NOTICE OF PLANNING & ZONING COMMISSION BRIEFING SESSION
JULY 24, 2018
CITY COUNCIL CONFERENCE ROOM
401 S. ROGERS
WAXAHACHIE TEXAS
6:15 P.M.

Agenda

Commission Members: Rick Keeler, Chairman
Melissa Ballard, Vice Chairman
Betty Square Coleman
Bonney Ramsey
Jim Phillips
Erik Barnard
David Hudgins

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

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

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.
AGENDA

The Waxahachie Planning & Zoning Commission will hold a regular meeting on Tuesday, July 24, 2018 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Commission Members: Rick Keeler, Chairman
Melissa Ballard, Vice Chairman
Betty Square Coleman
Bonney Ramsey
Jim Phillips
Erik Barnard
David Hudgins

1. Call to Order

2. Invocation

3. Consent Agenda

All matters listed under Item 3, Consent Agenda, are considered routine by the 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 July 10, 2018
   b. Minutes of the Planning and Zoning Commission briefing of July 10, 2018

4. Consider request by Ken Rogers, Herbert Beasley Land Surveyors LP for a Replat of Lot 4R Waxahachie Civic Center to create Lots 4R-1, 4R-2, and 4R-3 Waxahachie Civic Center, 14.172 acres (Property ID 227433) – Owner: LOOKOUT PARTNERS LP (RP-18-0109)


7. **Continue Public Hearing** on a request by Verlin Taylor, VKT Associates, for a Zoning Change from a Commercial zoning district to **Planned Development-Commercial, with Concept Plan**, located at 1501 Dr. Martin Luther King Jr. Blvd., being 272 S M DURRETT 0.3426 ACRES (Property ID 182074) - Owner: VKT ASSOCIATES LLC (PD-18-0079)

8. **Consider** recommendation of Zoning Change No. PD-18-0079

9. **Public Hearing** on a request by Chad Hill for a Specific Use Permit (SUP) for **Accessory Building (Residential), Greater than or Equal to 700 S.F.** use within a Planned Development-23-Single Family-1 zoning district, located at 141 Willowcrest, LOT 11A LAKEVIEW-REV 1.23 AC (Property ID 174724) - Owner: HILL CHAD W & CASI L (SU-18-0114)

10. **Consider** recommendation of Zoning Change No. SU-18-0114

11. Public Comments

12. Adjourn

The Planning & Zoning Commission reserves the right to go into Executive Session on any posted item.

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

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**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.
The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, July 10, 2018 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present:  Rick Keeler, Chairman  
Betty Square Coleman  
Bonney Ramsey  
Jim Phillips  
Erik Barnard

Members Absent:  Melissa Ballard, Vice Chairman  
David Hudgins

Others Present:  Shon Brooks, Director of Planning  
Kelly Dent, Planner  
James Gaertner, City Engineer  
Tommy Ludwig, Executive Director of Community Development  
Lori Cartwright, City Secretary  
Mary Lou Shipley, Council Representative

1. Call to Order  
2. Invocation

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

3. Consent Agenda

a. Minutes of the regular Planning & Zoning Commission meeting of June 26, 2018  
b. Minutes of the Planning and Zoning Commission briefing of June 26, 2018

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

4. Consider request by Hannah Kirkman for a Replat of Lots 58, 59 and part of 60, Ferris Second Addition - Revised, to create Lots 58A and 59A, Ferris Second Addition - Revised, 0.657 acres (Property ID 173378 and 173369) – Owner: KYLE & HANNAH KIRKMAN and THERESA A GASE (RP-18-0099)

Ms. Kelly Dent, Planner, reported the Replat pertains to two lots with two separate owners. She explained staff discovered a lot of the properties along Dunn Street had been divided by meets and bounds which means they have been sold off by deed rather than plating. It was discovered when one of the property owners came in and attempted to expand their residence and it was discovered that their potential expansion crossed their lot line. Ms. Dent stated the Replat will clean up both lots allowing both owners to expand their residences as desired. She reported staff received two (2) property owner notifications in support of RP-18-0099. Staff recommended approval as presented.
Planning and Zoning Commission
July 10, 2018
Page 2

Action:
Mr. Jim Phillips moved to approve a request by Hannah Kirkman for a Replat of Lots 58, 59 and part of 60, Ferris Second Addition - Revised, to create Lots 58A and 59A, Ferris Second Addition - Revised, 0.657 acres (Property ID 173378 and 173369) – Owner: KYLE & HANNAH KIRKMAN and THERESA A GASE (RP-18-0099) subject to staff comments. Ms. Betty Square Coleman seconded, All Ayes.

5. Consider request by Bryan Connally, CBG Surveying, LLC, for a Preliminary Plat of Rodriguez-King Addition for 2 lots, being 2.00 acres situated in the Silas M. Durrett Survey, Abstract 272 (Property ID 182038) – Owner: CFLP INVESTMENTS LLC (PP-18-0102)

Ms. Dent reported the property is located along Martin Luther King Boulevard noting the development fronts onto a TxDOT right-of-way. She explained to build a residence on Lot 1, a driveway permit from TxDOT is needed and because of the spacing, a variance from TxDOT is needed as well. Ms. Dent stated this is not an issue at platting, but staff wants to ensure everyone is aware of this.

Action:
Mr. Jim Phillips moved to approve a request by Bryan Connally, CBG Surveying, LLC, for a Preliminary Plat of Rodriguez-King Addition for 2 lots, being 2.00 acres situated in the Silas M. Durrett Survey, Abstract 272 (Property ID 182038) – Owner: CFLP INVESTMENTS LLC (PP-18-0102) subject to staff comments. Ms. Betty Square Coleman seconded, All Ayes.

6. Public Hearing on a request by John Blacker, Hart, Gaugler, & Associates for a Specific Use Permit (SUP) for Private School use within a Light Industrial-1 zoning district, located at 3209 N Highway 77 and 150 W. Butcher Road, being LOT 1 BLK A LIFE SCHOOL WAXAHACHIE ADDN & LOT 2 BLK A BOYKIN BUSINESS PARK PH 2 43.554 AC and LOT 1R BLK A BOYKIN BUSINESS PARK PH 2 2.311 AC (Property ID 191082 and 233735) - Owner: LIFESCHOOL OF DALLAS (SU-18-0104)

Chairman Keeler stated the application submitted was for a private school and staff was informed today the school is a charter school therefore the stipulations of a specific use permit is not required.

Mr. Shon Brooks, Director of Planning, asked the representative if he would formally withdraw the application for record.

Mr. Shawn Thomas, Lifeschool of Dallas Director of Operations, 606 Hanover Drive, Waxahachie, requested to withdraw application SU-18-0104 because it is not necessary for this location.

7. Consider recommendation of Zoning Change No. SU-18-0104

Action:
No action taken.

Ms. Dent reported the final plat for The Life School was approved on March 2, 2015 and the replat for Boykin Business Park was approved on March 2, 2015. She reported the applicant’s submittals have addressed all platting concerns however fees remain outstanding therefore the plat cannot be filed until all fees are cleared. Staff recommended approval per comments.

Action:
Mrs. Bonney Ramsey moved to approve a request by John Blacker, Hart, Gaugler, & Associates for a Replat of Lot 1, Block A, Lifeschool Waxahachie Addition and Lot 1R, Block A, Boykin Business Park Phase 2, to create Lot 1R, Block A, Life School Waxahachie Addition, 45.142 acres (Property ID 191082 and 233735) – Owner: LIFESCHOOL OF DALLAS (RP-18-0103) subject to staff comments. Mr. Erik Barnard seconded, All Ayes.

9. Continue Public Hearing on a request by Josh Spoerl, Arrive Architecture Group, for a Zoning Change from a General Retail zoning district to General Retail and Planned Development-Mixed Use Residential, with Concept Plan, located at NE corner of US 287 Bypass Service Road at FM 813, being 911 R RUSSELL 7.121 ACRES and 911 R RUSSELL 10.6200 ACRES (Property ID 227073 and 138302) - Owner: LYONS AMERICAN SECURITIES INC (PD-18-0074)

Chairman Keeler continued the Public Hearing.

Ms. Dent reported the applicant seeks to develop the property in four (4) tracts that will accommodate hotel, mixed-use residential, office, and retail use. She reported the mixed-use residential will be on tract 1 with a Planned-Development-Mixed Use Residential zoning. It will consist of 220 apartment dwellings in a four (4) story building. This will have fifty-one (51) tuck-under single car garages, a reduction from the requirement of having 110 garages. The trash-compactor is approximately 290 feet from the furthest apartment unit, though City standards set a maximum distance of 250 feet. The building will be greater than the City’s 200-foot maximum. Tract 2 will house the hotel, with a food or café option. Tract 3 will house nine (9) potential restaurants, while tract 4 will have the office/retail component. All buildings on the various tracts will share a compatible color palette. Ms. Dent noted staff would like to see the ground floor of the multi-use-residential have more retail on the ground floor. She stated, at this time staff is not comfortable with the concept plan and recommended denial.

Mr. Richard Rozer, 4250 Black Champ Road, Midlothian, representing owner, gave the history of the property and the idea came to provide a project that is not yet in Waxahachie. He stated after a lot of thought and planning they arrived at the proposed Concept Plan. He gave a broad overview of the concept noting they are looking at approximately 30,000 square feet of retail. They will tie roads together tying into Dean Box. He stated the Planned Development process is a conceptual process noting there is no desire to completely develop the property.
Mr. Mark Olson, Principal of Arrive Architecture Group, Bedford, Texas, reviewed renderings of the multi-use residential buildings noting it will be very high end. He stated his firm has done many projects of this type.

Mr. Tim Lyons, owner, 450 North Oak Branch Road, Waxahachie, stated he owns the property from the corner down to the Holiday Inn and behind Target and since 2006 he has been working to develop this property and shared his vision with a hotel, multi-use residential, general retail and premier restaurants. Mr. Lyons stated he would like to build to the back of the property and work his way to the front with development. He stated he is a life-long resident of Waxahachie and he will put in a premier development.

After a lengthy discussion and there being no others to speak for or against PD-18-0074, Chairman Keeler closed the Public Hearing.

10. Consider recommendation of Zoning Change No. PD-18-0074

Action:  
Mr. Jim Phillips moved to approve a request by Josh Spoerl, Arrive Architecture Group, for a Zoning Change from a General Retail zoning district to General Retail and Planned Development-Mixed Use Residential, with Concept Plan, located at NE corner of US 287 Bypass Service Road at FM 813, being 911 R RUSSELL 7.121 ACRES and 911 R RUSSELL 10.6200 ACRES (Property ID 227073 and 138302) - Owner: LYONS AMERICAN SECURITIES INC (PD-18-0074) subject to the following stipulations:

- Tract 2 – only structure to be built is a four story hotel
- Tract 3 - to have only restaurants without drive through facility
- Tract 4 - to have office General Retail usage with no drive through
- Village Parkway will be built all at once to include landscaping except for the northwest corner near Brown Street
- Detail Site Plan must be provided to Planning and Zoning Commission with Architectural Standards

Ms. Betty Square Coleman seconded, All Ayes.

11. Public Hearing on a request by Majd Chweki, Q Mart, for a Specific Use Permit (SUP) for Convenience Store use within a General Retail zoning district, located at 104 N Highway 77, Suite 106, being 50C 100A FERRIS 2ND 0.301 ACRES (Property ID 173382) - Owner: STEPHEN D SMITH (SU-18-0107)

Chairman Keeler announced the applicant withdrew his application.

12. Consider recommendation of Zoning Change No. SU-18-0107

Action:  
No action to be taken
13. **Public Comments**

None

14. **Adjourn**

There being no further business, the meeting adjourned at 8:44 p.m.

Respectfully submitted,

Lori Cartwright  
City Secretary
The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, July 10, 2018 at 6:30 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman  
Betty Square Coleman  
Bonney Ramsey  
Jim Phillips  
Erik Barnard

Members Absent: Melissa Ballard, Vice Chairman  
David Hudgins

Others Present: Shon Brooks, Director of Planning  
Kelly Dent, Planner  
James Gaertner, City Engineer  
Tommy Ludwig, Executive Director of Development Services  
Lori Cartwright, City Secretary  
Mary Lou Shipley, Council Representative

1. Call to Order

Chairman Rick Keeler called the meeting to order.

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

Mr. Shon Brooks, Director of Planning, announced the Planning and Zoning Commission meeting will be livestreamed in the Council Chambers.

Staff reviewed RP-18-0099 noting what triggered the Replat was a property owner who was going to expand their residence found out when applying for a permit that it would go over the lot line. Years ago properties along Dunn Street had been divided by meets and bounds and platted. The Replat will correct the two properties.

Staff reviewed PP-18-0102 noting the property fronts Martin Luther King Boulevard and TxDOT owns the right-of-way. The owner will need to get a driveway permit from TxDOT prior to building on the lot.

Staff reviewed SU-18-0104 and stated the applicant came in as a private school which triggered a Specific Use Permit for their request. Staff found out prior to the meeting that the applicant is a charter school and therefore a Specific Use Permit is not required. The applicant will formally withdraw the case at the meeting.

Staff reviewed RP-18-0103 noting the applicant purchased additional land and leases on the property will run out this year and next year.

Staff referenced SU-18-01017 noting the applicant withdrew the case.
Staff reviewed PD-18-0074 noting it is located on the corner of Brown and Highway 287. Applicant wants four tracts being mixed-use-residential, four-story hotel, a number of restaurants, office and general retail. Staff reported they will recommend denying because the applicant has yet to secure the hotel and therefore no guarantee to be constructed. Applicant wants the apartments first and staff does not know elevations of hotel, restaurants, and offices. Applicant does not want the required number of garages and requirement of trash compactor location.

Mr. Brooks stated what they do have is a mixed use above garages and not sure this is enough security knowing the entire site gets developed. He stated his hesitancy is the unknown of end users of the tracts.

3. **Adjourn**

There being no further business, the meeting adjourned at 6:59 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary
### MEETING DATE(S)

**Planning & Zoning Commission:** July 24, 2018  
**City Council:** August 6, 2018

### CAPTION

*Consider* request by Ken Rogers, Herbert Beasley Land Surveyors LP for a **Replat** of Lot 4R Waxahachie Civic Center to create Lots 4R-1, 4R-2, and 4R-3 Waxahachie Civic Center, 14.172 acres (Property ID 227433) – Owner: LOOKOUT PARTNERS LP (RP-18-0109)

### CASE INFORMATION

**Applicant:** Ken Rogers, Herbert Beasley Land Surveyors LP  
**Property Owner(s):** Lookout Partners LP  
**Site Acreage:** 14.172 acres  
**Number of Lots:** 3 lots  
**Number of Dwelling Units:** 0 units  
**Park Land Dedication:** Park fees will be calculated at time of permitting.  
**Adequate Public Facilities:** Per the City Engineer, “Need to provide water and sewer services to the new lot prior to recording the plat. One lot should already have services but if not then provide services to each lot.”

### SUBJECT PROPERTY

**General Location:** 411 Alliance Blvd  
**Parcel ID Number(s):** 227433  
**Current Zoning:** Planned Development-General Retail (Ordinance 2569)  
**Existing Use:** Currently undeveloped  
**Platting History:** The final plat for the Waxahachie Civic Center was approved by City Council on March 17, 2003.
STAFF CONCERNS
1. Need to provide water and sewer services to the new lot prior to recording the plat. One lot should already have services but if not then provide services to each lot.

APPLICANT RESPONSE TO CONCERNS
1. Applicant submitted revised drawings. The plat cannot be filed until services are installed.

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

☐ Denial
☐ Approval, as presented.
☒ Approval, per the following comments:
   1. Need to provide water and sewer services to the new lot prior to recording the plat. One lot should already have services but if not then provide services to each lot.

ATTACHED EXHIBITS
1. Plat drawing
2. Ordinance No. 2569

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

COUNTY OF GRAYSON

THE LEGAL PARTNERS, L.P., the owner of a tract of land situated in the City of Weatherford, Texas, according to the deed recorded in Volume 490, Page 451, in the County of Grayson, Texas, being more particularly described as follows:

Begins at 5/8ths point on the south line of said lot 40, being the north corner of said lot 40, and described as lot 40, as shown on a plat recorded in Volume 223, Page 551, in the County of Grayson, Texas.

THENCE north 5/8ths point on the south line of said lot 40, to a point on the west line of said lot 40, being the north corner of said lot 40, and described as lot 40, as shown on a plat recorded in Volume 223, Page 107, in the County of Grayson, Texas.

THENCE from the said corner, north 5/8ths point on the west line of said lot 40, to a point on the north line of said lot 40, being the north corner of said lot 40, and described as lot 40, as shown on a plat recorded in Volume 223, Page 107, in the County of Grayson, Texas.

THENCE from the said corner, north 5/8ths point on the north line of said lot 40, to a point on the east line of said lot 40, being the north corner of said lot 40, and described as lot 40, as shown on a plat recorded in Volume 223, Page 107, in the County of Grayson, Texas.

THENCE from the said corner, north 5/8ths point on the east line of said lot 40, to a point on the south line of said lot 40, being the north corner of said lot 40, and described as lot 40, as shown on a plat recorded in Volume 223, Page 107, in the County of Grayson, Texas.

The boundaries of the proposed development are described as Lot 40, as shown on the plat recorded in Volume 223, Page 107, in the County of Grayson, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That the Legal Partners, acting by and through the duly authorized officers, does hereby adopt the plat describing the land above described to be Lot 40, as shown on the plat recorded in Volume 223, Page 107, in the County of Grayson, Texas, being more particularly described as follows:

THENCE north 5/8ths point on the south line of said Lot 40, to a point on the west line of said Lot 40, being the north corner of said Lot 40, and described as Lot 40, as shown on a plat recorded in Volume 223, Page 107, in the County of Grayson, Texas.

THENCE from the said corner, north 5/8ths point on the west line of said Lot 40, to a point on the north line of said Lot 40, being the north corner of said Lot 40, and described as Lot 40, as shown on a plat recorded in Volume 223, Page 107, in the County of Grayson, Texas.

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SHOWING the boundaries of said Lot 40, as shown on the plat recorded in Volume 223, Page 107, in the County of Grayson, Texas, being more particularly described as follows:

THENCE north 5/8ths point on the south line of said Lot 40, to a point on the west line of said Lot 40, being the north corner of said Lot 40, and described as Lot 40, as shown on a plat recorded in Volume 223, Page 107, in the County of Grayson, Texas.

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The boundaries of the proposed development are described as Lot 40, as shown on the plat recorded in Volume 223, Page 107, in the County of Grayson, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That the Legal Partners, acting by and through the duly authorized officers, does hereby adopt the plat describing the land above described to be Lot 40, as shown on the plat recorded in Volume 223, Page 107, in the County of Grayson, Texas, being more particularly described as follows:

THENCE north 5/8ths point on the south line of said Lot 40, to a point on the west line of said Lot 40, being the north corner of said Lot 40, and described as Lot 40, as shown on a plat recorded in Volume 223, Page 107, in the County of Grayson, Texas.

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The boundaries of the proposed development are described as Lot 40, as shown on the plat recorded in Volume 223, Page 107, in the County of Grayson, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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The boundaries of the proposed development are described as Lot 40, as shown on the plat recorded in Volume 223, Page 107, in the County of Grayson, Texas.
MEETING DATE(S)
Planning & Zoning Commission:    July 24, 2018
City Council:                     August 6, 2018

CAPTION

CASE INFORMATION
Applicant: Jeremy Glenn, WISD
Property Owner(s): Waxahachie ISD
Site Acreage: 94.184 acres
Number of Lots: 1 lot
Number of Dwelling Units: 0 units
Adequate Public Facilities: Yes

SUBJECT PROPERTY
General Location: 3001 US Highway 287 Bypass
Parcel ID Number(s): 180503
Current Zoning: Planned Development-Commercial (Ordinance 2853)
Existing Use: Currently undeveloped
Platting History: PLM2016-12 was approved by City Council on April 4, 2016. That plat has now expired.
Site Aerial:

STAFF CONCERNS
1. None

APPLICANT RESPONSE TO CONCERNS
1. Not applicable

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

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

ATTACHED EXHIBITS
1. Plat drawing

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

2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
   a. If comments were not satisfied, then applicant will be notified to make corrections.
   b. If all comments satisfied, applicant shall provide five signed, hard-copy plats.

STAFF CONTACT INFORMATION
Prepared by:
Kelly Dent, MPA
Planner
kdent@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com
MEETING DATE(S)
Planning & Zoning Commission: July 24, 2018
City Council: August 6, 2018

CAPTION

CASE INFORMATION
Applicant: Jeremy Glenn, WISD
Property Owner(s): Waxahachie ISD
Site Acreage: 94.184 acres
Number of Lots: 1 lot
Number of Dwelling Units: 0 units
Park Land Dedication: The cash in lieu of park land dedication is $56,510.40 ($600.00 per acre at 94.184 acres). This is due before the plat can be filed.
Adequate Public Facilities: Yes

SUBJECT PROPERTY
General Location: 3001 US Highway 287 Bypass
Parcel ID Number(s): 180503
Current Zoning: Planned Development-Commercial (Ordinance 2853)
Existing Use: Currently undeveloped
Platting History: Companion case no. PP-18-0113
Site Aerial:

STAFF CONCERNS
1. The City will need to see the executed agreement between the District and the owners of the Mark on 287. Please ensure that a copy, signed by both parties, is made available.
2. Business 287 is a 110-foot wide thoroughfare. You will need to ensure that 55-feet of right-of-way is dedicated from the centerline of the road to your property. This may require dedication on your part. You will need to show the width of the right-of-way on your plat drawing, and either demonstrate that dedication is not required or make the appropriate amount of dedication.
3. A 15-foot utility easement must be shown along the street frontage. This can overlap other easements.
4. Some of the pages in the plat packet do not show the Water Easement to the City.
5. Outstanding fees must be paid before this plat is filed with Ellis County. These fees are listed below:
   a. Park fees of $56,510.40.
   b. Roadway impact fees of $130,687.50 (thirty (30) percent of total roadway impact fees).
   c. Filing fees of $225.00.

APPLICANT RESPONSE TO CONCERNS
1. The applicant and surveyor are aware of outstanding comments. A resubmittal has not been received at this point.
RECOMMENDATION
Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

☐ Denial
☐ Approval, as presented.
☒ Approval, per the following comments:
  1. The City will need to see the executed agreement between the District and the owners of the Mark on 287. Please ensure that a copy, signed by both parties, is made available.
  2. Business 287 is a 110-foot wide thoroughfare. You will need to ensure that 55-feet of right-of-way is dedicated from the centerline of the road to your property. This may require dedication on your part. You will need to show the width of the right-of-way on your plat drawing, and either demonstrate that dedication is not required or make the appropriate amount of dedication.
  3. A 15-foot utility easement must be shown along the street frontage. This can overlap other easements.
  4. Some of the pages in the plat packet do not show the Water Easement to the City.
  5. Remove the building lines from the plat.
  6. Any easements by this plat need to be labeled as such.
  7. Outstanding fees must be paid before this plat is filed with Ellis County. These fees are listed below:
     a. Park fees of $56,510.40.
     b. Roadway impact fees of $130,687.50 (thirty (30) percent of total roadway impact fees).
     c. Filing fees of $225.00.

ATTACHED EXHIBITS
  1. Plat drawing

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

STAFF CONTACT INFORMATION
Prepared by: Kelly Dent, MPA
             Planner
             kdent@waxahachie.com

Reviewed by: Shon Brooks, AICP
             Director of Planning
             sbrooks@waxahachie.com
NEW WAXAHACHIE HIGH SCHOOL
LOT 1
BLOCK A
94.184 ACRES

ZONING PD-C
BEING A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO WAXAHACHIE INDEPENDENT SCHOOL DISTRICT Instrument No. 1509865
OFFICIAL DEED RECORDS, ELLIS COUNTY, TEXAS

William P. Price, R.P.L.S. No. 3047
TBPS NO. 101733-00
(817) 354-1445
(817) 354-1451 FAX

CONTACT: MIKE GLENN, P.E.
CONTACT: RODNEY MARTINEZ

TBPE FIRM NO. F-303
SUITE 219
EULESS, TEXAS 76048

OWNERS:
WAXAHACHIE ISD
411 N. GIBSON ST.
WAXAHACHIE, TEXAS 75165

WAXAHACHIE ISD
411 N. GIBSON ST.
WAXAHACHIE, TEXAS 75165

SURVEYOR:
W.C. TUNNELL SURVEY, ABSTRACT NO 1008
400 SOUTH INDUSTRIAL BLVD.
EULESS, TEXAS 76048

ENGINEER:
GLENN ENGINEERING CORP.
105 DECKER COURT, SUITE 910
IRVING, TEXAS 75062

GROUNDWORKS SURVEY GROUP, LLC
3650 N STATE HIGHWAY 114
FIGUEROA, TEXAS 75120

SURVEYOR'S CERTIFICATE
KNOW ALL MEN BY THESE PRESENTS:
That I, William P. Price, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie.

SHEET 1 OF 7 JUNE 13, 2018
OWNER’S CERTIFICATE

STATE OF TEXAS

WHEREAS Waxahachie Independent School District is the owner of a 94.184 acre tract of land lying in the City of Waxahachie, and in the J. B. TUNNELL & CO., Waxahachie, Texas; and

KNOW ALL MEN BY THESE PRESENTS:

That I, William P. Price, do hereby certify that I prepared this plat from an actual and accurate survey of the land described in Volume 1746, Page 2455, Official Public Records, Ellis County, Texas, (INSTRUMENT NO. 1509865) and being more particularly described as follows:

BEING A PORTION OF THAT CERTAIN TRACT OF LAND SITUATED IN COUNTY OF ELLIS, STATE OF TEXAS, DESCRIPTIVE OF A PORTION OF THE LAND OWNED BY J. BOYD SURVEY, ABSTRACT NO 108, and the property known as NEW WAXAHACHIE HIGH SCHOOL, AN ADDITION TO THE CITY OF WAXAHACHIE, TEXAS, AND DO HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS AND OPEN SPACES AND ALL THE PURPOSES INDICAED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHIE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL IMPROVEMENTS SUBJECT TO THE EASEMENTS FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHIE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL IMPROVEMENTS SUBJECT TO THE EASEMENTS FOR THE PURPOSES INDICATED ON THIS PLAT.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Waxahachie Independent School District is the owner of a 94.184 acre tract of land lying in the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and open spaces and all the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements, if approved by the City of Waxahachie. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public and public utility entities shall have the right to remove and keep removed all improvements subject to the easements for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements, if approved by the City of Waxahachie. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public and public utility entities shall have the right to remove and keep removed all improvements subject to the easements for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements, if approved by the City of Waxahachie. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public and public utility entities shall have the right to remove and keep removed all improvements subject to the easements for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements, if approved by the City of Waxahachie. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public and public utility entities shall have the right to remove and keep removed all improvements subject to the easements for the purposes indicated on this plat.

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

WITNESSES, my hand, this the ______ day of ______, 2018.

BY:

[Signature]

Authorized Signatory of Owner

Printed Name and Title

SURVEYOR’S CERTIFICATE

BEING ALL BY THESE PRESENTS:

That, William P. Price, do hereby certify that I prepared this plat from an actual and accurate survey of the land described in Volume 1746, Page 2455, Official Public Records, Ellis County, Texas, (INSTRUMENT NO. 1509865) and being more particularly described as follows:

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<table>
<thead>
<tr>
<th>Line</th>
<th>Length</th>
<th>Direction</th>
</tr>
</thead>
<tbody>
<tr>
<td>L1</td>
<td>32.75</td>
<td>S09° 13' 57&quot;W</td>
</tr>
<tr>
<td>L2</td>
<td>179.09</td>
<td>N75° 00' 00&quot;E</td>
</tr>
<tr>
<td>L3</td>
<td>349.29</td>
<td>S75° 00' 00&quot;W</td>
</tr>
<tr>
<td>L4</td>
<td>204.28</td>
<td>N75° 00' 00&quot;E</td>
</tr>
<tr>
<td>L5</td>
<td>20.00</td>
<td>N00° 48' 51&quot;E</td>
</tr>
<tr>
<td>L6</td>
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<td>S15° 00' 00&quot;E</td>
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<tr>
<td>L20</td>
<td>20.00</td>
<td>S00° 00' 00&quot;E</td>
</tr>
</tbody>
</table>

**SURVEYOR'S CERTIFICATE**

KNOW ALL MEN BY THESE PRESENTS: That we, William P. Price, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the same correctly depicts the location as hereon properly shown on the personal examination in accordance with the Subdivision Ordinance of the City of Waxahachie.

William P. Price, B.P.S. No. 2022
NEW WAXAHACHIE HIGH SCHOOL
LOT 1
BLOCK A
94.184 ACRES
ZONING PD-C
BEING A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO WAXAHACHIE INDEPENDENT SCHOOL DISTRICT INSTRUMENT NO. 1509865 OFFICIAL DEED RECORDS, ELLIS COUNTY, TEXAS
SITUATED IN J. BOYD SURVEY, ABSTRACT NO 108 W.C. TUNNELL SURVEY, ABSTRACT NO 1008 CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

OWNER: WAXAHACHIE ISD
411 N GIBSON ST.
WAXAHACHIE, TX 75165

INST. NO. 1509865
O.D.R.E.C.T.

ZONED PLANNED DEVELOPMENT-COMMERCIAL (PD-C)

OWNER: WAXAHACHIE ISD
411 N GIBSON ST.
WAXAHACHIE, TX 75165

94.184 ACRES

JUNE 13, 2018

SURVEYOR'S CERTIFICATE
KNOW ALL MEN BY THESE PRESENTS:
That I, William P. Price, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie.

_______________________________
William P. Price, R.P.L.S. No. 3047
FINAL PLAT
NEW WAXAHACHIE HIGH SCHOOL
LOT 1
BLOCK A
94.184 ACRES
ZONING PD-C
BEING A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO WAXAHACHIE INDEPENDENT SCHOOL DISTRICT INSTRUMENT NO. 1509865 OFFICIAL DEED RECORDS, ELLIS COUNTY, TEXAS
SITUATED IN J. BOYD SURVEY, ABSTRACT NO 108 W.C. TUNNELL SURVEY, ABSTRACT NO 1008 CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

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

_______________________________
William P. Price, R.P.L.S. No. 3047
Right-of-Way Dedication
21,417 s.f.
Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Director of Planning
Thru: Michael Scott, City Manager
Date: July 19, 2018
Re: PD-18-0079 Eastside Food Park

On July 17, 2018, the applicant requested a continuance to the August 14, 2018, Planning and Zoning Commission meeting. If granted, a continuance to the August 20, 2018, City Council meeting will also be needed.
MEETING DATE(S)
Planning & Zoning Commission: June 12, 2018
City Council: June 18, 2018

CAPTION
Public Hearing on a request by Verlin Taylor, VKT Associates, for a Zoning Change from a Commercial zoning district to Planned Development-Commercial, with Concept Plan, located at 1501 Dr. Martin Luther King Jr Blvd., being 272 S M DURETT 0.3426 ACRES (Property ID 182074) - Owner: VKT ASSOCIATES LLC (PD-18-0079)

CASE INFORMATION
Applicant: Verlin Taylor, VKT Associates
Property Owner(s): VKT Associates LLC
Site Acreage: 0.3426 acres
Current Zoning: Commercial
Requested Zoning: Planned Development-Commercial

SUBJECT PROPERTY
General Location: 1501 Dr. Martin Luther King Jr. Blvd
Parcel ID Number(s): 182074
Existing Use: Currently undeveloped
Development History: S.M. Durrett Survey, Abstract No. 272
Adjoining Zoning & Uses:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Current Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>SF3</td>
<td>Church</td>
</tr>
<tr>
<td>East</td>
<td>C</td>
<td>Single family residence</td>
</tr>
<tr>
<td>South</td>
<td>C</td>
<td>Single family residence</td>
</tr>
<tr>
<td>West</td>
<td>LI1</td>
<td>Currently undeveloped</td>
</tr>
</tbody>
</table>

Future Land Use Plan: Commercial
Comprehensive Plan: Commercial areas are intended for establishments that provide services to customers. Examples include car dealerships, self-storage businesses, and repair shops. Such uses are generally not significant contributors to a municipality’s tax revenue, and, by their nature, commercial businesses can detract from positive aesthetics. Primarily for these reasons, commercial uses have generally only been recommended in locations consistent with where such uses currently exist.

Thoroughfare Plan: The site is located at the southeast intersection of Graham Street and Dr. Martin Luther King, Jr., Boulevard (Business HWY 287). MLK is a Major Thoroughfare B (110' ROW). The site has a culvert onto Graham Street.

Site Image:

PLANNING ANALYSIS
The applicant seeks to establish a food truck park business at the site to serve nearby residents and businesses. The food park would be open three days per week (Thursday through Saturday).

Staff does recognize the importance of providing food options in the area, however concerns remain with the development as proposed, including parking, and circulation within the site.

At the present time, the applicant does not plan for on-site parking of customer vehicles. The applicant has informed staff that the intent is for customers to walk to the site, and then either take their purchases to another location to eat, or to eat at the tables provided. An updated concept has been provided to staff, however, this plan has not been fully vetted. Staff does not support a plan for restaurant services outside the Central Area (CA) that do not include on-site parking, because this is a requirement in Commercial (C) zoning districts, the City has a duty to ensure that traffic to a site is contained within that site, and the City’s wish to avoid the risk of customers parking along Graham Street.
Staff is concerned about the provisions for trash. At this point, the applicant intends to handle trash generated at the site via on-site trash cans, as shown on the site plan. The updated concept plan does include a dumpster, but lacks the required screening and the location has not been agreed upon. If a dumpster is installed on-site, it would need to meet the requirements set by the City’s Zoning Ordinance, that it be screened by a masonry wall, with shrubbery to screen the masonry, and be in an approved location on the site.

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

<table>
<thead>
<tr>
<th>Base Zoning Requirement</th>
<th>Proposed Development Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paved parking lot</td>
<td>Multi-colored gravel that matches the décor of the food park.</td>
</tr>
</tbody>
</table>

PUBLIC NOTIFICATIONS
To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, 21 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 05/25/2018.

STAFF CONCERNS
1. Parking is shown on-site but must be sufficient for the development.
2. Provide parking and driveway layout to access and exit the site.

APPLICANT RESPONSE TO CONCERNS
1. Applicant met with staff and submitted revisions. The above comments remain outstanding.

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

- [X] Denial
- [ ] Approval, as presented.
- [ ] Approval, per the following comments:
  1. If checking the last box, then include the comments recommended for P&Z and City Council to use as discussion points.
ATTACHED EXHIBITS
1. Survey
2. Concept plan
3. Strategic plan
4. Planned vendor list
5. Illustration of permanent food concession trailer
6. Photograph of permanent food concession trailer
7. Illustration of restrooms
8. Photograph of restrooms
9. Driveway culvert and site plan
10. Safety end treatment
11. Traffic control plan

APPLICANT REQUIREMENTS
1. If approved by City Council, applicant must plat the property before he can apply for building permits from the Building and Community Services Department.

STAFF CONTACT INFORMATION
Prepared by:             Reviewed by:
Kelly Dent, MPA         Shon Brooks, AICP
Planner                 Director of Planning
kdent@waxahachie.com     sbrooks@waxahachie.com

ACTION SINCE INITIAL STAFF REPORT
At the Planning & Zoning Commission meeting, held June 12, 2018, the Commission voted to recommend continuance of zoning change PD-18-0079. Since that time, the applicant has had a number of meetings and conversations with City staff to address a number of concerns and has received confirmation from TxDOT that a driveway off MLK would not be permitted. This necessitates a large scale redesign of the site plan to account for all vehicular traffic for the site coming off Graham Street. As of this point, staff has yet to receive a resubmittal that addresses all of the City’s concerns. Therefore, the recommendation remains a denial.
FILE NOTES:
0.3426 Ac.

BEING all that certain tract, tract, or parcel of land in the S.M. DURITT Survey, Abstract No. 272, in the City of Waxahachie, and being all of a called 0.26 acre tract of land described in Volume 413, Page 280, Deed Records, Ellis County, Texas (RECT), and all of a called 0.12 acre tract of land described in Volume 413, Page 291, DIRECT, the two tracts of land being contiguous and forever described as one tract, and being more particularly described as follows:

Be described as a 0.26 acre tract set in the intersection of the northeast line of E. Main Street (a public road), with the southwest line of Graham Street (a public road), for the west corner of this tract and being the current west corner of the 0.26 acre tract.

THENCE N 82°20'00" E, 172.21 ft. (Gentry - Record bearing basis) 1873 (feet) along the northeast line of this tract and same for the east 0.12 acre tract and along the southwest line of the tract and same for the west 0.26 acre tract and along the northeast line of the 0.26 acre tract and along the southwest line of the 0.26 acre tract and along the northeast line of the 0.26 acre tract and along the southwest line of the 0.26 acre tract and along the northeast line of the 0.26 acre tract and along the southwest line of the 0.26 acre tract.

THENCE S 29°57'34" E, 132.84 ft. (Gentry - Record bearing basis) 1873 (feet) along the southeast line of the extended tract to the southwest line of the extended tract to the southwest line of the extended tract to the southwest line of the extended tract to the southwest line of the extended tract to the southwest line of the extended tract to the southwest line of the extended tract.

THENCE N 57°47'22" W, 105.86 ft. (Gentry - Record bearing basis) 1873 (feet) along the west line of the extended tract to the northwest line of the extended tract along the northwest line of the extended tract and along the northwest line of the extended tract and along the northwest line of the extended tract and along the northwest line of the extended tract and along the northwest line of the extended tract.

NOTE: This survey was prepared in accordance with the Specifications for Survey work as per the Surveyors’ Code of Ethics and Surveys of the Texas Society of Professional Surveyors. The surveyor has not altered the property boundaries described herein or attempted to locate any property lines as indicated by stone or ground evidence.

Surveyor:

Divating & McDill, Inc.

SURVEY PLAT

0.3426 Ac.

S.M. Duritt Survey, Abst. 272
City of Waxahachie
Ellis County, Texas

Date: 5/24/04
Scale: 1" = 30'
Drawn: WKG
Job: 204-0422
Sheet 1 of 1 sheets.
EASTSIDE FOOD PARK – STRATEGIC PLAN

Our Mission

EASTSIDE Food Park (EFP) will provide a variety of foods such as seafood, BBQ, pasta, chicken, sandwiches and bakery items with complementary prices. Management will build relationships with specialty food truck vendors. EFP will foster relationships with organizations and businesses who prefer food delivered for lunch and during special events.

Our Core Values

1) Client focus - EFP wants all vendors to provide great customer service and a good experience for Waxahachie residents and out of town visitors
2) Integrity – maintain honesty and respect for individuals and businesses
3) Leadership – employ food consultants to enhance the operations of the food park
4) Professionalism – to be professional in our actions to residents and business owners
5) Excellence – continue to pursue knowledge and keep staff trained to improve efficiency
6) Community service – find one or two schools in the area to support. (Turner, Oliver E Clift)

Competitive Advantages

1) Opportunity for growth as the east side of town is developed
2) Advanced POS systems will be used to increase sales, offer promotions and engage with third party vendors
3) Management and consultant staff have over 18 years of experience
4) Permanent location with no current competition to serve
   a. Up to 3,719 estimated residents within one mile of food park (pop fact demographics)
   b. Percentage of 1,537 daily drivers on MLK by driver license office (TXDOT traffic count)
   c. Percentage of 24,530 drivers on 287 Bypass from Ennis, Corsicana or Rice who may cut through Park School Road headed to downtown Waxahachie (TXDOT traffic count)
   d. Driver license customers and industrial business employees on MLK.

Organization – Wide Strategies

2018 -
 o Open food park between late September and October 15th
 o Join Waxahachie Chamber of Commerce in August or September
 o Build relationships with 3 to 5 food truck vendors
 o Service residents in the immediate area
 o Offer discounts to groups for lunch in the area.

2019 -
 o Execute market strategy to offer food throughout the city of Waxahachie
 o Build permanent relationships with 5 food truck vendors
 o Participate in city-wide events.
Planned vendor use for development

*Texas Tree Farms*
*Waxahachie, Texas*

**Purpose:** Red Oak, Chinese Pistache, Crape Myrtle trees and irrigation

*Mueller, Inc*
*Waxahachie, Texas*

**Purpose:** Material for 300 square foot steel building for beverage serving

*Randy Hughes*
*Former Commander*
*VFW Post 3894*

**Purpose:** Excavation, gravel, concrete pads for permanent concession trailer, restroom and steel building

*Davis & MCDill*
*Waxahachie, Texas*

**Purpose:** Create plans for submission to TXDOT for driveway approach

*Venus Construction*
*Mansfield, Texas*

**Purpose:** Construction of driveway approach
ACTUAL PRODUCT MAY VARY SLIGHTLY FROM THIS PRINT

This drawing contains private and confidential information that is property of Forest River Inc., a Berkshire Hathaway company.
Cannot provide recommendation to this culvert/driveway due to the proximity to the intersection and that this driveway will not direct traffic to the parking lot but to the truck park. The food trucks could access the site through the parking lot.

Dumpster Location? (Health or Planning to determine if a dumpster is required)

Water and Sewer Services to support the restroom and this type of use?

Could the food trucks access the site from this parking lot?

Based on discussion with residents in this area, this street has drainage issues along the street. Are culverts sufficient for the drainage in this area? Due to the flooding issues in the area, detention would be necessary.

Need 20-foot radius minimum on driveway.
TYPICAL WINGWALL INSIDE ELEVATION

CROSS PIPE INSTALLATION DETAILS

OUTSIDE CULVERT BARREL WITH
OPTIONAL ANCHOR BARS & RIPRAP

OUTSIDE CULVERT BARREL WITH
BOLTED ANCHOR

INSIDE CULVERT BARREL

PART PLAN

SECTION C-C

OPTIONAL ANCHOR BAR DETAILS

SLEEVE PIPE DETAILS

SECTION THROUGH INSTALLATION OF TYPICAL FULL CROSS PIPE

(Sleeve details and dimensions are similar to those shown below in section through installation of 3 1/2" FIRST CROSS PIPE detail.)

SLEEVE PIPE SIZE TABLE FOR SIZES

1 3/4" OD Through hole

1 3/4" OD Through hole in Sleeve Pipe, w/ 1 1/4" x 12" Bolt, Hex Nut, & Washer

1 1/4" OD Through hole in Sleeve Pipe, w/ 1 1/4" x 12" Bolt, Hex Nut, & Washer

REQUIRED PIPE SIZES

STANDARD PIPE SIZES

Culvert

Size

Cross Pipe Size

Sleeve Pipe Size

Pipe Size O.D.

Pipe Size I.D.

First Pipe

3 1/2" STD

2 7/8" STD

2 1/2" STD

2 3/4" STD

2 1/2" STD

2 3/4" STD

1 1/2" STD

1 1/2" STD

30" to 42" 4" STD

4" STD

3" STD

3 1/2" STD

4" STD

4" STD

4" STD

4" STD

78" to 132" 6" STD

6" STD

5" STD

4 1/2" STD

4 1/2" STD

4 1/2" STD

4 1/2" STD

4 1/2" STD

The proper installation of the first Cross Pipe is critical for vehicle safety. The top of the first Cross Pipe must be placed at no more than 10" above the flow line. The Cross Pipe and Sleeve Pipes (if required) shall always be installed using a bolted connection. Core shall be taken to ensure that concrete does not flow into this Cross Pipe so as to permit disassembly of the bolted connection to allow cleanout access.

Culvert and Sleeve Pipes (if required) shall be as shown in the REQUIRED PIPE SIZES table. Sleeve Pipes for 3 1/2" FIRST CROSS PIPE (where also 3 1/2")

At Contractor's option, the Cross Pipe may be continuous across the Inside Wingwalls. If such section is selected, the Sleeve Pipe shall be omitted and a 1 3/4" diameter through hole made in the Cross Pipe to accept the anchor bolt at the bottom of each end of the Wingwall.

Riprap will be required when using the optional Anchor Bar details and shall be included in the price bid for Safety End Treatment. Such Riprap shall be concrete Riprap in accordance with Texas TID "Riprap".

Texas Department of Transportation Bridge Division
SAFETY END TREATMENT FOR BOX CULVERTS (MAXIMUM Hw = 7'-0") TYPE I - PARALLEL DRAINAGE

SET-PD

SHEET 2 OF 2
MEETING DATE(S)
Planning & Zoning Commission: July 24, 2018
City Council: August 6, 2018

CAPTION
Public Hearing on a request by Chad Hill for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 S.F. use within a Planned Development-23-Single Family-1 zoning district, located at 141 Willowcrest, LOT 11A LAKEVIEW-REV 1.23 AC (Property ID 174724) - Owner: HILL CHAD W & CASI L (SU-18-0114)

CASE INFORMATION
Applicant: Chad Hill
Property Owner(s): Chad W & Casi L Hill
Site Acreage: 1.23 acres
Current Zoning: Planned Development-23-Single Family-1
Requested Zoning: Planned Development-23-Single Family-1 with SUP

SUBJECT PROPERTY
General Location: 141 Willowcrest
Parcel ID Number(s): 174724
Existing Use: Single family residence and accessory structure
Development History: The Lakeview Addition was approved by City Council March 5, 1979.

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<th>Case No.</th>
<th>Direction from Site</th>
<th>Request</th>
<th>Result</th>
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<tr>
<td>FP-17-0019</td>
<td>North</td>
<td>FP of 28 residential lots</td>
<td>Approved, March 20, 2017</td>
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**Adjoining Zoning & Uses:**

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<th>Zoning</th>
<th>Current Use</th>
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<tr>
<td>North</td>
<td>PD-23-SF1</td>
<td>Currently undeveloped, Homestead Estates, Lot 13, Block A</td>
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<tr>
<td>East</td>
<td>PD-23-SF1</td>
<td>Single family residence</td>
</tr>
<tr>
<td>South</td>
<td>PD-23-SF1</td>
<td>Lake Waxahachie</td>
</tr>
<tr>
<td>West</td>
<td>PD-23-SF1</td>
<td>Single family residence</td>
</tr>
</tbody>
</table>

**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:**

This site is accessed via Willowcrest, a local street.

**Site Image:**

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**PLANNING ANALYSIS**

The applicant seeks to expand an accessory structure on the property. The structure is question was erected without a specific use permit (SUP) or a building permit, and does not conform to the standards set by the City’s current or prior Zoning Ordinances.

According to the Ellis Appraisal District, the accessory structure in question was erected in 2016, and is approximately 1,131 square feet in size. An accessory structure of that size must receive a Specific Use Permit prior to obtaining a building permit. The structure is constructed of metal, though accessory structures over 500 square feet in size are required to match the main structure on the lot (in this case, the residence) in appearance and construction materials. This means that this is a nonconforming structure.
Per the City’s current Zoning Ordinance, Section 2.01 (e) (iv), nonconforming structures may be enlarged or expanded if the enlargement or expansion can be made in compliance with all of the provisions of this Code established for structures in the Single-Family-1 zoning district. Any proposed enlargement or expansion is subject to all City ordinances.

It must be noted that the current homeowner (applicant) purchased the property in 2017. Therefore the current owner was not responsible for the construction of the building without permit. It is the applicant’s goal to improve the street facing accessory building’s façade with hardi-plank and stone, matching the homes façade. Additional consideration may be made to further bringing the structure into compliance with a wainscoting requirement for the proposed street facing sides and existing building.

An item of note is the approval of the final plat for the Homestead Estates, directly north of this property. This will become a much more visible area of the City, requiring efforts to bring nonconforming uses and structures into compliance.

PUBLIC NOTIFICATIONS
To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, 8 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 07/06/2018

STAFF CONCERNS
1. This is a nonconforming structure, erected without a Specific Use Permit or Building Permit. Bringing the building in question into compliance, or to leave the building as-is, are methods for meeting the requirements of the City’s Zoning Ordinance.

APPLICANT RESPONSE TO CONCERNS
1. Applicant has been informed of concerns.

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

☐ Denial
☐ Approval, as presented.
☒ Additional consideration is required.

ATTACHED EXHIBITS
1. Site plan
2. Building plan
3. Survey
4. Neighbors’ petition
5. Metal buildings in the area

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

ADDITION

MATCH EXISTING SHEET METAL ON SIDES/ROOF OF BUILDING (SEE PICTURE OF EXISTING)

FRONT MATCH EXISTING HOUSE STRUCTURE/HARDI PLANK AND STONE (SEE PICTURE OF EXISTING)
July 10, 2018

City of Waxahachie, Texas
Case Number: SU-18-0114
Public Hearing Dates/Times:
Tuesday, July 24, 2018 at 7pm - Planning & Zoning Commission Public Hearing
Monday, August 6, 2019 at 7pm - City Council Public Hearing

Dear Neighbors,

We appreciate and value your support to the add-on to our existing storage building. By signing below you show that you are in support for our Specific Use Permit (SUP) for Accessory Building (Residential) located at 141 Willowcrest Dr., LOT 11A Lakeview-Rev 1.23 AC (Property ID 174724) - Owner: Chad W and Casi L Hill - Case Number SU-18-0114

Sincerely,

Chad & Casi Hill

Printed Name: Chad & Casi Hill  
Signature: [Signature]
Address: 141 Willowcrest Dr. Waxahachie 75165
Date: 7/10/18

Delwyn & Maria Dishman  
Address: 145 Willowcrest 7/10/18
Date: 7/10/18

Barbie Humphrey  
Address: 137 Willowcrest 7/10/18
Date: 7/10/18

Bundy & Catherine Hudson  
Address: 149 Willowcrest 7/10/18
Date: 7/10/18

Bill Echols  
Address: 152 Willowcrest 7/10/18
Date: 7/10/18
<table>
<thead>
<tr>
<th>Owner's Name</th>
<th>Owner's Address</th>
<th>Owner's City</th>
<th>Owner's State</th>
<th>Owner's ZIP</th>
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<tr>
<td>ESSELMAN BILL D &amp; WYLIE JAMIE N</td>
<td>1209 S ROGERS ST</td>
<td>WAXAHACHIE</td>
<td>TX</td>
<td>75165</td>
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<tr>
<td>HUMPHREY ELMER H &amp; BARBARA D</td>
<td>137 WILLOWCREST</td>
<td>WAXAHACHIE</td>
<td>TX</td>
<td>75165</td>
</tr>
<tr>
<td>LEWALLEN DANIEL D &amp; HANH H</td>
<td>140 WILLOWCREST</td>
<td>WAXAHACHIE</td>
<td>TX</td>
<td>75165</td>
</tr>
<tr>
<td>HILL CHAD W &amp; CASI L</td>
<td>141 WILLOWCREST</td>
<td>WAXAHACHIE</td>
<td>TX</td>
<td>75165</td>
</tr>
<tr>
<td>DISHMAN DELVYN D &amp; MARIA E</td>
<td>145 WILLOWCREST</td>
<td>WAXAHACHIE</td>
<td>TX</td>
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<tr>
<td>HUDGINS RANDALL &amp; CATHERINE</td>
<td>149 WILLOWCREST</td>
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<tr>
<td>WAXAHACHIE HOMESTEAD ESTATES LLC</td>
<td>6031 W I20 STE 226</td>
<td>ARLINGTON</td>
<td>TX</td>
<td>76017</td>
</tr>
<tr>
<td>SINGLETON GEORGE H &amp; SHIRLEY K IRREVOCABLE TRUST</td>
<td>PO BOX 717</td>
<td>WAXAHACHIE</td>
<td>TX</td>
<td>75168</td>
</tr>
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CASE SU-18-0114

SUPPORT 1

OPPOSE 0

Public Hearing on a request by Chad Hill for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 S.F. use within a Planned Development-23-Single Family-1 zoning district, located at 141 Willowcrest, LOT 11A LAKEVIEW-REV 1.23 AC (Property ID 174724) - Owner: HILL CHAD W & CASI L (SU-18-0114)

SUPPORT

1. Delwyn Dishman, 145 Willowcrest Drive, Waxahachie, TX 75165
   “Do not oppose!”

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