

# Planning & Zoning Commission



## December 1, 2015

Regular Business Meeting



# Wylie Planning and Zoning Commission

## NOTICE OF MEETING

Regular Meeting Agenda  
Tuesday, December 1, 2015 – 6:00 p.m.  
Wylie Municipal Complex – Council Chambers  
300 Country Club Road, Building #100

Ron Smith..... Chair  
Dennis Larson..... Vice Chair  
David Williams ..... Commissioner  
Mike McCrossin ..... Commissioner  
Randy Owens ..... Commissioner  
Jerry Stiller ..... Commissioner  
Sonia Ahmed..... Commissioner

Renaè Ollie ..... Planning Director  
Jasen Haskins..... Sr. Planner  
Mary Bradley .....Administrative Assistant

*In accordance with Section 551.042 of the Texas Government Code, this agenda has been posted at the Wylie Municipal Complex, distributed to the appropriate news media, and posted on the City website: [www.wylietexas.gov](http://www.wylietexas.gov) within the required time frame. As a courtesy, the entire Agenda Packet has also been posted on the City of Wylie website: [www.wylietexas.gov](http://www.wylietexas.gov).*

*The Chair and Commissioners request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond to a page or to conduct a phone conversation.*

*The Wylie Municipal Complex is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972.516.6020.*

*Hearing impaired devices are available from the City Secretary prior to each meeting.*

### CALL TO ORDER

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*Announce the presence of a Quorum.*

### INVOCATION & PLEDGE OF ALLEGIANCE

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### CITIZENS COMMENTS ON NON-AGENDA ITEMS

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*Residents may address Commissioners regarding an item that is not listed on the Agenda. Residents must provide their name and address. The Commission requests that comments be limited to three (3) minutes. In addition, the Commissioners are not allowed to converse, deliberate or take action on any matter presented during citizen participation.*

## CONSENT AGENDA

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1. Consider and act upon approval of the Minutes from November 3, 2015, Regular Meeting.

## REGULAR AGENDA

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### **Regular Agenda**

1. Consider, and act upon, a recommendation to City Council regarding a Final Plat for Kreymer Estates Phase 3 consisting of 29.765 acres for 74 single family residential lots and 3 open space lots, generally located south of E. Brown Street between Douglas and Markham Drives.
2. Consider, and act upon, a recommendation to City Council regarding a Final Plat for Bob Heath Addition, creating two commercial lots on 1.13 acres, located at 1950 North State Highway 78.

## ADJOURNMENT

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## CERTIFICATION

*I certify that this Notice of Meeting was posted on the 25th day of November, 2015 at 5:00 p.m. as required by law in accordance with Section 551.042 of the Texas Government Code and that the appropriate news media was contacted. As a courtesy, this agenda is also posted on the City of Wylie website: [www.wylietexas.gov](http://www.wylietexas.gov).*

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**Carole Ehrlich, City Secretary**

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**Date Notice Removed**

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# Wylie Planning and Zoning Commission

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## Minutes

### Wylie Planning & Zoning Commission

Tuesday November 3, 2015 – 6:00 pm

Wylie Municipal Complex – Room 230 Conference Room  
300 Country Club Road, Building 100

## CALL TO ORDER

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Chair Ron Smith called the meeting to order at 6:00 PM. In attendance were: Vice-Chair Dennis Larson, Commissioner Mike McCrossin, Commissioner Randy Owens, and Commissioner Jerry Stiller and Commissioner David Williams. Commissioner Sonia Ahmed was absent.

Staff present was Renae' Ollie, Planning Director, Jasen Haskins, Sr Planner, and Mary Bradley, Administrative Assistant

## INVOCATION & PLEDGE OF ALLEGIANCE

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Commissioner McCrossin gave the Invocation and Commissioner Owens led the Pledge of Allegiance.

## CITIZENS COMMENTS

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Chair Smith opened the Citizens Participation. With no one approaching the Commissioners, Chair Smith closed the Citizens Participation.

## CONSENT ITEMS

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1. Consider and act upon approval of the Minutes from the October 6, 2015, Regular Meeting.

### Board Action

A motion was made by Commissioner Owens and seconded by Commissioner Stiller to approve the minutes for October 6, 2015, as submitted. Motion carried 6 – 0.

## REGULAR AGENDA

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### Regular Agenda

## **Item 1 – Site Plan Gateway community Church**

Consider, and act upon, a Site Plan for Gateway Community Church, Lot 1, Block A, Phase two on a single lot, for the development of an addition to a Church, located at 2201 Country Club Road.

### **Staff Presentation**

Mr. Haskins stated that the property totals 29.07 acres. The applicant desires to construct a two-story 28,300 square foot addition to the main sanctuary for classrooms and offices, and a 2,800 square foot connection/foyer between the existing and proposed structures.

The addition is Phase Two of Planned Development Ordinance 2008-22. Although the proposed elevations does not meet the required 20 percent amount of Stone, Staff reviewed the overall existing and proposed, and the architectural requirement is met.

Staff recommends approval, subject to additions and alterations as required by the City Engineering Department.

### **Board Action**

With no questions for the applicant, a motion was made by Commissioner Williams, and seconded by Commissioner McCrossin, to approve the Site Plan for Gateway Community Church. Motion carried 6 – 0.

## **Public Hearing**

### **Public Hearing Item 1 – Replat Keller’s First Addition**

Hold a Public Hearing to consider, and act upon, a recommendation to the City council regarding a Replat for Keller’s First Addition, Lot 1R, Block 7; Being a Replat of Lot 1 and Lot 2, Block 7, establishing one single family residential lot on 0.376 acres, generally located on the southwest corner of College and Jackson Streets (203 college Street). **RP 2015-02**

### **Staff Presentation**

Mr. Haskins stated that the applicant desires to reconfigure two lots to establish one single-family residential lot. The property totals 0.376 acres and is zoned Single-Family Residential 10/24.

The applicant is proposing to construct a single family home on Lot 1, however, the structure is large and not able to conform to the required setbacks. The applicant is replatting Lots 1 and 2 into a single lot that will allow for the structure to conform to the design standards in the ordinance.

### **Public Comments**

Chairman Smith opened the Public Hearing. With no one approaching the Commissioners, Chairman Smith closed the Public Hearing.

**Board Action**

A motion was made by Commissioner Owens, and seconded by Commissioner McCrossin, to recommend approval to the City Council Replat Keller's Addition. **RP 2015-02**. Motion carried 6 – 0.

**Miscellaneous**

Ms. Bradley stated that there will be no meeting on November 17, 2015. A notice will be sent out confirming if a meeting will be held for December 1, 2015.

**ADJOURNMENT**

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A motion was made by Commissioner McCrossin, and seconded by Commissioner Williams to adjourn the meeting at 6:15PM. All Commissioners were in consensus.

\_\_\_\_\_  
**Ron Smith, Chair**

ATTEST:

\_\_\_\_\_  
**Mary Bradley, Administrative Assistant**

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# Wylie Planning & Zoning AGENDA REPORT

**Meeting Date:** December 1, 2015  
**Department:** Planning  
**Prepared By:** Jasen Haskins  
**Date Prepared:** November 23, 2015

**Item Number:** 1  
**Subdivision:** Kreymer Estates Phase 3  
**Zoning District:** PD 2013-33  
**Exhibits:** Final Plat

### Subject

Consider, and act upon, a recommendation to the City Council regarding a Final Plat for Kreymer Estates Phase 3 consisting of 29.7654 acres for 74 single family residential lots and 3 open space lots, generally located south of E. Brown Street between Douglas and Markham Drives.

### Recommendation

Motion to recommend approval to the City Council regarding a Final Plat for Kreymer Estates Phase 3 consisting of 29.7654 acres for 74 single family residential lots and 3 open space lots, generally located south of E. Brown Street between Douglas and Markham Drives.

### Discussion

**APPLICANT: Bloomfield Properties, Inc.**

**OWNER: Bloomfield Properties, Inc.**

The property totals 29.765 acres and will create seventy-four (74) single-family residential lots and three (3) open space lots for park and recreational purposes. The subject property is part of the overall 101 acres of the Kreymer Estates development approved in January 2012 as a Planned Development District (PD 2012-04). The overall PD was broadened and expanded in August 2013; therefore the designated and adopted zoning is PD 2013-33.

The plat dedicates necessary rights-of-way, utility easements and floodway and drainage easements.

The Final Plat complies with the approved Development Plan & Concept Plan which was approved with the PD for all phases of the development. The Final Plat differs from the Preliminary Plat only in the addition of a few drainage and utility easements.

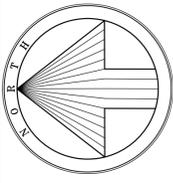
Staff Recommends approval subject to additions and alterations as required by the City Engineering Department.

### Approved By

**Department Director**

*Initial*  
RO

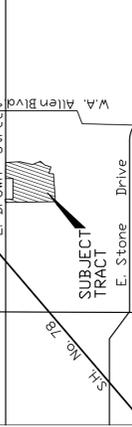
*Date*  
11-23-15



GRAPHIC SCALE  
1" = 60'  
0 60 120

LADYLIKE SHOP, INC.  
Vol. 1030, Pg. 416  
D.R.C.C.T.

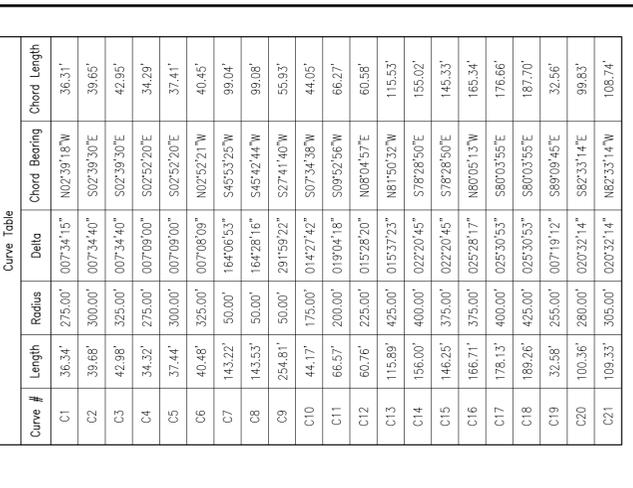
REPLANT ONCOR LAVION  
SWITCHING STATION  
CC# 20120717010001750  
M.R.C.C.T.



LEGEND  
○ 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "WESTWOOD PS" SET  
PDE OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS  
O.P.R.C.C.T. PLAT RECORDS, COLLIN COUNTY, TEXAS  
D.R.C.C.T. DEED RECORDS, COLLIN COUNTY, TEXAS  
BL BUILDING LINE  
UE UTILITY EASEMENT  
◆ STREET NAME CHANGE  
◆ SANITARY EASEMENT  
◆ Esmt.

Curve Table

| Curve # | Length  | Radius  | Delta      | Chord Bearing | Chord Length |
|---------|---------|---------|------------|---------------|--------------|
| C1      | 36.34'  | 275.00' | 007°34'15" | N02°39'16"W   | 36.31'       |
| C2      | 39.68'  | 300.00' | 007°34'40" | S02°39'30"E   | 39.65'       |
| C3      | 42.98'  | 325.00' | 007°34'40" | S02°39'30"E   | 42.95'       |
| C4      | 34.32'  | 275.00' | 007°09'00" | S02°52'20"E   | 34.29'       |
| C5      | 37.44'  | 300.00' | 007°09'00" | S02°52'20"E   | 37.41'       |
| C6      | 40.48'  | 325.00' | 007°08'09" | N02°52'21"W   | 40.45'       |
| C7      | 143.22' | 50.00'  | 164°06'53" | S45°53'25"W   | 99.04'       |
| C8      | 143.53' | 50.00'  | 164°28'16" | S45°42'44"W   | 99.08'       |
| C9      | 254.81' | 50.00'  | 291°59'22" | S27°41'40"W   | 55.93'       |
| C10     | 44.17'  | 175.00' | 014°27'42" | S07°34'38"W   | 44.05'       |
| C11     | 66.57'  | 200.00' | 019°04'18" | S09°52'56"W   | 66.27'       |
| C12     | 60.76'  | 225.00' | 015°28'20" | N08°04'57"E   | 60.58'       |
| C13     | 115.89' | 425.00' | 015°37'33" | N87°50'32"W   | 115.53'      |
| C14     | 156.00' | 400.00' | 022°20'45" | S78°28'50"E   | 155.02'      |
| C15     | 146.25' | 375.00' | 022°20'45" | S78°28'50"E   | 145.33'      |
| C16     | 166.71' | 375.00' | 025°28'17" | N80°05'13"W   | 165.34'      |
| C17     | 178.13' | 400.00' | 025°30'53" | S80°03'55"E   | 176.66'      |
| C18     | 189.26' | 425.00' | 025°30'53" | S80°03'55"E   | 187.70'      |
| C19     | 32.58'  | 255.00' | 007°19'12" | S89°09'45"E   | 32.56'       |
| C20     | 100.36' | 280.00' | 020°32'14" | S82°33'14"E   | 99.83'       |
| C21     | 109.33' | 305.00' | 020°32'14" | N82°33'14"W   | 108.74'      |



# FINAL PLAT OF KREYMER ESTATES PHASE 3

74 RESIDENTIAL LOTS 3 OPEN SPACE LOTS  
29.7654 ACRE

OUT OF THE  
FRANCISCO DE LA PINA SURVEY, ABSTRACT NO. 688  
IN THE  
CITY OF WYLIE, COLLIN COUNTY, TEXAS

OWNER  
**BLOOMFIELD HOMES L.P.**  
1050 E. HIGHWAY 114, SUITE 210, SOUTHLAKE, TEXAS 76092  
817-416-1572  
ENGINEER/SURVEYOR



D=4°49'41"  
R=1080.00'  
CB=N88°39'49"E  
CD=90.98'  
L=91.01'

D=4°29'59"  
R=1080.00'  
CB=S86°57'51"E  
CD=84.80'  
L=84.82'

D=4°09'53"  
R=1160.00'  
CB=S86°47'48"E  
CD=84.30'  
L=84.32'

LINE TABLE

| LINE # | LENGTH | BEARING     |
|--------|--------|-------------|
| L1     | 21.35  | S44°17'16"E |
| L2     | 21.28  | S44°06'35"E |
| L3     | 10.16  | S19°29'05"W |

BROWN STREET

SHILOH BAPTIST CHURCH  
ADDITION  
CC# 2002-0111803  
M.R.C.C.T.

BIRCHWOOD DRIVE

DOUGLAS DRIVE

REDWOOD COURT

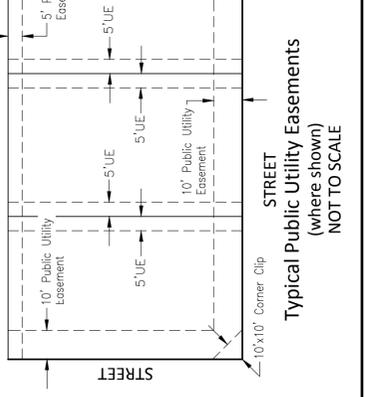
PEACHWOOD DRIVE

HAWTHORN DRIVE

CARRIAGE RUN DRIVE

SURVEYOR'S NOTES

1. THE BEARINGS SHOWN HEREON ARE CREATED FROM ACTUAL FIELD SURVEYS, NAD83 TEXAS NORTH CENTRAL ZONE (4202), GRID BEARINGS & TIES TO SHOWN CONTROL MONUMENTS.
2. ALL CORNERS SET ARE MONUMENTED WITH A 5/8" DIAMETER IRON ROD WITH YELLOW PLASTIC CAP STAMPED "WESTWOOD PS", UNLESS OTHERWISE NOTED.
3. ALL COORDINATES SHOWN ARE TEXAS STATE PLANE, NAD83 (CORSS96), TEXAS NORTH CENTRAL ZONE 4202, NAVD88, U.S. SURVEY FEET WITH A COMBINED SCALE FACTOR OF 1.0001477.
4. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING CERTIFICATES.



Typical Public Utility Easements  
(where shown)  
NOT TO SCALE

THIS PLAT FILED IN CABINET \_\_\_\_\_, SLIDE \_\_\_\_\_, P.R.C.C.T.

STATE OF TEXAS )  
COUNTY OF COLLIN )

**OWNERS CERTIFICATE**

Whereas Bloomfield Homes L.P., is the owner of a tract of land situated in the Francisco de la Pina Survey, Abstract No. 688, in the City of Wylie, Collin County, Texas, being part of the 40,666 acre tract conveyed to Bloomfield Homes L.P. by deed of record in County Clerk's File No. 2013082200192240, of the Official Public Records, Collin County, Texas, and being all of the 0.984 acre tract of land conveyed to Bloomfield Homes L.P. by deed of record in County Clerk's File No. 20140630000667150, of said Official Public Records, and being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2 inch iron rod found in the north line of Block A of Rush Creek Estates, an addition to the City of Wylie, as shown on plat of record in Cabinet C, Page 494, Map Records, Collin County, Texas, for the southeast corner of the Oaks Addition No. 4, an addition to the City of Wylie, as shown on plat of record in Cabinet C, Page 71, of said Map Records, said rod being the southwest corner of said 40,666 acre Bloomfield Homes, L.P. tract;

**THENCE** North 00 Degrees 20 Minutes 47 Seconds East with the east line of said Oaks Addition No. 4, a distance of 1,367.17 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" set on the south right-of-way line of Brown Street (a variable width right-of-way) for the northwest corner of said 40,666 acre tract;

**THENCE** along said south right-of-way line with a non-tangent curve to the right having a radius of 1,080.00 feet and an arc length of 91.01 feet (chord bears North 88 Degrees 39 Minutes 49 Seconds East, 90.98 feet) to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" set for the northwest corner of that tract of land conveyed to Perry Easterling, Trustee by deed of record in Volume 2115, Page 56, of said Official Public Records;

**THENCE** South 01 Degrees 04 Minutes 40 Seconds West a distance of 208.70 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" set for the southwest corner of said Easterling tract;

**THENCE** South 88 Degrees 55 Minutes 20 Seconds East, a distance of 149.98 feet passing a 1 inch iron pipe found for the southeast corner of that tract of land conveyed to Richard Justice and Melody Justice by deed of record in Volume 2399, Page 222, of said Official Public Records, and the common southwest corner of Shiloh Baptist Church Addition, an addition to the City of Wylie as shown on plat of record in County Clerk's File No. 2002-0111803, of said Official Public Records, continuing along the south line thereof to a total distance of 588.06 feet to a pinched 1 inch iron pipe found for the southeast corner of said Shiloh Baptist Church Addition and the common southwest corner of the 0.984 acre tract of land conveyed to Bloomfield Homes LP by deed of record in County Clerk's File No. 20140630000667150, of said Official Public Records;

**THENCE** North 01 Degrees 07 Minutes 50 Seconds East, a distance of 208.69 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" set in said south right-of-way for the northwest corner of said 0.984 acre tract;

**THENCE** said south right-of-way line of Brown Street the following calls and distances: South 88 Degrees 59 Minutes 44 Seconds East, a distance of 201.84 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

A non-tangent curve to the right having a radius of 1,080.00 feet and an arc length of 84.82 feet (chord bears South 86 Degrees 57 Minutes 51 Seconds East, 84.60 feet) to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" set for corner;

A reverse curve to the left having a radius of 1,160.00 feet and an arc length of 84.32 feet (chord bears South 86 Degrees 47 Minutes 48 Seconds East, 84.30 feet) to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" set for corner;

South 88 Degrees 52 Minutes 45 Seconds East, a distance of 74.48 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for the northeast corner of Krejmer Estates Phase 2, an addition to the City of Wylie as shown on plat recorded in Volume 2014, Page 648 (CC No. 20141204010004050), of said Map Records;

**THENCE** in a southerly direction with the west line of said Krejmer Estates Phase 2 the following calls and distances:

South 01 Degrees 40 Minutes 32 Seconds East, a distance of 388.82 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

South 14 Degrees 29 Minutes 58 Seconds West, a distance of 344.23 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

South 20 Degrees 59 Minutes 37 Seconds East, a distance of 240.36 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" found for corner;

**THENCE** in a southwesterly direction over and across said 40,666 acre tract the following calls and distances:

South 41 Degrees 17 Minutes 43 Seconds West, a distance of 163.94 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" set for corner;

South 17 Degrees 42 Minutes 53 Seconds West, a distance of 171.43 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" set for corner;

North 72 Degrees 17 Minutes 07 Seconds West, a distance of 133.20 feet to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" set for corner;

Along a tangent curve to the left having a radius of 255.00 feet and an arc length of 58.83 feet (chord bears North 78 Degrees 53 Minutes 38 Seconds West, 58.69 feet) to a 5/8 inch iron rod with yellow plastic cap stamped "WESTWOOD PS" set for corner;

South 04 Degrees 29 Minutes 51 Seconds West, a distance of 120.33 feet to a 1/2" iron rod with cap stamped "4524" found in the south line of said 40,666 acre tract for the northwest corner of the 24,032 acre tract of land conveyed to Bloomfield Homes LP by deed of record in County Clerk's File No. 2013082200192240, of said Official Public Records, said rod being the common northeast corner of Block A, Rush Creek Estates Phase II, an addition to the City of Wylie, Texas as shown on the plat of record in Cabinet E, Page 22, of said Map Records;

**THENCE** along the north line of said Block A, Rush Creek Estates Phase II, the following courses and distances:

South 87 Degrees 10 Minutes 39 Seconds West, a distance of 649.25 feet to a 5/8 inch iron rod found for corner;

**THENCE** South 89 Degrees 17 Minutes 52 Seconds West, a distance of 121.37 feet to the **POINT OF BEGINNING** and containing 1,296,584 square feet or 29,764 acres of land more or less.

**NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:**

That, BLOOMFIELD HOMES L.P., acting herein by and through its duly authorized officer, does hereby adopt this plat designated herein above described property as KREYMER ESTATES PHASE 3, an addition to the City of Wylie, Texas and does hereby dedicate to the public use forever the easements and rights-of-way as shown thereon. The easements shown hereon are hereby reserved for the purposes as indicated. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements and right-of-ways as shown. Said utility easements being hereby reserved for the mutual use and accommodation of all public utilities desiring to use or using same unless otherwise specified. All and any public utility shall have the full right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may be located upon, over or across the easements and right-of-ways as shown. The full right of ingress and egress to and from the easements and right-of-ways shall be maintained and all public utilities shall have the full right of ingress and egress to and from the easements and right-of-ways for the purposes of removing all or part of its respective systems without the necessity at any time procuring the permission of anyone.

WITNESS MY HAND this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

o Texas Limited Partnership  
a Texas Corporation, General Partner  
By: BLOOMFIELD PROPERTIES, INC.

By: DONALD J. DYKSTRA, President

THE STATE OF TEXAS )  
COUNTY OF TARRANT )

Given UNDER MY HAND SEAL OF OFFICE, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

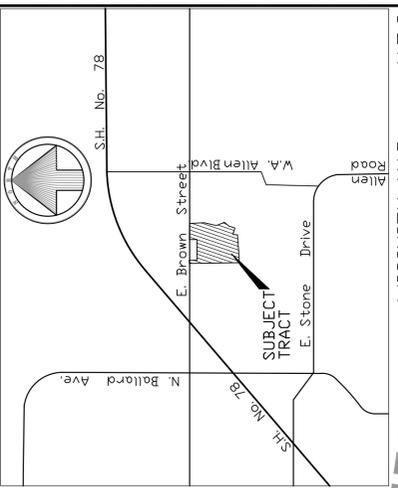
BEFORE ME, the undersigned authority, on this day personally appeared DONALD J. DYKSTRA whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed in the capacity therein stated.

Notary Public in and for the State of Texas

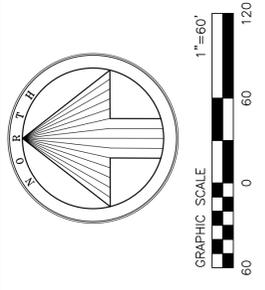
Notary Public in and for the State of Texas

Notary Public in and for the State of Texas

Notary Public in and for the State of Texas

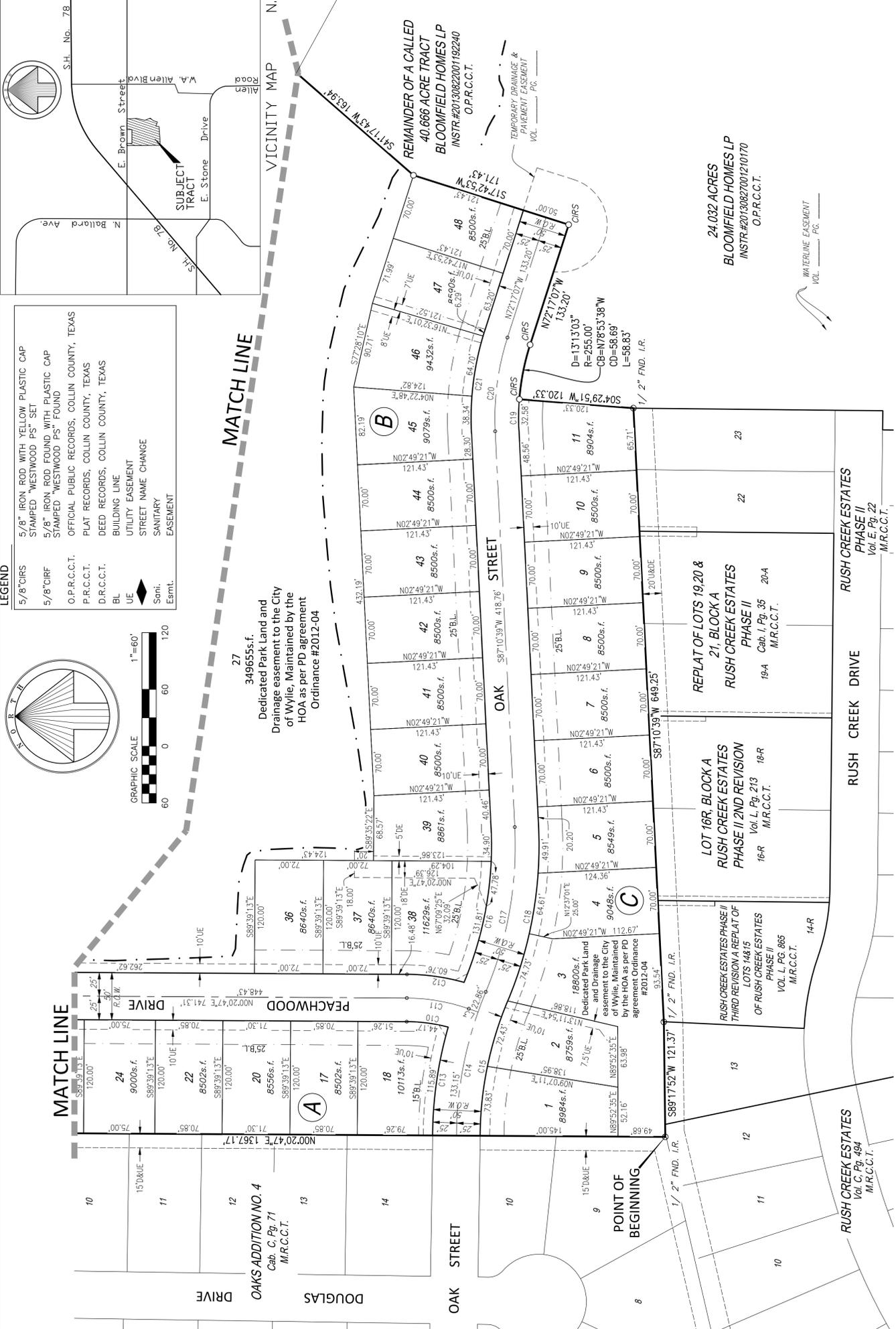


- 5/8" CIRS
- 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "WESTWOOD PS" SET
- 5/8" CIRF
- 5/8" IRON ROD FOUND WITH PLASTIC CAP STAMPED "WESTWOOD PS" FOUND
- O.P.R.C.C.T.
- P.R.C.C.T.
- D.R.C.C.T.
- BL
- UE
- UTILITY EASEMENT
- BUILDING LINE
- STREET NAME CHANGE
- SANITARY EASEMENT
- Soni.
- Esmt.



**MATCH LINE**

349655s.f.  
Dedicated Park Land and  
Drainage easement to the City  
of Wylie, Maintained by the  
HOA as per PD agreement  
Ordinance #2012-04



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# Wylie Planning & Zoning AGENDA REPORT

**Meeting Date:** December 1, 2015  
**Department:** Planning  
**Prepared By:** Jasen Haskins  
**Date Prepared:** November 20, 2015

**Item Number:** 2  
*(City Secretary's Use Only)*  
**Subdivision:** Bob Heath Addition  
**Zoning District:** CC  
**Exhibits:** Final Plat

### Subject

Consider, and act upon, a recommendation to the City Council regarding a Final Plat for Bob Heath Addition, creating two commercial lots on 1.13 acres, located at 1950 North State Highway 78.

### Recommendation

Motion to recommend approval to the City Council regarding a Final Plat for Bob Heath Addition, creating two commercial lots on 1.13 acres, located at 1950 North State Highway 78.

### Discussion

**APPLICANT: Bob Heath**

**OWNER: Ray Dean Miller**

The property totals 1.13 acres and will create two commercial lots. Lot 1, consisting of 0.77 acres, contains an existing fueling station and retail use. Lot 2, consisting of 0.38 contains a storage and retail use. The purpose of the plat is to divide the property, as both structures currently exist on property being an abstract out of the Francisco de la Pina survey.

The structures on the property are existing, having been constructed between 1980 to 1985. While every effort was made to divide the property to conform to existing subdivision regulations, both properties will be legally non-conforming do to current setback requirements should the plat be approved. For this reason staff asked that existing construction with dimensioning be included on the plat during the review and consideration process. Those will be removed before filing if the plat is approved.

The plat creates a mutual access easement to allow Lot 2 full access to SH 78 under the current subdivision regulations.

The plat shall also dedicate the necessary rights-of-way, fire lanes, utility, construction, and drainage easements. This Final Plat complies with the applicable technical requirements of the City of Wylie and is recommended for approval subject to additions and alterations as required by the Engineering Department.

### Approved By

|                            | <i>Initial</i> | <i>Date</i>     |
|----------------------------|----------------|-----------------|
| <b>Department Director</b> | <u>RO</u>      | <u>11-23-15</u> |

STATE OF TEXAS  
COUNTY OF COLLIN

WHEREAS, Ray Dean Miller is the Owner of a tract of land situated in the Francisco De La Pina Survey, Abstract No. 688, City of Wylie, Collin County, Texas, and being all of that tract of land described in a deed to Ray Dean Miller as recorded in Volume 1141, Page 801 of the Deed Records of Collin County, Texas, and being further described as follows:

BEGINNING at a 1 inch pipe found on the South line of State Highway No. 78, at the Northeast corner of said Miller tract, and at the Northwest corner of that tract of land described in a deed to Allen National Property, LLC as recorded in Volume 4205, Page 2088 of the Land Records of Collin County, Texas;

THENCE South 01 degrees 17 minutes 37 seconds West, 208.62 feet to a 5/8 inch steel rod set at the Southeast corner of said Miller tract, at the Southwest corner of said 1.00 acres, and on the North line of that called 13.9254 acres of land described in a deed to Archie Eubanks as recorded in Volume 1083, Page 270 of the Deed Records of Collin County, Texas;

THENCE North 88 degrees 39 minutes 45 seconds West, 236.50 feet to a point on the North edge of a building at the Southwest corner of said Miller tract, and at the Southeast corner of that called 1.00 acres of land described in a deed to Eubanks Living Trust as recorded under CC# 97-0003426 of the Land Records of Collin County, Texas, from which a pipe found bears North 01 degrees 20 minutes 15 seconds East, 0.79 feet for witness;

THENCE North 01 degrees 20 minutes 15 seconds East, 209.04 feet to a 5/8 inch steel rod set capped "Boundary Solutions", on the South line of said State Highway No. 78, at the Northwest corner of said Miller tract, and at the Northeast corner of that called 868 Sq.Ft. tract of land described in a deed to Archie Eubanks as recorded in Volume 5321, Page 7062 of the Deed Records of Collin County, Texas, from which a TxDOT aluminum disk monument found bears South 01 degrees 20 minutes 15 seconds West, 4.18 feet for witness;

THENCE South 88 degrees 33 minutes 37 seconds East, 236.34 feet along the South line of said highway to the POINT OF BEGINNING, containing 1.13 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Ray Dean Miller, acting herein by and through his duly authorized officers, does hereby adopt this plat designating the herein above described property as Final Plat of Bob Heath Addition, Lots 1-2, Block A, an Addition to the City of Wylie, Collin County, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements shown thereon. The streets and alleys, if any, are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, that landscaping improvements may be placed in landscaped easements if approved by the City Council of the City of Wylie, Texas, in addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Wylie's use thereof.

The City of Wylie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, use or operation of any public utility system, or which may obstruct or impede the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of any time procuring permission from anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Wylie, Texas.

WITNESS, my hand, this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Authorized Signature of Owner \_\_\_\_\_

Printed Name and Title \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF COLLIN

BEFORE me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Ray Dean Miller, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Notary Public in and for Collin County, Texas

My Commission Expires On: \_\_\_\_\_

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Matthew Busby do hereby certify that I have prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City of Wylie.

PRELIMINARY AND FOR REVIEW ONLY.  
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.  
Matthew Busby R.P.L.S. 5751

STATE OF TEXAS  
COUNTY OF COLLIN

BEFORE me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Matthew Busby, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Notary Public in and for Collin County, Texas

My Commission Expires On: \_\_\_\_\_

FINAL PLAT

BOB HEATH ADDITION  
LOTS 1-2, BLOCK A  
BEING TWO LOTS TOTALING 1.13 ACRES  
FRANCISCO DE LA PINA SURVEY, A-688  
CITY OF WYLIE  
COLLIN COUNTY, TEXAS

SURVEYOR: OWNER:

Boundary Solutions  
P.O. Box 250  
Caddo Mills, TX 75166

Ray Dean Miller  
11160 S.H. 205  
Lavon, TX 75166

LOT 1, BLOCK A  
WOODLAKE VILLAGE  
VOL. G, PG. 386

CALLED 5,724 SQ.FT.  
STATE OF TEXAS  
VOL. 5286, PG. 5809

CALLLED 1,989 SQ.FT.  
STATE OF TEXAS  
VOL. 5258, PG. 4463

CALLLED 25.98 ACRES  
1905 WYLIE LLC  
CC# 20100701000676140

PART OF  
CALLLED 1.00 ACRES  
EUBANKS LIVING TRUST  
CC# 97-0003426

CALLLED 1.00 ACRES  
ALLEN NATIONAL PROPERTY, LLC  
VOL. 4205, PG. 2089

PART OF  
CALLLED 13.9254 ACRES  
ARCHIE EUBANKS  
VOL. 1083, PG. 270

FRANCISCO DE LA PINA SURVEY, A-688

SPP = STEEL ROD SET  
SFP = STEEL ROD FOUND

Note: Bearings based on South line of called 868 Sq.Ft. tract to State of Texas (Vol. 5321, Pg. 7062).

Note: All 5/8 inch steel rods set have red plastic cap stamped "Boundary Solutions"

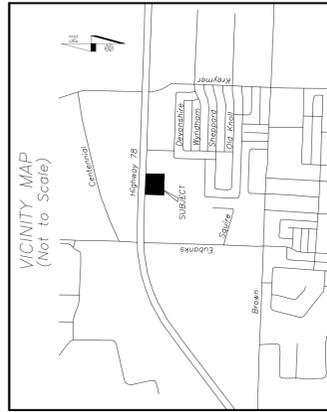
NOTICE:

Selling a portion of this addition by metes and bounds is a violation of City Ordinance and State Law and is subject to fines and withholdings of utilities and building permits.

FLOOD NOTE:

Subject tract located within Zone 'X' as scaled from F.I.R.M. Panel 48085C0420J, dated June 2, 2009.

Zone 'X' - "Areas, determined to be outside the 0.2% annual chance floodplain."



SCALE: 1" = 40'



BND.SOL Job# 1510-006  
Date Prepared:  
November 4, 2015

"Recommended for Approval" \_\_\_\_\_ Date \_\_\_\_\_

Chairman, Planning & Zoning Commission  
City of Wylie, Texas

"Approved for Construction" \_\_\_\_\_ Date \_\_\_\_\_

Mayor, City of Wylie, Texas \_\_\_\_\_ Date \_\_\_\_\_

"Accepted" \_\_\_\_\_

Mayor, City of Wylie, Texas \_\_\_\_\_ Date \_\_\_\_\_

The undersigned, the City Secretary of the City of Wylie, Texas, hereby certifies that the foregoing final plat of the Final Plat of Ray Miller Addition, Lots 1-2, Block 1, an Addition to the City of Wylie, Collin County, Texas was submitted to the City Council on the day of \_\_\_\_\_, 2015, and that the City Council has approved the plat and the day of dedication of streets, alley, parks, easement, public places, and water and sewer lines as shown and set forth in and upon said plat and said Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2015.

City Secretary  
City of Wylie, Texas