

AGENDA

A regular meeting of the Mayor and City Council of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on **Monday, June 17, 2024 at 7:00 p.m.**

Council Members: Billie Wallace, Mayor, Council Member Place 4
Chris Wright, Mayor Pro Tem, Council Member Place 3
Tres Atkins, Council Member Place 1
Patrick Souter, Council Member Place 2
Travis Smith, Council Member Place 5

1. Call to Order
2. Invocation
3. Pledge of Allegiance and Texas Pledge of Allegiance
4. **Public Comments:** Persons may address the City Council on any issues. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Council may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code. *Speakers must observe the five (5) minute time limit.*
5. **Consent Agenda**

All matters listed under Item 5, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.

- a. Minutes of the City Council meeting of June 3, 2024
- b. Minutes of the City Council Work Session of June 10, 2024
- c. Event Application for Juneteenth Celebration to be held June 19, 2024 at Lee Penn Park
- d. Event Application for Navarro College 5k Fun Run to be held October 12, 2024 at Getzendaner Park
- e. Event Application for Dripstar Day to be held May 24, 2025 at Lee Penn Park
- f. Downtown Building Improvement Program Grant Application for 209 S. College Street
- g. Downtown Building Improvement Program Grant Application for 200 S. Rogers Street
- h. Funding request for building improvements for 200 S. Rogers Street
- i. Application from What's SUP + Kayaks for Seasonal Vendor Permit at Lake Waxahachie
- j. Authorize the use of Convention Visitors Bureau FY24 Contingency Funds for DFW Youth World Baseball Classic & Crape Myrtle Festival
- k. Budget Transfer within the Streets Capital Projects Fund
- l. Professional Services Agreement for construction materials engineering and testing services for University Avenue street and utility reconstruction project

m. Professional Services Agreement for construction materials testing services for Graham Street Reconstruction Project

6. **Introduce** Honorary Councilmember
7. **Present** Proclamation recognizing “Make Music Day” on June 21, 2024
8. **Recognition** of the Public Works and Engineering Department for receiving the APWA Awards for: Transportation Project of the Year for Monticello Drive Reconstruction, Environmental Project of the Year for Waxahachie Creek Stabilization Project, and Structures Project of the Year for Charles Beatty Municipal Services Building
9. **Continue Public Hearing** on a request by Chad Adams, for a Zoning Change from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a Planned Development – Single Family – 1 (PD-SF-1) zoning district (Hightower), located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022)
10. **Consider** proposed Ordinance approving ZDC-128-2022
11. **Consider** Development Agreement for ZDC-128-2022
12. **Public Hearing** on a request by David Griffin, Griffin Land Surveying, for a Replat of a portion of Block 30 of the Bullards Addition, and abandonment of a portion of Rogers Street, 3 commercial lots, being 1.596 acres, located at 401 Cantrell Street (Property ID: 172424, 172425, & 196137) – Owner: Francisco Cuevas, Esparza Properties LTD Co., and John Jordan & Susan Jordan (SUB-93-2023)
13. **Consider** approval of SUB-93-2023
14. **Public Hearing** on a request by Katy Dockery, HKS Inc., for an Amended Site Plan for the Baylor Scott & White Hospital Tower Expansion II, located at 2400 N Interstate 35E (Property ID: 180334) – Owner: Baylor Health Care System (SP-106-2024)
15. **Consider** approval of SP-106-2024
16. **Consider** approval of Development Agreement for SP-106-2024
17. **Public Hearing** on a request by Dorothea Russell, Russell Living Trust, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-3 (SF-3) zoning district located at 902 E Marvin Avenue (Property ID 282999) - Owner: Russell Living Trust (ZDC-55-2024)
18. **Consider** proposed Ordinance approving ZDC-55-2024
19. **Public Hearing** on a request by Katherine Lagomarsino, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 304 Oldham Avenue (Property ID 170863) - Owner: Katherine Lagomarsino (ZDC-98-2024)
20. **Consider** proposed Ordinance approving ZDC-98-2024

21. **Public Hearing** on a request by Katherine Lagomarsino, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 1500 Ferris Avenue (Property ID 173413) - Owner: Katherine Lagomarsino (ZDC-99-2024)
22. **Consider** proposed Ordinance approving ZDC-99-2024
23. **Public Hearing** on a request by Anthony Rieper, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 411 N Hawkins Street (Property ID 173335) - Owner: John Marlin (ZDC-101-2024)
24. **Consider** proposed Ordinance approving ZDC-101-2024
25. **Public Hearing** on a request by Gabrielle Calvery Tranel, Virginia Holdings LLC, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 1105 W Main Street (Property ID 176628) - Owner: Virginia Holdings LLC (ZDC-102-2024)
26. **Consider** proposed Ordinance approving ZDC-102-2024
27. **Public Hearing** on a request by Ryan Kelly, EAN Holdings, LLC, for a Specific Use Permit (SUP) for an Auto Leasing and Rental use within a Commercial (C) zoning district located southeast of 141 Cardinal Road (Property ID 289375) - Owner: Connell Storage Partners #1 LLC (ZDC-48-2024)
28. **Consider** proposed Ordinance approving ZDC-48-2024
29. **Consider** Development Agreement for ZDC-48-2024
30. **Consider** construction contract for the Wilmington Avenue and Charlotte Avenue Reconstruction Project
31. **Consider** construction contract for Grand Avenue Paving and Striping Improvements Project
32. Comments by Mayor, City Council, City Attorney and City Manager
33. Adjourn

The City Council reserves the right to go into Executive Session as authorized by Section 551.071(2) of the Texas Government Code, for the purpose of seeking confidential legal advice from legal counsel on any agenda item listed herein. This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at 469-309-4006 or (TDD) 1-800-RELAY TX

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City Council
June 3, 2024

A regular meeting of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Monday, June 3, 2024 at 7:00 p.m.

Council Members Present: Billie Wallace, Mayor, Council Member Place 4
Chris Wright, Mayor Pro Tem, Council Member Place 3
Tres Atkins, Council Member Place 1
Patrick Souter, Council Member Place 2
Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager
Albert Lawrence, Deputy City Manager
Terry Welch, City Attorney
Amber Villarreal, City Secretary

1. Call to Order

Mayor Billie Wallace called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Pastor Bruce Zimmerman, Waxahachie Bible Church, gave the invocation. Mayor Wallace led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Gail Harrell, 669 Brookcrest Ct., Waxahachie, Texas, requested the Ellis County Theater be granted as a member of the Waxahachie Arts Council.

5. Consent Agenda

- a. Minutes of the City Council meeting of May 20, 2024
- b. Event application for Hike for Life 2024 to be held October 5, 2024 at Brown Singleton Park
- c. Proposed Ordinance approving a request by Neta Bledsoe & James Bledsoe, for a Petition for ETJ Release for approximately 4.89 acres, located at 1541 Boyce Rd. and 951 Wilson Rd. (Property ID 210307 and 276922) – Owner: Neta Bledsoe & James Bledsoe and April Bledsoe & Brady Johnson (ETJ-PTN-89-2024)
- d. Proposed Ordinance approving a request by David S. Caverly, for a Petition for ETJ Release for approximately 86.54 acres, located 466 Arrowhead Rd. (Property ID 216585) – Owner: David S. Caverly (ETJ-PTN-92-2024)
- e. Proposed Ordinance approving a request by Land Link Realty LLC, for a Petition for ETJ Release for approximately 106.33 acres, located directly north of 515 Young blood Rd. (Property ID 180911) – Owner: Aleena Group LLC (ETJ-PTN-93-2024)
- f. City Council liaison appointments to Boards and Commissions
- g. Accept Waxahachie Community Development Corporation Financial Report for year ended September 30, 2023

(5a)

h. Amended Development Agreement for Myrtle Creek

ORDINANCE NO. 3507

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 4.89 ACRE TRACT OF LAND, LOCATED AT 1541 BOYCE ROAD AND 951 WILSON ROAD, KNOWN AS PROPERTY ID 210307 AND 276922, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3508

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 86.54 ACRE TRACT OF LAND, LOCATED AT 466 ARROWHEAD ROAD, KNOWN AS PROPERTY ID 216585 AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3509

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 106.33 ACRE TRACT OF LAND, LOCATED DIRECTLY NORTH OF 515 YOUNGBLOOD ROAD, KNOWN AS PROPERTY ID 180911 AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

Action:

Travis Smith moved to approve all items on the Consent Agenda as presented and authorize the City Manager and/or Mayor to execute all associated documents as necessary. Motion was seconded by Patrick Souter and carried unanimously (5-0).

6. Introduce Honorary Councilmember

Mayor Wallace announced there was no Honorary Councilmember in attendance.

7. Recognize David Hill for his service as Mayor and City Council Member

Mayor Wallace, along with the entire City Council, recognized and thanked David Hill for his 10 years of dedicated service to the City. David Hill stated it has been a pleasure serving, alongside his wife Mickie, for the past 10 years.

8. Present Proclamation recognizing June 4, 2024-July 4, 2024 as Crape Myrtle Month

(5a)

City Council
June 3, 2024
Page 3

Mayor Wallace read a Proclamation recognizing June 4, 2024-July 4, 2024 as Crape Myrtle Month.

9. Continue Public Hearing on a request by the City of Waxahachie to expand the boundaries of the Historic Overlay District as created by Ordinance Number 2331, per the requirements of Ordinance Number 3020, and ordering the changing of the Zoning Map thereof in accordance with said change (ZDC-69-2024)

The Item was presented by Executive Director of Parks and Leisure Services Gumaro Martinez. He explained the expansion of the Historic Overlay District has been a continuous effort that started in July 2023. At the November 1, 2023 Heritage Preservation Commission (HPC) meeting, the Commission held a three-hour workshop to review each property under consideration in the former boundary and verify that each property was historically significant and worthy of inclusion in the Historic Overlay District. A map with the November 1st workshop results is included with this request. The HPC reviewed a total of 82 properties.

It is important to note that the proposed expansion of the historic overlay does not include properties in the West End Historic District. This is because the HPC is interested in creating a new historic overlay for the West End Historic District area, as was created for the Oldham Historic District. This request may be presented for consideration at a later meeting.

At the November 9, 2023 HPC meeting, the Commission reviewed the workshop results to refine the boundary and to ensure the following:

- A contiguous boundary with the existing district boundaries so that there were no gaps; and
- To incorporate properties worthy of preservation that were not considered with the initial expansion of the historic overlay.

After the November 9, 2023 HPC meeting, staff notified property owners whose properties were recommended for inclusion in the historic overlay expansion. The notice informed the property owners about the proposed expansion and requested their consent to include their property in the Historic Overlay District. Staff received seven letters of support and three letters of opposition. Per section 3.24 (b)(iv) of the Zoning Ordinance, the Heritage Preservation Officer must submit the request for action to the Heritage Preservation Commission, Planning and Zoning Commission, and City Council when staff receives support from 30 percent of the properties within the proposed expansion. At the May 17, 2024 HPC meeting, the Heritage Preservation Commission recommended approval for the proposed expansion of the historic overlay, as enclosed in this request and on May 28, 2024, the Planning and Zoning Commission voted 3-1 to approve the proposed expansion. Due to opposition received, a super majority vote from City Council is required for approval.

Mayor Wallace continued the Public Hearing at approximately 7:23 p.m.

Those who spoke in opposition:

Jeff Jones, on behalf of Tejas Logistics, 415 S. Flat Street, Waxahachie, Texas
Brad Yates, 626 Kaufman, Waxahachie, Texas

Peggy Crabtree, Chair of the Heritage Preservation Commission, explained the City has adopted Design Guidelines and the inclusion in the Historic Overlay District provides an additional layer of protection for historic buildings. The Historic Overlay District can provide of source of grant

(5a)

monies and aids in development to preserve the historic buildings we have. She confirmed there is an appeal process for applicants who do not agree with the decisions made by the Commission.

Council Member Travis Smith provided an overview of this initiative that he began in 2022 to keep the integrity of the downtown area. He requested to improve the process for expanding the Historic Overlay District and noted several properties from his initial proposal were removed by the Heritage Preservation Commission.

Mayor Pro Tem Chris Wright acknowledged the time and work put in to this effort, but expressed his concern with limiting development on vacant lots.

Council Member Patrick Souter, liaison to the Heritage Preservation Commission, explained the Commission thoroughly reviewed the proposed properties and considered the historical significance of each.

Council Member Tres Atkins asked if properties that need general repairs within the Historic Overlay District require approval by the Commission. City Manager Michael Scott explained the Commission only reviews properties that are expanding or altering the façade of the building structure.

There being no others to speak for or against ZDC-69-2024, Mayor Wallace closed the Public Hearing at approximately 8:04 p.m.

10. Consider proposed Ordinance approving ZDC-69-2024

ORDINANCE NO. 3510

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING THE HISTORIC OVERLAY DISTRICT CREATED BY ORDINANCE NUMBER 2331, PER THE REQUIREMENTS OF ORDINANCE NUMBER 3020, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Travis Smith moved to approve the Ordinance for ZDC-69-2024 with the exclusion of parcel 289894, a request by the City of Waxahachie to expand the boundaries of the Historic Overlay District and authorize the City Manager and or Mayor to execute all necessary documents. Motion was seconded by Patrick Souter and carried 4-1, with Chris Wright voting in opposition.

11. Public Hearing on a request by Ralph Hewitt, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development-56-Single Family-2 (PD-56-SF-2) zoning district located at 412 Gardenia Lane (Property ID 202997) - Owner: Ralph Hewitt and Renda Hewitt (ZDC-95-2024)

The Item was presented by Senior Director of Planning Jennifer Pruitt and owner Ralph Hewitt requested approval. The applicant requested a SUP for short-term rental use at 412 Gardenia Lane because it is located within the PD-SF-2 zoning district. The subject property consists of a primary

(5a)

City Council
June 3, 2024
Page 5

structure of approximately 4,835 square feet, built in 1993 with two (2) bedrooms, (2) bathrooms and sufficient parking to accommodate the parking requirement of two (2) vehicles, situated on an approximately 0.11-acre (4,839 square foot) lot. The applicant has been operating a short-term rental since 2018 and has not been paying local hotel occupancy taxes. The applicant has satisfied all the requirements of Section 3.27 of the Zoning Ordinance.

The City has received no complaints regarding any issues. Staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months. The applicant's local emergency contact is located 1.9 miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 59 notices were mailed to property owners within 200 feet of the request. The applicant has provided a support petition with over 20 signatures from properties in the immediate area. Staff received an additional petition of opposition today with 24 signatures and an additional signature of opposition.

Mayor Wallace opened the Public Hearing at approximately 8:14 p.m.

Those who spoke in opposition:
Shawn King, 404 Gardenia Lane, Waxahachie, Texas

Dean Settlemyer, 605 Brookside, Waxahachie, Texas, asked for consistency when approving short-term rental requests.

There being no others to speak for or against ZDC-95-2024, Mayor Wallace closed the Public Hearing at approximately 8:47 p.m.

Mayor Pro Tem Wright explained the intent of the short-term rental ordinance is to create a process to regulate and the consensus of Council at that time was to allow the continuation of short-term rental operations for those properties who had not had any issues.

Council Member Smith explained the potential legal issues with denying the operation of current short-term rentals who had been operating without any issues and who have met all City requirements.

Council Member Patrick Souter noted he has consistently voted in opposition to short-term rentals when there has been overwhelming opposition from neighbors.

City Attorney Terry Welch clarified the adoption of the short-term rental ordinance is a zoning ordinance and each case stands on its own merit. That allows Council to consider each specific application, each location, and other factors when deciding. The zoning decision allows the discretion from Council on a case by case basis.

12. Consider proposed Ordinance approving ZDC-95-2024

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ORDINANCE NO. 3511

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A PLANNED DEVELOPMENT-SINGLE FAMILY-2 (PD-SF-2) ZONING DISTRICT, LOCATED AT 412 GARDENIA LANE, BEING PROPERTY ID 202997, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 12, BLOCK C OF THE ENCHANTED GARDENS SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Travis Smith moved to approve the ordinance for ZDC-95-2024, a Specific Use Permit for Short-Term Rental use, subject to the conditions of the staff report and authorize the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Chris Wright and carried 4-1, with Patrick Souter voting in opposition.

Council Member Atkins requested to review the potential to regulate long-term rentals and Council Member Smith concurred.

- 13. Public Hearing on a request by Andrew Weyand, Bloom & Pour LLC, for a Specific Use Permit (SUP) for a Private Club (Event Venue – Bloom & Pour) use within a Central Area (CA) zoning district located at 100 S Rogers Street (Property ID 170469) - Owner: Dunn Street Equities LLC (ZDC-67-2024)**

The Item was presented by Ms. Pruitt. The applicant proposes a Specific Use Permit (SUP) to allow for a Private Club (Event Center - Bloom & Pour) use on the first floor of 100 S Rogers Street. The first floor is approximately 3,900 square feet in size and is accessible from S Rogers Street and W Main Street. The applicant has noted that the venue is intended to host private events such as birthdays, baby showers, business meetings, weddings, pop-up sales, and photography sessions. The venue will also be used as an event space for floral design and coffee tasting classes. Finally, the applicant has dedicated areas for shared workspaces that can be rented by the hour for remote work and business meetings. A full-service kitchen is not proposed to be a part of the Bloom & Pour business, but “ready to eat” and “ready to drink” products will be offered. The venue is anticipated to be open from 7:00 am to 7:00 pm Monday through Friday and 8:00 am to 8:00pm on Saturday, with events scheduled by appointment only. The applicant anticipates retaining between six and eight staff members for the venue.

Mayor Wallace opened the Public Hearing at approximately 8:54 p.m.

There being no others to speak for or against ZDC-67-2024, Mayor Wallace closed the Public Hearing at approximately 8:54 p.m.

Council Member Smith requested defining “event venue” and “private club” to better identify the uses. Council Member Souter concurred.

- 14. Consider proposed Ordinance approving ZDC-67-2024**

ORDINANCE NO. 3512

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A PRIVATE CLUB (EVENT VENUE – BLOOM & POUR) USE WITHIN A CENTRAL AREA (CA) ZONING DISTRICT, LOCATED AT 100 S ROGERS STREET, BEING PROPERTY ID 170469, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOTS 4A AND 5, BLOCK 8 OF THE ORIGINAL TOWN ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Chris Wright moved to approve the Ordinance for ZDC-67-2024, a Specific Use Permit for a Private Club, subject to the conditions of the staff report. Motion was seconded by Tres Atkins and carried unanimously (5-0).

- 15. Public Hearing on a request by Cyle Corse, for a Specific Use Permit (SUP) for a Tattoo or Body Piercing Shop use within a Commercial (C) zoning district located at 217 E Main Street (Property ID 274682) - Owner: Big Blue Truck LLC (ZDC-88-2024)**

The Item was presented by Ms. Pruitt and applicant Cyle Corse requested approval. On May 1, 2023, City Council adopted Ordinance 3374 for the purpose of further defining and distinguishing “Tattoo or Body Piercing Shop” uses and “Cosmetic Studio Restorative” uses. This ordinance established the requirement for “Tattoo or Body Piercing Shop” uses to receive approval of a Specific Use Permit (SUP) to operate in the General Retail (GR), Central Area (CA), and Commercial (C) zoning districts. Notably, prior to the adoption of this ordinance, “Tattoo or Body Piercing Shop” uses were allowed by right in the Commercial zoning district; but were prohibited in all other zoning districts. In 2023, the applicant inquired about the process needed to relocate the tattoo studio to 217 E Main Street. At that time, the applicant was informed that an application for a Certificate of Occupancy (CO) was all that was needed to move to this location. This information did not correctly account for the ordinance adopted by the City Council in May of 2023, requiring approval of a SUP for all Tattoo or Body Piercing Shop uses in Commercial (C) zoning districts. In April of 2024, the applicant submitted a CO application to the Building & Community Services Department and was subsequently informed that approval of a SUP would be needed prior to issuance of the CO.

The applicant proposes a SUP to allow for a Tattoo or Body Piercing Shop use (Tattoo Guild) at 217 E Main Street. The owner of Tattoo Guild, Cyle Corse, has operated the Ink Masters tattoo studio at 201 E Main Street since 2015. With this SUP, the applicant is seeking approval to move to a larger space at 217 E Main Street for the purpose of consolidating three of his local tattoo studios into one space. The studio at 217 E Main Street is approximately 2,500 square feet in size and will accommodate chairs for eight (8) tattoo artists. The proposed hours of operation for the studio are 1:00pm to 10:00pm Tuesday through Saturday.

Mayor Wallace opened the Public Hearing at approximately 8:57 p.m.

There being no others to speak for or against ZDC-88-2024, Mayor Wallace closed the Public Hearing at approximately 9:00 p.m.

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16. Consider proposed Ordinance approving ZDC-88-2024

ORDINANCE NO. 3513

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A TATTOO OR BODY PIERCING SHOP USE WITHIN A COMMERCIAL (C) ZONING DISTRICT, LOCATED AT 217 E MAIN STREET, BEING PROPERTY ID 274682, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING A PORTION OF LOT 6, BLOCK 40 OF THE ORIGINAL TOWN ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Travis Smith moved to approve the ordinance for ZDC-88-2024, a Specific Use Permit for a Tattoo or Body Piercing Shop use, subject to the conditions of the staff report. Motion was seconded by Tres Atkins and carried unanimously (5-0).

17. Consider and take action on a resolution directing publication of notice of intention to issue Certificates of Obligation, Series 2024; directing the preparation of a preliminary official statement and related materials; and providing an effective date

The Item was presented by Senior Director of Finance Chad Tustison. The Capital Improvement Program (CIP) describes the City's large multi-year capital projects which provide new or improved City infrastructure, and comprises of projects for streets, sidewalks and drainage; park improvements; water and wastewater utilities; and municipal facilities. The CIP is funded through multiple funding sources, including proceeds from bond issuances, operating funds, and development impact fees.

On April 11, 2024, at the City Council Work Session, staff presented the CIP - updated annually - along with strategies to fund various capital projects for the upcoming year. As part of this overall strategy, the CIP includes the issuance of certificates of obligation to fund a portion of these projects. The total bond package is \$42.9 million and consists of streets, parks, public safety, and water and wastewater projects. If approved, these projects will be funded through the ad valorem tax rate, and water and wastewater fees. Over the next two months, staff will continue to prepare the Preliminary Official Statement and other required information, and meet with bond rating agencies. In early August, the City Council will consider an ordinance authorizing the issuance of the bonds. Upon successful pricing and selling of the bonds, the funds would be expected to be delivered and available in early September.

RESOLUTION NO. 1363

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; DIRECTING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT AND RELATED MATERIALS; AND PROVIDING AN EFFECTIVE DATE.

Action:

Patrick Souter moved to approve the Resolution directing publication of notice of intention to issue certificates of obligation Series 2024; directing the preparation of a preliminary official statement and related materials; and providing an effective date. Motion was seconded by Chris Wright and carried unanimously (5-0).

18. Consider contracts for Emergency Bypass Pumping, Repair of 30-inch Sewer Interceptor by the Jefferson Street Lift Station and a Supplemental Appropriation for the Wastewater Fund Operations Budget

The Item was presented by Senior Director of Utilities Kumar Gali. The 30-inch sewer interceptor by the Jefferson Street Lift Station has a partial pipe collapse. This 30-inch sewer interceptor carries all the City's sanitary sewer flow into the Jefferson Street Lift Station which pumps to the wastewater treatment plant. Sanitary sewer can still flow through the 30-inch pipe, but rocks and mud are being deposited on the lift station screens. The 30-inch sewer interceptor has exceeded its life expectancy and is a critical sewer line for the continuous operations of our sanitary sewer collections system and needs an emergency replacement.

The scope of the Xylem's contract encompasses mobilization and bypass pumping around the collapsed pipe for continuous sewer flow operations. The scope of Circle H Contractor's contract encompasses the concrete drive demolition and replacement, excavation, replacement of 154 linear feet of the 30-inch interceptor sewer and replacement of a 6-foot manhole.

Considering the recent and forecasted significant rain events, the possibility of the 30-inch line completely collapsing and causing a major sanitary sewer overflow was likely. Therefore, City staff directed Xylem to mobilize the bypass pumping under emergency conditions. City staff is requesting to ratify the Xylem Dewatering Solutions contract and approve the contract for Circle H to replace the 30-inch sewer pipe and manhole.

Action:

Chris Wright moved to approve a construction contract with Circle H Contractors L.P. in the amount of \$160,825 with an additional contingency of \$40,000 for the repair of the 30-inch sewer interceptor, a contract with Xylem Dewatering Solutions for the emergency bypass pumping in the amount of \$117,550 and a supplemental appropriation of \$318,375 from the Wastewater Fund unrestricted reserve to fund the emergency repair of the 30-inch sewer interceptor and authorize the City Manager to execute all necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).

19. Discuss and consider appointments to fill unexpired terms on the Planning & Zoning Commission, Park Board, and Keep Waxahachie Beautiful Committee

The Item was presented by City Manager Michael Scott and City Secretary Amber Villarreal.

Action:

Chris Wright moved to appoint Jeff Reed to fill the unexpired term of Adrian Cooper on the Planning and Zoning Commission until September 2025. Motion was seconded by Patrick Souter and carried unanimously (5-0).

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Action:

Chris Wright moved to appoint Brent Gundert to fill the unexpired term of Aubrey Drouillard on the Keep Waxahachie Beautiful Committee until September 2024. Motion was seconded by Patrick Souter and carried unanimously (5-0).

Action:

Chris Wright moved to appoint Kimberly Cooper to fill the unexpired term of Dr. Tremayne Myles on the Keep Waxahachie Beautiful Committee until September 2026. Motion was seconded by Tres Atkins and carried unanimously (5-0).

Action:

Chris Wright moved to appoint Alex Lohman to fill the unexpired term of Dr. William Major on the Park Board until September 2026.

Chris Wright rescinded his motion.

Action:

Travis Smith moved to appoint Justin Burns to fill the unexpired term of Dr. William Major on the Park Board until September 2026. Motion was seconded by Patrick Souter and carried unanimously (5-0).

- 20. Convene into Executive Session for consultation with City Attorney to seek legal advice as permitted by Texas Government Code, Section 551.071, regarding City's EMS service provider issues and resolution of same, and all matters incident and related thereto**

Mayor Wallace announced at 9:24 p.m. the City Council would convene into Executive Session for consultation with City Attorney to seek legal advice as permitted by Texas Government Code, Section 551.071, regarding City's EMS service provider issues and resolution of same, and all matters incident and related thereto.

- 21. Reconvene and take any necessary action**

The meeting reconvened at 10:17 p.m.

Action:

Travis Smith moved to approve the contract as discussed during Executive Session with Allegiance and authorize the City Manager to execute all associated documents as necessary. Motion was seconded by Tres Atkins and carried unanimously (5-0).

- 22. Comments by Mayor, City Council, City Attorney and City Manager**

Council Member Patrick Souter acknowledged the successful 54th Annual Gingerbread Trail and thanked the Ellis County Museum. He recognized the participating homeowners: Heather & Paul Manigrasso, Pat & David Smith, Bobby & Angela Glass, Jim & Becky Kauffman, and Howard & Mary Baskin, Marlene Norcross (President), Lori Souter, Amy Wright, and the other numerous volunteers who made the event successful.

(5a)

City Council
June 3, 2024
Page 11

Mayor Pro Tem Chris Wright thanked David Hill for his 10 years of service and mentorship. He noted he would look into the request from the Ellis County Theater to join the Waxahachie Arts Council.

City Manager Michael Scott thanked David Hill for his service and all City departments for their work during this busy rain season.

Council Member Travis Smith echoed Council Member Souter's comments and noted he enjoyed volunteering.

Deputy City Manager Albert Lawrence echoed Mr. Scott's comments.

Mayor Billie Wallace echoed Mr. Wright's comments and thanked David Hill for his dedicated service. Mayor Wallace also thanked City employees for all their hard work.

23. Adjourn

There being no further business, the meeting adjourned at 10:22 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

A Work Session of the Mayor and City Council of the City of Waxahachie, was held at the Waxahachie Police Department, Community Room, 630 Farley Street, Waxahachie, TX on Monday, June 10, 2024 at 5:30 p.m.

Council Members Present: Billie Wallace, Mayor, Council Member Place 4
Chris Wright, Mayor Pro Tem, Council Member Place 3
Tres Atkins, Council Member Place 1
Travis Smith, Council Member Place 5

Council Member Absent: Patrick Souter, Council Member Place 2

Others Present: Michael Scott, City Manager
Albert Lawrence, Deputy City Manager
Terry Welch, City Attorney
Amber Villarreal, City Secretary

1. Call to Order

Mayor Billie Wallace called the meeting to order. City Manager Michael Scott announced Council Member Patrick Souter was not in attendance due to a teaching commitment in Waco at Baylor Law School from 4:00 p.m. to 6:20 p.m. this afternoon.

2. Discuss the Hightower Development

Senior Director of Planning explained staff members met with Chad Adams and his team on May 29th. Two options were provided by Mr. Adams to address neighborhood concerns of access to Lake Shore Drive and water drainage.

It was the general consensus of City Council to consider Option K at the June 17th meeting.

3. Hear update on revised alignment of the new road to serve future high school

Senior Director of Public Works and Engineering Justin Stoker requested recommendations on naming the new aligned road to serve the future high school. He explained the name will be needed once the design process begins for the revised alignment.

Council Member Travis Smith requested consideration to rename Lions Park Road as Brigman Road.

It was the general consensus of City Council to begin devising potential street names.

4. Hear update on installation of panhandler signs

Executive Director of Public Works and Utilities James Gaertner explained staff is continuously working with TxDOT to install panhandler signs. He noted staff has provided examples of signs used in Dallas and Ft. Worth.

5. Discuss City Council meeting availability

(5b)

City Secretary Amber Villarreal requested City Council provide staff with their meeting availability through September to aid in scheduling unforeseen special meetings or Work Sessions.

Council Member Smith suggested scheduling quarterly Work Sessions for City Council.

6. Discuss committee for recreation assessment process

Executive Director of Parks and Leisure Services Gumaro Martinez requested direction on creating a committee for the recreation assessment process. The consultant would like to tentatively meet the week of July 8-12.

It was the general consensus of City Council to establish a subcommittee of two council members, staff, stakeholders, and post a Notice of Potential Quorum in the event other members of council attend a meeting. City Council will work on identifying potential subcommittee members.

7. Discuss process for appointing Boards and Commissions

Ms. Villarreal reviewed the current process for appointing Board and Commission members. She requested direction from City Council on how they would like to move forward with this year's review process for annual appointments of Boards and Commissions.

It was the general consensus of City Council to have a Work Session to review Board and Commission applications to determine a slate of nominations to be considered at the first council meeting in September. City Council will also review the current ordinance for potential revisions.

8. Discuss committee for selection of proposals for former Police Department Building

Mr. Martinez explained the City is actively marking the property at 216 N. College and proposals are due June 14th. He requested Council's direction on how to review proposals and who they would like to serve on the committee.

Council Member Smith requested a more thorough review of proposals this time and asked for more than one option be presented to City Council.

Council Member Wright asked if the general public has been notified of the current proposal process and Mr. Martinez explained there is information on the City's website and those who have shown interest have been notified.

Council Member Tres Atkins asked why the City is seeking a lease partner rather than selling the property. City Manager Michael Scott explained the property is being incentivized to get a preferred use in that space that will enhance downtown.

Deputy City Manager Albert Lawrence explained a 380 Agreement allows for an economic development incentive to make improvements to the building before deeding over the building.

Council Member Wright is agreeable to the current process but concurs with Council Member Smith to expand the search for a higher quality development, if needed.

(5b)

Council Member Smith also requested to put the train depot back on the tax roll and move away from the City being a landlord.

It was the general consensus of City Council to have more than one option presented to them for final selection of the potential development of 216 N. College and to have council representatives participate on the review committee.

9. Adjourn

There being no further business, the meeting adjourned at 6:39 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary



Date submitted 05/28/2024

Applicant Information

Applicant name: Betty Square Coleman

Are you representing the host organization? Yes No

Will you be the on-site point of contact during the event? Yes No

Phone: _____ Cell: _____

Email: _____

Mailing address: PO Box 2586 Waxahachie, TX 75168

Host organization name: Waxahachie Branch NAACP 6240

Alternate contact that will be on-site during the event.

On-site contact name: _____ Cell: _____

About the Event

Event name: Juneteenth Celebration

Location: Lee Penn Park

An event site map is **REQUIRED** to be submitted with your application.

Anticipated attendance: 250 or More

Description of event: Parade, Celebration, Food, Games, Etc.

How many times has this event been hosted before?

1st time 2 – 4 times 5 or more times Location: Same As Above

Choose the best description of the event:

- Festival
- Birthday Party / Picnic
- Movie Screening
- Charitable / Fundraising
- Parade
- Community / Neighborhood
- Private Event
- Concert / Live Performance
- Run / Walk
- Other: _____

(5c)



City of Waxahachie
City Secretary's Office

Special Event Application

Event activities include (check all that apply):

- Amusement rides / Inflatables
- Food – sampled, served, or sold
- Animals / Petting Zoo
- Products / Services – given away, sampled, or sold
- Announcement / Speeches
- Live music
- Information / Literature Distribution
- Street closure
- DJ / Recorded Music
- Other:

The event is:

- Private
- Free & open to the general public
- Entry by participation or registration fee
- Entry by admission fee or ticket

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	06/19/2024	8:00 AM	4:00 PM
Event Set-up	SAME	" "	
Event Breakdown	SAME		4:00 PM

Run / Walk:

Please provide the start time for each distance (if applicable)

_____ 1 mile _____ 5K _____ Other distance

Please indicate your expected attendance: _____

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

Provide route on attached site map.

(5c)



City of Waxahachie
City Secretary's Office

Special Event Application

Food / Beverage:

Will the event offer food/beverages? Yes No *The applicant requests bottled water for the event.

Will event require any food preparation on-site? Yes No

Will alcohol be served/sold? Yes No

Sample Downtown Event/Festival Boundary Map

Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events

If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.

Police / Security Services:

Personnel needs (indicate all that apply) Request for services is not a guarantee that staff/volunteers will be available.

Event staff How many: _____ Date(s) & time(s): _____

Volunteers How many: ??? Date(s) & time(s): Same As Above

Private security How many: _____ Date(s) & time(s): _____

Company name: _____

Contact name and number: Betty Square Coleman

Off duty police How many: ??? Date(s) & time(s): 06/19/2024

Have you made arrangements with the police? Yes No

If no, you will be provided the information on how to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: Chief Joe Wiser Phone number: 469-309-4400

Street Closures:

Does the event propose closing, blocking, or using City streets and/or parking lots? Yes No

If yes, please list all streets, intersections, and parking lots that apply: Getzendaner Avenue,

Peters Street, Wyatt Street, MLK, Hill, E. Jefferson St

Street closings to begin on date: 06/19/2024 Start time: 11:00 AM End time: 12 Noon

Will any businesses be impacted by the proposed road closure? Yes No

Traffic Safety Equipment:

Does your event require traffic cones or barricades? Yes No

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones How many: _____ Barricades How many: _____

Other: Lee Penn Park

Where should equipment be dropped off & picked up?

(5c)



City of Waxahachie
City Secretary's Office

Special Event Application

When will the traffic equipment be set-up?

Date: 06/19/2024

Time: _____

When will the traffic equipment be removed?

Date: 06/19/2024

Time: _____

Are you requesting the use of City traffic equipment?

Yes

No

Availability is not guaranteed

Streets cannot be blocked without prior approval.

Temporary Tents & Structures:

Will the event have a tent(s) larger than 10' x 20'?

Yes

No

List the # of tents & sizes:

Indicate locations on attached required site map.

Electrical Services:

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier: _____

Explain services in detail: _____

Insurance

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

Hold Harmless Clause

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

Betty Square Colena
Signature

05/28/2024

Date

Contract Agreement

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

Betty Square Colena
Signature

05/28/2024

Date



★ Applicant requests to utilize the park, concession stand, + have access to the pool, if available.

(5c)

Route: 10am Line up @ Lee Penn Park
11am Parade begins

Option 1

Lee Penn Park → Parks Schoolhouse Road → Watt Street → MLK → Cliff Street →
Jefferson Street → Getzendaner Street (ends at Lee Penn Park)



(5c)

(5c)

Bonner, Jami

From: Bonner, Jami
Sent: Thursday, June 13, 2024 10:29 AM
To: Betty Square Jefferson; squarebj@swbell.net; bsquarej@swbell.net
Cc: Cooper, Kyle; Martinez, Gumaro; Barnes, Bradley; Campos, Yadira; Villarreal, Amber; Joe Wisner; Ricky Boyd; Scott, Michael; Lawrence, Albert; Griffith, Thomas; Donna Insixiengmay; Massey, Matt; Jordan, Me'Lony; Stoker, Justin; Warren, Anthony
Subject: Juneteenth Celebration
Attachments: 6-19-24 Juneteenth Celebration Parade Route.pdf
Importance: High

Good morning Betty,

The application for the Juneteenth Celebration to be held on Wednesday, June 19th will be considered by City Council at their meeting on Monday, June 17th with the following conditions:

- Please provide a TxDOT letter of approval for the use of MLK Jr. Blvd (parade)
- Insurance requirement – Please provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an “additional insured” in the amount of \$1 million on both pages. Please list the event date and location on the certificate and submit as soon as possible.
- Food vendors must obtain the required health permits. Contact Melony Jordan, Health Inspector, at (469) 309-4134.
 - ALL food trucks are required to have a current valid mobile food permit from the City of Waxahachie or obtain a temporary food establishment permit. All non-mobile food vendors are required to obtain a temporary food establishment permit to offer any items for human consumption even if items are given away without charge. Applications as well as payment can be submitted online.

The following City services / resources will be provided for the event:

- Parade (see attached route) A WPD squad car will lead the parade. A WFD apparatus will follow. No street closures.
- The following rental equipment will be delivered by Lone Star Events and Tents. Please have someone available to accept the delivery at 7:00 am on Wednesday, June 19th
 - 20 x 20 High Peak Marquee Tent (1)
 - 10' x 10' High Peak Tent (3)
 - Solid Tent Sidewall (40)
 - 6 ft Rectangular Table (10)
 - Table Setup and Breakdown (10)
 - White Folding Chair (40)
 - Chair Setup and Breakdown (40)
 - 12' x 12' Stage (1)
 - Stage Stairs (1)
- The Parks Dept. will provide ice and ice chests.
- The concession stand is available for storage / food preparation. The windows cannot be open due to safety concerns.

(5c)

The City is unable to provide the following:

- Bottle water
- Microphone
- Extension cords
- Trash bags

Please let me know if you have any questions. Thank you.

Jami Bonner, TRMC
Assistant City Secretary
City of Waxahachie

Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168

www.waxahachie.com

We have temporarily relocated to the Charles Beatty Municipal Services Building at 408 S. Rogers St. (across from City Hall)



Date submitted

Applicant Information

Applicant name: Caitlyn Chapman

Are you representing the host organization? Yes No

Will you be the on-site point of contact during the event? Yes No

Phone: _____ Cell: _____

Email: _____

Mailing address: _____

Host organization name: Navarro College PTA program

Alternate contact that will be on-site during the event.

On-site contact name: Bailey Mattox Cell: _____

About the Event

Event name: 5K Fun Run

Location: Getzendaner Park

An event site map is **REQUIRED** to be submitted with your application.

Anticipated attendance: 100

Description of event: a 5K race where participants can walk starting at point A and finishing at point B.

How many times has this event been hosted before?

1st time 2 - 4 times 5 or more times Location: Getzendaner Park

Choose the best description of the event:

- Festival
- Birthday Party / Picnic
- Movie Screening
- Charitable / Fundraising
- Parade
- Community / Neighborhood
- Private Event
- Concert / Live Performance
- Run / Walk
- Other: _____



(5d)

Event activities include (check all that apply):

- Amusement rides / Inflatables
- Food – sampled, served, or sold
- Animals / Petting Zoo
- Products / Services – given away, sampled, or sold
- Announcement / Speeches
- Live music
- Information / Literature Distribution
- Street closure
- DJ / Recorded Music
- Other:

The event is:

- Private
- Entry by participation or registration fee
- Free & open to the general public
- Entry by admission fee or ticket

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

Registration Fee : \$40

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	10/12/24	9am	12pm
Event Set-up	10/12/24	8am	
Event Breakdown	10/12/24		1pm

Run / Walk:

Please provide the start time for each distance (if applicable)

_____ 1 mile 9am 5K _____ Other distance

Please indicate your expected attendance:

100

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

Provide route on attached site map.



Food / Beverage:

Will the event offer food/beverages? Yes No

Will event require any food preparation on-site? Yes No

Will alcohol be served/sold? Yes No

pre-packaged items only

[Sample Downtown Event/Festival Boundary Map](#)

Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events

If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.

Police / Security Services:

Personnel needs (indicate all that apply) Request for services is not a guarantee that staff/volunteers will be available.

Event staff How many: 24 Date(s) & time(s): _____

Volunteers How many: 0 Date(s) & time(s): _____

Private security How many: 0 Date(s) & time(s): _____

Company name: _____

Contact name and number: _____

Off duty police How many: 0 Date(s) & time(s): _____

Have you made arrangements with the police? Yes No

If no, you will be provided the information on how to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: _____ Phone number: _____

Street Closures:

Does the event propose closing, blocking, or using City streets and/or parking lots? Yes No

If yes, please list all streets, intersections, and parking lots that apply: _____

Street closings to begin on date: _____ Start time: _____ End time: _____

Will any businesses be impacted by the proposed road closure? Yes No

Traffic Safety Equipment:

Does your event require traffic cones or barricades? Yes No

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones How many: _____ Barricades How many: _____

Other: _____

Where should equipment be dropped off & picked up? _____



When will the traffic equipment be set-up?

Date: _____ Time: _____

When will the traffic equipment be removed?

Date: _____ Time: _____

Are you requesting the use of City traffic equipment?

Yes

No

Availability is not guaranteed

Streets cannot be blocked without prior approval.

Temporary Tents & Structures:

Will the event have a tent(s) larger than 10' x 20'?

Yes

No

List the # of tents & sizes:

Indicate locations on attached required site map.

Electrical Services:

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier: _____

Explain services in detail: _____

Insurance

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

Hold Harmless Clause

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

Christy Chapman

Signature

6/3/24

Date

Contract Agreement

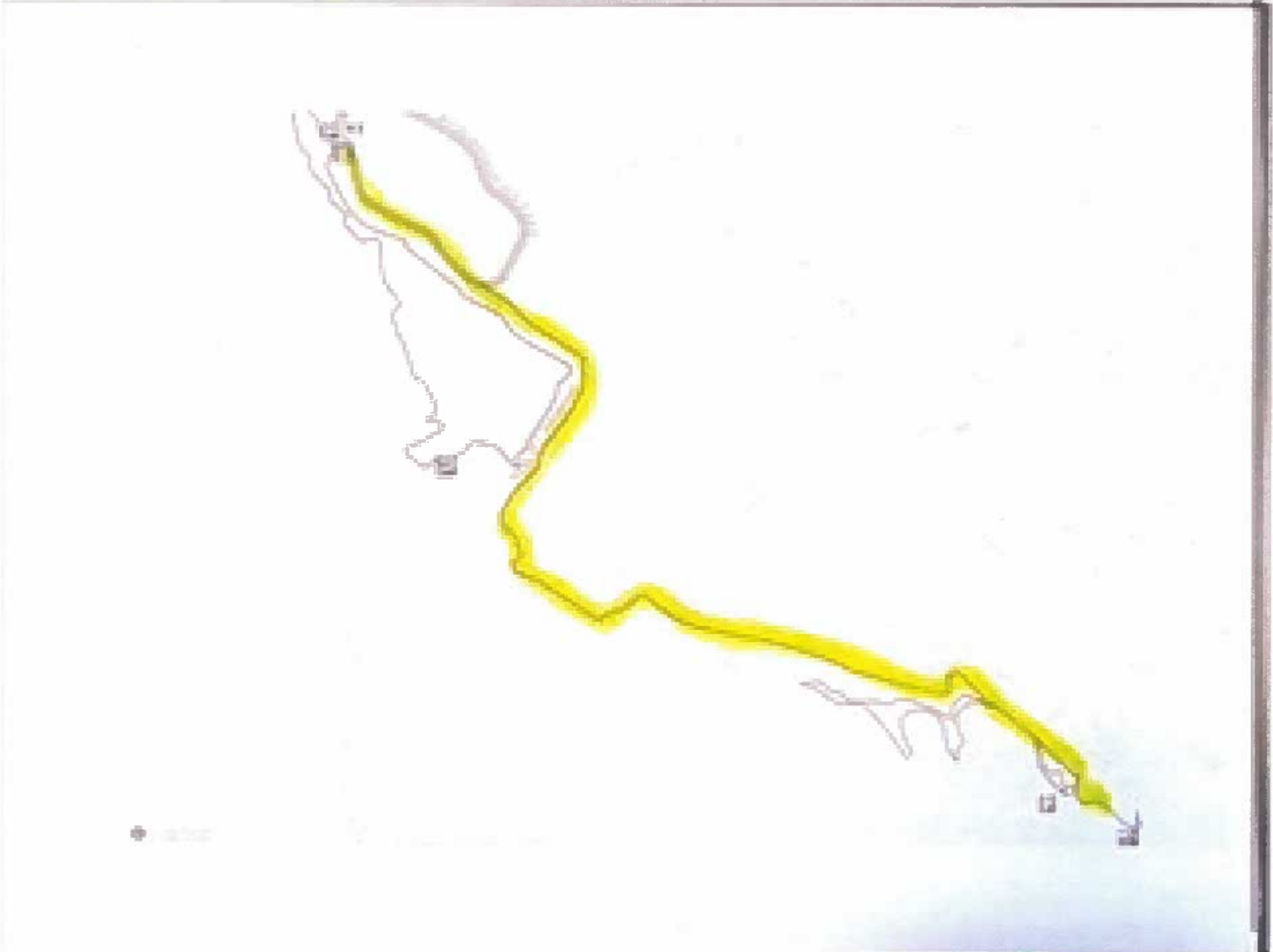
Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

Chapman Chapman

Signature

6/3/24

Date



(P5)

(5d)

Bonner, Jami

From: Cooper, Kyle
Sent: Tuesday, June 11, 2024 9:52 AM
To: Bonner, Jami; Martinez, Gumaro; Barnes, Bradley; Campos, Yadira
Subject: RE: Event Application - 10/12/24 5K Fun Run

With anticipated attendance at only 100, Parks will not assign staff to this event. I believe the 24 event staff requested in the application was an error. However, I wanted to confirm that there will not be Parks staff assigned to this event.



Kyle Cooper, CPRP
Senior Director
Parks and Recreation
City of Waxahachie
469-336-5377
972-268-4549
Kyle.Cooper@waxahachie.com

From: Bonner, Jami
Sent: Monday, June 10, 2024 4:57 PM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>
Subject: FW: Event Application - 10/12/24 5K Fun Run

Good afternoon,

Please reply with any comments / questions you may have in regards to the attached event application. Thank you.

From: Bonner, Jami <>
Sent: Monday, June 3, 2024 3:50 PM
To: Joe Wiser <JWiser@waxahachiepd.org>; Ricky Boyd <rboyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Donna Insixiengmay <donna.insixiengmay@waxahachiepd.org>; Megan Womack <megan.womack@waxahachiepd.org>; Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Jordan, Me'Lony <mjordan@waxahachie.com>; Warren, Anthony <anthony.warren@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>
Subject: Event Application - 10/12/24 5K Fun Run

For your review / comments. Thank you.

(5e)



City of Waxahachie
City Secretary's Office

Special Event Application

Date submitted 5/31/24

Applicant Information

Applicant name: Waneishia Taylor

Are you representing the host organization? Yes No

Will you be the on-site point of contact during the event? Yes No

Phone: _____ Cell: _____

Email: _____

Mailing address: 305 Perry Ave.

Host organization name: Dripstar Day

Alternate contact that will be on-site during the event.

On-site contact name: Keiondre Henderson Cell: _____

About the Event

Event name: Dripstar Day

Location: 404 Getzendaner St.

*An event site map is **REQUIRED** to be submitted with your application.*

Anticipated attendance: _____

Description of event: Celebration of Life

How many times has this event been hosted before?

1st time 2 – 4 times 5 or more times Location: _____

Choose the best description of the event:

- | | |
|--|--|
| <input type="checkbox"/> Festival | <input type="checkbox"/> Birthday Party / Picnic |
| <input type="checkbox"/> Movie Screening | <input type="checkbox"/> Charitable / Fundraising |
| <input type="checkbox"/> Parade | <input checked="" type="checkbox"/> Community / Neighborhood |
| <input type="checkbox"/> Private Event | <input type="checkbox"/> Concert / Live Performance |
| <input type="checkbox"/> Run / Walk | <input type="checkbox"/> Other: _____ |

(50)



City of Waxahachie
City Secretary's Office

Special Event Application

Event activities include (check all that apply):

- Amusement rides / Inflatables
- Animals / Petting Zoo
- Announcement / Speeches
- Information / Literature Distribution
- DJ / Recorded Music
- Food – sampled, served, or sold
- Products / Services – given away, sampled, or sold
- Live music
- Street closure
- Other: Bounce House

The event is:

- Private
- Free & open to the general public
- Entry by participation or registration fee
- Entry by admission fee or ticket

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	5-24-25	3:00pm	8:30pm
Event Set-up			
Event Breakdown			

Run / Walk:

Please provide the start time for each distance (if applicable)

_____ 1 mile

_____ 5K

_____ Other distance

Please indicate your expected attendance:

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

Provide route on attached site map.

(50)



Food / Beverage:

Will the event offer food/beverages? Yes No

Will event require any food preparation on-site? Yes No

Will alcohol be served/sold? Yes No

[Sample Downtown Event/Festival Boundary Map](#)

[Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events](#)

If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.

Police / Security Services:

Personnel needs (indicate all that apply) Request for services is not a guarantee that staff/volunteers will be available.

Event staff How many: _____ Date(s) & time(s): _____

Volunteers How many: _____ Date(s) & time(s): _____

Private security How many: _____ Date(s) & time(s): _____

Company name: _____

Contact name and number: _____

Off duty police How many: _____ Date(s) & time(s): _____

Have you made arrangements with the police? Yes No

If no, you will be provided the information on how to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: _____ Phone number: _____

Street Closures:

Does the event propose closing, blocking, or using City streets and/or parking lots? Yes No

If yes, please list all streets, intersections, and parking lots that apply: _____

Street closings to begin on date: _____ Start time: _____ End time: _____

Will any businesses be impacted by the proposed road closure? Yes No

Traffic Safety Equipment:

Does your event require traffic cones or barricades? Yes No

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones How many: _____ Barricades How many: _____

Other: _____

Where should equipment be dropped off & picked up? _____

(5e)



City of Waxahachie
City Secretary's Office

Special Event Application

When will the traffic equipment be set-up?

Date: _____ Time: _____

When will the traffic equipment be removed?

Date: _____ Time: _____

Are you requesting the use of City traffic equipment?

Yes

No

Availability is not guaranteed

Streets cannot be blocked without prior approval.

Temporary Tents & Structures:

Will the event have a tent(s) larger than 10' x 20'?

Yes

No

List the # of tents & sizes:

Indicate locations on attached required site map.

Electrical Services:

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier:

Explain services in detail:

The Park Plugs That's Under The gazebo

Insurance

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

Hold Harmless Clause

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

WANEshy Taylor

Signature

5-31-24

Date

Contract Agreement

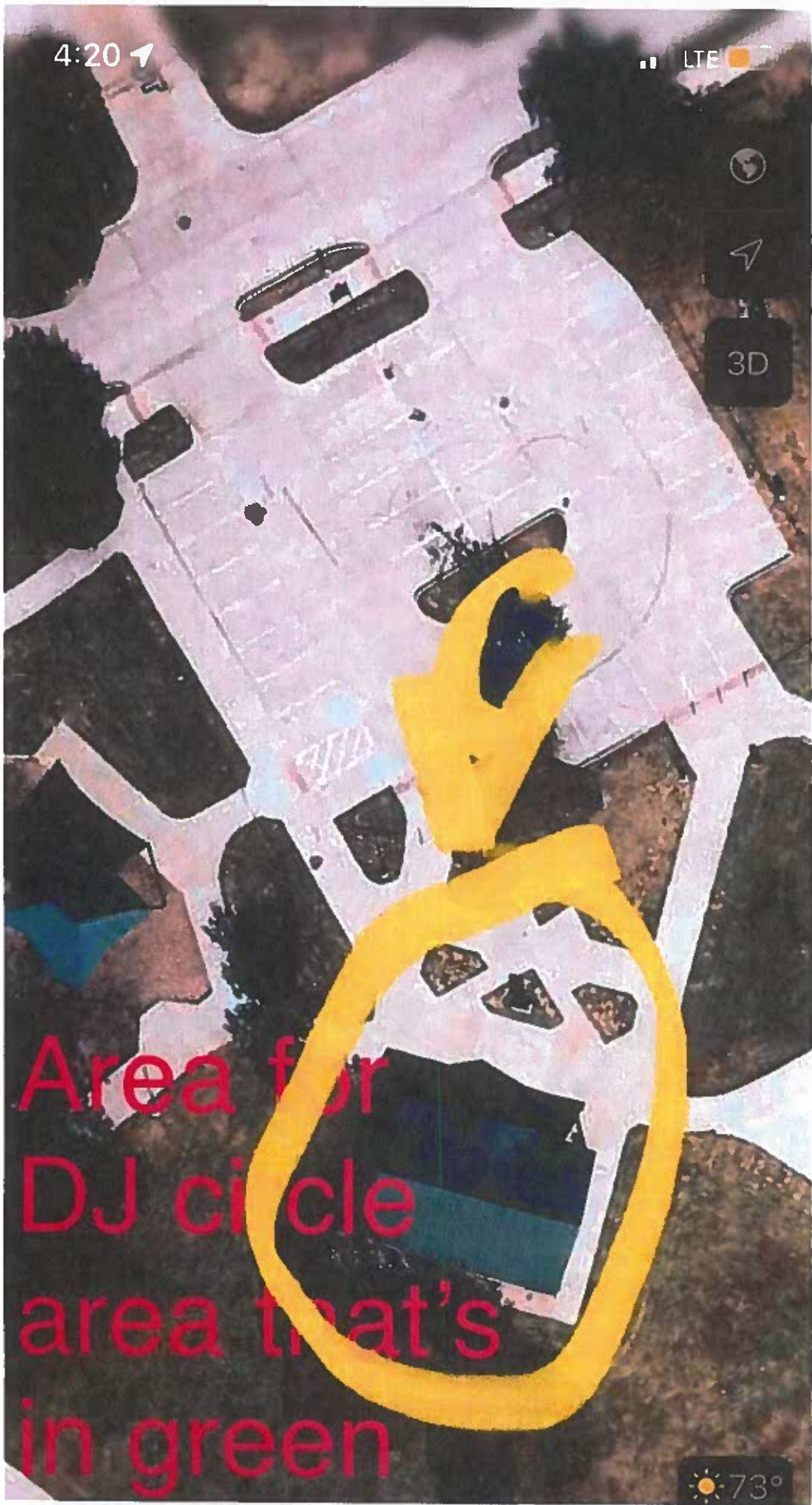
Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

WANEshy Taylor

Signature

5-31-24

Date



Area for
DJ circle
area that's
in green



(5f)

Memorandum

To: Honorable Mayor and City Council
From: Eleana Tuley, Downtown Redevelopment & Historic Preservation Manager
Thru: Gumaro Martinez, Executive Director of Parks & Leisure Services
Date: June 17, 2024
Re: Consider a Downtown Building Improvement Program Grant for 209 S. College Street

Recommended Motion: "I move to approve the funding request from the TIRZ fund in the amount of \$12,996.60 for the improvements at 209 S. College Street, and authorize the City Manager to execute all documents as necessary."

Item Description: Consider authorizing funding from the TIRZ fund for \$12,996.60 to pay for half the cost of replacing the roof at 209 S. College Street.

Item Summary: The property owner, Gloria Mata, requested a 50 percent match for the roof replacement cost at 209 S. College Street through the Downtown Building Improvement Program (DBIP). The DBIP Grant offers a 50/50 match up to \$50,000 for qualifying improvements. The applicant has filed a claim with their insurance company, and the insurance company has committed to pay \$13,605.98, leaving a balance of \$12,996.60 to cover the remaining roof replacement cost. The current roof is foam and asphalt, but the applicant will replace it with a TPO roof.

The TIRZ Board unanimously approved the funding request of \$13,605.98 by a 4-0 vote at the May 21, 2024 TIRZ meeting.

Fiscal Impact: The request for \$12,996.60 will be funded by the TIRZ account, which has sufficient balance to cover the expense.



(5g)

Memorandum

To: Honorable Mayor and City Council

From: Eleana Tuley, Downtown Redevelopment & Historic Preservation Manager

Thru: Gumaro Martinez, Executive Director of Parks & Leisure Services 

Date: June 17, 2024

Re: Consider a Downtown Building Improvement Program Grant for 200 S. Rogers Street

Recommended Motion: "I move to approve the funding request from the TIRZ fund in the amount of \$36,803.90 for the improvements at 200 S. Rogers Street, and authorize the City Manager to execute all documents as necessary."

Item Description: Consider authorizing funding from the TIRZ fund for \$36,803.90 to pay for half the cost of replacing the roof at 200 S. Rogers Street.

Item Summary: The property owner, Al Mack (Rogers & Franklin LLC), requested a 50 percent match for the roof replacement cost at 200 S. Rogers Street through the Downtown Building Improvement Program (DBIP). The DBIP Grant offers a 50/50 match up to \$50,000 for qualifying improvements. The total roof replacement cost is \$73,607.79. The applicant requested \$36,803.90 (50 percent) to cover the remaining roof replacement cost. The current TPO roof is at the end of its 25-year lifecycle and needs several repairs.

The TIRZ Board unanimously approved the funding request of \$36,803.90 by a 4-0 vote at the June 5, 2024 TIRZ meeting.

Fiscal Impact: The request for \$36,803.90 will be funded by the TIRZ account, which has sufficient balance to cover the expense.



(5h)

Memorandum

To: Honorable Mayor and City Council

From: Eleana Tuley, Downtown Redevelopment & Historic Preservation Manager

Thru: Gumaro Martinez, Executive Director of Parks & Leisure Services

Date: June 17, 2024

Re: Consider funding request for building improvements for 200 S. Rogers Street

BT

Recommended Motion: "I move to approve funding from the TIRZ fund in the amount of \$13,239.43 for the improvements made to 200 S. Rogers Street, and authorize the City Manager to execute all documents as necessary."

Item Description: Consider authorizing funding from the TIRZ fund for \$13,239.43 to reimburse half the cost of completed improvements at 200 S. Rogers Street.

Item Summary: The applicant completed several improvements to the building from June to September 2023 and made a funding request from the TIRZ Board in the amount of \$26,478.86. The improvements consisted of asbestos abatement, installing and repainting new window molding, and emergency roof repairs.

At the June 5, 2024, TIRZ meeting, the TIRZ Board unanimously approved paying 50 percent (\$13,239.43) of the completed improvements by a 4-0 vote.

Fiscal Impact: The request for \$13,239.43 will be funded by the TIRZ fund, which has sufficient balance to cover the expense.



(5i)

APPLICATION FOR SPECIAL SEASONAL VENDORS PERMIT
AT LAKE WAXAHACHIE

Applicant Name Pat Barrett- What's SUP + Kayaks

Home Address [Redacted]
Street or Box No. City State

Home Phone No. [Redacted] Business Phone No. [Redacted]

Name to be used at business location Waxahachie Lake-Park to be decided by the board,
Original site- Boat Dock Park

Proposed temporary location for selling: (describe in detail and provide site map) _____
To be decided by board as parks have been redesigned.

Proposed services provided: (describe in detail) _____
Renting-Kayaks, Paddleboards, Life Jackets, Tubes, water toys- Non morored

It is understood and agreed that the premises will be kept clean and neat, that no radio or other noise-making equipment will be used, that the business will only be operated between sun-up and 10:00 p.m., that sale or rental shall be allowed only for water sport related equipment such as canoes, kayaks, life preservers, fishing equipment, and water sports related equipment. No food or beverages may be sold.

The City may revoke the permit if all city, state, or other governmental rules and regulations are not followed. The permit is from May, 2024, to September, 2024.

I would like to purpose tthat the dates start at Spring Break weather permitting.

Date 4/25/2024

Pat Barrett
Applicant Signature

For Office Use Only

Date Received: 4-25-24

Staff approval: 4-25-24

Park Board Approval: 5-2-24

Completed Application

City Council Approval: _____

\$1,000,000 Liability Insurance

Permit issued: _____

\$25 fee



(5j)

Memorandum

To: Honorable Mayor & City Council

From: Laurie Mosley, Director – CVB

Thru: Michael Scott, City Manager

Date: June 17, 2024

Re: Authorize Use of Convention Visitors Bureau FY24 Contingency Funds for DFW Youth World Baseball Classic & Crape Myrtle Festival

Recommended Motion: "I move to approve the use of the remaining \$12,500 contingency funds within the Hotel/Motel Tax Fund to offset expenses related to the DFW Youth World Baseball Classic and increased costs associated with the 2024 Crape Myrtle Festival and authorize the City Manager to execute all documents as necessary."

Item Description: Authorize the use of \$12,500 from the Hotel/Motel Tax Fund contingency account in the FY24 CVB budget, to offset expenses related to the DFW Youth World Baseball Classic and the increased costs associated with the 2024 Crape Myrtle Festival.

Item Summary: The Waxahachie Sports Complex and CVB was approached by Mike Langford of Premier Prospects for assistance with a large baseball tournament that his organization will be bringing to the Waxahachie Sports Complex on August 9-12, 2024 called the DFW Youth World Baseball Classic. Not only would this tournament bring over 1,000 athletes to Waxahachie representing 10 different countries, it would also bring all of their family members as the athletes play for the honor of their heritage thus creating a large positive economic impact for the city. This event will also be a "stay & play" event which will create a positive multi-day demand for our hotels in the month of August when we typically do not have as many events taking place.

The contingency funds used for the DFW Youth World Baseball Classic would assist with requests such as a 5-10-minute fireworks show the evening of opening ceremonies; sponsorship of bags for the players; and/or offset expenses of rental of the Sports Complex.

(5j)

Additionally, the cost associated with putting on the 2024 Crape Myrtle Festival, such as the price of fireworks and other related expenses with producing a quality event on July 3rd for visitors and the community continue to rise each year. This year, the fireworks show alone is \$23,250. The CVB is diligent in securing sponsors for the event; however, there will likely be a funding gap for the event and contingency funds will be needed.

This item was presented to and unanimously approved by the WCDC Board of Directors at their June 11th meeting.

Fiscal Impact: The FY24 contingency account, 202-610-57800, has \$12,500 of available funds and would be depleted if approved. These funds are set aside in the approved budget each year for such instances.

(5K)



Memorandum

To: Honorable Mayor and City Council

From: Justin Stoker, P.E., CFM, Director of Public Works & Engineering

Thru: Michael Scott, City Manager

Date: June 17, 2024

Re: Consider Budget Transfer within the Streets Capital Projects Fund

Recommended Motion: "I move to approve the transfer of \$49,000 within the Streets Capital Projects Fund from the Grand Solon Engineering/Scarification/Striping Project to the Indian Hills Addition Alleys Ph1 Project and authorize the City Manager to execute all necessary documents."

Item Description: Consider a transfer of \$49,000 between projects within the Streets Capital Projects Fund.

Item Summary: The original proposed design budget for the Indian Hills Addition Alley Ph1 Project was \$100,000. However, the actual cost for the design contract is \$149,000. The Grand Solon Engineering/Scarification/Striping Project is under budget and has the capacity to cover the difference needed.

Fiscal Impact: Both projects are funded using FY23 Bond Funds within the Streets Capital Projects Fund. This \$49,000 transfer is from the Grand Solon Engineering/Scarification/Striping Project that is currently under budget by approximately \$511,002 and the savings can be used to cover design costs in excess of the original estimated budget on the Indian Hills Alley Project.



(51)

Memorandum

To: Honorable Mayor and City Council
From: Justin Stoker, P.E., CFM, Director of Public Works & Engineering
Thru: Michael Scott, City Manager *MS*
Date: June 17, 2024
Re: Consider Professional Service Agreement for Construction Materials Engineering and Testing Services for University Avenue Street and Utility Reconstruction Project

Recommended Motion: "I move to approve the professional service agreement for construction materials engineering and testing services with ECS Southwest, LLP in an amount not to exceed \$67,420 for the University Avenue Street and Utility Reconstruction project and authorize the City Manager to execute all necessary documents."

Item Description: Consider a professional services agreement with ECS Southwest, LLP for construction materials engineering and testing services for the University Avenue Street and Utility Reconstruction project.

Item Summary: The construction contract for the University Avenue Street and Utility project was awarded to Circle H Contractors in March 2024. This proposed professional services agreement with ECS Southwest, LLP is for the materials engineering and testing services for the project and includes:

1. Soil compaction testing for:
 - a. Street fill and subgrade
 - b. Storm, Water and Sewer backfill
2. Concrete strength testing
3. Other material testing as necessary

Fiscal Impact: The proposed agreement with ECS Southwest, LLP for construction materials engineering and testing services is in an amount not to exceed \$67,420 and is funded from the approved University Avenue Reconstruction Project - Streets Capital Projects Fund (612).

(5m)



Memorandum

To: Honorable Mayor and City Council
From: Justin Stoker, P.E., CFM, Director of Public Works & Engineering
Thru: Michael Scott, City Manager
Date: June 17, 2024
Re: Consider Professional Service Agreement for Construction Materials Testing Services for Graham Street Reconstruction Project

Recommended Motion: "I move to approve the professional service agreement with Braun Intertec Corporation in the amount not to exceed of \$66,331, for construction materials testing services for the Graham Street Reconstruction project, and authorize the City Manager to execute all necessary documents."

Item Description: Consider the award of a professional services agreement to Braun Intertec Corporation for the construction materials testing services for the Graham Street Reconstruction Project.

Item Summary: This item is to for construction materials testing service for the Graham Street Reconstruction Project. The construction materials testing involves testing the compaction density of the road subgrade and strength of the concrete used for the roadway. The construction contract has been previously approved for this project.

Fiscal Impact: The construction materials engineering and testing services project will be funded utilizing \$66,331 designated for the Graham Street Reconstruction project in Fund 612 - Streets Capital Projects Fund.

(7)

PROCLAMATION

WHEREAS, music is a vital part of the cultural and social fabric of Waxahachie, Texas, enriching the lives of its residents and visitors alike; and

WHEREAS, Make Music Day is a global celebration of music held annually on June 21st in over 120 countries, promoting the joy of music for people of all ages, backgrounds, and skill levels; and

WHEREAS, Make Music Day encourages community participation, fosters creativity, and strengthens the bonds between neighbors, friends, and visitors through the shared experience of making music; and

WHEREAS, Waxahachie is home to a diverse and vibrant community of musicians, artists, and music enthusiasts who contribute to the city's unique cultural identity and vitality; and

WHEREAS, the City of Waxahachie is dedicated to supporting and promoting the arts, recognizing their importance in fostering a sense of community, enhancing quality of life, and contributing to the economic vitality of the region; and

WHEREAS, this special day encourages people of all ages and musical abilities to pick up an instrument, join in singing, attend performances, and engage in the universal language of music.

NOW, THEREFORE, be it resolved that I, Billie Wallace, Mayor of the City of Waxahachie, Texas, along with the entire City Council, do hereby proclaim June 21, 2024, as

“MAKE MUSIC DAY”

in the city of Waxahachie and encourage all residents and visitors to join in the celebration, participate in musical activities, and share the joy of music with their community.

Proclaimed this 17th day of June 2024.

MAYOR

ATTEST:

CITY SECRETARY

(9)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-128-2022



MEETING DATE(S)

Planning & Zoning Commission: May 14, 2024
City Council: June 17, 2024

CAPTION

Public Hearing on a request by Chad Adams, for a **Zoning Change** from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a **Planned Development – Single Family – 1 (PD-SF-1)** zoning district (Hightower), located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

RECOMMENDED MOTION

"I move to approve ZDC-128-2022, a Zoning Change from a Future Development and Planned Development-Single Family-1 zoning district to a Planned Development-Single Family-1 zoning district, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to sign the associated documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on May 14, 2024, the Commission voted 4-2 to recommend approval of case number ZDC-128-2022, subject to the conditions of the staff report. Following the May 14, 2024 Planning & Zoning Commission meeting, the applicant further modified the proposed concept plan to include a 6' stained wood fence along Western property line.

At the City Council meeting held on May 20, 2024, City Council voted 5-0 to continue case number ZDC-128-2022 to the June 17, 2024 City Council meeting. The purpose of the continuance was to provide time for the applicant to discuss a revised concept plan with City Council at a dedicated work session.

On June 10, 2024, City Council held a work session to discuss revisions to the Hightower Club concept plan. During this work session, the applicant presented two (2) revised concept plans for City Council. City Council identified a preference for option "K"; which included a strictly emergency access connection to Lakeshore Drive near the southeast corner of the subject property. The applicant noted this concept would include a gate across the emergency access point to ensure the connection is not utilized by residents. The applicant also noted that pedestrian access along with enhanced screening and landscaping would be provided adjacent to the emergency access point. Finally, this concept plan includes a provision to remove the detention/retention area along Lakeshore Drive, if it is ultimately possible to handle drainage for the development via installation underground drainage infrastructure.

APPLICANT REQUEST

The applicant requests approval of a Planned Development district to allow for a sixty-eight (68) lot single-family residential neighborhood.

(9)

CASE INFORMATION

Applicant: Chad Adams, Oakhull Development LLC

Property Owner(s): Todd Laurie L & Wesley M Hightower Etal

Site Acreage: 84.78 acres

Current Zoning: Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1)

Requested Zoning: Planned Development-Single Family-1 (PD-SF-1)

SUBJECT PROPERTY

General Location: Directly north of 143 Lakeshore Drive

Parcel ID Number(s): 182009

Existing Use: The subject property is currently undeveloped.

Development History: The subject property is not currently platted.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	Planned Development-Single Family-1 (PD-SF-1)	Single Family Neighborhood (Levante)
East	Future Development (FD) & Rural Residential (RR)	Single Family Residences
South	Planned Development-Single Family-1 (PD-SF-1)	Single Family Residences
West	Planned Development-Single Family-1 (PD-SF-1)	Single Family Residences

Future Land Use Plan: Residential Neighborhood & Rural Estate

Comprehensive Plan: *Residential Neighborhood:* This placetype serves to create neighborhoods built with a traditional walkable block/street grid network that allows some variation in housing typologies. Although this placetype will predominantly consist of traditional single family detached housing, denser housing types are encouraged such duplex, cottage courts, and townhomes. Both residential and commercial uses need to be context sensitive. Commercial uses in this placetype may be a small pop up facility or a home converted to a small store front. Walkability is key for neighborhood commercial uses so that they are accessible from surrounding neighborhoods.

Comprehensive Plan: *Rural Estate:* This placetype is characterized by large lots with single-family homes in rural settings away from the city center as well as public services. This type of development leaves ample amount of surrounding open space, and should involve minimal infrastructure investment. Though this placetype will almost exclusively be single family homes, it is to be expected that home-based businesses may thrive in this environment.

Thoroughfare Plan:

The subject property is accessible via Lakeshore Drive to the south and Education Lane to the north (currently under construction as part of the Levante neighborhood).

Site Image:



PLANNING ANALYSIS

The applicant proposes a zoning change to Planned Development Single Family-1 (PD-SF-1) with modified development standards to allow for a single-family residential development with minimum lot sizes of one (1) acre. The applicant proposes at total of sixty-eight (68) lots with the development. Seven (7) of the proposed lots are designed to front Lakeshore Drive and maintain a minimum size of 1.2 acres.

Case Background

The applicant behind this request is the same developer currently working on the Levante Planned Development (PD) to the north of the subject property. The Levante Planned PD was approved in 2022 and was designed from the beginning to gain additional points of access from adjacent properties to west and the south. It is important to note that the provision of at least two (2) points of access is a requirement for the build-out of Levante. This request for the Hightower PD and the design of the Hightower concept plan is intended to provide the required second point of access for both the Levante and Hightower neighborhoods.

Development Standards

The subject property is in the City of Waxahachie water and wastewater service area. However, wastewater infrastructure is not within a reasonable distance to service the subject property. Therefore, the Applicant has proposed one-acre minimums for all lots in order to facilitate an on-site septic system. In addition to increasing the minimum lot size, the Applicant has committed to require a side-entry or rear-entry garage for all dwelling units. Other than these two provisions, the subject property will meet all other standards for the Single-Family-1 (SF-1) zoning district. The table below can be referenced for a comparison of the proposed development standards and Waxahachie’s base SF-1 zoning district.

Development Standards Table

Standard	City of Waxahachie (SF-1 District Standards)	Proposed Development Standards (Applicant Request)	Meets or Exceeds SF-1 Standards?
Height Regulations	2 stories for the main building / 1 story for accessory buildings without garages	2 stories for the main building / 1 story for accessory buildings without garages	Meets
Minimum Dwelling Size	2,200 SF	2,200 SF	Meets
Minimum Lot Area	16,000 SF	43,560 SF (1 Acre)	Exceeds
Minimum Lot Width	90'	90'	Meets
Minimum Lot Depth	140'	140'	Meets
Minimum Front Yard	40'	40'	Meets
Minimum Side Yard	15' required; 20' from a street ROW	15' required; 20' from a street ROW	Meets
Minimum Rear Yard	25'	25'	Meets
Maximum Lot Coverage	50% by main and accessory buildings	50% by main and accessory buildings	Meets
Garages	Minimum of two (2) enclosed spaces, no design regulations.	All dwelling units shall contain side-entry or rear-entry garages (front-entry garages are prohibited).	Exceeds

Proposed Concept Plan

The subject property will develop according to the design of the concept plan (Exhibit C). The layout of the neighborhood complies with subdivision design standards within the City's subdivision regulations and provides a minimum of two access points for fire and emergency access. The internal street network will comply with the Estate Street section consisting of sixty (60) feet of right-of-way with 27 feet of pavement and a 16.5-foot parkway on each side of the pavement to allow for a culvert and bar ditch. The Applicant has provided a stub for future development out to the tract on the west side of the subject property. Additionally, the applicant has proposed a requirement for home builders to install a 5' sidewalk along Lakeshore Drive adjacent to the subject property at the time each of the lots adjacent to Lakeshore Drive are developed.

Public Works & Engineering Analysis

The City Engineer and the Public Works & Engineering Department have evaluated the concept plan provided by the applicant with this Planned Development application. The applicant has conceptually accounted for drainage and detention requirements. The City Engineer has noted that full detailed drainage plans are provided to the City for review and approval with the Civil Construction permit.

Should the Planned Development for the property be approved, the developer will be required to submit a Plat for the property. This will be reviewed by multiple departments including Engineering, Planning, Utilities, and Fire. After the Plat has been approved, the developer has 120 days to submit the full Civil Construction plans for review. These plans are also reviewed by our Engineering, Planning, Fire, and Utilities departments. These plans will include the full drainage design, utilities, roadway, grading, erosion control, signage, and lighting. During this plan review, the engineering team will look at the drainage and detention calculations.

Public Works & Engineering Analysis (continued)

The City Engineer has also noted that per the City’s Drainage Design Manual, post developed flows shall not exceed pre-developed flows. This is typically handled through detention and is one of the items evaluated during the review of Civil Construction plans. Building permits are not permitted to be issued until all public infrastructure (including drainage and detention infrastructure) is installed by the developer and accepted by the Public Works Department.

In regards to the proposed use of septic systems, the City Engineer has noted that septic systems are allowed by Texas State law as long as they meet the requirements set forth by TCEQ. The City has a more stringent requirement of 1-acre minimum lot size for septic systems versus the State’s requirement of 0.5 acres. The system must be designed by a registered sanitarian and this is verified by our Building Department. Notably, all existing homes within a mile of the lake are on septic systems.

The Public Works & Engineering Department has also evaluated the potential traffic impact of the proposed development. The City Engineer has noted that per Section 3.1.c.3 of the City’s Subdivision Ordinance, a traffic impact analysis (TIA) is not required for developments of less than 100 lots or 1,000 one-way trips per day. This development falls far under that requirement at 68 lots. Staff does not have concern with the impact of additional traffic generated from this development onto Lakeshore Drive.

Proposed Architectural Styles

To promote architectural diversity throughout the residential development, forty-five (45%) of lots are proposed to conform to one of the three (3) specific architectural styles proposed with this development. The architectural styles proposed with this PD include Farmhouse, Craftsman, and French Country. The minimum percentages and quantities for each architectural style is provided in the table below. Hightower will consist of custom homes that may vary in floor plans and layouts but will adhere to the architectural character and exterior finishing materials identified for each architectural style in Exhibit E below. The development standards proposed with this request include a provision to allow the Planning Director or Building Official to have the discretion and authority to require the builder to adhere to the architectural styles identified in Exhibit E, should any home deviate from the architectural style prescribed in the PD.

Architectural Style	Quantity/Percentage of Homes	Minimum No. of Homes
Farmhouse	15%	10
Craftsman	15%	10
French Country	15%	10
Total	45%	30

The architectural style for the remaining fifty-five percent (55%) equating to 38 lots shall be determined by the market. However, shall comply with the following provisions:

- The exterior finishing materials shall be limited to a combination of brick, stone, cementitious fiber board and stucco. Wood may only be used as an accent, but shall not exceed ten (10) percent of each building elevation. The calculation of exterior finishing materials shall exclude windows, doors and trims.
-

Proposed Architectural Styles (continued):

- Each home shall have a hard surface front entry walkway with a minimum improved width of three (3) feet constructed from the sidewalk or driveway to the front door of each primary structure. Walkways may be surfaced with concrete, pavers, laid bricks, or any other such material and in accordance with City standards.
- Each home shall have a front covered porch with minimum usable area of forty (40) square feet with a minimum depth of five (5) feet from the primary structure, as measured perpendicular to the front door.
- There shall be no uninterrupted wall length of twelve (12) feet or more on any façade that is visible from a public right-of-way or open space. This standard applies to the front façade on the interior of the lot or the front and side façade facing a street or open space on a corner lot. An interrupted wall can be achieved through a window, brick detail, or offset in the building face, or similar element that breaks the massing of the façade.
- Each dwelling unit shall be constructed with a roof overhang of not less than twelve (12) inches as measured from the finished exterior building façade to the soffit unless the roof pitch is 8:12 or greater.
- Each home shall provide a minimum of three (3) elements from the list below:
 - Multiple pane, divided light, or simulated divided light windows;
 - Decorative columns that are a minimum of six (6) inches in diameter;
 - Gable with window or other decorative feature;
 - Dormers;
 - Bay windows with a minimum projection of twenty-four (24) inches;
 - 8:12 roof pitch;
 - Two (2) or more exterior masonry materials with each material covering at least twenty-five (25) percent of the exterior surface;
 - Split garage doors with a separate door for each vehicle bay;
 - Bull nosed gable;
 - Permanently affixed awning;
 - Articulated garage doors, e.g., windows, paneling, other high-quality detailing;
 - Accentuated brick detailing around garage door with a rowlock or similar detailing;
 - Transom or arch style windows; or
 - Elevated hip roof.
- All residential lots within the development shall comply with the following provisions:
 - No single building elevation shall be duplicated within six (6) lots or tracts in either direction on the same block face.
 - Elevations may not be duplicated on any lot directly across a street or within four (4) lots in either direction.
 - No front entry garages allowed.
 - Each single-family home will consist of a minimum 75 percent masonry.
 - Masonry shall be defined as provided in Section 5.01 (Exterior Construction Requirements) of the City of Waxahachie Zoning Ordinance.
 - Exceptions for Farmhouse and Craftsman styles to use cement fiber siding for 50% of front elevations.

Proposed Landscaping, Entry Monuments & Screening

The applicant proposes to install monument signage for the development adjacent to the emergency access gate and pedestrian connection to Lakeshore Drive. The monument signage is proposed to be HOA maintained.

A 6' wood privacy fence is proposed to be installed by the developer along the western property line. The applicant is proposing to install a combination of 6' and 8' wood privacy fence along the eastern property line. Fencing for the development is proposed to be installed with the initial street and utility infrastructure.

Adjacent to the emergency access and pedestrian connection to Lakeshore Drive, the applicant proposes to install a landscape buffer. The applicant has included a provision in the development standards that requires the Homeowners' Association to maintain the landscaping, monument signage, and open spaces/detention areas of the development in perpetuity.

Thoroughfare Plan

Lakeshore Drive is identified on the 2023 Waxahachie Thoroughfare Plan as a future 80' thoroughfare. In order to comply with the Waxahachie Thoroughfare Plan, the applicant is providing 15' of right-of-way (ROW) dedication along Lakeshore Drive.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 34 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PUBLIC NOTIFICATION RESPONSES

At the time of publishing this report, staff has received letters of support from six (6) property owners and letters of opposition from twenty-four (24) property owners for the proposed PD. Note that six (6) of the property owners that initially submitted letters of opposition have submitted letters of support following the March 26, 2024 Planning & Zoning Commission meeting. The original letters of opposition from these property owners are attached to this report; but are not included in the total opposition count.

Five (5) letters of support and seventeen (17) letters of opposition were provided for properties within the 200' notification buffer for the request.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the PD request, subject to the conditions noted below.

Conditions:

1. A mutually agreed upon Development Agreement will be required for the property. A physical copy of the Development Agreement with a notarized wet signature by the Developer shall be delivered by the Developer to the Planning Department within thirty (30) days following approval of the agreement by City Council.

Conditions (continued):

2. The property owner shall provide a permanent irrigation system for all required landscape areas shown on Exhibit D – Perimeter Landscaping, Entry Monuments, and Screening.
3. A Home Owner’s Association (HOA) shall be required to be formed for the neighborhood. The HOA shall be required to maintain the X-lots and Mail Box Cluster identified in Exhibit C – Concept plan and the landscaping, screening, and entry monument identified in Exhibit D - Perimeter Landscaping/Screening and Entry Monument.
4. Forty-five (45%) percent of the proposed homes shall conform to one of the three (3) architectural styles identified in Exhibit B – Development Standards. To qualify as a specific architectural style, individual homes are required to provide the architectural elements identified with each style in Exhibit E – Architectural Styles. The remaining fifty-five (55%) of the proposed homes shall consist of a minimum of 75% masonry exterior construction materials. Masonry shall be defined as provided in Section 5.01 (Exterior Construction Requirements) of the City of Waxahachie Zoning Ordinance.
5. The developer shall be required to receive approval of Civil Construction plans by the City prior to grading or installation of public infrastructure on the property.
6. All development within the subject property will be subject to obtaining building permits from the City in accordance with the City’s applicable rules and regulations governing such permits.

ATTACHED EXHIBITS

1. Public Notification Responses
2. Septic Design Letter
3. Development Agreement/PD Ordinance
4. Exhibit A – Location Map
5. Exhibit B – Development Standards
6. Exhibit C – Concept Plan
7. Exhibit D – Perimeter Landscaping, Entry Monuments, and Screening
8. Exhibit E – Architectural Styles

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

Zack King, AICP

Senior Planner

zking@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

(9)

Case Number: ZDC-128-2022

City Reference: 182031

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on May 8, 2024 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

RECEIVED MAY 01 2024

Comments:

There's already too much traffic on a very narrow road.
There's areas on Lakeshore that drop off. Mailboxes are constantly being
knocked over, and one house ran into it!

Signature

Terri Kennedy

4-29-24

Date

Steve Kennedy, Terri Kennedy
Printed Name and Title - owners

129 LAKESHORE DR.
Address

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

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

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

RECEIVED MAY 01 2024

COCKERHAM SIDNEY J
203 LAKESHORE DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Chad Adams, for a **Zoning Change** from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a **Planned Development – Single Family – 1 (PD-SF-1)** zoning district, located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

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

Case Number: ZDC-128-2022

City Reference: 181952

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

SEE ATTACHED

Sidney Cockerham
Signature

4/27/2024
Date

SIDNEY COCKERHAM, OWNER
Printed Name and Title

203 LAKESHORE DR.
Address
WAXAHACHIE, TX 75165

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

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

Subject: Support for Zoning Change Request

(9)

Sidney Cockerham
203 Lakeshore Drive
Waxahachie, TX 75165
Email: sjcntx@icpmail.com
Tel: (972) 935-2271

April 22, 2024

City of Waxahachie
Attention: Planning
408 S. Rogers St.
Waxahachie, TX 75165

Dear Chairman Keeler, Vice-Chairman Test, and Members of the
Planning and Zoning Commission,

I am writing to express my support for the request by Chad Adams for a
zoning change Case Number: ZDC-128-2022.

As a resident of 203 Lakeshore Drive I have met with Mr. Adams and
had the opportunity to review his plans for the development. Since the
March 26th P & Z public hearing, Mr. Adams has been approachable
and receptive to addressing several Lakeshore Drive residents' concerns.

Accordingly, I believe moving forward with the proposed development
will bring several benefits to our community.

First and foremost, I believe that the development will help meet the
growing housing demand brought on by the steady influx of new
residents to Waxahachie.

(9)

Furthermore, I appreciate the attention to detail and thoughtful design incorporated into the development plans.

From what I have seen, the proposed homes are well designed and complement the existing architecture of our neighborhood. Additionally, the storm water management plan will benefit current Lakeshore Drive residents.

It is disappointing, however, that plans do not include green spaces and recreational areas.

Nevertheless, upscale homes with well-maintained lawns and landscaping monitored by an HOA will be a welcome sight over the fields that lie barren for most of the year.

I also believe that the development will have positive economic impacts on our community. The construction phase will create job opportunities for local workers, and once completed, the new homes will contribute to the local tax base, which can be reinvested into our community's infrastructure and services.

In conclusion, I endorse the proposed housing development and urge the Planning and Zoning Commission to approve the zoning change request.

I believe it will not only address the growing demand for housing but also contribute to the vitality and growth of Waxahachie and the Lakeshore Drive neighborhood.

Thank you for considering my input on this matter. Please do not hesitate to contact me if you require any further information or clarification.

Sincerely,



Sidney Cockerham

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

BURKS BRIAN & MICHELLE
143 LAKESHORE DR
WAXAHACHIE, TX 75165-6801

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Request by Chad Adams, for a **Zoning Change** from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a **Planned Development – Single Family – 1 (PD-SF-1)** zoning district, located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

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

Case Number: ZDC-128-2022

City Reference: 174095

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Michelle Brian Burks
Signature

Michelle + Brian Burks
Printed Name and Title

4/29/24
Date

143 Lakeshore Dr.
Address

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

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

(9)

Venissat, Michelle

From: King, Zack
Sent: Monday, May 6, 2024 7:06 AM
To: Venissat, Michelle; Breen, James
Subject: FW: Proposed Hightower Club - Chad Adams

Follow Up Flag: Follow up
Flag Status: Flagged

FYI

From: Paul Mackel <paulmackel6@gmail.com>
Sent: Sunday, May 5, 2024 5:03 PM
To: King, Zack <zking@waxahachie.com>
Subject: Proposed Hightower Club - Chad Adams

Dear Sir:

I am writing to express my strong opposition to the proposed housing development in our neighborhood, Hightower Club.

17 years ago Mr. Lindmark proposed building 45 homes on 1 acre lots on Lakeshore Drive. The citizens near the proposed development publicly opposed the development due to the threat of pollution of septic tank runoff into Lake Waxahachie - and also that the proposed development was not in keeping with the existing character of the neighborhood. The Waxahachie council only approved 14 homes to be built with 4 homes on 10+ acre lots and 10 homes on 2 acre lots. The zoning became Rural Residential. So there is precedence in dealing with proposed high density developments too close to Lake Waxahachie.

Similarly when Bobby Glass was developing Crystal Cove the city made him have multiple large acre properties to reduce the burden on the lake.

The type of housing being proposed is simply not in keeping with the character of our neighborhood. Our area is larger plotted acreage with a country feel. I have a 13 Acre horse property and my neighbor has a 10 acre horse property. My neighbor behind me has an 11 acre property.

I propose the city refuse Hightower Club or limit the development to several large acre properties mixed in with 3 acre homesites in Rural Residential development like Lindmark Estates on Lakeshore Drive.

Sincerely,

Paul Mackel
972-921-9267 (Cell)

(9)

Venissat, Michelle

From: King, Zack
Sent: Monday, May 6, 2024 7:09 AM
To: Emily Mackel
Subject: RE: High Tower Development Opposition

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

Thank you for reaching out. Your response has been received and filed.

Thanks,
Zack King, AICP
Senior Planner
City of Waxahachie
O: 469-309-4294
zking@waxahachie.com

From: Emily Mackel <mackelemily@gmail.com>
Sent: Sunday, May 5, 2024 10:34 PM
To: King, Zack <zking@waxahachie.com>
Subject: High Tower Development Opposition

Mr. king,

I am writing to express my strong opposition to the proposed housing development in our neighborhood, The Hightower Club.

17 years ago Mr. Lindmark proposed building 45 homes on 1 acre lots on Lakeshore Drive. The citizens near the proposed development publicly opposed the development due to the threat of pollution of septic tank runoff into Lake Waxahachie - and also that the proposed development was not in keeping with the existing character of the neighborhood. The Waxahachie council only approved 14 homes to be built with 4 homes on 10+ acre lots and 10 homes on 2 acre lots. The zoning became Rural Residential. So there is precedence in dealing with proposed high density developments too close to Lake Waxahachie.

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The type of housing being proposed is simply not in keeping with the character of our neighborhood. Our area is larger plotted acreage with a country feel. I have a 13 Acre horse property and my neighbor has a 10 acre horse property. My neighbor behind me has an 11 acre property.

(9)

I propose the city refuse Hightower Club or limit the development to several large acre properties mixed in with 3 acre homesites in Rural Residential development like Lindmark Estates on Lakeshore Drive.

Sincerely,

Emily Mackel

9728257899

(9)

Venissat, Michelle

From: King, Zack
Sent: Monday, May 6, 2024 7:11 AM
To: Lora Mackel
Subject: RE: OPPOSITON - Hightower Club residential development near Lake Waxahachie

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

Thank you for reaching out. Your response has been received and filed.

Thanks,
Zack King, AICP
Senior Planner
City of Waxahachie
O: 469-309-4294
zking@waxahachie.com

From: Lora Mackel <loramackel6@gmail.com>
Sent: Sunday, May 5, 2024 11:00 PM
To: King, Zack <zking@waxahachie.com>
Subject: OPPOSITON - Hightower Club residential development near Lake Waxahachie

Dear Mr. King & Planning and Zoning Committee,

I am writing to express my strong opposition to the proposed housing development in our neighborhood, Hightower Club. While I understand the need for new residential housing developments in our city to promote growth, I believe that this project would have a detrimental impact on our community and our natural resource of Lake Waxahachie.

First and foremost, the proposed development is simply too large for our area. The increase in population density would put a strain on our already overburdened infrastructure of our water system, roads, schools etc, leading to increased traffic congestion, road damage, noise pollution, and strain on our public water source. The fact that Lake Waxahachie is our major water source for our town as well as a fishing, swimming and recreational area, should be of concern to us all with the proposed 64 home development so close to the lake. Having 64 homes all with septic runoffs so close to the lake will have a huge negative impact. Additionally, the construction of this project would result in significant environmental damage, destroying natural habitats and putting wildlife at risk as well as our safety of drinking and other use of household water needs. By adding 64 homes with septic tanks the pollution runoff into Lake Waxahachie would have a negative impact on not just local homes in the area but to people who enjoy swimming, fishing and our household water consumption within the city.

Furthermore, the type of housing being proposed is simply not in keeping with the character of our neighborhood. A little over seventeen years ago, Mr. Lindmark wanted to rezone our property area by the lake for smaller lots to have more homes and make a greater profit. But thankfully the then P&Z committee said no due to the restraints it would place on Lake Waxahachie and the character of the area. The same was said for Crystal Cove across the lake with Bobby Glasses' developments. Our area is larger plotted acreage with a country feel including farm land, agricultural exemptions so we can provide farm to table healthier lifestyles. This new development would bring in a large number of residents, which could lead to increased traffic, pollution, road strains and other negative social effects. It would also drastically alter the aesthetic of our area, replacing the existing greenery and open spaces with monolithic, high-density housing complexes.

Finally, I am deeply concerned about the impact this development would have on property values in the surrounding area. While

I realize the city's concern is to grow and make money, the influx of residents with smaller 1 acre lots and more densely populated area could result in a decline in property values, a larger burden on the school system, pollute lake waxahachie water and wildlife and make life more difficult for current residents.

(9)

In conclusion, I strongly urge you to reconsider this proposed housing development. While I recognize the need for growth, I believe that this project is simply not the right fit for our neighborhood. I also recognize it is the right of the current land owner to sell his property and have it developed. I just ask that it be limited to a minimum of 3-5 (for example) acre lots per home as Lindmark Estates and Crystal Cove across the lake were made to have to be. Thank you for your attention to this matter.

Sincerely,
Lora Mackel
214-532-7071
Resident at 124 Lakeshore Dr

(9)

Venissat, Michelle

From: King, Zack
Sent: Monday, May 6, 2024 7:36 AM
To: Ashley Freeman
Subject: RE: Protest in regard to new development

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

Thank you for reaching out. Your response has been received and filed.

Thanks,
Zack King, AICP
Senior Planner
City of Waxahachie
O: 469-309-4294
zking@waxahachie.com

From: Ashley Freeman <ashley.freeman07@yahoo.com>
Sent: Sunday, May 5, 2024 1:38 PM
To: King, Zack <zking@waxahachie.com>
Subject: Protest in regard to new development

Hi, this is Ashley Freeman. I would like to put in my formal protest in regard to the potential new development off of Lakeshore Drive in Waxahachie.

Specifically, I do not think doubling the number of houses off Lakeshore Drive is a plan that will better our community. The current traffic amount on Lakeshore drive is problematic. Our mailboxes are knocked down on a regular basis, the road already has areas that need repair, and the speed at which people drive makes it difficult to just walk with our family or walk our dog safely. There is also the issue of irrigation issues and sewage runoff. Also, the lake level is so low most of the year we can't even get our boat out of the slip on our dock. Increasing population increases this problem. I do not think that this area of Waxahachie has the appropriate infrastructure in place to support this size community. Waxahachie was previously, and could still be, a community that is more that neighborhood after neighborhood of one acre lot homes. Please take into consideration that the majority of the people in this existing community are not in support of this development. We will also be at the next meeting to discuss these issues at further length.

Thanks for your time,
Ashley Freeman
303 Lakeshore Dr. Waxahachie TX 75165

(a)

Venissat, Michelle

From: Michelle Burks <mburks@charter.net>
Sent: Monday, May 6, 2024 7:45 AM
To: Planning
Cc: Katy Burks Warsing; 'Brian Burks'
Subject: Case Number" ZDC-129-2-22 - City Reference: 174095

Follow Up Flag: Follow up
Flag Status: Flagged

Case Number" ZDC-129-2-22 - City Reference: 174095
Michelle Burks
143 Lakeshore Drive
Waxahachie, Texas 75165
mburks@charter.net
972-935-7958 cell

Dear Michelle, Zack, Jennifer and the Respected Members of the Planning and Zoning Commission:

Please accept this email as my formal response to the Notice of Public Hearing mailed to my home address concerning the case number noted above. **My response provided in this email is fully contingent upon the plan being presented by Chad Adams being the exact plan that Mr. Adams presented to Katy Burks Warsing prior to this email. Response: SUPPORT**

Based on the development plan presented to Katy Warsing on Friday, May 3, 2024, I SUPPORT the zoning change to a Planned Development-Single Family – 1 (PD-SF-1).

At the May 3rd meeting referenced above, Mr. Adams also offered to add a sidewalk to the plans, which was not shown on the plans presented to Mrs. Warsing. If that change is made and presented to the Planning Dept. prior to Mr. Adams presenting the plans at the May 14, 2024, I request the opportunity for Katy Warsing or myself to review those plans prior to the meeting as that could, possibly change my response.

Finally, I want to formally request that the City of Waxahachie add significant improvements to **LAKESHORE DRIVE to the 5 Year Improvement Plan**. Although that is not currently a part of the City's plan, I feel confident that, after the neighborhood presentation at the previous P&Z meeting, you will agree that the current state of the road will not support the estimated traffic as a result of the development, and will **CERTAINLY** not support the construction traffic during the building process. We have been quiet and low-impact citizens for the City, so I understand that it was easy for us to be overlooked. However, **NOW** is the time to invest in our infrastructure. The City is making costly and needed improvements to our Lake Parks, which will intentionally bring **MORE** traffic to Lakeshore Drive. I honestly do not understand why Lakeshore Drive improvements were not done prior to the Lake Park improvements. I encourage all of the Planning Department, City Administrative Directors and members of the P&Z Commission to ride out to the Lake on a pretty weekend. I am confident that you will make improving Lakeshore Drive an urgent and immediate priority!

Finally, you **KNOW** how much I love my job at WPD! I am enormously proud to be a City employee! I am grateful to play a small role in the workings of our beautiful city and the exciting growth. I have a deep appreciation for all of the city staff and board/commission volunteers. Our jobs can be difficult at times. What a blessing to have such growth that we have to "manage" it! Thank you for your service to the citizens of Waxahachie and for your consideration of my response.

Respectfully,

Michelle Leath Burks

(9)

"Teamwork is the ability to work together toward a common vision. The ability to direct individual accomplishments toward organizational objectives. It is the fuel that allows common people to attain uncommon results." -Andrew Carnegie



(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

HOUGH ALAN & PAMELA
127 LAKESHORE DR
WAXAHACHIE, TX 75165-6801

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Chad Adams, for a **Zoning Change** from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a **Planned Development – Single Family – 1 (PD-SF-1)** zoning district, located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

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

Case Number: ZDC-128-2022

City Reference: 181959

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on May 8, 2024 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

*Previously stated objections: 1) septic pressure along drainage into lake
2) Surface water runoff increase w/ erosive effects 3) Traffic increase*

Alan Hough
Signature

6 May 2024
Date

Alan Hough - geologist
Printed Name and Title

127 Lakeshore Dr, Waxa 75165
Address

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

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

(9)

Venissat, Michelle

From: Jack Scott <jscott@b-sig.com>
Sent: Monday, May 6, 2024 11:19 AM
To: Planning; King, Zack
Cc: Janet Scott (janet_scott57@yahoo.com)
Subject: Hightower Addition

Janet Scott and Jack Scott (216 Lakeshore Drive) are opposed to this development for the following reasons:

- 1) Contamination to Lake Waxahachie
- 2) Increased traffic on Lakeshore Drive
- 3) Drainage issues (I previously sent photos of 216 and 208 Lakeshore....Zach acknowledged receiving them)
- 4) Damage to our street from construction vehicles
- 5) We experience a lot of power outages and are afraid this will increase if the development goes forward.

Please do not hesitate to contact me should you have any questions.

Thanks!

Jack Scott

jscott@b-sig.com

Bell-Scott Insurance Group
1580 John Arden Drive, Ste 200 Waxahachie, TX 75165
972-938-9676 Office



www.b-sig.com



NOTICE: Insurance coverage additions, changes or cancellation requested by email are NOT legally binding unless and until you have received written confirmation from one of our insurance agents. If you need immediate assistance, please call us and ask to speak directly to an insurance agent. Email transmissions cannot be guaranteed to be secure or error-free as information may be intercepted, corrupted, lost, destroyed, arrive late or incomplete or contain viruses; in order to protect your privacy, please do not send us your confidential personal information by unencrypted email.

CONFIDENTIALITY: This message (including any attachment) is confidential and may be privileged. If you have received it by mistake, please immediately notify us and delete it from your system; you may not use, distribute, or copy its contents or disclose its contents to anyone.

(9)



(9)



(9)











City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

(9)

BURKS JEANETTE
139 LAKESHORE DR
WAXAHACHIE, TX 75165-6801

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022

City Reference: 174097

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on May 8, 2024 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

DEVELOPER CHAD ADAMS HAS ADEQUATELY ADDRESSED MY MOST PRACTICAL CONCERN, WHICH IS DRAINAGE FROM THE CURRENT CROP FIELDS WHICH CROSS UNDER LAKESHORE DRIVE AND FLOOD SOUTH BURKS

5/7/24

Signature

Date

JEANETTE BURKS - OWNER
Printed Name and Title

Address

~~139 LAKESHORE DR~~ 139 LAKESHORE DR

1959 AND HAVE HAD TO DEAL WITH FLOODING EVER SINCE. AFTER THE HIGHTOWER INFRASTRUCTURE IS COMPLETE I SHOULD NOT

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

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

HAVE ANY MORE FLOODING. PLEASE APPROVE REQUEST!

THANK YOU!

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

RECEIVED MAY 06 2024

SHIPLEY MARY LOU ATTN: ~~SHIPLEY LAW OFFICE~~
PO BOX N
WAXAHACHIE, TX 75168-0480

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022

City Reference: 203059

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

This revised plan will exacerbate existing traffic problems by creating a dangerous intersection.

Marylou Shipley

Signature

5-7-24

Date

Marylou Shipley, property owner and resident

Printed Name and Title

209 Lakeshore Drive

Address

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

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



(9)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022



JENKINS JAMES R
PO BOX 2836
WAXAHACHIE, TX 75168-8836

RECEIVED MAY 06 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Chad Adams, for a **Zoning Change** from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a **Planned Development – Single Family – 1 (PD-SF-1)** zoning district, located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

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

Case Number: ZDC-128-2022

City Reference: 182006

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Drainage already a problem. Lakeshore Dr will be destroyed by trucks + heavy equipment. If developers (not Hightower - the real developer)

James R Jenkins
Signature

4/27/24
Date

James R Jenkins
Printed Name and Title

201 Lakeshore Dr
Address

File to be deposited with the approved plat
It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

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

Signatures
Look it up

(9)

Venissat, Michelle

From: King, Zack
Sent: Monday, May 6, 2024 4:56 PM
To: Katy Warsing
Subject: RE: Hightower club

Good afternoon Katy,

Thank you for reaching out. Your response has been received and filed.

Thanks,
Zack King, AICP
Senior Planner
City of Waxahachie
O: 469-309-4294
zking@waxahachie.com

-----Original Message-----

From: Katy Warsing <paulloveskate@yahoo.com>
Sent: Monday, May 6, 2024 4:50 PM
To: King, Zack <zking@waxahachie.com>
Subject: Hightower club

Case Number" ZDC-129-2-22 - City Reference: 174095

Good afternoon Zach,

Please accept this email as my formal response to the Hightower Club proposal from Chad Adams. My address is 313 Lake Shore Dr.

I SUPPORT the Hightower Club subdivision based on the latest proposal by Chad Adams with Oak Hull Investments on May 3, 2024 along with the verbal promise by Mr Adams to add a sidewalk along Lake Shore Dr which was not included in the formal proposal to the city.

This is my formal request for the city of Waxahachie to add the revision and widening of Old Italy Rd to be included in the 5 year plan OR when another development is proposed for the remaining farm land on either side of Old Italy Rd. to be done at that time. This is also my formal request for every board member to drive out to the location of EVERY new subdivision being brought before the board for consideration to fully understand the impact of a neighborhood on the current residents and land.

I have loved Waxahachie my whole life truly bleed green. I enjoy seeing the improvements for residents and visitors to enjoy. Thank you for your time and consideration.

In Christ,

Katy Warsing
"Delight yourself in the LORD and he will give you the desires of your heart" Psalms 37:4

(9)

Venissat, Michelle

From: King, Zack
Sent: Tuesday, May 7, 2024 7:23 AM
To: Brian Mackel
Subject: RE: Opposition to propose development Hightower Lake Waxahachie

Good morning,

Thank you for reaching out. Your response has been received and filed.

Thanks,
Zack King, AICP
Senior Planner
City of Waxahachie
O: 469-309-4294
zking@waxahachie.com

From: Brian Mackel <brianmackel03@gmail.com>
Sent: Monday, May 6, 2024 5:37 PM
To: King, Zack <zking@waxahachie.com>
Subject: Opposition to propose development Hightower Lake Waxahachie

Mr King:

There are just a few areas in Waxahachie that help define the city and give it unique character. The Courthouse and downtown, Main Street and Lake Waxahachie represent the unique parts of the city and should be protected from development that would harm them.

Lake Waxahachie is defined by the large custom homes that surround the lake. The neighborhoods around the lake are upscale, unique and beautiful and typically on large lots.

There is no concentrated urban sprawl around the lake. The Waxahachie City Council has worked hard for 25 years to protect the lake from this type of development. Both Lindmark estates and Crystal Cove attempted one acre lots and the Planning and Zoning turned them down.

In both instances the larger lots reduced the profit for the Developer - but it all worked out - and you were able to preserve the character of the lake area.

Please ensure that Hightower Estates one acre lots with Septic tanks is opposed.

With Thanks,

Brian Mackel

(9)

Venissat, Michelle

From: King, Zack
Sent: Tuesday, May 7, 2024 7:39 AM
To: Claudia
Subject: RE: Opposition to Hightower Development

Good morning,

Thank you for reaching out. Your response has been received and filed.

Thanks,
Zack King, AICP
Senior Planner
City of Waxahachie
O: 469-309-4294
zking@waxahachie.com

From: Claudia <claudiamackel@gmail.com>
Sent: Monday, May 6, 2024 6:10 PM
To: King, Zack <zking@waxahachie.com>
Subject: Opposition to Hightower Development

Dear Sir:

I am writing to express my strong opposition to the proposed housing development in our neighborhood, Hightower Club.

17 years ago Mr. Lindmark proposed building 45 homes on 1 acre lots on Lakeshore Drive. The citizens near the proposed development publicly opposed the development due to the threat of pollution of septic tank runoff into Lake Waxahachie - and also that the proposed development was not in keeping with the existing character of the neighborhood. The Waxahachie council only approved 14 homes to be built with 4 homes on 10+ acre lots and 10 homes on 2 acre lots. The zoning became Rural Residential. So there is precedence in dealing with proposed high density developments too close to Lake Waxahachie.

Similarly when Bobby Glass was developing Crystal Cove the city made him have multiple large acre properties to reduce the burden on the lake.

The type of housing being proposed is simply not in keeping with the character of our neighborhood. Our area is larger plotted acreage with a country feel. I have a 13 Acre horse property and my neighbor has a 10 acre horse property. My neighbor behind me has an 11 acre property.

I propose the city refuse Hightower Club or limit the development to several large acre properties mixed in with 3 acre homesites in Rural Residential development like Lindmark Estates on Lakeshore Drive.

Thanks,

Claudia Mackel
124 Lakeshore Dr, Waxahachie, TX 75165
972-515-9776

(9)

Case Number: ZDC-128-2022

City Reference: 174087

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

RECEIVED MAY 07 2024

SUPPORT

OPPOSE

Comments:

PUTTING SIXTY EIGHT SEPTIC TANKS IN THE GROUND
SO CLOSE TO LAKE WAXAHACHIE POSSES A POLLUTION RISK TO THE LAKE.

T. F. Frost

7 MAY 2024

Signature

Date

TERRELL E. FROST

137 LAKE SHORE DRIVE

Printed Name and Title

WAXAHACHIE, TX 75165

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

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

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

RECEIVED MAY 07 2024

LEVANTE PARTNERS LP
PO Box 1145
Midlothian, TX 76065-1145

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Chad Adams, for a **Zoning Change** from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a **Planned Development – Single Family – 1 (PD-SF-1)** zoning district, located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

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

Case Number: ZDC-128-2022

City Reference: 182020

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

We support this project as it will complement the general area & bring quality homes to the lake area.

Signature

Jonathan Foy
Printed Name and Title

Date

5-3-2024

1004 W. Marvin, Waxahachie TX
Address

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

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

(9)

Case Number: ZDC-128-2022

City Reference: _____

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Comments: SUPPORT

OPPOSE

RECEIVED MAY 08 2024


Signature

5/8/24
Date

Eric Alderman
Printed Name and Title

124 Lakeshore Dr.
Address

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

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

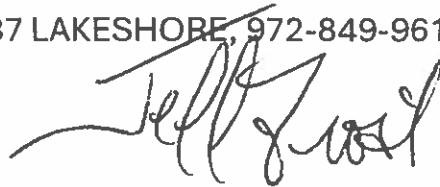
(9)

PEACEFUL AND SAFE, PLEASE ATTEND THE **MAY 14** PLANNING & ZONING COMMISSION MEETING AND VOICE YOUR CONCERNS. THE **MAY 14** MEETING IS AT THE WAXAHACHIE CIVIC CENTER AT 7 PM, MEETING ROOMS A & B.

PLEASE FILL OUT AND SUBMIT TO THE CITY THE LOWER PORTION OF THE FORM ON THE OPPOSITE SIDE BY 5 PM, MAY 8. (THE CITY WAS OUT OF BLANK FORMS AND GAVE ME PERMISSION TO COPY AND DISTRIBUTE COPIES OF MY FORM.)

I HOPE TO SEE MANY OF YOU AT THE MEETING ON **MAY 14**.

QUESTIONS, CONTACT: JEFF FROST, 137 LAKESHORE, 972-849-9612

A handwritten signature in black ink, appearing to read "Jeff Frost". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

(9)

Case Number: ZDC-128-2022

City Reference: _____

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 8, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

RECEIVED MAY 08 2024

Comments:

Paul B. Mackel
Signature

May 8, 2024
Date

Paul B. Mackel
Printed Name and Title

124 Lakeshore Dr.
Address

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

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

(9)

Case Number: ZDC-128-2022

City Reference: _____

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SUPPORT

OPPOSE

RECEIVED MAY 08 2024

Comments: _____

L. Mackel
Signature

5/8/24
Date

Lora Mackel
Printed Name and Title

124 Lakeshore Dr.
Address

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

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

(9)

Case Number: ZDC-128-2022

City Reference: _____

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SUPPORT

OPPOSE

RECEIVED MAY 08 2024

Comments: _____

Sarah Bishop
Signature

5/8/24
Date

Sarah Bishop
Printed Name and Title

124 Lakeshore Dr.
Address

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

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

(9)

Case Number: ZDC-128-2022

City Reference: _____

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Comments: SUPPORT

OPPOSE

RECEIVED MAY 08 2024

Emily Mackel
Signature

5/8/24
Date

Emily Y. Mackel
Printed Name and Title

124 Lakeshore
Address

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

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

(9)

Case Number: ZDC-128-2022

City Reference: _____

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SUPPORT

OPPOSE

RECEIVED MAY 08 2024

Comments: _____

Claudia L. Mackel
Signature

5-8-24
Date

Claudia L. Mackel
Printed Name and Title

124 Lakeshore Dr.
Address

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

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

(9)

Case Number: ZDC-128-2022

City Reference: _____

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Comments: SUPPORT

OPPOSE

RECEIVED MAY 08 2024

Brian Mackel
Signature

5/8/24
Date

Brian Mackel
Printed Name and Title

124 Lakeshore
Address

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

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

(9)

Case Number: ZDC-128-2022

City Reference: 174088

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on May 8, 2024 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

Comments:

SUPPORT

OPPOSE

Patricia A. Lawton
Signature

May 8, 2024
Date

Patricia A. Lawton
Printed Name and Title

135 Lakeshore Dr.
Address

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

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

(9)

Venissat, Michelle

From: King, Zack
Sent: Wednesday, May 8, 2024 7:14 AM
To: David davepowell@verizon.net
Subject: RE: Hightower Club Housing Development

Good morning,

Thank you for reaching out. Your response has been received and filed.

Thanks,
Zack King, AICP
Senior Planner
City of Waxahachie
O: 469-309-4294
zking@waxahachie.com

From: David davepowell@verizon.net <2fixthis@gmail.com>
Sent: Tuesday, May 7, 2024 5:56 PM
To: King, Zack <zking@waxahachie.com>
Subject: Hightower Club Housing Development

Hello, my name is David. I live at 319 Lakeshore Dr, Waxahachie, TX 75165, and my parents live at 116. Me, my wife, and my parents oppose to the proposed 68 additional housing development of the Hightower Club. There is already too much traffic, traffic noise, and park noise as it is already. It used to be very peaceful to live here, and we oppose any other possible added aggravation. It's getting dangerous to even walk on our streets due to added traffic and outside drivers using our streets as a drag strip, or zipping back and forth between parks. We absolutely oppose any more development. PLEASE STOP AND LET IT STAY PEACEFUL!!!

Thank you,

David

(9)

Venissat, Michelle

From: Lauren Busato <lauren.busato@gmail.com>
Sent: Tuesday, May 7, 2024 7:21 PM
To: Planning; King, Zack
Cc: Rafael Garcia Busato
Subject: Hightower Addition

Rafael and Lauren Busato (208 Lakeshore Drive) are opposed to this development for the following reasons:

1. Contamination to Lake Waxahachie
2. Increased traffic on Lakeshore Drive
3. Drainage issues (Jack Scott previously sent photos of 216 and 208 Lakeshore....Zach acknowledged receiving them)
4. Damage to our street from construction vehicles
5. We experience a lot of power outages and are afraid this will increase if the development goes forward.

Case number ZDC-128-2022
City reference 216533

Sent from my iPhone

(9)

Terri Kennedy -
ZDC-128-2022 -
5.8.2024

Hightower
Club

THE MONROE NEWS

(9)

NEWS

City considering water conservation measures

Andrew Branca Daily Light Staff Writer

Published 1:01 a.m. ET Aug. 13, 2015 | Updated 10:06 p.m. ET Aug. 13, 2015

Waxahachie residents could be asked to take voluntary water conservation measures if repairs are not quickly made to a pump at Bardwell Reservoir.

Water levels at Lake Waxahachie are continuing to drop because the pump was damaged during torrential rainfall between May and June. Ellis County received a year's worth of rain and in those two months, causing Bardwell Lake to close completely Fourth of July weekend until further notice.

The pump station had about 8 inches of water in it. This caused moisture to form inside the control panels and causing corrosion to form. Workers have disabled the control unit and cleaning the components inside. At this point, repairs are estimated at the earliest to take a week to complete and Bardwell Reservoir is one of the bodies of water to which the city holds water rights and the pump transfers water to maintain lake levels at Lake Waxahachie.

"What is happening right now is Lake Bardwell has gone down and we are evaluating the control center at Lake Bardwell pump station. It is probably going to be another of couple of weeks before we know that we can activate that station," Director of Utilities David Bailey said. "So in the mean time, Lake Waxahachie lake elevation is continuing to slowly to drop."

In the city's drought contingency plan are trigger levels. At 531.5 feet, Lake Waxahachie is at full elevation. When the lake drops a foot and half to 530 feet, the city calls to activate the Bardwell Lake pump station, Bailey said. We are two feet down now and we can't activate the station. It will continue to drop in elevation in Lake Waxahachie," he said.

Bailey said the city is currently in Stage Zero water restrictions, which is basically normal level. If the pumps were working at Bardwell Lake, they would be switched on in this stage.

According to the city drought contingency plan, the city has five other stages that range from mild water shortage conditions (Stage One), to emergency water outage conditions (Stage

(9)

Five).

“Stage One of the drought contingency plan kicks in at 527 feet. We are like 2.25 feet from that. That is a voluntary cutback on non-essentially water use,” Bailey said. “If we get the Bardwell Lake pump station activated, I don’t really foresee that going further into the drought contingency plan.”

In the last four or five years, when Waxahachie was under drought conditions, the city has implemented any stages beyond Stage One water restrictions, he said. In the past week and a half, Ellis County was under a heat advisory for at least six consecutive days because heat indexes were above 100 degrees.

The change from torrential rain to dry, smoldering weather was caused by a shift in upper level weather patterns, said Amanda Schroeder, a meteorologist with the National Weather Service of Fort Worth. Overall, the weather that this area is experiencing is very typical for this time of the year. But that heat has also had an impact on the lake level, Bailey said.

“Bardwell is still sitting above full elevation, which is good. At Lake Waxahachie, we are almost 2 feet low. That is to be expected. You are going to have some evaporation due to heat and usage,” Bailey said. “Right now, we are only pulling out of Lake Waxahachie for our water source. We are not running the Sokoll (Water Treatment) Plant and we are not transferring water from Lake Bardwell to Lake Waxahachie currently.”

While water sales are down, the city is pumping more than 8 million gallons of water a day to customers, Bailey said. However, water usage is up by about a million gallons that is pumped each day from this time last year, he said.

“The usage says a couple of things. We know that we have growth. We have more people coming into the city. Naturally, our demand is going to go up a little bit,” Bailey said. “Also, with 100-plus (degree) weather people tend to use a little bit more water for recreation and things like that.”

Though Ellis County won’t see 100-degree temperatures at least for the next week, that heat isn’t expected to stop anytime soon, either.

For the rest of this week, high temperatures have dropped some because a weak cold front came through Schroeder said. “

“So we are going to top out again in the 90s. So it is going to be in the 90s for the next week,” she said.

(9)



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ENNIS TRAILS

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Live Oak

\$1,195

The Statler Residences

\$1,641

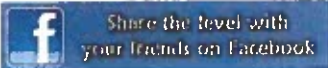
Lake Waxahachie Water Level

WATER LEVEL

532.25

Feet MSL

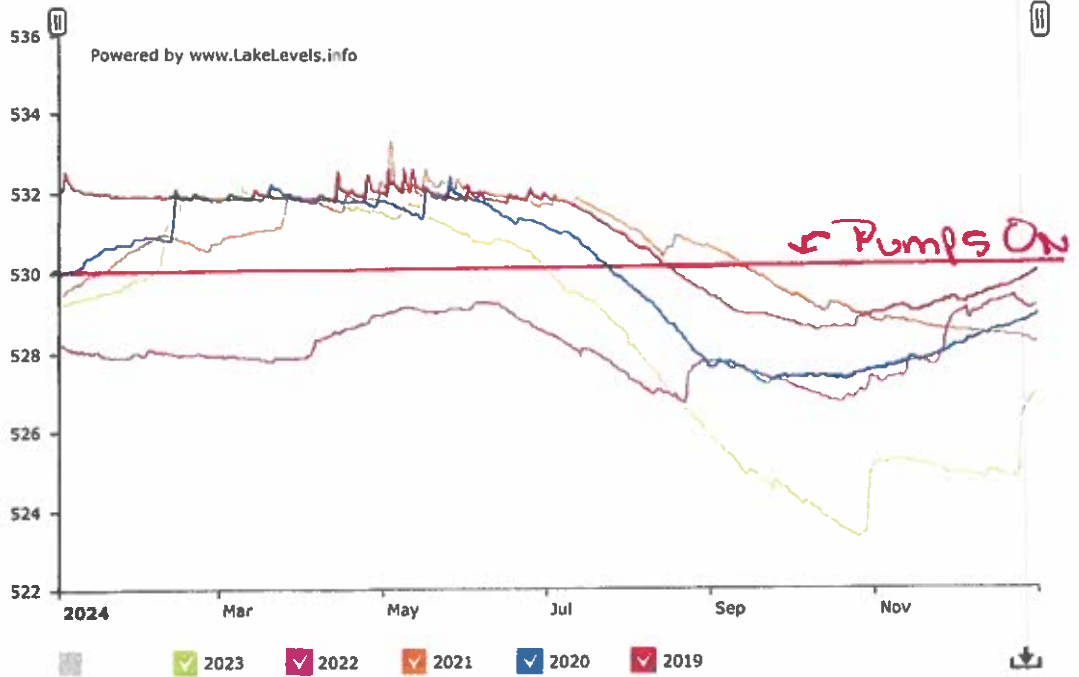
Sunday, May 5, 2024
 12:00:00 AM
 Level is 532.25 feet
 above full pool of 0.00



How high will it go?



Get email notification of your specified level
Level Alert By Email
 click here to sign up **IT'S FREE!**



Level Base: MSL Change Since Yesterday: ↑ 0.04 Feet
 Level Controlled by:
 Dam Name: South Prong Dam (ELLIS COUNTY WCID 1)



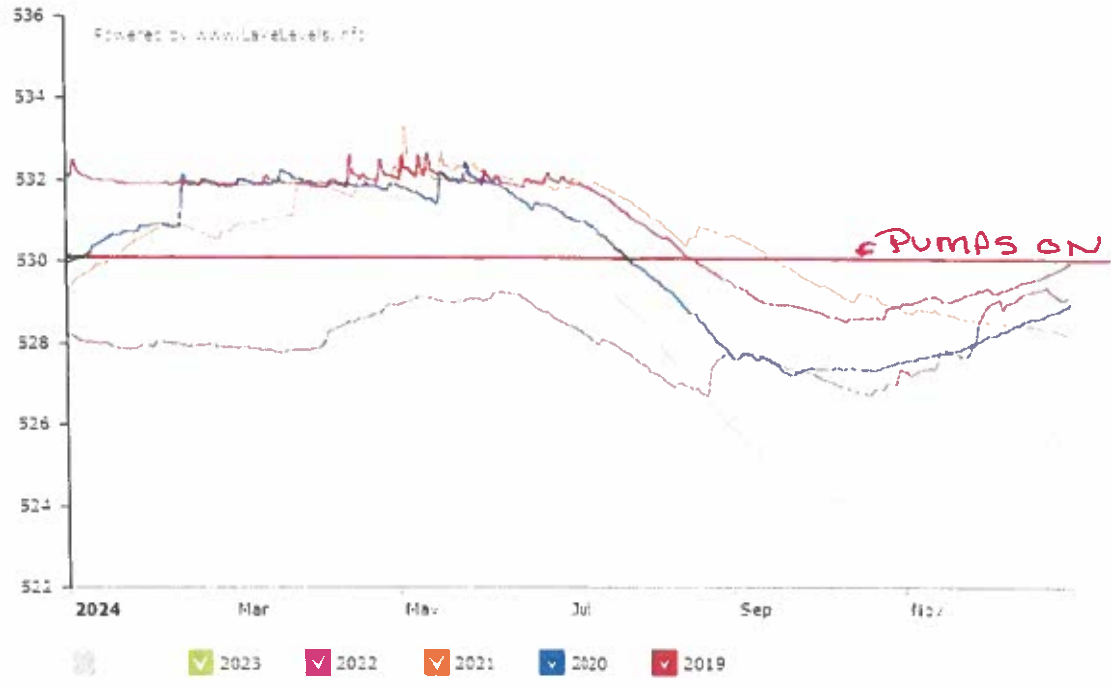
Prime is Now \$179, But Few Know this Free Savings Hack

ONLINE SHOPPING TOOLS

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(9)

Terri Kennedy -
ZDC-128-2022 -
5.8.2024



(9)

Terri Kennedy -
ZDC-128-2022 -
5.8.2024

Water Use of Texas Water Utilities

2020 Biennial Report



87th Texas Legislative Session

Texas Water
Development Board

Water Use by System Size

(9)

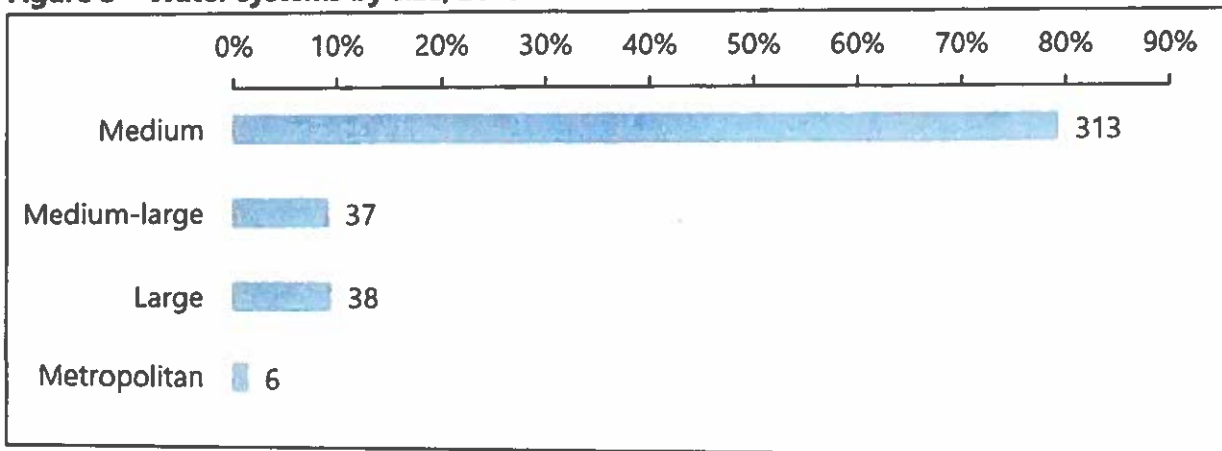
Each system serves a different customer base; however, it is instructive to categorize water systems by general size to examine if there are common characteristics. Table 1 represents the four general size categories based on the total connections reported in the TCEQ's Safe Drinking Water Information System.

Table 1 – System size categories based on total connections

Size categories	Total connections	General population
Medium	3,300–16,667	10,000–50,000
Medium-large	16,668–33,333	50,001–100,000
Large	33,334–166,666	100,001–500,000
Metropolitan	>166,666	>500,000

The criterion of 3,300 connections was set forth in Texas Water Code §16.403. The medium category distinguishes systems from the small-system designation of utilities with fewer than 3,300 connections used by the U.S. Environmental Protection Agency's Drinking Water Infrastructure Needs Survey and Assessment. The additional break points for the size categories were selected for this report based upon population thresholds for various local government development powers, such as extra-territorial jurisdiction buffer size and eligibility for federal Community Development Block Grants. Most water utilities fall into the medium category (Figure 5).

Figure 5 – Water systems by size, 2019



When water use by sector is available, the resulting average per-connection daily water use better characterizes the system and its customers. When daily water use per connection is calculated, the water use variation between different customer sectors becomes apparent (Table 3). The higher per-connection water usage for multifamily connections is possibly an indication of the difficulty utilities face in determining the number of apartment units/connections versus a single master meter serving an entire apartment complex. Instructions in the Water Use Survey specify the intent to collect the number of housing *units* rather than a count of the master connections for each apartment complex.

Table 3 – Average per-connection daily water use by sector and utility size, 2019 (gallons)

	Medium	Medium-large	Large	Metropolitan	All analyzed utilities
Single-family residential	228	240	229	198	220
Multifamily residential	229	168	197	554	296
Commercial	744	946	1,355	1,636	1,259
Industrial	10,294	28,640	32,729	180,925 ⁵	41,996
Institutional	1,647	1,811	2,242	1,457	1,770
Agricultural	936	698	585	0	724
Total water use	296	331	342	457	364

⁵ The industrial sector of metropolitan utilities is heavily influenced by the City of Houston's industrial water use.

(9)

Terri Kennedy -
ZDC-128-2022 -
5.8.2024

NEW HOUSING DEVELOPMENTS WITHIN 1.5 MILES OF LAKESHORE DRIVE

Tuscan 67 homes

Chesmar 85 homes

LaVante 120 homes

Hightower 68 homes

TOTAL 340 homes

Residential Single-Family Average per connection Water Usage 228 gallons per day

Times 365 days per year x365 days per year

Times 340 homes x340 homes

TOTAL WATER USAGE 4 NEIGHBORHOODS 28,294,800 gallons of water per year

Future developments ???

High School

View data for Water Management St...

Find WMS

x

GC

(9)

ARGUI

WAXAHACHIE - UNALLOCATED SUPPLY UTILIZATION

Water Management Strategy Sponsor Region C

WATER MANAGEMENT STRATEGY - WAXAHACHIE - UNALLOCATED SUPPLY UTILIZATION

Recommended Projects related to Water Management Strategy

Total capital cost of recommended projects: **\$130,619,000.**

Project ▲	Decade Online	Sponsor	Capital Cost
<u>WAXAHACHIE - 12 MGD WTP EXPANSION-HOWARD ROAD</u>	2070	WAXAHACHIE	\$68,069,00
<u>WAXAHACHIE - 36" RAW WATER LINE FROM LAKE WAXAHACHIE TO HOWARD RD WTP</u>	2030	WAXAHACHIE	\$6,461,00
<u>WAXAHACHIE - 48" TRWD PARALLEL SUPPLY LINE TO SOKOLL WTP</u>	2030	WAXAHACHIE	\$3,954,00
<u>WAXAHACHIE - 8 MGD WTP EXPANSION-HOWARD ROAD</u>	2050	WAXAHACHIE	\$47,735,00
<u>WAXAHACHIE - RAW WATER INTAKE IMPROVEMENTS AT LAKE BARDWELL</u>	2030	WAXAHACHIE	\$4,400,00

Data by Planning Decade

Decade: 2020 ▼

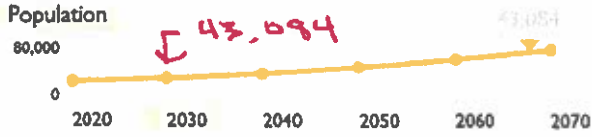
2022
Texas State Water Plan

(9)

View data for **Water User Group** Find Water User Group GO

WAXAHACHIE

Water User Group in Ellis

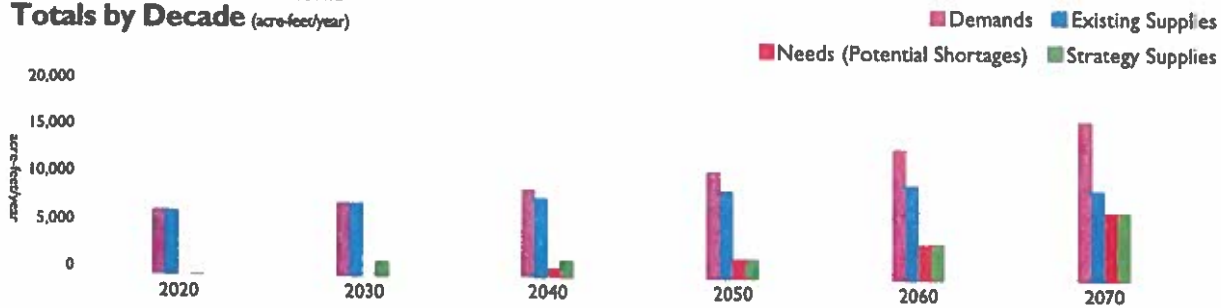


SHOW DATA TABLE



© OpenStreetMap contributors, © CartoDB

WATER USER GROUP - WAXAHACHIE Totals by Decade (acre-feet/year)



	2020	2030	2040	2050	2060	2070
Demands	6,872	7,702	9,226	11,299	13,749	16,715
Existing Supplies	6,872	7,702	8,357	9,227	10,025	9,569
Needs (Potential Shortages)	0	0	869	2,072	3,724	7,146
Strategy Supplies	66	1,539	1,773	2,077	3,787	7,195

WATER USER GROUP - WAXAHACHIE Water Management Strategies (acre-feet/year)

Strategy	2020	2030	2040	2050	2060	2070
CONSERVATION - WAXAHACHIE	32	70	253	405	538	710
CONSERVATION, IRRIGATION RESTRICTIONS - WAXAHACHIE	0	0	256	350	426	519
CONSERVATION, WATER LOSS CONTROL - WAXAHACHIE	34	39	0	0	0	0
MARVIN NICHOLS (328) STRATEGY FOR NTMWD, TRWD, AND UTRWD	0	0	0	115	760	1,802
TRWD - ADDITIONAL CEDAR CREEK AND RICHLAND-CHAMBERS	0	84	0	35	210	437
TRWD - AQUIFER STORAGE AND RECOVERY PILOT	0	3	0	3	22	53

(9)

LAKE WAXAHACHIE WATER LEVEL RECAP

8 of the last 25 years Lake Waxahachie was never full

July 23, 2021 through February 13, 2023 570 continuous days the was never full

Last 25 years, 9130 days, the lake was full 2346 days or 25% of the time

(9)

Terri Kennedy -
ZDC-128-2022 -
5.8.2024

Exhibit A



City of Waxahachie
WATER CONSERVATION
PLAN

City Ordinance No. 3107

Amended
April 1, 2019

A. Raw Water Supply, Service Area and System Information

The City of Waxahachie diverts its primary raw water source from Lake Waxahachie. The surface water reservoir is located on South Prong Creek of the Trinity River Basin in Ellis County, in the southern section of the City of Waxahachie approximately four miles from the downtown district. The drainage area for Lake Waxahachie is approximately 30 square miles. The Ellis County Water Control and Improvement District No. 1 (District) was issued Water Rights Permit No. 1742 on March 14, 1955 from the Board of Water Engineers and a Certificate of Adjudication No. 08-5018 on May 5, 1987 from the Texas Water Commission. The permit and adjudication authorizes the District to impound 13,500 acre-feet of water with permission to use 3,570 acre-feet of water annually for municipal purposes. The City of Waxahachie operates and maintains the reservoir, dam, two raw water pump stations, raw water pipe lines and the surface water treatment plant for the District.

The District also holds Certificate of Adjudication No. 08-5021A for diversion of raw water from Bardwell Reservoir in the amount not to exceed 4,320 acre-feet of water per annum. In addition, the District holds Certificate of Adjudication No. 08-5021C, issued February 6, 1998. This Certificate allows for a re-use credit of sixty-five percent of the maximum amount of water authorized for diversion by the District. This is sixty-five percent of the total of 4,320 acre-feet and 3,570 acre-feet from Bardwell Reservoir and Lake Waxahachie respectively that is discharge back into Waxahachie Creek from the City of Waxahachie's Wastewater Treatment Plant (WWTP). The WWTP is located approximately nine miles upstream from the upper end of the conservation pool of Bardwell Reservoir. This sixty-five percent equates to an additional 5,128.5 acre-feet of water per annum that can be diverted for use from Bardwell Reservoir.

On December 4, 1991 the District contracted with the Trinity River Authority (TRA), as a party of the Ellis County Regional Water Supply Project Contract, for the right to purchase and divert, an average annual quantity of 2.150 mgd raw water from the Tarrant County Water Control and Improvement District Number One's (now Tarrant Regional Water District, TRWD) pipeline which conveys raw water from Richland Chambers and Cedar Creek Reservoirs. In the fall of 1999 the District contracted with the Trinity River Authority for the purchase of an additional 2.500 mgd of raw water. The District currently has contracted for 4.65 mgd annual average quantity of raw water through TRA from the TRWD pipelines.

The District has no employees and is a board appointed by the City of Waxahachie City Council for the sole purpose of securing and financing water rights and water infrastructure to support the City of Waxahachie's water customers. For the purpose of this plan The District and the City of Waxahachie are the same entity.

The City of Waxahachie is located in central Ellis County and encompass approximately 50.88 square miles. The City currently has a customer base of

(9)

Terri Kennedy -
ZDC-128-2022 -
5.8.2024

**Volumetric and
Sedimentation Survey
of
LAKE WAXAHACHIE**

July 2020

Texas Water
Development Board

September 2022

(9)

Terri Kennedy -
ZDC-128-2022 -
5.8.2024

Texas Water Development Board

Brooke T. Paup, Chairwoman | George B. Peyton V, Board Member

Jeff Walker, Executive Administrator

Prepared for:
City of Waxahachie

Authorization for use or reproduction of any original material contained in this publication, i.e. not obtained from other sources, is freely granted. The Texas Water Development Board would appreciate acknowledgement.

This report was prepared by staff of the Surface Water Division:

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Khan Iqbal
Josh Duty

Published and distributed by the

Texas Water
Development Board

P.O. Box 13231, 1700 N. Congress Ave.
Austin, TX 78711-3231, www.twdb.texas.gov
Phone (512) 463-7847, Fax (512) 475-2053

Table of Contents

Introduction..... 1
Lake Waxahachie general information..... 1
Volumetric and sedimentation survey of Lake Waxahachie 4
 Datum 4
 TWDB bathymetric and sedimentation data collection 4
Data processing 6
 Model boundary 6
 LIDAR data points 7
 Triangulated Irregular Network model 7
 Spatial interpolation of reservoir bathymetry..... 8
 Area, volume, and contour calculation..... 11
 Analysis of sediment data from Lake Waxahachie 14
Survey results 20
 Volumetric survey 20
 Sedimentation survey 20
Recommendations 22
TWDB contact information 22
References 23

List of Tables

- Table 1:** Pertinent data for South Prong Dam and Lake Waxahachie
Table 2: Sediment core analysis data
Table 3: Current and previous survey capacity and surface area estimates
Table 4: Average annual capacity loss comparisons

List of Figures

- Figure 1:** Location map
Figure 2: 2020 TWDB sounding data and sediment coring locations
Figure 3: Anisotropic spatial interpolation
Figure 4: Elevation relief map
Figure 5: Depth range map
Figure 6: 2-foot contour map
Figure 7: Sediment core sample WX-7
Figure 8: Comparison of sediment core WX-7 with acoustic signal returns
Figure 9: Sediment thickness map
Figure 10: Plot of current and previous capacity estimates

Appendices

- Appendix A:** Lake Waxahachie 2000 re-calculated elevation-capacity table
Appendix B: Lake Waxahachie 2000 re-calculated elevation-area table
Appendix C: Lake Waxahachie 2000 re-calculated capacity curve
Appendix D: Lake Waxahachie 2000 re-calculated area curve
Appendix E: Lake Waxahachie 2020 bathymetric elevation-capacity table
Appendix F: Lake Waxahachie 2020 bathymetric elevation-area table
Appendix G: Lake Waxahachie 2020 bathymetric capacity curve
Appendix H: Lake Waxahachie 2020 bathymetric area curve
Appendix I: Lake Waxahachie 2020 bathymetric and topographic elevation-capacity table

(9)

Terri Kennedy -
ZDC-128-2022 -
5.8.2024

Executive summary

In September 2020, the Texas Water Development Board (TWDB) entered into an agreement with the City of Waxahachie, Texas, to perform a volumetric and sedimentation survey of Lake Waxahachie (Ellis County, Texas). Surveying was performed using a multi-frequency (208 kHz, 50 kHz, and 12 kHz), sub-bottom profiling depth sounder. Sediment core samples were collected and correlated with sub-bottom acoustic profiles to estimate sediment accumulation thicknesses and sedimentation rates.

South Prong Dam and Lake Waxahachie are located on South Prong Creek in Ellis County, approximately 4 miles southeast of Waxahachie, Texas. The conservation pool elevation of Lake Waxahachie is 531.50 feet above mean sea level (NGVD29). The TWDB collected bathymetric data for Lake Waxahachie on July 22, 2020, while the daily average water surface elevation measured 530.26 feet above mean sea level (NGVD29).

The 2020 TWDB volumetric survey indicates Lake Waxahachie has a total reservoir capacity of 11,642 acre-feet and encompasses 657 acres at conservation pool elevation (531.50 feet above mean sea level, NGVD29).

Previous capacity estimates at conservation pool elevation (531.50 feet above mean sea level, NGVD29) include an original design estimate of 13,500 acre-feet and a 2000 TWDB volumetric survey estimate re-calculated using current processing procedures, of 11,572 acre-feet. Because of differences in past and present survey methodologies, direct comparison of volumetric surveys to others to estimate loss of area and capacity can be unreliable. The 2020 TWDB survey results do not mean the reservoir has gained capacity since 2000. Rather it is a result of data collected over a larger area and improved methods.

The 2020 TWDB sedimentation survey measured 1,874 acre-feet of sediment. The sedimentation survey indicates sediment is accumulating throughout the main body of the lake and gets progressively thicker from upstream to downstream. The TWDB recommends that a similar methodology be used to resurvey Lake Waxahachie in 10 years or after a major high flow event.

12% LOSS STORAGE
CAPACITY

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022



LEVANTE PARTNERS LP
PO Box 1145
Midlothian, TX 76065-1145

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Chad Adams, for a **Zoning Change** from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a **Planned Development – Single Family – 1 (PD-SF-1)** zoning district, located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

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

Case Number: ZDC-128-2022

City Reference: 182007

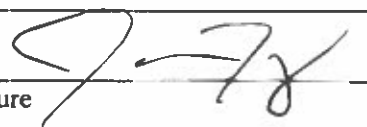
Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

This development complements the area & will attract high quality homes.


Signature

Jonathan Foy
Printed Name and Title

3-19-2024
Date

1004 W Marvin
Address Waxahachie, TX 75165

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

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

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022



HOUGH ALAN & PAMELA
127 LAKESHORE DR
WAXAHACHIE, TX 75165-6801

RECEIVED MAR 1 2 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Out of town & cannot attend meeting... important concerns as below

Case Number: ZDC-128-2022

City Reference: 181959

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on March 20, 2024 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

*Should require City sewerage line from nearby Lions Park treatment rather than increase septic system pressure on fractured Austin chalk drainage into Lake Waxahachie. Increasing home density + spacing within drainage via fractures should minimize number houses in development. Too many toilets.

Signature

Alan Hough
Alan Hough - retired geologist

Printed Name and Title

Date

8 March 2024

127 Lakeshore Dr.

Address

Perhaps consider retaining current 3 acre lots to reduce septic pressure + subsequent flow into Waxahachie fresh water supply from our little lake. Fewer homes = less septic pressure.

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

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

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022



BURKS BRIAN & MICHELLE
143 LAKESHORE DR
WAXAHACHIE, TX 75165-6801

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022

City Reference: 182006

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Signature

Date

BRIAN BURKS
Printed Name and Title

143 LAKESHORE DR.
Address

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

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

(9)

Case Number: ZDC-128-2022

City Reference: 174102

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on March 20, 2024 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

RECEIVED MAR 19 2024

Comments:

THE BUILDING OF 68 HOMES SO CLOSE TO THE LAKE
ALL WITH SEPTIC TANKS, POSES A GREAT POLLUTION RISK TO THE
LAKK.

Signature

JEFFREY E. FROST

Printed Name and Title

LAKESHORE HOMEOWNER

Date

19 MAR 24

Address

137 LAKESHORE DRIVE

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

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

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022



RECEIVED MAR 19 2024

~~SHIPLEY MARY LOU ATTN: SHIPLEY LAW OFFICE~~
PO BOX N
WAXAHACHIE, TX 75168-0480

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022

City Reference: 283067

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

I have concerns about drainage and traffic on Lakeshore

Mary Lou Shipley
Signature

3-16-2024
Date

Mary Lou Shipley, Owner
Printed Name and Title

209 Lakeshore Dr
Address

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

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

(9)

Case Number: ZDC-128-2022

City Reference: 217046

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

RECEIVED MAR 1 9 2024

Comments:

Adds traffic to a quiet neighborhood, adds to street maintenance needs, adds to already problematic drainage problem on Lakeshore Dr.

Jim R Odum
Signature

3/13/24
Date

Jim R Odum
Printed Name and Title

205 Lakeshore Dr, Waxa
Address

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

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

(9)

Case Number: ZDC-128-2022

City Reference: 182102

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

RECEIVED MAR 1 9 2024

Comments:

Adds traffic to a quiet neighborhood, adds to street maintenance needs, adds to already problematic drainage problems to Lakeshore Dr.

Jim R Odum
Signature

3/13/24
Date

Jimmie R Odum
Printed Name and Title

218 Lakeshore Dr
Address

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

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

(9)

Case Number: ZDC-128-2022

City Reference: 230811

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

RECEIVED MAR 19 2024

Comments:

1) excessive traffic that already exists. 2) excessive over the speed limit abuse; 3) 7 mailboxes already destroyed; 4) one house hit by erratic driver; 5) dangerous drop off that already exists on the road; 6) drainage issues that will be a problem; 7) excessive water leaks to the lake caused from population growth

Steve Kennedy & Terri Kennedy

3-13-24

Signature

Date

Steve Kennedy & Terri Kennedy
Printed Name and Title
Homeowner

129 Lakeshore Dr.
Address

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

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

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

ROBERSON GREGORY EDWARD & ALEJANDRINA CANNON
3224 HOWARD RD
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022

City Reference: 182031

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Would like a privacy brick fence installed on that property connecting to back of our property

[Signature]
Signature

3/19/2024
Date

Alejandrina Cannon
Printed Name and Title

3224 Howard Rd
Address

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

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

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022



BURNS CHARLES B & JENNIFER K
3208 HOWARD RD
WAXAHACHIE, TX 75165

RECEIVED MAR 2 02024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Chad Adams, for a **Zoning Change** from a Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning district to a **Planned Development – Single Family – 1 (PD-SF-1)** zoning district, located directly north of 143 Lakeshore Drive (Property ID 182009) - Owner: Todd Laurie L & Wesley M Hightower Etal (ZDC-128-2022) Staff: Zack King

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

Case Number: ZDC-128-2022

City Reference: 182073

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

The area was farm land, lacks adequate drainage off the fields to our place, area lacks adequate roadways, no city sewage, no internet limited law enforcement (police & sheriff), no shoulders on the highway.

C. Brad Burns
Signature

3-12-24
Date

C. Brad Burns / Owner
Printed Name and Title

3208 Howard Road
Address Waxahachie, TX 75165

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(9)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022



BURNS CHARLES B & JENNIFER K
3208 HOWARD RD
WAXAHACHIE, TX 75165

RECEIVED MAR 2 02024

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Case Number: ZDC-128-2022

City Reference: 174097

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *March 20, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Area is farm land, lacks adequate drainage from the fields to our property. Area lacks adequate law enforcement no highway shoulders small roadways, no sewage from the city, no internet/limited service (will block signal from tower).

C. Brad Burns
Signature

3-12-24
Date

C. Brad Burns
Printed Name and Title

3208 Howard Road
Address Waxahachie, TX 75165

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(9)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

COCKERHAM SIDNEY J
203 LAKESHORE DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022

City Reference: 181952

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SUPPORT

OPPOSE

Comments:

Sidney J. Cockerham

Signature

3/20/2024

Date

SIDNEY J. COCKERHAM, OWNER

Printed Name and Title

203 LAKESHORE DR

Address

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

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City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

(9)

BURKS JEANETTE
139 LAKESHORE DR
WAXAHACHIE, TX 75165-6801

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022

City Reference: 140310

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SUPPORT

OPPOSE

Comments:

THIS HOUSING ADDITION WILL CONNECT TO THE 120 HOMES BEING DEVELOPED OFF HOWARD ROAD & WILL CHANGE TOO MUCH TRAFFIC ON TO LAKESHORE DRIVE, LEAVE AS IS ARE LOT SIZE TO MINIMIZE

Jeanette
Signature

3/20/24
Date POTENTIAL TRAFFIC

JEANETTE BURKS, RESIDENT
Printed Name and Title

139 LAKESHORE DR.
Address

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

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

(9)

From: Patricia Lawton <plawton3247@gmail.com>
Sent: Thursday, March 21, 2024 1:04 PM
To: Planning
Subject: Case Number ZDC-128-2022 City Reference 182138

My name is Patricia Lawton, 135 Lakeshore, Waxahachie, TX 75165. My husband and I oppose the proposed change. We will attend the meeting.

Thank you,
Patricia Lawton
(972)816-6510

(9)

Venissat, Michelle

From: RONALD WILLIAMS <rew091546@yahoo.com>
Sent: Tuesday, March 26, 2024 2:12 PM
To: Lindamood, Harper <harper.lindamood@waxahachie.com>
Subject: Zoning proposal re: housing on Lake shore Drive

I have been advised that a request has been made to lower the housing requirement from 2+ acres for new houses on Lakeshore Drive. I presently live at 106 Lakeshore Drive. I am strongly against any such change. Such change could lower my present home value, would greatly increase traffic on Lakeshore Drive and Howard Road. There would further be a threat to the present aesthetic character of this lovely neighborhood, an increase in noise levels, and potential increase in crime from the mass increase in housing and people living in such lowered housing areas.

I am unable to attend meeting for health reasons but wanted to voice my objections.

Ronald E. Williams
106 Lakeshore Drive.

Yahoo Mail: Search, Organize, Conquer

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022



BURLESON T W & SON
PO BOX 578
WAXAHACHIE, TX 75168-0578

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, March 26, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 1, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022

City Reference: 182020

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SUPPORT

OPPOSE

Comments:

TOO MANY rooftops and OSSF² per ACRE. Request TCEQ evaluate watershed runoff into Lake Waxahachie. NO Improvements to Howard Rd at Lakeshore to accomodate additional traffic!

[Signature]
Signature

3-20-24
Date

Tim F. Burleson
Printed Name and Title

149 & 151 Lakeshore Dr
Address

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

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

(9)

From: sjcntx@icpmail.com
Sent: Monday, April 22, 2024 12:34 PM
To: Pruitt, Jennifer; King, Zack
Subject: Zoning Request ZDC-128-2022

Hello, Jennifer and Zack.

Could you please forward my below comments to the Planning and Zoning Commission members regarding zoning change request ZDC-128-2022.

Thank you.

Regards,

Sidney Cockerham

Subject: Support for Zoning Change Request

Sidney Cockerham

203 Lakeshore Drive

Waxahachie, TX 75165

Email: sjcntx@icpmail.com

Tel: (972) 935-2271

April 22, 2024

City of Waxahachie

Attention: Planning

408 S. Rogers St.

(9)

Waxahachie, TX 75165

Dear Chairman Keeler, Vice-Chairman Test, and Members of the Planning and Zoning Commission,

I am writing to express my support for the request by Chad Adams for a zoning change Case Number: ZDC-128-2022.

As a resident of 203 Lakeshore Drive I have met with Mr. Adams and had the opportunity to review his plans for the development. Since the March 26th P & Z public hearing, Mr. Adams has been approachable and receptive to addressing several Lakeshore Drive residents' concerns.

Accordingly, I believe moving forward with the proposed development will bring several benefits to our community.

First and foremost, I believe that the development will help meet the growing housing demand brought on by the steady influx of new residents to Waxahachie.

Furthermore, I appreciate the attention to detail and thoughtful design incorporated into the development plans.

From what I have seen, the proposed homes are well designed and complement the existing architecture of our neighborhood. Additionally, the storm water management plan will benefit current Lakeshore Drive residents.

It is disappointing, however, that plans do not include green spaces and recreational areas.

Nevertheless, upscale homes with well-maintained lawns and landscaping monitored by an HOA will be a welcome sight over the fields that lie barren for most of the year.

(9)

I also believe that the development will have positive economic impacts on our community. The construction phase will create job opportunities for local workers, and once completed, the new homes will contribute to the local tax base, which can be reinvested into our community's infrastructure and services.

In conclusion, I endorse the proposed housing development and urge the Planning and Zoning Commission to approve the zoning change request.

I believe it will not only address the growing demand for housing but also contribute to the vitality and growth of Waxahachie and the Lakeshore Drive neighborhood.

Thank you for considering my input on this matter. Please do not hesitate to contact me if you require any further information or clarification.

Sincerely,

Sidney Cockerham



(9)

7

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

DROLET ROBERT L & MICHELLE M
128 LAKESHORE DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022

City Reference: 233849

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SUPPORT

OPPOSE

Comments:

DRAINAGE, TRAFFIC ^{ISSUES} ON OLD ITALY / HOWARD / LAKESHORE, ~~WAXAHACHIE~~
ENVIRONMENTAL IMPACT OF SEPTIC SYSTEMS ON THE LAKE, DENSITY OF
HOMES. WOULD NOT BE OPPOSED TO A RURAL RESIDENTIAL
REZONING LIKE LINDMARK ESTATES
8 MAY 24

Signature

Date

ROBERT DROLET

Printed Name and Title

128 LAKESHORE DR

Address

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

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

208 Lakeshore dr - exhibit 1

(9)



① REQUEST FOR PRIVACY FENCE ON WEST SIDE AS WELL (SAME AS EAST SIDE) →

② CONCERN OVER WATER RUNOFF FROM NEW DEVELOPMENT INTO 208 LAKESHORE

③ CONCERN OVER HEAVIER TRAFFIC DUE TO LAKESHORE ENTRANCE
- REQUEST TO REMOVE LAKESHORE ENTRANCE

(9)

208 Lakeshore dr - exhibit 2



208 Lakeshore dr - exhibit 3

(9)



NEW
DEVELOPMENT

BACK PORCH VIEW FROM 208 LAKESHORE

(9)

208 Lakeshore dr - exhibit 4



STORM WATER FLOW FROM
ELEVATED PARTS OF THE PROPERTY &
NEIGHBORING LAND.

- IT IS ALREADY A PROBLEM WE
ARE TRYING TO MITIGATE THAT
WOULD GET WORSE WITH NEW DEVELOPMENT
IF NOT TAKEN INTO CONSIDERATION

(9)

Venissat, Michelle

From: Wendy Weiss <wrweiss23@gmail.com>
Sent: Wednesday, May 8, 2024 6:54 PM
To: King, Zack; Venissat, Michelle; Planning
Subject: Case # ZDC-128-2022 City Reference 216533 Hightower Addition Opposed to this development

Wendy Weiss and Mark Weiss are opposed to the development at Hightower Addition. We reside at 310 Lakeshore Drive in Waxahachie, TX 75165.

We have major concerns as follows:

1. Contamination to Lake Waxahachie
2. Increased traffic on Lakeshore Drive
3. Drainage issues (I previously sent photos of 216 and 208 Lakeshore....Zach acknowledged receiving them)
4. Damage to our street from construction vehicles
5. We experience a lot of power outages and are afraid this will increase if the development goes forward.

Please do not hesitate to contact us should you have any questions.

Thank you, Wendy & Mark Weiss

Wendy's phone number is 214-585-1777 and Mark's phone number is 972-765-5120.



(9)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

FROST JEFFREY E & PATRICIA S
137 LAKESHORE DR
WAXAHACHIE, TX 75165-6801

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022

City Reference: _____

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SUPPORT

OPPOSE

Comments:


Signature

5-8-24
Date

Terr Attaberry
Printed Name and Title

131 Lakeshore Dr
Address Waxahachie TX

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

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

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022



ODOM JIMMIE R & CAROLINE YVONNE
205 LAKESHORE DR
WAXAHACHIE, TX 75165-6803

RECEIVED MAY 0 9 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 14, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, May 20, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-128-2022

City Reference: 217046

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SUPPORT

OPPOSE

Comments:

Would be opposed if traffic is allowed to dump out onto Lakeshore Dr. which is a problem now. Used as a passway. Septic allowed to seach into lake Waxahachie which will destroy our lake environment.

Jimmie R Odom
Signature

5/16/24
Date

Printed Name and Title

205 LAKESHORE DR
Address
Waxahachie, TX 75165

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(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-128-2022

FROST JEFFREY E & PATRICIA S
137 LAKESHORE DR
WAXAHACHIE, TX 75165-6801

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Case Number: ZDC-128-2022

City Reference: _____

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SUPPORT

OPPOSE

Comments:

Opposition is due to proposed street coming on to Lakeshore Drive. Traffic too heavy now.

Signature

[Handwritten Signature]

Date

5-13-24

Printed Name and Title

*Theresa Taylor - Resident
Lakeshore Dr*

Address

302 Lakeshore Dr

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

Loran Wilson, Jr., R.S.
Wilson Environmental Services, LLC
121 Fairway Dr.
Waxahachie, Texas 75165
sonwil51@gmail.com
972-814-7648

May 7, 2024

Wes Dorough
Oakhill Investment Group
M 972-921-1356; O 469-7054036
oakhillinvestments.com

Re: Proposed Hightower Club Subdivision onsite sewage facility design parameters.

Dear Mr. Dorough,

After reviewing the concept plan for the proposed Hightower Club subdivision it is my opinion that the subdivision would be able to meet the current Texas Commission on Environmental Quality (TCEQ) regulations for onsite sewage facilities (Chapter 366, Health and Safety Code; Title 30, TAC Chapter 285 On-site Sewage Facilities) along with the City of Waxahachie minimum requirements.

TCEQ requires a minimum of ½ acre lots when served by a public water supply for subdivisions relying on onsite sewage facilities for treatment and disposal of wastewater. The City of Waxahachie requires a minimum of 1 acre. Therefore, the 1 acre minimum lot size for this subdivision would meet and comply with the current OSSF requirements.

This subdivision concept plan uses the same criteria as other subdivisions that have been approved in the southern part of Waxahachie's city limits. Plus, additional planning requirements will have to be submitted by a professional engineer or professional sanitarian to the permitting authority and receive approval prior to submitting an OSSF application such as:

- 1) An overall site plan;
- 2) A topographic map;
- 3) A 100 year floodplain map;
- 4) A soil survey;
- 5) The location of easements;
- 6) A comprehensive drainage plan;
- 7) A review of each lot in the subdivision to assure an OSSF can be constructed on the lot and meet the minimum requirements of the permitting authority.

As we discussed, all residential houses on each lot in this subdivision shall construct an OSSF with a pretreatment tank for primary treatment and an aerobic treatment unit for secondary treatment with either spray application or subsurface drip emitter drain pipe for proper disposal of the treated wastewater.

If the above mentioned planning materials are submitted and approved by the permitting authority then this concept plan for the Hightower Club subdivision should be expected to have an onsite sewage facility constructed on each lot in this subdivision that can function satisfactorily.

Sincerely,

Loran Wilson, Jr., R.S.

Loran Wilson, Jr., R.S.
sonwil51@gmail.com
972-814-7648



Date: 5-7-2024

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM FUTURE DEVELOPMENT (FD) AND PLANNED DEVELOPMENT-SINGLE FAMILY-1 (PD-SF-1) TO PLANNED DEVELOPMENT-SINGLE FAMILY-1 (PD-SF-1), LOCATED NORTH OF 143 LAKESHORE DRIVE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 84.78 ACRES KNOWN AS PROPERTY ID 182009, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, a proper application for a Zoning Change has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-128-2022. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from FD and PD-SF-1 to PD-SF-1; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said zoning amendment;

NOW, THEREFORE, this property is rezoned from FD and PD-SF-1 to PD-SF-1 in order to facilitate development of the subject property in a manner that allows a single-family neighborhood on the following property: Property ID 182009, which is shown on Exhibit A, in accordance with the Development Standards attached as Exhibit B, the Concept Plan attached as Exhibit C, the Perimeter Landscaping, Entry Monuments, and Screening attached as Exhibit D, and the Architectural Styles attached as Exhibit E.

PLANNED DEVELOPMENT

Purpose and Intent

The purpose of this planned development is to create a single-family development, and to establish appropriate restrictions and development controls necessary to ensure predictable land development, safe and efficient vehicular and pedestrian circulation, compatible uses of land and compliance with appropriate design standards.

Development Standards

All development on land located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in this ordinance. The locations of buildings, exterior construction materials, driveways, fencing, landscaping, and other common areas shall substantially conform to the locations defined or shown on the approved Development Standards (Exhibit B), Concept Plan (Exhibit C), Perimeter Landscaping, Entry Monuments, and Screening (Exhibit D), and Architectural Styles (Exhibit E).

Development Regulations

1. A mutually agreed upon Development Agreement will be required for the property. A physical copy of the Development Agreement with a notarized wet signature by the Developer shall be delivered by the Developer to the Planning Department within thirty (30) days following approval of the agreement.
2. The development shall conform as approved by the City Council under case number ZDC-128-2022.
3. The property owner shall provide a permanent irrigation system for all required landscape areas shown on Exhibit D – Perimeter Landscaping, Entry Monuments, and Screening and maintain the required landscaping at all times.
4. A Home Owner's Association (HOA) shall be required to be formed for the neighborhood. The HOA shall be required to maintain the X-lots and Mail Box Cluster identified in Exhibit C – Concept plan and the landscaping, screening, and entry monument identified in Exhibit D - Perimeter Landscaping, Entry Monuments and Screening.
5. Forty-five (45%) percent of the proposed homes shall conform to one of the three (3) architectural styles identified in Exhibit B – Development Standards. To qualify as a specific architectural style, individual homes are required to provide the architectural elements identified with each style in Exhibit E – Architectural Styles. The remaining fifty-five (55%) of the proposed homes shall consist of a minimum of 75% masonry exterior construction materials. Masonry shall be defined as provided in Section 5.01 (Exterior Construction Requirements) of the City of Waxahachie Zoning Ordinance.
6. The developer shall be required to receive approval of Civil Construction plans by the City prior to grading or installation of public infrastructure on the property.
7. The development shall adhere to the City Council approved Exhibit A – Location Map, Exhibit B – Development Standards, Exhibit C – Concept Plan, Exhibit D – Perimeter Landscaping, Entry Monuments, and Screening, and Exhibit E – Architectural Styles.
8. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance or the Hightower Club Development Agreement, shall conform to those requirements and/or standards prescribed in Exhibit A – Location Map, Exhibit B – Development Standards, Exhibit C – Concept Plan, Exhibit D – Perimeter Landscaping, Entry Monuments, and

(10)

Screening, and Exhibit E – Architectural Styles. Where regulations are not specified in Exhibits A, B, C, D, and E, in this Ordinance, or the Hightower Club Development Agreement, the regulations of the Single Family-1 (SF-1) zoning District and the City of Waxahachie Zoning Ordinance shall apply to this development.

9. The Developer and Owner for the subject property shall be responsible for obtaining building permits per the City's applicable rules and regulations governing such permits.
10. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED, AND ADOPTED on this 17th day of June, 2024.

MAYOR

ATTEST:

City Secretary

HIGHTOWER CLUB

PURPOSE AND INTENT

The purpose of this Planned Development District is to allow for a maximum of 71 estate residential lots in a gated community. The subject property shall be developed in accordance with Section 3.04 ("SF1" – Single Family Residential District) of the City of Waxahachie Zoning Ordinance, except as provided below.

District Regulations

Height Regulations	2 stories for the main building. 1 story for accessory buildings without garages
Minimum Dwelling Size	2,200 SF
Minimum Lot Area	43,560 sf (1 Acre)
Minimum Lot Width	90'
Minimum Lot Depth	140'
Minimum Front Yard	40'
Minimum Side Yard	15' required; 20' from a street ROW
Minimum Rear Yard	25'
Maximum Lot Coverage	50% by main and accessory buildings
Parking Regulations	Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure.
Garages	All dwelling units shall contain side or rear-entry garages (front-entry garages are prohibited).

DEVELOPMENT STANDARDS

Concept Plan

The subject property shall conform to the site layout provided in the concept plan referred to as Exhibit C.

Architectural Elevations

- The subject property shall comply with architectural standards required for *Single Family Residential* in Section 5.01 (Exterior Construction Requirements) of the City of Waxahachie Zoning Ordinance except as amended herein.
- To promote architectural diversity throughout the residential development, forty-five (45%) of lots shall conform to one of the following three (3) architectural styles provided in Exhibit E. The minimum percentages and quantities for each architectural style is provided in the table below.

Architectural Style	Quantity/Percentage of Homes
Farmhouse	10 / 15%
Craftsman	10 / 15%
French Country	10 / 15%
Totals	30 / 45%

Hightower will consist of custom homes that may vary in floor plans and layouts but will adhere to the architectural character and exterior finishing materials provided for each architectural style in Exhibit E.

Exhibit B - Development Standards

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Shall any home deviate from the architectural style prescribed in this PD, the Planning Director or Building Official shall have the discretion and authority to require the builder to adhere to architectural styles provided in Exhibit E.

- The architectural style of the remaining lots shall be determined by the market. However, all homes shall comply with the following provisions:
 - The exterior finishing materials shall be limited to a combination of brick, stone, cementitious fiber board and stucco. Wood may only be used as an accent, but shall not exceed ten (10) percent of each building elevation. The calculation of exterior finishing materials shall exclude windows, doors and trims.
 - Each home shall have a hard surface front entry walkway with a minimum improved width of three (3) feet constructed from the sidewalk or driveway to the front door of each primary structure. Walkways may be surfaced with concrete, pavers, laid bricks, or any other such material and in accordance with City standards.
 - Each home shall have a front covered porch with minimum usable area of forty (40) square feet with a minimum depth of five (5) feet from the primary structure, as measured perpendicular to the front door.
 - There shall be no uninterrupted wall length of twelve (12) feet or more on any façade that is visible from a public right-of-way or open space. This standard applies to the front façade on the interior of the lot or the front and side façade facing a street or open space on a corner lot. An interrupted wall can be achieved through a window, brick detail, or offset in the building face, or similar element that breaks the massing of the façade.
 - Each dwelling unit shall be constructed with a roof overhang of not less than twelve (12) inches as measured from the finished exterior building façade to the soffit unless the roof pitch is 8:12 or greater.
 - Each home shall provide a minimum of three (3) elements from the list below:
 - Multiple pane, divided light, or simulated divided light windows;
 - Decorative columns that are a minimum of six (6) inches in diameter;
 - Gable with window or other decorative feature;
 - Dormers;
 - Bay windows with a minimum projection of twenty-four (24) inches;
 - 8:12 roof pitch;
 - Two (2) or more exterior masonry materials with each material covering at least twenty-five (25) percent of the exterior surface;
 - Split garage doors with a separate door for each vehicle bay;
 - Bull nosed gable;
 - Permanently affixed awning;
 - Articulated garage doors, e.g., windows, paneling, other high quality detailing;
 - Accentuated brick detailing around garage door with a rowlock or similar detailing;
 - Transom or arch style windows; or
 - Elevated hip roof.
- No single building elevation shall be duplicated within six (6) lots or tracts in either direction on the same block face.
- Elevations may not be duplicated on any lot directly across a street or within four (4) lots in either direction.

Exhibit B - Development Standards

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- No front entry garages allowed.
- Each single-family home will consist of a minimum 75 percent masonry.
 - Masonry shall be defined as provided in Section 5.01 (Exterior Construction Requirements) of the City of Waxahachie Zoning Ordinance.
 - Exceptions for Farmhouse and Craftsman styles to use cement fiber siding for 50% of front elevations.

Landscaping Standards

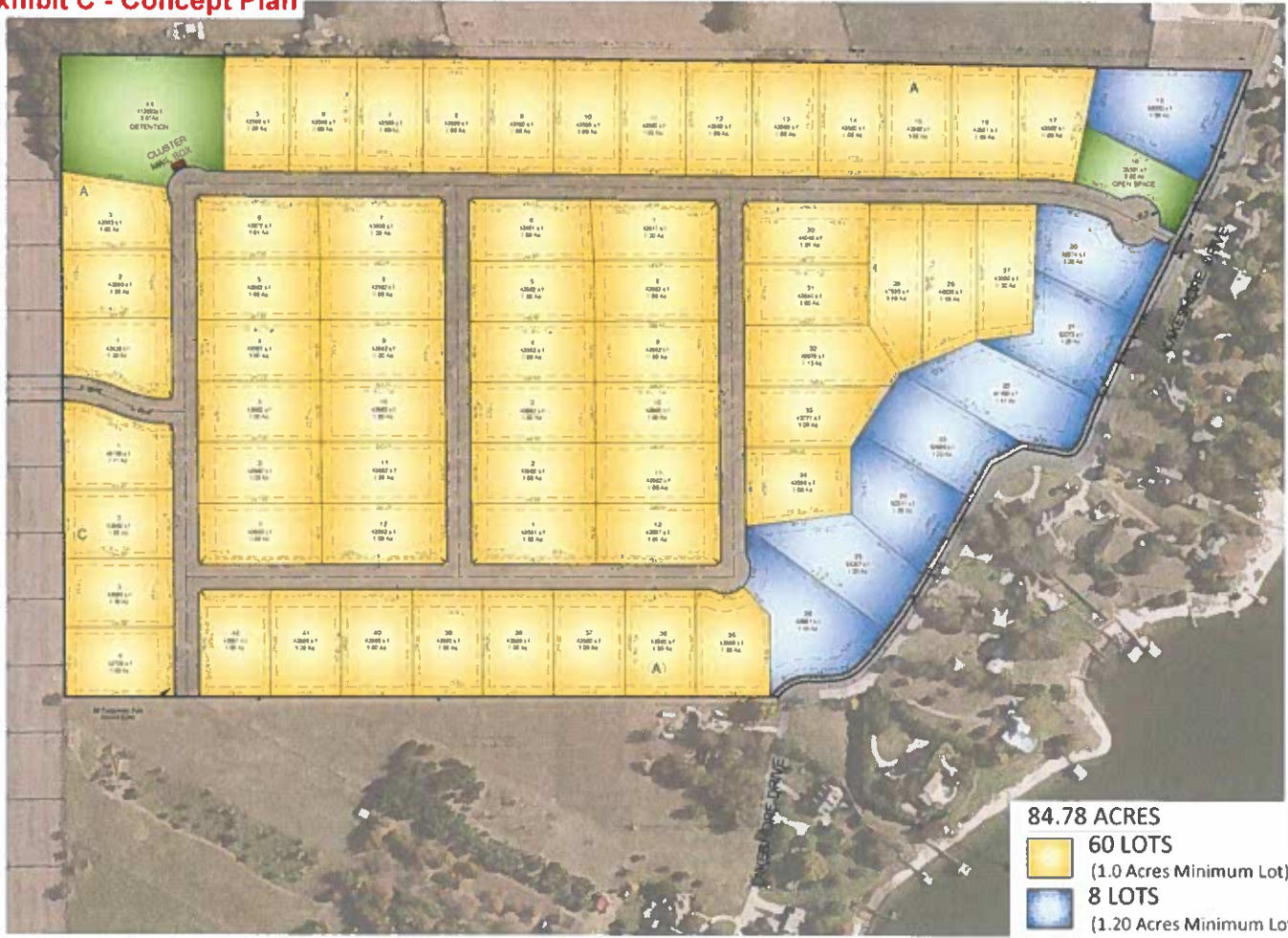
- The subject property shall comply with the perimeter landscaping and screening provided in Exhibit D.
 - Ornamental trees in the landscape median will consist of at least two (2) crape myrtles.
- A minimum of three (3) canopy trees with a minimum caliper of two (2) inches per tree shall be required on each lot.
- The Homeowners' Association will be required to maintain the landscaping, screening wall, and open spaces/detention areas of the development.

Additional Provisions

The proposed development shall comply with the City of Waxahachie Code of Ordinances and Engineering Design Manual and City Standards, except as amended herein.

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Exhibit C - Concept Plan



CONCEPT PLAN

HIGHTOWER CLUB
CITY OF WAXAHACHIE, TEXAS

PETIT - ECD
LANDSCAPE ARCHITECTURE
CONSTRUCTION MANAGEMENT
PLANNING AND DESIGN
1000 W. WAXAHACHIE BLVD. SUITE 100
WAXAHACHIE, TX 75090
PHONE: 940.243.1111 FAX: 940.243.1112
WWW.PETIT-ECD.COM

DATE: 01/20/24
SHEET NO. 1 OF 1
PROJECT NO. 555

(10)

Exhibit E - Architectural Styles

FARMHOUSE

- Front porch with exposed beams
- Accent Metal roof
- Board and batten accents



(10)

Exhibit E - Architectural Styles

CRAFTSMAN

- Decorative Columns
- Exposed Cedar
- Low roof pitch and eaves



(10)

Exhibit E - Architectural Styles

FRENCH COUNTRY

- Steep roof pitch with multiple hips
- Curved windows, dormers, eaves or entries
- Gable with decorative feature



STATE OF TEXAS	§	DEVELOPMENT AGREEMENT
	§	FOR HIGHTOWER CLUB
COUNTY OF ELLIS	§	

This Development Agreement for Hightower Club (“**Agreement**”) is entered into between Laurie Todd & Wesley Hightower (“**LT&WH**”) and the City of Waxahachie, Texas (“**City**”). LT&WH and the City are sometimes referred herein together as the “**Parties**” and individually as a “**Party**.”

Recitals:

1. LT&WH is the owner of approximately 84.78 acres of real property generally located north of 143 Lakeshore Drive, Parcel Number 182009 in the City of Waxahachie, Texas (the “**Property**”), for which the applicant has requested a change in the Property’s Future Development (FD) and Planned Development-Single Family-1 (PD-SF-1) zoning to a Planned Development-Single Family-1 (“**PD-SF-1**”) zoning, revising specific development standards. The Property is currently zoned Future Development and Planned Development-Single Family-1 by the City, and is anticipated to have the PD reviewed on June 17, 2024.

2. The planned use of the Property is to create a Planned Development to allow for the use of single-family development. The PD zoning process is utilized to ensure that the Property would develop in a manner that meets the City’s desired development standards, as well as providing LT&WH with agreed-upon and negotiated standards consistent with their business objectives.

3. As is reflected by the public records of the City, significant discussions and negotiations between representatives of LT&WH and the City of Waxahachie staff have occurred during various meetings, in an effort to obtain an agreed-upon and negotiated set of zoning and development standards to be reflected in the PD zoning amendment **Ordinance No. (TBD)** (the “**Hightower Club PD Ordinance**”), a copy of which is attached hereto as *Exhibit A* and which contains the negotiated zoning and development standards for Hightower Club.

4. This Agreement seeks to incorporate the negotiated and agreed upon zoning and development standards contained in the Hightower Club PD Ordinance as contractually-binding obligations between the City of Waxahachie and LT&WH, and to recognize LT&WH’s reasonable investment-backed expectations in the Hightower Club PD Ordinance and the planned development of Hightower Club.

NOW, THEREFORE, for and in consideration of the above and foregoing premises, the benefits to each of the Parties from this Agreement, and other good and valuable consideration, the sufficiency of which is hereby acknowledged and agreed, the Parties do hereby agree as follows:

Section 1. Incorporation of Premises. The above and foregoing Recitals are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Term. This Agreement shall be effective as of the date of execution of this Agreement by the last of the Parties to do so ("**Effective Date**"). This Agreement shall remain in full force and effect from the Effective Date until terminated by the mutual agreement of all of the Parties in writing ("**Term**").

Section 3. Agreements. The Parties agree as follows:

Incorporation of Zoning and Recognition of Investment-Backed Expectations:

The negotiated and agreed upon zoning and development standards contained in the Hightower Club PD Ordinance, which incorporate by reference the general zoning regulations of the City of Waxahachie zoning ordinance, are hereby adopted and incorporated into this Agreement as contractually-binding obligations of the Developer.

The Developer agrees to:

- (A) A mutually agreed upon Development Agreement will be required for the property.
- (B) The development shall conform as approved by the City Council under case number ZDC-128-2022.
- (C) LT&WH shall provide a permanent irrigation system for all required landscape areas shown on Exhibit D – Perimeter Landscaping, Entry Monuments, and Screening and maintain the required landscaping at all times.
- (D) A Home Owner’s Association (HOA) shall be required to be formed for the neighborhood. The HOA shall be required to maintain the X-lots and Mail Box Cluster identified in Exhibit C – Concept plan and the landscaping, screening, and entry monument identified in Exhibit D - Perimeter Landscaping, Entry Monuments and Screening.
- (E) Forty-five (45%) percent of the proposed homes shall conform to one of the three (3) architectural styles identified in Exhibit B – Development Standards. To qualify as a specific architectural style, individual homes are required to provide the architectural elements identified with each style in Exhibit E – Architectural Styles. The remaining fifty-five (55%) of the proposed homes shall consist of a minimum of 75% masonry exterior construction materials. Masonry shall be defined as provided in Section 5.01 (Exterior Construction Requirements) of the City of Waxahachie Zoning Ordinance.
- (F) The developer shall be required to receive approval of Civil Construction plans by the City prior to grading or installation of public infrastructure on the property.
- (G) All development within the subject property will be subject to obtaining building permits from the City in accordance with the City’s applicable rules and regulations governing such permits.

- (H) Any zoning, land use requirement, or restriction not contained within this Development Agreement or **Ordinance No. (TBD)**, shall conform to those requirements and/or standards prescribed in Exhibits B – Development Standards, Exhibit C – Concept Plan, Exhibit D – Perimeter Landscaping, Entry Monuments, and Screening, and Exhibit E – Architectural Styles. Where regulations are not specified in Exhibits B, C, D, E, in this Development Agreement or **Ordinance No. (TBD)**, the regulations of the Single Family-1 (SF-1) zoning district and the City of Waxahachie Zoning Ordinance shall apply to this development.
- (I) The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
- (J) A physical copy of the Development Agreement with a notarized wet signature by the Developer shall be delivered by the Developer to the Planning Department within thirty (30) days following approval of the agreement.

In consideration of LT&WH's agreement in this regard, the City of Waxahachie agrees that LT&WH has reasonable investment-backed expectations in the Hightower Club PD Ordinance, and that the City of Waxahachie may not unilaterally change the zoning and development standards contained in the Hightower Club PD Ordinance without impacting LT&WH's reasonable investment-backed expectations.

Section 4. Miscellaneous

- A. This Agreement and any dispute arising out of or relating to this Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without reference to its conflict of law rules. In the event of any dispute or action under this Agreement, venue for any and all disputes or actions shall be instituted and maintained in Ellis County, Texas.
- B. It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership, joint venture, joint enterprise, or other relationship between or among the Parties.
- C. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.
- D. The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by either Party shall not preclude or waive its right to use any or all other remedies. Said rights and remedies are given in addition to any other rights the Parties may have by law statute, ordinance, or otherwise. The failure by any Party to exercise any right, power, or option

given to it by this Agreement, or to insist upon strict compliance with the terms of this Agreement, shall not constitute a waiver of the terms and conditions of this Agreement with respect to any other or subsequent breach thereof, nor a waiver by such Party of its rights at any time thereafter to require exact and strict compliance with all the terms hereof. Any rights and remedies any Party may have with respect to the other arising out of this Agreement shall survive the cancellation, expiration or termination of this Agreement, except as otherwise expressly set forth herein.

E. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.

F. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination or expiration of this Agreement shall survive termination or expiration.

G. This Agreement is made subject to the existing provisions of the City of Waxahachie, its present rules, regulations, procedures and ordinances, and all applicable laws, rules, and regulations of the State of Texas and the United States.

H. The undersigned officers and/or agents of the Parties hereto are the properly authorized persons and have the necessary authority to execute this Agreement on behalf of the Parties hereto.

I. This Agreement may be only amended or altered by written instrument signed by the Parties.

J. The headings and captions used in this Agreement are for the convenience of the Parties only and shall not in any way define, limit or describe the scope or intent of any provisions of this Agreement.

K. This Agreement is the entire agreement between the Parties with respect to the subject matters covered in this Agreement. There are no other collateral oral or written agreements between the Parties that in any manner relates to the subject matter of this Agreement, except as provided or referenced in this Agreement.

L. This Agreement shall be recorded in the real property records of Ellis County, Texas. This Agreement and all of its terms, conditions, and provisions is and shall constitute a restriction and condition upon the development of the Property and all portions thereof and a covenant running with the Property and all portions thereof, and is and shall be binding upon LT&WH and all heirs, successors, and assigns and the future owners of the Property and any portion thereof; provided, however, this Agreement shall not constitute an obligation of or be deemed a restriction or encumbrance with respect to any platted residential lot upon which a completed structure has been constructed.

M. **Form 1295 Certificate.** The Developer agrees to comply with Texas Government Code, Section 2252.908 and in connection therewith, the Developer agrees to go online with the Texas Ethics Commission to complete a Form 1295 Certificate and further agrees to print the completed certificate and execute the completed certificate in such form as is required by Texas Government Code, Section 2252.908 and the rules of the Texas Ethics Commission and provide to the Town,

at the time of delivery of an executed counterpart of this Agreement, a duly executed completed Form 1295 Certificate.

N. Undocumented Workers Provision. The Developer certifies that Developer does not and will not knowingly employ an undocumented worker in accordance with Chapter 2264 of the Texas Government Code, as amended. If during the Term of this Agreement, Developer is convicted of a violation under 8 U.S.C. § 1324a(f), Developer shall repay the amount of any public subsidy provided under this Agreement to Developer plus six percent (6.0%), not later than the 120th day after the date the Town notifies Developer of the violation.

O. Non-Boycott of Israel Provision. In accordance with Chapter 2271 of the Texas Government Code, a Texas governmental entity may not enter into an agreement with a business entity for the provision of goods or services unless the agreement contains a written verification from the business entity that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the agreement. Chapter 2271 of the Texas Government Code does not apply to a (1) a company that is a sole proprietorship; (2) a company that has fewer than ten (10) full-time employees; or (3) the contract has a value of less than One Hundred Thousand Dollars (\$100,000.00). Unless Developer is not subject to Chapter 2271 of the Texas Government Code for the reasons stated herein, the signatory executing this Agreement on behalf of Developer verifies that Developer does not boycott Israel and will not boycott Israel during the Term of this Agreement.

P. Prohibition on Contracts with Certain Companies Provision. In accordance with Section 2252.152 of the Texas Government Code, the Parties covenant and agree that Developer is not on a list maintained by the State Comptroller's office prepared and maintained pursuant to Section 2252.153 of the Texas Government Code.

Q. Verification Against Discrimination of Firearm or Ammunition Industries. Pursuant to Texas Government Code Chapter 2274, (as added by Texas Senate Bill 19, 87th Tex. Reg. Session (2021) (effective September 1, 2021)) unless otherwise exempt, if the Developer employs at least ten (10) fulltime employees and this Agreement has a value of at least \$100,000 that is paid wholly or partly from public funds of the Town, the Developer represents that: (1) the Developer does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (2) the Developer will not discriminate during the Term of the Agreement against a firearm entity or firearm trade association.

R. Verification Against Discrimination Developer Does Not Boycott Energy Companies. Pursuant to Texas Government Code Chapter 2274, (as added by Texas Senate Bill 13, 87th Tex. Reg. Session (2021) (effective September 1, 2021)) unless otherwise exempt, if the Developer employs at least ten (10) fulltime employees and this Agreement has a value of at least \$100,000 that is paid wholly or partly from public funds of the Town, the Developer represents that: (1) the Developer does not boycott energy companies; and (2) the Developer will not boycott energy companies during the Term of this Agreement.

(11)

{Signature Pages Follow}

(11)

EXECUTED by the Parties on the dates set forth below, to be effective as of the date first written above.

CITY OF WAXAHACHIE, TEXAS

By: _____
Michael Scott, City Manager

Date: _____

ATTEST:

By: _____
City Secretary

STATE OF TEXAS §
§
COUNTY OF ELLIS §

Before me, the undersigned authority, on this _____ day of _____, personally appeared MICHAEL SCOTT, City Manager of the City of Waxahachie, Texas, 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 purposes and consideration therein expressed.

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

(11)

: LAURIE TODD (Owner)

By: _____

Date: _____

STATE OF TEXAS §
§
COUNTY OF ELLIS §

Before me, the undersigned authority, on this _____ day of _____, personally appeared Laurie Todd, 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 purposes and consideration therein expressed.

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

: WESLEY HIGHTOWER (Owner)

By: _____

Date: _____

STATE OF TEXAS §
§
COUNTY OF ELLIS §

Before me, the undersigned authority, on this _____ day of _____, personally appeared Wesley Hightower, 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 purposes and consideration therein expressed.

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

(12-13)

Planning & Zoning Department

Plat Staff Report

Case: SUB-93-2023



MEETING DATE(S)

Planning & Zoning Commission: June 11, 2024
City Council: June 17, 2024

CAPTION

Public Hearing on a request by David Griffin, Griffin Land Surveying, for a **Replat** of a portion of Block 30 of the Bullards Addition, and abandonment of a portion of Rogers Street, 3 commercial lots, being 1.596 acres, located at 401 Cantrell Street (Property ID: 172424, 172425, & 196137) – Owner: Francisco Cuevas, Esparza Properties LTD Co., and John Jordan & Susan Jordan (SUB-93-2023) Staff: Zack King

RECOMMENDED MOTION

"I move to approve SUB-93-2023, a Replat of a portion of Block 30 of the Bullards Addition, the associated Petition for Hardship Waiver, and the associated right-of-way abandonment request, authorizing the Mayor to sign the associated documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on June 11, 2024, the Commission voted 7-0 to recommend approval of case number SUB-93-2023.

APPLICANT REQUEST

The applicant requests to abandon approximately 0.417 acres of Rogers Street right-of-way (ROW) and incorporate the abandoned area in to the three adjacent properties via a Replat.

CASE INFORMATION

Applicant: Jennifer Dixon
Property Owner(s): Francisco Cuevas, Esparza Properties LTD Co., and John Jordan & Susan Jordan
Site Acreage: 1.596 acres
Number of Lots: 3 lots
Number of Dwelling Units: 0 units
Park Land Dedication: N/A
Adequate Public Facilities: Adequate public facilities are in place for the subject properties.

SUBJECT PROPERTY

General Location: 401 Cantrell Street
Parcel ID Number(s): 172424, 172425, & 196137
Current Zoning: Light Industrial-1 (LI-1)

(12-13)

Existing Use:

401 Cantrell Street is developed as a multi-tenant industrial building with several automotive repair-related tenants.

301 Cantrell Street is currently developed as a single-tenant industrial building occupied by A&E Automotive Solutions.

528 S Rogers Street is currently developed as an ice vending kiosk, operated by The Ice Chest.

Platting History:

The subject properties were originally platted as portions of Block 30 of the Bullards Addition.

Site Aerial:



PLANNING ANALYSIS

The applicant submitted this Replat Application in July of 2023. Before this application could proceed to the Planning & Zoning Commission, the applicant was required to revise the Replat to address technical errors and staff concerns. The applicant provided a revised submittal addressing all staff comments on May 24, 2024.

The applicant proposes to abandon approximately 0.417 acres of Old Rogers Street right-of-way (ROW) and incorporate the abandoned area into the three adjacent properties via a Replat. Specifically, the existing ROW is proposed to be split down the centerline of Old Rogers Street and incorporated into each adjacent property. To account for existing City utility infrastructure in the Old Rogers Street ROW, the Utilities Department has required the applicant to dedicate a 60' Utility Easement in the place of the abandoned ROW. The resulting lots meet all requirements of the Waxahachie Subdivision Ordinance.

The Old Rogers Street ROW proposed to be abandoned with this replat has not been maintained or utilized by the City for multiple decades. The ROW currently dead-ends into the intersection of Howard Road and US Hwy 77. The ROW has historically been used by the neighboring property owners to access and maneuver on their respective sites. Abandonment of the ROW will formally transfer ownership and maintenance responsibility to the adjacent property owners. The abandonment will also afford adjacent property owners an opportunity to install parking in the former ROW area. However, new structures will not be permitted in the area due to the utility easement dedication over the former ROW.

As part of the proposed Replat, the applicant is providing a 20' right-of-way (ROW) dedication for Howard Road, as required by the 2023 Waxahachie Thoroughfare Plan.

Petition for Hardship Waiver:

Section 1.11 of the Waxahachie Subdivision Ordinance allows Plat and Replat applicants to submit a Petition for Hardship Waiver in the event that a requirement of the Subdivision Ordinance imposes a condition resulting in an unreasonable hardship if it is strictly enforced. In this instance, the applicant has requested a Petition for Hardship Waiver due to conflicts between the location of existing buildings on the subject property and the requirements of the Subdivision Ordinance.

The Waxahachie Subdivision Ordinance requires a 15' Utility Easement to be dedicated adjacent to all public ROW at the time the property is platted or replatted. The building located at 401 Cantrell Street is currently situated on the north and west property line. The applicant has requested to not provide ROW dedication along FM 1446 (Cantrell Street) and Highway 77, due to the fact that the utility easement would encroach on the existing building and require the removal of the building.

Similarly, the existing building at 528 S Rogers Street is situated just 3' from the southern property line, after considering the proposed ROW dedication for Howard Road. Due to this, the applicant has requested to only provide a 3' Utility Easement along the southern property line.

The applicant has provided Letters of No Objection for the easement elimination and reduction requests from franchise utility providers Atmos, Oncor, and Spectrum. These letters confirm that neither Atmos, Oncor, or Spectrum object to the reduced or eliminated utility easements. Due to the provision of these letters, and the presence of City utility infrastructure in existing ROW, staff is supportive of the Petition for Hardship Waiver.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the Replat and the associated ROW Abandonment request.

ATTACHED EXHIBITS

1. Replat
2. Franchise Utilities - Letters of No Objection

APPLICANT REQUIREMENTS

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

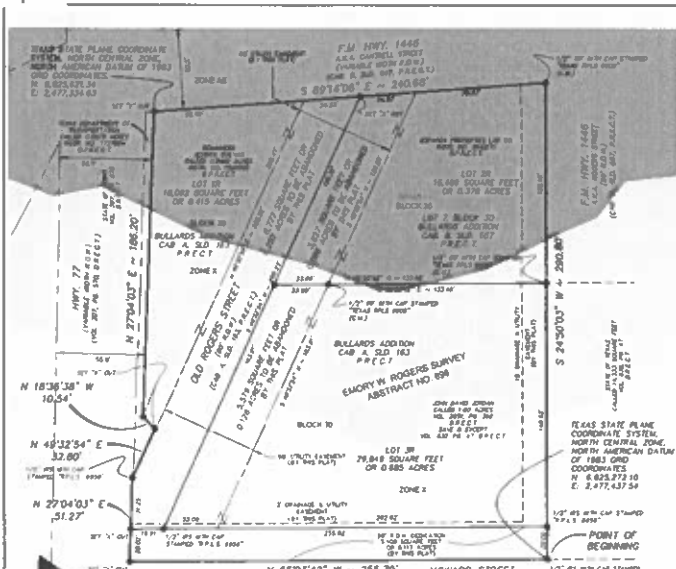
STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:
Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

(12 + 13)

Replat



DIMENSIONAL CERTIFICATE
STATE OF TEXAS
COUNTY OF DALLAS
WHEREAS Jessica Cuevas Espinoza Properties LTD Co. and John David Jordan as the owners of three tracts of land located in the Emory W Rogers Survey...

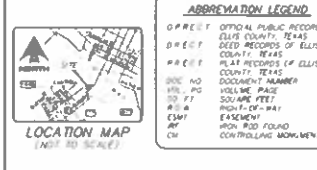
OWNER'S DEDICATION
STATE OF TEXAS
COUNTY OF DALLAS
NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS
That Jessica Cuevas Espinoza Properties LTD Co. and John David Jordan, acting herein by and through their duly authorized officers...

APPROVED BY City Council
STATE OF TEXAS
COUNTY OF ELLIS
Certificate of approval by the City Council of the City of Waltham, Texas
Approved this date, the ___ day of ___, 2024.

GENERAL NOTES
1. Basis of Bearings is the State Plane Coordinate System of 1983, Texas North Central Zone (4202).

SURVEYOR'S CERTIFICATE
KNOW ALL MEN BY THESE PRESENTS
That I, David S. Griffin, a Registered Professional Land Surveyor, licensed by the State of Texas, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon are all well properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waltham.

STATE OF TEXAS
COUNTY OF ELLIS
Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Jessica Cuevas Espinoza, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed.



ABBREVIATION LEGEND
OPRECIT OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS
DRECT DED RECORDS OF ELLIS COUNTY, TEXAS
PRECIT PRELIMINARY RECORDS OF ELLIS COUNTY, TEXAS

REPLAT
CANTRELL ADDITION
LOTS 1R, 2R, & 3R, BLOCK 1
69,536 SQUARE FEET OR 1,596 ACRES
BEING A REPLAT OF A PORTION OF BLOCK 30, OF BULLARDS ADDITION, AN ADDITION TO THE CITY OF WALTHAM, TEXAS AS RECORDED IN CARNET B, SLIDE 687, P.R.C.C. 1 AND ALL OF LOT 7, BLOCK 30 OF BULLARDS ADDITION, AN ADDITION TO THE CITY OF WALTHAM, TEXAS AS RECORDED IN CARNET B, SLIDE 687, P.R.C.C. 1



OWNER
JESSICA CUEVAS ESPINOZA PROPERTIES LTD CO
JOHN CARROLL ST
WALTHAM, TEXAS 75165
(469) 297-0765

(12+13)

Letter of No Objection - Spectrum

From: Gardner, Quincy <Quincy.Gardner@charter.com>
Sent: Thursday, February 22, 2024 2:39 PM
To: Motley, Larry; dgriffin@glsurveying.com
Cc: Aduddell, Eric W; Kerric Bradford; ryan.lilley@oncor.com; jonathan.hutchason@oncor.com; Scott.Baumbach@oncor.com; Cox, Michael; Moses, John L; Lewis, Alton; jd8932@att.com; Tyrel.Draper@BNSF.com; jeffrey.estes@bnsf.com; King, Zack; Jennifer Dixon; Hunter, TJ
Subject: Re: Letter of No Objection - Waxahachie - Howard St and Old Rogers St

Spectrum will not be in conflict with the underground as our plant is Airel .

Thanks



Quincy Gardner III | Construction Coordinator
206 E. Center St. Duncanville, TX 75116
Office -----817-945-1830 | Cell -----214-412-8801

(12+13)

Letter of No Objection - Oncor

From: Brewster, Richard <Lloyd.Brewster@oncor.com>
Sent: Thursday, January 11, 2024 11:16 AM
To: Griffin Land Surveying <dgriffin@glssurveying.com>
Subject: RE: Letter of No Objection

Oncor Electric Delivery has no objection.

Richard Brewster
Design Services Supervisor
Oncor | Project Management & Design Services
Cell: 214-549-6590

My Manager: Anthony Gordon
Cell: 713-702-4201 Email: Anthony.Gordon@oncor.com

For new Service, please use the link below:

<https://www.oncor.com/content/oncorwww/us/en/home/constructionanddevelopment.html>

"For new Governmental Relocation Projects, Please send project information to Relocations@oncor.com"



April 12, 2024

David Griffin, RPLS
Griffin Land Surveying, LLC
903 W Ennis Avenue, Suite 4
Ennis, Texas 75119
dgriffin@qlsurveying.com
(903) 600-1072

Re: Reduction of the existing 15' (fifteen-feet) Drainage & Utility Easement on the North side of Howard Street, between S. College St and Old Rogers St. (32.380420°, -96.851708°)

Dear Mr. Griffin;

It is Atmos Energy Corporation's (Atmos Energy) understanding that the existing 15' (fifteen-feet) Drainage & Utility Easement on the North side of Howard Street, between Old Rogers St. and S. College St. in Waxahachie, TX, is being proposed to be reduced to 3' (three-feet) .

Based on the email from you on 4-11-2024 (9:02 am) and the attached drawing (see attachment), Atmos Energy does not object to the narrowing of the Drainage & Utility Easement.

Atmos does have an 8" (eight-inch) steel pipeline in the adjacent 20' R.O.W. Dedication shown on the attachment and on the East side of Old Rogers St.. During any construction activities, equipment crossing the pipeline shall utilize an Atmos Energy approved temporary crossing method, meeting Atmos Energy's engineering standard drawing 'STD 11-100-00' to prevent any direct loading on the pipeline.

1. At no time shall construction equipment be allowed to travel parallel with the pipeline, directly over the top of any Atmos pipeline in areas without paving over the pipeline.
2. Please contact Texas 811 for line locates 72 hours prior to excavation. Please contact **Atmos Energy Damage Prevention Representative Matt Penwarden (214) 316-4514** in advance of excavation or construction activities within the vicinity of Atmos Energy facilities.
3. Mechanical excavation (and/or compaction), with the exception of hydro-vacuuming method, is **not allowed within three feet (3') horizontally from Atmos Energy's facilities. Excavation (and / or compaction) closer than three feet (3') horizontally from Atmos Energy's facilities must be done by non-mechanical excavation or hand operated compaction methods.**

4. Atmos Energy will not be responsible for damage to any allowed encroachments or crossings.

This letter is only for the above-described activity. All other crossings or activities above or near Atmos pipelines, whether indicated on the referenced drawings or future crossings, will require additional letters-of-no-objection and/or encroachment agreements.

If you have any questions or if I may be of additional assistance, please feel free to contact Larry Motley, at 469-285-6090.

Sincerely,



Larry D. Motley
Engineer III
Atmos Energy Corporation
3525 Hwy 77
Waxahachie, TX 75165

cc: Marco Delira (Atmos Engr Manager)
Matt Penwarden (Atmos Damage Prevention)
Larry D. Motley (Atmos Engr)

Planning & Zoning Department

Zoning Staff Report

Case: SP-106-2024



MEETING DATE(S)

Planning & Zoning Commission: June 11, 2024

City Council: June 17, 2024

CAPTION

Public Hearing on a request by Katy Dockery, HKS Inc., for an **Amended Site Plan** for the Baylor Scott & White Hospital Tower Expansion II, located at 2400 N Interstate 35E (Property ID: 180334) – Owner: Baylor Health Care System (SP-106-2024) Staff: Zack King

RECOMMENDED MOTION

"I move to approve SP-106-2024, an Amended Site Plan Application for Baylor Scott & White Hospital Tower Expansion II, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to sign the associated documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on June 11, 2024, the Commission voted 7-0 to recommend approval of case number SP-106-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The applicant requests approval of an Amended Site Plan to allow for a revised Elevation/Façade Plan for the Baylor Scott & White Hospital Tower Expansion II project.

CASE INFORMATION

Applicant: Katy Dockery, HKS Inc.

Property Owner(s): Baylor Health Care System

Site Acreage: 43.76 acres

Current Zoning: Planned Development-Commercial (PD-C) – Ord. 2649 & 3287

Requested Zoning: Planned Development-Commercial (PD-C) – Ord. 2649 & 3287, with Amended Site Plan

SUBJECT PROPERTY

General Location: 2400 N Interstate 35E

Parcel ID Number(s): 180334

Existing Use: Baylor Scott & White Hospital

Development History:

On May 7, 2012, City Council approved a zoning change to a Planned Development (PD) district on the subject property, allowing the development of the Baylor Scott & White Hospital.

On November 17, 2014, City Council approved a Final Plat for the subject property.

On February 1, 2021, City Council approved relocating a billboard sign for the subject property.

On August 16, 2021, City Council approved a PD Amendment for the subject property to allow for an additional Medical Facility use on the subject property.

On November 20, 2023, City Council approved a Site Plan and Development Agreement for the Baylor Hospital Tower Expansion II project.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	Heavy Industrial (HI)	Altec Service Center
East	Heavy Industrial (HI)	Lifoam Industries
South	N/A – Right of Way (ROW)	US Highway 287 Bypass
West	N/A – Right of Way (ROW)	Interstate 35E

Future Land Use Plan:

Regional Commercial & Industrial

Comprehensive Plan:

Commercial: These places are first identified by their principal focus on auto-oriented traffic. Logically placed near high-traffic intersections, these spaces bring people from many surrounding neighborhoods. Typical uses will include regional businesses including but not limited to restaurants, retail, gas stations, and offices. To create a more sustainable development, care should be given to make the experience for users pleasant once they exit their vehicle. A focus on adding spaces for public gathering and pedestrian shading to encourage people to walk from one establishment to another and interact with other patrons should be a priority of future development in the Regional Commercial Placetype. Though the size of a regional commercial node is flexible based on local context, generally these are about a half mile in diameter.

Industrial: Industrial uses vary from the technology industry to manufacturing. The designated locations for heavier industrial uses are intended to keep them away from residential categories. These are located along roadways that have adequate capacity to serve the larger industrial vehicles. Required parking is encouraged to be placed behind structures to keep these areas more readily able to redevelop into more urban places over time. When uses are abutting a residential property, a separation should be provided such as a landscape buffer, deeper setback, and/or a screening wall.

(14+15)

Thoroughfare Plan:

The subject property is accessible via the North I35E service road, the US Highway 287 Bypass service road, and Baylor Way.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant proposes an Amended Site Plan to allow for a revision to the Elevation/Façade Plan for the Baylor Scott & White Hospital Tower Expansion II project. In November of 2023, the City Council approved the Site Plan (SP-141-2023) and Development Agreement for the hospital tower expansion. Following this approval, the applicant submitted a building permit for the expansion, including an elevation/façade plan that did not match the approved Development Agreement. Due to the conflict with the development agreement, the applicant opted for an Amended Site Plan application and a revised Development Agreement would be needed.

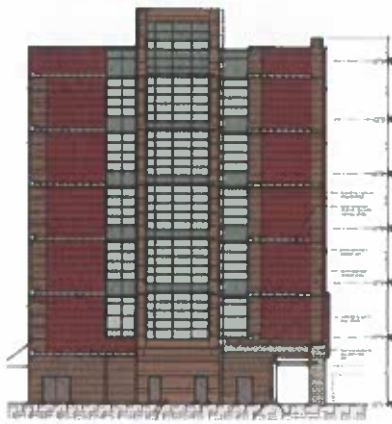
This Amended Site Plan application only revises the Elevation/Façade Plan approved with SP-141-2023. The Site Plan, Landscape Plan, Signage Plan, and Phasing Plan sheets from SP-141-2023 are not proposed to be altered in any way with this application.

Revised Elevation/Façade Plan:

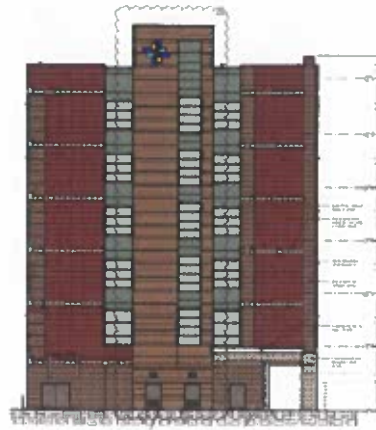
The applicant has proposed revisions to the elevation/façade plan with this application. Specifically, the east façade of the new bed tower and portions of the ICU addition were updated. The applicant has noted that these alterations are proposed to simplify the design of the building and reduce the amount of steel needed for structural support. The new design for the bed tower increases the amount of brick and decreases the amount of glazing used for the east façade. Similarly, the revised façade for the ICU addition features a greater amount of brick and a decreased amount of glazing. The revised elevation/façade plan also corrects a technical error in the summary table for exterior construction materials that were found in the original design.

(14+15)

Original
Elevation:



Revised
Elevation:



RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the Amended Site Plan request subject to the condition noted below.

Conditions:

1. A physical copy of the revised Development Agreement with a notarized wet signature by the Developer shall be delivered by the Developer to the Planning Department within thirty (30) days following approval of the agreement by City Council.

ATTACHED EXHIBITS

1. Applicant Letter
2. Original Elevation/Façade Plan (SP-141-2023)
3. Development Agreement
4. Exhibit A – Location Map
5. Exhibit B – Site Plan
6. Exhibit C – Landscape Plan
7. Exhibit D – Revised Elevation/Façade Plan
8. Exhibit E – Signage Plan

APPLICANT REQUIREMENTS

1. If approved by City Council, the applicant is required to provide the City with a hard copy of the signed Development Agreement for the Amended Site Plan.
 - a. Once the development agreement is recorded, the applicant can complete the building permitting process with the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:

Zack King, AICP

Senior Planner

zking@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com



May 20, 2024

Planning and Zoning Board
City of Waxahachie
401 S. Rogers
Waxahachie, Texas 75168

Re: Baylor Scott and White
Hospital - Tower II expansion
HKS Project No. 25866

Baylor Scott and White Health is planning to construct a new addition to the main hospital at its existing campus in Waxahachie, Texas located at the intersection of I-35E and Hwy 287 Bypass. The current address for the site is:

2400 N. Interstate 35E
Waxahachie, TX 75165

The project would like to revise the elevation submissions to align with revisions that have been made to the project that affect the current development agreement between Baylor Scott & White and the City of Waxahachie.

Changes to the development Agreement:

Since the submission of the initial site plan application to the City of Waxahachie, changes have been made to the north, east, and west facades at the 6-story tower expansion and the 2 story ICU expansion. When updating the elevations for the new design an error was noted on the schedules that were previously issued the south and east on the initial submission. On those schedules the overall total area was double counted, and the total percentage only added up to 50%. The adjusted percentage has been noted in the markup of the previously issued areas. The new schedules have been revised on all elevations to align with the project as it was refined throughout the design process. Many of the changes were more minor, but there were two more significant changes described in more detail below.

On the east elevation of the 6-story tower the glazing element was refined to reduce the amount of steel required to support the glazing. The initial design required a significant amount of steel to support both the glazing and the brick at the end of the tower. The reduction of the glazing also helps the existing tower to remain as a key feature of the campus to draw the community to the front door of the hospital.

On the north, east, and west elevations of the ICU addition of the project. The design was refined to reduce the metal panel elements and refine the design to simplify the construction of the expansion. Some of the glazing was reduced in the design on the west façade to align with the function of the spaces on the interior. The ribbon area was added with the portion of the addition that will provide two critical care patient rooms on the second floor. This aligns with other areas on the existing building and tower additional where patient rooms are being provided. The glazing is maximized at public areas such as the dining expansion and the entry vestibule.

The revised designs for both the tower and the ICU addition have allowed the project to reduce the cost of the exterior skin. The changes to the façade were collaboratively developed with Baylor Scott & White to meet the design aesthetic of the campus. The



project's main goal is to provide an expansion that can be utilized to meet the growing needs of the community of Waxahachie.

Additional attachments:

- BSWW-ExhibitD-Markups
 - Marked up changes from the existing development agreement.
- 2024-0520-BSWW-ExteriorElevations
 - Revised elevation sheets for approval.

(14+15)

Original Elevation/Facade Plan
(SP-141-2023)



Red	Dark Red	Light Green	Dark Green
Grey	Light Grey	White	Dark Grey
Light Brown	Dark Brown	Light Blue	Dark Blue
Light Green	Dark Green	Light Grey	Dark Grey
Light Green	Dark Green	Light Grey	Dark Grey

HKS

ARCHITECT
1000 RIVERSIDE DRIVE, SUITE 1000
HOUSTON, TEXAS 77001
713.865.1000
WWW.HKS.COM

LANDSCAPE ARCHITECT
1000 RIVERSIDE DRIVE, SUITE 1000
HOUSTON, TEXAS 77001
713.865.1000
WWW.HKS.COM

ENGINEER
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HOUSTON, TEXAS 77001
713.865.1000
WWW.HKS.COM

INTERIOR ARCHITECT
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WWW.HKS.COM

MECHANICAL ENGINEER
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ELECTRICAL ENGINEER
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PLUMBING ENGINEER
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STRUCTURAL ENGINEER
1000 RIVERSIDE DRIVE, SUITE 1000
HOUSTON, TEXAS 77001
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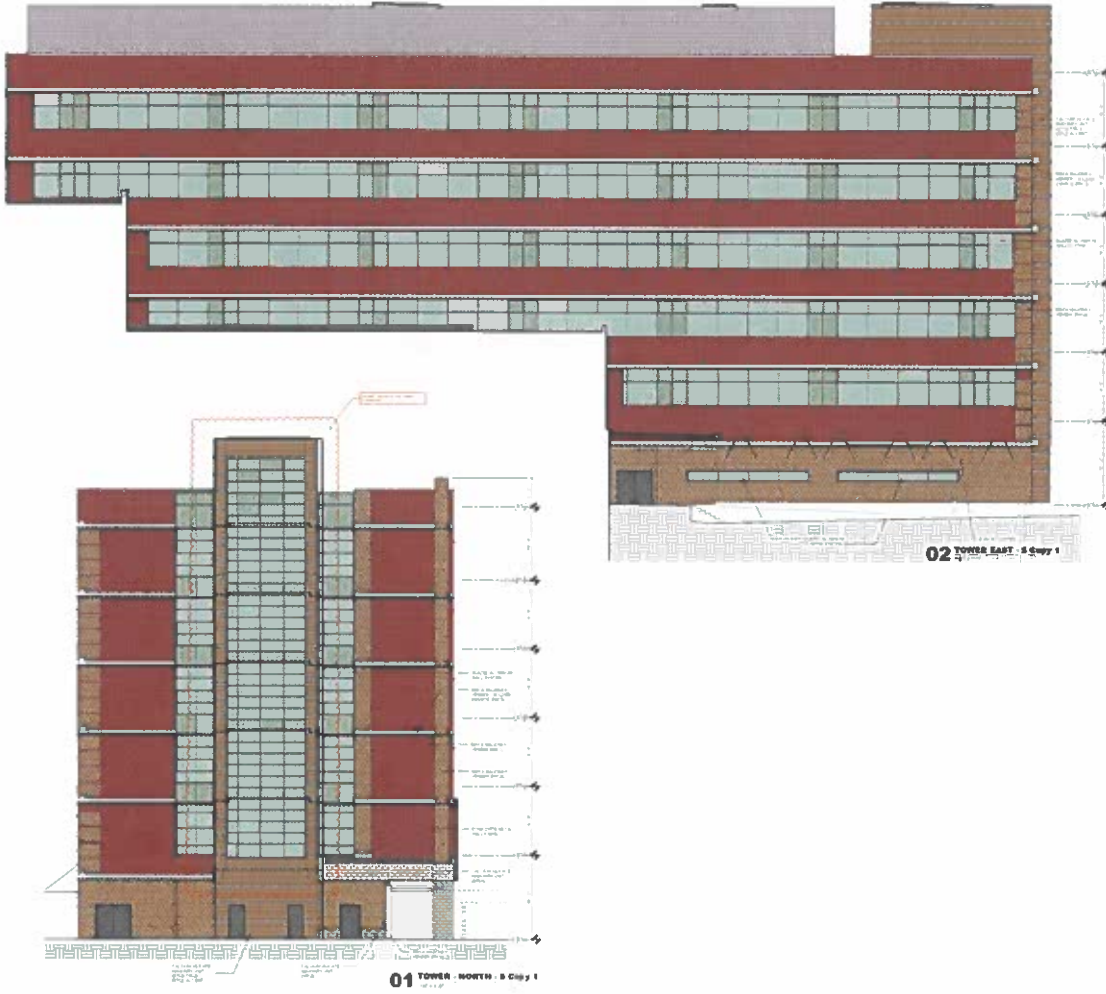
ENVIRONMENTAL ENGINEER
1000 RIVERSIDE DRIVE, SUITE 1000
HOUSTON, TEXAS 77001
713.865.1000
WWW.HKS.COM

CONSTRUCTION MANAGER
1000 RIVERSIDE DRIVE, SUITE 1000
HOUSTON, TEXAS 77001
713.865.1000
WWW.HKS.COM

DATE: 09/11/2023
12:00 PM
CITY OF HOUSTON
SITE PLAN REVIEW
100 OVERSEAS
ELEVATIONS
A5.01

(14+15)

Original Elevation/Facade Plan
(SP-141-2023)



HKS

Baylor Scott & White
TOWER EXPANSION II
AT WABASH/CHE

A5.03

(16)

STATE OF TEXAS § DEVELOPMENT AGREEMENT
 § FOR BAYLOR SCOTT & WHITE TOWER
 § EXPANSION II
COUNTY OF ELLIS §

This Development Agreement for Baylor Scott & White Tower Expansion II ("Agreement") is entered into between Baylor Health Care System ("**BHCS**") and the City of Waxahachie, Texas ("City"). BHCS and the City are sometimes referred herein together as the "Parties" and individually as a "Party."

Recitals:

1. BHCS is the owner of approximately 43.76 acres of real property generally located at 2400 N. Interstate 35E, Parcel Number 180334, in the City of Waxahachie, Texas (the "Property"), for which the owner has requested a Site Plan (SP-106-2024) addition to the Property's Planned Development ("PD") Commercial (Ordinance Nos. 2649 & 3287) zoning. The Property is currently zoned Planned Development-Commercial by the City, and incorporated approval of the Site Plan reviewed on June 17, 2024.

2. The planned use of the Property is to create a Site Plan update to allow for the development off an additional Hospital (Acute or Chronic Care), Medical Facility, and Parking Structure. The Site Plan process is utilized to ensure that the Property would develop in a manner that meets the City's desired development standards, as well as providing BHCS with agreed-upon and negotiated standards consistent with their business objectives.

3. As is reflected by the public records of the City, significant discussions and negotiations between representatives of BHCS and the City of Waxahachie staff have occurred during various meetings, in an effort to obtain an agreed-upon and negotiated set of development standards to be reflected in the Site Plan update for Ordinance Nos. (2649 & 3287) a copy of which is attached hereto as *Exhibit B* and which contains the negotiated zoning and development standards for Baylor Scott & White Tower Expansion II.

4. This Agreement seeks to incorporate the negotiated and agreed upon development standards contained in the Baylor Scott & White Tower Expansion II Site Plan as contractually-binding obligations between the City of Waxahachie and BHCS, and to recognize BHCS's reasonable expectations in Ordinance Nos. 2649 & 3287 and the development of the Baylor Scott & White Tower Expansion II.

NOW, THEREFORE, for and in consideration of the above and foregoing premises, the benefits to each of the Parties from this Agreement, and other good and valuable consideration, the sufficiency of which is hereby acknowledged and agreed, the Parties do hereby agree as follows:

Section 1. Incorporation of Premises. The above and foregoing Recitals are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Term. This Agreement shall be effective as of the date of execution of this Agreement by the last of the Parties to do so ("**Effective Date**"). This Agreement shall remain in full force and effect from the Effective Date until terminated by the mutual agreement of all of the Parties in writing ("**Term**").

Section 3. Agreements. The Parties agree as follows:

Incorporation of Zoning and Recognition of Investment-Backed Expectations:

The negotiated and agreed upon development standards contained in the Baylor Scott & White Tower Expansion II Site Plan, which incorporate by reference Ordinance Nos. 2649 & 3287 and the general zoning regulations of the City of Waxahachie zoning ordinance, are hereby adopted and incorporated into this Agreement as contractually-binding obligations of BHCS as the Developer.

BHCS, as the Developer, agrees that:

- (A) A mutually agreed upon Development Agreement (i.e. this agreement) will be required for the property.
- (B) The development shall conform as approved by the City Council under case number SP-106-2024.
- (C) All materials, location of materials, and percentage of materials for the building shall be consistent with the Revised Elevation/Façade Plan (Exhibit D).
- (D) BHCS shall provide a permanent irrigation system for all required landscape areas shown on Exhibit C - Landscape Plan and maintain the required landscaping at all times.
- (E) All development within the subject property will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.
- (F) Any zoning, land use requirement, or restriction not contained within this Development Agreement shall conform to those requirements and/or standards prescribed in Exhibit A – Location Map, Exhibit B – Site Plan, Exhibit C – Landscape Plan, Exhibit D – Revised Elevation/Façade Plan, Exhibit E – Signage Plan. Where regulations are not specified in Exhibits A, B, C, D, E, this Development Agreement, or the regulations of Ordinance Nos. 2649 & 3287, the general zoning regulations of the City of Waxahachie Zoning Ordinance shall apply to this development.
- (G) The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.

(14)

In consideration of BHCS's agreement in this regard, the City of Waxahachie agrees that BHCS has reasonable expectations in the Ordinance Nos. 2649 & 3287 and the development of the Baylor Scott & White Tower Expansion II, and that the City of Waxahachie may not unilaterally change the zoning and development standards contained in the Baylor Scott & White Tower Expansion II Site Plan without impacting BHCS's reasonable expectations.

Section 4. Miscellaneous

A. This Agreement and any dispute arising out of or relating to this Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without reference to its conflict of law rules. In the event of any dispute or action under this Agreement, venue for any and all disputes or actions shall be instituted and maintained in Ellis County, Texas.

B. It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership, joint venture, joint enterprise, or other relationship between or among the Parties.

C. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

D. The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by either Party shall not preclude or waive its right to use any or all other remedies. Said rights and remedies are given in addition to any other rights the Parties may have by law statute, ordinance, or otherwise. The failure by any Party to exercise any right, power, or option given to it by this Agreement, or to insist upon strict compliance with the terms of this Agreement, shall not constitute a waiver of the terms and conditions of this Agreement with respect to any other or subsequent breach thereof, nor a waiver by such Party of its rights at any time thereafter to require exact and strict compliance with all the terms hereof. Any rights and remedies any Party may have with respect to the other arising out of this Agreement shall survive the cancellation, expiration or termination of this Agreement, except as otherwise expressly set forth herein.

E. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.

F. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination or expiration of this Agreement shall survive termination or expiration.

G. This Agreement is made subject to the existing provisions of the City of Waxahachie, its present rules, regulations, procedures and ordinances, and all applicable laws, rules, and regulations of the State of Texas and the United States.

(16)

H. The undersigned officers and/or agents of the Parties hereto are the properly authorized persons and have the necessary authority to execute this Agreement on behalf of the Parties hereto.

I. This Agreement may be only amended or altered by written instrument signed by the Parties.

J. The headings and captions used in this Agreement are for the convenience of the Parties only and shall not in any way define, limit or describe the scope or intent of any provisions of this Agreement.

K. This Agreement is the entire agreement between the Parties with respect to the subject matters covered in this Agreement. There are no other collateral oral or written agreements between the Parties that in any manner relates to the subject matter of this Agreement, except as provided or referenced in this Agreement.

L. This Agreement shall be recorded in the real property records of Ellis County, Texas. This Agreement and all of its terms, conditions, and provisions is and shall constitute a restriction and condition upon the development of the Property and all portions thereof and a covenant running with the Property and all portions thereof, and is and shall be binding upon BHCS and all heirs, successors, and assigns and the future owners of the Property and any portion thereof; provided, however, this Agreement shall not constitute an obligation of or be deemed a restriction or encumbrance with respect to any platted residential lot upon which a completed structure has been constructed.

M. **Form 1295 Certificate.** The Developer agrees to comply with Texas Government Code, Section 2252.908 and in connection therewith, the Developer agrees to go online with the Texas Ethics Commission to complete a Form 1295 Certificate and further agrees to print the completed certificate and execute the completed certificate in such form as is required by Texas Government Code, Section 2252.908 and the rules of the Texas Ethics Commission and provide to the Town, at the time of delivery of an executed counterpart of this Agreement, a duly executed completed Form 1295 Certificate.

N. **Undocumented Workers Provision.** The Developer certifies that Developer does not and will not knowingly employ an undocumented worker in accordance with Chapter 2264 of the Texas Government Code, as amended. If during the Term of this Agreement, Developer is convicted of a violation under 8 U.S.C. § 1324a(f), Developer shall repay the amount of any public subsidy provided under this Agreement to Developer plus six percent (6.0%), not later than the 120th day after the date the Town notifies Developer of the violation.

O. **Non-Boycott of Israel Provision.** In accordance with Chapter 2270 of the Texas Government Code, a Texas governmental entity may not enter into an agreement with a business entity for the provision of goods or services unless the agreement contains a written verification from the business entity that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the agreement. Chapter 2270 of the Texas Government Code does not apply to a (1) a company that is a sole proprietorship; (2) a company that has fewer than ten (10) full-time employees; or (3) the contract has a value of less than One Hundred Thousand Dollars (\$100,000.00). Unless Developer is not subject to Chapter 2270 of the Texas Government Code

(16)

for the reasons stated herein, the signatory executing this Agreement on behalf of Developer verifies that Developer does not boycott Israel and will not boycott Israel during the Term of this Agreement.

P. Prohibition on Contracts with Certain Companies Provision. In accordance with Section 2252.152 of the Texas Government Code, the Parties covenant and agree that Developer is not on a list maintained by the State Comptroller's office prepared and maintained pursuant to Section 2252.153 of the Texas Government Code.

Q. Verification Against Discrimination of Firearm or Ammunition Industries. Pursuant to Texas Government Code Chapter 2274, (as added by Texas Senate Bill 19, 87th Tex. Reg. Session (2021) (effective September 1, 2021)) unless otherwise exempt, if the Developer employs at least ten (10) fulltime employees and this Agreement has a value of at least \$100,000 that is paid wholly or partly from public funds of the Town, the Developer represents that: (1) the Developer does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (2) the Developer will not discriminate during the Term of the Agreement against a firearm entity or firearm trade association.

R. Verification Against Discrimination Developer Does Not Boycott Energy Companies. Pursuant to Texas Government Code Chapter 2274, (as added by Texas Senate Bill 13, 87th Tex. Reg. Session (2021) (effective September 1, 2021)) unless otherwise exempt, if the Developer employs at least ten (10) fulltime employees and this Agreement has a value of at least \$100,000 that is paid wholly or partly from public funds of the Town, the Developer represents that: (1) the Developer does not boycott energy companies; and (2) the Developer will not boycott energy companies during the Term of this Agreement.

(16)

{Signature Pages Follow}

(16)

EXECUTED by the Parties on the dates set forth below, to be effective as of the date first written above.

CITY OF WAXAHACHIE, TEXAS

By: _____
Michael Scott, City Manager

Date: _____

ATTEST:

By: _____
City Secretary

STATE OF TEXAS §
§
COUNTY OF ELLIS §

Before me, the undersigned authority, on this _____ day of _____, personally appeared MICHAEL SCOTT, City Manager of the City of Waxahachie, Texas, 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 purposes and consideration therein expressed.

[Seal]


By: _____
Notary Public, State of Texas

My Commission Expires: _____

(16)

: Baylor Health Care System (Applicant)


By: Baylor Scott & White Health,
A Texas non-profit corporation, its agent

By: 
Charles Shelburne
Vice President – Campus Planning

Date: 5/31/24

: Baylor Health Care System (Owner)

By: Baylor Scott & White Health,
A Texas non-profit corporation, its agent

By: 
Charles Shelburne
Vice President – Campus Planning

Date: 5/31/24

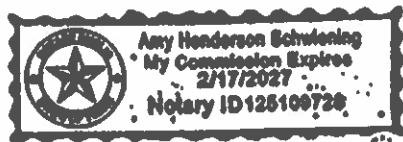
STATE OF TEXAS

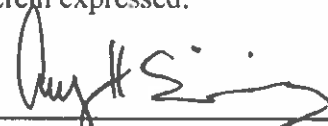
§
§
§

COUNTY OF ELLIS

Before me, the undersigned authority, on this 31st day of MAY, personally appeared CHARLES SHELburne, representative of Baylor Health Care System, 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 purposes and consideration therein expressed.

[Seal]

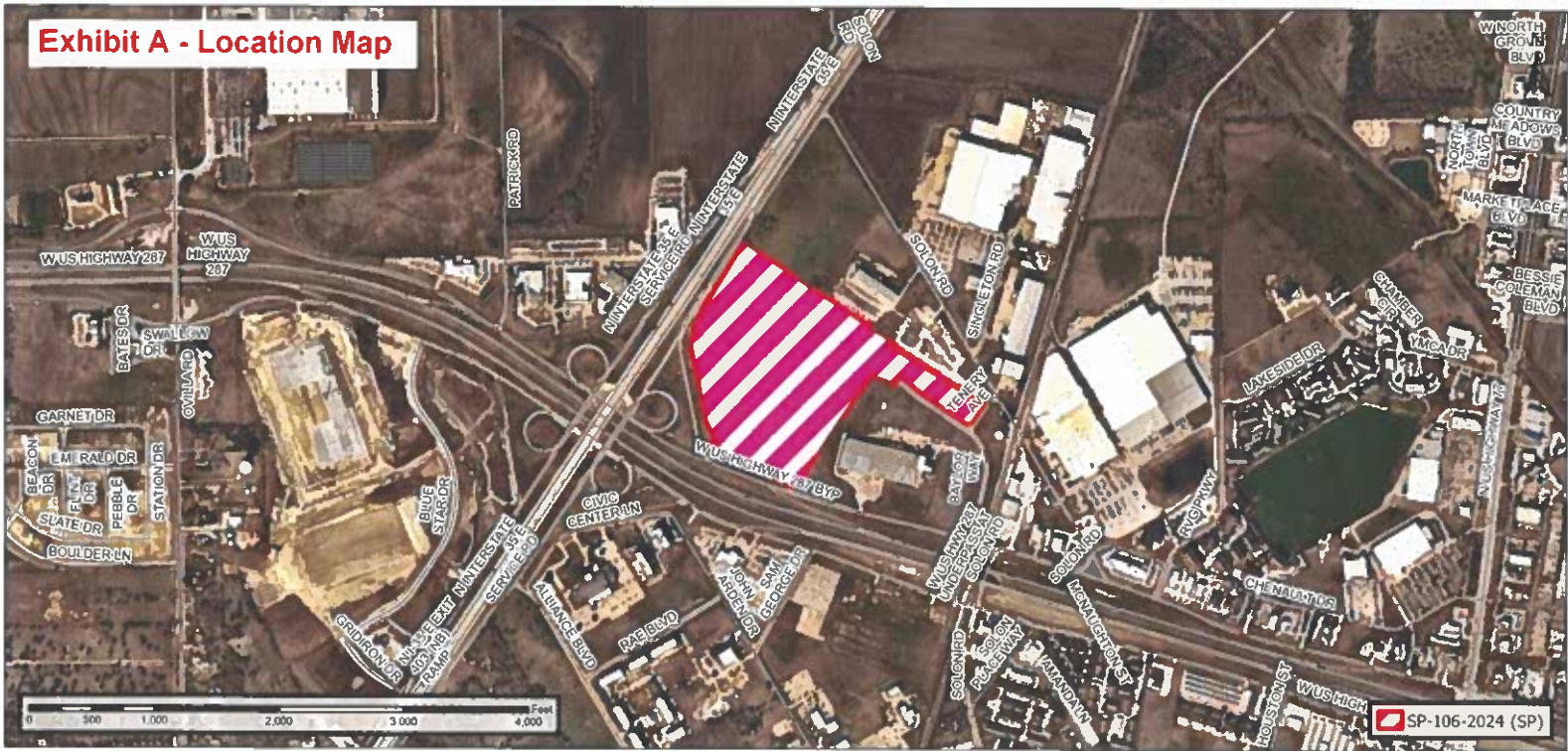


By: 
Notary Public, State of Texas

My Commission Expires: 2/17/2027

(16)

Exhibit A - Location Map



(16)

Exhibit B - Site Plan

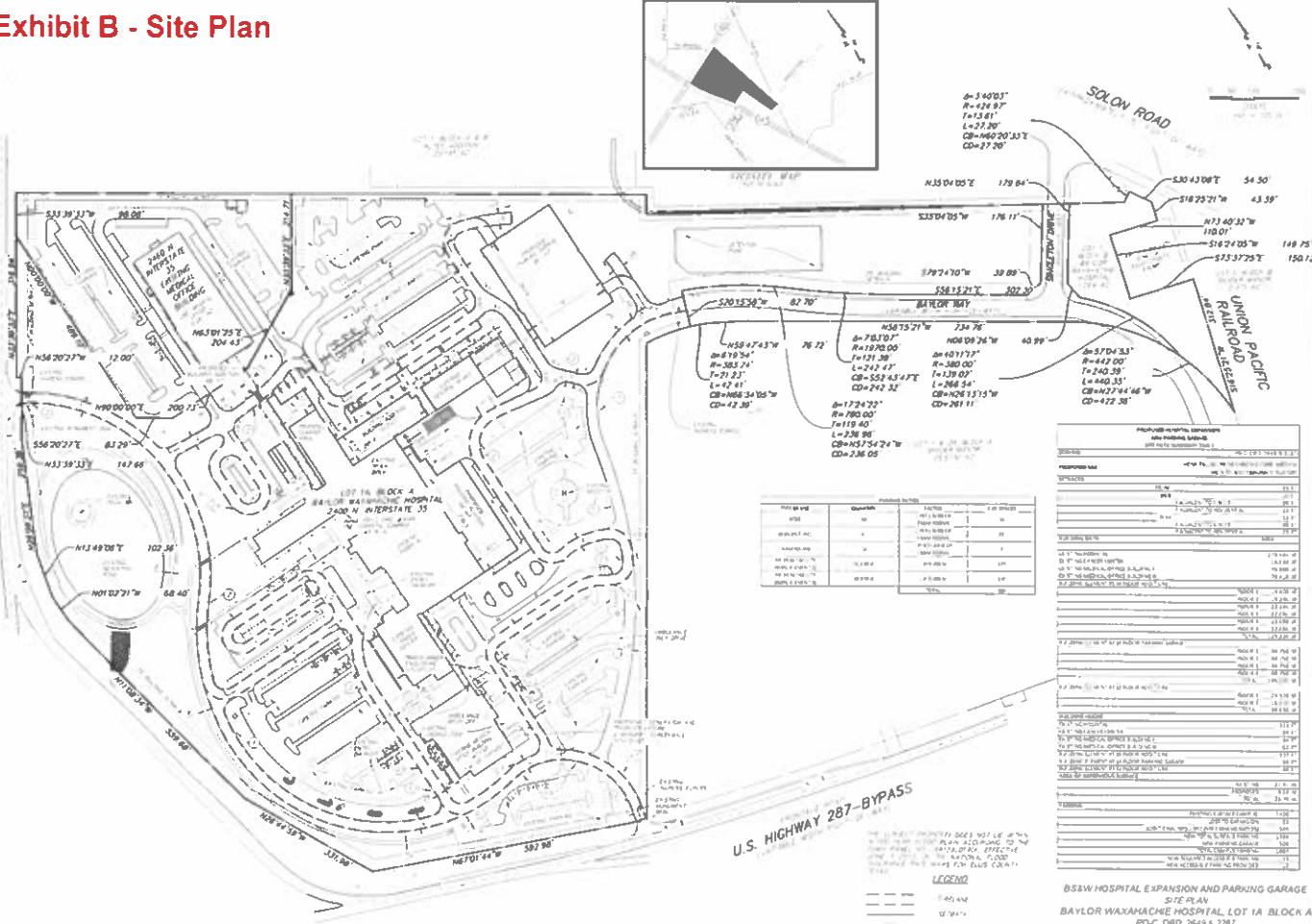


HKS

ARCHITECT
 CIVIL ENGINEER
 LANDSCAPE ARCHITECT
 PLANNING
 STRUCTURAL ENGINEER
 MECHANICAL ENGINEER
 ELECTRICAL ENGINEER
 ENVIRONMENTAL ENGINEER
 GEOTECHNICAL ENGINEER
 HYDROLOGIST

Baylor Scott & White
TOWER EXPANSION II
AT WAXAHACHIE
AT WAXAHACHIE

INTERSTATE HIGHWAY 35E



Item No.	Quantity	Unit	Description
1	1	sq ft	Asphalt Paving
2	1	sq ft	Gravel Paving
3	1	sq ft	Concrete Paving
4	1	sq ft	Grass Paving
5	1	sq ft	Other Paving

Item No.	Quantity	Unit	Description
6	1	sq ft	Asphalt Paving
7	1	sq ft	Gravel Paving
8	1	sq ft	Concrete Paving
9	1	sq ft	Grass Paving
10	1	sq ft	Other Paving

LEGEND

- ASPHALT
- GRAVEL
- CONCRETE
- GRASS
- OTHER

BSSW HOSPITAL EXPANSION AND PARKING GARAGE
SITE PLAN
BAYLOR WAXAHACHIE HOSPITAL, LOT 1A BLOCK A
P.O. BOX 2649 & 3287
AREA 43 TRACT
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
SEPTEMBER 13, 2023
SP-141-2023

23086.000 & .001
17 OCTOBER 2023
PROGRESS PRINT 002
(96%)
SITE PLAN
C1.00

(16)

Exhibit D - Revised Elevation/Facade Plan

NO. OF BAY	NO. OF BAY	NO. OF BAY
1000000000	1000000000	1000000000
1000000000	1000000000	1000000000
1000000000	1000000000	1000000000
1000000000	1000000000	1000000000
1000000000	1000000000	1000000000
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1000000000	1000000000	1000000000
1000000000	1000000000	1000000000
1000000000	1000000000	1000000000
1000000000	1000000000	1000000000
1000000000	1000000000	1000000000



GENERAL MATERIAL LEGEND

Concrete	Brick	Stone	Cladding
Window	Door	Roof	Other

HKS

ARCHITECT

2500 WEST 13TH AVENUE
SUITE 1000
DENVER, CO 80202

PHONE: (303) 733-8000
WWW.HKS.COM

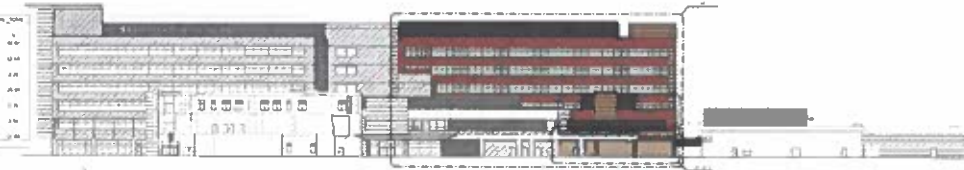
PROJECT NO. 1000000000

DATE: 10/13/2003

PROJECT: CITY PLAZA DENVER
OVERALL BUILDING ELEVATIONS

04 OVERALL WEST ELEVATION

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1000000000	1000000000	1000000000
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1000000000	1000000000	1000000000
1000000000	1000000000	1000000000
1000000000	1000000000	1000000000



03 OVERALL SOUTH ELEVATION

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1000000000	1000000000	1000000000
1000000000	1000000000	1000000000
1000000000	1000000000	1000000000



02 OVERALL EAST ELEVATION

NO. OF BAY	NO. OF BAY	NO. OF BAY
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1000000000	1000000000	1000000000
1000000000	1000000000	1000000000
1000000000	1000000000	1000000000
1000000000	1000000000	1000000000



01 OVERALL NORTH ELEVATION

BaylorScott & White

ARCHITECT

1000 WEST 13TH AVENUE
SUITE 1000
DENVER, CO 80202

PHONE: (303) 733-8000
WWW.BAYLORSCOTTANDWHITE.COM

PROJECT NO. 1000000000

DATE: 10/13/2003

PROJECT: CITY PLAZA DENVER
OVERALL BUILDING ELEVATIONS

2500 WEST 13TH AVENUE
SUITE 1000
DENVER, CO 80202

PHONE: (303) 733-8000
WWW.HKS.COM

PROJECT NO. 1000000000

DATE: 10/13/2003

PROJECT: CITY PLAZA DENVER
OVERALL BUILDING ELEVATIONS

2500 WEST 13TH AVENUE
SUITE 1000
DENVER, CO 80202

PHONE: (303) 733-8000
WWW.HKS.COM

PROJECT NO. 1000000000

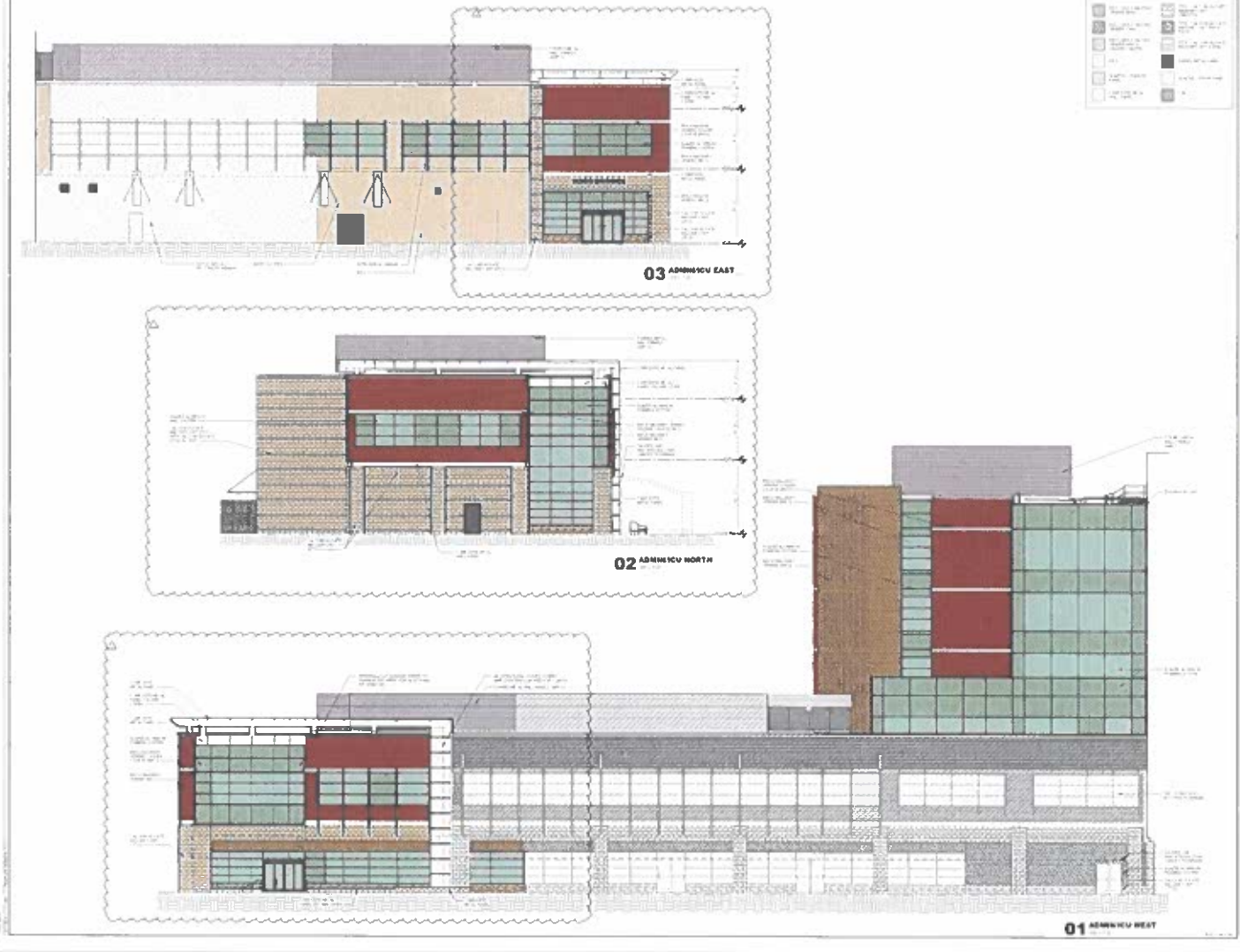
DATE: 10/13/2003

PROJECT: CITY PLAZA DENVER
OVERALL BUILDING ELEVATIONS

A5.00

(16)

Exhibit D - Revised Elevation/Facade Plan



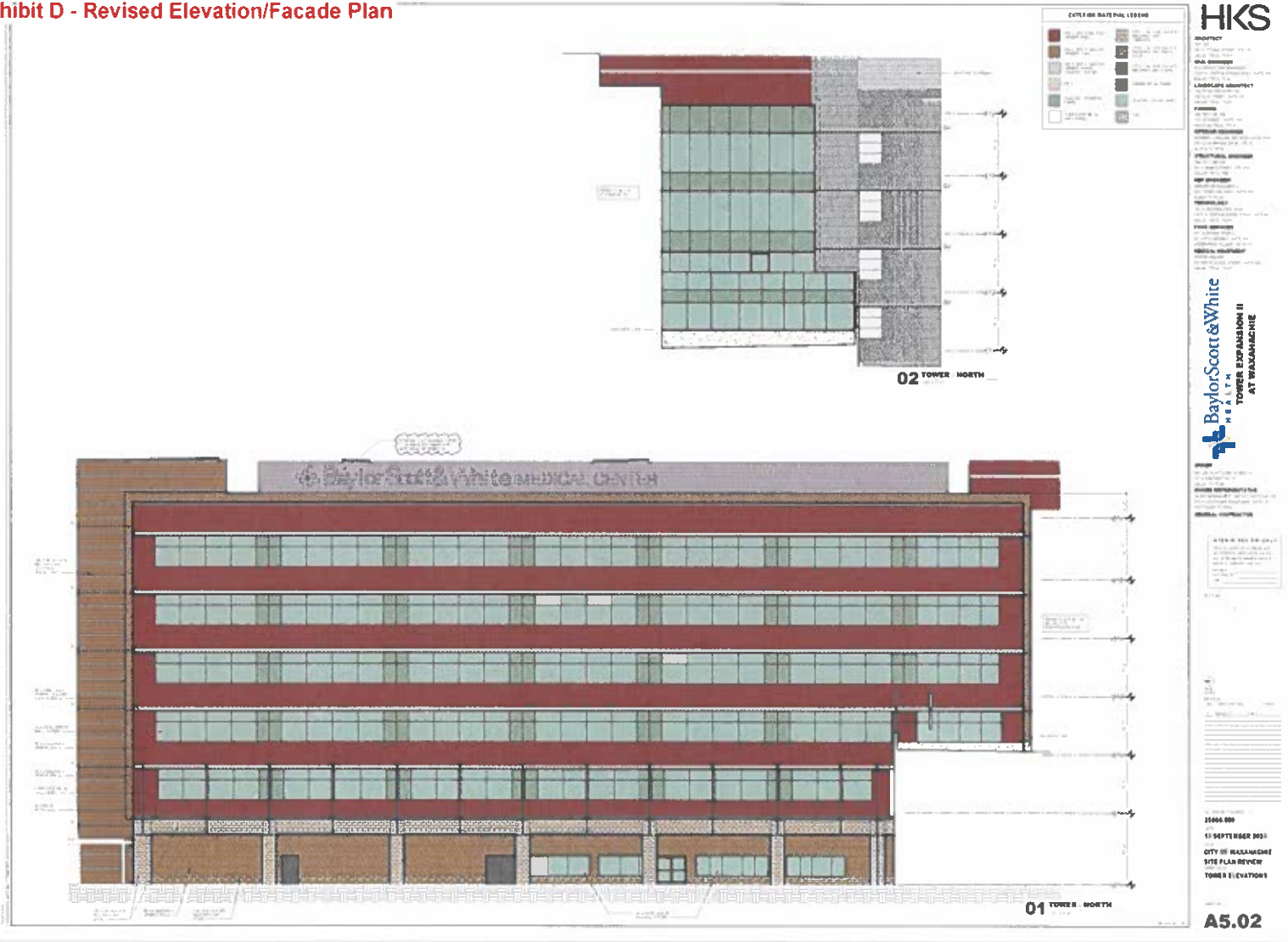
HKS

BaylorScott & White
A HEALTHCARE EXPANSION II
PROJECT AT WILKINSON

13 SEPTEMBER 2021
CITY OF WILKINSON
SITE PLAN REVIEW
OVERSIGHT
ELEVATIONS
A5.01

(14)

Exhibit D - Revised Elevation/Facade Plan



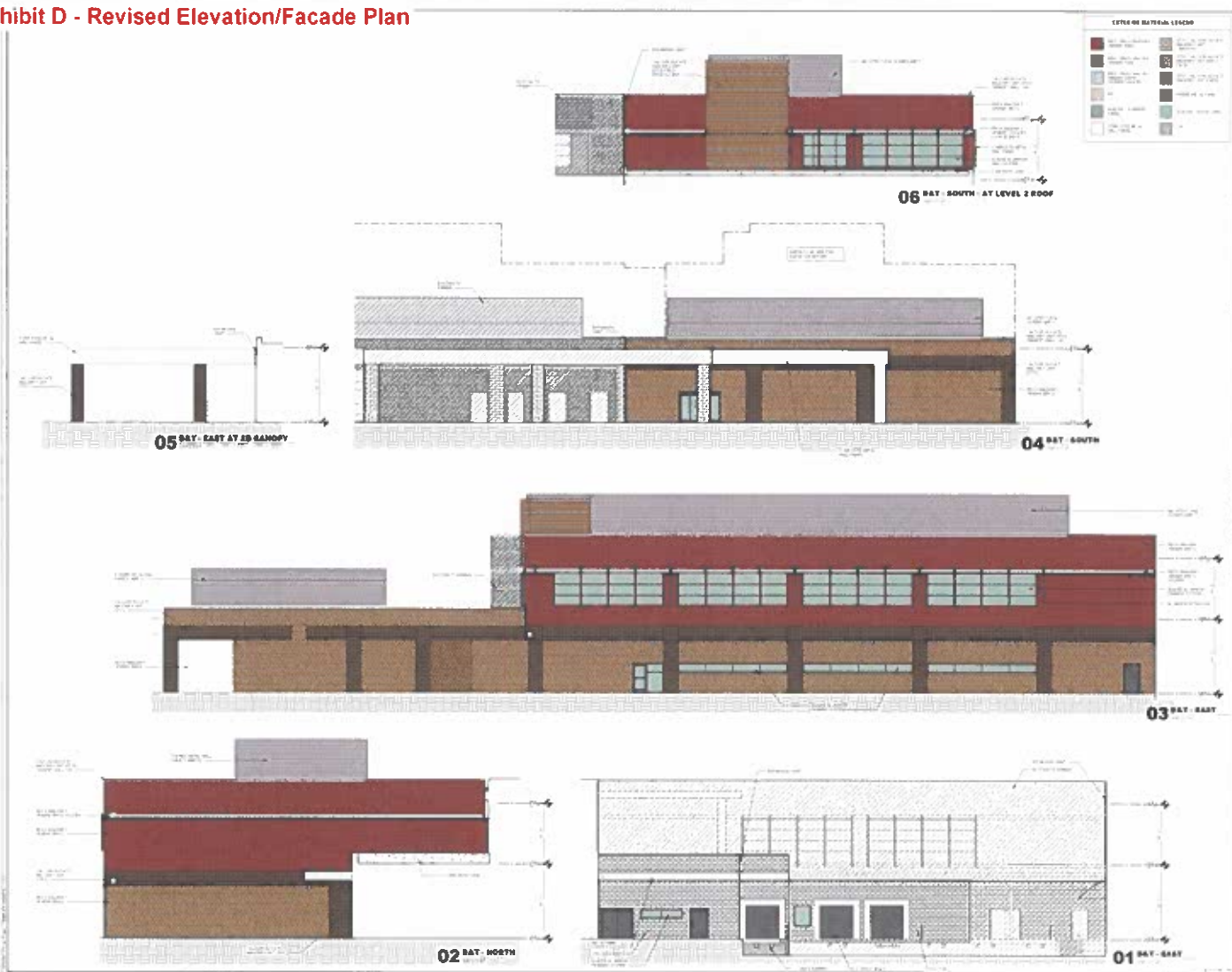
HKS

Baylor Scott & White
TOWER EXPANSION II
AT WALKANAGHIE

A5.02

(14)

Exhibit D - Revised Elevation/Facade Plan



HKS

ARCHITECT

2500 RAVENSWOOD DRIVE
SUITE 1000
DALLAS, TEXAS 75201
PH: 214.424.4000
WWW.HKS.COM

BaylorScott&White
A HCA COMPANY
POWER & TRANSPORTATION
AT WASHINGTON

2500 RAVENSWOOD DRIVE
SUITE 1000
DALLAS, TEXAS 75201
PH: 214.424.4000
WWW.HKS.COM

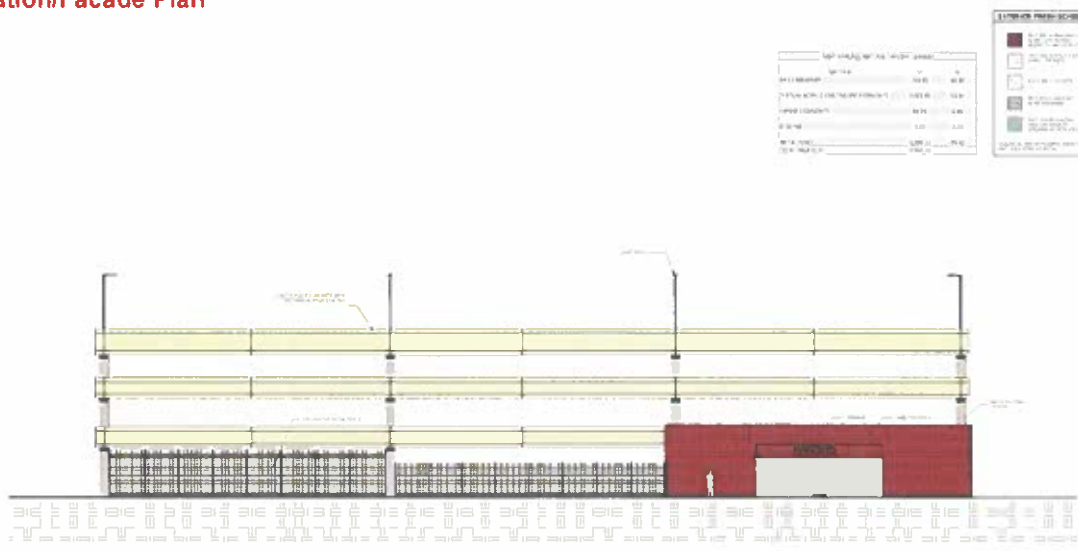
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13 SEPT 2008 202
CITY OF WASHINGTON
SITE PLAN REVIEW
BAY ELEVATIONS

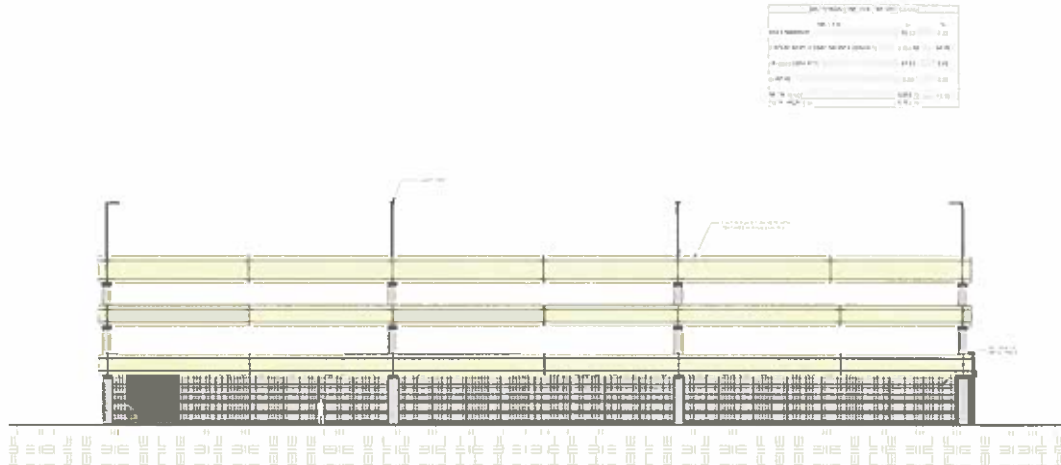
A5.04

(16)

Exhibit D - Revised Elevation/Facade Plan



02 GARAGE NORTH CITY PLAN SUBMISSION



01 GARAGE SOUTH CITY PLAN SUBMISSION

HKS

BaylorScott&White
HKS A E I T
GARAGE
AT WALKMACHINE

13 SEPTEMBER 2023
CITY OF DALLAS ONE
SITE PLAN REVIEW
EXTERIOR ELEVATIONS

A5.10

(16)

Exhibit D - Revised Elevation/Facade Plan

ELEVATION SYMBOLS

- Red brick
- Light yellow
- Dark yellow
- White
- Grey
- Green

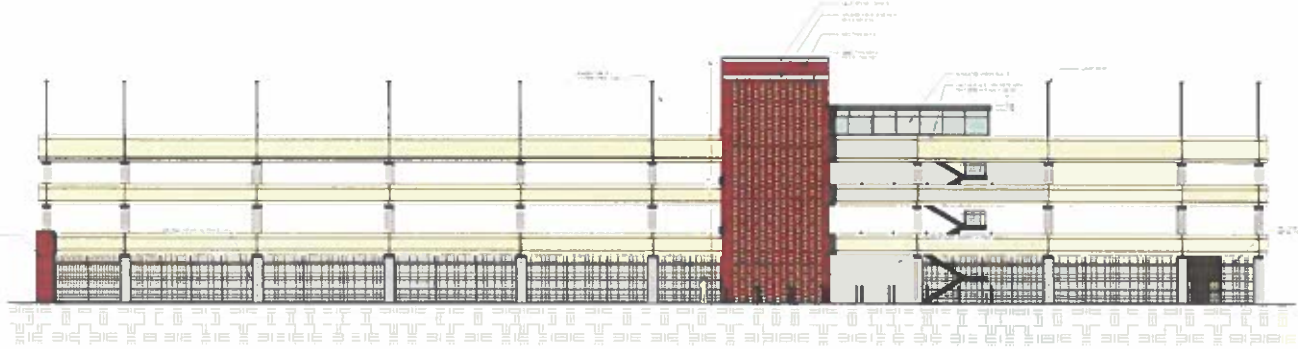
AREA SCHEDULE

Area	Area	Area
...

HKS

PROJECT
 2555A 000
 13 SEPTEMBER 2023
 CITY OF WAXAHACHIE
 SITE PLAN REVIEW
 EXTERIOR ELEVATIONS

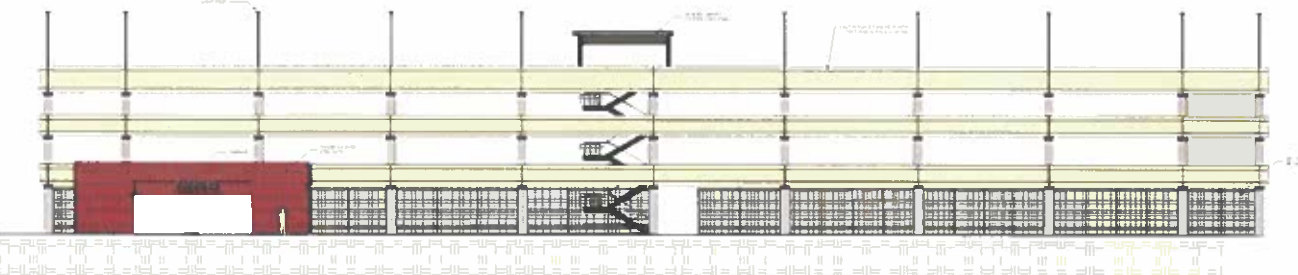
BaylorScott&White
 HEALTHCARE
 AT WAXAHACHIE



02 GARAGE WEST CITY PLAN SUBMISSION

AREA SCHEDULE

Area	Area	Area
...



01 GARAGE EAST CITY PLAN SUBMISSION

2555A 000
 13 SEPTEMBER 2023
 CITY OF WAXAHACHIE
 SITE PLAN REVIEW
 EXTERIOR ELEVATIONS

A5.11

(16)

Exhibit D - Revised Elevation/Facade Plan

HKS

PROJECT
2300A 501
10 OCTOBER 2021
CITY OF WAXAHACHIE
SITE PLAN REVIEW
OVERALL ROOF PLAN

ARCHITECT
HKS
10000 WEST ATWOOD DRIVE
DALLAS, TEXAS 75241
PH: 214.635.1000
WWW.HKS.COM

LANDSCAPE ARCHITECT
TERRACON
10000 WEST ATWOOD DRIVE
DALLAS, TEXAS 75241
PH: 214.635.1000
WWW.TERRACON.COM

ENGINEER
TERRACON
10000 WEST ATWOOD DRIVE
DALLAS, TEXAS 75241
PH: 214.635.1000
WWW.TERRACON.COM

MECHANICAL ENGINEER
TERRACON
10000 WEST ATWOOD DRIVE
DALLAS, TEXAS 75241
PH: 214.635.1000
WWW.TERRACON.COM

ELECTRICAL ENGINEER
TERRACON
10000 WEST ATWOOD DRIVE
DALLAS, TEXAS 75241
PH: 214.635.1000
WWW.TERRACON.COM

PLUMBING ENGINEER
TERRACON
10000 WEST ATWOOD DRIVE
DALLAS, TEXAS 75241
PH: 214.635.1000
WWW.TERRACON.COM

STRUCTURAL ENGINEER
TERRACON
10000 WEST ATWOOD DRIVE
DALLAS, TEXAS 75241
PH: 214.635.1000
WWW.TERRACON.COM

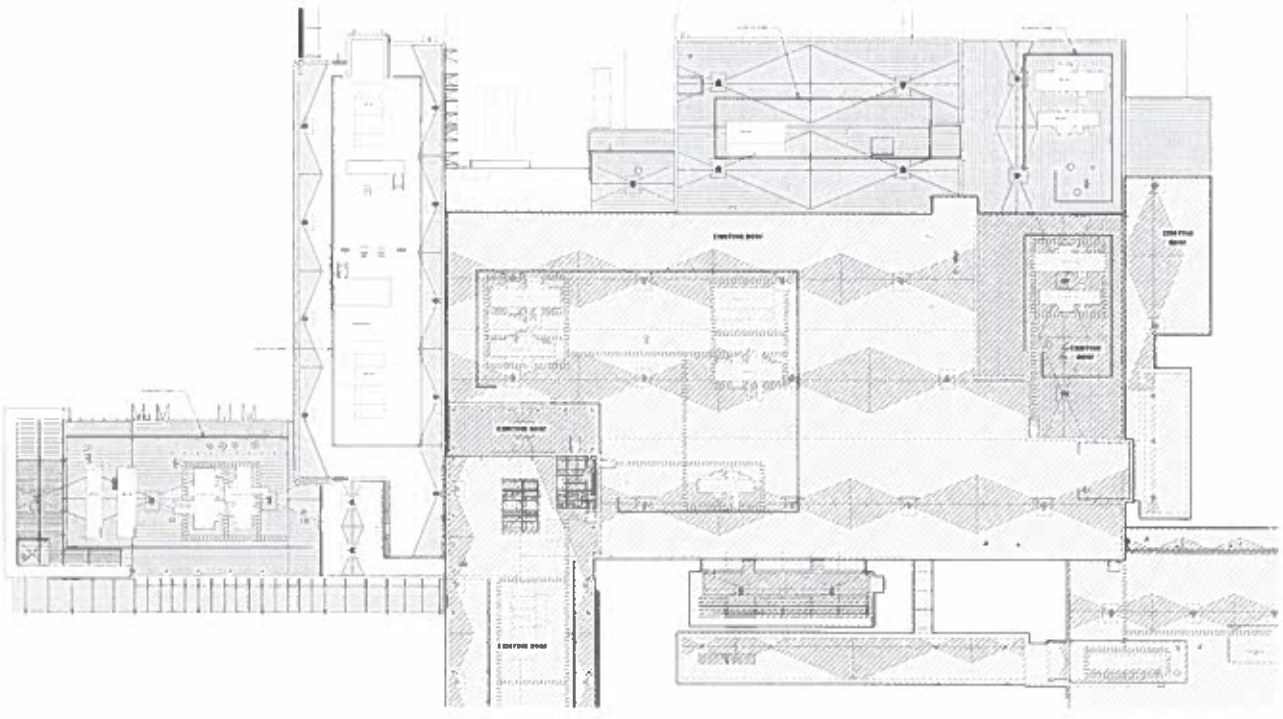
GENERAL CONTRACTOR
TERRACON
10000 WEST ATWOOD DRIVE
DALLAS, TEXAS 75241
PH: 214.635.1000
WWW.TERRACON.COM

BaylorScott & White
WALTON
TOWER EXPANSION II
AT WAXAHACHIE

DATE
2300A 501
10 OCTOBER 2021
CITY OF WAXAHACHIE
SITE PLAN REVIEW
OVERALL ROOF PLAN

2300A 501
10 OCTOBER 2021
CITY OF WAXAHACHIE
SITE PLAN REVIEW
OVERALL ROOF PLAN

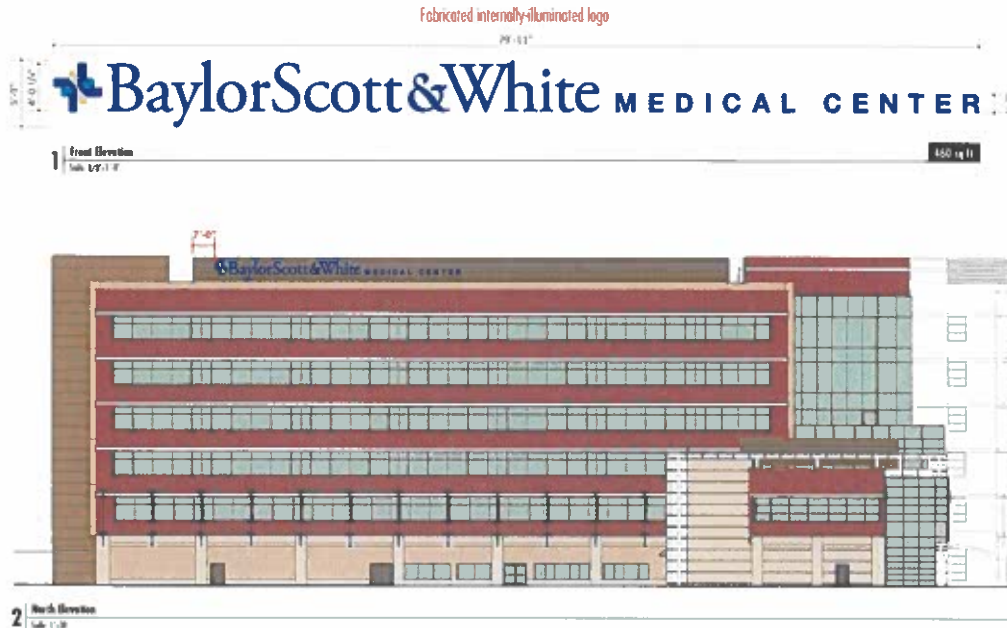
A2.80



01 OVERALL ROOF PLAN

(16)

Exhibit E - Signage Plan



Logo glows white at night



Babendure Design Group
 8140 Walnut Hill Ln #950
 Dallas, Texas 75231
 214.265.1990
 www.babendure.com

illuminated logo

BSW Waxahachie Medical Center

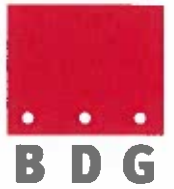
October 06, 2023

(16)

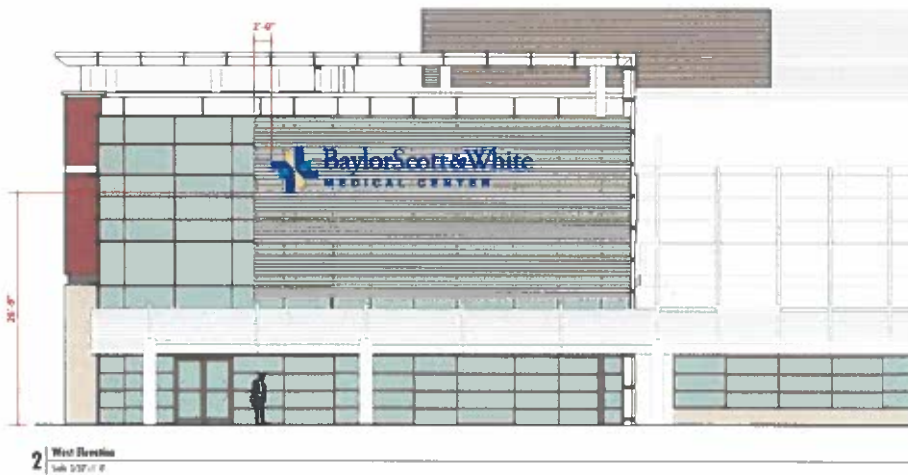
Exhibit E - Signage Plan



Size to match existing



Babendure Design Group
8140 Walnut Hill Ln. #950
Dallas, Texas 75231
214 265 1960
www.babendure.com



Non-Illuminated Logo

B&W Warachie Medical Center

October 06, 2023

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-55-2024

MEETING DATE(S)

Planning & Zoning Commission: June 11, 2024
City Council: June 17, 2024

CAPTION

Public Hearing on a request by Dorothea Russell, Russell Living Trust, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Single Family-3 (SF-3) zoning district located at 902 E Marvin Avenue (Property ID 282999) - Owner: Russell Living Trust (ZDC-55-2024)

RECOMMENDED MOTIONS

- "I move to deny ZDC-55-2024, a Specific Use Permit (SUP) for a Short-Term Rental use."
- "I move to approve ZDC-55-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on June 11, 2024, the Commission voted 7-0 to recommend approval of case number ZDC-55-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The applicant requests a Specific Use Permit for a Short-Term Rental use at 902 E Marvin Avenue.

CASE INFORMATION

Applicant:	Dorothea Russell, Russell Living Trust
Property Owner(s):	Russell Living Trust
Site Acreage:	0.2288 acres
Current Zoning:	Single Family-3 (SF-3)
Requested Zoning:	SF-3 with Specific Use Permit (SUP) for Short-Term Rental

SUBJECT PROPERTY

General Location: 902 E Marvin Avenue

Parcel ID Number(s): 282999

Existing Use: A single-family home currently occupies the subject property.

Development History: The subject property is currently platted as Lot 1 of the Russell Addition.

Adjoining Zoning & Uses:

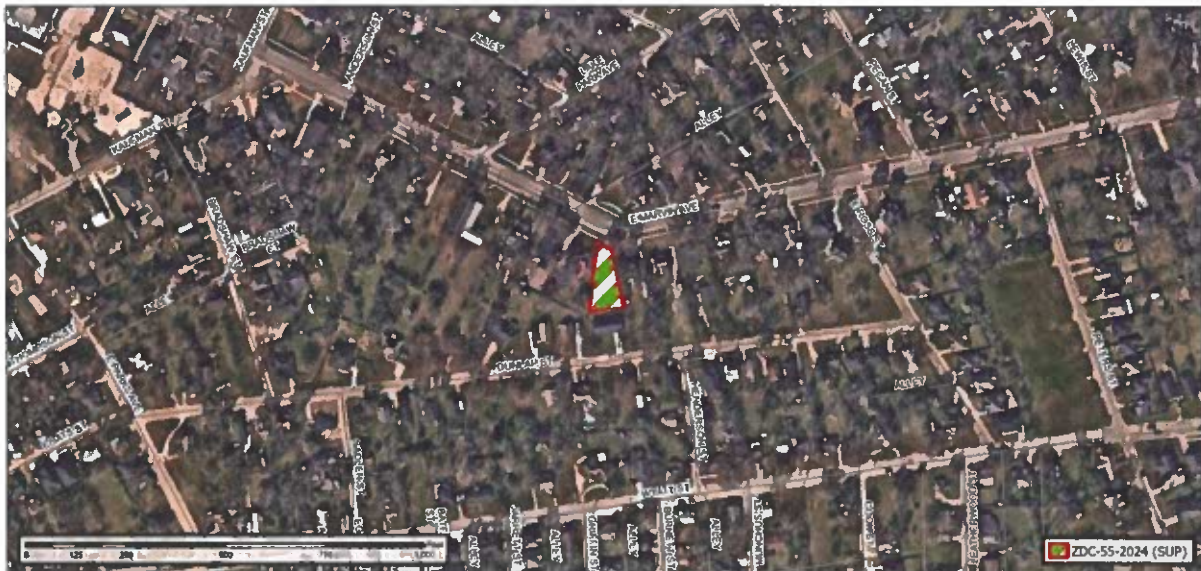
Direction	Zoning	Current Use
North	SF-3	Single Family Residence
East	SF-3	Single Family Residence
South	SF-3	Single Family Residence
West	SF-3	Single Family Residence

Future Land Use Plan: Mixed Use Neighborhood

Comprehensive Plan: A mixed-use neighborhood harkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near exclusive uses such as large multiplex apartments or retail centers with large land area being devoted to automobile parking do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this placetype, it is essential to make sure residential uses appropriately transition from one another based on the housing typology.

Thoroughfare Plan: The subject property is accessible via N College Street.

Site Image:



PLANNING ANALYSIS

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental in all zoning districts with an approved SUP with the exception of Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

The Applicant is requesting a SUP for a short-term rental use located at 902 E Marvin Avenue because it is located within the SF-3 zoning district. The subject property consists of a primary structure of approximately 1,505 square feet with three (3) bedrooms, situated on an approximately 0.2288-acre (9,966 square feet) lot. The applicant submitted this SUP Application in March of 2024. However, the application was not considered complete and eligible to proceed to the Planning & Zoning Commission and City Council until the application fee (\$500.00) was paid on May 9, 2024.

Notably, only a single bedroom in the home is available for a short-term rental lease. The property owner resides full-time in the remainder of the home. There is sufficient improved surface to accommodate for the maximum parking requirement of one (1) vehicle for short-term rental use. The existing driveway also provides sufficient space for the homeowner to park on-site while the STR is in use. The applicant has operated a short-term rental at this location since May of 2022. The applicant has satisfied all the requirements of Section 3.27 of the Zoning Ordinance. At the time of the publishing of this staff report, the City has received no complaints regarding any issues that are considered a nuisance.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

The applicant's local emergency contact is Dorothea Russell (928-459-3758), 902 E Marvin Avenue, Waxahachie, TX. 75165, dbrussell@juno.com, who resides on the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 75 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property.

At the time of the publishing of this staff report, a total of four (4) letters of support and two (2) letters of opposition were received by staff, with one (1) letter of support and zero (0) letters of opposition being inside the 200' buffer and the remainder outside of the 200' buffer.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

Conditions:

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of two (2) guests per stay.
4. The short-term rental operator shall provide a maximum of one (1) off-street parking space.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. SUP Ordinance
3. Location Map (Exhibit A)
4. Zoning Map (Exhibit B)
5. Floorplan (Exhibit C)
6. Site Plan (Exhibit D)
7. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:

Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

(17)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-55-2024



RECEIVED MAY 28 2024

LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Dorothea Russell, Russell Living Trust, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-3 (SF-3) zoning district located at 902 E Marvin Avenue (Property ID 282999) - Owner: Russell Living Trust (ZDC-55-2024) Staff: Zack King

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

Case Number: ZDC-55-2024

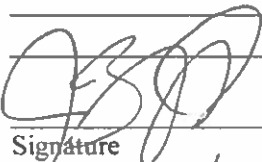
City Reference: 171472

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:



Signature

Brad Yates manager

Printed Name and Title

5/25/24

Date

204 Overlap

Address

(17)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-55-2024**



LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

RECEIVED MAY 28 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Dorothea Russell, Russell Living Trust, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-3 (SF-3) zoning district located at 902 E Marvin Avenue (Property ID 282999) - Owner: Russell Living Trust (ZDC-55-2024) Staff: Zack King

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

Case Number: **ZDC-55-2024**

City Reference: 175235

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Signature

Brad Yates manager

Printed Name and Title

5/25/24

Date

904 E. Ross

Address

(17)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-55-2024



LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

RECEIVED MAY 28 2024

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Case Number: ZDC-55-2024

City Reference: 171463

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Signature

Brad Yates manager

Printed Name and Title

5/28/24

Date

224 Dunlap

Address



(17)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-55-2024

SEXTON BRENDA TURNER
208 DUNLAP ST
WAXAHACHIE, TX 75165-3511

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-55-2024

City Reference: 171465

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *June 5, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Brenda L. Sexton
Signature

5-30-24
Date

Brenda L. Sexton
Printed Name and Title

208 Dunlap
Address



(17)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-55-2024

WARD SHEILA & LINCOLN P
915 E MARVIN AVE
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-55-2024

City Reference: 175327

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Signature

Date

6-3-24

Printed Name and Title

Lincoln P. WARD Owner

Address

915 E Marvin Ave

(17)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-55-2024



CARLOS SANTIAGO G
236 DUNLAP ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-55-2024

City Reference: 171440

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SUPPORT

OPPOSE

Comments:

They should be more open when people want to build something rather than having all these restrictions

Signature

Santiago Gonzalez

Date

05-22-24
236 Dunlap Waxahachie TX 75165

Printed Name and Title

Address

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A SINGLE FAMILY-3 (SF-3) ZONING DISTRICT, LOCATED AT 902 E MARVIN AVENUE, BEING PROPERTY ID 282999, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1 OF THE RUSSELL ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, the described property is classified in said ordinance and any amendments thereto as SF-3; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-55-2024. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from SF-3 to SF-3, with a SUP in order to permit a Short-Term Rental use on the following property: Lot 1 of the Russell Addition, which is shown on Exhibit A, in accordance with the Zoning Map attached as Exhibit B, the Floor Plan attached as Exhibit C, the Site Plan attached as Exhibit D, and the Host Rules attached as Exhibit E.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and the Zoning Ordinance.

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE IN A SINGLE FAMILY-3 (SF-3) ZONING DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall conform to the site plan approved by the City Council under case number ZDC-55-2024.
2. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Zoning Map, Exhibit C – Floor Plan, Exhibit D – Site Plan, and Exhibit E – Host Rules.
3. The STR Operator for the subject property shall be responsible for obtaining registration per the City’s applicable rules and regulations governing such permits.
4. The STR Operator for the subject property shall be responsible to pay hotel occupancy taxes as required per Section 3.27.e.7 of the City of Waxahachie Zoning Ordinance.
5. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits C, D, and E.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the owner and therefore shall not be transferred from owner to owner.
4. The owner and/or short-term rental operator shall renew registration on an annual basis of the amount in the Fee Schedule set forth by Ordinance 3415, or as amended.
5. The owner/short-term rental operator is subject to a maximum occupancy of two (2) guests per stay.
6. The short-term rental operator is subject to provide a maximum of one (1) off-street parking space.
7. The short-term rental operator must adhere to all regulations stated in Section 3.27 of the City’s Zoning Ordinance.

(18)

8. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this 17th day of June, 2024.

MAYOR

ATTEST:

City Secretary

(18)

Exhibit A - Location Map



Exhibit B - Zoning Map

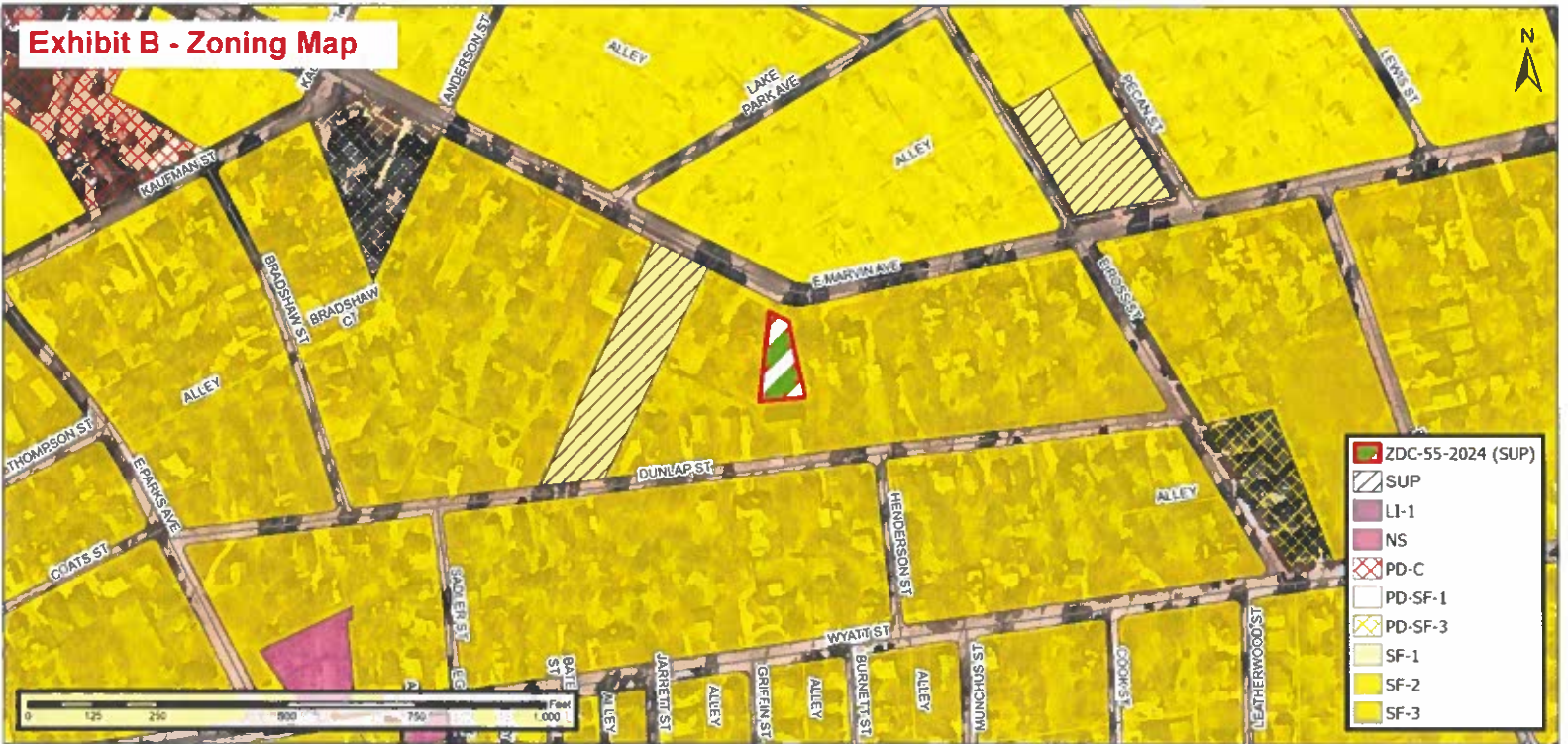
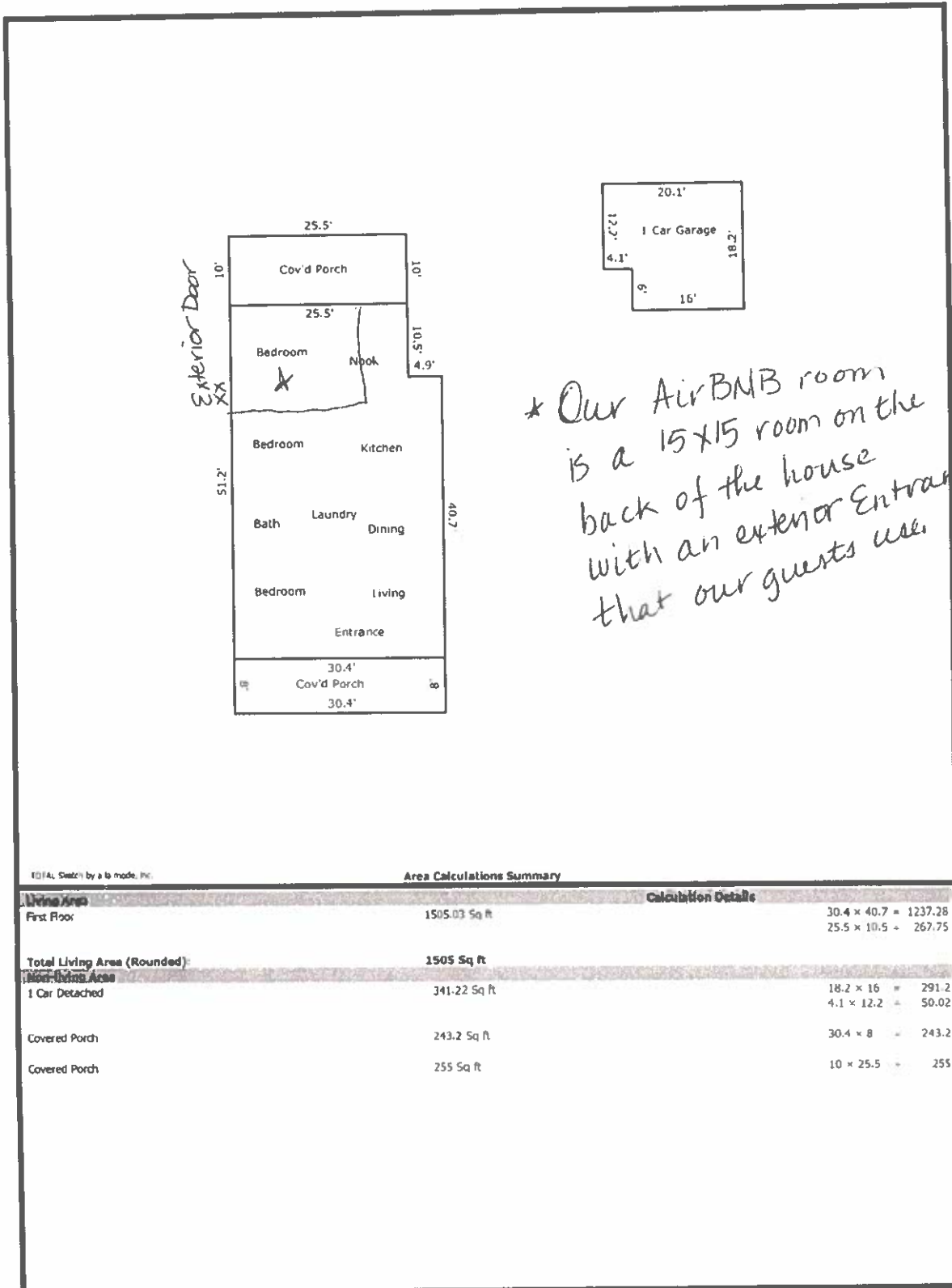


Exhibit C - Floor Plan

Building Sketch

(18)

Owner	COURTNEY & DELBERT EARL RUSSELL		
Property Address	902 E Marvin Ave	County	ELUS
City	Waxahatche	State	TX
Lender/Client	ASSEMBLIES OF GOD CREDIT UNION		
		Zip Code	75165



ETFAI, Sketch by a la mode, Inc.

Area Calculations Summary

Living Area		Calculation Details
First Floor	1505.03 Sq ft	$30.4 \times 40.7 = 1237.28$ $25.5 \times 10.5 = 267.75$
Total Living Area (Rounded)	1505 Sq ft	
1 Car Detached	341.22 Sq ft	$18.2 \times 16 = 291.2$ $4.1 \times 12.2 = 50.02$
Covered Porch	243.2 Sq ft	$30.4 \times 8 = 243.2$
Covered Porch	255 Sq ft	$10 \times 25.5 = 255$

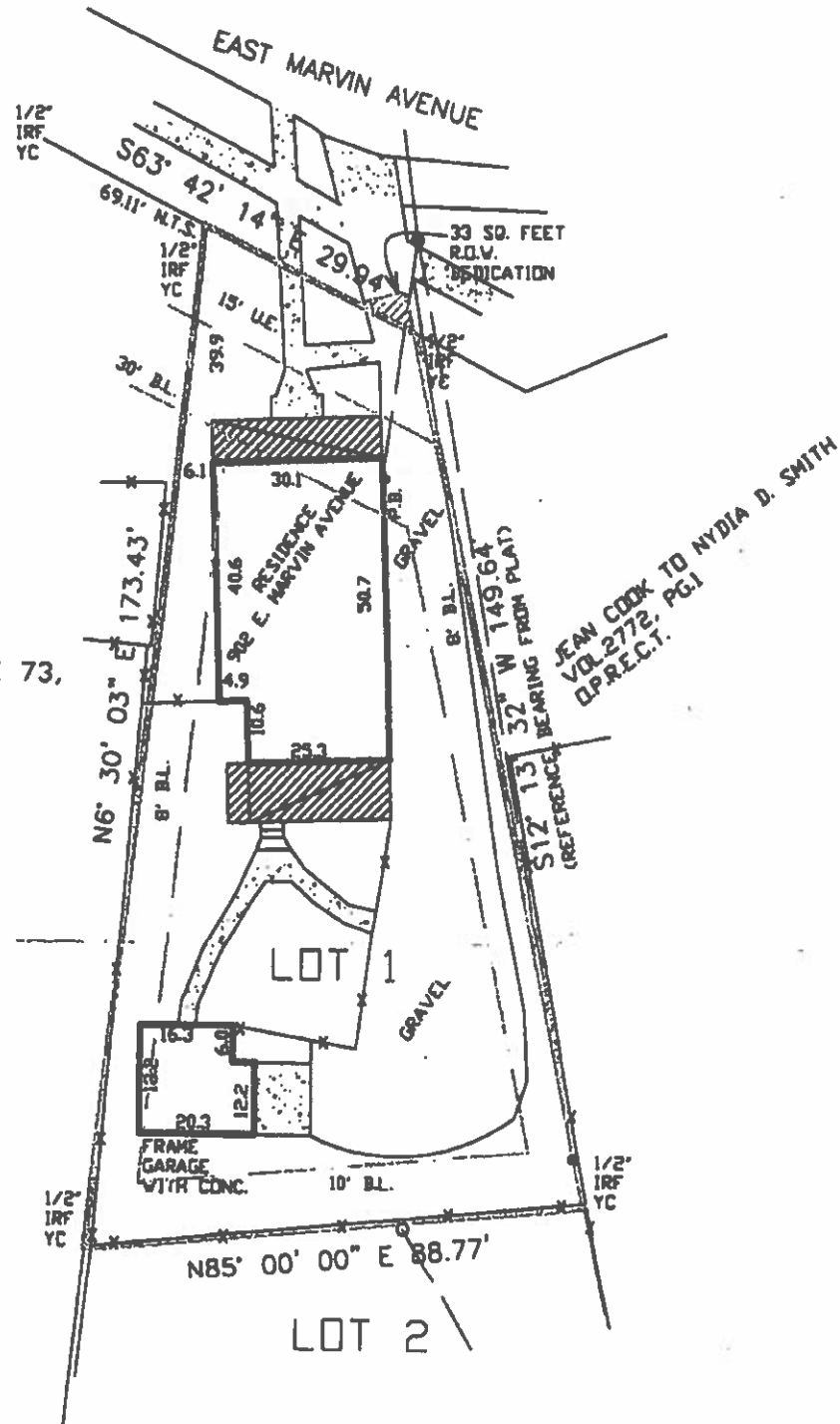
SURVEY PLAT

COPYRIGHT © DATE 2-14-2020

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND BEING KNOWN AND DESIGNATED AS LOT 1, RUSSELL ADDITION, A REPLAT OF BLOCK 206 TOWN ADDITION, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET K, SLIDE 33, PLAT RECORDS, ELLIS COUNTY, TEXAS.

(18)

LOT 1
TOWN ADDITION
CABINET F, SLIDE 73,
P.R.E.C.T.



LEGEND	
	POWER POLE
	WOOD DECK
	CONCRETE
	GRAVEL
	BRICK
	ASPHALT
	ROCK
	RAILROAD TIES
	COLUMN
	FENCE
	BUILDING LINE
	EASEMENT LINE
	IRF IRON ROD FOUND
	IRS IRON ROD SET
	P.W.L. POWER LINE
	P.B. POWER BOX
	R.O.W. RIGHT OF WAY

ACCEPTED BY: _____

NOTES



IMPORTANT INFORMATION

CONTACT INFORMATION: email through AirBNB account
Phone: 928-759-3758

In an emergency, just come knock on the front door. If you need help cleaning up a mess, please let us know right away. We'd rather help clean it up than it be left 'til you leave. There are bar towels in the kitchenette for small spills. If there are any bathroom issues, please let us know immediately!

CHECK IN 3 pm
CHECK OUT 11 am

QUIET TIME 10 pm-6am

Our NO list: no smoking and no pets. Pretty short but strictly enforced.



MAXIMUM GUESTS: 2 adults

WELCOME TO OUR VINTAGE 1914 Craftsman home. Oh, the stories she could tell! Yes, she does have a few creaky floorboards and a slight sag in a few places, but you would too, if you were 109 years old! We just ask that you enjoy her comfort and respect her age.

As is usual in vintage homes, the driveway is narrow. **Please park next to the house and porch rail (by the "PARK" sign).** You may use our short garage concrete pad as a turnaround so you can exit pointing towards the street. Much easier than trying to back out.

My husband leaves at 6 am for work and our grandson leaves at 7 am for school. Please do not block their white pickups. I don't want to have to come to the door that early to ask you to move your vehicle

A few items for your consideration

- A small supply of toiletries is in the top drawer of the bathroom chest if you forgot something. There is a blow dryer on the shelf in the bathroom along with a steamer for your clothes.
- For longer stays, fresh linens will be supplied. An extra blanket is in the dresser drawer.
- A circulating fan and a small heater are in the corner if you need them. Since this room does not have its own HVAC controls, please let us know if you are uncomfortable. We would rather err on the side of “cool” than “too hot!” for summer and opposite for the winter.
- We’ve tried to anticipate every kitchenette need, but if you can’t find something, just let us know.

ANIMALS

Please don't open our backyard gate. Buttercup, our Lab/Great Pyrenees "puppy" just turned two and she's 75+ pounds! Se is very sweet natured, loves head scratches and may give you a few dog-licks over the fence. However, she is still a puppy and quite rambunctious, so we don't want her knocking you down in her excitement. Also, please don't feed her anything as she has some food issues. She barks "hello", "sorry to see you go", and at the squirrels, birds, and the sirens! We do kennel her at night, so she won't bother your sleep!

We do have a small brood of laying hens - love those fresh eggs! You're welcome to observe them put please don't enter their space.

WHAT IN THE WORLD IS THERE TO DO IN WAXAHACHIE??

Lots of interesting architecture - historic neighborhoods
Historic courthouse that has self-guided tours
Vibrant downtown area - free parking garage on Jefferson St. between Jackson St. and Flat St.
Amphitheatre that hosts frequent concerts and movies
Great coffee shops, restaurants and shopping
Lots of biking/hiking trails, short and long ones available
Getzendaner Park and many other parks around the city
Disc golf course
Lake Waxahachie
LOTS of antique shops
Old fashioned bowling alley - Hilltop Bowling
ShowBiz theatre, video games and bowling lanes
The Munster Mansion - a replica of the house used in *The Munster's* 1960 sitcom. They also have a monthly dinner murder mystery.

Use this link to find the trails, parks and lots more to do -
<https://www.waxahachiecvb.com/businesses/things-to-see--do/sports--recreation>

Some of our favs (this is not a paid advertisement - we just frequent these businesses

Did you know?

▶ Waxahachie native, Robert Benton, wrote and directed **PLACES IN THE HEART**, starring Sally Field. Notice all the hearts throughout the city!

▶ Waxahachie is known as the Crepe Myrtle Capital. They're everywhere!

Recurring events in Waxahachie

April Vintage Market Days
 Crossroads of Texas Film Festival

June Gingerbread Tour of Homes

October Texas Country Reporter Festival
 Vintage Market Days

December Christmas Tour of Homes

The calendar on the wall has a lot of Waxahachie's events listed - check out the dates you're here.

ABOUT US

We have a somewhat different business model. We charge the same nightly fee for the room, even on busy local weekends. We do not charge a cleaning fee. We believe our guests want value for their dollars.

We do have discounts for 7 days or longer or 28 days or longer.

This is a family business. Our autistic grandson is in charge of the laundry. He washes all linens and towels in hot water with bleach so you are sure that everything has been disinfected. Our “doodling” granddaughter provided the line drawings for our guest book. This endeavor is our retirement. We’ve both worked our entire lives and retirement will be no different!

We do not have a guest book. We feel that our guests deserve their privacy.

We hope that your stay here is restful and that you enjoy our vintage 1914 Craftsman home as much as we do.

Many blessings --

**PLEASE PARK NEXT TO THE HOUSE AND
PORCH RAIL - BY THE 'PARK' SIGN.**

The two white pickups leave each morning
at 6 and 7 am for work & school. Please don't
block them in. Thanks.

SpectrumSetup-62

Urbanfamous617

(wifi info)

Contact info Dorothea 928-759-3758

(19)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-98-2024



MEETING DATE(S)

Planning & Zoning Commission: June 11, 2024

City Council: June 17, 2024

CAPTION

Public Hearing on a request by Katherine Lagomarsino, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single Family-2 (SF-2) zoning district located at 304 Oldham St (Property ID 170863) - Owner: Katherine Lagomarsino (ZDC-98-2024) Staff: Harper Lindamood

RECOMMENDED MOTION

- "I move to deny ZDC-98-2024, a Specific Use Permit (SUP) for Short-Term Rental use."
- "I move to approve ZDC-98-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on June 11, 2024, the Commission voted 7-0 to recommend approval of case number ZDC-99-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 304 Oldham St.

CASE INFORMATION

Applicant: Katherine Lagomarsino

Property Owner(s): Katherine Lagomarsino

Site Acreage: 0.29 acres

Current Zoning: Single Family-2 (SF-2)

Requested Zoning: SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location: 304 Oldham St

Parcel ID Number(s): 170863

Existing Use: A single-family residence occupies the subject property.

Development History: The subject property is platted as Lot 12, Block 42B of the Town addition.

Adjoining Zoning & Uses:

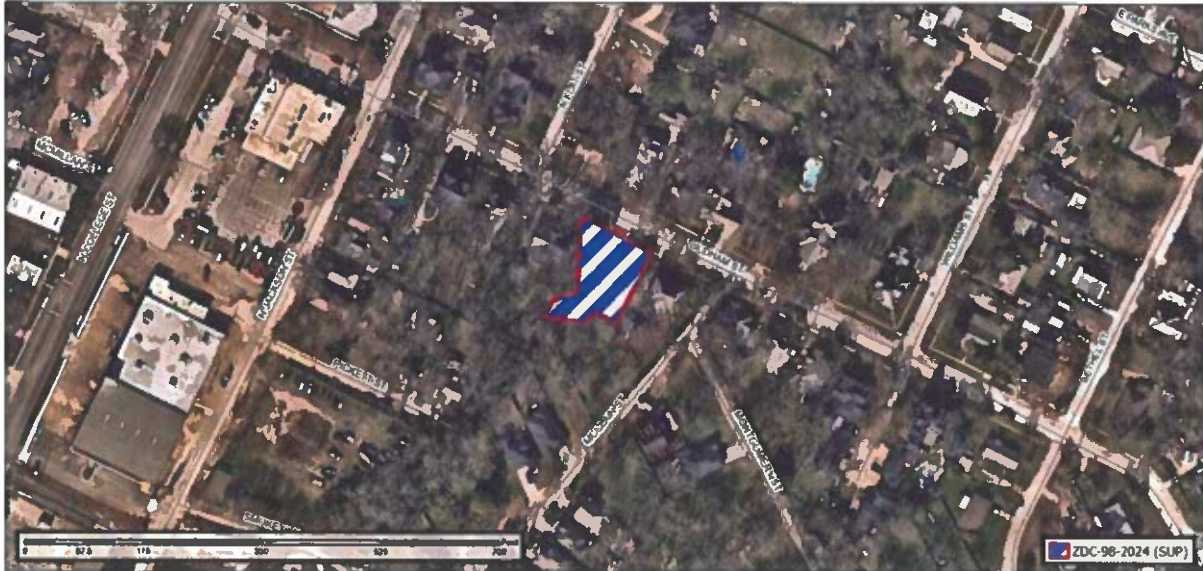
Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	SF-2	Single Family Residence

Future Land Use Plan: Downtown

Comprehensive Plan: Downtown Neighborhood District is intended to serve as a transition district between the Central Area (CA) and single-family residential zoning districts. The City's goal is to reduce the separation between residential areas and services. The principal permitted land uses include multiple-family and single-family attached dwellings, and central area, general retail, neighborhood services, and office uses. This District surrounds the Central Area district.

Thoroughfare Plan: The subject property is accessible via 304 Oldham St.

Site Image:



PLANNING ANALYSIS

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental in all zoning districts with an approved SUP, with the exception of the Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

Proposed Use:

The applicant requests a SUP for short-term rental use at 304 Oldham St. because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 2,501 square feet, built in 1895 with Three (3) bedrooms, (2.5) bathrooms and enough improved surface to accommodate for the maximum parking spaces of three (3) vehicles, situated on an approximately 0.29-acre (10,018 square feet) lot. The applicant submitted this SUP Application on May 10, 2024.

The applicant has been operating a short-term rental since 2018 and has not been paying local hotel occupancy taxes. The applicant has satisfied all the requirements of Section 3.27 of the Zoning Ordinance. At the time of publishing this staff report, the City has received no complaints regarding any issues.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

The applicant's local emergency contact is Katherine Lagomarsino (512)-659-7405, 1444 Greathouse Rd., Waxahachie, TX. 75167, Klagomarsino@yahoo.com, which is located 11.4 miles from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 85 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of one (1) letter of opposition was received by staff, with seven (7) Support letters, three (3) letters being inside the 200' buffer and the remainder outside of the 200' buffer.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

Conditions:

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of eight (8) guests per stay.
4. The short-term rental operator shall provide a maximum of three (3) off-street parking spaces.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. SUP Ordinance
3. Location Map (Exhibit A)
4. Zoning Map (Exhibit B)
5. Floorplan (Exhibit C)
6. Site Plan (Exhibit D)
7. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:

Harper Lindamood

Planner

Harper.lindamood@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

(19)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-98-2024**

DARMAR INVESTMENTS DARRELL JAMES PRESIDENT
706 N HWY 67
CEDAR HILL, TX 75104

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Katherine Lagomarsino, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 304 Oldham Avenue (Property ID 170863) - Owner: Katherine Lagomarsino (ZDC-98-2024) Staff: Harper Lindamood

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

Case Number: **ZDC-98-2024**

City Reference: 170778

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

Comments: SUPPORT

OPPOSE

Darrell James
Signature

24 May 2024
Date

Darrell James, owner
Printed Name and Title

297 Finley
Address

(19)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-98-2024

RECEIVED MAY 28 2024

HEINE LISA D
305 OLDHAM ST
WAXAHACHIE, TX 75165-3331

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-98-2024

City Reference: 170526

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

She has been very good at renting to the right people. I've lived here the whole time (2007) no problems.

Jay M. West
Signature

5/24/2024
Date

Jay M. West Resident
Printed Name and Title *Partial Owner*

305 Oldham St.
Address

Lisa Heine is my sister.

(19)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-98-2024**

RECEIVED MAY 28 2024

LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: **ZDC-98-2024**

City Reference: 170653

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Signature

Brad Yates manager
Printed Name and Title

5/25/24

Date

406 N. Jackson
Address

(19)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-98-2024**



LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

RECEIVED MAY 28 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: **ZDC-98-2024**

City Reference: 170614

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Signature

Brad Yates
Printed Name and Title

Date

5/25/24

Address

300 E. Parkes

(19)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-98-2024



RECEIVED MAY 28 2024

LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

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Case Number: ZDC-98-2024


City Reference: 170635

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:



Signature

Brad Yates manager
Printed Name and Title

5/25/24
Date

311 N. Flat
Address

(19)

Case Number: ZDC-98-2024

City Reference: 170794

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *June 5, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

RECEIVED MAY 31 2024

Comments:

See attachment

Jimmy K. Cox
Signature

June 3, 2024
Date

Jimmy K. Cox owner
Printed Name and Title

408 Oldham st.
Address

(19)

Case Number ZDC-98-2024 City Ref. 170794

Oldham street in Waxahachie is zoned a historical street in downtown historical boundary. Short term rental property does not conform to the other historical homes in the area but only deteriorates their value. Parking at 304 Oldham is very limited (2 spaces) and then overflows to the street. So for parties with 10 or more persons attending, street is very congested and dangerous. Oldham street now is a very busy street because of post office traffic and thoroughfare to east Waxahachie.

(19)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-98-2024**



KINSALA ROBERT D & VANESSA S
401 OLDHAM ST
WAXAHACHIE, TX 75165

RECEIVED JUN 0 3 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: **ZDC-98-2024**

City Reference: 170532

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Vanessa Kinsala
Signature

5-25-24
Date

Vanessa Kinsala
Printed Name and Title

401 Oldham St.
Address

(19)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-98-2024

PIERCE MICHAEL D
308 OLDHAM ST
WAXAHACHIE, TX 75165-3332

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Case Number: ZDC-98-2024

City Reference: 170801

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on June 5, 2024 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

I LIVE RIGHT NEXT DOOR. STR HAS BEEN OPERATING FOR SEVERAL YEARS. HAVE NEVER HAD A PROBLEM

Michael D Pierce
Signature

6-3-2024
Date

MICHAEL D PIERCE
Printed Name and Title

308 OLDHAM ST
Address

(20)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A SINGLE FAMILY 2 (SF-2) ZONING DISTRICT, LOCATED AT 304 OLDHAM STREET, BEING PROPERTY ID 170863 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 12, BLOCK 42B OF THE TOWN ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, the described property is classified in said ordinance and any amendments thereto as SF-2; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-98-2024. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from SF-2 to SF-2 with a SUP in order to permit a Short-Term use on the following property: Lot 12, Block 42B of the Town Addition, which is shown on Exhibit A, in accordance with the Zoning Map attached as Exhibit B, the Floor Plan attached as Exhibit C, the Site Plan attached as Exhibit D, and the Host Rules attached as Exhibit E.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and the Zoning Ordinance.

(20)

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE IN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall conform to the site plan approved by the City Council under case number ZDC-98-2024.
2. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Zoning Map, Exhibit C – Floor Plan, Exhibit D – Site Plan, and Exhibit E – Host Rules.
3. The STR Operator for the subject property shall be responsible for obtaining registration per the City’s applicable rules and regulations governing such permits.
4. The STR Operator for the subject property shall be responsible to pay hotel occupancy taxes as required per Section 3.27.e.7 of the City of Waxahachie Zoning Ordinance.
5. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits C, D, and E.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the owner and therefore shall not be transferred from owner to owner.
4. The owner and/or short-term rental operator shall renew registration on an annual basis of the amount in the Fee Schedule set forth by Ordinance 3415, or as amended.
5. The owner/short-term rental operator is subject to a maximum occupancy of eight (8) guests per stay.
6. The short-term rental operator is subject to provide a maximum of three (3) off-street parking spaces.
7. The short-term rental operator must adhere to all regulations stated in Section 3.27 of the City’s Zoning Ordinance.

(26)

8. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this 17th day of June, 2024.

MAYOR

ATTEST:

City Secretary

Exhibit A - Location Map



Exhibit B - Zoning Map

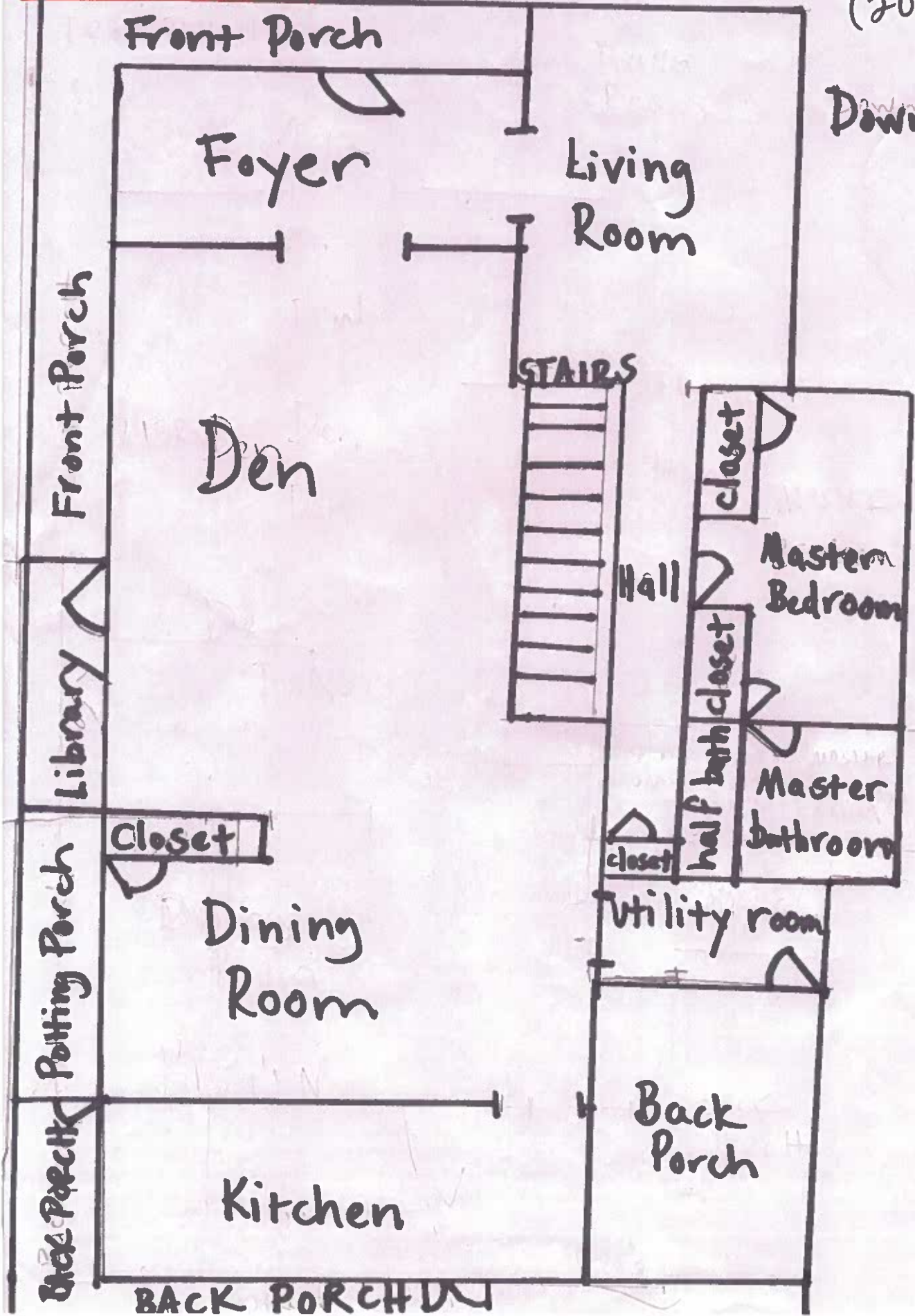


304 Oldham St. Waxahachie, TX 75165

Exhibit C - Floor Plan

(2b)

Downstairs



Front Porch

Front Porch

Foyer

Living Room

Den

STAIRS

Hall

closet

Master Bedroom

half bath closet

Master Bathroom

closet

Utility room

Closet

Dining Room

Back Porch

Kitchen

Potting Porch

Library

BACK PORCH

(20)

Upstairs
304 Oldham St.

Playroom

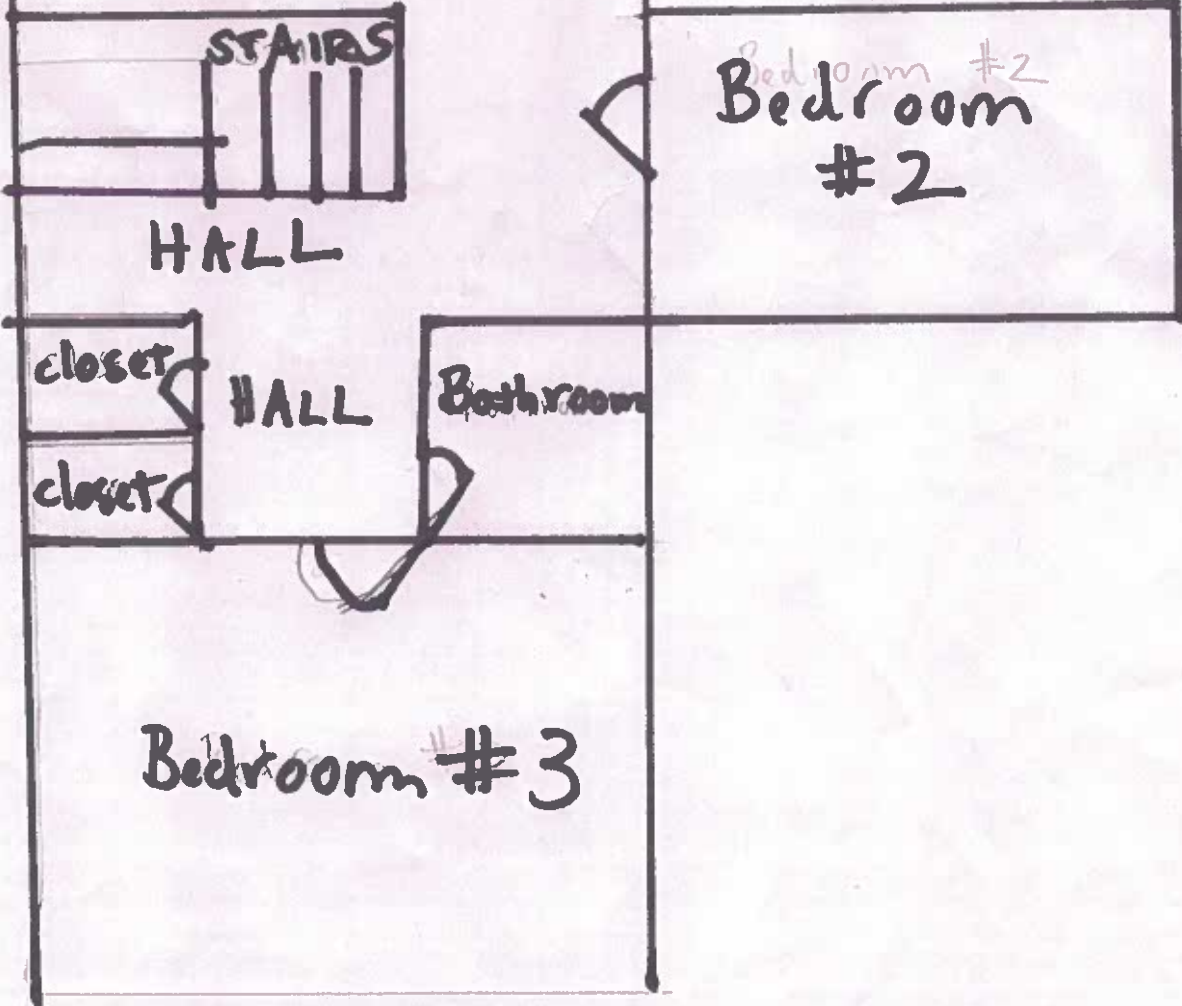
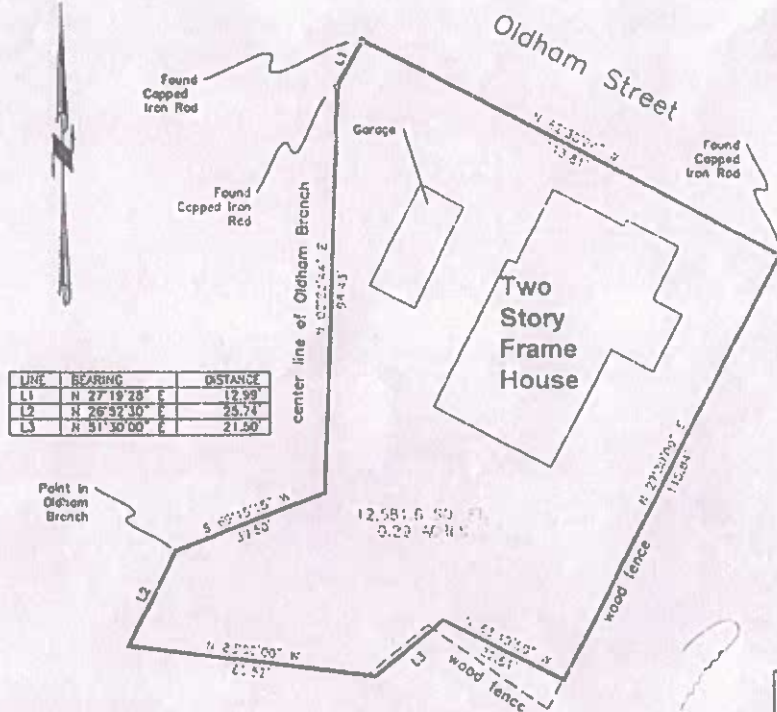
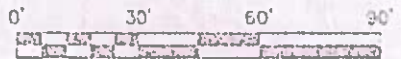


Exhibit D - Site Plan



LINE	BEARING	DISTANCE
L1	N 27°19'28" E	12.99'
L2	N 26°32'30" E	25.74'
L3	N 31°30'00" E	21.50'

Map showing survey of a .29 acre tract of land in Block 42B of the City of Waxahachie, Ellis County, Texas.



Surveyors Certification:

I, Albert E. Hall, hereby certify that this survey was made on the ground under my supervision and correctly shows the boundary lines and dimensions of the land indicated hereon. March 2009.

[Signature]
 Albert E. Hall
 Registered Professional Land Surveyor
 #377

[Handwritten notes and signatures]
 10/1/09
 R. L. L. L.

J & H Surveying		
DRAWN jmj	DATE 03/16/08	P. O. Box 770 Waxahachie, Texas 76693 Phn 817-229-5368
APPROVED	DATE	
SCALE 1" = 30'	SHEET 1 of 1	PROJECT NO. 304 Oldham St.

Rules and policies

[Cancellation policy](#) [Check in & out times](#) [House rules](#) [Rental agreement](#) [Booking type](#)

Maximum overnight guests

Enter the total number of guests that you'll allow to sleep at your property.

Max overnight guests
4

Max adults (optional)

 Additional note for guests

Does the primary renter need to meet a minimum age requirement?

Yes, the primary renter needs to meet a minimum age requirement.

Age
24

No, the primary renter does not need to meet a minimum age requirement.

 Additional note for guests

Are events allowed?

Yes, events are allowed.

No, events are not allowed.

Exhibit E - Host Rules

Rules and policies

(20)

Are pets allowed?

- Yes, pets are allowed.
- No, pets are not allowed.

Are children allowed?

- Yes, children are allowed.

Which ages are allowed?

- 0 - 2 years
- 3 - 12 years
- 13 - 17 years

- No, children are not allowed.

 Additional note for guests



Is smoking allowed?

- Yes, smoking is allowed.
- No, smoking is not allowed.

Custom rules

Use up to three custom rules to let guests know of any other do's and don'ts when booking your property.

Rule 1 (optional)

Delete

Exhibit E - Host Rules

Rules and policies

(20)

No parties and no pets. The house is in a quiet neighborhood. Please keep noise to a minimum after 10 pm.

150 character maximum

44

+ Add a custom house rule

Save

(21)

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-99-2024

MEETING DATE(S)

Planning & Zoning Commission: June 11, 2024

City Council: June 17, 2024

CAPTION

Public Hearing on a request by Katherine Lagomarsino, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single Family-2 (SF-2) zoning district located at 1500 Ferris Ave. (Property ID 173413) - Owner: Katherine Lagomarsino (ZDC-99-2024) Staff: Harper Lindamood

RECOMMENDED MOTION

- "I move to deny ZDC-99-2024, a Specific Use Permit (SUP) for Short-Term Rental use."
- "I move to approve ZDC-99-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on June 11, 2024, the Commission voted 7-0 to recommend approval of case number ZDC-99-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 1500 Ferris Ave.

CASE INFORMATION

Applicant: Katherine Lagomarsino

Property Owner(s): Katherine Lagomarsino

Site Acreage: 0.22 acres

Current Zoning: Single Family-2 (SF-2)

Requested Zoning: SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location: 1500 Ferris Ave.

Parcel ID Number(s): 173413

Existing Use: A single-family residence occupies the subject property.

Development History:

The subject property is platted as Lot 150A and 151A of the Ferris Second Revision.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	SF-2	Single Family Residence

Future Land Use Plan:

Local commercial & Mixed-Use Neighborhood

Comprehensive Plan:

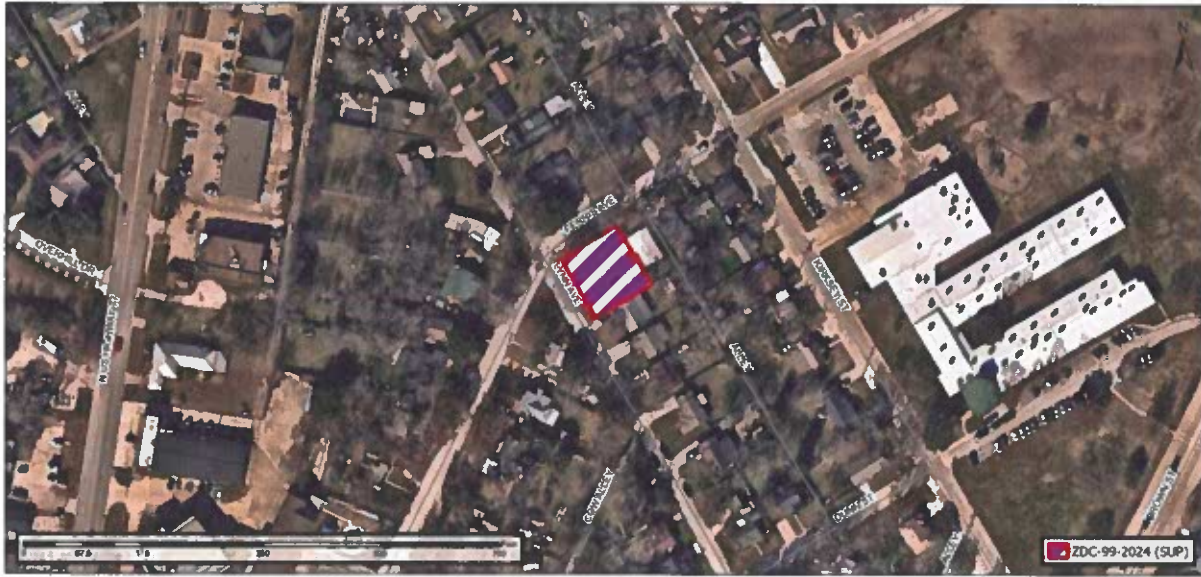
The local commercial placetype includes areas for restaurants, shops, grocery stores, offices, and personal service establishments. This placetype was incorporated to preserve the City's commercial corridors. Where appropriate, local commercial uses should be located at the intersection or frontage of major thoroughfares (60 feet or greater). The intensity of this placetype falls between neighborhood scale commercial and regional commercial. Local commercial will consist of a single or cluster of standalone office, retail or commercial buildings with an anchor. Local commercial uses should be interconnected with sidewalks to increase walkability. In addition, a shared open space comprised of a plaza or park is encouraged for multi-pad site developments.

A mixed-use neighborhood hearkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near exclusive uses such as large multiplex apartments or retail centers with large land area being devoted to automobile parking do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this place type, it is essential to make sure residential uses appropriately transition from one another based on the housing typology

Thoroughfare Plan:

The subject property is accessible via 1500 Ferris Ave.

Site Image:



PLANNING ANALYSIS

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental in all zoning districts with an approved SUP, with the exception of the Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

The applicant requests a SUP for short-term rental use at 1500 Ferris Avenue because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,730 square feet, built in 1950 with two (2) bedrooms, (1) bathroom and enough improved surface to accommodate for the maximum parking spaces of two (2) vehicles, situated on an approximately 0.22-acre (9,539 square feet) lot. The applicant has been operating a short-term rental since November 2022. The applicant submitted this SUP Application on May 10, 2024. Has not been paying local hotel occupancy taxes. The applicant has satisfied all the requirements of Section 3.27 of the Zoning Ordinance. At the time of publishing this staff report, the City has received no complaints regarding any issues.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

The applicant's local emergency contact is Katherine Lagomarsino (512)-659-7405, 1444 Greathouse Road, Waxahachie, TX. 75167, Klagomarsino@yahoo.com, which is located 12.2 miles from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 77 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of four (4) letters of opposition were received by staff, with four letters of support, (2) letters being inside the 200' buffer and the remainder outside of the 200' buffer.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

Conditions:

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of six (6) guests per stay.
4. The short-term rental operator shall provide a maximum of two (2) off-street parking spaces.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. SUP Ordinance
3. Location Map (Exhibit A)
4. Zoning Map (Exhibit B)
5. Floorplan (Exhibit C)
6. Site Plan (Exhibit D)
7. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:

Harper Lindamood
Planner

Harper.lindamood@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning

jennifer.pruitt@waxahachie.com

(21)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-99-2024

AUTREY & HOWARD REAL ESTATE HOLDINGS LLC
200 S ELM ST
WAXAHACHIE, TX 75165-3606

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Katherine Lagomarsino, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 1500 Ferris Avenue (Property ID 173413) - Owner: Katherine Lagomarsino (ZDC-99-2024) Staff: Harper Lindamood

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

Case Number: ZDC-99-2024

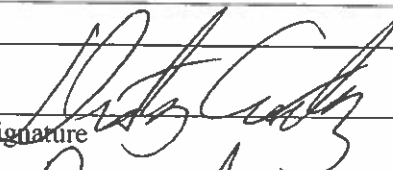
City Reference: 239569

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:



Printed Name and Title
Ryan Autrey, owner

Date
5-24-24

Address
1408 Ferris Ave Wax TX
75165



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-99-2024

(21)

GORDON PAIGE F
1411 FERRIS AVE
WAXAHACHIE, TX 75165-1863

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-99-2024

City Reference: 239568

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on June 5, 2024 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

This home has been a short-term rental for a while now with ZERO issues

Paige Gordon
Signature

5/24/2024
Date

Paige Gordon
Printed Name and Title

1411 Ferris Ave
Address
Waxa 75165



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-99-2024

OWENS JAMES R & LYNDA J L/E OWENS JAMES & LYNDA REVOCABLE TRUST
1603 FERRIS AVE
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Katherine Lagomarsino, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 1500 Ferris Avenue (Property ID 173413) - Owner: Katherine Lagomarsino (ZDC-99-2024) Staff: Harper Lindamood

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Case Number: ZDC-99-2024

City Reference: 172006

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

1) We oppose noisy parties like those at a STR near Lake Waxahachie;
2) Nowhere to park extra vehicles - should not use school parking lot - there are already cars parked on the street in that area; 3) one block from Northside Elementary School; 4) house in that block was the site of a murder/suicide a few years ago

Signature of a member of the family

Date 5-25-24

Jim & Joyce Owens
Printed Name and Title

1603 Ferris Ave
Address Waxahachie

James R. Owens
Lynda Joyce Owens

P.S. We already have noise from loud vehicles on our very busy street - early morning and late evening.

We would attend the hearing but we will be out of town that week.

(21)

Case Number: ZDC-99-2024

City Reference: 173404

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *June 5, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

RECEIVED MAY 31 2024

Comments:

See attachment

Jimmy K. Cox
Signature

June 3, 2024
Date

Jimmy K. Cox
Printed Name and Title

408 Oldham St.
Address
owner 1502 Ferris

(21)

Case Number ZDC-99-2024

City Ref. 173404

From 1500 Ferris Ave. to be designated Short Term Rental is not advantageous to the area, Northside elementary is just one block away. Any activity at this home only adds to vehicle congestion and safety concerns to our school children. This street is very vehicle active at school starts and closing. Parking is very limited only in driveway as Ferris Ave and Lynn streets remain open for vehicle movement.

(21)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-99-2024

BSD & M PROPERTIES LLC
133 OLD BRIDGE RD
WAXAHACHIE, TX 75165

RECEIVED MAY 31 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-99-2024

City Reference: 173411

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

I don't want this type of "business" activity in a "Residential" Area/Setting

Howard Koch
Signature

5/25/24
Date

Howard Koch
Printed Name and Title

133 Old Bridge Rd (Homestead)
Address

MANAGING Manager / OWNER LLC.

212 Lyman St. (Affected Address)

(21)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-99-2024



KOCH HOWARD & JACKIE SPINGER-KOCH
133 OLD BRIDGE RD
WAXAHACHIE, TX 75165

RECEIVED MAY 31 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-99-2024

City Reference: 173409

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

- RISK OF UNRuly Guests etc -
- Keep/maintain family Atmosphere

5/25/24

Signature

Date

Printed Name and Title

Address

HOWARD KOCH (OWNER)
CO-OWNER

133 Old Bridge Rd. (Home)
208 LYNN ST. (Affected Address)

(21)

Case Number: ZDC-99-2024

City Reference: 173435

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *June 5, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

RECEIVED MAY 31 2024

Comments:

Signature

Ms. Barbara Barcus
Printed Name and Title

May 29, 2024
Date

1415 Ferris Avenue
Address

(21)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-99-2024



HILLER ROBERT
207 CATAWBA RD
WAXAHACHIE, TX 75165-6423

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-99-2024

City Reference: 173497

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Signature

6/3/2024

Date

Robert Hiller

Printed Name and Title

201 Kirksey St.

Address

(22)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A SINGLE FAMILY 2 (SF-2) ZONING DISTRICT, LOCATED AT 1500 FERRIS AVENUE, BEING PROPERTY ID 173413 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 150A AND 151A OF THE FERRIS SECOND REVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, the described property is classified in said ordinance and any amendments thereto as SF-2; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-99-2024. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from SF-2 to SF-2 with a SUP in order to permit a Short-Term use on the following property: Lot 150A and 151A of the Ferris Second Revision, which is shown on Exhibit A, in accordance with the Zoning Map attached as Exhibit B, the Floor Plan attached as Exhibit C, the Site Plan attached as Exhibit D, and the Host Rules attached as Exhibit E.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and the Zoning Ordinance.

Specific Use Permit

(22)

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE IN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall conform to the site plan approved by the City Council under case number ZDC-99-2024.
2. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Zoning Map, Exhibit C – Floor Plan, Exhibit D – Site Plan, and Exhibit E – Host Rules.
3. The STR Operator for the subject property shall be responsible for obtaining registration per the City’s applicable rules and regulations governing such permits.
4. The STR Operator for the subject property shall be responsible to pay hotel occupancy taxes as required per Section 3.27.e.7 of the City of Waxahachie Zoning Ordinance.
5. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits C, D, and E.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the owner and therefore shall not be transferred from owner to owner.
4. The owner and/or short-term rental operator shall renew registration on an annual basis of the amount in the Fee Schedule set forth by Ordinance 3415, or as amended.
5. The owner/short-term rental operator is subject to a maximum occupancy of six (6) guests per stay.
6. The short-term rental operator is subject to provide a maximum of three (3) off-street parking spaces.
7. The short-term rental operator must adhere to all regulations stated in Section 3.27 of the City’s Zoning Ordinance.
8. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its

(22)

number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this 17th day of June, 2024.

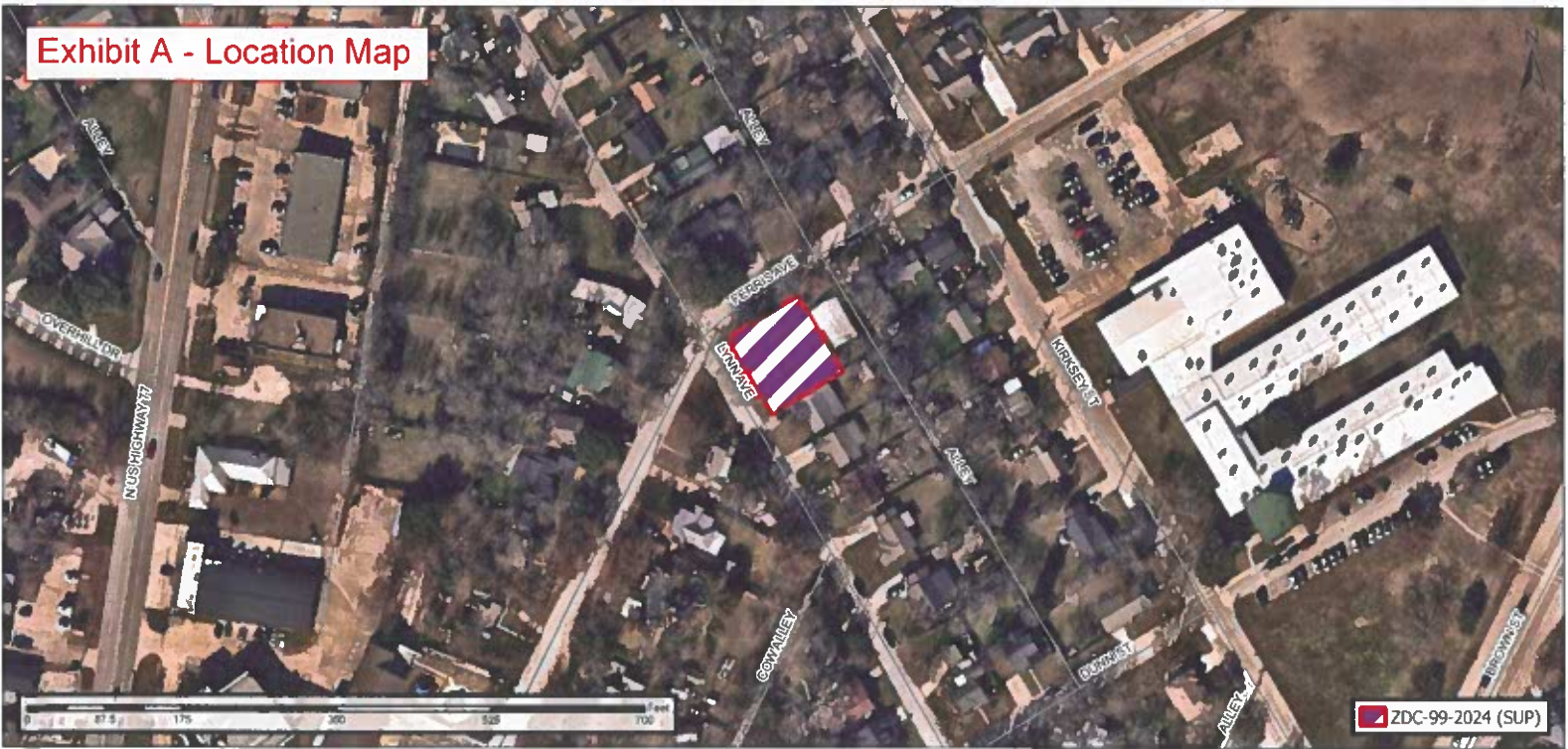
MAYOR

ATTEST:

City Secretary

(22)

Exhibit A - Location Map



(22)

Exhibit B - Zoning Map

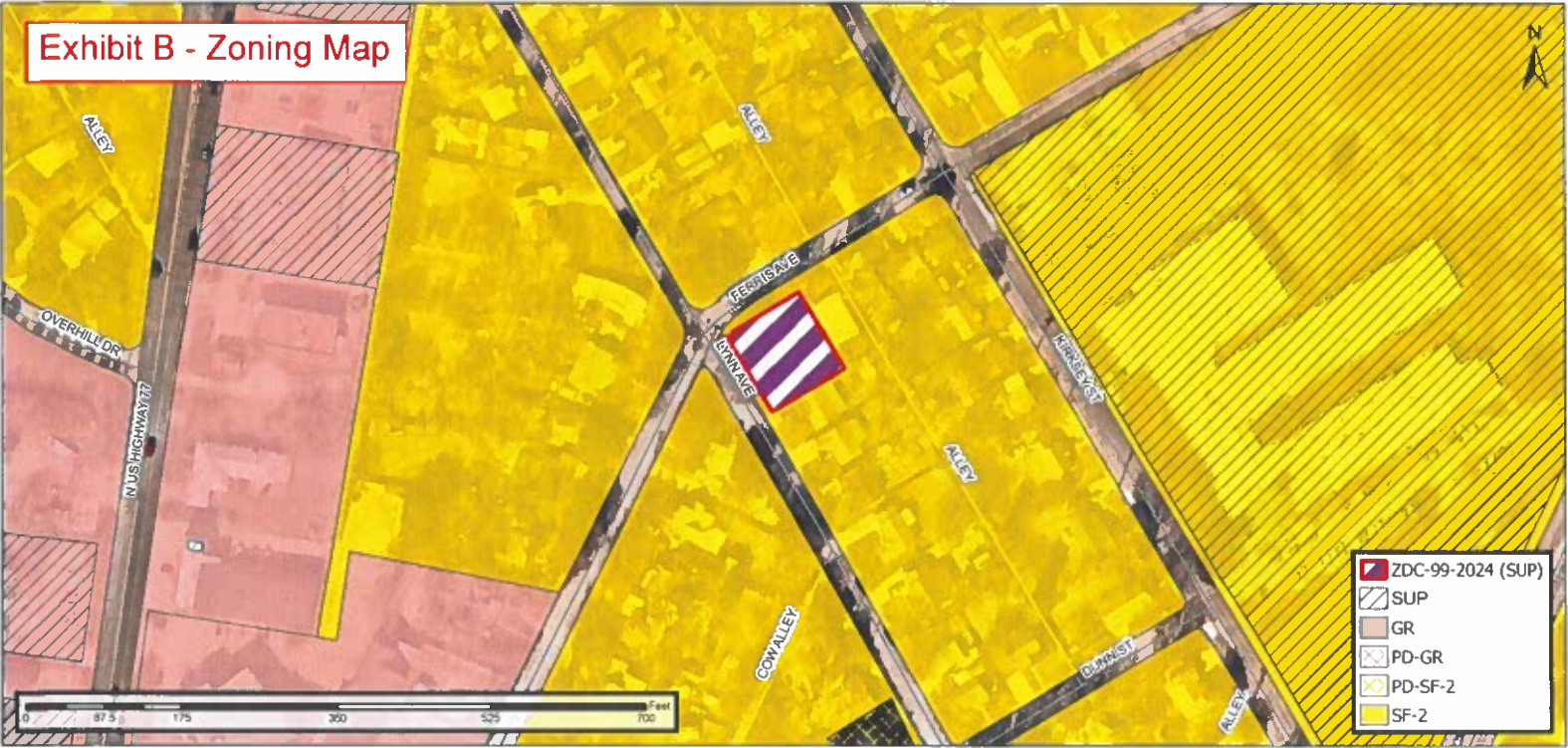
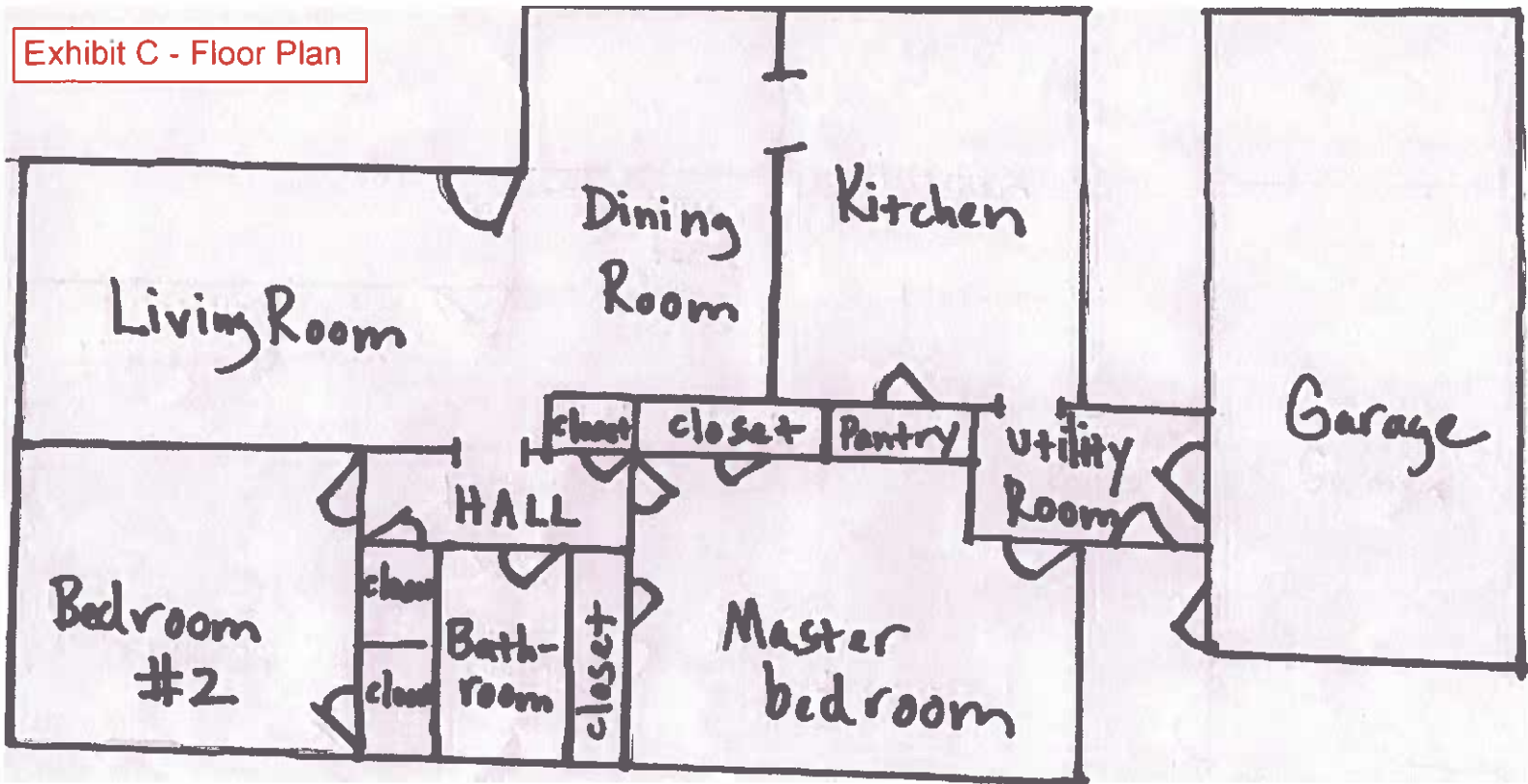
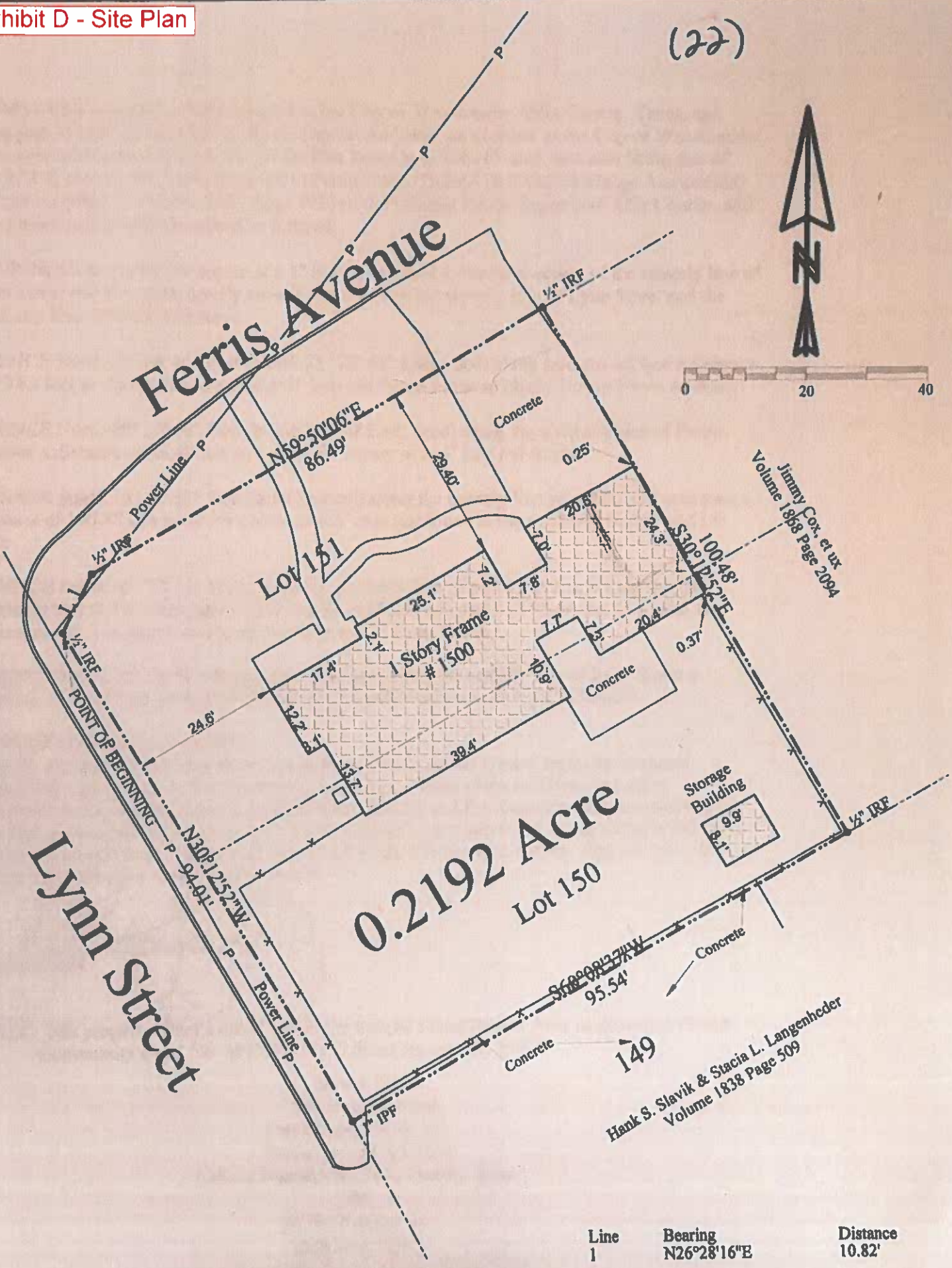


Exhibit C - Floor Plan



(22)



Lynn Street

Ferris Avenue

Lot 151

0.2192 Acre
Lot 150

1 Story Frame #1500

Storage Building
9.9'
8.1'

Hank S. Slavik & Stacia L. Langenheder
Volume 1838 Page 509

Jimmy Cox, et ux
Volume 1868 Page 2094

Line	Bearing	Distance
1	N26°28'16"E	10.82'

Rules and policies

 Give feedback

[Cancellation policy](#) [Check in & out times](#) [House rules](#) [Rental agreement](#) [Booking type](#)

Maximum overnight guests

Enter the total number of guests that you'll allow to sleep at your property.

Max overnight guests
1

Max adults (optional)

 Additional note for guests

Does the primary renter need to meet a minimum age requirement?

Yes, the primary renter needs to meet a minimum age requirement.

Age
24

No, the primary renter does not need to meet a minimum age requirement.

 Additional note for guests

Are events allowed?

Yes, events are allowed.

No, events are not allowed.

Exhibit E - Host Rules

Rules and policies

(22)

Are pets allowed?

- Yes, pets are allowed.
- No, pets are not allowed.

Are children allowed?

- Yes, children are allowed.

Which ages are allowed?

- 0 - 2 years
- 3 - 12 years
- 13 - 17 years

- No, children are not allowed.

 Additional note for guests



Is smoking allowed?

- Yes, smoking is allowed.
- No, smoking is not allowed.

Custom rules

Use up to three custom rules to let guests know of any other do's and don'ts when booking your property.

Rule 1 (optional)

Delete

Exhibit E - Host Rules

Rules and policies

No parties and no pets. The house is in a quiet neighborhood. Please keep noise to a minimum after 10 pm.

(22)

150 character maximum

44

+ Add a custom house rule

Save

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-101-2024

MEETING DATE(S)

Planning & Zoning Commission: June 11, 2024

City Council: June 17, 2024

CAPTION

Public Hearing on a request by Anthony S. Rieper dba Rieper properties LLC., for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single Family-2 (SF-2) zoning district located at 411 N. Hawkins St. (Property ID 173335) - Owner: John Marlin (ZDC-101-2024) Staff: Harper Lindamood

RECOMMENDED MOTION

- "I move to deny ZDC-101-2024, a Specific Use Permit (SUP) for Short-Term Rental use."
- "I move to approve ZDC-101-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on June 11, 2024, the Commission voted 7-0 to recommend approval of case number ZDC-101-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 411 N. Hawkins St.

CASE INFORMATION

Applicant: Anthony S. Rieper dba Rieper properties LLC.

Property Owner(s): John Marlin

Site Acreage: 0.26 acres

Current Zoning: Single Family-2 (SF-2)

Requested Zoning: SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location: 411 N. Hawkins St.

Parcel ID Number(s): 173335

Existing Use: A single-family residence occupies the subject property.

Development History: The subject property is platted as Lot 31B of the Ferris Revision.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	PD-SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	SF-2	Single Family Residence

Future Land Use Plan:

Mixed-Use Neighborhood

Comprehensive Plan:

A mixed-use neighborhood hearkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near exclusive uses such as large multiplex apartments or retail centers with large land area being devoted to automobile parking do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this place type, it is essential to make sure residential uses appropriately transition from one another based on the housing typology

Thoroughfare Plan:

The subject property is accessible via N. Hawkins St.

Site Image:



PLANNING ANALYSIS

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental in all zoning districts with an approved SUP, with the exception of the Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

The applicant requests a SUP for short-term rental use at 411 N Hawkins Street because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,866 square feet, built in 1972 with three (3) bedrooms, (2.5) bathrooms and enough improved surface to accommodate for the maximum parking spaces of three (3) vehicles, situated on an approximately 0.26-acre (11,456 square feet) lot. The applicant submitted this SUP Application on May 10, 2024. The applicant has been operating a short-term rental since February 2023 and has not been paying local hotel occupancy taxes. The applicant has satisfied all the requirements of Section 3.27 of the Zoning Ordinance. At the time of publishing this staff report, the City has received no complaints regarding any issues.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

The applicant's local emergency contact is Anthony S. Rieper (469)-337-8541, 202 S. Jackson St., Waxahachie, TX. 75165, tonyrieper@gmail.com , which is located 0.8 miles from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 62 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of three (3) letters of opposition were received by staff, with seven (7) Support letters, three (3) letters being inside the 200' buffer and the remainder outside of the 200' buffer.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

Conditions:

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of eight (8) guests per stay.
4. The short-term rental operator shall provide a maximum of three (3) off-street parking spaces.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. SUP Ordinance
3. Location Map (Exhibit A)
4. Zoning Map (Exhibit B)
5. Floorplan (Exhibit C)
6. Site Plan (Exhibit D)
7. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:

Harper Lindamood

Planner

Harper.lindamood@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-101-2024**

BROWN WILLIAM L JR
503 W PARKS AVE
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Anthony Rieper, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 411 N Hawkins Street (Property ID 173335) - Owner: John Marlin (ZDC-101-2024) Staff: Harper Lindamood

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

Case Number: **ZDC-101-2024**

City Reference: 173329

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

This will make 3 sepparate request for different houses in a one month span for this neighborhood enough is enough

William L Brown
Signature

5/24/24
Date

William L Brown
Printed Name and Title

503 W. Parks Ave
Address

(23)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-101-2024



COX RON & CATHY
510 ROYAL ST
WAXAHACHIE, TX 75165

RECEIVED MAY 28 2024

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Case Number: ZDC-101-2024

City Reference: 273313

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

WANT OUR NEIGHBORHOOD TO REMAIN S.F. RESIDENCES WHERE WE KNOW OUR NEIGHBOORS.

[Signature]
Signature

5/22/2024
Date

RON & CATHY COX
Printed Name and Title

510 ROYAL ST.
Address

(23)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-101-2024



LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

RECEIVED MAY 28 2024

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Case Number: ZDC-101-2024

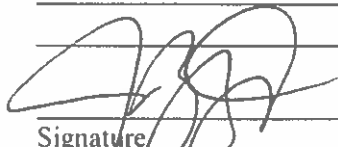
City Reference: 173342

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature
Brad Yates manager
Printed Name and Title

5/25/24
Date
408 N. Gibson
Address

(23)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-101-2024



COLONIAL RESTORATION GROUP INC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

RECEIVED MAY 28 2024

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Case Number: ZDC-101-2024

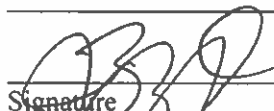
City Reference: 273296

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature
Brock Yates, pres, Inc
Printed Name and Title

5/25/24
Date
404 N. Hawkins
Address

(23)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-101-2024

COLONIAL RESTORATION GROUP INC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

RECEIVED MAY 28 2024

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Case Number: ZDC-101-2024


City Reference: 273315

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature
Brad Yates
Printed Name and Title

5/25/24
Date
506 Royal
Address

(23)

Case Number: ZDC-101-2024

City Reference: 171940

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

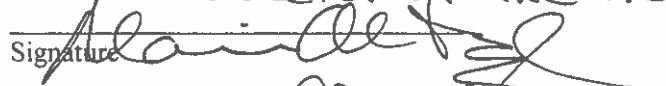
SUPPORT

OPPOSE

RECEIVED JUN 03 2024

Comments:

I oppose converting residential areas to commercial properties. It destroys the character of the neighborhood.

Signature 

Date May 30, 2024

Printed Name and Title
MARIA ORTEGA
home owner

Address
603 W. Marvin Ave
Waxahachie, TX
75165



(23)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-101-2024**

RICKETTS DAVID M & LISA L
410 N. HAWKINS ST
WAXAHACHIE, TX 75165

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Case Number: **ZDC-101-2024**

City Reference: 273293

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SUPPORT

OPPOSE

Comments:

I believe that no one has the right to dictate what an individual does with their property unless an HOA is in fact. It is law enforcements job to keep peace. This home does not cause any issues within our neighborhood and I welcome the owner to use his property as he sees fit.

Lisa Ricketts
Signature

June 4, 2024
Date

Lisa Ricketts
Printed Name and Title

410 N. Hawkins St.
Address

Short Term Rentals are an excellent addition to our city!

(24)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A SINGLE FAMILY 2 (SF-2) ZONING DISTRICT, LOCATED AT 411 N. HAWKINS ST. BEING PROPERTY ID 173335 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 31B OF THE FERRIS REVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, the described property is classified in said ordinance and any amendments thereto as SF-2; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-101-2024. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from SF-2 to SF-2 with a SUP in order to permit a Short-Term use on the following property: Lot 31B of the Ferris Revision, which is shown on Exhibit A, in accordance with the Zoning Map attached as Exhibit B, the Floor Plan attached as Exhibit C, the Site Plan attached as Exhibit D, and the Host Rules attached as Exhibit E.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and the Zoning Ordinance.

Specific Use Permit

(24)

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE IN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall conform to the site plan approved by the City Council under case number ZDC-101-2024.
2. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Zoning Map, Exhibit C – Floor Plan, Exhibit D – Site Plan, and Exhibit E – Host Rules.
3. The STR Operator for the subject property shall be responsible for obtaining registration per the City’s applicable rules and regulations governing such permits.
4. The STR Operator for the subject property shall be responsible to pay hotel occupancy taxes as required per Section 3.27.e.7 of the City of Waxahachie Zoning Ordinance.
5. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits C, D, and E.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the owner and therefore shall not be transferred from owner to owner.
4. The owner and/or short-term rental operator shall renew registration on an annual basis of the amount in the Fee Schedule set forth by Ordinance 3415, or as amended.
5. The owner/short-term rental operator is subject to a maximum occupancy of eight (8) guests per stay.
6. The short-term rental operator is subject to provide a maximum of three (3) off-street parking spaces.
7. The short-term rental operator must adhere to all regulations stated in Section 3.27 of the City’s Zoning Ordinance.
8. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its

(24)

number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this 17th day of June, 2024.

MAYOR

ATTEST:

City Secretary

(24)

Exhibit A - Location Map

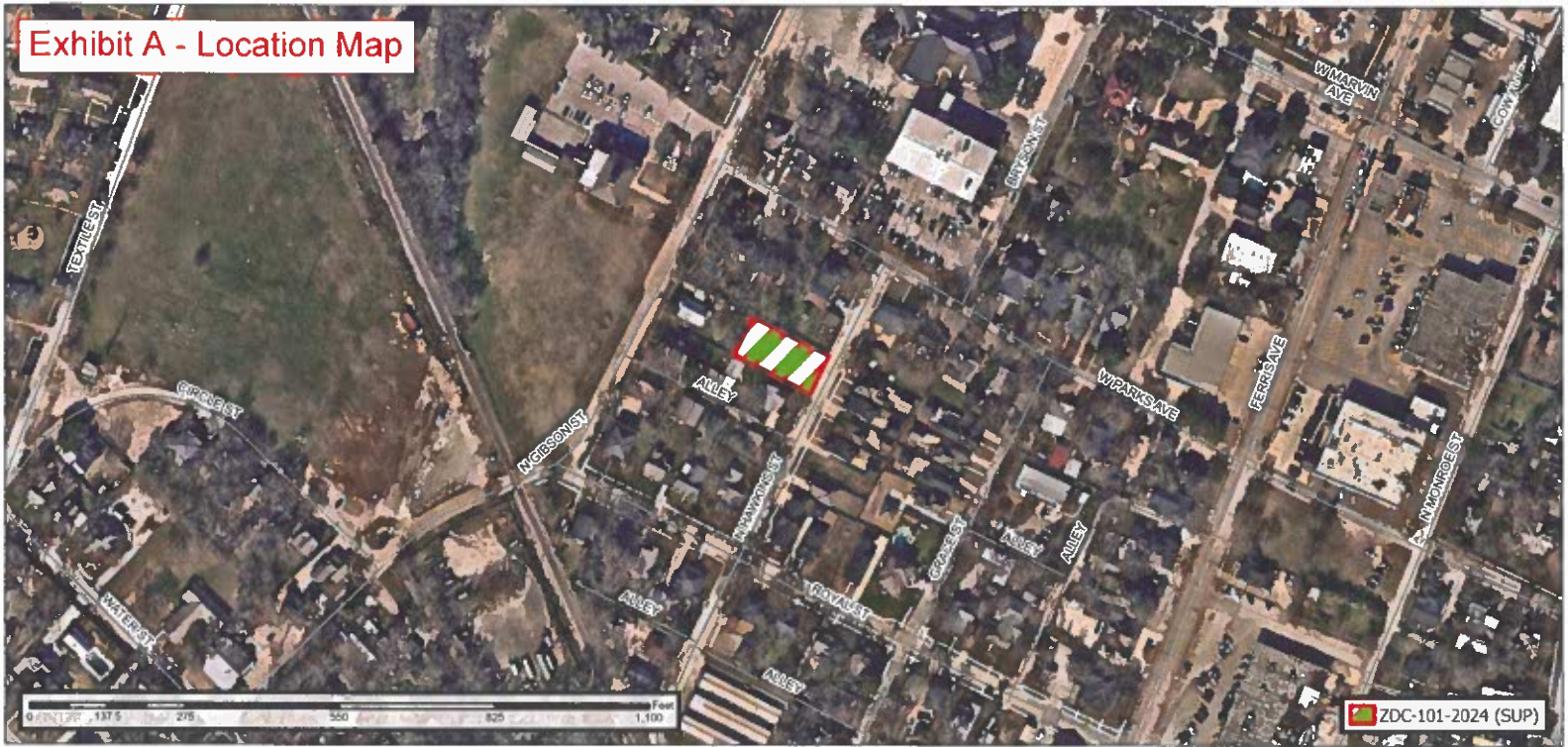
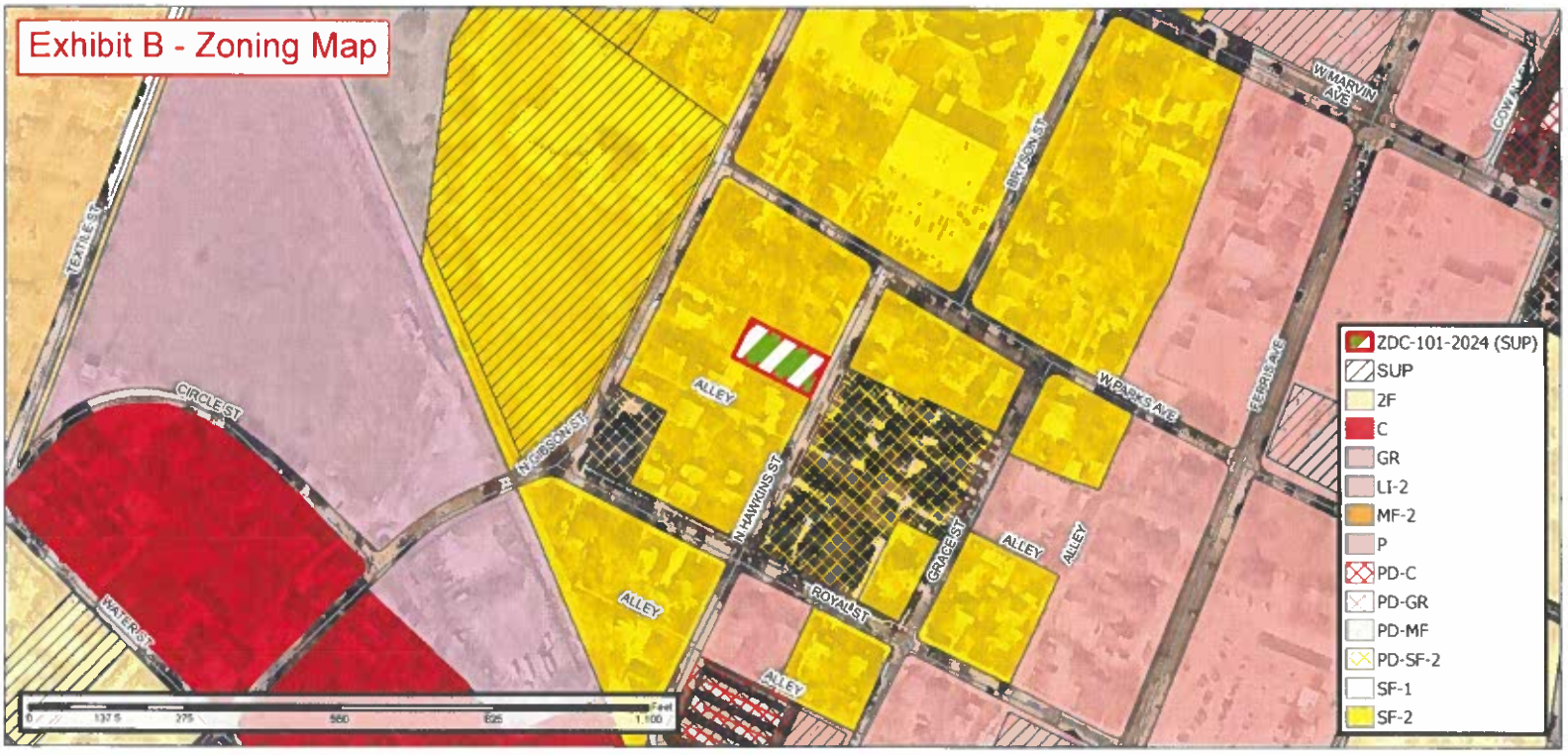
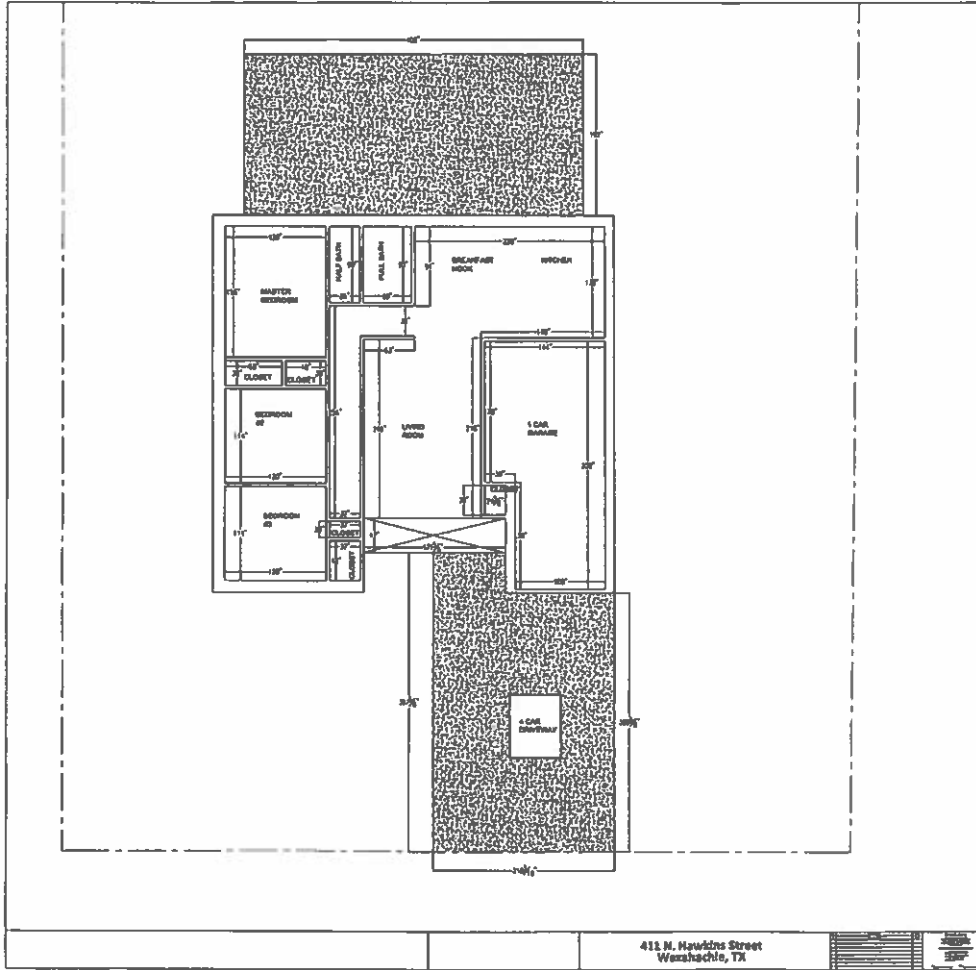


Exhibit B - Zoning Map



(24)

Exhibit C - Floor Plan





Know what's below.
Call before you dig.

SURVEY PLAT



WWW.RHODESSURVEYING.COM

BRIAN S. RHODES Registered Professional Land Surveyor (972) 475-8940

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 411 N HAWKINS STREET, in the city of WAXAHACHIE, ELLIS COUNTY Texas.

STATE OF TEXAS §
COUNTY OF ELLIS §

BEING a parcel of land situated in the City of Waxahachie, Ellis County, Texas, being part of Lot 31, of Ferris Addition, according to the plat thereof recorded in Volume A, Page 37 and 38, of the Plat Records of Ellis County, Texas, being a parcel of land conveyed to William G. Berry and Patricia Faye Berry, according to Ellis County Appraisal District, Property ID No. 173335, as shown on survey, and being more particularly described by metes and bounds as follows:

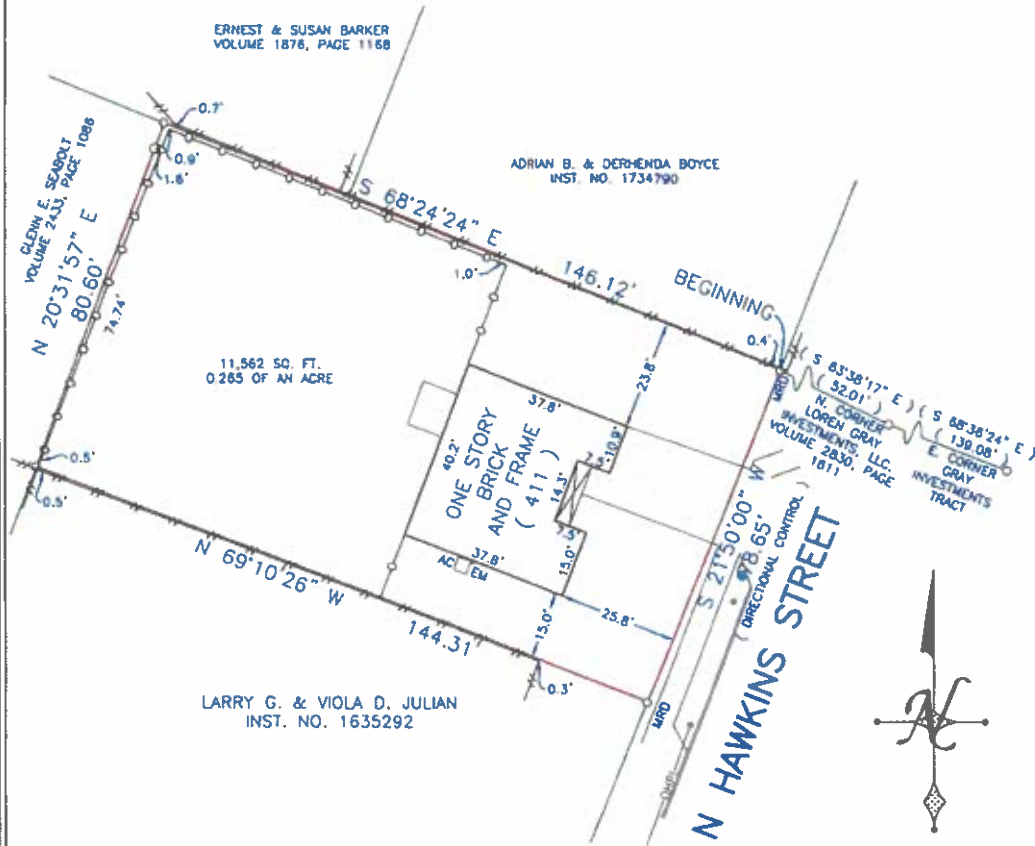
BEGINNING at a found 1/2-inch iron pipe for corner on the northwesterly right-of-way line of N Hawkins Street, being the south corner of a parcel of land conveyed to Adrian B. Boyce and Derhenda Boyce, as recorded in Instrument No. 1734790 of the Official Public Records of Ellis County, Texas, and being the east corner of said Berry parcel;

THENCE South 21 degrees 50 minutes 00 seconds West, along said right-of-way, a distance of 78.65 feet to a found 1/2-inch iron rod for corner,

THENCE North 69 degrees 10 minutes 26 seconds West, leaving said right-of-way, a distance of 144.31 feet to a found 1/2-inch iron rod for corner;

THENCE North 20 degrees 31 minutes 57 seconds East, passing a found 1/2-inch iron pipe for reference at a distance of 74.74 feet, and continuing a total distance of 80.60 feet to a set 1/2-inch yellow-capped iron rod for corner;

THENCE South 68 degrees 24 minutes 24 seconds East, a distance of 146.12 feet to a PLACE OF BEGINNING and containing 11,562 square feet or 0.265 of an acre of land.



ACCEPTED BY: _____



1529 E. I-30, STE. 106, GARLAND, TX 75043 - FIRM REGISTRATION NO. 10194052
The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated, or visible and apparent easements. TITLE AND ABSTRACTING WORK FURNISHED BY DESIGNATED TITLE, LLC.
THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.
Scale: 1" = 30'
Date: 6/11/2019
G. F. No.: ELL193774
Job no.: 80151-A
Drawn by: KW

LEGEND

GOOD FENCE	---+---	TOP
CHAIN LINK	---O---	IMPROVEMENTS
IRON PIPE	---X---	BOUNDARY LINE
WIRE FENCE	---K---	RECORD IDENTITY
1/2" IRON ROD FOUND	○	1/2" IRON ROD FOUND
1/2" YELLOW-CAPPED IRON ROD SET	○	SET "Y"
FOUND "Y"	○	FOUND "X"
1/2" IRON PIPE FOUND	○	PIE WIRE FOUND
PIE WIRE FOUND	○	CHOLE
CLEAN OUT	○	ELECTRIC
GAS METER	○	POOL COUP
FIRE HYDRANT	○	POWER POLE
LONG POLE	○	TELEPHONE
MANHOLE	○	WATER METER
WATER METER	○	WATER VALVE
UNLESS OTHERWISE NOTED		



Hachie Charm

Welcome Book

Property Address

411 N. Hawkins St
Waxahachie Texas, 75165

Welcome

As a valued guest, we have compiled this guide for you, to assist you in having a wonderful stay. Please take a few minutes to read through this information to familiarize yourself with the features of this property.

Thank you again! We hope you enjoy your stay!

469-732-7063

rieperproperties@gmail.com

Sincerely,
Rieper Properties management team

Important Information

Preparing for your arrival, the property has been thoroughly cleaned and inspected by our team. With our high standards of planning and preparation to get our home ready for you, we trust that you will find everything in a manner, which will surpass your expectations. However, there may be some situations where unforeseen problems arise, or external events out of our control occur.

This information guide contains valuable information and tips for solving common problems within the home.

Please ensure you have taken measures to solve common problems yourself prior to calling us. All false callouts or callouts for problems which have occurred due to guest misuse or error will be subject to a call-out fee.

If for some reason you are not 100% satisfied with your stay we ask that you contact us immediately so that we are able to try and correct the situation. We are available by phone and email 24/7.

IMPORTANT SMOKING AND PET POLICY

Smoking or vaping inside the property, and pets are NOT permitted under any circumstances. Failure to adhere to this will result in a minimum \$500 penalty charge.

DURING YOUR STAY:

1. This property is available to host ten day time guests and six overnight guests per stay and has driveway parking.
2. This property is not suitable for and it is prohibited from having a party, social or entertainment venue.
3. Please respect quiet hours from 10pm-7am. Prohibited by law you may not have any unreasonably loud, disturbing noise of any kind. Included but not limited to, stereos, televisions, yelling, profanity, vehicles, etc.
4. Pull grill away from the property when in use
5. Lock all doors when leaving the property, including back door. To lock the front door simply press the lock button. Please make sure the door is secure.

Check out time is 10:00am!

1. Bag all trash and leave inside the garage. Refuge pick up is on Monday mornings. One of our team members will come by to set the refuge containers at the proper place and time to be emptied and placed back. Our team member will not enter the dwelling to remove any current trash. That will be removed at time of cleaning.
2. Leave all beds that were used unmade.
3. If dishwasher is provided, please load all dirty dishes and detergent and press start. If no dishwasher is provided please wash all dishes and leave on counter.
4. Reset air conditioner to "75" in the summer and heat at "65" in the winter
5. If outside games and grill were used please bring them close to the property (please make sure grill is cooled)
6. Make sure you have logged out of Netflix, Hulu, etc. on all TV's
7. Text 469-732-7063 with unit name when leaving to check out.

GENERAL HOME INFORMATION

PATIO DOORS

For the AC unit to operate correctly, it is important that all the windows and pation doors are closed. Otherwise it will freeze the AC unit. This will result in a \$150 (minimum) call-out fee and you will be without AC.

HOUSEKEEPING

This property is professionally cleaned prior to each guest's arrival. During your stay our care team does no enter the property, however, cleaning supplies such as a vacuum, mop, and broom are provided to cover any mid stay spills or other such occurences.

REFRIGERATOR/FREEZER

Refrigerator and freezer are pre-set at appropriate and effective setting prior to all guest arrival. Please remember that food may take time to cool once placed inside the unit, and that dials should not be adjusted.

DISHWASHER

When using the dishwasher, we ask you to follow a few simple instructions in order to help prolong the life of the appliance:

- Only use tablets or powder made specifically for dishwashers. DO NOT use washing or laundry detergent as they will cause soap to spill out.
- DO NOT overload the dishwasher
- Place only dishwasher safe items in the machine.
- Pre-rinse all dishes prior to placing them into dishwasher

WASHING MACHINE/DRYER

For your convenience, this property is fitted with its own full-sized washer and dryer. When using them please take care to abide the following instructions:

- Never overload the machines
- Ensure you clean the dryer filter after each use and dispose of the lint in a trash receptacle

PLUMBING

Our toilets are designed only to remove human waste and toilet paper. It is very important that you do not place anything else into the toilet besides this. You should not attempt to flush any items such as, feminine hygiene products, baby wipes, diapers, or paper towels down any toilet.

Should your toilet become blocked despite taking these precautionary measures, we have provided a plunger in each bathroom. If a toilet begins overflowing, you can turn the water off by finding the stop valve located underneath the tank at the back of the toilet and turning it to the off position. If you are unable to unblock the toilet yourself and require further assistance, please call the number provided. Guests will be charged a \$50 call-out fee for any misuse and will be responsible for any additional costs incurred to fix the blockage.

ELECTRICITY

For guests that live outside of North America, it is important to note that the electrical outlets in the USA are 120V. It is essential to remember that this is a different voltage for other countries. Electrical appliances therefore should only be used in our outlets using properly approved power packs or converters.

TV/INTERNET/GAME CONSOLE USE

We ask that you DO NOT touch or tamper with any TV and Internet. Cables are already connected and ready for guest use upon your arrival. Should the guest tamper with these cables, and or internet may need to be reconnected. This will result in a minimum call-out charge of \$50.

COUNTER TOPS

During your stay please be aware that the countertops in the property are granite. They are sensitive to extreme heat, so pots taken off the stove or dish out of the oven may not rest on the countertops. We ask that you please help prolong the life of the countertops by using cutting boards when preparing food and placing potholders underneath hot items prior to setting them on the countertop.

HOME ITEMS

No items from inside the property are to be removed from the property for any reason at any time. If items are found to be missing upon your departure, you will be charged the cost for their replacement.

MAINTENANCE CALL OUTS

If a member of our team is called out or there is a scheduled maintenance for the property during your stay, our team member will contact you via phone or text.

FAVORITE EAT AND DRINK SPOTS!

DOWNTOWN:

Prime 115 Steakhouse
114 S Rogers St
Waxahachie, TX 75165
214-903-7514

Cork and Keg
106 N College St
Waxahachie, TX 75165
214-980-1191

El Mexicano Grill
114 E Franklin St
Waxahachie, TX 75165
972-937-1191

College Street Pub
210 N College St
Waxahachie, TX 75165
972-938-2062

Railport Brewing Co
405 W Madison St
Waxahachie, TX 75165
214-980-1678

Southern Roots Brewing Co
421 S College St
Waxahachie, TX 75165
214-980-1056

Cork House Winery
213 E Main St
Waxahachie, TX 75165
972-921-1069

Prickly Boba
108 E Franklin St
Waxahachie, TX 75165
469-553-0097

Fresh Market Coffee
501 S Rogers St
Waxahachie, TX 75165
469-570-5446

White Rhino Coffee
414 W Main St
Waxahachie, TX 75165
214-903-7082

Osuba
606 N Highway 77
Waxahachie, TX 75165
972-937-6666

SUPERMARKETS

HEB

800 N Hwy 77
Waxahachie, TX 75165
972-923-2283

Food Land

610 Ferris Ave
Waxahachie, TX 75165
972-937-1481

Walmart Supercenter

1200 N US Highway 77
Waxahachie, TX 75165
972-937-3460

EMERGENCY

Waxahachie Police Department

630 Farley St.

Waxahachie, TX. 75165

Emergency #911 Non-Emergency #972-309-4400

Waxahachie Fire Station #1

407 Water St.

Waxahachie, TX. 75165

Emergency #911 Non-Emergency #972-937-8363

Ellis County Sheriffs Office

300 S. Jackson St

Waxahachie, TX 75165

Emergency #911 Non-Emergency #972-825-4901

Ellis County Emergency Management

101 W. Main St.

Ste. 102

Waxahachie, TX. 75165

#972-825-5199

HOSPITAL

Baylor Scott & White Medical Center

2400 N. Interstate 35E Rd.

Waxahachie, TX. 75165

Emergency #911 Non-Emergency #469-843-4000

Altus Emergency Center

1791 N. Hwy 77

Waxahachie, TX. 75165

#469-383-7361 24hr

MedExpress Urgent Care
1305 N. Hwy 77
Waxahachie, TX. 75165
#972-937-1203

Expedian Urgent Care
1601 N. Hwy 77
Waxahachie, TX. 75165
817-473-9473

North Texas Poison Center
5201 Harry Hines Blvd
Dallas, TX, 75235
1-800-222-1222

PHARMACY

Walgreens
1201 Ferris Ave.
Waxahachie, TX. 75165
972-923-3227

CVS
701 Ferris Ave.
Waxahachie, TX. 75165
972-938-3120

HEB
800 N. Hwy 77
Waxahachie, TX. 75165
972-923-2297

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-102-2024



MEETING DATE(S)

Planning & Zoning Commission: June 11, 2024

City Council: June 17, 2024

CAPTION

Public Hearing on a request by Gabrielle Calvery, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single Family-2 (SF-2) zoning district located at 1105 W Main Street (Property ID 176628) - Owner: Gabrielle Calvery & Jeff Calvery (ZDC-102-2024) Staff: Harper Lindamood

RECOMMENDED MOTION

- "I move to deny ZDC-102-2024, a Specific Use Permit (SUP) for Short-Term Rental use."
- "I move to approve ZDC-102-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."

Staff has received letters of opposition to the proposed Specific Use Permit (SUP) request that exceeds 20% of the property by acreage within the 200' notification buffer for the subject property. Per Section 2.04 of the Waxahachie Zoning Ordinance, a favorable vote of three-fourths (3/4) of all members, which equates to four (4) out of the five (5) members, of the City Council shall be required to approve this SUP request.

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on June 11, 2024, the Commission voted 7-0 to recommend approval of case number ZDC-101-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 1105 W Main Street.

CASE INFORMATION

Applicant: Gabrielle Calvery

Property Owner(s): Jeff Calvery

Site Acreage: 0.23 acres

Current Zoning: Single Family-2 (SF-2)

Requested Zoning: SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location: 1105 W Main St.

Parcel ID Number(s): 176628

Existing Use: A single-family residence occupies the subject property.

Development History: The subject property is platted as Lot 2B, Block 9 of the West End Addition.

Adjoining Zoning & Uses:

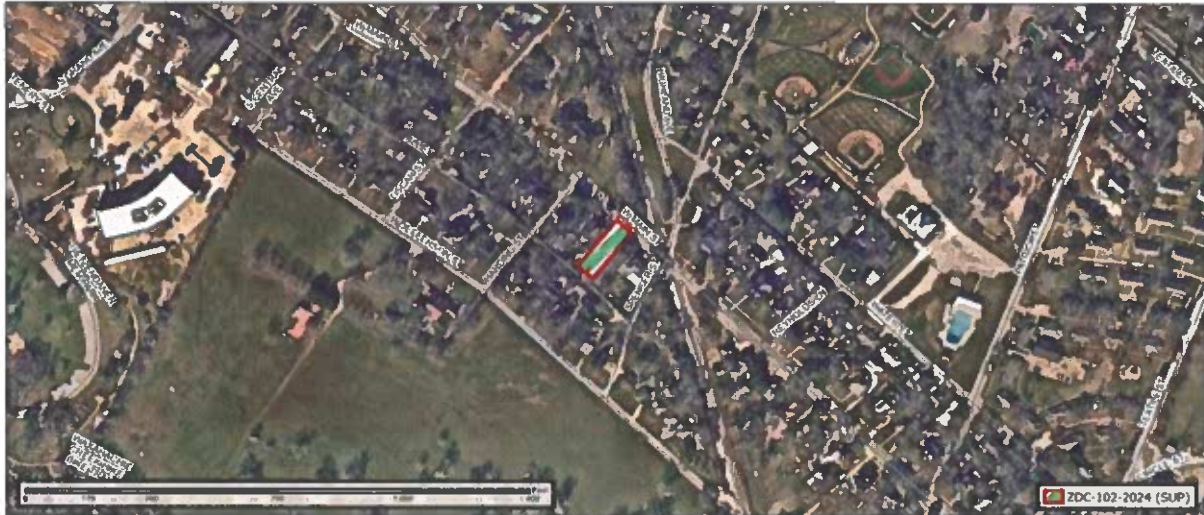
Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	SF-2	Single Family Residence

Future Land Use Plan: Mixed Use Neighborhood

Comprehensive Plan: A mixed-use neighborhood hearkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near exclusive uses such as large multiplex apartments or retail centers with large land area being devoted to automobile parking do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this place type, it is essential to make sure residential uses appropriately transition from one another based on the housing typology

Thoroughfare Plan: The subject property is accessible via W. Main St.

Site Image:



PLANNING ANALYSIS

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental in all zoning districts with an approved SUP, with the exception of the Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

Proposed Use:

The applicant requests a SUP for short-term rental use at 1105 W Main St. because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 2,184 square feet, built in 1920 with three (3) bedrooms, (3) bathrooms and enough improved surface to accommodate for the maximum parking spaces of three (3) vehicles, situated on an approximately 0.23-acre (9,365 square feet) lot.

The applicant has been operating a short-term rental since October 20, 2019. The applicant has not been paying local hotel occupancy taxes. The applicant has satisfied all the requirements of Section 3.27 of the Zoning Ordinance. At the time of publishing this staff report, the City has received no complaints regarding any issues.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

The applicant's local emergency contact is Gabrielle Calvery & Jeff Calvery (972)-697-7664 & (469)-360-3979, 1105 W. Main St., Waxahachie, TX. 75165, gabriellecalvery@gmail.com & jeffcalvery@yahoo.com who is located 108 ft from the subject property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 39 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of six (6) letters of opposition and one (1) letter of support were received by staff, with six (6) letters of opposition and one (1) letter of support being inside the 200' buffer.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

Conditions:

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of eight (8) guests per stay.
4. The short-term rental operator shall provide a maximum of three (3) off-street parking spaces.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. SUP Ordinance
3. Location Map (Exhibit A)
4. Zoning Map (Exhibit B)
5. Floorplan (Exhibit C)
6. Site Plan (Exhibit D)
7. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:

Harper Lindamood

Planner

Harper.lindamood@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com

(25)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-102-2024



LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

RECEIVED MAY 28 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Gabrielle Calvery Tranel, Virginia Holdings LLC, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 1105 W Main Street (Property ID 176628) - Owner: Virginia Holdings LLC (ZDC-102-2024) Staff: Harper Lindamood

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

Case Number: ZDC-102-2024

City Reference: 176719

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Not enough quality hotels for lodging in Waxahachie
This is a good STR to support a
great operator

Signature

Printed Name and Title

Brad Yates manager

Date

5/25/24

Address

1100 W - Jefferson
Wax. TX. 75165

(25)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-102-2024

RECEIVED MAY 3 02024

ARCHIBALD NORMAN L & DOROTHY L
1030 W MAIN ST
WAXAHACHIE, TX 75165-2949

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Gabrielle Calvery Tranel, Virginia Holdings LLC, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 1105 W Main Street (Property ID 176628) - Owner: Virginia Holdings LLC (ZDC-102-2024) Staff: Harper Lindamood

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Case Number: ZDC-102-2024

City Reference: 171837

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

STR's lack control of activities of renters who occupy them. Most single-family residences along Main Street are well maintained by their owners. There is no guarantee the owner of 1105 W. Main would also do so. Additionally, there is heavy vehicular traffic, along with the attendant noise, on Main Street. An STR would only add to problems associated with this vehicular traffic.

Norman L. Archibald
Signature

5/24/2024
Date

Norman L. Archibald, owner
Printed Name and Title

1030 W. Main Street
Address

(25)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-102-2024**

HUNTER KIRK P & MAUREEN D MOORE
1112 W JEFFERSON ST
WAXAHACHIE, TX 75165-2226

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Gabrielle Calvery Tranel, Virginia Holdings LLC, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 1105 W Main Street (Property ID 176628) - Owner: Virginia Holdings LLC (ZDC-102-2024) Staff: Harper Lindamood

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Case Number: **ZDC-102-2024** City Reference: 176620

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT OPPOSE

Comments: *Short-term rentals degrade the neighborhood and negatively impacts property values. Who wants to live by a short-term rental? You do not know your neighbors.*

Signature *Kirk P. Hunter*

Date *4 June 2024*

Printed Name and Title *KIRK HUNTER, Property/home owner*

Address *1112 W. Jefferson St.*

(25)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-102-2024**

HUNTER KIRK P & MAUREEN D MOORE
1112 W JEFFERSON ST
WAXAHACHIE, TX 75165-2226

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Case Number: **ZDC-102-2024**

City Reference: 176620

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

We have lost neighbors to STRs and now adding SUP will continue to degrade this neighborhood into

Maureen D Moore
Signature

June 4, 2024
Date

Maureen D Moore,
Printed Name and Title
(home owner)

1112 W. Jefferson St.
Address

strangers and business owners. My husband and I have worked toward guarding and strengthening our neighborhood since 1986.

(25)

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

Case Number: **ZDC-102-2024**

City Reference: 171968

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **June 5, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

6/4/24
Date

Alison Hernandez
Printed Name and Title

124 Spencer St.
Address

(25)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-102-2024

WHITE ROBERT L & KAREN S
1108 W JEFFERSON ST
WAXAHACHIE, TX 75165-2226

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 10, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Gabrielle Calvery Tranel, Virginia Holdings LLC, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 1105 W Main Street (Property ID 176628) - Owner: Virginia Holdings LLC (ZDC-102-2024) Staff: Harper Lindamood

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

Case Number: ZDC-102-2024

City Reference: 176621

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on June 5, 2024 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Wed like to see @people (families) committed to Waxahachie living in our neighborhoods

Karen White

Signature

6/4/24

Date

KAREN White

Printed Name and Title

*1108 W. Jefferson St
Waxahachie, Tex 75165*

Address

(25)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-102-2024

OBORNY JAMES & LISA
1116 W Jefferson St
Waxahachie, TX 75165-2274

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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

Case Number: ZDC-102-2024

City Reference: 176625

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on June 5, 2024 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

We need to protect the ~~area~~ area and
keep it residential

Disc L Oborny
Signature

Disc S. Oborny
Printed Name and Title

6/6/24
Date

Waxahachie TX 75165
1116 W. Jefferson St
Address

(26)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A PLANNED SINGLE FAMILY 2 (SF-2) ZONING DISTRICT, LOCATED AT 1105 W MAIN STREET, BEING PROPERTY ID 176628 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 2B, BLOCK 9 OF THE WEST END ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, the described property is classified in said ordinance and any amendments thereto as SF-2; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-102-2024. Said application having been referred to the Planning and Zoning (P&Z) Commission, was recommended by the P&Z Commission for approval and the issuance thereof; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from SF-2 to SF-2 with a SUP in order to permit a Short-Term use on the following property: Lot 2B, Block 9 of the West End Addition, which is shown on Exhibit A, in accordance with the Zoning Map attached as Exhibit B, the Floor Plan attached as Exhibit C, the Site Plan attached as Exhibit D, and the Host Rules attached as Exhibit E.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and the Zoning Ordinance.

(26)

Specific Use Permit

FOR THE OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE IN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall conform to the site plan approved by the City Council under case number ZDC-102-2024.
2. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Zoning Map, Exhibit C – Floor Plan, Exhibit D – Site Plan, and Exhibit E – Host Rules.
3. The STR Operator for the subject property shall be responsible for obtaining registration per the City’s applicable rules and regulations governing such permits.
4. The STR Operator for the subject property shall be responsible to pay hotel occupancy taxes as required per Section 3.27.e.7 of the City of Waxahachie Zoning Ordinance.
5. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits C, D, and E.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the owner and therefore shall not be transferred from owner to owner.
4. The owner and/or short-term rental operator shall renew registration on an annual basis of the amount in the Fee Schedule set forth by Ordinance 3415, or as amended.
5. The owner/short-term rental operator is subject to a maximum occupancy of eight (8) guests per stay.
6. The short-term rental operator is subject to provide a maximum of three (3) off-street parking spaces.
7. The short-term rental operator must adhere to all regulations stated in Section 3.27 of the City’s Zoning Ordinance.

(26)

8. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this 17th day of June, 2024.

MAYOR

ATTEST:

City Secretary

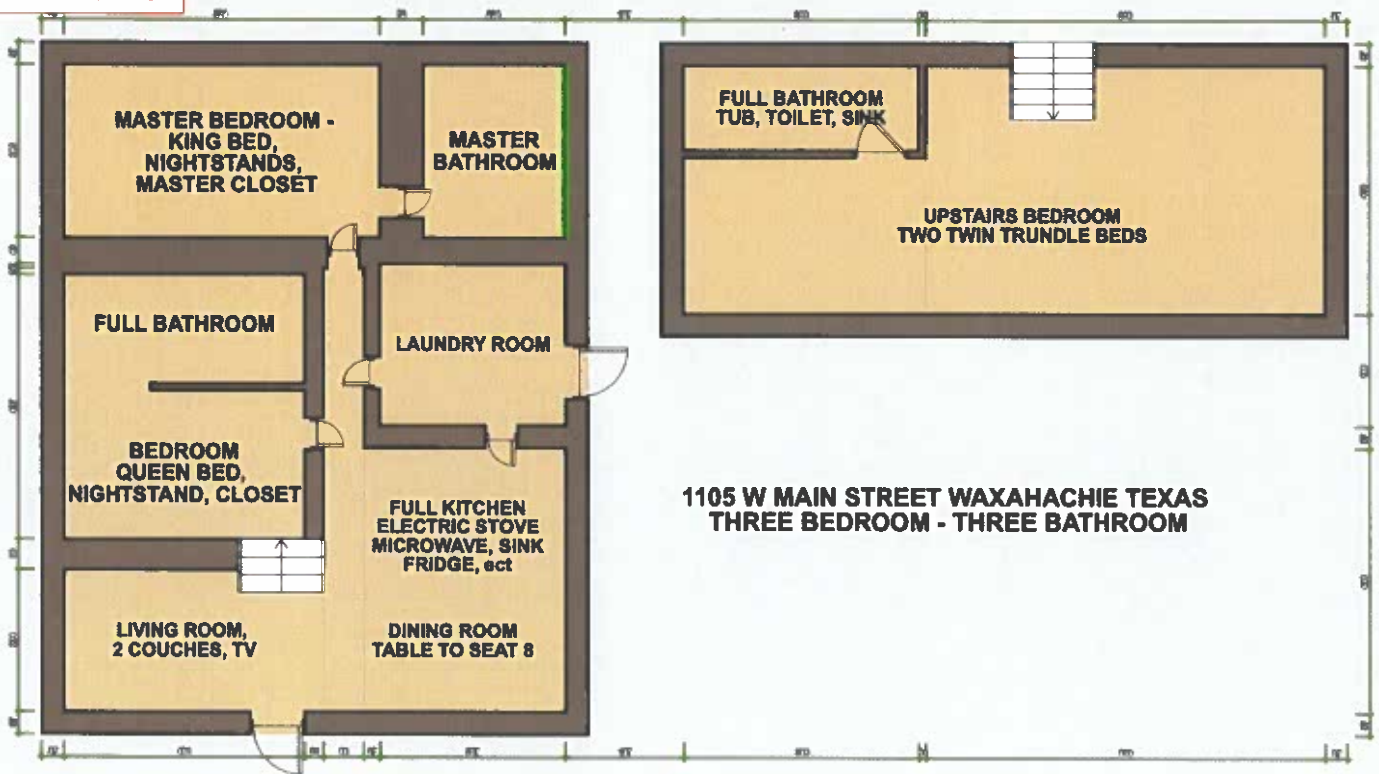
(26)

Exhibit B - Zoning Map

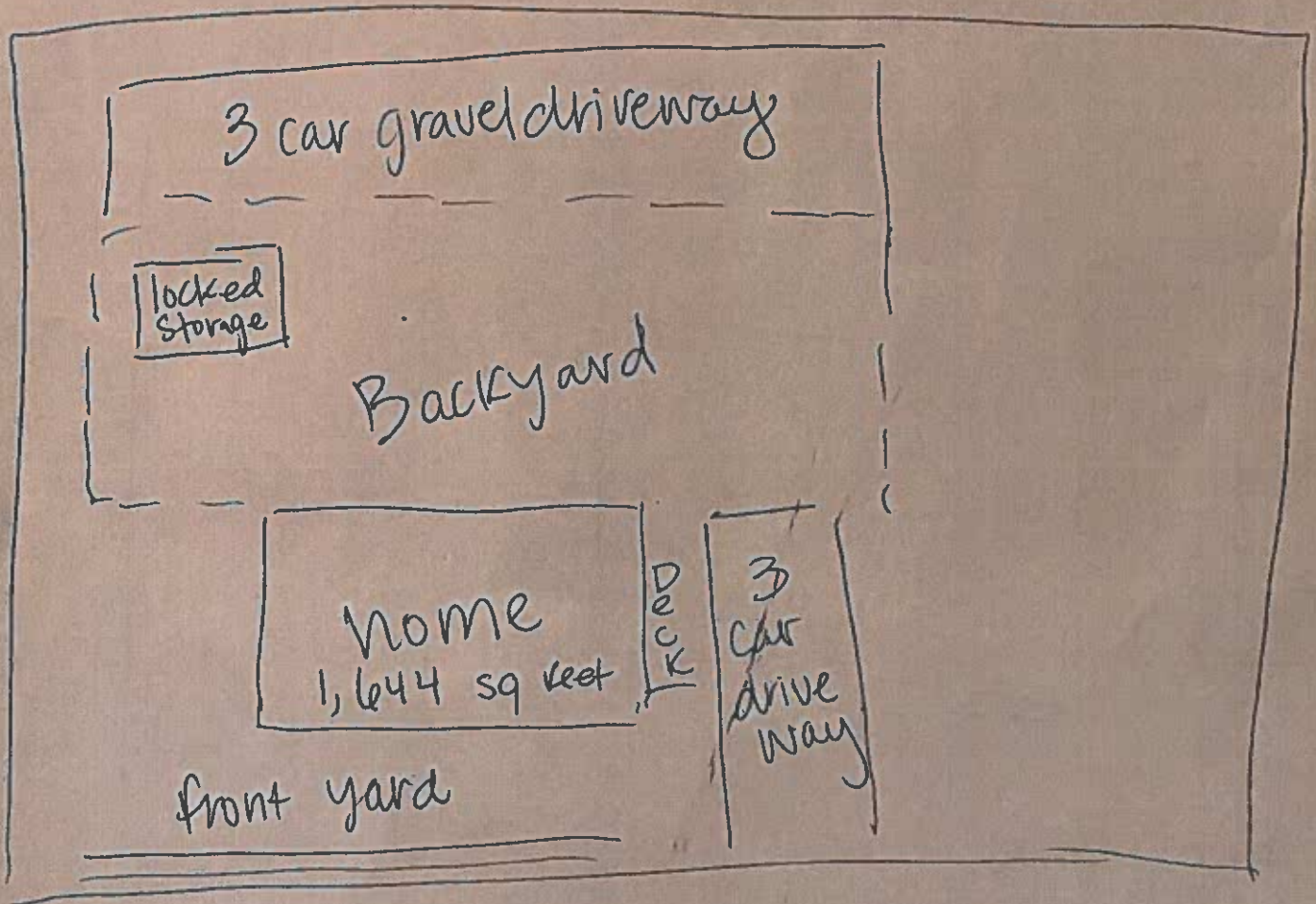


(26)

Exhibit C - Floor Plan



1105 W Main St. (26)



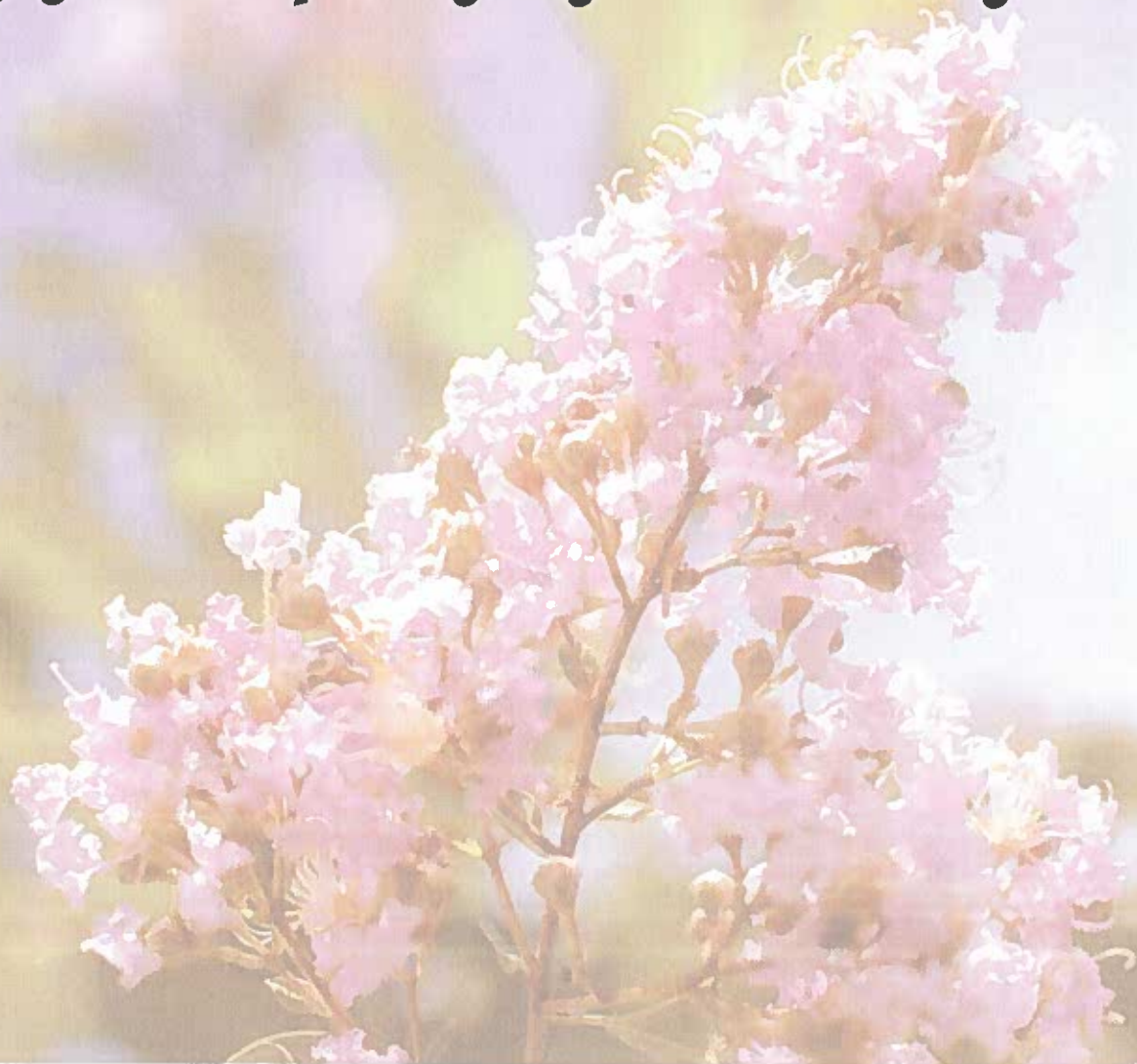
Hello,

Unfortunately we have not been able to locate our property survey from when the home was purchased in 2018. Please see the drawn out property. I would be more than happy to give a tour of the land as well.

Thank you,
Gabrielle Tranel

Welcome Guide

Enjoy your trip in gingerbread city!



Welcome to The Myrtle House!

Address: 1105 W Main Street Waxahachie, TX 75165

Door Code: the last 4 digits of your phone number

We are very proud of our home and neighborhood and strive to be a great addition to our community. Please be respectful and courteous to our neighbors. Close contact is kept with neighbors to ensure they feel safe and comfortable with our short term rental. We strive to create a sense of home away from home for each of our guests and allow them to fully experience the city of Historic Waxahachie.

If you have any questions or concerns, please contact us (Gabrielle and Jesse) directly via phone at 972-697-7664. We are just one street over and are on call during your stay! Don't hesitate to reach out if you need anything!



About Your Hosts



Jeff Calvery

I am the proud owner of the Myrtle House and am delighted that you have chosen to stay in the home. I am the proud business owner of CRS cabinets since the year 2000. My passion is investing and growing my community. Waxahachie is a community filled with small business, beautiful homes, and amazing community events. I hope you find yourself at home and enjoy your stay!

Partnering with Jesse and Gabrielle Tranel (My Daughter and Son in law) to provide concierge hosting services to the Myrtle House guests has

enhanced the hospitality factor exponentially! You will love them! So... Welcome. We hope you can escape from the hustle of the world a bit, enjoy the house, explore the area.



Gabrielle and Jesse Tranel

Gabrielle and Jesse are our property managers and will be your main source of contact during your stay. They are a short walk away so don't hesitate to call or text with any questions or concerns. Gabrielle and Jesse have a passion for hospitality and Waxahachie! We want our guests to feel at home and comfortable while they explore and discover this historic gingerbread town.

Inside The Property

Please make yourselves at home! Have a look through the cupboards to familiarize yourself with the contents of the property. The property should be spotless with clean bedding on the beds and clean towels in the cupboards. If you find anything to not be to your satisfaction, please inform us within the first 24-hours of arriving at the property.



WiFi - Internet

SSID: SpectrumSetup - C3

Password: hockeypraise261

ENJOY THE INCLUDED HULU LIVE ACCOUNT



Security & Doors

The front door has a coded lock. Your host will message you the code on the day of check in. This code should be the last 4 of the phone number used to book the property. Please keep this code handy because the door can lock automatically! If at any point in time you do not feel safe please call us at 972-697-7664 (Gabrielle) or 214-587-7604 (Jesse). If it is an emergency please call 911 directly.



Kitchen

The kitchen is fully stocked with dishes, cookware, and a coffee set. Everything can be found in cabinets surrounding the sink and oven. For your convenience we have a coffee machine with coffee essentials located in the hall pantry.



Bedrooms

In each bedroom you will find a made bed with clean sheets and folded clean towels on the bed. If extra bedding or towels are needed please reach out to Gabrielle at 972-697-7664 for additional supplies.



Dining Room/Living Room

The living room TV has complimentary streaming services and wifi. Feel free to log into any personal accounts during your stay. Please log out of your personal accounts upon check out. Enjoy the home's board games, located in the entry table in the dining room.



Bathroom

We have provided sets of towels for each guest to use on your bed. When you depart please place any used towels inside the bathtubs. Each full bathroom contains shampoo, conditioner, body wash, and lotion for each guest. Please take caution getting in and out of showers and tubs. If a shower chair is needed please call Gabrielle at 972-697-7664 and one will be provided for you.



Smoking

Please do not smoke inside the home. Smoking or any use of illegal substances is strictly prohibited. If violated you will be asked to leave the property immediately with no refund.



Parking

Parking is only allowed in the home's driveway. Please do not park in front of any neighbors home or block any driveways. Thank you for understanding.



House Rules

The house has a maximum of 8 adults. If additional dinner guests or local family are visiting please advise the host. All Parties and Events are strictly prohibited on the property. If an event or party is held on the property you will be asked to leave the property immediately with no refund. Quiet hour is 10 pm to respect our neighbors sleep schedule. No pets allowed on premises unless special permission is granted by the host.



Heating & Air Conditioning

The property has central heating and air conditioning located in the hall. Please do not set meters below 70 degrees for air or above 70 degrees for heat to avoid freezing or overheating of the unit. Thank you for understanding. Please contact Gabrielle at 972-697-7664 if additional fans or space heaters are needed.



Trash / Recycling

Garbage can be disposed of in the trash bins located on the side of the home in the driveway. The GREEN trash bin is for trash only. The BLUE trash bin is for recycling only.



Check out

**We hope you enjoyed your stay!
Feel free to sign our guest book!**

Check out instructions:

- 1. Place all used sheets and pillow cases in provided laundry baskets or leave used beds unmade.**
- 2. Place dirty dishes in the sink.**
- 3. Place dirty towels in the bathtubs.**
- 4. Place all trash in GREEN trash bins on the side of the home.**
- 5. Log out of personal streaming services.**
- 6. Don't forget to double check for any left behind belongings!**

**Let me know if you have any recommendations on how we can improve.
We also appreciate any reviews.**

Thank you for booking with us.

Contact:

Gabrielle and Jesse Tranel

Contact Number: (972) 697-7664 or (214) 587-7604

The Neighborhood



Supermarkets

Local supermarkets include:

- **H-E-B**
 - Address: 800 N Hwy 77, Waxahachie, TX 75165
 - Open everyday- 6:00 am - 11:00 pm
- **Local farmers market**
 - Address: 701 Howard Road Waxahachie, TX 75165
 - Open Saturdays- 8:00 am - 12:00 pm



Local Restaurants & Bars

- **Farmluck**
 - Address: 109 W. Franklin St. #119, Waxahachie 75165
 - Cuisines: Sandwiches, Salads, Ice Cream Parlor
 - Cost for two: \$25
 - Hours: Monday-Saturday 11AM-9PM, Sunday 11AM-3PM
- **Pop's Burger Stand**
 - Address: 107 S Monroe St., Waxahachie 75165
 - Cuisines: Burgers
 - Cost for two: \$20
 - Hours: Monday-Friday 11AM-8PM, Sunday 11AM-3PM
- **Branded Burger**
 - Address: 2801 N. Hwy 77, Ste 150, Waxahachie 75165
 - Cuisines: Burgers
 - Cost for two: \$25
 - Hours: Monday- Saturday 11AM-9PM, Sunday 11AM-4 PM
- **Prime 115**
 - Address: 114 S Rogers St, Waxahachie, TX 75165
 - Cuisines: Steak House
 - Cost for two: \$100
 - Hours: Tues-Sat 11AM-10PM, Sunday 11AM-3PM, Mon. Closed
- **Two Amigos Taqueria**

Exhibit E - Host Rules

(24)

- **Address:** 241 S Monroe St, Waxahachie, TX 75165
- **Cuisines:** Mexican
- **Cost for two:** \$25
- **Hours:** Mon-Sat: 7AM-9PM, Sun 8AM-3PM
- **Campuzano**
 - **Address:** 2167 N Highway 77, Waxahachie 75165
 - **Cuisines:** Mexican
 - **Cost for two:** \$40
 - **Hours:** Sunday-Thursday: 11AM– 9PM, Friday-Saturday: 11AM-10PM
- **Straight From Philly**
 - **Address:** 110 E Main Street, Waxahachie 75165
 - **Cuisines:** Fast Food, Sandwich
 - **Cost for two:** \$25
 - **Hours:** Mon-Thurs 10:30AM–5PM, Friday-Sat: 10:30AM–7pm, Sun- Closed
- **Tomato's**
 - **Address:** 619 Ferris Ave., Waxahachie 75165
 - **Cuisines:** Italian, Mexican
 - **Cost for two:** \$25
 - **Hours:** Mon-Sun 11AM–10PM
- **College Street Pub**
 - **Address:** 210 N College St, Waxahachie 75165
 - **Cuisines:** British, Bar Food
 - **Cost for two:** \$25
 - **Hours:** Mon-Thurs 11AM-10PM, Fri-Sat 11AM-12AM, Sun Closed
- **Oma's Jiffy Burger**
 - **Address:** 403 Water Street, Waxahachie 75165
 - **Cuisines:** Burger
 - **Cost for two:** \$25
 - **Hours:** Monday-Saturday 7AM-3PM, Sunday Closed
- **The Dove's Nest**
 - **Address:** 105 W Jefferson St, Waxahachie 75165
 - **Cuisines:**American, Healthy Food
 - **Cost for two:** \$55
 - **Hours:** Mon-Sat 11AM-2PM, Sunday Closed



Local Attractions

- **Historic CourtHouse** located in the center of **Downtown Square**
- **Vita Coffee House, White Rhino Coffee, and Fresh Market Coffee**
- **Jordan E's Popcorn and Candy**
- **Paper Leaves Bookstore and Plant Shop**
- **Antique shopping in downtown Waxahachie**
 - **Atelier Antiques**
 - **With Willing Hands**
- **Blume (boutique clothing)**
- **The Arcade - 100 N College St.**
- **Urban Air Trampoline Park**
- **Getzendaner park**
- **Lake Waxahachie**
- **Golf - Waxahachie Country Club**



Public Transportation

- **Greyhound: Bus Station**
 - **Address: 3300 S Interstate 35 East Service Rd, Waxahachie, TX 75165**
 - **Hours: Everyday 6AM-11PM**
 - **Phone: 972-937-4893**



Taxi

- **Dallas Yellow Cab**
 - **Waxahachie, TX**
 - **Phone: 214.426.6262**
- **Uber/Lyft**
 - **Cell Phone App**

Emergency Information



Hospital

Nearest hospital: Baylor Scott & White Medical Center- Waxahachie
Address: 2400 N, I-35E, Waxahachie, TX 75165
Phone: 469-843-4000



Police

Waxahachie Police Department
Address: 630 Farley St, Waxahachie, TX 75165
Phone: 469-309-4400 (non-emergency line)
Emergency Line: 911



Doctors

Baylor Scott & White Medical Center- Waxahachie
Address: 2400 N, I-35E, Waxahachie, TX 75165
Phone: 469-843-4000



Emergency Contact

Please call 911 for all emergencies.
A first aid kit is located in the kitchen cabinet.
A fire extinguisher is located under the sink in the kitchen.

If you have a non-emergency but need assistance please call your hosts Gabrielle at 972-697-7664 or Jesse 214-587-7604. A first aid kit and fire hydrant is located in the kitchen below the sink if needed.

WE HOPE YOU ENJOY YOUR STAY WITH US!

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-48-2024

MEETING DATE(S)

Planning & Zoning Commission: June 11, 2024
City Council: June 17, 2024

CAPTION

Public Hearing on a request by Ryan Kelly, EAN Holdings, LLC, for a **Specific Use Permit (SUP)** for an **Auto Leasing and Rental** use within a Commercial (C) zoning district located southeast of 141 Cardinal Road (Property ID 289375) - Owner: Connell Storage Partners #1 LLC (ZDC-48-2024)

RECOMMENDED MOTION

"I move to approve ZDC-48-2024, a Specific Use Permit (SUP) for an Auto Leasing and Rental use (Enterprise-Rent-a-Car), subject to the conditions of the staff report, authorizing the City Manager and/or Mayor to sign the associated documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on June 11, 2024, the Commission voted 7-0 to recommend approval of case number ZDC-48-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The applicant requests approval of a Specific Use Permit (SUP) for an Auto Leasing and Rental use (Enterprise-Rent-a-Car) on a 1.00-acre property southeast of 141 Cardinal Road.

CASE INFORMATION

Applicant: Ryan Kelly, EAN Holdings, LLC
Property Owner(s): Connell Storage Partners #1 LLC
Site Acreage: 1.00 acres
Current Zoning: Commercial (C)
Requested Zoning: Commercial (C) with SUP for an Auto Leasing and Rental use

SUBJECT PROPERTY

General Location: Southeast of 141 Cardinal Road
Parcel ID Number(s): 289375
Existing Use: The subject property is currently undeveloped.
Development History: The subject property is platted as Lot 2, Block A of the CSP1 Addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-C – Ordinance 2881	Undeveloped
East	SF-1	Highway 77 & Undeveloped
South	LI-1	Undeveloped
West	LI-2	Lone Star Storage

Future Land Use Plan:

Local Commercial

Comprehensive Plan:

The local commercial placetype includes areas for restaurants, shops, grocery stores, offices, and personal service establishments. This placetype was incorporated to preserve the City’s commercial corridors. Where appropriate, local commercial uses should be located at the intersection or frontage of major thoroughfares (60 feet or greater). The intensity of this placetype falls between neighborhood scale commercial and regional commercial. Local commercial will consist of a single or cluster of standalone office, retail, or commercial buildings with an anchor. Local commercial uses should be interconnected with sidewalks to increase walkability. In addition, a shared open space comprised of a plaza or park is encouraged for multi-pad site developments.

Thoroughfare Plan:

The subject property will be accessible via North Town Boulevard.

Site Image:



PLANNING ANALYSIS

The applicant proposes a Specific Use Permit (SUP) for an Auto Leasing and Rental use (Enterprise-Rent-a-Car) on a 1.00-acre property southeast of 141 Cardinal Road. Enterprise is currently located at 1540 N US Highway 77 and will relocate to the subject property if this SUP request is approved. This Enterprise location will rent light-load vehicles only and will not rent heavy-load vehicles, heavy equipment, or trailers. The applicant has noted that the typical hours of operation of the business will be Monday through Friday from 7:30am to 6:00pm and Saturday from 9:00am to 1:00pm. The business will be closed on Sundays. A total of seven (7) to ten (10) employees are expected at this location.

Planning Analysis (continued):

The applicant proposes to construct an office building on the subject property totaling 1,600 square feet in size. Additionally, the applicant proposes to construct a bay and canopy totaling approximately 1,800 square feet in size. The car wash is proposed as an accessory use for Enterprise. The car wash will be used by employees only to clean returned vehicles. The applicant has provided sixty-one (61) parking spaces on the site; which exceeds the minimum parking space requirement by seventeen (17) spaces. The additional spaces are proposed to provide parking for the Enterprises' rental car inventory.

Access & Circulation

The applicant proposes to access the subject property via a driveway connection to North Town Boulevard. A direct connection to Highway 77 is not proposed due to an inability to meet TxDOT spacing requirements. The applicant proposes to file a mutual access easement for their primary drive to allow for future cross-access to the property to the north of the site.

The applicant has provided a drive aisle around each proposed building to ensure adequate on-site circulation. The applicant has also provided two dedicated "return" lanes adjacent to the proposed office building for customers to drop off vehicles. The return lanes are situated outside of the primary drive aisle and can stack three (3) vehicles each.

A portion of the proposed drive-aisle and parking spaces are located within a 100' electric easement owned by Oncor. Oncor has indicated they are amenable to allowing a drive aisle and parking within the easement. However, formal approval will not be provided by Oncor until the applicant has received SUP approval by the City. Due to this, staff has recommended a condition of approval for the SUP that requires the applicant to provide a letter from Oncor documenting permission to construct improvements within the 100' electric easement identified on the Site Plan. This letter from Oncor will be required to be provided prior to the approval of Civil Construction plans for the development.

Elevation/Façade

The applicant has provided an elevation/façade plan for both buildings on site. Both the office and car wash utilize a combination of brick, stucco, and stacked stone exterior construction materials with minor EIFS accents. Both structures are designed with an earth tone color palette. The rendering below and Exhibit D can be reviewed for a detailed look at the elevation/façade plan.

Landscaping

The landscaping proposed with this SUP meets the requirements of the Waxahachie Zoning Ordinance. The applicant has incorporated eight (8) Crape Myrtles into the landscape plan.

Signage

The applicant proposes to install a monument sign that adheres to the typical height and size requirements of the Waxahachie Zoning Ordinance. The design of the monument sign has not yet been finalized, but it will be located outside of all utility easements on the site and at least 15' from all property lines.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, six (6) notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property. Staff has received two (2) letters of support and zero (0) letters of opposition for the proposed SUP.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the SUP request, subject to the conditions listed below.

Conditions:

1. A mutually agreed upon Development Agreement shall be required for the development.
2. The owner shall provide a permanent irrigation system for all required landscape areas shown on the Landscape Plan and maintain the required landscaping at all times.
3. The applicant shall receive all necessary building permits from the Building & Community Services Department prior to construction.
4. Prior to approval of Civil Construction Plans, the owner shall provide a letter from Onco documenting permission to construct improvements within the 100' electric easement identified on the Site Plan.
5. Rental of only automobiles, motorcycles, vans, light trucks, or other light load vehicles shall be permitted with this SUP. Rental or storage of heavy-load vehicles, heavy equipment, or trailers shall be prohibited.
6. Primary use of the property for Outside Storage shall be prohibited. Rental vehicles shall only be parked and or stored in dedicated parking spaces on the subject property.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Operational Plan
3. Development Agreement/SUP Ordinance
4. Exhibit A – Location Map
5. Exhibit B – Site Plan
6. Exhibit C – Landscape Plan
7. Exhibit D – Elevation/Façade Plan

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

Zack King, AICP
Senior Planner
zking@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning
jennifer.pruitt@waxahachie.com

(27)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-48-2024



CONNELL STORAGE PARTNERS #1 LLC
P O BOX 541057
DALLAS, TX 75354-1057

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, June 11, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 17, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Ryan Kelly, EAN Holdings, LLC, for a Specific Use Permit (SUP) for an Auto Leasing and Rental use within a Commercial (C) zoning district located southeast of 141 Cardinal Road (Property ID 289375) - Owner: Connell Storage Partners #1 LLC (ZDC-48-2024) Staff: Zack King

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

Case Number: ZDC-48-2024

City Reference: 289375

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on June 5, 2024 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

06/05/24
Date

Bryan Connell
Printed Name and Title

THE CONNELL COMPANIES
P.O. BOX 541057
DALLAS, TX 75354-1057

(27)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-48-2024



CARDINAL ROAD SELF STORAGE LTD
PO Box 541057
Dallas, TX 75354-1057

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

Case Number: ZDC-48-2024

City Reference: 303349

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *June 5, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Bryan Connell
Signature

06/05/24
Date

Bryan Connell
Printed Name and Title

THE CONNELL COMPANIES
P.O. BOX 541057
DALLAS, TX 75354-1057

Enterprise – Hwy 77 & Cardinal Lane- Waxahachie

Operational Plan

Proposed Hours of Operation:

Monday – Friday 7:30am- 6:00pm

Saturday 9:00am- 1:00pm

Sunday Closed

No. of Employees:

7-10 employees

Compatibility with adjoining uses:

The surrounding properties are still largely undeveloped land. Immediately surrounding this site along the west side of Hwy 77 is a self-storage facility and several industrial users. Further south are other retail businesses, including several with auto service/auto repair uses that may necessitate vehicles being rented while repairs are being completed.

Business Plan:

We offer various sizes of motor vehicles for rent and lease at our site will include a private car wash facility to make ready our vehicles for our reservations. We are currently located in a retail plaza further south on Hwy 77, but our current site does not offer the ability to “make ready” our vehicles and it is really too small to serve the quickly growing community of Waxahachie. This new site will provide us with more space to allow our branch to grow and better fulfill the needs of the residents.

(28)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN AUTO LEASING AND RENTAL USE WITHIN A COMMERCIAL (C) ZONING DISTRICT, LOCATED SOUTHEAST OF 141 CARDINAL ROAD, BEING PROPERTY ID 289375, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 2, BLOCK A OF THE CSPI ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, the described property is classified in said ordinance and any amendments thereto as C; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-48-2024. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from C to C, with a SUP in order to permit an Auto Leasing and Rental use on the following property: Lot 2, Block A of the CSPI Addition, which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit B, the Landscape Plan attached as Exhibit C, and the Elevation/Façade Plan attached as Exhibit D.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and Zoning Ordinance.

Specific Use Permit

FOR OPERATION OF A **SPECIFIC USE PERMIT FOR AN AUTO LEASING AND RENTAL USE WITHIN A COMMERCIAL (C) ZONING DISTRICT**; the following standards and conditions are hereby established as part of this ordinance:

1. A mutually agreed upon Development Agreement will be required for the property.
2. The development shall conform as approved by the City Council under case number ZDC-48-2024.
3. The development shall adhere to the City Council approved in Exhibit A- Location Map, Exhibit B – Site Plan, Exhibit C - Landscape Plan, and Exhibit D – Elevation/Façade Plan.
4. All materials, location of materials, and percentage of materials for the building shall be consistent with the Elevation/Facade Concept Plan (Exhibit D).
5. The Property Owner shall provide a permanent irrigation system for all required landscape areas shown on Exhibit C - Landscape Plan and maintain the required landscaping at all times.
6. Prior to approval of Civil Construction plans or Building Permits for the Enterprise-Rent-A-Car, a letter from Oncor is required to be provided by the Developer to the City documenting permission to construct improvements within the existing 100' TP&L easement on the subject property.
7. Rental of only automobiles, motorcycles, vans, light trucks, or other light load vehicles shall be permitted with this SUP. Rental or storage of heavy-load vehicles, heavy equipment, or trailers shall be prohibited.
8. Primary use of the property for Outside Storage shall be prohibited. Rental vehicles shall only be parked and or stored in dedicated parking spaces on the subject property.
9. All improvements within the subject property will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.
10. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
11. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance (Ordinance No. **TBD**) or the Development Agreement, shall conform to those requirements and/or standards prescribed in Exhibit B – Site Plan, Exhibit C - Landscape Plan, and Exhibit D – Elevation/Façade Plan. Where regulations are not specified in Exhibits B, C, D, in this Zoning Ordinance (Ordinance No. **TBD**) or the Development Agreement, the regulations of the Commercial (C) zoning district of the City of Waxahachie Zoning Ordinance shall apply to this development.

(28)

12. City Council shall have the right to review the Specific Use Permit at any point, if needed.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or cease to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to re-establish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this 17th day of June, 2024.

MAYOR

ATTEST:

City Secretary

(28)

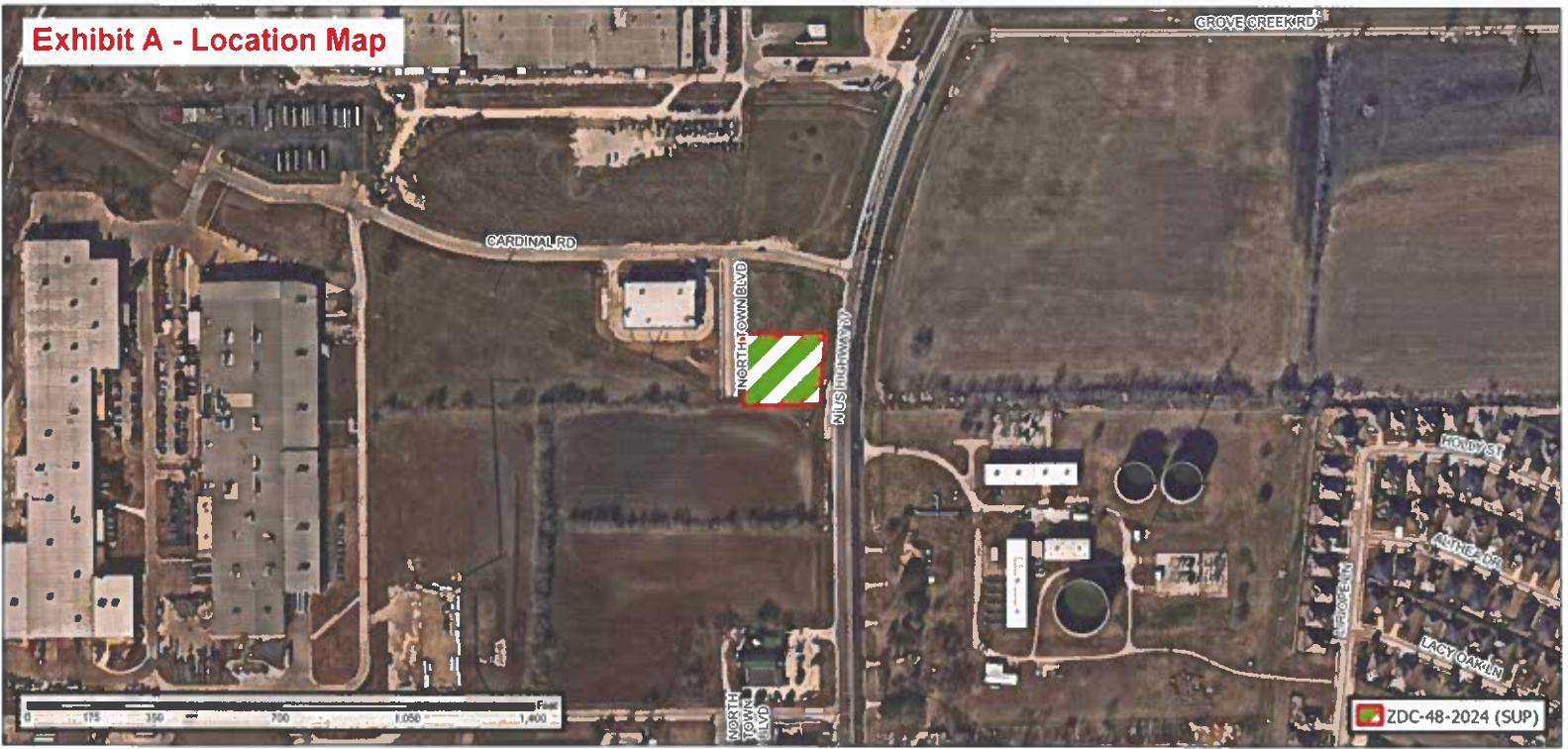
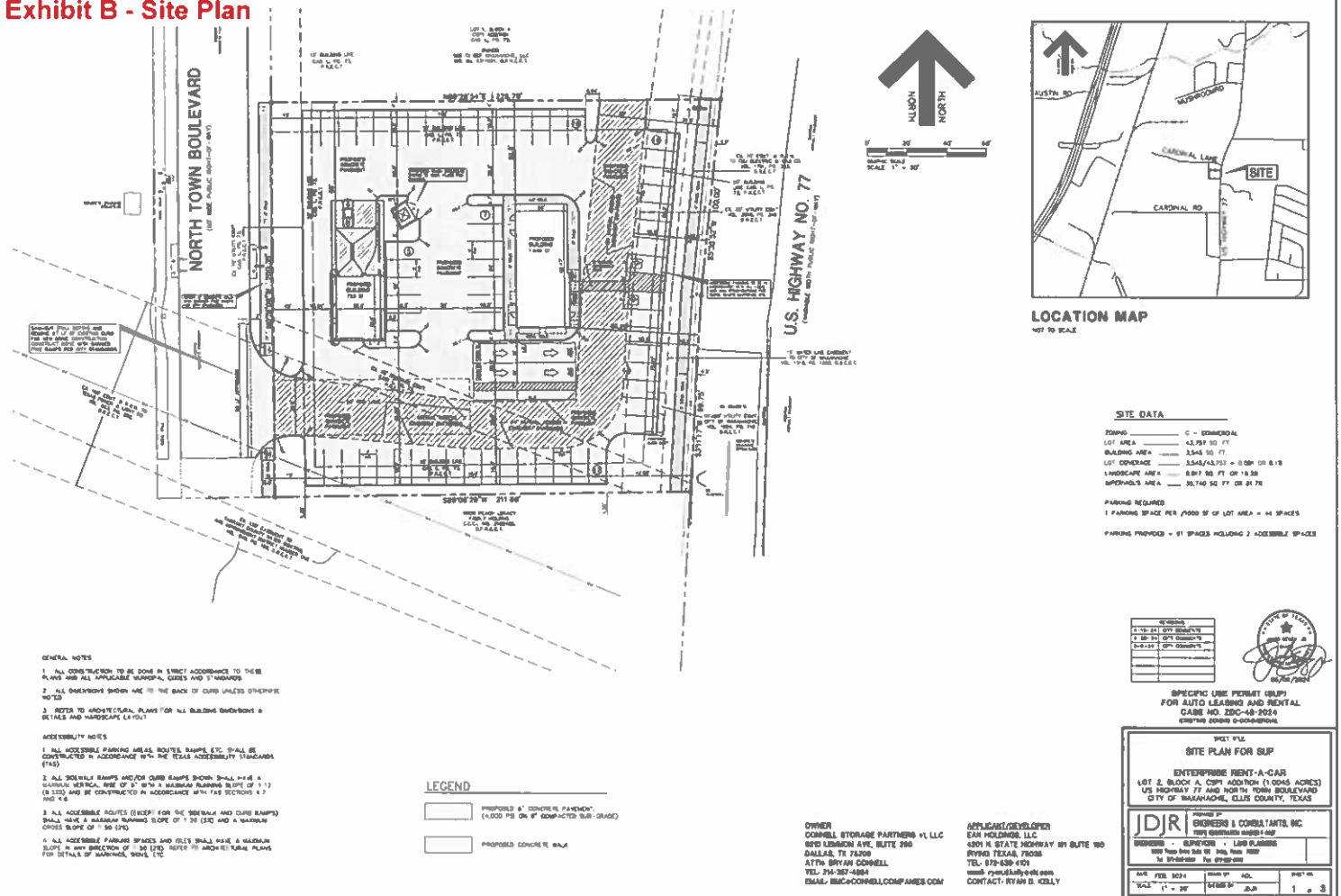


Exhibit B - Site Plan



SITE DATA

ZONING	C - COMMERCIAL
LOT AREA	42,897 SQ FT
BUILDING AREA	3,545 SQ FT
LOT COVERAGE	3,545/42,897 = 8.26% OR 8.18
LANDSCAPE AREA	8,897 SQ FT OR 19.35
IMPROVABLE AREA	20,740 SQ FT OR 48.34

PARKING REQUIRED
1 PARKING SPACE PER 100 SF OF LOT AREA = 41 SPACES

PARKING PROVIDED = 61 SPACES INCLUDING 2 ACCESSIBLE SPACES

SITE PLAN FOR SUP

ENTERPRISE RENT-A-CAR
LOT 2, BLOCK A, CSPI ADDITION (1,004± ACRES)
US HIGHWAY 77 AND NORTH TOWN BOULEVARD
CITY OF SAN ANGELO, ELDE COUNTY, TEXAS

JDJR ENGINEERS & CONSULTANTS, INC.
1000 WESTERN HIGHLAND
DALLAS, TEXAS 75201
TEL: 214-387-4384
FAX: 214-387-4384

OWNER
CONNELL STORAGE PARTNERS V1, LLC
5015 LINDSON AVE, SUITE 200
DALLAS, TX 75209
ATTN: BRYAN CONNELL
TEL: 214-387-4384
EMAIL: BRAC@CONNELLCOMPANIES.COM

APPLICANT/DEVELOPER
EAR HOLDERS, LLC
4501 N STATE HIGHWAY 891 SUITE 100
RYND TEXAS, TEXAS
TEL: 817-559-4751
EMAIL: RYND@EARHOLDERS.COM
CONTACT: RYAN B. KELLY

PERMIT INFORMATION
PERMIT NO. 220-048-2024
ENGINEERING NO. 0-00000000

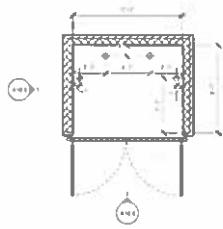
SCALE
1" = 20'

DATE
11/13/24

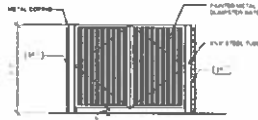
PROJECT
1

SHEET
3

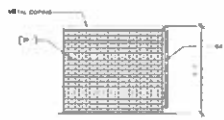
Exhibit B - Site Plan



1 FLOOR PLAN DUMPSTER
1/4" = 1'-0"



2 DUMPSTER FRONT ELEVATION
1/4" = 1'-0"



3 DUMPSTER SIDE ELEVATION
1/4" = 1'-0"



THIS DOCUMENT IS THE PROPERTY OF ENTERPRISE RENT-A-CAR. IT IS TO BE USED ONLY FOR THE PROJECT AND NOT FOR ANY OTHER PURPOSE. ANY REUSE OR DISTRIBUTION OF THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF ENTERPRISE RENT-A-CAR IS STRICTLY PROHIBITED.

DATE: 04/11/24



Revisions

NO.	DESCRIPTION	DATE

ENTERPRISE RENT-A-CAR
HWY 77 @ CARDINAL LANE
WAXAHACHIE, TX

PROJECT NUMBER	Project Number

DUMPSTER PLANS
A10.0

STATE OF TEXAS	§	DEVELOPMENT AGREEMENT
	§	FOR ENTERPRISE RENT-A-CAR
COUNTY OF ELLIS	§	

This Development Agreement for ENTERPRISE RENT-A-CAR ("Agreement") is entered into between **CConnell Storage Partners #1 LLC** ("**CSP#1**") and the City of Waxahachie, Texas ("**City**"). CSP#1 and the City are sometimes referred herein together as the "**Parties**" and individually as a "**Party**."

Recitals:

1. CSP#1 is the owner of approximately 1.0045 acres of real property generally located south of 2409 N US Highway 77, Parcel Number 289375 in the City of Waxahachie, Texas (the "**Property**"), for which the applicant has requested a change in the Property's Commercial (C) zoning to Commercial (C) with a Specific Use Permit ("**SUP**") zoning, revising specific development standards. The Property is currently zoned Commercial (C) by the City, and is anticipated to have the SUP reviewed on June 17, 2024.

2. The planned use of the Property is to create a SUP to allow for the use of Auto Leasing and Rental development. The SUP zoning process is utilized to ensure that the Property would develop in a manner that meets the City's desired development standards, as well as providing CSP#1 with agreed-upon and negotiated standards consistent with their business objectives.

3. As is reflected by the public records of the City, significant discussions and negotiations between representatives of CSP#1 and the City of Waxahachie staff have occurred during various meetings, in an effort to obtain an agreed-upon and negotiated set of zoning and development standards to be reflected in the SUP zoning amendment **Ordinance No. (TBD)** (the "**Enterprise Rent-A-Car**" SUP), a copy of which is attached hereto as *Exhibit A* and which contains the negotiated zoning and development standards for Enterprise Rent-A-Car.

4. This Agreement seeks to incorporate the negotiated and agreed upon zoning and development standards contained in the Enterprise Rent-A-Car SUP Ordinance as contractually-binding obligations between the City of Waxahachie and CSP#1, and to recognize CSP#1's reasonable investment-backed expectations in the Enterprise Rent-A-Car SUP Ordinance and the planned development of Enterprise Rent-A-Car.

NOW, THEREFORE, for and in consideration of the above and foregoing premises, the benefits to each of the Parties from this Agreement, and other good and valuable consideration, the sufficiency of which is hereby acknowledged and agreed, the Parties do hereby agree as follows:

Section 1. Incorporation of Premises. The above and foregoing Recitals are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Term. This Agreement shall be effective as of the date of execution of this Agreement by the last of the Parties to do so ("**Effective Date**"). This Agreement shall remain in full force and effect from the Effective Date until terminated by the mutual agreement of all of the Parties in writing ("**Term**").

Section 3. Agreements. The Parties agree as follows:

Incorporation of Zoning and Recognition of Investment-Backed Expectations:

The negotiated and agreed upon zoning and development standards contained in the Enterprise Rent-A-Car SUP Ordinance, which incorporate by reference the general zoning regulations of the City of Waxahachie zoning ordinance, are hereby adopted and incorporated into this Agreement as contractually-binding obligations of the Developer.

The Developer agrees to:

- (A) A mutually agreed upon Development Agreement will be required for the property.
- (B) The development shall conform as approved by the City Council under case number ZDC-48-2024.
- (C) The development shall adhere to the City Council approved in Exhibit A- Location Map, Exhibit B – Site Plan, Exhibit C - Landscape Plan, and Exhibit D – Elevation/Façade Plan.
- (D) All materials, location of materials, and percentage of materials for the building shall be consistent with the Elevation/Facade Concept Plan (Exhibit D).
- (E) The Property Owner shall provide a permanent irrigation system for all required landscape areas shown on Exhibit C - Landscape Plan and maintain the required landscaping at all times.
- (F) Prior to approval of Civil Construction plans or Building Permits for the Enterprise-Rent-A-Car, a letter from Oncor is required to be provided by the Developer to the City documenting permission to construct improvements within the existing 100' TP&L easement on the subject property.
- (G) Rental of only automobiles, motorcycles, vans, light trucks, or other light load vehicles shall be permitted with this SUP. Rental or storage of heavy-load vehicles, heavy equipment, or trailers shall be prohibited.
- (H) Primary use of the property for Outside Storage shall be prohibited. Rental vehicles shall only be parked and or stored in dedicated parking spaces on the subject property.
- (I) All development within the subject property will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.

- (J) The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
- (K) Any zoning, land use requirement, or restriction not contained within this Development Agreement or Zoning Ordinance (Ordinance No. TBD), shall conform to those requirements and/or standards prescribed in Exhibit B – Site Plan, Exhibit C - Landscape Plan, and Exhibit D – Elevation/Façade Plan. Where regulations are not specified in Exhibits B, C, D, in this Development Agreement or Zoning Ordinance (Ordinance No. TBD) the regulations of the Commercial (C) zoning district of the City of Waxahachie Zoning Ordinance shall apply to this development.

In consideration of CSP#1's agreement in this regard, the City of Waxahachie agrees that CSP#1 has reasonable investment-backed expectations in the Enterprise Rent-A-Car SUP Ordinance, and that the City of Waxahachie may not unilaterally change the zoning and development standards contained in the Enterprise Rent-A-Car SUP Ordinance without impacting CSP#1's reasonable investment-backed expectations.

Section 4. Miscellaneous

- A. This Agreement and any dispute arising out of or relating to this Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without reference to its conflict of law rules. In the event of any dispute or action under this Agreement, venue for any and all disputes or actions shall be instituted and maintained in Ellis County, Texas.
- B. It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership, joint venture, joint enterprise, or other relationship between or among the Parties.
- C. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.
- D. The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by either Party shall not preclude or waive its right to use any or all other remedies. Said rights and remedies are given in addition to any other rights the Parties may have by law statute, ordinance, or otherwise. The failure by any Party to exercise any right, power, or option given to it by this Agreement, or to insist upon strict compliance with the terms of this Agreement, shall not constitute a waiver of the terms and conditions of this Agreement with respect to any other or subsequent breach thereof, nor a waiver by such Party of its rights at any time thereafter

to require exact and strict compliance with all the terms hereof. Any rights and remedies any Party may have with respect to the other arising out of this Agreement shall survive the cancellation, expiration or termination of this Agreement, except as otherwise expressly set forth herein.

E. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.

F. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination or expiration of this Agreement shall survive termination or expiration.

G. This Agreement is made subject to the existing provisions of the City of Waxahachie, its present rules, regulations, procedures and ordinances, and all applicable laws, rules, and regulations of the State of Texas and the United States.

H. The undersigned officers and/or agents of the Parties hereto are the properly authorized persons and have the necessary authority to execute this Agreement on behalf of the Parties hereto.

I. This Agreement may be only amended or altered by written instrument signed by the Parties.

J. The headings and captions used in this Agreement are for the convenience of the Parties only and shall not in any way define, limit or describe the scope or intent of any provisions of this Agreement.

K. This Agreement is the entire agreement between the Parties with respect to the subject matters covered in this Agreement. There are no other collateral oral or written agreements between the Parties that in any manner relates to the subject matter of this Agreement, except as provided or referenced in this Agreement.

L. This Agreement shall be recorded in the real property records of Ellis County, Texas. This Agreement and all of its terms, conditions, and provisions is and shall constitute a restriction and condition upon the development of the Property and all portions thereof and a covenant running with the Property and all portions thereof, and is and shall be binding upon CSP#1 and all heirs, successors, and assigns and the future owners of the Property and any portion thereof; provided, however, this Agreement shall not constitute an obligation of or be deemed a restriction or encumbrance with respect to any platted residential lot upon which a completed structure has been constructed.

M. **Form 1295 Certificate.** The Developer agrees to comply with Texas Government Code, Section 2252.908 and in connection therewith, the Developer agrees to go online with the Texas Ethics Commission to complete a Form 1295 Certificate and further agrees to print the completed certificate and execute the completed certificate in such form as is required by Texas Government Code, Section 2252.908 and the rules of the Texas Ethics Commission and provide to the Town, at the time of delivery of an executed counterpart of this Agreement, a duly executed completed Form 1295 Certificate.

N. **Undocumented Workers Provision.** The Developer certifies that Developer does not and will not knowingly employ an undocumented worker in accordance with Chapter 2264 of the Texas Government Code, as amended. If during the Term of this Agreement, Developer is convicted of a violation under 8 U.S.C. § 1324a(f), Developer shall repay the amount of any public subsidy provided under this Agreement to Developer plus six percent (6.0%), not later than the 120th day after the date the Town notifies Developer of the violation.

O. **Non-Boycott of Israel Provision.** In accordance with Chapter 2271 of the Texas Government Code, a Texas governmental entity may not enter into an agreement with a business entity for the provision of goods or services unless the agreement contains a written verification from the business entity that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the agreement. Chapter 2271 of the Texas Government Code does not apply to a (1) a company that is a sole proprietorship; (2) a company that has fewer than ten (10) full-time employees; or (3) the contract has a value of less than One Hundred Thousand Dollars (\$100,000.00). Unless Developer is not subject to Chapter 2271 of the Texas Government Code for the reasons stated herein, the signatory executing this Agreement on behalf of Developer verifies that Developer does not boycott Israel and will not boycott Israel during the Term of this Agreement.

P. **Prohibition on Contracts with Certain Companies Provision.** In accordance with Section 2252.152 of the Texas Government Code, the Parties covenant and agree that Developer is not on a list maintained by the State Comptroller's office prepared and maintained pursuant to Section 2252.153 of the Texas Government Code.

Q. **Verification Against Discrimination of Firearm or Ammunition Industries.** Pursuant to Texas Government Code Chapter 2274, (as added by Texas Senate Bill 19, 87th Tex. Reg. Session (2021) (effective September 1, 2021)) unless otherwise exempt, if the Developer employs at least ten (10) fulltime employees and this Agreement has a value of at least \$100,000 that is paid wholly or partly from public funds of the Town, the Developer represents that: (1) the Developer does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (2) the Developer will not discriminate during the Term of the Agreement against a firearm entity or firearm trade association.

R. **Verification Against Discrimination Developer Does Not Boycott Energy Companies.** Pursuant to Texas Government Code Chapter 2274, (as added by Texas Senate Bill 13, 87th Tex. Reg. Session (2021) (effective September 1, 2021)) unless otherwise exempt, if the Developer employs at least ten (10) fulltime employees and this Agreement has a value of at least \$100,000 that is paid wholly or partly from public funds of the Town, the Developer represents that: (1) the Developer does not boycott energy companies; and (2) the Developer will not boycott energy companies during the Term of this Agreement.

(29)

{Signature Pages Follow}

(29)

EXECUTED by the Parties on the dates set forth below, to be effective as of the date first written above.

CITY OF WAXAHACHIE, TEXAS

By: _____
Michael Scott, City Manager

Date: _____

ATTEST:

By: _____
City Secretary

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

Before me, the undersigned authority, on this _____ day of _____, personally appeared MICHAEL SCOTT, City Manager of the City of Waxahachie, Texas, 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 purposes and consideration therein expressed.

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

(29)

: Connell Storage Partners #1 LLC (Owner)

By: _____

Date: _____

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

Before me, the undersigned authority, on this _____ day of _____, personally appeared _____, representative of Enterprise Rent-A-Car, 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 purposes and consideration therein expressed.

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

(30)



Memorandum

To: Honorable Mayor and City Council

From: Justin Stoker, P.E., CFM, Director of Public Works & Engineering

Thru: Michael Scott, City Manager

Date: June 17, 2024

Re: Consider Construction Contract for the Wilmington Avenue & Charlotte Avenue Reconstruction Project

Recommended Motion: "I move to approve the construction contract award with McMahon Contracting, L.P. in the amount of \$4,218,063 with an additional contingency of \$210,937 for the Wilmington Avenue & Charlotte Avenue Reconstruction Project, and authorize the City Manager to execute all necessary documents."

Item Description: Consider a construction contract to McMahon Contracting, L.P. for the Wilmington Avenue & Charlotte Avenue Reconstruction Project

Item Summary: The proposed Wilmington Avenue & Charlotte Avenue Reconstruction Project consists of the reconstruction of approximately 1,300 linear feet of Wilmington Avenue from Richmond Lane to Monticello Drive, 1,500 linear feet of Charlotte Avenue from Richmond Land to Monticello Drive, as well as the reconstruction of approximately 900 LF of Chiles Street from Cumberland Road to halfway between Charlotte Avenue and Pensacola Avenue. The asphalt pavement will be replaced with concrete pavement.

The project also includes the installation of approximately 3,600 LF of 6" and 8" water line, 1,900 LF of storm drain, and approximately 1,200 LF of 6" and 8" sanitary sewer line. Additionally, the project includes ADA compliant sidewalks with curb ramps, driveway repairs, and streetlights.

(30)

The city received eight (8) bids for this project. The following is a summary of the bids:

Bidder's Name	Bid Amount
King George Traffic Solutions LLC	\$3,780,761.76
Talbert Companies	\$4,130,185.90
McMahon Contracting, L.P.	\$4,218,062.74
Tiseo Paving Company	\$4,473,713.00
FNH Construction LLC	\$5,091,480.00
AXIS CONTRACTING, INC	\$4,541,067.50

Kimley Horn, the engineer of record, reviewed the three lowest bids, the companies' experience, and contacted the bidders' references. King George Traffic Solutions was unable to provide any prior work of similar size and magnitude to the Project and based upon feedback from references Talbert Companies did not provide qualifications of similar type and magnitude for full street reconstruction work. McMahon provided appropriate references and qualifications for this type of project. As a result, Kimley Horn recommends that McMahon Contracting L.P. be identified as the lowest responsible bidder.

Fiscal Impact: The \$4,429,000 for the project will be funded utilizing \$2,254,450 from the FY 2022 Bond Funds available for the Wilmington Avenue Reconstruction Project, and from \$3,069,450 of available funds from the FY 2023 Bond Funds designated for the Charlotte Avenue Reconstruction Project within the Streets Capital Projects Fund (612).

(31)



Memorandum

To: Honorable Mayor and City Council

From: Justin Stoker, P.E., CFM, Director of Public Works & Engineering

Thru: Michael Scott, City Manager 

Date: June 17, 2024

Re: Consider Construction Contract for Grand Avenue Paving and Striping Improvements Project

Recommended Motion: "I move to approve the construction contract award with FNH Construction LLC in the amount of \$329,700 with an additional construction contingency of \$16,300 for the Grand Avenue Paving and Striping Improvements Project, and authorize the City Manager to execute all necessary documents."

Item Description: Consider the award of a construction contract with FNH Construction LLC for the Grand Avenue Paving and Striping Improvements Project.

Item Summary: The proposed Grand Avenue Paving and Striping Improvements Project consists of 2" HMAC Mill and Overlay of approximately 5,800 square yards of pavement located along Grand Avenue from Main Street to the railroad tracks. The project also consists of sections of full pavement reconstruction and new pavement striping and signage.

Fiscal Impact: The construction contract is for \$329,700 and city staff requests a construction contingency of \$16,500, for a total construction project budget of \$346,200. The proposed \$346,200 for the project will be funded utilizing the FY 2023 Bond Funds designated for the Grand Solon Engineering/Scarification/Striping Project – Streets Capital Projects Fund (612).