

Notice Regarding Public Participation and Planning & Zoning Commission/City Staff Attendance

Due to the COVID-19 (coronavirus) public health emergency, and in an effort to reduce in-person meetings that assemble large groups of people, Governor Greg Abbott has granted a temporary suspension of certain rules to allow for (1) Planning & Zoning Commission members and city employees to participate in a Planning & Zoning Commission meeting via videoconference call or other remote electronic means without a physical quorum of commission members being present at the site of the meeting; and (2) the use of videoconferencing and other remote means to allow the public to observe the meeting and, when required, to participate in the **Public Hearing**.

In an effort to reduce the spread of the virus, for the May 12, 2020 Planning & Zoning Commission meeting, **individuals will not be allowed to physically attend the meeting**. Individuals will be able to address the Commission via telephone conference call on **Public Hearing** items only.

To participate in the telephone conference call, dial any of the following phone numbers:

1 (346) 248-7799

(877) 853-5257

(888) 475-4499

Enter Meeting ID: 998 9845 3610

Enter Meeting Password: 840056

To request to speak at one of the public hearings on the agenda, wait for that item to be announced and enter ***9**. The meeting moderator will acknowledge your request in turn and allow you to speak.

If you encounter any problems joining or participating in the meeting, please call our help line at (469) 309-4290 for assistance.

If you wish to watch the meeting but not participate in the meeting, the Planning & Zoning Commission meeting will be live streamed on the city's website at:

http://www.waxahachie.com/government/city_council/city_council_meeting_live_stream.php

Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Planning & Zoning Commission for items listed as **Public Hearings** will be recognized when the public hearing is opened.

A physical quorum of the Planning & Zoning Commission may not be present during the meeting as some Commission Members may choose to participate in the meeting remotely as permitted by Governor Abbott's suspension of various statutes that may be interpreted to require face-to-face interaction between members of the public and public officials.

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, May 12, 2020 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 April 28, 2020
4. ***Public Hearing*** on a request by Lance Rust for a **Replat** of Lot 11 Block A, Lone Elm Addition to create Lot 11 R-A and 11 R-B, Lone Elm Addition, 3.198 Acres (Property ID 275609) – Owner: Tres Group, LLC. (SUB-000018-2020)
5. ***Consider*** approval of SUB-000018-2020
6. ***Consider*** request by John Ed Justice, BKG Legacy Ranch 1, LLC for a **Replat** of Legacy Ranch Phase 1, Block A for 4 lots, being 2.540 acres situated in the J. Prince Survey, Abstract 844 (Property ID 267510, 279145, 267509, 279146) – Owner: BKG Legacy Ranch 1, LLC (SUB-000057-2020)
7. ***Consider*** request by Milan Simic, A&M Real Estate Development, LTD, for a **Plat** of Collett Acres for 5 residential lots being 11.053 acres situated in the J. Collett Survey, Abstract 221 (Property ID 181649) in the Extra Territorial Jurisdiction – Owner: A&M Real Estate Development, LTD (SUB-000046-2020)
8. ***Consider*** request by Robert Scruggs for a **Plat** of Scruggs Estates for 3 residential lots being 8.458 acres situated in the S. Durrett Survey, Abstract 272 (Property ID 182107) – Owner: Robert Scruggs (SUB-000015-2020)

9. **Public Hearing** on a request by Sheila Hollis for a **Replat** of Lots 23, 24, and 25 Block 5, University Addition to create Lots 22R and 24R Block 5, University Addition, 0.517 Acres (Property ID 176226) – Owners: Sheila H. Hollis, Paulette Thompson, Judy T. Tidwell (SUB-000059-2020)
10. **Consider** approval of SUB-000059-2020
11. **Consider** request by Vernon Witherspoon, First Look, for a **Final Plat** of Lakeridge II for 1 non-residential lot, being 2.684 acres situated in the Henry Levy Survey, Abstract 629 (Property ID 186874) – Owner: Ferris Avenue Baptist Church (SUB-000021-2020)
12. **Consider** request by Matthew Martinez, for a **Plat** of Jackson Ranch Subdivision, for 2 lots being 3.941 acres situated in the T.R. Follet Survey, Abstract 373 (Property ID 183524) in the Extra Territorial Jurisdiction – Owner: Andrew Jackson (PL-19-0162)
13. **Consider** request by Wes Dorough, JH Development, LLC. for a **Plat** of Sheppard’s Place Ph. 1 for 102 lots, being 24.735 acres situated in the E. Horton Survey, Abstract 466 (Property ID 185243) – Owner: Sheppard’s Place Development Co LLC, Sandlin Homes (SUB-000055-2020)
14. **Consider** request by Brian Carrington, Stantec Consulting Services Inc. for a **Final Plat** of Buffalo Ridge Phase 5 for 230 residential lots and 9 ‘X’ lots, being 60.798 acres situated in the W.C. Calder Survey, Abstract 235 and the W.T. Dunn Survey, Abstract 303 (Property ID 264869) – Owner: Bobby Samuel, GRBK Edgewood, LLC (SUB-000051-2020)
15. **Public Hearing** on a request by the City of Waxahachie to consider revoking, amending, or extending a **Specific Use Permit** (Ordinance 2616) at 500 Brown Industrial which allows for the use of metal granulators and crushers for the reclamation of vehicles, parts of vehicles, and other materials to be processed. (ZDC-000007-2020)
16. **Consider** approval of ZDC-000007-2020
17. 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.

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|--|
| <p><i>Notice of Potential Quorum</i></p> <p><i>One or more members of the Waxahachie City Council may be present at this meeting.</i></p> <p><i>No action will be taken by the City Council at this meeting.</i></p> |
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(3a)

Planning and Zoning Commission
April 28, 2020

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, April 28, 2020 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
David Hudgins
Erik Test
Melissa Ballard, Vice Chairman (via teleconference)
Betty Square Coleman (via teleconference)

Others Present: Shon Brooks, Director of Planning
Colby Collins, Senior Planner
Tommy Ludwig, Assistant City Manager
Lori Cartwright, City Secretary
Mary Lou Shipley, Council Representative

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

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

3. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of April 14, 2020

Action:

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

4. **Consider request by Jesus H. Sigala, for a Plat of Sigala Addition for 2 residential lots being 5.390 acres situated in the W.C. Calder Survey, Abstract 235 and the S.C. White Survey 1249 (Property ID 181796) in the Extra Territorial Jurisdiction – Owner: Jesus H. Sigala and Johanna H. Sigala, LTD (SUB-000046-2020)**

Mr. Colby Collins reported the applicant is requesting for a plat that will divide the original lot into 2 separate lots, both for residential use. He reported water flow is available and recommended approval.

Action:

Mr. David Hudgins moved to approve a request by Jesus H. Sigala, for a Plat of Sigala Addition for 2 residential lots being 5.390 acres situated in the W.C. Calder Survey, Abstract 235 and the S.C. White Survey 1249 (Property ID 181796) in the Extra Territorial Jurisdiction – Owner: Jesus H. Sigala and Johanna H. Sigala, LTD (SUB-000046-2020). Mr. Erik Test seconded, All Ayes.

5. **Consider request by William and Rebecca Lockridge for a Plat of Lockridge Manor for 1 residential lot being 1.203 acres situated in the W. Stewart Survey, Abstract 956**

(3a)

Planning and Zoning Commission
April 28, 2020
Page 2

(Property ID 190521) situated in the Extra Territorial Jurisdiction – Owner: William and Rebecca Lockridge (SUB-000049-2020)

Mr. Collins reported the applicant is platting the property for residential use. He recommended approval.

Action:

Mr. David Hudgins moved to approve a request by William and Rebecca Lockridge for a Plat of Lockridge Manor for 1 residential lot being 1.203 acres situated in the W. Stewart Survey, Abstract 956 (Property ID 190521) situated in the Extra Territorial Jurisdiction – Owner: William and Rebecca Lockridge (SUB-000049-2020). Mrs. Bonney Ramsey seconded, All Ayes.

6. **Public Hearing on a request by Michael McCorkle for a Replat of Lots 20, 21, and 58, Pecan Valley, to create Lot 20R, Pecan Valley, 3.149 Acres (Property ID 201951) – Owner: Michael McCorkle (SUB-000045-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant is requesting a replat that would merge three (3) lots into one (1) lot in order for the applicant to construct a single family residence. Staff received one (1) letter of support.

There being no others to speak for or against SUB-000045-2020, Chairman Keeler closed the Public Hearing.

7. **Consider recommendation of SUB-000045-2020**

Action:

Mrs. Bonney Ramsey moved to approve a request by Michael McCorkle for a Replat of Lots 20, 21, and 58, Pecan Valley, to create Lot 20R, Pecan Valley, 3.149 Acres (Property ID 201951) – Owner: Michael McCorkle (SUB-000045-2020). Mr. David Hudgins seconded, All Ayes.

8. **Consider request by Monty Nixon, Summit Surveying, for a Replat of the remainder of Lot 1, Block 2 and the remainder of Block 2 Interstate Industrial Park, to create Lot 2, Lot 3, and Lot 4, Block 2, 66 Crossing, 40.063 acres (Property ID 174460) – Owner: Mike Lyle, DML Land, LLC (SUB-000053-2020)**

Mr. Collins reported the applicant is requesting replat to allow for Commercial and General Retail Development.

Action:

Mr. Erik Test moved to approve a request by Monty Nixon, Summit Surveying, for a Replat of the remainder of Lot 1, Block 2 and the remainder of Block 2 Interstate Industrial Park, to create Lot 2, Lot 3, and Lot 4, Block 2, 66 Crossing, 40.063 acres (Property ID 174460) – Owner: Mike Lyle, DML Land, LLC (SUB-000053-2020). Mr. David Hudgins seconded, All Ayes.

(3A)

Planning and Zoning Commission
April 28, 2020
Page 3

9. **Consider request by Cypress Creek Waxahachie LP for a Plat of Cypress Creek Apartment Homes at Waxahachie for 2 lots, being 13.48 acres situated in the J.B. & Ann Adams Survey, Abstract 5 and the John Gooch Survey, Abstract 393 (Property ID 184249) – Owner: Ladd Vien, Ameritai Partnership (SUB-000050-2020)**

Mr. Collins reported applicant is platting the property to allow for a multi-family development that conforms to the Planned Development that was approved by City Council in January 2020.

Action:

Mr. David Hudgins moved to approve a request by Cypress Creek Waxahachie LP for a Plat of Cypress Creek Apartment Homes at Waxahachie for 2 lots, being 13.48 acres situated in the J.B. & Ann Adams Survey, Abstract 5 and the John Gooch Survey, Abstract 393 (Property ID 184249) – Owner: Ladd Vien, Ameritai Partnership (SUB-000050-2020). Mrs. Bonney Ramsey seconded, All Ayes.

10. **Public Hearing on a request by Kevin Patel, Triangle Engineering, for a detailed Site Plan review for a proposed Hotel development within a Planned Development zoning district, located at the SW corner of Rae Boulevard and John Arden Drive (Property ID 208656) – AKSHAR 4 LLC (ZDC-000048-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported the applicant proposes to construct a four story hotel with 102 rooms. He recommended approval per the following staff comments:

- Development Agreement
- Extended Stay hotels are restricted to a maximum of thirty (30) days, per zoning Ordinance
- Applicant must be compliant with Section 5.11 “Hotel Standards” of the Zoning Ordinance

The Commission expressed concern with the size of the pool being 600 square feet and expressed concern that there is not a board room.

Mr. Kevin Patel, Triangle Engineering, stated the pool size is standard for Hilton properties. He stated in lieu of the board room is a mix use of a gathering room that functions as a breakfast area and soft seating for gatherings.

There being no others to speak for or against ZDC-000048-2020, Chairman Keeler closed the Public Hearing.

11. **Consider recommendation of ZDC-000048-2020**

Action:

Mr. Jim Phillips moved to approve a request by Kevin Patel, Triangle Engineering, for a detailed Site Plan review for a proposed Hotel development within a Planned Development zoning district, located at the SW corner of Rae Boulevard and John Arden Drive (Property ID 208656) – AKSHAR 4 LLC (ZDC-000048-2020) subject to staff comments. Mr. David Hudgins seconded, All Ayes.

(3A)

Planning and Zoning Commission
April 28, 2020
Page 4

- 12. Public Hearing on a request by Dalton Bradbury, Acker Construction, for a Specific Use Permit (SUP) for a Drive Through Establishment use within a General Retail zoning district, located at the corner of Corporate Parkway and U.S. N Highway 77 (Property ID 273975) – Owner: ROUX PROPERTIES LLC (ZDC-000052-2020)**

Chairman Keeler opened the Public Hearing.

Mr. Collins reported in November 2019 the applicant received a permit to construction a 5,000 square foot retail strip center within the North Grove development. It was determined that a Specific Use Permit was required for the development due to a drive through being proposed. Staff suggests that sidewalks be provided along all four sides of the development. Discussion was held and the Commission determined that sidewalks are not needed on the Highway 77 side.

There being no others to speak for or against ZDC-000052-2020, Chairman Keeler closed the Public Hearing.

- 13. Consider recommendation of ZDC-000052-2020**

Action:

Mr. David Hudgins moved to approve a request by Dalton Bradbury, Acker Construction, for a Specific Use Permit (SUP) for a Drive Through Establishment use within a General Retail zoning district, located at the corner of Corporate Parkway and U.S. N Highway 77 (Property ID 273975) – Owner: ROUX PROPERTIES LLC (ZDC-000052-2020) with sidewalks on three (3) sides. Mr. Erik Test seconded. The vote was as follows:

*Ayes: Rick Keeler
Melissa Ballard
Betty Square Coleman
Bonney Ramsey
David Hudgins
Erik Test*

Noes: Jim Phillips

The motion carried.

- 14. Adjourn**

There being no further business, the meeting adjourned at 7:59 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

(4)

Planning & Zoning Department

Plat Staff Report

Case: SUB-000018-2020



MEETING DATE(S)

Planning & Zoning Commission: May 12, 2020

CAPTION

Public Hearing on a request by Lance Rust for a Replat of Lot 11, Lone Elm Addition, to create Lot 11 R-A and Lot 11 R-B, Lone Elm Addition, 3.198 acres (Property ID 275609) – Owner: Tres Group, LLC (SUB-000018-2020)

APPLICANT REQUEST

The applicant is requesting a replat of the current lot to allow for an additional single family residential lot.

CASE INFORMATION

Applicant: Lance Rust

Property Owner(s): Tres Group, LLC

Site Acreage: 3.198 acres

Number of Lots: 1 lot (Being platted into 2 lots)

Number of Dwelling Units: 2 units

Park Land Dedication: The cash in lieu of Park Dedication totals \$400.00 (1 additional single family lot at \$400.00 per lot).

Adequate Public Facilities: A Water Letter was provided to staff from Buena Vista Bethel stating that adequate domestic services and fire flow are available to this lot.

SUBJECT PROPERTY

General Location: 1800 Lone Elm Rd

Parcel ID Number(s): 275609

Current Zoning: SF-1

Existing Use: Currently Undeveloped

Platting History: FP-18-0208 Lone Elm Addition was approved by City Council on January 22, 2019.

(4)

Site Aerial:



RECOMMENDATION

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

- Disapproval
- Approval, as presented.
- Approval, per the following conditions:

ATTACHED EXHIBITS

1. Plat Drawing
2. Water Letter

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

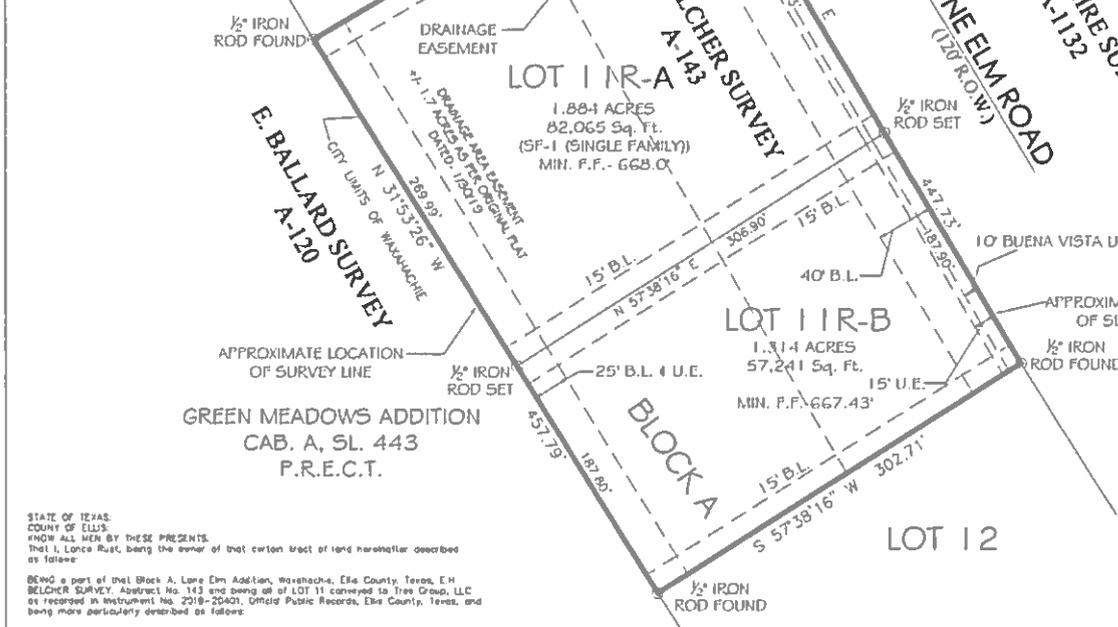
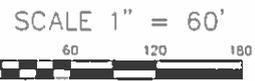
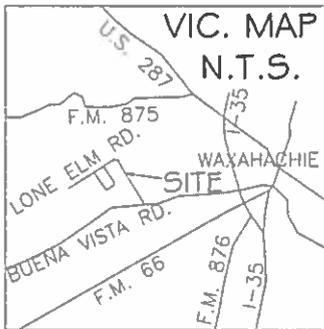
A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's subdivision ordinance.

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

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



OWNER:
 Lance Rust
 Tres Group, LLC
 Address: P.O. Box 220
 Midlothian, Tx 76065
 Email: LanceRust@JoeRust.com
 Phone: 469-337-4627

STATE OF TEXAS
 COUNTY OF ELLIS
 KNOW ALL MEN BY THESE PRESENTS
 That I, Lance Rust, being the owner of that certain tract of land hereinafter described as follows:
 BEING a part of that Block A, Lone Elm Addition, Waxahachie, Ellis County, Texas, E.H. BELCHER SURVEY, Abstract No. 143 and being all of LOT 11 conveyed to Tres Group, LLC as recorded in instrument No. 2018-20421, Official Public Records, Ellis County, Texas, and being more particularly described as follows:
 BEGINNING at a 1/2" IRON ROD FOUND, SAID IRON ROD BEING TO THE WEST POINT OF AN (P.O.B.) OF LONE ELM ROAD;
 THENCE S 30°36'42" E ALONG SAID LONE ELM ROAD A DISTANCE OF 447.75 FEET TO A 1/2" IRON ROD FOUND;
 THENCE S 57°38'16" E DEPARTING SAID LONE ELM ROAD A DISTANCE OF 302.71 FEET TO A 1/2" IRON ROD FOUND;
 THENCE N 21°32'26" W A DISTANCE OF 457.79 FEET TO A 1/2" IRON ROD FOUND;
 THENCE N 59°31'01" E A DISTANCE OF 312.78 FEET TO THE POINT OF BEGINNING SAID BEING 3.198 ACRES OF LAND, MORE OR LESS.
 OWNER'S CERTIFICATE
 NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS,
 That I, Lance Rust acting hereon by and through its duly authorized officers, does hereby certify and detail this plat designating the herein above described property as Lone Elm Addition a reader of Block A, Lone Elm Addition, an addition to the City of Waxahachie, and does hereby dedicate to the public use forever, the streets and alleys hereby shown thereon. Lance Rust do(es) herein certify the following:
 1. The streets and alleys are dedicated in fee simple for street and alley purposes.
 2. All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
 3. The easements and public use areas, as shown, are created by this plat, are dedicated for the public use forever for the purposes indicated on this plat.
 4. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements shown.
 5. The City of Waxahachie is not responsible for restoring any improvements in, under, or over any easements caused by maintenance or repair.
 6. Utility easements may also be used for the mutual use and accommodation of all public utilities serving in 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.
 7. City of Waxahachie and/or public utilities shall have the right to remove and keep removed all or parts of any building, fences, trees shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance or efficiency of their respective systems in the easements.
 8. City of Waxahachie and public utilities and all of them have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, repairing, maintaining, reading meters, and adding to or procuring permission from anyone.
 9. All modifications to this document shall be by means of plat and approved by the City of Waxahachie.
 This plat is approved subject to all zoning ordinances, rules, regulations and resolutions of the City of Waxahachie.
 WITNESS my hand, this _____ day of _____, 20____
 BY: Lance Rust
 NOTARY STATEMENT
 STATE OF TEXAS
 COUNTY OF ELLIS
 BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Lance Rust, intent to be the person whose name is subscribed on the foregoing instrument, and acknowledged to me that he executed the same for the purpose and considerations therein expressed and in the capacity therein stated.
 GIVEN under my hand and seal of office this _____ day of _____, 20____
 Notary Public in and for the State of Texas
 WITNESS, my hand, this _____ day of _____, 20____
 BY: Lance Rust

I HEREBY STATE THAT THIS PLAT WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND IS TO THE BEST OF MY KNOWLEDGE CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHTS OF WAY EXCEPT AS SHOWN HEREON.

RICKY LYNN MCKIMAN RPLS # 4974 - SURVEYED ON THE GROUND OCTOBER, 2019

GENERAL NOTES
 1. City of Waxahachie will not be responsible for the maintenance of drainage or detention areas.
 2. All bearings shown herein are based upon the Texas State Plane Coordinate System - NAD83 (GCS), Texas North Central Zone (4202). All distances shown herein are surface distances.
 FLOODPLAIN STATEMENT
 No portion of the plat is affected by FEMA's 100-year floodplain as defined by the Flood Insurance Rate Map No. 48139C075F, published by FEMA and dated 08/03/2013.

LEGEND
 U.E. = UTILITY EASEMENT
 D.U.E. = DRAINAGE AND UTILITY EASEMENT
 B.L. = BUILDING SETBACK LINE

CITY OF WAXAHACHIE, TEXAS REPLAT APPROVAL
 Approved by _____
 Planning & Zoning Commission
 City of Waxahachie

By: _____ Date: _____
 Chairperson

By: _____ Date: _____
 Attest



**REPLAT OF
 LONE ELM ADDITION
 OF BLOCK A, LOTS
 11R-A & 11R-B (2 LOTS)
 (SF-1 (SINGLE FAMILY))
 3.198 ACRES
 E.H. BELCHER SURVEY, A-143
 CITY OF WAXAHACHIE, TEXAS
 ELLIS COUNTY, TEXAS
 CASE No. SUB-18-2020**

FIRM REGISTRATION No 100784-00

FORT WORTH SURVEYING
 107 E COLLEGE AVENUE
 ALVARADO, TEXAS 76009
 817-790-5900

JOB # 2019_088 DATE: 03/30/2020
 JOB LONE ELM ADDITION REPLAT

DRAWN: CGH
 CHECKED: RLH

ELLIS COUNTY
 TEXAS

(4)



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



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Lance Rust Parcel ID #: Lot 11 RA + 11 RB
Subdivision Name: Lone Elm Addition

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

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

Contact Information:

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

To be completed by the water utility provider:

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

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

BVBSUN
Name of water provider company

Joe Buchanan
Signature of General Manager of water provider or Designee

2-21-2020
Date

(10)

Planning & Zoning Department Plat Staff Report

Case: SUB-000057-2020



MEETING DATE(S)

Planning & Zoning Commission: May 12, 2020

CAPTION

Consider request by John Ed Justice, BKG Legacy Ranch 1, LLC for a Replat of Legacy Ranch Phase 1, Block A for 4 lots, being 2.540 acres situated in the J. Prince Survey, Abstract 844 (Property ID 267510, 279145, 267509, 279146) – Owner: BKG Legacy Ranch 1, LLC (SUB-000057-2020)

APPLICANT REQUEST

The applicant has requested to replat this lot to adjust lot lines and update necessary easements.

CASE INFORMATION

Applicant: John Ed Justice, BKG Legacy Ranch 1, LLC

Property Owner(s): BKG Legacy Ranch 1, LLC

Site Acreage: 2.540 acres

Number of Lots: 4 lots

Number of Dwelling Units: 0 units

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

SUBJECT PROPERTY

General Location: 1002, 1004, 10066, 1008 Legacy Ranch Dr.

Parcel ID Number(s): 267510, 279145, 267509, 279146

Current Zoning: PD-GR

Existing Use: ROW paved to allow access for GR use

Platting History: This property was replatted as RP-19-0136 on November 19, 2019

(6)

Site Aerial:



RECOMMENDATION

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

- Disapproval
- Approval, as presented.
- Approval, per the following conditions:

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.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's subdivision ordinance.

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

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

(1)

Planning & Zoning Department

Plat Staff Report

Case: SUB-000046-2020



MEETING DATE(S)

Planning & Zoning Commission: May 12, 2020

CAPTION

Consider request by Milan Simic, A&M Real Estate Development, LTD, for a Plat of Collett Acres for 5 residential lots being 11.053 acres situated in the J. Collett Survey, Abstract 221 (Property ID 181649) in the Extra Territorial Jurisdiction – Owner: A&M Real Estate Development, LTD (SUB-000046-2020)

APPLICANT REQUEST

The applicant is requesting to divide 11.053 acres of land in the ETJ into 5 single family residential lots.

CASE INFORMATION

Applicant: Milan Simic, A&M Real Estate Development, LTD.

Property Owner(s): A&M Real Estate Development, LTD.

Site Acreage: 11.053 acres

Number of Lots: 1 lot (Will be divided into 5 single family lots)

Number of Dwelling Units: 0 units currently

Park Land Dedication: N/A (ETJ)

Adequate Public Facilities: Rockett SUD provided a Water Letter to staff confirming that adequate domestic and fire flow are available to this property.

SUBJECT PROPERTY

General Location: Located off of Gibson Rd neighboring Springside Estates

Parcel ID Number(s): 181649

Current Zoning: N/A (ETJ)

Existing Use: Undeveloped

Platting History: Located in the J. Collett Survey, Abstract No. 221

(7)

Site Aerial:



RECOMMENDATION

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

- Disapproval
- Approval, as presented.
- Approval, per the following conditions:

ATTACHED EXHIBITS

1. Plat Drawing
2. Water Letter

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's subdivision ordinance.

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

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

(7)



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



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Milan Simic **Parcel ID #:** 181649
Subdivision Name: Collett Acres Addition - Lots 1 thru 5

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

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

Contact Information:

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

To be completed by the water utility provider:

| | Yes | No |
|---|-------------------------------------|--------------------------|
| 1. I have reviewed a copy of the proposed plat. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. The platted lots fall within our CCN area. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines. <i>2500 gpm can be projected</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. The water line size servicing the lots is <u>12</u> inches. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Kay Phillips
Print Name of General Manager of water provider or Designee

Rockett S.U.D.
Name of water provider company

Kay Phillips
Signature of General Manager of water provider or Designee

3/11/20
Date

(8)

Planning & Zoning Department Plat Staff Report

Case: SUB-000015-2020



MEETING DATE(S)

Planning & Zoning Commission: May 5, 2020

CAPTION

Consider on a request by Robert Scruggs for a Plat of Scruggs Estates for 3 residential lots being 8.458 acres situated in the S. Durrett Survey, Abstract 272 (Property ID 182107) – Owner: Robert Scruggs (SUB-000015-2020)

APPLICANT REQUEST

The applicant is requesting to divide this lot into 3 lots for residential use.

CASE INFORMATION

Applicant: Robert Scruggs

Property Owner(s): Robert Scruggs

Site Acreage: 8.458 acres

Number of Lots: 3 lots

Number of Dwelling Units: 3 units

Park Land Dedication: The cash-in-lieu for park land dedication is \$1,200.00 (3 lots at \$400.00 per lot)

Adequate Public Facilities: Adequate public facilities are available for water connection. Sewer will be handled by septic system.

SUBJECT PROPERTY

General Location: 3273 Howard Rd

Parcel ID Number(s): 182107

Current Zoning: SF-1

Existing Use: Currently undeveloped

Platting History: This property is a portion of the S.M. Durrett Survey

Site Aerial:



RECOMMENDATION

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

- Disapproval
- Approval, as presented.
- Approval, per the following conditions:

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.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

A plat shall not be filed with the Ellis County Clerk until:

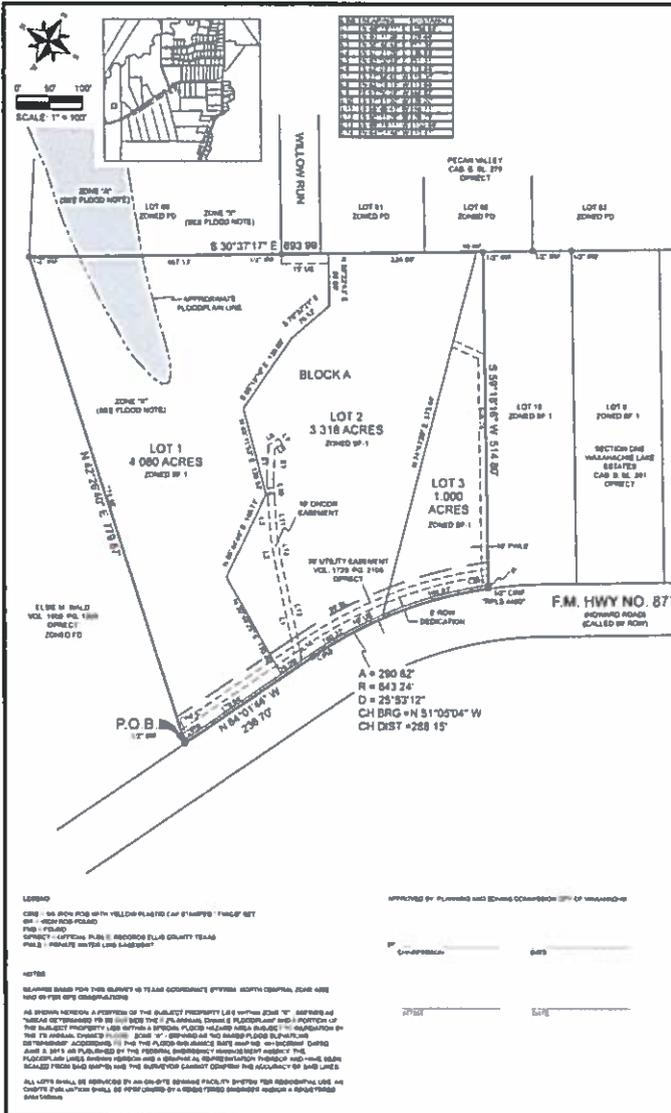
1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's subdivision ordinance.

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

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

(8)



OWNER'S CERTIFICATE

STATE OF TEXAS
 COUNTY OF BELL

I, the undersigned, Robert G. Scroggs and Susan G. Scroggs, are the owners of a tract of land situated in the S. 38th Street Subdivision, Block A, City of Wilmanton, Bell County, Texas, and certain of the parcels of land described in the plat of Robert G. Scroggs and Susan G. Scroggs, recorded in Volume 288, Page 87 of the Official Public Records of Bell County, Texas, and the same more particularly described as follows:

Block A of a 40-acre tract of land situated in the S. 38th Street Subdivision, Block A, City of Wilmanton, Bell County, Texas, and certain of the parcels of land described in the plat of Robert G. Scroggs and Susan G. Scroggs, recorded in Volume 288, Page 87 of the Official Public Records of Bell County, Texas, and the same more particularly described as follows:

Tracts 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 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822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109

(9)

Planning & Zoning Department

Plat Staff Report

Case: SUB-000059-2020



MEETING DATE(S)

Planning & Zoning Commission: May 12, 2020

CAPTION

Public Hearing on a request by Sheila Hollis for a **Replat** of Lots 23, 24, and 25 Block 5, University Addition to create Lots 22R and 24R Block 5, University Addition, 0.517 Acres (Property ID 176226) – Owners: Sheila H. Hollis, Paulette Thompson, Judy T. Tidwell (SUB-000059-2020)

APPLICANT REQUEST

The applicant has requested to divide their property into two lots to allow for an additional single family residence.

CASE INFORMATION

Applicant: Sheila Hollis

Property Owner(s): Sheila Hollis, Paulette Thompson, and Judy Tidwell

Site Acreage: 0.517 acres

Number of Lots: 1 lot being platted into 2 lots

Number of Dwelling Units: 1 unit

Park Land Dedication: The cash in lieu of park land dedication is \$400.00 (1 additional residential lot at \$400.00 per lot).

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

SUBJECT PROPERTY

General Location: 315 E University

Parcel ID Number(s): 176226

Current Zoning: SF-2 (Infill)

Existing Use: Single family residence

Platting History: Located within the University Addition

(9)

Site Aerial:



RECOMMENDATION

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

- Disapproval
- Approval, as presented.
- Approval, per the following conditions:

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.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's subdivision ordinance.

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

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

(9)

LEGEND
 CURB = 60 IRON ROD WITH YELLOW PLASTIC CAP STAMPED "2000" SET
 RP = IRON ROD POINTE
 OP = OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS
 U.L. = UTILITY LINES
 S.L. = SUBURBAN LINE

NOTES
 BEARING DATA FOR THIS SURVEY IS TEXAS COORDINATE SYSTEM NORTH CENTRAL ZONE AREA AND IS PER OP'S OBSERVATIONS
 THE SUBJECT PROPERTY LIES WITHIN ZONE "1" DEFINED AS "AREAS OR PORTIONS TO BE EXCLUDED FROM THE SUBURBAN SERVICE REGULATIONS" ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48130C01P DATED JUNE 1, 2011, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY

STATE OF TEXAS **COMMISSIONER'S CERTIFICATE**

COUNTY OF ELLIS 5

WHEREAS PAULETTE THOMPSON, JUDY TITUS AND SHEILA HOLLIS ARE THE SOLE OWNERS OWNER OF A TRACT OF LAND SITUATED IN THE POLK SURVEY ABSTRACT NO. 627, ELLIS COUNTY, TEXAS AND BEING ALL OF LOT 22 AND 24, BLOCK 5, OF UNIVERSITY ADDITION, AN ADDITION TO ELLIS COUNTY, TEXAS ACCORDING TO THE PLAN THEREOF RECORDED IN CABINET A, BLOCK 145 OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPR) HAS BEING ALL OF THAT TRACT OF LAND DESCRIBED IN DEED TO PAULETTE THOMPSON, JUDY TITUS AND SHEILA HOLLIS, RECORDED IN VOLUME 1871, PAGE 146 OF OPR, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING AND AT A 1/4" IRON ROD POINT FOR THE NORTH-EAST CORNER OF SAID LOT 24 AND THE COMMON NORTH-EAST CORNER OF LOT 25, BLOCK 5, OF SAID UNIVERSITY ADDITION IN THE WEST RIGHT-OF-WAY FROM LOT 24 AND SAID UNIVERSITY ADDITION (AS CALLED OR KNOWN)

THENCE S 89°43'30" E ALONG THE EAST LINE OF SAID LOTS 24, 23 AND 24, BLOCK 5, OF SAID UNIVERSITY ADDITION A DISTANCE OF 149.77 FEET TO A 1/4" IRON ROD POINT FOR THE NORTHWEST CORNER OF SAID LOT 23 AND THE COMMON NORTHWEST CORNER OF SAID LOT 21, BLOCK 5, OF SAID UNIVERSITY ADDITION

THENCE N 89°48'48" E ALONG THE SOUTH LINE OF SAID LOT 23 AND THE COMMON NORTH LINE OF SAID LOT 21, A DISTANCE OF 149.77 FEET TO A 1/4" IRON ROD POINT FOR THE NORTHWEST CORNER OF SAID LOT 23 AND THE COMMON NORTHWEST CORNER OF SAID LOT 21, IN THE EAST-RIGHT LINE OF A CALLED 12' ALLEY.

THENCE N 21°14'52" E ALONG THE WEST LINE OF SAID LOT 22, 23, 24, BLOCK 5 AND THE COMMON EAST-RIGHT LINE OF SAID 12' ALLEY A DISTANCE OF 149.77 FEET TO A 1/4" IRON ROD POINT FOR THE NORTHWEST CORNER OF SAID LOT 24 AND THE COMMON NORTHWEST CORNER OF SAID LOT 20.

THENCE S 89°47'21" E ALONG THE NORTH LINE OF SAID LOT 24 AND THE COMMON SOUTH LINE OF SAID LOT 24 A DISTANCE OF 149.77 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.917 ACRES OF LAND MORE OR LESS

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, JUDY TITUS, TOWELL, PAULETTE THOMPSON AND SHEILA HOLLIS, DO HEREBY ADOPT THIS PLAN OBSERVING THE FOREGOING DESCRIBED PROPERTY AS REPLAT, LOT 22R AND LOT 24R, BLOCK 5, UNIVERSITY ADDITION, AN ADDITION TO THE CITY OF WAXAHACHEE, ELLIS COUNTY, TEXAS, AND DO HEREBY DEDICATE, IN PERMANNENT TO THE CITY OF WAXAHACHEE, TEXAS, FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON, THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES, THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN AND DEDICATED FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES PROVIDED ON THIS PLAN, NO BUILDINGS, FENCES, TREES, BUSHES OR OTHER IMPROVEMENTS OR GROUNDS SHALL BE CONSTRUCTED OR PLACED UPON OVER OR ACROSS THE DEDICATED AREAS, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS IF APPROVED BY THE CITY OF WAXAHACHEE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES OWNERS TO USE OR CROSS THE SAME UNLESS THE DEDICATED LIMITS THE USE TO PARTICULAR UTILITIES, AND USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLICS AND CITY OF WAXAHACHEE'S USE THEREOF. THE CITY OF WAXAHACHEE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO RELOCATE AND REPAIR REPAIRS ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, BUSHES OR OTHER IMPROVEMENTS OR GROUNDS WHICH MAY IN ANY MANNER INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS AND EASEMENTS. THE CITY OF WAXAHACHEE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF REPAIRS AND CROSSING TO CROSS THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, IMPROVING, MAINTAINING, REPAIRING, REPLACING, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME RELOCATING REPAIRS FROM ANYONE.

THIS PLAN APPROVED SUBJECT TO ALL PLANNING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHEE, TEXAS.

WITNESSE MY HAND THIS _____ DAY OF _____, 2008

BY: _____
 JUDY TITUS, TOWELL PAULETTE THOMPSON

SHEILA HOLLIS

STATE OF TEXAS
 COUNTY OF ELLIS

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

GIVEN UNDER MY HAND AND SEAL THIS, THE _____ DAY OF _____, 2008

NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS
 STATE OF TEXAS
 COUNTY OF ELLIS

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

GIVEN UNDER MY HAND AND SEAL THIS, THE _____ DAY OF _____, 2008

NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS
 STATE OF TEXAS
 COUNTY OF ELLIS

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

GIVEN UNDER MY HAND AND SEAL THIS, THE _____ DAY OF _____, 2008

NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS
 STATE OF TEXAS
 COUNTY OF ELLIS

APPROVED BY PLANNING AND ZONING COMMISSION CITY OF WAXAHACHEE

CHAIRPERSON: _____ DATE: _____

MEMBER: _____ DATE: _____

THOMAS L. JACKSON, P.L.L.C. HEREBY CERTIFY THAT THIS PLAN WAS MADE ON THE ORIGINAL UNDER MY DIRECT SUPERVISION OR THE CLOSE PERSONAL SUPERVISION OF THE CITY ENGINEER, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

RECORDATION: THIS INSTRUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE UNLESS I HAVE BEEN ADVISED OR ADVISED BY THE CITY ENGINEER THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

THOMAS L. JACKSON
 REGISTERED PROFESSIONAL SURVEYOR
 10000 W. JACKSON
 AUSTIN, TEXAS 78738

REPLAT
LOT 22R & LOT 24R
BLOCK 5,
UNIVERSITY ADDITION
 BEING A REPLAT OF LOTS 22, 23 AND 24, BLOCK 5, UNIVERSITY ADDITION, 0.917 ACRES, BEING PART OF A POLK SURVEY, ABSTRACT NO. 627, CITY OF WAXAHACHEE, ELLIS COUNTY, TEXAS, 3 RESIDENTIAL LOTS, ZONED-MF-AL, CASE NO. 848-89-2020

APRIL 2008 PAGE 1 OF 1

(11)

Planning & Zoning Department Plat Staff Report

Case: SUB-000021-2020



MEETING DATE(S)

Planning & Zoning Commission: May 12, 2020

ACTION SINCE INITIAL STAFF REPORT

This is being brought to the Planning and Zoning Commission as a Final Plat because City Council approved a Preliminary Plat extension request on June 17, 2019. Since this case was approved before the City of Waxahachie began the one plat process, we are allowing this case to continue as a Final Plat.

CAPTION

Consider request by Vernon Witherspoon, First Look, for a Final Plat of Lakeridge II for 1 non-residential lot, being 2.684 acres situated in the Henry Levy Survey, Abstract 629 (Property ID 186874) – Owner: Ferris Avenue Baptist Church (SUB-000021-2020)

APPLICANT REQUEST

The applicant is requesting to plat this lot for the establishment of a medical office.

CASE INFORMATION

Applicant: Vernon Witherspoon, First Look

Property Owner(s): Ferris Avenue Baptist Church

Site Acreage: 2.684 acres

Number of Lots: 1 lot

Number of Dwelling Units: 0 units

Park Land Dedication: The cash-in-lieu of park land dedication totals \$1,610.40 (\$600.00 per acre for non-residential development).

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

SUBJECT PROPERTY

General Location: 1761 N US Hwy 77

Parcel ID Number(s): 186874

Current Zoning: Commercial

Existing Use: Undeveloped

(11)

Platting History:

A preliminary plat (PP-17-0036) was approved April 17, 2017 by City Council with an accompanying extension request (PP-19-0064) approved by City Council on June 17, 2019.

Site Aerial:



RECOMMENDATION

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

- Disapproval
- Approval, as presented.
- Approval, per the following conditions:

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.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

A plat shall not be filed with the Ellis County Clerk until:

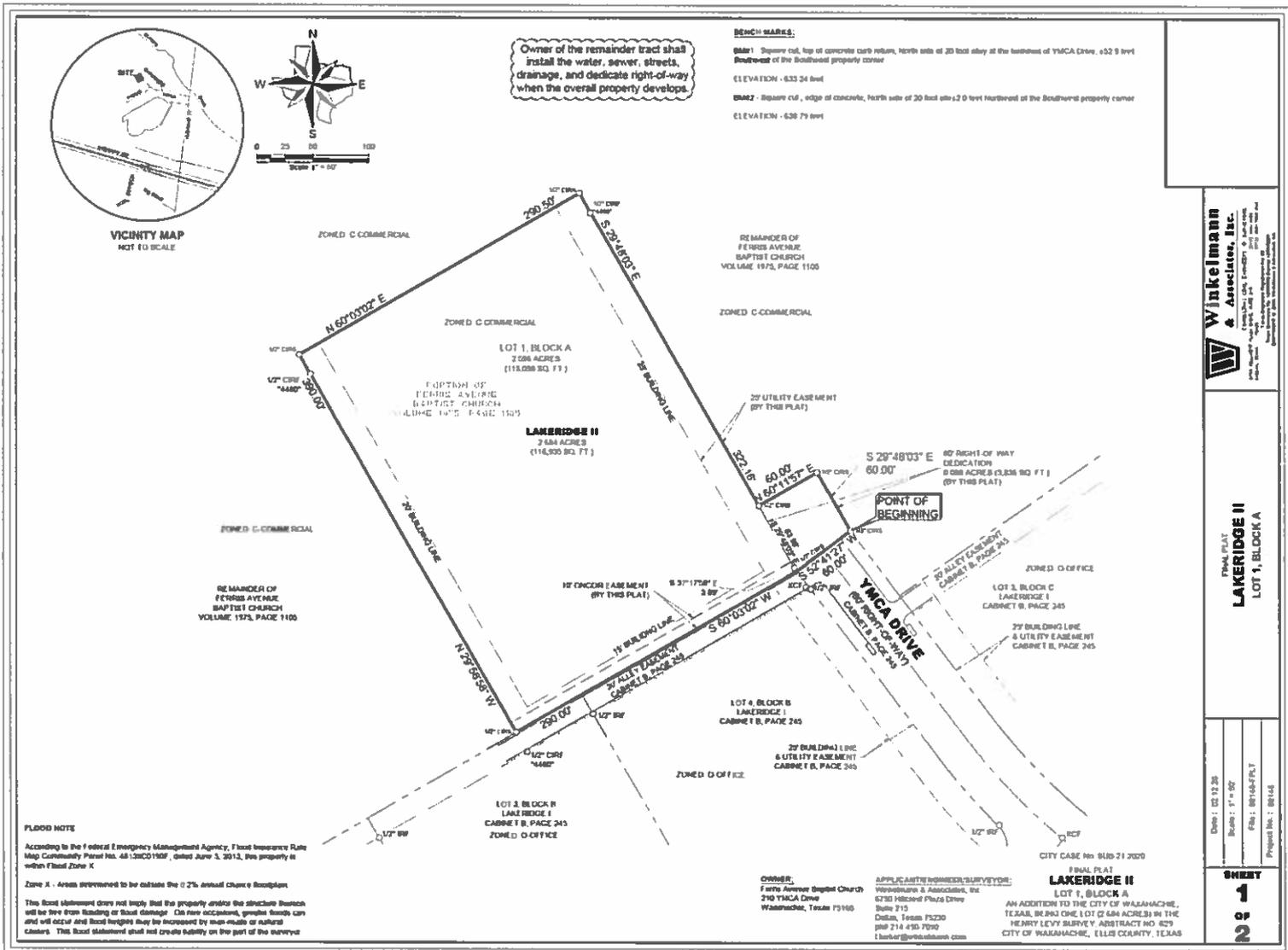
1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's subdivision ordinance.

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

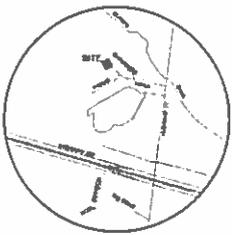
Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

(11)



Owner of the remainder tract shall install the water, sewer, streets, drainage, and dedicate right-of-way when the overall property develops.

BENCH MARKS:
 BM#1 - Square cut, top of concrete curb return, North side of 20 foot alley at the west end of YMCA Drive, +52.9 feet Southwest of the Southeast property corner
 ELEVATION - 633.24 feet
 BM#2 - Square cut, edge of concrete, North side of 20 foot alley, 2.0 feet Northeast of the Southeast property corner
 ELEVATION - 636.79 feet



VICINITY MAP
NOT TO SCALE

Winkelmann & Associates, Inc.
 Surveyors & Engineers
 210 Ymca Drive
 Waco, Texas 76798
 Phone: 767-876-1111
 Fax: 767-876-1112
 www.winkelmann.com

FINAL PLAT
LAKERIDGE II
 LOT 1, BLOCK A

Date: 02-12-20
 Scale: 1" = 50'
 City: Waco, TX
 Project No.: 08148

SHIRT
1
2

FLOOD NOTE
 According to the Federal Emergency Management Agency, Flood Insurance Rate Map Community Panel No. 48130C01100F, dated June 3, 2013, the property is within Flood Zone X.
 Zone X - Areas determined to be outside the 1% annual chance floodplain.
 This flood statement does not imply that the property or the structure thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

OWNER:
 Faith Avenue Baptist Church
 210 Ymca Drive
 Waco, Texas 76798

APPLICANT/ENGINEER/SURVEYOR:
 Winkelmann & Associates, Inc.
 210 Ymca Drive
 Suite 215
 Dallas, Texas 75220
 PHF 214.450.7070
 l.barker@winkelmann.com

CITY CASE No. 0810 21 2020

FINAL PLAT
LAKERIDGE II
 LOT 1, BLOCK A
 AN ADDITION TO THE CITY OF WACAHACHE,
 TEXAS, BEING ONE LOT (2.684 ACRES) IN THE
 HENRY LEVY SURVEY ABSTRACT NO. 629
 CITY OF WACAHACHE, TARRANT COUNTY, TEXAS

(12)

Planning & Zoning Department

Plat Staff Report

Case: PL-19-0162



MEETING DATE(S)

Planning & Zoning Commission: May 12, 2020

CAPTION

Consider request by Matthew Martinez, for a Plat of Jackson Ranch Subdivision, for 2 lots being 3.941 acres situated in the T.R. Follet Survey, Abstract 373 (Property ID 183524) in the Extra Territorial Jurisdiction – Owner: Andrew Jackson (PL-19-0162)

APPLICANT REQUEST

The applicant is requesting to plat their property into 2 lots, one of which will have a Dollar General located on it.

CASE INFORMATION

Applicant: Matthew Martinez

Property Owner(s): Andrew Jackson

Site Acreage: 3.941 acres

Number of Lots: 2 lots

Number of Dwelling Units: 0 units

Park Land Dedication: N/A (ETJ)

Adequate Public Facilities: Rockett SUD provided a water letter stating that adequate domestic flow and fire flow were available to this site.

SUBJECT PROPERTY

General Location: 3314 FM 813

Parcel ID Number(s): 183524

Current Zoning: N/A (ETJ)

Existing Use: Previously Residential

Platting History: Located within a portion of the T. R. Follet Survey

(18)

Site Aerial:



RECOMMENDATION

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

- Disapproval
- Approval, as presented.
- Approval, per the following conditions:

ATTACHED EXHIBITS

1. Plat Drawing
2. Water Letter

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's subdivision ordinance.

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

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

(12)

Double SGT
 Revision
 Revision
 Revision

FLOOD HAZARD CLASSIFICATION
 This property lies within ZONE X (HIGH SEVERITY) of the Flood Insurance Rate Map No. 2201-0101, Texas and Incorporated Areas, map no. 2201-0101, dated 2/11/2007, was revised map location and graphic showing and by the National Flood Hazard Layer (NFHL) Web Map Server (WMS) at map floodzone.com

IMPROVEMENTS (BUT NOT BEARING BASH)
 Measurements are based on 1/2" scale stamped "JPI Land Surveying" on 2019. May and A. under stamped "JPI Land Surveying" on 2019. See brochures (see survey map for general location)
 (1) Values are in decimal feet (not in centimeters)
 Coordinate values, of course, are U.S. 1983 (NAD 83) NAD 83
 Elevations, of course, are NAVD83
 Bearings are based on grid north (NAD 83) (NAD 83)

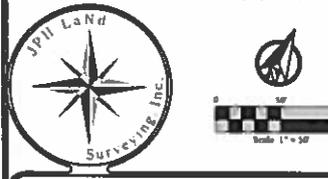
LEGEND OF ABBREVIATIONS
 US 83/91 United States Survey Feet
 TACS 91/82 Texas Coordinate System of 1981, North Central Zone
 NAD 83/88 North American Vertical Datum of 1988
 P.R.S.C.T. First Record of Ellis County, Texas
 O.P.R.S.C.T. Official Public Records of Ellis County, Texas
 D.R.S.C.T. David Reynolds of Ellis County, Texas
 VOLUNTARY Point of Beginning/Point of Commencement
 P.C.B.P.C. Point of Beginning/Point of Commencement
 E.S.M.T.R. Estimated/Measured Line
 E.S.T. Estimated/Measured
 S.F. Square Feet



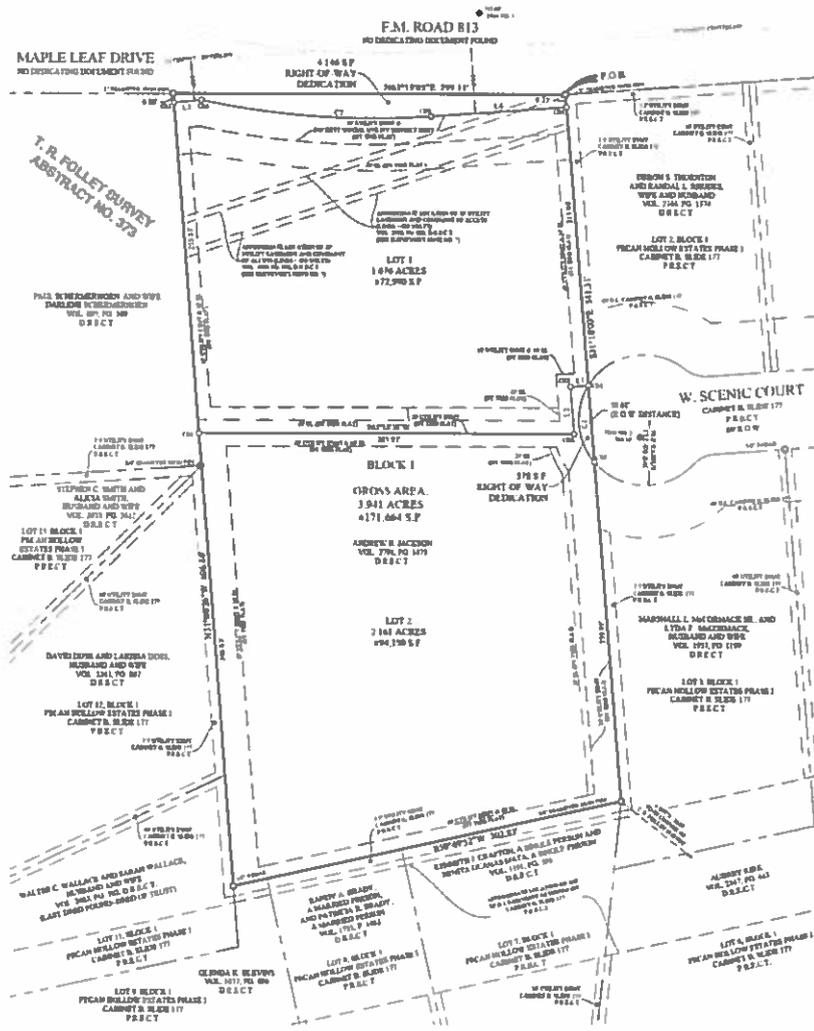
PHILIPPE
 Kelly Adams
 7700 Wagon Street Suite 200
 Fort Worth, TX 76117
 (817) 943-1771

GWYN RAFFERTY
 Andrew H. Jackson
 1905 W. Industrial Road
 Midland, TX 79703

PHILIPPE
 Kelly Adams
 7700 Wagon Street Suite 200
 Fort Worth, TX 76117
 (817) 943-1771



JPI Land Surveying, Inc.
 2019 022 022 3314 PM 813 Wimbacher CT, Ellis Co. Tx. Final Plat day
 © 2020 JPI Land Surveying, Inc. All Rights Reserved
 781 Lammara Drive, Hunt, Texas 76024
 Telephone (817) 611-9711 www.jplandsurveying.com
 TXPLS Form 09081908 01019023 01019087
 EPW / Austin / Address



Lot Data Table

| Lot # | Acres | Feet | Feet | Feet | Feet |
|-------|-------|--------|--------|--------|--------|
| L1 | 1.676 | 111.77 | 111.77 | 111.77 | 111.77 |
| L2 | 2.181 | 111.77 | 111.77 | 111.77 | 111.77 |
| L3 | 1.676 | 111.77 | 111.77 | 111.77 | 111.77 |
| L4 | 1.676 | 111.77 | 111.77 | 111.77 | 111.77 |

Curve Data Table

| Curve # | Area | Radius | Delta | Chord Bearing | Chord |
|---------|--------|--------|---------|---------------|--------|
| C1 | 42.62 | 10.00 | 99.7137 | N111.7700°W | 10.00 |
| C2 | 175.00 | 200.00 | 90.0000 | S45.0000°W | 175.00 |

- SURVEYOR'S NOTES:**
- The two lots shown on 1 as a map and with metal markers stamped "JPI Land Surveying" set on the east edge of a concrete driveway located on the north side of F.M. Highway 813, located approximately 91 feet northwesterly from a 177' diameter man hole found at the southeast corner of the subject property. Elevation = 511.00' (NAVD83). See survey map for general location.
 - The subject property lies at the southeast corner of the intersection of F.M. Highway 813 and Maple Leaf Drive.
 - There is no zoning classification for the subject property according to the zoning survey summary provided by Key Zoning Assessments, LLC, P.O. Box 400, Mesquite, WI 54046 (800) 565-1160. See Plat Book 2019 1905 & Final, Dated June 27, 2019.
 - Subject property's record owner's name of course, 0 0'
 - The fieldwork was completed on July 10, 2019.
 - The survey was performed with the benefit of a title commission provided by Alliant National Title Insurance Company, C/P 102140 effective April 11, 2019, and issued April 24, 2019.
 - The correct width is dependent on the classification of the law. The length of the easement shall be from 11 feet beneath the surface of the ground to a height of 70 feet above the ground.

PLAT
LOTS 1 & 2, BLOCK 1
JACKSON RANCH SUBDIVISION
 BEING A SUBDIVISION OF 3.84 ACRES SITUATED IN
 T. R. FOLLET SURVEY ABSTRACT NO. 373
 CITY OF WAXAHACHIE, T. & J. ELLIS COUNTY, TEXAS
 PREPARED IN JULY 2019, MARCH 2020
 CASE NO. PD 19-0141

Sheet 1 of 2

(12)

STATE OF TEXAS §
COUNTY OF ELLIS §

WHEREAS Andrew H. Jackson, as the owner of that certain tract situated in the T.R. Follet Survey, Abstract No. 375, Ellis County, Texas, and tract being the same tract described in the deed to Andrew H. Jackson, recorded in Volume 2791, Page 1473, Deed Record, Ellis County, Texas (D.R.E.C.T.), the subject tract is more particularly described as follows:

BEHAVING: a 1/2 inch diameter iron pipe found at the northwest corner of Lot 2, Block 1, Paces Hollow Estates Phase I, recorded in Volume 2791, Page 1473, Deed Record, Ellis County, Texas.

THENCE with the pressure and to the corners of said Paces Hollow Estates Phase I, the following calls:

- 1. S 31° 17' 07" E, passing at a distance of 230.00 feet a set 1/2 inch capped iron stamped "JPH Land Surveying" and continuing on road corner, to all a total distance of 541.11 feet to a found 3/4 inch diameter iron pipe.
 - 2. S 50° 49' 31" W a distance of 302.81 feet to a found 1/2 inch rebar.
- THENCE N 31° 09' 38" W, with the southeast line of the tract described in the deed to Andrew H. Jackson, recorded in Volume 2791, Page 1473, D.R.E.C.T., passing at a distance of 344.38 feet a set 1/2 inch capped iron stamped "JPH Land Surveying" and continuing on road corner, to all a total distance of 605.86 feet to a 1-inch diameter iron pipe found at the northwest corner of the said lot to him last.

THENCE N 61° 19' 01" E, with the southeast line of the Jackson tract (by deed called to be on the southeast right of way line of F.M. 611) (as dedicated deeded land), a distance of 299.11 feet returning to the POINT OF BEGINNING and enclosing 3.94 acres (117,084 square feet)

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS

That Andrew H. Jackson, do hereby adopt that plat designating the herein above described property as Jackson Ranch Subdivision, an addition to the City of Waskatche E.T.J. Ellis County, Texas, and do hereby declare, as in and 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 thereon, as shown, are dedicated for the public use forever, as the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed on placed upon, over or across the easements as shown. Notwithstanding anything contained herein to the contrary, any paving, grading, parking or landscaping may be placed within, upon, over or across the easements shown herein. In addition, utility easements may also be used for the general use and accommodation of all public utilities showing in or at using the same unless the easements herein the use to particular utilities, and use by public utilities being subordinate to the Public's and City of Waskatche's use thereof. The City of Waskatche, Republic Special Utility District, Ellis County, and public utility systems 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 these respective systems to said easements, provided, however, that any paving, grading, parking or landscaping shall not be considered an endangerment or interference in any of the easements shown herein or the utility systems within and over them, and the City of Waskatche, Republic Special Utility District, Ellis County, and public utility systems shall repair or replace the same for any damage it causes thereon. The City of Waskatche and public utility systems shall at all times have the full right of ingress and egress to or from these respective easements for the purpose of constructing, reconstructing, inspecting, maintaining, providing services and adding to or removing all or parts of their respective systems without the necessity of any time permitting permission from anyone.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT Andrew H. Jackson acting herein by and through its duly authorized officers, does hereby certify and adopt that plat designating the herein above described property as Jackson Ranch Subdivision, an addition to the Ellis County, and do hereby dedicate to the public use forever, the streets and alleys shown thereon. Andrew H. Jackson do(es) hereby certify the following:

- 1. The streets and alleys are dedicated as the easements for street and alley purposes.
- 2. All public improvements and dedications shall be free and (less of all debt, taxes, and/or encumbrances).
- 3. The easements and public use thereon, as shown, are covered by this plat, are dedicated for the public use forever for the purposes indicated on this plat.
- 4. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown.
- 5. Ellis County is not responsible for replacing any improvements in, under, or over any easements covered by this plat or thereon.
- 6. Utility easements may also be used for the general use and accommodation of all public utilities showing in or at using the same unless the easements herein the use to particular utilities, and use by public utilities being subordinate to the Public's and Ellis County's use thereof.
- 7. Ellis County and public utility systems 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 these respective systems or the easements.
- 8. Ellis County and public utility systems shall at all times have the full right of ingress and egress to or from these respective easements for the purpose of constructing, reconstructing, inspecting, maintaining, providing services and adding to or removing all or parts of their respective systems without the necessity of any time permitting permission from anyone.
- 9. All dedications to this document shall be by state of plat and approved by Ellis County.

This plat is approved subject to all planning regulations, rules, regulations and conditions of Ellis County, Texas, and City of Waskatche, Texas.

WITNESSE my hand, this the _____ day of _____, 2019.

Andrew H. Jackson

STATE OF TEXAS §
COUNTY OF _____ §

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

Gives under my hand and seal of office, this _____ day of _____, 2019.

Notary Public in and for the State of Texas

NOTARY'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS

That I, David Chubb, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Ordinance of the City of Waskatche.

Dated this _____ day of _____, 2019.

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

- RELEASED FOR REVIEW ON JULY 12, 2019
- RELEASED FOR REVIEW ON SEPTEMBER 05, 2019
- RELEASED FOR REVIEW ON OCTOBER 26, 2019
- RELEASED FOR REVIEW ON NOVEMBER 19, 2019
- RELEASED FOR REVIEW ON DECEMBER 17, 2019
- RELEASED FOR REVIEW ON JANUARY 14, 2020
- RELEASED FOR REVIEW ON JANUARY 14, 2020
- RELEASED FOR REVIEW ON FEBRUARY 04, 2020
- RELEASED FOR REVIEW ON FEBRUARY 04, 2020
- RELEASED FOR REVIEW ON MARCH 12, 2020

David Chubb
Registered Professional
Land Surveyor No. 3754

STATE OF TEXAS §
COUNTY OF ELLIS §

Continued of approved by the Commissioner Court of Ellis County, Texas
Approved this _____ day of _____, 2019.

Todd Lohr, County Judge

Landy Shuman
Commissioner, Precinct No. 1

Leah Grogan
Commissioner, Precinct No. 2

Paul Perry
Commissioner, Precinct No. 1

Kyle Bothe
Commissioner, Precinct No. 4

ATTEN:

Kristal Vahler, County Clerk

ON-SITE SEWAGE FACILITY STATEMENT

This plat has been approved by the Department of Development of Ellis County, Texas for on-site sewage facilities, pending any and all submissions as may be required by the Ellis County Department of Development.

Director of Planning & Development _____ Approved Date _____

APPROVED BY: Planning and Zoning Commission City of Waskatche

| | |
|-------------|------|
| Chairperson | Date |
| Member | Date |



JPH Job-Drawing No. (see below)
2019-022-022-3114-FM-013 Waskatche E.T.J. Ellis Co. Tx Final Plat.dwg
© 2019 JPH Land Surveying, Inc. All Rights Reserved.
785 Limestone Drive Tins, Texas 74754
Telephone: (817) 411-4913 www.jphlandsurveying.com
TRPLS Form 51001/51002/51003/51004/51005/51006/51007
DFW / Austin / Abilene

PLAT
LOTS 1 & 2, BLOCK 1
JACKSON RANCH SUBDIVISION
BEING A SUBDIVISION OF 1.94 ACRES SITUATED IN
T.R. FOLLET SURVEY, ABSTRACT NO. 375
CITY OF WASKATCHE E.T.J. ELLIS COUNTY, TEXAS
PREPARED IN JULY 2019 SEARCH 7020
CASE NO. PL-19-0141

(12)



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



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Dollar General Parcel ID #: _____
Subdivision Name: _____

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

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

Contact Information:

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

To be completed by the water utility provider:

| | Yes | No |
|---|-------------------------------------|--------------------------|
| 1. I have reviewed a copy of the proposed plat. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. The platted lots fall within our CCN area. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines. <u>2,500 gpm</u> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. The water line size servicing the lots is <u>8</u> inches. | <input type="checkbox"/> | <input type="checkbox"/> |

line must be extended

Robert Woodall, Operation Manager

Print Name of General Manager of water provider or Designee

Rockett S.U.D

Name of water provider company

Robert Woodall
Signature of General Manager of water provider or Designee

11-7-2019
Date

(19)

Planning & Zoning Department Plat Staff Report

Case: SUB-000055-2020



MEETING DATE(S)

Planning & Zoning Commission: May 12, 2020

CAPTION

Consider request by Wes Dorough, JH Development, LLC. for a Plat of Sheppard's Place Ph. 1 for 102 lots, being 24.735 acres situated in the E. Horton Survey, Abstract 466 (Property ID 185243) – Owner: Sheppard's Place Development Co LLC, Sandlin Homes (SUB-000055-2020)

APPLICANT REQUEST

The applicant is requesting to plat this property to establish the first phase of a new subdivision.

CASE INFORMATION

Applicant: Wes Dorough, JH Development, LLC

Property Owner(s): Sheppard's Place Development Co. LLC, Sandlin Homes

Site Acreage: 24.735 acres

Number of Lots: 102 lots

Number of Dwelling Units: 99 units

Park Land Dedication: The cash in lieu of park land dedication is \$39,600 (\$400.00 per each residential lot).

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

SUBJECT PROPERTY

General Location: This property is located along Ovilla Rd.

Parcel ID Number(s): 185243

Current Zoning: PD-SF-2

Existing Use: Undeveloped

Platting History: This property is located within the E. Horton Survey

(13)

Site Aerial:



RECOMMENDATION

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

- Disapproval
- Approval, as presented.
- Approval, per the following conditions:

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.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

A plat shall not be filed with the Ellis County Clerk until:

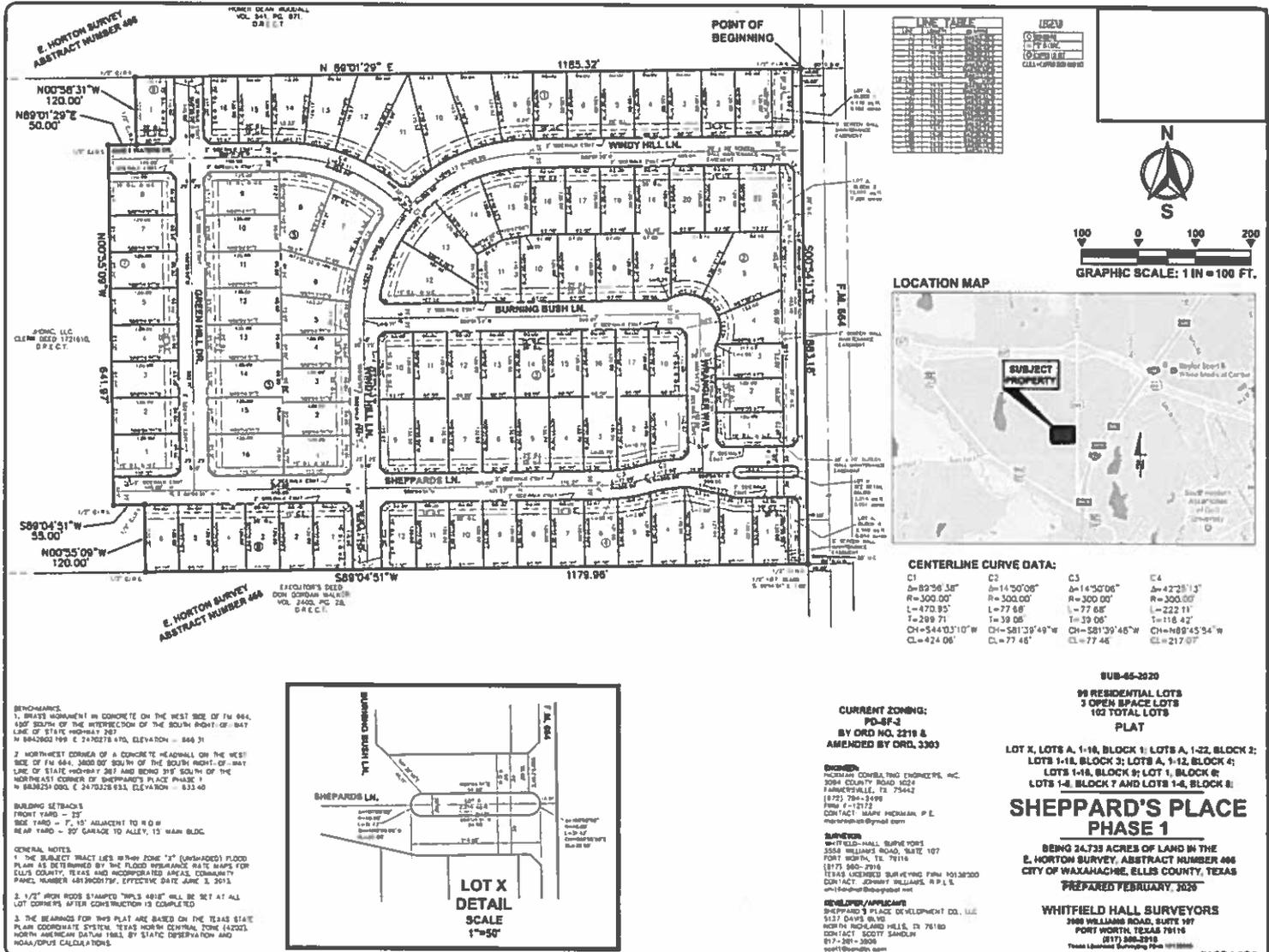
1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's subdivision ordinance.

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

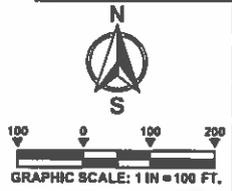
Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

(13)



| LINE | TYPE | BEARING | DISTANCE |
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LOCATION MAP



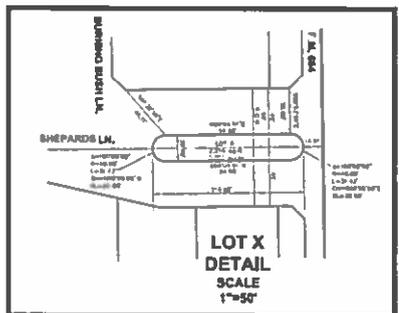
CENTERLINE CURVE DATA:

| C1 | C2 | C3 | C4 |
|----------------|----------------|----------------|----------------|
| Ch=89°58'38" | Ch=11°50'06" | Ch=11°50'06" | Ch=42°28'13" |
| R=300.00' | R=300.00' | R=300.00' | R=300.00' |
| L=470.95' | L=77.68' | L=77.68' | L=222.11' |
| T=289.71' | T=39.05' | T=39.05' | T=118.42' |
| Ch=544°03'10"W | Ch=581°29'49"W | Ch=581°29'46"W | Ch=N89°45'54"W |
| Cl=424.06' | Cl=77.48' | Cl=77.48' | Cl=217.07' |

BENCHMARKS
 1. BRASS MONUMENT IN CONCRETE ON THE WEST SIDE OF FM 664, 150' SOUTH OF THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 287
 N 84°26'02" W 199.5' ± TO 74°02'27" S 470.0' ±, ELEVATION = 846.31'
 2. NORTHWEST CORNER OF A CONCRETE HEADWALL ON THE WEST SIDE OF FM 664, 300.00' SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 287 AND BEING 319' SOUTH OF THE NORTHEAST CORNER OF SHEPPARD'S PLACE PHASE 1
 N 84°26'02" W 199.5' ± TO 74°02'27" S 470.0' ±, ELEVATION = 832.40'

BUILDING SETBACKS
 FRONT YARD - 35'
 SIDE YARD - 7', 15' ADJACENT TO ROW
 REAR YARD - 20' GARAGE TO ALLEY, 15' MAIN BLDG.

GENERAL NOTES
 1. THE SUBJECT TRACT LIES WITHIN ZONE "1" (UNSHADDED) FLOOD PLAIN AS DETERMINED BY THE FLOOD INSURANCE RATE MAPS FOR COLLIN COUNTY, TEXAS AND HIGHWAY DESIGN AREA COMMUNITY PANEL NUMBER 48190017M, EFFECTIVE DATE JUNE 3, 2013.
 2. 1/2" IRON RODS STAMPED "MPLS 4819" WILL BE SET AT ALL LOT CORNERS AFTER CONSTRUCTION IS COMPLETED.
 3. THE BEARINGS FOR THIS PLAT ARE BASED ON THE TEXAS STATE PLAIN COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4200), NORTH AMERICAN DATUM 1983, BY STATIC OBSERVATION AND HOLO/ODYS CALCULATIONS.



CURRENT ZONING:
 PD-SF-3
 BY ORD NO. 2219 &
 AMENDED BY ORD. 3303

OWNER:
 MCGRAW HILL CONSTRUCTION, INC.
 3084 COUNTY ROAD 3024
 FARMERSVILLE, TX 77442
 (877) 784-3498
 FAX: 817-217-7272
 CONTACT: MARY NEWMAN, P.E.
 mnewman@mhfi.com

SURVEYOR:
 WITFIELD HALL SURVEYORS
 3548 WILLIAMS ROAD, SUITE 107
 FORT WORTH, TX 76116
 (817) 562-7916
 TEXAS LICENSED SURVEYING FIRM NO. 1013620
 CONTACT: JERRY WILLIAMS, R.P.L.S.
 jerry@whsurveys.com

SUB-45-2020
 99 RESIDENTIAL LOTS
 3 OPEN SPACE LOTS
 102 TOTAL LOTS
 PLAT

LOT X, LOTS A, 1-16, BLOCK 1; LOTS A, 1-22, BLOCK 2;
 LOTS 1-18, BLOCK 3; LOTS A, 1-12, BLOCK 4;
 LOTS 1-8, BLOCK 5; LOT 1, BLOCK 6;
 LOTS 1-8, BLOCK 7 AND LOTS 1-8, BLOCK 8.

**SHEPPARD'S PLACE
 PHASE 1**

BEING 24.733 ACRES OF LAND IN THE
 E. HORTON SURVEY, ABSTRACT NUMBER 486
 CITY OF WAXAHACHE, COLLIN COUNTY, TEXAS
 PREPARED FEBRUARY, 2025

WITFIELD HALL SURVEYORS
 3548 WILLIAMS ROAD, SUITE 107
 FORT WORTH, TEXAS 76116
 (817) 562-7916
 Texas License No. 1013620

(13)

STATE OF TEXAS
COUNTY OF ELLIS

WHEREAS, Sheppard's Place Development Co., LLC, being the sole owner of a 24,735 Acre tract of land out of the E. Horton Survey, Abstract Number 488, and being a portion of the Sheppard's Place Holdings Co., LLC, recorded in Instrument Number 1915018, Deed Records, Ellis County, Texas. The bearings for this survey are based on the Texas State Plane Coordinate System, Texas North Central Zone (4202), North American Datum 1983, as derived from static observation via NOAA/IGPS OPUS calculations. Said 24,735 Acre tract being described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "RPLS 4818" set for the northeast corner of said Sheppard's Place tract, and in the west right of way line of Farm to Market number 488, also known as Oak Road, a variable width right of way, and being in the south line of that certain tract of land described in deed to Homer Dean Woodard, recorded in Volume 541, Page 971, Deed Records, Ellis County, Texas;

THENCE South 00°34'13" East, departing said south line and continuing along said west right of way line, a distance of 883.18 Feet to 1/2" iron rod with plastic cap stamped "RPLS 4818" set for the southeast corner of said Sheppard's Place tract, from which it to 1/2" iron rod bears South 89°04'31" West, a distance of 1.08 Feet;

THENCE South 89°04'31" West, departing said west right of way line and continuing along the south line of said Sheppard's Place tract, a distance of 1179.96 Feet to 1/2" iron rod with plastic cap stamped "RPLS 4818" set;

THENCE departing said south line and continuing over and across said Sheppard's Place tract the following courses and distances:

North 00°55'09" West, a distance of 170.00 Feet to 1/2" iron rod with plastic cap stamped "RPLS 4818" set;

South 89°04'31" West, a distance of 55.00 Feet to 1/2" iron rod with plastic cap stamped "RPLS 4818" set;

North 00°55'09" West, a distance of 641.97 Feet to 1/2" iron rod with plastic cap stamped "RPLS 4818" set;

North 89°01'29" East, a distance of 50.00 Feet to 1/2" iron rod with plastic cap stamped "RPLS 4818" set;

North 00°58'31" West, a distance of 120.00 Feet to 1/2" iron rod with plastic cap stamped "RPLS 4818" set in the north line of said Sheppard's Place tract and in said south line of the Woodard tract.

THENCE North 89°01'29" East, along the said north and south lines, a distance of 1185.32 Feet to the POINT OF BEGINNING and containing a computed area of 24,735 Acres, more or less.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS,

That Sheppard's Place Development Co., LLC, acting herein by and through its duly authorized officers, does hereby set out the plat designating the herein above described property as SHEPPARD'S PLACE, PHASE 1, an addition to the City of Watahache, Texas, and does hereby dedicate, in fee simple, to the public 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 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 Watahache. 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 Watahache's use thereof. The City of Watahache 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 Watahache 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, 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 platting ordinances, rules, regulations and resolutions of the City of Watahache, Texas.

WITNESS, my hand, this _____ day of _____, 2020.

By: _____
Scott Sandlin
Sheppard's Place Development Co., LLC
State of Texas
County of Ellis

BEFORE ME, the undersigned authority, on the day personally appeared Scott Sandlin of Sheppard's Place Development Co., LLC, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he did the same for the purposes and considerations expressed.

By: _____
Notary Public in and for the State of Texas
My Commission expires: _____

SURVEYOR'S CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS,

THAT I, JOHNNY D.L. WILLIAMS, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON AS SET HERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF WATAHACHE.

JOHNNY D.L. WILLIAMS, R.P.L.S. NO. 4818



APPROVED BY PLANNING AND ZONING COMMISSION
CITY OF WATAHACHE
BY: _____ DATE: _____
CHAIRPERSON
ATTEST: _____ DATE: _____

LOT AREA CHART

| BLOCK 1 | BLOCK 2 | BLOCK 3 | BLOCK 4 |
|-------------------|-------------------|------------------|------------------|
| LOT A - 4430 sf | LOT 1 - 7392 sf | LOT 1 - 7688 sf | LOT A - 2348 sf |
| LOT 1 - 7390 sf | LOT 2 - 7200 sf | LOT 2 - 7564 sf | LOT 1 - 7300 sf |
| LOT 2 - 7200 sf | LOT 3 - 7434 sf | LOT 3 - 7937 sf | LOT 2 - 7524 sf |
| LOT 3 - 7200 sf | LOT 4 - 8233 sf | LOT 4 - 7946 sf | LOT 3 - 8875 sf |
| LOT 4 - 7200 sf | LOT 5 - 14500 sf | LOT 5 - 7962 sf | LOT 4 - 8212 sf |
| LOT 5 - 7200 sf | LOT 6 - 8511 sf | LOT 6 - 7938 sf | LOT 5 - 7822 sf |
| LOT 6 - 7200 sf | LOT 7 - 8625 sf | LOT 7 - 7945 sf | LOT 6 - 7288 sf |
| LOT 7 - 7200 sf | LOT 8 - 8640 sf | LOT 8 - 7945 sf | LOT 7 - 7200 sf |
| LOT 8 - 7938 sf | LOT 9 - 8540 sf | LOT 9 - 8211 sf | LOT 8 - 7200 sf |
| LOT 9 - 8946 sf | LOT 10 - 8007 sf | LOT 10 - 7517 sf | LOT 9 - 7200 sf |
| LOT 10 - 11232 sf | LOT 11 - 8071 sf | LOT 11 - 7200 sf | LOT 10 - 7200 sf |
| LOT 11 - 12242 sf | LOT 12 - 12383 sf | LOT 12 - 7200 sf | LOT 11 - 7200 sf |
| LOT 12 - 16838 sf | LOT 13 - 9778 sf | LOT 13 - 7200 sf | LOT 12 - 7450 sf |
| LOT 13 - 2848 sf | LOT 14 - 8715 sf | LOT 14 - 7200 sf | |
| LOT 14 - 7864 sf | LOT 15 - 8891 sf | LOT 15 - 7200 sf | |
| LOT 15 - 7200 sf | LOT 16 - 7448 sf | LOT 16 - 7200 sf | |
| LOT 16 - 7457 sf | LOT 17 - 7448 sf | LOT 17 - 7200 sf | |
| | LOT 18 - 7448 sf | LOT 18 - 7200 sf | |
| | LOT 19 - 7448 sf | LOT 19 - 7200 sf | |
| | LOT 20 - 7448 sf | LOT 20 - 7200 sf | |
| | LOT 21 - 7448 sf | LOT 21 - 7200 sf | |
| | LOT 22 - 3888 sf | | |

LOT AREA CHART

| BLOCK 5 | BLOCK 6 | BLOCK 7 | BLOCK 8 |
|-------------------|-----------------|-----------------|-----------------|
| LOT 1 - 8330 sf | LOT 1 - 8357 sf | LOT 1 - 9078 sf | LOT 1 - 8356 sf |
| LOT 2 - 7200 sf | | LOT 2 - 7960 sf | LOT 2 - 7200 sf |
| LOT 3 - 7200 sf | | LOT 3 - 7800 sf | LOT 3 - 7200 sf |
| LOT 4 - 7200 sf | | LOT 4 - 7800 sf | LOT 4 - 7200 sf |
| LOT 5 - 7857 sf | | LOT 5 - 7800 sf | LOT 5 - 7200 sf |
| LOT 6 - 8878 sf | | LOT 6 - 7800 sf | LOT 6 - 7200 sf |
| LOT 7 - 12828 sf | | LOT 7 - 7800 sf | |
| LOT 8 - 16532 sf | | LOT 8 - 8073 sf | |
| LOT 9 - 18372 sf | | | |
| LOT 10 - 8773 sf | | | |
| LOT 11 - 8773 sf | | | |
| LOT 12 - 8773 sf | | | |
| LOT 13 - 8773 sf | | | |
| LOT 14 - 8773 sf | | | |
| LOT 15 - 8773 sf | | | |
| LOT 16 - 10878 sf | | | |

CURRENT ZONING:
PD-8F-2
BY ORD NO. 2219 &
AMENDED BY ORD. 3303

DEVELOPER:
MICROSOFT CONSULTING (MONROE) P.L.L.C.
3084 COUNTY ROAD 1024
FARMERSVILLE, TX 75442
(972) 794-2499
888-1-1212
CONTACT: TAMM MICHAEL, P.E.
tamm@mscpl.com

SURVEYOR:
WHITFIELD HALL SURVEYORS
3558 WILLIAMS ROAD, SUITE 107
FORT WORTH, TX 76114
(817) 860-2916
TEXAS LICENSED SURVEYING INSTRUMENT NO. 10136000
CONTACT: JOHNNY WILLIAMS, R.P.L.S. 4818
jwilliams@whithall.com

DEVELOPER/APPLICANT:
SHEPPARD'S PLACE DEVELOPMENT CO. LLC
5137 DAVIS BLVD
NORTH RICHLAND HILLS, TX 76180
CONTACT: SCOTT SANDLIN
817-281-3500
scott@sandlin.com

818-66-2020
99 RESIDENTIAL LOTS
3 OPEN SPACE LOTS
102 TOTAL LOTS
PLAT
LOTS 1-16, BLOCK 1; LOTS 1-22, BLOCK 2;
LOTS 1-18, BLOCK 3; LOTS 1-12, BLOCK 4;
LOTS 1-16, BLOCK 5; LOT 1, BLOCK 6;
LOTS 1-8, BLOCK 7 AND LOTS 1-6, BLOCK 8;

**SHEPPARD'S PLACE
PHASE 1**
BEING 24,735 ACRES OF LAND IN THE
E. HORTON SURVEY, ABSTRACT NUMBER 488
CITY OF WATAHACHE, ELLIS COUNTY, TEXAS
PREPARED FEBRUARY, 2020
WHITFIELD HALL SURVEYORS
1808 WILLIAMS ROAD, SUITE 107
FORT WORTH, TEXAS 76116
(817) 860-2916
Texas Licensed Surveying Firm #10136000

GENERAL NOTES:
1. THE SUBJECT TRACT LIES WITHIN ZONE "1" (UNSHADED) FLOOD PLAIN AS DETERMINED BY THE FLOOD INSURANCE RATE MAPS FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS, COMMUNITY PLAN NUMBER 6818300707, EFFECTIVE DATE JUNE 1, 2013.
2. 1/2" IRON RODS STAMPED "RPLS 4818" WILL BE SET AT ALL LOT CORNERS AFTER CONSTRUCTION IS COMPLETED.
3. THE BEARINGS FOR THIS PLAT ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM 1983, BY STATIC OBSERVATION AND NOAA/IGPS CALCULATIONS.

(14)

Planning & Zoning Department

Plat Staff Report

Case: SUB-000051-2020



MEETING DATE(S)

Planning & Zoning Commission: May 12, 2020

City Council: May 18, 2020

ACTION SINCE INITIAL STAFF REPORT

PP-17-0029 was approved by City Council on May 1, 2017. Since development has continually been going on with the Buffalo Ridge subdivision, we are honoring the preliminary plat that was approved by City Council and allowing this case to proceed as a Final Plat.

CAPTION

Consider request by Brian Carrington, Stantec Consulting Services Inc. for a Final Plat of Buffalo Ridge Phase 5 for 230 residential lots and 9 'X' lots, being 60.798 acres situated in the W.C. Calder Survey, Abstract 235 and the W.T. Dunn Survey, Abstract 303 (Property ID 264869) – Owner: Bobby Samuel, GRBK Edgewood, LLC (SUB-000051-2020)

APPLICANT REQUEST

The applicant is requesting to plat this property in order to establish a fifth phase of the Buffalo Ridge subdivision. The applicant is seeking a variance for the utility easement setbacks to be 10' instead of 15' which was shown in the preliminary plat. This variance will require an action to be made by City Council.

CASE INFORMATION

Applicant: Brian Carrington, Stantec Consulting Services Inc.

Property Owner(s): Bobby Samuel, GRBK Edgewood, LLC

Site Acreage: 60.798 acres

Number of Lots: 239 lots

Number of Dwelling Units: 230 units

Park Land Dedication: The cash in lieu of park land dedication is \$92,000 (230 lots at \$400.00 per lot)

Adequate Public Facilities: Adequate public facilities are available for this site

SUBJECT PROPERTY

General Location: Along S side of Broadhead Rd; neighboring Buffalo Ridge Phase IV to the NE

(14)

Parcel ID Number(s): 264869
Current Zoning: PD-SF-1, -2, -3
Existing Use: Undeveloped
Platting History: PP-17-0029 was approved by City Council on May 1, 2017.
Site Aerial:



RECOMMENDATION

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

- Disapproval
- Approval, as presented.
- Approval, per the following conditions:

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.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's subdivision ordinance.

(14)

STAFF CONTACT INFORMATION

Prepared by:

Chris Webb

Planner

cwebb@waxahachie.com

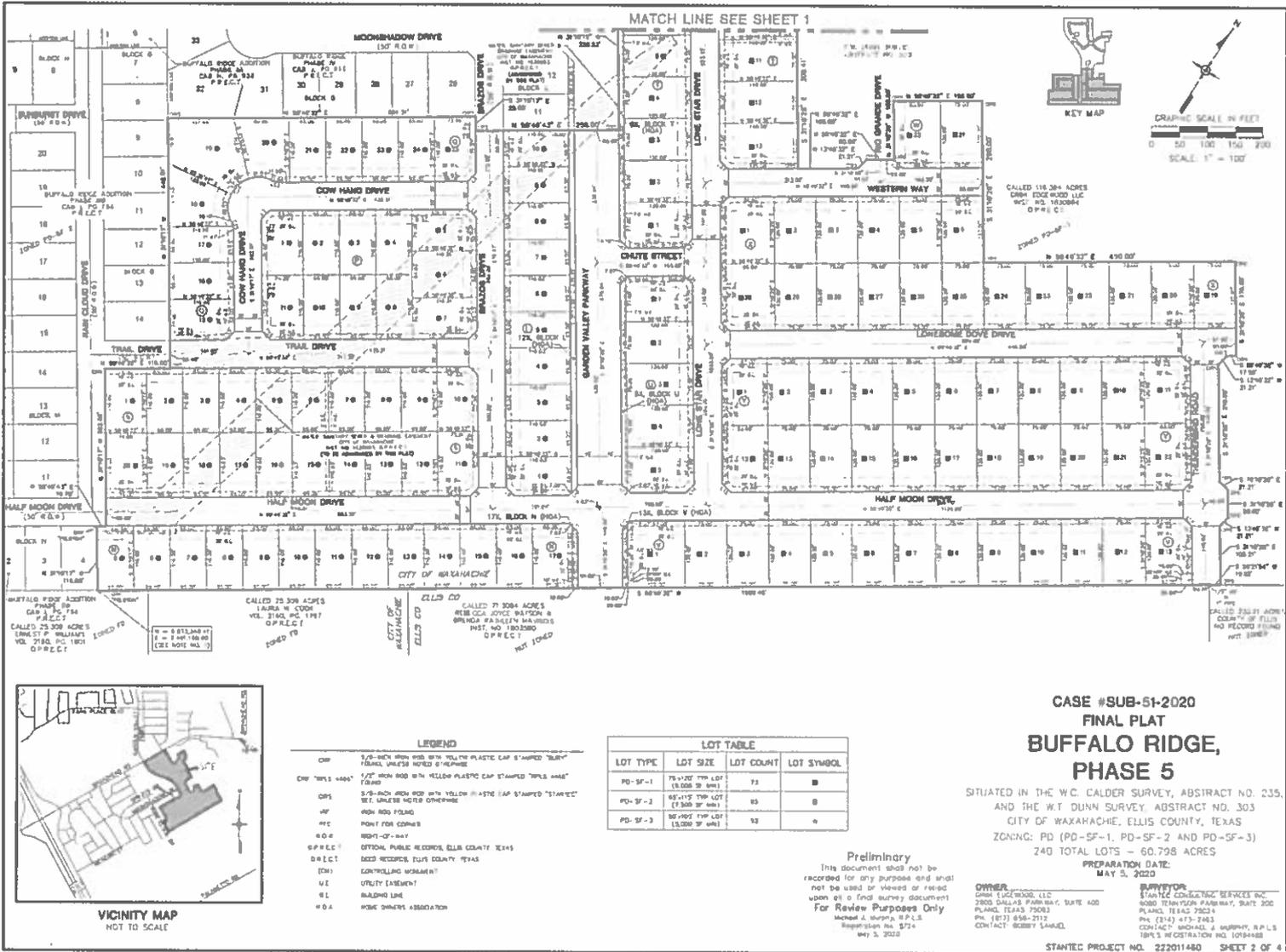
Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com

(14)



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(15)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-07-2020



MEETING DATE(S)

Planning & Zoning Commission: May 12, 2020

City Council: May 18, 2020 (continued from April 6, 2020)

CAPTION

Public Hearing request by the City of Waxahachie to consider revoking, amending, or extending a **Specific Use Permit** (Ordinance 2616) at 500 Brown Industrial which allows for the use of metal granulators and crushers for the reclamation of vehicles, parts of vehicles, and other materials to be processed. (ZDC-000007-2020)

APPLICANT REQUEST

The purpose of this request is for the City of Waxahachie to consider approving a new Specific Use Permit along with a Development Agreement, for Oak Cliff Metals at the subject property 500 Brown Industrial Rd.

CASE INFORMATION

Applicant: Oak Cliff Metals

Property Owner(s): Falcon Transit Inc.

Site Acreage: 17.996 acres

Current Zoning: Heavy Industrial

Requested Zoning: Heavy Industrial w/ SUP

SUBJECT PROPERTY

General Location: 500 Brown Industrial Rd.

Parcel ID Number(s): 233797

Existing Use: Existing industrial recycling site

Development History: N/A

Adjoining Zoning & Uses:

| Direction | Zoning | Current Use |
|-----------|----------|-----------------------|
| North | FD | Currently Undeveloped |
| East | FD & LI1 | Rivera Truck |
| South | HI | Estrada Truck Parts |
| West | FD | Currently Undeveloped |

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Future Land Use Plan:

Highway Commercial

Comprehensive Plan:

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

Thoroughfare Plan:

The subject property is accessible via Brown Industrial Rd.

Site Image:



PLANNING ANALYSIS

Due to the significant fires that have occurred at the property on August 24, 2013, August 12, 2014, January 21, 2015, February 14, 2016, July 7, 2016, and December 18, 2019, safety has become a major concern for the subject property as well as surrounding properties. Furthermore, other violations for the property include exceeding the height limitations for storage piles, exceeding the limited hours of operation of 7:00 A.M. to 7:00 P.M., not maintaining a 24-foot pathway through the site, and not having adequate water to fight fires.

Due to the aforementioned concerns, staff suggests that a Development Agreement is considered and approved to allow for further standards and guidelines to be placed on the property. On May 18, 2020, City Council will consider an action to approve the proposed Development Agreement and a new Specific Use Permit, or revoke the existing Specific Use Permit for Oak Cliff Metals Recycling in relation to Ordinance 2616.

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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 Sun and a sign was visibly posted at the property.

PROPERTY OWNER NOTIFICATION RESPONSES

Staff has received two (2) letters of support for the revocation of the SUP for Oak Cliff Metals.

STAFF CONCERNS

1. Due to frequent fires on the property, as well as repeated ordinance (Ord. 2616) violations for the site, staff suggests that a Development Agreement is considered and approved to allow for further standards and guidelines to be placed on the property.

APPLICANT RESPONSE TO CONCERNS

1. The applicant understands staff's concerns and intends to state their reasoning at the May 12, 2020 Planning and Zoning meeting.

RECOMMENDATION

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

- Denial
- Approval, as presented.
- Approval, per the following comments:
 1. Staff recommends approval pending that the applicant agrees to meet the required standards detailed within the proposed Development Agreement and the revised Specific Use Permit for the property.

ATTACHED EXHIBITS

1. Development Agreement/Ordinance
2. Notice of Specific Use Permit Revocation Hearing
3. Ordinance 2616

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

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STATE OF TEXAS § DEVELOPMENT AGREEMENT
 § FOR OAK CLIFF RECYCLING, INC.
COUNTY OF ELLIS §

This Development Agreement for Oak Cliff Recycling, Inc. ("Agreement") is entered into between Oak Cliff Recycling, Inc. ("OCR"), and the City of Waxahachie, Texas ("City"). OCR and the City are sometimes referred herein together as the "Parties" and individually as a "Party."

Recitals:

1. OCR operates a metal recycling business on Lot 10R of Brown Industrial Sites, more commonly known as 500 Brown Industrial Road, Waxahachie, Texas 75165 ("Property"). The Property is zoned Heavy Industrial ("HI"). A Specific Use Permit ("SUP") for the Property was issued on July 5, 2011, pursuant to Waxahachie Ordinance No. 2616, which allows for the use of metal granulators and crushers for the reclamation of listed materials on the Property.

2. At least two fires have occurred on the Property involving a Harris Model 6090 metal shredder, the most recent being in December 2019. After the December 2019 fire, on January 8, 2020, the City sent OCR a letter regarding "Notice of Specific Use Permit Revocation Hearing." The letter indicates a hearing will be held for the City Council to consider revoking or amending the SUP.

3. To address the shared concerns of the City and OCR regarding operations at, and conditions on, the Property, the Parties have reached a number of agreements regarding the use of the Property and additional terms and conditions that should be included within a new or amended SUP for the Property. As is reflected by the public records of the City, significant discussions and negotiations between representatives of OCR and the City of Waxahachie staff have occurred during various meetings, in an effort to obtain an agreed-upon and negotiated set of zoning, development, and operational standards to be reflected in the SUP for the Property, which SUP Ordinance ("OCR SUP"), a copy of which is attached hereto as *Exhibit A*, which contains the negotiated zoning, development, and operational standards for the Property.

4. This Agreement seeks to incorporate the negotiated and agreed upon zoning, development, and operational standards for the Property contained in the OCR SUP as contractually-binding obligations between the City and OCR, and to recognize OCR's reasonable investment-backed expectations in the OCR SUP and the continued operation of the Property for a metal recycling business.

NOW, THEREFORE, for and in consideration of the above and foregoing premises, the benefits to each of the Parties from this Agreement, and other good and valuable consideration, the sufficiency of which is hereby acknowledged and agreed, the Parties do hereby agree as follows:

Section 1. Incorporation of Premises. The above and foregoing Recitals are true and correct and are incorporated herein and made a part hereof for all purposes.

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Section 2. Term. This Agreement shall be effective as of the date of execution of this Agreement by the last of the Parties to do so ("**Effective Date**"). This Agreement shall remain in full force and effect from the Effective Date until terminated by the mutual agreement of all of the Parties in writing ("**Term**").

Section 3. Agreements. The Parties agree as follows:

Incorporation of Zoning and Recognition of Investment-Backed Expectations:

The negotiated and agreed upon zoning, development, and operational standards contained in the OCR SUP, which incorporate by reference the general zoning regulations of the City of Waxahachie zoning ordinance, are hereby adopted and incorporated into this Agreement as contractually-binding obligations of OCR.

OCR agrees to the following:

1. OCR will not operate the Harris Model 6090 shredder. The portions damaged or destroyed in the December 2019 fire will be scrapped. The useable portions will be sold or scrapped.
2. The piles of combustible "fluff" that were generated by the operation of the Harris Model 6090 shredder (and were the source of the December 2019 fire) will no longer accumulate because the shredder will no longer operate.
3. OCR will not operate noisy machinery outside the hours of 7:00 a.m. – 7:00 p.m.
4. OCR will maintain twenty-four foot (24') wide fire lanes through and completely around any storage located in those areas marked "Inventory" and "Reduction Grinder Easement" on that certain Davis & McDill, Inc. survey attached hereto and marked "Special Use Permit Lot 10R". Because the amount and location of materials stored on the Property changes on a daily or weekly basis, OCR will maintain the twenty-four foot (24') wide fire lanes in such locations that make it possible for firefighting equipment to reach any storage.
5. OCR agrees to employ KPA (kpa.io) (or other similar company) to conduct twice yearly training and inspections/audits on workplace health and safety, environmental risk management, and fire safety. OCR agrees to notify a person designated by the City of the completion of each inspection/audit, at which time the fire chief may inquire about any fire safety related issues identified in the inspection/audit.
6. OCR will discuss with its neighbors on Brown Industrial Road the potential costs of bringing City services to the street (water, sewer, street maintenance, etc.) and explore with the them potential financial cost-sharing options to do so.
7. OCR will limit the size of all piles of materials to not greater than 25 feet in height, 250 feet in length and 150 feet in width. ORC will have until the September 30, 2020, to compete the task of conforming all piles of materials to these size restrictions.

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8. OCR will work with appropriate City employees to identify any landscaping to be completed at the Property necessary to comply with applicable City ordinances and will complete such landscaping no later than June 30, 2020.

9. OCR will not allow combustible waste that is produced by the recycling process that has no value (*i.e.*, wiring insulation) to accumulate. As a minimum, OCR shall haul off such waste at least once per week.

10. OCR will not allow combustible waste that is produced by the recycling process that has value (*i.e.*, cardboard bales) to accumulate in excess of one (1) truck load.

In consideration of ORC's agreement in this regard, the City agrees that OCR has reasonable investment-backed expectations in the ORC SUP, and that the City may not unilaterally change the zoning and development standards contained in the OCR SUP without impacting OCR's reasonable investment-backed expectations.

Additional Understandings:

While not part of the OCR SUP, the Parties have reached the additional understandings regarding the use and operation of the Property to provide instructive clarification on the use and operation of the Property as it relates to the City's zoning for the Property. Those understandings are as follows:

1. Because the Property is zoned HI, ORC is not required to obtain a SUP for the Property for use of other machines or equipment ORC operates on the Property other than the Harris Model 6090 shredder. Specifically, operation of the following machines/equipment does not require a SUP:

- A. Two Sweed Choppers;
- B. Copper Wire Chopper;
- C. Alligator Shear;
- D. Wire Stripper;
- E. Non-ferrous baler;
- F. Metso Shear;
- G. Sierra Shear;
- H. Rail-breaker; and
- I. Two mobile excavators with shears.

2. The machines/equipment listed above are identified by either their respective brand name or a common-use description. Since the December 2019 fire, the City fire marshal has inspected the Property and viewed this machines/equipment and did not indicate that any of them posed any fire hazards.

3. The revocation or amendment of the current SUP would not affect or impact OCR's operation of these machines/equipment on the Property, or its operation of other similar equipment that does not generate combustible "fluff" similar to the Harris Model 6090 shredder.

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4. The City does not consider any of these machines/equipment, or other similar types of equipment that may be used in the future, to be “metal granulators and crushers,” as those terms are used in the current SUP.

5. Notwithstanding the understandings set forth in paragraphs 1-4, above, the City reserves the right to object to the use of any of the listed machines/equipment should their operation be determined to violate other City ordinances other than the SUP and zoning ordinances (*i.e.*, nuisance ordinance, noise ordinance, etc.)

Section 4. Miscellaneous

A. This Agreement and any dispute arising out of or relating to this Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without reference to its conflict of law rules. In the event of any dispute or action under this Agreement, venue for any and all disputes or actions shall be instituted and maintained in Ellis County, Texas.

B. It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership, joint venture, joint enterprise, or other relationship between or among the Parties.

C. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

D. The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by either Party shall not preclude or waive its right to use any or all other remedies. Said rights and remedies are given in addition to any other rights the Parties may have by law statute, ordinance, or otherwise. The failure by any Party to exercise any right, power, or option given to it by this Agreement, or to insist upon strict compliance with the terms of this Agreement, shall not constitute a waiver of the terms and conditions of this Agreement with respect to any other or subsequent breach thereof, nor a waiver by such Party of its rights at any time thereafter to require exact and strict compliance with all the terms hereof. Any rights and remedies any Party may have with respect to the other arising out of this Agreement shall survive the cancellation, expiration or termination of this Agreement. The City agrees to give written notice to OCR of any asserted violations of this Agreement and OCR shall be given five (5) calendar days to cure said violations prior to the City's undertaking any enforcement actions to address the asserted violations. Should said asserted violations remain uncured, the City shall have the right to enforce this Agreement through specific performance, as appropriate, or maintain other lawful actions to address the asserted violations.

E. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.

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F. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination or expiration of this Agreement shall survive termination or expiration.

G. This Agreement is made subject to the existing provisions of the City of Waxahachie, its present rules, regulations, procedures and ordinances, and all applicable laws, rules, and regulations of the State of Texas and the United States.

H. The undersigned officers and/or agents of the Parties hereto are the properly authorized persons and have the necessary authority to execute this Agreement on behalf of the Parties hereto.

I. This Agreement may be only amended or altered by written instrument signed by the Parties.

J. The headings and captions used in this Agreement are for the convenience of the Parties only and shall not in any way define, limit or describe the scope or intent of any provisions of this Agreement.

K. This Agreement is the entire agreement between the Parties with respect to the subject matters covered in this Agreement. There are no other collateral oral or written agreements between the Parties that in any manner relates to the subject matter of this Agreement, except as provided or referenced in this Agreement.

L. This Agreement shall be recorded in the real property records of Ellis County, Texas. This Agreement and all of its terms, conditions, and provisions is and shall constitute a restriction and condition upon the development of the Property and all portions thereof and a covenant running with the Property and all portions thereof, and is and shall be binding upon SC and all heirs, successors, and assigns and the future owners of the Property and any portion thereof; provided, however, this Agreement shall not constitute an obligation of or be deemed a restriction or encumbrance with respect to any platted residential lot upon which a completed structure has been constructed.

EXECUTED by the Parties on the dates set forth below, to be effective as of the date first written above.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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OAK CLIFF RECYCLING, INC.

CITY OF WAXAHACHIE, TEXAS

By: _____

By: _____

Title: _____

Michael Scott, City Manager

Date: _____

Date: _____

ATTEST:

By: _____

City Secretary

STATE OF TEXAS §

COUNTY OF ELLIS §

Before me, the undersigned authority, on this ____ day of _____ 2020, personally appeared MICHAEL SCOTT, City Manager of the City of Waxahachie, Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

[Seal]

By: _____

Notary Public, State of Texas

My Commission Expires: _____

STATE OF TEXAS §

COUNTY OF ELLIS §

Before me, the undersigned authority, on this ____ day of _____, 2020, personally appeared _____, representative of Oak Cliff Recycling, Inc., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

[Seal]

By: _____

Notary Public, State of Texas

My Commission Expires: _____

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EXHIBIT A

OCR SUP Ordinance

ORDINANCE NO. _____

AN AMENDMENT TO ORDINANCE 2616 AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT OUTSIDE STORAGE (METAL GRANULATORS AND CRUSHERS FOR THE RECLAMATION OF VEHICLES, PARTS OF VEHICLES, AND OTHER MATERIALS TO BE PROCESSED) WITHIN A HEAVY INDUSTRIAL (HI) ZONING DISTRICT, LOCATED AT 500 BROWN INDUSTRIAL ROAD, BEING PROPERTY ID 233797, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 10R, BROWN INDUSTRIAL SITES, PHASE TWO, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, the described property is classified in said ordinance and any amendments thereto as HI; and

WHEREAS, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-07-2020. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from HI to HI, with an SUP in order to permit Outside Storage (metal granulators and crushers for the reclamation of vehicles, parts of vehicles, and other materials to be processed) on the following property: Lot 10R, Brown Industrial Sites, Phase Two which is shown on Exhibit A.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning

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and to also ensure that the development complies with the City's Comprehensive Plan and Zoning Ordinance.

Specific Use Permit

FOR OPERATION OF SPECIFIC USE PERMIT FOR OUTSIDE STORAGE (METAL GRANULATORS AND CRUSHERS FOR THE RECLAMATION OF VEHICLES, PARTS OF VEHICLES, AND OTHER MATERIALS TO BE PROCESSED) IN THE HEAVY INDUSTRIAL (HI) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The applicant, Oak Cliff Recycling, shall conform to the Development Agreement as approved by the City Council.
2. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
3. If approved, the City Council shall have the right to review the Specific Use Permit after 12-months if needed.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

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

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

PASSED, APPROVED AND ADOPTED on this 18th day of May, 2020.

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MAYOR

ATTEST:

City Secretary

(15)



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CITY OF WAXAHACHIE

Oak Cliff Recycling, Inc.
500 Brown Industrial
Waxahachie, Texas 75165

April 30, 2020

Re: Notice of Specific Use Permit Revocation Hearing

Oak Cliff Recycling:

I am writing you concerning your Specific Use Permit on your property known as Lot10R of Brown Industrial Sites. I have enclosed a copy of the Ordinance for your reference. Please note that it provides that the Specific Use Permit can be revoked upon ninety (90) days' notice.

The City of Waxahachie has become very concerned about the use of this property under this permit and the property's suitability for this use given the propensity for fires. The City Council voted at their meeting on January 6, 2020 to set in motion the procedures to consider a zoning change (revoking or amending the Specific Use Permit). The council approved calling for a public hearing to consider the revocation of this specific use permit for the use of metal granulators and crushers. The staff has set the hearing times for the two hearings required by law for:

Planning and Zoning Commission at 7:00 P.M. on Tuesday, May 12, 2020 at City Hall

City Council at 7:00 P.M. on Monday, May 18, 2020 at City Hall

The public hearings will allow you and interested citizens to present your case. The City Council, after the May 18th public hearing, may leave the permit as-is, amend it, or revoke it, at its discretion.

City Council will consider an action revoking the Specific Use Permit. This is because of frequent fires on the property, and in addition to the significant fires that have occurred (on August 24, 2013, August 12, 2014, January 21, 2015, February 14, 2016, July 7, 2016, and December 18, 2019) at this property, other conditions of the above referenced city ordinance have also been repeatedly violated. Additional violations include: exceeding the height limitations of storage piles, as well as the limited hours of operation of 7:00 A.M. to 7:00 P.M., and not maintaining a 24-foot pathway through the site. Additionally, this site does not have adequate water to fight fires.

Sincerely,



Michael Scott
City Manager

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ORDINANCE NO. 2616

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT ON LOT 10R, BROWN INDUSTRIAL SITES, PHASE TWO, CONTAINING 17.996 ACRES, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS LOCATED AT 500 BROWN INDUSTRIAL ROAD, WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING HEAVY INDUSTRIAL (HI) TO HEAVY INDUSTRIAL WITH SPECIFIC USE PERMIT (HI w/SUP), FOR THE PURPOSE OF ALLOWING THE USE OF METAL GRANULATORS AND CRUSHERS FOR THE RECLAMATION OF VEHICLES, PARTS OF VEHICLES, AND OTHER MATERIALS TO BE PROCESSED, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, the hereinbelow described property is classified in said ordinance and any amendments thereto as Heavy Industrial (IH); and

WHEREAS, proper application for a Specific Use Permit has been made in accordance with the zoning ordinances in the City of Waxahachie, and same having been referred to the Planning and Zoning Commission, and said Planning and Zoning Commission has recommended the issuance thereof; and,

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

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

NOW, THEREFORE, this Specific Use Permit is to allow the use of metal granulators and crushers for the reclamation of vehicles, parts of vehicles, and other materials to be processed, which is a potential noise hazard. This permit is issued subject to the requirement that hours of operation shall be limited to 7:00 a.m. to 7:00 p.m., that no storage shall be visible from IH-35E, and landscaping approved by the City shall be placed and maintained to provide screening from surrounding properties, and the Specific Use Permit is hereby authorized on the following property:

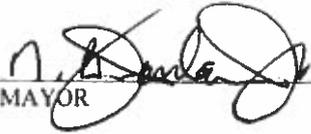
Lot 10R, Brown Industrial Sites, Phase Two, containing 17.996 acres,
located at 500 Brown Industrial Road, Waxahachie, Ellis County, Texas.

Said Specific Use Permit is granted subject to the provision that, although it is to be automatically renewed each year, it shall at any time be subject to cancellation upon hearing before the City Council upon ninety (90) days notice in writing of said hearing; and further is subject to all state regulations and licensing requirements.

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

PASSED, APPROVED AND ADOPTED on this 5th day of July, 2011.




MAYOR

ATTEST:


City Secretary

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500 0 500 1000 Feet

SUP2011-15

