

**NOTICE OF CITY COUNCIL BRIEFING SESSION
FEBRUARY 19, 2018
CITY COUNCIL CONFERENCE ROOM
401 S. ROGERS
WAXAHACHIE TEXAS
6:30 P.M.**

Agenda

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

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

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

A G E N D A

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, February 19, 2018 at 7:00 p.m.***

Council Members: Kevin Strength, Mayor
Mark Singleton, Mayor Pro Tem
Chuck Beatty, Councilmember
David Hill, Councilmember
Mary Lou Shipley, 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 February 5, 2018
- b. Minutes of the City Council Briefing Session of February 5, 2018
- c. Minutes of the regular Planning and Zoning Commission meeting of February 13, 2018
- d. Minutes of the Planning and Zoning Commission Briefing Session of February 13, 2018
- e. Minutes of the Waxahachie Community Development Corporation meeting of February 13, 2018
- f. Minutes of the Tax Increment Reinvestment Zone #1 meeting of February 15, 2018
- g. Minutes of the Heritage Preservation Commission meeting of January 11, 2018
- h. Monthly Code Enforcement Report for January 2018
- i. Monthly Violation Activity Statistics for January 2018
- j. Monthly Fire and EMS Report for January 2018

- k. Consider Resolution authorizing reimbursement of Operating Fund from proceeds of future debt for engineering design services associated with Phase 1 improvements to the Wastewater Treatment Plant
- l. Consider budget amendment for Sports Complex

7. ***Introduce*** Honorary Councilmember

- 8. ***Request*** by Lykele Tamminga for a Preliminary Plat of Silo House Ranch for 4 lots, being 5.85 acres out of the S.C. White Survey, Abstract No. 1252 (Property ID 227069) in the Extra Territorial Jurisdiction – Owner: LYKELE K TAMMINGA (PP-17-0170)
- 9. ***Public Hearing*** on a request by Jeff Crannell, CCM Engineering, for a Zoning Change from a Commercial (C) zoning district to a Freestanding Planned Development (PD), with Concept Plan, for a mixed-use development located East of existing Camden Park Subdivision, being 272 S M DURRETT 169.121 ACRES (Property ID 182052) - Owner: DARELL THOMPSON SCHWAB (PD-18-0001)
- 10. ***Consider*** proposed Ordinance approving Zoning Change No. PD-18-0001
- 11. ***Public Hearing*** on a request by Jerry Potter for a Replat of Lots 2R, 3, and 4 of Dawn Estates and a portion of Evan R. Balch Survey, A-89 and John B. and Ann Adams Survey, A-5, to create Lots 2R-A, 3R-A, 3R-B, and 4R, Dawn Estates, 45.336 acres on the Extra Territorial Jurisdiction (Property ID 256867, 235628, 219382, and 247556) – Owner: JERRY R & SHERRY POTTER and EARL R & DORTHA POTTER (RP-18-0002)
- 12. ***Consider*** approving RP-18-0002
- 13. ***Public Hearing*** on a request by Michael Davis, Bannister Engineering LLC, for a Replat of Lot 8, Oak Branch Ranch Estates, Section 1, to create Lots 8R1, and 8R2, and 8R3, Oak Branch Ranch Estates, Section 1, 5.582 acres in the Extra Territorial Jurisdiction (Property ID 200834) – Owner: KENNETH & DAWN LAMBERT (RP-18-0003)
- 14. ***Consider*** approving RP-18-0003
- 15. ***Public Hearing*** on a request by Ronald Forman, Settler's Glen, Ltd, for an Amendment to Ordinance No. 2153 for the Settler's Glen Planned Development District to increase the Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures. (PD-18-0012)
- 16. ***Consider*** proposed Ordinance approving Zoning Change No. PD-18-0012
- 17. ***Public Hearing*** on a request by Terry Weaver, JHDMC, LLC, for an Amendment to Ordinance No. 2733 for the North Grove Planned Development District to increase the Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures. (PD-18-0013)
- 18. ***Consider*** proposed Ordinance approving Zoning Change No. PD-18-0013

19. ***Public Hearing*** on a request by Terry Weaver, JHDMC, LLC, for an Amendment to Ordinance No. 2219 for the Sheppard's Place Planned Development District to increase the Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures. (PD-18-0014)
20. ***Consider*** proposed Ordinance approving Zoning Change No. PD-18-0014
21. ***Hear*** presentation from Ellis County Homeless Coalition
22. ***Consider*** proposed Ordinance adding overnight camping and temporary shelters to Chapter 21, Offenses and Miscellaneous Provisions of the Waxahachie City Code
23. Comments by Mayor, City Council, City Attorney and City Manager
24. Adjourn

The City Council reserves the right to go into Executive Session on any posted item.

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City Council
February 5, 2018

(ua)

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, February 5, 2018 at 7:00 p.m.

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

Others Present: Michael Scott, 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 Mary Lou Shipley gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

Mayor Strength moved to Item 20. Citizens' Petitions and Requests:

Ms. Rhendi Heibel, 1111 Ovilla Road, Waxahachie, stated she recently became concerned with government debt in Waxahachie noting since 2016 the city is \$200 million dollars in debt.

Ms. Melissa Olson, 202 Stampede Street, Waxahachie, addressed the recently passed roofing ordinance and asked Council to repeal the ordinance noting three tab shingles are causing homeowners insurance to increase.

5. Consent Agenda

- a. Minutes of the regular City Council meeting of January 16, 2018
- b. Minutes of the City Council Briefing Session of January 16, 2018
- c. Minutes of the regular Planning and Zoning Commission meeting of January 23, 2018
- d. Minutes of the Planning & Zoning Commission Briefing Session of January 23, 2018
- e. Minutes of the Keep Waxahachie Beautiful Committee meeting of January 25, 2018
- f. Minutes of the Senior Center Advisory Board meeting of January 17, 2018
- g. Minutes of the Mid-Way Regional Airport Board meeting of January 11, 2018
- h. Approve Waxahachie Police Department Racial Profiling Report for 2017
- i. Approve application for Cinco de Mayo event

(6a)

Action:

Councilmember Chuck Beatty moved to approve items a. through i. on the Consent Agenda. Councilmember David Hill seconded, All Ayes.

6. Introduce Honorary Councilmember

Councilmember David Hill introduced Ms. Mason Yarbrough as the Honorary Councilmember. Her parents are Jeffrey and Tara and she is a triplet to Jackson and Garrett. Mason is a Waxahachie High School student and in the fall will attend the University of Texas at Austin and major in advertising.

7. Request to appear by Amber Caverly to request street closure for Craft Beer Festival to be held on June 16, 2018

Ms. Amber Caverly, owner of The Velvet Angel, requested street closure for the Craft Beer Festival on June 16, 2018. The event is hosted by the Downtown Merchants Association and will take place from 10:00 a.m. to 5:00 p.m. Ms. Caverly requested to close Jefferson Street from Rogers Street to College Street from 8:00 a.m. to 6:00 p.m. noting the only businesses directly affected are Dove's Nest and The Velvet Angel.

Action:

Mayor Pro Tem Mark Singleton moved to approve street closure for Craft Beer Festival as presented. Councilmember Mary Lou Shipley seconded, All Ayes.

8. Public Hearing on a request by Chris Stryker for a Replat of Lots 11 and 12, Spring Creek-REV, to create Lot 1, Rock Bottom Ranch, 3.7583 acres (Property ID 206166) – Owner: STRYKER TAMARA L & CHRISTOPHER P (RP-17-0162)

Mayor Strength opened the Public Hearing.

Mr. Shon Brooks, Director of Planning, reported the applicant seeks to create one lot from two lots. Staff recommended approval.

There being no others to speak for or against RP-17-0162, Mayor Strength closed the Public Hearing.

9. Consider approving RP-17-0162

Action:

Councilmember David Hill moved to approve a request by Chris Stryker for a Replat of Lots 11 and 12, Spring Creek-REV, to create Lot 1, Rock Bottom Ranch, 3.7583 acres (Property ID 206166) – Owner: STRYKER TAMARA L & CHRISTOPHER P (RP-17-0162). Mayor Pro Tem Mark Singleton seconded, All Ayes.

(ua)

10. **Consider request by Brandon O'Donald, Pape-Dawson Engineers, Inc., for a Preliminary Plat of Dove Hollow for 610 residential lots and 19 open space lots, being 213.536 acres situated in J.W. Wright Survey, Abstract No. 1182 (Property ID 192636, 192639, 192643, and 192645) – Owner: 112 LLC and MOUNTAIN CREEK PARTNER III LLC (PP-17-0171)**

Mr. Shon Brooks requested approval per staff comments noting staff is waiting on a Traffic Impact Analysis (TIA).

Mayor Pro Tem Mark Singleton expressed concern with traffic connectivity through the development and recommended to table the request until the TIA is complete and give Council time to review the overall traffic study.

Mr. Ken Davis, Pape-Dawson Engineers, Inc., reviewed the Preliminary Plat depicting the traffic connections to Arbors Development, FM 813, and North Grove Blvd. He stated if the TIA reflects additional connections, they will conform.

Mr. Brett Hess, 327 Blue Ribbon Road, Waxahachie, stated with the number of proposed lots and working with his Engineer, they meet the connectivity of the development. He stated Phase 1 will have approximately 112 high-end lots and not a lot of traffic due to low density.

Action:

After further discussion, Councilmember Chuck Beatty moved to approve a request by Brandon O'Donald, Pape-Dawson Engineers, Inc., for a Preliminary Plat of Dove Hollow for 610 residential lots and 19 open space lots, being 213.536 acres situated in J.W. Wright Survey, Abstract No. 1182 (Property ID 192636, 192639, 192643, and 192645) – Owner: 112 LLC and MOUNTAIN CREEK PARTNER III LLC (PP-17-0171).

The motion died due to lack of second.

Mayor Pro Tem Mark Singleton moved to table a request by Brandon O'Donald, Pape-Dawson Engineers, Inc., for a Preliminary Plat of Dove Hollow for 610 residential lots and 19 open space lots, being 213.536 acres situated in J.W. Wright Survey, Abstract No. 1182 (Property ID 192636, 192639, 192643, and 192645) – Owner: 112 LLC and MOUNTAIN CREEK PARTNER III LLC (PP-17-0171) until the Traffic Impact Analysis is complete. Councilmember Mary Lou Shipley seconded, All Ayes.

11. **Consider Landscape Plan for Dove Hollow as a companion to PP-17-0171 – Owner: 112 LLC and MOUNTAIN CREEK PARTNER III LLC**

Action:

Mayor Pro Tem Mark Singleton moved to table the Landscape Plan for Dove Hollow as a companion to PP-17-0171 – Owner: 112 LLC and MOUNTAIN CREEK PARTNER III LLC. Councilmember David Hill seconded, All Ayes.

(lea)

12. **Continue Public Hearing on a request by the City of Waxahachie to amend the City of Waxahachie Zoning Ordinance, Ordinance No. 2287, as amended, to Sections 31.A.1 through 31.A.9, to update said sections of the Zoning Ordinance, relating to the Historic Overlay District, and establishing rules relating to historic structures (TA-17-0164)**

Mayor Strength continued the Public Hearing.

Ms. Becky Kauffman, 817 W. Main Street, Waxahachie, Chairman, Waxahachie Preservation Commission, reported the Ordinance preserves the uniqueness of Waxahachie and allows property within a Historic Overlay District to receive a historical appraised tax value exemption of twenty-five percent of the City's portion of the property taxes on the appraised value of the property based on certain criteria.

Those who spoke against:

Ms. Rhendi Heibel, 1111 Ovilla Road, Waxahachie
Ms. Melissa Olson, 202 Stampede Street, Waxahachie

Spoke for:

Ms. Jane Wedding, 210 S. Hawkins, Waxahachie
Ms. Kathleen Bowen, 527 West Jefferson, Waxahachie

There being no others to speak for or against TA-17-0164, Mayor Strength closed the Public Hearing.

13. **Consider proposed Ordinance approving Zoning Change No. TA-17-0164**

ORDINANCE NO. 2996

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING THE CITY ZONING ORDINANCE, ORDINANCE NO. 2287, AS AMENDED, TO SECTIONS 31.A.1 THROUGH 31.A.9, TO UPDATE SAID SECTIONS OF THE ZONING ORDINANCE, RELATING TO THE HISTORIC OVERLAY DISTRICT, AND ESTABLISHING RULES RELATING TO HISTORIC STRUCTURES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Action:

Councilmember Mary Lou Shipley moved to approve Ordinance No. 2996. Councilmember David Hill seconded, All Ayes.

14. **Consider proposed Ordinance amending Sections 24.51 through 24.60 of the City's Code of Ordinances, and matters relating to the Heritage Preservation Commission; and the Historic Overlay Districts; providing for severability and conflicts; and providing an effective date**

(led)

Ms. Kauffman presented Ordinance No. 2997 for consideration.

ORDINANCE NO. 2997

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING SECTIONS 24.51 THROUGH 24.60 OF THE CITY'S CODE OF ORDINANCES, AND MATTERS RELATING TO THE HERITAGE PRESERVATION COMMISSION; AND THE HISTORIC OVERLAY DISTRICTS; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Action:

Councilmember David Hill moved to approve Ordinance No. 2997. Councilmember Mary Lou Shipley seconded, All Ayes.

15. Consider proposed Ordinance regarding adoption of a Step Pay Plan for Police and Fire Departments under Civil Service

Ms. Yasmin Barnes reported the proposed Ordinance reflects an updated pay schedule for both Police and Fire personnel noting the pay schedules are a direct result of the recently completed compensation study.

ORDINANCE NO. 2998

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS REPEALING ALL ORDINANCES TO THE CONTRARY AND ADOPTING THIS ORDINANCE REGARDING ADOPTION OF A STEP PAY PLAN FOR POLICE AND FIRE DEPARTMENTS UNDER CIVIL SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; AND ESTABLISHING AN EFFECTIVE DATE.

Action:

Mayor Pro Tem Mark Singleton moved to approve Ordinance No. 2998. Councilmember Chuck Beatty seconded, All Ayes.

16. Consider proposed Ordinance ordering an election to be held to elect three City Council Members; providing for a joint election with the Waxahachie Independent School District; providing for a contract for election services with Ellis County Elections Administration; designating the time and place of said election

City Secretary Lori Cartwright presented Ordinance 2999 calling the City Council election to be held on May 5, 2018.

ORDINANCE NO. 2999

AN ORDINANCE ORDERING AN ELECTION TO BE HELD TO ELECT THREE CITY COUNCIL MEMBERS; PROVIDING FOR A JOINT ELECTION WITH THE WAXAHACHIE INDEPENDENT SCHOOL DISTRICT; PROVIDING FOR A CONTRACT FOR ELECTION SERVICES WITH ELLIS COUNTY ELECTIONS

(lea)

**ADMINISTRATION; DESIGNATING THE TIME AND PLACE OF SAID ELECTION;
DECLARING AN EMERGENCY AND SETTING AN EFFECTIVE DATE**

Action:

Councilmember David Hill moved to approve Ordinance No. 2999. Councilmember Mary Lou Shipley seconded, All Ayes.

- 17. Consider proposed Resolution approving grant for acquiring two surveillance trailers to assist the Waxahachie Police Department in preventing crimes**

Police Chief Wade Goolsby presented Resolution No. 1233 supporting a grant to obtain surveillance trailers.

RESOLUTION NO. 1233

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING SUBMISSION OF GRANT APPLICATION TITLED "ENHANCEMENT OF CRIME PREVENTION THROUGH SURVEILLANCE TRAILER ACQUISITION" TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION

Action:

Councilmember Mary Lou Shipley moved to approve Resolution No. 1233. Mayor Pro Tem Mark Singleton seconded, All Ayes.

- 18. Consider authorization of a budget amendment to increase appropriations in the Utilities Department water operating fund**

Mr. Tommy Ludwig, Executive Director of Development Services, requested a budget amendment appropriating an additional \$30,786 in funding for engineering design services associated with the Howard Road Water Treatment Plant Clarifier Replacement.

Action:

Mayor Pro Tem Mark Singleton moved to approve a budget amendment to increase appropriations in the Utilities Department water operating fund as presented. Councilmember David Hill seconded, All Ayes.

- 19. Consider development agreement with WP Legacy Limited for construction of Garden Valley Parkway Extension through Buffalo Ridge Subdivision**

City Manager Michael Scott reported the Development Agreement depicts one-half of the costs of the roadway would be reimbursable in the form of impact fee waivers noting the agreement is similar to the agreement used in the construction of the initial phases of Garden Valley.

Action:

Councilmember Chuck Beatty moved to approve an agreement with WP Legacy Limited for construction of Garden Valley Parkway Extension through Buffalo Ridge Subdivision. Councilmember Mary Lou Shipley seconded, All Ayes.

(lea)

21. Comments by Mayor, City Council, City Attorney and City Manager

Mayor and City Council thanked Honorary Councilmember Mason Yarbrough for her attendance.

City Manager Michael Scott stated he anticipates North Grove Boulevard to open in the next couple of weeks and will be inviting Council to the grand opening.

Mayor Kevin Strength stated there are a lot of new faces at City Hall and thanked Mr. Scott for his leadership.

Mayor Pro Tem Mark Singleton referenced the North Grove Development noting it is important to manage the development. He referenced the Heritage Preservation Commission and its importance noting it is a delicate balance of historic needs and the value of property.

Councilmember David Hill stated as a builder, there are International Building Codes the city must follow and one being the roofing and shingle codes.

22. Adjourn

There being no further business, the meeting adjourned at 8:04 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

City Council
February 5, 2018

(up)

A briefing session of the Mayor and City Council of the City of Waxahachie, Texas was held in the City Council Conference Room at City Hall, 401 S. Rogers, Waxahachie, Texas, on Monday, February 5, 2018 at 6:00 p.m.

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

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

1. Call to Order

Mayor Kevin Strength called the meeting to order.

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

City Manager Michael Scott reviewed the consent agenda including the Waxahachie Police Department Racial Profiling Report for 2017 and application for the Cinco de Mayo event.

Mr. Shon Brooks, Director of Planning, reviewed the planning and zoning items on the agenda. He referenced Preliminary Plat of Dove Hollow for 610 residential lots and 19 open space lots, being 213.536 acres noting being a Preliminary Plat, not all is complete and explained the applicant is waiting on a Traffic Impact Analysis (TIA).

Mayor Pro Tem Mark Singleton expressed concern with the east/west connectivity. He stated it is a large tract and without the TIA it is difficult to see the connectivity throughout the development. Mr. Scott noted the west road will be built by the Planned Development and the east road may need some city participation.

Mr. Scott stated the proposed Ordinance regarding adoption of a Step Pay Plan for Police and Fire Departments under Civil Service is a formality of getting the Step Pay Plan in place.

Police Chief Wade Goolsby referenced the proposed Resolution pertaining to approving grant for acquiring two surveillance trailers noting they are used during the holiday season.

Ms. Becky Kauffman, 817 W. Main St., Waxahachie, Chairman, Waxahachie Preservation Commission, reviewed a proposed Ordinance relating to the Historic Overlay District, and establishing rules relating to historic structures. She explained the Ordinance is intended to perpetuate, protect, enhance, and preserve the historic resources and historic areas, and, improve property values in such locations. Ms. Kauffman stated historic resources and property within a Historic Overlay District shall be eligible for a historical appraised tax value exemption of twenty-five percent of the City portion of the property taxes on the appraised value of the property based on certain criteria.

(ub)

Ms. Kauffman explained for an area to be considered as a historic district, at least thirty (30) percent of property owners within the proposed historic district boundary submits written support to the Heritage Preservation Commission for consideration. She stated the Heritage Preservation Commission may also request that a unique area be preserved as a historic district.

3. Adjourn

There being no further business, the meeting adjourned at 6:57 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

(lc)

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

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

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

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

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

3. **Consent Agenda**

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

Action:

Mrs. Bonney Ramsey moved to approve item a. and b. on the Consent Agenda. Mr. David Hudgins seconded, All Ayes.

4. **Consider request by Lykele Tamminga for a Preliminary Plat of Silo House Ranch for 4 lots, being 5.85 acres out of the S.C. White Survey, Abstract No. 1252 (Property ID 227069) in the Extra Territorial Jurisdiction – Owner: LYKELE K TAMMINGA (PP-17-0170)**

Ms. Kelly Dent, Planner, presented a current survey noting there will be an updated survey given to Staff tomorrow. She stated there are outstanding staff comments and recommends approval per staff comments.

Action:

Mr. Jim Phillips moved to approve a request by Lykele Tamminga for a Preliminary Plat of Silo House Ranch for 4 lots, being 5.85 acres out of the S.C. White Survey, Abstract No. 1252 (Property ID 227069) in the Extra Territorial Jurisdiction – Owner: LYKELE K TAMMINGA (PP-17-0170) subject to staff comments. Mr. David Hudgins seconded, All Ayes.

5. Public Hearing on a request by Jeff Crannell, CCM Engineering, for a Zoning Change from a Commercial (C) zoning district to a Freestanding Planned Development (PD), with Concept Plan, for a mixed-use development located East of existing Camden Park Subdivision, being 272 S M DURRETT 169.121 ACRES (Property ID 182052) - Owner: DARELL THOMPSON SCHWAB (PD-18-0001)

Chairman Keeler opened the Public Hearing.

Ms. Dent reported the applicant is requesting a zoning change and presented pictures depicting the phases of Camden Park. She presented a Concept Plan with Planned Development age-restricted development. Staff recommended to approve noting the Commission can recommend additional requirements.

Mr. Jim Crannell, CCM Engineering, reviewed the highlights of the development noting the Planned Development is to allow for age-restricted garden homes, single family residences, and commercial development. He reported the Single Family-3 will have a minimum lot size of 10,000 s/f to 15,000 s/f. Other amenities will include: five acre park to link to other trails, Community Center with pool to serve the development, will link to the existing Phase 1 and 2 and a dog park. Mr. Crannell reported 30 acres will be left for future commercial use.

{Ms. Betty Square Coleman arrived}

Commission members asked who will monitor the age-restricted requirements. Mr. Crannell stated the restrictions will be part of the deed and the Home Owners Association will take over.

Ms. Dent stated City Council recently approved the 3D Shingle Ordinance and therefore 3D shingles will be required.

The Commission reviewed the proposed elevations and expressed displeasure with the Architectural and Architectural Amenities.

Mr. Shon Brooks, Director of Planning, asked for clarification on fencing noting if we fall back on the Zoning Ordinance, it doesn't allow for fencing. He stated between now and the City Council meeting, the applicant needs to clarify. If it needs to be gated it needs to be in the Planned Development, otherwise gating will not be allowed.

{Mr. Jim Phillips left}

Mr. Brett Hess, 327 Blue Ribbon Road, Waxahachie, encouraged the Commission to go to the back of the neighborhood of Cliff Estates noting the same architect built those homes. He stated that is the intent of the subdivision and the architect came to know the area and does good work in Waxahachie.

There being no others to speak for or against PD-18-0001, Chairman Keeler closed the Public Hearing.

6. Consider recommendation of Zoning Change No. PD-18-0001

(6c)

Action:

Ms. Betty Square Coleman moved to approve a request by Jeff Crannell, CCM Engineering, for a Zoning Change from a Commercial (C) zoning district to a Freestanding Planned Development (PD), with Concept Plan, for a mixed-use development located East of existing Camden Park Subdivision, being 272 S M DURRETT 169.121 ACRES (Property ID 182052) - Owner: DARELL THOMPSON SCHWAB (PD-18-0001) subject to the following:

- *Staff Comments*
- *If fenced in, it must be submitted with the Planned Development*
- *Must conform with proposed Section VI Garden Home Community*
- *Must conform with proposed Section VII Architectural Amenities*

Mrs. Bonney Ramsey seconded, All Ayes.

- 7. Consider request by Jerry Potter for a Replat of Lots 2R, 3, and 4 of Dawn Estates and a portion of Evan R. Balch Survey, A-89 and John B. and Ann Adams Survey, A-5, to create Lots 2R-A, 3R-A, 3R-B, and 4R, Dawn Estates, 45.336 acres in the Extra Territorial Jurisdiction (Property ID 256867, 235628, 219382, and 247556) – Owner: POTTER JERRY R & SHERRY and POTTER EARL R & DORTHA (RP-18-0002)**

Ms. Dent reported Staff received a more current survey but the City Engineer has not had a chance to look at it. She recommended approval per the following comments:

- Formatting issues regarding the plat drawing remain outstanding
- Per Ellis County, if a septic system is currently installed, and in the floodplain, it will be permitted to remain in the floodplain until it malfunctions and needs to be replaced, at which point, it will need to be relocated out of the floodplain

Ms. Dent stated there are formatting issues that will be dealt with at County level.

Action:

Mr. David Hudgins moved to approve a request by Jerry Potter for a Replat of Lots 2R, 3, and 4 of Dawn Estates and a portion of Evan R. Balch Survey, A-89 and John B. and Ann Adams Survey, A-5, to create Lots 2R-A, 3R-A, 3R-B, and 4R, Dawn Estates, 45.336 acres in the Extra Territorial Jurisdiction (Property ID 256867, 235628, 219382, and 247556) – Owner: POTTER JERRY R & SHERRY and POTTER EARL R & DORTHA (RP-18-0002) subject to Staff Comments. Ms. Betty Square Coleman seconded, All Ayes.

- 8. Consider request by Michael Davis, Bannister Engineering LLC, for a Replat of Lot 8, Oak Branch Ranch Estates, Section 1, to create Lots 8R1, and 8R2, and 8R3, Oak Branch Ranch Estates, Section 1, 5.582 acres in the Extra Territorial Jurisdiction (Property ID 200834) – Owner: LAMBERT KENNETH & DAWN (RP-18-0003)**

Ms. Dent stated the plat is located in the ETJ and the dedications need to reference both the City of Waxahachie and Ellis County. Applicant should partner with Ellis County to ensure the dedications read properly. She recommended approval per staff comments.

(UC)

Action:

Mr. David Hudgins moved to approve a request by Michael Davis, Bannister Engineering LLC, for a Replat of Lot 8, Oak Branch Ranch Estates, Section 1, to create Lots 8R1, and 8R2, and 8R3, Oak Branch Ranch Estates, Section 1, 5.582 acres in the Extra Territorial Jurisdiction (Property ID 200834) – Owner: LAMBERT KENNETH & DAWN (RP-18-0003) subject to Staff Comments. Mr. Erik Barnard seconded, All Ayes.

- 9. Public Hearing on a request by Ronald Forman, Settler's Glen, Ltd, for an Amendment to Ordinance No. 2153 for the Settler's Glen Planned Development District to increase the Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures. (PD-18-0012)**

Chairman Keeler opened the Public Hearing.

Mr. Brooks stated the next three cases pertain to Maximum Lot Coverage noting they were developed with a 35% Maximum Lot Coverage. He explained due to staff review, several lots have been developed and are over the 35% Maximum Lot Coverage and it has been requested to be 50%. Due to the popularity of larger houses, higher lot coverage is requested. Mr. Brooks stated in an event a house were to burn and needed to be rebuilt, the current Ordinance would not be standard with the required zoning. By doing so, allowing for a 50% lot coverage, it would correct that and not make structures non conforming.

Ms. Melissa Olson, 202 Stampede Street, Waxahachie, expressed concern if spanning the amount you build on a lot there would be less area for water runoff noting it will have an impact on the land.

There being no others to speak for or against PD-18-0012, Chairman Keeler closed the Public Hearing.

- 10. Consider recommendation of Zoning Change No. PD-18-0012**

Action:

Mrs. Bonney Ramsey moved to approve a request by Ronald Forman, Settler's Glen, Ltd, for an Amendment to Ordinance No. 2153 for the Settler's Glen Planned Development District to increase the Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures (PD-18-0012) subject to Staff Comments. Vice Chairman Melissa Ballard seconded, All Ayes.

- 11. Public Hearing on a request by Terry Weaver, JHDMC, LLC, for an Amendment to Ordinance No. 2733 for the North Grove Planned Development District to increase the Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures. (PD-18-0013)**

Chairman Keeler opened the Public Hearing.

Ms. Melissa Olson, 202 Stampede Street, Waxahachie, referenced a flood plain in Arlington with water runoff issues when increasing lot coverage.

(uc)

There being no others to speak for or against PD-18-0013, Chairman Keeler closed the Public Hearing.

12. Consider recommendation of Zoning Change No. PD-18-0013

Action:

Vice Chairman Melissa Ballard moved to approve a request by Terry Weaver, JHDMC, LLC, for an Amendment to Ordinance No. 2733 for the North Grove Planned Development District to increase the Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures (PD-18-0013) subject to Staff Comments. Mr. Erik Barnard seconded, All Ayes.

13. Public Hearing on a request by Terry Weaver, JHDMC, LLC, for an Amendment to Ordinance No. 2219 for the Sheppard's Place Planned Development District to increase the Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures. (PD-18-0014)

Chairman Keeler opened the Public Hearing.

There being no others to speak for or against PD-18-0014, Chairman Keeler closed the Public Hearing.

14. Consider recommendation of Zoning Change No. PD-18-0014

Action:

Vice Chairman Melissa Ballard moved to approve a request by Terry Weaver, JHDMC, LLC, for an Amendment to Ordinance No. 2219 for the Sheppard's Place Planned Development District to increase the Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures (PD-18-0014) subject to Staff Comments. Mr. Erik Barnard seconded, All Ayes.

15. Public Comments

Mr. Brett Hess, 327 Blue Ribbon Road, Waxahachie, referenced the age-restricted Garden Homes in Item 5 noting Enchanted Gardens was the intent of the age-restricted Garden Home Area which is amazing.

16. Adjourn

There being no further business, the meeting adjourned at 7:49 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

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

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

Members Absent: Betty Square Coleman

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

1. Call to Order

Chairman Rick Keeler called the meeting to order.

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

Mr. Shon Brooks, Director of Planning, reviewed three upcoming Public Hearings requesting to increase the Maximum Lot Coverage from 35% to 50%. He explained the setbacks will remain the same and anything under roof is considered lot coverage. Mr. Brooks stated the trend is for larger houses noting this is amending past ordinances.

Ms. Kelly Dent, Planner, reviewed Preliminary Plat of Silo House Ranch located in the ETJ. She explained the Preliminary Plat will be recommended for denial because the County will not approve until the applicant's additional land is platted.

Chairman Keeler asked if the applicant met the City's requirements and Ms. Dent stated there are some staff comments the applicant must comply with.

{Mr. Jim Phillips arrived at 6:17 p.m.}

A request for a Zoning Change from Commercial to Freestanding Planned Development with Concept Plan was discussed. The applicant seeks to rezone to allow for the construction of age-restricted garden homes, single family residences, and commercial development.

Ms. Dent reviewed a Replat in Dawn Estates located in the ETJ noting formatting issues regarding the plat remain outstanding. Per Ellis County, if a septic system is currently installed and in the floodplain, it will be permitted to remain in the floodplain until it malfunctions and needs to be replaced, at which point, it will need to be relocated out of the floodplain.

(led)

Ms. Dent reviewed a Replat in Oak Branch Ranch Estates located in the ETJ noting the dedications need to reference both the City and Ellis County. Applicant should partner with Ellis County to ensure the dedications read properly.

Mr. Brooks announced City Council and the Planning and Zoning Commission will have a joint work session on March 1, 2018 from 5:30 p.m. to 7:30 p.m. to revamp the Zoning Ordinance. He stated it will take two work sessions to review the entire Ordinance.

3. Adjourn

There being no further business, the meeting adjourned at 6:47 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

A regular meeting of the Waxahachie Community Development Corporation was held on Tuesday, February 13, 2018 at 3:00 p.m. in the City Council Conference Room, 401 S. Rogers, Waxahachie, Texas.

Board Members: John Sanders, President
Mike Ramsey, Vice President
Kevin Strength, Mayor
Michael Scott, City Manager
Bob Lynn
Daniel Morton
Layne Ballard

Ex-Officio Members: Lori Cartwright, City Secretary
Charles Harris, Director of Finance
Sandy King, President/CEO Chamber of Commerce

Others Present: John Smith, Director of Parks and Recreation
Laurie Mosley, Director of Convention & Visitors Bureau
James Villarreal, Recreational Superintendent
Chris Seale, Horticulturist

Others Absent: April Ortiz, Civic Center Director

1. Call to Order

President John Sanders called the meeting to order.

2. Approval of minutes of the Waxahachie Community Development Corporation meeting of December 12, 2017

Action:

Vice President Mike Ramsey moved to approve minutes of the WCDC meeting of December 12, 2017. Mr. Daniel Morton seconded, All Ayes.

3. Consider use of contingency fund for sponsorship of Texas Country Reporter Festival

Ms. Laurie Mosley, Director of Convention & Visitors Bureau, requested usage of the contingency fund in the amount of \$16,250 to reimburse the Texas Country Reporter Festival for the expense of the Waxahachie hotel rooms booked for years 2016, 2017 and proposed 2018.

{Mr. Bob Lynn arrived}

Ms. Mosley reviewed the financials depicting the revenue and expenses for each year along with the budget forecast for 2018. She stated this year will mark the 19th Anniversary of the Texas Country Reporter Festival and it is the largest one-day festival in the state of Texas.

(u)

City Manager Michael Scott stated a lot of people know Waxahachie for the Texas Country Reporter Festival and noted it makes sense to spend the requested dollars.

Action:

After further discussion, President John Sanders moved to approve \$16,250 of the Convention & Visitors Bureau contingency fund to reimburse the Texas Country Reporter Festival for the expense of the Waxahachie hotel rooms booked for years 2016, 2017 and proposed 2018. Mr. Layne Ballard seconded, All Ayes.

4. Hear update on Amphitheater project

City Manager Michael Scott reported Staff recently received ninety percent of the plans. Staff made some amendments and returned to Halff and Associates to incorporate in the plans to be finalized. Next step will be moving toward the bidding process going out four weeks to allow bidding and will work with Halff and Associates to target certain contractors.

President Sanders asked if there were anything finalized from Oncor pertaining to the utility lines. Mr. Scott reported there is nothing finalized but the way it looks now it will probably work. He stated we will need to get an easement from the Railroad which may be the biggest time hurdle to get passed. Essentially we will be boring from Rogers Street to College Street.

President Sanders asked when a date can be set for the ground breaking. Mr. Scott stated the City will need to secure acquisition land from Boyce Grain and Feed and documents from Halff and Associates prior to ground breaking.

Mr. Scott stated he and City Staff, including the City Engineer, will work with Halff and Associates during the construction for oversight of the project.

5. Discussion of alternative funding opportunities for the Trestle Bridge and trail projects

Mr. Scott stated the Board has talked about improving the Trestle Bridge to become a part of the Amphitheater.

Mr. John Smith, Director of Parks and Recreation, reported he has reviewed a grant from the State in the amount of \$200,000 noting it is an 80/20 grant. He stated the grant does not include the Trestle Bridge, just the trail leading up to the bridge. Mr. Smith stated he may look at the Trestle Bridge as a historic structure.

President Sanders asked if we can combine the grant search with Rails to Trails Conservative and recommended Staff work with them and not separately.

Mr. Smith stated Staff can ask for a proposal to see what the City can get in grant funds and communicate with Rails to Trails Conservative to see what can be accomplished noting grant searching is very complicated.

(ue)

Mr. Layne Ballard stated the Railroad offers UP Grants and recommended staff review options on the Railroad's website.

6. Hear update of activities from Convention & Visitors Bureau Director

Ms. Mosley, Director of Convention and Visitors Bureau, reported the Crape Myrtle Festival Committee and Chick-fil-A partnered for the Crape Myrtle Festival.

Ms. Mosley recently worked with the Waxahachie High School Technical Education teacher to put nearly 60 students in the job corps through Texas Friendly Hospitality Training. She announced the upcoming Ellis County Fair and Rodeo noting the Chamber of Commerce has partnership in this.

7. Hear update of activities at the Civic Center

City Manager Michael Scott reported the recent Daddy Daughter Dance was successful noting 505 tickets sold in a week. He referenced the patio project noting Staff met with Mr. Bob Stoffels and received some preliminary drawings and figures and expects to make a full presentation during the March Board meeting.

8. Hear update of activities at the Sports Complex

Mr. James Villarreal, Recreational Superintendent, reviewed his report and presented pictures of the progress of the drive through the Complex and a picture of the completed parking lot near the school's track. He stated parking near the small fields will get re-stripped noting one side of the Sports Complex is complete.

9. Hear update of Community Beautification

Mr. Chris Seale, Horticulturist, reviewed his report noting the berms at the Sports Complex are almost complete, he is waiting on a few trees to plant, and a border of colors around the berms will be added in the spring. Mr. Seale stated he is also beautifying city department buildings.

President Sanders asked to put back on the list to contact TxDot to request replacing the pink brick on the medians on Highway 77 with trees.

10. Public Comments
None

11. Adjourn

There being no further business, Vice President Mike Ramsey moved to adjourn at 3:53 p.m. Mr. Layne Ballard seconded, All Ayes.

Respectfully submitted,

Lori Cartwright, City Secretary

A regular meeting of the Board of Directors of the Tax Increment Reinvestment Zone No. 1 was held on Thursday, February 15, 2018 at 4:00 p.m. in the Council Chamber at City Hall, 401 S. Rogers, Waxahachie, Texas.

Members Present: Mark Singleton, Chairman
Jason Smith, Vice Chairman
Coy Sevier
Mike Lee
Jane Vineyard

Members Absent: Brad Yates
Dusty Autrey

Others Present: Michael Scott, City Manager
Amber Villarreal, Assistant City Secretary

1. Call to Order

Vice Chairman Jason Smith called the meeting to order.

2. Approval of minutes of the Tax Increment Reinvestment Zone No. 1 meeting of November 29, 2017

Action:

Mr. Coy Sevier moved to approve the minutes of the Tax Increment Reinvestment Zone No. 1 meeting of November 29, 2017. Mr. Mike Lee seconded, All Ayes.

3. Presentation of Texas Downtown Association “Best Marketing Campaign” Award

{Chairman Singleton arrived at 4:02 p.m.}

Ms. Amy Borders, Director of Communications and Marketing, announced in November the City of Waxahachie was presented the award for “Best Marketing Campaign” by the Texas Downtown Association for its “A Place in Your Heart” campaign and noted they were the sole finalist. The city also won the “People’s Choice Award.” She recognized city staff and thanked the TIRZ board for their support.

4. Consider funding of 2018 Downtown Waxahachie Walk of Fame Stones

Ms. Borders requested funding for the 2018 Downtown Waxahachie Walk of Fame Stones not to exceed \$8,000.00. She noted this is the festivals fifth year and this year’s honorees include Jim Bynum, Mike O’Daniel, and Dale Evans. She explained the location of these stones will be in the 100 block of West Main and will finish out the block. She explained the stones will be dedicated during the 2018 Crossroads of Texas Film and Music Festival on April 21, 2018.

Action:

Mr. Mike Lee moved to approve funding for the 2018 Downtown Waxahachie Walk of Fame stones not to exceed \$8,000. Mr. Coy Sevier seconded, All Ayes.

(lf)

5. Citizens' Petitions and Requests

Chairman Singleton noted the Franklin Street Townhomes add a very distinctive new look to downtown. Mr. Singleton also encouraged the city to reach out to the Chamber of Commerce to assist in events to benefit the community.

6. Adjourn

Action:

Mr. Coy Sevier moved to adjourn at 4:13 p.m. Chairman Mark Singleton seconded, All Ayes.

Respectfully submitted,

Amber Villarreal
Assistant City Secretary

(14)

MINUTES

A meeting of the **Heritage Preservation Commission** of the City of Waxahachie, Texas was held in the City Council Chambers/Conference Room at City Hall, 401 S. Rogers on **Thursday, January 11, 2018 at 5:30 p.m.**

Heritage Preservation Commission Members present: Becky Kauffman
Louis Brown
Shannon Simpson
Glinda Felty

Planning & Zoning Commission Liaison: Bonney Ramsey

Heritage Preservation Officer: Anita Brown

City Council Liaison: Mary Lou Shipley

Guests: Chris Acker, Amy Hedtke

1. Call to Order

The meeting was called to order at 5:30 p.m.

2. Approve minutes of meeting held December 14, 2017

Shannon Simpson made a motion to approve the minutes of the meeting held on December 14, 2017. The motion was seconded by Glinda Felty. **All ayes.**

3. Consider approval of plans for 208 W. Franklin

Chris Acker introduced his revised plans for the property. Becky Kauffman noted that the parapet had been removed and the brick appears more muted. She likes the date stamped on the façade of the property. There was some discussion. Shannon Simpson made a motion to **approve** the plans for 208 W. Franklin. Louis Brown seconded the motion. **All ayes.**

4. Consider approval of new HT tax exemption applications

201 Richmond Lane—listed as M priority in HHM 2004 survey; looks original

Louis Brown made a motion to **approve** the application for 201 Richmond Lane. Glinda Felty seconded the motion. **All ayes.**

511 W. Main—front façade of the building, ground level completely altered (*Sec. Guidelines, pp 31-33*). Glinda Felty made a motion to **deny** the application for 511 W. Main. Motion was seconded by Shannon Simpson. **All ayes.**

(leg)

5. Consider approval of renewal HT tax exemption applications

The following properties were reviewed by the Commission:

602 Brown	418 N. College	1015 Ferris	512 N. Grand
309 Harbin	200 S. Hawkins	527 W. Jefferson	600 W. Jefferson
605 W. Main	206 E. Marvin	621 E. Marvin	1208 E. Marvin
1219 E. Marvin	607 W. Marvin	910 W. Marvin	401 Oldham
408 Oldham	201 Overhill	501 Sycamore	808 Sycamore
300 E. University	301 E. University	219 Virginia	510 Water

Shannon Simpson made a motion to approve the above properties for the 2018 HT exemption. Louis Brown seconded the motion. **All ayes.**

6. Citizens Petitions & Requests

None were presented.

7. Comments by Commission members and Heritage Preservation Officer

Becky reported that the packets have been sent to Oldham Street residents about creating an Overlay District there. She talked to Chuck Beatty and gave him his packet and he returned his postcard in support of the initiative. Anita told the commission that Ordinance 2287 will be on the P & Z agenda for the Jan. 23rd meeting. Bonney recapped what happened at the first P & Z meeting when it was heard. Anita was instructed to send information about the P & Z workshop to the entire commission.

8. Adjourn

A motion to adjourn was made by Glinda Felty and seconded by Shannon Simpson. **All ayes.** Meeting adjourned at 6:14 pm.

Respectfully submitted by Anita Brown



(LH)

Code Enforcement Summary Report

Report Criteria:

Status	Assigned To	Census Tract	Violation	Initiation	Open Date Range	Follow up Date Range	Close Date Range
All	All		All	All	From 01/01/2018 To 01/31/2018	From To	From To

CE Totals

	Total	Closed Cases	Open Cases
Totals	66	30	36

CE Cases by Employee

Employee	Total	Closed Cases	Open Cases
Jordan, Me'Lony	35	18	17
Pickard, Sunnie	18	12	6
Speaks, Pam	13	0	13
Totals	66	30	36

CE Cases by Violation

Violation	Total Violations	Closed Violations	Open Violations
Accessory Structure Not Maintained	3	1	2
Address Numbers	0	0	0
Clutter Prohibited	0	0	0
Construction/Demolition Litter	2	1	1
Defacement of Property	0	0	0
Dumpster not properly maintained	0	0	0
Garage/Estate Sales	0	0	0
High Grass/Weeds; Junk/Debris; Limbs/Yard Waste	15	7	8
Illegal Dumping	0	0	0
Improper disposal of garbage	0	0	0
Junk Vehicle	12	3	9
No storing or advertising of vehicles for sale	1	1	0
Not keeping property clean; garbage accumulation	3	0	3
Off Street Parking	4	4	0
Open Well	0	0	0
Outside Storage Prohibited	18	7	11
Parking Greater Than 48-Hours	0	0	0
Parking in Alley	0	0	0
Parking of Commercial Vehicles	0	0	0

Parking on Unimproved Surface	30	(16h) 17	13
Prohibited Signage (Vehicle)	0	0	0
Rat Harborage Prohibited	2	0	2
Sewage Surfacing	0	0	0
Signage	8	3	5
Standing Water/Stagnant Water	0	0	0
Substandard Structure	0	0	0
Unauthorized Hauling	0	0	0
Unlawful Parking	0	0	0
Totals	98	44	54

ate: 2/8/2018
ime: 11:57:34 AM

(li)
MONTHLY VIOLATION ACTIVITY STATISTICS

Page 1
ytd_sum.rdlc

From 1/1/2018 To 1/31/2018

Information contained here in for YTD is for 1/1/2018 To 1/31/2018
Information contained here in for Previous YTD is for 10/1/2016 To 1/31/2017

VIOLATION ISSUED BY:	CURRENT MONTH	YEAR TO DATE	PREVIOUS YTD	VARIATION IN (+/-)
Municipal Police Department	608	2796	2804	-8
TOTALS	608	2796	2804	-8
TOTAL NEW FEES LEVIED:	\$143,968.10	\$691,417.24	\$784,979.45	\$-93,562.21
FUNDS COLLECTED:				
State Taxes:	\$40,378.75	\$178,181.05	\$158,424.10	\$19,756.95
Fines:	\$62,449.68	\$258,313.21	\$204,956.86	\$53,356.35
LEA Fees:	\$2,440.20	\$10,415.10	\$9,352.10	\$1,063.00
Multiuise:	\$1,410.00	\$6,090.00	\$14,350.00	\$-8,260.00
D/L Fees:	\$2,344.17	\$6,658.47	\$6,132.83	\$525.64
Warrant Fees:	\$4,184.00	\$12,435.10	\$10,185.60	\$2,249.50
Capias Fees:	\$2,412.00	\$7,681.48	\$5,318.10	\$2,363.38
Pay Plan Fees:	\$3,292.10	\$11,752.70	\$10,365.80	\$1,386.90
Collection Fees:	\$4,240.54	\$13,375.79	\$12,285.34	\$1,090.45
TOTALS	\$123,151.44	\$504,902.90	\$431,370.73	\$73,532.17
WARRANT INFORMATION:				
Warrants Issued:	176	849	915	-66
Capias Issued:	241	500	446	54
TOTALS	417	1349	1361	-12
Warrants Closed:	340	796	535	261
Capias Closed:	194	475	261	214
TOTALS	534	1271	796	475
OTHER INFORMATION:				
Citations Closed:	994	2758	2547	211
Failure to Appear:	0	12	39	-27

Average current month speeding ticket issued was for 18.8 miles above posted limit.

By: Jammie Atchison Date: 2-8-18

le: 2/8/2018

le: 11:34:26 AM

CRIMINAL SECTION

COURT City of Waxahachie	TRAFFIC MISDEMEANORS			NON-TRAFFIC MISDEMEANORS		
MONTH 1 YEAR 2018	Non-Parking	Parking	City Ordinance	Penal Code	Other State Law	City Ordinance
Total Cases Pending First of Month:	3040	1901	366	491	198	215
1. Active Cases	953	206	336	32	57	75
1. Inactive Cases	2087	1695	30	459	141	140
New Cases Filed	387	176	26	32	0	9
Cases Reactivated	206	184	4	53	10	30
All Other Cases Added	0	0	0	0	0	0
Total Cases on Docket <i>(Sum of Lines 1a, 2, 3 & 4)</i>	1546	566	366	117	67	114
Dispositions Prior to Court Appearance or Trial:						
1. Uncontested Dispositions <i>(Disposed without appearance before a judge (CCP Art. 27.14))</i>	239	192	22	28	3	17
2. Dismissed by Prosecution	74	75	8	20	14	19
Dispositions at Trial:						
1. Convictions						
1) Guilty Plea or Nolo Contendere	0	0	0	0	0	0
2) By the Court	0	0	0	0	0	0
3) By the Jury	0	0	0	0	0	0
2. Acquittals:						
1) By the Court	0	0	0	0	0	0
2) By the Jury	0	0	0	0	0	0
3. Dismissed by Prosecution	0	0	0	0	0	0
Compliance Dismissals:						
a. After Driver Safety Course <i>(CCP, Art. 45.0511)</i>	112					
b. After Deferred Disposition <i>(CCP, Art. 45.051)</i>	78	7	7	8	3	1
c. After Teen Court <i>(CCP, Art. 45.052)</i>	0	0	0	0	0	0
d. After Tobacco Awareness Course <i>(HSC, Sec. 161.253)</i>					0	
e. After Treatment for Chemical Dependency <i>(CCP, Art. 45.053)</i>				0	0	
f. After Proof of Financial Responsibility <i>(TC, Sec. 801.193)</i>	15					
g. All Other Transportation Code Dismissals	1	0	0	0	1	0
All Other Dispositions	31	23	2	13	1	4
1. Total Cases Disposed <i>(Sum of Lines 6, 7, 8 & 9)</i>	550	297	39	69	22	41
2. Cases Placed on Inactive Status	180	130	2	36	7	9
1. Total Cases Pending End of Month:	2877	1780	353	454	176	183
a. Active Cases <i>(Equals Line 5 minus the sum of Lines 10 & 11)</i>	816	139	325	12	38	64
b. Inactive Cases <i>(Equals Line 1b minus Line 3 plus Line 11)</i>	2061	1641	28	442	138	119
3. Show Cause Hearings Held	47	33	0	8	3	1
4. Cases Appealed:						
a. After Trial	0	0	0	0	0	0
b. Without Trial	0	0	0	0	0	0

(ki)

JUVENILE/MINOR ACTIVITY

COURT City of Waxahachie	TOTAL
MONTH 1 YEAR 2018	
Transportation Code Cases Filed	5
Non-Driving Alcohol Beverage Code Cases Filed	0
Driving Under the Influence of Alcohol Cases Filed	0
Drug Paraphernalia Cases Filed (HSC, Ch. 481)	0
Tobacco Cases Filed (HSC, Sec. 161.252)	0
Failure to Attend School Cases Filed (Ed. Code, Sec. 25.094)	0
Education Code (Except Failure to Attend) Cases Filed	0
Violation of Local Daytime Curfew Ordinances Cases Filed (Cal Govt. Code, Sec 341.905)	0
All Other Non-Traffic Fine-Only Cases Filed	0
Transfer to Juvenile Court:	
a. Mandatory Transfer (Fam. Code, Sec. 51.08(b)(1))	0
b. Discretionary Transfer (Fam. Code, Sec. 51.08(b)(2))	0
Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct) (CCP, Art. 45.050 (c)(1))	0
Held in Contempt by Criminal Court (Fined and/or Denied Driving Privileges) (CCP, Art. 45.050 (c)(2))	0
Juvenile Statement Magistrate Warning:	
a. Warnings Administered	0
b. Statements Certified	0
Detention Hearings Held (Fam. Code, Sec. 54.01)	0
Orders for Non-Secure Custody Issued	0
Parent Contributing to Nonattendance Cases Filed (Ed. Code, Sec. 25.093)	0

(lei)

ADDITIONAL ACTIVITY

JURT City of Waxahachie	NUMBER GIVEN	NUMBER REQUESTS FOR COUNSEL
ONTH 1 YEAR 2018		
Magistrate Warnings:		
a. Class C Misdemeanors	113	
b. Class A and B Misdemeanors	78	27
c. Felonies	37	14
		TOTAL
Arrest Warrants Issued:		
a. Class C Misdemeanors		176
b. Class A and B Misdemeanors		1
c. Felonies		0
Capiases Pro Fine Issued		241
Search Warrants Issued		0
Warrants for Fire, Health and Code Inspections Filed (CCP, Art. 18.05)		0
Examining Trials Conducted		0
Emergency Mental Health Hearings Held		0
Magistrate's Orders for Emergency Protection Issued		1
Magistrate's Orders Ignition Interlock Device Issued (CCP, Art. 17.441)		2
1. All Other Magistrate's Orders Issued Requiring Conditions for Release on Bond		0
1. Driver's License Denial, Revocation or Suspension Hearings Held (TC, Sec. 521.300)		0
2. Disposition of Stolen Property Hearings Held (CCP, Ch. 47)		0
3. Peace Bond Hearings Held		0
1. Cases in Which Fine and Court Costs Satisfied by Community Service:		
a. Partial Satisfaction		1
b. Full Satisfaction		7
3. Cases in Which Fine and Court Costs Satisfied by Jail Credit		51
3. Cases in Which Fine and Court Costs Waived for Indigency		0
7. Amount of Fines and Court Costs Waived for Indigency		\$0.00
3. Fines, Court Costs and Other Amounts Collected:		
a. Retained by City		\$84,853.19
b. Remitted to State		\$38,340.45
c. Total		\$123,193.64

(26)

WAXAHACHIE FIRE DEPARTMENT

FIRE & EMS MONTHLY REPORT

January 2018

MONTHLY FIRE STATISTICS

TOTAL FIRE/RESCUE CALLS: 448

AVERAGE RESPONSE TIMES: 5 Minutes 31 Seconds

BREAKDOWN OF FIRE/RESCUE/MISC. CALLS:

<u>FIRE</u>	<u>COUNT</u>	<u>%</u>	<u>EMS</u>	<u>COUNT</u>	<u>%</u>
Commercial:	2	0.44%	Medical Trauma Not Auto:	43	9.59%
Residential:	5	1.11%	Medical Other than Trauma:	204	45.53%
Institutional:	0	0.00%			
Other Structure:	2	0.44%			
Motor Vehicle:	0	0.00%			
Grass & Refuse:	7	1.56%			
Control Burn:	2	0.44%			
			<u>MISC</u>		
<u>RESCUE</u>			Assist the Public:	58	12.94%
Auto Acc w/Inj:	16	3.57%	Assist Other Agencies	10	2.23%
Auto Acc w/o Inj:	12	2.67%	False Call:	61	13.61%
No Auto w/ Inj:	0	0.00%	Power Lines, Nat Gas Leaks,	15	3.34%
No Auto w/o Inj:	1	0.22%	Gas/Oil Cleanup		
			Other:	10	2.23%

Incendiary/ Suspicious Fires (from totals above): 0

MONTHLY FIRE PREVENTION INSPECTION REPORT

Total Inspections: 116

Fire Drills (Schools, Nursing Homes, Hospitals): 0

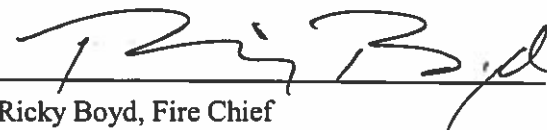
Lectures-Presentations Made/Films Shown: 0

Total Audience: 0

YEARLY TOTALS

TOTAL FIRE/RESCUE CALLS TO DATE: 448

TOTAL INSPECTIONS TO DATE: 116


Ricky Boyd, Fire Chief

(63) WFD Fire Marshal's Office Monthly Report

MONTH: January

YEAR: 2018

Inspections			
Plan Reviews	19	Underground Visuals	1
General Inspections	79	Underground Hydros/Flushes	2
Certificate of Occupancies	5	Fire Alarm Acceptance Tests	1
Foster Home Inspections	0	Reinspections	23
Site Inspections	2	Ventahood Acceptance Tests	0
Restaurant/Bars	0	Tornado Drills Etc...	0
Fire Drills	0	Others	0
Aboveground Visuals	1		
Aboveground Hydros	1	Total Monthly Inspections	116

Fire Safety Education	
Total Number of Presentations	0
Total Number of Participants	0

Fire and Arson Investigations	
Accidental Fires	MFR
Suspicious/Incendiary Fires	0

Fire Marshal's Monthly Stats	
Inspections Conducted	14
Presentations Made	0
Fire Drills Conducted	0
Incident Response (on-duty)	2
Incident Response (off-duty)	0
Investigations Performed (on-duty)	2
Investigations Performed (off-duty)	0
Training/Classes Attended	

Fire Inspector's Monthly Stats	
Inspections Conducted	102
Presentations Made	0
Fire Drills Conducted	0
Incident Response (on-duty)	n/a
Incident Response (off-duty)	n/a
Investigations Performed (on-duty)	n/a
Investigations Performed (off-duty)	n/a
Training/Classes Attended	

Fire Marshal's Other Monthly Activities

Fire Inspector's Other Monthly Activities

Dennis Crecelius

2/17

Fire Marshal

Date

Gary Myers

Fire Inspector

Date

(W's)
Waxahachie Fire Department

Type of Alarm Report (Summary)

Alarm Date Between {01/01/2018} And {01/31/2018}

Type of Alarm			Count	Percent
01	Fire,	Commerical Structure	2	0.44%
02	Fire,	Residential Structure	5	1.11%
04	Fire,	Other Structure	2	0.44%
06	Fire,	Grass and Refuse	7	1.56%
07	Fire,	Control Burn	2	0.44%
08	Rescue,	Automoblle Accident with Injuries	16	3.57%
09	Rescue,	Automobile Accident without Injuries	12	2.67%
11	Rescue,	Rescue without Injuries other than Auto	1	0.22%
12	EMS,	Medical Trauma other that Auto Accident	43	9.59%
13	EMS,	Medical other than Trauma	204	45.53%
14	Misc,	Assist the Public	58	12.94%
15	Misc,	Assist other Agencies	10	2.23%
16	Misc,	False Call	61	13.61%
17	Misc,	Power Lines, Nat Gas Leaks, Gas/Oil cleanup	15	3.34%
18	Misc,	Other	10	2.23%

Total Incident Count: 448

(65)
Waxahachie Fire Department

Monthly Incident Counts By Station

Alarm Date Between {01/01/2018} And {01/31/2018}

Station #	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Percent
1	147	0	0	0	0	0	0	0	0	0	0	0	147	32.81%
2	118	0	0	0	0	0	0	0	0	0	0	0	118	26.33%
3	182	0	0	0	0	0	0	0	0	0	0	0	182	40.62%
ALM	1	0	0	0	0	0	0	0	0	0	0	0	1	0.22%

Total Runs by Month											
Jan	448	Feb	0	Mar	0	Apr	0	May	0	Jun	0
Jul	0	Aug	0	Sep	0	Oct	0	Nov	0	Dec	0

Grand Total Runs: 448

(161)
Waxahachie Fire Department

Incident Response Time Analysis

Alarm Date Between {01/01/2018} And {01/31/2018}

Response		Count	Percentage
Hrs	Mins		
	00	15	3.4%
	01	12	2.7%
	02	38	8.7%
	03	70	16.0%
	04	78	17.9%
	05	73	16.7%
	06	59	13.5%
	07	39	8.9%
	08	19	4.3%
	09	8	1.8%
	10	4	0.9%
	11	6	1.3%
	12	1	0.2%
	13	2	0.4%
	14	2	0.4%
	15	3	0.6%
	17	1	0.2%
	18	1	0.2%
	19	2	0.4%
	25	1	0.2%
	46	1	0.2%
		<hr/> 435	

Overall Average Response Time: 00:05:31

(lk)



Memorandum

To: Honorable Mayor and City Council

From: Tommy Ludwig, Executive Director of Development Services

Thru: Michael Scott, City Manager

Date: February 16, 2018

Re: Waste Water Treatment Plan Improvements Reimbursement Resolution

On November 6, 2017 City Council approved Agenda Item 29, authorizing Kimley-Horn and Associates to perform engineering design services for Wastewater Treatment Plan Phase 1 Improvements in the amount of \$1,756,000. These improvements are needed to address limitations with the plant being able to sufficiently thicken and dewater plant biosolids. When this item appeared before Council, staff noted that funds were not budgeted for the agreement, and requested a Supplemental Appropriation from the Wastewater Treatment Operating and Maintenance Budget to fund the agreement until a Reimbursement Resolution could be approved.

On February 19th a Reimbursement Resolution will appear before City Council authorizing a reimbursement to the Operating Fund from the proceeds of future debt to fund the agreement with Kimley-Horn and associates, approved by Council on November 6th. Finance anticipates selling certificate of obligation bonds in the Spring of 2018 to fund this project. Engineering Services have commenced and are anticipated to be completed by December 2018, with construction to follow thereafter. The original memo concerning this agreement is also attached for your review.

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

Tommy Ludwig



Memorandum

To: Honorable Mayor and City Council

From: David Bailey, Director of Utilities

Thru: Michael Scott, City Manager

Date: November 2, 2017

Re: Wastewater Treatment Plant Phase 1 Improvements

Attached is the proposed Professional Services Agreement from Kimley Horn for the engineering design of the Wastewater Treatment Plant Improvements Project Phase 1, as identified in the Wastewater Treatment Plant Master Plan Update and Biosolids Assessment Evaluation dated February 20, 2017. This project includes engineering design for various pumping improvements, biosolids aeration, processing, dewatering facilities/equipment and clarifier No. 3 rehabilitation. These projects are included in the Wastewater Fund 6-Year Capital Improvement Plan (CIP) and were discussed in the previous CIP work session. The improvements are needed to address limitation in the plant being able to sufficiently thicken and dewater plant biosolids. The proposed Agreement is in the amount of \$1,756,000. Staff and legal counsel have reviewed the proposal and are recommending City Council approval of the Engineering Services Agreement.

Currently funds are not budgeted to cover this Agreement. Staff is requesting a Supplemental Appropriation in the same dollar amount for the Wastewater Treatment O & M Budget, Department 780, account number 520-780-53200, Professional Services, until a Reimbursement Resolution is approved at a future date. These expenses will then be reimbursed from the anticipated 2018 spring bond issuance.

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

David Bailey

(lek)

RESOLUTION NO.

A RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT FOR THE PURPOSE OF PERFORMING ENGINEERING DESIGN SERVICES ASSOCIATED WITH PHASE 1 IMPROVEMENTS AT THE WASTEWATER TREATMENT PLANT.

WHEREAS, the City of Waxahachie (the "City") intends to issue debt to finance cost to be incurred for the engineering design services to address limitations at the Wastewater Treatment Plant with the plant being able to sufficiently thicken and dewater plant biosolids 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 Operating Fund with proceeds of debt hereafter to be issued by the City, and this resolution shall constitute a declaration of official intent 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 the Operating Fund in an amount not to exceed \$1,756,000.

SECTION 3

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

ADOPTED THIS 19th day of February, 2018.


MAYOR

ATTEST:

Assistant City Secretary



Memorandum

To: Waxahachie City Council
From: James Villarreal, Assistant Parks Director, Sports Complex
Thru: Michael Scott, City Manager 
Date: February 16, 2017
Re: Budget Amendment Waxahachie Sports Complex

Waxahachie City Council Members,

In August of 2017 the WCDC approved to \$10,000 for my budget to go towards the purchase of a new mower. Those monies were not incorporated into my final budget, but were approved thru the WCDC. I ask that you amend my budget to include \$10,000 to go towards that purchase.

Thanks,

James Villarreal

Planning & Zoning Department

Plat Staff Report

Case: PP-17-0170



MEETING DATE(S)

Planning & Zoning Commission: February 13, 2018

City Council: February 19, 2018

CAPTION

Request by Lykele Tamminga for a **Preliminary Plat** of Silo House Ranch for 4 lots, being 5.85 acres out of the S.C. White Survey, Abstract No. 1252 (Property ID 227069) in the Extra Territorial Jurisdiction – Owner: TAMMINGA LYKELE K (PP-17-0170)

CASE INFORMATION

Applicant: Lykele Tamminga

Property Owner(s): Lykele Tamminga

Site Acreage: 5.85 acres

Number of Lots: 4 lots

Number of Dwelling Units: 4 units

Park Land Dedication: N/A (ETJ)

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: 701 Cox Road

Parcel ID Number(s): 227069

Current Zoning: N/A (ETJ)

Existing Use: Currently undeveloped

Platting History: S.C. White Survey, Abstract No. 1252

Site Aerial:**STAFF CONCERNS****PLANNING, CASE MANAGER – Kelly L. Dent (469) 309-4294**

1. Please add the telephone number of the owner.
2. I see the date the survey was completed on the drawing, but I don't see a date for when the plat was prepared. If the plat drawing was completed on the same date, change that to Date of Preparation.
3. All the lines are the same within the proposed plat area. The external borders need to be in a heavier line.
4. Provide a block number.
5. Provide the proposed number of lots and/or dwelling units in the title block.
6. Location, dimension, description and recording information for all existing rights-of-way (ROW), easements, or other public ways on or adjacent to the property being developed.
7. Approximate acreage of streets and other non-residential uses.

CITY ENGINEER – James Gaertner (469) 309-4293

1. Everything is located in a floodplain zone based on the FEMA FIRM maps. Are these properties location on Zone X (unshaded)?
2. Need utility easements and setbacks per Ellis County requirements. The utility easement can overlap the Buena Vista-Bethel SUD Easement.
3. 60-feet or 70-feet ROW per County requirements. This property will need to dedicate half of the ROW (30 or 35 feet from the centerline of the road).
4. Easement recording information for the overhead power line.
5. Use City of Waxahachie Approval block shown on the subdivision ordinance.

ELLIS COUNTY DEPARTMENT OF DEVELOPMENT - Lisa Yates (972) 825-5200

1. 40' Building set-back line on front of all lots
2. 10' due & bl on side lot lines
3. 20' due & bl on rear lot lines
4. Change Director to Department of Development Director

APPLICANT RESPONSE TO CONCERNS

1. A resubmittal was received on February 14, 2018, that addressed one concern regarding leaving a remainder large enough to not require platting under Ellis County rules. The other concerns remain outstanding. An email was sent to the applicant on February 15, 2018, detailing the outstanding comments and setting a resubmittal deadline of February 22, 2018.

RECOMMENDATION

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

- ☐ Denial.
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
 1. Please add the telephone number of the owner.
 2. I see the date the survey was completed on the drawing, but I don't see a date for when the plat was prepared. If the plat drawing was completed on the same date, change that to Date of Preparation.
 3. All the lines are the same within the proposed plat area. The external borders need to be in a heavier line.
 4. Provide a block number.
 5. Provide the proposed number of lots and/or dwelling units in the title block.
 6. Location, dimension, description and recording information for all existing rights-of-way (ROW), easements, or other public ways on or adjacent to the property being developed.
 7. Approximate acreage of streets and other non-residential uses.
 8. Everything is located in a floodplain zone based on the FEMA FIRM maps. Are these properties location on Zone X (unshaded)?
 9. Need utility easements and setbacks per Ellis County requirements. The utility easement can overlap the Buena Vista-Bethel SUD Easement.
 10. 60-feet or 70-feet ROW per County requirements. This property will need to dedicate half of the ROW (30 or 35 feet from the centerline of the road).
 11. Easement recording information for the overhead power line.
 12. Use City of Waxahachie Approval block shown on the subdivision ordinance.
 13. 40' Building set-back line on front of all lots
 14. 10' due & bl on side lot lines
 15. 20' due & bl on rear lot lines
 16. Change Director to Department of Development Director

ATTACHED EXHIBITS

1. Revised plat drawings

APPLICANT REQUIREMENTS

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

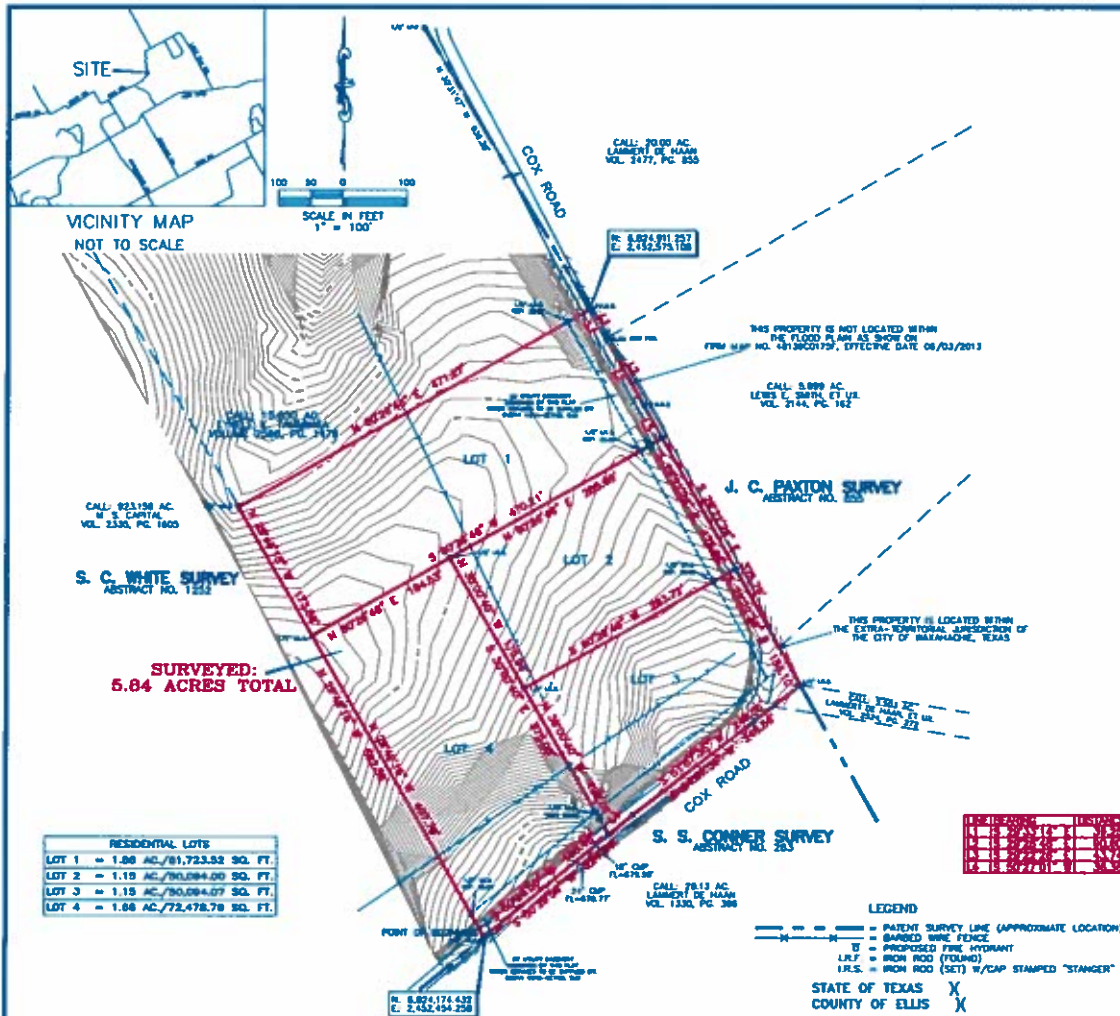
STAFF CONTACT INFORMATION

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

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

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held February 13, 2018, the Commission voted 6-0 to recommend approval of plat no. PP-17-0170 subject to staff comments.



**PRELIMINARY PLAT
SILO HOUSE RANCH
BEING 5.85 ACRES OUT OF THE
S. C. WHITE SURVEY, ABSTRACT NO. 1252
ELLIS COUNTY, TEXAS**

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

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

PRELIMINARY. THIS DOCUMENT SHALL NOT BE
RECORDED FOR ANY PURPOSE AND SHALL NOT BE
USED ON VEHICLES OR HELD UPON AS A FINAL
SURVEY DOCUMENT.
BY: JEFF D. DOUGLAS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 5757
TBPLS FIRM NO. 10025701



STATE OF TEXAS X
COUNTY OF ELLIS X
APPROVED BY THE PLANNING AND ZONING COMMISSION
ON THIS _____ DAY OF _____, 2017

PLANNING AND ZONING
STATE OF TEXAS X
COUNTY OF ELLIS X
APPROVED BY THE CITY COUNCIL
ON THIS _____ DAY OF _____, 2017

CITY COUNCIL
STATE OF TEXAS X
COUNTY OF ELLIS X
KNOW ALL MEN BY THESE PRESENTS:
I, LYKELE K. TAMMINGA, THE OWNER OF THE LAND SHOWN
ON THIS PLAT, HEREBY ACKNOWLEDGE THIS DOCUMENT AS
THE OFFICIALLY APPROVED PRELIMINARY PLAT

OWNER

METES AND BOUNDS DESCRIPTION FOR 5.84 ACRES OF LAND

BEING A 5.84 ACRE TRACT OF LAND SITUATED IN THE S. C. WHITE SURVEY, ABSTRACT NO. 1252, ELLIS COUNTY, TEXAS, AND BEING PART OF A CALLED 15.840 ACRE TRACT TO LYKELE K. TAMMINGA RECORDED IN VOLUME 2566, PAGE 1476 OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS. SAID 5.84 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD (FOUND) FOR THE SOUTH CORNER OF THESE 5.84 ACRES. SAID CORNER ALSO BEING THE SOUTH CORNER OF THE ABOVE REFERENCED 15.840 ACRES, BEING AN EAST CORNER OF A CALLED 923.156 ACRES TO M. S. CAPITAL RECORDED IN VOLUME 1335, PAGE 1805 OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS, AND BEING LOCATED GENERALLY IN THE CENTER OF COX ROAD (A VARIABLE WIDTH PRESCRIPTIVE RIGHT OF WAY);

THENCE: NORTH 29 DEG. 49 MIN. 15 SEC. WEST, ALONG THE SOUTHWEST LINE OF THE 15.840 ACRES AND A NORTHEAST LINE OF THE ABOVE REFERENCED 923.156 ACRES, PASSING A 1/2 INCH IRON ROD (SET) FOR REFERENCE AT A DISTANCE OF 30.00 FEET AND CONTINUING IN ALL A TOTAL DISTANCE OF 582.58 FEET TO A 1/2 INCH IRON ROD (SET) FOR THE WEST CORNER OF THESE 5.84 ACRES;

THENCE: NORTH 60 DEG. 26 MIN. 46 SEC. EAST, OVER AND ACROSS THE 15.840 ACRES, PASSING A 1/2 INCH IRON ROD (SET) FOR REFERENCE AT A DISTANCE OF 441.27 FEET AND CONTINUING IN ALL A TOTAL DISTANCE OF 471.27 FEET TO A P.K. NAIL (SET) FOR THE NORTH CORNER OF THESE 5.84 ACRES, SAID CORNER ALSO BEING ON THE NORTHEAST LINE OF THE 15.840 ACRES AND BEING LOCATED WITHIN THE RIGHT OF WAY OF COX ROAD (A VARIABLE WIDTH PRESCRIPTIVE RIGHT OF WAY);

THENCE: SOUTH 29 DEG. 33 MIN. 14 SEC. EAST, ALONG THE NORTHEAST LINE OF THE 15.840 ACRES AND WITHIN THE RIGHT OF WAY OF COX ROAD (A VARIABLE WIDTH PRESCRIPTIVE RIGHT OF WAY), A DISTANCE OF 471.27 FEET TO A P.K. NAIL (SET) FOR THE NORTH CORNER OF THESE 5.84 ACRES, SAID CORNER ALSO BEING ON THE NORTHEAST LINE OF THE 15.840 ACRES AND BEING LOCATED WITHIN THE RIGHT OF WAY OF COX ROAD (A VARIABLE WIDTH PRESCRIPTIVE RIGHT OF WAY);

THENCE: SOUTH 29 DEG. 28 MIN. 48 SEC. EAST, CONTINUING ALONG THE NORTHEAST LINE OF THE 15.840 ACRES AND WITHIN THE RIGHT OF WAY OF COX ROAD (A VARIABLE WIDTH PRESCRIPTIVE RIGHT OF WAY), A DISTANCE OF 90.60 FEET TO A POINT FOR CORNER FOR AN ANGLE BREAK IN THE NORTHEAST LINE OF THESE 5.84 ACRES;

THENCE: SOUTH 29 DEG. 22 MIN. 28 SEC. EAST, CONTINUING ALONG THE NORTHEAST LINE OF THE 15.840 ACRES AND WITHIN THE RIGHT OF WAY OF COX ROAD (A VARIABLE WIDTH PRESCRIPTIVE RIGHT OF WAY), A DISTANCE OF 575.79 FEET TO A 1/2 INCH IRON ROD (SET) FOR THE EAST CORNER OF THESE 5.84 ACRES AND ALSO BEING THE EAST CORNER OF THE 15.840 ACRES;

THENCE: SOUTH 51 DEG. 57 MIN. 35 SEC. WEST, ALONG THE SOUTHEAST LINE OF THE 15.840 ACRES AND WITHIN THE RIGHT OF WAY OF COX ROAD (A VARIABLE WIDTH PRESCRIPTIVE RIGHT OF WAY), A DISTANCE OF 248.56 FEET TO A POINT FOR CORNER FOR AN ANGLE BREAK IN THE SOUTHEAST LINE OF THESE 5.84 ACRES;

THENCE: SOUTH 50 DEG. 26 MIN. 59 SEC. WEST, CONTINUING ALONG THE SOUTHEAST LINE OF THE 15.840 ACRES AND WITHIN THE RIGHT OF WAY OF COX ROAD (A VARIABLE WIDTH PRESCRIPTIVE RIGHT OF WAY), A DISTANCE OF 224.84 FEET BACK TO THE POINT OF BEGINNING AND CONTAINING 5.84 ACRES OF LAND.

STATE OF TEXAS X
COUNTY OF ELLIS X

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

DIRECTOR

OWNER: LYKELE K. TAMMINGA
701 COX ROAD
WAXAHACHE, TEXAS 75187

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STANGER SURVEYING CANTON LLC
CANTON, TEXAS

(NON-TRANSFERABLE)
STANGER
SURVEYING CANTON LLC
13878 STATE HIGHWAY NO. 84
BEN WHEELER, TEXAS 75754
(803) 833-1006

SURVEY COMPLETED: 11-07-2017
FB/PQ: VZ 303/40 JOB NO: C170152

(9)

Planning & Zoning Department Zoning Staff Report

Case: PD-18-0001



MEETING DATE(S)

Planning & Zoning Commission: February 13, 2018

City Council: February 19, 2018

CAPTION

Public Hearing on a request by Jeff Crannell, CCM Engineering, for a Zoning Change from a Commercial (C) zoning district to a **Freestanding Planned Development (PD), with Concept Plan**, for a mixed-use development located East of existing Camden Park Subdivision, being 272 S M DURRETT 169.121 ACRES (Property ID 182052) - Owner: DARELL THOMPSON SCHWAB (PD-18-0001)

CASE INFORMATION

Applicant: Jeff Crannell, CCM Engineering

Property Owner(s): Darell Thompson Schwab

Site Acreage: 166.78 acres

Current Zoning: Commercial

Requested Zoning: Commercial, Planned Development-Single Family-3 and Two Family Residential (PD-SF-3 and 2F)

SUBJECT PROPERTY

General Location: East of existing Camden Park Subdivision

Parcel ID Number(s): 182052

Existing Use: Currently undeveloped

(9)

Development History:

The site is unplatted.

Case No.	Direction from Site	Request	Result
ZA2013-22	West	PD-SF-3	Approved, Ord. No 2710
ZA2014-17	West	PD-SF-3	Approved, Ord. No. 2752
FP-17-0102	West	FP for Camden Park Phase I	Approved
PD-17-0111	Site	PD	Denied at PZ
PP-17-0132	West	PP for Camden Park Phase II	Approved
PD-17-0148	Site	PD	Withdrawn by Applicant

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-3	Currently undeveloped
East	FD	Currently undeveloped
South	C	Currently undeveloped
West	PD-SF-3	Camden Park Phases 1 and 2

Future Land Use Plan:

Low Density Residential

Comprehensive Plan:

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

Thoroughfare Plan:

The site is accessed via Parks School House Road, a Major Thoroughfare C (90' ROW).

(9)

Site Image:



PLANNING ANALYSIS

The applicant seeks to rezone a portion of land in southeast Waxahachie to allow for the construction of age-restricted garden homes, single family residences, and commercial development.

PD DEVELOPMENT STANDARDS

The following table identifies some of the development standard requirements in the base zoning district in comparison to the proposed development standards for this PD. For further development standard requirements, see the attached Booklet.

For the PD-SF-3 District

Requirement	Base Zoning SF-3	Proposed
Minimum dwelling unit size	1,200sf	2,000sf
Minimum lot size	10,000sf	10,000sf to over 15,000sf

For the PD-2F District, see the attached Booklet.

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 01/26/2018.

STAFF CONCERNS

1. None.

APPLICANT RESPONSE TO CONCERNS

1. Applicant submitted revisions to the concept plan and presentation.

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:

There remain outstanding concerns raised during the Planning & Zoning Commission meeting that need to be addressed, including the inclusion of front elevations that show some of the architectural features on the residences and elevations that show different main dwelling sizes, potential for gating the PD-2F portion, the need for architectural shingles, spelling errors in the document. Applicant has been made aware of the outstanding concerns, and staff is awaiting a resubmittal that addresses all concerns raised.

ATTACHED EXHIBITS

1. Concept Plan
2. Presentation

APPLICANT REQUIREMENTS

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

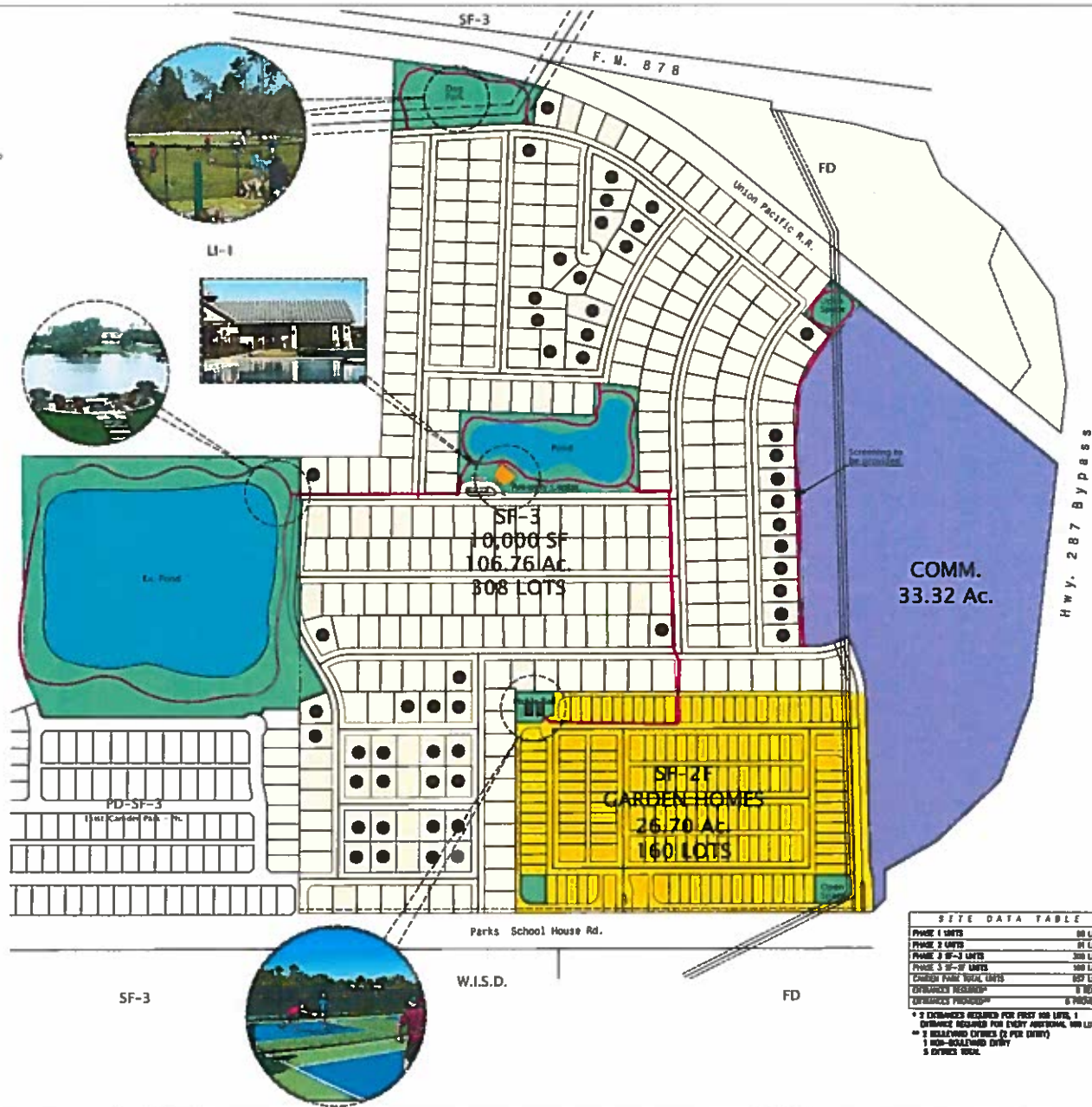
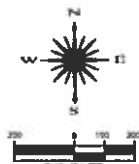
STAFF CONTACT INFORMATION

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

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

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held February 13, 2018, the Commission voted 6-0 to recommend approval of zoning change PD-18-0001 subject to staff comments. It should be noted that this request is for a Planned Development (PD) Concept Plan. The second part of the PD process is the Detailed Site Plan. If the Concept Plan ordinance is adopted, then the applicant's Detailed Site Plan will be administratively reviewed and can be approved in accordance with the Concept Plan.



Vicinity Map

- 2F - 26.70 Ac.
DENSITY 6.6 UNITS/ACRE
- SF-3 - 106.76 Ac.
DENSITY 2.5 UNITS/ACRE
- Ex. COMMERCIAL - 33.32 Ac.
- 12,000s.f. + LOTS

(b)

CONCEPT PLAN

CAMDEN PARK - EAST
BEING A 166.78 ACRE TRACT OF LAND
out of the
S.M. DURITT SURVEY, ABSTRACT NO. 272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

SITE DATA TABLE	
PHASE 1 LOTS	80 LOTS
PHASE 2 LOTS	80 LOTS
PHASE 3 SF-3 LOTS	308 LOTS
PHASE 3 SF-2F LOTS	160 LOTS
CAMDEN PARK TOTAL LOTS	528 LOTS
ENTRANCES REQUIRED**	8 ENTRIES
ENTRANCES PROVIDED**	8 PROVIDED

* 2 ENTRANCES REQUIRED FOR FIRST 100 LOTS, 1 ENTRANCE REQUIRED FOR EVERY ADDITIONAL 100 LOTS
** 3 BOLLARD CYCLES (2 PER ENTRY)
1 NON-BOLLARD ENTRY
5 ENTRY ROLL

Owner:
CAMDEN WAXAHACHIE, LLC
9400 N. Central Expressway, S. 404
Dallas, Texas 75231
214.384.8486

Engineer:
Cranell Engineering
2570 FM 407, Suite 209
Highland Village, Texas 75077
Ph: 972.691.6613

January 26, 2018

Scale: 1"=200'

(9)

Camden Park

Phase III

A New Community Development
for Waxahachie, Texas



CAMDEN
HOMES



Section I

Introduction

Camden Park, Phase III of Waxahachie, TX is a mixed-use development, thoughtfully designed to provide quality entry level housing, that elevates the standard of living and breaks presumptions of what an "affordable home" is.

Our aim at Camden Homes is to produce new homes that give buyers pride over ownership of not only the house they live in, but the community that they're a part of as well.

We build with the following principals as a driving force behind each development:



QUALITY MATERIALS

Every home built by Camden Homes includes quality build materials and construction practices.



COMMUNITY GROWTH

Proud homeowners means longterm growth and retention for the areas we build in.

Section II

Narrative

The purpose of this PD Concept Plan is to rezone 133.46 acres out of a 166.78 acre tract of land located at the northwest corner of Parks School House Road and Highway 287. Said parcel is currently zoned Commercial District (C). We are proposing to rezone to PD SF-3 and PD-2F with the following Uses and acreage:

- 1. PD SF-3: Tract one – 106.76 acres**
- 2. PD 2F: Tract two – 26.70 acres**
- 3. Commercial: Tract 3 – 33.32 acres to remain commercial zoning**

This residential development will provide two distinct residential options and will preserve 36.83 acres of the existing commercial zoning along the east side of the property that abuts Highway 287. The proposed zoning will include 160 garden home lots that will be "Age Restricted" and 308 single family lots that are a minimum of 10,000 square feet. The development will contain a 5 acre residential gathering space and central open space that will include an amenity center with adjoining swimming pool. A walking trail will circle the 5 acres and this trail will link with the 24 acre open space and lake that was recently completed in Phase 1 of Camden Park. A 2.7 acre dog park is proposed at the northwest corner of the site. This park will be fenced and will have benches and pet waste stations. Additional open space will be included in small pockets around the property. Two "pickle ball" courts are proposed within the Age Restricted garden homes. This sport has become popular among the 55+ community.

This development will provide a community of large lots that is in general conformance with the city's Future Land Use Plan. The impact on the Waxahachie ISD will be reduced by the "Age Restriction" placed on the garden home community. This development will provide a range of options and amenities for the future residents of Waxahachie.



Vicinity Map

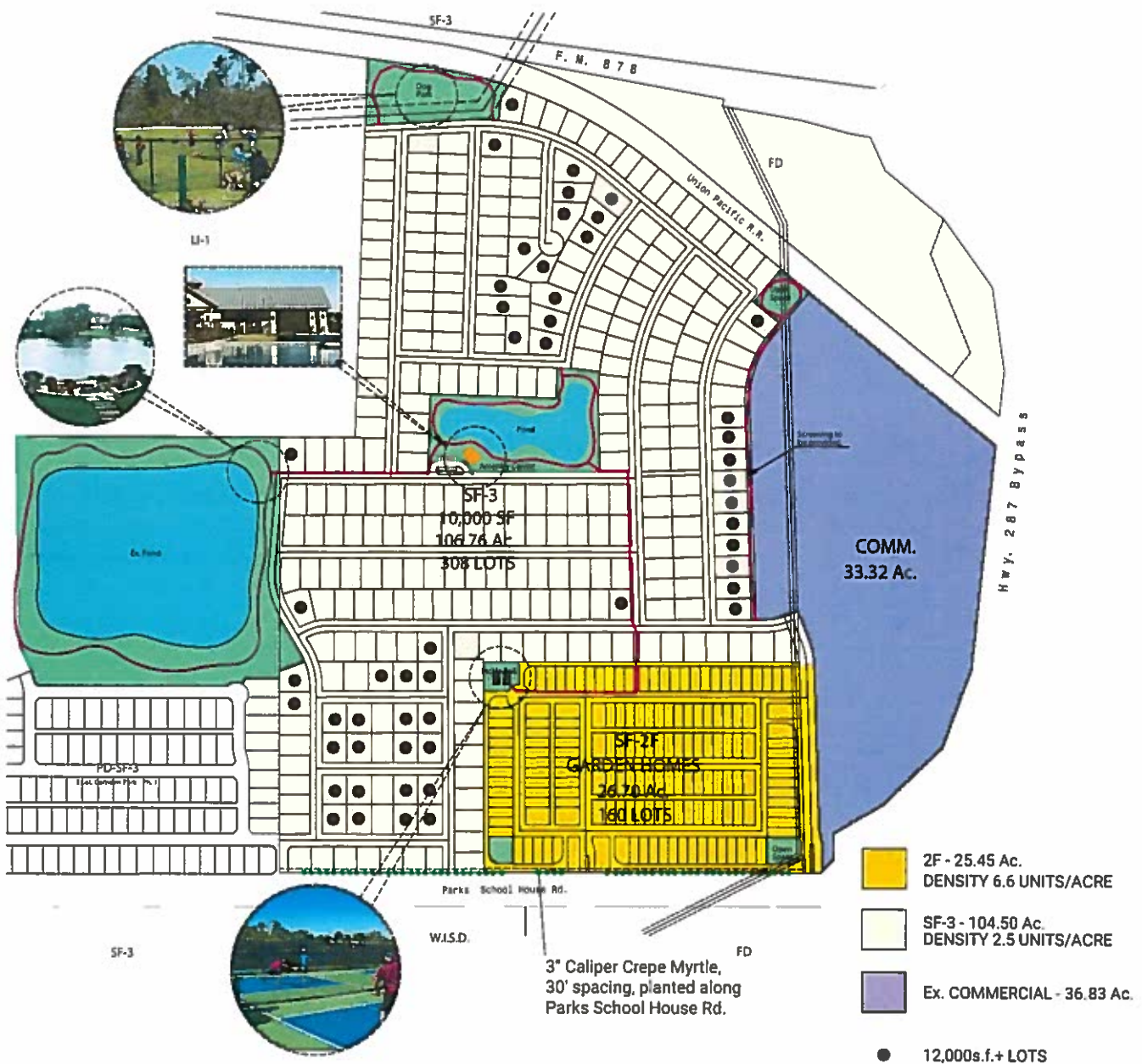
(9)

Section III Plat Map

Phase III

Phase III of Camden Park Waxahachie consists of 308 lots a minimum of 10,000 sq ft. to be developed into single family homes with 3-4 Bedrooms and 2-2.5 Baths.

An age restricted community with quaint, garden style homes of 160 units is integrated into the proposed development.



Section IV

Amenities

- Retention Pond and Large Pond with integrated walking trail
- Dog Park
- Playground
- Senior Community Center



A DEVELOPMENT WITH SOMETHING



FOR EVERYONE TO ENJOY



Section V

Camden Park

SF-3 Base Zoning



SF-3 Base Zoning District Uses. Development of the PD Single-Family 3 (PD SF-3) shall be in compliance with all regulations applicable to Single-Family 3 (SF-3) uses and Planned Development (PD) Districts contained in the City's Code of Ordinances, as amended, save and except only to the extent otherwise specifically provided to the contrary in this Ordinance.

Area Regulations. The minimum lot sizes permitted in areas designated on Exhibit "A" as PD Single-Family 3 (PD SF-3) District shall include a range of sizes from 10,000 square feet to over 15,000 square feet and shall be:

a. Size of Lots

i. Minimum Lot Area – All lots will be minimum Ten thousand (10,000) square feet.

ii. Minimum Lot Width – 80 feet.

iii. Minimum Lot Depth – One hundred (100) feet

iv. Maximum Lot Coverage – Forty five percent (45%) by main building and accessory structures.

Minimum Dwelling Unit Area. Two-Thousand (2,000) Square Feet.

Developer will combine with the existing Homeowners Association for Camden Park Phase 1 and 2 to which entity all open space shall be dedicated. Membership in the Association shall be mandatory for all owners of property and such membership shall be conditioned upon ownership of property within the Single-Family 3 (SF-3) District area and such membership shall be transferred from owner to owner together with the conveyance of any real property within said area.



Camden Standard

Features List

Camden Homes • 9400 N. Central Expy Suite 475 • Dallas, TX • (972) 479 8888

Exteriors & Quality Construction

- Post-tension cable, engineered foundation
- Large selection of brick with stone accents
- All-weathered covered GFI electrical outlets (2)
- Two car garages
- 30 yr. limited warranty architectural shingles
- 6' wood privacy fence with gate
- 2 exterior hose bibs
- Sprinkler system
- Professionally landscaped with fully sodded front & side yard
- Cast stone address block
- Energy efficient exterior doors with adjustable thresholds
- Zurn/PEX plumbing system with 25 yr. limited warranty
- Engineered flooring systems on 2 story plans
- 10 yr. limited warranty with StrucSure Home Warranty
- Borate termite preventative treatment

Energy Efficiency & Safety

- Deadbolt locks at strategic locations
- Smoke detectors hard-wired with battery backup
- 14 SEER heating and cooling system
- Honeywell programmable thermostat
- Vinyl double pane low e-windows
- 50 gallon energy saving water heater
- R-38 insulation in ceiling

Kitchen

- Quality black Whirlpool® appliances
- Microwave with ductless vent
- 3cm granite countertops
- Cabinets with crown molding & choice of stain
- 1/3HP food disposal unit
- Delta Classic faucet with sprayer
- Undermount 50/50 stainless steel sink
- Kitchen island (per plan)
- Recessed lights in kitchen (per plan)

Bedroom & Bath

- Large walk-in master closets
- Decorative Delta faucets
- Engineered marble vanities
- Pedestal sink in half-baths
- Elongated toilets
- Double sink in Master Bath
- All bedrooms have smoke detectors
- Hallways attached to bedrooms have smoke/carbon detector

Interiors

- Raised panel Cheyenne interior doors
- Brushed nickel interior door hardware
- Brushed nickel lighting package

Section VI

Garden Home Community

PD 2F Zoning

AGE RESTRICTED REQUIREMENTS

1. All homes shall have a minimum of two bedrooms.
2. Minimum of 1-1/2 car garage and it shall not be converted to living space.
3. Garages to be completely finished; sheetrock, tape, bed, texture and paint.
4. No carports allowed.
5. No storage buildings allowed except storage cabinets under 6' in height and out of public view.
6. All construction shall be a minimum of 85% brick veneer.
7. All foundations shall meet CABO specifications.
8. Mailboxes shall be cluster style provided and in accordance with the US Postal Service.
9. Gutters shall be seamless, colorfast aluminum.
10. Roof pitch to be 7/12 with weathered gray color architectural shingles.
11. Each home shall be fenced back, side and front except on rear entry garage plans.
12. All fences shall be constructed with a minimum height of 6' for side and back yard areas. Fences shall be constructed of spruce or cedar pickets, sealed, stained and nailed to treated 2x4s attached to galvanized steel posts. Front fence can be ornamental iron 4' and above in height with walk gate. Fences will not extend beyond front building set back line. Fences will be maintained by owner.
13. Landscaping shall be provided including one 3" diameter tree or large crepe myrtle with flower beds including shrubs, edgework and mulch or ground cover with balance of front yard in sod.
14. Automatic sprinkler system shall be provided in full yard area.
15. All front entry garages shall have driveways with widths not less than 18' 0".
16. Maximum height shall be two (2) stories.
17. All homes shall have a minimum living area of 1,500 square feet.
18. Front yard building lines shall be a minimum of 15' 0".
19. Side yard set backs to "Zero" on the zero side with a 5' 0" maintenance and utility easement.
20. Side yard set backs on the "Garden" side to be a minimum of 7' 0".
21. Back yard building lines shall be a minimum of 10' 0".
22. Lot area to be a minimum of 4,900 square feet.
23. Lot width to be a minimum of 50' 0".
24. All dwellings shall be used for single-family residence only and shall not be subdivided for rental.
25. On homes with front garage, vehicles must be parked in garages and may not be left outside more than three days each month, guest vehicles may be left outside up to seven days each month.
26. No boat, RV or trailers shall be parked in front or side lot area, such shall be parked behind fence and home at rear of lot out of public view.
27. No project or under construction vehicles including trailers shall be parked anywhere on the lot.
28. No commercial truck, bus or trailer with tonnage in excess of 3/4 ton shall be left parked in the street in front of or on any portion of the lot after the construction and move in process is complete.
29. No commercial business activity to which the general public is invited shall be conducted on any lot.
30. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot except not more than two dogs, cats or household pots may be kept, provided they are not kept, bred or maintained for any commercial purpose. No advertising signs shall be displayed in conjunction with the same.
31. No basketball goal, soccer goal or skateboard ramp permanent or portable shall be constructed or left over night in front yard, side yard area or used at any time on sidewalk and common roadway or in easement area.

(9)

Section VI

Garden Home Community



Section VII

Architectural Amenities

1. All homes built by Camden Homes come with "standard" features* that elevate the quality and finish making it more desirable to prospective residents. Camden Homes plans to build a variation of single story floorplans with a minimum of 2000 sq ft on a minimum lot size of 10,000 sq ft in areas zoned SF-3. For the age restricted community (PD-2F), the floorplans will range from 1,600 to 2,000 sq ft. Each floorplan will have a minimum of 3 Bedrooms and 2 Baths in areas zoned SF-3 and have a minimum of 2 Bedrooms in areas zoned PD-2F.
2. Front facades, sides, and rear elevations will consists of masonry
3. Offer large selection of brick type and stone accents
4. Multiple elevations per floor
5. Avoiding architectural monotony
6. Minimum of 3 characteristics that clearly distinguish it from other models
7. Vinyl wood plank flooring throughout
8. Dimensional architectural shingles with 30 year warranty
9. Front entry garages in the Garden Homes, optional decorative doors
10. Optional rear entry garages in areas zoned SF-3
11. 6' wood privacy fences in the rear
12. Energy efficient exterior doors with adjustable thresholds



(9)

Section VIII

Architectural Samples



(9)

Section VIII

Architectural Samples



(9)

Section VIII

Architectural Samples



(9)

Section IX

Interior Samples



(9)

Section X

Area Statistics

by RSI for 3rd Quarter of 2017
Red Oak and Waxahachie

Most Active Builder Programs		
Subdivision	Builder	Starts
1 Mustang Creek	History Maker	71
2 The Cove	John Houston	60
3 Settlers Glen	John Houston	46
4 Buffalo Ridge	Lennar	38
5 Hickory Creek	First Texas	38

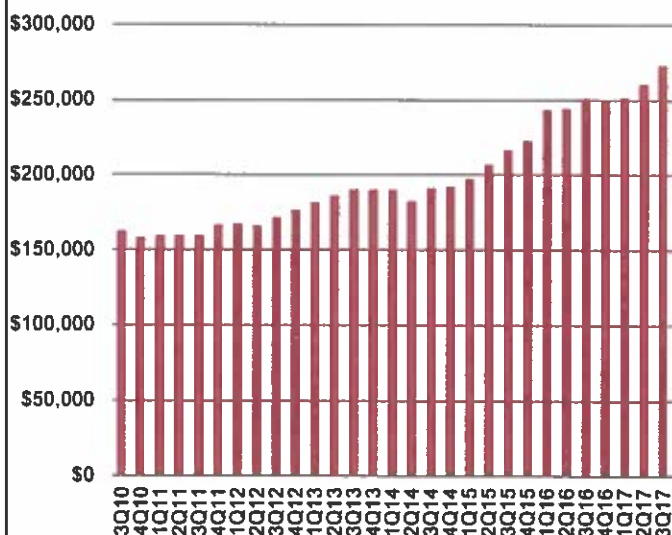
Lots Delivered 3Q17		
Subdivision	Size	Total Lots
North Farm Estates	160'x300'	20

Lots Under Development	
Subdivision	Total Lots
Estates at North Grove	190
Camden Park of Red Oak	167
Garden Valley West	138
The Cove	132
Garden Valley Meadows	86
Settlers Glen	81
Garden Valley Farms	78
Harmony	74

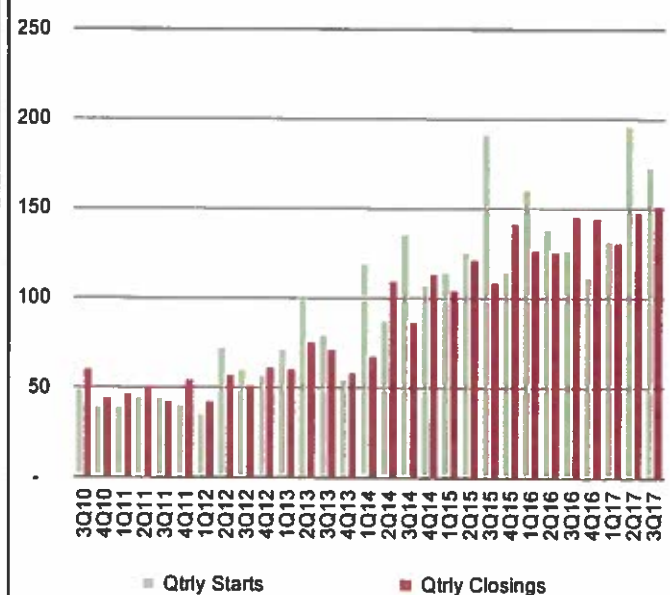
Market Area Annual Statistics (4Q16-3Q17)

	MOS		MOS	
Annual Starts	621	--	U/C Homes	292 6.1
Annual Closings	579	--	F/V Homes	83 1.7
Vacant Developed Lots	1,016	19.6	Models	17 0.4
Lots Under Development	946	--	Total New Home Inv	392 8.1
Ann Lots Delivered	780	--		
			Median Price	\$272,907
			Average Price	\$298,085
			Est \$ Volume (Starts)	\$185,110,785

Median New Home Price (Starts)



Quarterly Starts and Closings



(9)

PAST PROJECTS

ARBOR RIDGE | COMPLETED 4Q 2015 | \$125K-\$150K

Located at Seagoville Road and Hannah Way, Subdivision is active in 23 lots.

CAMDEN RANCH | COMPLETED 2Q 2015 | \$125K-\$150K

Located at Seagoville Road and IH20, Subdivision active in 44 Homes.

SANDYLAND ESTATES | COMPLETED 2009 | \$115K-\$140K

Located at I-20 and St. Augustine, City of Dallas. Subdivision was complete in 2009 with 164 homes.

AMERICAN WAY ESTATES | COMPLETED 2006 | \$90K-\$130K

Located at Westmoreland and Redbird Ln, City of Dallas. Subdivision was completed in 2006 with 189 homes.

KIEST VALLEY ESTATES | COMPLETED 2006 | \$90K-\$130K

Located at Kiest and Kiest Valley, City of Dallas. Subdivision was completed in 2006 with 63 homes.

LOS PALACIOS | COMPLETED 2006 | \$90K-\$120K

Located at Cockrell Hill Rd. and Kiest, City of Dallas. Subdivision was completed in 2006 with 151 homes.

VILLA DEL MAR | COMPLETED 2005 | \$90K-\$130K

Located at I35 and Laurel and service Rd, City of Dallas. Subdivision was completed in 2005 with 79 homes.

FLOWERS ADDITION | COMPLETED 2004 | \$90K-\$120K

Located at Highway 175 and Masters, City of Dallas. Subdivision was complete in 2004 with 84 homes.

LOS ARBOLES | COMPLETED 2004 | \$90K-\$120K

Located at Highway 175 and Jim Miller Rd, City of Dallas. Subdivision was complete in 2004 with 188 homes.

HERITAGE SQUARE | COMPLETED 2003 | \$90K-\$120K

Located at Masters and Laneyvale, City of Dallas. Subdivision was complete in 2003 with 64 homes.

LAS BRISAS | COMPLETED 2003 | \$100K-\$120K

Located at Kiest and Rio Grande, City of Dallas. Subdivision was completed in 2003 with 38 homes.

LAS VILLAS DE OAK CLIFF | COMPLETED 2003 | \$90K-\$120K

Located at Illinois and Duncanville Rd, City of Dallas. Subdivision was completed in 2003 with 336 homes.

LOS RANCHITOS | COMPLETED 2003 | \$100K-\$120K

Located at Seagoville Rd and Haymarket, City of Dallas. Subdivision was complete in 2003 with 55 homes.

LA HACIENDA DE OAK CLIFF | COMPLETED 1998 | \$70K-\$90K

Located at Illinois and Cockrell Hill rd. City of Dallas. Subdivision was completed in 1998 with 398 homes.

BEVERLY PARK | COMPLETED 1998 | \$125K-140K

Located in Denton, Texas. This subdivision was developed in four phases and composed of more than 200 homes and over 40 duplexes and triplexes.

(9)

CURRENT PROJECTS

BROOKLYN VILLAGE | CURRENTLY UNDER CONSTRUCTION

Located in Forney, Texas. Subdivision is currently under construction for 190 homes.

JEAN HILLS | CURRENTLY UNDER CONSTRUCTION

Located in Fort Worth, Texas. Subdivision is currently under construction for 76 homes.

HARLEM GARDENS | CURRENTLY UNDER CONSTRUCTION

Located in Fort Worth, Texas. Subdivision is currently under construction for 72 homes.

RAINBOW RIDGE | CURRENTLY UNDER CONSTRUCTION

Located in Crowley, Texas. Subdivision is currently under construction for 152 homes

THE TERRACES | CURRENTLY UNDER CONSTRUCTION

Located in Terrell, Texas. Subdivision is currently under construction for 46 homes.

TOWN NORTH ESTATES | CURRENTLY UNDER CONSTRUCTION

Located in Terrell, Texas. Subdivision is currently under construction for 90 homes.

CAMDEN HOMES AT ANNA | CURRENTLY UNDER CONSTRUCTION

Located in Anna, Texas. 2 Phases: Phase I (SOLD 110 lots to Dr. Horton), Phase II pre-sold 97 to Dr Horton.

CAMDEN HOMES AT RED OAK | CURRENTLY UNDER CONSTRUCTION

Located in Red Oak, Texas. 1 Phase: 167 lots SOLD to Dr. Horton and Lillian Homes.

CAMDEN HOMES AT WAXAHACHIE | CURRENTLY UNDER CONSTRUCTION

Located in Waxahachie, Texas. 2 Phases: 180 lots total. 100 lots are under horizontal development.

CAMDEN HOMES AT LIBERTY COUNTY | CURRENTLY UNDER CONSTRUCTION

Located in Liberty County and Slendora, Texas. Multiple subdivisions totaling over 10,000 lots.



BROOKLYN VILLAGE A Luxury Rental Community

(9)



CAMDEN
HOMES

 COOPERZADEH

CORPORATE OFFICE

9400 N. Central Expy, Suite 475 Dallas, TX 75231

Phone: (972) 479-8888

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM COMMERCIAL (C) TO A FREESTANDING PLANNED DEVELOPMENT (PD), WITH CONCEPT PLAN LOCATED EAST OF THE EXISTING CAMDEN PARK SUBDIVISION IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 166.78 ACRES KNOWN AS PROPERTY ID 182052 OF THE S.M. DURRETT SURVEY, ABSTRACT NO. 272, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, a proper application for a PD, with Concept Plan has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number PD-18-0001. 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 C to PD, 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 C to PD, with Concept Plan in order to facilitate development of the subject property in a manner that allows single family residences, age-restricted garden homes, and commercial development on the following property: Property ID 182052 of the S.M. Durrett Survey, Abstract No. 272, which is shown on Exhibit A, in accordance with the Concept Plan provisions attached as Exhibit B and the conceptual layout plan attached as Exhibit C.

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

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

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

(10)

MAYOR

ATTEST:

City Secretary

(11)

Planning & Zoning Department

Plat Staff Report

Case: RP-18-0002



MEETING DATE(S)

Planning & Zoning Commission: February 13, 2018

City Council: February 19, 2018

CAPTION

Consider request by Jerry Potter for a **Replat** of Lots 2R, 3, and 4 of Dawn Estates and a portion of Evan R. Balch Survey, A-89 and John B. and Ann Adams Survey, A-5, to create Lots 2R-A, 3R-A, 3R-B, and 4R, Dawn Estates, 45.336 acres in the Extra Territorial Jurisdiction (Property ID 256867, 235628, and 247556) – Owner: POTTER JERRY R & SHERRY and POTTER EARL R & DORTHA (RP-18-0002).

CASE INFORMATION

Applicant: Jerry Potter

Property Owner(s): POTTER JERRY R & SHERRY and POTTER EARL R & DORTHA

Site Acreage: 56.336 acres

Number of Lots: 4 lots

Number of Dwelling Units: 4 units

Park Land Dedication: N/A (ETJ)

Adequate Public Facilities: Rockett Special Utility District has indicated that their existing system can furnish the requested service in conformity with the Texas Commission on Environmental Quality standards for water distribution. Per the final plat of this property from 2014, there was a proposed fire hydrant shown at the cul-de-sac, yet there is no fire hydrant shown on the drawings related to the current platting. Per Ellis County, a variance on the hydrant was approved by the County in 2012, therefore, no hydrant was ever installed.

SUBJECT PROPERTY

General Location: 1070 and 1080 Broadhead Road

Parcel ID Number(s): 256867, 235628, 219382, and 247556

Current Zoning: N/A (ETJ)

Existing Use: Residential structures

Platting History:

The final plat for Dawn Estates was approved by City Council on September 7, 2004.

Site Aerial:



STAFF CONCERNS

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

1. Provide the proposed number of lots and/or dwelling units (in title block)

CITY ENGINEER – James Gaertner (469) 309-4293

1. Turn off the existing features such as houses, driveways, utilities, etc... Keep the easements, property lines, setbacks, floodplain.
2. Is there a septic tank on this property? If yes then ensure it is setback from the proposed property line per TCEQ regulations.
3. The sewer system should not be in the Floodplain. This is in the county, so I will let the county enforce this one.

ELLIS COUNTY DEPARTMENT OF DEVELOPMENT - Lisa Yates (972) 825-5200

1. Signature lines for the county should have the name of each Commissioner list
 - a. Commissioner Pct. 3 Paul Perry
 - b. Commissioner Pct. 4 Kyle Butler

APPLICANT RESPONSE TO CONCERNS

1. Applicant attended a meeting with City staff to go over comments, and the surveyor communicated with City staff regarding revisions. A resubmittal was made that resulted in the above concerns remaining 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.

- (11)
- ☒ Approval, per the following comments:
1. Formatting issues regarding the plat drawing remain outstanding.
 2. Per Ellis County, if a septic system is currently installed, and in the floodplain, it will be permitted to remain in the floodplain until it malfunctions and needs to be replaced, at which point, it will need to be relocated out of the floodplain.
 3. There may be a question regarding the 1.00 acre Potter property shown in Lot 3R-B. It cannot be landlocked, so there will need to be access. This would change the entire configuration of what is being platted.

ATTACHED EXHIBITS

1. Revised plat drawings

APPLICANT REQUIREMENTS

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

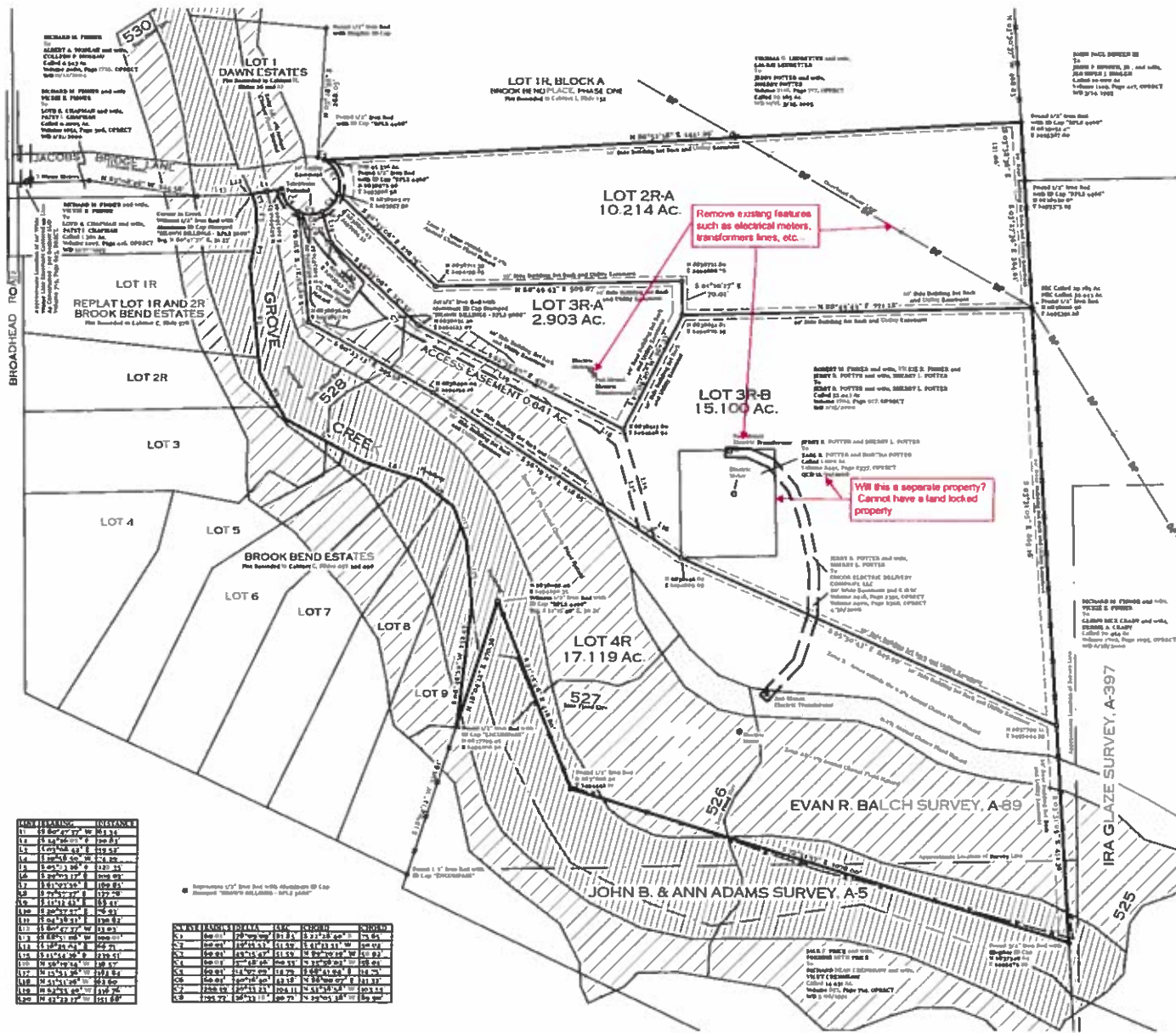
STAFF CONTACT INFORMATION

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

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

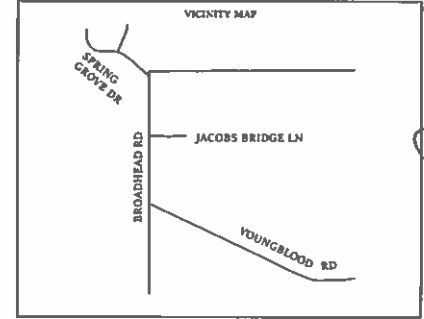
ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held February 13, 2018, the Commission voted 6-0 to recommend approval of plat no. RP-18-0002 subject to staff comments.



Bearings are related to Grid North for the Texas Coordinate System of 1983, North Central Zone. Mapping Angle at POB: +00°55'43". Distances are expressed in US Survey Feet as measured horizontally along the surface of the Earth. To convert reported horizontal/surface distances to distances measured along the Grid for the Texas Coordinate System of 1983, North Central Zone, multiply reported distances by the combined scale factor of 0.999913. Grid Coordinates are related to the Texas Coordinate System of 1983, North Central Zone, NAD83, 2011 Adjustment, Epoch 2010. Areas are scaled to horizontal/surface.

Flood Zones shown on this plat have been scaled from the Federal Emergency Management Agency Flood Insurance Rate Map No. 48199C0007, effective date June 3, 2013, and may not reflect actual flood zones determined from base flood elevations.



LINE	BEARING	DISTANCE
1	N 89° 27' 12" W	51.15
2	S 89° 27' 12" E	51.15
3	N 89° 27' 12" W	51.15
4	S 89° 27' 12" E	51.15
5	N 89° 27' 12" W	51.15
6	S 89° 27' 12" E	51.15
7	N 89° 27' 12" W	51.15
8	S 89° 27' 12" E	51.15
9	N 89° 27' 12" W	51.15
10	S 89° 27' 12" E	51.15
11	N 89° 27' 12" W	51.15
12	S 89° 27' 12" E	51.15
13	N 89° 27' 12" W	51.15
14	S 89° 27' 12" E	51.15
15	N 89° 27' 12" W	51.15
16	S 89° 27' 12" E	51.15
17	N 89° 27' 12" W	51.15
18	S 89° 27' 12" E	51.15
19	N 89° 27' 12" W	51.15
20	S 89° 27' 12" E	51.15

LINE	BEARING	DISTANCE	AREA
1	N 89° 27' 12" W	51.15	1.00
2	S 89° 27' 12" E	51.15	1.00
3	N 89° 27' 12" W	51.15	1.00
4	S 89° 27' 12" E	51.15	1.00
5	N 89° 27' 12" W	51.15	1.00
6	S 89° 27' 12" E	51.15	1.00
7	N 89° 27' 12" W	51.15	1.00
8	S 89° 27' 12" E	51.15	1.00
9	N 89° 27' 12" W	51.15	1.00
10	S 89° 27' 12" E	51.15	1.00
11	N 89° 27' 12" W	51.15	1.00
12	S 89° 27' 12" E	51.15	1.00
13	N 89° 27' 12" W	51.15	1.00
14	S 89° 27' 12" E	51.15	1.00
15	N 89° 27' 12" W	51.15	1.00
16	S 89° 27' 12" E	51.15	1.00
17	N 89° 27' 12" W	51.15	1.00
18	S 89° 27' 12" E	51.15	1.00
19	N 89° 27' 12" W	51.15	1.00
20	S 89° 27' 12" E	51.15	1.00

Know All Men by These Presents:

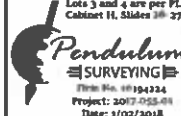
That I, Shawn Billings, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon, as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie.

Shawn Billings 2/10/2018



Shawn Billings, RPLS 5668 Date

OWNERS:
JERRY R. POTTER, SHERY POTTER
and DORTHIA POTTER
1070 Broadhead Road
Waxahachie, TX 76167
314 882 3008



Shawn Billings, RPLS 5668
15544 County Road No. 173 N
Killeen, Texas, 76563
817 985 1102
office@pendulumsurveying.com

Revision Number	Description	Date
1	First Submission	1/03/2018
2	Revised to 18"x24", changed scale to 1"=150' Added recording information of Water Line Easement	1/05/2018
3	Added Recorder's Block, Removed Improvements, Labeled Zone 1 and Zone A2, added Judge and Commissioner Names, changed to Dept of Dev Dir	2/09/2018

REPLAT
DAWN ESTATES
LOTS 2R, 3R, 4R
BEING A REPLAT OF LOTS 2R, 3 AND 4
45.336 ACRES OF LAND - 4 LOTS
EVAN R. BALCH SURVEY, A-89
JOHN B. & ANN ADAMS SURVEY, A-5
WITHIN THE EXTRA-TERRITORIAL
JURISDICTION OF THE CITY OF
WAXAHACHIE, ELLIS COUNTY, TEXAS

Lot 2R is per REPLAT OF LOT 2, DAWN ESTATES, recorded in Cabinet 11, Slide 131, Plat Records, Ellis County, Texas.
Lots 3 and 4 are per REPLAT OF DAWN ESTATES, recorded in Cabinet 11, Slide 131, Plat Records, Ellis County, Texas.

WHEREAS, Jerry R. Potter and wife, Sherry Potter, and Dortha Potter are the Owners of a tract of land situated in the Evan R. Balch Survey, Abstract No. 89, and the John B. and Ann Adams Survey, A-5, Ellis County, Texas, and being out of a called 29.185 acre tract of land described in a Warranty Deed from Thomas G. Ledbetter and wife, Laurie Ledbetter, to Jerry Potter and wife, Sherry Potter, dated March 25, 2005, as recorded in Volume 3116, Page 717, Official Public Records, Ellis County, Texas, and out of a called 31.443 acre tract of land described in a Warranty Deed from Richard M. Fisher and wife, Vicki R. Fisher, and Jerry R. Potter and wife, Sherry L. Potter, to Jerry R. Potter and wife, Sherry L. Potter, dated February 15, 2005, as recorded in Volume 1702, Page 917, Official Public Records, Ellis County, Texas, and all of a called 1.000 acre tract of land (out of the called 31.443 acre tract described in a Quit Claim Deed (Corrected) from Jerry R. Potter and Sherry L. Potter, to Earl R. Potter and Dortha Potter, dated December 30, 2008, as recorded in Volume 2414, Page 2337, Official Public Records, Ellis County, Texas, and being more particularly described as follows:

Being 45.136 acres of land in Ellis County, Texas, being a part of the Evan R. Balch Survey, A-89, and part of the John B. and Ann Adams Survey, A-5, and being all of Lot 2R, Dawn Estates, according to a replat recorded in Cabinet I, Slide 131, Plat Records, Ellis County, Texas, and all of Lot 3 and Lot 4 of Dawn Estates, according to plat recorded in Cabinet H, Slide 36 and 27, Plat Records, Ellis County, Texas, and this 45.136 acre tract of land being described by notes and bounds as determined by a survey made by Shawn Billings, RPLS 5688, on December 28, 2016, as follows (distances are expressed in US Survey Feet as measured horizontally along the surface of the Earth, using a reciprocal combined factor of 1.000087):

BEGINNING at a 1/2 inch iron rod found with yellow plastic ID cap stamped "RPLS 4466" for this Northernmost Northwest corner in a rod 4" dia at the East Terminus of Jacobs Bridge Lane, a private road, as originally shown on plat of Dawn Estates, (Cah H, Slide 36-27), being the Northwest corner of Lot 2R, Dawn Estates and being in the South line of Lot 1R, Brook Bend Place, Phase One, according to replat recorded in Cabinet I, Slide 132, Plat Records, Ellis County, Texas, and this corner having State Plane Coordinates of N 683872.96 and E 2493919.58 (Texas Coordinate System of 1983, North Central Zone, NAD83, 2011 Adjustment, Epoch 2010, US Survey Feet);

THENCE N 84°53'38" E (bearings related to Grid North for the Texas Coordinate System of 1983, North Central Zone, mapping angle at POB corner: -00°55'43") with this North line, the North line of Lot 2R, Dawn Estates and South line of Lot 1R, Brook Bend Place, Phase One, a distance of 1461.29 feet to a 1/2 inch iron rod with yellow plastic ID cap stamped "RPLS 4466" found for this Northeast corner and Northeast corner of Lot 2R, Dawn Estates and Southeast corner of Lot 1R, Brook Bend Estates, Phase One, being in the West line of a called 0.0000 acre tract of land described in a deed to John P. Dineen, Jr., and wife, Jennifer J. Dineen, as recorded in Volume 1149, Page 417, Official Public Records, Ellis County, Texas, having State Plane Coordinates of N 6839051.47 and E 2495367.60;

THENCE S 03°38'36" E with this East line and West line of the Dineen tract, generally along a wire fence a distance of 121.06 feet to a 1/2 inch iron rod found with yellow plastic ID cap stamped "RPLS 4466" at an iron pipe fence corner for the Southwest corner of the Dineen tract and Northwest corner of a called 70.454 acre tract described in a deed to Glenn Rich Crady and wife, Debbie A. Crady, as recorded in Volume 1702, Page 1095, Official Public Records, Ellis County, Texas;

THENCE S 03°27'36" E continuing with this East line, with the West line of the Crady called 70.454 acre tract, generally along a wire fence, a distance of 264.41 feet to a 1/2 inch iron rod found for the Southeast corner of the above referenced called 29.185 acre tract, and Northeast corner of the above referenced called 31.443 acre tract of land, and being the Southeast corner of Lot 2R and the Northeast corner of Lot 3, Dawn Estates;

THENCE S 03°31'05" E continuing with this East line and West line of the Crady called 70.454 acre tract, with the East line of Lots 3 and 4, Dawn Estates, generally along a wire fence, a distance of 1320.53 feet to a 3/4 inch iron rod found with an old plastic ID cap (legible) for this Southeast corner, being the Northeast corner of a called 14.431 acre tract of land described in a deed to Richard Dean Crenshaw and wife, Vicki Crenshaw, as recorded in Volume 857, Page 714, Official Public Records, Ellis County, Texas and being the Southeast corner of Lot 4, Dawn Estates, having State Plane Coordinates of N 6837348.64 and E 2495472.28;

THENCE N 72°51'53" W with this South line and South line of Lot 4, Dawn Estates and North line of the Crenshaw called 14.431 acre tract, generally along a meandering wire fence, a distance of 1076.00 feet to a 1/2 inch iron rod found at an angle iron post for an outer angle corner of this tract and inner angle corner of the Crenshaw tract, having State Plane Coordinates of N 6837568.30 and E 2494442.21;

THENCE N 21°18'46" W continuing with this South line and North line of the Crenshaw tract, generally along a wire fence, at 388.53 feet passing a 1/2 inch iron rod found with yellow plastic ID cap stamped "RPLS 4466", and continuing an additional distance of 30.31 feet for a total distance of 418.84 feet to a 1/2 inch iron rod set with aluminum ID cap stamped "SHAWN BILLINGS - RPLS 5688" for the Northwest corner of the Crenshaw tract and being an inner corner of this tract, having State Plane Coordinates of N 6838058.46 and E 2494290.31;

THENCE S 18°04'12" W with the West line of the Crenshaw called 14.431 acre tract, crossing Grove Creek, a distance of 270.36 feet to a 1/2 inch iron rod found with plastic ID cap stamped "ENCOMPASS" for an outer corner of this tract, being the Northeast corner of Lot 9, Brook Bend Estates, according to plat recorded in Cabinet C, Slides 497 and 498, Plat Records, Ellis County, Texas;

THENCE N 06°46'29" E with the East line of Lot 9, Brook Bend Estates, a distance of 252.43 feet to a point in Grove Creek;

THENCE with the North or Northeast line of Lots 9, 8, 7, 6, 5, 4 and 3, Brook Bend Estates, and the East line of Lots 2R and 1R, Brook Bend Estates, according to replat recorded in Cabinet C, Slide 578, Plat Records, Ellis County, Texas, and the East line of a called 1.361 acre tract of land described in a deed to Lloyd R. Chapman and wife, Patsy J. Chapman, recorded in Volume 1207, Page 416, Official Public Records, Ellis County, Texas, with the center of Grove Creek, generally as follows:

N 04°38'51" W a distance of 130.82 feet,
N 30°57'53" W a distance of 78.93 feet,
N 51°15'48" W a distance of 88.41 feet,
N 71°37'39" W a distance of 127.78,
N 61°03'58" W a distance of 180.85,
N 29°03'17" W a distance of 109.03,
N 05°21'26" W a distance of 222.35,
N 07°38'50" E a distance of 74.29,
N 07°08'42" W a distance of 59.43,
N 24°26'02" W a distance of 20.83 to a point for this Westernmost Northwest corner, being the Northeast corner of the Chapman called 1.361 acre tract and being in the South line of Jacobs Bridge Lane;

THENCE N 80°47'37" E at 31.33 feet passing a 1/2 inch iron rod set with aluminum ID cap stamped "SHAWN BILLINGS - RPLS 5688" for reference, and continuing an additional distance of 32.00 feet, for a total distance of 63.33 feet to a 1/2 inch iron rod set with aluminum ID cap stamped "SHAWN BILLINGS - RPLS 5688" for the non-tangent beginning of a curve to the left;

THENCE with said curve to the left, having a radius of 60.01 feet, with a central angle of 234°29'25", with a chord bearing N 55°41'33" E, 106.69 feet, an arc length of 245.58 feet, returning to the point of beginning, containing 45.136 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Jerry R. Potter, Sherry Potter and Dortha Potter, acting herein by and through their duly authorized officers, do hereby adopt this plat designating the herein above described property as DAWN ESTATES, LOTS 2R-A, 2R-A, 2R-B AND 4R, BEING A REPLAT OF LOTS 2R, 3 AND 4. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waxahachie. In addition, UTILITY Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, maintaining, readjusting, 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 approval subject to all platting ordinances, rules, regulations and resolutions of the City of Waxahachie, Texas

Know All Men by These Presents:

That I, Shawn Billings, 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.



Shawn Billings, RPLS 5688 Date

SL 2016/2018

By: Jerry R. Potter Date

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Jerry R. Potter, 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 , 2018.

Notary Public in and for the State of Texas

By: Sherry Potter Date

My Commission Expires On:

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Sherry Potter, 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 , 2018.

Notary Public in and for the State of Texas

My Commission Expires On:

STATE OF TEXAS
COUNTY OF ELLIS:

Certificate of approval by the Commissioner's Court of Ellis County, Texas: Approved this date, the day of , 2018.

County Judge, Carol Bush

Commissioner Precinct 1, Randy Stinson

Commissioner Precinct 2, Lana Grayson

Commissioner Precinct 3, Paul Perry

Commissioner Precinct 4, Kyle Butler

This plat has been Preliminary/Plat 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 Director Date

PLAT APPROVAL

CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS

By: Building Development Director

Approved Date:

Use the standard
Approval Note from City

SHEET 2 OF 2		
Revision Number	Description	Date
0	First Submission	1/03/2018
1	Revised to 18"x24" - changed scale to 1"=150' Added recording information of Water Line Easement	1/05/2018
3	Added Recorder's Block, Removed Improvements, Labeled Zone X and Zone AE, added Judge and Commissioner Names, changed to Dept of Dev Dir	2/09/2018

REPLAT
DAWN ESTATES
LOTS 2R-A, 3R-A, 3R-B AND 4R
BEING A REPLAT OF LOTS 2R, 3 AND 4
45.336 ACRES OF LAND - 4 LOTS
EVAN R. BALCH SURVEY, A-89
JOHN B. & ANN ADAMS SURVEY, A-5
WITHIN THE EXTRA-TERRITORIAL
JURISDICTION OF THE CITY OF
WAXAHACHIE, ELLIS COUNTY, TEXAS
Lot 2R is per REPLAT OF LOT 2, DAWN ESTATES, recorded in Cabinet I, Slide 131, Plat Records, Ellis County, Texas.
Lots 3 and 4 are per PLAT OF DAWN ESTATES, recorded in Cabinet H, Slides 26-27, Plat Records, Ellis County, Texas.



Shawn Billings, RPLS 5688
15544 County Road No. 173 N
Kilgore, Texas, 75662
78111
903-985-0102
pendulumsurveying.com
office@pendulumsurveying.com

(17)

Planning & Zoning Department

Plat Staff Report

Case: RP-18-0003



MEETING DATE(S)

Planning & Zoning Commission: February 13, 2018

City Council: February 19, 2018

CAPTION

Consider request by Michael Davis, Bannister Engineering LLC, for a Replat of Lot 8, Oak Branch Ranch Estates, Section 1, to create Lots 8R1, and 8R2, and 8R3, Oak Branch Ranch Estates, Section 1, 5.582 acres in the Extra Territorial Jurisdiction (Property ID 200834) – Owner: LAMBERT KENNETH & DAWN (RP-18-0003)

CASE INFORMATION

Applicant: Michael Davis, Bannister Engineering LLC

Property Owner(s): Kenneth & Dawn Lambert

Site Acreage: 5.582 acres

Number of Lots: 3 lots

Number of Dwelling Units: 3 units

Park Land Dedication: N/A (ETJ)

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

SUBJECT PROPERTY

General Location: 601 N. Oak Branch Road

Parcel ID Number(s): 200834

Current Zoning: N/A (ETJ)

Existing Use: Single family residence

Platting History: Oak Branch Ranch Estates final plat was approved by the Commissioners' Court of Ellis County, Texas, on October 28, 1994.

(13)

Site Aerial:



STAFF CONCERNS

1. Applicant initially intended to replat lots 8 and 9 of Oak Branch Ranch Estates, and the case was noticed accordingly with Property Owner Notifications being sent out January 25, 2018, and a notice put in the Waxahachie Daily Light on January 26, 2018. On January 29, 2018, the applicant submitted a revised plat drawing that removes lot 9 from the proposed development altogether. Per state law, there is a thirty (30) day requirement to act upon a plat application, so that, City staff determined to continue the present case, acknowledging that the proposed land under consideration has changed, rather than to recommend that the Planning & Zoning Commission and City Council deny this application without prejudice to allow staff the chance to re-notice this case with just lot 8 included.

APPLICANT RESPONSE TO CONCERNS

1. Applicant has submitted revised drawings, amending the amount of land being considered.

RECOMMENDATION

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
 1. This plat is located in the ETJ. As such, the dedications need to reference both the City of Waxahachie and Ellis County. Applicant should partner with Ellis County to ensure the dedications read properly.

ATTACHED EXHIBITS

1. Plat drawings

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

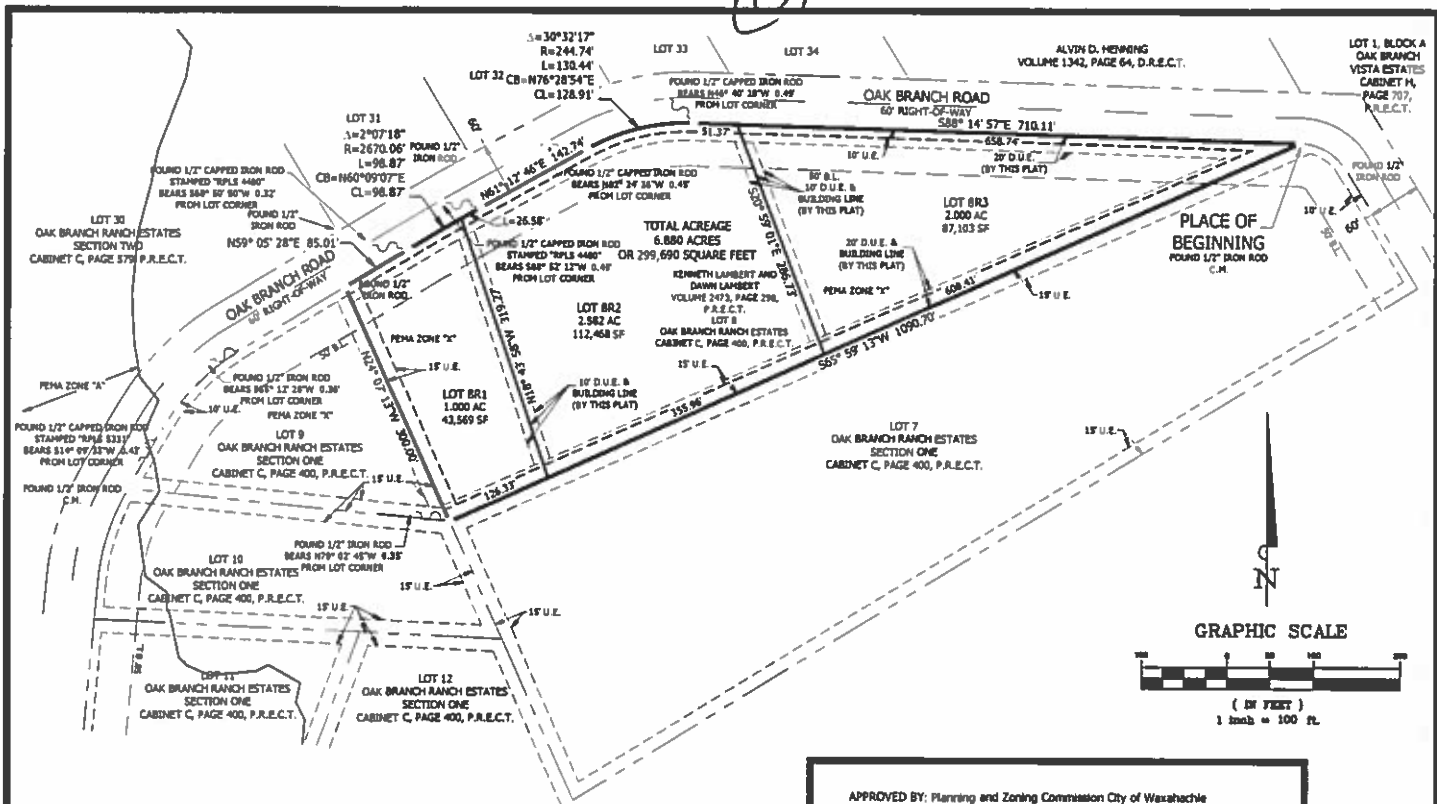
Prepared by:
Kelly Dent, MPA
Planner I
kdent@waxahachie.com

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

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held February 13, 2018, the Commission voted 6-0 to recommend approval of plat no. RP-18-0003 subject to staff comments.

(17)



GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

GENERAL NOTES:

1. All bearings shown herein are based upon the Texas State Plane Coordinate System, NAD83 (CORS), Texas North Central Zone (4202). All distances shown herein are surface distances.
 2. According to surveyor's interpretation of information shown on the National Flood Insurance Program (NFIP) "Flood Insurance Rate Map" (FIRM), Community Panel No. 48139C0325F, dated June 3, 2013. The property appears to be within Zone "X" (unshaded), defined as "Areas determined to be outside the 0.2% annual chance floodplain" zone as defined by the U.S. Department of Housing and Urban Development, Federal Insurance Administration, or the Federal Emergency Management Agency.
- The above referenced "FIRM" map is for use in administering the "NFIP"; it does not necessarily show all areas subject to flooding, particularly from local sources of small size, which could be flooded by severe, concentrated rainfall coupled with inadequate local drainage systems. There may be other streams, creeks, low areas, drainage systems or other surface or subsurface conditions existing on or near the subject property which are not studied or addressed as a part of the "NFIP".

APPROVED BY: Planning and Zoning Commission City of Waxahachie

By: _____ Date: _____
Chairperson

APPROVED BY: City Council
City of Waxahachie

By: _____ Date: _____
Mayor

Attest
By: _____ Date: _____

STATE OF TEXAS §
COUNTY OF ELLIS §
Certificate of Approval by the Commissioner's Court of Ellis County, Texas.
Approved this date, the ____ day of _____, 2018.

By: _____ Date: _____
Randy Stinson, Commissioner Precinct 1

By: _____ Date: _____
Lane Grayson, Commissioner Precinct 2

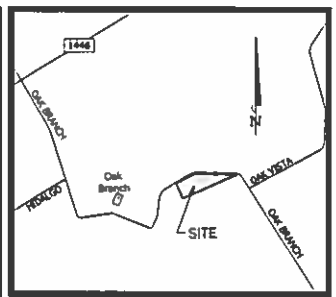
By: _____ Date: _____
Paul Perry, Commissioner Precinct 3

By: _____ Date: _____
Kyle Butler, Commissioner Precinct 4

This plat has approval 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.

Date: _____
Department of Development

- LEGEND
- N NORTH
 - S SOUTH
 - E EAST
 - W WEST
 - ° DEGREES
 - ' MINUTES
 - "/ SECOND
 - B.L. BUILDING LINE
 - U.E. UTILITY EASEMENT
 - D.U.E. DRAINAGE & UTILITY EASEMENT
 - SF SQUARE FEET
 - C.M. CONTROL MONUMENT
 - D.R.E.C.T. DEED RECORDS
 - ELLIS COUNTY, TEXAS
 - P.R.E.C.T. PLAT RECORDS
 - ELLIS COUNTY, TEXAS
 - IRS = 5/8" IRON ROD WITH CAP, STAMPED "RPLS 4836" SET



VICINITY MAP
SCALE: 1" = 2000'

BANNISTER
ENGINEERING
240 North Mitchell Road | Mansfield, TX 76063 | 817.842.2094 | 817.842.2095 fax
TBLRS REGISTRATION NO. 10193823 PROJECT NO.: 989-17-131

OWNER:
KENNETH & DAWN LAMBERT
601 N. OAK BRANCH ROAD
WAXAHACHIE, TEXAS 75167
PHONE: 281-904-4104

ENGINEER / SURVEYOR:
BANNISTER ENGINEERING, LLC
240 NORTH MITCHELL ROAD
MANSFIELD, TEXAS 76063
CONTACT: MICHAEL DAVIS, RPLS
PHONE: 817-842-2094
Mike@bannistereng.com

REPLAT OF LOT 8 TO CREATE LOTS 8R1, 8R2, & 8R3 OAK BRANCH RANCH ESTATES

SECTION ONE
5.582 acres out of the
William Ferrell Survey,
Abstract Number 349
City of Waxahachie,
Ellis County, Texas
3 Lots
Date Prepared: December 2017
Revision Date: January 2018
SHEET 1 OF 2

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF ELLIS §

WHEREAS, Kenneth Lambert and Dawn Lambert, are the owners of a 5.582 acre (243,151 square feet) tract of land in the William Ferrell Survey, Abstract Number 349, City of Waxahachie, Ellis County, Texas, said 5.582 acre (243,151 square feet) being all of Lot 8, Oak Branch Ranch Estates, Section One (hereinafter referred to as Lot 8), an addition in Ellis County, Texas, according to the Cabinet C, Slide 400, Plat records, Ellis County, Texas (P.R.E.C.T.), said 5.582 acre (243,151 square feet) of land being more particularly described, by metes and bounds, as follows:

BEGINNING at a one-half inch iron rod found for the Easterly corner of said Lot 8, same being the Northeast corner of that certain tract of land described as Lot 7 (hereinafter referred to as Lot 7), said Oak Branch Ranch Estates, Section One, same being in the existing Southerly right-of-way line of Oak Branch Road (60' right-of-way), said Oak Branch Ranch Estates, Section One;

THENCE South 65 degrees 59 minutes 13 seconds West with the common line between said Lot 8 and said Lot 7, a distance of 1090.70 feet to a point for the Southwest corner of said Lot 8, same being the Northwest corner of said Lot 7, same being the Northeast corner of that certain tract of land described as Lot 10, said Oak Branch Ranch Estates, Section One, same also being the Southeast corner of that certain tract of land described as Lot 9 (hereinafter referred to as Lot 9), said Oak Branch Ranch Estates, Section One, from which a one-half inch iron rod found bears North 79 degrees 02 minutes 45 seconds West, at a distance of 0.35 feet;

THENCE North 24 degrees 07 minutes 13 seconds West with the common line between said Lot 8 and said Lot 9, a distance of 300.00 feet to a one-half inch iron rod found for Northwest corner of said Lot 8, same being the the Northerly corner of said Lot 9, same being in the existing Southerly right-of-way line of said Oak Branch Road;

THENCE North 59 degrees 05 minutes 28 seconds East with the common line between said Lot 8 and said the existing Southerly right-of-way line of said Oak Branch Road, a distance of 85.01 feet to the beginning of a curve to the right, whose long chord bears North 60 degrees 09 minutes 07 seconds East, a distance of 98.87 feet, from which a one-half inch iron rod with cap stamped "RPLS 4480" found bears South 68 degrees 50 minutes 50 Seconds West, at a distance of 0.32 feet;

THENCE Northeasterly, continue with the common line between said Lot 8 and the existing Southerly right-of-way line of said Oak Branch Road, and with said curve to the right, having a radius of 2670.06 feet, through a central angle of 02 degrees 07 minutes 18 seconds, for an arc distance of 98.87 feet to the end of said curve to the right, from which a one-half inch iron rod with cap stamped "RPLS 4480" found bears South 88 degrees 52 minutes 12 seconds West, at a distance of 0.45 feet;

THENCE North 61 degrees 12 minutes 46 seconds East, continue with the common line between said Lot 8 and the existing Southerly right-of-way line of said Oak Branch Road, a distance of 142.74 feet to the beginning of a curve to the right, whose long chord bears North 76 degrees 28 minutes 54 seconds East, a distance of 128.91 feet, from which a one-half inch iron rod with cap found bears North 82 degrees 24 minutes 36 seconds West, at a distance of 0.45 feet;

THENCE Northeasterly, continue with the common line between said Lot 8 and the existing Southerly right-of-way line of said Oak Branch Road, and with said curve to the right, having a radius of 244.74 feet, through a central angle of 30 degrees 32 minutes 17 seconds, for an arc distance of 130.44 feet to the end of said curve to the right, from which a one-half inch iron rod with cap found bears North 46 degrees 40 minutes 38 seconds West, at a distance of 0.49 feet;

THENCE South 88 degrees 14 minutes 57 seconds East continue with the common line between said Lot 8 and the existing Southerly right-of-way line of said Oak Branch Road, a distance of 710.11 feet to the PLACE OF BEGINNING, and containing a calculated area of 5.582 acre (243,151 square feet) of land.

STATE OF TEXAS §
COUNTY OF ELLIS §

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

That Kenneth Lambert and Dawn Lambert acting herein by and through its duly authorized officers does hereby adopt this plat designating the herein above described property as Oak Branch Ranch Estates, Section One, an addition to the City of Waxahachie, Texas and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. Those Easements and public use areas, as shown, are dedicated to 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. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of Ingress and Egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Waxahachie, Texas.

WITNESS, my hand, this the ____ day of _____, 2018.

By: _____

Kenneth Lambert

By: _____

Dawn Lambert

STATE OF TEXAS §
COUNTY OF ELLIS §

BEFORE ME, the undersigned authority, on this day personally appeared Kenneth Lambert, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said Partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ____ day of _____, 2018.

[SEAL]

Notary Public, The State of Texas

STATE OF TEXAS §
COUNTY OF ELLIS §

BEFORE ME, the undersigned authority, on this day personally appeared Dawn Lambert, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said Partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ____ day of _____, 2018.

[SEAL]

Notary Public, The State of Texas

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS

That I, Michael Dan Davis, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I prepared 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 and Ellis County Rules and Regulations.

PRELIMINARY,
THIS DOCUMENT SHALL NOT BE
RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED
OR RELIED UPON AS A FINAL SURVEY DOCUMENT

Michael Dan Davis DATE:
Registered Professional Land Surveyor No. 4838
BANNISTER ENGINEERING, LLC
T.B.P.L.S. REGISTRATION NO. 10193823

STATE OF TEXAS §
COUNTY OF ELLIS §

BEFORE ME, the undersigned authority, on this day personally appeared Michael Dan Davis, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said Partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ____ day of _____, 2018.

[SEAL]

Notary Public, The State of Texas



BANNISTER
ENGINEERING
240 North Mitchell Road | Mansfield, TX 76063 | 817.842.2094 | 817.842.2095 fax
TBPLS REGISTRATION NO. 10193823 PROJECT NO.: 888-17-131

OWNER:
KENNETH & DAWN LAMBERT
601 N. OAK BRANCH ROAD
WAXAHACHIE, TEXAS 75167
PHONE: 281-904-4104

ENGINEER / SURVEYOR:
BANNISTER ENGINEERING, LLC
240 NORTH MITCHELL ROAD
MANSFIELD, TEXAS 76063
CONTACT: MICHAEL DAVIS, RPLS
PHONE: 817-842-2094
Mike@bannistereng.com

REPLAT OF LOT 8 TO CREATE LOTS 8R1, 8R2, & 8R3 OAK BRANCH RANCH ESTATES

SECTION ONE
5.582 acres out of the
William Ferrell Survey,
Abstract Number 349
City of Waxahachie,
Ellis County, Texas
3 Lots
Date Prepared: December 2017
Revision Date: January 2018
SHEET 2 OF 2

(15)

Planning & Zoning Department Zoning Staff Report

Case: PD-18-0012



MEETING DATE(S)

Planning & Zoning Commission: February 13, 2018

City Council: February 19, 2018

CAPTION

Public Hearing on a request by Ronald Forman, Settler's Glen, Ltd, for an Amendment to Ordinance No. 2153 for the Settler's Glen Planned Development District to increase the Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures. (PD-18-0012).

CASE INFORMATION

Applicant: Ronald Forman, Settler's Glen, Ltd

Property Owner(s): Various

Site Acreage: 156.24 acres

Current Zoning: Planned Development-Single Family-3

Requested Zoning: Planned Development-Single Family-3

SUBJECT PROPERTY

General Location: Bounded by Ovilla , Marshall and Patrick Roads, and North of the Walgreens Distribution Center.

Parcel ID Number(s): From Ellis CAD

Existing Use: Single family residential neighborhood

Development History: Ordinance No. 2153 was approved by City Council on December 16, 2002. Settler's Glen has been platted in phases. Phase I was approved by City Council on June 7, 2004; Phase II on October 15, 2007; Phase III on November 2, 2015; Phase IV on March 20, 2017, and Phase V on November 20, 2017. Phase VI has not been Final Platted at this point.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-1	Currently undeveloped
East	C	Currently undeveloped
South	LI-1	Walgreen's Distribution Center
West	SF-1	Single Family Residence

Future Land Use Plan:

Low Density Residential

Comprehensive Plan:

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

Thoroughfare Plan:

The site can be accessed via Ovilla Rd, a Major Thoroughfare B (110' ROW) or Patrick Rd, a Secondary Thoroughfare D (80' ROW).

Site Image:**PLANNING ANALYSIS**

The applicant seeks to amend Ordinance No. 2153 to allow for a larger maximum lot coverage.

PD DEVELOPMENT STANDARDS

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

Requirement	Base Zoning	Proposed
Maximum lot coverage	35%	50%

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, a notice was published in the Waxahachie Daily Light on 01/26/2018.

STAFF CONCERNS

1. None.

APPLICANT RESPONSE TO CONCERNS

1. No comments to respond to.

115)

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. Ordinance No. 2153
2. Location exhibit

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
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Planner I
kdent@waxahachie.com

Reviewed by:
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Director of Planning
sbrooks@waxahachie.com

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held February 13, 2018, the Commission voted 6-0 to recommend approval of zoning change PD-18-0001 subject to staff comments.

AN ORDINANCE CHANGING THE ZONING ON ACREAGE BOUNDED BY OVILLA ROAD, MARSHALL ROAD AND PATRICK ROAD AND NORTH OF WALGREEN DISTRIBUTION CENTER, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AS SHOWN ON EXHIBIT "A", 21.08 ACRES FROM SINGLE FAMILY-1 (SF-1), 110.68 ACRES FROM SINGLE FAMILY-1 (SF-1) WITH 11.58 ACRES REMAINING AS SINGLE FAMILY-1 TO 21.08 ACRES TO SINGLE FAMILY-2 (SF-2) AND 110.68 ACRES TO PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF-3), 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, proper application for the change of zoning has been made in accordance with the zoning ordinances in the City of Waxahachie, and same having been referred to the Planning and Zoning Commission, and said Planning and Zoning Commission has recommended the rezoning thereto from Single Family-1 (SF-1) (21.08 ac.) to Single Family-2 and from Single Family-1 (SF-1) (110.68 ac.) to Planned Development-Single Family-3 (PD-SF-3) with 11.58 acres remaining as Single Family-1 (SF-1); 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 rezoning from Single Family-1 (SF-1) (21.08 ac.) to Single Family-2 and from Single Family-1 (SF-1) (110.68 ac.) to Planned Development-Single Family-3 (PD-SF-3) with 11.58 acres remaining as Single Family-1 (SF-1);

NOW, THEREFORE, the following described properties be, and the same hereby are, rezoned as follows:

The 21.08 acre tract is rezoned to SF-2. The 110.68 acre tract is rezoned to PD-SF-3. The 11.58 acres will remain as SF-1. The 110.68 acre tract in PD-SF-3 is subject to the provisions in Exhibit "B". The tracts are as described in Exhibit "A".

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 16th day of December, 2002.



Joe Jenkins
MAYOR

Nancy Ross
City Secretary

(15)

Planned Development District - Single Family-3

The property shown in Exhibit A is rezoned to be Planned Development Single Family-3, permitting Single-Family detached dwellings. All streets, utilities, drainage facilities, access drives, and open space area shall be provided in accordance with the approved site plan, and all dedications and improvements shall meet the development requirements of the City of Waxahachie, in accordance with Single-Family-3 zoning district.

Any homes constructed in the districts are required to comply with the following conditions and restrictions:

1. Minimum of 2 full baths with full bath being defined as one lavatory, once commode, one bathtub and/or shower;
2. Minimum of 3 bedrooms;
3. Minimum of 2-car garage;
4. Garages to be completely finished which includes sheetrock;
5. No carports;
6. 75% masonry. Masonry area includes all exterior vertical walls from foundation to soffit, excluding window & door areas;
7. All foundations shall be of engineered design;
8. All mailboxes will be U.S. Postal Service Cluster Boxes;
9. Minimum front yard will be 25 feet;
10. Minimum side yard will be 6 feet;
11. Minimum rear yard will be 10 feet;
12. Minimum lot width will be 52 feet (at building line);
13. Minimum lot area will be 5,600 SF;
14. All front yards will be sodded;
15. Each front yard will be sodded upon completion of construction;
16. Each front yard will be landscaped with shrubbery, and;
17. Two trees will be planted in every front yard.

All lots shall have a minimum living area of 1,350 square feet;

(15)

Legal Description of Proposed SF-1 zoning.

Commencing at a 60d nail found at the intersection of the centerline of an Marshall road with the East Right-of-Way line of State Farm Road No. 664, said point being in the North Boundary Line of the William Paine Survey, and being located South 89°47'51" East a distance of 40.01 feet from the northwest corner of said William Paine Survey;

Thence, South 89°47'51" East, a distance of 1,530.00 feet along the north Boundary Line of said William Paine Survey and the centerline of said Marshall road, to the POINT OF BEGINNING;

Thence, South 89°47'51" East, along the north Boundary Line of said William Paine Survey and the centerline of said Marshall road, a distance of 1056.37 feet to a 60d nail found in a place where the center of said Marshall road intersects Patrick road, running in a general southerly direction;

Thence, South 00°01'25" East, a distance of 832.93 feet along the centerline of said Patrick road to a point;

Thence, South 89°58'47" West, a distance of 190.00 feet to a point;

Thence, North 00°01'25" West, a distance of 110.00 feet to a point;

Thence, South 89°58'47" West, a distance of 263.85 feet to a point;

Thence, North 77°37'33" West, a distance of 38.64 feet to a point;

Thence, North 65°13'52" West, a distance of 304.37 feet to a point;

Thence, North 89°47'51" West, a distance of 290.15 feet to a point;

Thence, North 00°08'24" East, a distance of 590.00 feet to a point on the north Boundary Line of said William Paine Survey and the centerline of said Marshall road, to the POINT OF BEGINNING, and containing 16.7079 acres, more or less.

(15)

Legal Description of Proposed SF-2 zoning,

Beginning at a 60d nail found at the intersection of the centerline of an Marshall road with the East Right-of-Way line of State Farm Road No. 664, said point being in the North Boundary Line of the William Paine Survey, and being located South $89^{\circ}47'51''$ East a distance of 40.01 feet from the northwest corner of said William Paine Survey for the POINT OF BEGINNING;

Thence, South $89^{\circ}47'51''$ East, a distance of 450.00 feet to a point on the north Boundary Line of said William Paine Survey and along the centerline of said Marshall Road to a point;

Thence South $00^{\circ}08'24''$ West, a distance of 1367.75 feet to a point, said point also being the beginning of a non-tangent curve to the right having a radius of 250.00 feet, a central angle of $28^{\circ}50'22''$, and a Long Chord that bears South $58^{\circ}30'07''$ East, a distance of 124.51 feet;

Thence, continuing along said non-tangent curve to the right, to an arc distance of 125.84 feet to a point;

Thence, South $45^{\circ}31'39''$ East, a distance of 118.94 feet to a point;

Thence, South $47^{\circ}01'22''$ West, a distance of 152.73 feet to a point;

Thence, South $42^{\circ}24'28''$ East, a distance of 112.99 feet to a point;

Thence, South $45^{\circ}55'04''$ West, a distance of 468.00 feet to a point;

Thence, South $44^{\circ}04'56''$ East, a distance of 111.26 feet to a point, said point also being the beginning of a non-tangent curve to the left having a radius of 250.00 feet, a central angle of $40^{\circ}01'00''$, and a Long Chord that bears South $20^{\circ}08'54''$ West, a distance of 171.08 feet;

Thence, continuing along said non-tangent curve to the right, to an arc distance of 174.61 feet to a point;

Thence, South $00^{\circ}08'24''$ West, a distance of 241.80 feet to a point;

Thence, South $89^{\circ}51'36''$ East, a distance of 20.00 feet to a point;

Thence, South $00^{\circ}08'24''$ West, a distance of 120.30 feet to a point;

Thence, North $89^{\circ}54'06''$ West, a distance of 310.00 feet to a point, said point being on the East Right-of-Way line of State Farm Road No. 664;

Thence, North $00^{\circ}08'24''$ East, a distance of 2632.99 feet, along said East Right-of-Way line of State Farm Road No. 664, to the POINT OF BEGINNING, and containing 25.9864 acres of land, more or less.

(15)

Legal Description of Proposed PD-SF-3 zoning.

Commencing at a 60d nail found at the intersection of the centerline of an Marshall road with the East Right-of-Way line of State Farm Road No. 664, said point being in the North Boundary Line of the William Paine Survey, and being located South 89°47'51" East a distance of 40.01 feet from the northwest corner of said William Paine Survey;

Thence, South 89°47'51" East, a distance of 450.00 feet along the north Boundary Line of said William Paine Survey and the centerline of said Marshall road, to the POINT OF BEGINNING;

Thence, South 89°47'51" East, a distance of 1080.00 feet to a point;

Thence, South 00°08'24" West, a distance of 590.00 feet to a point;

Thence, South 89°47'51" East, a distance of 290.15 feet to a point;

Thence, South 65°13'52" East, a distance of 304.37 feet to a point;

Thence, South 77°37'33" East, a distance of 38.64 feet to a point;

Thence, North 89°58'47" East, a distance of 263.85 feet to a point;

Thence, South 00°01'25" East, a distance of 110.00 feet to a point;

Thence, North 89°58'47" East, a distance of 190.00 feet to a point;

Thence, South 00°01'25" East, a distance of 1790.00 feet to a point;

Thence, South 89°57'49" West, a distance of 2283.97 feet to a point;

Thence, North 00°08'24" East, a distance of 120.30 feet to a point;

Thence, North 89°51'36" West, a distance of 20.00 feet to a point;

Thence, North 00°08'24" East, a distance of 241.80 feet to a point, said point also being the beginning of a tangent curve to the right having a radius of 250.00 feet, a central angle of 40°01'00", and a Long Chord that bears North 20°08'54" East, a distance of 171.08 feet;

Thence, continuing along said tangent curve to the right, to an arc distance of 174.61 feet to a point;

Thence, North 44°04'56" West, a distance of 111.26 feet to a point;

Thence, North 45°55'04" East, a distance of 468.00 feet to a point;

Thence, North 44°04'56" West, a distance of 113.37 feet to a point;

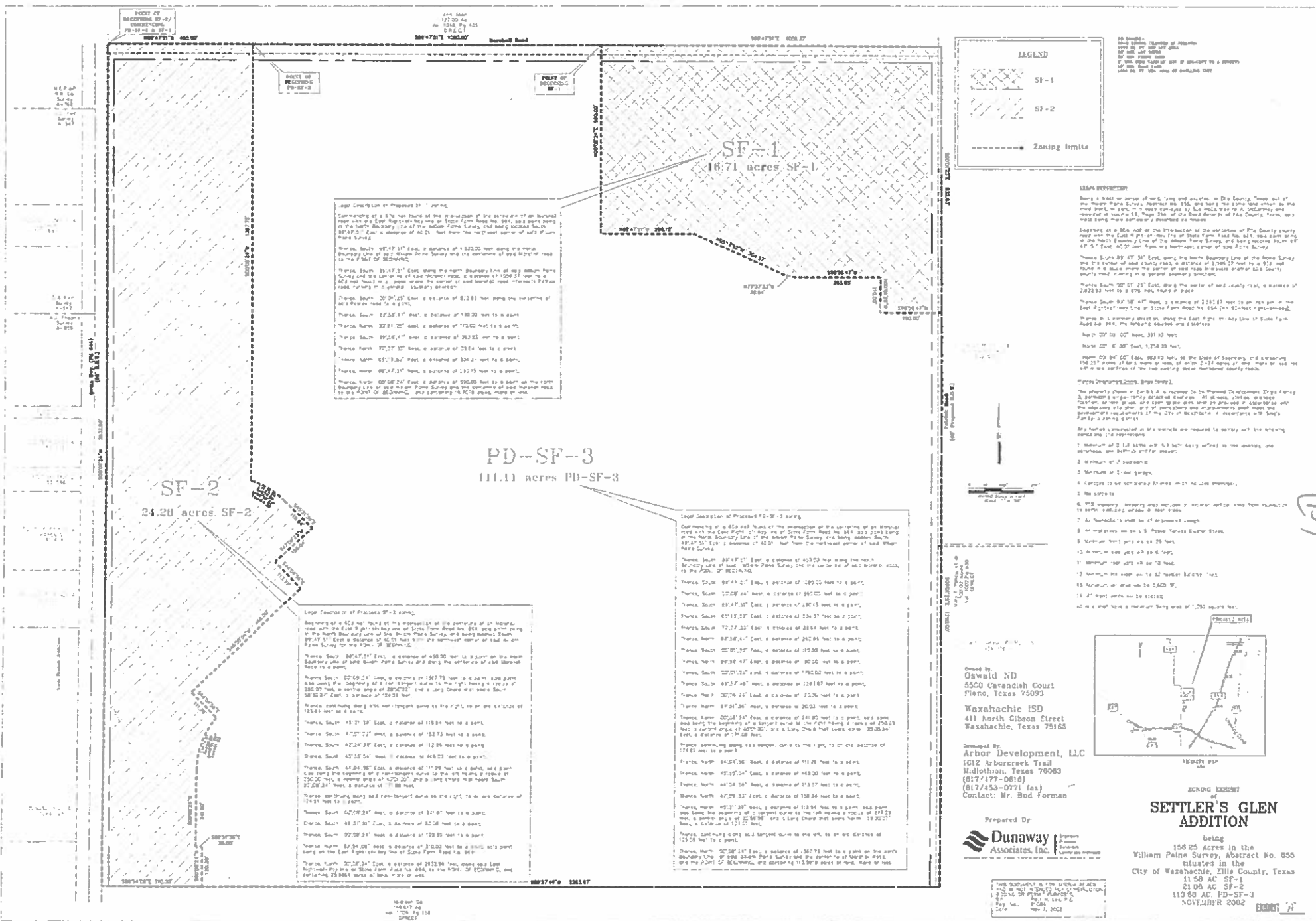
Thence, North 47°09'23" East, a distance of 156.04 feet to a point;

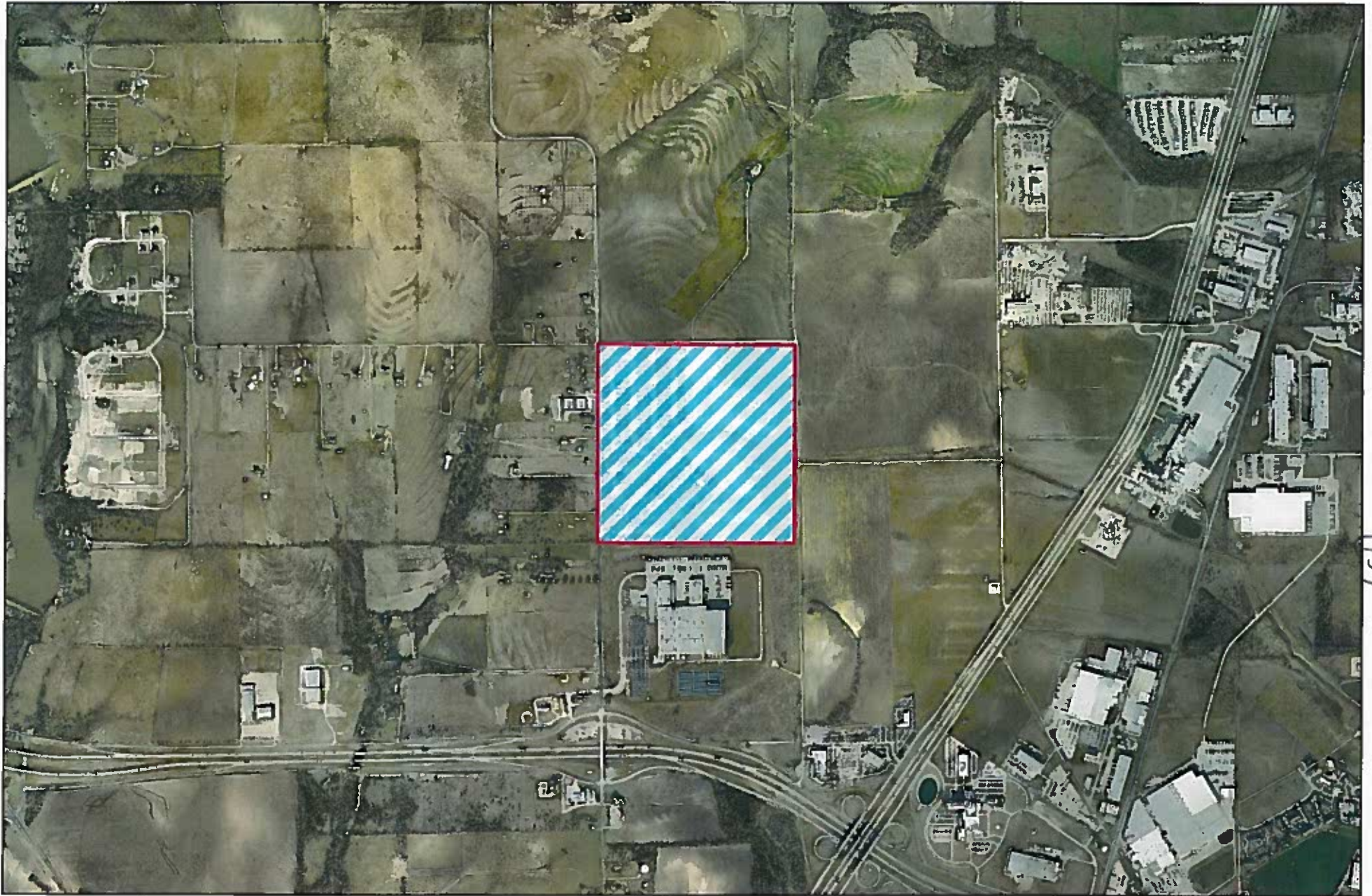
Thence, North 45°31'39" West, a distance of 118.94 feet to a point, said point also being the beginning of a tangent curve to the left having a radius of 277.29 feet, a central angle of 25°56'56", and a Long Chord that bears North 58°30'07" West, a distance of 124.51 feet;

(15)

Thence, continuing along said tangent curve to the left, to an arc distance of 125.58 feet to a point;

Thence, North $00^{\circ}08'24''$ East, a distance of 1367.75 feet to a point on the north Boundary Line of said William Faine Survey and the centerline of Marshall Road, and the POINT OF BEGINNING, and containing 113.5919 acres of land, more or less.





Settler's Glen Development Location Exhibit



PD-18-0012

0 1,000 2,000 4,000 Feet



(116)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF-3) TO PLANNED DEVELOPMENT-SINGLE FAMILY-3 (PD-SF-3), LOCATED IN THE SETTLER'S GLEN SUBDIVISION IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 156.24 ACRES KNOWN AS THE SETTLER'S GLEN 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, a proper application for a PD has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number PD-18-0012. 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-SF-3 to PD-SF-3; 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-SF-3 to PD-SF-3 in order to amend Ordinance No. 2153 to increase the maximum lot coverage from thirty-five (35) percent to fifty (50) percent in the Settler's Glen subdivision, 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.

MAYOR

(14)

ATTEST:

City Secretary



Settler's Glen Development Location Exhibit

EXHIBIT A

 PD-18-0012

0 1,000 2,000 4,000 Feet

N

(17)

Planning & Zoning Department Zoning Staff Report

Case: PD-18-0013



MEETING DATE(S)

Planning & Zoning Commission: February 13, 2018

City Council: February 19, 2018

CAPTION

Public Hearing on a request by Terry Weaver, JHDMC, LLC, for an Amendment to Ordinance No. 2733 for the North Grove Planned Development District to increase the Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures. (PD-18-0013)

CASE INFORMATION

Applicant: Terry Weaver, JHDMC, LLC

Property Owner(s): Various

Site Acreage: 733.23 acres

Current Zoning: Planned Development- Single Family-1, 2 and 3, Multi-Family-1, and General Retail

Requested Zoning: Planned Development- Single Family-1, 2 and 3, Multi-Family-1, and General Retail

SUBJECT PROPERTY

General Location: North Grove, east of N. US Highway 77.

Parcel ID Number(s): From Ellis CAD

Existing Use: Single family residential neighborhood

Development History: Ordinance No. 2733 was approved by City Council on March 3, 2014. Ordinance No. 2841 was approved by City Council on January 19, 2016. Ordinance No. 2870 was approved by City Council on June 20, 2016. Ordinance No. 2914 was approved by City Council on January 17, 2017.

The Final Plat for The Cove, Phase 1A, was approved by City Council on March 7, 2016. A Replat for a portion of The Cove, Phase 1A, was approved by City Council on March 21, 2016. The Preliminary Plat for North Grove Phase 3-7 & 12 was approved per Staff Comments, by City Council on November 21, 2016. The Final Plat for The Cove, Phase 1B, was approved by City Council

on April 3, 2017. The Final Plat for North Grove Boulevard was approved by City Council on August 7, 2017. The Final Plat for The Cove, Phase 2, was approved per Staff Comments, by City Council on December 4, 2017. The Final Plat for the Estates of North Grove, Phase 1, was approved per Staff Comments, by City Council on December 4, 2017.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-1	Brookbend Grove Neighborhood
East	SF-2	Country Place Phase II Neighborhood
South	SF-2	Mustang Creek Neighborhood
West	PD-SF-2	The Arbors Neighborhood

Future Land Use Plan:

Low Density Residential

Comprehensive Plan:

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

Thoroughfare Plan:

The site is located east of N. US Highway 77, a Major Thoroughfare A (120' ROW), and has North Grove Blvd, a 110' ROW (Major Thoroughfare B) going through it. Additional major streets include Grove Creek Road, a Secondary Thoroughfare D (80' ROW) that goes along the northeastern border until it becomes a Major Thoroughfare B (110' ROW) along the northern border, and Vista View Way, a Secondary Thoroughfare D (80' ROW) that travels north to south through the development

Site Image:



PLANNING ANALYSIS

The applicant seeks to amend Ordinance Nos. 2733, 2841, 2870 and 2914 to allow for a larger maximum lot coverage.

PD DEVELOPMENT STANDARDS

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

Requirement	Base Zoning	Proposed
Maximum lot coverage	35%	50%

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, a notice was published in the Waxahachie Daily Light on 01/26/2018.

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. Ordinance No. 2733
2. Ordinance No. 2841
3. Ordinance No. 2870
4. Ordinance No. 2914
5. Location exhibit

APPLICANT REQUIREMENTS

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

(17)

STAFF CONTACT INFORMATION

Prepared by:

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Planner I

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Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held February 13, 2018, the Commission voted 6-0 to recommend approval of zoning change PD-18-0013 subject to staff comments.

(17)

ORDINANCE NO. 2733

AN ORDINANCE CHANGING THE ZONING ON APPROXIMATELY 749 ACRES OF LAND IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, DESCRIBED IN EXHIBIT "B", FROM SINGLE FAMILY-1 (SF-1) TO A FREE STANDING PLANNED DEVELOPMENT-MIXED USE COMMUNITY, INCLUDING SINGLE FAMILY 1, 2 AND 3, MULTIPLE FAMILY-1, AND GENERAL RETAIL USES AS DESCRIBED IN EXHIBIT "A", AS A "FREE STANDING" PD DISTRICT, 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, proper notification for the change of zoning has been made in accordance with the zoning ordinances in the City of Waxahachie, and same having been referred to the Planning and Zoning Commission, and said Planning and Zoning Commission has recommended the rezoning thereto from Single Family-1 (SF-1) to Planned Development-Mixed Use Community, including Single Family 1, 2, and 3, Multiple Family-1, and General Retail uses as described in the attached Exhibit "A" titled "North Grove Planned Development District Standards", attached hereto and made a part hereof, under the "Free-Standing" PD District provisions of Section 31 of the zoning ordinance; 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 rezoning from Single Family-1 (SF-1) to Planned Development-Mixed Use Community, including Single Family 1, 2, and 3, Multiple Family-1, and General Retail uses, as described in the attached Exhibit "A" titled "North Grove Planned Development District Standards", attached hereto and made a part hereof, all under the "Free-Standing" PD District provisions of Section 31 of the zoning ordinances;

NOW, THEREFORE, the following described properties be, and the same hereby are, rezoned as follows:

The property is described in Exhibit "B" in a tract totaling approximately 749 acres, and is rezoned to Planned Development-Mixed Use Community, including Single Family 1, 2, and 3, Multiple Family-1, and General Retail uses, as described in the attached Exhibit "A" titled "North Grove Planned Development District Standards", attached hereto and made a part hereof, all under the "Free-Standing" PD District provisions of Section 31 of the zoning ordinances.

The City of Waxahachie zoning ordinance will apply and control in any situation where the Planned Development provisions of this ordinance do not cover the subject matter clearly and fully.

The uses allowed and all other provisions are as set out in Exhibit "A", and the PD-SF1, PD-SF2, PD-SF-3, Multiple Family-1, and PD-GR uses allowed are controlled by the "Free Standing" North Grove Planned Development District standards which are attached hereto and made a part hereof.

This planned development district is passed under the "Free-Standing" PD provisions of Section 31 of the zoning ordinance.

The zoning districts are as provided in Exhibit "A" and allowable uses are as provided in Exhibit "A", attached hereto.

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

(17)
PASSED, APPROVED AND ADOPTED on this 3rd day of March, 2014.



ATTEST:


MAYOR


Assistant City Secretary

(17)
EXHIBIT "A"

North Grove

Planned Development District Standards



November 13, 2013
Revised February 25, 2014

(17)

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(17)

- N. Home Owner Association
- O. Entry Features and Medians
- P. Subdivision Name
- Q. Illuminated Walls
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Freestanding Planned Development District Standards

SECTION I. Purpose and Intent

North Grove is a mixed-use community purposefully designed to facilitate quality development and livability. North Grove has been designed with generous common open space that has been distributed throughout the community in the form of natural areas, parks, squares, greens, circles and schoolyards. Homes and businesses are encouraged to front on these open spaces that will result in a significantly more valuable tax base, while creating a more open environment.

North Grove will offer a variety of residential products that will provide a broad range of distinctive and varied home sites. Additionally, a combination of tree-lined streets and wide sidewalks will foster a pedestrian-friendly atmosphere in North Grove.

The North Grove Development Plan delineates the general framework of boundaries for several districts and indicates general land uses, but is intended to be flexible to adapt to changing market demand. The indicated land uses herein shall follow the maximum land use acreage defined in "SECTION IV. Allocation of Land Uses" on page 5. These regulations will apply to all of the land shown on the North Grove Development Plan unless indicated otherwise. Housing mix for any particular area shall be controlled by the regulations applicable to the pertinent districts delineated on the Development Plan. All development within this district shall follow the "Exhibit C – North Grove Development Plan" unless approved by the City.

SECTION II. Definitions

For the purposes of these regulations, the definitions and rules of construction found in Section 2200 of the City of Waxahachie's Zoning Ordinance, apply to development in North Grove. The terms defined below are specific to North Grove.

1. **Bufferyards:** means an open space area reserved for landscaping along major roads as required by the City, and preventing a lot from having double frontage.
2. **Civic:** means sites that are dedicated for buildings generally operated by not-for-profit organizations dedicated to culture, education, government, or municipal, or for a use approved by the City.
3. **Condominium:** means residential dwelling located in a multi-story building in the Mixed Use Districts that allows the individual ownership of each residence, based on a legal description of the air-space the residence actually occupies, plus an undivided interest in the ownership of the common elements, which are owned jointly with the other condominium owners.
4. **District:** means a geographic area located within the development and intended for the land use specified. A map of the proposed land uses within North Grove can be found on "Exhibit C – North Grove Development Plan" on page 27.
5. **Flag Lot:** means a generally square parcel of land that is accessible only by a long narrow strip leading from a public street.
6. **Live/Work Dwelling:** means an attached or detached dwelling unit on an individual lot that contains a commercial component on the ground floor, either office or retail, and residential use on the upper floors.

7. **Loft:** means a residential dwelling, located in a multi-story building in the Mixed Use areas of North Grove, not partitioned into rooms, except for the bathroom area.
8. **Office, Flex:** means an office that is constructed in a manner that allows for larger floor areas and may include bay doors.
9. **Porch:** means a structure attached to the front of a residential building which forms a covered entrance and has a minimum area of 60 square feet and a minimum of six (6) feet of depth.

SECTION III. Applicability and Rules of Development

1. For the purposes of these regulations, the definitions and rules of all sections not discussed within this Planned Development shall follow those found in the City of Waxahachie's Zoning Ordinance, Subdivision Ordinance, and Parkland Ordinance as of the adoption date of this ordinance are otherwise grand-fathered in from any future amendments thereof, apply to development in North Grove.
2. All development on land located within the boundaries of North Grove must adhere to the rules and regulations set forth in these Planned Development District Standards. The development will be in complete accordance with the provisions of the approved Planned Development District and all Development Plans recorded hereunder shall be binding upon the applicant thereof, his successors and assigns, and shall limit and control all building permits.
3. Except as provided by these Planned Development District Standards, development within these boundaries are governed by the applicable City regulations. In the event of any conflict or inconsistency between these Planned Development District Standards and the applicable City regulations, the terms and provisions of these Planned Development District Standards shall control.

SECTION IV. Allocation of Land Uses

The final land use allocation in North Grove must adhere to the following:

Land Use / Zoning Exhibit	Label	Max Area/AC	% of Total Area
Civic***	C	27.0	3.5%
Mixed Use***	MU	30.0	3.9%
Parks / Community Green**	P	104.9	13.7%
Single-Family Residential	R	567.2	74.2%

Total North Grove Acreage = +/- 764 ac. Development intent is for any increase in one land use to result in a commensurate decrease in another, within the maximum acreage limit noted above.

SECTION V. Zoning Districts

A. Civic District (C)

The Civic District is intended to provide a location for not-for-profit organizations dedicated to culture, education, government, educational, or municipal, or for a use approved by the City. Civic can be located in any zoning district within the Development Plan.

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B. Mixed Use District (MU)

The Mixed Use District will serve the North Grove and is also intended for destination retail opportunities. Mixed Use District will accommodate retail, commercial, service, office and residential uses. This district should have pedestrian access to adjacent residential areas.

C. Parks / Community Green District (P)

Area's designated on "Exhibit F – Open Space and Trails Plan" on page 34 as Parks, whether public or private, or Community Green shall be used for recreational use or preservation of open space and shall count toward the required Parkland dedication required herein.

D. Single-Family Residential District (R)

The Single-Family Residential District is intended for all single-family residential product types shown in Section VII and X.

SECTION VI. Permitted Uses

A. Land Uses

Only uses listed in the Permitted Use table below are permitted in the Civic and/or Mixed Use districts in North Grove. If there is a question as to whether a use not listed below is permitted, the City Council shall make a determination whether the use is permitted or prohibited. The letter "P" in the district column opposite the listed permitted use means that the use is permitted as a use of right in that district, subject to compliance with the requirements specified in the Special Conditions section following. The letter "L" in the district column opposite the permitted use means the use is a limited use in that district, subject to compliance with the requirements specified in the Special Conditions section following. As indicated in the Permitted Use Table, all Single-Family Residential Product Types depicted in "SECTION VII. Area and Height Regulations" on page 8 shall be allowed anywhere within the Single-Family Residential District (R).

B. Permitted Use Table

Permitted Uses	Districts	
	Civic (C)	Mixed Use (MU)
Accessory building, structure or use	L	L
Accessory dwelling unit		
Art Gallery	P	P
Artist Studio	P	P
Assisted Living Residence		P
Bakeries, retail sales on premises only		P
Banks and financial institutions without drive-through facilities		
Barber shops and beauty shops		P
Civic and public buildings	P	P

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Permitted Uses	Districts	
Commercial amusement (indoor)		P
Computer programming services and software sales		P
Condominium		P
Day care centers and day nurseries	P	P
Gas Station		
General retail uses		P
General Service Uses		P
Government uses	P	P
Health club or gym	P	P
Hotel		P
Industrial		
Laundry and dry cleaning pickup shops		P
Live/Work Product		P
Loft		P
Multi-Family Residential		L
Office Flex		
Offices, professional and business		P
Oil or gas drilling		
Parks	P	P
Private recreation facility	P	P
Professional Services		P
Religious institutions	P	P
Residential Estate Product		
Residential Manor Product		
Residential Township Product		
Residential Village Product		
Residential Cottage Product		
Restaurants with drive-through facilities		
Restaurants without drive-through facilities		P
Schools	P	
Theatre	P	P
Veterinarian without outside runs		

Special Conditions

1 - Residential uses are allowed to have accessory buildings provided they comply with the City of Waxahachie's Zoning Ordinance. Accessory buildings over five-hundred (500) square feet in the residential districts for Single-Family Residential products are required to use the same materials, architectural style or design of the principal structure.

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Special Conditions														
2 - For all non-residential districts described herein, accessory buildings must comply with the City of Waxahachie's Zoning Ordinance, and shall be designed to match the principal structure in construction materials, architectural styling and design in all other zoning districts described herein.														
3 - Drive-through facilities are limited to uses in the Mixed Use District only. Drive-through facilities must be designed to match the principal structure in architectural styling and design, and must be screened from adjacent properties and public rights-of-way. In the Mixed Use District, drive-through facilities must follow the regulations of the City of Waxahachie's Zoning Ordinance.														

SECTION VII. Area and Height Regulations

A. Single-Family Residential Product Table

Product Types**	Lot Classification (Density)	Maximum Percentage of Total Single-Family Dwelling Units	Minimum Lot Area	Minimum Lot Width	Alley Access	Minimum Attached Garage Door	Minimum Principal Building Front Setback	Porch Zone Setback (Optional)	Minimum Side Yard Setback	Minimum Street Side Yard Setback	Minimum Side Setbacks for Attached / Detached Garage (Alley Access)	Minimum Floor Areas	Maximum Structure Height	Minimum Percentage of Total Single-Family Dwelling Units	Porch Percentage Minimum
Estate	A (Low)	NA	9,600 sf	80'	N	28'	25'	15'	7'	20'	5'	2,400 sf	35'	10%	25%
Manor	A (Low)	NA	8,400 sf	70'	N	28'	25'	20'	5'	15'	5'	2,200 sf	35'	15%	25%
Township	B (Med)	40%	7,200 sf	60'	Y	23'	20'	10'	5'	15'	5'	2,000 sf	35'	20%	25%
Cottage	C (High)	20%	5,500 sf	50'	Y	NA	20'	10'	5'	15'	5'	1,800 sf	35'	10%	35%
Bungalow	C (High)	10%	4,500 sf	40'	Y	NA	20'	10'	5'	10'	5'	1,500 sf	35'	NA	50%

* Front access is prohibited on Multi-Family products.

** All development along Farm-to-Market 813 and Grove Creek Road shall set back at least 100' from the future right of way.

*** All homes with a three (3) foot garage setback can encroach into the rear yard setback by three (3) feet

**** Exception to Township Lot Type: For every one (1) Manor or Estate lot which is side-loaded rather than front-loaded, the developer may build one (1) front-loaded Township lot. This condition is applicable for up to forty (40) percent of the total Township lots for that particular development tract.

B. Other Area and Height Regulations

A. Mixed Use Development Regulations

1. Maximum Floor Area Ratio	5.0
2. Minimum Lot Area	2.5 ac.
3. Setbacks	
(a) Front and side	None: shall build to property line
(b) Rear	None: shall build to property line
4. Lot Coverage	Min: 55% Max: 90%
5. Building Height	Min: 1 floor Max: 4 floors

Live/Work, Lofts and Condominiums must have a minimum floor area of at least 600 square feet. Apartments must follow the floor area requirements for the **MF-2** District in the City of Waxahachie's Zoning Ordinance.

SECTION VIII. Relationship to Subdivision Standards

Unless specifically addressed in these regulations, the Subdivision Regulations for the City of Waxahachie will govern the subdivision of land and construction of public improvements in North Grove.

SECTION IX. General Design Standards

A. General Single-Family Residential Planning Standards

- a. Only similar single-family residential products can face each other, unless separated by a common green.
- b. No residential lot may back up to local streets or parks unless geographic or circulation conditions prevent compliance with this requirement. Residential lots can back or side on to required buffer yards adjacent to Type-C Roadways or larger. (See "SECTION X: Single-Family Development Design Standards" on page 10 for standards).
- c. Radial and irregular shaped residential lots shall have a minimum lot frontage of forty-five (45) feet at the street right-of-way for all lot types except bungalow. Bungalows shall have a minimum of thirty-five (35) feet at the street right-of-way.

B. General Mixed Use Planning Standards

The following standards apply to development located in the Mixed Use District.

- a. Residential uses are allowed on the ground floor in the Mixed Use Districts, up to seventy-five (75) percent of the total building footprint.
- b. By approval of these Development Standards, the City of Waxahachie recognizes that there will be encroachments onto the sidewalk in the Mixed Use Districts. The encroachments can include, but are not limited to, seating, stoops, signs, awnings, landscaping balconies, bay windows, or

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lights. Any encroachment into the sidewalk must be approved by the City to minimize any conflicts. Encroachments must be located so that at least six (6) feet of sidewalk remains unobstructed.

c. Awnings, canopies, upper story balconies, planters, trees and signs can encroach over the sidewalk provided a minimum nine (9) foot vertical clearance is provided.

C. Public Utilities

All public utilities in North Grove must comply with the City of Waxahachie's regulations, and any future amendments thereof. No structure shall encroach into any easement.

D. Transportation Network

A. Street Connectivity

1. For streets, block lengths shall not typically exceed 800 feet. With approval from the City Engineer, block breaks shall be determined by changes in direction, intersections, through block greenways, parks or open spaces.
2. Neighborhood access to open space must be accommodated in the design of the transportation network.
3. All sidewalks shall have a minimum width of five (5) feet, except in the Mixed Use Districts where sidewalks must have a width of at least ten (10) feet.

B. Intersections

1. Traffic Circles are allowed with approval of location and design by the City Engineer.
2. Design elements, which may be incorporated where feasible in the specific intersection design, include wide crosswalk striping, special paving treatments, and median "refuge islands," and sidewalk bulb-outs.
3. Asymmetric intersections may not exceed 15 degrees either direction of 90 degrees, and shall account for visibility triangles at all intersections with approval from the City Engineer.

E. Street Types

All public streets shall follow the standard street designs. Refer to "Exhibit E – Street Sections" on page 30.

SECTION X: Single-Family Development Design Standards

A. Density and Intensity

1. Preserve and incorporate natural amenities unique to the site such as topography, mature trees, water features, etc. into the project. The existing ponds, floodplain and easements will be incorporated into the development with the addition of amenities such as: hike and bike trails, playgrounds, open play fields and a mixture of homes that front, side or back to these areas.

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2. Lot sizes and housing types will be varied to blend and average out densities and avoid homogeneous neighborhoods. All five lot types within the P.D. requirements will be used throughout the development and will create a variety of housing types.
3. Because of the size of the North Grove many smaller neighborhoods will be part of the entire community, within the community all neighborhoods will share all the amenities, open space and parks.
4. New development will respect the scale, proportion, and character of the surrounding areas. Avoid the physical disassociation of new neighborhoods to existing by eliminating walls and other physical separations and barriers, where appropriate on Farm-to-Market 813 and Grove Creek Road.
5. Higher densities involving mixed use will be proposed within close proximity to the core area of the property at the intersection of Brown Street and the future Type C arterial and highway 77 and intersection with Type-C Roadways or larger.
6. Lower densities, should be located toward the edge. At the edge of the community the residential street layout will make provisions to join future residential communities by making residential road connections or easements to future residential development.
7. A clear edge establishes the presence of the neighborhood, its beginning and end. Examples of good edges may be streets, open space, or creeks.
8. Open space areas will be located within approximately 1,500 feet from every dwelling in the new development. Open Space will be defined as any usable area fifty (50) feet in width.
9. The North Grove will provide a minimum of two acres of usable open space for every 100 residential lots within the development. This required open space will be located in the center of the development areas with lots fronting on all sides.

B. Lot Types and Products

1. Single family detached units will range from Bungalow Homes on small lots to Estates on larger lots.
2. Lot widths will be established based on the proposed product within the P.D., as defined in "SECTION VII. Area and Height Regulations" on page 8.
3. A mix of housing products will be used to meet different needs of owners, families, and styles. All five lot types within the P.D. requirements will be used throughout the development and will create a variety of housing types. A minimum of two (2) lot types must be used in development areas less than thirty-five (35) acres. In developments larger than thirty-five (35) acres, three (3) lot types are required.

C. Setbacks

1. Variation of building placement and lot development patterns are essential to achieve visual diversity and avoid monotony.
2. Placement of homes and garages at variable setbacks establishes different patterns of visible open spaces and creates a visually interesting streetscape.
3. Porches (non-auto related) will be allowed to be extended up to ten (10) additional feet into the front setbacks.

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D. Model Characteristics

1. Each housing model will have at least three (3) characteristics which clearly and obviously distinguish it from other housing models, including different floor plans, exterior materials, and/or roof lines.
2. No building profile will be allowed on a house built on a lot that is within four (4) lots of a structure constructed with similar building elements that is located on the same side of street in-between intersecting streets.
3. A variety of decorative garage doors will be used throughout the neighborhood. Refer to "SECTION X: Single-Family Development Design Standards"/"M. Architecture" on page 17.
4. Other quality products will be proposed to include dimensional shingles instead of three tab shingles where appropriate; other tile and metal roofs suited to the home architecture; decorative columns and railings; varied patterns, style and type of materials; and architectural details (such as tile work and moldings) or accent materials integrated into the building façade.
5. No residential building will be built with similar aforementioned building elements and color pallet as one located directly across the street.

E. Streets

1. Minimum fifty-four (54) foot right-of-way with twenty-eight (28) feet of pavement is the standard residential street used throughout the city.
2. Streets will be of a minimum width to accommodate the street, median, planting strips, sidewalks, utilities and maintenance considerations
3. Street widths will be appropriate for adjacent land uses and building types, subject to approval by the City Engineer.
4. No residential development will be developed without sidewalks, pedestrian ways, neighborhood connections, trails and paths. All sidewalks in residential areas will be five (5) feet in width, with the Mixed Use all sidewalks will be ten (10) feet. The street will complement the distinctive character of the neighborhood or district while providing connections to adjoining neighborhoods.
5. Slip Roads and Mews can be used when fronting homes onto Type C roads or greater to reduce the number of drives that ingress and egress on the street while creating more depth to the front yards and separating the homes from the busy street.
6. Divided two-lane roadways with: eighty (80) foot ROW, twenty (20) foot pavement in each direction, curb-side parking will be permitted in residential neighborhoods providing a landscaped median.

F. Street Pattern

Residential streets are encouraged to be interconnected and have a "traditional grid."

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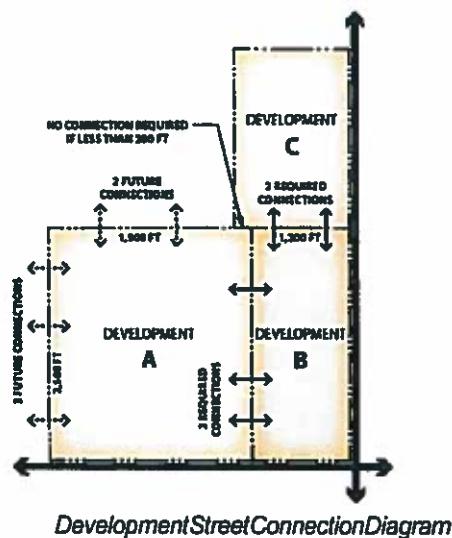


Seaside, FL



Kentlands, MD

1. Interconnected patterns are required to create walk-able neighborhoods. Development Pods must provide connections every six-hundred (600) feet based on a common property boundary.



2. Interconnected streets will be used to permit multiple routes to diffuse traffic and to shorten walking distances.

G. Block Length

Six hundred (600) to eight hundred (800) linear feet is an appropriate block length in most developments.

1. Exceptions may be needed due to topography, environmental protection preservation of cultural resources and similar considerations.
2. Cul de sacs are disallowed unless approved by the Planning Director due to geographic constraints.

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H. Street Lighting

1. Oncor/TXU shall install and maintain neighborhood lighting. The standard pole of galvanized steel with a cobra head will not be acceptable within arterial and residential street.
2. The Philadelphia light pole supplied by Oncor will required.

I. Relationship of Buildings to the Street

1. Buildings will be oriented toward a public or private street
2. Create visual interest and variety, while maintaining a sense of harmony and property along street frontages and other portions of the project exposed to public view.
3. Buildings within the Mixed Use development will be placed closer to the street. All lots and sites will have pedestrian connections and the core area should be fully accessible to pedestrians.
4. Parking lots and garages shall not face the street in the Mixed Use area. Off-street parking will be located to the side or behind buildings but not in front of buildings or in such a manner as to interfere with pedestrian access in the Mixed Use area.

J. Perimeter Lot and Screening Treatment along Type C and Wider Thoroughfares.

1. This development is intended to create a roadway system that does not create walled off corridors which divides communities. The relationship between Type C and larger roadways with residential development will provide the following options:

- i) Slip Streets - are allowed along Type C roads



Slip Street

Slip Street Example: Westchester of Carrier Pkwy in Grand Prairie, TX

- ii) Loop Roads - are allowed with a collection of siding mews lots (attached greens).

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Loop Road

Attached Green

Loop Roads Example

iii) Open Cul-de-sacs



Cul-de-sac Example: McKinney, TX

2. Wall sections greater than fifty (50) feet in length will incorporate at least two of the following design features which are proportionate to the wall length:
 - i) A minimum 2 foot change in plane for at least 10 feet.
 - ii) Use of columns at 100 foot intervals.
 - iii) A minimum 4 foot high opaque fence with 2 – 4 foot of see through materials, not chain link.
3. Gates will be provided in walls or fences to allow emergency access and to facilitate convenient pedestrian access to activity areas and adjacent uses.
4. A wall(s) may be eliminated or sited to provide additional setback areas at project entries to accommodate distinctive landscaping, ornamental gateways, signage, and street furniture.
5. Walls will be curved or angled at corner locations to accommodate appropriate visibility and add variety.
6. Masonry fencing and walls will have a design life of 30 years. Additional information may be found

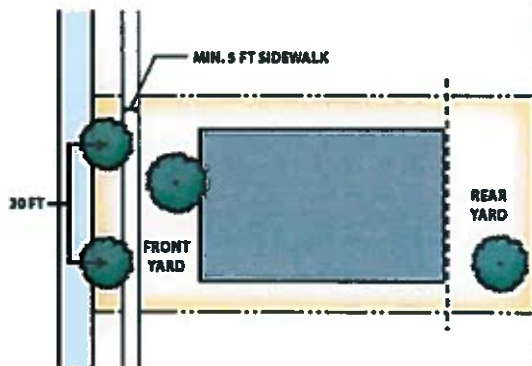
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in the Construction, Zoning and Subdivision Ordinances.

K. Perimeter Walkways, Landscape and Common Area

1. Minimum 5' sidewalks along both sides of the street are required in all residential neighborhoods. Provide 8' on thoroughfares (Type C and larger).
2. The value of trees and landscaping will be recognized as important features that strongly influence the aesthetics and environmental quality of the city. In all residential neighborhoods one 3" caliper tree will be planted every 30' between the curb and sidewalk. In addition of 3" caliper yard tree will be planted in the front and rear yard.

Trees Which May Be Planted Adjacent to Streets		
Street Trees (Between Curb and Sidewalk)		
Bald Cypress	Lace Bark elm	Chinquapin Oak
Pond Cypress	Alle Elm	Shumard Oak
Cedar Elm	Chinese Pistachio	Burr Oak
Texas Red Oak	Urbanite Ash	Highrise Live Oak
Yard Trees (Between Sidewalk and Front Facade)		
Live Oak	Bald Cypress	Shumard Oak
Sweetgum	Texas Red Oak	Burr Oak
Cedar Elm	Chinquapin Oak	



Residential Tree Lot Diagram

3. Establish attractive, inviting, imaginative and functional site arrangement of buildings and parking areas, and a high quality of architectural and landscape design. Two (2) rows of landscape are required in front of all homes containing shrubs, ground cover or other landscaping elements. Builder will install a fully operational irrigation system in front and back yards.
4. Community amenities, parks and open space, landscaping, and perimeter screening will be implemented per phase of development, and shall be constructed as part of the subdivision improvements before subdivision acceptance by the City.

L. Trail Corridors

1. Trail Corridors will be provided throughout the development.
2. Trail Corridors must be continuous and make an overall complete connection as shown on the open space and trails plan.
3. Trail Corridors will be a minimum of twenty-five (25) feet wide.
4. All trails will be eight (8) feet in width.
5. Trail Corridors are encouraged to be placed in locations to preserve natural vegetation. If natural vegetation does not exist, three (3) inch caliper trees will be required thirty (30) feet on center.
6. Lots backing to the trail corridor will be required to install six (6) foot high black ornamental iron fence. No stockade fencing can be installed behind the ornamental iron fence within the residential yard.

M. Architecture

1. To avoid standards that promote sameness and stifle individuality, no use of the same brick masonry color, duplicate building elevation (front facades) and building profile will be allowed on a house built on a lot that is within four (4) lots of a structure constructed with similar building elements that is located on the same side of street in-between intersecting streets.
2. The arrangement of structures, circulation and open spaces will recognize the particular characteristics of the site and should relate to the surrounding built environment in pattern, function, scale, character and materials.
3. The primary roof structures shall have no less than an 8:12 pitch all single-family residential products. All secondary roof structures, (e.g. porches, verandas and similar architectural attachments) may be constructed at a pitch complementary to the primary roof structure for all single-family residential products.
 - a. Permitted roof materials will be limited to tile, slate or architectural composition shingles.
4. Garage & Driveways – Proper treatment of the garage is critical to create a sense of variety and quality.
 - a. All garage doors will be recessed a minimum of three (3) feet from the front building elevation; also they must have a minimum six (6) inch recess from the frame to create a shadow line.
 - b. Variation of the garage door style is required, based on three options stated below:
 - i. Metal doors with twelve (12) inch masonry columns, separating doors. Twenty-five (25) percent required per plat.



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ii. Decorative Wood or wood-like doors



iii. Painted Metal doors to compliment house trim color with windows and custom metal straps, handles or pull. Paint colors or stains will be natural in color.



Garage Pulls



Garage Handles

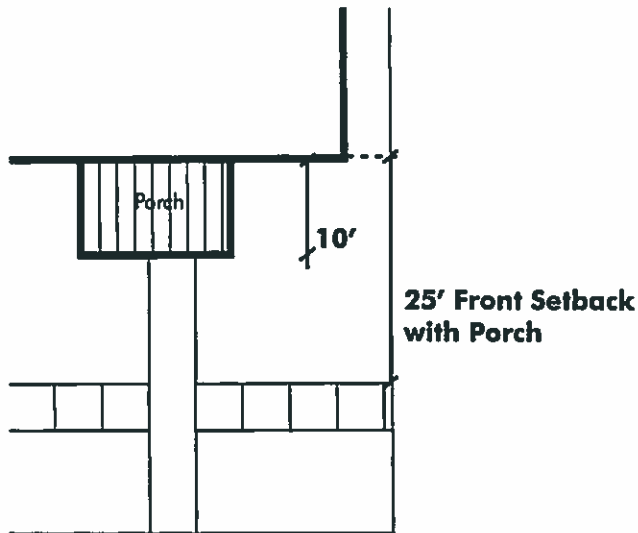


Garage Metal Straps

- c. Variation in single garage door and double garage doors for the required two car garage will be provided throughout the community.
- d. Garage doors should not dominate the street scene. (No more than two (2) doors may be continuous.) If a third (3rd) garage door (stall or bay) is provided, it will be separated from the other doors by at least a twelve (12) inch brick column.
5. Windows and Doors – Front Doors will be constructed of high quality and long lasting materials that complement the architectural style of the home.

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- a. Window and shutter placement shall be orderly and appropriate for the style
- b. The following items are prohibited:
 - i. Mirrored glass or reflective film, exterior or interior tinting
 - ii. Aluminum frame doors and windows.
6. **Masonry Content** – all homes will be ninety (90) percent comprised of brick or stone.
7. **Non-masonry Content** - the additional ten (10) percent content will be considered based on the following:
 - i. The architectural design and creativity of the dwelling units proposed.
 - ii. The quality and creativity of the overall development proposed
 - iii. Compatibility of the dwelling units proposed with the surrounding developed properties.
8. **Porches** – In order to create variety to the street and human scale porches will be allowed but with the following exceptions
 - a. Porches can extend past the front yard setback by ten (10) feet.



- b. Porches will be required to be a minimum six (6) feet in depth and minimum sixty (60) square feet to ensure usability.

N. Home Owner Association

1. Where common items or areas are proposed, a property owners association will be created to enforce the restrictions of this ordinance at the expense of the property owners association.
2. Said association will also maintain required and/or common masonry screening walls, street landscaping, monument signage, irrigation, and other common areas of the development. H.O.A.'s are

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required to pay for electricity and irrigation. Accounts should be established in those association names.

3. Accessory uses and/or buildings and parking or storage such as accessory or storage buildings, parking or storage of RV's or boats, parking on streets, are items that will be addressed in the deed restrictions.
4. Community facilities are encouraged within neighborhoods depending on anticipated activity levels of occupants. Trails, open space, access and linkages will be required adjacent to open space, parks, play grounds, schools, and retail.

O. Entry Features and Medians

1. Neighborhoods will be distinguished by entry and edge design features such as ornamental landscaping, open space areas, natural features, architectural monuments and enhanced paving.
2. Entry walls will be provided at the intersections of major thoroughfares and neighborhood entries. One wall should be provided per side of street.
3. Entry walls will be designed to turn into the neighborhood to avoid uncoordinated fences at all entry points.
4. Screening fences will be coordinated throughout the residential neighborhood. Screening will be made of cedar or redwood fencing, wrought iron and masonry walls; berms; landscaping or a combination of these elements.

P. Subdivision Name

Walls will have the name of the subdivision on it either attached or incorporated into the wall design. Repetitive design or signage is discouraged. Logos may be placed no closer than fifty (50) feet apart.

Q. Illuminated Walls

Up lighting will be provided to light any signage at night. Other lighting is encouraged for safety and to provide articulation of screening walls. Except for the sign walls, lighting may be directed downward. Lighting should be as required for safety but not obtrusive on neighbors or passing traffic.

R. Natural Drainage Corridors

1. Floodplains

Floodplains may be modified to improve drainage, natural areas, green space, public space and development consistent with the standards and intent of the North Grove development regulations and shall meet the minimum standards outlined in the drainage criteria manual.

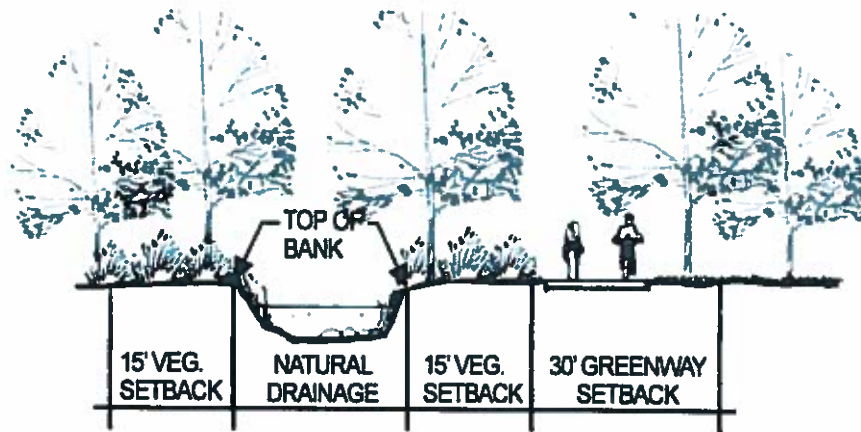
2. Natural Drainage

All drainage areas generally where feasible should be treated in a natural manner using materials such as stone and bioengineering techniques to achieve erosion control.

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A vegetated buffer shall be established from the top of all creek banks. Non-noxious existing vegetation shall be preserved and can be supplemented with grasses, understory, and canopy trees to enhance bank stability and water quality. No impervious cover shall be allowed within the buffer other than what may be needed or required for engineering needs. Informal earthen footpaths and creek overlooks connected to a trail shall be allowed. Where public greenway trails are indicated on the Development tract

Development Plan, an additional greenway setback of a minimum 30 feet width and immediately adjacent to the vegetated buffer shall be established. Within the greenway setback, all canopy trees four (4) inch caliper or larger shall be preserved, ground shall be covered with grass or other vegetative cover, and impervious surfaces shall be limited to paved trails, trail rest areas and associated greenway amenities when approved by the Director of Planning.



S. Off-Street Parking

All development must comply with the City of Waxahachie's off-street parking requirements, except for the following:

- a. Head-in and parallel parking is allowed in the Mixed Use District. Location of head-in parking off of street right-of-way shall be dependant on a more detailed site plan review by City staff. Refer to "Exhibit D – Regional Thoroughfare Diagram & Thoroughfare Diagram" on page 28 for location of head-in and parallel parking.
- b. On-street parking can be counted towards the off-street parking requirement for nonresidential uses in Mixed Use District.
- c. To encourage pedestrian activity in Mixed Use District, the overall parking requirement for each nonresidential use is seventy-five (75) percent of the off-street parking requirement listed in the City's Zoning Ordinance. Residential uses in Mixed Use District must provide off-street parking as required by the City of Waxahachie's Zoning Ordinance.
- d. In Mixed Use District, required parking can be located on a separate lot, provided the parking area is no more than six-hundred (600) feet from the use it is serving.
- e. In Mixed Use District, shared parking can be used, provided a parking study is completed by the

(11)

developer to prove that the uses proposing to share parking spaces are truly complementary.

f. Tandem Parking, where one parking space is located directly behind an enclosed parking space, is only allowed in the Mixed Use District.

g. Vehicles may not be parked on or over sidewalks.

SECTION XI. Development Approval Process

The approved North Grove Development Plan will serve as the document that establishes general development patterns in North Grove.

A. Site Plan

The site plan is a detailed plan of the public and private improvements to be constructed. The purpose of the site plan is to ensure compliance with the P.D. Standards and all applicable development regulations and any previously approved, valid plans affecting development of the property, coordinate and document the design of public and private improvements to be constructed, and coordinate the subdivision of land. The submission of a Site Plan for City comment and review shall take the place of a Preliminary Plat.

A separate site plan will be submitted for all Cottage and Bungalow Product to be independently reviewed by the Planning and Zoning Commission and City Council. Development of this type must be designed and located to ensure that it is an asset that enhances the viability of the development but does not negatively impact property value or development alternatives on other areas surrounding the proposed site. The City will reserve the right to establish and impose architectural standards and requirements that ensure that the Cottage and Bungalow Product is a design asset to the completed development.

B. Applicability

An approved, valid site plan shall be required prior to the approval of any plat or construction plan and permit for development within Single-Family Residential and Mixed Use Districts.

C. Standards and Procedures for Approval

When application for site plan approval is made for development within the North Grove, the Director of Planning shall present the detailed site plan to the Planning and Zoning Commission for recommendation and the City Council for approval by a majority vote at one (1) meeting. For developments in the Single Family Residential District, after the approval of the first site plan, the Director of Planning may approve, conditionally approve or deny subsequent site plans based on the criteria listed below, or he may elect to present the site plan to the Planning and Zoning Commission and City Council for approval.

- a. Compliance with the regulations set forth in these P.D. Standards; and
- b. Compliance with applicable City Ordinances and any previously approved valid plans; and
- c. Appeals.

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The applicant may appeal a decision of the Director of Planning to the Planning & Zoning Commission by filing a Notice of Appeal within ten (10) days following the date the Director of Planning notifies the applicant of his action. The Notice of Appeal shall set forth in clear and concise fashion the basis for the appeal. The Planning & Zoning Commission may approve, conditionally approve or deny a site plan based upon the criteria listed above.

The decision of the Planning and Zoning Commission to approve or deny a site plan shall be final and binding unless an appeal of the decision is made to the City Council. The applicant may appeal the decision of the Commission with regard to a plan by filing a Notice of Appeal in the office of the Director of Planning, no later than ten (10) days after the date on which the Commission notifies the applicant of its decision. Such notification may take place by means of an oral ruling by the Commission at a public meeting. The Notice of Appeal shall set forth in clear and concise fashion the basis for the appeal. The City Council shall consider the appeal at a public meeting no later than forty-five (45) days after the date on which the Notice of Appeal is filed. The City Council may affirm, modify, or reverse the decision of the Commission, where appropriate, remand the plan to the Commission for further proceedings consistent with City Council's decision.

D. Duration

The approval of a site plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the applicant must have submitted and received approval of engineering plans and/or building permits. Approved site plans shall be granted an extension beyond the original two (2) year effective period, with approval of Planning & Zoning and City Council, for up to an additional two (2) years if the developer applies for an extension before the expiration date and provides adequate proof to show they are in the process of development.

The Director of Planning, the Planning & Zoning Commission or the City Council may revoke approval of a site plan if it determines that the conditions of the approval have not been met, or if the plan contains or is based upon incorrect information which affects a significant health or safety interest.

SECTION XII. Site Plan Application Requirements

The following information shall be provided with applications for Site Plan approval:

1. A vicinity map locating the property in relationship to existing major thoroughfares.
2. Title block, preferably in lower right hand corner, including the following: "Site Plan, name of development, survey and abstract number or recorded plat information, city, county, state, date of preparation, acreage and lot data".
3. Acceptable scale: 1 in = 20 ft, 1 in = 40 ft, 1 in = 100 ft or as approved.
4. Type size is legible at full scale and when reduced.
5. North arrow, graphic and written scale in close proximity.
6. Name, address, phone and fax of owner/developer and the firm preparing the plan.
7. A map showing the boundaries of the different land uses and the boundary dimensions.
8. Adjacent or surrounding land uses and zoning, streets, drainage facilities and other existing or pro-

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posed off site improvements, sufficient to demonstrate the relationship and compatibility of the site to the surrounding properties, uses and facilities.

9. The location and size of all streets, alleys, parking lots and parking spaces, loading areas or other areas to be used for vehicular traffic and the proposed access and connection to existing or proposed streets adjacent to the plan area. Include a chart indicating the number of required parking spaces by use, the method of calculation and the number of proposed parking spaces.
10. The types of surfacing, such as paving (e.g. concrete, brick, turf, etc.) to be used at the various locations.
11. The location and size of all fire lanes with all curb radii adjacent to the fire lane labeled. The nearest fire hydrant dimensioned to the property corner and all proposed fire hydrants.
12. The location, height, setbacks, dimension, floor area, and floor area ratio for all buildings. Include the following building details in the site plan:
 - a. Entrance and exits to the building.
 - b. Architectural renderings or elevations of proposed structures with all exterior materials for roofs, awnings, walls etc. labeled, shall be provided for retail, mixed use, and commercial areas only.
 - c. Calculations of the masonry content on each façade and in total for each building.
 - d. Storefront design.
13. Distance between buildings and distance from building to property lines.
14. The number, location, and dimensions of the lots; and the setbacks, number of dwelling units, and number of units per acre (density).
15. A graphic showing a typical lot layout, with size and setbacks.
16. The location, size and type of each outside facility for waste or trash disposal. If no facility is shown, provide a note indicating method of disposal and removal.
17. A tree survey locating all protected trees by type, size and species in a printed and electronic format, as required by the Planning Director, and mitigation plan, if required by the City of Waxahachie's Planning Director.
18. A landscape plan showing all on-site and perimeter landscape. A chart indicating the size, length and width of the landscape areas, with the required number of plants and the proposed number of plants should be included on the plan. The landscape plan may be presented on a separate exhibit on the same sheet size and at the same scale as the site plan.
19. A site plan shall include all private/public improvements, including but not limited to interior parks, landscape buffers, entries and trails for the given development phase encompassing such improvements.
20. The approximate location and size of any greenbelt or open space area, and if applicable, an open space management plan providing information on the ownership, maintenance and operation of such area.
21. The approximate location and size of required Parkland Dedication areas, as required by the City of

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Waxahachie's Parkland Dedication and Development Fee Ordinance for residential development.

22. The location, type, and size of all fences, berms, or screening features.
23. A plan, including elevations, showing location, size, height, orientation and design of all signs, including community entry signage.
24. The location, size and type of all pedestrian areas, bike paths, sidewalks and associated streetscapes.
25. The location, size, type and purpose of any outside storage or outside display and method of screening. Indicate the percentage of outside storage as compared to the building square footage.
26. Phases of development should be shown and broken down by use and acreage.
27. The City Engineer may require a traffic impact analysis, water and sewer impact analysis, storm water management plan, and other studies, including all necessary modeling, to be submitted for review and approval. The intent is to determine the improvements that are needed to support the proposed development and to avoid overloading the existing or planned infrastructure.
28. The Director of Planning, may, during administrative approval of a Site Plan, require other information in addition to the requirements above in connection with the review of a Site Plan. Where a Site Plan is not approved administratively, the Planning and Zoning Commission or the City Council may require other information in addition to the requirements above in connection with the review of a Site Plan.
29. If applicable, show the following mandatory owners association notes:
 - a. A mandatory owners association will be responsible for the maintenance of the "insert list of private amenities and common areas here". (Example: screening fences, common areas, parks, amenity centers, landscaping)
 - b. The Owners Association and associated documents shall be filed in accordance with the Cities policies. The documents shall be filed with the final plat. The documents shall be submitted in a timely manner to allow for a minimum of sixty (60) days review. Failure to submit the documents or incomplete documents may result in delay of construction, acceptance of the development or delay in approval of a building permit. The City does not accept the responsibility for any delays caused by the failure to submit the association documents or the inaccuracy of the documents.

SECTION XIII. Parkland Dedication and Park Development Ordinance

All development in North Grove must comply with the cities Parkland Dedication and Park Development regulations found in the Parkland Ordinance, except that the open space dedication requirements in the Single Family Residential Districts will count towards any parkland dedication requirements not already shown on "Exhibit F – Open Space and Trails Plan" on page 34, subject to approval and acceptance by the Director of Parks and Recreation. All amenities provided in both the public and private park development shall count toward park development fees as approved by the Director of Parks and Recreation. The area shown of "Exhibit F - Open Space and Trails Plan" as YMCA / Neighborhood Park will revert to an 8 ac. neighborhood park if the YMCA does not purchase this property within (3) three years from the cities approval of this document.

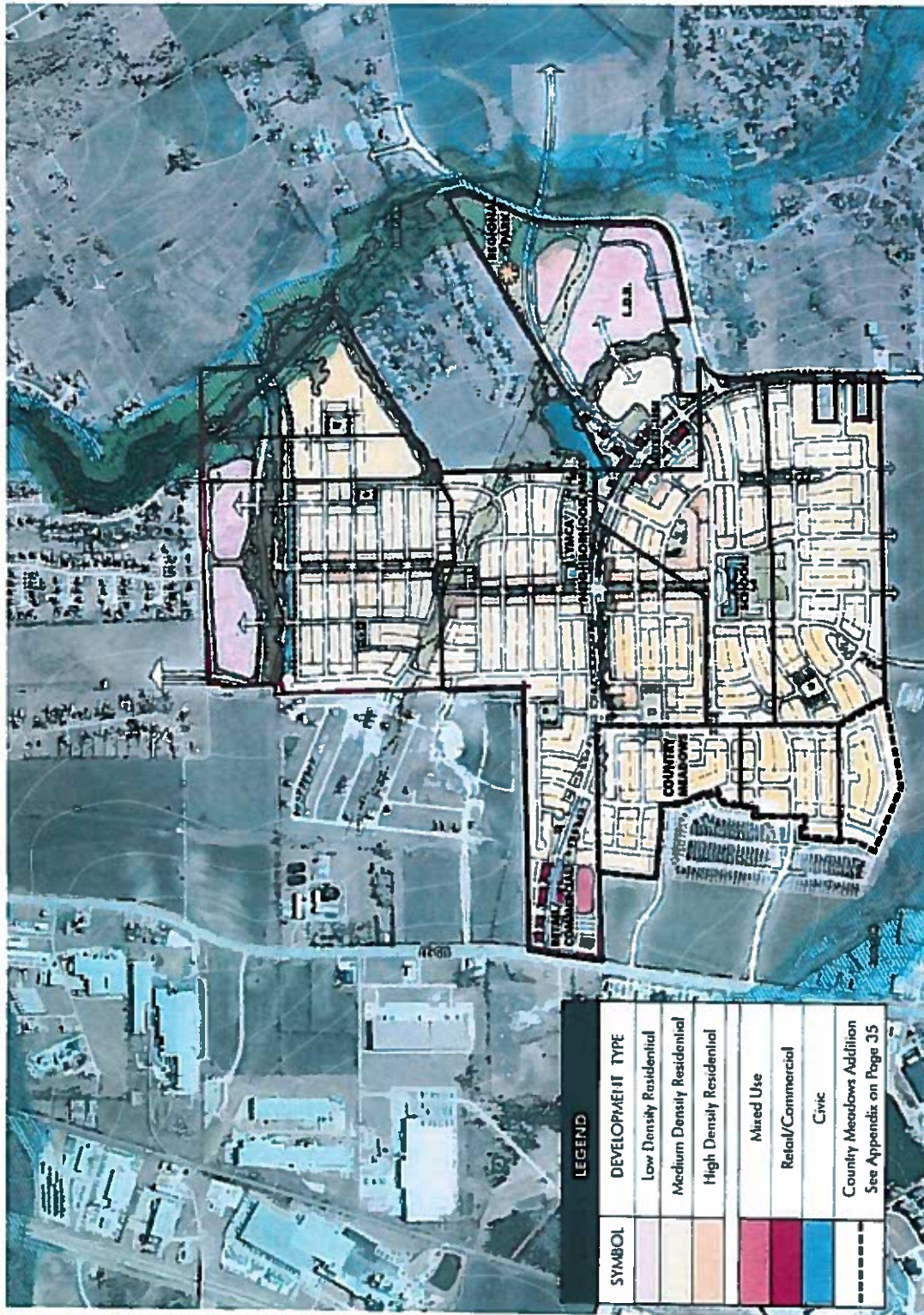
(17)

Exhibit C-F

Planned Development District Standards

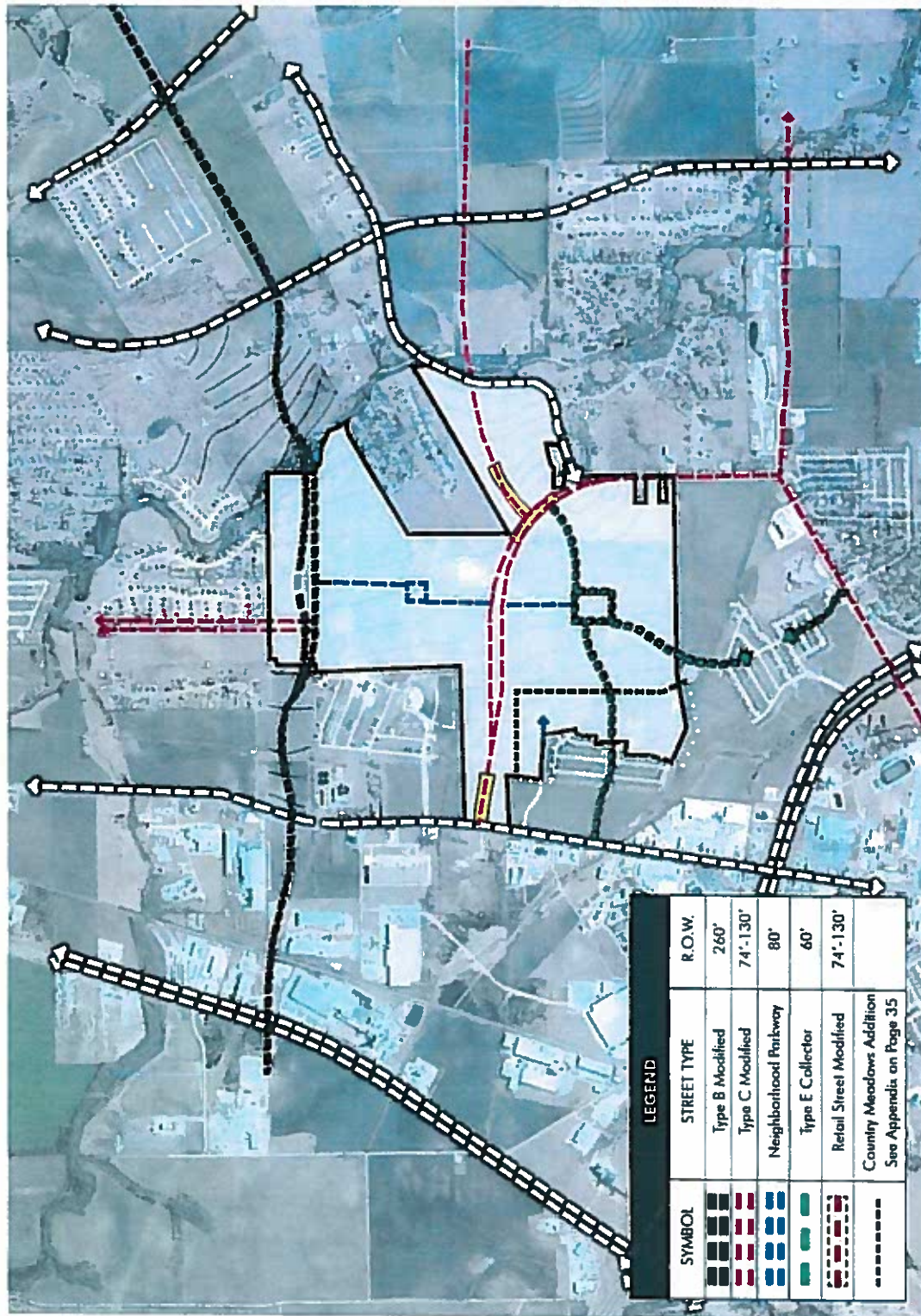
**November 13, 2013
Revised January 24 ,2014**

Exhibit C – North Grove Development Plan



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Exhibit D – Regional Thoroughfare Diagram & Thoroughfare Diagram



(17)

Exhibit D – Thoroughfare Diagram

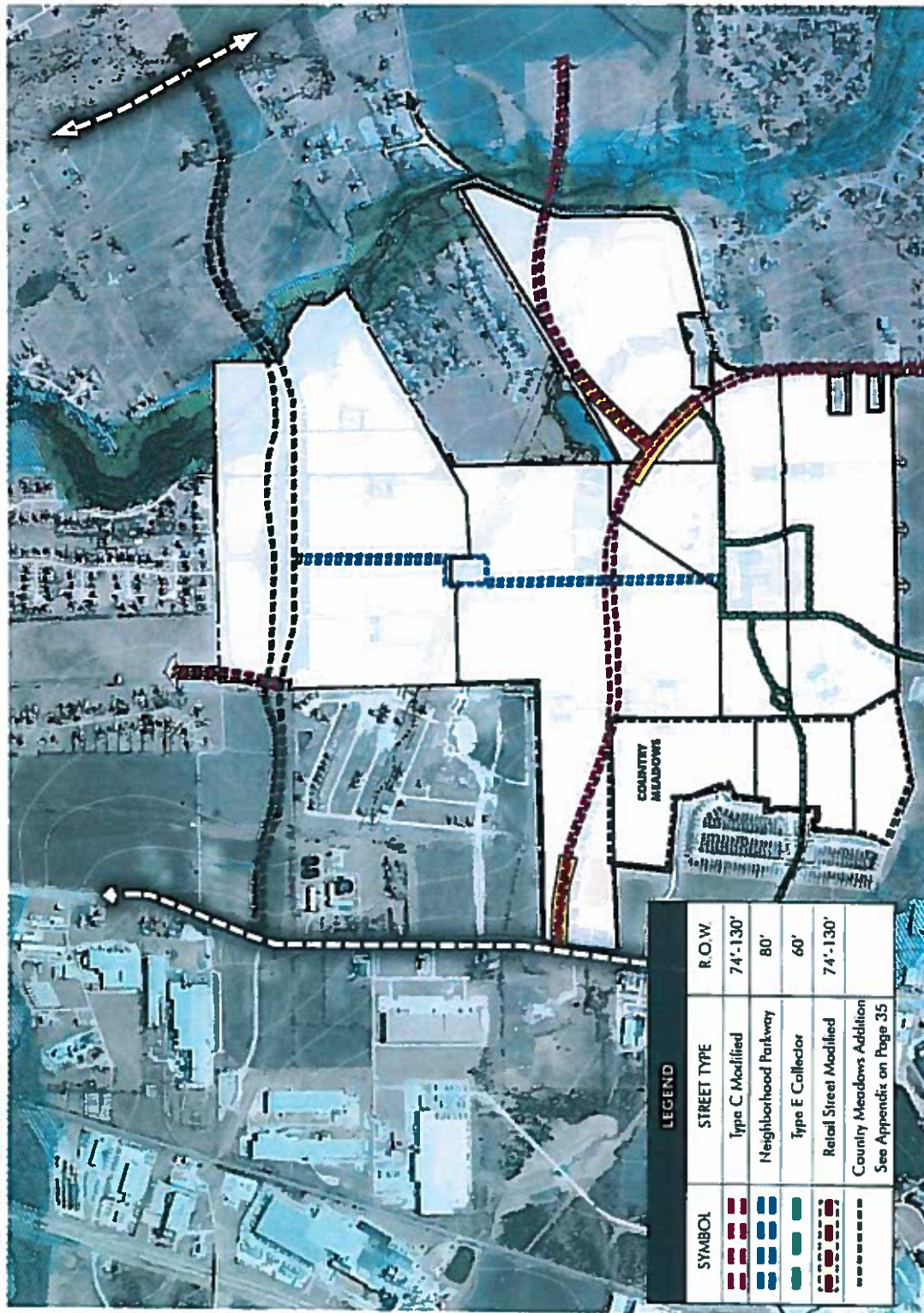
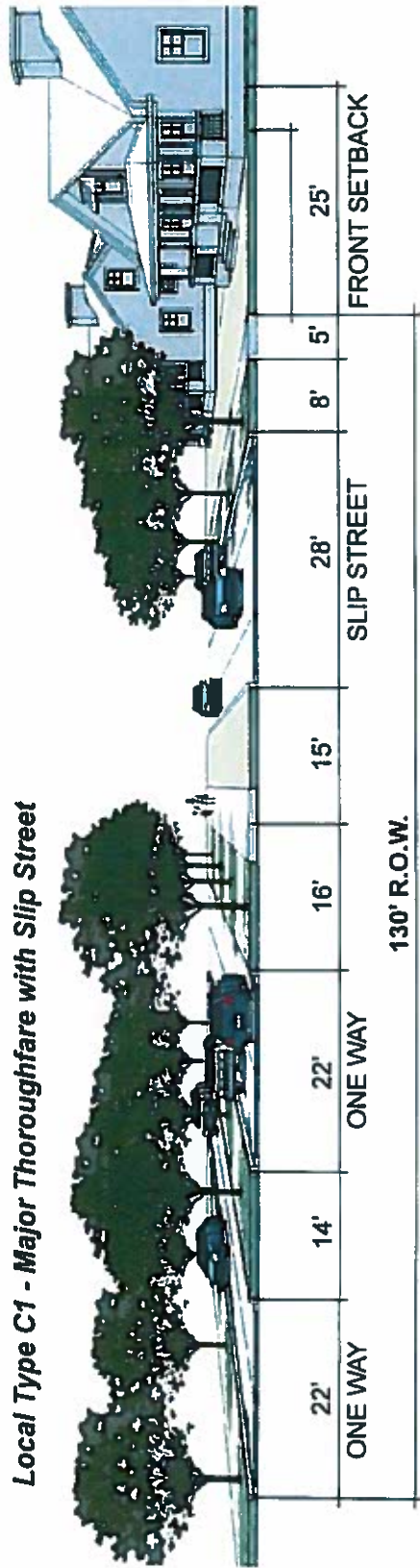


Exhibit E – Street Sections

Local Type C1 - Major Thoroughfare with Slip Street



Local Type C2 - Major Thoroughfare with Attached Green Option and Slip Street Loop Road

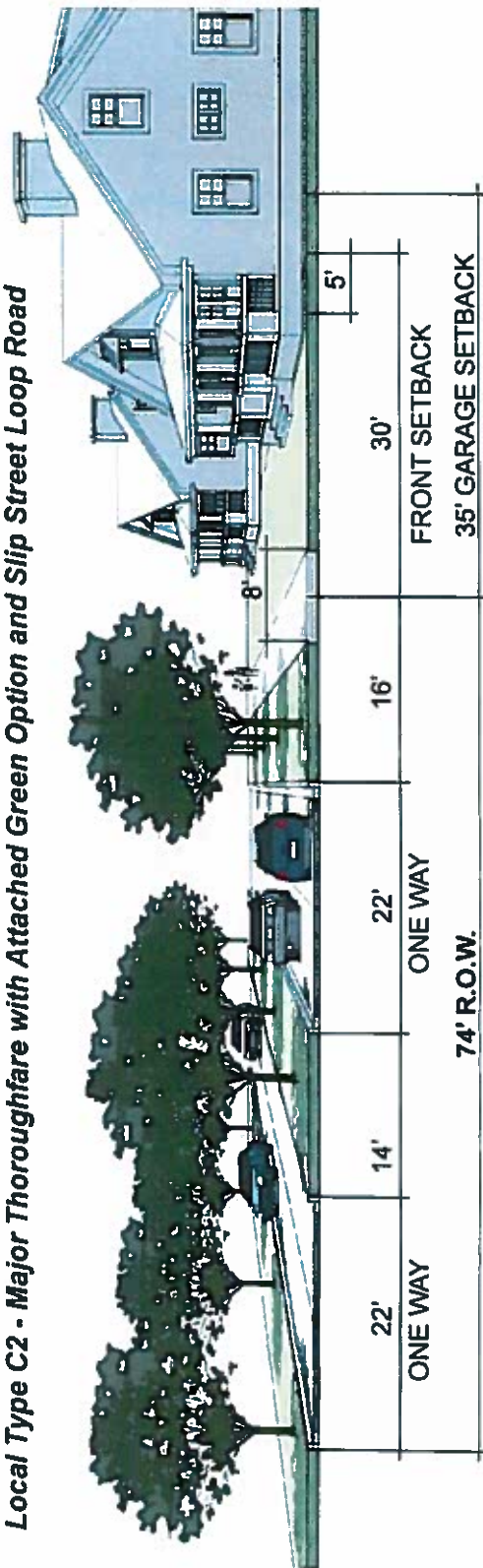


Exhibit E – Street Sections

Local Type C3 - Major Thoroughfare with Side Lot Connection or Cul-de-sac



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Exhibit E – Street Sections

Local Type D - Neighborhood Parkway with Alleys

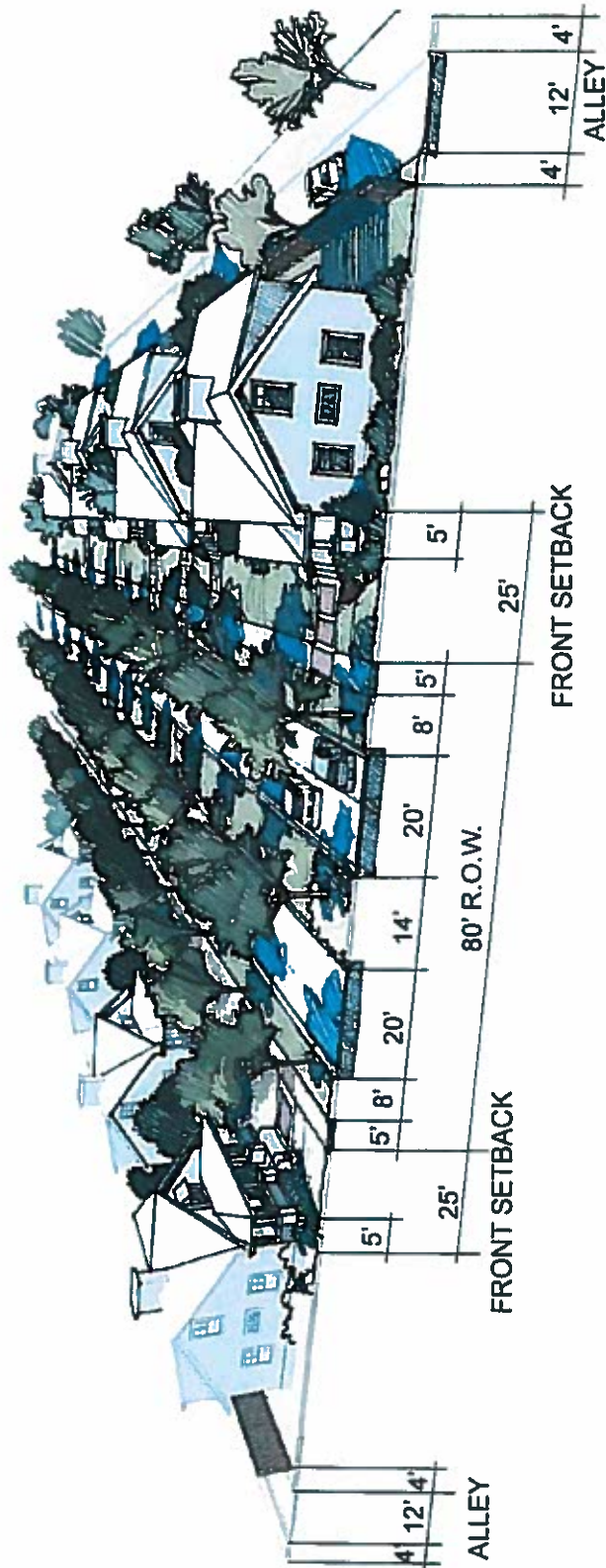
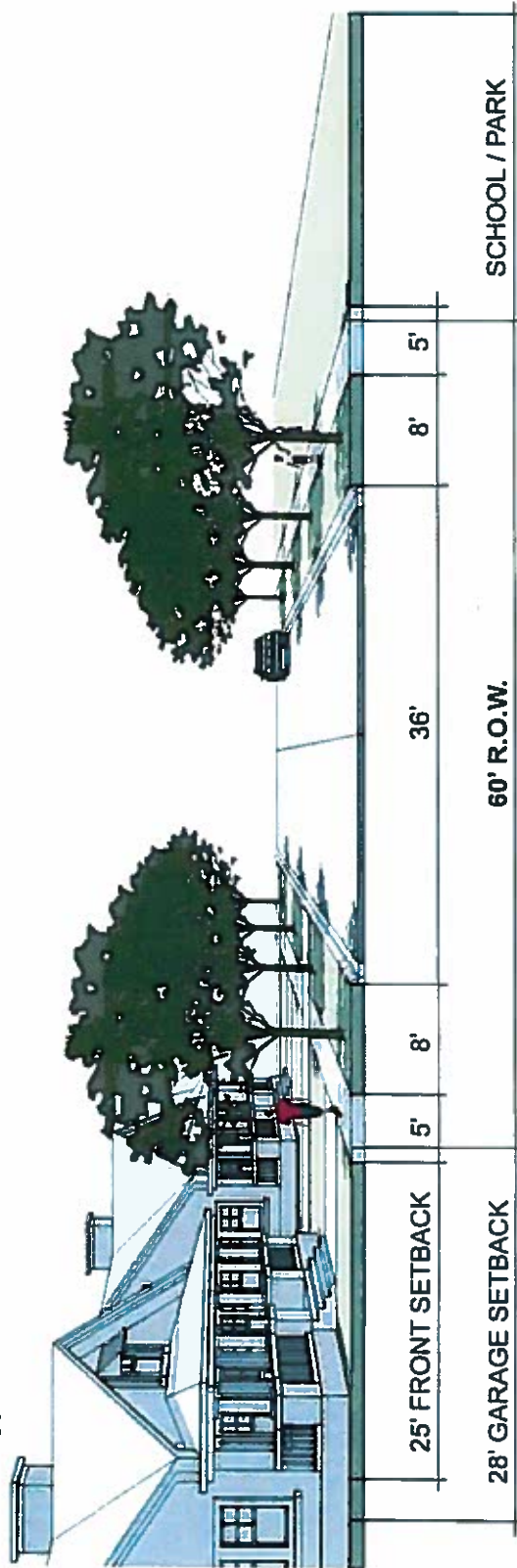


Exhibit E – Street Sections

Local Type E - Collector



Local Type F - Typical Residential

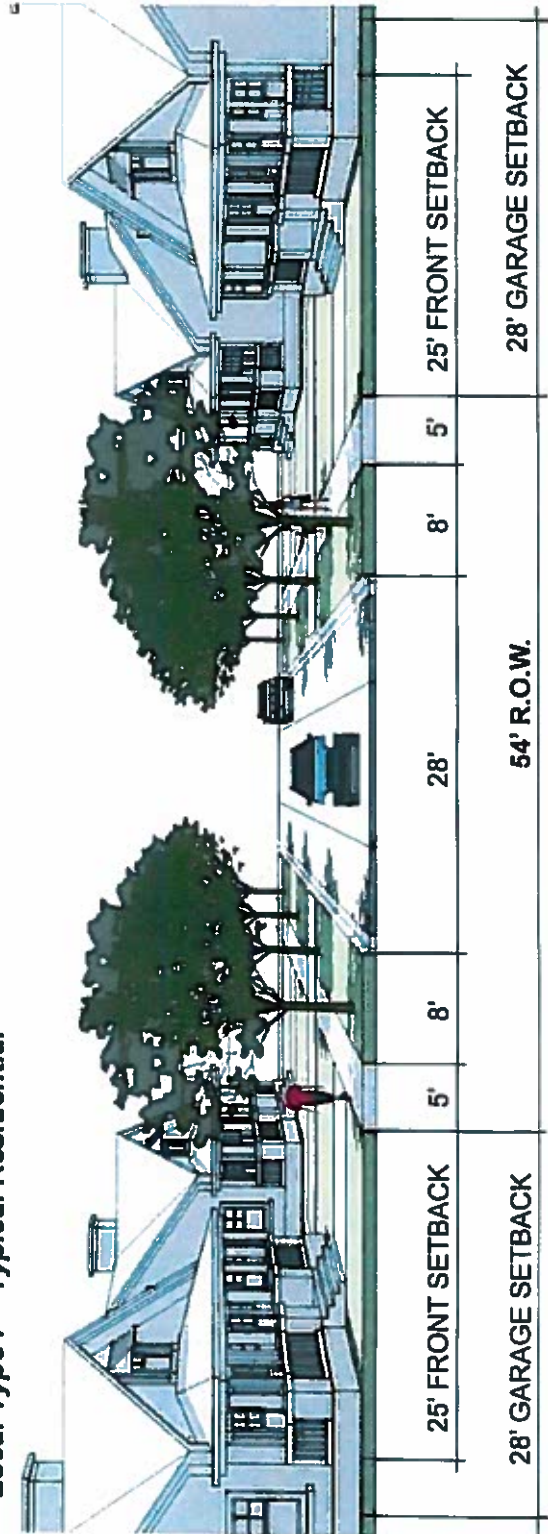
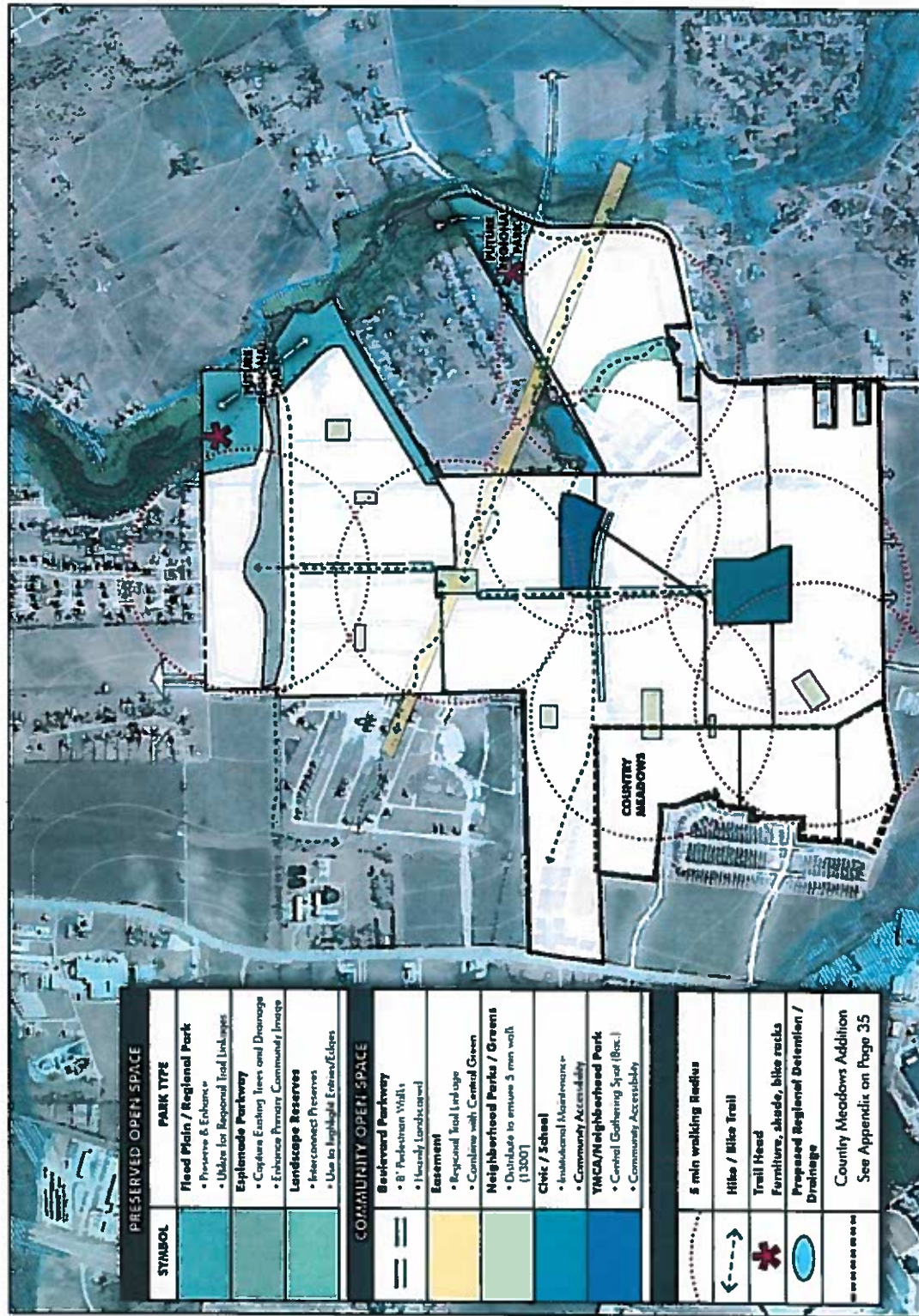


Exhibit F – Open Space and Trails Plan



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Appendix: Country Meadows Addition

Requirements

A. Withhold to Framework Plan

Country Meadows Addition is exempt from the rest of the P.D. but is held to the "A. Single-Family Residential Product Table" on page 8, and the thoroughfare framework, street layout and open space standards set in Exhibits C-F (page 27-34).

B. Minimum 3 Lot Types and Products

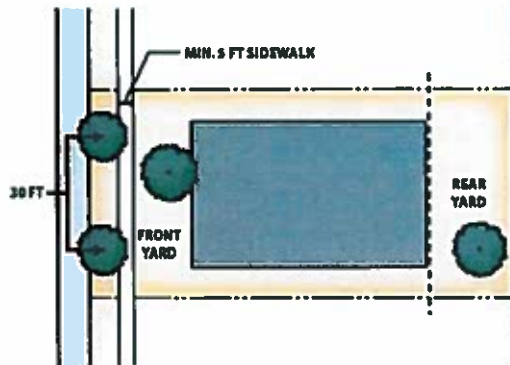
1. Single family detached units will range from Bungalow Homes on small lots to Estates on larger lots.
2. Lot widths will be established based on the proposed product within the P.D., as defined in "SECTION VII. Area and Height Regulations" on page 8.
3. A mix of housing products will be used to meet different needs of owners, families, and styles. Three lot types within the P.D. requirements will be used throughout the Country Meadows addition to create a variety of housing types.

C. Enhanced landscape

1. Minimum 5' sidewalks along both sides of the street are required in all residential neighborhoods. Provide 8' on thoroughfares (Type C and larger).
2. The value of trees and landscaping will be recognized as important features that strongly influence the aesthetics and environmental quality of the city. In all residential neighborhoods one 3" caliper tree will be planted every 30' between the curb and sidewalk. In addition of 3" caliper yard tree will be planted in the front and rear yard.

Trees Which May Be Planted Adjacent to Streets		
Street Trees (Between Curb and Sidewalk)		
Bald Cypress	Lace Bark elm	Chinquapin Oak
Pond Cypress	Alle Elm	Shumard Oak
Cedar Elm	Chinese Pistachio	Burr Oak
Texas Red Oak	Urbanite Ash	Highrise Live Oak
Yard Trees (Between Sidewalk and Front Facade)		
Live Oak	Bald Cypress	Shumard Oak
Sweetgum	Texas Red Oak	Burr Oak
Cedar Elm	Chinquapin Oak	

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Residential Tree Lot Diagram

3. Establish attractive, inviting, imaginative and functional site arrangement of buildings and parking areas, and a high quality of architectural and landscape design. Two (2) rows of landscape are required in front of all homes containing shrubs, ground cover or other landscaping elements. Builder will install a fully operational irrigation system in front and back yards.
4. Community amenities, parks and open space, landscaping, and perimeter screening will be implemented per phase of development, and shall be constructed as part of the subdivision improvements before subdivision acceptance by the City.

D. Street Sections

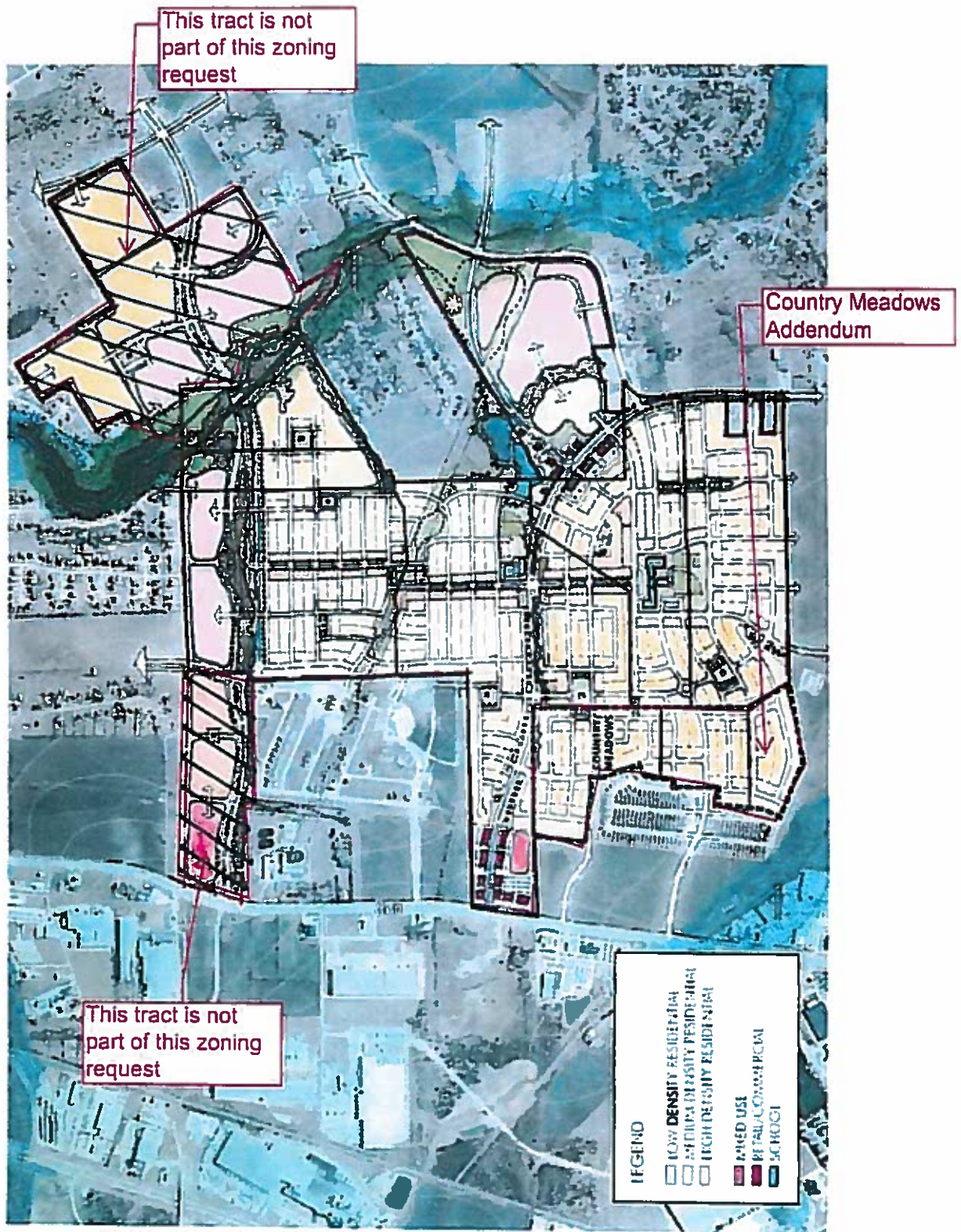
1. Alleys will not be required in the Country Meadows addition.
2. Streets will be of a minimum width to accommodate the street, median, planting strips, sidewalks, utilities and maintenance considerations
3. Street widths will be appropriate for adjacent land uses and building types, subject to approval by the City Engineer.
4. No residential development will be developed without sidewalks, pedestrian ways, neighborhood connections, trails and paths. All sidewalks in residential areas will be five (5) feet in width, with the Mixed Use all sidewalks will be ten (10) feet. The street will complement the distinctive character of the neighborhood or district while providing connections to adjoining neighborhoods.
5. Slip Roads and Mews can be used when fronting homes onto Type C roads or greater to reduce the number of drives that ingress and egress on the street while creating more depth to the front yards and separating the homes from the busy street.
6. Divided two-lane roadways with: eighty (80) foot ROW, twenty (20) foot pavement in each direction, curb-side parking will be permitted in residential neighborhoods providing a landscaped median.

E. Sidewalk

Development is required to have a five (5) foot sidewalk with a two (2) foot easement on yard.

(17)

Exhibit C – North Grove Development Plan



(17)

of Schedule A

G.F. No. 2228000798

Exhibit "B"

All that certain tract, lot or parcel of land, being 48.722 acres, situated in the J. W. Wright Survey, Abstract No. 1182, Ellis County, Texas, and being a part of the 100 acre tract described in deed from Ray Weiss et ux, to J. B. Naughton recorded in Volume 281, Page 239, Deed Records of Ellis County, Texas, and being a part of the 102.2 acre tract described in deed from Mrs. M. Naughton et al, to James B. Naughton, dated December 7, 1907, and recorded in Volume 173, Page 421, Deed Records of Ellis County, Texas, and described as follows:

BEGINNING at an iron stake at fence corner, the Northeast corner of said Wright Survey, the Northeast corner of aforesaid 100 acre tract;

THENCE South 675 feet with fence to the center of Grove Creek;

THENCE down said Grove Creek with its meanders as follows: South 54 degrees 30 minutes East 200 feet, East 140 feet, South 50 degrees 30 minutes East 300 feet and South 19 degrees East 430 feet to corner in Creek; the Southeast corner of aforesaid 102.2 acre tract;

THENCE South 59 degrees West 1731.6 feet to an iron stake for corner;

THENCE North 2281.4 feet to an iron stake for corner in fence on North line of aforesaid 100 acre tract;

THENCE East 808.9 feet with fence to the place of Beginning, containing 48.722 acres of land.

48.72

Exhibit "B"

BEING a tract of land situated in the J.W. WRIGHT SURVEY, ABSTRACT NO. 1182, Ellis County, Texas, said tract being part of a 100 acre tract conveyed to J. B. Naughton by Ray Wess et ux. as recorded in Volume 281, Page 239, Deed Records of Ellis County, Texas, said tract also being part of a 102.2 acre tract conveyed to James B. Naughton by Mrs. M. Naughton et al. as recorded on December 7, 1907 in Volume 173, Page 421, Deed Records of Ellis County, Texas and being more particularly described as follows:

BEGINNING at an iron rod set for corner in the centerline of Grove Creek Road, said point being East 2,298.49 feet from the Northwest corner of said J. B. Naughton 100 acre tract;

THENCE East, along said centerline of Grove Creek Road, a distance of 450.81 feet to an iron rod set for corner;

THENCE South, leaving said centerline of Grove Creek Road, a distance of 2,281.25 feet to an iron rod set for corner;

THENCE South 59 degrees 00 minutes West, a distance of 525.89 feet to an iron rod set for corner;

THENCE North a distance of 2,552.00 feet to the point of BEGINNING and containing 24.9987 acres (1,088,944 sq. ft.) of land.

(17)

of Schedule A

G.F. No. 2228000785

Exhibit 'B'

All that certain lot, tract or parcel of land, being 50.003 acres, of which 2.0 acres are in the H. Sauge Survey, Abstract No. 1009, and 48.003 acres are in the J. W. Wright Survey, Abstract No. 1182, Ellis County, Texas, and being a part of the 160 acre tract described in deed from Ray Weiss et ux, to J. B. Naughton, recorded in Volume 281, Page 239, Deed Records of Ellis County, Texas, and being a part of the 102.2 acre tract described in deed from Mrs. M. Naughton et al, to James B. Naughton, dated December 7, 1907, and recorded in Volume 173, Page 421, Deed Records of Ellis County, Texas, and described as follows:

BEGINNING at a point in center of County Road, on North line of said Wright Survey and being 1083.9 feet East of the Northwest corner of aforesaid 100 acre tract;

THENCE East 804 feet with center of road and Survey line to a point, an Iron stake bears 25 feet South;

THENCE South 2728.65 feet to an Iron stake for corner on South line of aforesaid 102.2 acre tract;

THENCE West 510.4 feet to an Iron stake for corner;

THENCE North 70 degrees West 312.4 feet to an Iron stake for corner;

THENCE North 2821.8 feet to the place of Beginning, containing 50.003 acres of land.

(17)

Continuation of Schedule A

G.F. No. 2228000788

Exhibit 'B'

All that certain lot, tract or parcel of land, being 64.012 acres, of which 9.082 acre is in the H. Sauge Survey, Abstract No. 1009, and 63.950 acres are in the J. W. Wright Survey, Abstract No. 1182, Ellis County, Texas, and being a part of the 100 acre tract described in deed from Ray Wess et ux, to J. B. Naughton, recorded in Volume 281, Page 239, Deed Records of Ellis County, Texas, and being a part of the 102.2 acre tract described in deed from Mrs. M. Naughton et al, to James B. Naughton, dated December 7, 1907, and recorded in Volume 173, Page 421, Deed Records of Ellis County, Texas, and described as follows:

BEGINNING in the center of County Road on North line of said Wright Survey, the Northwest corner of aforesaid 100 acre tract, an iron stake bears 25 feet South;

THENCE East 1083.9 feet with the center line of said road and Survey line to a point, an iron stake bears 25 feet South;

THENCE South 2621.8 feet to an iron stake on South line of aforesaid 102.2 acre tract;

THENCE North 70 degrees East 154.3 feet to an iron stake for corner;

THENCE West 938.9 feet to an iron stake for corner, this being the Southwest corner of the aforesaid 102.2 acre tract;

THENCE North 2589 feet to the place of Beginning, containing 64.012 acres of land.

(17)

Plan of Schedule A

G.F. No. 2228000797

Exhibit "B"

BEING a tract of land situated in the H. SAUGE SURVEY, ABSTRACT NO. 1009 and the J. W. WRIGHT SURVEY, ABSTRACT NO. 1182, Ellis County, Texas, said tract being part of a 100 acre tract conveyed to J. B. Naughton by Ray Weiss et ux. as recorded in Volume 281, Page 239, Deed Records of Ellis County, Texas, said tract also being part of a 102.2 acre tract conveyed to James B. Naughton by Mrs. M. Naughton et al. as recorded on December 7, 1907 in Volume 173, Page 421, Deed Records of Ellis County, Texas and being more particularly described as follows:

BEGINNING at an iron rod set for corner in the centerline of Grove Creek Road said point being East 1,887.90 feet from the Northwest corner of said J. B. Naughton 100 acre tract;

THENCE East, leaving said centerline of Grove Creek Road, a distance of 408.59 feet to an iron rod set for corner;

THENCE South, leaving said Grove Creek Road, a distance of 2,552.00 feet to an iron rod set for corner;

THENCE South 59 degrees 00 minutes West, a distance of 342.48 feet to an iron rod set for corner;

THENCE West, a distance of 114.80 feet to an iron rod set for corner;

THENCE North, a distance of 2,728.65 feet to the point of BEGINNING and containing 24.9987 acres (1,088,944 sq. ft.) of land.

25

Being 186.005 acres of land located in the Henri Sange Survey, Abstract No. 1009, Allen W. Brown Survey, Abstract No. 102, John W. Wright Survey, Abstract No. 1182 and the John Billingsley Survey, Abstract No. 83, and being a portion of the tract described in the deed to Nelson W. Jones Family Limited Partnership, recorded in Volume 1747, Page 245, Deed Records, Ellis County, Texas. Said 186.005 acres of land being more particularly described by metes and bounds as follows:

Beginning at an 1/2" iron rod found at an ell corner of said Sange Survey, being the Northeast corner of Henri Levy Survey, Abstract No. 629, being the Northeast corner of a tract of land described in the deed to Moritz Interests, LTD., recorded in Volume 1716, Page 69, Deed Records, Ellis County, Texas, and being the Northeast corner of a tract of land described in the deed to William C. Estes, recorded in Volume 1716, Page 572, Deed Records, Ellis County, Texas;

THENCE S 89°29'41" W, along the common line of said Jones, Estes and Moritz tracts at 1540.48 feet passing an 1/2" iron rod stamped "Beasley RPLS 4050" found at the Northwest corner of said Moritz tract, at 2491.70 feet passing a 3/8" iron rod found at the Northwest corner of said Estes tract, in all a distance of 2492.08 feet to a point in the East Right-Of-Way of U.S. Highway No. 77 according to the State of Texas Department of Transportation Right-Of-Way Map, Sheets 3 and 4, dated 18 December 1997, filed in the Texas Department of Transportation library, District #18 (Dallas District);

THENCE N 08°41'58" E, along said East Right-Of-Way line a distance of 783.08 feet to a 3/4" iron rod found at the Southwest corner of a tract of land described in the deed to Waxahachi I Joint Venture, recorded in Volume 838, Page 799, Deed Records, Ellis County, Texas;

THENCE along said Waxahachi I Joint Venture tract as follows:

1. N 89°41'32" E, a distance of 2801.73 feet to an 1" pipe found;
2. N 00°56'29" W, a distance of 900.67 feet to a 3" pipe found in a ditch, being the Southwest corner of a tract of land described in the deed to Lillian Lyle, recorded in Volume 530, Page 103, Deed Records, Ellis County, Texas;

THENCE along said ditch as follows:

1. N 89°27'08" E, a distance of 938.63 feet to an 1/2" iron rod stamped "Beasley RPLS 4050" set;
2. S 69°27'52" E, a distance of 466.54 feet to an 1/2" iron rod stamped "Beasley RPLS 4050" set;
3. N 89°07'08" E, a distance of 624.83 feet to an 1/2" iron rod stamped "Beasley RPLS 4050" set;
4. N 59°17'08" E; a distance of 398.78 feet to an 1/2" iron rod found;

THENCE S 00°12'09" E, a distance of 1729.80 feet to an 1/2" iron rod found at the most Northerly Northeast corner of a tract of land described in the deed to Frances N. Chamberlain, Cecelia A. Chamberlain Tatom and Carol M. Chamberlain, recorded in Volume 823, Page 921, Deed Records, Ellis County, Texas, from which an 1-1/2" pipe found bears S 00°40'46" W 178.30 feet at the Northwest corner of a tract of land described in the deed to Margaret H. Lumpkins, recorded in Volume 823, Page 912, Deed Records, Ellis County, Texas;

THENCE along said Chamberlain tract as follows:

1. S 89°24'49" W, a distance of 574.92 feet to an 1/2" iron rod stamped "Beasley RPLS 4050" set in a ditch;
2. S 34°06'49" W, a distance of 1436.45 feet to an 1/2" iron rod stamped "Beasley RPLS 4050" set, from which an 1/2" pipe found bears N 89°47'19" E 1384.72 feet at an ell corner of said Chamberlain tract and being the Southeast corner of said Sange Survey;
3. S 89°44'49" W, a distance of 1371.67 feet to an 1/2" iron rod stamped "Beasley RPLS 4050" set in the East line of said Moritz tract, being the most Westerly Southeast corner of said Sange survey and lying in the East line of said Levy survey;

THENCE N 00°29'38" W, along said East line a distance of 1204.75 feet to the point of beginning and containing 186.005 acres of land.

The bearings recited hereon are oriented to GPS North.

PROPERTY:

McLane

Being 98.907 acres of land located in the Robert Russell Survey, Abstract No. 911, Ellis County, Texas, being the tract of land described in the deed to Mary Belt Clark as Trustee of the E. E. Clark, Jr., Estate Trust, recorded in Volume 1212, Page 583, Deed Records, Ellis County, Texas. Said 98.907 acres of land being more particularly described as follows:

BEGINNING at an 1/2" iron rod found in the West right-of-way line of Farm to Market Road No. 813 at the Northwest corner of a tract of land described in the deed to the State of Texas recorded in Volume 405, Page 275, Deed Records, Ellis County, Texas, as shown on the right-of-way map recorded in Volume 1, Page 187, Plat Records, Ellis County, Texas, said iron rod being the Northeast corner of said Clark tract;

THENCE S00°03'14"E, a distance of 507.29 feet along said West right-of-way line to an 1/2" iron rod found;

THENCE S89°55'51"W, a distance of 417.29 feet to an 1/2" iron rod stamped Beasley RPLS 4050 set, from which an 1/2" iron rod found bears S89°55'51"W 5.00 feet;

THENCE S00°03'14"E, a distance of 209.03 feet to an 1/2" iron rod found;

THENCE N89°55'51"E, a distance of 417.29 feet to a steel fence post in said West right-of-way line;

THENCE S00°03'14"E, a distance of 479.39 feet along said West right-of-way line to an 3/8" iron rod found at the Southeast corner of said Clark tract, said 3/8" iron rod being the Northeast corner of a tract of land described in the deed to Suburban Residential, LP, a Texas limited partnership, recorded in Volume 2072, Page 1755, Deed Records, Ellis County, Texas;

THENCE S89°47'59"W, a distance of 3,383.83 feet along the South line of said Clark tract to a point at the Southwest corner of said Clark tract being the Southeast corner of a tract of land described in the deed to Mortiz Interests, LTD., recorded in Volume 1716, Page 89, Deed Records, Ellis County, Texas;

THENCE along the East line of said Mortiz tract as follows;

1. N28°51'18"W, a distance of 572.68 feet to a point;
2. N00°29'38"W, a distance of 693.18 feet to an 1/2" iron rod stamped BEASLEY RPLS 4050 set at the Northwest corner of said tract;

THENCE N89°47'59"E, a distance of 3,665.05 feet along the North line of said Clark tract to the point of beginning, containing 98.907 acres of land.

The bearings recited hereon are oriented to GPS North.

Note: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for information and/or identification purposes and does not override Item 2 of Schedule B hereof.

TITLE VESTED IN:

Mary Ann Clark McLane and Delano McLane as Independent Executors of The Estate of Mary Belt Clark, Deceased

EXHIBIT

BEING a part of the J.B. and Ann Adams Survey, Abstract 6, the John Billingsley Survey, Abstract 103, and the C.M. Bernard Survey, Abstract 106, Ellis County, Texas, and being a part of the land conveyed to Stuart G. Lumpkin described in Volume 910, Page 966, Deed Records, Ellis County, Texas, and being more particularly described by its miles and bounds as follows:

BEGINNING at a steel rod on the Northerly line of F-M Highway 812 at the Southeast corner of a 2 Acre tract conveyed to Marlan L. Morgan, et ux as recorded in Volume 720, Page 1004, Deed Records, Ellis County, Texas;

THENCE N 0°44' E, with said Morgan East line, 209.1 feet to a steel rod;

THENCE S 79°11' W, 417.2 feet to a steel rod, found;

THENCE S 89°51' W, 385.6 feet to a pipe, found at the Northwest corner of a tract conveyed to said Morgan as recorded in Volume 949, Page 715, Deed Records, Ellis County, Texas;

THENCE S 0°21' W, 222.6 feet to a steel rod found on the South line of said Lumpkin tract;

THENCE N 89°30' W, with said Lumpkin South line, 784.9 feet to a pipe found at the Southeast corner of the M. Sango Survey, Abstract 1009;

THENCE N 0°24' E, with said Sango East line, 1014.3 feet to a steel rod;

THENCE N 69°20' E, with the Southeast line of Country Place Addition, 3496.1 feet to a steel rod on the East line of Grove Creek Road;

THENCE with the East line of said Road, S 22°21' E, 73.0 feet to a steel rod, S 11°20' E, 130.0 feet to a steel rod, and S 25°15' E, 55.0 feet to a steel rod on the West line of said F-M Highway;

THENCE S 31°12' W, with said Highway, 301.7 feet to a steel rod at the beginning of a curve to the left with a radius of 2332.27' at;

THENCE Southwesterly with the arc of said curve 300.5 feet to a steel rod at the end of said curve;

THENCE S 23°49' W, 130.6 feet to a steel rod at the beginning of a curve to the left with a radius of 995.05 feet;

THENCE Southwesterly, with the arc of said curve, a distance of 402.6 feet to a steel rod at the end of said curve;

THENCE S 0°39' W, with the West line of said Highway, 950.0 feet to a steel rod at the beginning of a curve to the left with a radius of 270.31 feet;

THENCE Southwesterly with the arc of said curve a distance of 381.3 feet to a steel rod at the end of said curve;

THENCE S 79°11' W, with the North line of said F-M Highway 930.0 feet to the point of beginning and containing 164.27 Acres of land, with 4.77 Acres in said easements, 0.20 Acres in said road, and 2.18 Acres in a 107 year flood hazard area.

(17)
EXHIBIT "B"

Description of Property – Country Meadows

Being 86.710 acres of land as conveyed to Moritz Interests according to the deed recorded in Volume 1716, Page 69, Deed Records of Ellis County, Texas, located in the Henri Levy Survey, Abstract Number 629 and the Robert Russell Survey, Abstract Number 911, Ellis County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a an iron rod being the existing southwest corner of Lot 10, Block L, Country Meadows Phase Two, as recorded in Volume __, Page __, Plat Records, Ellis County, Texas, said iron rod also being in the existing east right-of-way line of Country Hills Drive (50.0' right-of-way);

THENCE, South 83 degrees 37 minutes 29 seconds East, along the south line of said Lot 10, Block L, 110.00 feet to an iron rod found for corner;

THENCE, North 06 degrees 22 minutes 31 seconds East, along the east line of Lots 4-10 of said Block L, 320.16 feet to an iron rod found for corner and being the beginning of a curve to the right with a radius of 65.12 feet and a long chord bearing North 38 degrees 15 minutes 33 seconds East, 68.79 feet;

THENCE, along said curve to the right, passing through a central angle of 63 degrees 46 minutes 04 seconds an arc length of 72.47 feet to an iron rod found for corner;

THENCE, North 67 degrees 41 minutes 03 seconds East, along the south line of Lots 1-2, Block L, of said Country Meadows Phase Two, 77.79 feet to an iron rod found for corner, being the southeast corner of said Lot 1, Block L and also being in the existing west right-of-way line of Whispering Trail Drive;

THENCE, North 22 degrees 18 minutes 57 seconds West, along the existing west right-of-way line of said Whispering Trail Drive, 110.00 feet to an iron rod found for corner;

THENCE, North 67 degrees 41 minutes 03 seconds East, 60.00 feet to an iron rod found for corner;

THENCE, North 22 degrees 18 minutes 57 seconds West, along the existing east right-of-way line of said Whispering Trail Drive, 272.11 feet to an iron rod found for corner and being the beginning of a curve to the right with a radius of 275.00 feet and a long chord bearing North 10 degrees 54 minutes 39 seconds West, 108.76 feet;

THENCE, along said curve to the right and continuing along the existing east right-of-way line of said Whispering Trail Drive, passing through a central angle of 22 degrees 48 minutes 35 seconds an arc length of 109.48 feet to an iron rod found for corner;

THENCE, North 00 degrees 29 minutes 38 seconds West, continuing along the existing east right-of-way line of said Whispering Trail Drive, 117.00 feet to an iron rod found for corner;

(17)
EXHIBIT "B"

THENCE, South 89 degrees 30 minutes 22 seconds West, along the existing north right-of-way line of Country Meadows Blvd., 149.38 feet to an iron rod found for corner and being the beginning of a curve to the right with a radius of 275.00 feet and a long chord bearing North 87 degrees 03 minutes 34 seconds West, 32.97 feet;

THENCE, along said curve to the right and continuing along the existing north right-of-way line of said Country Meadows Blvd., passing through a central angle of 06 degrees 52 minutes 09 seconds an arc length of 32.97 feet to an iron rod found for corner;

THENCE, North 83 degrees 37 minutes 29 seconds West, continuing along the existing north right-of-way line of Country Meadows Blvd., 492.12 feet to an iron rod found for corner and being the beginning of a curve to the left with a radius of 480.00 feet and a long chord bearing South 89 degrees 40 minutes 55 seconds West, 111.89 feet;

THENCE, along said curve to the left and continuing along the existing north right-of-way line of said Country Meadows Blvd., passing through a central angle of 13 degrees 23 minutes 12 seconds an arc length of 112.15 feet to an iron rod found for corner;

THENCE, North 06 degrees 22 minutes 31 seconds East, 621.05 feet to an iron rod found for corner;

THENCE, North 89 degrees 29 minutes 41 seconds East, 1540.48 feet to an iron rod found for corner;

THENCE, South 00 degrees 29 minutes 38 seconds East, 2608.09 feet to an iron rod found for corner, said iron rod being in the west property line of that certain tract of land conveyed to E.E. Clark, Jr., Estate Trust by deed recorded in Volume 1212, Page 563, Deed Records Ellis County, Texas;

THENCE, South 28 degrees 51 minutes 18 seconds East, 572.68 feet to an iron rod found for corner, said iron rod being in the north property line of that certain tract conveyed to John L. Estes and William C. Estes by deed recorded in Volume 809, Page 510, Deed Records, Ellis County, Texas;

THENCE, South 80 degrees 51 minutes 28 seconds West, 1261.15 feet to an iron rod found for corner;

THENCE, North 68 degrees 57 minutes 29 seconds West, 471.12 feet to an iron rod found for corner;

THENCE, North 21 degrees 06 minutes 00 seconds East, 335.49 feet to an iron rod found for corner, said iron rod being in the east property line of said Country Meadows Estates, Phase One;

(and continuing with said east property line of said Country Meadows Estates, Phase One the following courses and distances)

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EXHIBIT 'B' -

North 06 degrees 22 minutes 31 seconds East, 647.34 feet to an iron rod found for corner;

North 89 degrees 30 minutes 22 seconds East, 110.11 feet to an iron rod found for corner;

South 00 degrees 29 minutes 38 seconds East, 50.00 feet to an iron rod found for corner;

North 89 degrees 30 minutes 22 seconds East, 120.00 feet to an iron rod found for corner;

North 00 degrees 29 seconds 38 minutes West, 330.00 feet to an iron rod found for corner said iron rod being in the existing north right-of-way line of Bessie Coleman Blvd.

THENCE, North 89 degrees 30 minutes 22 seconds East, along the existing north right-of-way line of Bessie Coleman Blvd., 9.90 feet to an iron rod found for corner, said iron rod being the southwest corner of Lot 6, Block K of said Country Meadows Phase Two;

THENCE, North 00 degrees 29 minutes 38 seconds West, along the east line of said Lot 6, at 110.00 feet passing the northeast corner of said Lot 6 and continuing in all a distance of 160.00 feet to an iron rod found for corner, being in the existing north right-of-way line of said Country Hills Drive;

THENCE, South 89 degrees 30 minutes 22 seconds West, along the existing north right-of-way line of said Country Hills Drive, 24.84 feet to an iron rod found for corner;

THENCE, North 06 degrees 22 minutes 31 seconds East, continuing along the existing east right-of-way line of said Country Hills Drive, 68.25 feet to the POINT OF BEGINNING.

The tract of land herein described contains 86.710 acres of land.

117)
EXHIBIT "B"

COMMITMENT FOR TITLE INSURANCE

Issued By

Fidelity National Title Insurance Company

SCHEDULE A

Effective Date: January 29, 2014, 8:00 am

GFNo. 9711

Commitment No. _____, issued February 5, 2014, 8:00 am

1. The policy or policies to be issued are:

- (a) OWNER'S POLICY OF TITLE INSURANCE (Form T-1)
(Not applicable for improved one-to-four family residential real estate)
Policy Amount: \$1,043,040.00
PROPOSED INSURED: JHDMC Limited Liability Company
- (b) TEXAS RESIDENTIAL OWNER'S POLICY OF TITLE INSURANCE
- ONE-TO-FOUR FAMILY RESIDENCES (Form T-1R)
Policy Amount:
PROPOSED INSURED:
- (c) LOAN POLICY OF TITLE INSURANCE (Form T-2)
Policy Amount:
PROPOSED INSURED:
Proposed Borrower:
- (d) TEXAS SHORT FORM RESIDENTIAL LOAN POLICY OF TITLE INSURANCE (Form T-2R)
Policy Amount:
PROPOSED INSURED:
Proposed Borrower:
- (e) LOAN TITLE POLICY BINDER ON INTERIM CONSTRUCTION LOAN (Form T-13)
Binder Amount:
PROPOSED INSURED:
Proposed Borrower:
- (f) OTHER
Policy Amount:
PROPOSED INSURED:

2. The interest in the land covered by this Commitment is: Fee Simple

3. Record title to the land on the Effective Date appears to be vested in:
Cecelia A. Chamberlain Tatom and Carol M. Chamberlain

4. Legal description of the land:

Being a part of the Robert Russell Survey, Abstract 911, and the Henry Sange Survey, Abstract 1009, Ellis County, Texas, and being a part of a tract conveyed by Mrs. M. Naughton to Ed Naughton by deed of record in Volume 173, Page 422, Deed Records, Ellis County, Texas, and a part of the land conveyed by W.A. Witherspoon, et ux to E.M. Naughton by deed of record in Volume 211, Page 390, Deed Records, Ellis County, Texas, and being more particularly described by its metes and bounds as follows:

BEGINNING at a steel rod at the Northeast corner of the Robert Russell Survey, said point being the Northeast corner of said Witherspoon tract;

THENCE S 0°28' W, with the East line of said survey, 158.1 feet to a point on the West line of F.M. Highway 813, said point being on a curve with a radius of 358.31 feet;

THENCE Southwesterly with the arc of said curve to the left through a central angle of 26°35', a distance of 166.2 feet to the end of said curve;

THENCE S 0°28' W, with the West line of said Highway, 394.0 feet to a steel rod that is N 89°42' W, 40.0 feet from the Southeast corner of said Witherspoon tract and the Northeast corner of a tract conveyed to E.E. Clark by deed of record in Volume 392, Page 112, Deed Records, Ellis County, Texas;

EXHIBIT "B"

THENCE N 89°42' W, with Clarks North line, a distance of 3666.2 feet to a steel rod at his Northwest corner, said point being the Southwest corner of said Witherspoon tract;

THENCE North, with the West line of said Witherspoon tract, 711.1 feet to a steel rod at its Northwest corner, said point being the Southwest corner of said M. Naughton tract;

THENCE S 89°45' E, with the Naughton-Witherspoon line, 1371.1 feet to a steel rod;

THENCE N 34°37' E, 1438.5 feet to a steel rod;

THENCE N 89°55' E, 574.5 feet to a steel rod on the East line of said M. Naughton tract and East line of said Sange Survey;

THENCE S 0°17' W, with the East line of said Sange Survey, 1190.8 feet to a pipe at its Southeast corner, said point being on the North line of said Witherspoon tract and the Russell Survey;

THENCE S 89°38' E, 953.1 feet to the POINT OF BEGINNING and containing 86.92 acres of land.

Note: The Company is prohibited from insuring the area or quantity of the land described herein. *Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for information and/or identification purposes and does not override Item 2 of Schedule B hereof.*

(117)

ORDINANCE NO. 2841

AN ORDINANCE AMENDING ORDINANCE NO. 2733, CONCERNING THE ZONING OF 749 ACRES OF LAND, KNOWN AS "NORTH GROVE PLANNED DEVELOPMENT DISTRICT" IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AMENDING THE ZONING BY AMENDING SECTION VII RELATING TO GARAGE DOORS AND SECTION X AND SECTION M, NO. 4 RELATING TO LIGHT POLES, DECLARING AN EMERGENCY, AND SETTING AN EFFECTIVE DATE.

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, proper application for the change of zoning has been made in accordance with the zoning ordinances in the City of Waxahachie, and same having been referred to the Planning and Zoning Commission, and said Planning and Zoning Commission has recommended the rezoning as hereinafter described, amending Ordinance No. 2733; 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 rezoning and amendments;

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

That the specific use permit is hereby authorized on the following property, as shown:

All that certain lot, tract or parcel of land, being approximately 749 acres, being known as "North Grove Planned Development District", being more fully described in Ordinance No. 2733, also being the area designated as Planned Development-District 117 (PD-117).

The following changes to "North Grove Planned Development District" standards are made:

Section VII. Area and Height Regulations, in Chart A, Single-Family residential product table, the vertical line captioned "Minimum Attached Garage Door", is amended to read, instead of 28 feet, is amended to read 25 feet for the "Estate" and "Manor" product types.

Section X. Single Family Development Design Standards, Subsection H. Street Lighting, Subsection 2. is amended to read: Philadelphia, Acorn and other light poles as approved by City Staff will be allowed.

Section M. Architecture, No. 4, Item a. is deleted and replaced with the following:
"All garage doors shall have at least one of the following architectural elements described below and as shown in Exhibit A attached to this zoning amendment:

- Cedar Faced
- Have one (1), two (2) car garage door with divided light windows
- Have two (2), single car garage doors with divided light windows
- Recessed garage door with divided light windows (single car or two car)
 - a. Recess must be a minimum of 8 inch brick to face to brick face."

An emergency affecting the public welfare is declared to exist, as the building standards needed to be updated and in place, and this ordinance is 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 19th day of January, 2016.



1171

M. Kuni Styer
MAYOR

ATTEST:

Amber Villarreal
Assistant City Secretary

(17)

ORDINANCE NO. 2870

AN ORDINANCE AMENDING THE ZONING ON APPROXIMATELY 749 ACRES OF LAND, MORE OR LESS, KNOWN AS "NORTH GROVE PLANNED DEVELOPMENT DISTRICT" IN WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOCATED ON US HIGHWAY 77 NORTH, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BY AMENDING THE TEXT OF THE DISTRICT, AND OF ITS MAPPING EXHIBITS, 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, proper notification for the change of zoning has been made in accordance with the zoning ordinances in the City of Waxahachie, and same having been referred to the Planning and Zoning Commission, and said Planning and Zoning Commission has recommended the amendment of the text of the district and of its mapping exhibits; 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 amendments.

NOW, THEREFORE, the following described property's zoning and mapping is amended as provided in Exhibit "A" attached hereto:

Approximately 749 acres of land, more or less, known as "North Grove Planned Development District", as more fully described in the City of Waxahachie Ordinance Nos. 2733 and 2841.

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

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.

PASSED, APPROVED AND ADOPTED on this 20th day of June, 2016.


MAYOR

ATTEST:


City Secretary

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EXHIBIT A

AMENDED PLANNED DEVELOPMENT REGULATIONS

Purpose and Intent

The purpose and intent of this Planned Development District is to facilitate quality development and livability of the subject property. The amendments contained herein will revise language and mapping exhibits contained in City Ordinance No. 2733, as amended by City Ordinance No. 2841.

PD Ordinance Section VII

Area and Height Regulations

The table currently contained on Page 8 of the North Grove Planned Development District Standards will be revised as follows:

1. ***** Estate, Manor, and Township lots with a front or side entry garage product will have a rear yard setback of twenty (20) feet.
2. ***** All product types shall have a minimum rear yard setback of fifteen (15) feet.
3. Change the 'Minimum Street Side Yard Setback' for "Estate" product types from twenty (20) feet to fifteen (15) feet.

PD Ordinance Section X

Single-Family Development Design Standards

Section D on Page 12 of the North Grove Planned Development District Standards will be revised by replacing the word "elements" with the word "elevations" in paragraph numbers 2 and 5, to read as follows:

2. No building profile will be allowed on a house built on a lot that is within four (4) lots of a structure constructed with similar building elevations that is located on the same side of the street in-between intersecting streets.
5. No residential building will be built with a similar building elevation and color pallet as one located directly across the street.

PD Ordinance Section X

Single-Family Development Design Standards

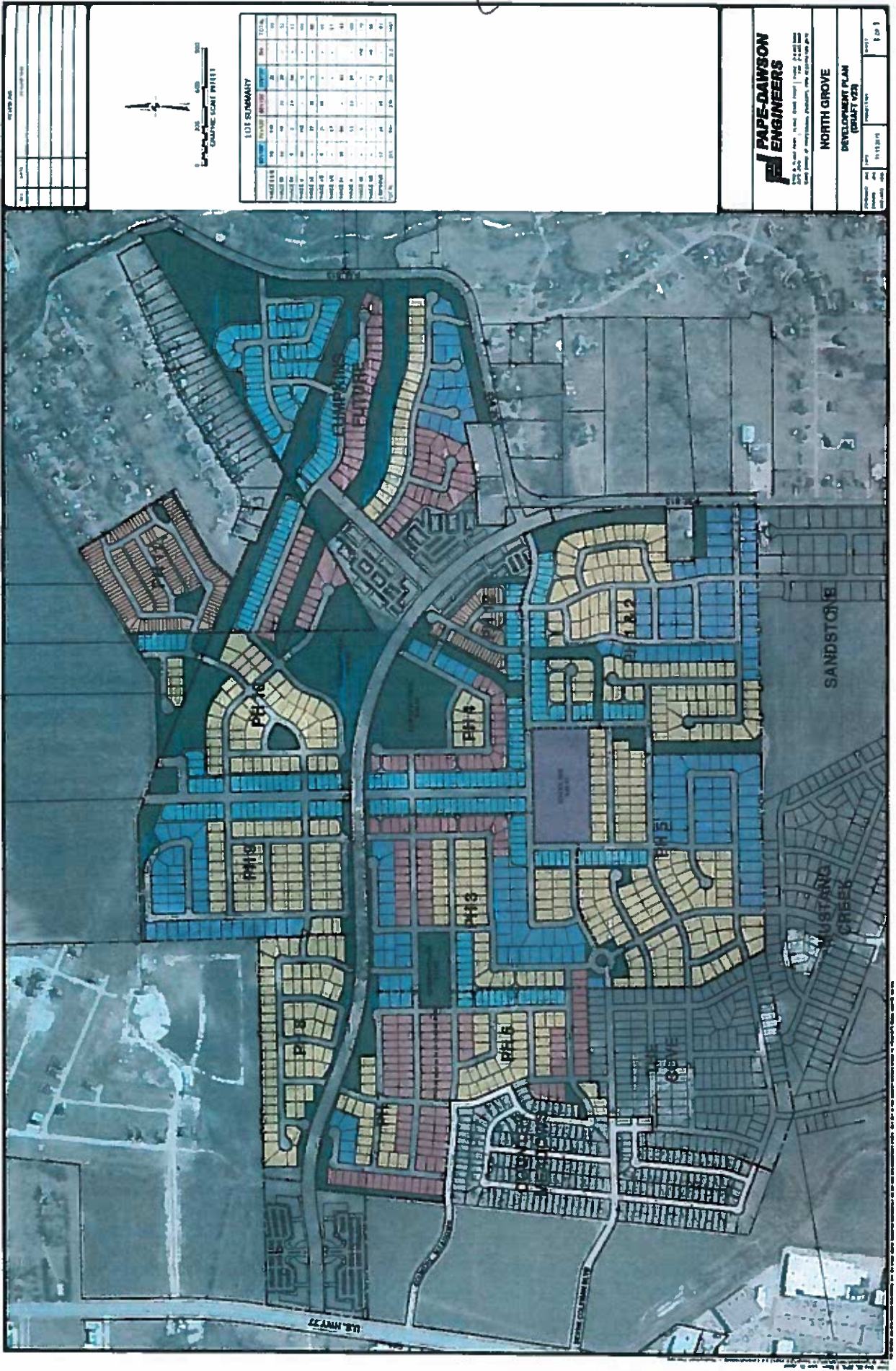
Section M on Page 17 of the North Grove Planned Development District Standards will be revised by deleting paragraph number 3.a. Paragraph M.3 will remain as written.

PD Ordinance Exhibit C

North Grove Development Plan

The 'Exhibit C' Concept Plan associated with the southern section of the North Grove PD will be updated with the development plan identified herein as Exhibit B of this amendatory ordinance. The existing plan will continue to apply on the northern section of the North Grove PD.

Exhibit B



(17)

117)

ORDINANCE NO. 2914

AN ORDINANCE AUTHORIZING A ZONING AMENDMENT FROM SINGLE FAMILY DWELLING-2 (SF2) TO A FREESTANDING PLANNED DEVELOPMENT (PD), WITH CONCEPT PLAN APPENDIX LOCATED EAST OF THE EXISTING NORTH GROVE PLANNED DEVELOPMENT, AT PROPERTY ID 179059 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 38.358 ACRES WITHIN THE 5 J B & A ADAMS, 83 J BILLINGSLY, 1182 JW WRIGHT ABSTRACTS, 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 Appendix has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZA2016-68. 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 denial and appealed to the City Council for approval of the subject property from SF2 to a Freestanding Planned Development (PD), with Concept Plan Appendix; 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 SF2 to a Freestanding Planned Development (PD), with Concept Plan Appendix in order to facilitate development of the subject property in accordance with the North Grove Planned Development that was approved under City Ordinance 2733, as amended by City Ordinance 2841 and City Ordinance 2870 on the following property: Property ID 179059, being 38.358 acres within the 5 J B & A ADAMS, 83 J BILLINGSLY, 1182 JW WRIGHT surveys, which is shown on Exhibit A, in accordance with the Concept Plan Appendix provisions 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.

(17)

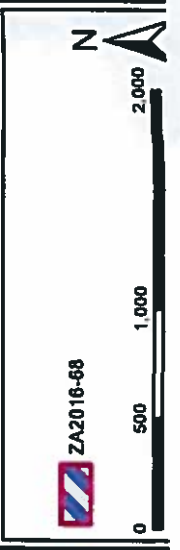
The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this 17th day of January, 2017.

M. Ken [Signature]
MAYOR

ATTEST:

Roni Saunders
City Secretary



Location Map The Preserve at North Grove PD

Exhibit "A"



17)

APPENDIX A: THE PRESERVE AT NORTH GROVE

Purpose:

To incorporate an additional 38.547 acres of land into the existing North Grove Planned Development.

This is shown on the approved Development Plan for North Grove as portions of Phase 10 and all of Phase 11.

The 60' lot (Township Lot) portion shown within Phase 10 will follow all of the Development Standards for the Planned Development for North Grove as approved in Ordinance Number 2733 for the City of Waxahachie and subsequent Ordinances that may pertain. The 50' lots (Cottage Lots) within Phase 10 and all of Phase 11 will follow the Regulations listed below.

Area and Height Regulations – 50' lots (Cottage Lot) The Preserve at North Grove

Lot Classification: C (high)

Minimum Lot Area: 5,000 square feet

Minimum Lot Width: 50'

Minimum Lot Depth: 100'

Alley Access: No

Minimum Principal Building Front Setback: 20'

Porch Setback: 15'

Minimum Side Yard Setback: 5'

Minimum Street Side Yard Setback: 10'

Minimum Rear Yard Setback: 10'

Minimum Floor Areas: 1,800 square feet

Maximum Structure Height: 35'

Maximum Lot Coverage: 75%

Architectural design elements not listed above will be incorporated within the existing Ordinance and will remain consistent with the Single-Family products within the North Grove Planned Development District

EXHIBIT "B"



North Grove Development Location Exhibit

 PD-18-0013

0 1,000 2,000 4,000 Feet



ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-SINGLE FAMILY-1, 2, AND 3, MULTI-FAMILY-1 AND GENERAL RETAIL (PD-SF-1,2, AND 3, MF-1, AND GR) TO PLANNED DEVELOPMENT-SINGLE FAMILY-1, 2, AND 3, MULTI-FAMILY-1 AND GENERAL RETAIL (PD-SF-1,2, AND 3, MF-1, AND GR), LOCATED IN THE NORTH GROVE SUBDIVISION IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 733.23 ACRES KNOWN AS THE SETTLER'S GLEN 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, a proper application for a PD has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number PD-18-0013. 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-SF-1,2, and 3, MF-1, and GR to PD-SF-1,2, and 3, MF-1, and GR; 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-SF-1,2, and 3, MF-1, and GR to PD-SF-1,2, and 3, MF-1, and GR; in order to amend Ordinance No. 2733, 2841, 2870, and 2914 to increase the maximum lot coverage from thirty-five (35) percent to fifty (50) percent in the North Grove subdivision, 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.

(18)

MAYOR

ATTEST:

City Secretary



North Grove Development Location Exhibit



PD-18-0013

0 1,000 2,000 4,000 Feet



119)

Planning & Zoning Department Zoning Staff Report

Case: PD-18-0014



MEETING DATE(S)

Planning & Zoning Commission: February 13, 2018

City Council: February 19, 2018

CAPTION

Public Hearing on a request by Terry Weaver, JHDMC, LLC, for an Amendment to Ordinance No. 2219 for the Sheppard's Place Planned Development District to increase the Maximum Lot Coverage in the Single Family-3 base district from 35% to 50% by main building and accessory structures. (PD-18-0014)

CASE INFORMATION

Applicant: Terry Weaver, JHDMC, LLC

Property Owner(s): Various

Site Acreage: 79.664 acres

Current Zoning: Planned Development-Single Family-2 (PD-SF-2)

Requested Zoning: Planned Development-Single Family-2 (PD-SF-2)

SUBJECT PROPERTY

General Location: West of FM 664, North of Business 287

Parcel ID Number(s): 185243

Existing Use: Currently undeveloped

Development History: Ordinance No. 2219 was approved by City Council on January 20, 2004. The Preliminary Plat was approved, per staff comments, on December 18, 2017.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-1	Currently undeveloped
East	PD-41-C	Single family residence
South	SF-1	Currently undeveloped
West	SF-1	Waxahachie ISD Property

Future Land Use Plan: Low Density Residential

(19)

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 by FM 664. The 2016 Comprehensive Plan shows a Major Thoroughfare B (110' ROW) going through the property.

Site Image:



PLANNING ANALYSIS

The applicant seeks to amend Ordinance No. 2219 to allow for a larger maximum lot coverage.

PD DEVELOPMENT STANDARDS

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

Requirement	Base Zoning	Proposed
Maximum lot coverage	35%	50%

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, a notice was published in the Waxahachie Daily Light on 01/26/2018.

STAFF CONCERNS

1. None.

APPLICANT RESPONSE TO CONCERNS

1. No comments to respond to.

(19)

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. Ordinance No. 2219
2. Location exhibit

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

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

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

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held February 13, 2018, the Commission voted 6-0 to recommend approval of zoning change PD-18-0014 subject to staff comments.

AN ORDINANCE CHANGING THE ZONING ON 79.664 ACRES LOCATED SOUTH OF HIGHWAY 287 BYPASS AND WEST OF OVILLA ROAD (F.M. 664) IN THE E. HORTON SURVEY, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, FROM SINGLE FAMILY-1 (SF-1) TO PLANNED DEVELOPMENT-SINGLE FAMILY-2 (PD-SF-2), FOR A RESIDENTIAL DEVELOPMENT, AND BEING FURTHER DESCRIBED ON EXHIBIT "A," 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, proper application for the change of zoning has been made in accordance with the zoning ordinances in the City of Waxahachie, and same having been referred to the Planning and Zoning Commission, and said Planning and Zoning Commission has recommended the rezoning thereto from Single family-1 (SF-1) to Planned Development-Single Family-2 (PD-SF-2); 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 rezoning from Single family-1 (SF-1) to Planned Development-Single Family-2 (PD-SF-2).

NOW, THEREFORE, the following described properties be, and the same hereby are rezoned as follows:

79.664 acres located in the E. Horton Survey, South of Highway 287 Bypass and West of Ovilla Road (F.M. 664) as shown on Exhibit "A" attached hereto.

The SF-2, Single Family Residential District -- 2 is hereby modified as follows:

Height regulations:

- A. Maximum Height -- Two (2) stories for the main building. One story for accessory buildings without garages.

Area regulations:

A. Size of

- 1. Minimum Lot Area -- Seven thousand two hundred (7,200) sq. ft.
- 2. Minimum Lot Width -- Sixty (60) feet
- 3. Minimum Lot Depth -- One hundred twenty (120) feet

B. Size of Yards:

- 1. Minimum Front Yard -- twenty-five (25) feet
- 2. Minimum Side Yard -- Seven (7) feet; fifteen (15) feet on corner lots adjacent to a street
- 3. Minimum Rear Yard -- Twenty (20) from a garage to an alley; fifteen (15) feet to a main building.

- C. Maximum Lot Coverage: Thirty-five percent (35%) by main buildings and accessory buildings

(19)

D. Parking

1. Single-Family Dwelling Unit -- A minimum of two (2) enclosed parking spaces behind the front building line on the same lot as the main structure (see Section 35, Off-street and Loading Requirement).

E. Minimum Dwelling Unit Area -- No home shall be less than one thousand two hundred and fifty (1,250) square feet. A maximum of fifteen percent (15%) of the homes may be one thousand two hundred and fifty (1,250) square feet; at least fifty percent (50%) of the homes must be one thousand four hundred and fifty (1,450) square feet; a minimum of twenty five percent (25%) of the homes must be one thousand eight hundred and fifty (1,850) square feet or larger and a minimum of ten percent (10%) of the homes must be two thousand (2,000) square feet or larger.

Special requirements:

- A. No permanent use of temporary dwellings, such as travel trailers or mobile homes, may be used for on-site dwelling purposes.
- B. Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on three acres or larger.
- C. Open storage is prohibited (except for materials for the residents personal use or consumption, e.g., firewood, gardening materials, etc.)
- D. Single-family homes with side entry garages where lots frontage is only to one street (not a corner) shall have a minimum of twenty-five (25) feet from the door face of the garage to the side property line for maneuvering.
- E. Other regulations. Same as SF-2.

Other items:

- A. A green belt area will be provided on the western edge of the property for a future city park.
- B. A masonry screening fence will be built along FM 664 (Ovilla Road), which will be maintained by the Homeowner's Association.
- C. The exterior of all homes shall be a minimum of seventy-five percent (75%) masonry. Masonry shall include brick, stucco, stone and cast stone.

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 20 day of January, 2004.

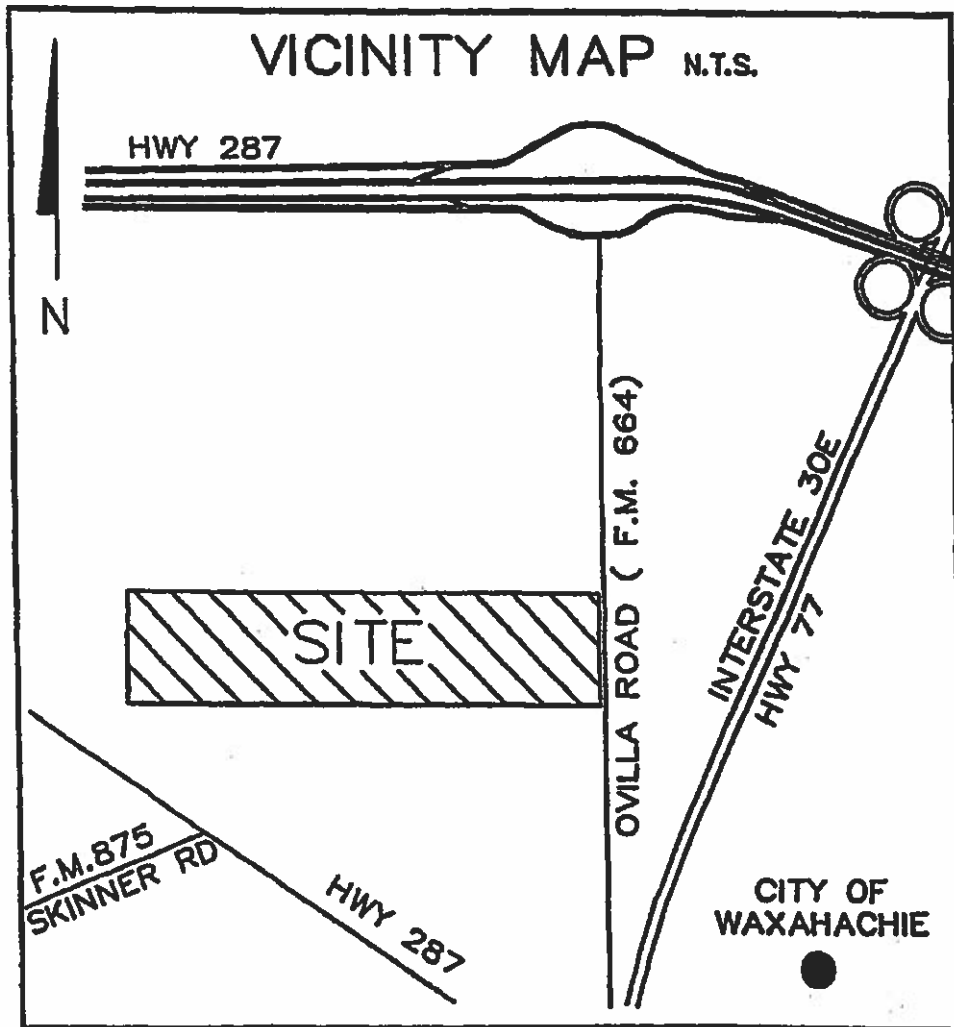
Joe Jenkins
MAYOR

ATTEST:

Nancy Cross
City Secretary



(19)



EXHIBIT

A

(19)

DESCRIPTION

BEING a tract of land situated in the E. HORTON SURVEY, ABSTRACT NO. 466, in the City of Waxahachie, Ellis County, Texas, and being all of a called 80.117 acre tract described in a deed to Sterling Trust Company Trustee FBO Fleet Lassetter recorded in Volume 1274, Page 98 of the Deed Records of Ellis County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set in the west right-of-way line of F. M. Road 664 (Ovilla Road - 80' right-of-way) for the northeast corner of said 80.117 acre tract, from which a 5/8-inch iron pipe found bears South 89 degrees 47 minutes 53 seconds East, a distance of 0.62 feet;

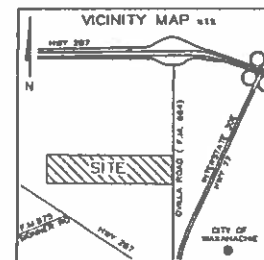
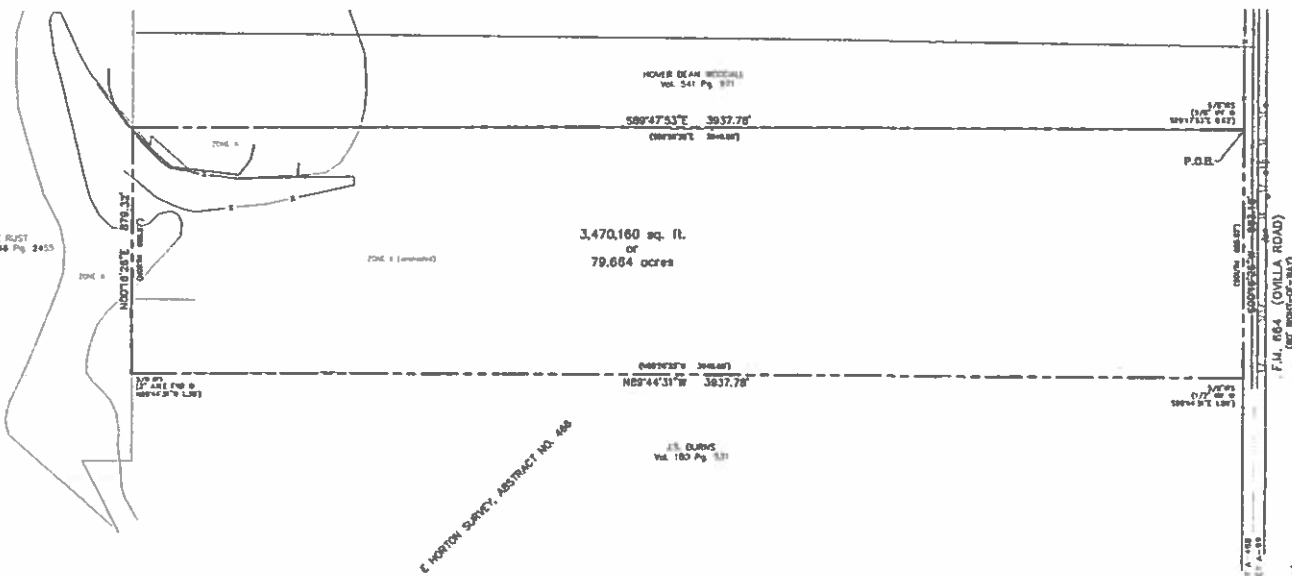
THENCE South 00 degrees 16 minutes 26 seconds West, along the west right-of-way line of F. M. Road 664, a distance of 883.18 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set for the southeast corner of said 80.117 acre tract, from which a 1/2-inch iron rod found bears South 89 degrees 44 minutes 31 seconds East, a distance of 1.08 feet;

THENCE North 89 degrees 44 minutes 31 seconds West, along the south line of said 80.117 acre tract and the north line of a called 80.7 acre tract of land described as Lot 5 in a Partition Deed to J. S. Burns recorded in Volume 180, Page 531 of said Deed Records, a distance of 3937.78 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" set in the east line of a called 239.598 acre tract of land described in a deed to Joe Rust recorded in Volume 1746, Page 2455 of said Deed Records for the southwest corner of said 80.117 acre tract, from which a 2" axle bears North 89 degrees 44 minutes 31 seconds West, a distance of 1.38 feet;

THENCE North 00 degrees 16 minutes 26 seconds East, along the common line between said 80.117 acre tract and said 239.598 acre tract, a distance of 879.32 feet to the northwest corner of said 80.117 acre tract (unable to monument);

THENCE South 89 degrees 47 minutes 53 seconds East, along the north line of said 80.117 acre tract and the south line of a called 26.8 acre tract of land described in a deed to Homer Dean Woodall recorded in Volume 541, Page 971 of said Deed Records, a distance of 3937.78 feet to the POINT OF BEGINNING and containing 3,470,160 square feet, or 79.664 acres of land, more or less.

EXHIBIT A



LEGEND	
LSOC	LONG STAR GAS COMPANY
U.E./UTN	UTILITY EASEMENT
O.E./OFA	ORANGE EASEMENT
S.E.	SANITARY SEWER EASEMENT
S.W.	SOUTHWESTERN BELL
TEL	TELEPHONE EASEMENT
BL	BUILDING LINE
PP	IRON PIPE FOUND
1/2" W/	1/2" BROWN IRON ROD FOUND
THICK MUD	BLACK PARTING
	TRANSPORTATION MOVEMENT
	8" BROWN IRON ROD / 6" C/P
	SHOWN "WEST" RAILROADS' AGENCY
	BANK (AFTER BROWN MAN HOLE
S/8"MS	SET
→	OUTRANCH
→	PUTTER ANCHOR
→	BARRIER VALVE
→	BATTERY METER
→	TELEPHONE ROSSER
→	SHOWN WHITE FENCE
→	PIPE & CABLE FENCE
→	SHOWN FENCE (ELECTRIC)
→	NOTED
→	FIELD INFORMATION

NOTES

BASE OF BEARING IS THE SOUTH LINE OF CTU-66 SECTION AND BEARING IS THE CITY OF WAXAHATCHIE RECORDS TO THE PLAT THEREOF RECORDED IN CARROLL COUNTY, TEXAS, PAGE 300 OF THE MAP RECORDS OF THAT COUNTY, TEXAS.

ANCHOR RULES ON INFORMATION OBTAINED FROM TITLE COMMITMENT PREPARED BY SAVOIR LAND TITLE OF RECORDS IN CONNECTION WITH THE SURVEY AND BEING REPRODUCED AS SUCH, BEING REPRODUCED BY THIS SURVEYOR.

CURVES AND DISTANCES IN PARALLELS ARE GIVEN IN CHAINS.

A PORTION OF THIS PROPERTY IS SITUATED AS LINED IN PLAT "A" ON COMMISSIONER'S MAP, WESTERN BELL, JULY 16, 1993 OF THE PLAT BEARING DATE MAPS, ZONE "A" IS BEARING INCHES AND "SPECIAL FLOOD HAZARD AREAS" MARKED BY HIGH-15-10 FLOOD, NO BASE FLOOD ELEVATIONS DETERMINED.

DESCRIPTION

BEING a tract of land situated in the E. HORTON SURVEY, ABSTRACT NO. 468, in the City of Waxahatchie, Ellis County, Texas, and being all of a cased 80.117 acre tract described in a deed to Starting Trust Company (Starting Trust Company) recorded in Volume 1274, Page 90 of the Deed Records of Ellis County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set in the west right-of-way line of F. M. Road 664 (Della Road - 664 right-of-way) for the northeast corner of said 80.117 acre tract, from which a 5/8-inch iron pipe found bears South 89 degrees 47 minutes 53 seconds East, a distance of 0.62 feet;

THENCE South 00 degrees 18 minutes 26 seconds West, along the west right-of-way line of F. M. Road 664, a distance of 883.18 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set for the southeast corner of said 80.117 acre tract, from which a 1/2-inch iron rod found bears South 89 degrees 44 minutes 31 seconds East, a distance of 1.08 feet;

THENCE North 89 degrees 44 minutes 31 seconds West, along the south line of said 80.117 acre tract and the north line of a cased 80.7 acre tract of land described as Lot 5 in a Partition Deed to J. S. Burns recorded in Volume 100, Page 531 of said Deed Records, a distance of 3917.78 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" set in the east line of a cased 239.598 acre tract of land described in a deed to Joe West recorded in Volume 1746, Page 2455 of said Deed Records for the southwest corner of said 80.117 acre tract, from which a 2" nail bears North 89 degrees 44 minutes 31 seconds West, a distance of 1.36 feet;

THENCE North 00 degrees 18 minutes 26 seconds East, along the common line between said 80.117 acre tract and said 239.598 acre tract, a distance of 879.32 feet to the northwest corner of said 80.117 acre tract (unable to monument);

THENCE South 89 degrees 47 minutes 53 seconds East, along the north line of said 80.117 acre tract and the south line of a cased 32.8 acre tract of land described in a deed to Horner Dean Woodall recorded in Volume 541, Page 871 of said Deed Records, a distance of 3917.78 feet to the POINT OF BEGINNING and containing 3,470.160 square feet, or 79.664 acres of land, more or less.

I, Robert D. Pettit, Jr., a Registered Professional Land Surveyor, do hereby certify that I have prepared this survey from an actual on-the-ground survey of the land, and that the corner monuments shown hereon were placed under my supervision in accordance with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition 1 survey.

Robert D. Pettit, Jr.
Robert D. Pettit, Jr., R.P.L.S. No. 4087



THE PROPERTY IS SUBJECT TO THE FOLLOWING EASEMENTS

EASEMENT FOR FLOOD CONTROL, TO CLARK-PHASE SOIL CONSERVATION DISTRICT - VOL. 406, PG. 469 (BLANKET EASEMENT)

PIPELINE, TELEPHONE AND TELEPHONE EASEMENT TO NADOLKA PETROLEUM CO. - VOL. 306, PG. 122 (BLANKET EASEMENT)

PLAT IN VOL. 163, PG. 530 - NO EVIDENCE OF PIPELINE OR SUBJECT PROPERTY

THE FOLLOWING EASEMENTS DO NOT APPLY TO THE SUBJECT PROPERTY:

ELECTRIC EASEMENT TO TEXAS POWER AND LIGHT CO. - VOL. 336, PG. 636 (EASEMENT - NO POLY OR WIRE RUN ON PROPERTY AT DECEASED LOCATIONS)

ELECTRIC EASEMENT TO TEXAS POWER AND LIGHT CO. - VOL. 306, PG. 388

ELECTRIC EASEMENT TO TEXAS POWER AND LIGHT CO. - VOL. 336, PG. 388

ELECTRIC EASEMENT TO TEXAS POWER AND LIGHT CO. - VOL. 494, PG. 44

ELECTRIC EASEMENT TO TEXAS POWER AND LIGHT CO. - VOL. 494, PG. 437

ELECTRIC EASEMENT TO TEXAS POWER AND LIGHT CO. - VOL. 436, PG. 436

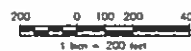
TELEPHONE, TELEPHONE EASEMENT TO SOUTHWESTERN BELL TELEPHONE CO. - VOL. 306, PG. 320

FLOOD CONTROL EASEMENT TO CLARK-PHASE SOIL CONSERVATION DISTRICT - VOL. 406, PG. 469

FLOOD CONTROL EASEMENT TO CLARK-PHASE SOIL CONSERVATION DISTRICT - VOL. 474, PG. 23

RIGHT-OF-WAY EASEMENT TO CLARK COUNTY - VOL. 306, PG. 433

BOUNDARY SURVEY
79.664 ACRES
SITUATED IN THE
E. HORTON SURVEY, ABSTRACT NO. 468
CITY OF WAXAHATCHIE, ELLIS COUNTY, TEXAS
FOR THE
Pettit and Associates, Inc.
SURVEYORS & ENGINEERS
16700 MILLER ROAD, SUITE 210
DALLAS, TEXAS 75244
Tel. (214) 221-9933
Fax (214) 348-2200
DATE: 12-11-03
JOB NO. 02030
SHEET 1 OF 1





**PD-18-0014 Sheppard's Place
Location Exhibit**

 PD-18-0014

0 1,000 2,000 4,000 Feet



(20)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-SINGLE FAMILY-2 (PD-SF-2) TO PLANNED DEVELOPMENT-SINGLE FAMILY-2 (PD-SF-2), LOCATED IN THE SHEPPARD'S PLACE SUBDIVISION IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 79.664 ACRES KNOWN AS THE SHEPPARD'S PLACE 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, a proper application for a PD has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number PD-18-0014. 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-SF-2 to PD-SF-,2; 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-SF-2 to PD-SF-2; in order to amend Ordinance No. 2219 to increase the maximum lot coverage from thirty-five (35) percent to fifty (50) percent in the Sheppard's Place subdivision, 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.

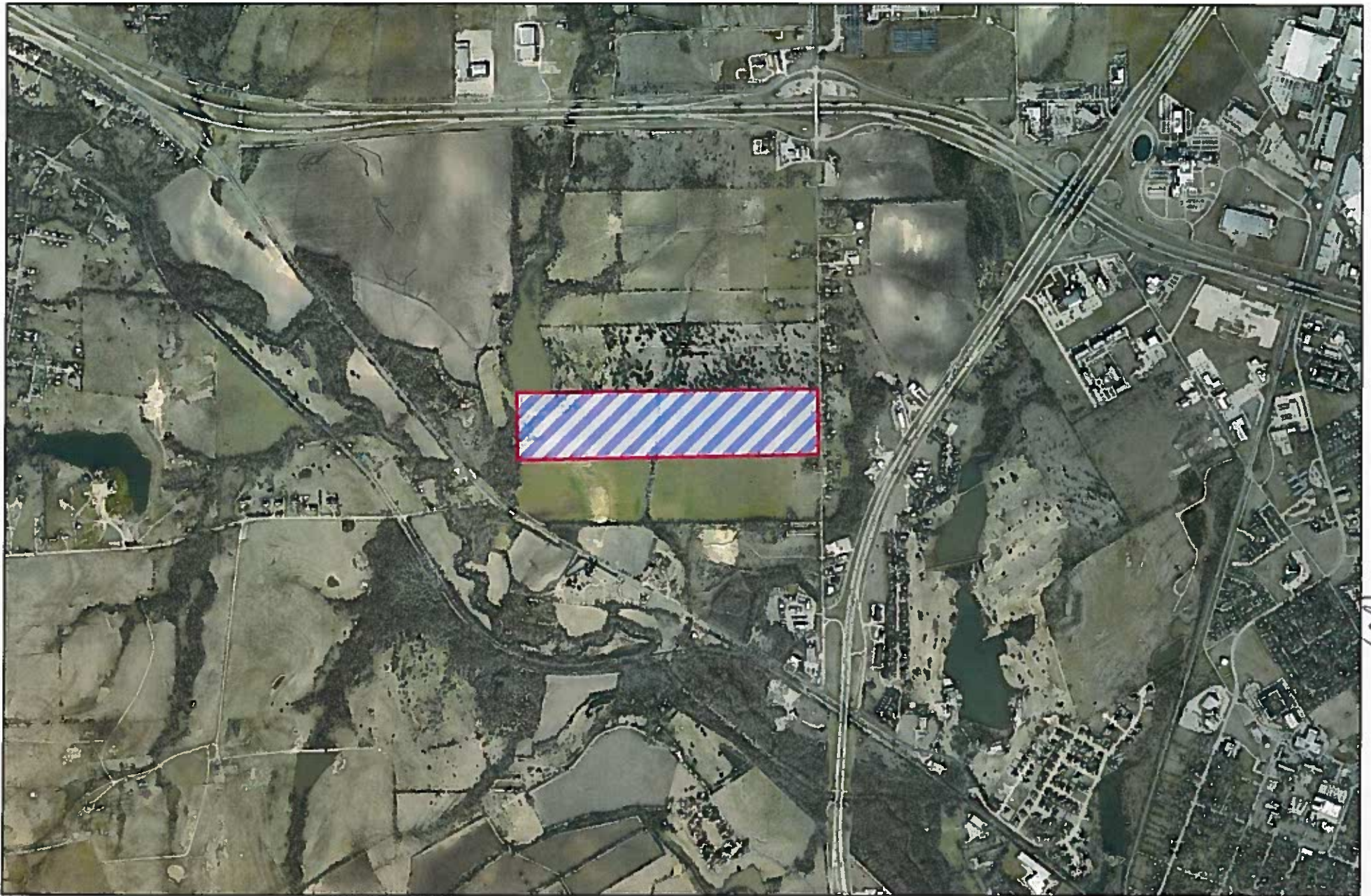
PASSED, APPROVED, AND ADOPTED on this _____ day of _____, 2018.

MAYOR

(20)

ATTEST:

City Secretary



**PD-18-0014 Sheppard's Place
Location Exhibit**

 PD-18-0014

0 1,000 2,000 4,000 Feet



(21)

Thoughts on Sheltering Homeless from John Reynolds, President of Ellis County Habitat for Humanity

Habitat for Humanity builds for people who have been working for a year, meet our requirements for creditworthiness and are willing to put in 350 hours toward building their own home. *For people not yet in that category, there is an empty building, a former hospital, near Getzendaner Park that could quickly be converted to serve the needs of multiple residents.*

Statement to Waxahachie City Council on Homelessness in Waxahachie

We have identified the following areas of concern and five long-term solutions:

1. The good news is that women and children ~~feeling domestic violence~~ are acknowledged as people in need in our larger community, and they have a place to go in the form of: Daniel's Den in Waxahachie; Haven of Hope in Ennis; Family Abuse Center in Waco.
2. The sad news is schools around Ellis County and in Waxahachie know full well that many of their students live in tumultuous home situations. There are assigned mentors and counselors in every school in every school district keeping statistics on juveniles who might be homeless and vulnerable without a safe place to call home, to be nurtured and prepared for a future. *We recommend challenging local churches to methodically work with local schools to provide such students emergency shelter in welcoming homes of families carefully selected from amongst local congregations.*
3. Many functioning families and individuals in Waxahachie work at salaries that do not match the cost of available housing. Many elderly people live on fixed incomes that do not rise with their landlord's expectations for remuneration. *We recommend challenging local developers, Habitat for Humanity and other non-profit organizations to partner in creating housing that is both affordable and pleasing to the community.*
4. Men in Ellis County and its seat of government, Waxahachie, do not have a place to go for shelter when they come to the end of their rope. On January 25, 2018, our Local Homeless Coalition counted 5 homeless men with apparent mental health issues who chose to dwell in public places. That did not include men or women hiding in secret places not intended for human habitation. That also did not include ex-offenders who might be homeless and directionless without a place to call home, to heal and to learn a new way of living. Nor did that include veterans who might be homeless and jobless without a place to call home, to heal and to learn skills for entering high-demand jobs. *We recommend a non-profit association develop integrated supportive housing for people from those populations who desire a changed life, thereby building up the local workforce and solidifying potential taxpayers as contributing members of society.*
5. We understand some of the chronic homeless are not able to fathom a changed life, nor to desire it. Likewise, we recognize some working families are unsure how to change their situation. *We recommend a public-private partnership operate an emergency shelter in the former Baylor Hospital near Getzendaner Park. Recently evicted families, who otherwise might live transiently, could live here instead of in hotels or in their cars. The Waxahachie Police Officers and Ellis County Law Enforcers could bring transients here. Anyone entering the emergency shelter would receive immediate case management services and potentially choose to redirect their lives or graduate to the community's integrated supportive housing.*
6. Finally, we recognize The City government is made up of people who have hearts to serve residents. We would like to work in partnership with The City. *Should The City already have a committee appointed to analyze and handle issues regarding preventing and ending homelessness, we would like to join that working group. If not, we would ask that a member of The City staff participate with our Coalition for a three-year term.*

(22)



Memorandum

To: Honorable Mayor and City Council

From: John Smith *JDS*

Thru: Michael Scott, City Manager *MS*

Date: 2-15-18

Re: Camping Ordinance

Mayor and City Council,

As you recall, the camping ordinance was prepared and placed on last month's agenda for approval. The ordinance received much discussion from our local homeless advocacy group. The group was heard and was given one month to study the issue.

The group has worked and met several times over the last month and are prepared to update the Council. Their data will be a valuable resource and will allow us to proceed with our camping ordinance in a united fashion.

In closing, I respectfully request the homeless advocacy group to have a separate agenda item for their presentation.

Thank you for your consideration.

(22)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ADDING ARTICLE XIII, "OVERNIGHT CAMPING AND TEMPORARY SHELTERS," TO CHAPTER 21, "OFFENSES AND MISCELLANEOUS PROVISIONS," OF THE WAXAHACHIE CITY CODE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Waxahachie ("City Council") has determined that the adoption of this ordinance best serves the general welfare of the City of Waxahachie, Texas ("City"), and its residents by enacting reasonable restrictions on certain activities that the City Council has determined are detrimental to the City, and which restrictions will promote and preserve the public health, safety, and welfare.

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

SECTION 1. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. That Article XIII, "Overnight Camping and Temporary Shelters," is hereby added to Chapter 21, "Offenses and Miscellaneous Provisions," of the Waxahachie City Code, to read as follows:

ARTICLE XIII

OVERNIGHT CAMPING AND TEMPORARY SHELTERS

Sec. 21-223. OVERNIGHT CAMPING PROHIBITED.

- (a) No person shall camp overnight in a park, publicly-owned property, or right-of-way, except in designated areas and without first obtaining a camping permit from the director of the parks and recreation department.
- (b) Campers, picnickers and all other persons shall keep their sites free of trash and litter during the period of occupancy and shall remove all personal equipment and clean their sites upon departure.
- (c) No person shall camp at one or more campsites for a period longer than fourteen (14) days during any thirty (30) consecutive day period without written permission from the director of the parks and recreation department.
- (d) No person shall alter any campsite, dig or level any ground, nor construct any structure on a campsite, without written permission from the director of the parks and recreation department.

(22)

Sec. 21-224. PROHIBITION ON THE UNAUTHORIZED PLACEMENT, ERECTION, OR MAINTENANCE OF TEMPORARY SHELTERS ON DESIGNATED PUBLIC PROPERTY.

(a) In this section:

(1) **DESIGNATED PUBLIC PROPERTY** means any of the following:

(A) Any parks, grounds, buildings, facilities, or rights-of-way under the jurisdiction, management, or control of the city parks and recreation board;

(B) Any properties, grounds, buildings, facilities, or rights-of-way owned, leased, or controlled by the city; and

(C) Any vacant and unimproved lots owned, leased, or controlled by the city.

(2) **TEMPORARY SHELTER** means any tent or other type of portable or impermanent structure, whether manufactured or makeshift, in or under which a person can be sheltered or partially sheltered from the elements.

(b) A person commits an offense if the person places, erects, or maintains a temporary shelter in or upon any designated public property.

(c) It is a defense to prosecution under Subsection (b) of this section that the placement, erection, or maintenance of the temporary shelter by the person on the designated public property was expressly authorized by:

(1) an ordinance or resolution of the city council;

(2) a special event permit issued by the city or another license or permit granted by the city;

(3) a contract with the city; or

(4) if the designated public property is under the jurisdiction, management, or control of the city parks and recreation board, a permit or other written authorization granted by the board, or by the director of the parks and recreation department.

SECTION 3. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance or of the Waxahachie City Code, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Waxahachie City Code, as amended hereby, which shall remain in full force and effect.

SECTION 4. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Waxahachie City Code, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. A person who violates a provision of this ordinance is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine not to exceed \$500.

(22)

SECTION 6. This ordinance shall take effect immediately from and after its passage and publication of the caption as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS this 19th day of February, 2018.

The City of Waxahachie, Texas

Kevin Strength, Mayor

ATTEST:

Amber Villarreal, Assistant City Secretary