

**NOTICE OF PLANNING & ZONING COMMISSION BRIEFING SESSION
NOVEMBER 27, 2018
CITY COUNCIL CONFERENCE ROOM
401 S. ROGERS
WAXAHACHIE TEXAS
2:30 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. Discussion regarding the lot sizes of recently platted lots
3. Conduct a briefing to discuss items for the 4:00 p.m. regular meeting
4. 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, November 27, 2018 at 4:00 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 November 13, 2018
 - b. Minutes of the Planning and Zoning Commission briefing of November 13, 2018
4. ***Public Hearing*** on a request by Michael Lee, CASCO + R5, for a Zoning Change from a Light Industrial-1 zoning district to **Planned Development-Light Industrial-1 with Concept Plan**, located at 200 Butcher Road (Property ID 204043) - Owner: INTERNATIONAL PAPER COMPANY (PD-18-0170)
5. ***Consider*** recommendation of Zoning Change No. PD-18-0170
6. ***Consider*** request by Vik Reddy, TVR Management LLC, for a **Replat** of Lot 1R, Block C, Victory Park Revised, to create Lot 1R-1, Block C, Victory Park, 1.964 acres (Property ID 262424) – Owners: TVR MANAGEMENT LLC (RP-18-0164)
7. ***Public Hearing*** on a request by Brandon Edgley, Marc Jones Construction LLC, DBA Sunpro Solar, for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Single Family-2 zoning district, located at 231 Colt Drive (Property ID 241253) – Owner: GEORGE & DANA HOLLER (SU-18-0168)
8. ***Consider*** recommendation of Zoning Change No. SU-18-0168

9. **Public Hearing** on a request by Troy Ellison, Marc Jones Construction LLC, DBA Sunpro Solar, for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Planned Development-27-Single Family-2 zoning district, located at 209 Hacienda Drive (Property ID 174301) – Owner: STEPHANIE YBARBO & ROGELIO MEJIA JR (SU-18-0169)
10. **Consider** recommendation of Zoning Change No. SU-18-0169
11. **Consider** request by Tim Cummings for a **Preliminary Plat** of Ike Farms for 16 lots plus a remainder tract, being 121.583 acres situated in the T. Jackson Survey, Abstract 574 (Property ID 186241 and 186239) in the Extra Territorial Jurisdiction – Owner: 122 IKERD LLC (PP-18-0125)
12. **Consider** request by Trey Fuller, Fuller Engineering & Land Surveying, for a **Preliminary Plat** of Murray Estates for 37 lots, being 39.60 acres situated in the F.M. Woodward Survey, Abstract 1120 (Property ID 192138) – Owner: M SHARP FAMILY LIMITED PARTNERSHIP (PP-18-0167)
13. **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)
14. **Consider** recommendation of Zoning Change No. PD-18-0119
15. **Consider** request by Chris Acker for a **Preliminary Plat** of Crossroads Business Park for 1 lot, being 3.512 acres out of the John B. Bounds Survey, Abstract 99 (Property ID 180414) – Owner: SANCHEZ COREY & JULIE (PP-18-0149)
16. **Public Hearing** on a request by Chris Acker, Acker Construction, for a Zoning Change from a Single Family-2 zoning district to **Planned Development-Multiple-Family Residential-2, with Concept Plan**, located to the East of 400 Dr Martin Luther King Jr Blvd (Property ID 224114) - Owner: SOUTHFORK CAPITAL LLC (PD-18-0174)
17. **Consider** recommendation of Zoning Change No. PD-18-0174
18. **Consider** request by Chris Acker, Acker Construction for a **Replat** of a portion of Block 62, Town Addition, to create Lot 1, Block A, Crescent Creek Villas, 1.071 acres (Property ID 224114) – Owner: SOUTHFORK CAPITAL LLC (RP-18-0191)
19. **Public Hearing** on a request by Chris Acker, Acker Construction, for a Zoning Change from a Single Family-2 and a Commercial zoning district to **Planned Development-Mixed Use Residential and Planned Development-Multiple-Family Residential-2, with Concept Plan**, located at 319 E Main, 101 Kaufman, and 401 Dr Martin Luther King Jr Blvd (Property ID 170536, 170777, and 170858) - Owner: RONALD C HOLMES & ROBERT B FOGARTY (PD-18-0175)
20. **Consider** recommendation of Zoning Change No. PD-18-0175

21. **Consider** request by Chris Acker, Acker Construction, for a **Preliminary Plat** of Kaufman Township West for 7 lots, being 0.8738 acres situated in Block 43, Town Addition (Property ID 170536, 170777) – Owner: RONALD C HOLMES & ROBERT B FOGARTY (PP-18-0178)
22. **Consider** request by Chris Acker, Acker Construction, for a **Replat** of a portion of Block 43, Town Addition, to create Lots 1-5, Block B, Kaufman Township East, 0.504 acres (Property ID 170858) – Owner: RONALD C HOLMES & ROBERT B FOGARTY (RP-18-0190)
23. **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.
24. Adjourn

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

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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
November 13, 2018

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, November 13, 2018 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

Member Absent: Betty Square Coleman

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

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

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

3. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of October 23, 2018
- b. Minutes of the Planning and Zoning Commission briefing of October 23, 2018

Action:

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

4. **Continue Public Hearing on a request by Jon Garrett, Lone Star Events, for a Specific Use Permit (SUP) for Private Club use within a Commercial zoning district, located at 1300 W Main Street, Suite 101, being 1 & 2B 12 WEST END 0.589 ACRES (Property ID 176701) - Owner: HARDEN ROBERT N & ELIZABETH K (SU-18-0155)**

Chairman Keeler announced the applicant withdrew their application and therefore the case will not be heard.

5. **Consider recommendation of Zoning Change No. SU-18-0155**

Action:

None – Applicant withdrew application.

6. **Consider request by Anthony Lohden for a Replat of Lot 4, Block 4, College Addition to create Lots 4A & 4B, Block 4, College Addition, 0.366 acres (Property ID 172822) – Owners: ANTHONY COLE AND ANNA MICHELLE LOHDEN (RP-18-0165)**

Chairman Keeler announced the applicant withdrew their application and therefore the case will not be heard.

Action:

None - Applicant withdrew application.

7. **Consider request by Ivan Brigman, Tree Hill Homes., for a Replat of Lots 11 and 12, Block D, Taylor Ridge Addition, Phase 4 to create Lots 11R and 12R, Block D, Taylor Ridge Addition, Phase 4, 12.431 acres (Property ID 270124 and 270125) in the Extra Territorial Jurisdiction – Owner: TREE HILL HOMES LP (RP-18-0138)**

Mr. Colby Collins, Senior Planner, reported it is a simple replat request establishing lot lines under the Ellis County requirements. Staff recommended approval.

Action:

Mr. David Hudgins moved to approve a request by Ivan Brigman, Tree Hill Homes., for a Replat of Lots 11 and 12, Block D, Taylor Ridge Addition, Phase 4 to create Lots 11R and 12R, Block D, Taylor Ridge Addition, Phase 4, 12.431 acres (Property ID 270124 and 270125) in the Extra Territorial Jurisdiction – Owner: TREE HILL HOMES LP (RP-18-0138). Vice Chairman Melissa Ballard seconded, All Ayes.

8. **Public Hearing on a request by Jeremiah Mikel, Ruffin & Mikel Investments, Inc., for a Zoning Change from a Planned Development-25-General Retail zoning district to Planned Development-General Retail, with Concept Plan, located at 2100 Brown Street (Property ID 204843) - Owner: HAYOUNG & LEE SANG HUH (PD-18-0162)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant seeks to open a Dry-Cleaning Establishment, where the actual process of dry-cleaning is conducted off-site. He stated this site would be drop-off and pick-up of dry-cleaning only. Mr. Collins stated Staff received one letter in support and none in opposition. Staff recommended approval as presented.

Mr. Jeremiah Mikel, Ruffin & Mikel Investments, Inc., stated this would be his second location in Waxahachie.

There being no others to speak for or against PD-18-0162, Chairman Keeler closed the Public Hearing.

9. **Consider recommendation of Zoning Change No. PD-18-0162**

Action:

Mrs. Bonney Ramsey moved to approve a request by Jeremiah Mikel, Ruffin & Mikel Investments, Inc., for a Zoning Change from a Planned Development-25-General Retail zoning district to Planned Development-General Retail, with Concept Plan, located at 2100 Brown Street (Property ID 204843) - Owner: HAYOUNG & LEE SANG HUH (PD-18-0162) with the stipulation that PD-18-0162 can only have drop-off and pick-up of dry cleaning. Vice Chairman Melissa Ballard seconded, All Ayes.

10. Public Hearing on a request by William Stern, TAC Services LLC, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-2 zoning district, located at 228 Hackney (Property ID 267574) – Owner: KEITH A & DEANNA KERR (SU-18-0163)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant seeks to install solar panels on the roof of their home. He stated they will be located on the sides of the house and not be in the front view visible from the street. Staff recommended approval as presented.

There being no others to speak for or against SU-18-0163, Chairman Keeler closed the Public Hearing.

11. Consider recommendation of Zoning Change No. SU-18-0163

Action:

Mr. Jim Phillips moved to approve a request by William Stern, TAC Services LLC, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-2 zoning district, located at 228 Hackney (Property ID 267574) – Owner: KEITH A & DEANNA KERR (SU-18-0163), subject to staff comments. Mr. David Hudgins seconded, All Ayes.

12. Consider request by Mark Thedford, Akamai Designs, 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 Retail Center, 1.162 acres (Property ID 170749) – Owner: KAY BUNMUNG MEE (RP-18-0166)

Mr. Collins reported the applicant seeks to replat two lots into one lot. He stated the applicant seeks to dedicate 18.5 feet rather than the 23 feet requirement to reach full Right of Way width due to the existing building extending into the would be dedication area. Mr. Collins stated the utility easement must be located along Ferris Avenue. He stated Staff received one letter in support and none in opposition. Staff recommend approval subject to staff comments.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Mark Thedford, Akamai Designs, 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 Retail Center, 1.162 acres (Property ID 170749) – Owner: KAY BUNMUNG MEE (RP-18-0166), subject to staff comments. Mr. Jim Phillips seconded, All Ayes.

13. Continue Public Hearing on a request by Terry Weaver, TJVC Inc. dba Sterling Development Co., for a Zoning Change from a Single Family-1 zoning district to Planned Development-Single Family-3, with Concept Plan, located West of Ovilla Road and North of Highway 287 Business, being 101 E BELLOW & 466 E HORTON 79.91 ACRES (Property ID 180391) - Owner: WALKER DON GORDON (PD-18-0156)

Chairman Keeler continued the Public Hearing.

Mr. Collins reported the applicant seeks to rezone the property to account for the development of a single family residential neighborhood. The property is located in an area close to the new high school, in a section of town that the City anticipates will largely convert to residential neighborhoods. The existing zoning for this site is Single Family-1 (SF-1) zoning. This zoning district requires minimum lot sizes of 16,000 square feet and minimum home size of 2,200 square feet. The applicant's request to SF-1 zoning with significant deviations is of concern. The development proposes to reduce the SF-1 requirements to a minimum lot size of 8,400 square feet for the majority of the lots, with 10,000 square feet lots being located primarily along the borders of the property. This proposal calls for a minimum DUA of 2,000 square feet on 8,400 square feet and 10,000 square feet lots and 2,200 square feet on 16,000 square feet lots. Mr. Collins reported the City is concerned about the type and quality of amenities proposed to be provided to residents and the landscaping along Ovilla Road remains concerning.

Mr. Terry Weaver, TJVC, Inc., 815 W. Main Street, Midlothian, stated the applicant is only zoning the front 60 acres and they seek to amend SF-1 by changing lot sizes noting the proposed changes is what is being requested to be marketable.

There being no others to speak for or against PD-18-0156, Chairman Keeler closed the Public Hearing.

Mr. Shon Brooks, Director of Planning, stated the city requires park fees and impact fees for this area.

Chairman Keeler stated he hopes Mr. Weaver can appreciate the Commission's duty to adhere to the Comprehensive Plan. He stated being a Zoning Commission they can not take the market place into consideration. He explained the Commission's charge is to zone the property the way they believe it should be zoned noting while some amenities may offset lot sizes, the Zoning Ordinance needs to be followed.

14. Consider recommendation of Zoning Change No. PD-18-0156

Action:

Mr. Jim Phillips moved to deny a request by Terry Weaver, TJVC Inc. dba Sterling Development Co., for a Zoning Change from a Single Family-1 zoning district to Planned Development-Single Family-3, with Concept Plan, located West of Ovilla Road and North of Highway 287 Business, being 101 E BELLOW & 466 E HORTON 79.91 ACRES (Property ID 180391) - Owner: WALKER DON GORDON (PD-18-0156). Mr. David Hudgins seconded. The vote was as follows:

*Ayes: Rick Keeler
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test*

Noes: Melissa Ballard

The motion carried.

15. Public Comments

None

16. Adjourn

There being no further business, the meeting adjourned at 7:39 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

Planning and Zoning Commission
November 13, 2018

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, November 13, 2018 at 6:00 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

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

Member Absent: Betty Square Coleman

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

1. Call to Order

Chairman Rick Keeler called the meeting to order.

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

Planning Director Shon Brooks introduced Mr. Colby Collins, Senior Planner. Mr. Brooks reported SU-18-0155 and RP-18-0165 withdrew their cases. He and Mr. Collins reviewed the following cases:

- RP-18-0138 being a replat located in the ETJ moving a lot line over. Ellis County requires easements on all sides of platted lots therefore triggering a replat.
- PD-18-0162 is a request to have a drop-off and pick-up only for dry cleaning with no dry cleaning onsite.
- SU-18-0163 is a SUP request for roof top solar panels. The solar panels will be located on each side of the house and not facing the front of the home.
- RP-18-0166 is creating a block into one lot. Applicant seeks to dedicate 18.5 feet rather than the 23 feet required to reach full Right of Way width due to the existing building extending into the would be dedication area. Utility easements must be located along Ferris Avenue. The applicant does meet the subdivision requirements.
- PD-18-0156 is a request for a zoning change from Single Family-1 zoning district to Planned Development-Single Family-3, with Concept Plan. Applicant is seeking a variance on lot sizes, dedicating water and sewer easement, and future trail. Outstanding details need to be worked out.

Planning and Zoning Commission

November 13, 2018

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3. Adjourn

There being no further business, the meeting adjourned at 6:50 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

Planning & Zoning Department

Zoning Staff Report

Case: PD-18-0170



MEETING DATE(S)

Planning & Zoning Commission: November 27, 2018

City Council: December 3, 2018

CAPTION

Public Hearing on a request by Michael Lee, CASCO + R5, for a Zoning Change from a Light Industrial-1 zoning district to **Planned Development-Light Industrial-1 with Concept Plan**, located at 200 Butcher Road (Property ID 204043) - Owner: INTERNATIONAL PAPER COMPANY (PD-18-0170)

CASE INFORMATION

Applicant: Michael Lee, CASCO + R5

Property Owner(s): Castell LP

Site Acreage: 13.41 acres

Current Zoning: Light Industrial-1

Requested Zoning: Planned Development-Light Industrial-1

SUBJECT PROPERTY

General Location: 200 Butcher Road

Parcel ID Number(s): 204043

Existing Use: International Paper

Development History:

Case No.	Direction from Site	Request	Result
ZA2012-01	South	PD-C with Pole Sign	Approved, Ord. Nos. 2598 & 2647

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	HI	Warehouse
East	LI1	Charter School
South	PD-C	Gas Station
West	I-35 E	Interstate 35-E

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 businesses

Thoroughfare Plan:

The subject property is accessible from Interstate 35 E Service Road and Butcher Road. Butcher is a Proposed Major Thoroughfare A (120' ROW), at this point, it is shown on a site plan as being 100' ROW, but they are not platting, so no dedication is required.

Site Image:



PLANNING ANALYSIS

The applicant is proposing a Zoning Change from a Light Industrial-1 (LI1) zoning district to Planned Development-Light Industrial-1 with Concept Plan, located at 200 Butcher Road. The applicant is proposing a 155,000 sq. ft. building addition to the existing approximately 95,000 square foot building on the site. Both the existing building and proposed building will operate under the International Paper business. The applicant is seeking to exceed the lot coverage by 12%, but the applicant is in compliance with other city development standards.

The existing operations of this facility is currently exclusively for the manufacturing of corrugated cardboard sheet material utilized for shipping boxes. The sheet material is shipped by truck to other facilities that utilize the material in the manufacturing process to create boxes.

The majority of the square-footage of the warehouse and production plant is occupied with equipment, conveyor and storage of product. The proposed site plan locates the temporary trailers in an organized layout north of the existing building, utilizing the building and neighboring building for screening purposes.

International Paper intends to provide subtle color changes to the panels and provide a groove pattern to provide some interest to the tilt wall construction. The existing building is currently a solid gray color. The addition of trees along the highway frontage will help break up the length of the wall. The proposed addition should provide a better looking building than what currently exists, improving the view from the south and west. The west view will look like a warehouse but with the different new angles created by the perimeter walls and new truck dock. The different roof heights will also improve the overall appearance by creating a building that is more than just a grey box.

With the Planned Development approval, the applicant will need administrative site plan approval prior to proceeding to construction plans.

PD DEVELOPMENT STANDARDS

Please examine the included Concept Plan Provisions to see the requested planned development standards.

The zoning requirements including development standards for LI1 zoning are proposed to be met with this development.

Table 1: Proposed Light Industrial-1 (per LI1 standards)

	Industrial Paper	City of Waxahachie Req.	Meets
Lot Coverage	72.5%	60%	No
Min. Front Setback	67 ft.	40 ft.	Yes
Min. Interior Setback	30 ft.	83 ft.	Yes
Min. Rear Setback	40 ft.	30 ft.	Yes
Max. Building Height	40 ft.	6 stories	Yes

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 6 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 11/09/18.

STAFF CONCERNS

1. Before the project is approved, if approved by council, staff would like for the applicant to submit an updated Planned Development standards document.
2. Potential increased truck traffic.

APPLICANT RESPONSE TO CONCERNS

1. Staff received updated revisions from the applicant on 11/14/2018. *If the project is approved by council, staff will need an updated Planned Development standards document.*

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. Water expansion is proposed along the frontage. Could we get a 20-foot water easement along the street frontage?
 2. Need industrial pre-treatment program survey completed. Please contact the Environmental Program Manager 469-309-4347.
 3. Looks like the drainage will go towards the building. The space between the existing property line and the building will need a drainage system that can handle all the drainage currently going north to be redirected to the detention pond.
 4. Encourage to verify this detention space since if it is required to be larger it will affect the available parking for the trucks.
 5. Ensure the sewer service lines does not cross the detention pond or may need to re-route it.
 6. Drainage system will be able to handle the flow? Additional improvement necessary to the storm system?
 7. Truck Traffic? Will it require a Turn Lane?

ATTACHED EXHIBITS

1. Concept Plan
2. PD Request Letter
3. Building 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

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





Proposed view from I-35 outer road
200 Butcher Road, Waxahachie, TX

CASCO + R5

12 Sunnen Drive, Suite 100, St. Louis, MO 63143



Existing view from I-35 outer road
200 Butcher Road, Waxahachie, TX

CASCO + R5
12 Sunnen Drive, Suite 100, St. Louis, MO 63143

October 12, 2018

Via: Email

Michael Lee

Project Manager

CASCO + R5

12 Sunnen Drive, Suite 100

St. Louis, MO 63143

Address to City of Waxahachie, TX

Re: International Paper
200 Butcher Road
Waxahachie, TX

To: Kelly Dent, MPA
Members of the Planning & Zoning Commission

International Paper is seeking Planned Development approval for a building and operations expansion of their existing facility. The existing address is 200 Butcher Road. The lot zoning is Light Industrial District 2.

Market conditions for demand of corrugated shipping boxes is constantly increasing. The demand for corrugated material is generally local to the area served by the box material warehouse/assembly plant. There are multiple operational steps utilized in the process of manufacturing corrugated boxes. These steps include: the fabrication of the corrugated material, the creasing/folding of the flat stock for completing the box shape, and then color or text stamped onto the product. Operationally, International paper can effectively ship corrugated flat stock material roughly 200 miles and still be competitive in the market. Finished box product has been established in the local market, which is the reason for International Paper to expand their business into this area for box production capability. Expanding the building to serve the local market area needs takes advantage of the benefits provided by the existing manufacturing facility and is a viable way to improve the existing site.

The Waxahachie International Paper facility produces the first step in the making of corrugated cardboard boxes, producing only flat stock material. This material is then shipped to other facilities for assembly into actual boxes. The site is served by rail and Tractor-trailer trucks. Currently, International Paper utilizes 35 parking spaces of the 48 parking spaces currently site planned for the facility.

Initially International paper approached the city staff with a concept plan that included a larger building expansion than currently being proposed, which was dependent on the acquisition of a tract of ground from Quik Trip. This concept has been scaled back after negotiations with Quik Trip were not successful and the result is the submitted concept plan for the city to review. The site plan and building expansion functionally works within the current site constraints. Parking ordinance criteria for this zoning district requires one space for each 1,000 SF of building floor area or one space for each two employees. This

criteria is satisfied based on International Paper's actual employee requirements. Shift work identified by International Paper for the first and second shift with complete overlap of parking identifies 72 employees. The total parking count provided with the application is 83. Staffing for the operations of the plant will be increased with this proposal.

This facility when operating with the building expansion can manufacture finished box products, which is intended to be utilized by the local market area. Adding this to the business model takes advantage of the already established transportation options. The existing operations can be improved with the proposed on-site traffic movements. Façade upgrades with landscaping can significantly improve the perimeter view of the facility and accomplish an updated façade without impact to the existing facility current operations. The improvements that are required to accomplish the goal of keeping the finished box production in the Waxahachie facility requires that International Paper obtain planned development for exceeding the total lot coverage which is mostly a result of the truck movement requirements.

Our proposal offers improved screening of the facility from I35-E, and improved onsite traffic patterns. Parking for the facility is improved and localized to an area that can be securely provided. The proposed building is taller than the existing for operational clearance reasons specific to the equipment and for roof drainage purposes. The maximum height is 42'-0". The improvements to the site are specific to the operations of the user and compliment the intent of the ordinance while taking advantage of the improvements already in place and in operation. The existing site can be improved and function very effectively with a planned development approval specific to International Paper operations. Expanding the operations by adding the process to manufacture finished box product improves the viability of the current plant and increases jobs to the local market positively impacting the future of this facility.

Sincerely,



Michael Lee
Principal & Project Manager

cc: ACT/File 917512
DMB

CASCO + R5

12 Sunnen Drive, Suite 100
St. Louis, MO 63143

This is actually zoned
LI-1, so you'll need to
base your request of
LI-1 standards and then
modify.

International Paper Warehouse
Waxahachie, TX
Page 3

Specifics of the Planned Development Request:

The Waxahachie plant is located in Light Industrial District 2 zoning. International Paper is requesting approval for a Planned Development to expand their current facility to be able to manufacture finished box products for the local market. This expansion requires a planned development approach as the total lot impervious coverage criterion for Light Industrial District 2 zoning has a maximum total coverage requirement of 70%, Section 320, Waxahachie Ordinance 3020. International Paper operates with a shift work schedule which the proposed parking takes into account. The parking proposed is 83 spaces and International Paper's operations group has identified 72 spaces with shift overlap. Shift work identifies three shifts with the first shift requiring 44 spaces. The second shift requires 28 spaces and the third shift requires 28 spaces.

The ordinance also has a maximum lot coverage criteria, which includes all impervious pavement areas along with the building. On site truck traffic movements impact the impervious area. The plan submitted creates a new loading dock area and provides better organization of the temporary trailer storage area based on the traffic pattern to create a more efficient and functional site. Impervious pavement requirements for truck turning movements add to the overall impervious area requirements. International paper is pursuing the Planned Development Process to expand their building and operation on the existing site which requires a variance or modification to the Industrial District 2 ordinance requirements for lot coverage. Ordinance requires a 70% maximum coverage and the proposed site plan and building is 72.5 %. The building comprises 42.5% of this area and the pavement accounts for 30%. The paved areas provide for loading and receiving activities and traffic routing for single direction truck traffic. This is proposed with a curb cut to the I35-E outer road, which requires Texas DOT approval. Early communications the Texas DOT has identified the curb cut location that is being proposed as satisfactory of their requirements. City approval of the Planned Development is the first step in obtaining this curb cut from the State.

Current Operations of the facility:

The existing operations of this facility is currently exclusively for the manufacturing of corrugated cardboard sheet material utilized for shipping boxes. The sheet material is shipped by truck to other facilities that utilize the material in the manufacturing process to create boxes.

The majority of the square-footage of the warehouse and production plant is occupied with equipment, conveyor and storage of product. The current trailer parking occurs west of the building on a gravel lot in direct view of Interstate 35E. The proposed site plan locates the temporary trailers in an organized layout north of the existing building away utilizing the building and neighboring building for screening purposes.

Summary of site and building areas:

Existing site acreage is 13.41
Existing Building Footprint: 92,140 SF = 2.12 Acres
Existing impervious pavement area: 185,425 SF = 4.26 Acres
The building currently provides 3,460 SF of office space
Parking available = 48 spaces
Parking currently being utilized is identified to be 35 spaces
Existing green space area: 306,443 SF/ 7.03 Acres

Provide this in table
format to make it easier
for them to digest.

Proposed site and building area:

The proposed configured building square footage is 248,101/ 5.7 Acres

The building area utilized for manufacturing is 88,615 SF

The building office space has been increased to provide a total area of 4,707 SF

Parking Proposed = 83 spaces with parking for trailers identified

The proposed total impervious pavement area is 175,596 SF/ 4.03 Acres

The total proposed pavement plus the building is 423,697 SF/ 9.73 Acres

The total proposed green space is 160,311 SF/ 3.68 Acres

Background information on the Waxahachie International Paper facility:

The site is bounded on the north by the Georgia Pacific Corporation. The eastern boundary consists of rail access from the Union Pacific contracted with the BNSF main line. This provide a single rail spur access to the loading dock. East of the railroad is Life High School. Located south of the site is property owned by Quik Trip. The western boundary is Interstate 35E east frontage road.

The current building and pavement impervious area lot coverage is 6.37 acres on the parcel consisting of 13.41 acres or 47.6% lot coverage.

International Paper currently produces corrugated sheet material as the base product which is then processed into boxes at other facilities. The process of making corrugated box sheet material starts with roll paper material stock. This material is delivered by rail or truck to the production facility. The size and height of the roll stock varies based on the requirements of the end user's needs. To identify the volume of corrugated material produced in this facility, a standard rail boxcar provides capacity for 20 rolls of paper material. The operations of the facility averages 250 working days processing 120 to 144 rolls of material daily. This equates to unloading 10 to 12 boxcars each day, which is roughly equal to 360 tons of paper daily. Storage of the paper roll stock and the actual size of the corrugator equipment takes a large percentage of the building area. The actual area required for operators of the facility is minimal.

The corrugating process to make the sheet stock uses a steam and a corn starch based product for the glue. The product coming out of the machine is corrugated flat stock which is cut to fit the end users demands. The cutting process of creating the corrugated sheet material creates waste material in the form of cuttings, which is collected in a vacuum system provided by a roof mounted cyclone. These waste cuttings are then bundled and finally shipped out to a recycling facility. Typical waste of paper material cuttings is roughly 5 ½% of the total product produced and along with the glue based product is completely recycled. The machine manufacturing the corrugated sheets produces an average of 277,000 sq. ft. per hour. The corrugator output is arranged on pallets in 6'-0" tall vertical stacks which are then shipped to other facilities or end users.

Shipping and receiving of the product is by rail or semi-tractor trailer.

The facility currently operates with 3,460 SF of office space.

International Paper's proposed building addition, operations, and site improvements require a planned development approval from the City of Waxahachie based on the site constraints:

Currently, the product is flat stock and is being shipped to other facilities, which is then reconfigured into box products. International Paper is proposing to add machine equipment to product box product within the building expansion. The equipment proposed includes (2) "Flexo-Folder-Gluer" machines and (2) "Rotary Die-Cutter" machines. This equipment takes up most of the expansion building space. This will consolidate some of the process to produce the end box product. The corrugated is still expected to produce flat sheet stock which will be shipped under its current operations today in addition to the material being manufactured into boxes.

The new equipment will provide the need for additional employees for this facility. Parking is identified for 72 spaces with shift overlap, which is an increase from the current 35 today. The proposed parking count for the reconfigured site plan is 83 spaces. TDLR compliant spaces are proposed, four (4) total. The office area is proposed to be expanded by 1,200 SF. Building and lot specific setback/yard distances will be maintained.

Explanation of the new proposed operations:

International Paper has identified the process requirements for the proposed addition shown on the conceptual site plan for the planned development process request. A description of the production process is provided for the City to use to evaluate the requested planned development proposal to exceed the maximum impervious lot coverage requirement. The majority of the building expansion area is needed for the equipment and conveyor lines with connection to the shipping and storage areas. The new conveyor will occupy 25,000 SF of the building area. The finished stacks of sheet product will require another 6,300 SF. Each Flexo-Folder-Gluer" machine occupies 6,500 SF and each Rotary Die-Cutter" machine occupies 16,900 SF. The Flexo-Folder-Gluer machines is capable of producing 70,000 SF of material per hour and the Rotary Die-Cutter can produce 56,000 SF of finished product per hour. The limitations of the proposed expanded floor space limits the production run to 2 to 3 hours of produced inventory. This requires 400 lineal feet of conveyor for each Flexo-Folder-Gluer and 250 feet for each Rotary Die-Cutter. Demand for the finished box product and the setting up of the equipment for each order will require additional employees to run the operations.

The converting machines use tooling and ink. The printing and cutting tooling components are stored in racks. It is estimated that 4500 sq. ft. of space is required for tool storage. The use of five (5) gallon ink kits and ink mixing/blending equipment will also require 4500 sq. ft. of space.

This will occur in conjunction with the original operations, which is the production of corrugated flat stock material.

The average finished stock, is wrapped with a tandem strapping system which can process up to 200 units/hour. Approximately half of this output gets loaded directly into a trailer, the other half is placed in temporary inventory on the floor. The bales may be stacked on top of each other to minimize floor space. There will be a need for over 16,000 sq. ft. of finished storage space per day based on the bale pack size.

The balance of the remaining 42,000 sq. ft. of space will be utilized for personnel traffic and aisles for industrial trucks and observed clearances for safety.

Water Demand for the proposed operations:

The added converting machinery production operation uses water for cleaning the inking system which occurs between orders. The original corrugator utilizes approximately 4500 gallons per day for the corrugation process. The proposed box machining operations with full capacity could use up 5,500 gallons per day. Total water use for similar International Paper box facilities use less than 10,000 gallons per day. The process generates waste water with the ink process. This is cleaned prior to entering the city waste water facilities. The waste water generated from the converting machines is process by a "Beckart" waste water treatment system. The "Beckart" system includes a filter press and multiple large storage tanks with secondary containment protection. This system will be located directly adjacent to the sanitary sewer main and for housekeeping purposes and will occupy 4,900 sq. ft. building addition. The new equipment production capacity is limited to the available storage space in the building expansion.

Solid paper stock waste to be recycled:

All of this production of finished box product will increase the amount of sheet waste created by the reconfigured plant. A typical box plant may have up to 12% total waste. This 6.5% increase in waste box material product equates to slightly over 23 tons per day, it is projected that 22,500 sheets per day will be rejected, shredded, and baled. Some of this waste identified material will be used as cover sheets for the shipping orders. The remainder will be packaged for recycling and temporarily stored requiring 1,715 SF of floor space.

Planning & Zoning Department

Plat Staff Report

Case: RP-18-0164



MEETING DATE(S)

Planning & Zoning Commission: November 27, 2018

City Council: December 3, 2018

CAPTION

Consider Vik Reddy, TVR Management LLC, for a **Replat** of Lot 1R, Block C, Victory Park Revised, to create Lot 1R-1, Block C, Victory Park, 1.964 acres (Property ID 262424) – Owners: TVR MANAGEMENT LLC (RP-18-0164)

CASE INFORMATION

Applicant: Vik Reddy, TVR Management LLC

Property Owner(s): Dartco Adj Land Trust LLC and TVR Management LLC

Site Acreage: 2.507 acres

Number of Lots: 2 lots

Number of Dwelling Units: No dwelling units (1 proposed retail building)

Adequate Public Facilities: City services are available.

SUBJECT PROPERTY

General Location: 1995 N Highway 77

Parcel ID Number(s): 237408 and 262424

Current Zoning: General Retail with a portion Light Industrial-1

Existing Use: Undeveloped Land

Platting History: Lot 1R, Victory Park

STAFF CONCERNS

1. None.

APPLICANT RESPONSE TO CONCERNS

1. The applicant submitted revisions to staff on 11/13/2018. The applicant addressed the comments originally made by staff. Staff ask that the applicant revise the drawing to show the Lot number as "Lot 1R-1". The current lot number shows Lot 1R.

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. Please revise the drawing to show the Lot number as "Lot 1R-1". The current lot number shows Lot 1R

ATTACHED EXHIBITS

- 1. Plat drawing

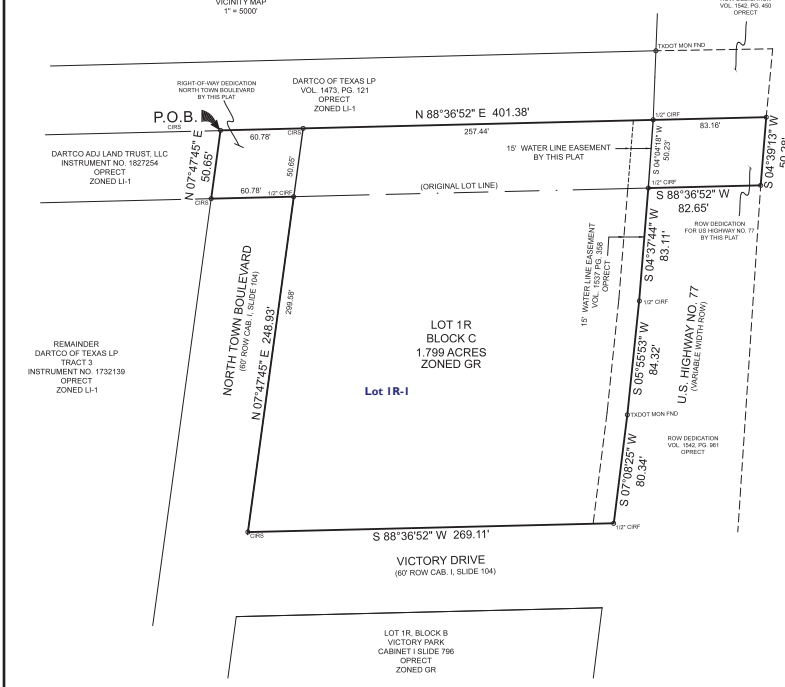
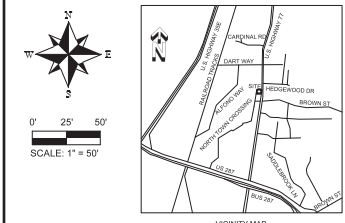
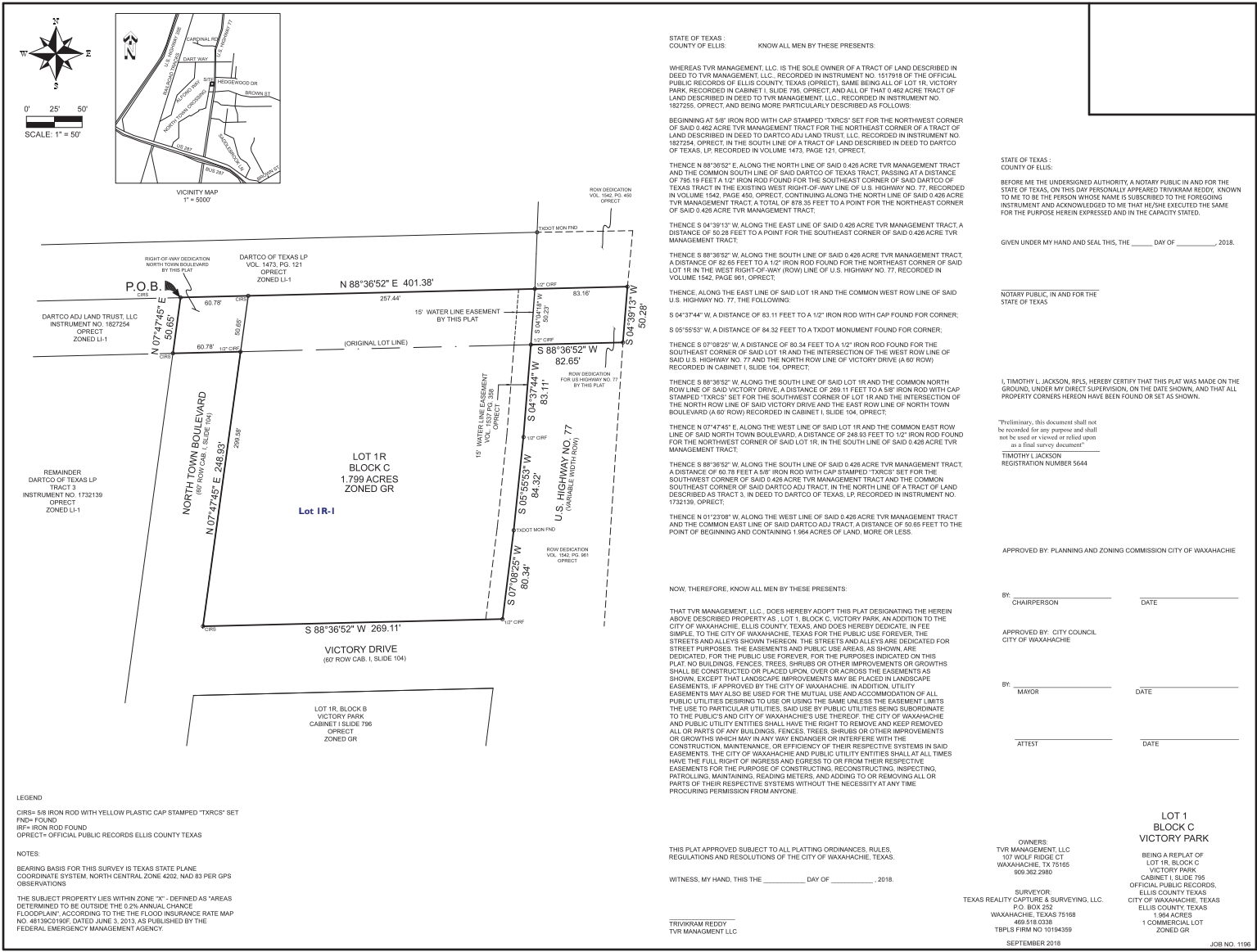
APPLICANT REQUIREMENTS

- 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:
Colby Collins
Senior Planner
ccollins@waxahachie.com

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



LEGEND

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

FND= FOUND

RFP= IRON ROD FOUND

OPRECT= OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS

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 "XC" - DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" ACCORDING TO THE THE FLOOD INSURANCE RATE MAP NO. 4819C0195C DATED JUNE 3, 2015 AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

CASE RP-18-0164

SUPPORT 1

OPPOSE 0

Request by Vik Reddy, TVR Management LLC, for a **Replat** of Lot 1R, Block C, Victory Park Revised, to create Lot 1R-1, Block C, Victory Park, 1.964 acres (Property ID 262424) – Owners: TVR MANAGEMENT LLC (RP-18-0164)

SUPPORT

1. Lauren Buttram, President, ANC Corp Inc., 4331 N O'Connor Rd, Las Colinas, TX 75038



RECEIVED
11/14/18

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: RP-18-0164



TVR MANAGEMENT LLC
107 WOLF RIDGE CT
WAXAHACHIE, TX 75165

The Waxahachie City Council will hold a Public Hearing on Monday, December 3, 2018 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 Vik Reddy, TVR Management LLC, for a **Replat** of Lot 1R, Block C, Victory Park Revised, to create Lot 1R-1, Block C, Victory Park, 1.964 acres (Property ID 262424) – Owners: TVR MANAGEMENT LLC (RP-18-0164)

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: RP-18-0164 ☒ 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 **MONDAY, NOVEMBER 19, 2018** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.



Signature

11/13/18

Date

Lauren Bluthram/President
Printed Name and Title ANL Corp Inc.

4331 N O'Connor Rd Las Colinas TX 75038
Address

Planning & Zoning Department

Zoning Staff Report

Case: SU-18-0168



MEETING DATE(S)

Planning & Zoning Commission: November 27, 2018

City Council: December 3, 2018

CAPTION

Public Hearing on a request by Brandon Edgley, Marc Jones Construction LLC, DBA Sunpro Solar, for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Single Family-2 zoning district, located at 231 Colt Drive (Property ID 241253) – Owner: GEORGE & DANA HOLLER (SU-18-0168)

CASE INFORMATION

Applicant: Brandon Edgley, Marc Jones Construction LLC, DBA Sunpro Solar

Property Owner(s): George & Dana Holler

Site Acreage: 0.425 acres

Current Zoning: Single Family-2

Requested Zoning: SF2 with Specific Use Permit

SUBJECT PROPERTY

General Location: 231 Colt Drive

Parcel ID Number(s): 241253

Existing Use: Single family residence

Development History: The Final Plat for Mustang Creek, Phase Two was approved by City Council on October 1, 2007.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF2	Single family residence
East	SF2	Single family residence
South	SF2	Single family residence
West	SF2	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 Colt Drive, 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.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 29 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 11/09/2018.

STAFF CONCERNS

1. Please add a Vicinity Map to the plan.

APPLICANT RESPONSE TO CONCERNS

1. Staff received updated revisions from the applicant on 11/13/2018.

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. Please label "Colt Road" on the plan.

ATTACHED EXHIBITS

1. Site Plan Packet

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

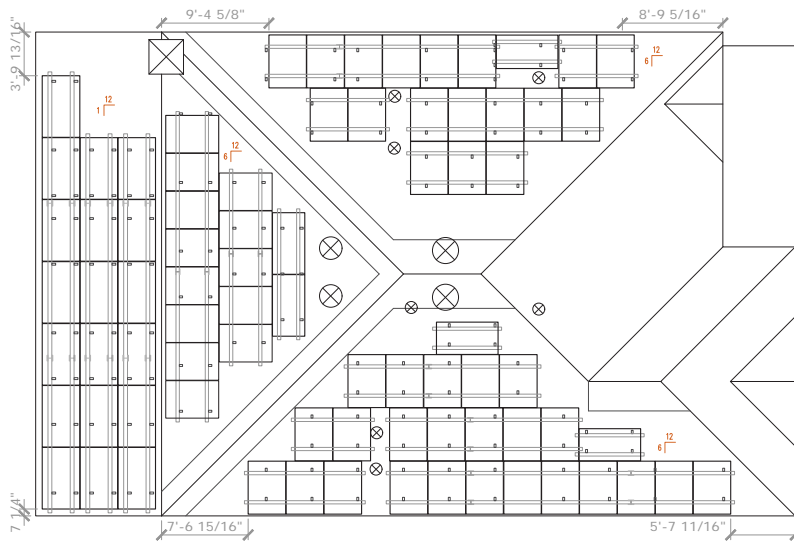
ccollins@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com



SOLAR ARRAY:	79 PANELS
WINDSPEED (CAT II):	115 MPH
BUILDING HEIGHT:	26'-0"

GEORGE HOLLER
231 COLT DRIVE
WAXAHACHIE TX 75165

Date: 09.12.18 Sheet No: 1 of 2

CASE SU-18-0168

SUPPORT 1

OPPOSE 0

Request by Brandon Edgley, Marc Jones Construction LLC, DBA Sunpro Solar, for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Single Family-2 zoning district, located at 231 Colt Drive (Property ID 241253) – Owner: GEORGE & DANA HOLLER (SU-18-0168)

SUPPORT

1. Dan Prindes, 123 Pinto Drive, Waxahachie, TX 75165
 - a. “I fully support having roof top solar on this property (and all properties) as this is a positive way to make changes and improvements in multiple aspects.”

Wright, Destiny

From: Dan Prindes <dan.prindes@gmail.com>
Sent: Friday, November 16, 2018 12:03 PM
To: Planning and Zoning Department
Subject: SU-18-0168

I fully support having roof top solar on this property (and all Properties) as this is a positive way to make changes and improvements in multiple aspects

Dan Prindes
123 Pinto Dr, Waxahachie, TX 75165
469-360-9867

-within notification area-

Planning & Zoning Department

Zoning Staff Report

Case: SU-18-0169



MEETING DATE(S)

Planning & Zoning Commission: November 27, 2018

City Council: December 3, 2018

CAPTION

Public Hearing on a request by Troy Elison, Marc Jones Construction LLC, DBA Sunpro Solar, for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Planned Development-27-Single Family-2 zoning district, located at 209 Hacienda Drive (Property ID 174301) – Owner: STEPHANIE YBARBO & ROGELIO MEJIA JR (SU-18-0169)

CASE INFORMATION

Applicant: Troy Elison, Marc Jones Construction LLC, DBA Sunpro Solar

Property Owner(s): Stephanie Ybarbo & Rogelio Mejia Jr

Site Acreage: 0.22 acres

Current Zoning: Planned Development-27-Single Family-2

Requested Zoning: PD-27-SF2 with Specific Use Permit

SUBJECT PROPERTY

General Location: 209 Hacienda Drive

Parcel ID Number(s): 174301

Existing Use: Single Family Residential

Development History: The Final Plat for Mustang Creek, Phase Four was approved by City Council on March 26, 1973.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD 27-SF-2	Single family residence
East	PD 27-SF-2	Single family residence
South	PD 27-SF-2	Single family residence
West	PD 27-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 Hacienda Drive, a local street.



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.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 26 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property 11/09/2018.

STAFF CONCERNS

1. We do not permit panels to front onto ROW. These panels will need to either be removed altogether or relocated. At the time of this report (11/14/2018), staff has yet to receive any resubmittal(s) from the applicant.

APPLICANT RESPONSE TO CONCERNS

1. At the time of this report (11/14/2018), staff has yet to receive revisions from 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 Packet

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

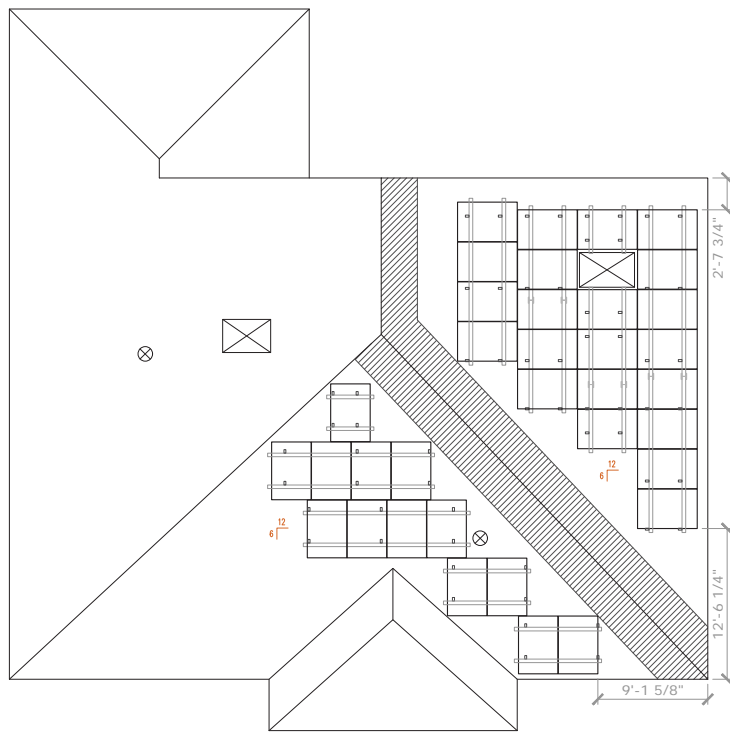
ccollins@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com



SOLAR ARRAY:	35 PANELS
WINDSPEED (CAT II)	115 MPH
BUILDING HEIGHT:	16'-0"

ROGELIO MEJIA
209 HACIENDA DRIVE
WAXAHACHIE TX 75165

Date:	Sheet
07.05.18	No: 1 of 2

Planning & Zoning Department

Plat Staff Report

Case: PP-18-0125



MEETING DATE(S)

Planning & Zoning Commission: November 27, 2018

City Council: December 3, 2018

CAPTION

Consider request by Tim Cummings for a **Preliminary Plat** of Ike Farms for 16 lots plus a remainder tract, being 121.583 acres situated in the T. Jackson Survey, Abstract 574 (Property ID 186241 and 186239) in the Extra Territorial Jurisdiction – Owner: 122 IKERD LLC (PP-18-0125)

CASE INFORMATION

Applicant: Tim Cummings

Property Owner(s): 122 IKERD, LLC

Site Acreage: 121.583 acres

Number of Lots: 16 lots

Number of Dwelling Units: 16 units

Park Land Dedication: ETJ (N/A)

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

SUBJECT PROPERTY

General Location: FM 878 @ Ike Road

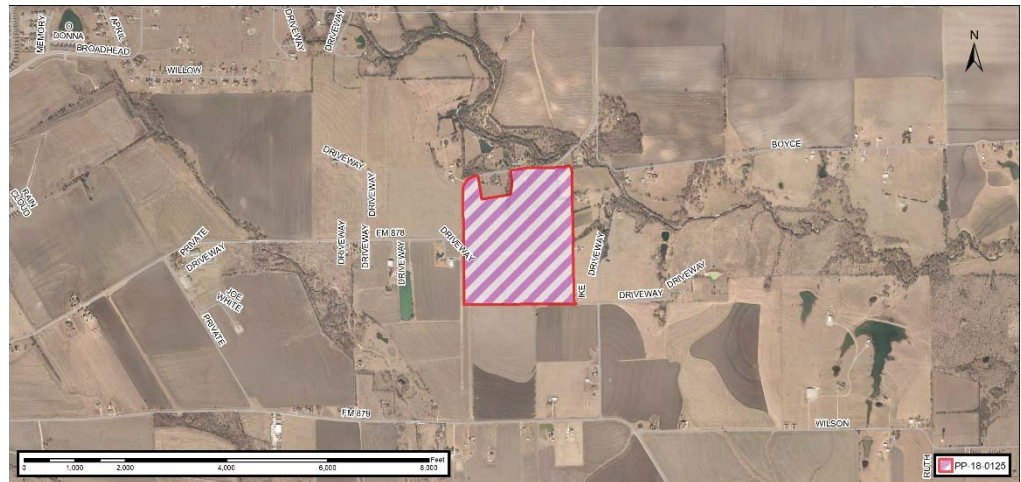
Parcel ID Number(s): 186241 and 186239

Current Zoning: N/A (ETJ)

Existing Use: Vacant Land

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

Site Aerial:



STAFF CONCERNS

1. Staff have received two resubmittals since review comments were initially sent to the applicant. At this point, neither submittal has addressed any review comments.

APPLICANT RESPONSE TO CONCERNS

1. Applicant has resubmitted two times. Both resubmittals are identical to the initial submittal that received comments initially.

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. Show the full width of the ROW along FM 878. What's depicted doesn't measure to 80'.
 2. Recording information for any and all easements on this property need to be depicted.
 3. Please be sure that the ROW width is indicated on the plat for Ike Road.
 4. Please be sure that all Owner/Developer/Engineer information (name, address, number) is provided on the plan.
 5. Please provide the width of the ROW along Ike Road.
 6. Lena Drive should not be platted with the proposed development.
 7. Please be sure that any and all existing easements are accurately depicted on the plat drawing.
 8. Please be sure that the all newly submitted plats are scaled.
 9. Please sure that the plan addresses the City Engineer's comments as well.
 10. Dedicate right-of-way for Ike Road to convert it from a prescriptive to dedicated right-of-way. A minimum of 30 feet from the center of the road is required.
 11. Insert 25-foot front building lines and 10-foot side building lines/utility easements on all lots along with a 20-foot rear building line.

12. Insert a signature block for the Department of Development.
13. How will the remainder of the property be subdivided and accessed? A secondary point of access is required in the future.
14. *FYI – a thoroughfare road is located behind these set of lots.* Upon subdividing the remainder part of the property, dedication for that thoroughfare will be required.

ATTACHED EXHIBITS

1. Plat Drawing
2. Drainage Plan

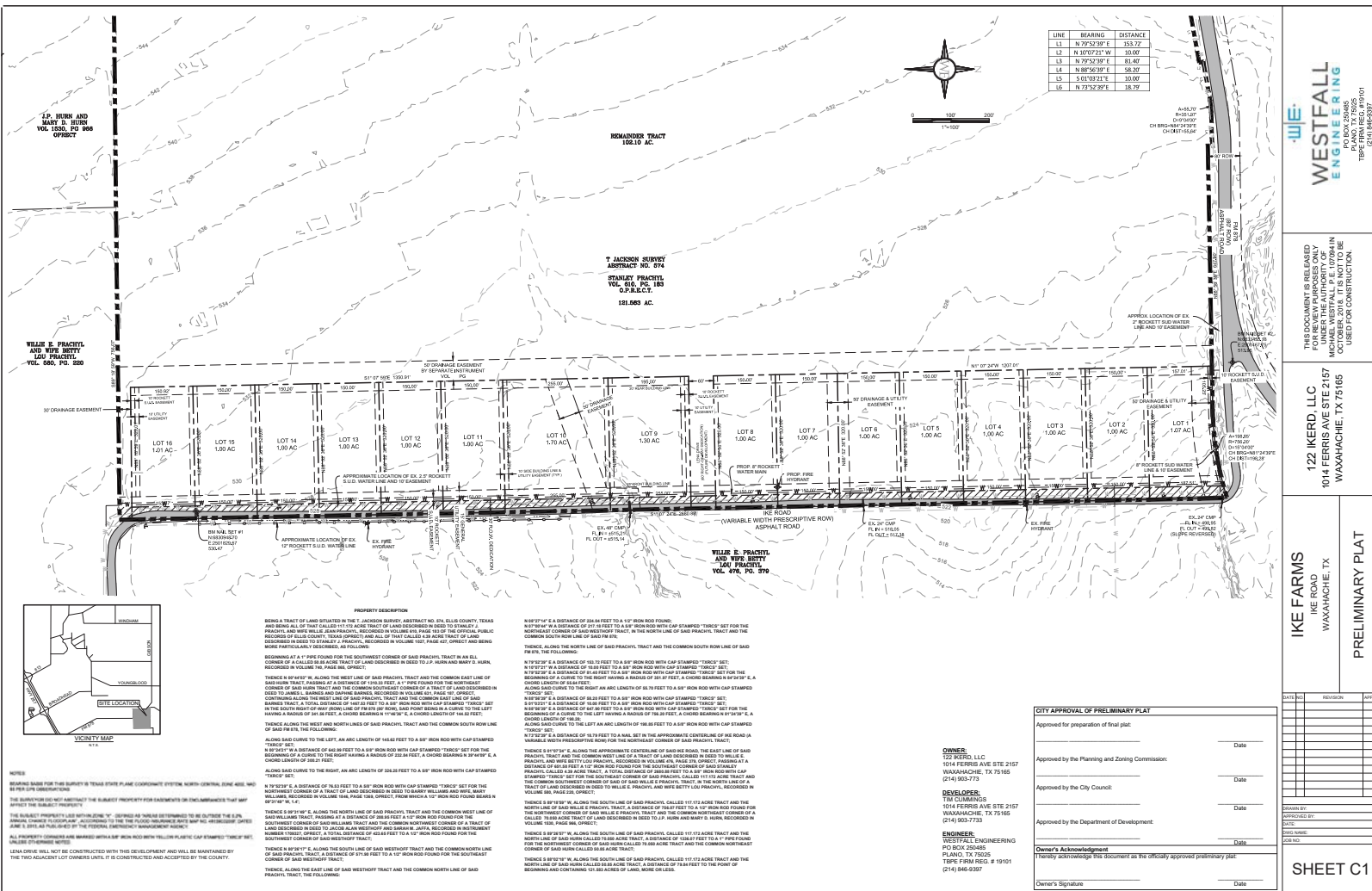
APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

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

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



Planning & Zoning Department

Plat Staff Report

Case: PP-18-0167



MEETING DATE(S)

Planning & Zoning Commission: November 27, 2018

City Council: December 3, 2018

CAPTION

Consider request by Trey Fuller, Fuller Engineering & Land Surveying, for a **Preliminary Plat** of Murray Estates for 37 lots, being 39.60 acres situated in the F.M. Woodward Survey, Abstract 1120 (Property ID 192138) – Owner: M SHARP FAMILY LIMITED PARTNERSHIP (PP-18-0167)

CASE INFORMATION

Applicant: Trey Fuller, Fuller Engineering & Land Surveying

Property Owner(s): M Sharp Family Limited Partnership

Site Acreage: 39.60 acres

Number of Lots: 37 lots

Number of Dwelling Units: 34 dwelling units

Park Land Dedication: N/A (ETJ)

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

SUBJECT PROPERTY

General Location: 650 Wilson Road

Parcel ID Number(s): 192138

Current Zoning: N/A (ETJ)

Existing Use: Undeveloped Land

Platting History: F.M. Woodward Survey, Abstract 1120

Site Aerial:



STAFF CONCERNS

1. N/A

APPLICANT RESPONSE TO CONCERNS

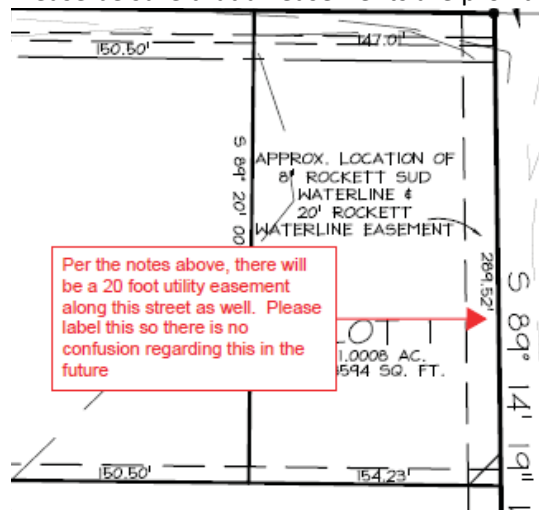
1. The applicant currently has not submitted a third revision to staff. Staff comments were made on 11/6/2018.

RECOMMENDATION

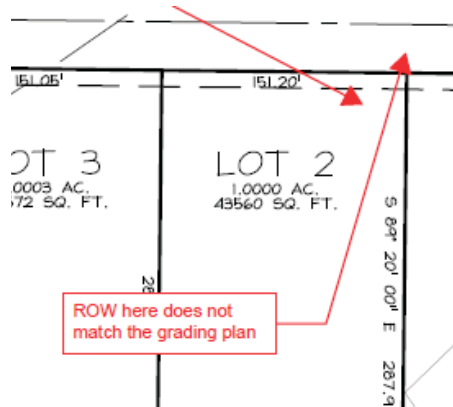
Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

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

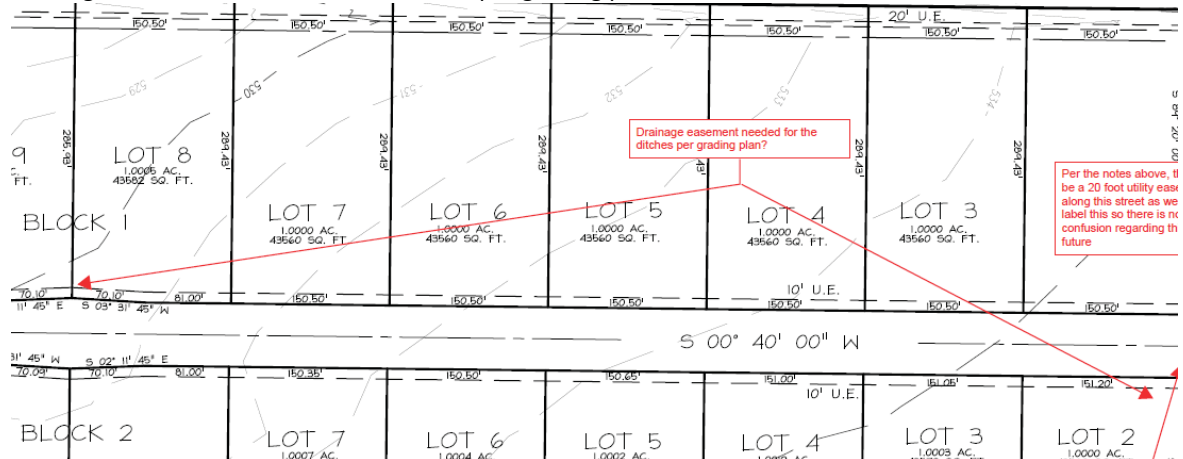
1. Please be sure that all easements are provided on the plan. (See below)



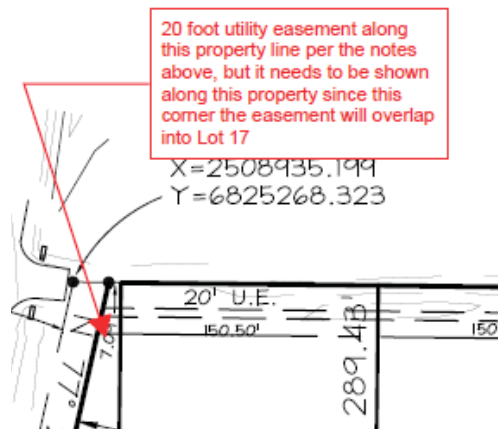
1. Please be sure that the ROW provided is consistent with the grading plan. (See below)

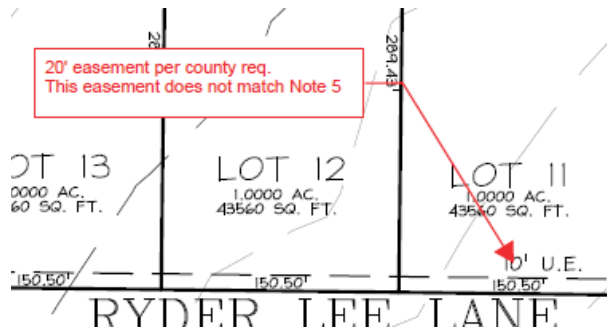


2. Drainage easement needed for the ditches per grading plan?

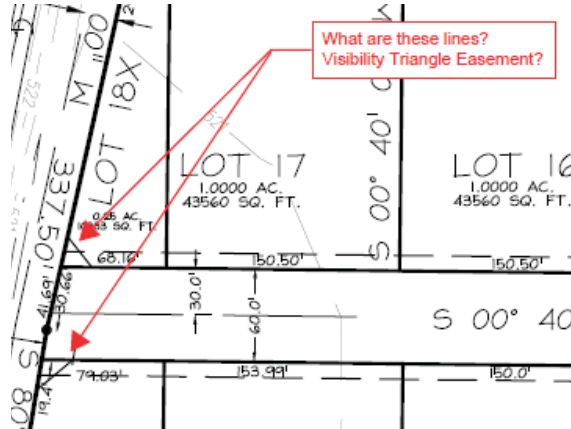


3. 20 ft. easements are required per the county. Please be sure that all easements on the plan reflect 20 ft. easements.





4. What are these lines? Visibility Triangle Easement? (See below)



ELLIS COUNTY DEPARTMENT OF DEVELOPMENT – Alberto Mares (972) 825-5200; alberto.mares@co.ellis.tx.us

1. Lots 10-16, Block 2 do not meet the minimum 150 feet of road frontage. Revise the road frontage to ensure all lots meet the minimum requirement.
2. Does Ryder Lee meet Tx-DOT's spacing requirements? Has that been drive cut been approved?
3. The County shows Ruth Road to the west of the site. Does this property take the right-of-way into account? Although this "road" appears on the official County road list, the County has never maintained it. A right-of-way abandonment is required to incorporate that "road" into the plat.
4. What is the reference to Lot 19X, Block 2 in the middle of the right-of-way?
5. A signature block for the director is missing.
6. A request for a preliminary grading is pending, but no plans have been submitted.
7. Submit a PDF, DWG or SHP file of plat for resubmittal.

ATTACHED EXHIBITS

1. Plat Drawing
2. Utility/Drainage Plan

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

Colby Collins

Senior Planner

ccollins@waxahachie.com

Reviewed by:

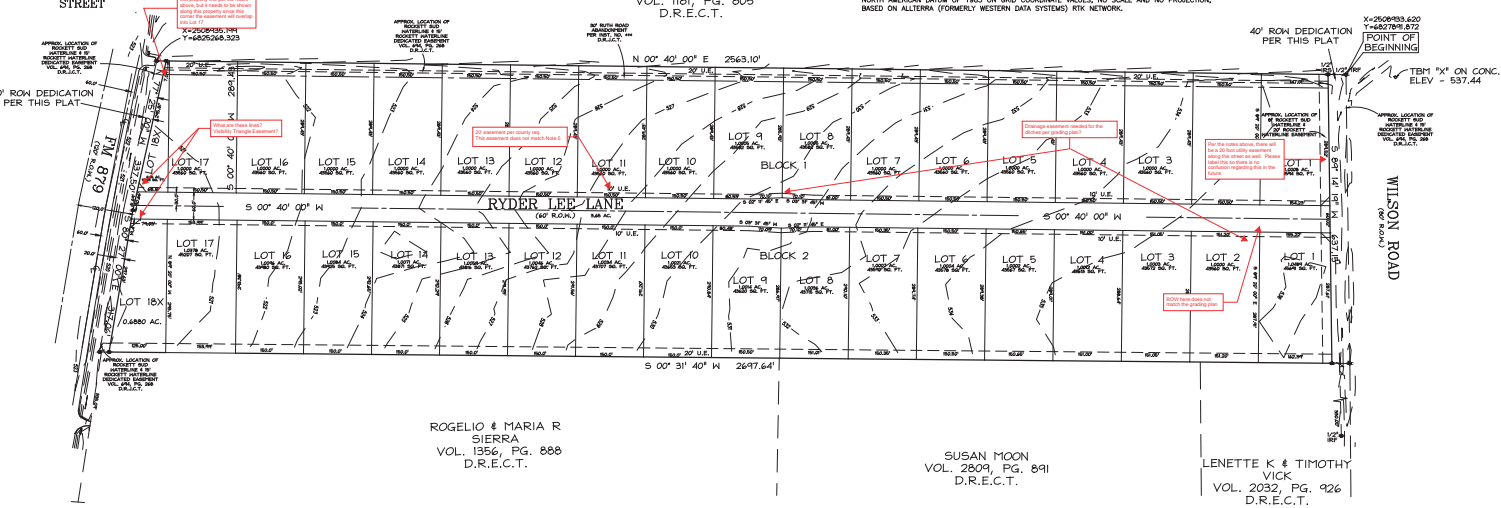
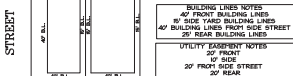
Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com

LEGEND OF ABBREVIATIONS AND SYMBOLS

B.L. = Building Line
 C.L. = Center Line
 L.C. = Lot Center
 P.C. = Public Corner
 P.D. = Private Drive
 P.E. = Private Easement
 P.L. = Private Line
 P.S. = Private Street
 P.T. = Private Turn
 P.U. = Private Utility
 P.V. = Private Valve
 P.W. = Private Well
 P.X. = Private X
 P.Y. = Private Y
 P.Z. = Private Z
 P.A. = Private Area
 P.B. = Private Block
 P.C. = Private Corner
 P.D. = Private Drive
 P.E. = Private Easement
 P.L. = Private Line
 P.S. = Private Street
 P.T. = Private Turn
 P.U. = Private Utility
 P.V. = Private Valve
 P.W. = Private Well
 P.X. = Private X
 P.Y. = Private Y
 P.Z. = Private Z
 P.A. = Private Area
 P.B. = Private Block



- NOTES:
1. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 48130C0225 F, DATED JUNE 03, 2013, THIS PROPERTY DOES NOT LIE WITHIN A ZONE "X" (UNSHADED) AREA, AND DOES NOT LIE WITHIN A 100-YEAR FLOOD HAZARD AREA.
 2. DEVELOPMENT SUBJECT TO THE MANDATORY HOMEOWNERS ASSOCIATION (H.O.A.), ALL COMMON AREA LOTS AND LOTS 18X, BLOCK 1 & 18X, BLOCK 2, WILL BE OWNED AND MAINTAINED BY THE H.O.A.
 3. ALL CORNERS ARE A 1/2 INCH ROD WITH CAP STAMPED "EELS" UNLESS OTHERWISE NOTED
 4. ALL BUILDING LINES ARE VARIABLE AND SUBJECT TO ZONING REGULATIONS OF THE CITY OF WAXAHACHIE, TEXAS.
 5. THERE SHALL BE A 20' UTILITY EASEMENT ALONG ALL FRONT AND REAR PROPERTY LINES. A 10' UTILITY EASEMENT ALONG THE SIDE OF ALL LOTS
 6. ALL INTERSECTIONS HAVE A 20' X 20' A VISIBILITY EASEMENT.
 7. LOTS 18X, BLOCK 1 & 18X, BLOCK 2, ARE RESERVED FOR DRAINAGE EASEMENTS (DETENTION).
 8. COORDINATES SHOWN ARE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4252), NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION, BASED ON ALTIERRA (FORMERLY WESTERN DATA SYSTEMS) RTK NETWORK.



Scale: 1"=100'



FULLER ENGINEERING & LAND SURVEYING, INC.

OWNER: M. SHARP FAMILY, L.P.
1201 S. COMMERCIAL BLVD
ARLINGTON, TX, 76001
817-465-0100

SHEET 1 OF 2
PRELIMINARY PLAT
MURRAY ESTATES
 LOTS 1-17, 18X, BLOCK 1, LOTS 1-17, 18X & 19X, BLOCK 2
 AN ADDITION TO THE CITY OF WAXAHACHIE ETU, ELLIS COUNTY, TEXAS
 F.M. WOODWARD SURVEY, ABSTRACT NO. 1120
 GROSS AREA
 39.60 AC.
 TOTAL AREA LESS ROW DEDICATION
 38.72 AC.
 37 TOTAL LOTS
FULLER ENGINEERING & LAND SURVEYING, INC.
 Texas Registered Engineering Firm F-4333 and Surveying Firm 1009800
 ONE ENGINEERING & LAND SURVEYING
 301 GUNTER PARK COURT, ARLINGTON, TEXAS 76010
 Phone (817) 855-0442 Fax (817) 461-5018 E-mail: info@fullereng.com
 DATE: August 16, 2019

LEGEND OF ABBREVIATIONS AND SYMBOLS			
B.C.	Block Corner	P.A.S.	Public Access Easement
D.S.	Drainage Easement	P.O.S.	Public Open Space
E.C.	Easement	R.O.L.	Right of Way
F.P.	Flood Plain	S.E.	State Easement
I.P.	Iron Pipe	U.S.	Utility Easement
L.A.	Lot Area	W.S.	Water Easement
N.E.	North East	X.T.A.	Transfer of Title
N.W.	North West	Y.L.	Yard Line
S.E.	South East	Z.L.	Zoning Easement
S.W.	South West		

THE STATE OF TEXAS

COUNTY OF TARRANT

WHEREAS, M. SHARP FAMILY LIMITED PARTNERSHIP, A TEXAS LIMITED PARTNERSHIP, THE SOLE OWNER OF A TRACT OF LAND SITUATED IN THE F.M. WOODWARD SURVEY, ABSTRACT NO. 1120, ELLIS COUNTY, TEXAS, AND ALSO BEING A TRACT OF LAND CONVEYED TO M. SHARP FAMILY LIMITED PARTNERSHIP, A TEXAS LIMITED PARTNERSHIP, AS RECORDED IN INSTRUMENT NUMBER 20180627920A, OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS, (DIRECT), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND AND IN THE EAST LINE OF A TRACT OF LAND CONVEYED TO WL & JEANETTE WALLACE, AS RECORDED IN VOLUME 1181, PAGE 805, DIRECT, SAID IRON ROD ALSO BEING IN THE SOUTH LINE OF WILSON ROAD AND THE APPROXIMATE CENTERLINE OF RUTH ROAD (AN UNIMPROVED COUNTY ROAD);

THENCE N 89° 14' 19" E, WITH THE NORTH LINE OF THE HEREIN DESCRIBED TRACT OF LAND AND ENTERING IN THE CENTERLINE OF SAID WILSON ROAD, A DISTANCE OF 637.06 FEET TO A POINT FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND AND IN THE SAID CENTERLINE OF WILSON ROAD, SAID POINT ALSO BEING THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO LUNETTE K & TIMOTHY VICK, AS RECORDED IN VOLUME 2032, PAGE 926, DIRECT;

THENCE S 00° 31' 40" W, WITH THE EAST LINE OF THE HEREIN DESCRIBED TRACT OF LAND AND THE WEST LINE OF SAID VICK TRACT, AT APPROXIMATELY 330 FEET PASSING THE SOUTHWEST CORNER OF SAID VICK TRACT AND THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO SUSAN MOON, AS RECORDED IN VOLUME 2809, PAGE 891, DIRECT, AND AT APPROXIMATELY 1261 FEET PASSING THE SOUTHWEST CORNER OF SAID MOON TRACT AND THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO ROGELLO & MARIA R SIERRA, AS RECORDED IN VOLUME 1356, PAGE 888, DIRECT, CONTINUING IN ALL A DISTANCE OF 2757.90 FEET TO A ONE HALF INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND AND THE SOUTHWEST CORNER OF SAID SIERRA TRACT, SAID IRON ROD ALSO BEING IN THE NORTH LINE OF FM 879;

THENCE N 80° 27' 00" W, WITH THE SOUTH LINE OF THE HEREIN DESCRIBED TRACT OF LAND AND THE SAID NORTH LINE OF FM 879, A DISTANCE OF 320.77 FEET TO A 1/2" IRON ROD SET FOR A SOUTHERN CORNER;

THENCE N 77° 25' 00" W, WITH THE SOUTH LINE OF THE HEREIN DESCRIBED TRACT OF LAND AND THE SAID NORTH LINE OF FM 879, A DISTANCE OF 333.81 FEET TO A ONE HALF INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND AND THE SOUTHEAST CORNER OF SAID JEANETTE TRACT, SAID IRON ROD ALSO BEING IN THE SAID NORTH LINE OF FM 879;

THENCE N 00° 40' 00" E, WITH THE WEST LINE OF THE HEREIN DESCRIBED TRACT OF LAND AND THE SAID EAST LINE OF JEANETTE TRACT AN WITH THE SAID APPROXIMATE CENTERLINE OF RUTH ROAD, A DISTANCE OF 2823.50 TO THE POINT OF BEGINNING AND CONTAINING 39.40 ACRES (1,725,249 SQ. FT.) OF LAND, MORE OR LESS.

OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, I CORY MURRAY, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED AS MURRAY ESTATES, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC'S USE THE STREETS AND EASEMENTS SHOWN THEREON.

"THUSUANT TO SECTION 12.002 OF THE TEXAS PROPERTY CODE, AS AMENDED, WE HAVE OBTAINED ORIGINAL TAX CERTIFICATES FROM EACH TAXING UNIT WITH JURISDICTION OVER EACH PARCEL OF REAL PROPERTY IN SAID SUBDIVISION INDICATING THAT NO DELINQUENT AD VALOREM TAXES ARE OWED ON THE REAL PROPERTY WHICH IS THE SUBJECT OF THE PRELIMINARY PLAT OR FINAL PLAT WE HAVE SUBMITTED TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, FOR FILING AND RECORDING WITH THE ELLIS COUNTY CLERK'S OFFICE."

THIS PLAT DOES NOT ALTER OR REMOVE EXISTING DEED RESTRICTIONS OR COVENANTS, IF ANY, ON THIS PROPERTY.

WITNESS MY HAND AT ARLINGTON, TARRANT COUNTY, TEXAS, THIS _____ DAY

OF _____, 2018.

CORY MURRAY
(OWNER)

Scale: 1"=100'



Surveyor's Declaration

KNOW ALL MEN BY THESE PRESENTS:

That I, Paul G. Fuller II, do hereby certify that I prepared this plat from an actual and accurate survey of the land on that corner monuments shown thereon as set were properly placed by myself or under my direct and personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie.

FOR INSPECTION PURPOSES ONLY,
AND IN NO WAY OFFICIAL OR
APPROVED FOR RECORD PURPOSES.

Paul G. Fuller II
R.P.L.S. No. 4643
State of Texas

STATE OF TEXAS:
COUNTY OF TARRANT:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED CORY MURRAY, 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.

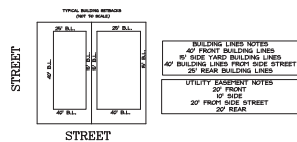
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS _____ DAY

OF _____, 2018.

NOTARY PUBLIC, STATE OF TEXAS

NOTES

1. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 48139C0225 F, DATED JUNE 03, 2013, THIS PROPERTY DOES NOT LIE WITHIN A ZONE "X" (UNSHADED) AREA, AND DOES NOT LIE WITHIN A 100-YEAR FLOOD HAZARD AREA.
2. DEVELOPMENT SUBJECT TO THE MANDATORY HOMEOWNERS ASSOCIATION (H.O.A.), ALL COMMON AREA LOTS AND LOTS 18X, BLOCK 1 & 18X, BLOCK 2, WILL BE OWNED AND MAINTAINED BY THE H.O.A.
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8. COORDINATES SHOWN ARE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES. NO SCALE AND NO PROJECTION, BASED ON ALLTERRA (FORMERLY WESTERN DATA SYSTEMS) RTK NETWORK.



FULLER ENGINEERING
& LAND SURVEYING, INC.
Texas Registered Engineering Firm # E-4531 and Surveying Firm 1509880

OWNER: M. SHARP FAMILY, L.P.
1201 S. COMMERCIAL BLVD
ARLINGTON, TX, 76001
817-465-0100

CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS
CITY APPROVAL OF PRELIMINARY PLAT

APPROVED FOR PREPARATION OF THE FINAL PLAT

APPROVED BY THE PLANNING AND ZONING COMMISSION _____ DATE _____

APPROVED BY THE CITY COUNCIL _____ DATE _____

OWNER'S ACKNOWLEDGMENT
I HEREBY ACKNOWLEDGE THIS DOCUMENT AS THE OFFICIALLY APPROVED
PRELIMINARY PLAT.

OWNER'S SIGNATURE _____ DATE _____

COUNTY OF ELLIS, TEXAS
COUNTY APPROVAL OF PRELIMINARY PLAT

APPROVED FOR PREPARATION OF THE FINAL PLAT

APPROVED BY THE DIRECTOR OF DEVELOPMENT _____ DATE _____

SHEET 2 OF 2
PRELIMINARY PLAT
MURRAY ESTATES
LOTS 1-17, 18X, BLOCK 1, LOTS 1-17, 18X & 19X, BLOCK 2
AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
F.M. WOODWARD SURVEY, ABSTRACT NO. 1120

GROSS AREA
39.60 AC.
TOTAL AREA LESS ROW DEDICATION
38.72 AC.
37 TOTAL LOTS

**FULLER ENGINEERING
& LAND SURVEYING, INC.**

Texas Registered Engineering Firm # E-4531 and Surveying Firm 1509880
ONE (CONSISTENT) LAND SURVEYING
2401 GREEN PARK COURT, ARLINGTON, TEXAS 76013
Phone (817) 386-2400 • Fax (817) 465-0100 • Email: info@fullereng.com
DATE: April 16, 2018

Planning & Zoning Department

Zoning Staff Report

Case: PD-18-0119



MEETING DATE(S)

Planning & Zoning Commission: November 27, 2018

City Council: December 3, 2018

CAPTION

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)

CASE INFORMATION

Applicant: Alan Lauhoff, Atlas Associates, Inc.

Property Owner(s): Blue Bonnet Trails LLC

Site Acreage: 49.783 acres

Current Zoning: Single Family-2

Requested Zoning: Planned Development-Single Family-3 and Planned Development-General Retail

SUBJECT PROPERTY

General Location: South of Blue Bonnet Trails Phases 1 & 2

Parcel ID Number(s): 264992 and 182275

Existing Use: Vacant Land

Development History: B Davis Survey, Abstract No. 290

Case No.	Direction from Site	Request	Result
ZA2011-19	North	PD-SF-3 and MF-1	Approved

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-SF-3	Vacant
East	GR	Vacant
South	SF-2	Single family residence
West	SF-2	Single family residence

Future Land Use Plan: Low Density Residential

Comprehensive Plan: The Low Density Residential 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 accessible via US Highway 287 frontage road.

Site Image:



PLANNING ANALYSIS

The applicant is proposing a zoning change request from a Single Family-2 (SF2) zoning district to Planned Development-Single Family-3 and General Retail, with Concept Plan, located South of Blue Bonnet Trails Phases 1 & 2. Along with a general retail tract, the proposed development will consist of 130 single family lots.

Upon submittal, staff had concerns with the proposed lot sizes by the applicant. The Min. Lot Area for the proposed Single Family-3 (SF3) zoning within the City of Waxahachie is 10,000 sq. ft. The applicant is proposing to construct Min. Lot Area lots of 6,600 sq. ft. Staff has significant concerns with the applicant's proposal due to the difference in proposed lot sizes. Staff has received feedback from the Planning and Zoning Commission with regards to City standards and lot sizes, and the need to adhere to and enforce City standard. The SF2 zoning currently on the property requires 12,500 square foot lots, nearly double the proposed minimum of 6,600 square feet.

Table 1: Proposed Single Family Residential (per SF3 standards)

	Blue Bonnet Trails Ph. 3	City of Waxahachie Req.	Meets
Min. Lot Area	6,600 sq. ft. (46 lots)	10,000 sq. ft.	No
Min. Lot Width	60 ft.	80 ft.	No
Min. Lot Depth	110 ft.	100 ft.	Yes
Min. Front Setback	25 ft.	30 ft.	No
Min. Interior Setback	5 ft.	10 ft; 15 ft (ROW)	No
Min. Rear Setback	20 ft.	25 ft.	No
Min. Dwelling Size	1,800 sq. ft.	1,200 sq. ft.	Yes

Single Family Lot Notes (130 Total Lots)

46 Lots	6,600-6,999 s.f.
27 Lots	7,000-7,999 s.f.
16 Lots	8,000-8,999 s.f.
18 Lots	9,000-11,999 s.f.
11 Lots	12,000-21,779 s.f.
12 Lots	21,780-70,000 s.f.

PD DEVELOPMENT STANDARDS

Please examine the included Concept Plan Provisions to see the requested planned development standards.

The zoning requirements including development standards for SF3 zoning are proposed to be met with this development. No deviation is sought from the development standards.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 13 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 11/9/2018.

STAFF CONCERNS

1. Upon the original submittal, staff had concerns with the proposed lot sizes by the applicant. Staff received feedback from the Planning and Zoning Commission with regards to City standards and lot sizes, and the need to adhere to and enforce City standard.

APPLICANT RESPONSE TO CONCERNS

1. Applicant submitted revisions.

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. Boundary for Zoning
3. Rezoning Summary
4. PON 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. City Park fees of \$60,000 (\$400 x 150 lots) are required to be paid as Park Dedication Fees.
3. 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

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

EXHIBIT B

CONCEPT PLAN PROVISIONS

Purpose and Intent

The purpose and intent of this Planned Development (PD) is to allow for single family & general retail lots as shown on attached/enclosed PD site plan. Any conditions found within the Single Family Residential-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 zoning district is intended to be similar to the SF-2 except composed of detached, single-family residences.

PD District Development Standards

Description of Request

- ~~Explain what you intend to do here.~~

- To allow for a transitional single-family zoning between the General Retail (GR) along US 287 Frontage Road and the floodplain.

Proposed Use of Property

- ~~Explain how you intend to use the property.~~

- To provide 2.6 acres of General Retail (GR) zoning along the existing overhead power easement, extending to the eastern property boundary & adjacent to existing GR zoning tract (that are directly adjacent to the US 287 Frontage Road).
- To allow for a blend of smaller single-family lots, SF-3 lots, and lots up to 1.7-acre, that would provide a blend from the PD directly to the north & the flood plain to the south.

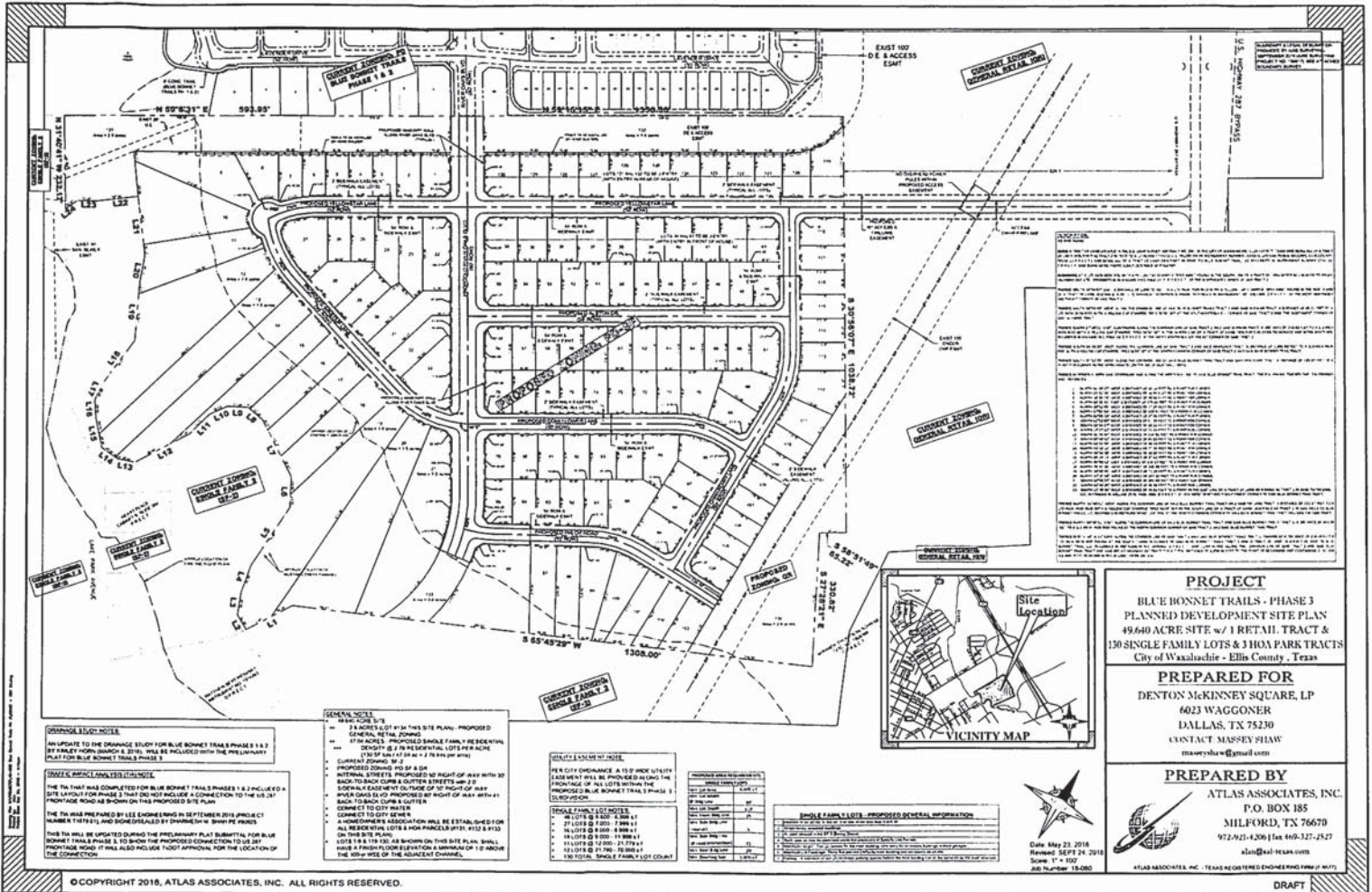
Commented [DK1]: Will this be straight GR or PD-GR?

General Development Requirements

- List each of the variations from the zoning district you are requesting here.

- Proposed zoning: PD-SF & GR
- Internal streets: proposed ~~fifty(50)' foot~~ right-of-way with ~~thirty (30') foot~~ back-to-back curb & gutter streets with ~~two (2-0') foot~~ sidewalk easement outside of ~~fifty(50) foot right-of-way~~ ~~50' right-of-way~~
- River Oaks Blvd: proposed ~~eighty (80) foot'~~ right-of-way with ~~forty (40) foot'~~ back-to-back curb & gutter.
- A proposed ~~sixty (60')~~ wide fire lane access & utility easement connection over to the US 287 frontage road via an easement across the tract shown as "Remainder of Mamie L. Taylor, Mamie Taylor and Ozelle Taylor. Vol 413, Pg 529 OPRECT" on the boundary survey exhibit.
- A homeowner's association will be established for all residential lots.
- ~~Size of Lots:~~
 - Minimum Lot Area – 6,600 square feet.
 - Minimum Lot Width - Sixty (60) feet.
 - Minimum Lot Depth - One hundred & ten (110) feet.
- ~~Size of Yards:~~
 - Minimum Front Yard – Twenty-five (25) feet.
 - Minimum Side Yard - Five (5) feet; fifteen (15) feet on corner lot adjacent to a street.
 - Minimum Rear Yard - Twenty (20) feet.

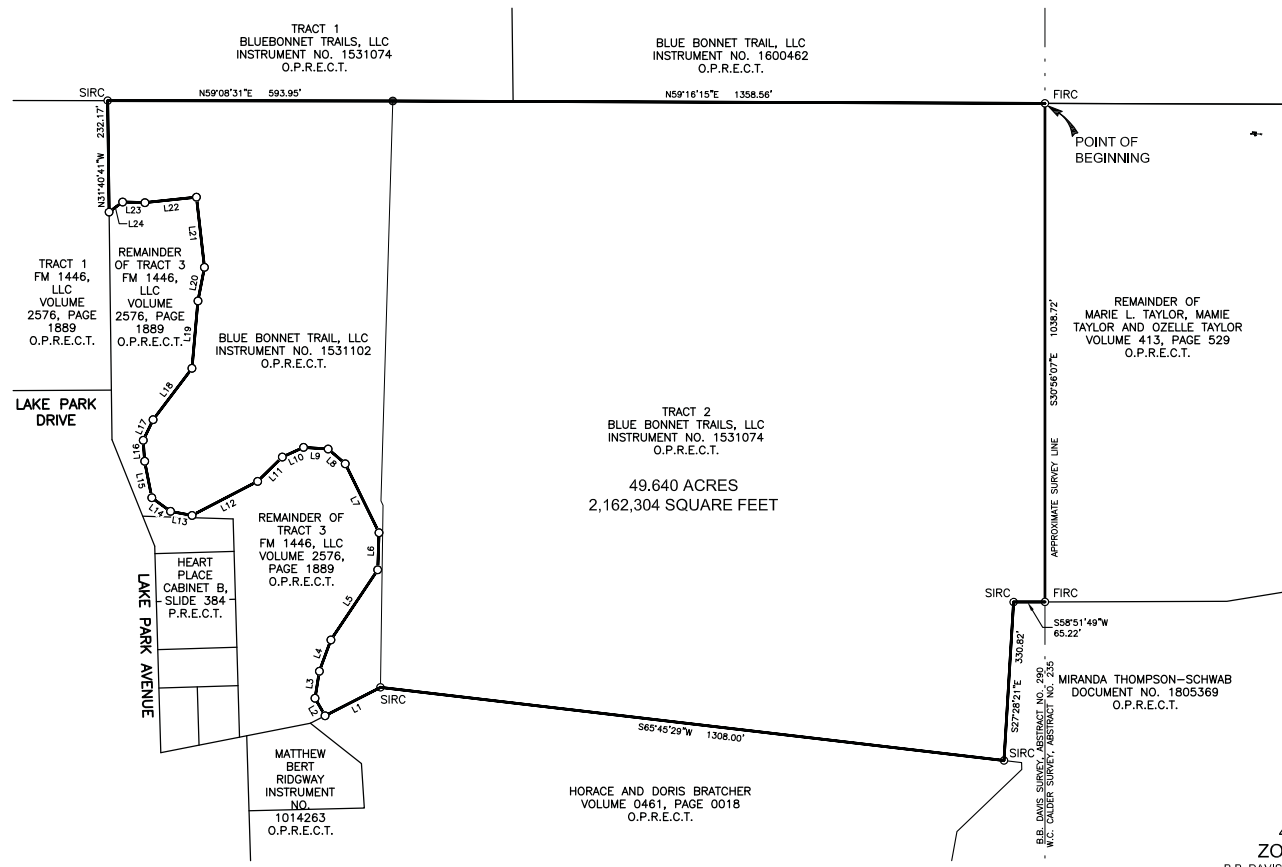
Commented [DK2]: Staff have been given a great deal of feedback from the Planning and Zoning Commission with regards to City standards and lot sizes, and the need to adhere to and enforce City standards. With that said, we will run your application as presented, but we cannot recommend approval of this proposal as shown.





SCALE: 1"=200'

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S31°52'23"W	129.64'
L2	N60°49'27"W	42.10'
L3	N21°42'39"W	56.95'
L4	N10°45'19"W	69.56'
L5	N02°45'41"E	175.66'
L6	N28°52'45"W	77.25'
L7	N57°01'54"W	159.91'
L8	N80°05'10"W	47.09'
L9	S62°52'09"W	51.39'
L10	S34°34'27"W	48.54'
L11	S14°27'22"W	72.20'
L12	S31°36'44"W	154.01'
L13	S69°49'52"W	45.63'
L14	N84°51'59"W	48.24'
L15	N41°58'22"W	77.35'
L16	N34°55'30"W	43.82'
L17	N05°24'14"W	47.62'
L18	N06°08'52"E	134.17'
L19	N25°47'36"W	140.88'
L20	N20°05'05"W	71.29'
L21	N37°25'50"W	147.16'
L22	S52°58'22"W	107.93'
L23	S60°43'26"W	46.50'
L24	S22°30'35"W	35.01'



LEGEND

O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY TEXAS
P.R.E.C.T. PLAT RECORDS, ELLIS COUNTY, TEXAS
SIRC 1/2"IRON ROD SET WITH YELLOW
CAP STAMPED "RPLS 5674"
IRF IRON ROD FOUND
FIRC 1/2"IRON ROD FOUND WITH YELLOW
CAP STAMPED "RPLS 4466"

TRACT 2
BLUE BONNET TRAILS, LLC
INSTRUMENT NO. 1531074
O.P.R.E.C.T.
49.640 ACRES
2,162,304 SQUARE FEET

49.640 ACRES
ZONING EXHIBIT
B.B. DAVIS SURVEY, ABSTRACT NO. 290
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

AXIS
SURVEYING

P.O. Box 575 | Waxahachie, Texas 75168
214,903,8200 | TBPLS Firm No. 10194367
Info@axis-surveying.com

Planning & Zoning Department

Plat Staff Report

Case: PP-18-0149



MEETING DATE(S)

Planning & Zoning Commission: November 27, 2018

City Council: December 3, 2018

CAPTION

Consider request by Chris Acker for a **Preliminary Plat** of Crossroads Business Park for 1 lot, being 3.512 acres out of the John B. Bounds Survey, Abstract 99 (Property ID 180414) – Owner: SANCHEZ COREY & JULIE (PP-18-0149)

CASE INFORMATION

Applicant: Chris Acker

Property Owner(s): Corey & Julie Sanchez

Site Acreage: 3.512 acres

Number of Lots: 1 lot

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

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

Adequate Public Facilities: City services are available.

SUBJECT PROPERTY

General Location: Intersection of John Arden Drive at Solon Road

Parcel ID Number(s): 180414

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

Existing Use: Vacant Land

Platting History: John B. Bounds Survey, Abstract 99

Site Aerial:



STAFF CONCERNS

1. Staff has yet to receive any revisions from the applicant in regards to staff comments.
2. See comments under *“Approval, per the following comments”*

APPLICANT RESPONSE TO CONCERNS

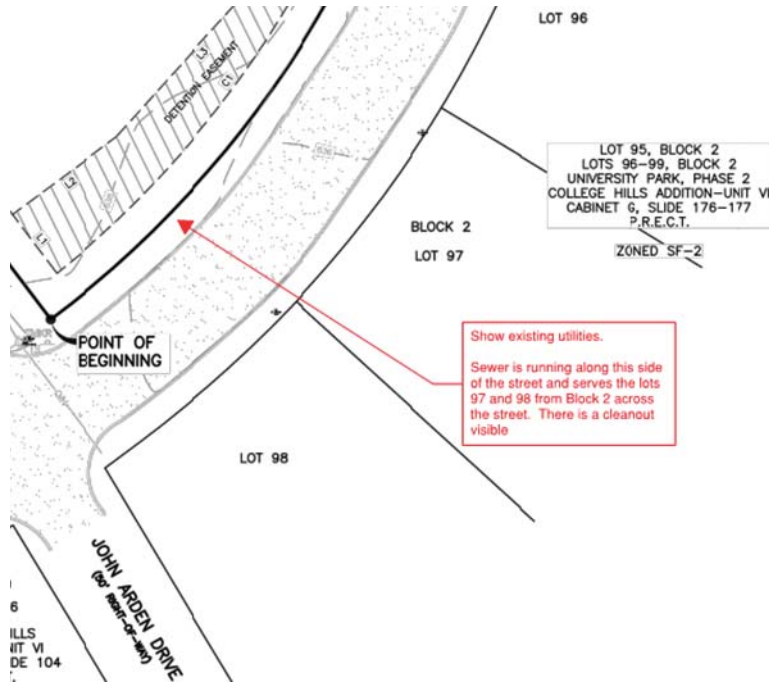
1. At the time of this report (11/13/2018), the applicant has yet to submit revised drawings in reference to the staff comments sent to the applicant.

RECOMMENDATION

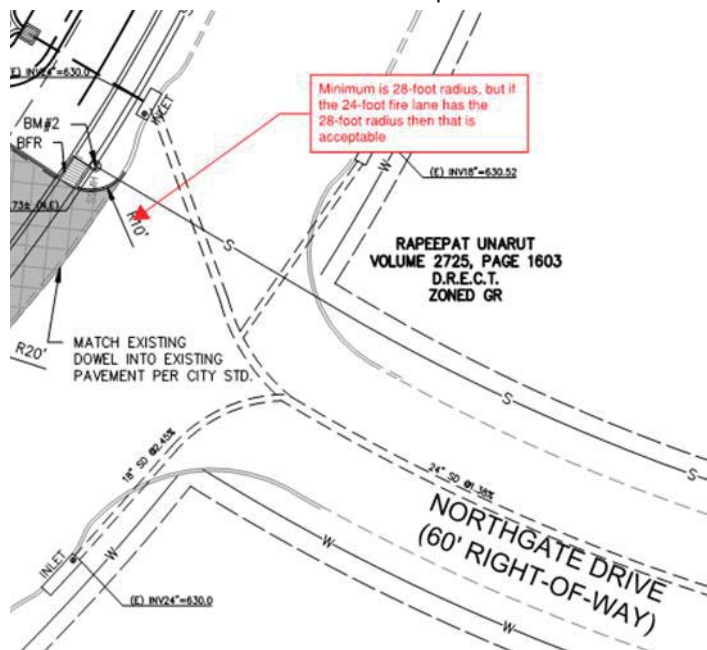
Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
 1. This is a preliminary plat so the formatting of the plat drawing needs to reflect this fact.
 2. Include the applicant information on the plat drawing
 3. Show property zoning for subject site and surrounding properties
 4. The landscape plan will come with the site plan.
 5. Regarding, the detention easement along Solon Road: if this is not by this plat, you'll need to show recording information.
 6. Will building require a sprinkler system? If so, a Fire Dept. Connection shall be within 100' of a fire hydrant.
 7. Provide the proposed preliminary water, sanitary sewer, and drainage plans.
 8. Will there be a detention system for this improvement or does the existing storm system have capacity for this development?
 9. The Thoroughfare Plan shows John Arden as a 90-foot ROW. What is the width of the ROW from the centerline of the street to the current property line? If less than 45-feet then dedication will be necessary.

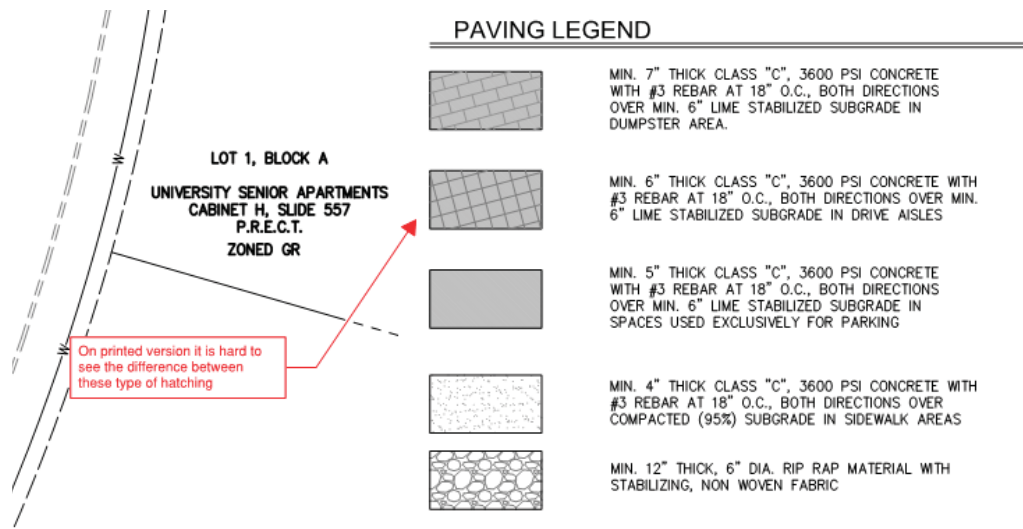
10. Please be sure that all existing utilities are shown on the plan. As seen below, sewer is running along Solon Road and serves the lots 97 and 98 from Block 2 across the street. There is a cleanout visible.



11. A sidewalk is needed along John Arden Dr.
12. There is a minimum 28 ft. radius requirement. See below



13. On the printed version, it is hard to see the difference between these type of hatching (see below).



ATTACHED EXHIBITS

1. Plat drawing
2. Civil plan

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

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

Planning & Zoning Department

Zoning Staff Report

Case: PD-18-0174



MEETING DATE(S)

Planning & Zoning Commission: November 27, 2018

City Council: December 3, 2018

CAPTION

Request by Chris Acker, Acker Construction, for a Zoning Change from a Single Family-2 zoning district to **Planned Development-Multiple-Family Residential-2, with Concept Plan**, located to the East of 400 Dr Martin Luther King Jr Blvd (Property ID 224114) - Owner: SOUTHFORK CAPITAL LLC (PD-18-0174)

CASE INFORMATION

Applicant: Chris Acker, Acker Construction

Property Owner(s): Southfork Capital LLC

Site Acreage: 1.071 acres

Current Zoning: Single Family-2

Requested Zoning: Planned Development

SUBJECT PROPERTY

General Location: East of 400 Dr. MLK Blvd.

Parcel ID Number(s): 224114

Existing Use: Undeveloped Land

Development History: None

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	C	Undeveloped Land
East	SF-2	Single Family Residential
South	C, SF-2, PD-O	Single Family Residential, Hope Clinic
West	C	Restaurant/Retail

Future Land Use Plan: Low Density Residential

Comprehensive Plan:

The Low Density Residential 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 accessible via Dr. Martin Luther King Jr road.

Site Image:



PLANNING ANALYSIS

The applicant is proposing a zoning change request from a Single Family-2 zoning district to Planned Development-Multiple-Family Residential-2, with Concept Plan, located to the East of 400 Dr. Martin Luther King, Jr. Blvd.

Per the submittal, the applicant intends to remain consistent with the City of Waxahachie Multi Family-2 development standards (*see Table 1*). The applicant is however requesting relief for garages and the front yard setback. The applicant is not meeting the 50% required attached garages, nor the 25 ft. front yard setback. By asking for the aforementioned variances, the applicant does not intend to provide any garages in hopes to match more of what is in the downtown area, while also continuing to promote walkability to the downtown restaurants, shops, and events.

PD DEVELOPMENT STANDARDS

Please examine the included Concept Plan Provisions to see the requested planned development standards.

The zoning requirements including development standards for MF-2 zoning are proposed to be met with this development.

Table 1: Proposed Multi Family Residential (per MF-2 standards)

	Crescent Creek	City of Waxahachie Req.	Meets
Min. Lot Area	Exceeds Minimum	7,260/Lot 2,420 DU	Yes
Min. Lot Width	Exceeds Minimum	60 ft.	Yes
Min. Lot Depth	Exceeds Minimum	120 ft.	Yes
Min. Front Setback	15 ft.	25 (75> 2) SF 25 (100> 2)	No
Min. Rear Setback	Exceeds Minimum	50 (75> 2) SF	Yes
Min. Dwelling Size	800 sq. ft.	600/unit 100/bedroom 450/efficiency	Yes
Max. Height	2 stories	3 stories	Yes

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 18 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 11/09/18.

STAFF CONCERNS

1. If approved, staff would like for the applicant to submit an updated Planned Development standards document.

APPLICANT RESPONSE TO CONCERNS

1. At the time of this report (11/14/2018), the applicant has yet to submit revisions for the first submittal of staff 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. List the amenities incorporated.
2. Please reformat this to match the template. Description of Request, Proposed Use of Property, General Development Requirements.
3. This fire lane appears to be more than 150' to get to the last building.
4. 2 Fire Dept. Connections that face MLK are not acceptable.
5. Fire line shall be of type C-900/DR 14/CL 200.
6. Fire hydrant for back two buildings need a Fire Dept. Connection within 100'.

ATTACHED EXHIBITS

1. Site Plan
2. Planned Development Regulations

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

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

EXHIBIT “B”

Concept Plan Provisions

Purpose and Intent

The purpose and intent of this Planned Development (PD) is to allow for the development of a Class-A apartment complex comprised of 18 units that uses a similar architectural style as listed in Waxahachie’s Downtown Design Guidelines for new construction to create a common look that will serve as the model for future development in the surrounding area. Any conditions found within the Multiple Family Residential District-2 (MF-2) 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 (MF-2) is the intended base zoning classification underlying this PD. The MF-2, Multiple Family Residential District-2, is an attached residential district intended to provide the highest residential density of eighteen (18) dwelling units per acre. The principal permitted land uses will include low-rise multiple family dwellings, and apartments. Recreational, religious, health and educational uses normally located to service residential areas are also permitted in this District. This District should be located adjacent to a major thoroughfare and serve as a buffer between retail/commercial development or heavy automobile traffic, and medium or low density residential development.

PD District Development Standards

Description of Request

- We intend to modify the existing zoning requirements under a Planned Development which will allow for the development of a two (2) story, garden style, “Class-A” apartment complex consisting of 18 units.

Proposed Use of Property

- The proposed development is a two (2) story, garden style, “Class-A” apartment complex comprised of 18 units, which will use a similar architectural style as listed in Waxahachie’s Downtown Design Guidelines for new construction to create a common look that will serve as a model for future development in the surrounding area. The development will feature an outdoor theater, a pool, a grill house and a gazebo. We intend to break ground in early spring, with completion of the project in late 2019.

General Development Requirements

- **Site Plan:** The site plan is attached as Exhibit “C”
- **Elevation:** Per Waxahachie’s Downtown Design Guidelines for new construction. See exhibit (D) attached for guidelines.
- **Density:** 18 dwelling units per acre (18 units total)

- **Exterior:** The exteriors shall consist of 100% brick, with cast stone and commercial-grade cladding accents. The exterior of the project will also include elevated Brownstone style covered stoops along Dr. Martin Luther King Blvd.
- **Parking:** The development will consist of 33 parking spaces (1.75 per unit), comprised of thirty three open parking spaces.
- **Open Space:** Shall comply with MF-2 requirements
- **Side Setbacks:** The side setbacks shall be fifty-eight (5) feet.
- **Rear Setback:** The rear setback shall be a minimum of eighty (30) feet until.
- **Building Separation:** Minimum building separation shall be a minimum of thirty (25) feet.
- **Garages:** No garages will be provided.

V. DESIGN GUIDELINES FOR NEW CONSTRUCTION

New infill construction is anticipated throughout Downtown Waxahachie. As investment in the area continues, it is important that new development contribute to an overall sense of continuity while also conveying the evolution of the area through building design.

This chapter provides guidelines for the design of new buildings in Downtown Waxahachie. It includes general guidelines for the architectural character, building orientation and materials of all new construction projects as well as guidelines for sustainable construction and design guidelines for specific building types.

The guidelines in this chapter also apply to improvements to existing non-historic buildings (those that are not listed as contributing within the historic district) to ensure that they remain compatible with the overall historic context. Note that general preservation principles and the design guidelines included in *Chapter II. Planning a Preservation Project* and *Chapter III. Treatment of Historic Resources* do not apply to new construction or to existing non-historic buildings.



IN THIS CHAPTER

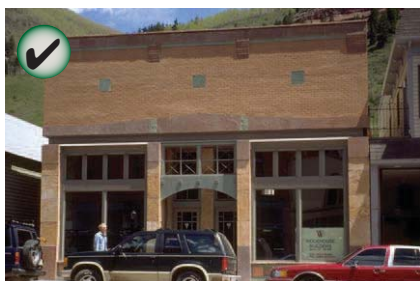
A. General Principles for New Construction .	100
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A. GENERAL PRINCIPLES FOR NEW CONSTRUCTION

New infill construction in Downtown Waxahachie should be compatibly scaled and promote a pedestrian-oriented streetscape. It should also draw on Waxahachie's historic building traditions to inspire new, creative designs.



Appropriate new designs for windows, storefronts and architectural features provide visual interest while clearly indicating that the building is new.



New buildings should reflect the basic mass and scale characteristics of surrounding historic buildings while incorporating contemporary design elements.

ARCHITECTURAL CHARACTER

New buildings in Downtown Waxahachie should be distinguishable from historic buildings so as not to confuse the historic development of the area. Each building should appear as a product of its own time while maintaining general compatibility with the surrounding context.

5.1 Design a new building to reflect its time, while respecting key features of its context.

- New buildings should reflect the basic mass and scale characteristics of surrounding historic buildings while incorporating contemporary design elements.
- Use of historic building materials is encouraged.
- It is especially important that new buildings reflect the key features of the surrounding context in the Central Character Area.

5.2 Consider incorporating contemporary interpretations of traditional designs and details into a new building.

- New designs for window moldings and door surrounds, for example, can provide visual interest while helping to convey the fact that the building is new.
- Contemporary details for new storefronts can create interest while expressing a new, compatible style.

5.3 Do not design a new building to exactly imitate historic styles.

- Imitation blurs the distinction between old and new buildings and confuses interpretation of the architectural evolution of the district.
- An interpretation of a historic style that is authentic to the district may be considered if it is subtly distinguishable as being new.

BUILDING ORIENTATION

Traditionally, the primary entrance of a building faced the street. In a commercial setting, the entry was often recessed. New buildings should be oriented to continue this traditional pattern.

5.4 Maintain the traditional orientation of a building to the street.

- The primary entrance should face the street.
- In some cases, the front door itself may be positioned perpendicular to the street. In this case, the entry should still be clearly defined with a recessed entry or canopy for commercial building types.



Maintain the traditional orientation of a building to the street.



The primary entrance of a building should face the street.



Brick and stone are the preferred primary materials for new construction.



New materials that are similar in character to traditional materials may be acceptable with appropriate detailing. Alternative materials should appear similar in scale, proportion, texture and finish to those used traditionally.

MATERIALS

Building materials used in new construction should contribute to the visual continuity of Downtown Waxahachie.

5.5 Use building materials appropriate to the context.

- In the Central Character Area, brick and stone are the preferred primary materials.
- In the Transition/Industrial Character Area, metal or other industrial materials may be appropriate.

5.6 Building materials shall be similar in scale, color, texture, and finish to those used traditionally in Downtown Waxahachie.

- All wood details should have a weather-protective finish.
- Stucco may be considered as an accent material on upper floors of larger buildings.
- Imitation or synthetic materials, such as aluminum or vinyl siding, imitation brick or imitation stone and plastic, are inappropriate.
- The use of highly reflective materials is discouraged.

5.7 Use masonry that appears similar in character to that seen historically.

- For example, brick and stone should have a modular dimension similar to that used traditionally.

5.8 Ensure that any new materials are similar in character to traditional materials.

- New or alternative materials should appear similar in scale, proportion, texture, and finish to those used traditionally.
- Using new or alternative materials as an accent is appropriate to help express individual building modules or units.



Using new or alternative materials as an accent is appropriate to help express individual building modules or units.

B. NEW CONSTRUCTION AND SUSTAINABILITY

The Waxahachie Comprehensive Plan sets goals for the long-term sustainability and livability of existing neighborhoods. New construction downtown supports sustainability by leveraging existing infrastructure and bringing housing and employers into closer proximity. New construction downtown should further support sustainability by incorporating energy efficient designs while maintaining the traditional character of the area. See *Preservation and Sustainability* on page 5 for more information.

Sustainable Site Design

Site design should include an evaluation of the physical assets of the site to maximize energy efficiency. Designs should consider seasonal changes in natural lighting and ventilation conditions. They should also consider effects on adjoining properties to ensure that neighbors have sufficient solar access and are able to implement energy efficient designs in the future.



Plantings should provide for winter sun and summer shade.

5.9 Locate a new building, or addition, to take advantage of micro climatic opportunities for energy conservation.

- Buildings should be oriented to be consistent with historic development patterns, to the extent feasible.
- Seasonal solar and wind exposure patterns should be considered when positioning a new building.

5.10 Design new construction to take advantage of energy saving and generating opportunities.

- Window designs should maximize daylighting into interior spaces.
- Shading devices should be used to manage solar gain in summer months.
- Energy-producing devices, including solar collectors and wind turbines, are encouraged where they also respect the character of the district.

5.11 Incorporate landscape designs that promote energy efficiency and water conservation.

Appropriate strategies include:

- Plantings oriented to provide wind protection for plazas and entries.
- Natural storm water retention basins that also serve as amenities.
- Use of plant species that require low levels of water.



Wall plane articulation may be used to provide shade or increase solar access to interiors.

Sustainable Building Design

The design of a new building should maximize the potential for natural daylighting and solar energy collection while also ensuring that the building's massing is compatible with the surrounding historic context.

5.12 Orient a building to maximize energy efficiency while ensuring compatibility with adjacent, lower-scale structures.

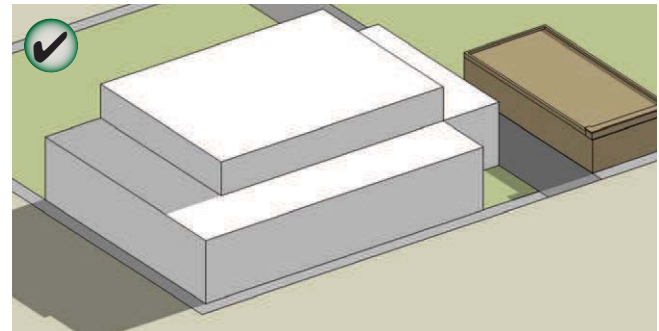
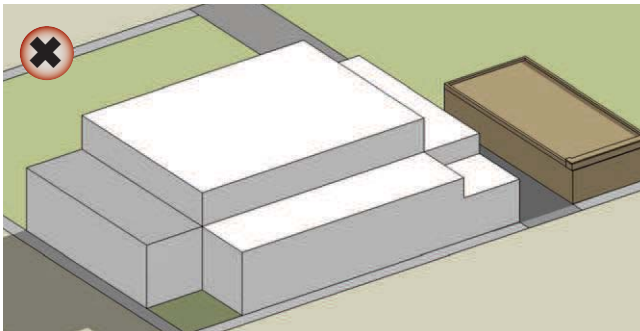
Appropriate strategies include:

- Positioning the taller portion of a building along a north-south axis to minimize shading on lower scale structures to the north.
- Designing a building to minimize shading on south-facing facades of adjacent buildings during winter months.

5.13 Shape a building's mass to maximize solar energy potential.

Consider the following strategies:

- Building designs that allow natural daylighting to the interior.
- Articulated wall planes that provide shade or increase solar access to interiors.
- Roofs oriented to accommodate solar collectors.
- Thermal storage walls on a portion of the south facing building exposure, where appropriate.



Articulate building mass to take advantage of solar energy. The plaza to the left is shaded during peak winter hours while the plaza to the right is enhanced by solar rays during peak winter hours.

Sustainable Building Elements

The elements that make up a building, including windows, mechanical systems and materials, can significantly impact environmental performance. They should be designed to maximize the building's environmental performance, while promoting compatibility with surrounding sites and structures. New materials that improve environmental performance are appropriate if they have been proven effective in the climate of northeastern Texas.

5.14 Use green building materials whenever possible.

Green building materials often have a long life span and are often:

- Locally manufactured
- Low maintenance
- Recycled

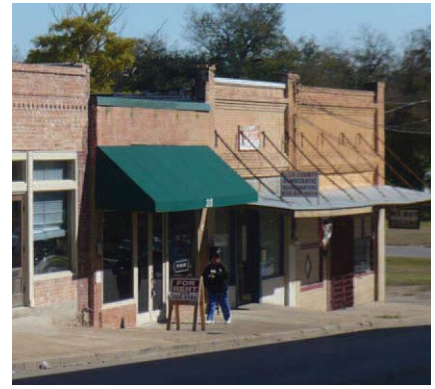
5.15 Incorporate building elements that allow for natural environmental control.

Consider the following:

- Operable windows for natural ventilation
- Low infiltration fenestration products
- Interior or exterior light shelves/solar screens above south facing windows

5.16 Minimize the visual impacts of solar and wind energy devices on the character of the district.

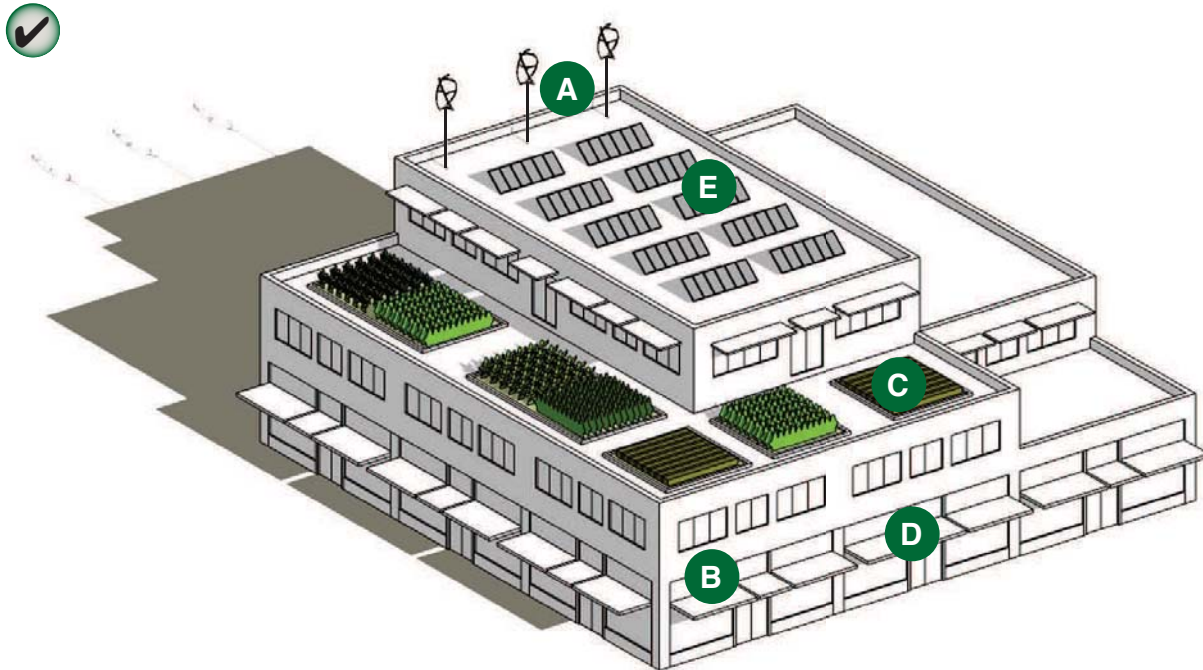
- Where feasible, mount equipment where it has the least visual impact.



The elements that make up a building, including windows, mechanical systems and materials, can significantly impact environmental performance.

NEW COMMERCIAL CONSTRUCTION BUILDING ENERGY EFFICIENCY DIAGRAM

Design a building or addition to take advantage of energy saving and energy harnessing opportunities as illustrated below.



A Wind Devices

- Set back from primary facade to minimize visibility from street

B Operable Transoms

- Allows for natural air circulation

C Green Roofs

- Decreases solar gain
- Reduces runoff

D Shading devices

- Operable canopies, located above display windows

E Solar Panels

- Set back from primary facade to minimize visibility from street
- Used as shading devices

C. NEW COMMERCIAL BUILDING DESIGN

Downtown Waxahachie is composed primarily of traditional commercial buildings with storefronts along the ground floor and upper story office or residential uses. New commercial buildings are encouraged as infill development. They are especially appropriate in the Central Character Area.

MASS AND SCALE

Traditionally commercial buildings had varied heights, articulated masses, visually interesting skylines and pedestrian-scaled street fronts that contribute to a sense of human scale. A new building should continue to provide a variety of pedestrian-friendly scales and visually appealing masses. Buildings should not be monolithic in scale or greatly contrast with those seen traditionally downtown.

5.17 Maintain the traditional size of buildings as perceived at the street level.

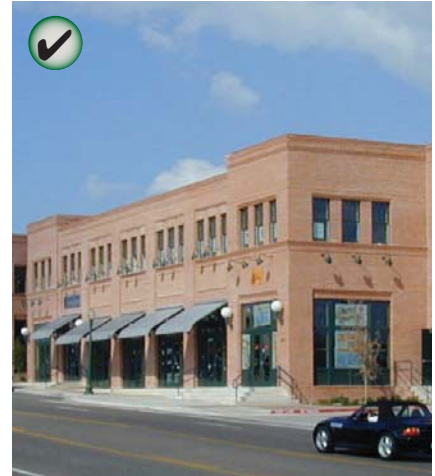
- The facade height of a new building should fall within the range envisioned for the area. It should respect the traditional proportions of height to width.
- Floor-to-floor heights should appear similar to those of traditional buildings downtown, especially those at ground level.

5.18 Establish a sense of human scale.

- Use vertical and horizontal articulation design techniques to reduce the apparent scale of a larger building mass.
- Incorporate changes in color, texture and materials to help define human scale.
- Use architectural details to create visual interest.
- Use materials that help to convey scale in their proportion, detail and form.



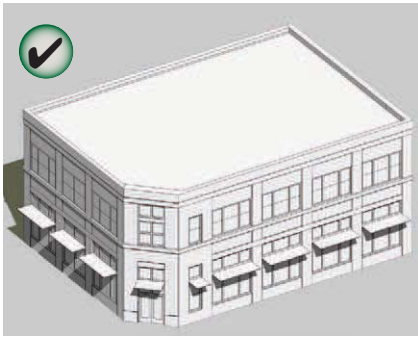
Use vertical and horizontal articulation design techniques to reduce the apparent scale of a larger building mass.



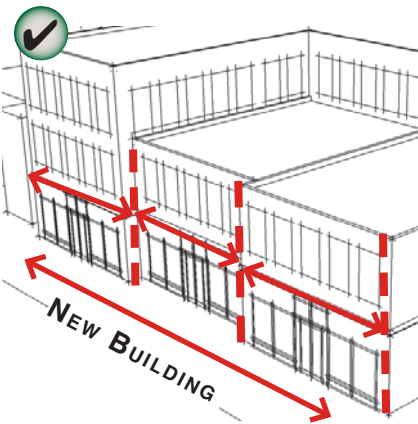
A new building should be designed with a pedestrian-scaled street front.

HUMAN SCALE

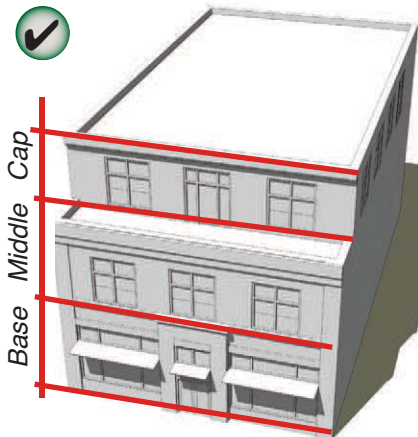
A sense of human scale is achieved when one can reasonably interpret the size of a building by comparing features of its design to comparable elements in one's experience. Using building material of a familiar dimension such as traditional brick is an example, as is using windows of similar dimensions.



Use architectural details that create visual interest and convey a three-dimensional facade to establish a sense of human scale.



New facade widths should reflect the traditional range of the building widths seen on the block.



A new building should incorporate a base, middle and cap.

5.19 Maintain traditional spacing patterns created by the repetition of uniform building widths along the street.

- A new facade should reflect the established range of the traditional building widths seen downtown.
- A change in design features may be used to suggest traditional building widths.
- Changes in materials, window design, facade height or decorative details may be used to reflect traditional facade widths in the design of a larger new building.
- Express variations consistently throughout the structure, such that the composition appears to be a composition of smaller building modules.

5.20 A new building should incorporate a base, middle and cap.

- Traditionally, buildings were composed of these three basic elements. Interpreting this tradition in new buildings will help reinforce the visual continuity of the area.



Where a building must exceed a traditional facade width, use a change in design features to suggest the traditional building widths.

BUILDING AND ROOF FORM

Similarity in building and roof forms is a prominent unifying element in the commercial area. Most are simple rectangular solids. New construction should be designed with simple forms.

5.21 A rectangular form should be dominant on a commercial facade.

- The facade should appear as a flat surface, with any decorative elements and projecting or setback “articulations” appearing to be subordinate to the dominant form.

5.22 A roof form should be similar to those used traditionally.

- Flat roofs are appropriate.
- “Exotic” roof forms, such as A-frames and steep shed roofs, are inappropriate.

COMMERCIAL FACADE CHARACTER

Historic commercial building facades incorporate a regular pattern of transparency and proportion. Typical patterns are summarized in the sidebar at right. These traditional patterns should be incorporated into new construction whenever possible.

5.23 Maintain the traditional spacing pattern created by upper story windows.

- Use traditional proportions of windows, individually or in groups.
- Headers and sills of windows on new buildings should maintain the traditional placement relative to cornices and belt courses.

5.24 Maintain the distinction between the street level and the upper floor.

- The first floor of the primary facade should be predominantly transparent glass.
- Upper floors should be perceived as being more opaque than the lower floor.
- Highly reflective or darkly tinted glass is inappropriate.
- Express the distinction in floor heights between street levels and upper levels through detailing, materials and fenestration. The presence of a belt course is an important feature in this relationship.



The first floor of the primary facade should be predominantly transparent glass.

FACADE MATERIALS AND PROPORTIONS

The street level of a typical historic commercial building is clearly distinguishable from the upper floors. The first floor is predominantly made of fixed plate glass with a small percentage of opaque framing materials, a kickplate and a recessed entry. An upper floor, where it occurs, is the reverse—opaque materials dominate, and windows appear as smaller openings puncturing a more solid wall. These windows are usually double-hung. The street level also appears taller than the upper floors. A historic storefront of twelve to fourteen feet high is typical, whereas a second floor is usually ten to twelve feet.



Recessed entries appear in this traditional setting. This design feature should be continued in new buildings.

5.25 Incorporate traditional building components into the design of a new storefront.

- Express a kickplate, display window and transom in a new storefront design.
- Storefront components and upper story windows should be similar in height and proportion to traditional downtown buildings.
- When portions of a storefront are folding, all of the storefront components should still be visible.

5.26 Maintain the pattern created by recessed entries along the street.

- On commercial type buildings, set a primary entry door back an adequate amount from the front facade to establish a distinct threshold for pedestrians. A recessed dimension of four feet is typical.
- Where entries are recessed, the building line at the sidewalk edge should be maintained by the upper floor(s).
- Use a transom over a doorway to maintain the full vertical height of the storefront.
- Oversized (or undersized) interpretations are discouraged.



Headers and sills of windows on new buildings should maintain the traditional placement relative to cornices and belt courses.

D. CIVIC FACILITY DESIGN

Civic facilities include museums, churches, libraries, fraternal buildings, courts, and governmental offices. New civic facilities in Downtown Waxahachie should reinforce the historic building fabric and enhance the pedestrian environment. They should promote the basic design principles outlined for commercial buildings while also serving as landmarks in the urban fabric.

5.27 Design civic buildings to be compatible with the surrounding context while serving as landmarks.

- Civic facilities should be located such that they encourage pedestrian traffic to nearby businesses.
- Civic facilities should be designed to reinforce the downtown fabric of streets, public spaces and sidewalks.
- Outdoor spaces designed for public use should be provided.
- The visual impacts of automobiles should be minimized.
- Primary entrances should face the street or a public space, not to parking lots.
- A sense of human scale should be conveyed.
- A pedestrian-friendly street level should be included.
- The design guidelines for mass, scale and materials for commercial buildings should be reflected in their design.



The tradition of designing civic institutions as landmarks in the urban fabric should be continued.

CASE PD-18-0174 and RP-18-0191

SUPPORT 1

OPPOSE 0

1. Request by Chris Acker, Acker Construction, for a Zoning Change from a Single Family-2 zoning district to **Planned Development-Multiple-Family Residential-2, with Concept Plan**, located to the East of 400 Dr Martin Luther King Jr Blvd (Property ID 224114) - Owner: SOUTHFORK CAPITAL LLC (PD-18-0174)
2. Request by Chris Acker, Acker Construction for a **Replat** of a portion of Block 62, Town Addition, to create Lot 1, Block A, Crescent Creek Villas, 1.071 acres (Property ID 224114) – Owner: SOUTHFORK CAPITAL LLC (RP-18-0191)

SUPPORT

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



RECEIVED
11/16/18

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **PD-18-0174 and RP-18-0191**



LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 27, 2018 at 4:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 3, 2018 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Chris Acker, Acker Construction, for a Zoning Change from a Single Family-2 zoning district to **Planned Development-Multiple-Family Residential-2, with Concept Plan**, located to the East of 400 Dr Martin Luther King Jr Blvd (Property ID 224114) - Owner: SOUTHFORK CAPITAL LLC (PD-18-0174)
2. Request by Chris Acker, Acker Construction for a **Replat** of a portion of Block 62, Town Addition, to create Lot 1, Block A, Crescent Creek Villas, 1.071 acres (Property ID 224114) - Owner: SOUTHFORK CAPITAL LLC (RP-18-0191)

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: **PD-18-0174 and RP-18-0191** ☒ 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 **MONDAY, NOVEMBER 19, 2018** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.

Signature

Printed Name and Title

Date

Address

Brady Yates

11/16/18
PO Box 2868 Wax, TX.

Planning & Zoning Department

Plat Staff Report

Case: RP-18-0191



MEETING DATE(S)

Planning & Zoning Commission: November 27, 2018

City Council: December 3, 2018

CAPTION

Consider request by Chris Acker, Acker Construction for a **Replat** of a portion of Block 62, Town Addition, to create Lot 1, Block A, Crescent Creek Villas, 1.071 acres (Property ID 224114) – Owner: SOUTHFORK CAPITAL LLC (RP-18-0191)

CASE INFORMATION

Applicant: Chris Acker, Acker Construction

Property Owner(s): Southfork Capital LLC

Site Acreage: 1.071 acres

Number of Lots: 1 lot

Number of Dwelling Units: 18 units

Park Land Dedication: The cash in lieu of park land dedication for this case is estimated at \$7,200.

Adequate Public Facilities: Yes

SUBJECT PROPERTY

General Location: East of 400 Dr. MLK, Jr. Blvd

Parcel ID Number(s): 224114

Current Zoning: Single Family-2

Existing Use: Undeveloped Land

Platting History: Block 62, Original Map of Waxahachie

Site Aerial:



STAFF CONCERNS

1. Add staff concerns (include all City reviewers plus Ellis County, if applicable).

APPLICANT RESPONSE TO CONCERNS

1. At the time of this report (11/15/2018), staff has yet to receive any revisions from the applicant. *If approved, staff comments will need to be addressed by the applicant.*

RECOMMENDATION

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
 1. Please remove trees from the plan so that the plat can be more legible to view.
 2. Please zoom in on the vicinity map to provide a closer view.
 3. MLK is a Major Thoroughfare B (110' ROW). You show it as a 60' ROW. If this is accurate, you'd need to dedicate twenty-five (25) feet.
 4. *Informational Comment:* Please be sure all Owner/Developer/Engineer contact information is listed on the plan (*i.e.* name, phone, address).
 5. *Informational Note:* A Developer's Agreement will be required before final approval.
 6. *Informational Note:* Additional comments may possibly be made by staff in the future.

ATTACHED EXHIBITS

1. Plat Drawing

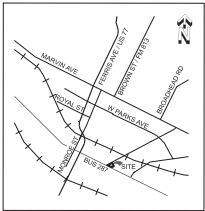
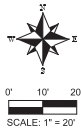
APPLICANT REQUIREMENTS

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.

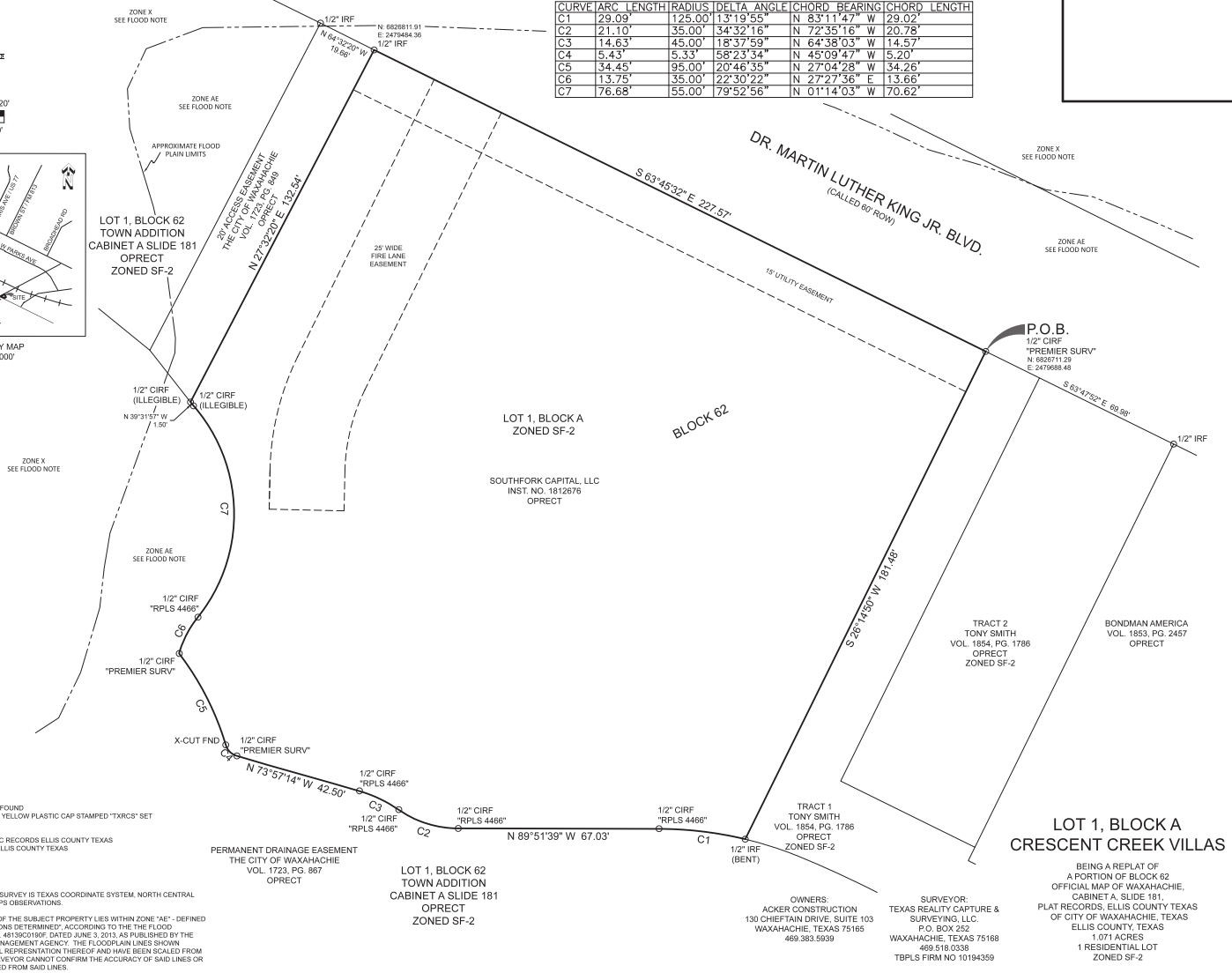
STAFF CONTACT INFORMATION

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

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



VICINITY MAP
1" = 2000'



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	29.09'	125.00'	13°19'55"	N 83°11'47" W	29.02'
C2	21.10'	35.00'	34°32'16"	N 72°35'16" W	20.78'
C3	14.63'	45.00'	18°37'59"	N 64°38'03" W	14.57'
C4	5.43'	5.33'	58°23'34"	N 45°09'47" W	5.20'
C5	34.45'	95.00'	20°46'35"	N 27°04'28" W	34.26'
C6	13.75'	35.00'	22°30'22"	N 27°27'56" E	13.66'
C7	76.68'	55.00'	79°52'56"	N 01°14'03" W	70.62'

LEGEND

CIRF = CAPPED IRON ROD FOUND
CIRG = 5/8 IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TXRCS" SET
FND = FOUND
IRF = IRON ROD FOUND
OPRECT = OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS
PRECT = PLAT RECORDS ELLIS COUNTY TEXAS

NOTES:

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

AS SHOWN HEREON, ALL OF THE SUBJECT PROPERTY LIES WITHIN ZONE "AE", DEFINED AS "BASE FLOOD ELEVATIONS DETERMINED" ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48158C0190F, DATED JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THE FLOODPLAIN LINES SHOWN HEREON ARE A GRAPHICAL REPRESENTATION THEREOF AND HAVE BEEN SCALED FROM SAID MAP(S) AND THE SURVEYOR CANNOT CONFIRM THE ACCURACY OF SAID LINES OR THE ACREAGE CALCULATED FROM SAID LINES.

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

WHEREAS ACKER CONSTRUCTION IS THE SOLE OWNER OF A TRACT OF LAND DESCRIBED IN DEED SOUTHFORK CAPITAL, LLC, RECORDED IN INSTRUMENT NO. 1510276, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT), ALSO BEING A PORTION OF BLOCK 62, OFFICIAL MAP OF WAXAHACHIE, RECORDED IN CABINET A, SLIDE 161, OF THE PLAT RECORDS OF ELLIS COUNTY, TEXAS (PRECT), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH CAP STAMPED "PREMIER SURVY" FOUND FOR THE NORTHEAST CORNER OF SAID SOUTHFORK CAPITAL TRACT AND THE COMMON NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED AS TRACT 1 IN DEED TO TONY SMITH, RECORDED IN VOLUME 1654, PAGE 1786, OPRECT, AND BEING IN THE SOUTH RIGHT-OF-WAY (ROW) LINE OF DR. MARTIN LUTHER KING JR. BOULEVARD (MLK BLVD.) (A CALLED 60 FOOT ROW), FROM WHICH A 1/2" IRON ROD FOUND (RPCT) MARKING THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED AS TRACT 2 IN DEED TO TONY SMITH, RECORDED IN VOLUME 1654, PAGE 1786, OPRECT, AND THE COMMON NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO BONDMAN AMERICA, RECORDED IN VOLUME 1653, PAGE 2457, OPRECT BEARS S 63°47'52" E, A DISTANCE OF 69.96 FEET.

THENCE S 26°14'50" W, ALONG THE EAST LINE OF SAID SOUTHFORK CAPITAL TRACT AND THE COMMON WEST LINE OF SAID TRACT 1, A DISTANCE OF 161.48 FEET; A 1/2" IRON ROD FOUND (BENT) FOR THE SOUTHEAST CORNER OF SAID SOUTHFORK CAPITAL TRACT AND THE COMMON SOUTHWEST CORNER OF SAID TRACT 1, AND BEING IN THE NORTH LINE OF A PERMANENT DRAINAGE EASEMENT TO THE CITY OF WAXAHACHIE, RECORDED IN VOLUME 1723, PAGE 807, OPRECT, ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS THAT BEARS S 13°28'10" W, A DISTANCE OF 125.00 FEET.

THENCE ALONG THE SOUTH LINES OF SAID SOUTHFORK CAPITAL TRACT AND THE COMMON NORTH LINE OF SAID PERMANENT DRAINAGE EASEMENT, AS FOLLOWS:

ALONG SAID CURVE TO THE LEFT HAVING A DELTA ANGLE OF 13°19'55", AN ARC LENGTH OF 29.09 FEET, A CHORD THAT BEARS N 83°11'43" W, AND A CHORD DISTANCE OF 29.02 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 4466" FOUND FOR CORNER.

N 80°51'39" W, A DISTANCE OF 67.03 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 4466", AND BEING THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS THAT BEARS S 00°08'36" E, A DISTANCE OF 35.00 FEET.

ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 34°32'16", AN ARC LENGTH OF 21.10 FEET, A CHORD THAT BEARS N 73°30'19" W, AND A CHORD DISTANCE OF 20.79 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 4466" FOUND FOR CORNER, AND BEING THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS THAT BEARS S 34°40'57" W, A DISTANCE OF 45.06 FEET.

ALONG SAID REVERSE CURVE TO THE LEFT HAVING A DELTA ANGLE OF 16°37'58", AN ARC LENGTH OF 14.63 FEET, A CHORD THAT BEARS N 64°38'02" W, AND A CHORD DISTANCE OF 14.27 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 4466" FOUND FOR CORNER.

N 73°07'14" W, A DISTANCE OF 42.50 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "PREMIER SURVY" FOUND FOR CORNER, AND BEING THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS THAT BEARS N 15°38'28" E, A DISTANCE OF 5.33 FEET.

ALONG SAID CURVE TO THE LEFT HAVING A DELTA ANGLE OF 58°23'34", HAVING AN ARC LENGTH OF 5.63 FEET, A CHORD THAT BEARS N 45°09'47" W, AND A CHORD DISTANCE OF 5.20 FEET TO AN X-CUT FOUND FOR CORNER, AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS THAT BEARS S 73°18'49" W, A DISTANCE OF 95.00 FEET.

ALONG SAID NON-TANGENT CURVE TO THE LEFT HAVING A DELTA ANGLE OF 20°48'25", HAVING AN ARC LENGTH OF 34.45 FEET, A CHORD THAT BEARS N 27°04'29" W, AND A CHORD DISTANCE OF 34.26 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "PREMIER SURVY" FOUND FOR CORNER, AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS THAT BEARS S 73°47'35" E, A DISTANCE OF 35.00 FEET.

ALONG SAID NON-TANGENT CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 22°30'22", AN ARC LENGTH OF 13.75 FEET, A CHORD THAT BEARS N 27°27'38" E, AND A CHORD DISTANCE OF 13.66 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 4466" FOUND FOR CORNER, AND BEING THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS THAT BEARS N 51°17'35" W, A DISTANCE OF 55.00 FEET.

ALONG SAID REVERSE CURVE TO THE LEFT HAVING A DELTA ANGLE OF 79°52'59", AN ARC LENGTH OF 76.68 FEET, A CHORD THAT BEARS N 01°14'03" W, AND A CHORD DISTANCE OF 70.62 FEET TO A 1/2" IRON ROD WITH CAP FOUND (ILLEGIBLE) FOR CORNER.

N 39°31'57" W, A DISTANCE OF 1.50 FEET TO A 1/2" IRON ROD WITH CAP FOUND (ILLEGIBLE) FOR THE SOUTHWEST CORNER OF SAID SOUTHFORK CAPITAL TRACT AND THE COMMON SOUTHEAST CORNER OF A 20 FOOT ACCESS EASEMENT TO THE CITY OF WAXAHACHIE, RECORDED IN VOLUME 1723, PAGE 840, OPRECT.

THENCE N 27°32'29" E, ALONG THE WEST LINE OF SAID SOUTHFORK CAPITAL TRACT AND THE COMMON EAST LINE OF SAID 20' ACCESS EASEMENT, A DISTANCE OF 132.54 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID SOUTHFORK CAPITAL TRACT AND THE COMMON NORTHEAST CORNER OF SAID 20 FOOT ACCESS EASEMENT, AND BEING IN THE SOUTH ROW LINE OF SAID MLK BLVD., FROM WHICH A 1/2" IRON ROD FOUND MARKING THE NORTHWEST CORNER OF SAID 20 FOOT ACCESS EASEMENT BEARS N 64°22'20" W, A DISTANCE OF 19.66 FEET.

THENCE S 63°46'52" E, ALONG THE NORTH LINE OF SAID SOUTHFORK CAPITAL TRACT AND THE COMMON SOUTH ROW LINE OF SAID MLK BLVD., A DISTANCE OF 227.57 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1.071 ACRES OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT ACKER CONSTRUCTION, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOT 1, BLOCK A, CRESCENT CREEK VILLAS, 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 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.

I, JEREMY D. RUCKMAN, 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"

JEREMY D. RUCKMAN
REGISTRATION NUMBER 6707

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE

BY: _____ DATE _____
CHAIRPERSON

APPROVED BY: CITY COUNCIL
CITY OF WAXAHACHIE

BY: _____ DATE _____
MAYOR

ATTEST _____ DATE _____

CHRIS ACKER
ACKER CONSTRUCTION

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/HOSE EXERCISED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

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

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

LOT 1, BLOCK A
CRESCENT CREEK VILLAS

BEING A REPLAT OF
A PORTION OF BLOCK 62
OFFICIAL MAP OF WAXAHACHIE,
CABINET A, SLIDE 161,
PLAT RECORDS, ELLIS COUNTY TEXAS
OF CITY OF WAXAHACHIE, TEXAS
ELLIS COUNTY, TEXAS
1.071 ACRES
1 RESIDENTIAL LOT
ZONED SF-2

OWNERS:
ACKER CONSTRUCTION
130 CHIEFTAIN DRIVE, SUITE 103
WAXAHACHIE, TEXAS 75165
469.383.5509

SURVEYOR:
TEXAS REALITY CAPTURE &
SURVEYING, LLC.
P.O. BOX 252
WAXAHACHIE, TEXAS 75168
469.516.0336
TBPLS FIRM NO 10194359

CASE PD-18-0174 and RP-18-0191

SUPPORT 1

OPPOSE 0

1. Request by Chris Acker, Acker Construction, for a Zoning Change from a Single Family-2 zoning district to **Planned Development-Multiple-Family Residential-2, with Concept Plan**, located to the East of 400 Dr Martin Luther King Jr Blvd (Property ID 224114) - Owner: SOUTHFORK CAPITAL LLC (PD-18-0174)
2. Request by Chris Acker, Acker Construction for a **Replat** of a portion of Block 62, Town Addition, to create Lot 1, Block A, Crescent Creek Villas, 1.071 acres (Property ID 224114) – Owner: SOUTHFORK CAPITAL LLC (RP-18-0191)

SUPPORT

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



RECEIVED
11/16/18

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **PD-18-0174 and RP-18-0191**



LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168

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1. Request by Chris Acker, Acker Construction, for a Zoning Change from a Single Family-2 zoning district to **Planned Development-Multiple-Family Residential-2, with Concept Plan**, located to the East of 400 Dr Martin Luther King Jr Blvd (Property ID 224114) - Owner: SOUTHFORK CAPITAL LLC (PD-18-0174)
2. Request by Chris Acker, Acker Construction for a **Replat** of a portion of Block 62, Town Addition, to create Lot 1, Block A, Crescent Creek Villas, 1.071 acres (Property ID 224114) - Owner: SOUTHFORK CAPITAL LLC (RP-18-0191)

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: **PD-18-0174 and RP-18-0191** ☒ 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 **MONDAY, NOVEMBER 19, 2018** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.

Signature

Brad Yates

Printed Name and Title

Date

11/16/18
PO Box 2868 Wax, TX

Address

Planning & Zoning Department

Zoning Staff Report

Case: PD-18-0175



MEETING DATE(S)

Planning & Zoning Commission: November 27, 2018

City Council: December 3, 2018

CAPTION

Request by Chris Acker, Acker Construction, for a Zoning Change from a Single Family-2 and a Commercial zoning district to **Planned Development-Mixed Use Residential and Planned Development-Multiple-Family Residential-2, with Concept Plan**, located at 319 E Main, 101 Kaufman, and 401 Dr Martin Luther King Jr Blvd (Property ID 170536, 170777, and 170858) - Owner: RONALD C HOLMES & ROBERT B FOGARTY (PD-18-0175)

CASE INFORMATION

Applicant: Chris Acker, Acker Construction

Property Owner(s): Ronald C Holmes & Robert B Fogarty

Site Acreage: 0.8738 acres (West) and 0.504 acres (East)

Current Zoning: Single Family-2

Requested Zoning: Planned Development

SUBJECT PROPERTY

General Location: 319 E Main, 101 Kaufman, and 401 Dr Martin Luther King Jr Blvd

Parcel ID Number(s): 170536, 170777, and 170858

Existing Use: Undeveloped Land

Adjoining Zoning & Uses:

Directio	Zoning	Current Use
North	C	Commercial, Retail
East	C, SF-3	Undeveloped Land, Single Family Residential
South	C	Undeveloped Land
West	CA	Ellis County Courts, Downtown Parking Garage

Future Land Use Plan: Low Density Residential

Comprehensive Plan: The Low Density Residential 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 from Kaufman St. and Dr. Martin Luther King, Jr. Blvd. MLK is a Major Thoroughfare B (110' ROW). Kaufman is a local street (60' ROW).

Site Image:



PLANNING ANALYSIS

The applicant is proposing a zoning change from a Single Family-2 and a Commercial zoning district to Planned Development-Mixed Use Residential and Planned Development-Multiple-Family Residential-2, with Concept Plan, located at 319 E Main, 101 Kaufman, and 401 Dr Martin Luther King, Jr. Blvd. The proposed mixed use development will consist of townhome residential as well as mixed use retail lots.

The applicant is proposing to meet the design development standards for the Downtown Neighborhood zoning district.

- Mixed Use Retail (Lots 1-3, Block A)
- Townhome (Lots 4-7, Block A)
- Townhome (Lots 1-5, Block B)

PD DEVELOPMENT STANDARDS

The following identifies the proposed development standard requirements for Kaufman Township East and West.

The purpose and intent of this Planned Development (PD) is to allow for the development of 3 mixed used buildings and 10 townhomes that will use a similar architectural style as listed in Waxahachie's Downtown Design Guidelines for new construction to create a common look that will serve as the model for future development in the surrounding area. Any conditions found within the MIXED USE RESIDENTIAL (MUR) and SINGLE FAMILY ATTACHED (SFA) zoning district or Zoning Ordinance that are not written herein, shall default to the City of Waxahachie's Code of Ordinances, as amended.

PD District Development Standards

Description of Request

- We intend to modify the existing zoning requirements under a Planned Development which will allow for the development of 3 mixed used buildings and 10 townhomes.

Proposed Use of Property

- The purpose and intent of this Planned Development (PD) is to allow for the development of 3 mixed used buildings and 10 townhomes that will use a similar architectural style as listed in Waxahachie's Downtown Design Guidelines for new construction to create a common look that will serve as the model for future development in the surrounding area. We intend to break ground in early spring, with completion of the project in late 2019.

General Development Requirements

- **Site Plan:** The site plan is attached as Exhibit "C"
- **Elevation:** Per Waxahachie's Downtown Design Guidelines for new construction. See exhibit (D) attached for guidelines.

The following dimensions shall control development:

- Lots 1-5 Block B Kaufman Township East shall be attached Single Family.
- Lots 1-3 Block A Kaufman Township West shall be Mixed Used Residential
- Building setback along East Main Shall be ten (10) feet
- Building setback along Dr. Martin Luther King Blvd. shall be fifteen (15) feet
- Building setback along Kaufman St. Shall be ten (10) feet
- Building setbacks along existing SF2 zoning shall be ten (10) feet
- Minimum multifamily dwelling unit size to be eight hundred (800) square feet
- Minimum attached single family dwelling to be twenty three hundred (2,300) square feet
- No minimum side yard for lots 1 and 2 Kaufman Township West
- Existing jogging path to be re aligned per concept plan

Additional Requirements on PD-Mixed use residential, single family attached and multifamily

- Masonry Requirement: one hundred (100) percent up to roof eaves; setback 4th floor and recessed balcony areas can be cementitious fiberboard or similar materials
- All private parking shall be screened by approved landscaping
- All private Parking will have powder coated wrought iron fencing with gated access
- All roofing material will be 30 year architectural shingles, flat roofs will have Thermoplastic Polyolefin roofing (TPO) with ceramic pavers for roof top access
- All HVAC condensing units shall be screened from public streets via roof top location or landscape screening

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 11/09/18.

STAFF CONCERNS

1. Before the project is approved, *if approved by council*, staff would like for the applicant to submit an updated Planned Development standards document.

APPLICANT RESPONSE TO CONCERNS

1. At the time of this report (11/15/2018), staff has yet to receive any revisions from the applicant.

RECOMMENDATION

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

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

1. We use SFA (Single Family Attached) as a use type, so that's the proposed usage of the property. Then you'll detail any relief you're requesting from those standards.
2. HVAC must be screened by landscaping or fencing, not by rooftop.
3. We will need the deeds for the property covered under this zoning case.
4. Comments remain for platting purposes.

ATTACHED EXHIBITS

1. Development Plan
2. Planned Development Regulations
3. Site Plan
4. Downtown Design Guidelines

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

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Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com

EXHIBIT “B”

Concept Plan Provisions

Purpose and Intent

The purpose and intent of this Planned Development (PD) is to allow for the development of 3 mixed used buildings and 10 townhomes that will use a similar architectural style as listed in Waxahachie’s Downtown Design Guidelines for new construction to create a common look that will serve as the model for future development in the surrounding area. Any conditions found within the MIXED USE RESIDENTIAL (MUR) and SINGLE FAMILY ATTACHED (SFA) zoning district or Zoning Ordinance that are not written herein, shall default to the City of Waxahachie’s Code of Ordinances, as amended.

Zoning district MIXED USE RESIDENTIAL (MUR) and SINGLE FAMILY ATTACHED (SFA) is the intended base zoning classification underlying this PD. Any variations to the base zoning district regulations and comprehensive plan are as detailed in these PD regulations along with a concept plan.

PD District Development Standards

Description of Request

- We intend to modify the existing zoning requirements under a Planned Development which will allow for the development of 3 mixed used buildings and 10 townhomes.

Proposed Use of Property

- The purpose and intent of this Planned Development (PD) is to allow for the development of 3 mixed used buildings and 10 townhomes that will use a similar architectural style as listed in Waxahachie's Downtown Design Guidelines for new construction to create a common look that will serve as the model for future development in the surrounding area. We intend to break ground in early spring, with completion of the project in late 2019.

General Development Requirements

- **Site Plan:** The site plan is attached as Exhibit "C"
- **Elevation:** Per Waxahachie's Downtown Design Guidelines for new construction. See exhibit (D) attached for guidelines.

- The following dimensions shall control development:
- Lots 1-5 Block B Kaufman Township East shall be attached Single Family.
- Lots 1-3 Block A Kaufman Township West shall be Mixed Used Residential
- Building setback along East Main Shall be ten (10) feet
- Building setback along Dr. Martin Luther King Blvd. shall be fifteen (15) feet
- Building setback along Kaufman St. Shall be ten (10) feet
- Building setbacks along existing SF2 zoning shall be ten (10) feet
- Minimum multifamily dwelling unit size to be eight hundred (800) square feet
- Minimum attached single family dwelling to be twenty three hundred (2,300) square feet
- No minimum side yard for lots 1 and 2 Kaufman Township West
- Existing jogging path to be re aligned per concept plan

Additional Requirements on PD-Mixed use residential, single family attached and multifamily

- Masonry Requirement: one hundred (100) percent up to roof eaves; setback 4th floor and recessed balcony areas can be cementitious fiberboard or similar materials
- All private parking shall be screened by approved landscaping
- All private Parking will have powder coated wrought iron fencing with gated access
- All roofing material will be 30 year architectural shingles, flat roofs will have Thermoplastic Polyolefin roofing (TPO) with ceramic pavers for roof top access
- All HVAC condensing units shall be screened from public streets via roof top location or landscape screening

V. DESIGN GUIDELINES FOR NEW CONSTRUCTION

New infill construction is anticipated throughout Downtown Waxahachie. As investment in the area continues, it is important that new development contribute to an overall sense of continuity while also conveying the evolution of the area through building design.

This chapter provides guidelines for the design of new buildings in Downtown Waxahachie. It includes general guidelines for the architectural character, building orientation and materials of all new construction projects as well as guidelines for sustainable construction and design guidelines for specific building types.

The guidelines in this chapter also apply to improvements to existing non-historic buildings (those that are not listed as contributing within the historic district) to ensure that they remain compatible with the overall historic context. Note that general preservation principles and the design guidelines included in *Chapter II. Planning a Preservation Project* and *Chapter III. Treatment of Historic Resources* do not apply to new construction or to existing non-historic buildings.



IN THIS CHAPTER

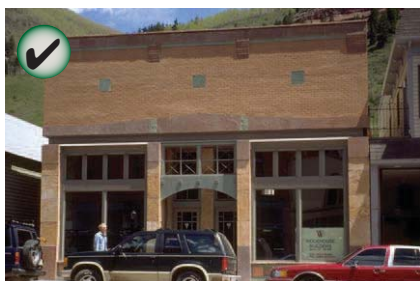
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A. GENERAL PRINCIPLES FOR NEW CONSTRUCTION

New infill construction in Downtown Waxahachie should be compatibly scaled and promote a pedestrian-oriented streetscape. It should also draw on Waxahachie's historic building traditions to inspire new, creative designs.



Appropriate new designs for windows, storefronts and architectural features provide visual interest while clearly indicating that the building is new.



New buildings should reflect the basic mass and scale characteristics of surrounding historic buildings while incorporating contemporary design elements.

ARCHITECTURAL CHARACTER

New buildings in Downtown Waxahachie should be distinguishable from historic buildings so as not to confuse the historic development of the area. Each building should appear as a product of its own time while maintaining general compatibility with the surrounding context.

5.1 Design a new building to reflect its time, while respecting key features of its context.

- New buildings should reflect the basic mass and scale characteristics of surrounding historic buildings while incorporating contemporary design elements.
- Use of historic building materials is encouraged.
- It is especially important that new buildings reflect the key features of the surrounding context in the Central Character Area.

5.2 Consider incorporating contemporary interpretations of traditional designs and details into a new building.

- New designs for window moldings and door surrounds, for example, can provide visual interest while helping to convey the fact that the building is new.
- Contemporary details for new storefronts can create interest while expressing a new, compatible style.

5.3 Do not design a new building to exactly imitate historic styles.

- Imitation blurs the distinction between old and new buildings and confuses interpretation of the architectural evolution of the district.
- An interpretation of a historic style that is authentic to the district may be considered if it is subtly distinguishable as being new.

BUILDING ORIENTATION

Traditionally, the primary entrance of a building faced the street. In a commercial setting, the entry was often recessed. New buildings should be oriented to continue this traditional pattern.

5.4 Maintain the traditional orientation of a building to the street.

- The primary entrance should face the street.
- In some cases, the front door itself may be positioned perpendicular to the street. In this case, the entry should still be clearly defined with a recessed entry or canopy for commercial building types.



Maintain the traditional orientation of a building to the street.



The primary entrance of a building should face the street.



Brick and stone are the preferred primary materials for new construction.



New materials that are similar in character to traditional materials may be acceptable with appropriate detailing. Alternative materials should appear similar in scale, proportion, texture and finish to those used traditionally.

MATERIALS

Building materials used in new construction should contribute to the visual continuity of Downtown Waxahachie.

5.5 Use building materials appropriate to the context.

- In the Central Character Area, brick and stone are the preferred primary materials.
- In the Transition/Industrial Character Area, metal or other industrial materials may be appropriate.

5.6 Building materials shall be similar in scale, color, texture, and finish to those used traditionally in Downtown Waxahachie.

- All wood details should have a weather-protective finish.
- Stucco may be considered as an accent material on upper floors of larger buildings.
- Imitation or synthetic materials, such as aluminum or vinyl siding, imitation brick or imitation stone and plastic, are inappropriate.
- The use of highly reflective materials is discouraged.

5.7 Use masonry that appears similar in character to that seen historically.

- For example, brick and stone should have a modular dimension similar to that used traditionally.

5.8 Ensure that any new materials are similar in character to traditional materials.

- New or alternative materials should appear similar in scale, proportion, texture, and finish to those used traditionally.
- Using new or alternative materials as an accent is appropriate to help express individual building modules or units.



Using new or alternative materials as an accent is appropriate to help express individual building modules or units.

B. NEW CONSTRUCTION AND SUSTAINABILITY

The Waxahachie Comprehensive Plan sets goals for the long-term sustainability and livability of existing neighborhoods. New construction downtown supports sustainability by leveraging existing infrastructure and bringing housing and employers into closer proximity. New construction downtown should further support sustainability by incorporating energy efficient designs while maintaining the traditional character of the area. See *Preservation and Sustainability* on page 5 for more information.

Sustainable Site Design

Site design should include an evaluation of the physical assets of the site to maximize energy efficiency. Designs should consider seasonal changes in natural lighting and ventilation conditions. They should also consider effects on adjoining properties to ensure that neighbors have sufficient solar access and are able to implement energy efficient designs in the future.



5.9 Locate a new building, or addition, to take advantage of micro climatic opportunities for energy conservation.

- Buildings should be oriented to be consistent with historic development patterns, to the extent feasible.
- Seasonal solar and wind exposure patterns should be considered when positioning a new building.

5.10 Design new construction to take advantage of energy saving and generating opportunities.

- Window designs should maximize daylighting into interior spaces.
- Shading devices should be used to manage solar gain in summer months.
- Energy-producing devices, including solar collectors and wind turbines, are encouraged where they also respect the character of the district.

5.11 Incorporate landscape designs that promote energy efficiency and water conservation.

Appropriate strategies include:

- Plantings oriented to provide wind protection for plazas and entries.
- Natural storm water retention basins that also serve as amenities.
- Use of plant species that require low levels of water.

Plantings should provide for winter sun and summer shade.



Wall plane articulation may be used to provide shade or increase solar access to interiors.

Sustainable Building Design

The design of a new building should maximize the potential for natural daylighting and solar energy collection while also ensuring that the building's massing is compatible with the surrounding historic context.

5.12 Orient a building to maximize energy efficiency while ensuring compatibility with adjacent, lower-scale structures.

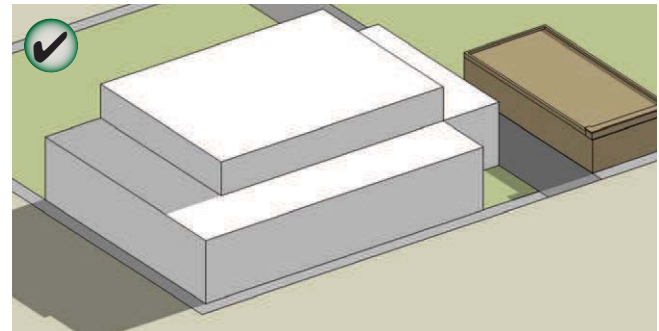
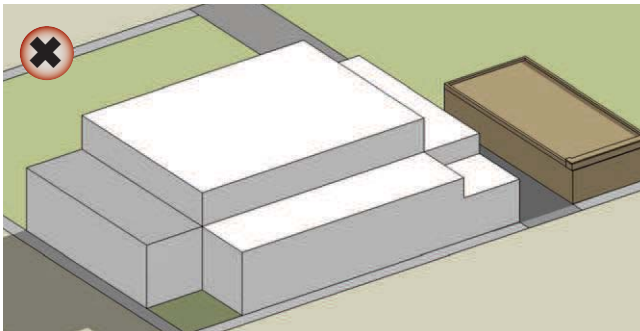
Appropriate strategies include:

- Positioning the taller portion of a building along a north-south axis to minimize shading on lower scale structures to the north.
- Designing a building to minimize shading on south-facing facades of adjacent buildings during winter months.

5.13 Shape a building's mass to maximize solar energy potential.

Consider the following strategies:

- Building designs that allow natural daylighting to the interior.
- Articulated wall planes that provide shade or increase solar access to interiors.
- Roofs oriented to accommodate solar collectors.
- Thermal storage walls on a portion of the south facing building exposure, where appropriate.



Articulate building mass to take advantage of solar energy. The plaza to the left is shaded during peak winter hours while the plaza to the right is enhanced by solar rays during peak winter hours.

Sustainable Building Elements

The elements that make up a building, including windows, mechanical systems and materials, can significantly impact environmental performance. They should be designed to maximize the building's environmental performance, while promoting compatibility with surrounding sites and structures. New materials that improve environmental performance are appropriate if they have been proven effective in the climate of northeastern Texas.

5.14 Use green building materials whenever possible.

Green building materials often have a long life span and are often:

- Locally manufactured
- Low maintenance
- Recycled

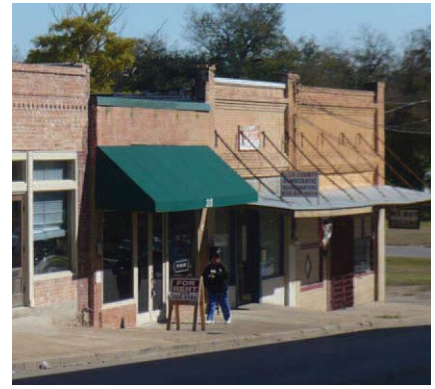
5.15 Incorporate building elements that allow for natural environmental control.

Consider the following:

- Operable windows for natural ventilation
- Low infiltration fenestration products
- Interior or exterior light shelves/solar screens above south facing windows

5.16 Minimize the visual impacts of solar and wind energy devices on the character of the district.

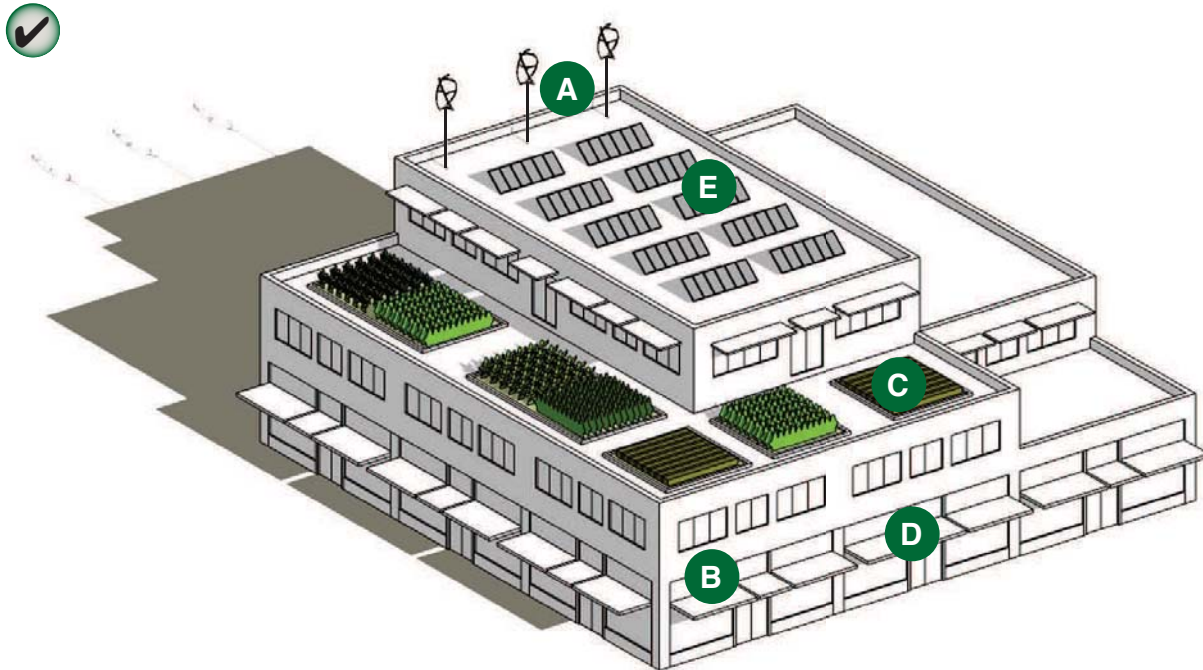
- Where feasible, mount equipment where it has the least visual impact.



The elements that make up a building, including windows, mechanical systems and materials, can significantly impact environmental performance.

NEW COMMERCIAL CONSTRUCTION BUILDING ENERGY EFFICIENCY DIAGRAM

Design a building or addition to take advantage of energy saving and energy harnessing opportunities as illustrated below.



A Wind Devices

- Set back from primary facade to minimize visibility from street

B Operable Transoms

- Allows for natural air circulation

C Green Roofs

- Decreases solar gain
- Reduces runoff

D Shading devices

- Operable canopies, located above display windows

E Solar Panels

- Set back from primary facade to minimize visibility from street
- Used as shading devices

C. NEW COMMERCIAL BUILDING DESIGN

Downtown Waxahachie is composed primarily of traditional commercial buildings with storefronts along the ground floor and upper story office or residential uses. New commercial buildings are encouraged as infill development. They are especially appropriate in the Central Character Area.

MASS AND SCALE

Traditionally commercial buildings had varied heights, articulated masses, visually interesting skylines and pedestrian-scaled street fronts that contribute to a sense of human scale. A new building should continue to provide a variety of pedestrian-friendly scales and visually appealing masses. Buildings should not be monolithic in scale or greatly contrast with those seen traditionally downtown.

5.17 Maintain the traditional size of buildings as perceived at the street level.

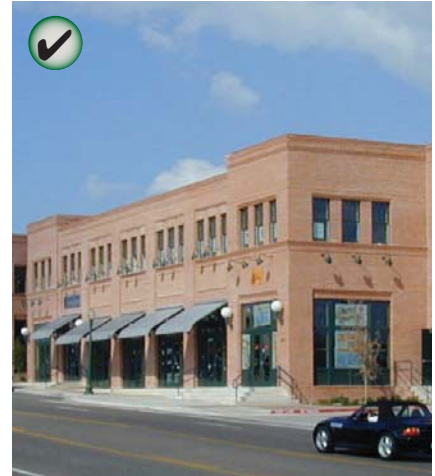
- The facade height of a new building should fall within the range envisioned for the area. It should respect the traditional proportions of height to width.
- Floor-to-floor heights should appear similar to those of traditional buildings downtown, especially those at ground level.

5.18 Establish a sense of human scale.

- Use vertical and horizontal articulation design techniques to reduce the apparent scale of a larger building mass.
- Incorporate changes in color, texture and materials to help define human scale.
- Use architectural details to create visual interest.
- Use materials that help to convey scale in their proportion, detail and form.



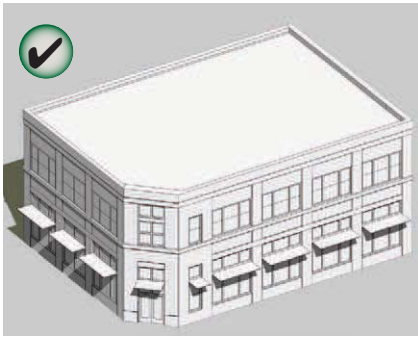
Use vertical and horizontal articulation design techniques to reduce the apparent scale of a larger building mass.



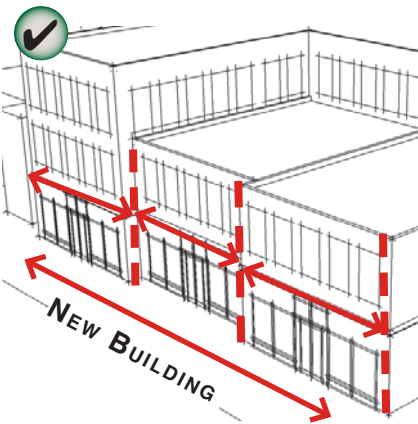
A new building should be designed with a pedestrian-scaled street front.

HUMAN SCALE

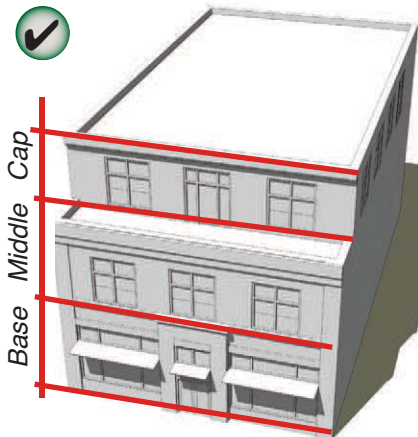
A sense of human scale is achieved when one can reasonably interpret the size of a building by comparing features of its design to comparable elements in one's experience. Using building material of a familiar dimension such as traditional brick is an example, as is using windows of similar dimensions.



Use architectural details that create visual interest and convey a three-dimensional facade to establish a sense of human scale.



New facade widths should reflect the traditional range of the building widths seen on the block.



A new building should incorporate a base, middle and cap.

5.19 Maintain traditional spacing patterns created by the repetition of uniform building widths along the street.

- A new facade should reflect the established range of the traditional building widths seen downtown.
- A change in design features may be used to suggest traditional building widths.
- Changes in materials, window design, facade height or decorative details may be used to reflect traditional facade widths in the design of a larger new building.
- Express variations consistently throughout the structure, such that the composition appears to be a composition of smaller building modules.

5.20 A new building should incorporate a base, middle and cap.

- Traditionally, buildings were composed of these three basic elements. Interpreting this tradition in new buildings will help reinforce the visual continuity of the area.



Where a building must exceed a traditional facade width, use a change in design features to suggest the traditional building widths.

BUILDING AND ROOF FORM

Similarity in building and roof forms is a prominent unifying element in the commercial area. Most are simple rectangular solids. New construction should be designed with simple forms.

5.21 A rectangular form should be dominant on a commercial facade.

- The facade should appear as a flat surface, with any decorative elements and projecting or setback “articulations” appearing to be subordinate to the dominant form.

5.22 A roof form should be similar to those used traditionally.

- Flat roofs are appropriate.
- “Exotic” roof forms, such as A-frames and steep shed roofs, are inappropriate.

COMMERCIAL FACADE CHARACTER

Historic commercial building facades incorporate a regular pattern of transparency and proportion. Typical patterns are summarized in the sidebar at right. These traditional patterns should be incorporated into new construction whenever possible.

5.23 Maintain the traditional spacing pattern created by upper story windows.

- Use traditional proportions of windows, individually or in groups.
- Headers and sills of windows on new buildings should maintain the traditional placement relative to cornices and belt courses.

5.24 Maintain the distinction between the street level and the upper floor.

- The first floor of the primary facade should be predominantly transparent glass.
- Upper floors should be perceived as being more opaque than the lower floor.
- Highly reflective or darkly tinted glass is inappropriate.
- Express the distinction in floor heights between street levels and upper levels through detailing, materials and fenestration. The presence of a belt course is an important feature in this relationship.



The first floor of the primary facade should be predominantly transparent glass.

FACADE MATERIALS AND PROPORTIONS

The street level of a typical historic commercial building is clearly distinguishable from the upper floors. The first floor is predominantly made of fixed plate glass with a small percentage of opaque framing materials, a kickplate and a recessed entry. An upper floor, where it occurs, is the reverse—opaque materials dominate, and windows appear as smaller openings puncturing a more solid wall. These windows are usually double-hung. The street level also appears taller than the upper floors. A historic storefront of twelve to fourteen feet high is typical, whereas a second floor is usually ten to twelve feet.



Recessed entries appear in this traditional setting. This design feature should be continued in new buildings.

5.25 Incorporate traditional building components into the design of a new storefront.

- Express a kickplate, display window and transom in a new storefront design.
- Storefront components and upper story windows should be similar in height and proportion to traditional downtown buildings.
- When portions of a storefront are folding, all of the storefront components should still be visible.

5.26 Maintain the pattern created by recessed entries along the street.

- On commercial type buildings, set a primary entry door back an adequate amount from the front facade to establish a distinct threshold for pedestrians. A recessed dimension of four feet is typical.
- Where entries are recessed, the building line at the sidewalk edge should be maintained by the upper floor(s).
- Use a transom over a doorway to maintain the full vertical height of the storefront.
- Oversized (or undersized) interpretations are discouraged.



Headers and sills of windows on new buildings should maintain the traditional placement relative to cornices and belt courses.

D. CIVIC FACILITY DESIGN

Civic facilities include museums, churches, libraries, fraternal buildings, courts, and governmental offices. New civic facilities in Downtown Waxahachie should reinforce the historic building fabric and enhance the pedestrian environment. They should promote the basic design principles outlined for commercial buildings while also serving as landmarks in the urban fabric.

5.27 Design civic buildings to be compatible with the surrounding context while serving as landmarks.

- Civic facilities should be located such that they encourage pedestrian traffic to nearby businesses.
- Civic facilities should be designed to reinforce the downtown fabric of streets, public spaces and sidewalks.
- Outdoor spaces designed for public use should be provided.
- The visual impacts of automobiles should be minimized.
- Primary entrances should face the street or a public space, not to parking lots.
- A sense of human scale should be conveyed.
- A pedestrian-friendly street level should be included.
- The design guidelines for mass, scale and materials for commercial buildings should be reflected in their design.



The tradition of designing civic institutions as landmarks in the urban fabric should be continued.

AGREEMENT OF UNDERSTANDING

THIS AGREEMENT OF UNDERSTANDING (hereinafter called "Agreement") is effective and entered into this ____ day of December, 2018 between the City of Waxahachie, Texas ("City"), and Acker Construction, LLC ("Developer").

This Agreement is to affirm the understanding between the City and the Developer regarding a property transfer between the two parties for the purpose of the Kaufman Street corridor rehabilitation Phase I, a City project that will realign Kaufman Street with Clift Street at the intersection of Martin Luther King Jr. Boulevard. The Developer will dedicate sufficient right of way to the City, via replat case number RP-18-0190 and as described in *Exhibit A* of this agreement, for purposes of realigning Kaufman Street. In exchange, the City will transfer ownership of existing Kaufman Street right of way to the Developer for private use and development, as described in *Exhibit B* of this agreement, only upon completion and opening to the public of Phase I of the corridor restoration and realignment of Kaufman Street.

The Developer will submit an application for a preliminary plat, via case number PP-18-0178, which will incorporate portions of the existing Kaufman Street right of way into the preliminary plat. This preliminary plat, upon meeting the conditions set forth by the City, may be approved prior to the realignment of Kaufman Street and prior to the transference of ownership from the City to the Developer, of the property described in *Exhibit B*. The Developer may submit an application, and upon meeting the conditions set forth by the City, final plat any lot described within PP-18-0178 not containing any portion of the existing Kaufman Street right of way described within *Exhibit B*. No property owned by the City, as described within *Exhibit B*, may be final platted or used privately by the Developer until such time as the property ownership has been transferred from the City to the Developer.

Should the completion of Phase I of the corridor restoration and realignment of Kaufman Street not be complete and open to the public within three years of the execution of this Agreement, this Agreement becomes null and void at that time unless mutually extended and agreed to by both parties in writing. This Agreement grants a one-year preliminary plat extension, pursuant to Section 2.3.L.2 of the City's subdivision ordinance, to coincide with the timelines defined herein. Should the Agreement become null and void for the aforementioned reason, any property dedicated to the City by the Developer, as described in *Exhibit A*, for purposes of the Kaufman Street realignment will revert back to the Developer in full. Should this Agreement become null and void and the property described in *Exhibit A* revert back to the Developer, a replat of the property will be required. While the property described in *Exhibit A* will revert back to the Developer, it is possible at the time of replat that easements or other land dedications may be required of the Developer to replat the property. This Agreement does not negate or supersede any replatting requirement of the City for this property at that time.

In the event that this Agreement becomes null and void, any and all replatting fees associated with replatting the property described in *Exhibit A* will be waived by the City. Both parties agree that the reversion of the properties back to their original configuration and the waiving of any platting fees will be full compensation for the Agreement becoming null and void. Should this Agreement become null and void, the Developer may choose to allow the City to retain ownership of the property described in *Exhibit A* by submitting to the City Manager a signed letter stating that the Developer does not wish to retain ownership of the property. If the Developer chooses to allow the City to retain ownership of the property described in *Exhibit A* in the event

this Agreement becomes null and void, a replat of the property will not be required by this Agreement.

Please sign this Agreement in the space provided below in order to confirm your agreement with the provisions herein.

[Signatures on following page]

AGREED DEVELOPER:

Acker Construction, LLC.

By: _____

Name:_____

Title:_____

AGREED City:

City of Waxahachie

By: _____

Name:_____

Title:_____

Planning & Zoning Department

Plat Staff Report

Case: PP-18-0178



MEETING DATE(S)

Planning & Zoning Commission: November 27, 2018

City Council: December 3, 2018

CAPTION

Request by Chris Acker, Acker Construction, for a **Preliminary Plat** of Kaufman Township West for 7 lots, being 0.8738 acres, being a portion of Block D, Original Town Addition, a portion of Block 42A, Town Addition, and a portion of Plat and Kaufman Streets, (Property ID 170536, 170777) – Owner: RONALD C HOLMES & ROBERT B FOGARTY (PP-18-0178)

CASE INFORMATION

Applicant: Chris Acker, Acker Construction

Property Owner(s): Ronald C Holmes & Robert B Fogarty

Site Acreage: .8738 acres

Number of Lots: 7 lots

Number of Dwelling Units: 7 mixed use units

Park Land Dedication: The cash in lieu of park land dedication for this property is estimated at \$600.00.

Adequate Public Facilities: City Services are available.

SUBJECT PROPERTY

General Location: 319 E Main

Parcel ID Number(s): 170536, 170777

Current Zoning: Commercial, with a portion being Single Family-2

Existing Use: Vacant Land

Platting History: Portion of Block D, Original Town Addition

Site Aerial:



STAFF CONCERNS

1. Informational Note: A Developer's Agreement will be required before final approval.

APPLICANT RESPONSE TO CONCERNS

1. At the time of this report (11/14/2018), the applicant has yet to submit revisions for the first submittal staff 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. Please remove certain layers/items so that the plat is easier to read (ie. fences, building, sidewalk, trees).
2. MLK is a Major Thoroughfare B (110' ROW) but your drawing only shows it as 60' ROW. You're responsible for ensuring that 55' is dedicated from the centerline.
3. *Informational Note:* Zoning required in order to be approved.
4. *Informational Note:* A Developer's Agreement will be required before final approval. *The applicant cannot have a Final Plat for the property until the ownership is changed per the Developer's Agreement.*
5. Please be sure that the field notes is consistent with the plan.

Does not match plat

S 26°13'22" W, 43.69 feet to the south corner of this tract in the northeast line of said East Main Street;

THENCE N 63°21'28" W, 98.66 feet (Plat N 62°30' W) along the northeast line of said East Main Street and the southwest line of this tract to the POINT OF BEGINNING, and containing approximately 38,065 square feet or 0.8738 acre of land.

5. Please take down some layers on the plan. Some items are hard to read.

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

Planning & Zoning Department

Plat Staff Report

Case: RP-18-0190



MEETING DATE(S)

Planning & Zoning Commission: November 27, 2018

City Council: December 3, 2018

CAPTION

Consider request by Chris Acker, Acker Construction, for a **Replat** of a portion of Block 43, Town Addition, to create Lots 1-5, Block B, Kaufman Township East, 0.504 acres (Property ID 170858) – Owner: RONALD C HOLMES & ROBERT B FOGARTY (RP-18-0190)

CASE INFORMATION

Applicant: Chris Acker, Acker Construction

Property Owner(s): Ronald C Holmes & Robert B Fogarty

Site Acreage: .504 acres

Number of Lots: 5 lots

Number of Dwelling Units: 5 dwelling units

Park Land Dedication: The cash in lieu of park land dedication for this case is estimated at \$2,000.

Adequate Public Facilities: This site has access to City services.

SUBJECT PROPERTY

General Location: 401 Dr. MLK Blvd

Parcel ID Number(s): 170858

Current Zoning: Commercial

Existing Use: Undeveloped Land

Platting History: Block 43, Official Map of Waxahachie

Site Aerial:



STAFF CONCERNS

1. Informational Note: A Developer's Agreement for the reconstruction and realignment of Kaufman Street will be required prior to final approval.

APPLICANT RESPONSE TO CONCERNS

1. At the time of this report (11/14/2018), the applicant has yet to submit revisions for the first submittal staff 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. *Informational Note:* Zoning required in order to be approved.
2. *Informational Note:* A Developer's Agreement will be required before final approval.
3. Please be sure to have the seal and signature of surveyor and/or engineer preparing the Plat.
4. Please provide the square footage for each proposed lot.
5. MLK is a Major Thoroughfare B (110' ROW). You depict it as a 60' ROW. If this is true, you're responsible for dedication of 55' from the centerline.
6. Please be sure that the field notes is consistent with the plan.

Does not match plat

CORNER OF THIS TRACT AND BLOCK 43, AND BEING IN THE INTERSECTION OF THE SOUTH LINE OF KAUFMAN STREET (a called 60 foot right-of-way) and the northeast line of Main Street;

THENCE N 33°03'00" E, 27.78 feet along the south line of Kaufman Street, and along the westerly northwest line of this tract and Block 43, to a 1/2" capped steel rod set for corner;

THENCE N 60°01'25" E 158.24 feet continuing along the south line of Kaufman Street and along

ATTACHED EXHIBITS

1. Plat drawing.

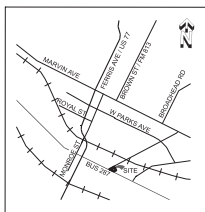
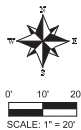
APPLICANT REQUIREMENTS

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:
Colby Collins
Senior Planner
ccollins@waxahachie.com

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



VICINITY MAP
1" = 2000'

TRACT TWO
RONALD CHRISTOPHER HOLMES
& ROBERT B. FOGARTY
INST. NO. 1811892
OPRECT

BLOCK 42A

LOT 5C, BLOCK 42A,
TOWN ADDITION
CAB H. SL. 59
OPRECT

LOT 5B, BLOCK 42A,
TOWN ADDITION
CAB H. SL. 59
OPRECT

KAUFMAN STREET
(CALLED 60' ROW)

DR. MARTIN LUTHER KING JR. BLVD.
(CALLED 65' ROW)

CLIFT STREET

LEGEND

CIRS = 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TXRCS" SET
FND = FOUND
IRF = IRON ROD FOUND
OPRECT = OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS
PRECT = PLAT RECORDS ELLIS COUNTY TEXAS

NOTES:

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

A PORTION OF THE SUBJECT PROPERTY LIES WITHIN ZONE "X" - DEFINED AS "AREAS
DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN" - ACCORDING TO
THE FLOOD INSURANCE RATE MAP NO. 48139C0190F, DATED JUNE 3, 2013, AS
PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

P.O.B.
X-CUT FND
N 83° 00' 00" E
1.24766010

OWNERS:
CHRIS ACKER
130 CHIEFTAIN DRIVE, SUITE 103
WAXAHACHIE, TEXAS 75165
469.383.5539

SURVEYOR:
TEXAS REALITY CAPTURE &
SURVEYING, LLC.
P.O. BOX 252
WAXAHACHIE, TEXAS 75168
469.518.0338
TBPLS FIRM NO. 101194359

LOTS 1-5, BLOCK B KAUFMAN TOWNSHIP EAST

BEING A REPLAT OF
A PORTION OF BLOCK 43
OFFICIAL MAP OF WAXAHACHIE,
CABINET A, SLIDE 181,
PLAT RECORDS, ELLIS COUNTY TEXAS
OF CITY OF WAXAHACHIE, TEXAS
ELLIS COUNTY, TEXAS
0.504 ACRES
5 RESIDENTIAL LOT
ZONED C

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

WHEREAS ACKER CONSTRUCTION IS THE SOLE OWNER OF A TRACT OF LAND DESCRIBED IN DEED RONALD CHRISTOPHER HOLMES AND ROBERT B. FOSGATE, RECORDED IN INSTRUMENT NO. 1511852, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT), ALSO BEING A PORTION OF BLOCK 43, OFFICIAL MAP OF WAXAHACHE, 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 AN "X" CUT FOUND FOR THE SOUTH CORNER OF SAID BLOCK 43 AND THE COMMON WEST CORNER OF BLOCK 60 OF SAID MAP OF WAXAHACHE, AND BEING IN THE NORTHEAST RIGHT-OF-WAY (ROW) LINE OF DR. MARTIN LUTHER KING JR. BOULEVARD (MLK BLVD.) (A CALLED 60 FOOT ROW);

THENCE N 63°34'27" W, ALONG THE SOUTHWEST LINE OF SAID BLOCK 43 AND THE COMMON NORTHEAST ROW LINE OF SAID MLK BLVD., A DISTANCE OF 163.88 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 4486" FOUND FOR THE SOUTH MOST WEST CORNER OF SAID BLOCK 43, AND BEING IN THE SOUTHEAST ROW LINE OF KAUFMAN STREET (A CALLED 60 FOOT ROW);

THENCE ALONG THE NORTHWEST LINES OF SAID BLOCK 43 AND THE COMMON SOUTHEAST ROW LINES OF SAID KAUFMAN STREET, AS FOLLOWS:

N 33°03'00" E, A DISTANCE OF 27.88 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTH MOST WEST CORNER OF SAID BLOCK 43 AND A COMMON ANGLE POINT IN THE SOUTHEAST ROW LINE OF SAID KAUFMAN STREET;

N 80°02'09" E, A DISTANCE OF 159.16 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 4486" FOUND FOR AN ANGLE POINT IN SAID COMMON LINE, AND BEING THE NORTH CORNER OF THE ORIGINAL LOT 4, BLOCK 43 OF SAID MAP OF WAXAHACHE AND THE COMMON WEST CORNER OF THE ORIGINAL LOT 3, BLOCK 43 OF SAID MAP OF WAXAHACHE;

N 82°34'21" E, A DISTANCE OF 10.00 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCOS" SET FOR THE NORTH POINT OF SAID HOLMES TRACT AND THE COMMON WEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO JOSE MANUEL SANCHEZ-RENDON, RECORDED IN VOLUME 1203, PAGE 310, OPRECT;

THENCE S 26°37'54" E, ALONG THE NORTHEAST LINE OF SAID HOLMES TRACT AND THE COMMON SOUTHWEST LINE OF SAID SANCHEZ-RENDON TRACT, A DISTANCE OF 153.28 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCOS" SET FOR THE EAST CORNER OF SAID HOLMES TRACT AND THE COMMON SOUTH CORNER OF SAID SANCHEZ-RENDON TRACT, AND BEING IN THE SOUTHEAST LINE OF SAID BLOCK 43 AND THE COMMON NORTHWEST LINE OF SAID BLOCK 60;

THENCE S 52°42'19" W, ALONG SAID COMMON LINE, A DISTANCE OF 86.22 FEET TO THE POINT OF BEGINNING, AND CONTAINING 5.504 ACRES OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT ACKER CONSTRUCTION, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOTS 1-5, BLOCK B, KAUFMAN TOWNSHIP EAST, 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. THENON, 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 PUBLIC'S 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 _____, 2018.

CHRIS ACKER
ACKER CONSTRUCTION

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/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

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

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

I, JEREMY D. RUCKMAN, 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"

JEREMY D. RUCKMAN
REGISTRATION NUMBER 6707

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

BY: _____ DATE _____
CHAIRPERSON

APPROVED BY: CITY COUNCIL
CITY OF WAXAHACHE

BY: _____ DATE _____
MAYOR

ATTEST

LOTS 1-5, BLOCK B
KAUFMAN TOWNSHIP EAST

BEING A REPLAT OF
A PORTION OF BLOCK 43
OFFICIAL MAP OF WAXAHACHE,
CABINET A, SLIDE 181.

PLAT RECORDS, ELLIS COUNTY TEXAS
OF CITY OF WAXAHACHE, TEXAS
ELLIS COUNTY, TEXAS
0.504 ACRES
5 RESIDENTIAL LOT
ZONED C

OWNERS:
ACKER CONSTRUCTION
130 CHIEFTAIN DRIVE, SUITE 103
WAXAHACHE, TEXAS 75165
469.383.5939

SURVEYOR:
TEXAS REALITY CAPTURE &
SURVEYING, L.L.C.
P.O. BOX 252
WAXAHACHE, TEXAS 75168
469.516.0338
TBPLS FIRM NO 10194359