

# AGENDA

A regular meeting of the Mayor and City Council of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on **Monday, October 7, 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 16, 2024
- b. Event application for Trunk or Treat in the Park to be held October 25, 2024 at Getzendaner Park
- c. Event application for Family Night to be held October 27, 2024 at Trinity Church Waxahachie
- d. Event application for Southern Star 5K to be held November 9, 2024 at Getzendaner Park
- e. Event application for Hachie 50 to be held February 28, 2025 and March 1, 2025
- f. Proposed Ordinance approving a request by Kars Tamminga, for a Petition for ETJ Release for approximately 73.36 acres, located at 3726 F.M. 1446 (Property ID 183236 and 223336) – Owner: Tamminga Family Partnership, LTD and Tamminga K & G Revocable Living Trust (ETJ-PTN-163-2024)
- g. Proposed Ordinance approving a request by Raul Acosta, for a Petition for ETJ Release for approximately 7.30 acres, located at 1250 Black Champ Road (Property ID 204042 and 289761) – Owner: Raul Acosta and Cody Acosta (ETJ-PTN-181-2024)

- h. Proposed Ordinance approving a request by Shawn Farris, for a Petition for ETJ Release for approximately 10.1 acres, located at 431 Arrowhead Rd. (Property ID 263474) – Owner: Shawn Farris (ETJ-PTN-182-2024)
  - i. Proposed Ordinance approving a request by Kerry Woodson, for a Petition for ETJ Release for approximately 2.55 acres, located at 640 Cox Rd. (Property ID 189402) – Owner: Kerry Woodson & Pam Woodson (ETJ-PTN-184-2024)
  - j. Consider amending City of Waxahachie Ordinance Chapter 22, Section 22-37 applicable to the use of Sports Fields in Parks and Fees
6. **Introduce** Honorary Council Member
7. **Recognize** outgoing Board and Commission member with more than 10 years of service
8. **Recognize** the Finance Department for receiving the Distinguished Budget Presentation award from the Government Finance Officers Association
9. **Recognize** the Finance Department for receiving the Achievement of Excellence in Procurement award from the National Procurement Institute
10. **Public Hearing** on a request by the City of Waxahachie for a textual amendment to the City Zoning Ordinance, Ordinance No. 3020, to Article IV Definitions and Use Regulations, Section 4.01 Definitions, and to Article IV Definitions and Use Regulations, Section 4.03 Use Charts, to address Event Center Uses (ZTA-126-2024)
11. **Consider** proposed Ordinance approving ZTA-126-2024
12. **Public Hearing** on a request by Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024)
13. **Consider** proposed Ordinance approving ZDC-167-2024
14. **Consider** proposed Resolution for Candidate Nominations for the Ellis Appraisal District Board of Directors for the Year 2025
15. **Convene** into Executive Session to review Performance Evaluation for City Manager as permitted by Section 551.074 of the Texas Government Code
16. **Reconvene** and take any necessary action
17. Comments by Mayor, City Council, City Attorney and City Manager
18. 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

City Council  
September 16, 2024

(5a)

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 16, 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**

City Manager Michael Scott gave the invocation. Council Member Travis Smith led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4. Public Comments**

None.

**5. Consent Agenda**

- 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 1<sup>st</sup> 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

(5a)

- 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

### **RESOLUTION NO. 1369**

**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.**

**Action:**

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

#### **6. Introduce Honorary Councilmember**

Council Member Patrick Souter introduced the September Honorary Council Member Ron Finch. Ron Finch, and his wife Emily, chose to relocate from Dallas to Waxahachie in 2014 when a home designed by a well-known Dallas architect was offered for sale. Ron retired from business in 2016 and enjoys home restoration projects and pursuing historical research. In 2017 the Finches achieved Recorded Texas Historic Landmark designation for their home on Sycamore Street and later received a restoration award from Historic Waxahachie, Inc. (HWI). This past December, the Finches supported Waxahachie historical tourism by opening their home to 1,600 of their best friends during the 2023 Christmas Tour of Homes.

Through hours of volunteering at the Ellis County Museum and historical research of homes and notable citizens on numerous Gingerbread Trail, Christmas Tour, and Saving Places projects, Ron has come to know Waxahachie's history in a brief time as well as some who have lived here for generations. He is also now known as the "go-to" for historical genealogy projects that he does for the benefit of not only Waxahachie but Ellis County and its organizations and citizens.

Ron could not pass up an opportunity to join former Mayor David Hill and a group of Patriotic Ellis County citizens in a new local chapter of the Sons of the American Revolution, where he hopes to apply his interest in genealogy to help applicants qualify to join.

(5a)

At the end of this month, the City of Waxahachie Parks Department will erect a sign memorializing a wading pool that once operated at Getzendaner Park. Ron spearheaded this effort by assisting the City and HWI in researching the history of the pool, city employees, and private citizens that were associated with the history of the pool.

**7. Present Proclamation proclaiming September 17-23, 2024 as “Constitution Week”**

Mayor Wallace presented a Proclamation recognizing September 17-23, 2024 as “Constitution Week.” Patricia Hernandez, Rebecca Boyce Chapter of the Daughters of the American Revolution, accepted the Proclamation and thanked City Council for their support. She acknowledged the local chapter of the Sons of the American Revolution were also in attendance.

**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)**

Mayor Wallace announced the applicant requested to continue the Public Hearing to the October 21, 2024 City Council meeting, to evaluate the public comments and meet with neighboring properties.

**Action:**

*Chris Wright moved to continue the Public Hearing for ZDC-139-2024 to the October 21, 2024 City Council meeting. Motion was seconded by Travis Smith and carried unanimously (5-0).*

**9. Consider proposed Ordinance approving ZDC-139-2024**

No action taken.

**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)**

Mayor Wallace announced at the request of staff, due to a noticing error, the applicant has requested to continue the Public Hearing to the October 21, 2024 City Council meeting.

**Action:**

*Patrick Souter moved to continue the Public Hearing for ZDC-180-2023 to the October 21, 2024 City Council meeting. Motion was seconded by Travis Smith and carried unanimously (5-0).*

**11. Consider proposed Ordinance approving ZDC-180-2023**

No action taken.

**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**

(5a)

**Improvements, adding language related to timing of public improvements (ZTA-175-2024)**

Senior Director of Planning Jennifer Pruitt presented the Item. 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.

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.

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.

Mayor Wallace opened the Public Hearing at approximately 7:20 p.m.

There being no others to speak for or against ZTA-175-2024, Mayor Wallace closed the Public Hearing at approximately 7:20 p.m.

Council Member Travis Smith asked if the change would retroact filed applications and Ms. Pruitt confirmed it would.

**13. Consider proposed Ordinance approving ZTA-175-2024**

**ORDINANCE NO. 3561**

**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.**

(5a)

**Action:**

*Travis Smith moved to recommend 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, and authorize the Mayor to execute all necessary documents. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

**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)**

Ms. Pruitt presented the Item. 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.

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. Staff received two (2) letters of opposition.

Ms. Pruitt confirmed with the operator that the business is no longer at this location.

Mayor Wallace opened the Public Hearing at approximately 7:24 p.m.

There being no others to speak for or against ZDC-170-2024, Mayor Wallace closed the Public Hearing at approximately 7:24 p.m.

**15. Consider proposed Ordinance approving ZDC-170-2024**

**Action:**

*Travis Smith moved to deny ZDC-170-2024, a Specific Use Permit (SUP) for a Minor Auto Repair Shop use at 1011 North US Highway 77. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

**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)**

(5a)

Ms. Pruitt presented the Item. 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.

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 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. Staff received four (4) letters of support.

Mayor Wallace opened the Public Hearing at approximately 7:26 p.m.

There being no others to speak for or against ZDC-159-2024, Mayor Wallace closed the Public Hearing at approximately 7:26 p.m.

**17. Consider proposed Ordinance approving ZDC-159-2024**

**ORDINANCE NO. 3562**

**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.**

**Action:**

*Patrick Souter moved to approve 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 of the staff report, and authorize the Mayor and/or City Manager to execute any necessary documents. Motion was seconded by Travis Smith and carried unanimously (5-0).*

**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)**

(5a)

Ms. Pruitt presented the Item. 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.

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. There will be new plumbing and electrical work to be done. Staff received one (1) letter of support.

Mayor Wallace opened the Public Hearing at approximately 7:29 p.m.

There being no others to speak for or against ZDC-162-2024, Mayor Wallace closed the Public Hearing at approximately 7:29 p.m.

**19. Consider proposed Ordinance approving ZDC-162-2024**

**ORDINANCE NO. 3563**

**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.**

**Action:**

*Patrick Souter moved to approve 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 of the staff report, and authorize the Mayor and/or City Manager to execute any necessary documents. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

**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)**

Mayor Wallace announced the applicant requested to continue the Public Hearing to the October 21, 2024 City Council meeting to allow the development team additional time to assess the SUP Ordinance for the property.

(5a)

**Action:**

*Patrick Souter moved to continue the Public Hearing for ZDC-103-2024 to the October 21, 2024 City Council meeting. Motion was seconded by Chris Wright and carried unanimously (5-0).*

**21. Consider proposed Ordinance approving ZDC-103-2024**

No action taken.

**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)**

Ms. Pruitt presented the Item. 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.

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.

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 a monument sign. However, the monument sign proposed by the applicant is 15' in height and 150 square feet in size.

Mayor Wallace opened the Public Hearing at approximately 7:33 p.m.

There being no others to speak for or against ZDC-105-2024, Mayor Wallace closed the Public Hearing at approximately 7:33 p.m.

Council Member Patrick Souter explained at the Planning & Zoning meeting, Commissioner Erik Test abstained from discussion and voting to avoid any possible conflicts of interest.

**23. Consider proposed Ordinance approving ZDC-105-2024**

(9a)

**ORDINANCE NO. 3564**

**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 302 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.**

**Action:**

*Chris Wright moved 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 of the staff report and authorize the Mayor and/or City Manager to execute any necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

- 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)**

Ms. Pruitt presented the Item. 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 multiple 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.

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. Ms. Pruitt noted the surveyor has addressed staff comments and resubmitted the plat.

Mayor Wallace opened the Public Hearing at approximately 7:36 p.m.

(5a)

There being no others to speak for or against SUB-173-2024, Mayor Wallace closed the Public Hearing at approximately 7:36 p.m.

**25. Consider approval of SUB-173-2024**

**Action:**

*Patrick Souter moved to approve SUB-173-2024, a Replat for the City Hall addition, and the associated Petition for Relief Waiver, subject to the conditions of the staff report, and authorize the City Manager and/or Mayor to sign the associated documents accordingly. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

**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)**

Ms. Pruitt presented the Item. 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 multiple 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.

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. Staff is supportive of the Petition for Relief Waiver due to the fact that the Oncor substation is a restricted, unmanned facility. Ms. Pruitt noted the applicant has addressed staff comments.

Mayor Wallace opened the Public Hearing at approximately 7:39 p.m.

There being no others to speak for or against SUB-154-2024, Mayor Wallace closed the Public Hearing at approximately 7:39 p.m.

**27. Consider approval of SUB-154-2024**

**Action:**

*Chris Wright moved 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 of the staff report, and authorize the City Manager and/or Mayor to sign the associated documents accordingly. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

(5a)

**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**

City Manager Michael Scott introduced Alexis Montalvo, Muncip, Inc., who presented the annual update to the Waxahachie Public Improvement District No. 1 Service and Assessment Plan and Assessment Roll.

- No changes to Assessment Methodology that was previously approved in the updated Service and Assessment Plan (SAP).
- No additional parcel subdivisions or consolidations to be reported in the 2024-25 Annual SAP update.
- No prepayments for Phase One, Phase Two, and Phase Three have been received since the 2023-24 SAP update report.

**ORDINANCE NO. 3565**

**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 CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**Action:**

*Chris Wright moved to approve an Ordinance of the City of Waxahachie, approving the annual update of the Service and Assessment Plan for the Waxahachie Public Improvement District No. 1 and providing an effective date. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

**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**

Ms. Montalvo presented the annual update to the North Grove Public Improvement District Service and Assessment Plan and Assessment Roll.

- No changes to Assessment Methodology that was previously approved in the updated Service and Assessment Plan (SAP).
- Parcel subdivisions and consolidations: Improvement Area #1; Commercial Development and Residential Development.
- Parcel subdivisions and consolidations: Improvement Area #2; Recognition of subdivision of all 184 residential lots in assessment roll.
- Parcel subdivisions and consolidations: Improvement Area #3; Recognition of Dove Hollow – Phase II plat; Of the 618 residential lots proposed to be developed in Improvement Area #3, an estimated 171 lots remain to be developed and subdivided.

(9a)

- Improvement Area #1: As of July 31, 2024, one parcel has prepaid their Special Assessment in full.
- Improvement Area #2: As of July 31, 2024, there have been no prepayments for parcels.
- Improvement Area #3: As of July 31, 2024, two parcels have prepaid their Special Assessment in full.

Mayor Pro Tem Chris Wright asked if the assessment fees decrease, are there reimbursements made to those owners who prepaid and Ms. Montalvo noted they are not reimbursed.

### **ORDINANCE NO. 3566**

**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 CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**Action:**

*Chris Wright moved to approve an Ordinance of the City of Waxahachie, approving the annual update of the Service and Assessment Plan for the North Grove Public Improvement District and providing an effective date. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

**30. Consider temporary road closure of a portion of Grove Creek Road**

The Item was presented by Senior Director of Public Works and Engineering Justin Stoker. 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.

Council Member Smith asked who will ensure the construction doesn't increase flooding issues in the area and Mr. Scott explained the project will be monitored by City inspectors.

**Action:**

*Patrick Souter moved to approve the temporary road closure on Grove Creek Road, between Country Drive and Sunny Lane, for a period up to seven days. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

**31. Consider proposed Resolution for Candidate Nominations for the Ellis Appraisal District Board of Directors for the Year 2025**

(5a)

Mr. Scott requested nominations from City Council for the Ellis Appraisal District Board of Directors. Nominations must be adopted by Resolution and submitted to ECAD before October 15<sup>th</sup>. Once all entity nominations are received by ECAD, Council will adopt a Resolution allocating votes.

Debbie Hurdle, 206 Harbin, Waxahachie, Texas, requested clarification on the nomination process and bios on the current board and nominees. Mr. Scott suggested contacting the Ellis Appraisal District for the nominee information after October 15<sup>th</sup>.

Council Member Smith explained the nominees and votes are divided amongst all of the taxing entities in Ellis County.

### **32. Comments by Mayor, City Council, City Attorney and City Manager**

Council Member Patrick Souter thanked Ron Finch for his participation as Honorary Council Member and his service to the community.

Mayor Pro Tem Chris Wright thanked Congressman Jake Ellzey for nominating Sims Library for a national award. Mr. Wright also thanked the Sims Library staff for their work.

City Manager Michael Scott commended City Council for their work and thanked them for their support of staff. Mr. Scott announced the passing of retired City employee Joel Otts and asked to keep his family in prayer.

Mayor Billie Wallace thanked Ron Finch for his service to the community. Mayor Wallace commended City Manager Michael Scott and the Waxahachie Police Department for their swift effort on addressing school traffic and safety concerns on Broadhead Road.

### **33. Adjourn**

There being no further business, the meeting adjourned at 8:03 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary



Date submitted 9/30/24

**Applicant Information**

Applicant name: Burkes Team - Highlands Mortgage

Are you representing the host organization? Yes  No

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

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_  
Shyanne Collinsworth

Email: \_\_\_\_\_

Mailing address: 2591 N Hwy 77 ste 103 waxahachie TX 75165

Host organization name: Burkes Team - Highlands mortgage

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

On-site contact name: Shyanne Collinsworth Cell: \_\_\_\_\_

**About the Event**

Event name: Trunk or Treat in the park

Location: Getzendorfer Park - 400 S Grand ave waxahachie TX 75165  
An event site map is **REQUIRED** to be submitted with your application.

Anticipated attendance: 300+ community event

Description of event: Festival - Trunk or Treat with petting zoo, Hot dogs chips, bounce house, family fun

**How many times has this event been hosted before?**

1<sup>st</sup> time  2-4 times  5 or more times  Location: \_\_\_\_\_

**Choose the best description of the event:**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Festival | <input type="checkbox"/> Birthday Party / Picnic    |
| <input type="checkbox"/> Movie Screening     | <input type="checkbox"/> Charitable / Fundraising   |
| <input type="checkbox"/> Parade              | <input 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	10/25/24	4pm	7pm
Event Set-up	10/25/24	2pm	3:30pm
Event Breakdown	10/25/24	7:00pm	8pm

Run / Walk:

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

\_\_\_\_\_ 1 mile \_\_\_\_\_ 5K \_\_\_\_\_ Other distance

Please indicate your expected attendance: Community event

Number of participants:

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

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  hot dogs

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: NA Date(s) & time(s): NA

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

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

Company name: NA

Contact name and number: Shyanne Collinsworth -214-817-9870

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

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: NA Phone number: NA

**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:

parking lots at the park

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: NA Barricades How many: 4

Other: NA

Where should equipment be dropped off & picked up?

park



When will the traffic equipment be set-up?

Date: NA

Time: NA

When will the traffic equipment be removed?

Date: NA

Time: NA

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:

[scribble]

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.

[Signature]  
Signature

8/30/24  
Date

**Contract Agreement**

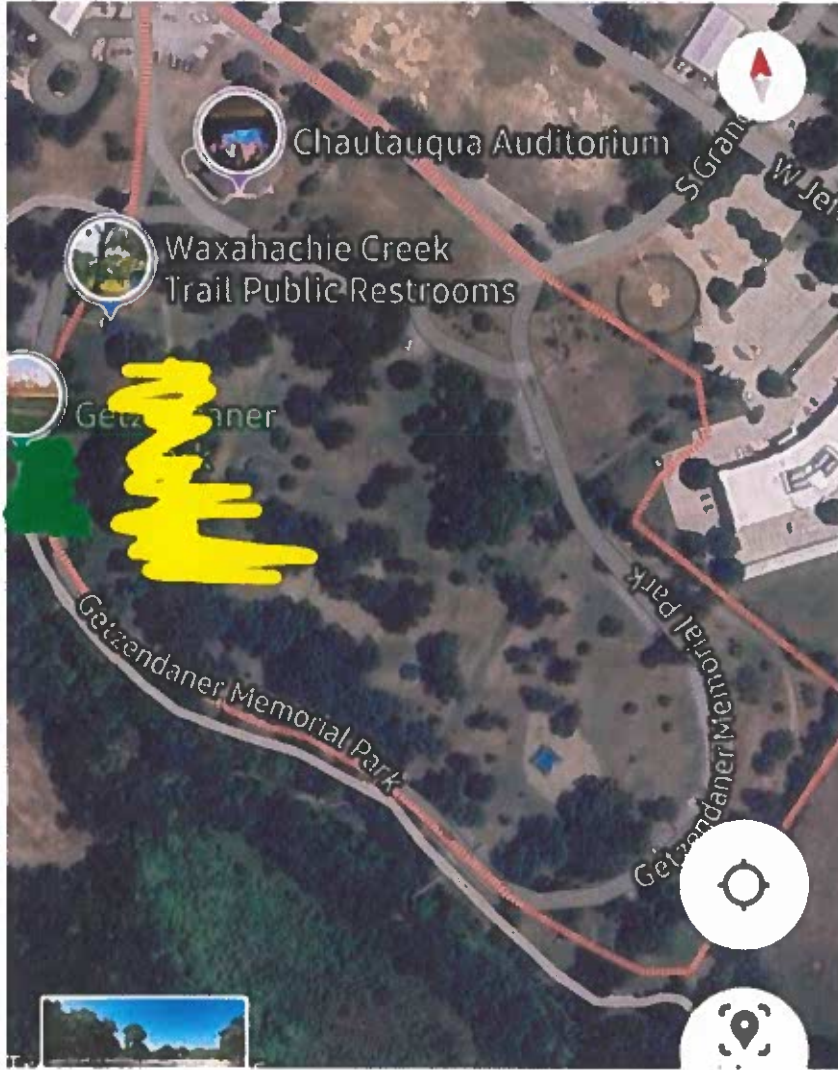
Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

[Signature]  
Signature

8/30/24  
Date

(5b)

Bounce house and petting zoo highlighted in yellow



Parking spots for businesses for trunk or treat highlighted in green



Date submitted

**Applicant Information**

Applicant name: Sylvia Thompson

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: 515 E. Marvin Ave Waxahachie TX 75165

Host organization name: Trinity Church Waxahachie

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

On-site contact name: Sylvia Thompson

Cell:

**About the Event**

Event name: Family Night

Date: 10-27-2024

Location: 515 E. Marvin Ave Waxahachie TX 75165

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

Anticipated attendance: 300 people of all ages

Description of event: This event is for people who attend our church or in our neighborhood.

**It will be a time to come together, have fun and make memories.**

	Date(s)	Start Time:	End Time:
Event Date	10-27-24	5pm	7pm
Event Set-up	10-27-24	2pm	4:30pm
Event Breakdown	10-27-24	7pm	8pm

**How many times has this event been hosted before?**

1<sup>st</sup> time

2 - 4 times

5 or more times

Location:



**Choose the best description of the event:**

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

**Event activities include (check all that apply):**

- Amusement rides / Inflatables
- 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.

**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

**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: 5      Date(s) & time(s): 10-27-24 9am to 9pm

Volunteers      How many: 50      Date(s) & time(s): 10-27-24 4pm to 7pm

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: \_\_\_\_\_

Rouso Street

Street closings to begin on date: 10-27-24      Start time: 4pm      End time: 8pm

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

**City Equipment:**

Are you requesting the use of City equipment?      Yes       No

**Availability is not guaranteed**

**Streets cannot be blocked without prior approval.**

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

Traffic Cones      How many: 4      Barricades      How many: 4



Other: \_\_\_\_\_

Where should equipment be dropped off & picked up? \_\_\_\_\_

When will the equipment be set-up? \_\_\_\_\_

Date: 10-27-24

Time: 4pm

When will the equipment be removed? \_\_\_\_\_

Date: 10-27-24

Time: 7:30pm

**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.

Sylvia Thompson  
Signature

Sept. 25, 2024  
Date

**Contract Agreement**

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

Sylvia Thompson  
Signature

Sept. 25, 2024  
Date

Email completed Special Events Application and site map to Jami Bonner at [Jami.Bonner@waxahachie.com](mailto:Jami.Bonner@waxahachie.com).

Class Room

Chili Cookoff  
5 tables

Church

Kid's Door

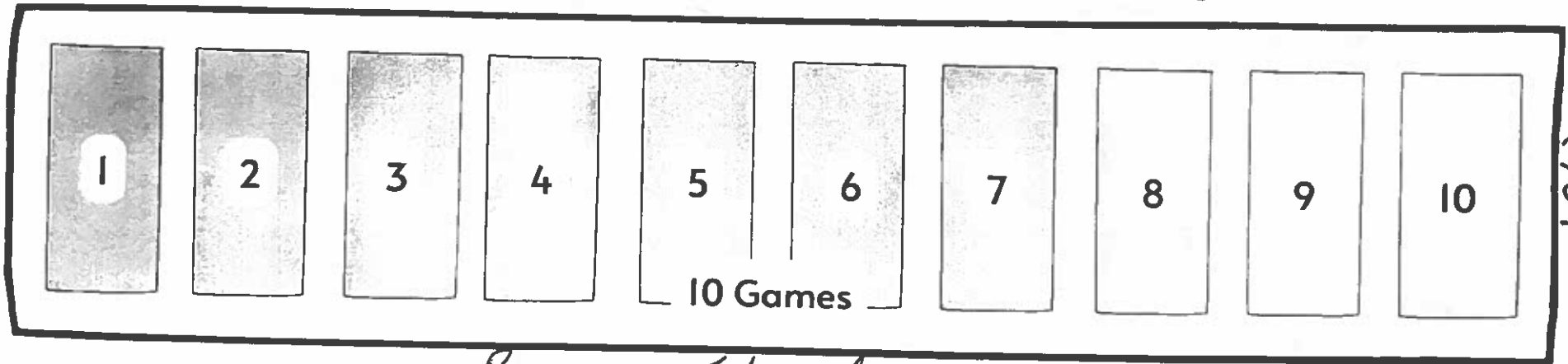
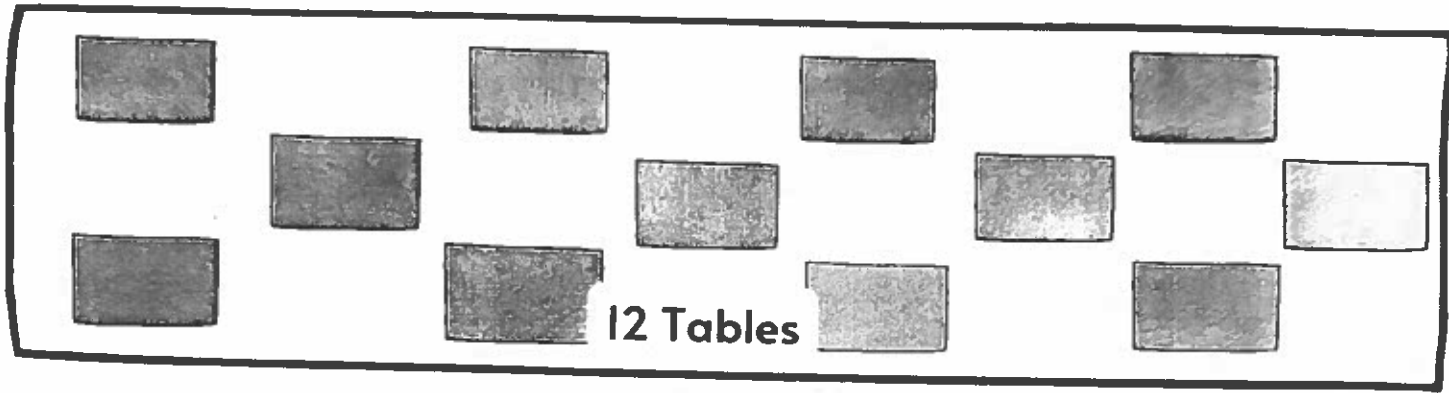
Food (3 Tables)

Kid's Room

Photo Booth

Sound System

Farley St.



Roussso Street



any other vendors

(5d)



City of Waxahachie  
City Secretary's Office

Special Event Application

Date submitted 9/29/24

### Applicant Information

Applicant name: Lisa Rich

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: 518 Savannah Drive, Ovilla TX 75154

Host organization name: NCL - Southern Star

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

On-site contact name: Lisa Rich Cell: \_\_\_\_\_

### About the Event

Event name: Southern Star 5K

Location: Getzendaner Memorial Park

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

Anticipated attendance: Under 150

Description of event: 5K to support NCL.

### How many times has this event been hosted before?

1<sup>st</sup> time  2 - 4 times  5 or more times  Location: \_\_\_\_\_

### Choose the best description of the event:

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

(5d)



City of Waxahachie  
City Secretary's Office

Special Event Application

**Event activities include (check all that apply):**

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

**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.

\$20 per runner

**Event timeline:**

	Date(s)	Start Time:	End Time:
Event Date	11/9/24	8:00am	11am
Event Set-up	11/9/24	6:30am	8:00am
Event Breakdown	11/9/24	11am	12pm

**Run / Walk:**

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

1 mile

8:30am

5K

Other distance

Please indicate your expected attendance:

under 150

Number of participants:

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

Provide route on attached site map.

(5d)



City of Waxahachie  
City Secretary's Office

Special Event Application

**Food / Beverage:**

Will the event offer food/beverages? Yes  No

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

Will alcohol be served/sold? Yes  No

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

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

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

**Police / Security Services:**

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

Event staff                      How many: N/A                      Date(s) & time(s): \_\_\_\_\_

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

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

Company name:                      N/A

Contact name and number:                      N/A

Off duty police                      How many: N/A                      Date(s) & time(s): \_\_\_\_\_

Have you made arrangements with the police?                      Yes                       No

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

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

Contact name: \_\_\_\_\_ Phone number: \_\_\_\_\_

**Street Closures:**

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

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

Street closings to begin on date: \_\_\_\_\_ 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: 15                      Barricades                      How many: \_\_\_\_\_

Other: \_\_\_\_\_

Where should equipment be dropped off & picked up? PAVILLION 1



City of Waxahachie  
City Secretary's Office

(5d)

Special Event Application

When will the traffic equipment be set-up?

Date: 11/9

Time: 7:30 AM

When will the traffic equipment be removed?

Date: 11/9

Time: 11:00 AM

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**

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DocuSigned by:  
Lisa Rich

3EAF357339CE4C5

Signature

9/30/2024

Date

**Contract Agreement**

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

DocuSigned by:  
Lisa Rich

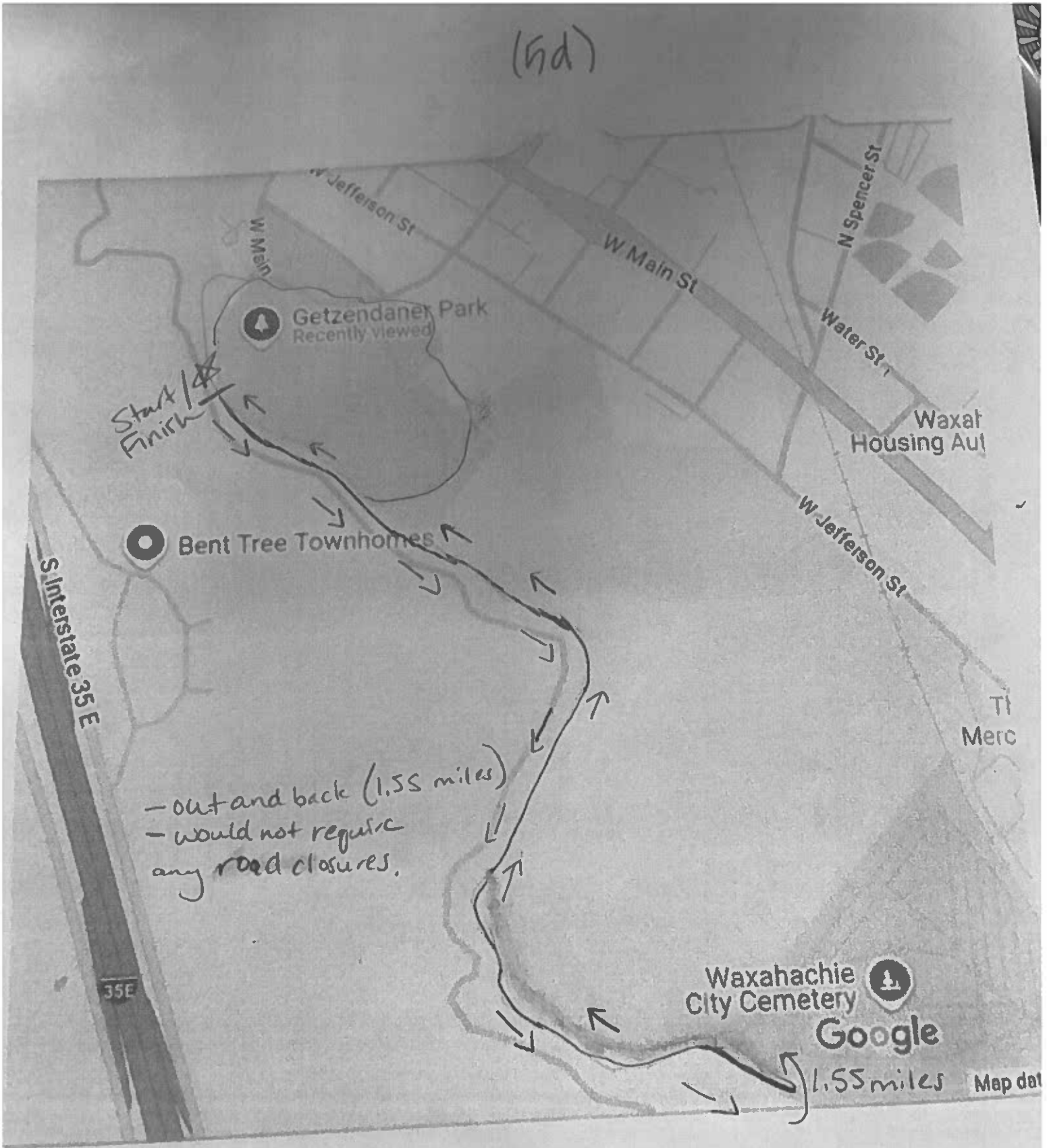
3EAF357339CE4C5

Signature

9/30/2024

Date

(hd)



Start / ~~4~~  
Finish

Bent Tree Townhomes

Getzendaner Park  
Recently viewed

Waxah  
Housing Aut

S Interstate 35 E

35E

- out and back (1.55 miles)  
- would not require  
any road closures.

Waxahachie  
City Cemetery

Google

1.55 miles

Map dat



Date submitted

**Applicant Information**

Applicant name: Ken Box

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: 330 Hunter's Pass Wax TX 75165

Host organization name: Waxahachie Lions Club

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

On-site contact name: Paul Box Cell: \_\_\_\_\_

**About the Event**

Event name: Hachie 50

Location: Getzendaner Park to Lions Park

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

Anticipated attendance: 500

Description of event: 50 miles, 30 mile, Marathon, Kids 5K

**How many times has this event been hosted before?**

1<sup>st</sup> time  2 - 4 times  5 or more times  Location: Same

**Choose the best description of the event:**

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



**Event activities include (check all that apply):**

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

**The event is:**

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

Admission information, if applicable:

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

*Entry fee \$100 per person*

**Event timeline:**

	Date(s)	Start Time:	End Time:
Event Date			
Event Set-up			
Event Breakdown			

**Run / Walk:**

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

1 mile

*6:30 pm 5K*

Other distance

Please indicate your expected attendance: *Kids Race Feb 28, 2025*

*March 1st  
50 mile 6:00 Am  
30 mile 6:30 Am  
marathon 7:00 Am*

Number of participants:

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

Provide route on attached site map.

*map attached*



**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? *Served NOT 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:

*for closure details*

*See attachment*

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: 400 Barricades How many: 100 feet

Other: Generator with light

Where should equipment be dropped off & picked up?

*Generator + light @ Getzendaner*

*Cones and barricades @ Getzendaner 200 Cones, 100ft Barricade  
Matthews ~~ST~~ ST 100 Cones*



When will the traffic equipment be set-up?

Date: 2-1-25 Time: 2:00 Am

When will the traffic equipment be removed?

Date: 3-1-25 Time: 2:00 Pm

Are you requesting the use of City traffic equipment?

Yes  No

**Availability is not guaranteed**

*Cones + Barricodes only*

**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.

\_\_\_\_\_  
Signature

9-9-24  
Date

**Contract Agreement**

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

\_\_\_\_\_  
Signature

9-9-24  
Date

(50)



# 2024 HACHIE50 10-MILE ROUTE

**10.04 mi**

Distance

**152 ft**

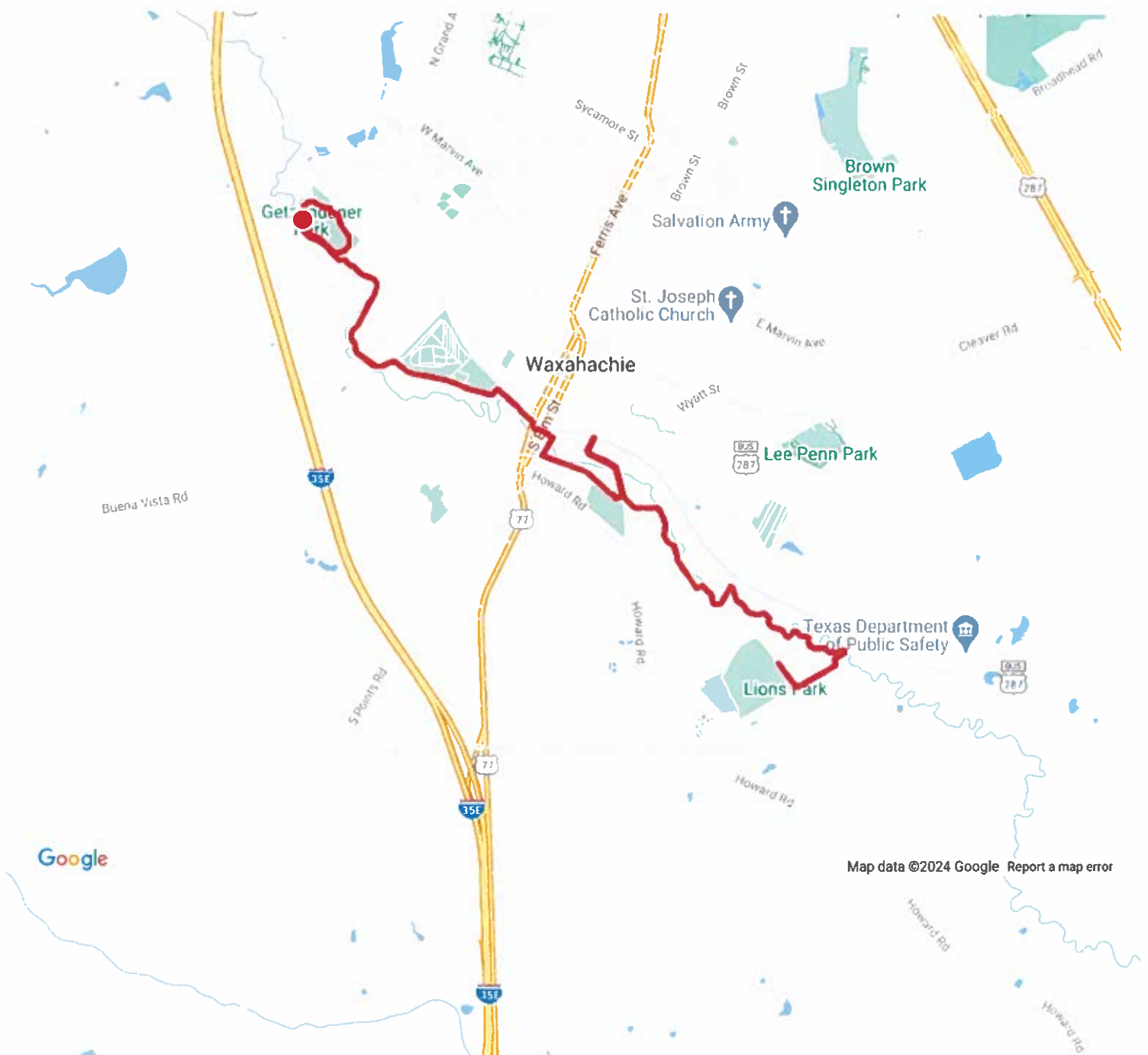
Elevation Gain

**Run**

Activity Type

## Notes

10 Mile Lap used for the Hachie 50 Mile Ultra Marathon (5 laps), 30 Mile Ultra Marathon (3 laps) and 50 Mile Team Relay (5 laps).



(50)

**Bonner, Jami**

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**From:** Massey, Matt  
**Sent:** Thursday, September 12, 2024 1:41 PM  
**To:** Martinez, Gumaro; Bonner, Jami; Joe Wiser; Boyd, Ricky; Griffith, Thomas; Donna Insixiengmay; Megan Womack; Stoker, Justin; Cooper, Kyle; Barnes, Bradley; Campos, Yadira; Mosley, Laurie; Jordan, Me'Lony; Warren, Anthony  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber  
**Subject:** RE: Event Application 2/28-3/1/2025 Hachie 50

I recommend Matthews be closed from the railroad tracks to the entrance of the dog park. Last year a run lane was established with cones and runners were all over the road. The run lane had little to no effect.

*Matt Massey*

Street Operations Manager  
City of Waxahachie  
Office 469-309-4312  
[mmassey@waxahachie.com](mailto:mmassey@waxahachie.com)

---

**From:** Martinez, Gumaro <[gmartinez@waxahachie.com](mailto:gmartinez@waxahachie.com)>  
**Sent:** Thursday, September 12, 2024 1:37 PM  
**To:** Bonner, Jami <[jami.bonner@waxahachie.com](mailto:jami.bonner@waxahachie.com)>; Joe Wiser <[JWiser@waxahachiepd.org](mailto:JWiser@waxahachiepd.org)>; Boyd, Ricky <[RBoyd@waxahachiefire.org](mailto:RBoyd@waxahachiefire.org)>; Griffith, Thomas <[john.griffith@waxahachie.com](mailto:john.griffith@waxahachie.com)>; Donna Insixiengmay <[donna.insixiengmay@waxahachiepd.org](mailto:donna.insixiengmay@waxahachiepd.org)>; Megan Womack <[megan.womack@waxahachiepd.org](mailto:megan.womack@waxahachiepd.org)>; Massey, Matt <[mmassey@waxahachie.com](mailto:mmassey@waxahachie.com)>; Stoker, Justin <[justin.stoker@waxahachie.com](mailto:justin.stoker@waxahachie.com)>; Cooper, Kyle <[kyle.cooper@waxahachie.com](mailto:kyle.cooper@waxahachie.com)>; Barnes, Bradley <[bradley.barnes@waxahachie.com](mailto:bradley.barnes@waxahachie.com)>; Campos, Yadira <[ycampos@waxahachie.com](mailto:ycampos@waxahachie.com)>; Mosley, Laurie <[Imosley@waxahachiecvb.com](mailto:Imosley@waxahachiecvb.com)>; Jordan, Me'Lony <[mjordan@waxahachie.com](mailto:mjordan@waxahachie.com)>; Warren, Anthony <[anthony.warren@waxahachie.com](mailto:anthony.warren@waxahachie.com)>  
**Cc:** Scott, Michael <[msscott@waxahachie.com](mailto:msscott@waxahachie.com)>; Lawrence, Albert <[alawrence@waxahachie.com](mailto:alawrence@waxahachie.com)>; Villarreal, Amber <[avillarreal@waxahachie.com](mailto:avillarreal@waxahachie.com)>  
**Subject:** RE: Event Application 2/28-3/1/2025 Hachie 50

I know they didn't request any street closures per the application, but the segment of the race that spans on Matthews Street does pose some concerns with runners and the blind corners on that segment of Matthews Street.

Can we verify if they need the street closure at Matthews?

(56)

**Bonner, Jami**

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**From:** Ken Box <kenpaulbox@gmail.com>  
**Sent:** Friday, September 13, 2024 6:30 AM  
**To:** Bonner, Jami  
**Subject:** Re: Hachie 50 Question

Good morning Jamie,  
Yes ma'am, we are requesting Matthews Street to be closed from the railroad track south to the dog park entrance. Saturday March 1st only.

Thank you,  
Ken  
Sent from my iPad

On Sep 12, 2024, at 1:40 PM, Bonner, Jami <jami.bonner@waxahachie.com> wrote:

Hello Mr. Box,

I have received the following questions from staff in regards to your event application for Hachie 50: Can we verify if they need the street closure at Matthews?

Please reply with your response. Thank you.

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

Jami Bonner, TRMC  
Assistant City Secretary  
City of Waxahachie  
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

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

(5f)

## Planning & Zoning Department

### Petition for ETJ Release

Case: ETJ-PTN-163-2024



#### MEETING DATE(S)

City Council:

October 7, 2024

#### CAPTION

*Consider* proposed Ordinance approving a request by Kars Tamminga, for a **Petition for ETJ Release** for approximately 73.36 acres, located at 3726 F.M. 1446 (Property ID 183236 and 223336) – Owner(s): Tamminga Family Partnership, LTD and Tamminga K & G Revocable Living Trust (ETJ-PTN-163-2024)

#### RECOMMENDED MOTION

*"I move to approve ETJ-PTN-163-2024, a request by Kars Tamminga, for a Petition for ETJ Release for approximately 73.36 acres, at 3726 F.M. 1446, authorizing the Mayor to sign the associated documents accordingly."*

#### APPLICANT REQUEST

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

#### CASE INFORMATION

*Applicant:*

Kars Tamminga

*Property Owner(s):*

Tamminga Family Partnership, LTD and Tamminga K & G Revocable Living Trust

*Site Acreage:*

73.36 acres

*Number of Lots:*

2 lots

*Number of Dwelling Units:*

1 unit

#### SUBJECT PROPERTY

*General Location:*

Located at 3726 F.M. 1446

*Parcel ID Number(s):*

183236 and 223336

*Current Zoning:*

ETJ

*Existing Use:*

Residential use

*Platting History:*

The subject property is not platted.

*CCN Service Area:*

Buena Vista - Bethel Special Utility District

Site Aerial:



**PLANNING ANALYSIS**

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

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

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

**RECOMMENDATION**

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

**ATTACHED EXHIBITS**

1. ETJ Petition Map for October 7, 2024 City Council Meeting
2. Proposed Ordinance
3. Metes & bounds (Exhibit A)
4. Location Map (Exhibit B)

**STAFF CONTACT INFORMATION**

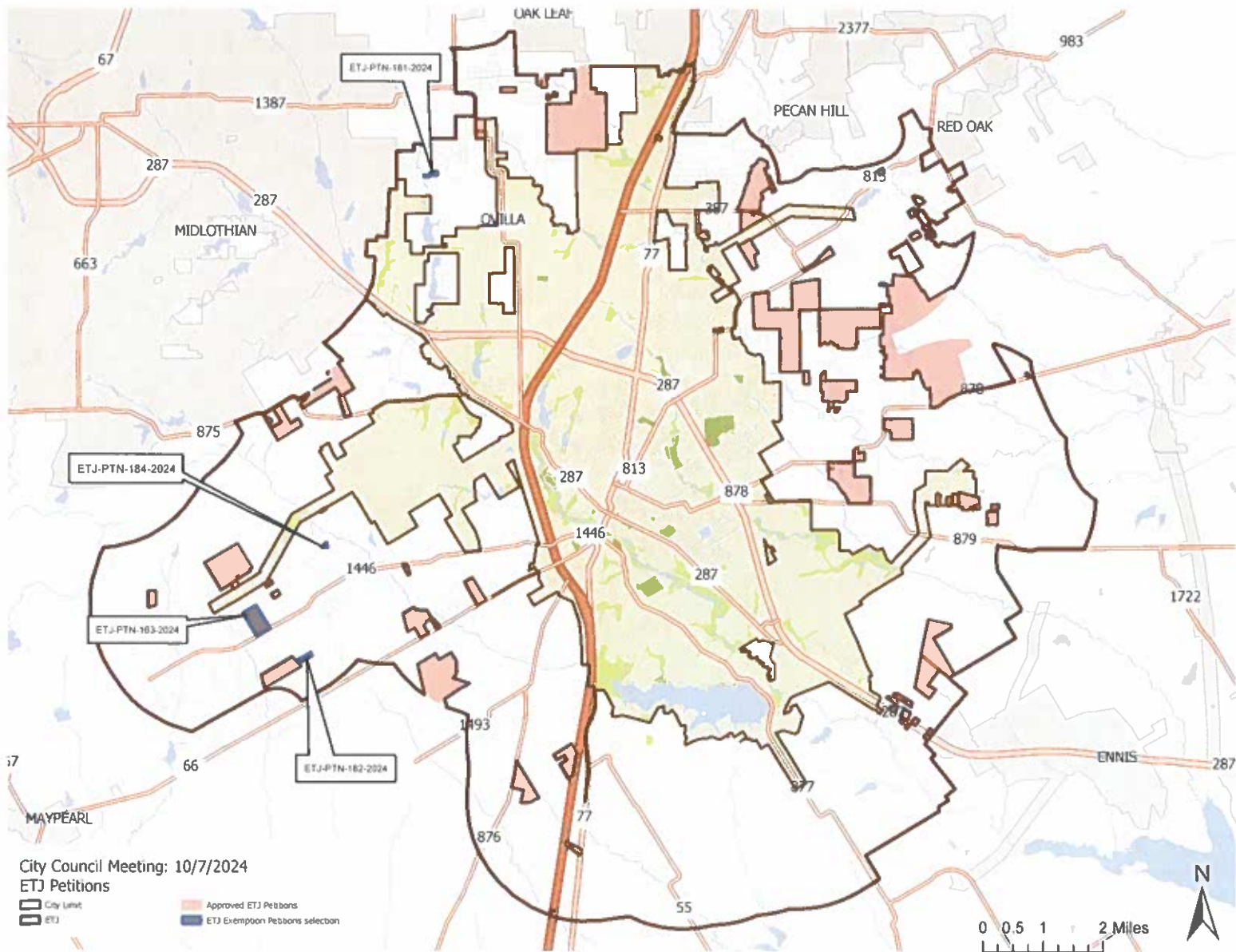
*Prepared by:*

Oanh Vu  
Senior Planner  
[oanh.vu@waxahachie.com](mailto:oanh.vu@waxahachie.com)

*Reviewed by:*

Jennifer Pruitt, AICP, LEED-AP, CNU-A  
Senior Director of Planning  
[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)

(5f)



(5f)

**ORDINANCE NO.**

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 73.36 ACRE TRACT OF LAND, LOCATED AT 3726 F.M. 1446, KNOWN AS PROPERTY ID 183236 AND 223336, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.**

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

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

**WHEREAS**, City staff has determined that the submitted petition, case number ETJ-PTN-163-2024, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

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

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

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

**PASSED, APPROVED AND ADOPTED** on this 7<sup>th</sup> day of October, 2024.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary

**SSC**

**STANGER SURVEYING CANTON LLC**

P.O. BOX 336

BEN WHEELER, TEXAS 75754

TBPLS FIRM #10025701

PH: 903-833-1006

**J. ESTES SURVEY, ABSTRACT NO. 335  
ELLIS COUNTY, TEXAS**

**METES AND BOUNDS DESCRIPTION FOR 73.36 ACRES OF LAND**

**BEING** 73.36 acres of land situated in the **J. ESTES SURVEY, ABSTRACT NO. 335**, Ellis County, Texas, and being all of a called 57.95 acres to Tamminga Family Partnership recorded in Volume 1484, Page 458 of the Deed Records of Ellis County, Texas, all of a called 8.94 acres to Kars Tamminga, et ux. recorded in Volume 1484, Page 447 of the Deed Records of Ellis County, Texas, and all of a called 1.467 acres and a called 5.000 acres to K. Tamminga and G. Tamminga Revocable Living Trust recorded in Instrument No. 2230881 of the Deed Records of Ellis County, Texas. Said 73.36 acre tract of land being more particularly described as follows:

**BEGINNING** at a 5/8 inch iron rod (found) for the South corner of this 73.36 acre tract of land. Said corner also being the South corner of the above referenced 5.000 acres and being the East corner of Emerald Forest Section 1 as shown in Cab. A, Slide 476 and Cab. D, Slide 298 of the Plat Records of Ellis County, Texas;

**THENCE:** North 31 Deg. 04 Min. 28 Sec. West, along the southernmost Southwest line of the 5.000 acres, the Southwest line of the above referenced 1.467 acres, the westernmost Southwest line of the above referenced 57.95 acres, and the Northeast line of the above referenced Emerald Forest, Section 1, a distance of 2343.43 feet to a 5/8 inch iron rod (found) for the West corner of these 73.36 acres. Said corner also being the West corner of the 57.95 acres and being the South corner of a called 125.00 acres to R&R Americase Holdings, LTD. recorded in Instrument No. 1737705 of the Deed Records of Ellis County, Texas;

**THENCE:** North 59 Deg. 07 Min. 54 Sec. East, along the Northwest line of the 57.95 acres and the Southeast line of the above referenced 125.00 acres, a distance of 1360.13 feet to a 5/8 inch iron rod (found) for the North corner of these 73.36 acres. Said corner also being the North corner of the 57.95 acres and being the West corner of a called 110.795 acres to Magnablend Inc. recorded in Instrument No. 1525522 of the Deed Records of Ellis County, Texas;

# EXHIBIT A - METES & BOUNDS

(5f)

**THENCE:** South 31 Deg. 06 Min. 15 Sec. East, along the Northeast line of the 57.95 acres and the Southwest line of the above referenced 110.795 acres, a distance of 2353.27 feet to a 5/8 inch iron rod (found) for the East corner of these 73.36 acres. Said corner also being the East corner of the 57.95 acres, the South corner of the 110.795 acres, and being on the Northwest right of way line of Farm to Market Road No. 1446;

**THENCE:** South 59 Deg. 33 Min. 28 Sec. West, along the easternmost Southeast line of the 57.95 acres and the Northwest right of way line of Farm to Market Road No. 1446, a distance of 483.90 feet to a 5/8 inch iron rod (found) for an angle break in the Southeast line of these 73.36 acres. Said angle break also being the easternmost South corner of the 57.95 acres and the East line of the above referenced 8.94 acres;


**THENCE:** South 59 Deg. 32 Min. 52 Sec. West, along the Southeast line of the 8.94 acres and the Northwest right of way line of Farm to Market Road No. 1446, a distance of 491.08 feet to a 5/8 inch iron rod (found) for an angle break in the Southeast line of these 73.36 acres. Said angle break also being the South corner of the 8.94 acres and being the East corner of the above referenced 5.000 acres;

**THENCE:** South 59 Deg. 31 Min. 37 Sec. West, along the Southeast line of the 5.000 acres and the Northwest right of way line of Farm to Market Road No. 1446, a distance of 386.45 feet back to the **POINT OF BEGINNING** and containing a 73.36 acre tract of land.

Bearings are ground and based on the Texas State Plane Coordinate System, North Central Zone (NAD83, CORS96) referenced to the Smartnet RTK Network. Reference made to Plat of Survey prepared even date (C240140).

I, Jeff D. Douglas, Registered Professional Land Surveyor, do hereby certify that the above description was prepared from an actual survey made on the ground under my direction and supervision during the month of September, 2024.

GIVEN UNDER MY HAND AND SEAL, this the 10th day of September, 2024.

  
\_\_\_\_\_  
Jeff D. Douglas  
Registered Professional  
Land Surveyor No. 5757



(5f)



(59)

## Planning & Zoning Department

### Petition for ETJ Release

Case: ETJ-PTN-181-2024



#### MEETING DATE(S)

City Council:

October 7, 2024

#### CAPTION

*Consider* proposed Ordinance approving a request by Raul Acosta, for a Petition for ETJ Release for approximately 7.30 acres, located at 1250 Black Champ Road (Property ID 204042 and 289761) – Owner: Raul Acosta and Cody Acosta (ETJ-PTN-181-2024)

#### RECOMMENDED MOTION

*"I move to approve ETJ-PTN-181-2024, a request by Raul Acosta, for a Petition for ETJ Release for approximately 7.30 acres, at 1250 Black Champ Road, authorizing the Mayor to sign the associated documents accordingly."*

#### APPLICANT REQUEST

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

#### CASE INFORMATION

*Applicant:*

Raul Acosta

*Property Owner(s):*

Raul Acosta and Cody Acosta

*Site Acreage:*

7.30 acres

*Number of Lots:*

2 lots

*Number of Dwelling Units:*

1 unit

#### SUBJECT PROPERTY

*General Location:*

Located at 1250 Black Champ Road

*Parcel ID Number(s):*

204042 and 289761

*Current Zoning:*

N/A (ETJ)

*Existing Use:*

Residential

*Platting History:*

One lot is platted as Lot 1B of the Yarbrough's Yard Addition, and one lot is unplatted.

*CCN Service Area:*

Sardis-Lone Elm WSC

(59)

**Site Aerial:**



**PLANNING ANALYSIS**

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

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

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

**RECOMMENDATION**

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

**ATTACHED EXHIBITS**

1. ETJ Petition Map for October 7, 2024 City Council Meeting
2. Proposed Ordinance
3. Survey and Plat (Exhibit A)
4. Location Map (Exhibit B)

**STAFF CONTACT INFORMATION**

*Prepared by:*

James Breen

GIS Technician

[james.breen@waxahachie.com](mailto:james.breen@waxahachie.com)

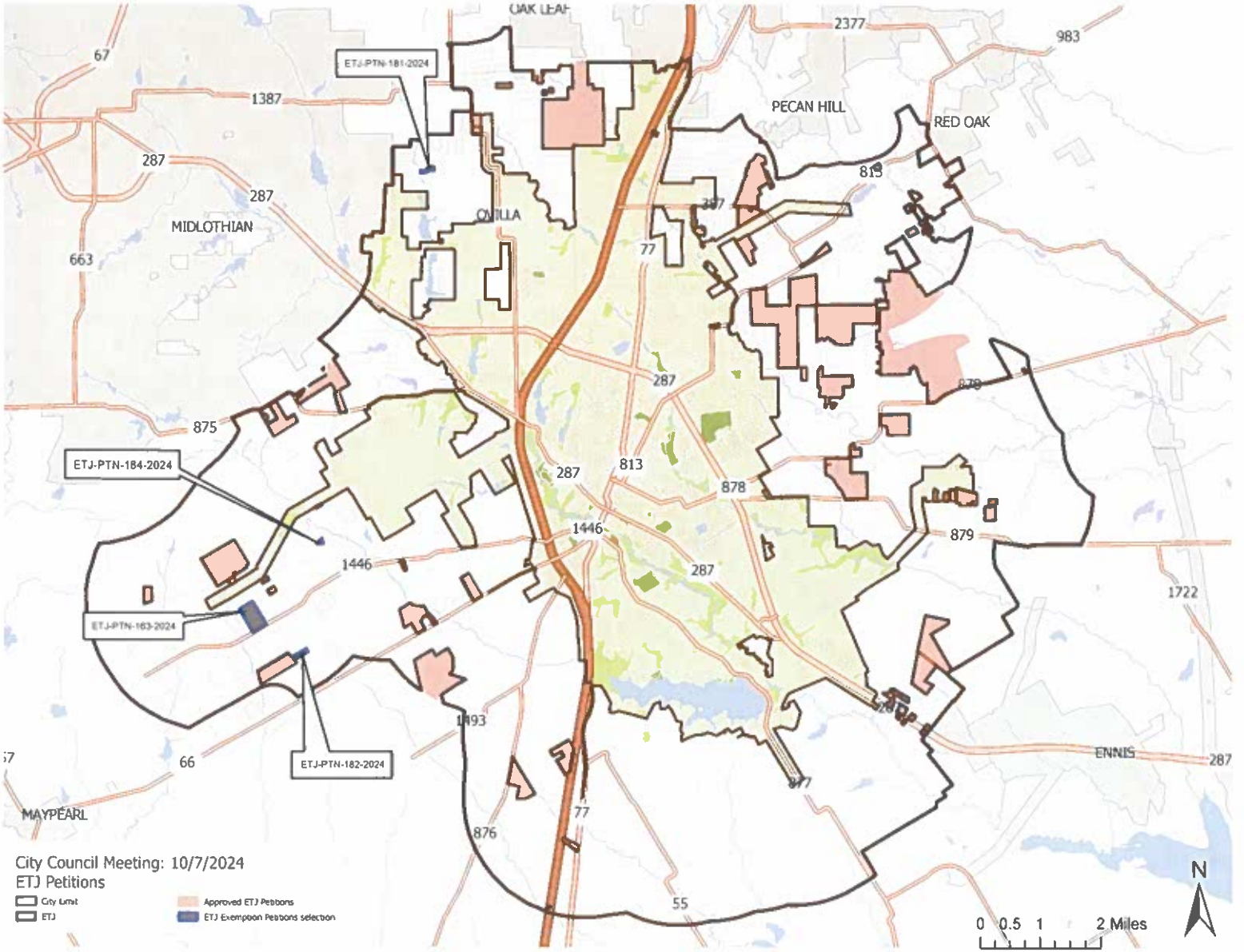
*Reviewed by:*

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

Senior Director of Planning

[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)

(59)



(59)

**ORDINANCE NO.**

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 7.30 ACRE TRACT OF LAND, LOCATED AT 1250 BLACK CHAMP ROAD, KNOWN AS PROPERTY IDS 204042 AND 289761, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.**

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

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

**WHEREAS**, City staff has determined that the submitted petition, case number ETJ-PTN-181-2024, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

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

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

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

**PASSED, APPROVED AND ADOPTED** on this 7<sup>th</sup> day of October, 2024.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary

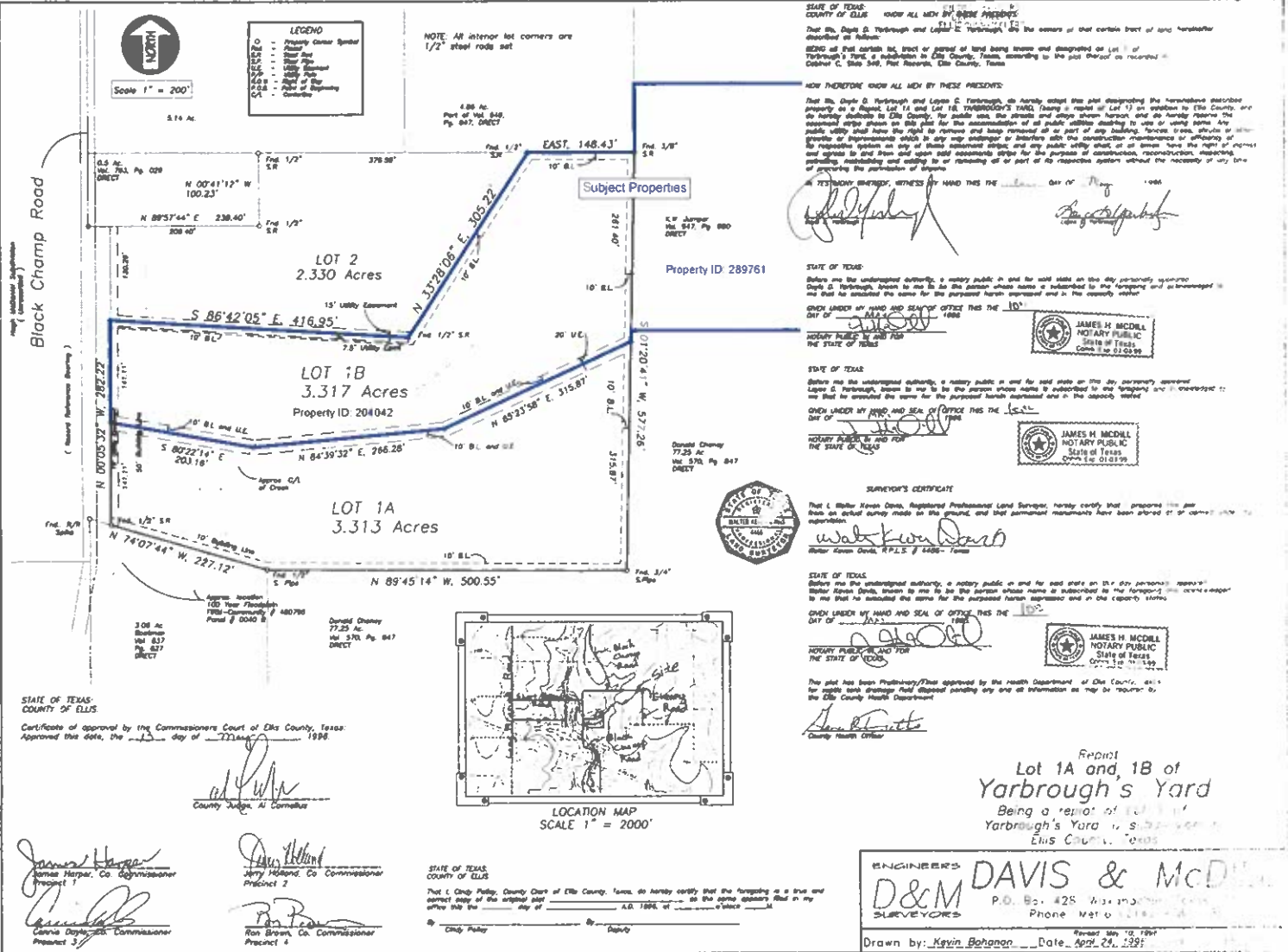
(59)

# EXHIBIT A - PLAT AND SURVEY

9608311

9608311

C-613





(59)



**EXHIBIT B - LOCATION MAP**

ETJ-PTN-181-2024 (ETJ PETITION)

(9h)

# Planning & Zoning Department

## Petition for ETJ Release

**Case: ETJ-PTN-182-2024**



**MEETING DATE(S)**

*City Council:* October 7, 2024

**CAPTION**

**Consider** proposed Ordinance approving a request by Shawn Farris, for a **Petition for ETJ Release** for approximately 10.1 acres, located at 431 Arrowhead Rd. (Property ID 263474) – Owner: Shawn Farris (ETJ-PTN-182-2024).

**RECOMMENDED MOTION**

*"I move to approve ETJ-PTN-182-2024, a request by Shawn Farris, for a Petition for ETJ Release for approximately 10.1 acres, located at 431 Arrowhead Rd., authorizing the Mayor to sign the associated documents accordingly."*

**APPLICANT REQUEST**

The property owners have petitioned the City to remove their property from the extraterritorial jurisdiction (ETJ).

**CASE INFORMATION**

*Applicant:* Shawn Farris

*Property Owner(s):* Shawn Farris

*Site Acreage:* 10.1 acres

*Number of Lots:* 1 lot

*Number of Dwelling Units:* 1 unit

**SUBJECT PROPERTY**

*General Location:* 431 Arrowhead Rd.

*Parcel ID Number(s):* 263474

*Current Zoning:* N/A (ETJ)

*Existing Use:* Residential

*Platting History:* The subject property is not platted.

*CCN Service Area:* Buena Vista – Bethel WSC





(5h)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 10.1 ACRE TRACT OF LAND, LOCATED AT 431 ARROWHEAD RD, KNOWN AS PROPERTY ID 263474 AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.**

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

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

**WHEREAS**, City staff has determined that the submitted petition, case number ETJ-PTN-182-2024, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

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

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

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

**PASSED, APPROVED AND ADOPTED** on this 7<sup>th</sup> day of October, 2024.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary



(5h)

LOCATION MAP (EXHIBIT B)



(51)

## Planning & Zoning Department

### Petition for ETJ Release

Case: ETJ-PTN-184-2024



#### MEETING DATE(S)

City Council:

October 7, 2024

#### CAPTION

*Consider* proposed Ordinance approving a request by Kerry Woodson, for a **Petition for ETJ Release** for approximately 2.59 acres, located at 640 Cox Rd. (Property ID 189402) – Owner: Kerry Woodson & Pam Woodson (ETJ-PTN-184-2024).

#### RECOMMENDED MOTION

*"I move to approve ETJ-PTN-184-2024, a request by Kerry Woodson, for a Petition for ETJ Release for approximately 2.55 acres, located at 640 Cox Rd., authorizing the Mayor to sign the associated documents accordingly."*

#### APPLICANT REQUEST

The property owners have petitioned the City to remove their property from the extraterritorial jurisdiction (ETJ).

#### CASE INFORMATION

*Applicant:* Kerry Woodson  
*Property Owner(s):* Kerry Woodson & Pam Woodson  
*Site Acreage:* 2.59 acres  
*Number of Lots:* 1 lot  
*Number of Dwelling Units:* 1 unit

#### SUBJECT PROPERTY

*General Location:* 640 Cox Rd  
*Parcel ID Number(s):* 189402  
*Current Zoning:* N/A (ETJ)  
*Existing Use:* Residential  
*Platting History:* The subject property is not platted.  
*CCN Service Area:* Buena Vista – Bethel WSC

**Site Aerial:**



**PLANNING ANALYSIS**

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

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

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

**RECOMMENDATION**

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

**ATTACHED EXHIBITS**

1. ETJ Petition Map for October 7, 2024, City Council Meeting
2. Proposed Ordinance
3. Legal Description (Exhibit A)
4. Location Map (Exhibit B)

**STAFF CONTACT INFORMATION**

*Prepared by:*

Harper Lindamood  
Planner

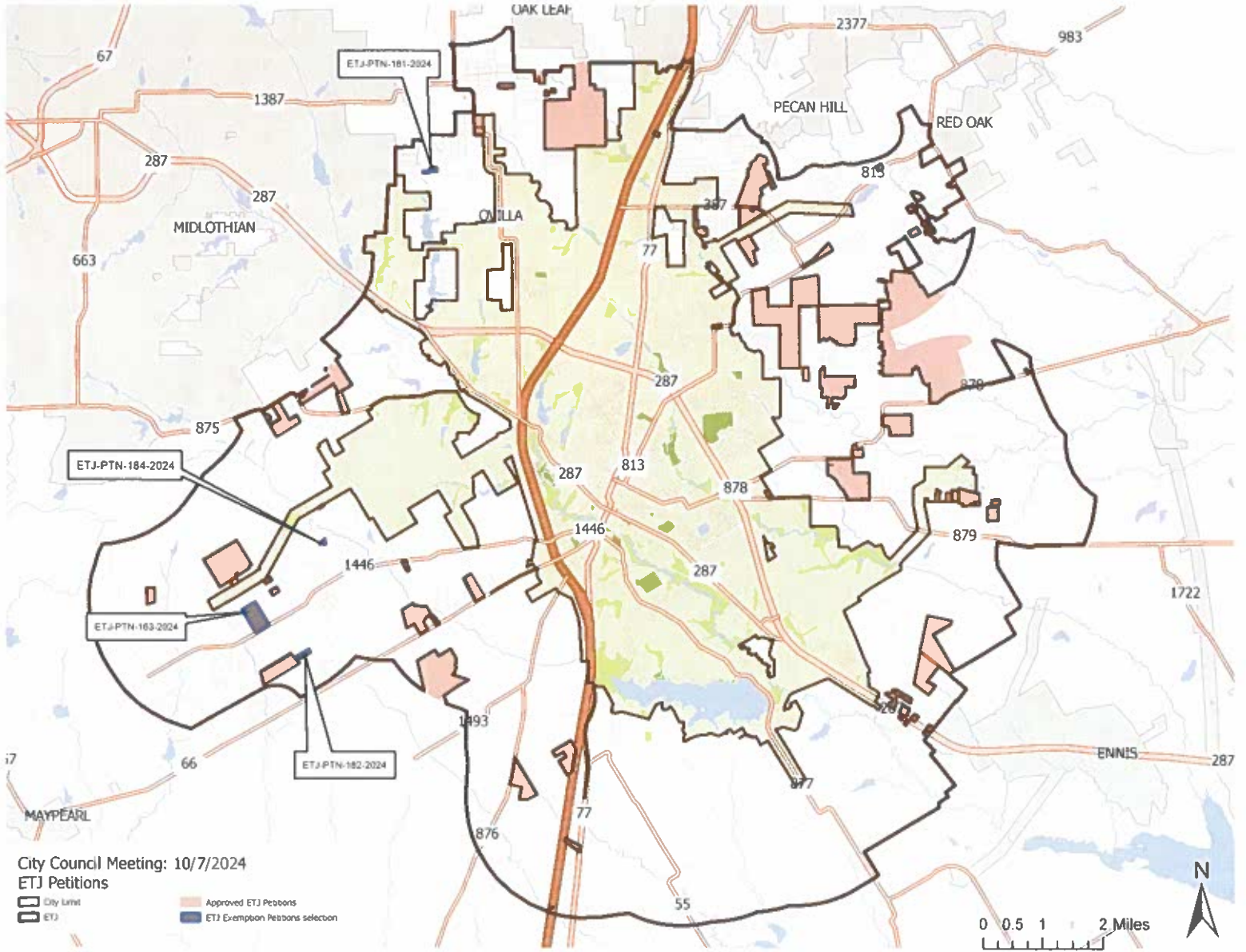
[Harper.lindamood@waxahachie.com](mailto:Harper.lindamood@waxahachie.com)

*Reviewed by:*

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

[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)

(5i)



(5i)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION OF A 2.59 ACRE TRACT OF LAND, LOCATED AT 640 COX RD, KNOWN AS PROPERTY ID 189402 AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.**

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

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

**WHEREAS**, City staff has determined that the submitted petition, case number ETJ-PTN-184-2024, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City’s ETJ.

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

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

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

**PASSED, APPROVED AND ADOPTED** on this 7<sup>th</sup> day of October, 2024.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary

(5i)

# LEGAL DESCRIPTION (EXHIBIT A)

SURVEY PLAT COPYRIGHT © DATE 6-24-2024

BEGINNING AT A 1/2" IRON ROD SET AT THE INTERSECTION OF THE SOUTHEAST LINE OF THIS TRACT WITH THE NORTHEAST LINE OF A 30 FOOT WIDE COUNTY ROAD.

THENCE N 53°36'01" E A DISTANCE OF 39.55 FEET TO A 1/2" IRON ROD SET NEAR A CORNER FENCE POST; (DEED-N44800E, 39.33)

THENCE S 89°13'25" E, GENERALLY ALONG A FENCE LINE, A DISTANCE OF 495.60 FEET TO A 1/2" IRON ROD SET NEAR A FENCE CORNER POST; (DEED-N8824E, 495.6)

THENCE N 11°37'28" W, GENERALLY ALONG A FENCE LINE, A DISTANCE OF 215.35 FEET TO A 1/2" IRON ROD SET AT THE SOUTHEAST CORNER OF 0.80 ACRE TRACT CONVEYED TO CORY AND PENNY VESTAL AS RECORDED IN VOLUME 1831 PAGE 2025 OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS; (DEED-N14103W)

THENCE AROUND THE VESTAL TRACT THE FOLLOWING COURSE AND DISTANCE:  
 N87°33'25"W A DISTANCE OF 144.05 FEET TO A 1/2" IRON ROD FOUND NEAR A FENCE POST;  
 N20°18'00"W A DISTANCE OF 117.20 FEET TO A 1/2" IRON ROD FOUND FOR CORNER NEAR A FENCE POST;  
 N51°01'19"E A DISTANCE OF 177.40 FEET TO A 1/2" IRON ROD FOUND FOR CORNER NEAR A FENCE POST AND BEING THE MOST NORTHERLY CORNER OF SAID VESTAL TRACT;

THENCE N 11°42'02" W A DISTANCE OF 37.95 FEET TO A 5/8" IRON ROD WITH AN ALUMINUM DISC FOR THE MOST NORTHERLY CORNER OF THE HERED DESCRIBED TRACT AND BEING IN THE SOUTH LINE OF A TRACT CONVEYED TO LEWIS AND MELBAE SMITH AND RECORDED IN VOLUME 2144 PAGE 182 OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS; (DEED-N14103W)

THENCE WITH THE COMMON LINE OF THE SMITH TRACT THE FOLLOWING COURSE AND DISTANCES:  
 S46°15'36" W A DISTANCE OF 318.60 FEET TO A 1/2" IRON ROD SET;  
 S32°17'50" E A DISTANCE OF 5.50 FEET TO A 1/2" IRON ROD SET;  
 S47°32'38" W A DISTANCE OF 327.90 FEET TO A RAILROAD SPIKE FOUND AND BEING THE MOST WESTERLY CORNER OF THE HERED DESCRIBED TRACT AND THE MOST SOUTHERLY CORNER OF THE SMITH TRACT; (DEED-54317W, 825', MORE OR LESS)

THENCE S40°39'54"E A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.59 ACRES OF LAND, MORE OR LESS (DEED-529E, NO DISTANCE)

NOTE: THIS PROPERTY IS SUBJECT TO THE ORDINANCE NO. 1865 RECORDED IN VOLUME 1322 PAGE 278 OF P.R.E.C.T.

NOTE: PROPERTY SUBJECT TO BLANKET EASEMENT TO BUDA VISTA-METHOD WATER SUPPLY PER VOLUME 580 PAGE 812 D.R.E.C.T. (CONTROLLING BOUNDARY PIPE AS INSTALLED LAID ON GROUND

LEGEND	
	POWER POLE
	ROAD DECK
	SEPTIC LINES
	AC PAD
	CONCRETE
	GRAVEL
	BRICK
	COVERED AREA
	GAS METER
	FIRE HYDRANT
	TANK
	PROPERTY LINE
	FENCE
	BUILDING LINE
	EASEMENT LINE
	IRON ROD FOUND
	IRON ROD SET
	POWER LINE
	NOT TO SCALE
	UTILITY PEDESTAL
	ELECT. BOX
	UTILITY CASEMENT
	WATER METER
	BOTANICALS

J. Jimmy D. Woodard, Registered Professional Land Surveyor of the State of Texas, do hereby certify that this Survey is a representation of the property shown hereon as determined by a survey on the ground. The date and dimensions of said property being as indicated by this plat. This plat, including all other improvements as shown. General requirements are as shown on survey. COPIES AS SHOWN ON SURVEY. NONE AND NO AGREE GROUND DIMENSIONS OR ANY OTHER RESTRICTIONS.

This survey makes no judgment as to the ownership of the property, only that the property is on the ground as shown and surveyed there. Description provided to the surveyor.

This survey was performed exclusively for the parties shown herein and is limited to a single use. This Survey remains the property of the Surveyor. No part of this Survey shall be published without the written prior permission of the Surveyor. This survey is an original work prepared by the Surveyor and is not to be reproduced or used for any other purpose without the written prior permission of the Surveyor.

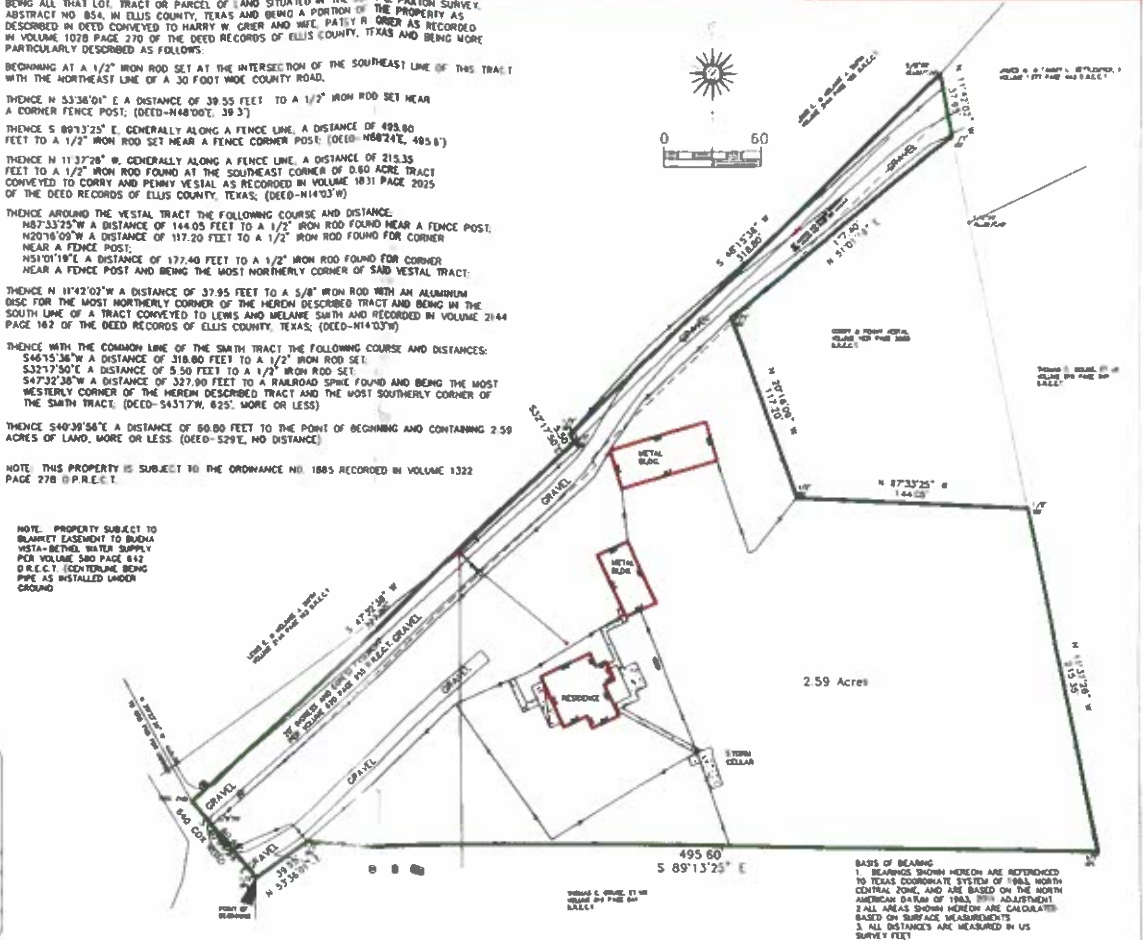
Jimmy D. Woodard  
 Registered Professional Land Surveyor  
 R.P.L.S. #03788  
 THIS SURVEY VALID WITH EMBOSSED SEAL

**JIMMY W. POGUE, INC.**  
 "Registered Professional Land Surveyors"  
 RPLS NO 101218-00

5811 Sreestator Drive (214) 371-0664  
 Mesquiteville, Texas 78065  
 Jimmy D. Woodard R.P.L.S. No. 5398

C.F. Number: 74002078-30 Title Company: TRULY TITLE

Certified to: Job Number: 31863 Date: 6-24-2024



BASES OF BEARING  
 1. BEARINGS SHOWN HEREON ARE REFERENCED TO TEXAS COORDINATE SYSTEM OF 1983 NORTH CENTRAL ZONE AND ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 WITH ADJUSTMENT. ALL AREAS SHOWN HEREON ARE CALCULATED BASED ON SURFACE MEASUREMENTS. 2. ALL DISTANCES ARE MEASURED IN US SURVEY FEET.

(5i)





## Memorandum

To: Honorable Mayor and City Council  
From: Kyle Cooper, Senior Director of Parks & Recreation  
Thru: Michael Scott, City Manager  
Date: October 7, 2024  
Re: Consider Amending City of Waxahachie Code of Ordinances, Chapter 22, Section 22-37 Applicable to the Use of Sports Fields in Parks and Reservation Fees

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**Motion:** "I move to approved the amendments to the City of Waxahachie Code of Ordinances, Chapter 22, Section 22-37, as presented by staff, and authorize the Mayor and/or City Manager to execute all necessary documents."

**Item Description:** Consider amending Chapter 22 of the Code of Ordinances by revising Section 22-37 to include a provision allowing the reservation of the football field in Lee Penn Park for practices at a rate of \$25 per hour, limited to two days per week.

**Item Summary:** The purpose of this ordinance amendment is to help meet the demand for lighted practice fields within the city by allowing practices at the Lee Penn Park football field. The enhancements to the football field at Lee Penn Park, including field lights, perimeter fencing, and a scoreboard, have made it an ideal location for both games and practices. Staff recommends a field usage fee of \$25 per hour to help offset costs related to regulating field usage and the maintenance and upkeep of the field.

Practices will be limited to two days per week to preserve the field's quality and ensure it remains in good condition for all users. Scheduling must be coordinated with the Parks Department to ensure availability and compliance with park

(5j)

regulations. Practices extending past park curfew will require special permission in advance. The Parks Department reserves the right to cancel practices for any reason, including but not limited to, the preservation of the field and/or public safety.

The Park Board had discussion regarding the usage of the Lee Penn Park football field for practice at their September 5<sup>th</sup> regular meeting, and recommended moving forward with the amendments allowing for rentals of the football field.

**Fiscal Impact:** The amount of revenue collected from the rental of the field is based on usage and is unknown. However, the revenue will assist with increased cost associated with managing and maintaining the field for practices.

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**AN ORDINANCE OF THE CITY OF WAXAHACHIE**

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING CHAPTER 22, "PARKS AND RECREATION", ARTICLE III. "FEES" BY AMENDING SECTION 22-37, "SPORTS FIELDS IN PARKS" APPLICABLE TO THE USE OF SPORTS FIELDS IN PARKS AND FEES; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Waxahachie, Texas is a Home-Rule Municipality located in Ellis County created in accordance with provisions of the Texas Local Government Code and operating pursuant to the legislation of the State of Texas ("City"); and

**WHEREAS**, the of the City of Waxahachie City Council ("City Council") has determined the availability of parks and open space is crucial to maintaining the City's high quality of life; and

**WHEREAS**, the City Council has determined the regulations concerning the use of sports fields in parks and fees assessed throughout Waxahachie; and

**WHEREAS**, the City Council has considered the provisions contained herein, and determined that the fees and regulations set forth will serve the public purpose and fit public needs in making reasonable requirements for use of sports fields in public parks; and

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

**SECTION 1.** That Chapter 22 "Parks and Recreation", ARTICLE III. - Fees be amended by revising Section 22-37 "Sports Fields in Parks" to reads as follows:

**"CHAPTER 22 – PARKS AND RECREATION**

.....

**III. FEES**

.....

**Section 22-37: Sports Fields in Parks.**

The football field located in Lee Penn Park may be reserved for use at the following rate:

Games: Seventy-five dollars (\$75.00) per game, per day. Limited to scheduling three (3) games per day. Park rules and regulations must be adhered to. Games extending past park

(5j)

curfew will require special permission in advance. The parks department reserves the right to cancel games for any reason deemed necessary, including but not limited to, the preservation of the field and/or public safety.

Practices: Twenty-five dollars (\$25.00) per hour, limited to two (2) days per week. Scheduling must be coordinated with the Parks Department to ensure availability and compliance with park regulations. Practices extending past park curfew will require special permission in advance. The parks department reserves the right to cancel games or practices for any reason deemed necessary, including but not limited to, the preservation of the field and/or public safety.

**SECTION 2.** That all provisions of the Ordinances of the City of Waxahachie, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** That 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.** That this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Waxahachie, Texas, this the 7<sup>th</sup> day of October, 2024.

CITY OF WAXAHACHIE, TEXAS

\_\_\_\_\_  
BILLIE WALLACE, MAYOR

ATTEST:

\_\_\_\_\_  
AMBER VILLARREAL, CITY SECRETARY

APPROVED AS TO FORM

\_\_\_\_\_  
TERRY WELCH, CITY ATTORNEY

# Planning & Zoning Department

## Zoning Staff Report



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### Case: ZTA-126-2024 Zoning Text Amendment

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#### MEETING DATE(S)

Planning & Zoning Commission: September 24, 2024  
City Council: October 7, 2024

#### CAPTION

**Public Hearing** on a request by the City of Waxahachie for a textual amendment to the City Zoning Ordinance, Ordinance No. 3020, to Article IV Definitions and Use Regulations, Section 4.01 Definitions, and to Article IV Definitions and Use Regulations, Section 4.03 Use Charts, (ZTA-126-2024) Event Center use.

#### RECOMMENDED MOTION

*"I move to approve ZTA-126-2024, a request by the City of Waxahachie for a textual amendment to the City Zoning Ordinance, Ordinance No. 3020, to Article IV Definitions and Use Regulations, Section 4.01 Definitions, and to Article IV Definitions and Use Regulations, Section 4.03 Use Charts, authorizing the Mayor to sign the associated documents accordingly."*

#### ACTION SINCE INITIAL STAFF REPORT

At the Planning and Zoning Commission meeting held on September 24, 2024, the Commission voted 7-0 resulting in a recommendation for support of case number ZTA-126-2024.

#### PLANNING ANALYSIS

As a result of a number of Event Center uses Zoning District Change Requests, the City Council directed the Planning staff to evaluate the Event Center use process of comparable cities in the Dallas-Fort Worth Metroplex. The information gathered by staff clearly noted that a majority of the comparable cities allowed the Event Center to use by right and with Specific Use Permit approval.

Currently, the City of Waxahachie does not have a definition of an *Event Center*. City Staff has been identifying the use as a *Private Club*, which requires an approved Specific Use Permit in the Mixed Use Residential, Mixed Use Non-Residential, Office, General Retail, Central Area, Commercial, Light Industrial-1, Light Industrial-2, Heavy Industrial, and Airport District zoning districts.

The purpose of this Zoning Text Amendment is to:

1. Create a definition for an Event Center use.
2. Add the allowed use and SUP requirement to the Use Charts for Event Center use.

The current practice of classifying event center use under the Private Club category should be reduced due to the deficiencies in the Zoning Ordinance pertaining to event center use. The new definitions are noted below:

*Event Center* – A building or part of a building, in which facilities are provided and used for such purposes as a meeting, gathering, or assembly of persons for civic, educational, political, religious, or social events, including weddings and receptions, and may include a banquet hall. Such facility shall not host any activity that could be considered a sexually oriented business as defined by the City of Waxahachie’s Code of Ordinances. Also, such a facility may include an on-site kitchen/catering facility.

- a) This definition shall not include a business whose primary use constitutes a Microbrewery, Restaurant, Retail Stores & Shops, Tavern, Winery. An Event Center use shall be considered as an accessory use when the primary function of a business constitutes one of the aforementioned Land Uses.

**PUBLIC NOTIFICATIONS**

As a courtesy, the City published notice of the public hearings for the Zoning Code in the Waxahachie Sun. The Texas Local Government Code (Section 213.002) does not require the City to mail notice of the public hearing to each property owner in the City of Waxahachie.

**RECOMMENDATION**

The Planning Department recommends approval of the Zoning Code Text Amendment ZTA-126-2024, a textual amendment to the City Zoning Ordinance, Ordinance No. 3020, to Article IV Definitions and Use Regulations, Section 4.01 Definitions, and to Article IV Definitions and Use Regulations, Section 4.03 Use Charts.

**ATTACHED EXHIBITS**

- 1. Section 4.03 – Use Charts
- 2. ZTA-126-2024 Ordinance

**STAFF CONTACT INFORMATION**

*Prepared by:*

Jennifer Pruitt, AICP, LEED-AP, CNU-A  
Senior Director of Planning  
[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)

*Reviewed by:*

Shon Brooks, AICP, CPM  
Executive Director of Development Services  
[sbrooks@waxahachie.com](mailto:sbrooks@waxahachie.com)

(10)

Sec. 4.03 Use Charts.

LEGEND • - Permitted Use \$ - Use may be approved via SUP □ - Prohibited Use See Appendix A-3 for use definitions	Zoning Districts																					
	Future Development	Rural Residential	Single-Family Dwelling-1	Single-Family Dwelling-2	Single-Family Dwelling-3	Two-Family Dwelling	Multiple-Family Dwelling-1	Multiple-Family Dwelling-2	Mobile Home	Mixed Use Residential	Downtown Neighborhood	Mixed Use Non-Residential	Office	Neighborhood Service	General Retail	Central Area	Commercial	Light Industrial-1	Light Industrial-2	Heavy Industrial	Airport District	Parking Requirement
	FD	RR	SF1	SF2	SF3	2F	MF1	MF2	MH	MUR	DN	MU	O	NS	GR	CA	C	LI1	LI2	HI	AP	
<b>4.03c -- Commercial and Retail Type Uses</b>																						
Event Center, Banquet Hall	\$	\$								\$	\$	\$	\$	\$	•	•	•	\$	\$			1 space per 200 sqft

( Ord. No. 3175 , § 3, 1-21-20)

**ORDINANCE NO.**

**AN ORDINANCE AUTHORIZING A TEXTUAL AMENDMENT TO THE CITY ZONING ORDINANCE (ORDINANCE NO. 3020), ARTICLE IV (DEFINITIONS AND USE REGULATIONS), SECTION 4.01 (DEFINITIONS) TO SECTION 4.03 (USE CHARTS), PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Waxahachie ("**City Council**") has adopted a comprehensive zoning ordinance ("**Zoning Ordinance**"), which Zoning Ordinance is codified as Appendix A to the Waxahachie City Code; and

**WHEREAS**, a public hearing was held by the Planning and Zoning Commission of the City on September 24, 2024, and a public hearing was held by the City Council on October 07, 2024, with respect to the proposed textual changes to the Zoning Ordinance; and

**WHEREAS**, all requirements of law for publication and all procedural requirements have been complied with, in accordance with Chapter 211 of the Local Government Code.

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

**Section 1.** The City Council finds that the recitals set forth above are true and correct, and said recitals are incorporated into this ordinance as if set forth in full.

**Section 2.** Article IV (Definitions and Use Regulations), Section 4.01 (Definitions) to Section 4.03 (Use Charts) of the Zoning Ordinance, is hereby amended to include the following changes:

- 1) *Event Center* – A building or part of a building, in which facilities are provided and used for such purposes as a meeting, gathering, or assembly of persons for civic, educational, political, religious, or social events, including weddings and receptions, and may include a banquet hall. Such facility shall not host any activity that could be considered a sexually oriented business as defined by the City of Waxahachie’s Code of Ordinances. Also, such facility may include an on-site kitchen/catering facility.
  - a) This definition shall not include a business whose primary use constitutes a Microbrewery, Restaurant, Retail Stores & Shops, Tavern, Winery. An Event Center use shall be considered as an accessory use when the primary function of a business constitutes one of the aforementioned Land Uses.

(11)

**Section 3.** That if any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect. All ordinances of the City in conflict with the provisions of this ordinance are repealed to the extent of that conflict.

**Section 4.** That a public emergency is found to exist which affects health, safety, property or the general welfare, in that standards and regulations for the use and development of property must be brought up to date and made effective so that suitable rules for us and the development of property maybe known and in place. 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. This ordinance shall become effective from and after the date of its passage.

**PASSED, APPROVED, AND ADOPTED** on this 7<sup>th</sup> day of October, 2024.

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MAYOR

ATTEST:

---

City Secretary

(12)

# Planning & Zoning Department Zoning Staff Report

Case: ZDC-167-2024



**MEETING DATE(S)**

Planning & Zoning Commission: September 24, 2024  
City Council: October 7, 2024

**CAPTION**

**Public Hearing** on a request by Chris and Karen Snow, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024)

**RECOMMENDED MOTIONS**

- "I move to approve ZDC-167-2024, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."
- "I move to deny of ZDC-167-2024, a Specific Use Permit (SUP) for Short-Term Rental use."

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning and Zoning Commission meeting held on September 24, 2024, the Commission voted 7-0 resulting in a recommendation for approval of case number ZDC-167-2024.

The applicant has updated their Host Rules to note that there will be no on-street parking allowed.

**APPLICANT REQUEST**

The applicant requests a Specific Use Permit for a Short-Term Rental use at 103 University Avenue.

**CASE INFORMATION**

**Applicant:** Chris and Karen Snow

**Property Owner(s):** Winding It Down, LLC

**Site Acreage:** 0.276 acres

**Current Zoning:** Single-Family Dwelling-2 (SF-2)

**Requested Zoning:** SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental use

**SUBJECT PROPERTY**

**General Location:** 103 University Avenue

**Parcel ID Number(s):** 176370

Existing Use: Residential use

Development History: The subject property was platted as Lot 7C, Block 14 of the University Addition.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	Single-Family-2 (SF-2)	Residential
East	Single-Family-2 (SF-2)	Residential
South	Single-Family-2 (SF-2)	Residential
West	Single-Family-2 (SF-2)	Residential

Future Land Use Plan: Mixed Use Neighborhood

Comprehensive Plan: A mixed-use neighborhood harkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near exclusive uses such as large multiplex apartments or retail centers with large land area being devoted to automobile parking do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this placetype, it is essential to make sure residential uses appropriately transition from one another based on the housing typology.

Thoroughfare Plan: The subject property is accessible via University Avenue.

Site Image:



**PLANNING ANALYSIS**

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental in all zoning districts with an approved SUP, with the exception of the Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

The applicant requests a SUP for short-term rental use at 103 University Avenue because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,968 square feet, built in 1930 with two (2) bedrooms, one (1) bathroom, one-half bathroom and enough improved surface to accommodate for the maximum parking spaces of two (2) vehicles. The subject property is situated on an approximately 0.276 acres (12,022 square feet) lot. The applicant has not been operating the subject property as a short-term rental; therefore, the applicant has not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant submitted the SUP application on August 14, 2024.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls regarding the subject property.

The applicant's local emergency contact is Chris & Karen Snow, 107 University Avenue, Waxahachie, TX 75165, [chris@snow.org](mailto:chris@snow.org), which is located adjacent to the subject property.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 68 notices were mailed to property owners within 500 feet of the as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of seven (7) letters of opposition and twenty-two (22) letters of support were received by staff, with two (2) letters of opposition and nine (9) letters of support being inside the 200' buffer.

**RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

**Conditions:**

1. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
2. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
3. The short-term rental operator shall allow a maximum occupancy of six (6) guests per stay.
4. The short-term rental operator shall provide a maximum of two (2) off-street parking spaces.
5. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
6. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.

**ATTACHED EXHIBITS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*

Oanh Vu

Senior Planner

[oanh.vu@waxahachie.com](mailto:oanh.vu@waxahachie.com)

*Reviewed by:*

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

Senior Director of Planning

[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)

(12)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-167-2024

**SNOW CHRISTOPHER & KAREN SNOW**  
107 UNIVERSITY AVENUE  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: ZDC-167-2024

City Reference: 176369

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *September 18, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

*We approve of this*

*Karen Snow*  
*[Signature]*

Signature

*Karen Snow*  
*Chris Snow*

Printed Name and Title

*9/9/24*

Date

*107 University Ave*  
*Waxahachie TX*  
*75165*

Address

(12)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: **ZDC-167-2024**

**WINDING IT DOWN LLC**  
107 University Ave  
Waxahachie, TX 75165-2347

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: **ZDC-167-2024**

City Reference: 176370

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SUPPORT

OPPOSE

Comments:

*We approve of this.*

*Karen Snow*  
*[Signature]*

Signature  
Karen Snow

*Chris Snow*  
Printed Name and Title

*9/9/24*

Date

*107 University Ave*  
Address *Waxahachie TX*  
*75165*

(12)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-167-2024

ANDERSON JUSTIN D  
1207 W MARVIN AVE  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: ZDC-167-2024

City Reference: 176336

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **September 18, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto: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:

STRs can negatively effect communities in the sense of neighborhood integrity, housing costs, Property values and Crime.

Justin Anderson  
Signature

9-6-24  
Date

MR. Justin Anderson  
Printed Name and Title

1207 W. Marvin Ave.  
Address

(12)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-167-2024



ALLEN DIXIE & MELVIN  
106 UNIVERSITY AVE  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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Case Number: ZDC-167-2024

City Reference: 176286

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *September 18, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto: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:

Dixie Allen  
Signature

Melvin & Dixie Allen  
Printed Name and Title

9-9-24  
Date

106 University Ave  
Address



(12)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-167-2024

POARCH JAMES D & SHANNON C  
103 E UNIVERSITY AVE  
WAXAHACHIE, TX 75165-2353

RECEIVED SEP 1 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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Case Number: ZDC-167-2024

City Reference: 176340

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **September 18, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

Comments:  SUPPORT  OPPOSE

Signature  
*James Poarch*  
Printed Name and Title

Date *9/5/24*  
Address *103 EAST university*

(127)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-167-2024

RECEIVED SEP 1 2024

POARCH JAMES  
103 E University Ave  
Waxahachie, TX 75165-2353

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-167-2024

City Reference: 176378

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **September 18, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

The Renovation looks Amazing, and I know the SNOWS who live next door, will take great pride in the property

  
Signature  
Jimmy Poarch / owner  
Printed Name and Title

9/5/24  
Date  
103 East University  
Address

(12)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-167-2024

RECEIVED SEP 12 2024

WINKLE JULIE D V & STEPHEN J V  
108 University Ave  
Waxahachie, TX 75165-2348

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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Case Number: ZDC-167-2024 City Reference: 176285

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *September 18, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT  OPPOSE

Comments: we have no problem with this

Julie Van Winkle  
Signature

9/10/2024  
Date

Julie Van Winkle  
Printed Name and Title

108 University Ave  
Address

(12)

**Venissat, Michelle**

---

**From:** Venissat, Michelle  
**Sent:** Sunday, September 15, 2024 6:49 PM  
**To:** Planning  
**Cc:**  
**Subject:** Case Number ZDC-167-2024

To Whom It May Concern:

We live at 607 West Marvin Avenue and strongly oppose the Special Use Permit for a Short-Term Rental filed in our neighborhood.

Although the property in question does not face West Marvin, the entire side of the property, including the back yard, faces our Avenue.

We want to trust that the renters would be screened but what happens when the screened people bring people with them who are not screened.

This allows a large number of people coming in and out of our neighborhood as the days, months, and years go by. Sadly, you don't know what you don't know...

I personally appreciate a tightknit neighborhood environment with families and close ties to our community. I love seeing neighbors I know and vehicles I recognize.

I love taking walks (timing the church hymns to my walk) greeting people whom I know and care about...who know and care about me. We're established friends/neighbors.

Thank you for your consideration of this opposition.

Sincerely,  
Mickie Hill

(12)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-167-2024

RECEIVED SEP 16 2024

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

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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Case Number: ZDC-167-2024

City Reference: 176360

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SUPPORT

OPPOSE

Comments:

Hotels running @ capacity

Signature

9/16/24  
Date

Brad Yates manager  
Printed Name and Title

117 W. University  
Address

(12)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-167-2024

RECEIVED SEP 16 2024

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

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-167-2024

City Reference: 176371

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **September 18, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto: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:

City lacking quality housing for tourism

Signature

Brady Yates manager

Printed Name and Title

9/16/24

Date

115 E University

Address

(12)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-167-2024

RECEIVED SEP 16 2024

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

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-167-2024

City Reference: 176351

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **September 18, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

*Not enough housing for tourism*

*[Handwritten Signature]*

Signature

*9/16/24*

Date

*Brad Yates manager*

Printed Name and Title

*115 W. University*

Address

(12)

**Venissat, Michelle**

---

**From:** Marsha Goodwin ·  
**Sent:** Monday, September 16, 2024 5:42 PM  
**To:** Planning  
**Subject:** Special use permit ZDC-167-2024 for short term rental

Hello, my name is Marsha and my husband's name is Charlie and we approve of the short term rental request for 103 University Ave., Waxahachie, TX 75165. If you need to contact me, you can call my phone  
Our property is 1201 W. Marvin  
Marsha and Charlie Goodwin

Sent from my iPhone

(12)

**Venissat, Michelle**

---

**From:** Casey Escoto  
**Sent:** Monday, September 16, 2024 8:24 PM  
**To:** Planning  
**Subject:** 103 University Avenue

To whom it may concern,

We are emailing in support of a special use permit for a short term rental for 103 University Avenue. We have witnessed the amount of time and money used to bring the house back to one of the houses with the most curb appeal in the neighborhood. With the owners living directly next door we feel confident the the house will be rented to responsible tenants.

Tony and Casey Escoto  
1101 West Marvin Avenue

Sent from my T-Mobile 5G Device

(12)

**Venissat, Michelle**

---

**From:** Beth Bevens  
**Sent:** Tuesday, September 17, 2024 1:53 PM  
**To:** Planning  
**Subject:** ZDC-167-2024 (Elizabeth Bevens)

ZDC-167-2024  
Bevens, Elizabeth D  
Waxahachie, TX 75165-2933

I OPPOSE the STR at 103 University Ave

I am at 1205 W Marvin, directly across from the proposed STR at 103 University Ave. We have been on Marvin for fifteen years. The mother in me does not want revolving strangers across the street from where a group of neighborhood children play on a daily basis.

But beyond that, we live in a beautiful historic neighborhood. We do not want an influx of Airbnbs in our historic residential neighborhoods where families know their neighbors. We want it to stay a community.

STRs can contribute to unaffordable housing, increasing property appraisals and insurance rates, and decreasing options for young local families wanting to call Waxahachie home. In towns such as, Fredericksburg, STRs have replaced permanent residents on entire streets. We want to maintain the character and charm of our historic areas.

I understand that we want visitors to come to Waxahachie. We want our local business owners to thrive. But if Waxahachie continues to approve STRs, what type of regulations will be set to maintain the charm and character of our historic street? Will there be specific areas that allow STRs near downtown? Will there be a distance required between STRs to ensure we avoid an Airbnb invasion in our highly sought after historic areas that make Waxahachie the beautiful town that it is?

Thank you. I appreciate your consideration.

Elizabeth Bevens  
1205 W Marvin Ave

(12)

**Venissat, Michelle**

---

**From:** Michelle Haye <michelleahaye@gmail.com>  
**Sent:** Tuesday, September 17, 2024 1:45 PM  
**To:** Planning  
**Subject:** Short term rental support- 103 University Avenue

To whom it may concern:

I am writing *in support* of the short-term rental at 103 University Avenue. The owners have put considerable effort into the historic rehabilitation of this home, working with the Heritage Preservation Commission to ensure it is done appropriately. Additionally, the owners of the property live directly next door, and I believe they will ensure that all renters will respect the home, the neighbors, and the neighborhood as they have direct engagement with the renters due to their proximity.

Respectfully,

Michelle Hanson Haye  
411 E Marvin Ave. Waxahachie, Texas 75165

(12)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-167-2024



**BROWN SAUNDRA D & WILLIAM V**  
114 UNIVERSITY AVE  
WAXAHACHIE, TX 75165-2348

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: ZDC-167-2024

City Reference: 176284

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **September 18, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto: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

9-5-24  
Date

Sandra D. Brown  
Printed Name and Title

114 University Ave.  
Address

(127)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: **ZDC-167-2024**

RECEIVED SEP 17 2024

**MILLS JAMES B & MEGAN E**  
516 N COLLEGE  
WAXAHACHIE, TX 75165-3362

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: **ZDC-167-2024**

City Reference: 176376

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **September 18, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT                       OPPOSE

Comments: We support this STR. Chris and Karen own the property next door and are excellent homeowners and we be excellent STR owners.

Signature Megan Mills  
Megan Mills  
Printed Name and Title

Date 9/13/24  
516 N. College St.  
Address

(12)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-167-2024

MILLS JAMES B JR & MEGAN E  
516 N COLLEGE ST  
WAXAHACHIE, TX 75165-3362

RECEIVED SEP 17 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: ZDC-167-2024

City Reference: 176354

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **September 18, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT                       OPPOSE

Comments:  
We support this STR.

James B. Mills  
Signature  
James B. Mills  
Printed Name and Title

9/13/24  
Date  
516 N. College Street  
Address

(12)

**Venissat, Michelle**

---

**From:** Margaret Doria ·  
**Sent:** Thursday, September 19, 2024 10:26 AM  
**To:** Planning  
**Subject:** 103 University Ave - short term rental

I live at 213 University Ave and support the Snows using their lovely renovated property at 103 University as a short-term rental. They live next door and will keep a close eye on those who stay there.

Margaret Doria  
213 University Ave

(12)

**Venissat, Michelle**

---

**From:** Venissat, Michelle  
**Sent:** Wednesday, September 18, 2024 10:42 AM  
**To:** bns413; Planning  
**Subject:** RE: 103 University Ave

Good morning,

Your response has been received and filed.

Thank you,



**Michelle Venissat**  
*Planning Tech*  
Planning & Zoning Department  
City of Waxahachie  
408 S. Rogers Street, P.O. Box 757  
Waxahachie, TX 75165  
O: 469-309-4290 D: 469-309-4292  
[michelle.venissat@waxahachie.com](mailto:michelle.venissat@waxahachie.com)

**From:** .  
**Sent:** Wednesday, September 18, 2024 9:46 AM  
**To:** Planning <planning@waxahachie.com>  
**Subject:** 103 University Ave

Dear City of Waxahachie Planning Department,

I am writing to express my support for the proposed short-term rental at 103 University Ave Waxahachie, TX 75165. This initiative presents an excellent opportunity to enhance our community by attracting visitors who contribute to the local economy while also fostering a welcoming environment for those seeking temporary accommodations.

Short-term rentals can provide significant benefits, including increased tourism and support for local businesses. I believe that with proper management, this rental can coexist harmoniously with our community, offering guests a unique experience in Waxahachie.

Thank you for considering my support. I look forward to seeing the positive impact of this rental on our community.

Sincerely,  
Brooke Snow

116 Giacomo St  
Waxahachie, TX 75165

September 18, 2024

(127)

**Venissat, Michelle**

---

**From:** Rebeca Vera  
**Sent:** Monday, September 23, 2024 3:29 PM  
**To:** Planning  
**Subject:** Support for STR Permit Approval 103 University Avenue

Dear City of Waxahachie,

My name is Rebeca Vera, I am a longtime resident of Waxahachie, I live at 511 W 2nd St. I am writing to express my full support for the STR permit application for 103 University Avenue.

As a personal friend of Mr. and Mrs. Snow, I can attest to all the hard work they've put into restoring the beauty of this historic home. I believe that allowing this home to be part of the Short-Term Rental program will not only showcase their hard work but also enhance the history in our community.

Thank you for your time and consideration.

Best regards,  
Rebeca Vera

(12)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-167-2024

GEARY JOEL E & MARISSA S  
4028 FM 66  
WAXAHACHIE, TX 75167-8366

RECEIVED SEP 2 3 2024

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 24, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, October 7, 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 Karen Snow, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 103 University Avenue (Property ID 176370) – Owner(s): Winding It Down, LLC (ZDC-167-2024) Staff: Oanh Vu

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

Case Number: ZDC-167-2024

City Reference: 176349

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **September 18, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

*The city should get out of the way concerning residential rentals (short or long-term)*

*[Handwritten Signature]*

Signature

*9/14/24*

Date

*JOEL GEARY*

Printed Name and Title

*418 Highland Ave. (long term rental owner)*

Address

*Let property owners use their property for any legitimate residential purpose!!*

(127)

**Venissat, Michelle**

---

**From:** Lauren Fox -  
**Sent:** Monday, September 23, 2024 7:26 PM  
**To:** Planning  
**Subject:** 103 University

Good evening!

Just emailing to say I am excited about the rental property at 103 University owned by Chris and Karen Snow! I live at 330 Harbin and love seeing old homes in the neighborhood being restored and brought back to life!

Thank you for your time!  
Lauren Fox

(12)

**Venissat, Michelle**

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**From:** Mary Sachs  
**Sent:** Wednesday, September 18, 2024 4:46 PM  
**To:** Planning

Opposed

Sent from my iPhone! would like you to know I oppose STR permits. Thank you Mary Ann Sachs 100 Harbin

(12)

**Venissat, Michelle**

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**From:** Fawn Rumfield ·  
**Sent:** Sunday, September 22, 2024 9:07 AM  
**To:** Planning  
**Subject:** 103 University

To Whom It May Concern,

My name is Fawn Rumfield, I reside at 1000 West Main. I am writing in support of the proposed short term rental at 103 University. In this situation I feel the owners of the property have a unique incentive to treat the property in a manner desirable to the neighborhood, as their residence is directly adjacent to the property in question. Please consider this factor when voting to approve the STR at this location.

Thank you,

Fawn Rumfield  
Sent from my iPhone

(12)

Case Number ZDC-167-2024

Anne Oates 1010 West Main  
opposed to short term rental

RECEIVED SEP 24 2024

(12)

**Venissat, Michelle**

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**From:** Pruitt, Jennifer  
**Sent:** Tuesday, September 24, 2024 4:19 PM  
**To:** Venissat, Michelle  
**Subject:** FW: E-mail to Planning Committee

**Jennifer Pruitt, AICP, LEED-AP, CNU-A**  
*Senior Director of Planning*  
City of Waxahachie  
O: 469-309-4291  
[Jennifer.pruitt@waxahachie.com](mailto:Jennifer.pruitt@waxahachie.com)

**From:** mickie hill <d.m.hill@att.net>  
**Sent:** Tuesday, September 24, 2024 4:17 PM  
**To:** Pruitt, Jennifer <jennifer.pruitt@waxahachie.com>  
**Subject:** Fwd: E-mail to Planning Committee

Sent from my iPhone

Begin forwarded message:

**From:** M E Ortega  
**Date:** September 22, 2024 at 11:35:24 AM CDT  
**Tc** \_  
**Subject:** E-mail to Planning Committee

[Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) (<mailto:Planning@Waxahachie.com>)

Case Number ZCD-167-2024

I wish to register my opposition to issuing a STR permit to 103 University Ave, Waxahachie. A short term rental is a business and I object to any business in a residential area. In addition, the house in question is on a corner lot with the side and back yard facing W. Marvin Ave. West Marvin Ave is an especially historic section of Waxahachie and deserves to be protected from further commercial encroachment.

Thank you,  
Maria Ortega, MD  
603 W.Marvin Ave

(127)

**Venissat, Michelle**

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**From:** Andrew Cody  
**Sent:** Tuesday, September 24, 2024 4:53 PM  
**To:** Planning  
**Subject:** Opposition to ZDC-167-2024

Good afternoon,

I am writing a letter in opposition to case number:  
ZDC-167-2024

My name is Andrew Cody, my wife and I are the owners and we reside at 811 W. Marvin Ave.

I believe I may be outside the window of opposition or approval prior to your meeting, but wanted to go ahead nonetheless with my opposition.

I live about 1,000 ft from the residence seeking approval for a special use permit.

I am opposed on the grounds simply that I do not want short term rentals in my neighborhood as we would have different tenants from all over on a street where my family walks and rides bikes daily. While I understand the role of short term rentals, and have booked them on trips out of town, I do not wish them to be in a neighborhood like the West Marvin district that I live in.

Thank you for your time

Andrew Cody

(13)

**ORDINANCE NO.**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A SHORT-TERM RENTAL USE WITHIN A SINGLE-FAMILY-2 (SF-2) ZONING DISTRICT LOCATED AT 103 UNIVERSITY AVENUE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.276 ACRES KNOWN AS PROPERTY ID 176370, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

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

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

**WHEREAS**, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-167-2024. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

**NOW, THEREFORE**, this property is rezoned from SF-2 to SF-2, with an SUP in order to allow a Short-Term Rental use on the following property: Property ID 176370, which is shown on the location map (Exhibit A), zoning map (Exhibit B), floorplan (Exhibit C), survey (Exhibit D), and host rules (Exhibit E).

**SPECIFIC USE PERMIT**

**Purpose and Intent**

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

(13)

Specific Use Permit

**FOR OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE IN THE SINGLE-FAMILY-2 (SF-2) DISTRICT;** the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall conform to the site plan approved by the City Council under case number ZDC-167-2024.
2. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Zoning Map, Exhibit C – Floorplan, Exhibit D – Survey, Exhibit E – Host Rules.
3. The Applicant and/or STR Operator for the subject property shall be responsible for obtaining registration per the City’s applicable rules and regulations governing such permits.
4. The Applicant and/or STR Operator for the subject property shall be responsible to pay hotel occupancy taxes as required per Section 3.27.e.7 of the City of Waxahachie Zoning Ordinance.
5. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits C, D, and E.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the owner and therefore shall not be transferred from owner to owner.
4. The owner and/or short-term rental operator shall renew registration on an annual basis of the amount in the Fee Schedule set forth by Ordinance 3415, or as amended.
5. The short-term rental operator shall register for a Hotel Occupancy Tax account with the

(13)

City's vendor.

6. The owner/short-term rental operator is subject to a maximum occupancy of six (6) guests per stay.
7. The short-term rental operator is subject to provide a maximum of two (2) off-street parking spaces.
8. The short-term rental operator must adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
9. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
10. The registration shall note the existence of this Specific Use Permit by its number and title.

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

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

**PASSED, APPROVED AND ADOPTED** on this 7<sup>th</sup> day of October, 2024.

---

MAYOR

ATTEST:

---

City Secretary

(137)



**EXHIBIT A - LOCATION MAP**

ZDC-167-2024 (SUP)

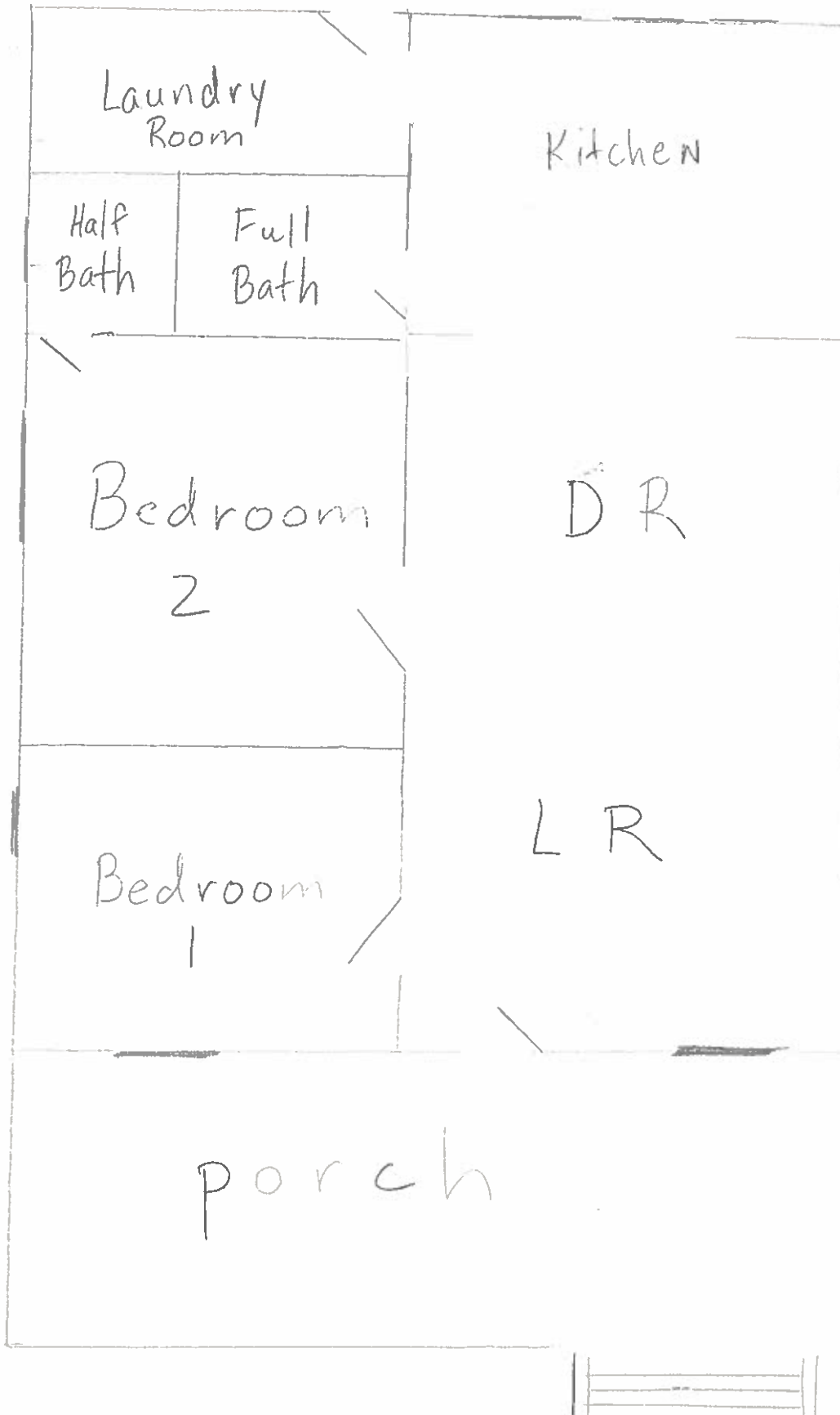
(13)

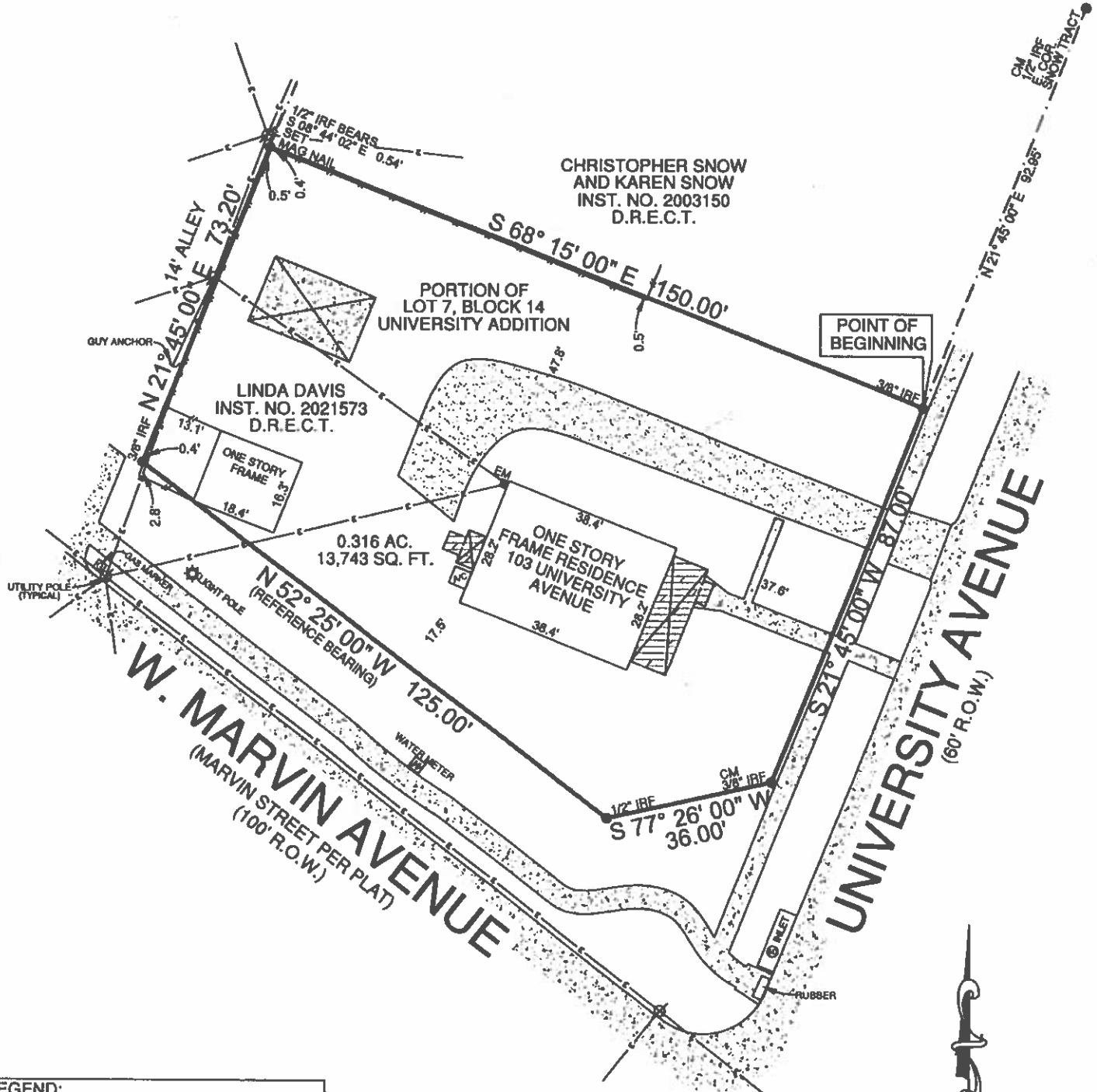


EXHIBIT C - FLOORPLAN

(13)

103 University





**LEGEND:**

—●—	BARB WIRE FENCE	▨	ASPHALT
—○—	CHAIN LINK FENCE	▩	CONCRETE
—□—	WROUGHT IRON FENCE	▧	GRAVEL
—W—	WOOD FENCE	▦	TILE
—V—	VINYL FENCE	▥	WOOD
—E—	ELECTRIC LINE	▤	BRICK
GM	GAS METER	▣	STONE
EM	ELECTRIC METER	▢	(WOOD) RAILROAD TIE
IPF	IRON PIPE FOUND		
IRS	IRON ROD SET WITH "PREMIER" CAP		
IRF	IRON ROD FOUND		
CM	CONTROLLING MONUMENT		

**NOTES:**  
BEARINGS ARE BASED ON THE RECORDED DEED.

**LEGAL DESCRIPTION:**  
BEING A PORTION OF LOT 7, BLOCK 14, UNIVERSITY ADDITION, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET A, SLIDE 35, PLAT RECORDS, ELLIS COUNTY, TEXAS, BEING ALL THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO LINDA DAVIS, AS RECORDED IN INSTRUMENT NO. 2021573, DEED RECORDS, ELLIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS DESCRIPTION IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART THEREOF ON PAGE 2.

**SURVEYOR'S CERTIFICATION:**  
THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS. THERE ARE NO VISIBLE AND APPARENT EASEMENTS, CONFLICTS, INTRUSIONS OR PROTRUSIONS, EXCEPT AS SHOWN. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND IS FOR THE EXCLUSIVE USE OF THE HERBON NAMED PURCHASER, MORTGAGE COMPANY, AND TITLE COMPANY

GF. NO.	2401028
BORROWER	WINDING IT DOWN, LLC
TITLE CO.	ELLIS COUNTY ABSTRACT & TITLE
TECH	MSP
FIELD	ZD

**FLOOD INFORMATION:**  
THE SUBJECT PROPERTY DOES NOT APPEAR TO LIE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD

(13)

**Check in**

- Check in time is 3:00 PM flexible
- Keyless entry code to be given to person who booked reservation
- Spectrum TV -Wifi Network \_\_\_\_ Password \_\_\_\_
- Cameras w/6 month video monitoring are installed on premises at front & back doors (required by Ord No. 3414)

**Check out**

- Check out time is 10:30 AM
- Put used towels in washroom basket
- Place all unwanted items in trash
- Place sealed trash bags in green Polycart bin outside carport and recyclables in blue Polycart bin
- Load /start all dirty dishes in dishwasher

**Parking**

- Maximum of 2 cars parked at address whether in driveway or carport, no street parking.
- Please lock vehicle and secure belongings

**House Rules**

- This is a smoke free/drug free environment, failure will result in termination of reservation-no refund
- No Vaping inside the home
- No parties or large gatherings tolerated, we live next door and are not an event venue
- No pets permitted on property
- Occupancy sleeping is limited to 4 adults, maximum occupancy is 6 persons at any time.
- Please be gentle with original wood floors and windows, they are historic and restored
- For needs of receiving mail, please secure a PO Box at local Post office- 316 N College
- Please no tape or tacks on walls or furniture
- Quiet time 10PM-6AM

If questions, call owners: Chris Snow (972) 839-9557  
Karen Snow (214)669-9044

(Failure of listed house rules, or damages will result in repair fee charges )

Welcome to our place!

We're so happy to be your host at

**Winding It Down, LLC**

103 University Avenue  
Waxahachie TX 75165

Enjoy yourself and relax! Get yourself a complimentary iced tea already in the fridge and relax on the front porch swing!

Take yourself back in time to the 1930's!

We want you to have a lovely stay and are happy to be of help if you need anything while you are here.

Sincerely, Chris and Karen Snow





(14)

**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 15<sup>th</sup>.

Before October 30<sup>th</sup>, 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 15<sup>th</sup>. 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 31<sup>st</sup> 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

(14)

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.