

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, September 9, 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 August 19, 2024
- b. Minutes of the City Council special meeting of September 3, 2024
- c. Event application for Family Day to be held September 14, 2024 at Railyard Park
- d. Event application for Waxahachie HS Homecoming Parade to be held September 27, 2024 in Downtown Waxahachie
- e. Event application for Downtown Hoco Stroll to be held September 27 and 28, 2024 in Downtown Waxahachie
- f. Event application for Brave Like Ellie Warrior Walk to be held September 28, 2024 at Getzendaner Park
- g. Event application for Stampede of Speed Week: Cattle Drive & Pre-Stage Fan Fest to be held October 4 and 10, 2024 at Railyard Park
- h. Event application for Le Freak Fest to be held October 11, 2024 at Railyard Park
- i. Event application for Community Tree Lighting & Lighted Night Parade to be held December 3, 2024
- j. Event application for District 2-X1 Build Beds for Kids Project to be held March 22, 2025 to at Getzendaner Park

- k. Proposed Ordinance approving a request by Chandler Brown for a Petition for ETJ Release for approximately 4 acres, located at 3537 South Highway, (Property ID 249293) – Owner: J&K Excavation LLC (ETJ-PTN-150-2024)
- l. Proposed Ordinance approving a request by Jose Robles, for a Petition for ETJ Release for approximately 3.52 acres, located at 5617 FM 813 (Property ID 183511) – Owner: Jose Robles & Francisca Robles (ETJ-PTN-153-2024)
- m. Proposed Ordinance approving a request by Candice Charles, for a Petition for ETJ Release for approximately 6.09 acres, located at 901 Hoyt Road and 877 Hoyt Road (Property ID 188148 & 304027) – Owner: Deanna Morgan (ETJ-PTN-158-2024)
- n. Proposed Ordinance approving a request by Bryan Hicks, for a Petition for ETJ Release for approximately 1.44 acres, located at 215 Old Church Rd (Property ID 217720) – Owner: Bryan Hicks and Wendy Hicks (ETJ-PTN-168-2024)
- o. Proposed Ordinance approving a request by Bryan Hicks, for a Petition for ETJ Release for approximately 0.90 acres, located at 3947 US Highway 287 (Property ID 147362) – Owner: Bryan Hicks and Wendy Hicks (ETJ-PTN-169-2024)
- p. City Manager’s appointment of member to Civil Service Commission
- q. Amendment to Waxahachie Community Development Corporation (4B) Bylaws
- r. Proposed Ordinance amending Section 2-5 of the Code of Ordinances governing appointments to Boards and Commissions
- s. Engineering Professional Services Agreement for the Howard and Sokoll Water Treatment Plants Service Area Boundary Separation Project
- t. Engineering Professional Services Agreement and authorization of Park Dedication Fees for the design and engineering of North Grove Park Project

6. **Introduce** Honorary Councilmember

7. **Public Hearing** on a request by Jennifer Weir, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Future Development (FD) zoning district located at 2850 Howard Road (Property ID 138983) – Owner(s): Robert & Jennifer Weir (ZDC-147-2024)

8. **Consider** proposed Ordinance approving ZDC-147-2024

9. **Public Hearing** on a request by John Marlin, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Dwelling-2 (SF-2) zoning district located at 411 North Hawkins Street (Property ID 173335) – Owner(s): John Marlin (ZDC-149-2024)

10. **Consider** proposed Ordinance approving ZDC-149-2024

11. **Public Hearing** on a request by Stephanie Gienger, Kimley-Horn, for a Zoning Change from a Planned Development-Multi-Family-2 (PD-MF-2) and Planned Development-16-Light Industrial-1 (PD-16-LI-1) zoning district to a Planned Development-Multi-Family-2 (PD-MF-2) zoning district and General Retail zoning district, located at 2797 John Arden Drive, (Property ID 189265, 189266, and 275156) - Owner: Arden Group LLC and International Church of Foursquare Gospel (ZDC-120-2024)

12. **Consider** proposed Ordinance approving ZDC-120-2024

13. **Consider** Development Agreement for ZDC-120-2024

14. **Consider** proposed Ordinance approving revised budget figures for fiscal year 2023-2024 and adopting the budget for fiscal year 2024-2025
15. **Consider** proposed Ordinance amending Water and Wastewater rates and fees and setting an effective date of October 1, 2024
16. **Consider** a motion to ratify the property tax revenue increase reflected in the fiscal year 2024-2025 budget in accordance with the Texas Local Government Code
17. **Consider** proposed Ordinance adopting the Tax Rate for fiscal year 2024-2025
18. **Consider** proposed Ordinance re-establishing classified positions under Civil Service
19. **Consider** appointments to Boards and Commissions
20. Comments by Mayor, City Council, City Attorney and City Manager
21. 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

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, August 19, 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

Lieutenant Michael Gutierrez, The Salvation Army of North Texas, gave the invocation. Mayor Pro Tem Chris Wright led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Paul Bailey, 544 Washington Avenue, Waxahachie, Texas, requested City Council fund additional pickleball courts for the health, fitness, and fun for the community.

Chim Curry, Waxahachie Youth Baseball Association President, 203 Barbara Way, Waxahachie, Texas, requested the City's assistance with field improvements, maintenance, and management of the Optimist Youth Club Baseball Fields.

5. Consent Agenda

- a. Minutes of the City Council meeting of August 5, 2024
- b. Minutes of the City Council Work Session of August 14, 2024
- c. Budget amendment: Travel reimbursement for officers who attended counterterrorism training, and TML reimbursement for repair to police vehicle
- d. Contract and supplemental appropriation for Downtown Christmas Lighting and Decorations
- e. Consider closing Lake Parks during Labor Day Weekend
- f. Resolution approving a negotiated settlement between the Atmos Cities Steering Committee and the Atmos Energy Corp., Mid-Tex Division

RESOLUTION NO. 1366

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2024 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.

Action:

Patrick Souter 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 Tres Atkins and carried unanimously (5-0).

6. Introduce Honorary Councilmember

Mayor Pro Tem Chris Wright introduced Megan Mills as the August Honorary Council Member. Mrs. Mills has been a Waxahachie resident since 1969. She is a graduate of Waxahachie High and Baylor University where she earned a degree in Elementary Education. Megan earned her Masters from UNT in Library Science.

Mrs. Mills devoted 34 years to public education, where she served as the librarian at Waxahachie High for 25 years, before retiring three years ago. Since her retirement, she has helped rebuild the Friends of Sims Library volunteer program, serve as a substitute teacher at First United Methodist Church Funday School, and volunteer at Daymark Living Center each month as part of Sims Library outreach program. She has been married for 31 years to her husband, Jamie Mills, with whom she shares two sons, Max and Alex.

7. Recognize Utility Department team member, Ellery Studivant, for achieving highest level of water and wastewater systems operator licenses

Senior Director of Utilities Kumar Gali recognized Utility Department team member, Ellery Studivant, for achieving the highest level of water and wastewater systems operator licenses.

8. Public Hearing on a request by Michael Jackson, for a Specific Use Permit (SUP) for a Food Manufacturing or Processing Plant use within a Planned Development-Light

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Industrial-2 zoning district located at the southwest corner of Marshall Road and Solon Road (Property ID 284811) - Owner: WJ South Grove LP (ZDC-141-2024)

The Item was presented by Senior Director of Planning, Christopher Jackson and Jacqueline Cole requested approval. The subject property is located in the Wynn Jackson Planned Development (PD) zoning district (Ordinance 3313). This Planned Development request was approved by City Council on December 20, 2021 and changed the zoning from Single-Family-1 (SF-1) to Planned Development-Light Industrial-2 (PD-LI-2). The Wynn Jackson PD covers a total of 341.02 acres. As part of the initial development of the Wynn Jackson PD, the property owner has constructed a four-lane extension of Marshall Road to connect the property directly to I-35. This SUP request only covers a 50.97-acre portion of the property, southwest of the intersection of the new four-lane Marshall Road and Solon Road. The Wynn Jackson PD allows for the development of Land Uses on the subject property that are permitted within the base Light Industrial-2 (LI-2) zoning district of the City of Waxahachie. The PD allows for 33% of the property to be developed as General Warehouse Distribution through 2026 and up to 66% of the property to be developed as General Warehouse Distribution after 2026. Notably, the PD does not override the base Waxahachie Zoning Ordinance in regards to Specific Use Permits (SUPs). This means that Land Uses that require approval of a SUP in the LI-2 zoning district are allowed by right in the Wynn Jackson PD. Land Uses such as a Food Manufacturing or Processing Plant are required to receive approval of a SUP by the Planning & Zoning Commission and City Council before they can pursue development of the subject property.

The applicant proposes a Specific Use Permit (SUP) for a Food Manufacturing or Processing Plant use at the southwest corner of Marshall Road and Solon Road. The Food Manufacturing or Processing Plant use is proposed to be restricted exclusively to Bridor, a subsidiary of Groupe Le Duff. The Bridor facility is proposed to be dedicated exclusively to the production and assembly of bakery items, including frozen, partially baked, and fully baked goods.

At this time, the applicant proposes this SUP only to permit the Food Manufacturing or Processing Plant Land Use. The applicant has not provided a detailed Site Plan, Landscape Plan, or Elevation/Façade Plan for the facility, and if approved, the proposed Site Plan will be presented to the Planning and Zoning Commission and City Council for consideration. The applicant proposes to adhere to the site, landscaping, and architectural design requirements of the Wynn Jackson PD (Ordinance 3313).

The Bridor facility is proposed to fully enclose all manufacturing activity to include both office and manufacturing staff on-site and is expected to operate 24-hours a day, six (6) days a week. The facility is proposed to develop in at least three (3) phases. At build-out, the Bridor facility is proposed to employ 240-450 individuals. Daily traffic generated by the facility at build-out is anticipated to reach 60 truck trips and 350 commuter vehicle trips.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 45 notices were mailed to property owners within 200 feet of the request. Staff has received a total of twenty-four (24) letters of opposition and one (1) letter of support for the proposed SUP. Twelve (12) letters of opposition were received from outside the 200' notification buffer.

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Council Members discussed at length their concerns with large truck traffic, lack of improved access to I35, emissions, safety, and opposition from neighboring homes.

Mayor Wallace opened the Public Hearing at approximately 7:47 p.m.

Those who spoke in opposition:

Mike Hawkins, 208 Colter Drive, Waxahachie, Texas
Harvey Smith, 212 Old Settlers Trail, Waxahachie, Texas
Margie Wenz, 237 Old Settlers Trail, Waxahachie, Texas
Michelle Smith, 212 Old Settlers Trail, Waxahachie, Texas
Garrett Thomas, 212 Colter Drive, Waxahachie, Texas
Ladonna Hack, 117 Oregon Trail, Waxahachie, Texas
Elizabeth Steyn, 213 Old Settlers Trail, Waxahachie, Texas
Inge Jones, 136 Sierra Drive, Waxahachie, Texas

There being no others to speak for or against ZDC-141-2024, Mayor Wallace closed the Public Hearing at approximately 8:35 p.m.

9. Consider proposed Ordinance approving ZDC-141-2024

Action:

Travis Smith moved to deny ZDC-141-2024, a Specific Use Permit for a Food Manufacturing or Processing Plant use. Motion was seconded by Patrick Souter and carried unanimously (5-0).

10. Public Hearing on a request by Tim Jackson, R.P.L.S., for a Replat of Lots 13A and 13B, Block 63 Town Addition of the Official Map of Waxahachie, 1 Residential lot, being 0.45 acres, located at 602 Dr. Martin Luther King JR. Blvd, (Property ID 170996) – Owner: Vanessa Severson (SUB-113-2024)

The Item was presented by Ms. Pruitt. Sergio Sanchez requested approval. The applicant proposes to replat the subject property from one (1) lot into two (2) residential lots. The applicant is providing full dedication for the twenty (20) foot ROW dedication to the City of Waxahachie Thoroughfare plan.

As part of the review of the Replat application, staff identified multiple technical items that conflict with the requirements of the Waxahachie Subdivision Ordinance they need to be corrected prior to the filing of the Replat.

The City of Waxahachie Subdivision Ordinance requires Right-of-Way dedication (ROW) at the time of platting or replatting, in conformance with the City of Waxahachie Construction and Design (C&D) Manual. The C&D Manual requires ROW for residential streets to be a minimum fifty (50) feet in width. Hill Street has an existing ROW width of twenty (20) feet. The applicant is proposing to dedicate an additional ten (10) feet of ROW along Hill Street, as opposed to the required fifteen (15) feet of ROW dedication. The applicant is requesting a variance for minimum ROW dedication to leave sufficient property to meet the minimum lot size requirements of the Infill Overlay District. Staff is supportive of the variance request.

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To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 38 notices were mailed to property owners within 200 feet of the request. Staff has received zero (0) letters of opposition and two (2) letters of support for the proposed Replat.

Mayor Wallace opened the Public Hearing at approximately 8:55 p.m.

There being no others to speak for or against SUB-113-2024, Mayor Wallace closed the Public Hearing at approximately 8:56 p.m.

11. Consider approval of SUB-113-2024

Action:

Travis Smith moved to approve SUB-113-2024, a Replat of Lot 13, Block 63 of the Town Addition, and the associated variance request, subject to the conditions of the staff report and authorize the Mayor to sign the associated documents accordingly. Motion was seconded by Tres Atkins and carried unanimously (5-0).

12. Public Hearing on a request by Juan Flores, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Planned Development-Single Family-3 (PD-SF-3) zoning district located at 624 Xavier Court (Property ID 281280) - Owner: Juan Flores (ZDC-140-2024)

The Item was presented by Ms. Pruitt and owner Alicia Flores requested approval. The applicant requests a SUP for short-term rental use at 624 Xavier Court because it is located within the PD-SF-3 zoning district. The subject property consists of a primary structure of approximately 3,481 square feet, built in 2023 with four (4) bedrooms, 2.5 bathrooms and enough improved surface to accommodate for the maximum parking spaces of four (4) vehicles, situated on an approximately 0.736-acre (32,076 square feet) lot.

The applicant was approved by the Planning and Zoning on May 14, 2024 and denied by City Council on May 20, 2024. The applicant stopped operating immediately after denial by City Council. The applicant has resubmitted a new application for a Short-Term Rental Specific Use Permit.

The applicant submitted this SUP Application on July 3, 2024. The applicant has not been operating a short-term rental, and has not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does not identify whether the subject property is a Homestead. The applicant has satisfied all of the requirements of Section 3.27 of the Zoning Ordinance. At the time of publishing the staff report, the City has received no complaints regarding any issues considered a nuisance. Also, the subject property's advertisement is still active as a short-term rental listing.

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 located 14.4 miles from the subject property.

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To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 80 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. At the time of the publishing of the staff report, a total six (6) letters of opposition and five (5) letters of support were received by staff.

Mayor Wallace opened the Public Hearing at approximately 8:59 p.m.

There being no others to speak for or against ZDC-140-2024, Mayor Wallace closed the Public Hearing at approximately 9:00 p.m.

Mayor Pro Tem Wright thanked the owner for abiding by the City regulations.

13. Consider proposed Ordinance approving ZDC-140-2024

ORDINANCE NO. 3546

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A PLANNED DEVELOPMENT-SINGLE FAMILY 3 (PD-SF-3) ZONING DISTRICT, LOCATED AT 624 XAVIER COURT, BEING PROPERTY ID 281280 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 15, BLOCK A OF THE CLIFT ESTATES PHASE V SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Chris Wright moved to approve ZDC-140-2024, a Specific Use Permit for a Short-Term Rental use, subject to the conditions of the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Patrick Souter and carried unanimously (5-0).

14. Public Hearing on a request by DeMaudree Massey, Friendship Baptist Church, for a Specific Use Permit (SUP) for a Day Camp for Children use within a Single Family-3 (SF-3) zoning district located at 203 Graham Street (Property ID 193551 & 295840) - Owner: Friendship Missionary Baptist Church of Waxahachie (ZDC-122-2024)

The Item was presented by Ms. Pruitt. The applicant proposes a Specific Use Permit (SUP) for a Day Camp for Children use (Shepherd's Circle) within the existing Friendship Missionary Baptist Church building at 203 Graham Street. The Waxahachie Zoning Ordinance requires approval of a SUP to allow for a Day Camp for Children use within a Single Family-3 zoning district. The Shepherd's Circle Day Camp is proposed to be an after-school program operated directly by Friendship Missionary Baptist Church. The applicant has confirmed the program is an educational and instructional program for at-risk children, not a daycare. The applicant noted that Shepherd's Circle will be a free program that is open to the general public for children ranging in age from 6 to 18. Shepherd's Circle is proposed to accommodate up to sixty-five (65) children and eight (8) staff members. Meals are proposed to be provided as part of the Shepherd's Circle program. The applicant proposes to operate Shepherd's Circle Monday through Friday from 4:00 p.m. to 7:00 p.m. during the school year. The program is not proposed to operate over the weekend, during

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school holidays, or during summer break. The applicant did not indicate when the program may begin, if this SUP is approved.

The applicant noted that the Shepherd's Circle program will be located completely indoors and will not feature any outdoor activities. Specifically, the applicant proposes to utilize the approximately 1,242 square foot space identified on the proposed floor plan as Exhibit D. Existing parking on the subject property is sufficient to support the proposed use.

The applicant is not proposing to operate buses or shuttles as part of the Shepherd's Circle program. No playground equipment, additional fencing, or interior/exterior alterations to the existing building are proposed as part of this request.

The drive aisles on the subject property do not currently have directional striping. The applicant proposes to add directional striping to the subject property to facilitate parent pick-up and drop-off for the Day Camp.

The applicant is not proposing to install additional signage on the property specifically for Shepherd's Circle Day Camp. Instead, the applicant proposes to utilize space on the monument sign for Friendship Missionary Baptist Church; which is yet to be constructed.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 68 notices were mailed to property owners within 200 feet of the request. Staff has received two (2) letters of support for the proposed SUP.

Mayor Wallace opened the Public Hearing at approximately 9:03 p.m.

There being no others to speak for or against ZDC-122-2024, Mayor Wallace closed the Public Hearing at approximately 9:03 p.m.

Council Member Souter thanked Pastor DeMaudree Massey, his wife, and the Friendship Baptist Church for what they are doing in the community.

15. Consider proposed Ordinance approving ZDC-122-2024

ORDINANCE NO. 3547

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A DAY CAMP FOR CHILDREN USE WITHIN A SINGLE FAMILY-3 (SF-3) ZONING DISTRICT, LOCATED AT 203 GRAHAM STREET, BEING PROPERTY ID 193551, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 43 OF THE HIGHLAND PARK ADDITION AND A PORTION OF LOT 3 OF THE HI NOWLIN ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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Action:

Patrick Souter moved to approve ZDC-122-2024, a Specific Use Permit for a Day Camp for Children use, subject to the conditions of the staff report. Motion was seconded by Travis Smith and carried unanimously (5-0).

16. Public Hearing on a request by Randall Speed, for a Zoning Change from a Future Development (FD) zoning district to Planned Development-Future Development (PD-FD) zoning district located at 2867 Howard Road, (Property ID 204646) - Owner: Randall Speed (ZDC-97-2024)

The Item was presented by Ms. Pruitt and owner Randall Speed requested approval. The applicant proposes to rezone the subject property to allow for the development of a private gravel road serving three (3) single-family residential lots. All lots are proposed to be 10-acres in size or larger. The applicant is pursuing this Planned Development request due to the fact that there is insufficient frontage along Howard Road to subdivide the subject property into multiple lots.

The subject property is currently accessible via a gravel driveway connecting to Howard Road. As part of this Planned Development request, the applicant proposes to dedicate a 60' private street and private utility easement along the gravel driveway, 829' into the subject property. The applicant also proposes to improve the gravel driveway to a 24' wide compacted gravel road that ends in a cul-de-sac bulb. The private gravel road is proposed to be owned and maintained by a HOA established for the subdivision.

The applicant has included provisions in the Planned Development request that differ from the typical setback and lot frontage requirements of the Future Development zoning district. The proposed setback, lot frontage, and lot size requirements are identified in the table below. *Items in bold do not meet the minimum requirements of the base Future Development zoning district.

Standard	Typical Future Development (FD)	Planned Development (PD-FD)
Minimum Lot Size	3-acres	10-acres
Minimum Lot Width (at front setback)	270'	250'
Minimum Front Setback	35'	350'
Minimum Rear Setback	25'	25'
Minimum Side Setback	10% of Lot Width	25'

The City of Waxahachie Subdivision Ordinance requires all proposed private streets to adhere to the design and construction standards of a publicly dedicated street. The Waxahachie Construction & Design Manual requires public streets serving rural residential subdivisions to be 27' wide and constructed of concrete. The Waxahachie Subdivision Ordinance also requires private streets to have a minimum of 70' of frontage on a public collector road at the entrance of the private subdivision. The subject property currently has only 60' of frontage along Howard Road.

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Staff is concerned that approval of a private gravel road, as opposed to a typical public concrete street, will negatively impact the ability of emergency services to access the three proposed lots. Additionally, staff is concerned that the private gravel road may become the responsibility of the City to maintain and/or improve in the event the HOA for the proposed subdivision defaults or dissolves. Finally, staff is concerned that approving the use of a private gravel road will set a precedent for the use of substandard access for rural residential subdivisions proposed in the future. Due to these concerns, staff is not supportive of the Planned Development request. If the applicant wishes to proceed with the development of a private residential subdivision, staff recommends the applicant redesign the proposal to adhere to the requirements for private streets identified by Section 3.1 of the Waxahachie Subdivision Ordinance.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 8 notices were mailed to property owners within 200 feet of the request. Staff has received one (1) letter of opposition and two (2) letters of support for the Planned Development request.

Mr. Speed explained the gravel road is more appropriate for large farming equipment.

Mayor Wallace opened the Public Hearing at approximately 9:07 p.m.

Council Member Smith expressed his appreciation for gravel drives, especially in historic areas, so that water flow isn't disrupted.

Mr. Gaertner explained the gravel drive will not support fire or emergency apparatus and Fire Chief Ricky Boyd concurred.

There being no others to speak for or against ZDC-97-2024, Mayor Wallace closed the Public Hearing at approximately 9:22 p.m.

17. Consider proposed Ordinance approving ZDC-97-2024

Action:

Patrick Souter moved to deny ZDC-97-2024, a Zoning Change from a Future Development zoning district to Planned Development-Future Development zoning district. Motion was seconded by Chris Wright and carried 3-2 with Tres Atkins and Travis Smith voting in opposition.

18. Consider proposed Resolution approving assignment of private activity bond authority to Texas Department of Housing and Community Affairs

The Item was presented by Mark Malveaux, McCall, Parkhurst & Horton L.L.P. The State of Texas allocates a limited amount of tax-exempt bonds for local housing finance corporations (HFC) to finance mortgage loans for qualified first-time homebuyers in its jurisdiction. Because of scale and market conditions, local HFCs, such as the North Central Texas HFC, has been unable to issue bonds for this purpose. The Texas Department of Housing and Community Affairs (TDHCA) is one of the largest issuers of such mortgage bonds in the nation and has the scale, staffing, and expertise to issue bonds that finance competitive and below market mortgage loans to qualified first-time homebuyers.

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TDHCA has agreed to accept the assignment of any local HFC's bond allocation and issue bonds to finance mortgage loans in the HFC's jurisdiction. North Central Texas HFC, for which the City of Waxahachie is a sponsor, wishes to partner with TDHCA so that it may issue bonds to finance mortgage loans within North Central HFC's jurisdiction, which includes the City of Waxahachie. Such an arrangement will put to use funds which have otherwise been unused and benefit qualified residents in the jurisdiction.

As part of this arrangement, each sponsor of the North Central HFC, must approve the assignment. The resolution that is being considered provides such approval.

RESOLUTION NO. 1367

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING ASSIGNMENT OF PRIVATE ACTIVITY BOND AUTHORITY TO TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT

Action:

Chris Wright moved to approve the Resolution approving assignment of private activity bond authority to the Texas Department of Housing and Community Affairs and authorize the Mayor to execute any necessary documents. Motion was seconded by Patrick Souter and carried 3-2 with Tres Atkins and Travis Smith voting in opposition.

19. Consider Resolution for Eminent Domain to Acquire Water Easements Associated with FM 664 24-inch Water Transmission Main Project

The Item was presented by Executive Director of Public Works and Utilities James Gaertner. He confirmed the City received an email from the property owner's attorney consenting to the eminent domain process and the owner was notified of tonight's council meeting.

RESOLUTION NO. 1368

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, DECLARING THE NECESSITY TO ACQUIRE A WATER EASEMENT; DETERMINING THE PUBLIC USE AND NECESSITY FOR SUCH ACQUISITION; APPOINTING AN APPRAISER AND NEGOTIATOR AS NECESSARY; AUTHORIZING THE MAYOR OF THE CITY OF WAXAHACHIE, TEXAS, TO ESTABLISH JUST COMPENSATION FOR THE PROPERTY RIGHTS TO BE ACQUIRED; AUTHORIZING THE MAYOR TO TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND RESOLUTIONS; AUTHORIZING THE CITY ATTORNEY TO INSTITUTE CONDEMNATION PROCEEDINGS TO ACQUIRE THE PROPERTY IF PURCHASE NEGOTIATIONS ARE NOT SUCCESSFUL; AND PROVIDING AN EFFECTIVE DATE.

Action:

Patrick Souter moved that the City of Waxahachie authorize the use of the power of eminent domain to acquire a water easement as referenced in Exhibit B to the Resolution; determining the

(5a)

public use and necessity for such acquisition; authorizing the acquisition of property rights necessary for such water easement; appointing an appraiser and negotiator as necessary; authorizing the Mayor to establish just compensation for the property rights to be acquired; authorizing the Mayor, or her representative, to take all steps necessary to acquire the needed property rights in compliance with all applicable laws and resolutions; and authorizing the City Attorney, or his representative, to institute condemnation proceedings to acquire the property rights if purchase negotiations are not successful. Motion was seconded by Chris Wright and carried unanimously (5-0) with the votes as follows:

*Billie Wallace – Aye
Chris Wright – Aye
Tres Atkins – Aye
Patrick Souter – Aye
Travis Smith – Aye*

20. Comments by Mayor, City Council, City Attorney and City Manager

Mayor Pro Tem Chris Wright announced the Lake Parks will be closed for Labor Day due to safety concerns. Mr. Wright congratulated Ellery Studivant.

City Manager Michael Scott thanked City Council for recognizing Ellery Studivant.

Council Member Travis Smith thanked Chim Curry, Waxahachie Youth Baseball Association, for his comments and noted he and Mr. Wright continue to explore partnerships with local groups for practice fields. He announced Katie Cakes will have their grand opening on August 23rd at 2pm.

Deputy City Manager Albert Lawrence recognized Ellery Studivant noting the City has a top caliber of credentialed employees with experience.

Mayor Billie Wallace recognized Ellery Studivant for his accomplishment. Mayor Wallace thanked Megan Mills for her work in the community, first responders, and the citizens who contributed to a peaceful, productive Council meeting.

21. Adjourn

There being no further business, the meeting adjourned at 9:37 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

A special 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 Tuesday, September 3, 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
Patrick Souter, Council Member Place 2
Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager
Albert Lawrence, Deputy City Manager
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

Mayor Wallace gave the invocation. Mayor Pro Tem Chris Wright led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Brenda Mavridis, 5 Sargent Place, Waxahachie, Texas, thanked Mayor Wallace and Council Member Patrick Souter for visiting the Tri-City Animal Shelter in DeSoto. She requested Council's support to work on efforts to improve the local animal situation.

5. Public Hearing on the proposed Tax Rate for fiscal year 2024-2025 and vote to set the date, time, and place for adoption

The Item was presented by Senior Director of Finance Chad Tustison. As part of the annual budget process, Chapter 26 of the Property Tax Code requires taxing units to comply with truth-in-taxation laws in adopting their tax rates. This item meets the requirement for the City Council to hold a public hearing on the proposed tax rate necessary to fund the Fiscal Year (FY) 2025 Annual Budget and announce the date, time, and place of the meeting to vote on the proposed rate.

The FY 2024-2025 Proposed Budget includes a tax rate of \$0.61000 per \$100 valuation, which is unchanged from the current rate. This rate provides funding for operating costs to keep pace with growth and to fund and plan for capital needs throughout the city. Of this amount, a rate of \$0.376916 is for Operations and Maintenance (including the Sims Library rate) and \$0.233084 is for Interest and Sinking. The proposed rate exceeds the no-new-revenue rate of \$0.572525 but does not exceed the voter-approval tax rate of \$0.610905.

Mayor Wallace opened the Public Hearing at approximately 5:37 p.m.

(5b)

There being no others to speak for or against the City of Waxahachie proposed Tax Rate for fiscal year 2024-2025, Mayor Wallace closed the Public Hearing at approximately 5:38 p.m.

Action:

Patrick Souter moved to consider that the vote on the adoption of the ad valorem tax rate for Fiscal Year 2024-2025 be held at the Regular City Council Meeting on September 9, 2024 at 7:00 PM at the Waxahachie Civic Center. Motion was seconded by Travis Smith and carried unanimously (5-0).

6. Public Hearing on the City of Waxahachie proposed Budget for fiscal year 2024-2025 and vote to set the date, time, and place for adoption

The Item was presented by Mr. Tustison. This agenda item is a public hearing of an ordinance to consider the City's proposed Budget for Fiscal Year 2024-2025, which begins October 1, 2024. Texas Local Government Code 102.007 requires that the City Council take action at the conclusion of the public hearing setting the date, time, and place for adoption.

Mayor Wallace opened the Public Hearing at approximately 5:39 p.m.

There being no others to speak for or against the City of Waxahachie proposed budget for fiscal year 2024-2025, Mayor Wallace closed the Public Hearing at approximately 5:39 p.m.

Action:

Travis Smith moved to consider that the vote on the adoption for the Fiscal Year 2024- 2025 be held at the Regular City Council Meeting on September 9, 2024 at 7:00 PM at the Waxahachie Civic Center. Motion was seconded by Tres Atkins and carried unanimously (5-0).

7. Comments by Mayor, City Council, City Attorney and City Manager

Mayor Pro Tem Chris Wright thanked Brenda Mavridis and her coalition for their efforts. Mr. Wright also thanked the Police Department for their work at Lake Waxahachie.

Mayor Billie Wallace thanked Brenda Mavridis and noted she is searching for ways to improve our animal shelter for citizens.

8. Adjourn

There being no further business, the meeting adjourned at 5:41 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary



Date submitted 8/23/24

Applicant Information

Applicant name: Danielle Guinn

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: danielle.guinn@waxahachie.com

Mailing address: 2000 Civic Center Lane, Waxahachie, TX 75165

Host organization name: Railyard Park

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

On-site contact name: N/A Cell: N/A

About the Event

Event name: Family Day

Location: Railyard Park

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

Anticipated attendance: 1,500

Description of event: Inflatables, DJ, Bingo, Food Trucks, & Vendor Booths

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 checked="" 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: _____ |



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:

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	9/14/24	2:00pm	5:00pm
Event Set-up	9/14/24	11:00am	-
Event Breakdown	9/14/24	-	7:00pm

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.



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: 3 Date(s) & time(s): 11:00am - 7:00pm

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: _____

College Street in front of Railyard Park & MKT Parking Lot at Hike & Bike Trailhead

Street closings to begin on date: 9/14/24 Start time: 11:00am End time: 7:00pm

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: 10 Barricades How many: 9

Other: _____

Where should equipment be dropped off & picked up? Railyard Park & MKT Parking Lot



City of Waxahachie
City Secretary's Office

(50)

Special Event Application

When will the traffic equipment be set-up?

Date: 9/14/24

Time: 11:00am

When will the traffic equipment be removed?

Date: 9/14/24

Time: 7:00pm

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:

Inflatable Party Magic

Explain services in detail:

Generators for Inflatables

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.

Danielle Guinn

Digitally signed by Danielle Guinn
Date: 2024.08.23 15:47:48 -05'00'

08/23/24

Signature

Date

Contract Agreement

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

Danielle Guinn

Digitally signed by Danielle Guinn
Date: 2024.08.23 15:47:58 -05'00'

08/23/24

Signature

Date

RAILYARD PARK

FAMILY DAY 2024

SEPTEMBER 14
2PM - 5PM



- VENDORS/PARTNERS**
- FUN FACES FACE PAINTING
 - KITTY & CO BALLOONS
 - FREEDOM FUN USA
 - TIKIZ
 - GALLIANT CARE
 - ELLIS COUNTY CHILDREN'S THEATER
 - REMEDY CHURCH
 - SIMS LIBRARY BOOKMOBILE
 - WAXAHACHIE FIRE DEPARTMENT
 - EMILY DODDS MCKINNEY
 - I'LL ROOM 2 U PHOTO BOOTH
 - WAXAHACHIE POLICE DEPARTMENT
 - TEXAS CRYOWORKS & SHELBY SYMMETRY
 - IMPACT COMMUNITIES
 - ELLIS COUNTY CHILDREN'S ADVOCACY CENTER
 - BOY SCOUTS OF AMERICA
 - YMCA WAXAHACHIE
 - INTERNATIONAL LEADERSHIP OF TEXAS

DJ ALEXX

HOVERBALL
5' X 10' - ELECTRIC REQUIRED

LASER TAG ATTENDANT
ELECTRIC REQUIRED

LASER TAG

SPLASH PAD

SEATING FOR STAGE ACTIVITIES

CORN HOLE

BALLOON ARTIST
10' X 10' - ELECTRIC REQUIRED

RACES & COMPETITIONS

INFLATABLE AXE THROW
19' X 11' - ELECTRIC REQUIRED

GIANT CHECKERS

INFLATABLE OBSTACLE COURSE
60' X 15' - ELECTRIC REQUIRED

RYP TENT



SIMS BOOKMOBILE

3 IN 1 SPORTS
10' X 20' - ELECTRIC REQUIRED

FACE PAINTING
10' X 10' - ELECTRIC REQUIRED

FOOD TRUCKS

PICKLEBALL COURT

REMEDY CHURCH BOUNCE HOUSES
15' X 15' EACH X 2 - ELECTRIC REQUIRED; PLUG IN TO ELECTRIC PLATFORM

PORT-A-POTTIES



Date submitted 8/12/20

Applicant Information

Applicant name: Gary R Barnard

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: 411 North Gibson Street, Waxahachie, Texas, 75165

Host organization name: Waxahachie High School

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

On-site contact name: _____ Cell: _____

About the Event

Event name: Waxahachie HS Homecoming Parade

Location: College Street, East Marvin, Brown Street, Indian Drive (Football Stadium)

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

Anticipated attendance: 15,000

Description of event: Homecoming Parade - Similar to last year!

How many times has this event been hosted before?

1st time 2 - 4 times 5 or more times Location: Same as last year...

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)



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:

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	9/27/2024	2:00PM	4:00PM
Event Set-up	9/27/2024	12:00PM	2:00PM
Event Breakdown	9/27/2024	As parade passes...	4:15PM

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.



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: Lt. Chris Dickinson 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: _____

See Attached Maps

Street closings to begin on date: 9/27/2024 Start time: Various End time: 4:15PM

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: See Attached

Where should equipment be dropped off & picked up? _____



City of Waxahachie
City Secretary's Office

(5d)

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:

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.

ARB

8/12/2024

Signature

Date

Contract Agreement

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

Signature

Date



Alumni Parking

Check-In Area

McMillan Street

Float Check-In Line (Monroe Street)

Community Entries

WHS Alumni

WISD Related Entries

Parade Route Begins

Float Riders Drop Off (Jackson Street)

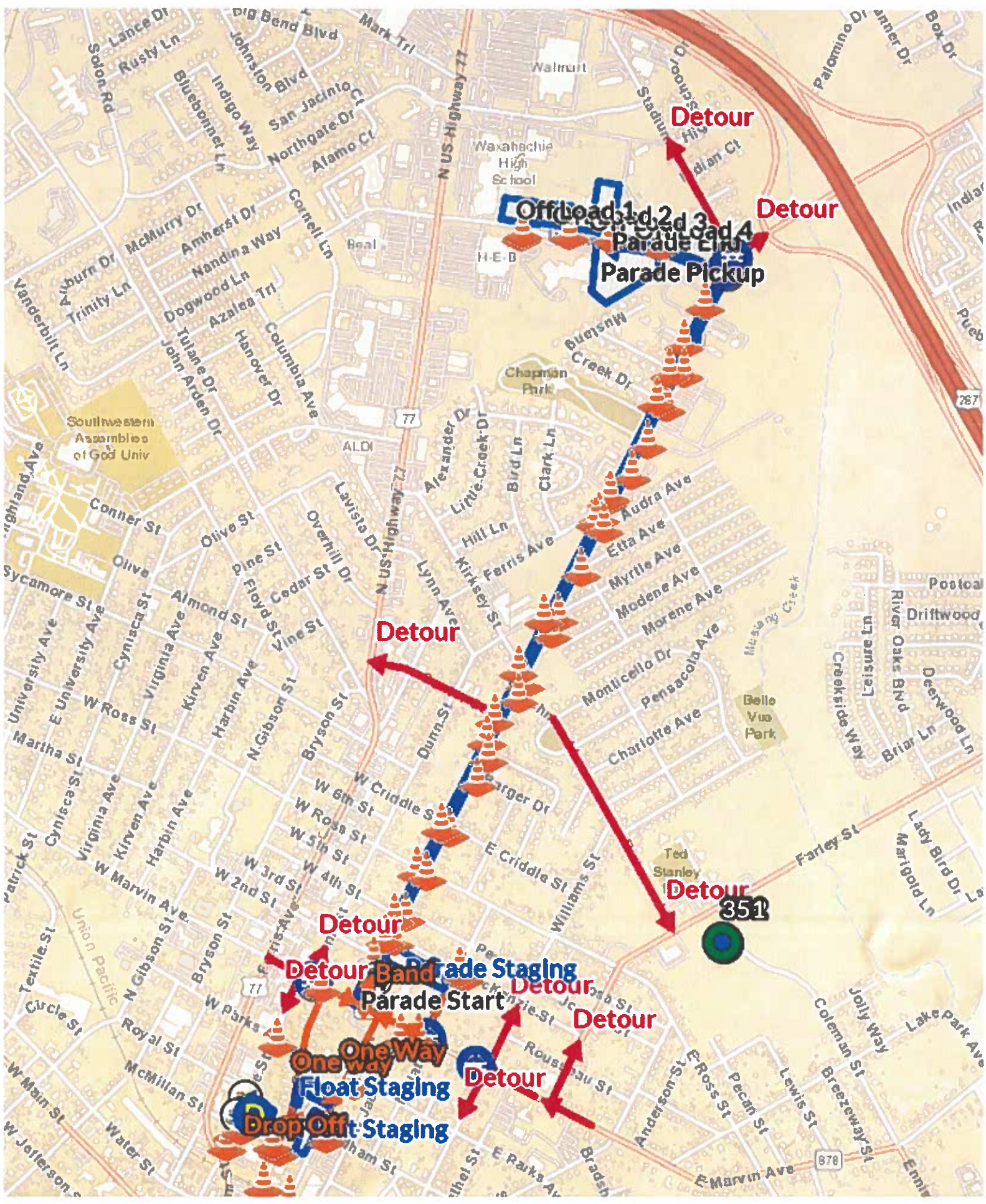
Football Teams

Band, Charms & Homecoming Co

(5d)

(5d)

023 WHS Homecoming Parade route: Complete route 082223



(5d)

Bonner, Jami

From: Bonner, Jami
Sent: Wednesday, August 21, 2024 11:59 AM
To: Gary Barnard
Cc: Joe Wiser; Chance Huckabee; Ricky Boyd; Griffith, Thomas; Donna Insixiengmay; Megan Womack; Massey, Matt; Stoker, Justin; Warren, Anthony; Martinez, Gumaro; Cooper, Kyle; Barnes, Bradley; Campos, Yadira; Villarreal, Amber
Subject: WHS Homecoming Parade Coordination Meeting Notes

Good morning Gary,

Thank you for meeting with staff yesterday to plan for the upcoming WHS Homecoming Parade. Below are the notes from the meeting.

- Limit the number of floats to 50, with a maximum of 8 semi-trucks or tractor-trailers. The City recommends implementing an entry system to track the number of floats.
- **College Street Closure / Loading Zone:** College Street will be closed from McMillan Street to Marvin Avenue. Both sides of the street can be used for staging and loading floats.
- **Jackson Street Drop-off Area:** Designate Jackson Street behind the post office and cleaners as the drop-off zone for parade participants. Encourage parents to use this area.
- **Traffic Flow:** Rogers Street and McMillan Street will remain open to help facilitate traffic flow and check in process.
- **Float/Truck Order:** Do not direct the order of floats during takeoff.
- **Parade Flow:** Limit / avoid performance that could disrupt the parade's flow and create gaps between floats.
- **Public Access:** Maintain access to businesses, Myrtle Avenue, Etta Avenue, and Buffalo Creek Assisted Living and Memory Care as long as possible.
- **Cleanup:** The City requests the District's assistance with post-parade cleanup – including residential yards. Encourage participants to dispose of trash on their floats and not throw trash (e.g., water bottles) in the street.
- **Public notifications:** Please notify the following parties about the parade details (date, time, route, etc.)
 - Residents and businesses on College Street affected by the closure (McMillan St. to Marvin Ave.) Contact me if you need assistance identifying these properties.
 - Buffalo Creek Assisted Living and Memory Care (*ensure emergency access is available, if needed*).
 - United States Postal Service on College Street (*ensure parking lot is accessible from Jackson Street*).
- **The following is prohibited:**
 - Jumping on/off floats, trucks, or trailers
 - Throwing candy
 - Including horses in the parade
 - Loading parade participants at Lumpkins Stadium; use College Street for loading only.

Thank you.



(5e)

Date submitted 8/14/24

Applicant Information

Applicant name: Dani Cagle

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: 109 W Franklin St #115

Host organization name: Waxahachie Downtown Food & Beverage Collective

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

On-site contact name: dani cagle Cell: _____

About the Event

Event name: Downtown Hoco Stroll

Location: within the downtown festival boundary

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

Anticipated attendance: _____

Description of event: The Waxahachie Food and Beverage Collective members will host special events for the

Saturday of Homecoming weekend. Participants include Texas Art and Pour, The College Street Pub, Raipori Brewery, and Cornhouse Winery. We would like to have a festival permit in order to allow open containers.

within the historical overlay to promote shopping and community. This event will be similar to the beer strolls and Ladies' Night Out events hosted by the Waxahachie Downtown Merchants Association.

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:

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



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: Community homecoming event

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.

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	9/27&28/24	11:00 am	11:00 pm
Event Set-up	n/a	n/a	n/a
Event Breakdown	n/a	n/a	n/a

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.



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: n/a Date(s) & time(s): _____

Volunteers How many: n/a Date(s) & time(s): _____

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

Company name: n/a

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? _____



City of Waxahachie
City Secretary's Office

(5e)

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: n/a

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.

Dawn Carl

Signature

8/15/24

Date

Contract Agreement

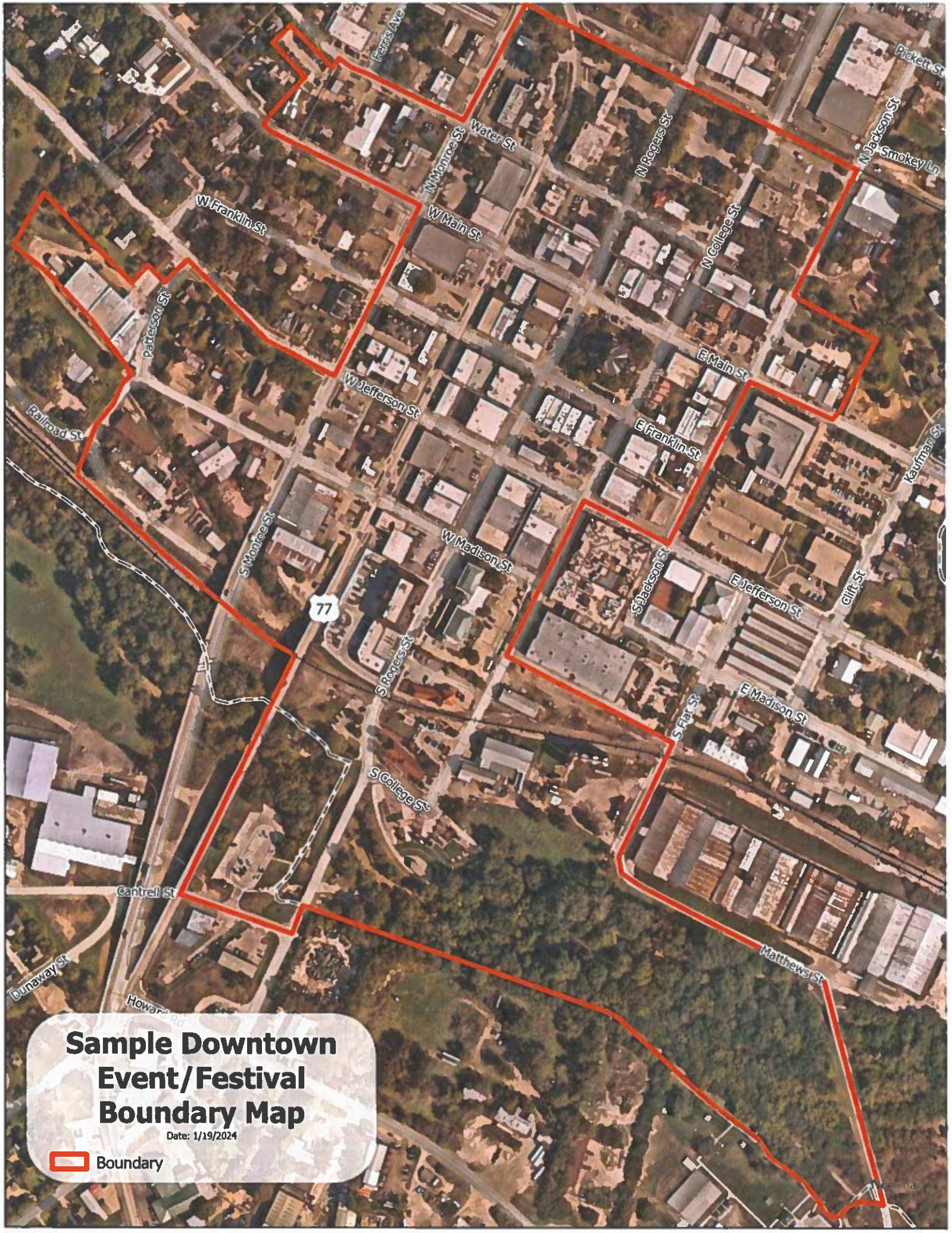
Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

Dawn Carl

Signature

8/15/24

Date



Sample Downtown Event/Festival Boundary Map

Date: 1/19/2024

 Boundary



Date submitted 8/20/24

Applicant Information

Applicant name: Brave like Ellie

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: 316 N. College Street #32

Host organization name: Brave like Ellie

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

On-site contact name: Jennifer Tabak Cell: _____

About the Event

Event name: Brave like Ellie Warrior Walk

Location: Getzendaner Park

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

Anticipated attendance: 30 - 50

Description of event: We are hosting a Warrior Walk to bring awareness to childhood cancer.

This will be our 1st year and will keep it simple and have a 1 mile walk. We would like to set up our registration in a pavilion at Getzendaner and utilize the trail for the walk.

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 type="checkbox"/> Community / Neighborhood |
| <input type="checkbox"/> Private Event | <input type="checkbox"/> Concert / Live Performance |
| <input checked="" type="checkbox"/> Run / Walk | <input type="checkbox"/> Other: _____ |



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.

Entry to the walk is \$40 and includes a swag bag

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	9/28	9 am	11 am
Event Set-up	9/28	7 am	9 am
Event Breakdown	9/28	11 pm	12 pm

Run / Walk:

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

9 am _____ 1 mile _____ 5K _____ Other distance _____

Please indicate your expected attendance: 30 - 50

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

[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: 2 Date(s) & time(s): 7 am - 12 pm

Volunteers How many: 10 Date(s) & time(s): 7 am - 12 pm

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

Company name: Brave like Ellie

Contact name and number: Jennifer Johnson

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? _____



(5f)

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.

Gen Johnson
Signature

8/22/24
Date

Contract Agreement

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

Gen Johnson
Signature

8/22/24
Date

(5f)

Brave like Ellie Warrior Walk



35E

Waxahachie
Cemetery



Date submitted 7/18/24

Applicant Information

Applicant name: Christie Johnson

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 1439 Ennis, TX 75120

Host organization name: Texas Motorplex

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

On-site contact name: Laurie Mosley Cell: _____

About the Event

Event name: Stampede of Speed Week: Cattle Drive & Pre-Stage Fan Fest

Location: Stampede of Speed (10/4) & Fan Fest (10/10)

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

Anticipated attendance: 500

Description of event: 10/4 Cattle Drive starts at Railyard Park -> North on College -> West on Franklin -> South on Rogers

10/10 Fan Fest: food trucks, live band, kids area, funny cars, & 100+ drivers signing autographs

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 type="checkbox"/> Community / Neighborhood |
| <input type="checkbox"/> Private Event | <input type="checkbox"/> Concert / Live Performance |
| <input type="checkbox"/> Run / Walk | <input checked="" type="checkbox"/> Other: Cattle Drive & Pre-Stage Fan Fest Concert |



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:

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	10/4 & 10/10	10/4 (12pm) 10/10 (6pm)	10/6 (1pm) & 10/12 (9pm)
Event Set-up	10/4 & 10/10	10/4 (11am) 10/10 (2pm)	-
Event Breakdown	10/4 & 10/10	-	10/4 (1pm) 10/10 (11pm)

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.



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: 4 Date(s) & time(s): 10/4 (11am - 1pm) 10/10 (6pm - 9pm)

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: 2 Date(s) & time(s): 10/10 (6pm - 9pm)

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: _____

10/6 - Rogers @ College & Franklin, Franklin @ Rogers & College, College @ Franklin & Rogers 10/12 - College in front of Park and Fresh Market

Street closings to begin on date: 10/4 & 10/10 Start time: 10/4 (11am) 10/10 (4pm) End time: 10/4 (1pm) 10/10 (10pm)

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: 10/4 (15) 10/10 (6)

Other: Requesting 150 feet of METAL bicycle barricades

Where should equipment be dropped off & picked up? Railyard Park

Additional Port a Potties Needed: (2) + Hand washing station

Requesting usage of MKT/Hike & Bike Trail Parking Lot as well for designated parking for drivers, VIPs, etc.



City of Waxahachie
City Secretary's Office

(5g)

Special Event Application

When will the traffic equipment be set-up?

Date: 10/4 & 10/10

Time: 10/6 (11am) 10/10 (4pm)

When will the traffic equipment be removed?

Date: 10/4 & 10/10

Time: 10/6 (1pm) 10/10 (10pm)

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:

Stage Power w/ Cam Locks, misc. power throughout park

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

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Christie M. Johnson

Signature

8-12-24

Date

Contract Agreement

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

Christie M. Johnson

Signature

8-12-24

Date

RAILYARD

PARK

STAGE
(BAND)

PUBLIC
PARKING

FACE PAINTING TENT

CORNHOLE

OLIVER THE WATUSI

BOUNCE HOUSE

BOUNCE HOUSE

DRIVER MEET & GREET & AUTOGRAPH SIGNING

CAR PHOTO OP

CAR PHOTO OP

PORT A POTTIES

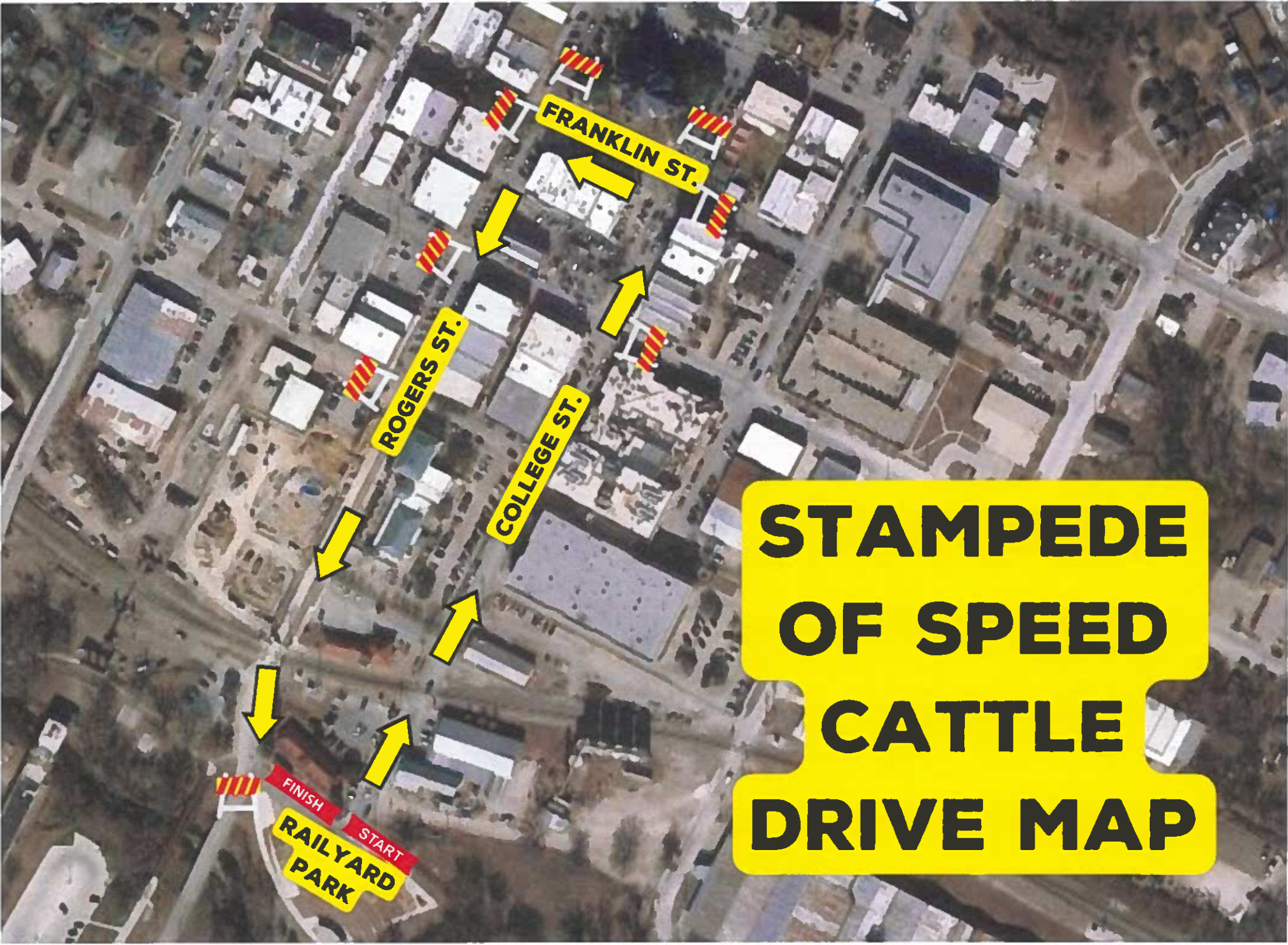
MOTORPLEX BEER TRAILER

FOOD & BEVERAGE TRUCKS

ROAD CLOSURE BARRICADES

ROAD CLOSURE BARRICADES

RAILYARD PARK
455 S. COLLEGE STREET
WAXAHACHIE, TX 75165



**STAMPEDE
OF SPEED
CATTLE
DRIVE MAP**

FINISH
RAILYARD
PARK
START

FRANKLIN ST.

ROGERS ST.

COLLEGE ST.

(5g)

Bonner, Jami

From: Bonner, Jami
Sent: Thursday, August 29, 2024 9:34 AM
To: Christie Johnson
Cc: Joe Wiser; Ricky Boyd; Hunter, TJ; Donna Insixiengmay; Megan Womack; Chance Huckabee; Martinez, Gumaro; Massey, Matt; Tuley, Eleana; Mendez, Wally; Cooper, Kyle; Barnes, Bradley; Mosley, Laurie; Guinn, Danielle; Villarreal, Amber; Warren, Anthony; Jordan, Me'Lony; Campos, Yadira; Stoker, Justin
Subject: Stampede of Speed Week Meeting Notes
Attachments: EA2024.10 4 and 10 Stampede of Speed Week Cattle Drive and Pre-Stage Fan Fest.pdf

Hello Christie,

Thank you for taking the time to meet with staff to discuss and prepare for the upcoming Stampede of Speed Week. Below are the meeting notes:

- Cattle drive participants: approximately 50 walkers, horse-led chuck wagon, pickup truck w/ announcers, Ford Flex w/ Mayor, possible Ford Mustangs, if needed, approximately five horseback cattle handlers, and cattle.
- Cattle drive lineup: walkers, vehicles, cattle
- Cones will be placed to block off parking spaces the night before the cattle drive
- Sergeant Chance Huckabee will reach out to the Ellis County Sheriff's and Constables Offices to invite them to participate
- Barricades will be manned by Streets Dept. staff and officers. Streets will be closed only during the cattle drive's passage.
- The cattle drive will start at Railyard Park and head north on College St., turn left on Franklin, continue south on Rogers, and return to Railyard Park to load up. Total duration is approximately one hour from arrival to departure.
- The applicant is hiring four officers for the Fan Fest event at Railyard Park on October 10th.
- Staff and applicant will discuss potential parking locations for drivers to easily access the Fan Fest event.
- The event application will be included on the September 9th City Council agenda for consideration.

The staff members listed below were in attendance. Please let me know if you need any contact information.

- Chief Joe Wiser, WPD
- Chief Ricky Boyd, WFD
- Thomas Griffith, Emergency Management Coordinator
- Donna Insixiengmay, Assistant Emergency Management Coordinator
- Megan Womack, Emergency Management Assistant
- Sergeant Chance Huckabee, WPD
- Matt Massey, Streets Operation Manager
- Gumaro Martinez, Executive Director of Parks and Leisure Services
- Eleana Tuley, Downtown Redevelopment & Historic Preservation Manager
- Wally Mendez, Downtown Resources Coordinator
- Kyle Cooper, Senior Director of Parks & Recreation
- Brad Barnes, Assistant Director of Parks & Recreation

- Laurie Mosley, Director of Convention & Visitors Bureau
- Danielle Guinn, Cultural Arts & Programming Manager
- Jami Bonner, Assistant City Secretary

(5g)

Don't hesitate to reach out if I can be of further assistance to you. Thank you.

We value your feedback! Please take a moment to complete our [customer satisfaction survey!](#)

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)

(5h)



City of Waxahachie
City Secretary's Office

Special Event Application

Date submitted _____

Applicant Information

Applicant name: Amanda Reyes

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: 806 S Mulberry Ennis, TX 75119

Host organization name: Wednesday Productions

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

On-site contact name: Alex Garza Cell: _____

About the Event

Event name: Le Freak Fest

Location: Parkyard

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

Anticipated attendance: 150 ~~500~~ people

Description of event: Festival (music, vendors, food & Beverages)

How many times has this event been hosted before?

1st time 2 - 4 times 5 or more times Location: 1010 N Collins, Arlington, TX

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:

(5h)



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:

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	10/11/24	6:00pm	11:00pm
Event Set-up	10/11/24	3:00pm	
Event Breakdown	10/11/24	11:00am	

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.

(5h)



City of Waxahachie
City Secretary's Office

Special Event Application

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: 8 2 Dlb Date(s) & time(s): 6pm-11pm

Volunteers How many: N/A Date(s) & time(s): _____

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

Company name: _____

Contact name and number: _____

Off duty police How many: N/A 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: 10/11 Start time: 3pm End time: 11pm DKG

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: 0 Barricades How many: 6 DKG

Other: _____

Where should equipment be dropped off & picked up? Railyard Park

(5h)



City of Waxahachie
City Secretary's Office

Special Event Application

When will the traffic equipment be set-up?

Date: 10/11/24 Time: 3pm

When will the traffic equipment be removed?

Date: 10/11/24 Time: 11pm

Are you requesting the use of City traffic equipment?

Yes

No

Availability is not guaranteed

Streets cannot be blocked without prior approval.

DKG

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:

N/A

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

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[Signature]
Signature

8/8/24
Date

Contract Agreement

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

[Signature]
Signature

8/8/24
Date

[Signature] *8/9/24*

RAILYARD

PARK

EVENT LAYOUT



STAGE



SECONDARY PEDESTRIAN ENTRANCE

LOADING & UNLOADING ZONE



MAIN PEDESTRIAN ENTRANCE



FOOD TRUCKS

RAILYARD PARK
455 S. COLLEGE STREET
WAXAHACHIE, TX 75165

(5h)

Bonner, Jami

From: Guinn, Danielle
Sent: Friday, August 23, 2024 9:29 AM
To: Bonner, Jami; Cooper, Kyle
Cc: Mosley, Laurie; Joe Wiser; Villarreal, Amber
Subject: RE: Event Application - 10/11/24 Le Freak Fest

Good Morning Everyone,

Thank you so much for everyone's input and assistance on making sure we keep our events safe while making efficient use of our resources. I spoke with the applicant and laid out the items we were requiring and they have agreed to all items.

Below are the items I sent to the applicant along with her answers.

1. Security: (4) Off-Duty Waxahachie Police Officers will be required due to the alcohol sales
 - a. The fee is \$50 per officer per hour – so with (4) officers for (3) hours it would be \$600
 - b. The fee must be paid in cash to the officers on the event day (Danielle to help facilitate)
 - c. I can put in the order to order the officers and will just keep you guys in the loop once you give me the green light
 - d. Answer: Agreed & Understood this is our responsibility to pay for off duty officers.
2. Trash: The client is responsible for maintaining the park's cleanliness on the event day and ensuring it is returned to its original or better condition
 - a. We will need something in writing from the client outlining the trash plan – how it will be collected, by whom, how do they intend to manage the trash during the event (volunteers, etc.), and how/where will it be removed afterwards (hailed off in a pickup, etc.).
 - b. We can supply (10) poly-carts if requested; but it would be on the client to empty and clean them after the event
 - c. We recommend contacting and working with Waste Connections as they are familiar with our events and Railyard Park
 - d. Answer: We will have our own staff roughly 5-7 people picking up and collecting trash throughout the night. We own several trailers and dumpsters that will be available to haul off all trash.
3. Restrooms: Given the anticipated crowd size, we require the organizer to secure (4) additional porta-potties to accommodate attendees.
 - a. The Parks Department will provide two porta-potties, one of which is ADA-compliant.
 - b. We typically work with United Site Services for our porta-potty needs, and they have proven reliable in past events
 - c. Answer: DFW Bartending has a porta-potty company they use regularly for their events. We have informed them we need 4 porta-pottys for this date/event.

Please let me know if this is sufficient to move forward with the application or if there is additional information needed. Kyle – I believe that based on their response to trash collection above, that our staff of myself + 2 Event Staff should be adequate as we will be mostly responsible for operations and logistics (barricades, power, etc.).

(51)



City of Waxahachie
City Secretary's Office

Special Event Application

Date submitted 9/1/24

Applicant Information

Applicant name: City of Waxahachie-Various Departments (Monica Boyd)

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: 2000 Civic Center Lane

Host organization name: City of Waxahachie

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

On-site contact name: Wally Mendez (Downtown Area) Cell: _____

About the Event

Event name: Community Tree Lighting & Lighted Night Parade

Location: Downtown; Parade from Getzendaner Park to Downtown

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

Anticipated attendance: Approx. 8,000

Description of event: Lighted Parade & Community Tree Lighting

How many times has this event been hosted before?

1st time 2-4 times 5 or more times Location: Same as Previous Years

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 checked="" type="checkbox"/> Parade | <input type="checkbox"/> Community / Neighborhood |
| <input type="checkbox"/> Private Event | <input type="checkbox"/> Concert / Live Performance |
| <input type="checkbox"/> Run / Walk | <input type="checkbox"/> Other: _____ |



City of Waxahachie
City Secretary's Office

(5i)

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: Photos with Santa

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	12-3-24	6:30	9:30
Event Set-up	12-3-24	4:00	6:00
Event Breakdown	12-3-24	9:30	10:30

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.



(51)

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: TBD by Committee Date(s) & time(s): _____

Volunteers How many: TBD by Committee Date(s) & time(s): _____

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

Company name: Waxahachie PD/Parks/Streets/Community Service

Contact name and number: TBD by PD

Off duty police How many: TBD Police 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: Main from Grand to Rogers.

Rogers from Main to Cantrell; various streets in the area as determined by Emer. Mgmt./Steets

Street closings to begin on date: 12/3/24 Start time: 5 pm End time: 10 pm

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: TBD by PD, Emergency Management, Parks and Streets

Where should equipment be dropped off & picked up? _____



City of Waxahachie
City Secretary's Office

(51)

Special Event Application

When will the traffic equipment be set-up?

Date: 12/3/24

Time: TBD

When will the traffic equipment be removed?

Date: 12/3/24

Time: Immediately after event

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.

Monica Boyd
Signature

9-1-24

Date

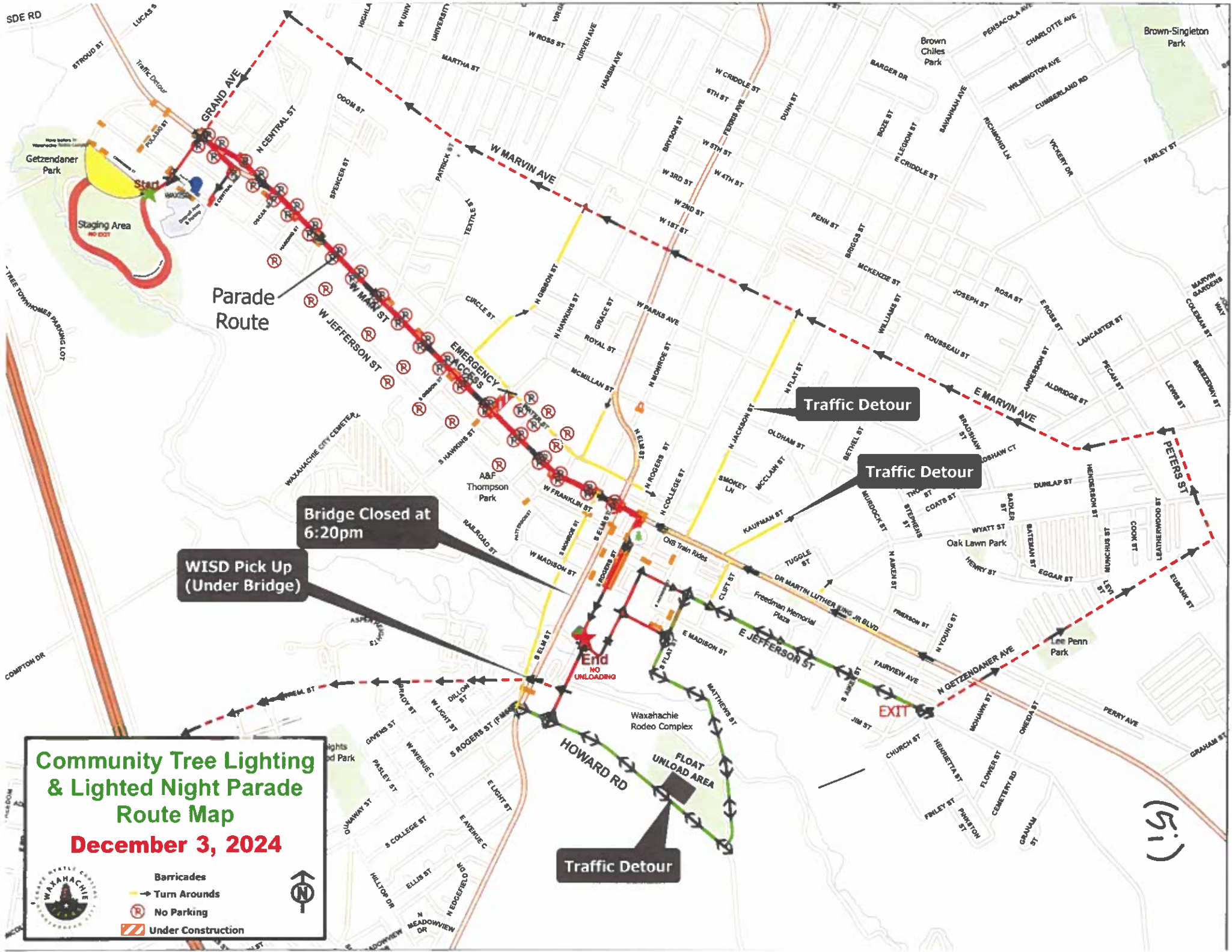
Contract Agreement

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

Monica Boyd
Signature

9-1-24



Date




Community Tree Lighting & Lighted Night Parade Route Map

December 3, 2024



-  Barricades
-  Turn Arounds
-  No Parking
-  Under Construction



Bridge Closed at 6:20pm

WISD Pick Up (Under Bridge)

Traffic Detour

Traffic Detour

Traffic Detour

(51)

(51)

(



September 1, 2024

Mr. Juan Paredes
Texas Department of Transportation
124 FM 876
Waxahachie, TX 75167
juan.paredes@txdot.gov

SUBJECT: PARADE ROUTE REQUEST

Dear Mr. Paredes:

The City of Waxahachie is requesting permission to host a Christmas parade Tuesday, December 3, 2024, 6:30 pm along the following route:

- Line up at Getzendaner Park
- Proceed North on Grand Avenue
- East on Main Street (U.S. Hwy. 287 Bus.)
- South on Rogers Street
- End at the historic train depot

We are also requesting approval of this parade route from the City of Waxahachie.

Sincerely,

Laurie Mosley
Waxahachie CVB Director

Cc: Ms. Amber Villarreal, City Secretary, City of Waxahachie
Michael Scott, City Manager, City of Waxahachie

Waxahachie Convention & Visitors Bureau
2000 Civic Center Lane, Waxahachie, TX 75165 • 469-309-4045

(5j)



City of Waxahachie
City Secretary's Office

Special Event Application

Date submitted 08/09/2024

Applicant Information

Applicant name: John Landrum

Are you representing the host organization? Yes No

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

Phone: N/A Cell: _____

Email: _____

Mailing address: P.O. Box 581 Waxahachie, TX 75168-0581

Host organization name: Waxahachie Lions Club Foundation, Inc.

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

On-site contact name: cb-organizer John Eads Cell: _____

About the Event

Event name: District 2-X1 Build Beds for Kids Project

Location: Getzender Park (Preferred) or Lions Park (Back up).

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

Anticipated attendance: 250 - 300 Volunteers

Description of event: Lions Club project, in collaboration with Sleep In Heavenly Peace, to build beds for children who have no beds, or have inadequate beds.

How many times has this event been hosted before?

1st time 2 - 4 times 5 or more times Location: Getzender or Lions Park (over)

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: _____

(5j)

Prior Events

- 2 Smaller Bed Builds in Getzendaner Park - SAT July 24, 2021
- SAT May 14, 2022
- 1 Large Bed Build at the Ellis County Expo Center - SAT February 18, 2023
- 1 Large Bed Build at Lions Park - SAT September 9, 2023
- 1 Bed Build at Lions Park - SAT March 16, 2024

A total of 445 Beds have been built in these Five (5) events.

(5j)



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 (Concession Trailer)
- Products / Services – given away, sampled, or sold
- Live music
- Street closure
- 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.

All who want to work, or visit to see the process, are welcome to attend this Lions Club project.

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	SAT 3/22/2025	9 AM	5 PM
Event Set-up	3/22/2025	7 AM	9 AM
Event Breakdown	3/22/2025	5 PM	7 PM

Run / Walk:

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

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.

(5j)



City of Waxahachie
City Secretary's Office

Special Event Application

Pre-packaged Snacks/Water/
Drinks/Coffee/Donuts

Food / Beverage:

Will the event offer food/beverages? Yes No Concession Trailer

Will event require any food preparation on-site? Yes No Food Trucks (2 or 3)

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: _____

N/A

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 N/A

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): **Need Not Anticipated**

Traffic Cones How many: _____ Barricades How many: _____

Other: _____

Where should equipment be dropped off & picked up? _____

(5j)



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.

N/A

Temporary Tents & Structures:

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

Yes

No

List the # of tents & sizes: 1 - 100' x 30'

Indicate locations on attached required site map. See Attached

Electrical Services:

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier:

Organizations Holding the Event

Explain services in detail:

(Sleep In Heavenly Peace +/or Lions Club)

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.

John D. Sandman, Jr.
Signature

8/9/2024
Date

Contract Agreement

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

John D. Sandman, Jr.
Signature

8/9/2024
Date





(5j)

Bonner, Jami

From: Martinez, Gumaro
Sent: Wednesday, September 4, 2024 10:38 AM
To: Bonner, Jami; Cooper, Kyle; Barnes, Bradley; Campos, Yadira
Cc: Villarreal, Amber
Subject: RE: Event Application - 3/22/25 District 2-X1 Build Beds for Kids Project

My comments are as follows:

- Coordinate with Parks staff for staking of tent as there are underground utilities in the designated tent area
- Ensure site is clear of any construction materials and waste at the conclusion of the event

I'll defer to the Parks team for additional comments.



From: Bonner, Jami
Sent: Wednesday, September 4, 2024 10:16 AM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>
Cc: Villarreal, Amber <avillarreal@waxahachie.com>
Subject: FW: Event Application - 3/22/25 District 2-X1 Build Beds for Kids Project

Good morning,

Please reply by the end of the day in regards to the attached Build Beds for Kids Project event application. Please provide guidance on the appropriate venue – the applicant is requesting to host the event at either Getzendaner (preferred) or Lions Park. Thank you.

From: Bonner, Jami <>
Sent: Thursday, August 29, 2024 10:30 AM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>
Cc: Villarreal, Amber <avillarreal@waxahachie.com>
Subject: RE: Event Application - 3/22/25 District 2-X1 Build Beds for Kids Project

Good morning,

(5j)

Bonner, Jami

From: Cooper, Kyle
Sent: Wednesday, September 4, 2024 10:54 AM
To: Bonner, Jami; Martinez, Gumaro; Barnes, Bradley; Campos, Yadira
Cc: Villarreal, Amber
Subject: RE: Event Application - 3/22/25 District 2-X1 Build Beds for Kids Project

If there is rain leading up to the event, park staff will have the final say on whether the park's condition allows for truck, trailer, and supply access. This may necessitate the applicant using Lions Park or a designated improved parking lot surface instead.



Kyle Cooper, CPRP
Senior Director
Parks and Recreation
City of Waxahachie
469-309-4277
972-268-4549
Kyle.Cooper@waxahachie.com

From: Bonner, Jami
Sent: Wednesday, September 4, 2024 10:16 AM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>
Cc: Villarreal, Amber <avillarreal@waxahachie.com>
Subject: FW: Event Application - 3/22/25 District 2-X1 Build Beds for Kids Project

Good morning,

Please reply by the end of the day in regards to the attached Build Beds for Kids Project event application. Please provide guidance on the appropriate venue – the applicant is requesting to host the event at either Getzendaner (preferred) or Lions Park. Thank you.

From: Bonner, Jami <>
Sent: Thursday, August 29, 2024 10:30 AM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>
Cc: Villarreal, Amber <avillarreal@waxahachie.com>
Subject: RE: Event Application - 3/22/25 District 2-X1 Build Beds for Kids Project

Good morning,

(5j)

Bonner, Jami

From: Megan Womack
Sent: Monday, August 12, 2024 9:44 AM
To: Bonner, Jami; Joe Wiser; Boyd, Ricky; Griffith, Thomas; Donna Insixiangmay; Martinez, Gumaro; Cooper, Kyle; Barnes, Bradley; Campos, Yadira; Warren, Anthony; Jordan, Me'Lony; Fuller, Brent
Cc: Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice
Subject: RE: Event Application - 3/22/25 District 2-X1 Build Beds for Kids Project

No comments so to be speak, but the area they're wanting to host at in Getzendaner is, I believe, the same location as Tulipalooza. Tulipalooza's application end date is the 16th, but I'm not sure how quick they will be to destroying the remaining flowers and/or how the conditions will be – could be muddy.



Megan Womack
Emergency Management Assistant
Megan.womack@waxahachiepd.org
630 Farley Street
Waxahachie, TX 75165
Office (469) 309-4418

From: Bonner, Jami
Sent: Monday, August 12, 2024 9:14 AM
To: Joe Wiser <JWiser@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Donna Insixiangmay <donna.insixiangmay@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>; Warren, Anthony <anthony.warren@waxahachie.com>; Jordan, Me'Lony <mjordan@waxahachie.com>; Fuller, Brent <BFuller@waxahachiefire.org>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: Event Application - 3/22/25 District 2-X1 Build Beds for Kids Project

For your review / comments. Thank you.

We value your feedback! Please take a moment to complete our [customer satisfaction survey!](#)

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)

(5k)

Planning & Zoning Department

Petition for ETJ Release

Case: ETJ-PTN-150-2024



MEETING DATE(S)

City Council:

September 9, 2024

CAPTION

Consider the proposed Ordinance approving a request by Chandler Brown for a **Petition for ETJ Release** for approximately 4 acres, located at 3537 South Highway, (Property ID 249293) – Owner: J&K Excavation LLC (ETJ-PTN-150-2024)

RECOMMENDED MOTION

"I move to approve ETJ-PTN-150-2024, a request by Chandler Brown, for a Petition for ETJ Release for approximately four (4) acres, located at 3537 South Highway, authorizing the Mayor to sign the associated documents accordingly."

APPLICANT REQUEST

The property owner has petitioned the City to remove his property from the extraterritorial jurisdiction (ETJ).

CASE INFORMATION

Applicant: Chandler Brown

Property Owner(s): Joshua Trees

Site Acreage: 4 acres

Number of Lots: 1 lot

Number of Dwelling Units: 0 unit

SUBJECT PROPERTY

General Location: 3537 South Highway

Parcel ID Number(s): 249293

Current Zoning: ETJ

Existing Use: Heavy Machinery and Equipment.

Platting History: The subject property is platted.

CCN Service Area: Rockett SUD

(5K)

Site Aerial:



PLANNING ANALYSIS

Starting September 1, 2023, residents living in areas within a municipality's ETJ are allowed to file a petition requesting their release from the ETJ. Upon providing the City with the minimum information listed below, the City must immediately release the area from its ETJ.

- The petition must be in writing and detail the area's boundaries through either metes and bounds or a recorded plat; and
- The petition must include the property owner's name, signature, date of birth, residence address, and date of signing.

This application satisfies the requirements of Chapter 42, Subchapter D of the Texas Local Government Code governing the requirements for an ETJ petition.

RECOMMENDATION

City staff has determined that the submitted petition complies with the requirements of Chapter 42, Subchapter D of the Texas Local Government Code and that such law requires the release of the subject property from the City's ETJ.

ATTACHED EXHIBITS

1. ETJ Petition Map for September 9, 2024, City Council Meeting
2. Proposed Ordinance
3. Legal Description (Exhibit A)
4. Location Map (Exhibit B)

STAFF CONTACT INFORMATION

Prepared by:

Harper Lindamood

Planner

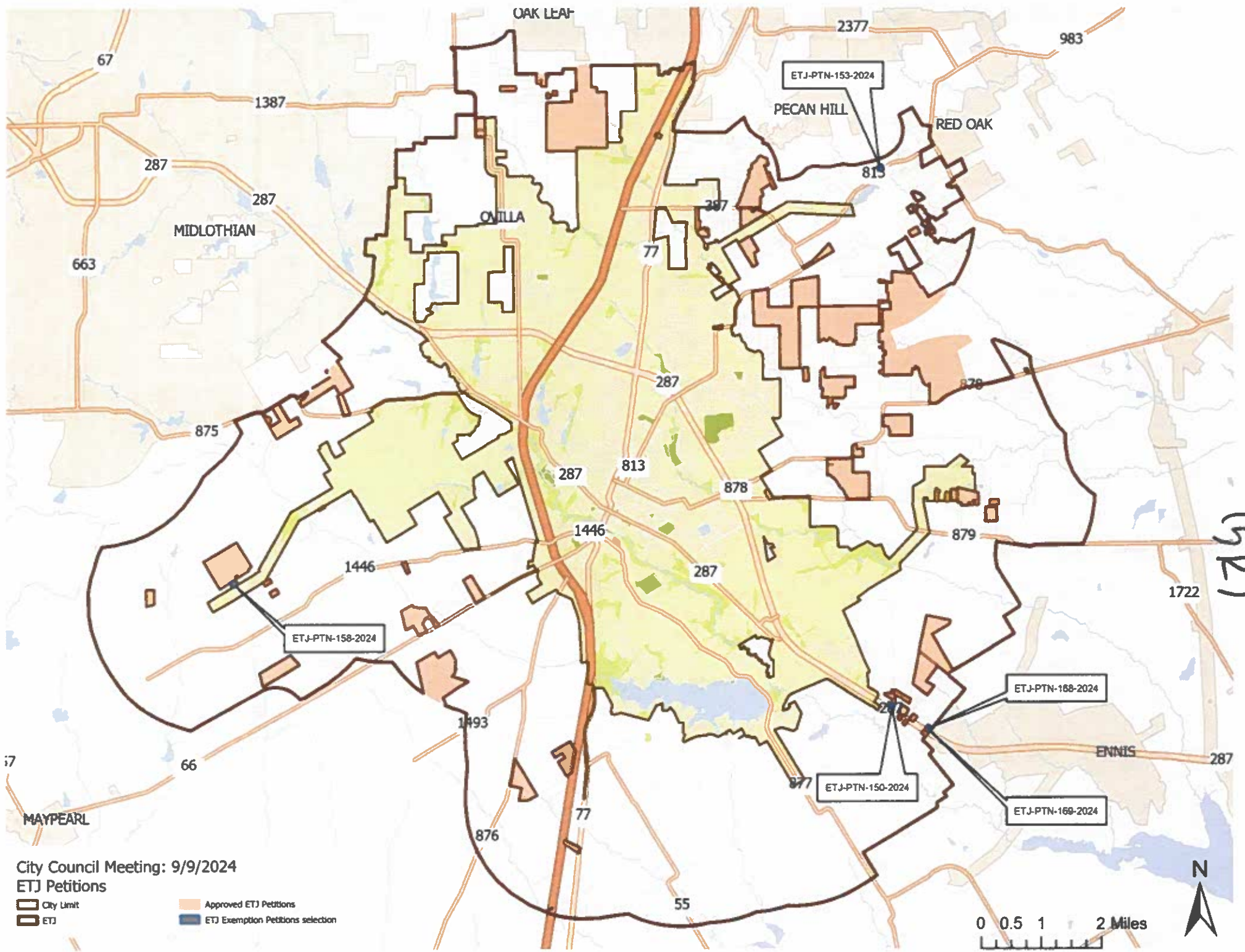
Harper.lindamood@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com



(5K)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION OF A 4 ACRE TRACT OF LAND, LOCATED AT 3537 SOUTH HIGHWAY, KNOWN AS PROPERTY ID 249293, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

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

WHEREAS, as authorized by Subchapter D of Chapter 42 of the Texas Local Government Code, the landowners of the herein described property have requested and petitioned in writing that the City of Waxahachie (“City”) exclude the property herein described from the City’s Extraterritorial Jurisdiction (“**ETJ**”); and

WHEREAS, City staff has determined that the submitted petition, case number ETJ-PTN-150-2024, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein-described property from the City’s ETJ.

NOW, THEREFORE, the following described tracts of land are hereby released and removed from the City’s ETJ, effective as of the date of the passage of this Ordinance:

All those certain lots, tracts or parcels of land situated in Ellis County, Texas, and being more particularly described by metes and bounds in Exhibit A and shown on the location map in Exhibit B, which are made a part hereof and attached hereto for all purposes.

The City’s ETJ boundary is hereby amended in accordance with said change. City staff is hereby directed to make all required changes to the City map showing the boundaries of the City’s ETJ, as required by Section 41.002 of the Texas Local Government Code, and to promptly notify Ellis County of such changes.

PASSED, APPROVED AND ADOPTED on this 9th day of September, 2024.

MAYOR

ATTEST:

City Secretary

(5k)

EXHIBIT A - LEGAL DESCRIPTION

JOHN W. FOGLE, INC.

AMERICAN

COPYRIGHT © 1972

SCALE 1" = 40'

THIS SURVEY IS A PART OF THE SURVEY OF THE COUNTY OF ...

SECTION 12, TOWNSHIP 12N, RANGE 10E, ...

SECTION 12, TOWNSHIP 12N, RANGE 10E, ...

SECTION 12, TOWNSHIP 12N, RANGE 10E, ...

SECTION 12, TOWNSHIP 12N, RANGE 10E, ...

SECTION 12, TOWNSHIP 12N, RANGE 10E, ...

SECTION 12, TOWNSHIP 12N, RANGE 10E, ...

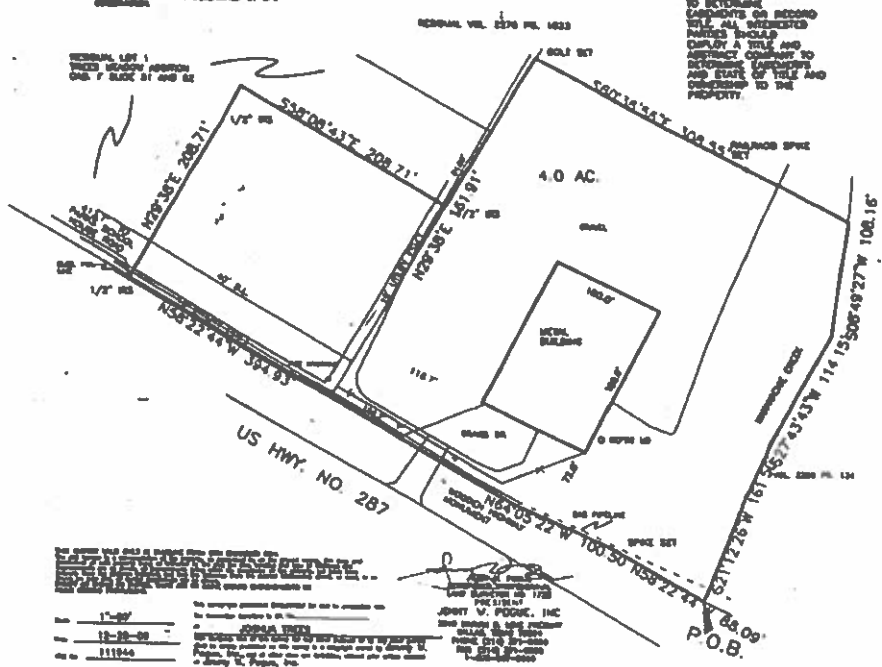
SECTION 12, TOWNSHIP 12N, RANGE 10E, ...

SECTION 12, TOWNSHIP 12N, RANGE 10E, ...

SECTION 12, TOWNSHIP 12N, RANGE 10E, ...

SECTION 12, TOWNSHIP 12N, RANGE 10E, ...

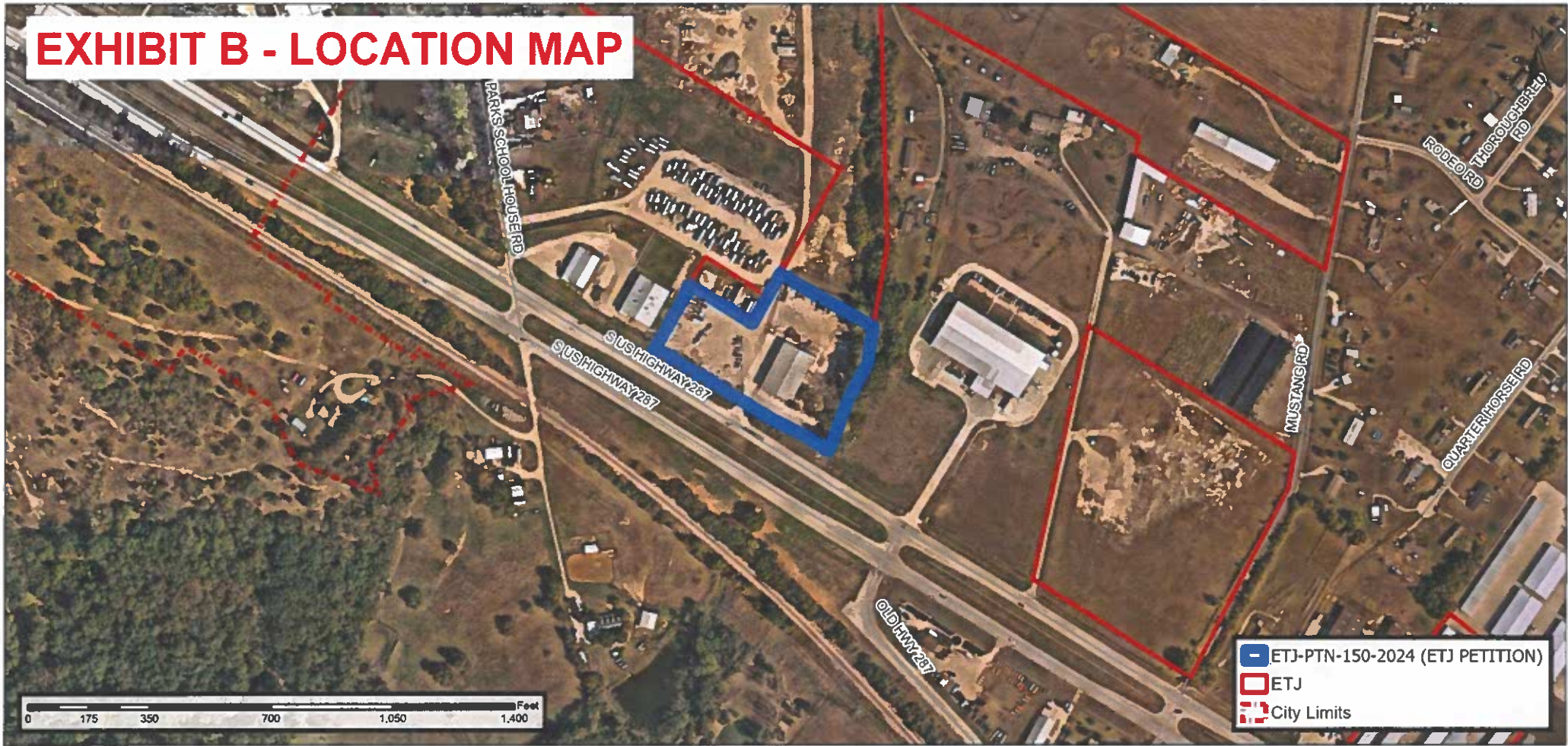
NOTE: I DID NOT SEARCH THE COUNTY RECORDS TO DETERMINE ...



THIS SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT ACCURATELY REPRESENTS THE ACTUAL SURVEY MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION.

JOHN W. FOGLE, INC.
 1215 1/2 W. 12th St.
 Oklahoma City, Oklahoma 73106
 Phone: 246-1212
 Fax: 246-1212

EXHIBIT B - LOCATION MAP



(5K)

Planning & Zoning Department

Petition for ETJ Release

Case: ETJ-PTN-153-2024



MEETING DATE(S)

City Council:

September 9, 2024

CAPTION

Consider proposed Ordinance approving a request by Jose Robles, for a **Petition for ETJ Release** for approximately 3.50 acres, located at 5617 FM 813 (Property ID 183511) – Owner: Jose Robles & Francisca Robles (ETJ-PTN-153-2024)

RECOMMENDED MOTION

"I move to approve ETJ-PTN-153-2024, a request by Jose Robles, for a Petition for ETJ Release for approximately 3.50 acres, at 5617 FM 813, authorizing the Mayor to sign the associated documents accordingly."

APPLICANT REQUEST

The property owner has petitioned the City to remove his property from the extraterritorial jurisdiction (ETJ).

CASE INFORMATION

<i>Applicant:</i>	Jose Robles
<i>Property Owner(s):</i>	Jose Robles & Francisca Robles
<i>Site Acreage:</i>	3.50 acres
<i>Number of Lots:</i>	1 lot
<i>Number of Dwelling Units:</i>	1 unit

SUBJECT PROPERTY

<i>General Location:</i>	5617 FM 813
<i>Parcel ID Number(s):</i>	183511
<i>Current Zoning:</i>	N/A (ETJ)
<i>Existing Use:</i>	Residential
<i>Platting History:</i>	The subject property is unplatted.
<i>CCN Service Area:</i>	Rockett SUD

Site Aerial:



PLANNING ANALYSIS

Starting September 1, 2023, residents living in areas within a municipality's ETJ are allowed to file a petition requesting their release from the ETJ. Upon providing the City with the minimum information listed below, the City must immediately release the area from its ETJ.

- The petition must be in writing and detail the area's boundaries through either metes and bounds or a recorded plat; and
- The petition must include the property owner's name, signature, date of birth, residence address, and date of signing.

This application satisfies the requirements of Chapter 42, Subchapter D of the Texas Local Government Code governing the requirements for an ETJ petition.

RECOMMENDATION

City staff has determined that the submitted petition complies with the requirements of Chapter 42, Subchapter D of the Texas Local Government Code and that such law requires the release of the subject property from the City's ETJ.

ATTACHED EXHIBITS

1. ETJ Petition Map for September 9, 2024 City Council Meeting
2. Proposed Ordinance
3. Deed (Exhibit A)
4. Location Map (Exhibit B)

STAFF CONTACT INFORMATION

Prepared by:

James Breen

GIS Technician

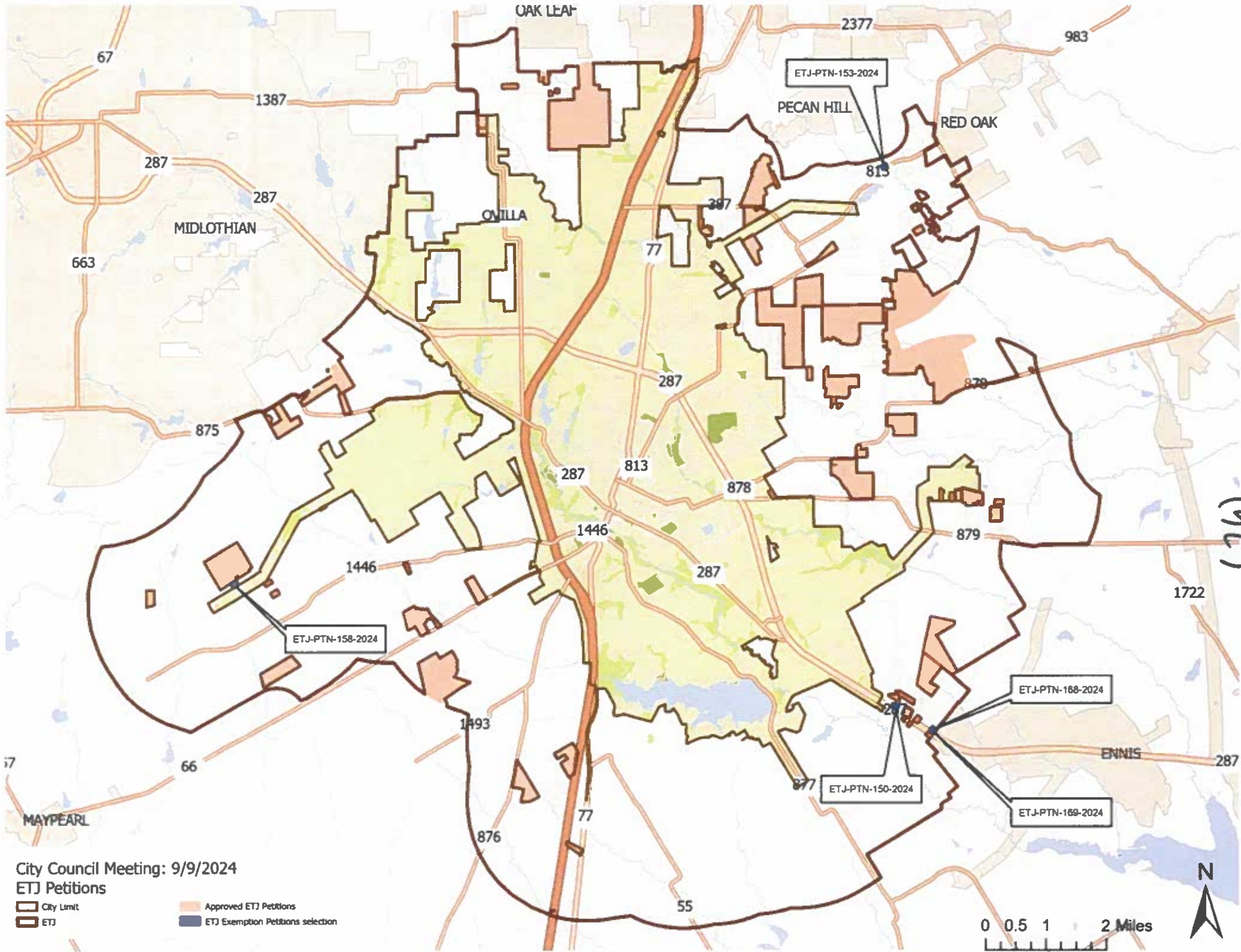
james.breen@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com



City Council Meeting: 9/9/2024
 ETJ Petitions

- City Limit
- ETJ
- Approved ETJ Petitions
- ETJ Exemption Petitions selection

(51)

0 0.5 1 2 Miles



(51)

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 3.50 ACRE TRACT OF LAND, LOCATED AT 5617 FM 813, KNOWN AS PROPERTY ID 183511, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

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

WHEREAS, as authorized by Subchapter D of Chapter 42 of the Texas Local Government Code, the landowners of the herein described property have requested and petitioned in writing that the City of Waxahachie ("City") exclude the property herein described from the City's Extraterritorial Jurisdiction ("**ETJ**"); and

WHEREAS, City staff has determined that the submitted petition, case number ETJ-PTN-153-2024, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

NOW, THEREFORE, the following described tracts of land are hereby released and removed from the City's ETJ, effective as of the date of the passage of this Ordinance:

All those certain lots, tracts or parcels of land situated in Ellis County, Texas, and being more particularly described by deed in Exhibit A and shown on the location map in Exhibit B, which are made a part hereof and attached hereto for all purposes.

The City's ETJ boundary is hereby amended in accordance with said change. City staff is hereby directed to make all required changes to the City map showing the boundaries of the City's ETJ, as required by Section 41.002 of the Texas Local Government Code, and to promptly notify Ellis County of such changes.

PASSED, APPROVED AND ADOPTED on this 9th day of September, 2024.

MAYOR

ATTEST:

City Secretary

(51)

EXHIBIT A - DEED

To secure the payment of the Note, the vendor's lien and superior title are retained against the Property until the Note and all interest thereon is fully paid and satisfied according to its face, tenor, effect and reading, and Grantor, for value received from the Lender, as recited above, does hereby TRANSFER, ASSIGN, and SET OVER, without recourse, unto the Lender, its successors and assigns, said vendor's lien retained to secure the Note together with the superior title remaining in Grantor.

Ad valorem taxes for the year of this deed have been prorated; accordingly, by its acceptance of this Deed, Grantee assumes responsibility to pay all ad valorem taxes on the Property for such year and all subsequent years.

EXECUTED effective as of this 1 day of April, 2022.

GRANTOR:

Brenda Keith
BRENDA KEITH

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

This instrument was acknowledged before me on the 1 day of April, 2022, by
BRENDA KEITH.



Teresa L. Lackey
Notary Public, State of TEXAS

After recording, return to:

Jose Robles
3590 S Hwy 77
Waxahachie, TX. 75165

(5L)

EXHIBIT A - DEED

EXHIBIT "A"
LEGAL DESCRIPTION OF THE LAND

All that certain tract lot or parcel of land, a part of the T.R. Follett Survey A-373, Ellis County, Texas, and also being all of that certain called 3.5 acre tract of land that is described in Instrument Dated September 20, 2002 from Charlie R. Beechum, et al, to Brenda Keith that is recorded in Volume 1882 Page 401 of the Deed Records of Ellis County, Texas, and being more completely described as follows to wit;

Beginning at a Fence Corner (old cross tie) at the occupied N.W.C. of said tract and an Ell Corner of that certain tract to Vernon Coffee (Vol 2803 Pg 398);

Thence North 59 Degrees 03 Minutes 18 Seconds East, along said Coffee tract and the occupied N.B.L. of said tract for a distance of 503.60 feet to a 20.5' Elm Tree at fence corner at the occupied N.E.C. of said tract;

Thence South 31 Degrees 13 Minutes 53 Seconds East, along the E.B.L. of said tract, at 26.31 feet pass a 1/2 Inch Iron Rod found for corner at an Ell corner of that certain tract to Rocket Investments (1812189, 04-30-2018) same being the N.W.C. of that certain tract to Joseph Bohnshack (Vol 2497 Pg 1342) for a distance of 229.17 feet to a 1/2 Inch Iron Rod set for corner on the East Edge of a Shop at an Ell Corner of said tract;

Thence South 59 Degrees 03 Minutes 18 Seconds West, along the S.B.L. of said tract and the N.B.L. of that certain called 0.5 acres (1730857, 10-30-2017) for a distance of 188.08 feet to a 1/2 Inch Iron Rod set for corner at an Ell Corner of said tract;

Thence South 30 Degrees 56 Minutes 42 Seconds East, along the central E.B.L. of said tract and the W.B.L. of said called 0.5 acres, at 91.08 feet pass a 1/2 Inch Iron Rod set for reference and continue for a total distance of 119.44 feet to a Point for Corner in the paving of FM 813;

Thence South 59 Degrees 03 Minutes 18 Seconds West, along said FM 813 and the S.B.L. of said tract for a distance of 316.67 feet to a Point for Corner at the S.W.C. of said tract;

Thence North 30 Degrees 56 Minutes 42 Seconds West, along the W.B.L. of said tract and along said Coffee tract, at 33.60 feet pass 1/2 Inch Iron Rod set for reference and continue for a total distance of 348.61 feet to the place of beginning containing 3.5207 acres of which 0.2252 acres lies in the R.O.W. of said Road.

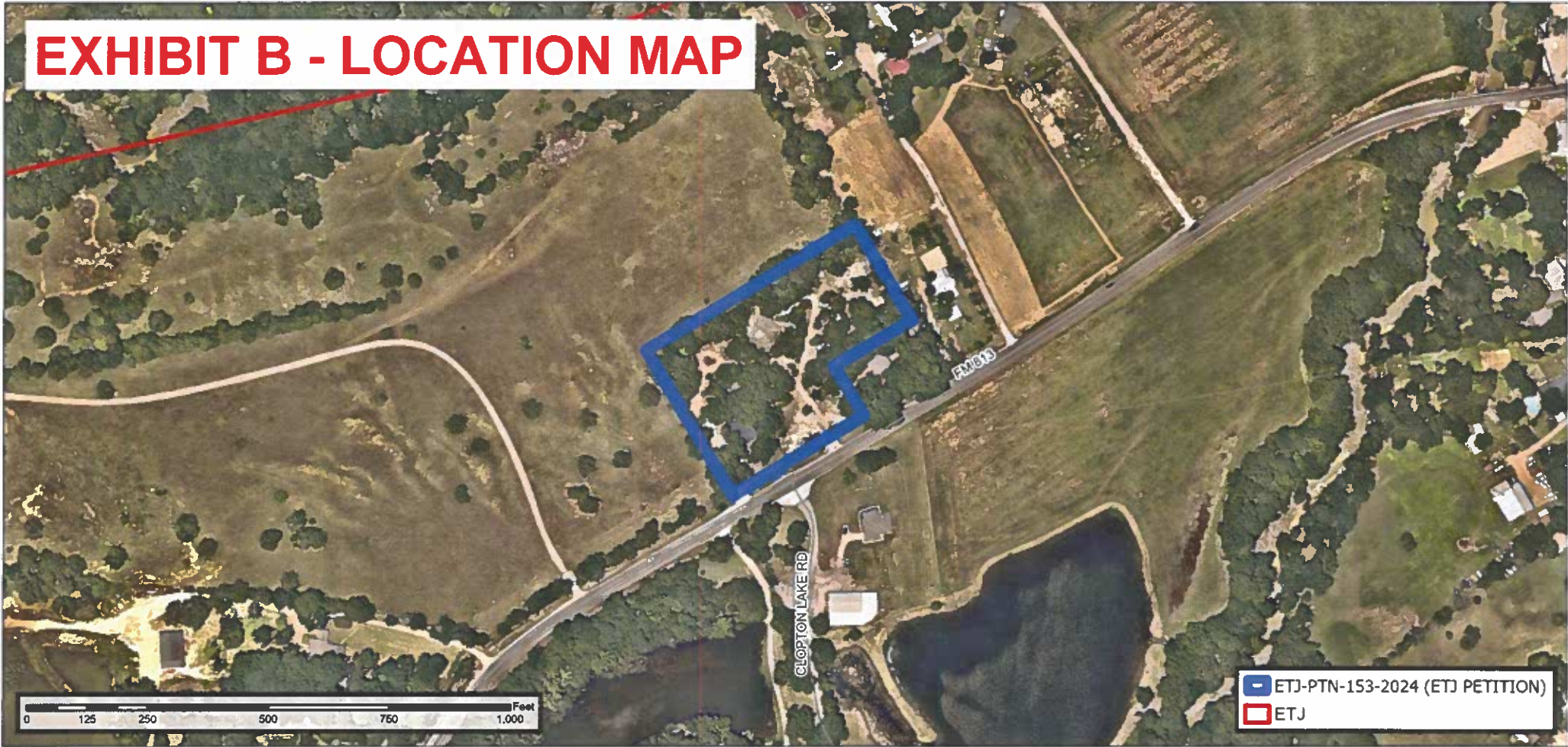
FILED FOR RECORD - ELLIS COUNTY, TEXAS
INST NO 2214255 on April 6, 2022 at 9:58 AM

STATE OF TEXAS COUNTY OF ELLIS
I hereby certify this instrument was filed on the date
and time stamped hereon and was duly recorded in
the records of Ellis County, Texas as stamped hereon.
COUNTY CLERK, ELLIS COUNTY, TEXAS



Augusta Valdez

EXHIBIT B - LOCATION MAP



(75)

(5m)

Planning & Zoning Department

Petition for ETJ Release

Case: ETJ-PTN-158-2024



MEETING DATE(S)

City Council:

September 9, 2024

CAPTION

Consider proposed Ordinance approving a request by Candice Charles, for a **Petition for ETJ Release** for approximately 6.09 acres, located at 901 Holt Road and 877 Holt Road (Property ID 188148 & 304027) – Owner: Deanna Morgan & James Daffron Jr (ETJ-PTN-158-2024)

RECOMMENDED MOTION

"I move to approve ETJ-PTN-158-2024, a request by Candice Charles, for a Petition for ETJ Release for approximately 6.09 acres, at 901 Holt Road and 877 Holt Road, authorizing the Mayor to sign the associated documents accordingly."

APPLICANT REQUEST

The property owner has petitioned the City to remove his property from the extraterritorial jurisdiction (ETJ). After staff review, it has been determined that only a portion of the property (approximately 9.60 acres) included in the petition is located within the Waxahachie ETJ. This Petition will only be applicable for the portion of property located within the Waxahachie ETJ and will not release the remainder of the property from the ETJ of another entity.

CASE INFORMATION

<i>Applicant:</i>	Candice Charles
<i>Property Owner(s):</i>	Deanna Morgan & James Daffron Jr
<i>Site Acreage:</i>	6.09 acres
<i>Number of Lots:</i>	2 lots
<i>Number of Dwelling Units:</i>	2 units

SUBJECT PROPERTY

<i>General Location:</i>	Located at 901 Holt Road and 877 Holt Road
<i>Parcel ID Number(s):</i>	188148 & 304027
<i>Current Zoning:</i>	N/A (ETJ)
<i>Existing Use:</i>	Residential
<i>Platting History:</i>	The subject properties are unplatted.
<i>CCN Service Area:</i>	Buena Vista – Bethel WSC

(5m)

Site Aerial:



PLANNING ANALYSIS

Starting September 1, 2023, residents living in areas within a municipality's ETJ are allowed to file a petition requesting their release from the ETJ. Upon providing the City with the minimum information listed below, the City must immediately release the area from its ETJ.

- The petition must be in writing and detail the area's boundaries through either metes and bounds or a recorded plat; and
- The petition must include the property owner's name, signature, date of birth, residence address, and date of signing.

This application satisfies the requirements of Chapter 42, Subchapter D of the Texas Local Government Code governing the requirements for an ETJ petition.

RECOMMENDATION

City staff has determined that the submitted petition complies with the requirements of Chapter 42, Subchapter D of the Texas Local Government Code and that such law requires the release of the subject property from the City's ETJ.

ATTACHED EXHIBITS

1. ETJ Petition Map for September 9, 2024 City Council Meeting
2. Proposed Ordinance
3. Survey (Exhibit A)
4. Location Map (Exhibit B)

STAFF CONTACT INFORMATION

Prepared by:

James Breen

GIS Technician

james.breen@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com

(5m)

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 6.09 ACRE TRACT OF LAND, LOCATED AT 901 HOLT ROAD AND 877 HOLT ROAD, KNOWN AS PROPERTY ID'S 188148 & 304027, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

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

WHEREAS, as authorized by Subchapter D of Chapter 42 of the Texas Local Government Code, the landowners of the herein described property have requested and petitioned in writing that the City of Waxahachie ("City") exclude the property herein described from the City's Extraterritorial Jurisdiction ("ETJ"); and

WHEREAS, City staff has determined that the submitted petition, case number ETJ-PTN-158-2024, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

NOW, THEREFORE, the following described tracts of land are hereby released and removed from the City's ETJ, effective as of the date of the passage of this Ordinance:

All those certain lots, tracts or parcels of land situated in Ellis County, Texas, and being more particularly described by survey in Exhibit A and shown on the location map in Exhibit B, which are made a part hereof and attached hereto for all purposes.

The City's ETJ boundary is hereby amended in accordance with said change. City staff is hereby directed to make all required changes to the City map showing the boundaries of the City's ETJ, as required by Section 41.002 of the Texas Local Government Code, and to promptly notify Ellis County of such changes.

PASSED, APPROVED AND ADOPTED on this 9th day of September, 2024.

MAYOR

ATTEST:

City Secretary

EXHIBIT A - SURVEY

LAND TITLE SURVEY

HOYT ROAD, WAXAHACHIE, TEXAS 75147

BEING ALL THAT CERTAIN LOT TRACT OR PARCEL OF LAND LOCATED IN THE W.C. MOODY SURVEY, A-747, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING DESCRIBED AS PART OF A CALLED 11.962 ACRES TRACT OF LAND DESCRIBED IN DEED TO GERALD C. MORGAN, AND WIFE, ALICE J. MORGAN RECORDED IN VOLUME 181, PAGE 184, ALSO BEING PART OF A CALLED 183.361 ACRES TRACT OF LAND DESCRIBED IN DEED TO GERALD C. MORGAN RECORDED IN VOLUME 716, PAGE 290 OF THE DEED RECORDS ELLIS COUNTY, TEXAS (DIRECT)

(5m)



LEGEND

FENCE X

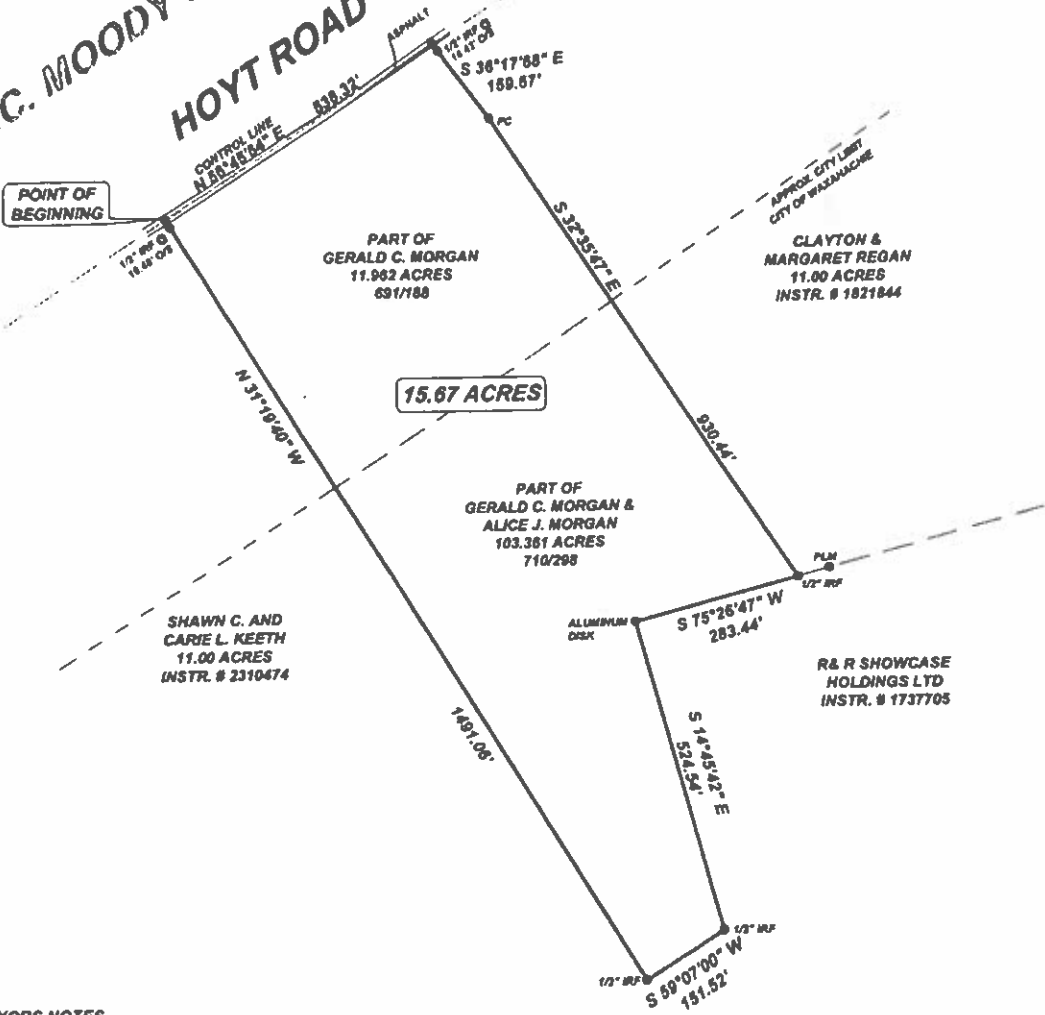
OVERHEAD POWER

CONC. = CONCRETE	TP = TELEPHONE BOX
FP = POWER POLE	LP = LIGHT POLE
WM = WATER METER	GM = GAS METER
WV = WATER VALVE	EB = ELECTRICAL BOX
WV = IRON ROD FOUND	PT = PROPANE TANK
MS = IRON ROD SET	SP = SERVICE POLE
WV = IRON ROD SET	PH = FIRE HYDRANT
TC = TRIP COIL FOUND	TA = TELEPHONE TOWER
TC = TRIP COIL FOUND	TA = TELEPHONE TOWER
BCS = BURIED CABLE SIGN	DR = DRAINAGE
PLM = PIPELINE MARKER	DR = DRAINAGE

BASIS OF BEARINGS:
TEXAS COORDINATE
SYSTEM NORTH
CENTRAL ZONE NAD 83

W.C. MOODY SURVEY A-747
HOYT ROAD

POINT OF BEGINNING



SURVEYORS NOTES

IMPROVEMENTS NOT SHOWN
USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR BY OTHER PARTIES SHALL BE AT THEIR OWN RISK AND THE UNDERSIGNED SURVEYOR IS NOT RESPONSIBLE FOR ANY LOSS THEREFROM.

NO FLOOD PLAIN DESIGNATION WAS DETERMINED BY THIS SURVEYOR.

NO ATTEMPT HAS BEEN MADE TO DETERMINE OR SHOW THE EXISTENCE, LOCATION, SIZE, DEPTH, CAPACITY OR CONDITION OF ANY PROPOSED OR EXISTING UTILITIES ON THIS PROPERTY WHETHER PRIVATE, MUNICIPAL OR PUBLICLY OWNED.

NO ENVIRONMENTAL OR SUBSURFACE CONDITIONS WERE SURVEYED OR EXAMINED THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.

THE ADDRESS SHOWN WAS PROVIDED BY OTHERS, HARDIN SURVEYING MAKES NO CLAIM TO ITS ACCURACY.

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. THERE MAY BE MATTERS AFFECTING THIS TRACT THAT A TITLE COMMITMENT WOULD REVEAL. THE UNDERSIGNED HAS NOT PERFORMED A TITLE AND/OR EASEMENT SEARCH AND ASSUMES NO LIABILITY FOR SUCH MATTERS.

THIS PROPERTY IS SUBJECT TO THE RULES, REGULATION, AND ZONING ORDINANCES IMPOSED BY THE CITY OF WAXAHACHIE.

I, GARY L. HARDIN R.P.L.S. # 4207, DO HEREBY CERTIFY THAT THE SURVEY SHOWN REPRESENTS THE RESULTS OF AN ON THE GROUND SURVEY MADE UNDER MY DIRECTION AND SUPERVISION DURING THE MONTH OF OCT. 2023, AND ALL CORNERS ARE SHOWN HEREON AND THERE ARE NO VISIBLE EASEMENTS, ENCROACHMENTS, COMPLECTS OR PROTRUSIONS OTHER THAN SHOWN.

R & R SHOWCASE HOLDINGS LTD
INSTR. # 1737705

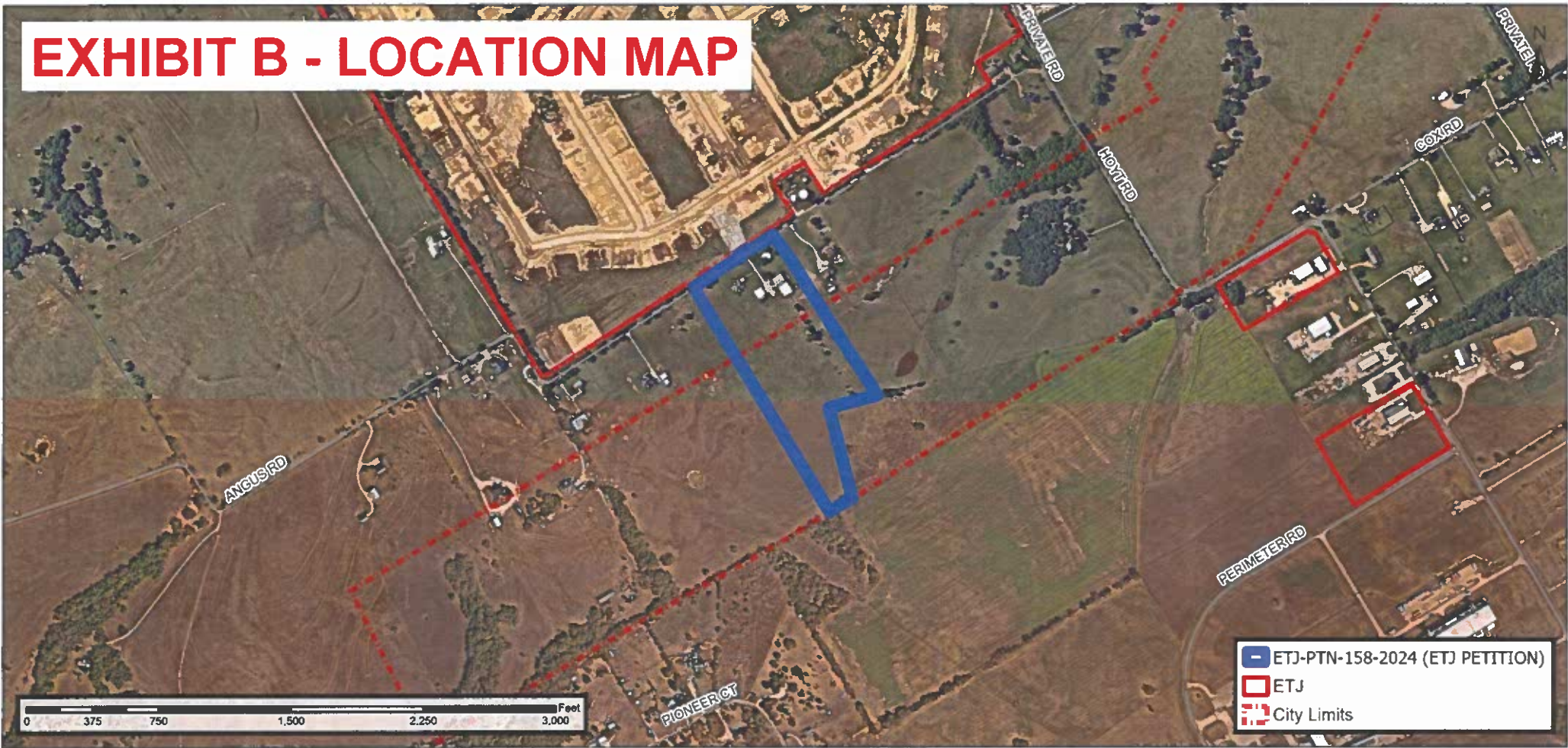


HARDIN SURVEYING
201 E. MASON STREET
MABANK, TEXAS 75147
(903) 887-5674 FIRM# 10114700

GARY L. HARDIN R.P.L.S. # 4207
SIGNATURE VOID IF NOT SIGNED BY GARY L. HARDIN

DATE PERFORMED: OCTOBER 19, 2023 SCALE: 1" = 200 FEET
WORK ORDER # 22031158 FIELD BY: TS DRAWN BY: TF
SURVEY PERFORMED FOR: MORGAN

EXHIBIT B - LOCATION MAP



(5m)

(5n)

Planning & Zoning Department

Petition for ETJ Release

Case: ETJ-PTN-168-2024



MEETING DATE(S)

City Council:

September 9, 2024

CAPTION

Consider proposed Ordinance approving a request by Bryan Hicks, for a **Petition for ETJ Release** for approximately 1.44 acres, located at 215 Old Church Road (Property ID 217720) – Owner: Bryan Hicks and Wendy Hicks (ETJ-PTN-168-2024)

RECOMMENDED MOTION

"I move to approve ETJ-PTN-168-2024, a request by Bryan Hicks, for a Petition for ETJ Release for approximately 1.44 acres, at 215 Old Church Road, authorizing the Mayor to sign the associated documents accordingly."

APPLICANT REQUEST

The property owner has petitioned the City to remove his property from the extraterritorial jurisdiction (ETJ).

CASE INFORMATION

<i>Applicant:</i>	Bryan Hicks
<i>Property Owner(s):</i>	Bryan Hicks and Wendy Hicks
<i>Site Acreage:</i>	1.44 acres
<i>Number of Lots:</i>	1 lot
<i>Number of Dwelling Units:</i>	1 unit

SUBJECT PROPERTY

<i>General Location:</i>	Located at 215 Old Church Road
<i>Parcel ID Number(s):</i>	217720
<i>Current Zoning:</i>	N/A (ETJ)
<i>Existing Use:</i>	Residential
<i>Platting History:</i>	Platted as a portion of Lot 9 Arrowhead Addition in 1978
<i>CCN Service Area:</i>	Rockett SUD

(5n)

Site Aerial:



PLANNING ANALYSIS

Starting September 1, 2023, residents living in areas within a municipality's ETJ are allowed to file a petition requesting their release from the ETJ. Upon providing the City with the minimum information listed below, the City must immediately release the area from its ETJ.

- The petition must be in writing and detail the area's boundaries through either metes and bounds or a recorded plat; and
- The petition must include the property owner's name, signature, date of birth, residence address, and date of signing.

This application satisfies the requirements of Chapter 42, Subchapter D of the Texas Local Government Code governing the requirements for an ETJ petition.

RECOMMENDATION

City staff has determined that the submitted petition complies with the requirements of Chapter 42, Subchapter D of the Texas Local Government Code and that such law requires the release of the subject property from the City's ETJ.

ATTACHED EXHIBITS

1. ETJ Petition Map for September 9, 2024 City Council Meeting
2. Proposed Ordinance
3. Survey (Exhibit A)
4. Location Map (Exhibit B)

STAFF CONTACT INFORMATION

Prepared by:

James Breen

GIS Technician

james.breen@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com

(5n)

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 1.44 ACRE TRACT OF LAND, LOCATED AT 215 OLD CHURCH ROAD, KNOWN AS PROPERTY ID 217720, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

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

WHEREAS, as authorized by Subchapter D of Chapter 42 of the Texas Local Government Code, the landowners of the herein described property have requested and petitioned in writing that the City of Waxahachie ("**City**") exclude the property herein described from the City's Extraterritorial Jurisdiction ("**ETJ**"); and

WHEREAS, City staff has determined that the submitted petition, case number ETJ-PTN-168-2024, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

NOW, THEREFORE, the following described tracts of land are hereby released and removed from the City's ETJ, effective as of the date of the passage of this Ordinance:

All those certain lots, tracts or parcels of land situated in Ellis County, Texas, and being more particularly described by survey in Exhibit A and shown on the location map in Exhibit B, which are made a part hereof and attached hereto for all purposes.

The City's ETJ boundary is hereby amended in accordance with said change. City staff is hereby directed to make all required changes to the City map showing the boundaries of the City's ETJ, as required by Section 41.002 of the Texas Local Government Code, and to promptly notify Ellis County of such changes.

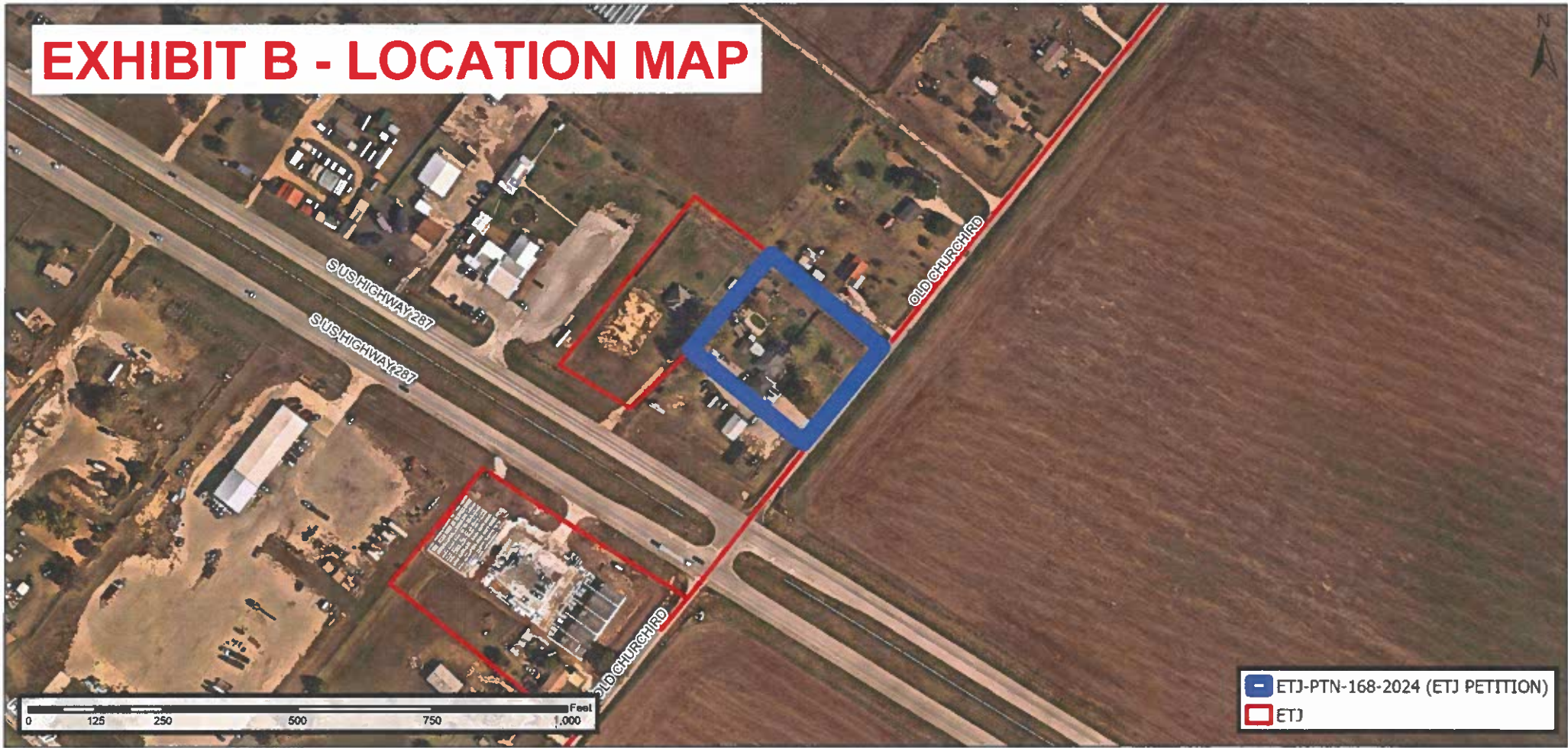
PASSED, APPROVED AND ADOPTED on this 9th day of September, 2024.

MAYOR

ATTEST:

City Secretary

EXHIBIT B - LOCATION MAP



(54)

(50)

Planning & Zoning Department

Petition for ETJ Release

Case: ETJ-PTN-169-2024



MEETING DATE(S)

City Council:

September 9, 2024

CAPTION

Consider proposed Ordinance approving a request by Bryan Hicks, for a **Petition for ETJ Release** for approximately 0.90 acres, located at 3947 US Highway 287 (Property ID 147362) – Owner: Bryan Hicks and Wendy Hicks (ETJ-PTN-169-2024)

RECOMMENDED MOTION

"I move to approve ETJ-PTN-169-2024, a request by Bryan Hicks, for a Petition for ETJ Release for approximately 0.90 acres, at 3947 US Highway 287, authorizing the Mayor to sign the associated documents accordingly."

APPLICANT REQUEST

The property owner has petitioned the City to remove his property from the extraterritorial jurisdiction (ETJ).

CASE INFORMATION

<i>Applicant:</i>	Bryan Hicks
<i>Property Owner(s):</i>	Bryan Hicks and Wendy Hicks
<i>Site Acreage:</i>	0.90 acres
<i>Number of Lots:</i>	1 lot
<i>Number of Dwelling Units:</i>	1 unit

SUBJECT PROPERTY

<i>General Location:</i>	Located at 3947 US Highway 287
<i>Parcel ID Number(s):</i>	147362
<i>Current Zoning:</i>	N/A (ETJ)
<i>Existing Use:</i>	Residential
<i>Platting History:</i>	Platted as a portion of Lot 9 Arrowhead Addition in 1978
<i>CCN Service Area:</i>	Rockett SUD

Site Aerial:



PLANNING ANALYSIS

Starting September 1, 2023, residents living in areas within a municipality's ETJ are allowed to file a petition requesting their release from the ETJ. Upon providing the City with the minimum information listed below, the City must immediately release the area from its ETJ.

- The petition must be in writing and detail the area’s boundaries through either metes and bounds or a recorded plat; and
- The petition must include the property owner’s name, signature, date of birth, residence address, and date of signing.

This application satisfies the requirements of Chapter 42, Subchapter D of the Texas Local Government Code governing the requirements for an ETJ petition.

RECOMMENDATION

City staff has determined that the submitted petition complies with the requirements of Chapter 42, Subchapter D of the Texas Local Government Code and that such law requires the release of the subject property from the City’s ETJ.

ATTACHED EXHIBITS

1. ETJ Petition Map for September 9, 2024 City Council Meeting
2. Proposed Ordinance
3. Survey (Exhibit A)
4. Location Map (Exhibit B)

STAFF CONTACT INFORMATION

Prepared by:
 James Breen
 GIS Technician
james.breen@waxahachie.com

Reviewed by:
 Jennifer Pruitt, AICP, LEED-AP, CNU-A
 Senior Director of Planning
jennifer.pruitt@waxahachie.com

(90)

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 0.90 ACRE TRACT OF LAND, LOCATED AT 3947 US HIGHWAY 287, KNOWN AS PROPERTY ID 147362, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

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

WHEREAS, as authorized by Subchapter D of Chapter 42 of the Texas Local Government Code, the landowners of the herein described property have requested and petitioned in writing that the City of Waxahachie ("**City**") exclude the property herein described from the City's Extraterritorial Jurisdiction ("**ETJ**"); and

WHEREAS, City staff has determined that the submitted petition, case number ETJ-PTN-169-2024, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

NOW, THEREFORE, the following described tracts of land are hereby released and removed from the City's ETJ, effective as of the date of the passage of this Ordinance:

All those certain lots, tracts or parcels of land situated in Ellis County, Texas, and being more particularly described by survey in Exhibit A and shown on the location map in Exhibit B, which are made a part hereof and attached hereto for all purposes.

The City's ETJ boundary is hereby amended in accordance with said change. City staff is hereby directed to make all required changes to the City map showing the boundaries of the City's ETJ, as required by Section 41.002 of the Texas Local Government Code, and to promptly notify Ellis County of such changes.

PASSED, APPROVED AND ADOPTED on this 9th day of September, 2024.

MAYOR

ATTEST:

City Secretary

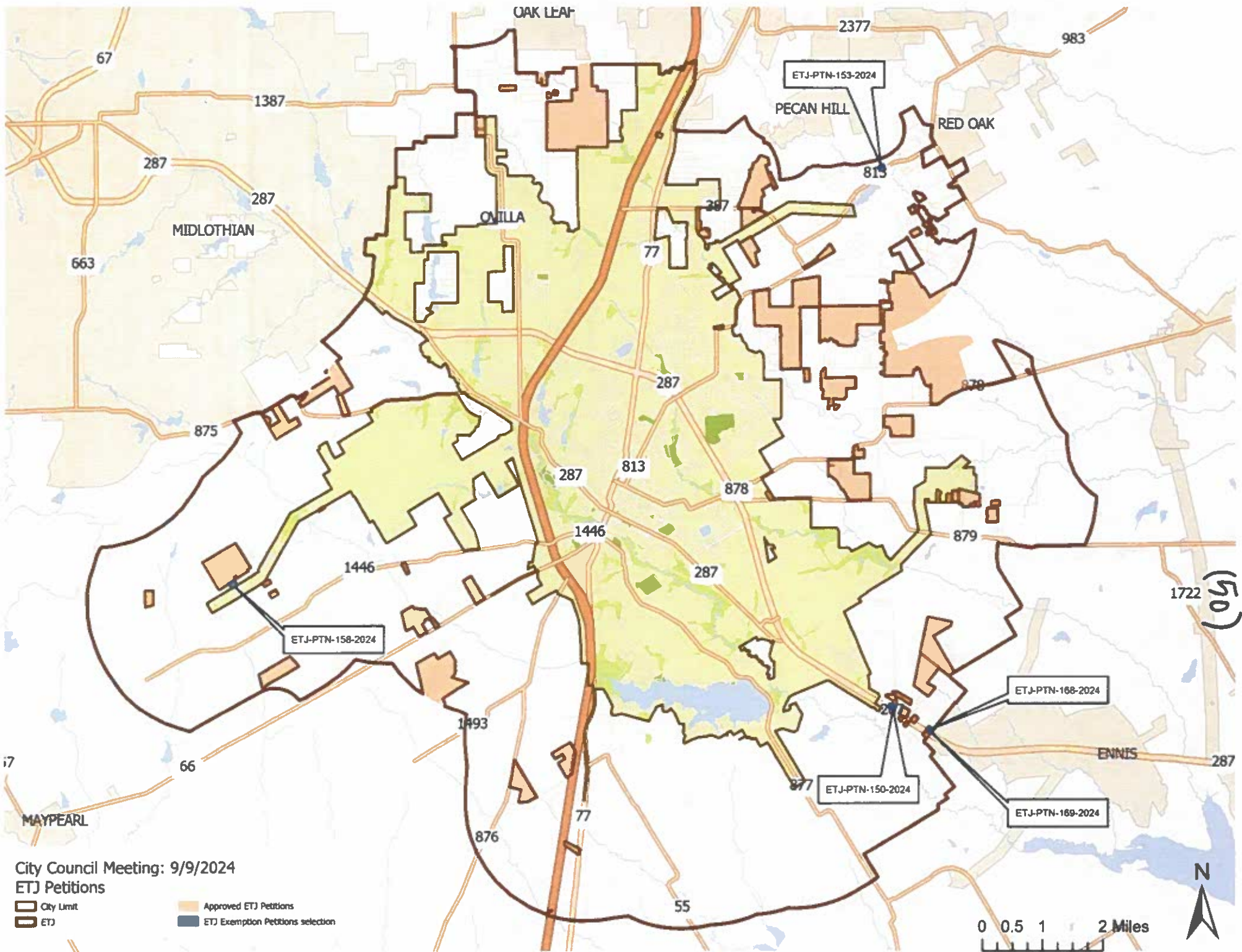


EXHIBIT B - LOCATION MAP



(50)

(5p)



Memorandum

To: City Council

From: Michael Scott, City Manager

Thru:

Date: September 9, 2024

Re: Civil Service Commission Appointment – Jackie Mims

Recommended Motion: "I move to appoint Jackie Mims to a three-year term on the Civil Service Commission."

Item Description: As you know, per LGC 143, the Civil Service Commission is made up of three members from the community. These positions each serve a three-year term with one term expiring each year. The City Manager is charged with making these appointments.

This year Jackie Mims' position is up for consideration. Jackie has served in this capacity for 3 years and has done an outstanding job and has quickly gained an understanding of the importance and value of this board. She has graciously agreed to serve in this capacity for another term. As such, I am recommending her reappointment to the Commission.

(59)



Memorandum

To: Honorable Mayor and City Council

From: Amber Villarreal, City Secretary

Thru: Michael Scott, City Manager

Date: September 9, 2024

Re: Amendment to Waxahachie Community Development Corporation (4B) Bylaws

Recommended Motion: "I move to approve the amendment to the Waxahachie Community Development Corporation (4B) Bylaws as presented."

Item Description: On September 9, 2024, an amendment to the Waxahachie Community Development Corporation (4B) Bylaws will be presented to Council for consideration.

Item Summary: The City Council held a Work Session on August 14, 2024 to discuss Board and Commission appointments. During that meeting, members of Council recommended amending a portion of Section 3.02 of the bylaws of the Waxahachie Community Development Corporation as follows:

3.02. The Board of Directors shall consist of seven members appointed by the City Council of the City of Waxahachie, Texas, for staggered two-year terms of office. Not less than three (3) directors shall be persons who are not employees, officers or members of the governing body of the City of Waxahachie, Texas. Each director must reside within the City of Waxahachie, Texas.

The Mayor shall be automatically appointed as one of the seven voting directors. Upon leaving the office of Mayor the individual will automatically be removed from the Board of Directors. The City Council would have the option of reappointing the individual to the Board.

(59)

WAXAHACHIE COMMUNITY DEVELOPMENT CORPORATION AMENDMENT TO
BYLAWS ARTICLE III
BOARD OF DIRECTORS

Number, Qualifications and Tenure of Directors

3.02. The Board of Directors shall consist of seven members appointed by the City Council of the City of Waxahachie, Texas, for staggered two-year terms of office. Not less than three (3) directors shall be persons who are not employees, officers or members of the governing body of the City of Waxahachie, Texas. Each director must reside within the City of Waxahachie, Texas.

The Mayor shall be automatically appointed as one of the seven voting directors. Upon leaving the office of Mayor the individual will automatically be removed from the Board of Directors. The City Council would have the option of reappointing the individual to the Board.

At the first City Council meeting in June of 1998, the City Council shall consider reappointment of three of the other five members to a two-year term (commencing on July 1, 1998), in order to stagger the terms of office. At the City Council's discretion, straws may be drawn to determine who shall serve the longer appointment. At the first City Council meeting in June of 1999, the City Council shall consider reappointment of the other two members to a two-year term (commencing on July 1, 1999).

The Board of Directors shall appoint a President and Vice-president at the first meeting after October 1 of each year. The President shall be the presiding officer for meetings and the Vice-president shall act in the President's absence.

Adopted this 9th day of September, 2024.

Mayor

(5r)



Memorandum

To: Honorable Mayor and City Council

From: Amber Villarreal, City Secretary

Thru: Michael Scott, City Manager

Date: September 9, 2024

Re: Ordinance Amending Section 2-5 of the Code of Ordinances Governing Appointments to Boards and Commissions

Recommended Motion: "I move to approve the Ordinance Amending Section 2-5 of the Code of Ordinances governing appointments to Boards and Commissions."

Item Description: On September 9, 2024, an Ordinance amending Section 2-5 of the Code of Ordinances governing appointments to Boards and Commissions will be presented to Council for consideration.

Item Summary: The City Council held a Work Session on August 14, 2024 to discuss Board and Commission appointments and the current governing Ordinance. Members of Council recommended amending the current Ordinance (Ordinance No. 2683) as follows:

(b)

2. *Members shall serve on no more than three (3) boards at a time.*

(c)

2. *Notice shall be given by the City Secretary to the City Manager, who will forward the information to the City Council of members who have missed three (3) meetings in a twelve (12) month period.*

(hr)

3. *The member may be notified of their pending dismissal from the Board or Commission by the Mayor or his designee.*

5. *If there is not sufficient reason for missing meetings or the member does not respond after being notified, that member may be removed after missing three (3) meetings in a twelve (12) month period by a majority vote of the City Council.*

(5r)

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 2-5 OF THE CODE OF ORDINANCE GOVERNING APPOINTMENTS TO BOARDS AND COMMISSIONS BY THE WAXAHACHIE CITY COUNCIL, DECLARING AN EMERGENCY AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Waxahachie desires to establish rules, regulations, and standards for the process for the Waxahachie City Council to make appointments to City Boards and Commissions; and

WHEREAS, appointments to many of these Boards and Commissions and the issues they address affect the health, safety, and welfare, and emergency is found to exist.

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

That the following provisions be amended to the Waxahachie City Code:

That Section 2-5 – Appointment to City Boards and Commissions is amended to read as follows:

(a) GENERALLY:

1. Citizens interested in serving on Boards and Commissions must be residents of Waxahachie only if required by State law, City Charter, City Ordinance or bylaws; and shall not, at the time of appointment or during the term, be in arrears in the payment of any taxes or other liabilities due the city; and shall be a registered voter.
2. Those people interested in serving will submit an application. Applications will be available on the City of Waxahachie website or in the City Secretary's office. Applications must be received by July 31st of each year and will be kept for one (1) year at which time a new application will need to be submitted. Late applications may be accepted at the option of the City Secretary.
3. Sixty (60) days prior to the end of a term, the City Secretary will notify the Council of expiring terms on boards and commissions.
4. At the first City Council meeting in September, the City Council will make appointments in open session. All applicants will be contacted after the appointments are official. Appointments shall be in the discretion of the City Council.
5. Applications will be accepted at any time of the year to fill unexpired terms as they may occur and kept in the City Secretary's office. As vacancies occur, the City Secretary will forward applications to City Council for review and appointment to fill. Current applications on file may be considered for unexpired terms.
6. Members and alternate members will be appointed by the City Council with no limit on reappointments except as otherwise provided by State law, City Charter, City Ordinance or Bylaws.

(b) APPOINTMENTS:

1. Appointments will be made once a year in September for terms beginning October 1. The appointment date will apply to all Boards and Commissions created by the City Council.
2. Members shall serve on no more than three (3) boards at a time.
3. The City Council, by majority vote, may, for cause, remove a board member at any time.

The following Boards and Commissions are appointed by City Council:

Animal Care Advisory Committee
City Cemetery Board
Economic Development Commission
Heritage Preservation Commission
Impact Fee Capital Improvements Advisory Committee
Keep Waxahachie Beautiful Committee
Mid-Way Regional Airport Joint Airport Board
Park Board
Planning and Zoning Commission
Senior Center Advisory Committee
Tax Increment Reinvestment Zone No. 1
Waxahachie Community Development Corporation
Waxahachie Housing Authority

(c) ATTENDANCE REQUIREMENTS:

1. Members appointed to Boards and Commissions will be expected to attend all meetings. Attendance will be kept for all Boards and Commissions by the City Secretary's office.
2. Notice shall be given by the City Secretary to the City Manager, who will forward the information to the City Council of members who have missed three (3) meetings in a twelve (12) month period.
3. The member may be notified of their pending dismissal from the Board or Commission by the Mayor or his designee.
4. The member will be allowed to explain any absences in writing within ten (10) days of receipt of notice. Each case will be reviewed on its' own merit separate from all other cases.
5. If there is not sufficient reason for missing meetings or the member does not respond after being notified, that member may be removed after missing three (3) meetings in a twelve (12) month period by a majority vote of the City Council.

(d) OTHER REQUIREMENTS:

1. No person shall be appointed to a Board or Commission that would create a conflict of interest with that Board or Commission.

(5r)

2. No person shall be appointed who does not meet the requisite qualifications to serve on a Board or Commission requiring specific qualifications as noted by State law, City Charter, City Ordinance or Bylaws.
3. Members and Alternates serving on Boards or Commission where training is available will be required to obtain such training at the earliest possible time after appointment.

The appointments governed by this ordinance affect the health, safety, and welfare of the citizens of Waxahachie, an emergency is declared and this ordinance shall become effective immediately upon passage.

PASSED, APPROVED AND ADOPTED on this 9th day of September, 2024.

MAYOR

ATTEST:

City Secretary

(55)



Memorandum

To: Honorable Mayor and City Council

From: Kumar Gali P.E., Senior Director of Utilities

Thru: Michael Scott, City Manager

Date: September 9, 2024

Re: Consider Engineering Professional Services Agreement for the Howard and Sokoll Water Treatment Plants Service Area Boundary Separation Project

Motion: "I move to approve an engineering professional services agreement with Freese and Nichols, Inc. for the Howard and Sokoll Water Treatment Plants Service Area Boundary Separation Project in the amount of \$842,588, and authorize the City Manager to execute all necessary documents."

Item Description: Consider approval of a professional services agreement with Freese and Nichols, Inc. for the Howard and Sokoll Water Treatment Plants Service Area Boundary Separation Project.

Item Summary: This professional services agreement includes surveying, easement preparation, construction plan preparation, bidding, and construction administrative services for the design of the water lines to provide service area boundary separation between Howard and Sokoll Water Treatment Plants. Service area boundary separation will improve pumping operations, remove water recirculation, and save energy costs. This project includes design of approximately 15,450 linear feet of water lines along various streets.

Out of 15,450 linear feet of water lines, 3,670 linear feet of water lines are for rehabilitation of water lines on Almond Avenue, Vine Street and Harbin Avenue. These water lines were included in the boundary separation project due to close

(55)

proximity of these streets to the boundary separation project and for economies of scale.

Fiscal Impact: This project is part of the approved 5-Year Capital Improvement Program included in the FY2023 Budget with engineering professional services funded through 2022 and 2024 Water Fund bond sales. The \$842,588 professional services agreement with Freese and Nichols, Inc. is within the budgeted amount of \$875,500.

(5t)



Memorandum

To: Honorable Mayor and City Council

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

Thru: Michael Scott, City Manager 

Date: September 9, 2024

Re: Consider Engineering Professional Services Agreement and Authorization of Park Dedication Fund Fees for the Design and Engineering of North Grove Park Project

Recommended Motion: "I move to approve a professional services agreement with Kimley-Horn in the amount of \$195,000, and authorize the use of funds from the Park Dedication Fee Fund in the amount of \$90,000, and authorize the City Manager to execute all necessary documents."

Item Description: Consider approving a professional services agreement with Kimley-Horn for the design, engineering, and construction contract administration services for North Grove Park. Additionally, consider authorizing the use of funds from the Park Dedication Fee Fund in the amount of \$90,000 to cover the unfunded costs of the professional services contract.

Item Summary: The North Grove Park Project is part of the approved 5-Year Capital Improvement Program with design and engineering designated for FY2024 and construction proposed in FY2025. The project was discussed during the budget workshops of the FY2024 budget process with the Park Dedication Fee Fund identified as the funding mechanism for the design and engineering phase.

Staff engaged Kimley-Horn in February 2024 for the conceptual design, and a committee of various stakeholders, including City Council members, was formed to provide input, and ultimately approve the conceptual design of the park. At that time, City Council approved \$150,000 from the Park Dedication Fee Fund to be used for the conceptual design, of which only \$45,000 was expensed. The

(5t)

remaining Park Dedication funds of \$105,000 will be applied to the cost of the design and engineering services agreement. However, there is a shortfall of \$90,000 for the total cost of the design and engineering services and Staff is requesting the use of fees from the Park Dedication Fund to cover the unfunded balance.

Fiscal Impact: Fund 227 - Park Dedication Fee Fund has sufficient capacity to cover the expenditures associated with the design and engineering of the North Grove Park Project. The expenditures will be tracked in account 227-000-53200 Professional Services.

Planning & Zoning Department Zoning Staff Report

Case: ZDC-147-2024



MEETING DATE(S)

Planning & Zoning Commission: August 27, 2024
City Council: September 9, 2024

CAPTION

Public Hearing on a request by Jennifer Weir, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Future Development (FD) zoning district located at 2850 Howard Road (Property ID 138983) - Owner: Robert & Jennifer Weir (ZDC-147-2024)

RECOMMENDED MOTIONS

- "I move to approve of ZDC-147-2024, 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."
- "I move to deny of ZDC-147-2024, a Specific Use Permit (SUP) for Short-Term Rental use."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on August 27, 2024, the Commission voted 7-0 to recommend approval of case number ZDC-147-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 2850 Howard Road.

CASE INFORMATION

Applicant: Jennifer Weir

Property Owner(s): Robert & Jennifer Weir

Site Acreage: 5.57 acres

Current Zoning: Future Development (FD)

Requested Zoning: FD with a Specific Use Permit (SUP) for a Short-Term Rental

SUBJECT PROPERTY

General Location: 2850 Howard Road

Parcel ID Number(s): 138983

Existing Use: Residential use

Development History: The subject property is platted as Lot 3, Block A of the Penn Farm Ranchettes Addition

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	FD	Residential
East	FD	Residential
South	FD	Vacant
West	FD	Vacant

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 Howard Road.

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 2850 Howard Road because it is located within the FD zoning district. The subject property consists of a primary structure of approximately 2,584 square feet, built in 2006 with three (3) bedrooms, two (2) bathrooms and enough improved surface to accommodate for the maximum parking spaces of three (3) vehicles. The subject property is situated on an approximately 5.57 acres (242,629 square feet) lot.

The applicant submitted the SUP application on July 10, 2024. The applicant has been operating a short-term rental since approximately May 2023, and stated that she has recently stopped operating due to personal reasons. The applicant has not been paying local hotel occupancy taxes.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered one animal complaint made regarding the subject property and its current use in the past 12 months. The complaint was made on July 9, 2024, regarding an AirBNB guest's dogs trespassing across the fence line and attacking two bulls.

The applicant's local emergency contact is Bobby Weir (972) 935-6669, 2800 Howard Road, TX 75165, bobby_weir@aol.com, which is located 0.1 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, 14 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 and four (4) letters of support were received by staff, with no letters of opposition and two (2) letters 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.
6. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. SUP Ordinance
3. City of Waxahachie Police Department Report
4. Location Map (Exhibit A)
5. Zoning Map (Exhibit B)
6. Floorplan (Exhibit C)
7. Survey (Exhibit D)
8. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:

Oanh Vu

Senior Planner

oanh.vu@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com

(7)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-147-2024

SPEED RANDALL S
704 ROARING CREEK DR
RED OAK, TX 75154-3986

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 27, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 9, 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 Jennifer Weir, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Future Development (FD) zoning district located at 2850 Howard Road (Property ID 138983) – Owner(s): Robert & Jennifer Weir (ZDC-147-2024) Staff: Oanh Vu

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-147-2024

City Reference: 204646

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 21, 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:

Growth along Howard Rd is inevitable and short term rentals tend to have greater curb appeal as compared to long-term rentals


Signature

8/13/24
Date

Randy Speed, nearby property owner
Printed Name and Title

704 Roaring Creek Rd, Waxahachie TX
Address
and 2867 Howard Rd, Waxahachie TX 75151

(7)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-147-2024**

WEIR JENNIFER & ROBERT
2800 HOWARD RD
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 27, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 9, 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 Jennifer Weir, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Future Development (FD) zoning district located at 2850 Howard Road (Property ID 138983) – Owner(s): Robert & Jennifer Weir (ZDC-147-2024) Staff: Oanh Vu

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-147-2024**

City Reference: 139005

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on August 21, 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

B. Weir
Signature
Bobby Weir
Printed Name and Title

8/19/2024
Date
2800 Howard Rd
Address
Waxahachie TX 75165

(7)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-147-2024

WEIR ROBERT N & JENNIFER
2800 HOWARD RD
WAXAHACHIE, TX 75165-9451

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 27, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 9, 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 Jennifer Weir, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Future Development (FD) zoning district located at 2850 Howard Road (Property ID 138983) – Owner(s): Robert & Jennifer Weir (ZDC-147-2024) Staff: Oanh Vu

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-147-2024

City Reference: 252540

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on August 21, 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:

Jennifer Weir
Signature

8/19/24
Date

Jen Weir
Printed Name and Title

2800 Howard Rd
Address
Wax TX 75165

(7)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-147-2024

PORTER BARRY R
2880 HOWARD RD
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 27, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 9, 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 Jennifer Weir, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Future Development (FD) zoning district located at 2850 Howard Road (Property ID 138983) – Owner(s): Robert & Jennifer Weir (ZDC-147-2024) Staff: Oanh Vu

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-147-2024

City Reference: 138974

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on August 21, 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:

Barry Porter
Signature

Barry Porter
Printed Name and Title

8-20-2024
Date

2880 HOWARD RD
Address

(1)

Vu, Oanh

From: Pete Siebert <peterdsiebert@gmail.com>
Sent: Tuesday, August 27, 2024 9:32 AM
To: Vu, Oanh
Subject: P & Z meeting tonight - item ZDC-147-2024

Good morning,

My name is Peter D. Siebert and I live at 2863 Howard road. I am sending you this email to support the special use request by Jennifer Weir for her property at 2850 Howard rd. that is on the agenda of tonights P & Z meeting.

We live right across the street from that property and we have no problem with her request. Please let this email serve as our support for her request.

Thank you for your time and consideration.

Respectfully,

Peter D. Siebert
817-771-5555
peterdsiebert@gmail.com

(8)

ORDINANCE NO.

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A SHORT-TERM RENTAL USE WITHIN A FUTURE DEVELOPMENT ZONING DISTRICT LOCATED AT 2850 HOWARD DRIVE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 5.57 ACRES KNOWN AS PROPERTY ID 138983, 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 adopted a zoning ordinance and map showing the classification of the property located within the city limits of said City; and

WHEREAS, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-147-2024. 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 City Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from FD to FD, with an SUP in order to allow a Short-Term Rental use on the following property: Property ID 138983, which is shown on the location map (Exhibit A), zoning map (Exhibit B), floorplan (Exhibit C), survey (Exhibit D), and host rules (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.

(8)

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE IN THE FUTURE DEVELOPMENT (FD) 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-147-2024.
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 – Floorplan, Exhibit D – Survey, Exhibit E – Host Rules.
3. The Applicant and/or 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 Applicant and/or 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 short-term rental operator shall register for a Hotel Occupancy Tax account with the City’s vendor.
6. The owner/short-term rental operator is subject to a maximum occupancy of eight (8) guests per stay.
7. The short-term rental operator is subject to provide a maximum of three (3) off-street

(8)

parking spaces.

8. The short-term rental operator must adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
9. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
10. The registration 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 9th day of September, 2024.

MAYOR

ATTEST:

City Secretary

(8)

From: [Records](#)
To: [Vu, Oanh](#); [Records](#)
Subject: RE: Complaints
Date: Wednesday, July 17, 2024 1:35:21 PM
Attachments: [P240709-28831.pdf](#)
[image002.png](#)
[image003.png](#)

Good afternoon,

I have attached a report for 2850 Howard Rd. We do not have any reports for 411 N Hawkins St. in the last 12 months.

Sincerely,

Jamie McKenney
Records Coordinator
Waxahachie Police Department
630 Farley Street
Waxahachie, Texas 75165
469-309-4484
Jamie.mckenney@waxahachiepd.org



From: Vu, Oanh
Sent: Wednesday, July 17, 2024 1:29 PM
To: Records <records@waxahachiepd.org>
Subject: Complaints

Good afternoon, Jamie:

Can you provide me with the records for any complaints or calls associated with the following addresses within the last twelve (12) months? These addresses are associated with Specific Use Permit Applications for Short Term Rentals (STR's) that were recently submitted to the Planning Department. Please let me know if you need additional information. Highly appreciate your help!

- 2850 HOWARD ROAD
- 411 N HAWKINS ST

(8)

Thank you,



Oanh Vu
Senior Planner

City of Waxahachie
408 S. Rogers Street, P.O. Box 757
Waxahachie, TX 75168
O: 469-309-4299
oanh.vu@waxahachie.com

The Planning Department is now located at 408 S. Rogers St., Waxahachie, TX (just across from City Hall).

(8)



WAXAHACHIE POLICE DEPARTMENT
A Recognized "Best Practices" Agency



630 Farley Street, Waxahachie, TX 75165
Phone: 469-309-4400 Fax: 469-309-4420

CFS - Command Log

Printed on July 17, 2024

CFS # 240709-28831
Call Taker
Location 2850 HOWARD RD, WAXAHACHIE, TX 75165
Location Details
Primary Incident Code ANIMAL : Animal Complaint
Mod
Priority 4
Use Caution No
Primary Disposition Handled By Officer / Deputy
Beat ACO
Call Time 07/09/24 08:21:43
Completed Time 07/09/24 08:28:42

Reporters

Initial Reporter)

Sex
DOB
Address
Report Time 07/09/24 08:21:43
How Reported Phone
From Phone
Contact Phone
Comments

Other Names

Vehicles

Responders

402 (Primary)	402 -	WPD (Primary)
---------------	-------	---------------

Response Times

Assigned 07/09/24 08:23:54 *
Enroute 07/09/24 08:23:54 *
Staged
Arrived 07/09/24 08:23:54
Backup Requested
Backup Arrived
Leaving
Arrived At
Completed 07/09/24 08:28:42

IR / External Agency Numbers

(8)

Officer Addenda

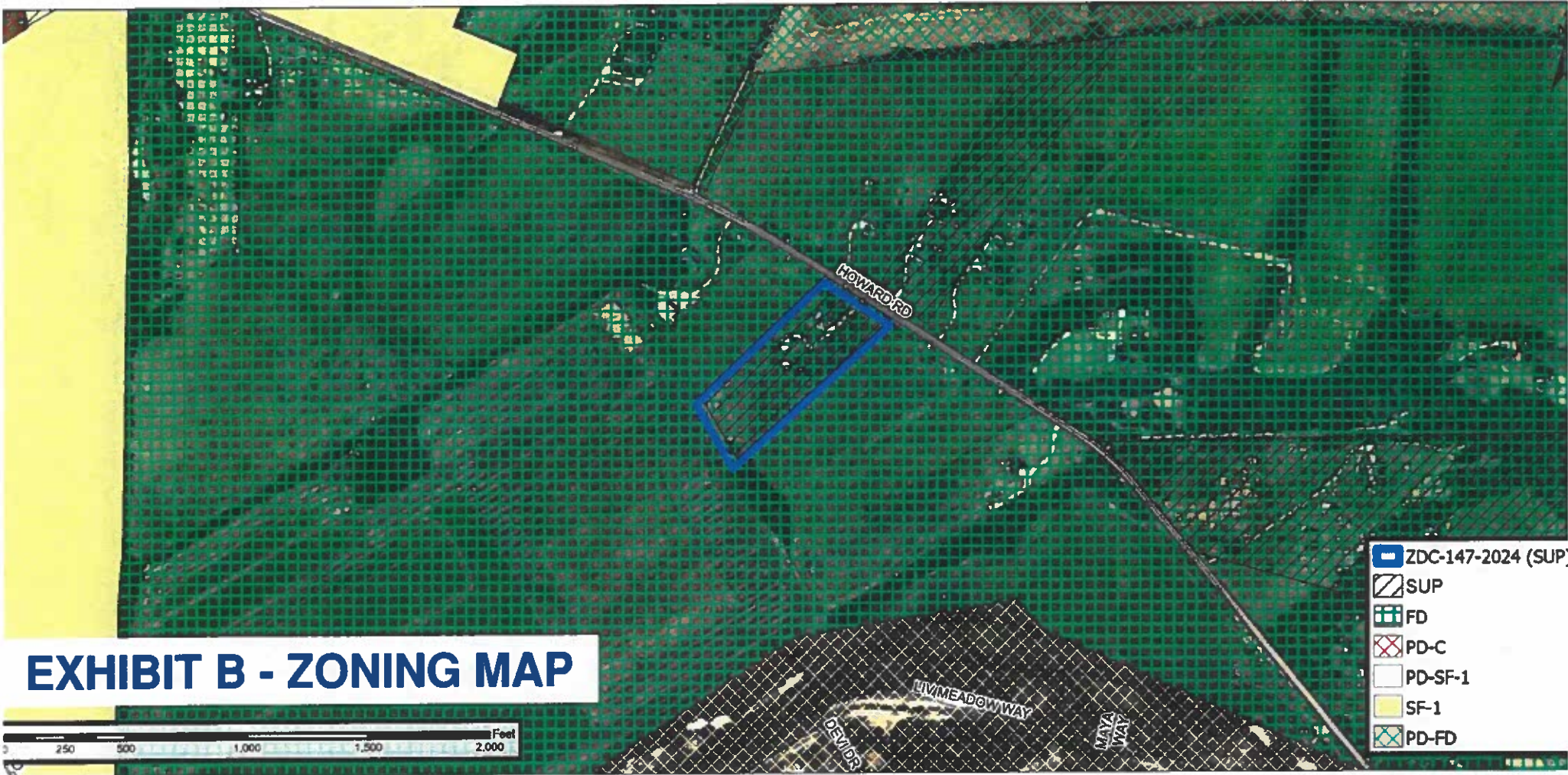
Command Log Filter: All Commands | Details: Hidden | Units: All Units | Revised Entries: Shown

07/09/24 08:21:43 | ... | New CFS
07/09/24 08:22:43 | ... | 2 DOGS BELONGING TO AIRBNB GUESTS TRESPASSING CROSSING THE
FENCE LINE ATTACKING 2 BULLS
07/09/24 08:22:52 | ... | UNKNOWN WHAT KIND OF DOGS
07/09/24 08:23:20 | ... | ADVISES THAT THE DOGS WENT BACK INTO THE HOME
07/09/24 08:23:54 | ... | 402 | On Scene
07/09/24 08:28:42 | ... | 402 | clear

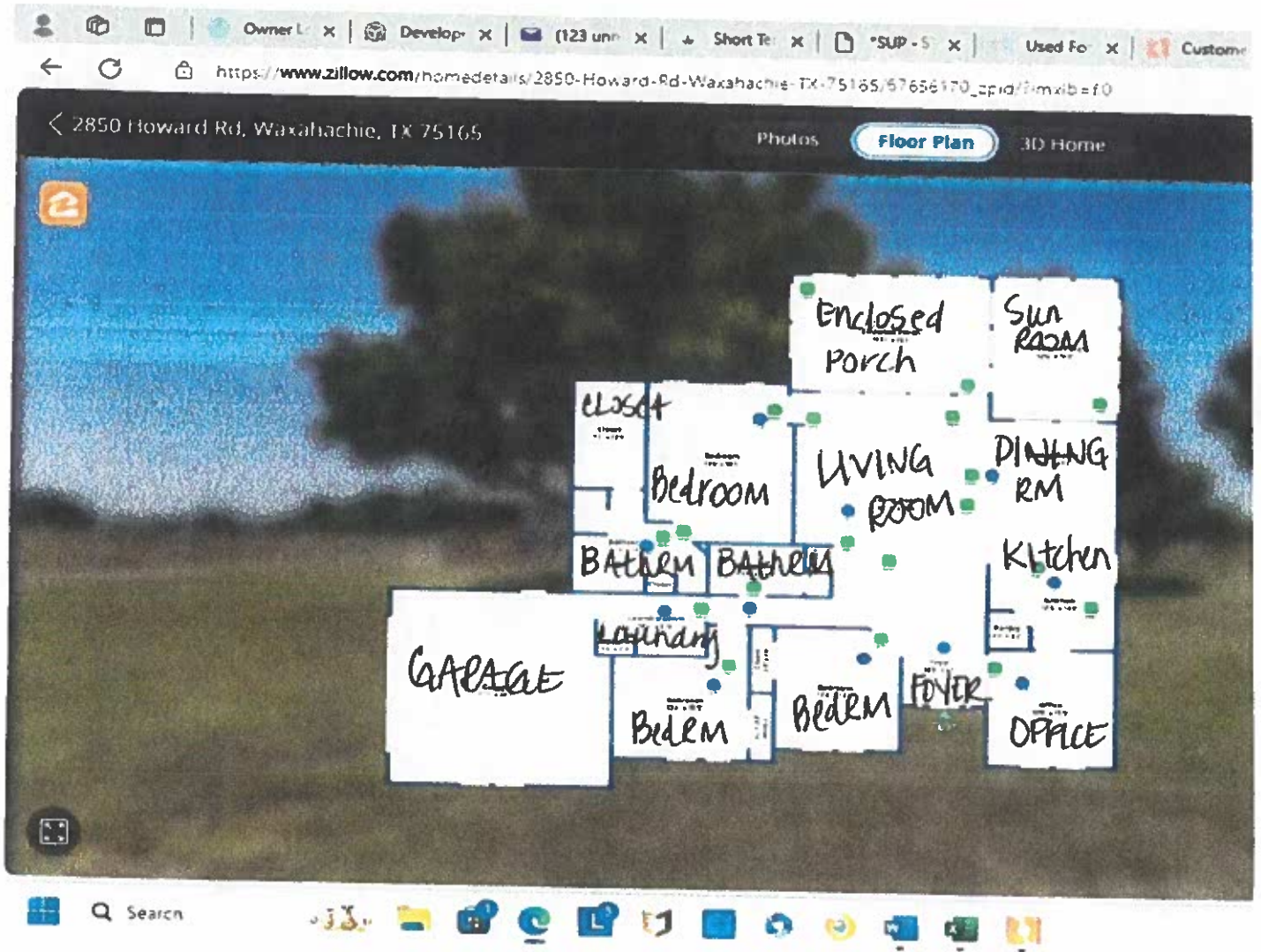


EXHIBIT A - LOCATION MAP

(8)



(8)



Clear floor plan

Welcome

2850 Howard Road Waxahachie Tx 75165

Wifi

NETWORK: Windmill Ranch
PASSWORD: Winmill1

Contacts

HOST: Jennifer Weir
CONTACT: 972-935-7017

Parking

You can park your car in the
driveway or the garage

House Rules

- No Smoking Inside Home
- No Parties or Events
- No Pets without prior auth
- If something is damaged or not working properly let host know immediately
- Please be respectful of the property
- No access to barns without prior auth

Check Out

@ 10am

- Collect trash and place in garage bin
- Remove linens from bed and place in basket provided
- Start wash on any towels used (detergent provided)
-

☆☆☆☆☆ We hope you enjoyed your stay!
We would appreciate your review & hope to see you again soon!

Thanks!

(9)

Planning & Zoning Department Zoning Staff Report

Case: ZDC-149-2024



MEETING DATE(S)

Planning & Zoning Commission: August 27, 2024
City Council: September 9, 2024

CAPTION

Public Hearing on a request by John Marlin, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 411 North Hawkins Street (Property ID 173335) – Owner(s): John Marlin (ZDC-149-2024)

RECOMMENDED MOTION

- "I move to recommend denial of ZDC-149-2024, a Specific Use Permit (SUP) for Short-Term Rental use."
- "I move to recommend approval of ZDC-149-2024, 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."

APPLICANT REQUEST

The Applicant requests a specific use permit for a Short-Term Rental use at 411 North Hawkins Street.

CASE INFORMATION

Applicant: John Marlin

Property Owner(s): John Marlin

Site Acreage: 0.263 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 North Hawkins Street

Parcel ID Number(s): 173335

Existing Use: Residential use

Development History: The subject property is platted as Lot 31B of the Ferris Addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Residential
East	PD-SF-2	Residential
South	SF-2	Residential
West	SF-2	Residential

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 North Hawkins 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 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 North 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 1998 with three (3) bedrooms, two (2) bathrooms and enough improved surface to accommodate for the maximum parking spaces of three (3) vehicles. The subject property is situated on an approximately 0.263 acres (11,456 square feet) lot.

CASE HISTORY

The applicant had a long-term renter whom applied for the SUP for STR use application (ZDC-101-2024) and was recommended approval by the Planning and Zoning Commission on June 11, 2024; however, was denied by the City Council on June 17, 2024.

The applicant is the property owner and submitted this application for a SUP for STR use. The applicant has not been operating a short-term rental. The Ellis County Appraisal District (ECAD) does identify the subject property as a Homestead. Staff has contacted the applicant for removal and have include a condition noting removal is required. The applicant submitted the SUP application on July 16, 2024. At the time of the publishing of the staff report, the City received 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 Suzi Rhodes (702) 807-3848, 103 Vanderbilt Lane, Waxahachie, TX. 75154, nsrhodes87@gmail.com, which is located 1.5 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 and seven (7) letters of support were received by staff, with three (3) letters of opposition and three (3) letters 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 applicant shall remove the Homestead status from the subject property prior to the issuance of the STR registration.
2. The applicant shall resubmit host rules to reflect the maximum occupancy of eight (8) individuals and maximum of three (3) off-street parking.
3. The applicant shall provide an updated Certificate of Insurance or the Declaration page of the insurance policy to reflect the subject property's address and the minimum coverage amount of \$1,000,000 per occurrence.
4. 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.
5. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.

6. The short-term rental operator shall allow a maximum occupancy of eight (8) guests per stay.
7. The short-term rental operator shall provide a maximum of three (3) off-street parking spaces.
8. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
9. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.

ATTACHED EXHIBITS

1. Property Owner Notification Responses
2. Location Map (Exhibit A)
3. Zoning Map (Exhibit B)
4. Floorplan (Exhibit C)
5. Survey (Exhibit D)
6. Host Rules (Exhibit E)

STAFF CONTACT INFORMATION

Prepared by:

Oanh Vu

Senior Planner

oanh.vu@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-149-2024

BROWN WILLIAM L JR
503 W PARKS AVE
WAXAHACHIE, TX 75165-3015

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 27, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 9, 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 John Marlin, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Dwelling-2 (SF-2) zoning district located at 411 North Hawkins Street (Property ID 173335) – Owner(s): John Marlin (ZDC-149-2024) Staff: Oanh Vu

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-149-2024

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 **August 21, 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:

Same as last request! There are already to many rent places in the neighborhood.

[Handwritten Signature]

Signature

11 Aug 24

Date

William & Crissy Brown

Printed Name and Title

503 W. Parks Ave

Address

(9)

RECEIVED AUG 15 2024



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-149-2024



LOREN GRAY INVESTMENTS LLC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 27, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 9, 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-149-2024

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 **August 21, 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:

Need more lodging in town

Signature

Brad Yates manager
Printed Name and Title

8/15/24
Date

408 N. Gibson St.
Address

(9)

RECEIVED AUG 15 2024



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-149-2024

COLONIAL RESTORATION GROUP INC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 27, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 9, 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-149-2024

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 **August 21, 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 not have to do this anyway

Signature

8/15/24
Date

Brad Yates president
Printed Name and Title

404 N. Hawkins
Address

(9)

RECEIVED AUG 15 2024



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-149-2024**



COLONIAL RESTORATION GROUP INC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 27, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 9, 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-149-2024**

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 **August 21, 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:

Great for tourism

Signature

Brad Yates president
Printed Name and Title

8/15/24

Date

506 Royal
Address

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-149-2024**

RECEIVED AUG 15 2024

**POARCH PROPERTIES LLC SERIES A
103 E UNIVERSITY AVE
WAXAHACHIE, TX 75165-2353**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 27, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 9, 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 John Marlin, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Dwelling-2 (SF-2) zoning district located at 411 North Hawkins Street (Property ID 173335) – Owner(s): John Marlin (ZDC-149-2024) Staff: Oanh Vu

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Case Number: **ZDC-149-2024**

City Reference: 173341

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 21, 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

Jimmy Poarch
Printed Name and Title

8-10-24
Date

103 E. University
Address

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-149-2024

RECEIVED AUG 15 2024

POARCH PROPERTIES LLC SERIES G
103 E UNIVERSITY AVE
WAXAHACHIE, TX 75165-2353

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 27, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 9, 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-149-2024

City Reference: 173265

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 21, 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



Signature


Printed Name and Title

8-10-24

Date
103 E. University

Address



(9)

RECEIVED AUG 15 2024

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-149-2024

POARCH PROPERTIES LLC SERIES H
103 E UNIVERSITY AVE
WAXAHACHIE, TX 75165-2353

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 27, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 9, 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-149-2024

City Reference: 275496

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 21, 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


Signature
Jimmy Board
Printed Name and Title

8-10-24
Date
103 E. Univem
Address

(9)

RECEIVED AUG 15 2024



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-149-2024**

**POARCH PROPERTIES LLC SERIES A
103 E UNIVERSITY AVE
WAXAHACHIE, TX 75165-2353**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 27, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 9, 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 John Marlin, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Dwelling-2 (SF-2) zoning district located at 411 North Hawkins Street (Property ID 173335) – Owner(s): John Marlin (ZDC-149-2024) Staff: Oanh Vu

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-149-2024**

City Reference: 173348

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 21, 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

Signature
Jimmy Poarch
Printed Name and Title

8-10-24
Date
103 E. University
Address

Case Number: ZDC-149-2024

City Reference: 173347

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 21, 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 AUG 21 2024

Comments:

Our streets are narrow and too much traffic.
Neighbors are friendly but nice and quiet. We
don't need strangers making loud noises and traffic

Signature Linda Darnell

Date

8/21/24

LINDA DARNELL
Printed Name and Title

1000 Royal St.
Address

(9)

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-149-2024

RECEIVED AUG 21 2024

COX RON & CATHY
510 ROYAL ST
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 27, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 9, 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 John Marlin, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Dwelling-2 (SF-2) zoning district located at 411 North Hawkins Street (Property ID 173335) – Owner(s): John Marlin (ZDC-149-2024) Staff: Oanh Vu

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-149-2024

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 August 21, 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]
Signature

8/16/2024
Date

Ron Cox OWNER
Printed Name and Title

510 ROYAL ST
Address
WAXAHACHIE, TX 75165

(1b)

ORDINANCE NO.

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A SHORT-TERM RENTAL USE WITHIN A SINGLE-FAMILY-2 (SF-2) ZONING DISTRICT LOCATED AT 411 NORTH HAWKINS STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.263 ACRES KNOWN AS PROPERTY ID 173335, 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 adopted a zoning ordinance and map showing the classification of the property located within the city limits of said City; and

WHEREAS, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-149-2024. 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 City Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from SF-2 to SF-2, with an SUP in order to allow a Short-Term Rental use on the following property: Property ID 173335, which is shown on the location map (Exhibit A), zoning map (Exhibit B), floorplan (Exhibit C), survey (Exhibit D), and host rules (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 THE SINGLE-FAMILY-2 (SF-2) 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-149-2024.
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 – Floorplan, Exhibit D – Survey, Exhibit E – Host Rules.
3. The Applicant and/or 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 Applicant and/or 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 shall remove his homestead exemption status prior to the approval of the STR registration.
6. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City’s vendor.
7. The owner/short-term rental operator is subject to a maximum occupancy of eight (8)

(10)

- guests per stay.
8. The short-term rental operator is subject to provide a maximum of three (3) off-street parking spaces.
 9. The short-term rental operator must adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
 10. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
 11. The registration 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 9th day of September, 2024.

MAYOR

ATTEST:

City Secretary

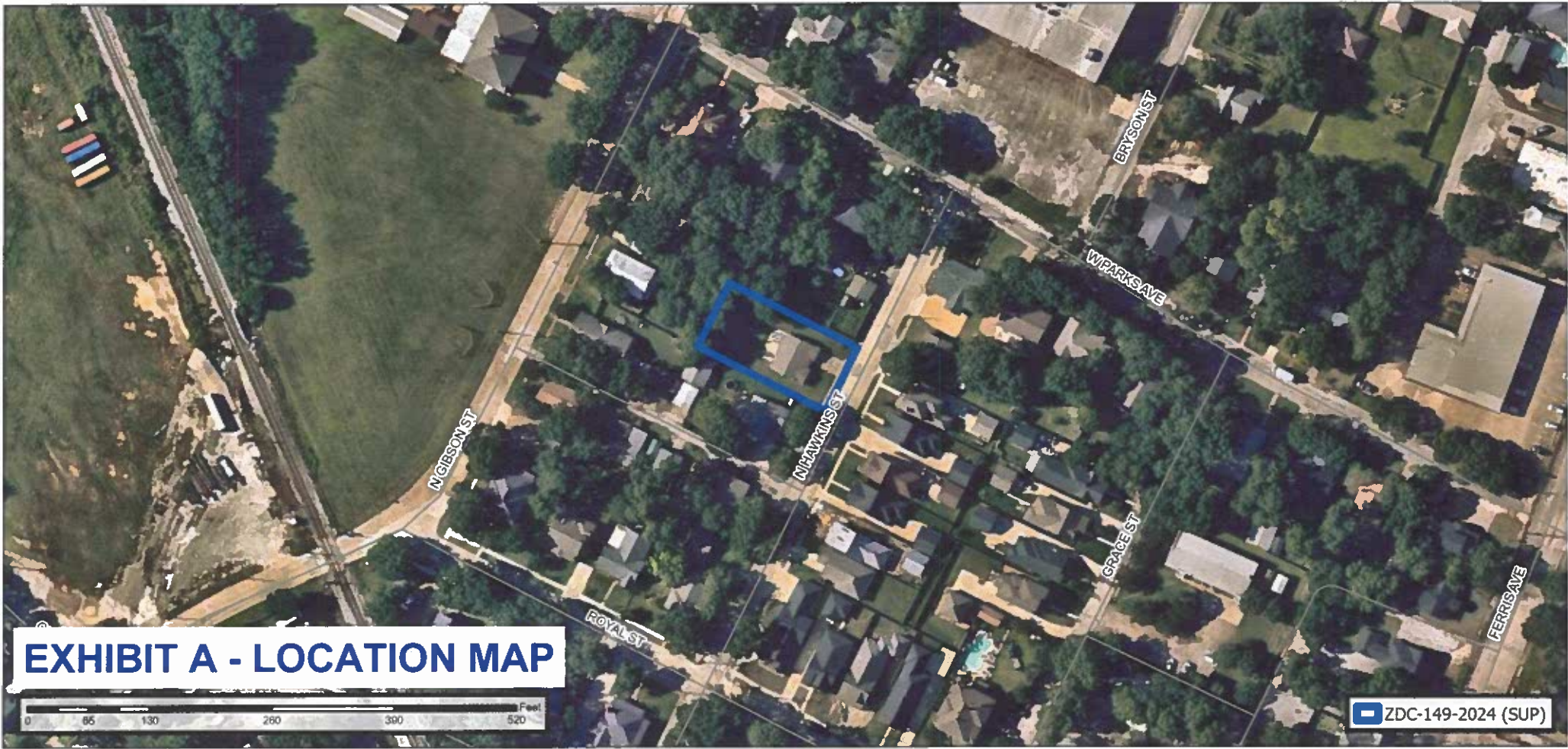


EXHIBIT A - LOCATION MAP

0 65 130 260 390 520 Feet

ZDC-149-2024 (SUP)

(10)



EXHIBIT B - ZONING MAP

EXHIBIT C - FLOORPLAN

(10)

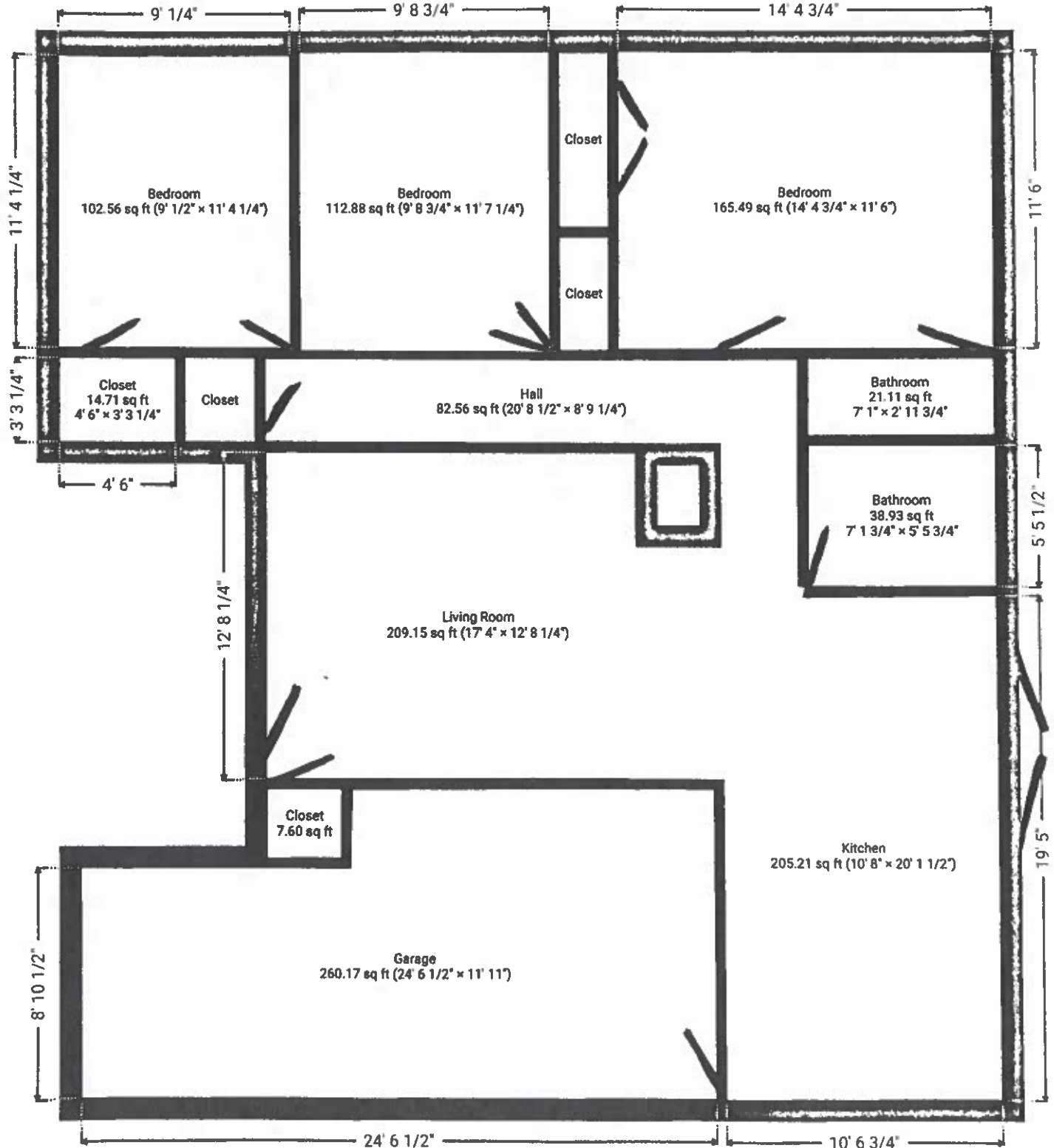
Project 1



TOTAL AREA: 1463.95 sq ft · LIVING AREA: 306.16 sq ft · FLOORS: 1 · ROOMS: 14

▼ Ground Floor

TOTAL AREA: 1463.95 sq ft · LIVING AREA: 306.16 sq ft · ROOMS: 14



If approved, please be sure to see Waxahachie STR Inspection checklist including: Section 3.27(k)(iii) Waxahachie STR Ordinance Security features. Each short-term rental registrant shall provide functional security cameras that monitor and record, at a minimum, the primary entrances and exits of the premises. -A. Warren



EXHIBIT D - SURVEY

(10)



Know what's below.
Call before you dig.

SURVEY PLAT



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:

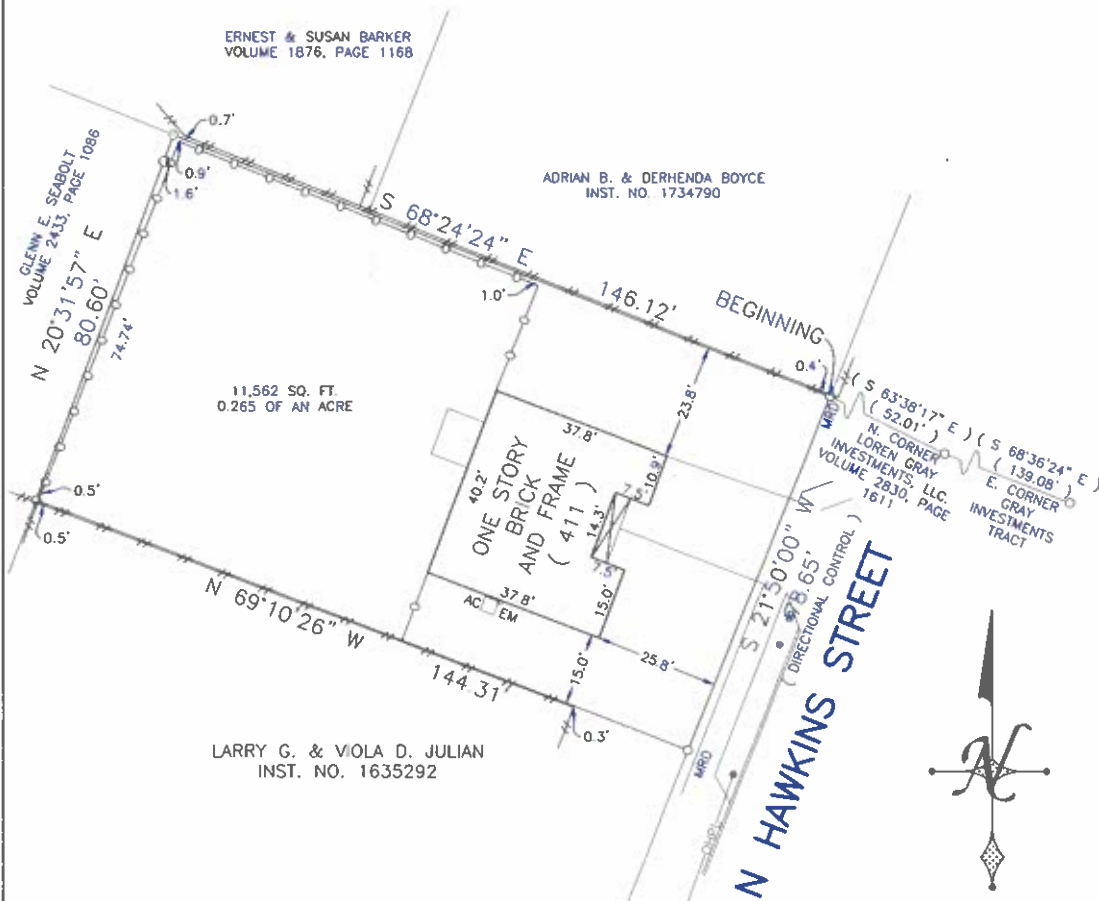
BEGINNING at a found 1/2-inch iron pipe for corner on the northwesterly right-of-way line of N Hawkins Street, being the south corner of a parcel of land conveyed to Adrian B. Boyce and Derhenda Boyce, as recorded in Instrument No. 1734790 of the Official Public Records of Ellis County, Texas, and being 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 plot 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.: EL193774
Job no.: 80151-A
Drawn by: KW

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM.
THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR DESIGNATED TITLE, LLC.

LEGEND	
WOOD FENCE	--- FENCE
CHAIN LINK	--- FENCE
IRON FENCE	--- FENCE
WIRE FENCE	--- FENCE
IMPROVEMENTS	--- FENCE
BOUNDARY LINE	--- FENCE
RESIDENCE/BLDG	--- FENCE
MONUMENTS OF RECORD DIGNITY	○
1/2" IRON ROD FOUND	○
1/2" YELLOW-CAPPED IRON ROD SET	○
SET 'X'	○
FOUND 'X'	○
1/2" IRON PIPE FOUND	○
PK NAIL FOUND	○
CABLE	○
CLEAN OUT	○
GAS METER	○
FIRE HYDRANT	○
LIGHT POLE	○
MANHOLE	○
ELECTRIC	○
POOL EQUIP	○
POWER POLE	○
TELEPHONE	○
WATER METER	○
WATER VALVE	○
(UNLESS OTHERWISE NOTED)	



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.

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

DURING YOUR STAY:

1. This property is available to host eight 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!

6. 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.
7. Leave all beds that were used unmade.
8. 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.
9. Reset air conditioner to "75" in the summer and heat at "65" in the winter
10. If outside games and grill were used please bring them close to the property (please make sure grill is cooled)
11. Make sure you have logged out of Netflix, Hulu, etc. on all TV's
12. Text 972-268-5494 when leaving to check out.

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

EXHIBIT E - HOST RULES

(10)

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-120-2024

MEETING DATE(S)

Planning & Zoning Commission: August 27, 2024
City Council: September 9, 2024

CAPTION

Public Hearing on a request by Stephanie Gienger, Kimley-Horn, for a **Zoning Change** from a Planned Development-Multi-Family-2 (PD-MF-2) and Planned Development-16-Light Industrial-1 (PD-16-LI-1) zoning district to a Planned Development-Multi-Family-2 (PD-MF-2) zoning district and General Retail zoning district, located at 2797 John Arden Drive, (Property ID 189265, 189266, and 275156) - Owner: Arden Group LLC and International Church of Foursquare Gospel (ZDC-120-2024)

RECOMMENDED MOTION

"I move to approve ZDC-120-2024, a Zoning Change from a Planned Development-Multi-Family-2 (PD-MF-2) and Planned Development-16-Light Industrial-1 (PD-16-LI-1) zoning district to a Planned Development-Multi-Family-2 (PD-MF-2) zoning district and General Retail 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 August 27, 2024, the Commission voted 7-0 to recommend approval of case number ZDC-120-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The applicant requests approval of a zoning change to a Planned Development-Multi-Family-2 (PD-MF-2) and General Retail zoning district to allow for the development of a 68-unit senior living (55+) community.

CASE INFORMATION

Applicant: Stephanie Gienger, Kimley-Horn
Property Owner(s): Arden Group LLC and International Church of Foursquare Gospel
Site Acreage: 13.66 acres
Current Zoning: Planned Development-Multi-Family-2 (PD-MF-2) and Planned Development-16-Light Industrial-1 (PD-16-LI-1)
Requested Zoning: Planned Development-Multi-Family-2 (PD-MF-2) and General Retail

SUBJECT PROPERTY

General Location: 2797 John Arden Drive

Parcel ID Number(s): 189265, 189266, and 275156

Existing Use: A single family residence currently exists on the subject property.

Development History: The subject property is not currently platted.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-MF-GR & PD-15-LI-1	Oxford Apartments & Oncor Facility
East	LI-1	Navarro College
South	PD-16-LI-1	Connect 4 Life Church
West	SF-2	Undeveloped

Future Land Use Plan: Urban Village & Mixed Use Neighborhood

Comprehensive Plan: Urban Village: An urban village is intended to be a bustling center of activity with active streets and a focus on the pedestrian. Filled with high-yield development, it is also one of the most fiscally resilient placetypes and in the right proportion can subsidize low-value development patterns. Streets are narrow with on-street parking making the streetscape comfortable for people who inhabit and patronize the homes and businesses here. When uses which require large amounts of parking are built, parking is hidden with continuous building frontage. Commercial uses on the ground floor should have a higher proportion of glazing to create a more interesting interface between the public and private realm. Most commercial uses make sense in this area as long as the building form treats pedestrians as their principal user.

Mixed Use Neighborhood: 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 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 John Arden Drive and Alliance Boulevard.

Site Image:



PLANNING ANALYSIS

The applicant proposes to rezone the subject property to allow for the development of the Woodland Cottages at Waxahachie, a 68-unit senior living (55+) community.

Case Background:

In December 2018, approximately ten (10) acres of the subject property were rezoned from Planned Development-16-Light Industrial-1 (PD-16-LI-1) to Planned Development-Multi-Family-2 (PD-MF-2) with Ordinance 3073. This zoning change conceptually allowed for developing a tax credit senior living (55+) multi-family project. The PD did not include a detailed site plan, landscape plan, or elevation/façade plan; however, the developer was required to return to the Planning & Zoning Commission and City Council for approval of these items prior to construction. The development of the original senior living project ultimately did not proceed because the developer failed to receive the necessary tax credits for the project.

In March of 2022, staff received a Planned Development Application (ZDC-31-2022) for the property. This PD Application proposed a traditional 180-unit garden style apartment complex that was not age-restricted. The application was ultimately withdrawn by the applicant before consideration by the Planning & Zoning Commission or City Council.

Proposed Use:

The current Planned Development request is intended to replace the existing Planned Development-Multi-Family-2 (PD-MF-2) zoning for the subject property and provide the detailed site plan, landscape plan, and elevation/façade plan documents that were missing from the original PD. The current PD request also includes approximately 3.5 acres of additional property connected to John Arden Drive.

As noted above, this PD request allows for a 68-unit senior living (55+) community. The proposed unit count results in an overall density of 4.98 dwelling units per acre. The 68 proposed units are spread out between twenty (20) residential buildings. Eight (8) unique residential building types are proposed for the development. The residential building types provide a variety of unit counts ranging from two (2) units per building up to eight (8) units per building. A total of 20 one-bedroom units and 48 two-bedroom units are proposed. All buildings on the subject property are proposed to be restricted to one-story in height.

Proposed Use (continued):

The applicant has exceeded the minimum parking requirement for the proposed development; which is 68-spaces. One (1) parking space is required for every senior living (55+) unit. The applicant has provided a total of 142 parking spaces for the development. The applicant has also met the requirement to provide 50% of all required parking spaces as attached garages. A total of fifty-two (52) attached garages have been provided with an additional four (4) detached garage spaces proposed. Attached garages are available on sixteen (16) of the twenty (20) residential buildings. The remaining parking on the site is proposed as typical surface spaces.

The design of the senior living (55+) portion of the development meets the typical setback requirements of the Waxahachie Zoning Ordinance; which results in a 25' setback on all sides of the property. The applicant has proposed development standards with this request that will require valet trash service for residents. The applicant proposes constructing the development's residential portion in a single phase.

In addition to the proposed senior living development, the applicant proposes to designate approximately 3.24-acres of the subject property west of Alliance Boulevard as a General Retail (GR) zoning district. This portion of the subject property is currently included in the PD-MF-2 zoning district that was approved in 2018. However, the developer has noted that the tract is too small to incorporate into the senior living community meaningfully. Instead of leaving this tract zoned multi-family for development at a later date, the applicant proposes to utilize a portion of the tract to meet their detention needs. The remainder of the tract not used for detention is proposed to be subject to the development standards in the Waxahachie Zoning Ordinance for the General Retail zoning district. At this time, the applicant has no plans to develop this tract but does foresee the potential for the tract to be used for small-scale, local retail, or neighborhood service uses.

Comprehensive Plan:

As noted above, the subject property is identified by the 2023 Comprehensive Plan partially under the Urban Village and Mixed-Use Neighborhood placetypes. Each of these placetypes encourage a combination of residential and commercial uses. The applicant proposes to adhere to the intent of the Comprehensive Plan by proposing a low-density senior living (55+) community and reserving land for the development of future neighborhood scale commercial uses that can support the residents of the community. In addition to compliance with the Comprehensive Plan, the proposed development is consistent with the existing zoning (Ord. 2569) adjacent to the Civic Center; which allows for multi-family uses east of Alliance Boulevard and calls for general retail uses west of Alliance Boulevard.

Detention & Utilities:

The applicant proposes to reserve a portion of the 3.24-acre tract on the west side of Alliance Boulevard for a detention pond, as shown on the Site Plan attached as Exhibit C below. The detention pond is intended to meet drainage and detention requirements for the multi-family tract and the future general retail tract. The applicant proposes to extended a 12" water line and 8" sewer line along Alliance Boulevard to provide water and wastewater services to both tracts.

Thoroughfare Plan & Access:

As part of the Planned Development request, the applicant proposes to dedicate 80' of right-of-way (ROW) for the extension of Alliance Boulevard, as required by the Waxahachie Thoroughfare Plan. The applicant will construct an extension of Alliance Boulevard to their southern property line as part of the proposed development. Alliance Boulevard will be used as a point of access on the west side of the multi-family tract. A driveway connection to John Arden Drive will be installed on the east side of the property to serve as a second point of access. An automatic security gate will restrict both access points for the multi-family tract. The automatic gates will come equipped with Knox boxes to ensure the Fire Department can access the site.

Landscaping:

The applicant is proposing to exceed the minimum landscaping requirements for the development. The applicant proposes to incorporate over seventy (70) crape myrtles into the Landscape Plan for the site. To provide additional screening from the north of the subject property, the applicant also proposes to install 7' evergreen eastern red cedars along the northern property line. Exhibit D can be referenced below for the full landscape plan for the property.

Elevation/Façade Plan:

The applicant has provided a detailed Elevation/Façade Plan as part of the PD proposal. The applicant proposes to utilize eight (8) complimentary, but distinct, residential building types for the development. As noted above, there are a total of twenty (20) residential buildings proposed with the development. The Elevation/Façade Plan, attached as Exhibit E below, provides a fully rendered view of each of the eight (8) different residential buildings styles.

The applicant proposes to utilize 100% masonry (brick, stone, stucco) exterior construction materials for the front and side facades of all residential buildings. Up to 31% of the rear façade on some residential buildings is proposed to be constructed with cementitious siding. Notably, the siding is only proposed for use in rear porch areas. Six (6) of the eight (8) residential building types are proposed to utilize an 8:12 roof pitch. Two (2) of the residential building types are proposed to utilize a 5:12 roof pitch in order to provide further architectural variety within the development.

Screening:

The Waxahachie Zoning Ordinance requires installing a 6' solid masonry wall between residential and commercial uses. The applicant proposes to install a 6' masonry screening wall adjacent to the Onkor service center north of the subject property and adjacent to the Connect 4 Life Church south of the subject property. An existing ornamental iron fence is in place between the subject property and the Oxford Apartment Complex. The applicant proposes to install 7' evergreen eastern red cedars adjacent to this existing fence to enhance screening between the developments. Adjacent to undeveloped land south of the subject property, the applicant proposes to install a 6' cedar wood fence. A detail for each proposed fencing type can be referenced on Exhibit D below.

Amenities:

The development standards proposed by the applicant require the construction a clubhouse, pool, and fitness amenity with the initial development. The applicant also proposes to install a concrete walking path through the open space areas shown on the Site Plan.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 10 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 no letters of support or opposition for the Zoning Change request.

PUBLIC NOTIFICATION RESPONSES

Staff has received one (1) letter of support and zero (0) letters of opposition for the Zoning Change 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 shall be required for the development.
2. The Property Owner shall provide a permanent irrigation system for all required landscape areas shown on Exhibit D - Landscape Plan and maintain the required landscaping at all times.
3. All exterior construction materials, location of exterior construction materials, and percentage of exterior construction materials for each building in the development shall conform with the Elevation/Façade Plan (Exhibit E).
4. 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.
5. The property owner shall establish a deed restriction on the subject property that requires residents to be fifty-five (55+) years of age or older.

ATTACHED EXHIBITS

1. Public Notification Response
2. Development Agreement
3. SUP Ordinance
4. Location Map – Exhibit A
5. Development Standards – Exhibit B
6. Detailed Site Plan – Exhibit C
7. Landscape Plan – Exhibit D
8. Elevation/Façade Plan – Exhibit E

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:
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Reviewed by:
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Senior Director of Planning
jennifer.pruitt@waxahachie.com

(11)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-120-2024

BREKENGLENN LTD
238 KATY LAKE DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 27, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 9, 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 Stephanie Gienger, Kimley-Horn, for a Zoning Change from a Planned Development-Multi-Family-2 (PD-MF-2) and Planned Development-16-Light Industrial-1 (PD-16-LI-1) zoning district to a Planned Development-Multi-Family-2 (PD-MF-2) zoning district and General Retail (GR) zoning district for senior (55+) multi-family cottages, located at 2797 John Arden Drive, (Property ID 189265, 189266, and 275156) - Owner: Arden Group LLC and International Church of Foursquare Gospel (ZDC-120-2024) 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-120-2024

City Reference: 189256

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on August 21, 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:

Great use for this property

John Ed Justice

Signature

8/21/24 3:31 PM

Date

John Ed Justice

Printed Name and Title

238 Katy Lake Dr

Address

(12)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-MULTI-FAMILY-2 (PD-MF-2) AND PLANNED DEVELOPMENT-16-LIGHT INDUSTRIAL-1 (PD-16-LI-1) TO PLANNED DEVELOPMENT-MULTI-FAMILY-2 (PD-MF2), LOCATED AT 2797 JOHN ARDEN DRIVE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 13.66 ACRES KNOWN AS PROPERTY ID 189265, 189266, AND 275156 OF THE JONATHAN E. PRICE SURVEY, ABSTRACT 844, 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 PD, with a Detailed Site Plan has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-120-2024. 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 PD-MF-2 and PD-16-LI-1 to PD-MF-2, with a Detailed Site Plan; 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 PD-MF-2 and PD-16-LI-1 to PD-MF-2, with a Detailed Site Plan in order to facilitate development of a single-story age restricted (55+) multi-family residential development on the following property: Property ID 189265, 189266, and 275156, which is shown on Exhibit A, in accordance with the Development Standards attached as Exhibit B, the Detailed Site Plan attached as Exhibit C, the Landscape Plan attached as Exhibit D, and the Elevation/Façade Plan attached as Exhibit E.

PLANNED DEVELOPMENT

Purpose and Intent

The purpose of this planned development is to allow for the development of a single-story age restricted (55+) multi-family residential 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, private streets, and utility infrastructure shall substantially conform to the locations shown on the approved Detailed Site Plan (Exhibit C).

Development Regulations

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-120-2024.
3. The development shall adhere to the City Council approved in Exhibit A- Location Map, Exhibit B – Development Standards, Exhibit C – Detailed Site Plan, Exhibit D – Landscape Plan, and Exhibit E – Elevation/Façade Plan.
4. The Property Owner shall provide a permanent irrigation system for all required landscape areas shown on Exhibit D - Landscape Plan and maintain the required landscaping at all times.
5. All exterior construction materials, location of exterior construction materials, and percentage of exterior construction materials for each building in the development shall conform with the Elevation/Façade Plan (Exhibit E).
6. The property owner shall establish a deed restriction on the subject property that requires residents to be fifty-five (55+) years of age or older.
7. 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.
8. 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 9th day of September, 2024.

(12)

MAYOR

ATTEST:

City Secretary

Exhibit A - Location Map



Planned Development Standards

Purpose and Intent

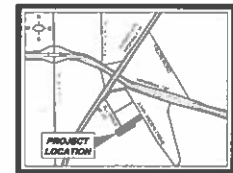
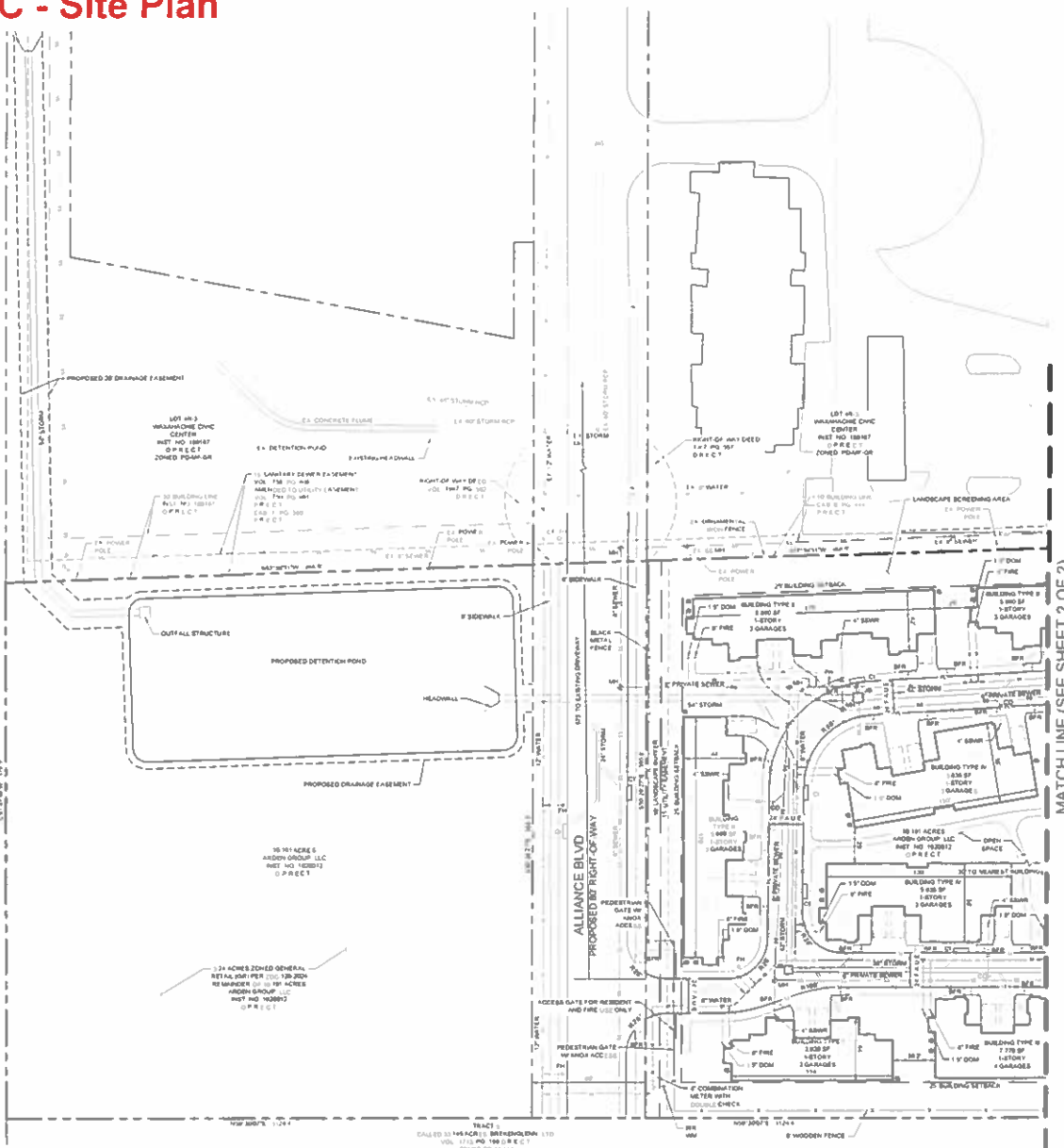
The purpose of this planned development is to create a single story age restricted (55+) senior living multi-family residential development and to establish appropriate restrictions for the development.

Development Standards

“Site Property” as defined on Exhibit A will comply with the MF-2 Zoning District of the City of Waxahachie 2024 Zoning Ordinance, except as otherwise provided herein.

- 1) Permitted Land Use
 - a) Approximate 9.69 acres east of Alliance Boulevard
 - i) Residential Type Uses per City of Waxahachie Code of Ordinances Appendix A, section 4.03(a)
 - (1) Senior living restricted (55+) multi-family residential up to 70 units allowed within the site property.
 - b) Approximate 3.24 acres west of Alliance Boulevard: General Retail Zoning (GR)
 - i) Commercial, Retail, and Residential Type Uses per City of Waxahachie Code of Ordinances Appendix A, section 4.03(c) excluding multi-family.
- 2) Screening Requirements
 - a) For screening where multifamily is adjacent to single family, two family, or residential PD districts, a minimum of one (1) single row of Eastern Red Cedar of Brodie variety every 7 feet shall be provided along the property line. The purpose of the landscape screening is to provide a visual barrier between the properties.
- 3) Trash Service
 - a) The property owner shall provide one (1) refuse facility on the site property. A refuse facility shall be a dumpster or other similar receptacle designed for receiving garbage in bulk for more than one dwelling.
 - b) The property owner shall provide valet trash service for residents located within the site. Each unit shall be provided with a refuse container for solid waste collection. Trash service to pick up refuse containers is to be handled by a private company.
- 4) Architectural Roof Pitch
 - a) Buildings located within the site property shall have a minimum roof pitch of 5:12
- 5) Construction Materials
 - a) Construction materials, location, and percentages shall comply with the Façade/Elevation Plan accompanying the PD or otherwise approved by the City.
- 6) Amenities
 - a) Amenities to be provided within the site property. The site property shall include a clubhouse, pool, and fitness room.

Exhibit C - Site Plan



LEGEND

---	PROPERTY LINE
---	SETBACK LINE
---	EXISTING LOT LINE
---	EXISTING BUILDING LINE
---	PROPOSED FIRE LINE
---	PROPOSED SANITARY SEWER LINE
---	PROPOSED WATER LINE
---	PROPOSED STORM LINE
---	EXISTING OVERHEAD ELECTRIC
---	EXISTING SANITARY SEWER LINE
---	EXISTING WATER LINE
---	EXISTING STORM LINE
---	PROPOSED MASONRY SCREENING WALL
---	PROPOSED FENCE
---	BASED ON FREE ZONING
---	ACCESSIBLE PARKING SYMBOL
---	PARKING STALL COUNT
---	COMBINATION WATER METER
---	FIRE HYDRANT
---	SANITARY SEWER MANHOLE
---	STORM JUNCTION BOX
---	EXISTING POWER POLE
---	EXISTING QUI-V
---	DATE VALVE
---	GROUND MOUNTED AC CONDENSER
---	PROPOSED FIRE LINE ADDRESS AND UTILITY EMB
---	PROPOSED ALLIANCE BLVD EXTENSION
---	PROPOSED DRIVEWAY PARKING SPACE

KEY

---	TYPICAL	---	CLEAN OUT
---	SHARED FREE ZONE	---	JUNCTION BOX
---	FREE ZONE	---	STATION
---	MANHOLE	---	EMBT
---	WATER METER	---	CLUSE INLET
---	DOMESTIC	---	SEWER

KEY SUMMARY TABLE

ITEM	QUANTITY	UNIT
1" DIA. WATER MAIN	13.36	LINEAL FEET
4" DIA. WATER MAIN	1.62	LINEAL FEET
6" DIA. WATER MAIN	1.62	LINEAL FEET
8" DIA. WATER MAIN	1.62	LINEAL FEET
12" DIA. WATER MAIN	1.62	LINEAL FEET
18" DIA. WATER MAIN	1.62	LINEAL FEET
24" DIA. WATER MAIN	1.62	LINEAL FEET
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60" DIA. WATER MAIN	1.62	LINEAL FEET
66" DIA. WATER MAIN	1.62	LINEAL FEET
72" DIA. WATER MAIN	1.62	LINEAL FEET
78" DIA. WATER MAIN	1.62	LINEAL FEET
84" DIA. WATER MAIN	1.62	LINEAL FEET
90" DIA. WATER MAIN	1.62	LINEAL FEET
96" DIA. WATER MAIN	1.62	LINEAL FEET
102" DIA. WATER MAIN	1.62	LINEAL FEET
108" DIA. WATER MAIN	1.62	LINEAL FEET
114" DIA. WATER MAIN	1.62	LINEAL FEET
120" DIA. WATER MAIN	1.62	LINEAL FEET
126" DIA. WATER MAIN	1.62	LINEAL FEET
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138" DIA. WATER MAIN	1.62	LINEAL FEET
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150" DIA. WATER MAIN	1.62	LINEAL FEET
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174" DIA. WATER MAIN	1.62	LINEAL FEET
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186" DIA. WATER MAIN	1.62	LINEAL FEET
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402" DIA. WATER MAIN	1.62	LINEAL FEET
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564" DIA. WATER MAIN	1.62	LINEAL FEET
570" DIA. WATER MAIN	1.62	LINEAL FEET
576" DIA. WATER MAIN	1.62	LINEAL FEET
582" DIA. WATER MAIN	1.62	LINEAL FEET
588" DIA. WATER MAIN	1.62	LINEAL FEET
594" DIA. WATER MAIN	1.62	LINEAL FEET
600" DIA. WATER MAIN	1.62	LINEAL FEET
606" DIA. WATER MAIN	1.62	LINEAL FEET
612" DIA. WATER MAIN	1.62	LINEAL FEET
618" DIA. WATER MAIN	1.62	LINEAL FEET
624" DIA. WATER MAIN	1.62	LINEAL FEET
630" DIA. WATER MAIN	1.62	LINEAL FEET
636" DIA. WATER MAIN	1.62	LINEAL FEET
642" DIA. WATER MAIN	1.62	LINEAL FEET
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654" DIA. WATER MAIN	1.62	LINEAL FEET
660" DIA. WATER MAIN	1.62	LINEAL FEET
666" DIA. WATER MAIN	1.62	LINEAL FEET
672" DIA. WATER MAIN	1.62	LINEAL FEET
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732" DIA. WATER MAIN	1.62	LINEAL FEET
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786" DIA. WATER MAIN	1.62	LINEAL FEET
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834" DIA. WATER MAIN	1.62	LINEAL FEET
840" DIA. WATER MAIN	1.62	LINEAL FEET
846" DIA. WATER MAIN	1.62	LINEAL FEET
852" DIA. WATER MAIN	1.62	LINEAL FEET
858" DIA. WATER MAIN	1.62	LINEAL FEET
864" DIA. WATER MAIN	1.62	LINEAL FEET
870" DIA. WATER MAIN	1.62	LINEAL FEET
876" DIA. WATER MAIN	1.62	LINEAL FEET
882" DIA. WATER MAIN	1.62	LINEAL FEET
888" DIA. WATER MAIN	1.62	LINEAL FEET
894" DIA. WATER MAIN	1.62	LINEAL FEET
900" DIA. WATER MAIN	1.62	LINEAL FEET
906" DIA. WATER MAIN	1.62	LINEAL FEET
912" DIA. WATER MAIN	1.62	LINEAL FEET
918" DIA. WATER MAIN	1.62	LINEAL FEET
924" DIA. WATER MAIN	1.62	LINEAL FEET
930" DIA. WATER MAIN	1.62	LINEAL FEET
936" DIA. WATER MAIN	1.62	LINEAL FEET
942" DIA. WATER MAIN	1.62	LINEAL FEET
948" DIA. WATER MAIN	1.62	LINEAL FEET
954" DIA. WATER MAIN	1.62	LINEAL FEET
960" DIA. WATER MAIN	1.62	LINEAL FEET
966" DIA. WATER MAIN	1.62	LINEAL FEET
972" DIA. WATER MAIN	1.62	LINEAL FEET
978" DIA. WATER MAIN	1.62	LINEAL FEET
984" DIA. WATER MAIN	1.62	LINEAL FEET
990" DIA. WATER MAIN	1.62	LINEAL FEET
996" DIA. WATER MAIN	1.62	LINEAL FEET
1002" DIA. WATER MAIN	1.62	LINEAL FEET
1008" DIA. WATER MAIN	1.62	LINEAL FEET
1014" DIA. WATER MAIN	1.62	LINEAL FEET
1020" DIA. WATER MAIN	1.62	LINEAL FEET
1026" DIA. WATER MAIN	1.62	LINEAL FEET
1032" DIA. WATER MAIN	1.62	LINEAL FEET
1038" DIA. WATER MAIN	1.62	LINEAL FEET
1044" DIA. WATER MAIN	1.62	LINEAL FEET
1050" DIA. WATER MAIN	1.62	LINEAL FEET
1056" DIA. WATER MAIN	1.62	LINEAL FEET
1062" DIA. WATER MAIN	1.62	LINEAL FEET
1068" DIA. WATER MAIN	1.62	LINEAL FEET
1074" DIA. WATER MAIN	1.62	LINEAL FEET
1080" DIA. WATER MAIN	1.62	LINEAL FEET
1086" DIA. WATER MAIN	1.62	LINEAL FEET
1092" DIA. WATER MAIN	1.62	LINEAL FEET
1098" DIA. WATER MAIN	1.62	LINEAL FEET
1104" DIA. WATER MAIN	1.62	LINEAL FEET
1110" DIA. WATER MAIN	1.62	LINEAL FEET
1116" DIA. WATER MAIN	1.62	LINEAL FEET
1122" DIA. WATER MAIN	1.62	LINEAL FEET
1128" DIA. WATER MAIN	1.62	LINEAL FEET
1134" DIA. WATER MAIN	1.62	LINEAL FEET
1140" DIA. WATER MAIN	1.62	LINEAL FEET
1146" DIA. WATER MAIN	1.62	LINEAL FEET
1152" DIA. WATER MAIN	1.62	LINEAL FEET
1158" DIA. WATER MAIN	1.62	LINEAL FEET
1164" DIA. WATER MAIN	1.62	LINEAL FEET
1170" DIA. WATER MAIN	1.62	LINEAL FEET
1176" DIA. WATER MAIN	1.62	LINEAL FEET
1182" DIA. WATER MAIN	1.62	LINEAL FEET
1188" DIA. WATER MAIN	1.62	LINEAL FEET
1194" DIA. WATER MAIN	1.62	LINEAL FEET
1200" DIA. WATER MAIN	1.62	LINEAL FEET

- NOTES**
1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS NOTED OTHERWISE.
 2. ALL ADJUSTMENTS TO BE PROVIDED BY THE OWNER.
 3. ALL UTILITIES SHALL BE PROVIDED IN ACCORDANCE WITH WAXAHACHIE ORDINANCES AND SHALL HAVE A MINIMUM COVERING DEPTH OF 36" UNLESS OTHERWISE SPECIFIED.
 4. ALL UTILITIES SHALL BE PROVIDED IN ACCORDANCE WITH WAXAHACHIE ORDINANCES AND SHALL HAVE A MINIMUM COVERING DEPTH OF 36" UNLESS OTHERWISE SPECIFIED.
 5. ALL UTILITIES SHALL BE PROVIDED WITH FINAL DEPTH.
 6. ALL UTILITIES SHALL BE PROVIDED WITH FINAL DEPTH.
 7. ALL UTILITIES SHALL BE PROVIDED WITH FINAL DEPTH.

FLOOD STATEMENT

ACCORDING TO THE FLOOD INSURANCE MAP OF THIS MAP NO. 4812C000 DATED OCTOBER 14, 2003, PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR ELLIS COUNTY, TEXAS, THIS PROPERTY IS WITHIN UNSHADED ZONE 1.

OWNER:
 CONNOR HILLIE CHURCH
 1071 JOHN ARDEN DRIVE
 WAXAHACHIE, TEXAS 75165
 CONTACT: JOHN MORRISON
 PHONE: 972.303.3992

DEVELOPER:
 CAROLAN BISHOP DEVELOPMENT, LLC
 1709 DALLAS PARKWAY, SUITE 101
 DALLAS, TEXAS 75241
 CONTACT: MRS. FRANK JONES
 PHONE: 972.303.3992

ARCHITECT:
 ORR ANDRADE ARCHITECTS, INC.
 2001 CENTRAL EXPRESSWAY, SUITE 400
 DALLAS, TEXAS 75201
 CONTACT: STEPHEN ORR
 PHONE: 972.303.3992

ENGINEER (SUPERVISOR):
 BISHOP BISHOP ARCHITECT
 2001 CENTRAL EXPRESSWAY, SUITE 400
 DALLAS, TEXAS 75201
 CONTACT: STEPHEN BISHOP
 PHONE: 972.303.3992

PLANNED DEVELOPMENT
WOODLAND COTTAGES AT WAXAHACHIE
 BEING 13.66 ACRES OUT OF THE JONATHAN E
 PRICE SURVEY
 ABSTRACT NO. 844
 CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
 PROPOSED ZONING PD
 CASE NUMBER ZDC-120-2024
 PREPARATION DATE: JULY 27, 2024

Kimley»Horn
 2021 MAIN ST., FORT WORTH, TEXAS 76102
 200 NORTH WYOMING STREET, SUITE 100
 WAXAHACHIE, TEXAS 75165
 WWW.KIMLEYHORN.COM | P. 11

WOODLAND COTTAGES AT WAXAHACHIE
 CITY OF WAXAHACHIE
 ELLIS COUNTY, TEXAS

SITE PLAN

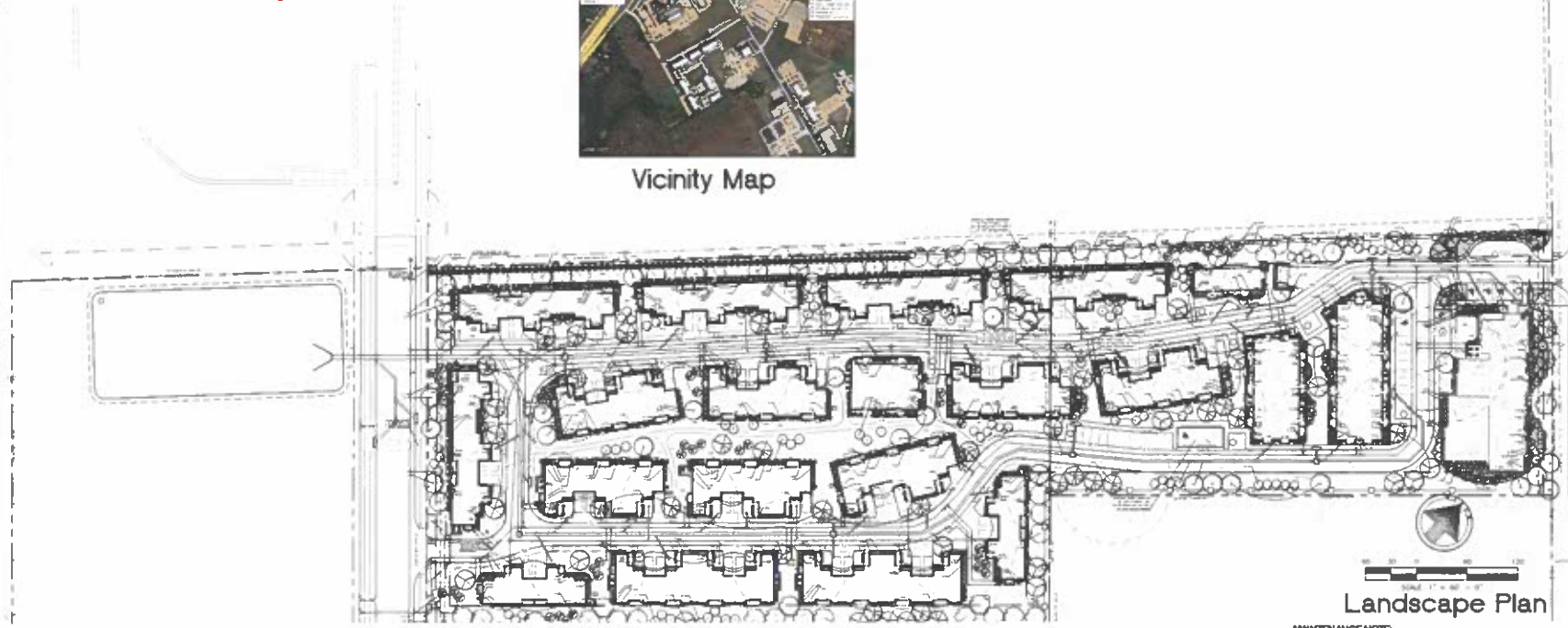
SHEET NUMBER
 SP-1

(12)

Exhibit D - Landscape Plan



Vicinity Map



Landscape Plan

MAINTENANCE NOTE

The property owner, tenant or agent shall be responsible for the maintenance of all required landscaping in a healthy, neat, orderly and live growing condition at all times. This shall include mowing, edging, pruning, fertilizing, irrigation, weeding, and other such activities common to the maintenance of landscaping. Landscape areas shall be kept free from trash, litter, weeds, and other such materials not part of the landscaping. Plant materials that die shall be replaced with plant materials of similar variety and size.

IRRIGATION NOTE

All backflow install on and connection to City water lines must be permitted separately by the City inspection staff. All turf zones and bed zones will be separated. All bas will be irrigated with drip irrigation. All turf spray heads will be pressure compensating heads. All other turf heads will be stream rotors and/or drip as required by state and local codes.

Woodland Cottages - Waxahachie, TX

Landscape Requirements/Calculations

Buffer Yard and Landscape Buffer
 286 in. ft. John Arden Drive
 Street Buffer provided = 7,150 SF (100% Permanent Landscape)
 Buffer Yard Tree Required: 8 Provided: 8
 306 in. ft. Alliance Pkwy
 Street Buffer provided = 9,400 SF (100% Permanent Landscape)
 Permanent Landscape Required
 Buffer Yard Tree Required: 8 Provided: 8
 Note: All street trees required to be 4" cal (DBH)

Interior Landscape Requirements
 Total Bldg Footprint = 122,600SF * 50 = 61,300 SF Required Interior Landscape Area
 Interior Landscape Provided 128,785 s.f.

Canopy Trees Required: 1 / 500 SF of required LA	122	ST (61.4" cal DBH/ 61.2" cal DBH)
Ornamental Trees Required: 1 / 250 SF of required LA	245	(MT Bht. min.)
Required Shrubs: 1 / 40 SF of required LA	1532	(3gallon)
Required Ground Cover: 10% of required LA	9195	(4"pots)
Required Seasonal Color: 2% of required landscape LA	1226	(4"pots)

Parking Requirements
 Parking Required: 68 Parking Provided: 142
 13 s.f. parking landscape per parking spaced
 Parking provided 142 spaces @ 13 s.f.
 Parking provided 142 spaces @ 13 s.f. = 2002 s.f. required.
 Parking Landscape Area Provided: 25,415
 Required planting per 500 s.f.
 2 - Canopy Trees (4" cal DBH)
 Canopy Trees Required: 8 Canopy Trees Provided: 27
 10 - Shrubs (3 gallon)
 Shrubs Required: 40 Shrubs Provided: 127
 Park Space must be within 64 ft of a canopy tree

Plant Materials Provided Per Proposed Plan

Canopy Trees (each)	147
Understory/Ornamental Trees (each)	273
Shrubs (each)	1800
Ground Cover (square feet)	9680
Seasonal Color (square feet)	1508

**PLANNED DEVELOPMENT
 WOODLAND COTTAGES AT
 WAXAHACHIE**
 BEING 13.66 ACRES OUT OF THE JONATHAN E.
 PRICE SURVEY,
 ABSTRACT NO. 844
 CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
 PROPOSED ZONING PD
 CASE NUMBER ZDC-120-2024
 PREPARATION DATE: 2/26/17 2024

Date	05-28-2024
Job	2024-WC-WAXAHACHIE, TX
Revisions	
Date	Description



A Landscape Development of CarbonLandscape, Construction
Woodland Cottages
 Waxahachie, TX
 John Arden Ed.

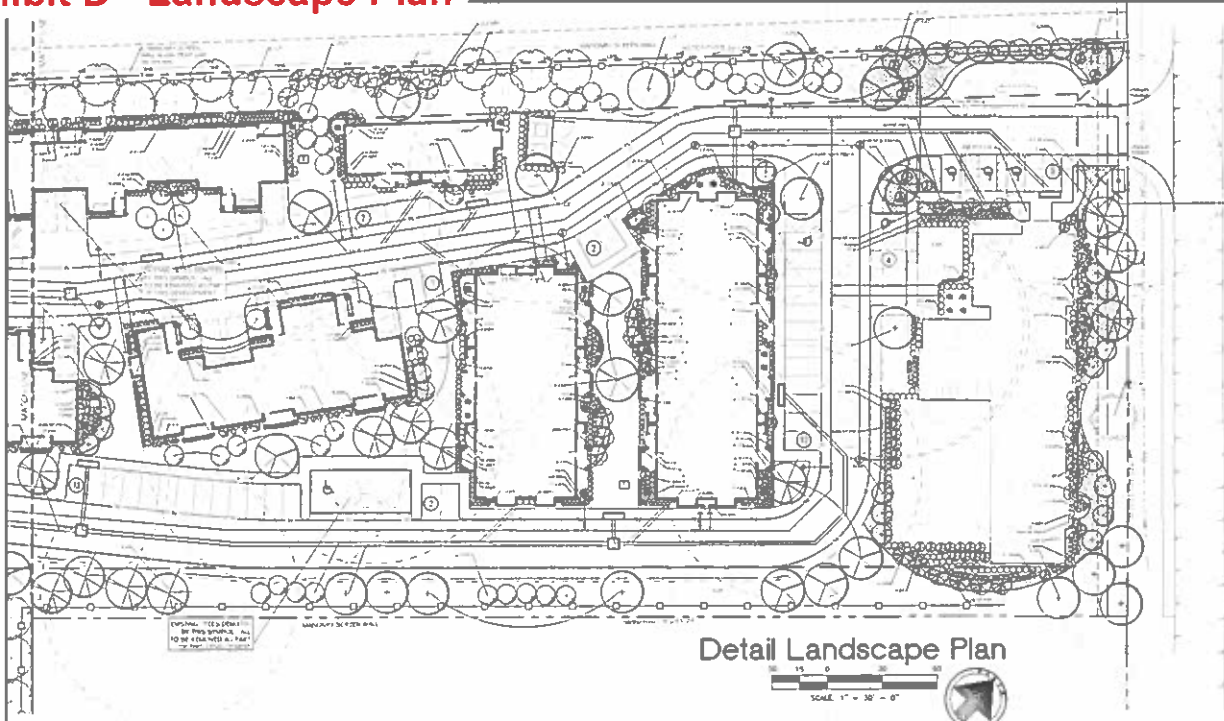
Date Completed: 05-29/24
 Designed by: DMF
 Checked by: DMF
 Phase: Site Plan

Crossroads Mgmt. LLC
 17120 Dallas Pkwy #101
 Dallas, TX 75248
 972-250-2990

Sheet
LP11
LANDSCAPE PLAN

(12)

Exhibit D - Landscape Plan



Detail Landscape Plan

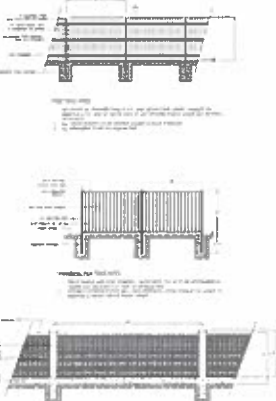


GENERAL LANDSCAPE NOTES

1. All landscape areas are to be received within 1 of proposed final grade and free from all trash and debris.
2. All trees are to be planted in pits with the diameter of the tree pit and no deeper than the depth of the pit. Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2". Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2". Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2".
3. All trees are to be planted in pits with the diameter of the tree pit and no deeper than the depth of the pit. Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2". Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2".
4. All trees are to be planted in pits with the diameter of the tree pit and no deeper than the depth of the pit. Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2". Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2".
5. All trees are to be planted in pits with the diameter of the tree pit and no deeper than the depth of the pit. Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2". Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2".
6. All trees are to be planted in pits with the diameter of the tree pit and no deeper than the depth of the pit. Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2". Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2".
7. All trees are to be planted in pits with the diameter of the tree pit and no deeper than the depth of the pit. Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2". Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2".
8. All trees are to be planted in pits with the diameter of the tree pit and no deeper than the depth of the pit. Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2". Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2".
9. All trees are to be planted in pits with the diameter of the tree pit and no deeper than the depth of the pit. Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2". Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2".
10. All trees are to be planted in pits with the diameter of the tree pit and no deeper than the depth of the pit. Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2". Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2".
11. All trees are to be planted in pits with the diameter of the tree pit and no deeper than the depth of the pit. Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2". Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2".
12. All trees are to be planted in pits with the diameter of the tree pit and no deeper than the depth of the pit. Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2". Seams of tree pits shall be no deeper than 1/2" and no wider than 1/2".

PLANT LEGEND

- LIVE OAK
- CEDAR LIM
- CHINA PINE OAK
- BUR OAK
- CHINESE PISTACHE
- GRAPE MYRTLE
- PURPLE CHASTICE TREE
- TEXAS REDWOOD
- EASTERN RED CEDAR



IRRIGATION NOTES:

1. All landscape areas shall be irrigated with an automatic irrigation system capable of providing the proper amount of water for the particular type of plant material used. Irrigation will be provided by an underground drip system, or a subsurface drip system as approved by the City of Waxahachie.
2. Automatic underground irrigation system shall be equipped with freeze guard set at 30 degrees F.
3. Areas of open space which contain preserved trees need not be irrigated if the City of Waxahachie determines irrigation would be harmful to the preserved trees.

EXISTING AND PROPOSED TREE NOTES:

1. All existing trees fall within the parking pads, parking areas and roadways and will be removed. Trees along the property may be retained if site grading permits, but for the purposes of this site plan, all existing trees will be retained.
2. All street trees must be 4" caliper DBH at time of planting.
3. All new and existing lot trees will be 2" caliper DBH and 4" caliper DBH at time of planting and must be 50/50 as required by local code and ordinance.

**PLANNED DEVELOPMENT
WOODLAND COTTAGES AT
WAXAHACHIE**
BEING 13.66 ACRES OUT OF THE JONATHAN E. PRICE SURVEY,
ABSTRACT NO. 844
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
PROPOSED ZONING: PD
CASE NUMBER: ZDC-120-2024
PREPARATION DATE: 05-17-2024

Date: 05-28-2024
Job: 1824-WC-WAXAHACHIE.TX

Revisions
Date: Description

City of Waxahachie
1700 North Loop West
Waxahachie, TX 75165
Officially adopted/signed 7-23-2024

A Landscape Development of Carbon/Landmark Construction

Woodland Cottages

John Avallen P.E.

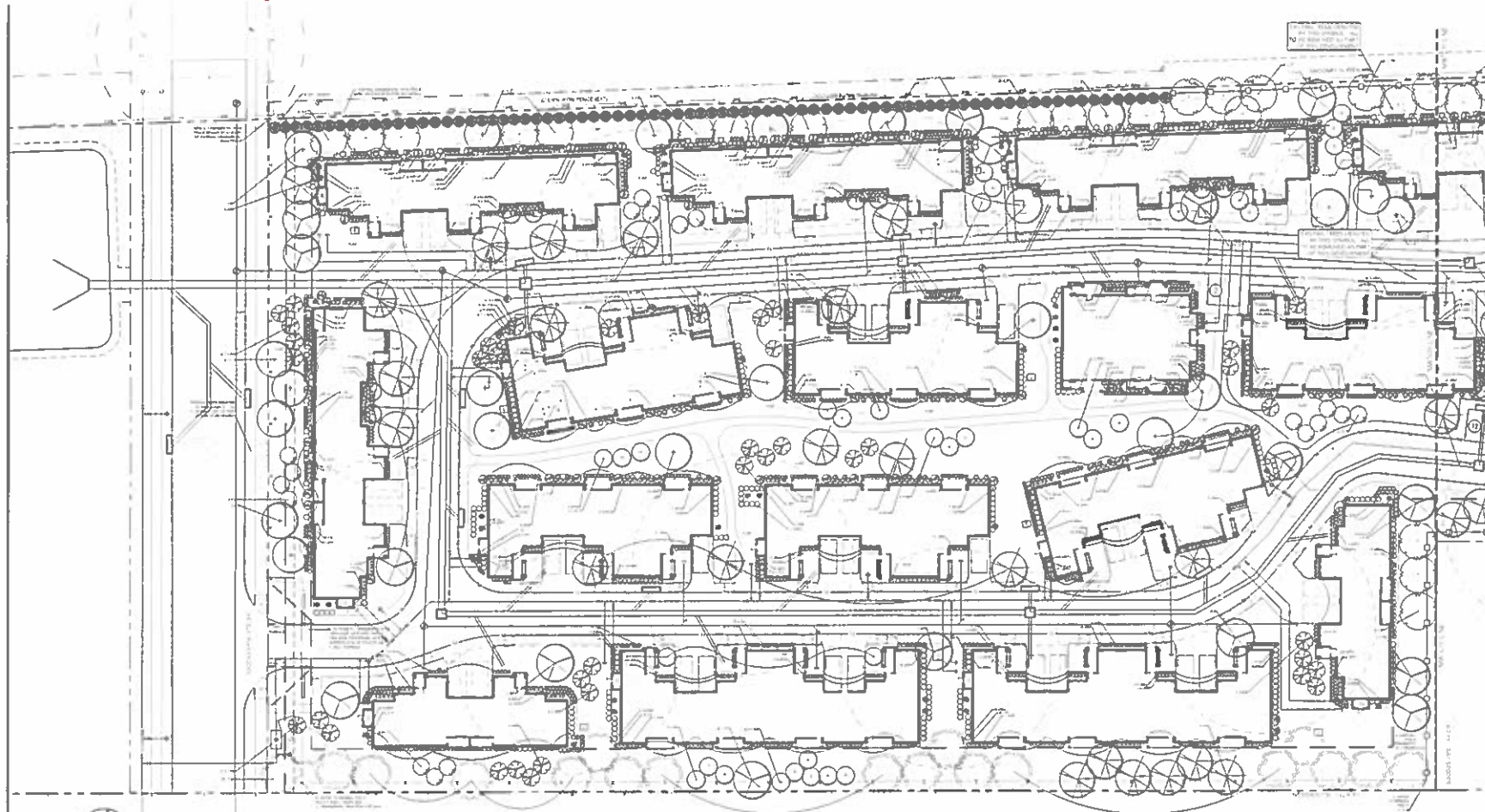
Date Completed: 05-29/24
Designed by: DLF
Checked by: DLF
Phase: Site Plan

Crossroads Pkwy. LLC
17120 Dallas Pkwy. #101
Dallas, TX 75248
972-250-2990

Sheet
LP1.2
DETAIL PLAN

(112)

Exhibit D - Landscape Plan



Detail Landscape Plan

PLANNED DEVELOPMENT
WOODLAND COTTAGES AT WAXAHACHIE
 BEING 13.66 ACRES OUT OF THE JONATHAN E. PRICE SURVEY.
 ABSTRACT NO. 844
 CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
 PROPOSED ZONING: PD
 CASE NUMBER: ZDC-120-2024
PREPARATION DATE: JUNE 17, 2024

Date	09-29-2024
Job	2024-WC-WAXAHACHIE TX
Revisions	
Date	Description
04-01-24	City Comments



A Landscape Development of Custom/Indivis. Construction
Woodland Cottages
 Waxahachie, TX
 John Arden, P.E.

Date Completed	05-29/24
Designed by	JA
Checked by	JA
Phase	Site Plan

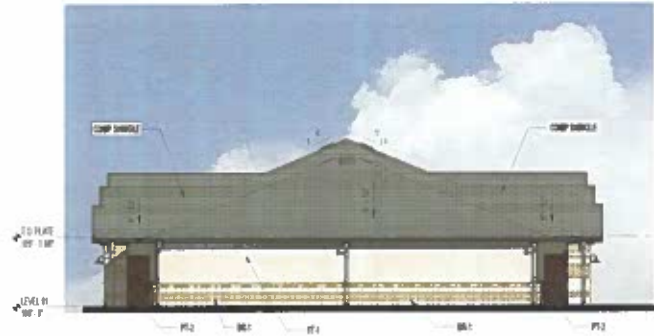
Crossroads Mgmt. LLC
 17120 Dallas Pkwy #101
 Dallas, TX 75248
 972-250-2990

Sheet
LP1.3
LANDSCAPE PLAN

Exhibit E - Elevation/Facade Plan

TOTAL MATERIAL SQUARE FOOTAGE		
BR-1 BRICK MASONRY	SH-635 DOVER WHITE	87 sq ft
ST-1 STUCCO	SH-635 DOVER WHITE	348 sq ft
PF-1 DOORS AND WINDOWS	SH-7948 URBAN BRONZE	42 sq ft
PF-2 TRIM	SH-7948 URBAN BRONZE	18 sq ft
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS		495 sq ft

VERTICAL SQUARE FOOTAGE		
TOTAL MATERIAL SQUARE FOOTAGE		
BR-1 BRICK MASONRY	SH-635 DOVER WHITE	87 sq ft
ST-1 STUCCO	SH-635 DOVER WHITE	442 sq ft
PF-1 DOORS AND WINDOWS	SH-7948 URBAN BRONZE	251 sq ft
PF-2 TRIM	SH-7948 URBAN BRONZE	75 sq ft
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS		1,175 sq ft



3 TYPE VI SIDE LEFT
1/8" = 1'-0"

VERTICAL SQUARE FOOTAGE		
TOTAL MATERIAL SQUARE FOOTAGE		
BR-1 BRICK MASONRY	SH-635 DOVER WHITE	64 sq ft
ST-1 STUCCO	SH-635 DOVER WHITE	225 sq ft
PF-1 DOORS AND WINDOWS	SH-7948 URBAN BRONZE	105 sq ft
PF-2 TRIM	SH-7948 URBAN BRONZE	75 sq ft
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS		470 sq ft



2 TYPE VI BACK
1/8" = 1'-0"

VERTICAL SQUARE FOOTAGE		
TOTAL MATERIAL SQUARE FOOTAGE		
BR-1 BRICK MASONRY	SH-635 DOVER WHITE	87 sq ft
ST-1 STUCCO	SH-635 DOVER WHITE	442 sq ft
PF-1 DOORS AND WINDOWS	SH-7948 URBAN BRONZE	251 sq ft
PF-2 TRIM	SH-7948 URBAN BRONZE	75 sq ft
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS		1,197 sq ft



4 TYPE VI SIDE RIGHT
1/8" = 1'-0"



1 TYPE VI FRONT
1/8" = 1'-0"

GENERAL NOTE - BLDG TYPE VII
THE PITCH OF THE MAIN ROOF HAS BEEN SET AT 5:12 TO PRESERVE THE DESIGN IDENTITY OF THE ELEVATION. THE PLACEMENT OF UNITS BACK-TO-BACK IN THIS BUILDING CONFIGURATION ALLOWS FOR A BUILDING DEPTH THAT CREATES AN EXCEPTIONALLY LARGE AND ARCHITECTURALLY COMPROMISING ROOF AT AN 8:12 PITCH.

TYPE VI ELEVATIONS

(112)

Exhibit E - Elevation/Facade Plan

VERTICAL SQUARE FOOTAGE

TOTAL MATERIAL SQUARE FOOTAGE	432 sqft
BR-1 BRICK BASQUET	190 sqft 23%
ST-1 STUCCO	227 sqft 76%
PF-1 DOORS AND WINDOWS	SN 7543 AVENUE TAN 188 sqft
PF-1 TRIM	SN 7543 AVENUE TAN 53 sqft
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS	614 sqft



2 TYPE VII - LEFT
1/8" = 1'-0"

VERTICAL SQUARE FOOTAGE

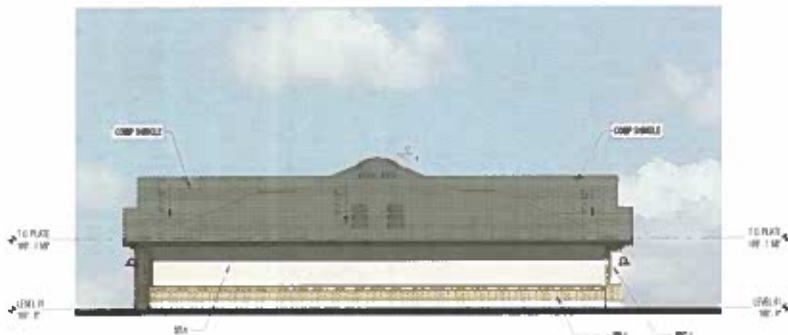
TOTAL MATERIAL SQUARE FOOTAGE	547 sqft
BR-1 BRICK BASQUET	SN 6263 DOVER WHITE 136 sqft 25%
ST-1 STUCCO	SN 6263 DOVER WHITE 411 sqft 75%
PF-1 DOORS AND WINDOWS	SN 7543 AVENUE TAN 296 sqft
PF-1 TRIM	SN 7543 AVENUE TAN 53 sqft
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS	896 sqft



3 TYPE VII - BACK
1/8" = 1'-0"

VERTICAL SQUARE FOOTAGE

TOTAL MATERIAL SQUARE FOOTAGE	528 sqft
BR-1 BRICK BASQUET	SN 6263 DOVER WHITE 168 sqft 31%
ST-1 STUCCO	SN 6263 DOVER WHITE 362 sqft 69%
PF-1 DOORS AND WINDOWS	SN 7543 AVENUE TAN 188 sqft
PF-1 TRIM	SN 7543 AVENUE TAN 53 sqft
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS	565 sqft



4 TYPE VII - RIGHT
1/8" = 1'-0"

VERTICAL SQUARE FOOTAGE

TOTAL MATERIAL SQUARE FOOTAGE	547 sqft
BR-1 BRICK BASQUET	SN 6263 DOVER WHITE 136 sqft 25%
ST-1 STUCCO	SN 6263 DOVER WHITE 411 sqft 75%
PF-1 DOORS AND WINDOWS	SN 7543 AVENUE TAN 296 sqft
PF-1 TRIM	SN 7543 AVENUE TAN 53 sqft
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS	896 sqft



1 TYPE VII - FRONT
1/8" = 1'-0"

TYPE VII ELEVATIONS

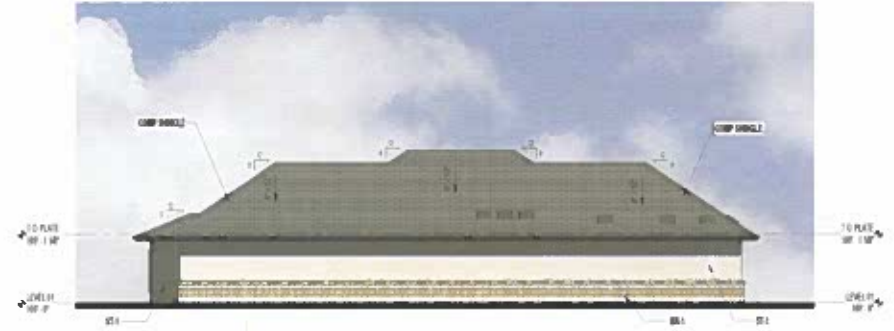
Exhibit E - Elevation/Facade Plan

VERTICAL SQUARE FOOTAGE		
TOTAL MATERIAL SQUARE FOOTAGE	244 sqft	
BR-1, BRICK BASKINERY	59 sqft	25%
ST-1, STUCCO	164 sqft	67%
PI-1 DOORS AND WINDOWS		
SW FINISH URBAN BRONZE	20 sqft	
PI-2, IRON	21 sqft	
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS	211 sqft	



4 TYPE VIII - LEFT ELEVATION
1/8" = 1'-0"

VERTICAL SQUARE FOOTAGE		
TOTAL MATERIAL SQUARE FOOTAGE	681 sqft	
BR-1, BRICK BASKINERY	171 sqft	25%
ST-1, STUCCO	488 sqft	71%
PI-1 DOORS AND WINDOWS		
SW FINISH URBAN BRONZE	8 sqft	
PI-2, IRON	25 sqft	
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS	712 sqft	



2 TYPE VIII - BACK ELEVATION
1/8" = 1'-0"

VERTICAL SQUARE FOOTAGE		
TOTAL MATERIAL SQUARE FOOTAGE	244 sqft	
BR-1, BRICK BASKINERY	75 sqft	31%
ST-1, STUCCO	129 sqft	53%
PI-1 DOORS AND WINDOWS		
SW FINISH URBAN BRONZE	16 sqft	
PI-2, IRON	4 sqft	
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS	244 sqft	



3 TYPE VIII - RIGHT ELEVATION
1/8" = 1'-0"

VERTICAL SQUARE FOOTAGE		
TOTAL MATERIAL SQUARE FOOTAGE	547 sqft	
BR-1, BRICK BASKINERY	136 sqft	25%
ST-1, STUCCO	411 sqft	75%
PI-1 DOORS AND WINDOWS		
SW FINISH URBAN BRONZE	246 sqft	
PI-2, IRON	10 sqft	
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS	666 sqft	



1 TYPE VIII - FRONT ELEVATION
1/8" = 1'-0"

TYPE VIII ELEVATIONS

Exhibit E - Elevation/Facade Plan

VERTICAL SQUARE FOOTAGE

TOTAL MATERIAL SQUARE FOOTAGE	771 sq ft
ST L STUCCO	719 sq ft 93%
S-L STONE	1 sq ft 0%
OPENINGS	1 sq ft 0%
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS	782 sq ft



9 GARAGE BUILDING - RIGHT
1/8" = 1'-0"

VERTICAL SQUARE FOOTAGE

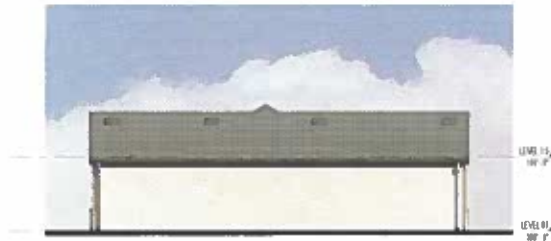
TOTAL MATERIAL SQUARE FOOTAGE	221 sq ft
ST L STUCCO	215 sq ft 98%
S-L STONE	1 sq ft 0%
OPENINGS	3 sq ft 1%
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS	229 sq ft



8 GARAGE BUILDING - LEFT
1/8" = 1'-0"

VERTICAL SQUARE FOOTAGE

TOTAL MATERIAL SQUARE FOOTAGE	436 sq ft
ST L STUCCO	424 sq ft 97%
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS	434 sq ft



7 GARAGE BUILDING - BACK
1/8" = 1'-0"

VERTICAL SQUARE FOOTAGE

TOTAL MATERIAL SQUARE FOOTAGE	221 sq ft
ST L STUCCO	215 sq ft 98%
S-L STONE	3 sq ft 1%
OPENINGS	3 sq ft 1%
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS	229 sq ft



6 GARAGE BUILDING - FRONT
1/8" = 1'-0"



5 DUMPSTER ENCLOSURE - RIGHT
1/8" = 1'-0"



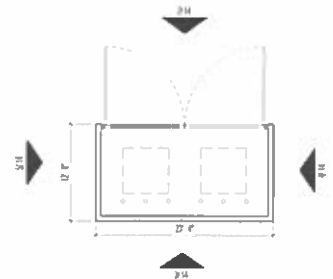
3 DUMPSTER ENCLOSURE - BACK
1/8" = 1'-0"



4 DUMPSTER ENCLOSURE - LEFT
1/8" = 1'-0"



2 DUMPSTER ENCLOSURE - FRONT
1/8" = 1'-0"



1 DUMPSTER ENCLOSURE PLAN
1/8" = 1'-0"

GARAGE BUILDING & DUMPSTER ENCLOSURE

(12)

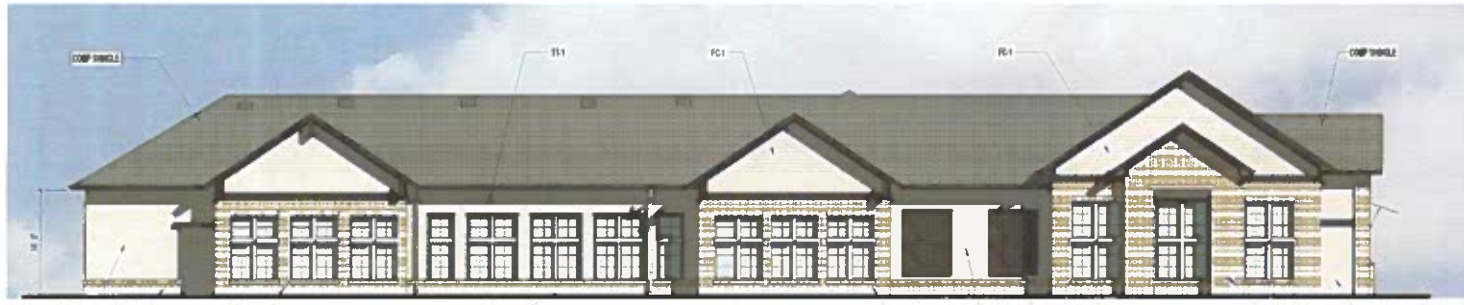
Exhibit E - Elevation/Facade Plan



VERTICAL SQUARE FOOTAGE

TOTAL MATERIAL SQUARE FOOTAGE	2,178 sqft
BR-1 BRICK MASONRY	529 sqft 24%
ST-1 STUCCO	1,341 sqft 61%
FC-1 SIDING	227 sqft 10%
PI-2 DOORS AND WINDOWS	621 sqft 29%
PI-2 ROOF	132 sqft 6%
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS	2,166 sqft

4 CLUBHOUSE - SIDE RIGHT
1/8" = 1'-0"



VERTICAL SQUARE FOOTAGE

TOTAL MATERIAL SQUARE FOOTAGE	1,951 sqft
BR-1 BRICK MASONRY	624 sqft 32%
ST-1 STUCCO	681 sqft 35%
FC-1 SIDING	416 sqft 21%
PI-2 DOORS AND WINDOWS	713 sqft 37%
PI-2 ROOF	217 sqft 11%
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS	1,781 sqft

3 CLUBHOUSE - SIDE LEFT
1/8" = 1'-0"



VERTICAL SQUARE FOOTAGE

TOTAL MATERIAL SQUARE FOOTAGE	810 sqft
BR-1 BRICK MASONRY	254 sqft 31%
ST-1 STUCCO	456 sqft 56%
FC-1 SIDING	8 sqft 1%
PI-2 DOORS AND WINDOWS	204 sqft 25%
PI-2 ROOF	113 sqft 14%
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS	1,113 sqft

2 CLUBHOUSE - BACK
1/8" = 1'-0"



1 CLUBHOUSE - FRONT
1/8" = 1'-0"

VERTICAL SQUARE FOOTAGE

TOTAL MATERIAL SQUARE FOOTAGE	1,191 sqft
BR-1 BRICK MASONRY	511 sqft 43%
ST-1 STUCCO	511 sqft 43%
FC-1 SIDING	8 sqft 1%
PI-2 DOORS AND WINDOWS	200 sqft 17%
PI-2 ROOF	24 sqft 2%
TOTAL SQUARE FOOTAGE INCLUDING OPENINGS	1,133 sqft

CLUBHOUSE

Exhibit E - Elevation/Facade Plan



CLUBHOUSE FRONT ENTRANCE

Exhibit E - Elevation/Facade Plan



CLUBHOUSE SIDE VIEW

Exhibit E - Elevation/Facade Plan



CLUBHOUSE SIDE VIEW 2

Exhibit E - Elevation/Facade Plan



CLUBHOUSE REAR VIEW

(12)

Exhibit E - Elevation/Facade Plan



BUILDING TYPE I

CARBON
COMPANIES

Kimley»Horn

WOODLAND COTTAGES WAXAHACHIE
WAXAHACHIE, TEXAS

g s r | a n d r a d e
ARCHITECTS & ENGINEERS

21

PROJECT # 3180 - 5/29/2024
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(12)

Exhibit E - Elevation/Facade Plan



BUILDING TYPE I

CARBON
COMPANIES

Kimley»Horn

WOODLAND COTTAGES WAXAHACHIE
WAXAHACHIE, TEXAS

gsr | andrade

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Exhibit E - Elevation/Facade Plan



BUILDING TYPE III



Kimley»Horn

WOODLAND COTTAGES WAXAHACHIE
WAXAHACHIE, TEXAS



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(12)

Exhibit E - Elevation/Facade Plan



BUILDING TYPE IV



Kimley»Horn

WOODLAND COTTAGES WAXAHACHIE
WAXAHACHIE, TEXAS



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(12)

(13)

STATE OF TEXAS § DEVELOPMENT AGREEMENT
 § FOR WOODLAND COTTAGES AT
COUNTY OF ELLIS § WAXAHACHIE

This Development Agreement for Woodland Cottages at Waxahachie (“**Agreement**”) is entered into between Carbon Shepherd Development LLC (“CSD”) and the City of Waxahachie, Texas (“**City**”). CSD and the City are sometimes referred herein together as the “**Parties**” and individually as a “**Party**.”

Recitals:

1. CSD is the developer of approximately 13.66 acres of real property generally located southeast of 411 Alliance Boulevard, Parcel Number 275165, 189265, and 189266 in the City of Waxahachie, Texas (the “**Property**”), for which the applicant has requested a change in the Property’s Planned Development-Multi-Family-2 (PD-MF-2) and Planned Development-16-Light Industrial-1 (PD-16-LI-1) zoning to a Planned Development-Multi-Family-2 (“**PD-MF-2**”) zoning district, revising specific development standards. The Property is currently zoned PD-MF-2 and PD-16-LI-1 by the City, and is anticipated to have the PD reviewed on September 9, 2024.

2. The planned use of the Property is to create a Planned Development to allow for the use of single-story age restricted (55+) multi-family residential 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 CSD 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 CSD 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 “Woodland Cottages at Waxahachie”), a copy of which is attached hereto as **Exhibit A** and which contains the negotiated zoning and development standards for Woodland Cottages at Waxahachie.

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

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 Woodland Cottages at Waxahachie 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-120-2024
- (C) The development shall adhere to the City Council approved Exhibit A – Location Map, Exhibit B – Development Standards, Exhibit C – Detailed Site Plan, Exhibit D – Landscape Plan, and Exhibit E – Elevation/Façade Plan.
- (D) All exterior construction materials, location of exterior construction materials, and percentage of exterior construction materials for each building in the development shall conform with the Elevation/Façade Plan (Exhibit E).
- (E) The Property Owner shall provide a permanent irrigation system for all required landscape areas shown on Exhibit D - Landscape Plan and maintain the required landscaping at all times.
- (F) The property owner shall establish a deed restriction on the subject property that requires residents to be fifty-five (55) years of age or older.
- (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) 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.

(I) Any zoning, land use requirement, or restriction not contained within this Development Agreement, Zoning Ordinance No. **(TBD)**, or Development Standards, shall conform to those requirements and/or standards prescribed in Exhibit B – Development Standards, Exhibit C – Detailed Site Plan, Exhibit D – Landscape Plan, and Exhibit E – Elevation/Façade Plan. Where regulations are not specified in Exhibits B, C, D, E, in this Development Agreement or Zoning Ordinance No. **(TBD)**, the regulations of Multi-Family-2 (MF-2) zoning district, General Retail (GR) zoning district, and the City of Waxahachie Zoning Ordinance shall apply to this development.

(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 CSD's agreement in this regard, the City of Waxahachie agrees that CSD has reasonable investment-backed expectations in the Woodland Cottages at Waxahachie PD Ordinance, and that the City of Waxahachie may not unilaterally change the zoning and development standards contained in the Woodland Cottages at Waxahachie PD Ordinance without impacting CSD'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 CSD 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.

(13)

{Signature Pages Follow}

(13)

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: _____

(13)

: CARBON SHEPHERD DEVELOPMENT LLC (Developer)

By: _____

Date: _____

STATE OF TEXAS §
§
COUNTY OF ELLIS §

Before me, the undersigned authority, on this _____ day of _____, personally appeared _____, representative of Carbon Shepherd Development LLC, 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: _____

: ARDEN GROUP LLC (Owner)

By: _____

Date: _____

STATE OF TEXAS

§

§

COUNTY OF ELLIS

§

Before me, the undersigned authority, on this _____ day of _____, personally appeared _____, representative of Arden Group LLC, 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: _____

: CONNECT4LIFE CHURCH (Owner)

By: _____

Date: _____

STATE OF TEXAS

§
§
§

COUNTY OF ELLIS

Before me, the undersigned authority, on this ____ day of _____, personally appeared _____, representative of Connect4Life Church, 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: _____

(14)



Memorandum

To: Honorable Mayor and City Council

From: Chad Tustison, Finance Director

Thru: Michael Scott, City Manager 

Date: September 9, 2024

Re: Consider Ordinance Approving Revised Budget Figures For Fiscal Year 2023-2024 And Adopting The Budget For Fiscal Year 2024-2025

Motion: "I move to approve revised budget figures for Fiscal Year 2023-2024 and adopt the budget for Fiscal Year 2024-2025 as presented."

Item Summary: This agenda item is for the City Council to consider the approval of revised budget figures for Fiscal Year 2023-2024 and the proposed budget for Fiscal year 2024-2025. The proposed budget represents the City's funding plan for the next fiscal year, beginning October 1.

Item Description: The process of developing the annual budget is a comprehensive effort that involves input from the Mayor and City Council, and all City departments. The process also provides residents an opportunity to speak on the budget during a public hearing held before budget adoption.

On April 11, staff held a work session with the City Council on the preliminary Capital Improvement and Debt Management Plan. On June 18, a second budget work session was held to provide City Council an overview of the draft budget, including all major funds, proposed five-year operating and capital plans, major revenue sources, as well as an opportunity to discuss the proposed tax rate. On July 15, staff held a third work session to discuss potential changes to the draft budget presented at the June 18 work session. The City also held a public hearing on the proposed budget on September 3.

(14)
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING REVISED BUDGET FIGURES FOR FISCAL YEAR 2023-2024, FUNDS APPROPRIATED FOR STREET MAINTENANCE AND PROFESSIONAL SERVICES WILL BE USED FOR THAT PURPOSE, EITHER BY ENCUMBRANCE OR BY TRANSFER TO CAPITAL PROJECT FUND FOR STREETS; APPROVING AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024 AND TERMINATING SEPTEMBER 30, 2025, AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Waxahachie, Texas (hereinafter referred to as the "City") has caused to be filed with the City Secretary a budget to cover all proposed expenditures of the government of the City for the fiscal year beginning October 1, 2024, and ending September 30, 2025, (hereinafter referred to as the "Budget"); and

WHEREAS, public notice of the public hearing on the proposed annual budget, stating the date, time, place and subject matter of said public hearing, was given as required by the Charter of the City of Waxahachie and the laws of the State of Texas; and

WHEREAS, such public hearing was held on September 3, 2024, prior approval of such date being hereby ratified and confirmed by the City Council, and all those wishing to speak on the Budget were heard; and

WHEREAS, the City Council has reviewed the Budget and listened to the comments of the residents at the public hearing therefore and has determined that the Budget attached hereto is in the best interest of the City.

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

Section 1. That all of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. That the revised budget figures, prepared and submitted by the City Manager for the 2023-2024 budget, be, and the same are hereby, in all things, approved and appropriated, and any necessary transfers between accounts and departments are hereby authorized, approved, and appropriated.

Section 3. That the Budget attached hereto and incorporated herein for all purposes is adopted for the Fiscal Year beginning October 1, 2024, and ending September 30, 2025; and there is hereby appropriated from the funds indicated such projects, operations, activities, purchases and other expenditures as proposed in the Budget.

Section 4. That the City Manager shall file or cause to be filed a true and correct copy of the approved Budget, along with this ordinance, with the City Secretary and in the office of the County Clerk of Ellis County, Texas, as required by State Law.

Section 5. That the distribution and division of the above-named appropriations are made at the departmental level in all budgeted funds for the payment of operating expenses and capital outlay as set out in the municipal budget.

Section 6. That at any time during the fiscal year, the City Manager may transfer part or all of any unencumbered appropriation balance among or between general classifications within a department. The City Manager may not authorize transfer of part of all of any unencumbered appropriation balance among or between departments or funds of the City. The City Manager may recommend such transfer to the City Council. The City Council may, at the recommendation of the City Manager or on its own volition, transfer part or all of any unencumbered appropriation balance from one department or fund to another department or fund by resolution.

Section 7. That any and all ordinances, resolutions, rules, regulations, policies or provisions in conflict with the provisions of this Ordinance are hereby repealed and rescinded to the extent of conflict herewith.

Section 8. That if any section, article, paragraph, sentence, clause, phrase or word in the Ordinance, or application thereto my person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction such holding shall not affect the validity of the remaining portions of the Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 9. That the necessity of adopting and approving a proposed budget for the next fiscal year as required by the laws of the State of Texas requires that this Ordinance shall take effect immediately from and after its passage, and it is accordingly so ordained.

PASSED, APPROVED AND ADOPTED on this the 9th day of September, 2024.

MAYOR

ATTEST:

City Secretary

(14)
CITY OF WAXAHACHIE
EXPENDITURES BY DEPARTMENT

GENERAL FUND	ORIGINAL BUDGET	RVSD/ YE ESTIMATE	PRPOSED BUDGET
	FY2024	FY2024	FY2025
Revenues	55,979,567	59,804,510	60,409,500
Transfers In	5,429,924	15,076,751	5,821,880
Total Revenues & Transfers In	<u>61,409,491</u>	<u>74,881,261</u>	<u>66,231,380</u>
Expenditures			
General Government			
City Attorney	300,000	300,000	300,000
City Secretary	0	0	463,850
Downtown Development	326,032	287,242	430,367
Economic Development	1,828,173	1,725,883	1,728,619
Facility Maintenance	479,347	470,561	569,932
Finance	1,920,778	1,876,709	2,211,335
General Administration	2,165,865	1,915,171	1,221,056
General Items	533,569	6,149,646	898,896
Human Resources	844,177	881,839	1,238,559
Information Technology	907,010	1,010,949	1,664,705
Communications & Marketing	0	0	365,890
Planning	899,350	857,681	1,068,792
Total General Government	<u>10,204,301</u>	<u>15,475,681</u>	<u>12,162,001</u>
Public Safety			
Building Services	1,440,697	1,434,012	1,671,650
City Marshall	312,068	317,799	263,433
Emergency Management	513,943	631,642	712,784
Fire Department	13,521,505	13,519,188	16,743,149
Municipal Court	505,560	517,251	532,137
Police Department	16,427,151	17,273,847	18,614,869
Total Public Safety	<u>32,720,924</u>	<u>33,693,739</u>	<u>38,538,022</u>
Public Works			
Animal Control	423,593	485,704	602,347
Central Garage	352,802	336,432	557,224
Community Services	584,362	545,532	594,553
Public Works	2,279,169	2,153,356	2,405,572
Street Department	6,012,435	7,194,491	6,950,008
Total Public Works	<u>9,652,361</u>	<u>10,715,515</u>	<u>11,109,704</u>
Culture & Recreation			
Chautauqua Auditorium	23,609	30,334	24,525
Optimist Pool	57,322	58,615	61,812
Parks & Recreation	2,928,056	3,576,639	5,554,446
Penn Park Pool	92,384	115,633	165,487
Railyard Park	118,187	114,177	121,612
Rodeo	8,888	7,471	9,605
Sims Library Tax Transfer	1,279,557	1,395,554	1,389,870
Senior Citizen Center	1,029,835	1,059,129	945,552
Total Culture & Recreation	<u>5,537,838</u>	<u>6,357,552</u>	<u>8,272,909</u>
Total Expenditures & Transfers Out	<u>58,115,424</u>	<u>66,242,487</u>	<u>70,082,636</u>
Revenues & Transfers In less Expenditures	<u>3,294,067</u>	<u>8,638,774</u>	<u>(3,851,256)</u>

(14)

**CITY OF WAXAHACHIE
EXPENDITURES BY DEPARTMENT**

	ORIGINAL BUDGET FY2024	RVSD/ YE ESTIMATE FY2024	PRPOSED BUDGET FY2025
WASTEWATER FUND			
Non Departmental	4,537,502	4,548,011	5,070,137
Wastewater Administration	701,483	690,500	750,336
Wastewater Collection	2,514,490	2,548,743	2,302,350
Wastewater Treatment	3,682,233	4,172,660	5,179,291
Wastewater Utility Billing	560,399	675,905	710,710
Transfers Out	2,216,800	2,220,400	1,963,900
Total Expenditures	14,212,907	14,856,219	15,976,724
WATER FUND			
Non Departmental	6,720,943	7,705,086	6,993,580
Water Administration	796,265	813,971	782,538
Water Distribution	1,627,077	1,709,996	1,904,999
Water Meters	1,508,286	1,284,623	1,336,904
Water Production	7,087,937	7,020,404	8,429,703
Water Utility Billing	637,392	777,007	687,395
Transfers Out	2,983,100	3,078,200	3,067,700
Total Expenditures	21,361,000	22,389,287	23,202,819
SOKOLL FUND			
Non Departmental	2,752,060	2,788,135	2,742,560
Sokoll Operations	3,031,912	4,913,889	3,293,081
Transfers Out	671,533	671,533	861,120
Total Expenditures	6,455,505	8,373,557	6,896,761
WCDC FUND			
Non Departmental	62,813	2,378,507	640,120
Civic Center	1,701,854	1,794,886	1,798,489
Community Beautification	756,732	751,185	623,265
Sports Complex	2,876,909	2,870,934	2,767,206
Debt Service Transfer	1,710,313	1,710,313	1,705,000
Transfers Out	74,058	76,110	81,070
Total Expenditures	7,182,679	9,581,935	7,615,150
WCDC DEBT SERVICE FUND			
Non Departmental	1,740,313	1,740,418	1,737,846
Total Expenditures	1,740,313	1,740,418	1,737,846
HOTEL MOTEL FUND			
Non Departmental	273,777	298,150	301,088
Convention/Visitors Bureau	792,297	785,051	807,229
Transfers Out	20,000	20,000	20,000
Total Expenditures	1,086,074	1,103,201	1,128,317
REFUSE SERVICES FUND			
Contracted Refuse Service	1,253,277	1,257,633	1,425,800
Convenience Station	516,546	533,000	532,489
Transfers Out	305,533	305,500	303,500
Total Expenditures	2,075,356	2,096,133	2,261,789
GENERAL DEBT SERVICE FUND			
Non Departmental	14,964,998	14,316,148	16,247,216
Total Expenditures	14,964,998	14,316,148	16,247,216
CEMETERY FUND			
Cemetery	343,713	334,450	419,986
Total Expenditures	343,713	334,450	419,986
MID-WAY AIRPORT FUND			
Mid-Way Operations	745,149	1,082,607	966,117
Total Expenditures	745,149	1,082,607	966,117

(15)



Memorandum

To: Honorable Mayor and City Council

From: Chad Tustison, Finance Director

Thru: Michael Scott, City Manager

Date: September 9, 2024

Re: Consider Ordinance Setting Water And Wastewater Rates And Fees And Setting An Effective Date Of October 1, 2024

Motion: "I move to approve an ordinance setting water and wastewater rates and fees and setting an effective date of October 1, 2024."

Item Summary: This item is for the City Council to approve the water and wastewater rates and fees included as part of the Proposed Budget for Fiscal Year 2024-2025.

Item Description: The Water and Wastewater Funds provide for the administration, operation and maintenance of all City water services including distribution, wastewater collection, water and wastewater treatment activities, meter management, and billing services. Revenue to support these operations is generated primarily through water and sewer usage rates, as outlined in City ordinance.

As part of the budget process, city staff recommends that City Council vote to affirm these rates annually and amend rates and fees when necessary. The FY 2025 Budget includes an increase of 5% in water and wastewater rates, fees, and charges to keep up with growth, address inflationary cost escalations, and preparation for future capital projects. The proposed ordinance includes the Sokoll rate fee of 1.82 per 1,000 gallons. Updated annually, this rate is charged to the City and Rocket SUD to recover each entity's proportional cost to operate and maintain the Sokoll Water plant.

ORDINANCE NO. _____

AN ORDINANCE SETTING WATER AND WASTEWATER FEES, BY AMENDING VARIOUS SECTIONS OF THE CODE OF ORDINANCES, CITY OF WAXAHACHIE, AND SETTING AN EFFECTIVE DATE OF OCTOBER 1, 2024 AND DECLARING AN EMERGENCY.

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

That Section 33 of the Code of Ordinances, City of Waxahachie, is hereby amended to read as follows:

SECTION 33-33. Deposits required.

Residential: A deposit of one hundred dollars (\$100.00) is required for regular residential service. The billing department may adjust the amount of deposit based on payment history.

Residential New Construction: A deposit of one hundred seventy-three dollars (\$173.00) is required for each new construction residential account.

Apartments, Commercial, and Industrial: The billing department may require higher amounts; however, deposits are generally based on meter size as follows:

up to 1" water meter	\$260.00
1 ½" water meter	\$390.00
2" water meter	\$649.00
3" water meter	\$1,296.00
4" water meter	\$2,591.00
6" water meter	\$3,886.00
8" water meter	\$7,772.00
10" water meter or larger	\$12,952.00
Fire Hydrant meter with RPZ *	\$2,345.00

*Customer will be responsible for the cost of any damages incurred while meter is in their possession.

No interest shall be paid on deposits. No deposit is required for other government entities. The billing department may waive the deposit for separate irrigation meters.

That Section 33-36 of the Code of Ordinances, City of Waxahachie is hereby amended to read as follows:

SECTION 33-36. Water and Wastewater Rates.

(A) Water inside city: From and after the effective date of this ordinance, uniform monthly water rates which shall prevail to all City of Waxahachie water customers are:

MONTHLY WATER RATES:

(1) Minimum water bill for the first fifteen hundred (1,500) gallons of usage (all accounts):

up to 1" water meter	\$21.53
1 1/2" water meter	\$48.07
2" water meter	\$70.55
3" water meter	\$137.17
4" water meter	\$283.79
6" water meter	\$551.90
8" water meter	\$954.85
10" water meter or larger	\$1,492.79
Fire Hydrant meter	\$236.31

(2) The amount shown for the first fifteen hundred gallons of consumption in the above schedule shall constitute a minimum bill for each customer. Billing shall be made in hundreds of gallons. Irrigation meters using less than 200 gallons per month will not be charged.

(3) Residential and sprinkler system meters will be subject to the following rates:

1,501 - 10,000	\$5.67
10,001 - 20,000	\$6.57
20,001 - 30,000	\$7.44
30,001 - 40,000	\$8.25
40,001 & above	\$9.35

Non-irrigation apartment meters, and commercial/industrial meters will be charged at a rate of \$5.67 per thousand gallons for all monthly usage above 1,500 gallons.

(B) Wastewater inside city: From and after the effective date of this ordinance, sewer charges to apply to each dwelling unit for all single family and duplex residential connections all mobile home parks or apartment complexes, and all commercial and industrial customers shall be as follows:

Monthly Wastewater Rates

Water Usage	Apartments, Mobile Home, Single-Family and Duplex Residence (Per Dwelling Unit)
First 1,500 gallons	\$28.53 (minimum charge)
Over 1,500 to 11,000 gallons	\$5.03 per 1,000 gallons
All over 11,000 gallons, maximum billing per dwelling	\$76.32

When there is a single billing for more than one (1) residence, each unit is to receive a one thousand five hundred-gallon credit before additional charges are made, not to exceed eleven thousand (11,000) gallons per unit.

Water Usage	Commercial	Industrial	Industrial Cost Recovery Per 1,000 Gallons
First 1,500 gallons	\$28.53 (minimum charge)	\$28.53 (minimum charge)	\$0.24 (minimum charge)
All usage over 1,500 gallons	\$5.03 per 1,000 gallons	\$5.03 per 1,000 gallons	\$0.24 per 1,000 gallons

That Section 33-40 of the Code of Ordinances, City of Waxahachie is hereby amended to read as follows:

SECTION 33-40. Late charges; service restored upon payment of bill; fee for returned checks; fee for replacement of cut-off valve; fire hydrant meter set fee; broken curb stop fee; cut lock fee; reread meter service charge; tampering penalty.

(a) Late Fee. Payment for utility service shall be due fourteen (14) days after the billing date. Any account with a balance due fourteen (14) days after the due date shall be assessed a penalty of \$10.00. If such date falls on the weekend or legal holiday, then payment is due the next business day.

(b) Disconnection for Nonpayment: Any account with a balance due greater than \$135.00, twenty-one (21) days after the billing date shall have all services subject to disconnection. The past due amount and any applicable fees including a cutoff fee of \$45.00 must be paid prior to reconnection of services. A deposit also may be required prior to reconnection.

(c) Return Connection Fee: Customers are encouraged but not required to be present (or have a representative present) anytime service is reestablished (This is recommended in order to prevent flooding and water damage that could result from interior faucets being left in the "on" position, hanging toilets floats, leaks and other conditions that could arise subsequent to the disconnection.) In the event the customer or a designated representative (a) cannot be located on-site when the service is reconnected and (b) the meter registers usage after the service has been reestablished and thus presents the risk of water damage, the service will be turned back off and the customer will be notified of the problem and asked to reschedule the reconnection. Subsequent trips to reestablish service will be subject to a Return Reconnection Fee of \$45.00 each if performed during working hours. This fee is applicable when service has been disconnected for nonpayment; when

service to a new account is established or when service has been disconnected at the request of the customer.

(d) Return Check/Chargeback Fee. In the event a payment is returned for any service or good provided by the City, a \$38.00 fee will be charged. Any disputed debit/credit card transaction will be subject to a \$15.00 fee. Returned check/chargeback is considered payment not received and services will be subject to disconnection.

(e) Replacement of Cut-off Valve. In the event a customer has damaged a cut-off valve or curb stop to the point the valve must be replaced, then, the customer shall be billed a \$140.00 replacement fee, plus the actual cost of materials to replace the damaged item. In the event a customer has broken a cut-off valve for the purpose of removing a lock, an additional tampering penalty of \$166.00 (see “(k)” below) must be paid before service is restored.

(f) Fire hydrant meter set fee: \$42.00

(g) Meter Box Replacement Fee: \$137.00 plus actual materials cost

(h) Cut lock fee: \$166.00

(i) Reread meter service charge: \$20.00

(j) After hours connection fee: \$81.00

(k) Tampering penalty: \$166.00

(l) New account fee: \$20.00

(m) Sokoll Rate fee: \$1.82 per 1,000 gallons

(n) Solid Waste fee: \$12.48 (*excluding sales tax)

PASSED, APPROVED AND ADOPTED this the 9th day of September, 2024.

ATTEST:

City Secretary

Mayor

(16)



Memorandum

To: Honorable Mayor and City Council

From: Chad Tustison, Finance Director

Thru: Michael Scott, City Manager *MS*

Date: September 9, 2024

Re: Consider A Motion To Ratify The Property Tax Revenue Increase
Reflected In The Fiscal Year 2024-2025 Budget In Accordance With The
Texas Local Government Code

Motion: "I move to ratify the property tax revenue increase reflected in the Fiscal Year 2024-2025 Budget."

Item Summary: The Texas Local Government Code requires that "adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget."

Item Description: The increase in the budget provides for continued and additional funding for essential city services such as public safety; street and sidewalk installation and maintenance; park improvements; increases in operational costs; and continued support of the City's capital improvements program.

(17)



Memorandum

To: Honorable Mayor and City Council

From: Chad Tustison, Finance Director

Thru: Michael Scott, City Manager

Date: September 9, 2024

Re: Consider Ordinance Adopting the Tax Rate for Fiscal Year 2024-2025

Motion: "I move that the property tax rate be increased by the adoption of a tax rate of 61 cents, with an operation and maintenance rate of 37.6916 cents, and an interest and sinking rate of 23.3084 cents, which is effectively a 6.5% percent increase in the tax rate."

Tax Code 26.05(b) requires the written motion language be used in adopting the tax rate, and a record vote.

Item Summary: This agenda item is for the City Council to consider the proposed Property Tax rate included in the Fiscal Year 2024-2025 Budget. In accordance with the Tax Code, a public hearing on the property tax rate was held on September 3, 2024. The proposed rate of \$0.610000 is above the no-new-revenue rate of \$0.572525 and lower than the voter-approval rate of \$0.610905.

Item Description: The increase in the budget provides for continued and additional funding for essential city services such as public safety; street and sidewalk installation and maintenance; park improvements; to keep pace with growth; and continued support of the City's capital improvements program.

(17)

ORDINANCE NO. _____

AN ORDINANCE LEVYING FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF WAXAHACHIE, TEXAS, AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR FISCAL YEAR 2025 AND APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE.

Be it ordained by the City Council of the City of Waxahachie, Texas, that section 30-2 of the Code of Ordinances, City of Waxahachie, is hereby amended to read as follows:

Sec. 30-2. Tax Levy. There is hereby levied and there shall be assessed and collected for the Maintenance and Operation of the municipal government of the City of Waxahachie, Texas, and to meet Interest and Sinking requirements for fiscal year 2025, upon all property, real, personal and mixed within the corporate limits of the City subject to taxation, a total tax of \$0.610000 on each one hundred dollars (\$100.00) of assessed valuation based on 100% of market value of said property, said tax being so levied and apportioned to the specific purpose herein set forth.

- a. For the maintenance and operation of the general government including current expenses and for general improvements of the City and its property, known as the General Fund, \$0.357116 on each one hundred dollars (\$100.00) of assessed valuation of all taxable property, and
- b. For the maintenance and operation of a public library within the City, known as Sims Library, \$0.019800 on each one hundred dollars (\$100.00) of assessed valuation of all taxable property, and
- c. For the purpose of paying interest and principal for the redemption of bonds, warrants, and other long-term obligations heretofore legally issued by the City, known as the Interest and Sinking Fund, \$0.233084 on each one hundred dollars (\$100.00) of assessed valuation of all taxable property.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.25 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$11.87.

All Taxes as set out above shall be payable as set out by existing city ordinances and statutes of the State of Texas.

In order to provide for the efficient, usual daily operation of the City by immediately levying the tax rates for the current fiscal year, an emergency is hereby declared to exist and this ordinance shall take effect immediately from and after its passage.

PASSED, APPROVED AND ADOPTED on this the 9th day of September, 2024.

MAYOR

ATTEST:

City Secretary

(18)



Memorandum

To: Honorable Mayor and City Council

From: Lindsey Mearns, Senior Director of Human Resources & Civil Service

Thru: Michael Scott, City Manager

Date: September 9, 2024

Re: Classified Positions Under Civil Service in the Police and Fire Departments

Recommended Motion: "I move to adopt the proposed ordinance establishing and re-establishing the classified positions under Civil Service in the Police and Fire Departments."

Item Description: Consider an ordinance establishing and re-establishing the number of classified positions for each rank in the Police and Fire Departments as required by Chapter 143 of the Texas Local Government Code.

Item Summary: The proposed ordinance increases the number of authorized positions in the Firefighter, Police Officer, and Police Corporal, ranks to reflect the positions added and approved in the FY2025 budget. The proposed ordinance continues to include three (3) additional positions in the Firefighter rank exceeding the number of funded positions approved through budget to allow for greater flexibility when hiring. The increase to the number of authorized positions in the Firefighter rank does not change the number of funded positions in the FY2025 operating budget or create a vacancy with a time constraint to fill under Civil Service.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, ESTABLISHING AND RE-ESTABLISHING CLASSIFIED POSITIONS UNDER CIVIL SERVICE IN THE FIRE AND POLICE DEPARTMENTS, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. The classified positions under Civil Service in the Fire Department shall be as follows:

Assistant Fire Chief	1
Fire Marshal	1
Fire Battalion Chief	5
Fire Captain	12
Fire Lieutenant	6
Fire Pumper Engineer	19
Firefighter	45

SECTION 2. The classified positions under Civil Service in the Police Department shall be as follows:

Assistant Police Chief	2
Police Lieutenant	5
Sergeants	8
Corporal	10
Police Patrol Officer	62

SECTION 3. The annual/monthly base rate pay for each of the above captioned classified positions shall be determined by each year's budget.

SECTION 4. The positions of Assistant Fire Chief and Assistant Police Chief shall be appointed positions, appointed by the head of the department.

SECTION 5. That all ordinances of the City of Waxahachie heretofore adopted which are in conflict with the provisions of this ordinance be, and the same are hereby repealed.

SECTION 6. That this ordinance shall take effect thirty days after passage and all requirements under Chapter 143 of the Local Government Code have been satisfied.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2024.

MAYOR

(18)

ATTEST:

CITY SECRETARY

(19)



Memorandum

To: Honorable Mayor and City Council
From: Amber Villarreal, City Secretary
Thru: Michael Scott, City Manager
Date: September 9, 2024
Re: Appointments to Boards and Commissions

Recommended Motion: "I move to approve the appointments to Boards and Commissions as presented."

Item Description: Consider appointments to the following Boards and Commissions:

ANIMAL CARE ADVISORY COMMITTEE (2-year term)

Cathy Le
Cherie Batsel, Citizen Member
Tiki Smith, Citizen Member
Curtiss Thompson, Citizen Member

CEMETERY BOARD (2-year term)

Mark Gundert
Alex Lohmann

HERITAGE PRESERVATION (2-year term)

Ronald Finch
Jacqueline Montejano
Mark Gundert
Alex Lohmann (filling unexpired term of Michelle Hays until September 2025)
Marlene Norcross (Planning and Zoning Commission liaison replacing Bonney Ramsey)

(19)

IMPACT FEE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE

Paul Colwell, Ad Hoc Member
Doug Pate, Ad Hoc Member

KEEP WAXAHACHIE BEAUTIFUL COMMITTEE (3-year term)

Jesse Gibson
Polly Williams
Brent Gundert
Andrew Weyand
Forrest John (filling unexpired term of Kimberly Cooper until September 2026)

MID-WAY REGIONAL AIRPORT BOARD (3-year term)

Jennifer Chelwick

PARK BOARD (3-year term)

Anne Marie Knauf
Marques Cameron
Christopher Davis
Terry Connor (filling unexpired term of Jenny Bridges until September 2025)
Joe Tolbert (filling unexpired term of Charles Beatty, Jr. until September 2026)

PLANNING AND ZONING COMMISSION (2-year term)

Jenny Bridges
Chad Hicks
Wendy Johnson

SENIOR CENTER ADVISORY COMMITTEE (2-year term)

Tiki Smith
Joe Tolbert
Hermelinda Fernandez

TAX INCREMENT REINVESTMENT ZONE (2-year term)

Billie Wallace, Mayor (Chairman)
Randy Vineyard
Brad Yates
Al Mack

WAXAHACHIE COMMUNITY DEVELOPMENT CORPORATION (2-year term)

Daniel Morton, Jr.
Bob Lynn
Melissa Ballard (filling unexpired term of David McSpadden until September 2025)
Andrew Henderson (filling term for City Manager voting member, per amended Bylaws, until September 2026)

(19)

WAXAHACHIE HOUSING AUTHORITY (2-year term)

Jonathan Bickerstaff, Resident Member

Charlie McCullough

Christine Cane-Wyatt