

MINUTES
PLANNING AND ZONING COMMISSION MEETING
January 28, 2016

CALL TO ORDER – Roll Call and Determination of a Quorum

The Planning and Zoning Commission met on the above date. Chairperson Wright called the meeting to order at 6:00 p.m.

Commissioners Present:

- | | |
|------------------------|-------------------------|
| ✓ Chairperson Wright | ✓ Alternate Cassavechia |
| ✓ Commissioner Lozano | ✓ Alternate Leamy |
| ✓ Commissioner Jeang | ✓ Alternate Douglas |
| ✓ Commissioner Raney | |
| ✓ Commissioner Sutaria | |

Staff/Others Present:

- | | |
|-------------------------------|--------------------------|
| ✓ City Administrator Flanigan | ✓ City Attorney Shepherd |
| ✓ City Secretary Scott Grey | |

PLEDGE OF ALLEGIANCE

The pledges were recited.

PUBLIC COMMENTS The Commission invites any person with business before the Commission to speak to the Commission. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

No comments.

WORK SESSION ANNUAL PLANNING AND ZONING TRAINING

1. WORK SESSION ANNUAL PLANNING AND ZONING TRAINING REGARDING ZONING AND SUBDIVISION RULES AND REGULATIONS (SECTIONS 155 AND 156 OF CODE OF ORDINANCES)

Chairperson Wright announced the Planning and Zoning Commission would have a short training session for a general review of zoning ordinances and regulations. He recognized City Attorney Jim Shepherd. Mr. Shepherd reviewed the city's Zoning and Subdivision Rules and Regulations (City of Parker, Code of Ordinances, Chapter 155: Subdivision Regulations and Chapter 156: Zoning), identifying what P&Z did and the basics of zoning as it pertains to planning. He stated P&Z was often the go between for the public and City Council and at times City Council may refer items to P&Z for review first. He briefly reviewed the Comprehensive Plan, variances, vested rights, ethics, and impact fees, asking the Commissioners to ask questions throughout the review.

Chairperson Wright ended the Planning and Zoning Work Session Annual Training and recessed the meeting at 7:06 p.m.

INDIVIDUAL CONSIDERATION ITEMS

Chairperson Wright reconvened the meeting at 7:15 p.m. He said Commissioner Sutaria had to leave and asked P&Z Alternate One Commissioner Cassavechia to take his place. Mr. Cassavechia agreed.

2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON KINGS CROSSING PHASE 2 – FINAL PLAT.

Chairperson Wright stated P&Z had an updated letter from Developer Stephen Sallman, in response to City Engineer John Birkhoff's letter, dated January 21, 2016. The engineering report did not seem too limiting, the developer agreed with the engineer, and posted a surety bond. He asked City Administrator Flanigan, if there were any other outstanding items, the commission needed to consider. Mr. Flanigan said there was one and it was unusual. Their development agreement stated they could post a 120% surety bond, for the estimated cost of the outstanding work to be completed, which would allow them to file for an early plat. We have seen preliminary costs, so a final cost estimate needed to be approved by our engineer, prior to the City filing the plat.

Commissioner Lozano asked if the City was logging silt removal after each rain event. City Administrator said yes, the city checked at a minimum of every fourteen (14) days under the stormwater management plan. If it needed to be addressed, the developer was notified.

MOTION: Commissioner Cassavechia moved to recommend approval of the early final plat for Kings Crossing Phase 2, subject to meeting the requirements of City Engineer John Birkhoff's letter, dated January 21, 2016. Commissioner Jeang seconded with Commissioners Wright, Lozano, Jeang, Raney, and Cassavechia voting for. Motion carried 5-0.

Chairperson Wright moved on to item four (4), because the City Attorney Shepherd was talking to Developer Ron Haynes, regarding item three (3).

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON FINAL PLAT OF RIGHT OF WAY DEDICATION, OF CURTIS ROAD IN THE AREA BETWEEN THE SOUTHRIDGE AND SOUTHRIDGE EAST SUBDIVISIONS.

Chairperson Wright noted this item was a little different than the Commission had seen in the past. City Administrator Flanigan agreed this was an unusual project. What was required during the development agreement with the developer was to negotiate with the two property owners north and south of Curtis Road and extend Curtis Road from the existing new pavement from Southridge all the way over to their development. This was accomplished by way of a plat. It had to go through the process, getting P&Z and Council acceptance for the dedication of the plat right of way. The rest of the right of way, anything inside the subdivision, would be on the plat for item three (3).

City Attorney Shepherd said he asked the developer why we did this as a plat and not as a deed. The answer was part of the property was not their property. He also had them change the dedication language from an easement to fee simple, so there would be a true conveyance document in the form of a plat for a fee simple title to this roadway.

MOTION: Commissioner Lozano moved to recommend approval of the Final Plat of the right of way dedication, of Curtis Road in the area between the Southridge and Southridge East Subdivisions, 1.662 acres, situated in the Surry E. Donaldson Survey, Abstract No. 278, City of Parker's ETJ, Collin County, Texas. Commissioner Raney seconded with Commissioners Wright, Lozano, Jeang, Raney, and Cassavechia voting for. Motion carried 5-0.

Chairperson Wright said the Commission may need to make a modification to this motion. After some discussion, it was determined the correct "fee simple ownership" language was on the Final Plat; therefore, a motion modification was not necessary.

3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON SOUTHRIDGE EAST-FINAL PLAT.

Chairperson Wright asked Developer Ron Haynes to update P&Z. Mr. Haynes said there was a walk through on the waterlines tomorrow, Friday, January 29, 2016, and he thought there had already been a walk through on the streets. The issue was drainage. This area had a lot of rain. Mr. Haynes then handed out and read a statement. (See Exhibit B.) Mr. Haynes said they felt this plan was better, because escrowing funds it gave the City more assurance that the developer would see the project through all the way to the end, until the last house was built. It also gave the City greater assurance the developer would comply with Stormwater Pollution Prevention Plan (SWPPP) and Texas Commission of Environmental Quality (TCEQ) requirements.

Commissioner Jeang asked who would be responsible for the fine grading. Developer Haynes said the builder would be responsible.

Developer Haynes said he would like to have a discussion with City Engineer Birkhoff, regarding ponding. Chairperson Wright said that sounded reasonable. Mr. Haynes proposed having his erosion control expert visit with Mr. Birkhoff.

MOTION: Commissioner Lozano moved to recommend approval of the Southridge East – Final Plat with the developer and city engineer working out the issue of the silt fences at each build site and include all the proposals from the developer. Commissioner Raney seconded

with Commissioners Wright, Lozano, Jeang, Raney, and Cassavechia voting for. Motion carried 5-0.

ROUTINE ITEMS

5. FUTURE AGENDA ITEMS

- a) Mini Warehouse – Parker Storage Facility Preliminary Plat and Engineering
- b) Kings Crossing Phase 4

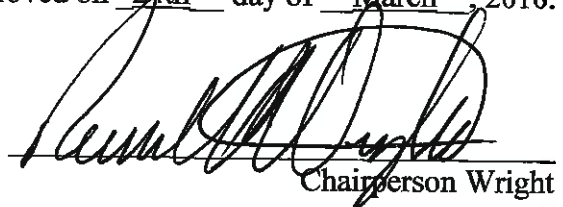
P&Z Alternate Two Commissioner Leamy asked approximately how long it would take for this phase of Kings Crossing be taken into the City. City Administrator Flanigan said the way the development agreement was written for Kings Crossing Phase 4. They would have ten (10) days to file an application for annexation.

6. ADJOURN

Chairperson Wright adjourned the meeting at 7:58 p.m.



Minutes Approved on 24th day of March, 2016.


Chairperson Wright

Attest:


Commission Secretary Raney


Prepared by City Secretary Patti Scott Grey

Exhibit(s):

- A - Kings Crossing Phase 2 – Final Plat
- B - Southridge East- Final Plat and Developer's Statement
- C - Final Plat of Right of Way Dedication, of Curtis Road in the Area Between the Southridge and Southridge East Subdivisions



STATE OF TEXAS X
COUNTY OF COLEMAN X

LEGAL DESCRIPTION

BEING a 20.00 acre tract of land situated in the City of Parker, Dallas County, Texas, being a part of the Joe Hurt Survey, Abstract No. 428, and being a part of the 52.500 acre tract of land conveyed to Young Oaks Homes, Ltd. by deed of record in Volume 397, Page 2643 of said Official Public Records, Dallas County, Texas, and 52.500 acre tract being entire, particularly described by metes and bounds as follows:

BEING a 1/2" acre tract with two stamped "PUSH" bars in the east line of Parker Lake Estates, Phase 2-16, an addition to the City of Parker as shown by plat of record in Exhibit F, Page 232 of the Plat Records, Dallas County, Texas, and being the southwest corner of said 52.500 acre tract and the southeast corner of a 42.35 acre tract of land (Part 1) conveyed to Young Oaks Homes, Ltd. by the deed of record in Volume 397, Page 2643 of said Official Public Records, Dallas County, Texas, and 1/2" acre tract in the northeast corner of said 1/2" acre tract of said Parker Lake Estates, Phase 2-16 being South 89° 24' 48" East - 37.65 feet

BEING North 69° 45' 15" East along the east line of said Parker Lake Estates, Phase 2-16, a distance of 58.125 feet to a 1/2" acre tract with cap stamped "PUSH" Bar, Inc. being the northwest corner of the 52.500 acre tract

BEING over and across said 52.500 acre tract the following calls and distances:

South 71° 57' 05" East a distance of 258.12 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" and for corner;

Along a non-tangent curve to the right having a central angle of 45° 45' 25", a radius of 288.00 feet and an arc length of 13.31 feet (chord bears North 24° 02' 35" East, 13.31 feet) to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" and for corner;

South 69° 25' 35" East a distance of 68.00 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" and for corner;

South 61° 44' 54" East a distance of 258.00 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" and for corner;

BEING along and with the north line of said 52.500 acre tract the following calls and distances:

North 78° 32' 25" East a distance of 314.60 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" and for corner;

North 89° 19' 35" East a distance of 232.25 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" and for corner;

North 69° 45' 25" East a distance of 258.00 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" and for corner;

North 89° 19' 35" East a distance of 67.75 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" and for corner;

Along a tangent curve to the right having a central angle of 89° 45' 45", a radius of 288.00 feet and an arc length of 42.35 feet (chord bears South 24° 45' 57" East, 42.35 feet) to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" and for corner;

North 69° 17' 35" East a distance of 272.52 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" and for corner;

South 77° 28' 05" East a distance of 244.5 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" and for corner;

South 59° 09' 05" East a distance of 335.50 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" and for corner;

North 25° 35' 15" East a distance of 253.42 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" and for corner;

Along a non-tangent curve to the right having a central angle of 25° 45' 35", a radius of 288.00 feet and an arc length of 13.31 feet (chord bears South 44° 44' 54" East, 13.31 feet) to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" and for corner;

South 33° 35' 25" East a distance of 121.47 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" and for corner;

North 59° 35' 05" East a distance of 258.00 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" and for corner;

South 47° 35' 15" East a distance of 312.55 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" and for corner;

North 71° 35' 35" East a distance of 157.01 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" and for corner;

North 69° 25' 35" East a distance of 58.125 feet to a 1/2" iron rod with yellow plastic cap stamped "PUSH" bar in the northeast corner of said 52.500 acre tract and being the east line of the 52.500 acre tract of land conveyed to Young Oaks Homes, Ltd. by deed of record in Volume 397, Page 2643 of said Official Public Records;

BEING South 69° 45' 15" East along said 52.500 acre tract, a distance of 1,231.50 feet to a 1/2" iron rod with a cap stamped "PUSH" bar in the north line of the 52.500 acre tract of land (Part 2) conveyed to Young Oaks Homes, Ltd. by the deed of record in Volume 397, Page 2643 of said Official Public Records, Dallas County, Texas, and 1/2" acre tract being the southeast corner of said 52.500 acre tract;

BEING South 69° 45' 15" East along the north line of said 52.500 acre tract and 48.35 feet west, a distance of 1,240.07 feet to the Point-of-Beginning and including 2,443.600 square feet of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, PARKER BEDELL FARMS, LTD., acting herein by and through its duly authorized officer, do hereby adopt this plat designating the herein described property as KING'S CROSSING PHASE 2, an addition to the City of Parker, Texas and do hereby dedicate, in fee simple, to the public use forever, the streets, alleys and public areas shown thereon. The easements, as shown, are hereby dedicated for the purpose as indicated. The utility and drainage easements being hereby dedicated for the mutual use and accommodation of the City of Parker and of public utilities dealing to use or using same. All and my public utility and the City of Parker shall have the right to remove and keep removed all or parts of any building, fence, ditch, trees or other improvements or growths, which in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems and the City of Parker and of public utilities shall, at all times, have the full right of ingress and egress to or from and upon said easements for the purpose of constructing, reconstructing, repairing, jointing, relining, and adding to or removing all or part of its respective systems, without the necessity of at any time or procuring the permission of anyone.

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

WITNESS MY HAND AT Dallas, TEXAS this 9th day of February, 2018.

PARKER BEDELL FARMS, LTD., a Texas limited partnership

By: PBF Advisors, LLC, a Texas limited liability company,
its general partner

By: Stephen L. Ballman, mgr.
Stephen L. Ballman, Manager

STATE OF TEXAS X
COUNTY OF DALLAS X

BEFORE ME, the undersigned authority, on this day personally appeared Stephen L. Ballman, of PARKER BEDELL FARMS, LTD., known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said PARKER BEDELL FARMS, LTD., and that he executed the same as the act of such limited partnership for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 9th day of February, 2018.



Thomas Wagner
Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Jason B. Ammons, do hereby certify that I prepared this plat from an actual and an accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Parker, Dallas County, Texas.

Jason B. Ammons
Registered Professional
Land Surveyor No. 0009



THE STATE OF TEXAS X
COUNTY OF DALLAS X

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Jason B. Ammons, known to me to be the person whose name is subscribed for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND SEAL OF OFFICE, this 9 day of February, 2018.



Michelle Deane Love
Notary Public in and for the State of Texas

THIS PLAT FILED IN DOCUMENT NO. 648622

RECOMMENDED FOR APPROVAL

David J. Smith
Chairman, Planning and Zoning Commission
City of Parker, Texas

2/16/18
Date

APPROVED AND ACCEPTED

David J. Smith
Mayor, City of Parker, Texas

2/16/18
Date

The undersigned, the City Secretary of the City of Parker, hereby certifies that the foregoing final plat of KING'S CROSSING PHASE 2, a subdivision or addition to the City of Parker was submitted to the City Council on this 2nd day of February, 2018, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the approval thereof by signing his name herein above subscribed.

WITNESS my hand this 9th day of February, 2018.

David J. Smith
City Secretary
City of Parker, Texas

FINAL PLAT
KING'S CROSSING, PHASE 2
58.100 ACRE TRACT - 46 SINGLE FAMILY LOTS
ANN S. HURT SURVEY, ABSTRACT NO. 428
IN THE
CITY OF PARKER, COLLIN COUNTY, TEXAS

OWNER
PARKER BEDELL FARMS, LTD.
4008 GREENVILLE AVENUE, SUITE 1000
DALLAS, TEXAS 75246
PHONE: 214-625-0000
CONTACT: JEFFREY GILLMAN
EMAIL: GILLMAN@PARKERBEDELLFARMS.COM

ENGINEER/SURVEYOR
Westwood
JASON B. AMMONS, Registered Professional Land Surveyor No. 0009
10000 W. PARKER ROAD, SUITE 100
PARKER, TEXAS 75082
PHONE: 281-281-1111
FAX: 281-281-1112
WWW.WESTWOODSURVEYING.COM

58.100 ACRES CIRCULAR 21, 2018 000221 KING'S CROSSING, PHASE 2

Exhibit A

KING'S CROSSING, PHASE 2

