

**NOTICE OF PLANNING & ZONING COMMISSION BRIEFING SESSION
JANUARY 23, 2018
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
Erik Barnard
David Hudgins

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

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

A G E N D A

The Waxahachie Planning & Zoning Commission (P&Z) will hold a regular meeting on ***Tuesday, January 23, 2018 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
Erik Barnard
David Hudgins

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

All matters listed under Item 3, Consent Agenda, are considered routine by the P&Z 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 P&Z.

a. Minutes of the regular P&Z meeting of January 9, 2018

4. ***Consider*** request by Chris Stryker for a **Replat** of Lots 11 and 12, Spring Creek-REV, to create Lot 1, Rock Bottom Ranch, 3.7583 acres (Property ID 206166) – Owner: TAMARA L & CHRISTOPHER P STRYKER (RP-17-0162)
5. ***Continue Public Hearing*** on a request by the City of Waxahachie to amend the City Zoning Ordinance, Ordinance No. 2287, as amended, to Sections 31.A.1 through 31.A.9, to update said sections of the Zoning Ordinance, relating to the Historic Overlay District, and establishing rules relating to historic structures (TA-17-0164)
6. ***Consider*** recommendation of Zoning Change No. TA-17-0164
7. ***Public Hearing*** on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) to allow an **Electronic Message Sign** use within a Planned Development-20-General Retail (PD-20-GR) zoning district, located at 503 N Highway 77, being LOT 2B BLK 1 NORTHGATE PLAZA 0.501 AC (Property ID 175006)– Owner: ROCKSTEADY LLC (SU-17-0167)
8. ***Consider*** recommendation of Zoning Change No. SU-17-0167

9. **Public Hearing** on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) to allow an **Electronic Message Sign** use within a Commercial (C) zoning district, located at 1601 N Highway 77, being LOT 1B BLK D LAKERIDGE #1-REV 1.241 AC (Property ID 174568)– Owner: MC INVESTMENT FUND LLC (SU-17-0168)
10. **Consider** recommendation of Zoning Change No. SU-17-0168
11. **Consider** request by Brandon O'Donald, Pape-Dawson Engineers, Inc., for a **Preliminary Plat** of Dove Hollow for 610 residential lots and 19 open space lots, being 213.536 acres situated in J.W. Wright Survey, Abstract No. 1182 (Property ID 192636, 192639, 192643, and 192645) – Owner: 112 LLC and MOUNTAIN CREEK PARTNER III LLC (PP-17-0171)
12. **Consider** Landscape Plan for Dove Hollow as a companion to PP-17-0171 – Owner: 112 LLC and MOUNTAIN CREEK PARTNER III LLC
13. **Public Hearing** on a request by Robert Morgan, Grantava Inc., for a Zoning Change from a Single Family-3 (SF-3) zoning district to a **Planned Development-Single Family-3 (PD-SF-3), with Concept Plan**, located at 1304 Wyatt Street, being LOT 3 BLK 184 TOWN ADDN-REV 3.139 AC (Property ID 270088) - Owner: GRANTAVA HOLDINGS LLC (PD-17-0172)
14. **Consider** recommendation of Zoning Change No. PD-17-0172
15. Public Comments
16. 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.

Planning and Zoning Commission
January 9, 2018

(7a)

The Waxahachie Planning & Zoning Commission (P&Z) held a regular meeting on Tuesday, January 9, 2018 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

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

Members Absent: Melissa Ballard, Vice Chairman
Betty Square Coleman

Others Present: Shon Brooks, Director of Planning
Kelly Dent, Planner
James Gaertner, City Engineer
Lori Cartwright, City Secretary
David Hill, Council Representative

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

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

3. **Consent Agenda**

- a. Minutes of the regular P&Z meeting of December 12, 2017
- b. **Consider** request by Jamie Isaguirre for a **Final Plat** of Isaguirre Addition for 2 lots, being 14.859 acres in the James A. Blakely Survey, Abstract No. 89 and the Theodore H. Sampley Survey, Abstract No. 1244 (Property ID 183251) in the Extra Territorial Jurisdiction – Owner: ALFONSO ISAGUIRRE (FP-17-0163)

Chairman Keeler removed item b. for separate discussion.

Action:

Mrs. Bonney Ramsey moved to approve item a. on the Consent Agenda. Mr. Jim Phillips seconded, All Ayes.

Ms. Kelly Dent, Planner, reviewed item b. noting an issue with fire protection. She explained the property is in the ETJ and Buena Vista-Bethel can furnish water but they cannot conform with the ISO fire flow requirements. Staff recommended denial because the proposed subdivision does not conform to the Subdivision Ordinance.

Action:

Mr. Jim Phillips moved to deny item b. on the Consent Agenda. Mrs. Bonney Ramsey seconded, All Ayes.

4. **Consider request by Nathan Petty, Americas Storage, for a Preliminary Plat of Americas Storage for 1 lot, being a 7.304 acre addition in the T. Selby Survey,**

(7a)

Abstract No. 1002 (Property ID 191086 and 191095) – Owner: GREG & PAULA DIMSDLE (PP-17-0149)

Ms. Dent reported the property falls within the City CCN, however, the City does not yet have lines to this property. As a result, Rockett SUD will provide adequate water and fire protection to this property and when the City's lines extend to this property, this property will make the switch over to the City lines and cap off the line from Rockett. She stated the applicant will pay cash in lieu of park land dedication in an estimated amount of \$4,382.40. Staff recommended approval per staff comments.

Action:

Mr. Jim Phillips moved to approve a request by Nathan Petty, Americas Storage, for a Preliminary Plat of Americas Storage for 1 lot, being a 7.304 acre addition in the T. Selby Survey, Abstract No. 1002 (Property ID 191086 and 191095) – Owner: GREG & PAULA DIMSDLE (PP-17-0149) subject to staff comments. Mr. Erik Barnard seconded, All Ayes.

5. Consider Landscape Plan for Americas Storage as a companion to PP-17-0149 – Owner: GREG & PAULA DIMSDLE

Ms. Dent presented the Landscape Plan for Americas Storage.

Mr. Nathan Petty, Americas Storage, 4300 Oakland, Dallas, Texas, stated the plant mix includes Cedar Elm, Crape Myrtle, and Red Oak trees.

Action:

Mrs. Bonney Ramsey moved to approve a Landscape Plan for Americas Storage as a companion to PP-17-0149 – Owner: GREG & PAULA DIMSDLE. Mr. Jim Phillips seconded, All Ayes.

6. Consider Landscape Plan for Sheppard's Place as a companion to PP-17-0157 – Owner: SHEPHERD PLACE HOMES INC

Ms. Dent reported the Preliminary Plat was previously approved and presented the Landscape Plan for consideration.

Mr. Mark Shelton, JHW Development, reported the plant mix will include Cedar Elm, Live Oak and Red Oak.

Mrs. Bonney Ramsey requested to add Crape Myrtle trees. Mr. Shelton concurred.

Action:

Mr. David Hudgins moved to approve a Landscape Plan for Sheppard's Place as a companion to PP-17-0157 – Owner: SHEPHERD PLACE HOMES INC. Mrs. Bonney Ramsey seconded, All Ayes.

7. Public Hearing on a request by Luis Morales, Green Wolf Energy Inc., for a Specific Use Permit (SUP) to allow a Rooftop Solar Panel System use within a Rural Residential (RR) zoning district, located at 118 Lakeshore Drive, being 11

(3A)

LINDMARK ESTS 2.0070 ACRES (Property ID 231007– Owner: BRENDA J & VICTOR MORGAN (SU-17-0155))

Chairman Keeler opened the Public Hearing.

Ms. Dent reported the applicant seeks to install solar panels along the roof of an existing single family residence. The proposed solar panels will face onto street frontage. She explained the City does not permit solar panels be facing the right of way and therefore the panels will need to be moved.

Mr. Luis Morales, Green Wolf Energy, Inc., 1018 Harrison Avenue, Arlington, Texas, stated the purpose for the panels facing the south is for production getting enough power and explained placing the panels on the north side will not be productive.

Those who spoke against SU-17-0155:

Mr. Wayne Powell, 116 Lakeshore Drive, Waxahachie

Ms. Amy Hedtke, 106 Vanderbilt, Waxahachie, stated when Ordinances are written people are spending more money on their property and it is hurting property owners. She charged the Commission to fix it.

Mr. David Hudgins recommended the company install ground mounts at the back of the house. Mr. Morales stated that would increase the cost but will revisit it with the owner.

There being no others to speak for or against SU-17-0155, Chairman Keeler closed the Public Hearing.

8. Consider recommendation of Zoning Change No. SU-17-0155

Action:

Mr. Jim Phillips moved to deny a request by Luis Morales, Green Wolf Energy Inc., for a Specific Use Permit (SUP) to allow a Rooftop Solar Panel System use within a Rural Residential (RR) zoning district, located at 118 Lakeshore Drive, being 11 LINDMARK ESTS 2.0070 ACRES (Property ID 231007– Owner: BRENDA J & VICTOR MORGAN (SU-17-0155)). Mr. David Hudgins seconded, All Ayes.

9. Public Hearing on a request by Michael Thomas, MJ Thomas Engineering, LLC, for a Zoning Change from a Planned Development-General Retail (PD-GR) zoning district to a Planned Development-Multi Family-2 (PD-MF-2), with Concept Plan, located at 411 Alliance Blvd., being 4R WAXAHACHIE CIVIC CENTER REV14.172 ACRES (Property ID 227433) - Owner: LOOKOUT PARTNERS LP (PD-17-0161)

Ms. Dent announced the applicant withdrew their application and therefore the case will not be heard.

(ma)

10. Consider recommendation of Zoning Change No. PD-17-0161

Action:

No action taken – Applicant withdrew application

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

Chairman Keeler opened the Public Hearing.

Mr. Shon Brooks, Director of Planning, reported the proposed Ordinance amends an existing ordinance of areas of historical and cultural importance relating to the Historic Overlay District.

Mrs. Bonney Ramsey stated it provides tax incentives and broadens the scope of how we protect the historic structures in the city. She explained it is an option for the homeowner to participate in the program.

12. Consider recommendation of Zoning Change No. TA-17-0164

Action:

After a lengthy discussion, Mrs. Bonney Ramsey moved to continue a request by the City of Waxahachie to amend the City Zoning Ordinance, Ordinance No. 2287, as amended, to Sections 31.A.1 through 31.A.9, to update said sections of the Zoning Ordinance, relating to the Historic Overlay District, and establishing rules relating to historic structures (TA-17-0164) to the Planning and Zoning Commission meeting of January 23, 2018. Mr. Jim Phillips seconded, All Ayes.

13. Public Hearing on a request by the City of Waxahachie to amend the City Zoning Ordinance, Ordinance No. 2288, as amended, to Sections 24.51 through 24.60 of the City's Code of Ordinances, and matters relating to the Heritage Preservation Commission, and the Historic Overlay Districts (TA-17-0165)

Mr. Brooks announced due to a clerical error, item 13 is being removed and not heard by the Commission. He explained the technical language indicated Code of Ordinances and not Zoning Ordinance, therefore, no action to be taken by the Commission.

14. Consider recommendation of Zoning Change No. TA-17-0165

Action:

No action taken

(3a)

15. Public Hearing on a request by the City of Waxahachie for a textual change to Section 34.2(B)(3) of the City of Waxahachie Zoning Ordinance, located at Appendix A of Waxahachie City Code, regarding roof materials for single family and duplex structures (TA-17-0166)

Chairman Keeler opened the Public Hearing.

Mr. Brooks reported the Ordinance shall apply to new building construction and existing structures for which new roofing materials are to be used for roof repair or replacement noting there are no exemptions from the roofing materials standards for existing single-family or duplex structures. He stated roof materials shall be comprised of laminated, three-dimensional appearance composition architectural shingles (30-year minimum).

There being no others to speak for or against TA-17-0166, Chairman Keeler closed the Public Hearing.

16. Consider recommendation of Zoning Change No. TA-17-0166

Action:

After further discussion, Mr. Jim Phillips moved to approve a request by the City of Waxahachie for a textual change to Section 34.2(B)(3) of the City of Waxahachie Zoning Ordinance, located at Appendix A of Waxahachie City Code, regarding roof materials for single family and duplex structures (TA-17-0166). Mr. Erik Barnard seconded, All Ayes.

17. Public Comments

Mr. Jamie Isaguirre, 1613 N. Oak Branch Road, Waxahachie, asked for clarification on Consent item b. Staff noted they will meet with Mr. Isaguirre pertaining to his inquiry.

18. Adjourn

There being no further business, the meeting adjourned at 8:32 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

Planning & Zoning Department

Plat Staff Report

Case: RP-17-0162



MEETING DATE(S)

Planning & Zoning Commission: January 23, 2018

City Council: February 5, 2018

CAPTION

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

CASE INFORMATION

Applicant: Chris Stryker

Property Owner(s): Tamara & Christopher Stryker

Site Acreage: 3.7583 acres

Number of Lots: 1 lot

Number of Dwelling Units: 1 units

Adequate Public Facilities: Rockett SUD has indicated that they have not performed a hydraulic analysis for this project.

SUBJECT PROPERTY

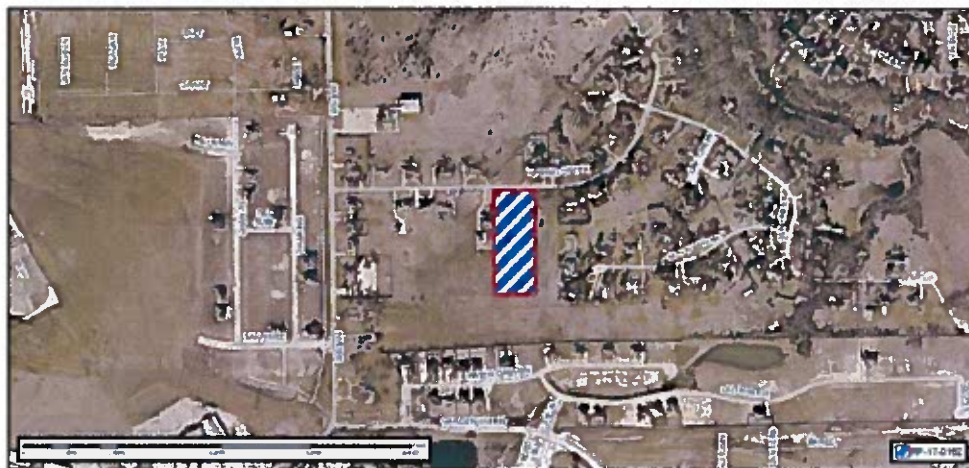
General Location: 116 Spring Creek Drive

Parcel ID Number(s): 206166

Current Zoning: Single Family-1

Existing Use: Single Family residence

Platting History: The Final Plat for Spring Creek was approved by City Council on August 11, 1997.

Site Aerial:**STAFF CONCERNS**

1. The applicant seeks to replat two lots into one, so that he can eventually build a garage accessory dwelling that his mother-in-law will live in. A garage accessory dwelling is allowed by right in the SF-1 zoning district.

APPLICANT RESPONSE TO CONCERNS

1. All concerns resolved.

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. Add property owner's phone number.
 2. Retitle subdivision to match property owner's wish.
 3. Change dates to 2018.
 4. Spelling.
 5. Add the zoning for Ladd Vien's property to the South. Verify with the property owner whether they did purchase southern land from Vien via metes and bounds.

ATTACHED EXHIBITS

1. Plat drawing

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION*Prepared by:*

Kelly Dent, MPA

Planner I

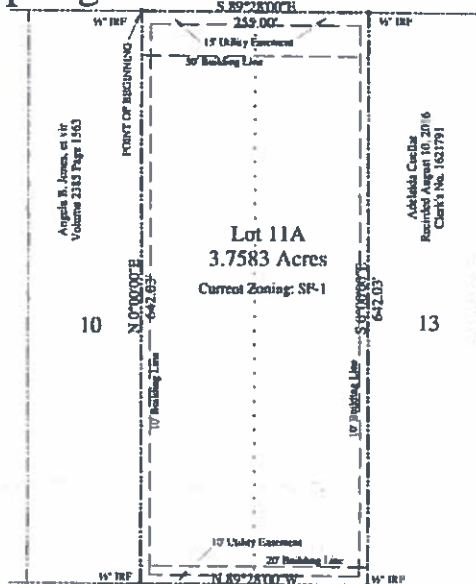
kdent@waxahachie.com*Reviewed by:*

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com

Spring Creek Drive (60' Right-Of-Way)



Ladd View
Recorded May 23, 2016
Clerk's No. 1614093
Lot 1A Tejas Trails
Cabinet H Slide 405

Add zoning to Ladd's property. Chris has mentioned that he purchased some of this property by metes and bounds from Ladd, but I don't know whether the deeds for that have been filed with the County at this point.

F.M. 813

Spring Creek Drive

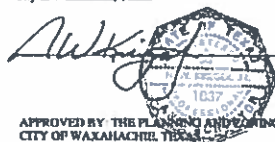
The Replat of Lots 11 & 12

My understanding was that the owner intended to name his subdivision after his cattle breed. If so, that name will need to be shown on the plat drawing.

REPLAT
THE REPLAT OF LOTS 11 AND 12
3.7583 ACRES
SPRING CREEK
City of Waxahachie Ellis County, Texas
For
Tamara L. Stryker and Christopher P. Stryker
116 Spring Creek Drive Waxahachie, Texas 75165
By
N. W. Krieger, Jr.
2409 Park Street
P. O. Box 1294 Ennis, Texas 75120-1294
Phone: 972/878-7013

Surveyor's Certificate

I, N. W. Krieger, Jr., do hereby certify that I prepared this plat from an actual and accurate survey, and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the platting rules and regulations of the City of Waxahachie, Texas.



November 17, 2017

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

CHAIRPERSON

DATE

APPROVED BY: CITY COUNCIL

MAYOR

DATE

ATTEST:



STATE OF TEXAS,
COUNTY OF ELLIS:

OWNER'S CERTIFICATE

WHEREAS, Tamara L. Stryker and Christopher P. Stryker are the owners of a tract or parcel of land situated in the City of Waxahachie, Ellis County, Texas, and being Lots 11 and 12 of Spring Creek, an addition to the City of Waxahachie as recorded in Cabinet D Slide 137 of the Plat Records of Ellis County and being Lot 12 conveyed to Tamara L. Stryker and Christopher P. Stryker by deed recorded in Volume 2696 Page 2050 and Lot 11 conveyed to Christopher P. Stryker and Tamara L. Stryker by deed recorded March 24, 2016 in the Official Public Records of Ellis County and and being more particularly described as follows:

BEGINNING at a point for corner at a 1/4" iron rod found southerly line of Spring Creek Drive at the northwesterly corner of said Lot 11, said point also being South 89° 28' East a distance of 977.5 feet from the intersection of the southerly line of Spring Creek Drive and the easterly line of F. M. 813;

THENCE South 89° 28' East (record bearing) along the southerly line of Spring Creek Drive a distance of 253.0 feet to a point for corner at a 1/4" iron rod found;

THENCE due South along the easterly line of said Lot 12 and the westerly line of Lot 13 in said Spring Creek a distance of 642.03 feet to a point for corner at a 1/4" iron rod found;

THENCE North 89° 28' West along the southerly line of said Lot 11 and 12 a distance of 253.0 feet to a point for corner at a 1/4" iron rod found;

THENCE due North along the westerly line of said Lot 11 and the easterly line of Lot 10 in said addition a distance of 642.03 feet to the PLACE OF BEGINNING and containing 3.7583 acres.

NOW THEREFORE KNOW MEN BY THESE PRESENTS

WHEREAS, Tamara L. Stryker and Christopher P. Stryker do hereby adopt the herein described property as the Replat of Lots 11 and 12 of Spring Creek, an addition to the City of Waxahachie, Texas and do hereby dedicate to the public use forever the streets and alleys shown thereon, and do hereby reserve the easement strips for the mutual use and accommodation of garbage collection agencies and all Public Utilities desiring to use or using same. Any public utility shall have the right to remove all or part of any buildings, fences, trees, shrubs and improvements or other growths which may, in any way, interfere with the construction, maintenance or efficiency of its respective system in any of the easement strips for the purpose of construction, reconstruction, suspending, parcelling, maintaining or either adding to or removing all or part of their respective systems, without the necessity of, at any time procuring the permission of anyone.

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

WITNESS OUR HANDS at Waxahachie, Texas, this 12 day of January, 2017.

TAMARA L. STRYKER
CHRISTOPHER P. STRYKER

STATE OF TEXAS,
COUNTY OF ELLIS:

BEFORE ME, the undersigned authority, a notary public, on this day personally appeared Tamara L. Stryker known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office this 12 day of January, 2017.

Camie Faye Broussard



STATE OF TEXAS,
COUNTY OF ELLIS:

BEFORE ME, the undersigned authority, a notary public, on this day personally appeared Christopher P. Stryker 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 consideration therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office this 12 day of January, 2017.

Camie Faye Broussard



NOTE: 1. This property is not located within the Special Flood Hazard Area as shown on FEMA Community Panel No. 4819C0190P dated June 3, 2013 and is located in FEMA Zone X.

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Move all dates to 2018

ORDINANCE NO. ____

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

WHEREAS, Section 211.001 et .seq. of the Texas Local Government Code authorizes the City Council of the City of Waxahachie to:

Protect and preserve places and areas of historical and cultural importance and significance and to designate places and areas of historic and cultural importance, and to regulate and restrict the construction, alteration, reconstruction, or razing of buildings and other structures to maintain property values; and

WHEREAS, the City contemplates amending Sections 31.A.1 through 31.A.9 of the Code of Ordinances to oversee programs for historic properties and districts, and provide criteria and procedures for administering these programs; and

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

That all of the above premises are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety and that Sections 31.A.1 through 31.A.9 of the Code of Ordinances of the City of Waxahachie, Texas hereby is amended to read as follows:

SECTION 31.A HISTORIC OVERLAY DISTRICTS

31.A.1 GENERAL PURPOSE AND DESCRIPTION:

The City hereby declares that as a matter of public policy, the protection, preservation and enhancement of districts and landmarks of architectural, archaeological, cultural, and historic importance is necessary to promote the economic, cultural, educational, and general welfare of the citizens of Waxahachie. The unique identity of the City of Waxahachie and the history of the area since its founding, which produced significant historic, architectural, archaeological and cultural resources, require this ordinance to:

1. Safeguard the City's historic and cultural heritage, as embodied and reflected in such historic areas, places, buildings and structures, by appropriate regulations.
2. Promote economic stability and prosperity of the community by encouraging the most appropriate use of such significant property in Waxahachie.
3. Protect and enhance the City's attractions to tourists and visitors, as well as provide support and stimulus to business and industry.
4. Ensure the identification and evaluation of buildings, structures, places and areas of historical, architectural and cultural importance or value; and to provide efficient

procedures for that process, and any necessary adjustments or variances from unduly harsh application of the provisions of this ordinance.

5. To balance the rights of the public which justify preservation of the City's history and culture, with those of private property owners who own and control property, and are entitled to the reasonable use and return from their assets.

31.A.2 CREATION OF DISTRICT

A. Nature of District

The City may designate a site, building, structure, landscape or object as a historic resource and a unique area as a historic district together with the public rights of way in and surrounding the resource or district, by establishing a Historic Overlay District that combines with one or more base zoning districts pursuant to the procedures set forth in Section 10 of the City's zoning ordinance.

1. Permitted uses within the Historic Overlay District shall be those allowed in the base zoning district.
2. Unless expressly modified by or limited by an action taken pursuant to this Section 31.A, the height and area standards, special requirements and other regulations shall be those applicable within the base zoning district.

B. Criteria for Historic Resources:

A Historic Overlay District may be established to preserve historic resources of exemplary architectural, archaeological, cultural or historic value having one or more of the following characteristics:

1. Possesses significance in history, architecture, archeology, or culture of the city, county, state or nation.
2. Is associated with events that have made a significant contribution to the broad patterns of local, regional, state or national history.
3. Is associated with the lives of persons significant in Waxahachie's past.
4. Embodies distinctive characteristics of a type, period or method of construction.
5. Represents the work of a master designer, builder or craftsman.
6. Represents an established and familiar visual feature of the City of Waxahachie.
7. Is the location of a significant event.

C. Criteria for Historic Area

A Historic Overlay District may be established to preserve a historic area if the area contains properties that meet one or more of the criteria for designation contained for a historic resource and constitutes a unique section of the City of Waxahachie that contributes to the heritage of the community.

D. Request for Designation

1. A property owner or the Heritage Preservation Commission (HPC) may request establishment of a Historic Overlay District to designate certain sites, buildings, structures, landscapes or objects as historic resources, or to designate certain areas as historic districts. A property owner must obtain a favorable recommendation by the HPC following a public hearing as set forth in Subsection 2 before the request for a Historic Overlay District will be acted upon by the Planning and Zoning Commission and the City Council.
2. The HPC may recommend on its own initiative or upon the request of a property owner that a building, site, structure, landscape or object be preserved as a historic resource or that a unique area be preserved as a historic district. The Heritage Preservation Officer will send notification to property owners within the proposed district boundaries of the proposal. When the HPO has received verifiable written support from the owners of at least thirty (30) percent of the properties within the proposed historic district boundary, the Heritage Preservation Officer shall forward the application to the Heritage Preservation Commission for a public hearing and recommendation. Prior to such hearing, the HPC shall conduct studies and research and make a report on the historic significance of the exteriors of buildings, structures, features, sites, objects and surroundings in the area of the proposed district. At the public hearing, commissioners, owners and other interested parties may present testimony or documentary evidence that will become part of a record regarding the historic, architectural or cultural importance of the proposed historic resource or historic district. The record may also contain staff reports and public comments. Following the public hearing, the HPC shall formulate its recommendation to the Planning and Zoning Commission and the City Council concerning establishment of a Historic Overlay District.

E. Process for Designation

1. The HPC shall make its recommendation on the proposed Historic Resource or Historic District to the Planning and Zoning Commission within thirty (30) days from the date of the public hearing on the proposed designation of the historic resource or historic district, coupled with a request to establish a Historic Overlay District for the site or area.
2. Upon receipt of the HPC recommendation, the Planning and Zoning Commission shall give notice, conduct its public hearing and make recommendations to the City Council in the same manner and according to the same procedures as provided in Section 10.
3. The City Council shall give notice, follow the publications procedure, hold public hearings and make its determination on the Historic Overlay District in the same manner and in accordance with the procedures for a zoning amendment, as provided in Section 10.
4. Upon establishment of the Historic Overlay District designation, the Historic Overlay District shall be recorded on the official zoning map of the City of Waxahachie. All zoning maps shall identify the Historic Overlay District with the

(5)

suffix "H". The boundaries of each Historic Overlay District shall be described in detail and shall be filed in the city secretary's office for public inspection.

31.A.3 CERTIFICATE OF APPROPRIATENESS FOR ALTERATION, RESTORATION, OR NEW CONSTRUCTION WITHIN HISTORIC OVERLAY DISTRICTS:

A. Prohibition on Alteration or Development

1. Within a Historic Overlay District, no person shall alter any building, site, structure, landscape or object designated as a historic resource or alter any portion of the exterior of a structure within a historic district, or place, construct, maintain, expand or remove any structure on such site without first obtaining a Certificate of Appropriateness from the HPC.
2. No building permit shall be issued until an application for a Certificate of Appropriateness has been reviewed and approved by the HPC. The Certificate of Appropriateness shall be in addition to, and not in lieu of, any building permit that may be required by any other ordinance of the City of Waxahachie.

B. Procedures for Certificate of Appropriateness

1. Prior to the commencement of any work requiring a Certificate of Appropriateness, the property owner shall file an application for such a certificate with the Heritage Preservation Commission. The Commission, if requested, shall aid the property owner in preparation and completion of the application. The application form shall contain the following:
 - (a) Name, address, telephone number of the applicant, and a detailed description of the proposed work.
 - (b) Current photographs of the property
 - (c) Historical photographs (if available) upon which the proposed work is based
 - (d) Elevation drawing(s) of any part of the structure that is visible from the public right-of-way with details drawn to scale for work to be done
 - (e) List of materials for all exterior surfaces and/or signs
 - (f) Dollar value of improvements to be made
 - (g) Location map of proposed buildings and structures
 - (h) Details of proposed light fixtures
 - (i) Sample(s) of material(s) to be used
 - (j) Any other reasonable information that the Commission may deem necessary in order to visualize the proposed work.
2. An application for a Certificate of Appropriateness shall be submitted to the Heritage Preservation Officer or other designated City official as stipulated by the City Manager. The HPC shall hold a public meeting on the application within thirty (30) days of receipt of the completed application. All applications received twenty (20) days in advance of the next meeting will be reviewed and discussed at the next scheduled Commission meeting.
3. The HPC shall make a final decision on the application within forty-five (45) days of the filing date. If no action has been taken by such date, a Certificate of Appropriateness shall be deemed issued by the Commission.

4. All decisions of the HPC shall be in writing and will be sent to the applicant and the Building Official within ten (10) working days of the Commission's decision.

C. Criteria

The HPC shall take into account the following criteria for determining whether to issue a Certificate of Appropriateness.

1. The Downtown Waxahachie Design Guidelines, adopted by the City Council in August 2011, which are based on the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitation of Historic Buildings shall be used in this process.
2. The judgment of new construction proposals and the rehabilitation of non-historic buildings will be based on the compatibility of the design within the context of the property's adjacent and nearby historic buildings.
3. The design of new buildings may have key elements of an existing or previous building of the historic period, including massing, scale, fenestration and materials. Buildings may not be absolute reproductions and shall appear as clearly contemporary.
4. Infill buildings between contributing buildings shall be similar in setback, roof form, cornice line and materials, to one of the adjacent buildings. The height of the new buildings shall relate to the heights of adjacent structures. New buildings should not tower over existing buildings. Exterior building finishes shall be similar to that of surrounding historic structures.
5. When constructing an addition to a historic building, it shall be done in a manner so that there is the least possible loss of historic materials and so that character defining features are not obscured, damaged or destroyed. Every effort should be made to locate the addition at the rear of the building or on an inconspicuous side of a historic building; and limiting its size and scale in relationship to the historic building.
6. The new addition should be designed in a manner that makes it clear what is historic and what is new. Design for the new work may be contemporary or may reference design motifs from the historic building. In either case, it should always be clearly differentiated from the historic building and be compatible in terms and mass, materials and relationship of solids to voids.

D. Appeal from Action of HPC Concerning Application for Permits

1. An applicant for a Certificate of Appropriateness dissatisfied with the action of the HPC on the application may appeal the decision to the City Council within fifteen (15) days after receipt of notification of such action. The applicant shall be advised by the Heritage Preservation Officer of the time and place of the hearing at which his appeal will be considered and shall have the right to attend and be heard as to his reasons for filing the same.

(5)

2. In determining the appeal, the City Council shall consider the same factors as the HPC, the report of the HPC and any other matters presented at the hearing on the appeal. The City Council shall affirm, modify or reverse the decision by the HPC on the application for the Certificate of Appropriateness, and may impose such conditions as are necessary to assure that the proposed action meets the criteria for approval. If the application is disapproved, the City Council may indicate what changes in the plans and specifications would meet the conditions for protecting the distinctive historical character of the district. The applicant and the HPC shall be notified of the Council's decision by the Heritage Preservation Officer.

E. Issuance of Permits

1. Upon approval of an application for a Certificate of Appropriateness, the Building Official shall be authorized to issue a building permit or other permits required to undertake the action proposed in the application consistent with all applicable City standards.
2. No change shall be made in the scope of work for any building permit after issuance of Certificate of Appropriateness without submittal of an application to amend the Certificate, which shall be considered by the HPC in the same manner as provided above. If a property owner wishes to change the scope of work under a Certificate of Appropriateness, the property owner shall consult the Heritage Preservation Officer who shall have the authority to approve non-substantive changes. If the Heritage Preservation Officer deems the requested changes to be substantive, such changes shall be referred to the Heritage Preservation Commission for action.

31. A.4 MINOR IN KIND REPAIRS AND ORDINARY MAINTENANCE

1. Nothing in this Section 31.A shall be construed to prevent minor in kind repairs or ordinary maintenance. Minor in kind repairs and ordinary maintenance, including painting, do not require a Certificate of Appropriateness unless the tax incentive for maintenance is being sought. If the 25% tax incentive for maintenance is requested, all provisions of Section 24.57 in Ordinance #2288 will apply.
2. The Downtown Waxahachie Design Guidelines should be consulted when performing minor in-kind repairs or ordinary maintenance. The Heritage Preservation Officer is also available as an additional resource and should be consulted concerning questions about minor in-kind repairs and ordinary maintenance. If the Heritage Preservation Officer deems a Certificate of Appropriateness necessary, the procedures in Section 31.A.3 shall apply.

31.A.5 DEMOLITION OR RELOCATION OF HISTORIC RESOURCES

A. Demolition Permit Required

A permit for the demolition or relocation of a historic resource or any structure within a Historic Overlay District shall not be granted by the Chief Building Official without the review and approval of a completed application by the Heritage Preservation Commission. Any person, firm, or corporation who violates, disobeys, omits, neglects

or refuses to comply with the provision of this ordinance shall be fined not more than \$2,000 for each offense.

B. Application

Certain information must be submitted by the applicant along with an application for a permit for demolition or relocation prior to the Heritage Preservation Commission making a ruling on the application. The applicant must supply the following information before the application is considered complete:

1. Information describing the condition of the structure.
2. An estimate of the cost of restoration or repair.
3. Demonstration that adaptive use or restoration of the structure has been seriously considered.
4. Any available historic records of the building (drawings, photographs).
5. Architectural drawings for the proposed new construction which is intended to replace the historic structure if applicable.
6. Any improvements proposed by the property owner to be placed on the land or new development that would mitigate the loss of the historic structure if applicable.
7. Any other information deemed appropriate by the Commission to assist in rendering a decision on the application.

C. Action on Application

Upon formal notification from the Heritage Preservation Officer that the application has been received, an automatic sixty (60) day stay will go into effect. During this time the Heritage Preservation Commission shall consider the state of repair of the building, reasonableness of the cost of restoration or repair, the existing and/or potential usefulness, the purpose behind preserving the structure, the character of the neighborhood, and all other factors it finds appropriate. If the Commission determines that, in the interest of preserving historical values, the structure should be preserved, it shall notify the

building official that the application has been disapproved. If disapproved, the applicant may appeal to the City Council in the same manner as for a Certificate of Appropriateness. If demolition or relocation is approved, the HPC shall notify the building official so the appropriate permit(s) can be issued.

31.A.6 DUTY TO MAINTAIN/DEMOLITION BY NEGLECT

No owner or person with an interest in real property designated as a historic resource, a National Register property, or included in a historic district shall allow such property to fall into a serious state of disrepair without requesting a demolition permit. Property owners who allow properties to fall into a serious state of disrepair are subject to all the provisions of Chapter 8, Article III in the City of Waxahachie Code of Ordinances.

Examples of a state of serious disrepair shall include, but are not limited to, the following:

1. Deterioration of exterior walls or other vertical supports.
2. Deterioration of roofs or other horizontal members.
3. Deterioration of exterior chimneys.
4. Deterioration or crumbling of exterior stucco or mortar.
5. Ineffective waterproofing of exterior walls, roofs, or foundations, including broken windows or doors.
6. Deterioration of any feature so as to create a hazardous condition that could lead to the claim that demolition is necessary for the public safety.
7. Deterioration of ornamental features.

31.A.7 ENFORCEMENT

A. Compliance Required

All work performed pursuant to a Certificate of Appropriateness issued under this Ordinance shall conform to all requirements included herein and all other City codes. It shall be the duty of the building inspector to periodically inspect any such work to ensure compliance.

B. Enforcement Proceedings

In the event that work being performed is found to not be in accordance with the Certificate of Appropriateness or upon notification of such fact by the Heritage Preservation Commission, the Building Official shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop work order is in effect. All other remedies authorized under this Zoning Ordinance shall be applicable to non-compliance with a Certificate of Appropriateness.

Any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with the provisions of this ordinance shall be fined not more than \$2,000 for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

31.A.8 DEFINITIONS

For purposes of this Section 31.A, the following definitions apply:

Archeology—the science or study of material remains of past life or activities and the physical site, location, or context in which they are found, as delineated in the Department of the Interior's Archeological Resources Protection Act of 1979.

Area—a specific geographic division in the City of Waxahachie

Building—any structure created to shelter people or things, such as a house, barn, church, office, hotel, or similar structure.

Certificate of Appropriateness – a signed and dated document evidencing the approval of the Heritage Preservation Commission and/or Heritage Preservation Officer for work proposed by an owner or applicant of a structure within a Historic Overlay District or an individual Historic Resource.

Citizen—a legal resident of the City of Waxahachie.

Demolition – an act or process (not withstanding acts of God, criminal activity, etc.) which destroys a site or structure in its entirety, or which destroys a part of a site or structure and permanently impairs its structural, historic or architectural integrity.

Downtown Waxahachie Design Guidelines – guidelines adopted by the Heritage Preservation Commission and the City Council for property designated as a Historic Resource or Historic District to protect, perpetuate and enhance the historical, cultural, architectural or archaeological character of an object, site, structure or district.

Development Review—means processing of proposed development requests.

Heritage Preservation, Heritage Commission or Commission – the Heritage Preservation Commission of the City of Waxahachie, as established by Ordinance 2288, Section 1-3, as amended.

Heritage Preservation Officer (HPO) – a staff person for the City of Waxahachie whose duties encompass all historic preservation activities for the city as established by Ordinance 2288, Section 1-4, as amended.

Historic Resource Preservation Plan (or Preservation Plan)—a document established by the Heritage Preservation Commission and adopted by the City Council to provide a current inventory of Historic Resources and Historic Districts and policy recommendations to guide historic preservation activities for the City of Waxahachie.

Historic Preservation—the identification, evaluation, recordation, documentation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance and reconstruction of Historic Resources, or any one or a combination of the foregoing activities.

Historic Property—the full range of properties identified in the Historic Resource Survey and/or special studies which are significant in history, pre-history, architecture, engineering, archaeology and culture, including properties significant to the whole nation or those significant at the state, regional, or local level.

Historic Resource—a structure, site, building, or landmark, or a collection of the same within an contiguous area of the City, which satisfies one (1) or more of the criteria set out in Section 31.A.2.B of this ordinance and which is designated as such in accordance with that Section.

Historic Overlay District—an area which includes two (2) or more structures or sites which satisfy one (1) or more of the criteria set out in Section 31.A.2.B, together with their accessory buildings, fences, and other appurtenances, located within a geographically definable area possessing a significant concentration, linkage or continuity of objects, sites or structures united

by past events or aesthetically by plan or physical development, and which is established as a zoning district in accordance with chapter 31.A of the Zoning Ordinance. A Historic Overlay District may have within its boundaries other structures that, while not of such historical, cultural, architectural or archeological significance as to be designated as an Historic Resource, nevertheless contribute to the overall visual setting of or characteristics of the Historic District.

Historic Resource Survey—the survey of Historic Resources published by the Heritage Preservation Commission, as amended from time to time.

Landmark—a structure or property that is of value in preserving the historical, cultural, architectural or archeological heritage, or is an outstanding example of design or a site closely related to an important personage, act or event in history.

Minor In-kind Repairs – small scale repairs to correct minor problems or damage to the exterior. Minor in-kind repairs do not include a change in design, material or outward appearance, only in-kind replacement or repair. Examples of minor in-kind repair include, but are not limited to touch-up painting, replacement of a window pane, caulking, securing loose boards, etc.

Non-Historic Resource—a structure, site, building, or landmark, which does not satisfy any of the criteria set out in Section 31.A.2.B of this ordinance and which is designated as such in accordance with that Section.

Object – material thing that can be seen or touched that is associated with cultural tradition or heritage. Examples include but are not limited to brass stop signs, obelisk street signs, or hitching stones.

Ordinary Maintenance – any work, the purpose and effect of which is to correct any deterioration or decay of or damage to a structure or property, or any part thereof, and to restore the same, as nearly as may be practicable, to its condition prior to such deterioration, decay or damage, using the same materials or those material available which are as close as possible to the original and all of which must comply with applicable codes and ordinances. Ordinary Maintenance does not include a change in design, material or outward appearance, but does include in-kind replacement or repair. Examples of Ordinary Maintenance include, but are not limited to: replacement or repair of roofing materials, painting or other minor architectural features, etc.

Relocation—any change of the location of a structure, object or material thing in its present setting or to another setting.

Restoration—the act or process of accurately recovering the form and details of a structure or property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

Secretary of the Interior's Standards for Rehabilitation– the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitation of Historic Buildings, reported at 36 Code of Federal Regulations 67.7, as amended or as recodified.

Site—the location of a significant event, a prehistoric or historic occupation or activity, or a structure or cluster of structures, whether standing, ruined or vanished, where the location itself maintains historical or archeological value, regardless of the value of any existing structure.

(5)

Stabilization—the act or process of applying measures designed to re-establish a weather resistant enclosure and the structural stability of an unsafe or deteriorated structure or property while maintaining the essential form as it presently exists.

Structure—anything constructed or erected which requires location on the ground, or is attached to something having a location on the ground, including, without limitation, buildings.

31.A.9 TAX INCENTIVES

The owner of property within a Historic Overlay District may qualify for the tax incentives set forth in Section 24.57 of Ordinance No. 2288 by complying with the criteria identified in that section in accordance with the procedures set forth in Section 24.58 thereof.

Zoning Ordinance—The Zoning Ordinance of the City of Waxahachie, as may be amended from time to time.

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

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

Section 5. That this ordinance shall become effective from and after the date of its passage thirty days after its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS on this the ____ day of _____, 2018.

MAYOR

ATTEST:

City Secretary

(1)

Planning & Zoning Department

Zoning Staff Report

Case: SU-17-0167



MEETING DATE(S)

Planning & Zoning Commission: January 23, 2018

City Council: February 5, 2018

CAPTION

Public Hearing on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) to allow an **Electronic Message Sign** use within a Planned Development-20-General Retail (PD-20-GR) zoning district, located at 503 N Highway 77, being LOT 2B BLK 1 NORTHGATE PLAZA 0.501 AC (Property ID 175006)– Owner: ROCKSTEADY LLC (SU-17-0167)

CASE INFORMATION

Applicant: Chris Reeves, Quickway Signs

Property Owner(s): Rocksteady LLC

Site Acreage: 0.501 acres

Current Zoning: Planned Development-20-General Retail

Requested Zoning: PD-20-GR with Specific Use Permit

SUBJECT PROPERTY

General Location: 503 N Highway 77

Parcel ID Number(s): 175006

Existing Use: Restaurant

Development History:

Case No.	Direction from Site	Request	Result
SP2012-10	East	SUP for Drive-Thru	Approved, Ord. No. 2653

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-20-GR	Shopping center
East	PD-24-GR	Shopping center
South	PD-GR	Shopping center
West	PD-20-GR	Shopping center

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 site is located along N US Highway 77, a Major Thoroughfare A (120' ROW). It can be accessed via a driveway off E University Ave, a local street (50' ROW).

***Site Image:*****PLANNING ANALYSIS**

The applicant seeks to modify an existing pole sign by installing an electronic message sign on the pole sign.

This property's final plat was approved by City Council on December 17, 1984, and the Site Plans were approved by City Council on February 18, 1985, and February 16, 1987, with no sign depicted on the plans. The installed sign is a pole sign, with a fifty (50) square foot cabinet. The pole sign is a legal nonconforming sign. A legal nonconforming sign is one that was lawfully installed in compliance with all City codes and ordinances that were applicable at the time of installation, but that does not comply with the provisions of this Section of the Zoning Ordinance (and/or other codes or ordinances) of the City of Waxahachie.

The pole sign is also located too close to the right-of-way (ROW) per Zoning Ordinance requirements. For a pole sign up to twenty-five (25) feet in height, the sign must be erected at least fifteen (15) feet from the property lines adjacent to a street and ten (10) feet from side or rear property lines. For a pole sign greater than twenty-five (25) feet in height or greater. This sign is roughly eleven (11) feet from the ROW.

An electronic message sign is permitted at this location by Specific Use Permit, however, it must be in the form of monument sign, not pole sign. The applicant has the option of applying for a monument sign electronic message sign, but the legal nonconforming pole sign would need to be removed from the site.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 6 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 01/05/2018.

STAFF CONCERNS

1. This sign is a legal nonconforming sign. As such, the City will not permit the proposed modification to the sign in question.
2. The City expects that any electronic message sign be a monument sign.

APPLICANT RESPONSE TO CONCERNS

1. Applicant had a conversation with City Staff. The concerns remain outstanding.

RECOMMENDATION

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

- ☒ Denial
- ☐ Approval, as presented.
- ☐ Approval, per the following comments:
 1. If checking the last box, then include the comments recommended for P&Z and City Council to use as discussion points.

ATTACHED EXHIBITS

1. Site plan
2. Proposed sign

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

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



1. POWER CABLE WITH SHIELDING
 2. NETWORK CAT 5E
 3. THINNET FIBER
 4. UNSHIELDED COAXIAL CABLE
 5. TELEPHONE FIBERLINE
 6. MASTER CABLE
 7. FIBER OPTIC CABLE
 8. MICROFIBER OPTIC CABLE
 9. PARALLEL COAXIAL CABLE
 10. SHIELDING CABLE WITH SHIELDING
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LEASE DESCRIPTION OF LAND AND TRACT COVERED BY TRACT OR PORTION OF LAND AND TRACT AND OF COUNTRY AS TO COUNTY: MONTGOMERY, SHIPLEY COUNTY, AN AREA IN THE SW 1/4 OF NE 1/4 SEC. 10, T. 36 N., R. 10 E., S. 10 E., CO. 10, MO. AND THE SECOND-CLASS TRACTS OF RECORD IN COUNTY & STATE AND PLAT RECORDS, SILE COUNTY MO., AS FOLLOWS:

The Land described herein is the land owned by & is situated on the West 1/2 of the County Corner Plat for title required hereby of West American Oil Company & Co., Inc. and American Oil Company, dated MAY 15, 1935, AND EFFECTIVE APRIL 15, 1935, AND ARE DESCRIBED AND BEING HEREIN REPRODUCED:

WIT: COUNTY CLERK, MO. 1935

[illegible][illegible]

EXCEPT AS LISTED ABOVE, THE SURVEYOR OBSERVED NO OTHER SUBSTANTIAL DEFECTS OR DAMAGE TO THE PROPERTY OR STRUCTURES ON THE PROPERTY.



LOCATION MAP

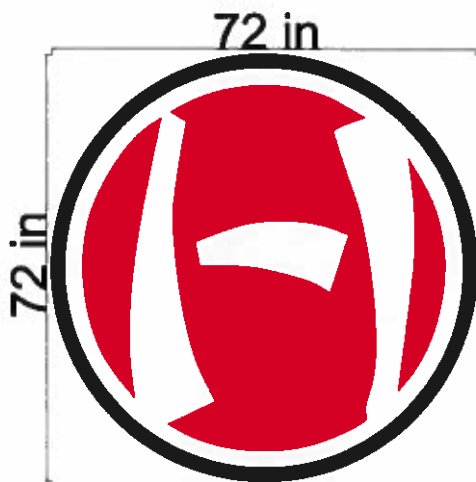
ACCORDING TO THE U. S. FBI'S DEPT.
OFICE - NATIONAL WITNESS PROSECUTOR
THE SUBJECT PROPERTY BELONGS
CONFIDENTIAL SOURCE.

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[illegible]

4. IMPROVE OR FOR THE FIRST
LINE OF SUBJECT PROPERTY
FILE (10/10) OF IMPROVING...





**We will replace 5'x10'
reader board with
5'x10' Digital Message Center**

(1)

Planning & Zoning Department

Zoning Staff Report

Case: SU-17-0168



MEETING DATE(S)

Planning & Zoning Commission: January 23, 2018

City Council: February 5, 2018

CAPTION

Public Hearing on a request by Chris Reeves, Quickway Signs, for a Specific Use Permit (SUP) to allow an **Electronic Message Sign** use within a Commercial (C) zoning district, located at 1601 N Highway 77, being LOT 1B BLK D LAKERIDGE #1-REV 1.241 AC (Property ID 174568)– Owner: MC INVESTMENT FUND LLC (SU-17-0168)

CASE INFORMATION

Applicant: Chris Reeves, Quickway Signs

Property Owner(s): MC Investment Fund LLC

Site Acreage: 1.241 acres

Current Zoning: Commercial

Requested Zoning: C with Specific Use Permit

SUBJECT PROPERTY

General Location: 1601 N Highway 77

Parcel ID Number(s): 174568

Existing Use: Urgent Care Clinic

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	C	Restaurant
East	PD-42-C	Restaurant
South	O	YMCA
West	O	YMCA

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 site is located along N US Highway 77, a Major Thoroughfare A (120' ROW).



Site Image:

PLANNING ANALYSIS

The applicant seeks to modify an existing pole sign by installing an electronic message sign on the pole sign.

This property's final plat was approved by City Council on May 20, 1985, and replat of this lot was approved by Council on November 4, 1985. The installed sign is a pole sign, with a twenty-four (24) square foot cabinet. The pole sign is a legal nonconforming sign. A legal nonconforming sign is one that was lawfully installed in compliance with all City codes and ordinances that were applicable at the time of installation, but that does not comply with the provisions of this Section of the Zoning Ordinance (and/or other codes or ordinances) of the City of Waxahachie.

An electronic message sign is permitted at this location by Specific Use Permit, however, they must be in the form of monument signs, not pole signs. The application has the option of applying for a monument sign electronic message sign, but the pole sign would need to be removed from the site.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 8 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 01/05/2018.

STAFF CONCERNS

1. This sign is an legal nonconforming sign. As such, the City will not permit the proposed modification to the sign in question.
2. The City expects that any electronic message sign be a monument sign.

APPLICANT RESPONSE TO CONCERNS

1. Applicant had a conversation with City Staff. The concerns remain outstanding.

(9)

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. If checking the last box, then include the comments recommended for P&Z and City Council to use as discussion points.

ATTACHED EXHIBITS

1. Site plan
2. Proposed sign

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

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

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

(9)

Google Maps 1601 Dallas Hwy



Imagery ©2017 DigitalGlobe, Texas OrthoImagery Program, U.S. Geological Survey, Map data ©2017 Google United States 50 ft

DF. SIGN

(9)

120 in.

E⁺ EXPEDIAN
URGENT CARE
OPEN 7 DAYS A WEEK

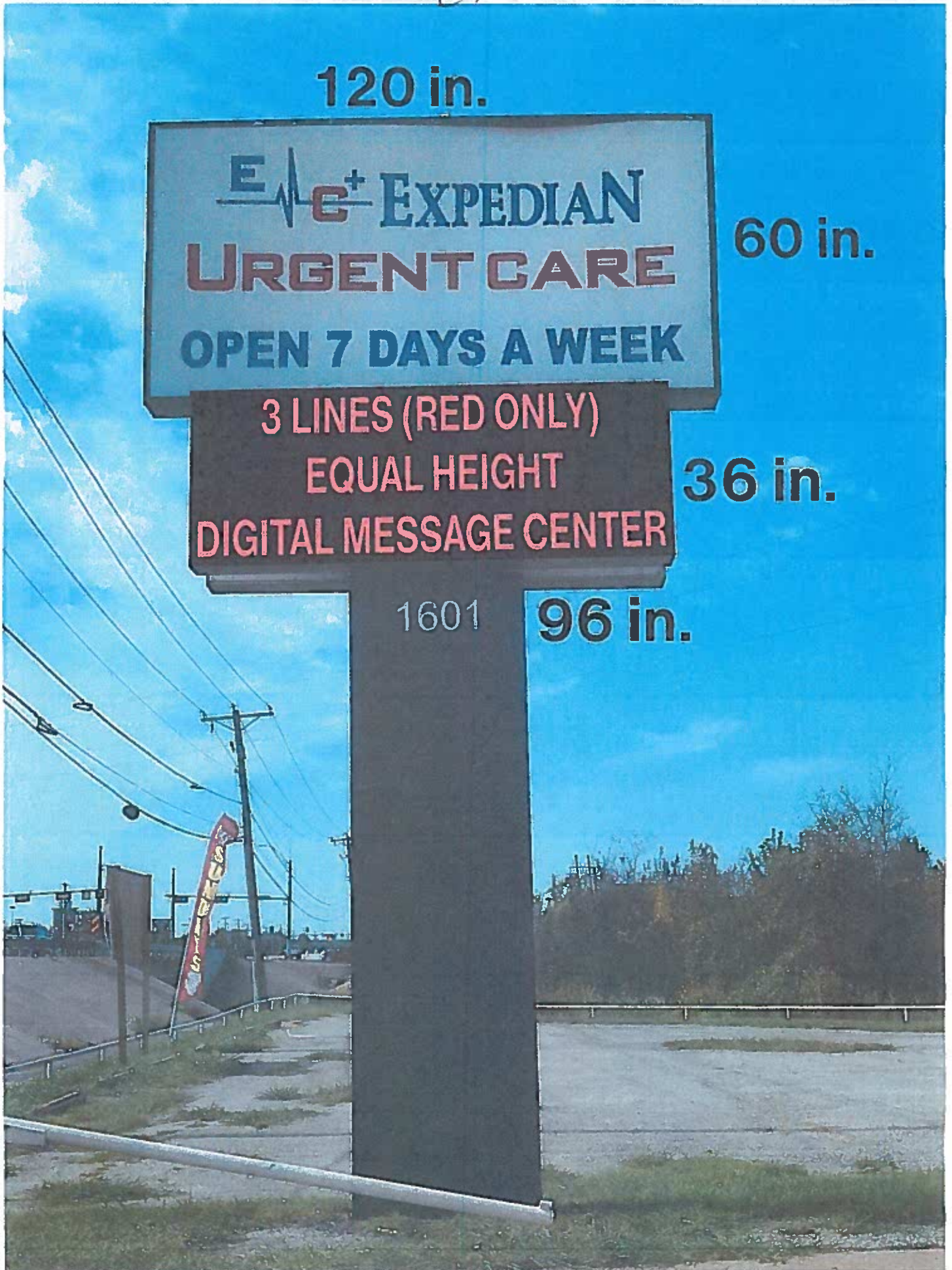
60 in.

3 LINES (RED ONLY)
EQUAL HEIGHT
DIGITAL MESSAGE CENTER

36 in.

1601

96 in.



(11)

Planning & Zoning Department

Plat Staff Report

Case: PP-17-0171



MEETING DATE(S)

Planning & Zoning Commission: January 23, 2018

City Council: February 5, 2018

CAPTION

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

CASE INFORMATION

Applicant: Brandon O'Donald, Pape-Dawson Engineers, Inc.

Property Owner(s): 112 LLC and Mountain Creek Partner III, LLC

Site Acreage: 213.536 acres

Number of Lots: 610 residential and 19 open space lots

Number of Dwelling Units: 610 units

Park Land Dedication: The applicant's park land dedications are covered under the North Grove Planned Development.

Adequate Public Facilities: This development will be on City water and sewer.

SUBJECT PROPERTY

General Location: South and West of Grove Creek Road, East of US Highway 77

Parcel ID Number(s): 192636, 192639, 192643, 192645

Current Zoning: Planned Development – Ordinances 2733, 2841, 2870

Existing Use: Currently undeveloped

Platting History: J.W. Wright Survey, Abstract No. 1182

(11)

Site Aerial:



STAFF CONCERNS

1. Planning Comments
 - a. Include the square footage of the X lots as a lot table.
 - b. Block 2, Lot 29 is missing a square footage.
2. Engineering Comments
 - a. Need floodplain zone notes with FIRM number and Effective date. On construction plans include the Base Flood Elevation provided in the FEMA maps and ensure the buildings are a minimum of 1 foot above the floodplain (recommend 2 foot freeboard).
 - b. Need ROW dedication for Grove Creek Road (60-foot for Collector.)
 - c. TIA is still necessary and it should state the roadway connections necessary for the different phases?
 - d. TIA, Downstream Assessment or detention is necessary for this development.
 - e. Cannot cross into existing property in Arbors with the ROW.
 - f. Does not appear to be 60 feet ROW on the drawings.
 - g. Please show the exhibit provided by email and/or show sidewalk along the parking spaces (within easement).
 - h. 42.5' Radius per Pape-Dawson Fire Truck AutoTurn previously provided for Estates of North Grove.
 - i. Internal Radius? Will a fire truck be able to make this turn with vehicles parked along this road? This does not match the Estates of North Grove Knuckles. Provide AutoTurn for these details.
 - j. How will the 12-inch water from the Arbors be installed between their property and this development?
 - k. Will need to send this to consultant to analyze the sewer this development based on this note.
 - l. Need inlet calculations for the on-grade.
 - m. Sump is usually 1 cfs/ft, unless you can provide calculations to the contrary.

APPLICANT RESPONSE TO CONCERNS

1. Applicant submitted revisions that resulted in the above comments. Applicant is working to address staff comments at the present time.

(11)

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. Planning Comments
 - a. Include the square footage of the X lots as a lot table.
 - b. Block 2, Lot 29 is missing a square footage.
 - 2. Engineering Comments
 - a. Need floodplain zone notes with FIRM number and Effective date. On construction plans include the Base Flood Elevation provided in the FEMA maps and ensure the buildings are a minimum of 1 foot above the floodplain (recommend 2 foot freeboard).
 - b. Need ROW dedication for Grove Creek Road (60-foot for Collector.)
 - c. TIA is still necessary and it should state the roadway connections necessary for the different phases?
 - d. TIA, Downstream Assessment or detention is necessary for this development.
 - e. Cannot cross into existing property in Arbors with the ROW.
 - f. Does not appear to be 60 feet ROW on the drawings.
 - g. Please show the exhibit provided by email and/or show sidewalk along the parking spaces (within easement).
 - h. 42.5' Radius per Pape-Dawson Fire Truck AutoTurn previously provided for Estates of North Grove.
 - i. Internal Radius? Will a fire truck be able to make this turn with vehicles parked along this road? This does not match the Estates of North Grove Knuckles. Provide AutoTurn for these details.
 - j. How will the 12-inch water from the Arbors be installed between their property and this development?
 - k. Will need to send this to consultant to analyze the sewer this development based on this note.
 - l. Need inlet calculations for the on-grade.
 - m. Sump is usually 1 cfs/ft, unless you can provide calculations to the contrary.

ATTACHED EXHIBITS

- 1. Preliminary plat drawings
- 2. Street layout drawings
- 3. Water layout drawing
- 4. Sewer layout drawing
- 5. Storm layout drawing
- 6. Tree preservation plan drawing
- 7. Landscape plan drawings
- 8. Irrigation plan drawings
- 9. Entry feature drawing

(11)

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

Kelly Dent, MPA

Planner I

kdent@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com



BEING a 213.536 acre tract of land situated in the J.W. Wright Survey, Abstract No. 1182, R.A. Davis Survey, Abstract No. 318 and the H. Sange Survey, Abstract No. 1009 Ellis County, Texas, and being all of those certain tracts of land described in deeds to 112, LLC, recorded in Volume 2209, Page 1015, Official Public Records, Ellis County, Texas; deed Helen Jones "Second Tract", recorded in Volume 530, Page 106, Deed Records, Ellis County, Texas; deed called Mary Streckmann, recorded in Volume 729, Page 752, Deed Records, Ellis County, Texas; deed called Mountain Creek Partners III, LLC, recorded in Volume 2209, Page 1011, Official Public Records, Ellis County, Texas; and deed called 112, LLC, recorded in Volume 2209, Page 1019, Official Public Records, Ellis County, Texas; said land being 213.536 acres being described by metes and bounds as follows:

BEGINNING at a Mag Nail set at a point in the center of Grove Creek Road;

THENCE, North 88 degrees 15 minutes 01 seconds East, a distance of 2601.13 feet to a point for corner;

THENCE, North 89 degrees 19 minutes 29 seconds East, departing said Grove Creek Road a distance of 293.38 feet to a 4" pipe fence corner;

THENCE, South 86 degrees 58 minutes 5 seconds 54 East, a distance of 519.43 feet to a point for corner;

THENCE, South 03 degrees 00 minutes 23 seconds East, a distance of 670.72 feet to a point for corner; said point being located in Grove Creek;

THENCE, continuing along the center of Grove Creek the following distances;

South 44 degrees 55 minutes 21 seconds East, a distance of 163.85 feet to a point for corner;

South 83 degrees 51 minutes 31 seconds East, a distance of 247.50 feet to a point for corner;

South 53 degrees 05 minutes 31 seconds East, a distance of 290.50 feet to a point for corner;

South 09 degrees 57 minutes 31 seconds East, a distance of 230.00 feet to a point for corner;

South 36 degrees 54 minutes 31 seconds East, a distance of 185.36 feet to a point for corner;

THENCE, South 58 degrees 36 minutes 41 seconds West, departing said center line of Grove Creek a distance of 745.63 feet to a point for corner;

THENCE, South 58 degrees 22 minutes 42 seconds West, a distance of 90.28 feet to a point for corner;

South 57 degrees 54 minutes 23 seconds West, a distance of 364.88 feet to a point for corner;

South 57 degrees 54 minutes 23 seconds West, a distance of 364.88 feet to a point for corner;

South 57 degrees 23 minutes 46 seconds West, a distance of 259.29 feet to a point for corner;

South 58 degrees 11 minutes 22 seconds West, a distance of 795.62 feet to a point for corner;

South 61 degrees 21 minutes 20 seconds West, a distance of 388.54 feet to a point for corner;

South 88 degrees 14 minutes 22 seconds West, a distance of 603.88 feet to a point for corner;

North 71 degrees 20 minutes 07 seconds West, a distance of 485.78 feet to a point for corner;

South 88 degrees 34 minutes 49 seconds West, a distance of 938.68 feet to a point for corner;

North 01 degrees 56 minutes 12 seconds West, a distance of 422.65 feet to a point for corner;

North 01 degrees 57 minutes 03 seconds West, a distance of 170.88 feet to a point for corner;

North 01 degrees 56 minutes 51 seconds West, a distance of 1108.84 feet to a point for corner;

North 01 degrees 41 minutes 07 seconds West, a distance of 129.32 feet to a point for corner;

South 89 degrees 52 minutes 34 seconds East, a distance of 88.19 feet to a point for corner;

North 01 degrees 13 minutes 52 seconds West, a distance of 565.04 feet to a point for corner;

North 44 degrees 37 minutes 11 seconds East, a distance of 77.20 feet to a point for corner;

North 00 degrees 22 minutes 11 seconds West, a distance of 116.89 the POINT OF BEGINNING containing 213.536 acres of land more or less.



**PAPE-DAWSON
ENGINEERS**

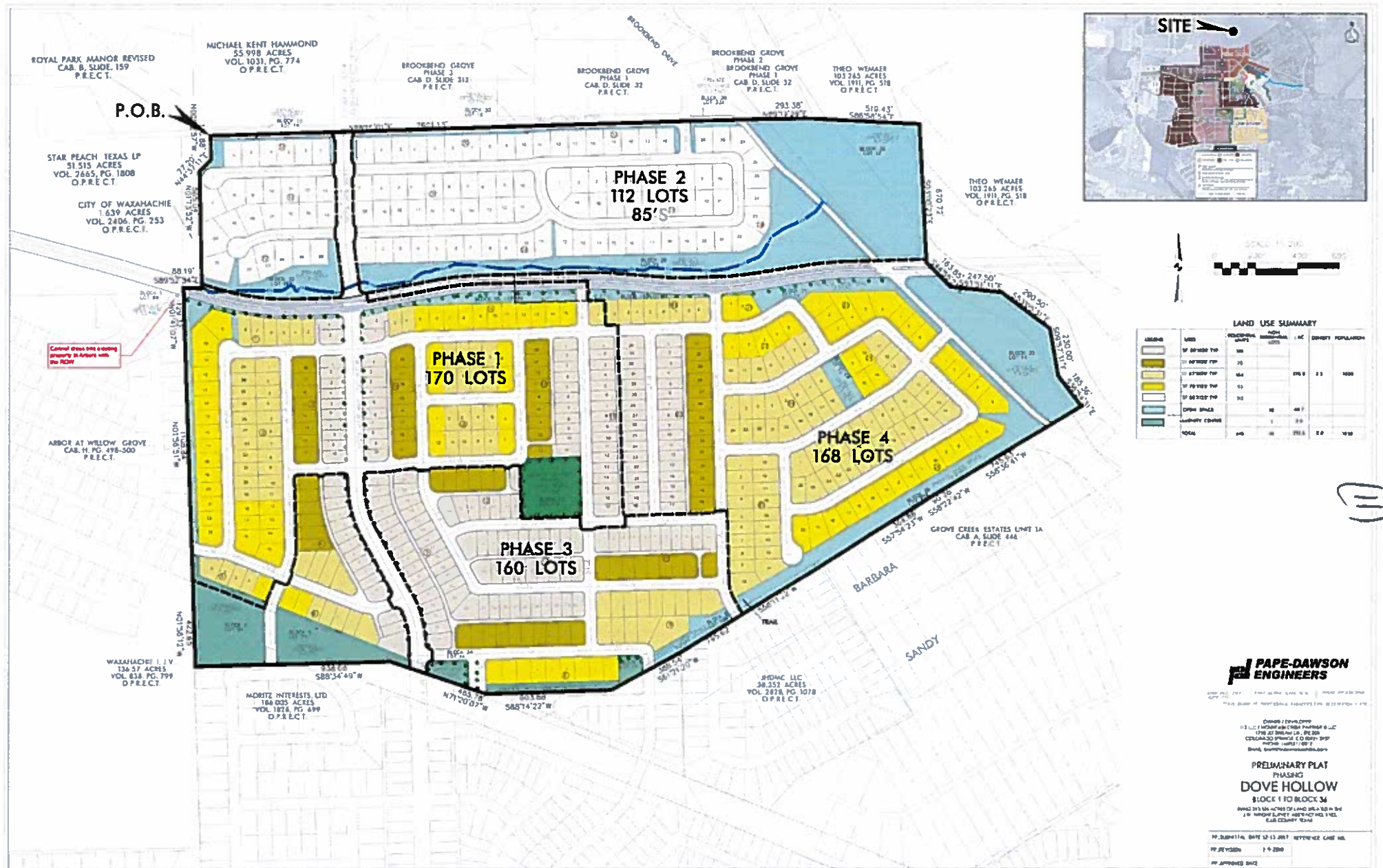
1120 N. 10TH STREET, SUITE 100, DALLAS, TEXAS 75201
TEL: 214.750.1100 FAX: 214.750.1101
WWW.PAPE-DAWSON.COM

OWNER: J. W. WRIGHT
1120 N. 10TH STREET, SUITE 100, DALLAS, TEXAS 75201
COLLEEN B. WRIGHT, J. W. WRIGHT, JR.
J. W. WRIGHT, JR.
J. W. WRIGHT, JR.

**PRELIMINARY PLAT
DOVE HOLLOW
BOUNDARY LEGAL**

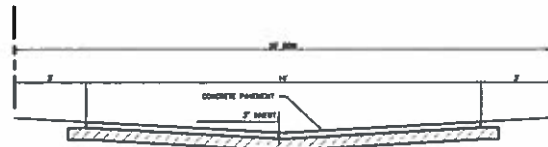
BEING 213.536 ACRES OF LAND SHOWN IN THE
J. W. WRIGHT SURVEY, ABSTRACT NO. 1182,
ELLIS COUNTY, TEXAS.

PP-20180109 DATE: 12-15-17 REFERENCE CASE NO.
PP-20180109 21-12-18
PP-20180109 DATE:

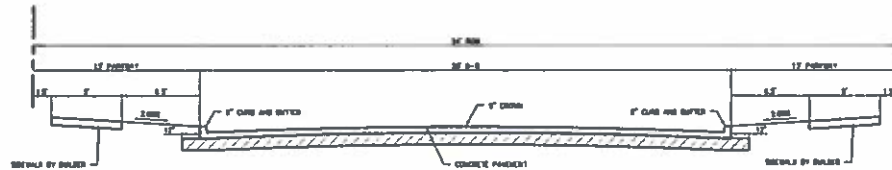


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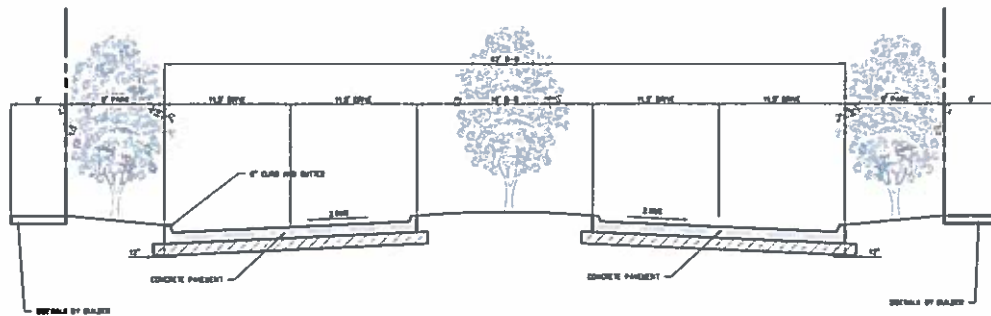
NO. SUBMITTAL DATE	12-12-17	REFERENCE CODE NO.
NO. REVIEWED	01-12-18	
NO. APPROVED DATE		



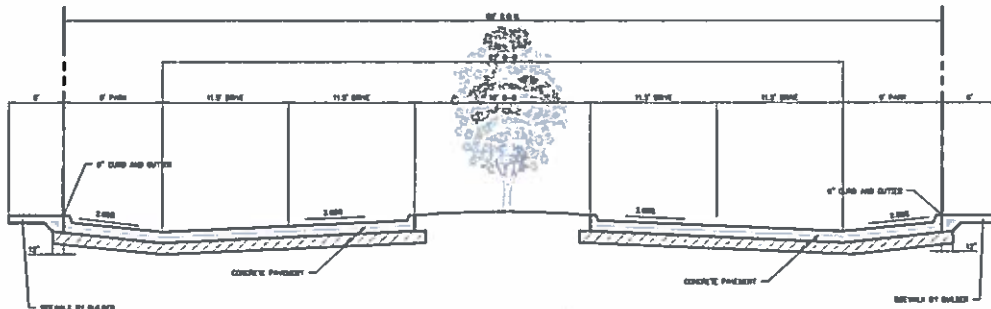
TYPICAL ALLEY SECTION
NOT TO SCALE



TYPICAL ROADWAY SECTION - 54' R.O.W.
NOT TO SCALE

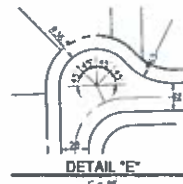
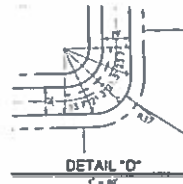
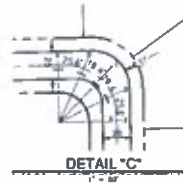
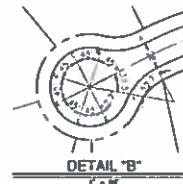
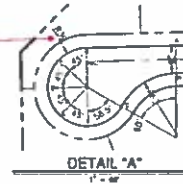


TYPICAL ROADWAY SECTION - 80' R.O.W.
NOT TO SCALE



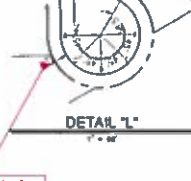
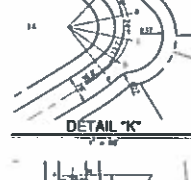
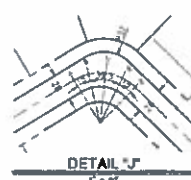
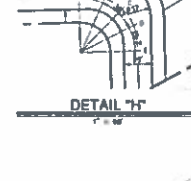
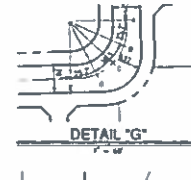
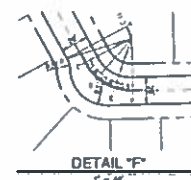
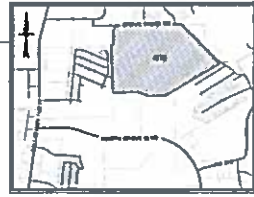
TYPICAL ROADWAY SECTION - 80' R.O.W.
NOT TO SCALE

42.9' Radius per
Pape-Dawson 1 in 100
Auto Turn previously
provided for 8 miles of
North County



NOTES

1. THE LAYOUT FOR THIS MAP IS BASED ON THE 1980 STATE PLANE COORDINATE SYSTEM, NORTH ZONE, ZONE 14 (GCS) AS DERIVED FROM STATE OBSERVATION AND TRANSFORM CALCULATIONS.
2. THE PROPERTY IS SHOWN AS-FOLLOWS



42.9' Radius per curve
with Pape-Dawson
planimetry

Round Radius?
We have this curve in order to make this turn
with radius specified along this road?
This does not match the location of turn
curve. Radius. Property Auto turn for
curve length.

**PAPE-DAWSON
ENGINEERS**

FOOT WORTH | SAN ANTONIO | AUSTIN | HOUSTON | DALLAS
6800 WEST FIVE, STE 200 | FORT WORTH, TX 76116 | 817.476.2800
TEXAS BOARD OF PROFESSIONAL SURVEYING, FIRM REGISTRATION NO. 1470

**DOVE HOLLOW
PRELIMINARY STREET LAYOUT**

1/12/2018

PAPE-DAWSON ENGINEERS

FORT WORTH | DALLAS | AUSTIN | HOUSTON | SAN ANTONIO
 3000 WEST HWY. 270 | FORT WORTH, TX 76116 | (817) 370-2000
 TEXAS BOARD OF PROFESSIONAL ENGINEERS NO. 10086-0000000000

MATCH LINE THIS SHEET

How will the 12 inch water from the
 storm be collected and treated?
 property and the development?

MATCH LINE THIS SHEET

LEGEND

-  FIRE HYDRANT
-  6" WATER LINE
-  12" WATER LINE
-  18" WATER LINE
-  24" WATER LINE

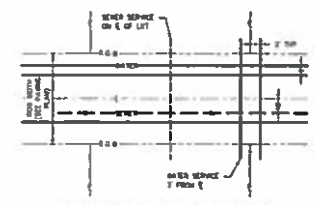


LOCATION MAP
 NOT TO SCALE



NOTES

1. THE DESIGN FOR THIS LAYOUT WAS BASED ON THE 2010 STATE PLANE COORDINATE SYSTEM, NAD83, NORTH CENTRAL ZONE, UTM, AS SHOWN FROM STATE COORDINATES AND HORIZONTAL CALCULATIONS.
2. THIS PROPERTY IS ZONED PD-10.



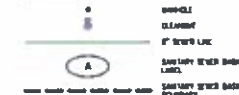
TYPICAL SERVICE LOCATION
 NOT TO SCALE

DOVE HOLLOW PRELIMINARY WATER LAYOUT

1/12/2018

SHEET 7

LEGEND



NOT TO SCALE

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NOTES

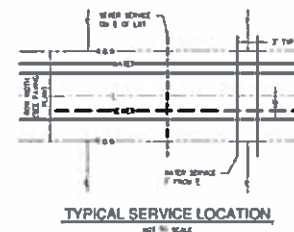
- THE RECORDS FOR THIS SURVEY ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, NORTH CENTRAL ZONE (4302) AS DERIVED FROM STATION OBSERVATION AND NOAA/OPUS CALCULATIONS.
- THIS PROPERTY IS ZONED PD-117.
- EXISTING SEWER FLOWS ARE DERIVED FROM THE CITY'S EXISTING BASTWATER MASTER PLAN. WE STRONGLY RECOMMEND A FLOW STUDY BE DONE TO DETERMINE THE ADEQUACY OF THE EXISTING SYSTEM.

PROPOSED SEWER CALCULATIONS

AREA	SIZE (IN)	NUMBER OF LOTS	AVG. FLOW (MGD)	PEAKING FACTOR	PEAK FLOW (MGD)	INFILTRATION (MGD)	TOTAL FLOW (MGD)	PROPOSED OUTFALL PIPE (IN)	CAPACITY (MGD)
A	64.9	258	0.08	1.5	0.12	0.00	0.12	8" @ 0.41%	0.50
B	38.4	112	0.04	1.5	0.06	0.00	0.06	8" @ 0.35%	0.40
C	22.6	130	0.05	1.5	0.08	0.00	0.08	8" @ 0.30%	0.46
D	28.1	122	0.04	1.5	0.06	0.00	0.06	8" @ 0.30%	0.46

EXISTING SEWER TRUNK LINE CHECK

RECORD ID	DESIGN FLOW (MGD)	SIZE (IN)	SLOPE (%)	CAPACITY (MGD)	CAPACITY USAGE (%)	SIZE (IN)	SLOPE (%)	CAPACITY (MGD)	CAPACITY USAGE (%)
1	1.30	12.0	0.74	1.90	67%	12.0	0.74	1.90	54%
2	1.83	12.0	0.88	2.10	85%	12.0	0.88	2.10	30%
3	2.38	12.0	0.94	2.11	110%	15.0	0.84	3.03	77%
4	2.32	12.0	0.84	2.11	110%	15.0	0.84	3.03	77%
5	2.32	12.0	0.84	1.80	129%	15.0	0.84	3.03	50%



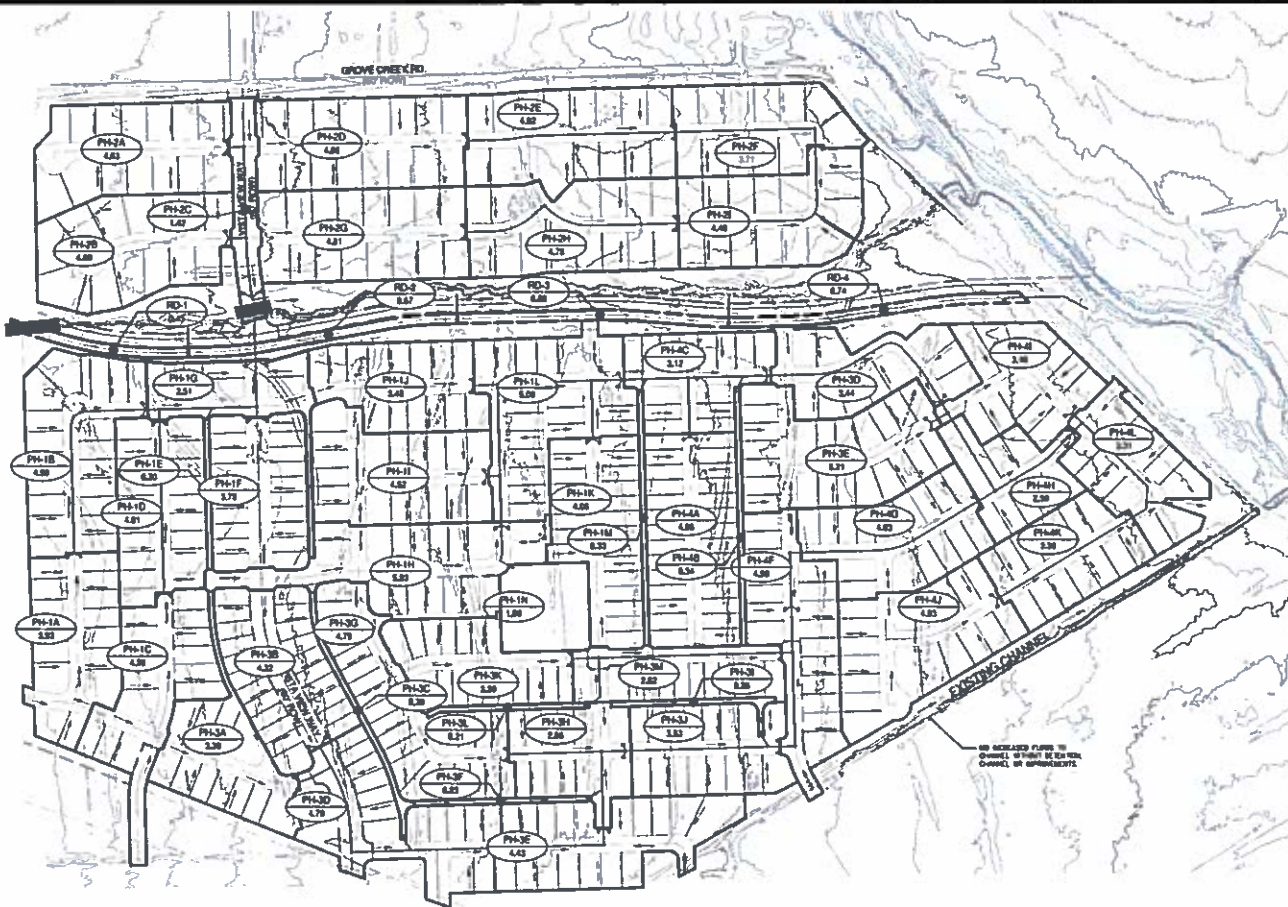
PAPE-DAWSON ENGINEERS

1801 WORTH | SAN ANTONIO | AUSTIN | HOUSTON | DALLAS
 6000 WEST HWY. 671 | FORT WORTH, TX 76106 | 817.270.2000
 TEXAS BOARD OF PROFESSIONAL ENGINEERING, REGISTRATION #171

DOVE HOLLOW
PRELIMINARY SEWER LAYOUT

1/12/2018

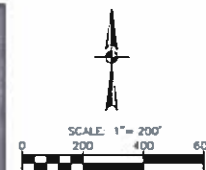
SHEET 8



DRAINAGE CRITERIA

CITY OF SAN ANTONIO: BASED ON THE DESIGN OF STORM DRAINAGE SYSTEMS, 1998.

1. THE DRAINAGE FOR THIS SURVEY ARE BASED ON THE TEXAS STATE PLUMBING CODE (TSPC) 1998, 2001, 2004, 2007, 2010, 2013, 2016, 2019, 2022, 2025, 2028, 2031, 2034, 2037, 2040, 2043, 2046, 2049, 2052, 2055, 2058, 2061, 2064, 2067, 2070, 2073, 2076, 2079, 2082, 2085, 2088, 2091, 2094, 2097, 2100, 2103, 2106, 2109, 2112, 2115, 2118, 2121, 2124, 2127, 2130, 2133, 2136, 2139, 2142, 2145, 2148, 2151, 2154, 2157, 2160, 2163, 2166, 2169, 2172, 2175, 2178, 2181, 2184, 2187, 2190, 2193, 2196, 2199, 2202, 2205, 2208, 2211, 2214, 2217, 2220, 2223, 2226, 2229, 2232, 2235, 2238, 2241, 2244, 2247, 2250, 2253, 2256, 2259, 2262, 2265, 2268, 2271, 2274, 2277, 2280, 2283, 2286, 2289, 2292, 2295, 2298, 2301, 2304, 2307, 2310, 2313, 2316, 2319, 2322, 2325, 2328, 2331, 2334, 2337, 2340, 2343, 2346, 2349, 2352, 2355, 2358, 2361, 2364, 2367, 2370, 2373, 2376, 2379, 2382, 2385, 2388, 2391, 2394, 2397, 2400, 2403, 2406, 2409, 2412, 2415, 2418, 2421, 2424, 2427, 2430, 2433, 2436, 2439, 2442, 2445, 2448, 2451, 2454, 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LEGEND

EXISTING TREES TO BE PRESERVED



EXISTING TREES TO BE REMOVED



NOTES

1. EXISTING TREE SURVEY TO BE PERFORMED AT A FUTURE DATE FOR THE CITY OF DALLAS TREE PRESERVATION PROGRAM.
2. ALL EXISTING TREES TO BE LOCATED, MEASURED AND RECORDED.
3. CITY ENGINEER, ALL AS SHOWN TO BE REMOVED TREE PRESERVATION AND REMOVAL.

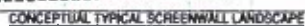
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TEXAS BOARD OF PROFESSIONAL ENGINEERS, PAPA REGISTRATION NO. 1419

DOVE HOLLOW PRELIMINARY TREE PRESERVATION PLAN

1/12/2010

SHEET 10



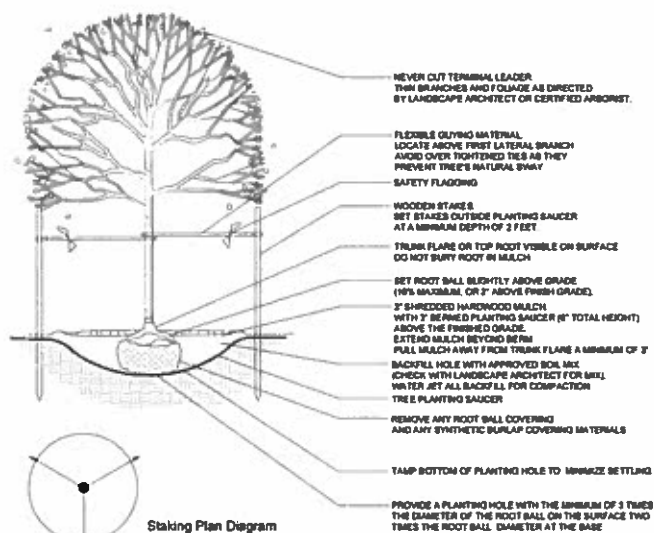
- [illegible]



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6000 WEST FRY, STE 700 | PORT WORTH, TX 76110 | 817.270.3000
TX245 BOARD OF PROFESSIONAL ENGINEERS, FIRM C00000000000000000000

**DOVE HOLLOW
PRELIMINARY LANDSCAPE PLAN**

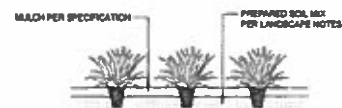
1/12/2010



TREE PLANTING DETAIL

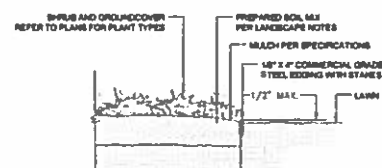
N.T.S.

NOTE:
ALL TREE SUPPORT MATERIAL ARE TO BE REMOVED FROM EACH TREE ONCE IT IS ESTABLISHED, TYPICALLY 6-12 MONTHS TO ONE YEAR AFTER PLANTING FOR SHADE TREES.



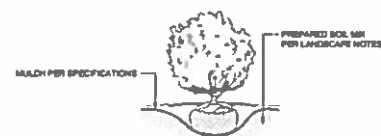
GROUND COVER PLANTING DETAIL 12" O.C.

N.T.S.



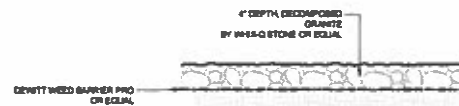
STEEL EDGING DETAIL

N.T.S.



SHRUB PLANTING DETAIL 30" O.C.

N.T.S.



DECOMPOSED GRANITE DETAIL

N.T.S.

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DOVE HOLLOW PRELIMINARY LANDSCAPE DETAILS

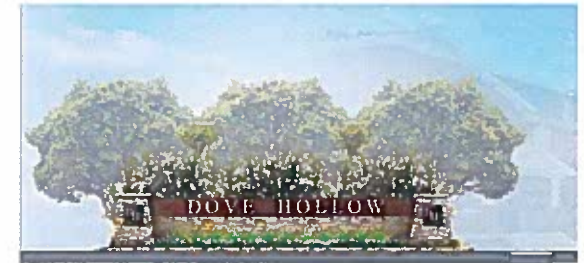
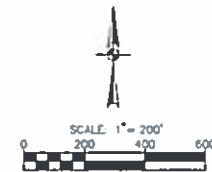
1/1 2/2018

SHEET 12

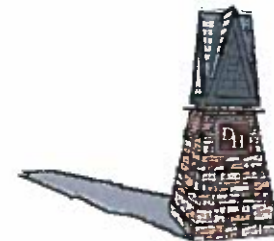


FORT WORTH : SAN ANTONIO : AUSTIN : HOUSTON : DALLAS
 6800 WEST Fwy, STE 700 (FORT WORTH, TX 76110) (817) 276.2000
 TEXAS BOARD OF PROFESSIONAL ENGINEERS, 19000 FARM ROAD 2000, SUITE 200

1/12/2018



CONCEPTUAL ENTRY FEATURE TYPE A



CONCEPTUAL ENTRY FEATURE TYPE B

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DOVE HOLLOW ENTRY FEATURE LOCATIONS

1/12/2018

SHEET 15

173

Planning & Zoning Department

Zoning Staff Report

Case: PD-17-0172



MEETING DATE(S)

Planning & Zoning Commission: January 23, 2018

City Council: February 5, 2018

CAPTION

Public Hearing on a request by Robert Morgan, Grantava Inc., for a Zoning Change from a Single Family-3 (SF-3) zoning district to a **Planned Development-Single Family-3 (PD-SF-3)**, with Concept Plan, located at 1304 Wyatt, being LOT 2 BLK 184 TOWN ADDN-REV .2757 AC and LOT 3 BLK 184 TOWN ADDN-REV 3.139 AC (Property ID 270087 and 270088) - Owner: GRANTAVA HOLDINGS LLC (PD-17-0172)

CASE INFORMATION

Applicant: Robert Morgan, Grantava LLC

Property Owner(s): Grantava Holdings

Site Acreage: 3.139 acres

Current Zoning: Single Family-3

Requested Zoning: Planned Development-Single Family-3

SUBJECT PROPERTY

General Location: 1304 Wyatt

Parcel ID Number(s): 270088

Existing Use: Currently undeveloped

Development History: The replat for this property was approved by City Council on June 19, 2017. An additional replat for this property was approved by City Council on January 16, 2016.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-3	Single family residence
East	GR	Grocery store
South	LI-1	TW Burleson & Son
West	SF-3	Single family residence

Future Land Use Plan: Low Density Residential

Comprehensive Plan:

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

Thoroughfare Plan:

The northern boundary of the site is Wyatt Street, a Major Thoroughfare B (110' ROW), though the current ROW is 70'. The western border is Peters Street, a local street (50' ROW). The southern border is the Union Pacific Railroad.



Site Image:

PLANNING ANALYSIS

The applicant seeks to rezone this property to allow for smaller lot sizes, to reduce setbacks, and to reduce the development masonry standards.

The applicant seeks to obtain zoning to allow for lots at roughly sixty (60) percent of size mandated for SF-3 zoning. Staff notes that per the applicant's concept plan, the smallest lot size shown is 6,426 sf. Per the current Zoning Ordinance, the minimum lot size for an SF-3 lot is 10,000 sf, however, in the 1997 Zoning Ordinance, an SF-3 lot was required to be at least 5,000 sf.

The Planning Department notes that there are homes in close vicinity of this development, including on the same block, that do have masonry, and that homes that are solely of siding construction would not match the surrounding neighborhood.

The applicant seeks to ensure the front yard setback is twenty-five (25) feet, rather than the thirty (30) feet required by the current Ordinance. The applicant proposes to "stay in line...in relation to the *center* of Wyatt street." Wyatt Street is shown as having a 110' ROW, but currently, the City's ROW is 70'. As such, at the platting process, the applicant would be expected to donate 20' ROW. Therefore, to measure the setback from the current centerline of Wyatt would not be practical. Staff recommends that the applicant provide evidence of the current front setbacks on the house that currently exists on Wyatt so that the staff can compare what the applicant is proposing to do with what is presently there.

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PD DEVELOPMENT STANDARDS

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

Requirement	Base Zoning	Proposed
Minimum lot area	10,000 sf	6,000 sf
Minimum lot width	80 ft	56 ft
Minimum lot depth	100 ft	98 ft
Front yard setback	30 ft	25 ft, requesting that homes in the PD stay in line with 1300 Wyatt and 1304 Wyatt, in relation to the <i>center</i> of Wyatt street.
Building materials	75% masonry, with cementitious fiberboard not counted as masonry	Requesting use of 100 % siding.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 20 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 01/05/2018.

STAFF CONCERNS

1. Is it possible to arrange the lots so as to ensure that the minimum lot size is 6,426 square feet to match what is depicted on the concept plan?

APPLICANT RESPONSE TO CONCERNS

1. Applicant submitted a revised concept plan and a revised written exhibit.

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. There are residences on this block that do have masonry, and there is masonry in the surrounding neighborhood, so a request to use exclusively siding on this property is not in keeping with the surrounding neighborhood. Staff recommends a compromise of 50% masonry to not include siding in this calculation.
 2. The front setback request needs to be further examined to account for the ROW and utility easements.

ATTACHED EXHIBITS

1. Written exhibit
2. Graphic concept plan

APPLICANT REQUIREMENTS

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

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Exhibit B

Concept Plan Provisions

Purpose and Intent

The purpose and intent of this Planned Development (PD) is to provide quality, residential housing.

Compliance with the City's Comprehensive Plan

Zoning District (SF-3) is the intended base zoning classification underlying this PD. The SF-3 zoning district is Single Family Residential District 3 is intended to be similar to the SF-2 except composed of detached single family residences on lots of not less than 10,000 square feet.

PD District Development Standards

Description of Request

- Intend to build residential housing on Wyatt street.

Proposed Use of Property

- Will use the property to build houses on to sell.

General Development Requirements

- Requesting minimum lot size be decreased to 6000 Sq/ft.
- Requesting that minimum lot width be decreased to 56ft (lots 3A-2&3A-1), and minimum lot depth be decreased to 98ft (lot 3A-9)
- Requesting that front building lines stay consistent with surrounding building lines. No greater than 25 feet. 1300 and 1304 Wyatt have 25' building lines from Wyatt Street, however, in front of proposed lot 3A-2, Wyatt street narrows. I am requesting that homes in PD stay in line with 1300 and 1304 Wyatt, in relation to *center* of Wyatt street.
- Requesting variance in building code allowing the use of siding rather than brick.

