## <u>A GENDA</u>

The Waxahachie Planning & Zoning Commission will hold a regular meeting on *Tuesday, May* 25, 2021 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. *Public Comments*: Persons may address the Planning & Zoning Commission on any issues. This is the appropriate time for citizens to address the Commission on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Commission may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code.

## 4. Consent Agenda

All matters listed under Item 4, 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 May 11, 2021
- b. Minutes of the Planning and Zoning Commission briefing of May 11, 2021
- 5. *Public Hearing* on a request by Ross Graves, Triten Real Estate Partners, for a Specific Use Permit (SUP) for **Auto Parking Lot, Trucks and Trailers & Outdoor Storage** use within a Light Industrial-1 zoning district located at 7240 N I35 (Property ID 186924) Owner: TPRF V/TREP ISF WAXA, LLC (ZDC-60-2021)
- 6. *Consider* recommendation of Zoning Change No. ZDC-60-2021
- Consider request by Falguni Patel, Hickman Consulting Engineers, for a Plat of Sheppard's Place, Phase 2, for 87 lots, being 25.460 acres situated in the E. Horton Survey, Abstract 466 (Property ID 277458) Owner: SHEPPARD'S PLACE HOLDING CO, LLC (SUB-174-2020)

- 8. Consider request by Wes Dorough, JH Development, for a Final Plat of The Haven, Phase Two, for 109 lots, being 31.543 acres situated in the Henry Sanger Survey, Abstract 1009 & the Robert Russell Survey, Abstract No. 911 (Property ID 190002, 277577, and 277576)
   Owner: JHH THE HAVEN DEVELOPMENT, LLC (SUB-57-2021)
- Public Hearing on a request by Tim Jackson, Texas Reality Capture and Surveying, LLC, for a Replat of Lots 2R, 4R and 6, Block 1, Crystal Cove Estates, Phase Three, to create Lots 2RR, 4RR & 6R, Crystal Cove Estates, Phase Three, 16.512 acres (Property ID 229594, 138317, 229592 & 180771) partially located in the Extra Territorial Jurisdiction Owners: CHARLES B & SHARON S WILLIAMS, AND BRIAN K. & KIMBERLY A. GARLITZ (SUB-53-2021)
- 10. *Consider* approving SUB-53-2021
- 11. *Public Hearing* on a request by Chris Freeman for a Zoning Change from a Planned Development-23-Single Family-1 zoning district to Planned Development-Single Family-1, with Concept Plan, located at 303 Lakeshore Drive (Property ID 171975) Owner: VIRGINIA K FREEMAN (ZDC-63-2021)
- 12. *Consider* recommendation of Zoning Change No. ZDC-63-2021
- 13. *Public Hearing* on a request by Marsha Rowan for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 SF use within a Single-Family Residential-1 zoning district located at 2341 Marshall Rd (Property ID 203836) Owner: JOHN E & MARSHA L ROWAN (ZDC-65-2021)
- 14. *Consider* recommendation of Zoning Change No. ZDC-65-2021
- 15. *Public Hearing* on a request by Lenvill Phipps for a Zoning Change from a Commercial zoning district to Planned Development-Commercial, located at 1604 E. Main Street, (Property ID 195689) Owner: 6<sup>TH</sup> STREET MIDLOTHIAN, LLC (ZDC-59-2021)
- 16. *Consider* recommendation of Zoning Change No. ZDC-59-2021
- 17. *Public Hearing* on a request by Shea Kirkman for a Zoning Change from a Commercial zoning district to Planned Development-Light Industrial, located just North of 1800 W Highway 287 Bypass (Property ID 279123) Owner: SANDSTONE 93 PARTNERS, LTD (ZDC-58-2021)
- 18. *Consider* recommendation of Zoning Change No. ZDC-58-2021
- 19. Adjourn

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

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

Notice of Potential Quorum One or more members of the Waxahachie City Council may be present at this meeting. No action will be taken by the City Council at this meeting. Planning and Zoning Commission May 11, 2021

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, May 11, 2021 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present:	Rick Keeler, Chairman Melissa Ballard, Vice Chairman Betty Square Coleman Bonney Ramsey Jim Phillips David Hudgins Erik Test
Others Present:	Shon Brooks, Director of Planning Colby Collins, Senior Planner Chris Webb, Planner Macey Martinez, Graduate Engineer Tommy Ludwig, Assistant City Manager Amber Villarreal, Assistant 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. **Public Comments**

None

## 4. Consent Agenda

- a. Minutes of the regular Planning & Zoning Commission meeting of April 27, 2021
- b. Minutes of the Planning and Zoning Commission briefing of April 27, 2021

## Action:

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

5. Consider request by Mikel J. Craig, Waxahachie ISD, for a Plat of WISD – Elementary School No. 10 for 1 lot, being 14.000 acres situated in the G. Carpenter Survey, Abstract 190 (Property ID 189842) – Owner: 287 WAXAHACHIE LP (SUB-55-2021)

Planner Chris Webb presented the case noting the applicant is requesting to plat the subject property into one lot for a proposed elementary school site and staff recommended approval as presented.

## Action:

Vice Chairman Melissa Ballard moved to approve a request by Mikel J. Craig, Waxahachie ISD, for a Plat of WISD – Elementary School No. 10 for 1 lot, being 14.000 acres situated in the G. Carpenter Survey, Abstract 190 (Property ID 189842) – Owner: 287 WAXAHACHIE LP (SUB-55-2021) as presented. Mr. David Hudgins seconded, All Ayes.

6. Consider a request by Dalton Bradbury, Acker Construction, for a Replat of Block 22 and 34, Town Addition, two (2) lots, being 3.032 acres (Property ID 193493, 193491, and 170678) – Owner: SOUTHFORK CAPITAL LLC (SUB-50-2021)

Mr. Webb presented the case noting the applicant is requesting to replat the subject property into two (2) lots and staff recommended approval per the following conditions:

- 1. Prior to plat filing, all private onsite utilities must be separated to each platted lot pursuant to Sec. 5.8: Water and Sewer Requirements of the City of Waxahachie Subdivision Ordinance.
- 2. Due to the proximity of the proposed property lines the structures are required to comply with Table 705.8 of the 2018 IBC for fire separation distance requirements, prior to plat filing.
- 3. Prior to plat filing, methods for meeting the fire separation requirements must comply with the construction type selected referencing *Chapter 6 Types of Construction* in addition to *Chapter 7 Fire and Smoke Protection Features*.
- 4. Depending on construction type that is selected structure must comply with section 705 *Exterior Walls* of the 2018 IBC, prior to plat filing.
- 5. Prior to plat filing, the structures are required to comply with Table 601& 602 of the 2018 IBC.

## Action:

Vice Chairman Melissa Ballard moved to approve a request by Dalton Bradbury, Acker Construction, for a Replat of Block 22 and 34, Town Addition, two (2) lots, being 3.032 acres (Property ID 193493, 193491, and 170678) – Owner: SOUTHFORK CAPITAL LLC (SUB-50-2021) subject to staff conditions. Mr. David Hudgins seconded, the vote was as follows: Ayes: Rick Keeler, Melissa Ballard, Betty Square Coleman, Bonney Ramsey, Jim Phillips, and David Hudgins. Noes: None. Abstain: Erik Test.

## The motion carried.

7. Public Hearing on a request by Mikel J. Craig, Waxahachie ISD for a renewal of Specific Use Permit (SUP) Ordinance 3116 located at 411 N. Gibson (Property ID 193942) - Owner: WAXAHACHIE ISD (ZDC-52-2021)

Chairman Keeler opened the Public Hearing.

Mr. Webb presented the case noting the applicant is requesting to renew the Specific Use Permit (SUP) Ordinance No. 3116 which allows for the use of portable storage structures or temporary building at 411 N. Gibson St. He noted staff recommended approval per the following staff comments:



- 1. Planning Department staff has informed the applicant that if the Specific Use Permit is approved, the SUP shall expire and the temporary building shall be removed, once WISD leaves the property. Also, if the applicant is still occupying the building after two years, staff recommends that the applicant come back to City Council to renew the Specific Use Permit.
- 2. Note: This site plan does not include any site improvements.

There being no others to speak for or against ZDC-52-2021, Chairman Keeler closed the Public Hearing.

## 8. Consider recommendation of Zoning Change No. ZDC-52-2021

## Action:

Ms. Betty Square Coleman moved to approve a request by Mikel J. Craig, Waxahachie ISD for a renewal of Specific Use Permit (SUP) Ordinance 3116 located at 411 N. Gibson (Property ID 193942) - Owner: WAXAHACHIE ISD (ZDC-52-2021) subject to staff comments. Ms. Bonney Ramsey seconded, All Ayes.

9. Public Hearing on a request by Nora De Los Santos for a Zoning Change from a Single Family-2 zoning district to Planned Development-Single Family-2, with Concept Plan, located at 211 Cumberland (Property ID 172281) - Owner: NORA DE LOS SANTOS (ZDC-48-2021)

Chairman Keeler opened the Public Hearing.

Mr. Webb presented the case noting the applicant is requesting to rezone the subject property from Single-Family-2 zoning district to Planned Development-Single-Family-2, to adjust the front yard building setbacks on the lot to allow for a carport to be constructed and staff recommended approval per the following staff comments:

- 1. The carport will be allowed and the front yard setback for the proposed carport will be reduced to 10'. Any additional construction or improvement, whether it be to the primary structure, or an accessory use, will be the base SF-2 standard. Any deviation would require approval from City Council.
- 2. The applicant will need to obtain a building permit from the City of Waxahachie Building Inspections department prior to construction of the proposed structure.

There being no others to speak for or against ZDC-48-2021, Chairman Keeler closed the Public Hearing.

## 10. Consider recommendation of Zoning Change No. ZDC-48-2021

## Action:

Ms. Bonney Ramsey moved to approve a request by Nora De Los Santos for a Zoning Change from a Single Family-2 zoning district to Planned Development-Single Family-2, with Concept Plan, located at 211 Cumberland (Property ID 172281) - Owner: NORA DE LOS SANTOS (ZDC-48-2021) subject to staff comments. Ms. Betty Square Coleman seconded, All Ayes.

11. Continue Public Hearing on a request by Jose Espinoza, Espinoza Stone, for a Specific Use Permit (SUP) for Outside Storage and Outside Display, use within a Light Industrial-1 and Future Development zoning district located at 4725 N Interstate 35 (Property ID 194416) - Owner: ESPINOZA STONE INC (ZDC-44-2021)

Chairman Keeler continued the Public Hearing.

Senior Planner Colby Collins reviewed the case noting the applicant is requesting approval of a Specific Use Permit to allow for outside storage and outdoor display. He reviewed the case history noting Espinoza Stone was at the previous adjacent property to the north of the subject site for the same use where Council approved a Specific Use Permit in 2013 and required the applicant to meet specific compliance requirements, which they did not do. Staff recommended approval of ZDC-44-2021 subject to the following comments:

- 1. All staff recommendations shall be completed prior to the applicant receiving an official Certificate of Occupancy.
- 2. The front portion of the property shall be concrete.
- 3. Staff suggests that any pavement added in the future be concrete.
- 4. 6ft. ornamental fencing with landscaping (per the City of Waxahachie Zoning Ordinance) should be provided along the front and side(s) of the property.
  - a. Landscaping shall be designed by a licensed Registered Landscape Architect and approved by the City.
- 5. All storage shall be palletized and stored in an orderly fashion.
- 6. Any outdoor storage/display at the front of the property may only be a single pallet high and shall be limited in amount in front of the current building. Any display located at the front of the property shall be on concrete.
- 7. Any storage in the rear of the property shall be screened from public view.

Mr. Jim Phillips confirmed there will not be a Certificate of Occupancy issued until all staff comments are met and Mr. Collins noted that was correct.

Mr. Rex Hamilton, 3505 Ronald Reagan Blvd., Jarrell, Texas, apologized for the lack of compliance at the previous site but assured the Commission he will make sure all staff comments are met prior to moving to the location.

There being no others to speak for or against ZDC-44-2021, Chairman Keeler closed the Public Hearing.

## 12. Consider recommendation of Zoning Change No. ZDC-44-2021

## Action:

Vice Chairman Melissa Ballard moved to approve a request by Jose Espinoza, Espinoza Stone, for a Specific Use Permit (SUP) for Outside Storage and Outside Display, use within a Light Industrial-1 and Future Development zoning district located at 4725 N Interstate 35 (Property ID 194416) - Owner: ESPINOZA STONE INC (ZDC-44-2021) subject to staff comments. Ms. Bonney Ramsey seconded, All Ayes.

13. Public Hearing on a request by Sam Anderson, WCA Construction, for a Specific Use Permit (SUP) for Trailer and Heavy Load Vehicle Repair use within a Light Industrial-1 zoning district located at 2270 & 2290 Highway 287 Business (Property ID 180390 & Property ID 180394) - Owner: MYTI PROPERTIES, LLC (ZDC-49-2021)

Chairman Keeler opened the Public Hearing.

Mr. Collins presented the case noting the applicant is requesting approval to construct a facility for the use of office and trailer and heavy load vehicle repair on 5.48 acres. He reviewed staff concerns for the applicant to reduce the seven bay doors facing US Business 287 to two bay doors. Staff recommended approval per the following comments:

- 1. Per the applicant's request, a Development Agreement will be required for the property.
- 2. Any additional pavement added to the site shall be concrete material.

Mr. Greg Guerin, 2000 Rushing Creek, Heartland, Texas, reviewed the depth from the property line to the entrance.

Mr. Sam Anderson, 610 Kauffman, Waxahachie, Texas, explained when entering the property, trucks will be able to enter directly to the bays for inspection.

Mr. Tim Balch, 1021 W. Chambers, Italy, Texas, explained the additional bay doors will provide ventilation and air flow through the area. He also noted the bay doors will allow for trucks to drive through without obstructing traffic or having to reverse out of the bays.

The Commission expressed concerns with traffic safety and discussed additional screening in front of the bay doors.

Vice Chairman Melissa Ballard confirmed that exiting trucks will only be allowed to turn right on Business 287 and Mr. Balch noted that is preferable.

Mr. Phillips confirmed the egress and ingress on Ovilla Road and Mr. Balch noted that is for personal vehicles to enter and park on the property and not heavy trucks.

There being no others to speak for or against ZDC-49-2021, Chairman Keeler closed the Public Hearing.

## 14. Consider recommendation of Zoning Change No. ZDC-49-2021

## Action:

Mr. Jim Phillips moved to approve a request by Sam Anderson, WCA Construction, for a Specific Use Permit (SUP) for Trailer and Heavy Load Vehicle Repair use within a Light Industrial-1 zoning district located at 2270 & 2290 Highway 287 Business (Property ID 180390 & Property ID 180394) - Owner: MYTI PROPERTIES, LLC (ZDC-49-2021) subject to staff comments, with additional landscaping screening in front of the bay doors, egress and ingress only on US Business 287 with a right turn exit only. Ms. Betty Square Coleman seconded, All Ayes.

## 15. Continue Public Hearing on a request by George Salvador, Lilian Custom Homes, for a Zoning Change from a Single Family Residential-1 zoning district to Planned Development-Single Family Residential-3, located at 401 Ovilla Road (Property ID 180391) - Owner: WAXAHACHIE ONE DEVELOPMENT (ZDC-35-2021)

Chairman Keeler continued the Public Hearing.

Mr. Collins reviewed the case noting the applicant is requesting to create a Planned Development, known as Dominion Park to allow for the development of 209 single-family detached homes. He reviewed the variances requested from Single-Family-3 zoning, including lot area, front yard setback, side setback, rear setback, lot width, and screening. He also reviewed the staff concerns in regards to lot area, residential screening, and elevation/façade and noted staff recommended denial. In regards to elevation/façade, staff noted (1) no single building elevation shall be duplicated within six (6) lots or tracts either direction on the same block face and (2) elevations may not be duplicated on any lot directly across a street or within four (4) lots either direction.

Mr. Brett Hess, 327 Blue Ribbon Road, Waxahachie, Texas, reviewed presentation showing renderings of the proposed development noting the applicant is asking for variance request to allow for more density to provide alleys, landscaping, and playground in the development. He explained the owner will sell 50% of the lots to allow for design variations and there will not be a single front facing garage while driving through the entrance of the development. He noted this will be a high standard development with many attractive features not seen in Waxahachie.

The Commission expressed concerns with duplicating elevations and styles throughout the development and suggested quantifying elevation styles. After a brief discussion, the Commission agreed on 15% on each of the housing styles: Contemporary, Modern Farm, Traditional, and Tudor.

Mr. Erik Test inquired about fencing and Mr. Hess noted the entrance will be masonry, estate lots will have wrought iron, and the request is for wood fencing on the north and side lots due to adjacent lots on the established developments having wood fencing.

There being no others to speak for or against ZDC-35-2021, Chairman Keeler closed the Public Hearing.

## 16. Consider recommendation of Zoning Change No. ZDC-35-2021

## Action:

Vice Chairman Melissa Ballard moved to approve a request by George Salvador, Lilian Custom Homes, for a Zoning Change from a Single Family Residential-1 zoning district to Planned Development-Single Family Residential-3, located at 401 Ovilla Road (Property ID 180391) - Owner: WAXAHACHIE ONE DEVELOPMENT (ZDC-35-2021) subject to staff comments, with the following architectural styles: 15% Contemporary, 15% Modern Farm, 15% Traditional, and 15% Tudor, wrought iron fence on the back lots, wood fence on north and south lots, and incorporating staff notes on the building elevation variations. Ms. Bonney Ramsey seconded, All Ayes.

## 17. Adjourn

Mr. Phillips suggested a driving tour of Waxahachie, Midlothian, and Ennis.

There being no further business, the meeting adjourned at 8:36 p.m.

Respectfully submitted,

Amber Villarreal Assistant City Secretary



Planning and Zoning Commission May 11, 2021

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, May 11, 2021 at 6:15 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

Members Present:	Rick Keeler, Chairman Melissa Ballard, Vice Chairman Betty Square Coleman Bonney Ramsey Jim Phillips David Hudgins Erik Test
Others Present:	Shon Brooks, Director of Planning Colby Collins, Senior Planner Chris Webb, Planner Macey Martinez, Graduate Engineer Tommy Ludwig, Assistant City Manager Amber Villarreal, Assistant City Secretary Mary Lou Shipley, Council Representative

## 1. Call to Order

Chairman Rick Keeler called the meeting to order.

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

Planner Chris Webb reviewed the following cases:

- SUB-55-2021, staff recommended approval of plat as presented.
- SUB-50-2021, staff recommended approval per staff conditions.
- ZDC-52-2021, staff recommended approval per staff comments.
- ZDC-48-2021, staff recommended approval per staff comments.

Senior Planner Colby Collins reviewed the following cases:

- ZDC-44-2021, Mr. Collins reviewed the case history and noted staff recommended approval with the condition that all staff comments must be addressed and completed prior to a Certificate of Occupancy being issued by the City of Waxahachie.
- ZDC-49-2021, staff recommended approval per staff comments. Mr. Collins noted staff requested reducing the seven (7) bay doors to two (2) bay doors facing US Business 287. The Commission discussed traffic safety concerns.
- ZDC-35-2021, staff recommended denial of the case due to staff concerns of lot area, residential screening, and elevation/façade. The Commission discussed incorporating different elevation styles.

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Planning and Zoning Commission May 11, 2021 Page 2

## 3. Adjourn

There being no further business, the meeting adjourned at 7:02 p.m.

Respectfully submitted,

Amber Villarreal Assistant City Secretary

## (5+6)



## Memorandum

To: Honorable Mayor and City Council

From: Shon Brooks, Director of Planning

Thru: Michael Scott, City Manager

Date: May 17, 2021

Re: ZDC-60-2021 – Truck Depot and Outdoor Storage

On May 12, 2021, the applicant requested to continue case number ZDC-60-2021 from the May 25, 2021 Planning and Zoning Commission meeting agenda and the June 7, 2021 City Council meeting agenda to the June 15, 2021 Planning and Zoning Commission meeting agenda, and the June 21, 2021 City Council meeting agenda.

## (7)

## **Planning & Zoning Department**

**Plat Staff Report** 

## Case: SUB-174-2020

MEETING DATE(S) Planning & Zoning Commission:

May 25, 2021

## **CAPTION**

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**Consider** request by Falguni Patel, Hickman Consulting Engineers, for a Plat of Sheppard's Place-Phase 2 for 90 lots, being 25.460 acres situated in the E. Horton Survey, Abstract 466 (Property ID 277458) – Owner: SHEPPARD'S PLACE DEV, LLC. (SUB-174-2020)

### APPLICANT REQUEST

The applicant is requesting to plat the subject property into 87 single family lots and 3 open space lots as part of a second phase of the Sheppard's Place subdivision.

CASE INFORMATION Applicant:	Falguni Patel, Hickman Consulting Engineers
Property Owner(s):	Sheppard's Place Dev, LLC.
Site Acreage:	25.460 acres
Number of Lots:	90 lots
Number of Dwelling Units:	87 units
Park Land Dedication:	N/A; Per the PD, a green belt area will be provided on the western edge of the property for a future City Park.
Adequate Public Facilities:	Adequate public facilities will be available to this subdivision.
SUBJECT PROPERTY General Location:	Located adjacent to and to the west of the lots facing Green Hill Drive in the Sheppard's Place – Phase 1 subdivision.
Parcel ID Number(s):	277548
Current Zoning:	Planned Development – Single Family – 2 (PD-SF-2)
Existing Use:	Undeveloped
Platting History:	The subject property was preliminary platted as part of Sheppard's Place (PP-17-0157).

Site Aerial:



#### PLATTING ANALYSIS

The applicant is requesting to plat the subject property into 90 lots as part of a second phase of the Sheppard's Place subdivision. The overall acreage to be platted with this development is 25.460 acres and will consist of eighty-seven (87) single family lots and three (3) open space lots. The overall layout closely aligns with the approved preliminary plat for the subject property. In addition to the single family lots, the applicant also shows an approximately 2.7 acre open space in the middle of this phase. This will house a drainage easement in the southern and western portion of the open space. The developer is also going to include an HOA park along the eastern portion of this open space that will be complete with playground equipment. Additional sidewalks are also being proposed to traverse this open space.

#### 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:

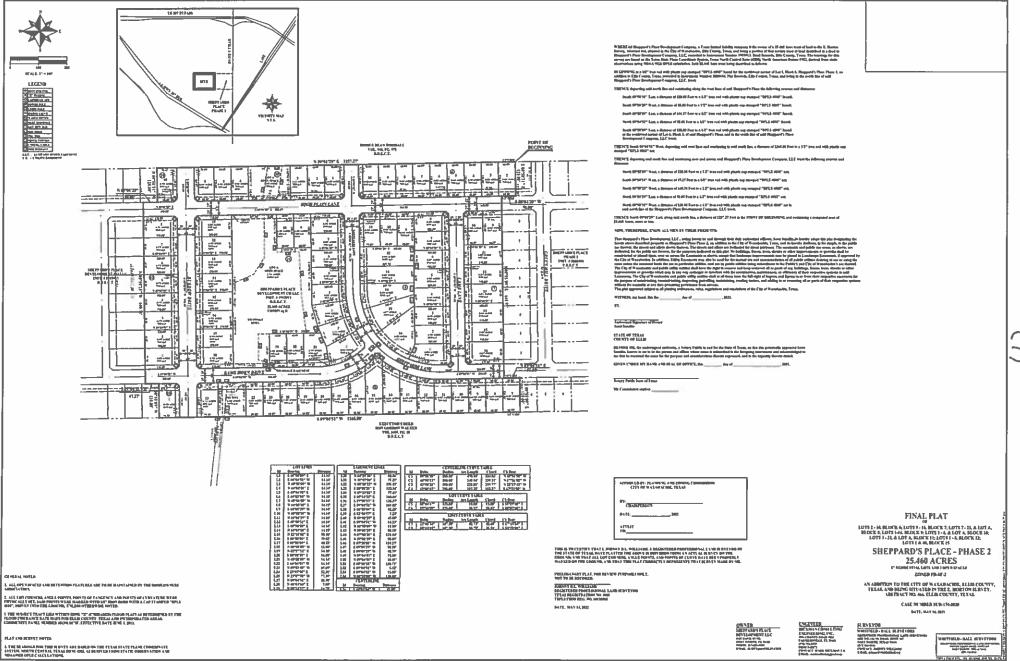
1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;

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 <u>sbrooks@waxahachie.com</u>



## **Planning & Zoning Department**

**Plat Staff Report** 

## Case: SUB-57-2021

### **MEETING DATE(S)**

Planning & Zoning Commission:

May 25, 2021

## CAPTION

**Consider** request by Wes Dorough, JH Development, for a **Plat** of the Haven Phase Two for 109 lots, being 31.543 acres situated in the Henry Sange Survey, Abstract 1009 and the Robert Russell Survey, Abstract 911 (Property ID 190002, 277577, and 277576) – Owner: JHH The Haven Development, LLC (SUB-57-2021)

#### **APPLICANT REQUEST**

The applicant is requesting to plat the subject property into 109 lots as part of the second phase of The Haven located within the North Grove subdivision.

CASE INFORMATION Applicant:	Wes Dorough, JH Development
Property Owner(s):	JHH The Haven Development, LLC.
Site Acreage:	31.543 acres
Number of Lots:	109 lots
Number of Dwelling Units:	100 units
Park Land Dedication:	N/A
Adequate Public Facilities:	Adequate public facilities will be available for this site.
SUBJECT PROPERTY General Location:	The subject properties are located within the North Grove subdivision. The primary thoroughfares running through the subject site will be Washington Ave, Dean Box Dr, Haven Rd, and Bessie Coleman Blvd.
Parcel ID Number(s):	190002, 277577, and 277576
Current Zoning:	North Grove PD
Existing Use:	Infrastructure is currently being constructed within the subject site.





Platting History:

Site Aerial:

The subject site was originally approved as part of the North Grove Preliminary Plat for Phases 3-7 & 12 (PLM2016-41).



#### PLATTING ANALYSIS

The applicant is requesting to plat 109 lots as the second phase of the Haven addition to the North Grove subdivision. These lots will consist of 100 single family residential lots and 9 open lots. These lots align with the requirements of the North Grove PD and also the previously approved preliminary plat for this portion of the North Grove subdivision. Adequate facilities are available to this site.

#### **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**

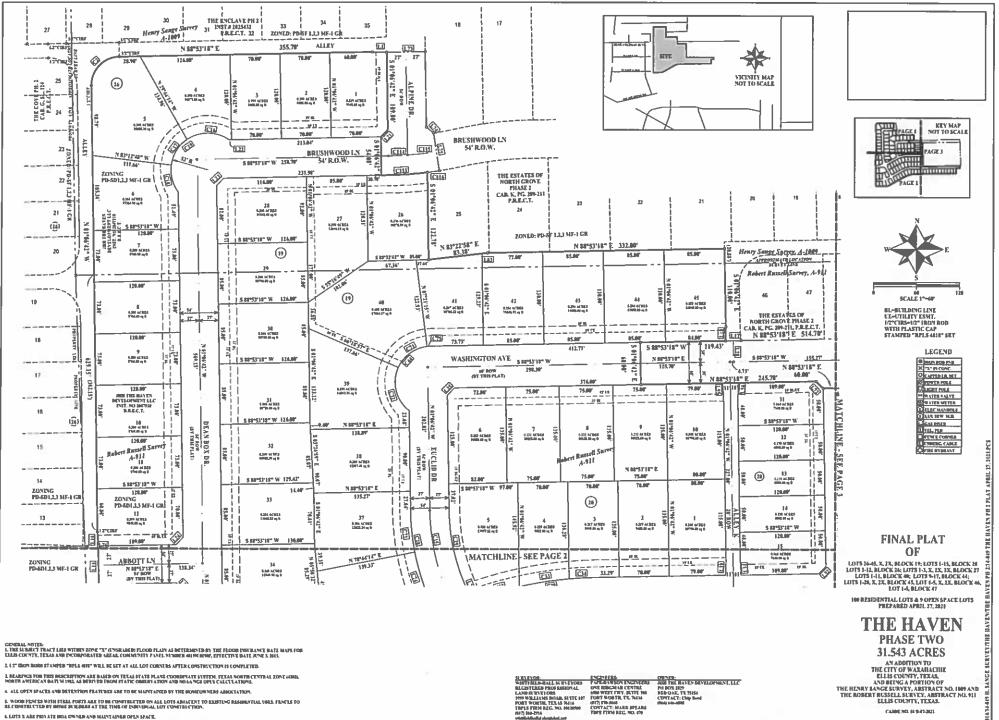
A plat shall not be filed with the Ellis County Clerk until:

- 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.

(8)

## **STAFF CONTACT INFORMATION**

Prepared by: Chris Webb Planner cwebb@waxahachie.com Reviewed by: Shon Brooks, AICP Director of Planning <u>sbrooks@waxahachie.com</u>

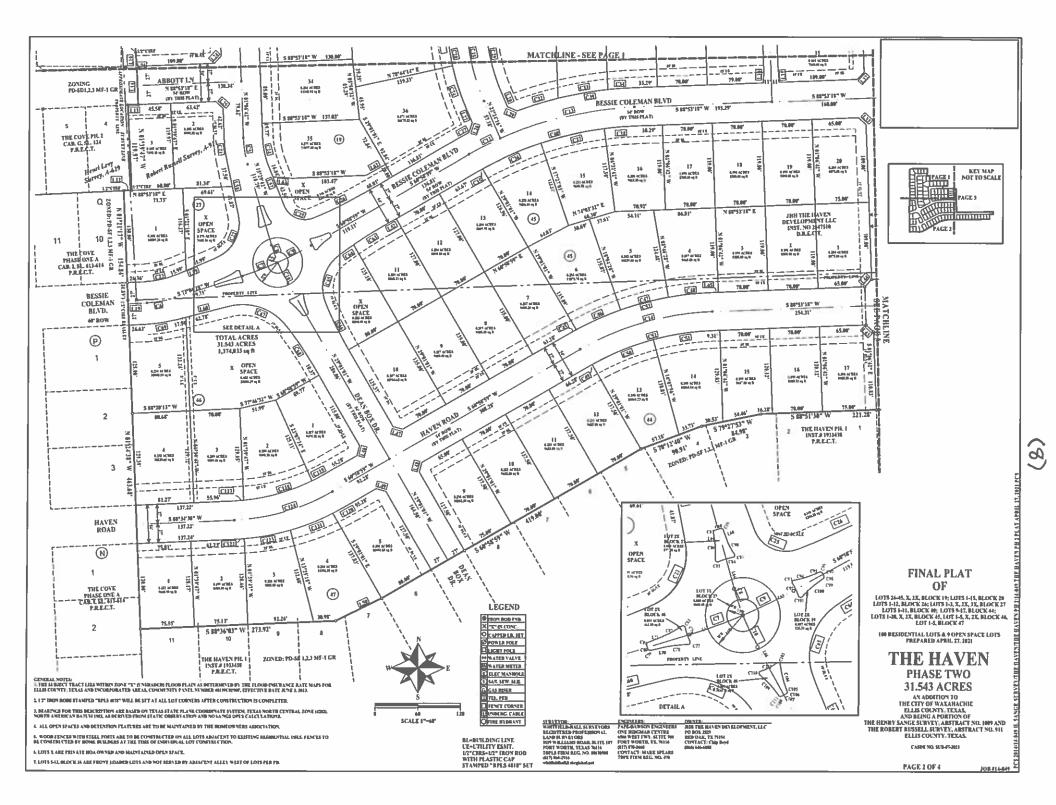


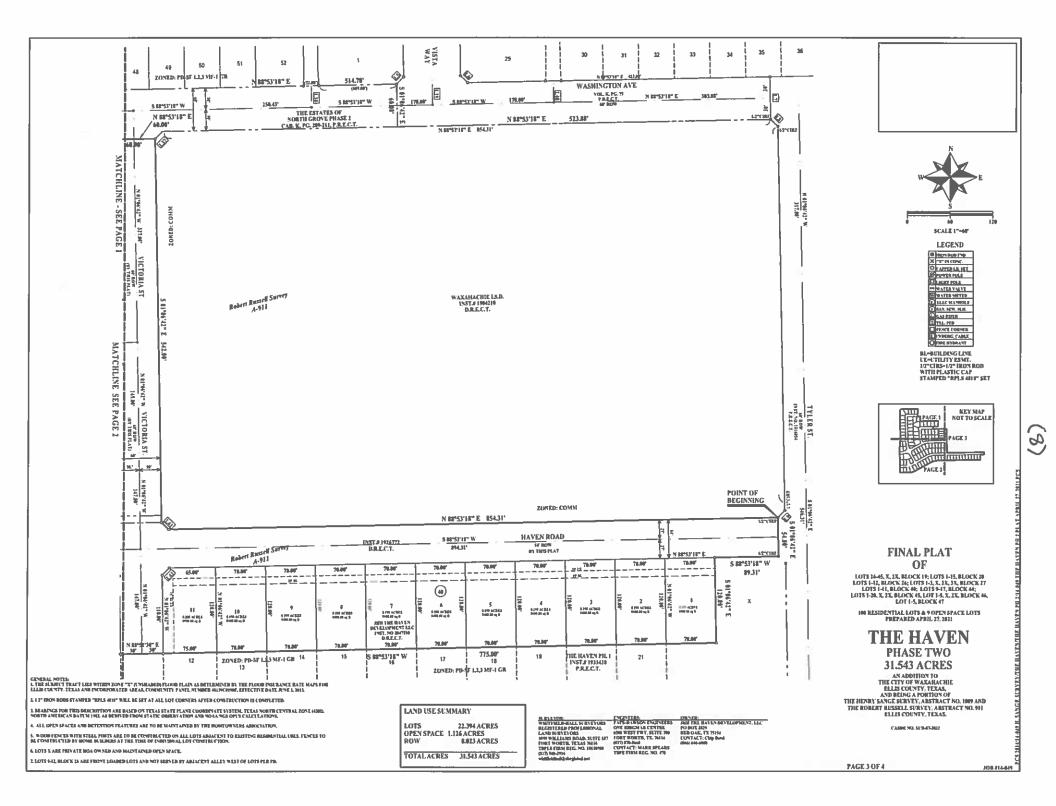
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PAGE 1 OF 4

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C16	153514*	1 3LM	28.76*	21.78	N 63*12'30" W	
CI7	82"30"55"	2.00"	1.85"	2.64"	5.30*15'28" W	
CBE	83"48"58" 84"91"48"	54,90"	5.59° 2.93°	5.59° 2.68°	5 73*25*14** W N 62*39*21** W	
CN	34"37"98"	59.80*	15.45*	15.01	\$ 17'54'57" E N 22"21'34" E	
CIL	115°1416° 13°35'54°	2.00*	4.02"	3.36"	N 23*31'36" E N 25*59'43" W	
C12 C13	E15,14,004	2.00"	13.05"	13.42*	524"4723" W	
C94	13"54"54"	59.00*	1433*	14.29	N 75"28"58" E	
C75	81"88"46" 54"21"58"	616.00*	ILLS	14.45"	3568"91'96" E	
C% C97	D110CTER*	2.00*	2.94"	3.65	N 78*18'28" W N 27*64'25" W	
C78	80"20"63" 80"37"45"	2.00*	1 131	1.58	N 1812361 E	
C74	88"37"45"	614.00" 81.00"	4.78	6.74	\$ 54'97'45" W	
C100 C101	13*83*45*	7.002	19.15	19.31° 3.47°	5 47"1791" W 5 79"13"19" K	
C102	17*58*88*	44.00*	17.25	37.18		ſ
CIO	128"83'96"	2.00	4.19	147	E 게 64에 안소L으 당신	L
C104 C105	15*34*10**	\$4.80° 564.50°	22.39*	3.41	5 13"2"11" E 5 11"1744" E	L
C106	82*16'19*	2,001	2.87	2.63"	N 19'39'59" E N 62'29'30" E	L
C107	43*22*43* 79*14*29*	51.00° 2.00°	4.95	4.95'	N 62*29'30" E 5 76*31'54" E	1
CLM	13*13*14*	ERLAR!	23.99	21.94*	N 4399 C 129 3W	
CID	(22'95'39"	1.10*	4.26*	3.50*	5 51°01'08" W	1
Lcin	0.000	561.59*	2.32	<u></u>		1
		ct	IVE TABLE T			
6	Delta 14*23*88*	Radie:	Are Length 37.64	Chord 37.56*	Ch Bear	
6	15"15"45"	(58.89*	39.96*	39.84*	N 305421211 E	
C7	067837187	500.00*	52.67	52.00		
8	83"88"91" 84"82"19"	508.00° 508.00°	26.18' 52.78'	24.18° 52.47	5 (8*29*48* E 5 (8*29*48* E 3 64*96*86* E	
ció	63*45*27*	500.00*	32.77	31.75	\$ 25°15'27" E	
CII	85'38'24"	508.00*	49.22	41.28	MAMART P	
C11 C14	22*15'59** 27*54'19**	500.00"	194.31° 194.82°	(93.09° (92.99°	N 77*46'88" E 5 74*56'88" W	
Cis	21*1733*	386.86*	111.49*	110.05*	5 11°45'29" E	
CH	83*83*49*	586.84*	26.73*	24.73*	N 117*21*23** E	
C115	84*46*18* 27*34:53**	508.00°	48,75" 141,41"	46.74*	N 83*29*24* E 3.7#46-85* W	
				-		
<u> </u>	11	cu	RVE TABLE		_	
	Delta Verse ver	Radies deater	Are Leegth	Churd Sk.ST	Chillean N 43*13*18* E	
CIB	66730101	556.211	51.00	64.361	N 84924975	
L_CIM_	al-sest-	527.00*	17.01*	17.01	5 87% I'd2" W	
		Lord				1
10	Delta 49*17*13*	Radius 52.00	Are Length	Cherd 59.12*	Ch Bear	Ĺ
C16 C17	42*06*22*	52.88*	43.69*	42.42*	5 31'39'38'' W	1
CI	41-4954*	52.00"	48.65*	39.66*	5 1/*/****	1
<u></u>	162"15"29"	51.00° 177.00°	147.26*	102.76* 30.52*	5 43"53"18" W 5 66"83"25" E	1
	89"53"25" 78"59"49"	53.00	38.55' 73.87	38.52° 67.43°	21 28*29*47* E	1
C21	20"20"12"	121.00*	42.681	41.35	N TRANSTER	
<u></u>	19*33*44** 90*50*82**	123.00° 31.50°	41.32" 49.34"	41.72' 41.8T	S 10"52"35" E S 66"03"26" E	1
C25	67"32"32"	31.5F 536.5F	77.21*	77.15	NAP45157 F	
cri	01*39*13*	537.84*	15.21*	15.211	S & 11 (1995) 107	1
C11	11°1733* 31°1733*	327.80° 273.80°	121_52* 101_45*	120.92*	I 511*45*29* E .	1
C19 C31		1 \$13.00°				
- Öi	66"30"21"	527,80*	59,34"	100.87" 59.81"	5 11*45*29* E N 73*57*11* E	
	66"30"21" 87"41"27"	527,80° 527,80°	59.84° 78.71°	59.81° 78.66°	N 73*5711* E N 41*15*01* E	
CH	86"39"21" 87"41"27" 83"59"39"	527.MF 527.MF	59,84° 78,71° 34,74°	59.81° 78.66° 36.73°	N 73"ST11" E N 81"85"00" E N 86"53"23" E	
04 03 03	86*38*21* 87*41*27* 83*59*39* 88*45*82* 18*47*57*	527.00° 521.00° 413.00° 413.00°	59,34" 78,71" 34,74" 4,33" 89,15"	59.81° 78.66° 36.73° 6.33° 89.82°	N 73*5711* E N 81*05*00* E N 86*53*21* E N 61*22*00* E N 67*08*57* E	
03 03 05 05	04*30*21* 07*41*27* 03*59*39* 00*45*02* 18*47*57* 18*64*23*	527.M° 521.M° 413.M° 613.M°	59,14° 71,71° 36,74° 6,33° 89,15° 91,41°	59.81° 78.46° 36.73° 6.33° 89.82° 91.26°	N 73*5711* E N 81*05*00* E N 86*53*23* E N 61*22*00* E N 67*08*59* E St 73*05*07* E	
8888	84*34*21** 87*41*27** 83*59*39** 88*45*82** 18*47*57** 18*84*82** 84*84*82**	527.00" 521.00" 473.00" 473.00" 473.00"	59,84" 78,71" 36,74" 6,33" 89,15" 91,41" 43,48"	59,81° 78,66° 36,73° 6,33° 99,82° 91,26° 43,46°	N 73*5711* E N 81*05*00* E N 86*55*23* E N 61*22*00* E N 67*085*7* E N 13*05*07* E N 05*05*12* E	
03 03 05 05	64'34'21" 87"41'27" 83"59"39" 89"46'82" 18"47'57" 18"64'28" 65"56'88" 19"61'17"	527,00" 521,00" 473,00" 473,00" 473,00" 527,00" 527,00"	59,84° 70,71° 36,74° 6,33° 99,13° 91,41° 43,44° 167,29°	59.81" 78.66" 36.73" 6.33" 99.82" 91.26" 43.46' 166.59" 223.111"	N 73*5711* E N 81*05*00* E N 84*55*23* E N 67*025*7 E N 73*05*07* E N 73*05*07* E N 73*05*07* E S 73*65*05* W	
22999999	06*30*21* 07*41:37* 03*39*39* 00*45*12* 18*04*22* 18*04*22* 18*04*22* 18*04*22* 18*04*25* 18*04*25* 18*04*15* 18*01*17* 18*01*17* 18*01*17*	527,00" 521,00" 473,00" 473,00" 473,00" 527,00" 527,00" 51,00"	59,64" 70,71" 34,74" 4,35" 91,41" 43,68" 167,29" 230,37" 125,63"	59.81° 79.66° 36.73° 99.82° 91.26° 43.44° 166.59° 228.11° 96.19°	N 73*5711* E N 81*9510* E N 81*95727* E N 61*9259* E N 61*9259* E M 61*9517* E N 61*9517* E S 73*4759* W S 73*5470* W	
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22999999	64*30721** 87*41327* 83*39*39** 80*4572** 19*4757** 19*4757** 19*4757** 19*6757** 19*6757** 19*6757** 19*6757* 19*6757* 19*6757* 19*19752**	527.00" 527.00" 473.00" 473.00" 473.00" 527.00" 527.00" 427.00" 427.00"	59.87 71.71 34.74 4.15 91.15 91.17 43.48 167.29 234.37 125.63 8.72 43.45 69.47	59.81° 70.66° 36.71° 6.33° 94.82° 91.26° 43.46° 164.59° 222.11° 96.19° 167.2° 64.58°	N 73*5711* E N 81*0500* E N 81*3523* E N 81*2210* E N 81*0510* E N 73*0517* E N 73*0517* E S 73*757* W S 73*15*18* E N 81*15*18* W N 61*33104* W N 61*33104* E N 66*3532* E N 54*0512* E	
101000000000000000000000000000000000000	64*3021* 07*41*27* 00*46*02* 16*47*57* 18*47*57* 18*04*28* 65*56*00* 38*01*17* 27*56*19* 04*58*16* 04*12*16* 04*12*16* 04*12*11* 09*12*12*	527.00" 521.00" 473.00" 473.00" 473.00" 527.00" 527.00" 427.00" 427.00" 427.00"	59.84 70.71 36.74 4.35 91.45 91.45 91.45 91.45 167.29 236.37 125.63 43.46 43.45 64.45 61.12	55.81° 76.66° 36.73° 91.26° 43.64° 156.59° 223.18° 94.19° 157.2° 67.60° 61.06°	N 73*5711* E N 81*9500* E N 81*3523* E N 61*2230* E N 73*8537* E N 73*8537* E N 73*557* W S 74*557* W S 74*557* W S 74*557* W S 16*7574* W S 61*35714* E N 66*45*32* E N 76*0134* E	
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	ISLAND LINE TA	H F	1
11	Bearing	Distance	
LAI LAS LAA	N 65°29'43" W	215	
LM L17	N 40"52"59" E. 5 29"61"01" E. 5 73"64"28" W	211	
1.44	S 20"38"27" E N 11"06'87" W	10.14"	
L//	N 11900'07" W	3.94°  11.87	
1.11	5.76*41*24* W N.67*59*42* E	11.47	
	OUNDARY LINE 1		1
4	Bearing 5 80°54'58" E	Distance 24.82*	
i.s	N 43753'18" E 8 46'00'42" E 8 01'00'42" E	1418	
L6 L7	\$ 46'96'42" E	1416	
1 13	S 44'96'42" E	1414	
1.9 L.12	S \$173713*E	[4.14" [1.27"	
	35 88*53*18** E	14.42* 54.00*	
Lis	5.44%642%E 5.41%31%B*W 5.81%31%B*E 5.81%642%W 5.81%642%W 5.81%642%W 5.81%642%W 5.64%31%B*W	28.82*	
LIT	35 88*53*18** E 5 81*45*12** W	22.00* 28.02*	
1.59	5.68*51*W** W	71.59*	
LS7	5119077"E	59.44° 79.31° 61.36°	
1.59	N 67"59"42" E	61.98° 80.28°	
1.72	5 46'96'42" E	34.14*	
1.73 1.74	N BP53'34" E S AMARZET E	54.00° 13.24°	
1.75	N RPSJIE B APAGIE B A	SLAP.	
1.76			l
a	STERINGLING		
10	Bearing N 44*20*13** E	Distance 24.54*	
L39 L31	5 81760-427 E 5 81760-427 E N 81760-427 W	36.0F 36.0F 46.0F	
1,39	N HIMMAT W	4.87	
	N 4196/42* W	Miller	
	LOT LINE TABL	Fs	1
- 14	Bearing 5 43*55'18" W	Distance	
	5 43*55*18* W	14.16	
112	5 43°53'18" W 5 43°53'18" W	1436	
114	5 43*5318" W N 43*5318" E N 44*642" W N 202515" E N 21*2418" W S 22*2418" W S 22*2418" E S 44*8733" E N 01*45*22" E S 43*527" E	14.14° 14.14°	
124 127 128	N 20725'15" E	34.107	
111	5 22"24"14" E	20.44	
L39	5 66*0733* E N #1*45*82* E	14.51° 28.82°	
1 01	N 01*43*07* E S 03*58*27* E N 43*53*18** E N 46*06*42* W S 43*53*18** W S 43*53*18** W S 44*06*42** E	28,82"	
111	N 46*96'42* W	14.14"	
L)5 L)7	5 43*53*18* W	1416	
1 141	5 40*06*42** E	14.14	
1.41 1.40	8 43*53*18** E	1418	
L44	N 43*53'10" E 5 83*53'10" W 5 15*58'59" W 5 74*01'01" E	14.14	
1.45	5 15"58"59" W	9.31° 14.14°	
L47 L41	5 74'91'91" E 5 15'58'59" W	14.34*	
1.00	C 7 0100 ( 100 C 17	14.14"	
L52 L35	5 68*58*59* W	89.AT 28.82"	
1.56	5 60"58"79" W N 63"58"27" W S 61"45"62" W	28.82"	
LAI	N \$4*54"21" W	31.35'	
141_	5.83"22"58" W	U.C.	
	APPROVED BY: P	LANNING A	ND ZONING COMMISSION
1	CITY OF W	AXASIACIS	IE. TEXAS
102			DATE:
1	CHAIRPERSON		
	er.		DATE.
ATT			DATE:
		•-	
SURVE	YORS CERTIFICA	tu.	

ICNOW ALL MEN BY THESE PRESENTS: That I, JOHNAY D.L. WILLIAMS, ILPLAS, No. 4818, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the curney monoments she on thereon as set erty placed under my personal supervision in accurdance with the Subdivision Ordi of the City of Watahachia PRELIMINARY - FOR REVIEW ONLY

NOT TO BE FILED FOR ANY REASON KONSSY D.L. WILLIAMS DATE

Whitfield-Hall Surveyors 3559 Williams Road, Salte 197 Fort Worth, Texas 74114 TIPLS FIRM REG, NO. 10134500

STATE OF TEXASE COUNTY OF ELLEY

THEN'S Saugh MY/I'M' West, of a dwagare of 64.00 feet pace the most weaterly anothered corner of said (by of Westmering true and reatilining dwg a seath line of and 2000 five Harves Hereinparent, LLC, truet and a corell line of and fire Harves, Ph. 1. for a total distance of \$22.20 Fort to a 1/2" iron red with plants ray strapped "R2/L3 M24" set; THENCE contributed using sold both and work have. By following courses and distances: South 1927527 West, a disease of \$4.98 Fort to a \$27 true and with plants sup managed "\$25.5 of \$27 set. South W1210" West, a damage of W11 Four to a 12" true and with plants any stranged "RPLE state" set. South of 2017. West, a distance of 433.00 Foot to a 1.27 from red with shade and standard "BPLS 4515" est: Smeth 44"STW" West, a damage of 71.50 Feet in a 12" iron end with planet cap planped "RPLS 4010" set: South 2019/10/19 Nort, a distance of 272-92 Fort to 8 1.27 form red with plants may stranged "MPLS 4813" and in the out line of The Cova, Plane Ope A, on addition on the City of Wandheetin, Ellis County, Team, recorded in Culture I, Side 613-614, Plan Records, Ellis County, Team; THENCE departing one overh and presh have and conducing along the cast has of said The Core, Plane Our A and over fines of said JEEE The More production, LLC, tract, the Influence Parth 81"34"36" West, a distance of 462.48 (not to a ) 2" (ray red with planty cap plauped "BEASESY" Secole North 4172717\* West, confirming along the anist and Eps. a distance of JSL54 Foot to a 32\* iron red with plantic cap stamped "RPL5 stats" found in the sorthware and 326 Gew, Plane One A and the west line of File Cove, Plane 2, an addition to the City of Wanahachia, Ellis County, Tyran, resorted by Calabert 5, Sible 134, Plant Reserve, File Genery, Venau. THENCE. Worth NEWFIF' East, departing sold out line of The Care Plana Care A and evolutions along the ownth line of and The Care Plane 2 and wort lines of JED The Hores Development, ECC, two: a disease of ELT Foot is a V2" two red with plants ray mapped "IEFLE AUST" levent; THENCE continuing along the sold part line of The Core Place 2 and along west lines of and JHR The Resea Development, 12.C. weet, the following essence and diseases Witness my hand this the day of North 0779747" West, a distance of 119 27 Foot to a 1.2" free red with plastic cap stamped "BPLE 4612" band; North 20157107 East, a disease of 1842 Fort to a 127 free red with plants my stamped "1872.8 4021" front; JRH The Haven Development, LLC Parth 8798/227 Mart, a disease of \$5.00 Last to a \$77 here ead with electric concentration \$1070 \$20007 mil-North 87'97'21" West, a diseases of 25.52 Fost on a 32" tree and with pitcels cap stamped "R2LS 4933" brand; THIP DOLD North DYM/32" West, a disease of 42% DF Feet to a 1.2" live red with plantic cap sumped "RPLS #844" found for the point of environment of a tangent curve, or the methods, hering a radius of #2.00 Feet a centred augh of WWWP, and a short of 94.57 Feet bearing North DYS210" East: STATE OF TEXAS COUNTY OF ELLIS TRENCE contrary sing the stall scall line of The Core (%). It is used line of paid 2004 The Hono Bendramon, LLC, trees and plang paid rears, a distance of LLS (rest to a 12<sup>40</sup> line and with plants: ray simupoid VELSS (FIT' frame) for a measure server of stall The Deep L, 10 and data retries that of band described on The Locker (%) 2, on addition in the City of Westwerks, Ellin Content, Trans, received in Instrument Westwerk (Westwerk), Bite Concer, Trans, rese, THENCE departing and most flux of The Core Ph. 2 and constanting along the constants lines of The Rackeys Ph. 2 and of said MMI The Harva Development, \$2.07. strat, the following courses and North 10"5710" East, a distance of 295.70 Fort in a 1.2" iron roll with plants any stanged "RP\$,0 4010" say South 0714787" East, a filteness of 30.82 Foot is a 1.27" iron end with plants cay stamped "BFLE 0111" so for the sambority screas of Alpine Deive, a 54" only right of vary and a surfaced surrow of the famile of New Groos, Plane 2, to obtain in the Cay of N scalacitie, Ellis Contry, Tests, reserved in Collase K., Page 200-21, Falleword, IIII: Contry, Trans. . 2021 THENCE continuing using the common free of and The Extens of Netts Grove, Place 2 and and JUE The Exception (LLC, word, the following convex and detained Notary Public State of Texas South 0196742" East, a distance of 000.00 Foot to a 1.2" tree and with plants was observed "RPLS 4012" out. Ma Cá nion explores South (PST10" West, a distance of \$4.14 Fort to a \$2" true red with plants cap stagged "\$25.5 etcl" ort; Samth 64 W6 127 Rant, a diminant of 54.00 Font to a 127 drag red with plantic cap stranged "R21.5 40.07 sof for the period of entrustate of a new-tangent curve, merch, having a radius of 56.21 Font is a summit angle of 67.3771", and a cherci of 64.36 Fort iterating North 1072/277 East. Easterly slong said curve, a distance of \$1.49 Feet to a 12" true and with plants can provide "\$2"12 4918" per-South 97'97'62" East, a distance of 122.70 Fact to a 1/2" from red with plantic cap atompol "RPLS 4010" and North 83"22"50" East, a diseases of 83.36 Feet to a 8.2" iron red with plante mp stamped "RPLS 4010" mt; North 1075752" East, a distance of 332.00 from to a 2.2" iron red with alastic ran standard "RPLE 6512" arts Samb 9090743" East, a democra of 200.00 Foreirs a 5.3" from roll with plants cap compact "10.71.0 40.0" see, Samb Minister West, a disease of 2012 first to a 32° trea rol with plants cap stranged "BPLB 400" set. OF South M\*ST15" West, a dimensional (1943) Contrate (17" long and web pixels representated "R215 4014" per-South 91704 62" flash, a distance of 66.00 floot to a 1.7" iron and with aloute can atomical "RPLS 40.0" act; North SPS731" East, a domain of JHL70 Fact to a 12" lows rad with plantic cap stranged "RPLS still" set; South 44"16"42" East, a diamore of 14.64 Fort to a 5.2" from red with plants cop stronged "RPLS 4010" set; North BFSF18" East, a glutance of MAR Fool to a 1/2" from real with plants cap around "RFLS ATEL" are for the server reasoning continues concer of cold 'R contended LLBs. trues; THEVER found 01'00' 42" East, departing and common and continuous along the most line of and 1% analogies 1.8 B, tract, a distance of 561.00 Fort to a 3/2" iron rad with plantic sup stronged "IPLA still" ret; THENCE South APAY 42" East, combining using unit was far of the Washerber LS.D. tract, a disapter of 1434 Feet to a 52" loss red with plants cap compet "RFLS W12" art in the south New of the Weisherbn LS.D. www: TRENCE Numb WYSTEP Lant, along the solid south line of the Wassbarde 15.0. grant, a disaster of 854.35 Foot to the POINT OF BECKNENG and containing a computed surve of \$4.54 SAVE AND EXCEPT: Duing a LAS Active in described in dust in The City of Wanahachin, recorded in Instrument Squaker (19877), Juryl Records, Ellis Capacy, Texas

WEREAR MIN The Brown Development, LLC and the Chy of Wassheeke, heing the eveney of a 513-32 news user of had in the Heart Peage Survey, Abserved Fundate 100% hand the Auburt Based Barrey, Abserved Fundater 11, Chy of Wassheeke, LBC Concept, Farsa and being all of the accessin trait of had download fundational fundational fundational for the second trait of had download fundational fu DECENSES of a 1 17 term red with plants rup shamped "EPL5 011" hand at the sorthernet service of and EDs of W sockastle treet, for easier southern's southern's southern's term of the restation term of band described in devide W Wasslandin ILSL, research in Instrument WASSL Bood Research, EDs Conser, Franz and being in the worth net The Research Part Corver, Franz L, on solidation to the CDJ of Wasslandin ILSL means, Franze research is followed Part Schell and Bood Research, EDS Conser, Franz and Bood Schell and Schell an 1922/CE Seeth 91%/CF East, along the unit like of add CDy of Wandachin tract and the add west line, a distance of 54.00 Fact to a 3.2° from end with plastic cap storaged "\$21.5 4330" food for the particulat second of add CDy of Westlachin tract; THEFCE Small MP3714" Wani, plang the paralleline of soid Clay of Wassingtonic (part, p distance of 91.31 Feat to a 12° from real with plantic cap compand "181.8. 4514" very THENCE Sevels DYPACE" Long, departing and CDy of W subscribe trace and somitoming along as east line of and JYRE The Boren Development, LLC, trace, a departer of 180.00 For to a 1 2" Two real with plants tray memory of WFLA USST with the sum conferely membrane around a MRE The Boren Development, LLC, trace and a carch line of The Boren PS t, an addition to dev CPs of Weathermalis. Elific cover, Trace received in anotherm Router Market PS for Boren B. Boren Boren, Team, Team,

TRENCE both 1973718" West, see the ing a senth line of said 2023 The faces investopment, LLC, start and the said south has of Tar Moves, pt. 5, a dimense of 795.00 § set to a 1.2" gray red with plotter cap swapped "BPLS 403" set for the most concrety southwest corpore of and City of W exameliar invest;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS.

SOW, THEREFORE, KNOW ALL MEN TH'I THEST PRESERTS: That JIHI The Barrs Development, LLC, stellag have by and being and dely and hereing affect, does hereing out couple the pild of collapation the hereinflower development, LLC, stellag hereing hereing and hereinflower development, and the pild hereinflower. The steres and all hereinflower development, and hereinflower development is advent, are development, pilot that hereinflower. The steres and all hereinflower development and hereinflower developments and pilot and the steres. The steres and all hereinflower developments and pilot are development and pilot and thereinflower developments and pilot and the steres and the steres of the pilot and the steres. The steres is hereinflower development and the steres of the pilot and the steres. The steres and the steres and the steres are also all hereinflower developments and pilot and hereinflower development are steres and pilot all pilot all hereinflower development and the steres and the Landersey Landerse tables, and here is the pilot fulfille hereing understand and pilot all the statistics, and here is the pilot fulfille hereing understand and pilot all hereinflower development and and and and herein the extense blacks the statistics and here is the statistic hereinflower and the statistics is the building is first the statistic statistic here is the statistic hereinflower and thereinflower and the parties and publicing is hereinflower thereinflower and the statistic is and hereinflower development in the there respective system in proteing and public statistic here is thereinflower and the statistic is the parties of any building is first the statistic hereinflower. The thereinflower development is the statistic hereinflower and the statistic is and proteing and public statistic here is the statistic hereinflower is the statistic proteing and the statistic statistic hereinflower and thereinflower is the statistic parties of the statistic statistic hereinflower is the statistic hereinf

This piel approved subject to all platting or dissures, rules, regulations and resolutions of the City of Watahachie, Texat.

BETORE me, the undersigned, a Yestary Public to and for the store of Texas, on this day personally appeared Chip Beryk Innews (some in to the person and differer these same is subscripted to the foregoing instrument and achorestrigged to me this herble received the source for the purpose and coundersome intervie approach on the the capacity therein acade.

GIVEN UNDER MY RAND AND SEAL OF OFFICE this \_\_\_\_\_\_ day of

201404-40 B. SANGE SUNVENTHE BAVENTHE BAVEN PRI204-405-THE BAVEN PRI201AT APRIL 27,2011ACS

. 2821

#### FINAL PLAT

LOTS 26-15, X, 2X, BLOCK 19; LOTS 1-15, BLOCK 20 LOTS 1-12, BLOCK 24; LOTS 1-3, X, 22, 3X, BLOCK 27 LOTS 1-11, BLOCK 40; LOTS 9-17, BLOCK 44; LOTS 1-24, X, 2X, BLOCK 45, LOT 1-5, X, 2X, BLOCK 44, LOT 1-6, BLOCK 47

140 RESIDENTIAL LOTS & 9 OPEN SPACE LOTS PREPARED APRIL 27, 2021

#### THE HAVEN PHASE TWO

**31.543 ACRES** AN ADDITION TO

THE CITY OF WAXAHACHIE ELLIS COUNTY, TEXAS, AND BEING A PORTION OF THE HENRY SANGE SURVEY, ABSTRACT NO. 1009 AND THE ROBERT RUSSELL SURVEY, ARSTRACT NO. 91 ELLIS COUNTY, TEXAS.

CASES NO. STRATAGE

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PAGE 4 OF 4

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## **Planning & Zoning Department**

**Plat Staff Report** 

## Case: SUB-53-2021

MEETING DATE(S)

Planning & Zoning Commission:

May 25, 2021

### **CAPTION**

**Public Hearing** on a request by Tim Jackson, Texas Reality Capture and Surveying, LLC, for a **Replat** of Lots 2R, 4R, and 6, Block 1, Crystal Cove Estates, Phase Three, to create Lots 2RR, 4RR & 6R, Block 1, Crystal Cove Estates, Phase Three, 16.512 acres (Property IDs 229594, 138317, 229592, and 180771) – Owners: CHARLES B & SHARON S WILLIAMS AND BRIAN & KIMBERLY GARLITZ (SUB-53-2021)

#### APPLICANT REQUEST

The applicant is requesting to replat the subject property to allow access to the rear of lot 2RR and establish the newly purchased property as part of Lot 2RR.

CASE INFORMATION Applicant:	Tim Jackson, Texas Reality Capture and Surveying, LLC
Property Owner(s):	Charles & Sharon Williams and Brian and Kimberly Garlitz
Site Acreage:	16.512 acres
Number of Lots:	3 lots
Number of Dwelling Units:	2 units
Park Land Dedication:	N/A; No new lots are being created by this replat.
Adequate Public Facilities:	Adequate public facilities are available to this site.
SUBJECT PROPERTY General Location:	201 & 203 Hunter Pass
Parcel ID Number(s):	229594, 138317, 229592, and 180771
Current Zoning:	Planned Development – 23 – Single Family – 1 (PD-23-SF-1) and Future Development (FD)
Existing Use:	Single family residences are located on these sites.
Platting History:	Both of these lots are located within the Crystal Cove Estates Phase 3 subdivision.

Site Aerial:



#### PLATTING ANALYSIS

Charles & Sharon Williams (owners of Lot 4RR and Lot 6R) are selling a portion of their property to Brian & Kimberly Garlitz (owner of Lot 2RR). The purpose of this replat drawing is to allow access to the newly purchased property located adjacent to and south of Lot 4RR and Lot 6R. The replat will also allow for the newly purchased property and lot 2RR to be one contiguous lot.

#### **PUBLIC NOTIFICATIONS**

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

#### PON RESPONESES

Staff has received one (1) response in opposition of the proposed replat.

#### 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. PON Responses
- 2. 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.

(9)

### 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 <u>cwebb@waxahachie.com</u> Reviewed by: Shon Brooks, AICP Director of Planning sbrooks@waxahachie.com

## . (9)

Preserty CD		Annapa		Durit's Address	Ourse's City	Ovror's State	Owner's 22	Physical Address
	GARLITZ BRIAN & KUNBERLY	10	145 WM BASIONS 10 ACRES	POBOXF	WAXAHACHIE	TX	75100	FM 877 WAXAHACHIE TX 75165
	WILLIAMS CHARLES B & SHARON S	31.549	145 WM BASIONS 31 549 ACRES	201 HUNTER PASE	WAXAHACHIE	TX	75165	FM 877 WAXAHACHIE TX 75165
	ELLIS COUNTY WATER CONTROL & IMP DIST	5.501	143 WM BASKINS 5301 ACRES	PO BOX 757	WAXAHACHIE	TX	75166	PENN COVE WAXAHACHIE TX 75165
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	CASTLEBERRY THOMAS R & TERESA R	1 111	LOT 42 BLK A CRYSTAL COVE ESTS-REV 1111 AC	210 HUNTER PASS	WAXAHACHIE	110	75185	210 HUNTER PASS WAXAHACHE TX 79165
216967	BELEW DAVID A & STEPHEN C SPENCE	1 858	LOT 43 BLK A CRYSTAL COVE ESTS-REV 1.858 AC	102 PENN GOVE	WAXAHACHIE	11	75185	102 PENN COVE WAXAHACHIE TX 75165
210048	HOFFMANN CHARLES M & STACLE E SIPES	2.000	LOT 11 BLK E CRYSTAL COVE PH 2 2 898 AC	115 HUNTER PASS	WAXAHACHIE	TX	75165	HUNTER PASS WAXANACHIE TX 75165
219053	EMITH WANGA M	2.603	10 E CRYSTAL COVE PH 2 2 803 ACRES	115 HUNTER PASS	WAXANACHIE	TX	73165	115 HUNTER PASS WAXAHACHE TX 75165
219063	LEEK DUSTIN & AMANDA	5.001	LOT 4 BLK E CRYSTAL COVE PH 2 5.001 AC	4018 HOWARD RD	WAXAHACHIE	TX	75165	4016 HOWARD RD WAXAHACHIE TX 75185
	PARKER EDWARD L & CRYSTAL	5 001	LOT 5 BLK E CRYSTAL COVE PH 2 5001 AC	4010 HOWARD RD	WAXAHACHIE	TX	79165	4010 HOWARD RD WAXAHACHIE TX 75185
	REYES FAUSTING	4 653	ARR D CRYSTAL COVE PH 2 -REV 4 853 ACRES	PO BOX 711	NUTCHINE	TX	79141	136 HUNTER PASS WAXAHACHE TX 75165
219089	GROUNDS GLENN	1.331	10 D CRYSTAL COVE PH 2 1 331 ACRES	PO 80X 495	DESOTO	TX	73123	146 HUNTER PASS WAXAHACHE TX 75165
210137	GERRON KRISTI & MEHAEL	1 792	LOT 13 BLK E CRYSTAL COVE PH 2 1 782 AC	133 HUNTER PARE	WAXAHACHIE	TX	79105	133 HUNTER PASS WAXAHACHIE TX 75165
and the second se	CONTRACTOR AND A REPORT	- Sec 140		CASE INCOME IN THE REAL		200		the statement of the statement of the statement of the statement of the
	VINTON PATRICK & MARITZA D	3.030	LOT 1 BUK 1 CRYSTAL COVE PH 3 3 038 AC	207 HUNTER PASS	WAXAMACHIE	7X	75105	207 HUNTER PASS WAXAHACHIE TX 75165
	GARLITZ BRIAN & KIMBERLY	8 477	LOT 2R BLK 1 CRYSTAL COVE EST PH 3 REV 8 477 AC	P O BOX F	WAXAHACHIE	TX	75168	203 HUNTER PARE WAXAHACHIE TX 75105
	WILLIAMS CHARLES B & BHARON S	9 264	4R & 8 1 CRYSTAL COVE PH 3 REV 9284 ACRES	PO BOX 3875	CEDAR HILL	TX	75108	201 HUNTER PASS WAXAHACHIE TX 75165
	CARROLL JUMMY D & MELISSA W	1.347	LOT 1A BLK A CRYETAL HILLE 1.347 AC	209 HUNTER PASS EN	WAXAHACHIE	TX	75165	208 HUNTER PASS LN WAXAHACHIE TX 7518
	SULLIVAN JOHN P & JANIE R	4,371	LOT 18 BLK A CRYSTAL HILLS & 145 WM BASKINS 4 371 AC	PO BOX 844	WAXAHACHIE	TX	75168	211 HUNTER PASS LN WAXAHACHIE TX 7518
219145	PROPERTY OWNER	0		127 HUNTER PASS	WAXAHACHIE	TX	75165	127 HUNTER PASE WAXAHACHIE TX 75165



City of Waxahachie, Texas Notice of Public Hearing Case Number: SUB-53-2021

FOARD JAMES K & LEAH P 139 HUNTER PASS WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 25, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

 Request by Tim Jackson, Texas Reality Capture and Surveying, LLC, for a Replat of Lots 2R, 4R and 6, Block 1, Crystal Cove Estates, Phase Three, to create Lots 2RR, 4RR & 6R, Crystal Cove Estates, Phase Three, 16.512 acres (Property ID 229594, 138317, 229592 & 180771) partially located in the Extra Territorial Jurisdiction – Owners: CHARLES B & SHARON S WILLIAMS, AND BRIAN K. & KIMBERLY A. GARLITZ (SUB-53-2021)

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

#### Case Number: SUB-53-2021

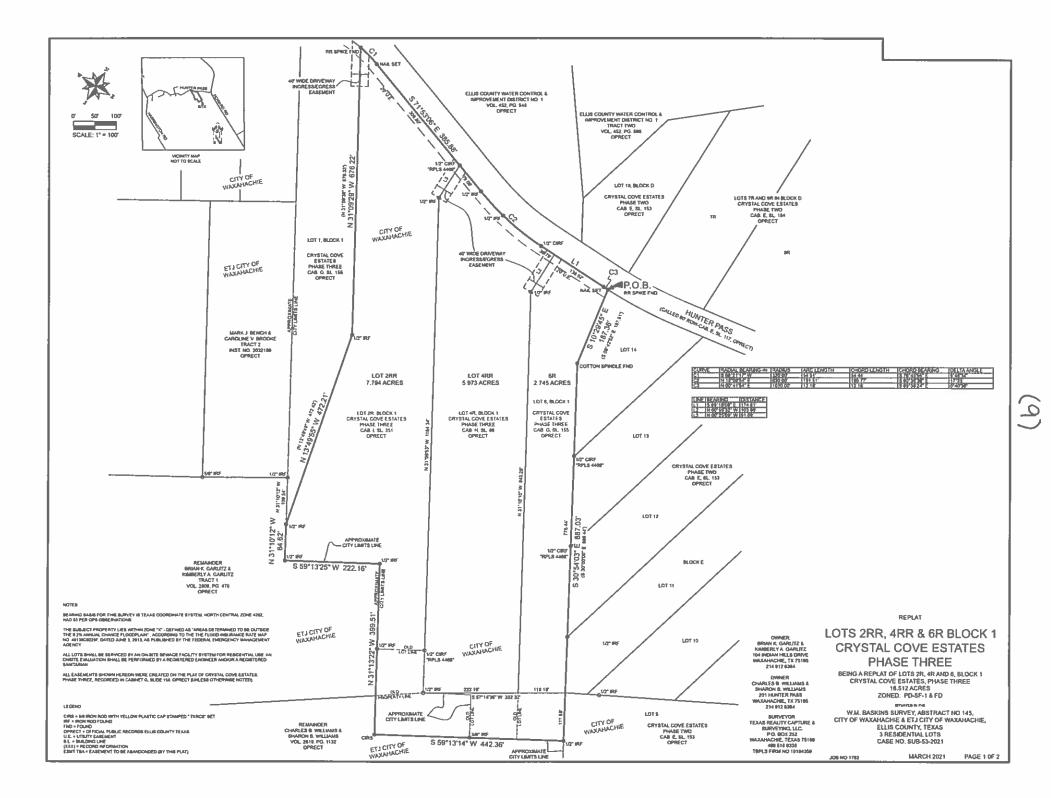
City Reference: 219138

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Tuesday, May 18, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to <u>Planning@Waxnhachie.com</u> or you may drop off/mail your form to City of Waxabachie, Attention: Planning, 401 South Rogers Street, Waxabachie, TX 75165.

SUPPORT OPPOSE Comments: Details, This seems to bee my presenty is as both sides . 05/11/20 Date Signature 139 Hunter Pass, Werehach, -, Tx. JAMES K. FOARD Printed Name and Title 75165

#### It is a crime to knowingly submit a false zoning raphy form. (Texas Penal Code 37,10)

(I you are not the addressee at the top of das form, but would like to submit a response, please contact the City for a blank form.



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			CHARLES & WELLAMS &	CRYSTAL COVE ESTATES, PHASE THREE 16.512 ACRES	1
í	NAN K. GARLITZ KINBERLYA CARLITZ		BHARCH B. WELLALS 201 HERVTER PASS WAXAHACHE, TX 75185	ZONED: PD-SF-1 & FD	
			214 912 6384 SUEVETOR	BITWATED IN THE W.M. BASKINS SURVEY, ABSTRACT NO 145,	
			TEXAS REALITY CAPTURE & SURVEYING, LLC.	CITY OF WAXAHACHIE & ETJ CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS	
			F CL BCAL 252 WAXAHACHIE, TEXAB 75100 400 518 8330	3 RESIDENTIAL LOTS CASE NO. 5UB-53-2021	
			TBPLS FIRM NO 1010436	208 NO 1782 MARCH 2021 PAGE 2 OF 2	
		- · · · · · · · · · · · · · · · · · · ·			

## (II)

## **Planning & Zoning Department**

## **Zoning Staff Report**

## Case: ZDC-63-2021

#### MEETING DATE(S)

Planning & Zoning Commission:

May 25, 2021

City Council:

#### June 7, 2021

## **CAPTION**

Request by Chris Freeman for a Zoning Change from a Planned Development-23-Single Family-1 zoning district to Planned Development-Single Family-1, with Concept Plan, located at 303 Lakeshore Drive (Property ID 171975) - Owner: VIRGINIA K FREEMAN (ZDC-63-2021)

#### APPLICANT REQUEST

The applicant is requesting to rezone the subject property from Planned Development – 23 – Single Family – 1 (PD-23-SF-1) to Planned Development – Single Family – 1 (PD-SF-1) to adjust the front yard building setback requirement to allow for the construction of a carport on the property.

CASE INFORMATION Applicant:	Chris Freeman		
Property Owner(s):	Virginia K Freei	man	
Site Acreage:	0.672 acres		
Current Zoning:	PD-23-SF-1		
Requested Zoning:	PD-SF-1		
SUBJECT PROPERTY General Location:	303 Lakeshore	Dr.	
Parcel ID Number(s):	171975		
Existing Use:	Single Family R	esidence	
Development History:	The subject pro	operty is located	in the Akin Addition.
Adjoining Zoning & Uses:			
	Direction	Zoning	Current Us
	1 nt st		

Direction	Zoning	Current Use				
North	PD-23-SF-1	Single Family Residence				
East	PD-23-SF-1	Single Family Residence				
South	PD-23-SF-1	Single Family Residence				
West	PD-23-SF-1	Single Family Residence				

Future Land Use Plan:

Estate Residential



**Comprehensive Plan:** 

This use is representative of traditional, single-family detached dwellings on large lots that are over one acre in size. This type of land is envisioned to primarily be located in the southern portion of the City and in the ETJ area south and west of Waxahachie.

Thoroughfare Plan:

Site Image:



This property is accessible via Lakeshore Dr.

### PLANNING ANALYSIS

#### Purpose of Request:

The applicant is requesting to rezone the subject property from Planned Development -23 – Single Family -1 (PD-23-SF-1) to Planned Development – Single Family -1 (PD-SF-1) to allow for the construction of a carport that would encroach into the front yard building setback. Per Sec. 5.07 of the City of Waxahachie Zoning Ordinance, accessory structures shall not be located closer to the front property line than the main building or the front yard setback requirement for the zoning district, whichever is greater.

#### Proposed Use:

In this instance, the proposed carport will be located closer to the front property line than the main structure. However, the carport will still be approximately 80' from the front property line and approximately 130' from the edge of Lakeshore Dr. The proposed structure will be 22' long by 12' wide (264 sq. feet), and the height proposed structure will be 8'. The applicant is proposing to construct the carport out of wood. The proposed location of the carport is already accessible by the driveway and has been constructed out of concrete.

#### PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, <u>9</u> 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.

#### PON RESPONESES

Staff has received three (3) responses in support of the proposed zoning change.

#### 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:

(1)

- 🗆 🛛 Denial
- □ Approval, as presented.
- Approval, per the following comments:
  - 1. The applicant will need to obtain a building permit form the City of Waxahachie Building Inspections department prior to construction of the proposed structure.

#### ATTACHED EXHIBITS

- 1. PON Responses
- 2. Site Plan
- 3. Conceptual Elevation Plan

#### APPLICANT REQUIREMENTS

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

#### STAFF CONTACT INFORMATION

Prepared by: Chris Webb Planner <u>cwebb@waxahachie.com</u>

Reviewed by: Shon Brooks, AICP Director of Planning <u>sbrooks@waxahachie.com</u>

# (11)

Property	Owner's Name	Acresge	Legal Description	Owner's Address	Owner's City	Owner's State	Comm's ZIP	Physical Address
171975	FREE MAN ROY D & VIRGINIA K LIE JOHN C FREEMAN	0 672	LOT BE & BC AKIN	303 LAKESHORE DR	WAXAHACHIE	ŤΧ	75185	303 LAKE SHORE DR WAXAHAGHE TX 75185
	LINDOP BRIAN & & KECIA R CRADDOCK DAN L & MINX PATRICIA		LOT BA AKIN 48 AC	307 LAKESHORE DR	WAXAHACHIE	TX TX	75185 75185	307 LAKE SHORE DR WAXAHACHIE TX 75185 225 LAKE SHORE DR WAXAHACHIE TX 75185
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City of Waxahachie, Texas Notice of Public Hearing Case Number: <u>ZDC-63-2021</u>

000

RECEIVED MAY 1 2 2021

THOMPSON KIMBERLY S 301 LAKESHORE DR WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 25, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 7, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

 Request by Chris Freeman for a Zoning Change from a Planned Development-23-Single Family-1 zoning district to Planned Development-Single Family-1, with Concept Plan, located at 303 Lakeshore Drive (Property ID 171975) - Owner: VIRGINIA K FREEMAN (ZDC-63-2021)

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

Case Number: ZDC-63-2021

City Reference: 171976

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Tuesday, May 18, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to <u>Planning@Waxahachie.com</u> or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

Comments:	SUPPORT	OPPOSE	
Signature	Jus Chompoon Jus Thompson nd Title	) <u>5-9-21</u> Date <u>301 Zaborhore Dr.</u> Address Warahachie, Cy 7516	

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

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.

## (II)



City of Waxahachie, Texas Notice of Public Hearing Case Number: <u>ZDC-63-2021</u>

### RECEIVED MAY 1 2 2021

### MERRILL PATRICK HENRY 227 LAKESHORE DR WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 25, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 7, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

 Request by Chris Freeman for a Zoning Change from a Planned Development-23-Single Family-1 zoning district to Planned Development-Single Family-1, with Concept Plan, located at 303 Lakeshore Drive (Property ID 171975) - Owner: VIRGINIA K FREEMAN (ZDC-63-2021)

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

#### Case Number: ZDC-63-2021

City Reference: 171983

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Tuesday, May 18, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to <u>Planning@Waxahachie.com</u> or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT	OPPOSE
Comments: TSTROARY Saport MR	FREEMAN'S REQUEST- EE ARIDE IN THEIR BEAGTIFUL
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- Merrt	5/10/2 TAND
Signature	Date
PAT MEMILL Printed Name and Title	127 < KESHORE DR Address WXA

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

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.



City of Waxahachie, Texas Notice of Public Hearing Case Number: ZDC-63-2021 000

(11)

NOLTE HAROLD E JR & LYNN L 2008 WINDSONG WAY **DODGE CITY, KS 67801** 

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 25, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 7, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

1. Request by Chris Freeman for a Zoning Change from a Planned Development-23-Single Family-1 zoning district to Planned Development-Single Family-1, with Concept Plan, located at 303 Lakeshore Drive (Property ID 171975) - Owner: VIRGINIA K FREEMAN (ZDC-63-2021)

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

Case Number: ZDC-63-2021

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on Tuesday, May 18, 2021 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

**OPPOSE** 

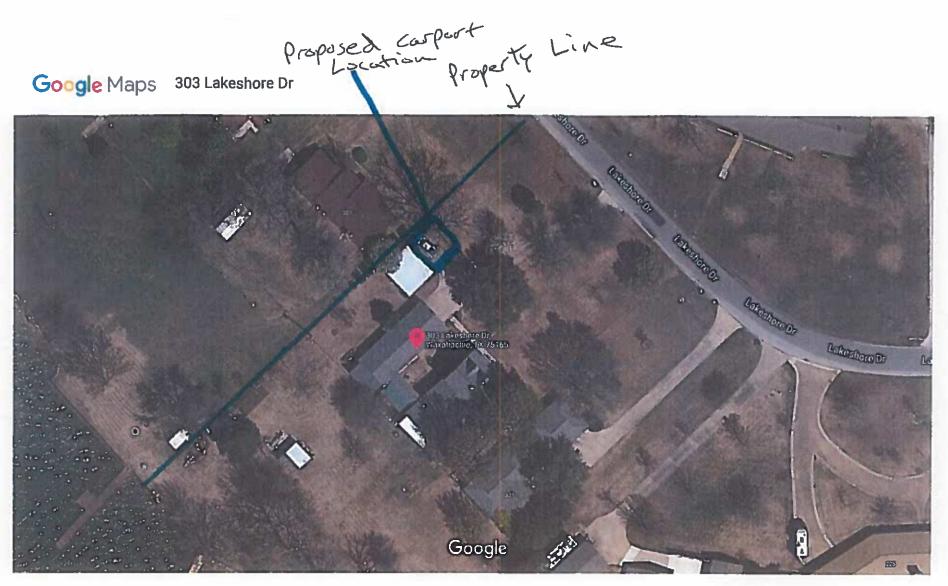
Comments:

Signatur

<u>S | 8 | 21</u> Date <u>309 Lakeshore Dr Waya</u>hach TX 75165

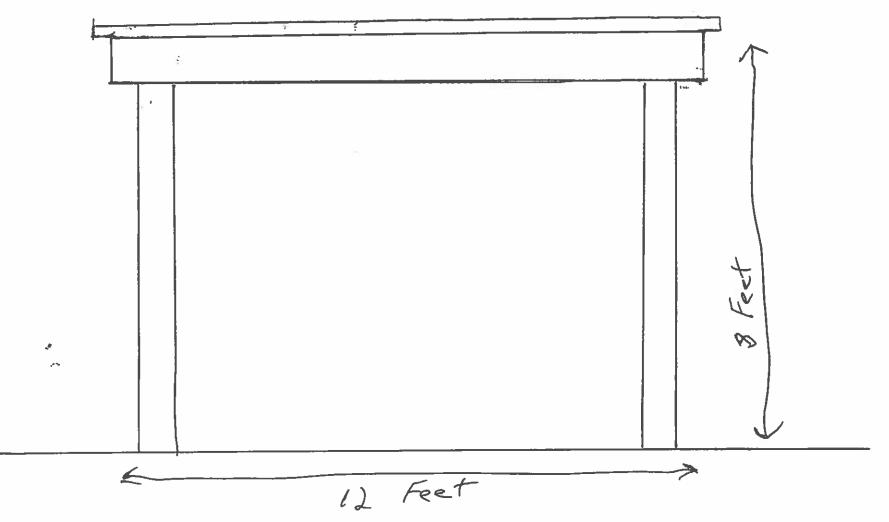
City Reference: 171969

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

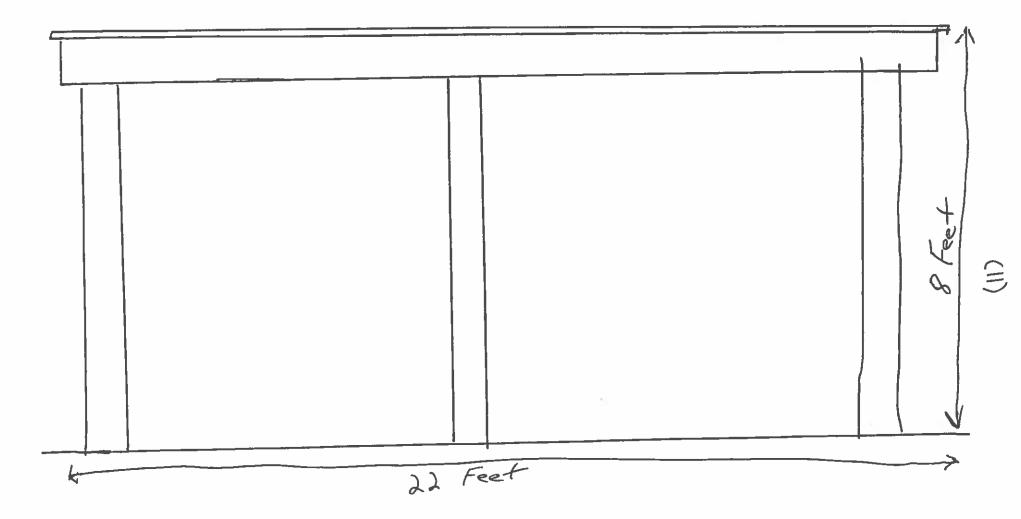


Map data @2021 , Map data @2021 20 ft

Front View



side View









# (11)

## **Planning & Zoning Department**

# **Zoning Staff Report**

#### Case: ZDC-65-2021

#### **MEETING DATE(S)**

Planning & Zoning Commission:

May 25, 2021

June 7, 2021

City Council:



#### CAPTION

Request by Marsha Rowan for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 SF use within a Single-Family Residential-1 zoning district located at 2341 Marshall Rd (Property ID 203836) - Owner: JOHN E & MARSHA L ROWAN (ZDC-65-2021)

(13)

#### APPLICANT REQUEST

The applicant is requesting a Specific Use Permit (SUP) to allow for the construction of an accessory building greater than 700 sq. feet on their property.

CASE INFORMATION Applicant:	John Rowan		
Property Owner(s):	John and Marsh	1a Rowan	
Site Acreage:	7.244 acres		
Current Zoning:	Single Family –	1 (SF-1)	
Requested Zoning:	SF-1 with SUP		
SUBJECT PROPERTY General Location:	2341 Marshall I	٦d	
Parcel ID Number(s):	203836		
Existing Use:	Single Family R	esidence	
Development History: Adjoining Zoning & Uses:	The subject pro Estates.	perty was platt	ed as part of Marshall Road
	Direction	Zoning	Current Use
	North	SF-1	Undeveloped
	East	SF-1	Single Family Residence
	South	SF-1	Single Family Residence
	West	SF-1	Single Family Residence
Future Land Use Plan:	Low Density Re	sidential	

Page 1 of 3

Comprehensive Plan:

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

Thoroughfare Plan:

This property is accessible via Marshall Rd.

(13)

Site Image:



#### PLANNING ANALYSIS

#### Purpose of Request:

The applicant is requesting to construct an accessory structure in excess of 700 sq. feet (720 sq. feet) to in the side yard of a single family property located at 2341 Marshall Rd. Per ECAD, the primary structure located on the subject property is 1,368 sq. feet in area. Per the City of Waxahachie Zoning Ordinance, an accessory structure that is equal to or greater than 700 sq. feet requires a SUP to be approved by City Council.

#### Proposed Use:

The applicant is requesting approval to construct a  $30' \times 24' \times 12'$  tall accessory structure. The applicant is proposing to construct the structure out of metal, and intends to use it as a shed for storage. During site visits, staff noticed that there are other accessory structures in the area.

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

#### 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:

(13)

- Denial
- Approval, as presented.
- Approval, per the following comments:
  - 1. The applicant will need to obtain a building permit from the City of Waxahachie Building Inspections department prior to construction of the proposed structure.
  - 2. The structure shall not be used as a dwelling.

#### **ATTACHED EXHIBITS**

- 1. Site Plan
- 2. Elevation Plan

#### **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: Chris Webb Planner <u>cwebb@waxahachie.com</u> Reviewed by: Shon Brooks, AICP Director of Planning sbrooks@waxahachie.com

#### GENERAL NOTES

THE STRUCTURE UNDER THIS CONTRACT HAS BEEN DESIGNED AND DETAILED FOR THE LOADS AND CONDITIONS STPLATED IN THE CONTRACT AND SHOWN ON THESE DRAWINGS, ANY ALTERATIONS TO THE STRUCTURAL SYSTEM, REMOVAL OF ANY COMPOSENT PARTS, OR THE ADDITION OF OTHER CONSTRUCTION MATERALS OR LOADS MUST BE DONE UNDER THE ADVICE AND DIRECTION OF A REGISTERED AND YTECT, COM, OR STRUCTURAL ENGINEER, THE BUILDING MANUFACTURER WILL ASSUME ON DESPONDEMENTY FOR ANY LOADS NOT INDUCATED.

2. AMERICAN IRON AND STEEL INSTITUTE, SPECIFICATION FOR THE DESIGN OF COLD FORMED STEEL STRUCTURAL 2. AMERICAN RROWAND STEEL INSTITUTE, IMPLOPICATION FOR THE LEARING OF LOLD FORMED MEMBERS 3. AMERICAN WELDING SOCIETY, STRUCTURAL WELDING CODE: ANNI DI 1 4. METAL DULDING MANAFACTURER'S ASSOCIATION. LOW RISE BUILDING SYSTEMS MANUAL 5. INTERNATIONAL CODE COUNCE: INTERNATIONAL BUILDING CODE

ALL WELDING ELECTRODE'S SHALL BE A223 CLASS E-70 SERRES. MINIMUM WELDIS ON PRIMARY GTRUCTURAL MEMBERS SHALL BE 310 FILLET WELDS UNLESS SHOWN OTHERWISE ON SHOP FABRICATION DRAWINGS. ALL STRUCTURAL STEEL SHALL BE SHOP FABRICATED UNLESS NOTED.

- MATERIAA, PROPERTIES OF BITEL PLATE AND SHEET USED IN THE FABRICATION OF PRIMARY RECEI TRAMES AND ALL PRIMARY STRUCTURAL FRAMING MEMBERS FOTHER THAN COLD-FORMED SECTIONS; CONFORM TO THE CHEMISTRY RECORDEMENTS OF ASTM-A3S WITH MINIMUM YELD POINT OF 50,000 P.S.L OR 36,000 P.S.L AS RECOURDED BY DESIGN MATERIAL PROPERTIES OF COLD FORMED LIGHT GAGE STEEL MEMORYS CONFORM TO THE REQUIREMENTS OF A 5 T M A-STO, GRADE 55, WITH A MINIMUM YELD POINT OF ST 000 P.S.I

ALL PIPE SHALL BE MINIMUM SCHEDULE 40 AND 36,000 P.I.I. LINLESS OTHERWISE MOTED.

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ALL STEEL MEMBERS EXCEPT BOLTS AND FASTENERS SHALL RECEIVE ONE SHOP COAT OF IRON ORDE CORROSION SHIBITIVE FRIMER

SHOP AND FIELD INSPECTIONS AND ASSOCIATED FEES ARE THE RESPONSIBILITY OF THE CONTRACTOR.

UNLESS OTHERWISE HOTED, ALL BCREWED DOWN ROOF AND WALL PANELS ARE TO BE INSTALLED USING A IMPORTAN INFORMATION OF A DESCRIPTION OF AND WALL PANELS ARE TO BE INSTALLED USING A IMPORTAN ENDIA SO DEEM PER POOT AT EACH PURE IN CORT AND ORE STITCH BCREWE EVERY 24 INCH ALLONG THE FYANEL LAPS AND I OF PROVIDE ALTERAL SUPPORT THAT DO IN MALL, BING CORTANG FRANKER IN THESE WELLS AND TO SEE THE APPLICABLE WALL DRAWNO OR CONTACT YOUR SALLED HERVELY AND THE INFORMATION. . GTH

#### **BUILDING DESCRIPTION**

6

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					BACK	FRONT	BACK	FRONT
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HED

#### INSTALLATION NOTE

For videos and manuals to help you with the eraction of your ultime, visit our valuate: were countering your

Go to the "Downloads" tab meet the top of the page and click on "Videos" or "Manuels". These will help you with topics from site planning and safety through erection and installation of eccessori

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ENGINEERING CALCULATIONS AND DESIGN ARE BASED ON DESING CONTROL SALLOCATIONS AND DESING ARE BASED ON PRE-ARRIVATED NETAL DUILDINGS) AS SHOWN WITHESE DRAWNOS AND SUFFLED BY MARLER, NO. AND ANY FIELD FARRICATION AND/OR MODIFICATION OF SAID BUILDINGS) IS THE SOLE RESPONSIBILITY OF THE DUSTOMER AND MAY VOID ALL ENGINEERING AND WARRANTY

WARRANTY NOTE

PRODUCT CERTIFICATIONS

THIS IS TO CERTIFY THE ABOVE REFERENCED BUILDING HAB BEEN DESIGNED IN ACCORDANCE WITH A LE C. AND A 151 DESIGN PROCEDURES AND GOOD ENGINEERING PRACTICE AND FOR THE FOLLOWING LOADS. ALL WELDING IS PER THE A.W & DI 1 & DI J CODES LOADS ARE APPLIED IN ACCORDANCE WITH THE M B.M.A. LOW RISE BUILDING STREAM ANNAL, AND THE DESIGN BATISFIES THE REQUIREMENTS OF 180-15

DEAD LOAD: METAL BLOD STRUCTURE ONLY AS FURMISHED BY MUELLER, INC. LIVE LOAD (ROOF): 20.0 (pst) GROUND SNOW LOAD: Ps = 5.0 (pst) LIVE LOAD REDUCED PER CODE? YES ROOF SNOW LOAD (Flat): Pr = 5.0 (pst) WIND EXPOSURE: С  $C_r = 1.0$  [s = 1.0 RISK CATEGORY II Normal WIND LOAD: V ctr = 115.0 MPH V AND # 90.0 MPH SEISHIC LOADS

				OLIONIO LONDO
1. =	1.0			SEISMIC DESIGN CATEGORY: B
S1 =	0.085	Sm =	0.091	SITE CLASS: D
S1=.	0.048	5m #	0.077	ANALYSIS PROCEDURE: Equivalent Lateral Force Method

#### BUILDING-SPECIFIC LOADING INFORMATION

BLDG	Collateral Load (pst)	Cr	SNOW C.	Roof (Si Ps int			R	SEISMIC C1	
1	1.0	1.0	1.0	5.00	PartiallyEnclosed	± 0.55	3.25	0.028	0,15

THIS LETTER OF CERTIFICATION APPLIES SOLELY TO THIS BUILDING AND ITS COMPONENT PARTS AS FURNISHED AND/OR FAIRINGATED BY MUELLER, INC. AND SPECIFICALLY EXCLUDES FOUNDATION, MASONBY OR GENERAL CONTRACT WORK INCLUDING ERECTION CERTIFICATION. THE DESIGN AND CERTIFICATION FOR THIS PROJECT IS IN ACCORDANCE WITH THE PROVISIONS AND LOADS SPECIFIED ON THE CONTRACT DOCUMENTS THE CUSTOMER IS TO INSURE ALL LOADS ARE IN COMPLIANCE WITH LOCAL REGULATORY ALTHORITIES. ALL COMPONENTS AND PARTS MUST WITHSTAND THE WIND LOAD AND DESIGN SPECIFICATIONS MENTIONED ABOVE.

#### PANEL ACCESSORY INFORMATION

	PANEL TYPE	PANEL COLOR	TRIM COLOR
WALL SHEETS	126_R	LGR Lt Gray	CHR Charcoal Gray
ROOF SHEETS	125_PBR	GP Galvalume Plus	CHR Charcoal Gray

WARNING: IN NO CASE SHOULD GALVALISHE STEEL PANELS BE USED IN CONJUNCTION WITH LEAD OR COPPER BOTH LEAD AND COPPER HAVE HARMFUL CORROSION EFFECTS ON THE ALUMINUM ZINC ALLOY COATING WHEN THEY ARE USED IN CONTACT WITH GALVALLINE STEEL PANELS. EVEN RUN-OFF FROM COPPER FLASHING, WIRING, OR TUBING ONTO GALVALUME SHOULD BE AVOIDED

DEFLECTION LIMIT TABLE EW Column L/ 110 EW Roller (Leve) 1.7 100 EW Rater (Wind) 1.7 180 Wall Girl L/ 90 Roof Partin (Leve) L/ 150 Roof Puele (West) | L/ 150 Rigid Frame (Horiz) H/ 60 Rigid Frame (Vert) . L./ 100 Wind Framing H7 60

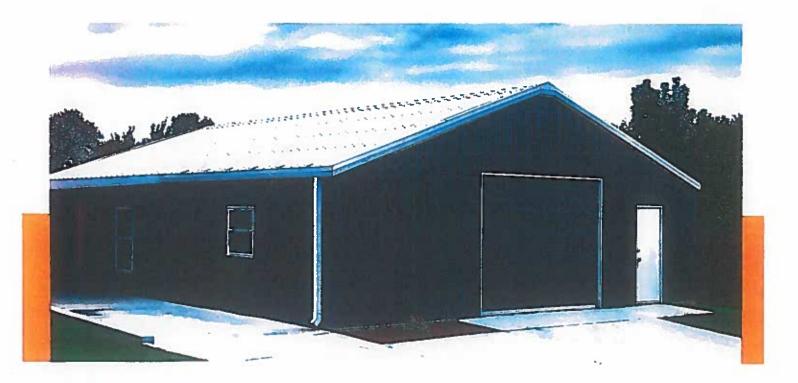
	DRAWING INDEX
PAGE	DESCRIPTION
Ċ1	COVERSHEET
ABI	ANCHOR BOLT PLAN
ABZ	ANCHOR BOLT DETALS
483	REACTIONS
E1	ROOF PLAN
E2	WALL ELEVATION AT GRID E
Ð	WALL ELEVATION AT GRID A
E4	WALL ELEVATION AT GRID I
ES	WALL ELEVATION AT GRID 3
64	FRAME ELEVATION ON GRID 1
17	FRAME ELEVATION ON GRID 2
	FRAME ELEVATION ON GRID 3
E101	ERECTION DETAILS
102	ERECTION OFTAILS
183	ERECTION DETAILS
6101	SHEETING DETAILS
F101	TRM DETAILS
107	TRIM DETAILS

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# CHOOSE THE HUE THAT'S RIGHT FOR YOU.



# **Planning & Zoning Department**

## **Zoning Staff Report**

#### Case: ZDC-59-2021

#### **MEETING DATE(S)**

Planning & Zoning Commission:

May 25, 2021

City Council:

June 7, 2021

#### <u>CAPTION</u>

**Public Hearing** on a request by Lenvill Phipps for a **Zoning Change** from a Commercial zoning district to Planned Development-Commercial, located at 1604 E. Main Street, (Property ID 195689) - Owner: 6<sup>TH</sup> STREET MIDLOTHIAN, LLC (ZDC-59-2021)

#### APPLICANT REQUEST

The applicant is requesting approval of a Planned Development (variance request) from City Council to not require a sidewalk along the front of his business (1604 E. Main St.).

CASE INFORMATION Applicant:	Lenvill Phipps, 6 <sup>th</sup> Street Midlothian, LLC.
Property Owner(s):	Lenvill Phipps, 6th Street Midlothian, LLC.
Site Acreage:	0.541 acres
Current Zoning:	Commercial
Requested Zoning:	Planned Development-Commercial
SUBJECT PROPERTY General Location:	1604 E. Main St.
Parcel ID Number(s):	195689
Existing Use:	Currently Undeveloped
Development History:	N/A

#### Table 1: Adjoining Zoning & Uses

Direction	Zoning	Current Use
North	LI1	Multi-Tenant Commercial/Industrial Building(s)
East	SF3	Undeveloped Land
South	LI1	Undeveloped Land
West	LI1	Undeveloped Land

Future Land Use Plan:

**Mixed Use Non-Residential** 



Comprehensive Plan:

<u>Mixed Use Non-Residential</u>: Similar to Mixed Use Residential, land designated with this land use are intended for a mixture of nonresidential and residential uses. The only difference would be that Mixed Use Nonresidential has a greater percentage of nonresidential components than residential. Specifically, 80 percent of the acreage or square footage of proposed developments are required to be nonresidential with the remaining 20 percent of the acreage or square footage allocated to residential. Southlake's Town Center is an example of Nonresidential Mixed Use.

#### Thoroughfare Plan:

The subject property is accessible via E. Main St.

Site Image:



#### PLANNING ANALYSIS

#### Purpose of Request:

The applicant is requesting approval of a Planned Development (variance request) from City Council to not require a sidewalk along the front of his business (1604 E. Main St.). The applicant intends to construct a 6,000 sq. ft. building on the subject property. Proposed use(s) for the site are currently unknown. Per the City of Waxahachie Zoning Ordinance, a Planned Development request must be reviewed by City Council.

#### Proposed Use:

Due to no sidewalks within the surrounding area, the applicant is requesting a Planned Development (variance request) to not construct a sidewalk. Though staff understands the applicant's reasoning for not wanting to construct a sidewalk, Section 3.5 (a) (Sidewalks) of the City of Waxahachie Subdivision Ordinance (Ord. 3151) states that "sidewalks not less than six feet (6') shall be provided within all non-residential developments." Although there are no sidewalks located within the surrounding area, as (residential and non-residential) growth continues to develop along E. Main St., sidewalks will be

advantageous as they provide a safe path for pedestrians to walk along, and also further minimize any potential interaction between pedestrians and motorized traffic.

(15)

#### STAFF CONCERNS

#### <u>Sidewalk</u>

Though staff understands the applicant's reasoning for not wanting to construct a sidewalk, the City of Waxahachie envisions the surrounding area to have sidewalks for the safety of pedestrians within the surrounding area.

#### APPLICANT RESPONSE TO CONCERNS

1. The applicant believes that due to no surrounding sidewalks near the subject property, a sidewalk should not be required of the applicant. The applicant intends to further state their reasoning at the May 25, 2021 Planning and Zoning meeting.

#### PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, <u>9</u> 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.

#### PUBLIC OWNER NOTIFICATION RESPONSES

Staff received one (1) letter of support for the proposed request.

#### 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

Due to staff concerns, staff recommends denial for the proposed request.

- Approval, as presented.
- Approval, per the following comments:

#### ATTACHED EXHIBITS

- 1. Property Owner Notification Responses
- 2. Location Exhibit
- 3. Site Photo

#### APPLICANT REQUIREMENTS

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

#### STAFF CONTACT INFORMATION

Prepared by: Colby Collins Senior Planner ccollins@waxahachie.com Reviewed by: Shon Brooks, AICP Director of Planning sbrooks@waxahachie.com

# (15)

Property	Oversit's Name	Arrest	Legal Desirfution	Danie's Address	Durie's City	Daniel's Etate C		Physical Address
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						TX		1510 E MAIN ST WAXAHACHIE TX 79105
	LEE TURNER MINISTRIES-LIFE OF VICTORY GLOBAL OUTREACH CENTER	0.1	272 8 M DURRETT D.1 ACRES	PO 80X 133	WAXAHACHIE	TX		1521 MLK JR BLVD WAXAHACHIE TX 75165
	GREATER NEW MT ZION MISSIONARY BAPTIST CHURCH		272 & M DURRETT 1:03 ACRES	PO 80X 135	WAXAHACHIE	TX	75168	DR MARTIN LUTHER KING JR BLVD WAXAHACHIE TX 75185
	AMERICASE	0.541	B DAVIS YOUNG ADDN 0.541 ACRES	6200 N INTERSTATE -35E	WAXAHACHIE	TX	75165	1806 HIGHWAY 287 WAXAHACHIE TX 75165
	6TH STREET MIDLOTHIAN LLC	0.541	LOT C DAVIS YOUNG ADON 0.541 AC	213 HIDDEN MEADOW CIR	MIDLOTHAN	TX	78085	1804 E MAIN ST WAXAHACHIE TX 79165
195690	FB POTTER HOLDINGS LLC	0.544	LOT D DAVIS YOUNG ADDN 0.544 AC	1802 E MAIN ST \$TE 100	WAXAHACHIE	TX	75185	1802 E MAIN ST WAXAHACHIE TX 75165
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City of Waxahachie, Texas Notice of Public Hearing Case Number: <u>ZDC-59-2021</u>

LOREN GRAY INVESTMENTS LLC PO BOX 2868 WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 25, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 7, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

 Request by Lenvill Phipps for a Zoning Change from a Commercial zoning district to Planned Development-Commercial, located at 1604 E. Main Street, (Property ID 195689)
 Owner: 6<sup>TH</sup> STREET MIDLOTHIAN, LLC (ZDC-59-2021)

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

Case Number: ZDC-59-2021

City Reference: 182021

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Tuesday, May 18, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to <u>Planning@Waxahachie.com</u> or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

SUPPORT	OPPOSE
Comments:	
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Printed Name and Title	Address
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It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)



## **Planning & Zoning Department**

## **Zoning Staff Report**

#### Case: ZDC-58-2021

#### **MEETING DATE(S)**

Planning & Zoning Commission:

May 25, 2021

City Council:

June 7, 2021



#### **CAPTION**

**Public Hearing** on a request by Shea Kirkman for a Zoning Change from a Commercial zoning district to Planned Development-Light Industrial, located just North of 1800 W Highway 287 Bypass (Property ID 279123) - Owner: SANDSTONE 93 PARTNERS, LTD (ZDC-58-2021)

#### **APPLICANT REQUEST**

The applicant is requesting approval of a Planned Development to allow an industrial business park on 93 acres.

CASE INFORMATION Applicant:	Kirkman Engineering
Property Owner(s):	Sandstone 93 Partners, LTD
Site Acreage:	93.18 acres
Current Zoning:	Commercial
Requested Zoning:	Planned Development-Light Industrial
SUBJECT PROPERTY General Location:	Located just North of 1800 W Highway 287 Bypass
Parcel ID Number(s):	279123
Existing Use:	Currently Undeveloped
Development History:	N/A

#### Table 1: Adjoining Zoning & Uses

Direction Zoning		Current Use
North	SF1	Undeveloped Land
East PD-C		Undeveloped Land
South	С	Waxahachie Autoplex
West LI & PD-SF3		Walgreens Distribution Center & Settler's Glen Subdivision

Future Land Use Plan:	Highway Commercial and Low Density Residential
Comprehensive Plan:	<ul> <li><u>Highway Commercial</u>: Highway Commercial areas are intended to allow for traditional commercial land sues, 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.</li> <li><u>Low Density Residential</u>: Low Density Residential category is representative of smaller single family homes and some duplex units. The majority of Waxahachie's current development is of similar density. It is appropriate to have approximately 3.5 dwelling units per acre.</li> </ul>
Thoroughfare Plan:	The subject property is accessible via Patrick Rd. The applicant is also proposing a "potential future access" drive from IH-35 service road.
Site Image:	



#### PLANNING ANALYSIS

#### Purpose of Request:

The applicant is requesting approval of a Planned Development to allow an industrial business park on 93 acres. Per the City of Waxahachie Zoning Ordinance, a Planned Development request is required to be reviewed by City Council.

#### Proposed Use:

The applicant intends to create a Planned Development to allow for an industrial business park. The project is located on the east side of Patrick Road, approximately 850 feet north of the intersection of Patrick Road and the US 287 Access Road, and east of the Walgreens Distribution Center. Per the Concept Plan, the applicant is proposing to construct three industrial buildings. The buildings are proposed to be constructed based on the tenants that will use the property. The development intends to allow uses such as Call Center and Telemarketing Services, Cold Storage Warehouse, Data Processing Center and/or Services, Distribution Warehouse, General Warehouse, Logistics Warehouse, Office Showroom, and Package Delivery Services uses. At this time, the applicant has stated that no tenants are currently known and the phasing has not been determined.

#### Planned Development Notes

- A. There will be a maximum height of 6 stories for all structures within the Planned Development.
- B. Landscape Buffer (Residential Adjacency) A twenty-five foot (25') landscape buffer is proposed along Patrick Road where adjacent to the existing residential development. Within that landscape buffer, a three foot earthen berm shall be provided along with trees spaced at one tree per 100' of adjacency to the roadway. All trees shall be three-inch (3") minimum caliper diameter at breast height (dbh) at the time of planting. Utilities may be located in the landscape buffer.
- C. <u>Landscape Buffer (Non-Residential Adjacency)</u> A ten foot (10') landscape buffer is proposed along Patrick Road where adjacent to existing non-residential developments. Within that landscape buffer, trees shall be provided and spaced at one tree 100' of adjacency to the roadway. All trees shall be three-inch (3") minimum caliper diameter at breast height (dbh) at the time of planting. Utilities may be located in the landscape buffer.
- D. \*Staff Note: No access from US 287 to Patrick Rd. will be supported by staff.

#### SPECIAL EXCEPTION/VARIANCE REQUEST:

#### <u>Sidewalks</u>

Per the City of Waxahachie Subdivision Ordinance, "sidewalks not less than six feet (6') shall be provided within all non-residential developments."

• The applicant is not proposing any sidewalks for the development.

#### Masonry Screening Wall

Due to being adjacent to Single Family zoning along the north and northwest boundary of the property, a minimum 6ft. masonry screening wall is required.

• The applicant is requesting an option of 6ft. masonry wall or a 3ft. landscape berm and landscaping as options along Patrick Rd.

#### Submittal Deadlines

Detailed site plan submittals have a 1 year deadline.

• The applicant is proposing the deadline be extended from 1 -year to 3-years.

#### STAFF CONCERNS

#### Unknown Uses/Upzoning

Staff has concerns with upzoning the subject property without knowing the specific uses/tenants that will potentially occupy the development. Staff suggests that the applicant specify which uses are likely to be used within the development, opposed to the wide-ranging list provided.

Current proposed uses include: Call Center and Telemarketing Services, Cold Storage Warehouse, Data Processing Center and/or Services, Distribution Warehouse, General Warehouse, Logistics Warehouse, Office Showroom, and Package Delivery Services

#### Traffic/Noise

Staff has concerns with the potential truck traffic/noise concerns that could come with approving the proposed Planned Development. In addition, staff has received letters of opposition from the adjacent subdivision (Settler's Glen Subdivision) regarding similar concerns.

#### Masonry Screening Wall

Due to being adjacent to Single Family zoning along the north and northwest boundary of the property, a minimum 6ft. masonry screening wall is required. The applicant is requesting an option of 6ft. masonry wall or a 3ft. landscape berm and landscaping as options along Patrick Rd. Staff suggests that the applicant revise the Planned Development Provisions and Concept Plan to specifically label where a screening wall and landscape wall will be placed on the site.

#### **Sidewalks**

Per the City of Waxahachie Subdivision Ordinance, "sidewalks not less than six feet (6') shall be provided within all non-residential developments." The applicant is not proposing any sidewalks for the development.

#### APPLICANT RESPONSE TO CONCERNS

1. The applicant understands staff's concerns and intends to state their reasoning at the May 25, 2021 Planning and Zoning meeting.

#### PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, <u>29</u> 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 five (5) letters of opposition for the proposed development.

#### 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
  - Due to staff concerns, staff is recommending denial.
- Approval, as presented.
- Approval, per the following comments:

#### ATTACHED EXHIBITS

- 1. Property Owner Notification Responses
- 2. Planned Development Provisions
- 3. Sandstone Exhibit Packet

#### **APPLICANT REQUIREMENTS**

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

(17)

b. If all comments satisfied, applicant shall provide a set of drawings that incorporate all comments.

#### **STAFF CONTACT INFORMATION**

Prepared by: Colby Collins Senior Planner ccollins@waxahachie.com Reviewed by: Shon Brooks, AICP Director of Planning sbrooks@waxahachie.com

Propertyl		Annia		Owner's Address	Owner's City	Owner's State   Owne	() ZP	Pinskal Aldress
175962	THORNHILL IP LLC	6.84	LOT 1 THORNHILL IND 6 54 AC	408 VICTORIAN DR	WAXAHACHIE		165	1800 W HIGHWAY 287 WAXAHACHIE TX 75165
180171	REED LAND MANAGEMENT LTD	100	835 WM PAINE 100 ACRES	4125 WINDSOR PKWY	DALLAS	TX 75	205	PATRICK RD WAXAHACHIE TX 75167
169175	WALGREEN CO RENATA A EVTIMOV	149 617	835 VM PAINE 149 817 ACRES	PO BOX 1159	DEERFIELD	IL 60	015	710 FM 664 WAXAHACHIE TX 75167
169177	BAYLOR HEALTH CARE SYSTEM	19 842	835 V/M PAINE 19 642 ACRES	2001 BRYAN ST STE 2200	DALLAS	TX 75	201	INTERSTATE 35 WAXAHACHIE TX 75185
169180	BAYLOR HEALTH CARE SYSTEM	59 938	835 VM PAINE N/A 59 938 ACRES	2001 BRYAN ST STE 2200	DALLAS	TX 75	201	SOLON RD WAXAHACHIE TX 75185
220557	WAXAHACHIE REALTY LLC	5	835 WM PAINE 5 ACRES	425 WEST CAPITOL STE 3600	LITTLE ROCK	AR 72	201	2405 N INTERSTATE 35 WAXAHACHIE TX 75167
269118	HUCKABY HAYDEN & COURTNEY	D.141	LOT 59 BLK A SETTLERS GLEN ADDN PH 4_0.141 AC	182 COLTER DR	WAXAHACHIE	TX 75	167	182 COLTER DR WAXAHACHIE TX 75167
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269203	VARA ALYSSA & ROBERT GARZA	0.143	LOT 16 BLK U SETTLERS GLEN ADON PH 4 143 AC	168 COLTER DR	WAXAHACHE	TX 75	167	188 COLTER DR WAXAHACHIE TX 75187
289204	STREET JASON & MISTY	0.158	LOT 17 BLK U SETTLERS GLEN ADON PH 4 0.158 AC	166 COLTER DR	WAXAHACHIE	TX 75	167	186 COLTER DR WAXAHACHIE TX 75167
272151	CHARLES JOSE C	0.137	LOT 54 BLK A SETTLERS GLEN ADON PH 5 .137 AC	172 COLTER DR	WAXAHACHIE	TX 75	167	172 COLTER DR WAXAHACHIE TX 75167
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275967	MATTRE JORDAN D & LORI B		LOT 44 BLK A SETTLERS GLEN ADON PH 6 .146 AC	155 WAGON MOUND DR	WAXAHACHIE		167	158 WAGON MOUND WAXAHACHE TX 75167
275968	ARNOLD JEFFREY W		LOT 45 BLK A SETTLERS GLEN ADON PH 6 .314 AC	154 COLTER DR	WAXAHACHIE	TX 75		154 COLTER DR WAXAHACH/E TX 75167
275970	MOORE GREGORY L & DEBORAH J		LOT 47 BLK A SETTLERS GLEN ADON PH 6 0.135 AC	158 COLTER DR	WAXAHACHIE		167	158 COLTER DR WAXAHACHE TX 75167
275971	WILLIAMS-SIDERS PAMELA	0.137	LOT 48 BLK A SETTLERS GLEN ADON PH 6 .137 AC	160 COLTER DR	WAXAHACHIE	TX 75		180 COLTER DR WAXAHACHIE TX 75167
275972	STANDERFER BLAKE J	0.137	LOT 49 BLK A SETTLERS GLEN ADON PH 6 137 AC	162 COLTER DR	WAXAHACHIE	TX 75	167	162 COLTER DR WAXAHACHIE TX 75167
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City of Waxahachie, Texas Notice of Public Hearing Case Number: <u>ZDC-58-2021</u>

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COONE CNE A & RYAN A 174 COLTER DR WAXAHACHIE, TX 75167

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 25, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 7, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

 Request by Shea Kirkman for a Zoning Change from a Commercial zoning district to Planned Development-Light Industrial, located just North of 1800 W Highway 287 Bypass (Property ID 279123) - Owner: SANDSTONE 93 PARTNERS, LTD (ZDC-58-2021)

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

Case Number: ZDC-58-2021

SUPPORT

City Reference: 272152

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Tuesday, May 18, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to <u>Planning@Waxahachie.com</u> or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

Comments:

Signature

<u>R. cn</u> Coone Printed Name and Title

**1** OPPOSE

Date

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

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WAXAHACHIE, TX 75167	
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mail: <u>Planning@Wasabachic</u>	City Reference: 272153
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mail: <u>Planning Wasshachic</u> Case Number: <u>ZDC-55-2021</u> Your response to this notification Stop P.Mu on <i>Thereday, May 18, 2</i> to <u>Planning Wasshachic.com</u> Attention: Planning, 401 South SUPPOR	City Reference: 272153 City Reference: 272153 a is optional. If you choose to respond, please return this form by 27 to ensure inclusion in the Agenda Packet. Forms can be e-mailed or you may drop off/mail your form to Gity of Waxahachie, Rogers Street, Waxahachie, TX 75165.
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City of Waxahachie, Texas Notice of Public Hearing Case Number: <u>ZDC-58-2021</u>

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TEDESCO JOSEPH & MELINDA 194 COLTER DR WAXAHACHIE, TX 75167

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 25, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 7, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

 Request by Shea Kirkman for a Zoning Change from a Commercial zoning district to Planned Development-Light Industrial, located just North of 1800 W Highway 287 Bypass (Property ID 279123) - Owner: SANDSTONE 93 PARTNERS, LTD (ZDC-58-2021)

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Case Number: ZDC-58-2021

City Reference: 269200

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	OPPOSE
Comments: The road way this project	is being used will Not support
the troffic. Patrick Rd has +	obe resurfaced at least bray a year
Tomalento	5-16-21
Signazare	Date
Joseph Tedesco Printed Name and Title	194 Colter Dr Address

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

Case Number: ZDC-58-2021

City Reference: 275974

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on Tuesday, May 18, 2021 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, RECEIVED NAY 1 7 2021 Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.





Comments:

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Her Dr., Date

Printed Name and

Waxahachie,TX

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



City of Waxahachie, Texas Notice of Public Hearing Case Number: ZDC-58-2021

VANZANTEN ANDRE & BRIANNA 164 COLTER DR WAXAHACHIE, TX 75167 RECEIVED MAY 1 8 2021

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 25, 2021 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 7, 2021 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

 Request by Shea Kirkman for a Zoning Change from a Commercial zoning district to Planned Development-Light Industrial, located just North of 1800 W Highway 287 Bypass (Property ID 279123) - Owner: SANDSTONE 93 PARTNERS, LTD (ZDC-58-2021)

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

Case Number: ZDC-58-2021

City Reference: 275973

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *Tuesday, May 18, 2021* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to <u>Planning@Waxahachie.com</u> or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

Comments:	SUPPORT	OPPOSE	
BALLAND Signature BY I (11/10) Printed Name an	Van Janken a Vanzanten, nome of	S/7/21 Date Duner 104 Coller Dr. Walkaryau Address	- - - 6R 7X 75147

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

## SANDSTONE 93 ACRES PLANNED DEVELOPMENT DISTRICT

#### Statement of Purpose and Intent

The intent of this Planned Development (PD) is to provide regulations for the development of an industrial business park on 93.357 acres of land within the City of Waxahachie, Texas. These regulations are intended to provide flexibility in terms of development while maintaining standards that will encourage future growth. Except as modified or amended herein, this Planned Development shall conform to all applicable sections of the City of Waxahachie Code of Ordinances.

#### Project Location

The project is located on the east side of Patrick Road approximately 850 feet north of the intersection of Patrick Road and the US 287 Access Road. It is west of Interstate 35 and directly east of the Walgreens Distribution Center. It is situated in the William Paine Survey, Abstract No. 835 and is more fully described in the attached legal description (Exhibit A) and depicted on the Location Map Exhibit (Exhibit B).

#### **Development Standards**

All development within the boundary of this Planned Development District shall adhere to the rules and regulations set forth herein. This zoning document and the Exhibits listed below supersede any existing zoning, use and development regulations for the tract of land described herein.

- Exhibit A Legal Description of Property
- Exhibit B Location Map Exhibit
- Exhibit C Concept Plan Exhibit
- Exhibit D Utility Exhibit
- Exhibit E Access Exhibit
- Exhibit F Landscape Exhibit
- Exhibit G Building Elevation Examples

#### **Development Regulations**

- 1. Except as otherwise defined in this Agreement, terms used herein shall be the same as those found in the Code of Ordinances City of Waxahachie, Texas Appendix A Zoning in effect on the effective date of this Agreement (hereinafter, the "Zoning Ordinance").
- The base zoning for the subject property shall comply with the Light Industrial-1 (LI1) Zoning District as it exists in the Zoning Ordinance. In addition to the uses allowed by right under the Light Industrial – 1 (LI1) Zoning District, the following uses shall be permitted by right within the subject property:

Call Center and Telemarketing Services Cold Storage Warehouse

- Data Processing Center and/or Services Distribution Warehouse General Warehouse Logistics Warehouse Office Showroom Package Delivery Services
- 3. Building and area regulations are the same standards set forth in the Light Industrial-1 (LI1) Zoning District and are as follows:

<b>Building Area Requirements:</b>	54 B
Minimum Lot Size:	7,000 SF
Maximum Height:	6 stories
Minimum Lot Width:	70 feet.
Minimum Lot Depth:	100 feet.
Minimum Front Yard:	40 feet.
Minimum Side Yard:	30 feet.
Minimum Rear Yard:	30 feet.
Maximum Lot Coverage:	50% for the main structure. 60% for all structures, accessory buildings, and pavement.

#### 4. Parking:

One (1) parking space per 1,000 s.f. of warehouse space up to 20,000 sf and one (1) space per 4,000 s.f. thereafter. Parking for office shall be one (1) parking space per 300 s.f. of office area. Truck court areas may be striped to meet this requirement if necessary. The utilization of shared and/or converted parking is encouraged to reduce impervious coverage. The Planning Director or his/her designee is authorized to permit on a case by case basis a reduction in the required parking based on the actual demonstrated needs of a specific tenant or user.

#### 5. Exterior Construction and Building Articulation Requirements:

Main Facade : (Exterior building sides which face a public street or residentially zoned property)

#### **Main Façade Elements**

Two (2) masonry accent materials which comprise 50% of the vertical surface area of the facade. Masonry accent material is defined as either brick, stone, cast stone, cultured stone, tilt wall concrete with minimum 2" reveals or Portland cement (stucco). Metal panel or engineered wood may substitute for masonry on a maximum of 15% of each facade.

Glass curtainwall or storefront of a minimum of 40% of the wall surface in which it resides, for 10% of the length of the façade. Articulation of at least two separate areas of both horizontal and vertical offsets of a minimum of 5% of the building height, for a cumulative total of 30% of the building length.

The Planning and Zoning Commission may allow exceptions to this requirement upon review and approval of a typical façade elevation. Loading dock doors and walls are exempt from the articulation requirements.

Secondary Facade: (Exterior sides not defined as Main Facades)

Secondary Façade Elements

Masonry accent or accent color comprising 10% - 25% of the area of the façade. Articulation with at least two separate areas of vertical offset at a dimension of at least 5% of the building height with a cumulative length of 15% of the overall building length and 2 areas of horizontal offset with a dimension of at least 15% of the building height with a cumulative length of 10% of the building height with a cumulative length of 10% of the overall building height with a cumulative length of 10% of the overall building height with a cumulative length of 10% of the overall building height with a cumulative length of 10% of the overall building height with a cumulative length of 10% of the overall building length.

The Planning Director may allow exceptions to the Exterior Construction and Building Articulation Requirements upon review and approval of a typical façade elevation. Loading dock doors and walls are exempt from the articulation requirements .

Examples of acceptable building facades are shown on Exhibit " G".

#### 6. Landscape Buffer Requirements:

Street trees and buffer planting will be credited against on-site landscaping requirements.

Landscape Buffer (Residential Adjacency)- A twenty-five foot (25') landscape buffer shall be provided along Patrick Road where adjacent to the existing residential development. Within that landscape buffer, a three foot earthen berm shall be provided along with trees spaced at one tree per 100' of adjacency to the roadway. All trees shall be three-inch (3") minimum caliper diameter at breast height (dbh) at the time of planting. Utilities may be located in the landscape buffer.

Landscape Buffer (Non-Residential Adjacency) – A ten foot (10') landscape buffer will be provided along Patrick Road where adjacent to existing non- residential developments. Within that landscape buffer, trees shall be provided and spaced at one tree 100' of adjacency to the roadway. All trees shall be three-inch (3") minimum caliper diameter at breast height (dbh) at the time of planting. Utilities may be located in the landscape buffer.

<u>Landscape Areas</u> – This PD shall meet the landscaping requirement from Section 5.04 of the zoning ordinance with the following exceptions:

- a. Landscape buffers will be provided as shown in this PD and attached exhibits
- b. A minimum of 10% landscape area shall be provided
- c. Landscape buffers, open spaces and detention ponds shall be included in the required landscape area calculations
- d. Truck court and truck parking areas shall be excluded from section 4.05 (f) pertaining to parking lot landscaping
- 7. <u>Parking Areas Within Truck Loading and Maneuvering Areas</u>: There shall be no required landscaped islands or trees.

#### 8. Concept Plan:

The Concept Plan attached hereto as Exhibit C and incorporated herein by reference, demonstrates potential locations and relationships of the uses permitted under this PD. Because of anticipated development dynamics, it is anticipated that the overall Concept Plan will change from time to time. Revisions to the Concept Plan shall not be considered to be an amendment to the PD zoning requirements.

#### 9. Site Plan:

The detailed Site Plan submittal deadline shall be three (3) years instead of one (1) year. Site Plans shall be required for all developments within this PD and shall be administratively reviewed and approved in accordance with the Concept Plan by the Planning Director, or his/her designee, such approval not to be unreasonably withheld, delayed or conditioned and with full rights of appeal to the Planning and Zoning Commission and/or City Council. The process for approving required Concept Plans and Site Plans may not be used to require conditions that conflict with or are inconsistent with the terms of this document. Concept Plans and Site Plans may be submitted and approved on a project basis and no particular phasing or development schedule shall be required.

#### EXHIBIT A Legal Description of Property

BEING all that parcel of land located in the City of Waxahachie, Ellis County, Texas and being a part of the William Paine Survey, Abstract No. 835, being all of that called 46.59 acre tract of land described in deed to M & I Jackson Properties, Ltd. recorded in Volume 1434, Page 318, Deed Records Ellis County, Texas, being all of that called Tract One, a 46.59 acre tract of land described in deed to M & I Jackson Properties, Ltd. recorded in Volume 2059, Page 1411, Deed Records Ellis County, Texas and being further described as follows:

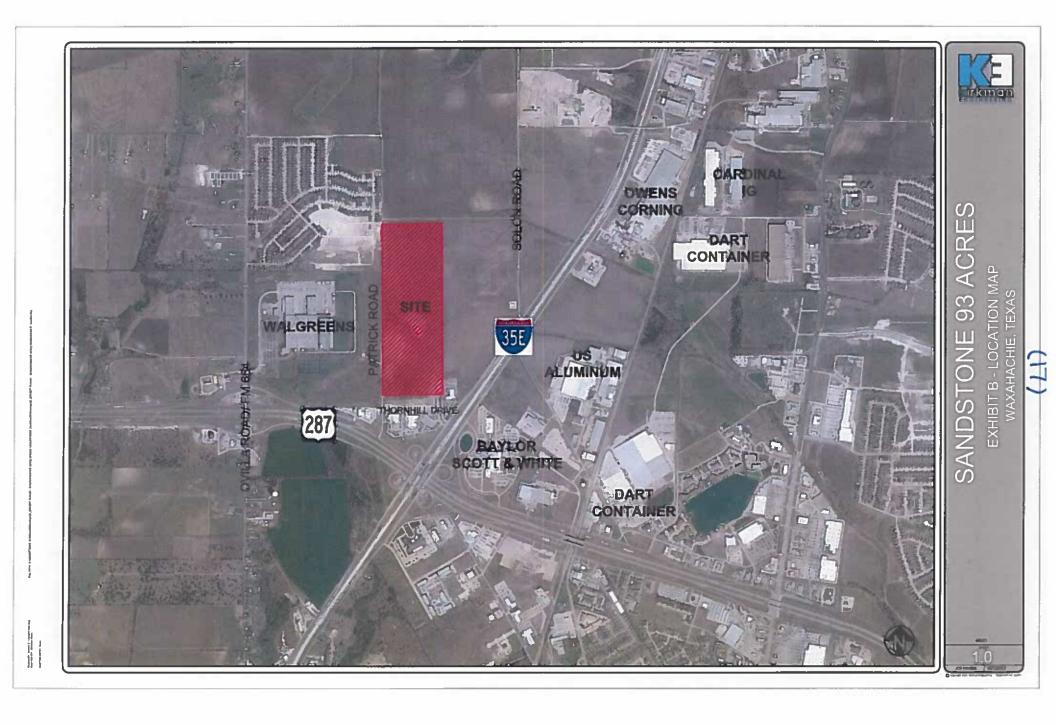
BEGINNING at a one-half inch iron rod found at the southeast corner of said 46.59 acre tract of land, said point being the northeast corner of Lot 1, Thornhill Industrial Park, an addition to the City of Waxahachie, recorded in Cabinet B, Slide 286, Plat Records Ellis County, Texas, and said point being in the west line of that called 4.9972 acre tract of land described in deed to Waxahachie Realty, LLC recorded in Volume 2672, Page 181, Deed Records Ellis County, Texas;

THENCE South 88 degrees 39 minutes 12 seconds West, at 1,168.05 feet passing the northwest corner of said Lot 1, in all a total distance of 1,191.79 feet to a one-half inch iron rod with cap stamped "3B" set at the southwest corner of said 46.59 acre tract of land and being the northwest corner of said Thornhill Industrial Park, said point being in the east line of that called 149.617 acre tract of land described in deed to Walgreen Co. recorded in Volume 1709, Page 158, Deed Records Ellis County, Texas, and said point being in the approximate centerline of Patrick Road (a variable width right-of-way);

THENCE North 01 degrees 06 minutes 25 seconds West, along the approximate centerline of Patrick Road, at 1,711.59 feet passing the northwest corner of said 46.59 acre tract of land and being the southwest corner of said Tract One, in all a total distance of 3,421.11 feet to a one-half inch iron rod with cap stamped "3B" set at the northwest corner of said Tract One, said point being in the east line of Settler's Glen Addition, Phase 4, an addition to the City of Waxahachie, recorded in Cabinet J, Slide 51, said point being at the southwest corner of that called 575.9698 acre tract of land described in deed to Reed Land Management, Ltd. recorded in Volume 1880, Page 1988, Deed Records Ellis County, Texas and said point being at the intersection with the approximate centerline of an east/west unimproved road (an unrecorded right-of-way);

THENCE North 88 degrees 46 minutes 02 seconds East, 1,186.35 feet along the south line of said 575.9698 acre tract of land to a one-half inch iron rod with cap found at the northeast corner of said Tract One, said point being the northwest corner of that called Tract 1, a 63.88 acre tract of land described in deed to Baylor Health Care System recorded in Volume 2352, Page 881, Deed Records Ellis County, Texas, and said point being in the approximate centerline of an unimproved road;

THENCE South 01 degrees 11 minutes 53 seconds East, at 1,613.18 feet passing a one half inch iron rod found at the northwest corner of that called Tract 2, a 19.62 acre tract of land described in said Baylor Health Care System deed, to which a capped one-half inch iron rod bears North 88 degrees 33 minutes 58 seconds East, 2.03 feet to the southwest corner of said Tract 1, at 1,714.27 feet passing the southeast corner of said Tract One and said point being the northeast corner of said 46.59 acre tract of land, at 2,960.48 feet passing a one-half inch iron rod found at the most westerly southwest corner of said Tract 2, and in all a total distance of 3,418.73 feet to the POINT OF BEGINNING and containing 4,066,507 square feet or 93.354 acres of land.













#### EXHIBIT G Building Elevation Examples





