

# **A G E N D A**

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas to be held in the Council Chamber at City Hall, 401 S. Rogers on ***Monday, October 15, 2018 at 7:00 p.m.***

Council Members:     Kevin Strength, Mayor  
                               David Hill, Mayor Pro Tem  
                               Chuck Beatty, Councilmember  
                               Mary Lou Shipley, Councilmember  
                               Melissa Olson, Councilmember

1.     Call to Order
2.     Invocation
3.     Pledge of Allegiance and Texas Pledge of Allegiance
4.     ***Consent Agenda***

All matters listed under Item 4, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager 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 City Council.

- a.   Minutes of the City Council meeting of October 1, 2018
- b.   Appointment to Airport Board

5.     ***Introduce*** Honorary Councilmember
6.     ***Public Hearing*** on a request by Sailesh Kharel, R and D Sons, for a Specific Use Permit (SUP) for Convenience Store use within a Planned Development-18-General Retail zoning district, located at 507 N Highway 77, Suite 800, LOT 1 & 3 BLK 1 NORTHGATE PLAZA 18.572 AC (Property ID 175004) - Owner: BENBAROUKH LLC (SU-18-0148)
7.     ***Consider*** proposed Ordinance approving Zoning Change No. SU-18-0148
8.     ***Public Hearing*** on a request by Donald R Phillips Jr, Phillips Custom Builders, for a Replat of Lots 60 and 61, Block 181, Town Addition to create Lot 1, Phillips Addition, 0.149 acres (Property ID 171357 and 171358) – Owner: PHILLIPS DONALD R JR (RP-18-0150)
9.     ***Consider*** approval of RP-18-0150
10.    ***Public Hearing*** on a request by Todd Wintters, Engineering Concepts & Design L.P., for a Zoning Change from a Single Family-1 zoning district to Planned Development-Single Family-3, with Concept Plan, located West of Ovilla Road and 800' South of Highway 287 being 1080 WM C TUNNELL 119.683 ACRES (Property ID 191627) - Owner: A ONE PLUS INVESTMENT GROUP LLC (PD-18-0110)
11.    ***Consider*** proposed Ordinance approving Zoning Change No. PD-18-0110

12. **Public Hearing** on a request by Mitchell Lenamond, ELD Engineering, Inc., for a Zoning Change from a Single Family-3 zoning district to Planned Development-Single Family-3, with Concept Plan, located SE of Parks School House Road, between US Highway 287 and MLK Jr Blvd, being 272 S M DURRET 7.371 ACRES (Property ID 239606) – Owner: JUAN CARLOS FLORES (PD-18-0153)
13. **Consider** proposed Ordinance approving Zoning Change No. PD-18-0153
14. **Public Hearing** on a request by Robert Morgan, Grantava Inc., for a Zoning Change from a Single Family-3 zoning district to Planned Development-Single Family-3, with Concept Plan, located at 1308 Wyatt Street, being LOT 3A BLK 184 TOWN ADDN-REV 2.512 AC (Property ID 270088) - Owner: GRANTAVA INC (PD-18-0152)
15. **Consider** proposed Ordinance approving Zoning Change No. PD-18-0152
16. **Consider** request by Kaitlyn Wurzbach, Jacobs Engineering Group, for a Preliminary Plat of Saddlebrook Estates Phase 2A, 2B, 3A, 3B, 4, 5, & 6 for 900 residential lots and 16 open space lots, being 299.378 acres out of the G. Carpenter Survey, Abstract No. 90 and M. Rafferty, Abstract No. 898 (Property ID 189842 and 241033) – Owner: 287 WAXAHACHIE LP (PP-17-0169)
17. **Consider** Landscape Plan for Saddlebrook Estates Phase 2A, 2B, 3A, 3B, 4, 5, & 6 as a companion to PP-17-0169 – Owner: 287 WAXAHACHIE LP
18. **Consider** a development agreement with 287 Waxahachie, LP for the dedication of right of way and the construction of roadways associated with Saddlebrook Estates Phase 2A, 2B, 3A, 3B, 4, 5, and 6
19. **Consider** proposed Ordinance annexing property owned by R.B. Foreman, President, Arbors Development LLC, for annexation of approximately 20.48 acres generally situated North of Marshall Road and West of FM 664
20. **Consider** Resolution in support of Palladium Senior Living application for TDHCA Housing Tax Credits funding application
21. **Consider** Vista Way Roadway Construction Agreement
22. **Public Comments:** Persons may address the City Council on any issues. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Council may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code.
23. **Convene** into Executive Session to review Performance Evaluation for City Manager as permitted by the Texas Government Code, Section 551.074
24. **Reconvene** and take any necessary action
25. Comments by Mayor, City Council, City Attorney and City Manager
26. Adjourn

**The City Council 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

(4a)

City Council  
October 1, 2018

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers on Monday, October 1, 2018 at 7:00 p.m.

Council Members Present: Kevin Strength, Mayor  
Chuck Beatty, Councilmember  
Mary Lou Shipley, Councilmember

Council Members Absent: David Hill, Mayor Pro Tem  
Melissa Olson, Councilmember

Others Present: Michael Scott, City Manager  
Albert Lawrence, Assistant City Manager  
Robert Brown, City Attorney  
Lori Cartwright, City Secretary

**1. Call to Order**

Mayor Kevin Strength called the meeting to order.

**2. Invocation**

**3. Pledge of Allegiance and Texas Pledge of Allegiance**

Councilmember Mary Lou Shipley gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4. Consent Agenda**

- a. Minutes of the City Council meeting of September 4, 2018
- b. Minutes of the City Council meeting of September 17, 2018
- c. Minutes of the Special City Council meeting of September 20, 2018
- d. City Manager's appointment of member to Civil Service Commission
- e. Oddfest 2018 event to be held October 6, 2018
- f. Parade route for Waxahachie ISD Homecoming Parade to be held on October 26, 2018
- g. 6<sup>th</sup> Annual YMCA Santa Run to be held on December 15, 2018
- h. Tulip Trot event to be held March 30, 2019

**Action:**

*Councilmember Mary Lou Shipley moved to approve items a. through h. on the Consent Agenda. Councilmember Chuck Beatty seconded, All Ayes.*

**5. Introduce Honorary Councilmember**

Councilmember Shipley introduced Ming Ye as the Honorary Councilmember for the month of October. She is the daughter of Hua Nan Ye and Sai Ying Chen. Ming is in the Waxahachie Wind Ensemble which was named the 2017-2018 TMEA Honor Band in the spring of last year. She is a drum major in the band program that won third place in the UIL State Marching Contest last year. Ming participated in Belles and Beaus as well as many UIL math events. She is also the secretary

of the National Honor Society program. She enjoys hanging out with friends, staying up late doing homework, and working at her restaurant, the Asian King Buffet. Ming keeps high A's in all her classes and is at the top of her class. She plans to study accounting in college next fall.

- 6. Continue Public Hearing on a request by Marvin E. Singleton III, CNB of Texas, for a Replat of part of Lot 1A, Ferris Addition, to create Lot 1AR, Ferris Addition, 0.773 acres (Property ID 173282) – Owner: CITIZENS BANK OF TEXAS (RP-18-0136)**

Mayor Strength continued the Public Hearing.

Mr. Shon Brooks, Director of Planning, reported the applicant seeks to Replat Lot 1 and set boundary lines by plat with Ellis County. He stated staff recommends approval with the requirement that the applicant acquires signatures of surrounding property owners on the plat indicating their acceptance of re-platting of this land. Mr. Brooks stated the applicant requested a hardship waiver.

Mr. Mark Singleton, applicant, 125 Willowcrest, Waxahachie, stated boundary lines for this piece of property has been uncontested for approximately 45 years. He stated the Prosperity Bank property is the only property owner that would have an issue and they have no issues. Mr. Singleton asked Council to grant the Hardship Waiver due to acquiring surrounding property owner's signatures would be difficult.

There being no others to speak for or against RP-18-0136, Mayor Strength closed the Public Hearing.

- 7. Consider approving RP-18-0136**

**Action:**

*Councilmember Chuck Beatty moved to approve a request by Marvin E. Singleton III, CNB of Texas, for a Replat of part of Lot 1A, Ferris Addition, to create Lot 1AR, Ferris Addition, 0.773 acres (Property ID 173282) – Owner: CITIZENS BANK OF TEXAS (RP-18-0136) subject to staff comments and approving hardship waiver. Mayor Kevin Strength seconded, All Ayes.*

- 8. Public Hearing on a request by Iran Magallon for a Replat of Lots 4 and 12, Lindmark Estates Revised, to create Lots 1 and 2, R and M Estates, 13.821 acres (Property ID 230996) – Owner: REYES TOMAS & RITA (RP-18-0143)**

Mayor Strength opened the Public Hearing.

Mr. Brooks reported the applicant seeks to move the lot line requiring a replat of Lots 1 and 2. He stated the request does meet the requirements of the Subdivision Ordinance and recommended approval.

There being no others to speak for or against RP-18-0143, Mayor Strength closed the Public Hearing.

- 9. Consider approving RP-18-0143**

**Action:**

*Councilmember Mary Lou Shipley moved to approve a request by Iran Magallon for a Replat of Lots 4 and 12, Lindmark Estates Revised, to create Lots 1 and 2, R and M Estates, 13.821 acres (Property ID 230996) – Owner: REYES TOMAS & RITA (RP-18-0143). Councilmember Chuck Beatty seconded, All Ayes.*

- 10. Public Hearing on a request by Ron Barson, Ledbetter Real Estate, for a Replat of Lot 2, Block E to create Lots 2R and 3, Block E, North Grove Business Park Phases Two and Four, 4.983 acres (Property ID 189293 and 189294) – Owner: LEDBETTER REAL ESTATE LTD (RP-18-0139)**

Mayor Strength opened the Public Hearing.

Mr. Brooks reported the requested Replat encompasses an entire block and recommended approval.

Councilmember Shipley asked if the park land fees have been paid. Mr. Brooks stated not at this time but will be paid prior to filing.

There being no others to speak for or against RP-18-0139, Mayor Strength closed the Public Hearing.

- 11. Consider approving RP-18-0139**

**Action:**

*Councilmember Chuck Beatty moved to approve a request by Ron Barson, Ledbetter Real Estate, for a Replat of Lot 2, Block E to create Lots 2R and 3, Block E, North Grove Business Park Phases Two and Four, 4.983 acres (Property ID 189293 and 189294) – Owner: LEDBETTER REAL ESTATE LTD (RP-18-0139). Mayor Kevin Strength seconded, All Ayes.*

- 12. Consider request by James McDill, Davis & McDill, for a Preliminary Plat of Oxford Ranch Two Phase 2 for 48 lots, being a 69.645 acre addition in the T. Cassidy Survey, Abstract 255 and the H.G. Hurst Survey, Abstract 458 (Property ID 181695) in the Extra Territorial Jurisdiction – Owner: HARLAN PROPERTIES INC (PP-18-0147)**

Mr. Brooks reported the first Preliminary Plat submittal has expired and being resubmitted for consideration. The applicant is working with staff and county for construction. Phase 1 is currently under development.

**Action:**

*Councilmember Mary Lou Shipley moved to approve a request by James McDill, Davis & McDill, for a Preliminary Plat of Oxford Ranch Two Phase 2 for 48 lots, being a 69.645 acre addition in the T. Cassidy Survey, Abstract 255 and the H.G. Hurst Survey, Abstract 458 (Property ID 181695) in the Extra Territorial Jurisdiction – Owner: HARLAN PROPERTIES INC (PP-18-0147). Councilmember Chuck Beatty seconded, All Ayes.*

- 13. Consider request by Mathew Williamson, Gateway Engineering, for a Preliminary Plat of The Mark on 287 for 1 lot, being 6.525 acres situated in the William C. Tunnel Survey Abstract 1080 (Property ID 264879) – Owner: MARK ON 287 OWNER LLC (PP-18-0146)**

Mr. Brooks stated agenda items 13 and 14 are the same property. He stated it was previously zoned Multi Family- 2 and recommended approval.

Mr. Brooks stated the applicant proposes establishing a property line and Right-of-Way (ROW). The proposed ROW includes a north/west connection and east/west connection which are major parts of the Thoroughfare Plan. He reported The Mark on 287 is working with the Waxahachie Independent School District and City to have access to the new high school. Mr. Brooks explained the developer agreement insures the City gets the ROW dedication over to Ovilla Road.

**Action:**

*Councilmember Chuck Beatty moved to approve a request by Mathew Williamson, Gateway Engineering, for a Preliminary Plat of The Mark on 287 for 1 lot, being 6.525 acres situated in the William C. Tunnel Survey Abstract 1080 (Property ID 264879) – Owner: MARK ON 287 OWNER LLC (PP-18-0146). Councilmember Mary Lou Shipley seconded, All Ayes.*

- 14. Consider a development agreement with the Mark on 287 and the Waxahachie Independent School District for the dedication of right of way and the construction of roadways associated with the City's Thoroughfare Plan**

**Action:**

*Councilmember Mary Lou Shipley moved to approve a development agreement with the Mark on 287 and the Waxahachie Independent School District for the dedication of right of way and the construction of roadways associated with the City's Thoroughfare Plan. Councilmember Chuck Beatty seconded, All Ayes.*

- 15. Consider a service contract with Tyler Technologies, Inc. for the purchase of EnerGov Life Cycle Management Software and five years of associated maintenance and support services**

Mr. Tommy Ludwig, Executive Director of Development Services, reported the EnerGov Life Cycle Management Software will enhance the City's operational efficiency by providing a single platform to track development activity, the ability for staff to perform simultaneous electronic plan reviews, and allowing customers to apply for permits, submit plans, submit payments, and schedule inspections online. He stated the five year contract with Tyler Technologies, Inc. is in the amount of \$486,602 noting the annual maintenance cost in year two through year five range from \$50,560 to \$56,321. Mr. Ludwig stated the City reserves the right to terminate the agreement for lack of funding in future years at no penalty.

Councilmember Shipley asked how long before it is up and running. Mr. Ludwig stated it will be fully operational in six to nine months.

**Action:**

*Councilmember Mary Lou Shipley moved to approve a service contract with Tyler Technologies, Inc. for the purchase of EnerGov Life Cycle Management Software and five years of associated maintenance and support services. Councilmember Chuck Beatty seconded, All Ayes.*

**16. Public Comments**

Mr. Alan Fox, 327 University, Waxahachie, referenced the City's requirements of names and addresses for audience members wanting to speak. He encouraged council to keep this practice in place.

**17. Comments by Mayor, City Council, City Attorney and City Manager**

Director of Planning Shon Brooks announced the Planning Department received a Certificate of Achievement for Planning Excellence award from the American Planning Association Texas Chapter.

Assistant City Manager Albert Lawrence thanked city staff for the past few weeks with recent events and employees working extra hours making the events a positive experience for visitors. He referenced the recent weather events and thanked city staff for keeping people safe noting city employees are appreciated.

Councilmember Chuck Beatty thanked Honorary Councilmember Ming Ye for her attendance.

City Manager Michael Scott wished everyone a new fiscal year.

Mayor Kevin Strength thanked Parks Director John Smith and his staff for their assistance during the Chautauqua event over the weekend helping participants due to the rain. He thanked Mr. Scott for his leadership this past year.

Councilmember Mary Lou Shipley stated the Chautauqua event this past weekend was very successful despite the rain and thanked the organization that put it on. She thanked Mr. Lawrence and Mr. Ludwig for the work they put in selecting the new software for the Building and Community Services Department noting it will be good for the employees and citizens.

City Attorney Robert Brown thanked Honorary Councilmember Ming Ye for her attendance.

Director of Communications and Marketing Amy Borders announced the groundbreaking for the amphitheater is Tuesday, October 2, 2018 at 3:00 p.m.

**18. Adjourn**

*There being no further business, Councilmember Mary Lou Shipley moved the meeting adjourn at 7:32 p.m. Councilmember Chuck Beatty seconded, All Ayes.*

Respectfully submitted,  
Lori Cartwright, City Secretary

(46)



## Memorandum

To: City Councilmembers

From: Mayor Kevin Strength

Date: October 15, 2018

Re: Appoint of member to the Airport Board

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Please consider the following appoint to the Airport Board to fill a vacancy.

- Nanette Paghi (October 2018 – September 2020)

(6)

## Planning & Zoning Department

### Zoning Staff Report

Case: SU-18-0148



#### MEETING DATE(S)

*Planning & Zoning Commission:* October 9, 2018

*City Council:* October 15, 2018

#### CAPTION

**Public Hearing** on a request by Sailesh Kharel, R and D Sons, for a Specific Use Permit (SUP) for Convenience Store use within a Planned Development-18-General Retail zoning district, located at 507 N Highway 77, Suite 800, LOT 1 & 3 BLK 1 NORTHGATE PLAZA 18.572 AC (Property ID 175004) - Owner: BENBAROUKH LLC (SU-18-0148)

#### CASE INFORMATION

*Applicant:* Sailesh Kharel, R and D Sons

*Property Owner(s):* Benbaroukh LLC

*Site Acreage:* 18.572 acres

*Current Zoning:* Planned Development-18-General Retail

*Requested Zoning:* PD-18-GR with Specific Use Permit

#### SUBJECT PROPERTY

*General Location:* 507 N Highway 77, Suite 800

*Parcel ID Number(s):* 175004

*Existing Use:* Insurance Office

*Development History:* The Final Plat of Northgate Plaza was approved by City Council on December 17, 1984. The Site Plan for Northgate Plaza, Phase I, was approved by City Council on February 18, 1985.

*Adjoining Zoning & Uses:*

Direction	Zoning	Current Use
North	C	Warehouse
East	C	Restaurant
South	C	Office
West	C	Gas Station

*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:**

N US Highway 77 is a Major Thoroughfare B (110' ROW).



**Site Image:**

**PLANNING ANALYSIS**

The applicant seeks to open a convenience store in the Northgate Plaza shopping center. A convenience store requires a Specific Use Permit (SUP) to operate. This shopping center has a current SUP for a convenience store at Suite 1100C via Ordinance No. 2532. The current SUP is no longer used as the tenant has changed. If this current request is approved, the new ordinance authorizing a convenience store at Suite 800 will include a repeal of Ordinance No. 2532, as well as a requirement that the SUP will expire should the business relocate, change its name from "1 Stop C-Store," or have a change of ownership.

Additionally, there is a design for signage at the site. Should the request for the convenience store be approved, the applicant would be responsible for ensuring that a sign permit is obtained from the Building and Community Services Department before the signage can be modified.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 29 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 9/21/18.

**STAFF CONCERNS**

1. A sign permit must be obtained before signage at the site can be altered
2. Should this request be approved, the ordinance authorizing the convenience store will include a repeal of Ordinance No. 2532, as well as the provisions that the SUP expires if the 1 Stop C-Store relocates from Suite 800, changes its business name, or changes owners.

**APPLICANT RESPONSE TO CONCERNS**

1. Applicant responded that he understood and accepted all comments.

**RECOMMENDATION**

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
  1. A sign permit must be obtained before any signage at the site can be altered
  2. Should this request be approved, the ordinance authorizing the convenience store will include a repeal of Ordinance No. 2532, as well as the provisions that the SUP expires if the 1 Stop C-Store relocates from Suite 800, changes its business name, or changes owners.

**ATTACHED EXHIBITS**

1. Site plan
2. Pole sign
3. Proposed wall sign

**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](mailto:kdent@waxahachie.com)

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

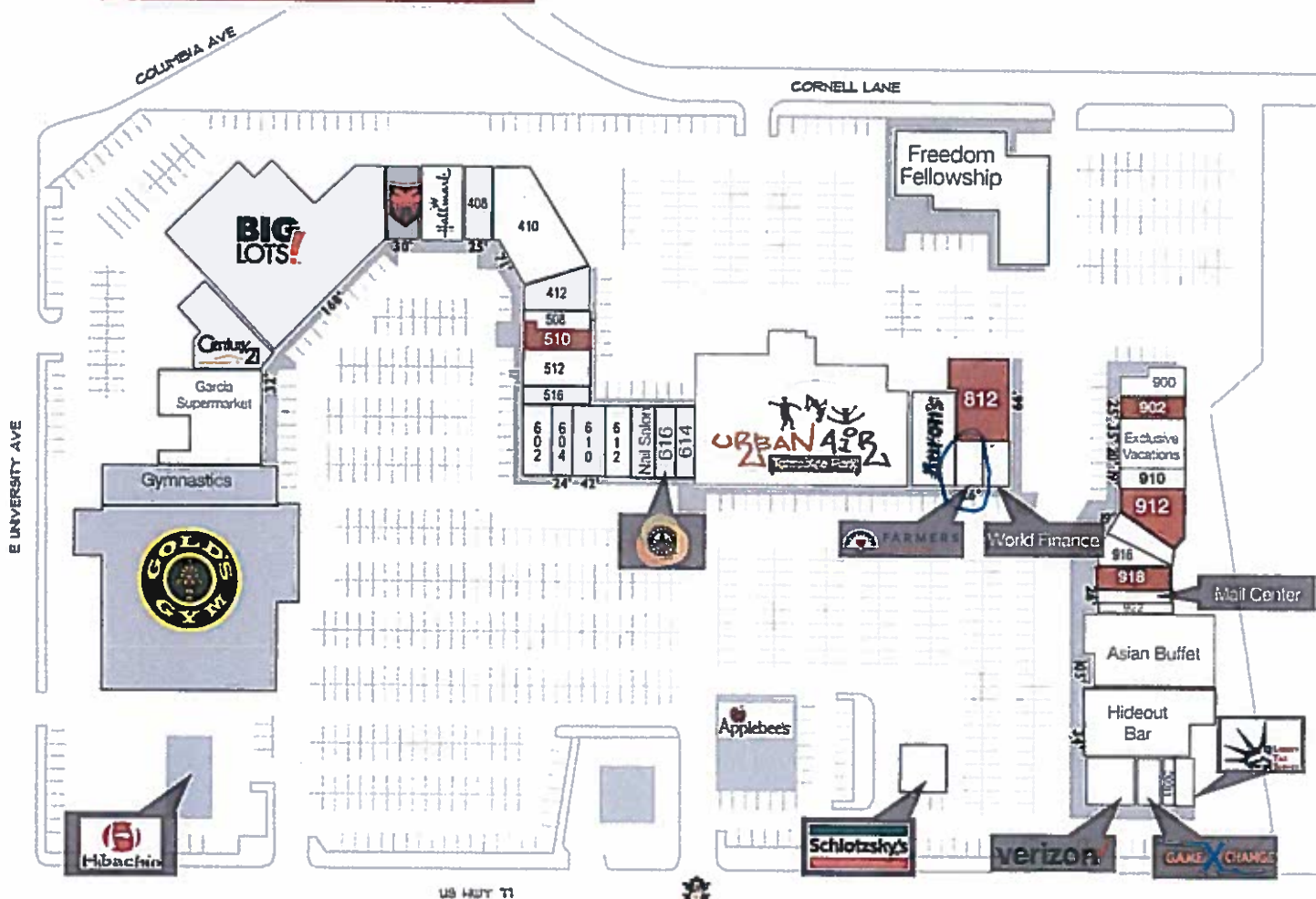
**ACTION SINCE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting, held October 9, 2018, the Commission voted 6-0 to recommend approval of zoning change SU-18-0148, with the provisions that the sale of specialty paraphernalia is expressly prohibited at the site, and no exterior signage can include mentions of tobacco and/or alcohol.

(6)

For Lease  
Multiple Suites  
1,390-5,362 SF

Northgate Plaza  
507 N. U.S. Highway 77  
Waxahachie, Texas 75165



Suite	Tenant Name	Size
200	Garcia Supermarket	11,064
210	Century 21	4,289
300	Big Lots	30,166
404	CobraTec Knives	2,400
406	Glenda's Hallmark	3,600
408	Gigi Salon	1,983
410	Freedom Fellowship	8,005
412	Freedom Fellowship	3,231
508	Freedom Fellowship	1,477
510	AVAILABLE	2,119
512	Dr. Singleton DDS	2,403
516	Express Personal	1,445
602	Livingston Hearing Aid Center	1,792
604	Tranquility Spa & Salon	1,775
610	Sun Yur Bunz	2,868
612	Painting with a Twist	1,800
614	Fruteria Chely	1,125
616	Smoothie Factory	1,700
616A	Nail Salon	2,620
700	Urban Air	29,475
716	Aaron Rental	6,472
800	Farmers Insurance	1,580

Suite	Tenant Name	Size
804	World Finance	1,864
812	AVAILABLE	5,362
900	Am General Financial	1,300
902	AVAILABLE	2,800
904	Exclusive Vacations	2,659
910	B-6 (Chick Fil A Training)	1,364
912	AVAILABLE	3,266
914	Lash	1,195
916	Bow Wow Barbers	1,896
918	AVAILABLE	1,390
920	Mail Center	1,812
922	Kelly Wiser Salon	1,080
950	Asian Buffet	10,407
955-1000	Hideout Bar	8,290
1100	Verizon Wireless	3,500
1100B	Game X Change	1,800
1100C	Elf Shoe Repair	900
1100A	Liberty Tax	1,464
1201	Schlotsky's	1,993
1300	Freedom Fellowship	17,840

**NAI Robert Lynn**  
RETAIL division

4851 LBJ Freeway 10<sup>th</sup> Floor  
Dallas TX 75244  
214 256 7100  
nairlretail.com

(6)

For Lease  
Multiple Suites  
1,390-5,362 SF

Northgate Plaza  
507 N. U.S. Highway 77  
Waxahachie, Texas 75165

### Demographics

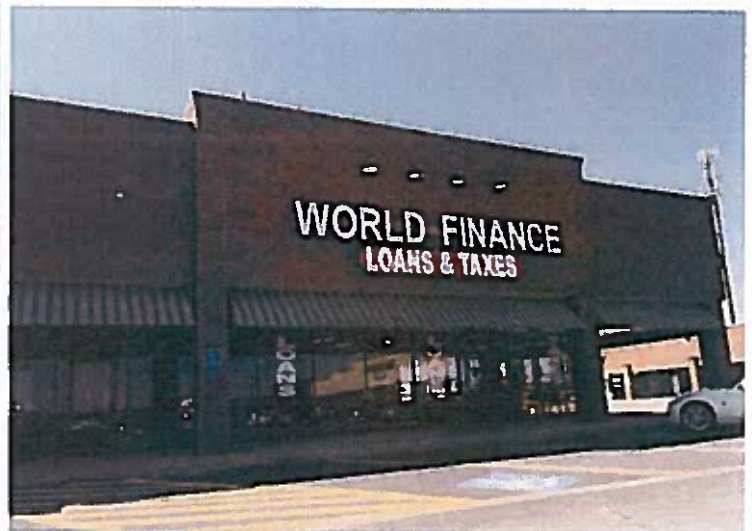
	1 MILE	3 MILES	5 MILES
Total Population	9,739	31,019	40,357
Total Households	3,657	10,977	14,054
Average Household Size	2.50	2.70	2.80
Average Household Income	\$66,301	\$73,134	\$80,019

Source: CoStar 2017

### Traffic Counts

Highway 77	27,000 VPD
Highway 287 @ Highway 77	35,000 VPD

(CoStar 2016)



**NAL** Robert Lynn  
RETAIL division

4851 LBJ Freeway 10<sup>th</sup> Floor  
Dallas TX 75244  
214 256 7100  
nairlretail.com

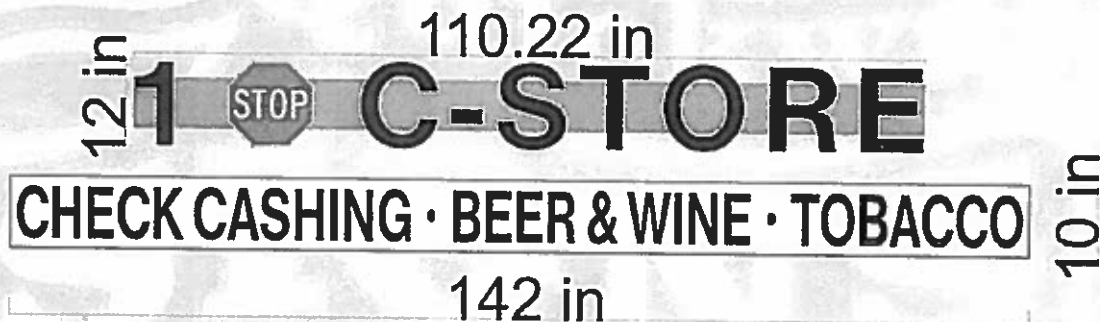
(6)

CUSTOMER INFO		JOB DESCRIPTION
Contact: Sunny		See Graphics
Company: 1 Stop C-Store		
Phone #: 807-692-6327		Due Date: NA
Email: finawaxahachie@gmail.com		
Date: 08/27/18		

**PRICE**

Letters: \$2,300  
Box Sign: \$1,000  
Installation: \$300  
Subtotal: \$3,600  
**Price does not include:**  
Removing old sign:  
Tax  
Permits

**12" Channel Letters on Raceway**



**Black Vinyl on LED lit sign box**

**PLEASE PROOF READ CAREFULLY. AFTER APPROVAL, QUICKWAY SIGNS WILL NOT BE FINANCIALLY RESPONSIBLE FOR ERRORS ON PROOF.**

- ☐ I have verified the artwork.
- ☐ I have verified the colors.
- ☐ I have verified the text and spelling.
- ☐ I have verified the layout.
- ☐ I have read and agree to all disclaimers.

- ☐ Approved. No Changes Required
- ☐ Please make the noted changes



306 W. Main St.  
Waxahachie, TX 75165  
972-937-7446  
quickwaysigns@usa.net

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

(7)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A CONVENIENCE STORE USE WITHIN A PLANNED DEVELOPMENT-18-GENERAL RETAIL (PD-18-GR) ZONING DISTRICT, LOCATED AT 507 N HIGHWAY 77, SUITE 800, BEING PROPERTY ID 175004, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1&3, BLOCK A IN THE NORTHGATE PLAZA SUBDIVISION, 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 PD-18-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-18-0148. 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 PD-18-GR to PD-18-GR, with an SUP in order to permit a Convenience Store use on the following property: Lot 1&3, Block A of the Northgate Plaza subdivision, which is shown on Exhibit A, in accordance with the Site Layout Plan attached as Exhibit B.

The following conditions and restrictions shall apply: This ordinance repeals Ordinance No. 2532. Further, this ordinance and the SUP issued hereunder is automatically nullified and of no effect if any of the following situations arise: (1) the 1 Stop C-Store ceases to occupy Suite 800; (2) the business changes its name; or (3) the business owner changes from Sailesh Kharel to another person or entity. Additionally, the sale of specialty paraphernalia is expressly prohibited, and no exterior signage shall reference or mention the sale of tobacco and/or alcohol.

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.

(7)

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

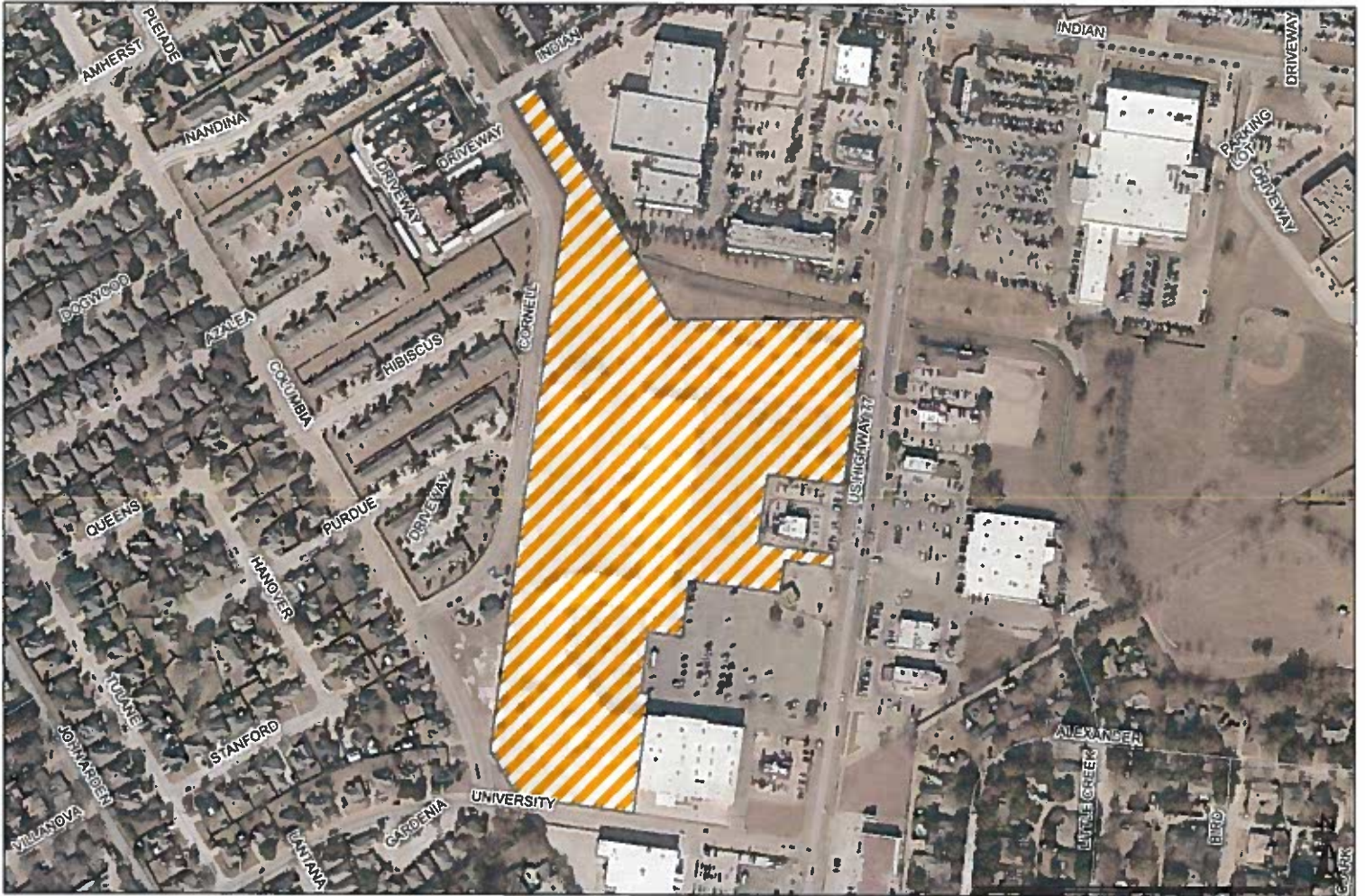
**PASSED, APPROVED AND ADOPTED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary

(7)



**EXHIBIT A SU-18-0148 507 N Hwy 77  
Suite 800 - Convenience Store  
Location Exhibit**

**Legend**

 SU-18-0148

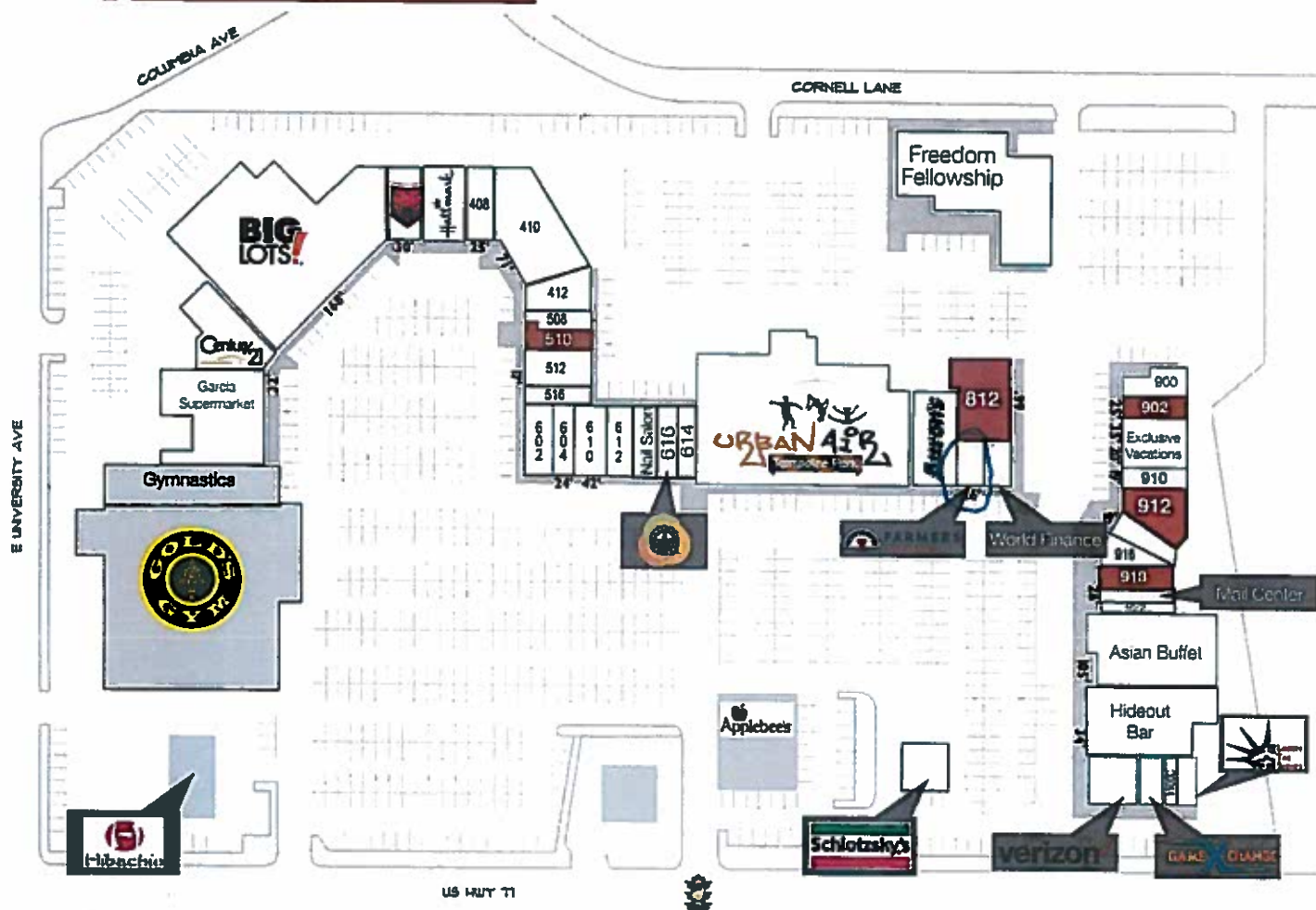
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the City of Waxahatchie for the sole purpose of geographic reference. No warranty is made by the City of Waxahatchie regarding specific accuracy or completeness.

(7)

**EXHIBIT B**

For Lease  
Multiple Suites  
1,390-5,362 SF

Northgate Plaza  
507 N. U.S. Highway 77  
Waxahachie, Texas 75165



Suite	Tenant Name	Size
200	Garcia Supermarket	11,064
210	Century 21	4,289
300	Big Lots	30,166
404	CobraTec Knives	2,400
408	Glenda's Hallmark	3,600
408	Gigi Salon	1,983
410	Freedom Fellowship	8,005
412	Freedom Fellowship	3,231
508	Freedom Fellowship	1,477
510	AVAILABLE	2,119
512	Dr. Singleton DDS	2,403
516	Express Personal	1,445
602	Livingston Hearing Aid Center	1,792
604	Tranquility Spa & Salon	1,775
610	Sun Yur Bunz	2,868
612	Painting with a Twist	1,800
614	Fruteria Chely	1,125
616	Smoothie Factory	1,700
616A	Nail Salon	2,620
700	Urban Air	29,475
716	Aaron Rental	6,472
800	Farmers Insurance	1,580

Suite	Tenant Name	Size
804	World Finance	1,864
812	AVAILABLE	5,362
900	Am General Financial	1,300
902	AVAILABLE	2,800
904	Exclusive Vacations	2,659
910	B-6 (Chick Fil A Training)	1,364
912	AVAILABLE	3,266
914	Lash	1,196
916	Bow Wow Barbers	1,896
918	AVAILABLE	1,390
920	Mail Center	1,812
922	Kelly Wiser Salon	1,080
950	Asian Buffet	10,407
955-1000	Hideout Bar	8,290
1100	Verizon Wireless	3,500
1100B	Game X Change	1,800
1100C	Elf Shoe Repair	900
1100A	Liberty Tax	1,464
1201	Schlotzsky's	1,993
1300	Freedom Fellowship	17,840

**NAL** Robert Lynn  
RETAIL division

4851 LBJ Freeway 10<sup>th</sup> Floor  
Dallas TX 75244  
214 256 7100  
nairretail.com

# Planning & Zoning Department

## Plat Staff Report

**Case: RP-18-0150**



### MEETING DATE(S)

*Planning & Zoning Commission:* October 9, 2018

*City Council:* October 15, 2018

### CAPTION

Request by Donald R Phillips Jr, Phillips Custom Builders, for a Replat of Lots 60 and 61, Block 181, Town Addition to create Lot 1, Phillips Addition, 0.149 acres (Property ID 171357 and 171358) – Owner: PHILLIPS DONALD R JR (RP-18-0150)

### CASE INFORMATION

*Applicant:* Donald R Phillips Jr, Phillips Custom Builders

*Property Owner(s):* Donald R Phillips Jr

*Site Acreage:* 0.149 acres

*Number of Lots:* 1 lot

*Number of Dwelling Units:* Currently undeveloped

*Park Land Dedication:* N/A

*Adequate Public Facilities:* Yes

### SUBJECT PROPERTY

*General Location:* 114 and 116 Jarrett Avenue

*Parcel ID Number(s):* 171357 and 171358

*Current Zoning:* Single Family-3

*Existing Use:* Currently undeveloped

*Platting History:* Town addition was platted over 100 years ago. Lots 60 and 61 currently exist as they were shown on the Hawkins Map, dated May 1, 1946.

**Site Aerial:****STAFF CONCERNS**

1. From what the City can establish, in this neighborhood, the residences and rights of way were not constructed as designated on the recorded plat. A discussion with the City Engineer, Director of Public Works, and Stuart Hamilton (the Surveyor) revealed that this discrepancy was discovered years ago when the City reconstructed the street. After consultation with the then-City Attorney, Steve Chapman, it was decided to rebuild the road where it then stood, because to correct the mistake and construct the road where the plat showed it should be constructed would have resulted in the complete removal of existing residences, or the placement of right-of-way at residences' front doors. The property owner is willing to dedicate the ROW to contain the street as it currently exists, however, he requests a waiver from the need to establish a fifteen (15) foot utility easement along Jarrett Avenue. City staff do not have concerns with waiving the easement.

**APPLICANT RESPONSE TO CONCERNS**

1. Applicant submitted a revised plat drawing. All comments cleared. The above concern is an explanation of the history of this land.

**RECOMMENDATION**

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

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

**ATTACHED EXHIBITS**

1. Plat drawing

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION***Prepared by:*

Kelly Dent, MPA

Planner

[kdent@waxahachie.com](mailto:kdent@waxahachie.com)*Reviewed by:*

Shon Brooks, AICP

Director of Planning

[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)**ACTION SINCE INITIAL STAFF REPORT**

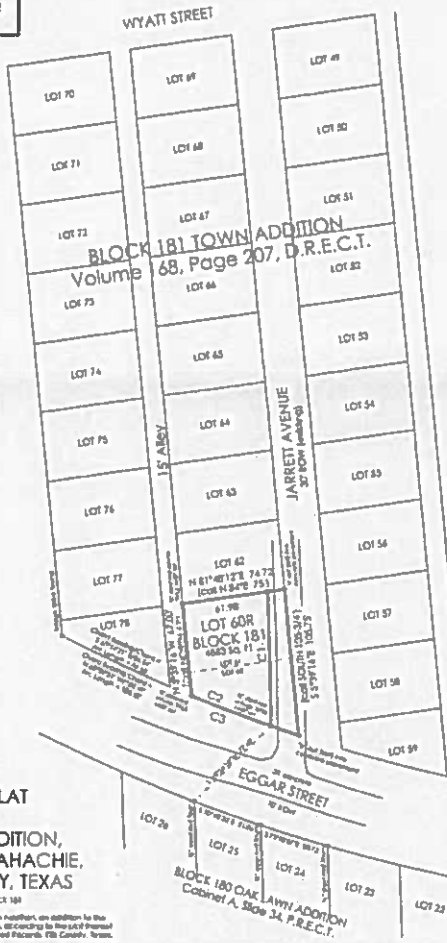
At the Planning & Zoning Commission meeting, held October 9, 2018, the Commission voted 6-0 to recommend approval of plat no. RP-18-0150, subject to staff comments.

(8)

CURVE DATA					
Curve	Delta Angle	Radius	Arc	Chord	Chord Bearing
1	2°08'23"	2590.00	86.72	86.71	S 1°51'16"E
2	3°01'14"	1158.79	61.10	61.10	N 69°43'42"W
3	4°05'12"	1158.79	82.65	82.67	N 70°15'40"W

The graphic location of the subject tract on the Plat of Emergency Management Agency (P.E.M.A.), Flood Insurance Rate Map Community Panel Number 48139C0100, effective on June 1, 2013, indicates that the subject tract is located within ZONE "2" (unshaded) which is determined by FEMA as "Areas to be outside the 0.2% annual chance floodplain".

OWNER INFORMATION  
Don Phillips  
4081 Rolling Woods Lane  
McClouth, Texas 76045  
Telephone 817-793-4372



FINAL PLAT  
OF  
PHILLIPS ADDITION,  
CITY OF WAXAHACHIE,  
ELLIS COUNTY, TEXAS  
LOT 60R, BLOCK 181

Range Lot 60 and 61, Block 181, Town Addition, on addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Volume 168 Page 327, Deed Records, Ellis County, Texas.

STATE OF TEXAS  
COUNTY OF ELLIS

FIELD NOTES for dedication  
WHEREAS, Donald R. Phillips, Jr., being the owner of the tract of land situated in Waxahachie, Ellis County, Texas, and being Lots 60 and 61, Block 181, Town Addition on addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Volume 168, Page 327, Deed Records, Ellis County, Texas, and being the tract described in deed from Land View to Donald R. Phillips, Jr., recorded in Instrument Number 1811133, Official Public Records, Ellis County, Texas, and, being more particularly described by its metes and bounds as follows:

BEGINNING at 1/4 inch steel rod with plastic cap stamped "RPLS 4480" set on the east line of a 15 foot wide alley ends at the northwest corner of said Lot 61 and the southeast corner of Lot 62 of said Block 181, Town Addition;

THENCE N 81°46'12" E, with the common line of said Lots 61 and 62 for 74.72 feet (call N 84°E, 71 feet) to an "X" cut into concrete street surface at the common east corner of said Lots 61 and 62 and on the west line of Jarrett Avenue, leaving a 30 foot right of way;

THENCE S 8°39'16" E, with the east line of said Lots 61 and 62 and the west line of said Avenue, 105.75 feet (call SOUTH 105-3/4 feet) to an "X" cut into concrete street surface at the southeast corner of said Lot 62 and at the intersection of the west line of said Avenue with the northern line of Eggar Street having a 70 foot right of way and being in a curve to the right with a radius of 1158.79 feet;

THENCE NORTHWESTERLY with the common line of said Lot 60 and Eggar Street and with the line of said Alley, having a central angle of 4°05'12" and a chord bearing and length of N 70°15'40" W, 82.67 feet, for an arc length of 82.65 feet to a 1/4 inch steel rod with plastic cap stamped "RPLS 4480" set on said alley east line and at the southeast corner of said Lot 60;

THENCE N 70°15'40" W, with the west line of said Lots 60 and 61 and the east line of said alley 67.20 (call NORTH 67 feet) to the point of beginning and containing approximately 0.488 square feet or 0.145 acre of land.

THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That, Donald R. Phillips, Jr., do hereby select this plat designating the herein above described property as FINAL PLAT OF PHILLIPS ADDITION, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, on addition to the City of Waxahachie, Texas, and does hereby indicate, as he deems, to the public use hereof, the streets and alley 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 hereof, 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, and use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems as used 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, maintaining, inspecting, repairing, modernizing, rebuilding, and adding to or removing all or parts of their respective systems without the necessity of anyone procuring permission from anyone.

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

Witness my hand on this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Donald R. Phillips, Jr.,

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 Donald R. Phillips, Jr., 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 consideration therein expressed.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Notary Public My Commission Expires on \_\_\_\_\_

APPROVED BY: Planning and Zoning Commission City of Waxahachie

I certify that the above and foregoing FINAL PLAT OF PHILLIPS ADDITION, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, was approved by the Planning and Zoning Commission City of Waxahachie, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

APPROVED BY: City Council City of Waxahachie

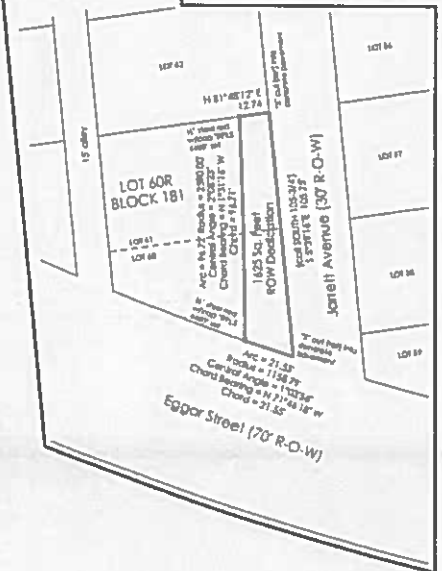
I certify that the above and foregoing FINAL PLAT OF PHILLIPS ADDITION, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, was approved by the City Council City of Waxahachie, Texas.

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

Attest: \_\_\_\_\_  
Clerk Date

INSET OF RIGHT OF WAY  
DEDICATION

Scale: 1" = 30'



I declare that this plat hereon is the representation of an actual and accurate survey made on the ground on July 1, 2016, and that same monuments were found or set under my personal supervision, the bearings were taken on the ground on the lines of the plat hereon, and the distances were measured by a steel tape or by a steel chain, and the survey was made for the benefit of Don Phillips.

\_\_\_\_\_  
Notary Public



Copy \_\_\_\_\_ of \_\_\_\_\_ signed on \_\_\_\_\_  
Drawn by: \_\_\_\_\_  
JOHN H. C. 181/08P

ELLIS ASSOCIATES  
221 North College  
Waxahachie, Texas 76080  
817-793-4372  
www.ellisassociates.com

(8)

**CASE RP-18-0150**

***SUPPORT* 0**

***OPPOSE* 1**

Request by Donald R Phillips Jr, Phillips Custom Builders, for a **Replat** of Lots 60 and 61, Block 181, Town Addition to create Lot 1, Phillips Addition, 0.149 acres (Property ID 171357 and 171358)  
– Owner: PHILLIPS DONALD R JR (RP-18-0150)

**OPPOSE**

1. Cynthia Moore, 1400 Hamilton Drive, Cedar Hill, TX 75104  
-----

(8)

sent  
10/13/18



**City of Waxahachie, Texas**  
**Notice of Public Hearing**  
**Case Number: RP-18-0150**



**MOORE CLAYTON D**  
**C/O CYNTHIA MOORE**  
**1400 HAMILTON DR**  
**CEDAR HILL, TX 75104**

The Waxahachie City Council will hold a Public Hearing on Monday, October 15, 2018 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

*Request by Donald R Phillips Jr, Phillips Custom Builders, for a Replat of Lots 60 and 61, Block 181, Town Addition to create Lot 1, Phillips Addition, 0.149 acres (Property ID 171357 and 171358) – Owner: PHILLIPS DONALD R JR (RP-18-0150)*

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

Case Number: RP-18-0150             SUPPORT        /   OPPOSE

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

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, OCTOBER 3, 2018** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com).

Signature

Date

Cynthia Moore - owner  
Printed Name and Title

10/1/18  
Date  
1400 Hamilton Dr Cedar Hill 75104  
Address

# Planning & Zoning Department

## Zoning Staff Report

**Case: PD-18-0110**



### MEETING DATE(S)

*Planning & Zoning Commission:* October 9, 2018

*City Council:* October 15, 2018

### CAPTION

Request by Todd Wintters, Engineering Concepts & Design L.P., for a Zoning Change from a Single Family-1 zoning district to **Planned Development-Single Family-3, with Concept Plan**, located West of Ovilla Road and 800' South of Highway 287 being 1080 WM C TUNNELL 119.683 ACRES (Property ID 191627) - Owner: A ONE PLUS INVESTMENT GROUP LLC (PD-18-0110)

### CASE INFORMATION

*Applicant:* Todd Wintters, Engineering Concepts & Design LP

*Property Owner(s):* A One Plus Investment Group LLC

*Site Acreage:* 119.948 acres

*Current Zoning:* Single Family-1

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

### SUBJECT PROPERTY

*General Location:* South of 601 Ovilla Road

*Parcel ID Number(s):* 191627

*Existing Use:* Currently undeveloped

*Development History:* The Preliminary Plat for Ridge Crossing was approved by City Council on June 5, 2017.

*Adjoining Zoning & Uses:*

Direction	Zoning	Current Use
North	C	Currently undeveloped
East	C	Single family residence
South	SF1	Currently undeveloped
West	SF1	Undeveloped WISD property

*Future Land Use Plan:* Low Density Residential with a portion on the Northern side being Highway 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.

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 FM 664, a Major Thoroughfare B (110' ROW) and is traversed by an east-west Proposed Secondary Thoroughfare D (80' ROW) that enters the property in the northwest corner and makes its way to the eastern edge.



***Site Image:***

**PLANNING ANALYSIS**

The applicant seeks to rezone this property from SF1 to PD-SF3 to allow for smaller lots. This property's preliminary plat was approved by City Council on June 5, 2017, with 183 lots that met SF1 zoning requirements. The property has since changed hands, and the new owners wish to rezone the property to smaller lot sizes.

Included in the development is an east to west connection through the neighborhood that meets the intent of the City's thoroughfare plan. The 80-foot Right of Way through this development establishes a connection from Ovilla Road to the previously zoned and platted Mark on Solon Right of Way dedication.

**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.

Requirement	SF3	Proposed
Minimum lot size	10,000 SF	9,400 SF
Minimum lot width	Eighty (80) feet	Seventy (70) feet
Minimum lot depth	100 feet	125 feet, though corner and elbow lots will have a minimum depth of 110 feet
Minimum front yard setback	Thirty (30) feet	Twenty-five (25) feet
Minimum side yard setback	Ten (10) feet; Fifteen (15) feet to ROW	Seven (7) feet
Maximum lot coverage	Fifty (50) percent	Forty-five (45) percent

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 20 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 07/27/2018.

**STAFF CONCERNS**

1. The applicant proposes to dedicate park land to the City. Any decision on whether a dedication will be accepted needs to be coordinated with the Director of Parks & Recreation. At this point, staff is unaware of a decision by the City to accept this land. Should the City decline to accept the proposed dedication, park fees of \$106,000.00 will be assessed at platting.
2. The City would prefer to see a minimum dwelling unit area (DUA) of 2,200 SF.
3. The screening wall and landscaping will need to be relocated. There is a 24" proposed water line along Ovilla. The City does not permit trees to be planted over its water lines, and TxDOT will not allow City water lines within its ROW.

**APPLICANT RESPONSE TO CONCERNS**

1. Applicant submitted a landscape plan and revised concept plan. 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. The applicant proposes to dedicate park land to the City. Any decision on whether a dedication will be accepted needs to be coordinated with the Director of Parks & Recreation. At this point, staff is unaware of a decision by the City to accept this land. Should the City decline to accept the proposed dedication, park fees of \$106,000.00 will be assessed at platting.
  2. The City would prefer to see a minimum dwelling unit area (DUA) of 2,200 SF.
  3. The screening wall and landscaping will need to be relocated. There is a 24" proposed water line along Ovilla. The City does not permit trees to be planted over its water lines. Nor does TxDOT allow City water lines within its ROW.

**ATTACHED EXHIBITS**

1. Concept plan
2. Concept plan provisions
3. 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 a set of drawings that incorporate all comments.

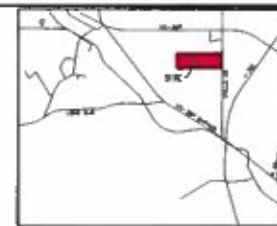
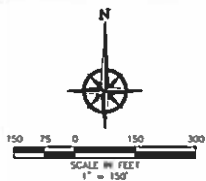
**STAFF CONTACT INFORMATION**

*Prepared by:*  
 Kelly Dent, MPA  
 Planner  
[kdent@waxahachie.com](mailto:kdent@waxahachie.com)

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

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting, held October 9, 2018, the Commission voted 5-1 to recommend approval of zoning change PD-18-0110, subject to staff comments, with the provision that the minimum lot size should be set at 10,000 SF, and the minimum DUA should be set at 2,200 SF. The applicant agreed to ensure the planting of Crape Myrtles in the landscaping; stated that he would redesign the concept plan to accommodate the City's proposed water line, thereby moving the screening wall and landscaping inwards by twenty (20) feet; and confirmed that there will be five (5) foot wide sidewalks on both sides of Boulder Lane. At this point, staff has not received a revised concept plan that depicts all changes. Staff has received a resubmittal that addresses all comments save the landscape plan. It should be noted that this request is for a Planned Development (PD) Concept Plan. The second part of the PD process is the Detailed Site Plan. If the Concept Plan ordinance is adopted, then the applicant's Detailed Site Plan will be administratively reviewed and can be approved in accordance with the Concept Plan.



VICINITY MAP  
4-15



**TYPE COLOR CHART**

<span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span>	10,000 S.F. MINIMUM (263 LOTS)
<span style="background-color: green; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span>	COMMON AREA (5 TRACTS)

10,000 S.F. Min.  
MINIMUM LOT 1 AND 14 70'  
MINIMUM LOT DEPTH 125'  
55' x 75' PAD  
SIDE INTERIOR 1'  
SIDE STREET 15'  
FRONT 25'  
REAR 20'

- Notes**
- Development of a preliminary subdivision map to show the proper dimensions of the lots and proposed street layout shall be done. Utility facilities and drainage system and subdivision of land shall be done.
  - A minimum of 1,000 square feet of 6-foot public utility easement shall be provided along the street frontage adjacent to the lot. The easement shall be provided to the lot owner.
  - Utility easement shall be provided within the 10-foot street frontage adjacent to the lot. The easement shall be provided to the lot owner.
  - Public facilities shall be provided. The public facilities shall be provided to the lot owner.
  - All residential lots shall be 10,000 square feet or more. The lot area shall be 10,000 square feet or more.
  - A minimum of 1,000 square feet of 6-foot public utility easement shall be provided along the street frontage adjacent to the lot. The easement shall be provided to the lot owner.

**OWNER**  
**LAND PLUS INVESTMENT**  
**"GROUP LLC"**  
8041 FOREST HILL DRIVE  
SPRING, TX 75081  
(936) 371-8257

**LAND SURVEYOR**  
**CRISTIAN SURVEYING CO., LLC**  
1001 ANGLADE BLVD. SUITE 115  
LONGVIEW, TX 75604  
(936) 293-1999  
FAX (936) 293-1570  
PENDING: 1001 ANGLADE BLVD. SUITE 115, LONGVIEW, TX 75604

**PD SITE PLAN**  
**RIDGE CROSSING**  
**263 RESIDENTIAL LOTS**  
**5 COMMON AREA TRACTS**  
**119.948 ACRES**  
SITUATED IN THE  
WILLIAM C. TUNNELL SURVEY, ABST. NO. 1080  
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS  
**ENGINEERING CONCEPTS & DESIGN, L.P.**  
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES  
TEXAS FIRM REG. NO. 001140  
201 WOODROW CHURCH, SUITE 200, WYLLIE, TEXAS 75090  
(972) 941-6400 FAX (972) 941-6401  
DATE: October 15, 2008

(10)

**EXHIBIT B**  
**CONCEPT PLAN PROVISIONS**

Purpose and Intent

The purpose and intent of this Planned Development (PD) develop 119.948 acres that is to be known as Ridge Crossing will be developed as a residential development featuring 265 single-family lots and 30.084 acres of open space. Any conditions found within the Single Family Residential-3 (SF3) zoning district that are not written herein, shall default to the City of Waxahachie's Code of Ordinances, as amended.

Compliance with the City's Comprehensive Plan

Zoning District SF3 is the intended base zoning classification underlying this PD. The SF3 zoning district as herein established have been made in accordance with an adopted comprehensive plan for the purpose of promoting the public health, safety, morals and general welfare, convenience, and protecting and preserving places and areas of historical, cultural or architectural importance and significance in the City. They have been designed to lessen the congestion in the streets; to secure safety from fire, panic and other dangers; to ensure adequate light and air; to prevent the over-crowding of land, to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, wastewater treatment, schools, parks, and other public requirements. They have been made with reasonable consideration, among other things, for the character of the district, and its peculiar suitability for the particular uses specified; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city.

PD District Development Standards

***Description of Request***

- A Planned Development on 119.948 acres within the City of Waxahachie.

**Proposed Use of Property**

The proposed zoning classification for the 119.948 acres that is to be known as the Ridge Crossing will be a PD. Except as noted in the following development standards for the project, the base zoning district standards for SF3 shall apply. The proposed land use for Ridge Crossing is a mixed residential use with two (2) single-family zoning classifications, and five (5) common areas totaling 30.08429.326 acres. The residential units a maximum overall density of 2.20 units per acre or approximately 263 residential lots. A minimum lot size is 10,000 square feet in this Planned Development.

**Parks/Community Green District**

The open space development concept of Ridge Crossing is to create a family-oriented community, whether public or private, or Community Green shall be used for recreational use or preservation of open space and shall count toward the required Parkland dedication required herein and offering the following features:

1. Development of a mandatory homeowner's association to assure the proper maintenance of the landscaped and irrigated areas, open space areas, entry features and detention areas, and enforcement of deed restrictions.
2. A minimum of 1,400 linear feet of eight- (8) foot public hike and bike trail along the open space adjacent to the sixty (60) foot collector street that could be extended into future communities.
3. On-site playground equipment within the 1.79 acres of open space dedication to be maintained by the HOA.
4. Park Benches, Pet Stations, Playground, Dog Park and Trash receptacles throughout the open space and park areas.
5. All residential lots are within a five (5) minute walk of a Park\Open Space.
6. A required ornamental fence with enhanced landscaping will be constructed along the eighty (80) foot collector roadway where residential lots are adjacent.

(10)

General Development Requirements

The development standards set forth for Ridge Crossing are compatible with the base zoning district standards for SF3. The following development standards shall be applicable within the project:

Requirement	Type A
Minimum lot size	10,000 SF
Minimum lot width	Eighty (80) feet
Minimum lot depth	125 feet (cul-de-sac and elbow lots: 110 feet)
Minimum DUA	2,200 SF
Front yard setback	Twenty-five (25) feet
Rear yard setback	Twenty-five (25) feet
Side yard setback	Seven (7) feet
Maximum lot coverage	Forty-five (45) percent

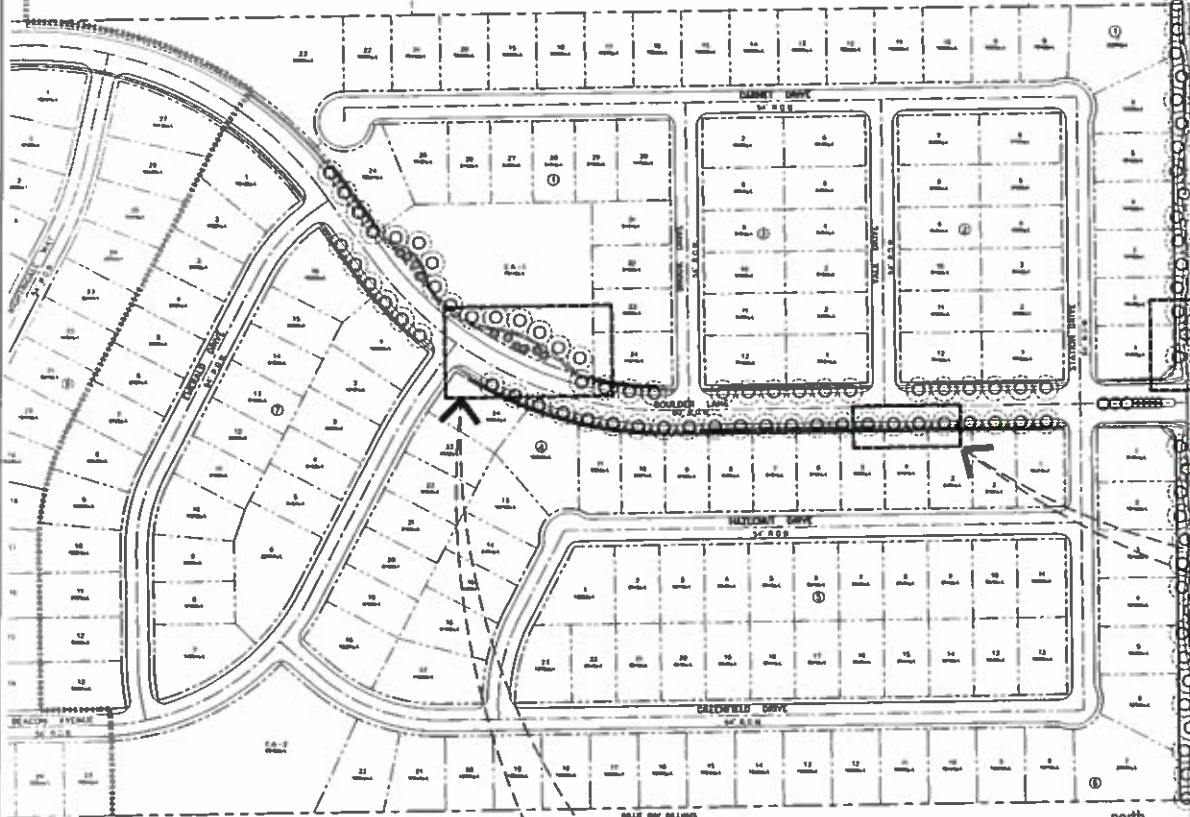
Maximum Residential Density --

2.20 lots per acre

PHASE TWO  
PHASE ONE

LOT 1, BLOCK 8  
CITY OF AUSTIN  
CAR & PLE 500  
P.L.C.T.

LOT 2, BLOCK 8  
CITY OF AUSTIN  
CAR & PLE 500  
P.L.C.T.



DALE HAY BUILDING  
VOL. 406, P.C. 426  
B.L.C.T.

# PLANT LEGEND

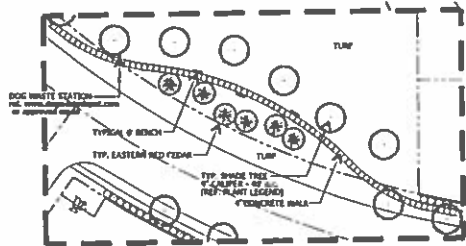


LIVE OAK  
BURM OAK  
RED OAK  
CHICKENPECK OAK  
CLOVER LEAF  
LACINIA ELM  
QUERCUS VIRGINIANA  
QUERCUS VINCIGRANA  
QUERCUS SPANISH  
QUERCUS PAULSTERNICA  
LEPIS CHAETOPHYLLA  
LEPIS PARVIFOLIA

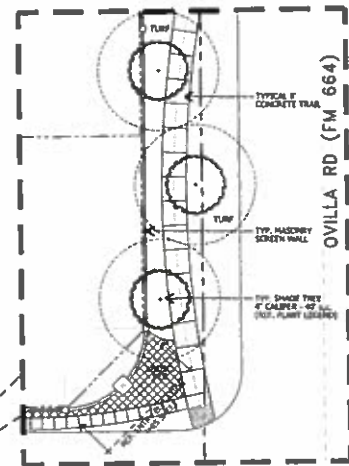
## PAVING SCREENING

1/2" x 1/2" x 1/2"  
(1/2" x 1/2" x 1/2")

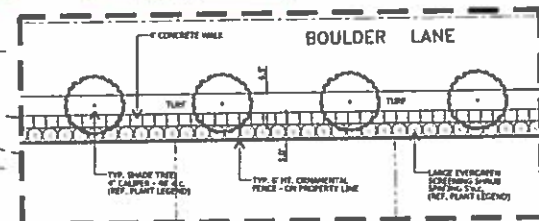
NE STIVERS HOLLY  
NEEDLEPOINT HOLLY  
DWARF HILL MYRTLE  
BLANCAHUS  
SLEA & HILLER & STEVENS  
ALEX KORNUTH NEEDLEPOINT  
HYDRANGEA RUBRA  
ELAEAGNUS MACROPHYLLA



COMMON AREA  
SCALE: 1" = 40'-0"

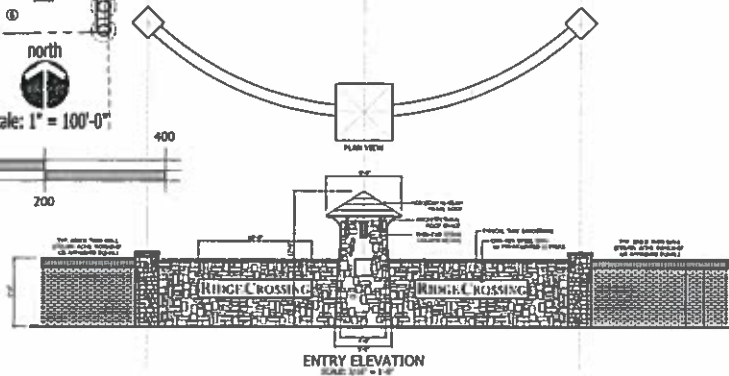


OVILLA RD (FM 664)



TYPICAL PARKWAY SCREENING  
SCALE: 1" = 20'-0"

24" Waterline Proposed within the 20 foot easement outside of the proposed ROW dedication



ENTRY ELEVATION  
SCALE: 1/8" = 1'-0"

appr. by:  
drawn by:  
date: 08-30-18

revisions



Leeming  
Design Group  
Landscape Architecture



CONCEPTUAL LANDSCAPE

RIDGE CROSSING  
PHASE ONE  
WAXAHACHIE, TEXAS

File Name:  
C:\Users\leeming\OneDrive\Projects\Ridge Crossing\Sheet LC-1.dwg

sheet  
LC-1

(10)

(10)

**CASE PD-18-0110**

**SUPPORT 0**

**OPPOSE 2**

*Request by Todd Wintters, Engineering Concepts & Design L.P., for a Zoning Change from a Single Family-1 zoning district to **Planned Development-Single Family-3, with Concept Plan**, located West of Ovilla Road and 800' South of Highway 287 being 1080 WMC TUNNELL 119.683 ACRES (Property ID 191627) - Owner: A ONE PLUS INVESTMENT GROUP LLC (PD-18-0110)*

**SUPPORT**

**OPPOSE**

1. Susanne Craig, 903 Leslie Drive, Arlington, TX 75167
  - a. "The beautiful 119 acres deserve something better than 1800 square foot houses. My house directly across the road is 2800 square feet. Ovilla Road is a little two lane road with no shoulders. It is not enough for more traffic."
2. Ryan Kahlden, CFO – WISD, 411 N Gibson Street, Waxahachie, TX 75165

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(10)



RECEIVED  
9/25/18

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: PD-18-0110



**CRAIG SARA S**  
903 LESLIE DR  
ARLINGTON, TX 75167

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 9, 2018 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 15, 2018 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

*Request by Todd Wintters, Engineering Concepts & Design L.P., for a Zoning Change from a Single Family-1 zoning district to Planned Development-Single Family-3, with Concept Plan, located West of Ovilla Road and 800' South of Highway 287 being 1080 WM C TUNNELL 119.683 ACRES (Property ID 191627) - Owner: A ONE PLUS INVESTMENT GROUP LLC (PD-18-0110)*

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

Case Number: PD-18-0110             SUPPORT        X   OPPOSE

Comments: *The beautiful 119 acres deserve something better than 1800 sq. ft. houses. My house directly across the road is 2800 sq. ft. Ovilla Rd. is a little two lane road with no shoulders. It is not enough for more traffic.*  
Your response to this notification is OPTIONAL. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, OCTOBER 3, 2018** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com).

*Susanne Craig*  
Signature

*9/25/18*  
Date

*Susanne Craig (prop. owner) 903 Leslie Dr. Arlington*  
Printed Name and Title      Address  
*Meredith Clanton 530 Ovilla Rd. Waxahachie*

(10)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: **PD-18-0110**



WAXAHACHIE ISD  
411 N GIBSON ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 9, 2018 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 15, 2018 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

*Request by Todd Wintters, Engineering Concepts & Design L.P., for a Zoning Change from a Single Family-1 zoning district to Planned Development-Single Family-3, with Concept Plan, located West of Ovilla Road and 800' South of Highway 287 being 1080 WM C TUNNELL 119.683 ACRES (Property ID 191627) - Owner: A ONE PLUS INVESTMENT GROUP LLC (PD-18-0110)*

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

Case Number: **PD-18-0110**

☐ SUPPORT

☒ OPPOSE

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

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, OCTOBER 3, 2018** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com).

Ry-Kahlden  
Signature

October 9, 2018  
Date

Ryan Kahlden, CFO  
Printed Name and Title  
Waxahachie ISD

411 N GIBSON ST.  
Address

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-1 (SF1) TO PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF3), WITH CONCEPT PLAN AND PLANNED DEVELOPMENT STANDARDS, ON PROPERTY LOCATED WEST OF OVILLA ROAD AND 800' SOUTH OF U.S. HIGHWAY 287 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 119.683 ACRES KNOWN AS PROPERTY ID 191627 IN THE WM C TUNNELL SURVEY, ABSTRACT NO. 1080, 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**, a proper application for a PD, with Concept Plan and Planned Development Standards, has been made in accordance with the zoning ordinances in the City of Waxahachie, said application having been assigned case number PD-18-0110. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from SF1 to PD-SF3, with Concept Plan and Planned Development Standards; 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 zoning amendment;

**NOW, THEREFORE**, this property is rezoned from SF1 to PD-SF3, with Concept Plan and Planned Development Standards, in order to facilitate development of the subject property in a manner that allows the development of a single-family residential neighborhood on the following property: Property ID 191627 of the WM C Tunnell Survey, Abstract No. 1080, which Property is shown on Exhibit A, in accordance with the Planned Development Standards attached as Exhibit B, the Conceptual Site Plan attached as Exhibit C, and the Conceptual Landscape Plan attached as Exhibit D.

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.

(11)

**PASSED, APPROVED, AND ADOPTED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
MAYOR

**ATTEST:**

\_\_\_\_\_  
City Secretary



(11)



# **EXHIBIT A PD-18-0110 Ridge Crossing Location Exhibit**

## **Legend**

 PD-18-0110

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the City of Waxahachie for the sole purpose of geographic reference. No warranty is made by the City of Waxahachie regarding specific accuracy or completeness.

(11)

**EXHIBIT B**  
**CONCEPT PLAN PROVISIONS**

Purpose and Intent

The purpose and intent of this Planned Development (PD) develop 119.948 acres that is to be known as Ridge Crossing will be developed as a residential development featuring 265 single-family lots and 30.084 acres of open space. Any conditions found within the Single Family Residential-3 (SF3) zoning district that are not written herein, shall default to the City of Waxahachie's Code of Ordinances, as amended.

Compliance with the City's Comprehensive Plan

Zoning District SF3 is the intended base zoning classification underlying this PD. The SF3 zoning district as herein established have been made in accordance with an adopted comprehensive plan for the purpose of promoting the public health, safety, morals and general welfare, convenience, and protecting and preserving places and areas of historical, cultural or architectural importance and significance in the City. They have been designed to lessen the congestion in the streets; to secure safety from fire, panic and other dangers; to ensure adequate light and air; to prevent the over-crowding of land, to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, wastewater treatment, schools, parks, and other public requirements. They have been made with reasonable consideration, among other things, for the character of the district, and its peculiar suitability for the particular uses specified; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city.

PD District Development Standards

***Description of Request***

- A Planned Development on 119.948 acres within the City of Waxahachie.

**Proposed Use of Property**

The proposed zoning classification for the 119.948 acres that is to be known as the Ridge Crossing will be a PD. Except as noted in the following development standards for the project, the base zoning district standards for SF3 shall apply. The proposed land use for Ridge Crossing is a mixed residential use with two (2) single-family zoning classifications, and five (5) common areas totaling 30.08429.326 acres. The residential units a maximum overall density of 2.20 units per acre or approximately 263 residential lots. A minimum lot size is 10,000 square feet in this Planned Development.

**Parks/Community Green District**

The open space development concept of Ridge Crossing is to create a family-oriented community, whether public or private, or Community Green shall be used for recreational use or preservation of open space and shall count toward the required Parkland dedication required herein and offering the following features:

1. Development of a mandatory homeowner's association to assure the proper maintenance of the landscaped and irrigated areas, open space areas, entry features and detention areas, and enforcement of deed restrictions.
2. A minimum of 1,400 linear feet of eight- (8) foot public hike and bike trail along the open space adjacent to the sixty (60) foot collector street that could be extended into future communities.
3. On-site playground equipment within the 1.79 acres of open space dedication to be maintained by the HOA.
4. Park Benches, Pet Stations, Playground, Dog Park and Trash receptacles throughout the open space and park areas.
5. All residential lots are within a five (5) minute walk of a Park/Open Space.
6. A required ornamental fence with enhanced landscaping will be constructed along the eighty (80) foot collector roadway where residential lots are adjacent.

(11)

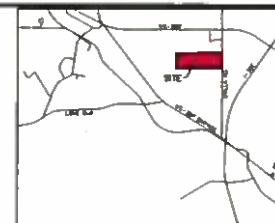
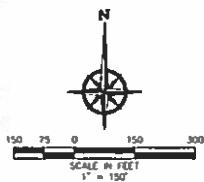
### General Development Requirements

The development standards set forth for Ridge Crossing are compatible with the base zoning district standards for SF3. The following development standards shall be applicable within the project:

Requirement	Type A
Minimum lot size	10,000 SF
Minimum lot width	Eighty (80) feet
Minimum lot depth	125 feet (cul-de-sac and elbow lots: 110 feet)
Minimum DUA	2,200 SF
Front yard setback	Twenty-five (25) feet
Rear yard setback	Twenty-five (25) feet
Side yard setback	Seven (7) feet
Maximum lot coverage	Forty-five (45) percent

Maximum Residential Density --

2.20 lots per acre



VICINITY MAP  
6-5



**TYPE COLOR CHART**

	10,000 S.F. MINIMUM (263 LOTS)
	COMMON AREA (5 TRACTS)

10,000 S.F. MIN.  
MINIMUM LOT WIDTH 70'  
MINIMUM LOT DEPTH 125'  
55' x 75' PAD  
SIDE INTERIOR 2'  
SIDE STREET 15'  
FRONT 25'  
REAR 20'

**Notes**

1. Development of a preliminary subdivision is provided to allow the proper subdivision of the land and proposed street layout to be shown. The subdivision is not intended to be a final subdivision and is subject to change.
2. A minimum of 100 feet from the center of the road to the center of the road is required for the 10' collection street that would be provided for the 10' collection street.
3. The proposed subdivision is subject to the 10' collection street that would be provided for the 10' collection street.
4. The proposed subdivision is subject to the 10' collection street that would be provided for the 10' collection street.
5. The proposed subdivision is subject to the 10' collection street that would be provided for the 10' collection street.
6. The proposed subdivision is subject to the 10' collection street that would be provided for the 10' collection street.

**EXHIBIT C**

**PD SITE PLAN  
RIDGE CROSSING**

263 RESIDENTIAL LOTS  
5 COMMON AREA TRACTS  
119.948 ACRES  
SITUATED IN THE  
WILLIAM C. TUNNELL SURVEY, ABST. NO. 1080  
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS  
ENGINEERING CONCEPTS & DESIGN, L.P.  
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES  
201 WYCKO CIRCLE, SUITE 200, WYCKO, TEXAS 76798  
(817) 941-0400 FAX (817) 941-0400

OWNER  
**3 ONE PLACE INVESTMENT GROUP, LLC**  
801 FOREST HILL DRIVE  
SPRING, TX 77061  
(832) 371-0297  
LAND SURVEYOR  
**CRISTIN SURFING CO., LLC**  
100 AVENUE G, SUITE 115  
LOUGHBOROUGH, TX 77048  
(936) 292-1500  
FAX (936) 292-1500  
FIRM NO. 100000000 AND NO. 100000000

DRAWN BY: [Name]  
DATE: [Date]

06-04-2014 10:00 AM

(12)

# Planning & Zoning Department

## Zoning Staff Report

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**Case: PD-18-0153**

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### MEETING DATE(S)

*Planning & Zoning Commission:* October 9, 2018

*City Council:* October 15, 2018

### CAPTION

Request by Mitchell Lenamond, ELD Engineering, Inc., for a Zoning Change from a Single Family-3 zoning district to **Planned Development-Single Family-3, with Concept Plan**, located SE of Parks School House Road, between US Highway 287 and MLK Jr Blvd, being 272 S M DURRET 7.371 ACRES (Property ID 239606) – Owner: JUAN CARLOS FLORES (PD-18-0153)

### CASE INFORMATION

*Applicant:* Mitchell Lenamond, ELD Engineering, Inc.

*Property Owner(s):* Juan Carlos Flores

*Site Acreage:* 7.370 acres

*Current Zoning:* Single Family-3

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

### SUBJECT PROPERTY

*General Location:* SE of Parks School House Road, between US Highway 287 and MLK Jr Blvd

*Parcel ID Number(s):* 239606

*Existing Use:* Currently undeveloped

*Development History:*

Case No.	Direction from Site	Request	Result
PD-18-0001	Northeast	PD	Approved, Ord. No. 3000

*Adjoining Zoning & Uses:*

Direction	Zoning	Current Use
North	SF3	Clift Estates
East	SF3	Clift Elementary
South	SF3	Currently undeveloped
West	SF3	Currently undeveloped

***Future Land Use Plan:*****Mixed Use Residential*****Comprehensive Plan:***

Areas with a mixture of residential and nonresidential uses, with a larger percentage of residential. Approximately 80 percent of the acreage or square footage of any proposed development should be residential, with the remaining 20 percent of the acreage or square footage nonresidential. Acreage would apply in a horizontal mixed use development, while square footage would apply in a vertical development. Both vertical and horizontal mixed use could be provided together.

***Thoroughfare Plan:***

The site is accessed via Owen Way (50' ROW) and Carter Court (60' ROW), both local streets.

***Site Image:*****PLANNING ANALYSIS**

The applicant seeks to establish a Planned Development to ensure that this final section of the Clift Estates neighborhood is consistent with the remainder of the neighborhood. In 2000, the zoning for this property and surrounding properties was established as SF3 and GR. Since 2000, our regulations for SF3 zoning have substantially changed, such that, to develop the southernmost portion of Clift Estates under our current regulations would result in a section of the neighborhood that is not in keeping with previously-built portions.

**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.

Requirement	SF3	Proposed
Minimum lot area	10,000 SF	6,000 SF
Minimum lot width	Eighty (80) feet	Sixty (60) feet
Minimum lot depth	100 feet	Ninety-five (95) feet
Minimum front yard setback	Thirty (30) feet	Twenty (20) feet
Minimum side yard setback	Ten (10) feet, Fifteen (15) feet to ROW	Five (5) feet, Fifteen (15) feet to ROW
Minimum rear yard setback	Thirty (30) feet	Fifteen (15) feet
Parking	Two (2) enclosed attached parking spaces behind the front plane of the building	Two (2) enclosed attached parking spaces behind the front plane of the building
Minimum DUA	1,200 SF	1,800 SF

- Internal streets: proposed 50' right-of-way with 30' back-to-back curb and gutter streets
- Cul-de-sacs: proposed 105' right-of-way diameter with 85' back-to-back curb diameter

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 37 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 9/21/18.

**STAFF CONCERNS**

1. Application fees of \$423.70 remain outstanding.
2. Park fees of \$8,800.00 will be assessed at platting.
3. If the applicant is approved for 50' ROW, then a 2' Sidewalk Easement on both sides of the ROW will be required.

**APPLICANT RESPONSE TO CONCERNS**

1. Applicant submitted revisions. The first concern remains outstanding; the second and third concerns are merely informative.

**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. Application fees of \$423.70 remain outstanding

**ATTACHED EXHIBITS**

1. Concept plan
2. Concept plan provisions
3. Easement plan
4. Elevations

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*

Kelly Dent, MPA

Planner

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

*Reviewed by:*

Shon Brooks, AICP

Director of Planning

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

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting, held October 9, 2018, the Commission voted 5-1 to recommend approval of zoning change PD-18-0153, subject to staff comments. The applicant has since paid the application fees. During the meeting, the applicant confirmed that sidewalks would be five (5) feet wide, and that the homes would be constructed of brick. It should be noted that this request is for a Planned Development (PD) Concept Plan. The second part of the PD process is the Detailed Site Plan. If the Concept Plan ordinance is adopted, then the applicant's Detailed Site Plan will be administratively reviewed and can be approved in accordance with the Concept Plan.

PRELIMINARY  
NOT FOR CONSTRUCTION

PG CORDET L-  
LIFT EST-TEST H



ERIC L. DAVIS ENGINEERING, INC.  
P-3987  
190 EAST WALN STREET  
Troy, Texas 75126  
972/564-0592 Fax 972/564-0523  
E-Mail [eric@ltdavisengineering.com](mailto:eric@ltdavisengineering.com)

PD CONCEPT PLAN  
ENGINEERED FOR  
CLIFT ESTATES  
PHASE V

PLANE PD COMPLETE	ADDITION: CRY ESTATES PHASE V
OLD JOB NO: 2045	ADDRESS: CARTER C3 / DOWN WAY
DRAWN BY: JL	VOL: 2584 PG: 1088
CHECKED BY: ML	CITY: WILLOWDALE, TX

WEST 61

**EXHIBIT B****CONCEPT PLAN PROVISIONS****Purpose and Intent**

The purpose and intent of this Planned Development (PD) is to allow for single family lots as shown in the attached PD Concept Plan. Conditions found in the Single Family Residential-3 (SF3) zoning district that are not written herein, shall default to the City of Waxahachie's Code of Ordinances, as amended.

**Compliance with the City's Comprehensive Plan**

Zoning District SF3 is the intended base zoning classification underlying this PD. The SF3 zoning district is intended to be similar to the SF2 except composed of detached single family residences on lots of not less than ten thousand square feet.

**PD District Development Standards*****Description of Request***

- To allow for single family zoning similar to adjoining Clift Estates Phase IV subdivision

***Proposed Use of Property***

- Develop single family residential lots similar in size to and adjoining Clift Estates subdivision

***General Development Requirements***

- Minimum lot size: 6,000 SF
- Minimum lot width: sixty (60) feet
- Minimum lot depth: ninety-five (95) feet
- Front yard setback: twenty-five (25) feet for lots 1-10; twenty (20) feet for lots 11-21
- Side yard setback: five (5) feet; fifteen (15) feet if adjacent to ROW
- Rear yard setback: fifteen (15) feet
- Internal streets: proposed 50' right-of-way with 30' back-to-back curb and gutter streets
- Cul-de-sacs: proposed 105' right-of-way diameter with 85' back-to-back curb diameter

CURVE ARC LENGTH	EXITS	DELTA ANGLE	CURVE DEPART	CHORD LENGTH
C1 122.85'	225.00'	54.00°	51.25'	122.85'

### METES AND BOUNDS DESCRIPTION

THENCE N 29° 43' 15" W A DISTANCE OF 273.96 FEET ALONG THE WEST LINE OF SAID 7.370 TRACT TO THE POINT OF BEGINNING AND CONTAINING 321,034.15 SQUARE FEET, 7.370 ACRES MORE OR LESS.



Subject on the Following:  
Volume 1392, Page 37, Volume 164, Page 101, EIGHT.





(12)

**CASE PD-18-0153**

**SUPPORT 1**

**OPPOSE 1**

*Request by Mitchell Lenamond, ELD Engineering, Inc., for a Zoning Change from a Single Family-3 zoning district to **Planned Development-Single Family-3, with Concept Plan**, located SE of Parks School House Road, between US Highway 287 and MLK Jr Blvd, being 272 S M DURRET 7.371 ACRES (Property ID 239606) – Owner: JUAN CARLOS FLORES (PD-18-0153)*

**SUPPORT**

1. Scott Thrush, 623 Antonio Lane, Waxahachie, TX 75165

**OPPOSE**

1. Paula Stephens, 128 Owen Way, Waxahachie, TX 75165

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(12)

This response was withdrawn by the property owner. See attached e-mail.



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: PD-18-0153



CSST ENTERPRISES LLC  
7202 HILL COUNTRY CT  
MIDLOTHIAN, TX 76065

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, October 9, 2018 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 15, 2018 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

*Mitchell Lenamond, ELD Engineering, Inc., for a Zoning Change from a Single Family-3 zoning district to Planned Development-Single Family-3, with Concept Plan, located SE of Parks School House Road, between US Highway 287 and MLK Jr Blvd, being 272 S M DURRET 7.371 ACRES (Property ID 239606) – Owner: JUAN CARLOS FLORES (PD-18-0153)*

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

Case Number: PD-18-0153             SUPPORT      ✓ OPPOSE

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

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, OCTOBER 3, 2018** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com).

Scott Thrush  
Signature

9/25/18  
Date

SCOTT THRUSH OWNER  
Printed Name and Title

623 ANTONIO LN  
Address

623 AC

WAX

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

(12)

## Wright, Destiny

---

**From:** Scott Thrush <Scott.Thrush@lifeschools.net>  
**Sent:** Tuesday, September 25, 2018 10:07 AM  
**To:** Wright, Destiny; Planning and Zoning Department  
**Cc:** Chris Smith  
**Subject:** RE: Notice of Public Hearing Case # PD-18-0153

Thanks for the clarification, with this in mind I would like to change my vote and would be for this.

Scott Thrush

Assistant Athletic Director | Life School | Central Office

132 East Ovilla Road, Suite A, Red Oak, TX, 75154 | 469-850-5433 ext 7225

E-mail: scott.thrush@lifeschools.net | Web: www.lifeschools.net Safety | Integrity | Professional | Data Informed | Innovative | It's not just School. It's LIFE.

623 Antonio Lane, Waxahachie, TX 75165

-----Original Message-----

**From:** Wright, Destiny [mailto:dwright@waxahachie.com]

**Sent:** Tuesday, September 25, 2018 9:59 AM

**To:** Scott Thrush; Planning and Zoning Department

**Cc:** Chris Smith

**Subject:** RE: Notice of Public Hearing Case # PD-18-0153

Thank you for your response. However, to clarify, this request is not for the development of apartments. This is for the development of 21 single family detached homes.. See attached concept plan provided by the property owner.

Please review and let me know if your response will remain as-is.

Destiny Wright

City of Waxahachie

Planning Technician

-----Original Message-----

**From:** Scott Thrush <Scott.Thrush@lifeschools.net>

**Sent:** Tuesday, September 25, 2018 8:59 AM

**To:** Planning and Zoning Department <planningandzoning@waxahachie.com>

**Cc:** Chris Smith <csmith5242@gmail.com>

**Subject:** Notice of Public Hearing Case # PD-18-0153

See attached, I am opposed to this zone changing for apartments.

Scott Thrush

-----Original Message-----

**From:** Scott Thrush

**Sent:** Tuesday, September 25, 2018 8:53 AM

**To:** Scott Thrush

(12)

Case Number: **PD-18-0153**

☐ SUPPORT

☒ OPPOSE

Comments: They can build those cheap houses somewhere else, but property taxes, and mortgage will go up.

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, OCTOBER 3, 2018** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [planningandzoning@waxahachie.com](mailto:planningandzoning@waxahachie.com).

Signature

Paula Stephens  
Printed Name and Title

Date

Address

9-26-18

128 Owen Way

RECEIVED  
10/3/18

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

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-3 (SF3) TO PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF3), WITH CONCEPT PLAN LOCATED SOUTHWEST OF PARKS SCHOOL HOUSE RD, BETWEEN US HIGHWAY 287 AND DR. MARTIN LUTHER KING, JR., BLVD IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 7.371 ACRES KNOWN AS PROPERTY ID 239606 OF THE SM DURRETY SURVEY, ABSTRACT NO 272, 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**, a proper application for a PD, with Concept Plan has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number PD-18-0153. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from SF3 to PD-SF3, with Concept Plan; 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 zoning amendment;

**NOW, THEREFORE**, this property is rezoned from SF3 to PD-SF3, with Concept Plan in order to facilitate development of the subject property in a manner that allows single family residences on the following property: Property ID 239606 of the SM Durrett Survey, Abstract No. 272, which is shown on Exhibit A, in accordance with the Concept Plan Provisions attached as Exhibit B and the Conceptual Elevation Plan attached as Exhibit C.

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.

(13)

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary

(13)



**PD-18-0153 Clift Estates Phase V  
Location Exhibit EXHIBIT A**

**Legend**

 PD-18-0153

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the City of Waxahachie for the sole purpose of geographic reference. No warranty is made by the City of Waxahachie regarding specific accuracy or completeness.

**EXHIBIT B**  
**CONCEPT PLAN PROVISIONS**

Purpose and Intent

The purpose and intent of this Planned Development (PD) is to allow for single family lots as shown in the attached PD Concept Plan. Conditions found in the Single Family Residential-3 (SF3) zoning district that are not written herein, shall default to the City of Waxahachie's Code of Ordinances, as amended.

Compliance with the City's Comprehensive Plan

Zoning District SF3 is the intended base zoning classification underlying this PD. The SF3 zoning district is intended to be similar to the SF2 except composed of detached single family residences on lots of not less than ten thousand square feet.

PD District Development Standards

***Description of Request***

- To allow for single family zoning similar to adjoining Clift Estates Phase IV subdivision

***Proposed Use of Property***

- Develop single family residential lots similar in size to and adjoining Clift Estates subdivision

***General Development Requirements***

- Minimum lot size: 6,000 SF
- Minimum lot width: sixty (60) feet
- Minimum lot depth: ninety-five (95) feet
- Front yard setback: twenty-five (25) feet for lots 1-10; twenty (20) feet for lots 11-21
- Side yard setback: five (5) feet; fifteen (15) feet if adjacent to ROW
- Rear yard setback: fifteen (15) feet
- Internal streets: proposed 50' right-of-way with 30' back-to-back curb and gutter streets
- Cul-de-sacs: proposed 105' right-of-way diameter with 85' back-to-back curb diameter

**EXHIBIT C**

图 1 研究区位置图



SCALE: 1 = 100%



SCALE version



Source: *Author's calculations*.

[illegible]

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**FLORES  
HOMES**



444/445

NEW HOUSE

ELEVATION  
 Station No: 082018  
 Date: 08-29-2018  
 Elevation: 318' ± 1'-0"  
 Station: 1 1

(14 + 15)



## Memorandum

To: Honorable Mayor and City Council  
From: Shon Brooks, Director of Planning  
Thru: Michael Scott, City Manager  
Date: October 12, 2018  
Re: PD-18-0152 – 1300 Wyatt, Robert Morgan Lots

---

This item was continued to the October 23, 2018, Planning and Zoning Commission meeting to allow City staff further time to determine how to address traffic control areas in the area.

# Planning & Zoning Department

## Plat Staff Report

**Case: PP-17-0169**



### MEETING DATE(S)

*Planning & Zoning Commission:* October 9, 2018

*City Council:* October 15, 2018

### CAPTION

**Consider** request by Kaitlyn Wurzbach, Jacobs Engineering Group, for a **Preliminary Plat** of Saddlebrook Estates Phase 2A, 2B, 3A, 3B, 4, 5 & 6 for 900 residential lots and 16 open space lots, being 299.378 acres out of the G. Carpenter Survey, Abstract No. 90 and M. Rafferty, Abstract No. 898 (Property ID 189842 and 241033) – Owner: 287 WAXAHACHIE LP (PP-17-0169).

### CASE INFORMATION

*Applicant:* Kaitlyn Wurzbach, Jacobs Engineering Group

*Property Owner(s):* 287 Waxahachie LP

*Site Acreage:* 299.378 acres

*Number of Lots:* 900 residential and 16 open space lots

*Number of Dwelling Units:* 900 units

*Park Land Dedication:* Applicant seeks to dedicate 7.05 acres

*Adequate Public Facilities:* It is expected that this property will be on City water and sewer, however, access to this property remains an issue.

### SUBJECT PROPERTY

*General Location:* Intersection of Pimlico Drive and Highway 287

*Parcel ID Number(s):* 189842 and 241033

*Current Zoning:* Planned Development-Single Family-1 (Ordinance 2302)

*Existing Use:* Currently undeveloped

*Platting History:* G. Carpenter Survey, Abstract No. 90 and M. Rafferty, Abstract No. 898. The Preliminary Plat for a portion of this land was approved by City Council on December 19, 2005. However, because a Final Plat for that land had not been approved by City Council within two (2) years, the Preliminary Plat expired.

**Site Aerial:****STAFF CONCERNS**

**PLANNING, CASE MANAGER – Kelly L. Dent (469) 309-4294**

1. Preliminary Plat
  - a. The applicant proposes to dedicate park land to the City. Any decision on whether a dedication will be accepted needs to be coordinated with the Director of Parks & Recreation. At this point, staff is unaware of a decision by the City to accept this land. Should the City decline to accept the proposed dedication, park fees of \$360,000.00 will be assessed at platting.
  - b. The Developer's Deposit of \$507.87 remains outstanding.
  - c. There remains substantial concern about the access to this site, specifically regarding the connections to Highway 287. The addition of these lots create additional connections to Highway 287 which alleviates concern over the existing one point of access. The additional points of access will be to the Highway 287 frontage road. However, the additional homes put more vehicles accessing Highway 287 in total.

**APPLICANT RESPONSE TO CONCERNS**

1. Applicant has reached out to staff, attended meetings, and submitted revisions. The above concerns 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.
- ☒ Additional consideration may be required.
  1. The City has reservations about platting 900 residential lots that will further increase this development's well-documented difficulties with access.
  2. The Developer's Deposit of \$507.87 remains outstanding. The City will need payment of this fee to continue providing engineering services.
  3. The applicant proposes to dedicate park land to the City. Any decision on whether a dedication will be accepted needs to be coordinated with the Director of Parks & Recreation. At this point, staff is unaware of a decision by the City to accept this land. Should the City decline to accept the proposed dedication, park fees of \$360,000.00 will be assessed at platting.

**ATTACHED EXHIBITS**

1. Preliminary plat key map
2. Preliminary plat drawings (6 pages)
3. Preliminary water plan (2 pages)
4. Preliminary sewer plan (3 pages)
5. Preliminary drainage plan (4 pages)
6. Preliminary landscape plan (2 pages)
7. CCRs

**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](mailto:kdent@waxahachie.com)

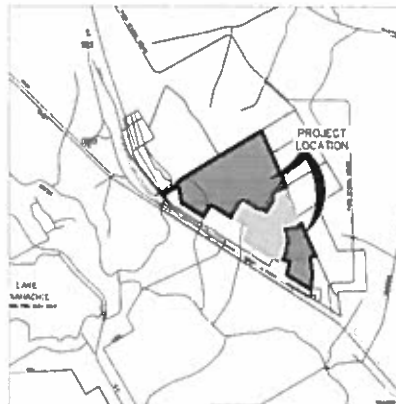
*Reviewed by:*  
 Shon Brooks, AICP  
 Director of Planning  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting, held October 9, 2018, the Commission voted 6-0 to recommend approval of plat no. PP -17-0169, subject to staff comments. City management has since determined that the proposed dedication of the 7.05-acre park is acceptable to the City, so the park fees will not be assessed.

(16)

PRELIMINARY PLAT  
FOR  
**SADDLEBROOK ESTATES**  
PHASE 2A, 2B, 3A, 3B, 4, 5 & 6  
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS  
AUGUST 2018



VICINITY MAP  
1" = 2000'

SHEET INDEX

- 1 - COVER SHEET
- 2 - KEY MAP
- 3 - PRELIMINARY MAP
- 4 - LEGAL DESCRIPTION
- 5 - PRELIMINARY PLAT LAYOUT (7)
- 6 - PRELIMINARY PLAT LAYOUT (7)
- 7 - PRELIMINARY PLAT LAYOUT (7)
- 8 - PRELIMINARY PLAT LAYOUT (7)
- 9 - PRELIMINARY PLAT LAYOUT (7)
- 10 - PRELIMINARY PLAT LAYOUT (7)
- 11 - SITE LAYOUT
- 12 - SITE LAYOUT (7)
- 13 - SITE LAYOUT (7)
- 14 - SITE LAYOUT (7)
- 15 - SITE LAYOUT (7)
- 16 - PRELIMINARY PLAT LAYOUT (7)
- 17 - PRELIMINARY PLAT LAYOUT (7)
- 18 - PRELIMINARY PLAT LAYOUT (7)
- 19 - PRELIMINARY PLAT LAYOUT (7)
- 20 - PRELIMINARY PLAT LAYOUT (7)
- 21 - PRELIMINARY PLAT LAYOUT (7)
- 22 - PRELIMINARY PLAT LAYOUT (7)
- 23 - PRELIMINARY PLAT LAYOUT (7)
- 24 - PRELIMINARY PLAT LAYOUT (7)

OWNER/DEVELOPER

2817 WAXAHACHIE, L.P.  
1800 VALLEY VIEW LANE, SUITE 300,  
FARMERS BRANCH, TEXAS 75234  
469-967-7200

ENGINEER:

**JACOBS**

1800 BRYAN STREET, SUITE 1200  
DALLAS, TX 75201-3136  
PHONE 214-638-0413  
FAX 214-638-0413  
JACOBS ENGINEERING GROUP, INC.  
TEXAS REGISTRATION # 0000000000

1800 BRYAN STREET, SUITE 1200  
DALLAS, TX 75201-3136  
PHONE 214-638-0413  
FAX 214-638-0413  
JACOBS ENGINEERING GROUP, INC.  
TEXAS REGISTRATION # 0000000000

PROJECT NO C3245313

SADDLEBROOK ESTATES

PRELIMINARY ENGINEERING



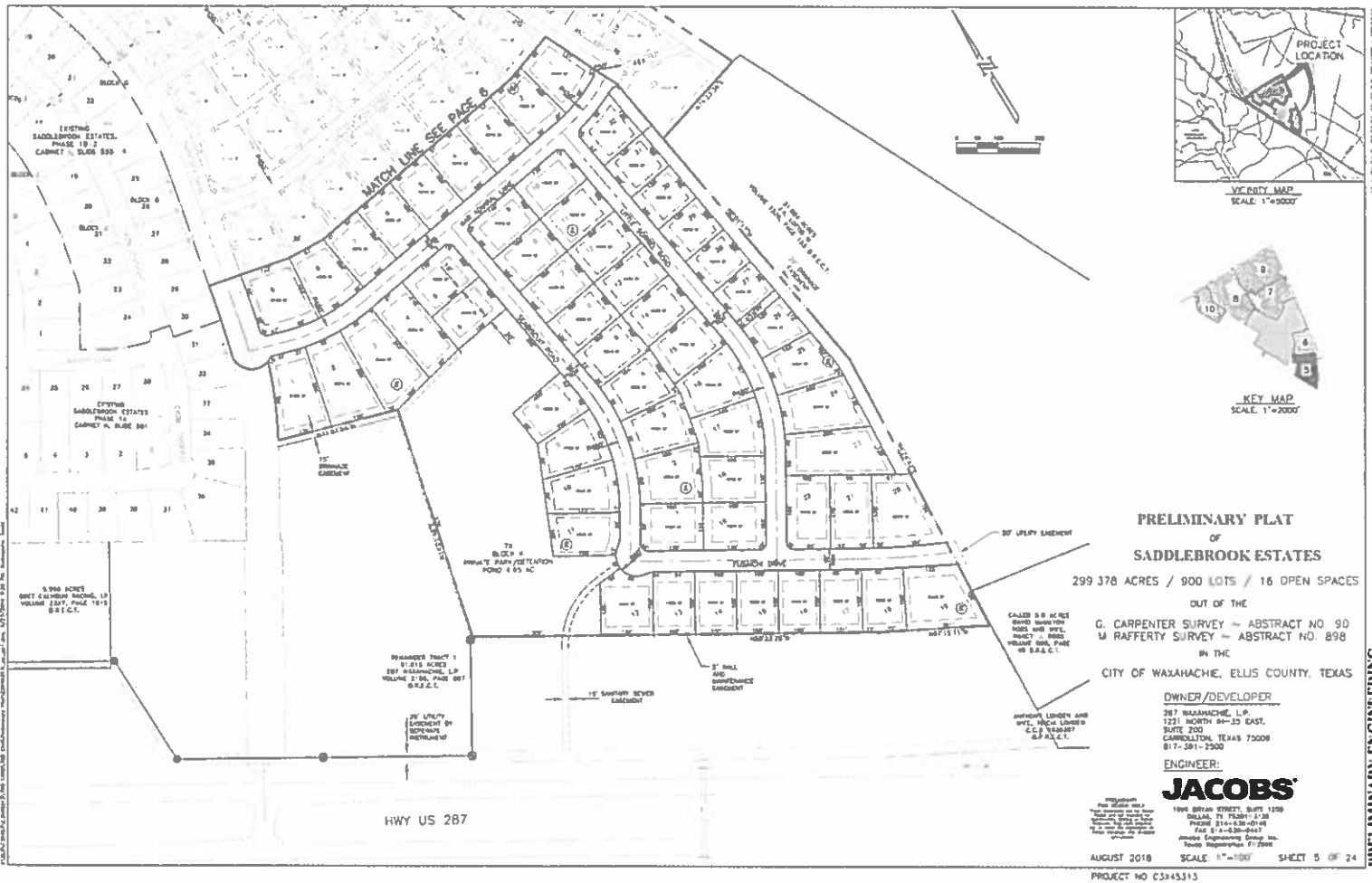
**SADDLEBROOK ESTATES**



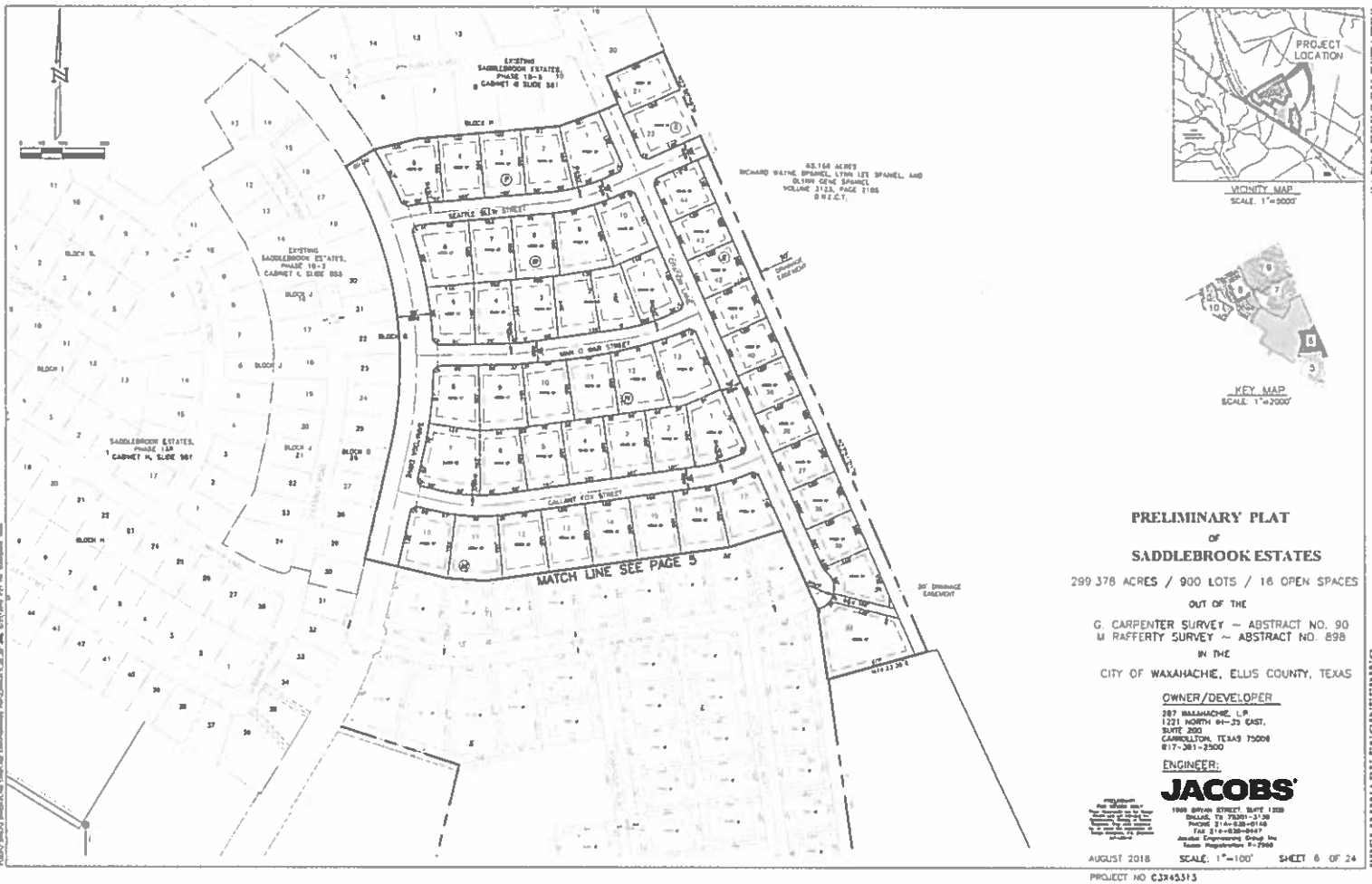


SADDLEBROOK ESTATES

## PRELIMINARY ENGINEERING



## PRELIMINARY ENGINEERING



(16)



SADDLEBROOK ESTATES

PRELIMINARY ENGINEERING

**SADDLEBROOK ESTATES**

## PRELIMINARY ENGINEERING



**SADDLEBROOK ESTATES**

## PRELIMINARY ENGINEERING



**PRELIMINARY PLAT  
OF  
SADDLEBROOK ESTATES**

299.378 ACRES / 900 LOTS / 16 OPEN SPACES

OUT OF THE  
G. CARPENTER SURVEY ~ ABSTRACT NO. 90  
M. RAFFERTY SURVEY ~ ABSTRACT NO. 898  
IN THE  
CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS

**OWNER/DEVELOPER**  
787 WAXAHACHE, L.P.  
1221 NORTH 99-32 EAST  
SUITE 200  
CANNONVILLE, TEXAS 75006  
(817) 381-2500

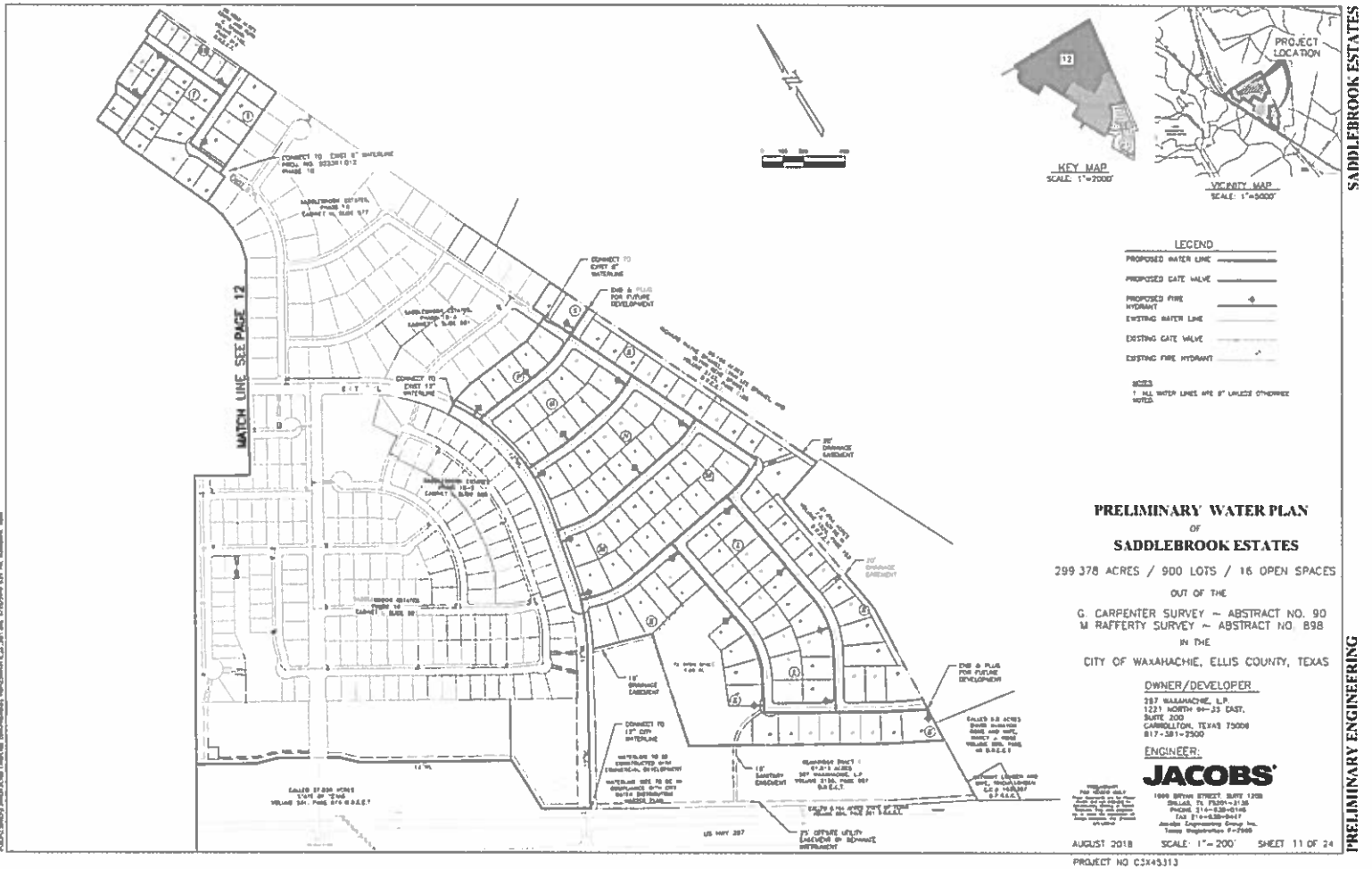
**ENGINEER**  
**JACOBS**  
1000 NORTH STREET, SUITE 1000  
DALLAS, TX 75201-2530  
PHONE: 214-638-0510  
FAX: 214-638-0447  
Jacobs Engineering Group Inc.  
Texas Registration F-2990

PROJECT NO. C3K45313

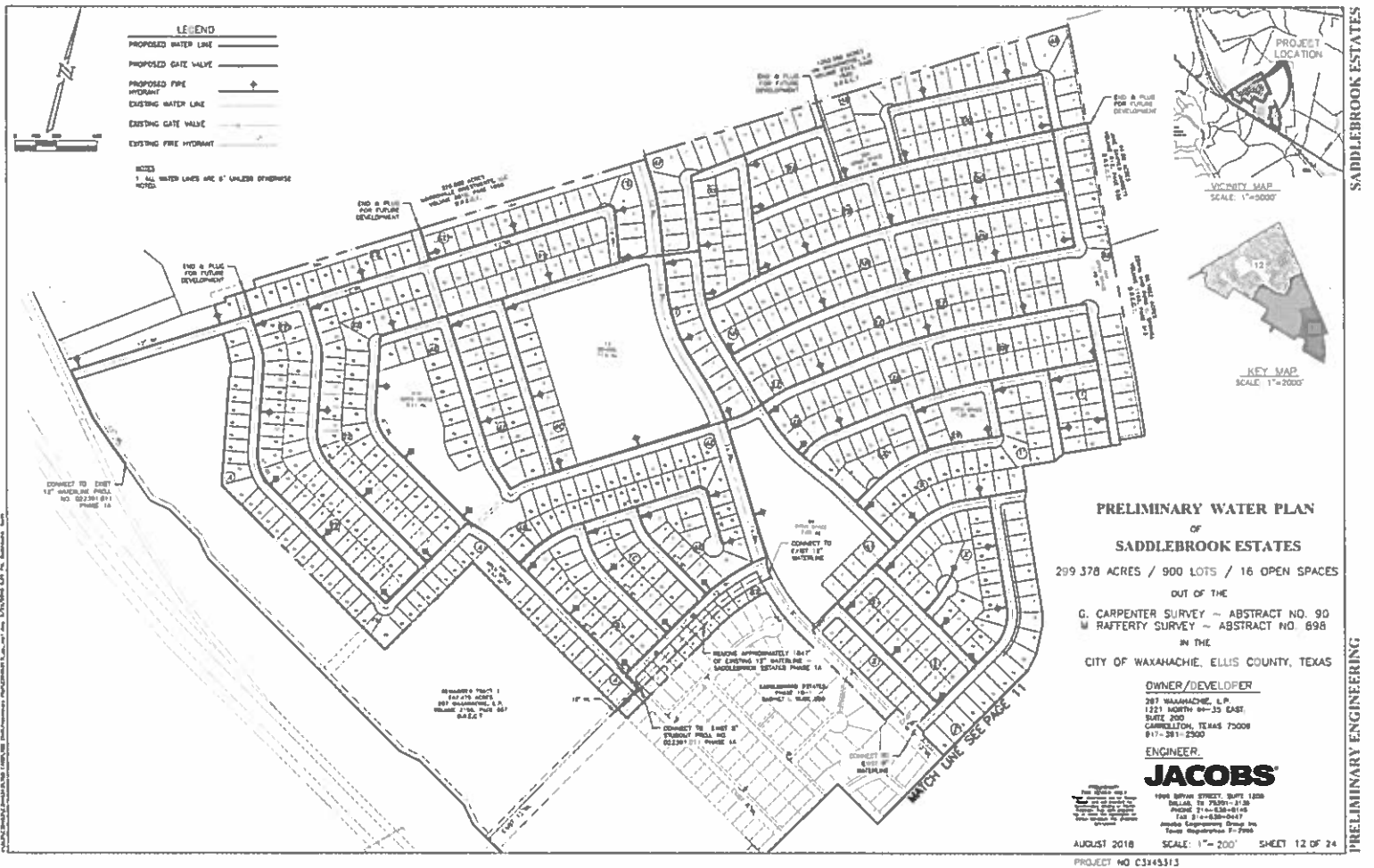
SHEET 10 OF 24

## PRELIMINARY ENGINEERING

(16)



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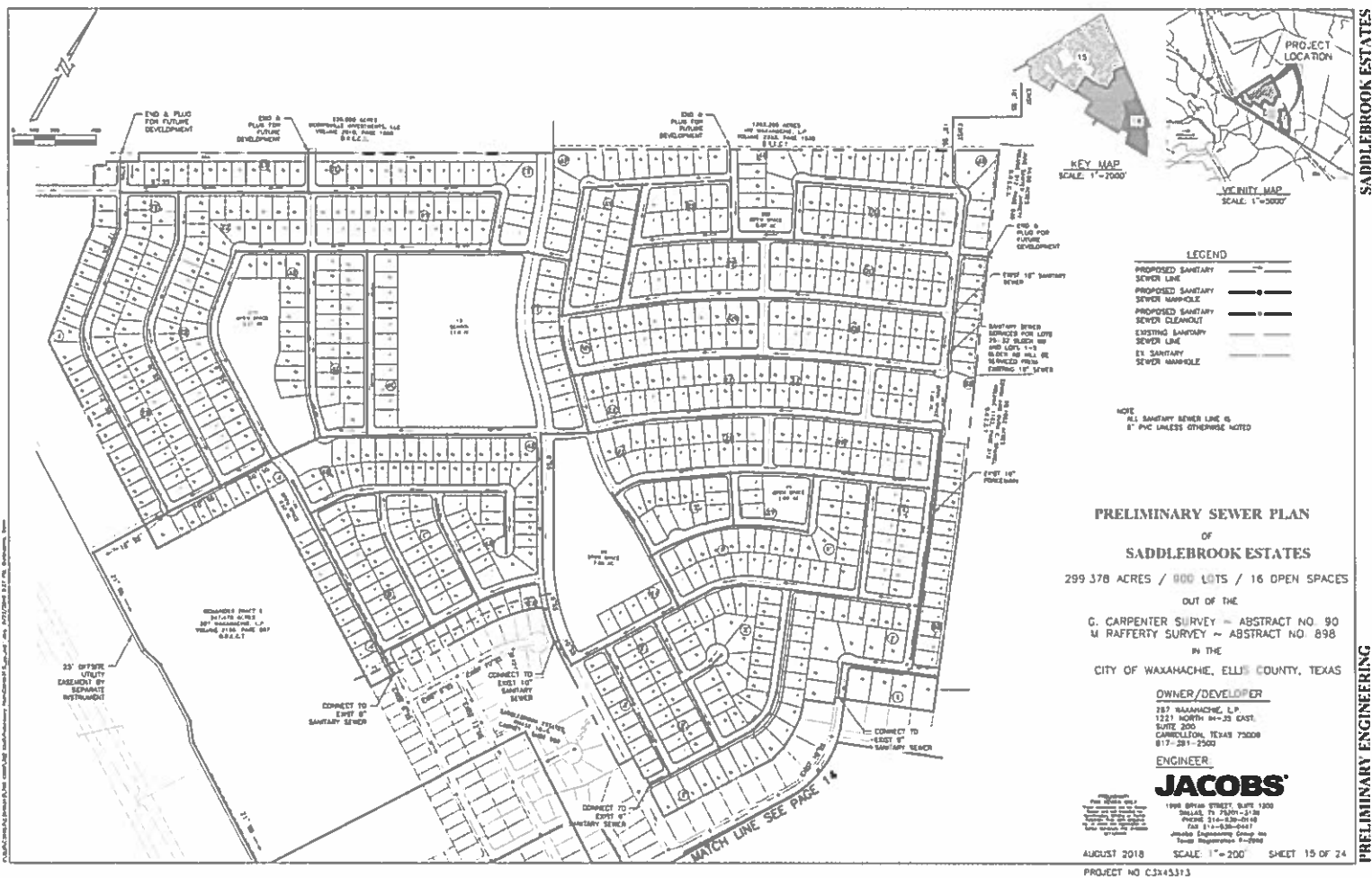
**SADDLEBROOK ESTATES**

## PRELIMINARY ENGINEERING





(16)



SADDLEBROOK ESTATES

PRELIMINARY ENGINEERING



## PRELIMINARY ENGINEERING

(16)





## PRELIMINARY ENGINEERING

**PRELIMINARY DRAINAGE PLAN**  
OF  
**SADDLEBROOK ESTATES**  
299.378 ACRES / 900 LOTS / 16 OPEN SPACES  
OUT OF THE  
G. CARPENTER SURVEY - ABSTRACT NO. 80  
M. RAFFERTY SURVEY - ABSTRACT NO. 898  
IN THE  
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

**OWNER/DEVELOPER**  
287 WAXAHACHIE, L.P.  
1221 NORTH HWY-23 EAST,  
SUITE 200  
CARROLLTON, TEXAS 75006  
817-381-2500

**ENGINEER:**  
**JACOBS**  
1500 BRYAN STREET, SUITE 1200  
DALLAS, TX 75201-3130  
Project: 310-630-0018  
Fax: 310-630-0447  
Jacobs Engineering Group, Inc.  
Kansas: Transportation, P.O. 2880

SCALE: 1"=200' SHEET 18 OF 24

## PRELIMINARY ENGINEERING

AREA - RUNOFF									
Area	State of	Runoff	Drainage	Drainage	Drainage	Drainage	Drainage	Drainage	Drainage
Area	State of	Runoff	Drainage	Drainage	Drainage	Drainage	Drainage	Drainage	Drainage
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201	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
202	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
203	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
204	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
205	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
206	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
207	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
208	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
209	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
210	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
211	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
212	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
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214	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
215	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
216	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
217	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
218	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
219	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
220	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
221	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
222	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
223	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
224	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
225	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
226	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
227	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
228	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
229	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
230	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
231	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
232	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
233	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
234	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
235	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
236	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
237	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
238	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
239	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
240	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
241	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
242	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
243	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
244	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
245	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
246	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
247	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
248	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
249	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
250	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
251	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
252	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
253	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
254	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
255	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
256	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
257	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
258	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
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260	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
261	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
262	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
263	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
264	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
265	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
266	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
267	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
268	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
269	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
270	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
271	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
272	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
273	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
274	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
275	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
276	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
277	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
278	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
279	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
280	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
281	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
282	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
283	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
284	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
285	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
286	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
287	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
288	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
289	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
290	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
291	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
292	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
293	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
294	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
295	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
296	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
297	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
298	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
299	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
300	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
301	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
302	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
303	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
304	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
305	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
306	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
307	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
308	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
309	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
310	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
311	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
312	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
313	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
314	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
315	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
316	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
317	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
318	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
319	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
320	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
321	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
322	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
323	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
324	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
325	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
326	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
327	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
328	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
329	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
330	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
331	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
332	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
333	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
334	10	0.0	0.00	0.04	0.01	0.01	0.01	0.01	0.01
335	10	0.0	0.00	0.04	0.01	0.01	0.		

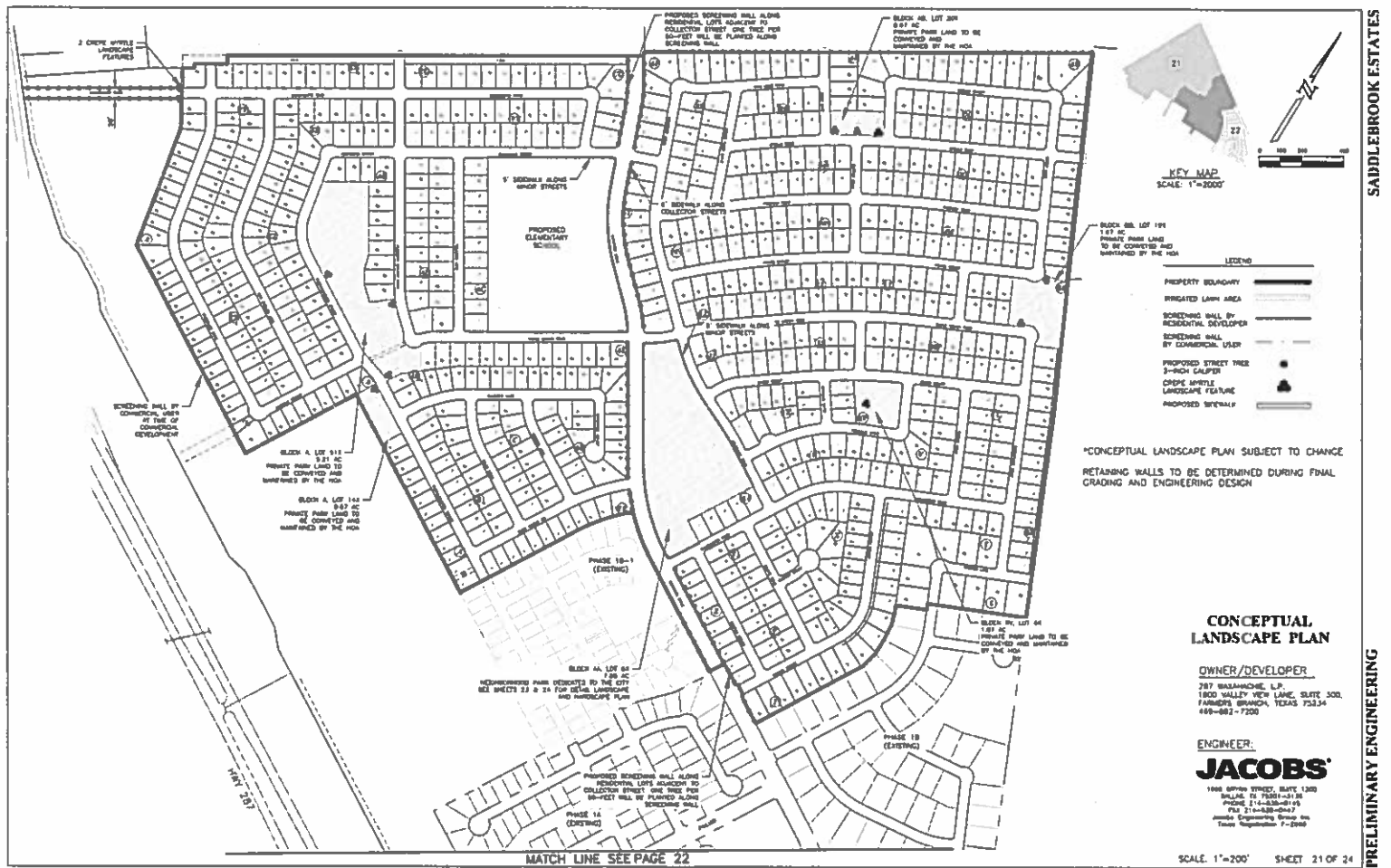
ANAL. SUMMARY										
LOGICAL	Rate of	Rate of	Core	Area	Area	Q-C	Q-C	Q-C	Q-C	
ADDRESS	Change	Change	Address	Value	Value	Rate	Rate	Rate	Rate	
	%	%				Frequency	Frequency	Frequency	Frequency	
PC1	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC2	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC3	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC4	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC5	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC6	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC7	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC8	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC9	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC10	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC11	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC12	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC13	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC14	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC15	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC16	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC17	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC18	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC19	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC20	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC21	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC22	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC23	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC24	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC25	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC26	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC27	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC28	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC29	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC30	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC31	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC32	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC33	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC34	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC35	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC36	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC37	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC38	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC39	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC40	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC41	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC42	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC43	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC44	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC45	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC46	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC47	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC48	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC49	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC50	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC51	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC52	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC53	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC54	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC55	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC56	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC57	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC58	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC59	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC60	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC61	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC62	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC63	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC64	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC65	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC66	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC67	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC68	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC69	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC70	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC71	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC72	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC73	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC74	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC75	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC76	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC77	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC78	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC79	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC80	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC81	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC82	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC83	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC84	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC85	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC86	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC87	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC88	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC89	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC90	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC91	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC92	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC93	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC94	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC95	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC96	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC97	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC98	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC99	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0
PC100	10	0.0	1.00	0.11	20	0.00	0.11	100	10	10.0



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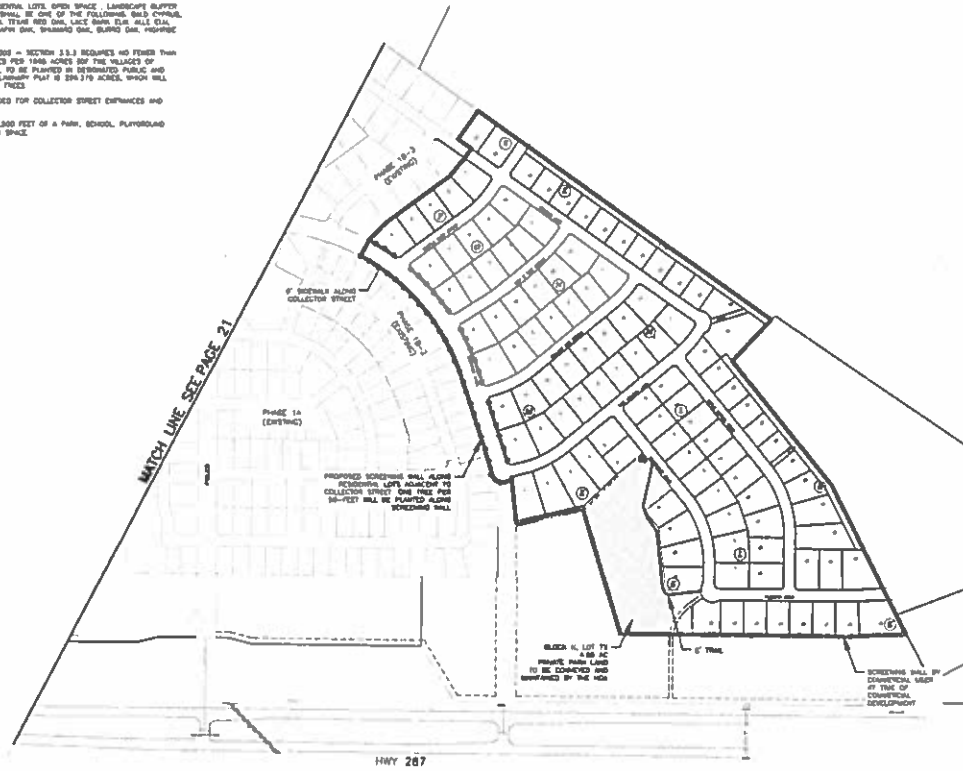
## PRELIMINARY ENGINEERING



(17)

NOTE

- \* EACH RESIDENTIAL LOT SHALL INCLUDE TWO 3-INCH CALIPER TREES
- \* PROPOSED TREES IN RESIDENTIAL LOTS, OPEN SPACE, LANDSCAPE BUFFER AND COLLECTOR STREET SHALL BE ONE OF THE FOLLOWING: BALD CYPRESS, FORD CYPRESS, CEDAR ELM, TEXAS RED OAK, LACE BARK ELM, HILL OAK, SPANISH PISTACHE, CHOCOLATE OAK, SPANISH OAK, BURRO OAK, HICKORY OAK
- \* ZONING ORDINANCE NO. 2205 - SECTION 15.3 REQUIRES NO FEWER THAN TWO 3-INCH CALIPER TREES PER 1000 ACRES FOR THE VILLAGES OF NORTHERN CITIES DISTRICT. TO BE PLANTED IN DESIGNATED PUBLIC AND COMMON AREAS. THIS PRELIMINARY PLAN IS 294.779 ACRES, WHICH WILL REQUIRE 132 OF THE 600 TREES
- \* IRRIGATION WILL BE PROVIDED FOR COLLECTOR STREET ENTRANCES AND YARDING
- \* RESIDENCES ARE WITHIN 1,500 FEET OF A PARK, SCHOOL, PLAYGROUND AND/OR ACCESSIBLE OPEN SPACE



LEGEND	
PROPERTY BOUNDARY	---
IRRIGATED LAWN AREA	---
SCREENING WALL BY RESIDENTIAL DEVELOPER	---
SCREENING WALL BY COMMERCIAL USER	---
PROPOSED STREET TREE 3-INCH CALIPER	●
CRUDE WHIPPLE LANDSCAPE FEATURE	●
PROPOSED SIDEWALK	---

\*CONCEPTUAL LANDSCAPE PLAN SUBJECT TO CHANGE  
RETAINING WALLS TO BE DETERMINED DURING FINAL GRADING AND ENGINEERING DESIGN

CONCEPTUAL LANDSCAPE PLAN

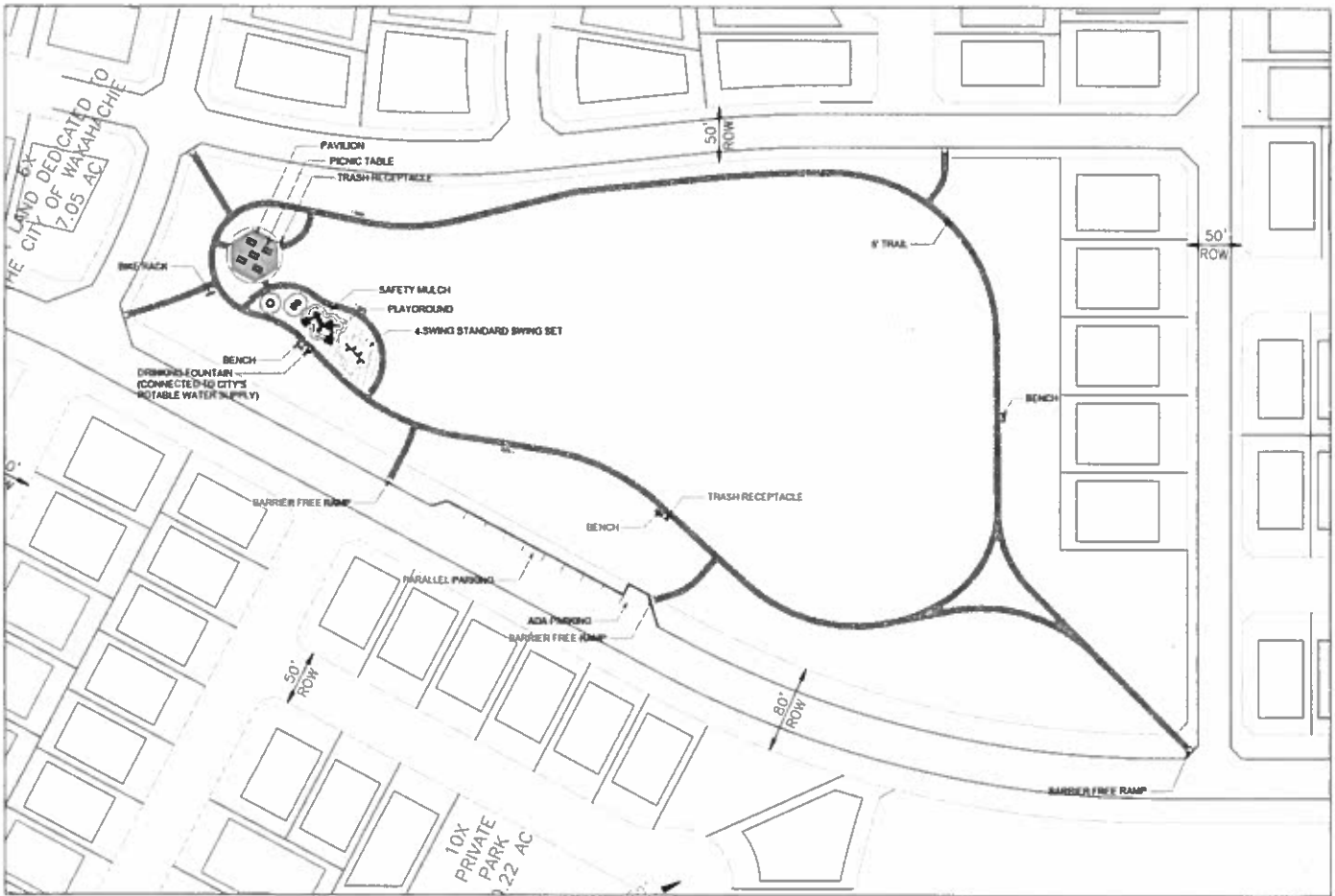
OWNER/DEVELOPER  
287 WAMAMACHE, L.P.  
1800 VALLEY VIEW LANE, SUITE 300,  
FARMERS BRANCH, TEXAS 75234  
468-092 • 7200

ENGINEER:  
**JACOBS**  
1900 GRYNN STREET, SUITE 1300  
DALLAS, TX 75201-1130  
PHONE 214-220-0000  
FAX 214-220-0007  
Jacobs Engineering Group Inc.  
Texas Registration 1-2500

SCALE: 1"=200' SHEET 22 OF 24

SADDLEBROOK ESTATES  
PRELIMINARY ENGINEERING

(17)



**JACOBS**  
ENGINEERING & ARCHITECTURE  
10000 W. 10th Street, Suite 100  
Dallas, Texas 75243  
Tel: 214.242.1000  
www.jacobs-engineering.com

**SADDLEBROOK NEIGHBORHOOD PARK**  
WAXAHACHIE, TEXAS

**OWNER/CLIENT**  
CITY OF WAXAHACHIE, TEXAS  
1000 W. 10th Street, Suite 100  
Waxahachie, Texas 75165  
Tel: 214.242.1000  
www.cityofwaxahachie.com



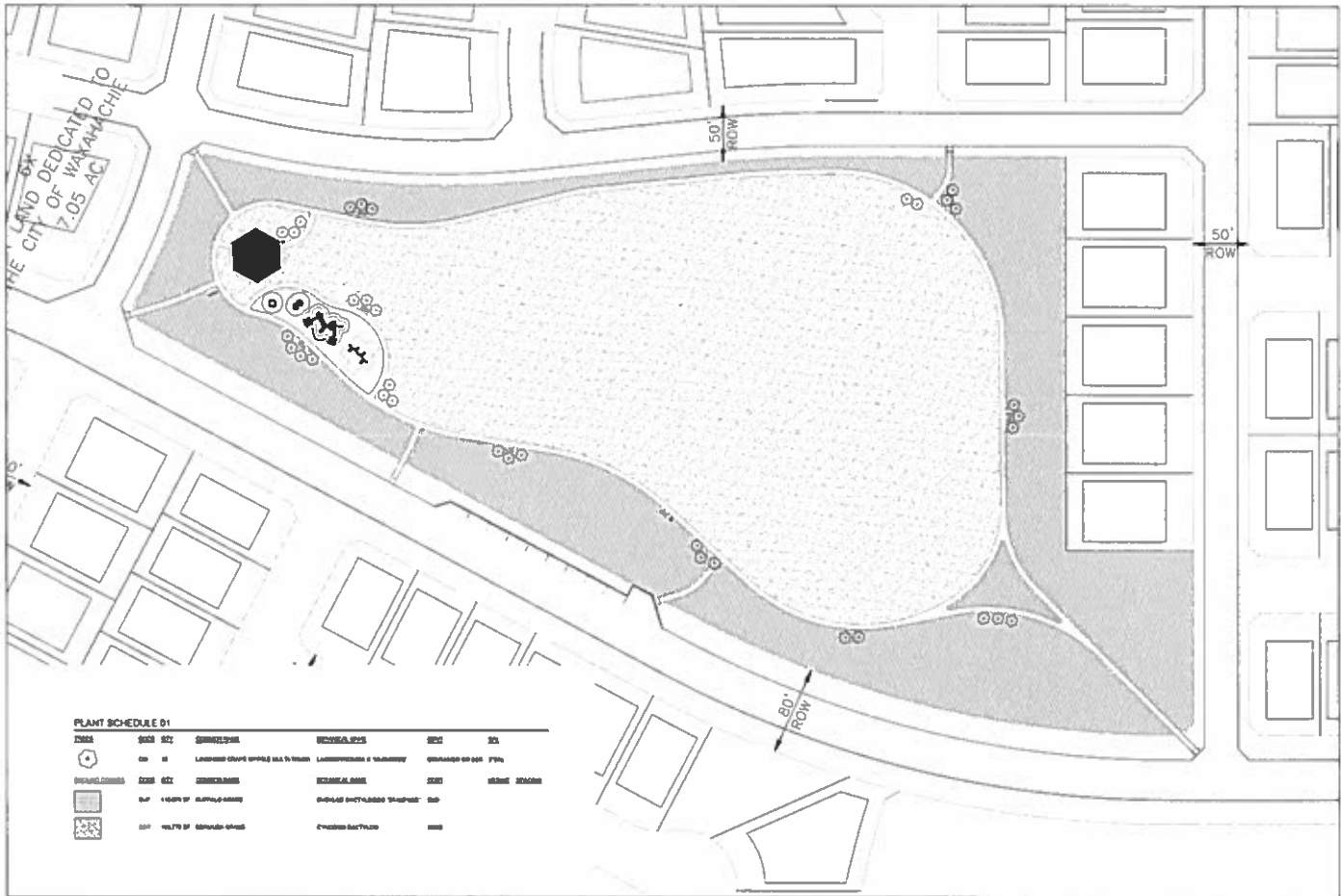
PROJECT NO.	21000000
DATE	01/20/2021
DESIGNED BY	JD
DRAWN BY	JD
CHECKED BY	JD
APPROVED BY	JD
DATE	01/20/2021

HARDSCAPE PLAN



L.101

(17)



PLANT SCHEDULE 01

SYMBOL	QTY	DESCRIPTION	REMARKS	DATE	BY
100	10	Large Round Tree (10' dia)	Planting in 10' dia	10/10/10	JAC
200	20	Medium Round Tree (8' dia)	Planting in 8' dia	10/10/10	JAC
300	30	Small Round Tree (6' dia)	Planting in 6' dia	10/10/10	JAC
400	40	Shrub (6' high)	Planting in 6' high	10/10/10	JAC
500	50	Flower Bed Plant	Planting in flower bed	10/10/10	JAC

**JACOBS**  
LANDSCAPE ARCHITECTS

**SADDLEBROOK NEIGHBORHOOD PARK**  
WAXAHATCHIE, TEXAS

**OWNER/DEVELOPER**  
CITY OF WAXAHATCHIE, TEXAS

**DATE**  
10/10/10

**PROJECT NO.**  
1001

**PLANTING PLAN**

**SCALE**  
1" = 20'

**NOTES**

**1.201**

**AGREEMENT OF UNDERSTANDING**

**THIS AGREEMENT OF UNDERSTANDING** (hereinafter called "Agreement") is Effective and entered into this \_\_\_\_ day of August, 2018 between the City of Waxahachie ("City") and 287 Waxahachie, LP ("Owner").

This Agreement is to affirm the understanding between City and Owner with regard to the Preliminary Plat for Saddlebrook Estates Phase 2A, 2B, 3A, 3B, 4, 5 and 6 with specifics related to development of phase 2A attached as **Exhibit "A"**.

The Owner has currently submitted the Preliminary Plat for the South District tract of Saddlebrook and intends to submit a Preliminary Plat for a portion of Central Tract 1 attached as **Exhibit "A-1"**.

**Phase 2A:** Owner is planning to commence with the development of phase 2A-1 and 2A-2 (collectively "Phase 2A") consisting of approximately two hundred and twelve (212) single family lots. This phase will include a second point of access to the US 287 access road (as shown in **Exhibit B**). This connection point will be constructed with the next portion of Phase 2A.

Additionally, Owner has agreed to construct a third connection point (as shown on **Exhibit C**) in a future phase of the project. City will approve one hundred (100) building permits and certificates of occupancy for new residential home construction within Phase 2A before the third connection point is completed. Owner agrees that prior to the issuance of the one hundred and first (101) residential home building permit in Phase 2A, the third connection point must be in place and open to the public.

This Agreement is intended to restrict issuance of residential new home building permits only; not the restriction of Final Plat submittals or approvals of current or future phases of Saddlebrook Estates or other Mustang Creek PD projects, or construction of infrastructure necessary to serve lots beyond the 100<sup>th</sup> residential new home building permit threshold as previously defined. Owner will provide the City on a quarterly basis a listing of the submitted building permits to the City. Owner acknowledges it is their responsibility to track the submitted permits submitted to the city.

Please sign this agreement in the space provided below in order to confirm your agreement with the provisions herein. This agreement may be executed in counterparts and all counterparts shall, taken together, constitute one agreement. A facsimile copy of this letter bearing the signature of a party hereto shall be sufficient to bind such party to the terms of this letter.

[Signatures on following page]

(18)

**AGREED OWNER:**

**287 Waxahachie, L.P.**  
a Texas limited partnership

By: CENTAMTAR TERRAS, LLC  
a Texas limited liability company,  
Its General Partner

By: CTMGT, LLC  
a Texas limited liability company,  
Its Sole Member/Manager

By: \_\_\_\_\_  
Name: Mehrdad Moayedí  
Its: Sole Member/Manager

**AGREED CITY:**

**City of Waxahachie**

By: \_\_\_\_\_

Name: \_\_\_\_\_

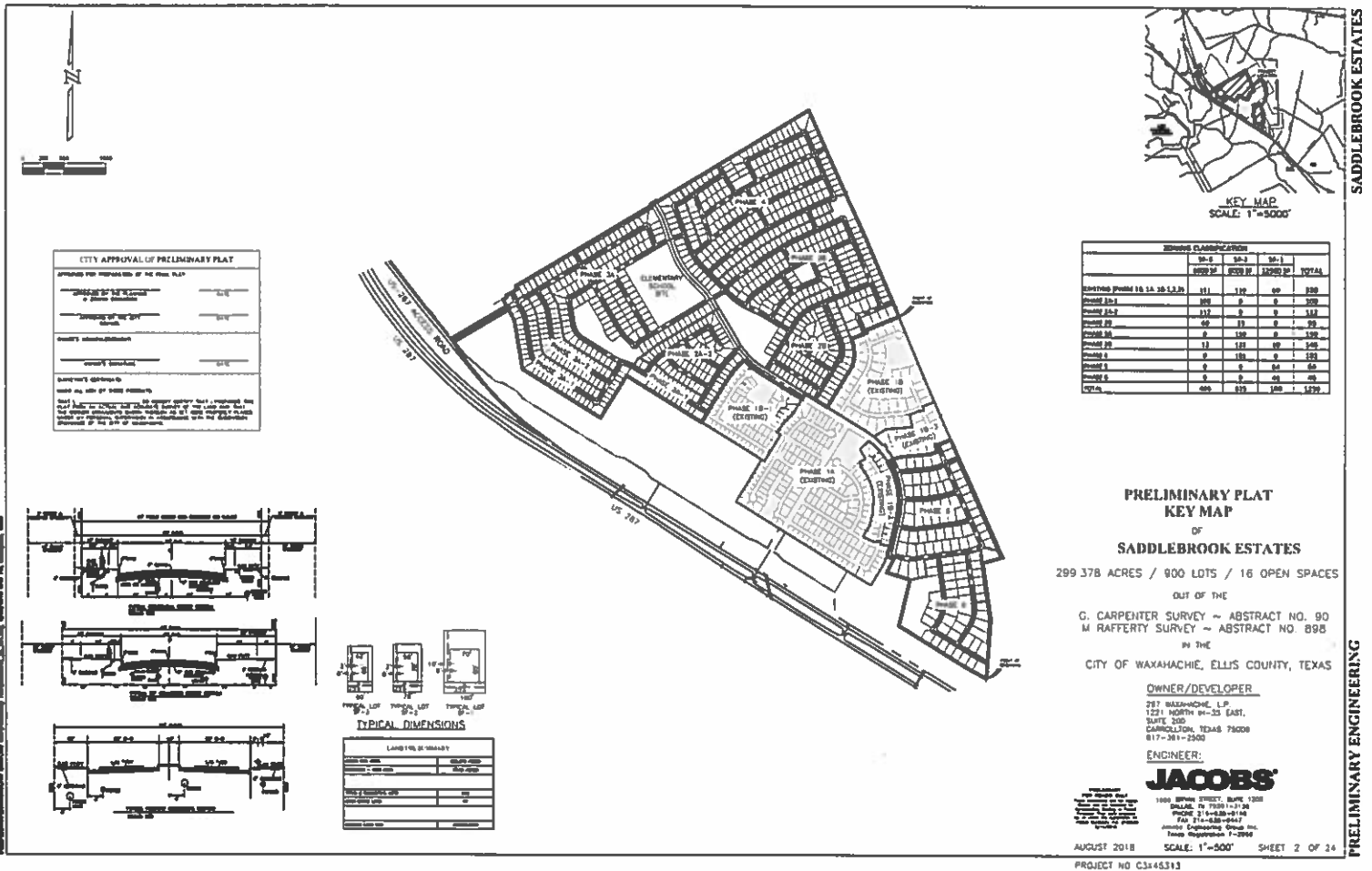
Title: \_\_\_\_\_

(18)

Exhibit "A"

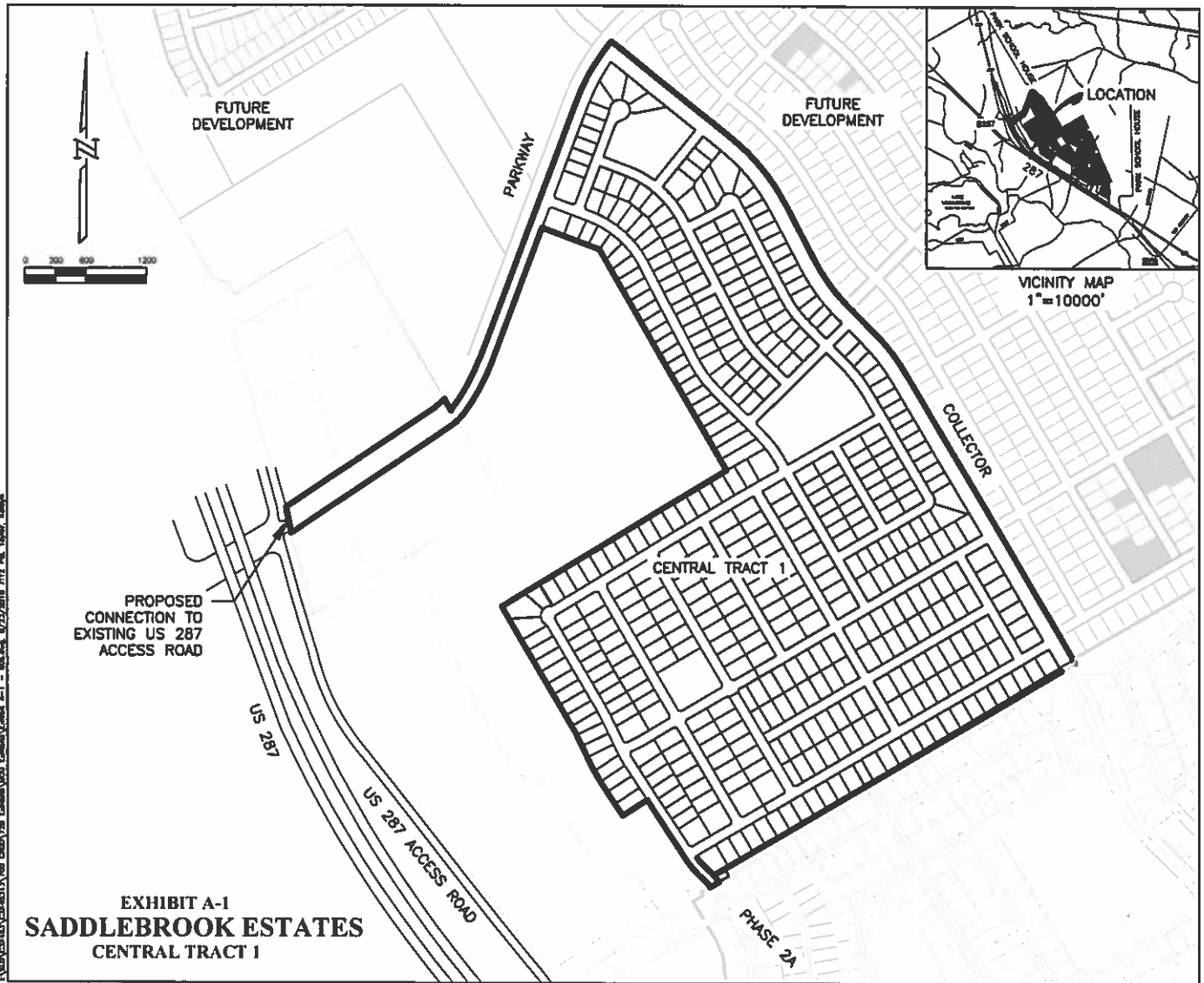
## SADDLEBROOK ESTATES

## PRELIMINARY ENGINEERING



(18)

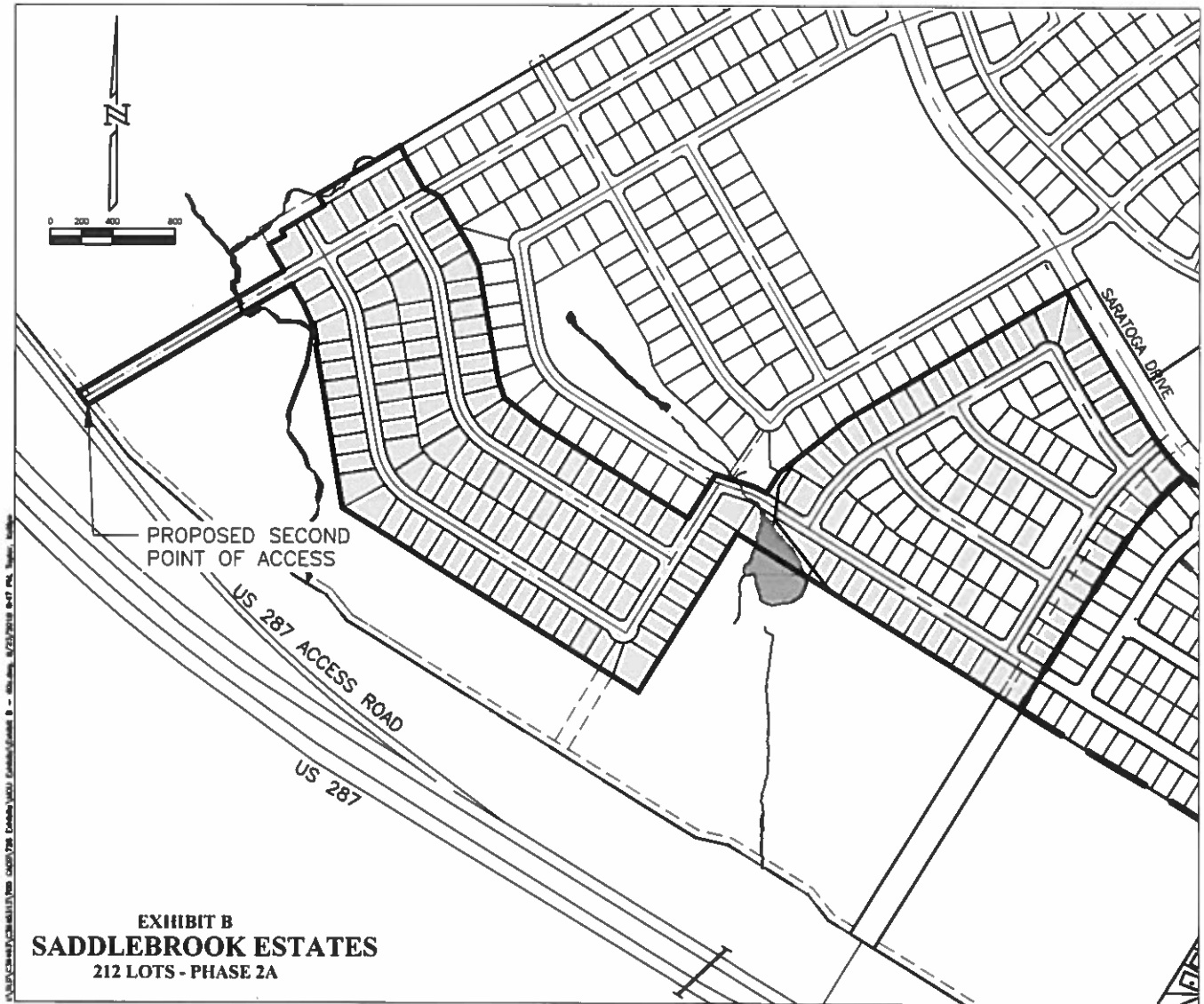
Exhibit "A-1"



(18)

Exhibit "B"

(18)



(18)

Exhibit "C"



**ORDINANCE NO.**

**AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF WAXAHACHIE, AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY THAT LIES ADJACENT TO THE PRESENT BOUNDARY LIMITS OF THE CITY OF WAXAHACHIE IN THE PARTICULARS STATED IN THIS ORDINANCE, AND DECLARING AN EMERGENCY.**

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

**SECTION 1.** That the following described land and territory lying adjacent to the City of Waxahachie and being within its extraterritorial jurisdiction (ETJ), be, and the same is hereby added and annexed to the City of Waxahachie, and that said territory hereinafter described shall hereafter be included within the boundary limits of the City of Waxahachie, at the various points contiguous to the area hereinafter described, are altered and amended so as to include said area within the corporate limits of the City of Waxahachie to-wit:

All that certain lot, tract, or parcel of land situated in Ellis County, Texas, and being more particularly described in Exhibit A, describing portions of the annexation, made a part of hereof and attached hereto for all purposes.

**SECTION 2.** That the above described additional territory and area so annexed shall be a part of the City of Waxahachie, and the property so added therein shall bear its pro rata part of the taxes levied by the City of Waxahachie, and the inhabitants hereof shall be entitled to all the rights and privileges of all the citizens and shall be bound by the acts, ordinances, resolutions, and regulations of the City of Waxahachie, Texas.

**SECTION 3.** An emergency is declared to exist, in that this annexation should be completed and made final so that the boundaries of the City shall be determined without delay, and this ordinance is effective immediately upon passage.

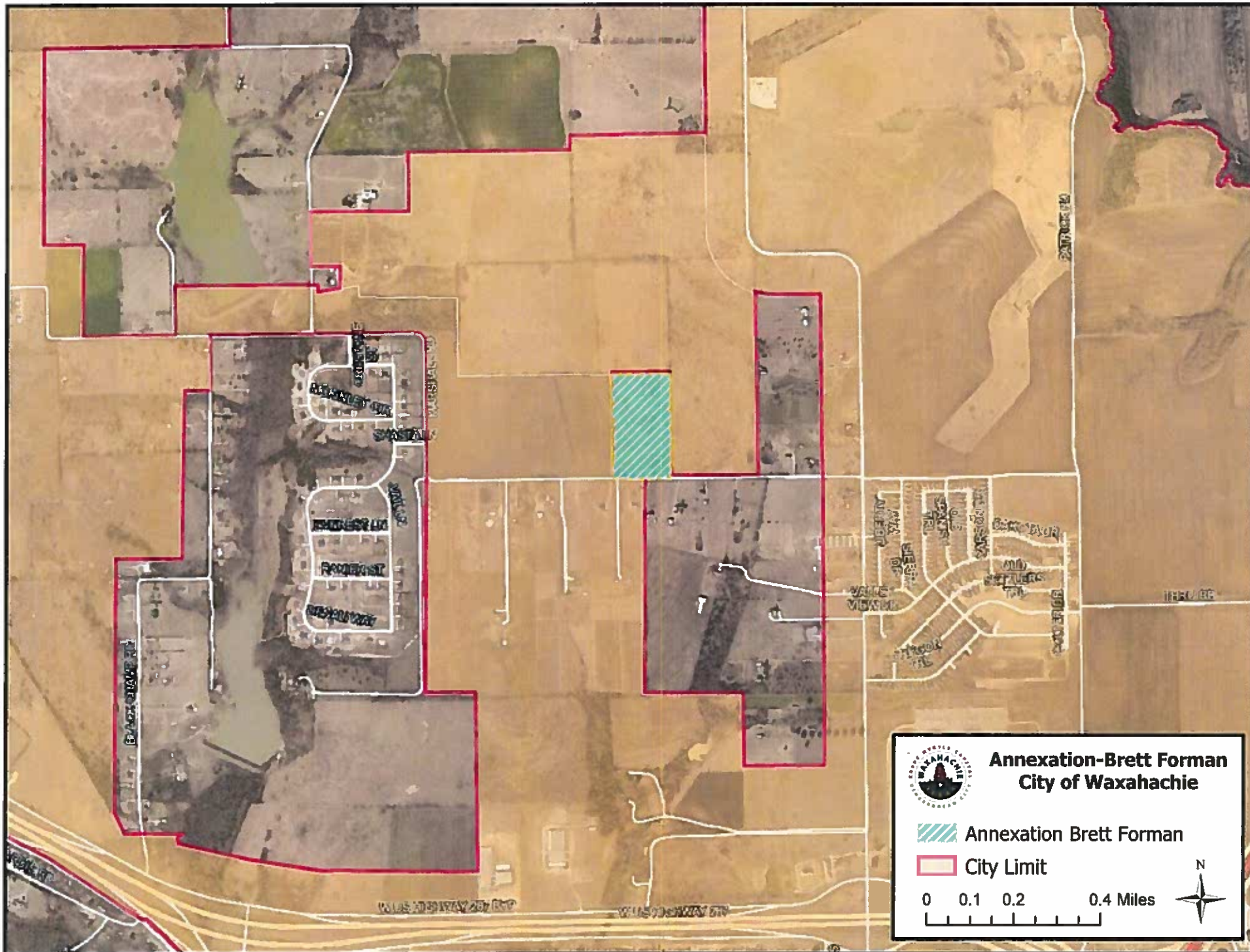
**PASSED, APPROVED AND ADOPTED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary





(19)

**SERVICE PLAN  
FOR  
PROPOSED VOLUNTARY ANNEXATION OF APPROXIMATELY 20.48 ACRES  
SITUATED GENERALLY NORTH OF MARSHALL ROAD AND WEST OF F.M. 664**

The following is a plan whereby full municipal services as defined in Section 43.056 of the Texas Local Government Code will be provided by the City of Waxahachie (the "City") in territory to be annexed, being approximately 20.48 acres of land located adjacent to the City limits, as depicted on the map included as Exhibit A.

Municipal facilities and services will be provided to the annexed area at the following levels and in accordance with the following schedule:

**A. Police Protection:**

The City provides municipal police protection to its residents, including routine patrols throughout the City and law enforcement services upon call. Upon the effective date of the annexation, said services will also be made available to the annexed area on the same basis as they are made available to other parts of the City with land uses and population densities similar to those reasonably contemplated or projected in the annexed area.

**B. Fire Protection and Emergency Medical Services:**

The City provides full-time fire protection. Upon the effective date of the annexation, said services will also be made available to the annexed area on the same basis as they are made available to other parts of the City with land uses and population densities similar to those reasonably contemplated or projected in the proposed annexation area.

The City contracts with American Medical Response ("AMR") for Emergency Medical Service. Upon the effective date of the annexation, said services will also be made available to the annexed area on the same basis as they are made available to other parts of the City with land uses and population densities similar to those reasonably contemplated or projected in the proposed annexation area.

**C. Solid Waste Collection:**

The City's solid waste collection is currently provided by Waste Connections ("Waste Connections"). Upon the effective date of the annexation, the City will provide solid waste collection to the annexed area on the same basis as it is made available to other parts of the city with land uses and population densities similar to those reasonably contemplated or projected in the annexed area. Individual property owners who have an existing contract with private waste collection providers shall be allowed to continue such service for the duration of the contract. A City fee for waste collection services shall not be applied to any such property owner who at the time of annexation utilizes and continues to utilize a private solid waste collection service. Such prohibition on the application of a City fee shall be for the duration of aforementioned contract. City fees and prohibitions on solid waste collection may be imposed by the City after said contract expires.

**D. Water and Wastewater Service and Maintenance:**

The area to be annexed is an unplatted area within the City's ETJ and currently certified by Sardis-Lone Elm Water Supply Corporation. This area currently receives water service from Sardis-Lone Elm Water Supply Corporation. Much of the land in question was a part of a CCN swap between Sardis-Lone Elm Water Supply Corporation and the City of Waxahachie in July 2000 in which both parties anticipated establishing as water service limits for the future.

Under current City plans and policies, sewer service will likely be provided in the future as development occurs and makes providing sewer service feasible. Currently, no sewer service is available in this area. The extension of any necessary sewer facilities will be added by the developer and in a manner consistent with other development regulations and practices.

Should City plans be changed and sewer service infrastructure is extended to this area, said services will also be made available to the annexed area on the same basis as they are made available to other parts of the City with land uses and population densities similar to those reasonably contemplated or projected in the annexed area.

**E. Maintenance of Roads, Streets and Street Lighting:**

The City shall begin to make provision for the maintenance of current roads and streets within the annexed areas upon the effective date of the annexation\*. Such streets and roads shall be maintained in their current condition and shall be included in the City's Capital Improvements Plan for upgrading, resurfacing and/or improvement on the same basis as other areas in the City with topography, land uses and population densities similar to those reasonably contemplated or projected in the annexed area. Any such resurfacing or upgrade shall be made in accordance with current City policies or the City's Subdivision Ordinance, adopted as Ordinance 2084, and as amended from time to time.

Improvements will be made in conjunction with new development in accordance with City policies contained in the City's Subdivision Ordinance after installation and dedication of such improvements by the relevant property owner and acceptance by the City. Future streets within the annexed area will be upgraded in accordance with an approved Capital Improvements Program, and may be amended from time to time, on the same basis as other areas in the City with land uses and population densities to those reasonably contemplated or projected in the annexed area.

\* State-owned facilities will continue to be maintained by the State of Texas, Department of Transportation.

**F. Parks, Playgrounds and other Public Facilities and Services:**

Existing public parks, playgrounds, and other public recreation facilities, if any exist or are dedicated to and accepted by the City within the annexed area will be maintained in their present condition by the City upon the effective date of the annexation. Property owners and residents of the annexed area may use the existing public parks, playgrounds, and other recreation facilities and services of the City on the same basis as other residents of the City.

(19)

**G. Public Library Services and Other Publicly Owned Facilities, Buildings and Services:**

Existing public libraries and other publicly owned facilities and buildings, if any exist are dedicated and accepted by the City within the annexed area, will be maintained in their present condition by the City upon the effective date of the annexation. Property owners and residents of the annexed area may use the existing public library and other publicly owned facilities, buildings, and services within the City on the same basis as other residents of the City.

**H. City Regulations and Code Enforcement**

The annexed areas will upon the date of annexation, be subject to all City regulations as specified within the City of Waxahachie Code of Ordinances. Further, the City's codes and regulations will be enforced in a manner like other similar parts of the corporate city limits.

**I. General Municipal Administration:**

General municipal administration services will be available to the annexed area upon the effective date of the annexation. This Service Plan provides for full municipal services to the annexed area on the same basis as municipal services are made available to other parts of the City with land uses and population densities similar to those reasonably contemplated or projected in the annexed area. Further, said municipal services are equal to or greater than the services and level of such services in existence in the annexed area are immediately proceeding the effective date of the annexation. This Service Plan does not constitute a right to a superior level of services in the annexed area. The City retains its authority to adjust programs on a city-wide basis to provide more effective services through changes in operating procedures and standards. The City also retains the authority to adjust services on a city-wide basis should economic or emergency circumstances dictate.

Upon annexation to the city of Waxahachie, this tract, similar to other newly annexed lands, will be assigned the Future Development (FD) zoning district designation. This zoning designation shall remain until such time as a separate zoning action by City Council has taken place to change it.

This service plan shall be valid for a term of ten (10) years. This service plan shall not be amended unless public hearings are held in accordance with Section 43.052 of the Local Government Code.

This plan is presented this the 15<sup>th</sup> day of October, 2018.

  
\_\_\_\_\_  
Michael Scott  
City Manager



## Memorandum

To: Honorable Mayor and City Council

From: Doug Barnes, Economic Development Director *DB*

Thru: Michael Scott, City Manager *MS*

Date: October 8, 2018

Re: Consideration of a Resolution of Support for Proposed Luxury Class  
Senior (55+) Multifamily Housing

---

**Item Description:** A resolution of the City Council regarding support for the Palladium Waxahachie Senior Living, which would be comprised of 1, and 2 bedrooms only and will be 120 units.

**Staff Recommendation:** Adopt resolution as presented in item description.

**Item Summary:** This development would be located on the west side of Highway 77 north of Butcher Road and just north of the Life High School. Palladium Waxahachie Senior Living will be a Class A+ constructed apartment home community designed in a distinctly upscale aesthetic that will use federal tax credits as a source of equity in order to be able to afford high-end construction and still be able to offer affordable rents in the Waxahachie market. This new community will be an amenity-rich environment that will feel like resort living and will not share amenities. It will have a full range of new amenities designed to serve seniors and their lifestyles.

**Fiscal Impact:** None known at this time.

**RESOLUTION NO.****A RESOLUTION OF THE CITY COUNCIL OF WAXAHACHIE, TEXAS  
REGARDING SUPPORT FOR PALLADIUM WAXAHACHIE SENIOR LIVING AT THE  
NORTHWEST CORNER OF US HWY 77 AND PANORAMA LOOP**

**WHEREAS, *Palladium Waxahachie Senior Living, Ltd.*** (the "Applicant") has proposed a development for an apartment home community located at the North West corner of US Hwy 77 and Panorama Loop, Waxahachie, Ellis County, TX 75165; to be named Palladium Waxahachie Senior Living (the "Development");

**WHEREAS,** the Applicant has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs ("TDHCA") in the 2019 competitive 9% application round for Housing Tax Credits for the Development;

**NOW, THEREFORE, IT IS HEREBY RESOLVED,** that the City of Waxahachie, acting through its governing body, hereby confirms that it supports the aforementioned proposed Development, and the related application to the TDHCA; and

**FURTHER RESOLVED,** that the City intends to issue a commitment and letter confirming that the City will provide a loan, grant, reduced fees, or contribution of other value for the benefit of the Development so that the Applicant may receive one (1) point for a contribution from the City in an amount up to \$500.00; and

**FURTHER RESOLVED,** that as provided for in §11.3(b) of the Qualified Allocation Plan, it is expressly acknowledged and confirmed that the City of Waxahachie has more than twice the state average of units per capita supported by Housing Tax Credits or Private Activity Bonds; and

**FURTHER RESOLVED,** that the City of Waxahachie hereby supports the proposed Development, and confirms that its governing body has voted specifically to approve the construction of the Development and to authorize an allocation of Housing Tax Credits for the Development pursuant to Texas Government Code §2306.6703(a)(4); and

**FURTHER RESOLVED** that for and on behalf of the City of Waxahachie, **Mayor Kevin Strength**, is hereby authorized, empowered, and directed to certify this resolution to the TDHCA. This formal action has been taken to put on record the opinion expressed by the City of Waxahachie on October 15, 2018.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, as follows:**

**Section 1.** The facts and opinions in the preamble of this resolution are true and correct.

**Section 2.** The City of Waxahachie, Ellis County, has voted specifically to support the Development and to authorize, if awarded by the Texas Department of Housing and Community Affairs, an allocation of Housing Tax Credits and authorized Applicant to apply on behalf of the City for HOME funds for the Development.

(20)

Section 3. This Resolution, related to potential financing, is not a statement of approval for site or building permits, zoning, or PUD; as such decision shall be made in due course with a future request.

Section 4. All resolutions and agreements or portions of resolutions and agreements in conflict herewith are hereby released to the extent of the conflict only.

**PASSED AND APPROVED** by the City Council of the City of Waxahachie, Texas on October 15, 2018.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary

**EXECUTIVE SUMMARY**  
**Palladium Waxahachie Senior Living**  
**Proposed Luxury Class Senior (55+) Multifamily Housing**  
**Waxahachie, Texas**



**Proposed Housing**

Palladium Waxahachie Senior Living would be comprised of 1, and 2 bedrooms only and will be 120 units located on the west side of Highway 77 north of Butcher Road and just north of the Life High School. Palladium Waxahachie Senior Living will be a Class A+ constructed apartment home community, similar in design to our existing Palladium Van Alstyne Senior Living (photos attached), designed in a distinctly upscale aesthetic that will use federal tax credits as a source of equity in order to be able to afford high end construction and still be able to offer affordable rents in the Waxahachie market. This new community will be an amenity-rich environment that will feel like resort living and will not share amenities. It will have a full range of new amenities designed to serve seniors and their lifestyles.

**Select Common Amenities at Palladium Waxahachie Senior Living**

- Resort Style Swimming Pool
- Gazebo with sitting area, grills and picnic tables
- Community laundry room with washer and dryer sets
- Barbeque grills and picnic tables
- Furnished fitness center including stationary bicycle, elliptical trainer, and treadmill or other similar equipment
- Full perimeter fencing
- Common area Wi-Fi
- Urban exterior with Class A materials
- Walking trails
- Green landscaping including native drought tolerant plants
- Business Center
- Club kitchen

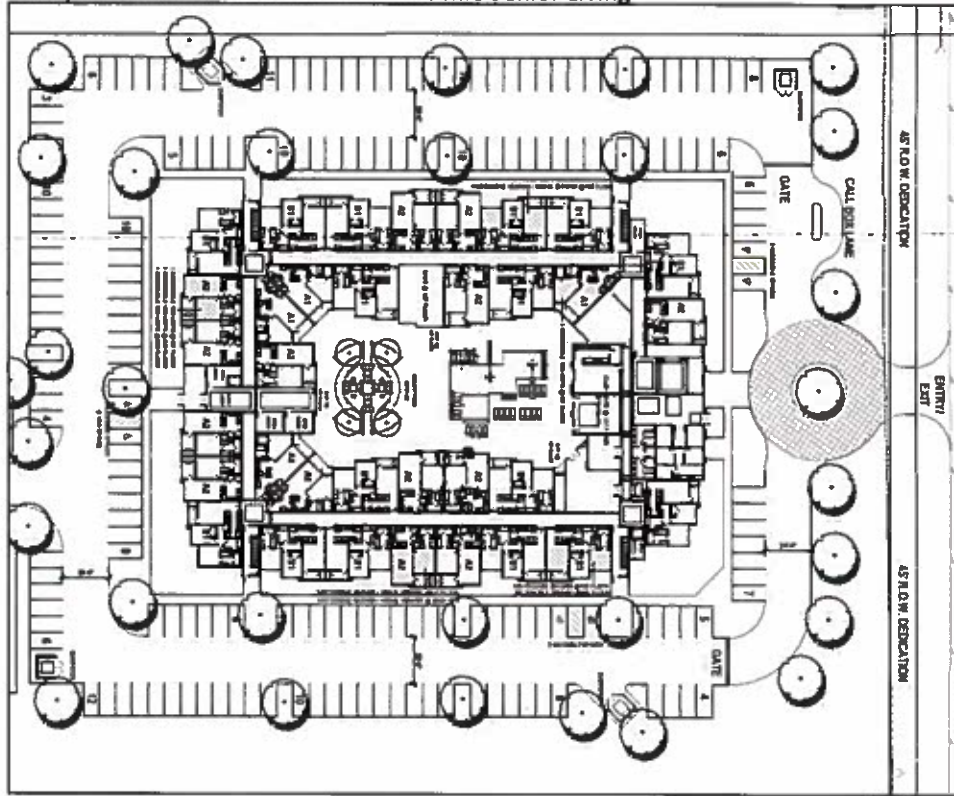
**Select Unit Amenities at Palladium Waxahachie Senior Living**

- Distinctive one, and two bedroom units
- Covered entries
- Nine foot ceilings in living room and bedrooms
- Microwave oven
- Self-cleaning or continuous cleaning oven
- Energy star appliances and light fixtures
- Refrigerator with icemaker
- 14 SEER HVAC units
- R15 wall assembly
- Low flow plumbing
- Full size washer/dryer connections
- Balcony or patio
- Smoke alarms and sprinklers throughout
- Wired for phone, cable and Local Area Network (LAN)
- High Speed Internet access available

(20)

Below is a concept plan showing the typical site plan layout of our senior living product with the entry facing Highway 77. This plan will be a 3 story, elevator served, community that will contain an amenity rich courtyard that will act as "town center" for activities and social gatherings.

**Concept Site Plan for Palladium Waxahachie Senior Living**



Palladium Waxahachie Senior Living is proposed to be located with visibility from both Highway 77 and Interstate 35 with easy access to both. It also sits adjacent to Life High School and will be a good neighbor to a school as seniors will not contribute to school traffic patterns for morning drop off or afternoon pickups. Our 7.5 acre site is adjacent to an open field to the north that is zoned for Light Industrial uses which will be a good neighbor as well as opposed to single family or heavier industrial uses.



### The Developer, Owner and Manager

Palladium USA is a privately owned company with over 130 years' experience developing and managing high quality developments around the world including Dallas, London, Paris, Milan, Dubai and many more. Our office is located in Dallas. We have developed and managed luxury properties all over the world. In fact, we are developing a 30 story high rise in the Legacy West development just up the road in Plano.

- Palladium is not a merchant builder who builds to sell. Instead we prefer to hold our properties and plan to hold Palladium Waxahachie Senior Living for decades.
- WE MANAGE OUR PROPERTIES OURSELVES. This is extremely important as 3<sup>rd</sup> party managers are only concerned with getting the most rent and are not as concerned with long term maintenance or managing the resident population well.
- Omnium Management (Our in-house management company)
  - Each resident who wishes to live at our property will be required to go through an extensive background check.
  - We hire "Resident Retention Specialists" called CARES Teams from an organization called Apartment Life. These CARES Teams will be a married couple that attend a local church that we will give a free apartment to in order that they build the culture of community by hosting events and facilitating friendships.

### Tax Credit Financing

The Texas Department of Housing and Community Affairs (TDHCA) administers annually Housing Tax Credits that are intended to serve the purpose of providing affordable housing for the workforce of Texas.

- Several years ago, the TDHCA reformed the focus and objective of the housing initiative in Texas. The current Housing Tax Credit Program (no longer Low Income Housing Tax Credit Program) focuses on serving primarily persons earning 50-60% of the area median income (people earning up to the high \$40,000s annually). This demographic for seniors consists of middle class seniors who need affordable housing and no longer want to maintain or can maintain a single family residence but would prefer not to move away from Waxahachie.
- We are not proposing Low Income Housing, Section 8 Housing, Public Housing or Government Subsidized Housing. Palladium Waxahachie Senior Living will be privately owned (not government owned). It will use tax credit equity to bridge the gap between the high cost of constructing Class A rental housing and charging rents that seniors can afford.
- Benefits of Tax Credit equity
  - The TDHCA requires the owner to hold the property for a minimum of 15 years. This is a requirement to use the funding and is not changeable.
  - Tax Credit funded rental communities have the lowest failure rate in the industry (.01%) due to the controlled rent structure that does not shift with fluctuating markets.

(20)

## Mix of Units

Palladium Waxahachie Senior Living will include a unit mix that sets aside units at a few different income levels to serve all seniors from those just living on social security to those living on fixed incomes all the way up to seniors who can afford to live wherever they like but choose to live in a maintenance free environment.

	<u>1 Bedroom</u>	<u>2 Bedroom</u>
<b>Our Market Rent</b> <i>(About 23 units at this rate)</i>	Approx. \$1,159	\$1,390

Palladium Waxahachie Senior Living market rent will be competitive with average market rent in the area, offering the ability for seniors of any income an opportunity to upgrade their standard of living without adding significantly to the cost. There will be no income restrictions for these rental rates.

<b>Affordable Units</b> <i>(About 87 units at this rate)</i>	\$724-869	\$868-1,042
---	-----------	-------------

The majority of our units will be \$100-\$300 below area market rents allowing middle income seniors living on fixed incomes an option to enter a maintenance free and amenity rich lifestyle with other seniors in the same stage of life. These units are the exact same units as the market rate units and are for renters earning 50% - 60% of the area median income.

<b>30% Units</b> <i>(About 10 units at this rate)</i>	\$434	\$521
--	-------	-------

About 8% of our units will be for people making 30% of the area median income. These units are discounted to be able to offer the exact same units as the market rate units, but are marketed towards seniors living on very fixed incomes such as social security.

## Timing

We intend to leverage \$15,000,000 of Housing Tax Credits as the equity to bring this quality senior housing to the City of Waxahachie. The first step in that process is for us to apply for that funding through a competitive process. That process is administered through the Texas Department of Housing and Community Affairs (TDHCA) annually and is only enough funding for about 10 total developments in the DFW area. Therefore, we are up against much larger Cities like Dallas, Fort Worth, Denton, Garland etc. that are actively trying to leverage this funding for the benefit of their residents.

The first step is for us to apply for funding through this competitive process. In order for our application to have any chance at being competitive, we must get a Resolution of Support (draft attached) from City Council. We are asking for that Resolution of Support as soon as we can get it in order for us to plan and work towards a comprehensive and complete application for the funding.

The next step would be for us to go through the rezoning process for our development. This process is strictly land use related and we will go through the Cities process in the spring of 2019 requesting zoning that allows our use of senior rental housing on this site.

Once we have our funding committed by summer of 2019 and zoning in place, we will close and begin construction before the end of 2019.

## Timing

Our request at this time is for a Resolution of Support from City Council for our efforts to go apply for and pursue this funding source. I have included a draft resolution as well as photos of our existing Palladium Van Alstyne Senior Living development that is an actual representation of what we plan for Palladium Waxahachie Senior Living.

For additional information, please contact Ryan Combs with Palladium USA at 972-774-4435 or email at [rcombs@palladiumusa.com](mailto:rcombs@palladiumusa.com).



**Palladium Van Alstyne Senior Living**  
(actual representation of what we are proposing for  
Palladium Waxahachie Senior Living)



















(21)



## Memorandum

To: Honorable Mayor and City Council

From: Michael Scott, City Manager

CC:

Date: October 8, 2018

Re: Roadway Construction Agreement

In an effort to move forward with the construction of Vista Way, a roadway within the North Grove subdivision necessary to serve the ISD's new elementary school, the attached Construction Agreement has been crafted. This Agreement provides for the construction of this road ahead of the platting and development of the residential lots it will also serve. Typically the roadway would be constructed as a part of the next phase of lot development. However, the anticipated school construction and opening will occur prior to this time.

This Agreement provides for a sharing of costs between the City and the John Houston Development Company, 75%-25% respectively. The City will utilize impact fees to "reimburse" itself for its share of incurred expenses. As this area (Service Area 2) continues to develop, it is anticipated that more than adequate impact fees will be collected for this purpose. Further, with the recent construction of North Grove Boulevard, this portion of Vista Way will provide the primary north-south collector road needed to serve this and neighboring subdivisions.

I am requesting authorization of Council to execute the attached Agreement for this purpose.

STATE OF TEXAS

§

VISTA WAY ROADWAY

COUNTY OF ELLIS

§

CONSTRUCTION AGREEMENT

This Vista Way Roadway Construction Agreement ("Agreement") is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by and between JHDMC, LLC ("JHDMC"), whose address for purposes of this Agreement is 421 Century Way, Red Oak, Texas 75154, and the City of Waxahachie, Texas ("City"), whose address for purposes of this Agreement is 401 S. Rogers, Waxahachie, Texas 75165. JHDMC and the City are sometimes referred herein together as the "Parties" and individually as a "Party".

**Recitals:**

**WHEREAS**, JHDMC is the owner and/or developer of certain property ("Property") contained within the North Grove subdivision located within the City; and

**WHEREAS**, due to the development of the Property, the construction of a roadway to be named "Vista Way" is necessary, in part, to serve the Property; and

**WHEREAS**, it is anticipated that the cost to design and construct Vista Way is One-Million Dollars (\$1,000,000); and

**WHEREAS**, the City and JHDMC desire to enter into a cost sharing agreement regarding the construction of Vista Way as set forth herein.

**NOW, THEREFORE**, for and in consideration of the above and foregoing premises, the benefits to each of the Parties from this Agreement, and other good and valuable consideration, the sufficiency of which is hereby acknowledged and agreed, the City and JHDMC do hereby agree as follows:

**Section 1. Incorporation of Premises.** The above and foregoing Recitals are true and correct and are incorporated herein and made a part hereof for all purposes.

**Section 2. Term.** This Agreement shall be effective as of the date of execution of this Agreement by the last of the Parties to do so ("Effective Date"). This Agreement shall remain in full force and effect from the Effective Date until the City and JHDMC have completed their respective obligations under this Agreement but, in no event, shall the Agreement exceed a term of ten (10) years ("Term").

**Section 3. Agreements.** The City and JHDMC agree as follows:

- A. JHDMC will construct Vista Way in full compliance with the City's street and road design and construction standards (the "Project"). Prior to commencing the Project, JHDMC will complete the design of the Project, and the City will approve said design provided that the design fully complies with the City's design standards.
- B. The City shall contribute Seven Hundred Fifty Thousand Dollars (\$750,000.00) towards the Project as follows: The City will fund the first \$750,000.00 of Project

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costs. The City will issue payment within ten days of receipt of periodic invoices from JHDMC.

- C. JHDMC shall contribute Two Hundred Fifty Thousand Dollars (\$250,000.00) towards the Project as follows: JHDMC will fund \$250,000.00 of Project costs following the City's payment of the first \$750,000.00 of Project costs. JHDMC will timely pay these Project invoices and upon request by the City, show proof of payment of same.
- D. In the event that the total cost of the Project is less than the anticipated One Million Dollars (\$1,000,000.00), any excess funds shall be used to assist the Waxahachie Independent School District for the design and construction of any offsite roadway, improvements necessary for access for the North Grove Elementary campus, which campus will serve, in part, the North Grove development.
- E. In the event that the total Project cost is in excess of the anticipated One-Million Dollars (\$1,000,000), any excess funds required to complete the Project shall be paid by the Parties on a pro-rata basis with the City to bear 75% of such costs and JHDMC to bear 25% of such costs.

**Section 4. Recording; Covenant Running with the Property.** This Agreement shall be recorded in the real property records of Ellis County, Texas. THIS AGREEMENT AND ALL OF ITS TERMS, CONDITIONS, AND PROVISIONS IS AND SHALL CONSTITUTE A RESTRICTION AND CONDITION UPON THE DEVELOPMENT OF JHDMC'S PROPERTY AND ALL PORTIONS THEREOF AND A COVENANT RUNNING WITH JHDMC'S PROPERTY AND ALL PORTIONS THEREOF, AND IS AND SHALL BE BINDING UPON OWNERS AND ALL OF THEIR HEIRS, SUCCESSORS, AND ASSIGNS AND THE FUTURE OWNERS OF THE PROPERTY AND ANY PORTION THEREOF; provided, however, this Agreement shall not constitute an obligation of or be deemed a restriction or encumbrance with respect to any final platted residential lot upon which a completed home has been constructed.

**Section 5. Miscellaneous.**

A. This Agreement and any dispute arising out of or relating to this Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without reference to its conflict of law rules. In the event of any dispute or action under this Agreement, venue for any and all disputes or actions shall be instituted and maintained in Ellis County, Texas.

B. It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership, joint venture, joint enterprise, or other relationship between or among the Parties.

C. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

D. The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by either Party shall not preclude or waive its right to use any or all other remedies. Said rights and remedies are given in addition to any other rights the Parties may have by law statute, ordinance, or otherwise. The failure by any Party to exercise any right, power, or option given to it by this Agreement, or to insist upon strict compliance with the terms of this Agreement, shall not constitute a waiver of the terms and conditions of this Agreement with respect to any other or subsequent breach thereof, nor a waiver by such Party of its rights at any time thereafter to require exact and strict compliance with all the terms hereof. Any rights and remedies any Party may have with respect to the other arising out of this Agreement shall survive the cancellation, expiration or termination of this Agreement, except as otherwise expressly set forth herein.

E. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination or expiration of this Agreement shall survive termination or expiration.

F. This Agreement is made subject to the existing provisions of the Charter of the City of Waxahachie, its present rules, regulations, procedures and ordinances, and all applicable laws, rules, and regulations of the State of Texas and the United States.

G. The undersigned officers and/or agents of the Parties hereto are the properly authorized persons and have the necessary authority to execute this Agreement on behalf of the Parties hereto.

H. This Agreement may be only amended or altered by written instrument signed by JHDMC and the City.

I. The headings and captions used in this Agreement are for the convenience of the Parties only and shall not in any way define, limit or describe the scope or intent of any provisions of this Agreement.

J. This Agreement is the entire agreement between the Parties with respect to the subject matters covered in this Agreement. There are no other collateral oral or written agreements between the Parties that in any manner relates to the subject matter of this Agreement, except as provided or referenced in this Agreement.

K. Each Party agrees, upon request of the other, to execute such other and further documentation as may be reasonably required to carry out the Parties' respective rights and obligations under this Agreement. Upon completion of this Agreement, the City will acknowledge, in writing, that Vista Way has been completed to the City's satisfaction, and any other document as may be required to confirm acceptance of Vista Way by the City. In addition, each Party will, upon request of the other, execute a final acknowledgment of completion, verifying that no further obligations are owed by such Party under this Agreement.

L. In accordance with Section 2270.002 of the Texas Government Code (as added by Tex. H.B. 89, 85<sup>th</sup> Leg., R.S. (2017)), JHDMC verifies that it does not boycott Israel and will not boycott Israel during the Term of this Agreement.

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**EXECUTED** by the Parties on the dates set forth below.

**JHDMC, LLC**

**City of Waxahachie, Texas**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_

City Secretary

**STATE OF TEXAS** §

**COUNTY OF** \_\_\_\_\_ §

Before me, the undersigned authority, on this \_\_\_\_ day of \_\_\_\_\_, 2018, personally appeared \_\_\_\_\_, in the capacity as a duly authorized agent of JHDMC, LLC, 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.

[Seal]

By: \_\_\_\_\_

Notary Public, State of Texas

My Commission Expires: \_\_\_\_\_



City Council  
City of Waxahachie  
401 S. Rogers St.  
Waxahachie, TX 75165

Date: 10/1/18

Dear City Council Members:

The Texas Baptist Home, located in the city of Waxahachie and Bedford, provides a variety of campus and community based services to children, youth and families. One of these programs includes providing foster care for children requiring therapeutic services.

We are notifying you, as required by our license with the Texas Department of Family and Protective Services that we are licensing a new therapeutic foster home located at 135 Sullivan Way Waxahachie, TX 75167. We have also notified and received a signed agreement with the Waxahachie Independent School District regarding the educational plan for the kids in this foster home.

Please contact me if you have any questions or concerns.

Sincerely,

Clairissa Veltkamp, BS  
TBHC Foster Care Case Manager  
972-937-1321  
Cveltkamp@tbhc.org