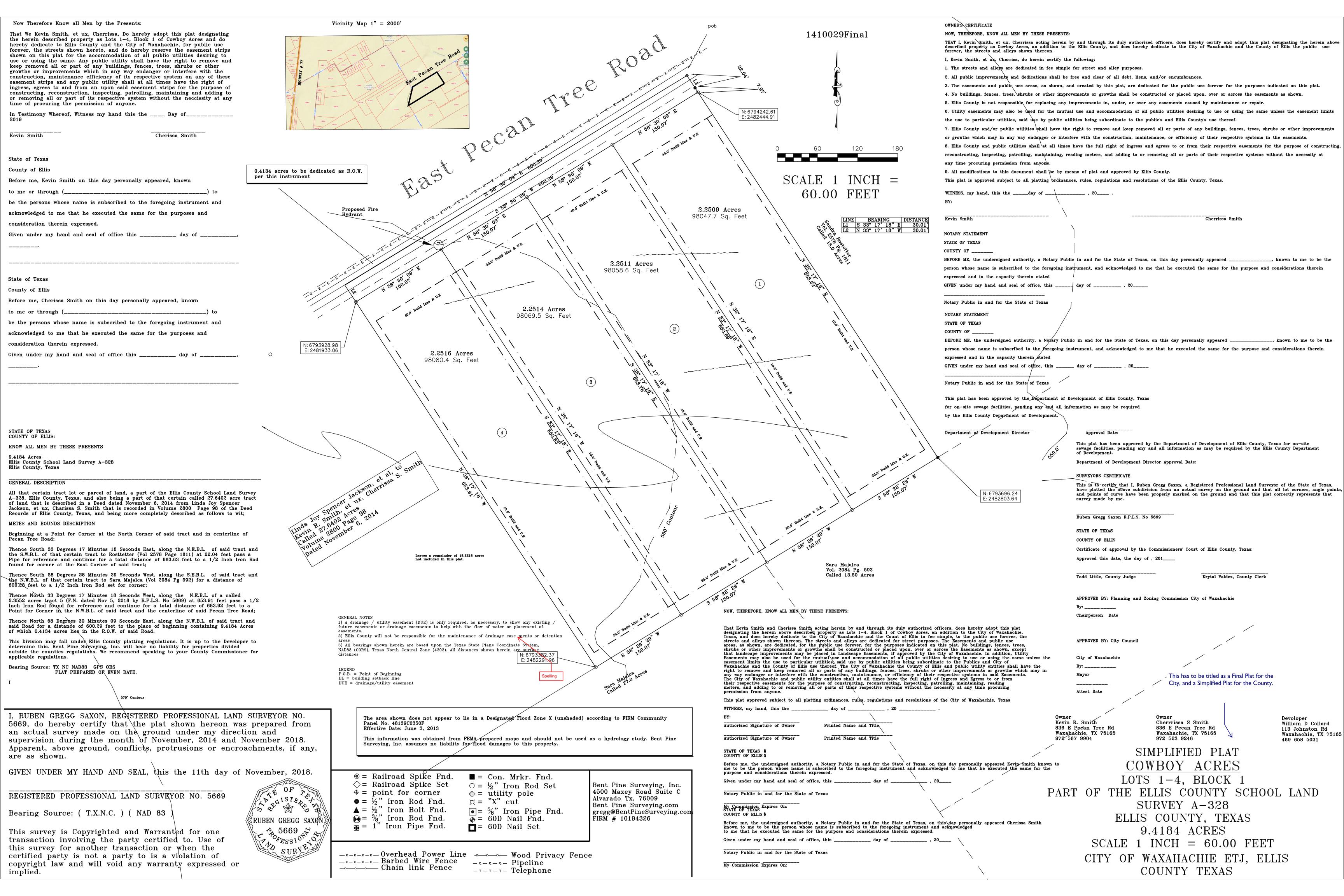
APPLICANT REQUIREMENTS

- 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.
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 - 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:
Kelly Dent, MPA
Planner
kdent@waxahachie.com

Reviewed by:
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PLANNING & ZONING DEPARTMENT 401 South Rogers Street | Waxahachie, Texas 75168

(469) 309-4290 www.waxahachie.com/Departments/PlanningandZoning



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name:	William	Colland	Parcel ID #:	194702	
Subdivision Name:	Coupry	ACRES		111102	

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:

Г.		Yes	No
1.	I have reviewed a copy of the proposed plat.	⊠ [′]	
2.	The platted lots fall within our CCN area.	DY.	
3.	Our water system can provide water flow and pressure for domestic service per TCEQ regulations.)M	
4.	Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	A	
5.	The water line size servicing the lots is inches.	Ø	

			_
3.	Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	Ø	
4.	Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	Ø	
5.	The water line size servicing the lots is6 // inches.	Ø	

STANLEY H, LEW IS Print Name of General Manager of water provider or Designee

Signature of General Manager of water provider or Designee

Nash-Foreston

Name of water provider company

11-20-2018

Planning & Zoning Department Zoning Staff Report

Case: SU-18-0221



MEETING DATE(S)

Planning & Zoning Commission: January 29, 2019

City Council: February 4, 2019

CAPTION

Request by Khalid Ali, Aztec Renewable Energy, for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Planned Development-Single Family-2 zoning district, located at 208 North Star Lane (Property ID 265846) – Owner: THOMAS M DAVIS (SU-18-0221)

CASE INFORMATION

Applicant: Khalid Ali, Aztec Renewable Energy

Property Owner(s): Thomas Davis

Site Acreage: 0.21 acres

Current Zoning: Planned Development-Single Family-2 (Ordinance 2137)

Requested Zoning: PD-SF-2 with SUP

SUBJECT PROPERTY

General Location: 208 North Star Lane

Parcel ID Number(s): 265846

Existing Use: Single Family Residence

Development History: The Final Plat for Park Place Phase 3, was approved by City

Council on February 1, 2016.

Adjoining Zoning & Uses:

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

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 site is accessed via Garden Grove Dr, a local street (50' ROW).

Site Image:



PLANNING ANALYSIS

The applicant seeks to install solar panels on the roof of this single family residence. 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 exhibit 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, <u>10</u> 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 1/11/19.

One letter of support has been received.

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
\boxtimes	Approval, as presented.

☐ Approval, per the following comments:

ATTACHED EXHIBITS

- 1. Site Plan
- 2. Property Owner Notification Response

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

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

PV-1 PLOT PLAN PV-2 SOLAR LAYOUT PV-3 ATTACHMENT DETAILS PV-4 ELECTRICAL LINE DIAGRAM PV-5 LABELS PV-6 - PV 11 SPECIFICATION SHEETS

SHEET INDEX

NOTES:

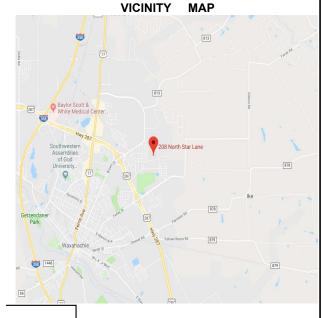
- SYSTEM FOLLOWS ANY/ALL FIRE CODE SETBACKS PER ORDINANCES OF THE WAXAHACHIE.
- ALL PROJECTS WILL COMPLY WITH THE ORDINANCES OF THE WAXAHACHIE.
- PRODUCT DATA SHEETS WILL BE INCLUDED.
- ALL SIGNAGE TO BE PLACED IN ACCORDANCE WITH LOCAL BUILDING CODE
- AREA OF ARRAY: 593.9 SQ. FT.

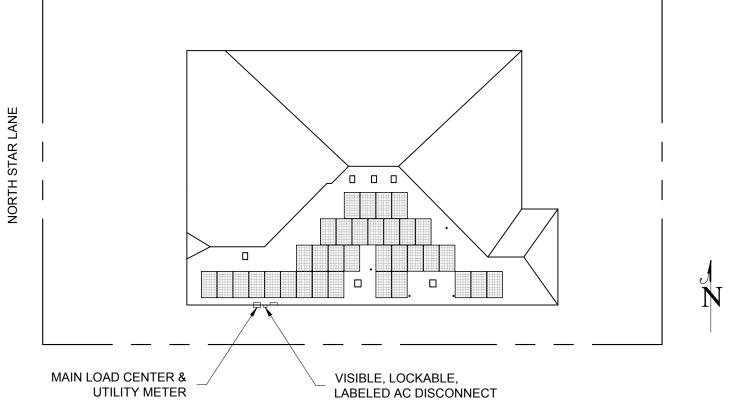
SCOPE OF WORK

INSTALL A 10.200 kW GRID-TIED
PHOTOVOLTAIC SYSTEM TOTALING (34)
PEIMAR SOLAR SG300M (BF) SOLAR MODULES
WITH (1) SOLAREDGE SE7600H-US 240V
INVERTER, FLUSH MOUNTED ON A
COMPOSITE SHINGLE ROOF AND
INTERCONNECTED VIA MAIN LOAD CENTER.

CODE COMPLIANCE

ALL SUPPLIED EQUIPMENT IS UL LISTED
2014 NATIONAL ELECTRIC CODE
2015 INTERNATIONAL RESIDENTIAL CODE
2015 INTERNATIONAL BUILDING CODE
2015 INTERNATIONAL FIRE CODE









SYNAPTIC SOLAR 701 N. GLENVILLE DR. #300 RICHARDSON, TX 75081 T: (972)-643-8655

PROJECT NAME:

THOMAS DAVIS RESIDENCE

CASE NUMBER SU-18-0221

208 NORTH STAR LN WAXAHACHIE, TX 75165 ESID #: 5167140

JURISDICTION: WAXAHACHIE

DRAWING NOTES:

PHOTOVOLTAIC SOLAR MODULE
MFG/MODEL: PEIMAR SOLAR SG300M (BF)

MODULE RATED AT: 300 W
MULTIPLY BY QTY. OF MODULES: 34

ARRAY SYSTEM SIZE: 10.200 kW

SYSTEM AZIMUTH: 180°

ROOF PITCH: 6 :12

MOUNTING HEIGHT: 1 -STORY

ORIENTATION OPTIONS ARE PRELIMINARY, AND ARE SUBJECT TO REVISION FOR OPTIMAL USE.

SOLAR ARRAY LOCATIONS ARE TO BE REVIEWED AND APPROVED BY OWNER AND/OR ARCHITECT OF RECORD TO VERIFY SYSTEM LOCATION, FOR VENTILATION OBSTRUCTION AND POSSIBLE RELOCATION OF VENT AND/OR PIPE JACKS.

FIELD VERIFICATION OF ROOF STRUCTURE, AND SOLAR ARRAY LOCATION IS REQUIRED PRIOR TO INSTALLATION FOR ALL EXISTING STRUCTURES WHERE NEW SOLAR ARRAYS ARE TO BE INSTALLED.

ARCHITECT/FIELD DRAWING INFORMATION			
REV	DESCRIPTION	DATE	
		1	

I AN

PV-1

DRAWN BY: TK
DRAWN DATE: 12/11/18

CASE SU-18-0221

SUPPORT 1

OPPOSE 0

Request by Khalid Ali, Aztec Renewable Energy, for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Planned Development-Single Family-2 zoning district, located at 208 North Star Lane (Property ID 265846) – Owner: THOMAS M DAVIS (SU-18-0221)

SUPPORT

1. Amrutbhai Patel, 206 North Star Lane, Waxahachie, TX 75165





City of Waxahachie, Texas Notice of Public Hearing Case Number: SU-18-0221

 $\Diamond\Diamond\Diamond$

PATEL AMRUTBHAI C & INDIRABEN A & JAGDIP PATEL 206 NORTH STAR LN WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 29, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 4, 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:

 Request by Khalid Ali, Aztec Renewable Energy, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-Single Family-2 zoning district, located at 208 North Star Lane (Property ID 265846) - Owner: THOMAS M DAVIS (SU-18-0221)

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 for additional information on this request.

Case Number: SU-18-0221 V SUPP	ORTOPPOSE
Comments:	
	NAL. If you choose to respond, please return JANUARY 23, 2019 to ensure inclusion in the anningandzoning@waxahachie.com.
Aurottun Palel Owner Printed Name and Title	ZOG N' Star Cu Wexchalie, TX Address

Planning & Zoning Department Plat Staff Report

Case: FP-18-0217



MEETING DATE(S)

Planning & Zoning Commission: January 29, 2019

City Council: February 4, 2019

CAPTION

Consider request by Grant Robinson, The Mark on 287 LLC, for a **Final Plat** of The Mark on 287 for 1 lot, being 6.525 acres situated in the William C. Tunnel Survey, Abstract 1080 (Property ID 264879) – Owner: MARK ON 287 OWNER LLC (FP-18-0217).

CASE INFORMATION

Applicant: Grant Robinson, The Mark on 287 LLC

Property Owner(s): The Mark on 287 Owner, LLC

Site Acreage: 6.525 acres

Number of Lots: 1 lot

Number of Dwelling Units: 140 units

Park Land Dedication: The cash in lieu of park dedication is \$56,000.00 (140 residential

dwellings at \$400 per dwelling). This must be paid before the

plat is filed.

Adequate Public Facilities: Construction Plans have been approved. At this point, no

infrastructure has been installed.

SUBJECT PROPERTY

General Location: East of Waxahachie High School

Parcel ID Number(s): 264879

Current Zoning: Planned Development-Multiple Family-2 (Ordinance 3036)

Existing Use: Currently undeveloped

Platting History: The preliminary plat was approved by City Council on October 1,

2018.

Site Aerial:



STAFF CONCERNS

- 1. The plat cannot be filed until a Letter of Acceptance of Public Infrastructure has been received in the Planning Department.
- 2. Fees must be paid before the plat is filed.

RECOMMENDATION

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

- □ Denial
- ☐ Approval, as presented.
- Approval, per the following comments:
 - 1. The plat cannot be filed until a Letter of Acceptance of Public Infrastructure has been received in the Planning Department.
 - 2. Fees must be paid before the plat is filed.

ATTACHED EXHIBITS

1. Plat drawings

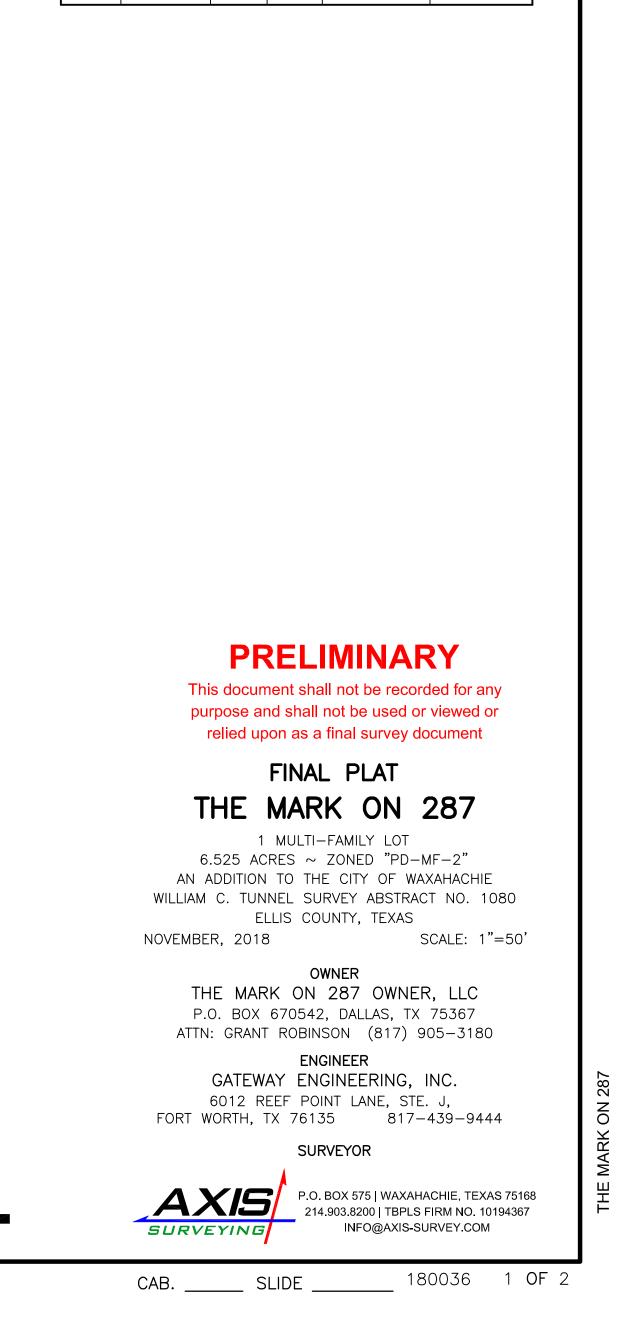
APPLICANT REQUIREMENTS

- 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:
Kelly Dent, MPA
Planner
kdent@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com



CURVE TABLE

540.00' 91.94'

460.00' 80.29'

500.00' 85.15'

DELTA ANGLE

9°45'20"

10.00,00"

9'45'26"

RADIUS | LENGTH | CHORD BEARING | CHORD LENGTH

N84°03'27"E

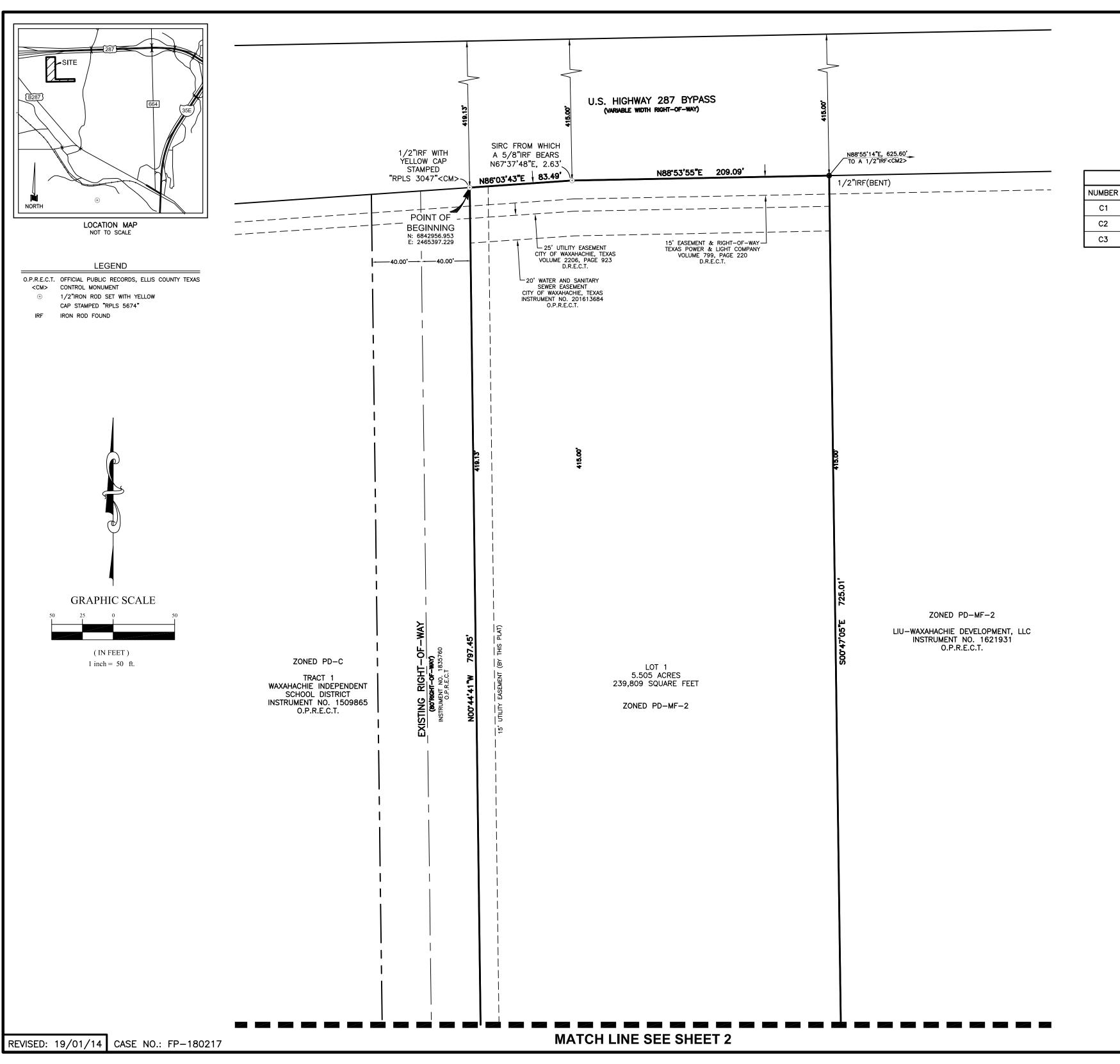
N84°10'45"E

S84°03'28"W

80.18

85.04

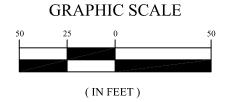
AXIS SURVEYING, LLC



LEGEND

O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY TEXAS CONTROL MONUMENT 1/2"IRON ROD SET WITH YELLOW CAP STAMPED "RPLS 5674"

PARTIAL 20' EASEMENT SUPERSEDED BY RIGHT-OF-WAY DEDICATION



1 inch = 50 ft.

CURVE TABLE					
NUMBER	DELTA ANGLE	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH
C1	9°45'20"	540.00'	91.94'	N84°03'27"E	91.83'
C2	10°00'00"	460.00'	80.29'	N84°10'45"E	80.18'
C3	9°45'26"	500.00'	85.15'	S84°03'28"W	85.04'

NOTES:

1. BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE 4202 AS DERIVED FROM GPS OBSERVATIONS.

2. ALL LOT CORNERS SET ARE MONUMENTED WITH A 1/2 INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" UNLESS OTHERWISE NOTED.

FLOOD STATEMENT:

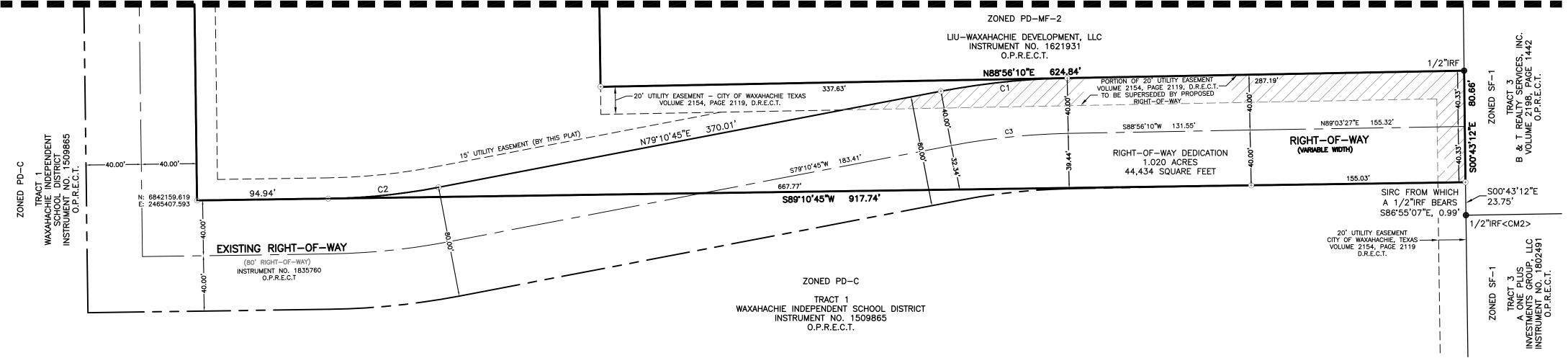
THE SUBJECT TRACT LIES WITHIN ZONE X (UNSHADED) DEFINED AS "AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) AS SHOWN ON COMMUNITY PANEL NO. 480139CO175F, DATED JUNE 3, 2013 FOR ELLIS COUNTY, TEXAS AND INCORPORATED

KNOW ALL MEN BY THESE PRESENTS:

THAT I, SEAN SHROPSHIRE, 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.

SEAN SHROPSHIRE REGISTERED PROFESSIONAL LAND SURVEYOR

MATCH LINE SEE SHEET 1



OWNER'S CERTIFICATE AND DEDICATION

STATE OF TEXAS § COUNTY OF ELLIS §

WHEREAS, THE MARK ON 287 OWNER, LLC IS THE OWNER OF A TRACT OF LAND LOCATED IN THE WILLIAM C. TUNNEL SURVEY, ABSTRACT NO. 1080, WAXAHACHIE, ELLIS COUNTY, TEXAS AND BEING ALL OF A TRACT OF LAND LOCATED IN THE WILLIAM C. TUNNELL SURVEY, ABSTRACT NO. 1080, WAXAHACHIE, ELLIS COUNTY, TEXAS AND BEING ALL OF A TRACT OF LAND DESCRIBED IN DEED TO THE MARK ON 287 OWNER, LLC, RECORDED IN INSTRUMENT NO. 1806066, OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS (O.P.R.E.C.T.) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AT A 1/2-INCH IRON ROD WITH "RPLS 3047" FOUND IN THE SOUT SOUTH RIGHT-OF-WAY LINE U.S. HIGHWAY 287 BYPASS, A VARIABLE WIDTH RIGHT-OF-WAY, AT THE NORTHWEST CORNER OF SAID THE MARK ON 287 OWNERS TRACT. SAME BEING THE MOST NORTHERLY NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED AS TRACT 1 IN DEED TO WAXAHACHIE INDEPENDENT DISTRICT, RECORDED IN INSTRUMENT NO. 1509865, O.P.R.E.C.

THENCE NORTH 86°03'43" EAST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 83.49 FEET TO A 1/2-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "RPLS 5674" SET FOR CORNER, FROM WHICH A 5/8-INCH IRON ROD FOUND BEARS NORTH 67:37'48" EAST, A DISTANCE OF 2.63 FEET;

THENCE NORTH 88*53'55" EAST, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 209.09 FEET TO A 1/2-INCH IRON ROD (BENT) FOUND AT THE NORTH COMMON CORNER OF SAID THE MARK ON 287 OWNERS TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO LIU-WAXAHACHIE DEVELOPMENT, LLC, RECORDED IN INSTRUMENT NO. 1621931 O.P.R.E.C.T., FROM WHICH A 1/2-INCH IRON ROD FOUND BEARS NORTH 88*55'14" EAST, A DISTANCE OF 625.60 FEET;

THENCE SOUTH 00'47'05" EAST, ALONG THE COMMON LINE OF SAID THE MARK ON 287 OWNERS TRACT AND SAID LIU TRACT, A DISTANCE OF 725.01 FEET TO A 1/2-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "RPLS 5674" SET AT THE INTERIOR ELL CORNER OF SAID THE MARK ON 287 OWNERS TRACT AND THE SOUTHWEST CORNER OF SAID LIU TRACT;

THENCE NORTH 88*56'10" EAST, CONTINUING ALONG THE COMMON LINE OF SAID THE MARK ON 287 OWNERS TRACT AND SAID LIU TRACT, A DISTANCE OF 624.84 FEET TO A 1/2-INCH IRON ROD FOUND IN THE WEST LINE OF A TRACT OF LAND DESCRIBED AS TRACT 3 IN DEED TO B & T REALTY SERVICES, INC., RECORDED IN VOLUME 2198, PAGE 1442, O.P.R.E.C.T., AT THE EAST COMMON CORNER OF SAID THE MARK ON 287 OWNERS TRACT AND SAID LIU TRACT;

THENCE SOUTH 00°43'12" EAST, ALONG THE COMMON LINE OF SAID THE MARK ON 287 OWNERS TRACT AND SAID B & T REALTY SERVICES TRACT, A DISTANCE OF 80.66 FEET TO A 1/2-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "RPLS 5674" SET AT THE EAST COMMON CORNER OF SAID THE MARK ON 287 OWNERS TRACT AND SAID SCHOOL DISTRICT TRACT, FROM WHICH A 1/2-INCH IRON ROD FOUND BEARS SOUTH 86.55.07" EAST, A DISTANCE OF 0.99 FEET

WHICH A 1/2-INCH IRON ROD FOUND AT THE SOUTHWEST CORNER OF SAID TRACT 3 BEARS SOUTH 00°43'12" EAST, A DISTANCE OF 23.75 FEET;

THENCE SOUTH 89'10'45" WEST, ALONG THE COMMON LINE OF SAID THE MARK ON 287 OWNERS TRACT AND SAID SCHOOL DISTRICT TRACT, A DISTANCE OF 917.74 FEET TO A 1/2-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "RPLS 5674" SET AT THE SOUTHWEST CORNER OF SAID THE MARK ON 287 OWNERS TRACT, SSAME BEING THE NORTHEASTERLY ELL CORNER OF SAID SCHOOL DISTRICT TRACT;

THENCE NORTH 00°44'41" WEST, CONTINUING ALONG THE COMMON LINE OF SAID THE MARK ON 287 OWNERS TRACT AND SAID SCHOOL DISTRICT TRACT, A DISTANCE OF 797.45 FEET TO THE POINT OF BEGINNING AND CONTAINING 284,243 SQUARE FEET OR 6.525 ACRES OF LAND. MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT THE MARK ON 287 OWNER, LLC ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS THE MARK ON 287, 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 PARTS OF ANY BUILDINGS, FENCES. TREES. SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE 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 WAXAHACHIE, TEXAS

WITNESS, MY HAND, THIS THE _____DAY OF _____

AUTHORIZED SIGNATURE OF OWNER

PRINTED NAME AND TITLE

STATE OF TEXAS COUNTY OF ELLIS §

ATTEST

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF_____, 2018.

DATE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE

CHAIR PERSON DATE

APPROVED BY: CITY COUNCIL CITY OF WAXAHACHIE

SURVEYOR

P.O. BOX 575 | WAXAHACHIE, TEXAS 75168 214.903.8200 | TBPLS FIRM NO. 10194367

SURVEYING

FORT WORTH, TX 76135

NOVEMBER, 2018

INFO@AXIS-SURVEY.COM

817-439-9444

SCALE: 1"=50'

O

MARK

里

PRELIMINARY

This document shall not be recorded for any

purpose and shall not be used or viewed or

relied upon as a final survey document

FINAL PLAT

THE MARK ON 287

1 MULTI-FAMILY LOT

6.525 ACRES ~ ZONED "PD-MF-2"

AN ADDITION TO THE CITY OF WAXAHACHIE

WILLIAM C. TUNNEL SURVEY ABSTRACT NO. 1080

ELLIS COUNTY, TEXAS

OWNER

THE MARK ON 287 OWNER, LLC

P.O. BOX 670542, DALLAS, TX 75367

ATTN: GRANT ROBINSON (817) 905-3180

ENGINEER

GATEWAY ENGINEERING, INC.

6012 REEF POINT LANE, STE. J,

Planning & Zoning Department Plat Staff Report

Case: RP-19-0006



MEETING DATE(S)

Planning & Zoning Commission: January 29, 2019

City Council: February 4, 2019

CAPTION

Request by Ladd Vien for a **Replat** of Lot 2 & 3, Block 29 and Lot 1A, 1B, & 6, Block 30, Town Addition, to create Lot 1, Block A, Ferris Place Center, 1.162 acres (Property ID 170749) – Owner: KAY BUNMUNGMEE (RP-19-0006)

CASE INFORMATION

Applicant: Ladd Vien

Property Owner(s): Kay Bunmungmee

Site Acreage: 1.162 acres

Number of Lots: 1 lot

Number of Dwelling Units: 0 units

Park Land Dedication: N/A

Adequate Public Facilities: Applicant can either extend the connections that currently serve

the existing bakery, or can abandon those connections and install connections that include the new development and the

existing building.

SUBJECT PROPERTY

General Location: 512 Ferris Avenue

Parcel ID Number(s): 170749

Current Zoning: General Retail

Existing Use: Creations Bakery

Platting History: These lots currently exist as shown on the Hawkins Map, which

was filed May 1, 1946. A replat, case no. RP-18-0166 was approved by City Council on November 19, 2018. However, the

applicant does not wish to comply with the terms of that

approval.

Site Aerial:



STAFF CONCERNS

- 1. The Thoroughfare Plan shows US Highway 77 as a Major Thoroughfare B (110' ROW). This would require the applicant to dedicate twenty-three (23) feet along street frontage. At the November 19, 2018, City Council meeting, City Council agreed to provide relief of the dedication of 4.5 feet so that the applicant was required to dedicate 18.5 feet with case no. RP-18-0166 (there is an existing building that hinders the ability to dedicate the full twenty-three (23) feet), but now wishes to avoid dedication of any land.
- 2. Applicant has not agreed to the provision of a utility easement along street frontage with this case, though such an easement was a condition of the RP-18-0166 approval.

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:

\times	Denial.
	The proposed replat does not conform to subdivision regulations. As a result, staff must
	recommended a denial of this plat application.

- ☐ Approval, as presented.
- ☐ Approval, per staff comments:

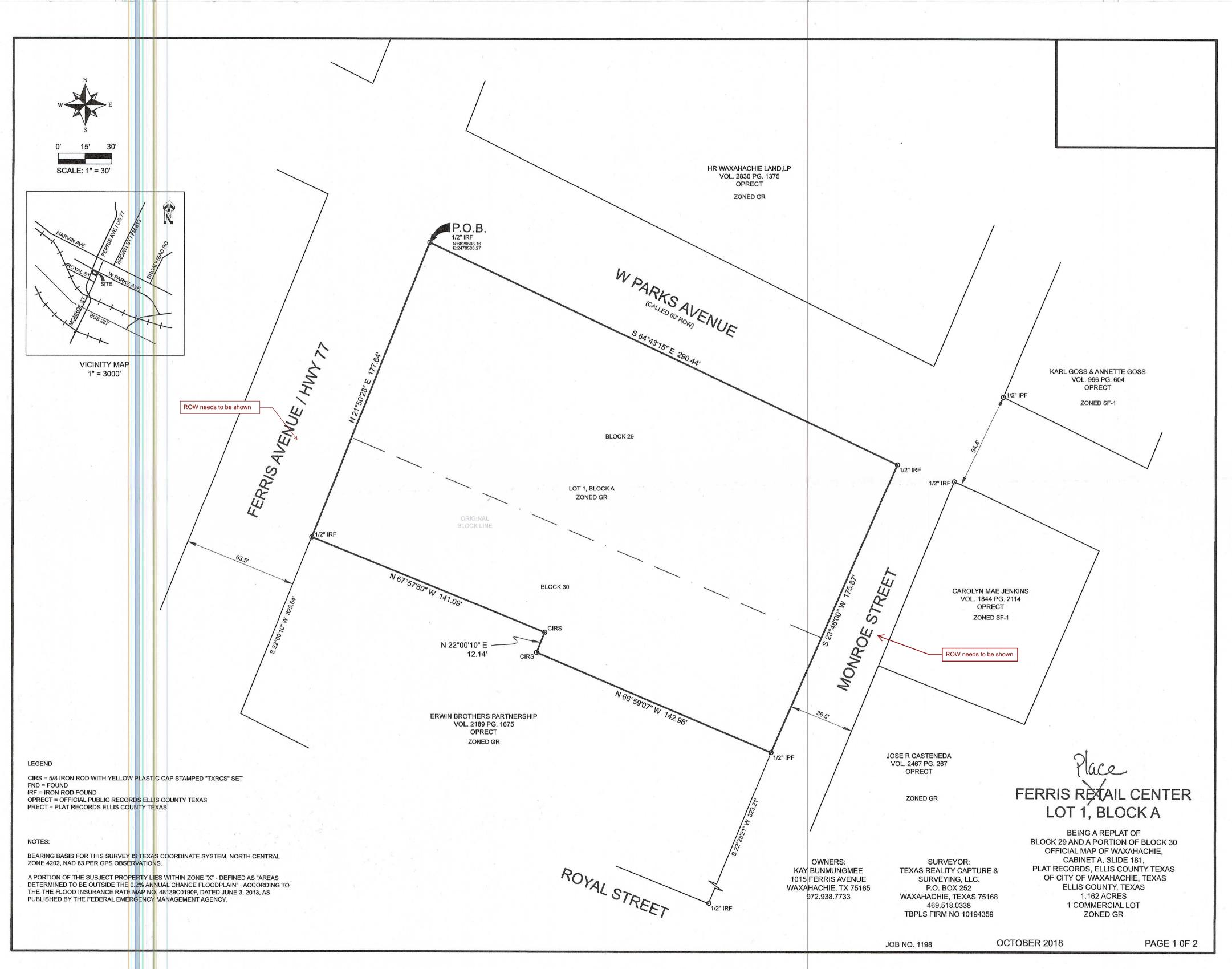
ATTACHED EXHIBITS

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: Kelly Dent, MPA Planner Planner kdent@waxahachie.com STAFF CONTACT INFORMATION Reviewed by: Shon Brooks, AICP Director of Planning sbrooks@waxahachie.com



PL STATE OF TEXAS : COUNTY OF ELLIS :

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS KAY BUNMUNGMEE IS THE SOLE OWNER OF A TRACT OF LAND DESCRIBED IN DEED KAY BUNMUNGMEE, RECORDED IN INSTRUMENT NO. 1620072, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT), ALSO BEING ALL OF BLOCK 29 AND A PORTION OF BLOCK 30, OFFICIAL MAP OF WAXAHACHIE, RECORDED IN CABINET A, SLIDE 181, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (PRECT), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND (IRF) FOR THE NORTHWEST CORNER OF SAID BUNMUNGMEE TRACT, SAID BLOCK 29 AND THE INTERSECTION OF THE EAST RIGHT-OF-WAY (ROW) LINE OF FERRIS AVENUE/U.S. HIGHWAY 77 AND THE SOUTH ROW LINE OF W. PARKS AVENUE;

THENCE S 64°43'15" E, ALONG THE NORTH LINE OF SAID BUNMUNGMEE TRACT, SAID BLOCK 29 AND THE COMMON SOUTH ROW LINE OF SAID W. PARKS AVENUE, A DISTANCE OF 290.44 FEET TO A 1/2" IRF FOR THE NORTHEAST CORNER OF SAID BUNMUNGMEE TRACT, SAID BLOCK 29 AND THE INTERSECTION OF THE SOUTH ROW LINE OF SAID W. PARKS AVENUE AND THE WEST ROW LINE OF MONROE STREET;

THENCE S 23°46'00" W, ALONG THE EAST LINE OF SAID BUNMUNGMEE TRACT, THE EAST LINES OF SAID BLOCK 29, SAID BLOCK 30 AND THE COMMON WEST ROW LINE OF SAID MONROE STREET, A DISTANCE OF 175.87 FEET TO A 1/2" IRON PIPE FOUND (IPF) FOR THE SOUTHEAST CORNER OF SAID BUNMUNGMEE TRACT AND THE COMMON NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO ERWIN BROTHERS PARTNERSHIP, RECORDED IN VOLUME 2189, PAGE 1675, OPRECT, FROM WHICH A 1/2" IRF MARKING THE SOUTHEAST CORNER OF SAID ERWIN BROTHERS TRACT AND THE INTERSECTION OF THE NORTH ROW LINE OF ROYAL STREET AND THE WEST ROW LINE OF SAID MONROE STREET BEARS S 22°28'21" W, A DISTANCE OF 323.21 FEET;

THENCE ALONG THE SOUTH LINES OF SAID BUNMUNGMEE TRACT AND THE COMMON NORTH LINES OF SAID ERWIN BROTHERS TRACT, AS FOLLOWS:

N 66°59'07" W, A DISTANCE OF 142.98 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER:

N 22°00'10" E, A DISTANCE OF 12.14 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER;

N 67°57′50″ W, A DISTANCE OF 141.09 FEET A 1/2″ IRF FOR THE SOUTHWEST CORNER OF SAID BUNMUNGMEE TRACT AND THE COMMON NORTHWEST CORNER OF SAID ERWIN BROTHERS TRACT, AND BEING IN THE EAST ROW LINE OF SAID FERRIS AVENUE, FROM WHICH THE SOUTHWEST CORNER OF SAID ERWIN BROTHERS TRACT AND THE INTERSECTION OF THE WEST ROW LINE OF SAID FERRIS AVENUE AND THE NORTH ROW LINE OF SAID ROYAL STREET BEARS S 22°00′10″ W, A DISTANCE OF 325.64 FEET;

THENCE N 21°50'28" E, ALONG THE WEST LINE OF SAID BUNMUNGMEE TRACT, THE WEST LINES OF SAID BLOCK 30, SAID BLOCK 29 AND THE COMMON EAST ROW LINE OF SAID FERRIS AVENUE, A DISTANCE OF 177.64 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1.162 ACRES OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT KAY BUNMUNGMEE, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS FERRIS RETAIL CENTER, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE CITY OF WAXAHACHIE, 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 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 AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE 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.

WITNESS, MY HAND, THIS THE	DAY OF	, 2018.
KAY BUNMUNGMEE		
STATE OF TEXAS : COUNTY OF ELLIS:		
BEFORE ME THE UNDERSIGNED AUTHOR TEXAS, ON THIS DAY PERSONALLY APPEA PERSON WHOSE NAME IS SUBSCRIBED TO ACKNOWLEDGED TO ME THAT HE/SHE EX EXPRESSED AND IN THE CAPACITY STATE	RED TOMAS REYES, KN O THE FOREGOING INST KECUTED THE SAME FO	OWN TO ME TO BE THE RUMENT AND
GIVEN UNDER MY HAND AND SEAL THIS,	THE DAY OF	, 2018.
GIVEN UNDER MY HAND AND SEAL THIS,	THE DAY OF	, 2018.
GIVEN UNDER MY HAND AND SEAL THIS,	THE DAY OF	, 2018.

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 WAXAHACHIE

CHAIRPERSON DATE

APPROVED BY: CITY COUNCIL CITY OF WAXAHACHIE

ATTEST

Y: _________________________________DATE

DATE

FERRIS RETAIL CENTER LOT 1, BLOCK A

OWNERS: KAY BUNMUNGMEE 1015 FERRIS AVENUE WAXAHACHIE, TX 75165 972.938.7733

SURVEYOR: TEXAS REALITY CAPTURE & SURVEYING, LLC. P.O. BOX 252 WAXAHACHIE, TEXAS 75168 469.518.0338 TBPLS FIRM NO 10194359 BEING A REPLAT OF
BLOCK 29 AND A PORTION OF BLOCK 30
OFFICIAL MAP OF WAXAHACHIE,
CABINET A, SLIDE 181,
PLAT RECORDS, ELLIS COUNTY TEXAS
OF CITY OF WAXAHACHIE, TEXAS
ELLIS COUNTY, TEXAS
1.162 ACRES
1 COMMERCIAL LOT
ZONED GR

Planning & Zoning Department Zoning Staff Report

Case: SU-18-0194



MEETING DATE(S)

Planning & Zoning Commission: January 29, 2019 (Continued from December 11, 2018)

City Council: February 4, 2019

ACTION SINCE 12/11/2018 P&Z MEETING

On January 4, 2019, the applicant submitted revisions addressing city staff concerns regarding the city's stacking space requirements, while also maintaining sufficient landscaping.

Though the applicant has addressed the stacking space concern, city staff has concerns about the proposed outside storage being visible from the surrounding thoroughfare.

CAPTION

Public Hearing on a request by Drew Dubocq, Bannister Engineering, for a Specific Use Permit (SUP) for **Outside Storage** use within a Heavy Industrial zoning district, located at 201 Butcher Road (Property ID 173464) – Owner: WAXAHACHIE ASSOCIATES LLC (SU-18-0194)

CASE INFORMATION

Applicant: Drew Dubocq, Bannister Engineering

Property Owner(s): Waxahachie Associates LLC

Site Acreage: 28.73 acres

Current Zoning: Heavy Industrial

Requested Zoning: Heavy Industrial with SUP

SUBJECT PROPERTY

General Location: 201 Butcher Road

Parcel ID Number(s): 173464

Existing Use: ABC Supply Co., Inc

Development History: The Final Plat for Four B's Addition was approved by City Council

January 4, 1996.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-C	QuickTrip Gas Station
East	LI-1	Vacant Land
South	HI	Vacant Land
West	N/A	Interstate 35 Highway

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. Therefore, several large areas have been identified as Industrial. Examples of desirable uses within these areas include company headquarters, computer technology businesses, and other types of large

computer technology businesses, and other types of large businesses.

Thoroughfare Plan: The subject property is accessible via Interstate 35 and Butcher

Road

Site Image:



PLANNING ANALYSIS

The applicant is requesting a (S)pecific (U)se (P)ermit to allow outdoor storage within the Heavy Industrial zoning district, located at 201 Butcher Rd. ABC Supply Company currently has an existing 128,000 sf. building at the subject property. Due to the growth of business, the applicant is proposing to store additional company material (roofing material, shingles, etc.) within the ABC Secure Storage along the subject property. The applicant intends to screen the property with fencing (proposed 6 foot wood fence) as well as landscaping to help the property look more aesthetically pleasing from the Interstate 35 service road and Butcher Road. The applicant is fencing the ABC Supply building off from the remaining building on site occupied by a separate tenant.

On January 4, 2019, the applicant submitted revisions to city staff addressing concerns to meet the city's stacking space requirements, an issue discussed at the December 18, 2018 Planning and Zoning Commission meeting, while also maintaining sufficient landscaping. Though the applicant has addressed

the stacking space concern, city staff has concerns about the proposed outside storage being visible from the surrounding thoroughfare.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 8 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 11/21/18.

STAFF CONCERNS

1. Due to the proposed development of Butcher Road, staff has concern with outside storage being visible from the surrounding thoroughfare at this location.

APPLICANT RESPONSE TO CONCERNS

 The applicant submitted revisions to staff showing twenty-three (23) proposed Eastern Red Cedar trees along Butcher Road to help prevent the outside storage being visible from the thoroughfare.

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:

\boxtimes	Denial
	Approval, as presented.
	Additional consideration

ATTACHED EXHIBITS

- 1. Site Plan
- 2. Landscape Plan
- 3. Survey

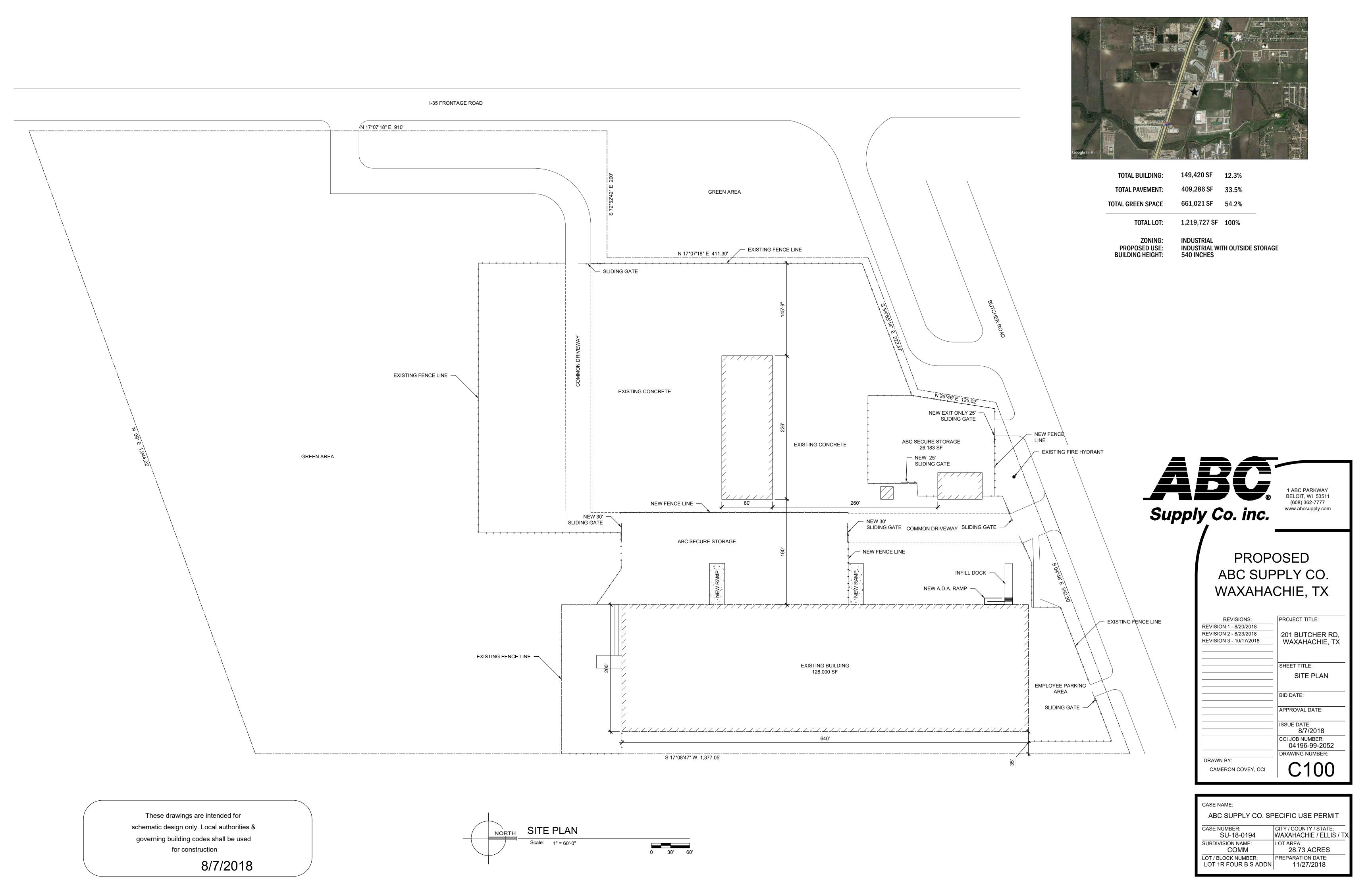
APPLICANT REQUIREMENTS

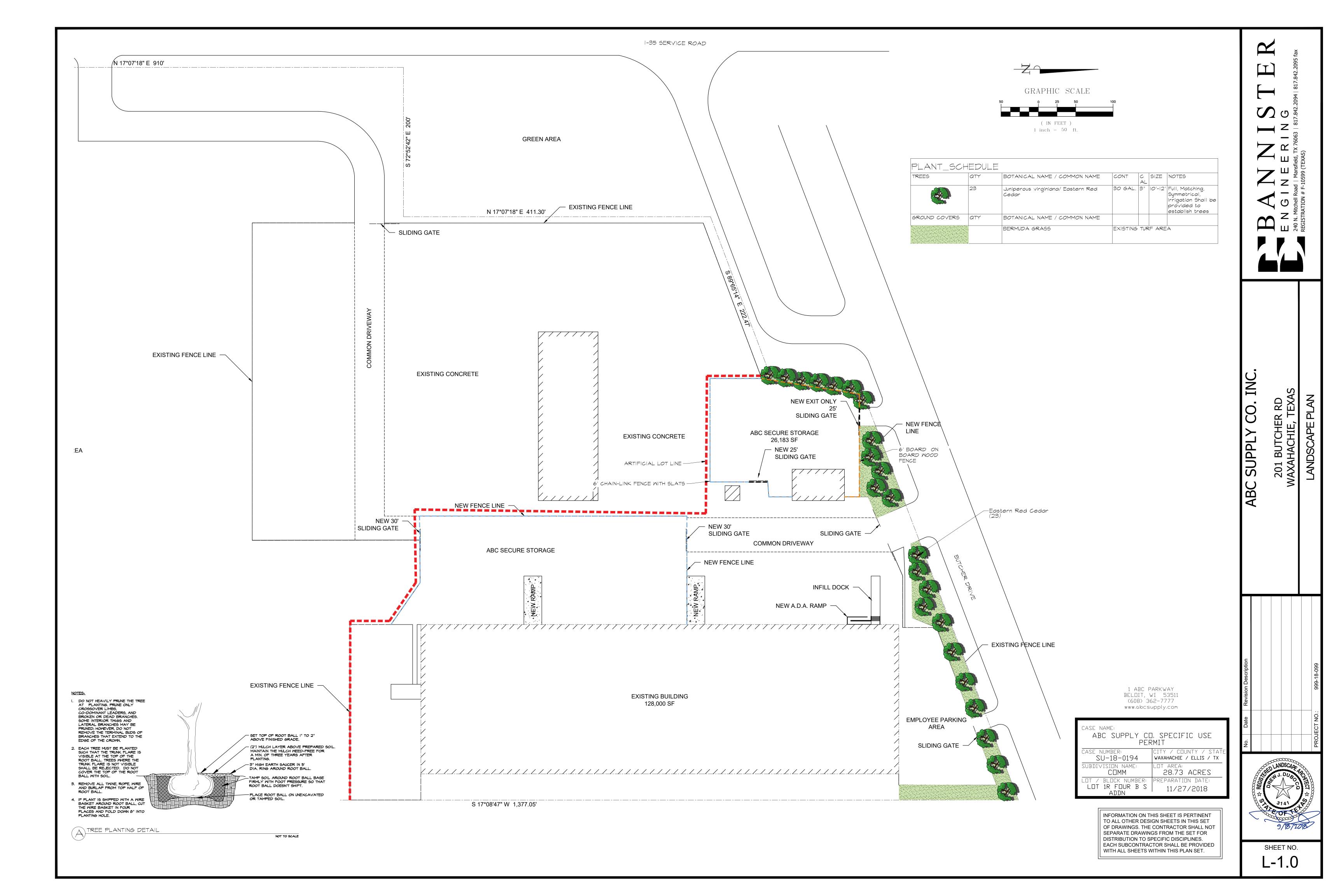
1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

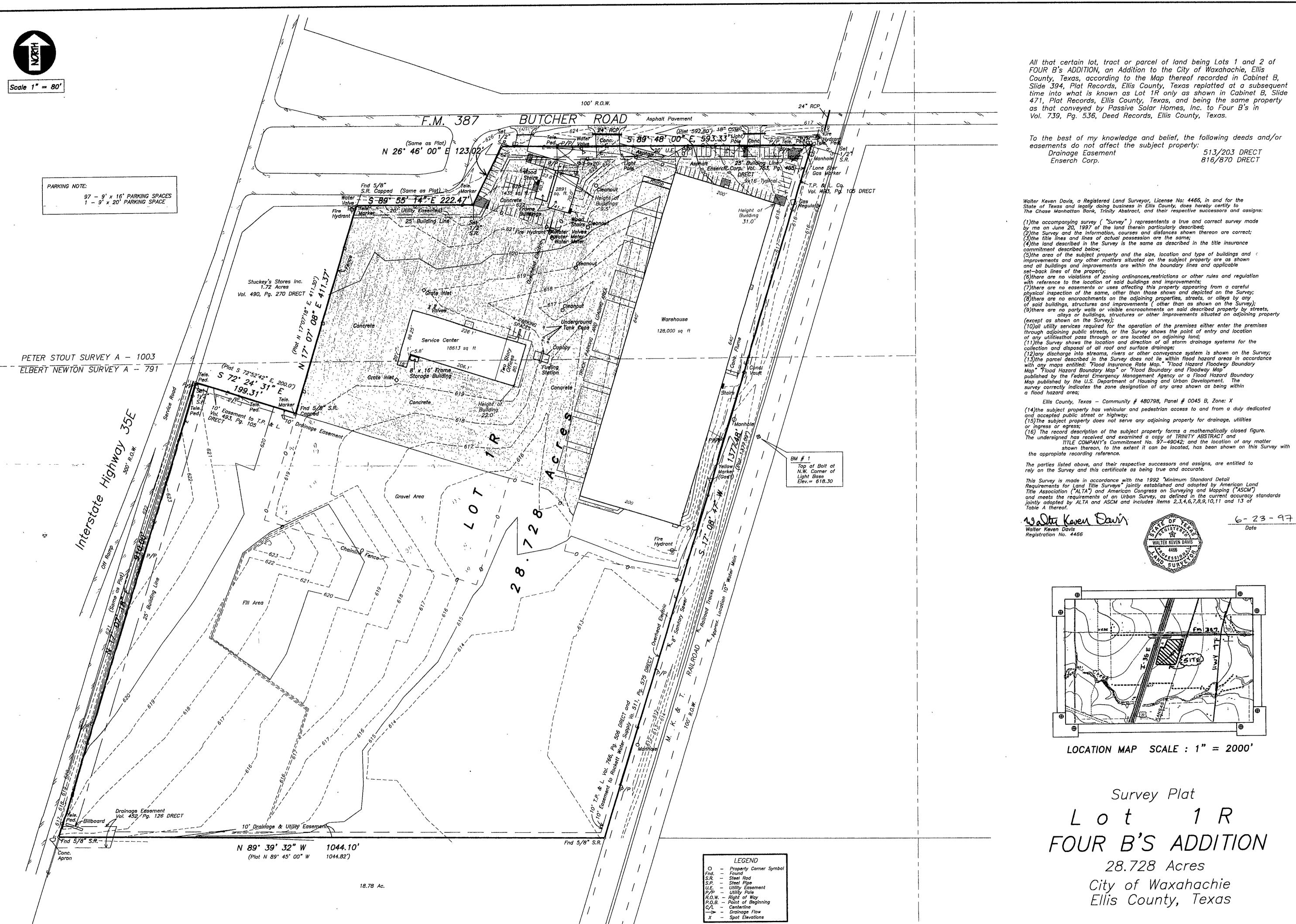
STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com







All that certain lot, tract or parcel of land being Lots 1 and 2 of FOUR B's ADDITION, an Addition to the City of Waxahachie, Ellis County, Texas, according to the Map thereof recorded in Cabinet B,

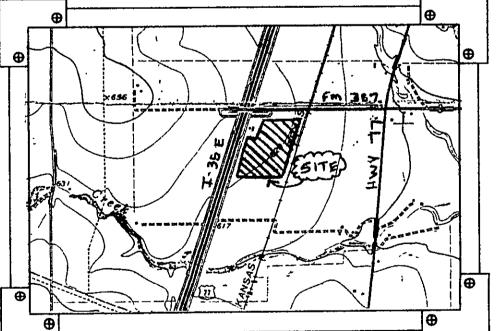
To the best of my knowledge and belief, the following deeds and/or easements do not affect the subject property: 513/203 DRECT

816/870 DRECT

(1) the accompanying survey ("Survey") representents a true and correct survey made by me on June 20, 1997 of the land therein particularly described;
(2) the Survey and the information, courses and distances shown thereon are correct;
(3) the title lines and lines of actual possession are the same;
(4) the land described in the Survey is the same as described in the title insurance commitment described below;
(5) the area of the subject property and the size location and two of buildings and

(14)the subject property has vehicular and pedestrian access to and from a duly dedicated and accepted public street or highway; (15)The subject property does not serve any adjoining property for drainage, utilities

6-23-97 Date



FOUR B'S ADDITION

6-23-97

Trinity Abst. and Title Co. GF # 97-49042

Date: <u>6-20-97</u>

Scale: <u>1"=80'</u>

Drawn: <u>KLH</u> Job: <u>97-409</u>

Sheet <u>1</u> of 1 sheets.