

NOTICE OF PLANNING & ZONING COMMISSION BRIEFING SESSION
JUNE 25, 2019
CITY COUNCIL CONFERENCE ROOM
401 S. ROGERS
WAXAHACHIE TEXAS
6:15 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, June 25, 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 June 11, 2019
 - b. Minutes of the Planning and Zoning Commission briefing of June 11, 2019
4. ***Consider*** request by Araceli Aguirre for a **Replat** of Tract 1, Whispering Meadows, Unit 1, to create Lots 1A, 1B, 1C, and 1D, Whispering Meadows, Unit 1, 30.562 acres (Property ID 199206) in the Extra Territorial Jurisdiction – Owner: ROSA L AGUIRRE (RP-19-0069)
5. ***Public Hearing*** on a request by Matt Moore, ClayMoore Engineering, Inc., for a Specific Use Permit (SUP) for **Drive Through Establishment** use within a Planned Development-42-Commercial zoning district, located at 1750 N Highway 77 (Property ID 263976) – Owner: WAX 77 INVESTORS LP (SU-19-0071)
6. ***Consider*** recommendation of Zoning Change No. SU-19-0071
7. ***Public Hearing*** on a request by Mark Thedford, Akamai Designs, for a Zoning Change from a Single-Family Residential-1 zoning district to Planned Development-Single-Family Residential-1, with Concept Plan, located at 106 Santa Fe Trail (Property ID 221873) - Owner: AKAMAI DESIGNS INC (PD-19-0072)
8. ***Consider*** recommendation of Zoning Change No. PD-19-0072

9. **Consider** request by Cory Murray, M. Sharp Family L.P., for a **Final Plat** of Murray Estates for 37 lots, being 39.60 acres situated in F.M. Woodward Survey, Abstract 1120 (Property ID 192138) in the Extra Territorial Jurisdiction – Owner: M SHARP FAMILY LIMITED PARTNERSHIP (FP-19-0068)
10. **Consider** request by Christopher P. Holleman, Holleman Construction Co., for a **Final Plat** of Holleman Addition for 1 lot, being 7.085 acres situated in the Alfred Polk Survey, Abstract 827 (Property ID 189014) – Owner: HOLLEMAN CONSTRUCTION COMPANY INC (FP-19-0074)
11. **Consider** request by Gunther Strength for a **Replat** of Lot 1, Block 13, Bullards Addition, to create Lots 1A and 1B, Bullards Addition, .3206 acres (Property ID 172392) – Owner: DONALD I & PEGGY E COLE REVOCABLE LIVING TRUST (RP-19-0075)
12. **Consider** request by Wes Dorough, JH Development LLC, for a **Final Plat** of The Haven Phase One for 101 residential lots and 2 open space lots, being 36.567 acres situated in the Robert Russell Survey, Abstract 911 (Property ID 274596) – Owner: JHH NORTH GROVE DEVELOPMENT LLC (FP-19-0067)
13. **Public Hearing** on a request by Ron Barson, Ledbetter Real Estate LTD, for a Specific Use Permit (SUP) for **Unified Lot Sign** use within a Planned Development-General Retail zoning district, located at 2751 N Highway 77 (Property ID 273976) – Owner: LEDBETTER REAL ESTATE LTD (SU-19-0073)
14. **Consider** recommendation of Zoning Change No. SU-19-0073
15. **Continue Public Hearing** on a request by Joy Ranton, Daniel’s Den, for a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-General Retail, with Concept Plan, to allow a Household Care Facility located at 512 N College Street (Property ID 170716) - Owner: ALFRED A & RHONNIE D TOMPKINS (PD-19-0066)
16. **Consider** recommendation of Zoning Change No. PD-19-0066
17. **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.
18. 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.

<p style="text-align: center;"><i>Notice of Potential Quorum</i> <i>One or more members of the Waxahachie City Council may be present at this meeting.</i> <i>No action will be taken by the City Council at this meeting.</i></p>
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Planning and Zoning Commission
June 11, 2019

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, June 11, 2019 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX

Members Present: Rick Keeler, Chairman
Betty Square Coleman
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test

Member Absent: Melissa Ballard, Vice Chairman

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 May 14, 2019
- b. Minutes of the Planning and Zoning Commission briefing of May 14, 2019

Action:

Mrs. Bonney Ramsey moved to approve items a. and b. on the Consent Agenda. Mr. Erik Test seconded, All Ayes.

4. **Consider request by Juan Carlos Flores, Flores Homes INC, for a Preliminary Plat of Clift Estates Phase V for 21 lots, being 7.356 acres situated in the Silas M. Durrett Survey, Abstract 272 (Property ID 239606) – Owner: JUAN C FLORES (PP-19-0058)**

Senior Planner Colby Collins stated the applicant has met the sub division regulations and recommended approval.

Action:

Mr. David Hudgins moved to approve a request by Juan Carlos Flores, Flores Homes INC, for a Preliminary Plat of Clift Estates Phase V for 21 lots, being 7.356 acres situated in the Silas M. Durrett Survey, Abstract 272 (Property ID 239606) – Owner: JUAN C FLORES (PP-19-0058). Ms. Betty Square Coleman seconded, All Ayes.

5. **Consider request by Vernon L. Witherspoon, FirstLook, for a PETITION TO EXTEND APPROVAL pursuant to Appendix C – Subdivisions, Section 2.3 – Procedures and Submission Requirements for Preliminary Plat Approval of PP-17-0088 Lakeridge II (Property ID 186874) – Owner: FERRIS AVENUE BAPTIST DBA THE AVENUE (PP-19-0064)**

Mr. Collins reported this case was approved in February of 2017 and the applicant had two years to take action once approved. He explained the applicant has not taken action and requested a two year extension. Staff recommended approval.

Action:

Mrs. Bonney Ramsey moved to approve a request by Vernon L. Witherspoon, FirstLook, for a PETITION TO EXTEND APPROVAL pursuant to Appendix C – Subdivisions, Section 2.3 – Procedures and Submission Requirements for Preliminary Plat Approval of PP-17-0088 Lakeridge II (Property ID 186874) – Owner: FERRIS AVENUE BAPTIST DBA THE AVENUE (PP-19-0064) subject to staff comments. Ms. Betty Square Coleman seconded, All Ayes.

6. **Consider request by James Bledsoe for a Replat of Lot 9A, Whispering Meadows Addition, to create Lots 9A-1 and 9A-2, Whispering Meadows Addition, 4.997 acres (Property ID 210307) in the Extra Territorial Jurisdiction – Owner: JAMES BLEDSOE AND NETA BLEDSOE (RP-19-0059)**

Mr. Collins reported the applicant requested the replat of one lot into two lots located in the ETJ. He stated Rockett Special Utility District cannot supply fire flow due to the size of the pipe. Ultimately City Council will need to approve. Other than the fire flow, the Replat meets all subdivision requirements. Staff recommended approval.

Action:

Mr. Jim Phillips moved to approve a request by James Bledsoe for a Replat of Lot 9A, Whispering Meadows Addition, to create Lots 9A-1 and 9A-2, Whispering Meadows Addition, 4.997 acres (Property ID 210307) in the Extra Territorial Jurisdiction – Owner: JAMES BLEDSOE AND NETA BLEDSOE (RP-19-0059) subject to staff comments. Mr. Erik Test seconded, All Ayes.

7. **Consider request by Michael Evans, GSW Land Surveyors, for a Replat of a portion of Lots 3 and 4 and all of Lot 5, Block 14, West End, to create Lot 5R, Block 14, West End, 4.478 acres (Property ID 176761 and 176763) – Owner: CHRISTOPHER L GLEASON (RP-19-0051)**

Mr. Collins reported the replat was reviewed in May and stated the applicant will need to connect to city utilities before the plat is filed.

Dr. Christopher Gleason, applicant, 104 Meadowwood Lane, Red Oak, Texas, stated the purpose of the replat is for a veterinary clinic. He stated the site provides several aspects to set up a practice of veterinary medicine noting it has an arena and a barn. He asked for relief from tying on to city utilities and requested using the onsite septic system.

Mr. John Bailey, 513 N. Rogers Street, Waxahachie, representing the applicant, stated tying into the city utilities will be very costly for Dr. Gleason. He stated Dr. Gleason will build a state of the art medical facility but the requirement of tying into the city sewer is hindering the project. Mr. Bailey asked the Commission to not make it a condition to tie on to the city utilities when Dr. Gleason has five acres and an approved septic system approved from the State.

City Engineer James Gaertner explained the city's Sub Division Ordinance has requirements of connecting to city water and sewer.

Chairman Keeler stated the Commission does not have the power to override a City Ordinance.

Action:

Mr. Jim Phillips moved to approve a request by Michael Evans, GSW Land Surveyors, for a Replat of a portion of Lots 3 and 4 and all of Lot 5, Block 14, West End, to create Lot 5R, Block 14, West End, 4.478 acres (Property ID 176761 and 176763) – Owner: CHRISTOPHER L GLEASON (RP-19-0051) subject to staff comments. Mr. David Hudgins seconded. The vote was as follows:

*Ayes: Betty Square Coleman
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test*

Noes: Rick Keeler

The motion carried.

- 8. Consider request by Brett Hess, Hi View Real Estate, for a Replat of Lot 1, Americase Business Park, to create Lots 1A, 1B, 1C, and 1D, Americase Business Park, 10.71 acres (Property ID 273983) in the Extra Territorial Jurisdiction – Owner: R&R AMERICASE HOLDINGS LTD (RP-19-0055)**

Mr. Collins reported the request is to replat one lot into four lots. He reviewed staff comments noting a water detention pond will be required to handle the increased surface flow for the four lots. Mr. Collins stated staff received one letter of approval and one letter of opposition. Staff recommended approval per staff comments.

Mr. Brett Hess, 327 Blue Ribbon Road, Waxahachie, applicant, addressed the drainage issues stating the owner has agreed to a detention pond.

Action:

Mrs. Bonney Ramsey moved to approve a request by Brett Hess, Hi View Real Estate, for a Replat of Lot 1, Americase Business Park, to create Lots 1A, 1B, 1C, and 1D, Americase Business Park, 10.71 acres (Property ID 273983) in the Extra Territorial Jurisdiction – Owner: R&R AMERICASE HOLDINGS LTD (RP-19-0055) subject to staff comments. Mr. Jim Phillips seconded, All Ayes.

- 9. Consider request by Brett Hess, Hi View Real Estate, for a Replat of Lot 4, Americase Business Park, to create Lots 4A and 4B, Americase Business Park, 6.06 acres (Property ID 273986) in the Extra Territorial Jurisdiction – Owner: R&R AMERICASE HOLDINGS LTD (RP-19-0056)**

Mr. Collins reported the request is to replat four lots into two lots. He reviewed staff comments noting a water detention pond will be required to handle the increased surface flow for the two lots. Staff recommended approval.

Action:

Mr. Jim Phillips moved to approve a request by Brett Hess, Hi View Real Estate, for a Replat of Lot 4, Americase Business Park, to create Lots 4A and 4B, Americase Business Park, 6.06 acres (Property ID 273986) in the Extra Territorial Jurisdiction – Owner: R&R AMERICASE HOLDINGS LTD (RP-19-0056) subject to staff comments. Mr. David Hudgins seconded, All Ayes.

- 10. Public Hearing on a request by Edwin Walker, Standard ECO, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family Residential-2 zoning district, located at 1565 Reserve Road (Property ID 265966) – Owner: LOUIE C RODRIGUEZ (SU-19-0060)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the request does meet the City Ordinance requirements. He stated the applicant installed the roof top panels prior to approval. Mr. Collins stated staff received one letter of opposition. Staff recommended approval.

There being no others to speak for or against SU-19-0060, Chairman Keeler closed the Public Hearing.

- 11. Consider recommendation of Zoning Change No. SU-19-0060**

Action:

Mr. Jim Phillips moved to approve a request by Edwin Walker, Standard ECO, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family Residential-2 zoning district, located at 1565 Reserve Road (Property ID 265966) – Owner: LOUIE C RODRIGUEZ (SU-19-0060) subject to staff comments. Mrs. Bonney Ramsey seconded. The vote was as follows:

*Ayes: Rick Keeler
Betty Square Coleman
Bonney Ramsey
Jim Phillips
David Hudgins*

Noes: Erik Test

The motion carried.

- 12. Public Hearing on a request by Ben Martinez, Kosmos Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family Residential-2 zoning district, located at 129 Liberty Way (Property ID 242010) – Owner: ROBERT & JANET LESIKAR (SU-19-0065)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the request does meet the City Ordinance requirements and recommended approval.

There being no others to speak for or against SU-19-0065, Chairman Keeler closed the Public Hearing.

- 13. Consider recommendation of Zoning Change No. SU-19-0065**

Action:

Mr. David Hudgins moved to approve a request by Ben Martinez, Kosmos Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family Residential-2 zoning district, located at 129 Liberty Way (Property ID 242010) – Owner: ROBERT & JANET LESIKAR (SU-19-0065). Mr. Erik Test seconded, All Ayes.

- 14. Consider a request by Blain Vinson, Aspen Community Development, for a Site Plan Review of The Cottages on Cantrell located East of 865 Cantrell Street (Property ID 244351) - Owner: SAP PROPERTIES LLC (SP-19-0076)**

Mr. Collins reported the preliminary plat was approved and how applicant is submitting the site plan for approval. He reviewed the style of cottages representing square footage and the landscape plan. Staff recommended approval per staff comments.

Mr. Blain Vinson, Aspen Community Development, 2801 N. Highway 77, Waxahachie, presented the color pallets to be used in the development at the request of Mrs. Bonney Ramsey.

Mr. Jim Phillips stated it is a great concept with the cottages and carriage houses. He asked if there is any guarantee that there will not be overnight guest staying in the carriage houses. Mr. Vinson stated he will add no overnight stays in the carriage houses to the Homeowners Association regulations.

Action:

Mr. Jim Phillips moved to approve a request by Blain Vinson, Aspen Community Development, for a Site Plan Review of The Cottages on Cantrell located East of 865 Cantrell Street (Property ID 244351) - Owner: SAP PROPERTIES LLC (SP-19-0076). Mrs. Bonney Ramsey seconded, All Ayes.

- 15. Public Hearing on a request by Chris Acker, Southfork Capital LLC, for a Zoning Change from a Commercial zoning district to Planned Development-Single-Family Residential-3, with Detailed Site Plan, located at 500 Dunaway (Property ID 172322) - Owner: SOUTHFORK CAPITAL LLC (PD-19-0062)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the request is for seven individual lots to be located on one acre. The development will feature gated access to all units, wrought iron fencing, large front porches and exterior vintage style lighting. He stated the proposed minimum lot sizes are smaller than the city requirement and explained the property is in the infill overlay district and will be consistent with the surrounding character of the neighborhood district. Mr. Collins stated shared access easements smaller than 28 feet shall not allow for on-street parking. Staff recommended approval per staff comments.

Mr. Chris Aker, 5100 Honeysuckle Road, Waxahachie, stated he is in compliance with staff comments.

Chairman Keeler asked that the sidewalks do not connect to the curb. Mr. Aker concurred.

There being no others to speak for or against PD-19-0062, Chairman Keeler closed the Public Hearing.

16. Consider recommendation of Zoning Change No. PD-19-0062

Action:

Mrs. Bonney Ramsey moved to approve a request by Chris Aker, Southfork Capital LLC, for a Zoning Change from a Commercial zoning district to Planned Development-Single-Family Residential-3, with Detailed Site Plan, located at 500 Dunaway (Property ID 172322) - Owner: SOUTHFORK CAPITAL LLC (PD-19-0062) subject to staff comments. Ms. Betty Square Coleman seconded, All Ayes.

17. Consider request by Chris Aker, Southfork Capital LLC, for a Replat of Lot 1B, Block 1, Bullards Addition, to create Lots 1-8, Block A, Payton's Place Addition, 1.031 acres (Property ID 172322) – Owner: SOUTHFORK CAPITAL LLC (RP-19-0063)

Mr. Collins stated the replat accompanies PD-19-0062 and recommended approval.

Action:

Ms. Betty Square Coleman moved to approve a request by Chris Aker, Southfork Capital LLC, for a Replat of Lot 1B, Block 1, Bullards Addition, to create Lots 1-8, Block A, Payton's Place Addition, 1.031 acres (Property ID 172322) – Owner: SOUTHFORK CAPITAL LLC (RP-19-0063). Mr. David Hudgins seconded, All Ayes.

18. Public Hearing on a request by Terry Weaver, Sterling Development Co., for a Specific Use Permit (SUP) for Outside Storage use within a Commercial and Light Industrial-1 zoning district, located at 100 W Sterrett (Property ID 273754) – Owner: M & M INVESTMENTS (SU-19-0048)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported at the City Council meeting of May 20, 2019, Council charged the applicant to provide a landscape plan from a certified landscape architect, return to city staff to allow them adequate time to review and present to the Planning and Zoning Commission. He presented a plan provided by the applicant that staff received one day prior to the Commission meeting noting it is not from a landscape architect. Mr. Collins stated the applicant is continuing to operate their business without requirements depicted by the city. Staff recommended denial.

Mr. Kevin Cribley, 22423 Fossil Ridge, San Antonio, presented a power point noting his portion of the property is two acres. He stated the outside storage is decorative river rock. Mr. Cribley stated the walls facing IH35 will be six feet tall and gravel will not be seen from the Interstate. He noted the two acres is located 550 feet from the front of the overall property. Mr. Cribley stated, at one time, the landlord put the existing trees along the Interstate to provide screening. He proposed a rendering of 30 gallon crape myrtle trees to install between the existing trees noting it will be adequate screening.

Mr. Kim Wiens, 3800 Steeplechase Court, Midlothian, stated he is the broker that sold the property for the best possible use of the property and explained the applicant does not entail the entire property and they will not be able to expand. He stated he wants to be consistent of what the city wishes are and noted full irrigation and mulching will be provided when the crape myrtle trees are installed.

There being no others to speak for or against SU-19-0048, Chairman Keeler closed the Public Hearing.

19. Consider recommendation of Zoning Change No. SU-19-0048

Action:

*Mr. David Hudgins moved to approve a request by Terry Weaver, Sterling Development Co., for a Specific Use Permit (SUP) for Outside Storage use within a Commercial and Light Industrial-1 zoning district, located at 100 W Sterrett (Property ID 273754) – Owner: M & M INVESTMENTS (SU-19-0048). **The motion died due to lack of second.***

Action:

Mr. Jim Phillips moved to deny a request by Terry Weaver, Sterling Development Co., for a Specific Use Permit (SUP) for Outside Storage use within a Commercial and Light Industrial-1 zoning district, located at 100 W Sterrett (Property ID 273754) – Owner: M & M INVESTMENTS (SU-19-0048). Ms. Betty Square Coleman seconded. The vote was as follows:

*Ayes: Rick Keeler
Betty Square Coleman
Bonney Ramsey
Jim Phillips
Erik Test*

Noes: David Hudgins

The motion carried.

20. Public Hearing on a request by Maxwell Fisher, AICP, Masterplan, for a Zoning Change from a Future Development zoning district to Planned Development-Commercial, with Detailed Site Plan, located at 3502 N Highway 77 (Property ID 193323, 209693, and 151344) - Owner: LOCKWOOD PROPERTIES LLC (PD-19-0057)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the site contains two developable parcels, with Lot 1 developed with a warehouse building, along with an enclosed exterior storage area on Lot 2. Lot 2 is reserved for potential development. He reviewed staff comments noting the existing plan shows proposed outside storage located near septic devices and spray fields and explained staff informed applicant that no outside storage should be located on any septic devices. Mr. Collins stated the applicant is aware that if sewer connection is not available, they may have to combine the two lots and share the septic system. He recommended approval per staff comments.

Chairman Keeler asked how much of the storage yard will be screened. Mr. Collins stated the entire outside on Lot 1 will have a six foot screening wood fence.

Mr. Maxwell Fisher, AICP, Masterplan, 900 Jackson Street, Dallas, representing the applicant, stated the PD matches the uses in the area. He stated the applicant has cleaned up the property and repainted the building. Mr. Fisher stated Stiller Roofing based in Waxahachie will operate their business out of the existing building. He stated the roofing company is a fire fighter owned company.

There being no others to speak for or against PD-19-0057, Chairman Keeler closed the Public Hearing.

21. Consider recommendation of Zoning Change No. PD-19-0057

Action:

Mr. David Hudgins moved to approve a request by Maxwell Fisher, AICP, Masterplan, for a Zoning Change from a Future Development zoning district to Planned Development-Commercial, with Detailed Site Plan, located at 3502 N Highway 77 (Property ID 193323, 209693, and 151344) - Owner: LOCKWOOD PROPERTIES LLC (PD-19-0057). Mrs. Bonney Ramsey seconded, All Ayes.

22. Public Hearing on a request by Joy Ranton, Daniel's Den, for a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-General Retail, with Concept Plan, to allow a Household Care Facility located at 512 N College Street (Property ID 170716) - Owner: ALFRED A & RHONNIE D TOMPKINS (PD-19-0066)

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant, Daniels Den, requested the zoning change to allow a transitional housing facility located at 512 North College Street. He stated the first floor is proposed for a

retail shop and second floor used for transitional housing. Mr. Collins stated the total capacity per building standards is ten. He stated the city received opposition from neighbors noting it is inconsistent of the use in surrounding areas. Staff requested denial.

Ms. Joy Ranton, 507 West Jefferson, requested to continue PD-19-0066 to the next Commission meeting noting the owner is out of town and would like the time to gather more information.

23. Consider recommendation of Zoning Change No. PD-19-0066

Action:

Mr. David Hudgins moved to continue a request by Joy Ranton, Daniel's Den, for a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-General Retail, with Concept Plan, to allow a Household Care Facility located at 512 N College Street (Property ID 170716) - Owner: ALFRED A & RHONNIE D TOMPKINS (PD-19-0066) to the Planning and Zoning Commission meeting of June 25, 2019. Ms. Betty Square Coleman seconded, All Ayes.

24. Public Comments

Ms. Lori DeVries, 400 Hoyt Road, Waxahachie, spoke in opposition of RP-19-0055 noting concern of additional traffic, flooding, and theft. She stated she does not want to look out of her residence and see a business park.

Ms. Linda Padilla, 513 N. College, Waxahachie, expressed concern after hearing staff's comments to deny PD-19-0066, asked why it wasn't denied.

Mr. Marvin DeVries, 400 Hoyt Road, Waxahachie, spoke in opposition of RP-19-0055 noting concern of water runoff with a future proposed building.

25. Adjourn

There being no further business, the meeting adjourned at 8:55 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

Planning and Zoning Commission
June 11, 2019

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, June 11, 2019 at 6:15 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman
Betty Square Coleman
Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test

Member Absent: Melissa Ballard, Vice Chairman

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

Director of Planning Shon Brooks stated he is planning a bus tour for the Commission and staff to visit surrounding communities to look at developments. He asked the Commission to consider July 12th or July 26th for the tour and let him know which date works for them.

Senior Planner Colby Collins reviewed the following cases:

- PP-19-0058, staff recommended approval as presented.
- PP-19-0064, was approved in February 2017 and applicant had 2 years to take action. Applicant will request an additional 2 year extension. Staff recommended approval.
- RP-19-0059, applicant proposed replat acreage just under five acres into two lots located in the ETJ. Rockett water cannot supply fire flow due to the size of the pipe. Ultimately City Council will need to approve. Other than the fire flow, the Replat meets all sub division requirements.
- RP-19-0051, the Commission saw this case in May and recommended approval. Owner will need to connect to city sewer and water.
- RP-19-0055, applicant proposes to replat one lot into four lots located in the ETJ. A water detention pond will be required to handle the increased surface flow. Staff will recommend approval per staff comments.

- RP-19-0056, creating two lots in the ETJ. Staff recommended approval with engineering requirement of a water detention pond.
- SU-19-0060, request for rooftop solar panel system. Applicant installed the roof panels prior to receiving approval. Staff received two letters of opposition. The request meets the requirements of the Zoning Ordinance and staff recommended approval.
- SU-19-0065, request for rooftop solar panel system. The request meets the requirements of the Zoning Ordinance and staff recommended approval.
- SP-19-0076, Cottages on Cantrell will have options of square footage ranging from 945 square feet to 1,766 square feet. Key features of the development include gym, walking trail, bridge connection to Bullard Heights Neighborhood Park, and a dog park. The property will have garages and carriage houses. Staff will recommend approval per staff comments.
- PD-19-0062, applicant requested a zoning change to allow construction of single family homes. The property is located in the infill overlay district and lot sizes will be in comparison to the area. Shared access easements smaller than 28 feet shall not allow for one-street parking. Additional standards were reviewed and staff recommended approval.
- RP-19-0063, Staff recommended approval upon approval of PD-19-0062.
- SU-19-0048, request for outside storage. Applicant was denied at a Commission meeting and went to City Council for consideration. City Council required a landscape plan from a landscape architect and required it be presented to the Commission. Staff concerns are the applicant did not comply with City Council requirements of an adequate landscape architect plan. Applicant is currently operating and storing materials on the property. Staff recommended denial.
- PD-19-0057, applicant requested a zoning change to allow for restricted commercial use. Applicant is meeting staff requirements and staff recommended approval.
- PD-19-0066, applicant requested a zoning change limited to transitional housing and retail located at 512 N. College Street. Retail usage on the first floor and transitional living quarters for women and children on the second floor. Staff recommended denial.

3. Adjourn

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

Respectfully submitted,

Lori Cartwright
City Secretary



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Director of Planning
Thru: Michael Scott, City Manager
Date: June 10, 2019
Re: RP-19-0069 Whispering Meadows

On June 6, 2019, the applicant asked staff to continue case no. RP-19-0069 from the June 25, 2019 Planning and Zoning Commission agenda, as well as the July 1, 2019 City Council meeting agenda.



Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager

Date: June 19, 2019

Re: SU-19-0071 – Drive Through Establishment (Car Wash)

On June 19, 2019, the applicant requested to continue case no. SU-19-0071 to the July 9, 2019 Planning and Zoning Commission agenda, and the July 15, 2019 City Council meeting agenda.



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Director of Planning
Thru: Michael Scott, City Manager
Date: June 19, 2019
Re: PD-19-0072 Water Garden Place

On June 19, 2019, the applicant requested to continue case no. PD-19-0072 to the July 9, 2019 Planning and Zoning Commission agenda, and the July 15, 2019 City Council meeting agenda.

Planning & Zoning Department

Plat Staff Report

Case: FP-19-0068



MEETING DATE(S)

Planning & Zoning Commission: June 25, 2019

City Council: July 1, 2019

CAPTION

Consider request by Cory Murray, M. Sharp Family L.P., for a **Final Plat** of Murray Estates for 37 lots, being 39.60 acres situated in F.M. Woodward Survey, Abstract 1120 (Property ID 192138) in the Extra Territorial Jurisdiction – Owner: M SHARP FAMILY LIMITED PARTNERSHIP (FP-19-0068)

CASE INFORMATION

Applicant: Cory Murray, M. Sharp Family L.P.

Property Owner(s): M. Sharp Family Limited Partnership

Site Acreage: 39.60 acres

Number of Lots: 37 lots

Number of Dwelling Units: 34 units

Park Land Dedication: ETJ (N/A)

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

SUBJECT PROPERTY

General Location: 650 Wilson Road

Parcel ID Number(s): 192138

Current Zoning: N/A (ETJ)

Existing Use: Undeveloped land

Platting History: 1120 F M WOODARD

Site Aerial:



STAFF CONCERNS

1. All initial staff comments have been met. In the Title Block it says there are 37 total lots but only 36 lots are shown in the official block/lot count.

APPLICANT RESPONSE TO CONCERNS

1. The applicant submitted an updated plat that addressed all staff concerns at the time.

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. Minor platting issues will need to be addressed before this plat can be filed.

ATTACHED EXHIBITS

1. Plat Drawing
2. Water Letter

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

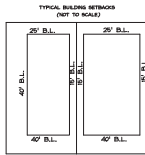
Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

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

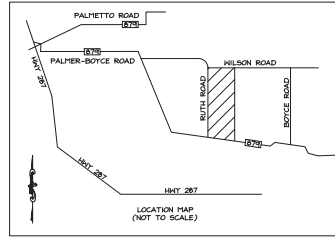
LEGEND OF ABBREVIATIONS AND SYMBOLS

B.L. = Building Line
D.E. = Drainage Easement
E.T. = Electric Transformer
I.P.F. = Iron Pipe Found
I.S.F. = Iron Soil Found
I.R.S. = Iron Rod Set

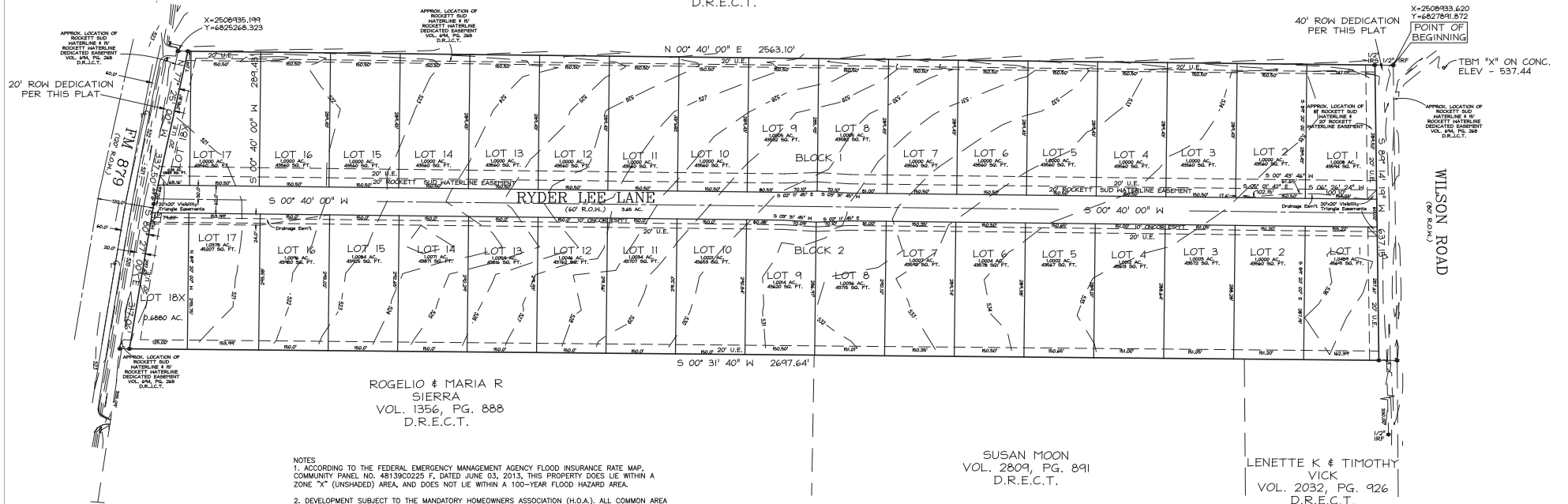
P.A.E. = Public Access Easement
P.O.S.E. = Public Open Space Easement
R.O.A. = Right of Way
S.E. = Right Easement
U.E. = Utility Easement



BUILDING LINES NOTES
40' FRONT BUILDING LINES
16' SIDE YARD BUILDING LINES
40' BUILDING LINES FROM SIDE STREET
25' REAR BUILDING LINES



W L & JEANETTE
WALLACE
VOL. 1181, PG. 805
D.R.E.C.T.



ROGELIO & MARIA R
SIERRA
VOL. 1356, PG. 888
D.R.E.C.T.

SUSAN MOON
VOL. 2809, PG. 891
D.R.E.C.T.

LENETTE K & TIMOTHY
VICK
VOL. 2032, PG. 926
D.R.E.C.T.

- NOTES**
1. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 48139C0225 F, DATED JUNE 03, 2013, THIS PROPERTY DOES LIE WITHIN A ZONE "X" (UNSHADED) AREA, AND DOES NOT LIE WITHIN A 100-YEAR FLOOD HAZARD AREA.
 2. DEVELOPMENT SUBJECT TO THE MANDATORY HOMEOWNERS ASSOCIATION (H.O.A.). ALL COMMON AREA LOTS AND LOTS 18X, BLOCK 1 & 18X, BLOCK 2, WILL BE OWNED AND MAINTAINED BY THE H.O.A.
 3. ALL CORNERS ARE A 1/2" INCH ROD WITH CAP STAMPED "FELS" UNLESS OTHERWISE NOTED
 4. ALL BUILDING LINES ARE VARIABLE AND SUBJECT TO ZONING REGULATIONS OF THE CITY OF WAXAHACHE, TEXAS.
 5. THERE SHALL BE A 10' UTILITY EASEMENT ALONG THE SIDE OF ALL LOTS, UNLESS OTHERWISE NOTED.
 6. ALL INTERSECTIONS HAVE A 20' X 20' A VISIBILITY EASEMENT.
 7. COORDINATES SHOWN ARE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION, BASED ON ALLTERRA (FORMERLY WESTERN DATA SYSTEMS) RTK NETWORK.
 8. LOT 18X, BLOCK 1, WILL BE ASSIGNED TO LOT 17, BLOCK 1, UPON TERMINATION OF THE ESTABLISHED HOA. LOT 18X, BLOCK 2, WILL BE ASSIGNED TO LOT 17, BLOCK 2, UPON TERMINATION OF THE ESTABLISHED HOA.
 9. LOTS 18X, BLOCK 1 & 18X, BLOCK 2, ARE RESERVED FOR DRAINAGE EASEMENTS (DETENTION). ALL FENCES OR WALLS CONTAINED IN THE DRAINAGE EASEMENT SHALL BE MAINTAINED IN GOOD REPAIR UPON WITHOUT EXPRESS APPROVAL OF THE CITY OF WAXAHACHE. IT SHALL BE THE RESPONSIBILITY OF THE HOA AND/OR INDIVIDUAL PROPERTY OWNERS WHO OWN PROPERTY WHICH CONTAIN A PRIVATE DRAINAGE EASEMENT AND ITS RESPECTIVE DRAINAGE IMPROVEMENTS (SWALE, GUT-FALL, ETC.) TO MAINTAIN THE FUNCTION AND CAPACITY AS DESIGNED OF ALL DRAINAGE IMPROVEMENTS WITHIN THE RESPECTIVE EASEMENTS. THE ULTIMATE MAINTENANCE RESPONSIBILITY SHALL REST ON THE ASSOCIATION AND ITS MEMBERS (LOT OWNERS)
 10. DRAINAGE IMPROVEMENTS, INCLUDING EARTHEN SWALES CONTAINED WITHIN DRAINAGE EASEMENTS (LOTS 18X, BLOCK 1 & 18X, BLOCK 2.) MAY NOT BE ALTERED, CUT, MODIFIED, REMOVED OR BUILT UPON WITHOUT EXPRESS APPROVAL OF THE CITY OF WAXAHACHE. IT SHALL BE THE RESPONSIBILITY OF THE HOA AND/OR INDIVIDUAL PROPERTY OWNERS WHO OWN PROPERTY WHICH CONTAIN A PRIVATE DRAINAGE EASEMENT AND ITS RESPECTIVE DRAINAGE IMPROVEMENTS (SWALE, GUT-FALL, ETC.) TO MAINTAIN THE FUNCTION AND CAPACITY AS DESIGNED OF ALL DRAINAGE IMPROVEMENTS WITHIN THE RESPECTIVE EASEMENTS. THE ULTIMATE MAINTENANCE RESPONSIBILITY SHALL REST ON THE ASSOCIATION AND ITS MEMBERS (LOT OWNERS)

Survey's Declaration

KNOW ALL MEN BY THESE PRESENTS:

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

For Review

PAUL G. FULLER II
R.P.L.S. NO. 4843
STATE OF TEXAS



FULLER ENGINEERING
& LAND SURVEYING, INC.

Texas Registered Engineering Firm # F-8331 and Surveying Firm # 10091800

Scale: 1"=100'



OWNER: M. SHARP FAMILY, L.P.
6744 N FM 157
VENUS, TEXAS 76084
SUITE 3
817-465-0100

SHEET 1 OF 2
CASE NUMBER FP-19-0067
FINAL PLAT
MURRAY ESTATES
LOTS 1-17 & 18X, BLOCK 1, LOTS 1-17 & 18X, BLOCK 2
AN ADDITION TO THE CITY OF WAXAHACHE ETJ, ELLIS COUNTY, TEXAS
F.M. WOODWARD SURVEY, ABSTRACT NO. 1120
GROSS AREA
39.60 AC
TOTAL AREA LESS ROW DEDICATION
38.72 AC
37 TOTAL LOTS
ENGINEER / SURVEYOR
FULLER ENGINEERING & LAND SURVEYING, INC.
Texas Registered Engineering Firm F-8331 and Surveying Firm 10091800
CIVIL ENGINEERING & LAND SURVEYING
2411 GARDEN PARK COURT, ARLINGTON, TEXAS 76013
Phone (817) 856-2442 • Fax (817) 451-5676 • Email DFM@FULLERENGINEERING.COM
DATE: May 8th, 2019

LEGEND OF ABBREVIATIONS AND SYMBOLS

B.L.	= Building Line	P.A.E.	= Public Access Easement
D.E.	= Drainage Easement	P.O.B.	= Public Open Space
E.T.	= Electric Transformer	S.E.	= Sewer Easement
I.P.F.	= Iron Pipe Front	S.H.	= Right of Way
I.R.F.	= Iron Rod Front	S.E.	= Right Easement
I.R.S.	= Iron Rod Set	U.E.	= Utility Easement

THE STATE OF TEXAS

COUNTY OF ELLIS

WHEREAS, M. SHARP FAMILY LIMITED PARTNERSHIP, A TEXAS LIMITED PARTNERSHIP, THE SOLE OWNER OF A TRACT OF LAND SITUATED IN THE F.M. WOODWARD SURVEY, ABSTRACT NO. 1120, ELLIS COUNTY, TEXAS, AND ALSO BEING A TRACT OF LAND CONVEYED TO M. SHARP FAMILY LIMITED PARTNERSHIP, A TEXAS LIMITED PARTNERSHIP, AS RECORDED IN INSTRUMENT NUMBER 201806270928, OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS, (DIRECT), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND AND IN THE EAST LINE OF A TRACT OF LAND CONVEYED TO WL & JEANETTE WALLACE, AS RECORDED IN VOLUME 1181, PAGE 805, DIRECT, SAID IRON ROD ALSO BEING IN THE SOUTH LINE OF WILSON ROAD AND THE APPROXIMATE CENTERLINE OF RUTH ROAD (AN UNIMPROVED COUNTY ROAD);

THENCE N 89° 14' 19" E, WITH THE NORTH LINE OF THE HEREIN DESCRIBED TRACT OF LAND AND ENTERING IN THE CENTERLINE OF SAID WILSON ROAD, A DISTANCE OF 637.06 FEET TO A POINT FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND AND IN THE SAID CENTERLINE OF WILSON ROAD, SAID POINT ALSO BEING THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO LENETTE K & TIMOTHY VICK, AS RECORDED IN VOLUME 2032, PAGE 926, DIRECT;

THENCE S 00° 31' 40" W, WITH THE EAST LINE OF THE HEREIN DESCRIBED TRACT OF LAND AND THE WEST LINE OF SAID VICK TRACT, AT APPROXIMATELY 330 FEET PASSING THE SOUTHWEST CORNER OF SAID VICK TRACT AND THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO SUSAN MOON, AS RECORDED IN VOLUME 2809, PAGE 891, DIRECT, AND AT APPROXIMATELY 1261 FEET PASSING THE SOUTHWEST CORNER OF SAID MOON TRACT AND THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO ROGELIO & MARIA R SIERRA, AS RECORDED IN VOLUME 1356, PAGE 868, DIRECT, CONTINUING IN ALL A DISTANCE OF 2757.90 FEET TO A ONE HALF INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND AND THE SOUTHWEST CORNER OF SAID SIERRA TRACT, SAID IRON ROD ALSO BEING IN THE NORTH LINE OF FM 879;

THENCE N 80° 27' 00" W, WITH THE SOUTH LINE OF THE HEREIN DESCRIBED TRACT OF LAND AND THE SAID NORTH LINE OF FM 879, A DISTANCE OF 320.77 FEET TO A 1/2" IRON ROD SET FOR A SOUTHERN CORNER;

THENCE N 77° 25' 00" W, WITH THE SOUTH LINE OF THE HEREIN DESCRIBED TRACT OF LAND AND THE SAID NORTH LINE OF FM 879, A DISTANCE OF 333.81 FEET TO A ONE HALF INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND AND THE SOUTHEAST CORNER OF SAID JEANETTE TRACT, SAID IRON ROD ALSO BEING IN THE SAID NORTH LINE OF FM 879;

THENCE N 00° 40' 00" E, WITH THE WEST LINE OF THE HEREIN DESCRIBED TRACT OF LAND AND THE SAID EAST LINE OF JEANETTE TRACT AND WITH THE SAID APPROXIMATE CENTERLINE OF RUTH ROAD, A DISTANCE OF 2623.55 TO THE POINT OF BEGINNING AND CONTAINING 39.60 ACRES (1,725,249 SQ. FT.) OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT M. Sharp Family, L.P., acting herein by and through its duly authorized officers, does hereby certify and adopt this plat designating the herein above described property as Murray Estates, Lots 1-17 & 18x, Block 1 & 18x, Block 2, on addition to the Ellis County, and does hereby dedicate to the public use forever, the streets and alleys shown thereon. The M. Sharp Family, L.P. 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 dedications 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 public 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 any 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, regulations and resolutions of the Ellis County, Texas.

WITNESS, my hand, this ___ day of _____, 2019

BY:

Authorized Signature _____

Printed Name and Title _____

STATE OF TEXAS:
COUNTY OF ELLIS:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED CORY MURRAY, ACTING AS THE DULY AUTHORIZED AGENT, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS _____ DAY

OF _____, 2019.

NOTARY PUBLIC, STATE OF TEXAS _____

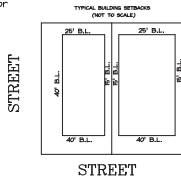
Survey's Declaration

KNOW ALL MEN BY THESE PRESENTS:

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

For Review

PAUL G. FULLER II
R.P.L.S. NO. 4843
STATE OF TEXAS



BUILDING LINES NOTES
40' FRONT BUILDING LINES
40' SIDE YARD BUILDING LINES
40' BUILDING LINES FROM SIDE STREET
20' REAR BUILDING LINES



FULLER ENGINEERING
& LAND SURVEYING, INC.

Texas Registered Engineering Firm # F-8331 and Surveying Firm # 0201820

CITY OF WAXAHACHIE
ELLIS COUNTY, TEXAS

CITY APPROVAL OF FINAL PLAT

APPROVED FOR PREPARATION OF THE FINAL PLAT

APPROVED BY THE PLANNING AND ZONING COMMISSION _____ DATE _____

APPROVED BY THE CITY COUNCIL _____ DATE _____

OWNER'S ACKNOWLEDGMENT

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

OWNER'S SIGNATURE _____ DATE _____

COUNTY OF ELLIS, TEXAS

COUNTY APPROVAL OF FINAL PLAT

APPROVED BY THE DIRECTOR OF DEVELOPMENT _____ DATE _____

NOTES

1. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 48139C0225 F, DATED JUNE 03, 2013, THIS PROPERTY DOES LIE WITHIN A ZONE "X" (UNSHADED) AREA, AND DOES NOT LIE WITHIN A 100-YEAR FLOOD HAZARD AREA.
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3. ALL CORNERS ARE A 1/2 INCH ROD WITH CAP STAMPED "ELS" UNLESS OTHERWISE NOTED
4. ALL BUILDING LINES ARE VARIABLE AND SUBJECT TO ZONING REGULATIONS OF THE CITY OF WAXAHACHIE, TEXAS.
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8. LOT 18X, BLOCK 1, WILL BE ASSIGNED TO LOT 17, BLOCK 1, UPON TERMINATION OF THE ESTABLISHED HOA. LOT 18X, BLOCK 2, WILL BE ASSIGNED TO LOT 17, BLOCK 2, UPON TERMINATION OF THE ESTABLISHED HOA.
9. LOTS 18X, BLOCK 1 & 18X, BLOCK 2, ARE RESERVED FOR DRAINAGE EASEMENTS (DETENTION). ALL FENCES OR WALLS CONTAINED IN THE DRAINAGE EASEMENT SHALL BE MAINTAINED IN GOOD REPAIR BY THE ESTABLISHED HOA. IF THE HOA IS NOT ESTABLISHED, OR IS TERMINATED, THE CURRENT PROPERTY OWNER AS ASSIGNED ON THIS PLAT SHALL BE RESPONSIBLE FOR MAINTENANCE AND ALL COSTS AND LIABILITY RELATED TO ANY SUCH FENCE OR WALL.
10. DRAINAGE IMPROVEMENTS, INCLUDING EARTHEN SWALES CONTAINED WITHIN DRAINAGE EASEMENTS (LOTS 18X, BLOCK 1 & 18X, BLOCK 2) MAY NOT BE ALTERED, CUT, MODIFIED, REMOVED OR BUILT UPON WITHOUT EXPRESS APPROVAL OF THE CITY OF WAXAHACHIE. IT SHALL BE THE RESPONSIBILITY OF THE HOA AND/OR INDIVIDUAL PROPERTY OWNERS WHO OWN PROPERTY WHICH CONTAIN A PRIVATE DRAINAGE EASEMENT AND ITS RESPECTIVE DRAINAGE IMPROVEMENTS (SWALE, CUT-FALL, ETC.) TO MAINTAIN THE FUNCTION AND CAPACITY AS DESIGNED OF ALL DRAINAGE IMPROVEMENTS WITHIN THE RESPECTIVE EASEMENTS. THE ULTIMATE MAINTENANCE RESPONSIBILITY SHALL REST ON THE ASSOCIATION AND ITS MEMBERS (LOT OWNERS)

Scale: 1"=100'



OWNER: M. SHARP FAMILY, L.P.
6744 N FM 157
VENUS, TEXAS 76084
SUITE 3
817-465-0100

SHEET 2 OF 2
CASE NUMBER FP-19-0067

FINAL PLAT
MURRAY ESTATES

LOTS 1-17 & 18X, BLOCK 1, LOTS 1-17 & 18X, BLOCK 2
AN ADDITION TO THE CITY OF WAXAHACHIE ETJ, ELLIS COUNTY, TEXAS
F.M. WOODWARD SURVEY, ABSTRACT NO. 1120

GROSS AREA
39.60 AC
TOTAL AREA LESS ROW DEDICATION
38.72 AC
37 TOTAL LOTS

ENGINEER / SURVEYOR
FULLER ENGINEERING & LAND SURVEYING, INC.
Texas Registered Engineering Firm F-8331 and Surveying Firm 0201820
CIVIL ENGINEERING & LAND SURVEYING
2411 GARDEN PARK COURT, ARLINGTON, TEXAS 76013
Phone (817) 856-2442 • Fax (817) 451-5678 • Email DN@FULLERSURVEY.COM
DATE: May 08, 2019



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: Cory Murray Parcel ID #: 192138
Subdivision Name: Murray Estates

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"/>

Kay Phillips

Print Name of General Manager of water provider or Designee

Kay Phillips

Signature of General Manager of water provider or Designee

Rockett SUD

Name of water provider company

5-15-19

Date

Planning & Zoning Department

Plat Staff Report

Case: FP-19-0074



MEETING DATE(S)

Planning & Zoning Commission: June 25, 2019

City Council: July 1, 2019

CAPTION

Consider request by Christopher P. Holleman, Holleman Construction Co., for a **Final Plat** of Holleman Addition for 1 lot, being 7.085 acres situated in the Alfred Polk Survey, Abstract 827 (Property ID 189014) – Owner: HOLLEMAN CONSTRUCTION COMPANY INC (FP-19-0074)

CASE INFORMATION

Applicant: Christopher P. Holleman, Holleman Construction Co.

Property Owner(s): Holleman Construction Company, Inc.

Site Acreage: 7.085 acres

Number of Lots: 1 lot

Number of Dwelling Units: 0 units

Park Land Dedication: The cash in lieu of park land dedication is estimated at \$4,251.00 (7.085 acres at \$600.00 per acre).

Adequate Public Facilities: Adequate public facilities are available for this property.

SUBJECT PROPERTY

General Location: 120 Lucas Street

Parcel ID Number(s): 189014

Current Zoning: Planned Development-Light Industrial-1 (Ordinance 2974)

Existing Use: Undeveloped Land

Platting History: 827 A POLK

Site Aerial:



STAFF CONCERNS

At the time of this report, staff still has multiple outstanding concerns that need to be addressed.

1. A letter of acceptance will be required from the City Public Works Department before filing the plat.
2. Water and sewer lines must be installed prior to recording the plat.

APPLICANT RESPONSE TO CONCERNS

1. At the time of this report (6/14/19) staff has not received any plat updates from the applicant.

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 letter of acceptance from the Public Works Department will be needed before plat filing.
 2. Water and sewer lines must be installed prior to the recording of the plat.

ATTACHED EXHIBITS

1. Plat drawing

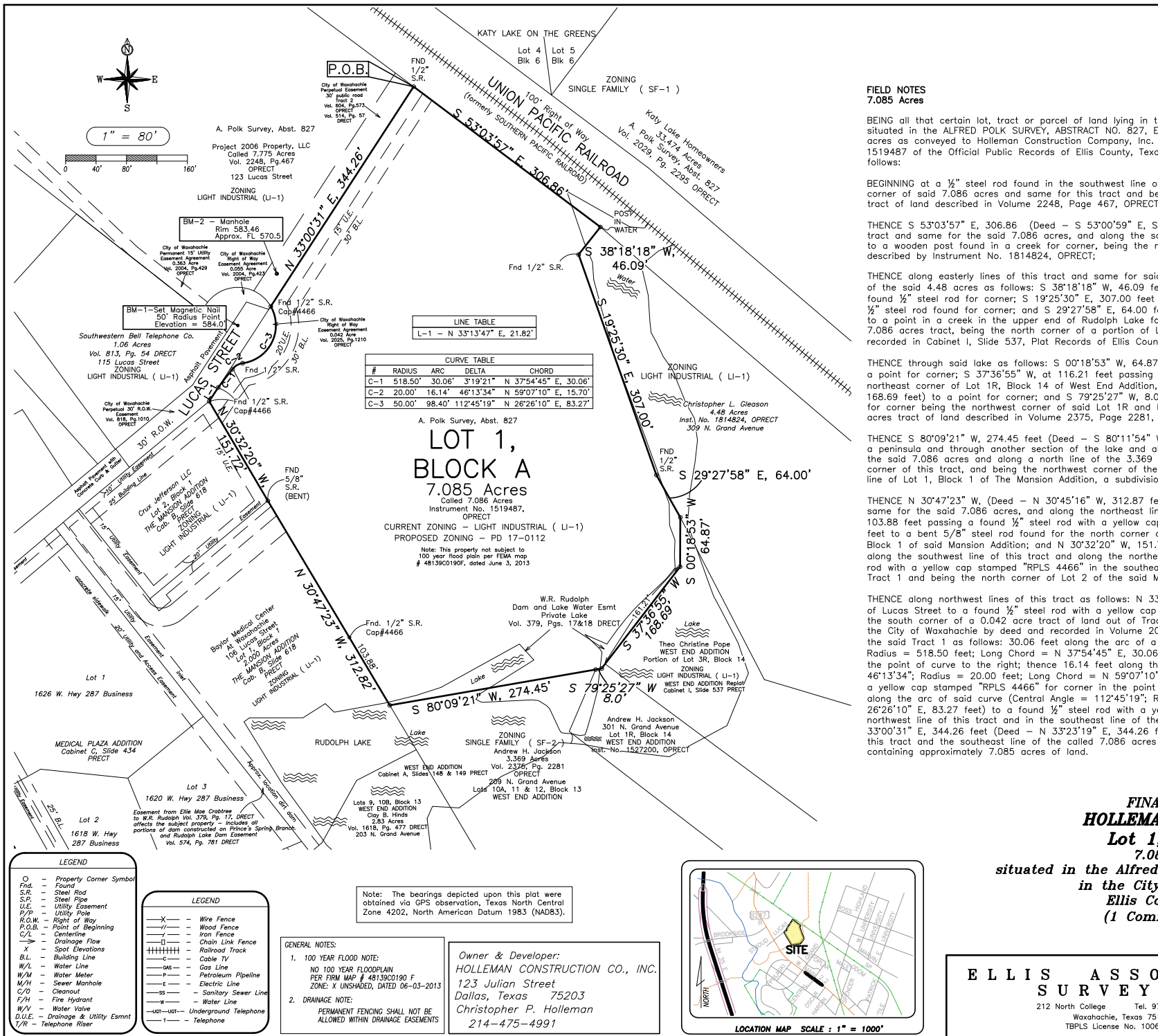
APPLICANT REQUIREMENTS

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:
Chris Webb
Planner
cwebb@waxahachie.com

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



NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That We, HOLLEMAN CONSTRUCTION CO., INC., do hereby adopt this plat designating the herein above described property as HOLLEMAN ADDITION, an addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. 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 _____, 2019.

BY:

Christopher P. Holleman
HOLLEMAN CONSTRUCTION CO., INC.

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 Christopher P. Holleman, of Holleman Construction Company, Inc., 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 _____, 2019.

Notary Public in and for the State of Texas

My Commission Expires On: _____

CITY OF WAXAHACHIE, TEXAS FINAL PLAT APPROVAL

APPROVED BY: Planning and Zoning Commission
City of Waxahachie

By: _____ Date _____
Chairperson

APPROVED BY: City Council
City of Waxahachie

By: _____
Mayor

Attest _____ Date _____

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 May of 2019, 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 in parenthesis hereon are based on the record plat of subject subdivision. According to the Federal Emergency Management Agency, Flood Insurance Rate Map Number 48139C0190 F, 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 Christopher Holleman, representing Holleman Construction Company, Inc.

Stuart G. Hamilton
Registered Professional Land Surveyor
Number 4480

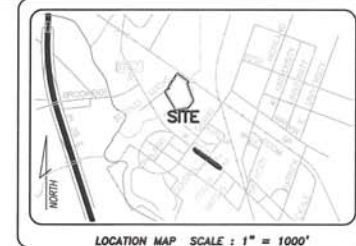
JUN 17 2019
Date



Owner & Developer:
HOLLEMAN CONSTRUCTION CO., INC.
123 Julian Street
Dallas, Texas 75203
Christopher P. Holleman
214-475-4991

BENCHMARK INFORMATION

BM-1 : SET MAGNETIC NAIL AT THE 50 FEET RADIUS POINT IN THE NORTH END OF LUCAS STREET, N: 6832766.75 E: 2473329.386 ELEVATION = 584.0'
BM-2 : SANITARY SEWER MANHOLE RIM WEST OF THE WEST PROPERTY LINE APPROXIMATELY 55 FEET NORTH OF LUCAS STREET RIGHT OF WAY
N: 6832834.645 E: 2473380.563 ELEVATION = 583.46'



**FINAL PLAT
HOLLEMAN ADDITION**

Lot 1, Block A
7.085 Acres

situated in the Alfred Polk Survey, Abst. 827
in the City of Waxahachie,
Ellis County, Texas
(1 Commercial Lot)

**ELLIS ASSOCIATES
SURVEYORS**

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

Case # FP-19-0074
Page 2 of 2

Date: 06/17/19
Scale: 1" = 80'
Drawn: D. Hocutt
Job: 19112

Planning & Zoning Department

Plat Staff Report

Case: RP-19-0075



MEETING DATE(S)

Planning & Zoning Commission: June 25, 2019

City Council: July 1, 2019

CAPTION

Consider request by Gunther Strength for a Replat of Lot 1, Block 13, Bullards Addition, to create Lots 1A and 1B, Bullards Addition, .3206 acres (Property ID 172392) – Owner: DONALD I & PEGGY E COLE REVOCABLE LIVING TRUST (RP-19-0075)

CASE INFORMATION

Applicant: Gunther Strength

Property Owner(s): Donald I. and Peggy E. Cole Revocable Living Trust

Site Acreage: .3206 acres

Number of Lots: 2 lots

Number of Dwelling Units: 2 units

Park Land Dedication: The cash in lieu of park land dedication is estimated at \$400.00 (1 new dwelling unit added to the site at \$400 per dwelling unit).

Adequate Public Facilities: Adequate public facilities are available for this property.

SUBJECT PROPERTY

General Location: 415 W. Light Street

Parcel ID Number(s): 172392

Current Zoning: Planned Development-Single Family-3 (Ordinance 3007)

Existing Use: 1 house currently exists on the NW side of the site while the rest of the land remains undeveloped.

Platting History: LOT 1 BLK 13 BULLARD-REV

Site Aerial:



STAFF CONCERNS

Only one staff concern remains after the applicant's resubmitted plat.

1. Water and sewer services will need to be installed before the recording of the plat.

APPLICANT RESPONSE TO CONCERNS

At the time of this staff report (6/17/19), staff received an updated plat that addressed all concerns posed by staff with the only exception being that water and sewer services will need to be installed before the plat can be filed.

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. Applicant will need to provide a note stating that water and sewer services will be installed before the recording of the plat.

ATTACHED EXHIBITS

1. Plat drawing

APPLICANT REQUIREMENTS

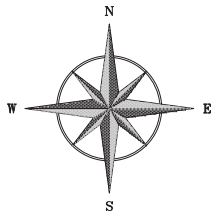
1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then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

STAFF CONTACT INFORMATION

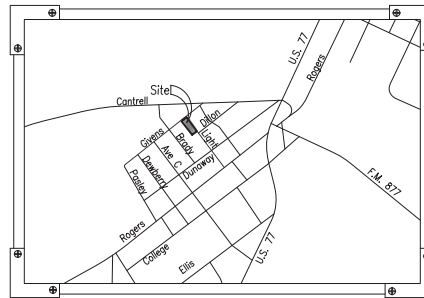
Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

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

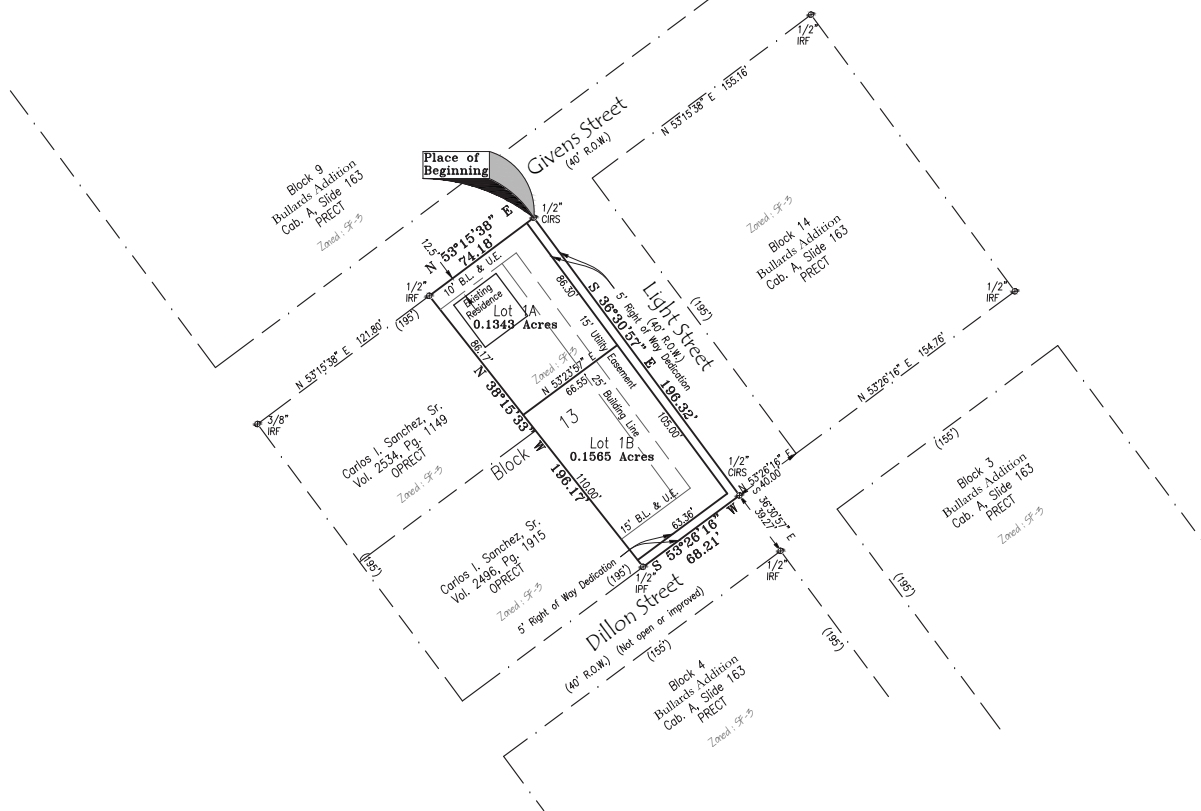
WLSC



1" = 50'



LOCATION MAP SCALE : 1" = 1000'



LEGEND	
●	Property Corner
IRF	Iron Rod Found
ROW	Right of Way
B.L.	Building Line
U.E.	Utility Easement
1/2"	1/2" Iron rod fnd with cap
1xDOT	Texas Department of
Disc	Transportation Aluminum Disc

Walker Land Surveying Company
P.O. Box 2911 Waxahachie, Texas 75168
Phone: (972) 938-8693 TBPLS Firm No. 10112400
www.WalkerSurveying.com

Owner/Developer: Donald I. & Peggy Cole Revocable Living Trust
500 Oldham Street
Waxahachie, Texas 75165
Contact: Ivan Cole

Surveyor: Walker Land Surveying Company
P.O. Box 2911
Waxahachie, Texas 75168
Contact: Shawne Walker, RPLS (972) 938-8693

Notes

- No portion of this property lies within a 100 year flood plain. Zone X (unshaded) according to the Flood Insurance Rate Map for Ellis County, Texas. Map# 48139C0190 F, dated June 3, 2013.
- No building shall be constructed until Final Plat is accepted and filed with Ellis County and infrastructure is completed and accepted by the City of Waxahachie.
- Basis of Bearings: GPS observation, Texas Coordinate System, North Central Zone. Beginning Coordinate - Northing 6825471.12, Easting=2476202.01

OWNER'S CERTIFICATE
STATE OF TEXAS
COUNTY OF ELLIS
CITY OF WAXAHACHIE

WHEREAS, The Donald Ivan Cole and Peggy E. Cole Revocable Living Trust, is the owner of a tract of land lying in the City of Waxahachie, Texas and being a portion of Block 13 of Bullards Addition, an addition in the City of Waxahachie, Texas, according to the Plat thereof recorded in Cabinet A, Slide 163 of the Plat Records of Ellis County, Texas, and being all of the tract of land conveyed by Special Warranty Deed recorded in Instrument Number 1607417 of the Official Public Records of Ellis County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod set with cap marked "WLSC RPLS 5331" at the intersection of the southeast line of Givens Street (40 foot right of way) with the southwest line of Light Street (40 foot right of way) for the north corner of Block 13 and said Trust Tract;

THENCE S 36°30'57" E, along the northeast line of Block 13 and said Trust Tract and the southwest line of Light Street, a distance of 196.32 feet to a 1/2" iron rod set with cap marked "WLSC RPLS 5331" at the intersection of the southwest line of Light Street with the northwest line of Dillon Street (40 foot right of way) for the east corner of Block 13 and said Trust Tract;

THENCE S 53°26'16" W, along the southeast line of Block 13 and said Trust Tract the northwest line of Dillon Street, a distance of 68.21 feet to a 1/2" iron pipe found for the south corner of said Trust Tract;

THENCE N 38°15'33" W, along the southwest line of said Trust Tract, a distance of 196.17 feet to a 1/2" iron rod found in the northwest line of Block 13 and in the southeast line of Givens Street for the west corner of said Trust Tract;

THENCE N 53°15'38" E, along the northwest line of Block 13 and said Trust Tract and the southeast line of Givens Street, a distance of 74.18 feet to the PLACE OF BEGINNING and containing 0.3207 acres of land as surveyed on the ground.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, The Donald Ivan Cole and Peggy E. Cole Revocable Living Trust, being the owners of the above referenced parcel of land, do hereby adopt this plat designating the herein above described property as the Replat of Lots 1A and 1B, Block 13 of Bullards Addition (Being an Replat of a portion of Block 13 of Bullards Addition), an addition to the City of Waxahachie, Texas, and do hereby dedicate to the City of Waxahachie for public use, the streets and alleys shown thereon; and we do hereby reserve the easements shown on this plat for the accommodation of all public utilities desiring to use or using same. Any public utility approved by the City shall have the right to remove and keep removed all or part of any building, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of these easements; and any public utility shall, at all times, have the right of ingress and egress to and from upon said easements for the inspecting, patrolling, maintaining, and adding to or removing all or part of its respective purpose of construction or reconstruction system. No house dwelling unit, or other structure shall be constructed on any lot in this addition by anyone until all requirements of the Subdivision Ordinance have been met.

D. Ivan Cole, Trustee

State of Texas

Before me the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared D. Ivan Cole, known to me to be the person whose name are subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose herein expressed and in the capacity stated.

Given under my hand and seal this the _____ day of _____, 2019.

Notary Public in and for the State of Texas

City of Waxahachie Certificate of Approval

I hereby certify that the plat shown hereon and designated as the Replat of Lots 1A and 1B, Block 13 of Bullards Addition, an addition to the City of Waxahachie, Ellis County, Texas was approved the _____ day of _____, 2019. Said addition shall be subject to all of the requirements of Subdivision Ordinance of the City of Waxahachie.

Planning and Zoning Department Director

Survey's Declaration

KNOW ALL MEN BY THESE PRESENTS:

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

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

J. Shawne Walker, R.P.L.S.
Texas Registration No. 5331

Replat Lots 1A & 1B, Block 13 Bullards Addition

Being an Replat of
Lot 1, Block 13 (0.3207 Acres)
Bullards Addition
An Addition in the City of Waxahachie
Ellis County, Texas
Prepared : May, 2019
Case Number FP-19-0075

Planning & Zoning Department

Plat Staff Report

Case: FP-19-0067



MEETING DATE(S)

Planning & Zoning Commission: June 25, 2019

City Council: July 1, 2019

CAPTION

Consider request by Wes Dorough, JH Development LLC, for a **Final Plat** of The Haven Phase One for 101 residential lots and 2 open space lots, being 36.567 acres situated in the Robert Russell Survey, Abstract 911 (Property ID 190002) – Owner: JHH NORTH GROVE DEVELOPMENT LLC (FP-19-0067)

CASE INFORMATION

Applicant: Wes Dorough, JH Development LLC

Property Owner(s): JHH North Grove Development LLC

Site Acreage: 36.567 acres

Number of Lots: 101 residential lots and 2 open space lots

Number of Dwelling Units: 101 units

Park Land Dedication: The park land dedication has been met with this plat.

Adequate Public Facilities: Adequate public facilities are available for this property.

SUBJECT PROPERTY

General Location: Between Estates of North Grove Phase 1 and The Cove Phase 1

Parcel ID Number(s): 274596

Current Zoning: Planned Development

Existing Use: Undeveloped Land

Platting History: This plat was originally approved as part of PLM2016-41 North Grove Phase 3-7 & 12 at the November 21, 2016 City Council Meeting.

Site Aerial:



STAFF CONCERNS

A public works letter of acceptance will be required when work is completed before this plat can be filed.

APPLICANT RESPONSE TO CONCERNS

An updated plat submittal was received by staff that addressed most staff concerns with the plat. Still a public works letter of acceptance will be required by 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:
 1. Staff will require a public works letter of acceptance before this plat can be filed.

ATTACHED EXHIBITS

Identify the exhibits that will be included as agenda backup material.

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:
Chris Webb
Planner
cwebb@waxahachie.com

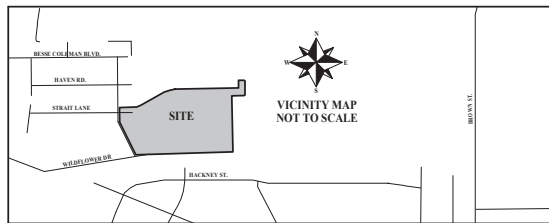
Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com



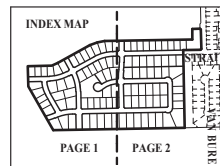
BL=BUILDING LINE
1/2"CHRS=1/2" IRON ROD
WITH PLASTIC CAP
STAMPED "RPLS 4818"
SET

LEGEND

- IRON ROD FND.
- × "X" IN CONC.
- CAPPED I.R. SET
- POWER POLE
- LIGHT POLE
- WATER VALVE
- WATER METER
- ELEC. MANHOLE
- SAN. SEW. M.H.
- GAS RISER
- TEL. P.D.
- FENCE CORNER
- UNDERG. CABLE
- FIRE HYDRANT



VICINITY MAP
NOT TO SCALE



TRACT 1
JHH NORTH GROVE
DEVELOPMENT, LLC
INST. #1610004
D.R.E.C.T.

ROBERT RUSSELL SURVEY
A-911



GENERAL NOTES:
1. THE SUBJECT TRACT LIES WITHIN ZONE "X" (UNSHADED) FLOOD PLAIN AS DETERMINED BY THE FLOOD INSURANCE RATE MAPS FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS, COMMUNITY PANEL NUMBER 48139C0190F, EFFECTIVE DATE JUNE 3, 2015.

2. 1/2" IRON RODS STAMPED "RPLS 4818" WILL BE SET AT ALL LOT CORNERS AFTER CONSTRUCTION IS COMPLETED.

3. BEARINGS FOR THIS DESCRIPTION ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM 1983, AS DERIVED FROM STATIC OBSERVATION AND NOAA/NGS OPUS CALCULATIONS.

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

5. WOOD FENCES WITH STEEL POSTS ARE TO BE CONSTRUCTED ON ALL LOTS ADJACENT TO EXISTING RESIDENTIAL USES. FENCES TO BE CONSTRUCTED BY HOME BUILDERS AT THE TIME OF INDIVIDUAL LOT CONSTRUCTION.

6. LOT X IS PRIVATE HOA/DEVELOPER OWNED AND MAINTAINED OPEN SPACE.

SURVEYOR:
WHITFIELD-HALL SURVEYORS
REGISTERED PROFESSIONAL
LAND SURVEYORS
3559 WILLIAMS ROAD, SUITE 107
FORT WORTH, TEXAS 76116
TBPLS FIRM REG. NO. 10138500
(817) 560-2916
whitfieldhall@sbglobal.net

ENGINEERS:
PAPE-DAWSON ENGINEERS
ONE RIDGMAR CENTRE
6500 WEST FWY, SUITE 700
FORT WORTH, TX 76116
(817) 870-3668
CONTACT: MARK SPEAR
TBPE FIRM REG. NO. 470

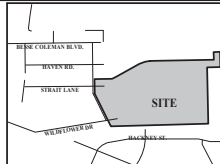
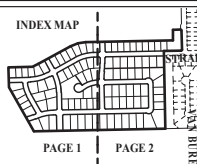
OWNER:
JHH NORTH GROVE
DEVELOPMENT LLC
P.O. BOX 804
MIDLOTHIAN, TX 76065
CONTACT: CHIP BOYD
(866) 646-6008

MUSTANG CREEK, PHASE 4
CAB. I, PG. 740, P.R.E.C.T.

FINAL PLAT
OF
LOTS 12-21, X, BLOCK 40; LOTS 1-32, BLOCK 41; LOTS 1-12, BLOCK 42;
LOTS 1-18, X, BLOCK 43; LOTS 1-8, BLOCK 44; LOTS 6-11, BLOCK 47; LOTS
1-7, BLOCK 48; LOTS 1-5, BLOCK 49; LOTS 1-3, BLOCK 50
101 RESIDENTIAL LOTS & 2 OPEN SPACE LOTS
PREPARED MAY 13, 2019

THE HAVEN
PHASE ONE
36.567 ACRES

AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND
BEING SITUATED IN THE ROBERT RUSSELL SURVEY, ABSTRACT NO. 911,
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS.
CASE NUMBER FP-19-0067

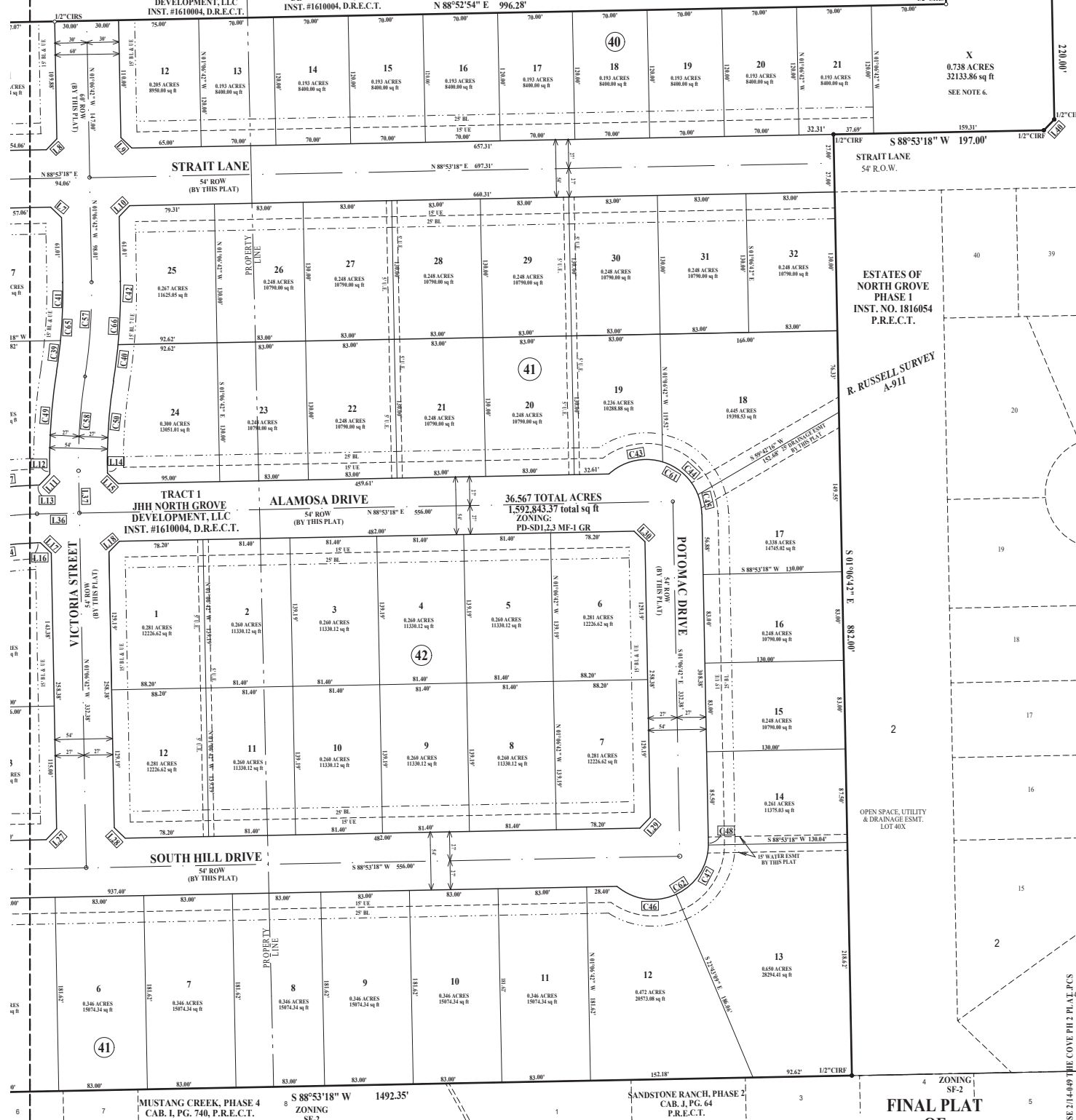


VICINITY MAP
NOT TO SCALE

ROBERT RUSSELL SURVEY
A-911
N 88°52'54" E 996.2

TRACT 1
JHH NORTH GROVE
DEVELOPMENT, LLC
INST. #1610004, D.B.E.C.T.

TRACT 2
JHH NORTH GROVE
DEVELOPMENT, LLC
INST. #1610004, D.R.E.C.T.



FINAL PLAT
OF

LOTS 12-21, X, BLOCK 40; LOTS 1-32, BLOCK 41;
LOTS 1-12, BLOCK 42; LOTS 1-18, X, BLOCK 43; LOTS
1-8, BLOCK 44; LOTS 6-11, BLOCK 47; LOTS 1-7, BLOCK
48; LOTS 1-5, BLOCK 49; LOTS 1-3, BLOCK 50
101 RESIDENTIAL LOTS & 2 OPEN SPACE LOTS
PREPARED MAY 13, 2019

THE HAVEN
PHASE ONE
36.567 ACRES

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

CASE NUMBER EP-19-0067

GENERAL NOTES:
1. THE SUBJECT TRACT LIES WITHIN ZONE "X" (UNSHADED) FLOOD PLAIN AS DETERMINED BY THE FLOOD INSURANCE RATE MAPS FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS, COMMUNITY PANEL NUMBER 48139C0190F, EFFECTIVE DATE JUNE 3, 2013.

2. 1/2" IRON RODS STAMPED "RPLS 4818" WILL BE SET AT ALL LOT CORNERS AFTER CONSTRUCTION IS COMPLETED

3. BEARINGS FOR THIS DESCRIPTION ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM 1983, AS DERIVED FROM STATIC OBSERVATION AND NOAA/NGS OPUS CALCULATIONS.

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

5. WOOD FENCES WITH STEEL POSTS ARE TO BE CONSTRUCTED ON ALL LOTS ADJACENT TO EXISTING RESIDENTIAL USES. FENCES TO BE CONSTRUCTED BY HOME BUILDERS AT THE TIME OF INDIVIDUAL LOT CONSTRUCTION.

6. LOT X IS PRIVATE HOA/DEVELOPER OWNED AND MAINTAINED OPEN SPACE.

SURVEYOR:
WHITFIELD-HALL SURVEYORS
REGISTERED PROFESSIONAL
LAND SURVEYORS
3559 WILLIAMS ROAD, SUITE 107
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(817) 870-3668
CONTACT: MARK SPEAR
TBPE FIRM REG. NO. 470

OWNER:
JHH NORTH GROVE
DEVELOPMENT LLC
P.O. BOX 804
MIDLOTHIAN, TX. 76065
CONTACT: CHIP BOYD
(866) 646-6008

CL CURVE TABLE				
Id	Delta	Radius	Arc Length	Chord
C51	15°58'28"	300.00'	83.64'	83.37'
C52	07°24'13"	500.00'	64.61'	N 67°40'51" E
C53	17°30'20"	500.00'	152.77'	N 80°08'08" E
C54	28°13'35"	300.00'	147.79'	S 15°38'12" E
C55	27°34'04"	450.00'	216.91'	N 74°47'31" E
C56	27°54'19"	450.00'	219.17'	S 74°56'08" W
C57	10°09'49"	500.00'	88.69'	N 03°58'12" E
C58	10°09'49"	500.00'	88.69'	S 03°58'12" W
C59	41°40'23"	300.00'	218.20'	S 68°03'06" W
C60	27°59'24"	500.00'	244.26'	N 1°50'24" W

CL LINE TABLE			R.O.W. LINE TABLE		
Id	Bearing	Distance	Id	Bearing	Distance
L31	S 79°57'10" W	6.74'	L1	S 46°49'44" E	14.25'
L32	N 01°31'25" W	27.75'	L2	N 43°05'10" E	14.01'
L33	N 47°12'55" E	6.64'	L3	N 15°58'59" E	14.14'
L34	S 42°47'05" E	25.90'	L4	S 74°01'01" E	14.14'
L36	N 88°53'18" E	39.68'	L5	S 72°07'24" E	13.67'
L37	N 01°06'42" W	39.53'	L6	N 17°41'00" E	14.56'
L38	S 88°53'18" W	71.24'	L7	S 46°06'42" E	14.14'

BOUNDARY TABLE		
Id	Bearing	Distance
L39	S 46°06'42" E	14.14'
L40	S 43°53'18" W	14.14'

ROW CURVE TABLE				
Id	Delta	Radius	Arc Length	Chord
C1	06°57'14"	423.00'	51.34'	51.31'
C2	14°26'51"	423.00'	106.66'	106.38'
C3	06°12'59"	423.00'	45.89'	45.87'
C4	08°44'08"	477.00'	72.72'	72.65'
C5	10°32'03"	477.00'	87.70'	87.58'
C6	08°20'56"	477.00'	69.51'	69.45'
C7	02°38'57"	477.00'	22.05'	22.05'
C8	08°00'09"	477.00'	66.62'	66.57'
C9	08°00'09"	477.00'	66.62'	66.57'
C10	08°00'08"	477.00'	66.62'	66.57'
C11	01°14'56"	477.00'	10.40'	10.40'
C12	03°13'25"	423.00'	23.80'	23.80'
C13	11°33'15"	423.00'	85.30'	85.16'
C14	11°55'46"	423.00'	88.07'	87.91'
C15	01°11'59"	423.00'	8.86'	8.86'
C16	10°34'46"	327.00'	60.38'	60.29'
C17	12°56'40"	327.00'	73.88'	73.72'
C18	03°05'29"	327.00'	17.64'	17.64'
C19	26°16'19"	273.00'	125.18'	124.08'
C20	03°57'17"	473.00'	12.65'	12.64'
C21	15°02'17"	473.00'	124.14'	123.79'
C22	05°55'00"	473.00'	48.84'	48.82'
C23	07°11'24"	527.00'	66.13'	66.09'
C24	06°48'13"	527.00'	62.58'	62.54'
C25	15°58'25"	273.00'	76.11'	75.86'
C26	15°27'43"	327.00'	88.24'	87.98'
C27	02°45'59"	527.00'	25.44'	25.44'
C28	11°13'32"	527.00'	103.25'	103.09'
C29	06°25'56"	473.00'	53.10'	53.07'
C30	17°04'45"	473.00'	140.99'	140.47'
C31	12°44'11"	527.00'	117.15'	116.91'
C32	03°42'14"	273.00'	17.65'	17.65'
C33	23°46'41"	273.00'	113.30'	112.48'
C34	15°21'43"	273.00'	73.20'	72.98'
C35	11°22'22"	327.00'	64.91'	64.80'
C36	11°23'39"	327.00'	62.65'	64.92'
C37	10°56'06"	327.00'	62.41'	62.31'
C38	27°22'22"	52.00'	247.20'	72.00'
C39	03°36'35"	473.00'	29.80'	29.79'
C40	03°44'13"	527.00'	34.37'	34.37'
C41	06°33'14"	473.00'	54.11'	54.08'
C42	06°25'36"	527.00'	59.11'	59.08'
C43	59°19'47"	52.00'	53.85'	51.47'
C44	51°34'01"	52.00'	46.80'	45.24'
C45	20°30'46"	52.00'	18.62'	18.52'
C46	65°03'59"	52.00'	59.05'	55.93'
C47	64°08'16"	52.00'	58.21'	55.22'
C48	02°12'15"	52.00'	2.00'	2.00'
C49	10°09'49"	527.00'	93.48'	93.36'
C50	10°09'49"	473.00'	83.91'	83.80'
C61	131°24'35"	52.00'	119.26'	94.79'
C62	131°24'35"	52.00'	119.26'	94.79'
C63	33°42'06"	327.00'	192.34'	189.58'
C64	42°50'38"	273.00'	204.14'	199.42'
C65	10°09'49"	473.00'	83.91'	83.80'
C66	10°09'49"	527.00'	93.48'	93.36'
C67	27°54'19"	477.00'	232.32'	230.03'
C68	27°54'19"	423.00'	206.02'	203.99'
C69	27°37'04"	477.00'	229.92'	227.71'
C70	27°37'04"	423.00'	203.90'	201.93'
C71	26°36'58"	327.00'	151.90'	150.54'
C72	13°59'36"	527.00'	128.71'	128.39'
C73	24°54'33"	473.00'	205.64'	204.02'

LAND USE SUMMARY:	
LOTS	26,861 ACRES
OPEN SPACE	1,775 ACRES
ROW	7,931 ACRES
TOTAL ACRES	36,567 ACRES

STATE OF TEXAS §

COUNTY OF ELLIS §

WHEREAS, JHH North Grove Development, LLC, being the owner of a 36.567 acre tract of land in the Robert Russell Survey, Abstract Number 911, City of Waxahachie, Ellis County, Texas, and being a portion of Tract 1 and a portion of Tract 2 as described in deed to JHH North Grove Development, LLC., recorded in Instrument Number 1610004, Deed Records, Ellis County, Texas. Bearings for this description are based on Texas State Plane Coordinate System, Texas North Central Zone (4202), North American Datum 1983, as derived from static observation and NOAA/NGS OPUS calculations. Said 36.567 Acre being described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with plastic cap found at the southwest corner of said Tract 1, the southeast corner of Lot 17, Block D, of The Cove, Phase 1A, an addition to the City of Waxahachie, Ellis County, Texas, recorded in Cabinet 1, Slide 613-614, Plat Record, Ellis County, Texas, and being the most westerly northeast corner of Lot 23, Block T, Mustang Creek, Phase 4, an addition to the City of Waxahachie, Ellis County, Texas, recorded in Cabinet 1, Page 740, Plat Records, Ellis County, Texas;

THENCE along the east line of said The Cove, Phase 1A and the west line of said JHH North Grove Development, LLC tract, the following courses and distances;

North 29°44'59" West, a distance of 572.78 Feet to a 1/2" iron rod with plastic cap found;

North 01°24'05" West, a distance of 229.55 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" set;

THENCE departing said east and west lines and continuing over and across said JHH North Grove Development, LLC tract, the following courses and distances;

North 88°36'03" East, a distance of 273.91 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" set;

North 64°51'00" East, a distance of 71.50 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" set;

North 60°58'59" East, a distance of 419.00 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" set;

North 70°12'40" East, a distance of 90.91 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" set;

North 79°27'53" East, a distance of 84.98 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" set;

North 88°52'54" East, a distance of 996.28 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" set;

North 01°06'42" West, a distance of 120.00 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" set;

North 88°53'18" East, a distance of 89.31 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" found in the west line of The Estates of North Grove, Phase 1, an addition to the City of Waxahachie, Ellis County, Texas, recorded in Instrument Number 1816054, Plat Records, Ellis County, Texas;

THENCE along said west line of The Estates of North Grove, the following courses and distances;

South 46°06'42" East, a distance of 14.14 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" found;

South 01°06'42" East, a distance of 220.00 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" found;

South 43°53'18" West, a distance of 14.14 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" found;

South 88°53'18" West, a distance of 197.00 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" found;

South 01°06'42" East, a distance of 882.00 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" found in the south line of said JHH North Grove Development, LLC tract and in the north line of Sandstone Ranch, Phase 2, an addition to the City of Waxahachie, Ellis County, Texas recorded in Cabinet 1, Page 64, Plat Records, Ellis County, Texas;

THENCE South 88°53'18" West, departing said west line and continuing along said north and south lines, a distance of 1492.35 Feet to the POINT OF BEGINNING and containing a computed area of 36.567 Acres, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That JHH North Grove Development, LLC, acting herein by and through their duly authorized officers, do hereby adopt this plat designating the hereinabove described property as THE HAVEN, PHASE ONE, 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, 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 construction, reconstruction, inspection, 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 _____ day of _____, 2019.

JHH North Grove Development, LLC

By: _____
CHIP BOYD

STATE OF TEXAS
COUNTY OF TARRANT

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2019.

Notary Public State of Texas
My Commission expires _____

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, JOHNNY D.L. WILLIAMS, R.P.L.S. No. 4818, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon is set where properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie.

PRELIMINARY - FOR REVIEW ONLY
NOT TO BE FILED FOR ANY REASON

JOHNNY D.L. WILLIAMS DATE _____
Whitfield-Hall Surveyors
3559 Williams Road, Suite 107
Fort Worth, Texas 76116

APPROVED BY: PLANNING AND ZONING COMMISSION
CITY OF WAXAHACHIE, TEXAS

BY: _____ DATE: _____
CHAIRPERSON

APPROVED BY: CITY COUNCIL, CITY OF WAXAHACHIE.

BY: _____
MAYOR

ATTEST: _____ DATE: _____

FINAL PLAT OF

LOTS 12-21, X, BLOCK 40; LOTS 1-32, BLOCK 41; LOTS 1-12, BLOCK 42; LOTS 1-18, X, BLOCK 43; LOTS 1-8, BLOCK 44; LOTS 6-11, BLOCK 47; LOTS 1-7, BLOCK 48; LOTS 1-5, BLOCK 49; LOTS 1-3, BLOCK 50

101 RESIDENTIAL LOTS & 2 OPEN SPACE LOTS
PREPARED MAY 13, 2019

THE HAVEN PHASE ONE 36.567 ACRES

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

CASE NUMBER FP-19-0067

SURVEYOR:
WHITFIELD-HALL SURVEYORS
REGISTERED PROFESSIONAL
LAND SURVEYORS
3559 WILLIAMS ROAD, SUITE 107
FORT WORTH, TEXAS 76116
TBPLS FIRM REG. NO. 10138500
(817) 560-2916
whitfieldhall@sbcglobal.net

ENGINEERS:
PAPE-DAWSON ENGINEERS
ONE RIDGEMAR CENTRE
6500 WEST FWY, SUITE 700
FORT WORTH, TX, 76116
(817) 870-3668
CONTACT: MARK SPEAR
TBPE FIRM REG. NO. 470

OWNER:
JHH NORTH GROVE
DEVELOPMENT LLC
P.O. BOX 804
MIDLOTHIAN, TX. 76065
CONTACT: CHIP BOYD
(866) 646-6008

Planning & Zoning Department

Zoning Staff Report

Case: SU-19-0073



MEETING DATE(S)

Planning & Zoning Commission: June 25, 2019

City Council: July 1, 2019

CAPTION

Public Hearing on a request by Ron Barson, Ledbetter Real Estate LTD, for a Specific Use Permit (SUP) for **Unified Lot Sign** use within a Planned Development-General Retail zoning district, located at 2751 N Highway 77 (Property ID 273976) – Owner: LEDBETTER REAL ESTATE LTD (SU-19-0073)

CASE INFORMATION

Applicant: Ron Barson, Ledbetter Real Estate LTD

Property Owner(s): Ledbetter Real Estate LTD

Site Acreage: .005 acres

Current Zoning: General Retail

Requested Zoning: GR with Specific Use Permit for Unified Lot Sign

SUBJECT PROPERTY

General Location: 2751 N Highway 77

Parcel ID Number(s): 273976

Existing Use: Undeveloped Land

Development History: The Final Plat for North Grove Business Park Phases 2 & 4 was approved by City Council on April 2, 2018.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	C	Undeveloped Land
East	GR	North Grove Business Park
South	PD-GR	Undeveloped Land
West	HI	Industrial Warehouse Use

Future Land Use Plan: Retail

Comprehensive Plan:

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

Thoroughfare Plan:

The subject property is accessible via U.S. Highway 77.

Site Image:



PLANNING ANALYSIS

The applicant is requesting approval for a Unified Lot Sign within North Grove Business Park Phases 2 & 4. The proposed lot sign would allow for advertisement of businesses within the existing development. To remain consistent with the surrounding development, the applicant intends to construct a similar monument sign (located at 2325 N. Highway 77 – North Grove Business Park) that was approved by City Council on October 16, 2017 (Ord. 2981).

This unified lot sign has to be constructed at a location agreed upon by the owner(s) and the City, and must meet the requirements set forth in the City's Sign Regulations for unified lot signs.

Proposed Multi-Tenant Monument Sign (Per City of Waxahachie Zoning Ordinance Standards)

Standard	City of Waxahachie	Applicant	Meets Y/N
Max. Size	125 sq. ft.	385 sq. ft.	No
Max. Height	10 ft.	35 ft.	No
Setback	15 ft. from public ROW	35 ft. from public ROW	Yes

***Rows highlighted in **bold** indicate a deviation from the City of Waxahachie Zoning Ordinance

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 6/5/19.

STAFF CONCERNS

1. Staff has no outstanding concerns for the applicant.

APPLICANT RESPONSE TO CONCERNS

1. The applicant has no outstanding concerns 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:
 1. The maximum height for the sign shall not exceed 35 ft.
 2. The maximum square footage for the sign shall not exceed 385 sq. ft.

ATTACHED EXHIBITS

1. Survey
2. Conceptual Sign Layout

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

EXHIBIT A
SHEET 1 OF 2

SIGN
EASEMENT
0.005 ACRES

BEING A TRACT OF LAND SITUATED IN THE A. PRUETT SURVEY, ABSTRACT NO. 848 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS AND BEING A PORTION OF LOT 1, BLOCK C, OF NORTH GROVE BUSINESS PARK, PHASE TWO & FOUR, AN ADDITION TO THE CITY OF WAXAHACHIE, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET J, SLIDE 419, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT), AND BEING MORE PARTICULARLY DESCRIBED, AS FOLLOWS:

COMMENCING AT A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR THE SOUTHEAST CORNER OF SAID LOT 1, AND IN THE WEST RIGHT-OF-WAY LINE OF US HIGHWAY 77 (A VARIABLE WIDTH RIGHT-OF-WAY);

THENCE N 89°58'01" W, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 48.72 FEET TO A POINT;

THENCE OVER AND ACROSS SAID LOT 1, AS FOLLOWS:


N 00°01'59" E, A DISTANCE OF 20.00 FEET TO THE **POINT OF BEGINNING**;

N 89°58'01" W, A DISTANCE OF 15.04 FEET TO A POINT FOR CORNER;

N 04°03'22" E, A DISTANCE OF 15.04 FEET TO A POINT FOR CORNER;

S 89°58'01" E, A DISTANCE OF 15.04 FEET TO A POINT FOR CORNER;

S 04°03'22" W, A DISTANCE OF 15.04 FEET TO THE **POINT OF BEGINNING**, AND CONTAINING 0.005 ACRES OF LAND, MORE OR LESS.


TIMOTHY L. JACKSON
REGISTRATION NUMBER 5644

DATED: 04/25/2019



NOTES:

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

PLAT OF EVEN DATE TO ACCOMPANY THIS DESCRIPTION

PROJECT NO. 1325

TEXAS REALITY CAPTURE
& SURVEYING, LLC

P.O. BOX 252
WAXAHACHIE, TEXAS 75168
469.518.0338
TBPLS FIRM NO 10194359





SIGN
EASEMENT
0.005 ACRES

A. PRUETT SURVEY
ABSTRACT NO. 848

LOT 1
BLOCK C

NORTH GROVE BUSINESS PARK
PHASES TWO & FOUR
CAB. J, SL. 419
OPRECT

US HIGHWAY 77

POC
CIRS

TIMOTHY L. JACKSON
REGISTRATION NUMBER 5644

DATED: 04/25/2019



PROJECT NO. 1325

TEXAS REALITY CAPTURE
& SURVEYING, LLC

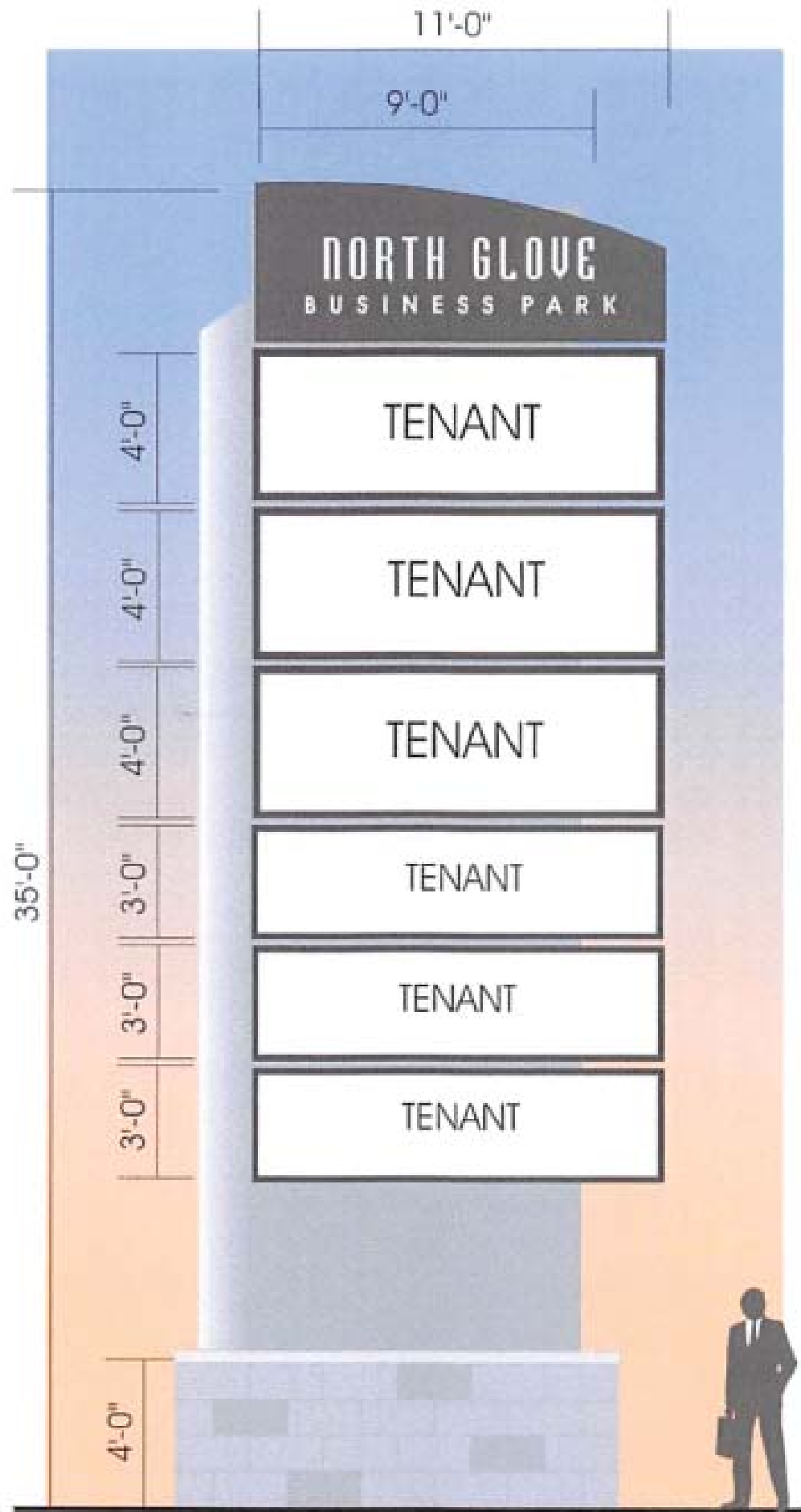
P.O. BOX 252
WAXAHACHIE, TEXAS 75168
469.518.0338
TBPLS FIRM NO 10194359

NOTES:

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

DESCRIPTION OF EVEN DATE TO ACCOMPANY THIS PLAT





Planning & Zoning Department

Zoning Staff Report

Case: PD-19-0066



MEETING DATE(S)

Planning & Zoning Commission: June 25, 2019 (continued from June 11, 2019)

City Council: July 1, 2019

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held June 11, 2019, the Commission voted 6-0 to continue case no. PD-19-0066 to the June 25, 2019 Planning and Zoning meeting.

CAPTION

Public Hearing on a request by Joy Ranton, Daniel's Den, for a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-Commercial (limited to transitional housing and retail) , with Concept Plan, located at 512 N College Street (Property ID 170716)
- Owner: ALFRED A & RHONNIE D TOMPKINS (PD-19-0066)

CASE INFORMATION

Applicant: Joy Ranton, Daniel's Den

Property Owner(s): Alfred A & Rhonnie D Tompkins

Site Acreage: .459 acres

Current Zoning: Planned Development-28-General Retail

Requested Zoning: Planned Development-Commercial (limited to transitional housing and retail)

SUBJECT PROPERTY

General Location: 512 N College Street

Parcel ID Number(s): 170716

Existing Use: Existing Single Family Residential

Development History: N/A

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-GR	Single Family Residential
East	SF-2	Single Family Residential
South	PD-28-GR	Single Family Residential
West	PD-28-GR	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 subject property is accessible via N. College St.

Site Image:



PLANNING ANALYSIS

The applicant is requesting a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-Commercial to allow a Transitional Housing Facility. The applicant currently has an existing Transitional Housing Facility located at 507 W. Jefferson St. If the proposed zoning change is approved, the applicant intends to relocate the existing Transitional Housing Facility to 512 N. College St.

Daniel's Den is proposing to use the two story home as a Resale Shop, Community Involvement Area, and Office (1st Floor). The second floor will be used for the Transitional Housing Program (*see full description below*).

At the Planning & Zoning Commission meeting, held June 11, 2019, the Commission voted 6-0 to continue case no. PD-19-0066 to the June 25, 2019 Planning and Zoning meeting.

Daniel's Den Proposal

Floor I

- The Resale Shop will occupy the front portion (gathering room and parlor) of the first floor and has an entrance facing the street.
- The Community Involvement Areas (kitchen, dining room and den) will be used to accommodate request received from groups and individuals who want to teach life skills to clients such as

cooking, financial literacy and Bible studies. This area will also have a private entrance, accessible from the side of the house.

- The Office will be located in the back of the house (sunroom) and has a private entrance accessible from the back porch.

Floor 2 (Transitional Housing Program)

- The upper floor also has a private entrance accessible from the back porch. Clients will be required to enter via Jackson St and park in the back section of the property.
- It consists of four bedrooms, two kitchens and two bathrooms.
- Three bedrooms will be used for housing women with children, a maximum of three women and seven children. The fourth bedroom will be used to house three single women
- Proposed total capacity is (13) thirteen individuals.
- The space will be equipped with security cameras allowing for the monitoring of client activity.
- All transitional housing clients must be drug and alcohol free. Criminal background checks are done on all clients.
- Women who are registered sex offenders or have any violence related charges cannot be housed.
- Housing for victims of domestic violence is not provided.
- Clients must be residents of Ellis County (defined as a minimum of three months) in order to qualify for our program.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, **22** notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 5/24/19.

PON RESPONSE

Within the 200 ft. notification area, staff has received three (4) letters of opposition, and one (1) letter of support for the proposed development. Outside of the 200 ft. notification area, staff has received two (2) letters of opposition, and two (2) letters of support.

STAFF CONCERNS

1. The location of the proposed use is concerning to staff due to the historic character of the neighborhood.
2. Per the International Building Code (IBC), 2018, the maximum occupancy load for the property shall be 10. The applicant is currently requesting a maximum occupancy load for the property to be 13.
3. Staff has received opposition from surrounding neighbors for the proposed development.

APPLICANT RESPONSE TO CONCERNS

1. The applicant is aware of staff's concerns and intends to address any questions at the June 25, 2019 Planning and Zoning 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. Development Description
2. Floor Plan
3. Survey

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

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

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



Daniel's Den, Inc.

507 W Jefferson

Waxahachie, TX 75165

972.938.0103

To: Planning and Zoning Commission and City Council Members

Re: Proposed use for Property located at 512 N College St, Waxahachie, TX 75165

Date: May 10, 2019

Upon finalizing the purchase of the above referenced property, the proposed use is as follows:

Floor 1

Resale Shop (Second Chance Apparel and More), Community Involvement Areas and Office (one room)

The Resale Shop will occupy the front portion (gathering room and parlor) of the first floor and has an entrance facing the street. The resale shop will generate revenue for our mission as well as providing our clients with retail training.

The Community Involvement Areas (kitchen, dining room and den) will be used to accommodate the many request we receive from groups and individuals who want to teach life skills to our clients. For example; cooking, financial literacy and Bible studies. This area will also have a private entrance, accessible from the side of the house.

The Office will be located in the back of the house (sunroom) and has a private entrance accessible from the back porch.

Floor 2

Samaritan House (Transitional Housing Program)

The upper floor also has a private entrance accessible from the back porch. Clients will be required to enter via Jackson St and park in the back section of the property. It consists of four bedrooms, two kitchens and two bathrooms. Three bedrooms will be used for housing women with children, a maximum of three women and seven children. The fourth bedroom will be used to house three single women, making our total capacity thirteen individuals. Please note, we rarely exceed six clients total. The kitchen and bathroom areas will be shared by all clients. This space will be equipped with security cameras allowing for the monitoring of client activity. All of our transitional housing clients must be drug and alcohol free. Criminal background checks are done on all clients. We cannot house women who are registered sex offenders or have any violence related charges. Clients must be residents of Ellis County (defined as a minimum of three months) in order to qualify for our program. We do not provide housing for victims of domestic violence.

While we do provide emergency assistance to anyone in need, intake for this program is done via the police or sheriff's department and hospitals only. It does not involve providing services on site.

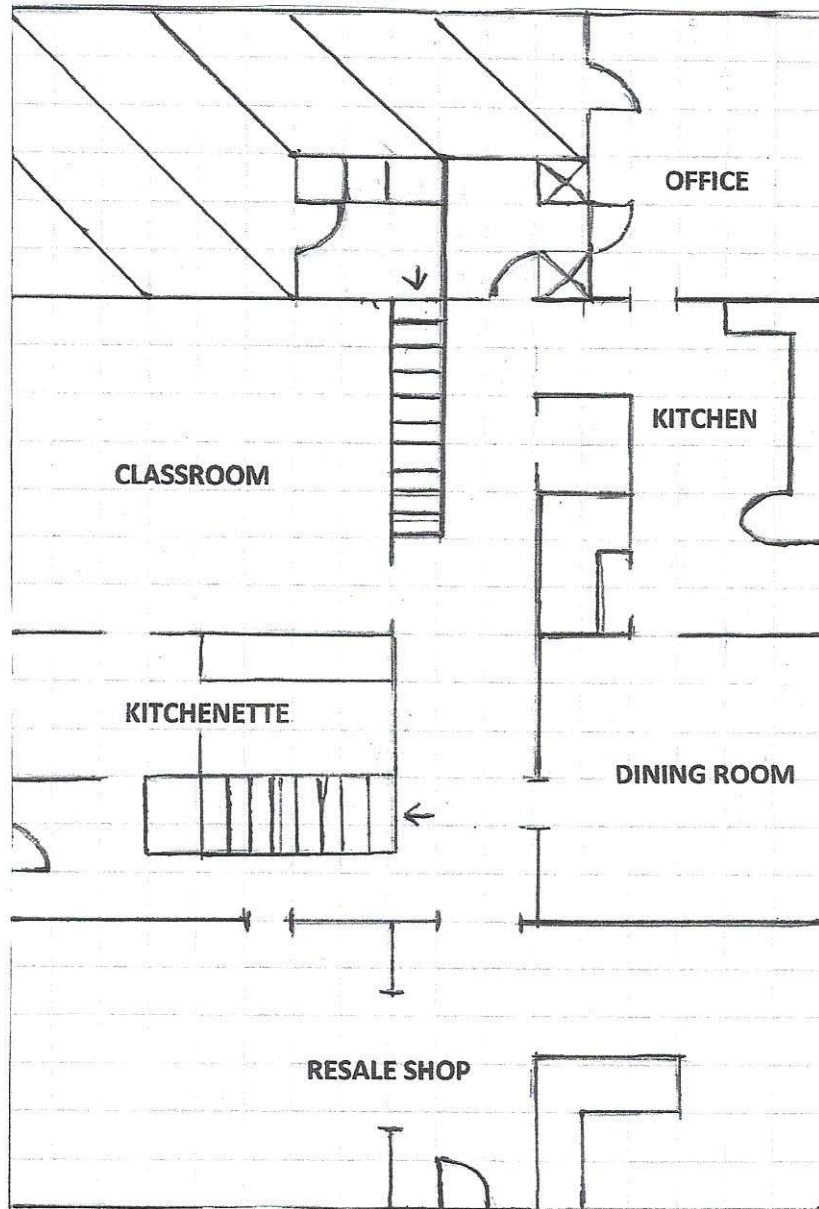
If you require any further information, please free to contact me at 972.938.0103. Thank you in advance for your kind consideration of our request.

Respectfully Submitted,

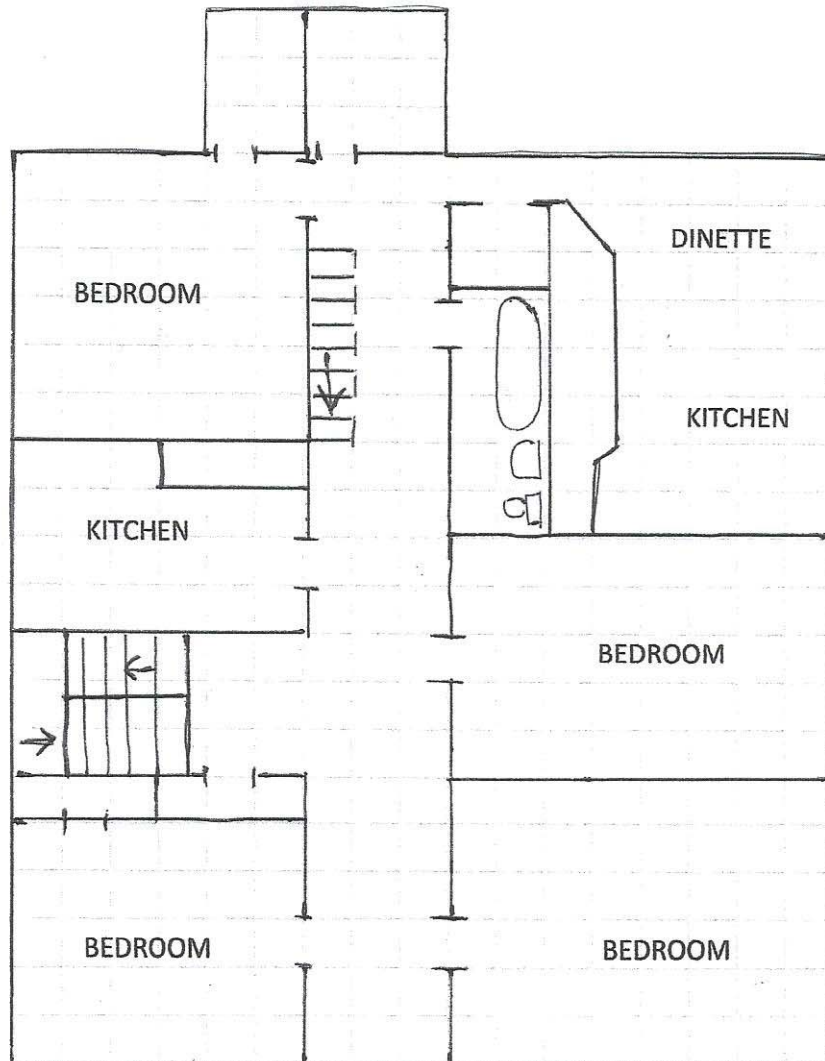
A handwritten signature in black ink that reads "Joy Ranton". The signature is fluid and cursive.

Joy Ranton
Executive Director
Daniel's Den
Samaritan House

Daniel's Den is a 501(c) (3) non-profit corporation. We are an ecumenical Christian ministry providing emergency assistance and transitional housing in Ellis County, Texas. Our services are made possible by the support of individuals, churches, civic groups, companies and the United Way of West Ellis County who serve as donors and volunteers.



FIRST FLOOR
PUBLIC USE



SECOND FLOOR

PRIVATE USE



512 N. College Street

Lot 28, in Block 9 of Harriet I. Nowlin Addition, an Addition to the City of Waxahachie, Ellis County, Texas, according to the Plat thereof recorded in Volume 63, Page 519 of the Deed Records of Ellis County, Texas.



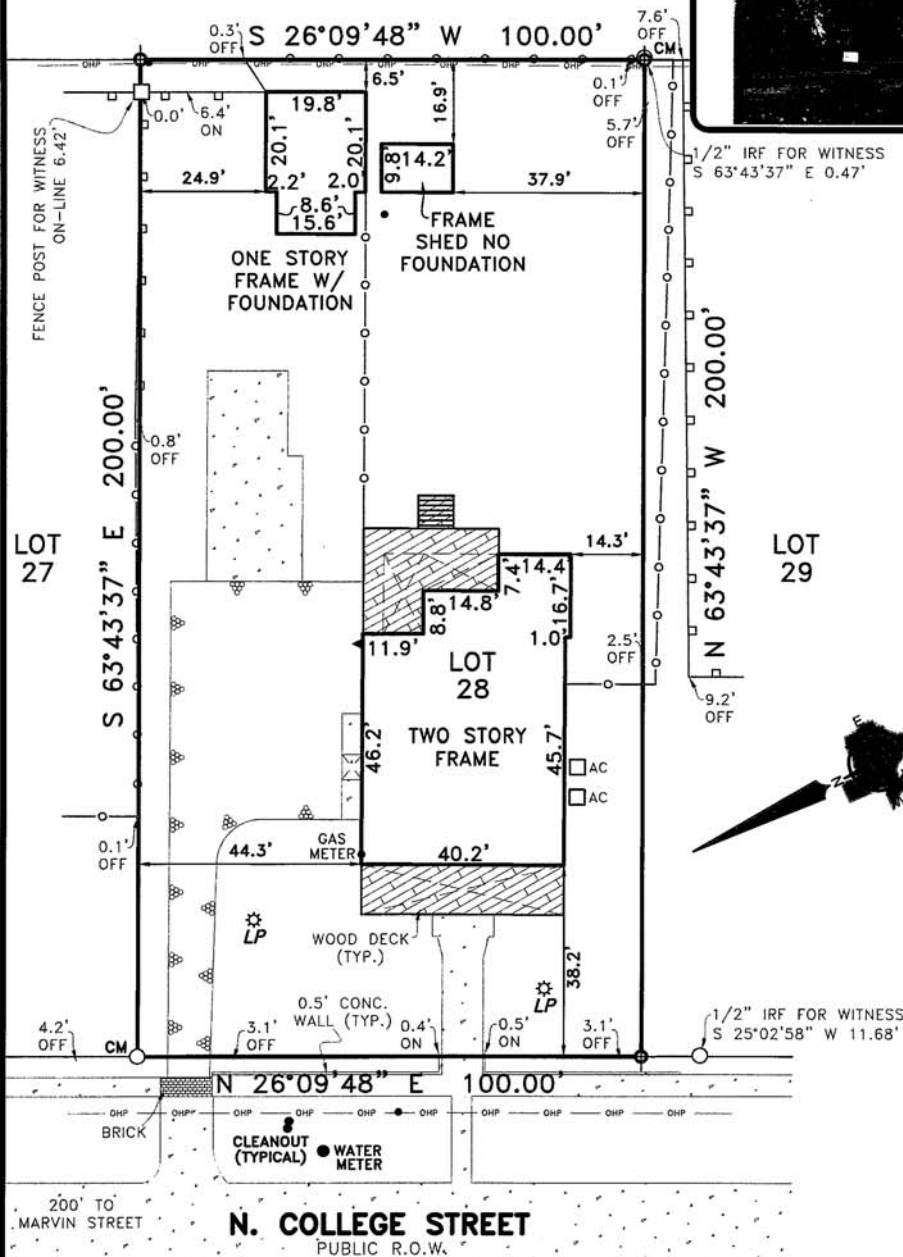
Fidelity National Title
Insurance Company

LEGEND

- 1/2" ROD FOUND
- ⊗ 1/2" ROD SET
- 1" PIPE FOUND
- ⊗ "X" FOUND/SET
- ⊗ 5/8" ROD FOUND
- ★ POINT FOR CORNER
- FENCE POST FOR CORNER
- CM CONTROLLING MONUMENT
- AC AIR CONDITIONER
- PE POOL EQUIPMENT
- TE TRANSFORMER PAD
- COLUMN
- POWER POLE
- ▲ UNDERGROUND ELECTRIC
- △ OVERHEAD ELECTRIC
- OHP— OVERHEAD ELECTRIC POWER
- OES— OVERHEAD ELECTRIC SERVICE
- CHAIN LINK
- WOOD FENCE 0.5' WIDE TYPICAL
- IRON FENCE
- X— BARBED WIRE
- DOUBLE SIDED WOOD FENCE
- /— EDGE OF ASPHALT
- /— EDGE OF GRAVEL
- /— CONCRETE
- /— COVERED AREA

N. JACKSON STREET

PUBLIC R.O.W.



EXCEPTIONS:

NOTES:

NOTE: BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.

FLOOD NOTE: According to the F.I.R.M. No. 48139C0190F, this property does lie in Zone X and does not lie within the 100 year flood zone.

This survey is made in conjunction with the information provided by Fidelity National Title Insurance Company. Use of this survey by any other parties and/or for other purposes shall be at user's own risk and any loss resulting from other use shall not be the responsibility of the undersigned. This is to certify that I have on this date made a careful and accurate survey on the ground of the subject property. The plat hereon is a correct and accurate representation of the property lines and dimensions as indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, there are no visible and apparent encroachments or protrusions on the ground.

Drawn By: RBR/SN

Scale: 1" = 30'

Date: 5/23/19

GF No.:

FT-131-90013

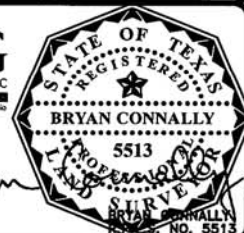
11900314-CH

Job No. 1910152



C.B.G.
SURVEYING TEXAS LLC

12025 Shiloh Road, Ste. 240
Dallas, TX 75228
P 214.349.9485
F 214.349.2216
Firm No. 10168800
www.cbgtxllc.com



Accepted by: _____
Purchaser

Date: _____
Purchaser

CASE PD-19-0066

Request by Joy Ranton, Daniel's Den, for a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-General Retail, with Concept Plan, to allow a Household Care Facility located at 512 N College Street (Property ID 170716) - Owner: ALFRED A & RHONNIE D TOMPKINS (PD-19-0066)

INSIDE REQUIRED 200' NOTIFICATION AREA

- 1 Support
- 4 Oppose

SUPPORT

1. Ken Box, 109 W. Marvin Waxahachie, TX 75165

OPPOSE

1. William Kevin and Phyllis M. Hannon, 508 N. College St., Waxahachie, TX 75165
2. Jamie Mills, 516 N. College St., Waxahachie, TX 75165
3. Robin Cole Lane, 515 N. College St., Waxahachie, TX 75165
4. Vicki L. Parker, 507B N. College St., Waxahachie, TX 75165

OUTSIDE REQUIRED 200' NOTIFICATION AREA

- 2 Support
- 2 Oppose

SUPPORT

1. Sandi Harp, 220 Old Spanish Trail, Waxahachie, TX 75167
2. Patricia Carsner, 105 Heather Lane, Waxahachie, TX 75165

OPPOSE

1. Raymond Kelley, 418 N. College St., Waxahachie, TX 75165
2. William E. and Janet Tamplin, 504 N. Jackson, Waxahachie, TX 75165



RECEIVED
6/11/19

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **PD-19-0066**



BOX KEN & DIETRA
330 HUNTER PASS
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 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 Joy Ranton, Daniel's Den, for a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-General Retail, with Concept Plan, to allow a Household Care Facility located at 512 N College Street (Property ID 170716) - Owner: ALFRED A & RHONNIE D TOMPKINS (PD-19-0066)

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: **PD-19-0066**
City Reference: **225551**

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



SUPPORT



OPPOSE

Comments: See Attached Documents.

Signature

Ken Box owner
Printed Name and Title

Date

Address

6-11-19

109 W. Marvin Ave

Daniel's Den

Ken Box [kenpaulbox@gmail.com]

Sent: Tuesday, June 11, 2019 7:33 AM

To: Box, Ken P

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Daniel's Den

Case Number: PD-19-0066

City Reference: 225551

I own the property at 109 West Marvin at the corner of College and Marvin.

Daniel's Den has the opportunity to purchase the property located across the street at 512 North College Street.

I would like to be at the meeting tonight, but have a conflict that does not allow me to attend.

This letter is in STRONG SUPPORT of Daniel's Den's request for a Zoning Change from Planned Development-28-General Retail to Planned Development-General Retail, with Concept Plan, to allow a Household Care Facility.

I have known Joy Ranton and Daniel's Den for well over 10 years. I met Joy through my church where we do service work monthly for several non-profits in town.

Daniel's Den provides a wonderful home and environment for many in our community. They were established over 20 years ago and have been located on Jefferson Street for the last 15 plus years. Daniel's Den has never had any neighbor complaints at their Jefferson location. Their property is well maintained and many of the local churches and other organizations support Daniel's Den on a regular basis. There is already an apartment complex within the same block just south of this property and duplexes across the street that I am certain do not have the restrictions on their residents that Daniel's Den does! Daniel's Den has been and will continue to be a "Good Neighbor".

Daniel's Den provides "Temporary Housing" to allow their residents time to reestablish themselves. There are STRICT guidelines residents must follow. I have included the policy agreement, the daily chore guidelines, and the assistance policies and guidelines each resident must agree to and sign before acceptance to their program.

I am a property owner. I am concerned about my property value. I am concerned about my neighborhood. With Daniel's Den across the street from my offices, I absolutely do not believe Daniel's Den will impact my property in any negative way!

Therefore, this letter is in STRONG SUPPORT of Daniel's Den's request for a Zoning Change from Planned Development-28-General Retail to Planned Development-General Retail, with Concept Plan, to allow a Household Care Facility.

Thank you for your time in this matter,

Ken Box
Owner

Samaritan House
A Daniel's Den Ministry
507 W. Jefferson, Waxahachie, TX 75165

TRANSITIONAL HOUSING POLICIES AND AGREEMENT

The purpose of Daniel's Den Transitional Housing Program is to provide an opportunity for participants to achieve self-sufficiency. Residency in the Transitional Housing Program is provided solely as temporary housing on a case by case basis. Each resident's situation is assessed on a periodic basis for progress and performance to determine if continued stay is the appropriate and most prudent course of action.

_____ (referred to as "Resident") agrees to the following terms and conditions of residency:

Case Management

Resident agrees to work with a Case Manager to:

- 1) Develop and follow a plan leading to economic stability, self-sufficiency and permanent housing;
- 2) If unemployed, seek employment each weekday, providing proof of search;
- 3) Meet regularly with Case Manager to review progress;
- 4) Utilize community resources to help bring about family stability;
- 5) Participate in any life management skills training deemed necessary by Case Manager;
- 6) Develop a budget and savings plan, leading towards permanent housing; and
- 7) Participate in any counseling or employment referrals from Case Manager.

General Terms

- 1) Narcotic drugs (including prescription), alcoholic beverages and weapons are prohibited on the premises at any time. A client having possession of these items is subject to immediate expulsion. Random drug and/or alcohol testing may be done at the staff's discretion.
- 2) Residents are required to regularly attend a local church and to complete an independent weekly Bible study lesson.
- 3) All language and conversation content will be kept to that which is pleasing to the Lord.
- 4) Clients are not allowed to drive vehicles that are not legally tagged, licensed and insured.
- 5) No modifications or changes to the premises will be made without staff approval. No outside holiday decorations will be displayed without prior approval.
- 6) Personal furniture, appliances and household items are not allowed. Only clothing and small personal hygiene items can be kept on the premises.
- 7) All existing fixtures, furnishings, appliances, and household items are to remain on the premises. An inventory will be completed when you move in. Any items (including keys) not returned at discharge will be reported as stolen property.
- 8) Any maintenance, repair needs, damages or hazards will be reported during office hours. Major problems (flooding, gas leaks, etc.) MUST be reported immediately.
- 9) No fireplace is to be used and candles are not allowed.
- 10) Smoke detectors and fire extinguishers are not to be disabled or tampered with. Doing so will result in immediate removal from the house. Smoke detectors that need batteries must be reported to the office immediately.
- 11) Smoking is permitted on the back porch area only. Cigarette butts and matches should be disposed of properly. Keep all cigarettes, lighters, matches, and ashtrays out of the reach of children at all times.

- 12) All areas of the premises (including bedrooms, bathrooms, kitchen, living area, dining room and yard) should be kept neat and clean for view at all times. Staff may enter and inspect the premises and your property at any time.
- 13) All food and drink is to be kept in the kitchen and dining room areas only.
- 14) Curfew is at 7 p.m. If you have to work past these hours, a copy of your schedule must be given to the Director for verification.
- 15) The hours between 10 p.m. and 7 a.m. are quiet hours. During these hours noise levels will be kept to a minimum. Clients should be in their own room no later than 10:30.
- 16) TV's, radios etc. should not be heard outside of the room in which they are being used.
- 17) No visitors are allowed on the premises without prior staff approval.
- 18) Overnight guests are not allowed under any circumstance.
- 19) Overnight stays away from the shelter are not allowed. Emergency situations requiring travel must be authorized by the Director.
- 20) Each resident will respect the rights and property of other residents. You are not allowed to enter into another resident's room or use their belongings without their consent.
- 21) A house phone is provided in order for you to seek employment. No personal phone calls are allowed between 8 a.m. and 5 p.m. Personal phone calls will be limited to 20 minutes TOTAL per day.
- 22) Laundry must be completed when started. Any laundry found in the washer or dryer can be removed by other residents.
- 23) You are expected to find employment within 2 weeks. While unemployed, residents must do 20 hours of chore work per week unless otherwise instructed. If employed less than 40 hours per week, chore hours will be based on your work hours. For example, if you work 30 hours per week, you will do 10 hours of house chores. If you finish one chore, it is **YOUR RESPONSIBILITY** to get further instruction. **Everyone is responsible for a daily house chore.**
- 24) Parents will be held responsible for their children's actions. Children must be supervised by an adult at all times and may not be left overnight without parent.
- 25) Daniel's Den staff is obligated to report any suspected child endangerment, abuse or neglect.
- 26) No on-site babysitting is allowed. Babysitting among residents is to be cleared with the Director prior to any agreements being made.
- 27) Each resident is responsible for keeping utility cost to a minimum. All appliances not in use need to be turned OFF. Air conditioning/heating units must be set on 76 at all times and fans should be set to low when you are gone.
- 28) No cell phones are allowed on the property.
- 28) Daniel's Den is not responsible for lost or stolen items.
- 29) Daniel's Den is in no way liable for injury or illness on the premises.
- 30) Disrespect toward Director, staff, volunteers or other residents will not be tolerated.
- 31) New policies may be implemented at any time. Residents will be made aware of any changes in our guidelines.
- 32) Residents give Daniel's Den and its representatives permission for the unrestricted right to use, publish and copyright Resident's/Resident's child(s) picture, audio/video image, testimony or other material or intellectual property in whole or part, including alterations, modifications, derivations and composites thereof for any legal use to promote and advertise the ministry.

In consideration of the services provided by Daniel's Den, Resident agrees to release and hold harmless Daniel's Den, its employees, volunteers and Board of Directors from any claim, complaint, or suit of any kind, for negligence, malfeasance, or any other reason arising from the Resident's use of Daniel's Den Transitional Housing, in Ellis County, Texas. Resident understands that Daniel's Den is a non-profit corporation and has no duty to Resident other than being fair and reasonable in its dealing with Resident.

Client Signature _____ Date _____

Staff Signature _____ Date _____

Self-sufficiency Contract

I, _____, understand that my participation in the Samaritan House Transitional Housing Program is an opportunity to achieve self-sufficiency and obtain permanent housing. I will be required to pay off (or set up a payment plan on) all outstanding debts which will prevent me from qualify for public housing. A credit report will be obtained to determine these debts. In order to accomplish these goals, I agree to abide by the following monetary guidelines:

Months 1—3

1. I will keep 20 % of my income to buy personal items not provided by Daniel's Den.
2. 80% of my income will be used to pay off my outstanding debts noted above and pay current bills. All remaining funds will be placed in Daniel's Den's Special Account as savings for deposits and new household expenses.

Months 4—6

I understand that stays beyond 3 months are available only if I am employed and still unable to obtain permanent housing. The same monetary guidelines will apply.

Client Signature _____ Date _____

Staff Signature _____ Date _____

DAILY CHORES

Front Porch - Sweep and remove all spider webs from side walls and ceiling.

Downstairs Hall - Vacuum daily. Dust all furniture and literature shelf weekly or as needed. Empty trash as needed.

Common Room - Vacuum daily. Dust weekly.

Upstairs Hall - Sweep daily and mop weekly. Dust end table.

Back Porch - Sweep and clean laundry area daily. Empty trash as needed.

PICK UP AFTER YOURSELF

It is not someone else's
responsibility to clean up your mess.

WEEKLY ROOM CHORES

Kitchen - Clean sink, stove, refrigerator and mop.

Living area - Dust and vacuum.

Bathroom - Clean sink area and sink, toilet, bathtub and mop.

CLEAN WITH CLEANERS!

Daniel's Den

ASSISTANCE POLICIES AND GUIDELINES

INTRODUCTION

Established in 1996, Daniel's Den is an innovative 501(c)(3) interdenominational Faith-based organization providing emergency assistance and transitional housing combined with supportive services for homeless, displaced and at-risk men, women and children throughout Ellis County, Texas. We provide services to any homeless individual in need of assistance and do not discriminate against any client because of race, sex, national origin, age, political belief, religion, or disability.

Our ministry is committed to helping people recognize and/or reclaim their hopes and dreams. As long as one heart still holds on, then hope is never truly gone. And, it is for that one heart that we serve. Our goal is to impact lives through the inspiration of hope, the discovery of individual potential, and the restoration of life-long dreams. The plight of the homeless must be addressed by dealing with the root causes of homelessness and cannot be solved by a just a hot shower, a warm meal and a bed. Homelessness is not a condition; it is an outcome of mental illness, drug abuse, alcoholism, disability, chronic illness, and just plain hard times. If we are to truly help our clients, we must address the problems that have rendered them homeless in the first place; and that means we need to encourage and enable homeless people, as much as possible, to take responsibility for their own destinies.

The following is a technical definition and our criteria for clients:

On January 4, 2012, final regulations went into effect to implement changes to the U.S. Department of Housing and Urban Development's (HUD's) definition of homelessness contained in the Homeless Emergency Assistance and Rapid Transition to Housing Act.

(a) IN GENERAL.--For purposes of this Act, the term "homeless", "homeless individual", and "homeless person" means--

- People who are living in a place not meant for human habitation, in emergency shelter, in transitional housing, or are exiting an institution where they temporarily resided. The only significant change from existing practice is that people will be considered homeless if they are exiting an institution where they resided for up to 90 days (it was previously 30 days), and were in shelter or a place not meant for human habitation immediately prior to entering that institution.
- People who are losing their primary nighttime residence, which may include a motel or hotel or a doubled up situation, within 14 days and lack resources or support networks to remain in housing. HUD had previously allowed people who were being displaced within 7 days to be considered homeless. The proposed regulation also describes specific documentation requirements for this category.
- Families with children or unaccompanied youth who are unstably housed and likely to continue in that state. This is a new category of homelessness, and it applies to families with children or unaccompanied youth who have not had a lease or ownership interest in a housing unit in the last 60 or more days, have had two or more moves in the last 60 days, and who are likely to continue to be unstably housed because of disability or multiple barriers to employment.
- People who are fleeing or attempting to flee domestic violence, have no other residence, and lack the resources or support networks to obtain other permanent housing. This category is similar to the current practice regarding people who are fleeing domestic violence.

** We currently do not house victims of domestic violence due to our inability to provide a secretive and secure location and ensure the safety of the victims and/or other residents.*

PRIMARY SERVICES

We open doors of help, healing, and hope to the despairing, abandoned and hurting men, women, and children of our community. We attempt to demonstrate Christ's love by meeting hunger, shelter, clothing, and spiritual needs. Often, we are one of the first responders to an individual or family during the first 72 hours of a crisis, we must be prepared to respond well.

During a state of crisis, individuals and families are usually quite receptive to intervention. The anxiety produced by the crisis, coupled with the realization that past coping and problem-solving strategies are not

working, spurs motivation to learn new strategies. If help is not available during this critical period of openness to change, the individual and family may become totally immobilized or resort to destructive or maladaptive behaviors.

EMERGENCY ASSISTANCE

Daniel's Den provides short-term "Emergency Assistance" for persons (a) who are suddenly homeless, or (b) who are passing through the area and are stranded, and/or (c) may need help 'Just for a night or two' with a verifiable solution at the end of this timeframe.

~ Our primary concern is ministering to the needs of our clients. In order to ensure the safety and well-being of our staff, volunteers and other clients a Want & Warrants check will be run on the individual. Drug testing will also be done prior to entry into the shelter. No one with outstanding warrants or under the influence of drugs and/or alcohol is eligible for our services.

~ If Daniel's Den has provided Emergency Assistance to an individual or family in the past, we will not assist them again for 180 days; or, if they are in need of long-term shelter and do not qualify for our Transitional Housing Program, we will refer them to another facility and provide them with transportation to said facility.

~ There are a number of situations that would preclude us from housing someone in the Emergency Shelter, including but not limited to:

- Single Women without a woman volunteer or staff on site.
- Unmarried couples - must provide proof of marriage
- Lack of available volunteer or staff to be at the shelter

In the unlikely event that we are unable to house an individual or family at the shelter, we will put them up at a local motel. Emergency shelter is available on an as needed basis when no other option is available and is subject to availability of staff or volunteers, decided on a case-by-case basis.

TRANSITIONAL HOUSING

Our Transitional Housing Program is designed for clients whose circumstances require a longer-term resolution. This program provides rent-free housing to individuals and families in transition towards self-

sufficiency. It will also provide guidance in the areas of budgeting, parenting skills, and employment skills, life skills management training, relationship guidance, individual case management, assistance finding affordable housing and follow-up.

- Residents are selected from an application and interview process based on need, appropriateness, potential for self-sufficiency, and availability of housing. Each client will sign a "Transitional Housing Policies and Agreement" form, which will outline our rules and expectations of the client. Daniel's Den will conduct a criminal background check and applicants are required to take a urinalysis drug screening.

The program length of residency is 3-6 months, with a re-assessment review every 2 weeks. Continued residency is at the sole discretion of the Housing Committee and/or the Executive Director.

~ We will not accept any clients into the transitional housing program whom: (a) have not been residents of Ellis County for the three months prior to entering the program. (b) are currently in need of drug or alcohol addiction treatment (Inpatient and Intensive Out Patient treatment must be completed before applying).; c) are recent victims of domestic violence; (d) have severe mental, physical or emotional health challenges; (e) have already participated in a housing/life skills program; (f) have open warrants of Class A or B misdemeanors or any felony, or have prior convictions of any felony drug, alcohol, child maltreatment, assault or theft charges; (g) have children over the age of twelve (12) years old; or (h) are more than four (4) months pregnant and have other children.

CASE MANAGEMENT

Case Management is the cornerstone upon which our services are designed. While shelter and food are obviously critical components of care, individualized case management that addresses the root causes of homelessness is essential. Our Case Management approach for clients includes "Life Management Skills" training and curriculum for the homeless and those at-risk.

By identifying and building on existing strengths, case managers can help families secure the necessary resources to achieve their goals for returning to stable housing. A case manager helps clients develop a plan to achieve specific goals, helps them get necessary services and then follows-up to monitor their progress toward the set objectives. Self-sufficiency is built on personal commitment, responsibility and accountability in all service plans, programs and facilities.

~ Case Management Services will include, but not be limited to the following:

- Assessment: To determine a person's potential strengths, weaknesses, needs and resources.
- Planning: To develop a specific and individualized plan of self-directed goals.
- Linkage: To refer residents to necessary services, treatments and support systems.
- Monitoring: To conduct ongoing evaluations of resident's progress and needs.
- Client advocacy: To encourage and intercede on behalf of a resident to ensure equity and appropriate services.
- Life Management Skills Training: To better maintain permanent housing.

OTHER CLIENT SERVICES

CLOTHING/COATS/BLANKETS

Daniel's Den keeps an ample supply of clothing, coats and blankets for use by our clients. We ask that each client limit what they take to two (2) sets of clothing, one (1) coat and one (1) blanket. There are exceptions and the staff and/or volunteers will evaluate each situation.

FOOD/TOILETRIES

Daniel's Den keeps a variety of food supplies on hand. Our food is usually limited to "travel food" that can be easily opened and eaten anywhere (i.e., pop-top cans, cracker packets, instant foods, etc.). We will provide each client with a 1-2 day supply of travel food, depending on the situational need.

PRESCRIPTION ASSISTANCE

On rare occasions, Daniel's Den will help with the cost of prescription medications. This type of assistance is given to a client on a case by case and staff or volunteer discretionary basis.

GASOLINE ASSISTANCE

If a client needs gasoline to get to another destination, Daniel's Den will go with them and purchase the gas. Gas purchases are limited to a maximum of \$50.00 and only once per client.



RECEIVED
6/5/19

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **PD-19-0066**



HANNON WILLIAM K & PHYLLIS M
508 N COLLEGE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 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 Joy Ranton, Daniel's Den, for a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-General Retail, with Concept Plan, to allow a Household Care Facility located at 512 N College Street (Property ID 170716) - Owner: ALFRED A & RHONNIE D TOMPKINS (PD-19-0066)

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: **PD-19-0066**
City Reference: **170705**

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

☐

SUPPORT

☒

OPPOSE

Comments:

The proposed placement of Daniel's Den will negatively affect our property values and possibly endanger our lives
Phyllis M. Hannon *6/4/2019*

Signature

Date

Printed Name and Title

Address

Phyllis M. Hannon
Resident

508 North College St.



RECEIVED
11/5/19

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **PD-19-0066**



HANNON WILLIAM K & PHYLLIS M
508 N COLLEGE ST
WAXAHACHIE, TX 75165

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Case Number: **PD-19-0066**
City Reference: **170705**

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☐

SUPPORT

☒

OPPOSE

Comments:

The placement of Daniel's Den will negatively affect our property value and possibly endanger Roger's kids.

Signature

Date

Printed Name and Title

Address

William Kevin Hannon *June 4, 2019*
William Kevin Hannon *508 N. College St*

Wright, Destiny

RECEIVED
4/15/19

From: Brooks, Shon
Sent: Wednesday, June 5, 2019 12:38 PM
To: Wright, Destiny
Subject: FW: 512 N. College

inside notification area

From: Jamie Mills <jamesbmills@gmail.com>
Sent: Wednesday, June 5, 2019 12:27 PM
To: Brooks, Shon <sbrooks@waxahachie.com>
Subject: 512 N. College

Mr. Brooks,

I am the co owner of 516 N. College along with my wife Megan. We do not want the zoning change to allow Daniel's Den to move next door. I believe the College Street corridor will be a major gateway into the changing city, and Daniel's Den does not fit into the range of businesses the City corridor needs to have as a welcoming business at this time for the direction the City is growing.

Along with this, our house is the biggest investment we have, and we are counting on the value of it to grow, and we feel that having Daniel's Den next door will bring down the value of our house. I do not think I would look at a property with an establishment like this as a neighbor, and I believe future sales of the property will be negatively affected.

Also, I have wanted to see this corridor grow with restaurants and family establishments and we have concerns about the safety Daniel's Den clients will bring and the negative impact it would have on the overall family atmosphere of the corridor.

Thank you for your time.

Jamie Mills
516 N. College Street
Waxahachie, TX
Jamesbmills@gmail.com



RECEIVED
6/5/19

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: PD-19-0066



LANE PATRICK D & ROBIN C
1512 EASTUS DR
DALLAS, TX 75208

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 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:

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Case Number: PD-19-0066
City Reference: 171103

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



SUPPORT



OPPOSE

Comments: _____

Robin Cole Lane
Signature

06/05/19
Date

Robin Cole Lane - owner
Printed Name and Title

515 N. College St.
Address

June 19, 2019

RECEIVED
6/19/19

inside zw'

Planning & Zoning Commission
City of Waxahachie

RE: Daniel's Den proposed relocation to 512 North College Street, Waxahachie, TX 75165

I am against Daniel's Den opening at the above address.

Reasons:

1. Too close to school
 - a. There are numerous children walking along N. College to and from school
 - b. Many school field trips to downtown travel along N. College
2. Ruin the integrity of a beautiful historic Waxahachie home
3. Not enough parking
4. Too many temporary people coming and going.
5. Possible increase of loud noise & crime
6. If retail store, where will donations be dropped off. Possible eye sore of unwanted trash on street. (example Baylor Thrift store already located on street)

I believe Daniel's Den current location on Jefferson is a great site for this type of community service. There is a larger house 4-sale across their current location available.

The City of Waxahachie is a wonderful place to live in and I enjoy being active within this community with Gingerbread Tour, Historic Society, Ellis county museum and downtown festivals in this beautiful town.

I urge the commission to NOT ALLOW Daniel's Den to be located on N. College Street.

Thank you



Vicki L. Parker
507B N. College St
Waxahachie, TX 75165

PID-171187

RECEIVED
05/11/19

ATTENTION COLLEGE STREET RESIDENTS

512 College Street, former residence of Rhonnie and Alfred Tompkins is proposed to become Daniel's Den where the Homeless will stay. This will disrupt the quality of life and bring down our property values. We will be forced to live with possible drug addicts, alcoholics and prostitutes as well as violent persons searching for the protected, thus putting us in harm's way of physical danger or even death.

You should have received a letter from the City of Waxahachie, Case# PD-19-0066, City Reference #170705 concerning the proposed. It is our understanding that an alternate site has been proposed at hwy 287 and Brown Street.

The proposed site may endanger children at Marvin Elementary very close to the proposed site.

If you disapprove of the proposal, sign the petition below and attend the proposed hearings on June 11, and June 17, at 7 PM. At the Council Chamber, Waxahachie City Hall, 401 South Rogers Street. For questions, call 972-352-8243.

Name

Address

James Mills	516 N. College Street	inside
Megan Inad	516 N. College	inside
William Tamm	508 N. College	inside
Thyllis M. Tannon	508 N. College Street	inside
Calla Ross	515 N. College Street	inside
Randy King	418 N. COLLEGE ST.	outside
William E. Tamplin	504 N. JACKSON	outside
JANET TAMPLIN Janet Tamplin	" "	outside

Wright, Destiny

From: Sandi Harp <sandiharp@yahoo.com>
Sent: Monday, June 17, 2019 1:12 PM
To: Wright, Destiny; Planning and Zoning Department
Cc: Daniel's Den
Subject: Re: Daniel's Den

outside 2w'

Certainly: 220 Old Spanish Trl, Waxahachie 75167

Sent from Yahoo Mail for iPhone

On Monday, June 17, 2019, 12:48 PM, Wright, Destiny <dwright@waxahachie.com> wrote:

Received, thank you. Could you please provide your address for public record?

Destiny Wright

City of Waxahachie

Planning Technician



From: Sandi Harp <sandiharp@yahoo.com>
Sent: Monday, June 17, 2019 11:14 AM
To: Planning and Zoning Department <planningandzoning@waxahachie.com>
Cc: Daniel's Den <daniels_den@icloud.com>
Subject: Daniel's Den

Attached, please find my letter of support for Daniel's Den purchase of the home on College Street.

Thank you,

Sandi Harp

June 17, 2019

Planning and Zoning Committee
Waxahachie, Texas

RE: Daniel's Den Support

Dear Committee Members:

I am writing on behalf of Daniel's Den in Waxahachie. I am a board member of Daniel's Den, and I am a social work professor at Southwestern Assemblies of God University. My desire is to be an advocate for the marginalized in our community, and the services provided that assist individuals gain independence and dignity at Daniel's Den. I am overwhelmed by the tireless services that Joy Ranton, Director of Daniel's Den, provides this community. There are firm boundaries in place at the Den, and Joy ensures that each guest meets criteria for services at the Den. To provide citizens with a healthy environment to grow and become independent is a goal of the Den.

Recently, I had the privilege of driving one of the guests of the Den to a meeting at The Avenues Church. I was overwhelmed with her desire to "pay it forward." She was so grateful for Joy, community services she was connected to, and hope for her future.

I respectfully ask for your agreement with Daniel's Den purchase of the home in Waxahachie. It is perfect for the purpose intended. We at Daniel's Den strongly believe that we are positive co-laborers with you for the betterment of this community.

Thank you in advance.

Sandi Harp, PhD., LMSW

Wright, Destiny

From: Patricia Carsner <pcarsner@gmail.com>
Sent: Monday, June 17, 2019 9:30 AM
To: Wright, Destiny
Subject: Re: Daniels Den
Attachments: image001.jpg

outside 200'

105 Heather Ln.
Waxahachie Tx. 75165

On Mon, Jun 17, 2019, 8:53 AM Wright, Destiny <dwright@waxahachie.com> wrote:

Received, thank you. Could you please provide your address?

Destiny Wright

City of Waxahachie

Planning Technician



From: pcarsner <pcarsner@gmail.com>
Sent: Saturday, June 15, 2019 6:46 PM
To: Planning and Zoning Department <planningandzoning@waxahachie.com>; danielsden@icloud.com
Subject: Daniels Den

I have had the privilege of going to Daniels Den and giving the ladies hair cuts when needed. I am so proud of all involved in helping these ladies get back on their feet after finding themselves without a

place to go. I have never experienced anything but gratefulness from these ladies. In no way could I imagine them being a threat to a neighborhood. Having said that, I am praying Daniels Den will be getting the home they are seeking, to encourage the ones they are helping even more.

Thank you!

Patricia Carsner

Sent via the Samsung Galaxy S8, an AT&T 5G Evolution capable smartphone



RECEIVED
6/5/19

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: PD-19-0066



KELLEY RAYMOND & JANICE
418 N COLLEGE ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2019 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 Solith Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Joy Ranton, Daniel's Den, for a Zoning Change from a Planned Development-28-General Retail zoning district to Planned Development-General Retail, with Concept Plan, to allow a Household Care Facility located at 512 N College Street (Property ID 170716) - Owner: ALFRED A & RHONNIE D TOMPKINS (PD-19-0066)

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: PD-19-0066

City Reference: 170705

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

☐

SUPPORT



OPPOSE

Comments: ALLOWING THIS CHANGE WILL LOWER PROPERTY VALUES.

Raymond Kelley
Signature

RAYMOND O KELLEY
Printed Name and Title

6-5-19
Date

418 N. COLLEGE ST.
Address