

NOTICE OF PLANNING & ZONING COMMISSION BRIEFING SESSION
MAY 22, 2018
CITY COUNCIL CONFERENCE ROOM
401 S. ROGERS
WAXAHACHIE TEXAS
6:00 P.M.

Agenda

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

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

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

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, May 22, 2018 at 7:00 p.m.*** in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

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

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

- a. Minutes of the regular Planning & Zoning Commission meeting of May 8, 2018
 - b. Minutes of the Planning & Zoning Commission Briefing of May 8, 2018
 - c. Minutes of the Planning & Zoning Commission Joint Work Session of April 30, 2018
 - d. Request by David Hargrove for a Final Plat of Garden Valley Meadows for 86 lots, being 27.545 acres situated in the JB and Ann Adams Survey, Abstract 5 (Property ID 263468) – Owner: LEGACY GROVE DEVELOPMENT LLC (FP-18-0051)
4. ***Public Hearing*** on a request by Chris Acker, Acker Construction, for a Zoning Change from a Planned Development-44-General Retail and Single Family-2 zoning district to General Retail, located on the Southwest corner of Indian Drive at Brown Street, being 393 148 J GOOCH WM BASKINS 2.1698 ACRES (Property ID 184243) - Owner: INDIAN DRIVE HOLDINGS LLC (ZC-18-0056)
5. ***Consider*** recommendation of Zoning Change No. ZC-18-0056
6. ***Consider*** request by Chris Acker, Acker Construction, for a Preliminary Plat of Dental Place Addition for 2 lots, being 2.081 acres situated in the John Gooch Survey, Abstract 393 (Property ID 184243) – Owner: Owner: INDIAN DRIVE HOLDINGS LLC (PP-18-0057)
7. ***Consider*** Landscape Plan for Dental Place Addition as a companion to PP-18-0057 – Owner INDIAN DRIVE HOLDINGS LLC

8. **Consider** request by Cole Morgan, Americase Fabrication and Construction, for a Preliminary Plat of Americase Business Park for 4 lots, being 21.09 acres situated in the John Estes Survey, Abstract 335, and the WC Moody Survey, Abstract 747 (Property ID 209253) – Owner: R&R AMERICASE HOLDINGS LTD (PP-18-0052)
9. **Consider** request by Cole Morgan, Americase Fabrication and Construction, for a Final Plat of Americase Business Park for 4 lots, being 21.09 acres in the John Estes Survey, Abstract 335, and the WC Moody Survey, Abstract 747 (Property ID 209253) – Owner: R&R AMERICASE HOLDINGS LTD (FP-18-0053)
10. **Consider** request by Cody Cockerham for a Preliminary Plat of Laguna Vista Place Phase 2 for 1 lot, being 2.18 acres situated in the W. Stewart Survey, Abstract 956 (Property ID 190519) – Owner: CODY L COCKERHAM and A. GARRETT REAL ESTATE VENTURES, LLC (PP-18-0046)
11. **Consider** request by Cody Cockerham for a Final Plat of Laguna Vista Place Phase 2 for 1 lot, being 2.18 acres situated in the W. Stewart Survey, Abstract 956 (Property ID 190519) – Owner: CODY L COCKERHAM and A. GARRETT REAL ESTATE VENTURES, LLC (FP-18-0047)
12. **Public Hearing** on a request by Richard Kampen, LRE Group, Inc. for a Zoning Change from a Light Industrial-1 and Light Industrial-2 zoning district to Light Industrial-2, located at 201 Cardinal Road, being LOT PT 1 BLK A CARDINAL IG ADDN 29.0 AC and LOT PT 1 BLK A CARDINAL IG ADDN 19.721 AC (Property ID 226867 and 209418) - Owner: CARDINAL IG COMPANY (ZC-18-0041)
13. **Consider** recommendation of Zoning Change No. ZC-18-0041
14. **Public Hearing** on a request by the City of Waxahachie for a Specific Use Permit (SUP) to allow a Home for Aged, Residence (Assisted Living) use within a General Retail (GR) zoning district, located at 401 Solon Road, being 1 COVENANT ADDN 4.43 ACRES (Property ID 204441) Owner: TEXAS HCP AL LP (SU-18-0070)
15. **Consider** recommendation of Zoning Change No. SU-18-0070
16. **Public Hearing** on a request by Aaron Duncan, MESA, for a Zoning Change from a Future Development zoning district to Commercial, Single Family-3, and Light Industrial-2, located at 604 FM 879, being 557 J JOHNSON 298.296 ACRES, 5 JB & A ADAMS, 557 J JOHNSON, 1249 SC WHITE 65.746 ACRES, and 5 JB & A ADAMS 134.9 ACRES (Property ID 209774, 179013, and 178975) - Owner: KAREN S ANDERSON IRREVOCABLE TRUST (ZC-18-0042)
17. **Consider** recommendation of Zoning Change No. ZC-18-0042
18. **Public Hearing** on a request by Joseph Willrich, BEFCO Engineering Inc, for a Zoning Change from a Commercial zoning district to Light Industrial-1, located at 100 W Sterrett, 6820 N Interstate 35, and 6800 N Interstate 35, being 821 LB OUTLAW 2.354 ACRES, 821 LB OUTLAW 2.324 ACRES, and 821 LB OUTLAW 4.98 ACRES (Property ID 203820, 194221, and 188699) - Owner: M & M INVESTMENTS (ZC-18-0044)

19. **Consider** recommendation of Zoning Change No. ZC-18-0044
20. **Public Hearing** on a request by Joseph Willrich, BEFCO Engineering Inc, for a Specific Use Permit (SUP) for HEAVY MACHINERY SALES OR STORAGE, TRAILER AND HEAVY LOAD VEHICLE REPAIR, EQUIPMENT SALES (NEW OR USED), EQUIPMENT RENTAL (HEAVY), OPEN OR OUTSIDE STORAGE, DISPLAY, OR WORK AREAS FOR MERCHANDISE OR MACHINERY) uses within a Light Industrial-1 zoning district, located at 100 W Sterrett, 6820 N Interstate 35, and 6800 N Interstate 35, being 821 LB OUTLAW 2.354 ACRES, 821 LB OUTLAW 2.324 ACRES, and 821 LB OUTLAW 4.98 ACRES (Property ID 203820, 194221, and 188699) - Owner: M & M INVESTMENTS (SU-18-0045)
21. **Consider** recommendation of Zoning Change No. SU-18-0045
22. **Public Hearing** on a request by Grant Robinson, CPG Homes LLC, for a Zoning Change from a Multi-Family-2 zoning district to Planned Development-Multi-Family-2, with Concept Plan, located East of new Waxahachie High School, being 1080 WM C TUNNELL 6.536 ACRES (Property ID 264879) - Owner: THE MARK ON 287 OWNER LLC (PD-18-0048)
23. **Consider** recommendation of Zoning Change No. PD-18-0048
24. **Public Hearing** on a request by Barb Hall, Ervin USA, for a Specific Use Permit (SUP) for Trailer, Truck Sales or Rental use within a Light Industrial-2 and Future Development zoning district, located at 4675 N Interstate 35, being 790 EC NEWTON 29.74 ACRES (Property ID 188460) - Owner: LUIS ESTRADA (SU-18-0054)
25. **Consider** recommendation of Zoning Change No. SU-18-0054
26. **Public Hearing** on a request by Blain Vinson, Aspen Community Development, for a Zoning Change from a Single Family-3 zoning district to Planned Development-SF-3, with Concept Plan, located East of 865 Cantrell Street, being 6 JC ARMSTRONG 17.521 ACRES (Property ID 244351) - Owner: WALKER L GORDON ETAL (PD-18-0059)
27. **Consider** recommendation of Zoning Change No. PD-18-0059
28. **Public Hearing** on a request by Sam Hix, Air Evac EMS, for a Specific Use Permit (SUP) for Heliport use within a Light Industrial-1 zoning district, located at 103 Industrial Drive, being 2R C N WAXAHACHIE IND PARK1 ACRES (Property ID 203244) - Owner: WESLEY E & F JUNE SAUNDERS (SU-18-0072)
29. **Consider** recommendation of Zoning Change No. SU-18-0072
30. Public Comments
31. Adjourn

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

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

Planning and Zoning Commission
May 8, 2018

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, May 8, 2018 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

Members Absent: Rick Keeler, Chairman

Others Present: Shon Brooks, Director of Planning
 Kelly Dent, Planner
 James Gaertner, City Engineer
 Tommy Ludwig, Executive Director of Community Development
 Lori Cartwright, City Secretary
 David Hill, Council Representative

1. Call to Order

Vice Chairman Melissa Ballard called the meeting to order.

2. Invocation

Mr. David Hudgins gave the invocation.

3. Consent Agenda

- a. Minutes of the regular Planning & Zoning Commission meeting of April 24, 2018
- b. Minutes of the Planning & Zoning Commission Briefing of April 24, 2018
- c. Request Javier D. Jaramillo, Pacheco Koch, LLC, for a Final Plat of City of Waxahachie Public Safety Campus, for 3 lots, being 47.696 acres out of the Benjamin B. Davis Survey, Abstract 290 (Property ID 206534 and 265158) – Owner: CITY OF WAXAHACHIE (FP-18-0040)

Action:

Mrs. Bonney Ramsey moved to approve item a. through c. on the Consent Agenda. Mrs. Betty Square Coleman seconded, All Ayes.

4. Public Hearing on a request by Karl Hansen for a Specific Use Permit (SUP) for a Garage Accessory Dwelling within a Single Family-2 (SF2) zoning district, located at 201 Cynisca Street, being LOT 11 & 12 BLK 11 UNIVERSITY-REV 0.344 AC – Owner: KARL G HANSEN (SU-18-0035)

Vice Chairman Ballard opened the Public Hearing.

Ms. Kelly Dent, Planner, reported the applicant previously received approval to construct the garage accessory dwelling and explained a building permit had not been applied for within the six (6) months of approval. Applicant is re-applying for a Specific Use Permit.

Vice Chairman Ballard announced Staff received one (1) response supporting the request and one (1) response in opposition.

There being no others to speak for or against SU-18-0035, Vice Chairman Ballard closed the Public Hearing.

5. Consider recommendation of Zoning Change No. SU-18-0035

Action:

Mr. Jim Phillips moved to approve a request by Karl Hansen for a Specific Use Permit (SUP) for a Garage Accessory Dwelling within a Single Family-2 (SF2) zoning district, located at 201 Cynisca Street, being LOT 11 & 12 BLK 11 UNIVERSITY-REV 0.344 AC – Owner: KARL G HANSEN (SU-18-0035) per staff comments. Mr. David Hudgins seconded, All Ayes.

6. Consider request by Dennis Little for a Replat of the remainder of Lots 1-4 and part of the remainder of Lot 5, Block 1, Rose Hill Acres Addition to create Lot 1R, Block 1 Rose Hill Acres, 0.515 acres (Property ID 175556) – Owner: CLAY SIBLEY ETAL (RP-18-0037)

Ms. Dent reported the property is located at the corner of Highway 77 and John Arden noting it is zoned General Retail and backs to residential. She stated there are five (5) lots and applicant seeks to replat down to one (1) lot. Ms. Dent stated due to the easement and right-of-way dedication, this will need to be a replat rather than an amended plat. The plat drawing will need to be updated accordingly before submitting for signatures. She recommended approval per comments.

Mr. Robert Lyle, 104 Anthony, Red Oak, Texas, representing applicant, stated the surveyor is amending the drawing and will resubmit. He presented a location map noting the location is for a pharmacy.

Action:

Mr. David Hudgins moved to approve a request by Dennis Little for a Replat of the remainder of Lots 1-4 and part of the remainder of Lot 5, Block 1, Rose Hill Acres Addition to create Lot 1R, Block 1 Rose Hill Acres, 0.515 acres (Property ID 175556) – Owner: CLAY SIBLEY ETAL (RP-18-0037) per staff comments. Mrs. Bonney Ramsey seconded. The vote was as follows:

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

Noes: Jim Phillips

The motion carried.

- 7. Consider request by Chris Acker, Acker Construction, for a Replat of Block 5, Oak Chase Apartments, to create Lot 1, Block A, The Mark on Solon, 5.110 acres (Property ID 175693) Owner: MARK ON SOLON LLC (RP-18-0038)**

Ms. Dent reported the Replat is cleaning up the building lines. She explained a fire lane easement was going in and now the Fire Department does not need it.

Action:

Mrs. Bonney Ramsey moved to approve a request by Chris Acker, Acker Construction, for a Replat of Block 5, Oak Chase Apartments, to create Lot 1, Block A, The Mark on Solon, 5.110 acres (Property ID 175693) Owner: MARK ON SOLON LLC (RP-18-0038) subject to staff comments. Mr. Erik Barnard seconded, All Ayes.

- 8. Public Hearing on a request by Terry Nay for a Specific Use Permit (SUP) to allow an Auto Laundry or Car Wash use within a General Retail (GR) zoning district, located at NE corner of US 287 Bypass Service Road at FM 813, being 911 R RUSSELL 7.121 ACRES (Property ID 227073) - Owner: LYONS AMERICAN SECURITIES INC (SU-18-0034)**

Vice Chairman Ballard opened the Public Hearing.

Ms. Dent reported the applicant seeks to build a car wash at the proposed location. A carwash is permitted in the zoning district. She stated there is some concern as to whether a second car wash is needed at this location in the city. Ms. Dent stated a car wash is located directly across the street from this location.

Mr. Terry Nay, 506 Sagebrush, Waxahachie, applicant, stated he is trying to match the Wiley's building making it attractive to the site. He stated the carwash across the street is being torn town noting his carwash will be totally different from the one across the street.

Those who spoke in opposition of SU-18-0034:

Mr. Ronny Caldwell, 2221, Brown Street, Waxahachie

Vice Chairman Ballard announced four (4) notices were received in opposition of SU-18-0034.

There being no others to speak for or against SU-18-0034, Vice Chairman Ballard closed the Public Hearing.

- 9. Consider recommendation of Zoning Change No. SU-18-0034**

Action:

Mr. Jim Phillips moved to approve a request by Terry Nay for a Specific Use Permit (SUP) to allow an Auto Laundry or Car Wash use within a General Retail (GR) zoning district, located at NE corner of US 287 Bypass Service Road at FM 813, being 911 R RUSSELL 7.121 ACRES

(Property ID 227073) - Owner: LYONS AMERICAN SECURITIES INC (SU-18-0034) subject to staff comments. Mrs. Bonney Ramsey seconded. The vote was as follows:

*Ayes: Melissa Ballard
Bonney Ramsey
Jim Phillips
Erik Barnard
David Hudgins*

Noes: Betty Square Coleman

The motion carried.

- 10. Consider request by Timothy Lyons, Lyons American Securities, Inc. for a Preliminary Plat of Nay Car Wash Addition for 1 lot, being 0.659 acres out of the Robert Russell Survey, Abstract 911 (Property ID 227073) – Owner: LYONS AMERICAN SECURITIES INC (PP-18-0036)**

Ms. Dent reported PP-18-0036 accompanies SU-18-0034. She stated it meets all requirements and recommended approval.

Action:

Mr. Jim Phillips moved to approve a request by Timothy Lyons, Lyons American Securities, Inc. for a Preliminary Plat of Nay Car Wash Addition for 1 lot, being 0.659 acres out of the Robert Russell Survey, Abstract 911 (Property ID 227073) – Owner: LYONS AMERICAN SECURITIES INC (PP-18-0036) subject to staff comments. Mr. David Hudgins seconded, All Ayes.

- 11. Public Hearing on a request by the City of Waxahachie to repeal the current City Comprehensive Zoning Ordinance, Ordinance No. 1897, as amended, and to replace it in its entirety with a new City Comprehensive Zoning Ordinance. The adoption of the new City Comprehensive Zoning Ordinance will, among other matters, repeal the “Parking” and “General Retail-Limited” zoning categories and districts, and create “Mixed-Use Residential,” “Mixed-Use Non-Residential,” and “Downtown Neighborhood” zoning categories and districts. All properties effected by the elimination of the “Parking” and “General Retail-Limited” zoning categories and districts, and the creation of the “Mixed-Use Residential,” “Mixed-Use Non-Residential,” and “Downtown Neighborhood” zoning categories and districts, will be rezoned per City-initiated changes through individually-noticed zoning cases. (TA-18-0055)**

Vice Chairman Ballard opened the Public Hearing.

Ms. Dent reported the Ordinance repeals and replaces the current Zoning Ordinance. She reviewed the above caption. Six audience members were concerned with cases being rezoned per City-initiated changes through individually-noticed zoning cases noting it leaves the ordinance incomplete.

Those who spoke against TA-18-0055:

Mr. John Bailey, 513 North Rogers Street, Waxahachie

A lengthy discussion was held.

There being no others to speak for or against TA-18-0055, Vice Chairman Ballard closed the Public Hearing.

12. Consider recommendation of Zoning Change No. TA-18-0055

Action:

Mrs. Bonney Ramsey moved to approve a request by the City of Waxahachie to repeal the current City Comprehensive Zoning Ordinance, Ordinance No. 1897, as amended, and to replace it in its entirety with a new City Comprehensive Zoning Ordinance. The adoption of the new City Comprehensive Zoning Ordinance will, among other matters, repeal the "Parking" and "General Retail-Limited" zoning categories and districts, and create "Mixed-Use Residential," "Mixed-Use Non-Residential," and "Downtown Neighborhood" zoning categories and districts. All properties effected by the elimination of the "Parking" and "General Retail-Limited" zoning categories and districts, and the creation of the "Mixed-Use Residential," "Mixed-Use Non-Residential," and "Downtown Neighborhood" zoning categories and districts, will be rezoned per City-initiated changes through individually-noticed zoning cases. (TA-18-0055) subject to staff comments. Mr. Jim Phillips seconded. The vote was as follows:

*Ayes: Melissa Ballard
Bonney Ramsey
Jim Phillips
Erik Barnard
David Hudgins*

Noes: Betty Square Coleman

The motion carried.

13. Public Hearing on a request by the City of Waxahachie for a Zoning Change from a General Retail-Limited (GRL) zoning district to General Retail (GR), located at 401 Solon Road, being 1 COVENANT ADDN 4.43 ACRES (Property ID 204441) - Owner: TEXAS HCP AL LP (ZC-18-0060)

Vice Chairman Ballard opened the Public Hearing.

Ms. Dent reported the zoning change is a result of the approved Zoning Ordinance. The property will operate under General Retail. She reported the owner is not opposed.

There being no others to speak for or against ZC-18-0060, Vice Chairman Ballard closed the Public Hearing.

14. Consider recommendation of Zoning Change No. ZC-18-0060

Action:

Mr. Jim Phillips moved to approve a request by the City of Waxahachie for a Zoning Change from a General Retail-Limited (GRL) zoning district to General Retail (GR), located at 401 Solon Road, being 1 COVENANT ADDN 4.43 ACRES (Property ID 204441) - Owner: TEXAS HCP AL LP (ZC-18-0060) as presented. Mr. David Hudgins seconded, All Ayes.

- 15. Public Hearing on a request by the City of Waxahachie for a Specific Use Permit (SUP) to allow a Skilled Nursing Facility use within a General Retail (GR) zoning district, located at 401 Solon Road, being 1 COVENANT ADDN 4.43 ACRES (Property ID 204441) Owner: TEXAS HCP AL LP (SU-18-0061)**

Vice Chairman Ballard opened the Public Hearing.

Ms. Dent reported the zoning change is a result of the approved Zoning Ordinance. She stated this is a companion case to SU-18-0060.

There being no others to speak for or against SU-18-0061, Vice Chairman Ballard closed the Public Hearing.

- 16. Consider recommendation of Zoning Change No. SU-18-0061**

Action:

Mr. Jim Phillips moved to approve a request by the City of Waxahachie for a Specific Use Permit (SUP) to allow a Skilled Nursing Facility use within a General Retail (GR) zoning district, located at 401 Solon Road, being 1 COVENANT ADDN 4.43 ACRES (Property ID 204441) Owner: TEXAS HCP AL LP (SU-18-0061) as presented. Mr. Erik Barnard seconded, All Ayes.

- 17. Public Hearing on a request by the City of Waxahachie for a Zoning Change from a General Retail-Limited (GRL) zoning district to General Retail (GR), located at 3650 S Interstate 35E, being 430 J HARRIS 4.659 ACRES (Property ID 184692) - Owner: PLEASANT MANOR SENIOR CARE LLC (ZC-18-0064)**

Vice Chairman Ballard opened the Public Hearing.

Ms. Dent reported the zoning change is a result of the approved Zoning Ordinance.

There being no others to speak for or against ZC-18-0064, Vice Chairman Ballard closed the Public Hearing.

- 18. Consider recommendation of Zoning Change No. ZC-18-0064**

Action:

Mr. Jim Phillips moved to approve a request by the City of Waxahachie for a Zoning Change from a General Retail-Limited (GRL) zoning district to General Retail (GR), located at 3650 S Interstate 35E, being 430 J HARRIS 4.659 ACRES (Property ID 184692) - Owner: PLEASANT

MANOR SENIOR CARE LLC (ZC-18-0064) as presented. Mrs. Bonney Ramsey seconded, All Ayes.

- 19. Public Hearing on a request by the City of Waxahachie for a Specific Use Permit (SUP) to allow a Skilled Nursing Facility use within a General Retail (GR) zoning district, located at 3650 S Interstate 35E, being 430 J HARRIS 4.659 ACRES (Property ID 184692) - Owner: PLEASANT MANOR SENIOR CARE LLC (SU-18-0065)**

Vice Chairman Ballard opened the Public Hearing.

Ms. Dent reported the zoning change is a result of the approved Zoning Ordinance.

There being no others to speak for or against SU-18-0065, Vice Chairman Ballard closed the Public Hearing.

- 20. Consider recommendation of Zoning Change No. SU-18-0065**

Action:

Mrs. Bonney Ramsey moved to approve a request by the City of Waxahachie for a Specific Use Permit (SUP) to allow a Skilled Nursing Facility use within a General Retail (GR) zoning district, located at 3650 S Interstate 35E, being 430 J HARRIS 4.659 ACRES (Property ID 184692) - Owner: PLEASANT MANOR SENIOR CARE LLC (SU-18-0065) as presented. Mr. Erik Barnard seconded, All Ayes.

- 21. Public Hearing on a request by the City of Waxahachie for a Zoning Change from a Parking (P) zoning district to General Retail (GR), located at 500 McMillan, being 8 FERRIS 0.226 ACRES (Property ID 173270) - Owner: CITIZENS BANK OF TEXAS (ZC-18-0062)**

Vice Chairman Ballard opened the Public Hearing.

Ms. Dent reported the zoning change is a result of the approved Zoning Ordinance. She stated Parking (P) is no longer a district and only a use. Changing to General Retail (GR) allows the owner to maintain the use as an auto parking lot.

There being no others to speak for or against ZC-18-0062, Vice Chairman Ballard closed the Public Hearing.

- 22. Consider recommendation of Zoning Change No. ZC-18-0062**

Action:

Mr. David Hudgins moved to approve a request by the City of Waxahachie for a Zoning Change from a Parking (P) zoning district to General Retail (GR), located at 500 McMillan, being 8 FERRIS 0.226 ACRES (Property ID 173270) - Owner: CITIZENS BANK OF TEXAS (ZC-18-0062) as presented. Mr. Jim Phillips seconded, All Ayes.

23. Public Hearing on a request by the City of Waxahachie for a Specific Use Permit (SUP) to allow an Auto Parking Lot, Commercial use within a General Retail (GR) zoning district, located at 500 McMillan, being 8 FERRIS 0.226 ACRES (Property ID 173270) - Owner: CITIZENS BANK OF TEXAS (SU-18-0063)

Vice Chairman Ballard opened the Public Hearing.

Ms. Dent reported the request accompanies ZC-18-0062 noting approval will allow the applicant to not lose his use.

There being no others to speak for or against SU-18-0063, Vice Chairman Ballard closed the Public Hearing.

24. Consider recommendation of Zoning Change No. SU-18-0063

Action:

Mr. Jim Phillips moved to approve a request by the City of Waxahachie for a Specific Use Permit (SUP) to allow an Auto Parking Lot, Commercial use within a General Retail (GR) zoning district, located at 500 McMillan, being 8 FERRIS 0.226 ACRES (Property ID 173270) - Owner: CITIZENS BANK OF TEXAS (SU-18-0063) as presented. Mrs. Bonney Ramsey seconded, All Ayes.

25. Public Hearing on a request by the City of Waxahachie for a Zoning Change from a Parking (P) zoning district to Commercial (C), located behind 411 N Gibson, being LOT ALL 1 BLK 303 TOWN - WAXAHACHIE 3.3995 AC (Property ID 171851) - Owner: SWS PROPERTIES LLC (ZC-18-0066)

Vice Chairman Ballard opened the Public Hearing.

Ms. Dent reported the zoning change is a result of the approved Zoning Ordinance. She stated Parking (P) is no longer a district and only a use and the best use is Commercial. She stated there is no access to the property.

Mr. Rusty Scott, owner, 885 Melissa Lane, Waxahachie, expressed concern that changing to Commercial will increase his property value. He stated there is a deed restriction that runs with the property that it cannot be used for residential.

Those who spoke against ZC-18-0066:

Mr. Bobby Chamberlin, 230 Patrick Street, Waxahachie

Vice Chairman Ballard announced three (3) notices were received in opposition to ZC-18-0066.

A lengthy discussion was held. Three members of the audience spoke but did not speak for or against the request.

There being no others to speak for or against ZC-18-0066, Vice Chairman Ballard closed the Public Hearing.

Vice Chairman Ballard announced at 9:11 p.m. the Commission convened into Executive Session to deliberate ZC-18-0066.

The Commission reconvened at 9:26 p.m.

26. Consider recommendation of Zoning Change No. ZC-18-0066

Action:

Mrs. Bonney Ramsey moved to approve a request by the City of Waxahachie for a Zoning Change from a Parking (P) zoning district to Commercial (C), located behind 411 N Gibson, being LOT ALL 1 BLK 303 TOWN - WAXAHACHIE 3.3995 AC (Property ID 171851) - Owner: SWS PROPERTIES LLC (ZC-18-0066) as presented. Mr. Erik Barnard seconded.

*Ayes: Melissa Ballard
Bonney Ramsey
Jim Phillips
Erik Barnard
David Hudgins*

Noes: Betty Square Coleman

The motion carried.

27. Public Hearing on a request by the City of Waxahachie for a Specific Use Permit (SUP) to allow an Auto Parking Lot, Commercial use within a Commercial (C) zoning district, located behind 411 N Gibson, being LOT ALL 1 BLK 303 TOWN - WAXAHACHIE 3.3995 AC (Property ID 171851) - Owner: SWS PROPERTIES LLC (SU-18-0067)

Vice Chairman Ballard opened the Public Hearing.

Ms. Dent reported stated it has been recognized that there is no access to the property and therefore staff does not want to recommend a use. She stated there will not be a request for a Specific Use Permit.

28. Consider recommendation of Zoning Change No. SU-18-0067

Action:

No Action to be taken

29. Public Comments

Ms. Melissa Olson, 202 Stampede St., Waxahachie, asked the Commission to keep in mind the City Council reserves the right and ultimately makes the final decision but rely heavily on the

expertise and recommendation of the Commission. She recommended if there are questions in their minds, to deny the request and let it go on to City Council for consideration.

Vice Chairman Ballard stated there are public workshops to the City Council and to the Planning and Zoning Commission prior to their scheduled public meetings. She stated the workshops are not open for comments.

30. Adjourn

There being no further business, the meeting adjourned at 9:30 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

Planning and Zoning Commission
May 8, 2018

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, May 8, 2018 at 6:00 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

Members Present: Melissa Ballard, Vice Chairman
 Bonney Ramsey
 Jim Phillips
 Erik Barnard
 David Hudgins

Members Absent: Rick Keeler, Chairman
 Betty Square Coleman

Others Present: Shon Brooks, Director of Planning
 Kelly Dent, Planner
 James Gaertner, City Engineer
 Tommy Ludwig, Executive Director of Community Development
 Lori Cartwright, City Secretary
 David Hill, Council Representative

1. Call to Order

Vice Chairman Melissa Ballard called the meeting to order.

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

{Mr. Jim Phillips arrived}

Mr. Shon Brooks, Director of Planning, reviewed the Final Plat under the Consent Agenda noting it is ready for approval. He reviewed a request for a garage accessory dwelling noting the applicant was approved but didn't apply for a building permit in time. Applicant is re-applying for a Specific Use Permit. Staff received one (1) response in support and one (1) response in opposition.

Mr. Brooks reviewed a Replat in Rose Hill Acres Addition to create one lot noting the location is Highway 77 and John Arden Blvd. Mr. James Gaertner, City Engineer, recommended obtaining enough easement and right-of-way for a future street that is depicted on the City's Thoroughfare Plan.

Mr. Brooks reviewed a request for a Replat for Oak Chase Apartments noting this is cleaning up the building lines. He reviewed a request to allow a car wash noting a request within a General Retail zoning district requires a Specific Use Permit. He stated four (4) oppositions were filed with staff. Mr. Brooks stated a Replat accompanies the request to separate the lots.

Mr. Brooks reviewed a request to repeal the current City Comprehensive Zoning Ordinance and replace it in its entirety with a new City Comprehensive Zoning Ordinance. He recapped the requested amendments as results from three (3) City Council and Planning and Zoning Commission workshops. A lengthy discussion was held.

Planning and Zoning Commission

May 8, 2018

Page 2

3. Adjourn

There being no further business, the meeting adjourned at 6:51 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

City Council and Planning & Zoning Commission
April 30, 2018

A Joint Work Session of the Mayor and City Council and Planning & Zoning Commission of the City of Waxahachie, Texas was held in the City Council Conference Room at City Hall, 401 S. Rogers on Monday, April 30, 2018 at 5:30 p.m.

Council Members Present: Kevin Strength, Mayor
Chuck Beatty, Councilmember
David Hill, Councilmember

Council Member Absent: Mark Singleton, Mayor Pro Tem
Mary Lou Shipley, Councilmember

Planning & Zoning
Members Present: Rick Keeler, Chairman
Betty Square Coleman
Bonney Ramsey
Jim Phillips
David Hudgins

P&Z Commission
Members Absent: Melissa Ballard, Vice Chairman
Erik Barnard
David Hudgins

Others Present: Michael Scott, City Manager
Albert Lawrence, Assistant City Manager
Lori Cartwright, City Secretary
Chelsey Gordon, Assistant to City Manager
Tommy Ludwig, Exec. Director of Community Services
Shon Brook, Director of Planning
Kelly Dent, Planner

1. Call to Order by Mayor Kevin Strength and Chairman Rick Keeler

Mayor Kevin Strength called the City Council meeting to order.

Chairman Rick Keeler called the Planning and Zoning Commission meeting to order.

2. Discussion of modifications to Zoning Ordinance

Mr. Shon Brooks, Director of Planning, announced this is the third meeting to recap of what was previously discussed. He presented a draft Zoning Ordinance noting the public has been noticed for the May 8, 2018, Planning and Zoning Commission and the May 21, 2018 City Council meeting. Mr. Brooks stated the meeting of the stakeholders on April 9, 2018 went well and staff received positive feedback.

Mr. Brooks stated the purpose of amending the Zoning Ordinance was to simplify and condense the Ordinance considerably. General changes were made by reducing the Planned Development and Specific Use Permit, Ordinances, reduced duplication, removed parking chart, and medical

facilities ordinance was amended. Mr. Brooks reviewed the definitions, use regulations and use chart easing the use of the tables. Development standards were amended pertaining to fencing, walls, and screening requirements, landscape requirements (land buffer), off-street parking and loading, sign regulations (cleanup on signage). Development standards that were added included townhouses or townhome standards, hotel standards, xeriscape landscape options.

Mayor Strength stated he receives calls of high grasses and expressed concern with xeriscape. He suggested to maybe have limited natural grass area guidelines pertaining to planting. Discussion was held pertaining to balancing rules and regulations on xeriscape.

Mr. Brooks reported zoning districts added Mix-Use Residential, Mix-Use Non-Residential, and Downtown Neighborhood. He stated zoning districts removed or amended included Parking and General Retail-Limited.

Mr. Brooks thanked City Council and the Planning and Zoning Commission for their time and participation reviewing the Comprehensive Zoning Ordinance.

3. Adjourn

There being no further business, the meeting adjourned at 6:16 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

Planning & Zoning Department

Plat Staff Report

Case: FP-18-0051



MEETING DATE(S)

Planning & Zoning Commission: May 22, 2018

City Council: June 4, 2018

CAPTION

Request David Hargrove for a **Final Plat** of Garden Valley Meadows for 86 lots, being 27.545 acres situated in the JB and Ann Adams Survey, Abstract 5 (Property ID 263468) – Owner: LEGACY GROVE DEVELOPMENT LLC (FP-18-0051).

CASE INFORMATION

Applicant: David Hargrove

Property Owner(s): Legacy Grove Development LLC

Site Acreage: 27.545 acres

Number of Lots: 86 lots

Number of Dwelling Units: 86 units

SUBJECT PROPERTY

General Location: East of FM 813 and South of Garden Valley Parkway

Parcel ID Number(s): 263468

Current Zoning: Planned Development-SF2

Existing Use: Currently undeveloped

Platting History: PP-17-0077 was approved by City Council on July 24, 2017.

Site Aerial:



STAFF CONCERNS

1. This plat cannot be filed until the HOA documents are received.
2. Final acceptance for Public Infrastructure from Public Works is necessary prior to recording the plat.

APPLICANT RESPONSE TO CONCERNS

1. Applicant is in the process of establishing the HOA and understands that the filing will be held until the documents are filed with the County.

RECOMMENDATION

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
 1. The plat cannot be filed until the City receives a stamped copy of the filed CCRs.
 2. The plat cannot be filed until the Letter of Acceptance is received from the Public Works department.

ATTACHED EXHIBITS

1. Plat drawings

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

Kelly Dent, MPA

Planner

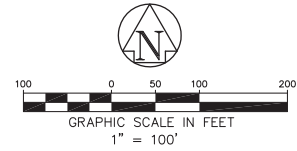
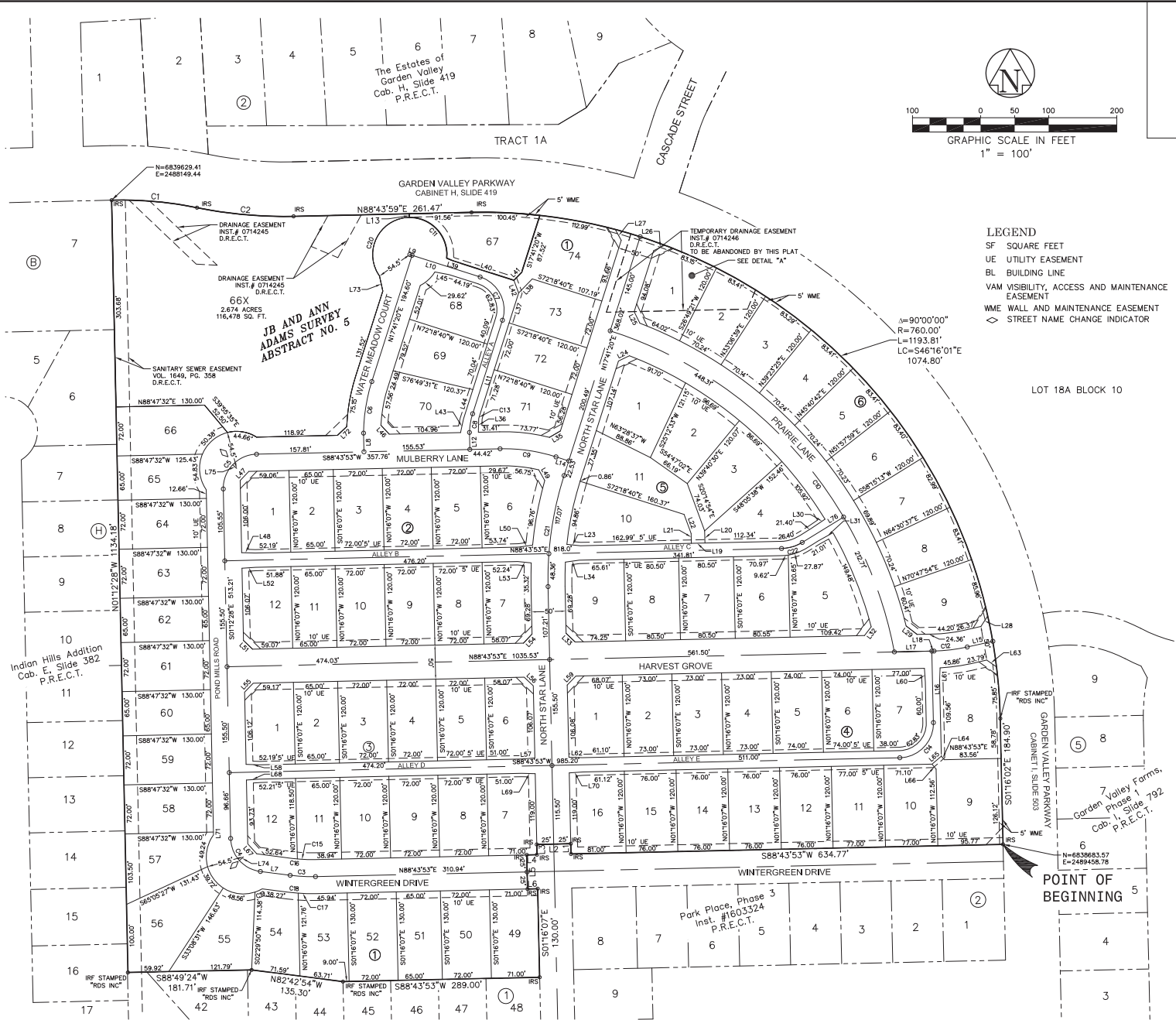
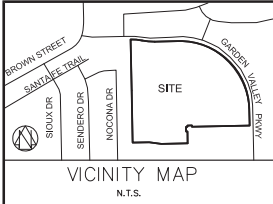
kdent@waxahachie.com

Reviewed by:

Shon Brooks, AICP

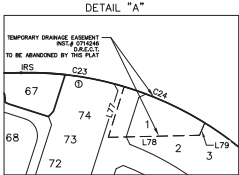
Director of Planning

sbrooks@waxahachie.com

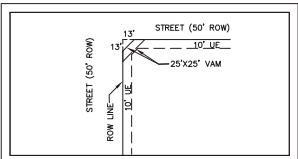


- LEGEND
- SF SQUARE FEET
 - UE UTILITY EASEMENT
 - BL BUILDING LINE
 - VAM VISIBILITY, ACCESS AND MAINTENANCE EASEMENT
 - WME WALL AND MAINTENANCE EASEMENT
 - ◇ STREET NAME CHANGE INDICATOR

LOT 18A BLOCK 10



TYPICAL ROW CORNER CLIP
VISIBILITY EASEMENT AND UTILITY
EASEMENT AT ALL INTERIOR
INTERSECTIONS
N.T.S.



OWNER
LEGACY GROVE DEVELOPMENT, LLC
1450 HARRINGTON ROAD
WAXAHACHIE, TX 75165
PHONE: 214-405-5903

SURVEYOR
PELTON LAND SOLUTIONS, INC.
10075 JOHN W. ELLIOT DR.
FORT WORTH, TX 76177
PHONE: 817-562-3350

PLANNER / ENGINEER
PELTON LAND SOLUTIONS, INC.
10075 JOHN W. ELLIOT DR.
SUITE 400
FISCO, TX 75033
PHONE: 469-213-1800
TX FIRM NO 12207

A Final Plat of Garden Valley Meadows

SITUATED IN THE
J B AND ANN ADAMS SURVEY, ABSTRACT NUMBER 5
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

Date of Preparation: August 29, 2017

Revisions:

HRE7001

Job #:

Drawn By:

Checked By:

Date:

A Final Plat of Garden Valley Meadows

SITUATED IN THE
J B AND ANN ADAMS SURVEY, ABSTRACT NUMBER 5
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

PELTON
LAND SOLUTIONS

SHEET

1

OF 2 SHEETS

27.545 ACRE DESCRIPTION

WHEREAS, LEGACY GROVE DEVELOPMENT, LLC IS THE OWNER OF A 27.545 ACRE TRACT OF LAND SITUATED IN THE J.B. AND ANN SURVEY, ABSTRACT NO. 5, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS AND BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO WP LEGACY, LTD. RECORDED IN VOLUME 2454, PAGE 1811 OF THE DEED RECORDS ELLIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF PARK PLACE, PHASE 3, AN ADDITION TO THE CITY OF WAXAHACHIE, TEXAS RECORDED IN INSTRUMENT NUMBER 1003324, PLAT RECORDS ELLIS COUNTY, TEXAS AND THE WEST RIGHT-OF-WAY LINE OF GARDEN VALLEY PARKWAY (AN 80 FOOT RIGHT-OF-WAY) AS SHOWN ON THE FINAL PLAT OF GARDEN VALLEY RANCH, PHASE 3, AN ADDITION TO THE CITY OF WAXAHACHIE, TEXAS RECORDED IN CABINET 1, SLIDE S03, PLAT RECORD ELLIS COUNTY, TEXAS;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE AND WITH THE NORTH LINE OF SAID PARK PLACE, PHASE 3 THE FOLLOWING COURSES AND DISTANCES:

- S 88°43'53" W, 634.77 FEET TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELOTON" SET;
- N 01°16'07" W, 15.00 FEET TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELOTON" SET;
- S 88°43'53" W, 50.00 FEET TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELOTON" SET;
- S 01°16'07" E, 15.00 FEET TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELOTON" SET;
- S 88°43'53" W, 15.00 FEET TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELOTON" SET;
- S 01°16'07" E, 50.00 FEET TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELOTON" SET;
- N 88°43'53" E, 15.00 FEET TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELOTON" SET;
- S 01°16'07" E, 130.00 FEET TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELOTON" SET;
- S 88°43'53" W, 289.00 FEET TO A 1/2 INCH IRON ROD WITH PLASTIC CAP STAMPED "RDS INC" FOUND;
- N 82°42'54" W, 135.30 FEET TO A 1/2 INCH IRON ROD WITH PLASTIC CAP STAMPED "RDS INC" FOUND;

THENCE S 88°49'24" W, 181.71 FEET TO A 1/2 INCH IRON ROD WITH PLASTIC CAP STAMPED "RDS INC" FOUND IN THE EAST LINE OF LOT 16, BLOCK H, INDIAN HILLS ADDITION UNIT 7 RECORDED IN CABINET 6, SLIDE 383, SAID PLAT RECORDS;

THENCE CONTINUING WITH SAID EAST LINE OF INDIAN HILLS ADDITION, N 01°12'28" W, 1,134.18 FEET TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELOTON" SET FOR THE NORTHEAST CORNER OF LOT 7, BLOCK B OF SAID INDIAN HILLS ADDITION, BEING IN THE SOUTH RIGHT-OF-WAY LINE OF GARDEN VALLEY PARKWAY (80' FOOT RIGHT-OF-WAY) RECORDED IN THE ESTATES OF GARDEN VALLEY RECORDED IN CABINET H, SLIDE 419, SAID PLAT RECORDS TO THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE WITH SAID CURVE TO THE RIGHT, AN ARC DISTANCE 126.25 FEET THROUGH A CENTRAL ANGLE OF 12°55'03", HAVING A RADIUS OF 560.00 FEET, THE LONG CHORD WHICH BEARS S 84°57'39" E, 135.89 FEET TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELOTON" SET FOR THE BEGINNING OF A REVERSE CURVE TO THE LEFT;

THENCE WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE 142.59 FEET THROUGH A CENTRAL ANGLE OF 12°45'54", HAVING A RADIUS OF 640.00 FEET, THE LONG CHORD WHICH BEARS S 84°55'04" E, 142.29 FEET TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELOTON" SET;

THENCE N 88°43'50" E, 261.47 FEET TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "PELOTON" SET FOR THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE WITH SAID CURVE TO THE RIGHT, AN ARC DISTANCE 317.94 TO SAID TO THE WEST RIGHT-OF-WAY LINE OF GARDEN VALLEY PARKWAY RECORDED IN SAID GARDEN VALLEY RANCH, PHASE 3, CONTAINING A TOTAL ARC DISTANCE OF 1,303.81 FEET THROUGH A CENTRAL ANGLE OF 90°00'00", HAVING A RADIUS OF 760.00 FEET, THE LONG CHORD WHICH BEARS S 46°16'01" E, 1,074.80 FEET TO A 1/2 INCH IRON ROD WITH PLASTIC CAP STAMPED "RDS INC" FOUND;

THENCE S 01°16'02" E, 184.90 FEET TO THE POINT OF BEGINNING AND CONTAINING 27.545 ACRES OR 1,199,847 SQUARE FEET OF LAND MORE OR LESS.

NOTES:

- THE BEARING BASE FOR THIS SURVEY IS THE TEXAS COORDINATE SYSTEM, NAD83, NORTH CENTRAL ZONE 4202.
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY ORDINANCE AND STATE LAWS, AND IS SUBJECT TO FINES AND WITHHOLDINGS OF UTILITIES AND BUILDING PERMITS.
- NO RESIDENTIAL DRIVEWAY IS TO BE LOCATED CLOSER THAN 30 FEET FROM A RESIDENTIAL - RESIDENTIAL, OR RESIDENTIAL - COLLECTOR INTERSECTION.
- NO DRIVEWAY IS TO BE LOCATED CLOSER THAN 100 FEET FROM A RESIDENTIAL - MAJOR INTERSECTION.
- ALL FIRE HYDRANTS LOCATED AT INTER - SECTIONS SHALL BE PHYSICALLY LOCATED ON THE CORNER AND SHALL NOT CONFLICT WITH CURB RAMP.
- ALL CORNERS ARE 5/8 INCH IRON RODS WITH PLASTIC CAPS STAMPED "PELOTON" SET, UNLESS OTHERWISE NOTED.
- THIS PROPERTY IS DESIGNATED AS ZONE X (UNSHADED), AREA OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FEMA FIRM PANEL 190F & 0200F, EFFECTIVE DATE JUNE 3, 2013.
- MAINTENANCE EASEMENT SHALL BE DEDICATED TO AND SCREENING AREA SHALL BE MAINTAINED BY HOA.
- ALL PRIVATE OPEN SPACES TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
- ALL PROPOSED STREETS ARE 50' ROW AND 30' B-B. ALL PROPOSED ALLEYS ARE 21' ROW AND 16' PAVEMENT.
- EXISTING ZONING PD SF-2 PER ORDINANCE NUMBER 2137 AND 2277.

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS: THAT I, TODD A. BRIDGES, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THE CORNER MONUMENTS SHOWN THEREON AS SET WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF WAXAHACHIE.

*Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document." 22 TAC 66.318c

Todd A. Bridges, RPLS 4940

TODD A. BRIDGES
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4940

STATE OF TEXAS
COUNTY

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

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

NOTARY PUBLIC, STATE OF TEXAS

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, LEGACY GROVE DEVELOPMENT, LLC ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINAFOVE DESCRIBED PROPERTY AS GARDEN VALLEY FARMS, PHASE 1, AN ADDITION TO THE CITY OF WAXAHACHIE, TEXAS AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS, ALLEYS AND EASEMENTS SHOWN THEREON. THE STREETS AND THE ALLEYS ARE DEDICATED FOR STREET PURPOSES, THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED, FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHIE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF WAXAHACHIE'S USE THEREOF. THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH 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 OF PROCURING PERMISSION FROM ANYONE.

THE AREA OR AREAS SHOWN ON THE PLAT AS "VAM" (VISIBILITY, ACCESS AND MAINTENANCE) EASEMENT(S) ARE HEREBY GIVEN AND GRANTED TO THE CITY, ITS SUCCESSORS AND ASSIGNS, AS AN EASEMENT TO PROVIDE VISIBILITY, RIGHT OF ACCESS FOR MAINTENANCE UPON AND ACROSS SAID VAM EASEMENT, THE CITY SHALL HAVE THE RIGHT BUT NOT THE OBLIGATION TO MAINTAIN ANY AND ALL LANDSCAPING WITHIN THE VAM EASEMENT SHOULD THE CITY EXERCISE

THIS MAINTENANCE RIGHT, THEN IT SHALL BE PERMITTED TO REMOVE AND DISPOSE OF ANY AND ALL LANDSCAPING IMPROVEMENTS, INCLUDING WITHOUT LIMITATION, ANY TREES, SHRUBS, FLOWERS, GROUND COVER AND FENCES. THE CITY MAY WITHDRAW MAINTENANCE OF THE VAM EASEMENT AT ANY TIME. THE ULTIMATE MAINTENANCE RESPONSIBILITY FOR THE VAM EASEMENT SHALL REST WITH THE OWNERS, NO BUILDING, FENCE, SHRUB, TREE OR OTHER IMPROVEMENTS OR GROWTHS, WHICH IN ANY WAY MAY ENDANGER OR INTERFERE WITH THE VISIBILITY, SHALL BE CONSTRUCTED IN, ON, OVER OR ACROSS THE VAM EASEMENT, THE CITY SHALL ALSO HAVE THE RIGHT BUT NOT THE OBLIGATION TO ADD ANY LANDSCAPE IMPROVEMENTS TO THE VAM EASEMENT. TO ERECT ANY TRAFFIC CONTROL DEVICES OR SIGNS ON THE VAM EASEMENT AND TO REMOVE ANY OBSTRUCTION THEREON. THE CITY, ITS SUCCESSORS, ASSIGNS, OR AGENTS SHALL HAVE THE RIGHT AND PRIVILEGE AT ALL TIMES TO ENTER UPON THE VAM EASEMENT OR ANY PART THEREOF FOR THE PURPOSES AND WITH ALL RIGHTS AND PRIVILEGES SET FORTH HEREIN.

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

WITNESS MY HAND, THIS _____ DAY OF _____, 2018.

LEGACY GROVE DEVELOPMENT, LLC, A TEXAS LIMITED PARTNERSHIP

BY: _____
NAME: _____
TITLE: _____

STATE OF TEXAS
COUNTY OF _____

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

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

NOTARY PUBLIC, STATE OF TEXAS

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE

BY: _____ DATE _____

APPROVED BY: CITY COUNCIL CITY OF WAXAHACHIE

BY: _____
MAYOR

ATTEST _____ DATE _____

LINE TABLE		
NO.	BEARING	LENGTH
L1	N01°16'07"W	15.00'
L2	S88°43'53"W	50.00'
L3	S01°16'07"E	15.00'
L4	S88°43'53"W	15.00'
L5	S01°16'07"E	50.00'
L6	N88°43'53"E	15.00'
L7	S82°42'48"E	44.10'
L8	S01°16'01"E	27.44'
L9	N72°18'40"W	3.50'
L10	S72°18'40"E	105.00'
L11	S17°41'20"W	144.10'
L12	S01°16'07"E	25.03'
L13	N00°00'00"E	5.38'
L14	N72°18'40"W	19.64'
L15	N72°25'34"E	38.55'
L16	S01°16'07"E	105.00'
L17	N88°43'53"E	55.08'
L18	N88°43'53"E	3.10'
L19	S88°43'53"W	20.00'
L20	S01°16'07"E	17.88'
L21	S01°16'07"E	14.54'
L22	S201°4'54"E	29.68'
L23	N84°08'45"W	20.00'
L24	N64°13'07"E	17.89'
L25	N25°54'03"W	18.83'
L26	N63°52'34"E	18.00'
L27	S28°29'54"E	18.00'
L28	S32°35'51"W	18.44'
L29	N52°14'24"W	20.20'
L30	N56°11'18"E	25.02'
L31	N60°46'03"E	25.00'
L32	S37°14'48"W	16.19'
L33	N46°16'07"W	18.28'
L34	N81°43'02"E	20.41'
L35	N60°03'04"E	18.56'
L36	S01°30'52"W	20.02'
L37	N17°41'20"E	46.22'
L38	N44°06'34"E	28.79'
L39	N72°18'40"W	94.34'
L40	N72°18'40"W	94.34'

LINE TABLE		
NO.	BEARING	LENGTH
L41	S44°06'34"W	16.51'
L42	N20°39'16"W	19.90'
L43	S11°56'52"W	20.54'
L44	S17°41'20"W	45.35'
L45	S79°51'37"E	21.57'
L46	N42°31'33"W	18.03'
L47	N43°45'42"E	18.39'
L48	N88°24'47"W	20.02'
L49	S29°18'02"E	18.06'
L50	S81°49'42"W	20.66'
L51	N46°14'18"W	18.28'
L52	N85°52'38"E	20.03'
L53	S84°07'00"E	20.03'
L54	S43°43'27"W	18.28'
L55	N43°47'32"E	18.23'
L56	S46°15'40"E	18.28'
L57	S85°52'11"W	20.02'
L58	N88°24'17"W	20.02'
L59	N43°43'53"E	18.28'
L60	S04°07'52"E	20.02'
L61	N01°34'28"E	20.15'
L62	N88°24'17"W	19.92'
L63	S55°01'28"E	17.55'
L64	S39°40'30"E	6.79'
L65	N49°16'18"E	18.00'
L66	N39°40'30"W	9.50'
L67	S41°57'27"E	19.69'
L68	S85°52'04"W	20.02'
L69	S88°25'02"E	20.02'
L70	N85°51'05"E	19.90'
L71	S01°12'28"E	4.08'
L72	S46°19'42"W	18.56'
L73	S12°16'09"E	22.53'
L74	S48°02'22"W	8.00'
L75	N46°11'39"W	8.00'
L76	S58°28'37"W	71.31'
L77	N17°21'59"E	120.55'
L78	S88°43'59"W	207.29'
L79	S22°42'08"W	30.57'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	12°55'03"	560.00'	126.25'	S84°57'39"E	125.99'
C2	12°45'54"	640.00'	142.59'	S84°53'04"E	142.29'
C3	8°33'18"	250.00'	37.33'	S86°59'28"E	37.29'
C4	81°30'20"	50.00'	71.13'	S41°57'38"E	65.28'
C5	89°56'21"	50.00'	78.49'	S43°45'42"W	70.67'
C6	17°13'32"	256.00'	76.96'	S09°04'33"W	76.68'
C7	90°00'01"	50.50'	79.33'	N27°18'40"W	71.42'
C8	15°55'11"	100.50'	27.92'	S09°43'44"W	27.83'
C9	18°57'26"	252.00'	83.38'	N81°47'24"W	83.00'
C10	61°34'59"	615.00'	661.02'	N41°31'11"W	629.66'
C11	96°18'17"	54.50'	91.61'	N42°42'35"W	81.20'
C12	11°18'19"	250.00'	49.33'	N83°04'44"E	49.25'
C13	2°37'59"	90.00'	4.14'	S16°22'20"W	4.14'
C14	90°00'00"	50.50'	79.33'	N43°43'53"E	71.42'
C15	6°39'04"	225.00'	26.12'	N87°56'34"W	26.10'
C16	1°54'14"	225.00'	7.48'	S83°39'56"E	7.48'
C17	5°26'16"	275.00'	26.10'	S88°32'59"E	26.09'
C18	3°07'02"	275.00'	14.96'	S84°16'20"E	14.96'
C19	12°07'02"	54.50'	11.53'	N65°45'06"E	11.50'
C20	124°30'55"	54.50'	118.44'	N26°52'49"E	96.47'
C21	18°57'26"	500.00'	165.43'	N08°12'36"E	164.68'
C22	30°15'16"	60.50'	31.95'	N73°36'15"E	31.58'
C23	17°52'46"	760.00'	237.16'	N82°19'38"W	236.20'
C24	15°10'28"	760.00'	201.28'	N65°48'01"W	200.69'

A Final Plat of
Garden Valley Meadows

SITUATED IN THE
J B AND ANN ADAMS SURVEY, ABSTRACT NUMBER 5
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS



SHEET

2
OF 2 SHEETS

A Final Plat of
Garden Valley Meadows
SITUATED IN THE
J B AND ANN ADAMS SURVEY, ABSTRACT NUMBER 5
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

Date of Preparation: August 29, 2017

Planning & Zoning Department

Zoning Staff Report

Case: ZC-18-0056



MEETING DATE(S)

Planning & Zoning Commission: May 22, 2018

City Council: June 4, 2018

CAPTION

Public Hearing on a request by Chris Acker, Acker Construction, for a Zoning Change from a Planned Development-44-General Retail and Single Family-2 zoning district to **General Retail**, located on the Southwest corner of Indian Drive at Brown Street, being 393 148 J GOOCH WM BASKINS 2.1698 ACRES (Property ID 184243) - Owner: INDIAN DRIVE HOLDINGS LLC (ZC-18-0056).

CASE INFORMATION

Applicant: Chris Acker, Acker Construction

Property Owner(s): Indian Drive Holdings LLC

Site Acreage: 2.1698 acres

Current Zoning: Planned Development-44-General Retail and Single Family-2

Requested Zoning: General Retail

SUBJECT PROPERTY

General Location: SW corner of Indian Drive at Brown Street

Parcel ID Number(s): 184243

Existing Use: Currently undeveloped

Development History: There is a companion case no. PP-18-0057.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-105-GR	Current High School
East	GR	Currently undeveloped
South	PD-44-GR	Buffalo Creek Community
West	PD-GR	Ninth Grade Academy

Future Land Use Plan: Low Density Residential with a portion Public/Semi-Public

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.

The Public/Semi-Public land use category includes uses that are educational, governmental or institutional in nature. This type of land use is generally permitted within any area, therefore, only the current Public/Semi-Public uses are shown on the map.

Thoroughfare Plan:

The site is located at the southwest corner of Brown Street (FM 813) and Indian Drive. FM 813 is a Major Thoroughfare B (110' ROW).



Site Image:

PLANNING ANALYSIS

The property is currently located within planned development and single family residential zoning districts. The applicant proposes to clean up the zoning, removing the site from the planned development altogether.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 7 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 5/4/18.

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. Zoning exhibit

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:

Kelly Dent, MPA

Planner I

kdent@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com

Planning & Zoning Department

Plat Staff Report

Case: PP-18-0057



MEETING DATE(S)

Planning & Zoning Commission: May 22, 2018

City Council: June 4, 2018

CAPTION

Consider request by Chris Acker, Acker Construction, for a **Preliminary Plat** of Dental Place Addition for 2 lots, being 2.081 acres situated in the John Gooch Survey, Abstract 393 (Property ID 184243) – Owner: INDIAN DRIVE HOLDINGS LLC (PP-18-0057).

CASE INFORMATION

Applicant: Chris Acker, Acker Construction

Property Owner(s): Indian Drive Holdings LLC

Site Acreage: 2.081 acres

Number of Lots: 2 lots

Park Land Dedication: The cash in lieu of park land dedication for this case is estimated at **\$1,248.60** (2.081 acres at \$600.00 per acre).

SUBJECT PROPERTY

General Location: Southwest corner of Indian Drive at Brown Street

Parcel ID Number(s): 184243

Current Zoning: See companion case ZC-18-0056

Existing Use: Currently undeveloped

Platting History: John Gooch Survey, Abstract 393

Site Aerial:



STAFF CONCERNS

1. None.

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. Plat drawings
2. Landscape plan

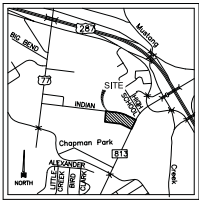
APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

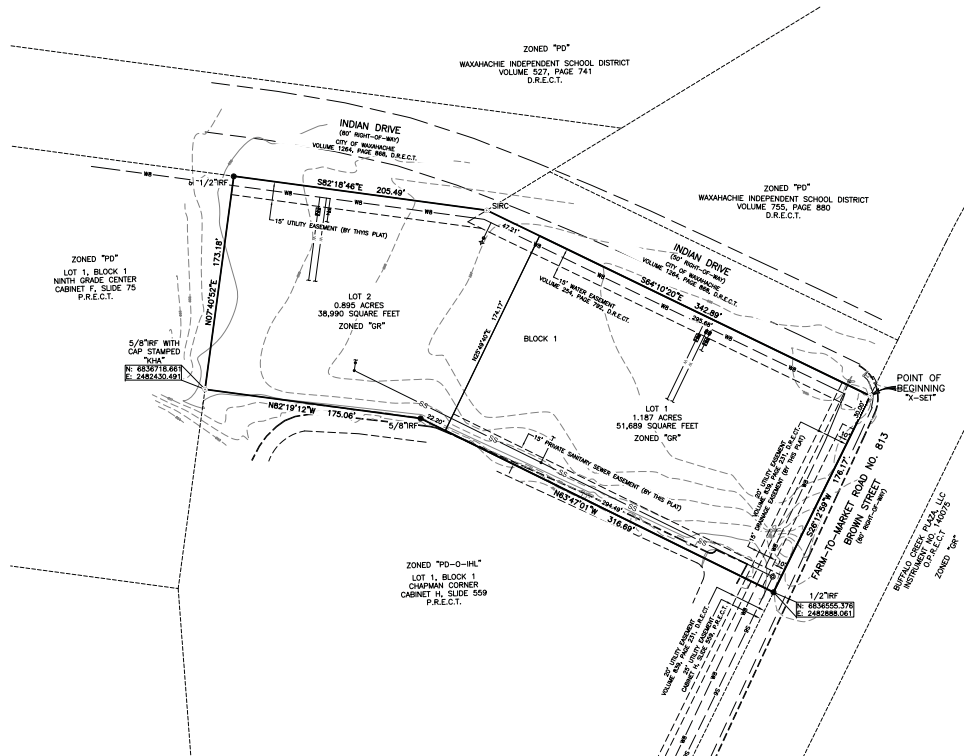
Prepared by:
Kelly Dent, MPA
Planner
kdent@waxahachie.com

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



LEGEND

O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
D.R.E.C.T. DEED RECORDS, ELLIS COUNTY, TEXAS
P.R.E.C.T. PLAT RECORDS, ELLIS COUNTY, TEXAS
<CM> CONTROL MONUMENT
SRF 1/2" IRON ROD SET WITH YELLOW CAP STAMPED
"RPLS 5674" (UNLESS OTHERWISE NOTED)
IRF IRON ROD FOUND



NOTES:
1. BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE 4202 AS DERIVED FROM THE TRIMBLE VRS NETWORK.
2. ALL LOT CORNERS ARE MONUMENTED WITH A 1/2 INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" UNLESS OTHERWISE NOTED.
FLOOD STATEMENT:
THE SUBJECT TRACT LIES WITHIN ZONE X (UNSHADED), DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA). FLOOD INSURANCE RATE MAP (FIRM) AS SHOWN ON COMMUNITY PANEL NO. 48139C0190F, DATED JUNE 3, 2013 FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS.

STATE OF TEXAS
COUNTY OF ELLIS
BEING A TRACT OF LAND LOCATED IN THE JOHN GOOCH SURVEY, ABSTRACT NO. 393, WAXAHACHIE, ELLIS COUNTY, TEXAS AND BEING ALL OF A TRACT OF LAND DESCRIBED IN DEED TO INDIAN DRIVE HOLDINGS, LLC, RECORDED IN INSTRUMENT NO. 1621148, OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A "X" CUT SET AT THE INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY LINE OF BROWN STREET (PARK-TO-MARKET ROAD NO. 813), AN 80' RIGHT-OF-WAY, WITH THE SOUTHWESTERLY LINE OF INDIAN DRIVE, A 50' RIGHT-OF-WAY AT THIS POINT, SAME BEING THE EAST CORNER OF SAID INDIAN DRIVE HOLDINGS TRACT;
THENCE SOUTH 28°12'59" WEST, ALONG SAID NORTHWEST RIGHT-OF-WAY LINE, A DISTANCE OF 176.17 FEET TO A 1/2" IRON ROD FOUND AT THE EAST COMMON CORNER OF SAID INDIAN DRIVE HOLDINGS TRACT AND LOT 1, BLOCK 1 OF CHAPMAN CORNER, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET H, SLIDE 559, PLAT RECORDS, ELLIS COUNTY, TEXAS (P.R.E.C.T.);
THENCE NORTH 63°47'01" WEST, ALONG THE COMMON LINE OF SAID INDIAN DRIVE HOLDINGS TRACT AND SAID LOT 1, A DISTANCE OF 316.69 FEET TO A 5/8" IRON ROD FOUND FOR CORNER;
THENCE NORTH 82°19'12" WEST, CONTINUING ALONG THE COMMON LINE OF SAID INDIAN DRIVE HOLDINGS TRACT AND SAID LOT 1, A DISTANCE OF 175.06 FEET TO A 5/8" IRON ROD WITH A CAP STAMPED "RPLS 5674" FOUND IN THE SOUTHEAST LINE OF LOT 1, BLOCK 1 OF NINTH GRADE CENTER, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET F, SLIDE 75, P.R.E.C.T., AT THE WEST COMMON CORNER OF SAID INDIAN DRIVE HOLDINGS TRACT AND SAID LOT 1;
THENCE NORTH 07°40'52" EAST, ALONG THE COMMON LINE OF SAID INDIAN DRIVE HOLDINGS TRACT AND SAID NINTH GRADE CENTER ADDITION, A DISTANCE OF 173.18 FEET TO A 1/2" IRON ROD FOUND IN SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF INDIAN DRIVE, AN 80' RIGHT-OF-WAY AT THIS POINT, AT THE NORTH COMMON CORNER OF SAID INDIAN DRIVE HOLDINGS TRACT AND SAID NINTH GRADE CENTER ADDITION;
THENCE SOUTH 82°18'46" EAST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 205.49 FEET TO A 1/2" IRON ROD WITH A CAP STAMPED "RPLS 5674" SET FOR CORNER;
THENCE SOUTH 64°10'20" EAST, CONTINUING ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 342.89 FEET TO THE POINT OF BEGINNING AND CONTAINING 90,679 SQUARE FEET OR 2.082 ACRES OF LAND, MORE OR LESS.

SURVEYOR'S CERTIFICATE
KNOW ALL MEN BY THESE PRESENTS:
THAT I, SEAN SHROPSHIRE, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON AS SET WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS.
SEAN SHROPSHIRE
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5674



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

OWNER'S SIGNATURE _____ DATE _____
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 _____

PRELIMINARY PLAT
DENTAL PLACE ADDITION
2 COMMERCIAL LOTS
2.082 ACRES ~ ZONED "GR" GENERAL RETAIL
AN ADDITION TO THE CITY OF WAXAHACHIE
JOHN GOOCH SURVEY ~ ABSTRACT NO. 393
ELLIS COUNTY, TEXAS

APRIL, 2018 SCALE: 1"=50'

OWNERS
INDIAN DRIVE HOLDINGS, LLC
200 N. ELM STREET
WAXAHACHIE, TX 75165 (214) 808-7721
ENGINEER
GATEWAY ENGINEERING, INC.
6012 REEF POINT LANE, STE. J,
FORT WORTH, TX 76135 817-439-9444

SURVEYOR
AXIS
SURVEYING
P.O. Box 5781 Woodloch, Texas 75169
214.903.8200 TBP/LS Firm No. 10194367
Info@axis-survey.com

CAB. _____ SLIDE _____

GENERAL LANDSCAPE NOTES:

1. VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS FOR DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
2. LOCATE ALL EXISTING UNDERGROUND UTILITIES FOR CONFLICTS. EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
3. CONTRACTOR SHALL PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
4. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
5. CROWN ALL LANDSCAPE ISLANDS TO 6" HEIGHT, TYPICAL AND UNIFORM THROUGHOUT THE SITE.
6. PLANTING BEDS AND LAWN AREAS SHALL BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS, OR CURBS. CUT STEEL EDGING AT 45 DEGREE ANGLE WHERE IT INTERSECTS WALKS AND CURBS.
7. TOP OF MULCH SHALL BE 1/2" MINIMUM BELOW THE TOP OF WALKS AND CURBS.
8. ALL LAWN AREAS SHALL BE SOLID SOD BERMUDAGRASS, UNLESS OTHERWISE NOTED ON THE DRAWINGS.
9. ALL LANDSCAPE AREAS SHALL BE 100% IRRIGATED WITH AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM AND SHALL INCLUDE RAIN AND FREEZE SENSORS PER CITY OF WAXAHACHIE IRRIGATION REQUIREMENTS.

MAINTENANCE NOTES:

1. PER CITY ORDINANCE SECTION 26.9-1 - THE OWNER SHALL BE RESPONSIBLE FOR THE CONTINUED MAINTENANCE IN PERPETUITY OF ALL LANDSCAPING AND IRRIGATION. ALL REQUIRED LANDSCAPING SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THIS SHALL INCLUDE MOWING, EDGING, PRUNING, FERTILIZING, WEEDING, WATERING, KEEPING BEDS MULCHED IN ACCORDANCE WITH STANDARD HORTICULTURAL PRACTICES OR AS RECOMMENDED BY THE LANDSCAPE ADMINISTRATOR AND OTHER SUCH ACTIVITIES COMMON TO THE MAINTENANCE OF LANDSCAPES. LANDSCAPED AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS AND OTHER SUCH MATERIAL OR PLANTS NOT A PART OF THE LANDSCAPING. ALL PLANT MATERIALS SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR. ALL IRRIGATION HEADS OR LINES WHICH ARE BROKEN AND FLOW WATER SHALL BE REPLACED/REPAIRED IMMEDIATELY TO PREVENT WASTE OF WATER.

GENERAL LAWN NOTES:

1. CONTRACTOR SHALL LEAVE LAWN AREAS 1" BELOW FINAL FINISHED GRADE PRIOR TO TOPSOIL INSTALLATION.
2. CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED ON CIVIL PLANS. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER WAY STAND.
3. ALL LAWN AREAS SHALL BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED AND FINISH GRADE
4. REMOVE ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT CLOUDS, STICKS, CONCRETE SPOILS, ETC. PRIOR TO PLACING TOPSOIL AND LAWN INSTALLATION.
5. GUARANTEE ESTABLISHMENT OF ACCEPTABLE TURF AREA AND PROVIDE REPLACEMENT FROM LOCAL SUPPLY IF NECESSARY.

SOLID SOD NOTES:

1. PLANT SOD BY HAND TO COVER INDICATED AREAS COMPLETELY. ENSURE EDGES OF SOD ARE TOUCHING. TOP DRESS JOINTS BY HAND WITH TOPSOIL TO FILL VOIDS.
2. ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE, FREE FROM UNNATURAL UNDULATIONS.
3. WATER SOD THOROUGHLY AS SOD OPERATION PROGRESSES.
4. F INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MARCH 1, OVER-SEED BERMUDAGRASS SOD WITH WINTER RYEGRASS, AT A RATE OF FOUR (4) POUNDS PER ONE THOUSAND (1000) SQUARE FEET.

GENERAL NOTES:

1. ALL SURFACE MATERIALS TO MEET MINIMUM STANDARDS AND SPECIFICATIONS PER THE CITY OF WAXAHACHIE, TEXAS.
2. ALL SIGNS, LIGHTING, LUMINARIES, AND FENCES TO COMPLY WITH THE REQUIREMENTS OF THE CITY OF WAXAHACHIE, TEXAS.
3. LANDSCAPING TO BE PROVIDED PER SITE PLAN. TREE LOCATIONS ARE REPRESENTATIVE AND MAY BE ADJUSTED AT TIME OF PERMIT.
4. PARKING SPACES REQUIRED: 30. PARKING SPACES PROVIDED: 31. INCLUDING 1 T.A.S. ACCESSIBLE SPACES TO MEET THE MINIMUM T.A.S. STANDARDS (MINIMUM SIZE) PARKING SPACE: 9' X 18'

LANDSCAPE TABULATIONS:

THE CITY OF WAXAHACHIE, TEXAS

** NO EXISTING TREES ON THIS PROPERTY **

INTERIOR LANDSCAPE AREA

1. 50% OF PROPOSED BUILDING SHALL BE REQUIRED INTERIOR LANDSCAPE TOTAL BUILDING S.F. = 6295 S.F.
2. 75% OF THE REQUIRED INTERIOR LANDSCAPE SHALL BE IN THE FRONT AND SIDE YARD.
3. ONE (1) CANOPY TREE PER 500 S.F. OF REQUIRED LANDSCAPE AREA
4. ONE (1) UNDERSTORY (ACCENT) TREE PER 250 S.F. OF REQUIRED LANDSCAPE AREA
5. ONE (1) SHRUB PER 40 S.F. OF REQUIRED LANDSCAPE AREA
6. 15% OF REQUIRED LANDSCAPE AREA SHALL BE GROUND COVER
7. 2% OF REQUIRED LANDSCAPE AREA SHALL BE SEASONAL COLOR

REQUIRED:	PROVIDED:
3,146 S.F. (50%)	6,033 S.F.
2,360 S.F. (75%)	4,588 S.F.
(6) CANOPY TREES	(7) CANOPY TREES
(13) ACCENT TREES	(13) ACCENT TREES
(79) SHRUBS	(82) SHRUBS
472 S.F. GROUND COVER (15%)	617 S.F. GROUND COVER (19%)
63 S.F. SEASONAL COLOR (2%)	63 S.F. SEASONAL COLOR (2%)

BUFFERYARD

1. 15% OF THE STREETYARD TO BE PERMANENT LANDSCAPE. STREETYARD = 2,056 SQ. FT.
2. 10' LANDSCAPE BUFFER
3. ONE (1) TREE PER 40 L.F. OF STREET FRONTAGE
- INDIAN DRIVE FRONTAGE: 222.29'

REQUIRED:	PROVIDED:
1,045 S.F. LANDSCAPE (15%)	2,185 S.F. LANDSCAPE (27%)
(6) TREES	(7) TREES

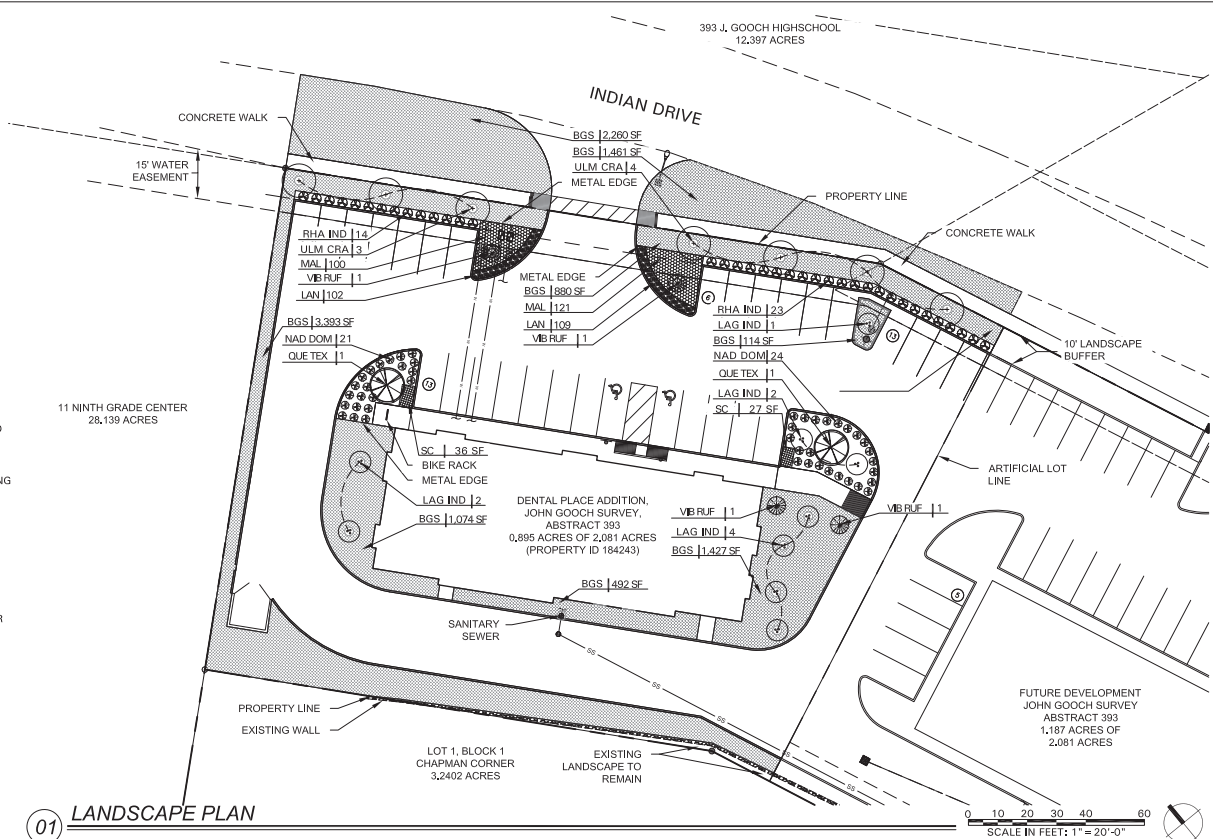
STREET TREES

1. ONE (1) TREE, 4" CALI., PER 30 L.F.
- | REQUIRED: | PROVIDED: |
|--------------------|--------------------|
| (7) TREES, 4" CAL. | (7) TREES, 4" CAL. |

PARKING LOT LANDSCAPE

1. 13 S.F. OF LANDSCAPE PER PARKING SPACE TOTAL PARKING SPACES = 31
2. TWO (2) TREES, 4" CAL., PER 500 S.F. OF REQUIRED PARKING LOT LANDSCAPE AREA
3. TEN (10) SHRUBS PER 500 S.F. OF REQUIRED PARKING LOT AREA

REQUIRED:	PROVIDED:
403 S.F. LANDSCAPE	2,462 S.F. LANDSCAPE
(2) TREES, 4" CALI.	(2) TREES, 4" CAL.
(10) SHRUBS	(82) SHRUBS

**LANDSCAPE PLAN****ABBREVIATIONS LEGEND:**

PND - PROPERTY CORNER	X - SPOT ELEVATIONS
FND - FOUND	W/L - WATER LINE
S.R. - STEEL ROD	W/M - WATER METER
S.P. - STEEL PIPE	M/H - SEWER MANHOLE
U.E. - UTILITY EASEMENT	F.H. - FIRE HYDRANT
P.P. - UTILITY POLE	W.V. - WATER VALVE
R.O.W. - RIGHT OF WAY	D.U.E. - DRAINAGE & UTILITY EASEMENT
P.O.B. - POINT OF BEGINNING	
C/L - CENTERLINE	

VICINITY MAP: NOT TO SCALE**PLANT LIST**

CONTRACTOR TO VERIFY PLANT QUANTITIES PER PLAN

SYMBOL	BOTANIC NAME	COMMON NAME	QTY.	SIZE	NOTES
ULM CRA	ULMAS CRASSIFOLIA	CEDAR ELM	7	4-4.5" CALIPER	100 GAL, 14-16" HEIGHT, SINGLE, MATCHING
QUE TEX	QUERCUS TEXANA	TEXAS RED OAK	2	4-4.5" CALIPER	100 GAL, 14-16" HEIGHT, SINGLE, MATCHING
LAG IND	LAGERSTROMIA INDICA	CREPE MYRTLE	9	45 GALLON	10-12" HEIGHT, MULTI TRUNK, MATCHING
VIB RUF	VIBURNUM RUFDULUM	RUSTY BLACKHAW VIBURNUM	4	30 GALLON	6-8" HEIGHT, MULTI TRUNK, MATCHING
NAD DOM	NANDINA DOMESTICA	NANDINA RUFFLES	45	3 GALLON	18" HEIGHT AND SPREAD SPACING PER PLAN, MATCHING
RAP IND	RHAPHIOLEPS INDICA	INDIAN HAWTHORN 'PINK'	37	5 GALLON	24" HEIGHT, 24" SPREAD SPACING PER PLAN, MATCHING
MAL	MALVAVISCUS ARBOREUS	TURK'S CAP	221	1 GALLON	8" HEIGHT, CONTAINER FULL, SPACING 18" O.C.
LAN	LANTANA SPP	LANTANA	211	1 GALLON	12" HEIGHT, CONTAINER FULL, SPACING 12" O.C.
SC	N/A, TO BE SPECIFIED	SEASONAL COLOR	72	SQ. FT.	PERENNIALS AND ANNUALS LOCATION PER PLAN
BGS	CYNODON DACTYLON	COMMON BERMUDA GRASS SOD	11,071	SQ. FT.	SOLID SOD



la terra studio
landscape architecture
urban design • planning
2712 north avenue • suite 4
dallas, texas • 75201 • 214.748.0973
www.latterastudio.com

**DENTAL PLACE ADDITION
JOHN GOOCH SURVEY
ABSTRACT 393
CITY OF WAXAHACHIE, TEXAS**

MAY 10, 2018

DENTAL PLACE ADDITION
CITY OF WAXAHACHIE, TEXAS

LANDSCAPE PLAN

Blue Line Design Co.
133 CHIEFTAIN
SUITE 100
WAXAHACHIE, TEXAS 75165
OFFICE# 972.935.9710



CHRIS R. ACKER
AIBD - CERTIFICATION # 620
http://www.AIBD.org/usa/

Planning & Zoning Department

Plat Staff Report

Case: PP-18-0052



MEETING DATE(S)

Planning & Zoning Commission: May 22, 2018

City Council: June 4, 2018

CAPTION

Consider request by Cole Morgan, Americase Fabrication and Construction, for a **Preliminary Plat** of Americase Business Park for 4 lots, being 21.09 acres situated in the John Estes Survey, Abstract 335, and the WC Moody Survey, Abstract 747 (Property ID 209253) – Owner: R&R AMERICASE HOLDINGS LTD (PP-18-0052).

CASE INFORMATION

Applicant: Cole Morgan, Americase Fabrication and Construction

Property Owner(s): R&R Americase Holdings Ltd

Site Acreage: 21.09 acres

Number of Lots: 4 lots

Adequate Public Facilities: Per the City Engineer, the existing waterline and how the lots will get services must be shown on the plat, as well as a note indicating that the lots will be served by a septic system designed by a professional sanitarian.

SUBJECT PROPERTY

General Location: FM 1446 at Hoyt Road

Parcel ID Number(s): 209253

Current Zoning: N/A (ETJ)

Existing Use: Currently undeveloped

Platting History: WC Moody Survey, Abstract 747

Site Aerial:



STAFF CONCERNS

CITY ENGINEER – James Gaertner (469) 309-4293; jgaertner@waxahachie.com

1. There is no zoning at the county.
2. Double Check the Floodplain zone. Did you mean Zone X (unshaded)?
3. Show existing water line and how these lots will get services.
4. Add a note that the lots will be served by septic system designed by a professional sanitarian.
5. Does the existing street have drainage capacity for the proposed improvements from these properties? Does it increase the discharge from the existing condition? What is proposed to accommodate the additional flow?
6. What is the current ROW and will there be a need for ROW dedication per City/County minimum width or Thoroughfare Plan?

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:
 1. Refer to the comments from the City Engineer above.

ATTACHED EXHIBITS

1. Plat drawing

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

Kelly Dent, MPA

Planner

kdent@waxahachie.com

Reviewed by:

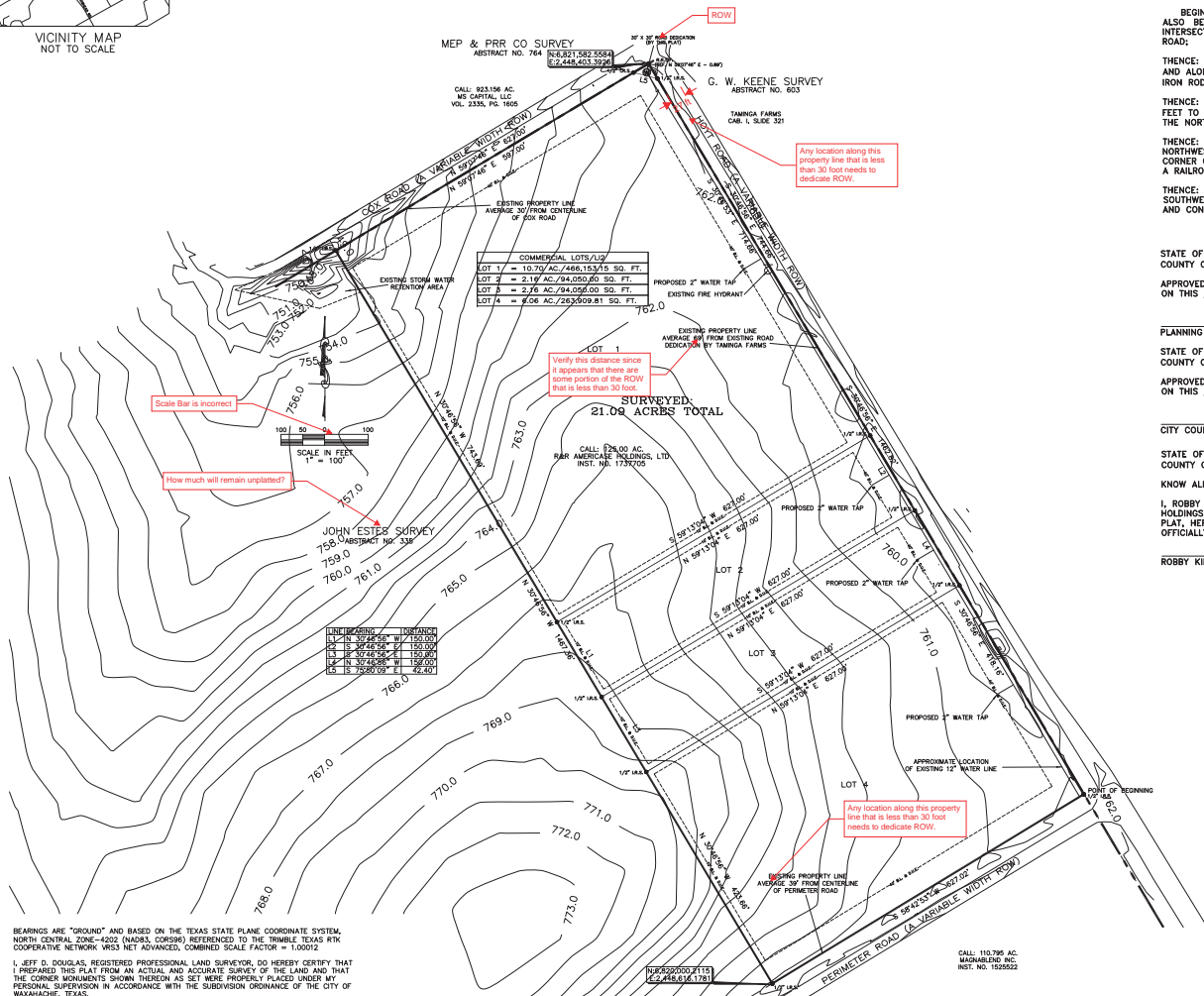
Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com



VICINITY MAP
NOT TO SCALE



BEARINGS ARE "GROUND" AND BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE--4202 (NAD83 CORRESP) REFERENCED TO THE TRIMBLE TEXAS RTK COOPERATIVE NETWORK VRSS NET ADVANCED, COMBINED SCALE FACTOR = 1.00012

I, JEFF D. DOUGLAS, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON AS SET WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF WAXAHACHE, TEXAS.

PRELIMINARY: THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR REPLIED UPON AS A FINAL "SUNNY" DOCUMENT.

JEFF D. DOUGLAS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 5757
TBPLS FIRM NO. 10025701

(NON-TRANSFERABLE)
STANGER
SURVEYING CANTON, LLC
13878 STATE HIGHWAY NO. 64
BEN WHEELER, TEXAS 75754
(902) 833-1006

OWNER: R&R AMERICASE HOLDINGS, LTD
1610 E MAIN
WAXAHACHE, TEXAS 75165
872-910-2286



GENERAL NOTES:

- 1) THIS PROPERTY IS LOCATED WITHIN ZONE "X" AS SHOWN ON FIRM MAP NO. 48159C0325F, EFFECTIVE DATE 06/03/2013
- 2) THIS PROPERTY IS LOCATED WITHIN THE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF WAXAHACHE
- 3) THIS PROPERTY WILL REQUIRE INDIVIDUAL ON SITE SEPTIC SYSTEMS AS NO SANITARY SEWER SERVICES ARE AVAILABLE AT THIS TIME.
- 4) THIS PROPERTY IS AFFECTED BY A RIGHT OF WAY EASEMENT TO BUENA VISTA BETHEL WATER SUPP. CORP., RECORDED IN VOLUME 580, PAGE 680 OF THE D.R.E.C.T. (UNABLE TO PLOT)
- 5) THIS PROPERTY IS AFFECTED BY A RIGHT OF WAY EASEMENT TO BUENA VISTA BETHEL WATER SUPP. CORP., RECORDED IN VOLUME 728, PAGE 428 OF THE D.R.E.C.T. (UNABLE TO PLOT)

METES AND BOUNDS DESCRIPTION FOR 21.09 ACRES OF LAND

BEING A 21.09 ACRE TRACT OF LAND SITUATED IN THE JOHN ESTES SURVEY, ABSTRACT NO. 335, ELLIS COUNTY, TEXAS, AND BEING PART OF A CALLED 125.00 ACRE TRACT TO R&R AMERICASE HOLDINGS, LTD. RECORDED IN INSET NO. 1737705 OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS. SAID 21.09 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD (FOUND) FOR THE EAST CORNER OF THESE 21.09 ACRES, SAID CORNER ALSO BEING THE EASTERNMOST EAST CORNER OF THE ABOVE REFERENCED 125.00 ACRES AND BEING AT THE INTERSECTION OF THE NORTHWEST RIGHT OF WAY LINE OF PERIMETER ROAD AND THE SOUTHWEST RIGHT OF WAY OF HOYT ROAD;

THENCE: SOUTH 58 DEG. 42 MIN. 53 SEC. WEST, ALONG THE EASTERNMOST SOUTHEAST LINE OF THE 125.00 ACRES AND ALONG THE NORTHWEST RIGHT OF WAY LINE OF PERIMETER ROAD, A DISTANCE OF 627.02 FEET TO A 1/2 INCH IRON ROD (SET) FOR THE SOUTH CORNER OF THESE 21.09 ACRES;

THENCE: NORTH 30 DEG. 48 MIN. 58 SEC. WEST, OVER AND ACROSS THE 125.00 ACRES, A DISTANCE OF 1467.36 FEET TO A 1/2 INCH IRON ROD (SET) FOR THE WEST CORNER OF THESE 21.09 ACRES, SAID CORNER ALSO BEING ON THE NORTHWEST LINE OF THE 125.00 ACRES AND BEING ON THE SOUTHEAST RIGHT OF WAY LINE OF COX ROAD;

THENCE: NORTH 59 DEG. 07 MIN. 46 SEC. EAST, ALONG THE NORTHWEST RIGHT OF WAY LINE OF COX ROAD AND THE NORTHWEST LINE OF THE 125.00 ACRES, A DISTANCE OF 627.00 FEET TO A POINT FOR CORNER FOR THE NORTH CORNER OF THESE 21.09 ACRES, SAID CORNER ALSO BEING THE NORTH CORNER OF THE 125.00 ACRES AND HAVING A RAILROAD SPIKE FOR REFERENCE BEARING NORTH 59 DEG. 07 MIN. 46 SEC. EAST A DISTANCE OF 0.89 FEET;

THENCE: SOUTH 30 DEG. 46 MIN. 56 SEC. EAST, ALONG THE NORTHEAST LINE OF THE 125.00 ACRES AND THE SOUTHWEST RIGHT OF WAY LINE OF HOYT ROAD, A DISTANCE OF 1462.82 FEET BACK TO THE POINT OF BEGINNING AND CONTAINING A 21.09 ACRE TRACT OF LAND.

STATE OF TEXAS ☒
COUNTY OF ELLIS ☒

APPROVED BY THE PLANNING AND ZONING COMMISSION
ON THIS _____ DAY OF _____, 2018

PLANNING AND ZONING

STATE OF TEXAS ☒
COUNTY OF ELLIS ☒

APPROVED BY THE CITY COUNCIL
ON THIS _____ DAY OF _____, 2018

CITY COUNCIL

STATE OF TEXAS ☒
COUNTY OF ELLIS ☒

KNOW ALL MEN BY THESE PRESENTS:

I, ROBBY KINSALA, THE PRESIDENT OF R&R AMERICASE HOLDINGS, LTD., THE OWNER OF THE LAND SHOWN ON THIS PLAT, HEREBY ACKNOWLEDGE THIS DOCUMENT AS THE OFFICIALLY APPROVED PRELIMINARY PLAT

ROBBY KINSALA, PRESIDENT

Same Comments apply to Final Plat

Where are these easement located? Show it on the plat

PRELIMINARY PLAT
AMERICASE BUSINESS PARK
4 LOTS, BEING 21.09 ACRES OUT OF THE
JOHN ESTES SURVEY, ABSTRACT NO. 335
ELLIS COUNTY, TEXAS

Planning & Zoning Department

Plat Staff Report

Case: FP-18-0053



MEETING DATE(S)

Planning & Zoning Commission: May 22, 2018

City Council: June 4, 2018

CAPTION

Consider request by Cole Morgan, Americase Fabrication and Construction, for a **Final Plat** of Americase Business Park for 4 lots, being 21.09 acres in the John Estes Survey, Abstract 335, and the WC Moody Survey, Abstract 747 (Property ID 209253) – Owner: R&R AMERICASE HOLDINGS LTD (FP-18-0053).

CASE INFORMATION

Applicant: Cole Morgan, Americase Fabrication and Construction

Property Owner(s): R&R Americase Holdings Ltd

Site Acreage: 21.09 acres

Number of Lots: 4 lots

SUBJECT PROPERTY

General Location: FM 1446 at Hoyt Road

Parcel ID Number(s): 209253

Current Zoning: N/A (ETJ)

Existing Use: Currently undeveloped

Platting History: The companion case is no. PP-18-0052.

Site Aerial:



STAFF CONCERNS

CITY ENGINEER – James Gaertner (469) 309-4293; jgaertner@waxahachie.com

1. Use approval block from City's Subdivision Ordinance.
2. The City will leave to the County to work with the applicant to address truck traffic and the impact to the street.
3. Usually the surveyors show the easement linework on the plat, rather than referring to recording information on the notes.

APPLICANT RESPONSE TO CONCERNS

1. The applicant submitted revisions. The above comments remain outstanding.

RECOMMENDATION

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
 1. Include the City's approval block.
 2. Include the easement linework on the plat.
 3. Partner with Ellis County for traffic and impact analysis.

ATTACHED EXHIBITS

1. Plat drawings.

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

Kelly Dent, MPA

Planner

kdent@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com



VICINITY MAP
NOT TO SCALE

MEP & PRR CO SURVEY

ABSTRACT NO. 764

CALL: 923.156 AC.
MS CAPITAL, LLC
VOL. 2335, PG. 1605

N 6,821,582.5584
E 2,448,403.3926

30' X 30' ROAD DEDICATION
(BY THIS PLAT)
R.R.S.P.
(REF: N 59°07'46" E - 0.89')

G. W. KEENE SURVEY
ABSTRACT NO. 603

TAMINGA FARMS
CAB. 1, SLIDE 321

COMMERCIAL LOTS	
LOT 1	= 10.70 AC./466,153.15 SQ. FT.
LOT 2	= 2.16 AC./94,050.00 SQ. FT.
LOT 3	= 2.16 AC./94,050.00 SQ. FT.
LOT 4	= 6.06 AC./263,909.81 SQ. FT.

EXISTING FIRE HYDRANT

EXISTING PROPERTY LINE
AVERAGE 69' FROM EXISTING ROAD
DEDICATION BY TAMINGA FARMS

LOT 1

SURVEYED:
21.09 ACRES TOTAL

CALL: 125.00 AC.
R&R AMERICASE HOLDINGS, LTD
INST. NO. 1737705

JOHN ESTES SURVEY
ABSTRACT NO. 335

LINE	BEARING	DISTANCE
L1	N 30°46'56" W	150.00'
L2	S 30°46'56" E	150.00'
L3	S 30°46'56" E	150.00'
L4	N 30°46'56" W	150.00'
L5	S 79°50'09" E	42.40'

BEARINGS ARE "GROUND" AND BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE-4202 (NAD83, CORS96) REFERENCED TO THE TRIMBLE TEXAS RTK COOPERATIVE NETWORK VRS3 NET ADVANCED, COMBINED SCALE FACTOR = 1.00012

I, JEFF D. DOUGLAS, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON AS SET WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION OF THE CITY OF WAXAHACHIE AND ELLIS COUNTY, TEXAS.

BY: JEFF D. DOUGLAS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 5757
TBPLS FIRM NO. 10025701
(NON-TRANSFERABLE)

STANGER
SURVEYING CANTON, LLC
13878 STATE HIGHWAY NO. 64
BEN WHEELER, TEXAS 75754
(903) 833-1006

OWNER: R&R AMERICASE HOLDINGS, LTD
1810 E. MAIN
WAXAHACHIE, TEXAS 75165
972-910-2296

N 6,820,000.2115
E 2,448,616.1781

SURVEY COMPLETED: 04-10-2018
JOB NO: C180002

STATE OF TEXAS)
COUNTY OF ELLIS)

KNOW ALL MEN BY THESE PRESENTS:

I, ROBBY KINSALA, PRESIDENT OF R&R AMERICASE HOLDINGS, LTD, THE OWNER OF THE LAND SHOWN ON THIS PLAT, HEREBY ACKNOWLEDGE THIS DOCUMENT AS THE OFFICIALLY APPROVED FINAL PLAT

ROBBY KINSALA

STATE OF TEXAS)
COUNTY OF ELLIS)

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

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

NOTARY PUBLIC IN AND FOR _____, COUNTY, TEXAS.

MY COMMISSION EXPIRES: _____.

STATE OF TEXAS)
COUNTY OF ELLIS)

THIS PLAT HAS BEEN APPROVED BY THE DEPARTMENT OF DEVELOPMENT FOR ON-SITE SEWAGE FACILITIES, PENDING AND ALL INFORMATION AS MAY BE REQUIRED BY THE DEPARTMENT OF DEVELOPMENT.

ALBERTO MARES DATE
DIRECTOR OF DEPARTMENT OF DEVELOPMENT

STATE OF TEXAS)
COUNTY OF ELLIS)

CERTIFICATE OF APPROVAL BY THE COMMISSIONERS COURT OF ELLIS COUNTY APPROVED ON THIS DATE, THE _____, DAY OF _____, 2018

COUNTY JUDGE, CAROL BUSH ATTEST: CINDY POLLEY, COUNTY CLERK

METES AND BOUNDS DESCRIPTION FOR 21.09 ACRES OF LAND

BEING A 21.09 ACRE TRACT OF LAND SITUATED IN THE JOHN ESTES SURVEY, ABSTRACT NO. 335, ELLIS COUNTY, TEXAS, AND BEING PART OF A CALLED 125.00 ACRE TRACT TO R&R AMERICASE HOLDINGS, LTD. RECORDED IN INST NO. 1737705 OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS. SAID 21.09 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD (FOUND) FOR THE EAST CORNER OF THESE 21.09 ACRES. SAID CORNER ALSO BEING THE EASTERNMOST EAST CORNER OF THE ABOVE REFERENCED 125.00 ACRES AND BEING AT THE INTERSECTION OF THE NORTHWEST RIGHT OF WAY OF PERIMETER ROAD AND THE SOUTHWEST RIGHT OF WAY OF HOYT ROAD;

THENCE: SOUTH 58 DEG. 42 MIN. 53 SEC. WEST, ALONG THE EASTERNMOST SOUTHEAST LINE OF THE 125.00 ACRES AND ALONG THE NORTHWEST RIGHT OF WAY LINE OF PERIMETER ROAD, A DISTANCE OF 627.02 FEET TO A 1/2 INCH IRON ROD (SET) FOR THE SOUTH CORNER OF THESE 21.09 ACRES;

THENCE: NORTH 30 DEG. 46 MIN. 56 SEC. WEST, OVER AND ACROSS THE 125.00 ACRES, A DISTANCE OF 1467.36 FEET TO A 1/2 INCH IRON ROD (SET) FOR THE WEST CORNER OF THESE 21.09 ACRES. SAID CORNER ALSO BEING ON THE NORTHWEST LINE OF THE 125.00 ACRES AND BEING ON THE SOUTHEAST RIGHT OF WAY LINE OF COX ROAD;

THENCE: NORTH 59 DEG. 07 MIN. 46 SEC. EAST, ALONG THE NORTHWEST RIGHT OF WAY LINE OF COX ROAD AND THE NORTHWEST LINE OF THE 125.00 ACRES, A DISTANCE OF 627.00 FEET TO A POINT FOR CORNER FOR THE NORTH CORNER OF THESE 21.09 ACRES. SAID CORNER ALSO BEING THE NORTH CORNER OF THE 125.00 ACRES AND HAVING A RAILROAD SPIKE FOR REFERENCE BEARING NORTH 59 DEG. 07 MIN. 46 SEC. EAST A DISTANCE OF 0.89 FEET;

THENCE: SOUTH 30 DEG. 46 MIN. 56 SEC. EAST, ALONG THE NORTHEAST LINE OF THE 125.00 ACRES AND THE SOUTHWEST RIGHT OF WAY LINE OF HOYT ROAD, A DISTANCE OF 1462.82 FEET BACK TO THE POINT OF BEGINNING AND CONTAINING A 21.09 ACRE TRACT OF LAND.

GENERAL NOTES:

- 1) THIS PROPERTY IS LOCATED WITHIN ZONE "X" AS SHOWN ON FIRM MAP NO. 48139C0325F, EFFECTIVE DATE 06/03/2013
- 2) THIS PROPERTY IS LOCATED WITHIN THE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF WAXAHACHIE
- 3) THIS PROPERTY WILL REQUIRE INDIVIDUAL ON SITE SEPTIC SYSTEMS AS NO SANITARY SEWER SERVICES ARE AVAILABLE AT THIS TIME.
- 4) THIS PROPERTY IS AFFECTED BY A RIGHT OF WAY EASEMENT TO BUENA VISTA BETHEL WATER SUPP. CORP., RECORDED IN VOLUME 580, PAGE 680 OF THE D.R.E.C.T.
- 5) THIS PROPERTY IS AFFECTED BY A RIGHT OF WAY EASEMENT TO BUENA VISTA BETHEL WATER SUPP. CORP., RECORDED IN VOLUME 728, PAGE 428 OF THE D.R.E.C.T.

FINAL PLAT-CITY/SIMPLIFIED PLAT-COUNTY
AMERICASE BUSINESS PARK
4 LOTS, BEING 21.09 ACRES OUT OF THE
JOHN ESTES SURVEY, ABSTRACT NO. 335
ELLIS COUNTY, TEXAS

Planning & Zoning Department

Plat Staff Report

Case: PP-18-0046



MEETING DATE(S)

Planning & Zoning Commission: May 22, 2018

City Council: June 4, 2018

CAPTION

Consider request by Cody Cockerham for a **Preliminary Plat** of Laguna Vista Place Phase 2 for 1 lot, being 2.18 acres situated in the W. Stewart Survey, Abstract 956 (Property ID 190519) – Owner: CODY L COCKERHAM and A. GARRETT REAL ESTATE VENTURES, LLC (PP-18-0046).

CASE INFORMATION

Applicant: Cody Cockerham

Property Owner(s): Cody L Cockerham and A. Garrett Real Estate Ventures LLC

Site Acreage: 2.18 acres

Number of Lots: 1 lot

Number of Dwelling Units: 1 units

Park Land Dedication: The cash in lieu of park land dedication for this case is estimated at \$400.00 (1 residential dwelling at \$400.00 per dwelling).

Adequate Public Facilities: Roadway Impact Fee = **\$1,160.00**, which is due at time of permitting. The total water meter, box, set, tap and impact fee is **\$2,695.00**, which is due before the final plat can be filed.

SUBJECT PROPERTY

General Location: Across the street from 403 Laguna Vista Drive

Parcel ID Number(s): 190519

Current Zoning: Planned Development-23-SF-1

Existing Use: Currently undeveloped

Platting History: W. Stewart Survey, Abstract 956

Site Aerial:



STAFF CONCERNS

PLANNING, CASE MANAGER – Kelly L. Dent (469) 309-4294; kdent@waxahachie.com

1. Because Laguna Vista needs to be a 54' ROW throughout, and Laguna Vista Place was never platted, we would need this plat to dedicate half of that measured from the centerline of what's currently on the ground. If there is not a centerline at present, please let me know.
2. There is an acreage discrepancy between the tax certificates, the acreage shown in the metes and bounds, and the acreage shown in the drawing.
3. We need the phone number for the property owner indicated on the plat as well as the date of preparation.
4. Please remove the building lines from the plat.
5. There are several spelling errors in the metes and bounds that need to be corrected.

CITY ENGINEER – James Gaertner (469) 309-4293; jgaertner@waxahachie.com

1. Show existing street to ensure the ROW dedication is appropriate.
2. Preliminary Plats need to show the location of the existing water line and how the property will get their water service.
3. Add note that the property will be served by septic system designed by a professional sanitarian.

APPLICANT RESPONSE TO CONCERNS

1. Applicant addressed some concerns. The concerns above remain outstanding.

RECOMMENDATION

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
 1. Refer to the Staff Concerns above for outstanding comments.

ATTACHED EXHIBITS

1. Plat drawing

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

Kelly Dent, MPA

Planner

kdent@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com

Planning & Zoning Department

Plat Staff Report

Case: FP-18-0047



MEETING DATE(S)

Planning & Zoning Commission: May 22, 2018

City Council: June 4, 2018

CAPTION

Consider request by Cody Cockerham for a **Final Plat** of Laguna Vista Place Phase 2 for 1 lot, being 2.18 acres situated in the W. Stewart Survey, Abstract 956 (Property ID 190519) – Owner: CODY L COCKERHAM and A. GARRETT REAL ESTATE VENTURES, LLC (FP-18-0047).

CASE INFORMATION

Applicant: Cody Cockerham

Property Owner(s): Cody L Cockerham and A. Garrett Real Estate Ventures LLC

Site Acreage: 2.18 acres

Number of Lots: 1 lot

Number of Dwelling Units: 1 units

Park Land Dedication: The cash in lieu of park land dedication for this case is estimated at \$400.00 (1 residential dwelling at \$400.00 per dwelling).

Adequate Public Facilities: Roadway Impact Fee = **\$1,160.00**, which is due at time of permitting. The total water meter, box, set, tap and impact fee is **\$2,695.00**, which is due before the final plat can be filed.

SUBJECT PROPERTY

General Location: Across the street from 403 Laguna Vista Drive

Parcel ID Number(s): 190519

Current Zoning: Planned Development-23-SF-1

Existing Use: Currently undeveloped

Platting History: Companion case no. PP-18-0047 is on tonight's agenda.

Site Aerial:



STAFF CONCERNS

1. Refer to the comments from the companion case.

RECOMMENDATION

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
 1. The plat cannot be filed until the infrastructure is installed.
 2. Refer to the formatting comments from the companion case.

ATTACHED EXHIBITS

1. Plat drawing

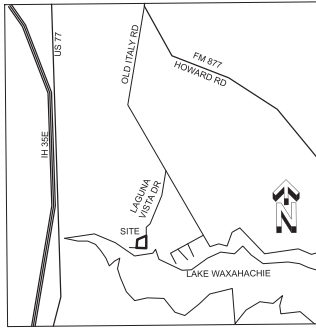
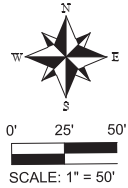
APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Kelly Dent, MPA
Planner
kdent@waxahachie.com

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



VICINITY MAP
NOT TO SCALE

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

WHEREAS, CODY COCKERHAM IS THE SOLE OWNER OF THAT TRACT OF LAND SITUATED N THE W. STEWART SURVEY, ABSTRACT NO. 956, IN THE CITY OF WAXAHACHIE, TEXAS AND BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO CHARLIE J. MELIN AND ANN MELIN, RECORDED IN VOLUME 562, PAGE 259, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF THAT TRACT OF LAND SITUATED IN THE W. STEWART SURVEY, ABSTRACT NO. 956, IN THE CITY OF WAXAHACHIE, TEXAS AND BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO CHARLIE J. MELIN AND ANN MELIN, RECORDED IN VOLUME 562, PAGE 259, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO DAVID TRAVIS VANTREESE AND NANCY JANE VANTREESE, RECORDED IN VOLUME 752, PAGE 134, IN THE SOUTH LINE OF SAID MELIN TRACT AND THE COMMON NORTH RIGHT-OF-WAY (ROW) LINE OF LAGUNA VISTA ROAD, (A CALLED 30' ROW, PER LAGUNA VISTA PLACE, AN UNRECORDED ADDITION TO ELLIS COUNTY, TEXAS);

THENCE N 04°37'15" E, ALONG THE EAST LINE OF SAID VANTREESE TRACT, A DISTANCE OF 166.46 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO DAVID TRAVIS VANTREESE, RECORDED IN VOLUME 752, PAGE 134, OPRECT;

THENCE N 38°21'23" E, ALONG THE SOUTH LINE OF SAID DAVID TRAVIS VANTREESE TRACT, A DISTANCE OF 394.83 FEET TO A 1 INCH PIPE FOUND FOR THE SOUTHEAST CORNER OF SAID DAVID TRAVIS VANTREESE TRACT, IN THE EAST LINE OF SAID MELIN TRACT AND THE COMMON WEST ROW LINE OF SAID LAGUNA VISTA ROAD;

THENCE S 01°47'04" E, ALONG THE EAST LINE OF SAID MELIN TRACT AND THE COMMON WEST ROW LINE OF SAID LAGUNA VISTA ROAD, A DISTANCE OF 448.45 FEET TO A NAIL SET IN ROAD FOR THE SOUTHEAST CORNER OF SAID MELIN TRACT;

THENCE S 75°47'00" W, ALONG THE SOUTH LINE OF SAID MELIN TRACT AND THE COMMON NORTH ROW LINE OF SAID LAGUNA VISTA ROAD, A DISTANCE OF 148.29 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER;

THENCE N 85°59'00" W, ALONG THE SOUTH LINE OF SAID MELIN TRACT AND THE COMMON NORTH ROW LINE OF SAID LAGUNA VISTA ROAD, A DISTANCE OF 129.02 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.894 ACRES OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT CODY COCKERHAM, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LAGUNA VISTA PLACE, PHASE 2, AN ADDITION TO THE CITY OF WAXAHACHIE, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED, FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHIE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES. SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLICS AND CITY OF WAXAHACHIE'S USE THEREOF. THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE. THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHIE, TEXAS

WITNESS, MY HAND, THIS THE _____ DAY OF _____, 2018.

CODY COCKERHAM

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 CODY COCKERHAM, 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

KNOW ALL MEN BY THESE PRESENTS:

THAT I, TIMOTHY L. JACKSON, RPLS, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON AS SET WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF WAXAHACHIE.

"Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document"

TIMOTHY L. JACKSON,
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER 6644

STATE OF TEXAS :
COUNTY OF ELLIS:

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

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

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE

BY: _____ DATE _____
CHAIRPERSON

APPROVED BY: CITY COUNCIL
CITY OF WAXAHACHIE

BY: _____ DATE _____
MAYOR

ATTEST _____ DATE _____

FINAL PLAT LAGUNA VISTA PLACE PHASE 2

1.894 ACRES
SITUATED IN THE

W. STEWART SURVEY
ABSTRACT NO 956
CITY OF WAXAHACHIE, TEXAS
ELLIS COUNTY, TEXAS

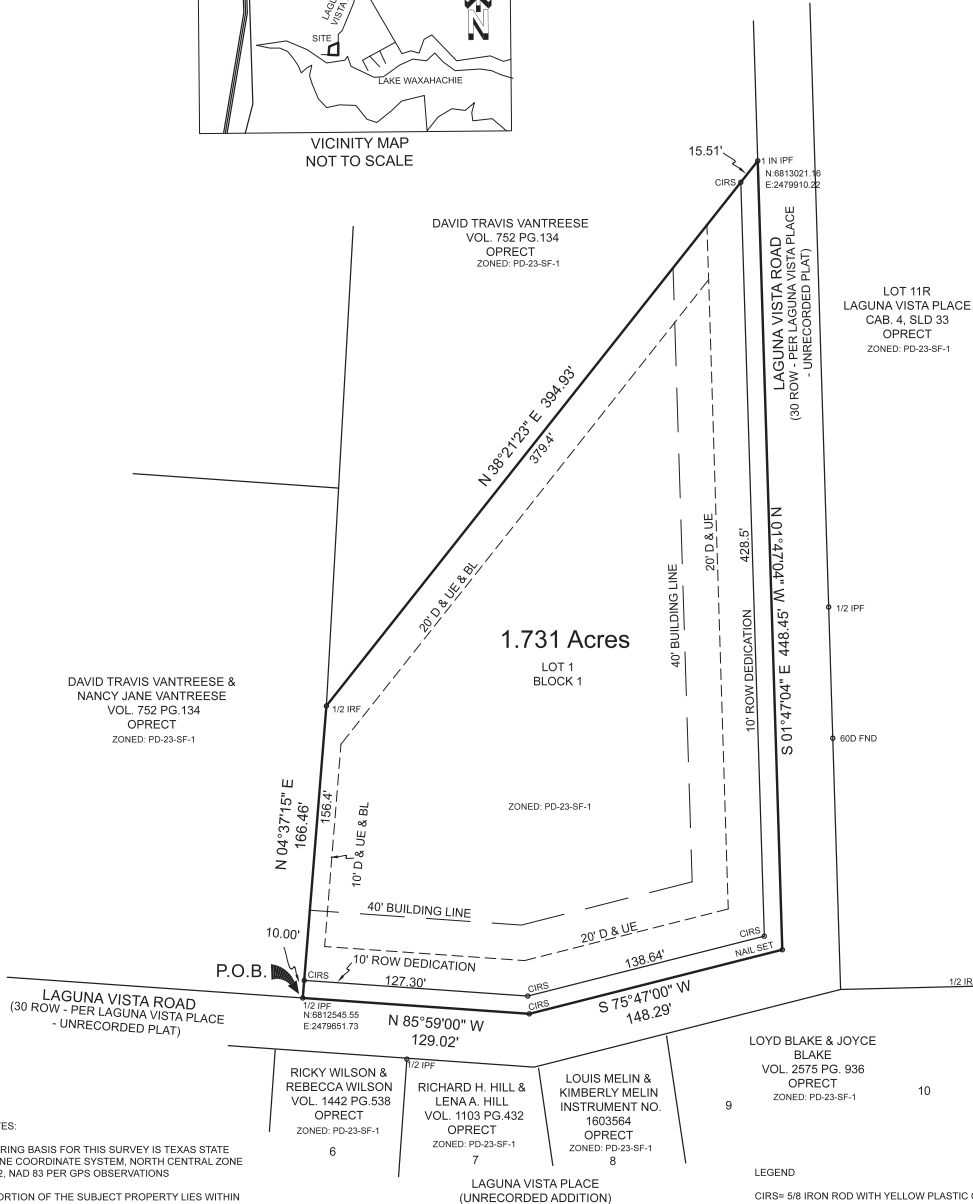
OWNER:
CODY COCKERHAM
1007 FERRIS AVENUE
WAXAHACHIE, TX 75165
469.517.0012

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

JOB NO. 1095

APRIL 2018

PAGE 1 OF 1



NOTES:

BEARING BASIS FOR THIS SURVEY IS TEXAS STATE PLANE 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 0.2% ANNUAL CHANCE FLOODPLAIN", ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48139C0330R, DATED JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

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
D & UE = DRAINAGE AND UTILITY EASEMENT
BL = BUILDING LINE

Planning & Zoning Department

Zoning Staff Report

Case: ZC-18-0041



MEETING DATE(S)

Planning & Zoning Commission: May 22, 2018

City Council: June 4, 2018

CAPTION

Public Hearing on a request by Richard Kampen, LRE Group, Inc. for a Zoning Change from a Light Industrial-1 and Light Industrial-2 zoning district to Light Industrial-2, located at 201 Cardinal Road, being LOT PT 1 BLK A CARDINAL IG ADDN 29.0 AC and LOT PT 1 BLK A CARDINAL IG ADDN 19.721 AC (Property ID 226867 and 209418) - Owner: CARDINAL IG COMPANY (ZC-18-0041).

CASE INFORMATION

Applicant: Richard Kampen, LRE Group Inc

Property Owner(s): Cardinal CG Company

Site Acreage: 29.0 acres

Current Zoning: Light Industrial-1 and Light Industrial-2

Requested Zoning: Light Industrial-2

SUBJECT PROPERTY

General Location: 201 Cardinal Road

Parcel ID Number(s): 226867 and 209418

Existing Use: Cardinal IG

Development History: The final plat for the Cardinal IG Addition was approved by City Council on December 21, 1998.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	HI	James Hardie
East	LI2	Currently undeveloped
South	HI	HD Supply
West	HI	Owens Corning

Future Land Use Plan: Industrial and a portion Retail

Comprehensive Plan:

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

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

Thoroughfare Plan:

The site is accessed via Cardinal Road, a 70' ROW.



Site Image:

PLANNING ANALYSIS

The property owner is seeking to clean up the zoning on this property to ensure that there is one (1) zoning district for all of the land.

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 5/4/18.

RECOMMENDATION

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

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

1. If checking the last box, then include the comments recommended for P&Z and City Council to use as discussion points.

ATTACHED EXHIBITS

1. Final plat

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

Kelly Dent, MPA

Planner I

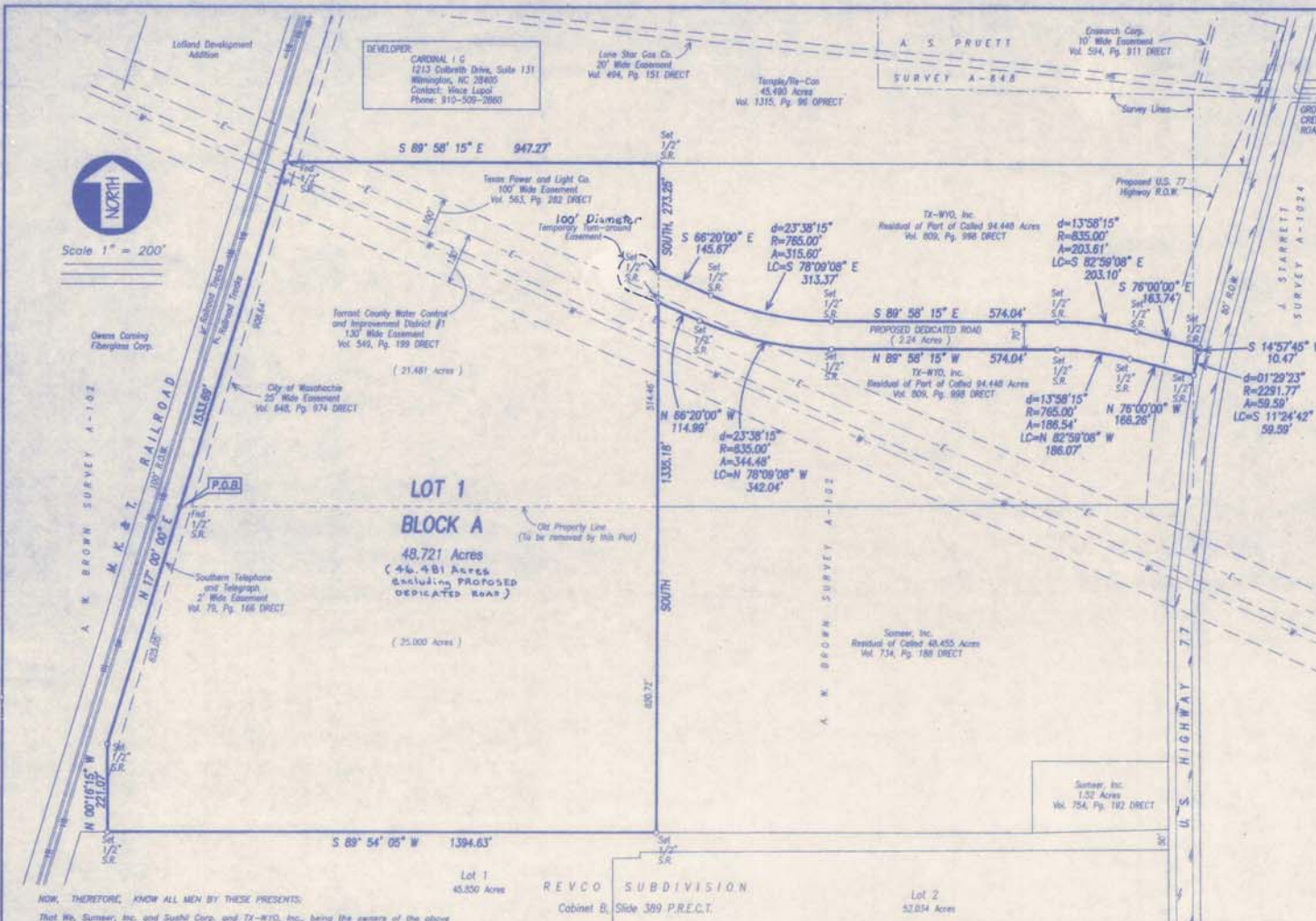
kdent@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com



FIELD NOTES FOR DEDICATION:

FIELD NOTES
48,721 Acres

BEING all that certain lot, tract or parcel of land lying in the A.W. BROWN SURVEY, A-102 and the J. STARRETT SURVEY, A-1024, in City of Waxahachie, Ellis County, Texas, and being a part of a called 94,448 acre tract of land as conveyed to TX-WYO, INC. by deed and recorded in Volume 509, Page 998, Deed Records, Ellis County, Texas, (DIRECT), and being a part of a called 48,455 acre tract of land as conveyed to Sumer, Inc. and used Sush Corp., by deed and recorded in Volume 734, Page 188, DIRECT, and being more particularly described as follows:

BEGINNING of a 1/2" steel rod found in the east line of the M.K. & T. Railroad for the southeast corner of the aforesaid 94,448 acre tract and also being the northeast corner of the aforesaid 48,455 acre tract of land;

THENCE N 17°00'00" E, 808.64 feet (Deed - N 17°15'20" E) along the west line of the aforesaid 94,448 acre tract and some for the tract and along the east line of the said M.K. & T. Railroad to a 1/2" steel rod found for the northeast corner of this tract, said steel rod also being the southeast corner of a 45,490 acre tract of land as conveyed out of the 94,448 acre tract to TEMPLE, INC. by deed and recorded in Volume 1315, Page 95, Official Public Records of Ellis County, Texas, (DIRECT);

THENCE S 89°58'15" E, 947.27 feet along the south line of the aforesaid 45,490 tract of land to a 1/2" steel rod set for the most northerly northeast corner of this tract;

THENCE SOUTH, 273.25 feet to a 1/2" steel rod set for corner;

THENCE S 66°20'00" E, 145.67 feet to a 1/2" steel rod set at the beginning of a curve to the left;

THENCE 315.60 feet along the arc of said curve (Radius = 765.00 feet, Central Angle = 23°38'15", Long Chord = S 78°09'08" E, 313.37 feet) to a 1/2" steel rod set for corner;

THENCE S 89°58'15" E, 574.04 feet to a 1/2" steel rod set at the beginning of a curve to the right;

THENCE 203.80 feet along the arc of said curve (Radius = 835.00 feet, Central Angle = 13°58'15", Long Chord = S 82°58'08" E, 203.10 feet) to a 1/2" steel rod set for corner;

THENCE S 76°00'00" E, 163.74 feet to a 1/2" steel rod set in the current west line of U.S. Highway 77 for the most northerly northeast corner of this tract and being the east line of the aforesaid 94,448 acre tract;

THENCE S 14°57'45" W, 10.47 feet (Deed - S 15°14'30" W) (NOTE: Bearings for this description from Texas Co-ordinate System, North Central Zone, NAD 27, and provided by the Texas Department of Transportation, Waxahachie Office) along the east line of the tract and some for the aforesaid 94,448 acre tract to a 1/2" steel rod found at the beginning of a curve to the left;

THENCE 59.59 feet along the arc of said curve and current west line of U.S. Highway 77 (Radius = 2291.77 feet, Central Angle = 01°29'23", Long Chord = S 11°24'42" W, 59.59 feet) to a 1/2" steel rod set for the most northerly southeast corner of this tract;

THENCE N 70°00'00" W, 166.28 feet to a 1/2" steel rod set at the beginning of a curve to the left;

THENCE 186.54 feet along the arc of said curve (Radius = 765.00 feet, Central Angle = 13°58'15", Long Chord = N 82°58'08" E, 186.07 feet) to a 1/2" steel rod set for corner;

THENCE N 89°58'15" W, 574.04 feet to a 1/2" steel rod set at the beginning of a curve to the right;

THENCE 344.48 feet along the arc of said curve (Radius = 835.00 feet, Central Angle = 23°38'15", Long Chord = N 78°09'08" W, 342.04 feet) to a 1/2" steel rod set for corner;

THENCE N 66°20'00" W, 114.99 feet to a 1/2" steel rod set for corner;

THENCE SOUTH, at 514.46 feet pass the south line of the aforesaid 94,448 acre tract and north line of the aforesaid 48,455 acre tract, in all 1335.18 feet to a 1/2" steel rod set in the south line of the aforesaid 48,455 acre tract for the southeast corner of this tract, said steel rod also being in the north line of the REVCO SUBDIVISION, as recorded in Cabinet B, Slide 389 of the Plat Records of Ellis County, Texas;

THENCE S 89°54'05" W (Deed - S 89°43'45" W) 1394.63 feet along the south line of the aforesaid 48,455 acre tract and the north line of said REVCO tract to a 1/2" steel rod set for the southwest corner of the aforesaid 48,455 acre tract and being the same for this tract, said steel rod also being in the east line of said M.K. & T. Railroad;

THENCE N 00°15'15" W, 221.07 feet along the west line of the aforesaid 48,455 acre tract and the west line of said M.K. & T. Railroad to a 1/2" steel rod set for corner;

THENCE N 17°00'00" E, 825.05 feet (Deed - N 16°42'50" E) along the west line of the aforesaid 48,455 acre tract and some for the tract and along the east line of the said M.K. & T. Railroad to the POINT OF BEGINNING and containing approximately 48,721 acres of land.

D-249
Original filed
12-22-98

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That We, Sumer, Inc. and Sush Corp. and TX-WYO, Inc., being the owners of the above described tract, do hereby adopt this plat designating the heretofore described property as the First Plat of CARDINAL I G ADDITION, an addition to the City of Waxahachie, Texas, and do hereby dedicate to the City of Waxahachie for public use, the streets and alleys shown thereon, and we do hereby reserve the easements shown on this plat for the accommodation of all public utilities existing to use or using same. Any public utility approved by the City shall have the right to remove and keep removed all or part of any building, fences, trees, shrubs, or other growth or improvements which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system or any of these easements, and any public utility shall, at all times, have the right of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining, and adding to or removing all or part of its respective system. Its house, dwelling unit, or other structure shall be constructed on only lot in this addition by anyone until all requirements of the Subdivision Ordinance have been met.

Mr. [Signature]
President - Sumer, Inc. and Sush Corp.

Mr. [Signature]
Vice President - TX-WYO, Inc.

State of Texas:
Before me the undersigned authority, a Notary Public in and for the State of Texas, this day personally appeared **SURON SIVUMANI AND G.B. PATIL**, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes herein expressed and in the capacity stated.

Given under my hand and seal this 21 day of December, 1998.

[Signature]
Notary Public in and for the State of Texas

JAMES W. LEFTWICH
Notary Public, State of Texas
My Commission Expires 11-30-00

JUDY LEE WALLACE
NOTARY PUBLIC
STATE OF TEXAS
My Commission Expires January 24, 2000

CITY OF WAXAHACHIE CERTIFICATE OF APPROVAL:

I hereby certify that the plat shown hereon and designated as the First Plat of CARDINAL I G ADDITION, an addition to the City of Waxahachie, Ellis County, Texas, was approved this 21 day of December, 1998, by the City Council of the City of Waxahachie, Texas. Said addition shall be subject to all the requirements of the Subdivision Ordinance of the City of Waxahachie, Texas.

Witness my hand this 22 day of December, 1998.

Nancy Pass
CITY SECRETARY

I hereby certify that the plat shown hereon and designated as the First Plat of CARDINAL I G ADDITION, an addition to the City of Waxahachie, Texas, was approved this 21 day of December, 1998, by the City Council of the City of Waxahachie, Texas. Said addition shall be subject to all the requirements of the Subdivision Ordinance of the City of Waxahachie, Texas.

Witness my hand this 22 day of December, 1998.

Walter Kevin Davis
Walter Kevin Davis, R.L.S. #4406

State of Texas:
I certify that I have prepared this plat from an actual and accurate survey made on the ground and that the corner monuments shown hereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Waxahachie, Texas.



LOCATION MAP SCALE: 1" = 2000'

- LEGEND**
- - Property Corner Symbol
 - - Steel Rod
 - - Building Line
 - - Utility Easement
 - - Right of Way
 - - Point of Beginning
 - - Centerline
 - - Driveway & Entry Easement



FINAL PLAT
LOT 1, BLOCK A
CARDINAL I G ADDITION
Being a 48.721 Acre Addition in
the A. W. Brown Survey, A-102
and the J. Starrett Survey, A-1024
City of Waxahachie
Ellis County, Texas

ENGINEERS
D & M DAVIS & McDILL
SURVEYORS
P.O. Box 428, Waxahachie, Texas 75168
Phone: Metro (972) 938-1185

Drawn by: Kevin Bohannon Date: November 5, 1998 Job no. 981155

C-517

Planning & Zoning Department

Zoning Staff Report

Case: SU-18-0070



MEETING DATE(S)

Planning & Zoning Commission: May 22, 2018

City Council: June 4, 2018

CAPTION

Request by the City of Waxahachie for a Specific Use Permit (SUP) to allow a **Home for Aged, Residence (Assisted Living)** use within a General Retail (GR) zoning district, located at 401 Solon Road, being 1 COVENANT ADDN 4.43 ACRES (Property ID 204441) Owner: TEXAS HCP AL LP (SU-18-0070)

CASE INFORMATION

Applicant: City of Waxahachie

Property Owner(s): TEXAS HCP AL LP

Site Acreage: 4.43 acres

Current Zoning: General Retail with SUP

Requested Zoning: General Retail with SUP

SUBJECT PROPERTY

General Location: 401 Solon Road

Parcel ID Number(s): 204441

ATTACHED EXHIBITS

1. Proposed ordinance

STAFF CONTACT INFORMATION

Prepared by:

Kelly Dent, MPA

Planner

kdent@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A HOME FOR AGED, RESIDENCE (ASSISTED LIVING) USE WITHIN A GENERAL RETAIL (GR) ZONING DISTRICT, LOCATED AT 401 SOLON RD, BEING PROPERTY ID 204441, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1 OF THE COVENANT ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

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

WHEREAS, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number SU-18-0070. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from GR, with an SUP to GR, with an SUP in order to permit a Home for Aged, Residence (Assisted Living) use on the following property: 401 Solon Road, which is shown on Exhibit A. It should be noted that this SUP repeals and replaces Ordinance No. ____.

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

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

PASSED, APPROVED AND ADOPTED on this _____ day of _____, 2018.

MAYOR

ATTEST:

City Secretary

Planning & Zoning Department

Zoning Staff Report

Case: ZC-18-0042



MEETING DATE(S)

Planning & Zoning Commission: May 22, 2018

City Council: June 4, 2018

CAPTION

Public Hearing on a request by Aaron Duncan, MESA, for a Zoning Change from a Future Development zoning district to Commercial, Single Family-3, and Light Industrial-2, located at 604 FM 879, being 557 J JOHNSON 298.296 ACRES, 5 JB & A ADAMS, 557 J JOHNSON, 1249 SC WHITE 65.746 ACRES, and 5 JB & A ADAMS 134.9 ACRES (Property ID 209774, 179013, and 178975) - Owner: KAREN S ANDERSON IRREVOCABLE TRUST and JAMES R ANDERSON (ZC-18-0042).

CASE INFORMATION

Applicant: Aaron Duncan, MESA

Property Owner(s): Karen S Anderson Irrevocable Trust and James R Anderson

Site Acreage: 518.38 acres

Current Zoning: Future Development

Requested Zoning: Commercial, Single Family-3, and Light Industrial-2

SUBJECT PROPERTY

General Location: 604 FM 879

Parcel ID Number(s): 209774, 179013, and 178975

Existing Use: Currently undeveloped

Development History: The site is unplatted

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-MF1	Currently undeveloped
East	ETJ	Currently undeveloped
South	PD-SF1	Currently undeveloped (Saddlebrook)
West	PD	Camden Park Phase 3

Future Land Use Plan: Low Density Residential, High Density Residential, and Commercial

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.

Traditional apartment- and condominium-type units in attached living complexes characterize high-density residential land use. These development may take a variety of forms. This land use has evolved from traditional garden style apartments to courtyard apartments due to the focus upon situation dwelling units around a courtyard, pool, or other common space.

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

Thoroughfare Plan:

The site is located south of Palmer and Boyce Road (FM 879) and east of Parks School House Road, a Secondary Thoroughfare D (80' ROW). A proposed Major Thoroughfare A (120' ROW), connecting FM 879 to US Highway 287, crosses the site from northeast to southwest.

Site Image:



PLANNING ANALYSIS

The applicant proposes to rezone this property from Future Development (FD) to Light Industrial-2 (LI2), Commercial (C) and Single Family-3 (SF3). The location of this property is challenging, being bisected by Mustang Creek and the Union Pacific Railroad. The FLUP for this to be largely Low Density Residential (LDR) zoning may be unrealistic given the geographical limitations of the site, however, there may some hesitation in rezoning a large segment of this to industrial usage. Per the FLUP, this property should have more retail zoning than commercial (commercial being a more intensive use than retail), however the property owner has requested C rather than GR. The proposed development does, however, eliminate the high density residential zoning shown in the FLUP. The current line between Industrial zoning in the north and residential and commercial zoning in the south and east mirrors the creek.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 15 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 5/4/18.

STAFF CONCERNS

1. Staff needs to ensure that the property being zoned is owned by the property owner. The applicant has agreed that any development on this property must wait until the acreage concerns are addressed.
2. Changing the C zoning to GR would ensure a less intensive use near the residential zoning.

APPLICANT RESPONSE TO CONCERNS

1. Applicant has agreed to withhold development until the acreage shown on the tax certificates is corrected.

RECOMMENDATION

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
 1. Staff needs to ensure that the property being zoned is owned by the property owner. The applicant has agreed that any development on this property must wait until the acreage concerns are addressed.

ATTACHED EXHIBITS

1. Zoning exhibit

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:

Kelly Dent, MPA

Planner

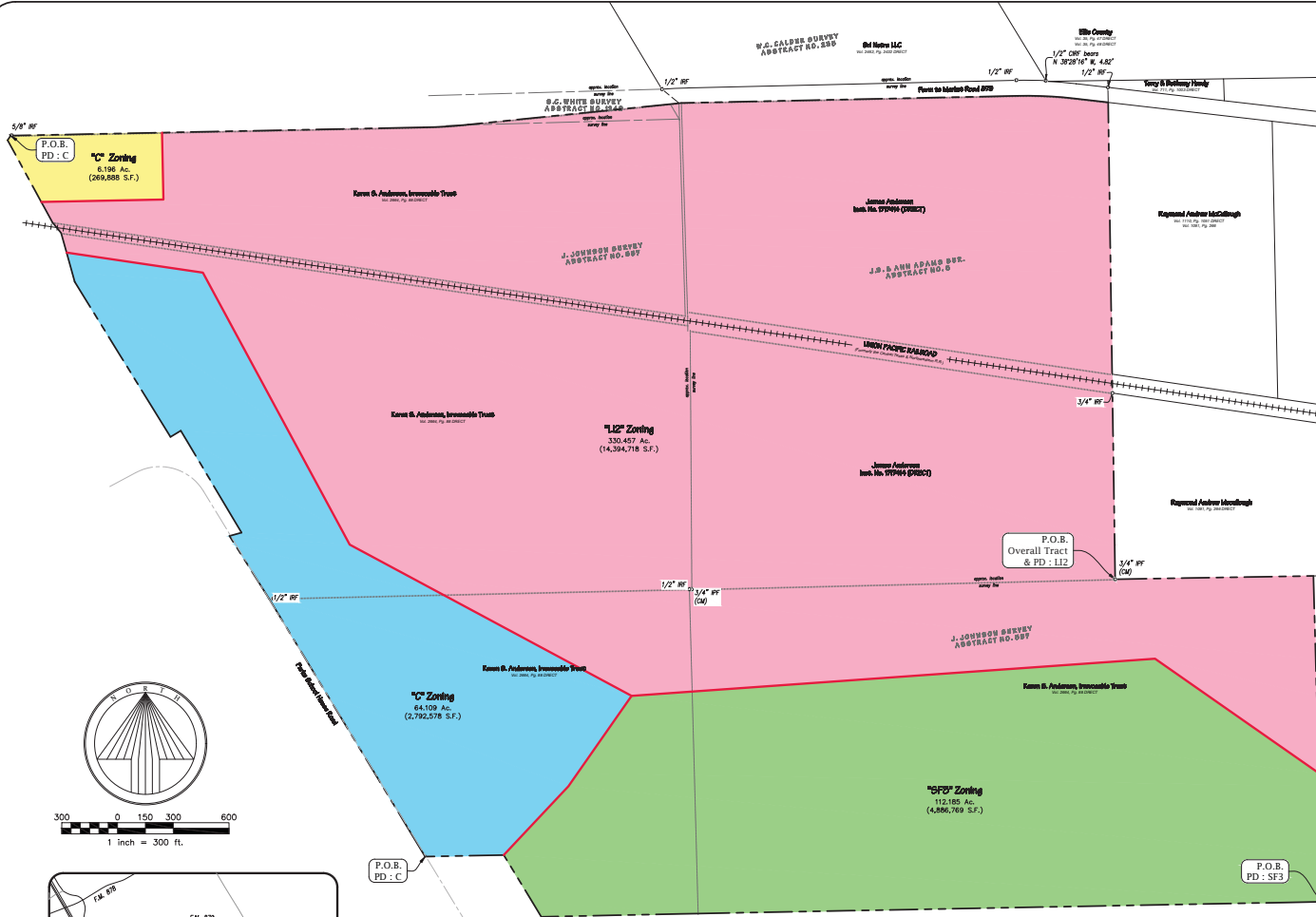
kdent@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com



Zoning Tract - Overall

BEGINNING a tract of land situated in the J.B. & Ann Adams Survey, Abstract No. 5, the J. Johnson Survey, Abstract No. 557, and the S.C. White Survey, Abstract No. 1249, City of Waxahatchie, Ellis County, Texas, being a portion of tracts conveyed to Karen S. Anderson, Irrevocable Trust according to the deed recorded in Volume 2664, Page 88 of the Deed Records, Ellis County, Texas (DRECT), and all of a tract conveyed to James Anderson, recorded in Inst. No. 1717414 (DRECT), and a portion of Farm to Market Road 879, and a portion of the Union Pacific Railroad, with the subject tract being more particularly described as follows:

BEGINNING at a 3/4" iron pipe found for the southwest corner of a tract conveyed to Raymond Andrew McCullough, recorded in Volume 1091, Page 266 DRECT, for the southwest corner of said Thompson-Schwab tract and a northeasterly corner of said Anderson tract;

THENCE N 89°02'44" E, 1066.82 feet along a north line of said Anderson tract;

THENCE S 01°36'08" E, 1754.17 feet along the east line of said Anderson tract;

THENCE S 88°55'20" W, 3360.49 feet along the south line of said Anderson tract;

THENCE S 88°48'44" W, 844.34 feet continuing along the south line of said Anderson tract to the lower southwest corner thereof;

THENCE N 31°15'47" W, 388.86 feet to the inset southwest corner thereof;

THENCE S 88°51'14" W, 423.11 feet to the upper southwest corner thereof, being in the line of Parks School House Road;

THENCE N 31°11'23" W, 1622.47 feet along Park School House Road;

THENCE N 32°14'39" W, 398.99 feet continuing along Park School House Road;

THENCE N 74°36'04" E, 67.43 feet departing said road, along the west line of said Anderson tract;

THENCE N 30°47'18" W, 638.46 feet along the west line of said Anderson tract;

THENCE S 59°10'06" W, 65.01 feet along the west line of said Anderson tract;

THENCE N 31°41'25" W, 981.26 feet along the west line of said Anderson tract;

THENCE N 15°30'33" W, 272.24 feet along the west line of said Anderson tract;

THENCE N 39°18'19" W, 74.28 feet along the west line of said Anderson tract;

THENCE N 28°36'46" W, 503.04 feet along the west line of said Anderson tract to the lower northwest corner thereof;

THENCE N 33°38'14" E, 29.73 feet to a 5/8" iron rod found for the most northerly northeast corner of said Anderson tract, and being on the south line of Farm to Market Road 879;

THENCE along Farm to Market Road 879, the following:

N 88°51'03" E, 2223.42 feet;

A non-tangent curve to the left having a central angle of 0°44'00", a radius of 2904.79 feet, a chord of N 86°29'55" E - 238.21 feet, an arc length of 238.28 feet;

N 84°11'57" E, 1153.80 feet;

N 88°47'22" E, 1812.46 feet;

A non-tangent curve to the right having a central angle of 0°44'00", a radius of 2251.83 feet, a chord of S 87°19'02" E - 305.01 feet, an arc length of 305.24 feet;

THENCE S 83°26'02" E, 181.81 feet to the northeast corner of said Thompson-Schwab tract;

THENCE S 00°50'27" E, 2566.36 feet along the east line thereof to the POINT OF BEGINNING with the subject tract containing 22,543,853 square feet or 515,847 acres of land.

"L12" Zoning

BEGINNING a tract of land situated in the J.B. & Ann Adams Survey, Abstract No. 5, the J. Johnson Survey, Abstract No. 557, and the S.C. White Survey, Abstract No. 1249, City of Waxahatchie, Ellis County, Texas, being a portion of tracts conveyed to Karen S. Anderson, Irrevocable Trust according to the deed recorded in Volume 2664, Page 88 of the Deed Records, Ellis County, Texas (DRECT), and all of a tract conveyed to James Anderson, recorded in Inst. No. 1717414 (DRECT), and a portion of Farm to Market Road 879, and a portion of the Union Pacific Railroad, with the subject tract being more particularly described as follows:

BEGINNING at a 3/4" iron pipe found for the southwest corner of a tract conveyed to Raymond Andrew McCullough, recorded in Volume 1091, Page 266 DRECT, for the southwest corner of said Thompson-Schwab tract and a northeasterly corner of said Anderson tract;

THENCE N 89°02'44" E, 1066.82 feet along a north line of said Anderson tract;

THENCE S 01°36'08" E, 1061.80 feet along the east line of said Anderson tract;

THENCE into and through said Anderson tract, the following:

N 50°04'47" W, 1075.69 feet;

S 80°56'32" W, 2823.65 feet;

N 61°46'52" W, 1721.61 feet;

N 28°22'03" W, 1663.06 feet;

And N 81°36'53" W, 741.47 feet to the west line thereof;

THENCE along said west line, the following:

N 15°30'33" W, 109.37 feet;

N 39°18'19" W, 74.28 feet;

And N 28°36'46" W, 124.83 feet;

THENCE N 88°51'03" E, 657.14 feet into said tract;

THENCE N 01°08'57" E, 360.00 feet to the south line of Farm to Market Road 879;

THENCE along the south line of said road, the following:

N 88°51'03" E, 1408.82 feet;

A non-tangent curve to the left having a central angle of 0°44'00", a radius of 2904.79 feet, a chord of N 86°29'55" E - 238.21 feet, an arc length of 238.28 feet;

N 84°11'57" E, 1153.80 feet;

N 88°47'22" E, 1812.46 feet;

A non-tangent curve to the right having a central angle of 0°44'00", a radius of 2251.83 feet, a chord of S 87°19'02" E - 305.01 feet, an arc length of 305.24 feet;

THENCE S 83°26'02" E, 181.81 feet to the northeast corner of said Thompson-Schwab tract;

THENCE S 00°50'27" E, 2566.36 feet along the east line thereof to the POINT OF BEGINNING with the subject tract containing 14,394,718 square feet or 330,457 acres of land.

The described property hereon is solely owned by the Karen S. Anderson, Irrevocable Trust according to the deed recorded in Volume 2664, Page 88 of the Deed Records, Ellis County, Texas (DRECT)

1) 242,869 Acres, plus 61,432 Acres, plus 61,242 Acres = 371,543 Acres (per above deed)

and James Anderson, recorded in Inst. No. 1717414 (DRECT),

and a portion of the Union Pacific Railroad:

3) 9,306 Acres in RR ROW

TOTAL ACREAGE = 512,947

"This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."



Darren K. Brown, RPLS 5252

ZONING EXHIBIT
512,947 ACRES IN THE
J.B. & ANN ADAMS SURVEY, ABSTRACT NO. 5 &
THE J. JOHNSON SURVEY, ABSTRACT NO. 557
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

Scale: 1" = 300' May, 2018 SEI Job No. 18-051

SPIARS
ENGINEERING
765 Guster Road, Suite 100 • Plano, TX 75075 • (972) 422-0077
TBPE No. F-2121 • TBPLS No. F-10043100

Planning & Zoning Department

Zoning Staff Report

Case: ZC-18-0044



MEETING DATE(S)

Planning & Zoning Commission: May 22, 2018

City Council: June 4, 2018

CAPTION

Public Hearing on a request by Joseph Willrich, BEFCO Engineering Inc, for a Zoning Change from a Commercial zoning district to Light Industrial-1, located at 100 W Sterrett, 6820 N Interstate 35, and 6800 N Interstate 35, being 821 LB OUTLAW 2.354 ACRES, 821 LB OUTLAW 2.324 ACRES, and 821 LB OUTLAW 4.98 ACRES (Property ID 203820, 194221, and 188699) - Owner: MAGNABLEND INC (ZC-18-0044).

CASE INFORMATION

Applicant: Joseph Willrich, BEFCO Engineering Inc

Property Owner(s): Magnablend Inc

Site Acreage: 9.69 acres

Current Zoning: Commercial

Requested Zoning: Light Industrial-1

SUBJECT PROPERTY

General Location: 100 W Sterrett

Parcel ID Number(s): 203820, 194221, and 188699

Existing Use: Old Magnablend site

Development History: The site is unplatted, however the applicant has submitted for preliminary and final plats with the May 2nd application cycle.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	LI1	Direct Service Company
East	FD	Single Family Residence
South	LI1	Magnablend
West	LI1	Currently undeveloped

Future Land Use Plan: Industrial

Comprehensive Plan:

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

Thoroughfare Plan:

The site can be accessed via the N Interstate 35 Service Road and W Sterrett Road, a proposed Major Thoroughfare A (120' ROW).



Site Image:

PLANNING ANALYSIS

The applicant is proposing to partially redevelop the old Magnabland site for a new tenant. As part of the rehab of the property, a number of concerns were brought up. The property is being rezoned to account for the industrial nature of its use.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 8 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 5/4/18.

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. Zoning exhibit

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:

Kelly Dent, MPA

Planner I

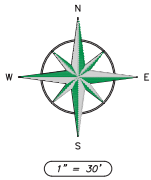
kdent@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com



PROPERTY DESCRIPTION

Tract 1

BEGINNING at that certain parcel of land lying in the City of Waxahachie, Texas and being situated in the WILLIAM B. HAYNES SURVEY, ABSTRACT NO. 486 and in the L.B. OUTLAW SURVEY, ABSTRACT NO. 821, Ellis County, Texas, and being all of the 2,383 acre tract of land (Tract 1) conveyed to M and M Investments by Special Warranty Deed recorded in Instrument Number 1807621 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found with cap marked "WLSC RPLS 5331" at the intersection of the north line of Sterrett Road with the west line of the Burlington Northern and Santa Fe Railroad for the southeast corner of Tract 1;

THENCE N 64°22'28" W along the south line of Tract 1 and the north line of Sterrett Road, a distance of 117.78 feet to an "X" found for the southwest corner of Tract 1 and the southeast corner of the 4,978 acre tract of land (Tract 3) conveyed to M and M Investments by Special Warranty Deed recorded in Instrument Number 1807621 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

THENCE N 25°37'20" E, along the southerly west line of Tract 1 and the east line of Tract 3, a distance of 655.93 feet to an "X" found in the south line of the 2,325 acre tract of land (Tract 2) conveyed to M and M Investments by Special Warranty Deed recorded in Instrument Number 1807621 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

THENCE S 64°08'05" E, along the westerly north line of Tract 1 and the south line of Tract 2, a distance of 40.32 feet to an "X" found for an interior corner of Tract 1 and the southeast corner of Tract 2;

THENCE N 25°31'29" E, along the northerly west line of Tract 1 and the east line of Tract 2, passing at 211.08 feet to a 1/2" iron rod found with cap marked "WLSC RPLS 5331" for the northeast corner of Tract 2 and the southeast corner of the 2,08 acre tract of land conveyed to Kyle Pevhouse by Warranty Deed recorded in Volume 2177, Page 1993, OPRECT, in all, a distance of 412.38 feet to a point within a utility pole and in the south line of the 4,468 acre tract of land conveyed to Cypress Real Estate Co., Inc. by Special Warranty Deed recorded in Instrument Number 1700333, OPRECT for the northeast corner of Tract 1;

THENCE S 64°13'05" E, along the north line of Tract 1 and the south line of said 4,468 acre tract, a distance of 78.79 feet to a 1/2" iron rod found with cap marked "RPLS 4466" in the west line of said B.N. & S.F. Railroad for the northeast corner of Tract 1 and the southeast corner of said 4,468 acre tract;

THENCE S 25°39'33" W, along the east line of Tract 1 and the west line of the B.N. & S.F. Railroad, a distance of 1018.53 feet to the PLACE OF BEGINNING and containing 2,383 acres of land as surveyed on the ground January 10, 2018 by Walker Land Surveying Company. Basis of bearings is GPS observation, Texas Coordinate System, North Central Zone. Beginning coordinate = Northings=6859370.89, Eastings=2482276.64.

PROPERTY DESCRIPTION

Tract 2

BEGINNING at that certain parcel of land lying in the City of Waxahachie, Texas and being situated in the L.B. OUTLAW SURVEY, ABSTRACT NO. 821, Ellis County, Texas, and being all of the 2,325 acre tract of land (Tract 2) conveyed to M and M Investments by Special Warranty Deed recorded in Instrument Number 1807621 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the east line of Interstate Highway 35E for the southwest corner of Tract 2 and the northwest corner of 4,978 acre tract of land (Tract 3) conveyed to M and M Investments by Special Warranty Deed recorded in Instrument Number 1807621, OPRECT;

THENCE N 25°28'10" E along the west line of Tract 2 and the east line of Interstate Highway 35E, a distance of 210.65 feet to a 1/2" iron rod found for the northwest corner of Tract 2 and the southwest corner of the 2,08 acre tract of land conveyed to Kyle Pevhouse by Warranty Deed recorded in Volume 2177, Page 1993, OPRECT;

THENCE S 64°10'20" E, along the north line of Tract 2 and the south line of said 2,08 acre tract, a distance of 483.34 feet to a 1/2" iron rod found with cap marked "WLSC RPLS 5331" in the northerly west line of the 2,383 acre tract of land (Tract 1) conveyed to M and M Investments by Special Warranty Deed recorded in Instrument Number 1807621, OPRECT for the northeast corner of Tract 2 and the southeast corner of said 2,08 acre tract;

THENCE S 25°31'29" W, along the east line of Tract 2 and the northerly west line of Tract 1, a distance of 211.08 feet to an "X" found for the southeast corner of Tract 2 and an interior corner of Tract 1;

THENCE N 64°08'05" W, along the south line of Tract 2 and the westerly north line of Tract 1, passing at 40.32 feet to an "X" found for the southerly northwest corner of Tract 1 and the northeast corner of Tract 3, in all, along the north line of Tract 3 a distance of 480.15 feet to the PLACE OF BEGINNING and containing 2,325 acres of land as surveyed on the ground January 10, 2018 by Walker Land Surveying Company. Basis of bearings is GPS observation, Texas Coordinate System, North Central Zone. Beginning coordinate = Northings=6860160.04, Eastings=2482036.73.

PROPERTY DESCRIPTION

Tract 3

BEGINNING at that certain parcel of land lying in the City of Waxahachie, Texas and being situated in the L.B. OUTLAW SURVEY, ABSTRACT NO. 821, Ellis County, Texas, and being all of the 4,978 acre tract of land (Tract 3) conveyed to M and M Investments by Special Warranty Deed recorded in Instrument Number 1807621 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the east line of Interstate Highway 35E for the northwest corner of Tract 3 and the southwest corner of the 2,325 acre tract of land (Tract 2) conveyed to M and M Investments by Special Warranty Deed recorded in Instrument Number 1807621, 2,331 acre tract of land, OPRECT;

THENCE S 64°08'05" E, along the north line of Tract 3 and the south line of Tract 2, a distance of 439.33 feet to an "X" found for the northeast corner of Tract 3 and the southerly northwest corner of the 2,383 acre tract of land (Tract 1) conveyed to M and M Investments by Special Warranty Deed recorded in Instrument Number 1807621, OPRECT;

THENCE S 25°37'20" W, along the east line of Tract 3 and the southerly west line of Tract 1, a distance of 655.93 feet to an "X" found in the north line of Sterrett Road for the southeast corner of Tract 3 and the southwest corner of Tract 1;

THENCE N 63°29'30" W, along the south line of Tract 3 and the north line of Sterrett Road, a distance of 50.37 feet to a PK nail found for the southerly southwest corner of Tract 3 and all of the intersection of the north line of Sterrett Road with the east line of Interstate Highway 35E;

THENCE along the south and west lines of Tract 3 and the east line of Interstate Highway 35E as follows:

N 25°24'27" E, a distance of 28.40 feet to a 1/2" iron rod found with cap marked "RPLS 4466" for corner;

N 64°21'37" W, a distance of 120.26 feet to a 1/2" iron rod found for corner;

N 64°21'37" W, a distance of 277.88 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;

N 19°37'07" W, a distance of 71.82 feet to a 3/4" iron pipe found for corner; and

N 25°37'20" E, a distance of 404.88 feet to the PLACE OF BEGINNING and containing 4,978 acres of land as surveyed on the ground January 10, 2018 by Walker Land Surveying Company. Basis of bearings is GPS observation, Texas Coordinate System, North Central Zone. Beginning coordinate = Northings=6860160.04, Eastings=2482036.73.



ZONING EXHIBIT

3 Tracts - 9,686 Acres
William B. Haynes Survey, Abstract No. 486
L.B. Outlaw Survey, Abstract No. 821
City of Waxahachie
Ellis County, Texas



Date: April 5, 2018
Scale: 1"=50'
Project: 180002_Zoning

J. Shawn Walker, R.P.L.S.
Texas Registration No. 5331

Planning & Zoning Department

Zoning Staff Report

Case: SU-18-0045



MEETING DATE(S)

Planning & Zoning Commission: May 22, 2018

City Council: June 4, 2018

CAPTION

Public Hearing on a request by Joseph Willrich, BEFCO Engineering Inc, for a Specific Use Permit (SUP) for heavy machinery sales or storage, trailer and heavy load vehicle repair, equipment sales (new or used), equipment rental (heavy), open or outside storage, display, or work areas for merchandise or machinery) uses within a Light Industrial-1 zoning district, located at 100 W Sterrett, 6820 N Interstate 35, and 6800 N Interstate 35, being 821 LB OUTLAW 2.354 ACRES, 821 LB OUTLAW 2.324 ACRES, and 821 LB OUTLAW 4.98 ACRES (Property ID 203820, 194221, and 188699) - Owner: MAGNABLEND INC (SU-18-0045)

CASE INFORMATION

Applicant: Joseph Willrich, BEFCO Engineering Inc

Property Owner(s): Magnablend Inc

Site Acreage: 9.69 acres

Current Zoning: Light Industrial-1

Requested Zoning: Light Industrial-1 with SUP

SUBJECT PROPERTY

General Location: 100 W Sterrett

Parcel ID Number(s): 203820, 194221, and 188699

Existing Use: Old Magnablend site

Development History: The site is unplatted, however the applicant has submitted for preliminary and final plats with the May 2nd application cycle.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	LI1	Direct Service Company
East	FD	Single Family Residence
South	LI1	Magnablend
West	LI1	Currently undeveloped

Future Land Use Plan:

Industrial

Comprehensive Plan:

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

Thoroughfare Plan:

The site can be accessed via the N Interstate 35 Service Road and W Sterrett Road, a proposed Major Thoroughfare A (120' ROW).



Site Image:

PLANNING ANALYSIS

This case is a companion case to the zoning change. The site is being renovated to account for a new tenant that would like to do heavy machinery sales or storage, trailer and heavy load vehicle repair, equipment sales (new or used), equipment rental (heavy), open or outside storage, display, or work areas for merchandise or machinery) uses. These uses require an SUP in this zoning district.

SUP DEVELOPMENT STANDARDS

The following table identifies the development standard requirements in the base zoning district in comparison to the proposed development standards for this SUP.

Base Zoning Requirement	Proposed Development Standard
One pole sign per 350' of street frontage	Applicant has 635' of street frontage with a pole sign and billboard.
Concrete paving throughout the site	Applicant has concrete at the parking in front of the building, and would like to retain the gravel where the storage would be located.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 8 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 5/4/18.

STAFF CONCERNS

1. There is currently insufficient water service at this location to provide for adequate fire protection to this site.
2. The applicant has a pole sign on the property as well as a billboard. The applicant would like to maintain and use both signs, with the billboard being used to advertise off-premise businesses.
3. The applicant proposes to maintain the gravel lot.

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.
- ☒ Additional Consideration is required.

ATTACHED EXHIBITS

1. Site plan
2. Elevations of both buildings
3. Landscape plan

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Kelly Dent, MPA
Planner I
kdent@waxahachie.com

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

Planning & Zoning Department

Zoning Staff Report

Case: PD-18-0048



MEETING DATE(S)

Planning & Zoning Commission: May 22, 2018

City Council: June 4, 2018

CAPTION

Public Hearing on a request by Grant Robinson, CPG Homes LLC, for a Zoning Change from a Multi-Family-2 zoning district to **Planned Development-Multi-Family-2, with Concept Plan**, located East of new Waxahachie High School, being 1080 WM C TUNNELL 6.536 ACRES (Property ID 264879) - Owner: BOA SORTÉ LP ETAL (PD-18-0048).

CASE INFORMATION

Applicant: Grant Robinson, CPG Homes LLC

Property Owner(s): BOA Sorte LP etal

Site Acreage: 6.536 acres

Current Zoning: Planned Development-47-Multi Family-2

Requested Zoning: Planned Development-Multi-Family-2

SUBJECT PROPERTY

General Location: East of new Waxahachie High School

Parcel ID Number(s): 264879

Existing Use: Currently undeveloped

Development History: Ordinance No. 2296 was enacted by City Council on March 21, 2005.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-C	Cowboy Church
East	PD-MF2	Currently undeveloped
South	PD-C	Currently undeveloped
West	PD-C	Currently undeveloped

Future Land Use Plan: Public/Semi-Public with a portion Highway Commercial

Comprehensive Plan:

This land use category includes uses that are educational, governmental or institutional in nature. This type of land use is generally permitted within any area, therefore, only the current Public/Semi-Public uses are shown on the map.

Thoroughfare Plan:

The site is accessed via W US Highway 287 Bypass.



Site Image:

PLANNING ANALYSIS

The applicant seeks to replace a current Planned Development (Ordinance No. 2296) with a new Planned Development that reduces the standards required to construct apartment homes. In Ordinance No. 2296, this property is required to comply with the minimum density, coverage, height, parking and area standards specified by the Multi-Family-2 (MF2) zoning district. The applicant has proposed increased density and decreased garage parking not meeting the 50% minimum per ordinance.

PD DEVELOPMENT STANDARDS

The following table identifies the development standard requirements in the base zoning district in comparison to the proposed development standards for this PD.

Requirements	MF-2	Proposed
Density	18 units/acre	21.44 units/acre
Garaging	50% of required parking in enclosed, attached garages	30 enclosed, attached garages (12.25%)
Side Yard Setback Adjacent to Multi-Family or Non-Residential	100'	58'

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 5 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 5/4/18.

STAFF CONCERNS

PLANNING, CASE MANAGER – Kelly L. Dent (469) 309-4294; kdent@waxahachie.com

1. There remain concerns regarding the proposed density. The reduction of the number of buildings, and reorientation of the remaining buildings, would both decrease the density, and address concerns about layout, parking, and access.
2. The City expects that at least fifty (50) percent of the parking be provided via attached enclosed garages.

APPLICANT RESPONSE TO CONCERNS

1. Applicant submitted revisions, which are included in the packet, and attended a conference call meeting with staff.

RECOMMENDATION

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

- ☒ Denial
- ☐ Approval, as presented.
- ☐ Approval, per the following comments:
 1. If checking the last box, then include the comments recommended for P&Z and City Council to use as discussion points.

ATTACHED EXHIBITS

1. Ordinance No. 2296
2. DRC Comment Response Packet (includes responses from applicant, proposed site plan, proposed elevations, and concept plan provisions).

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:
Kelly Dent, MPA
Planner
kdent@waxahachie.com

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

Planning & Zoning Department

Zoning Staff Report

Case: SU-18-0054



MEETING DATE(S)

Planning & Zoning Commission: May 22, 2018

City Council: June 4, 2018

CAPTION

Public Hearing on a request by Barb J. Hall, for a Specific Use Permit (SUP) for **Trailer, Truck Sales or Rental** use within a Light Industrial-2 and Future Development zoning district, located at 4675 N Interstate 35, being 790 EC NEWTON 29.74 ACRES (Property ID 188460) - Owner: LUIS ESTRADA (SU-18-0054).

CASE INFORMATION

Applicant: Barb J. Hall

Property Owner(s): Luis Estrada

Site Acreage: 29.74 acres

Current Zoning: Light Industrial-2 and Future Development

Requested Zoning: Light Industrial-2 and Future Development with SUP

SUBJECT PROPERTY

General Location: 4675 N Interstate 35

Parcel ID Number(s): 188460

Existing Use: Ervin Trucks and Trailer Rentals

Development History: The site is unplatted, however, the current SUP for the property, Ordinance No. 2808 expires January 1, 2019.

Case No.	Direction from Site	Request	Result
ZA2015-15	Site	SUP for use	Approved, Ord. No. 2808

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	LI1	Currently undeveloped
East	LI2	Nutri Ag.
South	LI1	Austin Industrial Park
West	LI1	Austin Industrial Park

Future Land Use Plan:

Highway Commercial

Comprehensive Plan:

Highway Commercial areas are intended to allow for traditional commercial land uses, but such uses should be developed to a higher standard. For example, outside storage may be permitted, but would have to be screened and not visible from the road. In addition, a more limited array of commercial uses would be permitted. Hotels, motels, and car dealerships would be permitted, for example, but manufactured home sales and self-storage buildings would not. The idea is for these areas to show a positive image of Waxahachie and make visitors want to travel into the main part of the City.

Thoroughfare Plan:

The site is accessed via Interstate 35 Service Road.



Site Image:

PLANNING ANALYSIS

The applicant operates a trailer and truck rental and sales business at this site. The SUP to continue the use expires on January 1, 2019. The applicant would like to continue the usage at the site, however the use and the maintenance of the site are not in compliance with the City's future land use plan for the site. Additionally, the parking lot at the site is unpaved, with trailers parked on gravel, dirt and grass.

SUP DEVELOPMENT STANDARDS

The following table identifies the development standard requirements in the base zoning district in comparison to the proposed development standards for this SUP.

Base Zoning Requirement	Proposed Development Standard
Concrete paving for all parking and storage areas.	The site is unpaved, with items stored on gravel, dirt and grass.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 4 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 5/4/18.

STAFF CONCERNS

1. Staff are concerned about continuing this use along one of the main entryways into the City of Waxahachie.

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.
- ☒ Additional consideration is required

ATTACHED EXHIBITS

1. Ordinance No. 2808

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:
Kelly Dent, MPA
Planner
kdent@waxahachie.com

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

Planning & Zoning Department

Zoning Staff Report

Case: PD-18-0059



MEETING DATE(S)

Planning & Zoning Commission: May 22, 2018

City Council: June 4, 2018

CAPTION

Public Hearing on a request by Blain Vinson, Aspen Community Development, for a Zoning Change from a Single Family-3 zoning district to **Planned Development-SF-3, with Concept Plan**, located East of 865 Cantrell Street, being 6 JC ARMSTRONG 17.521 ACRES (Property ID 244351) - Owner: WALKER L GORDON ETAL (PD-18-0059).

CASE INFORMATION

Applicant: Blain Vinson, Aspen Community Development

Property Owner(s): Walker L Gordon *et.al.*

Site Acreage: 17.521 acres

Current Zoning: Single Family-3

Requested Zoning: Planned Development-SF-3

SUBJECT PROPERTY

General Location: East of 865 Cantrell Street

Parcel ID Number(s): 244351

Existing Use: Currently undeveloped

Development History: The site is unplatted.

Case No.	Direction from Site	Request	Result
ZA2016-40	East	PD-MF1	Approved, Ord. No. 2885

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF3	Single family residence
East	SF3	Single family residence
South	SF3	Single family residence
West	MF1	Currently undeveloped

Future Land Use Plan:

Retail

Comprehensive Plan:

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

Thoroughfare Plan:

Entrance to the site is via Cantrell Street, a Major Thoroughfare B (110' ROW).



Site Image:

PLANNING ANALYSIS

The applicant seeks zoning to establish a cottage-concept neighborhood of approximately eighty (80) to ninety (90) detached single-family residences on Cantrell Street, close to the Central Area (CA) zoning district.

The proposed clustered, cottage-style developments are new to the City, but have some experience in other regions in the country, namely the Pacific Northwest. Cottage homes, and specifically clustered cottage neighborhoods have been proposed as alternative single-family residences for households that are not looking for the traditional residential design or have less need for a larger footprint. They have also been proposed as a means to allow residents, specifically older residents, to age in place. In the City's 2016 Comprehensive Plan, the City recognized the need to move behind traditional single-family residences and garden-style apartments, to provide additional housing choices to current and prospective Waxahachie residents. The development of a cottage cluster neighborhood may serve to meet that need, though some concerns about this proposal do remain. Specifically, the City remains concerned about the closeness of the proposed neighborhood to the property line, the low percentage of masonry construction proposed, the lot coverage percentage, and the longevity of the cementitious fiberboard product proposed.

PD DEVELOPMENT STANDARDS

For the development standard requirements in the base zoning district in comparison to the proposed development standards for this PD, please refer to the included exhibit.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 16 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 5/4/18.

STAFF CONCERNS

1. The lot coverage is higher than what is typically permitted in SF residential zoning districts.
2. The cementitious fiberboard is designed to last for fifteen (15) years.
3. The exterior construction will consist of seventy-five (75) percent non-masonry materials.
4. The parking is not on the same lot as the main structure and the enclosed garages provide for fewer vehicles than is required for SF residences.
5. The lot depth, width, area, and setbacks are all reduced.
6. The notes section may need to be removed.

APPLICANT RESPONSE TO CONCERNS

1. Applicant has submitted revisions. The concerns above result from the resubmittal.

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:
- ☒ Additional consideration may be required by the Planning and Zoning Commission and/or City Council.

ATTACHED EXHIBITS

1. Concept plan packet

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

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



FM 1446/Cantrell Road Cottage Concept

17.251 Acre Tract
Planned Development / Rezone

May 11, 2018

INTRODUCTION

Aspen Community Development (Aspen) is proposing a Planned Development (PD) for a Pocket Neighborhood on a tract of land currently in Agricultural/SF3 use, in a portion of Ellis County located on FM 1446, East of 865 Cantrell Street, being 6 JC ARMSTRONG 17.251 (Property ID 244351).



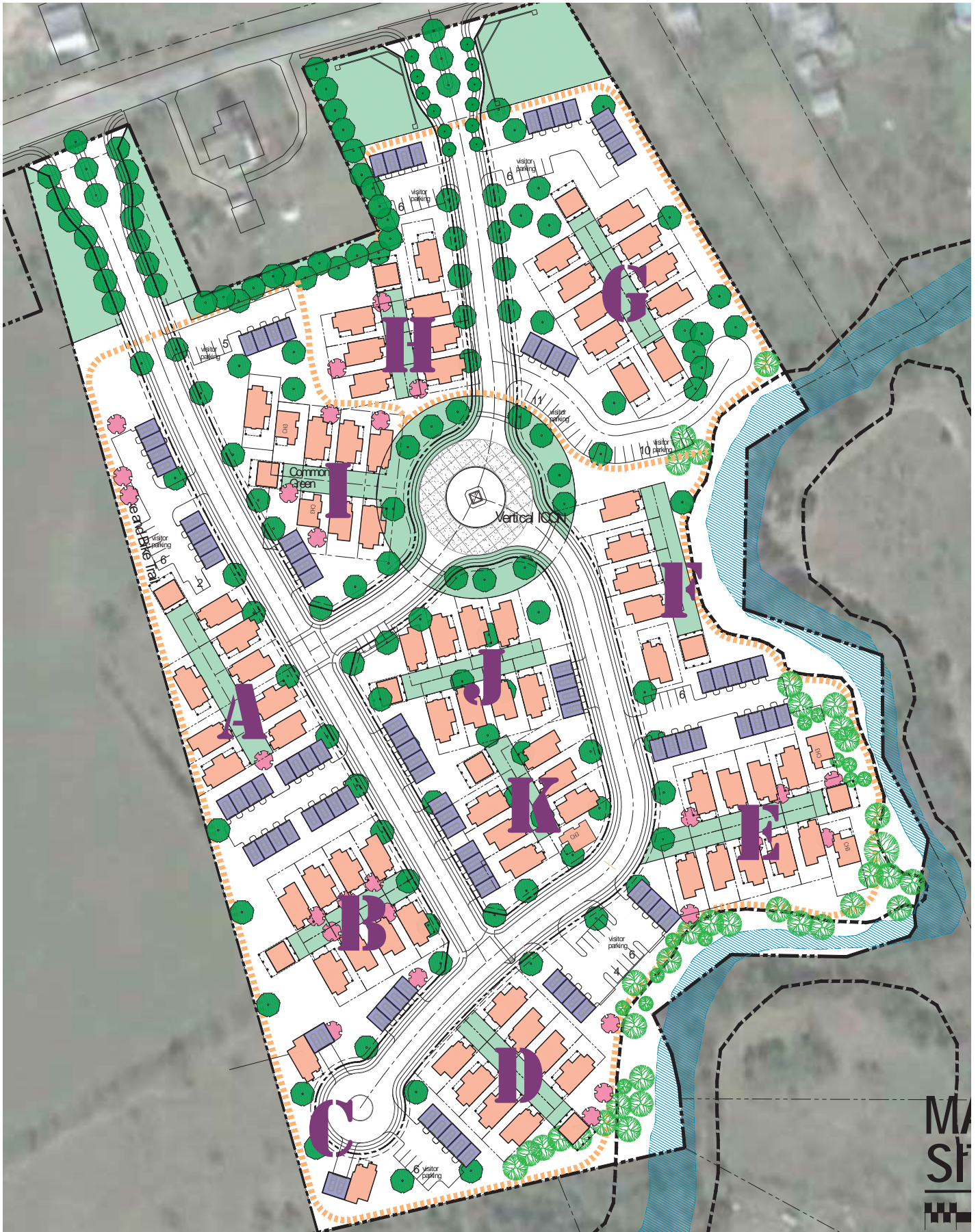
Coined as “pocket neighborhoods” or Cottage Communities by Ross Chapin in 1995, Wikipedia defines these communities “as a grouping of smaller residences, often around a courtyard or common garden, designed to promote a close-knit sense of community and neighborliness with an increased level of contact”.

Ideally located, this site provides views of the Waxahachie Courthouse, natural waterways, mature trees and rolling topography that lends itself to nature. Coupled with easy access to walking and biking distance to downtown Waxahachie, seasonal festivities, as well as many other Waxahachie amenities, its vicinity to HW I-35 also provides easy access to big city events and professional obligations via a major thoroughfare. This location also offers an additional option for parents needing homeownership in close proximity to Daymark Living.

Forbes Magazine featured an article in 2008 named “Americas Luxury Home, Downsized”. The article emphasized high end, “sensibly sized” homes becoming the sign of the times. In the years following, downsizing has now become one of the fastest growing social trends in the US. Per the National Association of Homebuilders (NHBA), families are downsizing into more manageable homes and surroundings, while growing their disposable income and quality of living. With ever increasing maintenance costs, families, empty nesters, singles and millennials are demanding higher quality, modern homes designed with the latest technology and energy standards to lower utilities. In fact, NHBA research has shown many homeowners would pay a \$6,000 higher purchase price, if the property could lower utility bills by \$1,000 a year.

Aspen seeks the City's approval for 82 Cottage homes specifically designed to meet these requirements. Succeeding existing communities that continually grow in popularity, Cottage homes offer a quaint lifestyle and setting for homeowners looking for something different. People looking for private, independent lifestyles have many conventional housing opportunities to choose from. But, for an ever-growing segment of people who want a stronger sense of community, pocket neighborhoods offer a welcome option. These are settings where nearby neighbors can easily know one another by carefully designed clusters of 8 (average) homes, ranging in size from 950SF to 1,777SF. Typically found in large high-end custom homes, standard features will include large front porches and quality craftsmanship consisting of; Hardwood floors, granite countertops, stainless appliances, solid core doors, extensive molding and cased windows all in energy efficient cottage/bungalow style elevations. As an added amenity, each cluster of homes also shares a "Carriage House" (Exhibit A) for respective homeowners. Carriage houses (650SF) are designed with outdoor patios, open living areas, restrooms and full size kitchens (dishwasher, sink, refrigerator, oven and microwave) available to each homeowner for special planned activities or communal daily gatherings. Thereby, homeowners enjoy a spacious private retreat, as well as opportunities to interact with neighbors, creating a sense of togetherness, safety and responsibility.

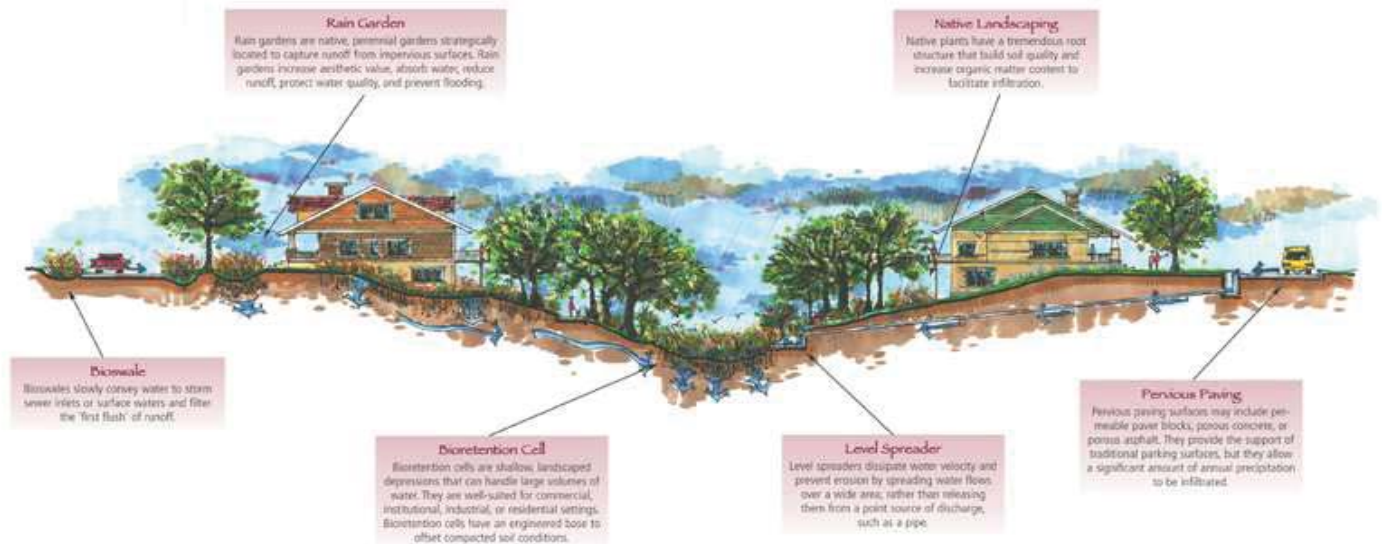
MASTER SITE PLAN



LOW IMPACT DEVELOPMENT

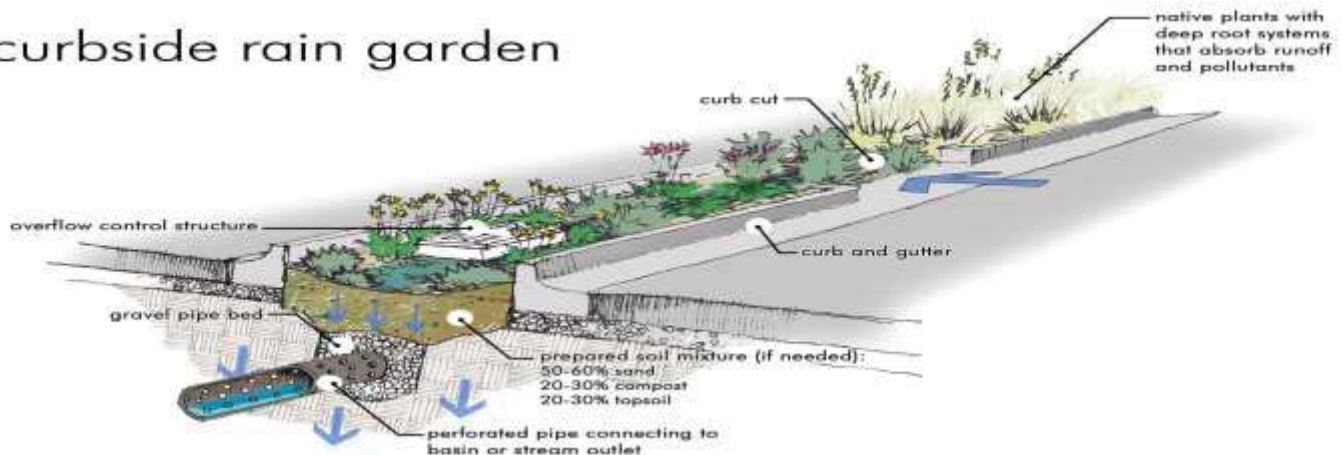
In addition to the above building standards, Aspen proposes to use techniques used in Low Impact Developments (LID). A concept that began in 1990, LID's focus on conservation and nature by using new land planning and an engineered pre-development approach to manage storm-water runoff as part of a green infrastructure. LID emphasizes conservation and use of on-site natural features to protect water quality. This approach utilizes small-scale hydrologic controls to replicate storing, evaporating, and detaining water runoff close to its source. As detailed below, LID construction techniques conserve rainfall, greatly reducing run-off into neighboring creeks and City systems, thereby reducing erosion and stress on existing infrastructures. Utilizing these practices throughout the development, we intend on greatly reducing or eliminating the necessity for an unsightly detention pond.

The LID approach to storm water management



DETAILED EXAMPLE OF A PROPOSED LID PRACTICE

curbside rain garden



ENERGY EFFICIENT DESIGN PRINCIPLES

This community shall be further established as a “Sustainable Community”. Aspen will choose members of the building community that are sensitive to the integration of environmental relationships. Home design shall be energy efficient in material and site planning suitable for Energy Star Certification. Homes shall incorporate Energy Star rated materials, systems and appliances.

BASE/PROPOSED STANDARDS

Requirement	Base Zoning Requirement	Proposed Development Standard
Minimum Lot Area	10,000 SF	2,800 SF
Minimum Lot Width	Eighty - 80 Feet	Thirty Five - 35 Feet
Minimum Lot Depth	One Hundred - 100 Feet	Eighty - 80 Feet
Front Yard Set Back	Thirty - 30 Feet	Fifteen - 15 Feet
Side Yard Set back	Ten - 10 Feet	Zero - A side / 5 Feet - B side
Maximum Lot Coverage	35%	53% (Average)
Minimum Dwelling Unit Area	1,200 SF	950 SF
Dwelling Units/Acre	4	Not to exceed 8/acre
Parking	2 Enclosed	*1 Enclosed - Not attached
Masonry Percentage	75%	25% (Stone/Brick Courses/Columns) 75% Hardie (15 year “Color Plus”)
Minimum Ornamental plants	45 Combined gallons	**12.6 Combined gallons (28%)
Greenspace/Cluster	0	***60% - 39,700SF/65,340SF/Average Cluster
Walking Trails	0	4,179 LF
*15% of homes will have Double Garages (Garages = 360SF each) Average = 9 garages/cluster		
**Not including Common Garden		
*** Average Cluster Lot size = 1.5 acres or 65,340SF (Average Structures/Cluster -22,400SF Lots, 3,240SF Garages)		



OTHER AMENITIES:

- There are two primary entrances to this neighborhood. Both located on FM 1446, each entrance will feature an extensively landscaped median, stone/brick monolithic features as well as coded security gates for security as well as privacy.
- An entry ICON located on a decorative (brick, pavers, etc.) surface featuring adjacent greenspace will be located in a roundabout as shown in the Master Site Plan. Icon (Fountain, Sculpture) to be determined.
- Adjacent property lines will feature enhanced landscape buffers to provide a natural screen between each residential cluster. In all common or water feature areas, drought tolerant, native plant materials suitable to this region and soil conditions will be used to enhance our goal of reducing water usage in promoting and maintaining a carefully planned environment.



- A Home Owners Association shall be required to maintain the proposed landscaping within this development as well as all open space features.
- The landscaping in all public areas and in the individual cottage pods shall be irrigated and operated by an automatic controller. Systems to be maintained by the Home Owners Association.
- Strict guidelines will be implemented as an architectural reference for approved paint, building material and roofing colors. Guidelines to be implemented via DRC approval.
- Public open spaces shall be enhanced with 8' wide concrete trails/sidewalks encompassing the development.



NOTES:

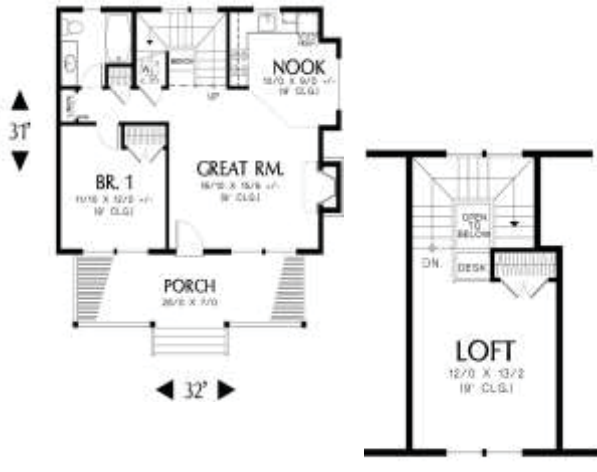
- Should a subsequent Site Plan submittal be denied by the Planning and Zoning Commission, then such Plan may be appealed to the City Council for final disposition.
- Paid tax certificates and legal descriptions of said property will be provided upon closing.
- FEMA and USGS Maps have been studied and applied in placement of trails and ALL structures.
- All other City ordinances will be met or exceeded as defined.

COTTAGE CONCEPTS



SAMPLE RENDERINGS

*Colors shown are not representative of future palate



950\$F



1,520\$F



1,777\$F

“EXHIBIT A” Conceptual Carriage House



Carriage Homes are communal spaces shared amongst homeowners within a cluster.

Amenities in each Carriage House include:

- Restroom
- Open Living Area
- Full Size Kitchen
 - Sink
 - Dishwasher
 - Refrigerator
 - Microwave
 - Oven/Stove

Planning & Zoning Department

Zoning Staff Report

Case: SU-18-0072



MEETING DATE(S)

Planning & Zoning Commission: May 22, 2018

City Council: June 4, 2018

CAPTION

Request by Sam Hix, Air Evac EMS, for a Specific Use Permit (SUP) for **Heliport** use within a Light Industrial-1 zoning district, located at 103 Industrial Drive, being 2R C N WAXAHACHIE IND PARK1 ACRES (Property ID 203244) - Owner: WESLEY E & F JUNE SAUNDERS (SU-18-0072)

CASE INFORMATION

Applicant: Sam Hix, Air Evac EMS

Property Owner(s): Wesley E and June F Saunders

Site Acreage: 1 acre

Current Zoning: Light Industrial-1

Requested Zoning: Light Industrial-1 with SUP

SUBJECT PROPERTY

General Location: 103 Industrial Drive

Parcel ID Number(s): 203244

Existing Use: Currently undeveloped

Development History: The replat of lot 2 R, block C was approved by City Council on June 17, 1996.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	LI1	Warehouse
East	LI1	Centex Work Center
South	LI1	West Inc Drilling Services
West	LI1	Warehouse

Future Land Use Plan: Retail

Comprehensive Plan:

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

Thoroughfare Plan:

The site is located along Industrial Drive.



Site Image:

PLANNING ANALYSIS

The applicant seeks to establish a temporary helipad for an air ambulance station.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 7 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 5/4/18.

STAFF CONCERNS

- a. Applicant must provide a summary or exhibit of how this proposal complies with FAA minimum standards, including, but not limited to, the setbacks between the pad and buildings

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 provide information as to how this proposal complies with the minimum standards set by the FAA.

ATTACHED EXHIBITS

1. Site plan

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

Kelly Dent, MPA

Planner I

kdent@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com