

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, May 10, 2022 at 7:00 p.m.*** in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

1. Call to Order
2. Invocation
3. ***Public Comments:*** Persons may address the Planning & Zoning Commission on any issues. This is the appropriate time for citizens to address the Commission on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Commission may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code.
4. ***Consent Agenda***

All matters listed under Item 4, 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 April 26, 2022
 - b. Minutes of the Planning and Zoning Commission briefing of April 26, 2022
5. ***Public Hearing*** on a request by Dolores Hernandez, Martin Texas Properties LLC, for a Replat of Lots E & F, Block 194, Town Addition, to create Lot E-R, Original Town, one lot, being 0.177 acres (Property ID 171409) – Owner: MARTIN TEXAS PROPERTIES (SUB-127-2021)
6. ***Consider*** approval of SUB-127-2021
7. ***Consider*** request by Terrance Jobe, Alluvium Development, Inc., for a Plat of Montclair Heights, 384 residential lots, 12 common area lots, 1 open space lot, and 4 general retail lots, being 188.456 acres, located west of 2374 W Highway 287 Bypass (Property ID 185971, 185972, 185978, 185886) – Owner: CAROLYN J HAMAN L/E (SUB-23-2022)

8. **Public Hearing** on a request by Dean Settlemyer, Just Settle Investments, LLC for a Replat of a portion of Lot 8, Block 13, West End Addition, to create Lot 8R, Block 13, West End Addition, 1 Commercial lots, being 4.277 acres, located at the corner of Stroud Street and Hwy 287, (Property ID 176678) – Owner: JUST SETTLE INVESTMENTS, LLC (SUB-35-2022).
9. **Consider** approval of SUB-35-2021
10. 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) 309-4006 or (TDD) 1-800-RELAY TX.

Notice of Potential Quorum

One or more members of the Waxahachie City Council may be present at this meeting.

No action will be taken by the City Council at this meeting.

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, April 26, 2022 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

- Members Present: Rick Keeler, Chairman
Melissa Ballard, Vice Chairman
Jim Phillips
Erik Test
- Members Absent: Betty Square Coleman
Bonney Ramsey
David Hudgins
- Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Senior Director of Planning
Eleana Tuley, Senior Planner
Zack King, Planner
Macey Martinez, Graduate Engineer
Jami Bonner, Assistant City Secretary
Melissa Olson, Council Representative

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

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

3. **Public Comments**

None

4. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of April 12, 2022
- b. Minutes of the Planning and Zoning Commission briefing of April 12, 2022

Action:

Vice Chairman Melissa Ballard moved to approve items a. and b. on the Consent Agenda. Mr. Erik Test seconded, All Ayes.

5. **Consider request by Josh & Amy Rader, for a Plat of Rader Ranch, Lots 1-4, Block A, being 16.982 acres, located at 2832 FM 66, 4 Residential Lots, situated in the P. Olivari Survey, Abstract 812, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 188585 & 188580) – Owner: ZOE LLC & RADER JOSH & AMY RADER (SUB-139-2021)**

Planner Zack King presented the case noting the applicant is requesting to plat the subject property into four (4) lots for single family residential use. Mr. King explained the City of Waxahachie Thoroughfare Plan identifies an 80' Thoroughfare running along the eastern boundary of the subject property and as part of the platting process, the applicant is required to provide a 40' Right-

of-Way (ROW) dedication along the eastern property line. Due to this requirement, the applicant is requesting a variance for Petition for Hardship Waiver because of existing structures located in the proposed ROW dedication. Mr. King noted that staff and the applicant discussed moving the ROW dedication to align with Cunningham Meadows Rd., however the applicant stated there are future plans for the property. Based on the variance request, Mr. King reported that staff recommends disapproval.

Mr. Erik Test requested clarification on location of existing structures. Mr. King responded that the structures are located within the proposed 40' ROW dedication. Mr. Test requested clarification on the effect of approving the plat, but disapproving the variance request. Mr. King responded that in order for the applicant to file the plat, the applicant would need to revise the plat to reflect the 40' ROW dedication per Section 3.1 of the subdivision ordinance.

Chairman Keeler asked if the adjoining property to the east had structures and would they be effected by a ROW dedication on their property. Mr. King replied that there is a structure located within 40' of the property line that would be effected by a ROW dedication requirement. Mr. King noted that the structures on both properties were built prior to the latest City Thoroughfare Plan being adopted in 2016.

Mr. King explained the applicant is a co-owner of a property located to the east of the subject property. He stated there was discussion with the applicant to possibly move the ROW dedication to the property to the east to connect with Cunningham Meadows Rd., but ultimately the applicant was not in favor because of future plans for the property.

Amy Rader, 2974 FM 66, Waxahachie, Texas, stated the reason she is requesting the Petition for Hardship Waiver is because her family's home, which was built in the 1970s, is located in the proposed ROW dedication. Ms. Rader stated she is the trustee on her parents' trust for the property located to the east and her siblings have purchased portions of the property to build on in the future. She stated there are already "tiny homes" placed on the property that would be affected by moving the proposed ROW dedication to the property to the east.

Mr. Test asked if the County's Thoroughfare Plan goes through the subject's property. Mr. King replied that County does not currently show the City's Thoroughfare Plan on the County's Thoroughfare Plan. Mr. Test inquired if the County could approve the Plat without City approval. Mr. King replied that the City has platting authority and the County could not consider the plat if it is denied by the City. Executive Director of Development Services Shon Brooks noted that due to the variance request, the P&Z Commission is a recommending body and City Council will have final consideration.

Action:

Mr. Erik Test moved to approve a request by Josh & Amy Rader, for a Plat of Rader Ranch, Lots 1-4, Block A, being 16.982 acres, located at 2832 FM 66, 4 Residential Lots, situated in the P. Olivari Survey, Abstract 812, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 188585 & 188580) – Owner: ZOE LLC & RADER JOSH & AMY RADER (SUB-139-2021) and Petition for Hardship Waiver. Vice Chairman Melissa Ballard seconded, All Ayes.

6. Public Hearing on a request by Chad Adams, Oakhull Investments, LLC, for a Zoning Change from a Future Development (FD) zoning district to a Planned Development – Single Family – 1 (PD-SF-1) zoning district, located off of Howard Road (Property ID 182020) - Owner: ANDERSON KAREN S IRREVOCABLE TRUST & CHRISTIAN ANDERSON FOUNDATION (ZDC-27-2022)

Chairman Keeler opened the Public Hearing.

Senior Planner Eleana Tuley presented the case noting the applicant is requesting to rezone approximately 150 acres from Future Development to Planned Development with base zoning of SF-1 to allow for one (1) acre single family lots. Ms. Tuley reported the applicant is proposing to modify two provisions within the SF-1 district standards including modifying the minimum lot area from 16,000 sf to 43,560 sf and also requiring all garages located in the development will be side-entry garages or j-swing garage. She reported the applicant will adhere to architectural guidelines and promote architectural diversity throughout the residential development. Staff recommends approval per the following comments:

1. A mutually agreed Development Agreement will be required for the development.
2. The Applicant will need to undergo the City's typical development process which includes submitting a plat application, civil plan application, and subsequent building permits for the construction of each dwelling unit.

Mr. Phillips inquired if there are landscapes plans that include berming where the proposed trees are located. Mr. Tuley replied that there is no berm included in the plan.

Chad Adams, 1360 Trophy Court West, Midlothian, Texas, expressed gratitude for City staff for providing feedback and ideas during the process.

Vice Chairman Melissa Ballard asked if the applicant would consider including Crape Myrtles in the landscape plan. Mr. Adams replied that the plan does include Crape Myrtles.

Mr. Test inquired if clear definitions for the architectural styles were included in the plan. Mr. Adams replied that they worked with staff to include visual presentation and specific items listed that would allow the developer to manage the quality of the homes and allow for market demand.

Those that spoke in opposition:

Pete Seibert, 2863 Hunter Rd., Waxahachie, Texas

There being no others to speak for or against ZDC-27-2022, Chairman Keeler closed the Public Hearing.

7. Consider recommendation of Zoning Change No. ZDC-27-2022

Action:

Mr. Jim Phillips moved to approve a request by Chad Adams, Oakhull Investments, LLC, for a Zoning Change from a Future Development (FD) zoning district to a Planned Development –

Single Family – 1 (PD-SF-1) zoning district, located off of Howard Road (Property ID 182020) - Owner: ANDERSON KAREN S IRREVOCABLE TRUST & CHRISTIAN ANDERSON FOUNDATION (ZDC-27-2022). Vice Chairman Melissa Ballard seconded, All Ayes.

8. Public Hearing on a request by Chip Boyd, JHDMC, LLC, for a Zoning Change from a Single Family-1 zoning district to Planned Development - Single Family-3 zoning district, located at 823 Ovilla Road (Property ID 185893, 185891, 185980, 185979, 200064) - Owner: SUSAN M CALVERT (ZDC-7-2022)

Chairman Keeler opened the Public Hearing.

Mr. King presented the case history and noted the applicant is requesting approval of a Planned Development to allow development of single family homes, townhomes, and park/open space on 153.7 acres. He noted the zoning change is contingent upon City Council approving the proposed annexation case for the property that will be considered by City Council on May 2, 2022. Mr. King provided highlights on lot types, architectural styles, floorplans and amenities.

Mr. King explained per the City of Waxahachie Subdivision Ordinance, a cash-in-lieu fee of \$400 per lot is required which would total \$183,000. The applicant requests the City to accept a portion of the proposed open space in satisfaction of the dedication requirement or waive the cash-in-lieu fee of \$400 per lot. The applicant's response stated the required park dedication for the project is two acres for each 100 dwelling units, which amounts to 9.16 acres. The concept plan reflects approximately 29.8 acres of open space.

Mr. King explained per the City of Waxahachie Subdivision Ordinance, applicants are required to pay Roadway Impact Fees and Inspection Fees for new constructed developments. The applicant's response states the concept plan reflects a 40 ft. right-of-way dedication. The plan proposes to construct two-lanes of the roadway with the Twin Creeks development. The applicant requests Roadway Impact Fee Credits in the amount of \$1,095 for each residential lot totaling \$508,080. Mr. King noted the applicant estimates the construction of two lanes of the roadway will exceed \$2,000,000. Mr. King reported the Roadway Impact Fees due with the development are estimated to be approximately \$1.1 million and staff is supportive of the requested Roadway Impact Fee Credits.

Mr. King stated staff recommends approval per the following comments:

1. If approved, a mutually agreed upon Development Agreement shall be signed by the applicant.
2. The property shall be platted prior to any development.
3. The townhomes shall meet the articulation standards of section 5.09 of the City of Waxahachie Zoning Ordinance.
4. The proposed zoning change is contingent upon City Council approving the proposed annexation case (ANX-DNX-14-2022) for this property.

Mr. Test inquired on the purpose of the applicant's variance request to hold in reserve the TxDOT proposed right-of-way area in reserve. Mr. King replied that the City can only require the City's Thoroughfare Plan ROW dedication during platting, but TxDOT's plan looks to require a larger ROW dedication. The applicant is requesting to hold the land indicated in TxDOT's plan in

reserve. Mr. King noted the applicant's request is not necessarily a variance request, but a special exception request.

Those that spoke in opposition:

Ron Bunch, 707 Ovilla Rd., Waxahachie, Texas

The Commission discussed opportunities to protect Mr. Bunch's easement to access his property.

Those that spoke in support:

Floyd Bates, 6191 Honeysuckle Rd., Midlothian, Texas

Chip Boyd, 421 Century Way, Red Oak, Texas, expressed appreciation to staff and presented the development's concept plan.

Mr. Test commended Mr. Boyd and his team on the architectural plans and asked for clarification on the TxDOT dedication request. Mr. Boyd replied that TxDOT has not reached out to the applicant in regards to a ROW dedication, but it is understood that TxDOT does have a plan for improvements. Mr. Boyd stated they are holding the land in reserve, but requests to have negotiations with TxDOT before dedicating the land.

Mr. Test asked if the applicant was aware of the neighboring development's requirement to build the road prior to development construction. Mr. Boyd replied he was not aware of the requirement, but they are open to entertain the same.

Mr. Test addressed Mr. Bunch's concern in regards to the stub street accessing his right-of-way easement. Mr. Boyd replied that the applicant is not interested in impeding on Mr. Bunch's easement, but understands the City's desire to provide a stub street to connect potential future developments. Mr. Boyd stated he is willing to discuss options to protect Mr. Bunch's easement.

Chairman Keeler thanked the applicant for the effort put forth in improving the architectural styles. He asked for confirmation that no variances or modifications were made to the plan between the previous presentation and present other than the setbacks presented. Mr. Boyd confirmed no new variances or modifications were being requested other than the revised side setbacks in order to allow side access garage.

Chairman Keeler expressed support of including a percentage of alley ways / rear access as previously required for similar developments. Mr. Boyd stated he can appreciate the desire for standards, but asked the Commission to consider each Planned Development on its own. Mr. Boyd noted the applicant revised the plan to include side access garages, but would be willing to revisit with staff to review opportunities to include alley ways without impeding on the number of lots.

Mr. Phillips requested the applicant to consider having only one 1,300 sf townhome in a three to four townhome block. Mr. Boyd replied that the applicant could include a caveat to include no more than one 1,300 sf townhome in a building.

Council Member Melissa Olson noted that City Council has discussed potential burdens in regards to alley ways. She also expressed concerns with the requested variances and the zoning request change.

There being no others to speak for or against ZDC-7-2022, Chairman Keeler closed the Public Hearing.

9. Consider recommendation of Zoning Change No. ZDC-7-2022

Action:

Mr. Jim Phillips moved to approve a request by Chip Boyd, JHDMC, LLC, for a Zoning Change from a Single Family-1 zoning district to Planned Development - Single Family-3 zoning district, located at 823 Ovilla Road (Property ID 185893, 185891, 185980, 185979, 200064) - Owner: SUSAN M CALVERT (ZDC-7-2022) per staff comments, limiting one 1,300 sq. ft. home per townhome, removal of the stub street, but maintaining and acquiring the right-of-way to be shown on final plat, supporting applicant and staff determining appropriate percentage of alley ways within the development, supporting the variance requesting special exceptions to Type C lot proposed minimum lot size of 8,400 sq. ft., Type D lot proposed minimum lot size of 7,200 sq. ft., Townhome proposed lot size for front entry lots of 3,080 sq. ft., Townhome proposed lot size for rear entry lots of 3,940 sq. ft., Type A lot proposed minimum lot width of 70', Type B lot proposed minimum lot width of 70', Type C lot proposed minimum lot width of 60', Type D lot proposed minimum lot width of 50', SF3 proposed minimum front yard setback of 25 ft., Townhome rear entry lots proposed minimum front yard setback of 10 ft., SF3 proposed minimum front yard setback of 15 ft., Townhome rear entry lots proposed minimum rear yard setback of 20 ft., SF3 Type C & D lots proposed minimum side yard setback of 5 ft. on interior lots, SF3 Type A & B lots proposed minimum side yard setback of 5 ft. on one side and 10 ft. on the opposite side of each lot, Townhome rear entry lots proposed minimum side yard setback of 15 ft. when adjacent to ROW, Type C & D lot proposed maximum lot coverage of 55%, Townhome proposed maximum lot coverage of 70%, supporting the variance request for Roadway Impact Fee Credits, supporting the request for City's concurrence that land donation to TxDOT not be a condition of development of the property, and supporting the City accepting a portion of the proposed open space in satisfaction of the Park dedication requirement or waive the cash-in-lieu fee of \$400 per lot. Mr. Erik Test seconded, All Ayes.

10. Adjourn

Commissioner Jim Phillips offered prayers for Commissioner David Hudgins and Commissioner Bonney Ramsey.

There being no further business, the meeting adjourned at 9:02 p.m.

Respectfully submitted,

Jami Bonner
Assistant City Secretary

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, April 26, 2022 at 6:15 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman
Melissa Ballard, Vice Chairman
Jim Phillips
Erik Test

Members Absent: Betty Square Coleman
Bonney Ramsey
David Hudgins

Others Present: Shon Brooks, Executive Director of Development Services
Jennifer Pruitt, Senior Director of Planning
Eleana Tuley, Senior Planner
Zack King, Planner
James Gaertner, Director of Public Works and Engineering
Jami Bonner, Assistant City Secretary
Melissa Olson, Council Representative

1. Call to Order

Chairman Rick Keeler called the meeting to order.

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

Planner Zack King reviewed the following cases:

- SUB-139-2021, the applicant is requesting to plat the subject property into four (4) lots for single family residential use. Mr. King noted the applicant is also requesting a variance for a Petition for Hardship Waiver. He explained as part of the platting process, the applicant is required to provide a 40' right-of-way (ROW) dedication in conformance with the City's Thoroughfare Plan on the eastern property line; however, the applicant is seeking a variance due to existing structures located in the ROW dedication. Based on the variance request, staff recommends disapproval.

Graduate Engineer Macey Martinez noted the applicant and staff discussed moving the ROW dedication east to connect with Cunningham Meadows Rd.; however, the applicant opposed moving the ROW dedication due to future plans for the property.

- ZDC-7-2022, the applicant is requesting approval of a Planned Development to allow development of single-family homes, townhomes, and park/open space on 153.7 acres. Mr. King explained the applicant is requesting a Zoning Change from Single Family-1 zoning district to Planned Development – Single Family-3 zoning district. He noted the Zoning Change is contingent upon the City Council approving the proposed annexation case for this property. Mr. King presented several applicant requests in regards to variance requests, park dedication requirement, Impact Fees requirement, and TxDOT land donation. Staff recommends approval per staff comments.

Senior Planner Eleana Tuley reviewed the following case:

- ZDC-27-2022, the applicant is requesting approval of a Planned Development District to allow for a single-family residential development on approximately 150.6 acres. Ms. Tuley noted the subject property will develop one-acre minimum lots and will adhere to architectural guidelines. She explained all residential lots within the development shall comply with the following provisions:
 - No single building elevation shall be duplicated within six (6) lots or tracts in either direction on the same block face.
 - Elevations may not be duplicated on any lot directly across a street or within four (4) lots in either direction.

Staff recommends approval per staff comments.

Mr. Jim Phillips inquired if the elevation provision included floor plans. Ms. Tuley responded that the provision includes outside elevation only.

3. Adjourn

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

Respectfully submitted,

Jami Bonner
Assistant City Secretary

(5)

Planning & Zoning Department

Plat Staff Report

Case: SUB-127-2021



MEETING DATE(S)

Planning & Zoning Commission: May 10, 2022

CAPTION

Public Hearing on a request by Dolores Hernandez, Martin Texas Properties LLC, for a **Replat** of Lots E & F, Block 194, Town Addition, to create Lot E-R, Original Town, one lot, being 0.177 acres (Property ID 171409) – Owner: MARTIN TEXAS PROPERTIES (SUB-127-2021)

APPLICANT REQUEST

The applicant is requesting to replat the subject property into one (1) lot for single family residential use.

CASE INFORMATION

Applicant: Dolores Hernandez, Martin Texas Properties LLC

Property Owner(s): Martin Texas Properties LLC

Site Acreage: 0.1787 acres

Number of Lots: 1 lot

Number of Dwelling Units: 1 unit

Park Land Dedication: N/A

Adequate Public Facilities: Adequate public facilities are available to the subject property

SUBJECT PROPERTY

General Location: 123 Bradshaw Street

Parcel ID Number(s): 171409

Current Zoning: Single Family-3 (SF-3)

Existing Use: The subject property is currently undeveloped.

Platting History: The subject property is currently platted as part of Lot E and Lot F, Block 194 of the Town Addition

Site Aerial:**PLATTING ANALYSIS**

The applicant is proposing to replat the subject property from two (2) lots into one (1) lot for single family residential use. The applicant has provided a roughly 13 foot right-of-way (ROW) dedication along Bradshaw Street in conformance with City of Waxahachie ROW width requirements. The subject property is located within the Infill Overlay District and meets all Infill Ordinance requirements.

PROPERTY OWNER NOTIFICATION

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 28 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PROPERTY OWNER NOTIFICATION RESPONSE

Staff has received two (2) letters of support for the proposed replat.

RECOMMENDATION

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

- Denial
- Approval, as presented.

ATTACHED EXHIBITS

1. PON Responses
2. Replat

APPLICANT REQUIREMENTS

1. If approved by the Planning & Zoning Commission, 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 the applicant will be notified to make corrections.
 - b. If all comments were satisfied, then the applicant shall provide five signed, hard-copy plats

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's Subdivision ordinance.

STAFF CONTACT INFORMATION

Prepared by:

Zack King

Planner

zking@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SUB-127-2021



LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 10, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 16, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Jimmy Pogue, Stadia Land Surveyors, for a **Replat** of Lots E & F, Block 194, Town Addition, to create Lot E-R, Original Town, one residential lot, located at 123 Bradshaw Street, being 0.177 acres (Property ID 171409) – Owner: MARTIN TEXAS PROPERTIES (SUB-127-2021)

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

Case Number: SUB-127-2021

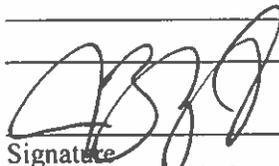
City Reference: 171390

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **May 3, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:



Signature
Brad Yates

Printed Name and Title

4/26/22

Date
PO Box 2868
Waxahachie, TX 75168

Address

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

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SUB-127-2021



LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 10, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 16, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Jimmy Pogue, Stadia Land Surveyors, for a **Replat** of Lots E & F, Block 194, Town Addition, to create Lot E-R, Original Town, one residential lot, located at 123 Bradshaw Street, being 0.177 acres (Property ID 171409) – Owner: MARTIN TEXAS PROPERTIES (SUB-127-2021)

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Case Number: SUB-127-2021

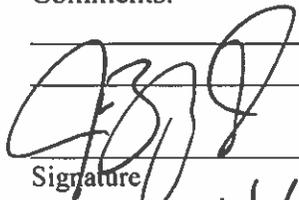
City Reference: 171393

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **May 3, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:



Signature
Brad Yates

Printed Name and Title

4/26/22 _____
Date
Po Box 2868

Waxahachie TX. 75168
Address

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

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.

Planning & Zoning Department

Plat Staff Report

Case: SUB-23-2022



MEETING DATE(S)

Planning & Zoning Commission: May 10, 2022

CAPTION

Consider request by Terrance Jobe, Alluvium Development, Inc., for a Plat of Montclair Heights, 384 residential lots, 12 common area lots, 1 open space lot, and 4 general retail lots, being 188.456 acres, located west of 2374 W Highway 287 Bypass (Property ID 185971, 185972, 185978, 185886) – Owner: CAROLYN J HAMAN L/E (SUB-23-2022)

APPLICANT REQUEST

The applicant is requesting to plat the subject property into 384 single family residential lots, 10 common area lots, four (4) general retail lots and three (3) open space lots.

CASE INFORMATION

Applicant: Terrance Jobe, Alluvium Development, Inc.

Property Owner(s): Carolyn J. Haman Family Limited Partnership

Site Acreage: 188.456 acres

Number of Lots: 401 lots

Number of Dwelling Units: 384 units

Park Land Dedication: The cash in lieu of park land dedication for this case is estimated at \$153,600.00 (384 residential dwellings at \$400.00 per dwelling).

Adequate Public Facilities: Adequate public facilities are available to the subject property via Sardis-Lone Elm WSC and City of Waxahachie water & sewer facilities

SUBJECT PROPERTY

General Location: Directly West of 2374 W Highway 287 Byp.

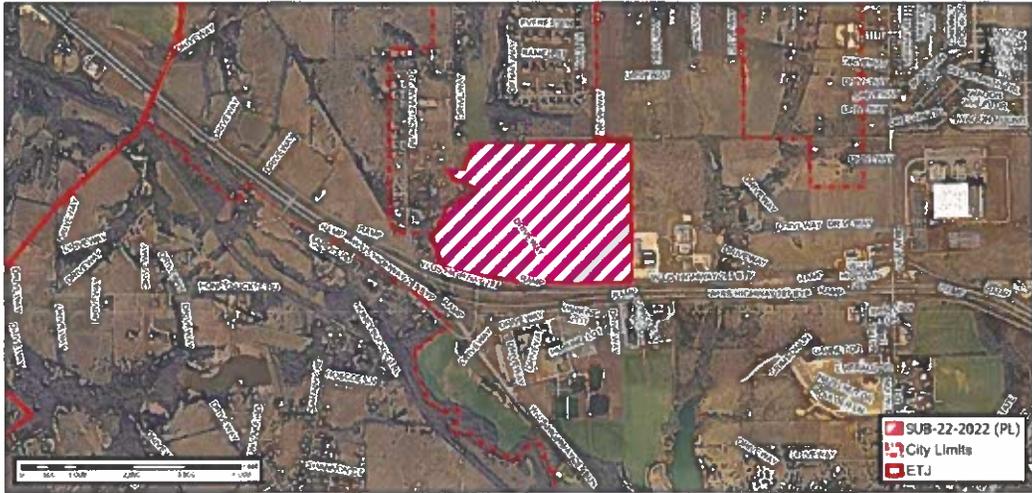
Parcel ID Number(s): 185978, 185886, 185971, 185972

Current Zoning: Planned Development-Mixed Use Residential (PD-MUR)

Existing Use: The subject property is currently undeveloped

Platting History: The subject property is a portion of the William Irwin Survey, Abstract 545 & 546, and the D.S. Gentry Survey, Abstract 409

Site Aerial:



PLATTING ANALYSIS

The applicant is proposing to plat the subject property into 384 single family residential lots, 10 common area lots, four (4) general retail lots, and three (3) open space lots. The layout of the proposed plat adheres to the recently approved Planned Development Zoning on the subject property. The proposed plat also adheres to the City of Waxahachie Thoroughfare Plan as it relates to the subject property. The plat contains six (6) types of residential lots; with minimum lot sizes ranging from 13,500 square feet to 4,400 square feet. The utilization of these varying residential lots adheres to the approved Planned Development zoning on the property. A summary of the residential lot types proposed with this plat is provided below.

Lot Type	Min. Size (sq.ft.)	Min. Width	Min. Depth	Min. Front Setback	Min. Rear Setback	Min. Side Setback
A	13,500	90'	150'	30'	25'	10'
B	11,000	80'	140'	30'	25'	10'
C	9,800	70'	140'	30'	25'	10'
D	9,000	65'	140'	30'	25'	7.5'
E	7,000	50'	140'	30'	25'	5'
F	4,400	40'	110'	10'	25'	5'

The applicant has provided a water letter from Sardis-Lone Elm WSC, indicated that adequate water pressure and flow can be provided to the development for both domestic and fire suppression purposes. Adequate public utility facilities are available to the subject property via Sardis-Lone Elm WSC and City of Waxahachie water & sewer facilities

RECOMMENDATION

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

- Denial
- Approval, as presented.

ATTACHED EXHIBITS

- 1. Plat
- 2. Water Letter

APPLICANT REQUIREMENTS

- 1. If approved by the Planning & Zoning Commission, 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 the applicant will be notified to make corrections.
 - b. If all comments are satisfied, then the applicant shall provide five signed, hard-copy plats.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

A plat shall not be filed with the Ellis County Clerk until:

- 1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
- 2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's Subdivision ordinance.

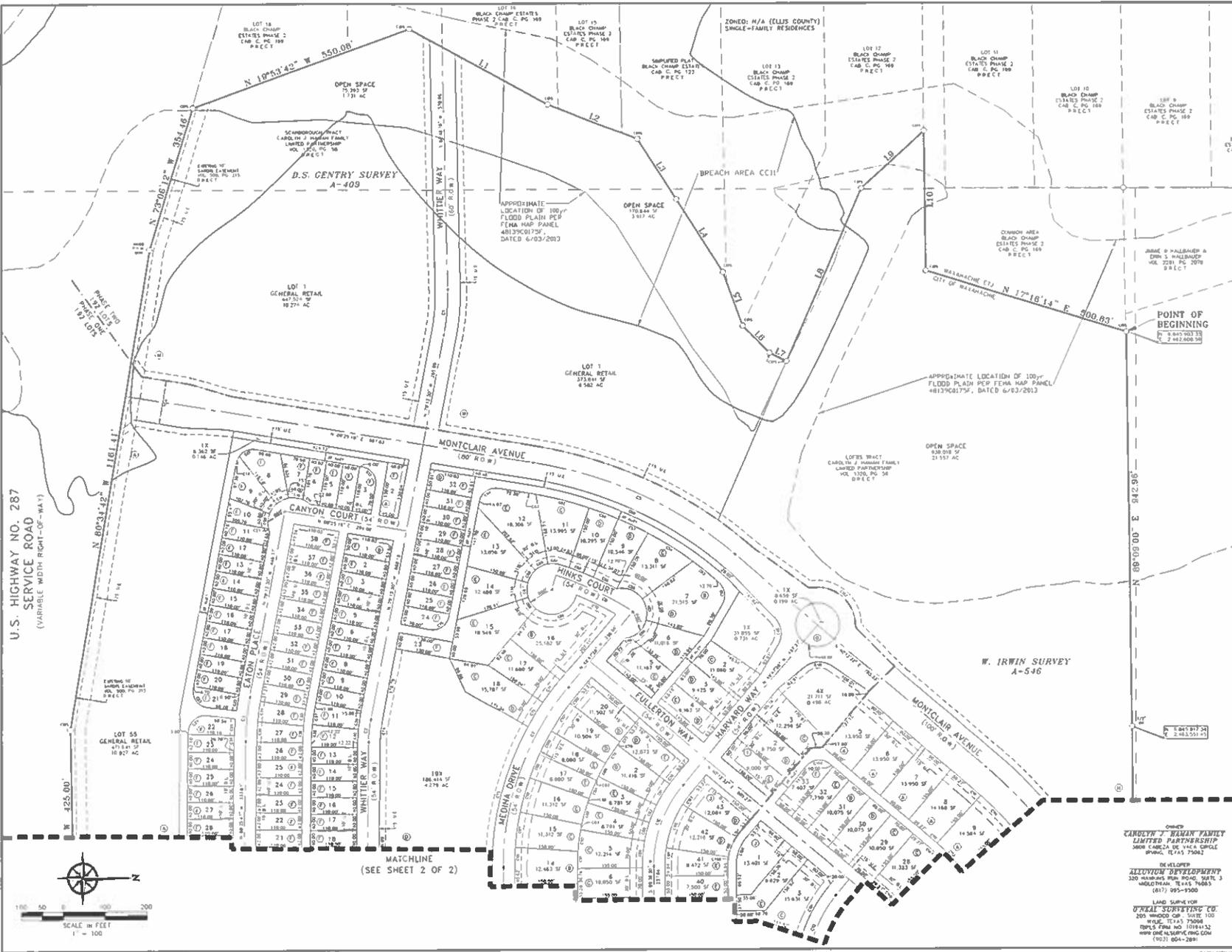
STAFF CONTACT INFORMATION

Prepared by:

Zack King
 Planner
zking@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A
 Senior Director of Planning
jennifer.pruitt@waxahachie.com



LEGEND

- CRS 1/2" IRON ROD SET WITH CAP STAMPED 145C
- WT IRON ROD FOUND
- BL BUILDING SETBACK LINE
- UE UTILITY EASEMENT
- DE EASEMENT
- WE WATER LINE EASEMENT
- DRPCT DEED RECORDS, ELLIS COUNTY, TEXAS
- PPRCT PLAT RECORDS, ELLIS COUNTY, TEXAS
- OPRCT OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
- (A) BLOCK LETTER
- (A) LOT TYPE



- NOTES**
- BEARINGS AND DISTANCES ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4200) NORTH AMERICAN DATUM OF 1983, HUNG BY THE STATE OF TEXAS WITH A CORRECTION FACTOR OF 1.00007249.
 - MONUMENTS ARE FOUND UNLESS SPECIFICALLY DESIGNATED AS NOT.
 - THIS PROPERTY LIES WITHIN ZONE 1 (UNPAVED), AND ZONE 2 (PAVED) AREAS WITHIN THE 200' PLAIN FLOODED ZONE AREA, ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMERCIAL PANEL 4813708175F, ELLIS COUNTY, TEXAS AND UNINCORPORATED AREAS, WITH A PRESENT EFFECTIVE DATE OF JUNE 23, 2017. A REPAIRED MAP LOCATION AND GRAPHIC PLOTTING.
 - PLAT HOLDER IS RESPONSIBLE FOR MAINTAINING ALL OPEN SPACE LOTS AND COMMON AREA LOTS.

PLAT
MONTCLAIR HEIGHTS
 ZONING PD-NUR
 CASE # SUB-23-2022

DEVELOPER
ALIVION DEVELOPMENT
 330 WALKERS RUN ROAD, SUITE 3
 WOODBRIDGE, TEXAS 76085
 (817) 953-1500

LAND SURVEY FOR
UTRAK SURVEYING CO.
 205 WINDOOR CIRCLE, SUITE 102
 WESLICO, TEXAS 75086
 (972) 284-1000
 WWW.UTRAK.SURVEYING.COM
 (972) 854-2881

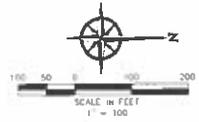
DATE: 04/26/2022

188.456 ACRES
 SITUATED IN THE
 W IRWIN SURVEY, A-545, A-546 &
 D'S GENTRY SURVEY, A-409
 CITY OF WASKATCHENE, ELLIS COUNTY, TEXAS
ENGINEERING CONCEPTS & DESIGN, L.P.
 ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
 1800 WEST CENTRAL SUITE 200 WYDE TEXAS 76095
 (817) 943-4400 FAX (817) 943-4400

DATE: 04/26/2022

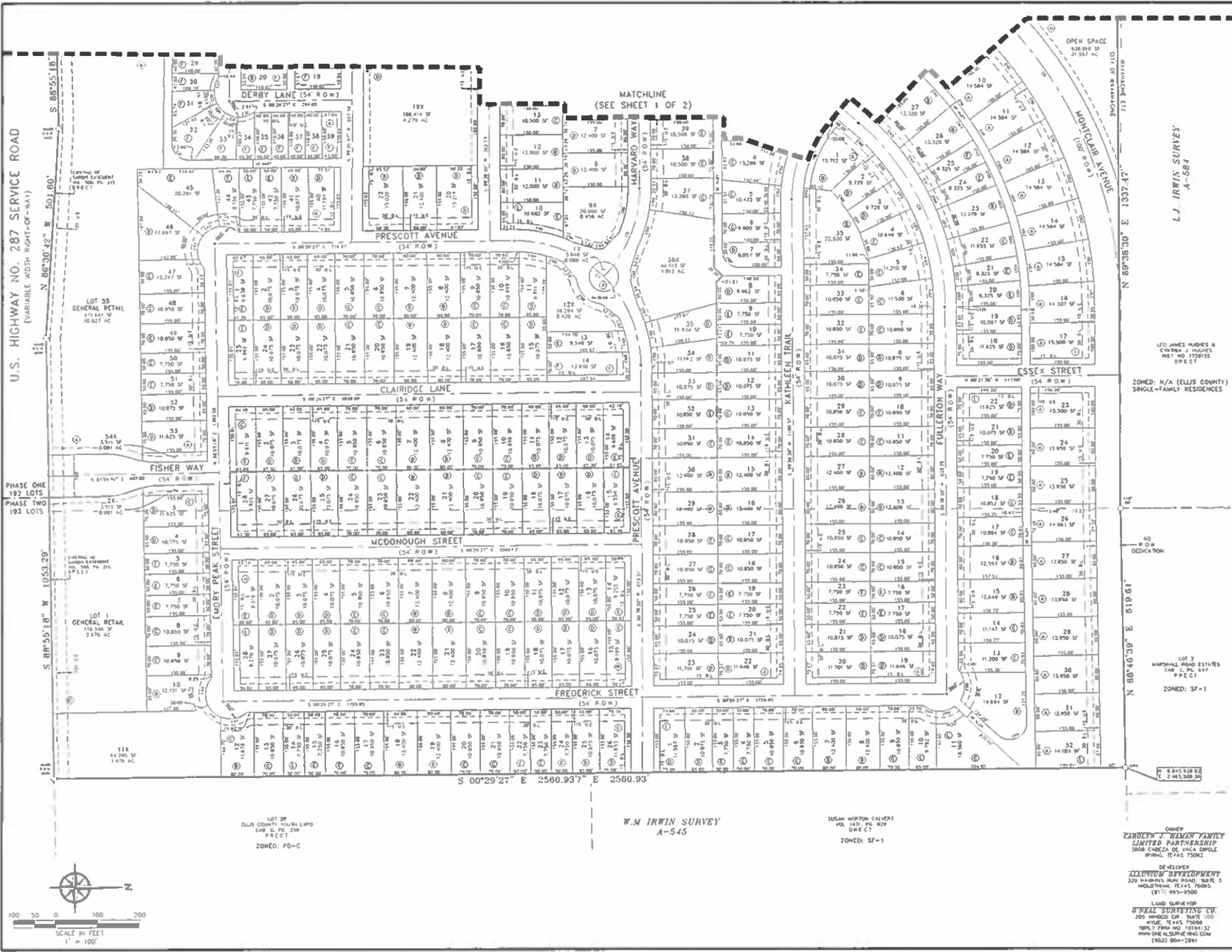
SHEET 1 OF 2

U.S. HIGHWAY NO. 287
 SERVICE ROAD
 (VARIABLE WIDTH RIGHT-OF-WAY)



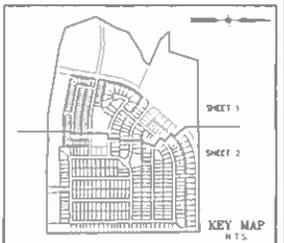
MATCHLINE
 (SEE SHEET 2 OF 2)

(7)



LEGEND

- CRS 1/2" IRON ROD SET WITH CAP STAMPED "SIC"
- WF IRON ROD FOUND
- BL BUILDING SETBACK LINE
- UE UTILITY EASEMENT
- DE DRAINAGE EASEMENT
- WE WATER LINE EASEMENT
- DRRECT DEED RECORDS, ELLIS COUNTY, TEXAS
- PLAT RECORDS, ELLIS COUNTY, TEXAS
- OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
- BLOCK LETTER
- LOT TYPE



- NOTES**
- BEARINGS AND DISTANCES ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH ZONE, ZONE 14002 NORTH AMERICAN DATUM OF 1983 (NAD 83) US FEET WITH A CORRECTION SCALE FACTOR OF 1.00007149.
 - WORKPOINTS ARE FOUND UNLESS SPECIFICALLY DESIGNATED AS SET.
 - THIS PROPERTY LIES WITHIN ZONE 4 (UNSHARED) AND ZONE A, AND IS PARALLEL WITH THE 100 LB FLOOD ZONE AREA. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, FLOOD ZONE 1 AND FLOOD ZONE 2, THIS PROPERTY IS LOCATED WITHIN A HIGH RISK AREA. THE FLOOD ZONE MAP IS AVAILABLE AT THE FEDERAL EMERGENCY MANAGEMENT AGENCY, 1200 GUYTON STREET, SUITE 1000, WASHINGTON, D.C. 20540.
 - HOA WILL BE RESPONSIBLE FOR MAINTAINING ALL OPEN SPACE, COMMON AREAS, AND COMMON AREA LOTS.

PLAT
MONTCLAIR HEIGHTS
ZONING PD-MUR
CASE # SUB-23-2022
BEING
38+ SINGLE FAMILY LOTS
15 COMMON AREA LOTS
4 GENERAL RETAIL LOTS
1 OPEN SPACE AREA
AND BEING
188.450 ACRES
SITUATED ON THE
W 1/4 (CRIM. SURVEY, A-545, A-546 &
D B GENTRY SURVEY, A-409
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PRACTICE MANAGEMENT/CONSTRUCTION SERVICES
REG. FIRM NO. 15181-32
REG. FIRM NO. 15181-32
10701 W. 146th ST. SUITE 100
DALLAS, TEXAS 75244
TEL: 972-441-4000 FAX: 972-441-4000
WWW.ENGCONCEPTS.COM

W.M. IRWIN SURVEY
A-545

SEPHAN WORTON CALVERT
VLS 1431 PC 079
S.W.E. CT

OWNER
WENDY J. HAMAN FAMILY LIMITED PARTNERSHIP
3808 CANELA DR. SUITE 100
DALLAS, TEXAS 75242

DEVELOPER
ALUMINUM DEVELOPMENT
370 W. HARRIS RD. SUITE 3
MCKINNEY, TEXAS 75069
(817) 993-9500

LAND SURVEYOR
U'REAL SURVEYING CO.
205 W. HARRIS RD. SUITE 100
MCKINNEY, TEXAS 75069
TEL: 972-441-4000 FAX: 972-441-4000
WWW.ENGCONCEPTS.COM

(7)

CURVE TABLE						
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD BEARING	CHORD
C1	11.58137	330.00	35.94	110.727	N 21 23' 30"	118.52
C2	18.17137	350.00	52.54	5 48 39.95"	S 33 34'	35.36
C3	18.17137	384.00	74.54	109.80	S 41 19 30"	105.66
C4	68.0736	300.00	200.70	1 41 31.1	S 44 34.31"	42.76
C5	38.4714	300.00	124.47	224.8555	S 24 48 55"	150.80
C6	49.2536	1000.00	480.29	862.78	S 44 53.21"	836.25
C7	40.3437	650.00	243.58	488.59	S 70 04 29"	516.29
C8	15.3435	748.00	103.17	250.80	S 21 24 37"	202.76
C9	43.0338	300.00	124.47	224.8555	S 41 19 30"	229.82
C10	40.3437	300.00	119.88	212.43	S 70 04 29"	208.00
C11	49.2536	163.00	288.20	500.99	S 44 53.21"	487.54
C12	40.3437	300.00	110.68	212.41	S 70 04 29"	208.00
C13	90.0000	40.00	40.00	40.00	S 54 26 18"	58.37
C14	19.3831	60.00	19.38	26.57	S 33 06 28"	26.47
C15	32.2731	60.00	17.99	24.88	S 08 36 48"	34.48
C16	30.1934	60.00	18.54	25.28	S 28 23 14"	31.99
C17	63.0023	40.00	24.51	43.89	S 20 04 52"	41.80
C18	25.2837	40.00	9.16	17.80	S 66 71 17"	17.75
C19	37.4838	60.00	18.85	26.12	S 24 45 55"	28.82
C20	32.5206	60.00	18.42	27.58	S 38 03 30"	28.95

CURVE TABLE						
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD BEARING	CHORD
C21	81.4347	40.00	4.35	8.84	S 71 20 28"	8.63
C22	332.307	629.00	19.20	38.99	N 09 04 52"	38.38
C23	44.27537	40.00	43.24	40.95	S 33 27 54"	58.73
C24	38.4438	300.00	44.07	88.88	S 41 33 30"	59.33
C25	33.73703	410.00	18.61	38.24	N 09 25 15"	26.20
C26	11.3231	42.00	8.31	13.14	N 08 48 47"	13.01
C27	30.0487	60.00	18.14	21.54	N 59 55 56"	31.16
C28	31.0000	60.00	17.02	33.18	S 39 10 51"	32.76
C29	81.4347	40.00	48.75	43.87	S 45 02 24"	37.94
C30	302.2471	40.00	14.31	31.89	S 18 27 50"	31.94
C31	37.1818	40.00	20.25	38.07	S 15 33 45"	38.38
C32	43.7187	40.00	18.77	28.52	S 02 16 15"	28.90
C33	43.7187	40.00	24.53	48.63	S 02 16 15"	48.91
C34	4.6034	567.00	23.18	46.33	S 87 05 20"	46.32
C35	4.6034	567.00	18.68	37.34	S 87 05 20"	37.32
C36	4.6034	567.00	18.52	36.82	S 01 37 31"	36.61
C37	5.2414	437.00	20.82	41.22	S 06 43 40"	41.20
C38	4.6034	327.00	13.71	27.40	N 01 37 31"	27.36
C39	5.2414	327.00	15.43	30.84	N 09 43 40"	30.82
C40	48.9738	60.00	26.79	50.26	N 19 51 32"	48.87

CURVE TABLE						
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD BEARING	CHORD
C41	43.3348	40.00	24.38	46.87	N 29 28 28"	43.58
C42	43.3348	40.00	32.90	39.98	N 09 12 28"	37.18
C43	23.4853	40.00	13.84	24.98	S 30 25 41"	24.78
C44	45.4348	40.00	38.78	68.83	N 07 30 07"	60.12
C45	42.0648	40.00	23.12	44.16	S 43 31 41"	43.15
C46	44.21237	40.00	37.73	61.39	N 09 43 21"	63.61
C47	74.4815	54.00	41.28	70.50	S 02 54 30"	60.60
C48	10.97327	40.00	5.75	11.49	S 13 54 12"	11.44
C49	59.18827	40.00	31.41	37.88	S 48 38 16"	39.87
C50	30.55447	40.00	28.37	33.23	N 79 55 41"	31.56
C51	80.0423	40.00	33.63	55.83	S 40 13 45"	51.46
C52	4.6737	425.00	33.33	68.82	S 30 08 53"	64.61
C53	7.5009	425.00	62.34	126.43	S 32 09 53"	124.38
C54	46.2948	40.00	38.34	69.61	N 21 12 54"	65.78
C55	43.3238	275.00	20.75	41.48	N 24 34 54"	41.45
C56	43.3238	275.00	20.88	78.13	S 23 47 43"	78.12
C57	43.3238	275.00	28.27	51.94	S 24 54 55"	50.68
C58	30.4714	480.00	28.21	74.66	S 21 01 52"	71.47
C59	47.2729	425.00	37.37	74.66	S 21 01 52"	71.47
C60	43.2735	275.00	31.31	62.38	N 21 12 54"	62.34
C61	28.4418	48.00	14.28	28.00	N 03 34 54"	27.74

LOT SIZE TABLE		
BLOCK #	LOT #	AREA (S.F.)
A	1	6,050
A	2	4,607
A	3	4,607
A	4	4,607
A	5	4,607
A	6	4,607
A	7	5,164
A	8	8,440
A	9	7,486
A	10	5,667
A	11	4,603
A	12	4,600
A	13	4,600
A	14	4,600
A	15	4,600
A	16	4,600
A	17	4,600
A	18	4,600
A	19	4,600
A	20	4,600
A	21	4,405
A	22	4,417
A	23	4,504
A	24	4,400
A	25	4,600
A	26	4,400
A	27	4,400
A	28	4,400
A	29	4,400
A	30	4,401

LOT SIZE TABLE		
BLOCK #	LOT #	AREA (S.F.)
A	31	6,358
A	32	9,358
A	33	6,956
A	34	4,401
A	35	4,400
A	36	4,400
A	37	4,400
A	38	4,400
A	39	4,400
B	1	5,843
B	2	4,400
B	3	4,400
B	4	4,400
B	5	4,400
B	6	4,400
B	7	4,400
B	8	4,400
B	9	4,400
B	10	4,400
B	11	5,167
B	12	5,308
B	13	4,400
B	14	4,400
B	15	4,400
B	16	4,400
B	17	4,400
B	18	4,400
B	19	4,400
B	20	4,400
B	21	5,177
B	22	5,612

LOT SIZE TABLE		
BLOCK #	LOT #	AREA (S.F.)
B	23	4,620
B	24	4,620
B	25	4,620
B	26	4,620
B	27	4,620
B	28	4,620
B	29	4,620
B	30	4,620
B	31	4,620
B	32	4,620
B	33	4,620
B	34	4,620
B	35	4,620
B	36	4,620
B	37	4,620
B	38	5,592
B	39	5,000
D	24	4,407
D	25	4,400
D	26	4,400
D	27	4,400
D	28	4,400
D	29	4,400
D	30	4,400
D	31	4,400
D	32	5,644

CURVE TABLE						
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD BEARING	CHORD
C42	8.0614	625.00	65.63	131.64	S 14 38 28"	131.52
C43	10.5833	625.00	9.75	18.44	S 09 09 35"	18.44
C44	68.5648	40.00	36.87	61.88	S 34 34 58"	55.90
C45	32.3354	60.00	17.53	24.18	N 26 04 04"	23.64
C46	37.3354	60.00	17.53	24.18	N 26 04 04"	23.64
C47	32.3354	60.00	17.53	24.18	S 26 04 04"	23.64
C48	32.4137	60.00	17.80	24.24	S 26 01 25"	23.77
C49	31.6312	60.00	16.45	22.11	S 26 17 02"	21.88
C50	8.21107	731.00	52.43	105.11	S 25 53 33"	109.02
C51	5.3436	986.00	33.56	67.87	N 22 30 30"	67.04
C52	5.3436	986.00	33.56	67.87	N 22 30 30"	67.04
C53	28.2157	688.00	179.74	351.58	N 70 40 54"	347.74
C54	10.12137	273.00	24.26	48.42	S 24 19 30"	48.56
C55	90.8000	40.00	48.00	82.82	S 34 19 30"	56.57
C56	3.28235	327.00	9.92	19.81	N 51 31 40"	19.82
C57	2.23237	482.00	10.09	20.17	N 50 59 24"	20.17
C58	1.90137	680.00	4.53	9.07	N 54 23 36"	9.07
C59	6.07357	482.00	23.80	47.60	S 24 19 30"	51.52
C60	4.18137	482.00	18.11	36.21	N 44 32 00"	36.20
C61	18.2529	327.00	29.93	59.54	N 38 28 30"	58.44

CURVE TABLE						
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD BEARING	CHORD
C62	6.0129	327.00	22.94	45.80	N 67 47 32"	45.78
C63	1.14137	482.00	5.20	10.41	N 64 18 54"	10.41
C64	5.3228	482.00	23.35	46.82	N 67 47 32"	46.80
C65	1.1448	482.00	5.74	10.48	N 17 05 53"	10.48
C66	6.36407	482.00	27.42	54.77	N 74 58 37"	54.77
C67	1.30148	482.00	6.27	12.73	N 70 04 21"	12.73
C68	6.0129	327.00	22.94	45.80	N 74 58 37"	45.76
C69	10.38427	327.00	20.37	40.57	N 81 01 08"	40.48
C70	6.14387	482.00	26.20	52.52	N 42 52 00"	52.50
C71	4.32087	482.00	18.38	36.75	N 88 10 27"	36.74
C72	23.5037	373.00	56.50	110.48	N 78 40 27"	109.71
C73	11.2430	68.00	7.78	15.45	N 08 00 40"	15.47
C74	4.5348	327.00	12.88	27.78	N 23 13 25"	27.75
C75	12.1108	327.00	41.45	82.48	N 10 00 00"	80.78
C76	4.2228	632.00	24.10	48.18	S 08 12 27"	48.17
C77	7.45237	632.00	42.85	85.57	S 07 00 45"	85.57
C78	7.45237	632.00	42.85	85.57	S 74 21 12"	85.57
C79	5.3228	632.00	38.98	81.12	S 07 45 15"	81.10
C80	5.3228	632.00	38.98	81.12	S 82 08 47"	81.10
C81	7.42137	632.00	38.78	78.44	S 15 47 28"	78.41

CURVE TABLE						
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD BEARING	CHORD
C82	2.3352	432.00	13.23	26.45	S 50 56 42"	26.45
C83	2.1844	275.00	5.18	10.38	S 00 30 30"	10.38
C84	13.5038	373.00	35.16	69.95	S 08 36 47"	63.83
C85	8.4843	273.00	21.84	41.89	S 19 58 37"	41.89
C86	78.1530	48.00	53.89	90.15	S 44 21 31"	83.20
C87	79.048	273.00	18.86	33.88	S 88 19 29"	33.86
C88	10.4525	273.00	25.70	51.29	S 77 11 14"	51.19
C89	78.4237	273.00	18.88	37.31	S 06 00 16"	37.88
C90	74.4815	34.00	41.28	70.50	S 02 54 30"	60.60
C91	2.08207	480.00	17.57	35.03	S 47 14 26"	35.03
C92	2.08207	785.00	14.87	29.25	N 41 16 29"	29.22
C93	4.15027	640.00	42.86	85.64	N 43 28 09"	85.58
C94	4.15					

STATE OF TEXAS
COUNTY OF ELLIS

OWNER'S CERTIFICATE AND DEDICATION

BEING A TRACT OF LAND SITUATED IN THE WILLIAM BROWN SURVEY, ABSTRACT NO. 545, AND THE WILLIAM BROWN SURVEY, ABSTRACT NO. 546, AND THE O.S. GENTRY SURVEY, ABSTRACT NO. 409, IN ELLIS COUNTY, TEXAS, BEING A PORTION OF THAT SAME TRACT OF LAND AS CONVEYED TO CAROLYN J. HAMAN FAMILY LIMITED PARTNERSHIP, BY DEED RECORDED IN VOLUME 1329, PAGE 30 OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS (D.P.E.C.T.), AND BEING ALL TOGETHER MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (METERS AND DISTANCES ARE BASED ON THE STATE PLANE COORDINATE SYSTEM TEXAS NORTH CENTRAL ZONE 14202) NORTH MERIDIAN DATUM OF 1983 (NAD 83) (SUNGS 1007) ON A COMPOUND SINE FACTOR OF 1.00007444:

COMMENCING AT A 1/2-INCH REBAR FOUND FOR THE SOUTHWEST CORNER OF LOT 9 OF BLACK CHAMP ESTATES, PHASE 2, AN ADDITION TO ELLIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET C, PAGE 149 OF THE PLAT RECORDS OF ELLIS COUNTY, TEXAS (D.P.E.C.T.), SAME BEING THE NORTHWEST CORNER OF LOT 10 OF SAID BLACK CHAMP ESTATES, PHASE 2, AND LYING ON THE EAST RIGHT-OF-WAY LINE OF BLACK CHAMP ROAD,

THENCE NORTH 89 DEGREES 16 MINUTES 14 SECONDS EAST, DEPARTING THE EAST RIGHT-OF-WAY LINE OF SAID BLACK CHAMP ROAD, WITH THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 624.46 FEET TO A POINT FOR THE SOUTHWEST CORNER OF SAID LOT 9, SAME BEING THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO JAMIE R. AND ERIN S. HALLBAUER, BY DEED RECORDED IN VOLUME 2281, PAGE 2078 (D.P.E.C.T.),

THENCE NORTH 88 DEGREES 34 MINUTES 14 SECONDS EAST WITH THE NORTH LINE OF SAID COMMON AREA, A DISTANCE OF 342.26 FEET TO A 1/2-INCH REBAR WITH A CAP STAMPED "ASC" SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE NORTHEAST CORNER OF SAID COMMON AREA, AND THE POINT OF BEGINNING,

THENCE NORTH 89 DEGREES 09 MINUTES 00 SECONDS EAST, WITH THE NORTH LINE OF SAID CAROLYN J. HAMAN FAMILY LIMITED PARTNERSHIP TRACT, A DISTANCE OF 842.98 FEET TO A 1/2-INCH REBAR FOUND FOR CORNER,

THENCE NORTH 89 DEGREES 38 MINUTES 30 SECONDS EAST, CONTINUING WITH THE NORTH LINE OF SAID CAROLYN J. HAMAN FAMILY LIMITED PARTNERSHIP TRACT, A DISTANCE OF 1323.97 FEET TO A POINT FOR THE SOUTHWEST CORNER OF LOT 2 OF MARSHALL ROAD ESTATES, AN ADDITION TO THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET C, PAGE 847 (D.P.E.C.T.), SAME BEING THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO ELO JAMES, AND CYNTHIA J. HUGHES, BY DEED RECORDED IN INSTRUMENT NO. 172855 (D.P.E.C.T.), FROM WHICH A 1/2-INCH REBAR FOUND FOR REFERENCE BEARS SOUTH 88 DEGREES 17 MINUTES 31 SECONDS WEST, A DISTANCE OF 272 FEET,

THENCE NORTH 88 DEGREES 48 MINUTES 30 SECONDS EAST, WITH THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 618.61 FEET TO A 1/2-INCH REBAR WITH A CAP STAMPED "ASC" SET FOR THE NORTHEAST CORNER OF SAID CAROLYN J. HAMAN FAMILY LIMITED PARTNERSHIP TRACT, SAME BEING THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO SUSAN WORTON CALVERT, BY DEED RECORDED IN VOLUME 1431, PAGE 829 (D.P.E.C.T.),

THENCE SOUTH 88 DEGREES 29 MINUTES 27 SECONDS EAST, WITH THE BEST LINE OF SAID CALVERT TRACT, ALSO WITH THE BEST LINE OF LOT 2R, OF ELLIS COUNTY SOUTH EPLS, AN ADDITION TO THE CITY OF WAXAHACHE, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET C, PAGE 359 (D.P.E.C.T.), A TOTAL DISTANCE OF 2546.83 FEET TO A WOOD RIGHT-OF-WAY MONUMENT FOUND FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, AND LYING ON THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 287 (VARIABLE WIDTH RIGHT-OF-WAY),

THENCE SOUTH 88 DEGREES 55 MINUTES 18 SECONDS WEST, CONTINUING WITH THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 287, PASSING AT A DISTANCE OF 611.65 FEET, A WOOD P.O.W. MONUMENT FOUND, AND CONTINUING FOR A TOTAL DISTANCE OF 1053.29 FEET TO A POINT FOR CORNER FROM WHICH A WOOD P.O.W. MONUMENT FOUND FOR CORNER BEARS NORTH 79 DEGREES 01 SECONDS WEST, A DISTANCE OF 0.78 FEET,

THENCE NORTH 88 DEGREES 30 MINUTES 42 SECONDS WEST, CONTINUING WITH THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 287, A DISTANCE OF 561.60 FEET TO A WOOD P.O.W. MONUMENT FOUND FOR CORNER,

THENCE SOUTH 88 DEGREES 55 MINUTES 18 SECONDS WEST, CONTINUING WITH THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 287, A DISTANCE OF 428.00 FEET TO A 1/2-INCH REBAR WITH A CAP STAMPED "ASC" SET FOR CORNER,

THENCE NORTH 80 DEGREES 34 MINUTES 43 SECONDS WEST, CONTINUING WITH THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 287, A DISTANCE OF 1169.44 FEET TO POINT FOR CORNER FROM WHICH A WOOD P.O.W. MONUMENT FOUND BEARS NORTH 71 DEGREES 37 MINUTES 18 SECONDS EAST, A DISTANCE OF 0.70 FEET

THENCE NORTH 73 DEGREES 06 MINUTES 12 SECONDS WEST, CONTINUING WITH THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 287, A DISTANCE OF 354.46 FEET TO A 1/2-INCH REBAR WITH A CAP STAMPED "ASC" SET FOR THE SOUTHWEST CORNER OF LOT 10 OF SAID BLACK CHAMP ESTATES, PHASE 2,

THENCE DEPARTING THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 287 WITH THE EAST LINE OF SAID BLACK CHAMP ESTATES, PHASE 2, THE FOLLOWING COURSES AND DISTANCES TO 1/2-INCH REBAR WITH CAPS STAMPED "ASC" SET FOR CORNER:

- NORTH 19 DEGREES 03 MINUTES 42 SECONDS WEST, A DISTANCE OF 558.88 FEET
- NORTH 28 DEGREES 43 MINUTES 18 SECONDS EAST, A DISTANCE OF 377.90 FEET
- NORTH 21 DEGREES 09 MINUTES 18 SECONDS EAST, A DISTANCE OF 229.42 FEET
- NORTH 37 DEGREES 37 MINUTES 18 SECONDS EAST, A DISTANCE OF 113.28 FEET
- NORTH 37 DEGREES 05 MINUTES 18 SECONDS EAST, A DISTANCE OF 205.18 FEET
- NORTH 70 DEGREES 03 MINUTES 29 SECONDS EAST, A DISTANCE OF 107.90 FEET
- NORTH 43 DEGREES 24 MINUTES 16 SECONDS EAST, A DISTANCE OF 81.78 FEET
- NORTH 28 DEGREES 18 MINUTES 01 SECONDS EAST, A DISTANCE OF 45.82 FEET
- NORTH 46 DEGREES 37 MINUTES 26 SECONDS WEST, A DISTANCE OF 400.33 FEET
- NORTH 43 DEGREES 43 MINUTES 48 SECONDS WEST, A DISTANCE OF 203.87 FEET
- NORTH 89 DEGREES 16 MINUTES 14 SECONDS EAST, A DISTANCE OF 333.49 FEET.

THENCE NORTH 17 DEGREES 16 MINUTES 14 SECONDS EAST, WITH THE EAST LINE OF SAID COMMON AREA, A DISTANCE OF 500.83 FEET TO THE POINT OF BEGINNING AND CONTAINING A TOTAL OF 8,208.069 SQUARE FEET, OR 180.455 ACRES OF LAND, MORE OR LESS

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT CAROLYN J. HAMAN FAMILY LIMITED PARTNERSHIP acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as MONTCLAIR HEIGHTS, an addition to the City of Waxahatche, 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 greening shall be constructed or placed upon, over or across the Easements as shown, except that landscaping improvements may be placed in Landscape Easements, if approved by the City of Waxahatche. 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 of particular utilities; said use by public utilities being subordinate to the Public's and City of Waxahatche's use thereof. The City of Waxahatche and public utility entities shall at all times have the full right of ingress and egress to or from the respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, upgrading meters, and adding to or removing all or parts of their respective system without the necessity of any later precursory permission from anyone.

This plat approved subject to all plotting ordinances, rules, regulations and resolutions of the City of Waxahatche, Texas

WITNESS, my hand, this 18th day of _____ 2022

FOR CAROLYN J. HAMAN FAMILY LIMITED PARTNERSHIP

By _____
Carolyn J. Haman
TITLE _____

STATE OF TEXAS
COUNTY OF ELLIS

Below me, the undersigned authority a Notary Public in and for the State of Texas, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed. Given under my hand and seal of office, this 18th day of _____ 2022

Notary Public in and for the state of Texas
My Commission Expires on _____

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS

That I, DANIEL CHASE O'NEAL, hereby certify that this plat was prepared under my supervision from an actual and accurate survey of the land and that the corner monuments shown thereon as well as be properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahatche.

Given under my hand and seal of office, this 18th day of _____ 2022

PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE

DANIEL CHASE O'NEAL
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 6570



APPROVAL CERTIFICATE

APPROVED BY Planning and Zoning Commission
City of Waxahatche, Texas

By _____ Date _____
Chairperson

By _____ Date _____
Attest

PLAT
MONTCLAIR HEIGHTS

ZONING PD-MUR
CASE # SUB-23-2022

OWNER
CAROLYN J. HAMAN FAMILY
LIMITED PARTNERSHIP
3808 CAMELBACK DRIVE, SUITE 100
WAXAHACHE, TEXAS 76081

DEVELOPER
ILLUSTRATION DEVELOPMENT
320 WILLOWBROOK ROAD, SUITE 3
WAXAHACHE, TEXAS 76085
(817) 993-9500

LAND SURVEYOR
ONEAL SURVEYING CO.
200 WINDY CREEK, SUITE 100
WAXAHACHE, TEXAS 76086
TEL: 817-993-9500
WWW.ONEALSURVEYING.COM
(817) 993-2881

BEING
364 SINGLE FAMILY LOTS
13 COMMON AREA LOTS
1 SPECIAL RETAIL LOTS
1 OPEN SPACE AREA
AND BEING

188.456 ACRES

SITUATED IN THE
W BROWN SURVEY, A-545, A-546 &
O.S. GENTRY SURVEY, A-400
CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
10001 WINDY CREEK, SUITE 100, WAXAHACHE, TEXAS 76086
(817) 993-9500 FAX (817) 993-9500

DATE: 04/28/2023 SHEET 1 OF 4

(7)



PLANNING & ZONING DEPARTMENT
 401 South Rogers Street | Waxahachie, Texas 75168
 (469) 309-4290 | www.waxahachie.com/Departments/PlanningandZoning
WATER UTILITY PROVIDER'S ENDORSEMENT



(7)

Applicant Name: _____ Parcel ID #: _____
 Subdivision Name: Martelma Heights

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

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

Contact Information:

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

To be completed by the water utility provider:

	Yes	No
1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>12</u> inches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Paul Tes
 Print Name of General Manager of water provider or Designee

Sardis Lone Elm
 Name of water provider company

[Signature]
 Signature of General Manager of water provider or Designee

2-8-2022
 Date



Planning & Zoning Department Plat Staff Report

Case: SUB-35-2022

MEETING DATE(S)

Planning & Zoning Commission: May 10, 2022

City Council: May 16, 2022

CAPTION

Consider a request by Dean Settlemyer, Just Settle Investments, LLC for a **Replat** of a portion of Lot 8, Block 13, West End Addition, to create Lot 8R, Block 13, West End Addition, 1 Commercial lots, being 4.277 acres, located at the corner of Stroud Street and Hwy 287, (Property ID 176678) – Owner: JUST SETTLE INVESTMENTS, LLC (SUB-35-2022).

APPLICANT REQUEST

The purpose of this request is to replat the subject property into one (1) lot for commercial use.

CASE INFORMATION

Applicant: Dean Settlemyer, Just Settle Investments, LLC

Property Owner(s): Just Settle Investments, LLC

Site Acreage: 4.277 acres

Number of Lots: one (1) commercial lot

Number of Dwelling Units: 0 units

Park Land Dedication: N/A

Adequate Public Facilities: Adequate Public Facilities are available

SUBJECT PROPERTY

General Location: 1518 W. Main Street

Parcel ID Number(s): 176678

Current Zoning: Commercial, General Retail, Single-Family Residential-2

Existing Use: The subject property is currently vacant.

Platting History: The subject is platted as Lot 8, Block 13 of the West End Addition.

Site Aerial:



PLATTING ANALYSIS

The applicant is proposing to replat the subject property into one (1) commercial lot. All City of Waxahachie lot size and dimension requirements have been met. The applicant is providing a 15' Right-of-Way (ROW) dedication along U.S. Highway 287 in conformance with the City of Waxahachie Thoroughfare Plan. The City of Waxahachie Future Land Use Plan designates this area as intended for Mixed-Used Non-Residential Development.

VARIANCE REQUEST – PETITION FOR RELIEF WAIVER

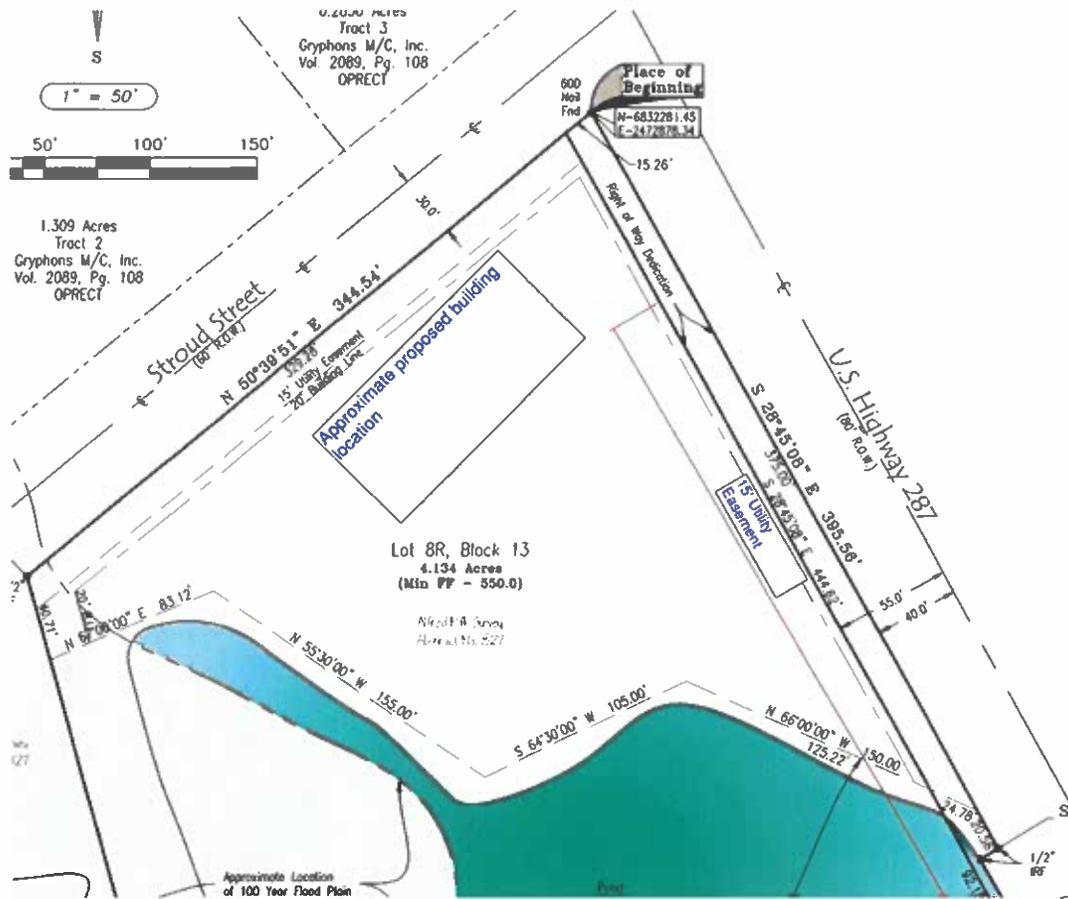
Request:

The City of Waxahachie Thoroughfare Plan identifies a 110' Thoroughfare running along the eastern boundary of the subject property. As part of the platting process, the applicant is required to provide a ROW dedication in conformance with the Thoroughfare Plan. In this case, the applicant is required to provide a 55' ROW dedication along the entirety of the eastern property line. The applicant has met this requirement. The applicant is also required to provide a 15' Utility, Water and Wastewater Easement and meet a 25' building line requirement along the eastern property line. The applicant has made a Petition for Relief Waiver request for the 15' Utility, Water and Wastewater Easement. As part of the Petition for Relief Waiver, the applicant is seeking a variance to allow for elimination of the 15' Utility, Water and Wastewater Easement along the eastern property line.

The applicant's reasoning is that he feels that the dedication of ROW to be in conformance with the City's Thoroughfare plan as well as the additional 15' Utility Easement is excessive and creates site layout obstacles.

Staff's Response:

Per section 3.1 of the Subdivision ordinance, the property owner shall provide a minimum 15' utility easement for gas, electric, and other utilities approved by the City. In an effort to provide the applicant options that would result in compliance with the City's Thoroughfare Plan, Staff is supportive of a variance that results in elimination of the 15' utility easement, but only by the proposed building location with the 15' utility easement remaining for the remainder of the ROW frontage.



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:

- Disapproval:
Per section 3.1 of the Subdivision ordinance, the property owner shall provide a minimum 15' utility easement for gas, electric, and other utilities approved by the City. It is staff's belief that the utility easement should only be eliminated by the proposed structure location with the 15' utility easement remaining for the remainder of the ROW frontage.
- Approval, as presented.

ATTACHED EXHIBITS

1. Plat
2. Letter of Support
3. Letter of Opposition

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.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's Subdivision ordinance.

STAFF CONTACT INFORMATION

Prepared by:

Ashlie Jones

Senior Planner

ashlie.jones@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

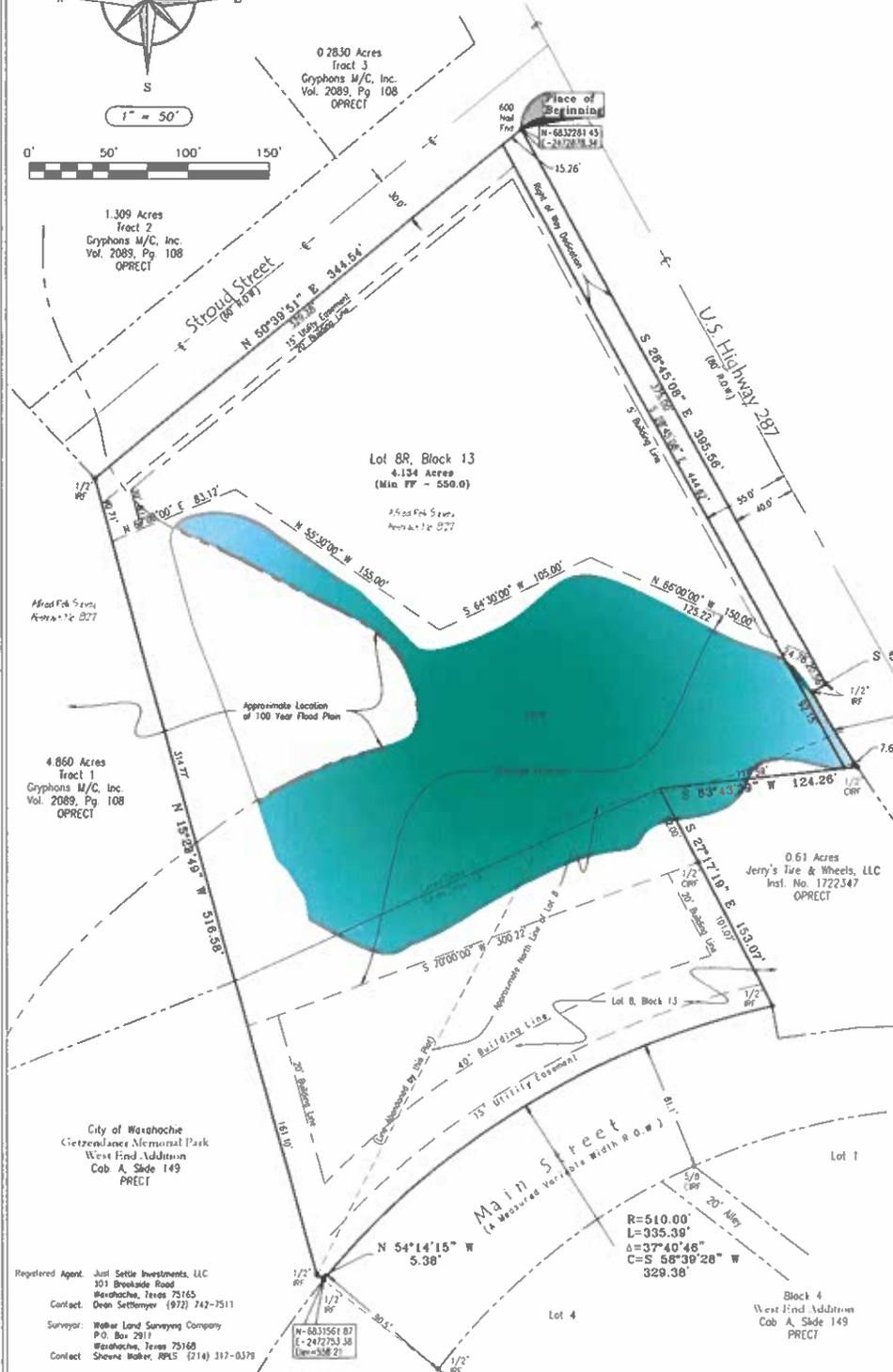
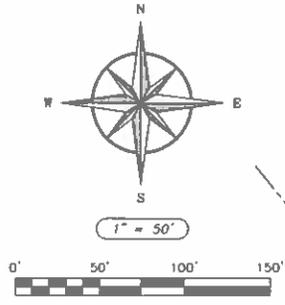
jennifer.pruitt@waxahachie.com

APPROVED BY Planning and Zoning Commission
City of Waco, Texas
By: _____
Chairperson _____
Attest _____

APPROVED BY: City Council
City of Waco, Texas
By: _____
Chairperson _____
Attest _____

- Notes
1. Building Lines: 25' Front Building Lines and others as shown
 2. Utility Easements: 15' Utility Easement along right of way and others as shown
 3. A portion of this property lies within a 100 year flood plain according to the Flood Insurance Rate Map for Ellis County, Texas Map# 48139CD190 F, Zones AE & X, dated June 3, 2013
 4. Basis of Bearings: GPS Observation, Texas Coordinate System, North Central Zone 4207, Beginning Coordinate - Northing=6832781.43 Easting=2472878.34

(18)



OWNER'S CERTIFICATION
State of Texas
County of Ellis

WHEREAS, Just Settle Investments, LLC, are the owners of that certain parcel of land lying in the City of Waco, Texas and being situated in the ALFRED POLK SURVEY, ABSTRACT NO. 827, Ellis County, Texas and a portion of Lot 8, Block 13 of West End Addition, an addition in the City of Waco, Texas, according to the Plat thereof recorded in Cabinet A, Slide 149 of the Plat Records of Ellis County, Texas, and being all of the 4.277 acre tract of land conveyed to Just Settle Investments, LLC by Warranty Deed recorded in Instrument Number 2127137 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at a 600 nail found at the southeast line of Stroud Street (60 foot right of way) with the southwest line of U.S. Highway 287 (Business) (variable width right of way) for the north corner of said Investments Tract.

THENCE along the northerly northeast line of said Investments Tract and the southwest line of Highway 287 as follows:
S 28°45'08" E a distance of 395.56 feet to a 1/2" iron rod found for corner; and
S 59°13'13" W a distance of 9.95 feet to a 1/2" iron rod found in a non tangent curve to the left having a radius of 1004.83 feet and a central angle of 03°05'24"

THENCE along the arc of said curve and continuing along the northerly northeast line of said Investments Tract and the southwest line of Highway 287 as follows:
S 30°53'33" E, 54.48 feet to a 1/2" iron rod found with cap marked "WLSC RPIS 5331" for the northerly east corner of said Investments Tract and the north corner of the 0.61 acre tract of land conveyed to Jerry's Tire & Wheels, LLC by Texas Warranty Deed recorded in Instrument Number 1722347, OPRECT;

THENCE S 87°43'39" W, along the easterly south line of said Investments Tract and the north line of said 0.61 acre tract, a distance of 124.26 feet to a point in a pond lake for an interior corner of said Investments Tract and the northwest corner of said 0.61 acre tract.

THENCE S 27°17'19" E, along the southerly northeast line of said Investments Tract and the west line of said 0.61 acre tract, passing at 52.00 feet a 1/2" iron rod found with cap marked "WLSC RPIS 5331" for witness, in all, a distance of 153.97 feet to a 1/2" iron rod found in the north line of Main Street for the southerly east corner of said Investments Tract and the southwest corner of said 0.61 acre tract, said iron rod lies in a non tangent curve to the left having a radius of 310.00 feet and a central angle of 37°40'46".

THENCE along the arc of said curve and along the south line of said Investments Tract and the north line of Main Street, a distance of 335.39 feet (Long Chord - S 58°39'28" W, 329.38 feet) to a 1/2" iron rod found in the southwest line of Lot 8 for the south corner of said Investments Tract and the southeast corner of a tract of land conveyed to the City of Waco, Texas;

THENCE N 54°14'15" W, along the southwest line of said Investments Tract and same for Lot 8 and the east line of said City Tract, a distance of 5.38 feet to a 1/2" iron rod found in the called northerly line of the Waco-Sherlock Road for the west corner of Lot 8.

THENCE N 15°23'49" W, along the west line of said Investments Tract and the east line of said City Tract and the called northerly line of the Waco-Sherlock Road, passing at 190.36 feet the northeast corner of said City Tract and the southeast corner of the 4.860 acre tract of land (Tract 1) conveyed to Gryphons M/C, Inc. by W.D. recorded in Volume 2089, Page 108, OPRECT, in all, a distance of 318.50 feet to a 1/2" iron rod found northeast corner of said Investments Tract and an angle corner of said 4.860 acre tract and being the southwest terminus of Stroud Street;

THENCE N 58°39'51" E, along the northeast line of said Investments Tract and the southwest line of Stroud Street, a distance of 64.54 feet to the PLACE OF BEGINNING and containing 4.277 acres of land as surveyed on the ground.

HOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS

That Just Settle Investments, LLC acting herein by and through its duly authorized officers, does hereby adopt the plat showing the herein above described property on the Final Plat of Lot 8R, Block 13 of West End Addition (being a Replat of a portion of Lot 8, Block 13 of West End Addition and being in the Alfred Polk Survey, Abstract No. 827), an addition in the City of Waco, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown hereon. 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 Waco. In addition, Utility Easements may be also 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 Waco's use thereof. The City of Waco 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 Waco and public utility entities shall, at all times have the full right of ingress and egress to or from their respective easements for the purposes of construction, reconstruction, inspecting, painting, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of any time procuring permission from anyone.

This plat is approved subject to all existing ordinances, rules, regulations and resolutions of the City of Waco, Texas.

Witness my hand this _____ day of _____ 2022

By _____
Dean Settlemeyer
Just Settle Investments, LLC

State of Texas

Before me the undersigned authority, a notary public in and for the state in this day personally appeared Dean Settlemeyer, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same for the purposes herein expressed and in the capacity stated.

Given under my hand and seal of office this _____ day of _____ 2022.

Notary Public _____

City of Waco, Texas
Cetrendance Memorial Park
West End Addition
Cob A, Slide 149
PRECT

Registered Agent: Just Settle Investments, LLC
351 Brookside Road
Waco, Texas 76788
Contact: Dean Settlemeyer (972) 742-7511

Surveyor: Walker Land Surveying Company
P.O. Box 2911
Waco, Texas 76788
Contact: Shawna Walker, RP.L.S. (214) 317-0379

Surveyor's Declaration

I, that I, J. Shawn Walker, do hereby 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 Waco, Texas.

FOR EMERGENCY PURPOSES ONLY
I, J. Shawn Walker, RP.L.S. DOB
APPROVED FOR RAK ORR PERFORMA
J. Shawn Walker, RP.L.S.
Texas Registration No. 5331

REPLAT
Lot 8R
Block 13
West End Addition
A Portion of Lot 8, Block 13
West End Addition
And in the Alfred Polk Survey, Abstract No. 827
City of Waco, Texas, Ellis County, Texas
Case No. S11B-35-2022 Prepared Date: March, 2022



LEGEND

CR	Property Corner
IR	Iron Rod
TR	Tree
SR	Street Right of Way
UL	Utility Line
BL	Building Line
DL	Ditch
LD	Lot Line
LD	1/2" Iron Rod with cap
LD	marked "WLSC RPIS 5331"



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SUB-35-2022

FAJARDO J D DPM PC
1620 W HIGHWAY 287 BUSINESS
WAXAHACHIE, TX 75165

RECEIVED APR 2 2 2022

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 10, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 16, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Dean Settlemyer, Just Settle Investments, LLC for a **Replat** of a portion of Lot 8, Block 13, West End Addition, to create Lot 8R, Block 13, West End Addition, 1 Commercial lots, being 4.277 acres, located at the corner of Stroud Street and Hwy 287, (Property ID 176678) – Owner: JUST SETTLE INVESTMENTS, LLC (SUB-35-2022)

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

Case Number: SUB-35-2022 City Reference: 200782

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **May 3, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT OPPOSE

Comments:

Signature
Date

Printed Name and Title
Address

J. D. Fajardo DPM
4-22-22
1620 W Hwy 287 Bus
Unit

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

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SUB-35-2022



STANTON MIKE
PO BOX 888
ATHENS, TX 75751

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 10, 2022 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 16, 2022 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Dean Settlemyer, Just Settle Investments, LLC for a **Replat** of a portion of Lot 8, Block 13, West End Addition, to create Lot 8R, Block 13, West End Addition, 1 Commercial lots, being 4.277 acres, located at the corner of Stroud Street and Hwy 287, (Property ID 176678) – Owner: JUST SETTLE INVESTMENTS, LLC (SUB-35-2022)

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

Case Number: SUB-35-2022

City Reference: 176661

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **May 3, 2022** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Signature

Mike Stanton
Printed Name and Title

Date

4/25/22
PO Box 888, Athens, TX 75751
Address

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

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.