

A G E N D A

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 16, 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 September 9, 2024
- b. Event application for Oddfest 2024 to be held October 5, 2024 at Singleton Plaza
- c. Event application for Walk to End Alzheimer's to be held October 19, 2024 in Downtown Waxahachie
- d. Event application for 1st Annual Waxahachie Trunk-o-Palooza to be held October 19, 2024 at Railyard Park
- e. Event application for Crossroads of Texas Country Festival to be held October 26, 2024 in Downtown Waxahachie
- f. Event application for Good Friday Service/Choir Easter Program to be held April 18, 2025 at Railyard Park
- g. Event application for National Day of Prayer to be held May 1, 2025 at Railyard Park
- h. Proposed Resolution authorizing the City of Waxahachie to execute an agreement with the Texas Department of Transportation for grant funds for the Routine Airport Maintenance Program
- i. Engineering Professional Services Agreement for the Waxahachie – Midlothian Regional Trail Project
- j. Construction contract for the Police Parking Expansion Project

- k. Construction contract for the Sagebrush Lane Roadway Improvements Project
- l. Budget transfer and award of construction contract for the IH-35E Water Transmission Main (Lofland Road to Butcher Road) Project
- m. Contracts for miscellaneous pavement repairs
- n. Contracts for Water and Wastewater Treatment Plants chemical supplies
- o. Award of construction contract for the 2022 Water and Sanitary Sewer Replacement Project
- p. Change order for planned replacement of brine tank at Sokoll Water Plant
- q. Contract for brush grinding services
- r. Construction contract for the relocating of the City Hall building generator to the Charles Beatty Municipal Services Building

6. **Introduce** Honorary Councilmember
7. **Present** Proclamation proclaiming September 17-23, 2024 as “Constitution Week”
8. **Public Hearing** on a request by Matthew Smith, Darwood Partners, for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales use within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234) – Owner: WP Legacy LTD (ZDC-139-2024)
9. **Consider** proposed Ordinance approving ZDC-139-2024
10. **Public Hearing** on a request by Katrina Walker Aulson, for a Specific Use Permit (SUP) for an Accessory Structure over 700 Square Feet use within a Single-Family-1 (SF-1) zoning district located at 611 North Grand Avenue (Property ID 176844) – Owner(s): Katrina Walker Aulson (ZDC-180-2023)
11. **Consider** proposed Ordinance approving ZDC-180-2023
12. **Public Hearing** on a request by the City of Waxahachie for an Amendment to the City Zoning Ordinance, Appendix C, Section 2.4 (c.) 25 (vi) k. Timing of Public Improvements, adding language related to timing of public improvements (ZTA-175-2024)
13. **Consider** proposed Ordinance approving ZTA-175-2024
14. **Public Hearing** on a request by Demi Oyerokun for a Specific Use Permit (SUP) for a Minor Auto Repair Shop use within a General Retail (GR) zoning district located at 1011 North US Highway 77 (Property ID 173186) – Owner: Marline Six, LLC (ZDC-170-2024)
15. **Consider** proposed Ordinance approving ZDC-170-2024
16. **Public Hearing** on a request by Karla Marroquin for a Specific Use Permit (SUP) for an Accessory Structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures use within a Planned Development - Single Family-1 (PD-SF-1) zoning district located at 100 Dollar Court (Property ID 174535) – Owner: Karla Marroquin (ZDC-159-2024)
17. **Consider** proposed Ordinance approving ZDC-159-2024
18. **Public Hearing** on a request by Shelly Hines for a Specific Use Permit (SUP) for an Accessory Structure exceeding one-thousand (1,000) square feet in combined floor area

for more than two (2) existing accessory structure use within a Single Family-1 (SF-1) zoning district located at 2385 Marshall Road, (Property ID 203842) – Owner: Shelly Hines (ZDC-162-2024)

19. **Consider** proposed Ordinance approving ZDC-162-2024
20. **Public Hearing** on a request by Kevin Patel, Triangle Engineering, for a Specific Use Permit (SUP) for a Drive-Through Establishment use within a Planned Development-General Retail (PD-GR) zoning district located at 2932 N US Highway 77 (Property ID 189379) - Owner: Vaquero Highway 77 Waxahachie Partners LP (ZDC-103-2024)
21. **Consider** proposed Ordinance approving ZDC-103-2024
22. **Public Hearing** on a request by Erik Test, Ellis County, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a General Retail (GR) and Commercial (C) zoning district located at 302 N Monroe Street (Property ID 289705) - Owner: Ellis County, Texas (ZDC-105-2024)
23. **Consider** proposed Ordinance approving ZDC-105-2024
24. **Public Hearing** on a request by Brian Wade, RLG Consulting Engineers, for a Replat of Block 29, 96, and 97 of the Official Town Map of Waxahachie, to create Lot 1, Block 29B of the City Hall addition, 1 lot, being 1.3453 acres, located at 401 S Rogers Street, (Property ID 193895) – Owner: City of Waxahachie (SUB-173-2024)
25. **Consider** approval of SUB-173-2024
26. **Public Hearing** on a request by Rob Myers, Kimley-Horn, for a Plat of the Waxahachie North Addition, Lot 1, Block A, being 3.316 acres, located directly east of 984 W US Highway 287 Bypass, situated in the Robert Parks Survey, Abstract 851 and the Robert Russell Survey, Abstract 911, an addition to the City of Waxahachie (Property ID 189338 & 189991) – Owner: Oncor Electric Delivery Company (SUB-154-2024)
27. **Consider** approval of SUB-154-2024
28. **Consider** and **act** upon an ordinance of the City of Waxahachie, Texas, approving the 2024-2025 annual service plan update to the Service and Assessment Plan for the Waxahachie Public Improvement District No. 1 and providing an effective date
29. **Consider** and **act** upon an ordinance of the City of Waxahachie, Texas, approving the 2024-2025 annual service plan update to the Service and Assessment Plan for the North Grove Public Improvement District and providing an effective date
30. **Consider** temporary road closure of a portion of Grove Creek Road
31. **Consider** proposed Resolution for Candidate Nominations for the Ellis Appraisal District Board of Directors for the Year 2025
32. Comments by Mayor, City Council, City Attorney and City Manager
33. Adjourn

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

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, September 9, 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

Deacon John Waedekin, St. Joseph's Catholic Church, gave the invocation. Council Member Patrick Souter led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Mark Singleton, 133 Willowcrest, Waxahachie, Texas, expressed support to keep the City Manager as a voting member of the Waxahachie Community Development Corporation.

Dan Morton, 125 Lake Shore Drive, Waxahachie, Texas, expressed support to keep the City Manager as a voting member of the Waxahachie Community Development Corporation.

5. Consent Agenda

- 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

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- 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

ORDINANCE NO. 3548

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.

ORDINANCE NO. 3549

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

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EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

ORDINANCE NO. 3550

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 6.09 ACRE TRACT OF LAND, LOCATED AT 901 HOYT ROAD AND 877 HOYT 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.

ORDINANCE NO. 3551

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.

ORDINANCE NO. 3552

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.

ORDINANCE NO. 3553

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

Action:

Chris Wright moved to remove Items q. and r. for separate discussion. Motion was seconded by Patrick Souter and carried unanimously (5-0).

Action:

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

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Mayor Pro Tem Chris Wright expressed his support to keep the City Manager as a voting member of the Waxahachie Community Development Corporation (WCDC).

Council Member Travis Smith explained Council Members held a Work Session to discuss Board and Commission appointments and City Manager Michael Scott supported being removed as a staff voting member.

Council Member Tres Atkins thanked Mr. Singleton and Mr. Morton for their comments and explained the change isn't intended to limit the City Manager's ability, but to allow for an additional citizen voting member.

Council Member Patrick Souter explained he has received many questions from concerned citizens in the last 72 hours and would like to keep the City Manager as a voting member on the Waxahachie Community Development Corporation.

Mayor Billie Wallace explained City Council discussed at length amending the WCDC Bylaws as proposed and she has not changed her view.

Action:

Travis Smith moved to approve Item q. 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 3-2 with Chris Wright and Patrick Souter voting in opposition.

Action:

Travis Smith moved to approve Item r. 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 3-2 with Chris Wright and Patrick Souter voting in opposition.

6. Introduce Honorary Councilmember

Council Member Patrick Souter announced the September Honorary Council Member will attend the September 16th meeting.

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)

The Item was presented by Senior Planning Director Jennifer Pruitt and Jennifer Weir requested approval. 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.

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The applicant submitted the SUP application on July 10, 2024. The applicant has been operating a short-term rental since approximately May 2023 and 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 applicant's local emergency contact is located 0.1 miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 14 notices were mailed to property owners within 500 feet of the property as required in Section 3.27 of the City's Zoning Ordinance. At the time of the publishing of the 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.

Mayor Wallace opened the Public Hearing at approximately 7:44 p.m.

There being no others to speak for or against ZDC-147-2024, Mayor Wallace closed the Public Hearing at approximately 7:46 p.m.

8. Consider proposed Ordinance approving ZDC-147-2024

ORDINANCE NO. 3554

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 ROAD 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.

Action:

Chris Wright moved to approve ZDC-147-2024, a Specific Use Permit (SUP) 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).

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)

The Item was presented by Ms. Pruitt and John Marlin requested approval. 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

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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.

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 included 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 regarding the subject property and its current use in the past 12 months. The applicant's local emergency contact is located 1.5 miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 62 notices were mailed to property owners within 500 feet of the property as required in Section 3.27 of the City's Zoning Ordinance. 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.

Mayor Wallace opened the Public Hearing at approximately 7:49 p.m.

Those who spoke in opposition:
Ron Cox, 510 Royal, Waxahachie, Texas

City Council acknowledged Mr. Cox's concern with saturation and noted further discussion is needed to determine how that is determined in an area.

There being no others to speak for or against ZDC-149-2024, Mayor Wallace closed the Public Hearing at approximately 7:58 p.m.

10. Consider proposed Ordinance approving ZDC-149-2024

ORDINANCE NO. 3555

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.

Action:

Chris Wright moved to approve ZDC-149-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions of the staff report, authorizing the City Manager and/or Mayor

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to execute all documents accordingly. Motion was seconded by Patrick Souter and carried unanimously (5-0).

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)

The Item was presented by Ms. Pruitt and Stephanie Gienger requested approval. 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.

In December of 2018, approximately ten (10) acres of the subject property was 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 the development of a tax credit senior living (55+) multi-family project. The PD did not include a detailed site plan, landscape plan, or elevation/façade plan, but required the developer 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.

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 that connects 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.

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.

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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 to construct the residential portion of the development 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 meaningfully incorporate into the senior living community. 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.

As noted, 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.

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 extend a 12" water line and 8" sewer line along Alliance Boulevard to provide water and wastewater services to both tracts.

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.

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 for the full landscape plan for the property.

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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 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.

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 Oncor 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.

The development standards proposed by the applicant require the construction of 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.

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. Staff has received one (1) letter of support and no letters of opposition for the Zoning Change request.

Mayor Wallace opened the Public Hearing at approximately 8:05 p.m.

Those who spoke in support:

Josh Morgan, International Church of Foursquare Gospel, 1971 John Arden Drive, Waxahachie, Texas

There being no others to speak for or against ZDC-120-2024, Mayor Wallace closed the Public Hearing at approximately 8:06 p.m.

12. Consider proposed Ordinance approving ZDC-120-2024

ORDINANCE NO. 3556

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-

(5a)

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.

Action:

Chris Wright moved 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 of the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Motion was seconded by Tres Atkins and carried unanimously (5-0).

13. Consider Development Agreement for ZDC-120-2024

Action:

Chris Wright moved to approve the Development Agreement for ZDC-120-2024. Motion was seconded by Patrick Souter and carried unanimously (5-0).

14. Consider proposed Ordinance approving revised budget figures for fiscal year 2023-2024 and adopting the budget for fiscal year 2024-2025

The Item was presented by Finance Director Chad Tustison. 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.

ORDINANCE NO. 3557

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.

(5a)

Action:

Patrick Souter moved to approve the Ordinance approving the revised budget figures for Fiscal Year 2023-2024 and adopting the budget for Fiscal Year 2024-2025 as presented. Motion was seconded by Chris Wright and carried unanimously (5-0).

15. Consider proposed Ordinance amending Water and Wastewater rates and fees and setting an effective date of October 1, 2024

The Item was presented by Mr. Tustison. 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. 3558

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.

Action:

Patrick Souter moved to approve the Ordinance setting water and wastewater rates and fees and setting an effective date of October 1, 2024. Motion was seconded by Chris Wright and carried unanimously (5-0).

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

The Item was presented by Mr. Tustison. 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." 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.

(5a)

Action:

Patrick Souter moved to ratify the property tax revenue increase reflected in the Fiscal Year 2024-2025 budget. Motion was seconded by Chris Wright and carried unanimously (5-0).

17. Consider proposed Ordinance adopting the Tax Rate for fiscal year 2024-2025

The Item was presented by Mr. Tustison. 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. 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. Tax Code 26.0S(b) requires the written motion language be used in adopting the tax rate, and a record vote.

ORDINANCE NO. 3559

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.

Action:

Chris Wright moved 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. Motion was seconded by Patrick Souter 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*

18. Consider proposed Ordinance re-establishing classified positions under Civil Service

The Item was presented by City Manager Michael Scott. 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.

(5a)

ORDINANCE NO. 3560

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.

Action:

Patrick Souter moved to adopt the proposed Ordinance establishing and re-establishing the classified positions under Civil Service in the Police and Fire Departments. Motion was seconded by Tres Atkins and carried unanimously (5-0).

19. Consider appointments to Boards and Commissions

Council Members discussed the proposed Board and Commission appointments.

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 Haye until September 2025)

Marlene Norcross (Planning and Zoning Commission liaison replacing Bonney Ramsey)

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

(5a)

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)

WAXAHACHIE HOUSING AUTHORITY (2-year term)

Jonathan Bickerstaff, Resident Member
Charlie McCullough
Christine Cane-Wyatt

Mayor Pro Tem Wright opposed removing David McSpadden from WCDC in the middle of his term. He asked Council to reconsider his removal.

Council Member Atkins noted discussion was held at the August Work Session and the request for consideration should've been addressed at that time.

Council Member Smith explained Mr. McSpadden was offered a place on another Board and did not accept. He noted if WCDC is reconsidered, then all other Boards would need to be reviewed.

Council Member Souter praised Mr. McSpadden's commitment and service.

(5a)

Mayor Wallace reiterated that an open discussion was held at length during the City Council Work Session in August. She stated there were other members who were removed mid-term and it was not a personal decision.

Action:

Travis Smith moved to approve the appointments to Boards and Commissions as presented. Motion was seconded by Tres Atkins and carried 3-2 with Chris Wright and Patrick Souter voting in opposition.

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

City Council and City Management recognized Senior Finance Director Chad Tustison, Assistant Finance Director Gail Turner, and Budget Officer Chris Childs for their work on the annual budget.

Deputy City Manager Albert Lawrence recognized the extensive knowledge of City Manager Michael Scott regarding the annual budget.

Council Member Travis Smith thanked City Manager Michael Scott for answering or directing all finance inquiries by City Council.

Council Member Tres Atkins echoed Mr. Smith's comments.

City Manager Michael Scott thanked City Council for the adoption of the budget and their support.

Council Member Patrick Souter announced he, Mayor Wallace, Police Chief Joe Wiser, County Commissioner Lane Grayson, and Darlene Miller visited the Tri-City Animal Shelter in Cedar Hill.

Mayor Pro Tem Chris Wright thanked Council Members for their joint efforts to provide high standard services and tax relief to citizens. Mr. Wright also recognized the need to review the saturation of Short-term rentals in residential neighborhoods. He also thanked Alice Jauregui, Director of Communications and Marketing, for the frequent distribution of important public information.

Mayor Billie Wallace expressed her gratitude to work with Council Members. Mayor Wallace recognized the City of Waxahachie's nineteen firefighters who participated in the annual Dallas 9/11 Stair Climb to honor the FDNY personnel who lost their lives on 9/11.

21. Adjourn

There being no further business, the meeting adjourned at 8:52 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary



Date submitted

Applicant Information

Applicant name: Waxahachie IOOF #80 / WAYNE Strickland

Are you representing the host organization? Yes No

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

Phone: C: Cell: _____

Email: Collegestreetpub@yahoo.com

Mailing address: 210 N. College St. Waxahachie, TX 75165

Host organization name: Waxahachie IOOF #80

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

On-site contact name: SEAN Cagle Cell: _____

About the Event

Event name: Oddfest 2024

Location: Singleton Plaza

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

Anticipated attendance: 500 - 1,000 Come & Go. Average < 200 @ Any time.

Description of event: Waxahachie IOOF #80, Oddfellows Lodge annual Art Sale.

How many times has this event been hosted before?

1st time 2 - 4 times 5 or more times Location: Singleton Plaza

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

The event is:

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

Admission information, if applicable:

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

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	10/15/2024	10:00 am	6:00 pm
Event Set-up	"	07:00 am	09:00
Event Breakdown	"	6:00 pm	7:00 pm

Run / Walk:

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

_____ 1 mile _____ 5K _____ Other distance

Please indicate your expected attendance: _____

Number of participants:

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

Provide route on attached site map.



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: 2 Date(s) & time(s): 10/5/2024 10a-5pm

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 20 How many: _____ Barricades How many: 20

Other: PORTABLES; WASH STATIONS

Where should equipment be dropped off & picked up?

SINGLETON PLAZA



When will the traffic equipment be set-up?

Date: 10/4/2024 Time: 17:00

When will the traffic equipment be removed?

Date: 10/5/2024 Time: 18:00

Are you requesting the use of City traffic equipment?

Yes No

Availability is not guaranteed

Streets cannot be blocked without prior approval.

No Street Blockage.

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:

USE of on site utilities - Sinyard Plaza.

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.

Wayne [Signature]

Signature

9/3/2024

Date

Contract Agreement

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

Wayne [Signature]

Signature

9/3/2024

Date

*100F #80
Waxahachie, Texas*

WAXAHACHIE T.N.

Dog Show
&
Contest

STREET FUS

College St.

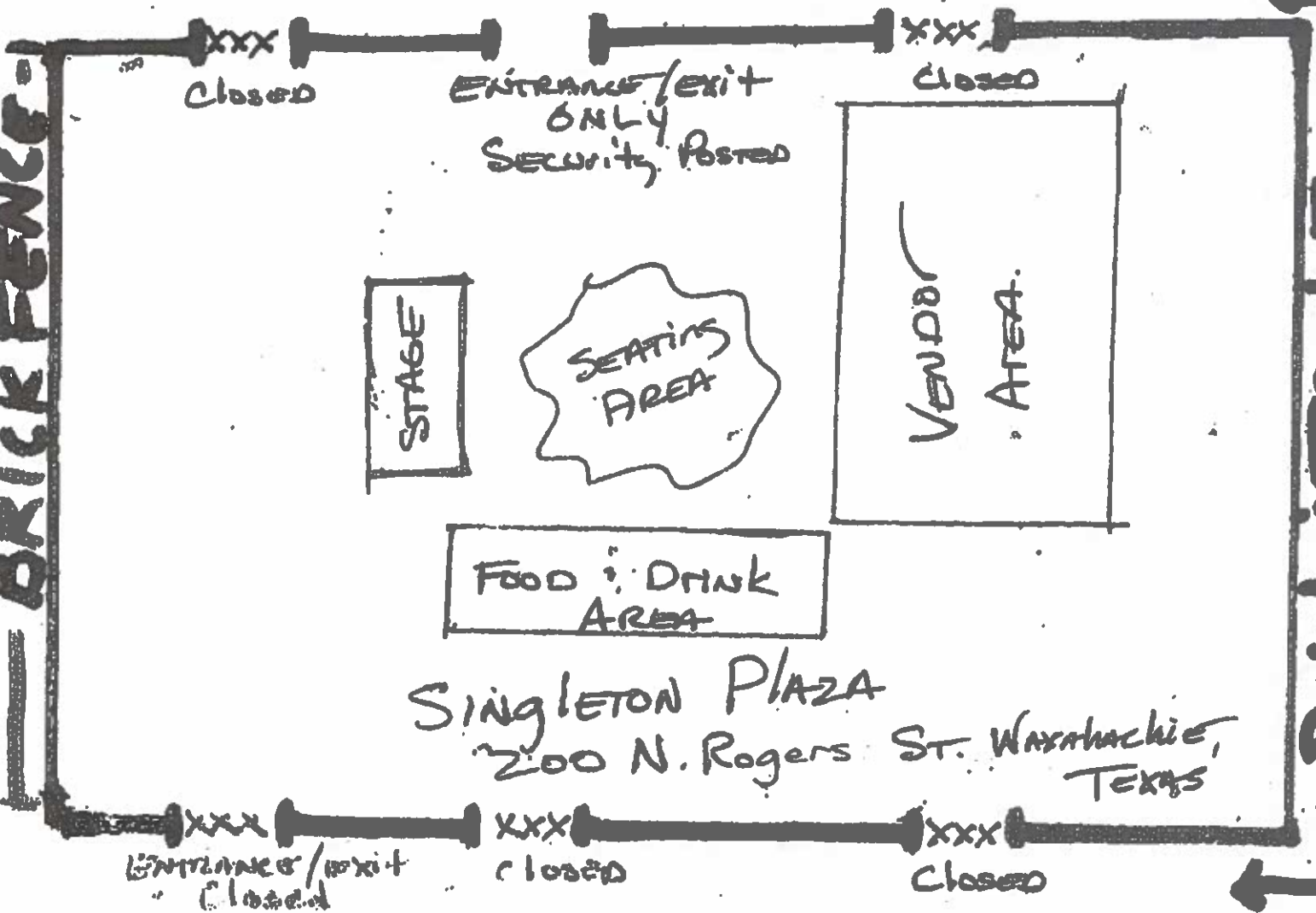
Rail Road (46)

BRICK FENCE

Brick Iron Fence

CREEK

(45)



XXX
Closed

ENTRANCE/EXIT
ONLY
Security Posted

XXX
Closed

STAGE

SEATING
AREA

VENDOR
AREA

FOOD & DRINK
AREA

SINGLETON PLAZA

200 N. Rogers St. Waxahachie,
TEXAS

XXX
ENTRANCE/EXIT
Closed

XXX
Closed

XXX
Closed

Rogers St.

(50)



City of Waxahachie
City Secretary's Office

Special Event Application

Date submitted 6/24/24

Applicant Information

Applicant name: Joelle Yates

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: 5000 Quorum Dr, Ste 530, Dallas TX 75254

Host organization name: Alzheimer's Association

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

On-site contact name: Terri Clark

Cell: _____

About the Event

Event name: Walk to End Alzheimer's

Location:

County Courthouse lawn, Franklin & College adjacent to courthouse, small park & public restrooms at corner of College & Franklin. 3 mi & 1 mi walk on city streets.

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

Anticipated attendance: 350

Description of event: Opening ceremony with sponsor tents, walk on city streets (see map).

Routes: 1 mile and 3 mile. Route TBD. Requesting refresh of restrooms mid-morning, free parking at public garage at Jefferson/Jackson.

Requesting EMT's with a mobile response cart for the duration of the event.

How many times has this event been hosted before?

1st time

2 - 4 times

5 or more times

Location: Courthouse, Getzendaner Park, Eng...

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: _____

(50)



City of Waxahachie
City Secretary's Office

Special Event Application

Event activities include (check all that apply):

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

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.

Entry by participation or registration. Free to register, although donations encouraged.

All participants must be registered, either online, or paper form.

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	10/19/24	8am	10:30am
Event Set-up		6am	
Event Breakdown		noon	

Run / Walk:

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

9:30 1 mile 9:30 5K _____ Other distance

Please indicate your expected attendance: 350

Number of participants:

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

Provide route on attached site map.

(5c)



City of Waxahachie
City Secretary's Office

Special Event Application

Food / Beverage:

- Will the event offer food/beverages? Yes No
- 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.

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

- Event staff How many: 1 Date(s) & time(s): 6-10am (at least contact info in case electronic isn't working, restrooms, need others)
- Volunteers How many: 25 Date(s) & time(s): _____
- Private security How many: 0 Date(s) & time(s): _____

Company name: _____

Contact name and number: _____

Off duty police How many: 2 Date(s) & time(s): 10/19 7:30-11:30am

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: Joelle Yates

Phone number: 832.287.9543

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: S. College Street and

W Franklin Street, adjacent to courthouse.

Street closings to begin on date: 10/19/24 Start time: _____ End time: 12:00pm

9:00am Will any businesses be impacted by the proposed road 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: unsure Barricades How many: 4

Other: (close College & Franklin adjacent to courthouse)

Where should equipment be dropped off & picked up?

(5c)



City of Waxahachie
City Secretary's Office

Special Event Application

When will the traffic equipment be set-up?

Date: 10/19/24 Time: 5:30am

When will the traffic equipment be removed?

Date: 10/19/24 Time: noon

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: 10x10 tents (8-15 tents)

Indicate locations on attached required site map.

How will electrical services be supplied?

Generator Franchise Utilities Both

List contractor / supplier:

Explain services in detail: Request use of electricity /plug for mics/sound equipment and start

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 of 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.

K. G. [Signature]
Signature

6/24/24
Date

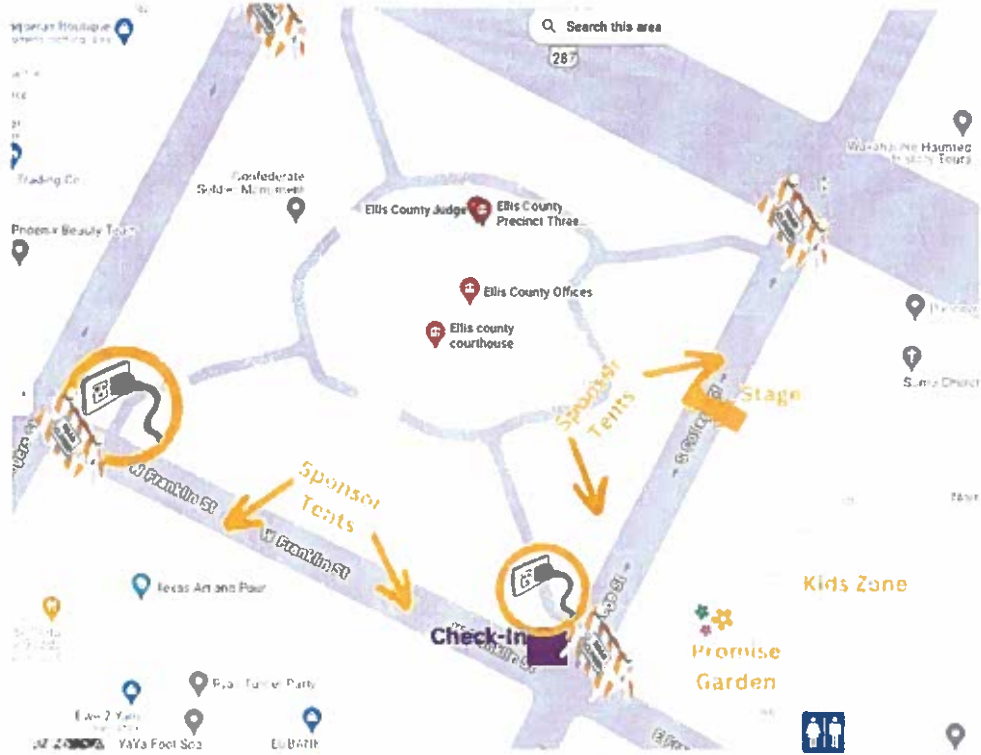
Contract Agreement

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

K. G. [Signature]
Signature

6/24/24
Date

(50)





(5C)

Office of the County Judge
TODD LITTLE

The Historic Courthouse • 101 W. Main, Waxahachie, Texas 75165 • (972) 825-5011

September 12th, 2024

To the Waxahachie City Council:

I approve of the use of the Ellis County Historic Courthouse lawn for the Walk to End Alzheimer's event on October 19th, 2024. Proper internal notifications have been made on the part of Ellis County regarding safety, logistics, and maintenance for this event.

It is my hope that this event is successful, brings attention to the important need for Alzheimer's research, and benefits local downtown businesses with increased visitation. Please let us know if you have any questions or requests, and we will be more than happy to accommodate the city's needs.

Sincerely,

Todd Little
County Judge

(5c)

August 12, 2024

Waxahachie City Council
PO Box 757
Waxahachie, TX 75168



Re: Walk to End Alzheimer's - Letter of Support

Dear Council Members:

Please let this letter serve as support from the Waxahachie Downtown Merchants Association for the Walk to End Alzheimer's event to shut down streets as outlined in their submitted event application.

On August 7, 2024, during a regularly scheduled member meeting, the Association voted unanimously to approve the motion supporting this event and all necessary street closures pertaining to it. The association understands the significant impact a street closure has on downtown businesses and has taken this into consideration during the discussion and approval for support of this event.

This discussion and vote have been recorded in our meeting minutes and can be made available upon request.

A handwritten signature in black ink, appearing to read "Jordan Molina". The signature is written in a cursive, flowing style.

Jordan Molina
President - WDMA

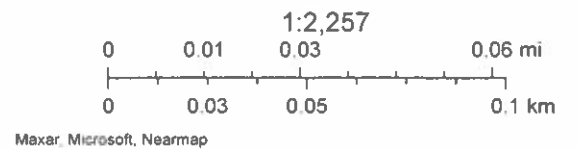
Alzheimer's Walk



(5c)

6/27/2024, 2:20:54 PM

- ETJ
- Parcels
- ETJ Exemptions



**WALK TO END™
ALZHEIMER'S**
ALZHEIMER'S ASSOCIATION

(50)

Brandon Cofield



214.540.2447



bcofield@alz.org



alz.org/walk

X Priscilla Ayala

I AGREE TO STREET CLOSURE

Name of your business

GRIFFITH & ASSOCIATES

X Trinity Holman

I AGREE TO STREET CLOSURE

Name of your business

Prime 115

X Paula H. Hall

I AGREE TO STREET CLOSURE

Name of your business

Big Al's

X Dani Cargl

I AGREE TO STREET CLOSURE

Name of your business

TX Art & Pour

WALK TO END ALZHEIMER'S

ALZHEIMER'S ASSOCIATION

(56)

Brandon Cofield



214.540.2447



bcofield@alz.org



alz.org/walk

X

I AGREE TO STREET CLOSURE

Name of your business

YA-YA FOOT SPA

X

I AGREE TO STREET CLOSURE

Name of your business

X

I AGREE TO STREET CLOSURE

Name of your business

X

I AGREE TO STREET CLOSURE

Name of your business

**WALK TO END™
ALZHEIMER'S**
ALZHEIMER'S ASSOCIATION

(50)

Brandon Cofield



214.540.2447



bcofield@alz.org



alz.org/walk

[Signature]
I AGREE TO STREET CLOSURE

Name of your business

The Crafty Scrapper

[Signature]
I AGREE TO STREET CLOSURE

Name of your business

Meat Church

[Signature]
I AGREE TO STREET CLOSURE

Name of your business

Sweet Peas Boutique

[Signature]
I AGREE TO STREET CLOSURE

Name of your business

ewe2yarn

X

I AGREE TO STREET CLOSURE

Name of your business

(5c)

WALK TO END ALZHEIMER'S

ALZHEIMER'S ASSOCIATION

Brandon Cofield



214.540.2447



bcofield@alz.org



alz.org/walk

X

I AGREE TO STREET CLOSURE

Name of your business

FARM LUK SODA TROUTMAN

X

I AGREE TO STREET CLOSURE

Name of your business

Westbound Trading Co.

X

I AGREE TO STREET CLOSURE

Name of your business

Vaqueros Boutique

X

I AGREE TO STREET CLOSURE

Name of your business

The Dessert Spot

X

I AGREE TO STREET CLOSURE

Name of your business

ELLIS COUNTY MUSEUM

WALK TO END™ ALZHEIMER'S

ALZHEIMER'S ASSOCIATION



(50)

Brandon Cofield  214.540.2447  bcofield@alz.org  alz.org/walk

Brandon Cofield

I AGREE TO STREET CLOSURE
Name of your business

Eubank Florist

I AGREE TO STREET CLOSURE
Name of your business

I AGREE TO STREET CLOSURE
Name of your business

I AGREE TO STREET CLOSURE
Name of your business



(5c)



X

I AGREE TO STREET CLOSURE

Name of your business

Handwritten signature in blue ink

X



Date submitted 9/3/24

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: Monica Boyd Cell: _____

About the Event

Event name: 1st Annual Waxahachie Trunk-o-Palooza

Location: Railyard Park

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

Anticipated attendance: 5,000

Description of event: Trunk-o-treat collaboration event with Cumulus Media

100+ cars giving out candy & giveaways, DJ, inflatables, food trucks

How many times has this event been hosted before?

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

Choose the best description of the event:

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



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	10/19/24	3:00pm	6:00pm
Event Set-up	10/19/24	12:00pm	-
Event Breakdown	10/19/24	-	8:00pm

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: 4 Date(s) & time(s): 10/19 12:00pm - 8:00pm

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: Downtown South & Annex Parking

S. Rogers Street from Cantrell St. to Madison St.; plus College St in front of RYP

Street closings to begin on date: 10/19 Start time: 2:00pm End time: 6:00pm

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: TBD Barricades How many: TBD

Other: _____

Where should equipment be dropped off & picked up? Railyard Park, Annex Parking, Downtown South



City of Waxahachie
City Secretary's Office

(5d)
Special Event Application

When will the traffic equipment be set-up?

Date: 10/19

Time: 2:00pm

When will the traffic equipment be removed?

Date: 10/19

Time: 6:00pm

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:

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.

Danielle Guinn

Digitally signed by Danielle Guinn
Date: 2024.09.04 15:10:47 -05'00'

09/03/24

Signature

Date

Contract Agreement

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

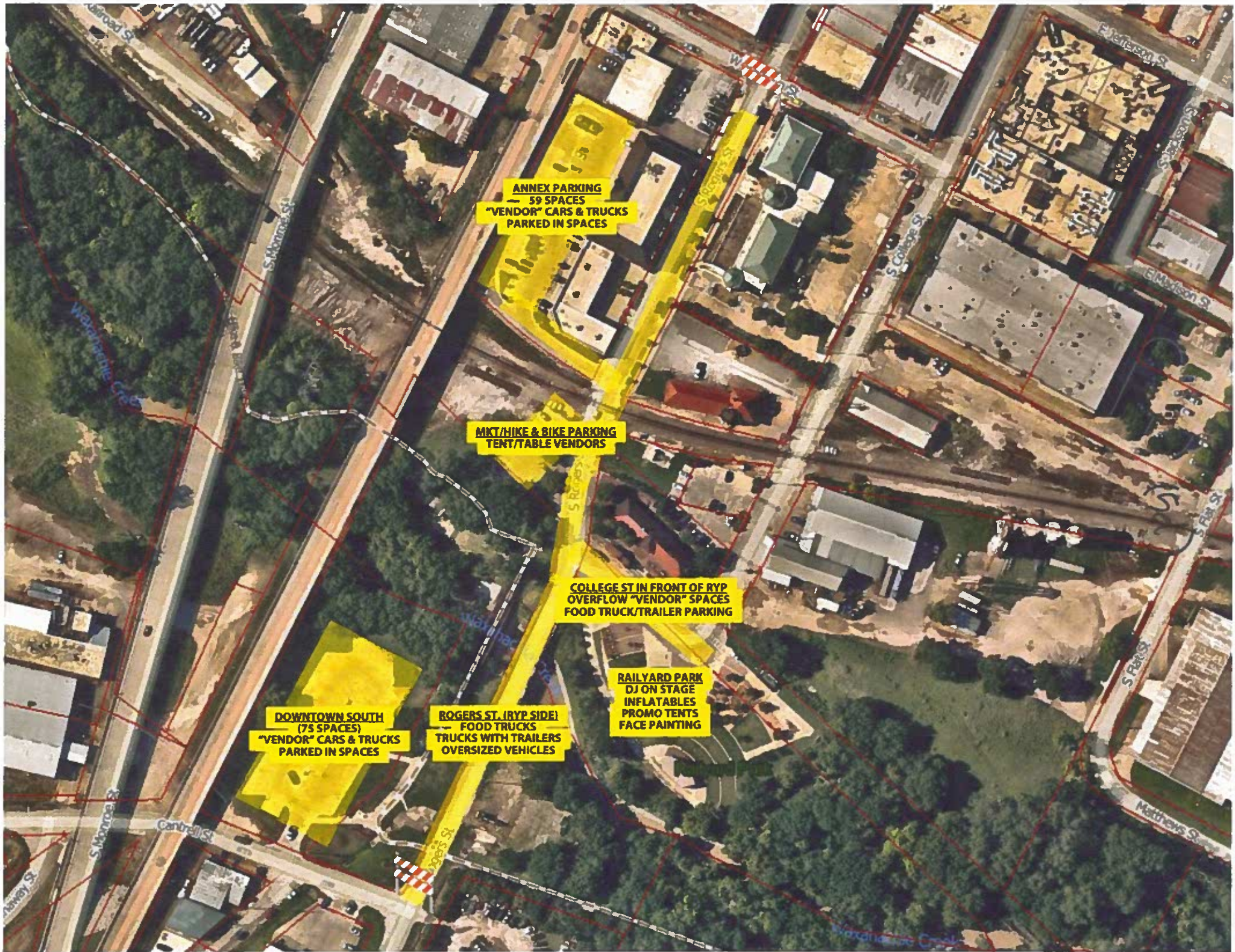
Danielle Guinn

Digitally signed by Danielle Guinn
Date: 2024.09.04 15:10:57 -05'00'

09/03/24

Signature

Date



ANNEX PARKING
59 SPACES
"VENDOR" CARS & TRUCKS
PARKED IN SPACES

MKT/HIKE & BIKE PARKING
TENT/TABLE VENDORS

COLLEGE ST IN FRONT OF RYP
OVERFLOW "VENDOR" SPACES
FOOD TRUCK/TRAILER PARKING

RAILYARD PARK
DJ ON STAGE
INFLATABLES
PROMO TENTS
FACE PAINTING

DOWNTOWN SOUTH
(75 SPACES)
"VENDOR" CARS & TRUCKS
PARKED IN SPACES

ROGERS ST. (RYP SIDE)
FOOD TRUCKS
TRUCKS WITH TRAILERS
OVERSIZED VEHICLES



(5e)

Date submitted 9/10/20

Applicant Information

Applicant name: Laurie Mosley, CVB Director

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: lmosley@waxahachiecvb.com

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

Host organization name: City of Waxahachie

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

On-site contact name: Wally Mendez Cell: _____

About the Event

Event name: Crossroads of Texas Country Festival

Location: Historic Downtown Waxahachie

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

Anticipated attendance: 25,000 +

Description of event: This new and improved art, music and food festival will feature 10+ stages of music, over 250 artists and craftspersons, the "Go Texan Experience" and more.

How many times has this event been hosted before?

1st time 2 - 4 times 5 or more times Location: Downtown Waxahachie

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 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
- 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	Saturday, 10-26-2024	9 am	7 pm
Event Set-up	Friday, 10-25-2024	10 am & 6 pm	9 pm
Event Breakdown	Saturday, 10-26-2024	7:30 pm	10 pm

Run / Walk:

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

_____ 1 mile _____ 5K _____ Other distance

Please indicate your expected attendance: _____

Number of participants:

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

Provide route on attached site map.



(5c)

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: All Hands on Deck Date(s) & time(s): 10-25 & 10-26
- Volunteers How many: Ellis County Community Service Date(s) & time(s): 10-25 & 10-26
- Private security How many: Sheriff Explorers Date(s) & time(s): Overnight 10-25 to 10-26 AM
- Company name: Leaders of Ellis County Sheriff Explorers
- Contact name and number: Chad Raney - 469-337-6146

- Off duty police How many: Wax Police will plan 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: Sgt Chance Huckabee Phone number: 469-309-4426

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: _____

Please see the attached map for the full festival. As in the past, blocking will be needed early on Friday to set up the stage.

- Street closings to begin on date: 10-25-24 Start time: 10 am & 5 pm End time: 10-26-24 at 7:30 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: Matt Massey has plan Barricades How many: Matt Massey has plan

Other: City staff from various departments attend the event meetings and know what they need to execute the event.

Where should equipment be dropped off & picked up?



City of Waxahachie
City Secretary's Office

(5c)

Special Event Application

When will the traffic equipment be set-up?

Date: 10-25-2024

Time: Throughout the day

When will the traffic equipment be removed?

Date: 10-26-2024

Time: After 7:30 pm

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:

H & E Equipment Services - Stephanie Acord - 945-261-9147

Explain services in detail:

9 Generators will be used throughout the festival site.

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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Aunie Mosley on behalf of
Signature

9-10-2024
Date
City of Waxahachie

Contract Agreement

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

Aunie Mosley on behalf of
Signature

9-10-2024
Date
City of Waxahachie

(5c)

Crossroads of Texas Country Festival 2024

Special Event Permit

ADDENDUM:

The following organizations within the defined Festival space are allowed to seek a permit from TABC:

A. **Waxahachie Downtown Merchants Association**

Location: **Beer Garden** – 107 W. Franklin parking lot

B. **Participating Wineries:**

1. Maydelle Country Wines – Booth 357
2. Wall Street Winery – Booth 251
3. Red Road Vineyard & Winery – Booth 345
4. Hidden Hangar Winery – Booth 333
5. Sugar Ridge Winery – Booth 218
6. Piezo Winery – Booth 226

C. **Big Al's Down the Hatch** – 200 S. Rogers – sidewalk space

D. **Prime 115** – vendor booth #1 in front of 114 S. Rogers

E. **Texas Art and Pour** – 109 W. Franklin #115 – 10 X 10 space in parking lot/food court behind the business

F. **Southern Roots Brewing** – 421 S. College Street

G. **El Mexicano Grill** – 114 E. Franklin St. – sidewalk space

H. **Omar's Tacos & Bar** – 208 W. Franklin St. – sidewalk space

Note: Members of the Waxahachie Food & Beverage Collective members located on the "Sample Downtown Event/Festival Boundary Map" are sanctioned as part of the event.

(50)

CROSSROADS OF TEXAS COUNTRY FESTIVAL

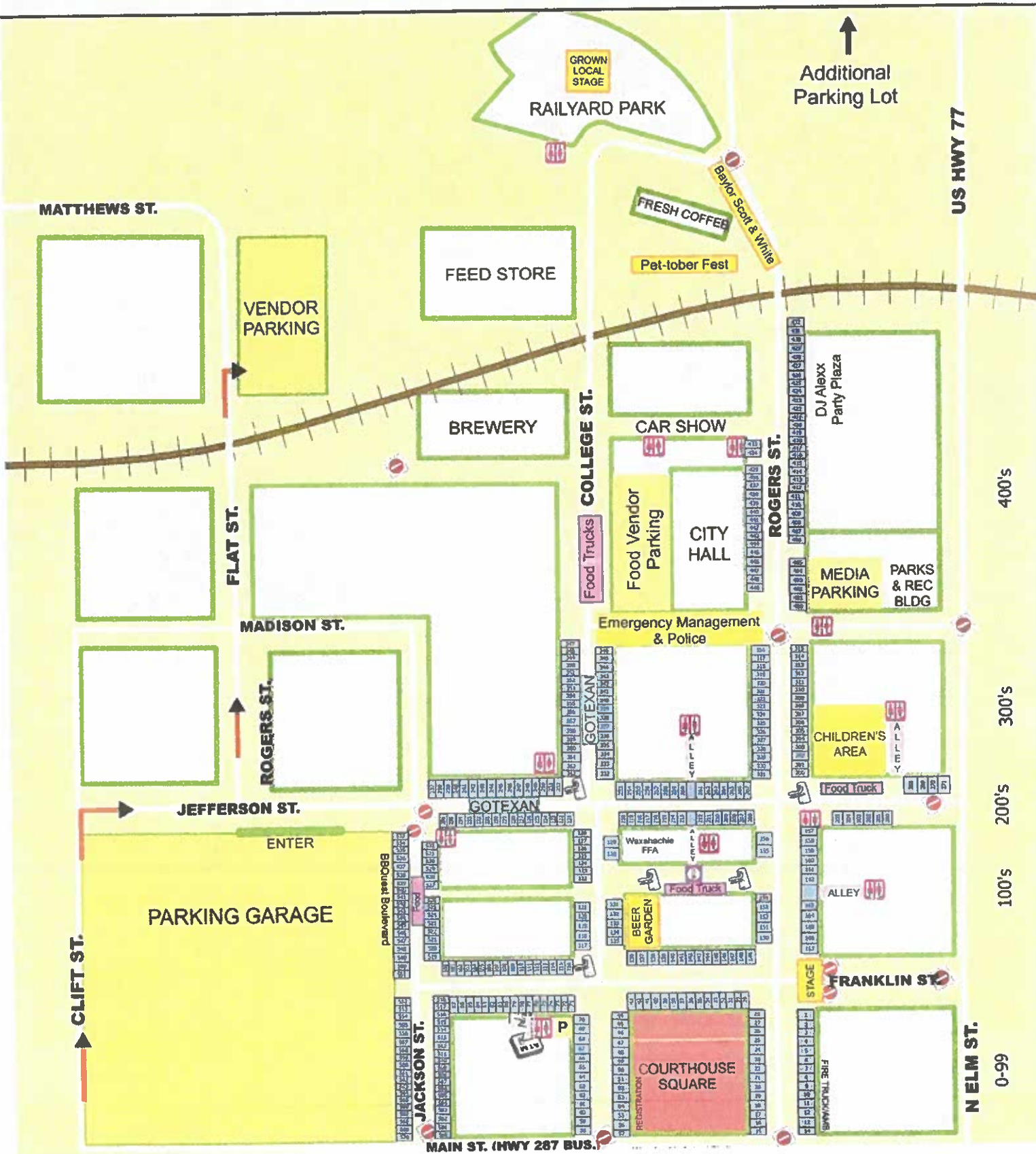
2024

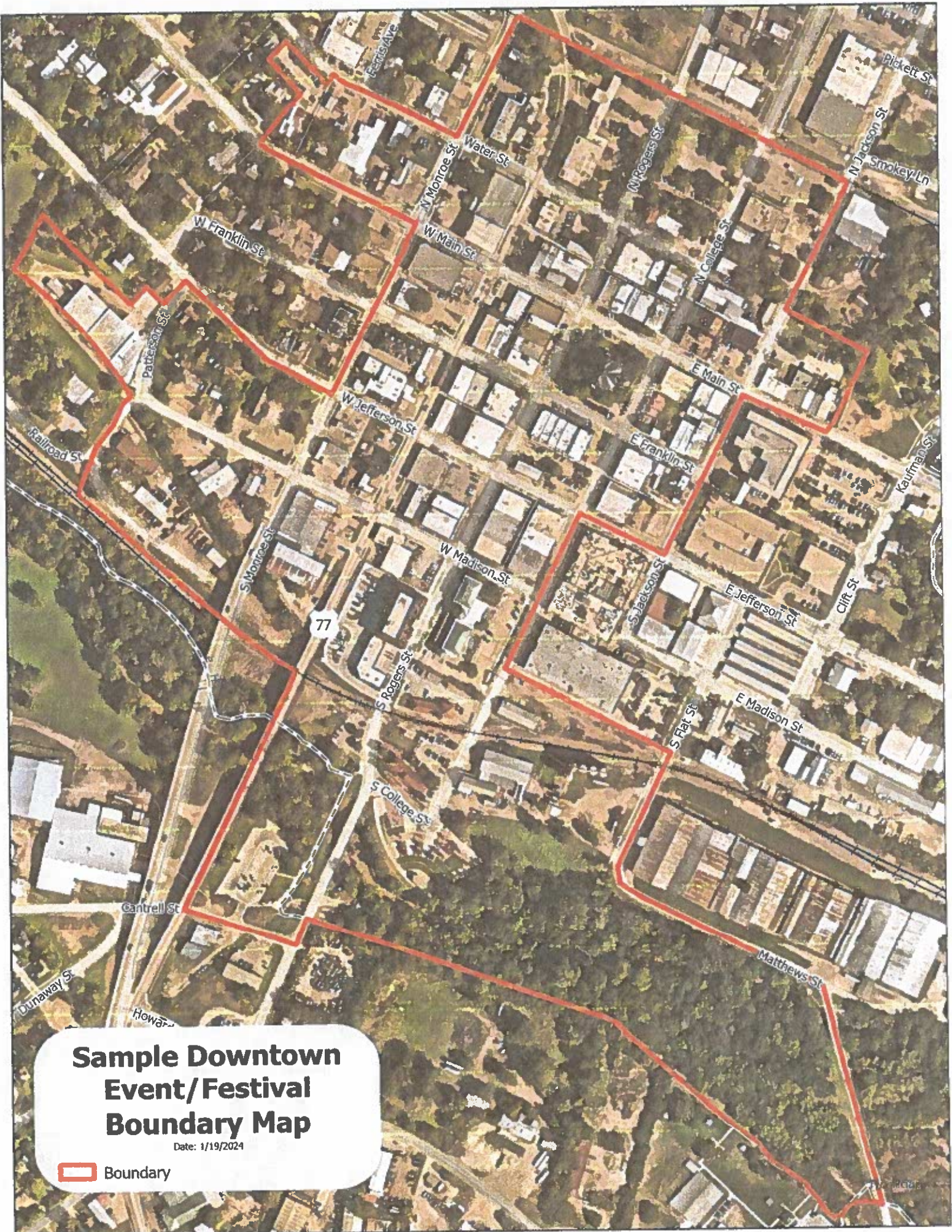
MAP LAYOUT

-  FOOD COURT
-  RESTROOM
-  NO ENTRANCE
-  ATM
-  DRINK BOOTH
-  RAILROAD



WAXAHACHIE





Sample Downtown Event/Festival Boundary Map

Date: 1/19/2024

 Boundary

DOWNTOWN

W
A
X
A
H
A
C
H
I
E



GO TEXAN!



Helping Here

BaylorScott&White
SURGICARE



CROSSROADS OF TEXAS

Country
FESTIVAL



★ ★ FREE ADMISSION ★ ★
200+ ARTIST & CRAFTSPEOPLE, FOOD,
10+ STAGES OF LIVE MUSIC INCLUDING
TEN TIME GRAMMY AWARD WINNER



& more!

SATURDAY

OCT 26

9 AM - 7 PM

TEXASCOUNTRYFESTIVAL.COM ★ 469-309-4040





Date submitted 9/9/24

Applicant Information

Applicant name: Ms. Rebecca Prewitt

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: rebecca@thepathway.church, contact@thepathway.church

Mailing address: 1116 Brown Street, Waxahachie, TX 75165

Host organization name: Pathway Baptist Church

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

On-site contact name: Mr. Brian Faulkner Cel _____

About the Event

Event name: Good Friday Service/Choir Easter Program 2025

Location: Railyard Park

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

Anticipated attendance: 200-300 people

Description of event: Pathway Worship Choir and Worship Team will present an

Easter program open to the public, where there will be multiple songs sung, live music played, and some speakers praying and worshipping God.

How many times has this event been hosted before?

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

Choose the best description of the event:

- Festival
- Birthday Party / Picnic
- Movie Screening
- Charitable / Fundraising
- Parade
- Community / Neighborhood
- Private Event
- Concert / Live Performance
- Run / Walk
- Other: Church choir & worship team performance



Event activities include (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Amusement rides / Inflatables | <input type="checkbox"/> Food – sampled, served, or sold |
| <input type="checkbox"/> Animals / Petting Zoo | <input type="checkbox"/> Products / Services – given away, sampled, or sold |
| <input checked="" type="checkbox"/> Announcement / Speeches | <input checked="" type="checkbox"/> Live music |
| <input type="checkbox"/> Information / Literature Distribution | <input type="checkbox"/> Street closure |
| <input type="checkbox"/> DJ / Recorded Music | <input checked="" type="checkbox"/> Other: Choir performance |

The event is:

- | | |
|--|--|
| <input type="radio"/> Private | <input checked="" type="radio"/> Free & open to the general public |
| <input type="radio"/> Entry by participation or registration fee | <input type="radio"/> 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	April 18th, 2025	12:00pm	10:00pm
Event Set-up	April 18th, 2025	12:00pm	5:00pm
Event Breakdown	April 18th, 2025	8:00pm	10:00pm

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: _____ Date(s) & time(s): _____

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

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

Company name: _____

Contact name and number: _____

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

Have you made arrangements with the police? Yes No

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

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

Contact name: _____ Phone number: _____

Street Closures:

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

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

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

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

Traffic Safety Equipment:

Does your event require traffic cones or barricades? Yes No

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

Traffic Cones How many: _____ Barricades How many: _____

Other: _____

Where should equipment be dropped off & picked up?



City of Waxahachie
City Secretary's Office

(5f)

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.

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Rebecca Prewitt

Signature

September 9th, 2024

Date

Contract Agreement

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

Rebecca Prewitt

Signature

September 9th, 2024

Date



Date submitted 9/9/24

Applicant Information

Applicant name: Ms. Rebecca Prewitt

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: rebecca@thepathway.church, contact@thepathway.church

Mailing address: 1116 Brown Street, Waxahachie, TX 75165

Host organization name: Pathway Baptist Church

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

On-site contact name: Mr. Brian Faulkner Cell: _____

About the Event

Event name: National Day of Prayer 2025

Location: Railyard Park

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

Anticipated attendance: 200-300 people

Description of event: A day where the community, churches, and organizations get together and pray to God for our nation and its people.

How many times has this event been hosted before?

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

Choose the best description of the event:

- | | |
|--|---|
| <input type="checkbox"/> Festival | <input type="checkbox"/> Birthday Party / Picnic |
| <input type="checkbox"/> Movie Screening | <input type="checkbox"/> Charitable / Fundraising |
| <input type="checkbox"/> Parade | <input checked="" type="checkbox"/> Community / Neighborhood |
| <input type="checkbox"/> Private Event | <input type="checkbox"/> Concert / Live Performance |
| <input type="checkbox"/> Run / Walk | <input checked="" type="checkbox"/> Other: National call for people to pray together. |



(59)

Event activities include (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Amusement rides / Inflatables | <input type="checkbox"/> Food – sampled, served, or sold |
| <input type="checkbox"/> Animals / Petting Zoo | <input type="checkbox"/> Products / Services – given away, sampled, or sold |
| <input checked="" type="checkbox"/> Announcement / Speeches | <input type="checkbox"/> Live music |
| <input type="checkbox"/> Information / Literature Distribution | <input type="checkbox"/> Street closure |
| <input type="checkbox"/> DJ / Recorded Music | <input checked="" type="checkbox"/> Other: Praying |

The event is:

- | | |
|--|--|
| <input type="radio"/> Private | <input checked="" type="radio"/> Free & open to the general public |
| <input type="radio"/> Entry by participation or registration fee | <input type="radio"/> 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	May 1st, 2025	12:00pm	2:00pm
Event Set-up	May 1st, 2025	8:00am	12:00pm
Event Breakdown	May 1st, 2025	2:00pm	4:00pm

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: _____ Date(s) & time(s): _____

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

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

Company name: _____

Contact name and number: _____

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

Have you made arrangements with the police? Yes No

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

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

Contact name: _____ Phone number: _____

Street Closures:

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

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

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

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

Traffic Safety Equipment:

Does your event require traffic cones or barricades? Yes No

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

Traffic Cones How many: _____ Barricades How many: _____

Other: _____

Where should equipment be dropped off & picked up? _____



City of Waxahachie
City Secretary's Office

(5g)

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.

Rebecca Brewitt

Signature

September 9th, 2024

Date

Contract Agreement

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

Rebecca Brewitt

Signature

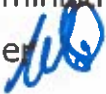
September 9th, 2024

Date

(5h)



Memorandum

To: Honorable Mayor and City Council
From: Dale Sigler, Director of Administrative Services
Thru: Michael Scott, City Manager 
Date: September 16, 2024
Re: Consider Resolution Authorizing the City of Waxahachie to Execute an Agreement with the Texas Department of Transportation for Grant Funds for the Routine Airport Maintenance Program

Motion: "I move to approve a resolution authorizing the Mayor and/or City Manager to execute an agreement with the Texas Department of Transportation for grant funds for the Routine Airport Maintenance Program."

Item Description: Consider a Resolution authorizing the City of Waxahachie to execute an agreement with the Texas Department of Transportation (TxDOT) for grant funds for the Routine Airport Maintenance Program. This will allow for a grant match program with TxDOT paying 90% and the Airport paying 10% of routine maintenance costs not to exceed an annual total of \$100,000 paid by TxDOT.

Item Summary: The Routine Airport Maintenance Program (RAMP) is a grant Mid-Way Regional Airport receives on annual basis from the Texas Department of Transportation (TxDOT) Aviation Division. Through this grant, the airport receives 90% reimbursement for maintenance items up to \$100,000 annually to help with grounds, building, and weather station maintenance. In addition, the grant may also cover expenses related to hangar maintenance, self-service fuel island repairs, runway/taxiway lighting, and for pavement and drainage.

(5h)

This grant allows the airport to fully maximize these dollars to address its on-going maintenance needs. All work associated with this grant must be completed by August 31, 2025.

The next step is to have the Cities of Waxahachie and Midlothian approve the resolution authorizing the RAMP agreement with TxDOT. The City of Midlothian approved the resolution on September 10, 2024.

Fiscal Impact: This is a budgeted expense and the grant match cost is included in the approved FY 2024-25 Mid-Way Regional Airport Budget.

(9h)

RESOLUTION NO.

A RESOLUTION OF THE CITY OF MIDLOTHIAN AND CITY OF WAXAHACHIE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR GRANT FUNDS FOR THE ROUTINE AIRPORT MAINTENANCE PROGRAM; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Routine Airport Maintenance Program (RAMP) grant is a 90/10 match from the Texas Department of Transportation that is received annually to help with the grounds, building and weather station maintenance; and

WHEREAS, the available funds are up to \$100,000.00 and all airside maintenance needs and items directly relating to the travel of aircraft come first which include runway/taxiway lighting, pavements, drainage, and the weather station; and

WHEREAS, other items covered under the grant include hangar/building maintenance, as well as self-service fuel island repairs; and

WHEREAS, all work that is eligible under the RAMP grant shall be accomplished by August 31, 2025, unless otherwise approved by the State;

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MIDLOTHIAN AND THE CITY OF WAXAHACHIE, TEXAS THAT:

SECTION ONE. The City Council hereby authorizes the City Manager to negotiate an agreement with the Texas Department of Transportation accepting a Routine Airport Maintenance Program Grant in the amount of \$100,000.00 to help with the Airport's grounds, building, and weather station maintenance.

SECTION TWO. This Resolution shall become effective immediately upon its passage.

PASSED AND APPROVED THIS THE 16TH DAY OF SEPTEMBER, 2024.

Billie Wallace, Mayor, City of Waxahachie

ATTEST:

Amber Villarreal, City Secretary, City of Waxahachie

(5i)



Memorandum

To: Honorable Mayor and City Council
From: Justin Stoker, P.E., CFM, Director of Public Works & Engineering
Thru: Michael Scott, City Manager *MS*
Date: September 16, 2024
Re: Consider Engineering Professional Services Agreement for the Waxahachie – Midlothian Regional Trail Project

Recommended Motion: “I move to approve the professional service agreement with Kimley-Horn and Associates, Inc. for the preliminary design of the Waxahachie – Midlothian Regional Trail Project in an amount not to exceed \$225,000, and authorize the City Manager to execute all necessary documents.”

Item Description: Consider approval of a professional service agreement with Kimley Horn and Associates, Inc. for the Waxahachie – Midlothian Regional Trail Project.

Item Summary: The proposed agreement for the Waxahachie – Midlothian Regional Trail Project includes survey and preliminary design plans for a 12 foot wide concrete trail, with a length of approximately 2.6 miles long, between Getzendaner Park and FM-875.

This portion of the design project only includes a survey and preliminary plans. After the preliminary design is reviewed, a contract amendment will be presented for the final design plans.

Fiscal Impact: The \$225,000 cost of the preliminary design agreement is within the budget allocated to the project in the Parks Capital Funds. As a reminder, the City must pay for costs associated with the Waxahachie – Midlothian Regional Trail Project up front, but will be reimbursed for 80% of the costs through the TxDOT reimbursement grant.



Memorandum

To: Honorable Mayor and City Council
From: Justin Stoker, P.E., CFM, Director of Public Works & Engineering
Thru: Michael Scott, City Manager
Date: September 16, 2024
Re: Consider Construction Contract for the Police Parking Expansion Project

Recommended Motion: "I move to approve the construction contract award with Westhill Construction Inc. in the amount of \$313,425 for the Police Parking Expansion Project, and authorize the City Manager to execute all necessary documents."

Item Description: Consider the award of a construction contract with Westhill Construction Inc. for the Police Parking Expansion Project

Item Summary: The proposed Police Parking Expansion Project adds 30 additional parking spaces and a drive aisle south of the existing employee parking lot located at 630 Farley Street in Waxahachie, Texas.

The City of Fort Worth solicited bids in August 2023 for a unit-price concrete construction contract in which Westhill Construction, Inc was the low bidder. The City of Waxahachie has an interlocal agreement with Fort Worth to use its solicitation to satisfy state procurement laws and take advantage of potential cost savings due to their purchasing power.

Fiscal Impact: The construction contract with Westhill Construction Inc. is \$313,425 with \$300,000 this amount is budgeted within the FY24 Police Department Operating Budget for this project. The remaining \$13,425 will be paid from savings from the Police Department budget.



Memorandum

To: Honorable Mayor and City Council

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

Thru: Michael Scott, City Manager

Date: September 16, 2024

Re: Consider Construction Contract for the Sagebrush Lane Roadway Improvements Project

Recommended Motion: "I move to approve the construction contract award with Westhill Construction Inc. in the amount of \$964,542 with an additional construction contingency of \$48,227 for the Sagebrush Lane Roadway Improvements Project and authorize the City Manager to execute all necessary documents."

Item Description: Consider the award of a construction contract with Westhill Construction Inc. for the Sagebrush Lane Roadway Improvements Project

Item Summary: The proposed Sagebrush Lane Roadway Improvements Project consists of removing and replacing 8" of concrete pavement and making sidewalk improvements of Sagebrush Lane from Brown Street to Chieftain Drive in the Indian Hills Subdivision.

The City of Fort Worth solicited bids in August 2023 for a unit-price concrete construction contract in which Westhill Construction, Inc was the low bidder. The City of Waxahachie has entered into an interlocal agreement with Fort Worth to use its solicitation to satisfy state procurement laws and take advantage of potential cost savings due to their purchasing power.

Fiscal Impact: The construction contract is for \$964,542 with a construction contingency of \$48,227 for a total construction project budget of \$1,012,769. The proposed \$1,012,769 for the project will be funded utilizing the FY 2023 Bond Funds designated for the Sagebrush Project – Streets Capital Projects Fund (612).

(5L)



Memorandum

To: Honorable Mayor and City Council

From: Kumar Gali, Senior Director of Utilities

Thru: Michael Scott, City Manager *MS*

Date: September 16, 2024

Re: Consider Budget Transfer and Award of Construction Contract for the IH-35E Water Transmission Main Project

Motion: "I move to award a construction contract with Atkins Bros. Equip. Co., Inc in the amount of \$2,255,177 and an additional construction contingency in the amount of \$112,800 for the IH-35E Water Transmission Main Project, and a budget transfer of \$475,464 from the 2022 Water and Sanitary Sewer Replacement Project to the IH-35E Water Transmission Main Project, and authorize the City Manager to execute all necessary documents."

Item Description: Consider the award of a construction contract with Atkins Bros. Equip. Co., Inc for the IH-35E Water Transmission Main (Lofland Road to Butcher Road) Project.

Item Summary: The IH-35E Water Transmission Main (Lofland Road to Butcher Road) Project consists of constructing approximately 5,980 linear feet of 18-inch water line, 12 fire hydrant assemblies, and all necessary appurtenances for the new transmission main. This project is one of the major water transmission mains in the 5-year CIP projects to convey treated water from the Robert W. Sokoll Water Treatment Plant (WTP) into the northern portion of the City's water distribution system. This project is a vital water transmission segment that connects Sokoll WTP and the FM 664 and the Solon Elevated Storage Tanks.

(51)

The City received a total of twelve sealed bids and Atkins Bros. Equip. Co., Inc was the lowest responsive bidder in the amount of \$2,255,177. Birkhoff, Hendricks & Carter, LLP (Design Engineer) has reviewed the lowest bidder's qualifications, references, and recommends awarding the construction contract to Atkins Bros. Equip. Co., Inc.

Fiscal Impact: This project is part of the approved 5-year CIP and is funded through the 2021 and 2022 Water Fund bond sales and Water Impact Fees. The construction budget was estimated at \$1,892,513, however due to rising material costs, the original construction budget is no longer sufficient and requires a budget transfer. The 2022 Water and Sanitary Sewer Replacement Project, which is funded through the 2023 Water Fund Bond sale, has available savings of \$700,000. Therefore, staff recommends a transfer of \$475,464 from this project savings to support the IH-35E Water Transmission Main (Lofland Road to Butcher Road) Project. The construction contract with Atkins Bros. Equip. Co is \$2,255,177 and city staff is requesting an additional \$112,800 contingency for a total construction cost of \$2,367,977.

(9m)



Memorandum

To: Honorable Mayor and City Council
From: Kumar Gali, Senior Director of Utilities
Thru: Michael Scott, City Manager 
Date: September 16, 2024
Re: Consider Contracts for Miscellaneous Pavement Repairs

Motion: "I move to award contracts with ABF Concrete, LLC and Gator Construction & Landscape Group, LLC for miscellaneous pavement repairs and authorize the City Manager to execute all necessary documents."

Item Description: Consider awarding an annual contract to ABF Concrete, LLC and Gator Construction & Landscape Group, LLC for miscellaneous pavement repairs throughout the year related to utility repairs and replacements at various locations throughout the City.

Item Summary: On July 19, 2024, the City opened five sealed proposals for performing miscellaneous pavement repairs. The pavement repairs and restorations are for concrete and asphalt streets, sidewalks and street curbs associated with water and sewer repairs and replacements.

Staff has reviewed the qualifications, checked the references, and recommends awarding the primary contract to ABF Concrete, LLC and the secondary contract to Gator Construction & Landscape Group, LLC. Both companies were determined to be responsive, responsible, and submitted the most advantageous proposals for the City's needs. The contracts are for a period of one year, with an option to renew for four additional one-year terms. Staff recommends utilizing two contractors to speed up repairs when the primary contractor is not available due to workload.

(5m)

Fiscal Impact: Miscellaneous pavement repair is an approved budget item in the Utilities Department's Operations and Maintenance budget. The pavement repairs will be as needed throughout the year based on the unit price and the expenditures will not exceed the annual approved budgeted funds.

(5n)



Memorandum

To: Honorable Mayor and City Council
From: Kumar Gali, Senior Director of Utilities
Thru: Michael Scott, City Manager *MS*
Date: September 16, 2024
Re: Consider Contracts for Water and Wastewater Treatment Plants Chemical Supplies

Motion: "I move to award contracts for the supply of bulk water and wastewater treatment plants chemicals as outlined in the City Council Memo and authorize the City Manager to execute all necessary documents."

Item Description: Consider awarding contracts to primary and secondary vendors for a period of three years from October 1, 2024 through September 30, 2027 with two additional one-year renewals for the bulk supply of water and wastewater treatment plants chemicals. The contracts have a price escalation clause that prevents annual unit price increases to no more than five percent.

Item Summary: The City conducted a competitive bidding process to procure various bulk supplies of water and wastewater treatment plant chemicals. Sealed bids were opened on July 25, 2024, from vendors responsible for providing all labor, materials, and equipment necessary for delivering chemicals to the three treatment plants.

The Request for Bid (RFB) aimed to establish a long-term partnership with reliable vendors providing competitively priced water and wastewater treatment chemicals. The City will award a "Primary" and "Secondary" vendor for each chemical identified in the bid documents.

(9n)

Staff has reviewed the qualifications, checked the references, and recommends the following vendors:

Primary Vendors

<u>Vendor Name</u>	<u>Chemical Supply</u>
Brenntag Southwest, Inc.	Liquid Sodium Hydroxide Caustic Soda 50%, Liquid Sodium Hydroxide Caustic Soda 25%, Aquapure 3673
Chameleon Industries Inc.	Liquid Aluminum Sulfate (ALUM), Catanionic Polymer
Penco, Inc.	Liquid Ammonium Sulfate (LAS), Hydrofluorosilicic Acid (Fluoride)
Polydyne, Inc.	Polymer for Wastewater Sludge Dewatering (Volute Press & Belt Press Systems)
PVS DX, Inc.	Liquid Chlorine
Shannon Chemical Corp.	Citric Acid 50%
TR Int'l Trading Co.	Food Grade Salt

Secondary Vendors

<u>Vendor Name</u>	<u>Chemical Supply</u>
PVS DX, Inc.	Liquid Sodium Hydroxide Caustic Soda 50%, Liquid Sodium Hydroxide Caustic Soda 25%
H&E USA Chemicals Corp.	Liquid Aluminum Sulfate (ALUM)
Chameleon Industries Inc.	Liquid Ammonium Sulfate (LAS)
Befour Chemicals, LLC.	Polymer for Wastewater Sludge Dewatering (Volute Press System)
Brenntag Southwest, Inc.	Liquid Chlorine
Siren Consulting	Citric Acid 50%
Morton Salt, Inc.	Food Grade Salt
Shannon Chemical Corp.	Aquapure 3673, Hydrofluorosilicic Acid (Fluoride)

Fiscal Impact: Bulk chemical supplies is an approved budget item in the Utilities Department's Operations and Maintenance budget. The contracts will be on a unit price basis and the quantity needed for the treatment of the water and wastewater. The annual expenditures for the chemical supplies will not exceed the annual approved budgeted funds.

(50)



Memorandum

To: Honorable Mayor and City Council

From: Kumar Gali, Senior Director of Utilities

Thru: Michael Scott, City Manager 

Date: September 16, 2024

Re: Consider Award of Construction Contract for the 2022 Water and Sanitary Sewer Replacement Project

Motion: "I move to award a construction contract with Day Services LLC in the amount of \$3,241,250 and an additional construction contingency in the amount of \$162,063 for the 2022 Water and Sanitary Sewer Replacement Project, and authorize the City Manager to execute all necessary documents."

Item Description: Consider the award of a construction contract with Day Services LLC in the amount of \$3,241,250 with an additional contingency of \$162,063, for a total of \$3,403,313.

Item Summary: This project is one of the approved Utility Department's FY 2022-2023 Capital Improvement Plan (CIP) projects. The project will replace water or sanitary sewer lines on various City streets. Improvements to the water and sanitary sewer lines are necessary due to age and condition of the lines as most of the water and sanitary sewer lines have exceeded or are approaching the end of their useful service life. The project's scope includes this replacement work in the following locations:

- N. Jackson Street – E. Parks Avenue to E. Marvin Avenue (Water)
- Sycamore Street - Grand Avenue to Cynisca Street (Water)
- Jim Street – E. Jefferson Street to Alley (Water)

(50)

- Chieftain Drive – Alley to Sagebrush Lane (Water)
- Pasley Street/Givens Street – Alley to W. Avenue C (Water)
- Coleman Street – Lancaster Street to Lake Park Ave (Water)
- Grace Street – McMillian Street to W. Parks Avenue (Sewer)
- W. Parks Avenue – N. Gibson Street to Ferris Avenue (Hwy 77) (Water)
- Patrick Street - Water Street to Textile Street (Water)
- Grace Street - McMillian Street to W. Parks Avenue (Sewer)
- W. Parks Avenue – N. Gibson Street to Ferris Avenue (Hwy 77) (Sewer)
- Mc Millan Street – Ferris Avenue (Hwy 77) to Grace Street (Sewer)
- Bryson Street - W. Parks Avenue to 310 feet north (Sewer)
- Wyatt Street – Railroad crossing (Sewer)

The 2022 Water and Sanitary Sewer Replacement Project will replace 9,445 linear feet of existing water lines and 2,624 linear feet of existing sanitary sewer lines with new Poly Vinyl Chloride (PVC) lines. Scope also includes installing all associated water and sanitary sewer appurtenances and pavement repairs associated with water and sanitary sewer lines replacement.

The City received a total of ten sealed bids and Day Services LLC was the lowest responsive bidder in the amount of \$3,241,250. Gresham Smith (Design Engineer) has reviewed the lowest bidder's qualifications, references, and recommends awarding the construction contract to Day Services LLC.

Public Works requested to add the pavement replacement of Chieftain Drive as Alternative 1 Bid. After review of the cost, Public Works staff does not recommend awarding Alternative 1 Bid with this contract, and will utilize a different contractor. Public Works will bring the pavement replacement of Chieftain Drive as a separate council action.

Fiscal Impact: This project is part of the approved 5-year CIP funded through the 2023 Water and Sanitary Sewer Fund bond sales and Water Fund. This project was originally budgeted for \$4,260,000. The construction contract amount of \$3,241,250 and additional \$162,063 contingency for a total of \$3,403,313 is within the budgeted amount.



Memorandum

To: Honorable Mayor and City Council
From: Kumar Gali, Senior Director of Utilities
Thru: Michael Scott, City Manager *WG*
Date: September 16, 2024
Re: Consider Change Order for Replacement of Brine Tank

Motion: "I move to approve a change order for Robert W. Sokoll Water Treatment Plant Tube Settlers and Sodium Hypochlorite Tanks Replacement Project with Schofield Civil Construction, Inc., in the amount of \$373,598 with an additional contingency of \$18,680 for the replacement of the Brine Tank and authorize the City Manager to execute all the necessary documents."

Item Description: Consider approval of a change order with Schofield Civil Construction, Inc. for the replacement of the Brine Tank.

Item Summary: The Robert W. Sokoll Water Treatment Plant's ("Sokoll") Brine Tank, a crucial component of the on-site sodium hypochlorite generation system has reached the end of the 15-year service life as recommended by the manufacturer. The Brine Tank is exhibiting significant wear and tear, necessitating its replacement.

Staff considers this an urgent need and recommends the approval of a change order to the current Sokoll Plant's Tube Settlers and Sodium Hypochlorite Tanks Replacement Project with Schofield Civil Construction to expedite the replacement of the Brine Tank.

The overall scope of the change order would be the installation of a new 40-ton Brine Tank and its associated appurtenances. Additionally, the change order

(5p)

covers the demolition of the existing brine tank and piping, as well as all necessary electrical connections to the panels.

Fiscal Impact: Replacement of the Brine Tank is an approved Utilities project. This project is funded through the FY2024 Sokoll Plant Operating and Maintenance budget and was originally budgeted at \$405,000. The change order with Schofield Civil Construction, Inc. is \$373,598 and city staff is requesting an additional \$18,680 contingency for a total cost of \$392,278.

(59)



Memorandum

To: Honorable Mayor and City Council
From: Kyle Cooper, Senior Director of Parks & Recreation
Thru: Michael Scott, City Manager
Date: September 16, 2024
Re: Consider Contract for Brush Grinding Services

Motion: "I move to approve the contract with GWG Wood Group, Inc. for brush grinding services at the Citizens Convenience Station, and authorize the City Manager to execute all necessary documents."

Item Description: Consider approving a contract with GWG Wood Group, Inc., for the customary brush grinding services at the Citizens Convenience Station. Upon execution, the initial term of the contract will be for two years with no price increase. The contract provides a cost per cubic yard for brushing grinding services in the amount of \$1.65 per cubic yard. This allows the flexibility to add additional brush grinding as needed if funds are available. After the initial two-year contract term, there is an option for three auto renewals for one-year terms, but all parties must mutually agree to any price escalation.

Item Summary: The Parks Department, in collaboration with the City's Purchasing Department, initiated a Request for Proposal (RFP) process to secure brush grinding services for the Citizens Convenience Station. The scope of work includes both the grinding of brush on-site and the regrinding of wood chips from previous services. The contract also allows mulch to be made available to Waxahachie residents at the Convenience Station, as it is currently. The City received three bid responses, and one "no bid" response from the RFP process. An internal review committee evaluated the responses from the bidders

(59)

and GWG Wood Group, Inc. received the highest evaluation rating and was determined to be the most qualified responsive bidder.

Fiscal Impact: Staff proposes two brush grinding sessions over the next year at a total estimated cost of \$75,000. The contract is funded from the Refuse Service Fund and there is adequate capacity to cover the cost of the contract.

(hr)



Memorandum

To: Honorable Mayor and City Council
From: Dale Sigler, Director of Administrative Services
Thru: Michael Scott, City Manager
Date: September 16, 2024
Re: Consider Construction Contract for the Relocating of the City Hall Building Generator to the Charles Beatty Municipal Services Building

Recommended Motion: "I move to approve the construction contract with Carlisle Power Systems, Inc. in the amount of \$80,080.46 for the relocating of the building generator located at City Hall to the Charles Beatty Municipal Services Building and authorize the City Manager to execute all documents as necessary."

Item Description: Consider approval of a construction contract with Carlisle Power Systems, LLC. for the relocating of the standby building generator located at 401 South Rogers Street, City Hall, to the 408 South Rogers Street, Charles Beatty Municipal Services Building.

Item Summary: City Hall houses the core of the city's information technology (IT) infrastructure. The area of the building the IT infrastructure is located will be demolished as part of the City Hall Project. This will require all the equipment to be moved. After much consideration, staff believes permanently moving the IT infrastructure to the Charles Beatty Building makes the most sense. The Charles Beatty Building has a main distribution frame (MDF) that will accommodate the equipment. This will eliminate having to move the equipment multiple times and working the project around the needs of the equipment including keeping it protected, secure, powered and climate controlled throughout the entire project.

(5r)

With that said, the Charles Beatty Building does not have a generator. A generator is necessary to ensure the IT infrastructure has uninterrupted operations, prevent damage to sensitive equipment, and maintain safety and security standards and regulations during power outages. Instead of buying a new generator, staff proposes moving the generator from City Hall to the Charles Beatty Building. The City Hall generator would have required being moved anyway as a result of the new City Hall renovation plans.

The generator at City Hall was examined by professionals and is believed to have several more years of use before it will need to be replaced. With the IT Infrastructure being moved to Charles Beatty Building, City Hall will not need a generator in the future.

The generator will be relocated in the northwest parking lot area near the back of the Charles Beatty Building. The generator will be enclosed with a fence and have landscaping around it.

We issued a request for proposal for the project. We received three (3) bids for the project. Carlisle Power Systems, Inc., met all the qualifications and came in as the lowest bid at \$80,080.46.

Fiscal Impact: The cost of the project is \$80,080.46 and will be funded out of the approved FY 2024 Budget.

(7)

PROCLAMATION

WHEREAS, it is the privilege and duty of the American people to commemorate the two hundred and thirty-fourth anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17th through 23rd as Constitution Week;

NOW THEREFORE, I, Billie Wallace, Mayor of the City of Waxahachie, along with the entire City Council, do hereby proclaim September 17-23, 2024 as

"CONSTITUTION WEEK"

and urge all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

Proclaimed this 16th day of September, 2024.

MAYOR

ATTEST:

CITY SECRETARY

(8+9)



Memorandum

To: Honorable Mayor and City Council

From: Jennifer Pruitt, Senior Director of Planning

Thru: Michael Scott, City Manager 

Date: September 4, 2024

Re: ZDC-139-2024 – Convenience Store with Gasoline Sales (7-Eleven)

On September 4, 2024, the applicant requested to continue this application from the September 10, 2024, Planning and Zoning and the September 16, 2024, City Council meeting to the October 15, 2024, Planning and Zoning Commission meeting, and the October 21, 2024, City Council meeting, to evaluate the public comments and meet with neighboring properties.

(10+11)



Memorandum

To: Honorable Mayor and City Council

From: Jennifer Pruitt, Senior Director of Planning

Thru: Michael Scott, City Manager *[Signature]*

Date: September 4, 2024

Re: ZDC-180-2023 – Accessory Structures 1,000+ square feet

On September 3, 2024, at the request of staff, due to a noticing error; the applicant has requested to continue this application from the September 10, 2024, Planning and Zoning and the September 16, 2024, City Council meeting to the October 15, 2024, Planning and Zoning Commission meeting, and the October 21, 2024, City Council meeting.

(12)



Memorandum

To: Honorable Mayor and City Council
From: Justin Stoker, P.E., CFM, Director of Public Works & Engineering
Thru: Michael Scott, City Manager
Date: September 16, 2024
Re: Consider an Amendment to the City of Waxahachie Code of Ordinances Regarding Timing of Public Improvements

Recommended Motion: "I move to approve ZTA-175-2024, a request by the City of Waxahachie for an Amendment to the City of Waxahachie Code of Ordinances, Appendix C, Section 2.4 (c.) 25 (vi) k. Timing of Public Improvements, authorizing the Mayor to execute all necessary documents."

Item Description: Consider an Amendment to the City of Waxahachie Code of Ordinances Regarding the Timing of Public Improvements.

Item Summary: Current City ordinances are unclear regarding the point in which permitted and platted projects have vested rights for public infrastructure such as streets, drainage, water, and wastewater capacity. There is also a lack of clarity regarding how long permitted engineering projects are considered valid for construction. This has become an issue due to the changing conditions over the years given the fast growth we are experiencing.

Many engineering permit applications have become inactive during the review process and after the plans have been deemed acceptable. This led to a large list of old dormant applications where the city is holding vested rights to infrastructure of projects that have not progressed towards construction or filing of the plat.

(12)

The proposed revision to the Subdivision Ordinance will:

1. Meet state law regarding property owner's vested rights to public infrastructure;
2. Clarify that if the plat expires, then vested rights to infrastructure also expire; and
3. Add language that would close engineering permit applications that have been dormant for over six months without any progress towards completion.

Fiscal Impact: None.

Planning & Zoning Department

Zoning Staff Report



Case: ZTA-175-2024 Subdivision Text Amendment

MEETING DATE(S)

Planning & Zoning Commission

September 10, 2024

City Council:

September 16, 2024

CAPTION

Public Hearing on a request by the City of Waxahachie for an Amendment to the City of Waxahachie Code of Ordinances, Appendix C, Section 2.4 (c.) 25 (vi) k. Timing of Public Improvements, adding language related to timing of public improvements (ZTA-175-2024).

RECOMMENDED MOTION

"I move to approve ZTA-175-2024, a request by the City of Waxahachie for an Amendment to the City of Waxahachie Code of Ordinances, Appendix C, Section 2.4 (c.) 25 (vi) k. Timing of Public Improvements, authorizing the Mayor to sign the associated documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on September 10, 2024, the Commission voted 6-0 to recommend approval of case number ZTA-175-2024.

STAFF ANALYSIS

The City of Waxahachie seeks to add clarifying language regarding vested rights to the City's infrastructure capacity, clarify the length of time that engineering permits remain valid, and close inactive permit applications that are not progressing toward completion.

Background: Current City ordinances are unclear regarding the point in which permitted and platted projects are vested into the street, drainage, water, and wastewater capacity of City infrastructure. There is also a lack of clarity regarding how long permitted engineering projects are considered valid for construction.

Additionally, many engineering permit applications have been made that have become inactive without reaching completion. After receiving the application, staff members reviewed it and responded with comments and additional requirements. Following the response, the applicant has failed to remain engaged with the application. This has led to a list of project applications, many of which are several years old, that are dormant and not progressing toward completion.

Staff Review: Additional language is proposed that clarifies that rights to City infrastructure are made with the approval of the plat. It further clarifies that if the plat expires, then vested rights to infrastructure also expire. Finally, it adds language that would close permit applications that have been dormant for over six months without any progress toward completion.

PUBLIC NOTIFICATIONS

As a courtesy, the City published notice of the public hearings for the Text Amendment in the Waxahachie Sun. The Texas Local Government Code (Section 212.002) does not require the City to mail notice of the public hearing to each property owner in the City of Waxahachie.

RECOMMENDATION

The Public Works & Engineering Department recommends approval of ZTA-175-2024, a request by the City of Waxahachie for an Amendment to the City of Waxahachie Code of Ordinances, Appendix C, Section 2.4 (c.) 25 (vi) k. Timing of Public Improvements, adding language related to timing of public improvements (ZTA-175-2024).

ATTACHED EXHIBITS

1. ZTA-175-2024 – Proposed Ordinance

STAFF CONTACT INFORMATION

Prepared by:

Justin Stoker, PE, CFM, LEED-AP

Senior Director of Public Works and Engineering

justin.stoker@waxahachie.com

(13)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING SUBSECTION (k), "TIMING OF PUBLIC IMPROVEMENTS," OF SECTION 2.4, "PLATS (INFORMATION AND FORMAT REQUIREMENTS)," OF APPENDIX C, "SUBDIVISIONS," TO THE CITY'S CODE OF ORDINANCES BY ADDING NEW SUBPARTS (3) THROUGH (5) RELATIVE TO THE EXPIRATION OF DORMANT ENGINEERING PERMITS AND PLANS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, Chapter 245 of the Texas Local Government Code provides, in part, procedures for adopting an expiration date for permits if no progress on a project, as defined therein, has been made; and

WHEREAS, the City of Waxahachie, Texas ("City"), has issued permits for public infrastructure for projects that have not seen any progress towards completion; and

WHEREAS, the City has received engineering permit applications for projects that are not progressing toward completion; and

WHEREAS, in such instances, projects may lie dormant for months with no discernible progress, and in such events, engineering plans may require modifications or adjustments after such long periods of time with no discernible progress; and

WHEREAS, the City Council of the City has determined that the adoption of this Ordinance is in the best interests of the citizens of the City and will promote the public health, safety and general welfare; and

WHEREAS, the City Council, on behalf of Waxahachie and its citizens, further has determined that this Ordinance will promote the orderly, safe and efficient growth of the City and the City's extraterritorial jurisdiction.

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

SECTION 1. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. From and after the effective date of this Ordinance, Subsection (k), "Timing of Public Improvements," of Section 2.4, "Plats (Information and Format Requirements)," of Appendix C, "Subdivisions," to the City's Code of Ordinances is hereby amended to read as follows:

“Section 2.4: Plats (Information and Format Requirements).

* * *

(k) Timing of Public Improvements.

* * *

- 3. No entitlement to public improvements, including capacity within the City street, drainage, water or wastewater utility systems, is granted until the plat is approved.
- 4. If the City Council does not defer the construction of public improvements and the plat expires, as described in (k)(1), above, then any entitlements to public improvements, including capacity within the City street, drainage, water or wastewater utility systems, likewise expires with the plat.
- 5. Any application for engineering review of public or private improvements that is dormant for six (6) months following the date of the City’s response will be closed and require a reapplication for review. At the sole discretion of the Director of Public Works and Engineering, the reapplication fee may be waived if improvement plans and existing site conditions are substantially similar to those in the original plan.”

SECTION 3. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 4. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. Any person, firm or corporation violating any of the provisions or terms of this Ordinance or of the Code of Ordinances as amended hereby, shall be subject to a fine not to exceed the sum stipulated in Section I.14 of the Subdivision Ordinance.

SECTION 6. This Ordinance shall take effect immediately from and after its passage and publication of the caption as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS this ____ day of September, 2024.

(13)

The City of Waxahachie, Texas

Billie Wallace, Mayor

ATTEST:

Amber Villarreal, City Secretary

APPROVED AS TO FORM:

Terrence S. Welch, City Attorney

(14)

Planning & Zoning Department
Zoning Staff Report



Case: ZDC-170-2024

MEETING DATE(S)

Planning & Zoning Commission: September 10, 2024
City Council: September 16, 2024

CAPTION

Public Hearing on a request by Demi Oyerokun for a **Specific Use Permit (SUP)** for a **Minor Auto Repair Shop** use within a General Retail (GR) zoning district located at 1011 North US Highway 77 (property ID 173186) – Owner: Marline Six, LLC (ZDC-170-2024) Staff: Harper Lindamood

RECOMMENDED MOTION

"I move to deny ZDC-170-2024, a Specific Use Permit (SUP) for a Minor Auto Repair Shop use at 1011 North US Highway 77, (property ID 173186)."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on September 10, 2024, the Commission voted 6-0 to recommend *denial* of case number ZDC-162-2024.

APPLICANT REQUEST

The applicant requests approval of a SUP to allow for an Auto Repair, Minor or Automotive Care Center use at 1011 North US Highway 77.

CASE INFORMATION

Applicant: Demi Oyerokun, Glass Doctor Auto
Property Owner(s): Marline Six, LLC
Site Acreage: 2.969 acres
Current Zoning: PD-13-GR
Requested Zoning: Auto Repair, Minor or Automotive Care Center

SUBJECT PROPERTY

General Location: 1011 North US Highway 77
Parcel ID Number(s): 173186
Existing Use: Auto Repair, Minor or Automotive Care Center

Development History:

The subject property was platted in October 2000 as Lot 3A, Block 1 of the Eason Properties II Addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-GR	General Retail
East	PD-GR	General Retail
South	PD-GR	General Retail
West	PD-MF	Planned Development

Future Land Use Plan:

Local Commercial

Comprehensive Plan:

The local commercial placetype includes areas for restaurants, shops, grocery stores, offices and personal service establishments. This placetype was incorporated to preserve the City's commercial corridors. Where appropriate, local commercial uses should be located at the intersection or frontage of major thoroughfares (60 feet or greater). The intensity of this placetype falls between neighborhood scale commercial and regional commercial. Local commercial will consist of a single or cluster of standalone office, retail or commercial buildings with an anchor. Local commercial uses should be interconnected with sidewalks to increase walkability. In addition, a shared open space comprised of a plaza or park is encouraged for multi-pad site developments

Thoroughfare Plan:

The subject property is accessible via North US Highway 77.

Site Image:



PLANNING ANALYSIS

The Applicant requests a Specific Use Permit for an Auto Repair, Minor or Automotive Center use (Glass Doctor Auto). The business has been operating on-site as an Auto Repair, Minor, or Automotive Center use since 2022 without an approved certificate of occupancy (CO) for repairs on-site. The applicant submitted a Certificate of Occupancy request on May 15, 2024, for an Auto Repair, Minor or Automotive Center use. Per the City of Waxahachie Zoning Ordinance, the use of an Auto Repair, Minor or Automotive Center, requires a Specific Use Permit to be approved by the City Council within the General Retail (GR) zoning district.

Glass Doctor Auto is a specialized service provider offering professional auto window repair, replacement, and various minor automotive repairs to car windows. All of the repairs take place at their client's locations or within the Glass Doctors interior suite 109 if the subject Specific Use permit is approved.

CASE HISTORY

The applicant submitted a previous zoning case, ZDC-124-2024, for an Auto Repair, Minor, or Automotive Center use on June 14, 2024. On July 23, 2024, the Planning & Zoning Commission recommended approval. However, on August 5, 2024, the City Council denied the SUP request. As a result of the City Council denial, on August 5, 2024, the applicant requested a new CO application for "**office use only**" on-site, which was approved by city staff on August 19, 2024.

On September 10, 2024, the Glass Doctors operator contacted city staff and confirmed they are no longer operating the business at the subject property and have re-located a new location in which an SUP approval is not required to operate.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 19 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property. Staff has received two (2) letters of opposition, and zero (0) letters of support for the proposed SUP.

STAFF CONCERNS

1. Parking will be required only for employees not repairs.
2. This Zoning case request has been before the Planning & Zoning Commission and City Council multiple times in the past few months. Neither the applicant nor the business owner has been in attendance for **any** of the public hearings to address this issue and receive any feedback or questions accordingly from the Commission or the Council.
3. Lack of payment of the required SUP application fee of \$529.69.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends denial of the SUP request.

Note: A favorable vote of three-fourths (¾) of all members, which equates to four (4) of the five (5) members, of the City Council is also required for any zoning request that was recommended for denial by the Planning and Zoning Commission. (Sec. 2.04, City of Waxahachie Zoning Ordinance)

If City Council chooses to recommend approval of the SUP request, staff recommends the following conditions:

1. Applicant shall pay the SUP application fee of \$529.69
2. At no time shall vehicles be stored or worked on in the on-site parking areas.
3. The Minor Auto Repair Shop use can only operate in Suite 109, and cannot expand beyond the existing footprint (2048 square feet) without amending the zoning on the subject property.
4. All exterior signage shall require a sign permit from the Building Department.
5. Permission to operate a Minor Auto Repair Shop use is granted only to Demi Oyerokun, Glass Doctor Auto.
6. Approval to operate a Minor Auto Repair use at this location will not transfer to another Minor Auto Repair shop establishment or owner of Glass Doctor Auto.
7. A new CO request is required to allow full operation of Auto Repair, Minor or Automotive Center use on site.

ATTACHED EXHIBITS

1. Public Notification Responses
2. SUP Ordinance
3. Location Map (Exhibit A)
4. Floor plan (Exhibit B)
5. Site plan (Exhibit C)

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

(14)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-170-2024

RECEIVED AUG 29 2024

FABULA JOCELYN L
115 ALAMO ST
WAXAHACHIE, TX 75165-1310

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 10, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 16, 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 Demi Oyerokun for a Specific Use Permit (SUP) for a Minor Auto Repair Shop use within a General Retail (GR) zoning district located at 1011 North US Highway 77 (property ID 173186) – Owner: Marline Six, LLC (ZDC-170-2024) Staff: Harper Lindamood

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

Case Number: ZDC-170-2024

City Reference: 174876

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *September 4, 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:

It will add more traffic to Highway 77, traffic is already bad here. And, will add more noise and its already noisy!!!

[Handwritten Signature]
Signature

08-26-24
Date

JOCELYN THOMPSON
Printed Name and Title

115 ALAMO ST.
Address

OWNER OF THE ABOVE PROPERTY
115 ALAMO ST.

WAXAHACHIE, TX
75165

(14)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-170-2024

RECEIVED SEP 03 2024

MC CUTCHEN JOHN MELVIN
105 ALAMO ST
WAXAHACHIE, TX 75165-1310

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 10, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 16, 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 Demi Oyerokun for a Specific Use Permit (SUP) for a Minor Auto Repair Shop use within a General Retail (GR) zoning district located at 1011 North US Highway 77 (property ID 173186) – Owner: Marline Six, LLC (ZDC-170-2024) Staff: Harper Lindamood

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

Case Number: ZDC-170-2024

City Reference: 174871

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on September 4, 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:

To new residential neighborhood.

John M. McCutchen
Signature

8/30/2024
Date

John M. McCutchen
Printed Name and Title

105 Alamo
Waxahachie Texas
75165
Address

(15)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN AUTO REPAIR, MINOR OR AUTOMOTIVE CARE CENTER USE WITHIN A PLANNED DEVELOPMENT-13-GENERAL RETAIL (PD-13-GR) ZONING DISTRICT, LOCATED 1011 N US HWY 77, SUITE 109, BEING PROPERTY ID 173186, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING A PORTION OF LOT 3A, BLOCK 1 OF THE EASON PROPERTIES II ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, the described property is classified in said ordinance and any amendments thereto as C; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-170-2024. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from PD-13-GR to PD-13-GR, with a SUP in order to permit an Auto Repair, Minor or Automotive Care Center use on the following property: a portion of Lot 3A, Block 1 of the Eason Properties II Addition, which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit B, and Floor Plan attached as Exhibit C.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and Zoning Ordinance.

(15)

Specific Use Permit

FOR OPERATION OF AUTO REPAIR, MINOR OR AUTOMOTIVE CARE CENTER USE CENTER USE WITHIN A PLANNED DEVELOPMENT-13-GENERAL RETAIL (PD-13-GR) ZONING DISTRICT the following standards and conditions are hereby established as part of this ordinance:

1. The development shall conform as approved by the City Council under case number ZDC-170-2024.
2. The development shall adhere to the City Council approved in Exhibit A- Location Map, Exhibit B – Site Plan, and Exhibit C – Floor Plan.
3. At no time shall vehicles be stored or worked on in the on-site parking areas.
4. The Minor Auto Repair Shop use can only operate in Suite 109, and cannot expand beyond the existing footprint (2048 square feet) without amending the zoning on the subject property.
5. Permission to operate an Auto Repair, Minor or Automotive Care Center use is granted only to Demi Oyerokun, Glass Doctor Auto. Approval to operate a Minor Auto Repair use at this location will not transfer to another Auto Repair, Minor or Automotive Care Center establishment or owner of Glass Doctor Auto.
6. 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.
7. 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.
8. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance (Ordinance No. TBD) shall conform to those requirements and/or standards prescribed in Exhibit B – Site Plan and Exhibit C - Floor Plan. Where regulations are not specified in Exhibits B, C, or this Zoning Ordinance (Ordinance No. TBD), the regulations of the Planned Development-13-General Retail (PD-13-GR) zoning district of the City of Waxahachie Zoning Ordinance shall apply to this development.
9. City Council shall have the right to review the Specific Use Permit at any point, if needed.

(15)

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or cease to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to re-establish the use.
3. This Specific Use Permit shall run with the tenant and therefore shall not be transferred from tenant to tenant. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

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

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

PASSED, APPROVED AND ADOPTED on this 16th day of September, 2024.

MAYOR

ATTEST:

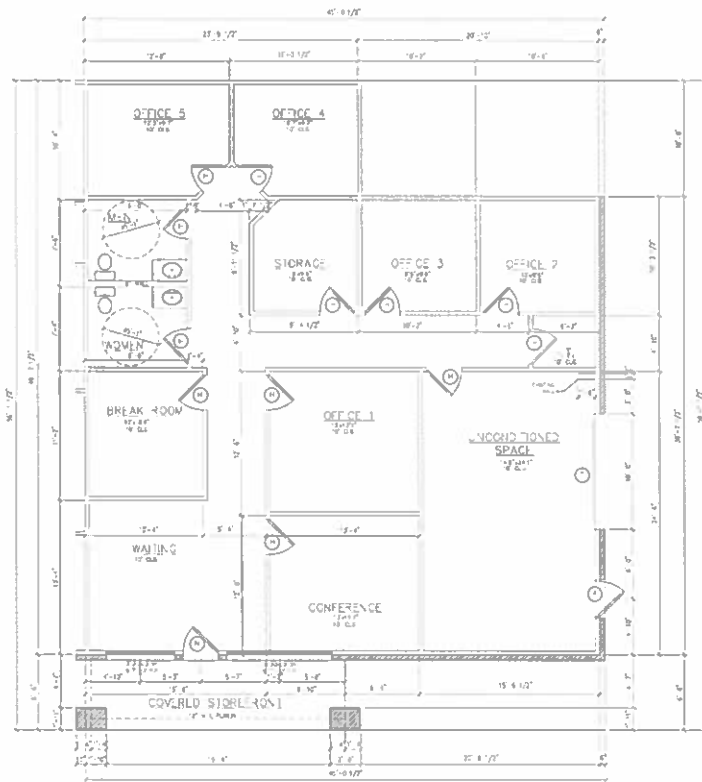
City Secretary



(15)

EXHIBIT B - FLOOR PLAN

DOOR SCHEDULE	
DOOR MARK	REMARKS
7-0"	
⊙ 14/70	NT
⊙ 20/70	NT
⊙ 20/70	NT SH
⊙ 28/70	NT
⊙ 24/70	NT
⊙ 20/70	NT
⊙ 12/70	NT
⊙ 20/70	NT
⊙ 20/70	NT SH
⊙ 20/70	5x7 FRAME
⊙ 20/70	6x7 DR
⊙ 20/70	6x7 S.C.
⊙ 20/70	6x7 FULL LT
⊙ 20/70	6x7 S.C.
⊙ 20/70	6x7 DR
⊙ 14/70	NT
⊙ 20/70	0"
⊙ 20/70	0"



AREA	SQ. FT.
FIRST FLOOR	1655
UNCONDITIONED SPACE	393
TOTAL	2048
COVERED STORE-FRONT	143
WIDTH	45' 0 1/2"
DEPTH	56' 1 1/2"

1ST FLOOR PLAN
SCALE 1/8" = 1'-0"

ANGEL HARRIS
WANDA HUBB
CYBARRETTAL
PRINTED DATE:
08-25-19 10:55:19 AM MS-DOS

DRAWN BY:
McLaughlin
ARCHITECTS & ENGINEERS

FLOOR PLAN

PAGE 1

(16)

Planning & Zoning Department
Zoning Staff Report

Case: ZDC-159-2024



MEETING DATE(S)

Planning & Zoning Commission: September 10, 2024
City Council: September 16, 2024

CAPTION

Public Hearing on a request by Karla Marroquin for a **Specific Use Permit (SUP)** for an **Accessory structure exceeding one thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures** use within a **Planned Development - Single Family-1 (PD-SF-1)** zoning district located at 100 Dollar Court property ID 174535) – Owner: Karla Marroquin (ZDC-159-2024) Staff: Harper Lindamood

RECOMMENDED MOTION

"I move to approve of ZDC-159-2024, Specific Use Permit (SUP) for an Accessory Structure exceeding one thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures use within a Single Family-1(SF-1) zoning district, subject to the conditions the staff report, authorizing the Mayor and/or City Manager to sign the associated documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on September 10, 2024, the Commission voted 5-1 to recommend approval of case number ZDC-159-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The applicant requests approval of a Specific Use Permit (SUP) for an accessory structure exceeding one thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures.

CASE INFORMATION

Applicant: Karla Marroquin
Property Owner(s): Karla Marroquin
Site Acreage: 1 acre
Current Zoning: Planned Development - Single Family-1 (PD-SF-1)
Requested Zoning: PD-SF-1 with a SUP for an accessory structure exceeding one thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures.

(16)

SUBJECT PROPERTY

General Location: 100 Dollar Court

Parcel ID Number(s): 174535

Existing Use: Single-family residential

Development History: The subject property was platted as Lot 14 of the Lake North Subdivision

Future Land Use Plan: Residential Neighborhood & Rural Estate

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

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

Thoroughfare Plan: The subject property is accessible via Dollar Court and Old Italy Road.

Site Image:



PLANNING ANALYSIS

The applicant is requesting a Specific Use Permit (SUP) to construct an accessory structure that exceeds one thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures at 100 Dollar Court. One of the existing accessory structures is being utilized as a carport and is approximately 1,200 square feet. The second existing accessory structure is being utilized as a greenhouse of approximately 644 square feet; therefore, the total square footage of existing and proposed accessory structures exceeds 1,000 square feet and requires a SUP to be approved by City Council.

Proposed Use:

According to the Ellis County Appraisal District, the existing primary structure is approximately 1,279 square feet, and the proposed accessory structure is approximately 384 square feet. The accessory structure is comprised of metal panels and is proposed to be used for the storage of household goods and equipment. The applicant has noted that the structure will not be used to store cars or heavy machinery, and will not have any plumbing and electrical work done. The applicant has also confirmed to staff that the structure will not be used as a dwelling or short-term rental and will not be metered, sold, or leased separately from the existing primary structure.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, eight (8) notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PUBLIC NOTIFICATION RESPONSES

Staff received four (4) letters of support and zero (0) letters of opposition for the proposed SUP.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the SUP accessory structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures request subject to the conditions noted below.

Conditions:

1. The accessory structure shall not be used as an accessory dwelling or Short-Term Rental without a Specific Use Permit approved by City Council.
2. The accessory structure shall not be used for commercial purposes.
3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to the construction of the accessory structure.

(16)

ATTACHED EXHIBITS

1. Public Notification Responses
2. SUP Ordinance
3. Location Map (Exhibit A)
4. Survey (Exhibit B)
5. Proposed Structure (Exhibit C)

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

(116)



CITY OF WAXAHACHIE, TEXAS
Notice of Public Hearing
Case Number: ZDC-159-2024

JENKINS KENNETH B & KAREN N
2710 OLD ITALY RD
WAXAHACHIE, TX 75165-4239

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 10, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 16, 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 Karla Marroquin for a Specific Use Permit (SUP) for an Accessory Structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures use within a Planned Development - Single Family-1 (PD-SF-1) zoning district located at 100 Dollar Court property ID 174535) – Owner: Karla Marroquin (ZDC-159-2024) Staff: Harper Lindamood

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

Case Number: ZDC-159-2024

City Reference: 174737

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on September 4, 2024 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT OPPOSE

Comments: I have no issues with this structure.

Kent B. Jenkins
Signature

8/30/24
Date

Kenneth B. Jenkins
Printed Name and Title

2710 Old Italy Rd Waxahachie Tx
Address 75165

(16)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-159-2024

DOLLAR GERALD & JANE
108 CLEMSON CT
WAXAHACHIE, TX 75165-1721

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 10, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 16, 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 Karla Marroquin for a Specific Use Permit (SUP) for an Accessory Structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures use within a Planned Development - Single Family-1 (PD-SF-1) zoning district located at 100 Dollar Court property ID 174535) – Owner: Karla Marroquin (ZDC-159-2024) Staff: Harper Lindamood

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

Case Number: ZDC-159-2024

City Reference: 174538

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *September 4, 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:

Gerald Dollar

Signature

9-3-2024

Date

Gerald Dollar

Printed Name and Title

101 Dollar Ct.

Address

(16)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-159-2024

DOLLAR KENNETH W
PO BOX 427
WAXAHACHIE, TX 75168-0427

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 10, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 16, 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 Karla Marroquin for a Specific Use Permit (SUP) for an Accessory Structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures use within a Planned Development - Single Family-1 (PD-SF-1) zoning district located at 100 Dollar Court property ID 174535) – Owner: Karla Marroquin (ZDC-159-2024) Staff: Harper Lindamood

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

Case Number: ZDC-159-2024

City Reference: 174533

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *September 4, 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:

Kenneth Dollar
Signature

9-3-24
Date

KENNETH DOLLAR
Printed Name and Title

103 DOLLAR CT
Address

(16)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-159-2024

DOLLAR KENNETH W
PO BOX 427
WAXAHACHIE, TX 75168-0427

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 10, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 16, 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 Karla Marroquin for a Specific Use Permit (SUP) for an Accessory Structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures use within a Planned Development - Single Family-1 (PD-SF-1) zoning district located at 100 Dollar Court property ID 174535) – Owner: Karla Marroquin (ZDC-159-2024) Staff: Harper Lindamood

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

Case Number: ZDC-159-2024

City Reference: 174539

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *September 4, 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:

Kenneth Dollar
Signature

9-3-24
Date

KENNETH DOLLAR
Printed Name and Title

106 DOLLAR CT
Address

(17)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE EXCEEDING ONE-THOUSAND (1,000) SQUARE FEET IN COMBINED FLOOR AREA FOR MORE THAN TWO (2) EXISTING ACCESSORY STRUCTURES USE WITHIN A PLANNED DEVELOPMENT-SINGLE FAMILY-1 (PD-SF-1) ZONING DISTRICT, LOCATED AT 100 DOLLAR COURT, BEING PROPERTY ID 174535, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 14 OF THE LAKE NORTH SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, the described property is classified in said ordinance and any amendments thereto as PD-SF-1; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-159-2024. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from PD-SF-1 to PD-SF-1, with a SUP in order to permit an Accessory Structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures use on the following property: Lot 14 of the Lake North subdivision, which is shown on Exhibit A, in accordance with the Survey attached as Exhibit B, and the Proposed Structure attached as Exhibit C.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and Zoning Ordinance.

Specific Use Permit

FOR THE OPERATION OF A SPECIFIC USE PERMIT FOR AN ACCESSORY STRUCTURE EXCEEDING ONE-THOUSAND (1,000) SQUARE FEET IN COMBINED FLOOR AREA FOR MORE THAN TWO (2) EXISTING ACCESSORY STRUCTURES USE IN A PLANNED DEVELOPMENT-SINGLE-FAMILY-1 (PD-SF-1) ZONING DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The accessory structure shall not be used as an accessory dwelling or Short-Term Rental without a Specific Use Permit approved by City Council.
2. The accessory structure shall not be used for commercial purposes.
3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The property owner shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory structure.
5. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Survey, and Exhibit C – Proposed Structure.
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. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance as approved by City Council, shall conform to those requirements and/or standards prescribed in Exhibits B – Survey, and Exhibit C – Proposed Structure. Where regulations are not specified in Exhibits B, C, or this Zoning Ordinance, the regulations of the Single Family-1 (SF-1) Zoning District and the City of Waxahachie Zoning Ordinance shall apply to this development.
8. City Council shall have the right to review the Specific Use Permit at any point, if needed.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business of 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 for a period exceeding six (6) months, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

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

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

PASSED, APPROVED AND ADOPTED on this 16th day of September, 2024.

MAYOR

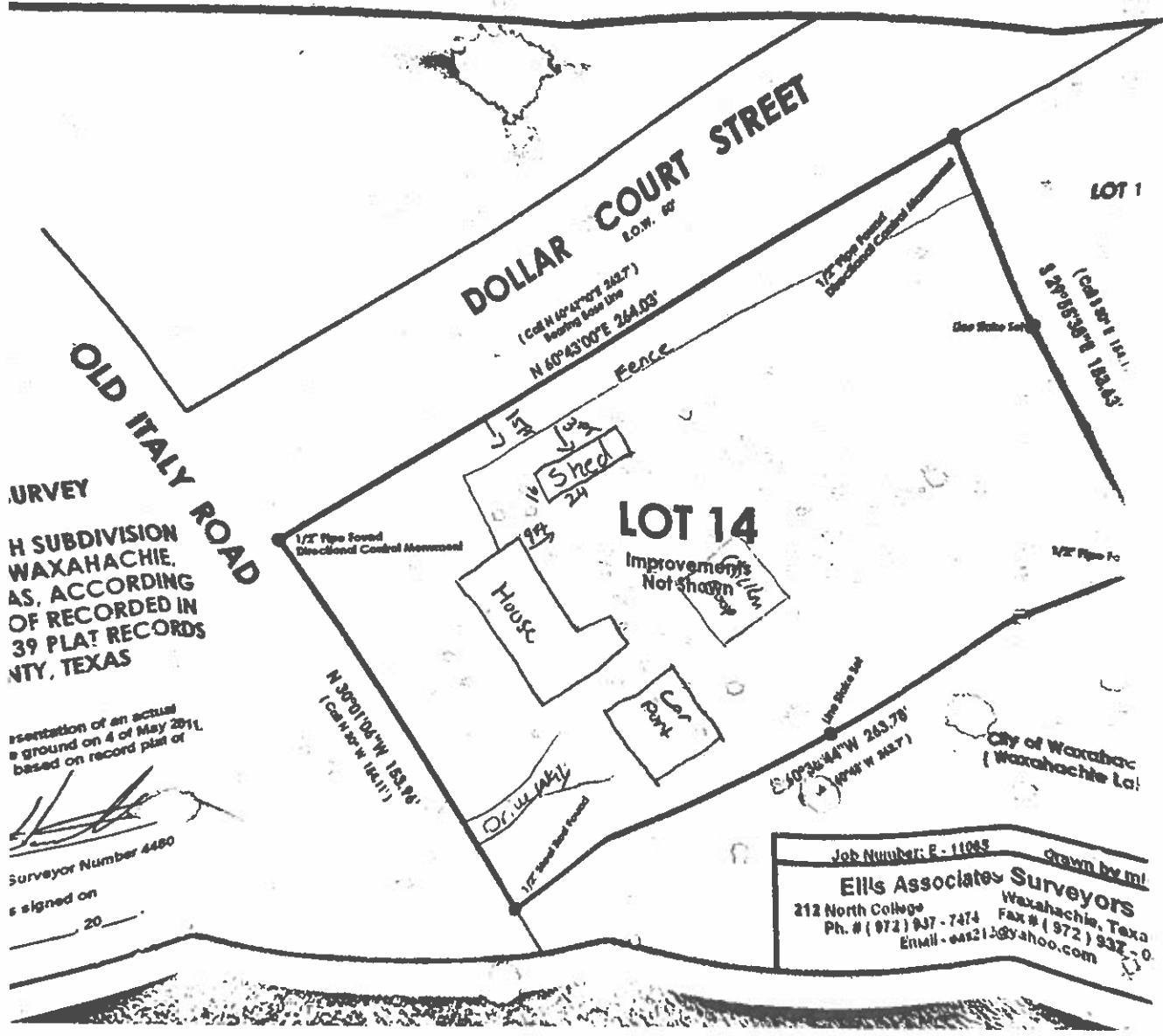
ATTEST:

City Secretary

(17)

LOCATION MAP (EXHIBIT A)





SURVEY
H SUBDIVISION
WAXAHACHIE,
AS, ACCORDING
OF RECORDED IN
39 PLAT RECORDS
NTY, TEXAS

Representation of an actual
 ground on 4 of May 2011,
 based on record plat of

[Signature]

Surveyor Number 4480
 signed on

20

Job Number: E-11085
 drawn by ml
Ellis Associates Surveyors
 212 North College
 Waxahachie, Texas
 Ph. # (972) 937-7474 Fax # (972) 937-0
 Email - eas21@yahoo.com

City of Waxahachie
 (Waxahachie Lot)



1-Way Storage
3714 S Hwy 287
Waxahachie, Texas
Portable buildings
Metal Structures
Carpentry
Susan Loftis
972-923-9797
972-351-1099

16x24 Side Utility



1719864511206703



Perspective



Front



Back



Right



Left



Perspective Interior

Planning & Zoning Department

Zoning Staff Report



Case: ZDC-162-2024

MEETING DATE(S)

Planning & Zoning Commission: September 10, 2024
City Council: September 16, 2024

CAPTION

Public Hearing on a request by Shelly Hines for a Specific Use Permit (SUP) for an Accessory Structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures use within a Single Family-1(SF-1) zoning district located at 2385 Marshall Road, Property ID 203842) – Owner: Mogarosh Legacy Trust (ZDC-162-2024) Staff: Harper Lindamood

RECOMMENDED MOTION

"I move to approve of ZDC-162-2024, Specific Use Permit (SUP) for an Accessory Structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures use within a Single Family-1(SF-1) zoning district, subject to the conditions the staff report, authorizing the Mayor and/or City Manager to sign the associated documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on September 10, 2024, the Commission voted 6-0 to recommend approval of case number ZDC-162-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The applicant requests approval of a Specific Use Permit (SUP) for an unenclosed Accessory Structure exceeding one thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures.

CASE INFORMATION

Applicant: Shelly Hines
Property Owner(s): Mogarosh Legacy Trust
Site Acreage: 7.24 acre
Current Zoning: Single Family-1 (SF-1)
Requested Zoning: Single Family-1 (SF-1) with a SUP for an accessory structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures.

SUBJECT PROPERTY

General Location: 2385 Marshall Road

Parcel ID Number(s): 203842

Existing Use: Single family residential

Development History: The subject property was platted as Lot 4 of the Marshall Road Estates.

Future Land Use Plan: Rural Estate & Residential Neighborhood

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

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

Thoroughfare Plan: The subject property is accessible via Marshal Road.

Site Image:



PLANNING ANALYSIS

The applicant is requesting a Specific Use Permit (SUP) to construct an accessory structure in which exceeds one thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures at 2385 Marshall Road. One of the existing accessory structures is being utilized as a barn and is approximately 7,508 square feet. The second existing accessory structure is being utilized as a shed of approximately 1,014 square feet; therefore, the total square footage of existing and proposed accessory structures exceeds 1,000 square feet and requires a SUP to be approved by City Council.

Proposed Use:

According to the Ellis County Appraisal District, the existing primary structure is approximately 3,470 square feet, and the proposed unenclosed accessory structure is approximately 594 square feet. The proposed accessory structure is comprised of wood, fire rock and austin brick for the outdoor kitchen structure. There will be new plumbing and electrical work to be done for the outdoor kitchen.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, six (6) notices were mailed to property owners within 200 feet of the request. Applicant has only received zero (0) letters of opposition, and one (1) letter of support. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the SUP accessory structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures request subject to the conditions noted below.

Conditions:

1. The accessory structure shall not be used as an accessory dwelling or Short-Term Rental without a Specific Use Permit approved by City Council.
2. The accessory structure shall not be used for commercial purposes.
3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The property owner shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory structure.

ATTACHED EXHIBITS

1. Public Notification Responses
2. SUP Ordinance
3. Location Map (Exhibit A)
4. Site Plan (Exhibit B)
5. Elevations & Plans (Exhibit C)

STAFF CONTACT INFORMATION

Prepared by:
 Harper Lindamood
 Planner
Harper.lindamood@waxahachie.com

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



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-162-2024

ROWAN JOHN E & MARSHA L
2341 MARSHALL RD
WAXAHACHIE, TX 75167-9409

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 10, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 16, 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 Shelly Hines for a Specific Use Permit (SUP) for an Accessory Structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structure use within a Single Family-one (SF-1) zoning district located at 2385 Marshall Road, property ID 203842) – Owner: Shelly Hines (ZDC-162-2024)
Staff: Harper Lindamood

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

Case Number: ZDC-162-2024

City Reference: 203836

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on September 4, 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:

Marsha L Rowan
Signature

9/10/2024
Date

Marsha L Rowan
Printed Name and Title

2341 Marshall Rd
Address

John E Rowan
John E Rowan

Waxahachie, TX
75167

(19)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE EXCEEDING ONE-THOUSAND (1,000) SQUARE FEET IN COMBINED FLOOR AREA FOR MORE THAN TWO (2) EXISTING ACCESSORY STRUCTURES USE WITHIN A SINGLE FAMILY-1 (SF-1) ZONING DISTRICT, LOCATED AT 2385 MARSHALL ROAD, BEING PROPERTY ID 203842, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 4 OF THE MARSHALL ROAD ESTATES, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, the described property is classified in said ordinance and any amendments thereto as SF-1; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-162-2024. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from SF-1 to SF-1, with a SUP in order to permit an Accessory Structure exceeding one-thousand (1,000) square feet in combined floor area for more than two (2) existing accessory structures use on the following property: Lot 4 of the Marshall Road Estates., which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit B, and the Elevations attached as Exhibit C.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and Zoning Ordinance.

(19)

Specific Use Permit

FOR THE OPERATION OF A SPECIFIC USE PERMIT FOR AN ACCESSORY STRUCTURE EXCEEDING ONE-THOUSAND (1,000) SQUARE FEET IN COMBINED FLOOR AREA FOR MORE THAN TWO (2) EXISTING ACCESSORY STRUCTURES USE IN A SINGLE-FAMILY-1 (SF-1) ZONING DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The accessory structure shall not be used as an accessory dwelling or Short-Term Rental without a Specific Use Permit approved by City Council.
2. The accessory structure shall not be used for commercial purposes.
3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The property owner shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory structure.
5. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Site Plan, and Exhibit C – Elevations.
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. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance as approved by City Council, shall conform to those requirements and/or standards prescribed in Exhibits B – Site Plan, and Exhibit C – Elevations. Where regulations are not specified in Exhibits B, C, or this Zoning Ordinance, the regulations of the Single Family-1 (SF-1) Zoning District and the City of Waxahachie Zoning Ordinance shall apply to this development.
8. City Council shall have the right to review the Specific Use Permit at any point, if needed.

(19)

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business of 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 for a period exceeding six (6) months, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

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

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

PASSED, APPROVED AND ADOPTED on this 16th day of September, 2024.

MAYOR

ATTEST:

City Secretary

(19)

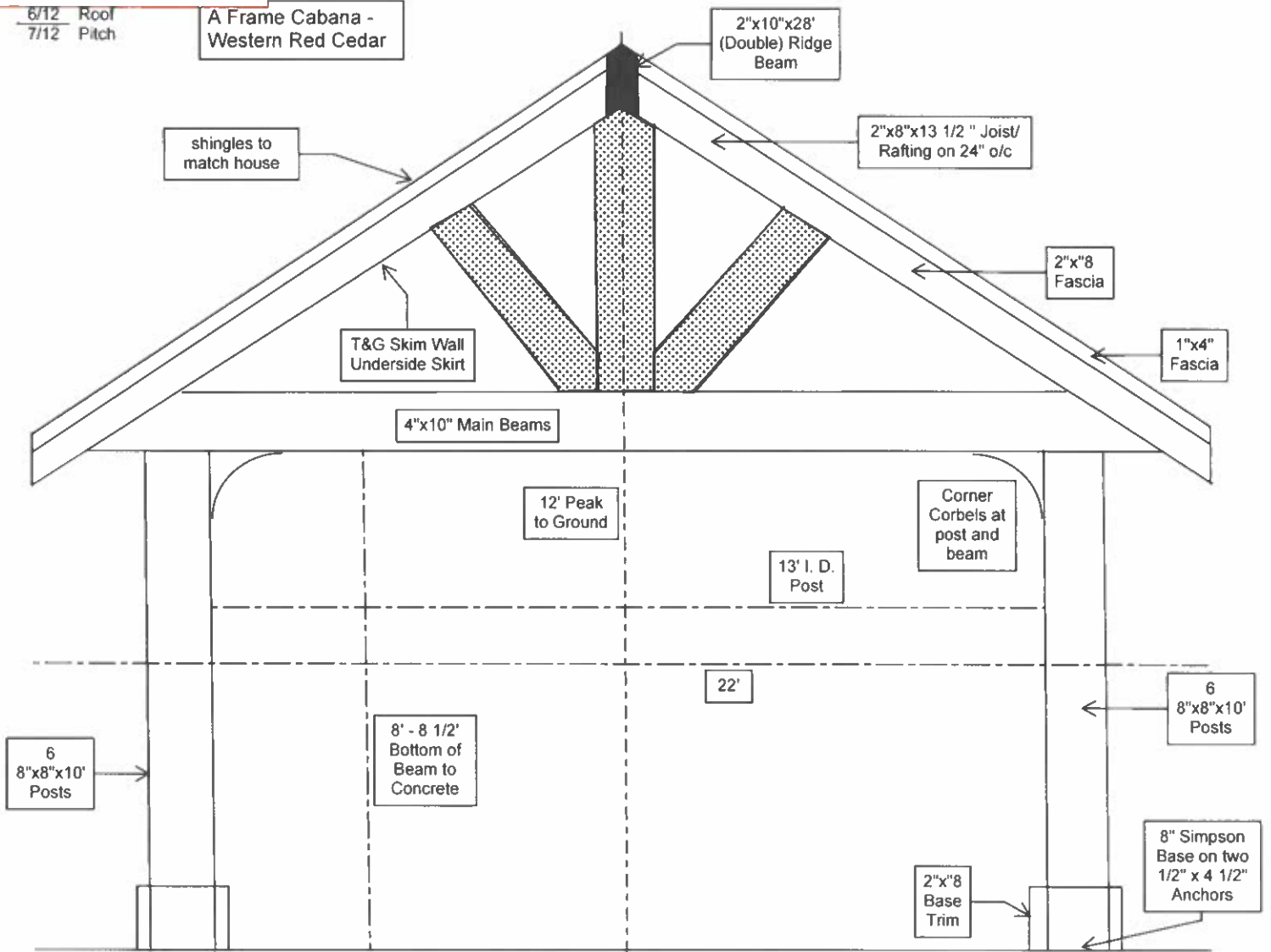


(19)



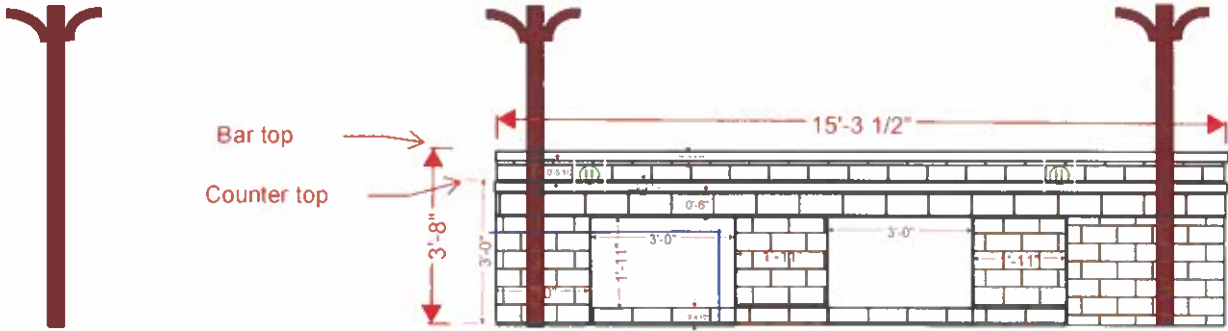
(19)

ELEVATIONS (EXHIBIT C)







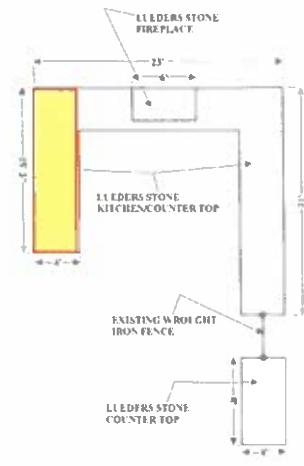
(19)

ELEVATIONS (EXHIBIT C)

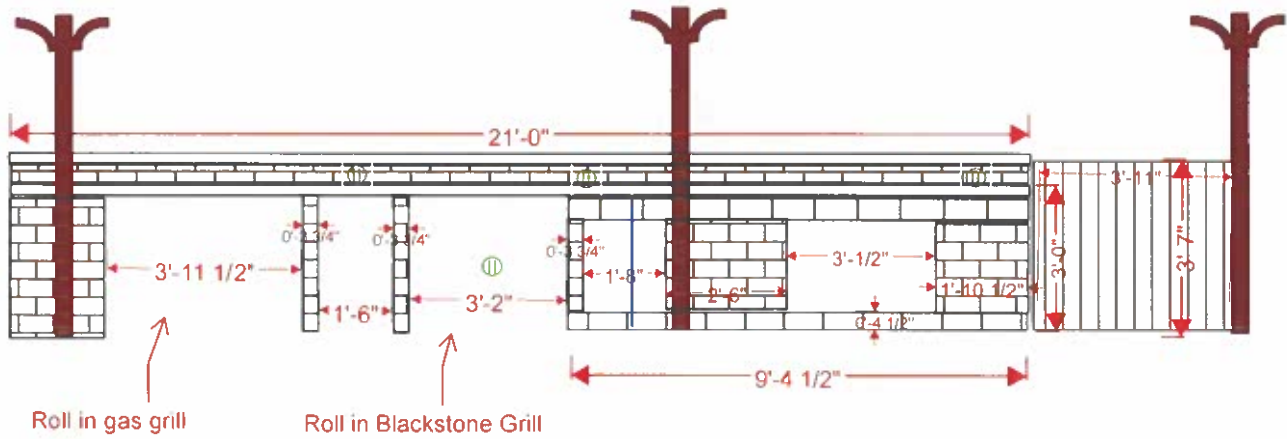


Pool Side
(South Side)

-  Water line
-  Electrical outlet
-  Lueder Stone
-  Austin Limestone



ELEVATIONS (EXHIBIT C)



Roll in gas grill

Roll in Blackstone Grill

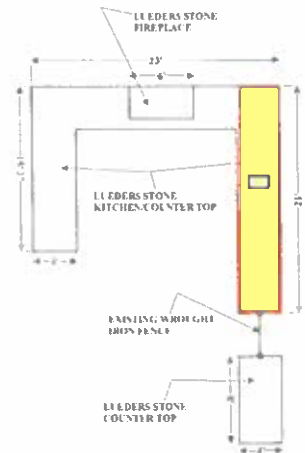
Gate Side
(North Side)

Water line

Electrical outlet

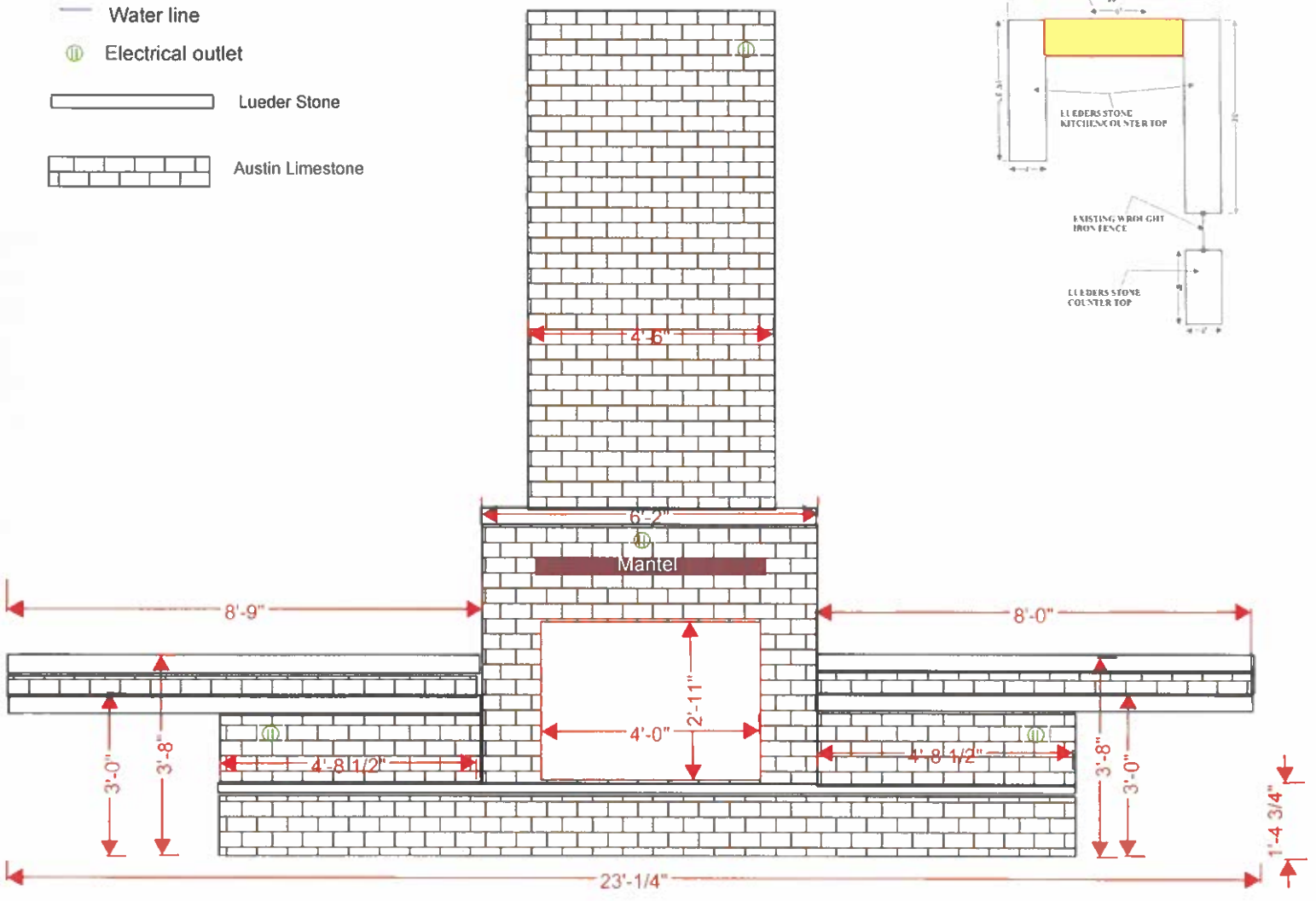
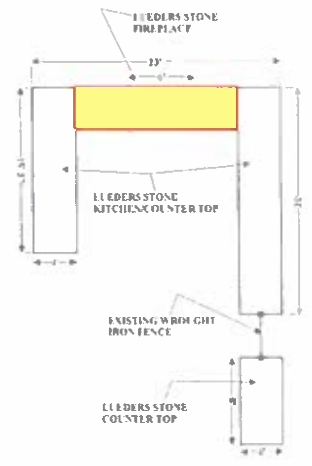
Lueder Stone

Austin Limestone



ELEVATIONS (EXHIBIT C)

- Water line
- Electrical outlet
- Lueder Stone
- Austin Limestone



(20+21)



Memorandum

To: Honorable Mayor and City Council

From: Jennifer Pruitt, Senior Director of Planning

Thru: Michael Scott, City Manager

Date: September 10, 2024

Re: ZDC-103-2024 – Mixed Retail & Drive-Through (Starbucks) SUP

On September 10, 2024, the applicant requested to continue this application from the September 10, 2024, Planning and Zoning and the September 16, 2024, City Council meeting to the October 15, 2024, Planning and Zoning Commission meeting, and the October 21, 2024, City Council meeting, to allow the development team additional time to assess the SUP Ordinance for the property.

(22)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-105-2024



MEETING DATE(S)

Planning & Zoning Commission: September 10, 2024

City Council: September 16, 2024

CAPTION

Public Hearing on a request by Erik Test, Ellis County, for a **Specific Use Permit (SUP)** for an **Electronic Message Sign** use within a General Retail (GR) and Commercial (C) zoning district located at 302 N Monroe Street (Property ID 289705) - Owner: Ellis County, Texas (ZDC-105-2024) Staff: Zack King

RECOMMENDED MOTION

"I move to approve ZDC-105-2024, a Specific Use Permit (SUP) request for an Electronic Message Sign use at 302 N Monroe, subject to the conditions the staff report."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on September 10, 2024, the Commission voted 5-0 to recommend approval of case number ZDC-105-2024, subject to the conditions of the staff report.

APPLICANT REQUEST

The applicant requests approval of a Specific Use Permit (SUP) to allow for the construction of an electronic message sign at 302 N Monroe Street.

CASE INFORMATION

Applicant: Erik Test, Ellis County

Property Owner(s): Owner: Ellis County, Texas

Site Acreage: 3.032 acres

Current Zoning: General Retail (GR) and Commercial (C)

Requested Zoning: General Retail (GR) and Commercial (C) with SUP for an Electronic Message Sign.

SUBJECT PROPERTY

General Location: 302 N Monroe Street

Parcel ID Number(s): 289705

Existing Use: The Ellis County Central Building is currently under construction on the subject property.

Development History: A Replat (SUB-104-2024) for the subject property was approved by the Planning & Zoning Commission on June 11, 2024.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	General Retail (GR)	Grace Anglican Church
East	Commercial (C)	Guardian Tag
South	Central Area (CA)	Citizens National Bank
West	General Retail (GR)	Edmundo's Mufflers & Tires

Future Land Use Plan:

Downtown

Comprehensive Plan:

It is most appropriate to think of the Downtown placetype as a modification of the mixed-use neighborhood placetype. Waxahachie benefits from an attractive historic core and this placetype serves to preserve and allow for incremental improvement of that area. The core of Downtown is ripe for quality vertical mixed-use development. New single-family homes are generally discouraged here as denser housing types are desired in downtown to provide more patrons to support the abundance of local businesses downtown. Attached and stacked housing is appropriate, since the downtown core is predominantly developed, denser housing will most likely occur on the fringes or edges of downtown. Active rooftops, sidewalk cafes, and parklets are an opportunity to further activate the downtown core.

Thoroughfare Plan:

The subject property is accessible via N Elm Street (US Highway 77), N Monroe Street, and N Rogers Street.

Site Image:



PLANNING ANALYSIS

The applicant proposes a Specific Use Permit (SUP) to allow for the construction of an electronic message sign for the Ellis County Central Building. An existing pole sign currently exists on the subject property along N Elm Street (US Highway 77). The applicant proposes to remove this pole sign and provide signage for the property with a new monument sign that will include an electronic message component. The proposed monument sign is 15' in height and a total of 150 square feet in size. The electronic message board will constitute approximately 40 square feet of the sign.

Planning Analysis

Monument signs are typically required to be situated outside of all easements. However, there are multiple large existing easements that extend between 25' and 40' into the subject property along N Elm Street (US Highway 77). Due to this, the applicant is unable to locate the monument sign outside of all existing utility easements. The applicant has worked with staff from the Utilities Department to ensure the monument sign is at least 7.5' from existing utility infrastructure. The Utilities Department has noted that the placement of the monument sign with the existing utility easements on the property is acceptable if a setback of 7.5' from existing utility infrastructure is maintained.

Section 5.08 of the Waxahachie Zoning Ordinance requires all signs with an electronic message component to comply with the requirements identified in Table 1 below. The proposed sign complies with all requirements of the Waxahachie Zoning Ordinance, with the exception of items in **bold**.

Table 1: Electronic Message Sign Regulation Chart

Electronic Messaging Sign (City of Waxahachie)	Proposed Sign
Signage shall not be located within 15' of the public right-of-way (ROW).	The sign is located 15' from the public ROW.
Electronic Message Signs shall be restricted to the form of monument signs. Per Section 5.08 of the Waxahachie Zoning Ordinance, Monuments signs shall have a low profile and must be made of stone, concrete, brick or other similar materials. A monument sign shall be solid from the ground up and all pole(s) or supports shall be concealed. Single-tenant Monument Signs are restricted to maximum height of 8' and a maximum size of 80 square feet.	The proposed electronic message sign will be incorporated into monument sign. However, the monument sign proposed by the applicant is 15' in height and 150 square feet in size.
Changeable message copy signs may not be used to display commercial messages relating to products or services that are not offered on the premises.	The electronic messaging sign shall not be used to display commercial messages relating to products or services that are not offered on the premises.
Such signs shall not exceed a brightness level of 0.3-foot candles above ambient light. In all zoning districts such signs shall come equipped with automatic dimming technology, which automatically adjusts the sign's brightness based on ambient light.	The applicant has stated that the sign will be programmed to use an automatic sensor that reduces the sign's brightness at night.
Signs shall have no flashing copy or lights; revolving beacon lights; chasing, blinking, or stroboscopic lights; or, fluttering, undulating, swinging, or otherwise moving parts	The proposed sign will have moving text; but will not have flashing copy or lights; revolving beacon lights; chasing, blinking, or stroboscopic lights; or, fluttering, undulating, swinging, or otherwise moving parts.
Any electronic message signs that are illuminated by artificial light or projects an electronic message through a changeable copy sign that is within 400 feet of a residence, park, playground, or scenic area as designated by a governmental agency having such authority shall not be lighted between the hours of 10:00 p.m. and 6:00 a.m.	The sign shall not be illuminated between the hours of 10 pm – 6am.
A maximum of seventy (70) percent of the sign face may be devoted to changeable sign copy.	Approximately 27% of the sign face will be used as a changeable sign copy (electronic message board).

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 28 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PUBLIC NOTIFICATION RESPONSES

Staff received one (1) letter of support and zero (0) letters of opposition for the proposed SUP.

RECOMMENDATION

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

Conditions:

1. The sign shall not be illuminated between the hours of 10pm – 6am.
2. The electronic messaging sign shall not be used to display commercial messages relating to products or services that are not offered on the premises.
3. The electronic message sign shall not exceed a brightness level of 0.3-foot candles above ambient light. The sign shall come equipped with automatic dimming technology, which automatically adjusts the sign's brightness based on ambient light.
4. The sign shall not have flashing copy or lights; revolving beacon lights; chasing, blinking, or stroboscopic lights; or, fluttering, undulating, swinging, or otherwise moving parts.
5. If the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to reestablish the use.
6. City Council shall have the right to review the Specific Use Permit at any point, as needed.

ATTACHED EXHIBITS

1. Public Notification Response
2. SUP Ordinance
3. Location Map
4. Site Plan
5. Sign Detail & Renderings

APPLICANT REQUIREMENTS

1. If approved by City Council, the applicant can apply for a sign permit from the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:

Zack King, AICP
Senior Planner

zking@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning

jennifer.pruitt@waxahachie.com

(22)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-105-2024

AUTREY DUSTIN D & JAMES D PATE
200 S Elm St
Waxahachie, TX 75165-3606

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 10, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 16, 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 Erik Test, Ellis County, for a Specific Use Permit (SUP) for an Electronic Message Sign use within a General Retail (GR) and Commercial (C) zoning district located at 302 N Monroe Street (Property ID 289705) - Owner: Ellis County, Texas (ZDC-105-2024) 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-105-2024

City Reference: 297097

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *September 4, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Signature _____ Date 8-26-24

Dustin Pate Property-owner
Printed Name and Title _____ Address 200 S Elm Wax TX
75165

(23)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ELECTRONIC MESSAGE SIGN USE WITHIN A GENERAL RETAIL (GR) ZONING DISTRICT AND COMMERCIAL (C) ZONING DISTRICT, LOCATED AT 203 N MONROE STREET, BEING PROPERTY ID 289705, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1, BLOCK 1 OF THE CATHEDRAL ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, the described property is classified in said ordinance and any amendments thereto as GR & C; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-105-2024. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from GR & C to GR & C, with a SUP in order to permit an Electronic Message Sign use on the following property: Lot 1, Block 1 of the Cathedral Addition, which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit B, and the Sign Detail & Rendering attached as Exhibit C.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and Zoning Ordinance.

Specific Use Permit

FOR OPERATION OF A **SPECIFIC USE PERMIT FOR AN ELECTRONIC MESSAGE SIGN USE IN A GENERAL RETAIL (GR) AND COMMERCIAL (C) ZONING DISTRICT**; the following standards and conditions are hereby established as part of this ordinance:

1. The Site Plan, attached as Exhibit B, shall conform as approved by the City Council under case number ZDC-105-2024.
2. The size of the electronic message sign shall conform to the Sign Detail & Renderings, attached as Exhibit C, as approved by the City Council under case number ZDC-105-2024.
3. The sign shall not be illuminated between the hours of 10pm – 6am.
4. The electronic messaging sign shall not be used to display commercial messages relating products or services that are not offered on the premises.
5. The electronic message sign shall not exceed a brightness level of 0.3-foot candles above ambient light. The sign shall come equipped with automatic dimming technology, which automatically adjusts the sign's brightness based on ambient light.
6. The sign shall not have flashing copy or lights; revolving beacon lights; chasing, blinking, or stroboscopic lights; or, fluttering, undulating, swinging, or otherwise moving parts.
7. 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.
8. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance shall conform to those requirements and/or standards prescribed in Exhibits B – Site Plan, and Exhibit C – Sign Detail & Renderings. Where the regulations are not specified in Exhibits B, C, or this Zoning Ordinance, the regulations of the General Retail (GR) Zoning District and Commercial (C) Zoning District of the City of Waxahachie Zoning Ordinance shall apply to this development.
9. If the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to reestablish the use.
10. City Council shall have the right to review the Specific Use Permit at any point, if needed.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

(23)

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 16th day of September, 2024.

MAYOR

ATTEST:

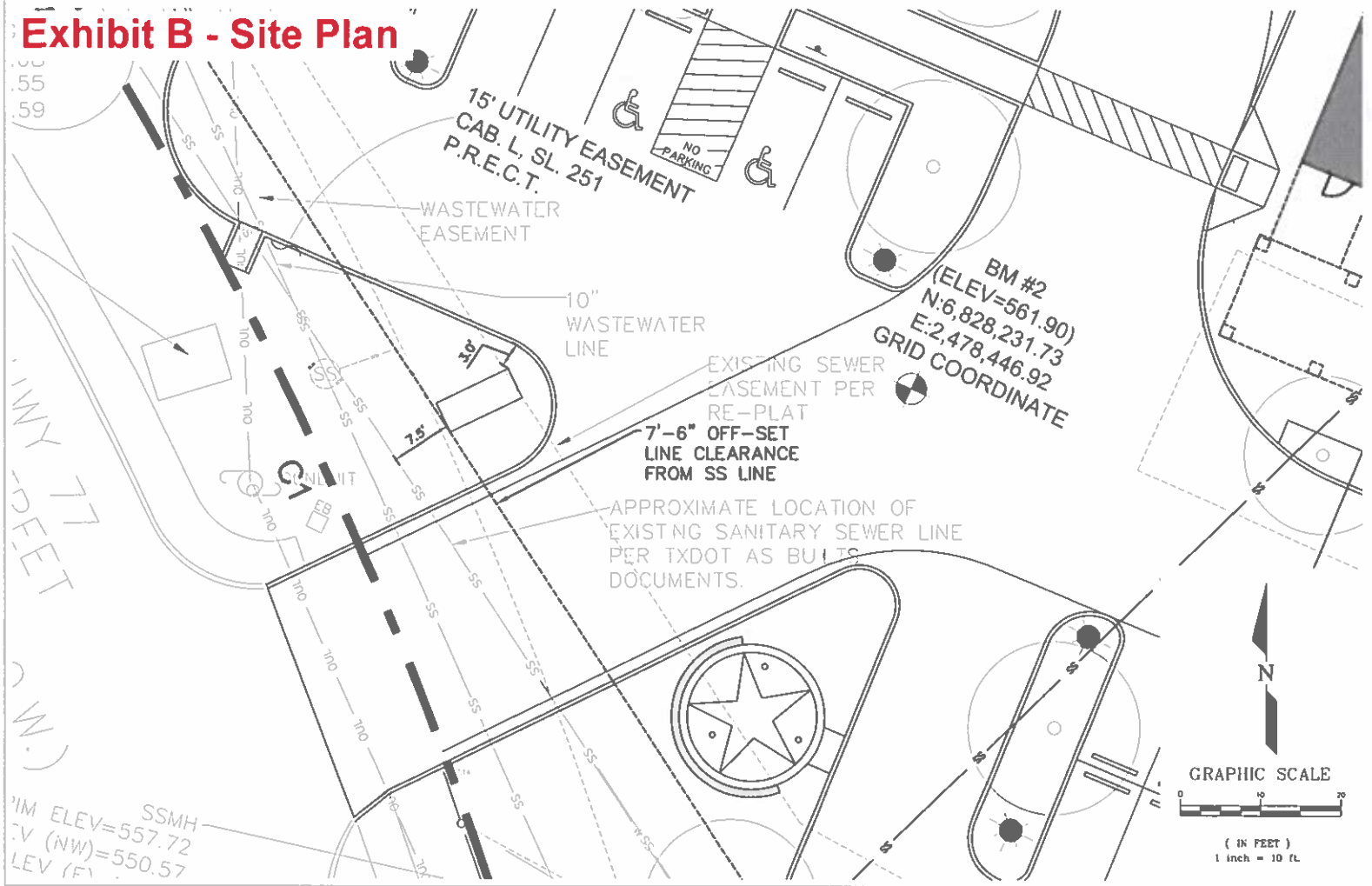
City Secretary

(23)

Exhibit A - Location Map



Exhibit B - Site Plan



(24 + 25)

Planning & Zoning Department

Plat Staff Report

Case: SUB-173-2024



MEETING DATE(S)

Planning & Zoning Commission: September 10, 2024
City Council: September 16, 2024

CAPTION

Present a request by Brian Wade, RLG Consulting Engineers, for a **Replat** of Block 29, 96, and 97 of the Official Town Map of Waxahachie, to create Lot 1, Block 29B of the City Hall addition, 1 lot, being 1.3453 acres, located at 401 S Rogers Street, (Property ID 193895) – Owner: City of Waxahachie (SUB-173-2024)
Staff: Zack King

RECOMMENDED MOTION

"I move to approve SUB-173-2024, a Replat for the City Hall addition, and the associated Petition for Relief Waiver, subject to the conditions the staff report, authorizing City Manager and/or Mayor to sign the associated documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on September 10, 2024, the Commission voted 6-0 to recommend approval of case number SUB-173-2024, and the associated Petition for Relief Waiver, subject to the conditions of the staff report.

APPLICANT REQUEST

The applicant requests to replat the subject property to combine multiple existing lots into a single non-residential lot to facilitate the upcoming remodel of Waxahachie City Hall.

CASE INFORMATION

<i>Applicant:</i>	Brian Wade, RLG Consulting Engineers
<i>Property Owner(s):</i>	City of Waxahachie
<i>Site Acreage:</i>	1.3453 acres
<i>Number of Lots:</i>	1 lot
<i>Number of Dwelling Units:</i>	0 unit
<i>Park Land Dedication:</i>	N/A
<i>Adequate Public Facilities:</i>	Adequate public facilities are available to the subject property.

SUBJECT PROPERTY

General Location: 401 S Rogers Street

Parcel ID Number(s): 193895

Current Zoning: Light Industrial-2 (LI-2)

Existing Use: Waxahachie City Hall

Platting History: The subject property is currently platted as all Block 29 and portions of Blocks 96 and 97 of the Official Town Map of Waxahachie.

Site Aerial:



PLANNING ANALYSIS

The applicant proposes to replat the subject property to combine multiple existing lots into a single non-residential lot to facilitate the upcoming remodel of Waxahachie City Hall. The proposed replat adheres to the lot size and dimension requirements of the Light Industrial-2 zoning district.

As part of the review of the Replat application, staff identified typical technical items that conflict with the requirements of the Waxahachie Subdivision Ordinance. These technical items are required to be corrected prior to the filing of the Replat. The correction of each item has been identified as a condition of approval in the staff recommendation section below.

Petition for Relief Waiver – Utility Easement Dedication:

Section 3.3.a of the Waxahachie Subdivision Ordinance, requires the dedication of a 15' Utility Easement adjacent to all public right-of-way (ROW) at the time of platting or replatting. The applicant has requested a Petition for Relief Waiver (variance) to not dedicate a 15' Utility Easement along S Rogers Street or W Madison Street. This Petition for Relief is requested due to the fact that the existing building and retaining walls on the site are situated on the property line along S Rogers Street and W Madison Street. The portions of the building and the existing retaining walls in question will not be removed as part of the upcoming City Hall remodel; so an easement cannot be dedicated at this time.

Staff is supportive of the Petition for Relief Waiver due to the fact that sufficient public and franchise utility infrastructure for the property is already in place within the ROW of S Rogers Street and W Madison Street.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the Replat, and the associated Petition for Relief Waiver, subject to the conditions noted below.

Conditions:

1. Per Section 2.4.c.22 of the Waxahachie Subdivision Ordinance, please provide coordinates (northing, easting) for one additional corner of the property.
2. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, space is required to be reserved for the placement of recording information by the Ellis County Clerk. Reserve a 12"x1.5" blank box in the top right-hand corner.
3. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. Revise the legal description in the title block to match the full legal description provided in the Owner's Certificate.
4. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. Please revise the title block to include reference to the total acreage of the subject property (1.3453ac).
5. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. Please revise the title block to include reference to the current zoning of the property, Light Industrial-2 (LI-2).
6. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block is required to be provided. The correct case number for this plat is "SUB-173-2024", please revise accordingly.
7. Per Section 3.3.a of the Waxahachie Subdivision Ordinance, a 15' utility easement is required adjacent to all street rights-of-way. The existing building is situated closer than 15' to the property line along S Rogers and W Madison. The required 15' easement can be dedicated along S College Street.
8. Per Section 5.6.d and 5.7.a.8 of the Waxahachie Subdivision Ordinance, add a note that retaining walls/fences shall not be installed within utility easements.

ATTACHED EXHIBITS

1. Replat

APPLICANT REQUIREMENTS

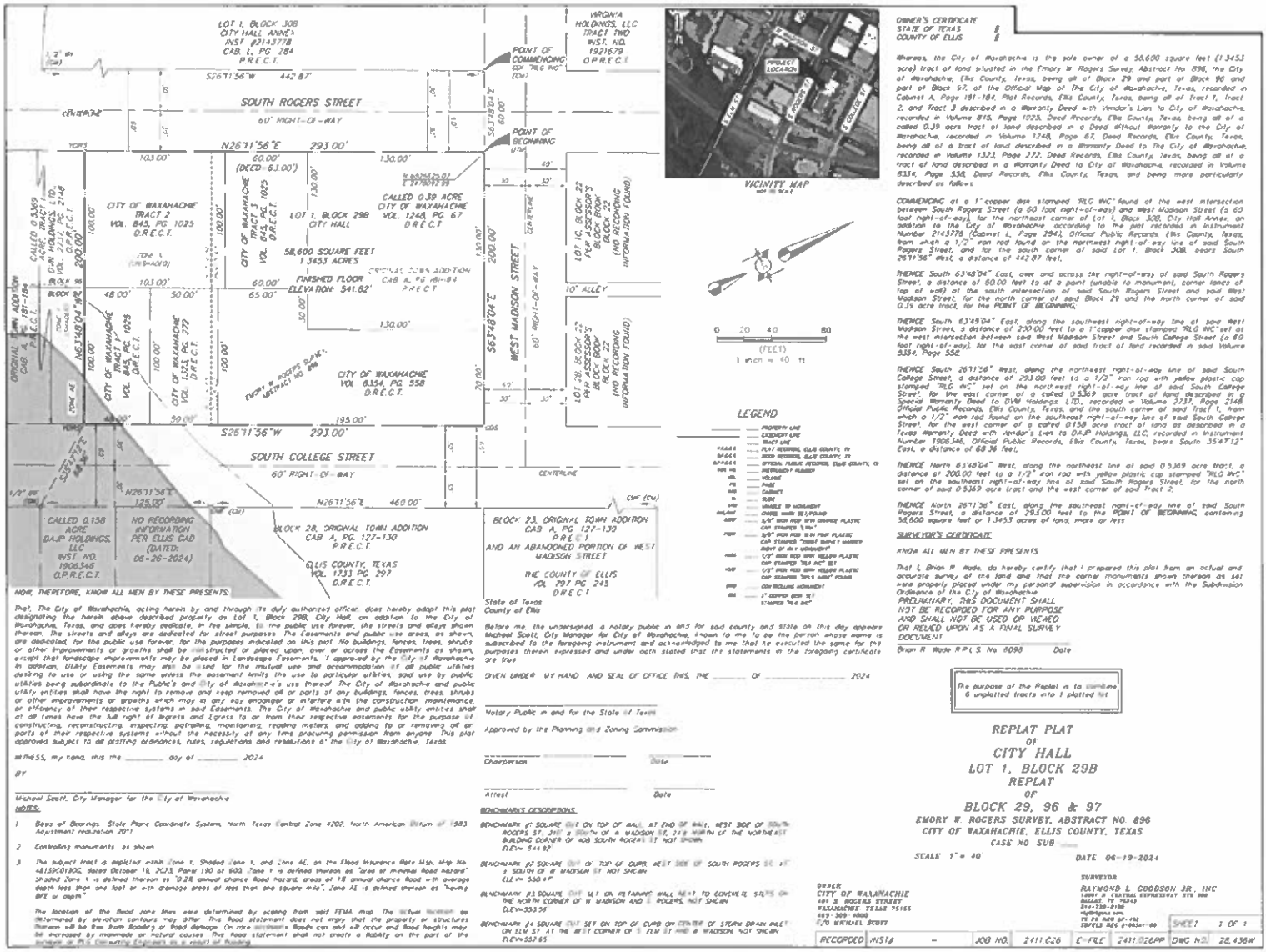
1. If approved by the Planning & Zoning Commission, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were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

STAFF CONTACT INFORMATION

Prepared by:
Zack King, AICP
Senior Planner
zking@waxahachie.com

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

(24+25)



OWNER'S CERTIFICATE
STATE OF TEXAS
COUNTY OF ELLIS

Whereas, the City of Waco, Texas, is the sole owner of a 58,600 square feet (1.3453 acre) tract of land situated in the Emory Rogers Survey, Abstract No. 896, the City of Waco, Texas, being all of Block 29 and part of Block 96 and part of Block 97, all of the Official Map of the City of Waco, Texas, recorded in Cabinet A, Page 181-184, Plat Records, Ellis County, Texas, being all of Tract 1, Tract 2, and Tract 3 described in a Warranty Deed with Vendor's Lien to City of Waco, recorded in Volume 815, Page 1023, Deed Records, Ellis County, Texas, being all of a certain 0.39 acre tract of land described in a Deed without Warranty to the City of Waco, recorded in Volume 1248, Page 87, Deed Records, Ellis County, Texas, being all of a tract of land described in a Warranty Deed to the City of Waco, recorded in Volume 1323, Page 222, Deed Records, Ellis County, Texas, being all of a tract of land described in a Warranty Deed to the City of Waco, recorded in Volume 8334, Page 358, Deed Records, Ellis County, Texas, and being more particularly described as follows:

COMMENCING at a 1" copper disk stamped "R.G. INC." found at the west intersection of South Rogers Street (to 60' right-of-way) and West Madison Street (to 60' left right-of-way) for the northeast corner of Lot 1, Block 29B, City Hall Annex, on a distance of 293.00 feet to a point (usable to monument, corner lines of top of way) of the south intersection of said South Rogers Street and said West Madison Street, for the north corner of said Block 29 and the north corner of said 0.39 acre tract, for the POINT OF BEGINNING.

THENCE South 63°42'04" East, over and across the right-of-way of said South Rogers Street, a distance of 50.00 feet to a point (usable to monument, corner lines of top of way) of the south intersection of said South Rogers Street and said West Madison Street, for the west corner of said tract recorded in said Volume 8334, Page 358.

THENCE South 63°42'04" East, along the northeast right-of-way line of said South Rogers Street, a distance of 293.00 feet to a 1/2" iron rod with yellow plastic cap stamped "R.G. INC." set on the northeast right-of-way line of said South Rogers Street, for the west corner of a certain 0.39 acre tract of land described in a Special Warranty Deed to DVM Holdings, L.P., recorded in Volume 2737, Page 2148, Official Public Records, Ellis County, Texas, and the south corner of said Tract 1, from which a 1/2" iron rod found on the northeast right-of-way line of said South Rogers Street for the west corner of a certain 0.39 acre tract of land as described in a Trust Agreement Deed with vendor's Lien to DVM Holdings, L.P., recorded in instrument Number 1908346, Official Public Records, Ellis County, Texas, bears South 35°47'12" East, a distance of 68.36 feet.

THENCE North 26°17'58" West, along the northeast right-of-way line of said South Rogers Street, a distance of 293.00 feet to a 1/2" iron rod with yellow plastic cap stamped "R.G. INC." set on the northeast right-of-way line of said South Rogers Street, for the north corner of said 0.39 acre tract and the west corner of said Tract 2.

THENCE North 26°17'58" East, along the southeast right-of-way line of said South Rogers Street, a distance of 293.00 feet to the POINT OF BEGINNING, containing 58,600 square feet or 1.3453 acres of land, more or less.

SUBJECT'S CERTIFICATE
I, JOHN R. MOSE, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waco.

PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED ON HEAD OR RELATED UNLESS AS A FINAL SURVEY DOCUMENT.

Drawn W. MOSE R.P.L.S. No. 6098 Date _____

NOTE: THEREFORE, KNOW ALL MEN BY THESE PRESENTS.

That the City of Waco, Texas, acting herein by and through its duly authorized officer, does hereby adopt this plat designating the herein above described property as Lot 1, Block 29B, City Hall Annex, on addition to the City of Waco, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No utilities, lines, pipes, conduits or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waco. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities existing or to be used on the same unless the easement limits the use to particular utilities, and use by public utilities being subordinate to the Public's and City of Waco's use thereof. The City of Waco and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other encroachments or growths which may in any way encroach or interfere with the construction, maintenance or efficiency of their respective systems in said Easements. The City of Waco and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, maintaining, repairing, inspecting, reading meters, and adding to or removing all or parts of their respective systems without the necessity of any time procuring permission from anyone. This plat contains subject to all existing ordinances, rules, regulations and resolutions of the City of Waco, Texas.

WITNESS, my hand, this 12th day of _____, 2024.

BY
Michael Scott, City Manager for the City of Waco, Texas

State of Texas
County of Ellis

Before me, the undersigned a notary public in and for said county and state on this day appears Michael Scott, City Manager for City of Waco, 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 therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2024.

Notary Public in and for the State of Texas

Approved by the Planning and Zoning Commission

Chairperson _____ Date _____

Attest _____ Date _____

NOTES:

- Base of bearings, State Plane Coordinate System, North Texas Central Zone 4202, North American Datum of 1983 Adjustment, re-adjusted 2011.
- Contracting monuments as shown.
- The subject tract is depicted with Zone 1, Shaded Zone 1, and Zone 4C, on the Flood Insurance Rate Map, Map No. 481500100C, dated October 18, 2023, Panel 190 at 603. Zone 1 is defined thereon as "area of minimal flood hazard" Shaded Zone 1 is defined thereon as "2 to 12 annual chance flood hazard" area of 18 annual chance flood with average depth less than one foot or with average crest of spillway less than 1.5 feet. Zone 4C is defined thereon as "heavy BFE or option".

The location of the flood zone lines were determined by viewing from said FEMA map. The actual location as determined by elevation contours may differ. This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare instances a flood can and will occur and flood heights may be increased by manmade or natural causes. This flood statement shall not create a liability on the part of the engineer or the City of Waco, Texas, in the event of flooding.

REMARKS (ENCLOSURES):

REMARK 01: SQUARE (1) SET ON TOP OF WALL AT END OF WALL, WEST SIDE OF SOUTH ROGERS ST. JUST E. CORNER OF A MADISON ST. 2 1/2' NORTH OF THE NORTHEAST BUILDING CORNER OF 408 SOUTH ROGERS ST. NOT SHOWN. ELEV= 544.82.

REMARK 02: SQUARE (1) SET ON TOP OF CURB WEST SIDE OF SOUTH ROGERS ST. AT S. CORNER OF A MADISON ST. NOT SHOWN. ELEV= 530.47.

REMARK 03: SQUARE (1) SET ON REINFORCING WALL (N+1) TO CONCRETE 5/2" DIA. (1) IN NORTH CORNER OF A MADISON AND S. ROGERS. NOT SHOWN. ELEV= 533.56.

REMARK 04: SQUARE (1) SET ON TOP OF CURB ON CENTER OF STORM DRAIN ALLEY ON ELM ST. AT THE WEST CORNER OF S. ELM ST. AND A MADISON ST. NOT SHOWN. ELEV= 544.82.

The purpose of the Plat is to combine 5 replatted tracts into 1 platted lot.

REPLAT PLAT
OF
CITY HALL
LOT 1, BLOCK 29B
REPLAT
OF
BLOCK 29, 96 & 97
EMORY R ROGERS SURVEY, ABSTRACT NO. 896
CITY OF WACAHACHE, ELLIS COUNTY, TEXAS
CASE NO. SUB _____

SCALE: 1" = 40' DATE: 06-19-2024

OWNER:
CITY OF WACAHACHE
800 E. ROGERS STREET
WACAHACHE, TEXAS 75155
632-309-4800
C/O MICHAEL MOSE

RECORDED 01518 - ADD NO. 2411026 E-FILED 2411026P DWG NO. 28,436W

(26 + 27)

Planning & Zoning Department

Plat Staff Report

Case: SUB-154-2024



MEETING DATE(S)

Planning & Zoning Commission: September 10, 2024
City Council: September 16, 2024

CAPTION

Present a request by Rob Myers, Kimley-Horn, for a Plat of the Waxahachie North Addition, Lot 1, Block A, being 3.316 acres, located directly east of 984 W US Highway 287 Bypass, situated in the Robert Parks Survey, Abstract 851 and the Robert Russell Survey, Abstract 911, an addition to the City of Waxahachie (Property ID 189338 & 189991) – Owner: Oncor Electric Delivery Company (SUB-154-2024)

RECOMMENDED MOTION

"I move to approve SUB-154-2024, a Plat of the Waxahachie North Addition, Lot 1, Block A, and the associated Petition for Relief Waiver, subject to the conditions the staff report, authorizing City Manager and/or Mayor to sign the associated documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on September 10, 2024, the Commission voted 6-0 to recommend approval of case number SUB-154-2024, and the associated Petition for Relief Waiver, subject to the conditions of the staff report.

APPLICANT REQUEST

The applicant requests to plat the subject property into one (1) non-residential lot.

CASE INFORMATION

<i>Applicant:</i>	Rob Myers, Kimley-Horn
<i>Property Owner(s):</i>	Oncor Electric Delivery Company
<i>Site Acreage:</i>	3.316 acres
<i>Number of Lots:</i>	1 lot
<i>Number of Dwelling Units:</i>	0 units
<i>Park Land Dedication:</i>	Per Section 4.4.d of the Waxahachie Subdivision Ordinance a Cash-in-Lieu of Park Land Dedication Fee of \$1,989.60 (\$600.00 per acre) is required at the time of platting.
<i>Adequate Public Facilities:</i>	Adequate public facilities are available to the subject property.

(26 + 27)

SUBJECT PROPERTY

General Location: 778 W US Highway 287 Bypass

Parcel ID Number(s): 189338 & 189991

Current Zoning: General Retail (GR) and Single-Family-1 (SF-1)

Existing Use: Oncor North Substation

Platting History: The subject property is not currently platted

Site Aerial:



PLANNING ANALYSIS

The applicant proposes to plat the subject property into one (1) non-residential lot for the expansion of an existing Oncor sub-station. The proposed plat adheres to the lot size and dimension requirements for the subject property, based on the current zoning of the site.

As part of the review of the plat application, staff identified typical technical items that conflict with the requirements of the Waxahachie Subdivision Ordinance. These technical items are required to be corrected prior to the filing of the plat. The correction of each item has been identified as a condition of approval in the staff recommendation section below.

Development Process Background:

As noted briefly above, this Plat Application has been submitted to facilitate the expansion of an existing Oncor sub-station. Expansion of the sub-station will necessitate the completion of additional steps in the development process, such as approval of a Site Plan, Civil Construction Permit, and Building Permits. The applicant has already submitted a Site Plan Application (SP-155-2024) and Civil Construction Permit. These applications have been reviewed by staff for compliance with the requirements of the Waxahachie Code of Ordinances. Pending the result of this Replat Application, the Site Plan and Civil Construction permit will receive administrative approval, allowing Oncor to proceed with the development process. Notably, Oncor has confirmed through the Site Plan process that they will be installing an 8' masonry screening wall around the sub-station as part of the expansion project.

Petition for Relief Waiver - Sidewalk:

Section 3.5.a of the Waxahachie Subdivision Ordinance, requires all non-residential developments to install a 6' sidewalk adjacent to public right-of-way (ROW). The applicant has requested a Petition for Relief Waiver (variance) to not install the 6' sidewalk. The applicant has noted that the purpose of the plat is to facilitate the expansion of an existing Oncor substation and that there is not an existing sidewalk on the, or adjacent to, the subject property. The closest sidewalk in the area is located approximately 0.43 miles southeast at The Village apartments. Staff is supportive of the Petition for Relief Waiver due to the fact that the Oncor substation is a restricted, unmanned facility.

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 Plat, and the associated Petition for Relief Waiver, subject to the conditions noted below.

Conditions:

1. Per Section 2.1.a & 7.1 of the Waxahachie Subdivision Ordinance, Filing Fees are required to be paid with the Plat application prior to plat filing.
2. Per Section 2.3.b of the Waxahachie Subdivision Ordinance, a hard copy of the embossed tax certificate for the property showing that no delinquent taxes exist against the property is required to be provided at the time of plat filing.

ATTACHED EXHIBITS

1. Plat

APPLICANT REQUIREMENTS

1. If approved by the Planning & Zoning Commission, 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.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's Subdivision ordinance.

STAFF CONTACT INFORMATION

Prepared by:

Zack King, AICP

Senior Planner

zking@waxahachie.com

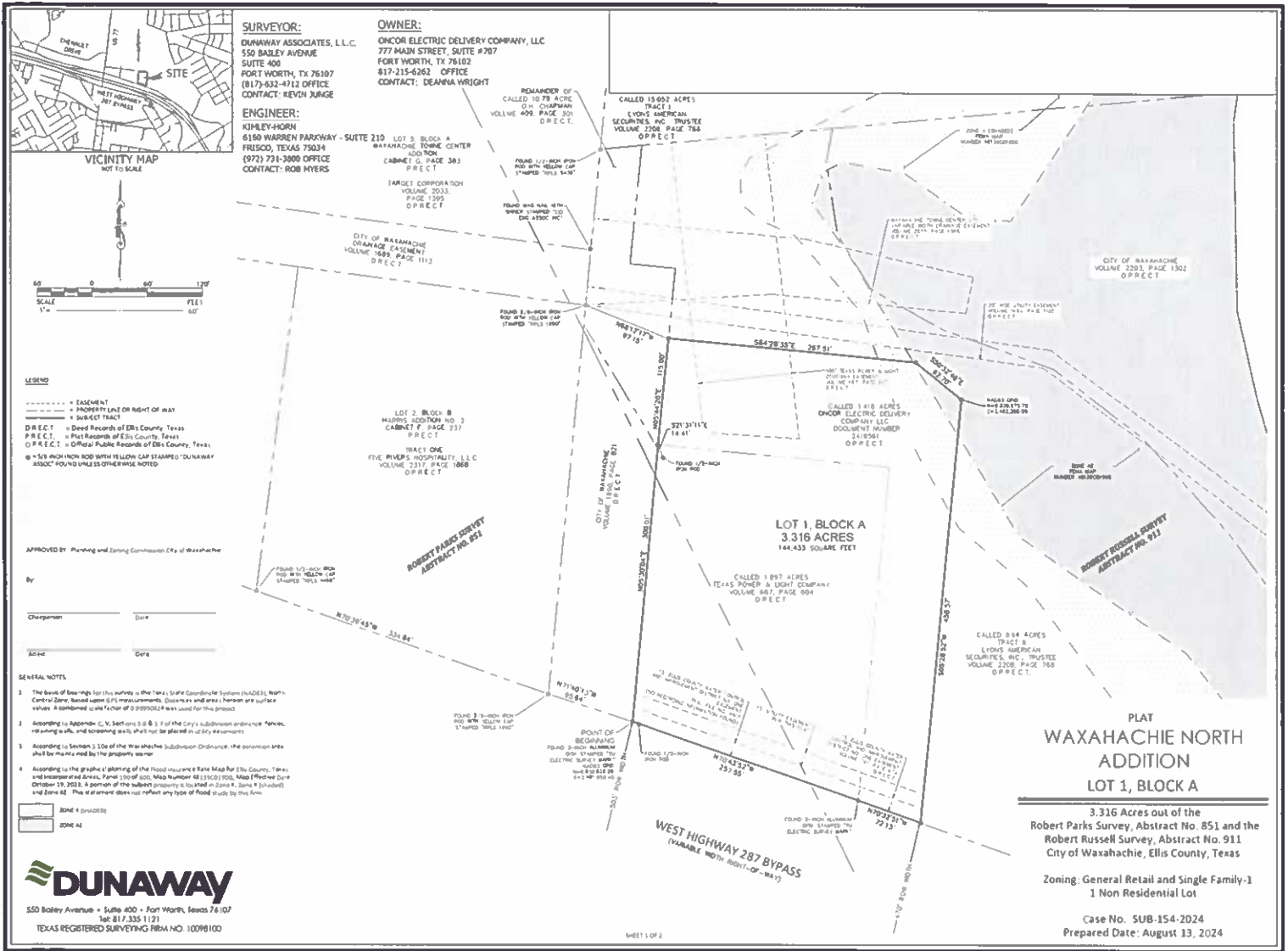
Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com

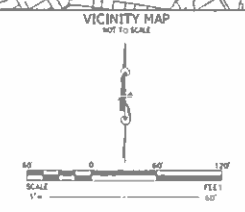
(24+27)



SURVEYOR:
 DUNAWAY ASSOCIATES, L.L.C.
 550 BAILEY AVENUE
 SUITE 400
 FORT WORTH, TX 76107
 (817) 632-4712 OFFICE
 CONTACT: KEVIN JURGE

ENGINEER:
 KIMLEY-HORN
 6150 WARREN PARKWAY - SUITE 210
 FRISCO, TEXAS 75034
 (972) 731-3800 OFFICE
 CONTACT: ROB MYERS

OWNER:
 ONCOR ELECTRIC DELIVERY COMPANY, LLC
 777 MAIN STREET, SUITE #207
 FORT WORTH, TX 76102
 817-215-6262 OFFICE
 CONTACT: DEANNA WRIGHT



LEGEND

- EASEMENT
- PROPERTY LINE OR RIGHT OF WAY
- SUBJECT TRACT
- DIRECT = Deed Records of Ellis County, Texas
- P.R.E.C.T. = Plat Records of Ellis County, Texas
- O.P.R.E.C.T. = Official Public Records of Ellis County, Texas
- ⊙ = 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED "DUNAWAY ASSOC" FOUND UNLESS OTHERWISE NOTED

APPROVED BY Planning and Zoning Commission City of Waxahachie

By _____ Date _____

Chairperson _____ Date _____

_____ Date _____

GENERAL NOTES

- The basis of bearings for this survey is the Texas State Coordinate System (NAD83), North Central Zone, based upon GPS measurements. Distances and area herein are surface values. A combined scale factor of 0.9999018 was used for this project.
- According to Appendix C, Sections 3.0 & 3.1 of the City's subdivision ordinance "Permits, retaining walls, and screening walls shall not be placed in utility easements."
- According to Section 3.10e of the Waxahachie Subdivision Ordinance, the easement area shall be marked and by the property owner.
- According to the graphic planning of the Flood Insurance Rate Map for Ellis County, Texas, and Incorporated Areas, Panel 130 of 200, Map Number 48 (1905) 1000, Map Effective Date October 19, 2003, a portion of the subject property is located in Zone A, Zone B (Inland) and Zone X2. This statement does not reflect any type of flood study by this firm.

ZONE 4 (SHADED)

ZONE A1

DUNAWAY

550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
 Tel: 817.335.1121
 TEXAS REGISTERED SURVEYING FIRM NO. 10098100

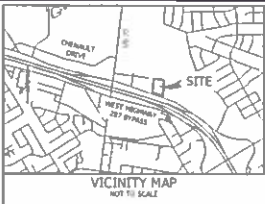
PLAT
**WAXAHACHIE NORTH
 ADDITION**
LOT 1, BLOCK A

3.316 Acres out of the
 Robert Parks Survey, Abstract No. 851 and the
 Robert Russell Survey, Abstract No. 911
 City of Waxahachie, Ellis County, Texas

Zoning: General Retail and Single Family-1
 1 Non Residential Lot

Case No. SUB-154-2024
 Prepared Date: August 13, 2024

(26+27)



SURVEYOR:
DUNAWAY ASSOCIATES, L.L.C.
350 BAILEY AVENUE
SUITE 400
FORT WORTH, TX 76107
(817)-632-4712 OFFICE
CONTACT: KEVIN JUNG

OWNER:
ONCOR ELECTRIC DELIVERY COMPANY, LLC
777 MAIN STREET, SUITE #707
FORT WORTH, TX 76102
817-215-6262 OFFICE
CONTACT: DEANNA WRIGHT

ENGINEER:
KIMBLEY-HORN
6160 WARREN PARKWAY - SUITE 210
PRISCO, TEXAS 75084
(972) 731-3888 OFFICE
CONTACT: ROB MEYERS

STATE OF TEXAS §
COUNTY OF ELLIS §

WHEREAS, Oncor Electric Delivery Company, LLC are the Owners of a tract of land situated in the Robert Parks Survey, Abstract No. 851 and the Robert Russell Survey, Abstract No. 911, City of Waxahachie, Ellis County, Texas and being out of a 3.316 acre tract conveyed to them by Estate of Lois Chapman and Lyons American Securities, Inc. and being more particularly described as follows:

Meters & Bounds Description

BEING a 3.316 acre tract of land situated in the Robert Parks Survey, Abstract No. 851 and the Robert Russell Survey, Abstract No. 911, City of Waxahachie, Ellis County, Texas, and being all of a called 1.897 acre tract of land described in deed to Texas Power & Light Company (TP&L), as recorded in Volume 667, Page 604, Deed Records of Ellis County, Texas (D.R.E.C.T.) and being all of a called 1.418 acre tract of land described in deed to Oncor Electric Delivery Company LLC, as recorded in Document Number 2418561, Official Public Records of Ellis County, Texas (O.P.R.E.C.T.), said 3.316 acre tract of land being more particularly described by meters and bounds as follows:

BEGINNING at a found 3/4 inch aluminum disk stamped "TU ELECTRIC SURVEY MARK" for the southwest corner of said TP&L tract, on northeast right of way line of West Business Highway 287 bypass (Highway 287) (variable width right of way), from which a found 5/8 inch iron rod with yellow cap stamped "RPS 1890" for the southeast corner of Lot 2, Block B, Harris Addition No. 2, an addition to the City of Waxahachie, as recorded in Cabinet 6, Page 237, Plat Records of Ellis County, Texas (P.R.E.C.T.) (Bears North 71 degrees 40 minutes 13 seconds West, a distance of 95.64 feet, said POINT OF BEGINNING being locatable by NAD83 Grid Coordinate N: 6,839,628.28, E: 2,481,850.40,

THENCE North 05 degrees 30 minutes 04 seconds East, departing the northeast right of way line of said Highway 287, along the west line of said TP&L tract, a distance of 300.01 feet to a found 5/8 inch iron rod with yellow cap stamped "DUNAWAY ASSOC." (herein referred to as 5/8 inch YCIR) for the northwest corner of said TP&L tract and the most westerly southwest corner of said Oncor Electric tract, from which a found 3/2 inch iron rod bears South 21 degrees 31 minutes 11 seconds East, a distance of 14.88 feet,

THENCE North 05 degrees 44 minutes 20 seconds East, along the most westerly line of said Oncor Electric tract, a distance of 115.00 feet to a found 5/8 inch YCIR for the northwest corner of said Oncor Electric tract, from which a found 5/8 inch iron rod with yellow cap stamped "RPS 1890" for the northeast corner of said Lot 2, Block B, Harris Addition and the southeast corner of a drainage easement to the City of Waxahachie, as recorded in Volume 1689, Page 1113, D.R.E.C.T., bears North 68 degrees 13 minutes 17 seconds West, a distance of 97.35 feet,

THENCE South 84 degrees 28 minutes 35 seconds East, along the north line of said Oncor Electric tract, a distance of 267.51 feet to a found 5/8 inch YCIR for corner;

THENCE South 50 degrees 32 minutes 46 seconds East, containing along the north line of said Oncor Electric tract, a distance of 67.70 feet to a found 5/8 inch YCIR for corner;

THENCE South 05 degrees 28 minutes 52 seconds West, along the east line of said Oncor Electric tract, a distance of 45.87 feet to a found 5/8 inch YCIR for the southeast corner of said Oncor Electric tract, on the northeast right-of-way line of said Highway 287,

THENCE North 70 degrees 12 minutes 51 seconds West, along the south line of said Oncor Electric tract and the northeast right of way line of said Highway 287, a distance of 72.13 feet to a found 3-inch aluminum disk stamped "TU ELECTRIC SURVEY MARK" for the most southerly southwest corner of said Oncor Electric tract and the southeast corner of said TP&L tract,

THENCE North 70 degrees 43 minutes 52 seconds West, along the south line of said TP&L tract and the northeast right of way line of said Highway 287, a distance of 257.55 feet to the POINT OF BEGINNING, and containing 3.316 acres (or 144,433 square feet) of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

That Oncor Electric Delivery Company, LLC acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as WAXAHACHIE NORTH ADDITION, an addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed on Landscape Easements, if approved by the City of Waxahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities; said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of any time procuring permission from anyone.

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

WITNESS, my hand, this _____ day of _____, 20____.

BY:

Seth Sampson
ROW Sing Specialist

STATE OF TEXAS §
COUNTY OF ELLIS §

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

Given under my hand and seal of office, this _____ day of _____, 20____.

Notary Public in and for the State of Texas

My Commission Expires On _____

KNOW ALL MEN BY THESE PRESENTS

That I, Kevin Jung, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie.

Kevin Jung
Registered Professional Land Surveyor
Texas Registration No. 6765



PLAT
WAXAHACHIE NORTH
ADDITION
LOT 1, BLOCK A

3.316 Acres out of the
Robert Parks Survey, Abstract No. 851 and the
Robert Russell Survey, Abstract No. 911
City of Waxahachie, Ellis County, Texas

Zoning: General Retail and Single Family-1
1 Non Residential Lot

Case No. SUB-154-2024
Prepared Date: August 13, 2024

DUNAWAY
550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
Tel: 817.335.1121
TEXAS REGISTERED SURVEYING FIRM NO. 10098100

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WAXAHACHIE APPROVING THE ANNUAL UPDATE OF THE SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL[S] FOR THE WAXAHACHIE PUBLIC IMPROVEMENT DISTRICT NO. 1 IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE §372.013, AS AMENDED; CONTAINING A CUMMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on April 16, 2007, the City Council of the City of Waxahachie, Texas (“City”) approved Resolution No. 1087 establishing the Waxahachie Public Improvement District No. 1 (“the PID”) in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the “Public Improvement District Assessment Act” or “the PID Act”); and

WHEREAS, the City has heretofore levied assessments against property within Phase #1 of the PID, pursuant to Ordinance No. 2413 which ordinance also approved the Waxahachie Public Improvement District No. 1 Service and Assessment Plan and Assessment Roll related to Phase #1, dated as of June 18, 2007 (the “Service and Assessment Plan and Phase #1 Assessment Roll”); and

WHEREAS, the City has also heretofore levied assessments against property within Phase #2 of the PID, which approved the Waxahachie Public Improvement District No. 1 Service and Assessment Plan and Assessment Roll related to Phase #2, dated as of April 13, 2016 (the “Service and Assessment Plan and Phase #2 Assessment Roll”) and, together with the Service and Assessment Plan and Phase #1 Assessment Roll, (the “Service and Assessment Plan and Assessment Rolls”); and

WHEREAS, the City has also heretofore levied assessments against property within Phase #3 of the PID, which also approved the Waxahachie Public Improvement District No. 1 Service and Assessment Plan and Assessment Roll related to Phase #3, dated as of June 7, 2021 (the “Service and Assessment Plan and Phase #3 Assessment Roll”) and, together with the Service and Assessment Plan and Phase #1 Assessment Roll and Phase #2 Assessment Roll, (the “Service and Assessment Plan and Assessment Rolls”); and

WHEREAS, the Service and Assessment Plan and Assessment Roll[s] is required to be reviewed and updated annually as described in Sections 372.013 and 372.014 of the PID Act (the “Annual Service Plan Update”); and

WHEREAS, the Annual Service Plan Update, attached hereto as Exhibit A, including the Phase #1 Assessment Roll, Phase #2 Assessment Roll, and Phase #3 Assessment Roll attached thereto, update the Service and Assessment Plan and Assessment Roll[s] to reflect prepayments, property divisions and changes to the budget allocation for the PID that occur during the year, if any; and

WHEREAS, the City Council desires and finds it to be in the public interest to adopt this Ordinance approving and adopting the Annual Service Plan Update and the updated Assessment Roll attached thereto, in compliance with the PID Act.

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

SECTION 1. All matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2. The Waxahachie Public Improvement District No. 1 Annual Service Plan Update, attached hereto as Exhibit A and incorporated herein by reference, inclusive of the updated Phase #1 Assessment Roll, Phase #2 Assessment Roll, and Phase #3 Assessment Roll contained therein and made a part thereof, are hereby accepted and approved.

SECTION 3. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION 4. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinance as a whole.

SECTION 5. This Ordinance shall take effect immediately after its passage and the publication of the caption, as the law and charter in such case provide. The City Secretary shall cause this Ordinance to be filed with the county clerk in each county in which all or a part of the PID is located not later than seven (7) days after the date the governing body of the City approves this Annual Service Plan Update.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ON THE 16th OF September 2024.

ATTEST:

APPROVED:

City Secretary

Mayor

(28)

APPROVED AS TO FORM:

City Attorney

**Waxahachie
Public Improvement District No. 1
City of Waxahachie, Texas**

SEPTEMBER 16, 2024

MUNICAP, INC.
PUBLIC FINANCE

**Annual Service and
Assessment Plan Update**

- Authorized Improvements budget
- Annual Budget for the PID
 - Debt Service
 - Administrative Expenses
- Changes to Assessment Methodology
- Parcel Subdivisions and Consolidations
- Prepayments
- Next Steps

MUNICAP, INC.
PUBLIC FINANCE

(28)

9/11/2024

Authorized Improvements - Phase #1

Phase One District Improvement	Initial Estimated Budget	Actual Cost ¹	Variance ¹
Phase 1 - Street Grading and Paving	\$328,742	\$1,105,456	\$776,714
Phase 1 - Onsite Water Distribution System	\$132,078	\$404,022	\$271,944
Phase 1- Onsite Wastewater Management System	\$120,149	\$444,136	\$323,987
Phase 1- Storm Drainage Management System	\$147,931	\$497,445	\$349,514
Phase 1 - Engineering	\$106,916	\$357,395	\$250,479
Phase 1 - Bond Financing Costs	\$504,183	\$20,835	(\$483,348)
Total Phase One Costs of District Improvements	\$1,340,000	\$2,829,289	\$1,489,290

¹ According to the final official statement issued for the Series 2011 Bonds.

MUNICIPAL, INC.
PUBLIC FINANCE

Authorized Improvements - Phase #2

Phase Two District Improvement	Initial Estimated Budget	Actual Cost ¹	Variance ¹
Phase 2 - Street Grading and Paving	\$1,876,333	\$936,493	(\$939,840)
Phase 2 - Onsite Water Distribution System	\$670,511	\$275,351	(\$395,160)
Phase 2- Onsite Wastewater Management System	\$700,691	\$278,831	(\$421,860)
Phase 2- Storm Drainage Management System	\$271,556	\$107,796	(\$163,760)
Phase 2 - Engineering	\$375,748	\$183,686	(\$192,062)
Phase 2 - Bond Financing Costs	\$591,594	\$0	(\$591,594)
Total Phase Two Costs of District Improvements	\$4,486,433	\$1,782,157	(\$2,704,276)

¹ According to information provided by the Developer on 9/30/2020.

Authorized Improvements – Phase #3

Phase Three District Improvements	Actual Costs ¹
Phase 3 - Street Grading and Paving	2,949,600
Phase 3 - Utility improvements	3,730,087
Phase 3 - Wastewater Management System	\$0
Phase 3 - Storm Drainage Management System	\$0
Phase 3 - Engineering, inspection and contingency	775,340
Total Phase Three Costs of District Improvements	\$7,455,027

¹ According to Information provided by the Developer as of April 2022

Annual Budget for the PID

Phase #1	2024-25 Budget	2023-24 Budget
Principal	\$40,000	\$35,000
Interest	\$73,604	\$76,285
Administrative Expenses	\$16,000 ¹	\$19,000
Excess Interest	\$5,147	\$5,335
Total Annual Installments	\$134,751	\$135,619

¹ Amounts shown are net amounts that include applicable credits, if any.

Annual Installments

Phase #1	2024-25 Annual Installment	2023-24 Annual Installment
90' Lots	\$790.05	\$795.14
70' Lots	\$663.64	\$667.92
60' Lots	\$592.54	\$596.36

Annual Budget for the PID

Phase #2	2024-25 Budget	2023-24 Budget
Principal	\$8,000	\$7,000
Interest	\$39,613	\$40,035
Administrative Expenses	\$5,000 ¹	\$14,000
Excess Interest	\$0	\$0
Total Annual Installments	\$52,613	\$61,035

¹ - Amounts shown are net amounts that include applicable credits, if any.

(28)

9/11/2024

Annual Installments

Phase #2	2024-25 Annual Installment	2023-24 Annual Installment
90' Lots	\$566.59	\$657.28
70' Lots	\$475.93	\$552.12
60' Lots	\$424.94	\$492.96

Annual Budget for the PID

Phase #3	2024-25 Budget	2023-24 Budget
Principal	\$1,000	\$1,000
Interest	\$110,377	\$110,455
Administrative Expenses	\$13,000 ¹	\$20,000
Excess Interest	\$0	\$0
Total Annual Installments	\$124,377	\$131,455

¹ - Amounts shown are net amounts that include applicable credits, if any

Annual Installments

Phase #3	2024-25 Annual Installment	2023-24 Annual Installment
60' Lots	\$493.56	\$521.65

MUNICAP, INC.
PUBLIC FINANCE

Changes to Assessment Methodology

- No changes to the Assessment methodology that was previously approved in the Updated Service and Assessment Plan.

MUNICAP, INC.
PUBLIC FINANCE

Parcel Subdivisions and Consolidations

- There are no additional parcel subdivisions or consolidations to be reported in the 2024-25 Annual SAP Update.

MUNICAP, INC.
PUBLIC FINANCE

Prepayments

Phase One

- As of July 31, 2024, no additional prepayments have been received since the 2023-24 SAP Update report.

Phase Two

- As of July 31, 2024, no additional prepayments have been received since the 2023-24 SAP Update report.

Phase Three

- As of July 31, 2024, no additional prepayments have been received since the 2023-24 SAP Update report.

MUNICAP, INC.
PUBLIC FINANCE

Next Steps

- Upon approval of 2024-25 Annual SAP Update, the approved amounts for each Parcel will be provided to the Ellis County Tax Office for billing with the 2024 property taxes.

(29)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WAXAHACHIE APPROVING THE ANNUAL UPDATE OF THE SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL[S] FOR THE NORTH GROVE PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE §372.013, AS AMENDED; CONTAINING A CUMMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on September 15, 2014, the City Council of the City of Waxahachie, Texas (“City”) approved Resolution No. 1189 establishing the North Grove Public Improvement District (“the PID”) in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the “Public Improvement District Assessment Act” or “the PID Act”); and

WHEREAS, the City has heretofore levied assessments against property within Improvement Area #1 of the PID, pursuant to Ordinance No. 2782 which ordinance also approved the North Grove Public Improvement District Service and Assessment Plan and Assessment Roll related to Improvement Area #1, dated as of February 26, 2015 (the “Service and Assessment Plan and Improvement Area #1 Assessment Roll”); and

WHEREAS, the City has also heretofore levied assessments against property within Improvement Area #2 of the PID, pursuant to Ordinance No. 3266 which ordinance also approved the North Grove Public Improvement District Service and Assessment Plan and Assessment Roll related to Improvement Area #2, dated as of April 20, 2021 (the “Service and Assessment Plan and Improvement Area #2 Assessment Roll”) and, together with the Service and Assessment Plan and Improvement Area #1 Assessment Roll, (the “Service and Assessment Plan and Assessment Rolls”); and

WHEREAS, the City has also heretofore levied assessments against property within Improvement Area #3 of the PID, pursuant to Ordinance No. 3326 which ordinance also approved the North Grove Public Improvement District Service and Assessment Plan and Assessment Roll related to Improvement Area #3, dated as of May 16, 2022 (the “Service and Assessment Plan and Improvement Area #3 Assessment Roll”) and, together with the Service and Assessment Plan and Improvement Area #1 Assessment Roll and Improvement Area #2 Assessment Roll, (the “Service and Assessment Plan and Assessment Rolls”); and

WHEREAS, the Service and Assessment Plan and Assessment Roll[s] is required to be reviewed and updated annually as described in Sections 372.013 and 372.014 of the PID Act (the “Annual Service Plan Update”); and

(29)

WHEREAS, the Annual Service Plan Update, attached hereto as Exhibit A, including the Improvement Area #1 Assessment Roll, Improvement Area #2 Assessment Roll, and Improvement Area #3 Assessment Roll attached thereto, update the Service and Assessment Plan and Assessment Roll[s] to reflect prepayments, property divisions and changes to the budget allocation for the PID that occur during the year, if any; and

WHEREAS, the City Council desires and finds it to be in the public interest to adopt this Ordinance approving and adopting the Annual Service Plan Update and the updated Assessment Roll attached thereto, in compliance with the PID Act.

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

SECTION 1. All matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2. The North Grove Public Improvement District Annual Service Plan Update, attached hereto as Exhibit A and incorporated herein by reference, inclusive of the updated Improvement Area #1 Assessment Roll, Improvement Area #2 Assessment Roll, and Improvement Area #3 Assessment Roll contained therein and made a part thereof, are hereby accepted and approved.

SECTION 3. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION 4. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinance as a whole.

SECTION 5. This Ordinance shall take effect immediately after its passage and the publication of the caption, as the law and charter in such case provide. The City Secretary shall cause this Ordinance to be filed with the county clerk in each county in which all or a part of the PID is located not later than seven (7) days after the date the governing body of the City approves this Annual Service Plan Update.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS,
ON THE _____ OF _____ 2024.**

(29)

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED AS TO FORM:

City Attorney

North Grove Public Improvement District City of Waxahachie, Texas

SEPTEMBER 16, 2024

MUNICAP, INC.
PUBLIC FINANCE

Annual Service and Assessment Plan Update

- Authorized Improvements budget
- Annual Budget for the PID
 - Debt Service
 - Administrative Expenses
- Changes to Assessment Methodology
- Parcel Subdivisions and Consolidations
- Prepayments
- Next Steps

MUNICAP, INC.
PUBLIC FINANCE

Authorized Improvements - Improvement Area #1

Sources of Funds	Total Budget	Actual Costs	Variance
Bond proceeds	\$6,675,000	\$6,675,000	\$0
Total sources of funds	\$6,675,000	\$6,675,000	\$0
Uses of Funds			
Improvement Area #1 Improvements			
Estimated costs paid with Bonds	\$4,530,000	\$4,530,000	\$0
Other Project Fund deposits	\$205,000	\$205,000	\$0
<i>Subtotal: Project Fund deposits</i>	<i>\$4,735,000</i>	<i>\$4,735,000</i>	<i>\$0</i>
Costs of issuing the Bonds		\$0	
Deposit to capitalized interest fund	\$795,000	\$795,000	\$0
Deposit to debt service reserve fund	\$510,000	\$510,000	\$0
Bond issue costs	\$635,000	\$635,000	\$0
<i>Subtotal: Costs of issuing the Bonds</i>	<i>\$1,940,000</i>	<i>\$1,940,000</i>	<i>\$0</i>
Total uses of funds	\$6,675,000	\$6,675,000	\$0

1 - According to Developer's Quarterly Improvement Implementation Report dated June 30, 2022.

2 - The total actual costs will be updated once the Developer provides the total actual amounts spent.

MUNICAP, INC.
PUBLIC FINANCE

Authorized Improvements - Improvement Area #2

Sources of Funds	Initial Estimated Budget	Actual Amount Requisitioned	Projected Additional Amount to be Submitted
IA #2 share of IA #2-3 Bonds	\$1,870,000	\$1,870,000	\$0
Owner Contribution (a)	\$3,742,315	\$610,544	\$3,131,771
Total Sources of Funds	\$5,612,315	\$2,480,544	\$3,131,771
Uses of Funds			
Project Fund Deposits			
Authorized Improvement	\$5,281,655	\$2,149,884	\$3,131,771
Estimated Bond Issuance Costs			
Debt Service Reserve Fund	\$130,617	\$130,617	\$0
Capitalized Interest	\$0	\$0	\$0
Cost of Issuance	\$130,782	\$130,782	\$0
Administrative Expenses	\$13,161	\$13,161	\$0
Underwriters Discount	\$56,100	\$56,100	\$0
<i>Subtotal Bond Issuance Costs</i>	<i>\$330,660</i>	<i>\$330,660</i>	<i>\$0</i>
Total Uses of Funds	\$5,612,315	\$2,480,544	\$3,131,771

1 - According to Developer's Quarterly Improvement Implementation Report dated June 30, 2022.

MUNICAP, INC.
PUBLIC FINANCE

Authorized Improvements - Improvement Area #3

Sources of Funds	Initial Estimated Budget	Actual Amount	Variance
IA #3 share of Improvement Areas #2-3 Bonds	\$3,955,000	\$3,955,000	\$0
Owner Contribution (a)	\$905,784	\$905,784	\$0
Total Sources of Funds	\$4,860,784	\$4,860,784	\$0
Uses of Funds			
Project Fund Deposits			
Authorized Improvement	\$4,161,444	\$4,161,444	\$0
Estimated Bond Issuance Costs			
Debt Service Reserve Fund	\$276,252	\$276,252	\$0
Capitalized Interest	\$0	\$0	\$0
Cost of Issuance	\$276,599	\$276,599	\$0
Administrative Expenses	\$27,839	\$27,839	\$0
Underwriters Discount	\$118,650	\$118,650	\$0
<i>Subtotal Bond Issuance Costs</i>	<i>\$699,340</i>	<i>\$699,340</i>	<i>\$0</i>
Total Uses of Funds	\$4,860,784	\$4,860,784	\$0

1 - According to the Developer and Requisition #1 approved on 7/25/22.

MUNICAP, INC.
PUBLIC FINANCE

Annual Budget for the PID

Improvement Area #1	2024-25 Budget	2023-24 Budget
Principal	\$150,000	\$150,000
Interest	\$350,765	\$359,774
Administrative Expenses	\$41,000	\$41,000
Excess Interest	\$29,230	\$29,981
Total Annual Installments	\$570,995	\$580,755

MUNICAP, INC.
PUBLIC FINANCE

Annual Budget for the PID

Improvement Area #2	2024-25 Budget	2023-24 Budget
Principal	\$31,000	\$29,000
Interest	\$99,261	\$100,675
Administrative Expenses	\$14,120	\$14,120
Excess Interest	\$9,145	\$9,290
Total Annual Installments	\$153,526	\$153,085

Annual Budget for the PID

Improvement Area #3	2024-25 Budget	2023-24 Budget
Principal	\$65,000	\$62,000
Interest	\$209,309	\$212,895
Administrative Expenses	\$29,870	\$29,870
Excess Interest	\$19,283	\$19,645
Total Annual Installments	\$323,462	\$324,410

Changes to Assessment Methodology

- No changes to the Assessment methodology that was previously approved in the Updated Service and Assessment Plan.

MUNICAP, INC.
PUBLIC FINANCE

Parcel Subdivisions and Consolidations – IA #1

- Commercial Development
 - Intersection of Hwy 77 & North Grove Blvd (North side)
 - Intersection of Hwy 77 & North Grove Blvd (South side)
 - Intersection of North Grove Blvd & Stonegate St
- Residential Development
 - 8 townhome lots (Washington Ave)
 - Reallocation of Assessments – North of the Blvd
 - Retreat – Ph. #1

MUNICAP, INC.
PUBLIC FINANCE

Parcel Subdivisions and Consolidations – IA #2

- Recognition of subdivision of all 184 residential lots in assessment roll

MUNICAP, INC.
PUBLIC FINANCE

Parcel Subdivisions and Consolidations – IA #3

- Recognition of the Dove Hollow – Phase II plat
 - 223 residential lots (50' and 60' lots)
- Of the 618 residential lots proposed to be developed in Improvement Area #3, an estimated 171 lots remain to be developed and subdivided

MUNICAP, INC.
PUBLIC FINANCE

Prepayments

Improvement Area #1

- As of July 31, 2024, one Parcel has prepaid their Special Assessment in full.

Improvement Areas #2-3

- As of July 31, 2024, there have been no prepayments for Parcels in Improvement Area #2.
- As of July 31, 2024, two Parcels have prepaid their Special Assessment in full.

MUNICAP, INC.
PUBLIC FINANCE

Next Steps

- Upon approval of 2024-25 Annual SAP Update, the approved amounts for each Parcel will be provided to the Ellis County Tax Office for billing with the 2024 property taxes.

MUNICAP, INC.
PUBLIC FINANCE



Memorandum

To: Honorable Mayor and City Council
From: Justin Stoker, P.E., CFM, Director of Public Works & Engineering
Thru: Michael Scott, City Manager *[Signature]*
Date: September 16, 2024
Re: Consider Temporary Road Closure of a Portion of Grove Creek Road

Recommended Motion: "I move to approve the temporary road closure on Grove Creek Road, between Country Drive and Sunny Lane, for a period up to seven days."

Item Description: Consider temporary road closure of a portion of Grove Creek Road.

Item Summary: The contractor constructing the Grove Creek Sewer Trunk Main has requested the temporary road closure of Grove Creek Road between Country Drive and Sunny Lane for up to seven days to facilitate the installation of a sewer crossing. The start date will be planned to avoid inclement weather.

The Ellis County Engineer and WISD staff have been notified of the proposed closure. Proper signage will be installed to indicate detour routes as part of the closure. Electronic message boards will be used to provide advanced notice to travelers in the impacted area.

Fiscal Impact: There is no additional cost outside of the approved budget for the Grove Creek Sewer Project. The alternative to closing the road would be to bore the sewer line under Grove Creek Road, at an additional cost of approximately \$90,000.



SITE BARRICADES
TRAFFIC CONTROL SOLUTIONS

Date: 8/23/2024 Author: Jeff Schuessler Project: GROVE CREEK SEWER
Contractor: CIRCLE H CONTRACTORS City: WAXAHACHIE

Comments:
DEVICES SPACED ON 30 FT CENTERS



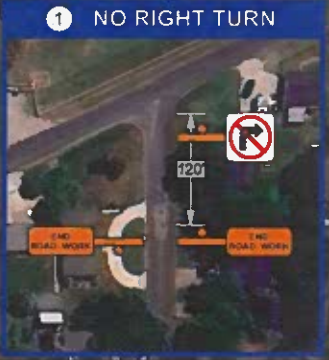
This plan is for illustrative purposes only and is not intended to relieve the contractor from the requirements of the contract documents or their responsibility to traffic

LEGEND

- 42" NAVIGATORS
- NO RIGHT TURN
- TYPE III
- WORK AREA



SPEED	TAPER	BUFFER	SIGN SPACING	DEVICE SPACING
30	180	90	120	30
35	245	120	160	35
40	320	155	240	40
45	540	195	320	45
50	600	240	400	50



(04)

(311)



ELLIS APPRAISAL DISTRICT

400 Ferris Ave * PO Box 878

Waxahachie, Texas 75168

972-937-3552 * Toll Free 1-866-348-3552

ecad@elliscad.com

Board of Directors

T Walter Erwin, Chairman
Richard Keeler, Vice-Chairman
Diana B Muckleroy, Secretary
Members

Rusty Ballard Paula Baucum
David Hurst George Ricks
Richard Rozier Jennifer Zarate

Kathy Rodrigue, Chief Appraiser

September 4, 2024

Voting Taxing Units of the Ellis Appraisal District:

It is election time and the **2025 Board of Directors Taxing Unit Voting Entitlements** are enclosed.

**This election is for 2025. SB2 becomes effective 7/1/2024 and Section 6.0301 requires another election to take place prior to December 31, 2024 to appoint five directors who will begin serving January 1, 2025. In this election, two of these appointed directors will serve a term of one year and three will serve a term of three years.*

The FIRST step for in this process is NOMINATIONS. Each taxing unit may **nominate by resolution** adopted by its governing body (sample enclosed) one candidate for each position to be filled on the board of directors. The presiding officer of the governing body of the unit shall submit the name(s) of the unit's nominee(s) to the chief appraiser before October 15th.

Before October 30th, the chief appraiser will prepare a ballot, listing the candidates and shall deliver a copy of the ballot to the presiding officer of your unit. **The SECOND step for you in this process is to VOTE.** The governing body shall determine its **vote by resolution** (sample enclosed) and submit it to the chief appraiser before December 15th. Your voting entitlement may be cast for one candidate or distributed as the governing body chooses. *It takes 834 votes to secure a position on the board.* The chief appraiser will count the votes, declare the five candidates who received the largest cumulative vote totals elected, and submit the results before December 31st to each governing body. **Taxing Units with more than 5% of the total vote are listed on separate page and have additional requirements under Section 6.03(k-1).**

Please mark these dates for the governance of the Ellis Appraisal District:

- Before October 15 Your governing body submits candidate(s) name(s) (with bio) to the chief appraiser
- Before October 30 I will prepare and deliver a ballot to the presiding officer of your unit
- Before December 15* Your governing body will vote by resolution and submit to the chief appraiser
- Before December 31 I will send the results of the election to each governing body

Please make plans on your scheduled meetings to consider and act on these matters. Your vote is very important to the continued dedicated leadership of this board.

I have asked the current board members about their interest in serving another term. Walter Erwin, Richard Keeler, Dani Muckleroy Rusty Ballard, and David Hurst are interested in continuing to serve. I am enclosing the history of the current board members.

So that all taxing units in the election are familiar with new candidates, **please submit a short bio and contact information** (email and cell phone) for any **newly nominated candidate**. Please contact me if you have any questions.

Respectfully submitted,

Kathy Rodrigue, RPA

(31)

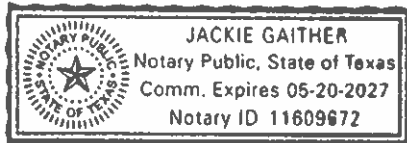
ELLIS APPRAISAL DISTRICT
2025 BOARD OF DIRECTORS
TAXING UNIT VOTING ENTITLEMENT


TAXING UNITS	2023 CERT FRZ ADJ TAXABLE VALUES (as of 7/19/2024)	2023 TAX RATES	TAX LEVY ON ACCTS WITH CLNGS AT CERT	2023 TOTAL LEVY	% OF TOTAL LEVY	2025 VOTES	2024 VOTES
ELLIS COUNTY	28,054,058,134	0.252862	9,788,019.58	80,726,072.06			
ELIS COUNTY & LATERAL ROAD	28,003,190,165	0.019670	597,029.55	6,105,257.06	16.24%	812	750
AVALON ISD	82,112,082	0.817100	21,035.80	691,973.62	0.13%	6	7
ENNIS ISD	3,869,005,080	1.217500	995,185.16	48,100,322.01	9.00%	450	473
FERRIS ISD	822,652,259	1.143100	288,340.04	9,692,078.01	1.81%	91	90
FROST ISD	7,492,434	1.001500	1,146.35	76,183.08	0.01%	1	1
ITALY ISD	228,104,809	1.076000	73,365.41	2,527,773.15	0.47%	24	27
MIDLOTHIAN ISD	8,770,631,080	1.109200	5,045,939.45	102,329,779.39	19.14%	957	1,019
MILFORD ISD	127,059,597	0.804400	12,480.58	1,034,547.98	0.19%	10	12
PALMER ISD	481,466,308	1.052500	344,864.43	5,412,297.32	1.01%	51	60
RED OAK ISD	3,348,062,918	1.105600	2,400,574.21	39,416,757.83	7.37%	369	408
WAXAHACHIE ISD	7,268,348,918	1.170400	4,420,969.33	89,489,725.07	16.74%	837	910
MAYPEARL ISD	642,554,507	0.978900	530,860.07	6,820,826.14	1.28%	64	72
CITY OF ALMA	63,593,984	0.250000	0.00	158,984.96	0.03%	1	1
CITY OF BARDWELL	31,806,159	0.167088	0.00	53,144.27	0.01%	1	1
CITY OF CEDAR HILL	197,883,057	0.646525	0.00	1,279,363.43	0.24%	12	10
CITY OF ENNIS	3,021,877,643	0.664000	1,465,053.51	21,530,321.06	4.03%	201	186
CITY OF FERRIS	334,610,326	0.494700	150,220.62	1,805,537.90	0.34%	17	20
CITY OF GARRETT	47,378,527	0.272556	0.00	129,133.02	0.02%	1	1
CITY OF GLENN HEIGHTS	757,760,043	0.564729	0.00	4,279,290.71	0.80%	40	37
CITY OF GRAND PRAIRIE	273,930,345	0.660000	1,749.92	1,809,690.20	0.34%	17	9
CITY OF ITALY	150,488,872	0.536097	105,362.85	912,129.18	0.17%	9	8
CITY OF MANSFIELD	175,729,481	0.659293	39,787.22	1,198,359.39	0.22%	11	10
CITY OF MAYPEARL	72,293,305	0.500000	45,745.16	407,211.69	0.08%	4	4
CITY OF MIDLOTHIAN	6,201,477,478	0.650000	3,341,240.20	43,650,843.81	8.17%	408	360
CITY OF MILFORD	48,673,194	0.253015	20,088.69	143,239.17	0.03%	1	1
CITY OF OAK LEAF	222,876,800	0.301542	0.00	672,067.16	0.13%	6	6
CITY OF OVILLA	449,581,005	0.626213	784,509.84	3,599,844.54	0.67%	34	29
CITY OF PALMER	221,160,754	0.672826	0.00	1,488,027.05	0.28%	14	13
CITY OF PECAN HILL	68,949,822	0.231483	0.00	159,607.12	0.03%	1	2
CITY OF RED OAK	2,158,900,786	0.696886	1,171,921.52	16,216,998.85	3.03%	152	118
CITY OF VENUS	151,310,371	0.754842	34,796.67	1,176,950.90	0.22%	11	9
CITY OF WAXAHACHIE	6,234,218,707	0.610000	3,390,309.76	41,419,043.87	7.75%	387	346
TOTAL				534,513,381.00	100.00%	5,000	5,000

I, KATHY A. RODRIGUE, CHIEF APPRAISER FOR THE ELLIS APPRAISAL DISTRICT,
DO HEREBY CERTIFY THAT THE ABOVE VOTING ENTITLEMENTS
ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.


KATHY RODRIGUE, RPA - CHIEF APPRAISER

SUBSCRIBED AND SWORN BEFORE ME THIS 3RD DAY OF SEPTEMBER, 2024.




JACKIE GAITHER, NOTARY

(31)

TAXING UNIT: _____

Resolution No. _____

RESOLUTION OF CANDIDATE NOMINATIONS FOR THE ELLIS APPRAISAL DISTRICT BOARD OF DIRECTORS FOR THE YEAR 2025*

WHEREAS, Section 6.03 (g) of the Texas Property Tax Code, requires that each taxing unit entitled to vote may nominate by Resolution one candidate for each position to be filled on the Board of Directors and submit the nomination(s) to the Chief Appraiser of the Ellis Appraisal District before October 15, 2024.

THEREFORE, the _____ submits the following nomination(s) with contact information for Board of Directors of the Ellis Appraisal District for 2025:

Name	E-mail	Cell	Bio Included

ACTION TAKEN this _____ day of _____, 2024, in _____ Session of the governing body of the above mentioned taxing unit; as authorized under Section 6.03 of the Texas Property Tax Code, for the purpose of nominating candidates to the Board of Directors of the Ellis Appraisal District.

Presiding Officer

ATTEST: _____

*This election is for 2025, where two members will serve a one-year term and three members will serve a three-year term. SB2 became effective 7/1/2024 and Section 6.0301 requires another election to take place prior to December 31, 2025 to appoint two directors who will begin serving a four-year term January 1, 2026.