

A G E N D A

A regular meeting of the Mayor and City Council of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on ***Monday, December 2, 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 November 18, 2024
 - b. Budget adjustment for Howard Road High Service Generator Project
 - c. Construction contract for the Chieftain Drive Roadway Improvements
 - d. Professional Services Agreement for the East Ross and Kaufman Reconstruction Project
6. ***Introduce*** Honorary Council Member
 7. ***Recognize*** Daniel Christie, Parks Department, for receiving his Backflow Assembly Tester License
 8. ***Request to appear*** by David Hudgins, President of the Waxahachie Arts Council, to present Annual Financial Report for Waxahachie Arts Council and consider request to extend contract
 9. ***Continue 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 zoning district located at the northwest corner of Broadhead Road and

Garden Valley Parkway (Property ID 242234) – Owner: WP Legacy LTD (ZDC-139-2024)

10. **Consider** proposed Ordinance approving ZDC-139-2024
11. **Consider** Development Agreement for ZDC-139-2024
12. **Consider** approval of Early Release Bid Package 03 for City Hall Remodel and Construction Project
13. **Convene** into Executive Session for consultation with City Attorney regarding pending or contemplated litigation as permitted under Section 551.071, Texas Government Code
14. **Reconvene** and take any necessary action
15. Comments by Mayor, City Council, City Attorney and City Manager
16. Adjourn

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

A regular meeting of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Monday, November 18, 2024 at 7:00 p.m.

Council Members Present: 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

Council Member Absent: Billie Wallace, Mayor, Council Member Place 4

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

1. Call to Order

Mayor Pro Tem Chris Wright called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Josh Morgan, Connect4Life Church, gave the invocation. Council Member Patrick Souter led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Darlene Miller, 240 Parks School House Road, Waxahachie, Texas, provided an update on the Pet Coalition of Ellis County and requested collaboration from Waxahachie, Midlothian, Ennis, and Ellis County on an animal shelter.

Alan Orcutt, South Dallas Pickleball Club, 154 Aria Drive, Waxahachie, Texas, requested more pickleball courts for community use.

5. Consent Agenda

- a. Minutes of the City Council meeting of November 4, 2024
- b. Event application for 2024 Waxahachie Open to be held December 7, 2024 at Brown Singleton Park
- c. Event application for Southern Roots Christmas Market to be held December 14, 2024 near 421 S. College Street
- d. Proposed Ordinance approving a request by Kathleen Bowen, for a Petition for ETJ Release for approximately 53.8 acres, located at Wilson Road (Property ID 239810) – Owner: Kathleen Bowen (ETJ-PTN-190-2024)
- e. Budget amendment- TML reimbursement for repairs to a police patrol vehicle
- f. Consider supplemental appropriation to fund Senior Center dances
- g. Award for annual contracts for City Uniforms and Apparel Items

(5a)

- h. Proposed budgeted costs for Phase 1 of the Haven Ranch Public Improvement District (PID)

ORDINANCE NO. 3577

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 53.8-ACRE TRACT OF LAND, LOCATED AT WILSON ROAD, KNOWN AS PROPERTY ID 239810 AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

Action:

Travis Smith moved to approve all items on the Consent Agenda, excluding Item g., as presented, and authorize the City Manager and/or Mayor to execute all associated documents as necessary. Motion was seconded by Tres Atkins and carried unanimously (4-0).

Chad Tustison, Senior Director of Finance, presented Item 5g. On September 24, 2024 the City solicited a citywide Request for Proposal (RFP) #2024-09-20 to procure city uniforms and apparel items. The sealed proposals were opened on October 15, 2024. The objective of this process was to award multiple vendors within each category to provide high-quality, durable, and professionally designed uniforms that adhere to the City standards and branding guide provided. The vendors recommended for award were determined to be responsive, responsible, and submitted the most advantageous proposals for the City's needs. The proposed contract is for a period of two years, with an option to renew for three (3) additional one-year terms to qualified vendors for city uniform and apparel items.

Staff has reviewed the recommended vendor's qualifications, quality of work, and recommends awarding the following vendors for each category:

Award Recommendation List:

Vendor Name	Category
Already Gear, LLC	Citywide- Standard Uniforms and Apparel
Brown & Bigelow, INC	Citywide- Standard Uniforms and Apparel
Chaney's Designs LLC	Citywide- Standard Uniforms and Apparel
Got You Covered Uniforms	Citywide- Standard Uniforms and Apparel
Galls, LLC	Public Safety- Custom Uniforms & Accessories and Citywide- Standard Uniforms and Apparel
Star City Uniform	Public Safety- Custom Uniforms & Accessories and Police Department - Body Armor

Council Member Travis Smith reached out to three local businesses, and they reported that they were unaware of the solicitation for bids. He requested that the City put more effort into informing local businesses about bidding opportunities, particularly through social media posts.

(5a)

Mr. Tustison explained that the City adhered to purchasing laws by publicizing the bid notice in The Waxahachie Sun. Additionally, the Purchasing team used a Google search to invite local vendors to submit bids.

City Manager Michael Scott confirmed that procurement laws were followed during the bid process, and staff made a good-faith effort to contact vendors.

Council Member Patrick Souter respectfully disagreed with Council Member Smith, stating that the City complied with the law, and that expecting staff to contact every local business in Waxahachie and Ellis County to ensure they are aware of bids could set a problematic precedent.

Council Member Smith reiterated his request for the City to use social media to notify local businesses about bid proposals.

Council Member Tres Atkins expressed understanding of Council Member Smith's concerns but sought clarification on whether he was advocating for social media to be used for public bid notices.

Mayor Pro Tem Wright shared his view that it should not be the City's responsibility to contact businesses directly; instead, businesses should take responsibility for staying informed about opportunities that are legally and publicly advertised. He suggested holding a Work Session to review and potentially revise the City's purchasing policy and Council Members agreed with this approach.

Action:

Travis Smith moved to continue Item g. to the January 6, 2025 City Council meeting to allow Council time for further discussion, to host a workshop on the bid process, and take action at that time.

Council Member Atkins inquired about the City's impact for delaying the action until January. Mr. Tustison recommended postponing the order until after Council approval to ensure compliance with procurement laws for purchases exceeding the \$50,000 threshold, whether it's a single purchase or multiple purchases combined.

Fire Chief Ricky Boyd explained Council approval would further delay uniform purchases for staff.

Police Chief Joe Wisner explained that police apparel is highly specialized, and local vendors have struggled in the past to compete with pricing and supply shortages. He emphasized that it has always been their practice to seek products from local businesses whenever possible.

Action:

Travis Smith amended his motion and moved to approve the contracts for the two public safety vendors, so not to further delay their processes, table the four vendors and contracts until January 6, 2025, unless otherwise agreed by City Council during a Work Session so that we can have

(5a)

further discussion and potentially send back out for Request for Proposals.

Motion failed due to lack of second.

Action:

Patrick Souter moved to award the contracts set forth under Item g under the consent agenda for city uniform and apparel items and authorize the City Manager to execute all necessary documents.

Action:

Patrick Souter moved to amend his motion to add that City Council will schedule a meeting to further review and modify, as deemed necessary by Council, additional aspects of the bidding process in excess of what is required under State law and City ordinance. Motion was seconded by Tres Atkins and carried 3-1 with Travis Smith voting in opposition.

6. Introduce Honorary Council Member

Mayor Pro Tem Wright announced there is no Honorary Council Member in attendance.

7. Present Proclamation proclaiming November 20, 2024 as “GIS Day”

Mayor Pro Tem Wright read a Proclamation recognizing November 20, 2024 as “GIS Day.”

8. Recognize Madeline Bracken as the Keep Waxahachie Beautiful Advocate of the Year and receive a presentation on the Keep Waxahachie Beautiful program

Kyle Cooper, Senior Director of Parks and Recreation, recognized Madeline Bracken as the Parks Advocate of the Year for her work on the Keep Waxahachie Beautiful Committee. Ms. Bracken presented a year-end review of the Keep Waxahachie Beautiful program.

City Council thanked Ms. Bracken and the Keep Waxahachie Beautiful Committee for their clean-up efforts and community engagement.

9. Public Hearing on a request by Claudio Segovia, Johnson Volk Consulting, for a Plat of Oasis at North Grove Phase 2, 130 residential lots and 2 open space/common area lots, being 34.590 acres, located west of 2004 Vista Way, situated in the Henry Sange Survey, Abstract 1009, an addition to the City of Waxahachie (Property ID 179059) – Owner: Bloomfield Homes LP (SUB-205-2024)

Senior Director of Planning Jennifer Pruitt presented the Item. With this plat application, the property owner proposes to plat the subject property into 130 residential lots as part of the Oasis at North Grove Phase 2 subdivision. The subject property is currently zoned as part of the North Grove Planned Development District, which allows for the development of single-family homes on lots ranging from 6,000 square feet to 11,000 square feet in this area. The design of the proposed subdivision adheres to the lot size, lot dimension, and lot distribution requirements of the Planned Development zoning district. As part of this Plat, the applicant is providing right-of-way (ROW)

dedication for Hedgewood Drive that will complete a direct connection from Vista Way to Highway 77.

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

The City of Waxahachie Thoroughfare Plan identifies Hedgewood Drive as a 60' wide ROW. Due to this, the applicant is required to dedicate 60' of ROW for Hedgewood Drive. The applicant requests to dedicate 54' of ROW in lieu of this requirement for consistency with adjacent platted property. A ROW width of 54' for Hedgewood Drive was approved by the City Council with the Plat for Vista Way in February of 2022. Due to Hedgewood Drive already having been established as a 54' ROW at the intersection of Vista Way, staff supports this Petition for Relief Waiver request.

Mayor Pro Tem Wright opened the Public Hearing at approximately 8:01 p.m.

There being no others to speak for or against SUB-205-2024, Mayor Pro Tem Wright closed the Public Hearing at approximately 8:01 p.m.

10. Consider approval of SUB-205-2024

Action:

Patrick Souter moved to approve SUB-205-2024, a Plat of Oasis at North Grove Phase 2, and the associated Petition for Relief Waiver, subject to the conditions the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Motion was seconded by Tres Atkins and carried unanimously (4-0).

11. 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 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 Pro Tem Wright announced the applicant requested to continue the Public Hearing to the December 2, 2024 City Council meeting due to a scheduling conflict.

Action:

Tres Atkins moved to continue the Public Hearing for ZDC-139-2024 to the December 2, 2024 City Council meeting. Motion was seconded by Patrick Souter and carried unanimously (4-0).

12. Consider proposed Ordinance approving ZDC-139-2024

No action taken.

13. Public Hearing on a request by Rebeca Vera, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 513

(5a)

West 2nd Street (Property ID 171958) – Owner(s): Becman Properties, LLC (ZDC-192-2024)

Ms. Pruitt presented the Item. The applicant requested a SUP for short-term rental use at 513 West 2nd Street because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,409 square feet, built in 1925 with two (2) bedrooms and one (1) bathroom and enough improved surface to accommodate for the maximum parking spaces of two (2) vehicles. The subject property is situated on an approximately 0.23 acres (10,018 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 October 2, 2024.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the property's current use in the past 12 months.

Currently, we have no pending, approved and/or registered short-term rentals within 500' of the subject property; however, we do have three (3) approved short-term rentals within 1,500' of the subject property. The closest approved and registered short-term rental is located at 511 West Parks Avenue, which is approximately 1,362 feet (0.25 miles) from the subject property. Of the three (3) short-term rentals that are approved, two (2) short-term rentals have completed the registration process required by Section 3.27 of the City's Zoning Ordinance. The applicant's local emergency contact is located adjacent to the subject property.

To comply with state law contained in Local Government Code Chapter 211 and the City's Public Hearing Notice Requirements, 43 notices were mailed to property owners within 500 feet of the as required in section 3.27 of the City's zoning ordinance. Staff received a total of five (5) letters opposing the project and seventeen (17) letters in support of the project.

Mayor Pro Tem Wright opened the Public Hearing at approximately 8:05 p.m.

There being no others to speak for or against ZDC-192-2024, Mayor Pro Tem Wright closed the Public Hearing at approximately 8:05 p.m.

Council Members requested a Work Session to review the short-term rental ordinance in regards to density and proximity to schools.

14. Consider proposed Ordinance approving ZDC-192-2024

ORDINANCE NO. 3578

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A PLANNED SINGLE FAMILY 2 (SF-2) ZONING DISTRICT, LOCATED AT 513 WEST 2ND STREET, BEING PROPERTY ID 171958 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1,

BLOCK 352 OF THE TOWN ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Patrick Souter moved to approve ZDC-192-2024, 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. Motion was seconded by Tres Atkins and carried unanimously (4-0).

15. Consider contract with Capco Telecom, LLC for fiber infrastructure enhancement projects

Chris Cunningham, IT Director, presented the Item. IT Management is proposing the construction and build-out of the private City fiber network to the City Cemetery and Getzendaner Park. Providing high-speed private infrastructure services to these locations provide enhancements as outlined below.

- Provide data and telecommunication services to the Parks and Rec maintenance facilities at both locations.
- Provide enhanced security connectivity for surveillance and alerting services for the Police Department to monitor and dispatch at certain access points around the cemetery and park. Will also provide fiber infrastructure for future security surveillance along Waxahachie trail.
- Provide connectivity as part of our ILA with Waxahachie ISD to Richards Park and will also build a more robust fiber count for the future expansion of Northwest Waxahachie in partnership with WISD.
- Provide data service options to the Waxahachie Chautauqua Auditorium for security and streaming services.
- Will continue to grow our goal of establishing a fiber ring that provides redundancy and expansion capabilities.

City staff has identified the following locations for the fiber infrastructure:

1. Getzendaner Park	\$165,089.12
2. City Cemetery	<u>\$219,460.87</u>
	\$384,549.99

These projects will be funded in full by the remaining Coronavirus Local Fiscal Recovery Funds (CLFRF) funding the City has received. No other funding is required.

Council Member Smith emphasized the importance of the City collaborating with Waxahachie ISD. He also inquired about the possibility of allowing service providers to add conduit to extend their services to residents. Mr. Scott replied that staff can contact providers to see if they are interested in expanding their network.

Action:

Patrick Souter moved to approve a contract with Capco Telecom, LLC in the amount of \$384,549.99 for the City of Waxahachie fiber infrastructure enhancement projects for

Getzendaner Park, and the City Cemetery, and approve the use of Coronavirus Local Fiscal Recovery Funds to fund these projects, and authorize the City Manager to execute all documents as necessary. Motion was seconded by Travis Smith and carried unanimously (4-0).

16. Consider proposed Resolution of votes cast to elect Directors for the Ellis Appraisal District for the year 2025

Mr. Scott presented the Item. The City Council approved a Resolution on October 7, 2024 nominating Dani Muckleroy to continue serving on the Ellis Appraisal District Board of Directors. The chief appraiser has prepared a ballot listing the candidates. The governing body shall determine its vote by Resolution and submit to the chief appraiser before December 15th.

The City of Waxahachie voting entitlement (387 votes) may be cast for one candidate or distributed as the governing body chooses. It takes 834 votes to secure a position on the board. The chief appraiser will count the votes, declare the five candidates who received the largest cumulative vote totals elected, and submit the results before December 31st to each governing body.

Staff recommends allocating 387 votes from the City of Waxahachie to Dani Muckleroy.

RESOLUTION NO. 1371

RESOLUTION OF VOTES CAST TO ELECT DIRECTORS FOR THE ELLIS APPRAISAL DISTRICT FOR THE YEARS 2025

Action:

Tres Atkins moved to approve a Resolution of votes cast to elect Directors for the Ellis Appraisal District for the year 2025, as presented. Motion was seconded by Travis Smith and carried unanimously (4-0).

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

Council Member Travis Smith recognized the Christmas decorations being installed in Downtown. He announced the Christmas Tree Lighting and Parade will be held Tuesday, December 3rd at 6pm.

Council Member Patrick Souter recognized that the success of the Keep Waxahachie Beautiful program is attributed to the support from the City, staff, community partners, and the Keep Waxahachie Beautiful Committee. Mr. Souter also expressed his gratitude to Darlene Miller and other advocates for their dedication and efforts in finding solutions for the animals in our City.

City Manager Michael Scott commended staff for serving our community.

Mayor Pro Tem Chris Wright explained that Mayor Billie Wallace was absent due to a scheduling conflict related to her work, which she had informed staff about months in advance. He acknowledged the request for pickleball courts and mentioned that efforts are ongoing to collaborate with Waxahachie ISD. Mr. Wright also expressed gratitude to Police Chief Joe Wiser for providing data and statistics on Broadhead Road traffic and thanked the City Council for their support in funding the Senior Center dance.

(5a)

18. Adjourn

There being no further business, the meeting adjourned at 8:26 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(5b)



Memorandum

To: Honorable Mayor and City Council
From: Kumar Gali, Senior Director of Utilities
Thru: Michael Scott, City Manager *[Signature]*
Date: December 2, 2024
Re: Consider Budget Adjustment for Howard Road High Service Generator Project

Motion: "I move to approve a budget adjustment from the South Prong Dam Improvement project savings in the amount of \$65,000 to the Howard Road High Service Generator Project and authorize the City Manager to execute all the necessary documents."

Item Description: Consider a budget adjustment in the amount of \$65,000 related to additional modifications required to the subgrade of the generator pad site for the Howard Road High Service Generator Project.

Item Summary: The Howard Road High Service Generator Project includes the installation of a new emergency backup generator, along with the construction of a sidewalk and concrete access driveway to the generator and other equipment. The project will provide an alternative non-commercial power source to power the High Service Pump Station pumps in the event of a power disruption.

During the demolition and excavation of the generator pad site, it was determined that additional structural improvements to the soil was necessary to ensure proper support for the weight of the generator. The change order for the select fill and grading is \$50,000. City staff is requesting an additional \$15,000 contingency for unforeseen items during the placement of the generator and installation of the concrete access driveway.

(5b)

Fiscal Impact: On September 5, 2023, the Council approved a construction budget of \$2,329,384. Staff recommends a budget adjustment of \$65,000 from the South Prong Dam Improvement project savings, to support the necessary improvements to the generator foundation, grading, and contingency. The revised budget for this project will be \$2,394,384.

(5c)



Memorandum

To: Honorable Mayor and City Council
From: Justin Stoker, P.E., CFM, Director of Public Works & Engineering
Thru: Michael Scott, City Manager
Date: December 2, 2024
Re: Consider Construction Contract for the Chieftain Drive Roadway Improvements

Recommended Motion: "I move to award the construction contract with R&A Legacy Construction LLC for the Chieftain Drive Roadway Improvements Project in an amount not to exceed \$738,580 with an additional contingency of \$37,000, and authorize the City Manager to execute all necessary documents."

Item Description: Consider the construction contract award to R&A Legacy Construction LLC for the Chieftain Drive Roadway Improvement Project.

Item Summary: The proposed Chieftain Drive Roadway Improvements consist of concrete pavement improvements on Chieftain Drive from Indian Hills Alley to Sagebrush Lane. The project will replace approximately 4,500 square yards of concrete roadway with an integral curb and 1,500 square yards of concrete sidewalk.

The City received twelve (12) bids. R&A Legacy Construction LLC was the lowest responsible bidder at \$738,580. City staff checked references and recommends awarding the contract to R&A Legacy Construction LLC.

Fiscal Impact: The construction contract is for \$738,580, and city staff requests a construction contingency of \$37,000, for a total construction project budget of \$775,580. The proposed project will be funded utilizing the FY 2023 Bond funds designated for the Chieftain Drive Roadway Improvements.

(5c)

LOCATION MAP

CHIEFTAIN DRIVE ROADWAY IMPROVEMENTS BETWEEN SAGEBRUSH LANE AND ALLEY



(5d)



Memorandum

To: Honorable Mayor and City Council

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

Thru: Michael Scott, City Manager

Date: December 2, 2024

Re: Consider Professional Services Agreement for the East Ross and Kaufman Reconstruction Project

Recommended Motion: "I move to approve the professional services agreement with Grantham & Associates for the design and construction engineering services associated with the East Ross and Kaufman Reconstruction Project in an amount not to exceed \$402,425, and authorize the City Manager to execute all necessary documents."

Item Description: Consider approval of the professional services agreement with Grantham & Associates for design and construction engineering services associated with the East Ross and Kaufman Reconstruction Project.

Item Summary: The proposed East Ross and Kaufman Reconstruction Project will improve pavement, wastewater, and storm drainage. The project is located along Kaufman Street between Marvin Avenue and Ross Street and Ross Street between Farley Street and Lancaster Street.

Fiscal Impact: The total amount for the professional engineering services agreement is \$402,425. This project is included in the 5-Year Capital Improvement Plan and will be funded from the FY 2025 Street Bond in the amount of \$352,425, and FY 2025 Wastewater Bond in the amount of \$50,000.

(5d)

LOCATION MAP



**EAST ROSS AND KAUFMAN
RECONSTRUCTION PROJECT**
BETWEEN MARVIN AVENUE, FARLEY STREET
AND LANCASTER STREET



AGREEMENT ON HOTEL-MOTEL TAX REVENUE

WHEREAS, Texas law in Chapter 351, Municipal Hotel Occupancy Taxes, of the Tax Code provides that Cities may provide for a municipal hotel occupancy tax, which the City of Waxahachie does charge and collect, and

WHEREAS, the said Texas statutes provide that municipalities may contract for the management of programs and activities funded with said tax, and the City of Waxahachie and the Waxahachie Arts Council, Inc. desire to so contract;

NOW, THEREFORE, it is hereby contracted and agreed as follows:

1. The City of Waxahachie and the Waxahachie Arts Council, Inc., hereby contract and agree that 25% of the available hotel-motel tax revenues are to be paid to the Waxahachie Arts Council, Inc., but only in compliance with all provisions of the Texas Statutes above described. It is specifically agreed that no more than 15% of the total funds collected by the City, being 315 of the funds paid to the Waxahachie Arts Council, Inc., may be spent on the encouragement, promotion, improvement and application of the arts, as provided in Section 351.101 (a) (4) of the State Tax Code. The remaining funds must be spent either for the historical restoration and preservation projects or activities to encourage tourists to visit historical sites or museums, in accordance with Section 351.101 (a) (5) of said statute, or solicitations or promotional programs to attract tourists and convention delegates, as allowed by Section 351.101 of said statute.

2. The City of Waxahachie shall review and approve in advance each year the annual budget of the Waxahachie Arts Council, Inc., for the expenditure of said funds, and the City may require amendments before approval, and shall require quarterly reports of funds expended during the last quarter. The Waxahachie Arts Council, Inc., shall keep accurate records of any funds expended, which shall at all office hours be available for review by the City.

3. Funds for each quarter will not be released until the quarterly report for the previous quarter is received, reviewed and approved by the City staff.

4. The City may, at its option and at any time, appoint a representative to review any accounts, and to have the right to appear at any meetings of the Waxahachie Arts Council, Inc., which deal with said fund.

5. This contract may be amended by the City at any time that state law is amended so as to comply with state law, if said amendment by the City is required in order to comply with the law.

6. This contract shall start January 1, 2025, and shall run for three years expiring on December 31, 2027. The City reserves the right to cancel this contract on 30 days notice in writing if the Waxahachie Arts Council, Inc., does not comply with this contract, but only after 30 days notice in writing of the alleged violation and failure to comply with this contract and correct any violation during said 30-day grace period. Any such cancellation shall not apply to funds contracted for in writing for long term commitments. This contract replaces all existing contracts on this subject between the parties hereto.

(8)

Executed this 2nd day of December, 2024.

WAXAHACHIE ARTS COUNCIL, INC.

By: _____

CITY OF WAXAHACHIE

By: _____
Mayor

(8)

Organization Name: Bethlehem Revisited

Name of Person Completing the Questionnaire: Committee Chairperson -Letitia Rutan

Using the above information as a guide, how does your organization fulfill the obligations of the "two-part test"? (Note: It is not enough to meet one of the two prongs of the two-part test. You must meet both):

Using the technology of Placer.ai, we know that 80% of Bethlehem Revisited's visitation in 2023 came from outside of Waxahachie. Visitation from all around the state of Texas was detected along with Florida, Oklahoma and Utah proving that it is a tourist destination event that does have a positive impact on our hotel industry in Waxahachie.

Not only does Bethlehem Revisited garner a lot of media attention making it one of our core Christmas advertisements and promotions for the city of Waxahachie, it is also a form of promotion of the arts thru a special historical reenactment.

Per the statute, all entities that are funded by local hotel occupancy tax must provide a list of the scheduled activities, programs or events that they will offer that will directly enhance and promote tourism and the convention and hotel industry annually to the city secretary or his/her designee.

Please provide a list of activities/events that fulfill the statement above:

Bethlehem Revisited is a non-demonational outdoor production that operates 6 nights in total each season (weather permitting) Fridays-Sundays the first two weekends in December. In 2023, the program operated: Friday, December 1; Saturday, December 2; Sunday, December 3 & Friday, December 8; Saturday, December 9; Sunday, December 10.

Please list below and attach any examples of marketing materials that were used to promote the event outside the local area:

Bethlehem Revisited is covered by a Christmas marketing co-op that consists of a direct mail brochure campaign, print ads, radio ads, social media, website and public relations efforts with local TV news driven by the Waxahachie CVB.

(Sources: *Texas Town & City* - April 2013, www.tml.org, and State of Texas Tax Code Chapter 351)

(8)

**ADDENDUM: Financial Report
Waxahachie Arts Council
Annual Hotel/Motel Tax Questionnaire**



Organization Name: Bethlehem Revisited

Reporting Period: January-December 2023

Name of Person Completing the Questionnaire: Committee Chairperson - Letitia Rutan

TOTAL ANNUAL REVENUE: \$50,933

TOTAL ANNUAL EXPENSES: \$43,528
(Including Salaries/Benefits/Contract Labor)

TOTAL AMOUNT PAID IN SALARIES & BENEFITS: \$0.00

HOW MANY PAID EMPLOYEES: \$0.00

TOTAL AMOUNT PAID TO CONTRACT LABORERS: \$19,200

HOW MANY PAID CONTRACT LABORERS: 11

FACILITY MAINTENANCE & EXPENSES: \$10,408

HOW MANY VISITORS SERVED ANNUALLY: 15,000+

NUMBER OF EVENTS PRODUCED ANNUALLY: 6

YEARS OF SERVICE IN THE CITY OF WAXAHACHIE: 27 years as of 2023

HOURS OF OPERATION (CHECK WHICH ONE APPLIES):

- DAILY _____
- WEEKLY _____
- MONTHLY _____
- SEASONAL XXXX
- OTHER _____

ADDENDUM: Financial Report
Waxahachie Arts Council
Annual Hotel/Motel Tax Questionnaire

(8)



Organization Name: Chautauque Preservation Society
Reporting Period: 2023
Name of Person Completing the Questionnaire: Jay Paul

TOTAL ANNUAL REVENUE:

\$ 32,725.00

TOTAL ANNUAL EXPENSES:

(Including Salaries/Benefits/Contract Labor)

\$ 33,592.31

TOTAL AMOUNT PAID IN SALARIES & BENEFITS:

HOW MANY PAID EMPLOYEES:

None

TOTAL AMOUNT PAID TO CONTRACT LABORERS:

\$ 4,300.00

HOW MANY PAID CONTRACT LABORERS:

Two

FACILITY MAINTENANCE & EXPENSES:

None

HOW MANY VISITORS SERVED ANNUALLY:

500 plus

NUMBER OF EVENTS PRODUCED ANNUALLY:

Two

YEARS OF SERVICE IN THE CITY OF WAXAHACHIE:

25 years

HOURS OF OPERATION (CHECK WHICH ONE APPLIES):

DAILY _____

WEEKLY _____

MONTHLY _____

SEASONAL

OTHER _____

Organization Name: Chautauqua Preservation Society (8)
Name of Person Completing the Questionnaire: Jay Paul Emis jaypaul@yahoo.com
TEL#(469)285 9238

Using the above information as a guide, how does your organization fulfill the obligations of the "two-part test"? (Note: It is not enough to meet one of the two prongs of the two-part test. You must meet both):

We place all of our performers, speakers, in city of Wax hotels and motels for their over night stays. We send information about hotels & motels to anyone who may contact us about our event. Part 2: Advertising the city (#3) Promoting the arts (#4) and Historical restoration and preservation.

Per the statute, all entities that are funded by local hotel occupancy tax must provide a list of the scheduled activities, programs or events that they will offer that will directly enhance and promote tourism and the convention and hotel industry annually to the city secretary or his/her designee.

Please provide a list of activities/events that fulfill the statement above:

Over the years we have put on programs & event about all kinds of topics. The last two years (2012-13) it was Cowboy Poetry & music. This year it is a Paranormal symposium. We have done programs on Oil, Transportation, Weather, Railroads, Oceans & etc. We show how these things impact our country & the city of Waxahachie. We have a program called Trash Can Transformation, where we paint the trash cans for the parks. The cans are painted by the people of Wax. Some are great art, some not so much, but art is subjective.

Please list below and attach any examples of marketing materials that were used to promote the event outside the local area:

Texas Monthly, KBEC, Facebook
Good Morning Texas
Waxahachie Sun (International Western Music Association)
Flyers and posters & yard signs in other cities.

(Sources: Texas Town & City - April 2013. www.tml.org. and State of Texas Tax Code Chapter 351)

SUBMITTED TO HUGGINS 11/19/24

Organization Name: ELLIS COUNTY ART ASSOCIATION, INC. (8)

Name of Person Completing the Questionnaire: DAVID McSPADDEN

Using the above information as a guide, how does your organization fulfill the obligations of the "two-part test"? (Note: It is not enough to meet one of the two prongs of the two-part test. You must meet both):

THE ELLIS COUNTY ART ASSOCIATION (ECAA) COMPLIES WITH
ARTICLES a., b., c., d., e., and h.

Per the statute, all entities that are funded by local hotel occupancy tax must provide a list of the scheduled activities, programs or events that they will offer that will directly enhance and promote tourism and the convention and hotel industry annually to the city secretary or his/her designee.

Please provide a list of activities/events that fulfill the statement above:

- 1.) MAY, 2024 - 17TH ANNUAL "PAINT HISTORIC WAXBACHIE" EVENT.
THIS EVENT WAS ADVERTISED IN THE PLEIN AIR MAGAZINE AND
EMAIL BLASTS TO NATIONWIDE MEMBERS OF THE OUTDOOR
PAINTERS SOCIETY. THE EVENT WINNER WAS FROM
CORONA, CA. AND THE "LONG DISTANT" WINNER WAS FROM
THE NETHERLANDS. ALL OUT OF TOWN PARTICIPANTS
STAYED IN LOCAL HOTELS FOR A WEEK.
 - 2.) HOSTED THE "PATRICK SAUNDERS WORKSHOP". STUDENTS FROM
MANY STATES CAME TO PARTICIPATE IN THIS NATIONALLY KNOWN
WORKSHOP.
 - 3.) PARTICIPATED IN BOTH THE BOB PHILLIPS AND CROSSROADS
OF TEXAS FESTIVALS
 - 4.) A JUDGED ART SHOW INVITING ARTIST TO COMPETE FOR PRIZES
- Please list below and attach any examples of marketing materials that were used to promote the event outside the local area:
- NATIONAL AND IN THE PLEIN AIR MAGAZINE.

ADDENDUM: Financial Report
Waxahachie Arts Council
Annual Hotel/Motel Tax Questionnaire

(8)



Organization Name: ELLIS COUNTY ART ASSOCIATION, INC.

Reporting Period: 12/31/2023

Name of Person Completing the Questionnaire: DAVID McSPADDEN

TOTAL ANNUAL REVENUE:

\$92,193.59

TOTAL ANNUAL EXPENSES:

(Including Salaries/Benefits/Contract Labor)

\$90,258.25

TOTAL AMOUNT PAID IN SALARIES & BENEFITS:

0

HOW MANY PAID EMPLOYEES:

0

TOTAL AMOUNT PAID TO CONTRACT LABORERS:

\$6,000.00

HOW MANY PAID CONTRACT LABORERS:

1

FACILITY MAINTENANCE & EXPENSES:

\$2,376.00

HOW MANY VISITORS SERVED ANNUALLY:

?

NUMBER OF EVENTS PRODUCED ANNUALLY:

3

YEARS OF SERVICE IN THE CITY OF WAXAHACHIE:

66

(ORGANIZED IN 1958)

HOURS OF OPERATION (CHECK WHICH ONE APPLIES):

DAILY

WEEKLY

MONTHLY

SEASONAL

OTHER



Organization Name: Ellis County Hispanic Organization (8)
Name of Person Completing the Questionnaire: Yvette Mendoza

Using the above information as a guide, how does your organization fulfill the obligations of the "two-part test"? (Note: It is not enough to meet one of the two prongs of the two-part test. You must meet both):

Ellis County Hispanic Organization fulfills the two part test by hosting our Annual Cinco de Mayo event in downtown Waxahachie bringing in an estimated 5,000 event goers thus putting heads in beds and giving advertisement to the City of Waxahachie. We promote the arts by hosting our Hispanic Heritage events yearly celebrating our Hispanic heritage. We have continued to be able to donate to scholarships and the Dual Language at WISD.

Per the statute, all entities that are funded by local hotel occupancy tax must provide a list of the scheduled activities, programs or events that they will offer that will directly enhance and promote tourism and the convention and hotel industry annually to the city secretary or his/her designee.

Please provide a list of activities/events that fulfill the statement above:

we host the Cinco de Mayo which was held on May 4th 2024 in downtown Waxahachie.

Hispanic Heritage event was held on September 28, 2024 at Rail yard park.

We participated in the first Annual Trunk-o-palooza

Please list below and attach any examples of marketing materials that were used to promote the event outside the local area:

Advertising our events on all of our social media platforms Facebook, Instagram, and our new website elliscountyhispanicorganization.com

We also announce our upcoming events on local radio stations such as KNON Radio and 99.5 The Wolf. Along with online Radio Stations. Flyers are placed in local store windows as advertisement.

(Sources: Texas Town & City - April 2013, www.tml.org, and State of Texas Tax Code Chapter 351)

ELLIS COUNTY HISPANIC ORGANIZATION (8)

2024 Starting Balance-\$8,367.47

Income:

Sponsors/Donations	\$50,604.00
Event Vendors	\$12,171.10
Event Sales	\$23,704.31

Total Income: \$86,479.41

Grand Total: \$94,846.88

Expenses:

Bookkeeping	\$500.00
Contract labor/Bands	\$46,400.00
Events Advertisement	\$636.11
Events Food/Beer	\$5,958.24
Events Insurance	\$1215.00
Events Security	\$7,680.00
Event Sound/Stage	\$11,000.00
Event Supplies	\$902.74
Event Bartenders	\$1,750.00
Memberships	\$550.00
Office Expenses	\$473.73
Scholarships	\$4,050.00
TABC License	\$512.02
Telephone yearly fee	\$576.97

Total Expenses: \$82,204.81

Total in bank at the end of October 2024 \$12,642.07

ADDENDUM: Financial Report
Waxahachie Arts Council
Annual Hotel/Motel Tax Questionnaire



Organization Name: Ellis County Hispanic Organization
 Reporting Period: 2023
 Name of Person Completing the Questionnaire: Yvette Mendoza

TOTAL ANNUAL REVENUE: \$75,440.48

TOTAL ANNUAL EXPENSES: \$80,689.42
 (Including Salaries/Benefits/Contract Labor)

TOTAL AMOUNT PAID IN SALARIES & BENEFITS: \$0.00

HOW MANY PAID EMPLOYEES: 0

TOTAL AMOUNT PAID TO CONTRACT LABORERS: \$59,090.00

HOW MANY PAID CONTRACT LABORERS: 76

FACILITY MAINTENANCE & EXPENSES: \$0.00

HOW MANY VISITORS SERVED ANNUALLY: 11.7K

NUMBER OF EVENTS PRODUCED ANNUALLY: 2

YEARS OF SERVICE IN THE CITY OF WAXAHACHIE: 14

HOURS OF OPERATION (CHECK WHICH ONE APPLIES):
 DAILY _____
 WEEKLY _____
 MONTHLY _____
 SEASONAL _____
 OTHER yearly

Organization Name: Ellis County Museum, Inc (8)

Name of Person Completing the Questionnaire: Matt Authier

Using the above information as a guide, how does your organization fulfill the obligations of the "two-part test"? (Note: It is not enough to meet one of the two prongs of the two-part test. You must meet both):

The Ellis County Museum hosts the annual Gingerbread Trail Tour of Homes, a two day event showcasing the architectural beauty and historical essence of Waxahachie and Ellis County. Additionally, through the tour of homes and multiple museum exhibits, Ellis County highlights historical restoration and preservation. The museum is also host to the visitor center for the city.

Per the statute, all entities that are funded by local hotel occupancy tax must provide a list of the scheduled activities, programs or events that they will offer that will directly enhance and promote tourism and the convention and hotel industry annually to the city secretary or his/her designee.

Please provide a list of activities/events that fulfill the statement above:

- Annual Gingerbread Trail Tour of Homes - 1st weekend of June
- 1889 Venue on third floor provides an event space for weddings, corporate gatherings, reunions, etc.

Please list below and attach any examples of marketing materials that were used to promote the event outside the local area:

The museum spends \$10-15K annually to promote the tour as well as gingerbreadtrail.org, which provides a wealth of information to non-residents of Ellis County/Waxahachie. Additionally, ads are in numerous publications including Texas Monthly, etc.

**ADDENDUM: Financial Report
Waxahachie Arts Council
Annual Hotel/Motel Tax Questionnaire**

(8)



Organization Name: Ellis County Museum, Inc

Reporting Period: 2024 Year to date

Name of Person Completing the Questionnaire: Matt Authier, Treasurer

TOTAL ANNUAL REVENUE: \$ 249,743.05 *

TOTAL ANNUAL EXPENSES:
(Including Salaries/Benefits/Contract Labor) 214,961.82

TOTAL AMOUNT PAID IN SALARIES & BENEFITS: 43,044.21

HOW MANY PAID EMPLOYEES: 1

TOTAL AMOUNT PAID TO CONTRACT LABORERS: 15,718.75

HOW MANY PAID CONTRACT LABORERS: 1

FACILITY MAINTENANCE & EXPENSES: 52,669.99

HOW MANY VISITORS SERVED ANNUALLY: Est. 8,000/Annually

NUMBER OF EVENTS PRODUCED ANNUALLY: 1 major + 10+ minor events

YEARS OF SERVICE IN THE CITY OF WAXAHACHIE: 56 years (1968)

HOURS OF OPERATION (CHECK WHICH ONE APPLIES):

- DAILY** 10-5p Mon-Sat 12-4p Sun
- WEEKLY _____
- MONTHLY _____
- SEASONAL _____
- OTHER _____

*includes revenue from 1889
venue and Exxon dividends
from a gift. Excess invested
in Edward Jones

Organization Name: Historic Waxahachie, Inc.

(4)

Name of Person Completing the Questionnaire: Michelle Hays

Using the above information as a guide, how does your organization fulfill the obligations of the "two-part test"? (Note: It is not enough to meet one of the two prongs of the two-part test. You must meet both):

Historic Waxahachie, Inc. (HWI) plays a vital role in attracting overnight tourists to Waxahachie by advocating for, preserving, and publicizing its rich history, culture, and historical preservation, restoration, and signage efforts. Through a combination of engaging heritage events, educational programming, and advocacy for our historic resources, HWI ensures that visitors not only experience the story of Waxahachie but also have a reason to extend their stay and explore more of what the city has to offer. HWI offers historical workshops, lectures, and programs that highlight the city's role in history. By offering these experiences, HWI ensures that for future trips. Visitors often find that the deeper connection to the place encourages them to extend their stay and explore more of the city's lesser-known treasures as well as shop, dine, and experience the sights and sounds Waxahachie has to offer - cementing Waxahachie as a destination year-round.

Per the statute, all entities that are funded by local hotel occupancy tax must provide a list of the scheduled activities, programs or events that they will offer that will directly enhance and promote tourism and the convention and hotel industry annually to the city secretary or his/her designee.

Please provide a list of activities/events that fulfill the statement above:

Historic Waxahachie, Inc. (HWI) plays a pivotal role in driving tourism to the city and supporting the local convention and hotel industry through a variety of activities and initiatives. These efforts not only preserve the city's history but also create a vibrant heritage tourism economy. Below is a list of activities that HWI has undertaken to directly enhance and promote tourism in Waxahachie. *Please see the additional attachment for the 2025 HWI proposed events calendar as well.*

Historic Waxahachie Christmas Tour of Homes, serving 1,500-2,000 annually from across the state of Texas and surrounding states. This two day event is advertised across the state through print, digital, and audio and visual media and highlights Waxahachie's architectural heritage and history, as well as encourages guests to stay, shop, eat and experience the rich culture of Waxahachie- past and present. It encourages family travel during the holiday season, driving overnight stays in local accommodations. HWI organizes guided walking tours that focus on Waxahachie's rich architectural history, highlighting the town's Victorian-
Waxahachie a destination experience for the entire family. (Continued on additional page)

Please list below and attach any examples of marketing materials that were used to promote the event outside the local area:

Please see attached for various examples. Additionally, shared and collaborative social media posts with various online accounts such as the Tyler Historic Society, Heritage Oak Cliff, Visit McKinney, and more have been leveraged. HWI has also built a relationship with Good Morning Texas and CBS 11, where Waxahachie has been featured in their coverage of the Historic Waxahachie Christmas Tour of Homes. This year, Good Morning Texas will be doing a live feature segment on site at one of the homes in this year's Christmas Tour of Homes, showcasing the rich visitor offerings and our architectural heritage the community has to offer for visitors. CBS 11 is also currently in discussions to do a live-on site during the event this year as well.

(Sources: Texas Town & City - April 2013, www.tml.org, and State of Texas Tax Code Chapter 351)

Waxahachie Arts Council Questionnaire- Continued

Per the statute, all entities that are funded by local hotel occupancy tax must provide a list of the scheduled activities, programs or events that they will offer that will directly enhance and promote tourism and the convention and hotel industry annually to the city secretary or his/her designee.

Please provide a list of activities/events that fulfill the statement above:

(Continued)

Historical Lectures and Talks: HWI offers lectures and talks on various aspects of Waxahachie's history, from its founding to its role in the development of Texas. These educational events appeal to tourists interested in deeper knowledge of the city's heritage and often tie in with extended stays. Additionally, speakers who are brought in from out of town are provided with hotel stays in our accommodations.

Ellis County Courthouse Tours: One of the most iconic buildings in Waxahachie, the Ellis County Courthouse is a must-see for history buffs. HWI organizes tours that explain the courthouse's architectural design and its historical significance, enhancing the visitor experience.

Historic Preservation Projects: HWI works to advocate for, preserve and restore historical landmarks, including residential and commercial structures. These preservation efforts make the city more attractive to tourists, who are drawn to its authentic historic charm and well-maintained heritage sites. Additionally, HWI provides façade grants to buildings within the downtown historic overlay, which support local businesses in proper historic preservation, which contribute to the vibrancy of our Historic Downtown and serves our entire city and businesses and events downtown by enhancing and preserving Waxahachie's historic character.

Historic Signage and Markers: By enhancing public spaces, streetscapes, and visual representations, HWI creates a unique "living history" atmosphere that encourages visitors to linger and get to know Waxahachie, enhancing their experience and underscoring the need for overnight stays to get to know more of the town. A high percentage of domestic and international travelers participate in cultural and/or heritage activities while traveling, and those that do stay longer, spend more, and travel more often. By providing markers and historic signage that highlight Waxahachie's distinct history, visitors are more likely to linger in areas that feel vibrant and picturesque, which in turn supports the local hospitality industry.

Driving and Walking Tours: HWI provides walking and driving tours that focus on Waxahachie's rich architectural history, highlighting the town's Victorian-era, Craftsman, and significant buildings, churches, and landmarks. These tours attract tourists and encourage them to explore local shops, restaurants, and accommodations. HWI produces and distributes brochures and visitor guides that highlight local attractions, including hotels, restaurants, shops, and historic sites. These printed materials help tourists plan their visits and extend their stay in Waxahachie, and are provided at no charge.

Historic Districts- Historic Waxahachie, Inc. (HWI) funds and supports the research and preservation of the city's historic districts. Using detailed historical research from HWI volunteers and specialized firms, they document Waxahachie's architectural heritage, and help Waxahachie apply for designations such as National Register listings, which increase the city's visibility as a heritage tourism destination. By preserving and promoting our historic districts,

HWI not only ensures that the city's history is celebrated but also enhances tourism, attracting visitors who are eager to explore Waxahachie's unique architectural charm and cultural significance as the Gingerbread Capital of Texas and a rare historic town as the state of Texas rapidly grows and many towns are losing their historic character.

Collaborative Tourism Campaigns: By collaborating with the Waxahachie Chamber of Commerce, the local Convention and Visitors Bureau (CVB), and area businesses, HWI plays a key role in promoting the city as a heritage tourism destination, driving both short-term and long-term stays.

Special Event Services for Conventions: For groups and conventions hosted in the city, HWI assists with creating customized heritage-based events, dinners, or tours, making Waxahachie an appealing location for business groups and their guests to extend their visits. The Texas Historical Commission, Texas Main Street Managers, and Granbury Heritage Club are just a few of these groups that HWI has supported with special services at no cost.

(8)

**ADDENDUM: Financial Report
Waxahachie Arts Council
Annual Hotel/Motel Tax Questionnaire**



Organization Name: Historic Waxahachie, Inc.
Reporting Period: January 1 to November 1, 2024
Name of Person Completing the Questionnaire: Michelle Haye

TOTAL ANNUAL REVENUE: \$67,845

TOTAL ANNUAL EXPENSES: \$48,560 to date
(Including Salaries/Benefits/Contract Labor)

TOTAL AMOUNT PAID IN SALARIES & BENEFITS: \$0

HOW MANY PAID EMPLOYEES: 0

TOTAL AMOUNT PAID TO CONTRACT LABORERS: n/a

HOW MANY PAID CONTRACT LABORERS: n/a

FACILITY MAINTENANCE & EXPENSES: \$11,343

HOW MANY VISITORS SERVED ANNUALLY: 5,000+

NUMBER OF EVENTS PRODUCED ANNUALLY: 5- 15+

YEARS OF SERVICE IN THE CITY OF WAXAHACHIE: 47 years

HOURS OF OPERATION (CHECK WHICH ONE APPLIES):

DAILY _____

WEEKLY _____

MONTHLY _____

SEASONAL _____

OTHER No public storefront; operates year round

Organization Name: Waxahachie Community Theatre

(8)

Name of Person Completing the Questionnaire: Kasi Jones, Executive Director

Using the above information as a guide, how does your organization fulfill the obligations of the "two-part test"? (Note: It is not enough to meet one of the two prongs of the two-part test. You must meet both):

WCT produces 5 shows a year, and draws audience members from all over the United States. Audience members who come from out of town dine at local restaurants and stay at local hotels for the weekend to take in other entertainment, dining, and cultural activities. WCT promotes our shows on national level theatrical industry websites such as the American Association of Community Theatres (AACT) and publishers (MTI/Concord/Dramatic/Pioneer), as well as Texas Nonprofit Theatres (TNT) specifically geared toward Texas theater goers. We have an active web and social media presence (Facebook/Instagram), and are regularly featured in local magazines and newspapers.

Per the statute, all entities that are funded by local hotel occupancy tax must provide a list of the scheduled activities, programs or events that they will offer that will directly enhance and promote tourism and the convention and hotel industry annually to the city secretary or his/her designee.

Please provide a list of activities/events that fulfill the statement above:

October 18-20, 2024: Bye Bye Birdie

December 13-15, 2024: Happy Hollandaise!

February 7-9, 2025: Let Him Sleep

May 2-4, 2025: Something Rotten!

July 25-27, 2025: Kids Showcase

October 17-19, 2025: Oklahoma!

December 12-14, 2025: Christmas Showcase

Our regular season schedule is February, May, July, October, and December.

Please list below and attach any examples of marketing materials that were used to promote the event outside the local area:

www.waxahachiecommunitytheatre.com

Facebook: Waxahachie Community Theatre

Instagram: @wcttexas

Twitter (X): @wct_texas

(Sources: *Texas Town & City* - April 2013, www.tml.org, and State of Texas Tax Code Chapter 351)

(8)

**ADDENDUM: Financial Report
Waxahachie Arts Council
Annual Hotel/Motel Tax Questionnaire**



Organization Name: Waxahachie Community Theatre

Reporting Period: 1/1/2023 - 12/31/2023

Name of Person Completing the Questionnaire: Kasi Jones, Executive Director

TOTAL ANNUAL REVENUE: \$87,097.11

TOTAL ANNUAL EXPENSES: \$98,341.86
(Including Salaries/Benefits/Contract Labor)

TOTAL AMOUNT PAID IN SALARIES & BENEFITS: \$14,575.00

HOW MANY PAID EMPLOYEES: 1

TOTAL AMOUNT PAID TO CONTRACT LABORERS: \$7,650.00

HOW MANY PAID CONTRACT LABORERS: 5

FACILITY MAINTENANCE & EXPENSES: N/A

HOW MANY VISITORS SERVED ANNUALLY: 2,108

NUMBER OF EVENTS PRODUCED ANNUALLY: 5

YEARS OF SERVICE IN THE CITY OF WAXAHACHIE: 45

HOURS OF OPERATION (CHECK WHICH ONE APPLIES):

DAILY _____
WEEKLY _____
MONTHLY _____
SEASONAL _____
OTHER _____

Organization Name: Waxahachie Symphony Assoc.

Name of Person Completing the Questionnaire: Melissa Chapman

Using the above information as a guide, how does your organization fulfill the obligations of the "two-part test"? (Note: It is not enough to meet one of the two prongs of the two-part test. You must meet both):

see attachment.

Per the statute, all entities that are funded by local hotel occupancy tax must provide a list of the scheduled activities, programs or events that they will offer that will directly enhance and promote tourism and the convention and hotel industry annually to the city secretary or his/her designee.

Please provide a list of activities/events that fulfill the statement above:

Please list below and attach any examples of marketing materials that were used to promote the event outside the local area:

mailers, posters, rack cards, email, social media and google ads.

ADDENDUM: Financial Report
Waxahachie Arts Council
Annual Hotel/Motel Tax Questionnaire

(8)



Organization Name: WSA

Reporting Period: 2023

Name of Person Completing the Questionnaire: Melissa Chapman

TOTAL ANNUAL REVENUE:

\$124,685

TOTAL ANNUAL EXPENSES:
(Including Salaries/Benefits/Contract Labor)

\$120,339

TOTAL AMOUNT PAID IN SALARIES & BENEFITS:

0

HOW MANY PAID EMPLOYEES:

0

TOTAL AMOUNT PAID TO CONTRACT LABORERS:

\$225

HOW MANY PAID CONTRACT LABORERS:

1

FACILITY MAINTENANCE & EXPENSES:
Venue Rental

\$4,672

HOW MANY VISITORS SERVED ANNUALLY:

2,367

NUMBER OF EVENTS PRODUCED ANNUALLY:

6

YEARS OF SERVICE IN THE CITY OF WAXAHACHIE:

47

HOURS OF OPERATION (CHECK WHICH ONE APPLIES):

- DAILY
- WEEKLY
- MONTHLY
- SEASONAL
- OTHER

(8)



Waxahachie Symphony Association

Art Council Report – 2023

Melissa Chapman

President

Arts Council Representative

(8)

ATTACHEMENT A

How does your organization fulfill the obligations of the “two-part test”?

Part 1: Heads in Beds

Every expenditure must put “heads in beds”. Every funded project must attract overnight tourists to the city’s hotels and motels, thus promoting the hotel industry.

With six regular performances throughout the year, the Waxahachie Symphony Association stabilizes our tourist traffic, offering a consistent source of attraction to bring visitors to town. WSA brings in world-renown talent that draws visitors to Waxahachie with 2,367 people attending our 2023 performances. This ongoing cultural offering provides tourists with an incentive to visit Waxahachie during both peak and off-peak seasons, helping our local hotels maintain steady occupancy. In addition, we place all of our out of town artists in our local hotels.

Part 1: Total Expenses: \$80,672

2023 Performer/Artists Fees for Six Concerts = \$76,407

2023 Performer/Artists Hotels = \$1,720

Event Sound/Security & Other = \$2,545

(8)

Part 2: The Nine Categories

Every expenditure of hotel taxes must also fit into one of the nine statutorily authorized categories.

Part 2: Total Expenses: \$101,142

Category 3 – Advertising the City – WSA’s advertising helps promote Waxahachie as a travel destination by highlighting our city’s cultural offerings, creating an image of Waxahachie as a vibrant, artistic hub, and attracting tourists looking for unique and enriching experiences. By holding an annual performance at the Historic Chautauqua Auditorium, WSA showcases the city’s aesthetic qualities—like its historic architecture, its beautiful setting, and its welcoming atmosphere—which draws tourists who are looking for a relaxing yet culturally rich destination. Highlighting these features alongside the symphony’s events paints a picture of a destination that offers both relaxation and enrichment, making it more appealing for tourists.

Category 3: Total Expenses: \$20,470

WSA Advertising Costs, Facebook, Google & Other = \$8,322

Strategic Marketing Services = \$11,732

Website Fees & Costs = \$416

Category 4 – Promotion of the Arts – WSA is a key component to building Waxahachie’s reputation as a city that values the arts. The WSA promotes the arts by showcasing high-quality live musical performances and engaging with audiences of all ages with family friendly pricing. Repeat visitors may return for future concerts, while first-time tourists may be inspired to return to experience more of the city’s cultural offerings, including dining, shopping, and historical sites.

Category 4: Total Expenses: \$80,672

2023 Performer/Artists Fees for Six Concerts = \$76,407

2023 Performer/Artists Hotels = \$1,720

Event Sound/Security & Other = \$2,545

(8)

List of WSA Activities/Events offered in 2023

February 28, 2023	Lin-Zhou-Vila Piano Trio
March 18, 2023	Fort Worth Symphony Orchestra – Classical Concert
May 6, 2023	Ken Slavin @Waxahachie Chautauqua
September 30, 2023	Fort Worth Symphony Orchestra – Pops Concert
November 4, 2023	Texas Cellos
December 1, 2023	Fort Worth Symphony Orchestra – Christmas Concert

Examples of Marketing Materials: Attached

Planning & Zoning Department
Zoning Staff Report

(9)



Case: ZDC-139-2024

MEETING DATE(S)

Planning & Zoning Commission: November 12, 2024
City Council: December 2, 2024

CAPTION

Public Hearing on a request by Matthew Smith, Darwood Partners, for a **Specific Use Permit (SUP)** for a Convenience Store with Gasoline Sales (7-Eleven) 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)

RECOMMENDED MOTION

"I move to approve of ZDC-139-2024, a Specific Use Permit (SUP) for a Convenience Store with Gasoline Sales (7-Eleven) use, subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

On September 4, 2024, the applicant requested to continue the application from the September 10, 2024 Planning and Zoning Commission meeting to the October 15, 2024, Planning and Zoning Commission meeting in order to evaluate the public comments and meet with the neighboring properties. At the Planning and Zoning Commission meeting held on September 10, 2024, the Commission voted 6-0 to continue the case to the October 15, 2024 Planning and Zoning Commission meeting.

On October 4, 2024, the applicant requested to continue the application from the October 15, 2024, Planning and Zoning Commission meeting to the November 12, 2024, Planning and Zoning Commission meeting to continue to evaluate the public comments. At the Planning and Zoning Commission meeting held on October 15, 2024, the Commission voted 7-0 to continue the case to the November 12, 2024 Planning and Zoning Commission meeting. Since the posting of the public hearings for the November 12, 2024 Planning and Zoning Commission and November 18, 2024 City Council meetings, the applicant has requested that this application be deferred to the City Council meeting scheduled on December 2, 2024, due to a scheduling conflict.

At the Planning and Zoning Commission meeting held on November 12, 2024, the Commission voted 4-2, resulting in a recommendation for approval of case number ZDC-139-2024 with Elevation Option B.

APPLICANT REQUEST

The applicant requests approval of a Specific Use Permit for a Convenience Store with Gasoline Sales (7-Eleven) use located at the northwest corner of Broadhead Road and Garden Valley Parkway.

CASE INFORMATION

Applicant: Matthew Smith, Darwood Partners

Property Owner(s): WP Legacy LTD

Site Acreage: 1.488 acres

Current Zoning: General Retail (GR)

Requested Zoning: General Retail (GR) with a SUP for a Convenience Store with Gasoline Sales (7-Eleven) use

SUBJECT PROPERTY

General Location: Northwest corner of Broadhead Road and Garden Valley Parkway

Parcel ID Number(s): 242234

Existing Use: The subject property is currently undeveloped.

Development History: The subject property is not platted.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-MF-2	Multifamily
East	GR	Undeveloped
South	PD-SF-2	Residential
West	PD-GR	Knights of Columbus

Future Land Use Plan: Residential Neighborhood

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

Thoroughfare Plan: The subject property is accessible via Broadhead Road which is identified as a 100' Minor Arterial, and Garden Valley Parkway which is identified as an 80' Major Collector.

Site Image:

(9)



PLANNING ANALYSIS

The applicant proposes a Specific Use Permit (SUP) to allow for a Convenience Store with Gasoline Sales (7-Eleven) in a General Retail (GR) zoning district. Per the City of Waxahachie Zoning Ordinance, both Convenience Store use and Gasoline Sales uses within a GR zoning district require a SUP to be approved by the City Council.

The General Retail (GR) Zoning District is intended predominately for general retail, and certain light commercial uses of a service nature which typically have operating characteristics of traffic service requirements generally compatible with typical office, retail, shopping, and some residential environments.

Historically, the subject property was zoned for Future Development (FD) as a placeholder until the property owner develops it and rezone it to an appropriate zoning district. The subject property was rezoned to General Retail (GR) as part of the Garden Valley planned development in 2002 (ZA2002-21) to promote commercial development properties along the entrance corridor. The subject property is currently situated on an unplatted lot. A plat will be needed to facilitate the proposed development.

The applicant is proposing a five-foot wide sidewalk along the northern and western perimeter to alleviate some of the foot traffic and encourage pedestrians to go around the property instead of the front of the property, at the time of their development. The applicant will be adhering to the Texas Commission on Environmental Quality (TCEQ), and all other governing bodies, development requirements and standards regarding Benzene mitigation, and will report, clean, and on-going monitoring any spills on-site. The applicant will have fuel vents installed as required per standards set by TCEQ to allow pressure to be released from the petroleum store tank to prevent the risk of explosion or rupture during filling.

The applicant provided a traffic analysis memo for the intersection of Garden Valley Parkway and Broadhead Road for staff review on October 16, 2024. The analysis identified that a four-way stop with stop signs was needed to operate at an acceptable level of service. 7-Eleven will be installing the four-way stop with their development. If the zoning is approved, 7-Eleven will provide a full traffic impact analysis (TIA) that also includes additional intersections within one (1) square mile of the site. This full TIA will analyze if any additional improvements are needed at those intersections.

(9)
Currently, the City has a total of twelve (12) gasoline stations existing and/or approved approximately two (2) miles of the subject property. There are nine existing gasoline stations located along US 77 and one existing Exxon gasoline station located on the southeastern corner of US Highway 287 and Brown Street. Two of the approved and under construction gasoline stations are QuikTrip located on the southwestern corner of US Highway 287 and Brown Street, and Valero located on the southwestern corner of US Highway 287 and Farley Street.

If this zoning application is approved, the property owner intends to prohibit by deed restriction the following uses from the subject property, along with the remaining tract of land and the commercial property located on the northeast corner of Broadhead Road and Garden Valley Parkway:

- Dollar Stores
- Sexually Oriented Businesses
- Smoke Shops
- Funeral Services
- Crematories
- Motels, Hotels, Camps, and other Lodging
- Rehabilitation Centers
- Massage Parlors
- Outdoor Amusements.

In addition to the restrictions mentioned, the property owner will include structural restrictions. These restrictions include that all buildings and structures shall be constructed of at least eighty percent (80%) of the total exterior walls, excluding doors and windows, to be masonry and/or glass wall construction, in accordance with the City's Building Code and Fire Prevention Code.

The applicant submitted a photometric plan with their SUP application. While the proposed photometric plan adheres to Section 6.03 of the City's Zoning Ordinance, Staff was concerned that there may be a glaring issue on the ground caused by the canopy lights. Staff recommended that the applicant shall mitigate any lighting issues that may cause a nuisance. If the owner and/or applicant needs to amend the photometric plan in the future, they may do so and have the photometric plan administratively approved.

Proposed Use

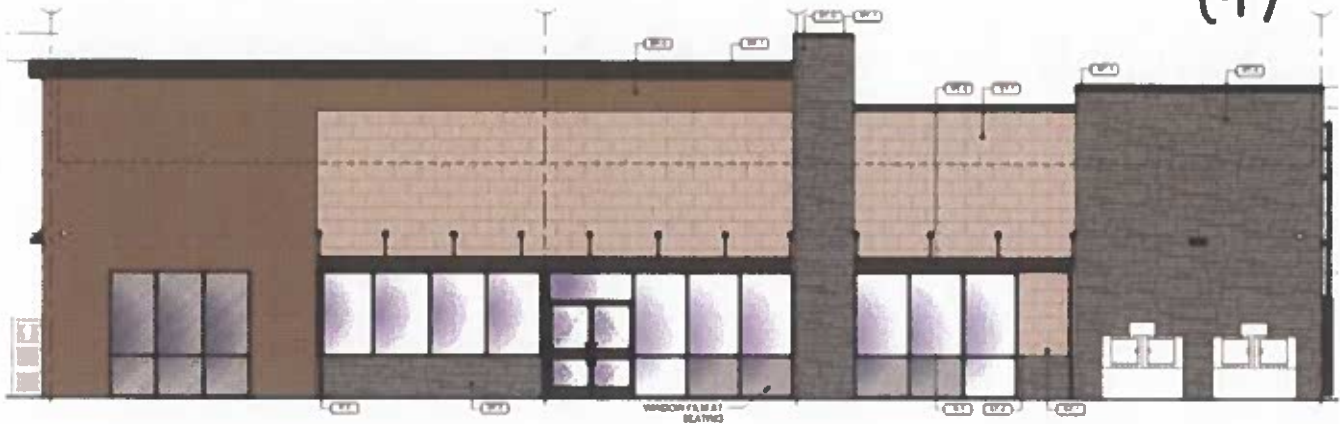
Per the Operational Plan and Site Plan provided by the applicant, 7-Eleven is proposed to feature a 4,824-square-foot convenience store with ten gasoline pumps. The parking and building setbacks for the convenience store adhere to the requirements outlined in the City of Waxahachie Zoning Ordinance. The gasoline pumps are proposed as five dual-sided pumps covered by one canopy.

7-Eleven proposes to operate twenty-four hours a day, seven days a week, with an average of three employees per shift.

Elevation/Façade

The applicant has provided an elevations plan features a total of 80.7% masonry exterior construction material. The elevation/façade plan utilizes mix of brick and stone. The renderings below can be referenced for a look at the color palette proposed for these exterior construction materials.

(9)

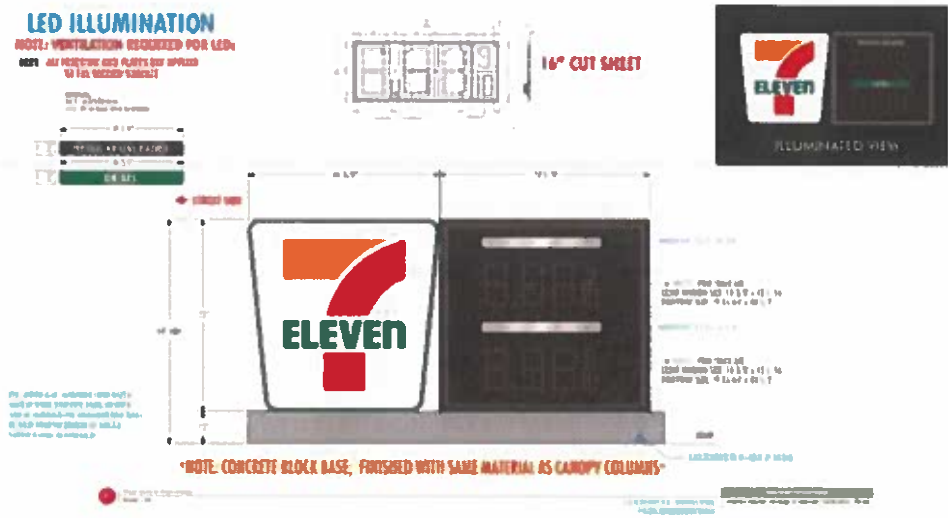


Landscaping

The landscaping proposed with this SUP meets the requirements of the City of Waxahachie Zoning Ordinance. The applicant has incorporated ten (10) Cape Myrtles into the landscape plan.

Signage

The applicant is proposing an 8', internally illuminated, monument sign. No pole sign is proposed.



(9)

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 17 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property. Staff has received 41 letters of opposition and three (3) letters of support for the proposed SUP, with eight (8) letters of opposition and two (2) letters of support within the 200' buffer of the subject property. In addition to the letters noted above, Staff has also received two petitions with 217 signatures collected in opposition.

RECOMMENDATION

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

Conditions:

1. The owner shall provide a 5' sidewalk that meanders along the western and northern perimeter of the tract of land when this project is being developed.
2. The owner shall provide an access easement where the proposed drives lead to the adjacent property located to the north and west sides of the subject property at the time of platting.
3. The owner and/or applicant shall comply with the lighting ordinance and will mitigate any glaring issues, caused by any light fixtures, that cause a nuisance as needed. If the applicant needs to amend the lighting and/or photometric plan portion of this SUP, the amendment shall be approved administratively.
4. The owner shall plat this lot prior to the submittal of any building permits.
5. A mutually agreed upon Development Agreement shall be fully executed within thirty (30) calendar days of the approval of this SUP application.
6. The owner shall provide a permanent irrigation system for all required landscape areas shown on the Landscape Plan and maintain the required landscaping at all times.
7. The applicant shall receive all necessary building permits from the Building & Community Services Department prior to construction.

ATTACHED EXHIBITS

1. Public Notification Responses
2. Operational Plan
3. Saturation Map
4. Use Chart List for General Retail (GR) Zoning District
5. Development Agreement & SUP Ordinance
6. Location Map (Exhibit A)
7. Zoning Map (Exhibit B)
8. Site Plan (Exhibit C)
9. Site Plan (Sidewalk) (Exhibit D)
10. Landscape Plan (Exhibit E)
11. Elevations Plan (Exhibit F)
12. Signage Plan (Exhibit G)
13. Photometric Plan (Exhibit H)

APPLICANT REQUIREMENTS

(9)

1. If approved by City Council, the applicant can apply for building permits from the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:

Oanh Vu

Senior Planner

oanh.vu@waxahachie.com

Reviewed by:

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

Senior Director of Planning

jennifer.pruitt@waxahachie.com



(9)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-139-2024

WOODS KEVIN L
217 Lariat Trl
Waxahachie, TX 75165-8715

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 10, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 16, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by 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) Staff: Oanh Vu

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

Case Number: ZDC-139-2024

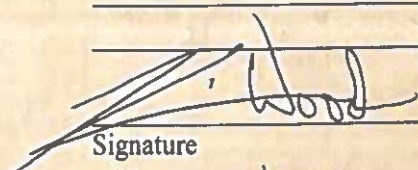
City Reference: 276328

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

SUPPORT

OPPOSE

Comments:



Signature

08/27/2024

Date

Kevin Woods

Printed Name and Title

217 Lariat Trail

Address

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-139-2024

WP LEGACY LTD
101 VALLEY RIDGE DR
RED OAK, TX 75154-4736

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 10, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 16, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by 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) Staff: Oanh Vu

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

Case Number: ZDC-139-2024

City Reference: 231109

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

SUPPORT

OPPOSE

Comments:

BEST & MOST CONVENIENT USE FOR NEIGHBORHOOD

Clyde L. Hargrove
Signature

9-3-24
Date

Clyde L. Hargrove, Pres
Printed Name and Title

101 VALLEY RIDGE DR,
Address RED OAK, TX 75154

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-139-2024

**WP LEGACY LTD
101 VALLEY RIDGE DR
RED OAK, TX 75154-4736**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 10, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 16, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by 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) Staff: Oanh Vu

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

Case Number: ZDC-139-2024

City Reference: 242234

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

SUPPORT

OPPOSE

Comments:

HIGHEST BEST AND MOST CONVENIENT
USE FOR NEIGHBORHOOD

Clyde L. Harboure
Signature WP LEGACY

9-3-24
Date

CLYDE L. HARBOURE, PRES
Printed Name and Title

101 VALLEY RIDGE DR
Address RED OAK, TX 75154



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-139-2024

HAMMOND ANDREW J & DEANNA J SCHEERENS-HAMMOND
251 Lariat Trl
Waxahachie, TX 75165-8715

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 10, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 16, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by 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) Staff: Oanh Vu

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

Case Number: ZDC-139-2024

City Reference: 276331

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

SUPPORT

OPPOSE

Comments:

Signature
Andrew Hammond
Deanna Scheerens
Printed Name and Title
Hammond

08/31/2024
Date
251 Lariat Trl
Address

Case Number: ZDC-139-2024

City Reference: 232247

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

Comments:

SUPPORT

OPPOSE

RECEIVED SEP 03 2024

Arturo Delcor
Signature

8/29/24
Date

Arturo Delcor Owner
Printed Name and Title

109 Valley Ranch Ct.
Address

(9)

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-139-2024

RECEIVED SEP 03 2024

CLAROS RAUL E M & NANCY MACHUCA
107 VALLEY RANCH CT
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 10, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 16, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by 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) Staff: Oanh Vu

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

Case Number: ZDC-139-2024

City Reference: 232248

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

SUPPORT

OPPOSE

Comments:

Negative safety concerns of traffic to Howard Jr high students
light pollution, air pollution, safety risks, vapes to kids

Signature

9/3/2024

Date

Paul E M Flores, Home Owner
Printed Name and Title

107 Valley Ranch Ct
Address Waxahachie, Tx 75165

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-139-2024

MCCOY LAWANNA
255 Lariat Trl
Waxahachie, TX 75165-8715

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 12, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, November 18, 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 Matthew Smith, Darwood Partners, for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales use within a General Retail zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234) – Owner: WP Legacy LTD (ZDC-139-2024) Staff: Oanh Vu

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

Case Number: ZDC-139-2024

City Reference: 276332

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **November 6, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Lawanna McCoy
Signature

Lawanna McCoy, Owner
Printed Name and Title

10-30-2024
Date
255 Lariat Trail
Waxahachie, TX 75165
Address

(9)

Venissat, Michelle

From: Robyn Chavarria <robynchavarria@gmail.com>
Sent: Saturday, August 31, 2024 10:20 AM
To: Planning; Billie Wallace; Chris Wright; Travis Smith; Patrick Souter; Tres Atkins
Subject: ZDC-139-2024 SUP

Robyn Chavarria
225 Lariat Trl
Waxahachie TX 75165
8/31/2024

City Council and Planning Commission
Waxahachie

Dear Members of the City Council and Planning Commission,

I am writing to express my strong opposition to the proposed development of a gas station on Broadhead and Garden Valley, directly behind my home and adjacent to Howard Middle School. As a homeowner and a concerned resident of this community, I believe that the placement of a gas station in such close proximity to a residential area and a school poses significant risks and challenges that must be carefully considered.

First and foremost, the potential health and safety risks associated with a gas station near a middle school and residential neighborhood are of great concern. Gas stations are known to emit harmful pollutants such as benzene, toluene, and other volatile organic compounds (VOCs) that can pose serious health risks, especially to children and those with preexisting health conditions. The proposed location, being so close to my own home and Howard Middle School, raises concerns about the potential for adverse health impacts on young children who are particularly vulnerable to air pollution.

Additionally, the increase in traffic and congestion around the gas station could pose safety risks for pedestrians, particularly school children walking to and from school. The increase in vehicular traffic would not only raise the risk of accidents but could also lead to noise pollution and a decrease in the overall quality of life for residents in the area. There are already several accidents that occur at that intersection, as well as speeding traffic at all hours of the day.

The presence of a gas station may also negatively impact property values in the surrounding area. As homeowners, we are concerned that the construction of a gas station will lead to a decline in property values, making it more difficult for us to sell our homes in the future should we choose to do so. I'm a Realtor and know all too well what having a gas station behind my home will do for resale. I will lose equity immediately. My backyard overlooks this site, and there is already enough light pollution coming from The Hamilton apartments. There is also a risk for an uptick in crime due to loitering. We already have issues at the movie theater and Whataburger (especially with students).

Furthermore, there are environmental concerns to consider. Gas stations are at risk of fuel leaks and spills, which could potentially contaminate the soil and groundwater. Given the proximity to our homes and the middle school, such an environmental hazard could have far-reaching consequences for our community's health and safety.

I strongly urge the City Council and Planning Commission to reconsider this proposal and explore alternative locations for the gas station that would not pose such significant risks to our community. There are likely other areas within the city that would be more suitable for such a development without compromising the health, safety, and quality of life of our residents and schoolchildren.

Thank you for your time and consideration of my concerns. I hope that you will take these issues seriously and prioritize the safety and well-being of our community.

Sincerely,

Robyn Chavarria

(9)



[Email](#) [Facebook](#) [Instagram](#)

Texas Law requires all real estate licensees to give the following information about brokerage services.

(9)

Venissat, Michelle

From: Kristina S <
Sent: Tuesday, September 3, 2024 12:41 PM
To: Planning
Subject: ZDC-139-2024

Greetings and salutations.

I'm a resident living in Buffalo Ridge and was recently made aware of a gas station proposal for the corner of Garden Valley Parkway and Broadhead.

Why? There is already another gas station less than 2 miles away and construction has already begun on a second gas station at the Broadhead and HWY 287 exit. Why does a mostly residential area need 3 gas stations in a 2 mile radius?

Yes, this is oil country, but that doesn't mean I want gas/oil polluting where our families live and children play.

And who was the genius that overlooked the crime statistics when there's a convenience store near a school? Shall we put a pawn shop on one side and a barbershop on the other to really class the place up?

So yah, I'm not understanding why Waxahachie believes this will benefit the surrounding community.

Thanks for coming to my TED Talk. Hopefully insight from residents will be considered when y'all decide to go ahead or not with this plan.

Kristina

(9)

Venissat, Michelle

From: Andrew Smith <
Sent: Sunday, September 1, 2024 8:29 AM
To: Planning
Subject: ZDC-139-2024

Good morning -

I am writing in opposition of the proposed gas station for this case.

There are many reasons for this opposition-

1. A new gas station/convenience store is currently under construction less than one mile from this proposed site at the intersection of 287 and Ferris. Another gas station in a residential area is not needed.
2. The proximity to the junior high school. As a parent and former law enforcement officer I can say this will cause many issues before and after school. From a parent stand point, the children will stop there to purchase unhealthy foods for their breakfast. This will also cause traffic congestion in the area due to children crossing the road without the aide of a controlled crossing signal. As a law enforcement officer, theft will occur during the hours prior to and after school.
3. Environmental. This gas station will be close to the new active senior living community as well as Buffalo Ridge. There will be gasoline and oil runoff into the fields and the street. This can be seen by visiting any gas station and looking where the pumps are. Fuel overfills are common and not cleaned up properly by the customer or the establishment. The same is true regarding oil that leaks from vehicles.
4. Traffic congestion. This is already a main road for multiple communities to access 287, the sports complex, school, and homes. Children walk to school, families walk for exercise and recreation. Additional traffic is not needed for their safety.

As Waxahachie grows, I understand the needed for additional services. This service is not needed at this location considering a new gas station is being built 2-3 up the road.

Thank you for your time and consideration in this matter.

Respectfully,
Andrew Smith
239 Frio Dr, Waxahachie, TX 75165

(9)

Venissat, Michelle

From: Raul E. Machuca Jr < >
Sent: Friday, August 30, 2024 9:59 PM
To: Planning
Cc: Nancy Machuca; Billie Wallace; Chris Wright; Travis Smith; Patrick Souter; Tres Atkins
Subject: Opposition to SUP Request for Convenience Store and Gasoline Sales at Broadhead Rd and Garden Valley Pkwy (ZDC-139-2024)

City of Waxahachie Planning and Zoning Commission
401 S Rogers St
Waxahachie, TX 75165

Dear Members of the Planning and Zoning Commission,

I am writing to express my strong opposition to the Request by Matthew Smith of Darwood Partners for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234). This opposition pertains to Case Number ZDC-139-2024.

I am deeply concerned about the potential impact of placing a high-traffic gas station and convenience store, such as a 7-Eleven, directly adjacent to a middle school. This decision shows a huge disregard for the safety and well-being of our children. The increased traffic that will inevitably result from this development poses a significant risk to students who walk or ride their bikes to school. The potential for accidents increases with the added traffic, especially during peak school hours when the area is already congested.

Additionally, the road noise and the potential for loitering around the convenience store are factors that could negatively impact the learning environment and overall safety of the area. The presence of a gas station right next to a school is inappropriate, given the inherent risks and disruptions it brings.

It is also important to note that there is already a gas station being constructed across the bridge less than half a mile away. The proximity of another gas station makes this proposal not only unnecessary but redundant. The community does not need two gas stations within such a short distance of each other, especially when one is in such close proximity to a school.

In conclusion, I strongly urge the Planning and Zoning Commission to consider the safety, well-being, and overall quality of life of the students and residents in the area. Please reject this request for a Specific Use Permit (SUP) for the proposed convenience store and gasoline sales at the location mentioned.

Thank you for your time and consideration of this important matter. I hope to be able to speak on this matter at the Monday, September 16, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie,

Sincerely,

Raul E. Machuca Jr.
Address: 107 Valley Ranch Ct, Waxahachie TX 75165

Sent from Mobile

www.machucadesign.com

(9)

Venissat, Michelle

From: Marc Mangan · >
Sent: Saturday, August 31, 2024 1:31 AM
To: Planning
Subject: Support for ZDC-139-2024

I live off Memory lane and Broadhead. Our immediate neighborhood has no convenience store or gas station. As the area continues to grow with additional residential housing and multi family the need for a close proximity convenience store and gas station is highly desirable.

While some will argue a gas station is being built at Farley and 287, having to cross the bridge during high traffic times will be especially inconvenient. The afternoon traffic to cross the bridge could add 20 minutes to a round trip run to make a quick run to the store. Sitting in traffic for 20 minutes cause I need gas or ice or other essentials is not convenient. This will also help remove some of the strain on road ways and bridges between us and other gas stations and reduce traffic within subdivisions. Currently I have to run to Exxon on Brown and unnecessarily drive through three subdivisions. The new QT will be just as inconvenient.

Thank you for your time.

Marc Mangan
Long time Waxahachie Resident
Real Estate Appraiser

Sent from my iPhone

(9)

Venissat, Michelle

From: Elizabeth Marchese ·
Sent: Tuesday, September 3, 2024 12:26 PM
To: Planning
Subject: Opposition to SUP Request for Convenience Store and Gasoline Sales at Broadhead Rd and Garden Valley Pkwy (ZDC-139-2024)

Dear Members of the Planning and Zoning Commission and Waxahachie Council Members,

As a resident of Waxahachie, I am writing to express my opposition to the Request by Matthew Smith of Darwood Partners for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234). This opposition pertains to Case Number ZDC-139-2024.

I ask the Planning and Zoning Commission and Council Members to prioritize the safety, well-being, and overall quality of life of the students and residents in this community. I believe it is in the best interest of the area to deny the proposed convenience store and gasoline sales at this location.

Thank you for your attention to this important issue. I look forward to the opportunity to address this matter further at the upcoming public meetings.

Elizabeth Marchese

Sent from my iPhone

(9)

From: Vu, Oanh
Sent: Tuesday, September 3, 2024 12:01 PM
To: 'Mariah Moreira' < >
Subject: RE: Strong Opposition to Proposed 7-Eleven Gas Station at Garden Valley & Broadhead

Good afternoon, Mariah:

Your response has been received and filed. Please let me know if you have any questions.

Thank you,



Oanh Vu
Senior Planner

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

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

From: Mariah Moreira < >
Sent: Tuesday, September 3, 2024 11:46 AM
To: Vu, Oanh <Oanh.Vu@waxahachie.com>
Subject: Strong Opposition to Proposed 7-Eleven Gas Station at Garden Valley & Broadhead

Hello,

I am writing to express my strong opposition to the proposed 7-Eleven gas station at the corner of Garden Valley and Broadhead. As a concerned resident, I believe that this development poses significant risks and challenges for our community, particularly in terms of safety, traffic, and the character of our neighborhood.

First and foremost, the safety of our children is a paramount concern. The proposed location is in close proximity to schools and a sports complex, both of which see heavy foot traffic from young children walking to and from these facilities. Introducing a gas station at this busy intersection would increase the risk of accidents and endanger the safety of these children.

Moreover, the increase in traffic that would inevitably result from a gas station at this intersection is concerning. Garden Valley and Broadhead are already busy roads, and adding more vehicles to the mix will exacerbate congestion, increase the likelihood of accidents, and negatively impact the overall quality of life for residents in the area.

Additionally, the sale of tobacco and alcohol products at a 7-Eleven near our homes raises serious concerns. Such sales could attract undesirable activity, leading to a decline in the

(9)

neighborhood's safety and family-friendly atmosphere. This is not the type of development we want to see in our community, especially so close to where our children live and play.

In conclusion, I urge the City Council to reconsider this proposal and seek alternative locations for this development that do not pose the same risks to our community. Our neighborhood's safety, traffic conditions, and overall character are at stake, and I believe it is our duty to protect them.

Thank you for your attention to this matter. I look forward to your response and to seeing a decision that prioritizes the well-being of our community.

Sincerely,
Mariah Orullian

279 Moonshadow Drive, Waxahachie, TX 75165

Mariah Orullian

(9)

Venissat, Michelle

From: Melissa Olson <
Sent: Tuesday, September 3, 2024 2:24 PM
To: Vu, Oanh; Planning
Cc: Pruitt, Jennifer; Brooks, Shon
Subject: Broadhead case: ZDC-139-2024

Please include my letter of opposition for Zoning case: ZDC-139-2024 for both P&Z and Council (if applicable) agenda packets.

Dear Commissioners and/or Council,

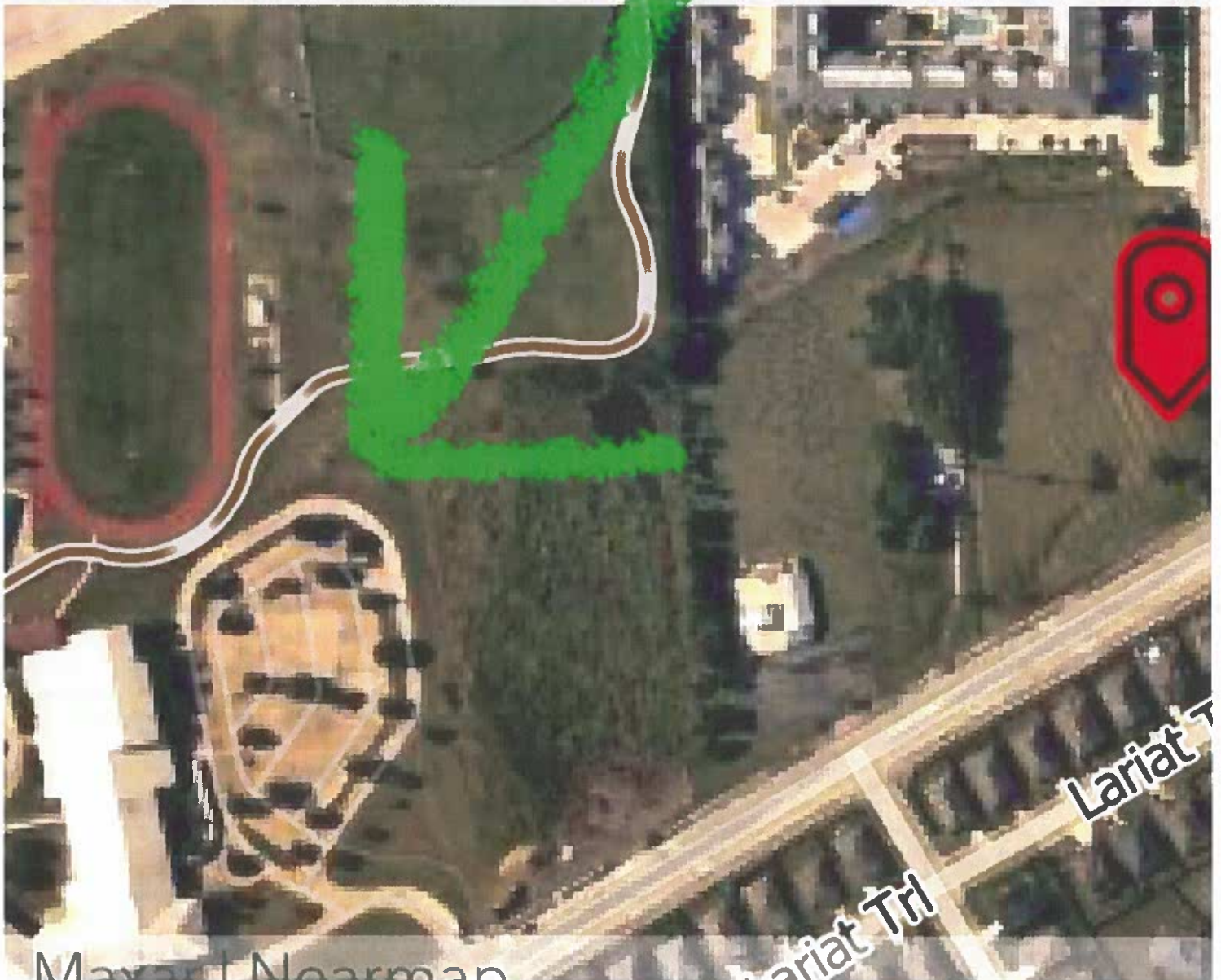
Please refer to my picture below, with the green arrow pointing to Howard Jr. High and the subject property in this case, marked with red.

(9)

Waxahachie Current Zoning Cases

8/27 P&Z & 9/9 CC

9/10 P&Z &



(9)

As you can see, the proposed 7-11 at the corner of Broadhead and Garden Valley Pkwy., is incredibly close to Howard Jr. High. I believe staff said it was 1000'. While there is a Whataburger drive-through restaurant very close to the school, it is not situated directly between students' homes and the school. Students from Garden Valley Ranch (same side of Broadhead as proposed 7-11), must use that lot to get to school. This does not appear to be a little 2-pump station. This seems to be a 10-ish pump station. How many people whip in and out in a hurry to get where they're going when filling up the car before work? Would you want your 11 year-old-child having to navigate that traffic? I don't.

You all review many zoning requests and see lots of NIMBY (Not in My Backyard) cases and I don't want this to be another of those; however, I think that that particular corner of this particular intersection is extremely dangerous for the kids in this area. There are retail locations that don't have drive-thrus and if they can go on this lot by right, then so be it; but, please do not let a drive-thru go here. It is throwing gasoline on the fire which all the recent density has created to this once-quiet area of town.

(9)

In fact, in the very beginning, there was a church proposed to be near there. I have no problem with that because while a lot of traffic, it would be when kids are not going to school, so there should be no safety issue. There have been changes to the area since this drawing and this could be another change. A change for the better if 7-11 does not go in on this corner.

It would help Garden Valley residents but not Buffalo Ridge, if WISD and/or the developer worked with the city to create a SAFE walkway between one set of apartments and the GV pond. The walkway near and inside the Sports Complex there is secluded and dark and I don't want these same kids who would have to change their route if the 7-11 is approved, to go that way. Unless there is some WRITTEN guarantee on a SAFE (well lit, etc) pathway to and through the Sports Complex or alternative safe route provided ahead of time, PLEASE DO NOT APPROVE this case.

Thank you for your time and consideration!

Sincerely,

Melissa & Cutler Olson
Stampede St.

(9)

Venissat, Michelle

From: Tuesy D <
Sent: Tuesday, September 3, 2024 1:43 PM
To: Planning
Subject: Opposition to SUP Request for Convenience Store and Gasoline Sales at Broadhead Rd and Garden Valley Pkwy (ZDC-139-2024)

Dear Members of the Planning and Zoning Commission and Waxahachie Council Members,

As a resident of Waxahachie, I am writing to express my opposition to the Request by Matthew Smith of Darwood Partners for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234). This opposition pertains to Case Number ZDC-139-2024.

I ask the Planning and Zoning Commission and Council Members to prioritize the safety, well-being, and overall quality of life of the students and residents in this community. I believe it is in the best interest of the area to deny the proposed convenience store and gasoline sales at this location.

Thank you for your attention to this important issue. I look forward to the opportunity to address this matter further at the upcoming public meetings.

Sincerely
Carolyn Duncan
330 Western Sky Lane
Waxahachie, TX 75165

Sent from my iPhone

(9)

Venissat, Michelle

From: Quinn Turner <[redacted]>
Sent: Tuesday, September 3, 2024 7:38 PM
To: Planning
Subject: Opposition to SUP Request for Convenience Store and Gasoline Sales at Broadhead Rd and Garden Valley Pkwy (ZDC-139-2024)

Dear Members of the Planning and Zoning Commission and Waxahachie Council Members,

As a resident of Waxahachie, I am writing to express my opposition to the Request by Matthew Smith of Darwood Partners for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234). This opposition pertains to Case Number ZDC-139-2024.

I ask the Planning and Zoning Commission and Council Members to prioritize the safety, well-being, and overall quality of life of the students and residents in this community. I believe it is in the best interest of the area to deny the proposed convenience store and gasoline sales at this location.

Thank you for your attention to this important issue. I look forward to the opportunity to address this matter further at the upcoming public meetings.

Quinn

(9)

Venissat, Michelle

From: Joyce Thompson <[redacted]> n>
Sent: Tuesday, September 3, 2024 9:38 PM
To: Planning
Subject: ZDC-139-2024

Hello,

We do not want this gas station in our neighborhood.

711 proposed gas station.

Thank you,

Joyce Thompson
254 Bear Trail, Waxahachie, TX 75165

(9)

From: Vu, Oanh
Sent: Wednesday, September 4, 2024 7:45 AM
To: 'Ryan F. Simpson'
Subject: RE: ZDC-139-2024

Good morning, Ryan:

Your response has been received and filed.

Thank you,



Oanh Vu
Senior Planner

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

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

From: Ryan F. Simpson <____>
Sent: Wednesday, September 4, 2024 6:09 AM
To: Vu, Oanh <Oanh.Vu@waxahachie.com>
Subject: ZDC-139-2024

Hello,

I am writing in opposition to the proposed SUP for the 7-11 convenience store on Broadhead Rd. There are several reasons for my opposition, and I hope you will read them and consider them all with an open mind.

- Aside from this proposed location, once all pending construction is complete, there will be a total of seven convenience stores within a two-mile radius of the proposed 7-11 location. Our community has an abundance of these already, and we do not need another at this location.
- Convenience stores have a potential to attract criminal activity of all sorts, and to be a source of blight in the community. As these stores age, this potential increases.
- The lack of traffic signals on city-controlled roadways does not support the influx of traffic this store will surely bring, especially being adjacent to a school, and near multifamily and single-family zoning.
- Aside from potential provisions in an SUP, the City does not currently have ordinances in place, specific to convenience stores. An ordinance is essential to ensuring that property maintenance standards are upheld, and that city staff can effectively hold the property owner or tenant accountable.
- Being directly across the street from SF homes, with minimal tree coverage, the convenience store has a high potential to be a source of light pollution, detracting from nearby residents' quality of life.

Thank you,

Ryan Simpson
217 Stampede St.

(9)

Venissat, Michelle

From:
Sent: Wednesday, September 4, 2024 9:20 AM
To: Planning
Subject: Opposition to SUP Request for Convenience Store and Gasoline Sales at Broadhead Rd and Garden Valley Pkwy (ZDC-139-2024)

Dear Members of the Planning and Zoning Commission and Waxahachie Council Members,

As a resident of Waxahachie, I am writing to express my opposition to the Request by Matthew Smith of Darwood Partners for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234). This opposition pertains to Case Number ZDC-139-2024.

I ask the Planning and Zoning Commission and Council Members to prioritize the safety, well-being, and overall quality of life of the students and residents in this community. I believe it is in the best interest of the area to deny the proposed convenience store and gasoline sales at this location.

Thank you for your attention to this important issue. I look forward to the opportunity to address this matter further at the upcoming public meetings.

Sent from my iPhone

(9)

Venissat, Michelle

From: Boishea Osborne
Sent: Tuesday, September 3, 2024 8:21 PM
To: Planning
Subject: Opposition to SUP Request for Convenience Store and Gasoline Sales at Broadhead Rd and Garden Valley Pkwy (ZDC-139-2024)

Dear Members of the Planning and Zoning Commission and Waxahachie Council Members,

As a resident of Waxahachie, I am writing to express my opposition to the Request by Matthew Smith of Darwood Partners for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234). This opposition pertains to Case Number ZDC-139-2024.

I ask the Planning and Zoning Commission and Council Members to prioritize the safety, well-being, and overall quality of life of the students and residents in this community. I believe it is in the best interest of the area to deny the proposed convenience store and gasoline sales at this location.

Thank you for your attention to this important issue. I look forward to the opportunity to address this matter further at the upcoming public meetings.

Thank you,
Boishea Osborne

(9)

Venissat, Michelle

From: Nidia Machuca
Sent: Tuesday, September 3, 2024 6:19 PM
To: Planning
Subject: Oppose Request for 7-11 at Broadhead Rd and Garden Valley Pkwy - Case Number: ZDC-139-2024

I am opposing this SUP request for

7-11 at Broadhead Rd and Garden Valley Pkwy - Case Number: ZDC-139-2024

I believe this will be a danger to kids in the community.

[Enviado desde Yahoo Mail para iPhone](#)

(9)

Venissat, Michelle

From: Frankie Miller < >
Sent: Tuesday, September 3, 2024 7:28 PM
To: Planning
Subject: Opposition to SUP Request for Convenience Store and Gasoline Sales at Broadhead Rd and Garden Valley Pkwy (ZDC-139-2024)

Dear Members of the Planning and Zoning Commission and Waxahachie Council Members,

As a resident of Waxahachie, I am writing to express my opposition to the Request by Matthew Smith of Darwood Partners for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234). This opposition pertains to Case Number ZDC-139-2024.

I ask the Planning and Zoning Commission and Council Members to prioritize the safety, well-being, and overall quality of life of the students and residents in this community. I believe it is in the best interest of the area to deny the proposed convenience store and gasoline sales at this location.

Thank you for your attention to this important issue. I look forward to the opportunity to address this matter further at the upcoming public meetings.

Sent from my iPhone

(9)

Venissat, Michelle

From: Kristin Middlebrooks n>
Sent: Tuesday, September 3, 2024 7:41 PM
To: Planning
Subject: Opposition to SUP Request for Convenience Store and Gasoline Sales at Broadhead Rd and Garden Valley Pkwy (ZDC-139-2024)

Dear Members of the Planning and Zoning Commission and Waxahachie Council Members,

As a resident of Waxahachie, I am writing to express my opposition to the Request by Matthew Smith of Darwood Partners for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234). This opposition pertains to Case Number ZDC-139-2024.

I ask the Planning and Zoning Commission and Council Members to prioritize the safety, well-being, and overall quality of life of the students and residents in this community. I believe it is in the best interest of the area to deny the proposed convenience store and gasoline sales at this location.

Thank you for your attention to this important issue. I look forward to the opportunity to address this matter further at the upcoming public meetings.

Kristin Middlebrooks

Sent from my iPhone

(9)

Venissat, Michelle

From:
Sent: Tuesday, September 3, 2024 6:41 PM
To: Planning
Subject: Opposition to Convenience Store!!

Dear Members of the Planning and Zoning Commission and Waxahachie Council Members,

As a resident of Waxahachie, I am writing to express my opposition to the Request by Matthew Smith of Darwood Partners for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234). This opposition pertains to Case Number ZDC-139-2024.

I ask the Planning and Zoning Commission and Council Members to prioritize the safety, well-being, and overall quality of life of the students and residents in this community. I believe it is in the best interest of the area to deny the proposed convenience store and gasoline sales at this location.

Thank you for your attention to this important issue. I look forward to the opportunity to address this matter further at the upcoming public meetings.

Sent from AOL on Android

(9)

Venissat, Michelle

From: TRACY GRAGG t>
Sent: Tuesday, September 3, 2024 8:32 PM
To: Planning
Subject: Opposition to SUP Request for Convenience Store and Gasoline Sales at Broadhead Rd and Garden Valley Pkwy (ZDC-139-2024)

Dear Members of the Planning and Zoning Commission and Waxahachie Council Members,

As a resident of Waxahachie, I am writing to express my opposition to the Request by Matthew Smith of Darwood Partners for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234). This opposition pertains to Case Number ZDC-139-2024.

I ask the Planning and Zoning Commission and Council Members to prioritize the safety, well-being, and overall quality of life of the students and residents in this community. I believe it is in the best interest of the area to deny the proposed convenience store and gasoline sales at this location.

Thank you for your attention to this important issue. I look forward to the opportunity to address this matter further at the upcoming public meetings.

Sent from my iPhone

(9)

Venissat, Michelle

From: Aaron Gonzalez < >
Sent: Tuesday, September 3, 2024 6:56 PM
To: Planning
Subject: Opposition to SUP Request for Convenience Store and Gasoline Sales at Broadhead Rd and Garden Valley Pkwy (ZDC-139-2024)

Dear Members of the Planning and Zoning Commission and Waxahachie Council Members,

As a resident of Waxahachie, I am writing to express my opposition to the Request by Matthew Smith of Darwood Partners for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234). This opposition pertains to Case Number ZDC-139-2024.

I ask the Planning and Zoning Commission and Council Members to prioritize the safety, well-being, and overall quality of life of the students and residents in this community. I believe it is in the best interest of the area to deny the proposed convenience store and gasoline sales at this location.

Thank you for your attention to this important issue. I look forward to the opportunity to address this matter further at the upcoming public meetings.

Sent from my iPhone

(9)

Venissat, Michelle

From: Analeah Candy <[redacted]>
Sent: Tuesday, September 3, 2024 7:58 PM
To: Planning
Subject: Opposition to SUP Request for Convenience Store and Gasoline Sales at Broadhead Rd and Garden Valley Pkwy (ZDC-139-2024)

Dear Members of the Planning and Zoning Commission and Waxahachie Council Members,

As a resident of Waxahachie, I am writing to express my opposition to the Request by Matthew Smith of Darwood Partners for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234). This opposition pertains to Case Number ZDC-139-2024.

I ask the Planning and Zoning Commission and Council Members to prioritize the safety, well-being, and overall quality of life of the students and residents in this community. I believe it is in the best interest of the area to deny the proposed convenience store and gasoline sales at this location.

Thank you for your attention to this important issue. I look forward to the opportunity to address this matter further at the upcoming public meetings.

Analeah Candy

[Sent from Yahoo Mail for iPhone](#)

(9)

Venissat, Michelle

From: anthony buttafuoco <[redacted]>
Sent: Tuesday, September 3, 2024 8:09 PM
To: Planning
Subject: Case# ZDC-139-2024

Good evening,

I am against (opposed) the building of Case# ZDC-139-2024. Please do not build a Gas station in the middle of a neighborhood.

Thanks,

Anthony

Sent from Yahoo Mail for iPhone

(9)

Venissat, Michelle

From: Janice Buchanan
Sent: Tuesday, September 3, 2024 8:26 PM
To: Planning
Subject: Opposition to SUP Request for Convenience Store and Gasoline Sales at Broadhead Rd and Garden Valley Pkwy (ZDC-139-2024)

Dear Members of the Planning and Zoning Commission and Waxahachie Council Members,

As a resident of Waxahachie, I am writing to express my opposition to the Request by Matthew Smith of Darwood Partners for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234). This opposition pertains to Case Number ZDC-139-2024.

I ask the Planning and Zoning Commission and Council Members to prioritize the safety, well-being, and overall quality of life of the students and residents in this community. I believe it is in the best interest of the area to deny the proposed convenience store and gasoline sales at this location.

Thank you for your attention to this important issue. I look forward to the opportunity to address this matter further at the upcoming public meetings.

Sent from my iPhone

(9)

Venissat, Michelle

From: Keri Bickerstaff
Sent: Tuesday, September 3, 2024 9:01 PM
To: Planning
Subject: Extremely opposed

I am one who has helped gather over 180 signatures in opposition to this ridiculous plan. I am the house with the star.
I'll also be there at the City Council meeting.

Keri Bickerstaff



(9)



NOTICE OF PUBLIC HEARING

CASE NUMBER : **ZDC-139-2024**
DESCRIPTION : **PUP-GAT PALET**

MEETING SCHEDULE

P&Z Commission **9 / 10 / 24 @ 7 PM**
City Council **9 / 16 / 24 @ 7 PM**



For More Details:
469-309-4290
Planning@Waxahachie.com

Sent from my iPhone

(9)

City of Waxahachie
City Council
Planning & Zoning Commission
Waxahachie Texas

Re: Case Number ZDC-139-2024
SUP for Gas Station and Convenience Store at northwest corner of Broadhead Road and Garden Valley Parkway


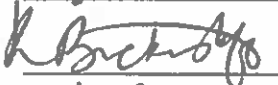









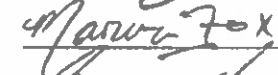







Opposition Signatures Name	Address	OPPOSE	Signature
Laverne James	225 Brazos Dr.	✓	Laverne James
Marni Crume	226 Brazos Dr	✓	Marni Crume
Stew Villa	195 Half Moon	✓	Stew Villa
Cindy Villa	195 Half Moon	✓	Cindy Villa
Danielle Crum	317 Adwood dr	✓	Danielle Crum
Wentse Crume	226 Brazos Dr.	✓	Wentse Crume
CHANDRA CRUME	226 BRAZOS DR	✓	Chandra Crume
Bukola Amotunla	144 Trail Dr	✓	Bukola Amotunla
ANTONIO SAEZ	222 BRAZOS	✓	Antonio Saez
Ana Velo	218 Brazos Dr	✓	Ana Velo
Pam Flowers	813 Brazos Dr	✓	Pam Flowers
Heather Taylor	209 Brazos Dr.	✓	Heather Taylor
JOHN CRUME	317 ADWOOD DR	✓	John Crume

(9)

City of Waxahachie
City Council
Planning & Zoning Commission
Waxahachie Texas

Re: Case Number ZDC-139-2024
SUP for Gas Station and Convenience Store at northwest corner of Broadhead Road and Garden
Valley Parkway

Opposition Signatures

Name	Address	OPPOSE	Signature
Robyn Chavarría	225 Lariat Trl	X	
Keri Bickerstaff	104 Deer Crossing	X	
AMBER BICKERSTAFF	104 DEER CROSSING	X	
Douglas Ross	151 Half Moon Dr.	X	
	151 Half Moon Dr.	X	
	155 Half Moon Dr.	X	
	136 Half Moon Dr.	X	
Kelle Todd	136 Half Moon Dr.	X	
Marvin Fox	101 Deer Crossing	X	
Emerson Fiedler	108 Deer Crossing	X	
Anthony Lambert	113 Broken Arrow St.	X	
Roberto Martinez	151 Tokoma Dr.	X	
Ancy Pantaja-Martinez	151 Tokoma Dr.	X	
A. Esquivel	148 Half Moon Dr.	X	
Manuel Esquivel	148 Half Moon Dr.	X	
WILLIAM BOLTON	293 HALF MOON DR	X	

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(9)

City of Waxahachie
City Council
Planning & Zoning Commission
Waxahachie Texas

Re: Case Number ZDC-139-2024
SUP for Gas Station and Convenience Store at northwest corner of Broadhead Road and Garden Valley Parkway

Opposition Signatures












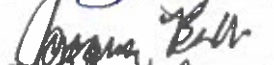

Name	Address	OPPOSE	Signature
<u>Emily Riggs</u>	<u>137 Deer Crossing Dr.</u>	<u>✓</u>	<u>Emily Riggs</u>
<u>Cassidy Mentry</u>	<u>108 Deer Crossing</u>	<u>✓</u>	<u>Cassidy Mentry</u>
<u>CORA WILLS</u>	<u>132 DEER CROSSING</u>	<u>✓</u>	<u>Cora Wills</u>
<u>Lisa Sawyers</u>	<u>215 Four Roses DR</u>	<u>✓</u>	<u>Lisa Sawyer</u>
<u>Dee Gaugler</u>	<u>215 Four Roses Dr</u>	<u>✓</u>	<u>Dee Gaugler</u>
<u>Novella Askin</u>	<u>136 DEER CROSSING</u>	<u>✓</u>	<u>Novella Askin</u>
<u>Trey Shuckerman</u>	<u>262 Firelight Dr</u>	<u>✓</u>	<u>Trey Shuckerman</u>
<u>Marlon and Autumn Mitchell</u>	<u>254 Firelight Dr</u>	<u>✓</u>	<u>Marlon Mitchell</u>
<u>Jocory Ruser</u>	<u>250 Bear Trail</u>	<u>✓</u>	<u>Jocory Ruser</u>
<u>Willis Washington</u>	<u>258 BEAR TRAIL</u>	<u>✓</u>	<u>Willis Washington</u>
<u>Joyce Thoyson</u>	<u>254 Bear Trail</u>	<u>✓</u>	<u>Joyce Thoyson</u>
<u>Homer Thoyson</u>	<u>254 Bear Trail</u>	<u>✓</u>	<u>Homer Thoyson</u>
<u>Linda Christian</u>	<u>274 Bear Trail</u>	<u>✓</u>	<u>Linda Christian</u>
<u>CURTIS CHRISTIAN</u>	<u>274 Bear Trail</u>	<u>✓</u>	<u>Curtis Christian</u>
<u>Tim Jamison</u>	<u>275 Bear Trail</u>	<u>✓</u>	<u>Tim Jamison</u>
<u>EFRAIN ZARATEJA</u>	<u>164 Deer Crossing</u>	<u>✓</u>	<u>Efrain Zarateja</u>
<u>Milton D. Madison</u>	<u>100 Deer Crossing</u>	<u>✓</u>	<u>Milton D. Madison</u>

(9)

City of Waxahachie
City Council
Planning & Zoning Commission
Waxahachie Texas

Re: Case Number ZDC-139-2024
SUP for Gas Station and Convenience Store at northwest corner of Broadhead Road and Garden Valley Parkway

Opposition Signatures

Name	Address	OPPOSE	Signature
Jane Wilson	123 Lariat Trl	yes	
Wick Allison	" "	yes	
Sarah Spellman	132 Campfire Dr	Yes	
Lindsay Taylor	305 Adwood Dr	Yes	
Kent Sivadge	116 Morning Star Ln	Yes	
Jennifer Watson	410 Foxtail Ct	Yes	
Tim Watson	416 Foxtail Ct	Yes	
Mike Taylor	305 Adwood Dr	Yes	
JOSE MARTINEZ	106 LARIAT TR	YES	
Mayra Martinez	106 Lariat Trl	Yes	
Jacquelyn Bolton	237 Four Roses Dr	YES	
George Bolton			
Jayden Bolton			

(9)

City of Waxahachie
City Council
Planning & Zoning Commission
Waxahachie Texas

Re: Case Number ZDC-139-2024
SUP for Gas Station and Convenience Store at northwest corner of Broadhead Road and Garden
Valley Parkway

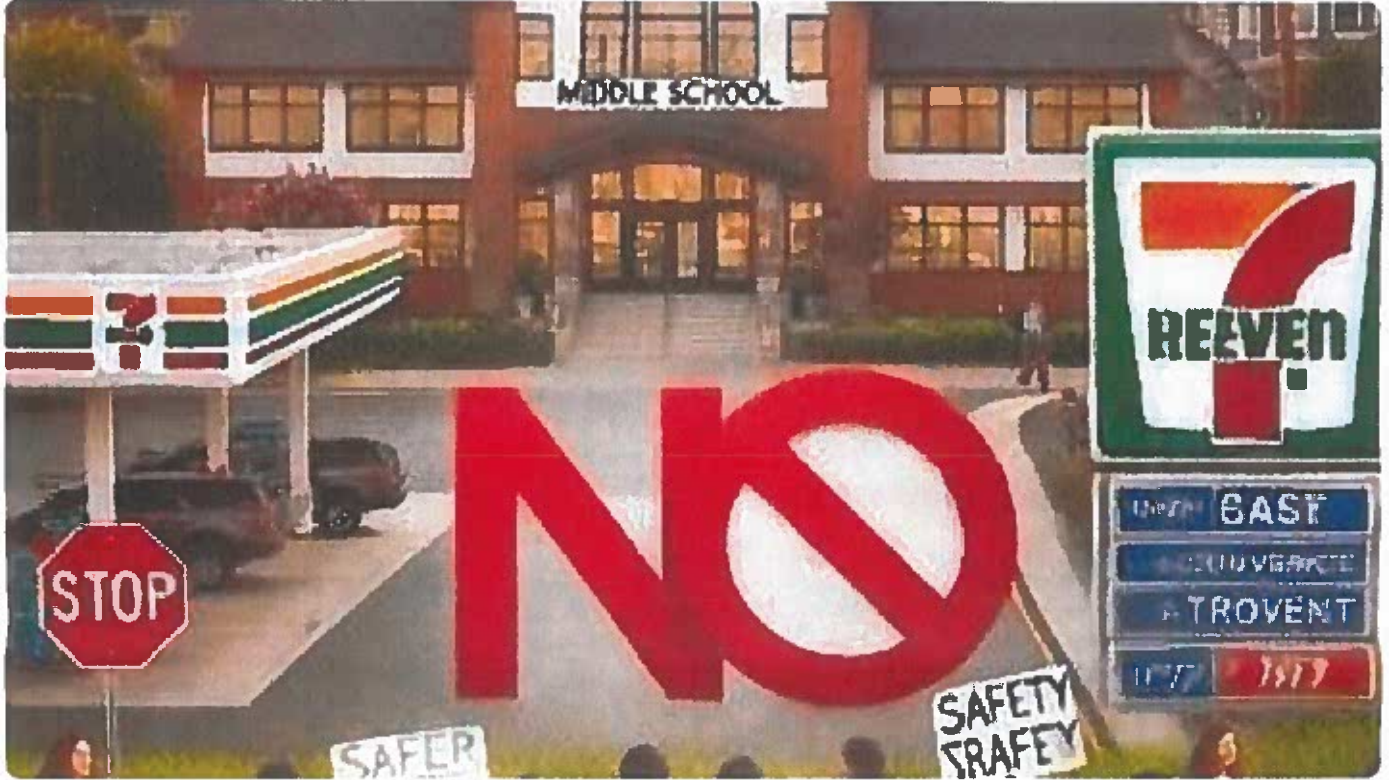
Opposition Signatures

Name	Address	OPPOSE	Signature
<u>Austin Stylian</u>	<u>218 Lariat Trl</u>	<u>yes</u>	<u>[Signature]</u>
<u>Mike+Erin Leslie</u>	<u>170 Half Moon Dr.</u>	<u>Yes</u>	<u>G. Leslie</u>
<u>Megan Roberts</u>	<u>223 Half Moon Dr.</u>	<u>Yes</u>	<u>[Signature]</u>
<u>Cecilia Clark</u>	<u>234 Half Moon Dr.</u>	<u>Yes</u>	<u>[Signature]</u>
<u>Cory Clark</u>	<u>234 Half Moon Dr.</u>	<u>yes</u>	<u>[Signature]</u>
<u>TYLER Prothro</u>	<u>150 Deer Crossing Dr</u>	<u>YES</u>	<u>[Signature]</u>
<u>Shaylynn Mount</u>	<u>150 Deer Crossing Dr.</u>	<u>yes</u>	<u>[Signature]</u>
<u>Roge Ledea</u>	<u>147 Half Moon Dr.</u>	<u>yes</u>	<u>[Signature]</u>
<u>Honey Lantrip</u>	<u>100 Horseshoe Dr.</u>	<u>yes</u>	<u>Honey Lantrip</u>
<u>Lelarsche Campbell</u>	<u>136 Sundance Cir</u>	<u>yes</u>	<u>[Signature]</u>
<u>Karla Saez</u>	<u>222 Brazos dr.</u>	<u>Yes</u>	<u>[Signature]</u>
<u>Madison Gonzales</u>	<u>220 Lone Star dr</u>	<u>yes</u>	<u>[Signature]</u>
<u>Cesar Gonzales</u>	<u>220 Lone Star dr</u>	<u>yes</u>	<u>Cesar/G</u>
<u>Debra Powers</u>	<u>110 Eagle Feather Dr</u>	<u>yes</u>	<u>Debra L Powers</u>
<u>Senja Howard</u>	<u>113 Eagle Feather Dr</u>	<u>yes</u>	<u>Senja Howard</u>
<u>Jessica Allison</u>	<u>123 Lariat + 1</u>	<u>yes</u>	<u>[Signature]</u>

(9)

Congratulations on starting your petition!
Take steps to strengthen it.

RECEIVED SEP 03 2024



Oppose Request for 7-11 at Broadhead Rd and Garden Valley Pkwy - Case Number: ZDC-139-2024

Started
Petition to

August 30, 2024
Mayor of City of Waxahachie Billie Wallace and [1 other](#)

144

Signatures

200

Next Goal

144 people signed this week

Share this petition

Why this petition matters

(9)

Started by [Raul Machuca Jr](#)

[Media inquiries](#)

**Details: (Property ID 242234) - Owner: WP Legacy LTD (ZDC-139-2024) Staff: Oanh Vu
Case Number: ZDC-139-2024**

Contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

I am writing this petition because I am deeply concerned about the safety of our children. Matthew Smith and Darwood Partners have requested a Specific Use Permit (SUP) for a convenience store and gasoline sales outlet within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway, right next to a middle school. The development of this high-traffic commercial structure near an educational campus will not only disrupt school traffic but will also put the children who walk and bicycle to school in potential danger.

Not only does the proposed convenience store (7-11) and gas station increase the risk of road noise and loitering near the school, but it also shows a lack of regard for the established community environment. Moreover, another gas station is already under construction less than half a mile away, across the bridge, thereby eliminating the pressing need for another gasoline sales outlet in the same vicinity.

This proposal is a gross oversight of our children's safety and the wellbeing of the community of Waxahachie, TX specifically the Garden Valley and Buffalo Ridge neighborhoods. Furthermore, it undermines the purpose of the General Retail zoning, which aims to facilitate commercial activities that complement residential use.

We call on the City of Waxahachie to refuse this SUP request from Matthew Smith and Darwood Partners. We ask residents and all those who care about the safety of our children and the peace of our community to sign this petition. Together, we can ensure our community remains safe, peaceful, and conducive to nurturing our children. Please sign to show your support for the refusal of this request.

Additional evidence of risks to the community:

 **144 people** signed this week

Share this petition

and Xylene)

(9)

- o Increased Traffic: passenger and commercial traffic in a highly populated walking community
- o Proximity to Robbie F Howard Jr High School: high risk for student walking traffic
- o Increased Noise Pollution
- o Increased Light Pollution (fuel pump canopies, neon lighting, LED flashing signage, street side gas pricers, late night lighting)
- o Property Devaluation - Convenience Store with Gas Station. Number 2 on the list of the 10 Industries that Diminish Property Values The Most (housely.com)
- o Negative implications of Alcohol and Tobacco sales
- o Loitering and Drug Dealing
- o Increased police activity on site

IMPORTANT DATES:

Waxahachie Planning and Zoning Commission Public Hearings

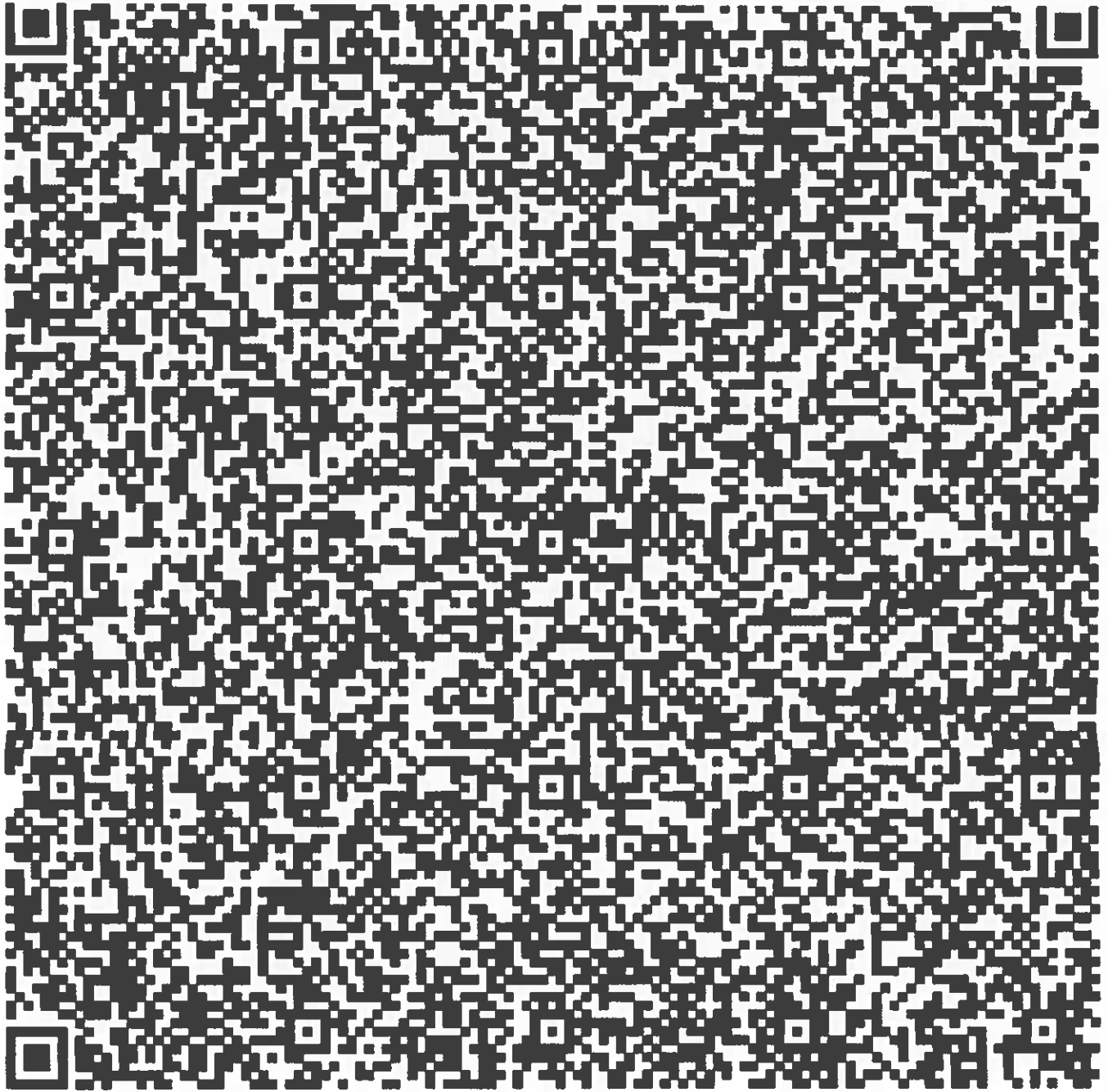
- o Tuesday Sept. 10, 2024 @ 7pm
Waxahachie City Council Hearing
- o Monday, Sept. 16, 2024 @ 7pm

All hearings are in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie

SCAN QR CODE TO EMAIL OPPOSITION EMAIL:

 **144 people signed this week**

(9)



 144 people signed this week

(9)



👤 144 people signed this week

(9)



👤 144 people signed this week



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-139-2024

(9)

NOTIFICATION
CIVIC USE PERMIT
PAM 1109 - 23145

AND & ROBYN CREWS

75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, September 10, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, September 16, 2024 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by 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) Staff: Oanh Vu

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

Case Number: ZDC-139-2024

City Reference: 276820

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

SUPPORT

OPPOSE

Comments:

Signature

Date

👤 144 people signed this week

(9)



Share this petition in person or use the QR code for your own material.

[Download QR Code](#)

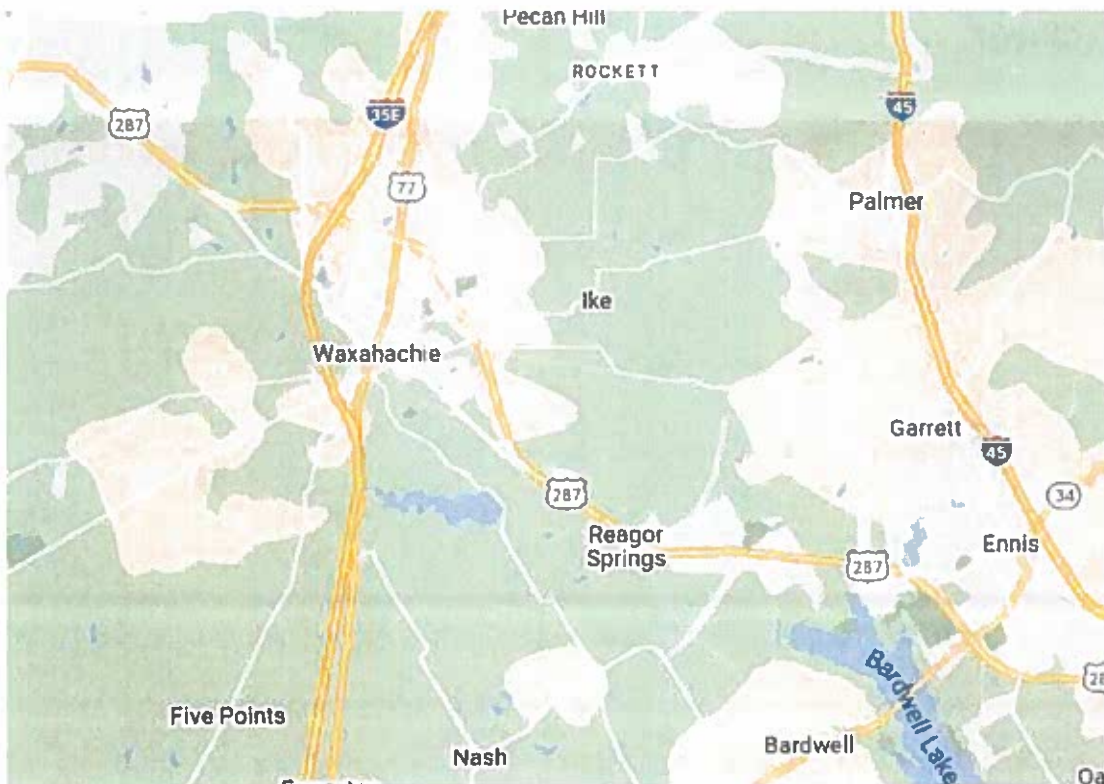
[Report a policy violation](#)

Media inquiries

Are you a member of the media looking to cover this petition?

[Reach out for available actions.](#)

Supporter Map



76% of supporters come from this area.

Top zip code(s) with the most supporters: 75165

144 people signed this week

(9)

Name	City	State	Zip Code	Country	Comment Date	Comment
Raul Machuca Jr	Waxahachie	TX	75165	US	8/31/2024	"Children's safety is more important."
Rahel Craig	waxahachie	TX	75165	US	8/31/2024	"I stand with me neighbors against the gas station and Highschool. Keep our neighborhood safe and healthy."
Michelle Roemer Colbert	Waxahachie	TX	75165	US	8/31/2024	"The noise, traffic, safety of the middle school children and the potential increase in crime."
Laurie Tatum	Grand Prairie	TX	75054	US	8/31/2024	"Our children's safety is a concern for the ones that walk and bike. Cars whipping in and out of a convenient store/ gas station definitely does not belong in the middle of a quiet family neighborhood. There is one being built less than a mile away."
Andy Hammond	Waxahachie	TX	75165	US	8/31/2024	"1) Health Effects and Immediate Air Quality – Benzene, Toluene, Ethyl Benzene, and Xylene (BETX) 2) Increased passenger and commercial traffic in a highly populated walking community 3) Proximity to Robbie F Howard Jr High School and student walking traffic 4) Increased Noise Pollution 5) Increased Light Pollution (fuel pump canopies, neon lighting, LED flashing signage, street side gas pricers, late night lighting) 6) Property Devaluation – Convenience Store with Gas Station. Number 2 on the list of the 10 Industries that Diminish Property Values the Most 10 Industries That Diminish Property Values The Most (housely.com) 7) Negative Implications of Alcohol and Tobacco sales 8) Loitering and Drug Dealing 9) Increased police activity on site"
Ryan Kavanaugh	Dallas	TX	75209	US	8/31/2024	"There is no need for a gas station in the middle of my neighborhood where I purchased my home 17 years ago. This is a residential area with no need for a second gas station within a mile of each other. We currently have a gas station under construction on the other side of 267. Gas stations have no place next to homes and by schools."
Rachael Ashley	Athens	TX	75752	US	9/1/2024	"The location of the gas station is in a neighborhood. There is absolutely no need for a service station here when one is being built 5 mile away. The proximity of the station to the middle school will increase traffic and ultimately puts the kids that walk to and from school in danger."
Courtney Facundo	Waxahachie	TX	75165	US	9/1/2024	"Protect our children and our neighborhoods and put the convenience station somewhere else."
Andy Hammond	Waxahachie	TX	75165	US	9/1/2024	"1) Mail or Email every Waxahachie City Council Member a. Ms. Billie Wallace Mayor billie.wallace@waxahachie.com b. Mr. Chris Wright Mayor Pro Tem cwright@waxahachie.com c. Mr. Travis Smith Council Member travis.smith@waxahachie.com d. Mr. Patrick Souter Council Member patrick.souter@waxahachie.com e. Mr. Tres Atkins Council Member tres.atkins@waxahachie.com 2) Appear at the September 16, 2024 7PM Meeting a. We are working on a small team of spokespersons to represent all of us b. The goal is to stand in support of those spokespersons while speaking, likely during "public comments" c. This is important to deliver the message and allow the council to get right to a vote"
Donna Earnest	Hillsboro	OR	97124	US	9/2/2024	"Broadhead Rd and Garden Valley is overwhelmingly residential. We do not need a convenience store right in the middle of a neighborhood especially close to a school like that. Can you imagine the kids that would be hanging out and other people at the same time who are of questionable character. There is absolutely no need for a convenience store and gas station in the middle of this family neighborhood with a new gas station being built less than a half a mile away. This is about nothing but the city wanting money through taxes, and to cram as many businesses and new homes in a geographical area as possible. Waxahachie is becoming intolerable with its overcrowded population."
Pam Stoneclpher	Waxahachie	TX	75165	US	9/2/2024	"We have too much building in Waxahachie now. This close to school will bring more unnecessary traffic. For the safety of the children & every one, this is not needed."
Donald Ray	Waxahachie	TX	75165	US	9/2/2024	"We do not need a gas station right in the middle of our residential neighborhood"

(9)

"This is the stupidest thing I've read. Putting another 7-11 in this small town at THAT location??? With an already heavy traffic area during school with drivers who don't drive the speed limits, ever, and all of the kids who walk and bike home from that school and y'all want to put a gas station right there?? You've lost your mind. Don't allow this type of business to be built that close to a school with so many walkers/bikers. THEIR SAFETY should be more important than the money it'll make for you."

Michele Mercer

Carrollton

TX

75007 US

9/3/2024

(9)

Name	City	State	Postal Code	Country	Signed On
Raul Machuca	Dallas	TX	75211	US	8/31/2024
Nancy Machuca	Waxahachie	TX	75165	US	8/31/2024
Brenda Herrera	Crowley	TX	76036	US	8/31/2024
Mary Morales	Waxahachie	TX	75165	US	8/31/2024
ANTOINESE LEAKE	Waxahachie	TX	75165	US	8/31/2024
Griselda Hernandez	Waxahachie	TX	75165	US	8/31/2024
Layla Adair	Waxahachie	TX	75165	US	8/31/2024
Jill Wernersbach	Waxahachie	TX	75165	US	8/31/2024
Marita Hartford	Crowley	TX	76036	US	8/31/2024
Carolyn Page	Waxahachie	TX	75165	US	8/31/2024
Chrystina Walters	Fort Worth	TX	76123	US	8/31/2024
Keri Bickerstaff	Waxahachie	TX	75165	US	8/31/2024
Whitney Alvarez	Waxahachie	TX	75165	US	8/31/2024
Heather Jeffries	Waxahachie	TX	75165	US	8/31/2024
Victoria Loveday	Waxahachie	TX	75165	US	8/31/2024
Melissa Lanoue	Waxahachie	TX	75165	US	8/31/2024
Christy Huskins	Waxahachie	TX	75165	US	8/31/2024
Nancy Rodriguez	Waxahachie	TX	75165	US	8/31/2024
Jessica Allison	Waxahachie	TX	75165	US	8/31/2024
Nick Lawrence	Waxahachie	TX	75165	US	8/31/2024
Sarah Lawrence	Waxahachie	TX	75165	US	8/31/2024
Nicholas Allison	Waxahachie	TX	75165	US	8/31/2024
Juan Rodriguez	Waxahachie	TX	75165	US	8/31/2024
Ashtyn Songstad	Waxahachie	TX	75165	US	8/31/2024
Melissa Olson	Waxahachie	TX	75165	US	8/31/2024
J MATA	Waxahachie	TX	75165	US	8/31/2024
Robyn Chavarria	Waxahachie	TX	75165	US	8/31/2024
Donna Ross	Waxahachie	TX	75165	US	8/31/2024
Jerry Garcia	104 lariat trl	TX	75229	US	8/31/2024
Shawn Vowels	Waxahachie	TX	75165	US	8/31/2024
Yenia Machado	Waxahachie	TX	75165	US	8/31/2024
Raymond Chavarria	Waxahachie	TX	75165	US	8/31/2024
Rosa Garcia	Waxahachie	TX	75165	US	8/31/2024
Rahel Craig	Ennis	TX	75119	US	8/31/2024
Laurie Tatum	Waxahachie	TX	75165	US	8/31/2024
Michelle Roemer Colbert	Waxahachie	TX	75165	US	8/31/2024
Rachel Boler	Waxahachie	TX	75165	US	8/31/2024
William Crews	Waxahachie	TX	75165	US	8/31/2024
Andrea Striegel	Waxahachie	TX	75165	US	8/31/2024
Kelly Skistimas	Waxahachie	TX	75165	US	8/31/2024
Marilyn Carrion	Houston	TX	77092	US	8/31/2024
Paul Colbert	Waxahachie	TX	75165	US	8/31/2024
Andy Hammond	Waxahachie	TX	75165	US	8/31/2024
Caitlann Brown	Waxahachie	TX	75165	US	8/31/2024

(9)

Deanna Scheerens-Hammond	Waxahachie	TX	75165 US	8/31/2024
Ryan Kavanaugh	Waxahachie	TX	75165 US	8/31/2024
Kevin Woodd	Waxahachie	TX	75165 US	8/31/2024
Isabel Cadena	Waxahachie	TX	75165 US	8/31/2024
Janet Wilson	Waxahachie	TX	75167 US	8/31/2024
Elijah Machuca	Waxahachie	TX	75165 US	8/31/2024
Michael Olson	Waxahachie	TX	75165 US	8/31/2024
Katherine White	Waxahachie	TX	75165 US	8/31/2024
Jose Cadena	Waxahachie	TX	75165 US	8/31/2024
Laura Webb	Red Oak	TX	75154 US	8/31/2024
Kalen Tulipane	Waxahachie	TX	75165 US	8/31/2024
Linda Machuca	Dallas	TX	75214 US	8/31/2024
Evelyn Alvarez	Waxahachie	CA	94063 US	8/31/2024
Martha Craig	Waxahachie	TX	75165 US	8/31/2024
Carolyn Duncan	Fort Worth	TX	76123 US	8/31/2024
Gloria Villalba	Fort Worth	TX	76126 US	8/31/2024
Kristin Herrin	Waxahachie	TX	75165 US	8/31/2024
Martha Frias moran	Waxahachie	TX	75165 US	9/1/2024
Rachael Park	Waxahachie	TX	75165 US	9/1/2024
Corey Johnson	Waxahachie	TX	75165 US	9/1/2024
Dione Bennett	Waxahachie	TX	75165 US	9/1/2024
Alyssa Trevino	Waxahachie	TX	75165 US	9/1/2024
Jordan White	Waxahachie	TX	75167 US	9/1/2024
Robin Cody	Waxahachie	TX	75165 US	9/1/2024
Eli M	Dallas	TX	75211 US	9/1/2024
abby b	Warren	MI	48089 US	9/1/2024
Annabelle Bonilla	Waxahachie	TX	75165 US	9/1/2024
Destiny Wicker	Palmer	TX	75151 US	9/1/2024
Maira Alvarado	Waxahachie	TX	75165 US	9/1/2024
Michelle Hunter	Waxahachie	TX	75165 US	9/1/2024
Courtney Facundo	Waxahachie	TX	75165 US	9/1/2024
Danny Castro	Waxahachie	TX	75165 US	9/1/2024
Lisa Ingram	Waxahachie	TX	75165 US	9/1/2024
Sarah Spellman	Waxahachie	TX	75165 US	9/1/2024
Marta Tingdale	Waxahachie	TX	75165 US	9/1/2024
Ariana Robles	Waxahachie	TX	75165 US	9/1/2024
Derrick Mason	Waxahachie	TX	75165 US	9/1/2024
Ryan Simpson	Waxahachie	TX	75165 US	9/1/2024
Sidney Malcolm	Waxahachie	TX	75165 US	9/1/2024
Jholi Gonzalez	Waxahachie	TX	75165 US	9/1/2024
DAISY TORRES	Irving	TX	75062 US	9/1/2024
Joshua Jammer Sr	Waxahachie	TX	75165 US	9/1/2024
Lynn Wilson	Waxahachie	TX	75165 US	9/1/2024
Anon Anon	Waxahachie	TX	75165 US	9/1/2024
Savannah Yeager	Waxahachie	TX	75165 US	9/1/2024

(9)

David Johnson	Dallas	TX	75270 US	9/1/2024
Melissa Bohland	Waxahachie	TX	75165 US	9/1/2024
Ashlyn Reynolds	Waxahachie	TX	75165 US	9/1/2024
Matthew Essex	Granbury	TX	76049 US	9/1/2024
Crystal Redding	Kingman	AZ	93552 US	9/1/2024
Elizabeth Marchese	Waxahachie	TX	75165 US	9/1/2024
Shanna Carter	Waxahachie	TX	75165 US	9/1/2024
Alexandria Esquivel	Waxahachie	TX	75165 US	9/1/2024
Nadine Castro	Waxahachie	TX	75165 US	9/1/2024
Dallas Horne	Waxahachie	TX	75165 US	9/1/2024
Esme Valderas	Waxahachie	TX	75165 US	9/1/2024
Kurt Eshelman	Waxahachie	TX	75165 US	9/1/2024
Cynthia Forney	Waxahachie	TX	75165 US	9/1/2024
Gail Hendrix	Waxahachie	TX	75165 US	9/1/2024
Meaghan Reynolds	Waxahachie	TX	75165 US	9/1/2024
Johnathon Reynolds	Waxahachie	TX	76165 US	9/1/2024
Ashley Peet	Waxahachie	TX	75165 US	9/2/2024
Alana Preziosi	Swedesboro	NJ	08085 US	9/2/2024
Julie Rogers	Waxahachie	TX	75165 US	9/2/2024
Sheryl Smith	Cynthiana	KY	41031 US	9/2/2024
Elisa Pinson	Dallas	TX	75212 US	9/2/2024
Donna Earnest	Waxahachie	TX	75165 US	9/2/2024
Amanda McDevitt	Waxahachie	TX	75165 US	9/2/2024
Britt Sanchez	Waxahachie	TX	75165 US	9/2/2024
Danielle Vela	Waxahachie	TX	75165 US	9/2/2024
Kenyatta Cobb	Midlothian	TX	76065 US	9/2/2024
Chris Garcia	Waxahachie	TX	75165 US	9/2/2024
Megean Barker	Waxahachie	TX	75165 US	9/2/2024
Du Brown	Waxahachie	TX	75165 US	9/2/2024
Heather Fuller	Waxahachie	TX	75165 US	9/2/2024
Andrew Tittle	Waxahachie	TX	75165 US	9/2/2024
Aaron Fuller	Grand Prairie	TX	75052 US	9/2/2024
Carmen Derrick	Waxahachie	TX	75165 US	9/2/2024
Yessenia Perez	Austin	TX	78754 US	9/2/2024
Brenda Mavridis	Dallas	TX	75244 US	9/2/2024
Melissa Nogic	Waxahachie	TX	75165 US	9/2/2024
tony suri	Farmersville	TX	75442 US	9/2/2024
Shawn Bastien	Arlington	TX	76017 US	9/2/2024
Pam Stonecipher	Waxahachie	TX	75165 US	9/2/2024
Kayla Crist	Waxahachie	TX	75165 US	9/2/2024
Donald Ray	Waxahachie	TX	75165 US	9/2/2024
Pamela Starling	Waxahachie	TX	75165 US	9/2/2024
Amber Hicks	Waxahachie	TX	75165 US	9/2/2024
Carol Hutchinson	Waxahachie	TX	75165 US	9/2/2024
Keana Brown	Waxahachie	TX	75165 US	9/3/2024

(9)

FRANCES J FLYNT	Waxahachie	TX	75165 US	9/3/2024
Julie alicea	Denair	CA	95316 US	9/3/2024
Pila Lopez	Waxahachie	TX	75165 US	9/3/2024
Evelyn Garcia	Waxahachie	TX	75165 US	9/3/2024
Francine Vargas	Waxahachie	TX	75165 US	9/3/2024
Katie White	Waxahachie	TX	75165 US	9/3/2024
Raphael Willison	Crowley	TX	76036 US	9/3/2024
Marsha Vanatta	Waxahachie	TX	75165 US	9/3/2024
Michele Mercer	Waxahachie	TX	75165 US	9/3/2024
Jamika James	Houston	TX	77056 US	9/3/2024

(9)

Venissat, Michelle

From: SUSAN SHEALY ·
Sent: Wednesday, September 4, 2024 12:04 PM
To: Planning
Subject: Opposition to SUP Request for Convenience Store and Gasoline Sales at Broadhead Rd and Garden Valley Pkwy (ZDC-139-2024)

Dear Members of the Planning and Zoning Commission and Waxahachie Council Members,

As a resident of Waxahachie, I am writing to express my opposition to the Request by Matthew Smith of Darwood Partners for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234). This opposition pertains to Case Number ZDC-139-2024.

I ask the Planning and Zoning Commission and Council Members to prioritize the safety, well-being, and overall quality of life of the students and residents in this community. I believe it is in the best interest of the area to deny the proposed convenience store and gasoline sales at this location.

Thank you for your attention to this important issue. I look forward to the opportunity to address this matter further at the upcoming public meetings.

Susan Shealy
113 ODonna Dr
Waxahachie, TX 75165

Sent from my iPhone

(9)

Venissat, Michelle

From: Nathan L.
Sent: Wednesday, September 4, 2024 7:04 PM
To: Planning
Subject: Opposition to SUP Request for 7-11 at Broadhead Rd and Garden Valley Pkwy (ZDC-139-2024)

Dear Members of the Planning and Zoning Commission and Waxahachie Council Members,

As a resident of Waxahachie, in the Buffalo Ridge community, I am writing to express my opposition to the Request by Matthew Smith of Darwood Partners for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234). This opposition pertains to Case Number ZDC-139-2024.

I ask the Planning and Zoning Commission and Council Members to prioritize the safety, well-being, and overall quality of life of the students and residents in this community. I believe it is in the best interest of the area to deny the proposed convenience store and gasoline sales at this location.

Thank you for your attention to this important issue. I look forward to the opportunity to address this matter further at the upcoming public meetings.

- Nathan Lindblom

(9)

Venissat, Michelle

From: Johnna Smith
Sent: Wednesday, September 4, 2024 10:05 PM
To: Planning
Subject: NO to Proposed 7-11 at Broadhead and Garden Valley

Dear Planners:

I am writing this petition because I am deeply concerned about the safety of our children and all other citizens in this neighborhood. Matthew Smith and Darwood Partners have requested a Specific Use Permit (SUP) for a convenience store and gasoline sales outlet within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway, right next to a middle school. The development of this high-traffic commercial structure near an educational campus will not only disrupt school traffic but will also put the children who walk and bicycle to school in potential danger.

Not only does the proposed convenience store (7-11) and gas station increase the risk of road noise and loitering near the school, but it also shows a lack of regard for the established community environment. Moreover, another gas station is already under construction less than half a mile away, across the bridge, thereby eliminating the pressing need for another gasoline sales outlet in the same vicinity.

This proposal is a gross oversight of our children's safety and the wellbeing of the community of Waxahachie, TX specifically the Garden Valley and Buffalo Ridge neighborhoods. Furthermore, it undermines the purpose of the General Retail zoning, which aims to facilitate commercial activities that complement residential use.

We call on the City of Waxahachie to refuse this SUP request from Matthew Smith and Darwood Partners. We ask residents and all those who care about the safety of our children and the peace of our community to sign this petition. Together, we can ensure our community remains safe, peaceful, and conducive to nurturing our children. Please sign to show your support for the refusal of this request.

Additional evidence of risks to the community:

- Health Effects and Immediate Air Quality (Benzene, Toluene, Ethyl Benzene, and Xylene)
- Increased Traffic: passenger and commercial traffic in a highly populated walking community
- Proximity to Robbie F Howard Jr High School: high risk for student walking traffic
- Increased Noise Pollution
- Increased Light Pollution (fuel pump canopies, neon lighting, LED flashing signage, street side gas pricers, late night lighting)
- Property Devaluation - Convenience Store with Gas Station. Number 2 on the list of the 10 Industries that Diminish Property Values The Most ([housely.com](https://www.housely.com))
- Negative implications of Alcohol and Tobacco sales
- Loitering and Drug Dealing
- Increased police activity on site

(9)

In addition, I am concerned about additional disturbance of wildlife on that lot. Since the new church across the street from proposed convenience store lot has started their build, we have skunks regularly visiting our yard. That has not happened in the 3/12 years we have lived here.

There are several full grown, beautiful trees on that proposed site that should not be destroyed! Again, the wildlife living in those trees or on that lot should not be disturbed.

We know of 4 car accidents that have happened at the intersection of Broadhead and Garden Valley in the last year. Two, I, Johnna Smith, have witnessed and the other two involved two of our immediate neighbors. One of those accidents involved an elderly person that resides at The Hamilton which is the 55+ community right next door to the proposed site. Our fear is that increased traffic and chaos would cause additional car accidents for all at that intersection. Cars literally race up and down Broadhead at very high rates of speed. To avoid, drivers will cut through neighborhoods to avoid that intersection, creating more danger for all neighbors.

Please say NO to this proposed convenience store (7-11). Please consider the safety of children walking to and from Howard Middle School, the school bus traffic in our neighborhood, all drivers, and active walkers and runners in this area. Way to dangerous. Not worth it.

Thank you for your consideration.

Regards,

Robert Smith and Johnna Smith
Residents of the Buffalo Ridge Subdivision
on Arrow Wood Road

(9)

Venissat, Michelle

From: Sylvia Torres
Sent: Wednesday, September 4, 2024 7:24 PM
To: Planning
Subject: Opposition to SUP Request for 7-11 at Broadhead Rd and Garden Valley Pkwy (ZDC-139-2024)

Dear Members of the Planning and Zoning Commission and Waxahachie Council Members,

As a resident of Waxahachie in the Garden Village community, I am writing to express my opposition to the request by Matthew Smith of Darwood Partners for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234). This opposition pertains to Case Number ZDC-139-2024.

I ask the Planning and Zoning Commission and Council Members to prioritize the safety, well-being, and overall quality of life of the students and residents in this community. I believe it is in the best interest of the area to deny the proposed convenience store and gasoline sales at this location. We already have one being built on the other side of the bridge on Broadway, and there's already a 7/11 on 77 with a new Tom Thumb gas station that just opened. Not to mention there's already a gas station on Brown. Is there a reason we need so many in a small radius?

Thank you for your attention to this important issue. I look forward to the opportunity to address this matter further at the upcoming public meetings.

Sylvia Torres

(9)

Venissat, Michelle

From: stacey h
Sent: Monday, September 9, 2024 1:44 PM
To: Planning
Cc: Billie Wallace; Chris Wright; Travis Smith; Patrick Souter; Tres Atkins
Subject: Gas Station at Broadhead & Garden Valley

Good afternoon,

I'm reaching out about case # ZDC-139-2024, the proposal to approve a convenience store and gas station at the corner of Broadhead and Garden Valley. I live in the Buffalo Ridge neighborhood, not far from that intersection. Considering the frequent, heavy foot and bicycle traffic at that intersection, including children walking to school, I'm asking you to please reject placing a gas station at this intersection.

A gas station is already being built just down the street at the corner of Broadhead/ Farley and 287. There is no need to place this proposed gas station- a busy commercial business which invites heavy traffic and other issues- in the middle of a large, quiet residential area where it will certainly pose safety issues and impact quality of life.

MANY children walk through the intersection at Broadhead and Garden Valley daily during the school year to Howard Junior High, and/ or walk or ride bikes year round to the sports complex. Families with small children and many adults walk, ride bikes, and walk dogs in that area daily.

Please do not allow a gas station to be built at this location.

Thank you,
Stacey Bailey
105 Sunburst Drive
Waxahachie, TX 75165

(9)

Venissat, Michelle

From: Devonza Cheatham <...>
Sent: Sunday, September 8, 2024 7:54 PM
To: Planning
Cc: Billie Wallace; Chris Wright; Travis Smith; Patrick Souter; Tres Atkins; ryan.craig.young@gmail.com
Subject: Case Number: ZDC-139-2024

Dear Council Members,

I've been truly disturbed by the proposal to have a gas station planted on the intersection of Broadhead and Garden Valley. I'm in complete opposition of this proposal.

To give you some background on this area, especially the Buffalo Ridge Area, it's a very quiet, easy going area (which is what drew me to this particular area). At any given time, children are riding their bikes or walking the trails with their parents. You may see your neighbors running up and down the sidewalk or there may be a young family walking their pets. We take pride in our community, the streets are clean and there isn't any recognizable noise present. Living in Waxahachie has been awesome, as the neighborhood has become part of the community. Unfortunately, I feel this reality is in jeopardy.

At this time, I feel the vast majority of the residents are in opposition of the proposed convenience store and the negative impacts it may bring to our community.

The following is a list of concerns:

1. Increased air and traffic pollution- There is already a substantial amount of traffic to leave out of my community. I'm afraid any additions to this area will exacerbate traffic and require additional remedies to traffic. Not to mention, the additional risks faced by the children that attend Howard middle school will be directly impacted. A gas station or convenience store of any kind will make it more dangerous for children to cross that intersection as additional traffic will be present.
2. Increased light and noise pollution- The lights at the gas station will take away from the charm of the area and will be a distraction to drivers. Additionally, the neighborhood is extremely quiet and I feel that once this gas station is there our neighborhood will be challenged with an influx of cars and trucks which will then increase the noise levels in our area.
3. Property devaluation- It's been shunned upon to have a gas station in a neighborhood. Convenience stores and gas stations bring drifters and have a potential for high crime. This will adversely impact the area as the neighborhood could become flooded with transients and we could have more crime reported in this neighborhood which will devalue our homes. Also, the closeness of the gas station to the school will create further foot traffic by students since the station is near the middle school.
4. Fuel Odor Pollution and Road damages- Our roads aren't equipped to handle heavy loads like the 18-wheelers, that will bombard the area to put gas and food in the store. This will cause an unnatural amount of erosion and the need for street repairs. Unfortunately, we're all aware of the repairs done when streets are damaged; it's a lot of patch work and if there is roadwork in progress it will negatively impact the flow of traffic. We will also face the pollution of gas odors from the station and the exhaust from the vehicles and diesel trucks that will influx the area and we also have to worry whether the gas will leak into our water supply as well as worry about whether there is an accident with the gas or a spill.
5. Alcohol- The sale of alcohol can potentially promote drunk driving in the neighborhood and be a danger to all of us in the surrounding neighborhood.
6. Lastly, there are several gas stations in the area within a 5 mile radius; it's unnecessary to build a gas station smack in the middle of a neighborhood. It's unsightly and the residents of the area aren't pleased.

(9)

These are just a few reasons as to why I'm opposed to this addition. Truly, if it were on the outskirts of the neighborhood like off the service road by the movie theater that would be one thing since it wouldn't directly impact the community. Unfortunately, our neighborhood would be inconvenienced if the store is built in the proposed area and there are so many negative effects.

I strongly request that you deny the proposal as the neighbors in the Buffalo Ridge neighborhood would like to keep this close nit community to the standard that was presented when we moved to Waxahachie!

Thank you for your time and consideration in this matter.

Best Regards,

Ms. Cheatham

(9)

Venissat, Michelle

From: Kelly Skistimas
Sent: Friday, September 6, 2024 5:13 PM
To: Planning
Subject: 7-11 SUP proposal

Good afternoon,

I live on Goodnight Lane in Waxahachie. I have a 7th grader, 5th grader and 2nd grader. We are strongly opposed to a 7-11 gas station in our neighborhood. The proposal shows it is in the exact path many 11-13 year olds walk from our neighborhood to Howard Jr. High.

Kids having to navigate 2x a day the multiple cars that will be in and out will increase the change of potential accidents. In addition, it makes it too easy for someone to be snatched. The world we live in is already scary. We do not need to increase the chances something can happen to our children.

Kelly Skistimas | Senior Director of Marketing | The Good and the Beautiful

(9)

Venissat, Michelle

From: Robert Tinning
Sent: Thursday, September 12, 2024 9:00 PM
To: Planning
Subject: Opposed to 711 at Broadhead and Garden Valley

Horrible idea. Have some zoning integrity.

(9)

Venissat, Michelle

From: Ernest Villarreal <
Sent: Monday, September 16, 2024 7:27 AM
To: Planning
Subject: Opposition to SUP Request for Convenience Store and Gasoline Sales at Broadhead Rd and Garden Valley Pkwy (ZDC-139-2024)

Dear Members of the Planning and Zoning Commission and Waxahachie Council Members,

As a resident of Waxahachie, I am writing to express my opposition to the Request by Matthew Smith of Darwood Partners for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales within a General Retail (GR) zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234). This opposition pertains to Case Number ZDC-139-2024.

I ask the Planning and Zoning Commission and Council Members to prioritize the safety, well-being, and overall quality of life of the students and residents in this community. I believe it is in the best interest of the area to deny the proposed convenience store and gasoline sales at this location.

Thank you for your attention to this important issue. I look forward to the opportunity to address this matter further at the upcoming public meetings.

Sent from my iPhone

(9)

Venissat, Michelle

From: CJ Finney
Sent: Wednesday, September 18, 2024 7:01 PM
To: Planning
Subject: Case # ZDC-139-2024 seven eleven at Broadhead and Garden Valley

This email is to file my protest against Case # ZDC-139-2024 seven eleven at Broadhead and Garden Valley.

My reasons for this are:

1. Elementary school less than a block away. Concern for the safety of children.
2. Residential homes are very close by. It will destroy their home values.
3. Two gas stations are currently being built close by, one at 287 and Brown, the other at 287 and Farley.
4. Current Gas station on Brown that has been there for years will probably go out of business.
5. Trash. I walk my dog down Garden Valley, up Broadway to Bison Meadow about once a week. While walking my dog I pick up trash. Sometimes my bag is so full I have to stop picking up. Most of it is from Whataburger at 287 and Broadhead. It isn't Whataburgers fault it's the lazy people, but
I can't imagine how much worse it will be and to what purpose? It isn't needed.

Thank you,
CJ Finney
101 Rain Cloud Dr
Waxahachie

(9)

Vu, Oanh

From: Stephen Vedro
Sent: Tuesday, October 15, 2024 9:05 AM
To: Vu, Oanh <Oanh.Vu@waxahachie.com>
Cc: Stephen Vedro
Subject: Letter of opposition to SUP for ZDC-139-2024

Good Morning.

I would like to voice my opposition to the Specific Use Permit for the 7-11 on Broadhead and Garden Valley Parkway (ZDC-139-2024) for the following reasons:

1. Student safety. Gas station is in close proximity to Howard Middle School. Many students access the sidewalks on Broadhead while traveling to and from school. There is already traffic concerns at this intersection that many students cross when walking and biking to school. I have had three middle school students access this walking route and they have all informed me of the danger of this intersection. As a parent, I am already concerned about my child getting hit by a vehicle while walking to school and the addition of a gas station will only increase these safety concerns.
2. Increased crime. It's a known fact that gas stations are targets for armed robbery, theft, and loitering. The presence of a gas station will decrease the safety in the surrounding neighborhoods. Gas stations also attract transient people who will ask for money from patrons and from surrounding residents in the community.
3. Decreased property values. At first the store will look nice. After a few short years, the store will become like every other gas station - dirty, undesirable, and unsightly. This will have an impact on the surrounding neighborhood. In 10 years, who will want to live across the street from a gas station - especially in a neighborhood where there are already property value concerns due to the presence of 3 large multi-family developments.
4. Restricted development of surrounding retail plats. I am concerned that the presence of the gas station will negatively impact the type of development that will accompany the surrounding plats. There is an opportunity for this highly sought after land to bring in development that could increase property value and benefit the community. The presence of a gas station will limit what tenants are attracted to the adjacent plats and the plats across the street.
5. There are already two other gas stations being developed in close proximity to this proposal - Broadhead and 287 bypass and Brown and 287. Not to mention there are additional gas station capacity that is coming in with the Tom Thumb development. We don't need more gas stations - especially at this community intersection.
6. Community just does not want a gas station in their backyard. Everyone of my neighbors that I have talked to has voice their concerns with having a gas station in their backyard. This is something I don't want nor do my neighbors want.

• I hope the PZ committee listens to the voice of the residents who will have to live here next to this developed property. Please decline this SUP.

Thanks!

Stephen Vedro
219 Range Rd
Waxahachie, TX 75165

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-139-2024

MCCOY LAWANNA
255 Lariat Trl
Waxahachie, TX 75165-8715

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 12, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, November 18, 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 Matthew Smith, Darwood Partners, for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales use within a General Retail zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234) – Owner: WP Legacy LTD (ZDC-139-2024) Staff: Oanh Vu

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

Case Number: ZDC-139-2024

City Reference: 276332

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **November 6, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Lawanna McCoy
Signature

Lawanna McCoy, Owner
Printed Name and Title

10-30-2024
Date
255 Lariat Trail
Waxahachie, TX 75165
Address

Case Number: ZDC-139-2024

City Reference: 276328

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **November 6, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

~~There is a QT on Brown & Hwy 287 that is good enough. This neighborhood has not had a corner store in all these years. We do not need one now.~~

Kevin Woods
Signature

10-29-2024
Date

Kevin Woods Concerned
Printed Name and Title
Buffalo Ridge
citizen

217 Lariat Trail
Address

Case Number: ZDC-139-2024

City Reference: 232247

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **November 6, 2024** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

RECEIVED NOV 01 2024

Comments:

Signature

Arturo De Leon

Printed Name and Title

Date

11/1/24

Address

109 Valley Ranch Ct.

(9)

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-139-2024



**WP LEGACY LTD
101 VALLEY RIDGE DR
RED OAK, TX 75154-4736**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 12, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, November 18, 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 Matthew Smith, Darwood Partners, for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales use within a General Retail zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234) – Owner: WP Legacy LTD (ZDC-139-2024) Staff: Oanh Vu

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

Case Number: ZDC-139-2024

City Reference: 242234

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *November 6, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

HIGHT BEST & MOST SUITABLE
STRUCURE TO NEIGHBORHOOD

Signature

Clyde L. Harpore

Date

10-30-24

Printed Name and Title

CLYDE L. HARPORE, PRES.

Address

101 VALLEY RIDGE DR
RED OAK, TX 75154

(9)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-139-2024



**WP LEGACY LTD
101 VALLEY RIDGE DR
RED OAK, TX 75154-4736**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, November 12, 2024 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, November 18, 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 Matthew Smith, Darwood Partners, for a Specific Use Permit (SUP) for a Convenience Store and Gasoline Sales use within a General Retail zoning district located at the northwest corner of Broadhead Road and Garden Valley Parkway (Property ID 242234) – Owner: WP Legacy LTD (ZDC-139-2024) Staff: Oanh Vu

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

Case Number: ZDC-139-2024

City Reference: 231109

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *November 6, 2024* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

HIGHEST, BEST, AND MOST SUITABLE USE
FOR NEIGHBORHOOD

Clyde L. Hargrove
Signature

10-30-24
Date

CLYDE L. HARGROVE
Printed Name and Title

101 VALLEY RIDGE DR
Address RED OAK, TX 75154

(9)



Operational Plan

7 Eleven plans to operate a convenience and gas station at the NWC of Broadhead & Garden Valley. The location will operate 24 hours a day, 7 days a week. There will be five gas pumps which allows for a maximum of 10 cars to fuel at any given time. The pumps will serve both gasoline and diesel vehicles. There will be an average of three staff members per shift at all times, day and night.

Gas Station Saturation Map

9/20/2024

- ★ ZDC-139-2024
- ★ Existing
- ★ Under Construction
- City Limits



(9)

Use Chart – General Retail (GR)

The General Retail (GR) Zoning District is intended predominately for general retail, and certain light commercial uses of a service nature which typically have operating characteristics of traffic service requirements generally compatible with typical office, retail, shopping, and some residential environments.

All uses that are permitted by right

1. Educational, Institutional, & Special Uses
 - a. Adult Daycare Facility
 - b. Art Gallery or Museum
 - c. Child Advocacy Center
 - d. Child Daycare Center
 - e. Church, Rectory, or Temple
 - f. College or University
 - g. Crematorium
 - h. Day Camp for Children
 - i. Farm, Ranch, Garden, or Orchard
 - j. Fraternal Organization
 - k. Institution for Alcoholic, Narcotic, or Psychiatric Patients
 - l. Institution of Religious or Philanthropic Nature
 - m. Kindergarten or Nursery School, Private
 - n. Private Recreation Facility
 - o. Public Community Center
 - p. School, Public
 - q. School, Vocational
2. Commercial & Retail Type Uses
 - a. Amusement, Indoor
 - b. Amusement, Outdoor
 - c. Animal Hospital or Kennel, Indoor Pens
 - d. Antique Shop
 - e. Appliance Rental, Service or Repair
 - f. Auto Sales, New
 - g. Bakery, Retail
 - h. Bank or Credit Union
 - i. Building Materials and Hardware Sales, Indoor
 - j. Clinic, Dental, Medical, or Chiropractic
 - k. Copy or Print Shop
 - l. Country Club, Private
 - m. Custom Person Service Shop
 - n. Funeral Home or Mortuary
 - o. Household Appliance Service or Repair
 - p. Laundromat
 - q. Massage Establishment
 - r. Medical Appliance Fitting or Retail Sales
 - s. Motel or Hotel (Less than 75 Rooms)
 - t. Motel or Hotel (More than 75 Rooms)

Use Chart – General Retail (GR)

(9)

- u. Office, Professional and Administrative
- v. Pet Shop and Grooming
- w. Pharmacy
- x. Restaurant
- y. Retail Stores and Shops
- z. Screen Printing Shop
- aa. Studio
- bb. Theater, Indoor
- cc. Tool and Equipment Rental
- dd. Winery
- 3. Industrial & Utility Uses
 - a. Antenna, Non-Commercial
 - b. Local Utility Lines
 - c. Municipally-Owned Facilities and Uses
 - d. Portable Storage Structure or Temporary Building
 - e. Railroad Track
- 4. Accessory, Incidental and Sign Uses
 - a. Awning Sign
 - b. Canopy Sign
 - c. Development Sign
 - d. Directional Sign (on-site)
 - e. Garage Sale Sign
 - f. Informational Sign
 - g. Institutional Sign
 - h. Monument Sign
 - i. Name Plate
 - j. Off-Street Parking Incidental to Main Use
 - k. Portable Sign
 - l. Real Estate Sign
 - m. Searchlights
 - n. Wall Sign
 - o. Window Sign

(9)

Use Chart – General Retail (GR)

All uses that are permitted with an approved Specific Use Permit (SUP)

1. Residential Type Uses
 - a. Bed & Breakfast Inn
 - b. Dormitory
 - c. Housing for the Elderly/Senior Apartments
 - d. Accessory Building, MF or Non-Residential
 - e. Short-Term Rentals
2. Educational, Institutional, and Special Uses
 - a. Cemetery or Mausoleum
 - b. Community Home
 - c. Fairgrounds, Rodeo Grounds or Exhibition Area
 - d. Home for Aged, Residence (Assisted Living)
 - e. Hospital, Acute Care
 - f. Hospital, Chronic Care
 - g. Juvenile Detention Center
 - h. Rehabilitation Care Facility or Halfway House
 - i. School, Private
 - j. Skilled Nursing Facility
3. Commercial & Retail Type Uses
 - a. Airport
 - b. Animal Hospital or Kennel, Outdoor Pens
 - c. Arcade
 - d. Auto Leasing and Rental
 - e. Auto Parking Lot, Commercial
 - f. Auto Parts and Accessory Sales
 - g. Auto Repair, Minor or Automotive Care Center
 - h. Auto Sales, Used
 - i. Building Materials and Hardware Sales, Outdoor
 - j. Bus Station or Terminal
 - k. Car Wash
 - l. Convenience Store
 - m. Cosmetic Studio Restorative (Permanent)
 - n. Drive-Through Establishment
 - o. Gasoline Sales
 - p. Golf Course
 - q. Greenhouse, Nursery, Florist or Garden Shop
 - r. Helistop
 - s. Kiosk
 - t. Landscape Sales and Installation
 - u. Medical Facilities
 - v. Metal Recycling Center
 - w. Micro-Brewery
 - x. Mini-Warehouse or Self-Storage Facility
 - y. Outside Display
 - z. Outside Storage

Use Chart – General Retail (GR)

(9)

- aa. Park or Playground, Private
- bb. Pawn Shop
- cc. Playfield or Stadium, Public
- dd. Portable Building Sales
- ee. Private Club
- ff. Surgical Outpatient Facility
- gg. Swimming Pool, Commercial
- hh. Tattoo or Body Piercing Shop
- ii. Tavern
- jj. Tire Installation or Repair
- 4. Industrial & Utility Uses
 - a. Electrical Generating Plant
 - b. Franchised Private Utility (Not Listed)
 - c. Public Building, Shop, or Yard or a Local, State, or Federal Agency
- 5. Accessory, Incidental & Sign Uses
 - a. Electronic Message Sign
 - b. Solar Panel System, Rooftop
 - c. Solar Panel System, Small In-Ground
 - d. Unified Lot Sign

ORDINANCE NO.

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A CONVENIENCE STORE AND GASOLINE SALES USES (7-ELEVEN) WITHIN A GENERAL RETAIL (GR) LOCATED AT THE NORTHWEST CORNER OF BROADHEAD ROAD AND GARDEN VALLEY PARKWAY IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 1.488 ACRES KNOWN AS PROPERTY ID 242234, 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-139-2024. 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 GR to GR, with a SUP in order to allow Convenience Store and Gasoline Sales uses on the following property: Property ID 242234, which is shown on the location map (Exhibit A), zoning map (Exhibit B), site plan (Exhibit C), site plan (sidewalk) (Exhibit D), landscape plan (Exhibit E), elevations plan (Exhibit F), signage plan (Exhibit G), photometric plan (Exhibit H).

SPECIFIC USE PERMIT

Purpose and Intent

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

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR CONVENIENCE STORE AND GASOLINE SALES USES IN THE GENERAL RETAIL (GR) ZONING DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall conform to the site plan approved by the City Council under case number ZDC-139-2024.
2. The development shall include at least one (1) crape myrtle.
3. 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 – Site Plan, Exhibit D – Site Plan (Sidewalk), Exhibit E – Landscape Plan, Exhibit F – Elevations Plan, Exhibit G – Signage Plan, Exhibit H – Photometric Plan.
4. The building shall consist of the building design and composed of the exterior finishing materials and their associated percentages as provided in Exhibit F – Elevations Plan.
5. The owner shall plat this lot prior to the submittal of any building permits.
6. The owner shall provide an access easement where the proposed drives lead to the adjacent property located to the north and west sides of the subject property at the time of platting.
7. The owner shall provide a 5' sidewalk that meanders along the western and northern perimeter of the tract of land when this project is being developed.
8. The owner and/or applicant shall mitigate any glaring issues, caused by any light fixtures, that cause a nuisance as needed. If the owner and/or applicant needs to amend the photometric plan portion of this SUP, the amendment shall be approved administratively.
9. A mutually agreed upon Development Agreement shall be fully executed within thirty (30) calendar days of the approval of this SUP application.
10. The owner shall provide a permanent irrigation system for all required landscape areas shown on the Exhibit E – Landscape Plan and maintain the required landscaping at all times.
11. The Applicant and/or Developer for the subject property shall be responsible for obtaining building permits per the City's applicable rules and regulations governing such permits.
12. 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, E, F, G, and H.

13. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.

14. 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 for a period exceeding six months (6 months), a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

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 2nd day of December, 2024.

MAYOR

ATTEST:

City Secretary

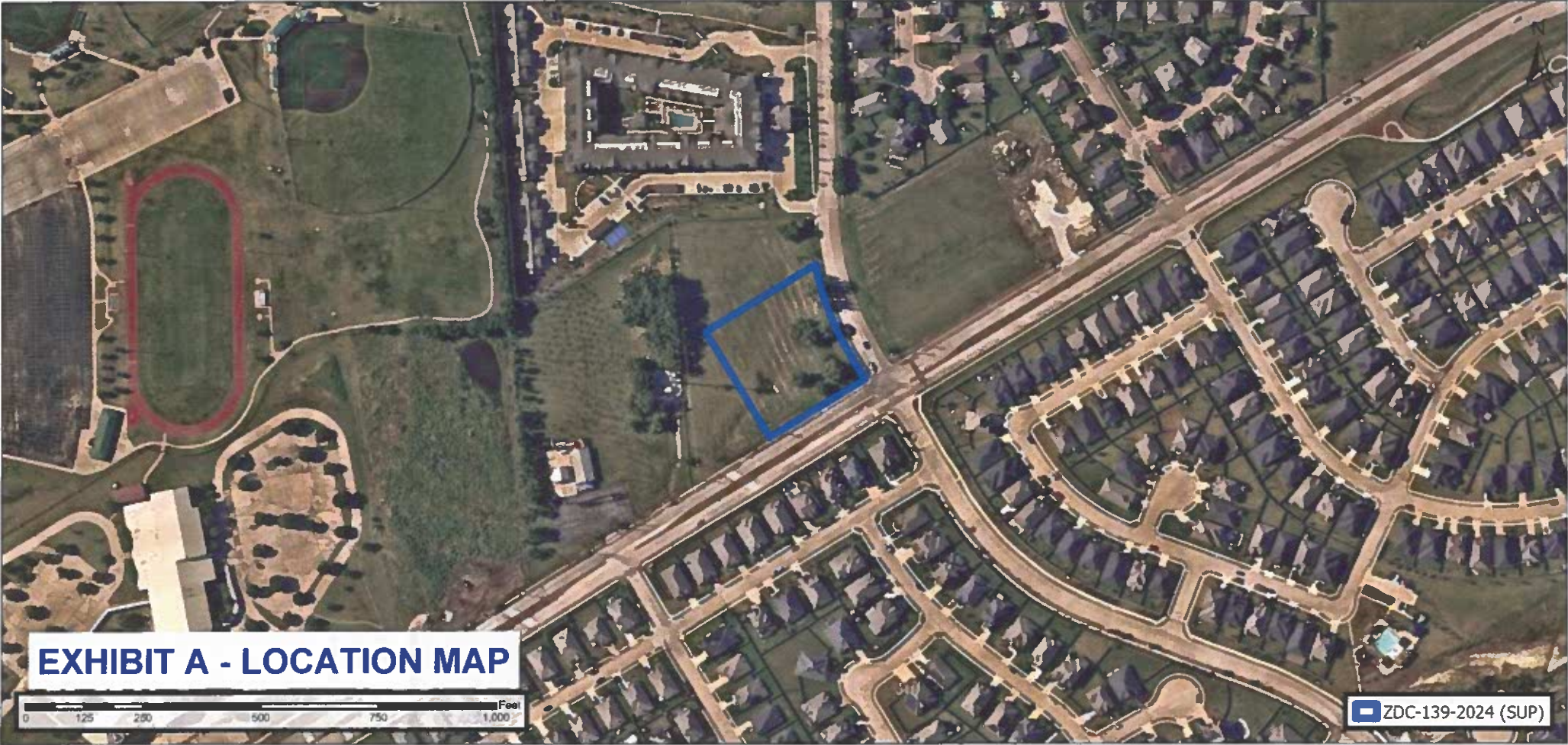


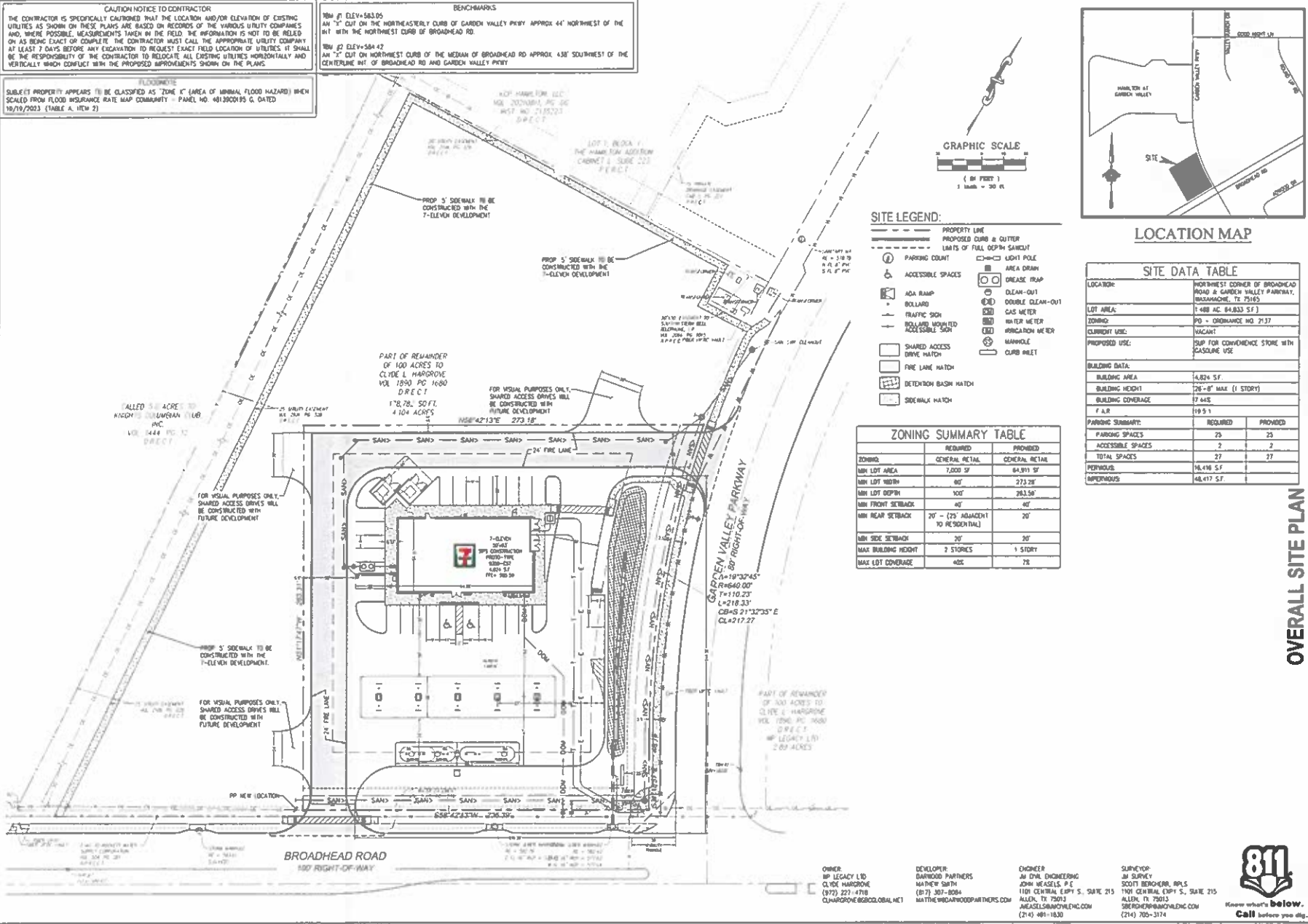
EXHIBIT A - LOCATION MAP

0 125 250 500 750 1,000 Feet

ZDC-139-2024 (SUP)



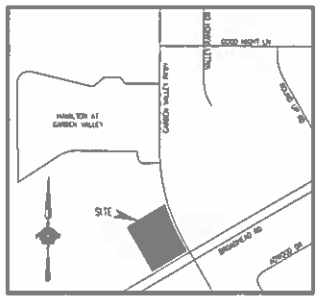
EXHIBIT C - SITE PLAN (SIDEWALK)



CAUTION NOTICE TO CONTRACTOR
 THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 7 DAYS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES HORIZONTALLY AND VERTICALLY WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

BENCHMARKS
 BM #1 ELEV=563.05
 AN "X" CUT ON THE NORTHEASTERN CURB OF GARDEN VALLEY Pkwy APPROX 44' NORTHWEST OF THE INT WITH THE NORTHWEST CURB OF BROADHEAD RD.
 BM #2 ELEV=564.42
 AN "X" CUT ON NORTHWEST CURB OF THE MEDIUM OF BROADHEAD RD APPROX 43' SOUTHWEST OF THE CENTERLINE INT OF BROADHEAD RD AND GARDEN VALLEY Pkwy

FLOODNOTICE
 SUBJECT PROPERTY APPEARS TO BE CLASSIFIED AS "ZONE C" (AREA OF MINIMAL FLOOD HAZARD) WHICH SCALED FROM FLOOD INSURANCE RATE MAP COMMUNITY - PANEL NO. 48100005 G, DATED 10/19/2023 (TABLE A, ITEM 2)



LOCATION MAP

- SITE LEGEND:**
- PROPERTY LINE
 - - - PROPOSED CURB & GUTTER
 - LIMITS OF FULL DEPTH SIDEWALK
 - PARKING COUNT
 - ACCESSIBLE SPACES
 - ADA RAMP
 - BOLLARD
 - TRAFFIC SIGN
 - BOLLARD MOUNTED ACCESSIBLE SIGN
 - SHARED ACCESS DRIVE HATCH
 - FIRE LANE HATCH
 - DETENTION BASIN HATCH
 - SIDEWALK HATCH
 - LIGHT POLE
 - AREA DRAIN
 - DRAIN TRAP
 - CLEAN-OUT
 - DOUBLE CLEAN-OUT
 - GAS METER
 - WATER METER
 - IRRIGATION METER
 - MANHOLE
 - CURB INLET

ZONING SUMMARY TABLE

ZONING	REQUIREMENTS		PROHIBITED
	GENERAL RETAIL	GENERAL RETAIL	
MIN LOT AREA	7,500 SF	84,911 SF	
MIN LOT WIDTH	60'	273.28'	
MIN LOT DEPTH	100'	263.50'	
MIN FRONT SETBACK	40'	40'	
MIN REAR SETBACK	20' - (25' ADJACENT TO RESIDENTIAL)	20'	
MIN SIDE SETBACK	20'	20'	
MAX BUILDING HEIGHT	2 STORIES	1 STORY	
MAX LOT COVERAGE	40%	7%	

SITE DATA TABLE

BUILDING DATA:	
LOCATION:	NORTHWEST CORNER OF BROADHEAD ROAD & GARDEN VALLEY PARKWAY, MESQUITE, TX 75165
LOT AREA:	1,488 AC. (84,833 SF)
ZONING:	PD - ORDINANCE NO. 7137
CLIENT USE:	VACANT
PROPOSED USE:	SHOP FOR CONVENIENCE STORE WITH GASOLINE USE
BUILDING DATA:	
BUILDING AREA:	4,824 SF
BUILDING HEIGHT:	26'-0" MAX (1 STORY)
BUILDING COVERAGE:	17.64%
F.A.R.	19.5.1
PARKING SUMMARY:	
PARKING SPACES:	REQUIRED: 25, PROVIDED: 25
ACCESSIBLE SPACES:	2
TOTAL SPACES:	27
PERVIOUS:	16,416 SF
IMPERVIOUS:	48,417 SF

OVERALL SITE PLAN



FIRM NO. F-19504 FOR REVIEW ONLY. THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW ONLY UNDER THE AUTHORITY OF JOHN MEASELS, P.E. (LIC. NO. 93278). IT IS NOT TO BE USED FOR CONSTRUCTION 11/04/2024



SUP
 7-ELEVEN
 1.48 ACRES
 LOT 7, BLDG. OF THE X ADDITION
 TO THE CITY OF WAXAHACHIE,
 TEXAS, FOR THE PURPOSES OF
 ZONING, CENTER-CITY RETAIL (CCR)
 CASE NO. ZDC-138-2024
 (07-18-2024)

REV.	DATE	DESCRIPTION
1	11/04/2024	ISSUE FOR PERMIT



OWNER:
 WP LEGACY LTD
 CLYDE L HARGROVE
 (817) 221-4718
 CLHARGROVE@B2COLLAB.NET

DEVELOPER:
 DARWOOD PARTNERS
 MATTHEW SMITH
 (817) 307-8084
 MATTHEW@DARWOODPARTNERS.COM

ENGINEER:
 JM CIVIL ENGINEERING
 JOHN MEASELS, P.E.
 1101 CENTRAL EXPY S, SUITE 215
 ALLEN, TX 75013
 AMEASLS@JMCIVIL.COM
 (214) 461-1820

SURVEYOR:
 JM SURVEY
 SCOTT BERGHEIM, RLS
 1101 CENTRAL EXPY S, SUITE 215
 ALLEN, TX 75013
 SBERGHEIM@JMCIVIL.COM
 (214) 305-3174

(01)

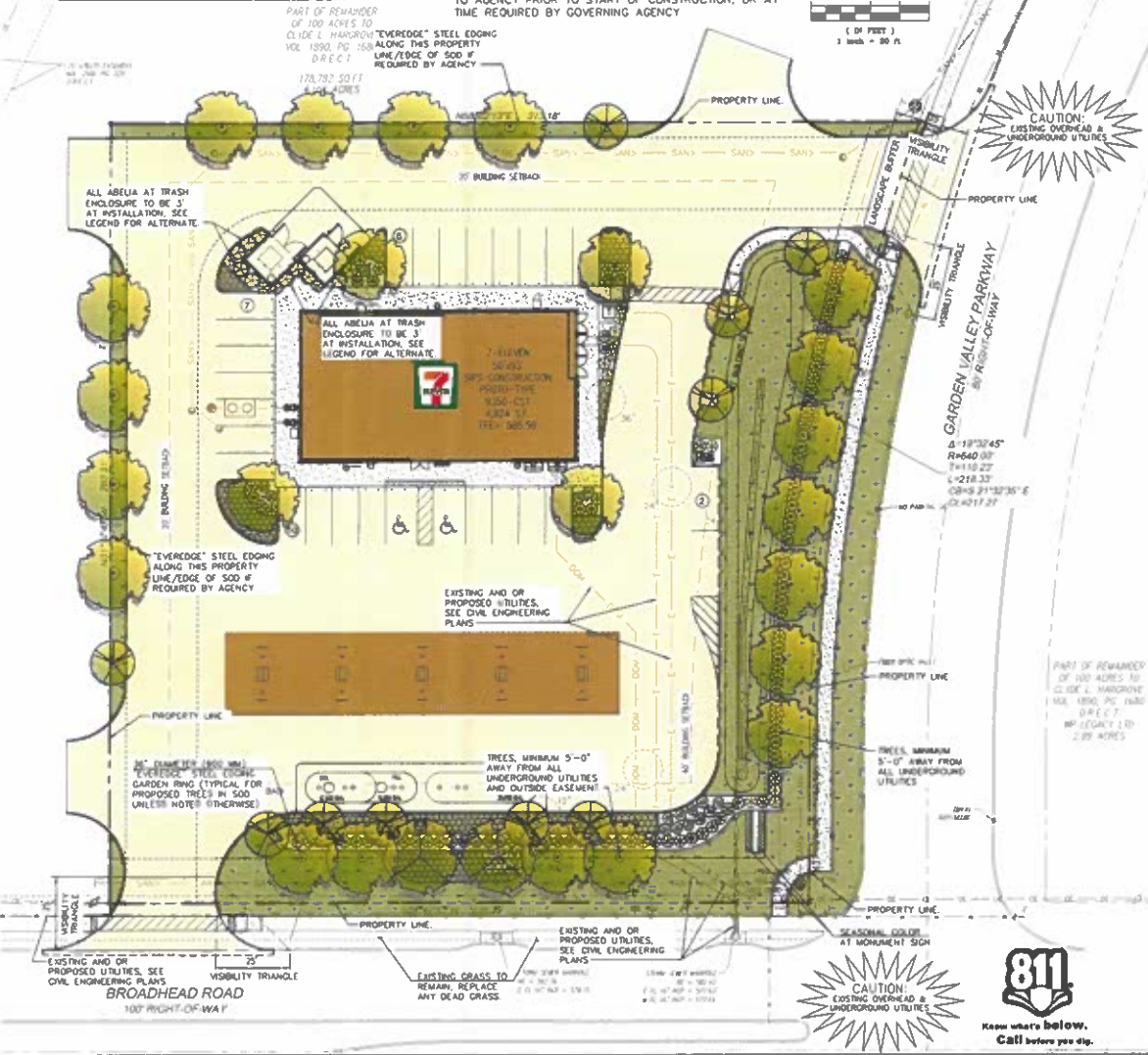
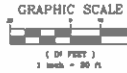
EXHIBIT D - LANDSCAPE PLAN

CAUTION NOTICE TO CONTRACTOR
 THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 7 DAYS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES HORIZONTALLY AND VERTICALLY WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

GENERAL NOTES:

- TREES TO BE INSTALLED 4'-0" MINIMUM AWAY FROM PAVING AREAS, AND PER AGENCY, 5'-0" MINIMUM AWAY FROM WATER OR SEWER LINES.
- PER CODE, NO PORTION OF A PARKING SPACE IS MORE THAN SIXTY-FOUR (64) FEET AWAY FROM THE TRUNK OF A TREE.
- A FULLY AUTOMATIC IRRIGATION SYSTEM WILL BE SPECIFIED FOR THIS PROJECT. PLANS OF WHICH WILL BE PROVIDED TO AGENCY PRIOR TO START OF CONSTRUCTION, OR AT TIME REQUIRED BY GOVERNING AGENCY.

REFER TO SHEET L 200 FOR PLANTING NOTES AND CALCULATIONS



LEGEND

SYMBOL SCIENTIFIC NAME COMMON NAME INSTALL SIZE CONTAINER FLWR COLOR QUANTITY

EXISTING TREES

EXISTING TREES TO BE REMOVED	-	-	-	-	6
------------------------------	---	---	---	---	---

CANOPY TREES

QUERCUS VIRGINIANA	LIVE OAK	4" CAL	8&B	INSIGNIFICANT	2
--------------------	----------	--------	-----	---------------	---

ULMUS CRASSIFOLIA	CEDAR ELM	4" CAL	8&B	INSIGNIFICANT	23
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ACCENT/UNDERSTORY TREES

LACERSTROEMIA INDICA 'DALLAS RED'	CRAPE MYRTLE	6"(FOOT)	CONT	RED	10
-----------------------------------	--------------	----------	------	-----	----

SHRUBS MIN. 3 GALLON (MINIMUM CONTAINER SIZE PER CITY)

ABELIA GRANDIFLORA (SEE NOTE 1 BELOW)	GLOSSY ABELIA	-	CONT	WLAC	10
---------------------------------------	---------------	---	------	------	----

HEX VAMTORIA 'STONES'	DWARF YALPOH	-	CONT	WHITE	88
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LEUCOPHYLLUM FRUTESCENS 'THUNDERCLOUD'	TEXAS SAGE	-	CONT	PRK	46
--	------------	---	------	-----	----

SOD, GROUND COVER, MULCH AND MISCELLANEOUS

CYNDOX DACTYLON 'TR 419' BERNAUDA GRASS	-	-	-	13,216± S.F. 500 (NOT ACCOUNTING FOR SLOPE)
---	---	---	---	---

TRACHELOSPERMUM ASIATICUM ASIAN JASMINE	-	-	4" CONT YELLOW 2040 S.F. 3" Ø
---	---	---	-------------------------------

CEDAR MULCH OR AGENCY AND CLIENT APPROVED EQUAL (MIN. 3" DEPTH W/ WEED BARRIER FABRIC) INSTALL BELOW ALL PROPOSED PLANTING AREAS EXCEPT WHERE GROUND COVER OR SOD ARE PROPOSED

EVEREDGE STEEL EDGING (GARDEN RING WHERE NOTED) LINEAR FEET PER PLAN

NOTES

- IF ABELIA SHOWN AROUND TRASH ENCLOSURE CANNOT BE PURCHASED AT 3'-0" HEIGHT, INSTALL LIGUSTRUM JAPONICUM 'TEXANUM', OR PURPOSE AN ALTERNATE SHRUB FOR CITY APPROVED.

SEASONAL COLOR

70 S.F. (49 S.F. MINIMUM REQUIRED)	AUG. THRU NOV.	DEC. THRU FEB.	MARCH THRU MAY	JUNE THRU AUG.
PANSIES	PANSIES	DIANTHUS	IMPATIENS	
ICELAND POPPY	PANSIES	DAHLIAS	DUSTY MILLER	
CINERARIA	VIOLA	WINCA ROSEA	SNAP DRAGONS	
BEGONIAS	BEGONIAS	BEGONIAS	CHRYSANTHEMUM	
LOBELIA	LOBULARIA	LIMONIUM	SALVIA SPLENDENS	
TAGETES	CALENDULA	ESCHOLZIA	VERBENA	



1101 Concord Lakeshore South
 Suite 215
 Austin, TX 75013
 Ph. 214-471-1630
 John Macdonald, PE
 CIVIL ENGINEER



08/15/2024

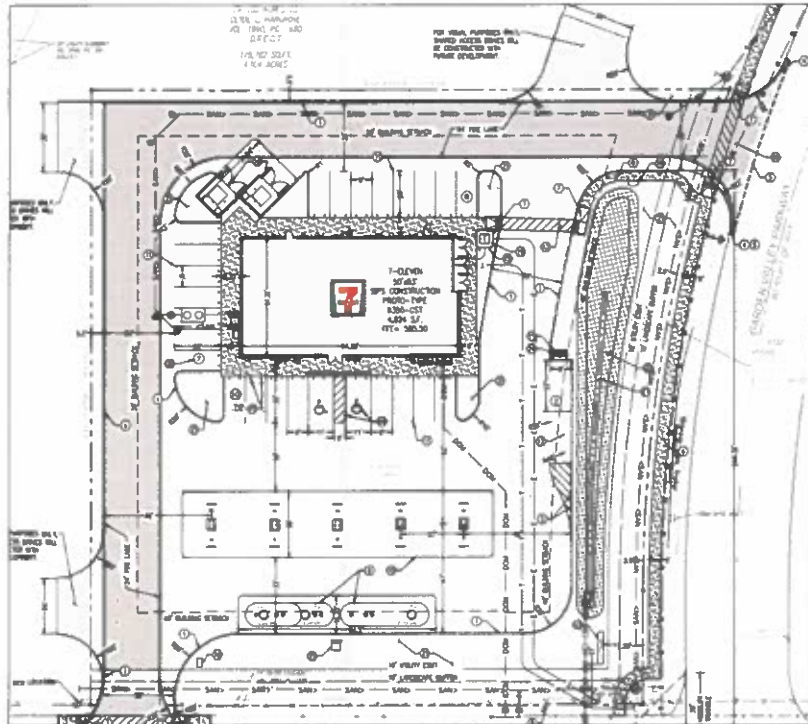
SUP LANDSCAPE PLAN
 7-ELEVEN
 1.48 ACRES
 LOT 1X, BLOCK 1 OF THE X ADDITION
 TO THE CITY OF WAXAHACHE,
 TARRANT COUNTY, TEXAS
 ZONING: GENERAL RETAIL (GR)
 CASE NO: ZDC-138-2024
 (07-19-2024)

REV	DATE	DESCRIPTION
1	08/15/24	ISSUE FOR PERMIT
2	08/15/24	ISSUE FOR PERMIT
3	08/15/24	ISSUE FOR PERMIT
4	08/15/24	ISSUE FOR PERMIT
5	08/15/24	ISSUE FOR PERMIT
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49	08/15/24	ISSUE FOR PERMIT
50	08/15/24	ISSUE FOR PERMIT

L 100

(al)

EXHIBIT F - SIGNAGE PLAN



BROADHEAD AND GARDEN VALLEY
WAXAHACHIE, TX 75165

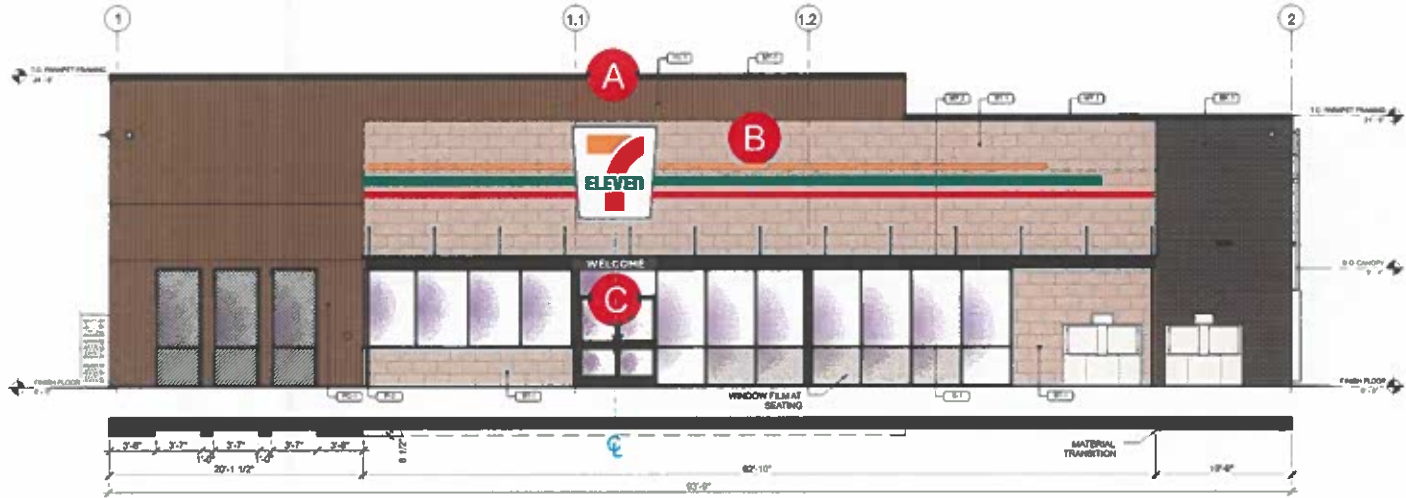
7-ELEVEN #1056075



Los Angeles • Knoxville
800-423-4283

www.SignResource.com

Building Materials are for sign visuals only. Actual Elevations will be approved by Elevation exhibit



SQUARE FOOTAGE:	
PROPOSED: FRONT WALL WALL SIGN - A	44.91 SQ.FT EACH
TOTAL:	44.91 SQ.FT

PROPOSED SOUTH ELEVATION:
Scale 1:115



SQUARE FOOTAGE:	
PROPOSED: SIDE WALL WALL SIGN - D	36.6 SQ.FT. EACH
TOTAL:	36.6 SQ.FT

PROPOSED EAST ELEVATION:
Scale 1:115

Building

Building Materials are for sign visuals only. Actual Elevations will be approved by Elevation exhibit



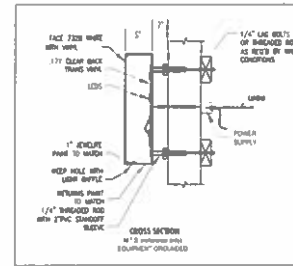
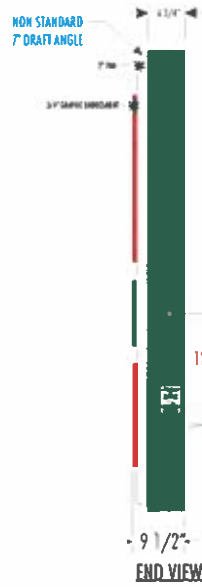
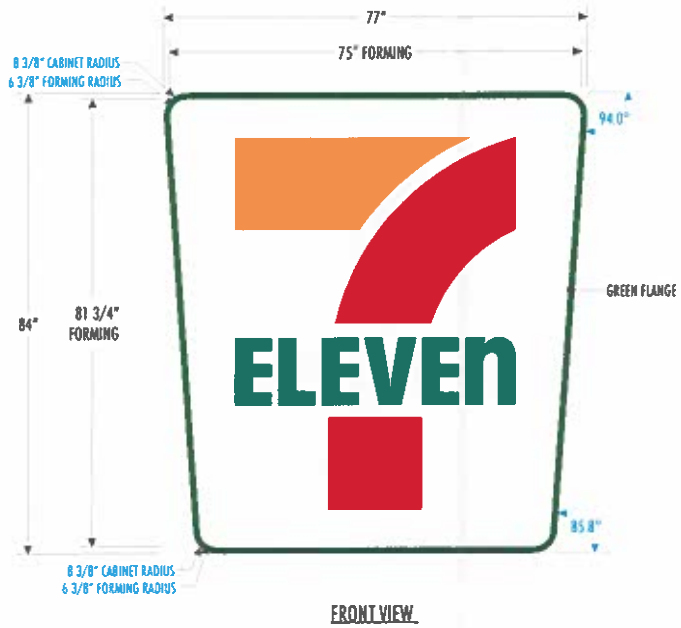
E PROPOSED NORTH ELEVATION:
Scale 1:115

SQUARE FOOTAGE:	
PROPOSED: REAR WALL WALL SIGN - E	27.06 SQ.FT. EACH
TOTAL:	27.06 SQ.FT.



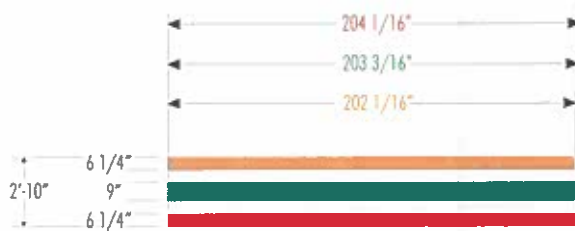
D PROPOSED WEST ELEVATION:
Scale 1:115

SQUARE FOOTAGE:	
PROPOSED: SIDE WALL WALL SIGN - D	38.6 SQ.FT. EACH
TOTAL:	38.6 SQ.FT.



A Front & Side View
Scale 1:22

SQUARE FOOTAGE:
PART #: SEWVWEL004EM
Display Square Footage(Cabinet): 44.91



B ILLUMINATED STRIPES
SCALE: 1:60

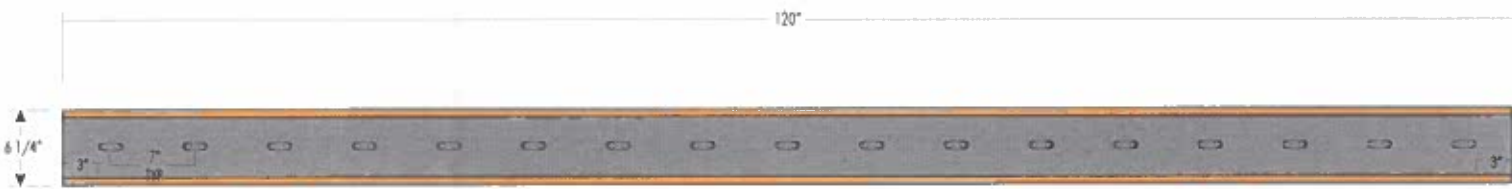
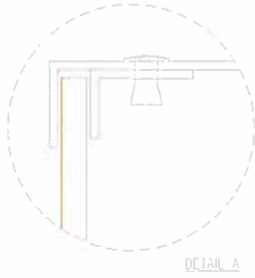
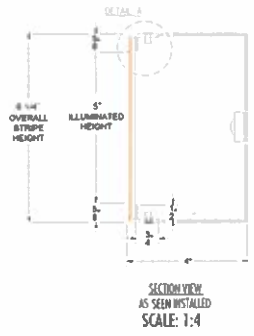
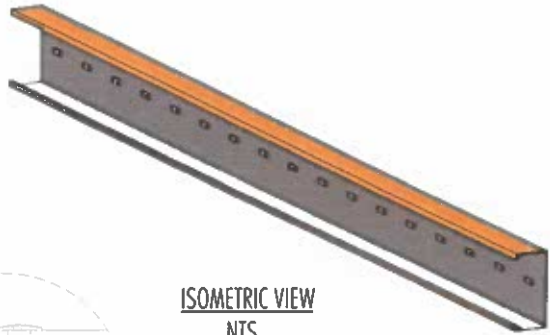
PART #: To Be Assigned

Wall Sign Detail



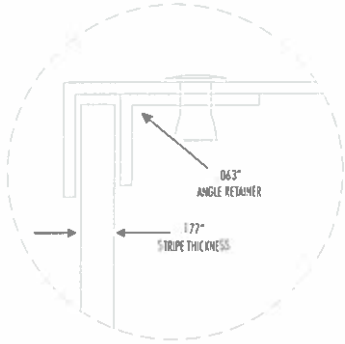
LED ILLUMINATION

NOTE: ALUMINUM
PAINTED TO MATCH
NON-ILLUMINATED
VINYL COLOR

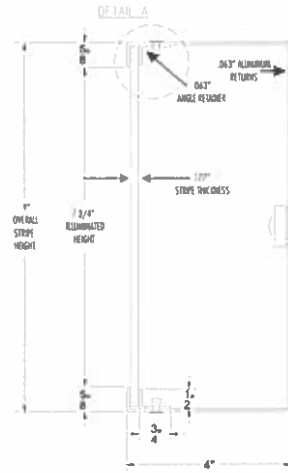


Wall Sign Detail

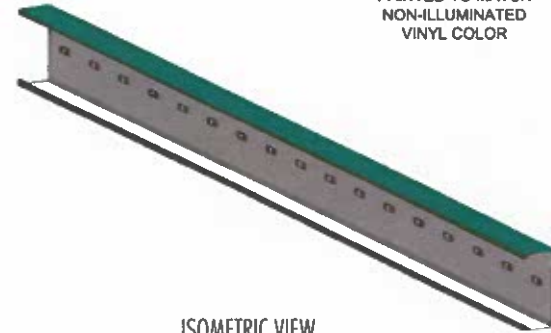
ILLUMINATION VIEW
WITH FACE INSTALLED



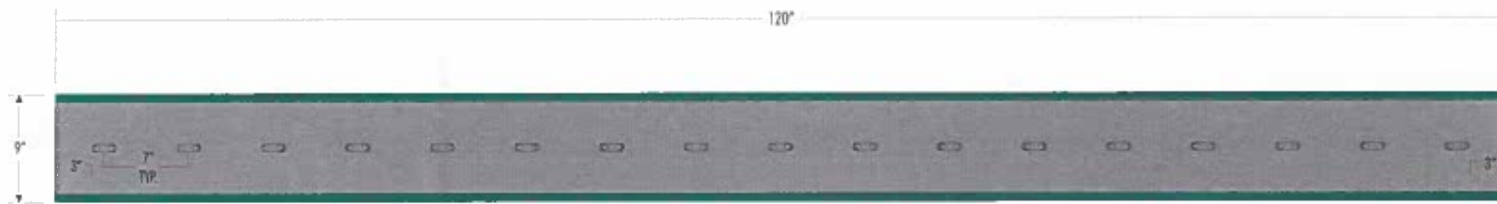
DETAIL A



SECTION VIEW
AS SEEN INSTALLED
SCALE: 1:4



ISOMETRIC VIEW
NTS



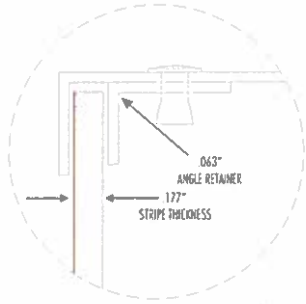
FRONT VIEW
SCALE: 1:10



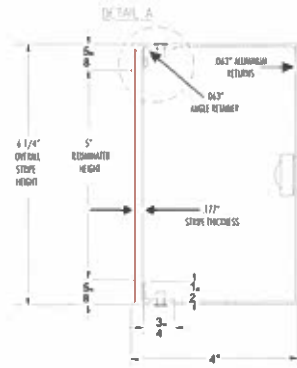
BOTTOM VIEW
SCALE: 1:10

Wall Sign Detail

ILLUMINATION VIEW
WITH FACE INSTALLED

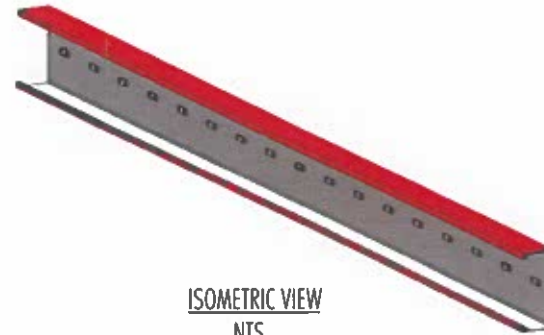


DETAIL A



SECTION VIEW
AS SEEN INSTALLED
SCALE: 1:4

NOTE: ALUMINUM
PAINTED TO MATCH
NON-ILLUMINATED
VINYL COLOR



ISOMETRIC VIEW
NTS



FRONT VIEW
SCALE: 1:10

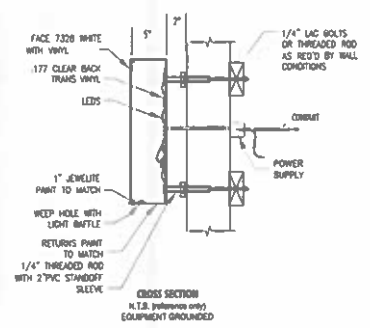


BOTTOM VIEW
SCALE: 1:10

Wall Sign Detail



ILLUMINATED VIEW



HALO & FACE ILLUMINATED CHANNEL LETTERS



FRONT VIEW



SIDE VIEW



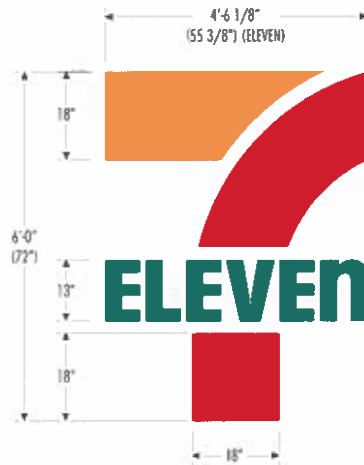
Front View - 84" Wall Sign
Internally Illuminated Remote Channel Logo
SCALE 1/24

SQUARE FOOTAGE:
Display Square Footage : 36.6
PART #: SEN24CLB4HF1

Wall Sign Detail



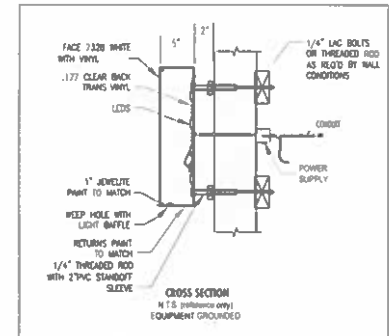
ILLUMINATED VIEW



FRONT VIEW



SIDE VIEW
HTS



FRONT & SIDE VIEW - 72" 7-ELEVEN CHANNEL LETTERS

Scale 1/25

SQUARE FOOTAGE:

Display Square Footage(Cabinet): 27.06

PART # SCHL37HT1

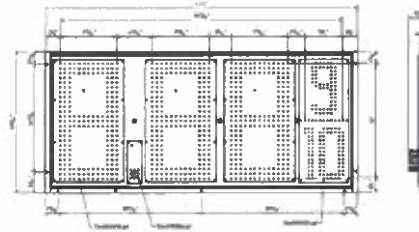
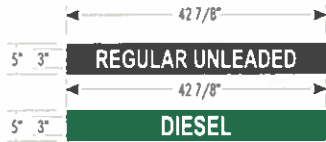
Wall Sign Detail

LED ILLUMINATION

NOTE: VENTILATION REQUIRED FOR LEDS

NOTE: ALL TRACKING AND PLATES ARE APPLIED TO THE SECOND SURFACE

WOODPLATES
PART # SEN24ZC72CPID
WHITE COPY ON BLACK/GREEN BACKGROUND



16" CUT SHEET



ILLUMINATED VIEW



PER SECTION 5.08 - MONUMENT SIGN MUST BE MADE OF STONE, CONCRETE, BRICK, OR OTHER SIMILAR MATERIALS. THE MONUMENT SIGN SHALL BE SOLID FROM THE GROUND UP AND ALL SUPPORTS SHALL BE CONCEALED.

NOTE: CONCRETE BLOCK BASE; FINISHED WITH SAME MATERIAL AS CANOPY COLUMNS

BASE CLADDED TO BE DONE BY OTHERS

F Face View & Side Detail.
Scale 1:20

SQUARE FOOTAGE:

7-ELEVEN PART NO.: SEN24ZC72CPID
PRICER: SENZCLE2UD7273A01

Display Square Footage (Cabinets Combined): 70.06

Main I.D.

SITE OVERVIEW

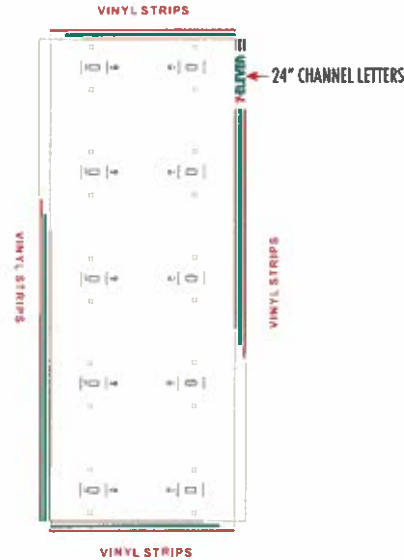
NOTE: PROPOSED ELEVATION FOR CONCEPT ONLY, SITE SPECIFIC ELEVATION TO BE PROVIDED IF NEEDED

NOTE: EYEBROW LIGHTING NOT ALLOWED PER CODE

36" HEIGHT OF ACM

RED STRIPE TO BE 2/3 CANOPY LENGTH

----- GARDEN VALLEY PKWY -----



----- BROADHEAD RD. -----

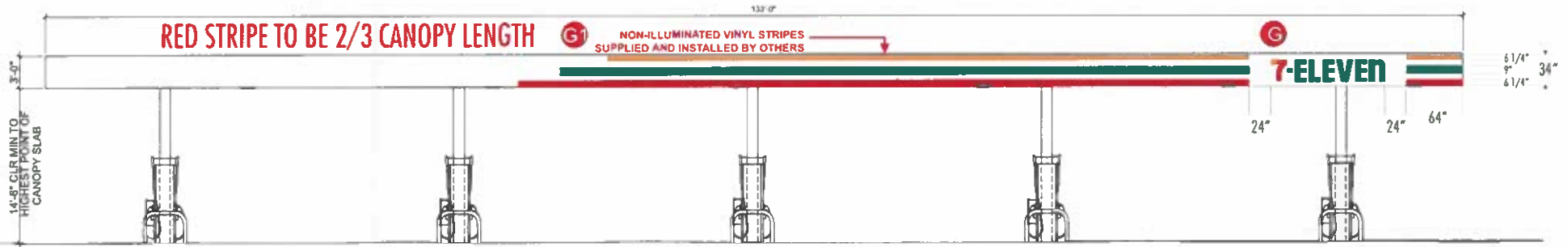


**VINYL STRIPES
TO BE SUPPLIED AND INSTALLED BY OTHERS**

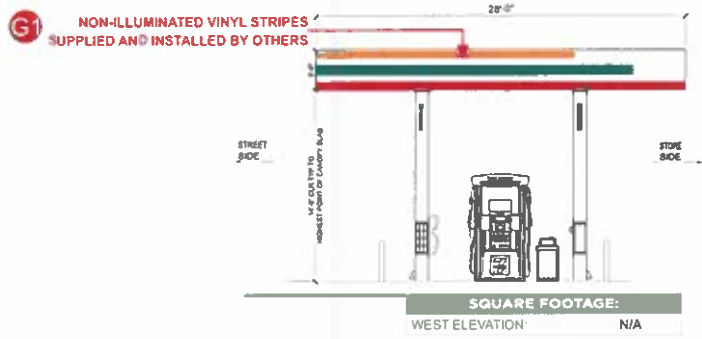
Canopy

SCALE: NTS

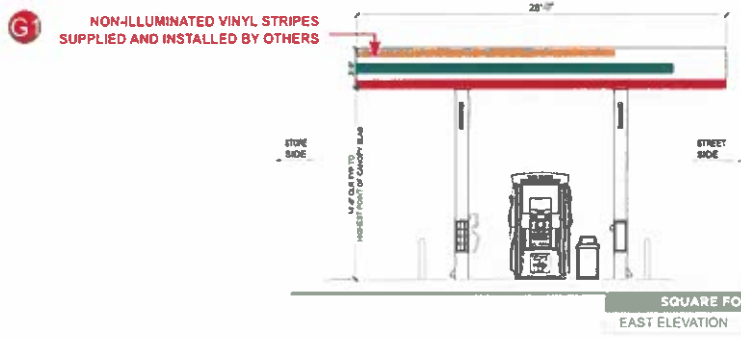
NOTE: FUEL CANOPY SIGNS ARE NOT ADDRESSED IN COUNTY CODE; MUST SUBMIT PROPOSAL FOR REVIEW AND APPROVAL
NOTE: EYEBROW LIGHTING NOT ALLOWED PER CODE



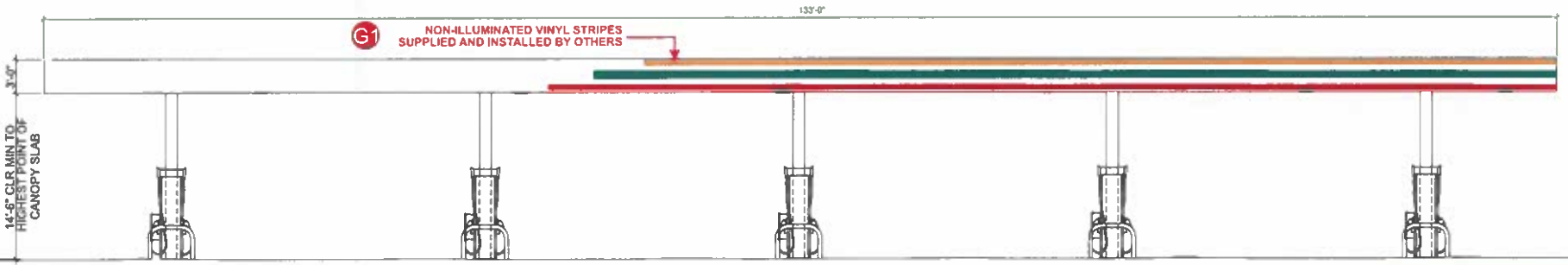
SQUARE FOOTAGE:
SOUTH ELEVATION 22.08 SQFT



SQUARE FOOTAGE:
WEST ELEVATION N/A



SQUARE FOOTAGE:
EAST ELEVATION N/A



SQUARE FOOTAGE:
NORTH ELEVATION N/A

TYPICAL FUEL CANOPY LAYOUT DISPLAYED - WILL REQUIRE SURVEY FOR EXACT SIZE

VINYL STRIPS
TO BE SUPPLIED AND INSTALLED BY OTHERS

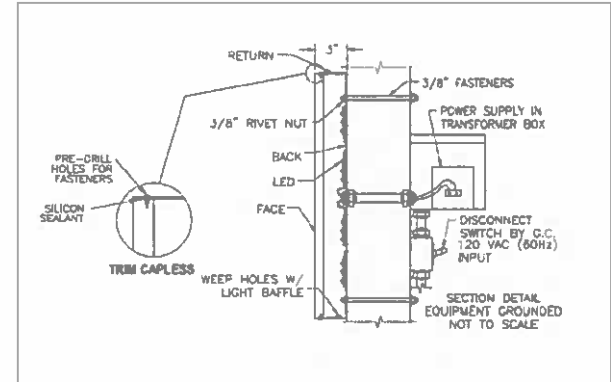
Canopy

SCALE: 1:110

7-ELEVEN

ILLUMINATION VIEW

LED ILLUMINATION



**NO TRIMCAP
RETURNS MATCH FACE COLOR**



END VIEW



FRONT VIEW



END VIEW



24" 7-Eleven Channel Letter Sign
Scale 1:16

TO BE INSTALLED @ SOUTH ELEVATION

SQUARE FOOTAGE:

PART # 50N24L1124(E0)

Display Square Footage (Cabinets Combined): 22.08

Canopy Details

7-Eleven Paint Specs		
Sample	Description	Applied to
	3M Scotchcal 3730-6537 Pantone PMS 336 C	MID Logo
	3M Scotchcal 3730-2723 Pantone PMS 2347 X GC	MID Logo
	3M Scotchcal 3730-3243 Pantone PMS 1505 X GC	MID Logo
	PMS BLACK	MID Logo
	881E - SILVER	MID Logo
	White	MID Background Canopy fascia Grade / Ancillary Copy
	TRICORN Black	Poles / Cabinets



7-Eleven Paint Specifications



CODE CHECK

SITE INFO
DATE COMPLETED: 3-14-24
CUSTOMER NAME: 7-Eleven
PROPERTY ID: 1056075
SITE ADDRESS: Garden Valley Parkway, Waxahachie, TX 75165
ZONING: GR General Retail
OVERLAY DISTRICT: no
MSP? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown <input type="checkbox"/>
(NOTE ANY PROHIBITED SIGNS OR RESTRICTIONS NOT COVERED) See end notes for list of prohibited signs.
TOLL ROAD AUTHORITY: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
CITY/COUNTY INFORMATION
JURISDICTION: City of Waxahachie
CONTACT: Zach King
PHONE: 469-309-4294
EMAIL: zking@waxahachie.com
WEBSITE/LINK: https://www.waxahachie.com/
WHEN WERE BEGS LAST UPDATED? Current March 1, 2024
GAS CANOPY SIGNS
SIZE RESTRICTIONS: Greater of 10% of face of canopy, or 25 sf.
NUMBER OF SIGNS ON CANOPY: 1 per canopy face
CAN SIGNS EXTEND BEYOND FASCIA(ABOVE/BELOW): Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
ILLUMINATION RESTRICTIONS: The internal illumination of a canopy is limited to the portions of the canopy face upon which a sign or illuminated stripe is permitted.
GAS PUMP SIGNAGE/DECAL ALLOW: Submit proposal.
DO STRIPES COUNT IN SIGN AREA? (illuminated/non-illuminated): Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
IS EYEBROW ILLUMINATION ALLOWED?: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
SED REQUIRED? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
NOTES: The sign may consist of only the name, logo, or both of the business at the location of the canopy. An illuminated stripe may be incorporated into a canopy. The stripe may extend along the entire length of the face of the canopy. The width or thickness of the stripe shall be limited to one-third (1/3) of the vertical dimension of the face of the canopy. A canopy sign shall have a minimum clearance of eight (8) feet above any sidewalk/pedestrian travel surface, and fourteen (14) feet above any vehicular parking or circulation surface.
BUILDING SIGNS
ARE BUILDING SIGNS ALLOWED? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
DO THEY COUNT AGAINST PROPERTY ALLOWANCES? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
NUMBER ALLOWED PER BUILDING OR PER PROPERTY: 4 per bldg.

Code Check

SQ. FT. FORMULA: Aggregate of all wall signs: An attached sign located at a height of 36 ft or less is limited to 1 sq ft per 100 ft of building frontage for a single tenant building, or lease space frontage in a multiple tenant building, max 250 sq ft, and a minimum of 25 sq ft.

An attached sign located above a height of 36 ft shall be permitted an increase in maximum effective area. Such increases shall not exceed 4 sq ft in effective area for each additional 1 ft of height above 36 ft, measured from the base of the sign. Signs may be increased hereunder to a maximum size of 350 sq ft. Attached signs may be located on any façade except for signs located on the side or rear wall of a building where the sign would face an adjacent residential zoning district. The sum of the effective area of all attached signs shall not exceed the allowable effective area specified above, whichever paragraph is applicable. Signs on a single façade shall not exceed the sign area allowed above.

MAX SF PER SIGN: See formula.

HOW IS SIGN SQ FOOTAGE CALCULATED? Box copy, including backer panel.

MAX NUMBER SIGNS ALLOWED: 4 per bldg.

ALLOWED ON ALL ELEVATIONS? Yes, unless it faces residential

SED REQUIRED? Yes No

ILLUMINATION TYPES ALLOWED: internal/external

SIGN ALLOWED ON EVERY WALL, OR MUST IT BE STREET-FACING? no

DO LIGHT BARS COUNT AS SIGNAGE? Yes No

WINDOW SIGNAGE/DISPLAYS PERMITTED? Yes No

SIZE RESTRICTIONS (% OF WINDOW OPENING OR SPECIFIC SQFT)? 40% of window area.

ILLUMINATION ALLOWED? Yes No

VINYL DECALS ALLOWED? Yes No

CAR WASH BUILDING SIGNS: TYPICAL SIGNS ARE "CAR WASH," NON-ILLUMINATED ENTRANCE/EXIT AND CAR WASH SPECIFIC DIRECTIONAL SIGNAGE AREA ALLOWANCE included above? Wall signs would count against aggregate. Directional does not count against number.

DO STRIPES COUNT IN SIGN AREA? (illuminated/non-illuminated): Yes No Submit proposal

NOTES:

GROUND/DIRECTIONAL SIGNS

ARE DIRECTIONAL SIGNS ALLOWED? Yes No

DO THEY COUNT AGAINST SQUARE FOOTAGE? Yes No

NUMBER ALLOWED: not stipulated

SQ. FT. FORMULA: 8 sq ft x 3 ft high

MAX SF PER SIGN: 8 sq ft

HOW IS SIGN SQ FOOTAGE CALCULATED? boxed

MAX NUMBER SIGNS ALLOWED: not stipulated

ARE LOGOS ALLOWED ON DIRECTIONAL SIGNAGE? Yes No (area restrictions?)

ILLUMINATION RESTRICTIONS:

DO STRIPES COUNT IN SIGN AREA? (illuminated/non-illuminated): Yes No

NOTES:

HI-RISE SIGNS

NUMBER ALLOWED/ALLOWED PER FRONTAGE: Discuss with city. May be considered as pole sign if applicable. SUP required.

MAX SQUARE FOOT ALLOWED:

Code Check

MAX HEIGHT ALLOWED:
IS INTERNAL ILLUMINATION ALLOWED? Yes <input type="checkbox"/> No <input type="checkbox"/> (restrictions?)
IF INTERNAL ILLUMINATION NOT ALLOWED, WHAT ARE THE REQUIREMENTS FOR EXTERNAL ILLUMINATION?
MIN. REQUIREMENTS FOR FUEL GRADE DISPLAY (Must all grades be displayed, for ex.) GIVE REQUIREMENTS
LED PRICERS ALLOWED? Yes <input type="checkbox"/> No <input type="checkbox"/> ARE THERE RESTRICTIONS? Yes <input type="checkbox"/> No <input type="checkbox"/> (Size, Frequency, Colors)
SETBACK RESTRICTIONS- FRONT AND BACK:
GIVE LINE-OF-SIGHT RESTRICTIONS? (Clearance or sight Triangle):
DO STRIPES COUNT IN SIGN AREA? (illuminated/non-illuminated): Yes <input type="checkbox"/> No <input type="checkbox"/>
DISTANCE BETWEEN, IF (2) ALLOWED:
SED REQUIRED FOR NEW?: Yes <input type="checkbox"/> No <input type="checkbox"/>
NOTES:
PYLON/MONUMENT SIGNS
TYPES ALLOWED: Pole/Pylon: <input checked="" type="checkbox"/> Monument: <input checked="" type="checkbox"/> None: <input type="checkbox"/>
NUMBER ALLOWED/ALLOWED PER FRONTAGE: 1
MAX SQUARE FT. ALLOWED: Monument: 80 sf. Pole: Allowed only by SUP by the amending ordinance establishing a PD. 200 sq ft for up to 50 ft tall. Signs between 51 and 75 ft may be 300 sf. Only allowed on Interstate Highway 35E and U.S. Hwy 287 bypass. For signs up to 25 ft in ht, setback shall be 15 ft from property lines adjacent to a street and 10 ft from side or rear property lines. For signs greater than 25 ft in ht, setback shall be 25 ft, plus 1 in ft for each foot the sign exceeds 25 ft, up to 50 ft, from all property lines. 350 ft from any other pole or pylon sign on the same property, measured along the street frontage. One (1) per every fractional 350 ft of street frontage.
MAX HEIGHT ALLOWED: Monument: 8 ft
IS INTERNAL ILLUMINATION ALLOWED? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> no flashing/blinking
IF INTERNAL ILLUMINATION NOT ALLOWED, WHAT ARE THE REQUIREMENTS FOR EXTERNAL ILLUMINATION?
MIN. REQUIREMENTS FOR FUEL GRADE DISPLAY (Must all grades be displayed, for ex.): Not addressed. Submit proposal.
LED PRICERS ALLOWED? Yes <input type="checkbox"/> No <input type="checkbox"/> ARE THERE RESTRICTIONS?(TIMING, COLORS) Electronic message signs may be allowed in any Zoning District by Specific Use Permit (SUP) 70% may be electronic message. Submit proposal.
SETBACK RESTRICTIONS- FRONT AND BACK: 15 ft from street ROW.
LINE OF SIGHT RESTRICTIONS: Cannot obstruct view.
DO STRIPES COUNT IN SIGN AREA? (illuminated/non-illuminated): Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Submit proposal for illumination.

Code Check

DISTANCE BETWEEN IF (2) ALLOWED: Pole sign if allowed-350 ft from any other pole or pylon sign on the same property, measured along the street frontage.
IF MONUMENT, GIVE SUBSTRATE REQUIREMENTS, IF APPLICABLE: Monument 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.
SED REQUIRED FOR NEW?: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Signs taller than ten (10) feet in height shall be designed and constructed to withstand a wind pressure of not less than thirty (30) pounds per square foot of area, and shall be constructed to receive a dead load as required in the Building Code or other codes/ordinances of the City. All signs shall be placed in concrete bases or footings, and the plans for such signs and their bases/footings shall be sealed by a licensed structural engineer.
PERMITTING REQUIREMENTS
PERMIT FEE BASIS: Wall \$50. F/S \$75
PERMIT TIMING: 15 business days
DOES REFACING SIGN REQUIRE PERMIT? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
ELECTRICAL PERMIT REQUIRED: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
PERMIT DOCUMENTS REQUIRED: Sign Drawings <input checked="" type="checkbox"/> Site Plan <input checked="" type="checkbox"/> Elevations <input checked="" type="checkbox"/> Owner Auth. <u>Ltr</u> <input checked="" type="checkbox"/> Legal Description <input type="checkbox"/> Others?
WHAT SIGNATURES ARE REQUIRED ON APPLICATION? Contractor or owner
ARE LANDSCAPE PLANS REQUIRED FOR PERMIT APP? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
NOTES:
MASTER / COMPREHENSIVE SIGN PLAN
DOES CITY HAVE MSP/CSP ON RECORD? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
IF SO, PLEASE ATTACHED.
POINT OUT AGGREGATE SIGNAGE REQUIREMENTS AND/OR RESTRICTIONS STIPULATED IN MSP/CSP.
CHANGE GROUND/DIRECTIONAL SIGNS TO DIRECTIONAL/WAYFINDING SIGNS:
NOTES:
CAR WASH
Can the car wash be considered a secondary building? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Per city, counts against aggregate
Does signage on a car wash count against overall property signage? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Are vinyl stripes allowed on building and do they count against square footage allowance? Yes <input type="checkbox"/> No <input type="checkbox"/> Submit proposal.
Notes:
VARIANCE
VARIANCE ALLOWED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
BASIS FOR APPROVAL: hardship
PROCEDURE: Submit application for review. Meetings held as needed.
PROBABILITY FOR APPROVAL: 50%
APPLICATION DEADLINE: will advise meeting date

TIME REQUIRED TO PROCESS: 60-90 days

NOTES:

Per city, business use will require a Special Use Permit (SUP).

Please note that no specific address given for this location.
Regulations based on the best estimate given the provided information.

Prohibited Signs and Activities

1122(a) A sign shall not be erected in a manner that would confuse motorists or that would obstruct the view or interpretation of any official traffic sign, signal or device.

2222(a) Indecent and immoral matter It shall be unlawful for any person to display upon any sign any obscene, indecent or immoral matter.

316(a) Billboard and signs advertising off premises sale, service or activity.

418(a) Advertising matter placed or suspended from buildings, poles, sidewalks and the like.

518(a) No person shall place or suspend from any building, sign pole, utility pole, structure, sidewalk, parkway, driveway or parking area, any goods, wares, merchandise or other advertising or display of such items other than a sign, as defined, regulated and permitted by this Section.

618(a) No sign, paper, banner, flag, device or other similar advertising matter shall be permitted to be attached to, suspended from or be allowed to hang from any sign, building or structure, when the same shall create a public nuisance or danger.

718(a) Posting, marking or otherwise marking streets, sidewalks, utility poles and the like. No person shall attach any sign, paper or other material, or paint, stencil or write any name, number (except address numbers) or otherwise mark on any sidewalk, curb, gutter, street, utility pole, public building, fence or structure except as otherwise allowed by ordinance.

818(a) Posting advertising matter to fences, utility poles and the like, scattering advertising matter on streets and sidewalks.

918(a) No person, firm, corporation, association or person shall post, stick, tack, nail or otherwise place any advertisement, handbill, placard or printed, pictured or written matter or thing for any purpose upon any fence, railing, sidewalk or public telephone, electric or other utility pole, or any other public property, including trees thereon.

1018(a) Lighted sign shall be erected within one hundred fifty (150) feet of a residential district unless the lighting is shielded from view of the residential district.

1118(a) Sign prohibited. Any sign erected on a vertical framework supported by and located immediately and entirely over the roof of a building is prohibited.

1218(a) Balloons and other inflatable devices. No person shall erect, maintain or permit the erection of any balloon or other similar inflatable/floatable device anchored to the ground or to any other structure within the City.

1318(a) Signs attached to a trailer, stud or similar mobile structure, where the primary use of such structure is for sign purposes, will be permitted. This provision does not restrict the identification, staging on vehicles used for delivery services, internet commerce, or any bona fide transportation activity.

1418(a) Signs attached to or upon any vehicle shall be prohibited where any such vehicle is allowed to remain parked in the same location, or in the same vicinity, at frequent or extended periods of time where the intent is apparent to be one of using the vehicle and signs for purposes of advertising an establishment, service or product. Vehicles operating under a City franchise shall be excluded from this prohibition.

REVISION LEVEL	DATE	DESCRIPTOIN
A	04/02/24	• INITIAL BRAND BOOK
B	04/06/24	• UPDATED ELEVATION • REMOVED REGISTRATION MARK FROM LOGOS
C	04/29/24	• UPDATED BUILDING SIGNAGE • ADDED SECOND MID • UPDATED CANOPY
D	05/27/24	• UPDATED SITE PLAN IS ATTACHED. PLEASE UPDATE ON SCOPE OF WORK PAGE. PLEASE CHANGE NOTES ON CANOPY OVERHEAD VIEW SO ALL SIDES HAVE VINYL STRIPES W/ EYEBROW LIGHTING. AND CHANGE TO 24" CHANNEL
E	06/05/24	• REMOVE SIGN LABEL "F" ON NORTH ENTRANCE. MOVE SIGN LABEL "H" IN IT'S PLACE • REMOVE NOTE SAYING "TWO IDENTICAL SIGNS ON SITE"
F	06/20/24	• UPDATE SITE PLAN USING THE ATTACHED REVISED DOC • UPDATE E - TO 72" INCH 7-ELEVEN CHANNEL LETTER SET • REMOVE I - DUMPSTER INDICATOR • RELETTER BB AND UPDATE DIRECTIONAL CALLOUT ON CANOPY
G	07/08/24	• MOVE SIGN G TO SOUTH ELEVATION
H	07/17/24	• UPDATED SIGN DETAILS • UPDATED DIRECTIONAL SIGN • ADDED DIMS ON CANOPY/BLDG STRIPES
I	07/25/24	• UPDATED SITE PLAN
J	08/07/24	• CHANGE NOTES FOR MID BASE: "CONCRETE BLOCK BASE; FINISHED WITH SAME MATERIAL AS CANOPY COLUMNS" • CHANGE RIGHT AND LEFT ELEVATION TO 7" VERTICAL CHANNEL LETTER - PN SEN24CL84HF1 • ADDED CROSS SECTION ON ILLUMINATION FOR TRI-STRIPES

Revisions Page

EXHIBIT H - PHOTOMETRIC PLAN

Luminaire Schedule									
Symbol	Qty	Label	Arrangement	LMF	Lum. Lumens	Lum. Watts	Part Number	BUG Rating	
	20	CPY-FLAT-13L	SINGLE	1.000	13750	86	CPY250-C-13L-57K7-F-UL-DM-WH-HZ	B3-U0-G1	
	6	CPY-FLAT-4L	SINGLE	1.000	4590	29	CPY250-C-4L-57K7-F-UL-DM-BK-HZ	B2-U0-G1	
	9	OSQW	SINGLE	1.000	4020	27	OSQW-C-4L-57K7-3M-UL-WM-BK	B1-U0-G1	
	2	XSPG-3ME	SINGLE	1.000	23600	184	XSPG-D-HT-3ME-24L-57K7-UL-BK-N	B3-U0-G4	
	2	XSPG-4ME	SINGLE	1.000	23800	184	XSPG-D-HT-4ME-24L-57K7-UL-BK-N	B4-U0-G3	
	4	XSPG-4ME-4	4 @ 90°	1.000	23600	184	XSPG-D-HT-4ME-24L-57K7-UL-BK-N	B3-U0-G3	

Calculation Summary (Footcandles calculated using LMF: 1.00)						
Label	Units	Avg	Max	Min	Avg/Min	Max/Min
All Calc Points	Fc	4.74	30.8	0.0	N.A.	N.A.
Gas Canopy	Fc	46.57	52	29	1.61	1.79
Paved Parking	Fc	9.85	28.4	1.3	7.58	21.85

Fixture Mounting Height: 20' AFG (17' Pole + 3.0' Concrete Base)

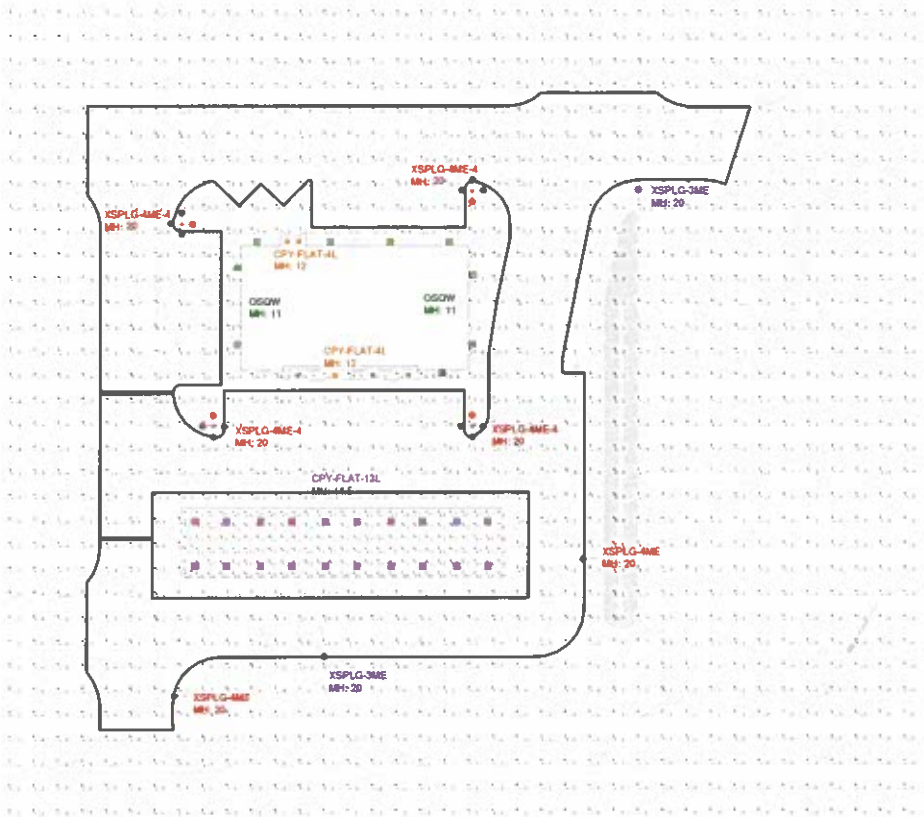
Pole Schedule
 (8) SSS-4-11-17-CW-BS-OT-N-BK (17' X 4" X 7ga STEEL SQUARE POLE)

Proposed poles meet 140 MPH sustained winds.

Additional Equipment:
 (4) PD-1H4BK(90) - (Horizontal Tenon - 1@90°)
 (4) PD-4H4BK(90) - (Horizontal Tenon - 4@90°)

*** CUSTOMER TO VERIFY ORDERING INFORMATION AND CATALOGUE NUMBER PRIOR TO PLACING ORDER ***

BOM: Complete Part Description	
20	CPY250-C-13L-57K7-F-UL-DM-WH-HZ
06	CPY250-C-4L-57K7-F-UL-DM-BK-HZ
09	OSQW-C-4L-57K7-3M-UL-WM-BK-HZ
02	XSPG-D-HT-3ME-24L-57K-UL-BK-N
18	XSPG-D-HT-4ME-24L-57K-UL-BK-N
08	SSS-4-11-17-CW-BS-OT-N-BK
04	PD-1H4BK(90)
04	PD-4H4BK(90)



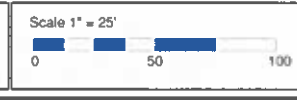
SUP - PHOTOMETRIC PLAN
 7-ELEVEN
 1.488 ACRES
 LOT X, BLK X OF THE X ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
 ZONING: GENERAL RETAIL (GR)
 CASE NO.: ZDC-139-2024
 7.22.2024

CREE LIGHTING

Manufacturer's representative for Cree Lighting. Cree Lighting is not responsible for any errors or omissions in this document. Cree Lighting is not responsible for any errors or omissions in this document. Cree Lighting is not responsible for any errors or omissions in this document.

8251 Washington Ave. Racine, WI 53406 (262) 738-6800
 http://www.creeledging.com E-mail: support@creelighting.com

Layout By:
 Collin Witherow
 Date: 7/22/2024



STATE OF TEXAS § **DEVELOPMENT AGREEMENT**
 § **FOR 7-ELEVEN**
 COUNTY OF ELLIS §

This Development Agreement for 7-Eleven (“**Agreement**”) is entered into between Darwood Broadhead Partners, LP, a Texas limited partnership (“**Darwood**”) and the City of Waxahachie, Texas (“**City**”). **Darwood** and the City are sometimes referred herein together as the “**Parties**” and individually as a “**Party**.”

Recitals:

1. WP Legacy LTD is the owner of approximately 1.488 acres of real property generally located at the northwest corner of Broadhead Road and Garden Valley Parkway, Parcel Number 242234 in the City of Waxahachie, Texas, being more particularly described on Exhibit A attached hereto and incorporated herein by reference (the “**Property**”), for which the applicant has requested a change in the Property’s zoning from General Retail to General Retail with Specific Use Permit (“**SUP**”), revising specific development standards. The Property is currently zoned General Retail by the City.

2. Darwood Broadhead Partners, LP is under contract to purchase the Property from the Current Owner and intends to assign the contract to purchase the Property and assign this Agreement to a new entity and upon such assignment the new entity shall become the Owner.

3. The planned use of the Property is for the development of a Convenience Store with Gasoline Sales, as such terms are currently defined in Appendix A – Zoning of the Code of Ordinances for the Waxahachie, Texas (the “**City of Waxahachie Zoning Ordinance**”). The SUP process is utilized to ensure that the Property is developed in a manner that meets the City of Waxahachie Zoning Ordinance, as well as providing Darwood with agreed-upon and negotiated standards consistent with the 7-Eleven SUP Ordinance (as such term is defined below).

4. As is reflected by the public records of the City, significant discussions and negotiations between representatives of Darwood and the City of Waxahachie staff have occurred during various meetings, in an effort to obtain an agreed-upon and negotiated set of zoning and development standards to be reflected in the SUP zoning amendment **Ordinance No. (TBD)** (the “**7-Eleven SUP Ordinance**”), a copy of which is attached hereto as *Exhibit A* and which contains the negotiated zoning and development standards for 7-Eleven.

5. This Agreement seeks to incorporate the negotiated and agreed upon zoning and development standards contained in the 7-Eleven SUP Ordinance as contractually-binding obligations between the City of Waxahachie and Darwood, and to recognize Darwood’s reasonable investment-backed expectations in the 7-Eleven SUP Ordinance and the planned development of the property for a Convenience Store with Gasoline Sales.

NOW, THEREFORE, for and in consideration of the above and foregoing premises, the benefits to each of the Parties from this Agreement, and other good and valuable consideration,

the sufficiency of which is hereby acknowledged and agreed, the Parties do hereby agree as follows:

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

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

Section 3. Agreements. The Parties agree as follows:

Incorporation of Zoning and Recognition of Investment-Backed Expectations:

The negotiated and agreed upon zoning and development standards contained in the 7-Eleven SUP Ordinance, which incorporate by reference the general zoning regulations of the City of Waxahachie Zoning Ordinance, are hereby adopted and incorporated into this Agreement as contractually-binding obligations of the Developer.

The Developer agrees to:

- (A) A mutually agreed upon Development Agreement will be required for the property.
- (B) The development shall conform as approved by the City Council under case number ZDC-139-2024.
- (C) All development within the subject property will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.
- (D) The development shall adhere to the City Council approved in Exhibit A – Location Map, Exhibit B – Zoning Map, Exhibit C – Site Plan, Exhibit D – Site Plan (Sidewalk), Exhibit E – Landscape Plan, Exhibit F – Elevations Plan, Exhibit G – Signage Plan, Exhibit H – Photometric Plan, and Exhibit I – Staff Report
- (E) All materials, location of materials, and percentage of materials for the building shall be consistent with the Elevations Plan (Exhibit F). The masonry components of this Elevation Plan are composed of: brick, stone, and concrete masonry unit (CMU).
- (F) Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance, Development Agreement, or Staff Report shall conform to those requirements and/or standards prescribed in Exhibit C – Site Plan, Exhibit D – Site

Plan (Sidewalk), Exhibit E – Landscape Plan, Exhibit F – Elevations Plan, Exhibit G – Signage Plan, Exhibit H – Photometric Plan. Where regulations are not specified in Exhibits C, D, E, F, G, and H in this ordinance, Development Agreement, the regulations of General Retail (GR) Zoning District of the City of Waxahachie Zoning Ordinance shall apply to this development.

- (G) Darwood shall provide a permanent irrigation system for all required landscape areas shown on Exhibit E - Landscape Plan and maintain the required landscaping at all times.
- (H) The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
- (I) A physical copy of the Development Agreement with a notarized wet signature by the Developer shall be delivered by the Developer to the Planning Department within thirty (30) days following approval of the agreement.

In consideration of Darwood's agreement in this regard, the City of Waxahachie agrees that Darwood has reasonable investment-backed expectations in the 7-Eleven SUP Ordinance, and that the City of Waxahachie may not unilaterally change the zoning and development standards contained in the 7-Eleven SUP Ordinance without impacting Darwood's reasonable investment-backed expectations.

Section 4. Miscellaneous

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

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

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

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

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

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

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

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

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

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

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

Code, Section 2252.908 and the rules of the Texas Ethics Commission and provide to the Town, at the time of delivery of an executed counterpart of this Agreement, a duly executed completed Form 1295 Certificate.

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

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

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

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

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

(11)

{Signature Pages Follow}

(11)

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

CITY OF WAXAHACHIE, TEXAS

By: _____
Michael Scott, City Manager

Date: _____

ATTEST:

By: _____
City Secretary

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

Before me, the undersigned authority, on this _____ day of _____, personally appeared MICHAEL SCOTT, City Manager of the City of Waxahachie, Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

: DARWOOD BROADHEAD PARTNERS, LP (Owner & Developer)
A Texas limited partnership

By: Darwood Development Partners, LLC,
its General Partner

By: _____
Matthew Smith, Manager

Date: _____

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

Before me, the undersigned authority, on this _____ day of _____, personally appeared Matthew Smith, Manager of Darwood Development Partners, LLC, a Texas limited liability company, General Partner of Darwood Broadhead Partners, LP, a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

[Seal]

By: _____
Notary Public, State of Texas

My Commission Expires: _____

(11)

EXHIBIT A

THIS SECTION RESERVED FOR APPROVED ZONING ORDINANCE

(12)



Memorandum

To: Honorable Mayor and City Council
From: Dale Sigler, Director of Administrative Services
Thru: Michael Scott, City Manager *[Signature]*
Date: November 22, 2024
Re: Consider Approval of Early Release Bid Package 03 for City Hall Remodel and Construction Project

Recommended Motion: "I move to approve the expenditure for early release bid package 03 in the amount of \$892,316 with Turner Construction Company for the City Hall Remodel and Construction Project and authorize the City Manager to execute all documents as necessary."

Item Description: Consider approval of the third early release bid package in the amount of \$892,316 with Turner Construction Company for the City Hall Remodel and Construction Project. This release is predominately for structural steel. Additional amendments will be required in the future as more bid packets are issued as the project advances.

Item Summary: Our construction team continues to look for ways to combat fiscal escalation and long lead times on specific materials. The construction team has identified the structural steel scope of work for this project. By getting this package out early, the city will save money by locking in the price for steel now rather than weeks or months down the road. This process also helps keep the project on schedule by procuring the long lead time steel earlier in the construction process.

Turner advertised for competitive bids for the structural steel scope of work for the City Hall Remodel and Construction Project. and received four competitive bids for the scope of work. The scope of work included the fabrication and

(12)

erection of the structural steel for the new three-story structure. The tonnage came out to 81 tons (77 tons of steel framing and 4 tons of steel joists).

Fiscal Impact: This amount aligns with the amount Architexas and VMG budgeted for this project. The final construction cost or Guaranteed Maximum Price (GMP) will be brought back to Council in the future for final approval for these expenses. The anticipated total cost of this project remains at \$15,845,992. This figure has been made clear to the architect as well as the proposing CMAR firms. There are sufficient funds available in the City Hall Remodel and Construction Project budget to fund the contract.