

**NOTICE OF PLANNING & ZONING COMMISSION BRIEFING SESSION
JANUARY 8, 2019
CITY COUNCIL CONFERENCE ROOM
401 S. ROGERS
WAXAHACHIE TEXAS
6:00 P.M.**

Agenda

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

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

Notice of Potential Quorum
One or more members of the Waxahachie City Council may be present at this meeting.
No action will be taken by the City Council at this meeting.

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, January 8, 2019 at 7:00 p.m.*** in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

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

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

- a. Minutes of the regular Planning & Zoning Commission meeting of December 11, 2018
 - b. Minutes of the Planning and Zoning Commission briefing of December 11, 2018
4. ***Consider*** request by Lance Rust, Joe Rust Co., for a **Final Plat** of Lone Elm Addition for 13 residential lots, being 21.607 acres in the E. H. Belcher Survey, Abstract 143 (Property ID 180711) – Owner: TRES GROUP LLC (FP-18-0208)
5. ***Consider*** request by Anthony C. Lohden for a **Replat** of Lot 4, Block 4, College Addition, to create Lots 4-1R and 4-2R, Block 4, College Addition, 0.366 acres (Property ID 172822) – Owners: ANTHONY COLE LOHDEN AND ANNA MICHELLE LOHDEN (RP-18-0197)
6. ***Consider*** request by Jeff Douglas, Stanger Surveying, for a **Final Plat** of Silo House Ranch for 4 lots, being 5.84 acres situated in the S.C. White Survey, Abstract 1252 (Property ID 227069) in the Extra Territorial Jurisdiction – Owner: LYKELE K TAMMINGA (FP-18-0203)
7. ***Consider*** request by Linda Kuckuck for a **Replat** of Lot 12, Green Meadow, to create Lots 12-1R, 12-2R, and 12-3R, Green Meadow, 5.174 acres (Property ID 150740 and 242437)D in the Extra Territorial Jurisdiction – Owners: KERRY L & LINDA K KUCKUCK and OVIDIO & CHANDRA PENA (RP-18-0207)

8. **Public Hearing** on a request by David Hill for a Specific Use Permit (SUP) for **Accessory Building (Residential), Greater than or Equal to 700 S.F.** use within a Single Family-2 zoning district, located at 607 W Marvin (Property ID 171941) – Owner: WILLIAM D & MICKIE HILL (SU-18-0206)
9. **Consider** recommendation of Zoning Change No. SU-18-0206
10. **Public Hearing** on a request by Billy Hufstetler for a Specific Use Permit (SUP) for **Accessory Building (Residential), Greater than or Equal to 700 S.F.** use within a Single Family-2 zoning district, located at 704 Bryson (Property ID 176921) – Owner: BILLY JOE HUFSTETLER (SU-18-0209)
11. **Consider** recommendation of Zoning Change No. SU-18-0209
12. **Public Hearing** on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for **Unified Lot Sign** and **Electronic Message Sign** uses within a Planned Development-44-General Retail zoning district, located at the NW corner of Brown Street at Professional Place, being Lot 5, Block A, Chapman Plaza Phase II 0.459 acres (Property ID 230478) – Owner: TAHOE CITY PARTNERS LLC (SU-18-0173)
13. **Consider** recommendation of Zoning Change No. SU-18-0173
14. **Continue Public Hearing** on a request by Alan Lauhoff, Atlas Associates, Inc., for a Zoning Change from a Single Family-2 zoning district to **Planned Development-Single Family-3 and General Retail, with Concept Plan**, located South of Blue Bonnet Trails Phases 1 & 2 being 290 B B DAVIS 9.31 AC and 290 B B DAVIS 40.469 ACRES (Property ID 264992 and 182275) - Owner: BLUE BONNET TRAILS LLC (PD-18-0119)
15. **Consider** recommendation of Zoning Change No. PD-18-0119
16. **Public Hearing** on a request by Barb Hall, Ervin USA, for a Specific Use Permit (SUP) for **Trailer, Truck Sales or Rental** use within a Light Industrial-2 and Future Development zoning district, located at 4675 N Interstate 35, being 790 EC NEWTON 29.74 ACRES (Property ID 188460) - Owner: LUIS ESTRADA (SU-18-0180)
17. **Consider** recommendation of Zoning Change No. SU-18-0180
18. **Public Hearing** on a request by the City of Waxahachie for a textual change to Section 2.01 (B) of the City of Waxahachie Zoning Ordinance, located at Appendix A of Waxahachie City Code, regarding existing non-conforming single family uses. (TA-18-0196)
19. **Consider** recommendation of Zoning Change No. TA-18-0196
20. **Public Hearing** on a request by the City of Waxahachie for a textual change to Section 5.01 (B) of the City of Waxahachie Zoning Ordinance, located at Appendix A of Waxahachie City Code, regarding masonry construction for Single-Family and Duplex structures. (TA-18-0223)
21. **Consider** recommendation of Zoning Change No. TA-18-0223

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

23. Adjourn

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

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

Notice of Potential Quorum

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

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

Planning and Zoning Commission
December 11, 2018

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, December 11, 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
David Hudgins
Erik Test

Others Present: Shon Brooks, Director of Planning
Colby Collins, Senior Planner
James Gaertner, City Engineer
Tommy Ludwig, Assistant City Manager
Lori Cartwright, City Secretary
Mary Lou Shipley, 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 & Zoning Commission meeting of November 27, 2018
- b. Minutes of the Planning and Zoning Commission briefing of November 27, 2018

Action:

Mrs. Bonney Ramsey moved to approve items a. and b. on the Consent Agenda. Vice Chairman Melissa Ballard seconded, All Ayes.

4. **Public Hearing on a request by Todd Wintters, Engineering Concepts & Design L.P., for a Planned Development Amendment to set the Minimum Lot Width at 70 feet, located West of Ovilla Road and 800' South of Highway 287 being 1080 WM C TUNNELL 119.683 ACRES (Property ID 191627) - Owner: A ONE PLUS INVESTMENT GROUP LLC (PD-18-0195)**

Chairman Keeler announced the applicant withdrew their application.

There being no others to speak for or against PD-18-0195, Chairman Keeler closed the Public Hearing.

5. **Consider recommendation of Zoning Change No. PD-18-0195**

Action:

None

- 6. Public Hearing on a request by Jason Eisman, Premier Solar Solutions, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-Single Family-3 zoning district, located at 914 Creekview (Property ID 225451) – Owner: RODNEY MOFFETT (SU-18-0161)**

Chairman Keeler opened the Public Hearing.

Mr. Colby Collins, Senior Planner, reported the applicant seeks to install solar panels on the roof of their single family residence. He stated the panels will be located on the sides and rear of the house. Staff recommended approval.

There being no others to speak for or against SU-18-0161, Chairman Keeler closed the Public Hearing.

- 7. Consider recommendation of Zoning Change No. SU-18-0161**

Action:

Vice Chairman Melissa Ballard moved to approve a request by Jason Eisman, Premier Solar Solutions, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-Single Family-3 zoning district, located at 914 Creekview (Property ID 225451) – Owner: RODNEY MOFFETT (SU-18-0161) subject to staff comments. Mr. David Hudgins seconded, All Ayes.

- 8. Continue Public Hearing on a request by Brandon Edgley, Marc Jones Construction LLC, DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-2 zoning district, located at 231 Colt Drive (Property ID 241253) – Owner: GEORGE & DANA HOLLER (SU-18-0168)**

Chairman Keeler continued the Public Hearing.

Mr. Collins reported the applicant seeks to install solar panels on the roof of their single family residence. He stated the panels will be located on the sides and rear of the house. Staff recommended approval.

There being no others to speak for or against SU-18-0168, Chairman Keeler closed the Public Hearing.

- 9. Consider recommendation of Zoning Change No. SU-18-0168**

Action:

Mrs. Bonney Ramsey moved to approve a request by Brandon Edgley, Marc Jones Construction LLC, DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-2 zoning district, located at 231 Colt Drive (Property ID 241253) – Owner:

GEORGE & DANA HOLLER (SU-18-0168) subject to staff comments. Mr. David Hudgins seconded, All Ayes.

- 10. Public Hearing on a request by Devon McCarley, Freedom Solar Power, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-Single Family-2 zoning district, located at 122 Gentle Winds (Property ID 267501) – Owner: BENJOHN G & CRISELDA M FRANCISCO (SU-18-0188)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant seeks to install solar panels on the roof of their single family residence. He stated the panels will be located on the sides and rear of the house. Staff recommended approval.

Mr. Vicente Nazario, Jr., Sunpro Solar, was available for questions.

There being no others to speak for or against SU-18-0188, Chairman Keeler closed the Public Hearing.

- 11. Consider recommendation of Zoning Change No. SU-18-0188**

Action:

Mr. Jim Phillips moved to approve a request by Devon McCarley, Freedom Solar Power, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-Single Family-2 zoning district, located at 122 Gentle Winds (Property ID 267501) – Owner: BENJOHN G & CRISELDA M FRANCISCO (SU-18-0188) subject to staff comments. Mr. David Hudgins seconded, All Ayes.

- 12. Continue Public Hearing on a request by Troy Elison, Marc Jones Construction LLC, DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-27-Single Family-2 zoning district, located at 209 Hacienda Drive (Property ID 174301) – Owner: STEPHANIE YBARBO & ROGELIO MEJIA JR (SU-18-0169)**

Chairman Keeler continued the Public Hearing.

Mr. Collins reported the applicant seeks to install solar panels on the roof of their single family residence. He stated the exhibit submitted by the applicant depicts a solar panel system facing the public right-of-way and explained, per the City Ordinance, rooftop solar panel systems must be installed so that they do not front onto the right-of-way. Staff recommended to deny SU-18-0169.

Mr. Vicente Nazario, Jr., Sunpro Solar, stated the purpose of the panels to the front of the residence facing the right-of-way is that it faces the west and if removed the savings of 95% will be reduced to 45%. He stated solar panels do not work on the north and south side of structures due to the sun.

There being no others to speak for or against SU-18-0169, Chairman Keeler closed the Public Hearing.

13. Consider recommendation of Zoning Change No. SU-18-0169

Action:

Mr. Jim Phillips moved to deny a request by Troy Elison, Marc Jones Construction LLC, DBA Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-27-Single Family-2 zoning district, located at 209 Hacienda Drive (Property ID 174301) – Owner: STEPHANIE YBARBO & ROGELIO MEJIA JR (SU-18-0169). Mr. David Hudgins seconded, All Ayes.

14. Public Hearing on a request by Josh Morgan, Connect4Life Church, for a Zoning Change from a Planned Development-16-Light Industrial-1 zoning district to Multiple-Family Residential-2 located at 2795 John Arden (Property ID 189266) - Owner: INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL (ZC-18-0192)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant intends to sell the land, before any construction of multi-family development. He stated the proposed multi-family zoning is adjacent to another multi-family development being Oxford at Crossroads Center. Mr. Collins stated staff prefers to create a Planned Development limiting the use to allow Multi-Family limited to senior housing. Also, if the zoning change is approved, staff recommended to require the applicant to submit a site plan to the Planning and Zoning Commission and City Council for review. He stated staff has no issues with rezoning but not comfortable with straight zoning to multi-family residential-2.

Mr. Chris Acker, 5100 Honeysuckle Road, Midlothian, stated the applicant seeks to zone 10 acres out of 14.455 acres and clarified there is no frontage on John Arden. He stated Alliance Boulevard will have to be extended to the property. Mr. Acker stated the applicant is seeking a tax credit that expires January 7, 2019 and asked the Commission to approve a Planned Development with age restriction of 55 plus. He asked for a Planned Development Agreement that can be reviewed.

The Commission held discussion and Mr. Tommy Ludwig, Assistant City Manager, stated the Commission can approve a base zoning and Mr. Acker can come back and request with a detailed site plan. Mr. Shon Brooks, Director of Planning, stated the City's base zoning is so restrictive that the applicant will need to come back and ask for variances.

Pastor Josh Morgan, Connect4Life Church, stated they are looking to zone only 10 acres and there will be no entrance or exit from John Arden.

There being no others to speak for or against ZC-18-0192, Chairman Keeler closed the Public Hearing.

15. Consider recommendation of Zoning Change No. ZC-18-0192

Action:

Ms. Betty Square Coleman moved to approve a request by Josh Morgan, Connect4Life Church, for a Zoning Change from a Planned Development-16-Light Industrial-1 zoning district to Multiple-Family Residential-2 located at 2795 John Arden (Property ID 189266) - Owner: INTER

NATIONAL CHURCH OF THE FOURSQUARE GOSPEL (ZC-18-0192) subject to staff comments including the zoning change is approve for PD-MF-2 opposed to straight MF-2 zoning, PD allows for senior living (55+), the applicant has to come back to present a detailed site plan for PZ approval. Vice Chairman Melissa Ballard seconded, All Ayes.

16. Public Hearing on a request by Walter R Jackson, for a Zoning Change from a Single Family-3 zoning district to General Retail located at 3101 S Interstate 35 and 3103 S Interstate 35 (Property ID 179038 and 176910) - Owner: WALTER R AND MYRNA J JACKSON (ZC-18-0179)

Chairman Keeler opened the Public Hearing.

Mr. Collins showed a map of the property location noting the surrounding property is general retail zoning. He stated the applicant intends to maintain an existing flea market for retail use and explained the existing flea market was constructed illegally by the applicant. Mr. Collins noted the applicant request the zoning change in order to be compliant with the City. Staff recommended that all business activity cease until the property is compliant with the City's Building Department and Code Enforcement. Mr. Collins stated staff will not issue a Certificate of Occupancy until the property is cleaned up to meet city standards and Code Enforcement inspects the property.

Mr. Walter Jackson, 313 Lake Shore Drive, Waxahachie, owner, stated he wants to sell the property and explained that the property is leased to someone and they are aware it needs to be cleaned up.

Ms. Maria Gonzalez, 3105 S. Interstate 35, Waxahachie, stated she lives behind the proposed property noting she does not have any issue with the rezone. She stated the two properties share a driveway and it is blocked with customers parking in the driveway.

There being no others to speak for or against ZC-18-0179, Chairman Keeler closed the Public Hearing.

Chairman Keeler stated regardless if the Commission denies or approves the request and have the property cleaned up, do we want it Single Family or General Retail. Mr. Brooks stated the Future Land Use is slated for Genera Retail.

17. Consider recommendation of Zoning Change No. ZC-18-0179

Action:

Mr. Jim Phillips moved to deny a request by Walter R Jackson, for a Zoning Change from a Single Family-3 zoning district to General Retail located at 3101 S Interstate 35 and 3103 S Interstate 35 (Property ID 179038 and 176910) - Owner: WALTER R AND MYRNA J JACKSON (ZC-18-0179). Vice Chairman Melissa Ballard seconded. The vote was as follows:

*Ayes: Rick Keeler
Melissa Ballard
Betty Square Coleman
Bonney Ramsey*

Jim Phillips

*Noes: David Hudgins
Erik Test*

The motion carried.

- 18. Consider request by Kars Tamminga for a Final Plat of Pioneer Point, Phase 3 and 4 for 57 lots, being 70.160 acres situated in the Charles Atteberry Survey, Abstract 10 (Property ID 269432 and 210780) in the Extra Territorial Jurisdiction – Owner: PIONEER POINT FARMS LLC and TAMMINGA FAMILY PARTNERSHIP LTD (FP-18-0171)**

Mr. Collins reported the Final Plat is for a proposed residential development and stated Buena Vista-Bethel has indicated that their existing system can furnish the requested service for water distribution and fire flow requirements. Staff recommended approval.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Kars Tamminga for a Final Plat of Pioneer Point, Phase 3 and 4 for 57 lots, being 70.160 acres situated in the Charles Atteberry Survey, Abstract 10 (Property ID 269432 and 210780) in the Extra Territorial Jurisdiction – Owner: PIONEER POINT FARMS LLC and TAMMINGA FAMILY PARTNERSHIP LTD (FP-18-0171) subject to staff comments. Mrs. Bonney Ramsey seconded, All Ayes.

- 19. Consider request by Jeff Crannell, Crannell Engineering, for a Final Plat of Camden Park, Phase 2 Addition for 91 lots, being 23.63 acres situated in the Silas M. Durrett Survey, Abstract 272 (Property ID 270070) – Owner: DFW 70-36 LLC (FP-18-0185)**

Mr. Collins reviewed the following outstanding staff comments that the applicant will be required to complete prior to filing the Final Plat:

- The plat cannot be filed until the city has received the Letter of Acceptance of Public Infrastructure
- County fees need to be paid
- The cash in lieu of park land dedication of \$36,400.00 will need to be paid
- Easement abandonment instrument number must be provided prior to filing

Staff recommends approval per above staff comments.

Mrs. Betty Square Coleman stated Peters Street runs behind the development and asked if streetscape such as sidewalks and trees will be planted on the outside of the brick wall to make it aesthetically pleasing.

Mr. James Gaertner, City Engineer, stated a ditch runs along Peters Street. Mr. Brooks stated that is outside the development area.

Action:

Mr. David Hudgins moved to approve a request by Jeff Crannell, Crannell Engineering, for a Final Plat of Camden Park, Phase 2 Addition for 91 lots, being 23.63 acres situated in the Silas M. Durrett Survey, Abstract 272 (Property ID 270070) – Owner: DFW 70-36 LLC (FP-18-0185) subject to staff comments. Mrs. Bonney Ramsey seconded. The vote was as follows:

*Ayes: Rick Keeler
Melissa Ballard
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test*

Noes: Betty Square Coleman

The motion carried.

- 20. Consider request by Jeff Crannell, Crannell Engineering, for a Preliminary Plat of Camden Estates for 432 lots, being 133.28 acres out of the Silas M. Durrett Survey, Abstract 272 (Property ID 182052) – Owner: COOPER ZADEH LLC (PP-18-0182)**

Mr. Collins presented architectural samples for the development and recommended approval per the following staff comments:

- The ROW shown are fifty (50) feet. The City standard is now fifty-four (54) feet wide. Two (2) foot easements on both sides of the ROW are possible, but there is no indication of this on the plat. The two (2) foot sidewalk easement is recommended to match the rest of the development.
- If corner clips are not provided in the PD-2F section, a “corner clip and sidewalk easement” that measures fifteen (15) feet from back of curb must be provided. The sidewalk easement will need to follow the corner clip specifications on the design manual.
- Fifteen (15) foot utility easements are required along all street frontage, including on corner lots in the PD-2F section.
- New street names are needed in the PD-2F area.
- A screening wall easement along Parks School House Road is required.
- The construction plans and developers agreement are needed for the turn lane on Main St. Prior to Final Plat, the turn lane needs to be constructed or put the turn lane construction money into escrow.
- Regarding Block T, Lot 23: Indicate if a house fit this lot with the easement running through it.
- The drainage areas are not taking into account the offsite drainage area. This can increase the size of the storm system once you get into design. If the offsite drainage is not accounted, the proposed storm system will be undersized.
- Water and sewer cannot run parallel. Need a minimum of 9 feet separation.
- A 12-inch water line is required for commercial sites. Indicate compliance.
- Indicate street outline along Whitewater Drive.

- The minimum for concrete is 6" thick minimum with 3,600 psi (Class "C" concrete). May be thicker or need stronger concrete depending in the geotechnical report. The geotechnical report can be provided with the construction plans.
- The screening wall or fences cannot be going through the sewer easement. This space is needed for maintenance.
- Sidewalk must be continued for this project. 5-foot wide minimum sidewalk.

Chairman Keeler stated the Commission was explicit in the motion that they wanted proposed architectural amenities with architectural houses that was previously discussed and approved. He wants it clear as to what was previously approved in this Plat.

The Commission held discussion and Mr. Ludwig stated staff will coordinate to place the building standards in the City's requirements.

Action:

Mr. Jim Phillips moved to approve a request by Jeff Crannell, Crannell Engineering, for a Preliminary Plat of Camden Estates for 432 lots, being 133.28 acres out of the Silas M. Durrett Survey, Abstract 272 (Property ID 182052) – Owner: COOPER ZADEH LLC (PP-18-0182) subject to staff comments. Mr. David Hudgins seconded, All Ayes.

- 21. Consider request by Kaitlyn Taylor, Jacobs Engineering Group, for a Preliminary Plat of Saddlebrook Estates Central Tract West 1 & 2 for 87 lots, being 24.25 acres situated in the G. Carpenter Survey, Abstract 90 and M. Rafferty Survey, Abstract 898 (Property ID 262511) – Owner: 287 WAXAHACHIE LP (PP-18-0193)**

Mr. Collins reported per the Agreement of Understanding signed on October 15, 2018 between the City and property owner depicts the issuance of no more than 100 residential building permits may be issued prior to the connection to US Highway 287. He stated the applicant is meeting all requirements and recommended approval.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Kaitlyn Taylor, Jacobs Engineering Group, for a Preliminary Plat of Saddlebrook Estates Central Tract West 1 & 2 for 87 lots, being 24.25 acres situated in the G. Carpenter Survey, Abstract 90 and M. Rafferty Survey, Abstract 898 (Property ID 262511) – Owner: 287 WAXAHACHIE LP (PP-18-0193) subject to staff comments. Mrs. Bonney Ramsey seconded, All Ayes.

- 22. Consider request by Reginald Coulsell II for a Preliminary Plat of Crystal Cove Ranch for 1 lot, being 17.336 acres in the A.B. Fluery Survey, Abstract 374 (Property ID 183557) – Owner: CRYSTAL TAYLOR & REGINALD COULSELL II (PP-18-0186)**

Mr. Collins reported the utility easement required along the street frontage is fifteen foot and the applicant requested a ten foot utility easement. Staff recommended approval with the fifteen foot utility easement.

Ms. Crystal Taylor, property owner at Howard Road and Hunter Pass, stated she is okay with the fifteen foot utility easement but would like underground utilities. Mr. Gaertner stated the City's current ordinance stipulates underground utilities and explained to Ms. Taylor that she would have to contact the franchise utility companies for discussion of their utility lines.

Action:

Mr. Jim Phillips moved to approve a request by Reginald Coulsell II for a Preliminary Plat of Crystal Cove Ranch for 1 lot, being 17.336 acres in the A.B. Fluery Survey, Abstract 374 (Property ID 183557) – Owner: CRYSTAL TAYLOR & REGINALD COULSELL II (PP-18-0186) subject to staff comments. Vice Chairman Melissa Ballard seconded, All Ayes.

- 23. Consider request by Reginald Coulsell II for a Final Plat of Crystal Cove Ranch for 1 lot, being 17.336 acres in the A.B. Fluery Survey, Abstract 374 (Property ID 183557) – Owner: CRYSTAL TAYLOR & REGINALD COULSELL II (FP-18-0187)**

Mr. Collins reported applicant will be required to pay Ellis County fees, provide a Letter of Acceptance of Infrastructure, and submit revised drawings depicting the fifteen foot utility easement along street frontages.

Action:

Mrs. Betty Square Coleman moved to approve a request by Reginald Coulsell II for a Final Plat of Crystal Cove Ranch for 1 lot, being 17.336 acres in the A.B. Fluery Survey, Abstract 374 (Property ID 183557) – Owner: CRYSTAL TAYLOR & REGINALD COULSELL II (FP-18-0187) subject to staff comments. Vice Chairman Melissa Ballard seconded, All Ayes.

- 24. Continue Public Hearing on a request by Alan Lauhoff, Atlas Associates, Inc., for a Zoning Change from a Single Family-2 zoning district to Planned Development-Single Family-3 and General Retail, with Concept Plan, located South of Blue Bonnet Trails Phases 1 & 2 being 290 B B DAVIS 9.31 AC and 290 B B DAVIS 40.469 ACRES (Property ID 264992 and 182275) - Owner: BLUE BONNET TRAILS LLC (PD-18-0119)**

Chairman Keeler continued the Public Hearing and announced the applicant wishes to continue the Public Hearing to the Planning and Zoning Commission meeting of January 8, 2019.

- 25. Consider recommendation of Zoning Change No. PD-18-0119**

Action:

Vice Chairman Melissa Ballard moved to continue a request by Alan Lauhoff, Atlas Associates, Inc., for a Zoning Change from a Single Family-2 zoning district to Planned Development-Single Family-3 and General Retail, with Concept Plan, located South of Blue Bonnet Trails Phases 1 & 2 being 290 B B DAVIS 9.31 AC and 290 B B DAVIS 40.469 ACRES (Property ID 264992 and 182275) - Owner: BLUE BONNET TRAILS LLC (PD-18-0119) to the Planning and Zoning Commission meeting of January 8, 2019. Mrs. Bonney Ramsey seconded, All Ayes.

- 26. Consider request by Garry R Turner for a Preliminary Plat of ICC Properties Addition for 1 lot, being 21.831 acres situated in the J. Harris Survey, Abstract 430**

and James C. Armstrong Survey, Abstract 6 (Property ID 256792) – Owner: ICC PROPERTIES INC (PP-18-0142)

Mr. Collins reported staff recommends to approve per the following staff comments:

- The utility easements that run through the property need to be properly depicted on the plat drawing
- There is a proposed major thoroughfare B (110 foot right-of-way) that cuts this property in half north-south, running from I-35 south to US Highway 77 through to Will Street where it intersects to Jefferson Street

Mr. Collins stated staff recommends to bring the 110 foot right-of-way to 80 feet as well as all easements depicted on the plat.

Mr. Gaertner stated the utility easement for the water line is 15 foot being a 20 inch water line.

Mr. Garry Turner, ICC Properties, Inc., 604 Pleasant Run, Burleson Texas, stated the property has an existing slab and they can't develop a building for office space and parking due to the thoroughfare not giving them access. He stated trying to build back on the existing slab and it creates a hardship with the City's stipulations. Mr. Turner stated the location of the 15 foot utility easement is in the way of where they want to put an entry way noting he proposed to have the drive where it exists but it does not meet the requirements of TxDOT. Mr. Turner stated ICC Properties, Inc. is trying to have one development on the property and put another building in the middle of the property. He stated if a thoroughfare is required it will create traffic issues.

Chairman Keeler clarified there was a building on the slab in the 15 foot easement. Mr. Gaertner stated there was not a building and the easement can be shifted in order for the applicant to build on the slab. He explained to build north of the thoroughfare the applicant will have to cross a road to get to their warehouse. Mr. Gaertner stated the point of the thoroughfare is to have access to Interstate 35.

Action:

Mr. Jim Phillips moved to approve a request by Garry R Turner for a Preliminary Plat of ICC Properties Addition for 1 lot, being 21.831 acres situated in the J. Harris Survey, Abstract 430 and James C. Armstrong Survey, Abstract 6 (Property ID 256792) – Owner: ICC PROPERTIES INC (PP-18-0142) subject to staff comments. Mrs. Betty Square Coleman seconded, All Ayes.

27. Public Hearing on a request by Drew Dubocq, Bannister Engineering, for a Specific Use Permit (SUP) for Outside Storage use within a Heavy Industrial zoning district, located at 201 Butcher Road (Property ID 173464) – Owner: WAXAHACHIE ASSOCIATES LLC (SU-18-0194)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant, ABC Supply Company, currently has an existing 128,000 square foot building at the subject property and due to the growth of the company, the applicant is proposing to store additional company material (roofing material, shingles, etc.) within the ABC

Secure Storage along the property. He stated the applicant intends to screen the property with wood fencing as well as landscaping to help the property look more aesthetically pleasing from the Interstate 35 service road and Butcher Road. Mr. Collins reported at the street frontage, the applicant is proposing the addition of an entrance gate noting per Ordinance, the minimum stacking distance from the street is 100 feet. He explained the applicant's distance from the gate to property line is 40 feet and the distance to the road pavement is 62 feet. He stated the applicant is requesting relief from the 100 foot stacking requirement due to site constraints for the existing site.

The Commission held discussion pertaining to the height of the fence, landscaping, and the proposed entrance gate.

Mr. Jeff Linder, Bannister Engineering, 240 N. Mitchell Road, Mansfield, Texas, stated the company needs to store more materials and the landscaping can be changed to provide a more solid block. He presented pictures extending the drive and after further discussion requested to continue the public hearing in order to meet again with city staff for a solution.

28. Consider recommendation of Zoning Change No. SU-18-0194

Action:

Mr. Jim Phillips moved to continue a request by Drew Dubocq, Bannister Engineering, for a Specific Use Permit (SUP) for Outside Storage use within a Heavy Industrial zoning district, located at 201 Butcher Road (Property ID 173464) – Owner: WAXAHACHIE ASSOCIATES LLC (SU-18-0194) to the Planning and Zoning Commission meeting of January 29, 2019. Mr. David Hudgins seconded, All Ayes.

29. Public Comments

Mrs. Betty Square Coleman stated developments that come in the city needs to be more mindful about screening between properties. She asked how impact fees are collected and distributed. Mr. Gaertner stated roadway impact fees are used for that development zone and water and wastewater fees are distributed across the city.

30. Adjourn

There being no further business, the meeting adjourned at 9:10 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

Planning and Zoning Commission
December 11, 2018

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, December 11, 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
Betty Square Coleman
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test

Others Present: Shon Brooks, Director of Planning
Colby Collins, Senior Planner
James Gaertner, City Engineer
Tommy Ludwig, Assistant City Manager
Lori Cartwright, City Secretary
Mary Lou Shipley, 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. Colby Collins, Senior Planner, reviewed the following cases:

- PD-18-0195 being a public hearing for a Planned Development amendment has been withdrawn at the request of the applicant
- SU-18-0161, SU-18-0168, and SU-18-0188 being public hearings for rooftop solar panel system. All meet the requirements and staff will recommend to approve
- SU-18-0169 being a public hearing for rooftop solar panel system will be requested to deny due to the applicant is proposing panels on the front of the resident facing the right-of-way
- ZC-18-0192 being a zoning change request from Planned Development-16-Light Industrial-1 zoning district to Multi-Family Residential-2. Staff is not opposed to the zoning change but prefers to create a Planned Development limiting the use to allow Multi-Family limited to senior housing
- ZC-18-0179 being a zoning change request from Single Family-3 zoning district to General Retail. Applicant has an illegal existing flea market on the property and the debris is visible from Interstate 35 as well as citizens complaining about the site. If the zoning change is approved but the property not cleaned up, staff will not issue a Certificate of Occupancy until the subject property is clean

- FP-18-0171 being a Final Plat in the ETJ is standard recommendation approval
- FP-18-0185 and PP-18-0182 pertain to Camden Park Phase 2 and Camden Estates. Plats cannot be filed until staff receives letter of infrastructure, all fees paid, and staff comments updated on the plan
- PP-18-0193 being a Preliminary Plat in Saddlebrook Estates is standard recommendation approval
- PP-18-0186 and FP18-0187 being a Preliminary Plat and Final Plat of Crystal Cove Ranch. Applicant seeks 10 foot easement and the City requires a 15 foot easement. Fees will need to be paid prior to filing Final Plat
- PD-18-0119 being a zoning change from Single Family-2 zoning district to Planned Development-Single Family-1 and General Retail, with Concept Plan will be continued to the meeting of January 8, 2019
- PP-18-0142 being a Preliminary Plat and staff will require all utility easements to be shown on plat. A thoroughfare will cut the property in half and staff will recommend reducing the right-of-way from 100 feet to 80 feet. Applicant would like to completely remove it. The City is out approximately 30 years for completing this project and by dedicating the right-of-way, when the time comes, the City can take the road through the property
- SU-18-0194 being a Specific Use Permit for outside storage located on Butcher Road. Concern with staff is the City is trying to minimize traffic along Butcher Road and an 18 wheeler semi tractor-trailer can't turn in due to a proposed gate. Applicant seeks to have outside storage and proposed fencing and landscaping.

3. Adjourn

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

Respectfully submitted,

Lori Cartwright
City Secretary

Planning & Zoning Department

Plat Staff Report

Case: FP-18-0208



MEETING DATE(S)

Planning & Zoning Commission: January 8, 2019

City Council: January 22, 2019

CAPTION

Consider request by Lance Rust, Joe Rust Co., for a **Final Plat** of Lone Elm Addition for 13 residential lots, being 21.607 acres in the E. H. Belcher Survey, Abstract 143 (Property ID 180711) – Owner: TRES GROUP, LLC (FP-18-0208)

CASE INFORMATION

Applicant: Lance Rust

Property Owner(s): Tres Group, LLC

Site Acreage: 5.174 acres

Number of Lots: 13 lots

Number of Dwelling Units: 13 units

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

Adequate Public Facilities: 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: Lone Elm Road

Parcel ID Number(s): 150740 and 242437

Current Zoning: N/A (ETJ)

Existing Use: Currently undeveloped

Platting History: The Preliminary Plat was approved by City Council on July 2, 2018.

Site Aerial:



RECOMMENDATION

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

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

ATTACHED EXHIBITS

1. Plat drawing
2. Water Utility Provider's Endorsement

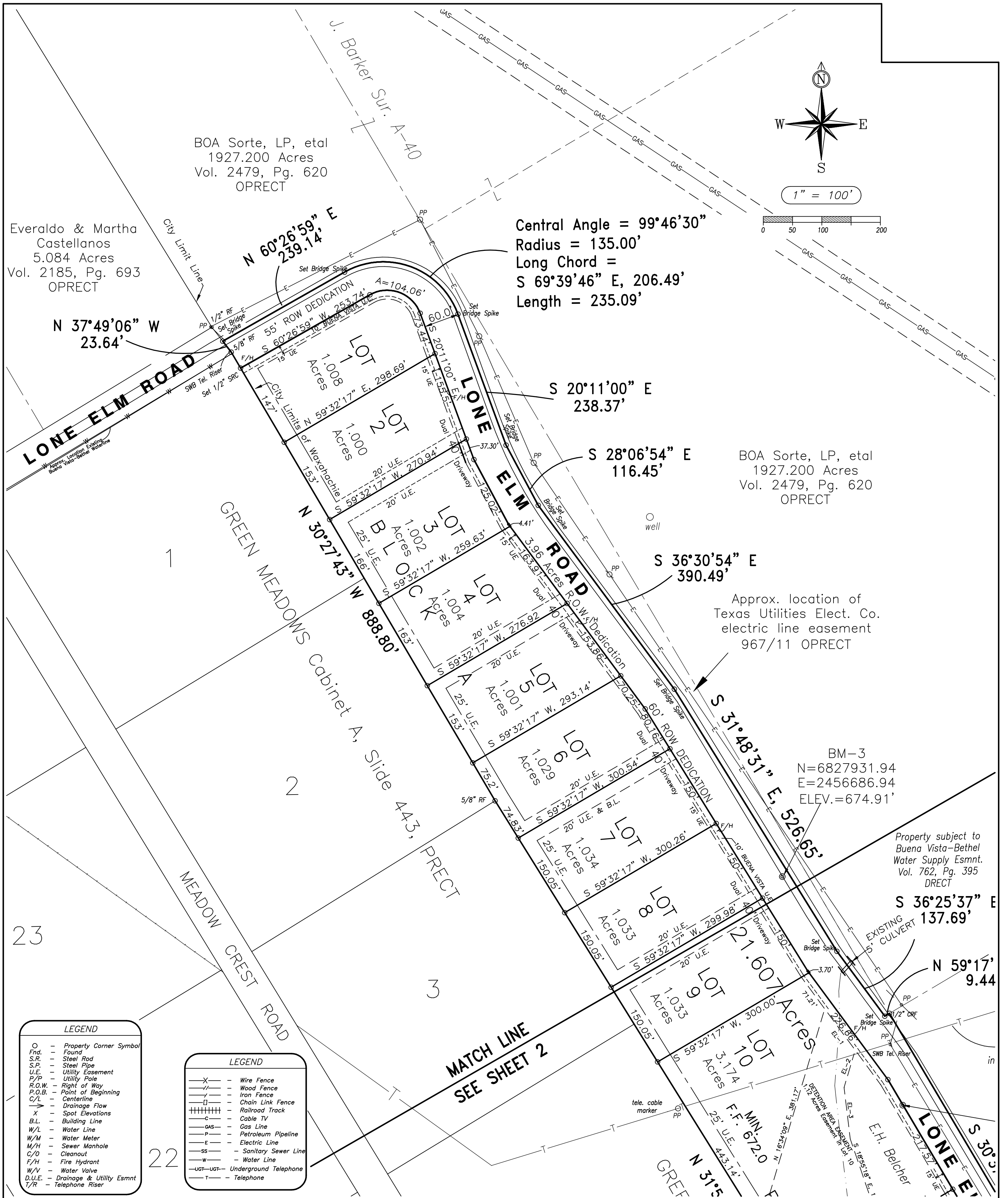
APPLICANT REQUIREMENTS

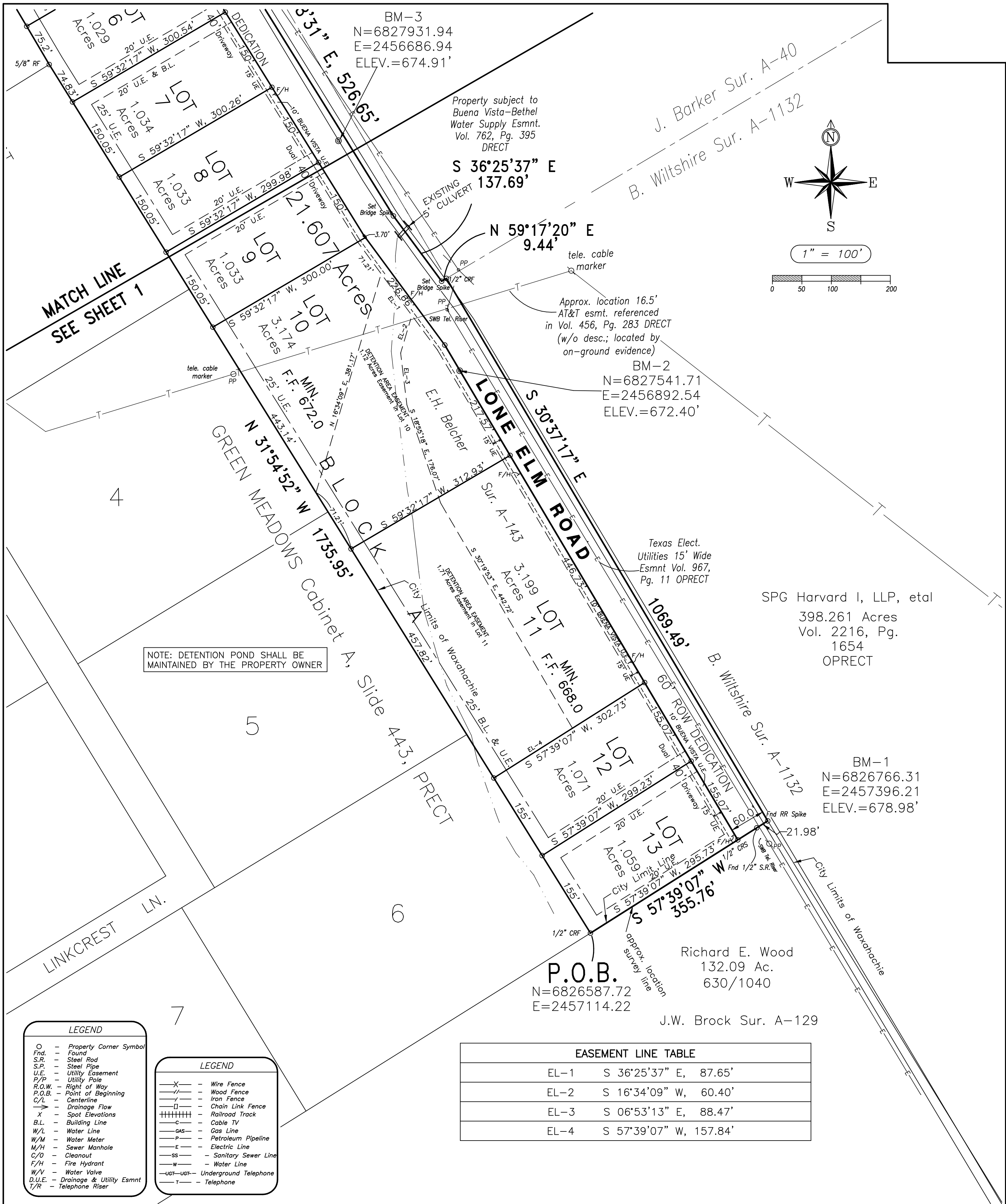
1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then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

STAFF CONTACT INFORMATION

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

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





FINAL PLAT
LONE ELM ADDITION

Being 21.607 Acs. (Thirteen Lots) Addition in the
E. H. Belcher Survey, Abst. 143
City of Waxahachie Ellis County, Texas
13 Residential Lots
Zoning - SF-1

Page 2 of 3 signed on _____
Drawn by: D. Hocutt JOB NO. 18321

ELLIS ASSOCIATES
SURVEYORS
212 North College Tel. 972 - 937-7474
Waxahachie, Texas 75165
TBPLS License No. 10067100

Owners / Tres Group, LLC
Developers: Contact: Lance Rust
Phone: 469-337-4627
P. O. Box 220
Midlothian, TX 76065-0220

No Homeowners Association For This Sub-Division

OWNER'S CERTIFICATE

State of Texas:
County of Ellis:

WHEREAS We, TRES GROUP, LLC, are the owners of all the following described tract of land herein described as the Final Plat of Lone Elm Addition, and being more particularly described as follows:

FIELD NOTES
21.607 Acres

BEING all that certain lot, tract, or parcel of land lying in the City of Waxahachie, and in the E.H. BELCHER SURVEY, Abstract No. 143, and being a part of a called 1927.200 acres tract of land as described in Volume 2479, Page 620, Official Public Records, Ellis County, Texas, (OPRECT), and being more particularly described as follows:

BEGINNING at a 1/2" steel rod found for the south corner of this tract and being a westerly south corner of the 1927.200 acre tract and also being in the northwest line of a called 132.09 acre tract of land described in Volume 620, Page 1040, Deed Records, Ellis County, Texas, (DIRECT), and also being the east corner of Lot 6 of Green Meadows, a subdivision in Ellis County, Texas, according to the plat thereof recorded in Cabinet A, Slide 443, Plat Records, Ellis County, Texas, (PRECT); and also being the recognized south corner of the said Belcher survey and in the recognized northwest line of the J.W. Brock Survey, Abstract No. 129, the basis for this description from GPS observation, Texas North Central Zone 4202, NAD 1983 datum, and having a beginning co-ordinate of Northing = 6826587.72, Easting = 2457114.22;

THENCE N 31°54'52" W, 1735.95 feet, (Deed – N 31°02'30" W, 1735.95 feet), along the occupied southwest line of said Belcher survey, a southwesterly line of this tract and same for the said 1927.200 acre tract, and along a northeast line of Lots 6, 5, and 4, respectively, of Green Meadows to a 5/8" steel rod found for corner;

THENCE N 30°27'43" W, 888.80 feet (Deed – N 29°35'20" W, 888.80 feet), continuing along the occupied easterly southwest line of said Belcher survey, a southwesterly line of this tract and said 1927.200 acre tract, and along a northeast line of Lots 4, 3, 2, and 1, respectively, of Green Meadows, to a 5/8" steel rod found in the southeast line of Lone Elm Road for the north corner of Lot 1 of Green Meadows;

THENCE N 37°49'06" W, 23.64 feet (Deed – N 36°56'43" W, 23.64 feet), along the occupied easterly southwest line of said Belcher survey, and along a southwesterly line of this tract and said 1927.200 acre tract, to a bridge spike (100D Nail) set in Lone Elm Road (a county road), for the west corner of this tract and being the north corner of the said Green Meadows and also being the east corner of a called 5.084 acre tract of land described in Volume 2185, Page 693, OPRECT;

THENCE through the 1927.200 acre tract and the said Belcher Survey and along the approximate centerline of Lone Elm Road and along northwesterly and northeasterly lines of this tract to bridge spikes set for corners as follows: N 60°26'59" E, 239.14 feet (Deed – N 61°19'22" E, 239.14 feet) to the beginning of a curve oriented clockwise; 235.09 feet along the arc of said curved line (Central Angle = 99°46'30"; Radius = 135.00 feet; Long Chord = S 69°39'46" E, 206.49 feet) to the end of the said curve; S 20°11'00" E, 238.37 feet; S 28°06'54" E, 116.45 feet; S 36°30'54" E, 390.49 feet; S 31°48'31" E, 526.65 feet; S 36°25'37" E, 137.69 feet and N 59°17'20" E, 9.44 feet leaving said centerline to a 1/2" steel rod found for an interior corner of the 1927.200 acre tract and being the west corner of a called 398.261 acre tract of land described in Volume 2216, Page 1654, OPRECT, and is also the occupied south corner of the J. Barker Survey Abst. No. 40, and is the occupied west corner of the B. Wiltshire Survey, Abst. No. 1132, and also which lies in the occupied northeast line of the Belcher Survey; and S 30°37'17" E, 1069.49 feet (Deed – S 29°44'54" E, 1069.49 feet) along Lone Elm Road and back to its approximate centerline and along the northeast line of this tract and an occupied northeast line of the Belcher Survey and along the southwest line of the 398.261 acres and the occupied southwest line of the Wiltshire Survey to a RR spike found for a northeast corner of this tract and an east corner of the 1927.200 acre tract and being the north corner of the said 132.09 acre tract, and also being the occupied east corner of the Belcher Survey and the occupied north corner of the J. W. Brock Survey, Abstract No. 129;

THENCE S 57°39'07" W, (Deed – S 58°31'30" W, same distance), along the southeast line of this tract and a southeast line of the 1927.200 acre tract and along the occupied southeast line of the Belcher Survey and the occupied northwest line of the Brock Survey, and along the northwest line of the 132.09 acre tract at 21.98 feet pass a 1/2" steel rod found for witness corner, at 60.0 feet passing a 1/2" steel rod set for right of way monumentation, in all, 355.76 feet to the POINT OF BEGINNING and containing approximately 21.607 acres of land.

SURVEYOR'S DECLARATION:

I declare that the plat and field notes hereon are the representation of an actual and accurate survey made on the ground in November, 2018, and that corner monuments were found or set under my personal supervision. There are no visible encroachments, protrusions or easements, unless shown hereon. The bearings recited hereon are based on the record plat of subject subdivision. According to the Federal Emergency Management Agency, Flood Insurance Rate Map Number 48139C0175F, dated June 3, 2013, for Ellis County, Texas, and Incorporated Areas, this tract is not within a special flood hazard area inundated by 100-year flood. This survey is for the benefit of Tres Group, LLC. Lance Rust (Representative).

Stuart G. Hamilton
Registered Professional Land Surveyor
Number 4480

Date

BENCHMARK DESCRIPTIONS

BM-1 --- FND 1/2" STEEL ROD +/- 22.0 FEET WEST OF SOUTHEAST PARENT TRACT CORNER. TEXAS NORTH CENTRAL ZONE 4202, NAD 1983 DATUM COORDINATES NORTHING = 6826766.31, EASTING = 2457396.21, ELEVATION = 678.98'

BM-2 --- 60D NAIL NEAR THE RIGHT OF WAY LINE, BEING APPROXIMATELY N 30°46'22" W, 167.1 FEET FROM THE COMMON EAST PROPERTY CORNER OF LOTS 10 AND 11, BLOCK A. NORTHING = 6827541.71, EASTING = 2456892.54, ELEVATION = 672.40'

BM-3 --- A 60D NAIL AT THE EDGE OF ASPHALT PAVEMENT BEING APPROXIMATELY N 42°23'55" E, 49.90 FEET FROM THE EAST COMMON CORNER OF LOTS 8 AND 9, BLOCK A. NORTHING = 6827931.94, EASTING = 2456686.94, ELEVATION = 674.91'

GENERAL NOTES:

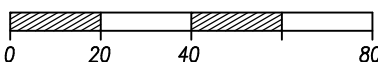
- 100 YEAR FLOOD NOTE:
NO 100 YEAR FLOODPLAIN
PER FIRM MAP # 48139C0175 F
ZONE: X UNSHADED
- DRAINAGE NOTE:
PERMANENT FENCING SHALL NOT BE
ALLOWED WITHIN DRAINAGE EASEMENTS

40' X 40'
Typical Dual Driveway
Easement

20' U.E.
Property Line
20' U.E.

15' U.E.
LONE ELM ROAD

1" = 40'



CITY OF WAXAHACHIE, TEXAS FINAL PLAT APPROVAL

APPROVED BY: Planning and Zoning Commission
City of Waxahachie

By: _____
Chairperson Date

APPROVED BY: City Council
City of Waxahachie

By: _____
Mayor

Attest _____ Date

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That We, Tres Group, LLC, do hereby adopt this plat designating the herein above described property as LONE ELM ADDITION, an addition to the City of Waxahachie, Texas, and do hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or 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, 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 _____, 20__.

BY:

LANCE RUST (Representative)
TRES GROUP, LLC

STATE OF TEXAS §
COUNTY OF ELLIS §

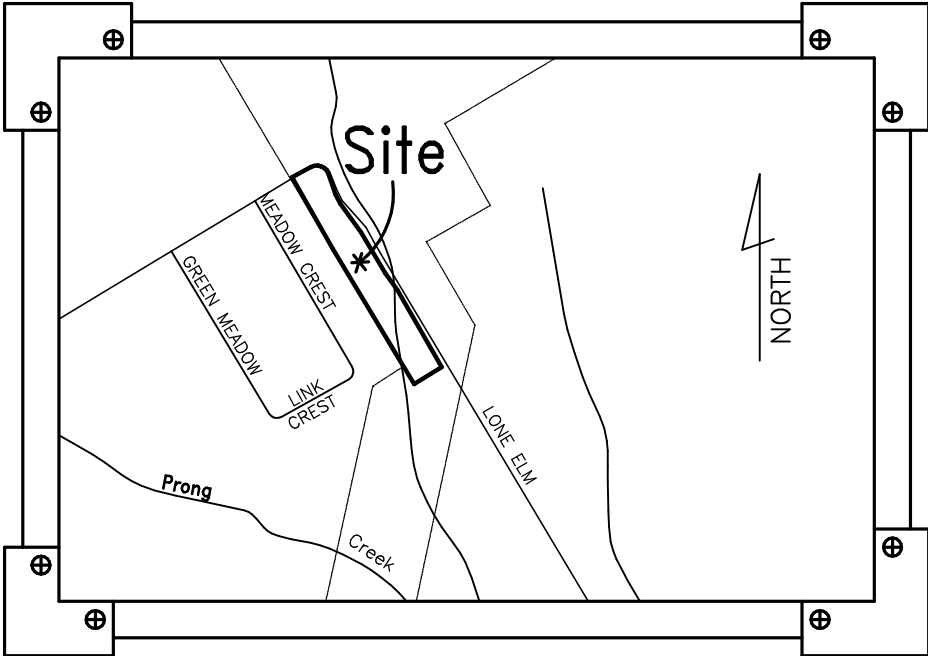
Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Lance Rust, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 20__.

Notary Public in and for the State of Texas

My Commission Expires On: _____

NOTE: DETENTION POND SHALL BE
MAINTAINED BY THE PROPERTY OWNER



LOCATION MAP SCALE : 1" = 2000'

FINAL PLAT
LONE ELM ADDITION

Being 21.607 Acs. (Thirteen Lots) Addition in the
E. H. Belcher Survey, Abst. 143
City of Waxahachie Ellis County, Texas
13 Residential Lots
Zoning – SF-1

No Homeowners Association For This Sub-Division

Owners / Tres Group, LLC
Developers: Contact: Lance Rust
Phone: 469-337-4627
P. O. Box 220
Midlothian, TX 76065-0220

Page 3 of 3 signed on _____
Drawn by: D. Hocutt JOB NO. 18321

ELLIS ASSOCIATES
SURVEYORS
212 North College Tel. 972 – 937-7474
Waxahachie, Texas 75165
TBPLS License No. 10067100



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Brint & Clint Walker Parcel ID #: _____
Subdivision Name: Lone Elm Addition

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

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

Contact Information:

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

To be completed by the water utility provider:

	Yes	No
1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>8</u> inches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Joe Buchanan
Print Name of General Manager of water provider or Designee

Buena Vista-Bethel S.U.D.
Name of water provider company

Joe Buchanan
Signature of General Manager of water provider or Designee

5-8-18
Date

Planning & Zoning Department

Plat Staff Report

Case: RP-18-0197



MEETING DATE(S)

Planning & Zoning Commission: January 8, 2019

City Council: January 22, 2019

CAPTION

Consider request by Anthony C. Lohden for a **Replat** of Lot 4, Block 4, College Addition, to create Lots 4-1R and 4-2R, Block 4, College Addition, 0.366 acres (Property ID 172822) – Owners: ANTHONY COLE LOHDEN AND ANNA MICHELLE LOHDEN (RP-18-0197)

CASE INFORMATION

Applicant: Anthony C Lohden

Property Owner(s): Anthony Cole Lohden and Anna Michelle Lohden

Site Acreage: 0.366 acres

Number of Lots: 2 lots

Number of Dwelling Units: 2 units

Park Land Dedication: The cash in lieu of park dedication is \$400.00.

Adequate Public Facilities: The plat cannot be filed until public infrastructure has been installed and accepted.

SUBJECT PROPERTY

General Location: 111 McKenzie

Parcel ID Number(s): 172822

Current Zoning: Single Family-2

Existing Use: Single family residence

Platting History: College Addition, Block 4, Lot 4, was platted on October 4, 1875, and exists in the same format today as then.

Site Aerial:



STAFF CONCERNS

1. The plat cannot be filed until public infrastructure has been installed and accepted.

APPLICANT RESPONSE TO CONCERNS

1. Applicant submitted revised drawings. The above comment is informative.

RECOMMENDATION

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
 1. The plat cannot be filed until public infrastructure has been installed and accepted.

ATTACHED EXHIBITS

1. Plat drawing

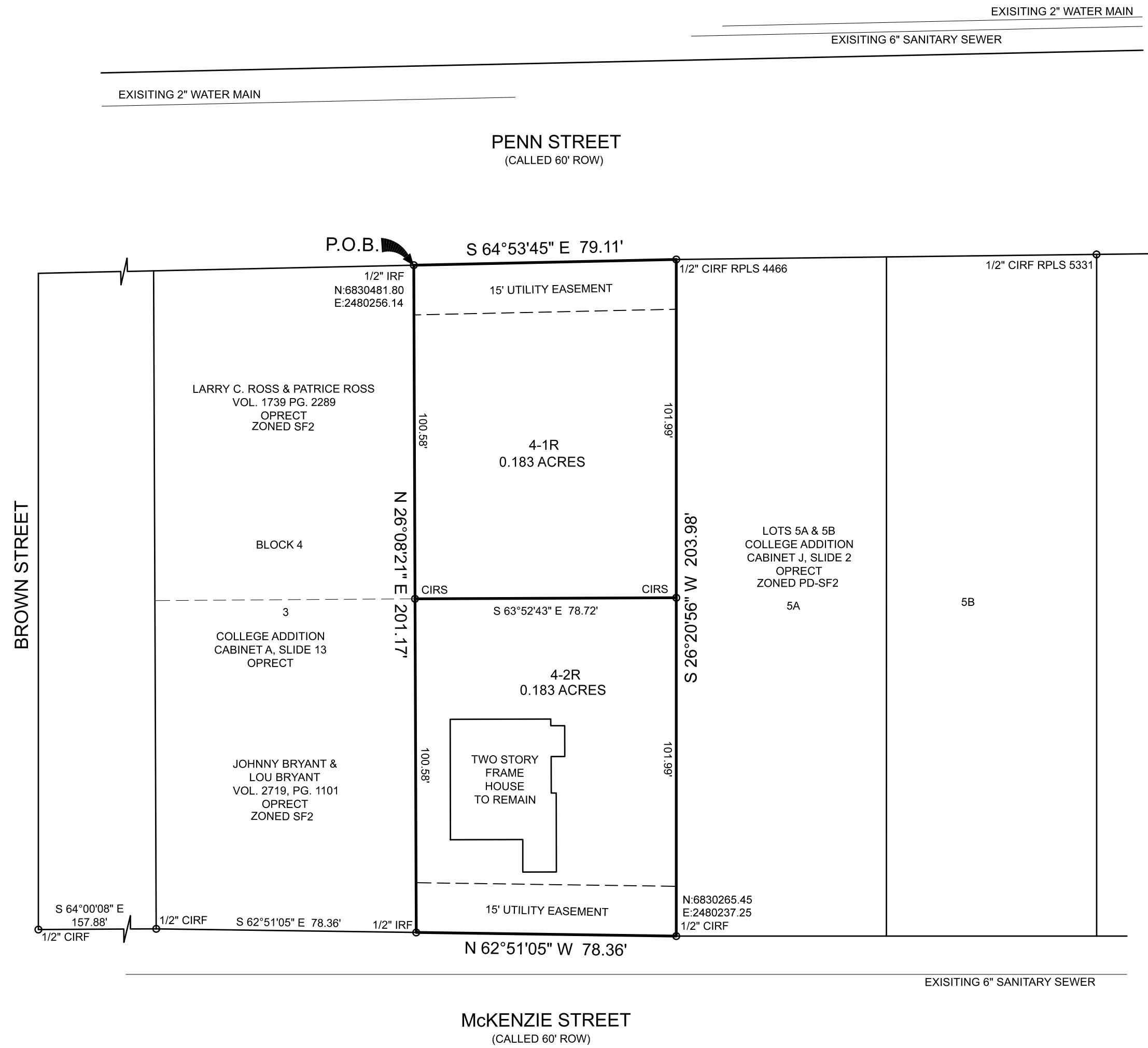
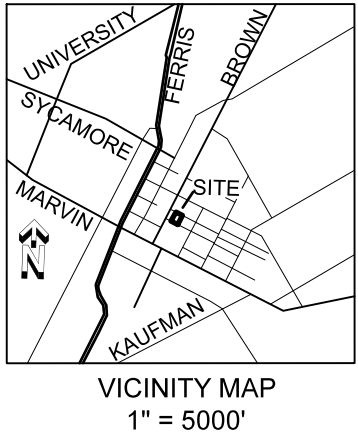
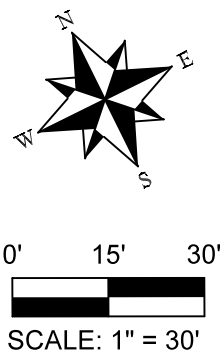
APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

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

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



NOTES:

BEARING BASIS FOR THIS SURVEY IS TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD 83 PER GPS OBSERVATIONS

THE SUBJECT PROPERTY LIES WITHIN ZONE "X" - DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN". ACCORDING TO THE THE FLOOD INSURANCE RATE MAP NO. 48139C0190F, DATED JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

UTILITIES SHOWN HEREON ARE A GRAPHICAL REPRESENTATION OF THE LOCATION ONLY. THEY HAVE NOT BEEN FIELD LOCATED AND THE ACTUAL LOCATION, SIZE AND TYPE OF MATERIAL COULD BE DIFFERENT.

LEGEND

CIRS= 5/8 IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TXRCS" SET
FND= FOUND
IRF= IRON ROD FOUND
OPRECT= OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS

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

WHEREAS ANTHONY COLE LOHDEN AND ANNE MICHELLE LOHDEN ARE THE SOLE OWNERS OF LOT 4, BLOCK 4, COLLEGE ADDITION, AN ADDITION TO THE CITY OF WAXAHACHIE, TEXAS, RECORDED IN CABINET A, SLIDE 13, OF THE OFFICIAL PUBLIC RECORDS ELLIS COUNTY, TEXAS (OPRECT), AND BEING THE SAME TRACT DESCRIBED IN DEED TO ANTHONY COLE LOHDEN AND ANNE MICHELLE LOHDEN, RECORDED IN INSTRUMENT NO. 1826675, OPRECT, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID LOT 4, AND THE NORTHEAST CORNER OF LOT 3, BLOCK 4 OF SAID COLLEGE ADDITION, IN THE SOUTH RIGHT-OF-WAY (ROW) LINE OF PENN STREET (A CALLED 60' ROW);

THENCE S 64°53'45" E, ALONG THE NORTH LINE OF SAID LOT 4 AND THE COMMON SOUTH LINE OF SAID PENN STREET, A DISTANCE OF 79.11 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT 4 AND THE COMMON NORTHWEST CORNER OF LOT 5A OF LOT 5A AND 5B, BLOCK 4, COLLEGE ADDITION, RECORDED IN CABINET J, SLIDE 2, OPRECT;

THENCE S 26°20'56" W, ALONG THE EAST LINE OF SAID LOT 4 AND THE COMMON WEST LINE OF SAID LOT 5A, A DISTANCE OF 203.98 FEET TO A 1/2" CAPPED IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID LOT 4 AND THE COMMON SOUTHWEST CORNER OF SAID LOT 5A, IN THE NORTH ROW LINE OF MCKENZIE STREET (A CALLED 60' ROW);

THENCE N 62°51'05" W, ALONG THE SOUTH LINE OF SAID LOT 4 AND THE NORTH ROW LINE OF SAID MCKENZIE STREET, A DISTANCE OF 78.36 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 4 AND THE COMMON SOUTHEAST CORNER OF SAID LOT 3;

THENCE N 26°08'21" E, ALONG THE WEST LINE OF SAID LOT 4 AND THE COMMON EAST LINE OF SAID LOT 3, A DISTANCE OF 201.17 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.366 ACRES OF LAND MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT ANTHONY COLE LOHDEN AND ANNE MICHELLE LOHDEN, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOTS 4-1R & 4-2R, BLOCK 4, COLLEGE ADDITION, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE CITY OF WAXAHACHIE, TEXAS FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED, FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHIE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE 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, 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.

ANTHONY COLE LOHDEN

STATE OF TEXAS :
COUNTY OF ELLIS:

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

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

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

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

ANNE MICHELLE LOHDEN

STATE OF TEXAS :
COUNTY OF ELLIS:

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

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

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

I, TIMOTHY L. JACKSON, RPLS, HEREBY CERTIFY THAT THIS PLAT WAS MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

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

TIMOTHY L JACKSON
REGISTRATION NUMBER 5644

STATE OF TEXAS :
COUNTY OF ELLIS:

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

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

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE

BY: _____ DATE _____
CHAIRPERSON

APPROVED BY: CITY COUNCIL
CITY OF WAXAHACHIE

BY: _____ DATE _____
MAYOR

ATTEST _____ DATE _____

LOTS 4-1R & 4-2R
BLOCK 4
COLLEGE ADDITION

BEING A REPLAT OF
LOT 4
COLLEGE ADDITION REVISED
CABINET A, SLIDE 13
OFFICIAL PUBLIC RECORDS, ELLIS
COUNTY TEXAS
OF CITY OF WAXAHACHIE, TEXAS
0.366 ACRES
2 RESIDENTIAL LOTS
ZONED SF2

OWNERS:
ANTHONY COLE LOHDEN AND
ANNE MICHELLE LOHDEN
611 E. MARVIN STREET
WAXAHACHIE, TX 75165
512.461.1013

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

Planning & Zoning Department

Plat Staff Report

Case: FP-18-0203



MEETING DATE(S)

Planning & Zoning Commission: January 8, 2019

City Council: January 22, 2019

CAPTION

Consider request by Jeff Douglas, Stanger Surveying, for a **Final Plat** of Silo House Ranch for 4 lots, being 5.84 acres situated in the S.C. White Survey, Abstract 1252 (Property ID 227069) in the Extra Territorial Jurisdiction – Owner: LYKELE K TAMMINGA (FP-18-0203)

CASE INFORMATION

Applicant: Jeff Douglas, Stanger Surveying

Property Owner(s): Lykele K Tamminga

Site Acreage: 5.84 acres

Number of Lots: 4 lots

Number of Dwelling Units: 4 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. Fire hydrants are to be installed.

SUBJECT PROPERTY

General Location: 701 Cox Road

Parcel ID Number(s): 227069

Current Zoning: N/A (ETJ)

Existing Use: Currently undeveloped

Platting History: The Preliminary Plat was approved by City Council on February 13, 2018.

Site Aerial:



STAFF CONCERNS

1. The location of proposed fire hydrants must be indicated on the plat drawing. They must be installed so as to comply with Section 5.8 of the City's Subdivision Ordinance.
2. The City must receive written confirmation from the water provider that hydrants will be installed. Proof of payment for the installation must be received prior to the City Council meeting date.

APPLICANT RESPONSE TO CONCERNS

1. Applicant submitted revisions. The above concerns remain outstanding.

RECOMMENDATION

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

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

1. The location of proposed fire hydrants must be indicated on the plat drawing. They must be installed so as to comply with Section 5.8 of the City's Subdivision Ordinance.
2. The City must receive written confirmation from the water provider that hydrants will be installed. Proof of payment for the installation must be received prior to the City Council meeting date.

ATTACHED EXHIBITS

1. Plat drawings
2. Water Utility Provider's Endorsement

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

Kelly Dent, MPA

Planner

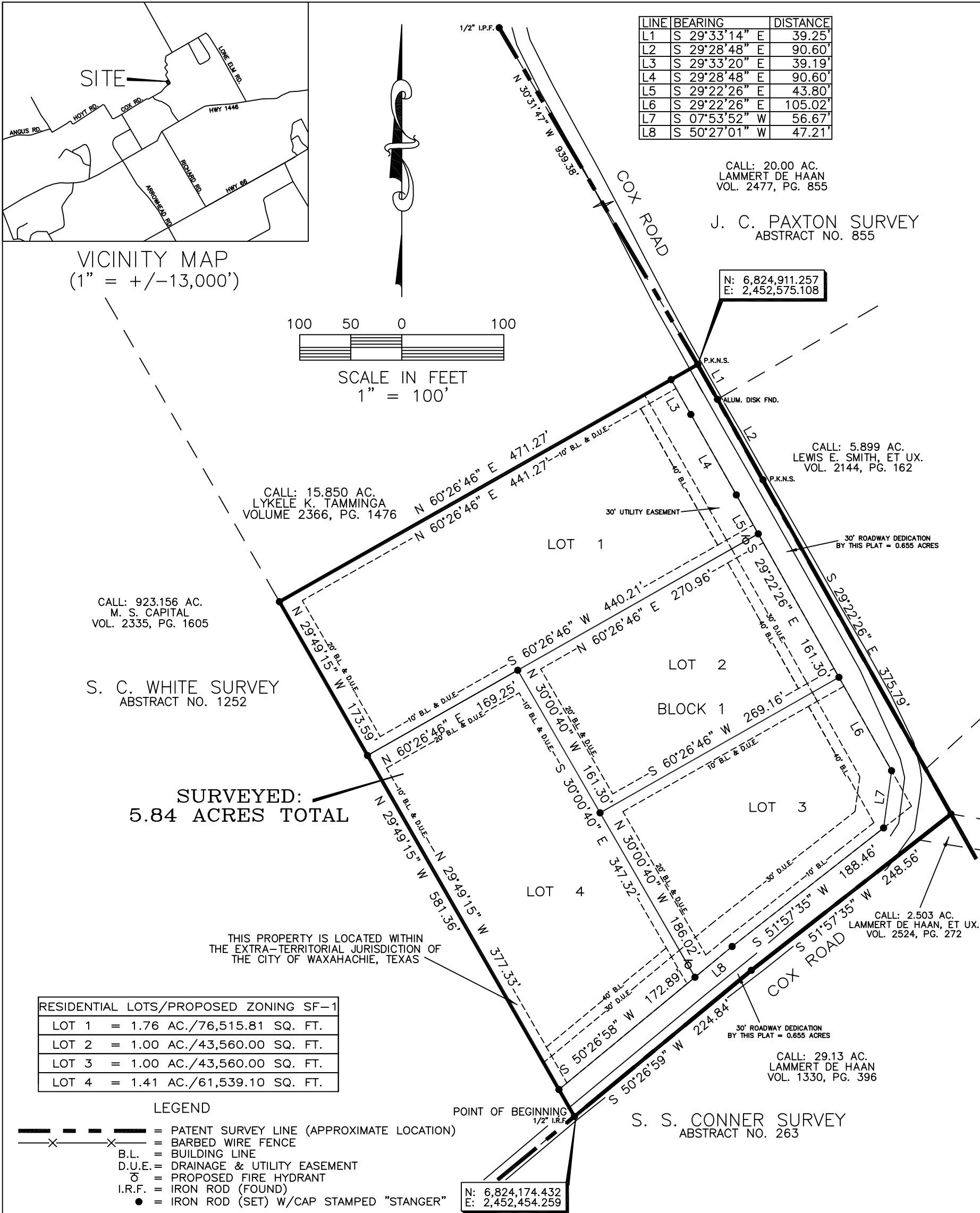
kdent@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com



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 15.850 ACRE TRACT TO LYKELE K. TAMMINGA RECORDED IN VOLUME 2366. 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 1605 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 581.36 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 39.25 FEET TO AN ALUMINUM DISK (FOUND) FOR AN ANGLE BREAK IN THE NORTHEAST LINE OF THESE 5.84 ACRES;

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. 26 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 375.79 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.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

I, LYKELE K. TAMMINGA, ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY CERTIFY AND ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS SILO HOUSE RANCH, AN ADDITIONS TO THE ELLIS COUNTY, AND DOES HEREBY DEDICATE TO THE PUBLIS USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON.

THE LYKELE K. TAMMINGA DO HEREIN CERTIFY THE FOLLOWING:

1. THE STREETS AND ALLEYS ARE DEDICATED IN FEE SIMPLE FOR STREET AND ALLEY PURPOSES
2. ALL PUBLIC IMPROVEMENTS AND DEDICATION SHALL BE FREE AND CLEAR OF ALL DEBT, LIENS, AND/OR ENCUMBRANCES
3. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, AND CREATED BY THIS PLAT, ARE DEDICATED FOR THE PUBIC USE FOREVER FOR THE PURPOSES INDICATED ON THIS PLAT.
4. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN.
5. ELLIS COUNTY IS NOT RESPONSIBLE FOR REPLACING ANY IMPROVEMENTS IN, UNDER, OR OVER AND EASEMENTS CAUSED BY MAINTENANCE OR REPAIR.
6. 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 ELLIS COUNTY'S USE THEREOF.
7. ELLIS COUNTY AND/OR PUBLIC UTILITIES 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 THE EASEMENTS.
8. ELLIS COUNTY AND PUBLIC UTILITIES 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.
9. ALL MODIFICATIONS TO THIS DOCUMENT SHALL BE BY MEANS OF PLAT AND APPROVED BY ELLIS COUNTY.

THIS PLAT IS APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATION AND RESOLUTIONS OF THE ELLIS COUNTY, TEXAS

WITNESS, MY HAND, THIS THE ____ DAY OF _____, 20__.

BY: _____

AUTHORIZED SIGNATURE _____ PRINTED NAME _____

NOTARY STATEMENT
STATE OF TEXAS
COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED _____, KNOW TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOLLOWING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 20__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS)
COUNTY OF ELLIS)

CERTIFICATE OF APPROVAL BY THE COMMISSIONERS' COURT OF ELLIS COUNTY, TEXAS:
APPROVED THIS ____ DAY OF _____, 2019

ATTEST:

TODD LITTLE
COUNTY JUDGE

KRYSTAL VALDEZ
ELLIS COUNTY CLERK

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

DEPARTMENT OF DEVELOPMENT DIRECTOR _____ APPROVAL DATE _____

CITY OF WAXAHACHIE, TEXAS FINAL PLAT APPROVAL
APPROVED BY: PLANNING & ZONING COMMISSION CITY OF WAXAHACHIE

BY: _____
CHAIRPERSON _____ DATE _____

APPROVED BY: CITY COUNCIL CITY OF WAXAHACHIE

BY: _____
MAYOR _____ DATE _____

ATTEST _____ DATE _____

FINAL PLAT—CITY OF WAXAHACHIE/SIMPLIFIED PLAT—ELLIS COUNTY
SILO HOUSE RANCH
4 LOTS, BEING 5.84 ACRES OUT OF THE
S. C. WHITE SURVEY, ABSTRACT NO. 1252
ELLIS COUNTY, TEXAS



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



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Lykele Tammya Parcel ID #: _____
Subdivision Name: Sib House Ranch

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

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

Contact Information:

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

To be completed by the water utility provider:

	Yes	No
1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>8</u> inches.	<input type="checkbox"/>	<input type="checkbox"/>

Joe Buchanan
Print Name of General Manager of water provider or Designee

Joe Buchanan
Signature of General Manager of water provider or Designee

Buena Vista Bethel S.U.D.
Name of water provider company

1-3-18
Date

CE CHILDRESS ENGINEERS
ENGINEERS & CONSULTANTS

TEXAS REGISTERED ENGINEERING FIRM F-702

ROBERT T. CHILDRESS, JR., P.E. • BENJAMIN S. SHANKLIN, P.E. • ROBERT T. CHILDRESS III, P.E.

December 28, 2017

Mr. Joe Buchanan, Manager
Buena Vista-Bethel Special Utility District
312 S. Oak Branch Road
Waxahachie, Texas 75167

Re: Hydraulic Analysis for
Silo House Ranch
4 Lots
Near Node 112, Map Sheet 13

Dear Mr. Buchanan,

In response to your request, we have examined the hydraulic capability of Buena Vista-Bethel SUD's water distribution system to provide the above referenced service. We understand that this includes four (4) new meters to be served by the 8" main along Cox Road.

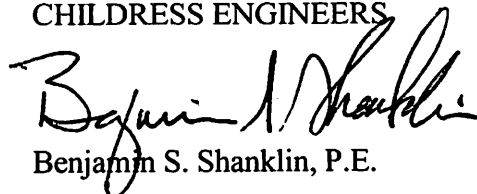
The 2008 ISO Guide for Determination of Needed Fire Flow was used to establish the fire flow requirements for this addition. According to the table in Chapter 7, for 1 and 2 family dwellings not exceeding 2 stories in height and separated from 31' to 100' (per the Plat), the needed fire flow is 750 gpm for two (2) hours. The BVBSUD system has 550,000 gallons of elevated storage, 1,925,000 gallons of ground storage and a booster pumping capacity in excess of 7 MGD. The groundwater and surface water supplies exceed 2 MGD. The system can furnish 90,000 gallons over a two (2) hour period at this location.

Our evaluation indicates that at this time the System will under normal operating conditions be able to furnish the requested service in conformity with the applicable Texas Commission on Environmental Quality ("TCEQ") standards (Chapter 290), for water distribution and the applicable 2008 ISO Guide, if any.

If you have any questions concerning this matter, please call.

Very truly yours,

CHILDRESS ENGINEERS



Benjamin S. Shanklin, P.E.

BSS/cv

Planning & Zoning Department

Plat Staff Report

Case: RP-18-0207



MEETING DATE(S)

Planning & Zoning Commission: January 8, 2019

City Council: January 22, 2019

CAPTION

Consider request by Linda Kuckuck for a **Replat** of Lot 12, Green Meadow, to create Lots 12-1R, 12-2R, and 12-3R, Green Meadow, 5.174 acres (Property ID 150740 and 242437)) in the Extra Territorial Jurisdiction – Owners: KERRY L & LINDA K KUCKUCK and OVIDIO & CHANDRA PENA (RP-18-0207)

CASE INFORMATION

Applicant: Linda Kuckuck

Property Owner(s): Kerry L & Linda K Kuckuck and Ovidio & Chandra Pena

Site Acreage: 5.174 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. A fire hydrant is to be installed on the property as indicated on the plat drawing.

SUBJECT PROPERTY

General Location: 106 Green Meadows Drive

Parcel ID Number(s): 150740 and 242437

Current Zoning: N/A (ETJ)

Existing Use: Single family residence

Platting History: The Ellis County Commissioners' Court approved the Green Meadow plat on May 2, 1969.

Site Aerial:



STAFF CONCERNS

1. A fire hydrant is to be installed on the property.

APPLICANT RESPONSE TO CONCERNS

1. Applicant has submitted revised drawings, indicating the placement of a fire hydrant. The above comment is informative.

RECOMMENDATION

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
1. A fire hydrant is to be installed on the property.

ATTACHED EXHIBITS

1. Plat drawing
2. Water Utility Provider's Endorsement

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

Kelly Dent, MPA

Planner

kdent@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT KERRY L. KUCKUCK AND LINDA K. KUCKUCK, AND OVIDIO PENA AND CHANDRA D. PENA, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN DESCRIBED PROPERTY AS GREEN MEADOW, LOTS 12-1R, 12-2R & 12-3R, AND DO HEREBY DEDICATE, IN FEE SIMPLE, TO ELLIS COUNTY AND THE CITY OF WAXAHACHIE, TEXAS FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON, AND HEREIN CERTIFY THE FOLLOWING:

- THE STREETS AND ALLEYS ARE DEDICATED IN FEE SIMPLE FOR STREET AND ALLEY PUPROSES.
- ALL PUBLIC IMPROVEMENTS AND DEDICATIONS SHALL BE FREE AND CLEAR OF ALL DEBT, LIENS, AND/OR ENCUMBRANCES.
- THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, AND CREATED BY THIS PLAT, 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.
- ELLIS COUNTY AND THE CITY OF WAXAHACHIE ARE NOT RESPONSIBLE FOR REPLACING ANY IMPROVEMENTS IN, UNDER, OR OVER ANY EASEMENTS CAUSED BY MAINTENANCE OR REPAIR.
- 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 ELLIS COUNTY'S AND THE CITY OF WAXAHACHIE'S USE THEREOF.
- ELLIS COUNTY, THE CITY OF WAXAHACHIE AND/OR PUBLIC UTILITIES 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 THE EASEMENTS.
- ELLIS COUNTY, THE CITY OF WAXAHACHIE AND PUBLIC UTILITIES 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.
- ALL MODIFICATIONS TO THIS DOCUMENT SHALL BE BY MEANS OF PLAT AND APPROVED BY ELLIS COUNTY AND THE CITY OF WAXAHACHIE.

THIS PLAT IS APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE ELLIS COUNTY, TEXAS AND THE CITY OF WAXAHACHIE, TEXAS.

WITNESS, MY HAND, THIS THE _____ DAY OF _____, 2019.

KERRY L. KUCKUCK LINDA K. KUCKUCK

OVIDIO PENA CHANDRA D. PENA

STATE OF TEXAS :
COUNTY OF ELLIS:

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

GIVEN UNDER MY HAND AND SEAL THIS, THE _____ DAY OF _____, 2019.

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

STATE OF TEXAS :
COUNTY OF ELLIS:

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

GIVEN UNDER MY HAND AND SEAL THIS, THE _____ DAY OF _____, 2019.

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

STATE OF TEXAS :
COUNTY OF ELLIS:

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

GIVEN UNDER MY HAND AND SEAL THIS, THE _____ DAY OF _____, 2019.

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

STATE OF TEXAS :
COUNTY OF ELLIS:

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

GIVEN UNDER MY HAND AND SEAL THIS, THE _____ DAY OF _____, 2019.

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

I, JEREMY D. RUCKMAN, RPLS, HEREBY CERTIFY THAT THIS PLAT WAS MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

"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"

JEREMY D. RUCKMAN
REGISTRATION NUMBER 6707

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHIE

BY: _____
CHAIRPERSON DATE

APPROVED BY: CITY COUNCIL
CITY OF WAXAHACHIE

BY: _____
MAYOR DATE

ATTEST _____
DATE

STATE OF TEXAS:
COUNTY OF ELLIS:

CERTIFICATE OF APPROVAL BY THE COMMISSIONERS COURT OF ELLIS COUNTY TEXAS:

APPROVED THIS, THE _____ DAY OF _____, 2019.

TODD LITTLE KRISTAL VALDEZ
COUNTY JUDGE COUNTY CLERK

THIS PLAT HAS BEEN 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.

DIRECTOR OF PLANNING & DEVELOPEMENT APPROVAL DATE

OWNERS:
KERRY L. AND LINDA K. KUCKUCK
106 GREEN MEADOWS DRIVE
WAXAHACHIE, TX 75167
214.729.7666

OWNERS:
OVIDIO PENA AND CHANDRA D. PENA
110 GREEN MEADOWS DRIVE
WAXAHACHIE, TX 75167
214.729.7666

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

GREEN MEADOW LOTS 12-1R, 12-2R & 12-3R

BEING A REPLAT OF LOT 12
GREEN MEADOW, AN ADDITION
TO ELLIS COUNTY, TEXAS

5.174 ACRES
3 RESIDENTIAL LOTS

SITUATED IN THE
E. BALLARD SURVEY
ABSTRACT NO. 120
ETJ OF THE CITY OF WAXAHACHIE,
ELLIS COUNTY, TEXAS



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



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Kerry + Linda Kuckuck Parcel ID #: 150740
Subdivision Name: Green Meadows

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

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

Contact Information:

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

To be completed by the water utility provider:

	Yes	No
1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>6</u> inches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Joe Buchanan
Print Name of General Manager of water provider or Designee

Buena Vista-Bethel SUD
Name of water provider company

Joe Buchanan
Signature of General Manager of water provider or Designee

11-5-18
Date



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



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: KERRY & LINDA KUCKUCK Parcel ID #: 150740

Subdivision Name: Green meadows

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

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Sardis-Lone Elm WSC	(972) 775-8566
Nash Foreston WSC	(972) 483-3039

To be completed by the water utility provider:

	Yes	No
1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>6</u> inches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Joe Buchanan

Print Name of General Manager of water provider or Designee

Buena Vista Bethel S.U.D.

Name of water provider company

Joe Buchanan

Signature of General Manager of water provider or Designee

11-5-18

Date



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



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Chandra Peña Parcel ID #: 242437
Subdivision Name: Green Meadows

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

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

Contact Information:

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

To be completed by the water utility provider:

	Yes	No
1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>6</u> inches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Joe Buchanan

Print Name of General Manager of water provider or Designee

Buena Vista-Bethel S.U.D.

Name of water provider company

Joe Buchanan

Signature of General Manager of water provider or Designee

11-5-18

Date

Planning & Zoning Department

Zoning Staff Report

Case: SU-18-0206



MEETING DATE(S)

Planning & Zoning Commission: January 8, 2019

City Council: January 22, 2019

CAPTION

Public Hearing on a request by David Hill for a Specific Use Permit (SUP) for **Accessory Building (Residential), Greater than or Equal to 700 S.F.** use within a Single Family-2 zoning district, located at 607 W Marvin (Property ID 171941) – Owner: WILLIAM D & MICKIE HILL (SU-18-0206)

CASE INFORMATION

Applicant: David Hill

Property Owner(s): William D & Mickie Hill

Site Acreage: 1.741 acres

Current Zoning: Single Family-2

Requested Zoning: Single Family-2 with SUP

SUBJECT PROPERTY

General Location: 607 W Marvin

Parcel ID Number(s): 171941

Existing Use: Single Family Residence

Development History: N/A

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	SF-2	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 is accessed via Marvin Ave, a local street (50' ROW).

Site Image:



PLANNING ANALYSIS

The applicant is requesting approval to construct a 24 x 37 x 18 ft. tall (888 sq. ft.) accessory structure (detached garage/storage) in the rear of the property. The applicant intends to demolish an existing carport before constructing the proposed garage. The applicant is proposing to construct the accessory structure out of hardie board siding, matching the existing home's wood siding as closely as possible, and to use the structure to help protect vehicles.

Per the City of Waxahachie Ordinance, due to the applicant exceeding the maximum allowed 700 sq. ft. requirement, the applicant is required to apply for a Specific Use Permit (SUP). On December 20, 2018, the applicant submitted revisions to staff to correct all outstanding comments for the proposed accessory structure. At the time of this report (12/26/2018), staff has yet to receive any opposition from surrounding neighbors regarding the structure.

Subject to approval of this application, an approved building permit will be required prior to the commencement of the construction. As part of the building permit review process, Building Inspections will ensure that the materials and construction complies with all regulations.

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 12/21/2018.

STAFF CONCERNS

1. N/A

APPLICANT RESPONSE TO CONCERNS

1. The applicant submitted revisions to staff on December 20, 2018. At the time of this report 12/26/2018, the applicant has no outstanding comments from staff.

RECOMMENDATION

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

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

ATTACHED EXHIBITS

1. Site Plan
2. Elevations

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Senior Planner
ccollins@waxahachie.com

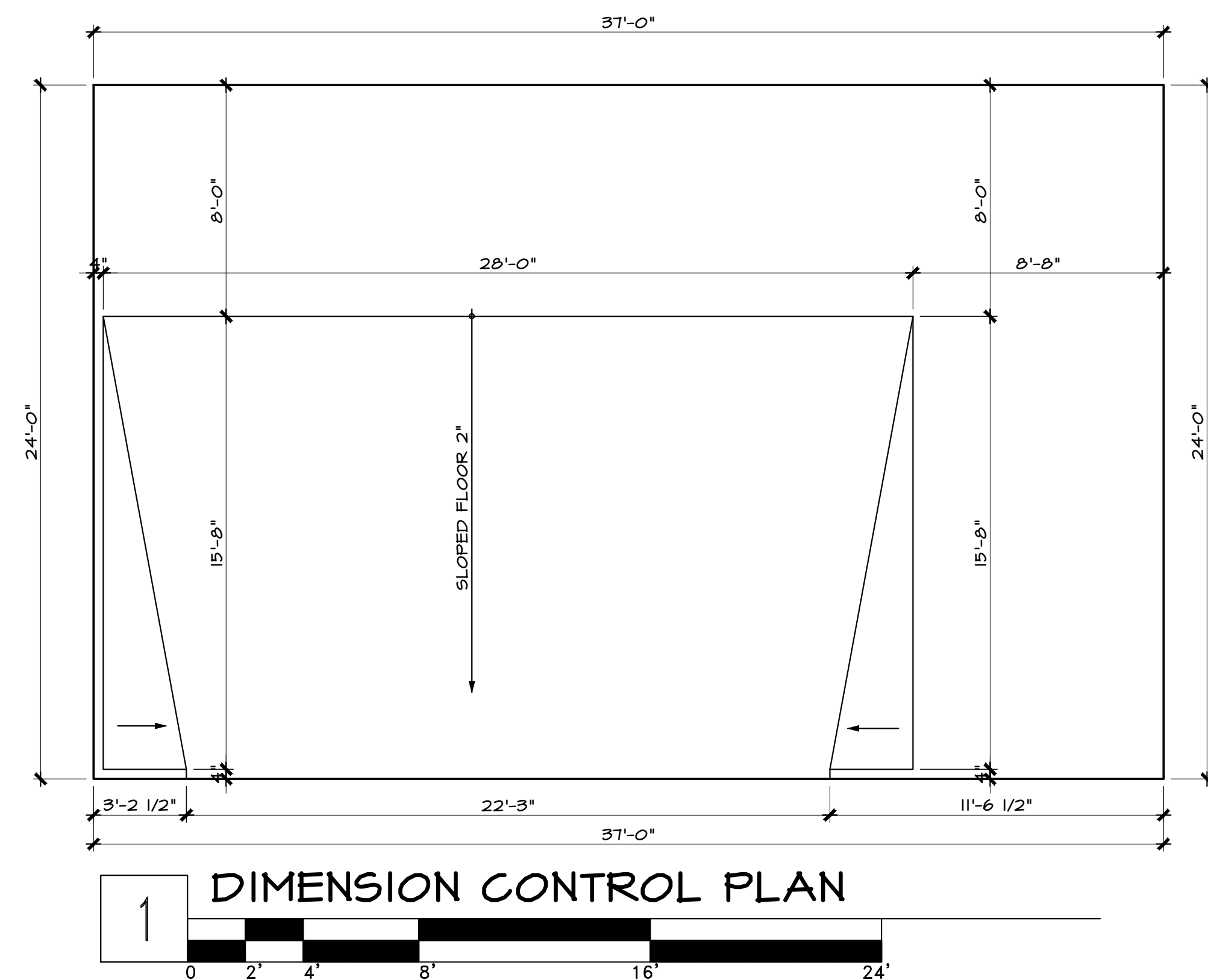
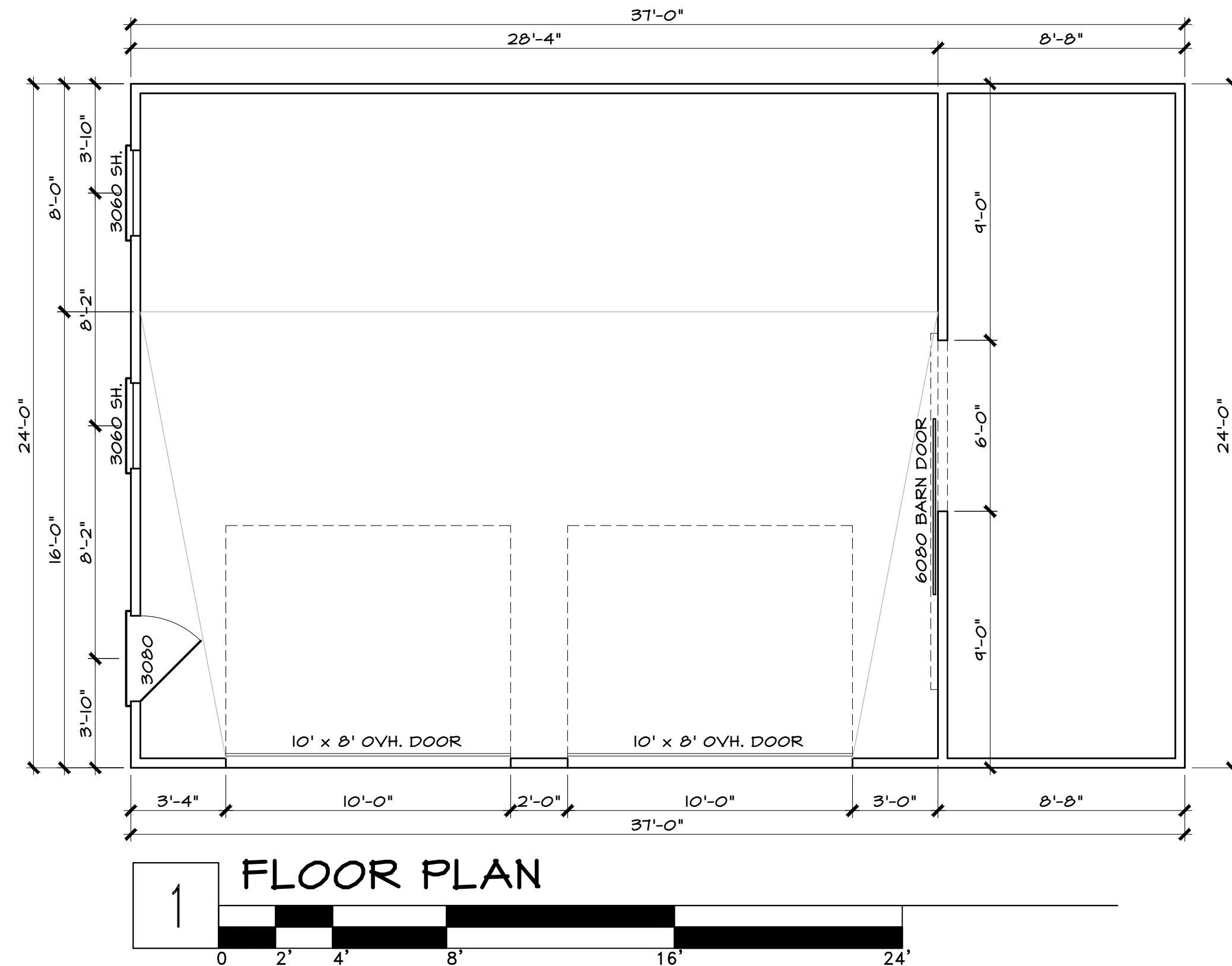
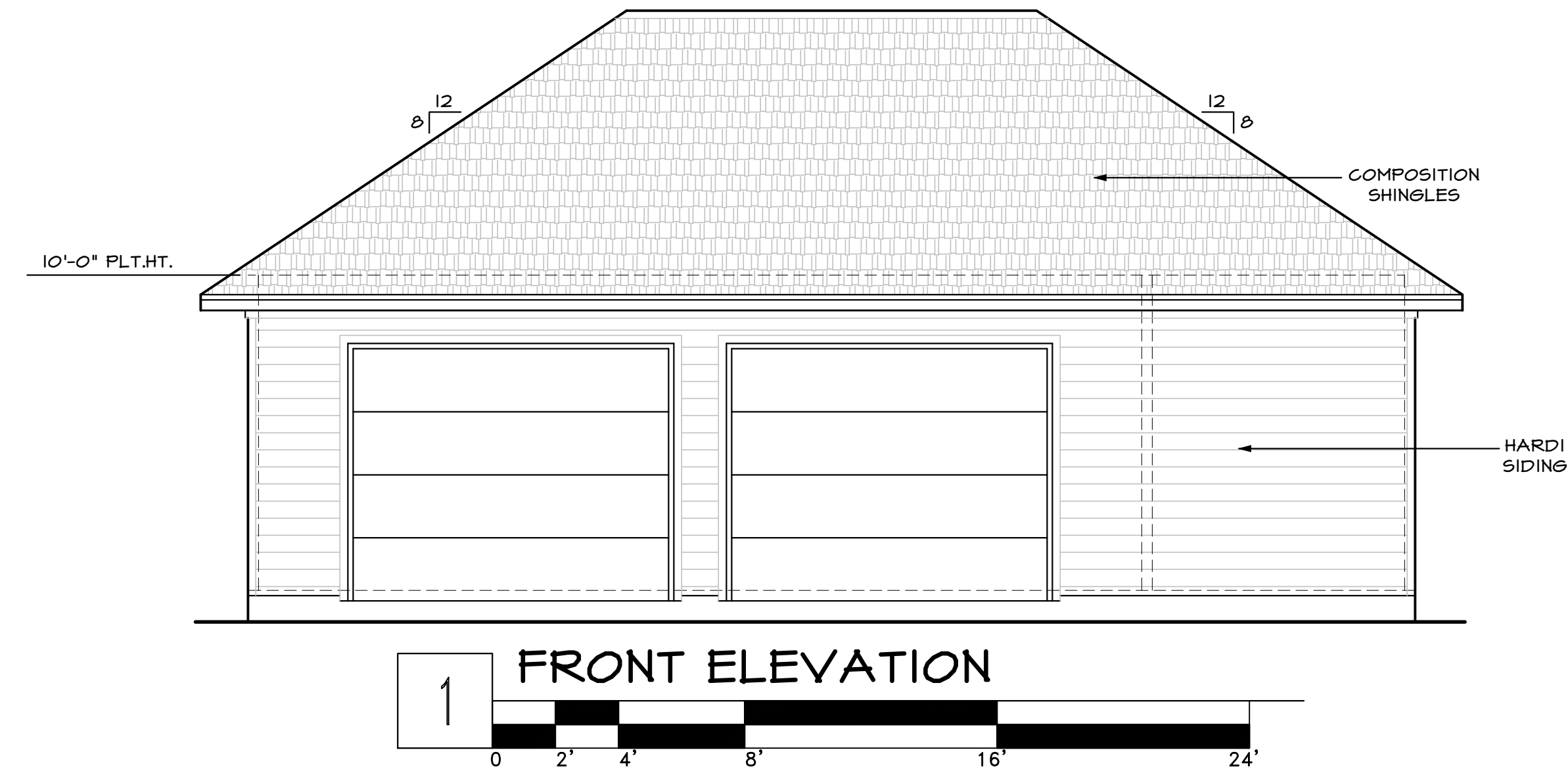
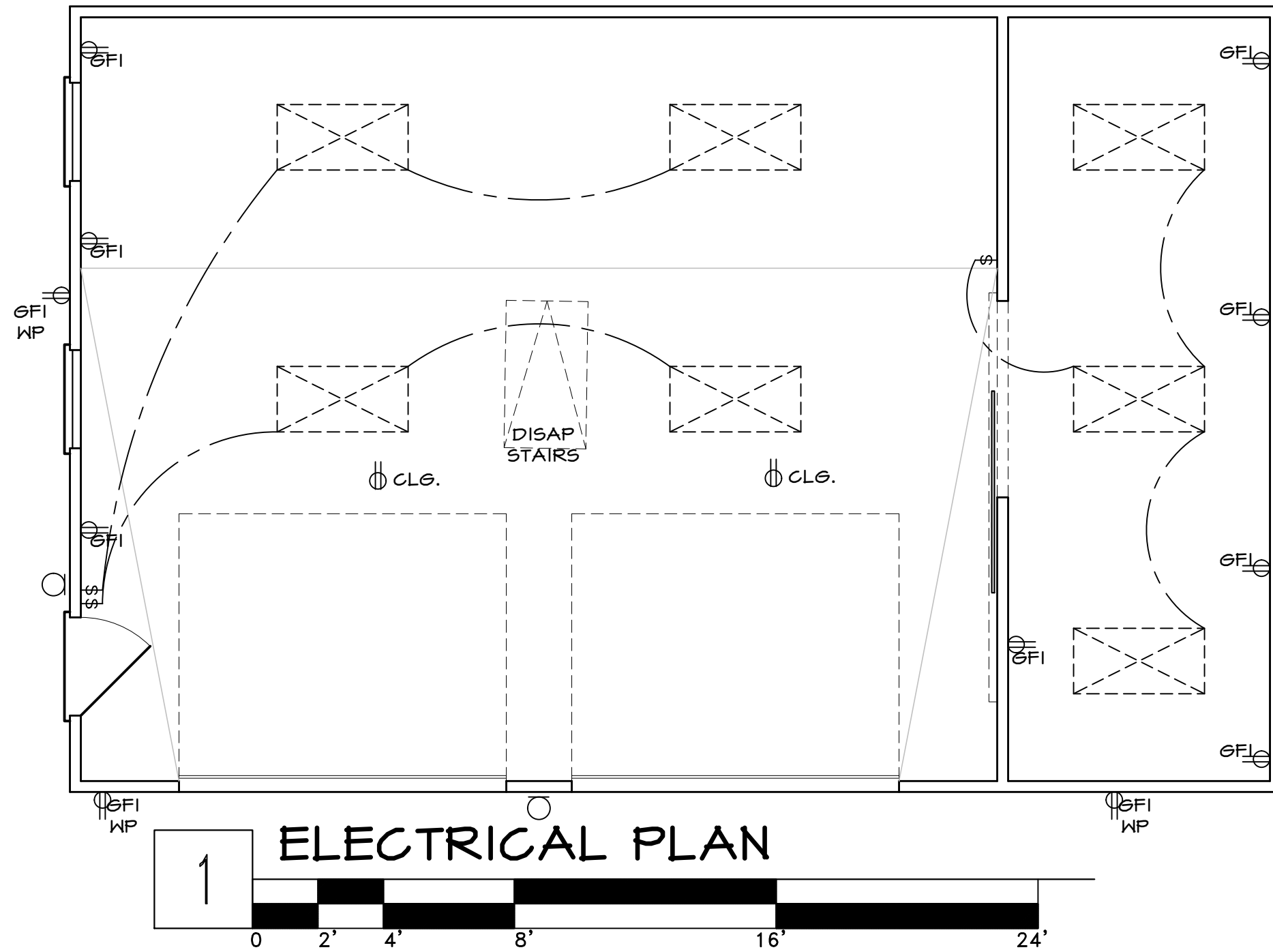
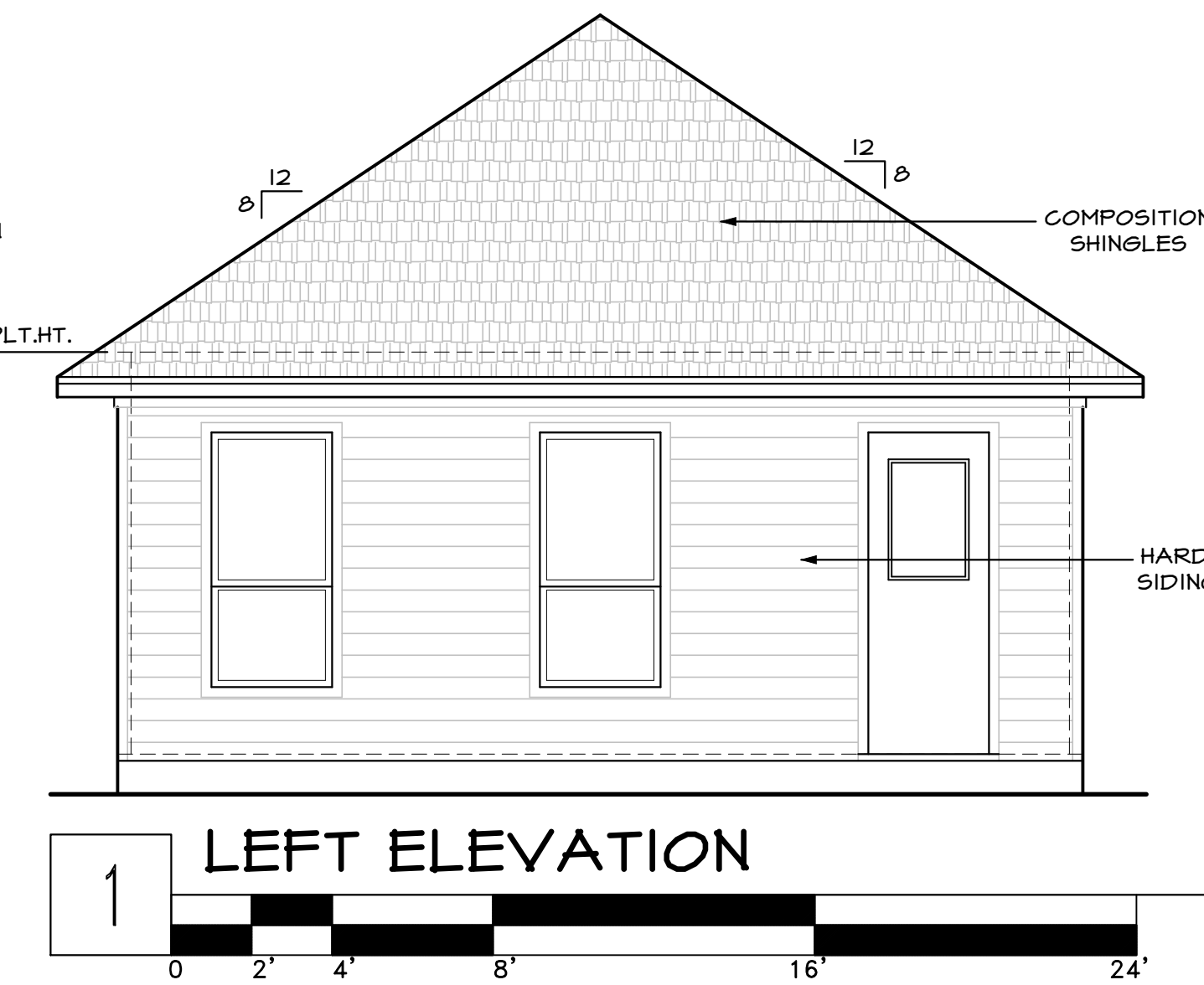
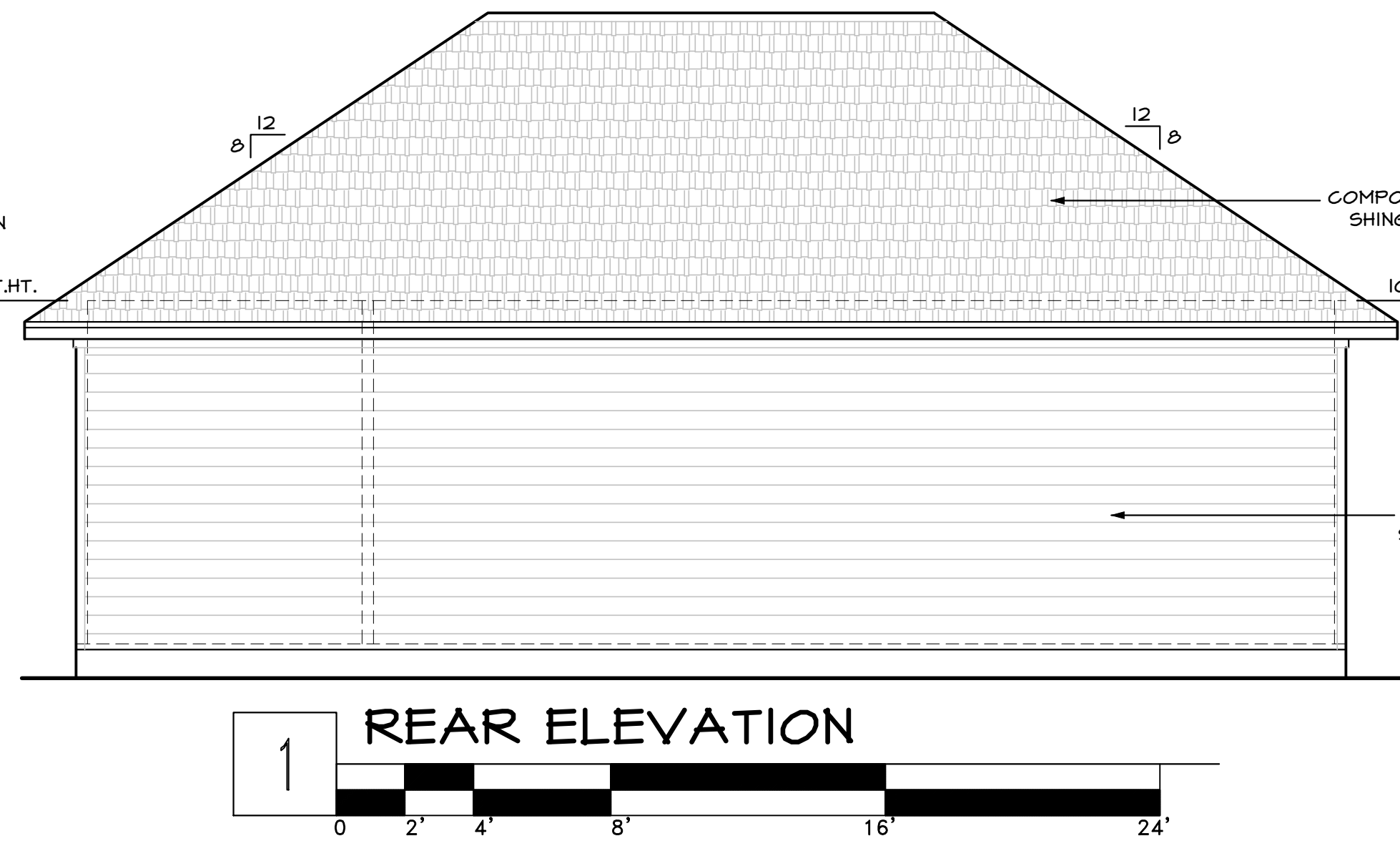
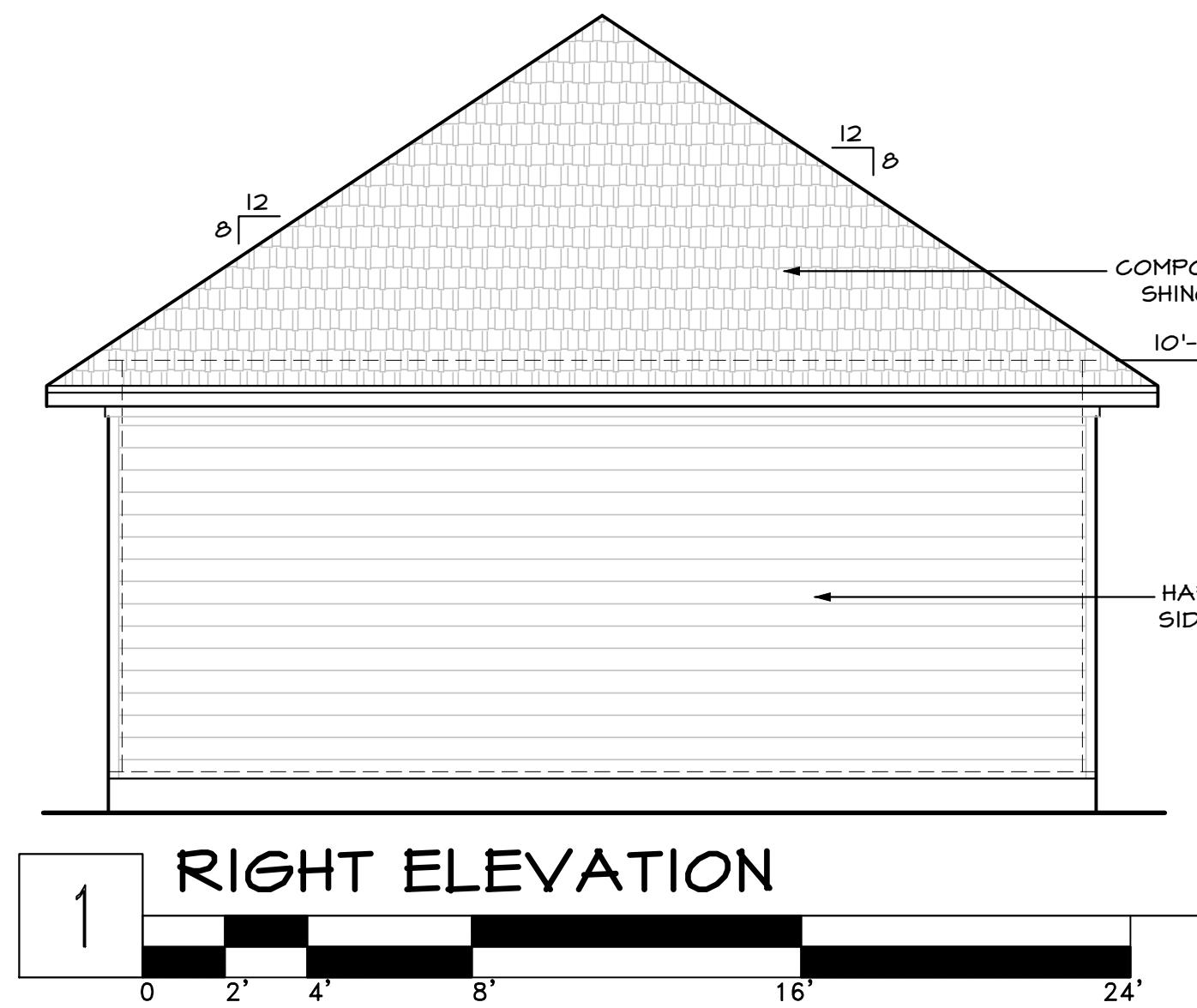
Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

ELECTRICAL LEGEND

- 110 VOLT RECEPTACLE
- WP WATERPROOF RECEPTACLE
- 110 VOLT IN CLO.
- 110 VOLT W/ GROUND FAULT INTERRUPTOR
- 110 VOLT IN FLOOR
- 220 VOLT RECEPTACLE
- TELEVISION ANTENNA
- TELEPHONE OUTLET
- SINGLE POLE SWITCH
- THREE WAY SWITCH
- FOUR WAY SWITCH
- DIMMER SWITCH
- PUSH BUTTON
- SMOKE DETECTOR
- CARBON MONOXIDE DETECTOR
- THERMOSTAT
- SECURITY KEY PAD
- CHIMES
- CEILING MOUNTED LIGHT FIXTURE
- HANGING LIGHT
- RECESSED CAN LIGHT
- LOW VOLTAGE RECESSED CAN LIGHT
- WP WATERPROOF RECESSED CAN LIGHT
- RECESSED EYEBALL SPOT LIGHT
- WALL MOUNTED LIGHT FIXTURE
- PORCELAIN FIXTURE W/ PULL CORD
- FLOOD LIGHTS
- EXHAUST FAN
- EXHAUST FAN W/ LIGHT
- EXHAUST FAN W/ HEAT LAMP
- EXHAUST FAN W/ HEAT LAMP & LT.
- SPEAKER - SEE OWNER FOR LOCATION
- CAT 6 ETHERNET WALL OUTLET
- CEILING FAN
- CEILING FAN W/ LIGHT
- CEILING LIGHT W/ FUTURE FAN
- 2'X4' FLUORESCENT LIGHT
- 1'X4' FLUORESCENT LIGHT
- UNDER CABINET LIGHT

ELECTRICAL NOTES

- UNLESS OTHERWISE NOTED
- SWITCHES TO ATTIC LIGHTS TO BE MOUNTED NEAR CEILING.
 - PROVIDE 15 AMP SERVICE FOR EACH AIR HANDLER IN ATTIC.
 - PROVIDE 60 AMP SERVICE FOR EACH A/C UNIT.
 - PROVIDE 30 AMP SERVICE FOR SEPTIC SYSTEM.



DESCRIPTION	ISSUE DATE	DESCRIPTION	ISSUE DATE

PARAGON RESIDENTIAL DESIGN, LLC.
TEXAS, COLORADO - 714-850-6836
EdeParagonResidentialDesign.com

A New Single Family Garage for:
DAVID HILL CONSTRUCTION
607 E. MARVIN
WAXAHACHIE, TX. 75165

SHEET
2.01
2 OF 2
18046

CASE SU-18-0206

SUPPORT 1

OPPOSE 0

Request by David Hill for a Specific Use Permit (SUP) for **Accessory Building (Residential), Greater than or Equal to 700 S.F.** use within a Single Family-2 zoning district, located at 607 W Marvin (Property ID 171941) – Owner: WILLIAM D & MICKIE HILL (SU-18-0206)

SUPPORT

1. James R. Phillips, 606 W. Marvin Avenue, Waxahachie, TX 75165
 - a. “I support Mr. Hill’s desire to build a large detached garage.”



RECEIVED
12/26/18

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **SU-18-0206**



PHILLIPS JAMES R & EKLUND
606 W MARVIN
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 8, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 22, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

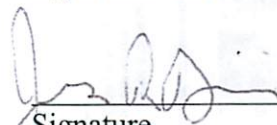
1. Request by David Hill for a Specific Use Permit (SUP) for **Accessory Building (Residential), Greater than or Equal to 700 S.F.** use within a Single Family-2 zoning district, located at 607 W Marvin (Property ID 171941) – Owner: WILLIAM D & MICKIE HILL (SU-18-0206)

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

Case Number: **SU-18-0206** X SUPPORT _____ OPPOSE

Comments: I support Mr. Hills desire to build a
large detached garage

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, JANUARY 2, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.



Signature
James R. Phillips

Printed Name and Title

12/22/18

Date
606 W. Marvin Avenue

Address

Planning & Zoning Department

Zoning Staff Report

Case: SU-18-0209



MEETING DATE(S)

Planning & Zoning Commission: January 8, 2019

City Council: January 22, 2019

CAPTION

Public Hearing on a request by Billy Hufstetler for a Specific Use Permit (SUP) for **Accessory Building (Residential), Greater than or Equal to 700 S.F.** use within a Single Family-2 zoning district, located at 704 Bryson (Property ID 176921) – Owner: BILLY JOE HUFSTETLER (SU-18-0209)

CASE INFORMATION

Applicant: Billy Hufstetler

Property Owner(s): Billy Joe Hufstetler

Site Acreage: 0.251 acres

Current Zoning: Single Family-2

Requested Zoning: Single Family-2 with SUP

SUBJECT PROPERTY

General Location: 704 Bryson

Parcel ID Number(s): 176921

Existing Use: Single Family Residence

Development History: N/A

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Single Family Residential
East	SF-2	Single Family Residential
South	SF-2	Single Family Residential
West	SF-2	Single Family Residential

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 Bryson St and Sixth St, a local street (50' ROW).

Site Image:



PLANNING ANALYSIS

The applicant is requesting approval to construct a 40 x 30 x 15 ft. 8 in. tall (1,200 sq. ft.) accessory structure (detached garage/storage) in the rear of the property. The applicant is proposing to construct the accessory structure out of hardie board siding. The applicant intends to use the accessory structure to help protect vehicles, boats, and furniture.

The applicant is not meeting the required rear yard setback requirement. Per Article 5, Section 7 of the city ordinance, *"Rear Yard: When the accessory structure is a garage with rear access, the rear setback shall be a minimum of twenty (20) feet from the property line. All other accessory structures including carports shall not be located closer than three (3) feet to the rear property line."* Currently, the applicant is only providing a 3ft. rear setback.

Subject to approval of this application, an approved building permit will be required prior to the commencement of the construction. As part of the building permit review process, Building Inspections will ensure that the materials and construction complies with all regulations.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, **21** 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 12/21/2018.

Staff has received one letter of opposition to this case.

STAFF CONCERNS

1. The applicant is currently not meeting the required rear yard setback requirement. Per Article 5, Section 7 of the city ordinance, "Rear Yard: *When the accessory structure is a garage with rear access, the rear setback shall be a minimum of twenty (20) feet from the property line. All other accessory structures including carports shall not be located closer than three (3) feet to the rear property line.*" Currently, the applicant is only providing a 3ft. rear setback.

APPLICANT RESPONSE TO CONCERNS

1. The applicant is aware of the comments made by staff. The applicant intends to state his case for the proposed accessory structure at the January 8, 2018 Planning and Zoning Commission meeting.

RECOMMENDATION

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

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

ATTACHED EXHIBITS

1. Site Plan
2. Elevations

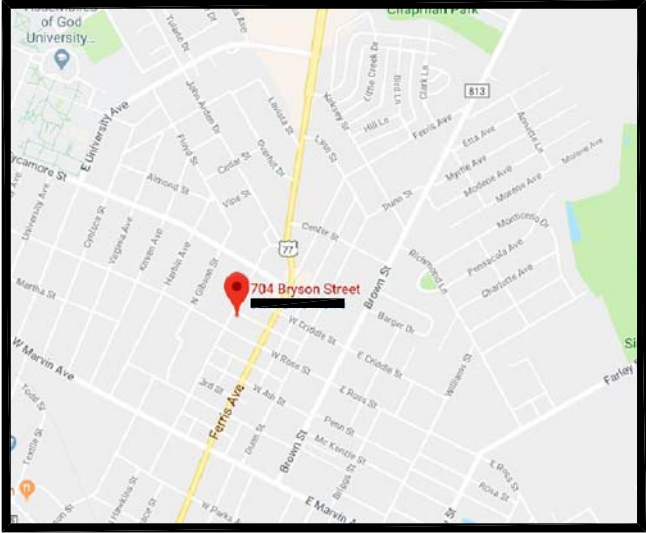
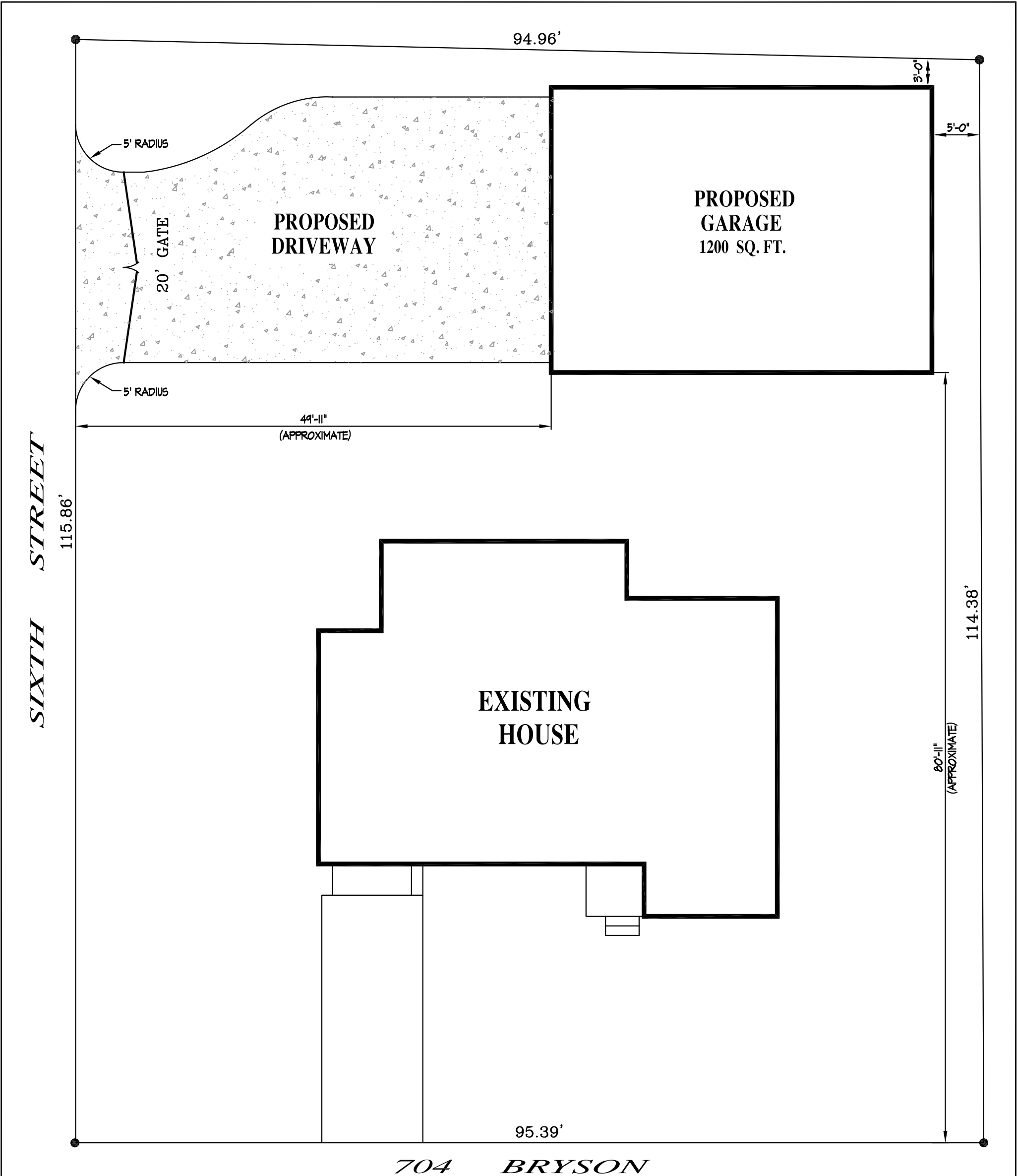
APPLICANT REQUIREMENTS

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

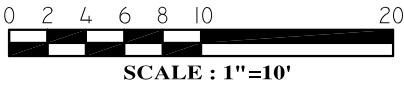
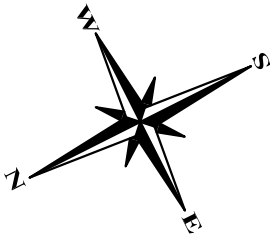
STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Senior Planner
ccollins@waxahachie.com

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



VICINITY MAP
(NOT TO SCALE)



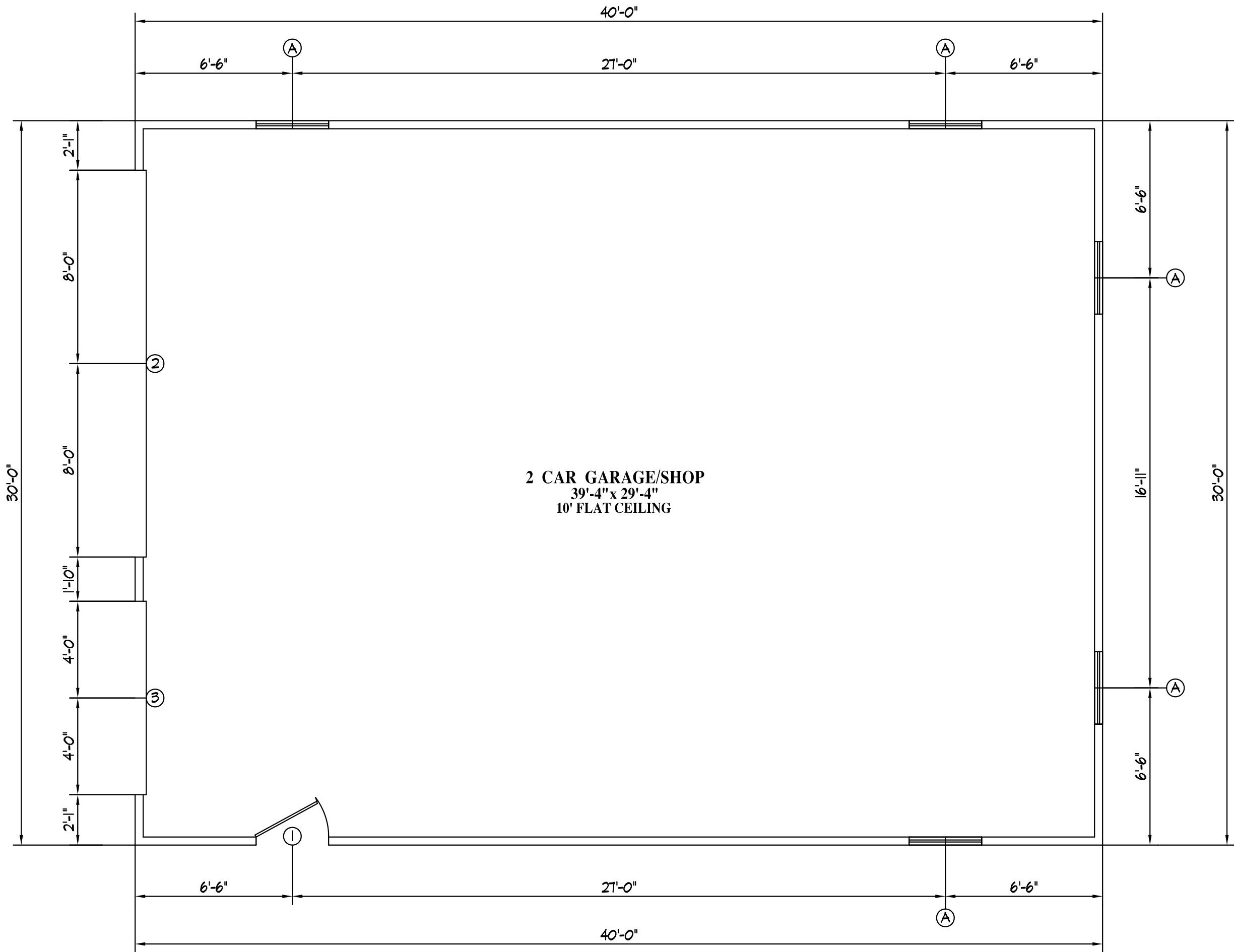
CASE NUMBER SU-18-0209

**10,956 SQUARE FEET OR
0.2515 OF AN ACRE
PT. OF BLOCK 35**

**WILLIAMS ADDITON
WAXAHACHIE, TX, ELLIS COUNTY**

NOTE:
Ellis County Reprographics Inc. is a Drafting & Design firm only. In no way does E.C.R. represent itself as Architects or Engineers. All drawings are based on dimensions/specifications furnished to E.C.R. Inc by the the builder and/or home owner.

PLOT PLAN	PLANS FOR: BILLY HUFSTETLER 704 BRYSON WAXAHACHIE, TEXAS	CUSTOM PLANS FOR	NOTICE OF NON-RESPONSIBILITY	DRAWN BY: <i>Ellis County Reprographics, Inc.</i> 201 JOHNSTON BLVD. WAXAHACHIE, TEXAS 75165 972-938-3430	DRAWN BY: ALAN LOOSIER
			AS THESE PLANS ARE A RECOMMENDATION ONLY, HAVING BEEN PREPARED FROM SPECIFICATIONS AND DIMENSIONS PROVIDED BY THE BUILDER/PURCHASER OF PLANS TO ECR, INC. THE PLANS SHOULD BE CHECKED AND VERIFIED PER LOCAL CODES AND SPECS BY THE BUILDER/PURCHASER OF THE PLANS. IF THERE ARE ANY ERRORS, OR EXCLUSIONS ECR, INC IS TO BE NOTIFIED UPON DISCOVERY. ECR, INC ASSUMES NO RESPONSIBILITY WHATSOEVER IF THE BUILDER/PURCHASER MODIFIES OR CHANGES THESE PLANS. THE LIMIT OF LIABILITY FOR ECR, INC IS NOT TO EXCEED THE COST OF THE PLANS. ELLIS COUNTY REPROGRAPHICS, INC		



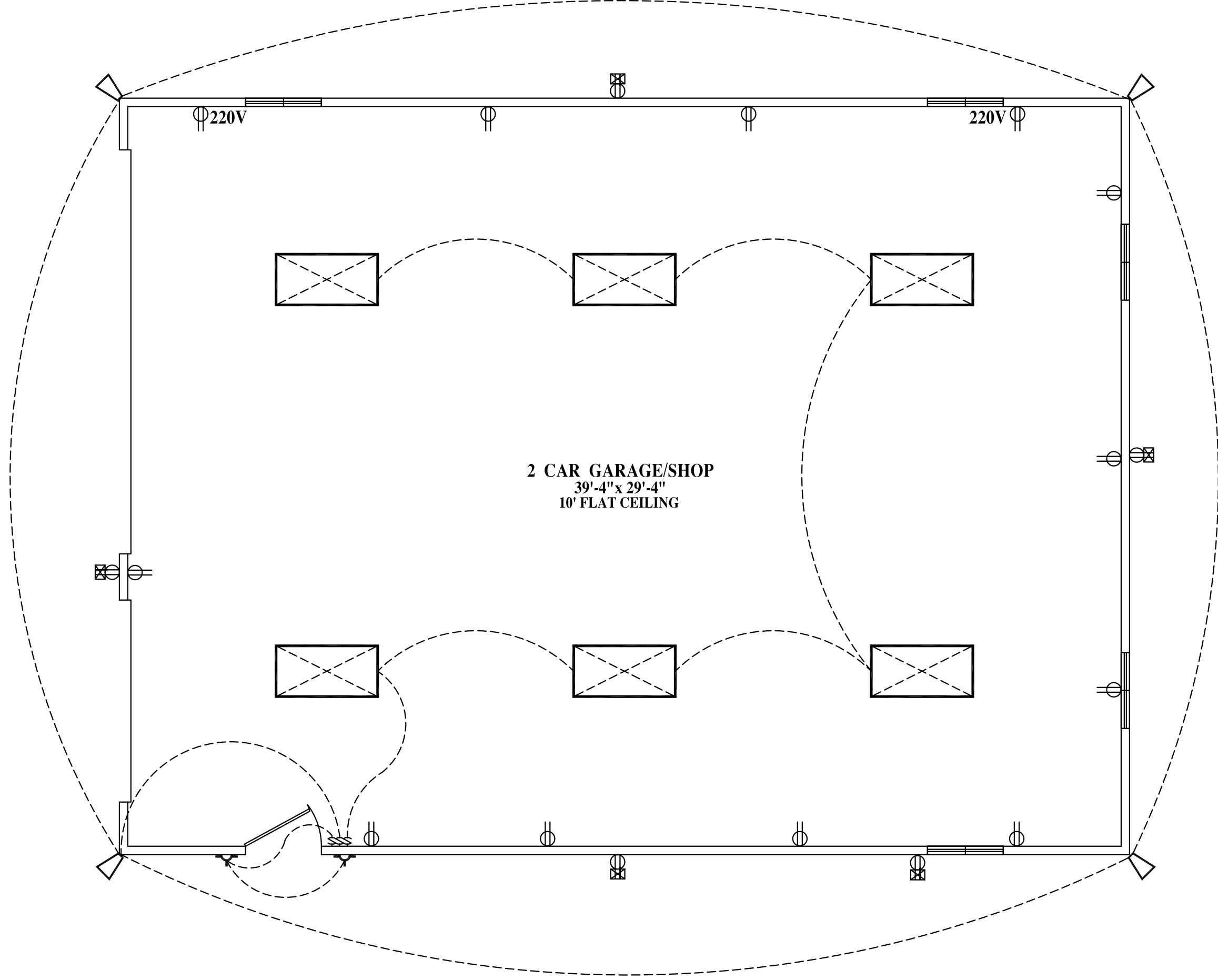
FLOOR PLAN
1/4"=1'-0"

GENERAL NOTES:

1. ALL WALLS STUDS SHALL BE 16" O.C. UNLESS NOTED OTHERWISE BY CONTRACTOR.
2. ALL CEILING JOIST AND ROOF RAFTERS SHALL BE 16" O.C. UNLESS OTHERWISE NOTED BY CONTRACTOR.
3. MAXIMUM SPAN FOR ROOF JOIST AND RAFTERS PER CONTRACTORS SPECS.
4. ALL CONSTRUCTION SHALL CONFORM TO ALL APPLICABLE CODES & ORDINANCES.
5. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
6. THE CONTRACTOR SHALL PROVIDE THE OWNER WITH A COMPLETE LIST OF ALL PRODUCTS, APPLIANCES & MATERIALS TO BE USED PRIOR TO PURCHASE AND INSTALLATION.
7. THE CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS AND INSPECTIONS.
8. THE CONTRACTOR SHALL PROVIDE ALL THE NECESSARY CALCULATIONS, DRAWINGS, AND OTHER REQUIREMENTS FOR THE DESIGN AND INSTALLATION OF THE FOUNDATION.
9. THE FOUNDATION SHALL BE DESIGNED BY A PROFESSIONAL STRUCTURAL ENGINEER CURRENTLY REGISTERED IN THE STATE OF TEXAS, WHO HAS AT LEAST FIVE YEARS EXPERIENCE IN THE DESIGN OF FOUNDATIONS FOR SOILS IN THE DALLAS AND FT. WORTH AREA.
10. ALL REQUIRED SOIL TESTING, INVESTIGATIONS, LAB ANALYSIS AND OTHER REQUIRED DATA SHALL BE PROVIDED BY THE CONTRACTOR.

WINDOW SCHEDULE		
NO.	TYPE	SIZE
A	VERTICAL SINGLE HUNG ALUM	3'-0" x 5'-0"

DOOR SCHEDULE			
NO.	SIZE	FIRE	MATERIAL
1	3'-0" x 6'-8"	B	EXTERIOR DOOR MILL CONST. (UTILITY)
2	16'-0" x 8'-0"	B	OVERHEAD GARAGE DOOR UNIT
3	8'-0" x 8'-0"	B	OVERHEAD GARAGE DOOR UNIT



ELECTRICAL PLAN
1/4"=1'-0"

ELECTRICAL LEGEND

- ⚡ LIGHT FIXTURE AS PER SPEC'S
- 220V 220 VOLT OUTLET AS PER SPEC'S
- WALL MOUNT FIXTURE AS PER SPEC'S
- PHONE/TV/CABLE/SATELLITE OUTLET AS PER SPEC'S
- DUPLEX CONVENIENCE OUTLET AS PER SPEC'S
- GFI OUTLET AS PER SPEC'S
- GFI OUTLET W/ WEATHERPROOF COVER AS PER SPEC'S
- TWO POLE SWITCH AS PER SPEC'S
- GARBAGE DISPOSAL AS PER SPEC'S
- EXHAUST FAN AS PER SPEC'S
- SMOKE DETECTOR AS PER SPEC'S
- EYEBALL LIGHTS AS PER SPECS
- CAN LIGHTS AS PER SPECS
- GFI OUTLET W/ WEATHERPROOF COVER UNDER EAVES AS PER SPEC'S
- FLOODLIGHTS AT BASE OF HOUSE PER SPEC'S
- GARAGE DOOR OPENER
- OUTSIDE SPOT LIGHTS AS PER SPECS
- WALL MOUNTED STRIP LIGHT AS PER SPEC'S
- RECESSED FLUORESCENT LIGHT AS PER SPEC'S
- CEILING FAN WITH LIGHT KIT

ELECTRICAL NOTES:

1. ELECTRICAL INSTALLATION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE LOCAL AND NATIONAL CODES AND ORDINANCES. THE ELECTRICAL CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND INSPECTIONS.
2. ALL CONVENIENCE OUTLETS SHALL BE MOUNTED AT 12" ABOVE FINISH FLOOR UNLESS NOTED OTHERWISE. OUTLETS, SPECIALTY OUTLETS ARE AS NOTED OR ACCORDING TO STANDARD PRACTICE.
3. KITCHEN COUNTER AND REFRIGERATOR OUTLETS AND APPLIANCE OUTLETS ARE TO BE MOUNTED 44" ABOVE FINISHED FLOOR (AFF).
4. ALL EXTERIOR OUTLETS SHALL BE GFI AND WEATHER PROTECTED.
5. GARAGE OUTLETS SHALL BE GFI AND MOUNTED 44" ABOVE FINISHED FLOOR.
6. WASHER AND DRYER SHALL HAVE SEPARATE 20 AMP OUTLETS MOUNTED 44" ABOVE FINISHED FLOOR.
7. OUTLET FOR MICROWAVE WITH OR WITHOUT HOOD SHALL BE A SEPARATE 20 AMP SINGLE AT 76" ABOVE FINISHED FLOOR.
8. SWITCH BOXES SHALL BE MOUNTED AT 54" ABOVE FINISH FLOOR TO CENTERLINE OF BOX OR CLUSTER BOXES.
9. ATTIC SHALL BE EQUIPPED WITH SWITCHED KEYLESS FIXTURES WITH INTEGRAL CONVENIENCE OUTLET LOCATED CONVENIENTLY TO ATTIC ACCESS OPENINGS.
10. ALL KITCHEN AND BATH ROOM OUTLETS SHALL BE GFI PROTECTION.
11. ALL CEILING FANS SHALL HAVE METAL BOXES AND WOOD BLOCKING FOR SUPPORT.
12. THE OWNER SHALL SELECT THE STYLE AND FINISH FOR ALL LIGHT FIXTURES.

NOTE:
THIS ELECTRICAL PLAN IS A RECOMMENDATION ONLY AND ACTUAL PLACEMENT OF ALL FIXTURES CAN BE MOVED PER OWNERS REQUEST. THE ELECTRICAL SUBCONTRACTOR SHALL COORDINATE THE PLACEMENT AND HEIGHT OF ALL FIXTURES AND PLUGS WITH THE CONTRACTOR.

SPACE LIST	
TITLE	SQ.FT.
2 CAR GARAGE/SHOP	1200
TOTAL UNDER ROOF	1200

NOTE:
Ellis County Reprographics Inc. is a Drafting & Design firm only. In no way does E.C.R. represent itself as Architects or Engineers. All drawings are based on dimensions/specifications furnished to E.C.R. Inc by the the builder and/or home owner.

DRAWN BY: ALAN LOOSIER
BUILDER:
SCALE: 1/4"=1'-0"
DATE: 12-17-2018
CAD FILE: HUFSTETLER.DWG

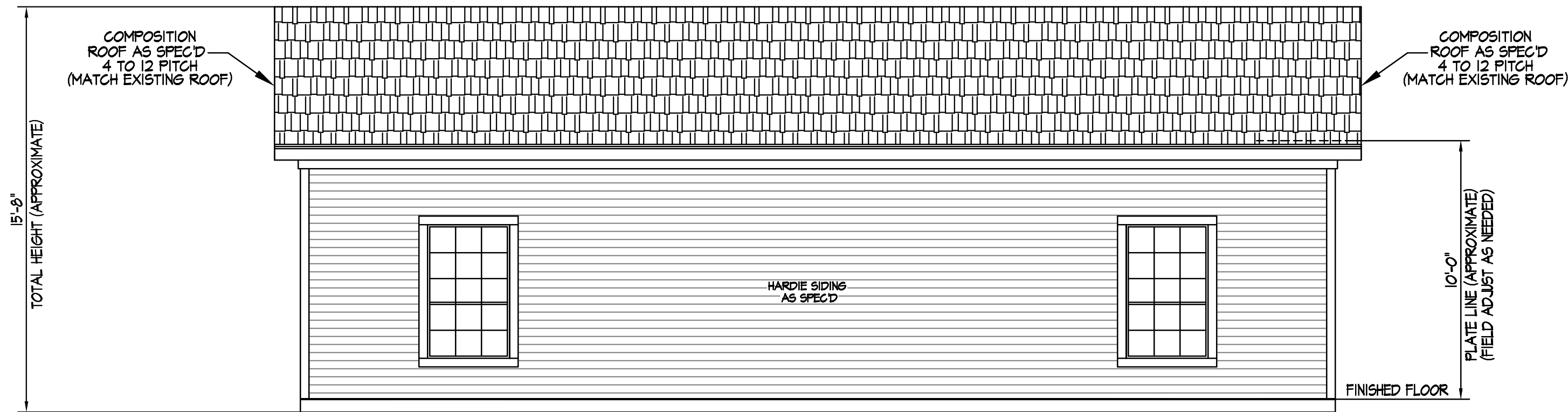
DRAWN BY:
Ellis County Reprographics, Inc.
201 JOHNSTON BLVD.
WAXAHACHIE, TEXAS 75165
972-938-3430

NOTICE OF NON-RESPONSIBILITY
AS THESE PLANS ARE A RECOMMENDATION ONLY, HAVING BEEN PREPARED FROM SPECIFICATIONS AND DIMENSIONS PROVIDED BY THE BUILDER/PURCHASER OF PLANS TO ECR, INC. THE PLANS SHOULD BE CHECKED AND VERIFIED PER LOCAL CODES AND SPECS BY THE BUILDER/PURCHASER OF THE PLANS. IF THERE ARE ANY ERRORS, OR EXCLUSIONS ECR, INC IS TO BE NOTIFIED UPON DISCOVERY. ECR, INC ASSUMES NO RESPONSIBILITY WHATSOEVER IF THE BUILDER/PURCHASER MODIFIES OR CHANGES THESE PLANS.
THE LIMIT OF LIABILITY FOR ECR, INC IS NOT TO EXCEED THE COST OF THE PLANS.
ELLIS COUNTY REPROGRAPHICS, INC

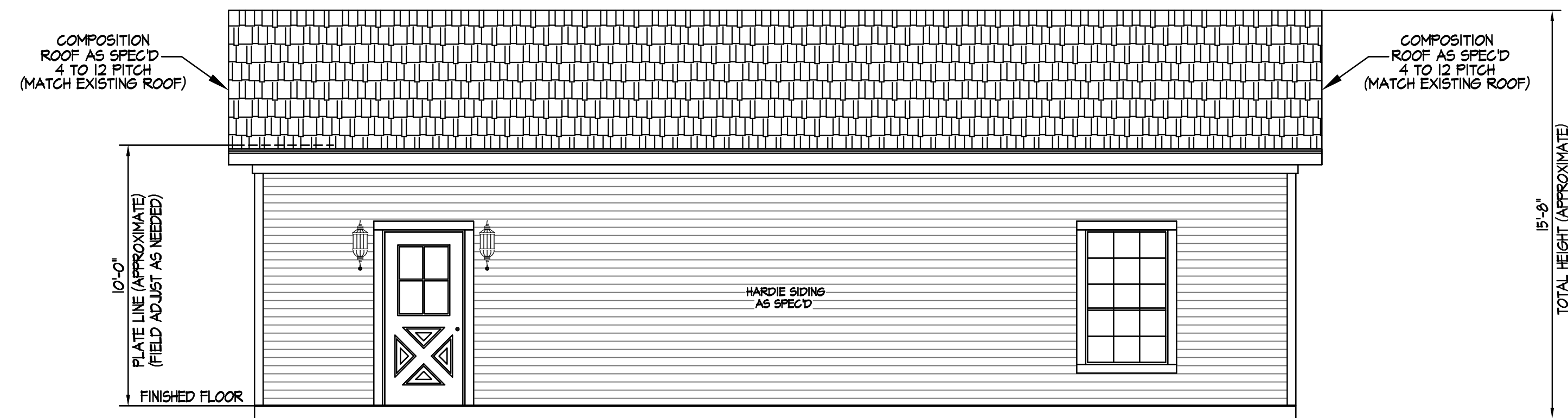
CUSTOM PLANS FOR

PLANS FOR:
BILLY HUFSTETLER
704 BRYSON
WAXAHACHIE, TEXAS

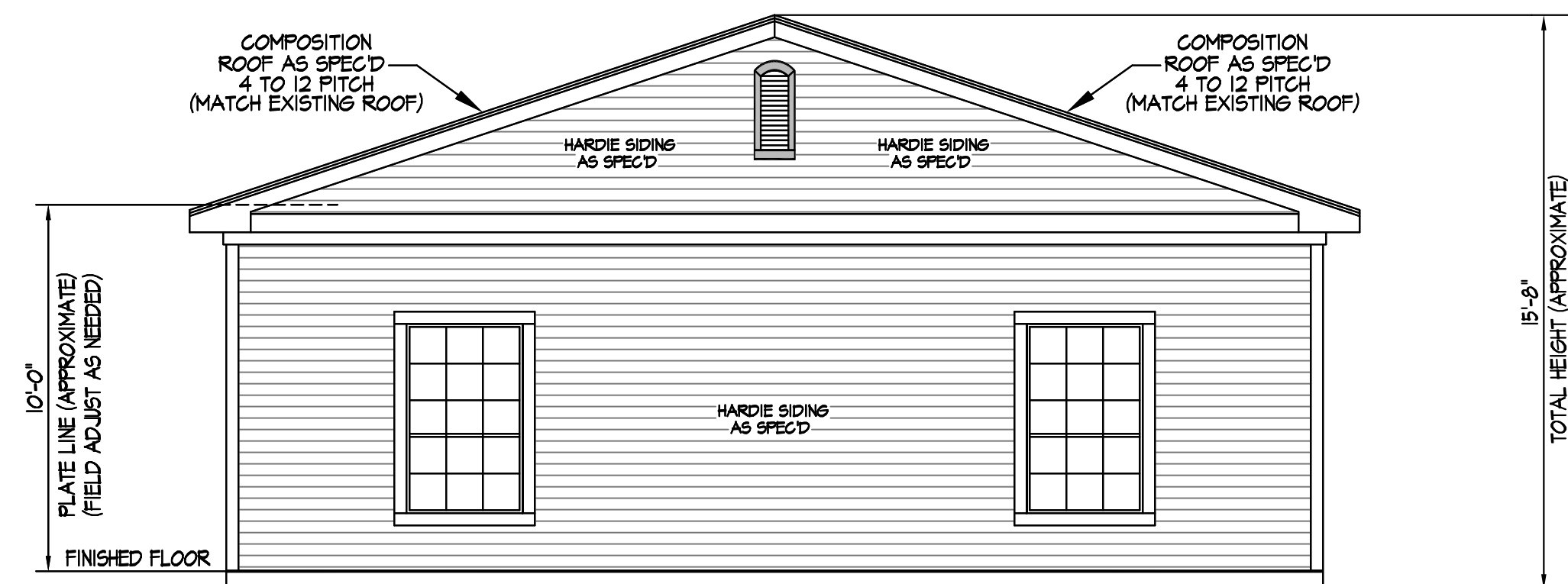
DRAWING:
FLOOR & ELECTRICAL PLAN
SHEET NO.
A-1



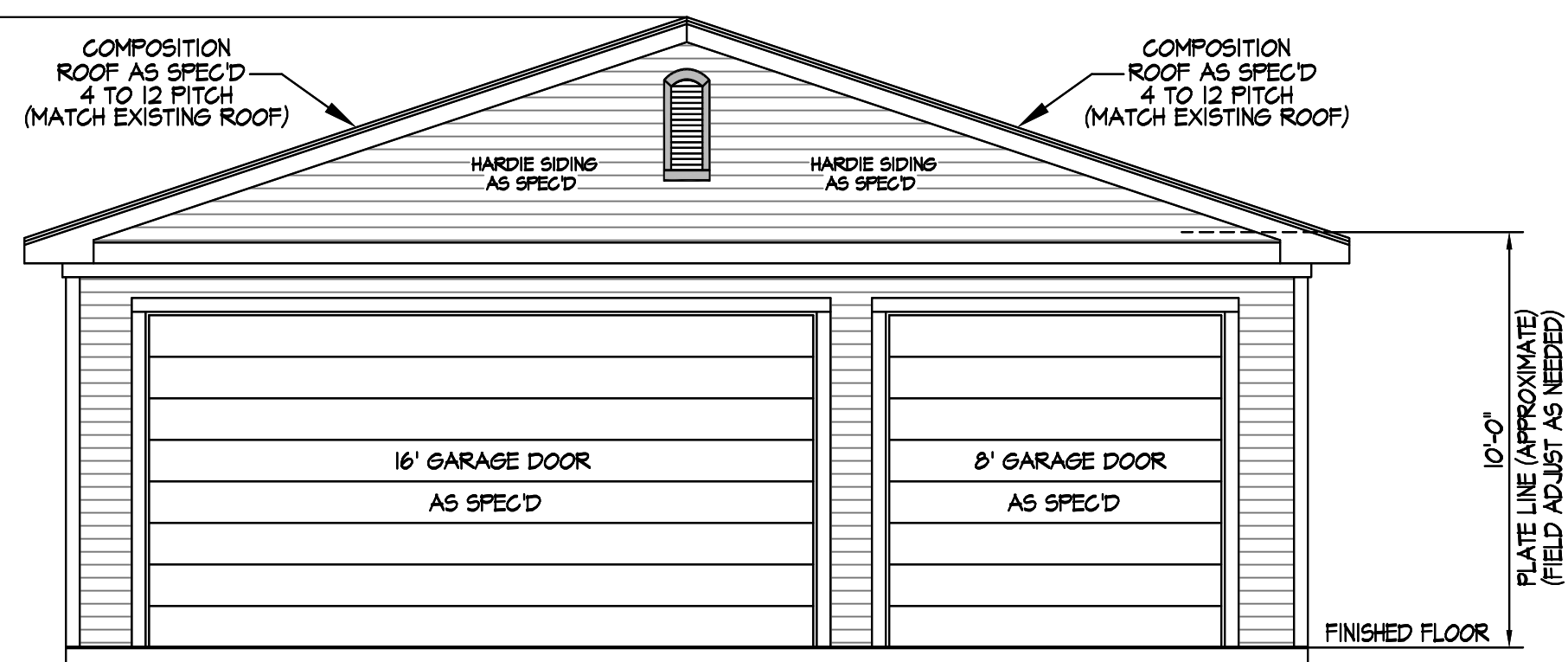
REAR ELEVATION
1/4" = 1'-0"



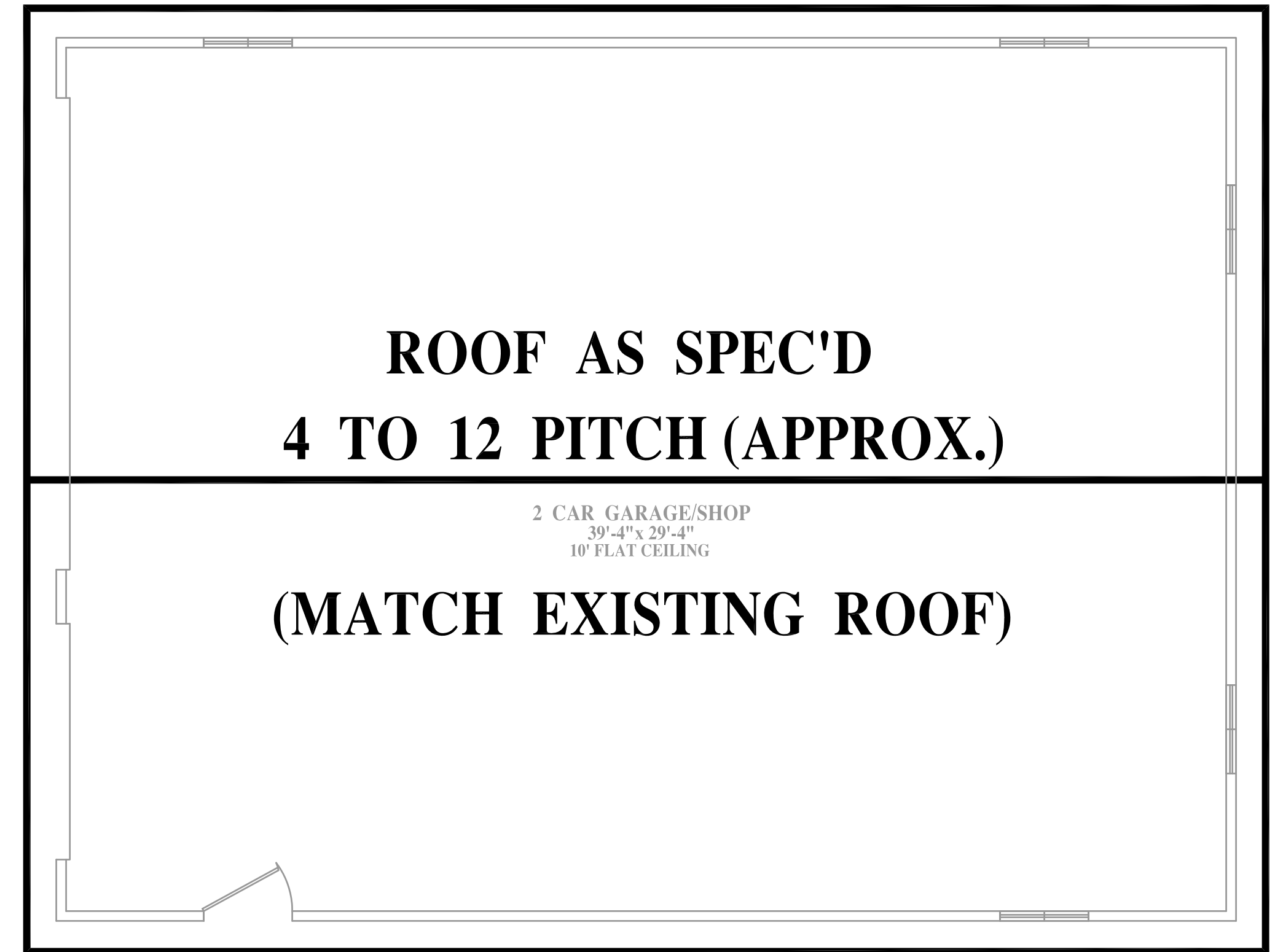
FRONT ELEVATION
1/4" = 1'-0"



RIGHT ELEVATION
1/4" = 1'-0"



LEFT ELEVATION
1/4" = 1'-0"



ROOF PLAN
1/4" = 1'-0"

NOTES:

1. ALL PLATE LINES ARE ESTIMATES ONLY & MUST BE FIELD VERIFIED & ADJUSTED AS NEEDED TO MAKE ROOF ALIGN PROPERLY.
2. ALL ROOF PITCHES ARE ESTIMATES ONLY AND MUST BE FIELD VERIFIED AND ADJUSTED AS NEEDED TO MAKE ROOF ALIGN PROPERLY.
3. ALL CEILING HEIGHTS TO BE FIELD VERIFIED AND APPROVED BY OWNER & BUILDER BEFORE ANY CEILING OR ROOF RAFTERS ARE FRAMED.
4. THESE ELEVATIONS ARE RECOMMENDATIONS ONLY AND CAN BE FIELD MODIFIED AND ADJUSTED AS NEEDED PER BUILDERS INSTRUCTIONS AND OWNER APPROVAL.
5. IT IS THE RESPONSIBILITY OF THE BUILDER, OWNER & FRAMER TO FOLLOW THE ABOVE NOTES AND VERIFY AND INFORM THE OWNER AND BUILDER OF ANY AND ALL DISCREPANCIES BEFORE ROOF IS COMPLETED.

NOTE:
Ellis County Reprographics Inc. is a Drafting & Design firm only. In no way does E.C.R. represent itself as Architects or Engineers. All drawings are based on dimensions/specifications furnished to E.C.R. Inc by the the builder and/or home owner.

DRAWN BY: ALAN LOOSIER
BUILDER:
SCALE: 1/4" = 1'-0"
DATE: 12-17-2018
CADD FILE: HUFSTETLER.DWG

DRAWN BY:
Ellis County Reprographics, Inc.
201 JOHNSTON BLVD.
WAXAHACHIE, TEXAS 75165
972-938-3430

NOTICE OF NON-RESPONSIBILITY
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THE LIMIT OF LIABILITY FOR ECR, INC IS NOT TO EXCEED THE COST OF THE PLANS.
ELLIS COUNTY REPROGRAPHICS, INC

CUSTOM PLANS FOR

PLANS FOR:
BILLY HUFSTETLER
704 BRYSON
WAXAHACHIE, TEXAS

DRAWING:
ELEVATIONS & ROOF PLAN

SHEET NO.
A-2

CASE SU-18-0209

SUPPORT 1

OPPOSE 1

Request by Billy Hufstetler for a Specific Use Permit (SUP) for **Accessory Building (Residential), Greater than or Equal to 700 S.F.** use within a Single Family-2 zoning district, located at 704 Bryson (Property ID 176921) – Owner: BILLY JOE HUFSTETLER (SU-18-0209)

SUPPORT

1. Arley Searcy, 800 Bryson Street, Waxahachie, TX 75165

OPPOSE

1. James H. Edwards, 700 Bryson, Waxahachie, TX 75165
 - a. “Too large for size of lot.”

RECEIVED
1/2/19



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **SU-18-0209**



SEARCY ARLEY R & JOYCE M
800 BRYSON ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 8, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 22, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

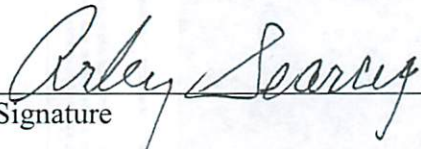
1. Request by Billy Hufstetler for a Specific Use Permit (SUP) for **Accessory Building (Residential), Greater than or Equal to 700 S.F.** use within a Single Family-2 zoning district, located at 704 Bryson (Property ID 176921) – Owner: BILLY JOE HUFSTETLER (SU-18-0209)

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

Case Number: **SU-18-0209** ☒ SUPPORT ☐ OPPOSE

Comments: _____

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, JANUARY 2, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.


Signature
ARLEY SEARCY
Printed Name and Title

12-28-18
Date
800 BRYSON ST.
WAXAHACHIE, TX 75165
Address



RECEIVED
12/26/18

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SU-18-0209



EDWARDS J H
327 E UNIVERSITY AVE
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 8, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 22, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Billy Hufstetler for a Specific Use Permit (SUP) for **Accessory Building (Residential), Greater than or Equal to 700 S.F.** use within a Single Family-2 zoning district, located at 704 Bryson (Property ID 176921) – Owner: BILLY JOE HUFSTETLER (SU-18-0209)

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

Case Number: SU-18-0209 SUPPORT X OPPOSE

Comments: TO LARGE FOR SIZE OF LOT

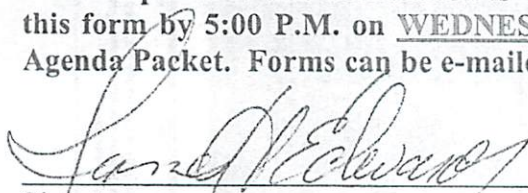
Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on WEDNESDAY, JANUARY 2, 2019 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.

Signature

Date

Printed Name and Title

Address


JAMES H EDWARDS

12-26-2018
700 BRYSON

Planning & Zoning Department

Zoning Staff Report

Case: SU-18-0173



MEETING DATE(S)

Planning & Zoning Commission: January 8, 2019

City Council: January 22, 2019

CAPTION

Request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for **Unified Lot Sign** and **Electronic Message Sign** uses within a Planned Development-44-General Retail zoning district, located at the NW corner of Brown Street at Professional Place, being Lot 5, Block A, Chapman Plaza Phase II 0.459 acres (Property ID 230478) – Owner: TAHOE CITY PARTNERS LLC (SU-18-0173)

CASE INFORMATION

Applicant: Chris Reeves, Quickway Signs

Property Owner(s): Tahoe City Partners LLC

Site Acreage: 0.459 acres

Current Zoning: Planned Development-44-General Retail

Requested Zoning: PD-44-GR with SUP

SUBJECT PROPERTY

General Location: NW corner of Brown Street at Professional Place

Parcel ID Number(s): 230478

Existing Use: Off premise signage (ground monument sign)

Development History: N/A

Adjoining Zoning & Uses:

Directio	Zoning	Current Use
North	PD-GR	Buffalo Creek Assisted Living Facility
East	GR	Office
South	PD-GR	Office/Residential
West	PD-GR	Office/Residential

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 existing sign is accessible via Professional Pl. and Brown St.

Site Image:



PLANNING ANALYSIS

The applicant is requesting to expand an existing unified lot sign. Expansion of this sign is to include the addition of an Electronic Messaging Sign to the existing sign. The applicant has obtained the signatures of the surrounding property owners to ensure its status as a unified lot sign.

The existing sign was constructed within 20 foot utility easement, which is not allowed per the City of Waxahachie Ordinance. The sign has been located in this location for a minimum of 10 years. If approved, the applicant shall meet the requirements for the both the ground monument sign as well as the electronic messaging sign per the City of Waxahachie Ordinance *listed below*.

Ground Monument Sign	Electronic Messaging Sign
Maximum Size: 125 square feet	SUP required
Maximum Height: Ten (10) measured from grade	Signs shall have no flashing copy or lights; revolving beacon lights; chasing, blinking, or stroboscopic lights; or, fluttering, undulating, swinging, or otherwise moving parts.
Setbacks: Fifteen (15) feet from street right-of-way	A maximum of seventy (70) percent of the sign face may be devoted to changeable sign copy.
Setbacks: Fifteen (15) feet from property lines	Any electronic message signs that are illuminated by artificial light or projects an electronic message through a changeable copy sign that is within 400 feet of a residence, park, playground, or scenic area as designated by a governmental agency having such

	authority shall not be lighted between the hours of 10:00 p.m. and 6:00 a.m.
	Such signs shall not exceed a brightness level of 0.3 foot candles above ambient light. In all zoning districts such signs shall come equipped with automatic dimming technology, which automatically adjusts the sign's brightness based on ambient light.

At the time of this report, staff has received one letter of opposition for the proposed request.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 11 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 12/21/18.

STAFF CONCERNS

1. Staff cannot determine the history of the sign. Sign does not meet current setback requirements.

RECOMMENDATION

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

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Additional consideration
 1. If the applicant is allowed to expand the ground monument sign, the applicant cannot expand the monument sign further into the easement.

ATTACHED EXHIBITS

1. Conceptual lot sign

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Senior Planner
ccollins@waxahachie.com

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

112.55 in

143.97 in

FULL COLOR LED

CHAPMAN PLAZA

ClinPoint
TRIALS



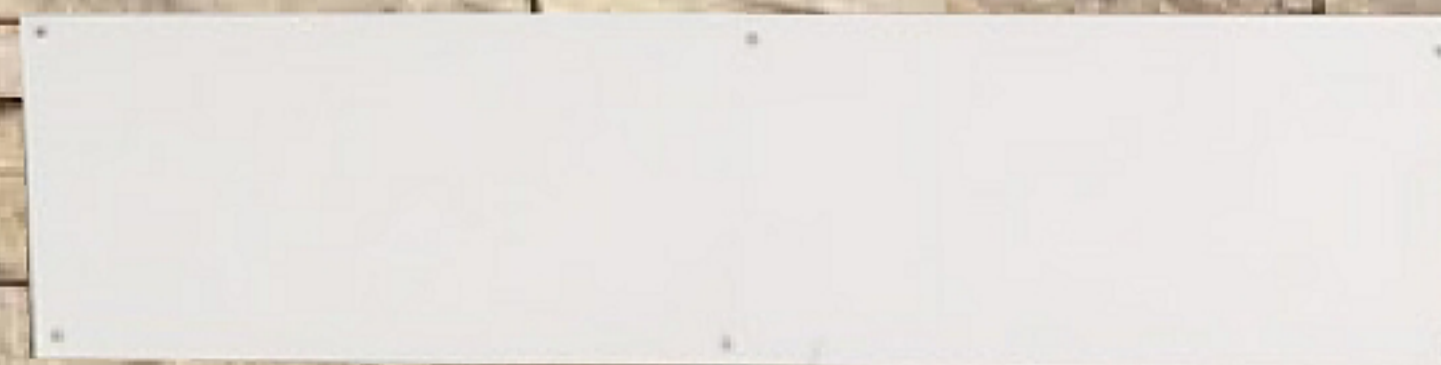
MORGAN
ORTHODONTICS

*Lone Star
Hearing Center*



Nationwide
is on your side

Don
Atwell
Agency



CASE SU-18-0173

SUPPORT 0

OPPOSE 1

Request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for **Unified Lot Sign** and **Electronic Message Sign** uses within a Planned Development-44-General Retail zoning district, located at the NW corner of Brown Street at Professional Place, being Lot 5, Block A, Chapman Plaza Phase II 0.459 acres (Property ID 230478) – Owner: TAHOE CITY PARTNERS LLC (SU-18-0173)

OPPOSE

1. Todd Woodruff, 102 Sumner Lane, Waxahachie, TX 75165



RECEIVED
12/27/18

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: SU-18-0173



PROPERTY OWNER
102 SUMNER LN
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 8, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 22, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) for Unified Lot Sign and Electronic Message Sign uses within a Planned Development-44-General Retail zoning district, located at the NW corner of Brown Street at Professional Place, being Lot 5, Block A, Chapman Plaza Phase II 0.459 acres (Property ID 230478) – Owner: TAHOE CITY PARTNERS LLC (SU-18-0173)

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

Case Number: SU-18-0173

☐ SUPPORT

☒ OPPOSE

Comments: _____

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on WEDNESDAY, JANUARY 2, 2019 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.

Signature

Date

Printed Name and Title

Address



Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager

Date: January 2, 2019

Re: PD-18-0119 – Blue Bonnet Trails Phase 3

On December 31, 2018, the applicant requested to continue case no. PD-18-0119 to the February 12, 2019 meeting. If the requested continuance is approved, the case will be reviewed at the February 12, 2019 Planning and Zoning meeting, and the February 18, 2019 City Council meeting.

Planning & Zoning Department

Zoning Staff Report

Case: SU-18-0180



MEETING DATE(S)

Planning & Zoning Commission: January 8, 2019

City Council: January 22, 2019

CAPTION

Public Hearing on a request by Barb Hall, Ervin USA, for a Specific Use Permit (SUP) for **Trailer, Truck Sales or Rental** use within a Light Industrial-2 and Future Development zoning district, located at 4675 N Interstate 35, being 790 EC NEWTON 29.74 ACRES (Property ID 188460) - Owner: LUIS ESTRADA (SU-18-0180)

CASE INFORMATION

Applicant: Barb J. Hall

Property Owner(s): Luis Estrada

Site Acreage: 29.74 acres

Current Zoning: Light Industrial-2 and Future Development

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

SUBJECT PROPERTY

General Location: 4675 N Interstate 35

Parcel ID Number(s): 188460

Existing Use: Ervin Trucks and Trailer Rentals

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

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

Adjoining Zoning & Uses:

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

Future Land Use Plan:

Highway Commercial

Comprehensive Plan:

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

Thoroughfare Plan:

The site is accessed via Interstate 35 Service Road.



Site Images:



PLANNING ANALYSIS

The applicant operates a trailer and truck rental and sales business at this site. The SUP to continue the use expires on January 1, 2019. The applicant would like to continue the usage at the site, however the use and the maintenance of the site are not in compliance with the City's future land use plan for the site. Additionally, the parking lot at the site is unpaved, trailers are parked on gravel, dirt and grass, and has existing illegal signage along the property. The requirements of the SUP in 2015 required landscaping and ornamental rail fencing be installed along the I-35 frontage to enhance the property. As of this time, these site improvements have not been completed.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, **4** notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 12/21/18.

STAFF CONCERNS

1. Staff are concerned about continuing this use along one of the main entryways into the City of Waxahachie.
2. Trailers are parked on gravel, dirt, and grass instead of the required concrete.
3. There is illegal pole sign as well as illegal signage located along the fence of the property.
4. Staff would like for the applicant to "beautify" the property (increase landscaping and improve fencing for the SUP).

APPLICANT'S RESPONSE

1. At the time of this report (12/26/2018), the applicant has yet to submit any revisions for staff comments.

RECOMMENDATION

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

- ☒ Denial
- ☐ Approval, as presented.
- ☐ Additional consideration is required

ATTACHED EXHIBITS

1. Ordinance No. 2808
2. Site photos
3. C.O. for Wabash National Trailer Center

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Senior Planner
ccollins@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 June 12, 2018, the Commission voted to deny the zoning change SU-18-0054. Since that time, staff has had the opportunity to do further research regarding this case.

At the present time, Ervin Equipment is operating at the site without a valid Certificate of Occupancy (C.O.). The only C.O. at the site was issued on May 29, 2003, for Wabash National Trailer Centers with a use type of "selling and storage of used semi-trailers," and the owner of Wabash was listed as Jerry Dumont. Per Section 11.1 of the 1997 Zoning Ordinance (and all subsequent zoning ordinances), a C.O. is required for the change in occupancy or business within a building such that even if the use type has remained the same, a new C.O. was needed when Ervin Equipment became the company occupying the site.

During the public hearing on May 22, 2018, a representative for Ervin stated that he was only applying for the SUP because he thought he needed to in order to maintain his ability to do trailer storage at the site, and that no sales or leasing was done at the site. Staff visited the site and found signage along the fencing and on the mud flaps of trailers that advertised leasing services. Additional signage advertised the ability to sell, buy or lease new or used trailers, and that Ervin Equipment is a dealer for Stoughton. The banner signs attached to the fences lack sign permits, and, as a result, must be removed. The pole sign that exists on site does not have a permit for Ervin's usage of the sign, making this an illegal conforming sign, though a permit was granted for an addition to the illegal conforming sign that would advertise Stoughton.

During the public hearing, the representative stated that the entire site was covered in rock, and that gravel, grass and dirt were not in the areas where trailers are stored on the site. During staff's visit to the site, staff saw trailers parked on grass.

In the City Council meeting to obtain the SUP in 2015, the applicant was told of the need to beautify the site through increased landscaping and improving the fencing as a condition for the SUP. The representative stated his belief that since Ervin elected not to begin sales and leasing at the site, there was no need to beautify the site.

In light of the applicant not completing the required site improvements, staff recommends denial of the SUP. If Council decides against denial, staff would recommend that should the applicant receive an SUP for Trailer, Truck Sales or Rental at the site, or an SUP for Auto Parking Lot, Trucks and Trailers, at the site, the beautification be required as a condition of the SUP. Staff would also request that the applicant obtain a valid C.O. for operations at the site that accurately reflect the nature of the business conducted at the site, and remove the banner signs attached to the fencing.

ORDINANCE NO. 2808

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT ON PROPERTY IN THE E. C. NEWTON SURVEY, ABSTRACT NO. 790 AND J. SHAVER SURVEY, ABSTRACT NO. 1000, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS LOCATED AT 4675 INTERSTATE HIGHWAY 35-E, WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LIGHT INDUSTRIAL-2 AND FUTURE DEVELOPMENT (LI-2 & FD) TO LIGHT INDUSTRIAL-2 AND FUTURE DEVELOPMENT WITH SPECIFIC USE PERMIT (LI-2 & FD w/SUP), FOR THE PURPOSE OF ALLOWING TRUCK AND TRAILER RENTAL AND SALES, 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 of Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and,

WHEREAS, the hereinbelow described property is classified in said ordinance and any amendments thereto as Light Industrial-2 and Future Development (LI-2 & FD); and

WHEREAS, proper application for a Specific Use Permit 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 issuance thereof; and,

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

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

NOW, THEREFORE, this Specific Use Permit is to allow truck and trailer rental and sales, and the Specific Use Permit is hereby authorized on the following property:

Property in the E. C. Newton Survey, Abstract No. 790 and J. Shaver Survey, Abstract No. 1000, Waxahachie, Ellis County, Texas, located at 4675 Interstate Highway 35-E, Waxahachie, Ellis County, Texas.


Said Specific Use Permit is granted subject to all regulations and licensing requirements. This Specific Use Permit is for three years only and expires January 1, 2019. If the Landowner wishes to continue the uses covered by the Specific use Permit, they must, before that date, make a new application for a new Specific Use Permit.

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 and this ordinance is to be effective upon passage.

PASSED, APPROVED AND ADOPTED on this 8th day of September, 2015.


MAYOR

ATTEST:

City Secretary





4675 I-35 NE
WAXAHACHIE, TX 75165

STOUGHTON

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TRANSCRAFT EAGLE II

AM-2909

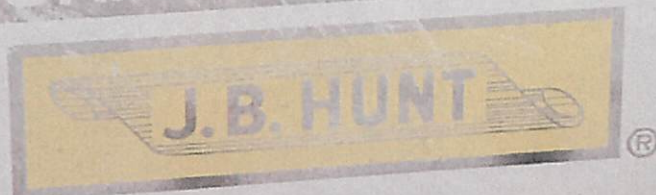
LEASE
Lease with the ERVIM EDGE
844-849-5262

LEASE
Lease with the ERVIM EDGE
844-849-5262

4675 I-35 NE
WAXAHACHIE, TX 75165

ERVIN
4675 N. I-35 E
Waxahachie, Texas 75165

AUTHORIZED DROP LOT FOR













Certificate of Occupancy

C.O.# 2003148
WABASH NATIONAL TRAILER CENTERS
4675 IH35E, N.

City of Waxahachie

Department of Building Inspection

This Certificate issued pursuant to the requirements of the Standard Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the Jurisdiction regulating building construction or use. For the following:

Use Classification BUSINESS Bldg. Permit No. B-0

Group B Type Construction VI Zoning : LI-1

Owner of Building LUIS ESTRADA Owner Address 524 BROWN IND. WAXAHACHIE

Tenant Name WABASH NAT'L TRAILER CENTERS Building Address 4675 IH35E, N.

SM Smith
Building Official

By: *Johnny Thompson*
Date: *May 29th, 2003*

POST IN A CONSPICUOUS PLACE

APPLICATION FOR
CERTIFICATE OF OCCUPANCY AND COMPLIANCE
PLEASE PRINT

APPLICATION NUMBER: CO# 2003148 DATE: 5-27-03
BUILDING PERMIT NUMBER: B# B0 DATE: 5-27-03
✓ BUILDING ADDRESS: 4675 N. I-35 E
✓ NAME OF BUSINESS: Wabash National Trailer Centers
✓ BUILDER OWNER: Luis Estrada
✓ ADDRESS: 524 Brown End.
✓ CITY/ST/ZIP: Waxahachie TX 75165
✓ OWNER PHONE NO: 972-938-9919
✓ TENANT NAME: Wabash National Trailer Centers
✓ HOME ADDRESS: 4675 N I-35 E
✓ CITY/ST/ZIP: Waxahachie 75165
✓ PHONE NO: 214 637 0080

✓ LEGAL: LOT NO: _____ BLOCK NO: _____
ADDITION: _____ ABSTRACT: 720

CURRENT ZONING DISTRICT: I-1 FIRE DISTRICT: Y/N

OCCUPANCY CLASSIFICATION: _____

GROUP: A1 A2 B E F H IR M R S

CONSTRUCTION TYPE: I II III IV V VI

OCCUPY LAND ONLY: _____ OCCUPY EXISTING STRUCTURE: _____

OCCUPY NEW STRUCTURE: _____ OCCUPY NON-CONFORMING USE: _____

OTHER: _____

✓ LAND OR STRUCTURE USE (BE SPECIFIC) Selling & storage of used Semi Trailers

I, WE, UNDERSTAND THAT SHOULD ABOVE LAND OR PREMISES BE USED OR OCCUPIED IN VIOLATION OF THE ZONING ORDINANCE, AND /OR BUILDING CODE, FIRE, SANITARY, OR HEALTH LAWS OR ORDINANCE OF THE CITY OF WAXAHACHIE. THAT I, WE, SHALL BE SUBJECT TO PENALTY IN ACCORDANCE WITH THE PROVISIONS OF THE ZONING ORDINANCE OR OTHER APPLICABLE REGULATIONS.

✓ Jerry Estrada _____
OWNER OR LEASEE CONTRACTOR
PRINT NAME PRINT NAME

SIGNATURE _____

GRANTED: (Y/N) DATE: 05-29-03 SPECIAL CONDITIONS: _____

INSPECTED BY: Johnny Thompson BUILDING OFFICIAL: MSmith



Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager

Date: January 3, 2019

Re: TA-18-0196 Existing Non-Conforming Single-Family Uses

The City of Waxahachie adopted a new Zoning Ordinance on May 21, 2018, which removed residential use types from non-residential zoning districts. In doing so, the City sought to ensure that future development would proceed in a manner conforming to the City's Comprehensive and Future Land Use plans. The City recognizes that non-residential zoning districts do contain a number of existing legal non-conforming single family residences and wishes to provide residents a means to continue their right of use and repair of such residences.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A TEXTUAL CHANGE TO SECTION 2.01 (B) OF THE CITY OF WAXAHACHIE ZONING ORDINANCE, LOCATED AT APPENDIX A OF WAXAHACHIE CITY CODE, REGARDING EXISTING NON-CONFORMING SINGLE FAMILY USES; PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Waxahachie ("**City Council**") has adopted a comprehensive zoning ordinance ("**Zoning Ordinance**"), which Zoning Ordinance is codified as Appendix A to the Waxahachie City Code; and

WHEREAS, Section 2.01 (B) of the Zoning Ordinance addresses the Intent and Provisions of Nonconforming Uses and Structures; and

WHEREAS, it has been determined that an amendment to address Existing Non-Conforming Single Family Uses is in the best interests of the City of Waxahachie ("**City**"); and

WHEREAS, a public hearing was held by the Planning and Zoning Commission of the City on January 8, 2019 and a public hearing was held by the City Council on January 22, 2019, with respect to the proposed textual changes to the Zoning Ordinance; and

WHEREAS, all requirements of law for publication and all procedural requirements have been complied with, in accordance with Chapter 211 of the Local Government Code.

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

Section 1. The City Council finds that the recitals set forth above are true and correct, and said recitals are incorporated into this ordinance as if set forth in full.

Section 2. Section 2.01 Nonconforming Uses and Structures (B) Intent of Provisions of the Zoning Ordinance, is hereby amended to include the following provision:

"(vii) Notwithstanding the rezoning of property accomplished by this ordinance adopted by City Council on May 21, 2018, and as of the effective date of this amendment, any property containing an existing legal non-conforming single family residence located in a zoning district where such use is not permitted may lawfully continue the use of the property as a single family residential use, as a legally permitted use and make modification or rebuild to the City's single family development standards, as long as the property is continuously used for single family residential use. Should the property cease to be used for single family residential use for any reason other than the destruction of the residential structure by fire, weather, natural disaster, or other unforeseen event, the new use of the property shall conform to the use requirements of this ordinance. In the event that a residential structure located in a zoning district where such use is not permitted is destroyed by fire, weather, natural disaster, or other unforeseen event, the residential structure may be rebuilt as a matter of right and the property may resume its single family residential use."

Section 3. That if any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect. All ordinances of the City in conflict with the provisions of this ordinance are repealed to the extent of that conflict.

Section 4. That a public emergency is found to exist which affects health, safety, property or the general welfare, in that standards and regulations for the use and development of property must be brought up to date and made effective so that suitable rules for us and development of property maybe known and in place. 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. This ordinance shall become effective from and after the date of its passage

PASSED, APPROVED, AND ADOPTED on this _____ day of _____, 2019.

MAYOR

ATTEST:



Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager

Date: January 3, 2019

Re: TA-18-0223 Masonry Construction for Single-Family and Duplex Structures

The City of Waxahachie adopted a new Zoning Ordinance on May 21, 2018, which addressed development standards for single-family and duplex structures. The City recognizes the need to ensure that the construction of said structures serves to enhance the desirability of the City as a whole. To that end, the City seeks to amend the Masonry Construction requirements for single-family and duplex structures in residential zoning districts to restrict the use of non-masonry materials on elevations that face a right-of-way larger than a Type F Minor Street as defined in the City's most recent Comprehensive Plan.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A TEXTUAL CHANGE TO SECTION 5.01 (B) OF THE CITY OF WAXAHACHIE ZONING ORDINANCE, LOCATED AT APPENDIX A OF WAXAHACHIE CITY CODE, REGARDING MASONRY CONSTRUCTION FOR SINGLE-FAMILY AND DUPLEX STRUCTURES; PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Waxahachie ("**City Council**") has adopted a comprehensive zoning ordinance ("**Zoning Ordinance**"), which Zoning Ordinance is codified as Appendix A to the Waxahachie City Code; and

WHEREAS, Section 5.01.b.ii.1 of the Zoning Ordinance addresses, as part of the development standards for Single-Family and Duplex Residential Structures, minimum masonry construction standards for single-family and duplex structures for new construction; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission of the City on January 8, 2019, and a public hearing was held by the City Council on January 22, 2019, with respect to the proposed textual changes to the Zoning Ordinance; and

WHEREAS, all requirements of law for publication and all procedural requirements have been complied with, in accordance with Chapter 211 of the Local Government Code.

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

Section 1. The City Council finds that the recitals set forth above are true and correct, and said recitals are incorporated into this ordinance as if set forth in full.

Section 2. Section 5.01.b.ii.1 of the Zoning Ordinance, first paragraph, is hereby amended to read as follows:

All residential buildings and structures located in a residential zoning district, except RR, shall be constructed in such manner to include Masonry Construction covering at least seventy-five (75) percent of the total exterior walls above grade level, including roof overhang, excluding doors and windows. All construction shall also be performed in accordance with the City's building code and fire prevention code. Strict adherence to this rule shall not be such as to prevent architectural creativity. Cementitious planks, panels, fiberboards, PVC or plastic siding, exterior insulation and finish systems (EIFS), and similar wood or non-wood materials shall not be allowed to count toward the seventy-five (75) percent Masonry Construction requirement, except as outlined in Section 5.01 (c). Stucco, if applied in accordance with industry standards as approved by the Building Official, may qualify as brick or masonry. All residential buildings and structures with an exterior wall facing a public right of way greater than a Type F Minor Street, as defined in the City of Waxahachie Comprehensive Plan, must include masonry construction covering at least 100 percent of the total exterior walls above

grade level, including roof overhang, excluding doors and windows. This includes exterior walls which are screened from the roadway by a perimeter screening wall.

Section 3. That if any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect. All ordinances of the City in conflict with the provisions of this ordinance are repealed to the extent of that conflict.

Section 4. That a public emergency is found to exist which affects health, safety, property or the general welfare, in that standards and regulations for the use and development of property must be brought up to date and made effective so that suitable rules for use and development of property may be known and in place. 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. This ordinance shall become effective from and after the date of its passage

PASSED, APPROVED, AND ADOPTED on this _____ day of _____, 2019.

MAYOR

ATTEST:

City Secretary