

**NOTICE OF PLANNING & ZONING COMMISSION BRIEFING SESSION
FEBRUARY 12, 2019
CITY COUNCIL CONFERENCE ROOM
401 S. ROGERS
WAXAHACHIE TEXAS
6:30 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, February 12, 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 January 29, 2019
 - b. Minutes of the Planning and Zoning Commission briefing of January 29, 2019
4. ***Continue Public Hearing*** on a request by Alan Lauhoff, Atlas Associates, Inc., for a Zoning Change from a Single Family-2 zoning district to **Planned Development-Single Family-3 and General Retail, with Concept Plan**, located South of Blue Bonnet Trails Phases 1 & 2 being 290 B B DAVIS 9.31 AC and 290 B B DAVIS 40.469 ACRES (Property ID 264992 and 182275) - Owner: BLUE BONNET TRAILS LLC (PD-18-0119)
5. ***Consider*** recommendation of Zoning Change No. PD-18-0119
6. ***Consider*** request by Robert C. Morgan, Grantava Holdings LLC, for a **Replat** of Lot 3A, Block 184, Town Addition, to create Lots 1 through 9, Block A, Wyatt Heights, 2.512 acres (Property ID 270088) – Owner: GRANTAVA INC (RP-19-0003)
7. ***Consider*** request by Robert C. Morgan, Grantava Holdings LLC, for a **Preliminary Plat** of Morgan Estate for 1 lot, being 2.566 acres situated in the J.C. Armstrong Survey, Abstract 6 (Property ID 179112) – Owner: GRANTAVA INC (PP-19-0004)
8. ***Consider*** request by Robert C. Morgan, Grantava Holdings LLC, for a **Final Plat** of Morgan Estate for 1 lot, being 2.566 acres situated in the J.C. Armstrong Survey, Abstract 6 (Property ID 179112) – Owner: GRANTAVA INC (FP-19-0005)

9. **Public Hearing** on a request by Isabel Bewley for a Specific Use Permit (SUP) for **Roof-top Solar Panel System** use within a Planned Development-43-Single Family-3 zoning district, located at 3016 Coventry Lane (Property ID 205613) – Owner: ISABEL C BEWLEY (SU-19-0007)
10. **Consider** recommendation of Zoning Change No. SU-19-0007
11. **Consider** request by James R. Henry for a **Preliminary Plat** of Crooked Creek Farms for 3 lots, being 94.996 acres situated in the S.M. Durrett Survey, Abstract 272 (Property IDs 257995 and 182121) – Owner: JAMES R HENRY and LINDA S OSBORN (PP-19-0002)
12. **Public Hearing** on a request by James R. Henry for a Zoning Change from a Future Development zoning district to **Planned Development-Future Development, with Concept Plan**, located at 2801 Howard Road (Property IDs 257995 and 182121) - Owner: JAMES R HENRY and LINDA S OSBORN (PD-19-0001)
13. **Consider** recommendation of Zoning Change No. PD-19-0001
14. **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.
15. Adjourn

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

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

Notice of Potential Quorum

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

Planning and Zoning Commission
January 29, 2019

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, January 29, 2019 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present: Melissa Ballard, Vice Chairman
 Betty Square Coleman
 Bonney Ramsey
 David Hudgins
 Erik Test

Members Absent: Rick Keeler, Chairman
 Jim Phillips

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

Vice Chairman Melissa Ballard called the meeting to order.

2. Invocation

Mr. David Hudgins gave the invocation.

3. Consent Agenda

- a. Minutes of the regular Planning & Zoning Commission meeting of January 8, 2019
- b. Minutes of the Planning and Zoning Commission briefing of January 8, 2019

Action:

Mrs. Bonney Ramsey moved to approve items a. and b. on the Consent Agenda. Mrs. Betty Square Coleman seconded, All Ayes.

4. Consider request by William Collard for a Preliminary Plat of Cowboy Acres for 4 lots, being 9.4184 acres situated in the Ellis County School Land Survey, Abstract 328 (Property ID 194702) in the Extra Territorial Jurisdiction – Owner: KEVIN R & CHERISSA S SMITH (PP-18-0219)

Mr. Colby Collins, Senior Planner, reported Nash-Forreston Water Supply has indicated they have adequate public facilities. He stated there are some formatting issues on the plat to be corrected prior to filing.

Action:

Mr. David Hudgins moved to approve a request by William Collard for a Preliminary Plat of Cowboy Acres for 4 lots, being 9.4184 acres situated in the Ellis County School Land Survey,

Abstract 328 (Property ID 194702) in the Extra Territorial Jurisdiction – Owner: KEVIN R & CHERISSA S SMITH (PP-18-0219). Mrs. Bonney Ramsey seconded, All Ayes.

- 5. Consider request by William Collard for a Final Plat of Cowboy Acres for 4 lots, being 9.4184 acres situated in the Ellis County School Land Survey, Abstract 328 (Property ID 194702) in the Extra Territorial Jurisdiction – Owner: KEVIN R & CHERISSA S SMITH (FP-18-0220)**

Mr. Collins reported the Final Plat is a companion case to the above Preliminary Plat and recommended approval.

Action:

Mrs. Bonney Ramsey moved to approve a request by William Collard for a Final Plat of Cowboy Acres for 4 lots, being 9.4184 acres situated in the Ellis County School Land Survey, Abstract 328 (Property ID 194702) in the Extra Territorial Jurisdiction – Owner: KEVIN R & CHERISSA S SMITH (FP-18-0220) subject to staff comments. Mr. Erik Test seconded, All Ayes.

- 6. Public Hearing on a request by Khalid Ali, Aztec Renewable Energy, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-Single Family-2 zoning district, located at 208 North Star Lane (Property ID 265846) – Owner: THOMAS M DAVIS (SU-18-0221)**

Vice Chairman Ballard opened the Public Hearing.

Mr. Collins reported the roof top panels will not front onto the right-of-way and recommended to approve.

There being no others to speak for or against SU-18-0221, Vice Chairman Ballard closed the Public Hearing.

- 7. Consider recommendation of Zoning Change No. SU-18-0221**

Action:

Mr. David Hudgins moved to approve a request by Khalid Ali, Aztec Renewable Energy, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-Single Family-2 zoning district, located at 208 North Star Lane (Property ID 265846) – Owner: THOMAS M DAVIS (SU-18-0221). Mrs. Bonney Ramsey seconded, All Ayes.

- 8. Consider request by Grant Robinson, The Mark on 287 LLC, for a Final Plat of The Mark on 287 for 1 lot, being 6.525 acres situated in the William C. Tunnel Survey, Abstract 1080 (Property ID 264879) – Owner: MARK ON 287 OWNER LLC (FP-18-0217)**

Mr. Collins reported the Preliminary Plat was approved in 2018. He stated staff did receive notice of applicant changing the existing right-of-way to Conquest Boulevard. Staff recommended approval.

Action:

Mrs. Bonney Ramsey moved to approve a request by Grant Robinson, The Mark on 287 LLC, for a Final Plat of The Mark on 287 for 1 lot, being 6.525 acres situated in the William C. Tunnel Survey, Abstract 1080 (Property ID 264879) – Owner: MARK ON 287 OWNER LLC (FP-18-0217) subject to staff comments. Mr. David Hudgins seconded, All Ayes.

9. Consider request by Ladd Vien for a Replat of Lot 2 & 3, Block 29 and Lot 1A, 1B, & 6, Block 30, Town Addition, to create Lot 1, Block A, Ferris Place Center, 1.162 acres (Property ID 170749) – Owner: KAY BUNMUNG MEE (RP-19-0006)

Mr. Collins reported the Replat was approved in 2018 and at that time the City provided relief of the required dedicated twenty-three (23) feet of utility easement along the street frontage. He explained the City reduced the dedication of the utility easement to 18.5 feet. Mr. Collins stated the applicant has not filed the Replat and now has not agreed to the provisions of the utility easement along the street frontage.

Mr. Mark Ledford, 145 Park Lane, Waxahachie, representing the applicants, stated the applicant does not want to forfeit property.

Action:

Mr. David Hudgins moved to deny a request by Ladd Vien for a Replat of Lot 2 & 3, Block 29 and Lot 1A, 1B, & 6, Block 30, Town Addition, to create Lot 1, Block A, Ferris Place Center, 1.162 acres (Property ID 170749) – Owner: KAY BUNMUNG MEE (RP-19-0006). Mrs. Betty Square Coleman seconded, All Ayes.

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

Vice Chairman Ballard continued the Public Hearing.

Mr. Collins reported the Commission heard this case in December of 2018 and since that time the applicant has made some improvements. They propose to plant twenty-three (23) trees to landscape along the property and behind the proposed 6 foot wood fence. The proposed area will be used for outside storage for shingles and a truck loading area. He stated staff concerns is there are long-term improvements to the thoroughfare that will have high traffic in this area in a couple of years. Mr. Collins stated staff is concerned with the visibility of the outside storage from the highway and overpass. Staff recommended to deny.

The Commission held discussion with Mr. Drew Dubocq, Bannister Engineering, representing the applicant. Mr. Dubocq proposed the shingles will stack to eight (8) feet noting the materials will not be seen from Interstate 35.

There being no others to speak for or against SU-18-0194, Vice Chairman Ballard closed the Public Hearing.

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

Action:

Mr. David Hudgins moved to approve a request by Drew Dubocq, Bannister Engineering, for a Specific Use Permit (SUP) for Outside Storage use within a Heavy Industrial zoning district, located at 201 Butcher Road (Property ID 173464) – Owner: WAXAHACHIE ASSOCIATES LLC (SU-18-0194) to store shingles only and not to be stored higher than the six (6) foot fence, and subject to staff comments. Mrs. Betty Square Coleman seconded, All Ayes.

12. Public Comments

None

13. Adjourn

There being no further business, the meeting adjourned at 7:32 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

Planning and Zoning Commission
January 29, 2019

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, January 29, 2019 at 6:30 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

Members Present: Melissa Ballard, Vice Chairman
 Betty Square Coleman
 Bonney Ramsey
 David Hudgins
 Erik Test

Members Absent: Rick Keeler, Chairman
 Jim Phillips

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

Vice Chairman Melissa Ballard called the meeting to order.

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

Mr. Shon Brooks, Director of Planning, announced the joint meeting of the Planning and Zoning Commission and City Council to discuss proposed Thoroughfare Plan amendments will be held on Monday, February 4, 2019 at 5:30 p.m.

Mr. Colby Collins, Senior Planner, reviewed the following cases:

- PP-18-0219 - Preliminary Plat of Cowboy Acres for 4 lots proposed for residential lots from approximately 9.5 acres in the ETJ. Nash-Forrester Water Supply will supply the development. Minor formatting issues remain outstanding on the Plat.
- FP-18-0220 - Final Plat being a companion case to PP-18-0219.
- SU-18-0221 - Specific Use Permit for Rooftop Solar Panel System. Panels are on the side and not facing the right-of-way. Staff will recommend approval.
- FP-18-0217 - Final Plat proposed for a future multi-family development on approximately 6.5 acres. Staff will recommend approval.
- RP-19-0006 - Replat for Ferris Place Center. The Thoroughfare Plan requires the applicant to dedicate twenty-three (23) feet of right-of-way along the street frontage. An existing building hinders the ability to dedicate the full twenty-three (23) feet. At the City Council meeting of November 19, 2018, Council approved to provide relief of the dedication and required the right-of-way dedication of 18.5 feet. Applicant now

wishes to avoid dedication of any land. The previous approved Replat has not been filed because the applicant has not signed it.

- SU-18-0194 - Specific Use Permit for outside storage. This is a continuance of a Public Hearing from December 11, 2018. The applicant intends to screen the property with fencing (proposed 6 foot wood fence) as well as landscaping. Staff expressed concern with the outside storage being visible from the surrounding thoroughfare due to future proposed development of Butcher Road.

{Ms. Betty Square Coleman arrived at 6:53 p.m.}

3. Adjourn

There being no further business, the meeting adjourned at 6:59 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: February 1, 2019
Re: PD-18-0119 – Blue Bonnet Trails Phase 3

On January 29, 2019, the applicant asked staff to withdraw case no. PD-18-0119 from the February 12, 2019 Planning and Zoning Commission agenda, as well as the February 18, 2019 City Council meeting agenda.

Planning & Zoning Department

Plat Staff Report

Case: RP-19-0003



MEETING DATE(S)

Planning & Zoning Commission: February 12, 2019

City Council: February 18, 2019

CAPTION

Consider request by Robert C. Morgan, Grantava Holdings LLC, for a **Replat** of Lot 3A, Block 184, Town Addition, to create Lots 1 through 9, Block A, Wyatt Heights, 2.512 acres (Property ID 270088) – Owner: GRANTAVA INC (RP-19-0003)

CASE INFORMATION

Applicant: Robert C. Morgan, Grantava Holdings LLC

Property Owner(s): Grantava Inc.

Site Acreage: 2.512 acres

Number of Lots: 9 lots

Number of Dwelling Units: 9 units

Park Land Dedication: The cash in lieu of park land dedication for this case is estimated at **\$3,600.00** (9 residential dwellings at \$400.00 per dwelling).

Adequate Public Facilities: The development will be on City water and wastewater.

SUBJECT PROPERTY

General Location: 1308 Wyatt Street

Parcel ID Number(s): 270088

Current Zoning: Planned Development-Single Family-3 (Ordinance 3064)

Existing Use: Currently undeveloped

Platting History: The most recent replat of this property was approved by City Council on June 19, 2017.

Site Aerial:



STAFF CONCERNS

1. Formatting issues remain outstanding.
2. Drainage must be towards the street, not lot to lot.

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. Formatting issues remain outstanding.
 2. Drainage must be towards the street, not lot to lot.

ATTACHED EXHIBITS

1. Plat drawing
2. PON Responses

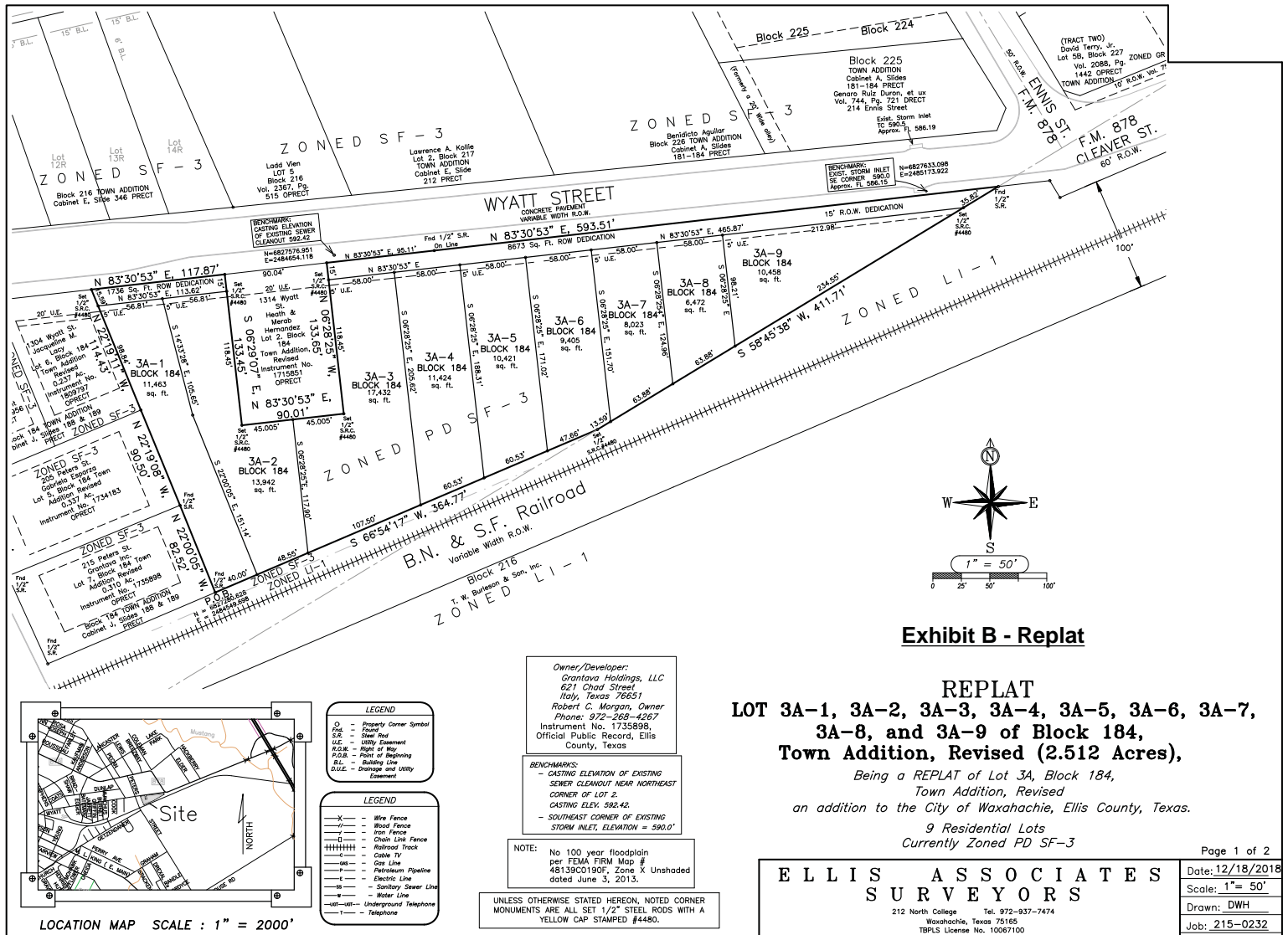
APPLICANT REQUIREMENTS

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:
Colby Collins
Senior Planner
ccollins@waxahachie.com

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



OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF ELLIS §

WHEREAS WE, Grantava Holdings, LLC, are the Owners of a tract of land situated in the City of Waxahachie, Ellis County, Texas and being all of Lot 3A in Block 184 of TOWN ADDITION, and being more particularly described as follows:

FIELD NOTES
2.512 ACRES

BEING all that certain lot, tract, parcel of land being known and designated as being all of LOT 3A, BLOCK 184 of a REPLAT of TOWN ADDITION, REVISED an addition to the City of Waxahachie, Ellis County, Texas, according to the Plat thereof as recorded in Cabinet J, Slides 188 and 189 of the Plat Records of Ellis County, Texas (PRECT) and being more particularly described as follows:

BEGINNING at a 1/2" steel rod found for the south corner of this tract and same for said Lot 3A, being the east corner of LOT 7, BLOCK 184 of said Town Addition, Revised and on the northerly right of way of Burlington Northern and Santa Fe Railroad (B.N. & S.F.);

THENCE Along the southwest line of this tract and same for said Lot 3A, and with the respective northeast lines of Lot 7, LOT 5, and LOT 6 of Block 184, the following: N 22°00'05" W, 82.52 feet to a 1/2" steel rod found for the common east corner of said Lots 7 and 5; N 22°19'08" W, 90.50 feet to a 1/2" steel rod set with a yellow cap stamped "RPLS 4480" for the common east corner of said Lots 5 and 6; N 22°19'11" W, at 98.84 feet passing a 1/2" steel rod set with a yellow cap stamped "RPLS 4480" for the 15 feet dedication of right of way to the south line of WYATT STREET (variable public right of way), in all 114.43 feet to the northwest corner of this tract and same for said Lot 3A, and being the northeast corner of said Lot 6, Block 184;

THENCE along the north line of this tract, same for said Lot 3A, and same for said 15 feet dedication, N 83°30'53" E, 117.87 feet to a 1/2" steel rod set with a yellow cap stamped "RPLS 4480" for a centrally located northeast corner of this tract, being the northwest corner of LOT 2, BLOCK 184 of Town Addition, Revised;

THENCE S 06°29'07" E, at 15 feet passing a 1/2" steel rod set for the new south right of way of said Wyatt Street, in all 133.45 feet to a set 1/2" steel rod with a yellow cap stamped "RPLS 4480" for an inset corner of this tract, also being the southwest corner of said Lot 2;

THENCE N 83°30'53" E, 90.01 feet along a centrally located north line of this tract and same for said Lot 3A, and along the south line of said Lot 2 to a 1/2" steel rod set with a yellow cap stamped "RPLS 4480" for an inset corner of this tract;

THENCE N 06°28'25" W, at 118.45 feet passing a 1/2" steel rod set with a yellow cap stamped "RPLS 4480" for the 15 feet dedication of right of way to the south line of WYATT STREET (variable public right of way), in all 133.65 feet to a northwest corner of this tract and same for said Lot 3A, being the northeast corner of said Lot 2;

THENCE N 83°30'53" E, at 95.11 feet along said Wyatt Street and with the north line of this tract passing a 1/2" steel rod found for a point on line of said right of way, in all 593.51 feet to a 1/2" steel rod found for the east corner of this tract and same for said Lot 3A, and being on the northerly lines of said Railroad;

THENCE S 58°45'38" W, 411.71 feet along the southeast line of this tract and same for said Lot 3A, and long the northwest line of said Railroad to a 1/2" steel rod set with a yellow cap stamped "RPLS 4480" for the southeast corner of this tract;

THENCE S 66°54'17" W, 364.77 feet along the southeast line of this tract and same for said Lot 3A, and along the north line of said Railroad to the POINT OF BEGINNING and containing approximately 109,438.4 square feet or 2.512 acres of land, of which 10,409.4 square feet or 0.239 acre is dedicated to city road right of way, leaving a net of 99,029 square feet or 2.273 acres.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That We, Grantava Holdings, LLC, do hereby adopt this plat designating the herein above described property as a REPLAT of LOTS 3A-1, 3A-2, 3A-3, 3A-4, 3A-5, 3A-6, 3A-7, 3A-8 and 3A-9 in BLOCK 184 of TOWN ADDITION, (Being a Replat of Lot 3A in Block 184 of TOWN ADDITION), an addition to the City of Waxahachie, Ellis County, 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 _____, 20____.

BY:

Robert C. Morgan, Owner
Grantava Holdings, LLCSTATE 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 Robert C. Morgan, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

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

Notary Public in and for the State of Texas

My Commission Expires On:

APPROVED BY: City Council
City of Waxahachie

By: Mayor

Attest

Date

CITY OF WAXAHACHIE, TEXAS REPLAT APPROVAL

APPROVED BY: Planning and Zoning Commission
City of Waxahachie

By: Chairperson Date

SURVEYOR'S DECLARATION

KNOW ALL MEN BY THESE PRESENTS:

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

Stuart G. Hamilton,
Registered Professional
Land Surveyor #4480
DEC 9 1 2018



REPLAT

LOT 3A-1, 3A-2, 3A-3, 3A-4, 3A-5, 3A-6, 3A-7, 3A-8, and 3A-9 of Block 184, Town Addition, Revised (2.512 Acres),

Being a REPLAT of Lot 3A, Block 184,
Town Addition, Revised
an addition to the City of Waxahachie, Ellis County, Texas.

9 Residential Lots
Currently Zoned PD SF-3

Page 2 of 2

ELLIS ASSOCIATES
SURVEYORS

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

Date: 12-18-2017

Scale: 1" = 50'

Drawn: DWH

Job: 215-0232



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **RP-19-0003**



DURON GENARO RUIZ & GUADALUPE E
214 ENNIS ST
WAXAHACHIE, TX 75165

The Waxahachie City Council will hold a Public Hearing on Monday, February 18, 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 Robert C. Morgan, Grantava Holdings LLC, for a **Replat** of Lot 3A, Block 184, Town Addition, to create Lots 1 through 9, Block A, Wyatt Heights, 2.512 acres (Property ID 270088) – Owner: GRANTAVA INC (RP-19-0003)

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: **RP-19-0003**



SUPPORT

OPPOSE

Comments: There has to be a three way stop sign or light at Ennis st & Wyatt due to high traffic adding these homes will add more traffic to this road. Very dangerous.

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, FEBRUARY 6, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.

Guadalupe E Duron
Signature

1-31-2019
Date

Guadalupe E Duron
Printed Name and Title

214 Ennis Waxahachie Tx 75165
Address



CITY OF WAXAHACHIE - PROPERTY OWNER NOTIFICATION RP-19-0003 WYATT HEIGHTS - PON MAP



0 300 600 1,200 1,800 2,400 Feet

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



Planning & Zoning Department

Plat Staff Report

Case: PP-19-0004



MEETING DATE(S)

Planning & Zoning Commission: February 12, 2019

City Council: February 18, 2019

CAPTION

Consider request by Robert C. Morgan, Grantava Holdings LLC, for a **Preliminary Plat** of Morgan Estate for 1 lot, being 2.566 acres situated in the J.C. Armstrong Survey, Abstract 6 (Property ID 179112) – Owner: GRANTAVA INC (PP-19-0004).

CASE INFORMATION

Applicant: Robert C. Morgan, Grantava Holdings LLC

Property Owner(s): Grantava Inc.

Site Acreage: 2.566 acres

Number of Lots: 1 lot

Number of Dwelling Units: 1 units

Adequate Public Facilities: Development will be on City water and wastewater.

SUBJECT PROPERTY

General Location: 1000 S. Rogers Street

Parcel ID Number(s): 179112

Current Zoning: Planned Development-Single Family-3

Existing Use: Currently undeveloped

Platting History: J.C. Armstrong Survey, Abstract 6



Site Aerial:

STAFF CONCERNS

1. Formatting issues remain outstanding.
2. Dunaway Street should be a fifty (50) foot ROW. Dedication is required.

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. Formatting issues remain outstanding.
 2. Dunaway Street should be a fifty (50) foot ROW. Dedication is required.

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:
 Colby Collins
 Senior Planner
ccollins@waxahachie.com

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

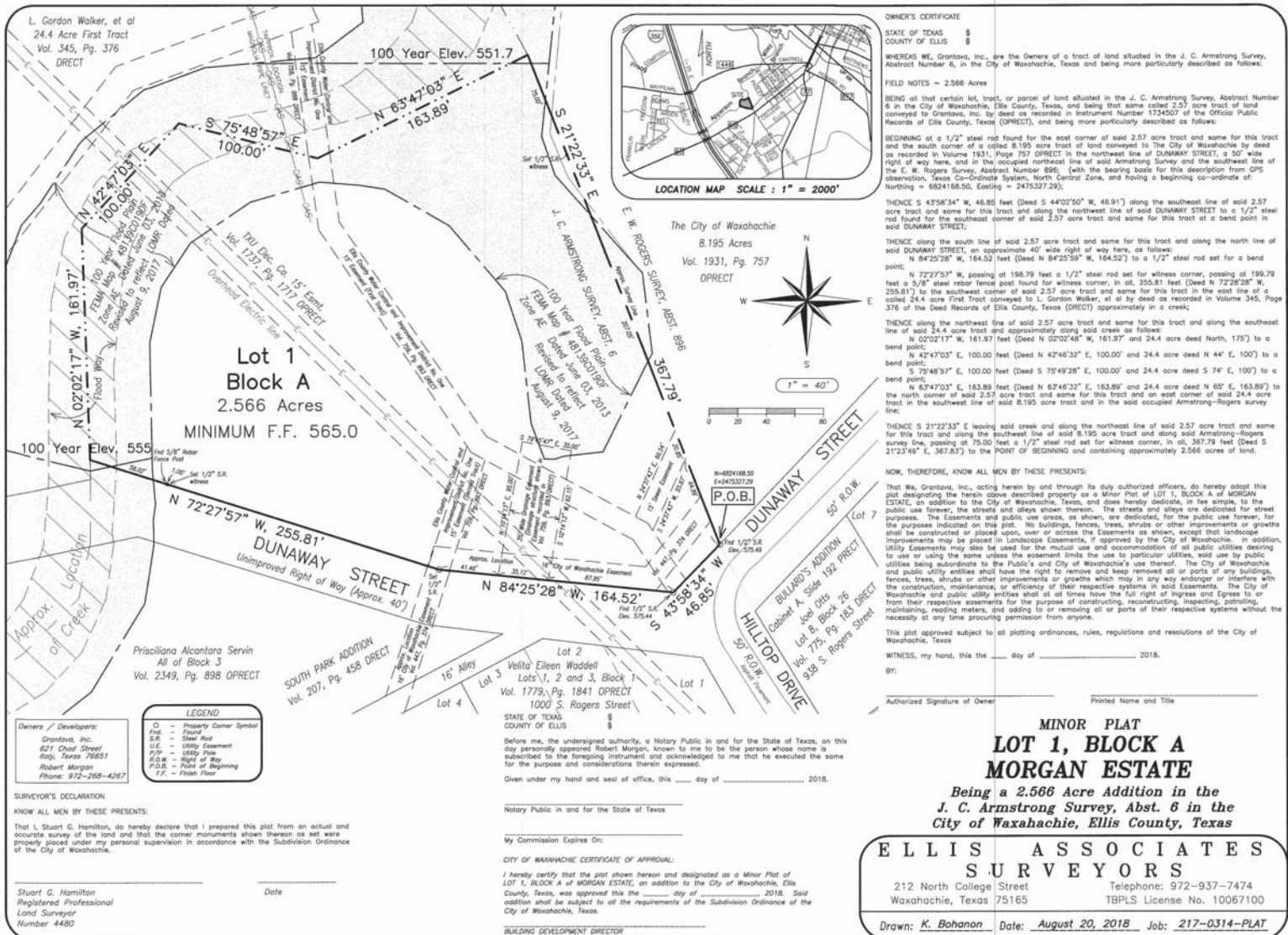


Exhibit B - Preliminary Plat

Planning & Zoning Department

Plat Staff Report

Case: FP-19-0005



MEETING DATE(S)

Planning & Zoning Commission: February 12, 2019

City Council: February 18, 2019

CAPTION

Consider request by Robert C. Morgan, Grantava Holdings LLC, for a **Final Plat** of Morgan Estate for 1 lot, being 2.566 acres situated in the J.C. Armstrong Survey, Abstract 6 (Property ID 179112) – Owner: GRANTAVA INC (PP-19-0004).

CASE INFORMATION

Applicant: Robert C. Morgan, Grantava Holdings LLC

Property Owner(s): Grantava Inc.

Site Acreage: 2.566 acres

Number of Lots: 1 lot

Number of Dwelling Units: 1 units

Park Land Dedication: The cash in lieu of park land dedication for this case is estimated at **\$400.00** (1 residential dwellings at \$400.00 per dwelling).

Adequate Public Facilities: The development will be on City water and wastewater.

SUBJECT PROPERTY

General Location: 1000 S. Rogers Street

Parcel ID Number(s): 179112

Current Zoning: Planned Development-Single Family-3

Existing Use: Currently undeveloped

Platting History: Companion case no. PP-19-0004 was presented at this meeting.



Site Aerial:

STAFF CONCERNS

1. Formatting issues remain outstanding.
2. Dunaway Street should be a fifty (50) foot ROW. Dedication is required.
3. Fees must be paid and infrastructure installed before the plat is 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. Formatting issues remain outstanding.
 2. Dunaway Street should be a fifty (50) foot ROW. Dedication is required.
 3. Fees must be paid and infrastructure installed before the plat is filed.

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:
Colby Collins
Senior Planner
ccollins@waxahachie.com

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

OWNERS / DEVELOPERS:

Grantova, Inc.
621 Chad Street
Map, Texas 76651
Robert Morgan
Phone: 972-268-4267

SURVEYOR'S DECLARATION

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

Stuart G. Hamilton
Registered Professional
Land Surveyor
Number 4480

Date _____

OWNERS OF THE ADJACENT LANDS:

The City of Waxahachie, Ellis County, Texas, being the owner of the following described land situated in the J.C. Armstrong Survey, Abstract Number 6, in the City of Waxahachie, Texas, and being more particularly described as follows:

Abstract Number 6, in the City of Waxahachie, Texas, and being more particularly described as follows:
BEING all that certain lot, tract, or parcel of land situated in the J.C. Armstrong Survey, Abstract Number 6 in the City of Waxahachie, Texas, and being that same called 2.57 acre tract and some for this tract conveyed to Grantova, Inc., by deed as recorded in Public Records of Ellis County, Texas (OPRECT), and being more particularly described as follows:
BEGINNING at a 1/2" steel rod found for the east corner of said 2.57 acre tract and some for this tract and the south corner of a ceded 8.195 acre tract of land conveyed to The City of Waxahachie by deed as recorded in Volume 1931, Page 757 OPRECT; in the northeast line of DUNAWAY STREET, a 50' wide right of way here, and in the occupied northeast line of said Armstrong Survey and the southwest line of E.W. Rogers Survey, Abstract Number 896; (with the bearing base for this description from GPS observation, Texas Co-ordinate System, North Central Zone, and having a beginning co-ordinate of Northing = 6824168.50, Easting = 2475327.23);
THENCE S 43°58'34" W, 46.85 feet (Deed S 44°02'50" W, 46.91') along the southeast line of said 2.57 acre tract and some for this tract and along the northwest line of said DUNAWAY STREET to a 1/2" steel rod found for the southeast corner of said 2.57 acre tract and some for this tract at a bend point in said DUNAWAY STREET;
THENCE along the south line of said 2.57 acre tract and some for this tract and along the north line of said DUNAWAY STREET, on approximately 40' wide right of way here, as follows:
N 84°25'28" W, 164.52 feet (Deed N 84°25'59" W, 164.52') to a 1/2" steel rod set for a bend point;
N 72°27'57" W, passing at 158.79 feet a 1/2" steel rod set for witness corner, passing at 199.79 feet a 3/8" steel rod fence post found for witness corner, in at, 255.81 feet N 72°28'28" W, 255.81' to the southwest corner of said tract and some for this tract in the east line of a ceded 24.4 acre First Tract conveyed to L. Gordon Walker, et al by deed as recorded in Volume 245, Page 376 of the Deed Records of Ellis County, Texas (OPRECT) approximately in a creek;
THENCE along the northwest line of said 2.57 acre tract and some for this tract and along the southeast line of said 24.4 acre tract and approximately along said creek as follows:
N 02°02'17" W, 161.97 feet (Deed N 02°02'48" W, 161.97' and 24.4 acre deed North, 175') to a bend point;
N 42°47'03" E, 100.00 feet (Deed N 42°46'32" E, 100.00' and 24.4 acre deed N 44° E, 100') to a bend point;
N 79°48'57" E, 100.00 feet (Deed S 79°49'28" E, 100.00' and 24.4 acre deed S 74° E, 100') to a bend point;
N 83°47'03" E, 163.89 feet (Deed N 83°48'32" E, 163.89' and 24.4 acre deed N 85° E, 163.89') to the north corner of said 2.57 acre tract and some for this tract and on an east corner of said 24.4 acre tract in the southwest line of said 8.195 acre tract and in the said occupied Armstrong-Rogers survey line;
THENCE S 21°22'33" E leaving solid creek and along the northeast line of said 2.57 acre tract and some for this tract and along the southwest line of said 8.195 acre tract and along said Armstrong-Rogers survey line, passing at 75.00 feet, a 1/2" steel rod set for witness corner, in at, 367.79 feet (Deed S 21°23'40" E, 367.79') to the POINT OF BEGINNING and containing approximately 2.566 acres of land.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That We, Grantova, Inc., acting herein by and through its duly authorized officers, do hereby adopt this plat designating the herein above described property as a Minor Plat of LOT 1, BLOCK A of MORGAN ESTATE, an addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use thereof, the street therein named, and the easements and dedications are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growth shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waxahachie. In whole, the City of Waxahachie may also be used for the multiple 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 utility shall be subordinate to the City of Waxahachie's and City of Waxahachie's use of 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 growth which may interfere with or obstruct 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 and from their respective easements for the purpose of constructing, reconstructing, repairing, maintaining, improving, replacing materials, and adding to or removing all or parts of their respective systems without the necessity of any time procuring permission from anyone.

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

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

By: _____
Authorized Signature of Owner Printed Name and Title

**MINOR PLAT
LOT 1, BLOCK A
MORGAN ESTATE**

Being a 2.566 Acre Addition in the
J. C. Armstrong Survey, Abst. 6 in the
City of Waxahachie, Ellis County, Texas

**ELLIS ASSOCIATES
SURVEYORS**

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

Drawn: K. Bohannon Date: August 20, 2018 Job: 217-0314-PLAT

Exhibit B - Final Plat

Planning & Zoning Department

Zoning Staff Report

Case: SU-19-0007



MEETING DATE(S)

Planning & Zoning Commission: February 12, 2019

City Council: February 18, 2019

CAPTION

Public Hearing on a request by Isabel Bewley for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Planned Development-43-Single Family-3 zoning district, located at 3016 Coventry Lane (Property ID 205613) – Owner: ISABEL C BEWLEY (SU-19-0007)

CASE INFORMATION

Applicant: Isabel Bewley

Property Owner(s): Isabel C Bewley

Site Acreage: 0.253 acres

Current Zoning: PD-43-SF-3

Requested Zoning: PD-43-SF-3 with SUP

SUBJECT PROPERTY

General Location: 3016 Coventry Lane

Parcel ID Number(s): 205613

Existing Use: Single Family Residence

Development History: The Final Plat for Windchase Addition Phase III, was approved by City Council on June 2, 1997.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-43-SF-3	Single Family Residential
East	PD-43-SF-3	Single Family Residential
South	PD-43-SF-3	Single Family Residential
West	PD-43-SF-3	Single Family Residential

Future Land Use Plan: Low Density Residential

Comprehensive Plan:

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

Thoroughfare Plan:

The site is accessed via Coventry Ln, a local street (50' ROW).

Site Image:



PLANNING ANALYSIS

The applicant seeks to install solar panels on the roof of this single family residence. Solar panels are permitted, with a Specific Use Permit, and must be installed so that they do not front onto the right-of-way. According to the current exhibit submitted by the applicant, there will be no solar panel systems facing the public ROW.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, **25** notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 01/23/2019.

At the time of this report, staff has received three letters of opposition.

RECOMMENDATION

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

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

ATTACHED EXHIBITS

1. Site Plan
2. Property Owner Notification Response

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

Component	Manufacturer	Model #	Quantity
PV Module	Trina	TSM-300-DD05A.05 (II)	25
Inverter	Enphase	IQ7	25
Combiner Box	Enphase	X-IQ-AM1-240-2	1
AC Disconnect	GE	TGN3222R	1

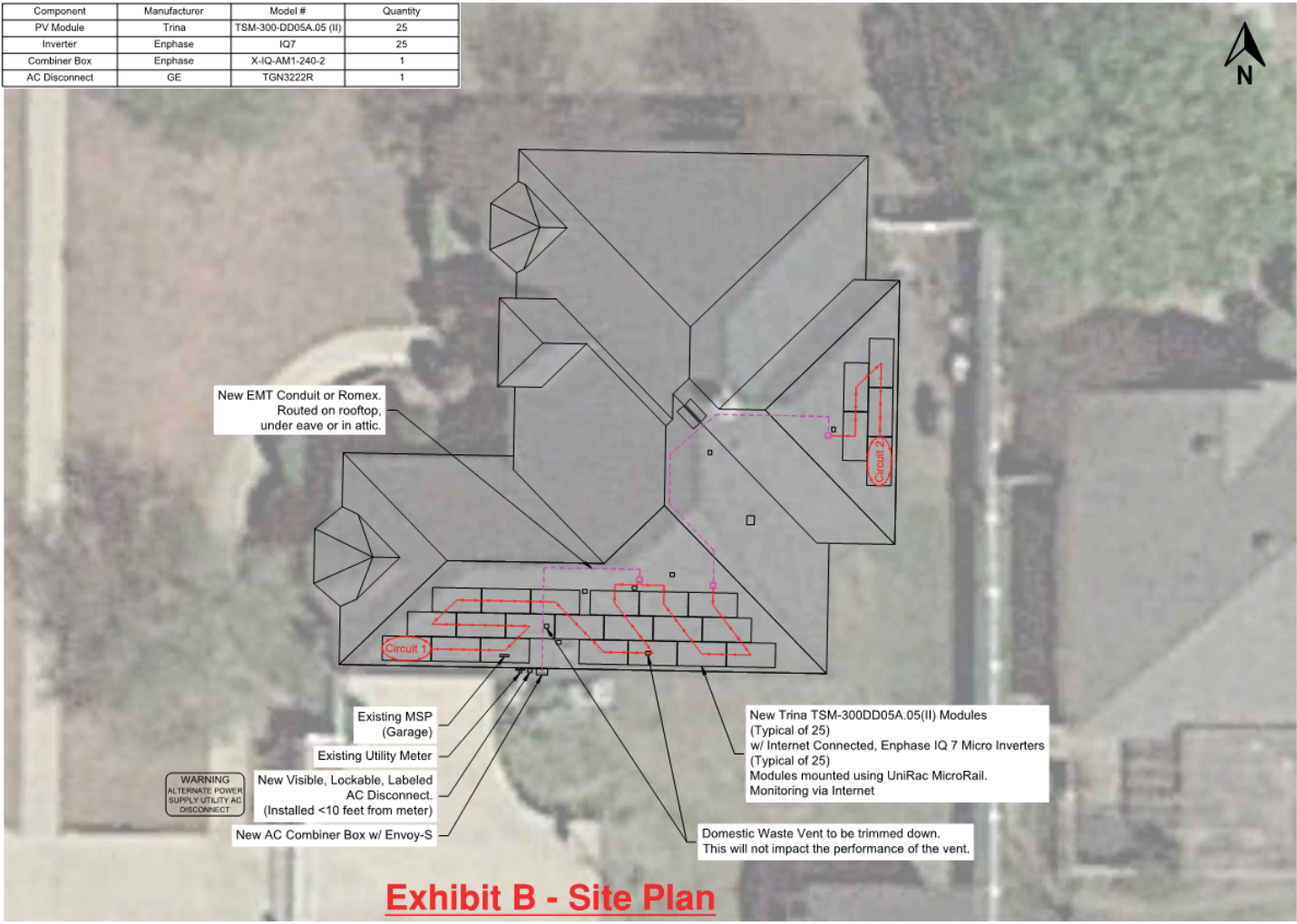


Exhibit B - Site Plan

Lic. #32505
 Exp. 03/23/2019
 Sunfinity Solar - TX LLC
 17300 Dallas Pkwy,
 Ste. 2020
 Dallas, TX 75248
 Design & Drafting By:
 Joel Arredondo
 NABCEP: PV-102117-019111

SHELTON RESIDENCE
 7.50 kW (DC) Roof Mounted
 PV Array
 David Shelton
 (817) 412-0741
 3016 Coventry Lane
 Waxahatchie, TX, 75165
 Project #: 04-09202018 ESID: 10443720090332023

No.	Revision/Issue	Date

Date: 10/11/2018
 Scale: 1" = 10'
 Drawn By: JRA
 Title:
 2 - Site Plan
 Sheet: 2



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **SU-19-0007**



BONER CLIFFORD W & PETERSON PAMELA R
103 YORKSHIRE CT
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, February 12, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 18, 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 Isabel Bewley for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Planned Development-43-Single Family-3 zoning district, located at 3016 Coventry Lane (Property ID 205613) – Owner: ISABEL C BEWLEY (SU-19-0007)

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

Case Number: **SU-19-0007** _____ SUPPORT _____ OPPOSE

Comments: *NO! Uncertain about emissions, any noise factors, unsightly - no consistency, ~~and there~~ there are restrictions in this neighborhood & no one follows. ~~NO!~~*

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, FEBRUARY 6, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.

Pamela R Peterson Boner
C. W. Boner
Signature
PAMELA R. PETERSON - Boner

Printed Name and Title
Property owner

2-1-2019
Date
103 Yorkshire Ct.
Address
Waxahachie

We work and unable to attend



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **SU-19-0007**

RECEIVED
1/30/19



BROWN MICHAEL R & REGINA
101 YORKSHIRE CT
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, February 12, 2019 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, February 18, 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 Isabel Bewley for a Specific Use Permit (SUP) for **Rooftop Solar Panel System** use within a Planned Development-43-Single Family-3 zoning district, located at 3016 Coventry Lane (Property ID 205613) – Owner: ISABEL C BEWLEY (SU-19-0007)

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

Case Number: **SU-19-0007**

☐ SUPPORT

☒ OPPOSE

Comments: _____

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, FEBRUARY 6, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.

Michael Brown

Signature

Michael R. Brown

Printed Name and Title

1-28-2019

Date

1-28-2019 101 Yorkshire Ct.

Address

Case Number: **SU-19-0007** _____ SUPPORT X OPPOSE

Comments: I feel that the appearance of Rooftop Solar Panels is not attractive it will lower the value of my home

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, FEBRUARY 6, 2019** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.

Carol Watson
Signature

Carol Watson
Printed Name and Title

1/26/19
Date

3008 Coventry
Address

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

RECEIVED
1/31/19

Planning & Zoning Department

Plat Staff Report

Case: PP-19-0002



MEETING DATE(S)

Planning & Zoning Commission: February 12, 2019

City Council: February 18, 2019

CAPTION

Consider request by James R. Henry for a **Preliminary Plat** of Crooked Creek Farms for 3 lots, being 94.996 acres situated in the S.M. Durrett Survey, Abstract 272 (Property IDs 257995 and 182121) – Owner: JAMES R HENRY and LINDA S OSBORN (PP-19-0002).

CASE INFORMATION

Applicant: James R. Henry

Property Owner(s): James R. Henry and Linda S. Osborn

Site Acreage: 94.996 acres

Number of Lots: 3 lots

Number of Dwelling Units: 3 units

Park Land Dedication: The cash in lieu of park land dedication for this case is estimated at **\$1,200.00** (3 residential dwellings at \$400.00 per dwelling).

SUBJECT PROPERTY

General Location: 2801 Howard Road

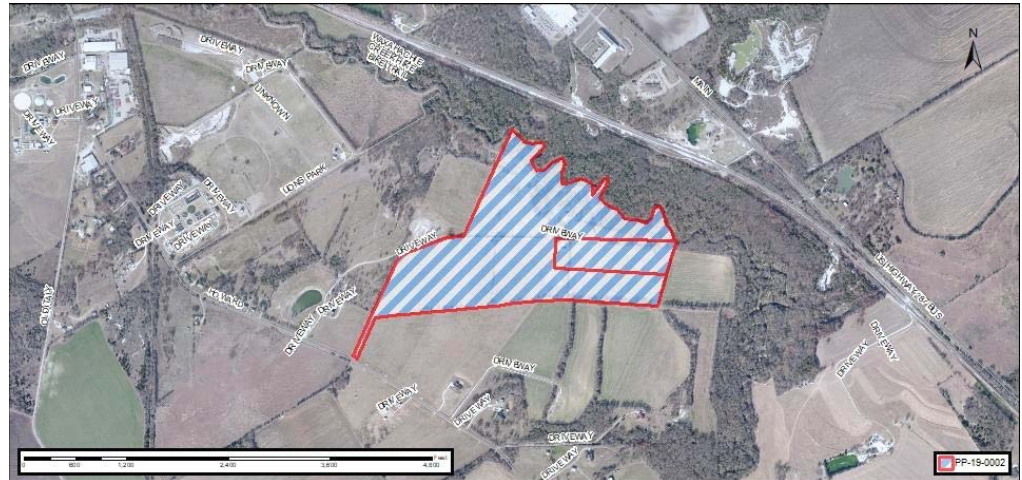
Parcel ID Number(s): 257995 and 182121

Current Zoning: Future Development

Existing Use: Single family residence

Platting History: S.M. Durrett Survey, Abstract No. 272

Site Aerial:



STAFF CONCERNS

1. Establish a private easement for access and utilities that may be utilized by the city for meter reading and maintenance that addresses access for the lots and contains the private water line.
2. Water must be provided with a separate meter to each lot prior to the plat being filed.

APPLICANT RESPONSE TO CONCERNS

1. Staff is awaiting a resubmittal that addresses all comments from the January 23, 2019 comment review 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:
 1. Establish a private easement for access and utilities that may be utilized by the city for meter reading and maintenance that addresses access for the lots and contains the private water line.
 2. Water must be provided with a separate meter to each lot prior to the plat being filed.

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:
Colby Collins
Senior Planner
ccollins@waxahachie.com

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

Exhibit B - Preliminary Plat

ZONE A*
FEMA PANEL NO.
4813900330 F
DATED 6/3/2013

ZONE Y*
FEMA PANEL NO.
4813900330 F
DATED 6/3/2013

ZONE X*
FEMA PANEL NO.
4813900330 F
DATED 6/3/2013

LOT 1
39.079
Acres

LOT 2
52.916
Acres

LOT 3

LOT 4

LOT 5

PENN FARM RANCHETTE
CABINET 5, SLIDE 75 P.R.E.G.T.

HOWARD ROAD

CHERRY CREEK TRAILS

LEGEND

LINE TABLE

NOTE: CITY OF WACO PLANNING AND ZONING CODE NO. 190005

[illegible]

Being 94.996 Acs. (Three Lots) Addition in the
S. M. Durrett Survey, Abst. 272
City of Waxahachie Ellis County, Texas
3 Residential Lots

D&M
ENGINEERS

DAVIS & McDILL, Inc.
P.O. BOX 428, Waxahachie, Texas 75165
Phone: Metro 972-958-1185
(A Texas licensed engineering firm # T-8438)

Date: JAN 28, 2018
Scale: 1" = 160'
Drawn: DMH
Job: 218-0038-PP
SHEET 1 OF 1 SHEETS

Planning & Zoning Department

Zoning Staff Report

Case: PD-19-0001



MEETING DATE(S)

Planning & Zoning Commission: February 12, 2019

City Council: February 18, 2019

CAPTION

Public Hearing on a request by James R. Henry for a Zoning Change from a Future Development zoning district to **Planned Development-Future Development, with Concept Plan**, located at 2801 Howard Road (Property IDs 257995 and 182121) - Owner: JAMES R HENRY and LINDA S OSBORN (PD-19-0001)

CASE INFORMATION

Applicant: James R. Henry

Property Owner(s): James R. Henry and Linda S. Osborn

Site Acreage: 94.996 acres

Current Zoning: Future Development

Requested Zoning: Planned Development-Future Development

SUBJECT PROPERTY

General Location: 2801 Howard Road

Parcel ID Number(s): 257995 and 182121

Existing Use: Vacant Land

Development History: N/A

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	FD	Vacant Land
East	FD	Vacant Land
South	FD	Vacant Land
West	FD	Vacant Land

Future Land Use Plan: Low Density Residential

Comprehensive Plan:

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

Thoroughfare Plan:

The site is accessible via Howard road.

Site Image:



PLANNING ANALYSIS

The applicant is proposing to create a Planned Development on 94.966 acres that will be known as Crooked Creek Farms. The Crooked Creek Farms Planned Development shall comply with the standards for the Future Development (FD) zoning district. The proposed zoning use for Crooked Creek Farms Planned Development is Single Family Residential. Single Family Residential shall also be the only use allowed within the Planned Development district. The purpose and intent of this Planned Development (PD) is to develop a maximum of five (5) residential lots. Individual water meters shall be provided within the Planned Development, and, the City of Waxahachie must have access to read each meter as well as perform meter maintenance. The primary access point, *as depicted in the preliminary plat (Exhibit B)*, shall be allowed a gravel driveway within the Crooked Creek Farms Planned Development.

Throughout the review process, city staff informed the applicant that a Planned Development (PD) would not be necessary as the primary requests could be done through the platting process, and because the PD could potentially limit the use of the property. Against staff's recommendation, the applicant informed staff that he would like for the Planned Development case to be reviewed at the February 12, 2019 Planning and Zoning Commission and the February 18, 2019 City Council public hearing meetings.

DEVELOPMENT STANDARDS

The development standards set forth for Crooked Creek Farms are compatible with the base zoning district standards for Future Development (FD). The following development standards shall be applicable within the project:

Standard	Future Development (FD)	Proposed
Min Lot Area	3 Acres	3 Acres
Min DU Size (Sq Ft)	1,500	1,500
Min Lot Width	250 ft	250 ft
Min Lot Depth	500 ft	500 ft
Front Yard Setback	35 ft	35 ft
Rear Yard Setback	25 ft	25 ft
Side Yard Setback	10% of LW 50 (ROW)	10% of LW 50 (ROW)
Max Building Height	3 Stories	2 Stories
Max Lot Coverage	50%	50%

***** The primary access point, as depicted in the preliminary plat (Exhibit B), shall be allowed a gravel driveway within the Crooked Creek Farms Planned Development. *****

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, **14** notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 01/23/2019.

STAFF CONCERNS

1. Staff believes that creating a Planned Development could potentially limit the maximum use of the property, and is not necessary to meet the request of the applicant.
2. This request functionally only memorializes the continued use of the existing gravel driveway which would not be impacted by the development of the lots.

APPLICANT RESPONSE TO CONCERNS

1. The applicant informed staff that he would like for the Planned Development case to be reviewed at the February 12, 2019 Planning and Zoning Commission and the February 18, 2019 City Council public hearing meetings.

RECOMMENDATION

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

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

ATTACHED EXHIBITS

1. Site Layout
2. PD Provisions
3. PON Responses

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

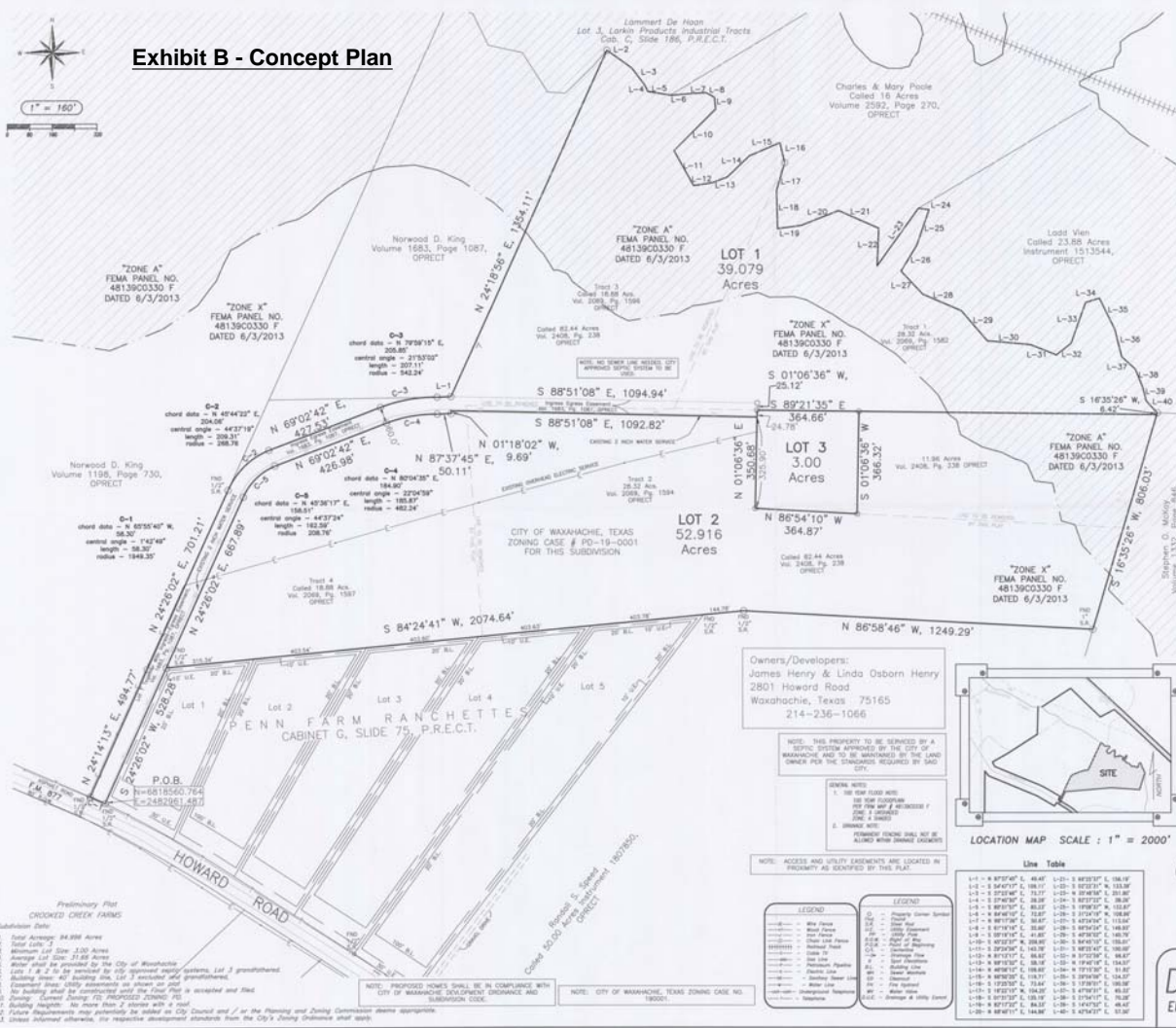
[illegible]

EXHIBIT B

CONCEPT PLAN PROVISIONS

Purpose and Intent

The purpose and intent of this Planned Development (PD) is to develop a maximum of five (5) residential lots on 94.966 acres. Any conditions found within the Future Development (FD) zoning district or Zoning Ordinance that are not written herein, shall default to the City of Waxahachie's Code of Ordinances, as amended.

Compliance with the City's Comprehensive Plan

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

PD District Development Standards

Description of Request

- A Planned Development on 94.966 acres for a maximum of five (5) residential lots within the City of Waxahachie city limits. Single Family Residential zoning will be the only use allowed within the Planned Development district.
- Each lot shall be limited to one single family home.
- Establish a private easement for access and utilities that may be utilized by the city for meter reading and maintenance that addresses access for the lots and contains the private water line.

Proposed Use of Property

- The proposed Planned Development for the 94.966 acres will be known as Crooked Creek Farms. The Crooked Creek Farms Planned Development shall comply with the standards for the Future Development (FD) zoning district. The proposed use for Crooked Creek Farms Planned Development is Single Family Residential. The purpose and intent of this Planned Development (PD) is to develop a maximum of five (5) residential lots. The primary access point, as depicted in the preliminary plat, shall be allowed a gravel driveway within the Crooked Creek Farms Planned Development. All other lots shall consist of gravel. Private meters shall be provided within the Planned Development, however, the City of Waxahachie must have access to read each meter as well as perform meter maintenance.

General Development Requirements

The development standards set forth for Crooked Creek Farms are compatible with the base zoning district standards for Future Development (FD). The following development standards shall be applicable within the project:

Standard	Future Development (FD)	Proposed
Min Lot Area	3 Acres	3 Acres
Min DU Size (Sq Ft)	1,500	1,500
Min Lot Width	250 ft	250 ft
Min Lot Depth	500 ft	500 ft
Front Yard Setback	35 ft	35 ft
Rear Yard Setback	25 ft	25 ft
Side Yard Setback	10% of LW 50 (ROW)	10% of LW 50 (ROW)
Max Building Height	3 Stories	2 Stories
Max Lot Coverage	50%	50%

**** The primary access point, as depicted in the preliminary plat, shall be allowed a gravel driveway within the Crooked Creek Farms Planned Development ****

CASE PD-19-0001

SUPPORT 1

OPPOSE 0

Request by James R. Henry for a Zoning Change from a Future Development zoning district to **Planned Development-Single Family-1, with Concept Plan**, located at 2801 Howard Road (Property IDs 257995 and 182121) - Owner: JAMES R HENRY and LINDA S OSBORN (PD-19-0001)

SUPPORT

1. Mark Thedford, Akamai Designs, 146 Royal Park Lane, Waxahachie, TX 75165
 - a. "I have no objections and favor this proposal."
