

# **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, July 2, 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
4. Texas Pledge of Allegiance      *Honor the Texas Flag;  
I pledge allegiance to thee;  
Texas, one state under God, one and indivisible*
5. ***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 551.071, Texas Government Code.
6. ***Consent Agenda***

All matters listed under Item 6, 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 June 18, 2018
  - b. Minutes of the City Council Worksession of June 18, 2018
  - c. Approve street closure for Farm to Table Dinner on the Square
  - d. Approve budget amendment for GIS Technician in Planning Department
  - e. Request by Mike Riley, Aspen Heights Construction, for a Final Plat of Aspen Heights for 1 lot, being 17.820 acres in the Emory W. Rogers Survey, Abstract 896 (Property ID 256879, 268390, 268389) – Owner: BRECKENRIDGE GROUP WAXAHACHIE TEXAS LP (FP-18-0105)
7. ***Introduce*** Honorary Councilmember
8. ***Recognition*** of Public Works Department for “Project of the Year” from the Texas Public Works Association for their work on Marvin Street

9. **Consider** request by Kars Tamminga for a Final Plat of Pioneer Point Phase 1 and 2 for 20 lots, being 29.068 acres situated in the Charles Atteberry Survey, Abstract 10 (Property ID 210780) in the Extra Territorial Jurisdiction – Owner: TAMMINGA FAMILY PRTNSP LTD (FP-18-0097)
10. **Consider** request by Wes Dorough, JH-Development LLC, for a Final Plat of The Cove Phase Two for 94 residential and 1 open space lots, being 24.329 acres in the Henry Sange Survey, Abstract 1009, the Robert Russell Survey, Abstract 911, and the Henri Levy Survey, Abstract 629 (Property ID 223031) – Owner: MORITZ INTERESTS LTD (FP-18-0092)
11. **Consider** Landscape Plan for The Cove Phase 2 as a companion to FP-18-0092 – Owner: MORITZ INTERESTS LTD
12. **Consider** Landscape Plan for Sheppard's Place as a companion to PP-17-0157 – Owner: JHDMC, LLC
13. **Public Hearing** on a request by Alyssa Martel, Solar City dba Tesla Energy, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development- Single Family-2 zoning district, located at 119 Rain Cloud Drive, being LOT 10 BLK Q BUFFALO RIDGE ADDN PH IIIB 0.173 AC (Property ID 267470) - Owner: MAU STEFAN & APRIL ROMAN (SU-18-0090)
14. **Consider** proposed Ordinance approving Zoning Change No. SU-18-0090
15. **Consider** request by Stan Beard, Buc-ee's Ltd, for a Preliminary Plat of Buc-ee's Addition for 4 lots, being 58.72 acres in the Elbert C. Newton Survey, Abstract 790, John Shavor Survey, Abstract 1000, and Peter B. Stout Survey, Abstract 1003 (Property ID 188453) – Owner: 60 WAX RE HOLDINGS, LLC (PP-18-0098)
16. **Consider** request by R. Jay Anthony, AP Land Development LLC, for a Preliminary Plat of Springside Estates Phase 1 for 58 residential and 2 non-residential lots, being 88.651 acres situated in the John Collet Survey, Abstract 221 (Property ID 138304, 138712, 138303) in the Extra Territorial Jurisdiction – Owner: AKP STILLWATER PARTNERSHIP and AP WAXAHACHIE LIMITED PARTNERSHIP (PP-18-0094)
17. **Consider** request by R. Jay Anthony, AP Land Development LLC, for a Final Plat of Springside Estates Phase 1 for 58 residential and 2 non-residential lots, being 88.651 acres situated in the John Collet Survey, Abstract 221 (Property ID 138304, 138712, 138303) in the Extra Territorial Jurisdiction – Owner: AKP STILLWATER PARTNERSHIP and AP WAXAHACHIE LIMITED PARTNERSHIP (FP-18-0080)
18. **Public Hearing** on a request by Lance Rust, Joe Rust Co., for a Zoning Change from a Planned Development-Single Family-1 zoning district to Single Family-1 located on Lone Elm Road before the turn near Meadow Crest Drive (Property ID 180711) - Owner: WALKER BRINT & WALKER CLINT (ZC-18-0093)
19. **Consider** proposed Ordinance approving Zoning Change No. ZC-18-0093
20. **Consider** request by Lance Rust, Joe Rust Co., for a Preliminary Plat of Lone Elm Addition for 13 residential lots, being 21.607 acres in the E. H. Belcher Survey, Abstract 143 (Property ID 180711) – Owner: WALKER BRINT & WALKER CLINT (PP-18-0083)

21. **Public Hearing** on a request by Josh Spoerl, Arrive Architecture Group, for a Zoning Change from a General Retail zoning district to General Retail and Planned Development-Mixed Use Residential, with Concept Plan, located at NE corner of US 287 Bypass Service Road at FM 813, being 911 R RUSSELL 7.121 ACRES and 911 R RUSSELL 10.6200 ACRES (Property ID 227073 and 138302) - Owner: LYONS AMERICAN SECURITIES INC (PD-18-0074)
22. **Consider** proposed Ordinance approving Zoning Change No. PD-18-0074
23. **Consider** request by James P. Moon, Attorney and Authorized Representative of Blue Bonnet Trails, LLC, Owner, for a PETITION TO EXTEND APPROVAL pursuant to Appendix C – Subdivisions, Section 2.3 – Procedures and Submission Requirements for Preliminary Plat Approval for Blue Bonnet Trail (Property ID 182266 and 182267) – Owner: BLUE BONNET TRAILS LLC (PP-18-0096)
24. **Continue Public Hearing** on a request by Blain Vinson, Aspen Community Development, for a Zoning Change from a Single Family-3 zoning district to Planned Development-SF-3, with Concept Plan, located East of 865 Cantrell Street, being 6 JC ARMSTRONG 17.521 ACRES (Property ID 244351) - Owner: WALKER L GORDON ETAL (PD-18-0059)
25. **Consider** proposed Ordinance approving Zoning Change No. PD-18-0059
26. **Consider** award of a bid to J & K Excavation, LLC for the corridor rehabilitation of Lavista Street.
27. **Consider** a resolution authorizing the reimbursement of the General Fund's Unrestricted Reserves from the proceeds of future debt for the rehabilitation of Lavista Street.
28. **Consider** award of a bid to Tiseo Paving Company for the corridor rehabilitation of Indian Hills Drive and Buffalo Creek Drive.
29. **Consider** a resolution authorizing the reimbursement of the General Fund's Unrestricted Reserves from the proceeds of future debt for the rehabilitation of Indian Hills Drive and Buffalo Creek Drive.
30. Comments by Mayor, City Council, City Attorney and City Manager
31. 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

City Council  
June 18, 2018

(low)

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, June 18, 2018 at 7:00 p.m.

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

**4. Texas Pledge of Allegiance**

Councilmember Melissa Olson gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**5. Public Comments**

Ms. Amy Hedtke, 106 Vanderbilt Lane, Waxahachie, referenced Item No. 43 (Consider Resolution directing publication of Notice of Intention to issue Combination Tax and Revenue Certificates of Obligation, Series 2018) and asked it not be voted on noting there is a lot of extra debt that needs to be paid down and residents need a tax relief. She asked it be voted down so a petition calling for an election won't have to be circulated. Ms. Hedtke announced a petition is circulating pertaining to the Ellis County annexation reform and encouraged signatures.

**6. Consent Agenda**

- a. Minutes of the City Council meeting of June 4, 2018
- b. Approve Downtown Improvements/Public Art per Tax Increment Reinvestment Zone #1 recommendation
- c. Approve Interlocal Agreement with Ellis County for maintenance of roads, bridges, waterways and ditches
- d. Approve member to the Cemetery Board to fill a vacancy
- e. Approve application for Neighborhood Block Party
- f. Approve request by Chris Acker, Acker Construction, for a Final Plat of Dental Place Addition for 2 lots, being 2.081 acres situated in the John Gooch Survey, Abstract 393 (Property ID 184243) – Owner: INDIAN DRIVE HOLDINGS LLC (FP-18-0058)

(lea)

**Action:**

*Mayor Pro Tem David Hill moved to approve items a. through f. on the Consent Agenda. Councilmember Mary Lou Shipley seconded. The vote was as follows: Ayes: Kevin Strength, David Hill, Chuck Beatty, and Mary Lou Shipley. Noes: Melissa Olson. The motion carried 4 to 1.*

**7. Introduce Honorary Councilmember**

Councilmember Mary Lou Shipley introduced Mr. Jonah Taylor, Honorary Councilmember for the month of June and presented him with a Certificate of Appreciation for participating in the Honorary Councilmember program.

**8. Present Proclamation recognizing City Secretary Lori Cartwright**

Mayor Strength read a Proclamation recognizing City Secretary Lori Cartwright for her leadership as President of the Texas Municipal Clerks Association (TMCA) Yellow Rose Chapter. She was selected as the 2018 Yellow Rose Chapter Municipal Clerk of the Year on June 7, 2018 and will represent her Chapter as a nominee for the 2018 Texas Municipal Clerk of the Year at the TMCA Annual Business meeting in October. Ms. Cartwright thanked Mayor Strength, City Council and City Manager Michael Scott for their support and thanked them for supporting not only her but city staff as they strive for certifications and re-certifications.

**9. Consider request by Donnie Tucker, Tucker Surveyors, for a Preliminary Plat of Baker 1 for 1 lot, being 4.00 acres in the T.D. Mason Survey, Abstract 1227 (Property ID 271351) in the Extra Territorial Jurisdiction – Owner: DONNA G BAKER (PP-18-0075)**

Mr. Shon Brooks, Director of Planning, reviewed the Preliminary Plat noting removal of all references to the County signatures will need to be removed. Staff recommended approval per comments.

**Action:**

*Councilmember Mary Lou Shipley moved to approve a request by Donnie Tucker, Tucker Surveyors, for a Preliminary Plat of Baker 1 for 1 lot, being 4.00 acres in the T.D. Mason Survey, Abstract 1227 (Property ID 271351) in the Extra Territorial Jurisdiction – Owner: DONNA G BAKER (PP-18-0075) per staff comments. Councilmember Chuck Beatty seconded, All Ayes.*

**10. Consider request by Donnie Tucker, Tucker Surveyors, for a Final Plat of Baker 1 for 1 lot, being 4.00 acres in the T.D. Mason Survey, Abstract 1227 (Property ID 271351) in the Extra Territorial Jurisdiction – Owner: DONNA G BAKER (FP-18-0076)**

Mr. Brooks reported this is a companion case to PP-18-0075 noting removal of all references to the County signatures will need to be removed. Staff recommended approval per comments.

(lea)

**Action:**

*Councilmember Chuck Beatty moved to approve a request by Donnie Tucker, Tucker Surveyors, for a Final Plat of Baker 1 for 1 lot, being 4.00 acres in the T.D. Mason Survey, Abstract 1227 (Property ID 271351) in the Extra Territorial Jurisdiction – Owner: DONNA G BAKER (FP-18-0076) per staff comments. Mayor Pro Tem David Hill seconded, All Ayes.*

- 11. Public Hearing on a request by Vayne Thomas, P.O.M. Contracting LLC, for a Replat of Lot 5 and 6, Block 13, Harriet I. Nowlin Addition, to create Lot 5R, Block 13 0.619 acres (Property ID 175065) – Owner: WAYNE SUTTON (RP-18-0086)**

Mayor Strength opened the Public Hearing.

Mr. Brooks reported the request is to enlarge the lot. Staff comments included: include the deed information in the text; remove the building lines from the plat; include the zoning for the property and all contiguous properties; indicate the ROW width; and, need 15-foot easement along street frontage. He reported one (1) letter of support was received on RP-18-0086 and recommended approval per staff comments.

Mr. Vayne Thomas, P.O.M. Contracting LLC, representing applicant was available for questions.

There being no others to speak for or against RP-18-0086, Mayor Strength closed the Public Hearing.

- 12. Consider approval of RP-18-0086**

**Action:**

*Councilmember Chuck Beatty moved to approve a request by Vayne Thomas, P.O.M. Contracting LLC, for a Replat of Lot 5 and 6, Block 13, Harriet I. Nowlin Addition, to create Lot 5R, Block 13 0.619 acres (Property ID 175065) – Owner: WAYNE SUTTON (RP-18-0086) per staff comments. Mayor Pro Tem David Hill seconded, All Ayes.*

- 13. Public Hearing on a request by Terry Gyde, Born 2 B A Blessing Birth Services, for a Specific Use Permit (SUP) for Medical Facilities use within a Commercial zoning district, located at 612 S. Rogers Street, being 2 20 BULLARD 0.454 ACRES (Property ID 172376) - Owner: JACK & LAURA HODGE (SU-18-0085)**

Mayor Strength opened the Public Hearing.

Mr. Brooks reported the applicant has existing offices at the location and seeks to establish a birthing center at this location. He stated the applicant request relief from the need to provide eight (8) paved parking spaces noting the site currently has gravel parking and enough stacking for seven (7) vehicles.

Ms. Terry Gyde, applicant, 612 S. Rogers, was available for questions.

There being no others to speak for or against SU-18-0085, Mayor Strength closed the Public Hearing.

(la)

14. Consider proposed Ordinance approving Zoning Change No. SU-18-0085

**ORDINANCE NO. 3034**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A MEDICAL FACILITY USE WITHIN A COMMERCIAL (C) ZONING DISTRICT, LOCATED AT 612 S. ROGERS STREET, BEING PROPERTY ID 172376, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 2, BLOCK 20 IN THE BULLARD SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Councilmember Mary Lou Shipley moved to approve Ordinance No. 3034 as presented. Mayor Pro Tem David Hill seconded, All Ayes.*

15. Consider request by Joe Wilson, for a Preliminary Plat of Wilson Family Farm for 1 lot, being 12.273 acres in the T. Mason Survey, Abstract 127 (Property ID 266860) – Owner: WILSON JOSEPH D & MISTY L WILSON (PP-18-0068)

Mr. Brooks stated the applicant has met the requirements and recommended approval per the following comments: Right of way dedication to be indicated and utility easement to be removed where not against the street.

**Action:**

*Mayor Pro Tem David Hill moved to approve a request by Joe Wilson, for a Preliminary Plat of Wilson Family Farm for 1 lot, being 12.273 acres in the T. Mason Survey, Abstract 127 (Property ID 266860) – Owner: WILSON JOSEPH D & MISTY L WILSON (PP-18-0068) per staff comments. Councilmember Mary Lou Shipley seconded, All Ayes.*

16. Consider request by Joe Wilson, for a Final Plat of Wilson Family Farm for 1 lot, being 12.273 acres in the T. Mason Survey, Abstract 127 (Property ID 266860) – Owner: JOSEPH D WILSON & MISTY L WILSON (FP-18-0091)

Mr. Brooks reported this is a companion case to FP-18-0091 and recommended approval per following comments: Right of way dedication to be indicated and utility easement to be removed where not against the street.

**Action:**

*Councilmember Chuck Beatty moved to approve a request by Joe Wilson, for a Final Plat of Wilson Family Farm for 1 lot, being 12.273 acres in the T. Mason Survey, Abstract 127 (Property ID 266860) – Owner: JOSEPH D WILSON & MISTY L WILSON (FP-18-0091) per staff comments. Mayor Kevin Strength seconded, All Ayes.*

17. Public Hearing on a request by Mickey Williams, Straightway Church, for a Replat of Lots 37 and 38, Highland Park Addition, to create Lot 37A, Highland Park Addition, 0.241 acre (Property ID 174037) – Owner: STRAIGHTWAY NONDENOMINATIONAL (RP-18-0073)

(11)

Mayor Strength opened the Public Hearing.

Mr. Brooks reported the applicant seeks to expand the land and add on to the parsonage. He reported staff received one (1) letter of support. Mr. Brooks stated the applicant submitted a petition for relief with regards to the twelve (12) foot right-of-way dedication required along Perry Avenue. Staff recommended reducing the twelve (12) foot of right-of-way dedication.

Mr. Mickey Williams, applicant, was available for questions.

There being no others to speak for or against RP-18-0073, Mayor Strength closed the Public Hearing.

**18. Consider approval of RP-18-0073**

**Action:**

*Councilmember Chuck Beatty moved to approve a request by Mickey Williams, Straightway Church, for a Replat of Lots 37 and 38, Highland Park Addition, to create Lot 37A, Highland Park Addition, 0.241 acre (Property ID 174037) – Owner: STRAIGHTWAY NONDENOMINATIONAL (RP-18-0073) per staff comments. Councilmember Melissa Olson seconded, All Ayes.*

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

Mayor Strength continued the Public Hearing.

Mr. Brooks reported the applicant requested PD-18-0059 be continued to the Council meeting of July 2, 2018.

**20. Consider proposed Ordinance approving Zoning Change No. PD-18-0059**

**Action:**

*Councilmember Mary Lou Shipley moved to continue a request by Blain Vinson, Aspen Community Development, for a Zoning Change from a Single Family-3 zoning district to Planned Development-SF-3, with Concept Plan, located East of 865 Cantrell Street, being 6 JC ARMSTRONG 17.521 ACRES (Property ID 244351) - Owner: WALKER L GORDON ETAL (PD-18-0059) to the City Council meeting of July 2, 2018. Councilmember Chuck Beatty seconded, All Ayes.*

**21. Public Hearing on a request by the City of Waxahachie to amend Sections 2.1 through 2.10, "Procedures", of Appendix C, "Subdivisions", of the City of Waxahachie City Code (TA-18-0089)**

Mayor Strength opened the Public Hearing.



(6A)

Mr. Brooks reported the City requested TA-18-0089 be continued to the City Council meeting of July 2, 2018.

**22. Consider proposed Ordinance approving Zoning Change No. TA-18-0089**

**Action:**

*Councilmember Chuck Beatty moved to continue a request by the City of Waxahachie to amend Sections 2.1 through 2.10, "Procedures", of Appendix C, "Subdivisions", of the City of Waxahachie City Code (TA-18-0089) to the City Council meeting of July 2, 2018. Mayor Pro Tem David Hill seconded, All Ayes.*

**23. Consider request by Jaison Stephen, Jacobs Engineering Group, Inc, for a Preliminary Plat of Harlan Village for 233 lots and 12 open space lots, being 77.70 acres in the Thomas Shelby Survey, Abstract 1002 (Property ID 191092) – Owner: HARLAN PROPERTIES INC (PP-18-0050)**

Mr. Brooks reported the Preliminary Plat is for a Single Family-3 neighborhood in a planned development noting the applicant has met the requirements of the zoning for the plat. He stated the applicant and staff moved the requested north/south thoroughfare over to avoid it running into the water treatment facility property. Mr. Brooks stated there is a request for deviation on the frontage road along Butcher Road and explained there is an existing water line so the future dedication of the right-of-way will be done per staff comments working with the applicant and determining exactly the line for the right-of-way dedication. Mr. Brooks recommended approval per staff comments.

Councilmember Melissa Olson asked if the project will widen Butcher Road noting the development will bring a lot of traffic. She asked how many lots are in the development. Mr. Brooks stated this project will not cause Butcher Road to be widened. He stated 230 lots will be developed.

Mr. Jaison Stephen, applicant, Jacobs Engineering Group, Inc., 1999 Bryant Street, Dallas, stated Butcher Road is a TxDOT right-of-way noting they completed a traffic impact analysis and approved a number of driveway connections to Butcher Road. Mr. Stephen stated he provided a 30 foot landscape buffer to allow the ability to dedicate future right-of-way as needed by TxDOT.

**Action:**

*Mayor Pro Tem David Hill moved to approve a request by Jaison Stephen, Jacobs Engineering Group, Inc., for a Preliminary Plat of Harlan Village for 233 lots and 12 open space lots, being 77.70 acres in the Thomas Shelby Survey, Abstract 1002 (Property ID 191092) – Owner: HARLAN PROPERTIES INC (PP-18-0050) per staff comments. Councilmember Chuck Beatty seconded. The vote was as follows: Ayes: Kevin Strength, David Hill, Chuck Betty, and Mary Lou Shipley. Noes: Melissa Olson. The motion carried 4 to 1.*

**24. Consider Landscape Plan for Harlan Village as a companion to PP-18-0050 – Owner: HARLAN PROPERTIES INC**

Mr. Brooks recommended approval noting this is the landscape plan of PP-18-0050.

(16A)

**Action:**

*Councilmember Mary Lou Shipley moved to approve a Landscape Plan for Harlan Village as a companion to PP-18-0050 – Owner: HARLAN PROPERTIES INC. Mayor Pro Tem David Hill seconded. The vote was as follows: Ayes: Kevin Strength, David Hill, Chuck Betty, and Mary Lou Shipley. Abstained: Melissa Olson. The motion carried.*

- 25. Public Hearing on a request Kyle Hunt, Hunt Restoration, for a Specific Use Permit (SUP) for Accessory Building (Residential) greater or equal to 700 S.F. use within a Planned Development-28-General Retail zoning district, located at 520 N. College Street, being LOT 26 & PT 27 BLK 9 TOWN - WAXAHACHIE 0.471 AC (Property ID 170713) - Owner: BILLY L & SHARON G DUNCAN (SU-18-0087)**

Mayor Strength opened the Public Hearing.

Mr. Brooks reported the applicant seeks to convert an existing garage into an accessory dwelling unit and an existing shed into a garage. He reported the applicant is in compliance and sufficient screening is in place facing Marvin Street. Staff recommended approval.

There being no others to speak for or against SU-18-0087, Mayor Strength closed the Public Hearing.

- 26. Consider proposed Ordinance approving Zoning Change No. SU-18-0087**

**ORDINANCE NO. 3035**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT An ACCESSORY BUILDING (RESIDENTIAL) GREATER OR EQUAL TO 700 S.F. USE WITHIN A PLANNED DEVELOPMENT-28-GENERAL RETAIL (PD-28-GR) ZONING DISTRICT, LOCATED AT 520 N. COLLEGE STREET, BEING PROPERTY ID 170713, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 26 & PT 27, BLOCK 9 IN THE TOWN – WAXAHACHIE SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Councilmember Chuck Beatty moved to approve Ordinance No. 3035 as presented. Councilmember Mary Lou Shipley seconded, All Ayes.*

- 27. Continue Public Hearing on a request by Grant Robinson, CPG Homes LLC, for a Zoning Change from a Multi-Family-2 zoning district to Planned Development-Multi-Family-2, with Concept Plan, located East of new Waxahachie High School, being 1080 WM C TUNNELL 6.536 ACRES (Property ID 264879) - Owner: THE MARK ON 287 OWNER LLC (PD-18-0048)**

Mayor Strength continued the Public Hearing.

(100)

Mr. Brooks stated the requested Planned Development is replacing an existing Planned Development for a multi-family Development. He stated the applicant is asking for deviation on density as well setbacks and open space requirements. He stated with this development the applicant has been working with the school district to get an east/west connection as well as a north/south connection. Mr. Brooks explained the applicant agreed with the school district to build on their property a roadway noting they altered their design and no longer request the entry off Highway 287 frontage road. He stated there will be a drive leading to their entrance until it is continued north/south. The applicant is proposing to dedicate right-of-way for the east/west connection on the school property and a little on private property.

Mr. Brooks reported the applicant revised their elevations per staff comments as well as recommendations from the Planning & Zoning Commission, so they will have 100% masonry on the street fronting sides. As stated they still have deviation with open space, density as well as garages noting rather than 50% required garages applicant requested 11%. They added additional covered parking in the form of car ports with their revised design. Mr. Brooks stated at the first hearing of the Planning & Zoning Commission meeting, WISD requested to withdraw their protest of the project but going back and working with the school district the applicant and district came up with the right-of-way dedication as well as a revised design, the WISD provided a letter supporting the project. Mr. Brooks stated it is a difficult case, but the consideration of the council is necessary for this case.

Mr. Chris Acker, 5100 Honeysuckle Road, Midlothian, stated the thoroughfare will be four lanes and built at the developers cost. It will be built similar to North Grove Blvd. with landscape and lighting. He stated every elevation that faces the property line is 100% masonry, 84 covered spaces in the back, 30 attached garages and one detached garage. Mr. Acker stated the main reason for the increased density is due to the right-of-way dedication and when we give you the land it increases the density. He stated the apartments will be one (1) and two (2) bedroom housing, fully secured, gated, cameras, and pool.

There being no others to speak for or against PD-18-0048, Mayor Strength closed the Public Hearing.

**28. Consider proposed Ordinance approving Zoning Change No. PD-18-0048**

**ORDINANCE NO. 3036**

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM A MULTI-FAMILY-2 (MF2) TO PLANNED DEVELOPMENT-MULTI-FAMILY-2(PD-MF2), WITH CONCEPT PLAN LOCATED EAST OF THE NEW WAXAHACHIE HIGH SCHOOL IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 6.536 ACRES KNOWN AS PROPERTY ID 264879 IN THE WM C TUNNELL SURVEY, ABSTRACT NO. 1080, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Councilmember Mary Lou Shipley moved to approve Ordinance No. 3036 as presented. Councilmember Melissa Olson seconded, All Ayes.*

(100)

29. **Public Hearing on a request by Verlin Taylor, VKT Associates, for a Zoning Change from a Commercial zoning district to Planned Development-Commercial, with Concept Plan, located at 1501 Dr. Martin Luther King Jr Blvd., being 272 S M DURRETT 0.3426 ACRES (Property ID 182074) - Owner: VKT ASSOCIATES LLC (PD-18-0079)**

Mayor Strength opened the Public Hearing.

Mr. Brooks reported the applicant seeks to continue the Public Hearing to the City Council meeting of August 6, 2018.

**Action:**

*Councilmember Chuck Beatty moved to continue the Public Hearing on PD-18-0079 to the City Council meeting of August 6, 2018. Councilmember Mary Lou Shipley seconded, All Ayes.*

30. **Consider proposed Ordinance approving Zoning Change No. PD-18-0079**

*No action taken*

31. **Continue Public Hearing on a request by Joseph Willrich, BEFCO Engineering Inc., for a Specific Use Permit (SUP) for HEAVY MACHINERY SALES OR STORAGE, TRAILER AND HEAVY LOAD VEHICLE REPAIR, EQUIPMENT SALES (NEW OR USED), EQUIPMENT RENTAL (HEAVY), OPEN OR OUTSIDE STORAGE, DISPLAY, OR WORK AREAS FOR MERCHANDISE OR MACHINERY) uses within a Light Industrial-1 zoning district, located at 100 W Sterrett, 6820 N Interstate 35, and 6800 N Interstate 35, being 821 LB OUTLAW 2.354 ACRES, 821 LB OUTLAW 2.324 ACRES, and 821 LB OUTLAW 4.98 ACRES (Property ID 203820, 194221, and 188699) - Owner: M & M INVESTMENTS (SU-18-0045)**

Mayor Strength continued the Public Hearing.

Mr. Brooks reported the applicant proposed to continue with crushed pavement. He addressed the planting of trees noting the applicant provided a landscape plan with trees. Mr. Brooks recommended approval to include landscape plan.

There being no others to speak for or against SU-18-0045, Mayor Strength closed the Public Hearing.

32. **Consider proposed Ordinance approving Zoning Change No. SU-18-0045**

**ORDINANCE NO. 3037**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A HEAVY MACHINERY SALES OR STORAGE; TRAILER AND HEAVY LOAD VEHICLE REPAIR; EQUIPMENT SALES (NEW OR USED); EQUIPMENT RENTAL (HEAVY); OPEN OR OUTSIDE STORAGE, DISPLAY OR WORK AREAS FOR MERCHANDISE OR MACHINERY USES WITHIN A LIGHT INDUSTRIAL-1 (LI1)**

(102)

**ZONING DISTRICT, LOCATED AT 6820 N INTERSTATE 35, BEING PROPERTY ID 194221, AND A NORTHERN PORTION OF 188699, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING IN THE L B OUTLAW SURVEY, ABSTRACT NO. 821 AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Mayor Pro Tem David Hill moved to approve Ordinance No. 3037 as presented. Councilmember Mary Lou Shipley seconded, All Ayes.*

- 33. Consider request by Joseph Willrich, BEFCO Engineering Inc., for a Preliminary Plat of Sterrett Industrial Addition for 1 lot, being 9.686 acres in the William B. Haynes Survey, Abstract 486 and the LB Outlaw Survey, Abstract 10 (Property ID 203820, 194221, and 188699) – Owner: M & M INVESTMENTS (PP-18-0081)**

Mr. Brooks reported this is the same property and stated there is currently insufficient water service at this location to provide for adequate fire protection to this site. He noted fire protection required by Waxahachie Fire Department includes fire pump, water tank, and fire sprinkler system inside building.

**Action:**

*Councilmember Mary Lou Shipley moved to approve a request by Joseph Willrich, BEFCO Engineering Inc., for a Preliminary Plat of Sterrett Industrial Addition for 1 lot, being 9.686 acres in the William B. Haynes Survey, Abstract 486 and the LB Outlaw Survey, Abstract 10 (Property ID 203820, 194221, and 188699) – Owner: M & M INVESTMENTS (PP-18-0081) per staff comments. Mayor Pro Tem David Hill seconded, All Ayes.*

- 34. Consider request by Joseph Willrich, BEFCO Engineering Inc., for a Final Plat of Sterrett Industrial Addition for 1 lot, being 9.686 acres in the William B. Haynes Survey, Abstract 486 and the LB Outlaw Survey, Abstract 10 (Property ID 203820, 194221, and 188699) – Owner: M & M INVESTMENTS (FP-18-0082)**

Mr. Brooks presented the Final Plat noting it is the companion case to PP-18-0081. He recommended approval subject to fire protection required by Waxahachie Fire Department to include fire pump, water tank, and fire sprinkler system inside building.

**Action:**

*Councilmember Mary Lou Shipley moved to approve a request by Joseph Willrich, BEFCO Engineering Inc., for a Final Plat of Sterrett Industrial Addition for 1 lot, being 9.686 acres in the William B. Haynes Survey, Abstract 486 and the LB Outlaw Survey, Abstract 10 (Property ID 203820, 194221, and 188699) – Owner: M & M INVESTMENTS (FP-18-0082) as presented. Mayor Pro Tem David Hill seconded, All Ayes.*

- 35. Public Hearing on a request by Stan Beard, Buc-ee's, LTD, for a Zoning Change from a Light Industrial-1 and Future Development zoning district to Planned Development-Commercial, with Concept Plan, located at the SW corner of I-35E and Butcher Road, being 790 E C NEWTON 58.718 ACRES (Property ID 188453) - Owner: 60 WAX RE HOLDINGS, LLC (PD-18-0088)**

(11)

Mayor Strength opened the Public Hearing.

Mr. Brooks stated the applicant seeks to build a Buc-ee's Travel Center at the intersection of Butcher and I-35E, and is seeking to establish the development standards for that site. He stated the Planning and Zoning Commission recommended approval of a seventy-five (75) foot pole sign height with maximum pole sign size of 380 feet. Mr. Brooks stated staff has been working with Buc-ee's and the elevation looks good using quality materials. He stated staff and the applicant are currently reviewing landscaping.

There being no others to speak for or against PD-18-0088, Mayor Strength closed the Public Hearing.

Councilmember Melissa Olson asked what was going to be done with the bridge over I-35E. Mayor Strength stated the area will have an interchange at that location and the City is working with TxDOT. He stated the bridge will be in before the building is built.

**36. Consider proposed Ordinance approving Zoning Change No. PD-18-0088**

**ORDINANCE NO. 3038**

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM LIGHT INDUSTRIAL-1 AND FUTURE DEVELOPMENT (LI1 AND FD) TO PLANNED DEVELOPMENT-COMMERCIAL (PD-C), WITH CONCEPT PLAN LOCATED AT THE SOUTHWEST CORNER OF INTERSTATE 35 E AND BUTCHER ROAD IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 58.718 ACRES KNOWN AS PROPERTY ID 188453 OF THE EC NEWTON SURVEY, ABSTRACT NO. 790 AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Councilmember Chuck Beatty moved to approve Ordinance No. 3038. Councilmember Mary Lou Shipley seconded, All Ayes.*

**37. Consider Food and Food Handlers Ordinance and take any necessary action**

Mr. Ryan Studdard, Director of Building and Community Services, reported earlier this year staff gave a presentation pertaining to repealing and replacing Ordinance No. 2520 Food and Food Handlers. He stated it updates the TFER dated 2006 to the new update dated 2015, updates terms, allows staff to use a plan to help food handlers to come into compliance, and basic clean-up of language.

**ORDINANCE NO. 3039**

**AN ORDINANCE AMENDING THE FOOD AND FOOD HANDLERS PROVISIONS, BY REPEALING AND REPLACING ORDINANCE NO. 2520 OF THE CODE OF ORDINANCES, CITY OF WAXAHACHIE, AND SETTING AN EFFECTIVE DATE**

**Action:**

(10)

*Councilmember Melissa Olson moved to approve Ordinance No. 3039 as presented. Councilmember Chuck Beatty seconded, All Ayes.*

**38. Public Hearing to continue the curfew for minors**

Mayor Strength opened the Public Hearing.

City Manager Michael Scott reported this is a three (3) year ordinance and it is up for renewal. He stated there are no new changes.

Those who spoke against the curfew for minors:

Mr. Joe Palmer, 4017 Sanguinet Court, Fort Worth, Texas  
Ms. Amy Hedtke, 106 Vanderbilt Lane, Waxahachie

There being no others to speak for or against the curfew for minors, Mayor Strength closed the Public Hearing.

**39. Consider proposed Ordinance continuing the curfew for minors**

**ORDINANCE NO. 3040**

**AN ORDINANCE PASSING ARTICLE VII, CURFEW FOR MINORS, AND ENACTING SEC. 21-81, THROUGH 21.85, ENACTING A CURFEW FOR MINORS, PROVIDING FOR DEFENSES, ENFORCEMENT, AND PENALTIES, DECLARING AN EMERGENCY, AND SETTING AN EFFECTIVE DATE.**

**Action:**

*Councilmember Melissa Olson moved to table proposed Ordinance No. 3040. The motion died due to lack of second.*

**Action:**

*Mayor Pro Tem David Hill moved to approve Ordinance No. 3040 as presented. Mayor Strength seconded. The vote was as follows: Ayes: Kevin Strength, David Hill, Chuck Beatty, and Mary Lou Shipley. Noes: Melissa Olson. The motion carried 4 to 1.*

**40. Consider award of bid for Penn Park Phase II**

Mr. John Smith, Director of Parks and Recreation, reported the bid opening for Phase II was held on May 24, 2018 and three (3) bids were received. He reported several alternates were bid which included: restroom building, water, sewer and electric for restroom, restroom pad and site work, football field irrigation and football field lighting. Mr. Smith stated Dean Electric had the lowest bid and total cost of the project with alternates and additions totaled \$674,337.00. He stated the funds available for the project total \$670,000.00 and requested an additional amount of \$5,000.00 to complete Phase II.

Mayor Strength stated this will be a great addition to the park.

(102)

City Manager Michael Scott recommended awarding the contract to Dean Electric including alternations and additions.

**Action:**

*Councilmember Chuck Beatty moved to award the bid to Dean Electric including alterations and additions in the total amount of \$674,337.00 for Penn Park Phase II as presented. Mayor Kevin Strength seconded, All Ayes.*

**41. Consider budget amendment for Penn Park Phase II**

Mr. Smith requested an additional amount of \$5,000.00 for completion of Penn Park Phase II as discussed above.

**Action:**

*Councilmember Mary Lou Shipley moved to approve a budget amendment in the amount of \$5,000.00 as presented. Councilmember Chuck Beatty seconded, All Ayes.*

**42. Consider Park Board recommendation for regulating patrons at lake parks during the week of the Fourth of July holiday**

Mr. Smith stated during holidays, the lake parks have become very overcrowded causing unsafe conditions and excessive parking overflow onto the roadways around the parks. He reported the Park Board met and recommended regulating patrons at lake parks during the week of the Fourth of July holiday. The Park Board recommended restricting access to the lake parks on June 30, 2018, July 1, 2018, July 4, 2018, July 7, 2018 and July 8, 2018 to City of Waxahachie residents only. Mr. Smith stated if approved, staff will install temporary fencing at the parks and funnel patrons through gates. Each gate will have a park employee and Waxahachie Police Officer.

Councilmember Mary Lou Shipley asked, if successful, will this convert to an Ordinance. Mr. Scott concurred.

Mayor Strength stated every holiday when the lakes north of Waxahachie get full visitors come to Waxahachie and soon found out it was free and therefore most visitors that come to Lake Waxahachie are not city residents. He stated this is a trial.

Mr. Smith stated message boards will be placed along Howard Road.

**Action:**

*Councilmember Mary Lou Shipley moved to approve regulating patrons at lake parks during the week of the Fourth of July holiday as presented. Councilmember Chuck Beatty seconded, All Ayes.*

**43. Consider Resolution directing publication of Notice of Intention to issue Combination Tax and Revenue Certificates of Obligation, Series 2018**

Mr. Charles Harris, Director of Finance, reported the Notice of Intention will be published twice in the local paper. He stated the bond amount changed from \$16,000,000.00 to \$14,760,000.00.



(10a)

Councilmember Melissa Olson asked what the projects will be. Mr. Harris stated the 2019 Capital Improvement Plan projects previously presented to City Council at a work session include: approximately 4.2 million in streets, 2.4 million in water, 5 million in wastewater, 3 million in the amphitheater and other to be used for engineering and legal fees incurred in connection with the projects.

**RESOLUTION NO. 1247**

**DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION: AND RESOLVING OTHER MATTERS RELATING TO THE SUBJECT**

**Action:**

*Mayor Pro Tem David Hill moved to approve Resolution No. 1247 as presented. Councilmember Mary Lou Shipley seconded. The vote was as follows: Ayes: Kevin Strength, David Hill, Chuck Beatty, and Mary Lou Shipley. Noes: Melissa Olson. The motion carried 4 to 1.*

- 44. Consider proposed contract with Kimley-Horn to provide professional engineering services for the design of electrical improvements and the installation of an emergency generator for the Howard Road Water Treatment Plant high service pump station, and for the design of an emergency generator for the Lake Waxahachie raw water pump station number 2**

Mr. Tommy Ludwig, Executive Director of Development Services, reported the engineering services described above totals \$414,000.00. He reported the projects are a planned capital expense and included in the City's 5 Year Capital Improvement Plan, which was last presented to Council on May 10<sup>th</sup>. Construction of the projects will be in 2019. He stated this project will ultimately be funded through certificate of obligation bonds, which are anticipated to be sold prior to the end of this fiscal year.

**Action:**

*Councilmember Melissa Olson moved to approve a contract with Kimley-Horn in the amount of \$414,000.00 as presented. Councilmember Chuck Beatty seconded, All Ayes.*

- 45. Consider Resolution authorizing reimbursement of the Water Fund's Working Capital from proceeds for future debt for the design of electrical improvements and the installation of an emergency generator for the Howard Road Water Treatment Plant high service pump station, and for the design of an emergency generator for the Lake Waxahachie raw water pump station number 2**

Mr. Ludwig reported Resolution No. 1248 is a companion Resolution to Item No. 44 authorizing a reimbursement to the Utilities Department operating fund from future bond sales.

**RESOLUTION NO. 1248**

**A RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT FOR PROFESSIONAL SERVICES ASSOCIATED WITH THE DESIGN OF THE HOWARD ROAD HIGH SERVICE PUMP STATION**

(wa)

**ELECTRICAL IMPROVEMENTS AND EMERGENCY GENERATOR  
INSTALLATION AND THE LAKE WAXAHACHIE RAW WATER PUMP STATION  
NUMBER 2 EMERGENCY GENERATOR PROJECT**

**Action:**

*Councilmember Chuck Beatty moved to approve Resolution No. 1248 as presented. Councilmember Melissa Olson seconded, All Ayes.*

**46. Convene into Executive Session for deliberation regarding economic development negotiations as permitted by Section 551.087 of the Texas Government Code**

Mayor Strength announced at 8:30 p.m. the City Council would convene into Executive Session for deliberation regarding economic development negotiations as permitted by Section 551.087 of the Texas Government Code.

**47. Reconvene and take any necessary action**

The meeting reconvened at 8:58 p.m.

**Action:**

*Mayor Pro Tem David Hill moved to execute Resolution No. 1249 authorizing a Chapter 380 Economic Agreement with Buc-ee's LTD. Councilmember Mary Lou Shipley seconded, All Ayes.*

**RESOLUTION NO. 1249**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, AUTHORIZING A CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF WAXAHACHIE AND BUC-EE'S, LTD.**

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

Councilmember Melissa Olson thanked Ms. Cartwright for her accuracy and assistance. She recapped why she voted no on agenda items.

Councilmember Chuck Beatty thanked Ms. Cartwright for her support and announced on Tuesday, June 19, 2018 Penn Park will celebrate the opening of Phase I and invited everyone to attend.

City Manager Michael Scott stated it speaks highly of Ms. Cartwright to be recognized by her peers and speaks of her professionalism. He stated staff is appreciative of her hard work and for the time she put in tirelessly. He announced Assistant City Manager Albert Lawrence recently passed the Certification for Certified Public Manager noting it is a one year course from Texas State University. Mr. Scott stated it speaks to the professionals we are hiring and hope to stay here. He congratulated Mr. Stan Beard, Buc-ee's LTD, on the zoning approval and project.

(10A)

Mayor Kevin Strength thanked Mr. Beard for coming to Waxahachie. He stated he admires Ms. Cartwright for bringing her staff up with her making sure they are receiving their certifications. He stated the ceremony at Penn Park is very important and encouraged all to attend. Mayor Strength thanked city staff for their work.

Mayor Pro Tem David Hill referenced the Food and Food Handlers Ordinance noting the city was operating under the 2006 code. He stated Texas is the twelfth state to embrace the Ordinance. He stated there was not a time that our food handlers were not handling food in a safe manner and explained the revisions is 90% administrative. He thanked City Council for passing the Ordinance. He congratulated Ms. Cartwright noting she has a gentle spirit and is always willing to do what is asked of her.

Councilmember Mary Lou Shipley congratulated Ms. Cartwright noting there has never been a time she's been to see Ms. Cartwright when she didn't have time to talk or answer questions noting she almost always knows the answer right of way which gives Council confidence. She stated she is pleased with the Food and Food Handlers Ordinance and excited about Buc-ee's.

City Attorney Robert Brown stated he represents several cities and Buc-ee's is a well sought after destination spot. He stated once it's in operation the city will be very pleased with the economic impacts. He congratulated Ms. Cartwright.

Ms. Amy Borders, Director of Communications and Marketing, reported the live streaming worked well without any glitches.

#### **49. Adjourn**

There being no further business, the meeting adjourned at 9:09 p.m.

Respectfully submitted,

Lori Cartwright  
City Secretary

City Council  
June 18, 2018

(leb)

A work session of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Conference Room, City Hall, 401 South Rogers, on Monday, June 18, 2018 at 6:00 p.m.

Council Members Present: Kevin Strength, Mayor  
David Hill, Mayor Pro Tem  
Chuck Beatty, Councilmember  
Mary Lou Shipley, Councilmember  
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. Hear presentation from SiEnergy**

City Manager Michael Scott stated staff has met with SiEnergy and tonight is informational.

Mr. Doug Barnes, Economic Director, reported SiEnergy is seeking a franchise in Waxahachie and introduced Mr. Don Dively.

Mr. Dively reported SiEnergy is a natural gas company and has been in business for 20 years servicing areas from North Fort Worth to Southwest Houston. He reviewed their design and operating system noting they work with developers on new development and they do not go into established neighborhoods.

Mr. Dively proposed the rates set 10 years ago as initial rates in Waxahachie due to the current lack of customers with no rate increase for three (3) years to allow for additional customer growth in north Texas. The proposed average monthly residential bill in Waxahachie will be \$51.49.

Mr. Scott stated one of staff's concerns was local presence. Mr. Dively stated they will have a local office in Waxahachie. He stated SiEnergy is not a publicly held company and not a large transmission company. Mr. Scott stated if there is a comfort level staff can bring back a Franchise Agreement at a future meeting for consideration.

**3. Adjourn**


There being no further business, the meeting adjourned at 6:42 p.m.

Respectfully submitted,

Lori Cartwright  
City Secretary



## Memorandum

To: Honorable Mayor and City Council  
From: Anita Brown  
Thru: Michael Scott, City Manager   
Date: June 25, 2018  
Re: Street closure for Farm to Table Dinner on the Square

---

I would like to place the following items on the agenda for the City Council meeting to be held on July 2nd:

- 1) Request permission to close College Street from Main to Franklin from 8 am to 11 pm on Saturday, November 3, 2018

The Farmers Market, Downtown Merchants, and several departments from the high school are coming together to host a ticketed sit down dinner on the street. Ingredients will come from the market and suppliers, decorations and sponsorship from the merchants, and the culinary students from the high school will prepare and serve the meal. Art students are producing a keepsake for attendees. All proceeds after expenses not covered by sponsorships will be donated to the culinary and art departments at the high school.

If you have any questions or this is not enough information, let me know.

Anita



**Farm to Table Dinner on the Square**  
**Saturday November 3, 2018**  
**Presented by**  
**Waxahachie High School Culinary Arts Students**

**SAVOR THE SEASON WITH A GOURMET OUTDOOR DINNER**  
**ON THE SQUARE IN HISTORIC DOWNTOWN WAXAHACHIE**  
**USING LOCALLY SOURCED FRUITS, VEGETABLES AND MEATS**

**TICKETS ARE \$100**

**WILL BE AVAILABLE AFTER JULY 1**

**AT [DOWNTOWNWAXAHACHIE.COM](http://DOWNTOWNWAXAHACHIE.COM)**

**All proceeds benefit the WHS Culinary & Fine Arts Departments**

(40)



## Memorandum

To: Honorable Mayor and City Council  
From: Tommy Ludwig, Executive Director of Development Services  
Thru: Michael Scott, City Manager *[Signature]*  
Date: June 29, 2018  
Re: Supplemental Appropriation – GIS Technician

---

On Monday July 2, 2018 an item will appear before City Council for consideration of a supplemental appropriation in the FY 17-18 General Fund budget to authorize staff to hire a new GIS Technician for the Planning Department this fiscal year in the amount of \$27,541. Staff is committed to growing the City's GIS capabilities and this position will be an integral part of leveraging technology to improve operational efficiencies and customer service. Initially this position will focus on 1) mapping new residential subdivisions for Police and Fire dispatching, 2) updating the City's Zoning Maps with the most recent Planned Development Districts, 3) mapping newly constructed water and sewer lines, and 4) tying building permit data to geospatial locations for reporting purposes.

I am available at your convenience should you need additional information.

Tommy Ludwig

(lee)

## Planning & Zoning Department

### Plat Staff Report

Case: FP-18-0105



#### MEETING DATE(S)

Planning & Zoning Commission: June 26, 2018

City Council: July 2, 2018

#### CAPTION

Request by Mike Riley, Aspen Heights Construction, for a Final Plat of Aspen Heights for 1 lot, being 17.820 acres in the Emory W. Rogers Survey, Abstract 896 (Property ID 256879, 268390, 268389) – Owner: BRECKENRIDGE GROUP WAXAHACHIE TEXAS LP (FP-18-0105)

#### CASE INFORMATION

Applicant: Mike Riley, Aspen Heights Construction

Property Owner(s): Breckenridge Group Waxahachie Texas LLP

Site Acreage: 17.820 acres

Number of Lots: 1 lot

Number of Dwelling Units: 78 units

Park Land Dedication: The cash in lieu of park land dedication is estimated at \$31,200.00 (78 dwellings at \$400.00 per dwelling). This is due before the final plat can be recorded.

Adequate Public Facilities: This will have City services.

#### SUBJECT PROPERTY

General Location: 818 Cantrell

Parcel ID Number(s): 256879, 268390, 268389

Current Zoning: Planned Development-Multi Family-1 (Ordinance 2885)

Existing Use: Currently undeveloped

Platting History: PLM2016-30 was approved by City Council on September 6, 2016.



(112)

Site Aerial:



**STAFF CONCERNS**

1. A fifteen (15) foot utility easement is required along street frontage. Due to the ROW dedication, the current easement linework may need to be altered.
2. ROW dedication per Thoroughfare plan (120 foot ROW).
3. 35 foot dedication necessary on the north side of the street.
4. Does not match legal.
5. Does not match plat. What doesn't?

**APPLICANT RESPONSE TO CONCERNS**

1. Awaiting applicant response.

**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 fifteen (15) foot utility easement is required along street frontage. Due to the ROW dedication, the current easement linework may need to be altered.
  2. ROW dedication per Thoroughfare plan (120 foot ROW).
  3. 35 foot dedication necessary on the north side of the street.
  4. Does not match legal.
  5. Does not match plat.

**ATTACHED EXHIBITS**

1. Plat drawing

(162)

**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 June 26, 2018, the Commission voted 4-0 to recommend approval of plat no. FP-18-0105, subject to staff comments.



VICINITY MAP  
NOT TO SCALE

# GENERAL NOTES

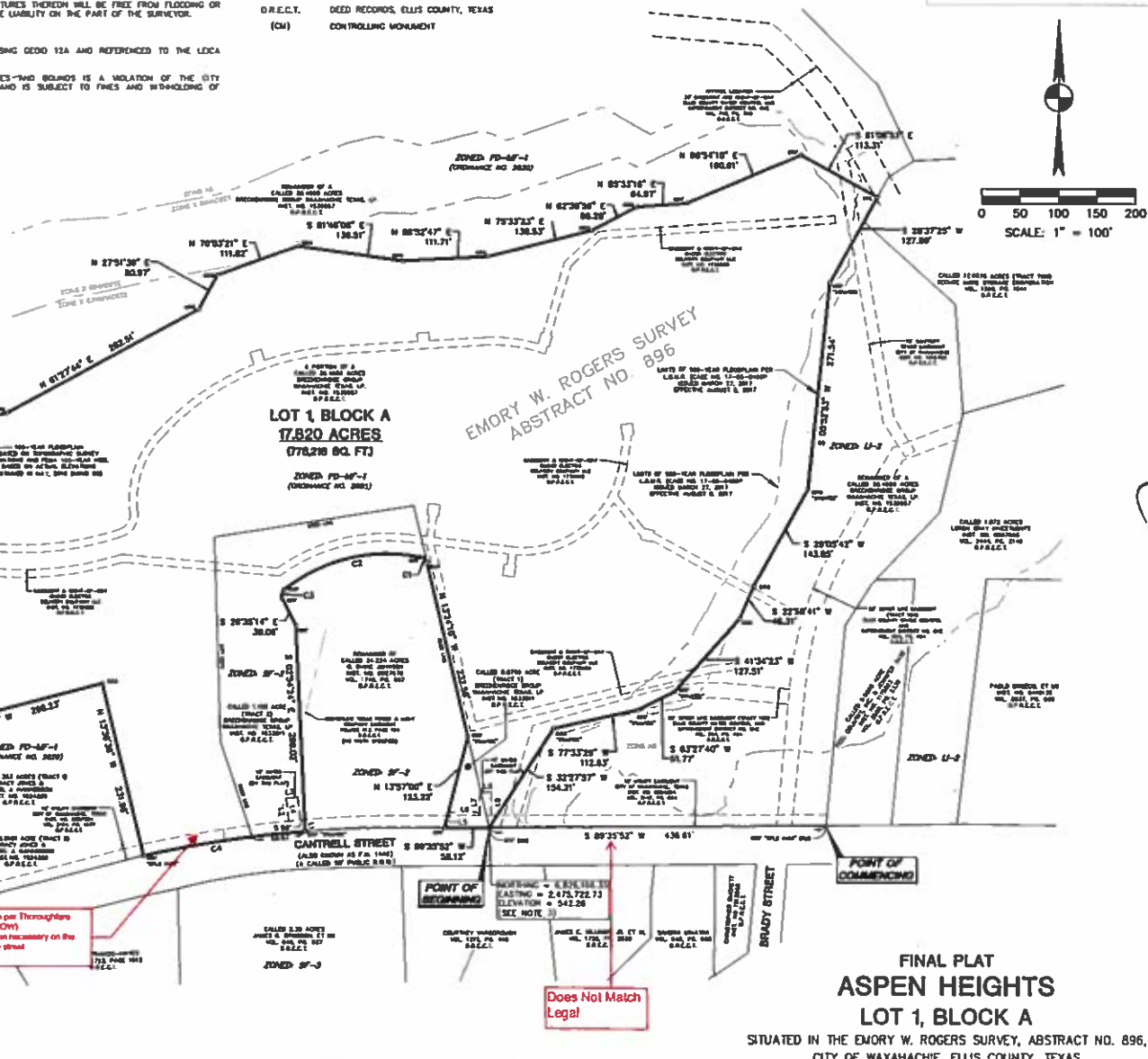
1. BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM (NORTH CENTRAL ZONE, NAD 83) BASED ON LOCAL GEODESIC SYSTEMS NORTH TEXAS SHANTINE NETWORK. DISTANCES ADJUSTED TO SURFACE USING AN AVERAGE COMBINED SCALE FACTOR OF 0.999927554.
2. BY GRAPHICAL PLOTTING ONLY, A PORTION IS WITHIN A SHADED ZONE "X" DEFINED AS "AREAS OF 0.2% ANNUAL CHANCE FLOOD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH GRADUATE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD" AND A PORTION IS WITHIN A NONSHADED ZONE "X" DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP NO. 48736C0010P, DATED JUNE 3, 2013, FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS, AND REVISED TO REFLECT LOCAL CASE NUMBER 17-08-04-SMP, EFFECTIVE AUGUST 8, 2017. IF THIS SITE IS NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
3. REFERENCE BENCHMARK:  
ELEVATIONS SHOWN HEREON ARE BASED ON NAVD 88 USING GEOID 12A AND REFERENCED TO THE LOCAL GEODESIC SYSTEM NORTH TEXAS SHANTINE OPS NETWORK.
4. NOTICE: SELLING A PORTION OF THIS ADDITION BY METES-AND-BOUND IS A VIOLATION OF THE CITY SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING CERTIFICATES.

# LEGEND

- CPW 3/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY"  
FOUND, UNLESS NOTED OTHERWISE
- CRF "RPLS 4486" 1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "RPLS 4486"  
FOUND
- CWS 3/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANIEC"  
SET, UNLESS NOTED OTHERWISE
- RT IRON ROD FOUND
- R.O.W. RIGHT-OF-WAY
- O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
- O.R.E.C.T. DEED RECORDS, ELLIS COUNTY, TEXAS
- (CM) CONTROLLING MONUMENT

LINE #	BEARING	DISTANCE
L1	N 02°34'24" W	15.73'
L2	N 06°31'43" W	30.20'
L3	N 83°28'17" E	15.00'
L4	S 06°31'43" E	30.47'
L5	N 13°57'00" E	17.22'
L6	N 89°47'41" E	41.52'
L7	N 00°11'55" W	30.00'
L8	N 89°48'05" E	15.00'
L9	S 00°11'55" E	30.00'

CURVE #	LENGTH	RADIUS	DELTA	CHORD LENGTH	BEARING
C1	10.14'	8.98'	6°41'50"	9.61'	N 45°45'05" W
C2	188.40'	216.00'	49°58'31"	182.49'	S 78°54'45" W
C3	13.70'	10.00'	78°30'43"	12.66'	S 12°40'07" W
C4	212.52'	1457.39'	8°21'18"	212.33'	S 81°14'43" W



(161)

**OWNER/APPLICANT:**  
BROCKENBIDGE GROUP, WAXAHACHIE, TEXAS, LP  
1301 S. CAPITAL OF TEXAS HIGHWAY, SUITE 8-201  
AUSTIN, TEXAS 78748  
PH: (512) 349-3030  
CONTACT: MIKE RILEY

**ENGINEER:**  
STANTEC CONSULTING SERVICES INC.  
12222 MERT DRIVE, SUITE 400  
DALLAS, TEXAS 75251  
PH: (972) 991-0011  
CONTACT: KYLON WILSON, P.E.

**SURVEYOR:**  
STANTEC CONSULTING SERVICES INC.  
12222 MERT DRIVE, SUITE 400  
DALLAS, TEXAS 75251  
PH: (972) 991-0011  
CONTACT: MICHAEL J. MURPHY, R.P.L.S.  
RPLS REGISTRATION NO. 10194229

**FINAL PLAT  
ASPEN HEIGHTS  
LOT 1, BLOCK A**  
SITUATED IN THE EMORY W. ROGERS SURVEY, ABSTRACT NO. 896,  
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS  
1 LOT - 17.820 ACRES  
PREPARATION DATE:  
MAY 30, 2018

STANTEC PROJECT NO. 222210455 SHEET 1 OF 2

# OWNER'S CERTIFICATE

COUNTY OF ELLIS

STATE OF TEXAS

WHEREAS BRECKENRIDGE GROUP WAXAHACHE TEXAS, LP IS THE OWNER OF A 17.820 ACRE (778,218 SQUARE FEET) TRACT OF LAND SITUATED IN THE EMORY W. ROGERS SURVEY, ABSTRACT NUMBER 896, CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 38.4858 ACRE TRACT OF LAND DESCRIBED IN A GENERAL WARRANTY DEED TO BRECKENRIDGE GROUP WAXAHACHE TEXAS, LP, RECORDED IN INSTRUMENT NUMBER 153593, OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS, (O.P.R.E.C.T.) AND BEING ALL OF A CALLED 0.0796 ACRE TRACT OF LAND (TRACT 1), AND A 1.105 ACRE TRACT OF LAND (TRACT 2) DESCRIBED IN A GENERAL WARRANTY DEED TO BRECKENRIDGE GROUP WAXAHACHE TEXAS, LP, RECORDED IN INSTRUMENT NUMBER 183511, (O.P.R.E.C.T.); SAID 17.820 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "RPLS 4446" FOUND FOR THE SOUTHEAST CORNER OF SAID 38.4858 ACRE TRACT OF LAND, SAME BEING THE SOUTHWEST CORNER OF A CALLED 0.8059 ACRE TRACT OF LAND DESCRIBED IN A GENERAL WARRANTY DEED TO PEEL COUNTRY, L.P., ET AL, RECORDED IN VOLUME 2342, PAGE 2339, O.P.R.E.C.T., AND BEING IN THE NORTHERLY RIGHT-OF-WAY LINE OF CANTRELL STREET (ALSO KNOWN AS FARM TO MARKET ROAD 1446, A CALLED 50-FOOT PUBLIC RIGHT-OF-WAY),

THENCE SOUTH 83°35'52" WEST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CANTRELL STREET, A DISTANCE OF 438.61 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" FOUND FOR THE SOUTHWEST CORNER OF SAID 0.0796 ACRE TRACT OF LAND, SAME BEING THE POINT OF BEGINNING,

THENCE SOUTH 89°35'52" WEST, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, AND ALONG THE SOUTH LINE OF SAID 0.0796 ACRE TRACT OF LAND, A DISTANCE OF 38.12 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" FOUND FOR THE SOUTHWEST CORNER OF SAID 0.0796 ACRE TRACT OF LAND,

THENCE NORTH 17°57'00" EAST, ALONG THE NORTHWESTERLY LINE OF SAID 0.0796 ACRE TRACT OF LAND, A DISTANCE OF 133.22 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" FOUND FOR THE NORTH CORNER OF SAID 0.0796 ACRE TRACT OF LAND, BEING IN THE SOUTHERLY LINE OF SAID 38.4858 ACRE TRACT OF LAND, AND BEING IN THE EASTERLY LINE OF A CALLED 19.224 ACRE TRACT OF LAND DESCRIBED IN A GENERAL WARRANTY DEED TO D. OWIE JOHNSON RECORDED IN VOLUME 1745, PAGE 607, O.P.R.E.C.T.;

THENCE NORTH 17°14'10" WEST, ALONG THE COMMON LINE OF SAID 34.324 ACRE TRACT OF LAND, SAID 38.4858 ACRE TRACT OF LAND, A DISTANCE OF 232.58 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" FOUND FOR THE MOST EASTERLY SOUTHEAST CORNER OF SAID 1.105 ACRE TRACT OF LAND, AND SAID 38.4858 ACRE TRACT OF LAND, SAME BEING THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS HAVING A RADIUS OF 898 FEET;

THENCE ALONG THE SOUTH AND EAST LINE OF SAID 1.105 ACRE TRACT OF LAND THE FOLLOWING CALLS:

NORTHWESTERLY WITH SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 84°41'50" FOR AN ARC LENGTH OF 10.14 FEET, A CHORD BEARING OF NORTH 45°45'03" WEST AND A CHORD DISTANCE OF 9.81 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" FOUND FOR THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS POINT WHICH BEARS SOUTH 11°54'10" WEST, A DISTANCE OF 216.00 FEET;

SOUTHWESTERLY WITH SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 4°58'31" FOR AN ARC LENGTH OF 188.40 FEET, A CHORD BEARING OF SOUTH 78°54'45" WEST AND A CHORD DISTANCE OF 182.49 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" FOUND FOR THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS POINT WHICH BEARS SOUTH 36°54'11" WEST, A DISTANCE OF 10.00 FEET;

SOUTHWESTERLY WITH SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 78°30'45" FOR AN ARC LENGTH OF 13.70 FEET, A CHORD BEARING OF SOUTH 12°40'17" WEST AND A CHORD DISTANCE OF 12.86 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" FOUND FOR THE POINT OF TANGENCY;

SOUTH 28°35'14" EAST A DISTANCE OF 39.06 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" FOUND FOR CORNER;

SOUTH 02°34'24" EAST A DISTANCE OF 208.02 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" FOUND FOR THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID 1.105 ACRE TRACT OF LAND, AND BEING IN THE NORTH RIGHT-OF-WAY LINE OF SAID CANTRELL STREET, SAID POINT BEING THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS POINT WHICH BEARS SOUTH 04°34'38" EAST, A DISTANCE OF 1457.39 FEET;

THENCE SOUTHWESTERLY ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID CANTRELL STREET WITH SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 08°21'40" FOR AN ARC LENGTH OF 212.52 FEET, A CHORD BEARING OF SOUTH 81°14'43" WEST, A CHORD DISTANCE OF 212.33 FEET TO A 1/2-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "RPLS 4446" FOUND FOR AN ANGLE POINT IN THE SOUTH LINE OF SAID 38.4858 ACRE TRACT OF LAND, SAME BEING THE SOUTHWEST CORNER OF A CALLED 0.5322 ACRE TRACT OF LAND, DESCRIBED AS TRACT 1 AND DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LEIN WITH MINERAL RESERVATIONS TO BRADY JONES AND CARL J. HENDERSON-JONES, RECORDED IN INSTRUMENT NUMBER 1524208, O.P.R.E.C.T.;

THENCE ALONG THE COMMON LINE OF SAID 38.4858 ACRE TRACT OF LAND AND SAID 1.353 ACRE TRACT OF LAND THE FOLLOWING CALLS:

NORTH 17°34'38" WEST, A DISTANCE OF 231.88 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR THE NORTHEAST CORNER OF SAID 1.353 ACRE TRACT OF LAND,

SOUTH 79°14'50" WEST, A DISTANCE OF 298.23 FEET TO A 1/2-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "RPLS 4446" FOUND FOR THE NORTHWEST CORNER OF SAID 1.353 ACRE TRACT OF LAND, AND BEING IN THE NORTHEASTLY LINE OF A CALLED 0.5322 ACRE TRACT OF LAND, DESCRIBED AS TRACT 1 AND DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LEIN WITH MINERAL RESERVATIONS TO BRADY JONES AND CARL J. HENDERSON-JONES, RECORDED IN INSTRUMENT NUMBER 1725008, O.P.R.E.C.T.;

THENCE NORTH 34°40'21" WEST, ALONG THE COMMON LINE OF SAID 38.4858 ACRE TRACT OF LAND AND SAID 0.5322 ACRE TRACT OF LAND, A DISTANCE OF 730 FEET TO A 1/2-INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 0.5322 ACRE TRACT OF LAND;

THENCE SOUTH 59°29'23" WEST, ALONG THE COMMON LINE OF SAID 38.4858 ACRE TRACT OF LAND AND SAID 0.5322 ACRE TRACT OF LAND, A DISTANCE OF 83.28 PASSING THE NORTHWEST CORNER OF SAID 0.5322 ACRE TRACT OF LAND, SAME BEING THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN A WARRANTY DEED RESERVING LIFE ESTATE TO LINDA KARCH BAGGETT, RECORDED IN INSTRUMENT NUMBER 1804413, O.P.R.E.C.T., CONTINUING ALONG THE COMMON LINE OF SAID 38.4858 ACRE TRACT OF LAND AND SAID BAGGETT TRACT OF LAND, IN ALL FOR A TOTAL DISTANCE OF 194.28 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" FOUND FOR THE MOST WESTERLY SOUTHWEST CORNER OF SAID 38.4858 ACRE TRACT OF LAND, SAME BEING THE MOST SOUTHERLY SOUTHWEST CORNER OF A CALLED 0.5 ACRE TRACT OF LAND DESCRIBED IN A DEED TO H. A. PERCE, RECORDED IN VOLUME 78, PAGE 15 AND VOLUME 108, PAGE 96, DEED RECORDS OF ELLIS COUNTY, TEXAS (O.P.R.E.C.T.);

THENCE NORTH 39°47'47" WEST, ALONG THE COMMON LINE OF SAID 38.4858 ACRE TRACT OF LAND AND SAID 0.5 ACRE TRACT OF LAND, A DISTANCE OF 414.47 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR CORNER;

THENCE DEPARTING SAID COMMON LINE OVER AND ACROSS SAID 38.4858 ACRE TRACT OF LAND THE FOLLOWING CALLS:

NORTH 79°28'04" EAST, A DISTANCE OF 222.59 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR CORNER;

NORTH 79°29'28" EAST, A DISTANCE OF 321.17 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR CORNER;

NORTH 81°27'44" EAST, A DISTANCE OF 262.51 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR CORNER;

NORTH 77°31'38" EAST, A DISTANCE OF 50.87 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR CORNER;

NORTH 70°53'21" EAST A DISTANCE OF 111.82 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR CORNER;

SOUTH 81°46'08" EAST, A DISTANCE OF 136.51 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR CORNER;

# SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

MICHAEL J. MURPHY, R.P.L.S.  
TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5714

**Preliminary**  
This document shall not be recorded for any purpose.  
**For Review Purposes Only**  
Michael J. Murphy, R.P.L.S.  
Registration No. 5714  
May 30, 2018

# CERTIFICATE OF APPROVAL

APPROVED BY: PLANNING AND ZONING COMMISSION, CITY OF WAXAHACHE

DATE

APPROVED BY: CITY COUNCIL, CITY OF WAXAHACHE

DATE

DATE

# OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT BRECKENRIDGE GROUP WAXAHACHE TEXAS, LP, ACTING HEREIN BY AND THROUGH THEIR DUTY AUTHORIZED OFFICERS, DO HEREBY ADAPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS ASPEN HEIGHTS, AN ADDITION TO THE CITY OF WAXAHACHE, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON, THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES, THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED, FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT, NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLICS AND CITY OF WAXAHACHE'S USE THEREOF. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY CHALLENGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF ACCESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHE, TEXAS

WITNESS MY HAND, THIS 18 DAY OF MAY, 2018.

BY: BRECKENRIDGE GROUP WAXAHACHE TEXAS, LP.

AUTHORIZED SIGNATURE OF OWNER

PRINTED NAME AND TITLE

STATE OF TEXAS

COUNTY OF

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

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

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES:

# OWNER/APPLICANT:

BRECKENRIDGE GROUP WAXAHACHE TEXAS, LP  
1301 S. CAPITAL OF TEXAS HIGHWAY, SUITE B-201  
AUSTIN, TEXAS 78746  
PH: (512) 369-3030  
CONTACT: MIKE RILEY

# ENGINEER:

STANTEC CONSULTING SERVICES INC.  
12222 MORT DRIVE, SUITE 400  
DALLAS, TEXAS 75251  
PH: (972) 991-0011  
CONTACT: KYLON WILSON, P.E.

# SURVEYOR:

STANTEC CONSULTING SERVICES INC.  
12222 MORT DRIVE, SUITE 400  
DALLAS, TEXAS 75251  
PH: (972) 991-0011  
CONTACT: MICHAEL J. MURPHY, R.P.L.S.  
TPLS REGISTRATION NO. 10194229

**FINAL PLAT**  
**ASPEN HEIGHTS**  
**LOT 1, BLOCK A**  
SITUATED IN THE EMORY W. ROGERS SURVEY, ABSTRACT NO. 896,  
CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS  
1 LOT - 17.820 ACRES  
PREPARATION DATE:  
MAY 30, 2018  
STANTEC PROJECT NO. 222210455 SHEET 2 OF 2

# Planning & Zoning Department

## Plat Staff Report

Case: FP-18-0097



### MEETING DATE(S)

*Planning & Zoning Commission:* June 26, 2018

*City Council:* July 2, 2018

### CAPTION

**Consider** request by Kars Tamminga for a **Final Plat** of Pioneer Point Phase 1 and 2 for 20 lots, being 29.068 acres situated in the Charles Atteberry Survey, Abstract 10 (Property ID 210780) in the Extra Territorial Jurisdiction – Owner: TAMMINGA FAMILY PRTNSP LTD (FP-18-0097).

### CASE INFORMATION

*Applicant:* Kars Tamminga

*Property Owner(s):* Tamminga Family Partnership LTD

*Site Acreage:* 29.068 acres

*Number of Lots:* 20 lots

*Number of Dwelling Units:* 19 units

*Adequate Public Facilities:* Buena Vista-Bethel has indicated that their existing system can furnish the requested service in conformity with the Texas Commission on Environmental Quality standards for water distribution and the ISO fire flow requirements

### SUBJECT PROPERTY

*General Location:* West of intersection at Richard Road and FM 66, located on North side of FM 66

*Parcel ID Number(s):* 210780

*Current Zoning:* N/A (ETJ)

*Existing Use:* Currently undeveloped

*Platting History:* PLM2014-50 was approved by City Council on February 4, 2015. The extension request for one year was approved

(9)

**Site Aerial:**



**STAFF CONCERNS**

1. None outstanding.

**APPLICANT RESPONSE TO CONCERNS**

1. Applicant has submitted revised drawings.

**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)

(9)

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting, held June 26, 2018, the Commission voted 4-0 to recommend approval of plat no. FP-18-0097.

## OWNER'S CERTIFICATE

State of Texas  
County of Ellis  
City of Waco

### Phase 1

Whereas, Pioneer Point Farms, LLC are the owners of that certain parcel of land being all that certain parcel of land lying in the ETJ of the City of Waco, Texas and being situated in the CHARLES ATTEBERRY SURVEY, ABSTRACT NO. 10, Ellis County, Texas, and being a portion of the 194.502 acre tract of land conveyed to Pioneer Point Farms, LLC by Texas Warranty Deed recorded in instrument number 1708565 of the Official Public Records of Ellis County, Texas (OPRECT), and a portion of the 3.262 acre tract of land conveyed to Pioneer Point Farms, LLC by Texas Warranty Deed recorded in instrument number 1813740, OPRECT, and being more particularly described as follows:

**BEGINNING** at a 1/2" iron rod found in the north line of Farm to Market Highway 66 for the southwest corner of said 194.502 acre tract and the southerly southeast corner of the 1.57 acre tract of land conveyed to Buena Vista - Bethel Water Supply Corporation by Warranty Deed recorded in Volume 1620, Page 1038, OPRECT;

**THENCE** N 28°08'14" W, along the southerly west line of said 194.502 acre tract and the southerly east line of said 1.57 acre tract, a distance of 391.52 feet to a 1/2" iron rod found with cap for the southerly northeast corner of said 194.502 acre tract and the southwest corner of the 1.07 acre tract of land conveyed to Buena Vista - Bethel Water Supply Corporation by Warranty Deed recorded in Volume 1684, Page 287, OPRECT;

**THENCE** N 61°52'19" E, along the southerly north line of said 194.502 acre tract and the south line of said 1.07 acre tract, a distance of 287.78 feet to a 1/2" iron rod found with cap for an interior corner of said 194.502 acre tract and the southwest corner of said 1.07 acre tract;

**THENCE** N 28°04'10" W, along the middle west line of said 194.502 acre tract and the east line of said 1.07 acre tract, a distance of 75.82 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for the northerly northwest corner of this tract;

**THENCE** S 59°06'36" E, along the easterly north line of this tract, a distance of 347.81 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" in the east line of said 3.262 acre tract and in the current west line of the 14.02 acre tract land conveyed to Howard K. Bowman by Deed recorded in Volume 1906, Page 1512, OPRECT for the northeast corner of this tract;

**THENCE** S 30°07'46" E, along the east line of said 3.262 acre tract and the current west line of said 14.78 acre tract, a distance of 469.56 feet to a 1/2" iron rod found with cap marked "WLSC RPLS 5331" in the north line of F.M. 66 for the southeast corner of said 3.262 acre tract and the current southwest corner of said 14.78 acre tract;

**THENCE** along the south line of said 3.262 acre tract and the westerly south line of said 194.502 acre tract and the north line of F.M. 66 as follows:  
S 59°51'47" W, a distance of 401.53 feet to a 5/8" iron rod found for corner; and  
S 60°56'15" W, a distance of 230.34 feet to the PLACE OF BEGINNING and containing 6.279 acres of land.

### Phase 2

Whereas, Pioneer Point Farms, LLC are the owners of that certain parcel of land being all that certain parcel of land lying in the ETJ of the City of Waco, Texas and being situated in the CHARLES ATTEBERRY SURVEY, ABSTRACT NO. 10, Ellis County, Texas, and being a portion of the 194.502 acre tract of land conveyed to Pioneer Point Farms, LLC by Texas Warranty Deed recorded in instrument number 1708565 of the Official Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:

**BEGINNING** at a 5/8" iron rod found with cap marked "TX QLO" in the north line of Farm to Market Highway 66 for the southerly southeast corner of said 194.502 acre tract and the southwest corner of the 14.02 acre tract of land conveyed to Bethel Water and Clint Walker by Deed from the State of Texas recorded in Volume 1636, Page 310, OPRECT;

**THENCE** S 59°52'01" W, along the south line of said 194.502 acre tract and the north line of F.M. 66, a distance of 1319.33 feet to a 1/2" iron rod found with cap marked "WLSC RPLS 5331" for the easterly southeast corner of said 194.502 acre tract and the current southeast corner of the residual of the 14.83 acre tract of land (Tract One) conveyed to Howard K. Bowman by Warranty Deed recorded in Volume 2728, Page 1933, OPRECT;

**THENCE** N 30°53'58" W, along the easterly west line of said 194.502 acre tract and the current east line of said 14.83 acre tract, a distance of 799.55 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for the northwest corner of this tract;

**THENCE** along the north line of this tract as follows:  
N 59°52'01" E, a distance of 969.11 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner;  
S 30°53'04" E, a distance of 173.52 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" for corner; and  
N 59°06'36" E, a distance of 350.30 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" in the southerly east line of said 194.502 acre tract and in the west line of said 14.02 acre tract for the northeast corner of this tract;

**THENCE** S 30°53'35" E, along the southerly east line of said 194.502 acre tract and the west line of said 14.02 acre tract, a distance of 630.62 feet to the PLACE OF BEGINNING and containing 22.838 acres of land.

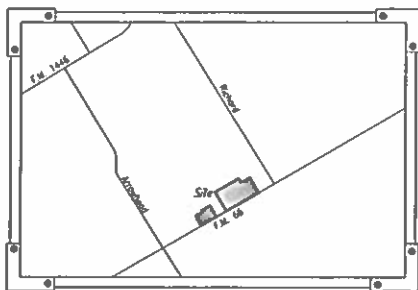
### Survey's Declaration

KNOW ALL MEN BY THESE PRESENTS:

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

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

J. Shawne Walker, R.P.L.S.  
Texas Registration 5331



LOCATION MAP SCALE: 1" = 3000'

Owner/Developer: Pioneer Point Farms, LLC  
P.O. Box 1069  
Waco, Texas 76716  
Contact: Kara Tommings (972) 742-5755

Engineer: Atlas Associates, Inc.  
P.O. Box 185  
Waco, Texas 76767  
Contact: Alan Louheff, PE (972) 921-4206

Surveyor: Walker Land Surveying Company  
P.O. Box 2911  
Waco, Texas 76716  
Contact: Shawne Walker, RPLS (972) 938-8693

Walker Land Surveying Company  
P.O. Box 2911 Waco, Texas 76716  
Phone: (972) 938-8693 TPLS Firm No 10112400  
www.WalkerSurveying.com

### NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, Pioneer Point Farms, LLC, do hereby adopt this plat designating the herein above described property as the Final Plat of Pioneer Point, Phase 1 and 2, an addition in the ETJ of the City of Waco, Texas, and do hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waco and Ellis County. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use of particular utilities, said use being subordinate to the Public's and City of Waco's and Ellis County's use thereof. The City of Waco, Ellis County and public utility entities shall have the right to remove and have removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waco, Ellis County and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of any time procuring permission from anyone.

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

WITNESS, my hand, this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Kara Tommings  
Pioneer Point Farms, LLC

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 Kara Tommings, known to me to be the person whose name are subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose herein expressed and in the capacity stated.

Given under my hand and seal this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Notary Public in and for the State of Texas

APPROVED BY: Planning and Zoning Commission City of Waco

Chairman \_\_\_\_\_ Date \_\_\_\_\_

APPROVED BY: City Council

Mayor \_\_\_\_\_ Date \_\_\_\_\_

Attest \_\_\_\_\_ Date \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF ELLIS

Certificate of Approval by the Commissioners Court of Ellis County, Texas.

Approved this date, the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Honorable Carol Burn, County Judge

Randy Simon \_\_\_\_\_ Layne Grayson \_\_\_\_\_  
Commissioner Precinct #1 Commissioner Precinct #2

Paul Perry \_\_\_\_\_ Kyle Butler \_\_\_\_\_  
Commissioner Precinct #3 Commissioner Precinct #4

This plat has approved by the Department of Development for an on-site sewage facility system pending any and all information as may be required by the Ellis County Department of Development.

Department of Development \_\_\_\_\_ Date \_\_\_\_\_

Submission Date: June, 2018

Final Plat

PIONEER POINT, PHASE 1 AND 2

29.068 Acres

19 Residential Lots - 21.935 Acres

1 HOA Tract (Detention Pond) - 4.232 Acres

Charles Atteberry Survey, Abstract No. 10

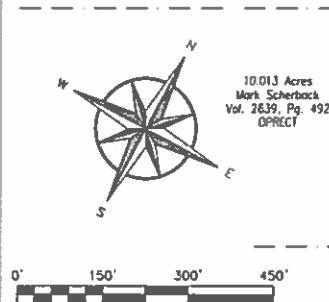
In the ETJ of the City of Waco

Ellis County, Texas

Sheet 1 of 2



# WLSC



10.013 Acres  
Mark Scherback  
Vol. 2639, Pg. 492  
OPRECT

10.00 Acres  
Edward Barro  
Vol. 1900, Pg. 2262  
OPRECT

10.00 Acres  
Marvin D. Taylor  
Vol. 1929, Pg. 1771  
OPRECT

1.57 Acres  
Buena Vista-Bethel  
Water Supply Corp.  
Vol. 1620, Pg. 1038  
OPRECT

1.07 Acres  
Buena Vista-Bethel  
Water Supply Corp.  
Vol. 1684, Pg. 287  
OPRECT

Armedhead Crossing  
Cob. E, Slide 68  
PRECT

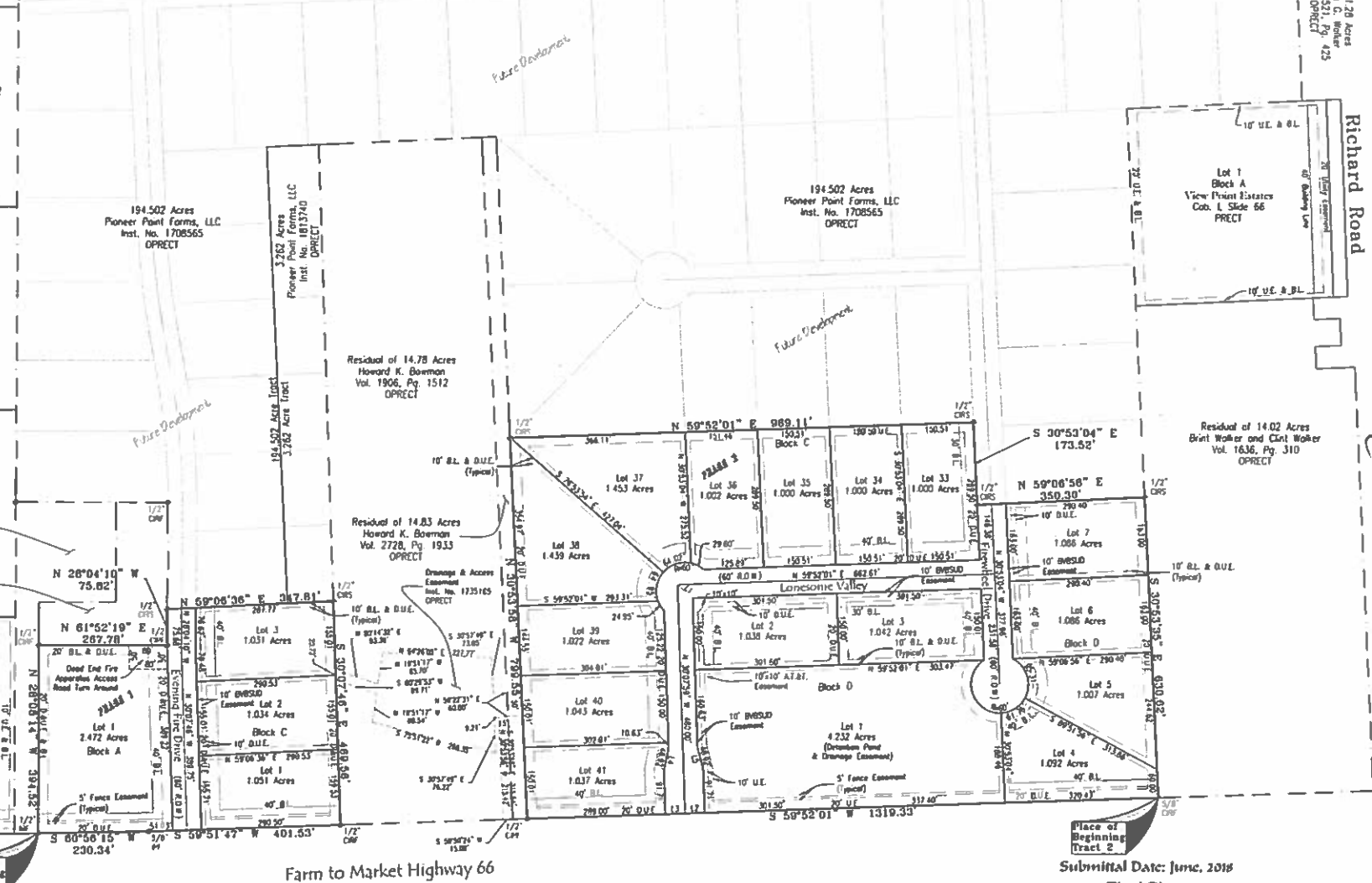
30' Utility Easement  
50' Building Line

15' Easement to  
Buena Vista-Bethel  
Water Supply Corp.  
Vol. 1037, Pg. 826, OPRECT

Place of Beginning Tract 1

LEGEND	
•	Property Corner
—	Iron Rod
—	Iron Pipe
—	Rock of Way
—	Building Line
—	Utility Easement
—	Drainage & Utility Easement
—	Iron rod found with cap marked as described
1/2"	1/2" iron rod set with cap marked "W.S.C. 8/15/13/11"
OPRECT	OPRECT
BVWSUD	Buena Vista-Bethel Special Utility District Easement

Walker Land Surveying Company  
P.O. Box 2911, Waco, Texas 76788  
Phone: (972) 938-8893 78PLS Form No 10112400  
www.WalkerSurveying.com



Place of Beginning Tract 2

LINE	BEARING	DISTANCE
11	S 70°57'30" E	10.00
12	S 75°31'01" E	141.00
13	S 29°51'01" E	81.00
14	N 17°08'16" W	18.92
15	N 43°07'40" W	48.92

- Notes
1. Building Lines: 40' Front Building Line, 30' Side Street Building Line & 10' Side Building Line
  2. Utility Easements: 20' Drainage & Utility Easement along front and rear property lines and 10' Drainage & Utility Easement along side property lines.
  3. No portion of this property lies within a 100 year flood plain according to the Flood Insurance Rate Map for Ellis County, Texas, Map# 4813002125 F, Zone 2 (Unshaded), dated June 1, 2013.
  4. No building shall be constructed until Final Plat is accepted and filed with Ellis County and infrastructure is completed and accepted by the City of Waco.
  5. Dead end fire apparatus access road here around to be eliminated once Pioneer Point, Phase II has been accepted and recorded.
  6. Rest of Bearings: Best line of 155.61 acre tract recorded in Volume 1818, Page 421, OPRECT (N 29°05'30" W)

Submission Date: June, 2018  
Final Plat

## PIONEER POINT, PHASE 1 AND 2

29.068 Acres

19 Residential Lots - 21.935 Acres

1 HOA Tract (Detention Pond) - 4.232 Acres

Charles Atteberry Survey, Abstract No. 10

In the ETJ of the City of Waco, Harris County, Texas

(9)

# Planning & Zoning Department

## Plat Staff Report

Case: FP-18-0092



### MEETING DATE(S)

*Planning & Zoning Commission:* June 26, 2018

*City Council:* July 2, 2018

### CAPTION

**Consider** request by Wes Dorough, JH-Development LLC, for a **Final Plat** of The Cove Phase Two for 94 residential and 1 open space lots, being 24.329 acres in the Henry Sange Survey, Abstract 1009, the Robert Russell Survey, Abstract 911, and the Henri Levy Survey, Abstract 629 (Property ID 223031) – Owner: MORITZ INTERESTS LTD (FP-18-0092)

### CASE INFORMATION

*Applicant:* Wes Dorough, JH-Development LLC

*Property Owner(s):* Moritz Interests LTD

*Site Acreage:* 24.329 acres

*Number of Lots:* 94 residential and 1 open space lots

*Number of Dwelling Units:* 94 units

*Park Land Dedication:* This is covered under the North Grove park agreement.

*Adequate Public Facilities:* This will be on City services.

### SUBJECT PROPERTY

*General Location:* South of North Grove Blvd

*Parcel ID Number(s):* 223031

*Current Zoning:* North Grove Planned Development

*Existing Use:* Currently undeveloped

*Platting History:* PLM2016-41 North Grove Phase 3-7 & 12 was approved by City Council on November 21, 2016.

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

**CITY ENGINEER** – James Gaertner (469) 309-4293; [jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)

1. The Public Works letter of acceptance is necessary prior to the recording.

**APPLICANT RESPONSE TO CONCERNS**

1. Applicant submitted revisions. The above comment remains 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 Public Works letter of acceptance is necessary prior to the recording.

**ATTACHED EXHIBITS**

1. Plat drawing
2. Landscape plan

**APPLICANT REQUIREMENTS**

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

(10)

**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 June 26, 2018, the Commission voted 4-0 to recommend approval of plat no. FP-18-0092, subject to staff comments.

At the Planning & Zoning Commission meeting, held June 26, 2018, the Commission voted 4-0 to recommend approval of the landscape plan accompanying plat no. FP-18-0092, subject to staff comments.

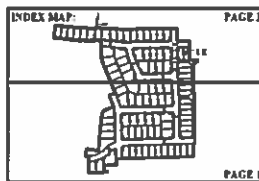
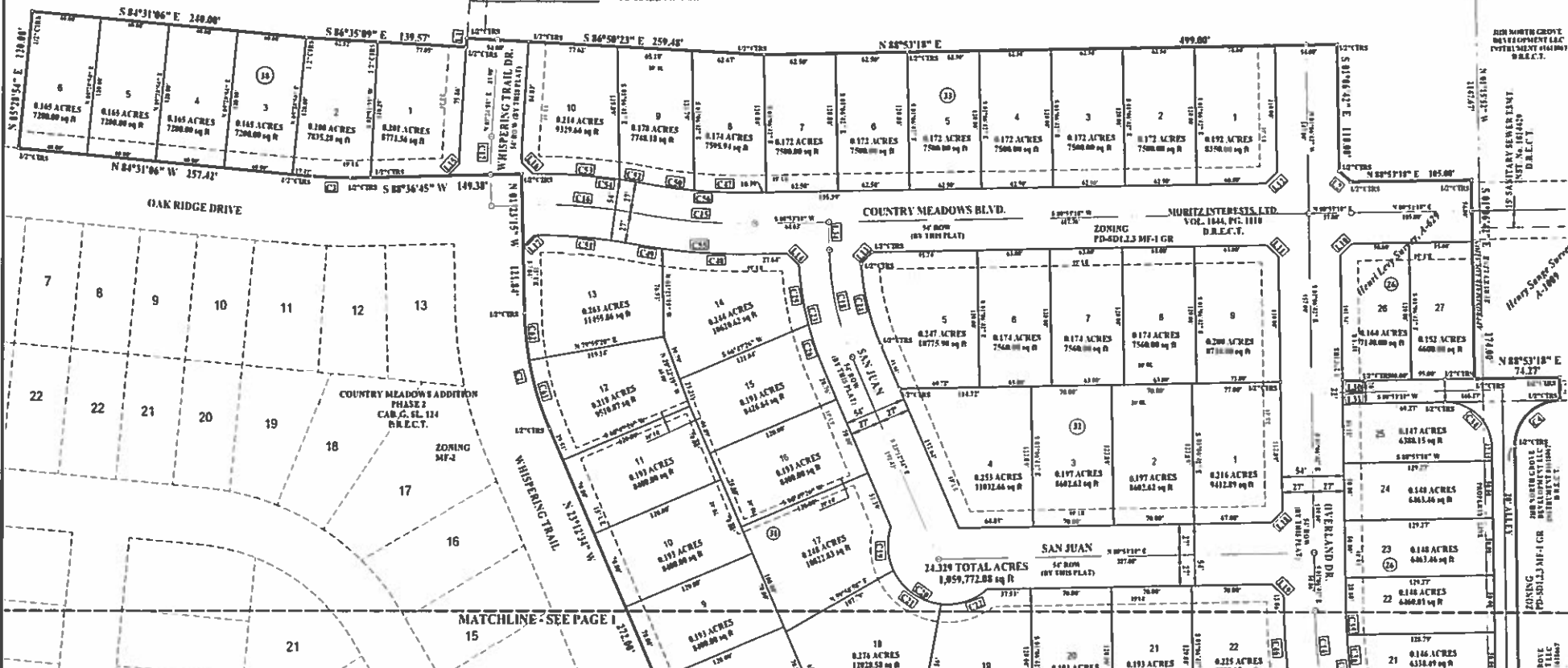
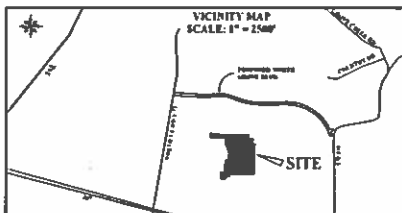




# LEGEND

- 1. 1/4" IRON ROD 1/4" DIA.
- 2. 1/4" IRON PIPE
- 3. 1/4" IRON PIPE
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- 95. 1/4" IRON PIPE
- 96. 1/4" IRON PIPE
- 97. 1/4" IRON PIPE
- 98. 1/4" IRON PIPE
- 99. 1/4" IRON PIPE
- 100. 1/4" IRON PIPE

MORITZ INTERESTS, LTD.  
VOL. 1044, PG. 1010  
D.R.E.C.T.  
ZONING  
PD-S012.3 MF-1 GR



- GENERAL NOTES:
1. THE SURVEY TRACT LIES WITHIN ZONE "10" (NAD 83) PLANO PLAIN AS DETERMINED BY THE PLANO PLAIN RATE MAPS FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS, TOWN OF PLANO, TEXAS, EFFECTIVE DATE JUNE 1, 2004.
  2. 1/4" IRON ROD STAMPED "RPL 001" WILL BE SET AT ALL LOT CORNERS AFTER CONSTRUCTION IS COMPLETED.
  3. THE BEARINGS FOR THIS SURVEY ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM AS DERIVED FROM STATE OBSERVATION AND MEASUREMENT CALCULATIONS.
  4. ALL OPEN SPACES AND DETENTION FEATURES ARE TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
  5. WOOD FENCES WITH STEEL POSTS ARE TO BE CONSTRUCTED ON ALL LOTS ADJACENT TO EXISTING RESIDENTIAL LOTS PRIOR TO BE CONSTRUCTED BY HOMEOWNERS AT THE TIME OF SUBMITTAL OF CONSTRUCTION.
  6. LOT 1 IS PRIVATE DEVELOPER OWNED AND MAINTAINED OPEN SPACE.

SURVEYOR:  
WHITFIELD-HALL SURVEYORS  
REGISTERED PROFESSIONAL  
LAND SURVEYORS  
3509 WILLIAMS ROAD, SUITE 107  
FORT WORTH, TEXAS 76116  
T87LS FIRM REG. NO. 10135500  
(817) 566-2916  
whitfieldhall@earthlink.net

ENGINEERS:  
PAPE-DAWSON ENGINEERS  
5700 W. PLANO PARKWAY, STE 2500  
PLANO, TX 75093  
(972) 424-8884  
CONTACT: KEN DAVIS  
TYPE FIRM REG. NO. 470

OWNER:  
MORITZ INTEREST, LTD.  
c/o WILLIAM SNIDER  
2011 N. COLLINS ST., SUITE 313  
ARLINGTON, TEXAS 76010  
CONTACT: STEPHEN  
CAVENDER  
(817) 461-2232  
scavender2106@gmail.com

OWNER:  
JSH NORTH GROVE  
DEVELOPMENT LLC  
P.O. BOX 804  
MIDLOTHIAN, TX 76065  
CONTACT: CHAD HILES  
(846) 646-6000

**FINAL PLAT**  
**OF**  
LOTS 1-27, BLOCK 24; LOTS 4-14, BLOCK 27  
LOTS 1-14, BLOCK 28; LOTS 1-14, BLOCK 29  
LOTS 1-14, X, BLOCK 30; LOTS 1-14, BLOCK 31  
LOTS 1-14, BLOCK 32; LOTS 1-14, BLOCK 33  
LOT 14, BLOCK 38  
94 RESIDENTIAL LOTS & 1 OPEN SPACE LOT  
PREPARED JUNE 4, 2015

**THE COVE**  
**PHASE TWO**  
**24.329 ACRES**

AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS  
COUNTY, TEXAS, AND BEING SITUATED IN THE HENRY  
SARGE SURVEY, ABSTRACT NO. 1009, THE ROBERT  
WHEELER SURVEY, ABSTRACT NO. 961, AND THE  
HENRY LEVY SURVEY, ABSTRACT NO. 625, ELLIS  
COUNTY, TEXAS.



LEGEND



UT-UTILITY EASEMENT  
BL-BUILDING LINE  
1/2\"/>

CURVE TABLE					
Id	Delta	Radius	Arc Length	Chord	Ch Bear
C1	61°18'26"	45.00'	69.55'	64.25'	N 34°08'10" E
C2	21°49'22"	275.00'	104.71'	104.61'	N 12°57'54" W
C3	06°53'09"	275.00'	32.97'	32.95'	S 87°57'11" E
C4	90°00'00"	40.00'	42.83'	54.57'	S 43°53'18" W
C5	44°12'18"	250.00'	192.88'	188.13'	N 64°29'09" E
C6	29°38'32"	250.00'	129.34'	127.90'	S 59°12'16" W
C7	1°18'42"	250.00'	62.45'	62.38'	S 81°10'52" W
C8	43°57'13"	250.00'	191.78'	187.12'	S 64°21'37" W
C9	05°39'59"	250.00'	24.72'	24.71'	S 04°29'46" E
C10	15°52'49"	250.00'	49.29'	49.07'	N 15°14'10" W
C11	21°32'47"	250.00'	94.01'	93.46'	N 12°26'10" W
C12	00°04'30"	500.00'	0.95'	0.95'	S 01°09'57" E
C13	07°41'56"	500.00'	67.19'	67.14'	N 05°04'10" W
C14	07°48'26"	500.00'	68.12'	68.08'	S 05°00'55" E
C15	11°31'27"	500.00'	100.57'	100.40'	S 05°20'59" E
C16	11°38'00"	500.00'	102.97'	102.79'	N 85°29'15" W
C17	04°49'30"	400.00'	33.69'	33.68'	S 01°01'30" W
C18	22°05'52"	250.00'	96.42'	95.82'	S 12°09'38" E
C19	43°12'42"	52.00'	39.22'	38.29'	S 03°24'20" E
C20	150°43'18"	52.00'	136.79'	101.62'	S 57°09'38" E
C21	58°54'34"	52.00'	53.49'	51.17'	S 54°28'58" E
C22	40°14'02"	52.00'	44.08'	42.77'	N 71°45'44" E
C23	19°34'24"	277.00'	94.39'	93.93'	S 13°26'52" E
C24	10°54'00"	223.00'	73.56'	73.23'	S 13°45'34" E
C25	10°57'41"	277.00'	52.99'	52.91'	S 09°10'00" E
C26	00°23'43"	277.00'	41.39'	41.36'	S 18°55'42" E
C27	23°11'15"	277.00'	115.10'	111.34'	S 55°54'38" W
C28	44°12'18"	223.00'	172.05'	167.81'	N 64°29'09" E
C29	44°12'18"	277.00'	213.71'	208.45'	N 64°29'09" E
C30	17°55'07"	223.00'	69.74'	69.46'	S 53°20'34" W
C31	1°40'57"	277.00'	67.76'	67.59'	N 51°23'28" E
C32	15°40'34"	277.00'	75.79'	75.55'	N 64°16'14" E
C33	1°40'47"	277.00'	70.16'	69.98'	N 81°19'55" E
C34	90°00'00"	40.00'	62.83'	56.57'	N 40°06'42" W
C35	05°25'33"	473.00'	21.40'	21.40'	N 02°42'29" W
C36	05°12'53"	473.00'	43.05'	43.03'	N 06°10'42" W
C37	00°46'59"	527.00'	7.20'	7.20'	N 08°31'39" W
C38	05°43'31"	527.00'	52.64'	52.64'	N 05°16'23" W
C39	06°30'30"	527.00'	59.84'	59.83'	S 05°39'53" E
C40	07°48'26"	473.00'	64.45'	64.40'	S 05°00'55" E
C41	07°48'26"	473.00'	64.45'	64.40'	S 05°00'55" E
C42	02°59'33"	473.00'	24.70'	24.70'	N 07°25'22" W
C43	04°48'53"	473.00'	39.75'	39.74'	N 03°51'09" W
C44	90°00'00"	40.00'	62.83'	56.57'	N 43°53'18" E
C45	90°00'00"	40.00'	62.83'	56.57'	N 44°06'42" W
C46	07°48'26"	527.00'	71.84'	71.75'	S 05°00'55" E
C47	06°19'30"	473.00'	52.22'	52.19'	S 07°40'57" E
C48	08°50'53"	527.00'	81.38'	81.30'	S 04°41'16" E
C49	02°40'35"	527.00'	24.62'	24.61'	S 00°55'32" E
C50	05°11'57"	473.00'	42.91'	42.91'	S 02°11'13" E
C51	10°35'19"	473.00'	87.41'	87.39'	N 84°52'55" W
C52	02°29'56"	527.00'	22.98'	22.98'	S 00°50'13" E
C53	08°12'50"	527.00'	75.55'	75.49'	S 06°11'36" E
C54	10°42'46"	527.00'	98.53'	98.39'	N 84°56'38" W
C55	11°31'27"	527.00'	106.00'	105.82'	S 05°20'59" E
C56	11°31'27"	473.00'	95.14'	94.98'	S 05°20'58" E
C57	06°24'29"	223.00'	24.94'	24.93'	S 05°07'59" W
C58	05°08'54"	277.00'	24.89'	24.88'	S 05°45'46" W
C59	00°45'57"	230.00'	43.57'	43.53'	N 10°45'05" W
C60	21°25'47"	150.00'	56.41'	56.08'	N 12°26'10" W
C61	13°07'55"	275.00'	63.03'	62.89'	S 16°38'37" E
C62	08°21'27"	275.00'	41.74'	41.67'	S 05°43'56" E

LINE TABLE		
Id	Bearing	Distance
L1	N 03°24'51" E	7.91'
L2	S 46°06'42" E	14.14'
L3	S 01°06'42" E	20.00'
L4	S 03°58'27" E	20.02'
L5	S 89°53'18" W	14.42'
L6	S 89°36'45" W	24.84'
L7	N 88°53'18" E	17.76'
L10	S 43°53'18" W	14.14'
L11	N 46°06'42" W	14.14'
L12	N 43°53'18" E	14.14'
L13	N 42°55'54" E	13.90'
L14	S 46°52'54" E	14.33'
L15	N 43°56'53" E	14.22'
L16	S 45°43'54" E	14.11'
L17	N 43°54'55" E	14.07'
L18	N 43°53'18" E	14.14'
L19	S 46°06'42" E	14.14'
L20	S 46°06'42" E	14.14'
L21	S 43°53'18" W	14.14'
L22	N 43°36'46" E	14.07'
L23	N 52°11'28" W	15.56'
L24	S 49°45'16" E	12.26'
L25	S 39°29'26" W	15.06'
L26	N 59°02'04" W	16.78'
L27	N 33°28'16" E	16.36'
L28	S 46°23'14" E	14.07'
L29	N 43°36'46" E	14.21'
L30	N 88°14'58" W	20.02'
L31	S 84°01'33" W	20.02'
L32	S 88°15'00" E	20.03'
L33	N 84°01'33" E	20.02'
L34	S 01°06'42" W	24.56'
L35	S 88°14'58" W	24.89'

## LAND USE SUMMARY:

LOTS 18.107 ACRES  
OPEN SPACE 0.432 ACRES  
ROW 5.790 ACRES

TOTAL ACRES 24.329 ACRES

## FINAL PLAT OF

LOTS 1-27, BLOCK 26; LOTS 4-14, BLOCK 27  
LOTS 1-14, BLOCK 28; LOTS 1-3, BLOCK 29  
LOTS 1-4, X, BLOCK 30; LOTS 1-32, BLOCK 31  
LOTS 1-4, BLOCK 32; LOTS 1-10, BLOCK 33  
LOT 1-4, BLOCK 38

94 RESIDENTIAL LOTS & 1 OPEN SPACE LOT  
PREPARED JUNE 4, 2018

## THE COVE PHASE TWO 24.329 ACRES

AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS  
COUNTY, TEXAS, AND BEING SITUATED IN THE HENRY  
SARGE SURVEY, ABSTRACT NO. 911, THE ROBERT  
RUSSELL SURVEY, ABSTRACT NO. 911, AND THE  
HENRI LEVY SURVEY, ABSTRACT NO. 629, ELLIS  
COUNTY, TEXAS.

GENERAL NOTES  
1. THIS PLAT OF THE TRACTS LIES WITHIN COVE "X" A FURNISHED PLATD PLAIN AS DETERMINED BY THE PLATD ENHANCE RATE MAPS FOR  
ELLIS COUNTY, TEXAS AND ENCUMBERED AREAS, CURRENTLY PANEL NUMBER 01000000, EFFECTIVE DATE JUNE 4, 2018.

2. 1/2" (ONE INCH) STAMPED "RPLS 4010" WILL BE SET AT ALL LOT CORNERS AFTER CONSTRUCTION IS COMPLETED.

3. THE BEARINGS FROM THIS PLAT ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM AS DERIVED FROM STATIC  
OBSERVATION AND NOAA'S CALCULATIONS.

4. ALL OPEN SPACES AND DETENTION FEATURES ARE TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

5. WOOD FENCES WITH PEST FORTS ARE TO BE CONSTRUCTED ON ALL LOTS ADJACENT TO EXISTING RESIDENTIAL TREE FENCES TO  
BE CONSTRUCTED BY HOMEOWNERS AT THE TIME OF INDIVIDUAL LOT CONSTRUCTION.

6. LOT 1 IS PRIVATE GRADE/DEVELOPER OWNED AND MAINTAINED OPEN SPACE.

SURVEYOR:  
WHITFIELD-HALL SURVEYORS  
REGISTERED PROFESSIONAL  
LAND SURVEYORS  
3559 WILLIAMS ROAD, SUITE 107  
FORT WORTH, TEXAS 76116  
TRPLS FIRM REG. NO. 10154900  
(817) 566-2516  
whitfieldhall@theplot.net

ENGINEERS:  
PARE-DAWSON ENGINEERS  
5700 W. PLANO PKWY., STE. 2500  
PLANO, TX 75061  
(214) 420-4994  
CONTACT: KEN DAVIS  
TRPLS FIRM REG. NO. 170

OWNER:  
MORITZ INTEREST, LTD.  
c/o WILLIAM SNIDER  
2111 N. COLLINS ST., SUITE 323  
ARLINGTON, TEXAS 76011  
CONTACT: STEPHEN  
CAVENDER  
(817) 461-2232  
triton2106@mac.com

OWNER:  
JHH NORTH GROVE  
DEVELOPMENT LLC  
P.O. BOX 004  
MIDLOTHIAN, TX 76065  
CONTACT: CHAD MILES  
(940) 646-4000

STATE OF TEXAS  
COUNTY OF ELLIS

WHEREAS, MORITZ INTERESTS, LTD. and JSH NORTH GROVE DEVELOPMENT, LLC being the owners of a 24.329 acre tract of land in the HENRY RANGE SURVEY, ABSTRACT NUMBER 3089, THE HENRY RANGE SURVEY, ABSTRACT NUMBER 3089, AND THE HENRY RANGE SURVEY, ABSTRACT NUMBER 3089, City of Waxahachie, Ellis County, Texas and being a portion of those certain tracts of land described in deeds to MORITZ INTERESTS, LTD. recorded in Volume 1844, Page 1114, and Volume 1771, Page 10, Deed Records, Ellis County, Texas and being a portion of those certain tracts of land described in deeds to JSH NORTH GROVE DEVELOPMENT, LLC, according to the deeds recorded in Instrument Number 141087 and Instrument Number 141092, Deed Records, Ellis County, Texas. The bearing for this survey are based upon the Texas State Plane Coordinate System, Texas North Zone of Zone 14N02, North American Datum 1983, using State Observations and NAD 83 UTM calculations. Said 24.329 acres being described by notes and bearings as follows:

BEGINNING at a 1/2" iron rod with plastic cap found at the southeast corner of Lot 16, Block 1, of Country Meadows Addition, Phase 2, an addition to the City of Waxahachie, Ellis County, Texas according to the Plat recorded in Cabinet C, Slide 124, Plat Records, Ellis County, Texas;

THENCE along the east line of said Country Meadows Addition, Phase 2, the following courses and distances,

North 09°25'41" East, a distance of 181.13 Feet past the southeast corner of said MORITZ INTERESTS, LTD. tract recorded in Volume 1771, Page 10 and said MORITZ INTERESTS, LTD. tract recorded in Volume 1844, Page 1114, continuing a total distance of 128.14 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 0019" set at the point of curvature of a tangent curve, radius of 175.00 Feet to a central angle of 12°07'20", and a chord of 184.13 Feet bearing North 12°17'54" West;

Northerly along said curve, a distance of 49.99 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

North 66°47'34" East, a distance of 88.60 Feet to a 1/2" inch iron rod with plastic cap found for the southeast corner of Lot 1 of said Block 1, Country Meadows Addition, Phase 2;

North 12°12'14" West, a distance of 110.00 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set for the southeast corner of said Lot 1;

North 66°47'34" East, a distance of 88.60 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set at the southeast corner of southeast corner of said Country Meadows Addition, Phase 2;

North 12°12'54" West, a distance of 272.40 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set for the point of curvature of a tangent curve, radius of 175.00 Feet to a central angle of 12°07'20", and a chord of 184.13 Feet bearing North 12°17'54" West;

Northerly along said curve, a distance of 184.74 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

North 09°25'41" West, a distance of 131.54 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set for the most northerly southeast corner of said Country Meadows Addition, Phase 2;

THENCE departing said east line and continuing along the north line of said Country Meadows Addition, Phase 2, the following courses and distances:

South 09°24'47" West, a distance of 139.26 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set for the point of curvature of a tangent curve, radius of 175.00 Feet to a central angle of 12°07'20", and a chord of 184.13 Feet bearing North 09°27'11" West;

Westerly along said curve, a distance of 32.97 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

North 66°31'06" West, a distance of 257.42 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

THENCE departing said north line and continuing west and across said Martin Interests, LTD. tract recorded in Volume 1844, Page 1114, and said JSH North Grove Development, LLC tract, recorded in Instrument Number 141087, the following courses and distances:

North 09°25'47" East, a distance of 128.00 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

South 09°21'06" West, a distance of 148.00 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

South 09°21'06" West, a distance of 139.77 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

North 66°24'14" East, a distance of 7.91 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

South 10°09'22" East, a distance of 259.40 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

North 09°21'06" East, a distance of 499.00 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set for the most northerly southeast corner of said tract being described herein;

South 09°06'42" East, a distance of 110.40 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

South 09°06'42" East, a distance of 141.40 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

North 09°24'38" East, a distance of 105.00 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

South 09°06'42" East, a distance of 174.00 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

North 09°24'38" East, a distance of 74.27 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

South 09°06'42" East, a distance of 20.00 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set for the point of curvature of a tangent curve, radius of 175.00 Feet to a central angle of 12°07'20", and a chord of 184.13 Feet bearing North 12°17'54" West;

Northerly along said curve, a distance of 42.55 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

South 09°06'42" East, a distance of 155.51 Feet past the southeast corner of said JSH North Grove Development, LLC tract, recorded in Instrument Number 141087 and said JSH North Grove Development, LLC tract, recorded in Instrument Number 141092, departing said JSH North Grove Development, LLC tract, recorded in Instrument Number 141087 and continuing west and across said JSH North Grove Development, LLC tract, recorded in Instrument Number 141092, for a total distance of 427.13 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

THENCE continuing west and across said JSH North Grove Development, LLC tract, recorded in Instrument Number 141092, the following courses and distances:

South 09°07'27" East, a distance of 20.02 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

South 09°06'42" East, a distance of 54.00 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

South 09°24'38" West, a distance of 14.42 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

South 09°24'38" East, a distance of 319.97 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set for the southeast corner of said tract being described herein;

THENCE South 09°24'38" West, a distance of 11.27 Feet past the southeast corner of said JSH North Grove Development, LLC tract, recorded in Instrument Number 141092 and said MORITZ INTERESTS, LTD. tract recorded in Volume 1771, Page 10, and being the southeast corner of Lot 16, Block 1, The Cove Phase Two A, an addition to the City of Waxahachie, Ellis County, Texas according to the Plat recorded in Cabinet C, Slide 124, Plat Records, Ellis County, Texas, departing said JSH North Grove Development, LLC tract, recorded in Instrument Number 141092 and continuing along the north line of said The Cove, Phase Two A, for a total distance of 724.00 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set for the most northerly southeast corner of said The Cove Phase Two A;

THENCE continuing along the east line of The Cove, Phase Two A, the following courses and distances:

South 09°24'38" East, a distance of 60.00 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

South 09°24'38" West, a distance of 120.00 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

South 09°24'38" West, a distance of 70.00 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

South 09°24'38" West, a distance of 140.00 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set for the southeast corner of Lot 4, Block 1, of said Country Meadows Addition, Phase 2;

THENCE departing said north line and continuing along the east line of Country Meadows Addition, Phase 2, the following courses and distances:

North 09°12'18" West, a distance of 161.80 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

South 09°24'38" West, a distance of 24.64 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

North 09°24'38" East, a distance of 25.25 Feet to a 1/2" inch iron rod with plastic cap stamped "RPLS 0019" set;

South 09°24'38" East, a distance of 110.00 Feet to the POINT OF BEGINNING and containing a computed area of 24.329 Acres, more or less. Acres, more or less.

GENERAL NOTES:  
1. THE SUBJECT TRACT LIES WITHIN ZONE "C" UNSHADOWED PLANNED PLANS AS DETERMINED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF WAXAHACHIE, TEXAS.  
2. THE TRACT IS SUBJECT TO THE TEXAS STATE PLANE COORDINATE SYSTEM AS DERIVED FROM THE STATE COORDINATE AND MAPPING COMMISSION'S CALCULATIONS.

3. ALL OPEN SPACES AND DETENTION FEATURES ARE TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

4. MOVED FENCES AND OTHER PORTS ARE TO BE CONSTRUCTED ON ALL LOTS ADJACENT TO EXISTING RESIDENTIAL TRACTS FENCES TO BE CONSTRUCTED BY HOMEOWNERS AT THE TIME OF INSTALLATION OF CONSTRUCTIVE FENCES.  
5. THIS IS PRIVATE DEVELOPER OWNED AND MAINTAINED OPEN SPACE.

NOTE: THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That JSH North Grove Development, LLC, and MORITZ INTEREST, LTD. acting herein by and through their duly authorized officers, do hereby adopt this plat designating the hereinbefore described property as LOTS 1-14 OF NORTHGATE, PHASE 2X, an addition to the City of Waxahachie, Texas and do hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growth 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 natural use and accommodation of all public utilities desiring to use or using the same within the easement limits for use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility companies shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growth which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility companies shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of construction, reconstruction, improving, providing, maintaining, installing, and adding to or removing all or parts of their respective systems without the necessity of any time procuring permission from anyone.

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

Witness my hand this \_\_\_\_ day of \_\_\_\_\_, 2018.

JSH North Grove Development, LLC

By: \_\_\_\_\_  
CHIEF OFFICER

STATE OF TEXAS  
COUNTY OF TARRANT

BEFORE me, the undersigned, a Notary Public in and for the state of Texas, on this day personally appeared Chad Miles known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_ day of \_\_\_\_\_, 2018.

Notary Public State of Texas  
My Commission expires \_\_\_\_\_

MORITZ INTEREST, LTD.

By: \_\_\_\_\_  
WILLIAM SHIDEN

STATE OF TEXAS  
COUNTY OF TARRANT

BEFORE me, the undersigned, a Notary Public in and for the state of Texas, on this day personally appeared William Shiden known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_ day of \_\_\_\_\_, 2018.

Notary Public State of Texas  
My Commission expires \_\_\_\_\_

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:  
That, JONATHAN D. WILLIAMS, R.P.L.S. No. 4018, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie.

Jonathan D. Williams  
JONATHAN D. WILLIAMS  
WILLIAMS & HALL SURVEYORS  
3739 W. Hume Road, Suite 107  
Fort Worth, Texas 76116

6-04-2018

ELITE



APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE, TEXAS	
BY: _____	DATE: _____
CHAIRPERSON	
APPROVED BY: CITY COUNCIL, CITY OF WAXAHACHIE	
BY: _____	DATE: _____
MAYOR	
ATTEST: _____	DATE: _____

SURVEYOR:  
WILLIAMS & HALL SURVEYORS  
REGISTERED PROFESSIONAL  
LAND SURVEYORS  
3739 W. Hume Road, Suite 107  
Fort Worth, Texas 76116  
TRPLS FIRM REG. NO. 00138500  
williams@hall.com

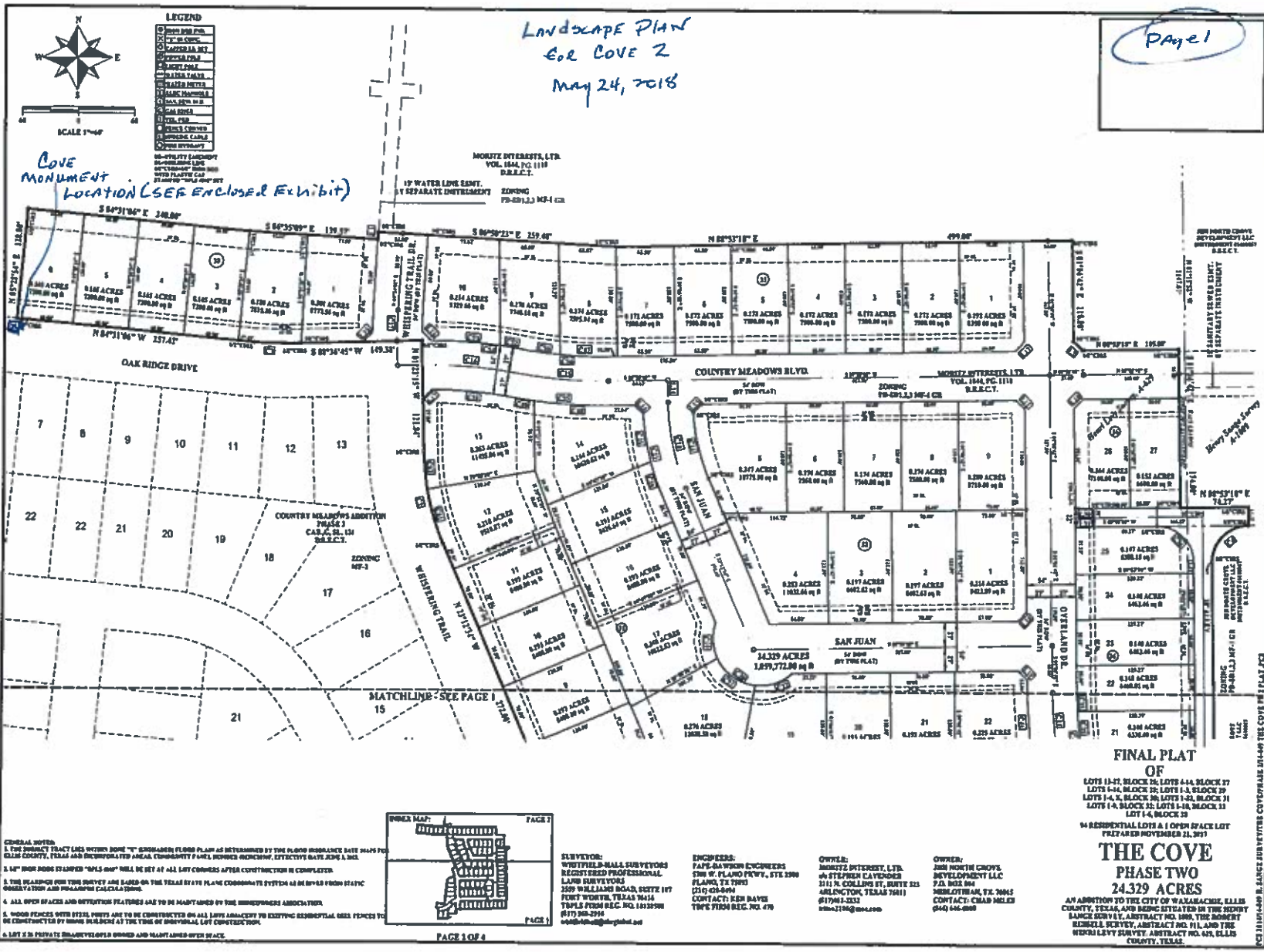
ENGINEERS:  
PAGE-DAWSON ENGINEERS  
5700 W. PLANO PKWY., STE 1500  
PLANO, TX 75093  
(940) 428-4894  
CONTACT: KEN DAVES  
TPE FIRM REG. NO. 479

OWNER:  
MORITZ INTEREST, LTD.  
c/o WILLIAM SHIDEN  
2111 N. COLLINS ST., SUITE 323  
ARLINGTON, TEXAS 76010  
CONTACT: STEPHEN  
CAVENDER  
(817) 461-3232  
stephen@moritzi.com

OWNER:  
JSH NORTH GROVE  
DEVELOPMENT LLC  
P.O. BOX 804  
MIDLOTHIAN, TX 76065  
CONTACT: CHAD MILES  
(817) 461-3232

FINAL PLAT  
OF  
LOTS 1-14, BLOCK 24, LOTS 1-14, BLOCK 27  
LOTS 1-14, BLOCK 28, LOTS 1-14, BLOCK 29  
LOTS 1-14, BLOCK 30, LOTS 1-14, BLOCK 31  
LOTS 1-14, BLOCK 32, LOTS 1-14, BLOCK 33  
LOT 1-14, BLOCK 34  
94 RESIDENTIAL LOTS & 1 OPEN SPACE LOT  
PREPARED JUNE 4, 2018  
THE COVE  
PHASE TWO  
24.329 ACRES  
AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS  
COUNTY, TEXAS, AND BEING SITUATED IN THE HENRY  
RANGE SURVEY, ABSTRACT NO. 1089, THE ROBERT  
RUSSELL SURVEY, ABSTRACT NO. 916, AND THE  
HENRY LEVY SURVEY, ABSTRACT NO. 479, ELLIS  
COUNTY, TEXAS.





GENERAL NOTES:  
1. THE SUBJECT TRACT LIES WITHIN HOME "H" EXISTING FLOOD PLAIN AS DETERMINED BY THE FLOOD INSURANCE RATE MAPS FOR  
ILLINOIS, TEXAS AND INDETERMINED AREAS. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FLOOD INSURANCE RATE MAPS.  
2. 14" DIAMETER DRAINAGE "DIPS" SHALL BE SET AT ALL LOT CORNERS AFTER CONSTRUCTION IS COMPLETED.  
3. THE LAYOUT FOR THIS SURVEY IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM AS DERIVED FROM STATIC  
ADJUSTMENT AND PROPOSED CALCULATIONS.  
4. ALL OPEN SPACES AND OUTSTANDING FEATURES ARE TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.  
5. WOOD FENCES WITH 0.75% PLYWOOD ARE TO BE CONSTRUCTED ON ALL LOTS ADJACENT TO EXISTING RESIDENTIAL USE. FENCES TO  
BE CONSTRUCTED BY HOMEOWNERS AT THE TIME OF INDIVIDUAL LOT CONSTRUCTION.  
6. LOT 5 IS PART OF AN UNDEVELOPED TRACT AND IS NOT PART OF THIS SURVEY.



SURVEYOR:  
WHITFIELD-HALL SURVEYORS  
REGISTERED PROFESSIONAL  
LAND SURVEYORS  
3009 WILLIAMS ROAD, SUITE 107  
FORT WORTH, TEXAS 76114  
TEL: 817-354-2500  
FAX: 817-354-2501

ENGINEERS:  
PAPE & PUGH ENGINEERS  
200 W. PLANO FREEWAY, STE 200  
PLANO, TX 75075  
(214) 424-0444  
CONTACT: BEN BAYNE  
TOWNSHIP REG. NO. 470

OWNER:  
MORITZ INTERESTS, L.P.  
BY STEPHEN CALVERT  
2111 N. COLLINS ST., SUITE 222  
ARLINGTON, TEXAS 76011  
(817) 461-2333  
STEPHEN@MORITZL.P.COM

OWNER:  
JOHN NORTH CROFTS  
DEVELOPMENT LLC  
725. W. 10th  
MCKINNEY, TX 75069  
CONTACT: CHAS HELMS  
(940) 444-0000

FINAL PLAT  
OF  
LOTS 11-27, BLOCK 16; LOTS 4-14, BLOCK 17  
LOTS 1-10, BLOCK 18; LOTS 1-3, BLOCK 19  
LOTS 1-4, BLOCK 20; LOTS 1-2, BLOCK 21  
LOTS 1-4, BLOCK 22; LOTS 1-10, BLOCK 23  
LOT 1-4, BLOCK 24  
14 RESIDENTIAL LOTS & 1 OPEN SPACE LOT  
PREPARED NOVEMBER 21, 2017

THE COVE  
PHASE TWO  
24,329 ACRES

AN ADDITION TO THE CITY OF WAXAHACHIE, TARRANT  
COUNTY, TEXAS, AND BEING SITUATED IN THE NORTH  
EAST CORNER OF THE SECTION 10, TOWNSHIP 10N, RANGE 12E, COUNTY, TEXAS.

THIS PLAT IS PART OF A LARGER SURVEY COVERING 24,329 ACRES OF THE COVE IN PLAT 203



(11)



DODD CREATIVE GROUP

doddcreative.com | P 214 821 6990 | F 214 821 6992

3720 Canton Street | Suite 200 | Dallas | 75226

CLIENT NORTH GROVE  
PROJECT NORTH GROVE  
SIGN TYPE PILLER SIGNS\_C

DA  
2.8





## Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager *MS*

Date: June 26, 2018

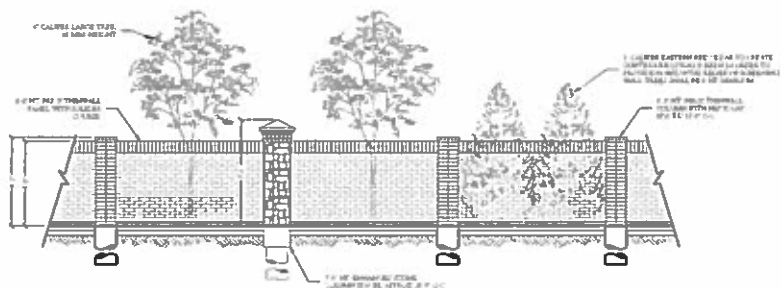
Re: Landscape Plan for Sheppard's Place to accompany plat no. PP-17-0157

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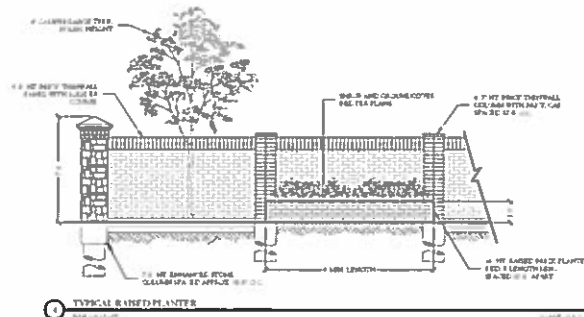
### **ACTION SINCE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting, held June 26, 2018, the Commission voted 4-0 to recommend approval of the landscape plan to accompany plat no. PP - 17-0157, subject to staff comments.

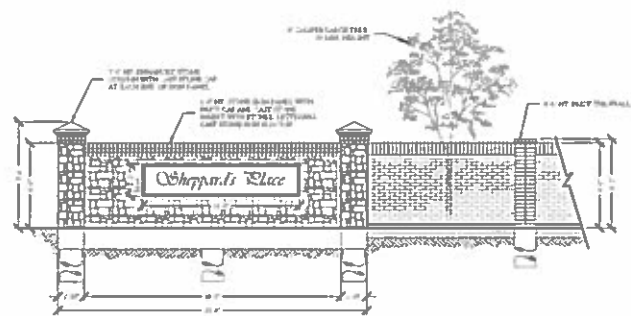




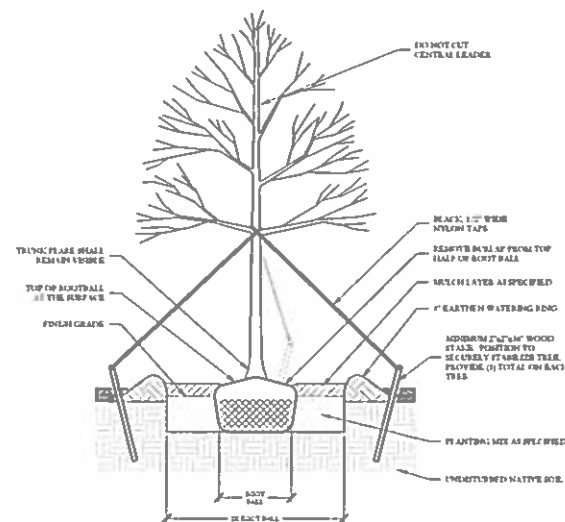
1 TYPICAL BRICK SCREENING WALL WITH ENHANCED MASONRY COLUMNS



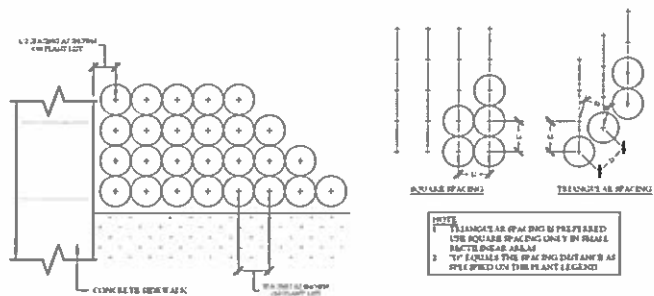
2 TYPICAL RAISED PLANTER



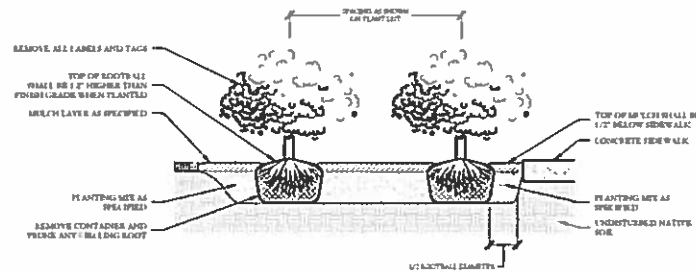
3 TYPICAL ENTRY SIGN PANEL



4 TYPICAL TREE PLANTING



5 TYPICAL SHRUB AND WINTER TREE PLANTING



6 TYPICAL TREE PLANTING

# SHEPPARD'S PLACE PHASE 1 Landscape Plan (Sheet 2 of 2)

City of Waxahatchie, Ellis County, Texas

**CODY JOHNSON**  
S-U-D-I-O

FOR CDD, BIDDING, PLANTING AND PLANTING MATERIALS, SEE THE PLANT SPECIFICATIONS. CONSULT THE ARCHITECT FOR ANY CHANGES.



(12)

# Planning & Zoning Department

## Zoning Staff Report

Case: SU-18-0090



### MEETING DATE(S)

Planning & Zoning Commission: June 26, 2018

City Council: July 2, 2018

### CAPTION

**Public Hearing** on a request by Alyssa Martel, Solar City dba Tesla Energy, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-Single Family-2 zoning district, located at 119 Rain Cloud Drive, being LOT 10 BLK Q BUFFALO RIDGE ADDN PH IIIB 0.173 AC (Property ID 267470) - Owner: MAU STEFAN & APRIL ROMAN (SU-18-0090)

### CASE INFORMATION

Applicant: Alyssa Martel, Solar City dba Tesla Energy

Property Owner(s): Stefan Mau & April Roman

Site Acreage: 0.173 acres

Current Zoning: Planned Development-Single Family-2 (Ordinance 2218)

Requested Zoning: PD-SF-2 with Specific Use Permit

### SUBJECT PROPERTY

General Location: 119 Rain Cloud Drive

Parcel ID Number(s): 267470

Existing Use: Single family residence

Development History: The Final Plat for Buffalo Ridge Phase III B was approved by City Council on October 17, 2016.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-SF2	Single family residence
East	PD-SF2	Currently undeveloped
South	PD-SF2	Single family residence
West	PD-SF2	Single family residence

Future Land Use Plan: Low Density Residential

(13)

**Comprehensive Plan:**

This category is representative of smaller single family homes and some duplex units. The majority of Waxahachie's current development is of similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

**Thoroughfare Plan:**

The site is accessed via Rain Cloud Drive, a local street.



**Site Image:**

**PLANNING ANALYSIS**

The applicant seeks to install solar panels on the roof of this single family residence. Solar panels are permitted, with a Specific Use Permit, and must be installed so that they do not front onto the right-of-way.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 6 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 06/08/2018.

**STAFF CONCERNS**

1. None outstanding.

**APPLICANT RESPONSE TO CONCERNS**

1. Applicant submitted revisions and cleared 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:

**ATTACHED EXHIBITS**

1. Site plan



(13)

**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

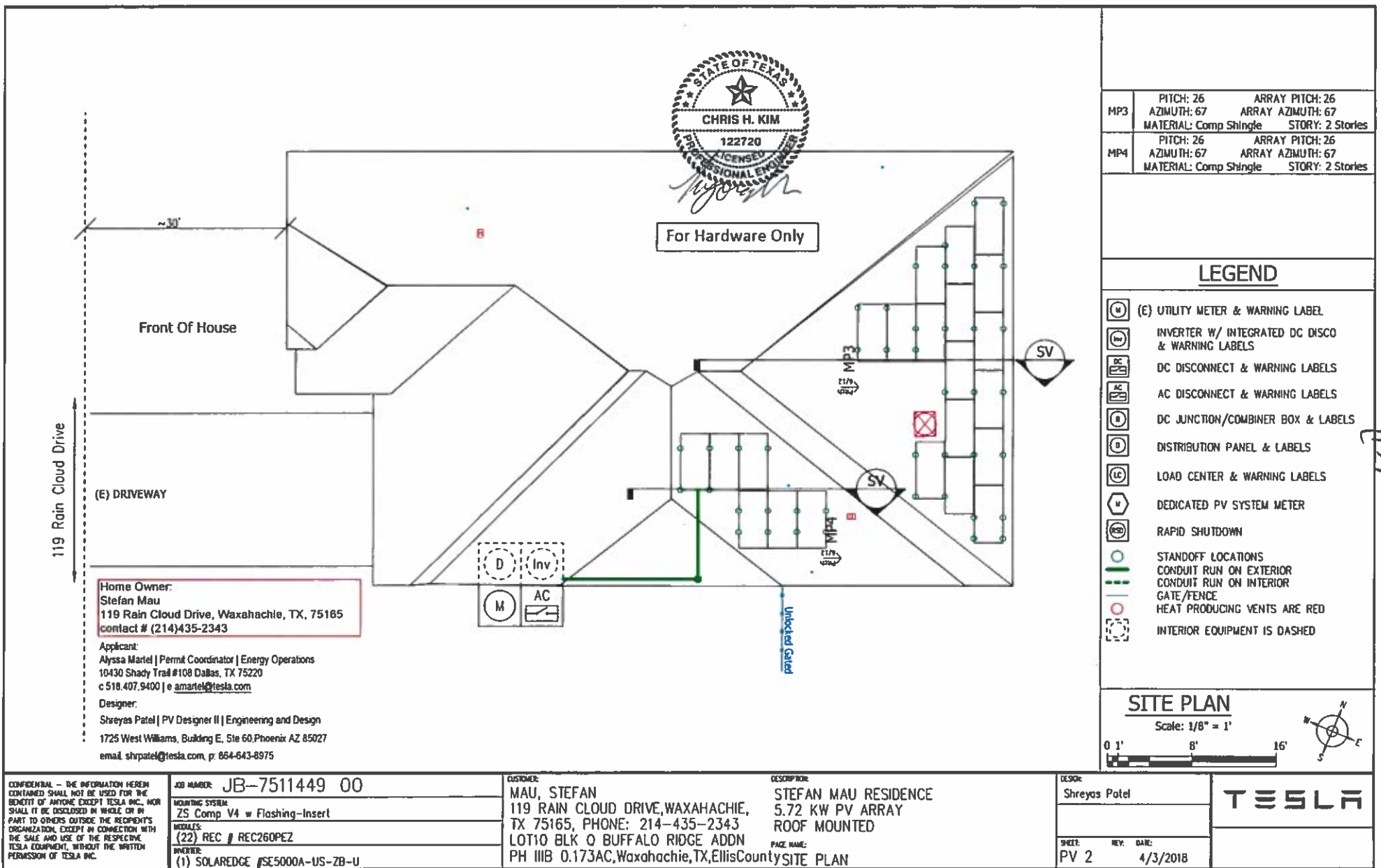
Director of Planning

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

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting, held June 26, 2018, the Commission voted 4-0 to recommend approval of zoning change SU-18-0090, subject to staff comments.

ABBREVIATIONS	ELECTRICAL NOTES	JURISDICTION NOTES																												
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(14)

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

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A ROOFTOP SOLAR PANEL USE WITHIN A PLANNED DEVELOPMENT-SINGLE-FAMILY-2 (PD-SF2) ZONING DISTRICT, LOCATED AT 119 RAIN CLOUD DRIVE, BEING PROPERTY ID 267470, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 10, BLOCK Q IN THE BUFFALO RIDGE ADDITION PHASE IIIB 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-SF2; 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-18-0090. 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-SF2 to PD-SF2, with an SUP in order to permit a Rooftop Solar Panel System use on the following property: Lot 10, Block Q of the Buffalo Ridge Addition Phase IIIB subdivision, which is shown on Exhibit A, in accordance with the Site Layout Plan attached as Exhibit B.

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.

(14)

\_\_\_\_\_  
MAYOR

ATTEST:

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






**SU-18-0090 119 Raincloud-Rooftop Solar  
Location Exhibit**

 SU-18-0090

**EXHIBIT A**



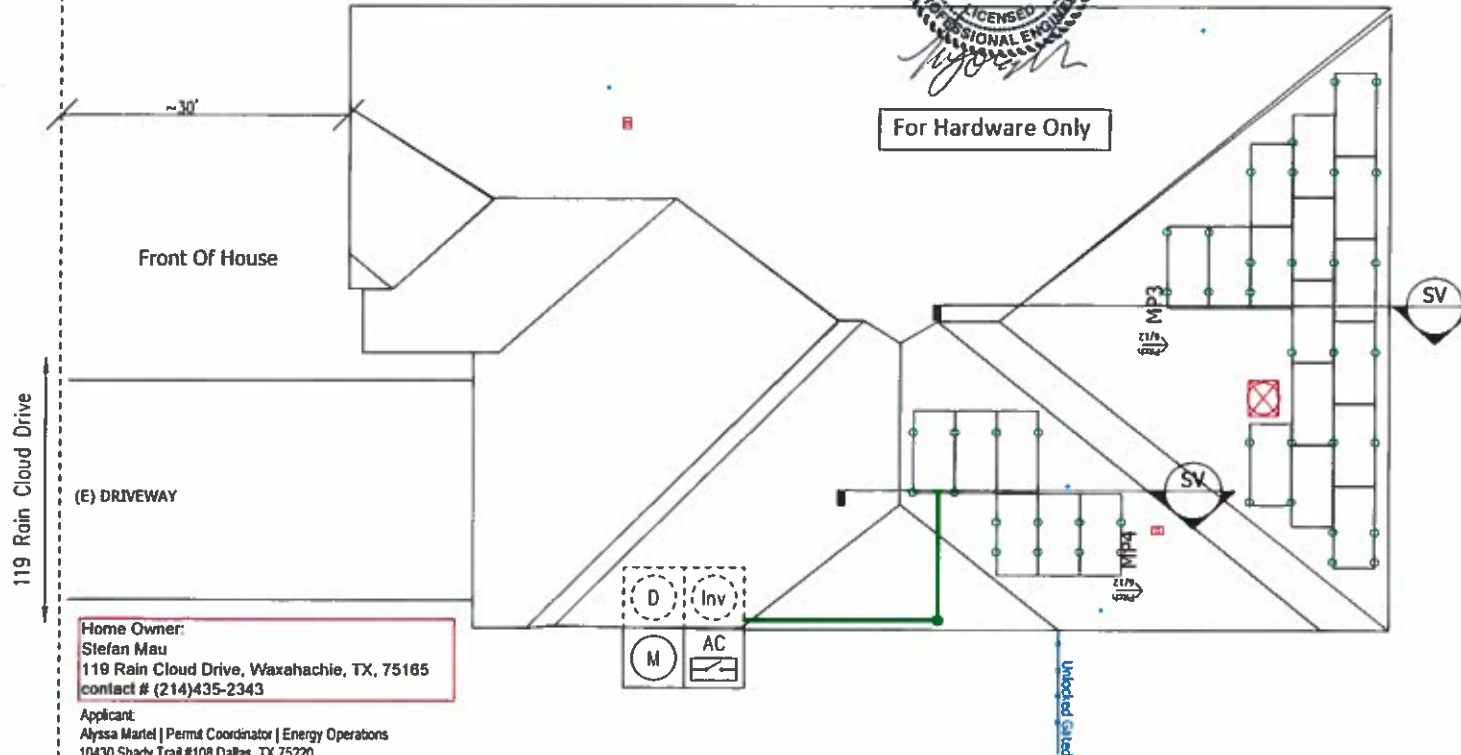


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SHEET	REV	DATE																										
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# EXHIBIT B, CONTINUED.



For Hardware Only



Home Owner:  
Stefan Mau  
119 Rain Cloud Drive, Waxahachie, TX, 75185  
contact # (214)435-2343

Applicant:  
Alyssa Martel | Permit Coordinator | Energy Operations  
10430 Shady Trail #108 Dallas, TX 75220  
c 518.407.9400 | e amartel@tesla.com

Designer:  
Shreyas Patel | PV Designer II | Engineering and Design  
1725 West Williams, Building E, Ste 60, Phoenix AZ 85027  
email: shrpattel@tesla.com, p: 864-643-8975

MP3	PITCH: 26 AZIMUTH: 67 MATERIAL: Comp Shingle	ARRAY PITCH: 26 ARRAY AZIMUTH: 67 STORY: 2 Stories
MP4	PITCH: 26 AZIMUTH: 67 MATERIAL: Comp Shingle	ARRAY PITCH: 26 ARRAY AZIMUTH: 67 STORY: 2 Stories

## LEGEND

- (E) UTILITY METER & WARNING LABEL
- INVERTER W/ INTEGRATED DC DISCO & WARNING LABELS
- DC DISCONNECT & WARNING LABELS
- AC DISCONNECT & WARNING LABELS
- DC JUNCTION/COMBINER BOX & LABELS
- DISTRIBUTION PANEL & LABELS
- LOAD CENTER & WARNING LABELS
- DEDICATED PV SYSTEM METER
- RAPID SHUTDOWN
- STANDOFF LOCATIONS
- CONDUIT RUN ON EXTERIOR
- CONDUIT RUN ON INTERIOR
- GATE/FENCE
- HEAT PRODUCING VENTS ARE RED
- INTERIOR EQUIPMENT IS DASHED

## SITE PLAN

Scale: 1/8" = 1'



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JOB NUMBER: JB-7511449 00  
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MODULES: (22) REC # REC260PEZ  
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CUSTOMER: MAU, STEFAN  
119 RAIN CLOUD DRIVE, WAXAHACHIE, TX 75165, PHONE: 214-435-2343  
LOT10 BLK Q BUFFALO RIDGE ADDN PH IIIB Q.173AC, Waxahachie, TX, Ellis County

DESCRIPTION: STEFAN MAU RESIDENCE  
5.72 KW PV ARRAY  
ROOF MOUNTED  
PAGE NAME: SITE PLAN

DESIGN: Shreyas Patel  
SHEET: PV 2  
REV: 4/3/2018

TESLA



(15)

# Planning & Zoning Department

## Plat Staff Report

Case: PP-18-0098



### MEETING DATE(S)

Planning & Zoning Commission: June 26, 2018

City Council: July 2, 2018

### CAPTION

**Consider** request by Stan Beard, Buc-ee's Ltd, for a Preliminary Plat of Buc-ee's Addition for 4 lots, being 58.72 acres in the Elbert C. Newton Survey, Abstract 790, John Shavor Survey, Abstract 1000, and Peter B. Stout Survey, Abstract 1003 (Property ID 188453) – Owner: 60 WAX RE HOLDINGS, LLC (PP-18-0098).

### CASE INFORMATION

**Applicant:** Stan Beard, Buc-ee's

**Property Owner(s):** 60 WAX RE HOLDINGS, LLC

**Site Acreage:** 58.72 acres

**Number of Lots:** 4 lots

**Number of Dwelling Units:** 0 units

**Park Land Dedication:** The cash in lieu of park land dedication for this property is estimated at \$35,232.00 (58.72 acres at \$600.00 per acre). This is due before the final plat can be filed.

**Adequate Public Facilities:** This will be on City services.

### SUBJECT PROPERTY

**General Location:** SW Corner of I-35E and Butcher Road

**Parcel ID Number(s):** 188453

**Current Zoning:** See Companion Case PD-18-0088

**Existing Use:** Currently undeveloped

**Platting History:** Elbert C. Newton Survey, Abstract 790, John Shavor Survey, Abstract 1000, and Peter B. Stout Survey, Abstract 1003

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

1. Preliminary plat
  - a. 100 feet needs to be dedicated as Butcher Road at the northern border of the development.
  - b. Please update the title block to reflect the new lot count.
2. Concept utility plan
  - a. Private sewer line? This will be hard to maintain in the future without access or along a slope of the pond.

**APPLICANT RESPONSE TO CONCERNS**

1. Applicant has submitted revised drawings that cleared comments except for the comments above.

**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. 100 feet needs to be dedicated as Butcher Road at the northern border of the development.
  2. Please update the title block to reflect the new lot count.
  3. Private sewer line? This will be hard to maintain in the future without access or along a slope of the pond.

**ATTACHED EXHIBITS**

1. Plat drawing
2. Existing conditions map
3. Drainage area map
4. Concept utility plan
5. Fire flow test

(15)

**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

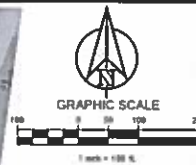
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting, held June 26, 2018, the Commission voted 4-0 to recommend approval of plat no. PP-18-0098, subject to staff comments.



PLOTTED BY: BOBBY KUBA  
 PLOT DATE: 8/15/2018 7:38 AM  
 LAST SAVED: 8/17/2018 11:38 AM



**FLOODPLAIN NOTE**

ACCORDING TO MAP NO. 40-1000000, DATED AUG 3 2011 OF THE NATIONAL  
 FLOOD INSURANCE PROGRAM MAP, FLOOD INSURANCE RATE ZONE OF BLUE  
 COUNTY TEXAS FEDERAL EMERGENCY MANAGEMENT AGENCY FEDERAL  
 EMERGENCY MANAGEMENT AGENCY, THIS PROPERTY IS WITHIN FLOOD ZONE  
 "C" AREAS DETERMINED TO BE OUTSIDE OF THE 5% ANNUAL CHANCE  
 FLOODING, IF THIS AREA IS NOT WITHIN AN EXISTING FLOOD  
 FLOODING OR FLOOD DAMAGE, OR HAVE OCCURRED, GREATER FLOODING CAN  
 AND WILL OCCUR AND FLOODING PROPERTY MAY BE INCREASED OR UNCHANGED OR  
 RETURNED, THIS FLOOD STATEMENT SHALL NOT BE A REASON FOR THE  
 PART OF THE SURVEYOR.

**CLAY MOORE**  
**ENGINEERING**  
 1000 N. 10TH ST. SUITE 100  
 WAXAHACHIE, TEXAS 75080  
 (940) 939-1111  
 FAX (940) 939-1112  
 WWW.CMENGINEERING.COM

**PRELIMINARY**  
 FOR REVIEW ONLY  
 Not for construction purposes  
 DRAWING NUMBER  
 PROJECT NUMBER  
 SHEET NUMBER  
 DATE

**BUC-EE'S**  
**SUB OF INTERSTATE HWY. 35E**  
**AND BUTCHER ROAD**  
**WAXAHACHIE, TEXAS**

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	8/15/2018

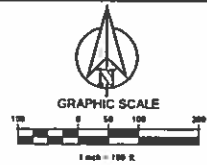
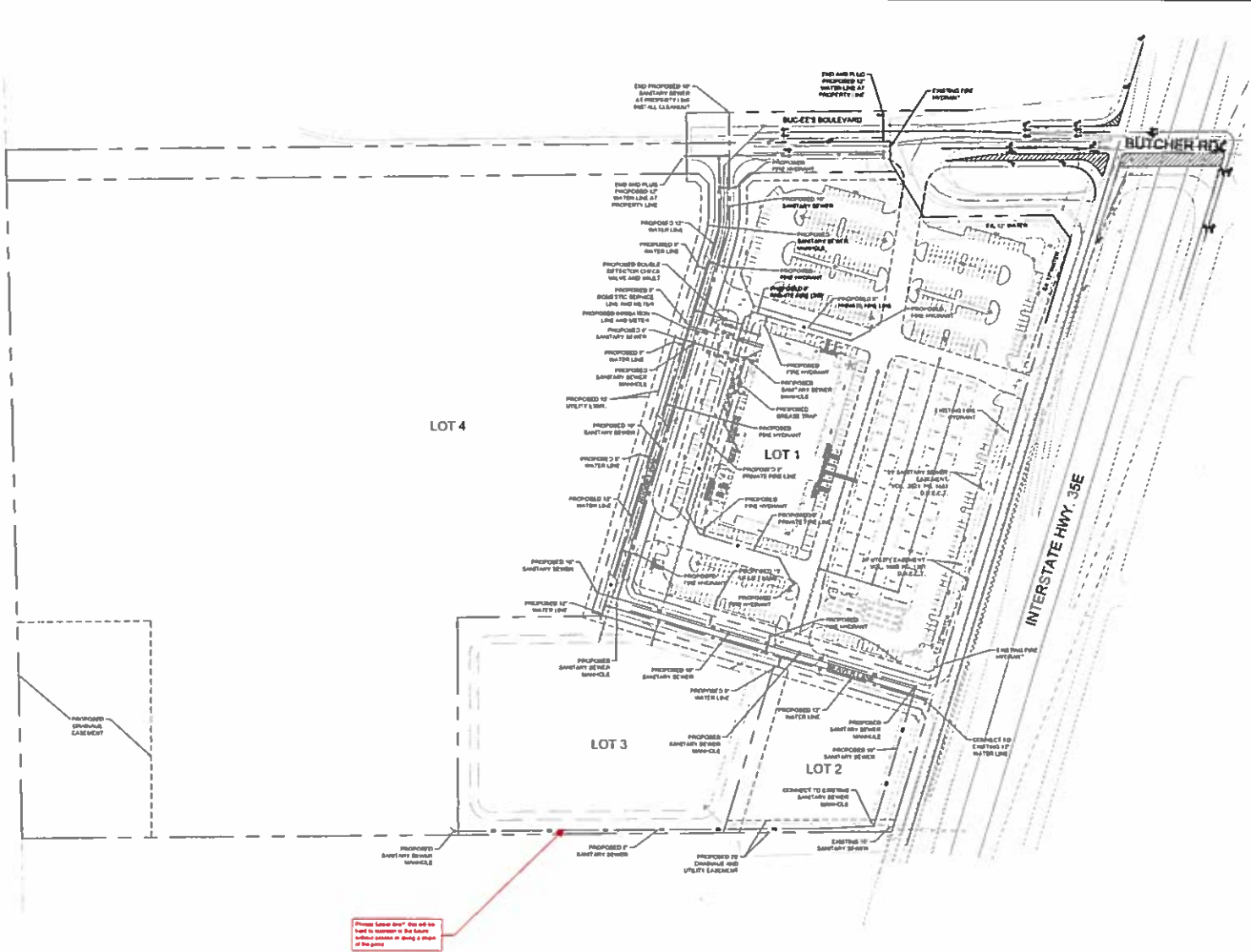
**EXISTING**  
**CONDITIONS MAP**

SHEET  
**P-1**





PLANNED BY: BUC-EE'S  
PROJECT NO: 1017-131  
DATE: 6/13/2018 7:45 AM  
LOCATION: WAXAHACHIE, TEXAS  
LAST SAVED: 6/13/2018 7:45 AM



**CLAY MOORE**  
ENGINEERING

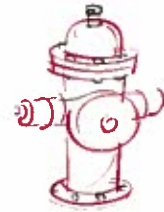
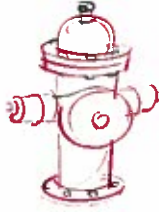
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Customer: BUC-EE'S  
Project: 1017-131  
Date: 6/13/2018

**BUC-EE'S**  
SVC OF INTERSTATE HWY. 35E  
AND BUTCHER ROAD  
WAXAHACHIE, TEXAS

**CONCEPTUAL  
UTILITY PLAN**

DATE: 6/13/2018  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
DATE: 6/13/2018  
P-3

(15)



# *Fire Hydrant Servicing*

400 Casa Grande Ct.

Irving, Texas 75061

214-563-7782

972-259-2333 fax

*Firehydrantservicing.com*

## *Fire Hydrant Certificate of Flow Test Report*

### General Information

Requested by:	Clay Moore	Date of test:	3-15-2018
Purpose of test:	New Construction	City of test:	Waxahachie, TX
Inspector:	J. Chavez	Time of test:	10:00 am
Contact Name:	Bobby		
Job No.			

### *\*Flow Hydrant Readings\**

<u>Hyd. No.</u>	<u>Outlet size</u>	<u>Static p.s.i.</u>	<u>Flow p.s.i.</u>	<u>Projected flow/ gpm</u>
1	2.5"	64 psi	54 psi	1230 gpm

Location: Hydrant see map.

### *\*Static / Residual Hydrant Readings\**

<u>Hyd. No.</u>	<u>Static p.s.i.</u>	<u>Residual p.s.i.</u>
2	64 psi	56 psi

Location: Hydrant see map.

<u>Hyd. No.</u>	<u>Static p.s.i.</u>	<u>Residual p.s.i.</u>
	N/A	

Location: N/A

\*\*\*Please see attached map if available\*\*\*



(116)

## Planning & Zoning Department

### Plat Staff Report

Case: PP-18-0094



#### MEETING DATE(S)

*Planning & Zoning Commission:* June 26, 2018

*City Council:* July 2, 2018

#### CAPTION

**Consider** request by R. Jay Anthony, AP Land Development LLC, for a **Preliminary Plat** of Springside Estates Phase 1 for 5 residential and 2 non-residential lots, being 88.651 acres situated in the John Collet Survey, Abstract 221 (Property ID 138304, 138712, 138303) in the Extra Territorial Jurisdiction – Owner: AKP STILLWATER PARTNERSHIP and AP WAXAHACHIE LIMITED PARTNERSHIP (PP-18-0094).

#### CASE INFORMATION

*Applicant:* R. Jay Anthony, AP Land Development LLC

*Property Owner(s):* AKP Stillwater Partnership and AP Waxahachie Limited Partnership

*Site Acreage:* 88.651 acres

*Number of Lots:* 58 residential and 2 non-residential lots

*Number of Dwelling Units:* 58 units

*Adequate Public Facilities:* Rockett SUD has indicated that their existing system can furnish the requested service in conformity with the Texas Commission on Environmental Quality standards for water distribution and the ISO fire flow requirements. On-site sewage facilities must be installed on each residential lot.

#### SUBJECT PROPERTY

*General Location:* NW quadrant of the intersection of Gibson Road and Broadhead Road

*Parcel ID Number(s):* 138304, 138712, and 138303

*Current Zoning:* N/A (ETJ)

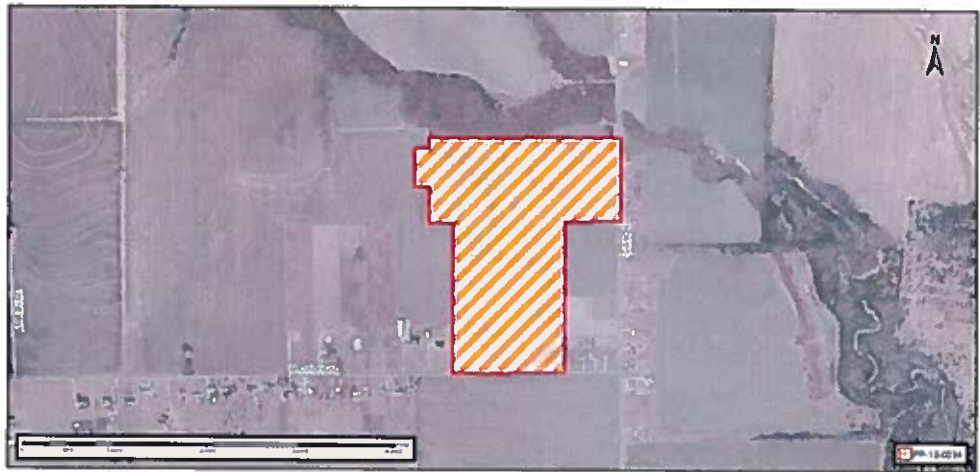
*Existing Use:* Currently undeveloped

(116)

**Platting History:**

The preliminary plat of Chautauqua Addition (case no. PLM2015-39) was approved by City Council on February 1, 2016. Preliminary Plats expire with Ellis County after one (1) year and with the City of Waxahachie after two (2) years. This case is to ensure that the final plat can be approved.

**Site Aerial:**



**STAFF CONCERNS**

1. None outstanding

**APPLICANT RESPONSE TO CONCERNS**

1. Applicant submitted revised drawings.

**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.

(16)

**STAFF CONTACT INFORMATION**

*Prepared by:*

Kelly Dent, MPA

Planner

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

*Reviewed by:*

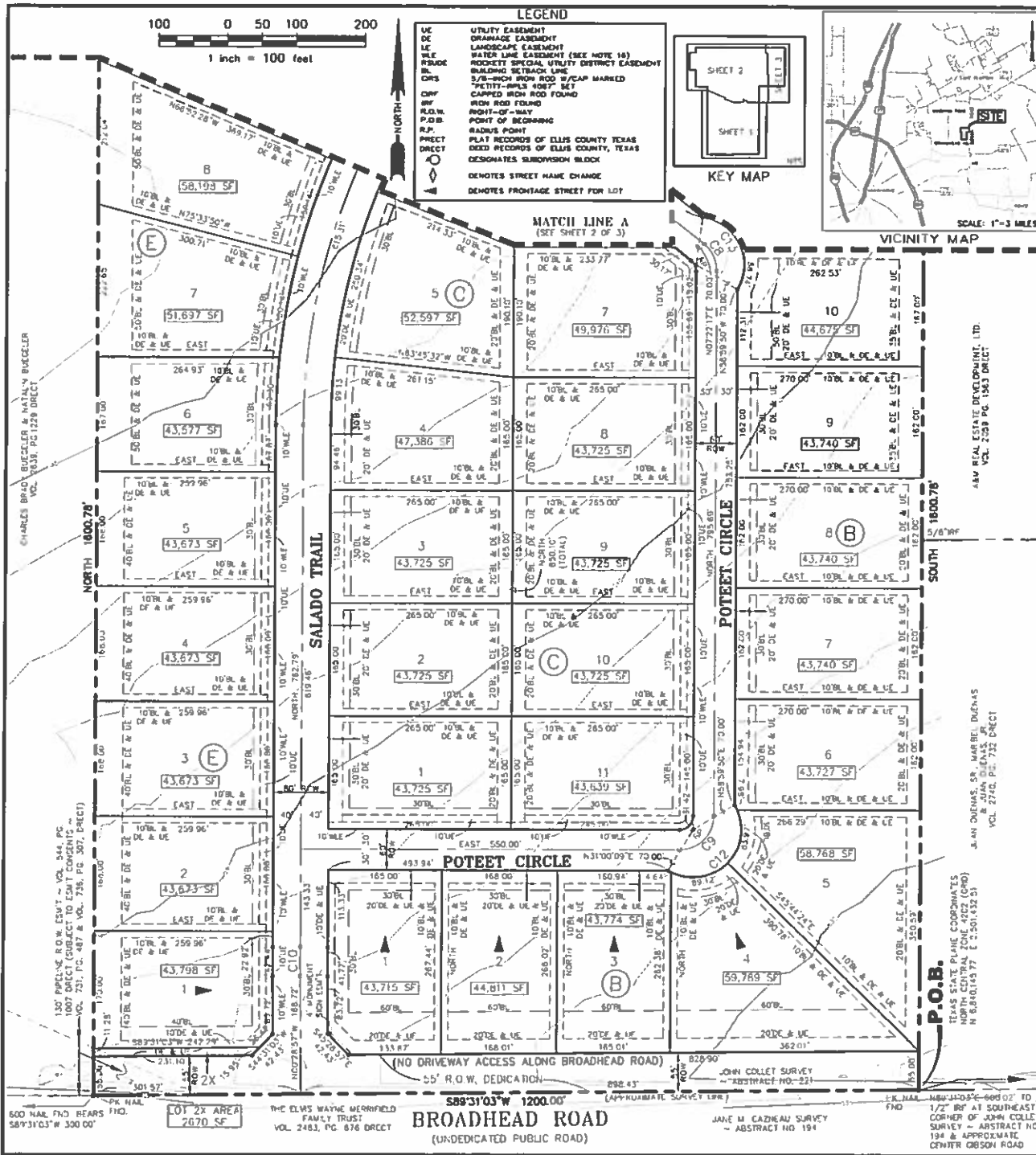
Shon Brooks, AICP

Director of Planning

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

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting, held June 26, 2018, the Commission voted 4-0 to recommend approval of plat no. PP-18-0094, subject to staff comments.

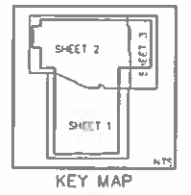
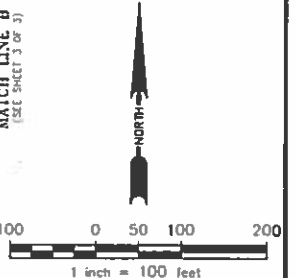
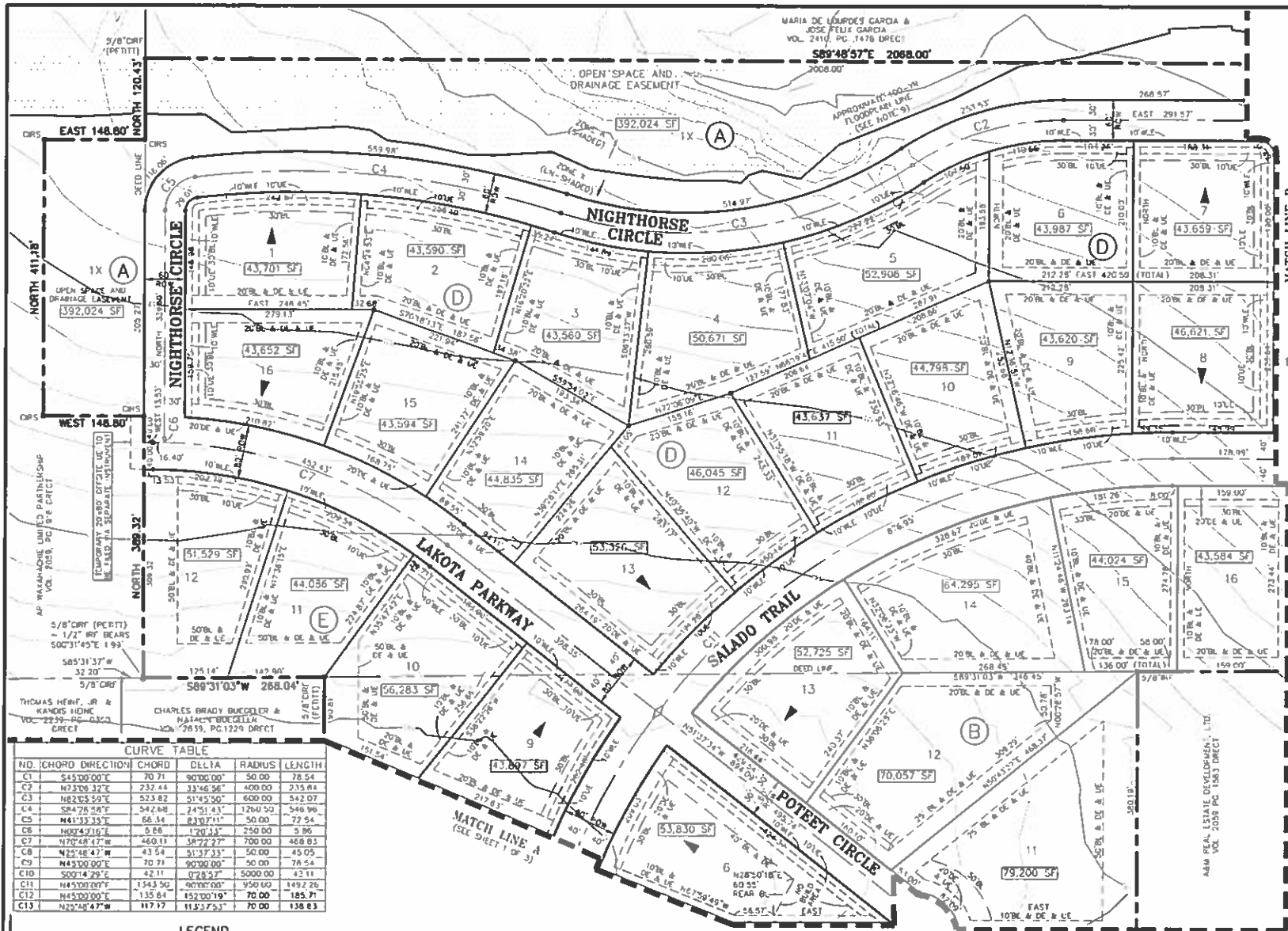


# PRELIMINARY PLAT SPRINGSIDE ESTATES PHASE 1

88.651 ACRES  
15.833 ACRES OF RIGHT-OF-WAY DEDICATION  
50 RESIDENTIAL LOTS  
2 NON-RESIDENTIAL LOTS  
SITUATED IN THE  
JOHN COLLET SURVEY - ABSTRACT NO. 221  
ROCKETT SPECIAL UTILITY DISTRICT  
CITY OF WAXAHACHE, TEXAS  
ELLIS COUNTY, TEXAS

**PETITT BARRAZA**  
ENGINEERING PLANNING SURVEYING

1651 N. Glenview Dr. Ste. 212  
Richardson, Texas 75081  
DATE: JUNE 2018  
SCALE: 1"=100'  
JCH@PBTBARRAZA.COM  
JCH NO. 04009-00



**CURVE TABLE**

NO.	CHORD DIRECTION	CHORD	DELTA	RADIUS	LENGTH
C1	S43°00'00"E	70.71	90°00'00"	50.00	78.54
C2	N73°08'32"E	232.44	33°46'56"	400.00	235.84
C3	N62°03'59"E	523.82	51°45'50"	600.00	542.07
C4	S84°28'58"E	547.68	24°51'43"	1260.00	546.96
C5	N61°33'35"E	66.34	83°07'11"	50.00	72.54
C6	N02°47'16"E	8.68	170°33'	250.00	5.96
C7	N70°48'17"E	460.11	38°22'37"	700.00	468.83
C8	N25°48'47"E	43.58	51°37'33"	50.00	45.05
C9	N43°00'00"E	70.71	90°00'00"	50.00	78.54
C10	S00°14'29"E	42.11	0°28'57"	5000.00	42.11
C11	N45°00'00"E	134.50	90°00'00"	950.00	149.26
C12	N45°00'00"E	135.84	152°00'19"	70.00	185.71
C13	N25°48'47"E	117.17	113°37'53"	70.00	138.63

- LEGEND**
- UE UTILITY EASEMENT
  - DE DRAINAGE EASEMENT
  - LE LANDSCAPE EASEMENT
  - WLE WATER LINE EASEMENT (SEE NOTE 18)
  - WLU WIRE LINE EASEMENT
  - BL BUILDING SETBACK LINE
  - CRS 5/8-INCH IRON ROD W/CAP MARKED "PETITT-BARRAZA 40887" SET
  - ORF CAPPED IRON ROD FOUND
  - RF IRON ROD FOUND
  - R.O.W. RIGHT-OF-WAY
  - P.O.B. POINT OF BEGINNING
  - R.P. RADIAL POINT
  - P.P. PLAT RECORDS OF ELLIS COUNTY TEXAS
  - D.R. DEED RECORDS OF ELLIS COUNTY, TEXAS
  - D.S. DESIGNATES SUBDIVISION BLOCK
  - DENOTES STREET NAME CHANGE
  - ≡ DENOTES FRONTAGE STREET FOR LOT

- BENCHMARKS**
- N 6,840,152.17  
E 2,501,103.18  
2,535.62'  
5/8" IRON CAPPED IRON ROD LOCATED ON THE NORTH-SIDE OF BROADHEAD ROAD, APPROXIMATELY 990 FEET WEST OF THE INTERSECTION OF BROADHEAD ROAD AND CROWN ROAD
  - N 6,840,086.54'  
E 2,486,101.69'  
2,548.14'  
5/8" IRON CAPPED IRON ROD LOCATED ON THE NORTH-SIDE OF BROADHEAD ROAD, APPROXIMATELY 5311 FEET WEST OF THE INTERSECTION OF BROADHEAD ROAD AND CROWN ROAD

**PLS OF RECORD**  
JIMMIE D. REYNOLDS  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 3194

**OWNERS**  
AP LAND DEVELOPMENT, LLC  
AP BROADHEAD LIMITED PARTNERSHIP  
C/O ACT  
POSS. ANTHONY  
ANTHONY PROPERTIES MANAGEMENT, INC.  
12770 COFF RD. ST. 970 DALLAS, TEXAS 75251  
PHONE (214) 432-9501

**DESIGNER**  
ROCKETT SPECIAL UTILITY DISTRICT  
C/O ACT  
DOH BARRAZA  
P.O. BOX 45  
RED OAK, TEXAS 75154-0045  
PHONE (972) 617-0031

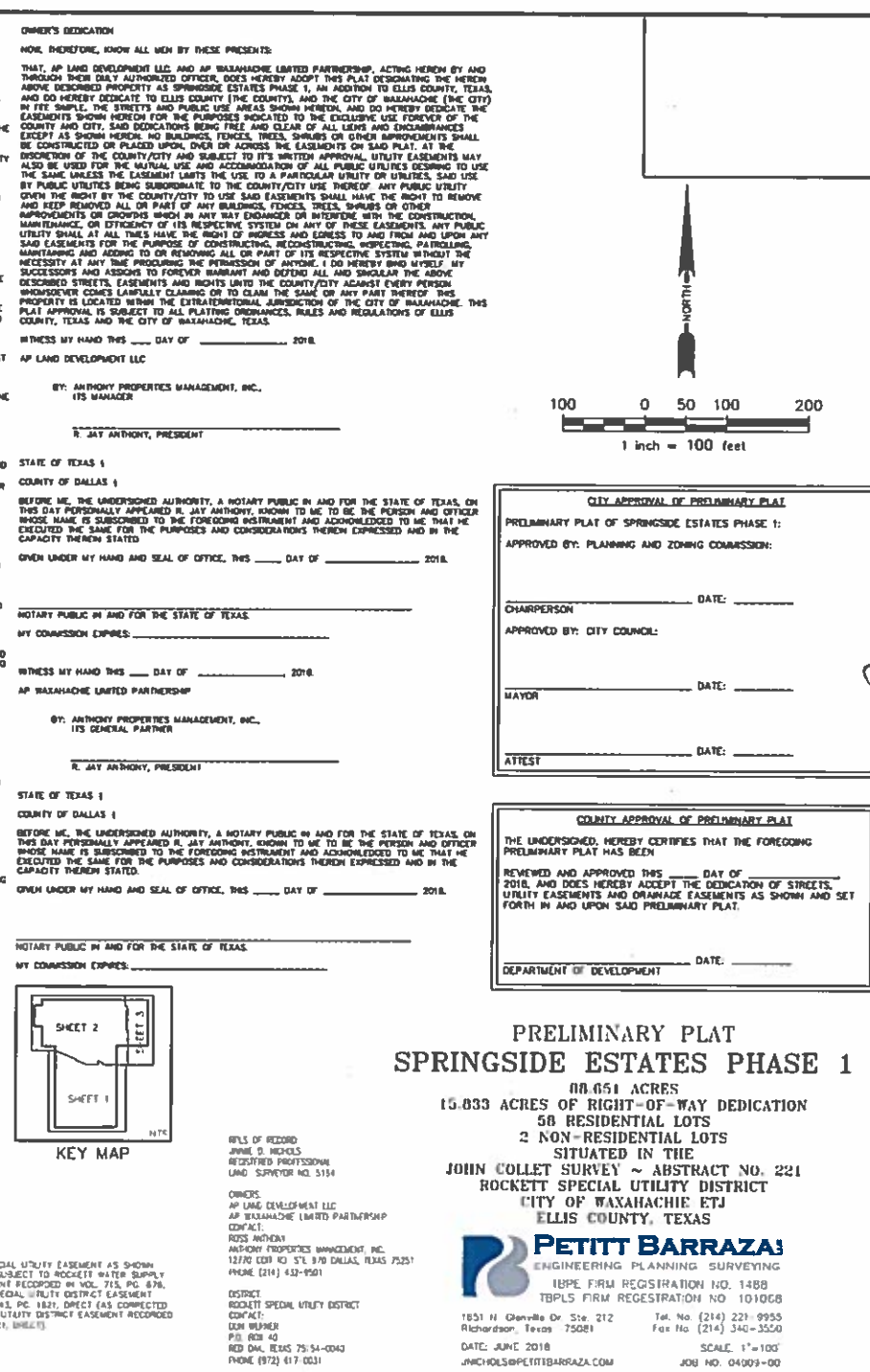
**PRELIMINARY PLAT**  
**SPRINGSIDE ESTATES PHASE 1**  
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CITY OF WAXAHACHIE ETJ  
ELLIS COUNTY, TEXAS

**PETITT BARRAZA**  
ENGINEERING PLANNING SURVEYING  
TYPE FIRM REGISTRATION NO. 1489  
TBPLS FIRM REGISTRATION NO. 101068

1651 N. Glenview Dr. Ste. 212  
Richardson, Texas 75081  
DATE: JULY 2018  
JN.CHOLES@PETITTBARRAZA.COM

Tel. No. (214) 221-9955  
Fax No. (214) 340-3550  
SCALE: 1"=100'  
JOB NO. 04009-00





(17)

## Planning & Zoning Department

### Plat Staff Report

**Case: FP-18-0080**



#### **MEETING DATE(S)**

*Planning & Zoning Commission:* June 26, 2018

*City Council:* July 2, 2018

#### **CAPTION**

**Consider** request by R. Jay Anthony, AP Land Development LLC, for a Final Plat of Springside Estates Phase 1 for 5 residential and 2 non-residential lots, being 88.651 acres situated in the John Collet Survey, Abstract 221 (Property ID 138304, 138712, 138303) in the Extra Territorial Jurisdiction – Owner: AKP STILLWATER PARTNERSHIP and AP WAXAHACHIE LIMITED PARTNERSHIP (FP-18-0080).

#### **CASE INFORMATION**

*Applicant:* R. Jay Anthony, AP Land Development LLC

*Property Owner(s):* AKP Stillwater Partnership and AP Waxahachie Limited Partnership

*Site Acreage:* 88.651 acres

*Number of Lots:* 58 residential and 2 non-residential lots

*Number of Dwelling Units:* 58 units

*Adequate Public Facilities:* Rockett SUD has indicated that their existing system can furnish the requested service in conformity with the Texas Commission on Environmental Quality standards for water distribution and the ISO fire flow requirements. On-site sewage facilities must be installed on each residential lot.

#### **SUBJECT PROPERTY**

*General Location:* NW quadrant of the intersection of Gibson Road and Broadhead Road

*Parcel ID Number(s):* 138304, 138712, and 138303

*Current Zoning:* N/A (ETJ)

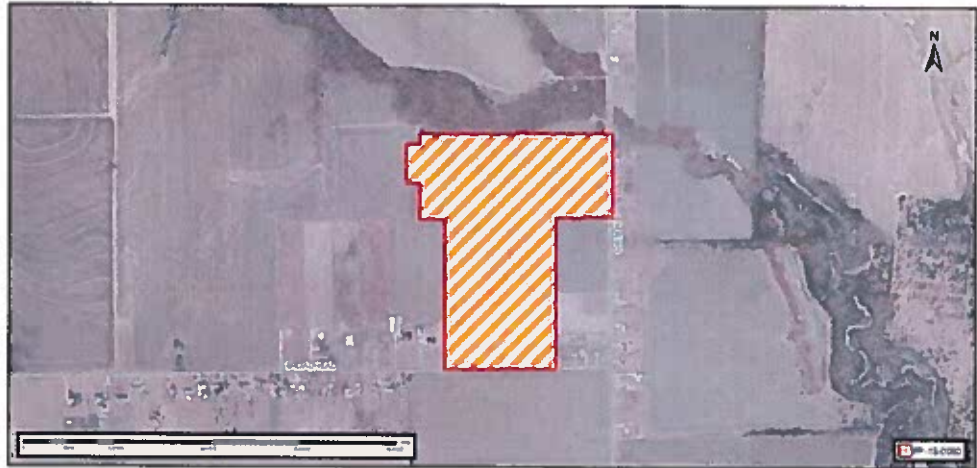
*Existing Use:* Currently undeveloped

(17)

**Platting History:**

The preliminary plat of Chautauqua Addition (case no. PLM2015-39) was approved by City Council on February 1, 2016. Preliminary Plats expire with Ellis County after one (1) year and with the City of Waxahachie after two (2) years. Therefore, the companion case, PP-18-0094 is being considered alongside this final plat.

**Site Aerial:**



**STAFF CONCERNS**

1. None outstanding

**APPLICANT RESPONSE TO CONCERNS**

1. Applicant submitted revisions. No 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:

**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.
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(17)

**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 June 26, 2018, the Commission voted 4-0 to recommend approval of plat no. FP-18-0080, subject to staff comments.



MARIA DE LOURDES GARCIA &  
JOSE TELIX GARCIA  
VOL. 2410, PG. 1476 DIRECT

S89°48'57"E 2068.00'

OPEN SPACE AND  
DRAINAGE EASEMENT

392.024 SF  
1X (A)

APPROXIMATE 100'-W  
FLOODPLAIN LINE  
(SEE NOTE 9)

EAST 148.80' NORTH 120.43'

WEST 148.80' NORTH 41.18'

OPEN SPACE AND  
DRAINAGE EASEMENT  
392.024 SF

AF WAXAHACHIE LIMITED PARTNERSHIP  
VOL. 2059, PG. 916 DIRECT

TEMPORARY 20' WIDE EASEMENT  
TO LAND IN SURVEY 15030000

5/8" CURV (PERIT)  
= 1/2" RY DEARS  
S00°31'45"E 1.93'

THOMAS HEW, JR. &  
KANDIS HONE  
VOL. 2239, PG. 0350  
DIRECT

5/8" CURV (PERIT)  
= 1/2" RY DEARS  
S00°31'45"E 1.93'

CHARLES BRADY BUCCOLIER &  
NATHAN BUEGELER  
VOL. 2639, PG. 1229 DIRECT

5/8" CURV (PERIT)  
= 1/2" RY DEARS  
S00°31'45"E 1.93'

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C13	N25°48'47"E		117.17	113°57'53"	70.00	158.83

# LEGEND

- UE UTILITY EASEMENT
- DE DRAINAGE EASEMENT
- LE LANDSCAPE EASEMENT
- WLE WATER LINE EASEMENT (SEE NOTE 16)
- RUE ROCKWELL SPECIAL UTILITY DISTRICT EASEMENT
- BL BUILDING SETBACK LINE
- CRS 5/8"-HIGH IRON ROD W/ CAP MARKED "PERIT-BARRAZA 4087" SET
- CRS 5/8" CAPPED IRON ROD FOUND
- CRS IRON ROD FOUND
- CRS RIGHT-OF-WAY
- P.O.B. POINT OF BEGINNING
- R.P. RADIAL POINT
- PLAT RECORD OF ELLIS COUNTY, TEXAS
- DEED RECORDS OF ELLIS COUNTY, TEXAS
- DESIGNATES SUBDIVISION BLOCK
- DENOTES STREET NAME CHANGE
- DENOTES FRONTAGE STREET FOR LOT

## BENCHMARKS

- 1 N 88°40'32"E  
E 2501.181' ±  
E 535.62'  
5/8" IRON CAPPED IRON ROD LOCATED ON THE NORTH SIDE OF BROADHEAD ROAD, APPROXIMATELY 990' WEST OF THE INTERSECTION OF BROADHEAD ROAD AND CROOK ROAD
- 2 N 68°40'06"E  
E 2496.701' ±  
E 546.14'  
5/8" IRON CAPPED IRON ROD LOCATED ON THE NORTH SIDE OF BROADHEAD ROAD, APPROXIMATELY 5331' WEST OF THE INTERSECTION OF BROADHEAD ROAD AND CROOK ROAD

WLS OF RECORD  
JAMES D. NICHOLS  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5351

OWNERS  
AF LAND DEVELOPMENT LLC  
AF WAXAHACHIE LIMITED PARTNERSHIP  
CONTACT:  
ROSS WATSON  
WATSON PROPERTIES MANAGEMENT, INC.  
17730 COR. RD. 576, DALLAS, TEXAS 75251  
PHONE: (214) 432-9501

DISTRICT  
ROCKWELL SPECIAL UTILITY DISTRICT  
CONTACT:  
DON BRADY  
P.O. BOX 40  
RED OAK, TEXAS 75154-0040  
PHONE: (972) 617-0031

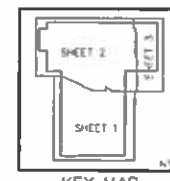
## FINAL PLAT SPRINGSIDE ESTATES PHASE 1

88.851 ACRES  
15.833 ACRES OF RIGHT-OF-WAY DEDICATION  
58 RESIDENTIAL LOTS  
2 NON-RESIDENTIAL LOTS  
SITUATED IN THE  
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**PETITT BARRAZA**  
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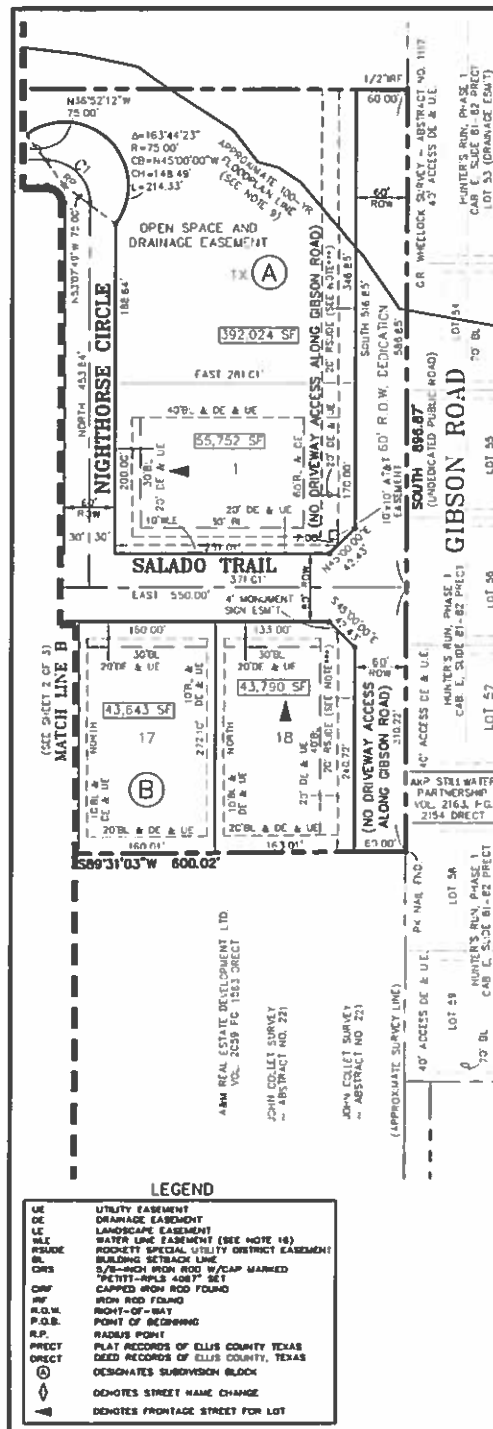
1651 N. Glenview Dr., Ste. 212  
Richardson, Texas 75081  
Tel. No. (214) 221-9955  
Fax No. (214) 340-3550  
DATE: JUNE 2018  
JIN CHOLS@PETITTBARRAZA.COM  
JOB NO. 04009-00

100 0 50 100 200  
1 inch = 100 feet



MATCH LINE B  
(SEE SHEET 3 OF 3)

MATCH LINE B  
(SEE SHEET 3 OF 3)



**OWNER'S DEDICATION**

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, AP LAND DEVELOPMENT LLC AND AP WAXAHACHE LIMITED PARTNERSHIP, ACTING HEREIN BY AND THROUGH THEIR DULY AUTHORIZED OFFICER, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS SPRINGSIDE ESTATES PHASE 1, AN ADDITION TO ELLIS COUNTY, TEXAS, AND DO HEREBY DEDICATE TO ELLIS COUNTY (THE COUNTY), AND THE CITY OF WAXAHACHE (THE CITY) IN FEE SIMPLE, THE STREETS AND PUBLIC USE AREAS SHOWN HEREON, AND DO HEREBY DEDICATE THE EASEMENTS SHOWN HEREON FOR THE PURPOSES INDICATED TO THE EXCLUSIVE USE, FOREVER OF THE COUNTY AND CITY, SAID DEDICATIONS BEING FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT AS SHOWN HEREON NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS SHALL BE CONSTRUCTED OR PLACED UPON OR ACROSS THE EASEMENTS ON SAID PLAT. AT THE DISCRETION OF THE COUNTY/CITY AND SUBJECT TO ITS WRITTEN APPROVAL, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE THE SAME UNLESS THE EASEMENT LIMITS THE USE TO A PARTICULAR UTILITY OR UTILITIES. SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE COUNTY/CITY USE THEREOF. ANY PUBLIC UTILITY CARRYING THE RIGHT OF THE COUNTY/CITY TO USE SAID EASEMENTS SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY OBSTRUCT OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON ANY OF THESE EASEMENTS. ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS AND EGRESS TO AND FROM AND UPON ANY SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEM WITHOUT THE NECESSITY AT ANY TIME PROCURING THE PERMISSION OF ANYONE. I DO HEREBY BIND MYSELF, MY SUCCESSORS AND ASSIGNS TO FOREVER WARRANT AND DEFEND ALL AND WHATEVER THE ABOVE DESCRIBED STREETS, EASEMENTS AND RIGHTS UNTO THE COUNTY/CITY AGAINST EVERY PERSON WHOSEVER COMES LAWFULLY CLAIMING OR TO CLAIM THE SAME OR ANY PART THEREOF. THIS PROPERTY IS LOCATED WITHIN THE EXTRAJURISDICTIONAL JURISDICTION OF THE CITY OF WAXAHACHE. THIS PLAT APPROVAL IS SUBJECT TO ALL PLATING ORDINANCES, RULES AND REGULATIONS OF ELLIS COUNTY, TEXAS AND THE CITY OF WAXAHACHE, TEXAS.

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2018.

AP LAND DEVELOPMENT LLC

BY: ANTHONY PROPERTIES MANAGEMENT, INC.,  
ITS MANAGER

R. JAY ANTHONY, PRESIDENT

STATE OF TEXAS  
COUNTY OF DALLAS

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

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

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES: \_\_\_\_\_

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2018.

AP WAXAHACHE LIMITED PARTNERSHIP

BY: ANTHONY PROPERTIES MANAGEMENT, INC.,  
ITS GENERAL PARTNER

R. JAY ANTHONY, PRESIDENT

STATE OF TEXAS  
COUNTY OF DALLAS

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

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

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES: \_\_\_\_\_

**CITY APPROVAL OF PRELIMINARY PLAT**

PRELIMINARY PLAT OF SPRINGSIDE ESTATES PHASE 1:

APPROVED BY: PLANNING AND ZONING COMMISSION:

CHAIRPERSON \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVED BY: CITY COUNCIL:

MAYOR \_\_\_\_\_ DATE: \_\_\_\_\_

ATTEST \_\_\_\_\_ DATE: \_\_\_\_\_

**COUNTY APPROVAL OF PRELIMINARY PLAT**

THE UNDERSIGNED, HEREBY CERTIFIES THAT THE FOREGOING PRELIMINARY PLAT HAS BEEN

REVIEWED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2018, AND DOES HEREBY ACCEPT THE DEDICATION OF STREETS, UTILITY EASEMENTS AND DRAINAGE EASEMENTS AS SHOWN AND SET FORTH IN AND UPON SAID PRELIMINARY PLAT.

DEPARTMENT OF DEVELOPMENT \_\_\_\_\_ DATE: \_\_\_\_\_

**FINAL PLAT**

**SPRINGSIDE ESTATES PHASE 1**

88.651 ACRES  
15.833 ACRES OF RIGHT-OF-WAY DEDICATION  
50 RESIDENTIAL LOTS  
2 NON-RESIDENTIAL LOTS  
SITUATED IN THE  
JOHN COLLET SURVEY ~ ABSTRACT NO. 221  
ROCKETT SPECIAL UTILITY DISTRICT  
CITY OF WAXAHACHE, ETJ  
ELLIS COUNTY, TEXAS

**PETITT BARRAZA**  
ENGINEERING PLANNING SURVEYING  
TYPE FIRM REGISTRATION NO. 1488  
TBLPS FIRM REGISTRATION NO. 101068

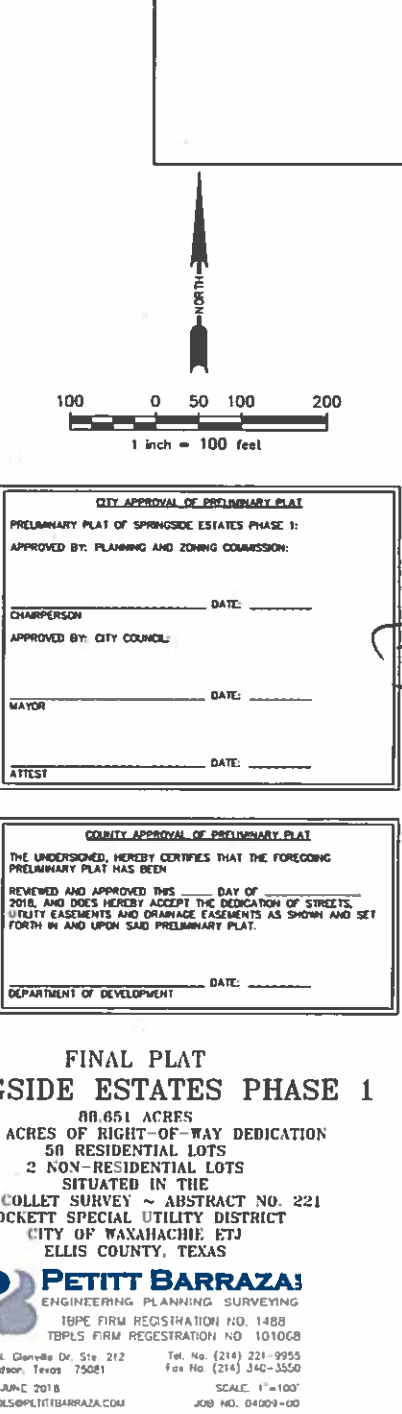
1651 H. Glenyale Dr. Ste. 212 Tel. No. (214) 221-9955  
Richardson, Texas 75081 Fax No. (214) 346-3550  
DATE: JUNE 2018  
JBNICHOLS@PETITTBARRAZA.COM JOB NO. 04090-00

PLAT OF RECORD  
JAMES B. NICHOLS  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5184

CHOICES  
AP LAND DEVELOPMENT LLC  
AP WAXAHACHE LIMITED PARTNERSHIP  
CONTACT:  
ROSE WYNNE  
ANT-OWN PROPERTIES MANAGEMENT, INC.  
12740 LOT RD. ST. 870 DALLAS, TEXAS 75251  
PHONE (214) 431-9501

DISTRICT  
ROCKETT SPECIAL UTILITY DISTRICT  
CONTACT:  
DAN WESHER  
P.O. BOX 43  
RED OAK, TEXAS 75154-0040  
PHONE (972) 817-6831

\*\*\* 20' ROCKETT SPECIAL UTILITY EASEMENT AS SHOWN PLOTTED HEREIN IS SUBJECT TO ROCKETT WATER SUPPLY CORPORATION EASEMENT RECORDED IN VOL. 713, PG. 679, DIRECT & ROCKETT SPECIAL UTILITY DISTRICT EASEMENT RECORDED IN VOL. 1743, PG. 1824, DIRECT (AS CORRECTED BY ROCKETT SPECIAL UTILITY DISTRICT EASEMENT RECORDED IN VOL. 1743, PG. 1821, DIRECT).



(18)

# Planning & Zoning Department

## Zoning Staff Report

Case: ZC-18-0093



### MEETING DATE(S)

Planning & Zoning Commission: June 26, 2018

City Council: July 2, 2018

### CAPTION

**Public Hearing** on a request by Lance Rust, Joe Rust Co., for a Zoning Change from a Planned Development-Single Family-1 zoning district to **Single Family-1** located on Lone Elm Road before the turn near Meadow Crest Drive (Property ID 180711) - Owner: WALKER BRINT & WALKER CLINT (ZC-18-0093).

### CASE INFORMATION

**Applicant:** Lance Rust, Joe Rust Co.

**Property Owner(s):** Brint Walker & Clint Walker

**Site Acreage:** 21.607 acres

**Current Zoning:** Planned Development-Single Family-1 (Ordinance 2330)

**Requested Zoning:** Single Family-1

### SUBJECT PROPERTY

**General Location:** Lone Elm Road before the turn near Meadow Crest Drive

**Parcel ID Number(s):** 180711

**Existing Use:** Currently undeveloped

**Development History:** Ord. No. 2330 was approved by City Council on September 6, 2005.

**Adjoining Zoning & Uses:**

Direction	Zoning	Current Use
North	PD-SF1	Currently undeveloped
East	PD-SF1 & FD	Currently undeveloped
South	ETJ	Currently undeveloped
West	ETJ	Single family residence

**Future Land Use Plan:** Low Density Residential and Retail



(18)

**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.

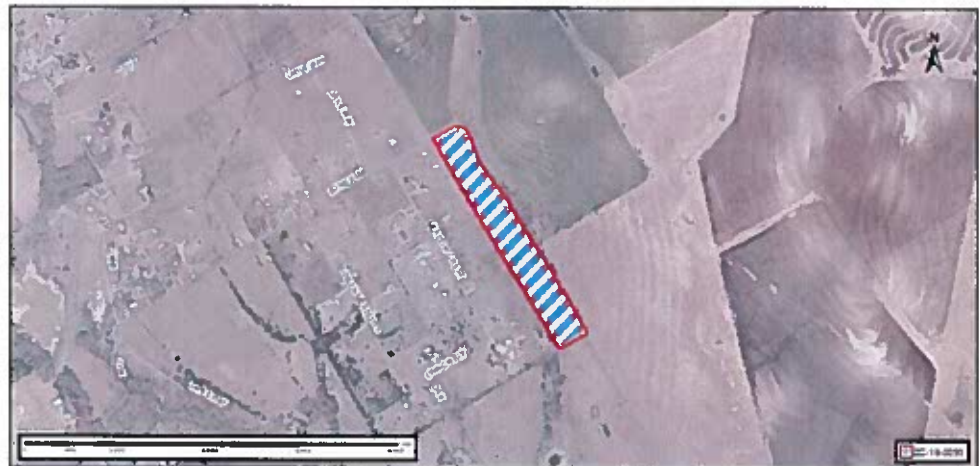
Retail includes areas that have restaurants, shops, grocery stores, and personal service establishments. Retail businesses generally require greater visibility than do other types of nonresidential land use (e.g., office, commercial).

This zoning change will eliminate the retail zoning in its entirety.

**Thoroughfare Plan:**

The site is accessed via Lone Elm Road. Lone Elm on the northern edge of the property is a Major Thoroughfare B (110' ROW); after the curve, it is a Major Thoroughfare A (120' ROW).

**Site Image:**



**PLANNING ANALYSIS**

This property is zoned PD-SF1 as part of the Kemp Tract (Ord. No. 2330). As part of the Kemp Tract, each submitted residential plat must have a minimum of three (3) lot types. The property owner's proposed development will have a single lot type, necessitating the need to remove this property from the Kemp Tract's zoning.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 11 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 06/08/2018.

**STAFF CONCERNS**

1. None.

**APPLICANT RESPONSE TO CONCERNS**

1. No comments to respond to.

**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. Survey

**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.

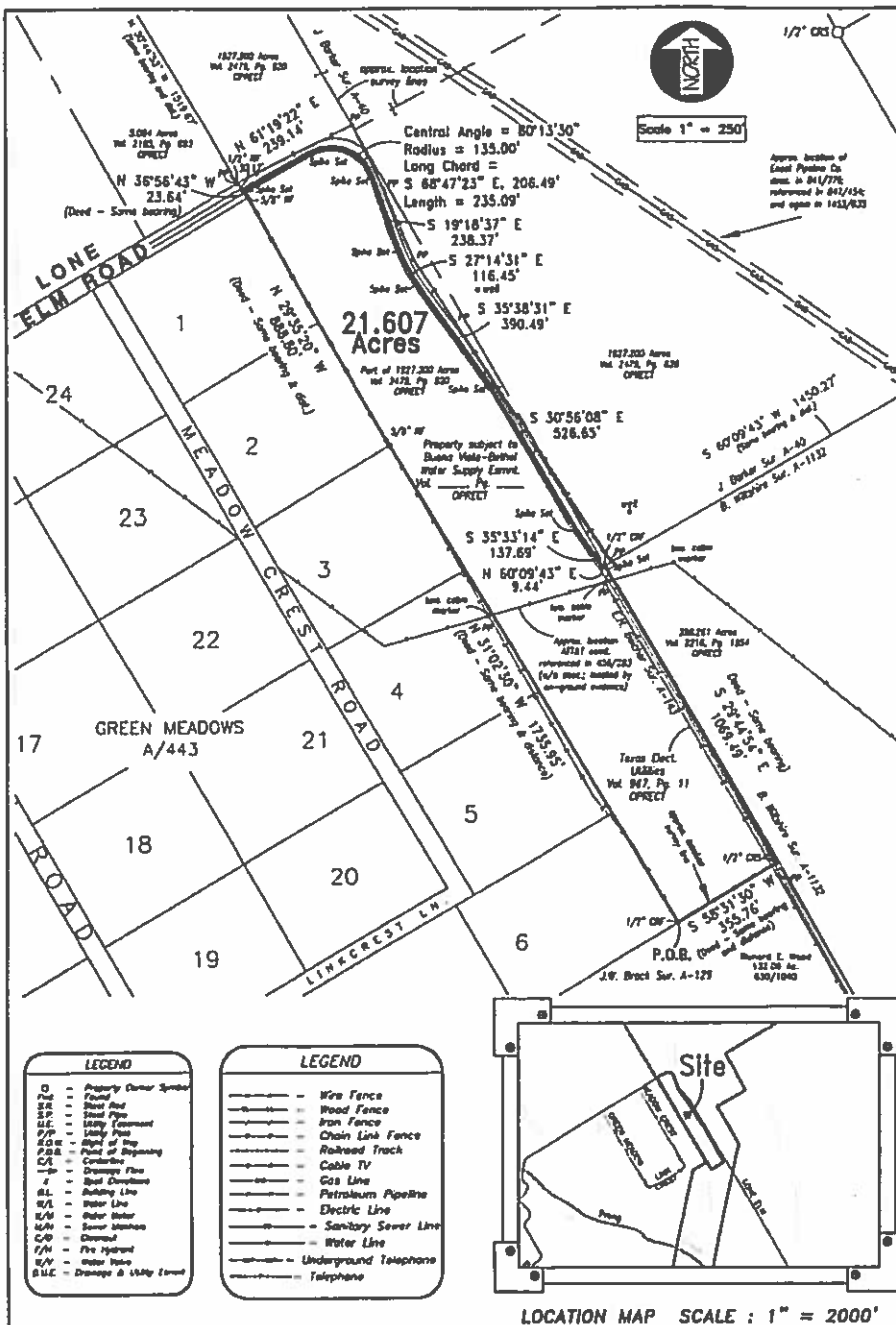
**STAFF CONTACT INFORMATION**

*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 July 11, 2018, the Commission voted 4-0 to recommend approval of zoning change ZC-18-0093, subject to staff comments.



# **FIELD NOTES**

21.607 Acres

BEING of that certain lot, tract, or parcel of land lying in the City of Waxahachie, and in the E.H. BELCHER SURVEY, Abstract No. 143, and being a part of a subdivided 1927.200 acre tract of land as described in Volume 2176, Page 620, Official Public Records, Ellis County, Texas, (CPRECT), and being more particularly described as follows:

BEING of a 1/2" steel rod found for the south corner of this tract and being a westerly north corner of the 1927.200 acre tract and also being in the southeast line of a subdivided 1927.200 acre tract of land described in Volume 2176, Page 620, Official Public Records, Ellis County, Texas, (CPRECT), and also being the east corner of Lot 6 of Green Meadows, a subdivision in Ellis County, Texas, according to the plat thereof recorded in Volume 2145, Page 620, Official Public Records, Ellis County, Texas, (CPRECT), and also being the recognized south corner of the said Belcher survey and is the recognized northeast line of the A.W. Brack Survey, Abstract No. 121.

THENCE N 17°23'30" W, 1755.95 feet, (Ded - Record bearing both, same distance), along the accepted easterly southeast line of said Belcher survey, a southeasterly line of this tract and some for the said 1927.200 acre tract, and along a northeast line of Lots 4, 3, 2, and 1, respectively, of Green Meadows to a 5/8" steel rod found for the survey;

THENCE N 79°31'20" W, 228.40 feet (Ded - Same bearing and distance), continuing along the accepted easterly southeast line of said Belcher survey, a southeasterly line of this tract and said 1927.200 acre tract, and along a northeast line of Lots 4, 3, 2, and 1, respectively, of Green Meadows, to a 5/8" steel rod found for the survey;

THENCE N 30°56'43" W, 22.64 feet (Ded - Same bearing), along the accepted easterly southeast line of said Belcher survey, and along a southeasterly line of this tract and said 1927.200 acre tract, to a split well in Lone Elm Road (a nearby road), for the east corner of this tract and being the north corner of the said Green Meadows and also being the east corner of a subdivided 3.884 acre tract of land described in Volume 2163, Page 623, CPRECT;

THENCE through the 1927.200 acre tract and the said Belcher Survey and along the approximately easterly line of Lone Elm Road and along northerly and southerly lines of this tract to split well for corners as follows: N 51°11'22" E, 228.14 feet to the beginning of a curve arched clockwise 225.09 feet along the arc of said curve (Central Angle = 80°15'30" Radius = 135.00 feet Long Chord = 5.674725" E, 208.48 feet) to the end of the said curve, S 17°12'17" E, 228.37 feet; S 37°43'11" E, 116.43 feet; S 37°38'31" E, 395.48 feet; S 30°56'43" W, 515.65 feet; and N 60°09'43" E, 5.44 feet bearing and distance to a split well for the south corner of the 1927.200 acre tract and being the east corner of a subdivided 395.261 acre tract of land described in Volume 2164, Page 624, CPRECT, and is also the accepted north corner of the S. Belcher Survey, Abstract No. 46, and is the accepted east corner of the S. Wilshire Survey, Abstract No. 112, and also which line in the accepted northeast line of the Belcher Survey and S 17°47'34" E, 1095.40 feet (Ded - Same bearing) along Lone Elm Road and back to the split well for the south corner of this tract and along the northeast line of the Belcher Survey and along the northeast line of the Wilshire Survey to a split well for the east corner of this tract and an east corner of the 1927.200 acre tract and being the north corner of the said 112.21 acre tract, and also being the accepted east corner of the Belcher Survey and the accepted north corner of the Brack Survey;

THENCE S 30°51'30" W, (Ded - Same bearing and distance), along the southeast line of this tract and a southeast line of the 1927.200 acre tract and along the accepted southeast line of the Belcher Survey and the accepted southeast line of the Brack Survey, and along the southeast line of the 192.23 acre tract of 36.09 feet from a 1" steel rod set for witness corner, to a 555.79 feet to the POINT OF BEGINNING and containing approximately 21.607 acres of land.

## **SURVEYOR'S CERTIFICATE**

TO THE LEX HOLMES AND/OR THE OWNERS AND/OR THE PURCHASERS OF THE

PREMISES SURVEYED AND TO:

I hereby certify that in June, 2010, this survey was made on the ground as per the field notes shown on this survey and is true, correct and accurate as to the boundaries and areas of the subject property and the size, location and type of buildings and improvements thereon, if any, and as to the other matters shown hereon, and correctly shows the location of all visible boundaries and rights-of-way.

Except as shown on the survey, there are no encroachments upon the subject property by improvements on adjacent property, there are no encroachments on adjacent property, streets or ways by any improvements on the subject property and there are no easements or preemptions.

I further certify by the following conditions:

1. The term "easterly" or "westerly" as shown and used herein indicates an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, either expressed or implied, and is solely for the parties involved in, and limited to the transaction of (CP).
2. That as portions of the said tract lie within a Flood Hazard Boundary according to the Flood Insurance Rate Map for Ellis County, Texas, Community # 48125021802 E, Zone 2, unshaded area, property not located in a 100 Year Flood Zone. Any property in a Zone 2 location is approximately and based from the fringe of the FEMA map, and coverage shown within the "Zone 2" is approximate.
3. This survey reflects the above ground (visible) location of utilities. The surveyor makes no guarantee that the utilities shown on each plat in the area, other in service, or abandoned. Further, the surveyor does not warrant that the underground utilities shown are in the exact location indicated. Underground utilities which may affect this property were not located during the course of this survey, but has made an attempt to locate as accurately as possible any underground utility indicated by above ground evidence.
4. Information in parentheses are from public records (Ded only).
5. Bearing survey was an on record plat or field notes description.
6. The surveyor relied on the information furnished by (CP) dated 2010, and on subsequent communications for information regarding encroachments on subject property and did not abstract the property for encroachments and/or other restrictions. Any other use or anything of this plat is prohibited. The statements, rights-of-way, or other exceptions noted herein are according to the Schedule B therein. The surveyor has not abstracted the property, based on the statements and/or deeds furnished by the above named party or company, the following does not appear to affect the subject property:
7. Unless otherwise noted, all property corners indicated as "Set" are 1/2" diameter steel rods with yellow plastic caps marked (SPLS 4466).
8. This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1B, Condition II (C) Survey.

Surveyor: Lex Holmes, D.P.L.S. # 4444  
Date: 6-10-2010

**SURVEY PLAT**  
**21.607 Acres**  
**E.H. Belcher Survey, Abst. 143**  
**City of Waxahachie**  
**Ellis County, Texas**

REVISIONS	BY

**ENGINEERS DAVIS & McDILL, Inc.**  
**D&M SURVEYORS**  
14 Texas Licensed Surveyors (SPLS 18190-25)  
and a Texas Licensed Professional Engineer (P.E. # 44301)  
CONSULTING ENGINEERS - LAND SURVEYORS  
P.O. Box 418, WAXAHACHIE, TEXAS 75165  
PHONE: 972-825-1105 FAX: 972-825-4037

Date: 6-10-2010  
Scale: 1" = 250'  
Drawn: WKD  
Job: 210-0252  
Sheet: 1  
of 1 sheets.



(19)

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

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-SINGLE FAMILY-1 (PD-SF1) TO SINGLE FAMILY-1 (SF1) LOCATED ON LONE ELM ROAD BEFORE THE TURN NEAR MEADOW CREST DRIVE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 21.607 ACRES KNOWN AS THE LONE ELM ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

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

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

**WHEREAS**, a proper application for a Zoning Change has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZC-18-0093. 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 PD-SF1 to SF1; 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 PD-SF1 to SF1 in order to facilitate development of the subject property in a manner that allows single-family residences on the following property: the Lone Elm Addition, which is shown on Exhibit A.

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.

(19)

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MAYOR

ATTEST:

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City Secretary



## ZC-18-0093 Lone Elm Addition Location Exhibit

EXHIBIT A



0 500 1,000 2,000 Feet



(20)

# Planning & Zoning Department

## Plat Staff Report

Case: PP-18-0083



### MEETING DATE(S)

*Planning & Zoning Commission:* June 26, 2018

*City Council:* July 2, 2018

### CAPTION

**Consider** request by Lance Rust, Joe Rust Co., for a **Preliminary Plat** of Lone Elm Addition for 13 residential lots, being 21.607 acres in the E. H. Belcher Survey, Abstract 143 (Property ID 180711) – Owner: WALKER BRINT & WALKER CLINT (PP-18-0083).

### CASE INFORMATION

*Applicant:* Lance Rust, Joe Rust Co.

*Property Owner(s):* Brint & Clint Walker

*Site Acreage:* 21.607 acres

*Number of Lots:* 13 residential lots

*Number of Dwelling Units:* 13 units

*Park Land Dedication:* The cash in lieu of park land dedication for this case is estimated at \$5,200.00 (13 residential dwellings at \$400.00 per dwelling).

*Adequate Public Facilities:* All lots shall be served by an on-site sewage facility system for residential use. Buena Vista-Bethel SUD has indicated that their existing system can furnish the requested service in conformity with the Texas Commission on Environmental Quality standards for water distribution and the ISO fire flow requirements.

### SUBJECT PROPERTY

*General Location:* Lone Elm Road, North of FM 1446

*Parcel ID Number(s):* 180711

*Current Zoning:* Planned Development-Single Family-1

*Existing Use:* Currently undeveloped

*Platting History:* E. H. Belcher Survey, Abstract 143



(20)

**Site Aerial:**



**STAFF CONCERNS**

1. Please create a Block for this.
2. Remove the building lines from the plat.

**APPLICANT RESPONSE TO CONCERNS**

1. Applicant submitted revised drawings. 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. Please create a Block for this.
  2. Remove the building lines from the plat.

**ATTACHED EXHIBITS**

1. Plat drawing
2. Drainage plan
3. Utility plan

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*

Kelly Dent, MPA

Planner

[kdent@waxahachie.com](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 June 26, 2018, the Commission voted 4-0 to recommend approval of plat no. PP-18-0083, subject to staff comments.





(21 + 22)



## Memorandum

To: Planning and Zoning Commission  
From: Shon Brooks, Director of Planning  
Thru: Tommy Ludwig, Executive Director of Development Services *TL*  
Date: June 21, 2018  
Re: PD-18-0074

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The applicant has asked that this case be continued to the July 10, 2018, Planning and Zoning Commission meeting and July 16, 2018, City Council meeting.

(23)

## Planning & Zoning Department

### Plat Staff Report

Case: PP-18-0096



#### MEETING DATE(S)

Planning & Zoning Commission: June 26, 2018

City Council: July 2, 2018

#### CAPTION

**Consider** request by James P. Moon, Attorney and Authorized Representative of Blue Bonnet Trails, LLC, Owner, for a **PETITION TO EXTEND APPROVAL** pursuant to Appendix C – Subdivisions, Section 2.3 – Procedures and Submission Requirements for Preliminary Plat Approval for Blue Bonnet Trail (Property ID 182266 and 182267) – Owner: BLUE BONNET TRAILS LLC (PP-18-0096).

#### CASE INFORMATION

**Applicant:** James P. Moon, Attorney

**Property Owner(s):** Blue Bonnet Trails LLC

**Site Acreage:** 57.647 acres

**Number of Lots:** 226 lots

**Number of Dwelling Units:** 225 units

**Park Land Dedication:** Per Ord. No. 2809, the 16.91 acres of floodplain will be dedicated to the city as a park, all of the improvements will be installed in Phase 1.

**Adequate Public Facilities:** This will be on City services.

#### SUBJECT PROPERTY

**General Location:** SW Corner of Farley Street and US Highway 287

**Parcel ID Number(s):** 182266 and 182267

**Current Zoning:** Planned Development Ordinances 2619 and 2809

**Existing Use:** Currently undeveloped

**Platting History:** PLM2016-21 was approved by City Council July 5, 2016. Preliminary plats expire with the City of Waxahachie after two (2) years, so the applicant is requesting an extension.

Per the Subdivision Ordinance, Section 2.3.k.1.2, prior to the lapse of approval, the property owner may petition the City to extend approval. This petition shall be considered at a public meeting before both the Commission and Council and such an extension may be granted by the Council at such a public meeting.

In determining whether to grant the extension, the Council shall take into account the reasons for the lapse, the ability of the property owner to comply with conditions attached to the original approval and the extent to which the newly adopted subdivision regulations shall apply to the plat.

The Commission and Council shall extend the preliminary plat, or deny the request, which would require to property owner must submit a new application for approval. The Commission and Council may extend the approval for a specific time period, subject to additional conditions based upon newly enacted regulations, or such as are necessary to ensure compliance with the original conditions of approval.

*Site Aerial:*



#### **STAFF CONCERNS**

1. Preliminary Plat
  - a. Page 4
    - i. Verify scale
    - ii. Marigold Lane appears to be 25 feet instead of 50 feet compared to the other 50-foot ROW. On the construction plans the ROW is within the current flood plain. Update this to match the construction plan ROW.

#### **APPLICANT RESPONSE TO CONCERNS**

1. Applicant submitted revised drawings, the above comments under Preliminary Plat 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. Verify scale
  - 2. Marigold Lane appears to be 25 feet instead of 50 feet compared to the other 50-foot ROW. On the construction plans the ROW is within the current flood plain. Update this to match the construction plan ROW.

**ATTACHED EXHIBITS**

- 1. Plat drawing
- 2. Drainage area map
- 3. Water and sanitary sewer plan
- 4. Offsite water easements
- 5. Typical road sections
- 6. Landscape plan

**APPLICANT REQUIREMENTS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*  
Kelly Dent, MPA  
Planner  
[kdent@waxahachie.com](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 June 26, 2018, the Commission voted 4-0 to recommend approval of a one (1) year extension of plat no. PP-18-0096, subject to staff comments.





143

CITY OF MAKAHONE  
VOL. 1921, PG. 1298  
DIRECT

**FARLEY**

- 50 - 頁 白 紙  
PAPER $104.1 \times 10^3$ 

RIVER GAGE NO 3  
 - C&E 2, SLIDE NO  
 10001

TECHLIN  
RIVER OAKS  
BLVD.

FARLEY  
STREET

APPROXIMATE LOCATION  
ZONE AE  
MAP NUMBER 151400100 F  
JUNE 1 2013

CITY OF BAXNACHIE  
INSTRUMENT NUMBER 1531227  
OFFICE

TRACT 1  
BLUE BONNET TRAILS, LLC  
INSTRUMENT NUMBER 1531073  
O.P.E.C.T.

TO BE RETURNED TO THE CITY OF  
ANNAPOLIS AS FOLLOWS  
BLOCK 1

## MATCHLINE

[illegible]

LINE	WAVELENGTH	WAVELENGTH	WAVELENGTH
1	272.21	272.21	272.21
2	272.21	272.21	272.21
3	272.21	272.21	272.21
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71	272.21	272.21	272.21
72	272.21	272.21	272.21
73	272.21	272.21	272.21
74	272.21	272.21	272.21
75	272.21	272.21	272.21
76	272.21	272.21	272.21
77	272.21	272.21	272.21
78	272.21	272.21	272.21
79	272.21	272.21	272.21
80	272.21	272.21	272.21

LINE	BEARING	DISTANCE
L1	N 59°26'06" E	60.00
L2	S 30°58'14" E	50.28

## References

1. BASIS OF GRANNIES TO THE TEARS SHAPE PLANE COORDINATE SYSTEM AND 82 NORTH CENTRAL JUNE 4382 AS DERIVED FROM THE TRIANGLE VMS SYSTEM
2. ALL LOT CORNERS ARE BOLARATED WITH A 1/2 INCH IRON ROD WITH A YELLOW CAP STAMPED "WLS 3674" UNLESS OTHERWISE NOTED.
3. DEVELOPMENT SUBJECT TO BOUNDARY MOVEMENTS ASSOCIATION (B.M.A.) ALL COMMON AREA LOTS WILL BE MAINTAINED AS SUD (B.M.A.)
4. ALL BUILDING LOTS ARE GRANNABLE AND SUBJECT TO THE ZONING REGULATIONS OF THE CITY OF VANCOUVER, B.C.

**NOTE: FUTURE:**

- NOTE: I HAVE EXAMINED THE NATIONAL FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR ELLIS COUNTY TEXAS COMMUNITY PANEL NO. 46130C0190 F. EFFECTIVE DATE OF JUNE 3, 2013 AND SAID MAP INDICATES THAT THIS PROPERTY IS IN ZONE "A" AND ZONE "B" BY CHANCING BEARS. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

PRELIMINARY PLAT

BLUE BONNET TRAIL

225 RESIDENTIAL LOTS ~ 1 PARKLAND LOT

57.652 ACRES - ZONED "PD-SF-3"  
AN ADDITION TO THE CITY OF MANASSAS

IN ADDITION TO THE CITY OF MAJAMACHE  
O B DAVIS SURVEY, ABSTRACT NUMBER 290

W.C. CALDER SURVEY, ABSTRACT NUMBER 235  
DALLAS COUNTY, TEXAS

JUNE, 2018 SCALE 1"=

### OWNERS

BONNET TRAIL, LLC & BLUE BONNET TR  
8313 SANDRA

DALLAS, TEXAS 75223

SURVEYOR

**/AXIS** P.O. Box 375 | Westborough, MA 01581  
253-861-4266 | TOLL 8-776-8615

**AXIS**  
SURVEILLANCE

\_\_\_\_\_

180069

UNITED STATES DEPARTMENT OF AGRICULTURE

### BLUE BOWEN TRAIL







**GRAPHIC SCALE**

MATCHLINE

Reserved to the 35-foot Outboard and 35-foot Outboard by the other 35-foot R/Cs. On the competition start the R/Cs to within the current boundaries (10:00 PM) to 10:00 PM. The R/Cs to 10:00 PM to 10:00 PM.

MY LIFE CONSTRUCTION B  
 ACCESS 1/1/1984  
 my life construction B  
 CP RZCT  
 (10 of 10000000)

LAVENDER DRIVE (50' RIGHT-OF-WAY)

УДК 62-50+78  
 62-50+78  
 62-50+78

TRACT 2  
BLUE BONNET TRAILS, LLC  
INSTRUMENT NUMBER 1531073  
O.P.E.C.I.

UTILITY GRANTING & ACCESS (AGREEMENT)  
 THE UNIVERSITY OF CALIFORNIA

Line	Wavelength	Ionization
1.0	5.074510	e
1.1	5.074510	e
1.2	5.074510	e
1.3	5.074510	e
1.4	5.074510	e
1.5	5.074510	e
1.6	5.074510	e
1.7	5.074510	e
1.8	5.074510	e
1.9	5.074510	e
2.0	5.074510	e
2.1	5.074510	e
2.2	5.074510	e
2.3	5.074510	e
2.4	5.074510	e
2.5	5.074510	e
2.6	5.074510	e
2.7	5.074510	e
2.8	5.074510	e
2.9	5.074510	e
3.0	5.074510	e
3.1	5.074510	e
3.2	5.074510	e
3.3	5.074510	e
3.4	5.074510	e
3.5	5.074510	e
3.6	5.074510	e
3.7	5.074510	e
3.8	5.074510	e
3.9	5.074510	e
4.0	5.074510	e
4.1	5.074510	e
4.2	5.074510	e
4.3	5.074510	e
4.4	5.074510	e
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4.6	5.074510	e
4.7	5.074510	e
4.8	5.074510	e
4.9	5.074510	e
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5.1	5.074510	e
5.2	5.074510	e
5.3	5.074510	e
5.4	5.074510	e
5.5	5.074510	e
5.6	5.074510	e
5.7	5.074510	e
5.8	5.074510	e
5.9	5.074510	e
6.0	5.074510	e
6.1	5.074510	e
6.2	5.074510	e
6.3	5.074510	e
6.4	5.074510	e
6.5	5.074510	e
6.6	5.074510	e
6.7	5.074510	e
6.8	5.074510	e
6.9	5.074510	e
7.0	5.074510	e
7.1	5.074510	e
7.2	5.074510	e
7.3	5.074510	e
7.4	5.074510	e
7.5	5.074510	e
7.6	5.074510	e
7.7	5.074510	e
7.8	5.074510	e
7.9	5.074510	e
8.0	5.074510	e
8.1	5.074510	e
8.2	5.074510	e
8.3	5.074510	e
8.4	5.074510	e
8.5	5.074510	e
8.6	5.074510	e
8.7	5.074510	e
8.8	5.074510	e
8.9	5.074510	e
9.0	5.074510	e
9.1	5.074510	e
9.2	5.074510	e
9.3	5.074510	e
9.4	5.074510	e
9.5	5.074510	e
9.6	5.074510	e
9.7	5.074510	e
9.8	5.074510	e
9.9	5.074510	e
10.0	5.074510	e

LINE	BEARING	DISTANCE
L1	N 59°28'08" E	60.00'
L2	S 30°54'18" E	50.28'

1. BOUNDS OF PARCELS IS THE TILAS STATE PLANE COORDINATE SYSTEM AND IS NORTH CENTRAL ZONE 42E2 AS DERIVED FROM THE  
MEASURABLE VERT. DATUM.

2. ALL LOT CORNERS ARE MONUMENTED WITH A 1/2" EACH HIGH AND WITH A YELLOW CAP STAMPER "WPL 30-71" (LAPLES 30-71) MONUMENT.

3. DEVELOPMENT SUBJECT TO MINORITY HOMEOWNERS ASSOCIATION (H.A.). ALL COMMON AREA LOT WILL BE MAINTAINED BY SAO (H.A.).

4. ALL BOUNDING LINE IS MEASURABLE AND SUBJECT TO THE ZONING REGULATIONS OF THE CITY OF WASHINGTON, D.C.

1. HAVE I MAILED THE NATIONAL FLOOD INSURANCE RATE AND PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR ELIM  
COUNTY, TEXAS COMMUNITY PANEL NO. 48135C01818 F. EFFECTIVE DATE OF APRIL 1, 1981 AND SAID MAP INDICATES THAT MY PROPERTY IS IN  
ZONE "1" AND YOUR "2" BY FLOODING CODE. THAT FLOOD STRIKEALONG CODE. NOT ELIGIBLE FOR THE 2% DISCOUNT.

**PRELIMINARY PLAT**  
**BLUE BONNET TRAIL**  
225 RESIDENTIAL LOTS ~ 1 PARKLAND LOT  
57.632 ACRES ~ ZONED "PD-SF-3"  
AN ADDITION TO THE CITY OF WAXAHAMIA  
8 B DAYS SURVEY, ABSTRACT NUMBER 290  
WIL CALDER SURVEY, ABSTRACT NUMBER 233  
ELUS COUNTY, TEXAS  
JUNE, 2018 SCALE: 1"=50'

OWNERS  
BLUE BONNET TRAIL, LLC & BLUE BONNET TRAILS, LLC  
6515 BAYVIEW  
DALLAS, TEXAS 75215

SURVEYOR

**AXIS** P 01 000 519 | Minneapolis, MN 55405  
214.353.6300 | TSPS Fax No. 90944327



GRAPHIC SCALE

0 50 100



LINE	MESSAGE	REFERENCE
1.1	0.000000	0.000000
1.2	0.000000	0.000000
1.3	0.000000	0.000000
1.4	0.000000	0.000000
1.5	0.000000	0.000000
1.6	0.000000	0.000000
1.7	0.000000	0.000000
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1.34	0.000000	0.000000
1.35	0.000000	0.000000
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1.63	0.000000	0.000000
1.64	0.000000	0.000000
1.65	0.000000	0.000000
1.66	0.000000	0.000000
1.67	0.000000	0.000000
1.68	0.000000	0.000000
1.69	0.000000	0.000000
1.70	0.000000	0.000000
1.71	0.000000	0.000000
1.72	0.000000	0.000000
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1.76	0.000000	0.000000
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1.87	0.000000	0.000000
1.88	0.000000	0.000000
1.89	0.000000	0.000000
1.90	0.000000	0.000000

LINE	BEARING	DISTANCE
11	N 59°26'06" E	60.00'
12	S 30°56'18" E	50.28'

I HAVE EXAMINED THE NATIONAL FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR FLOOD COUNTY REAS COMMUNITY PANEL NO. 48190C0108 F. EFFECTIVE DATE OF JUNE 1, 2013 AND THIS MAP INDICATES THAT THIS PROPERTY IS IN ZONE "A" AND ZONE "AE" OF GRAPHIC SCALE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR

MATCHLINE

REWARD  
BROADHEAD 287, LTD.  
VOL. 1813, PG. 2110  
DIRECT

TRACT 2  
BLUE BONNET TRAILS, LLC  
INSTRUMENT NUMBER 1531073  
O.P.E.C.T.

REMAINDER  
NAME TAYLOR, et al  
VOL 414, PG 529

PRELIMINARY PLAT  
BLUE BONNET TRAIL

229 RESIDENTIAL LOTS ~ 1 PARKLAND LOT  
57652 ACRES ~ ZONED "PD-SF-1"  
AN ADDITION TO THE CITY OF WAKAMACHE  
B B DAVIS SURVEY, ABSTRACT NUMBER 290  
W C CALDER SURVEY, ABSTRACT NUMBER 239  
CLAY COUNTY, TEXAS

JUNE, 2018 SCALE: 1"=50'

OWNERS  
BLUE BONNET TRAIL, LLC & BLUE BONNET TRAILS, LLC  
6515 BANDERA  
DALLAS, TEXAS 75224  
CLARENCE



P.O. Box 475 | 410-460-0000 | Tampa, FL 33602  
 214.341.1380 | 727.251.5400 fax | 10704 W.  
 1<sup>st</sup> Avenue South, Suite 200



NEIGHBOR MAP

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

APPROVED FOR PREPARATION OF THE FINAL PLAT

APPROVED BY THE PLANNING AND ZONING COMMISSION DATE

APPROVED BY THE CITY COUNCIL DATE

OWNER'S ACKNOWLEDGMENT

I HEREBY ACKNOWLEDGE THIS DOCUMENT AS THE OFFICIALLY APPROVED PRELIMINARY PLAT.

OWNER'S SIGNATURE DATE

STATE OF TEXAS  
COUNTY OF ELLIS

BEING ALL THAT CERTAIN PARCEL OF LAND LYING IN THE CITY OF WYAHACHE, TEXAS AND BEING SITUATED IN THE B.B. DAVIS SURVEY, ABSTRACT NUMBER 290, AND THE W.C. CALDER SURVEY, ABSTRACT NUMBER 235 ELLIS COUNTY, TEXAS, BEING ALL OF A TRACT OF LAND TO BLUE BONNET TRAILS, LLC CALLED TRACT 1 AS RECORDED IN INSTRUMENT NUMBER 1531074 OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS AND ALL OF A 27.988 ACRE TRACT OF LAND TO BLUE BONNET TRAIL, LLC AS RECORDED IN INSTRUMENT NUMBER 1800442 OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND LYING IN FAIRLEY STREET (A VARIABLE WIDTH RIGHT-OF-WAY) FOR THE WEST CORNER OF SAID TRACT 1 SAME BEING THE NORTH CORNER OF A TRACT OF LAND TO THE CITY OF WYAHACHE AS RECORDED IN INSTRUMENT NUMBER 1531227 OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS;

THENCE NORTH 59 DEGREES 42 MINUTES 47 SECONDS EAST ALONG SAID FAIRLEY STREET A DISTANCE OF 1041.10 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE NORTH CORNER OF SAID TRACT 1 SAME POINT BEING THE WEST CORNER OF SAID 27.988 ACRE TRACT AT AN ANGLE POINT IN SAME;

THENCE NORTH 59 DEGREES 26 MINUTES 08 SECONDS EAST CONTINUING ALONG SAID FAIRLEY STREET AND THE NORTH LINE OF SAID 27.988 ACRE TRACT A DISTANCE OF 527.41 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE WEST CORNER OF A CALLED 0.59 ACRE TRACT;

THENCE SOUTH 30 DEGREES 56 MINUTES 14 SECONDS EAST ALONG THE COMMON LINE OF SAID 27.988 ACRE TRACT AND SAID 0.59 ACRE TRACT A DISTANCE OF 204.48 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER;

THENCE NORTH 59 DEGREES 23 MINUTES 47 SECONDS EAST CONTINUING ALONG SAID COMMON LINE AND PASSING THE EAST CORNER OF SAID 0.59 ACRE TRACT SAME BEING THE SOUTH CORNER OF A TRACT OF LAND TO MICHAEL T. ADAMS AND KAYE ADAMS AS RECORDED IN VOLUME 881, PAGE 348 OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS AND CONTINUING A TOTAL DISTANCE OF 308.30 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE WEST CORNER OF SAID ADAMS TRACT;

THENCE NORTH 30 DEGREES 56 MINUTES 14 SECONDS WEST ALONG THE COMMON LINE OF SAID 27.988 ACRE TRACT AND SAID ADAMS TRACT A DISTANCE OF 204.27 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER LYING IN SAID FAIRLEY STREET;

THENCE NORTH 59 DEGREES 28 MINUTES 08 SECONDS EAST ALONG SAID FAIRLEY STREET A DISTANCE OF 80.00 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER;

THENCE SOUTH 30 DEGREES 56 MINUTES 14 SECONDS EAST DEPARTING SAID FAIRLEY STREET AND ALONG THE NORTHEAST LINE OF SAID 27.988 ACRE TRACT A DISTANCE OF 50.20 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER AT THE BEGINNING OF A CURVE TO THE LEFT;

THENCE WITH SAID CURVE TO THE LEFT AND CONTINUING ALONG SAID NORTHEAST LINE HAVING A RADIUS OF 220.00 FEET, A CENTRAL ANGLE OF 84 DEGREES 08 MINUTES 52 SECONDS, AN ARC LENGTH OF 322.88 FEET, A CHORD BEARING OF SOUTH 72 DEGREES 05 MINUTES 39 SECONDS EAST A DISTANCE OF 294.74 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER;

THENCE SOUTH 26 DEGREES 48 MINUTES 09 SECONDS EAST CONTINUING ALONG SAID NORTHEAST LINE A DISTANCE OF 96.12 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE EAST CORNER OF SAID 27.988 ACRE TRACT;

THENCE SOUTH 59 DEGREES 16 MINUTES 15 SECONDS WEST ALONG THE SOUTHEAST LINE OF SAID 27.988 ACRE TRACT A DISTANCE OF 2164.85 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTH CORNER OF SAID 27.988 ACRE TRACT AND THE EAST CORNER OF THE FOREMENTIONED TRACT 1;

THENCE SOUTH 59 DEGREES 08 MINUTES 31 SECONDS WEST ALONG THE SOUTHEAST LINE OF SAID TRACT 1 A DISTANCE OF 782.09 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTH CORNER OF SAID TRACT 1;

THENCE NORTH 31 DEGREES 44 MINUTES 42 SECONDS WEST ALONG THE COMMON LINE OF SAID TRACT 1 AND SAID CITY OF WYAHACHE TRACT A DISTANCE OF 1245.03 FEET TO THE POINT OF BEGINNING CONTAINING 2,511,321 SQUARE FEET, OR 57.632 ACRES OF LAND.

SURVEYOR'S CERTIFICATE

I KNOW ALL MEN BY THESE PRESENTS:

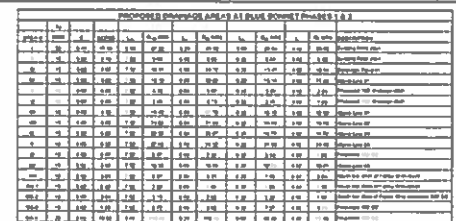
THAT I, SEAN SHORPSHIRE, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON AS SET WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF WYAHACHE, TEXAS

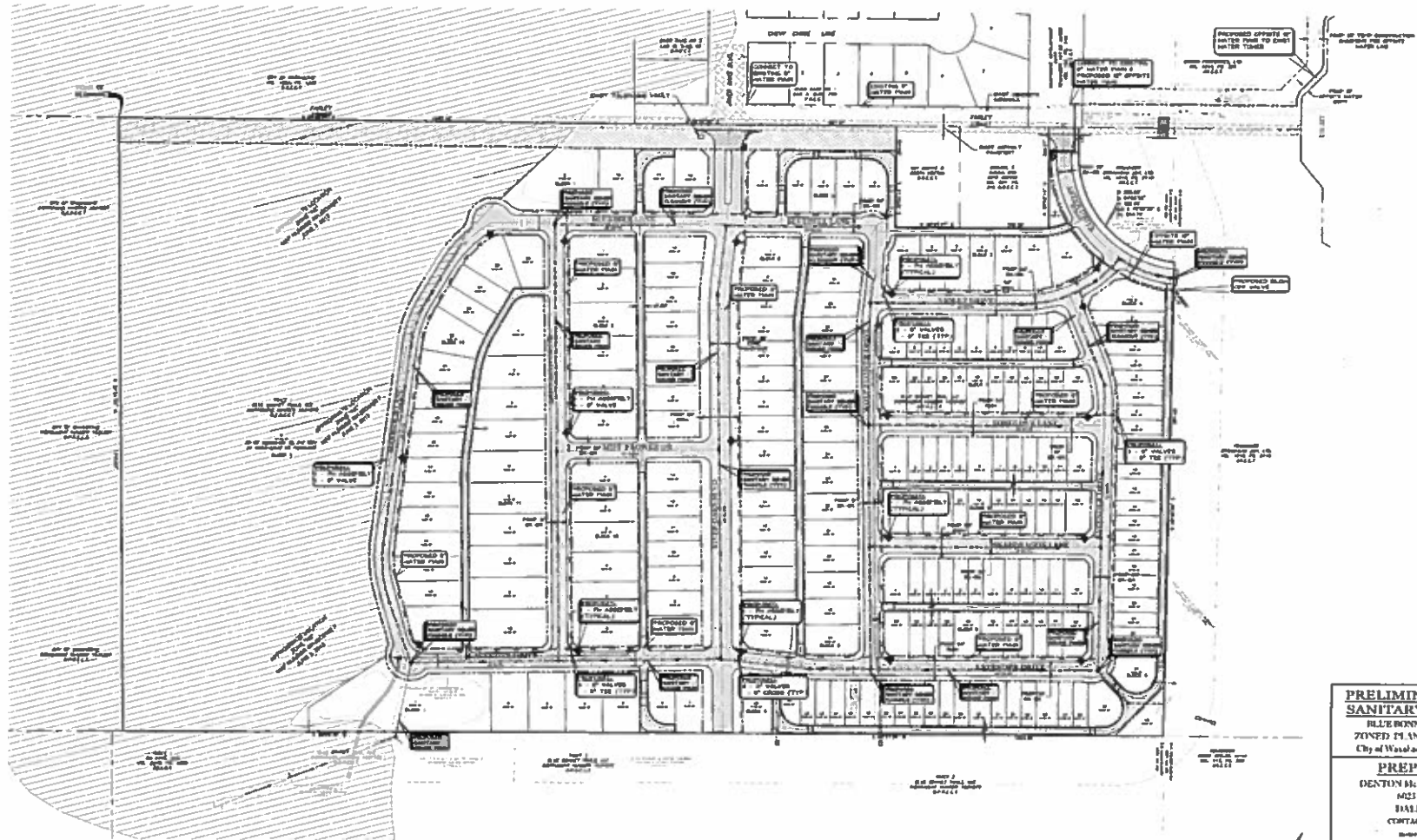
  
SEAN SHORPSHIRE  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 5674



**PRELIMINARY PLAT**  
**BLUE BONNET TRAIL**  
27.988 ACRES - 1 PAVEMENT LOT  
57.632 ACRES - ZONED "PD-SF-3"  
AN ADDITION TO THE CITY OF WYAHACHE  
B.B. DAVIS SURVEY, ABSTRACT NUMBER 290  
W.C. CALDER SURVEY, ABSTRACT NUMBER 235  
ELLIS COUNTY, TEXAS  
JUNE, 2018 SCALE: 1"=50'  
OWNERS  
BLUE BONNET TRAIL, LLC & BLUE BONNET TRAILS, LLC  
6515 SANDRA  
DALLAS, TEXAS 75228  
SURVEYOR







**PRELIMINARY WATER &  
SANITARY SEWER PLAN**

**HILLE BONNET TRAILS PH. I & 2**  
**ZONED PLANNED DEVELOPMENT**  
City of Waco, Texas - Frio County, Texas

**PREPARED FOR**  
DENTON MCKINNEY SQUARE, LP  
4221 W. WICKOWER  
DALLAS, TX 75220  
CONTACT MARKET BLAW  
[marketblaw@att.net](mailto:marketblaw@att.net)

**PREPARED BY**  
ATLAS ASSOCIATES, INC.  
P.O. BOX 185  
SUNBELT, TX 76670  
972-243-2600 fax 972-277-7377



Date April 6 1974  
 Received from 11 20  
 Page 1 of 10  
 100-100000-11-000







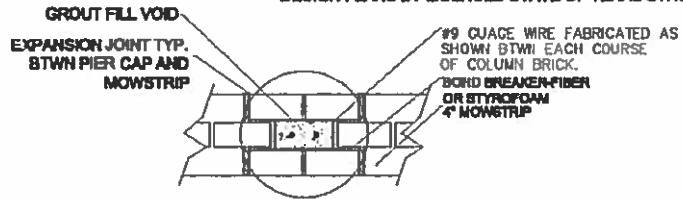


**STRUCTURAL DESIGN NOTE:**

1. CONTRACTOR TO HAVE A STRUCTURAL ENGINEER REVIEW PLANS AND PREPARE SHOP DRAWING CONSTRUCTION DOCUMENTS FOR FOUNDATION AND STEEL REQUIRED.
2. STRUCTURAL ENGINEER TO SEAL SHOP DRAWINGS AS CONSTRUCTION DOCUMENTS.
3. CONTRACTOR TO BUILD COMPLETE PROJECT USING SEALED STRUCTURAL DESIGN PLANS BY LICENSED STATE OF TEXAS STRUCTURAL ENGINEER.

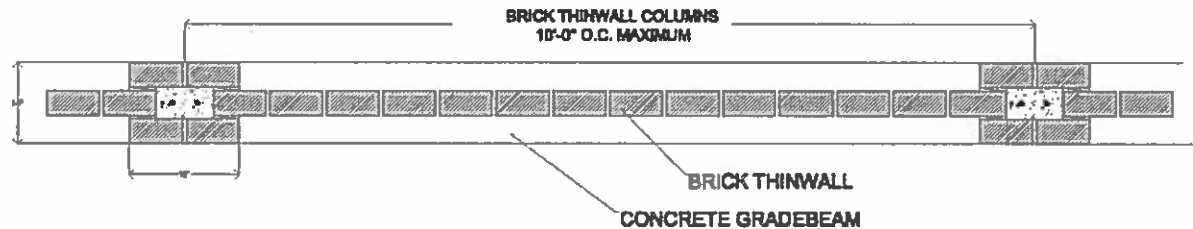
**ELECTRICAL COORDINATION**

1. CONTRACTOR TO COORDINATE AND ALLOW FOR ALL ELECTRICAL LIGHTING ON COLUMNS DESCRIBED BY OWNER.
2. CONTRACTOR TO SUPPLY CONDUIT REQUIRED WITHIN THE STONE VENEER, PER ELECTRICAL CODES.



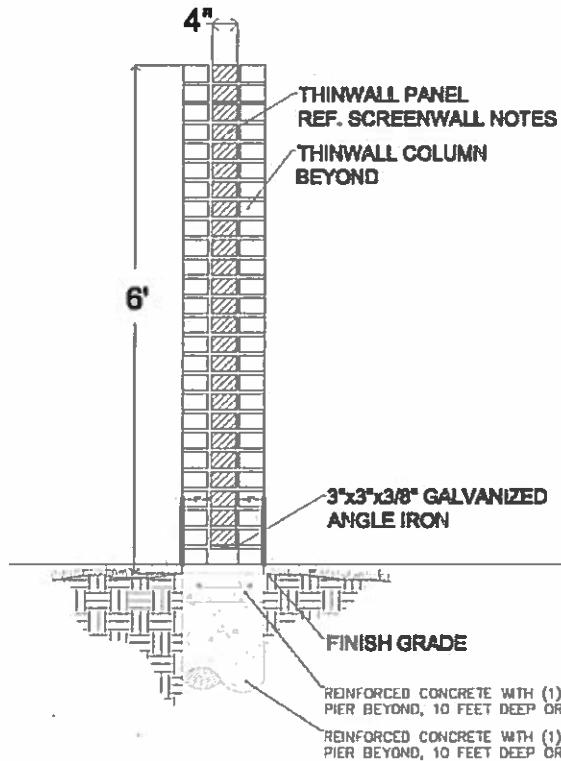
**PLAN VIEW OF COLUMN**

NTS



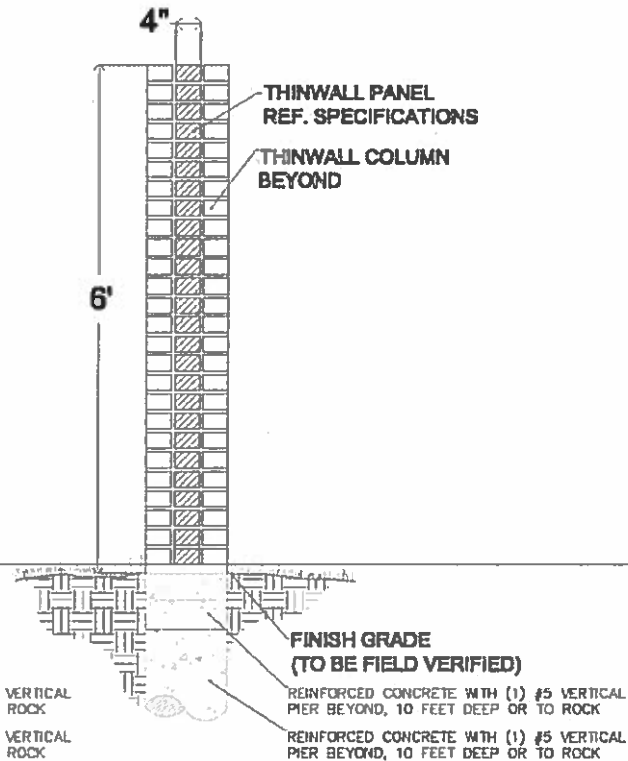
**PLAN VIEW OF WALL**

NTS



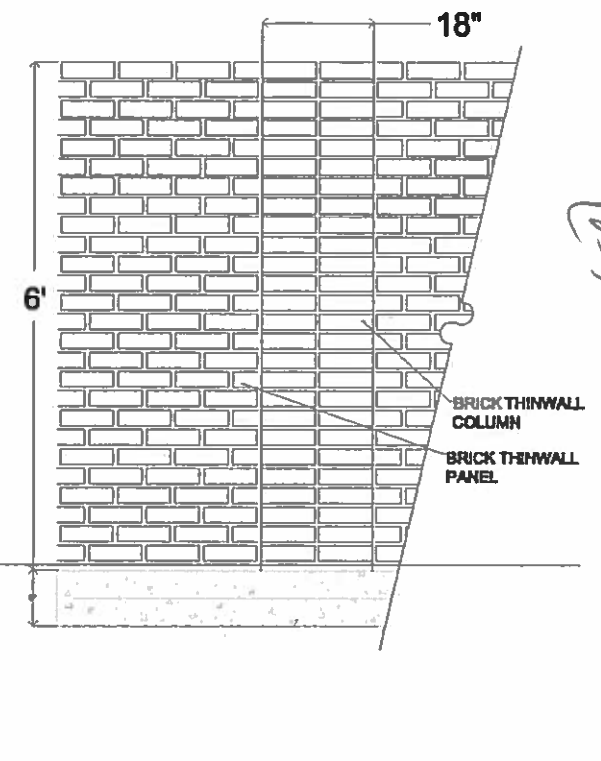
**SECTION WALL SPAN**

NTS



**SECTION COLUMN**

NTS



**ELEVATION MASONRY WALL**

NTS

**SCREENING WALL DETAIL**

(24)

## Planning & Zoning Department

### Zoning Staff Report

Case: PD-18-0059



#### MEETING DATE(S)

Planning & Zoning Commission: June 26, 2018

City Council: July 2, 2018

#### CAPTION

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

#### CASE INFORMATION

**Applicant:** Blain Vinson, Aspen Community Development

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

**Site Acreage:** 17.521 acres

**Current Zoning:** Single Family-3

**Requested Zoning:** Planned Development-SF-3

#### SUBJECT PROPERTY

**General Location:** East of 865 Cantrell Street

**Parcel ID Number(s):** 244351

**Existing Use:** Currently undeveloped

**Development History:** The site is unplatted.

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

**Adjoining Zoning & Uses:**

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

(24)

*Future Land Use Plan:*

Retail

*Comprehensive Plan:*

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

*Thoroughfare Plan:*

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



*Site Image:*

#### **PLANNING ANALYSIS**

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

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

#### **PD DEVELOPMENT STANDARDS**

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

**PUBLIC NOTIFICATIONS**

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

**STAFF CONCERNS**

1. The lot coverage and density are higher than what is typically permitted in SF residential zoning districts.
2. The minimum dwelling unit area, lot area, width, depth, and setbacks are smaller than what is typically permitted in SF residential zoning district.
3. The exterior construction will consist of seventy-five (75) percent non-masonry materials.
4. The parking is not on the same lot as the main structure and the enclosed garages provide for fewer vehicles than is required for SF residences.
5. The per-lot planting is less than what is typically required for SF residences.

**APPLICANT RESPONSE TO CONCERNS**

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

**RECOMMENDATION**

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

- ☐ Denial
- ☐ Approval, as presented.
- ☐ Approval, per the following comments:
- ☒ Additional consideration may be required by the Planning and Zoning Commission and/or City Council.

**ATTACHED EXHIBITS**

1. Concept plan packet
2. PON Responses – Summary Sheet
3. Letters of Support

**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 June 12, 2018, the Commission voted to continue zoning change PD-18-0059. On June 15, the applicant submitted a revised narrative to the Planning Department that further clarifies the intent of the proposal. Staff's recommendation remains that additional consideration may be required.

At the Planning & Zoning Commission meeting, held June 26, 2018, the Commission voted 4-0 to recommend approval of zoning change PD-18-0059, subject to staff comments, and with a Detailed Site Plan that will be approved by the Planning & Zoning Commission and City Council and the option to do a public or private street (to be decided upon at the time of the Detailed Site 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 approved by City Council after a recommendation from the Planning & Zoning Commission.

(24)



## The COTTAGES at CANTRELL

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PD # 18-0059  
June 15, 2018





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## Overview

Intrigued by one the **fastest growing development trends in the US**, we are pleased to introduce a new concept to Waxahachie that is a powerful economic and social engine, improving community health and resilience while promoting sustainability and nature.

This growing trend was recognized by the creation of CNU. Located in Washington, DC and founded in 1993, Congress for the New Urbanism is a movement united around the belief that our physical environment has a direct impact on our chances for happy, prosperous lives. New Urbanists believe that well-designed cities, towns, neighborhoods, and public places help create community: healthy places for people and businesses to thrive and prosper. <https://www.cnu.org>

Succeeding existing communities, the Cottages at Cantrell offer a quaint lifestyle and setting for homeowners looking for a unique experience. Buyers looking for private, independent lifestyles are overwhelmed by conventional housing opportunities to choose from. HOWEVER, for a rapidly growing segment of buyers ready for options, Cottages offer a fresh, safe and welcome option to Multi-family living.

## COTTAGE COMMUNITIES MEET THIS DEMAND!

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(24)

Aspen is pleased to propose a unique, multi-generational community that incorporates a comprehensive selection of custom "Cottage" style homes designed specifically for a "living large" feeling on a small footprint.

Cottage neighborhoods are planned communities that consist of a grouping of smaller residences, around a common garden, designed to promote a close knit sense of community and cooperation with an increased level of contact. Considerations involved in planning the communities neighborhoods include segregating parking and roadways, the use of shared communal areas that promote social activities, smaller homes built in close proximity to one another and walking trails meandering throughout the development.

Simply put, **this is a vision very different from the traditional neighborhood** of most homes being modeled. Instead, we envision an intimate lifestyle that invites each homeowner into garden courtyards, common areas, and nature. In an often-forgotten approach to living, and while recognizing that this lifestyle is not for everyone, the movement towards smaller homes and the cottage philosophy provides each homeowner a spacious private retreat, as well as opportunities to interact with neighbors, creating a sense of togetherness, safety and responsibility.

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## Homes

Designed and built in clusters of 7-8 (average), homes will range in size from 965 SF to 1,725 SF. Housing breakdown will be as follows:

No one size to exceed 50% of total homes built in development.

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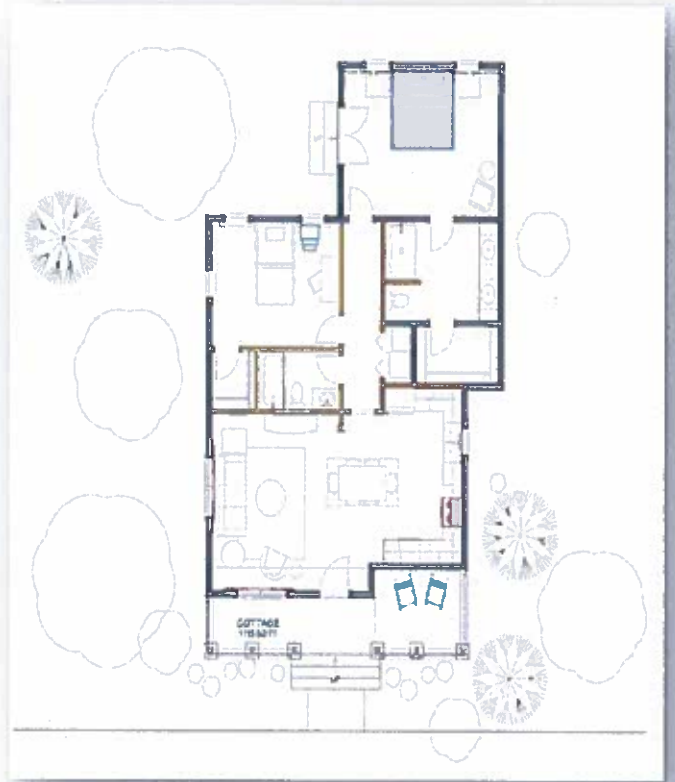
## FLOOR PLANS



965 SF



1175 SF



1253 SF

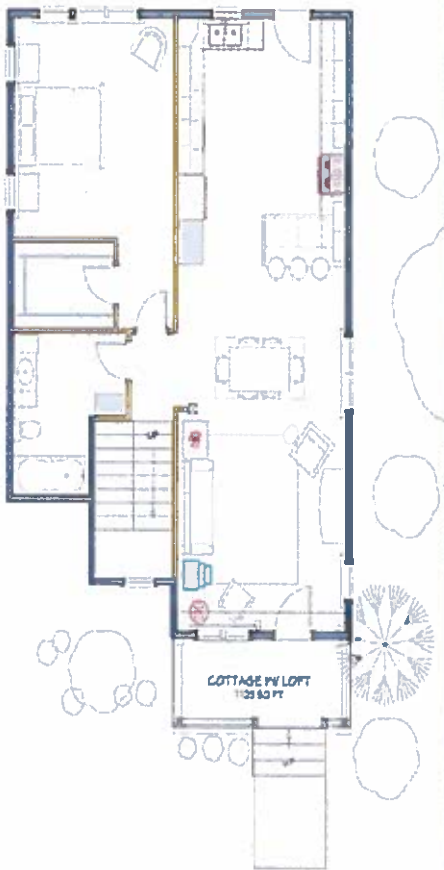




(24)  
FLOOR PLANS CONTINUED



1701 SF



### Conceptual Garage

Detached garages, while close in proximity, are purposely designed as a separate entity for maximum beautification of individual living spaces.

(24)  
STANDARD FEATURES



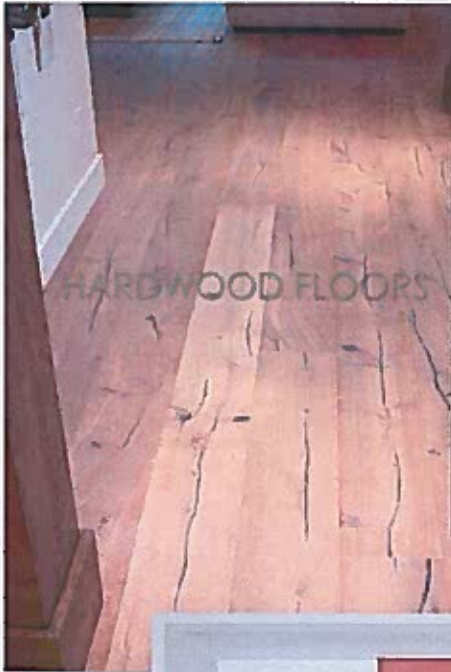
SOLID SURFACE COUNTERTOPS



SOLID CORE DOORS



(24)



CASED WINDOWS





## (24) AMENITIES

A Home Owners Association (HOA) shall be required to maintain the proposed landscaping and roadways within this development as well as all open spaces, walking trails, dog park, and gym.



DOG PARK

An entry ICON located on a decorative (brick, pavers, etc.) surface featuring adjacent greenspace will be in a roundabout as shown in the Master Site Plan. Icon (Fountain, Sculpture) to be determined.



Adjacent property lines will feature enhanced landscape buffers to provide a natural screen between each residential cluster. In all common or water feature areas, drought tolerant, native plant materials suitable to this region and soil conditions will be used to enhance our goal of reducing water usage in promoting and maintaining a carefully planned environment.



Landscaping in all public areas and in the individual cottage pods shall be irrigated and operated by an automatic controller. Systems to be maintained by the Home Owners Association.

All new home construction shall be subject to review and approval by a designated architectural review committee- empaneled to ensure adherence to and to uphold adopted standards in order to maintain the architectural continuity of the community by promoting similar massing of structures and similar exterior finishes that include a 75-25 percent ratio of architectural-grade siding to

masonry veneer. Exterior colors shall be chosen from an approved palette of field and trim colors so that no two adjacent structures will have the same combination of these colors. Roofing shall be composition asphalt shingles in an approved palette of variations that are compliant with the relevant ordinances of the City of Waxahachie.

## GYM

Homeowners will have 24-hour access to a fully equipped, air-conditioned workout facility located onsite (approx. 2,000 SF). This gym will feature the latest workout equipment and flooring conducive to any type of class being taught.



## HIKE/BIKE TRAIL

Public open spaces shall be enhanced with 6' wide decomposed granite hike and bike trails meandering the development. Utilizing decomposed granite will allow rainwater to naturally drain into the path and surroundings further abiding by LID best management practices.



Each cluster of homes shares a common "Carriage House" (Exhibit A) for respective homeowners. Carriage houses (650 – 750 SF) are designed with outdoor patios, open living areas, restrooms and full-size kitchens available to each pod for special planned activities or communal daily gatherings. Thereby, homeowners enjoy a spacious private retreat, as well as opportunities to interact with neighbors, **creating a sense of togetherness, safety and responsibility.**

## NOTES:

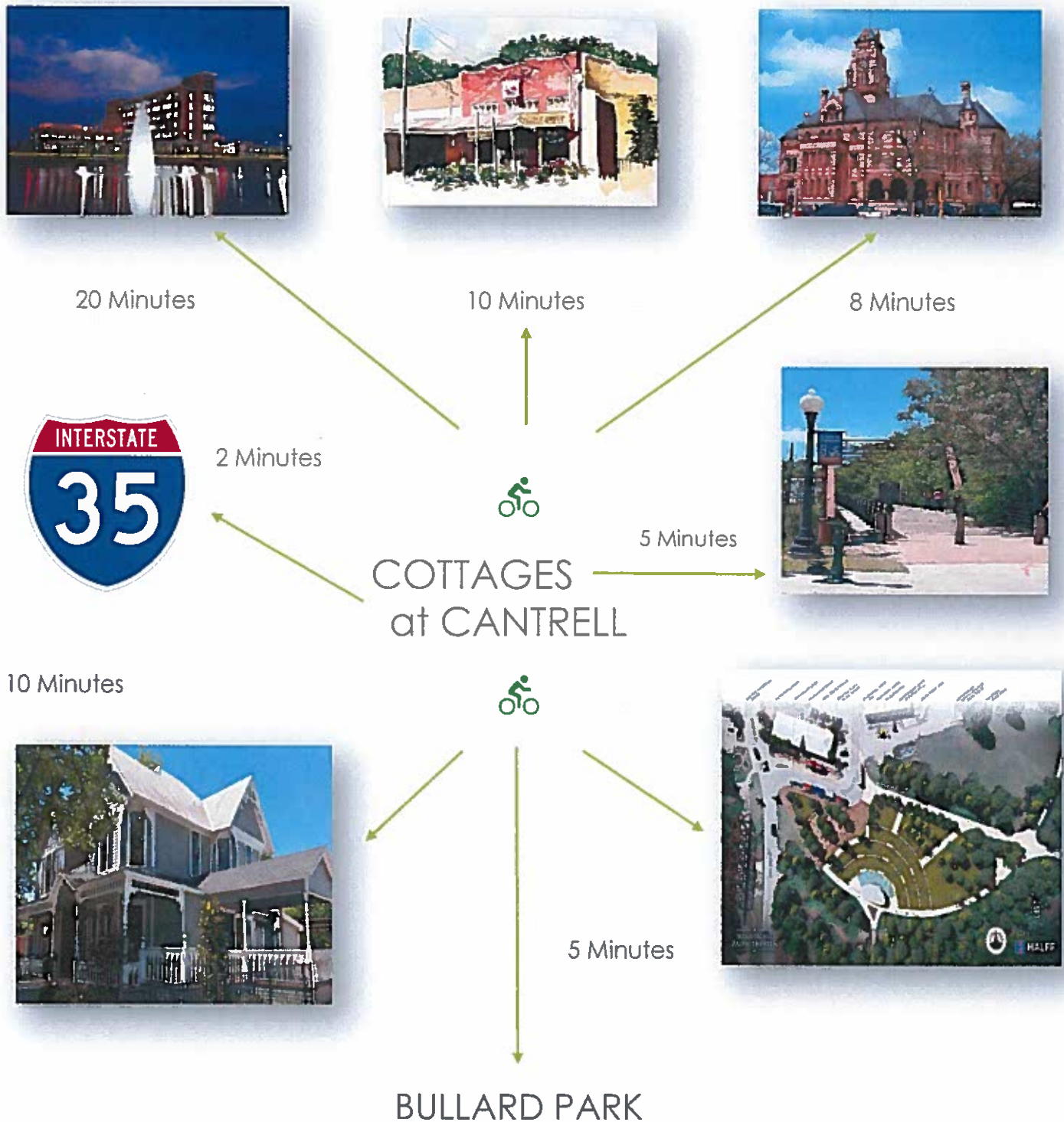
- Paid tax certificates and legal descriptions of said property will be provided upon closing.
- FLOOD PLAIN - FEMA and USGS Maps have been studied and applied in placement of trails and structures.

**BUILDING PLACES PEOPLE LOVE**



## LOCATION (24)

Ideally located, this site provides views of the Waxahachie Courthouse, natural waterways, mature trees and rolling topography that lends itself to nature. Coupled with easy access to walking and biking distance to downtown Waxahachie, seasonal festivities, the new Waxahachie Amphitheatre as well as many other at home amenities, its vicinity to HW I-35 also provides easy access to big city events and professional obligations via a major thoroughfare. Not to be overlooked, this location offers an immediate option for parents needing homes near Daymark Living.





(24)  
BULLARD PARK



By working closely in conjunction with John Smith of the Parks & Recreation Department, we propose building a pedestrian bridge (blue line) from the Cottages of Cantrell that cross the creek leading into Bullard Park. A Park with great potential, this development could help revitalize an area that is currently underutilized, bringing back the enjoyment of a City Park that is to be appreciated daily. With access into Bullard Park and using Dunaway St.(red line), Hikers and Bikers have another alternative to Cantrell St. being only 6/10ths of a mile from entering the existing Hike and Bike trail.



We propose all funds due be dedicated to Bullard Park to add amenities that further define existing and the addition of new trails, field play areas, plantings and trees throughout, building birdhouses and safe havens in natural areas for nature lovers.





124)  
COMMON AREA VIEW (Pod "I") towards ICON

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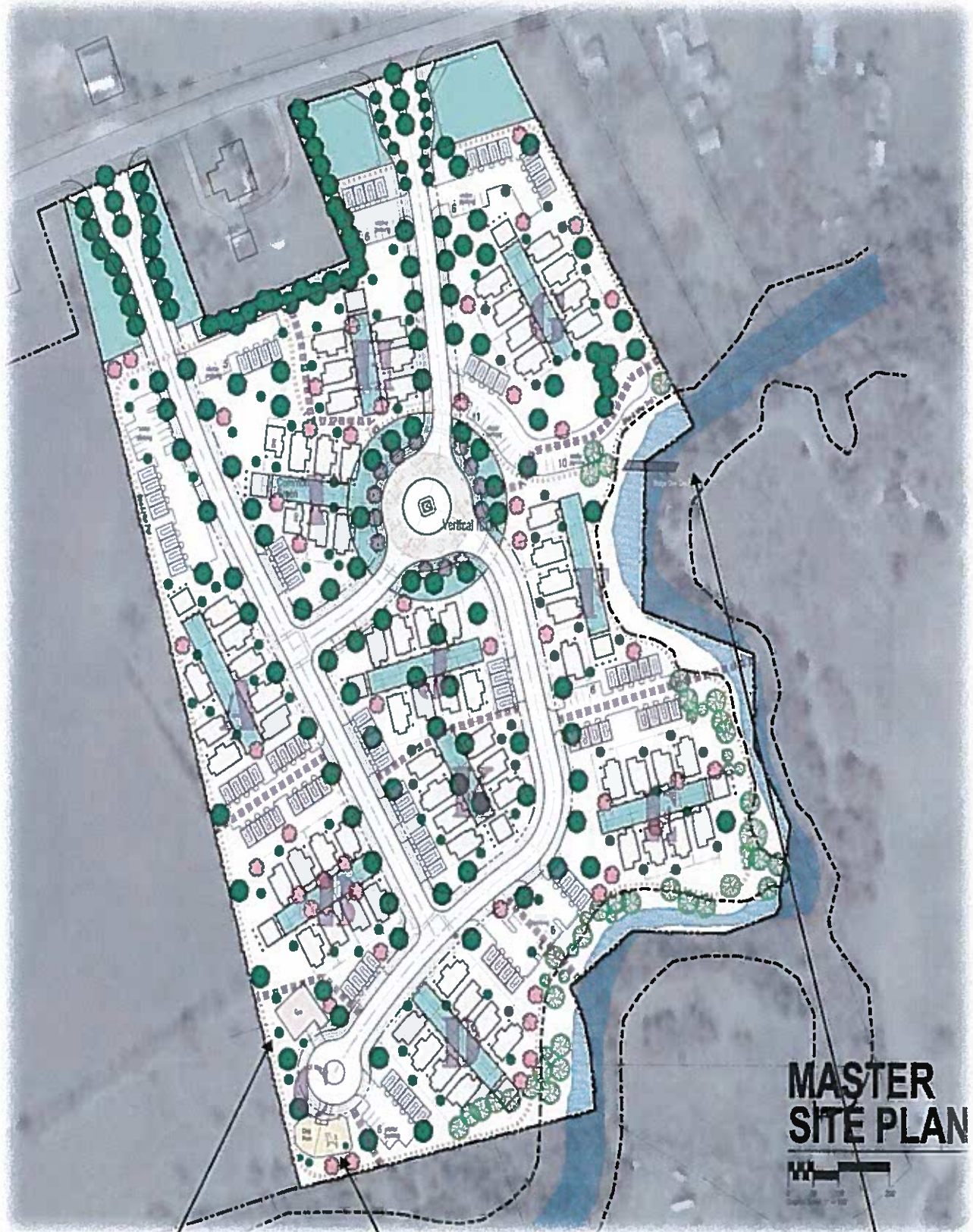


BIRDSEYE VIEW of Pod "I"





(24)  
MASTER SITE PLAN



Gym

Dog Park

Park Bridge



## ENERGY EFFICIENT DESIGN PRINCIPLES

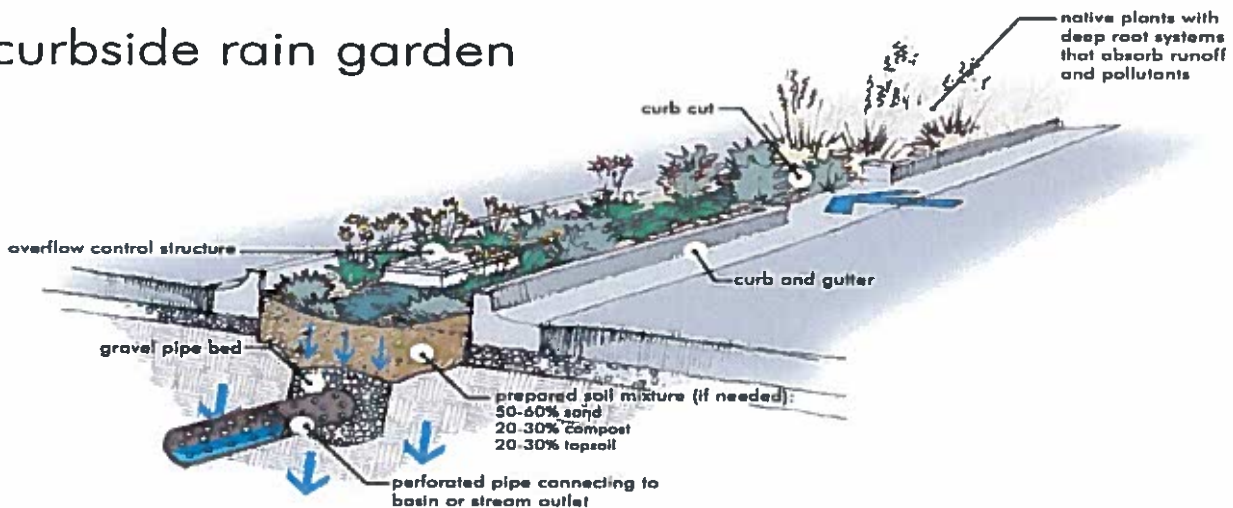
This community shall be established as a "Sustainable Community". Aspen will choose members of the building community that are sensitive to the integration of environmental relationships. Home design shall be energy efficient in material and site planning suitable for Energy Star Certification. Homes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



## LOW IMPACT DEVELOPMENT

In addition to the above building standards, Aspen proposes to use techniques used in Low Impact Developments (LID). A concept that began in 1990, LID's focus on conservation and nature by using new land planning and an engineered pre-development approach to manage storm-water runoff as part of a green infrastructure. LID emphasizes conservation and use of on-site natural features to protect water quality. This approach utilizes small-scale hydrologic controls to replicate storing, evaporating, and detaining water runoff close to its source. Exhibit "B".

### curbside rain garden





(24)  
Base/Proposed Standards

Requirement	Base Zoning Requirement	Proposed Development Standard
Minimum Lot Area	10,000 SF -(57 Homes)	2,800 SF (73 Homes) 22% increase
Minimum Lot Width	Eighty - 80 Feet	Thirty-Five - 35 Feet
Minimum Lot Depth	One Hundred - 100 Feet	Eighty - 80 Feet
Front Yard Set Back	Thirty - 30 Feet	Fifteen - 15 Feet
Side Yard Set back	Ten - 10 Feet	Zero - A side / 5 Feet - B side
Maximum Lot Coverage	35%	53% (Average)
Minimum Dwelling Unit Area	1,200 SF	965 SF
Dwelling Units/Acre	4	Not to exceed 8/Acre
Parking	2 Enclosed	*1 Enclosed - Not attached
Masonry Percentage	75%	25% (Stone/Brick Courses/Columns) 75% LP Smart Side (50 Year Warranty)
Minimum Ornamental plants	45 Combined gallons	**12.6 Combined gallons (28%)
Greenspace/Cluster	0	***60% - 39,700SF/65,340SF/Avg Cluster
Walking Trails	0	4,179 LF
*15% of homes will have Double Garages **Not including Common Gardens in between Homes ***Avg. Cluster size = 1.5 acres /65,340SF (Avg. Structures/Cluster -22,400 SF Lots, 3,240 SF Garages)		

SF - 3 base = 57 Homes / Proposed = 73 Cottages

60% GREENSPACE

### TRAFFIC ANALYSIS

Cantrell St. est. 2018 Daily Traffic Counts/TX DOT = 4,025 VPD

#### Single Family 3

57 Homes @ 1.5 vehicles avg/unit = 85.5

85.5 vehicles coming and going daily = 171 added vehicles

4.25% increase in daily traffic

#### Cottages

73 Homes @ 1.5\* vehicles avg/unit = 113

113 vehicles coming and going daily = 226 added vehicles

5.6% increase in daily traffic

\* @ 1 vehicle = 2.8% increase

(24)  
"EXHIBIT A"  
Conceptual Carriage House

Carriage Homes are communal spaces shared by homeowners within a pod of homes



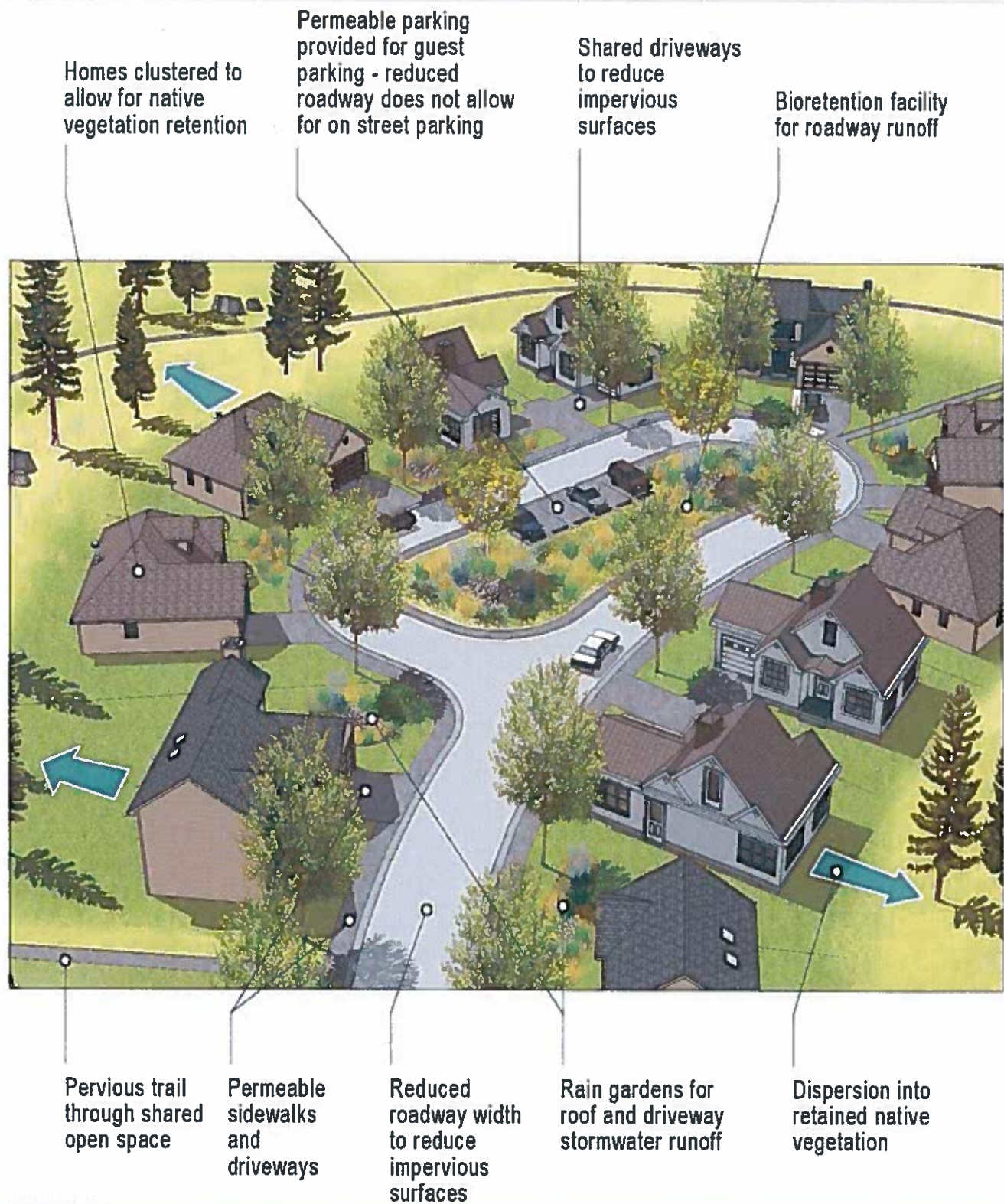
Amenities include: Restroom ~ Open Living ~ Full Size Kitchens and Front Porches

Interior View of Carriage House





## Low Impact Development Examples



(24)

**CASE PD-18-0059**

***SUPPORT 1***

***OPPOSE 0***

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

**SUPPORT**

1. Don Walker, 2215 FM 1446, Waxahachie, Texas 75167

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(24)

**Wright, Destiny**

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**From:** Jenny Griffith <jenny.griffith@efexchangeyear.org>  
**Sent:** Tuesday, May 29, 2018 9:12 PM  
**To:** jaime-castro76@hotmail.com  
**Subject:** PD-18-0059 Cottages at Cantrell - Letter of Support

To whom it may concern at the City of Waxahachie.

I am writing this letter in support of PD-18-0059 Cottages at Cantrell. As a resident of Waxahachie, I would like to see more growth. This project would help to improve not only the area where it is proposed to be built, but also give Waxahachie the opportunity to have more diverse housing opportunities. I believe that this community would be a welcome addition to our city.

Thank you,

*Jenny Griffith*  
469-530-7134  
208 Hedgewood Drive  
Waxahachie, TX 75165

International Exchange Coordinator  
**EF High School Exchange Year**

[www.efexchangeyear.org](http://www.efexchangeyear.org)

*~Finding families with open hearts to host amazing students from around the world.~*

(24)

922 Red Oak Creek Drive

Ovilla, TX 75154

June 14, 2014

RE: PD-18-0059 Cottages at Cantrell

Dear City of Waxahachie,

As a local Ellis County real estate salesperson as well as owner of a local Waxahachie health and wellness business, I can see a need for a pocket community with smaller housing near Downtown Waxahachie. Growth is exponential at this time, with a record 120 plus families moving to Waxahachie monthly, as recently quoted by our local Chamber President. People love Waxahachie because of the sense of community, and what greater way to grow that feeling than with a community of homes where neighbors are close enough to get to know each other as well as could walk to our Downtown areas. I know from experience in my real estate career there are certainly individuals and families who would like a smaller home than what is currently being constructed in our area without having to resort to renting an apartment. People are also downsizing their homes and expenses to be able to have more experiences with their families and friends. I would encourage you to consider this concept of cottage communities. Thank you.

Sincerely,

Windy Zabochnik

(24)

June 14, 2018

To Whom It May Concern,

RE: Letter of Support for Cottages on Cantrell PD-18-0059

I am writing a letter to show our support of the Cottages on Cantrell. It will be a great asset to our community because they will highlight what makes Waxahachie special: green space, walking trails, close proximity to Downtown and a strong sense of community. The location for this pocket community is ideal because people can walk or bike to local businesses and special events on the square.

Regards,

Tara and Jeffrey Yarbrough  
1745 FM 876  
Waxahachie, TX 75167



(24)

**Jaime Castro**

---

**From:** Theresa <tbruckstaylor@yahoo.com>  
**Sent:** Friday, June 15, 2018 8:51 AM  
**To:** Jaime Castro  
**Subject:** Support

We would like to offer our support for cottages being built by Aspen Community Development. We feel this would rehabilitate an underutilized area and be a perfect complement to the walking trails, amphitheater and Downtown businesses.

Mike and Theresa Taylor  
[302 Lakeshore Drive](#)  
[Waxahachie, TX 75165](#)

(24)

June 19, 2018

To Whom it May Concern,

Re: Letter of Support for The Cottages of Cantrell PD-18-0059

I recently learned about the plans to revitalize the areas near Cantrell by adding a small community of new cottages and updates to Bullard Park. As a citizen of Waxahachie and a local realtor, I am excited about the prospect of adding such a unique community. A quaint little housing development like this would help Waxahachie compete for home buyers that might otherwise look to similar areas near downtown Fort Worth or downtown Dallas.

Thank you,

DeeAnne Row  
102 Link Crest Ln.

(24)

**Wright, Destiny**

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**From:** Living Right Designs <info@livingrightdesigns.com>  
**Sent:** Wednesday, June 20, 2018 5:46 PM  
**To:** Jaime Castro  
**Cc:** Lacey Rodgers  
**Subject:** Fwd: Cottages at Cantrell

----- Forwarded message -----

**From:** [cbennett@elliscountyspca.org](mailto:cbennett@elliscountyspca.org) <[cbennett@elliscountyspca.org](mailto:cbennett@elliscountyspca.org)>  
**Date:** Wed, Jun 20, 2018 at 3:01 PM  
**Subject:** Cottages at Cantrell  
**To:** [info@livingrightdesigns.com](mailto:info@livingrightdesigns.com)

To whom it may concern,

My name is Chris Bennett and I would like to express my support for the Cottages at Cantrell. As a lifelong resident of Waxahachie, I can absolutely see a need for a community of smaller homes. As a matter of fact, I have spoken with Ellis County realtors who have actually conducted a survey that states that most people would rather live in a cottage-style house when transitioning from a larger house to a retirement facility. Waxahachie has always been community driven, so it makes perfect sense to build a cottage development such as the Cottages at Cantrell.

Chris Bennett  
Executive Director  
O: 972-935-0756  
C: 214-724-9018

--

My Best,

Lacey Rodgers  
Owner & Lead Designer  
Living Right Designs  
214-980-9880



**ACCREDITED  
BUSINESS**

**BBB Rating: A**

**As of 09/27/17**

**Click for Review**

[View LRD's Profile](#)

(25)

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 EAST OF 865 CANTRELL STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 17.521 ACRES KNOWN AS PROPERTY ID 244351 OF THE JC ARMSTRONG SURVEY, ABSTRACT NO. 6, 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-18-0059. 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 a cottage-concept neighborhood of a maximum of seventy-three (73) residential lots on the following property: Property ID 244351 of the JC Armstrong Survey, Abstract No. 6, which is shown on Exhibit A. Development on this property cannot commence until the approval of Architectural Review Standards and a Detailed Site Plan, and the approval of a plat. The Architectural Review Standards and Detailed Site Plan must be considered by both the Planning and Zoning Commission and City Council and receive approval from City Council before the property can be platted. When the Architectural Review Standards and Detailed Site Plan are approved by City Council, this ordinance shall be amended to include the development standards that shall prevail upon this property.

There are several conditions that are placed upon this property. There can be a maximum of seventy-three residential lots. There can be a maximum of a ten (10) carriage lots. At least sixty (60) percent of the total area must be reserved for greenspace.

(25)

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

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

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

\_\_\_\_\_  
MAYOR

ATTEST:

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





## PD-18-0059 Cottages at Cantrell Location Exhibit

EXHIBIT A

 PD-18-0059

0 500 1,000 2,000 Feet






(26)



## Memorandum

To: Honorable Mayor and City Council  
From: Tommy Ludwig, Executive Director of Development Services  
Thru: Michael Scott, City Manager   
Date: June 29, 2018  
Re: Lavista Street Corridor Rehabilitation – CIP Project

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On Monday July 2, 2018 a bid award associated with the corridor rehabilitation of Lavista Street will appear before City Council for consideration in the amount of \$690,759.20. J & K Excavation, LLC was the lowest responsive bidder of five proposers, with a submission that was \$317,240.80 below the engineer's estimated cost for the project. This corridor rehabilitation is a planned expense for which staff budgeted \$1,008,000 in the City's Capital Improvement Plan. The existing pavement and utilities for Lavista Street have been in place since 1962. This project will provide new curbs, gutters, streetlights, utilities and pavement along Lavista Street, from Greenbrier Street to Highway 77.

This project will ultimately be funded through certificate of obligation bonds, which are anticipated to be sold prior to the end of this fiscal year. Certain project costs may be incurred in advance of the availability of the aforementioned bond proceeds; therefore to the extent that these costs may become due before bond funds are available, the Public Works Department will cash-flow these payments with surplus Unrestricted Reserves. Current Unrestricted Reserve balances are more than sufficient for the maximum amount of funds committed. There is a companion resolution to this agenda item authorizing a reimbursement to the General Fund's Unrestricted Reserves Utilities from future bond sales.

I am available at your convenience should you need additional information.

Tommy Ludwig

(27)  
**RESOLUTION NO.**

**A RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT FOR THE PURPOSE OF PERFORMING A CORRIDOR REHABILITATION OF LAVISTA STREET**

**WHEREAS**, the City of Waxahachie (the "City") intends to issue debt to finance cost to be incurred for a corridor rehabilitation of Lavista Street, and related expenses prior to the issuance of such debt with the expectation that such expenditures are to be reimbursed with proceeds of such debt; and

**WHEREAS**, Treas. Reg. § 1.150-2 (the "Regulation") provides that to fund such reimbursement with proceeds of tax-exempt obligations the City must declare its expectation to make such reimbursement; and

**WHEREAS**, the City desires to preserve its ability to reimburse the expenditures with proceeds of tax-exempt obligations.

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

**SECTION 1**

That the City reasonable expects to reimburse the General Fund's Unrestricted Reserves with proceeds of debt hereafter to be issued by the City, and this resolution shall constitute a declaration of official intend under the Regulation.

**SECTION 2**

That the City Manager is authorized to take those steps reasonable and necessary to comply with the intent of this resolution including a loan from Unrestricted Reserves in an amount not to exceed \$690,760.00.

**SECTION 3**

That this resolution shall take effect immediately from and after the date of passage.

ADOPTED THIS 2<sup>nd</sup> day of July, 2018.

\_\_\_\_\_  
MAYOR

ATTEST:

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



## Memorandum

To: Honorable Mayor and City Council  
From: Tommy Ludwig, Executive Director of Development Services  
Thru: Michael Scott, City Manager  
Date: June 29, 2018  
Re: Indian Hills and Buffalo Creek Drive Corridor Rehabilitation – CIP Project

---

On Monday July 2, 2018 a bid award associated with the corridor rehabilitation of Indian Hills Drive and portions of Buffalo Creek Drive will appear before City Council for consideration in the amount of \$1,278,944.95. Staff recommends awarding the contract to Tiseo Paving Company, which was the second lowest responsive bidder of five proposers. J & K Excavation, LLC was the lowest responsive bidder, however as 1) staff has recommended award of the Lavista Street corridor rehabilitation to J & K Excavation, LLC and 2) J & K Excavation, LLC has a more limited experience with performing full scale residential corridor restorations, staff suggests proceeding with the second lowest bidder.

Tiseo Paving Company's bid was \$402,915.05 below the engineers estimate cost for the project. This corridor rehabilitation is a planned expense for which staff budgeted \$1,681,860 in the City's Capital Improvement Plan. Both the existing pavement and utilities have been in place along the confines of this project since the early 1980s. The project will provide new curbs, gutters, sidewalks, streetlights, utilities and pavement along Indian Hills Drive, from Sagebrush Lane to Buffalo Creek Drive and from Buffalo Creek Drive to Indian Trace Lane.

This project will ultimately be funded through certificate of obligation bonds, which are anticipated to be sold prior to the end of this fiscal year. Certain project costs may be incurred in advance of the availability of the aforementioned bond proceeds; therefore to the extent that these costs may become due before bond funds are

(28)

available, the Public Works Department will cash-flow these payments with surplus Unrestricted Reserves. Current Unrestricted Reserve balances are more than sufficient for the maximum amount of funds committed. There is a companion resolution to this agenda item authorizing a reimbursement to the General Fund's Unrestricted Reserves Utilities from future bond sales.

I am available at your convenience should you need additional information.

Tommy Ludwig



(29)

**RESOLUTION NO.**

**A RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT FOR THE PURPOSE OF PERFORMING A CORRIDOR REHABILITATION OF INDIAN HILLS DRIVE AND BUFFALO CREEK DRIVE**

**WHEREAS**, the City of Waxahachie (the "City") intends to issue debt to finance cost to be incurred for a corridor rehabilitation of Indian Hills Drive and Buffalo Creek Drive, and related expenses prior to the issuance of such debt with the expectation that such expenditures are to be reimbursed with proceeds of such debt; and

**WHEREAS**, Treas. Reg. § 1.150-2 (the "Regulation") provides that to fund such reimbursement with proceeds of tax-exempt obligations the City must declare its expectation to make such reimbursement; and

**WHEREAS**, the City desires to preserve its ability to reimburse the expenditures with proceeds of tax-exempt obligations.

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

**SECTION 1**

That the City reasonable expects to reimburse the General Fund's Unrestricted Reserves with proceeds of debt hereafter to be issued by the City, and this resolution shall constitute a declaration of official intend under the Regulation.

**SECTION 2**

That the City Manager is authorized to take those steps reasonable and necessary to comply with the intent of this resolution including a loan from Unrestricted Reserves in an amount not to exceed \$1,278,945.00.

**SECTION 3**

That this resolution shall take effect immediately from and after the date of passage.

ADOPTED THIS 2<sup>nd</sup> day of July, 2018.

\_\_\_\_\_  
MAYOR

ATTEST:

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