

PATRICIA PROSPER

Place 2

JAMES HOPPER

Place 3

RONALD LEWIS

Place 4

DREW WILSON

Place 1 - Chair



MICHAEL WALKER

Place 5

KELSEY HAZARD

Place 6

TONY BOVINICH

Place 7 - Vice Chair

Planning & Zoning Commission

REGULAR MEETING

Thursday, November 19, 2020, 7:00 PM

Venus Civic Center

210 South Walnut Street

Venus, Texas 76084

AGENDA

In order to advance the public health goal of limiting face-to-face interaction (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19) **although citizens will be allowed to attend the meeting in person, keeping social distancing in mind is required and wearing a facial mask is required.**

Page

1. Call to Order, Roll Call, Invocation, Pledge of Allegiance

2. Consent Agenda

- 2.1. Consider and approve minutes for Regular P&Z meeting on September 24, 2020.

3 - 8

[09-24-2020-1.docx](#)

3. Public Comment Period

4. Items for Public Hearing and Consideration

- 4.1. Consider and act upon a Final Plat Application by Heritage Hills Development, LLC, for approximately 24.528 acres in the Heritage Hills Estates, Phase One, subdivision; consisting of approximately 56 residential lots and 1 common area tract; generally located north of State Highway 67, south of County Road 502, between V. V. Jones Road and the Ellis-Johnson

9 - 20

County line, in Ellis County and Venus city limits. [PZ #2020-11-001]

[PZ-Case-2020-11-001.pdf](#) 

5. Adjournment

6. Executive Session:

In accordance with TEXAS GOVERNMENT CODE §551.001, et seq. the City of Venus Capital Improvement Advisory Committee may recess into Executive Session (closed meeting) at any time during this meeting to discuss matters listed on the agenda or if any of the following matters should arise during the course of the meeting: §551.071 Consultation with Attorney; §551.072 Deliberation regarding Real Property, §551.074 Personnel Matters, §551.076 Deliberation regarding Security Devices, §551.087 Deliberation regarding Economic Development Negotiations.

This is to certify that a copy of this Notice of Meeting was posted on the bulletin board of City Hall, 700 W Hwy 67, Venus TX, at a place readily accessible to the general public at all times, and to the City's website, **www.cityofvenus.org**, before Monday, November 16, 2020 on or before 5:00 P.M.

Darrell A. Cook, cpm

**Assistant City Administrator &
Community Development Director**

In accordance with TEXAS GOVERNMENT CODE §551.001, et seq. the City of Venus Planning and Zoning may recess into Executive Session (closed meeting) at any time during this meeting to discuss matters listed on the agenda or if any of the following matters should arise during the course of the meeting: §551.071 Consultation with Attorney; §551.072 Deliberation regarding Real Property, §551.074 Personnel Matters, §551.076 Deliberation regarding Security Devices, §551.087 Deliberation regarding Economic Development Negotiations.

If you plan to attend the public meeting and have a disability requiring accommodation, please make your request at least 48 hours in advance of the meeting, if possible. To make arrangements call (972) 366-3348 and leave a message if it is after hours. Thank you.

PATRICIA PROSPER
Place 2

JAMES HOPPER
Place 3

RONALD LEWIS
Place 4

DREW WILSON
Place 1 - Chair



MICHAEL WALKER
Place 5

KELSEY HAZARD
Place 6

TONY BOVINICH
Place 7 – Vice Chair

Planning & Zoning Commission

REGULAR MEETING
Thursday, September 24, 2020, 7:00 p.m.
Venus Civic Center
210 South Walnut Street
Venus, Texas 76084

MINUTES

I. Call to Order, Roll Call, Invocation, Pledge of Allegiance

Commissioner Hopper called the meeting to order at 7:02 P.M.

Commissioners present: Commissioner Prosper, Commissioner Hopper, Commissioner Lewis, Commissioner Walker and Commissioner Bovinich.

Commissioners absent: Commissioner Wilson and Commissioner Hazard.

Staff present: Darrell Cook, Assistant City Administrator/Community Development Director, Callie Green, City Secretary and Tad Dunn, City Attorney.

Invocation was led by Commissioner Lewis.

The Pledge was said by the entire Commission.

II. Consent Agenda

Consider and approve minutes for Regular P&Z meeting dated August 20, 2020.

Commissioner Lewis made a motion to approve minutes for regular P&Z meeting dated August 20, 2020. Seconded by Commissioner Prosper. For: Unanimous. Motion carried. 4-0.

****Typo on meeting date. Date should have read July 23, 2020. ****

III. Public Comment Period – No speakers during this time.

IV. Items for Public Hearing and Consideration

- A. Conduct a Public Hearing and consider and act upon a proposed amendment to the comprehensive plan of the City and the Zoning Ordinance and Map to rezone an approximate 0.2 acre tract of land, located at 101 S. Main Street, from its current Residential zoning classification to Restricted Commercial (C-1). [PZ #2020-10-001]

1. Staff Report.

Darrell Cook presented to Commissioners.

2. Open public hearing.

Commissioner Hopper opened the Public Hearing at 7:09 P.M.

Phyllis Lewis – 101 S. Locust St – If this property is residential why has it been allowed to run a business before it could be zoned commercial. I do not understand how people can get away with the fact that they can do what they want until someone decides to change the zoning.

Darrell Cook followed up to Mrs. Lewis questioned and stated that the City Council has the option to way any options and Council waived the Ordinance I believe in 2012 for this location.

Jeannie Prazak – 601 W. 5th – According to the Central Appraisal District for Johnson Co. this address 101 S. Main St. is Commercial on the tax roll.

Darrell Cook addressed Prazak statement and said the appraisal district will list the land use and because it was used as commercial it is listed as commercial. Zoning by the Country is not binding on the City.

3. Close public hearing.

Commissioner Hopper closed the Public Hearing at 7:12 P.M.

4. Deliberate and act upon a recommendation to City Council.

Commissioner Bovinich made a motion to approve a proposed amendment to the comprehensive plan of the City and the Zoning Ordinance and map to rezone an approximate 0.2 acre tract of land, located at 101 S. Main Street, from its current residential zoning classification to restricted commercial zoning classification . Seconded by Commissioner Prosper. For: Unanimous. Motion carried 5-0.

- B. Conduct a Public Hearing and consider and act upon a proposed amendment to the comprehensive plan of the City and the Zoning Ordinance and Map to rezone an approximate 3.5 acre tract of land, located at 940 W CR 109, from its current Residential (R-1L) zoning classification to a Planned Development (PD) [PZ #2020-10-002]

1. Staff Report.

Darrell Cook presented to Commissioners.

2. Open public hearing.

Commissioner Hopper opened the Public Hearing at 7:24 P.M.

Chris Rodriguez – 729 Co. Rd 213 – I’ve been a resident here for over 30 years and the main reason people come to Venus is to get away from the big cities. My concerns are raising taxes, is it going to affect zoning so if we come out of our house are, we going to see apartment complex or a four multiple living complex. These are my concerns.

3. Close public hearing.

Commissioner Hopper closed the Public Hearing at 7:26 P.M.

4. Deliberate and act upon a recommendation to City Council.

Commissioner Lewis made a motion to deny a proposed amendment to the comprehensive plan of the City and the Zoning Ordinance and Map to rezone an approximate 3.5 acres tract of land, located at 940 W. CR 109, from its current Residential R1-L zoning classification to a Planned Development classification.. Seconded by Commissioner Prosper. For: Unanimous. Motion carried 5-0.

- C. Conduct a Public Hearing and consider and act upon proposed amendments to the Zoning Ordinance and the Subdivision Ordinance of the City to update the zoning districts of the City, to expand the types of zoning districts available to create the residential, small lot district and the central business district within the city, to update the minimum lot size requirements for the single-family residential district, and to amend the regulations governing the existing and new zoning districts in the City for consistency. [PZ #2020-10-003]

1. Staff Report.

Darrell Cook presented to Commissioners. City Attorney, Tad spoke and stated that this is not re-zoning for the Central Business District. What this is, is an Ordinance that will go to Council to create zoning classifications.

2. Open public hearing.

Commissioner Hopper opened the Public Hearing at 7:32 P.M.

Geronimo Hernandez- 20 Venus LaRue – Want to explain to y’all is that we need to put something in place so that what is happening in Arlington does not happen here like the AT&T Stadium. Some of the people did sale and some did not want to sale and were forced to sale. We need to be careful and put into place with zoning that people will not be forced to sale or pushed away from their locations.

Joe Russell – 10 Bulldog Dr. – Have not see the Proposal in writing but heard that there is something in there about 40-foot-wide lots and if that is correct, I am opposed to that. Please keep lot sizes at 50 feet or above.

Chris Rodriguez – 729 Co. Rd 213 – Concerned that Venus has the potential to be like any other city; it is all there. I remember when there were 900 residents and now, we have tripled. We want our town to grow but want Council to know that when it comes to zoning to pick and chose what we want for our City and so our image will always be a good place to live with good schools, etc. Pick and choose strategically.

3. Close public hearing.

Commissioner Hopper closed the Public Hearing at 7:36 P.M.

4. Deliberate and act upon a recommendation to City Council.

Commissioner Bovinich made a motion to approve the proposed amendments to the Zoning Ordinance and the Subdivision Ordinance creating the R-1S and Central Business District zoning classifications, updating the minimum lot size requirements for single family residential districts, and amending the regulations governing the existing and new zoning districts in the City for consistency. Seconded by Commissioner Lewis. For: Unanimous. Motion carried 5-0.

- D. Conduct a Public Hearing and consider and act upon a proposed amendment to the comprehensive plan of the City and the Zoning Ordinance and Map to rezone an approximate 24.2 acre tract of land, described as being Original Town of Venus, Block 13, Lots 1 thru 18; and Original Town of Venus, Block 14, Lots 1 thru 18; and Original Town of Venus, Block 15, Lots 1 thru 18; and Original Town of Venus, Block 24, Lots 1 thru 18; and Original Town of Venus, Block 25, Lots 1 thru 18; and Original Town of Venus, Block 34, Lots 1 thru 18; and Original Town of Venus, Block 35, Lots 1 thru 18; and Original Town of Venus, Block 36, Lots 1 thru 12, 13R, generally located between S. Locust Street to S. Oak Street from west to east and between W. 1st Street to W. 4th Street from north to south, from its current zoning classifications to a Central Business District(CB). [PZ #2020-06-002]**

1. Staff Report

Darrell Cook presented to Commissioners.

2. Open public hearing.

Commissioner Hopper opened the Public Hearing at 7:46 P.M.

Phyllis Lewis – 101 S. Locust St. – We have a vacant lot right next door to us and if this is changed, we are going to have a business right next door to our house. The streets are not wide enough for businesses, our road is a dead-end street. We do not need all the extra traffic in our area. Is opposed to this item.

Elena Rodriguez – 102 S. Walnut St.- If this is zoned business you are telling us we do not have to do anything with our houses or be forced to move out.

Greg Hoffman – 209 W. 4th St. – Since I have lived here in 40 years a lot of the places have disappeared. One of the Historical parts of Venus is included in this plane. I do not want a hundred-year-old building with a business next to it. The streets are not wide enough, we have already restricted the size of lots, so everyone parks on the streets. Is opposed to this item.

Delisa Rhodes – 305 W. 2nd St. – My house is a year and two months old and the traffic that would be brought in if this is zoned commercial. I have to take my kids to Waxahachie for school and there's traffic to and from already and this would bring in more. My kid was taking dinner to a church member and was chased by someone with a gun through downtown. Is opposed to this item.

Unannounced speaker that states he agrees with both.

Anna Alvarez – 303 S. Main St. – With this development this will be to close to my home. I have three beautiful children with two of them being hearing impaired. I already struggle with trying to get a “children at play” sign for my hearing impaired children and with all this development will bring more traffic and I already fear for my children playing outside that are hearing impaired. It will also make it harder for me to get comfortable in my own home with all the traffic. Is opposed to this item.

Bryan and Roxy Bennett- 100 S. Locust St. – We moved here 30 years ago due to it being quiet and a private area. Our area is all residential except for the Church and it is peaceful. Is opposed to this item.

3. Close public hearing.

Commissioner Hopper closed the Public Hearing at 8:02 P.M.

Audience continued to speak, and Commissioner Hopper opened back up the public hearing at 8:26 P.M. and closed back the Public Hearing at 8:29 P.M.

4. Deliberate and act upon a recommendation to City Council.

Commissioner Prosper made a motion to deny the proposed amendment to the comprehensive plan of the city and the zoning ordinance and map to rezone an approximate 24.2 acre tract of land generally located between S. Locust Street to S. Oak Street from West to East and between W. 1st Street to W. 4th Street from North to South, from its current zoning classification to a Central Business District classification. Seconded by Commissioner Lewis. For: Unanimous. Motion carried 5-0

- E. Consider and act upon a Preliminary Plat Application by LGI Homes-Texas, LLC, for approximately 66.118 acres in the Patriot Estates Phase 9 subdivision consisting of approximately 326 residential lots and 7 common area lots, generally located at the southwest corner of CR 620 and CR 502, in the city limits. [PZ #2020-10-004]

Darrell Cook presented.

Jeannie Prazak – 601 W. 5th – Asked why this item is coming before the P&Z when Monday night Council tabled all items dealing with Patriot Estates. Darrell Cook said this is a different preliminary Plat application for another section of Patriot Estates.

Commissioner Lewis made a motion to approve the Preliminary Plat Application by LGI Homes-Texas, LLC, for approximately 86.118 acres in the Patriot Estates Phase 9 subdivision. Seconded by Commissioner Walker. For: Unanimous 5-0.

**** Typo of 66.118 acres. Should have read 86.118 acres. ****

V. Adjournment

Commissioner Lewis made a motion to Adjourn. Seconded by Commissioner Walker. For: Unanimous. Motion carried 5-0. Commissioner Hopper adjourned the meeting at 8:50 P.M.

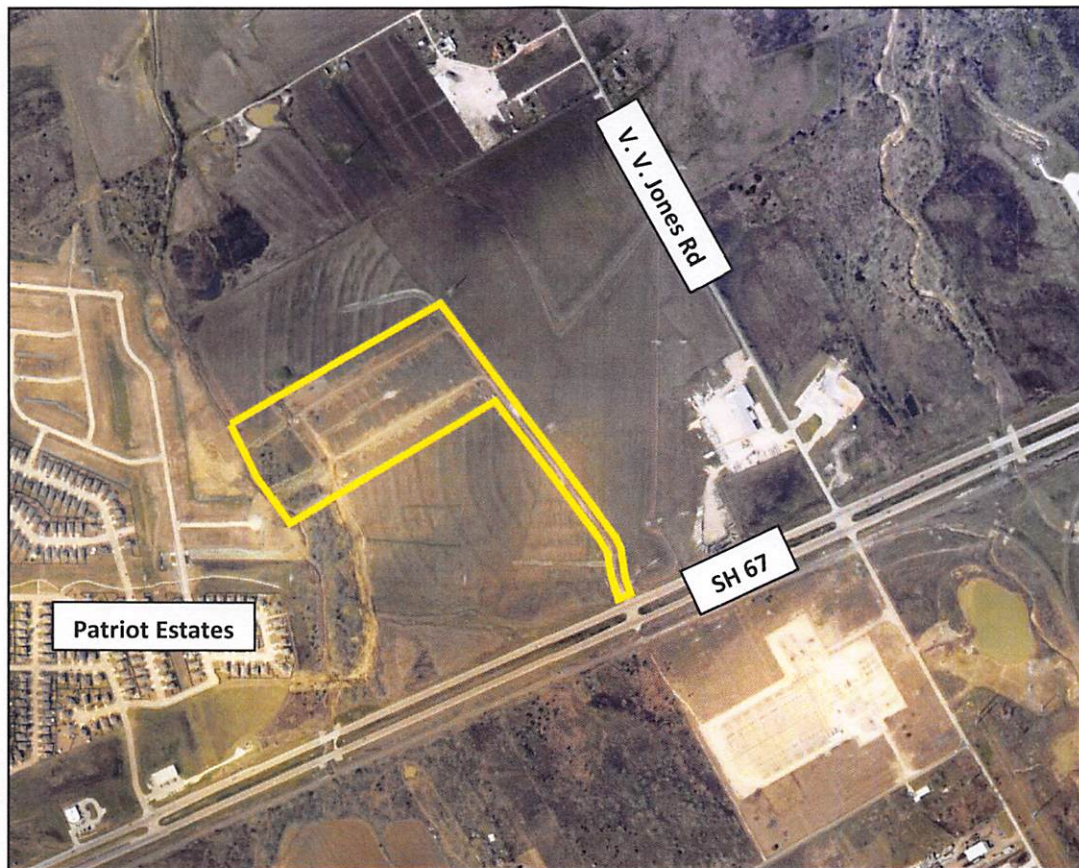
APPROVED:

James Hopper, Commissioner, Place 3

ATTEST:

Callie Green, City Secretary.

Final Plat Application
Heritage Hills Development, LLC
Case #2020-11-0001



Property Description: GEO ID 85.0042.000.068.00.108, Ellis County
Being a 24.528 acre parcel of land, generally located north of State Highway 67, south of County Road 502, between V. V. Jones Road and the Ellis-Johnson County line, in Ellis County and Venus city limits. There are currently roadways, but no structures or persons residing on the land.

Current Zoning: PD – Planned Development

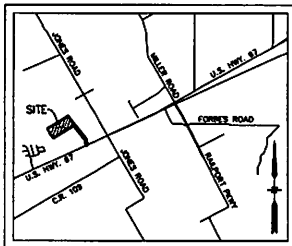
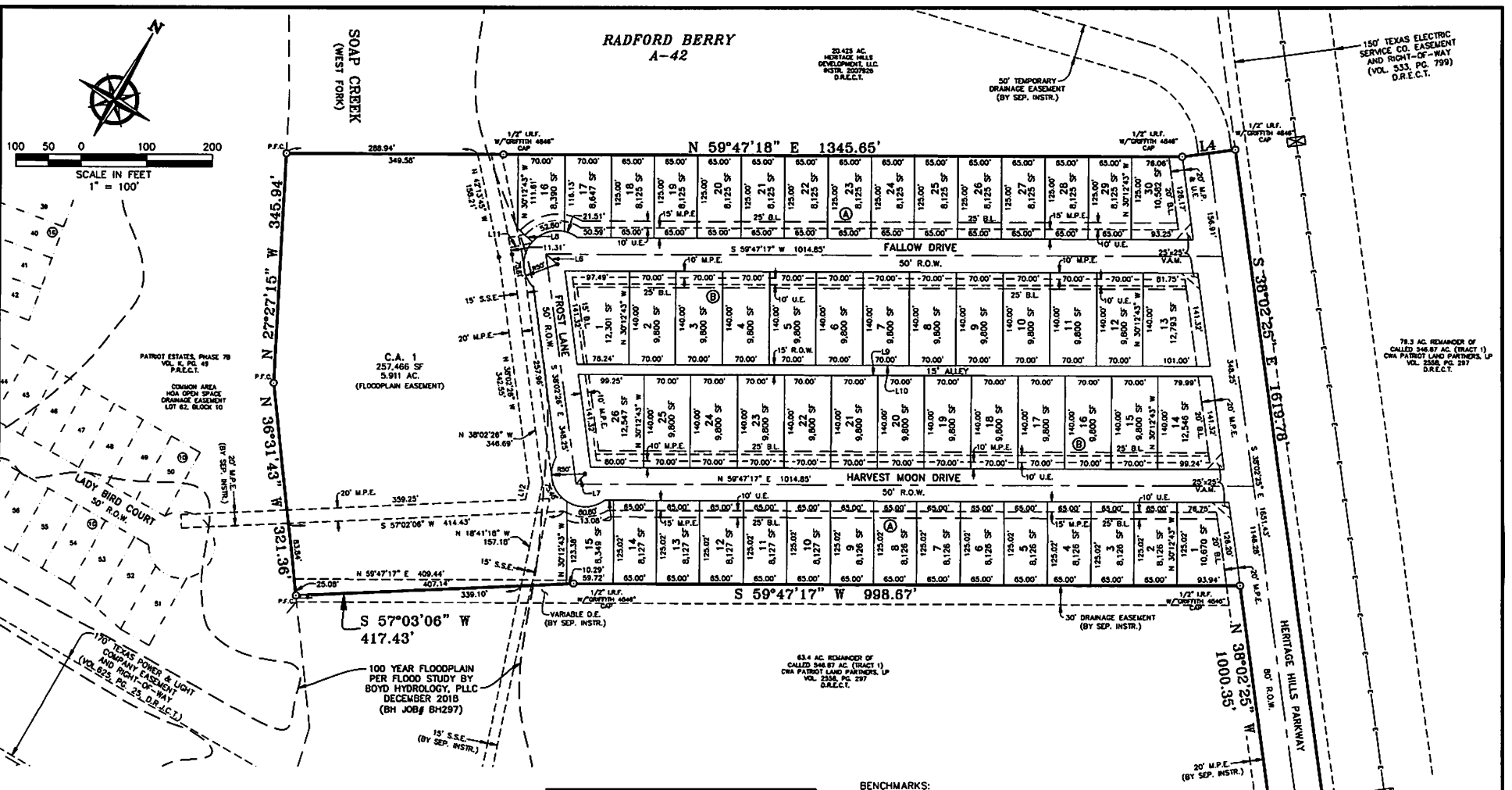
Requested Zoning: N/A

Proposed Land Use: Multi-family (combination of duplexes & quadplexes) residential units.

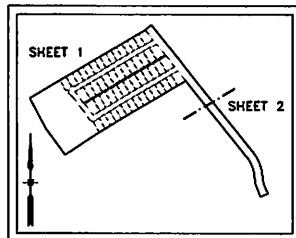
Compliance with Comprehensive Plan: N/A

Discussion: Developer submitted the Final Plat Application in May 2019. City engineer reviewed the plans for general compliance with the city's development requirements and good engineering practice, and submitted comments and recommendations to the city in July 2019. Except for the engineer's floodplain expectations, all other engineer's comments have been cured to the city's satisfaction. Developer commissioned a detailed hydrology report regarding the floodplain, submitting it to the city in September 2020. City's engineer reviewed the report, making further recommendations. Floodplain negotiations continue.

Staff Recommends: P&Z Commission recommends to Council to approve the Final Plat, even though the floodplain negotiations continue. City staff is confident the floodplain issues will be resolved to the city's satisfaction prior to any of the residences being occupied.



VICINITY MAP
N.T.S.



KEY MAP
N.T.S.

LEGEND	
C.I.R.S.	1/2" IRON ROD SET WITH CAP STAMPED "ONEAL 6570"
I.R.F.	IRON ROD FOUND
P.F.C.	POINT FOR CORNER
D.R.E.C.T.	DEED RECORDS, ELLIS COUNTY, TEXAS
P.R.E.C.T.	PLAT RECORDS, ELLIS COUNTY, TEXAS
D.R.J.C.T.	DEED RECORDS, JOHNSON COUNTY, TEXAS
C.A.	COMMON AREA LOT
B.L.	BUILDING SETBACK LINE
D.E.	DRAINAGE EASEMENT
U.E.	UTILITY EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
V.A.M.	VISIBILITY, ACCESS & MAINTENANCE EASEMENT
M.P.E.	MOUNTAIN PEAK SUD EASEMENT

BENCHMARKS:

1. 5/8" CIRS on the north ROW of US HWY 67, about 342.5' east of the east line of Heritage Hills Parkway.
ELEV. 529.36'
2. SSMH rim elevation located south of the Patriot Estates, Phase 2 addition, near the floodplain line.
ELEV. 611.05'

56 RESIDENTIAL LOTS
1 COMMON AREA TRACT
OWNERS
CWA PATRIOT LAND PARTNERS, LP & HERITAGE HILLS DEVELOPMENT, LLC
117 NORTH 8TH STREET
MIDLOTHIAN, TX 75065
(214) 478-7396
LAND SURVEYOR
O'NEAL SURVEYING COMPANY
3111 COLE AVE., STE. 103
DALLAS, TX 75204
TBPLS Firm No. 10194132 JOB NO. 19079
daniel.oneal@onealsurveying.com
(903) 804-2891

MATCH LINE
(SEE SHEET 2 OF 3)

FINAL PLAT HERITAGE HILLS ESTATES PHASE ONE

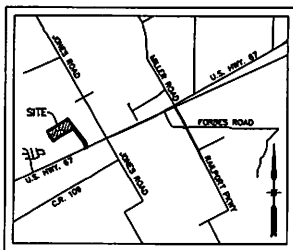
24.53 ACRES
SITUATED IN THE

RADFORD BERRY SURVEY, A-42
CITY OF VENUS, ELLIS COUNTY TEXAS
ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001146
201 WINDCO CIRCLE, SUITE 200, WYLLIE TEXAS 75098
(972) 941-8400 FAX (972) 941-8401

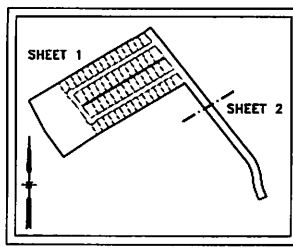
DATE: AUGUST 6, 2020

SHEET 1 OF 3

07334\dwg\7334 Final Plat Ph 1.dwg



VICINITY MAP
N.T.S.



KEY MAP
N.T.S.

RADFORD BERRY A-42

63.4 AC. REMAINDER OF
CALLED 348.87 AC. (TRACT 1)
OWN PATRIOT LAND PARTNERS, LP
VOL. 2508, PG. 287
D.R.E.C.T.

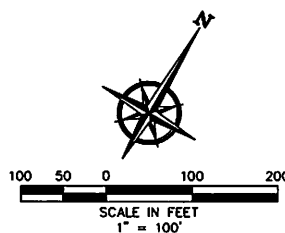
100 YEAR FLOODPLAIN
PER FLOOD STUDY BY
BOYD HYDROLOGY, PLLC
JUNE, 2018

NOTES:

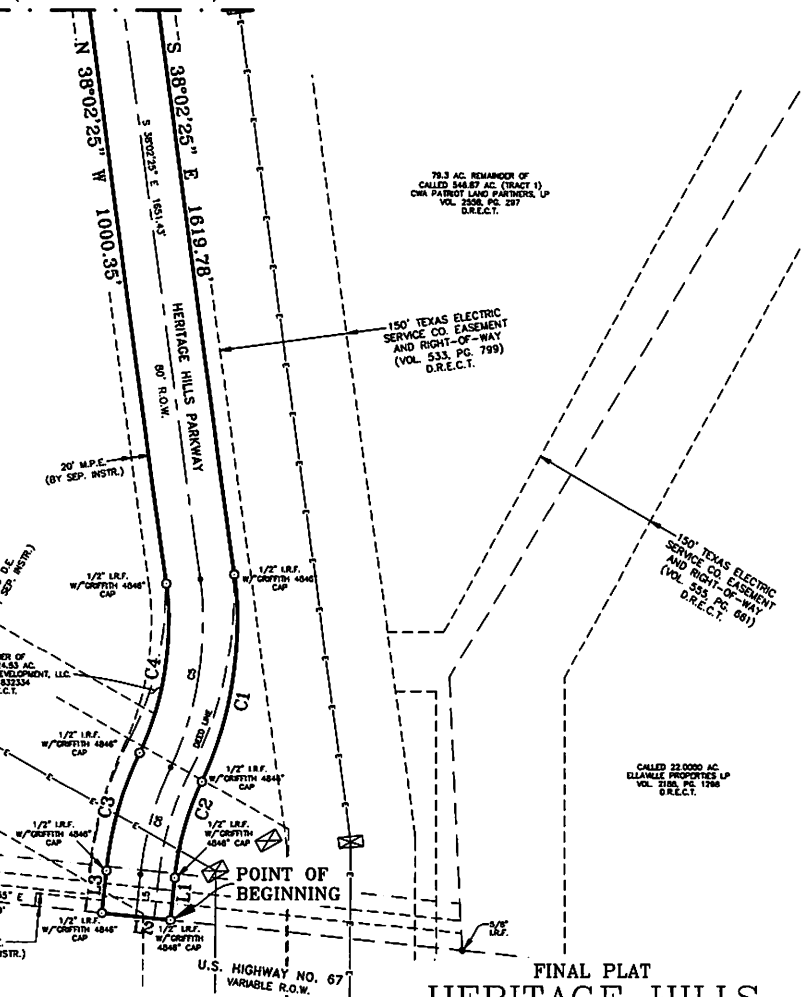
- All bearing shown here on are based on the Texas State Plane Coordinate System of 1983 (2011), North Central Zone (4202).
- A 1/2-inch iron rod with red cap stamped "ONEAL 6570" will be set at all boundary corners, lot corners, points of curvature, points of tangency and angle points in public rights-of-way when possible unless otherwise shown or noted in this drawing, after all construction for this subdivision has been completed.
- By graphical plotting, part of the parcel described hereon lies within a Special Flood Hazard Area inundated by 100-year flood as delineated on the Ellis County, Texas and Incorporated Areas, Flood Insurance Rate Map, Map Number 48139C0150F, dated June 3, 2013, published by the Federal Emergency Management Agency (FEMA). The Surveyor utilized the above referenced floodplain information for this determination and the Surveyor does not certify that revised floodplain information has or has not been published by FEMA or some other source. On occasion, greater floods can and will occur and flood heights may be increased by man-made or natural causes. The above flood statement shall not create liability on the part of the surveyor.

LINE TABLE		
NO.	DIRECTION	DISTANCE
L1	S 24°22'41" E	49.88'
L2	S 65°39'49" W	80.00'
L3	N 24°22'41" W	49.82'
L4	N 51°57'35" E	80.00'
L5	N 24°22'41" W	49.85'
L6	S 79°07'34" E	22.82'
L7	N 10°52'28" E	19.90'
L8	S 78°16'04" E	29.88'
L9	S 59°47'17" W	949.25'
L10	S 59°47'17" W	949.25'
L11	N 47°46'15" E	31.47'
L12	N 18°41'18" W	25.94'

CURVE TABLE						
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD BEARING	CHORD
C1	032°31'05"	440.00'	128.32'	249.72'	S 21°46'53" E	246.38'
C2	018°51'21"	360.00'	59.78'	118.47'	S 14°57'01" E	117.94'
C3	018°51'21"	440.00'	73.06'	144.80'	N 14°57'01" W	144.15'
C4	032°31'05"	360.00'	104.99'	204.32'	N 21°46'53" W	201.59'
C5	032°31'05"	400.00'	116.06'	227.02'	N 21°46'53" W	223.98'
C6	018°51'21"	400.00'	66.42'	131.64'	S 14°57'01" E	131.05'



MATCH LINE
(SEE SHEET 1 OF 3)



FINAL PLAT HERITAGE HILLS ESTATES PHASE ONE

24.53 ACRES

SITUATED IN THE

RADFORD BERRY SURVEY, A-42

CITY OF VENUS, ELLIS COUNTY TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.

ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES

TEXAS FIRM REG. NO. 001145

201 WINDCO CIRCLE, SUITE 200, WYLE TEXAS 75098

(972) 941-8400 FAX (972) 941-8401

56 RESIDENTIAL LOTS
1 COMMON AREA TRACT
OWNERS
**CWA PATRIOT LAND PARTNERS, LP &
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TBPLS Firm No. 1019432 JOB NO. 19079
daniel.oneal@onealsurveying.com
(903) 804-2891

DATE: AUGUST 6, 2020

SHEET 2 OF 3

07334\dwg\7334 Final Plat Ph 1.dwg

STATE OF TEXAS
COUNTY OF ELLIS

OWNER'S CERTIFICATE AND DEDICATION

WHEREAS, HERITAGE HILLS DEVELOPMENT, LLC AND CWA PATRIOT LAND PARTNERS, LP, being the sole owners of a 24.528 acres of land situated in the Radford Berry Survey, Abstract 42, Ellis County, Texas, and being part of a called 546.87 acre tract of land (Tract 1) described in deed to CWA Patriot Land Partners, LP, as recorded in Volume 2558, Page 297, Deed Records, Ellis County, Texas (DRECT) and part of a called 24.53 acre tract of land described in deed to Heritage Hills Development, LLC, as recorded in Instrument 1832334, DRECT, said 24.528 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped GRIFFITH 4846 found for corner in the southeast boundary line of said 546.87 acre tract and the North right-of-way line of US Highway 67, a variable width right-of-way;

THENCE South 65 degrees 39 minutes 49 seconds West, with the southeast boundary line of said 546.87 acre tract and the North right-of-way line of US Highway 67, passing the most southerly southeast corner of the above mentioned 24.53 acre tract at a distance of 18.76 feet and continuing a total distance of 80.00 feet to a 1/2 inch iron rod with cap stamped GRIFFITH 4846 found for corner;

THENCE, over and across said 24.53 acre tract, the following four (4) courses:

- 1) North 24 degrees 22 minutes 41 seconds West, a distance of 49.82 feet to a 1/2 inch iron rod with cap stamped GRIFFITH 4846 found for the beginning of a tangent curve to the right having a radius of 440.00 feet whose chord bears North 14 degrees 57 minutes 01 seconds West, a distance of 144.15 feet;
- 2) Northwesterly, with said curve to the right, through a central angle of 18 degrees 51 minutes 21 seconds, an arc distance of 144.80 feet to a 1/2 inch iron rod with cap stamped GRIFFITH 4846 found for the beginning of a reverse curve to the left having a radius of 360.00 feet whose chord bears North 21 degrees 46 minutes 53 seconds West, a distance of 201.59 feet;
- 3) Northwesterly, with said curve to the left, through a central angle of 32 degrees 31 minutes 05 seconds, an arc distance of 204.32 feet to a 1/2 inch iron rod with cap stamped GRIFFITH 4846 found for the end of said curve;
- 4) North 38 degrees 02 minutes 25 seconds West, passing an angle point in the most easterly southwest line of said 24.53 acre tract at a distance of 31.66 feet and continuing a total distance of 1000.35 feet to a 1/2 inch iron rod with cap stamped GRIFFITH 4846 found for corner;

THENCE, along the boundary lines of said 24.53 acre tract, the following seven (7) courses:

- 1) South 59 degrees 47 minutes 17 seconds West, a distance of 998.67 feet to a 1/2 inch iron rod with cap stamped GRIFFITH 4846 found for corner;
- 2) South 57 degrees 03 minutes 06 seconds West, a distance of 417.43 feet to a point for corner in the east boundary line of Patriot Estates, Phase 7B, an addition to the City of Venus, as recorded in Cabinet K, Page 49, Plat Records, Ellis County, Texas;
- 3) North 36 degrees 31 minutes 43 seconds West, with the East boundary line of said addition;
- 4) North 27 degrees 27 minutes 15 seconds West, continuing with the East boundary line of said addition, a distance of 345.94 feet to the south corner of a 20.425 acre tract of land described in deed to Heritage Hills Development, LLC, as recorded in Instrument 2007928, DRECT ;
- 5) North 59 degrees 47 minutes 18 seconds East, along the southeast line of said 20.425 acre tract, passing a 1/2 inch iron rod with cap stamped GRIFFITH 4846 found for reference at a distance of 327.45 feet and continuing a total distance of 1345.65 feet to a 1/2 inch iron rod with cap stamped GRIFFITH 4846 found for corner;
- 6) North 51 degrees 57 minutes 35 seconds East, continuing along the southeast line of said 20.425 acre tract, a distance of 80.00 feet to a 1/2 inch iron rod with cap stamped GRIFFITH 4846 found for corner;
- 7) South 38 degrees 02 minutes 25 seconds East, passing an angle point in the most easterly northeast line of said 24.53 acre tract at a distance of 1619.78 feet, and continuing across said 546.87 acre tract, a total distance of 1651.43 feet to a 1/2 inch iron rod with cap stamped GRIFFITH 4846 found for the beginning of a tangent curve to the right having a radius of 440.00 feet whose chord bears South 21 degrees 46 minutes 53 seconds East, a distance of 246.38 feet;

THENCE, over and across said 546.87 acre tract, the following three (3) courses:

- 1) Southeasterly, with said curve to the right, through a central angle of 32 degrees 31 minutes 05 seconds, an arc distance of 249.72 feet to a 1/2 inch iron rod with cap stamped GRIFFITH 4846 found for the beginning of a reverse curve to the left having a radius of 360.00 feet whose chord bears South 14 degrees 57 minutes 01 seconds East, a distance of 117.94 feet;
- 2) Southeasterly, with said curve to the left, through a central angle of 18 degrees 51 minutes 21 seconds, an arc distance of 118.47 feet to a 1/2 inch iron rod with cap stamped GRIFFITH 4846 found for the end of said curve;
- 3) South 24 degrees 22 minutes 41 seconds East, a distance of 49.88 feet to the POINT OF BEGINNING AND CONTAINING 1,068,443 square feet or 24.528 acres of land.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, HERITAGE HILLS DEVELOPMENT, LLC does hereby adopt this plat designating the hereinabove described property as HERITAGE HILLS ESTATES PHASE ONE, an addition to the City of Venus, and does hereby dedicate to the public use forever the streets and alleys shown thereon and does hereby reserve the easements strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easement strips and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, without the necessity at any time or procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Venus, Texas.

WITNESS MY HAND THIS ____ DAY OF _____, 2020.

FOR: HERITAGE HILLS DEVELOPMENT, LLC

Tony Sanders, General Partner

FOR: CWA PATRIOT LAND PARTNERS, LP

BY: _____
Name:
Title:

STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this date personally appeared Tony Sanders, 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 and in the capacity therein stated.

GIVEN MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2020.

NOTARY PUBLIC FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES:

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this date personally appeared _____, 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 and in the capacity therein stated.

GIVEN MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2020.

NOTARY PUBLIC FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES:

APPROVAL CERTIFICATE

I hereby certify that the above and foregoing plat of HERITAGE HILLS ESTATES PHASE ONE, was approved by the City of Venus, Texas, on this day of _____, 2020.

City Manager, Venus, Texas

Date

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT, I Daniel Chase O'Neal, Registered Professional Land Surveyor, State of Texas, do hereby certify that this plat was prepared from an actual and accurate survey of the land and that the monuments shown thereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City of Venus.

GIVEN UNDER MY HAND AND SEAL, THIS ____ DAY OF _____, 2020.

Preliminary, this document shall not be recorded for any purpose.

DANIEL CHASE O'NEAL
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 6570



STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this date personally appeared Daniel Chase O'Neal, 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 consideration therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2020.

NOTARY PUBLIC FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES:

FINAL PLAT HERITAGE HILLS ESTATES PHASE ONE

24.53 ACRES

SITUATED IN THE

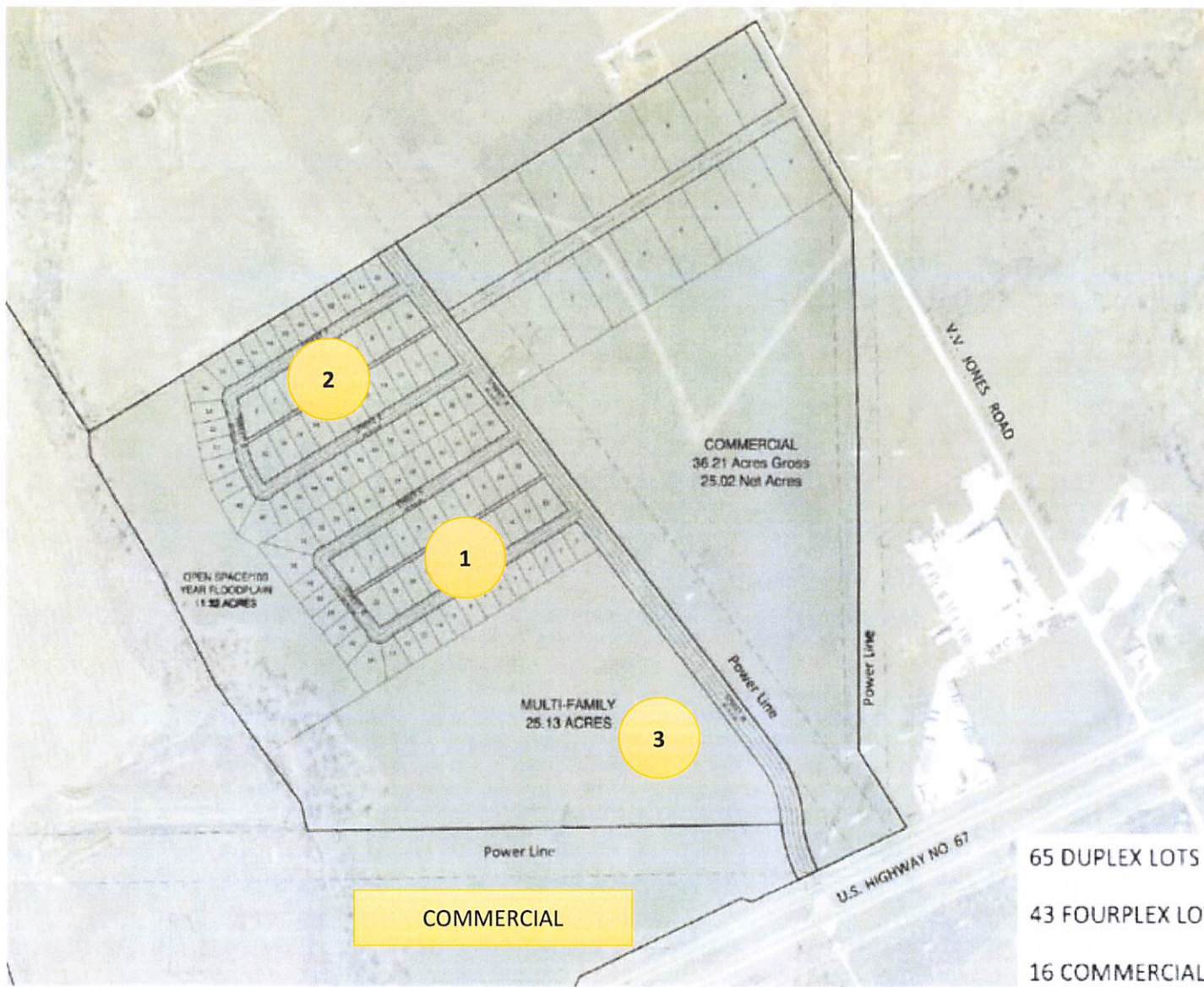
RADFORD BERRY SURVEY, A-42
CITY OF VENUS, ELLIS COUNTY TEXAS
ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145

201 WINDCO CIRCLE, SUITE 200, WYLLIE TEXAS 75098
(972) 941-8400 FAX (972) 941-8401

DATE: AUGUST 6, 2020

SHEET 3 OF 3

07334\dwg\7334 Final Plat Ph 1.dwg



65 DUPLEX LOTS
43 FOURPLEX LOTS
16 COMMERCIAL LOTS

EXHIBIT

HERITAGE HILL ESTATES
VENUS, TEXAS

APRIL 23, 2008
SHEET NO. 1 OF 1
PROJECT #10009

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Fax (214) 461-8390

Phone (214) 361-7900

JOHN W. BIRKHOFF, P.E.
GARY C. HENDRICKS, P.E.
JOE R. CARTER, P.E.
MATT HICKEY, P.E.
ANDREW MATA, JR., P.E.
JOSEPH T. GRAJEWSKI, III, P.E.
DEREK B. CHANEY, P.E.
CRAIG M. KERKHOFF, P.E.

July 5, 2019

Mr. Michael Boese
City Administrator
City of Venus
105 East Hwy 67
Venus, Texas 76084

Re: Heritage Hills Estates Phase I
Final Plat and Engineering Plans

Dear Mr. Boese:

As you requested, we have reviewed the Final Plat and preliminary engineering plans for Heritage Hills Estates Phase I, prepared by Engineering Concepts dated May 2019. We received these plans from you on June 7, 2019.

Our review of the Final plat and engineering plans is for general compliance with the City of Venus's development requirements and good engineering practice, and does not relieve the engineer of record of his responsibilities under the Texas Engineering Practice Act. Listed below are our comments regarding the enclosed plans:

Final Plat Comments

1. Written release required from all existing easement holders for the proposed development. *This is an informational comment.*
2. The floodplain line from the adjacent approved CLOMR is shown on the plans. Ensure that the developed run-off from this tract was included with that CLOMR review.
3. Submit separate instrument easements for review prior to execution.
4. Plans appear to be for single-family style homes. However, the cover sheet states for multi-unit lots. Please clarify,

Paving Plan and Profile Comments

5. Grade to drain notes are not sufficient. Provide contours, cross-sections and grading for each of the channels. Storm water shall be captured and conveyed. Conveyance, including freeboard, shall extend to the receiving waters and not daylight into a field. Storm water from several tracts of land cannot end abruptly in an adjacent field that could be sold at any time. Continually conveyance, and the right to access for maintenance, shall be provided.
6. Recommend conversations with the City regarding the proposed alley. As shown, it is labeled as public. However, maintenance and access of the alley is problematic. If the alley is to remain public, the algebraic difference shown in the profile will require vertical curves.

Storm Plan Comments

7. Open drainage channels shall maintain 1-foot freeboard throughout, with 2-feet freeboard provided between the 100-year WSEL and the FFE of the adjacent lots.
8. On the cross-sections that were added. Include the hydraulic information for the channel at that location (discharge, velocity, hydraulic gradient, etc). Also, label the finished floor elevations of the adjacent lots on the same sheet.
9. Recommend Class IV pipe under Heritage Hills Parkway be utilized where 2-foot of cover is not shown over the pipe.

Water Plan Comments

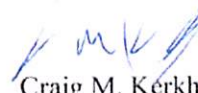
10. Plans have been provided to Mountain Peak WSC. Submit approval letter to the City when received.

Sanitary Sewer Plan Comments

11. Evaluate downstream sanitary sewer lines and lift station for capacity.

We are available to discuss our review comments further at your convenience.

Sincerely,



Craig M. Kerkhoff, P.E., C.F.M.

cc: Mr. Darrell Cook

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS
TEXAS FIRM 526

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Fax (214) 461-8390

Phone (214) 361-7900

MEMORANDUM

To: Mr. Darrell A. Cook, CPM (City of Venus)
From: Joe R. Carter, P.E. (#64008), CFM (#1698-09N)
Date: September 4, 2020
Subject: Heritage Hills Phases 1 & 2 Development– Flood Study (Initial Review)



This memorandum summarizes our observations and recommendations from the initial review of a Flood Study prepared by Boyd Hydrology, PLLC, for Phases 1 & 2 of the Heritage Hills development on a reach of Soap Creek as submitted to the City of Venus. The stated purpose of the Flood Study is to establish the 100-year floodplain adjacent to the Heritage Hills development. The report states that FEMA FIRM Panel 48113C0380L shows a Zone A designated floodplain (No Detailed Study) for Soap Creek adjacent to this development.

Our review of the submitted information will be for conformance with the Federal Emergency Management Agency's (FEMA) "Guide for Community Officials", the National Flood Insurance Program (NFIP) Regulations and good engineering practice for development in floodplains and floodways regulated by FEMA under the NFIP. Our review does not relieve the design engineer of their responsibilities as the engineer of record in accordance with the Texas Engineering Practice Act.

The recommendations, questions and comments requiring responses are listed at the end of the memorandum. The Flood Study is returned to the City of Venus with a copy of this memorandum.

GENERAL OBSERVATIONS

This Flood Study is not an application to FEMA for a Conditional Letter of Map Revision (CLOMR) or a Letter of Map Revision (LOMR). The City of Venus reserves the right to define a 100-year water surface elevation for any stream even if the stream does not have a 100-year floodplain shown on the current FIRM. We recommend any alteration to a floodplain either include an application to FEMA for a CLOMR or a LOMR or be of sufficient detail to give the Floodplain Administrator confidence that if an application were submitted based on the flood study it could be approved by FEMA without significant revisions impacting the floodplain limits or elevations. All Floodplain Studies should stand on their own and not require cross referencing plans or details not included in the report.

A LOMR was recently approved near this proposed development. We recommend this study either modify the hydrologic and hydraulic models from the approved LOMR to study the impacts of this proposed development or provide a comparative analysis to show the hydrologic and hydraulic results are similar and do not have any significant impact on the base flood (100-year) elevations in this report.

HYDROLOGIC MODELS

Hydrology is method used to determine the quantity of flow. The narrative states that the hydrology was analyzed using the HEC-1 software program. HEC-1 is no longer supported on the US Army Corps of Engineers Hydrologic Engineering Center (HEC) website. We recommend using HEC-HMS

(Version 4.6) that is now available for free download from the HEC website at <https://www.hec.usace.army.mil/software/hec-hms/downloads.aspx>. The report does not provide the hydrologic modeling methods used to analyze the 100-year flow. We recommend the study state the hydrologic methods and include supporting calculations. The minimum supporting calculations should include determination of SCS Curve numbers. The Win-TR55 program can be used to provide the supporting calculations. We also recommend the study consider the 10-year, 25-year, 100-year and 500-year frequency flows.

The study states that it assumes the watershed will retain either “open space” or will be developed as “single family uses” and does not include analysis of “fully developed conditions”. Single family uses can range from a 2-acre average (CN 82) to a 1/8-acre average lot size (CN 92) and thus the flows could vary greatly. We recommend the study include a “fully developed conditions” model to determine if future development of the approximate 2.50 square mile drainage basin upstream will significantly impact future flood elevations warranting a higher freeboard than the minimum requirement. In our experience 100-year flow rates generally range from 2.5 cfs/acre to 4.5 cfs/acre in North Texas and this study shows less than 1.8 cfs/acre.

The supporting time of concentration calculations are included and appear to be longer than what would be anticipated for the size, shape and slope of this basin. The shallow concentrated flow length of 7600 feet much more than usual. Normally, shallow concentrated flow becomes channelized in 2000 feet or less. The scaled distance to the first small channel for DA-1 appears to be approximately 1500 to 2000 feet. We recommend the modifying the supporting calculations for time of concentration for all areas to reflect channelized flow where a channel first appears on the Drainage area Map. The time of concentration in the “fully developed” model should also account for storm drainage systems reducing the overland flow component to an even greater extent.

HYDRAULIC MODELS

Method

Hydraulic models determine the water surface elevations and velocity of drainage courses. The Corps of Engineers HEC-RAS software program was used for hydraulic models and this is a widely recognized software program for determination of water surface elevations. We recommend the report state the version of the HEC-RAS model used in the analysis. The Hydrologic Engineering Center (HEC) released version 5.0.3 some time ago.

The report does not include HEC-RAS input/output reports. We recommend including the HEC-RAS input/output reports with summary tables for “n” values, reach lengths and contraction/expansion coefficients for both the existing and proposed models. We also recommend printing these reports in landscape format with small font (< 8pt.) and small margins to reduce text wrapping.

Water Surface Elevation Boundary Condition

The narrative does not include the method was used to determine the downstream boundary condition. We recommend the narrative clearly state the basis of the downstream boundary condition including the method used and the assumed energy slope.

Manning's "n" Values and Contraction and Expansion Coefficients

There is no description of how the Manning's "n" values were determined that are used in the models. We recommend the basis for determination of the "n" values be included in the study.

Channel Cross Sections

The cross sections should show the ineffective flow areas modeled at culverts and bridges.

Maps, Exhibits & Tables

The linework on the Floodplain Work Maps should clearly show the 100-year floodplain boundary; however, the line is not bold enough and gets lost in the contours and other linework on the map. The property lines appear bolder than the floodplain limit. We recommend revising the line weights on the Floodplain Work Maps so the 100-year DFIRM floodplain and the 100-year floodplain limit from this study can be clearly seen.

The current Flood Insurance Rate Map (FIRM) Panel is not included in the report. An Annotated FIRM showing the revised floodplain boundaries based on the report is not included. We recommend both the current FIRM Panel marked with the project location and an Annotated FIRM Panel showing the revised floodplain boundaries be included with the report.

QUESTIONS & RECOMMENDATIONS

General:

We recommend this study either modify the hydrologic and hydraulic models from the approved LOMR to study the impacts of this proposed development or provide a comparative analysis to show the hydrologic and hydraulic results are similar and do not have any significant impact on the base flood (100-year) elevations in this report.

Hydrologic Models:

1. We recommend using HEC-HMS software (Version 4.6) that is now available for free download from the HEC website at <https://www.hec.usace.army.mil/software/hec-hms/downloads.aspx>.
2. We recommend the study state the hydrologic methods and include supporting calculations. The minimum supporting calculations should include determination of SCS Curve numbers.
3. We recommend the study consider the 10-year, 25-year, 100-year and 500-year frequency flows.
4. We recommend the study include a "fully developed conditions" model to determine if future development of the approximate 2.50 square mile drainage basin upstream will significantly impact future flood elevations warranting a higher freeboard than the minimum requirement.
5. We recommend the modifying the supporting calculations for time of concentration for all areas to reflect channelized flow where a channel first appears on the Drainage area Map. The time of concentration in the "fully developed" model should also account for storm drainage systems reducing the overland flow component to an even greater extent.

Hydraulic Models:

1. We recommend the report state the version of the HEC-RAS model used in the analysis.
2. We recommend including the HEC-RAS input/output reports with summary tables for “n” values, reach lengths and contraction/expansion coefficients for both the existing and proposed models. We also recommend printing these reports in landscape format with small font (< 8pt.) and small margins to reduce text wrapping.
3. We recommend the narrative clearly state the basis of the downstream boundary condition including the method used and the assumed energy slope.
4. We recommend the basis for determination of the “n” values be included in the study.
5. We recommend the cross sections show the ineffective flow areas modeled at culverts and bridges.
6. We recommend revising the line weights on the Floodplain Work Maps so the 100-year DFIRM floodplain and the 100-year floodplain limit from this study can be clearly seen.
7. We recommend both the current FIRM Panel marked with the project location and an Annotated FIRM Panel showing the revised floodplain boundaries be included with the report.

We recommend the City of Venus deny approval of this flood study until the recommendations from this review and any necessary subsequent reviews have been addressed to the City Floodplain Administrator’s satisfaction.

We are available to discuss this review at your convenience.