

# AGENDA

A regular meeting of the Mayor and City Council of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on **Monday, April 21, 2025 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 April 7, 2025
- b. Minutes of the City Council Work Session of April 15, 2025
- c. Proposed Ordinance approving a request by Aurora Reyes, for a Petition for ETJ Release for approximately 5.418 acres, located at 2562 S US Highway 77 (Property ID 217424) – Owner: Aurora Reyes (ETJ-PTN-11-2025)
- d. Proposed Ordinance approving a request by Nallely Lara, for a Petition for ETJ Release for approximately 6.17 acres, located at 781 Youngblood Road (Property ID 284707) – Owner: Nallely Lara (ETJ-PTN-25-2025)
- e. Proposed Ordinance approving a request by Erik Barnard, for a Petition for ETJ Release for approximately 2.066 acres, located at 431 S Ring Road (Property ID 274664) – Owner: Barnard Family Trust (ETJ-PTN-51-2025)
- f. Proposed Ordinance approving a request by Kyle Beller, for a Petition for ETJ Release for approximately 1.837 acres, located at 411 S Ring Road (Property ID 274663) – Owner: Kyle Beller & Jennifer Beller (ETJ-PTN-52-2025)
- g. Supplemental appropriation from the Waxahachie Community Development Corporation for Tulipalooza
- h. Supplemental appropriation for Chautauqua Lighting Repairs

6. **Introduce** Honorary Council Member
7. **Present** Keep Waxahachie Beautiful Committee Pride in Neighborhood (PIN) Award
8. **Present** Tree City USA Recognition
9. **Public Hearing** on a request by Steven Chambers & Cheryl Chambers for a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet, use within a Single Family-3 (SF-3) zoning district located at 711 College Street (Property ID 172399) – Owner: Steven Chambers & Cheryl Chambers (ZDC-27-2025)
10. **Consider** proposed Ordinance approving ZDC-27-2025
11. **Public Hearing** on a request by Alfredo Rojas for a Specific Use Permit (SUP) for an Accessory Dwelling Unit (ADU) use within a Single Family-2 (SF-2) zoning district located at 303 McKenzie Street (Property ID 172575) – Owner: Alfredo Rojas (ZDC-34-2025)
12. **Consider** proposed Ordinance approving ZDC-34-2025
13. **Public Hearing** on a request by Richard Shinpaugh, Ellis County Bail Bonds, to consider revoking a Specific Use Permit (Ordinance 3495) which allows for the use of a Bail Bond Agency located at 216 South Jackson Street (Property ID 170438) – Owner: Richard Shinpaugh (ZDC-35-2025)
14. **Consider** proposed Ordinance approving ZDC-35-2025
15. **Public Hearing** on a request by Ben Williams, QuikTrip South, LLC for a Specific Use Permit (SUP) for a Convenience Store & Gasoline Sales uses within a Light Industrial-1 zoning district located east of 1000 Solon Road (Property ID 291997) - Owner: Round Top Assets, LLC (ZDC-17-2025)
16. **Consider** proposed Ordinance approving ZDC-17-2025
17. **Consider** Development Agreement for ZDC-17-2025
18. **Public Hearing** on a request by Joey Scott, Stephens Engineering, for a Specific Use Permit (SUP) for a Self-Storage Facility use within a General Retail zoning district located at 51 Indian Drive (Property ID 295119) - Owner: Buffalo Creek Plaza, LLC (ZDC-231-2024)
19. **Consider** proposed Ordinance approving ZDC-231-2024
20. **Consider** Development Agreement for ZDC-231-2024
21. **Consider** proposed Ordinance amending repealing existing Chapter 31, “Taxicabs,” of the City of Waxahachie Code of Ordinances by replacing it with a new Chapter 31, “Taxicabs and Limousines”
22. **Consider** Contract with SSC Signs & Lighting LLC for Park Identification Signage and Threshold Gateway Sign at Bynum Plaza

23. ***Discuss*** and consider removal of Park Board Members in accordance with Ordinance No. 3353, Section (c) Attendance Requirements
24. ***Convene*** into Executive Session to:
  - Consult with City Attorney about pending or contemplated litigation as permitted by Section 551.071 of the Texas Government Code
  - Review Performance Evaluation for City Secretary as permitted by Section 551.074 of the Texas Government Code
25. ***Reconvene*** and take any necessary action
26. Comments by Mayor, City Council, City Attorney and City Manager
27. 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, April 7, 2025 at 7:00 p.m.

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

Others Present: Albert Lawrence, Deputy City Manager  
Joshua Galicia, City Attorney Representative  
Amber Villarreal, City Secretary

**1. Call to Order**

Mayor Billie Wallace called the meeting to order.

**2. Invocation**

**3. Pledge of Allegiance and Texas Pledge of Allegiance**

Reverend Richard Cody, Remedy Church, gave the invocation. Mayor Pro Tem Chris Wright led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4. Public Comments**

Dominik Lange, 2567 Bells Chapel Road, Waxahachie TX, 75165, member of the Waxahachie Skate Park Initiative, requested City Council consider adding a skate park at Lions Park. He emphasized the benefits it would bring to Waxahachie and pointed out the strong support from the community.

Alex Lohmann, 801 W Main Street, Waxahachie, TX 75165, expressed support for the Skate Park Initiative in Waxahachie and encouraged City Council to consider adding a skate park at Lions Park which could increase tourism for our city.

**5. Consent Agenda**

- a. Minutes of the City Council meeting of March 17, 2025
- b. Event application for Meat Church Block Party to be held April 26, 2025 in Downtown Waxahachie
- c. Event application for Wheels of Fire Bike Ride to be held June 28, 2025
- d. Event application for Wreaths across America to be held December 13, 2025 at the Waxahachie City Cemetery
- e. Accept Waxahachie Community Development Corporation Financial Report for year ended September 30, 2024
- f. Appointment to fill unexpired terms on the Planning & Zoning Commission and Waxahachie Community Development Corporation
- g. Supplemental appropriation for emergency roof repairs at Mid-Way Regional Airport

**Planning & Zoning Commission (2-year term)**

Terry Connor (filling unexpired term of Jeff Reed until September 2025)

**Waxahachie Community Development Corporation (2-year term)**

Kevin Chester (filling unexpired term of Elizabeth Tull until September 2025)

**Action:**

*Chris Wright moved to approve all items on the Consent Agenda. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

**6. Introduce Honorary Council Member**

Mayor Wallace announced there was not an Honorary Council Member in attendance.

**7. Recognize Mayor Billie Wallace as a 2024 Texas Municipal League Certified Municipal Official (CMO)**

City Secretary Amber Villarreal recognized Mayor Billie Wallace as a 2024 Texas Municipal League Certified Municipal Official and applauded her commitment to professional development.

**8. Consider proposed Resolution of the City of Waxahachie, Texas, consenting to the Assignment of Agreements related to the development of Myrtle Creek Municipal Management District No. 1 of Ellis County; with related provisions**

Shon Brooks, Executive Director of Development Services, presented the Item. On June 3, 2024 the City of Waxahachie approved a Development Agreement for the establishment of the Municipal Management District No. 1 with HT US 287 Owner LP, also known as Hines Investment Management Holdings Limited, for the Myrtle Creek development. The Starwood Capital Group, comprised of Spur Myrtle Creek Development L.P. and Spur Myrtle Creek Land, L.P., are currently under contract to purchase the Municipal Management District and the 1,263.272 acres of land in said district from Hines.

A request has been received by the City to exercise their right under Section 8 of the Development Agreement for the assignment of this project to another party “which shall not be unreasonably withheld, conditioned, or delayed” by the City. The City Attorney has reviewed this request and agrees with the understanding of this provision.

Key assurances being made to the City as a part of the Assumption of this project include commitments to the following:

- Starwood is a 33-year old private investment firm with \$155B under its management
- Ensuring that the existing Development Agreement is uncompromised and the development may even be expedited with the acquisition by Starwood as their capital structure allows for infrastructure and lots be completed on a speculative basis
- Maintaining the existing Hines project team for a minimum of 12 months

(5a)

City Council  
April 7, 2025  
Page 3

- Project amenity package to be completed or exceeded with the acquisition by Starwood given their more aggressive approach to development timing and high-quality amenities that they provide
- The list of builders currently active in the development have signed consents to an assignment of their purchase and sales agreement from Hines to Starwood.

There is no cost to the City in approving this consent resolution. Public improvements authorized by the MMD that benefit the property are to be constructed or caused to be constructed by developer, and for which the parties intend that the developer will be fully or partially reimbursed pursuant to the MMD and the terms of the agreement.

Council Members Patrick Souter and Travis Smith expressed their lack of support for Hines selling the property so early in the process, especially given that during all the work sessions, Hines had secured the Council's backing by repeatedly reaffirming their commitment to the project and active involvement.

Steve Robinson, legal counsel for Hines, explained that the transaction was part of a portfolio acquisition. He emphasized that Starwood is fully capable of meeting all obligations and has hired Hines to manage the land development moving forward. He assured that the project will proceed as planned with no disruptions.

#### **RESOLUTION NO. 1377**

#### **A RESOLUTION OF THE CITY OF WAXAHACHIE, TEXAS, CONSENTING TO THE ASSIGNMENT OF AGREEMENTS RELATED TO THE DEVELOPMENT OF MYRTLE CREEK MUNICIPAL MANAGEMENT DISTRICT NO. 1 OF ELLIS COUNTY; WITH RELATED PROVISIONS.**

##### **Action:**

*Tres Atkins moved to approve the Resolution consenting to assigning agreements relating to the Development of the Myrtle Creek Municipal Management District Number 1, of Ellis County from Hines to Starwood. Motion was seconded by Chris Wright and carried 3-2 with Patrick Souter and Travis Smith voting in opposition.*

#### **9. Consider proposed Ordinance amending Hangar Lease Rates at Mid-Way Regional Airport**

Dustin Deel, Senior Director of Administrative Services, presented the Item. The Cities of Waxahachie and Midlothian engaged Airport & Aviation Appraisals, Inc., a firm that conducts rate analysis studies for airports across Texas, to perform a comprehensive hangar rate analysis at Mid-Way Regional Airport. The consultant reviewed the size, type, and amenities of each hangar unit and compared them to similar offerings at comparable airports in the region, including Arlington, Dallas Executive, Fort Worth Meacham, Denton, Lancaster, Grand Prairie, Addison, Mesquite, and Cleburne.

Based on the findings of the rate analysis, the consultant proposed updated lease rates for all T-Hangar and Box Hangar units. The new rates reflect a balanced approach that emphasizes cost

(5a)

recovery, market competitiveness, and fairness to existing and future tenants. At its March 13, 2025 regular meeting, the Mid-Way Regional Airport Joint Airport Board reviewed the consultant’s recommendation and, by a vote of 4–1, recommended the proposed rates for Council approval. Staff concurs with the recommendation and supports adoption of the proposed rates.

The ordinance formally adopts the updated rates, with an effective date of October 1, 2025, aligning with the FY 2025–2026 budget process. This timing allows for sufficient notice for tenants and provides staff with adequate opportunity to respond to questions and assist with implementation.

The rate table below shows the proposed new rates by hangar and building, along with a column displaying the percentage increase from current rates.

**T-Hangars**

Bldg	Hangar #'s	# of Hangers	Existing Monthly Rate	New Monthly Rate	% Change	Increase Revenue
690	41-52	12	\$308.00	\$325.00	5.52%	\$2,448.00
680	21-34	14	\$308.00	\$325.00	5.52%	\$2,856.00
680	35-38	4	\$363.00	\$375.00	3.31%	\$576.00
670	1-18	18	\$308.00	\$325.00	5.52%	\$3,672.00
630	1A-11A	11	\$470.00	\$480.00	2.13%	\$1,320.00
<b>TOTAL</b>			-	-	-	<b>\$10,872.00</b>

**Box Hangars**

Bldg	Hangar #'s	# of Hangers	Existing Monthly Rate	New Monthly Rate	% Change	Increase Revenue
690	53-55	3	\$1,089.00	\$1,300.00	19.38%	\$7,596.00
680	40	1	\$935.00	\$1,250.00	33.69%	\$3,780.00
670	20	1	\$935.00	\$1,250.00	33.69%	\$3,780.00
650	B4, B6, B8, B10	4	\$1,700.00	\$2,000.00	17.65%	\$14,400.00
<b>TOTAL</b>			-	-	-	<b>\$29,556.00</b>

The revised hangar lease rates are projected to increase annual revenue from hangar rentals by approximately \$40,428, supporting the long-term financial sustainability of Mid-Way Regional Airport and contributing to ongoing maintenance, infrastructure improvements, and daily operations.

Council Members reiterated the importance of reviewing lease rates annually and highlighted the need for additional hangars. Council Member Tres Atkins explained that the lease rates were set

(5a)

based on surveys from other airports and inflation-related expenses. He also noted that both cities are working together on the expansion of hangars.

Council Member Smith acknowledged the hard work and dedication of both the Waxahachie City Council and staff, as well as the Midlothian City Council and staff.

### **ORDINANCE NO. 3611**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING HANGAR LEASE RATES AT THE MIDLOTHIAN/WAXAHACHIE MUNICIPAL AIRPORT; MAKING FINDINGS; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

**Action:**

*Tres Atkins moved to approve the Ordinance amending hangar lease rates at Mid-Way Regional Airport and authorize the City Manager and/or Mayor to execute all documents as necessary. Motion was seconded by Travis Smith and carried unanimously (5-0).*

**10. Consider approval of change order requests for City Hall Remodel and Construction Project**

Mr. Deel presented the Item. To keep the City Hall remodel and construction project on schedule and aligned with its critical path milestones, staff is requesting Council approval of three change order requests.

Change Order Request #1, totaling \$325,776, addresses two scopes of work. First, it includes \$199,947 to manage unforeseen conditions discovered during demolition—specifically, existing concrete grade beams and pier caps outside the 1950 addition that did not match original as-built drawings. This unexpected condition required modifications including additional demolition, structural concrete and steel, elevator revisions, and underground utility work. Second, it includes \$125,829 for Early Release Package (ERP) #5, which covers the procurement of long lead-time mechanical equipment, such as HVAC components, needed to avoid future delays.

Change Order Request #2, totaling \$293,479, includes environmental testing and abatement work for all three floors of the historic 1911 building. This estimate represents a maximum projected amount.

Change Order Request #3, totaling \$174,256, covers additional electrical, plumbing, concrete, and underground utility work. This package includes scope additions and clarifications related to civil design updates, including underground mechanical, electrical, and plumbing (MEP) systems. Specifically, it addresses the required tie-ins for the storm drain and subsurface drainage system.

These three requests are part of the necessary steps to stay on track and proactively address items that would otherwise delay the overall construction timeline. Staff will continue bringing forward additional amendments as the project advances and remaining bid packages are issued.

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The total funding of \$793,511 for Change Order Requests #1, #2, and #3 aligns with the scope, budget expectations and contingency allocation established by Architexas and the Vidaurri Management Group for the City Hall Remodel and Construction Project. No additional funds increasing the cost of the project are being requested. The anticipated total cost of the project remains at \$15,845,992, a figure that has been clearly communicated to both the architect and the proposing CMAR firms. Sufficient funds are available within the project budget to fund this contract amendment.

Council Members expressed concerns regarding Change Order Request #2 and requested that the contractor be available to address questions. They also discussed their concerns about the recurring need to return to City Council for additional funding for the project.

**Action:**

*Chris Wright moved to approve Change Order Requests #1 and #3 in a combined total amount of \$500,032 for the City Hall Remodel and Construction Project, and authorize the City Manager to execute all necessary documents and that the contractor meet with City staff.*

City Attorney Joshua Galicia advised the City Council to modify the language of the agenda item before making a motion to approve or table.

**Action:**

*Travis Smith moved to amend Agenda Item 10 to only consider Change Order Requests #1 and #3. Motion was seconded by Chris Wright and carried unanimously (5-0).*

**Action:**

*Travis Smith moved to approve Change Order Requests #1 and #3 in a combined total amount of \$500,032 for the City Hall Remodel and Construction Project, and authorize the City Manager to execute all necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

**Action:**

*Travis Smith moved to table Change Order Request #2 from Agenda Item 10. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

**11. Hear presentation on an update of the City Nature Trail project**

Kyle Cooper, Senior Director of Parks and Recreation, provided an update on the City Nature Trail project. He outlined the project timeline, which began in June 2022, and noted that the entryway sign is currently in the design phase. The nature trail has been incorporated into the Lions Park Master Plan, and the WCDC has reached a consensus to support the Lions Park project. Additionally, City Council has approved an agreement with Kimley-Horn for engineering and design services for Lions Park.

Mayor Wallace inquired about the possibility of adding benches in the future. Mr. Cooper explained that he is collaborating with a high school student who is interested in creating a

(5a)

memorial garden. Staff is considering locating the memorial near the hike and bike trail to ensure compliance with potential ADA requirements.

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

Council Member Patrick Souter acknowledged David Smith for presenting an iris bouquet in recognition of the iris as the official city flower. He also recognized David and Pat Smith for their efforts in organizing the 4th Annual Cowboy Poet event. Council Member Souter expressed his support for Dominik Lange and Alex Lohmann's Skate Park Initiative. Additionally, he congratulated Mayor Wallace on receiving her CMO recertification.

Mayor Pro Tem Chris Wright thanked Mr. Lange and Mr. Lohmann for their comments. He also announced that the Friends of the Library fundraiser is currently underway and encouraged everyone to participate. Mayor Pro Tem Wright extended his condolences to the family of Greg Compton.

Council Member Tres Atkins echoed the comments made by Mayor Pro Tem Wright and Council Member Souter. He expressed gratitude that the Mayor is feeling better.

Council Member Travis Smith thanked the City Council for their collaborative efforts on the Airport items, acknowledging it as a team effort. He also recognized Mayor Wallace for her unwavering dedication to the City.

Mayor Billie Wallace acknowledged the additional work required to achieve her CMO certification. She emphasized that the City Council deeply cares for Waxahachie and is always willing to go above and beyond for the community. Mayor Wallace extended her condolences to the family of Greg Compton and expressed gratitude for the well-wishes and support she received during her recent hospital stay.

## **13. Adjourn**

There being no further business, the meeting adjourned at 8:10 p.m.

Respectfully submitted,

Amber Villarreal, City Secretary

City Council  
April 15, 2025

(5b)

A Work Session of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, Crape Myrtle Room, 2000 Civic Center Lane, Waxahachie, Texas on Tuesday, April 15, 2025 at 8:30 a.m.

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

Others Present: Michael Scott, City Manager  
Albert Lawrence, Deputy City Manager  
Amber Villarreal, City Secretary  
Jami Bonner, Assistant City Secretary

**1. Call to Order**

Mayor Billie Wallace called the meeting to order.

**2. Hear presentations and discussion regarding 5-year Capital Improvement Plan and Budget Update**

City Manager Michael Scott explained the goal of the meeting is to review the 5-year Capital Improvement Plan to ensure the plan aligns with City Council's priorities and receive a consensus for staff to move forward with a bond issuance.

Chad Tustison, Senior Finance Director, reviewed the following:

- Budget Development Process
- Overview of Capital Improvement Plan (CIP)
- FY 2026 CIP Summary - \$75 M

Streets Projects: \$14.9 M

- Ross and Kaufman
- Pensacola and Chiles
- Farley St.
- Indian Hills Addition Alleys Ph. II
- Jackson – Main to E Marvin
- Highland Blvd – Sycamore to Marvin
- Virginia – Sycamore to Olive
- Cardinal Road – IH35 to US 77
- Cardinal Road – Power corridor to Vista Way

Park Projects: \$14 M

- Waxahachie/Midlothian Regional Trail – TXDOT Reimbursement
- Lions Park Improvements – General Fund
- Lions Park Improvements – WCDC Fund

Facilities: \$25 M

- New Animal Shelter

(5b)

Chief Joe Wiser presented two options for a potential new Animal Services and Adoption Center.

- **New Construction on Coleman Street:** This option allows the City to design and build a facility tailored to its specific needs. Located near the Waxahachie Police Department, it would enhance coordination and operational efficiency. The site offers high visibility and easy public access, supporting community engagement. Estimated construction costs are approximately \$25 million. However, the project timeline is currently uncertain, and dedicating this City-owned land would limit its future use to this single purpose.
- **Building Purchase and Remodel:** This alternative is more cost-effective, with an estimated total cost of \$18 million for purchase and kennel build-out. The 34,000 sq. ft. facility meets 95% of current shelter requirements and allows room for future expansion. It is publicly accessible, highly visible, and could be operational sooner than a new build. The site may also support additional City functions, such as Emergency Management offices, an Emergency Operations Center, and training space. Retrofitting, estimated at \$300/sq. ft., may be required to meet animal services standards, as the facility was not originally designed for this purpose. The City Council expressed interest in a tour of the facility.

*{City Council recessed at 9:50 a.m. and reconvened at 10:40 a.m.}*

Mr. Tustison continued his review of the following:

**Public Safety: \$3.3 M**

- Fire Station #1 Replacement (engineering)
- Mobile Command Unit
- Blocker 2 – New Scorpion Truck
- Training Simulator
- Mobile Drone Command Unit
- PD Building Needs Assessment

The City Council requested that the purchase of a fire engine for Fire Station #5 be moved up by one year to FY26 to ensure the engine is available upon the station's opening. Chief Ricky Boyd noted that, from the time of order, construction and delivery of a fire engine typically takes approximately four years. While payment could be deferred until delivery—since current early-payment discounts are minimal—the payment schedule may be reconsidered if the vendor offers improved incentives.

**Water Projects: \$9.6 M**

- Highland Avenue Elevated Storage Tank Rehab
- Grand Avenue Ground Storage Tank Rehab
- Farley St. Improvements (Ross to Service Rd.)
- 2026 Water Rehab Projects (engineering)
- Howard Water Plant Filter 5 Rehab
- Indian Elevated Storage Tanks Rehab (engineering)
- Sokoll – Cell Valves, Membranes, Expansion (engineering)
- US 77 to Old Italy Rd.
- Cardinal Road Water Transmission Line (engineering)

**Waste Water Projects: \$8.2 M**

(5b)

- Kaufman and Ross Sewer Rehab
- Farley St. Sewer Replacement
- Gravity Sewer from Railroad to SW Interceptor
- Northeast Trunk Sewer Expansion PH IV (engineering)
- 2026 Sewer Rehab Projects (engineering)
- WW Treatment Plan Expansion Prelim (engineering)
- Gravity Sewer from High School to Railroad

*{City Council recessed at 12:05 p.m. and reconvened at 12:45 p.m.}*

- CIP Budget Strategy: Bonds, Operating Funds, Impact Fees, Fund Balance / Working Capital
- CIP and Debt Management
- Debt Service and Tax Rate
- Debt Service Capacity
- Timeline for Bond Issuance
- Legislative Financial Update
- City Homestead Exemption Scenarios

Mr. Tustison presented an overview of the City's current exemptions, along with several Homestead exemption scenarios for the City Council's consideration. The general consensus was to review the total revenue impact of potential exemptions ranging from 5% to 7.5% at the next City Council budget work session.

- Next steps: Homestead Exemption Update, Summer Bond Issuance, Operating Budget Development

It was the general consensus of City Council to proceed with the proposed FY 26 bond plan and amending the 5-year Capital Improvement Plan to move the Engine 5 encumbrance from FY 2031-2035 to FY 2030.

## **6. Adjourn**

There being no further business, the meeting adjourned at 1:41 p.m.

Respectfully submitted,

Jami Bonner  
Assistant City Secretary

(5c)

# Planning & Zoning Department

## Petition for ETJ Release

Case: ETJ-PTN-11-2025



### MEETING DATE(S)

City Council:

April 21, 2025

### CAPTION

**Consider** proposed Ordinance approving a request by Aurora Reyes, for a **Petition for ETJ Release** for approximately 5.418 acres, located at 2562 S US Highway 77 (Property ID 217424) – Owner: Aurora Reyes (ETJ-PTN-11-2025)

### RECOMMENDED MOTION

*"I move to approve ETJ-PTN-11-2025, a request by Aurora Reyes, for a Petition for ETJ Release for approximately 5.43 acres, at 2562 S. Highway 77, authorizing the Mayor to sign the associated documents accordingly."*

### APPLICANT REQUEST

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

### CASE INFORMATION

**Applicant:** Aurora Reyes

**Property Owner(s):** Aurora Reyes

**Site Acreage:** 5.418 acres

**Number of Lots:** 1 unplatted lot

**Number of Dwelling Units:** 1 units

### SUBJECT PROPERTY

**General Location:** Located at 2562 S US Highway 77

**Parcel ID Number(s):** 217424

**Current Zoning:** N/A (ETJ)

**Existing Use:** Residential

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

**CCN Service Area:** Nash-Forreston WSC

Site Aerial:



**PLANNING ANALYSIS**

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

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

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

**RECOMMENDATION**

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

**ATTACHED EXHIBITS**

1. ETJ Petition Map for April 21, 2025 City Council Meeting
2. Proposed Ordinance
3. Metes and Bounds (Exhibit A)
4. Location Map (Exhibit B)

**STAFF CONTACT INFORMATION**

*Prepared by:*

Caleb Ensley

Planner

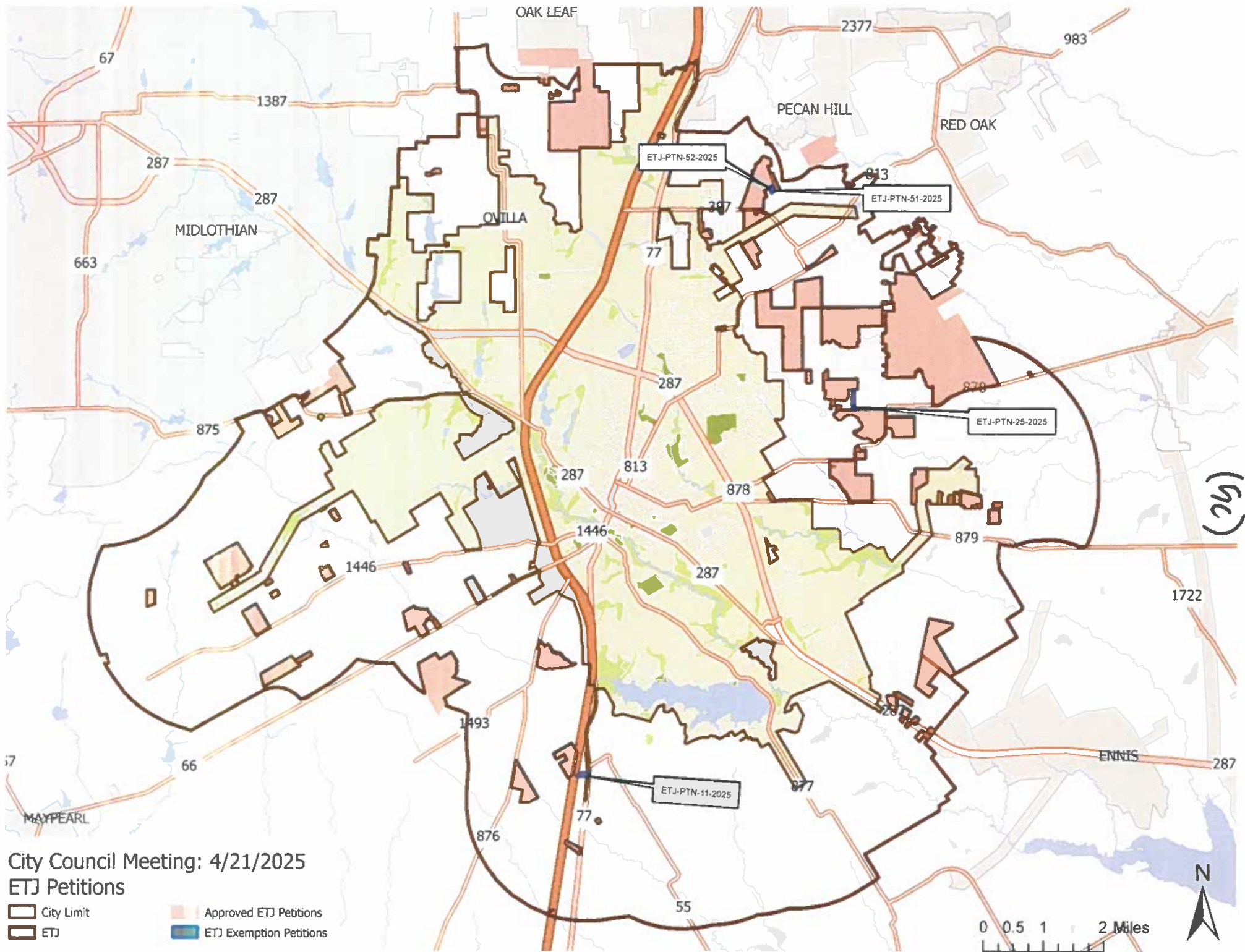
[caleb.ensley@waxahachie.com](mailto:caleb.ensley@waxahachie.com)

*Reviewed by:*

Trenton Robertson, AICP

Senior Director of Planning

[Trenton.Robertson@waxahachie.com](mailto:Trenton.Robertson@waxahachie.com)



(5c)

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

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION OF A 5.418 ACRE TRACT OF LAND, LOCATED AT 2562 S US HIGHWAY 77 KNOWN AS PROPERTY ID 217424, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.**

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

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

**WHEREAS**, City staff has determined that the submitted petition, case number ETJ-PTN-11-2025, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City’s ETJ.

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

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

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

**PASSED, APPROVED AND ADOPTED** on this 21<sup>ST</sup> day of April, 2025.

\_\_\_\_\_  
MAYOR

ATTEST:

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

(5c)

## EXHIBIT A METES & BOUNDS

WHEREAS AURORA REYES, IS THE OWNER OF A TRACT OF LAND SITUATED IN THE C. COBB SURVEY, ABSTRACT NO. 200 AND THE E.C. SCHOOL LAND SURVEY, ABSTRACT NO. 328, ELLIS COUNTY, TEXAS AND BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO AURORA REYES, RECORDED IN VOLUME 2022, PAGE 1592, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO FRANCISCO CUEVAS, RECORDED IN INSTRUMENT NO. 2305546, OPRECT, IN THE EAST LINE OF SAID REYES TRACT AND IN THE COMMON WEST RIGHT-OF-WAY (ROW) LINE OF U.S. HIGHWAY 77 (A CALLED 80' ROW), FROM WHICH A 1" IRON PIPE FOUND FOR THE SOUTHEAST CORNER OF SAID CUEVAS TRACT, BEARS S 05°47'52" W, A DISTANCE OF 275.38 FEET;

THENCE N 87°44'46" W, ALONG THE NORTH LINE OF SAID CUEVAS TRACT, A DISTANCE OF 1004.74 FEET TO A 2.5" STEEL POST FOUND FOR THE NORTHWEST CORNER OF SAID CUEVAS TRACT, IN THE WEST LINE OF SAID REYES TRACT AND IN THE COMMON EAST ROW LINE OF SAID INTERSTATE HIGHWAY 35E (A VARIABLE WIDTH ROW), FROM WHICH A 2" STEEL POST FOUND FOR THE SOUTHWEST CORNER OF SAID CUEVAS TRACT, BEARS S 09°04'46" W, A DISTANCE OF 157.90 FEET;

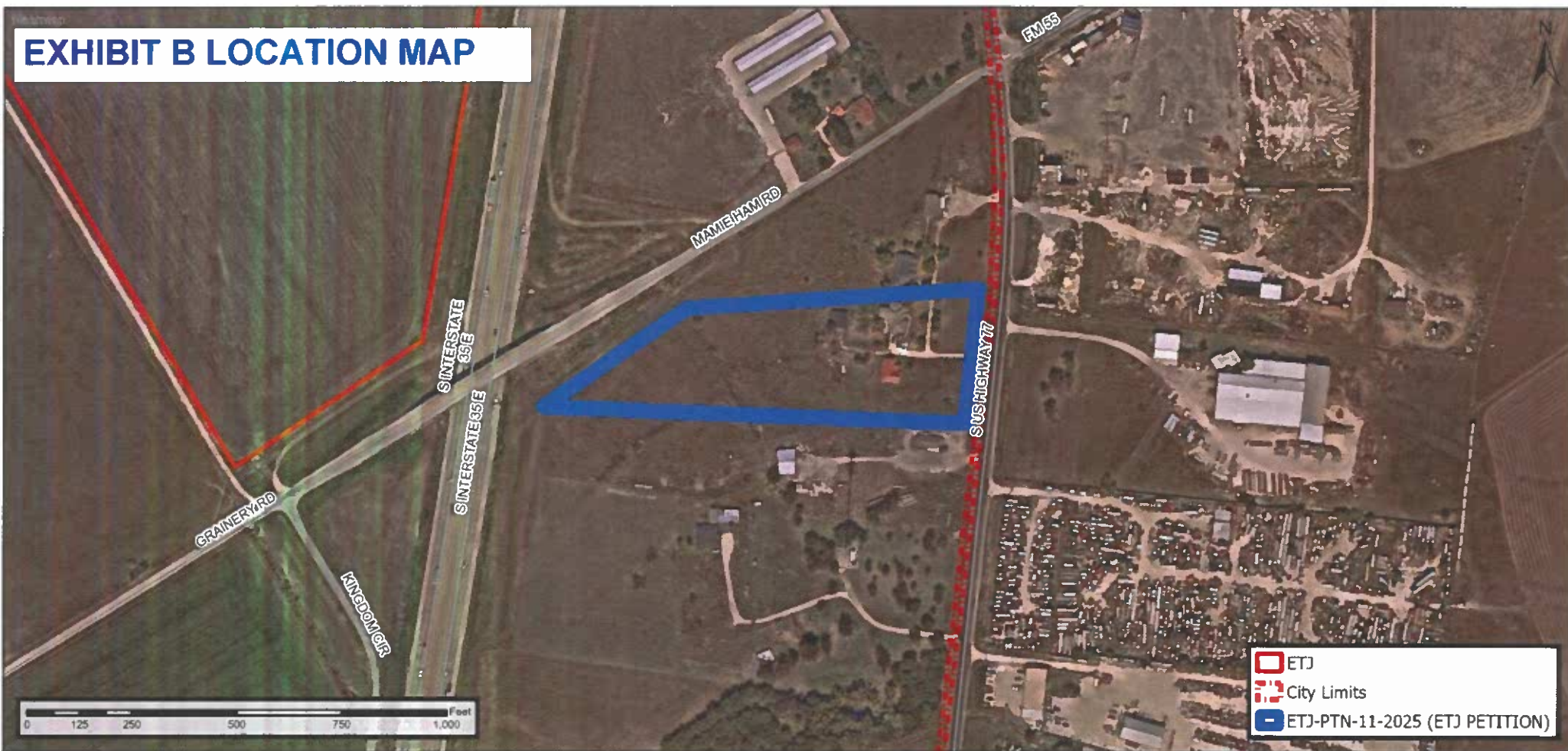
THENCE N 55°25'00" E, ALONG THE WEST LINE OF SAID REYES TRACT AND THE COMMON EAST ROW LINE OF SAID INTERSTATE HIGHWAY 35E, A DISTANCE OF 414.71 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR THE SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO MIGUEL GONZALEZ, RECORDED IN VOLUME 2405, PAGE 403, OPRECT, FROM WHICH A 5/8" IRON ROD FOUND FOR AN ANGLE CORNER IN THE WEST LINE OF SAID GONZALEZ TRACT, BEARS N 55°25'00" E, A DISTANCE OF 137.20 FEET;

THENCE N 86°08'13" E, ALONG THE SOUTH LINE OF SAID GONZALEZ TRACT, A DISTANCE OF 695.85 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID GONZALEZ TRACT, IN THE EAST LINE OF SAID REYES TRACT, IN THE COMMON WEST ROW LINE OF SAID U.S. HIGHWAY 77 AND FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 2273.86 FEET, A CHORD BEARING OF S 05°05'19" W, A CHORD LENGTH OF 74.69 FEET;

THENCE ALONG THE EAST LINE OF SAID REYES TRACT, IN THE COMMON WEST ROW LINE OF SAID U.S. HIGHWAY 77 AND WITH SAID NON-TANGENT CURVE TO THE RIGHT AN ARC LENGTH OF 74.70 FEET TO A 1/2" IRON PIPE FOUND FOR CORNER;

THENCE S 05°47'52" W, ALONG THE EAST LINE OF SAID REYES TRACT, IN THE COMMON WEST ROW LINE OF SAID U.S. HIGHWAY 7, A DISTANCE OF 248.66 FEET TO THE POINT OF BEGINNING, AND CONTAINING 5.418 ACRES OF LAND MORE OR LESS.

# EXHIBIT B LOCATION MAP



(5c)

(5d)

## Planning & Zoning Department

### Petition for ETJ Release

Case: ETJ-PTN-25-2025



#### MEETING DATE(S)

City Council:

April 21<sup>st</sup>, 2025

#### CAPTION

*Consider* proposed Ordinance approving a request by Nallely Lara, for a **Petition for ETJ Release** for approximately 6.17 acres, located at 781 Youngblood Road (Property ID 284707) – Owner: Nallely Lara (ETJ-PTN-25-2025)

#### RECOMMENDED MOTION

*"I move to approve ETJ-PTN-25-2025, a request by Nallely Lara, for a Petition for ETJ Release for approximately 6.17 acres, at 781 Youngblood Road, authorizing the Mayor to sign the associated documents accordingly."*

#### APPLICANT REQUEST

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

#### CASE INFORMATION

*Applicant:* Nallely Lara

*Property Owner(s):* Nallely Lara

*Site Acreage:* 6.17 acres

*Number of Lots:* 1 lot

*Number of Dwelling Units:* 0 units

#### SUBJECT PROPERTY

*General Location:* 781 Youngblood Road

*Parcel ID Number(s):* 284707

*Current Zoning:* N/A (ETJ)

*Existing Use:* N/A (Undeveloped)

*Platting History:* The subject property is not platted

*CCN Service Area:* Rockett SUD

*Site Aerial:*



**PLANNING ANALYSIS**

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

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

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

**RECOMMENDATION**

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

**ATTACHED EXHIBITS**

1. ETJ Petition Map for April 21, 2025 City Council Meeting
2. Proposed Ordinance
3. Metes & Bounds (Exhibit A)
4. Location Map (Exhibit B)

**STAFF CONTACT INFORMATION**

*Prepared by:*

Caleb Ensley

Planner

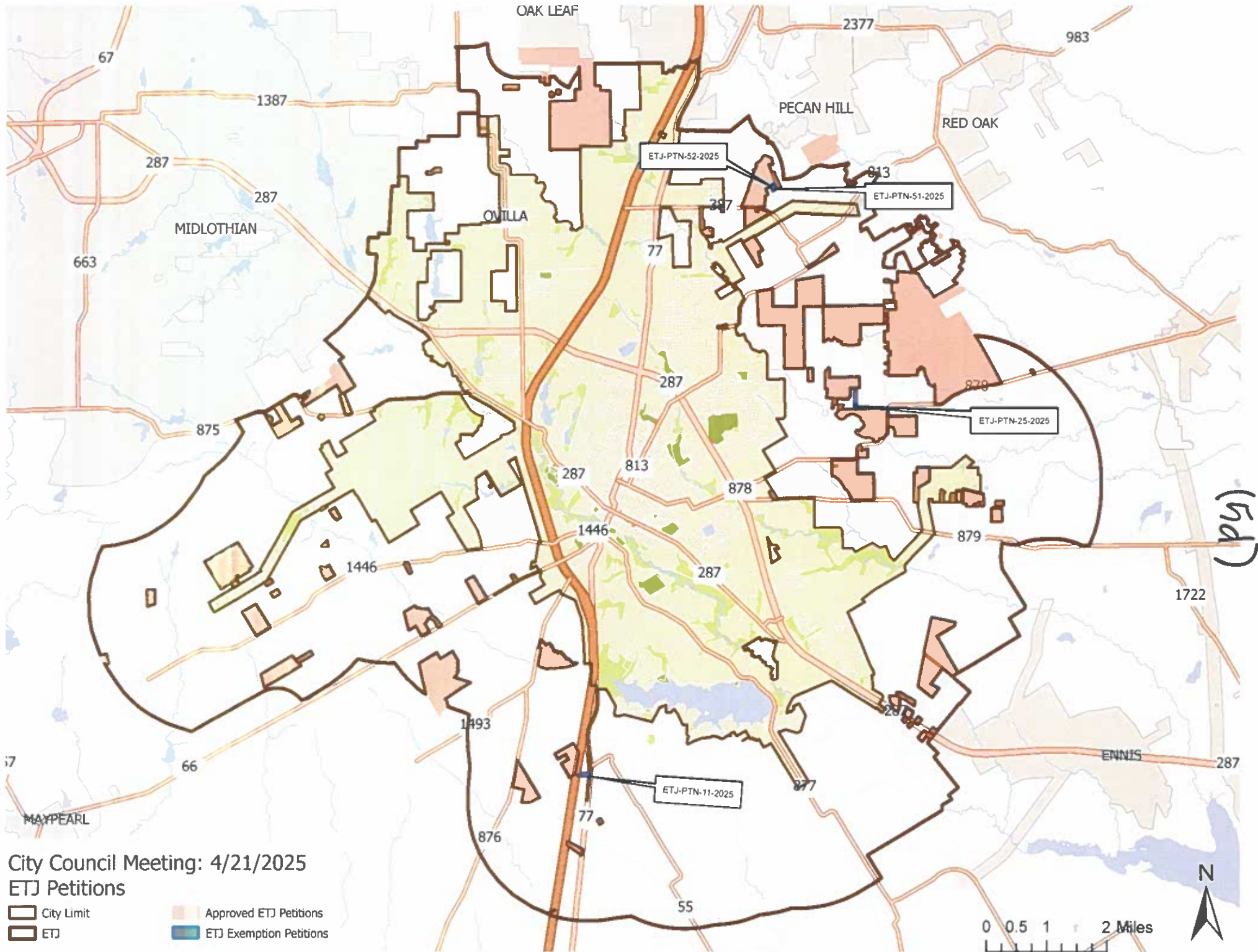
[caleb.ensley@waxahachie.com](mailto:caleb.ensley@waxahachie.com)

*Reviewed by:*

Trenton Robertson, AICP

Senior Director of Planning

[Trenton.Robertson@waxahachie.com](mailto:Trenton.Robertson@waxahachie.com)



(5d)

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

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION OF A 6.17 ACRE TRACT OF LAND, LOCATED AT 781 YOUNG BLOOD ROAD KNOWN AS PROPERTY ID 284707, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.**

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

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

**WHEREAS**, City staff has determined that the submitted petition, case number ETJ-PTN-25-2025, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City’s ETJ.

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

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

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

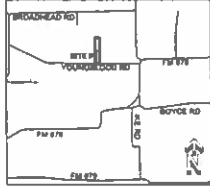
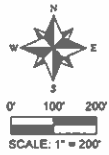
**PASSED, APPROVED AND ADOPTED** on this 21<sup>ST</sup> day of April, 2025.

\_\_\_\_\_  
MAYOR

ATTEST:

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

**EXHIBIT A METES & BOUNDS**

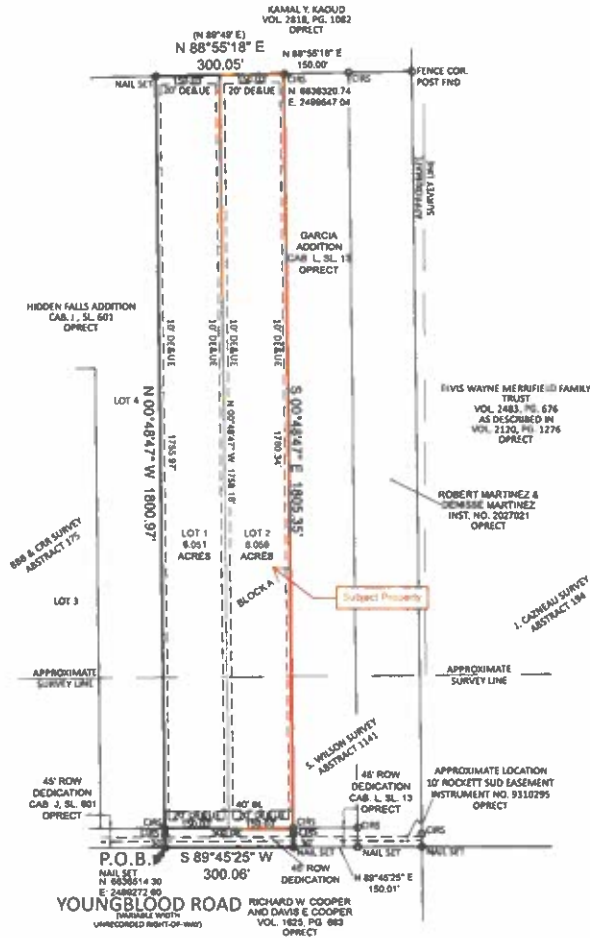


**NOTES:**

BEARING BASIS FOR THIS SURVEY IS TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD 83 PER GPS OBSERVATIONS

THE SUBJECT PROPERTY LIES WITHIN ZONE 2 - DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 49136C02200, DATED JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

ALL LOTS SHALL BE SERVICED BY AN ON-SITE SEWAGE FACILITY SYSTEM FOR RESIDENTIAL USE. AN ON-SITE EVALUATION SHALL BE PERFORMED BY A REGISTERED ENGINEER AND/OR A REGISTERED SANITARIAN



**LEGEND**  
 CIR8 = 5/8 IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TXRC8" SET  
 IRF = IRON ROD FOUND  
 FND = FOUND  
 OPRECT = OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS  
 DEAVE = DRAINAGE EASEMENT & UTILITY EASEMENT  
 B.L. = BUILDING LINE

STATE OF TEXAS §  
 COUNTY OF ELLIS §

OWNER'S CERTIFICATE

WHEREAS, NALLELY FERNANDEZ LARA, IS THE OWNER OF A TRACT OF LAND SITUATED IN THE S.B.B. & C.R.R. SURVEY, ABSTRACT NO. 175, AND THE S.W. WILSON SURVEY, ABSTRACT NO. 1141 IN ELLIS COUNTY, TEXAS AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN DEED TO NALLELY FERNANDEZ LARA, RECORDED IN INSTRUMENT NO. 219592, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A NAIL SET FOR THE SOUTHWEST CORNER OF SAID LARA TRACT, THE COMMON SOUTHEAST CORNER OF HIDDEN FALLS ADDITION, RECORDED IN CABINET J, SLIDE 901, OPRECT, AND IN THE APPROXIMATE CENTERLINE OF YOUNGBLOOD ROAD (A VARIABLE WIDTH UNRECORDED RIGHT-OF-WAY), FROM WHICH A NAIL SET FOR THE SOUTHWEST CORNER OF SAID HIDDEN FALLS ADDITION, BEARS S 89°45'25" W, A DISTANCE OF 1147.13 FEET;

THENCE N 00°44'47" E, ALONG THE WEST LINE OF SAID LARA TRACT AND THE COMMON EAST LINE OF SAID HIDDEN FALLS ADDITION, PASSING AT A DISTANCE OF 45.00 FEET A 5/8" IRON ROD WITH CAP STAMPED "TXRC8" SET FOR WITNESS, A TOTAL DISTANCE OF 1800.00 FEET TO A NAIL SET FOR THE NORTHWEST CORNER OF SAID LARA TRACT, THE COMMON NORTHEAST CORNER OF SAID HIDDEN FALLS ADDITION AND IN THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN DEED TO KAMAL Y. KAOUJ, RECORDED IN VOLUME 2818, PAGE 1082, OPRECT, FROM WHICH A 1" STEEL POST FOUND FOR THE NORTHWEST CORNER OF SAID HIDDEN FALLS ADDITION, BEARS S 89°55'18" E, A DISTANCE OF 217.02 FEET;

THENCE N 88°55'18" E, ALONG THE NORTH LINE OF SAID LARA TRACT AND A COMMON SOUTH LINE OF SAID KADUD TRACT, A DISTANCE OF 300.06 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRC8" SET FOR THE NORTHWEST CORNER OF GARCIA ADDITION, RECORDED IN CABINET L, SLIDE 13, OPRECT, FROM WHICH A 5/8" IRON ROD WITH CAP STAMPED "TXRC8" SET FOR THE NORTHEAST CORNER OF SAID GARCIA ADDITION, BEARS N 88°50'18" E, A DISTANCE OF 100.00 FEET;

THENCE S 80°44'47" E, ALONG THE EAST LINE OF SAID LARA TRACT AND THE COMMON WEST LINE OF SAID GARCIA ADDITION, PASSING AT A DISTANCE OF 1775.35 FEET A 5/8" IRON ROD WITH CAP STAMPED "TXRC8" SET FOR WITNESS, A TOTAL DISTANCE OF 1805.36 FEET TO A NAIL SET FOR THE SOUTHEAST CORNER OF SAID LARA TRACT AND THE COMMON SOUTHWEST CORNER OF SAID GARCIA ADDITION AND IN THE APPROXIMATE CENTERLINE OF SAID YOUNGBLOOD ROAD AND IN THE NORTH LINE OF SAID COOPER TRACT, FROM WHICH A NAIL SET FOR THE SOUTHEAST CORNER OF SAID GARCIA ADDITION, BEARS N 80°42'00" E, A DISTANCE OF 150.01 FEET;

THENCE S 89°45'25" W, ALONG THE SOUTH LINE OF SAID LARA TRACT, THE COMMON NORTH LINE OF SAID COOPER TRACT AND THE APPROXIMATE CENTERLINE OF SAID YOUNGBLOOD ROAD, A DISTANCE OF 300.06 FEET TO THE POINT OF BEGINNING AND CONTAINING 12.420 ACRES OF LAND MORE OR LESS

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT NALLELY FERNANDEZ LARA, DOES HEREBY CERTIFY AND ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LARA ESTATES, AN ADDITION TO ELLIS COUNTY, AND DOES HEREBY DEDICATE TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. NALLELY FERNANDEZ LARA, DOES HEREBY CERTIFY THE FOLLOWING

1. THE STREETS AND ALLEYS ARE DEDICATED IN FULL SIMPLE FOR STREET AND ALLEY PURPOSES
2. ALL PUBLIC IMPROVEMENTS AND DEDICATIONS SHALL BE FREE AND CLEAR OF ALL DEBT, LIENS, AND/OR ENCUMBRANCES
3. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, AND CREATED BY THIS PLAT, ARE DEDICATED FOR THE PUBLIC USE FOREVER FOR THE PURPOSES INDICATED ON THIS PLAT
4. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN
5. ELLIS COUNTY IS NOT RESPONSIBLE FOR REPLACING ANY IMPROVEMENTS IN, UNDER, OR OVER ANY EASEMENTS CAUSED BY MAINTENANCE OR REPAIR
6. UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND ELLIS COUNTY'S USE THEREOF
7. ELLIS COUNTY AND/OR PUBLIC UTILITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN THE EASEMENTS
8. ELLIS COUNTY AND PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PRECLUDING PERMISSION FROM ANYONE.
9. ALL MODIFICATIONS TO THIS DOCUMENT SHALL BE BY MEANS OF PLAT AND APPROVED BY ELLIS COUNTY

THIS PLAT IS APPROVED SUBJECT TO ALL PLATING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE ELLIS COUNTY, TEXAS

WITNESS MY HAND, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2022.

BY: \_\_\_\_\_  
 NALLELY FERNANDEZ LARA

STATE OF TEXAS:  
 COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED NALLELY FERNANDEZ LARA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2022.

NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS

I, TIMOTHY L. JACKSON, RPLS, HEREBY CERTIFY THAT THIS PLAT WAS MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

\*PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

TIMOTHY L. JACKSON  
 REGISTRATION NUMBER 5644

STATE OF TEXAS:  
 COUNTY OF ELLIS:

CERTIFICATE OF APPROVAL BY THE COMMISSIONERS COURT OF ELLIS COUNTY TEXAS

APPROVED THIS, THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2022.

- FOOD LITTLE COUNTY JUDGE \_\_\_\_\_
- RANDY STANSON COMMISSIONER PRECINCT 1 \_\_\_\_\_ LAKE GRAYSON COMMISSIONER PRECINCT 2 \_\_\_\_\_
- PALL PERRY COMMISSIONER PRECINCT 3 \_\_\_\_\_ KYLE BUTLER COMMISSIONER PRECINCT 4 \_\_\_\_\_
- ATTEST \_\_\_\_\_
- CRYSTAL WALDEZ COUNTY CLERK \_\_\_\_\_

THIS PLAT HAS BEEN APPROVED BY THE DEPARTMENT OF DEVELOPMENT FOR AN ON-SITE SEWAGE FACILITY SYSTEM PEAKING ANY AND ALL INFORMATION AS MAY BE REQUIRED BY THE ELLIS COUNTY DEPARTMENT OF DEVELOPMENT.

DEPARTMENT OF DEVELOPMENT DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED BY PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

BY: \_\_\_\_\_ DATE \_\_\_\_\_  
 CHAIRPERSON

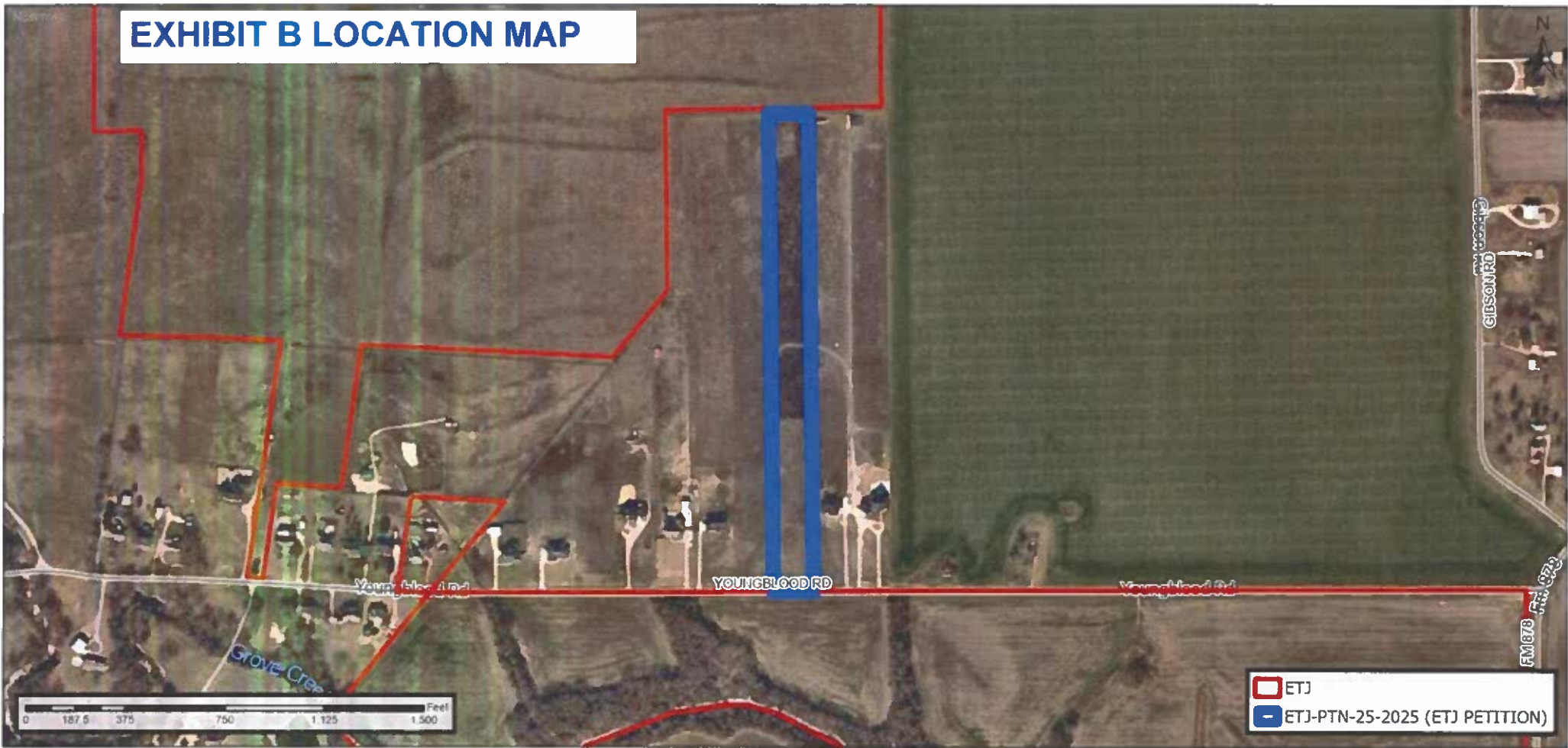
ATTEST \_\_\_\_\_ DATE \_\_\_\_\_

OWNER:  
 NALLELY FERNANDEZ LARA  
 158 HACKNEY ST  
 WAXAHACHE, TX 75165  
 409.540.8588

SURVEYOR:  
 TEXAS REALTY CAPTURE & SURVEYING, LLC  
 P.O. BOX 262  
 WAXAHACHE, TEXAS 75166  
 409.518.0336  
 TBPLS FIRM NO. 10194368

PLAT  
**LARA ESTATES**  
 12.420 ACRES  
 SITUATED IN THE  
 BBB & CRR SURVEY, ABSTRACT NO. 175,  
 S.S. WILSON SURVEY, ABSTRACT NO. 1141,  
 ETJ CITY OF WAXAHACHE  
 ELLIS COUNTY, TEXAS  
 2 RESIDENTIAL LOTS  
 CASE NO. SUB - 120-2022

# EXHIBIT B LOCATION MAP



(151)

(5c)

# Planning & Zoning Department

## Petition for ETJ Release

Case: ETJ-PTN-51-2025



**MEETING DATE(S)**

City Council:

April 21<sup>st</sup>, 2025

**CAPTION**

*Consider* proposed Ordinance approving a request by Erik Barnard, for a **Petition for ETJ Release** for approximately 2.066 acres, located at 431 S Ring Road (Property ID 274664) – Owner: Barnard Family Trust (ETJ-PTN-51-2025)

**RECOMMENDED MOTION**

*"I move to approve ETJ-PTN-51-2025, a request by Erik Barnard, for a Petition for ETJ Release for approximately 2.066 acres, at 431 S Ring Road, authorizing the Mayor to sign the associated documents accordingly."*

**APPLICANT REQUEST**

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

**CASE INFORMATION**

*Applicant:* Erik Barnard

*Property Owner(s):* Barnard Family Trust

*Site Acreage:* 2.066 acres

*Number of Lots:* 1 lot

*Number of Dwelling Units:* 1 unit

**SUBJECT PROPERTY**

*General Location:* 431 S Ring Road

*Parcel ID Number(s):* 274664

*Current Zoning:* N/A (ETJ)

*Existing Use:* Residential

*Platting History:* A Plat for The Ranch at Hidden Creek, Lot 2, Block B was filed for the subject property on October 23, 2018,

*CCN Service Area:* Rockett SUD

**Site Aerial:**



**PLANNING ANALYSIS**

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

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

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

**RECOMMENDATION**

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

**ATTACHED EXHIBITS**

1. ETJ Petition Map for April 21, 2025 City Council Meeting
2. Proposed Ordinance
3. Recorded Plat (Exhibit A)
4. Location Map (Exhibit B)

**STAFF CONTACT INFORMATION**

*Prepared by:*

Caleb Ensley

Planner

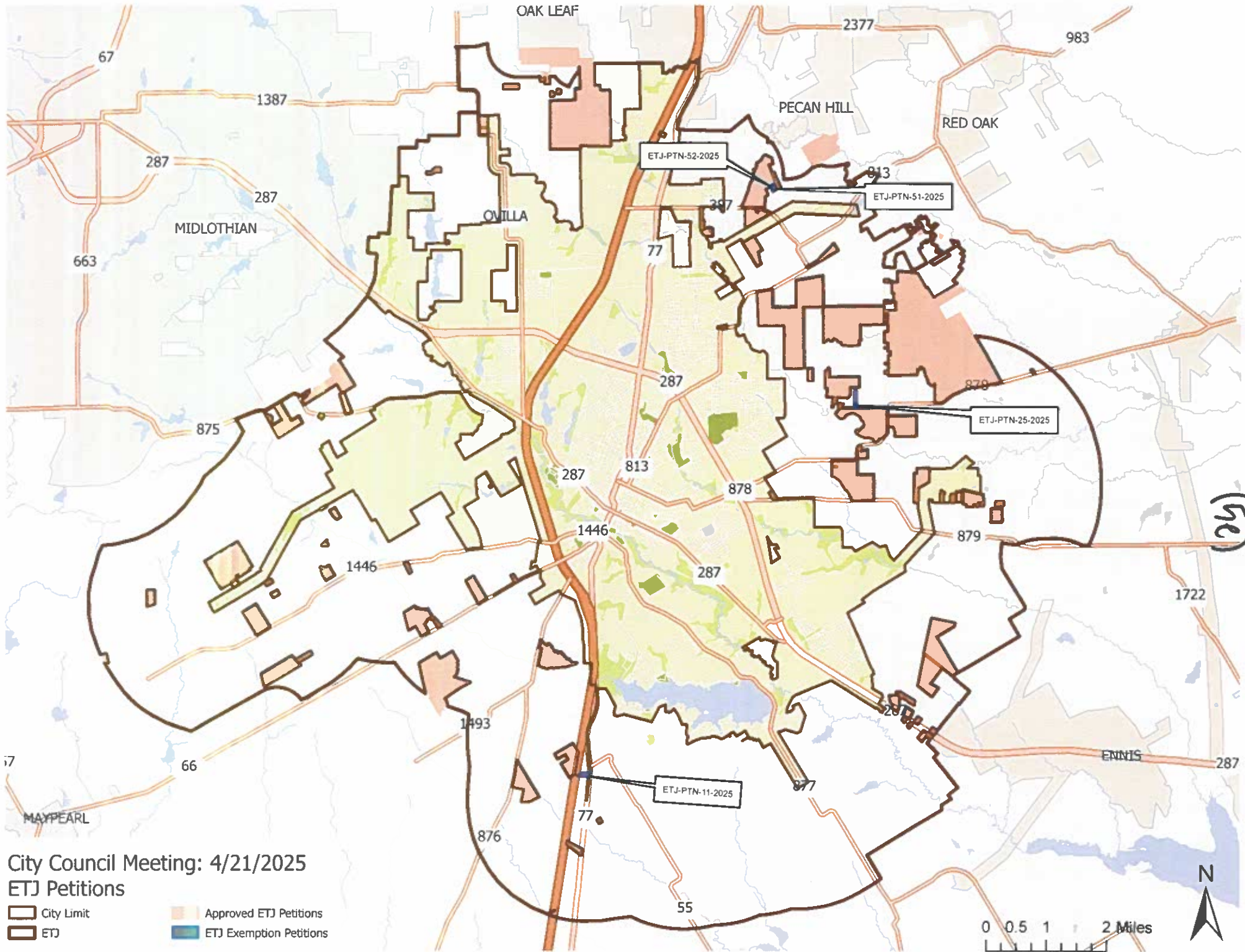
[caleb.ensley@waxahachie.com](mailto:caleb.ensley@waxahachie.com)

*Reviewed by:*

Trenton Robertson, AICP

Senior Director of Planning

[Trenton.Robertson@waxahachie.com](mailto:Trenton.Robertson@waxahachie.com)



**City Council Meeting: 4/21/2025**  
**ETJ Petitions**

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

0 0.5 1 2 Miles



(sc)

(9e)

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

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 2.066 ACRE TRACT OF LAND, LOCATED AT 431 S RING ROAD KNOWN AS PROPERTY ID 274664, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.**

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

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

**WHEREAS**, City staff has determined that the submitted petition, case number ETJ-PTN-51-2025, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

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

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

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

**PASSED, APPROVED AND ADOPTED** on this 21<sup>ST</sup> day of April, 2025.

\_\_\_\_\_  
MAYOR

ATTEST:

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







**EXHIBIT B LOCATION MAP**

-  ETJ
-  ETJ-PTN-51-2025 (ETJ PETITION)

(5e)

(5f)

# Planning & Zoning Department

## Petition for ETJ Release

Case: ETJ-PTN-52-2025



**MEETING DATE(S)**

City Council:

April 21<sup>st</sup>, 2025

**CAPTION**

**Consider** proposed Ordinance approving a request by Kyle Beller, for a **Petition for ETJ Release** for approximately 1.837 acres, located at 411 S. Ring Road (Property ID 274663) – Owner: Kyle Beller & Jennifer Beller (ETJ-PTN-52-2025)

**RECOMMENDED MOTION**

*"I move to approve ETJ-PTN-52-2025, a request by Kyle Beller, for a Petition for ETJ Release for approximately 1.837 acres, at 411 S Ring Road, authorizing the Mayor to sign the associated documents accordingly."*

**APPLICANT REQUEST**

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

**CASE INFORMATION**

Applicant:

Kyle Beller

Property Owner(s):

Kyle Beller & Jennifer Beller

Site Acreage:

1.837 acres

Number of Lots:

1 lot

Number of Dwelling Units:

1 unit

**SUBJECT PROPERTY**

General Location:

411 S. Ring Road

Parcel ID Number(s):

274663

Current Zoning:

N/A (ETJ)

Existing Use:

Residential

Platting History:

A Plat for The Ranch at Hidden Creek, Lot 1, Block B was filed for the subject property on October 23, 2018,

CCN Service Area:

Rockett SUD

Site Aerial:



**PLANNING ANALYSIS**

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

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

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

**RECOMMENDATION**

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

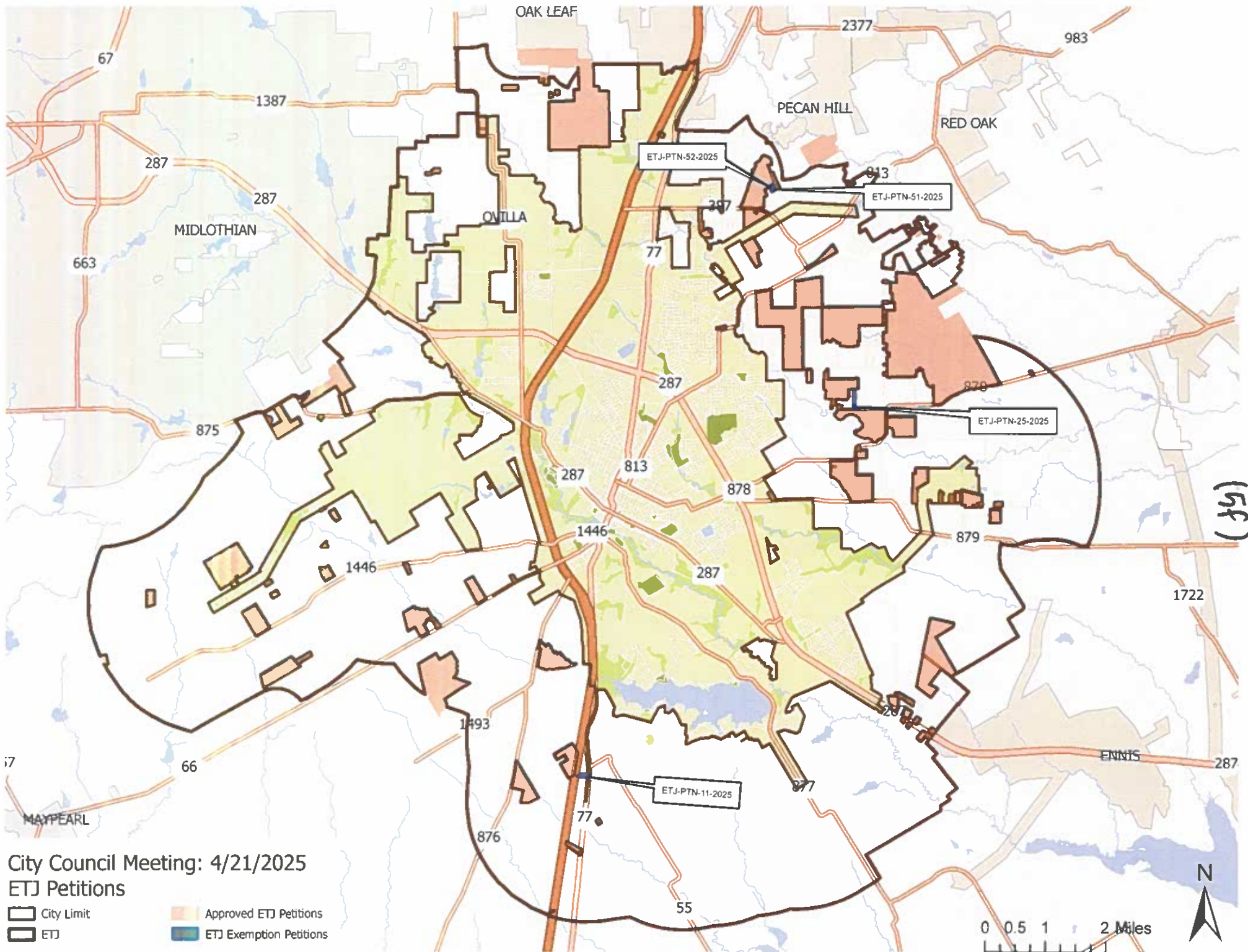
**ATTACHED EXHIBITS**

1. ETJ Petition Map for April 21, 2025 City Council Meeting
2. Proposed Ordinance
3. Recorded Plat (Exhibit A)
4. Location Map (Exhibit B)

**STAFF CONTACT INFORMATION**

*Prepared by:*  
 Caleb Ensley  
 Planner  
[caleb.ensley@waxahachie.com](mailto:caleb.ensley@waxahachie.com)

*Reviewed by:*  
 Trenton Robertson, AICP  
 Senior Director of Planning  
[Trenton.Robertson@waxahachie.com](mailto:Trenton.Robertson@waxahachie.com)



(5f)

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

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 1.837 ACRE TRACT OF LAND, LOCATED AT 411 S RING ROAD KNOWN AS PROPERTY ID 274663, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.**

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

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

**WHEREAS**, City staff has determined that the submitted petition, case number ETJ-PTN-52-2025, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

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

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

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

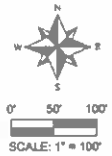
**PASSED, APPROVED AND ADOPTED** on this 21<sup>ST</sup> day of April, 2025.

\_\_\_\_\_  
MAYOR

ATTEST:

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

ORIGINAL FILED  
 J449-450



VICINITY MAP  
 1" = 5000'

REMAINDER  
 ERIC BARNARD, KYLE BELLER  
 JONATHAN MARKERT &  
 LINDSAY JO MARKERT  
 INSTRUMENT NO. 1827391  
 OPRRECT  
 (CALCULATED 96.7 ACRES)

J. STROOP SURVEY  
 ABSTRACT NO. 1043

WILLIAM LEONHARDT &  
 RAMONA LEONHARDT  
 VOL. 2782 PG. 442  
 OPRRECT

LEGEND

- CRS= 5/8 IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TORCS" SET
- FND= FOUND
- RP= IRON ROD FOUND
- OPRECT= OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS
- D & UE = DRAINAGE AND UTILITY EASEMENT
- BL = BUILDING LINE

NOTES

- BEARING BASIS FOR THIS SURVEY IS TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD 83, PER GPS OBSERVATIONS
- THE SUBJECT PROPERTY LIES WITHIN ZONE "X" - DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48136C0200F, DATED JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- ALL LOTS SHALL BE SERVICED BY AN ON-SITE SEWAGE FACILITY SYSTEM FOR RESIDENTIAL USE. AN ON-SITE EVALUATION SHALL BE PERFORMED BY A REGISTERED ENGINEER AND/OR A REGISTERED SANITARIAN.
- ALL LOT CORNERS ARE MONUMENTED WITH A 5/8" IRON ROD WITH CAP STAMPED "TORCS" SET, UNLESS OTHERWISE NOTED.
- WHITE ROCK DRIVE WILL NOT BE CONSTRUCTED WITH THIS DEVELOPMENT AND WILL BE MAINTAINED BY THE ADJACENT LOT OWNERS UNTIL IT IS CONSTRUCTED AND ACCEPTED BY THE COUNTY.

J. STARRETT SURVEY  
 ABSTRACT NO. 1026

REMAINDER  
 BUTCHER ROAD  
 PARTNERS, LTD  
 VOL. 2226 PG. 785  
 OPRRECT  
 (CALCULATED 100.3 ACRES)



M. ALLEN SURVEY  
 ABSTRACT NO. 11

WILLIAM C. ESTES  
 VOL. 1718 PG. 576  
 OPRRECT

FINAL PLAT  
**THE RANCH  
 AT HIDDEN CREEK**

12.391 ACRES  
 SITUATED IN THE

J. STARRETT SURVEY, ABSTRACT NO. 1026  
 J. STROOP SURVEY, ABSTRACT NO. 1043  
 IN THE ETJ OF THE CITY OF WAXAHACHIE, TEXAS  
 ELLIS COUNTY, TEXAS

OWNERS:  
 ERIC BARNARD, KYLE BELLER  
 JONATHAN MARKERT &  
 LINDSAY JO MARKERT  
 1795 DALLAS HWY  
 WAXAHACHIE, TEXAS 75165  
 409.517.0100

SURVEYOR:  
 TEXAS REALITY CAPTURE &  
 SURVEYING, LLC.  
 P.O. BOX 252  
 WAXAHACHIE, TEXAS 75168  
 409.518.0338  
 TBPLS FIRM NO 10194359

JOB NO. 1153

AUGUST 2018

(5)

ORIGINAL FILED

J450

STATE OF TEXAS:  
COUNTY OF ELLIS: KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, ERIK BARNARD, KYLE BELLER, JONATHAN MARKERT AND LINDSAY JO MARKERT ARE THE SOLE OWNER OF A TRACT OF LAND SITUATED IN THE J. STARRETT SURVEY, ABSTRACT NO. 1028 AND THE J. STROOP SURVEY, ABSTRACT NO. 1043, IN THE ETJ OF THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS AND BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO ERIK BARNARD, KYLE BELLER, JONATHAN MARKERT AND LINDSAY JO MARKERT, RECORDED IN INSTRUMENT NO. 1827391 OF THE OFFICIAL PUBLIC RECORDS, OF ELLIS COUNTY, TEXAS (OPRECT) (HEREIN AFTER REFERRED TO AS BARNARD TRACT), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD WITH CAP STAMPED "CARTER & BURGESS" FOUND FOR THE SOUTHEAST CORNER OF SAID BARNARD TRACT AND THE COMMON SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO WILLIAM LEONHARDT AND RAMONA LEONHARDT, RECORDED IN VOLUME 2782, PAGE 442, OPRECT, AND BEING IN THE NORTH RIGHT-OF-WAY (ROW) LINE OF SOUTH RING ROAD (A VARIABLE WIDTH PRESCRIPTIVE ROW);

THENCE S 58°08'12" W, ALONG THE SOUTH LINE OF SAID BARNARD TRACT AND THE NORTH ROW LINE OF SAID RING ROAD, A DISTANCE OF 1037.97 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "CARTER & BURGESS" FOUND FOR CORNER;

THENCE, N 20°58'35" W OVER AND ACROSS SAID BARNARD TRACT, A DISTANCE OF 529.65 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER;

THENCE N 58°08'12" E OVER AND ACROSS SAID BARNARD TRACT, A DISTANCE OF 1037.97 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER IN THE EAST LINE OF SAID BARNARD TRACT AND THE COMMON WEST LINE OF SAID LEONHARDT TRACT;

THENCE S 20°58'35" E, ALONG THE EAST LINE OF SAID BARNARD TRACT AND THE COMMON WEST LINE OF SAID LEONHARDT TRACT, A DISTANCE OF 529.65 FEET TO THE POINT OF BEGINNING AND CONTAINING 12.391 ACRES OF LAND, MORE OR LESS

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT ERIK BARNARD, KYLE BELLER, JONATHAN MARKERT AND LINDSAY JO MARKERT, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS THE RANCH AT HIDDEN CREEK, AN ADDITION TO ELLIS COUNTY TEXAS, AND DO HEREBY DEDICATE, IN FEE SIMPLE, TO ELLIS COUNTY AND THE CITY OF WAXAHACHE, TEXAS FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES, THE EASEMENTS AND PUBLIC USE AREAS AS SHOWN, ARE DEDICATED FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT; NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY ELLIS COUNTY AND THE CITY OF WAXAHACHE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE UTILITY USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES. SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLICS AND CITY OF WAXAHACHE'S USE THEREOF. ELLIS COUNTY AND THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. ELLIS COUNTY AND THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, MAINTAINING, REPAIRING, READING METERS, AND KNOWING TO OR REMOVING ALL OR PARTS OF THE IR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHE, TEXAS

WITNESS, MY HAND, THIS 21<sup>st</sup> DAY OF SEPTEMBER 2018

BY:   
ERIK BARNARD

STATE OF TEXAS:  
COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED ERIK BARNARD, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, 21<sup>st</sup> DAY OF September 2018.

  
NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS



WITNESS, MY HAND, THIS 21<sup>st</sup> DAY OF September 2018

BY:   
KYLE BELLER

STATE OF TEXAS:  
COUNTY OF ELLIS:

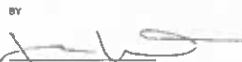
BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED KYLE BELLER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, 21<sup>st</sup> DAY OF September 2018.

  
NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS



WITNESS, MY HAND, THIS 21<sup>st</sup> DAY OF SEPTEMBER 2018

BY:   
JONATHAN MARKERT

STATE OF TEXAS:  
COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED JONATHAN MARKERT, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, 21<sup>st</sup> DAY OF September 2018.

  
NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS



WITNESS, MY HAND, THIS 21<sup>st</sup> DAY OF September 2018

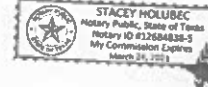
BY:   
LINDSAY JO MARKERT

STATE OF TEXAS:  
COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED LINDSAY JO MARKERT, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, 21<sup>st</sup> DAY OF September 2018.

  
NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS



I, TIMOTHY L. JACKSON, RPLS, HEREBY CERTIFY THAT THIS PLAT WAS MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

BY:   
TIMOTHY L. JACKSON  
REGISTRATION NUMBER 5644

STATE OF TEXAS:  
COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED TIMOTHY L. JACKSON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, 21<sup>st</sup> DAY OF September 2018.

  
NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS



APPROVED BY PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

BY:  DATE 9-11-18

APPROVED BY CITY COUNCIL CITY OF WAXAHACHE




BY:  DATE 9/23/2018

BY:  DATE 9-24-18

CERTIFICATE OF APPROVAL BY THE COMMISSIONERS COURT OF ELLIS COUNTY TEXAS

APPROVED THIS, 3<sup>rd</sup> DAY OF October 2018.

ATTEST:

  
CAROL BUSH COUNTY JUDGE  
CINDY POLLEY COUNTY CLERK  
  
LAME GRAYSON COMMISSIONER PRECINCT 1  
JOCE BUTLER COMMISSIONER PRECINCT 2  
  
PAUL PERRY COMMISSIONER PRECINCT 3  
JOCE BUTLER COMMISSIONER PRECINCT 4

THIS PLAT HAS BEEN APPROVED BY THE DEPARTMENT OF DEVELOPMENT FOR AN ON-SITE SEWAGE FACILITY SYSTEM PENDING ANY AND ALL INFORMATION AS MAY BE REQUIRED BY THE ELLIS COUNTY DEPARTMENT OF DEVELOPMENT.

 DATE 10/8/18  
DEPARTMENT OF DEVELOPMENT DIRECTOR

FINAL PLAT  
THE RANCH  
AT HIDDEN CREEK

12.391 ACRES  
SITUATED IN THE

J. STARRETT SURVEY, ABSTRACT NO 1028  
J. STROOP SURVEY, ABSTRACT NO. 1043  
IN THE ETJ OF THE CITY OF WAXAHACHE, TEXAS  
ELLIS COUNTY, TEXAS

OWNERS:  
ERIK BARNARD, KYLE BELLER  
JONATHAN MARKERT &  
LINDSAY JO MARKERT  
1785 DALLAS HWY.  
WAXAHACHE, TEXAS 75165  
469.517.0160

SURVEYOR:  
TEXAS REALTY CAPTURE &  
SURVEYING, LLC.  
P.O. BOX 282  
WAXAHACHE, TEXAS 75168  
469.518.0338  
TBPLS FIRM NO 10194359

JOB NO. 1153

AUGUST 2018 PAGE 2 OF 2

(51)



(5)

(59)



## Memorandum

To: Honorable Mayor and City Council

From: Laurie Mosley, Director – CVD

Thru: Michael Scott, City Manager

Date: April 21, 2025

Re: Consider Supplemental Appropriation from the Waxahachie Community Development Corporation for Tulipalooza

---

**Motion:** “I move to approve a supplemental appropriation of \$15,000 from the Waxahachie Community Development Corporation unrestricted reserve fund balance to support Tulipalooza, and authorize the City Manager to execute all necessary documents.”

**Item Description:** Consider approving a supplemental appropriation in the amount of \$15,000 from the Waxahachie Community Development Corporation (WCDC) unrestricted reserve fund balance to support the Tulipalooza event.

**Item Summary:** At the WCDC January 14, 2025 board meeting, the board discussed financial support of Tulipalooza and agreed to allocate \$15,000 annually for the Tulipalooza event for the next three years, starting in 2025. The motion to consider the funding was unanimously approved.


The event was canceled earlier this year due to inclement weather, however, the associated expenditures were still incurred.

**Fiscal Impact:** The supplemental appropriation will increase the GL account 208-000-55274 – Sponsorships by \$15,000 for FY 2025 and will be included in the annual budget for the next two years. The Waxahachie Community Development Corporation’s unrestricted fund balance has sufficient capacity to cover the supplemental appropriation request.

(5h)



## Memorandum

To: Honorable Mayor and City Council  
From: Kyle Cooper, Senior Director of Parks and Recreation  
Thru: Michael Scott, City Manager   
Date: April 21, 2025  
Re: Consider Supplemental Appropriation for Chautauqua Lighting Repairs

---

**Motion:** "I move to approve a supplemental appropriation of \$6,500 from the General Fund unrestricted reserve fund balance for the stage lighting repairs at the Chautauqua Auditorium, and authorize the City Manager to execute all necessary documents."

**Item Description:** Consider approving a supplemental appropriation in the amount of \$6,500 from the General Fund unrestricted reserve fund balance for the stage lighting repairs at the Chautauqua Auditorium.

**Item Summary:** The lighting control system at the Chautauqua Auditorium has recently failed and requires immediate repair. While a temporary solution has been implemented, it only allows the lights to be fully on or off, limiting the system's functionality. This may impact certain productions that require more advanced lighting controls. There are currently five reservations scheduled at the Chautauqua before the start of the new fiscal year that utilize the lighting for their productions.

**Fiscal Impact:** The supplemental appropriation will increase the GL account 100-511-54310 – Maintenance, Building (Upkeep) by \$6,500 for FY 2025. The General Fund's unrestricted fund balance has sufficient capacity to fund the supplemental appropriation request.

(9)

# Planning & Zoning Department Zoning Staff Report

Case: ZDC-27-2025



**MEETING DATE(S)**

Planning & Zoning Commission: April 15, 2025  
City Council: April 21, 2025

**CAPTION**

**Public Hearing** on a request by Steven Chambers & Cheryl Chambers for a **Specific Use Permit (SUP)** for an **Accessory Structure exceeding seven hundred (700) square feet**, use within a Single Family-3 (SF-3) zoning district located at 711 South College Street, (Property ID 172399) – Owner: Steven Chambers & Cheryl Chambers (ZDC-27-2025)

**RECOMMENDED MOTION**

*“I move to approve of ZDC-27-2025, a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet, subject to the conditions the staff report, authorizing the Mayor and/or City Manager to sign the associated documents accordingly.”*

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting held on April 15, 2025, the Commission voted 7-0 to recommend approval of case number ZDC-27-2025, subject to the conditions of the staff report

**APPLICANT REQUEST**

The applicant requests approval of a Specific Use Permit (SUP) for a 1,975 square foot accessory structure.

**CASE INFORMATION**

**Applicant:** Steven Chambers & Cheryl Chambers  
**Property Owner(s):** Steven Chambers & Cheryl Chambers  
**Site Acreage:** 0.344 acre  
**Current Zoning:** Single Family-3 (SF-3)  
**Requested Zoning:** Single Family-3 (SF-3) with a SUP for an accessory structure exceeding seven hundred (700) square feet.

**SUBJECT PROPERTY**

**General Location:** 711 South College Street  
**Parcel ID Number(s):** 172399  
**Existing Use:** Single family residential

(9)

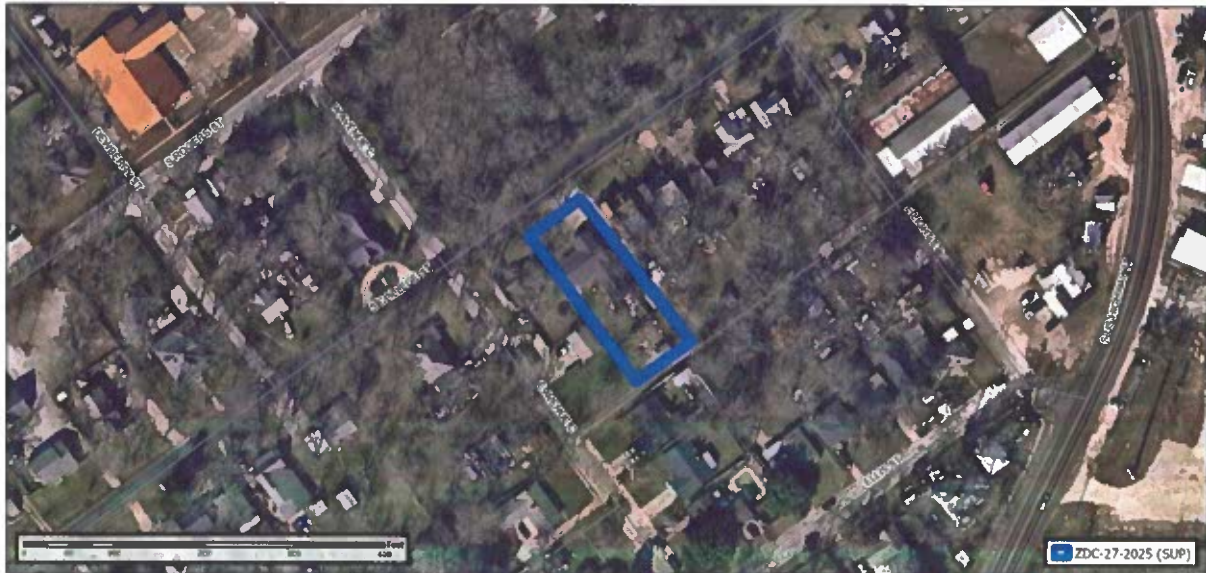
*Development History:* The subject property is platted as Lot 6R, Block 57 of Bullard's Addition.

*Future Land Use Plan:* Local Commercial

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

*Thoroughfare Plan:* The subject property is accessible via college street.

*Site Image:*



#### **PLANNING ANALYSIS**

The applicant proposes a Specific Use Permit (SUP) to construct a 1,975-square-foot accessory structure at 711 South College Street. The primary structure on the subject property is approximately 2,490 square feet. The property does have an existing accessory structure. The applicant is proposing to remove the existing structure prior to constructing the proposed accessory structure. The applicant has provided a Site Plan for the accessory structure that verifies all setback requirements established by the Waxahachie Zoning Ordinance have been met.

Proposed Use:

The applicant proposes to utilize the structure for a personal storage and parking for a boat and trailer. The structure will be used for the storage of personal vehicles and household materials. The proposed accessory structure is comprised of metal R-panel. The applicant proposes to extend a 15' wide concrete driveway from the edge of the existing gravel driveway to the proposed accessory structure. The applicant requests not to replace the existing gravel with concrete at this time. The applicant will not be extending the water or electrical services to the proposed accessory structure.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, twenty-six (26) 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 zero (0) letters of opposition and zero (0) letters of support for the SUP request.

**RECOMMENDATION**

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

Conditions:

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

**ATTACHED EXHIBITS**

1. Public Notification Responses
2. SUP Ordinance
3. Location Map (Exhibit A)
4. Site Plan (Exhibit B)
5. Elevation/Façade Plan (Exhibit C)

**STAFF CONTACT INFORMATION**

*Prepared by:*

Harper Lindamood  
Planner

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

*Reviewed by:*

Trenton Robertson, AICP  
Senior Director of Planning

[Trenton.robertson@waxahachie.com](mailto:Trenton.robertson@waxahachie.com)

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

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY STRUCTURE EXCEEDING SEVEN-HUNDERED SQUARE FEET USE WITHIN A SINGLE FAMILY-3 (SF-3) LOCATED AT 711 SOUTH COLLEGE STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.344 ACRES KNOWN AS PROPERTY ID 172399, 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 a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-27-2025. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

**NOW, THEREFORE**, this property is rezoned from SF-3 to SF-3, with a SUP in order to allow a Accessory Structure exceeding seven-hundered square feet use on the following property: Property ID 172399, which is shown on the Location Map (Exhibit A), Site Plan (Exhibit B), Elevation/Façade Plan (Exhibit C).

**SPECIFIC USE PERMIT**

**Purpose and Intent**

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

Specific Use Permit

**FOR OPERATION OF A SPECIFIC USE PERMIT FOR A ACCESORY STRUCTURE EXCEEDING SEVEN-HUNDERED SQUARE FEET USE IN THE SINGLE FAMILY- 3 (SF-3) 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-27-2024.
2. The accessory structure shall not be used as an accessory dwelling or Short-Term Rental without a Specific Use Permit approved by City Council.
3. The accessory structure shall not be separately metered.
4. The accessory structure shall not be used for commercial purposes.
5. The accessory structure shall not be leased or sold separately from the primary residence.
6. The existing accessory structure will be removed prior to the proposed structure being built.
7. The property owner shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory structure.
8. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Site Plan, Exhibit C – Elevations/Façade Plan.
9. 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.
10. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
11. 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.

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 21<sup>st</sup> day of April, 2025.

---

MAYOR

ATTEST:

---

City Secretary

Location Map (Exhibit A)



# Site Plan (Exhibit B)



SPC: NAD83  
TEXAS NC ZONE  
N 4824-44.80'  
E 2476.18 22'

Site Data Table	
Lot Acreage	14,481 SF or 0.33 AC.
Proposed Floor Area of Shop	1200 SF
Front Yard Setback	28'-0"
Rear Yard Setback	25 feet
Side Yard Setback (10% of Total Width)	7.5 feet
Lot Coverage (Max. 80%)	31.8%
# of Bedrooms in House	2
Garage in House (Yes or No)	Yes

ADDRESSES OF PROPERTIES WITHIN 50 FEET				
Address	Front Yard Setback	Rear Yard Setback	Lot Sizes	Home Sizes
709 College Street	21 feet	25 feet	10488 SF	1577 SF
801 South College Street	21 feet	25 feet	11725 SF	1581 SF
100 East Avenue C	30 feet	25 feet	7492 SF	1508 SF
708 Elba Street	33 feet	25 feet	10803 SF	1316 SF
Average Front Setback	28.25 feet			



VICINITY MAP  
Not to scale

## GENERAL NOTES

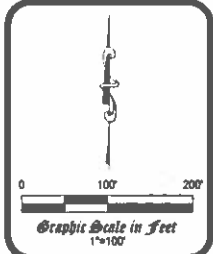
- BASS OF BEARINGS:** The bearings and coordinates shown herein are true bearings and coordinates based upon an actual field survey and are related to the Texas Coordinate System of 1983, North Central Zone (NAD 83, Epoch 2010).
- The combined grid factor is 0.9999751, and the Angle of Convergence is 0° 53' 51.8".
- The distances shown herein are surface distances.
- Land areas shown are within the tolerances stated in the Professional and Technical Standards of the agency governing surveying in the State of Texas or equal to or less from the Ellis County Central Appraisal District records.
- FLOOD PLAN NOTE:** The subject property is indicated to be in Zone "X" according to the Federal Emergency Management Agency Flood Insurance Rate Map, Panel No. 48190C0190C, Effective Date: December 1, 2023. The undersigned surveyor is not responsible for the preparation or contents of said FEMA Flood panel, or any flooding that may occur on the subject property of any kind.
- ZONING NOTE:** This property is zoned SF-3, Single Family 3, according to the Waxahachie Zoning Map dated 1/22/2019, and is also a part of an overlay district for infill development, with the following setbacks and easements:  
Front Yard Setback must be within five (5) feet of the average of each structure that is within fifty (50) feet from the building line property lines, as measured from the front building plans, and not including porches.  
Side yards will be at least ten (10) percent of lot width.  
25' minimum rear yard

## DEVELOPMENT NOTES

- Water meters are prohibited from being placed in a driveway or sidewalk.
- Minimum 5% slope away from the shop building.
- Landscaping shall comply with the Landscaping Requirements of the City of Waxahachie.
- It shall be the responsibility of the builder to verify all aspects of this plan and adjust as required.

OWNER/DEVELOPER:  
STEVEN R. CHAMBERS  
CHERYL R. CHAMBERS  
711 S. COLLEGE STREET  
WAXAHACHIE TX 78165  
(872) 835-8174  
steve.chambers81@yahoo.com

PROJECT NO. 98240



- ### LEGEND
- IRF = IRON ROD FOUND
  - CIRS = CAPPED IRON ROD SET (YELLOW PLASTIC CAP MARKED "GSW LAND SURVEYORS")
  - SPC = STATE PLANE COORDINATES (TEXAS COORDINATE SYSTEM OF 1983)
  - NAD83 = NORTH AMERICAN DATUM OF 1983 (EPOCH 2010)
  - TXNC ZONE = TEXAS NORTH CENTRAL ZONE
  - POB = PLACE OF BEGINNING

**Michael Evans**  
Registered Professional Land Surveyor  
License No. 1305  
1305 Brook Arbor Drive  
Marshall, Texas 75683  
(817) 822-3591  
mevins@gswland.com

**SITE PLAN FOR A SHOP BUILDING**  
LOT 5R, BLOCK 14  
WEST END  
an addition to the  
City of Waxahachie  
ELLIS COUNTY, TEXAS  
Being portion of Lots 3 and 4, and all of Lot 5, Block 14  
West End  
an addition to the City of Waxahachie  
as filed of record in Cabinet A, Slide 19  
Plat Records of Ellis County, Texas Case #ZDC-27-2025

# Elevations/Facade Plan (Exhibit C)

(16)



STORE: Metal Mart #3  
7200 North IH-35 E  
Waxahachie, TX 75165

## CUSTOMER & PROJECT INFORMATION

CUSTOMER: Steve Chambers  
LOCATION: WAXAHACHIE, TX 75165

JOB / QUOTE #: **M26-0774**  
Estimator: CD  
Date: 2/24/2025

## BUILDING DETAILS

BUILDING TYPE: BEARING FRAME  
WIDTH: 30 LENGTH: 55  
SIDEWALL BAY SPACING: 1 at 15 2 at 20

EAVE HT: 14 ROOF PITCH: 2.0:12 GIRT TYPE: Flush  
FRONT SIDE: 14 BACK SIDE: 14 ROOF PITCH: 2.0:12 GIRT TYPE: Flush

### BUILDING CODE

DESIGN CODE: IBC 15 IMPORTANCE FACTORS  
CLOSED/OPEN: Enclosed WIND: 1.00  
EXPOSURE: C SEISMIC: 1.00  
SEISMIC COEF.: 0.136 SEISMIC: 1.00  
SEISMIC ZONE: B SNOW: 1.00  
RISK CATEGORY: II - Normal

### BUILDING LOADS

DEAD: 2.5 psf  
LIVE: 20 psf  
GROUND SNOW: 5 psf  
COLLATERAL: 3 psf  
WIND: 115 mph

### ENDWALL FRAMES

LEFT EW: Inset RIGHT EW: Rigid

### ROOF LINER

### WALL BRACING

ROOF: Cable Bracing  
LEFT EW: Panel Shear  
FRONT SW: Panel Shear  
RIGHT EW: Rigid Frame  
BACK SW: Panel Shear

### ROOF AND WALL SHEETING

ROOF FINISH: SIL-POLY WALL FINISH: SIL-POLY  
ROOF PANEL: R-PANEL-PB WALL PANEL: R-PANEL-PB  
ROOF GAUGE: 26 WALL GAUGE: 26

### WALL LINER PANEL

LEFT EW: None RIGHT EW: None  
FRONT SW: None BACK SW: None

### WAINSCOT

Wall Start Bay End Bay Height

### GABLE EXTENSIONS

LEFT EW: None RIGHT EW: None  
SOFFIT PANEL: None  
GAUGE: FIN.

### EAVE EXTENSIONS

FRONT SW: 20 ft BACK SW: None  
SOFFIT PANEL: U-PANEL  
GAUGE: 26 FIN: SIL-POLY

### ROOF CANOPIES

LEFT EW: None FRONT SW: None RIGHT EW: None BACK SW: None  
PANEL: None GAUGE: None FINISH: None

### ACCESSORIES

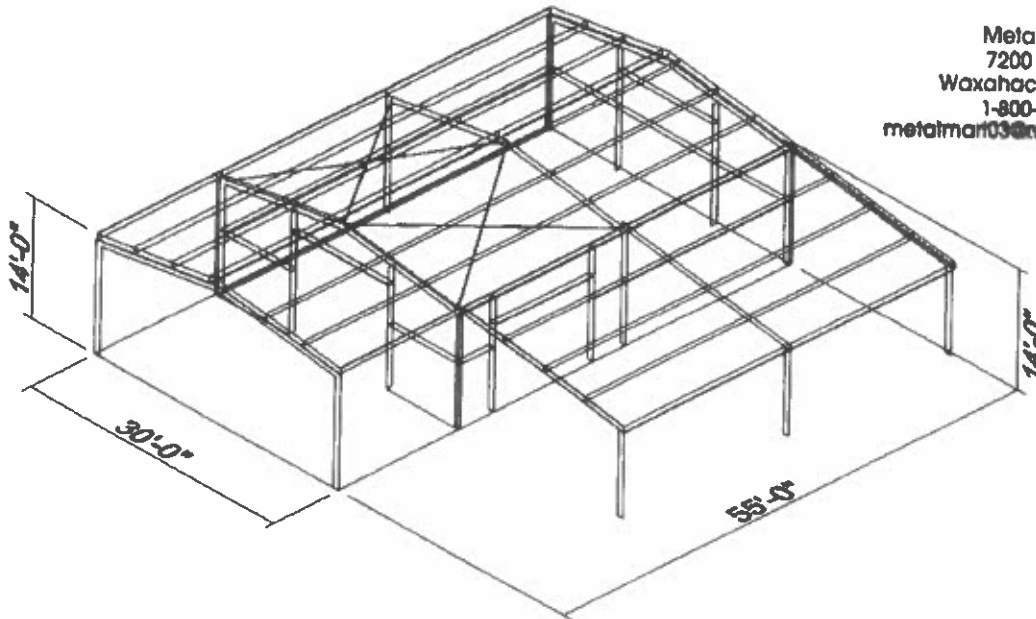
FRONT SW: 55' BACK SW: 55'  
GUTTERS: 5 EA DSPOUTS: 4 EA

### PARTIALLY SHEETED WALLS

LEFT EW: None RIGHT EW: None  
FRONT SW: None BACK SW: None

### FRAMED OPENINGS

LEFT EW: (1) 12 W x 12 H  
FRONT SW: (1) 12 W x 10 H  
RIGHT EW: none  
BACK SW: none



Metal Mart 03  
7200 N IH 35E  
Waxahachie, TX 75165  
1-800-677-2593  
metalmart03@moetroy.com

DUE TO RECENT VOLATILITY IN STEEL PRICING, THIS ESTIMATE REFLECTS TODAY'S PRICING ONLY. ACTUAL PRICING WILL BE DETERMINED AT TIME OF SHIPMENT.

NOTE: CUSTOMER TO VERIFY THAT ALL CODES, LOADS, CITY, STATE AND COUNTY ARE CORRECT PRIOR TO SIGNING THIS CONTRACT.

THIS ESTIMATE IS NOT GUARANTEED TO MEET PLANS AND SPECS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ENSURE COMPLIANCE WITH ALL CONTRACT DOCUMENTS.

**CHANGE ORDER PROCEDURE:** ANY BUILDING REQUIRING CHANGES THAT HAS BEEN RELEASED FOR PRODUCTION WILL NECESSARILY BE CANCELLED. A NEW ESTIMATE REQUEST WILL NEED TO BE SUBMITTED. THIS WILL EFFECTIVELY START THE JOB OVER. THE REVISED BUILDING PRICE WILL INCREASE AS WELL. THIS IS TO RECOUP THE COST TO ENGINEER AND DRAFT THE ORIGINAL BUILDING.

APPROVED BY CUSTOMER: \_\_\_\_\_

DATE: \_\_\_\_\_

(11)

# Planning & Zoning Department

## Zoning Staff Report



Case: ZDC-34-2025

### MEETING DATE(S)

Planning & Zoning Commission: April 15, 2025  
City Council: April 21, 2025

### CAPTION

**Public Hearing** on a request by Alfredo Rojas for a Specific Use Permit (SUP) for an Accessory Dwelling Unit (ADU) use within a Single Family-2 (SF-2) zoning district located at 303 McKenzie Street (Property ID 172575) – Owner: Alfredo Rojas (ZDC-34-2025)

### RECOMMENDED MOTION

*"I move to deny ZDC-34-2025."*

### ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on April 15, 2025, the Commission voted 7-0 to recommend denial of case number ZDC-34-2025.

### APPLICANT REQUEST

The applicant requests approval of a Specific Use Permit (SUP) for an Accessory Dwelling Unit.

### CASE INFORMATION

**Applicant:** Alfredo Rojas  
**Property Owner(s):** Alfredo Rojas  
**Site Acreage:** 0.1794 acre  
**Current Zoning:** Single Family-2 (SF-2)  
**Requested Zoning:** Single Family-2 (SF-2) with a SUP for an Accessory Dwelling Unit.

### SUBJECT PROPERTY

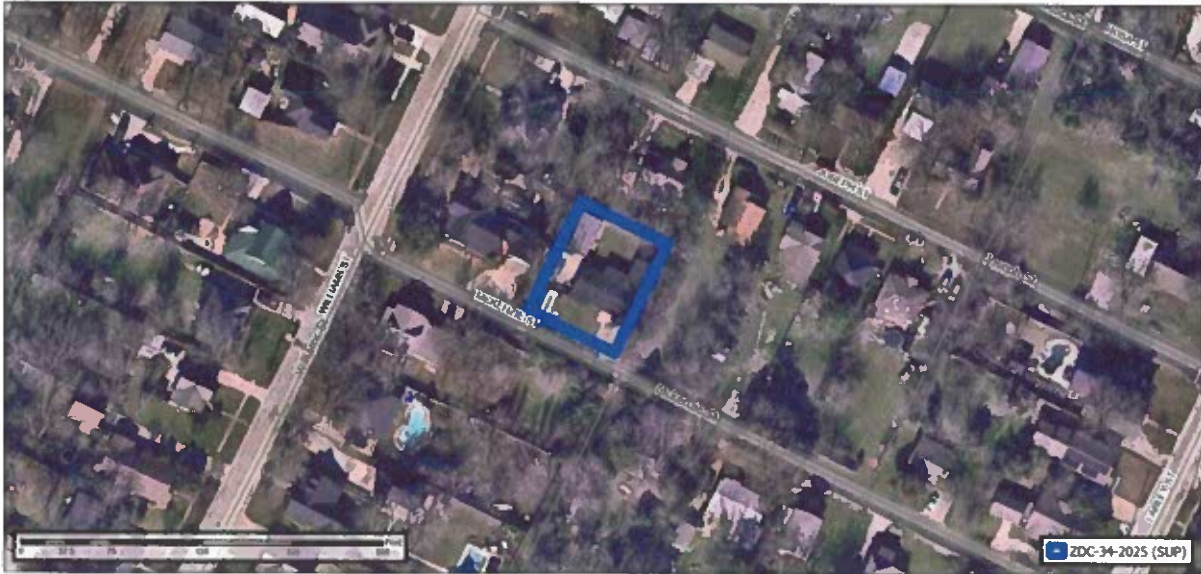
**General Location:** 303 McKenzie Street  
**Parcel ID Number(s):** 172575  
**Existing Use:** Single family residential  
**Development History:** The subject property is platted as Lot 2B, Block 3 of Cerf's Addition.

*Future Land Use Plan:* Residential Neighborhood

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

*Thoroughfare Plan:* The subject property is accessible via McKenzie Street.

*Site Image:*



**PLANNING ANALYSIS**

The applicant proposes a Specific Use Permit (SUP) to construct an approximately 630-square-foot accessory dwelling unit (ADU) at 303 McKenzie Street. The primary structure on the subject property is approximately 1,587 square feet. The proposed ADU is existing and was not properly permitted prior to construction.

The Applicant received approval for an accessory structure (shed) that was approximately 496 square feet in size in October of 2022. However, the permitted structure is not the same structure that was then built by the Applicant. Staff received a complaint that led to a code enforcement visit to the property. Staff identified unpermitted construction activity had taken place that included electrical and plumbing work intended to make the structure into a dwelling unit. Once this was identified, the property owner was instructed to submit a SUP Application to seek zoning level approval for an ADU before continuing through the building permitting process.

Planning Analysis (continued):

As part of this SUP Application, the applicant has provided a Site Plan for the subject property. The Site Plan does not appear to show that the accessory dwelling unit meets the 5' setback requirement of Waxahachie Zoning Ordinance. Additionally, the Site Plan does not identify the correct size, shape, or dimensions of the existing structure. The proposed accessory dwelling unit is constructed of wood siding. The applicant proposes to utilize the structure for familial use as an accessory dwelling unit. The structure is specifically proposed to be used for the applicant's father.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, twenty-six (26) notices were mailed to property owners within 200 feet of the request. Staff has received two (2) letters of opposition and one (1) letter of support for the proposed SUP.

**RECOMMENDATION**

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

If the Planning & Zoning Commission chooses to recommend approval of the SUP request, staff recommends the following conditions:

Conditions:

1. The applicant shall provide an updated Site Plan that correctly identifies the dimensions, setbacks, and total size of the accessory structure. If necessary, the applicant shall relocate the accessory structure to be setback a minimum of 5' from all adjacent property lines and existing structures.
2. The accessory dwelling unit shall not be used for commercial purposes.
3. The accessory dwelling unit shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The accessory dwelling unit shall only be occupied by family member or non-paying guest of the property owner.
5. The accessory dwelling unit shall not be used as a short-term rental (STR).
6. The accessory dwelling unit shall be compliant with 2021 International Building Code (IBC). The property owner shall demonstrate compliance with the 2021 IBC by providing all documents required by the Residential Accessory Building Permit Application checklist. The property owner shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before continuing construction of the accessory dwelling unit.

**ATTACHED EXHIBITS**

1. Public Notification Responses
2. Site Photos
3. SUP Ordinance
4. Location Map (Exhibit A)
5. Site Plan (Exhibit B)
6. Operational Plan (Exhibit C)

**STAFF CONTACT INFORMATION**

*Prepared by:*

Harper Lindamood

Planner

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

*Reviewed by:*

Trenton Robertson, AICP

Senior Director of Planning

[Trenton.robertson@waxahachie.com](mailto:Trenton.robertson@waxahachie.com)

(11)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-34-2025

RECEIVED APR 02 2025

**POARCH PROPERTIES LLC SERIES O**  
103 E University Ave  
Waxahachie, TX 75165-2353

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 15, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 21, 2025 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 Alfredo Rojas for a Specific Use Permit (SUP) for an Accessory Dwelling Unit (ADU) use within a Single Family-2 (SF-2) zoning district located at 303 McKenzie Street (Property ID 172575) – Owner: Alfredo Rojas (ZDC-34-2025)

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

Case Number: ZDC-34-2025

City Reference: 172729

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *April 9, 2025* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Signature  
Jimmy Poarch, Pizes-  
Printed Name and Title

3-29-25  
Date  
103 E. University  
Address



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-34-2025

**WILSON REBEKAH L**  
**PO BOX 451**  
**WAXAHACHIE, TX 75168-0451**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 15, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 21, 2025 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-34-2025

City Reference: 171735

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *April 9, 2025* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

*This is a rent house with at least 2 families currently living on it. He said it would NOT be a livable unit to multiple neighbors but there is plumbing and utilities.*  
*Rebekah Wilson*

Signature

Date

*Rebekah Wilson, Home owner*

Printed Name and Title

*4/3/25*  
*410 Williams St.*

Address

(11)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-34-2025

RECEIVED APR 08 2025

DANTIC LARRY & ASHLEY  
415 WILLIAMS ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 15, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 21, 2025 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Case Number: ZDC-34-2025

City Reference: 172807

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *April 9, 2025* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

*This man Alfredo Rojas bought this single-family home and immediately started adding on to the back of the house, so that he*

*Larry Dantic*  
Signature

*4/5/2025*  
Date

*Larry Dantic homeowner*  
Printed Name and Title

*415 Williams St.  
Waxahachie, Texas 75165*  
Address

*P.S. The sign that city placed in his front yard is gone.*

CITY OF WAXAHACHIE - PROPERTY OWNER NOTIFICATION  
ZDC-34-2025 - SUP - ACCESSORY DWELLING UNIT  
303 MCKENZIE ST - PON MAP



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the City of Waxahachie for the sole purpose of geographic reference. No warranty is made by the City of Waxahachie regarding specific accuracy or completeness.

could rent it as an apartment. He worked on it on the weekends knowing that no city employees would see him adding onto the house, he got no city approval, no city permits he just built it & rented it out until someone turned him in to the city, now he has built a storage on the side of his back yard & is trying to rent it. This will make 3 different families living in a single-family home. This is not right there are cars parked all over the yard, I don't think Waxahachie should approve this man's permit, he is not playing by the laws. Thank you.

(11)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-34-2025

ROJAS ALFREDO  
303 MCKENZIE ST  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 15, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 21, 2025 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln. Waxahachie, Texas to consider the following:

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Case Number: ZDC-34-2025

City Reference: 172575

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *April 9, 2025* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Signature

*Mr. Alfredo Rojas Hernandez*  
Printed Name and Title

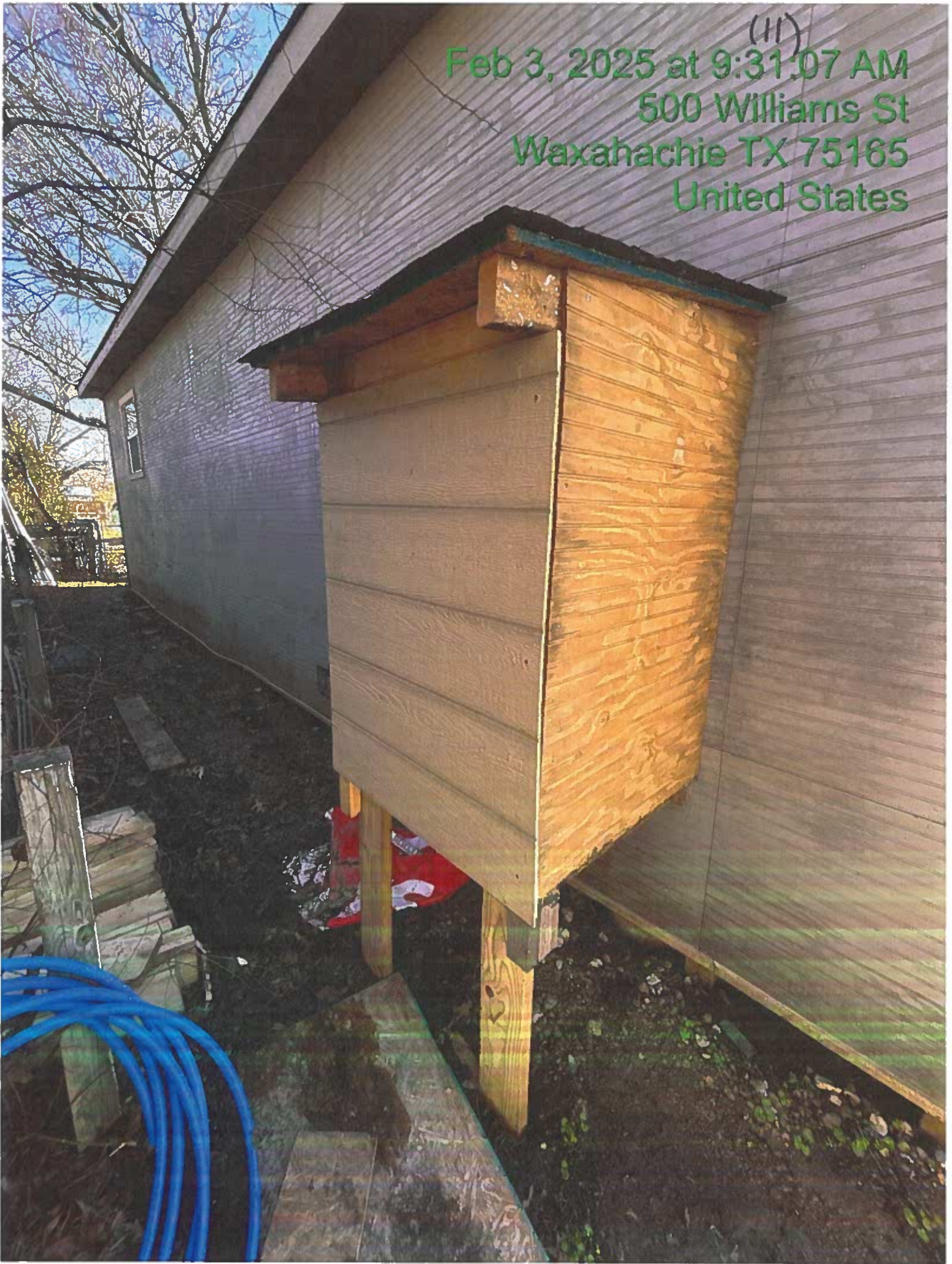
Date

*303 McKenzie St. Waxahachie, TX 75165*  
Address

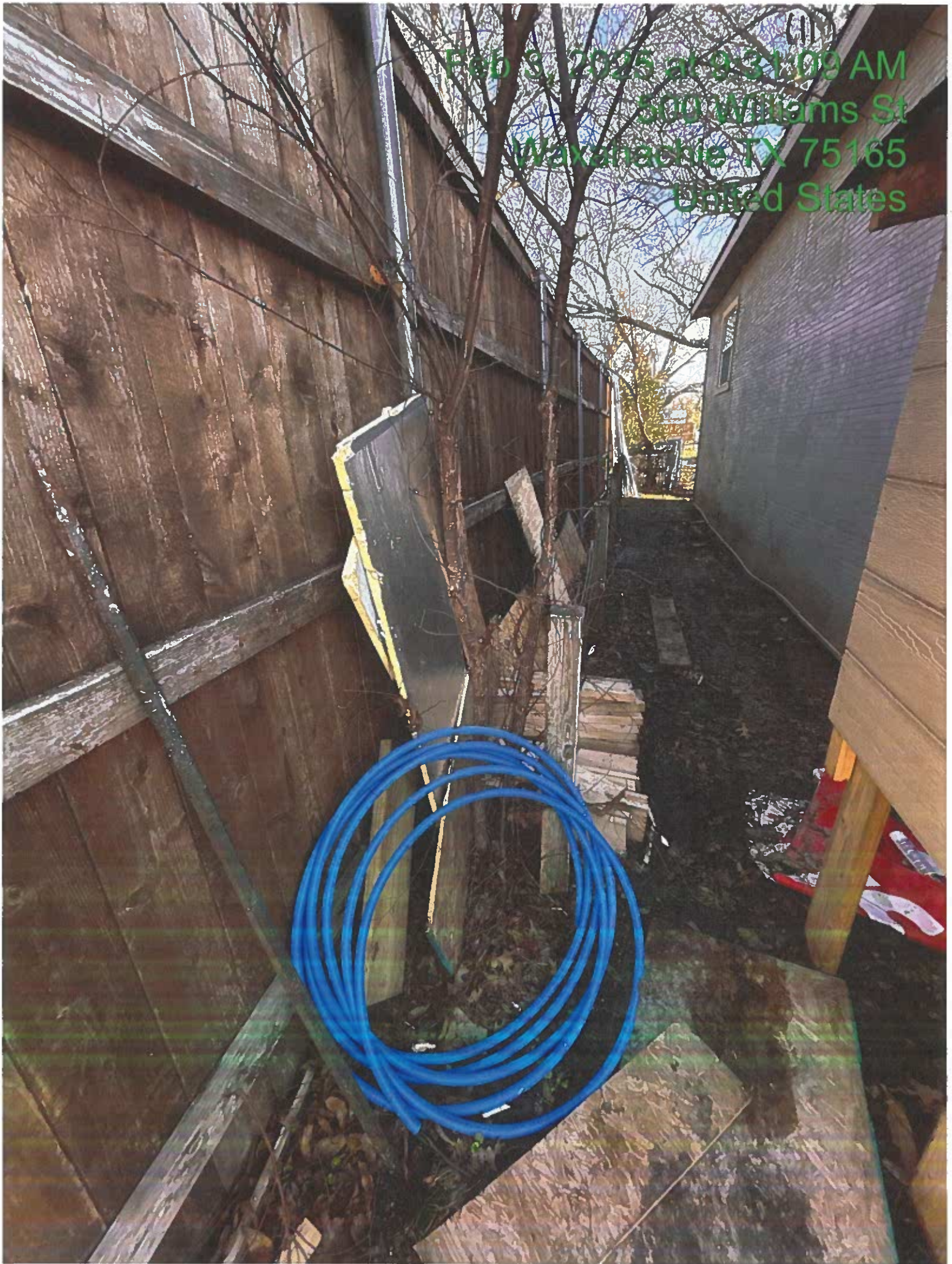
Feb 3, 2025 at 11:32:42 AM  
303 McKenzie St  
Waxahachie TX 75165  
United States



(11)  
Feb 3, 2025 at 9:31:07 AM  
500 Williams St  
Waxahachie TX 75165  
United States

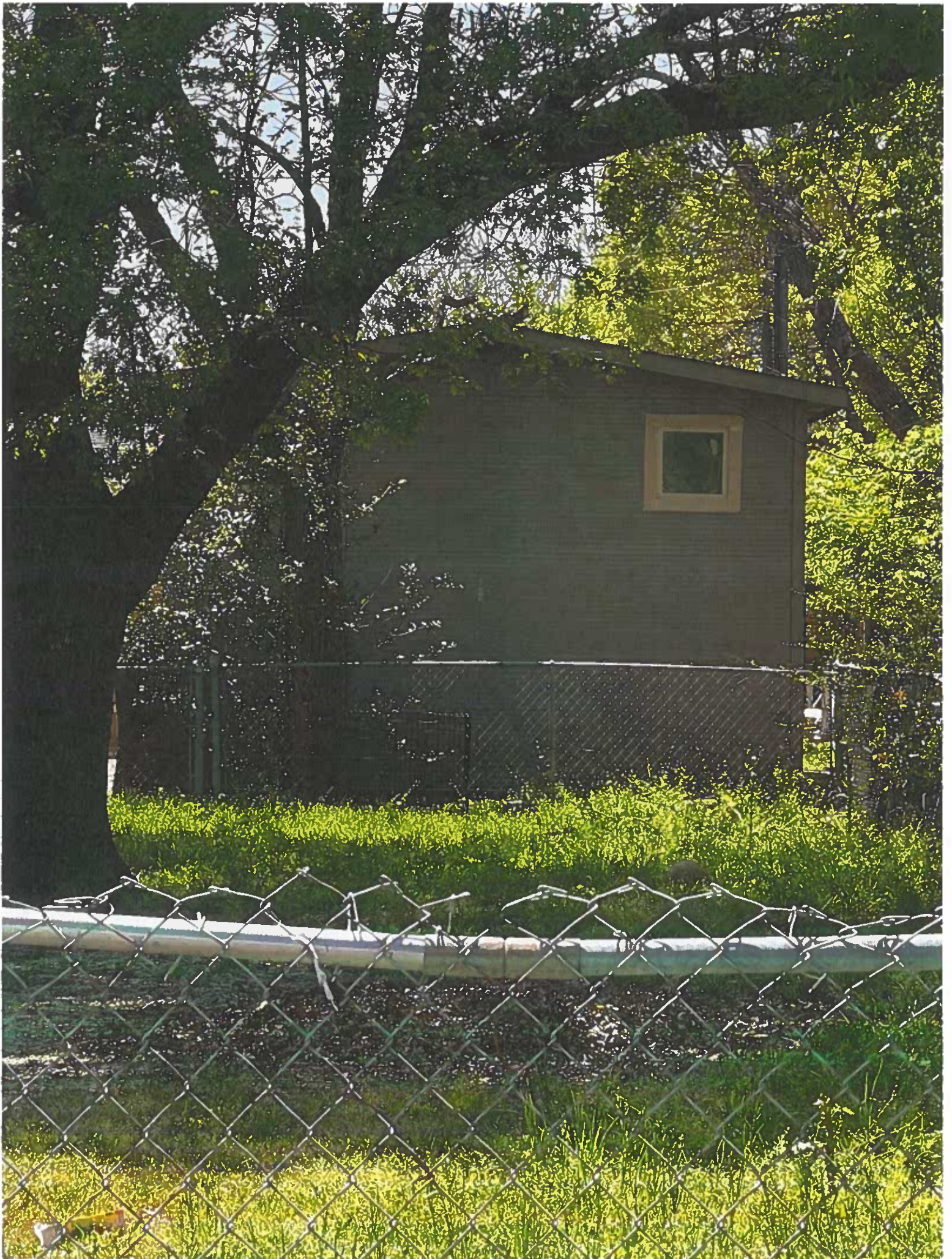


Feb 3, 2025 at 9:31:09 AM  
500 Williams St  
Waxahatchie TX 75165  
United States



Feb 3, 2025 at 9:31:25 AM  
500 Williams St  
Waxahachie TX 75165  
United States





(12)

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

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY DWELLING UNIT (ADU) USE WITHIN A SINGLE FAMILY-2 (SF-2) LOCATED AT 303 MCKENZIE STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.1794 ACRES KNOWN AS PROPERTY ID 172575, 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 a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-34-2025. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

**NOW, THEREFORE**, this property is rezoned from SF-2 to SF-2, with a SUP in order to allow an Accessory Dwelling Unit (ADU) use on the following property: Property ID 172575, which is shown on the Location Map (Exhibit A), Site Plan (Exhibit B), Operational Plan (Exhibit C).

### **SPECIFIC USE PERMIT**

#### **Purpose and Intent**

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

(12)

Specific Use Permit

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

1. The applicant shall provide an updated Site Plan that correctly identifies the dimensions, setbacks, and total size of the accessory structure. If necessary, the applicant shall relocate the accessory structure to be setback a minimum of 5' from all adjacent property lines and existing structures. The subject property shall conform to this revised site plan approved by the City Council under case number ZDC-34-2024.
2. The accessory dwelling unit shall not be used for commercial purposes.
3. The accessory dwelling unit shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The accessory dwelling unit shall only be occupied by family member or non-paying guest of the property owner.
5. The accessory dwelling unit shall not be used as a short-term rental (STR).
6. The accessory dwelling unit shall be compliant with 2021 International Building Code (IBC). The property owner shall demonstrate compliance with the 2021 IBC by providing all documents required by the Residential Accessory Building Permit Application checklist. The property owner shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before continuing construction of the accessory dwelling unit.
7. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Site Plan, Exhibit C – Operational Plan.
8. 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.
9. 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.
10. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
11. City Council shall have the right to review the Specific Use Permit at any point, necessary.

(12)

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.

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 21<sup>st</sup> day of April, 2025.

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MAYOR

ATTEST:

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City Secretary

Location Map (Exhibit A)



Site Plan (Exhibit B)

(12)



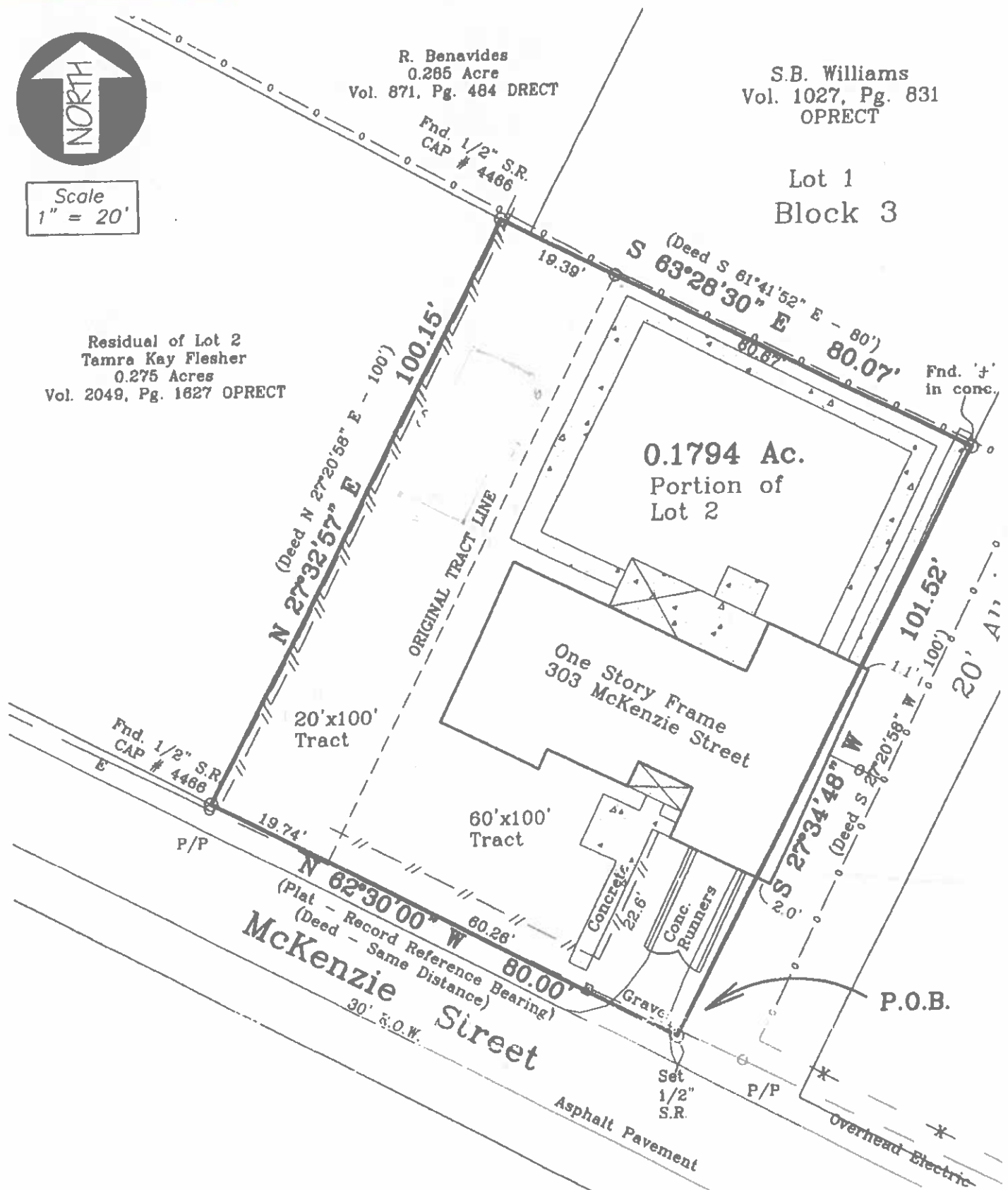
Scale  
1" = 20'

R. Benavides  
0.285 Acre  
Vol. 871, Pg. 484 DRECT

S.B. Williams  
Vol. 1027, Pg. 831  
OPRECT

Lot 1  
Block 3

Residual of Lot 2  
Tamra Kay Fleisher  
0.275 Acres  
Vol. 2049, Pg. 1827 OPRECT



See Attached Field Notes

(also known as 303 McKenzie Street)

The plat hereon reflects a survey made on the ground and is true, correct and accurate as to the b... of buildings and improvements thereon, if any, t

Good Day,

We initially built a shed to work in with my Dad in 21/22.

Shed is 496 SF. We didn't add anything else to the structure that was already there since 2022.

Since then we recently converted that specific SHED into a ADU with some electrical and plumbing.

The Specific use will be to allow my Dad to stay with us without having to pay extra cost for his care at a different location.

Currently no one is living there, and no work is being performed anymore.

Per the inspector we will get an Electrician and Plumber to inspect work that's already done.

Thank you for all your help and information in this matter.

Alfredo Rojas

# Planning & Zoning Department Zoning Staff Report

Case: ZDC-35-2025



**MEETING DATE(S)**

*Planning & Zoning Commission:* April 15, 2025  
*City Council:* April 21, 2025

**CAPTION**

**Public Hearing** on a request by Richard Shinpaugh, Ellis County Bail Bonds, to consider revoking a **Specific Use Permit** (Ordinance 3495) which allows for the use of a Bail Bond Agency located at 216 South Jackson Street (Property ID170438) – Owner: Richard Shinpaugh (ZDC-35-2025)

**RECOMMENDED MOTION**

*"I move to approve ZDC-35-2025, revoking the Specific Use Permit (SUP) Ordinance 3495 for the use of a Bail Bond Agency, authorizing the Mayor and/or City Manager to execute all documents accordingly."*

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning and Zoning Commission meeting held on April 15, 2025, the Commission voted 7-0 to recommend approval of case number ZDC-35-2025, revoking Ordinance 3495.

**APPLICANT REQUEST**

The Applicant requests revocation of a Specific Use Permit (SUP) for Bail Bond Agency (Ellis County Bail Bonds) within the Central Area (CA) zoning district located at 216 South Jackson.

**CASE INFORMATION**

*Applicant:* City of Waxahachie  
*Property Owner(s):* Richard Shinpaugh  
*Site Acreage:* 0.107 acres  
*Current Zoning:* CA with a Specific Use Permit (SUP) for Bail Bond Agency use (Ellis County Bail Bonds)  
*Requested Zoning:* Termination of the existing SUP for a Bail Bond Agency use within the CA zoning district

**SUBJECT PROPERTY**

*General Location:* 216 South Jackson Street  
*Parcel ID Number(s):* 170438  
*Existing Use:* Undeveloped Land  
*Development History:* A SUP was approved for a Bail Bond Agency use in May 2024, and the subject property was replatted in 2024.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	CA w/ SUP for Bail Bond and Insurance Office	Undeveloped Land
East	PD-CA	Public Parking Garage
South	PD-CA	Ellis County Jail
West	CA	Undeveloped Land

*Future Land Use Plan:* Downtown

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

*Thoroughfare Plan:* The access to the subject property is from South Jackson Street and East Jefferson Street, a 100' right-of-way Minor Collector.

*Site Image:*



**PLANNING ANALYSIS**

The Applicant requests the revocation of an approved SUP (Ordinance 3495) for a Bail Bond Agency use (Ellis County Bail Bonds) within the Central Area (CA) zoning district located at 216 South Jackson Street.

**Project History**

The property owner, Richard Shinpaugh, received approval of a two-year SUP for a Bail Bond Agency (ZDC-58-2023) at 104 North Jackson Street on June 19, 2023. The temporary SUP was requested because he planned to build a new building for his Bail Bond Agency at the subject property (216 South Jackson Street). Mr. Shinpaugh proposed to move his business from 104 North Jackson Street to 216 South Jackson Street when the new building was completed. Mr. Shinpaugh received approval of a SUP for a Bail Bond Agency (ZDC-112-2023) for the subject property on May 20, 2024.

Mr. Shinpaugh no longer wishes to operate a Bail Bond Agency at the subject property and submitted a new SUP application (ZDC-6-2025) to continue to operate a Bail Bond Agency at 104 North Jackson Street. If the SUP application (ZDC-6-2025) was approved, he requested to have the current SUP (ZDC-112-2023) at 216 South Jackson Street revoked. The SUP application (ZDC-6-2025) was approved with the condition that Mr. Shinpaugh is allowed to operate Ellis County Bail Bonds for five (5) years from the approval date. Mr. Shinpaugh would like to proceed with the process of having his SUP (ZDC-112-2023) at 216 South Jackson Street to be revoked since he no longer wishes to operate a Bail Bond Agency at the subject property. Mr. Shinpaugh is aware that he will have to submit a SUP application for the Bail Bond Agency use should he choose to move his business to 216 South Jackson Street in the future.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City’s public hearing notice requirements, 25 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 on the property. Staff has received no letters in support and opposition for the SUP request.

**RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents associated with the request, the Planning Department recommends approval of the SUP revocation request.

**ATTACHED EXHIBITS**

- 1. Request Letter
- 2. SUP Revocation Ordinance
- 3. Exhibit A – Location Map

**STAFF CONTACT INFORMATION**

*Prepared by:*  
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*Reviewed by:*  
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Senior Director of Planning  
[trenton.robertson@waxahachie.com](mailto:trenton.robertson@waxahachie.com)


(13)

Richard Shinpaugh  
703 E. Marvin  
Waxahachie, TX 75165  
214-477-7305

2-20-2025

City of Waxahachie:

I, Richard Shinpaugh, understand that if the new requested SUP (ZDC-6-2025) for 104 N. Jackson St, Waxahachie, TX is approved and issued, then I request that the previously approved SUP (ZDC-112-2023) to be revoked. I am aware that I will have to apply for a new SUP application for a bail bond agency located at 216 S. Jackson St. in the future.

  
Richard Shinpaugh

Subscribed and sworn before me this 20 day of February, 2025.



Notary Public Michelle Venissat  
Expiration 08-22-2026

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

**AN ORDINANCE REPEALLING SPECIFIC USE PERMIT (SUP) NO. ZDC-112-2023 AND ASSOCIATED ORDINANCE NO. 3495, BEING A BAIL BOND AGENCY USE WITHIN A CENTRAL AREA (CA) ZONING DISTRICT, LOCATED AT 216 SOUTH JACKSON STREET, WITH AN ELLIS APPRAISAL DISTRICT PROPERTY IDENTIFICATION NUMBER OF 170438, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 5B-R, BLOCK 14 IN THE ORIGINAL TOWN OF WAXAHACHIE ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

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

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

**WHEREAS**, the above-described Property ("Property") is classified in said zoning ordinance and any amendments thereto as CA, Central Area District; and

**WHEREAS**, a proper application to revoke an existing SUP on the Property has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-35-2025, and said application having been referred to the Planning and Zoning (P&Z) Commission, it was recommended by the P&Z Commission to revoke the aforementioned SUP and accompanying ordinance thereto; 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 public hearing was held as required by law and the Council having heard all arguments for and against the repeal of said SUP;

**NOW, THEREFORE**, the Property is hereby rezoned from CA, Central Area District, with SUP Ordinance No. 3495 for a Bail Bond Agency use to CA, Central Area District, on the Property, more particularly described as Lot 5B-R, Block 14 of the Original Town of Waxahachie Addition, which is shown on Exhibit A – Location Map.

**SPECIFIC USE PERMIT**

**Purpose and Intent**

The purpose of this Ordinance is to repeal SUP No. ZDC-112-2023 and accompanying Ordinance Number 3495. All appropriate restrictions, development controls, and uses that pertained to the aforementioned SUP and Ordinance shall no longer be valid or apply but shall be deemed terminated and revoked.

(147)

An emergency is declared to exist in that the continued presence of the Bail Bond Agency land use is detrimental 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 so amended in accordance with the terms of this Ordinance.

**PASSED, APPROVED AND ADOPTED** on this 21<sup>st</sup> day of April, 2025.

\_\_\_\_\_  
MAYOR

ATTEST:

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



**EXHIBIT A - LOCATION MAP**

ZDC-35-2025 (SUP)

# Planning & Zoning Department Zoning Staff Report

Case: ZDC-17-2025



**MEETING DATE(S)**

Planning & Zoning Commission: April 15, 2025  
City Council: April 21, 2025

**CAPTION**

**Public Hearing** on a request by Ben Williams, QuikTrip South, LLC for a **Specific Use Permit (SUP)** for a Convenience Store & Gasoline Sales uses within a Light Industrial-2 zoning district located east of 1000 Solon Road (Property ID 291997) - Owner: Round Top Assets, LLC (ZDC-17-2025)

**RECOMMENDED MOTION**

*"I move to deny ZDC-17-2025, a Specific Use Permit (SUP) for Convenience Store and Gasoline Sales uses."*

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning and Zoning Commission meeting held on April 15, 2025, the Commission voted 4-3 to recommend denial of case number ZDC-17-2025.

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

**APPLICANT REQUEST**

The Applicant requests a specific use permit (SUP) for Convenience Store and Gasoline Sales uses (QuikTrip) within the Light Industrial-2 (LI-2) zoning district located at the northwest corner of Marshall Road and Interstate 35E.

**CASE INFORMATION**

**Applicant:** Ben Williams, QuikTrip South, LLC  
**Property Owner(s):** Round Top Assets, LLC  
**Site Acreage:** 6.319 acres  
**Current Zoning:** Light Industrial-2 District (LI-2)  
**Requested Zoning:** LI-2 with a specific use permit (SUP) for Convenience Store and Gasoline Sales uses (QuikTrip)

**SUBJECT PROPERTY**

**General Location:** Generally located at the Northwest corner of Marshall Road and Interstate 35E  
**Parcel ID Number(s):** 291997  
**Existing Use:** Undeveloped Land

*Development History:* The subject property is not platted

*Adjoining Zoning & Uses:*

Direction	Zoning	Current Use
North	LI-2 w/ SUP for Equipment Rental & Outdoor Display	Undeveloped Land
East	N/A	North Interstate 35E
South	C	Undeveloped Land
West	LI-2 w/ SUP for Aggregate Production Facility and a Cement Treated Base Plant Use	P&K Stone Quarry

*Future Land Use Plan:* Regional Commercial

*Comprehensive Plan:* These places are first identified by their principal focus on auto-oriented traffic. Logically placed near high traffic intersections, these spaces bring people from many surrounding neighborhoods. Typical uses will include regional businesses including but not limited to restaurants, retail, gas stations, and offices. To create a more sustainable development, care should be given to make the experience for users pleasant once they exit their vehicle. A focus on adding spaces for public gathering and pedestrian shading to encourage people to walk from one establishment to another and interact with other patrons should be a priority of future development in the Regional Commercial Placetype. Though the size of a regional commercial node is flexible based on local context, generally these are about a half mile in diameter.

*Thoroughfare Plan:* The access to the subject property is from North Interstate 35E Service Road (TxDOT Highway) and Marshall Road (a Minor Arterial of 100' R.O.W.).

*Site Image:*



**PLANNING ANALYSIS**

The Applicant requests a specific use permit for Convenience Store and Gasoline Sales uses (QuikTrip) within the Light Industrial-2 (LI-2) zoning district located east of 1000 Solon Road. The uses of Convenience Store and Gasoline Sales require a SUP approved by City Council per the City of Waxahachie Zoning Ordinance.

QuikTrip is proposing to develop their third location within the City of Waxahachie of a convenience store with gasoline sales. The proposed development will contain an approximately 5,100 square foot primary structure and a fuel canopy with eight (8) dual-sided gas pumps (totaling 16 nozzles). QuikTrip plans to operate 24 hours a day, every day with between 2 to 10 employees on site at any given time. QuikTrip has noted that this site will not accommodate 18-Wheelers.

The proposed project has exceeded the minimum parking requirements for the development. A minimum of twenty-nine (29) spaces and the Applicant proposes to provide fifty-eight (58) parking spaces. The Applicant has met the minimum required landscape requirements of thirty-eight (38) canopy trees, five (5) ornamental trees, and thirty-eight (38) shrubs per the City of Waxahachie Zoning Ordinance. However, no preservation of the existing trees on the property is proposed. The nearest existing QuikTrip location is approximately 1.5 miles north of the subject property and is currently a truck stop for 18-wheelers in addition to commuter vehicles. The proposed project will not be a truck stop location, per the Applicant.

The Applicant is seeking the approval of the following deviations from the City's Codes of Ordinances should this SUP request be approved. Staff is not supportive of these deviations.

1. To allow a pole sign of 65' in height and 10' from the nearest property line. This request is for relief for the height and encroachment of multiple easements belonging to the City of Waxahachie, Tarrant Regional Water District, and Oncor. The typical height for a pole sign that was approved by City Council for various projects is 35'. Also, the minimum setback for a pole sign is 15' from the nearest property line; however, it shall be placed outside of an easement.
2. To eliminate setback restrictions for monument signs.
3. To allow two monument signs of 89 square feet, each, to be erected. The monument signs are proposed to be located at the entrances of the site on Marshall Road and Interstate 35E Service Road. This request exceeds the maximum allowed size of 80 square feet, per Section 5.08 of the City of Waxahachie Zoning Ordinance.
4. To allow less than the required minimum of 30% of glazing on the west and east elevations due to the width of the elevations.

**Proposed Elevations**

The Applicant has provided three sets of architectural elevations that are similar to those submitted for the most recently constructed location on Highway 287 and Brown Street. All elevations options have the same building design and simply feature differing exterior construction materials. The Applicant is offering one option with brick and EIFS (Exterior Insulated and Finish System) while the other options offer a combination of brick and stone.



*Elevation Option 1*



Elevation Option 2



Elevation Option 2

Table 1. Exterior Finishing Materials for Architectural Elevations (Option 1, 2, and 3)

Materials	North Elevation	South Elevation	East Elevation	West Elevation
Brick	480 SF (54%)	480 SF (54%)	1317 SF (95%)	693 SF (54%)
Stone	101 SF (11%)	101 SF (11%)	0	244 SF (15%)
EIFS	101 SF (11%)	101 SF (11%)	0	244 SF (15%)

Percentages do not include the surface area for windows, doors and signage.

Proposed Pole Sign

Per the City’s zoning ordinance, all pole signs require approval of a specific use permit. The Applicant is proposing to install the pole sign in the southeast portion of the site. The proposed pole will include a wrapped six-foot (6’) tall base with brick to match the structure, a dual-sided pricer of approximately 139 square feet, and a dual-sided QuikTrip brand sign of approximately 199 square feet. The proposed pole sign is sixty-five (65) feet tall and is approximately fifteen (15) feet wide. The proposed location of the pole sign is within an existing twenty-foot (20’) water easement that belongs to the City of Waxahachie along Marshall Road and a fifteen-foot (15’) utility easement that will be required to be dedicated, along Interstate 35E Service Road, when the subject property is platted. As presented, the pole does not comply with the City’s sign requirements per Section 5.08 of the City of Waxahachie Zoning Ordinance; which requires placement outside of all utility easements and a minimum setback of 65’ for a 65 tall sign.



Proposed pole sign

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 8 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted on the property. Staff has received no letters in support and opposition for the SUP request.

**STAFF CONCERNS**

Staff has several concerns regarding the proposed development that have not been addressed by the Applicant.

**Utility Infrastructure**

One of the primary concerns is that the development is encroaching into various easements that belong to the City of Waxahachie and Oncor. The applicant has not obtained letters of no objection or approval letters from each entity to allow encroach into the easements. The proposed development has the potential to be rendered infeasible or change drastically if approval to access and or place infrastructure in these easements is not received. Prior approval from easement holders for development is a standard due-diligence item to complete for SUP requests.

**Sedimentation**

The western side of the subject property has a significant sedimentation issue from the existing concrete batch plant on the adjacent property. Staff recommends a solid screening wall or physical barrier (possibly a berm) be proposed along the western property line to mitigate this on-going issue.

**Compliance with Site Design Criteria**

Lastly, the documents submitted with this application do not contain all technical design criteria or information required by Section 7.01 of the City of Waxahachie Zoning Ordinance. The Site Plan provided by the applicant must be revised for compliance with Section 7.01 of the Waxahachie Zoning Ordinance to demonstrate that the technical site plan design criteria for the development have been met.

**Elevation/Façade Plan**

The subject property is located at one of the prime intersections leading into the City. The proposed elevations do not offer an enhanced building design from QT's most recently approved location at Brown Street and Highway 287.

**Signage**

Staff also has concerns regarding the location and size of the proposed pole sign and the total number of signs proposed for the development. Staff is in support of a monument sign of thirty (30) feet in height due to the location of the subject property where it has frontage to Interstate 35E Service Road, and the height of the monument sign located at Highway 287 and Brown Street was approved for. A primary concern regarding the proposed pole sign is that it is encroaching into multiple easements and the Applicant has not submitted a letter of no objection from the easement holders for the proposed location of the pole sign. Staff recommends that the Applicant propose a smaller monument sign since the sign is situated along Interstate 35E Service Road, and there isn't much of a change in topography from a mile north and south of the subject property. Lastly, Staff has a concern regarding the amount of signage along Interstate 35E Service Road and recommends that the Applicant remove the smaller proposed monument sign at the entrance located on Interstate 35E Service Road to avoid a cluster of signage.

Concluding Summary

After careful consideration and analysis, Staff recommends denial of the proposed SUP request for the convenience store and gasoline sale uses. This recommendation is based on the concerns mentioned above and the lack of pertinent information/documents required to properly evaluate the SUP request in its entirety. The proposed development has the potential to be rendered infeasible or change drastically if Oncor does not grant the applicant permission to utilize or access their easement within the subject property.

**RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents associated with the request, the Planning Department recommends denial of the SUP request. If the Commission chooses to recommend approval of the SUP request, staff recommends the following conditions:

Conditions:

1. The subject property shall be platted prior to the approval Building Permit(s) for the development.
2. The Applicant shall execute a mutually agreed upon development agreement within sixty (60) calendar days of the approval of this SUP request.
3. The Applicant shall submit an approval letter from Tarrant Regional Water District (TRWD) and Oncor for encroaching into their easement(s). Additionally, the applicant shall coordinate with the Engineering, Utilities, and/or Public Works Departments to address infrastructure encroaching into the existing water easement along Marshall Road and encroaching into a proposed utility easement along Interstate 35E Service Road prior to the execution of the required development agreement.
4. The Applicant shall submit an updated operational plan to identify the number of employees will QuikTrip have per shift, the length of each shift, and how QuikTrip will keep the site clean.
5. The Applicant shall submit a photometric plan with lighting specifications for fixtures being used at site. The Applicant shall comply with Section 6.03 of the City of Waxahachie Zoning Ordinance to ensure that the proposed lighting does not cause any nuisance and glare issues.
6. The Applicant shall submit a revised detailed site plan that complies with the technical design criteria established by Section 7.01 of the City of Waxahachie Zoning Ordinance.
7. The Applicant shall submit an updated landscape plan that complies with the technical design criteria established by Section 5.08 of the City of Waxahachie Zoning Ordinance.
8. The Applicant shall provide an updated signage plan to demonstrate the maximum height of thirty (30) feet for the monument sign and remove the entry monument sign located on Interstate 35E Service Road and update the monument sign on Marshall Road to meet Section 5.08 of the City of Waxahachie Zoning Ordinance.
9. The Applicant shall provide an updated exterior material table on the Elevation/Façade Plan to reflect the correct square footage and percentage of materials being utilized for each elevation of the structure.
10. The Applicant shall submit a line-of-sight exhibit from Marshall Road and Marshall Road to demonstrate screening of the RTU's (roof top units) from the right-of-way (R.O.W.) that meet the requirements of Section 5.01 of the Waxahachie Zoning Ordinance.
11. The Applicant shall preserve all matured and healthy trees within the proposed undeveloped area.
12. The Applicant and/or property owner shall submit a tree survey demonstrating which trees are proposed to be preserved prior to clear cutting.
13. The Applicant shall provide a masonry screening wall or a berm along the western property line to mitigate the sedimentation issue from the adjacent property.
14. The Applicant shall submit a separate SUP application request for outdoor storage should they decide to have the outdoor refrigerator and/or freezer for prepackaged ice or an ice machine.

Conditions (continued):

15. The Applicant or property owner shall obtain a Certificate of Occupancy (CO) by the third (3<sup>rd</sup>) year of the approval of this SUP. In the event a CO is not obtained the SUP ordinance shall expire and become null and void.
16. The property owner shall obtain all necessary permits from the City of Waxahachie Building & Community Services Department prior to construction on the subject property.

**ATTACHED EXHIBITS**

1. Operational Plan
2. Development Agreement
3. SUP Ordinance
4. Exhibit A – Location Map
5. Exhibit B – Site Plan
6. Exhibit C – Landscape Plan
7. Exhibit D – Architectural Elevations Plan
8. Exhibit E – Signage Plan

**STAFF CONTACT INFORMATION**

*Prepared by:*

Oanh Vu

Senior Planner

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

*Reviewed by:*

Trenton Robertson, AICP

Senior Director of Planning

[trenton.robertson@waxahachie.com](mailto:trenton.robertson@waxahachie.com)

City of Waxahachie  
Planning & Zoning Department 401S  
Rogers St.  
Waxahachie, Texas 75165  
(469) 309-4290



**Project Narrative: QuikTrip 1945**

QuikTrip is seeking approval to develop a convenience store with gasoline sales located on the Northwest corner of Lofland Dr. & 1-35. The property is currently zoned LI2 – Light Industrial 2.

The proposed QuikTrip Development will consist of a 4,996 square foot QuikTrip convenience store building with 16 fueling positions. The location will operate 24 hours a day, 7 days a week. We are requesting the approval of a Special Use Permit (SUP) to allow for the following:

- Gasoline sales under Appendix A, Article IV, Sec.4.03c,
- A 65' tall pole sign with a 15' setback under Appendix A, Article V, Sec.5.08 (d)(15),
- A monument sign with no setback under Appendix A, Article V, Sec.5.08 (d)(15), and
- Less than 30% minimum glazing requirement on all elevations under Appendix A, Article V, Sec.5.01(b)(iv)(7)(b)(v).

QuikTrip Corporation was established in 1958 in Tulsa, Oklahoma and is the current location of the corporate headquarters. QuikTrip operates over 1,000 stores nationwide. The company is privately held and there are no franchises. All the store operations are directed from the corporate office to maintain our brand of excellence through consistency in products, employee training and store designs.

In addition to fuel sales, QuikTrip offers an extensive variety of food, beverages, and other consumer products. Fresh food is delivered daily for our grab and go selections in the refrigerated coolers and the pastry cases. The full-service counter called, "QT Kitchens" allows our employees to prepare hot, fresh sandwiches, flatbreads, pizzas, pretzels, and breakfast items.

The proposed store will employ more than a dozen employees, and the number of staff present varies depending on demand. We expect that during the day, however, there will be anywhere from 2 to 10 employees on site at any given time. While the proposed store will be open 24 hours a day, 7 days a week, alcohol sales hours shall be in accordance with the Texas Alcoholic Beverage Commission's (TABC) and the City of Waxahachie's ordinances.

For more than 60 years QuikTrip has demonstrated the ability and commitment to act as a reliable and capable retailer. We have strict Responsible Retailing policies in place to help ensure compliance with all TABC as well as local, state, and federal alcohol laws. We also conduct our own internal compliance shops.

QuikTrip looks forward to working with the City of Waxahachie throughout the development process. Thank you for the time you have already devoted to this project and the time and effort in the future spent to bring this project to fruition. Please let me know if there are any comments, questions, or additional materials needed regarding our submission.

Respectfully,

A handwritten signature in blue ink, appearing to read "Ben Williams", written over a light blue horizontal line.

Ben Williams  
Real Estate Project Manager

(14)

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

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A CONVENIENCE STORE AND GASOLINE SALES USES WITHIN A LIGHT INDUSTRIAL-2 (LI-2) ZONING DISTRICT, LOCATED AT THE NORTHWEST CORNER OF WEST LOFLAND DRIVE AND INTERSTATE 35E SERVICE ROAD, BEING PROPERTY ID 291997, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING PART OF ABSTRACT NUMBER 753 OF THE MCKINNEY & WILLIAMS SURVEY, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

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

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

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

**WHEREAS**, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-17-2025. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

**NOW, THEREFORE**, this property is rezoned from LI-2 to LI-2 with a SUP in order to permit Convenience Store and Gasoline Sales use on the following property: Property ID 291997; which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit B, the Landscape Plan attached as Exhibit C, the Architectural Elevations Plan attached as Exhibit D, and the Signage Plan attached as Exhibit E.

### **SPECIFIC USE PERMIT**

#### **Purpose and Intent**

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

(14)

Specific Use Permit

**FOR OPERATION OF A SPECIFIC USE PERMIT FOR A CONVENIENCE STORE AND GASOLINE SALES USES IN THE LIGHT INDUSTRIAL-2 (LI-2) ZONING DISTRICT;** the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall be platted prior to approval of Building Permit(s) for the development.
2. The Applicant shall execute a mutually agreed upon development agreement within sixty (60) calendar days of the approval of this SUP request.
3. The Applicant shall submit an approval letter from Tarrant Regional Water District (TRWD) and Oncor for encroaching into their easement(s). Additionally, the applicant shall coordinate with the Engineering, Utilities, and/or Public Works Departments to address infrastructure encroaching into the existing water easement along West Lofland Drive and encroaching into a proposed utility easement along Interstate 35E Service Road prior to the execution of the required development agreement.
4. The Applicant shall submit an updated operational plan to identify the number of employees will QuikTrip have per shift, the length of each shift, and how QuikTrip will keep the site clean.
5. The Applicant shall submit a photometric plan with lighting specifications for fixtures being used at site. The Applicant shall comply with Section 6.03 of the City of Waxahachie Zoning Ordinance to ensure that the proposed lighting does not cause any nuisance and glare issues.
6. The Applicant shall submit a revised detailed site plan that complies with the technical design criteria established by Section 7.01 of the City of Waxahachie Zoning Ordinance.
7. The Applicant shall submit an updated landscape plan that complies with the technical design criteria established by Section 5.08 of the City of Waxahachie Zoning Ordinance.
8. The Applicant shall provide an updated signage plan to demonstrate the maximum height of thirty (30) feet for the monument sign and remove the entry monument sign located on Interstate 35E Service Road, and update the monument sign on West Lofland Drive to meet Section 5.08 of the City of Waxahachie Zoning Ordinance.
9. The Applicant shall provide an updated exterior material table on the Elevation/Façade Plan to reflect the correct square footage and percentage of materials being utilized for each elevation of the structure.

(14)

10. The Applicant shall submit a line-of-sight exhibit from West Lofland Drive and Marshall Road to demonstrate screening of the RTU's (roof top units) from the right-of-way (R.O.W.) that meet the requirements of Section 5.01 of the Waxahachie Zoning Ordinance.
11. The Applicant shall preserve all matured and healthy trees within the proposed undeveloped area.
12. The Applicant and/or property owner shall submit a tree survey demonstrating which trees are proposed to be preserved prior to clear cutting.
13. The Applicant shall provide a masonry screening wall or a berm along the western property line to mitigate the sedimentation issue from the adjacent property.
14. The Applicant shall submit a separate SUP application request for outdoor storage should they decide to have the outdoor refrigerator and/or freezer for prepackaged ice or an ice machine.
15. The Applicant or property owner shall obtain a Certificate of Occupancy (CO) by the third (3rd) year of the approval of this SUP. In the event a CO is not obtained the SUP ordinance shall expire and become null and void.
16. The property owner shall obtain all necessary permits from the City of Waxahachie Building & Community Services Department prior to construction on the subject property.
17. The development shall conform as approved by the City Council under case number ZDC-17-2025.
18. The development shall adhere to the City Council approved in Exhibit A- Location Map, Exhibit B –Site Plan, Exhibit C – Landscape Plan, Exhibit D – Architectural Elevations Plan, and Exhibit E – Signage Plan.
19. All exterior construction materials, location of exterior construction materials, and percentage of exterior construction materials for each building in the development shall conform with the Architectural Elevations Plan (Exhibit D).
20. The Property Owner shall provide a permanent irrigation system(s) for all required landscape areas shown on Exhibit C - Landscape Plan and maintain or cause to be maintained the required landscaping at all times.
21. All improvements within the subject property will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.
22. 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.

(16)

23. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance (Ordinance No. \_\_\_\_\_) or the Development Agreement, shall conform to those requirements and/or standards prescribed in Exhibit B – Site Plan, Exhibit C – Landscape Plan, Exhibit D – Architectural Elevations Plan, and Exhibit E – Signage Plan. Where regulations are not specified in Exhibits B, C, D, and E, in this Zoning Ordinance (Ordinance No. \_\_\_\_\_) or the Development Agreement, the regulations of the Light Industrial-2 (LI-2) zoning district and the City of Waxahachie Zoning Ordinance shall apply to this development.
24. City Council shall have the right to review the Specific Use Permit at any point, if needed.

Compliance

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

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

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

**PASSED, APPROVED AND ADOPTED** on this 21<sup>st</sup> day of April, 2025.

\_\_\_\_\_  
MAYOR

ATTEST:

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



**EXHIBIT A - LOCATION MAP**

0 87.5 175 350 525 700 Feet

ZDC-17-2025 (SUP)

(11)







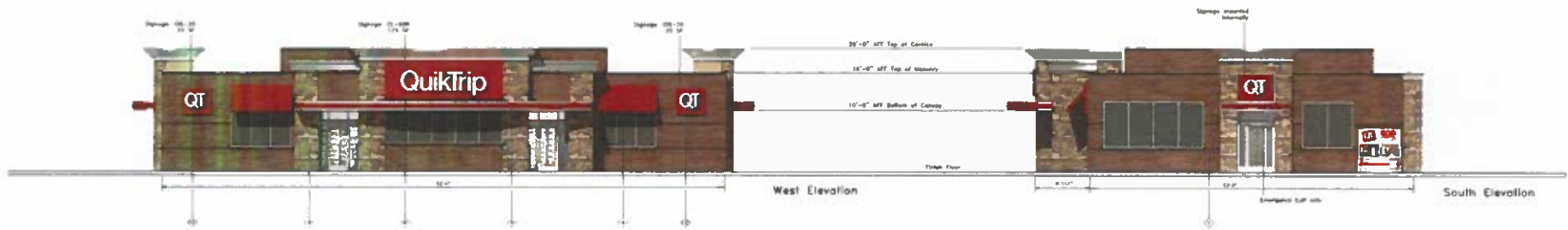
# EXHIBIT D - ARCHITECTURAL ELEVATIONS OPTIONS

## OPTION 2

**APPROVED**

BLAKE PETTUS 2/26/2025

G3SE Material SF & Percentage Table						
	TOTAL	ATLAS BRICK	STONE	FASCIA/CANOPY	GLAZING	SIGNAGE
WEST FACADE:	1635 SF	693 SF 54%	244 SF 15%	171 SF 11%	507 SF 22%	165 SF 10%
NORTH FACADE:	899 SF	480 SF 54%	101 SF 11%	44 SF 5%	274 SF 30%	
SOUTH FACADE:	899 SF	480 SF 54%	101 SF 11%	44 SF 5%	274 SF 30%	
EAST FACADE:	1386 SF	1317 SF 95%			69 SF 5%	



<p>1701 South 129th East Ave Tulsa, OK 74134-7000 Tel: 918-447-5475 Fax: 918-447-7100</p>	<p>Store # 1945 Custom G3SE Elevations</p>	<p>Address NWC Lofland Dr &amp; I-35</p>	<p>City, State Waxahachie, TX</p>	<table border="1"> <thead> <tr> <th>NO.</th> <th>REVISION</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>ISSUED FOR PERMIT</td> <td>02/26/25</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>2</td> <td>REVISED</td> <td>02/26/25</td> <td>REVISED</td> </tr> <tr> <td>3</td> <td>REVISED</td> <td>02/26/25</td> <td>REVISED</td> </tr> <tr> <td>4</td> <td>REVISED</td> <td>02/26/25</td> <td>REVISED</td> </tr> <tr> <td>5</td> <td>REVISED</td> <td>02/26/25</td> <td>REVISED</td> </tr> <tr> <td>6</td> <td>REVISED</td> <td>02/26/25</td> <td>REVISED</td> </tr> <tr> <td>7</td> <td>REVISED</td> <td>02/26/25</td> <td>REVISED</td> </tr> <tr> <td>8</td> <td>REVISED</td> <td>02/26/25</td> <td>REVISED</td> </tr> <tr> <td>9</td> <td>REVISED</td> <td>02/26/25</td> 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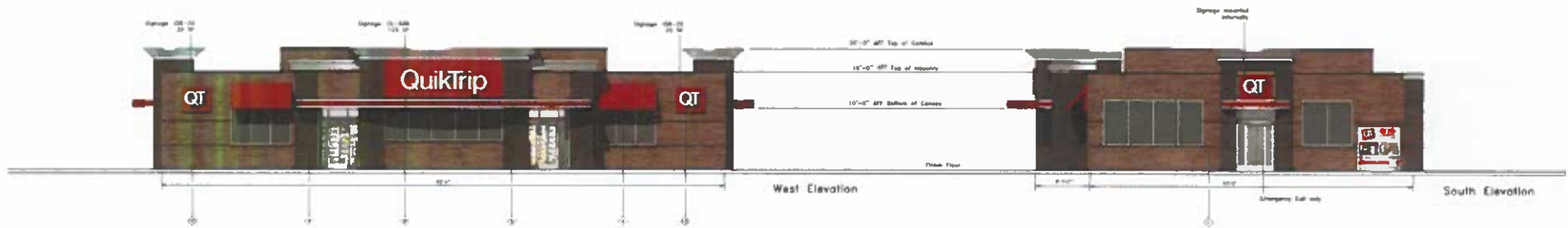
# EXHIBIT D - ARCHITECTURAL ELEVATIONS OPTIONS

## OPTION 3

**APPROVED**

BLAKE PETTUS 2/26/2025

G3SE Material SF & Percentage Table						
	TOTAL	ATLAS BRICK	EIFS	FASCIA/CANOPY	GLAZING	SIGNAGE
WEST FACADE:	1635 SF	693 SF 54%	244 SF 15%	171 SF 11%	507 SF 22%	165 SF 10%
NORTH FACADE:	899 SF	480 SF 54%	101 SF 11%	44 SF 5%	274 SF 30%	
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<p>1701 South 128th East Ave Tulsa, OK 74134-7000 Tel: 918-247-7175 Fax: 918-247-7176</p>	<p>Store # 1945 Custom G3SE Fuel Stop</p>	<p>Address: NWC Lofland Dr &amp; I-35</p>	<p>City, State: Waxahachie, TX</p>	<table border="1"> <thead> <tr> <th>Finish</th> <th>MANUFACTURER</th> <th>SPECIFICATION</th> </tr> </thead> <tbody> <tr> <td>BRICK</td> <td>ATLAS</td> <td>2 1/2" x 8" x 4" Solid</td> </tr> <tr> <td>EIFS</td> <td>EIFS</td> <td>EIFS</td> </tr> <tr> <td>GLAZING</td> <td>GLAZING</td> <td>GLAZING</td> </tr> <tr> <td>SIGNAGE</td> <td>SIGNAGE</td> <td>SIGNAGE</td> </tr> </tbody> </table>	Finish	MANUFACTURER	SPECIFICATION	BRICK	ATLAS	2 1/2" x 8" x 4" Solid	EIFS	EIFS	EIFS	GLAZING	GLAZING	GLAZING	SIGNAGE	SIGNAGE	SIGNAGE
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COPYRIGHT © 2011 QUIKTRIP CORPORATION. DESIGN PATENTS. QUIKTRIP FINISHES ARE THE EXCLUSIVE PROPERTY OF QUIKTRIP CORPORATION, TULSA, OKLAHOMA. THESE PLANS ARE PROTECTED BY INDIAN COPYRIGHT AND INTERNATIONAL COPYRIGHT AND PATENT STATUTES AND UNAUTHORIZED USE, REPRODUCTION, PUBLICATION, DISTRIBUTION OR SALE IN WHOLE OR IN PART, IS STRICTLY FORBIDDEN.

(11)





STATE OF TEXAS           §           DEVELOPMENT AGREEMENT FOR  
   §           CONVENIENCE STORE WITH GASOLINE  
   §           SALES ESTABLISHMENT

COUNTY OF ELLIS           §

**THIS DEVELOPMENT AGREEMENT** ("Agreement") is entered into by and between the City of Waxahachie, Texas ("City"), and QuikTrip South, LLC ("Developer") (individually, a "Party" and collectively, the "Parties") to be effective (the "Effective Date") on the latest date executed by a Party.

**WHEREAS**, the City is a home-rule municipal corporation, located in Ellis County, Texas, organized and existing under the laws of the State of Texas; and

**WHEREAS**, Developer is developing in the City a self-storage facility on approximately 6.319 acres of land generally located at the Northwest Corner of Interstate 35E and Marshall Road Parcel Number 291997 in the City (the "Property"), and a legal description and depiction of the Property is attached hereto as Exhibit A and incorporated by reference; and

**WHEREAS**, the foregoing Property was rezoned by the City Council on or about April 21, 2025, when the City Council approved a Specific Use Permit ("SUP") for the Property, contained in Ordinance No. \_\_\_\_\_, and this Agreement seeks to incorporate, in part, the negotiated and agreed upon development standards contained in the underlying zoning ordinance, as may be amended, and/or this Development Agreement, to recognize Developer's reasonable investment-backed expectations in the Development, as may be amended, and as more fully described herein.

**NOW, THEREFORE**, in consideration of the foregoing premises, and for other good and valuable consideration the receipt and adequacy of which are hereby acknowledged, the Parties to this Agreement agree as follows:

**1. Development Standards.** For any structure built on the Property following the Effective Date, it shall comply with the elevations and building materials requirements contained in Exhibit B, attached hereto and incorporated herein. The Parties agree and acknowledge that the provisions of this Paragraph shall apply to any structure constructed subsequent to the execution of this Agreement. Nothing in this Agreement shall be deemed to modify or otherwise amend any zoning regulation duly adopted by the City, previously or in the future.

**2. Covenant Running with the Land.** The terms, conditions, rights, obligations, benefits, covenants and restrictions of the provisions of this Agreement shall be deemed covenants running with the land, and shall be binding upon and inure to the benefit of the Developer and its heirs, representatives, successors and assigns. This Agreement shall be deemed to be incorporated into each deed and conveyance of the Property or any portion thereof hereafter made by any other Developers of the Property, regardless of whether this Agreement is expressly referenced therein.

3. **Applicability of City Ordinances.** Developer shall develop the Property, and construct all structures on the Property, in accordance with all applicable City ordinances and building/construction codes. Further, Developer shall plat the Property prior to the submission of any applications for any building permit.

4. **Rough Proportionality.** Developer hereby agrees that any land or property donated and/or dedicated to the City pursuant to this Agreement, including but not limited to any dedication of right-of-way, whether in fee simple or otherwise, including any easements (as may be reflected in any Final Plat), including any utility and/or access easements, relative to any development on the Property is roughly proportional to the need for such land and Developer hereby waives any claim therefor that it may have. Developer further acknowledges and agrees that all prerequisites to such a determination of rough proportionality have been met, and that any costs incurred relative to said donation are related both in nature and extent to the impact of the development referenced herein. Both Developer and the City further agree to waive and release all claims one may have against the other related to any and all rough proportionality and individual determination requirements mandated by the United States Supreme Court in *Dolan v. City of Tigard*, 512 U.S. 374 (1994), and its progeny, as well as any other requirements of a nexus between development conditions and the provision of roadway services to the Property.

5. **Exactions/Infrastructure Costs.** Both the City and Developer have been represented by legal counsel in the negotiation of this Agreement and been advised or each has had the opportunity to have legal counsel review this Agreement and advise them, regarding Developer's and the City's rights under Texas and federal law. Developer and the City hereby waive any requirement that the other retain a professional engineer, licensed pursuant to Chapter 1001 of the Texas Occupations Code, to review and determine that the exactions are roughly proportional or roughly proportionate to the proposed development's anticipated impact. Developer specifically reserves its right to appeal the apportionment of municipal infrastructure costs in accordance with § 212.904 of the Texas Local Government Code and any exemptions from impact fees under current or future law; however, notwithstanding the foregoing and to the extent permitted by law, Developer hereby releases the City from any and all liability under § 212.904 of the Texas Local Government Code, as amended, regarding or related to the cost of those municipal infrastructure requirements imposed by this Agreement.

6. **Default.** No Party shall be in default under this Agreement until notice of the alleged failure of such Party to perform has been given (which notice shall set forth in reasonable detail the nature of the alleged failure) and until such Party has been given a reasonable time to cure the alleged failure (such reasonable time determined based on the nature of the alleged failure, but in no event less than thirty (30) days after written notice of the alleged failure has been given). In addition, no Party shall be in default under this Agreement if, within the applicable cure period, the Party to whom the notice was given begins performance and thereafter diligently and continuously pursues performance until the alleged failure has been cured. If either Party is in default under this Agreement, the other Party shall have the right to enforce the Agreement in

accordance with applicable law, provided, however, in no event shall any Party be liable for consequential or punitive damages.

7. **Venue**. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Ellis County, Texas.

8. **Notice**. Any notices required or permitted to be given hereunder (each, a "Notice") shall be given by certified or registered mail, return receipt requested, to the addresses set forth below or to such other single address as either party hereto shall notify the other:

If to the City:           The City of Waxahachie  
                                  408 S. Rogers Street  
                                  Waxahachie, Texas 75165  
                                  Attention: City Manager

If to Developer:        QuikTrip South, LLC  
                                  8700 Freeport Parkway, Suite 115  
                                  Irving, TX 75063  
                                  Attention: Benjamin Williams

9. **Prevailing Party**. In the event any person initiates or defends any legal action or proceeding to enforce or interpret any of the terms of this Agreement, the prevailing party in any such action or proceeding shall be entitled to recover its reasonable costs and attorney's fees (including its reasonable costs and attorney's fees on any appeal).

10. **Entire Agreement**. This Agreement contains the entire agreement between the Parties hereto with respect to development of the Property and supersedes all prior agreements, oral or written, with respect to the subject matter hereof. The provisions of this Agreement shall be construed as a whole and not strictly for or against any Party.

11. **Savings/Severability**. In the event any provision of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable, the Agreement shall, to the extent reasonably possible, remain in force as to the balance of its provisions as if such invalid provision were not a part hereof.

12. **Binding Agreement**. A telecopied facsimile of a duly executed counterpart of this Agreement shall be sufficient to evidence the binding agreement of each party to the terms herein, including without limitation a scanned copy sent via electronic mail by either Party.

13. **Authority to Execute**. This Agreement shall become a binding obligation on the Parties upon execution by all Parties hereto. The City warrants and represents

that the individual executing this Agreement on behalf of the City has full authority to execute this Agreement and bind the City to the same. Developer warrants and represents that the individual executing this Agreement on behalf of Developer has full authority to execute this Agreement and bind Developer to the same. The City Council hereby authorizes the City Manager of the City to execute this Agreement on behalf of the City.

**14. Filing in Deed Records.** This Agreement, and any and all subsequent amendments to this Agreement, shall be filed in the deed records of Ellis County, Texas.

**15. Mediation.** In the event of any disagreement or conflict concerning the interpretation of this Agreement, and such disagreement cannot be resolved by the signatories hereto, the signatories agree to submit such disagreement to nonbinding mediation.

**16. Notification of Sale or Transfer; Assignment of Agreement.** Except with respect to a sale or transfer to a related entity of Developer, Developer shall notify the City in writing of any sale or transfer of all or any portion of the Property, within ten (10) business days of such sale or transfer. Developer has the right (from time to time without the consent of the City, but upon written notice to the City) to assign this Agreement, in whole or in part, and including any obligation, right, title, or interest of Developer under this Agreement, to any person or entity (an "Assignee") that is or will become an Developer of any portion of the Property or that is an entity that is controlled by or under common control with Developer. Each assignment shall be in writing executed by Developer and the Assignee and shall obligate the Assignee to be bound by this Agreement. Except with respect to a sale or transfer to a related entity of Developer, a copy of each assignment shall be provided to the City within ten (10) business days after execution. Provided that the successor Developer assumes the liabilities, responsibilities, and obligations of the assignor under this Agreement and/or the building has been constructed on the Property as provided in this Agreement, the assigning party will be released from any rights and obligations under this Agreement as to the Property that is the subject of such assignment, effective upon such transfer. No assignment by Developer shall release Developer from any liability that resulted from an act or omission by Developer that occurred prior to the effective date of the assignment. Developer shall maintain true and correct copies of all assignments made by Developer to Assignees, including a copy of each executed assignment and the Assignee's Notice information.

**17. Sovereign Immunity.** The Parties agree that the City has not waived its sovereign immunity from suit by entering into and performing its obligations under this Agreement.

**18. Effect of Recitals.** The recitals contained in this Agreement: (a) are true and correct as of the Effective Date; (b) form the basis upon which the Parties negotiated and entered into this Agreement; (c) are legislative findings of the City Council; and (d) reflect the final intent of the Parties with regard to the subject matter of this Agreement. In the event it becomes necessary to interpret any provision of this Agreement, the intent

of the Parties, as evidenced by the recitals, shall be taken into consideration and, to the maximum extent possible, given full effect. The Parties have relied upon the recitals as part of the consideration for entering into this Agreement and, but for the intent of the Parties reflected by the recitals, would not have entered into this Agreement.

19. **Consideration**. This Agreement is executed by the parties hereto without coercion or duress and for substantial consideration, the sufficiency of which is forever confessed.

20. **Counterparts**. This Agreement may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes. A facsimile signature will also be deemed to constitute an original.

21. **Amendment**. This Agreement shall not be modified or amended except in writing signed by the Parties. A copy of each amendment to this Agreement, when fully executed and recorded, shall be provided to each Party, Assignee and successor Developer of all or any part of the Property; however, the failure to provide such copies shall not affect the validity of any amendment.

22. **Waiver of Texas Government Code § 3000.001 et seq.** With respect to any structures or improvements constructed on the Property pursuant to this Agreement, Developer hereby waives any right, requirement or enforcement of Texas Government Code §§ 3000.001-3000.005, as amended.

23. **Miscellaneous Drafting Provisions**. This Agreement shall be deemed drafted equally by all Parties hereto. The language of all parts of this Agreement shall be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any Party shall not apply.

**IN WITNESS WHEREOF**, the parties hereto have caused this document to be executed as of the date referenced herein.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

(17)

CITY:

THE CITY OF WAXAHACHIE, TEXAS

By: \_\_\_\_\_

Name: Michael Scott

Title: City Manager

STATE OF TEXAS     )  
                                  )  
COUNTY OF ELLIS    )

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 202\_\_, by Michael Scott, City Manager of the City of Waxahachie, Texas, on behalf of the City of Waxahachie, Texas.

\_\_\_\_\_  
Notary Public, State of Texas  
My Commission Expires: \_\_\_\_\_

(17)

**DEVELOPER:**

QuikTrip South, LLC

By: \_\_\_\_\_

Name: Benjamin Williams

Title: Real Estate Project Manager

Date: \_\_\_\_\_

STATE OF \_\_\_\_\_ )

\_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on the \_\_\_ day of \_\_\_\_\_, 202\_\_, by \_\_\_\_\_ in his/her capacity as \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_, known to be the person whose name is subscribed to the foregoing instrument, and that he/she executed the same on behalf of and as the act of Developer.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

(17)

**EXHIBIT A**

**(Property Legal Description)**

Property Description: Ellis County Appraisal District Parcel Number \_\_\_\_\_.

(17)

**EXHIBIT B**

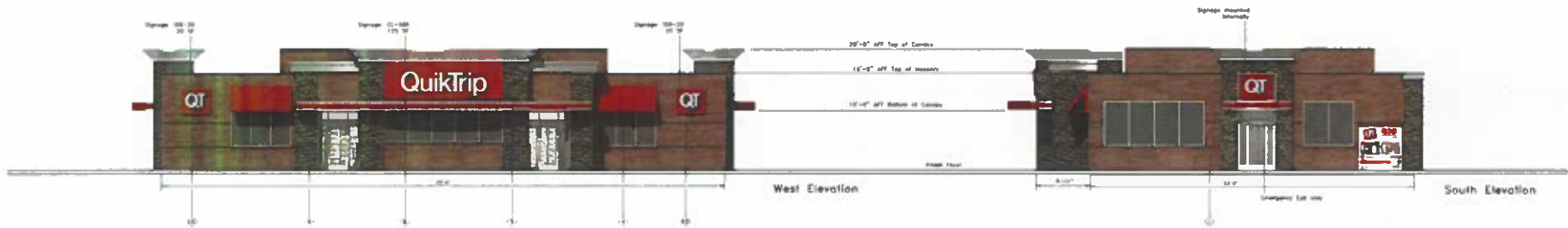
**(Building Materials/Elevations)**

# EXHIBIT B - BUILDING MATERIALS/ELEVATIONS (OPTION 1)

**APPROVED**

BLAKE PETTUS 2/26/2025

G3SE Material SF & Percentage Table						
	TOTAL	ATLAS BRICK	STONE	FASCIA/CANOPY	GLAZING	SIGNAGE
WEST FACADE:	1635 SF	693 SF 54%	244 SF 15%	171 SF 11%	507 SF 22%	165 SF 10%
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<p>4105 South 129th East Ave. Tulsa, OK 74134-7000 P.O. Box 3479 Tulsa, OK 74117-3479 (918) 916-1700</p>	Store #	1945	Custom G3SE Fuel Stop	Address	NWC Lofland Dr & I-35	City, State	Waxahachie, TX	<table border="1"> <thead> <tr> <th>FINISH</th> <th>MANUFACTURED</th> <th>SPECIFICATION</th> </tr> </thead> <tbody> <tr> <td>CLAY TILE</td> <td>ATLAS BRICK</td> <td>ATLAS BRICK</td> </tr> <tr> <td>CONCRETE</td> <td>CONCRETE</td> <td>CONCRETE</td> </tr> <tr> <td>GLAZING</td> <td>GLAZING</td> <td>GLAZING</td> </tr> <tr> <td>PAINT</td> <td>PAINT</td> <td>PAINT</td> </tr> <tr> <td>ROOFING</td> <td>ROOFING</td> <td>ROOFING</td> </tr> <tr> <td>MECHANICAL</td> <td>MECHANICAL</td> <td>MECHANICAL</td> </tr> <tr> <td>ELECTRICAL</td> <td>ELECTRICAL</td> <td>ELECTRICAL</td> </tr> <tr> <td>PLUMBING</td> <td>PLUMBING</td> <td>PLUMBING</td> </tr> <tr> <td>INSULATION</td> <td>INSULATION</td> <td>INSULATION</td> </tr> <tr> <td>FOUNDATION</td> <td>FOUNDATION</td> <td>FOUNDATION</td> </tr> <tr> <td>STRUCTURE</td> <td>STRUCTURE</td> <td>STRUCTURE</td> </tr> </tbody> </table>	FINISH	MANUFACTURED	SPECIFICATION	CLAY TILE	ATLAS BRICK	ATLAS BRICK	CONCRETE	CONCRETE	CONCRETE	GLAZING	GLAZING	GLAZING	PAINT	PAINT	PAINT	ROOFING	ROOFING	ROOFING	MECHANICAL	MECHANICAL	MECHANICAL	ELECTRICAL	ELECTRICAL	ELECTRICAL	PLUMBING	PLUMBING	PLUMBING	INSULATION	INSULATION	INSULATION	FOUNDATION	FOUNDATION	FOUNDATION	STRUCTURE	STRUCTURE	STRUCTURE
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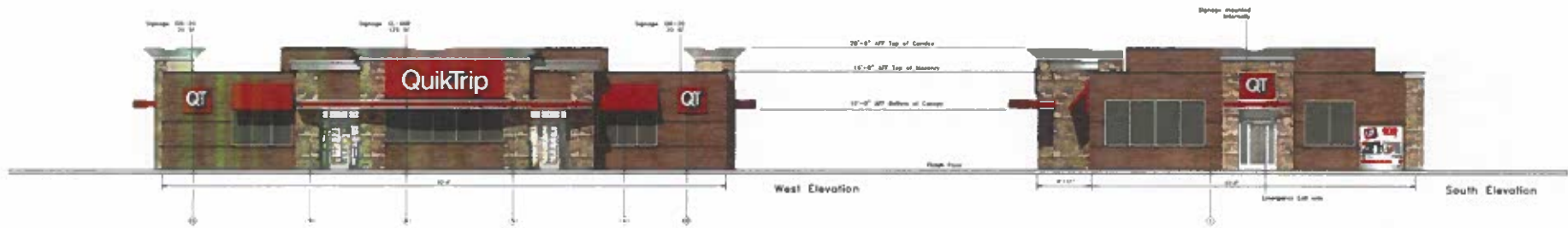
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# EXHIBIT B - BUILDING MATERIALS/ELEVATIONS (OPTION 2)

**APPROVED**

BLAKE PETTUS 2/26/2025

G3SE Material SF & Percentage Table						
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<p><b>QuikTrip</b></p> <p>4795 South 129th East Ave Tulsa, OK 74134-7998 P.O. Box 3475 Tulsa, OK 74101-3475 (918) 818-7700</p>	Store #	1945	Custom G3SE Elevations	Address	NWC Lofland Dr & I-35	City, State	Waxahachie, TX	<table border="1"> <thead> <tr> <th>NO.</th> <th>REVISIONS</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>ISSUED FOR PERMIT</td> <td></td> <td></td> </tr> <tr> <td>2</td> <td>REVISED</td> <td></td> <td></td> </tr> <tr> <td>3</td> <td>REVISED</td> <td></td> <td></td> </tr> <tr> <td>4</td> <td>REVISED</td> <td></td> <td></td> </tr> <tr> <td>5</td> <td>REVISED</td> <td></td> <td></td> </tr> <tr> <td>6</td> <td>REVISED</td> <td></td> <td></td> </tr> <tr> <td>7</td> <td>REVISED</td> <td></td> <td></td> </tr> <tr> <td>8</td> <td>REVISED</td> <td></td> <td></td> </tr> <tr> <td>9</td> <td>REVISED</td> <td></td> <td></td> </tr> <tr> <td>10</td> <td>REVISED</td> <td></td> <td></td> </tr> </tbody> </table>	NO.	REVISIONS	DATE	DESCRIPTION	1	ISSUED FOR PERMIT			2	REVISED			3	REVISED			4	REVISED			5	REVISED			6	REVISED			7	REVISED			8	REVISED			9	REVISED			10	REVISED		
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 QUIKTRIP PLANS ARE THE EXCLUSIVE PROPERTY OF QUIKTRIP CORPORATION, DALLAS, OKLAHOMA. THESE PLANS ARE PROTECTED BY THEIR OWNERSHIP BY DOMESTIC AND INTERNATIONAL COPYRIGHT AND PATENT LAWS. ANY UNAUTHORIZED REPRODUCTION, PUBLICATION, DISTRIBUTION OR SALE IN WHOLE OR IN PART, IS STRICTLY FORBIDDEN.

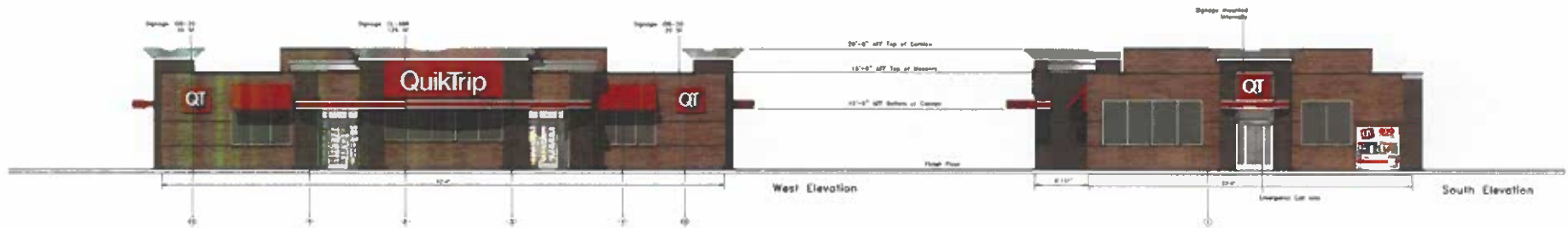
(17)

# EXHIBIT B - BUILDING MATERIALS/ELEVATIONS (OPTION 3)

**APPROVED**

BLAKE PETTUS 2/26/2025

G3SE Material SF & Percentage Table						
	TOTAL	ATLAS BRICK	E/F/S	FASCIA/CANOPY	GLAZING	SIGNAGE
WEST FACADE	1635 SF	693 SF 54%	244 SF 15%	171 SF 11%	507 SF 22%	165 SF 10%
NORTH FACADE	899 SF	480 SF 54%	101 SF 11%	44 SF 5%	274 SF 30%	
SOUTH FACADE	899 SF	480 SF 54%	101 SF 11%	44 SF 5%	274 SF 30%	
EAST FACADE	1386 SF	1317 SF 95%			69 SF 5%	



<p>4700 South 130th East Ave Tampa, FL 34637-7000 © Rev. 2/27/2025 Tampa, FL 34637-7000 (813) 813-7700</p>	<p>Store # 1945 Custom G3SE Fuel Stop</p>	<p>Address: NWC Lofland Dr &amp; I-35</p>	<p>City, State: Waxahachie, TX</p>	<table border="1"> <thead> <tr> <th>FINISH</th> <th>MANUFACTURER</th> <th>SPECIFICATION</th> </tr> </thead> <tbody> <tr> <td>BRICK</td> <td>ATLAS</td> <td>ATLAS BRICK</td> </tr> <tr> <td>GLAZING</td> <td>ALUMINUM</td> <td>ALUMINUM</td> </tr> <tr> <td>SIGNAGE</td> <td>QUIKTRIP</td> <td>QUIKTRIP</td> </tr> <tr> <td>ROOFING</td> <td>ASPH/FLT</td> <td>ASPH/FLT</td> </tr> <tr> <td>PAINT</td> <td>PRIMA</td> <td>PRIMA</td> </tr> <tr> <td>CONCRETE</td> <td>CONCRETE</td> <td>CONCRETE</td> </tr> <tr> <td>MECHANICAL</td> <td>MECHANICAL</td> <td>MECHANICAL</td> </tr> <tr> <td>ELECTRICAL</td> <td>ELECTRICAL</td> <td>ELECTRICAL</td> </tr> <tr> <td>PLUMBING</td> <td>PLUMBING</td> <td>PLUMBING</td> </tr> <tr> <td>INSULATION</td> <td>INSULATION</td> <td>INSULATION</td> </tr> <tr> <td>FOUNDATION</td> <td>FOUNDATION</td> <td>FOUNDATION</td> </tr> <tr> <td>STRUCTURE</td> <td>STRUCTURE</td> <td>STRUCTURE</td> </tr> <tr> <td>LANDSCAPE</td> <td>LANDSCAPE</td> <td>LANDSCAPE</td> </tr> <tr> <td>INTERIORS</td> <td>INTERIORS</td> <td>INTERIORS</td> </tr> <tr> <td>EXTERIORS</td> <td>EXTERIORS</td> <td>EXTERIORS</td> </tr> <tr> <td>MECHANICAL</td> <td>MECHANICAL</td> <td>MECHANICAL</td> </tr> <tr> <td>ELECTRICAL</td> <td>ELECTRICAL</td> <td>ELECTRICAL</td> </tr> <tr> <td>PLUMBING</td> <td>PLUMBING</td> <td>PLUMBING</td> </tr> <tr> <td>INSULATION</td> <td>INSULATION</td> <td>INSULATION</td> </tr> <tr> <td>FOUNDATION</td> <td>FOUNDATION</td> <td>FOUNDATION</td> </tr> <tr> <td>STRUCTURE</td> <td>STRUCTURE</td> <td>STRUCTURE</td> </tr> </tbody> </table>	FINISH	MANUFACTURER	SPECIFICATION	BRICK	ATLAS	ATLAS BRICK	GLAZING	ALUMINUM	ALUMINUM	SIGNAGE	QUIKTRIP	QUIKTRIP	ROOFING	ASPH/FLT	ASPH/FLT	PAINT	PRIMA	PRIMA	CONCRETE	CONCRETE	CONCRETE	MECHANICAL	MECHANICAL	MECHANICAL	ELECTRICAL	ELECTRICAL	ELECTRICAL	PLUMBING	PLUMBING	PLUMBING	INSULATION	INSULATION	INSULATION	FOUNDATION	FOUNDATION	FOUNDATION	STRUCTURE	STRUCTURE	STRUCTURE	LANDSCAPE	LANDSCAPE	LANDSCAPE	INTERIORS	INTERIORS	INTERIORS	EXTERIORS	EXTERIORS	EXTERIORS	MECHANICAL	MECHANICAL	MECHANICAL	ELECTRICAL	ELECTRICAL	ELECTRICAL	PLUMBING	PLUMBING	PLUMBING	INSULATION	INSULATION	INSULATION	FOUNDATION	FOUNDATION	FOUNDATION	STRUCTURE	STRUCTURE	STRUCTURE
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# Planning & Zoning Department

## Zoning Staff Report

Case: ZDC-231-2024



**MEETING DATE(S)**

*Planning & Zoning Commission:* April 15, 2025  
*City Council:* April 21, 2025

**CAPTION**

*Public Hearing* on a request by Joey Scott, Stephens Engineering, for a **Specific Use Permit (SUP)** for a Self-Storage Facility use within General Retail zoning district located at 51 Indian Drive (Property ID 295119) - Owner: Buffalo Creek Plaza, LLC (ZDC-231-2024)

**RECOMMENDED MOTION**

*"I move to approve of ZDC-231-2024, a Specific Use Permit (SUP) for a Self-Storage Facility use, subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to sign the associated documents accordingly."*

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning and Zoning Commission meeting held on April 15, 2025, the Commission voted 7-0 to recommend approval of case number ZDC-231-2024, with Elevation Option 2 and the additional condition that the Applicant add additional landscaping to the subject property.

**APPLICANT REQUEST**

The Applicant requests a Specific Use Permit (SUP) for a Self-Storage Facility use (Oak View Self-Storage) within the General Retail (GR) zoning district located at 51 Indian Drive.

**CASE INFORMATION**

*Applicant:* Joey Scott, Stephens Engineering  
*Property Owner(s):* Buffalo Creek Plaza, LLC  
*Site Acreage:* 3.130 acres  
*Current Zoning:* General Retail (GR)  
*Requested Zoning:* General Retail (GR) with a SUP for Self-Storage Facility use

**SUBJECT PROPERTY**

*General Location:* 51 Indian Drive  
*Parcel ID Number(s):* 295119  
*Existing Use:* Undeveloped Land  
*Development History:* The subject property was platted as a portion of Block A, Lot 9 of the Buffalo Creek Addition in 2022.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	GR	Rehabilitation Hospital of Waxahachie
East	GR, SF-2	Undeveloped Land
South	GR, SF-2	Undeveloped Land
West	GR	Undeveloped Land

*Future Land Use Plan:*

Mixed-Use Neighborhood & Regional Commercial

*Comprehensive Plan:*

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

These places are first identified by their principal focus on auto-oriented traffic. Logically placed near high traffic intersections, these spaces bring people from many surrounding neighborhoods. Typical uses will include regional businesses including but not limited to restaurants, retail, gas stations, and offices. To create a more sustainable development, care should be given to make the experience for users pleasant once they exit their vehicle. A focus on adding spaces for public gathering and pedestrian shading to encourage people to walk from one establishment to another and interact with other patrons should be a priority of future development in the Regional Commercial Placetype. Though the size of a regional commercial node is flexible based on local context, generally these are about a half mile in diameter.

*Thoroughfare Plan:*

Access to the subject property is from Indian Drive (an 80' Major Collector) on the Thoroughfare Plan.

Site Image:



**PLANNING ANALYSIS**

The Applicant requests a SUP for a Self-Storage Facility use (Oak View Self-Storage) within the General Retail (GR) zoning district located at 51 Indian Drive. A Self-Storage Facility Land Use requires a SUP to be approved by City Council per the City of Waxahachie Zoning Ordinance. Staff received the SUP application on December 18, 2024. Staff reviewed the application and provided comments to the Applicant on December 31, 2024. Staff provided comments to the applicant within five (5) business days of each of the three (3) resubmittals provided by the applicant.

Oak View Capital Partners, LLC (the business owner of Oak View Self-Storage) is a Dallas-based development firm who focuses on developing multi-story climate-controlled self-storage facilities with locations within the Dallas-Fort Worth metroplex and Kansas City area. This location will consist of a primary structure of approximately 97,800 square feet with the total height of 46'-10 1/2". The proposed facility is staffed by one employee during the hours of operation of 6:00 a.m. to 10 p.m., every day.

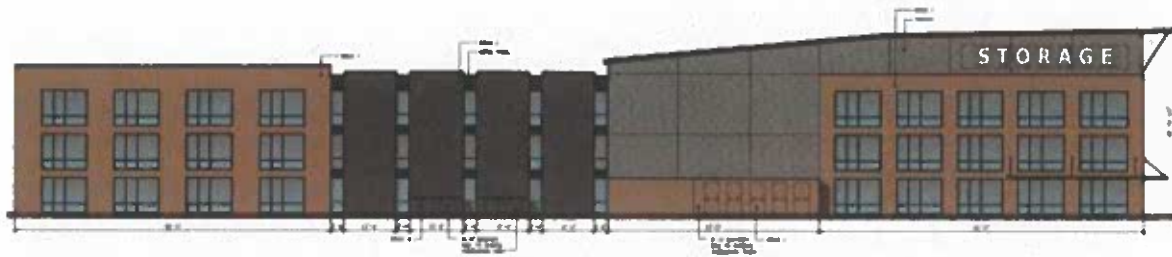
The proposed project does meet the minimum parking requirements and minimum landscape requirements per the City of Waxahachie Zoning Ordinance.

**Screening**

Typically, a six-foot (6') masonry screening wall is required for all proposed non-residential developments located adjacent to a residential zoning district or residential use property per Section 5.03 of the City of Waxahachie Zoning Ordinance. The adjacent properties located to the south and west are within a residential zoning district; however, it is undeveloped. The Applicant is proposing to install a combination of canopy trees and ornamental trees along the southern property boundary to provide live screening in the event that the adjacent property develops; which is an appropriate alternative in this context.

**Proposed Elevations**

The applicant has provided elevations plan that feature 100% masonry exterior construction material. The elevation plan utilizes a mix of brick and stucco.



North Elevation



**METAL PANEL**  
 MANUF: MBCI  
 COLOR: TRUE BLACK



**OVERHEAD DOOR**  
 MANUF: JANUS  
 COLOR: SILHOUETTE GRAY



**STUCCO**  
 MANUF: STO CORP.  
 COLOR: 16281



**BRICK 2**  
 MANUF: SIOUX CITY  
 COLOR: CARBON BLACK



**BRICK 1**  
 MANUF: SIOUX CITY  
 COLOR: REGENCY BLEND



**METAL SIDING**  
 MANUF: MBCI  
 COLOR: SLATE GRAY

*Proposed Materials*

**Exterior Finishing Materials for Architectural Elevations (Option 1 and 2)**

Material	North Elevation	South Elevation	East Elevation	West Elevation	Overall
Stucco	2,443 (31%)	2,792 SF (31%)	623 SF (20%)	933 SF (28%)	6,791 SF (29%)
Brick	5,351 SF (69%)	5,720 SF (65%)	2,530 SF (80%)	2,451 SF (72%)	16,052 SF (69%)
Metal	0	348 SF (4%)	0	0	348 SF (2%)

Percentages do not include the surface area for windows, doors and signage.

Lighting

The Applicant proposes to mount shielded wall packs on the proposed building, along with a twenty-foot light pole to be located at the parking lot located on the western side of the property. The Applicant has provided a photometric plan that meets Section 6.03 of the City of Waxahachie Zoning Ordinance, along with the lighting specifications of the proposed lighting fixtures

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 11 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 five (5) letters in support and no letters in opposition for the SUP request.

Staff Concerns

Although the photometric plan meets Section 6.03 of the City of Waxahachie Zoning Ordinance, Staff has a concern that the proposed light fixtures may cause a glare issue. The Applicant shall provide a shield for each lighting fixtures at the time of building permitting to prevent any glare issues.

**RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents associated with the request, the Planning Department recommends approval of the SUP request, subject to the following conditions:

**Conditions:**

1. The subject property shall be replatted prior to approval of Building Permit(s) for the development.
2. The Applicant shall provide a shield for all lighting fixtures to prevent any light pollution exceeding the allowed unit per Section 6.03 of the City of Waxahachie Zoning Ordinance.
3. The Applicant shall add additional landscaping to the Landscape Plan. The proposed landscape shall exclude the living screening wall that is proposed along the rear boundary of the subject property.
4. The Applicant shall submit an updated site plan to reflect the addition of a note that the curb inlet must be maintained by property owner.
5. The Applicant shall execute a mutually agreed upon development agreement within thirty (30) calendar days of the approval of this SUP request.
6. The proposed development shall be developed within the General Retail (GR) zoning district only. A Zoning Change will be required if any structures are built within the Single-Family 2 (SF-2) zoning district portion of the subject property.
7. The Applicant or property owner shall obtain a Certificate of Occupancy (CO) by the fifth (5<sup>th</sup>) year of the approval of this SUP. In the event a CO is not obtained the SUP ordinance shall expire and become null and void.
8. The property owner shall obtain all necessary permits from the City of Waxahachie Building & Community Services Department prior to construction on the subject property.

**ATTACHED EXHIBITS**

1. Public Notification Responses
2. Operational Plan
3. Development Agreement
4. SUP Ordinance
5. Exhibit A – Location Map
6. Exhibit B – Site Plan
7. Exhibit C – Landscape Plan
8. Exhibit D – Architectural Elevations Plan
9. Exhibit E – Photometric Plan

**STAFF CONTACT INFORMATION**

*Prepared by:*

Oanh Vu

Senior Planner

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

*Reviewed by:*

Trenton Robertson, AICP

Senior Director of Planning

[trenton.robertson@waxahachie.com](mailto:trenton.robertson@waxahachie.com)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-231-2024



**BUFFALO CREEK PLAZA LLC  
440 GINGERBREAD LN  
WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 15, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 21, 2025 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 Joey Scott, Stephens Engineering, for a Specific Use Permit (SUP) for a Self-Storage Facility use within a General Retail zoning district located at 51 Indian Drive (Property ID 295119) - Owner: Buffalo Creek Plaza, LLC (ZDC-231-2024)

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

Case Number: ZDC-231-2024

City Reference: 295113

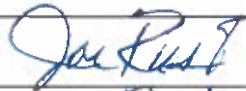
Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on April 9, 2025 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

---

  
Signature Joe Rust  
Buffalo Creek Plaza, Mgr.  
Printed Name and Title

3-29-25  
Date 440 Gingerbread Ln  
Waxahachie, TX 75165  
Address

(18)



City of Waxahachie, Texas  
Notice of Public Hearing  
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Case Number: ZDC-231-2024

City Reference: 179000

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SUPPORT

OPPOSE

Comments:

Signature Joe Rast  
Joe Rast  
Buffalo Creek Plaza, Mgr.  
Printed Name and Title

Date 3-29-25  
440 Gingerbread Ln  
Waxahachie, TX 75165  
Address

(18)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-231-2024

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City Reference: 295112

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SUPPORT

OPPOSE

Comments:

Joe Rust  
Signature Joe Rust  
Buffalo Creek Plaza, Mgr.  
Printed Name and Title

3-29-25  
Date  
440 Gingerbread Ln  
Waxahachie, TX 75165  
Address

(18)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-231-2024

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Case Number: ZDC-231-2024

City Reference: 295116

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SUPPORT

OPPOSE

Comments:

Joe Rust  
Signature Joe Rust  
Buffalo Creek Plaza, Mgr.  
Printed Name and Title

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Date  
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Address

(18)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-231-2024

**BUFFALO CREEK PLAZA LLC**  
**440 GINGERBREAD LN**  
**WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, April 15, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, April 21, 2025 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 Joey Scott, Stephens Engineering, for a Specific Use Permit (SUP) for a Self-Storage Facility use within a General Retail zoning district located at 51 Indian Drive (Property ID 295119) - Owner: Buffalo Creek Plaza, LLC (ZDC-231-2024)

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

Case Number: ZDC-231-2024


City Reference: 295119

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *April 9, 2025* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

  
Signature Joe Rust  
Buffalo Creek Plaza, Mgr.  
Printed Name and Title

3-29-25  
Date 440 Gingerbread Ln  
Waxahachie, TX 75165  
Address

**Oak View Capital Partners, LLC Operation Plan**  
**City of Waxahachie – Indian Drive Property**

Oak View Capital Partners, LLC is a Dallas based development firm currently focused on developing Class A Self storage in the Dallas/Fort Worth and Kansas City Metro markets. Our focus is primarily on multistory climate-controlled facilities that allow the consumer to be in a safe comfortable environment. Self-storage has become an essential neighborhood service as an extension of the family's home garage, people in transition as well as incubators for new businesses in the community. We use professional national storage companies for management and branding including Cubesmart and Public Storage.

Self storage is a great neighbor since it is a very low traffic generator and once the client rents a unit they usually have minimal visits to their unit if at all. There is also a lot more security than normal businesses with at least 20+ cameras inside and outside the building. Our operating hours are 9 am to 6 pm Monday through Sunday. Access hours are limited to 6 am to 10 pm. We will have one employee during our operating hours.

Parking requirements for storage are very minimal. Based on a recent study by Priority Engineers for our Dallas locations, Peak AM visits are 7 and Peak PM visits are 9. Our facilities average 10 to 15 spaces. In the Dallas market we have the following parking space count on projects that were new ground up construction: Forney (8), Sherman (20), Crowley (12), Pantego (8). Our proposed project includes 19 designated parking spaces, which is above our average number of spaces.

The proposed climate-controlled storage building is compatible with the surrounding properties and zoning designations. The adjacent properties to the west, north, and east, zoned for general retail, align well with the commercial nature of the project, creating opportunities for shared customer traffic and complementary uses. To the south, the residential zoning presents a practical relationship, as the storage facility can provide a valuable service to nearby residents seeking secure, climate-controlled storage options. The project's design and operations will ensure minimal impact on the residential area, maintaining a balanced and harmonious integration with the surrounding community.

(19)

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

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SELF-STORAGE FACILITY USE WITHIN A GENERAL RETAIL (GR) ZONING DISTRICT, LOCATED 51 INDIAN DRIVE, BEING PROPERTY ID 295119, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING PART OF LOT 9, BLOCK A IN THE BUFFALO CREEK ADDITION SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

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

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

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

**WHEREAS**, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-231-2024. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

**NOW, THEREFORE**, this property is rezoned from GR to GR with a SUP in order to permit a Self-Storage Facility use on the following property: Part of Lot 9, Block A of the Buffalo Creek Addition, which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit B, the Landscape Plan attached as Exhibit C, the Architectural Elevations Plan attached as Exhibit D, and the Photometric Plan attached as Exhibit E.

**SPECIFIC USE PERMIT**

**Purpose and Intent**

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

(19)

Specific Use Permit

**FOR OPERATION OF A SPECIFIC USE PERMIT FOR A SELF-STORAGE FACILITY USE THE GENERAL RETAIL (GR) ZONING DISTRICT;** the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall be replatted prior to approval of Building Permit(s) for the development.
2. The Applicant shall provide a shield for all lighting fixtures to prevent any light pollution exceeding the allowed unit per Section 6.03 of the City of Waxahachie Zoning Ordinance.
3. The Applicant shall add additional landscaping to the Landscape Plan. The proposed landscape shall exclude the living screening wall that is proposed along the rear boundary of the subject property.
4. The Applicant shall submit an updated site plan to reflect the addition of a note that the curb inlet must be maintained by property owner.
5. The Applicant shall execute a mutually agreed upon development agreement within thirty (30) calendar days of the approval of this SUP request.
6. The proposed development shall be developed within the General Retail (GR) zoning district only. A Zoning Change will be required if any structures are built within the Single-Family 2 (SF-2) zoning district portion of the subject property.
7. The Applicant or property owner shall obtain a Certificate of Occupancy (CO) by the fifth (5th) year of the approval of this SUP. In the event a CO is not obtained the SUP ordinance shall expire and become null and void.
8. The property owner shall obtain all necessary permits from the City of Waxahachie Building & Community Services Department prior to construction on the subject property.
9. The development shall conform as approved by the City Council under case number ZDC-231-2024.
10. The development shall adhere to the City Council approved in Exhibit A- Location Map, Exhibit B –Site Plan, Exhibit C – Landscape Plan, Exhibit D – Architectural Elevations Plan, and Exhibit E – Photometric Plan.
11. All exterior construction materials, location of exterior construction materials, and percentage of exterior construction materials for each building in the development shall conform with the Architectural Elevations Plan (Exhibit D).

12. The Property Owner shall provide a permanent irrigation system(s) for all required landscape areas shown on Exhibit C - Landscape Plan and maintain or cause to be maintained the required landscaping at all times.
13. All improvements within the subject property will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.
14. 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.
15. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance (Ordinance No. \_\_\_\_\_) or the Development Agreement, shall conform to those requirements and/or standards prescribed in Exhibit B - Site Plan, Exhibit C - Landscape Plan, Exhibit D - Architectural Elevations Plan, and Exhibit E - Photometric Plan. Where regulations are not specified in Exhibits B, C, D, and E, in this Zoning Ordinance (Ordinance No. \_\_\_\_\_) or the Development Agreement, the regulations of the General Retail (GR) zoning district and the City of Waxahachie Zoning Ordinance shall apply to this development.
16. City Council shall have the right to review the Specific Use Permit at any point, if needed.

#### Compliance

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

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

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

(19)

**PASSED, APPROVED AND ADOPTED** on this 21<sup>st</sup> day of April, 2025.

\_\_\_\_\_  
MAYOR

ATTEST:

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



**EXHIBIT A - LOCATION MAP**

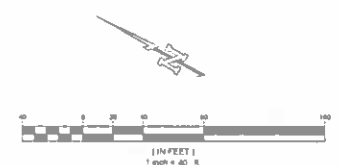
0 82.5 125 250 375 500 Feet

 ZDC-231-2024 (SUP)



**EXHIBIT C - LANDSCAPE PLAN**

LANDSCAPE REQUIREMENTS				
PLAN IS REQUIRED BY VENDOR LANDSCAPE AREAS				
SITE AREA	PERCENTAGE LT	AREA SF	REQUIRED UNIT	PROVIDED UNIT
LOT 9A - MAIN SELF-STORAGE BUILDING		32,600		
PLANT SPEC'S				
REQUIRED LANDSCAPE AREA		50%	16,300.00	
REQUIRED CANOPY TREES 1/200	RED OAK		33 EA	35 EA
REQUIRED UNDERSTORY TREES 1/250	SMILLY R. STEVENS & CRAPE MYRTLES		85 EA	80 EA
REQUIRED SHRUBS 1/20	SMART BURNING HOLLY		733 EA	738 EA
REQUIRED GROUND COVER AREA 1%	GRASS		3,260 SF	26,332 SF
REQUIRED SEASONAL COLOR AREA 2%			326 SF	4,208 SF



**LEGEND**

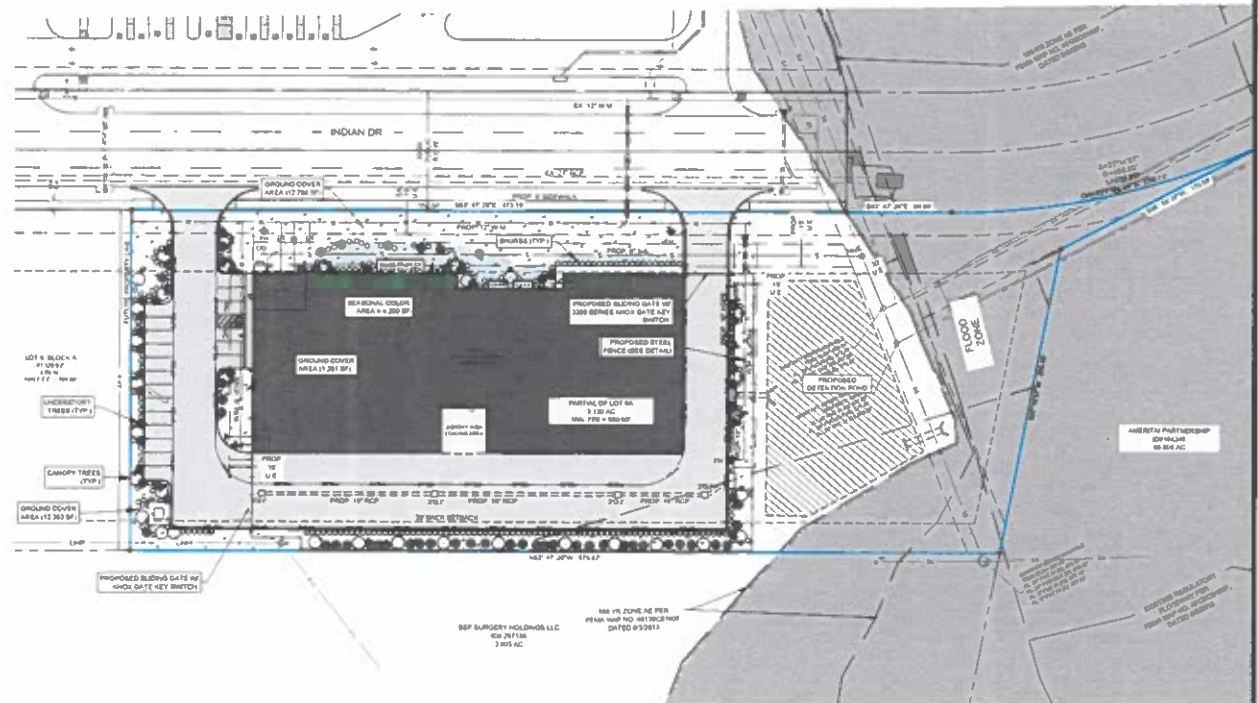
- 1/8" - UTILITY EASEMENTS
- 1/8" - DRAINAGE EASEMENTS
- 1" - CURB INLET
- 1/4" - MANHOLE
- 1/2" - MANHOLE
- 1/2" - JUNCTION BOX
- CANOPY TREE - 36 EA
- UNDERSTORY TREE - 80 EA
- EVERGREEN SHRUB - 230 EA
- GROUND COVER AREA - 26,332
- SEASONAL COLOR AREA - 4,208 SF

**GENERAL LANDSCAPE PLAN NOTES**

- LANDSCAPE PLAN PREPARED BY SITE PLANNING ENGINEERING FOR SITE PLAN REVIEW PURPOSES. FINAL LANDSCAPE PLAN SHALL BE COMPLETED BY A REGISTERED LANDSCAPE ARCHITECT PER CITY REQUIREMENTS.
- ALL REQUIRED LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC WATERING SYSTEM AND SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL AND INSTALLED BY A LICENSED IRRIGATOR.
- LANDSCAPING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF WAXAHACHIE'S LANDSCAPE ORDINANCE IN EFFECT AT THE TIME OF SITE PLAN APPROVAL.
- CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES ABOVE AND BELOW GROUND AS WELL AS PROVIDE CITY ENGINEER'S INSTRUCTIONS ON ADDRESSING WITHIN THEIR EASEMENTS AND UTILITY LINES PRIOR TO COMMENCING CONSTRUCTION.
- CONTRACTOR SHALL VERIFY LOCATION OF ALL EXISTING IMPROVEMENTS AND TO NOT DISTURB THOSE THAT ARE OUTSIDE OF THE SCOPE OF WORKS. ANY STRUCTURES THAT ARE TO REMAIN WITHIN THE SCOPE OF WORKS SHALL NOT BE DAMAGED. PHOTOGRAPHS AND NOTES SHOULD BE MADE FOR ANY EXISTING DAMAGED CONDITIONS PRIOR TO COMMENCING CONSTRUCTION AND SUBMITTED TO CHAIRMAN REPAIRS DEPARTMENT.
- CONTRACTOR SHALL NOTIFY OWNER REPRESENTATIVE IF THERE ARE ANY WATER RETENTION AND/OR IF ANY OBJECTS THAT MAY HAVE ON THE INSTALLATION OF PLANT MATERIAL.
- QUANTITIES SHOWN IN PLANT LIST FOR PLANT MATERIAL AREA PROVIDED AS A GUIDE FOR THE CONTRACTOR. CONTRACTOR SHALL VERIFY PRIOR TO ORDERING THAT THE QUANTITY WILL COVER THE SPECIFIED AREA THAT THE SPACING STATED IN THE PLANT LIST UNDER THE SPACING COLUMN. IF THERE IS A DISCREPANCY, THE CONTRACTOR SHALL MAKE NOTES ON THEIR BID AND SHOW THE ADDRESS ON REDUCED COPY.
- CONTRACTOR SHALL OBTAIN SOURCES FOR ALL PLANT MATERIAL ON PLANT LIST WHEN BIDDING PROJECT. NO PLANTS SUBSTITUTIONS.
- CONTRACTOR SHALL BECOME FAMILIAR WITH THE DRAINAGE FOR THIS PROJECT PRIOR TO INSTALLATION.
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ADVISE THE OWNER'S REPRESENTATIVE OF ANY CONDITIONS FOUND ON SITE WHICH PREVENTS INSTALLATION AS SHOWN ON THESE PLANS.
- ALL NEW PLANTING BEDS SHALL HAVE A MINIMUM SIX (6) INCHES OF BED PREPARATION.
- LAWN AREA SHALL HAVE FERTILE AND CLEAN TOP SOIL TILLED 4" DEEP.
- GRASSING IN PLANTING BEDS SHALL BE SMOOTH AND PROVIDE POSITIVE DRAINAGE.
- CONTRACTOR SHALL STATE OUT LOCATION OF ALL TREES AND SHRUBS FOR APPROVAL BY OWNER REPRESENTATIVE PRIOR TO PLANTING.
- MULCHING OF SHRUBS AND ANY GROUND COVER AREAS SHALL HAVE 3 INCHES OF BRANDED HARDWOOD MULCH.
- LANDSCAPED AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS AND OTHER SUCH MATERIAL OR PLANTS NOT A PART OF THE LANDSCAPING.
- THE PROPERTY OWNER, TENANT OR AGENT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL REQUIRED LANDSCAPING IN A HEALTHY, NEAT, ORDERLY AND WELL-MANAGED CONDITION AT ALL TIMES. THIS SHALL INCLUDE MOWING, EDGING, PRUNING, FERTILIZING, WEEDING, WATERING AND OTHER SUCH ACTIVITIES COMMON TO THE MAINTENANCE OF LANDSCAPING. LANDSCAPED AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS AND OTHER SUCH MATERIALS NOT PART OF THE LANDSCAPING. PLANT MATERIALS THAT DO NOT MEET THE SPECIFICATIONS SHALL BE REPLACED WITH PLANT MATERIALS OF SIMILAR VARIETY AND SIZE.
- ALL TREES SHALL BE PLANTED A MINIMUM (3) FEET (3) FROM ALL UTILITIES LINES.

**PRELIMINARY**

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERNAL REVIEW UNDER THE AUTHORITY OF A.E.S. ENGINEERS P.C. NO. 0000000000. IT IS NOT TO BE USED FOR CONSTRUCTION.



**SPECIFIC USE PERMIT**  
**LANDSCAPE PLAN**  
**ZDC-231-2024**

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**OAK VIEW CAPITAL PARTNERS**  
**LOT 9 BLK A BUFFALO CREEK**  
**SELF-STORAGE FACILITY SITE PLAN**  
**WAXAHACHIE, TEXAS**  
**ELLIS COUNTY, TEXAS**

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**STEPHENS ENGINEERING**  
 P.O. BOX 9513 CROFTVIEW, TX 75608  
 (903) 217-8890, stephens@se-engineering.com

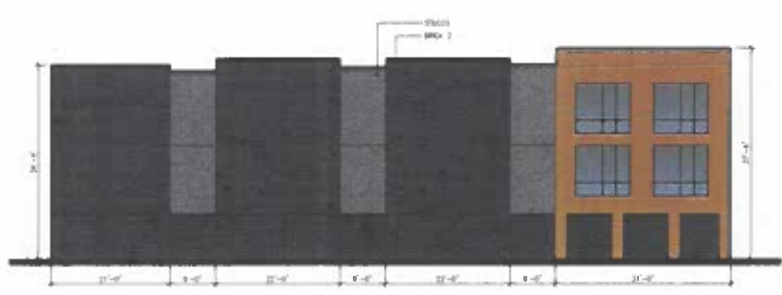
(b1)

# EXHIBIT D - ARCHITECTURAL ELEVATIONS



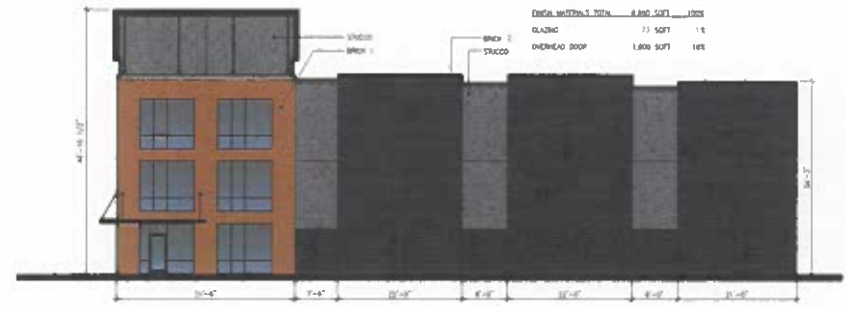
**4 SOUTH ELEVATION**  
SCALE: 1/4" = 1'-0"

EXTERIOR WALL FINISH MATERIALS - SOUTH ELEVATION		
STUCCO	2,792 SQFT	31%
BRICK	5,720 SQFT	65%
METAL SIDING	348 SQFT	4%
FINISH MATERIALS TOTAL	8,860 SQFT	100%
GLAZING	73 SQFT	1%
OVERHEAD DOOR	1,800 SQFT	18%



**3 EAST ELEVATION**  
SCALE: 1/4" = 1'-0"

EXTERIOR WALL FINISH MATERIALS - EAST ELEVATION		
STUCCO	623 SQFT	30%
BRICK	2,538 SQFT	80%
FINISH MATERIALS TOTAL	3,161 SQFT	100%
GLAZING	351 SQFT	11%
OVERHEAD DOOR	752 SQFT	24%



**2 WEST ELEVATION**  
SCALE: 1/4" = 1'-0"

EXTERIOR WALL FINISH MATERIALS - WEST ELEVATION		
STUCCO	833 SQFT	38%
BRICK	2,454 SQFT	72%
FINISH MATERIALS TOTAL	3,287 SQFT	100%
GLAZING	517 SQFT	15%
OVERHEAD DOOR	364 SQFT	11%



**OVERALL MATERIAL BREAKDOWN & GLAZING CALCULATIONS**

EXTERIOR WALL FINISH MATERIALS - COMBINED FACADES		
STUCCO	4,781 SQFT	28%
BRICK	18,053 SQFT	88%
METAL SIDING	348 SQFT	2%
FINISH MATERIALS TOTAL	23,182 SQFT	100%
GLAZING	4,332 SQFT	19%
OVERHEAD DOOR	2,916 SQFT	12%

**1 NORTH ELEVATION**  
SCALE: 1/4" = 1'-0"

EXTERIOR WALL FINISH MATERIALS - NORTH ELEVATION		
STUCCO	2,443 SQFT	31%
BRICK	5,361 SQFT	69%
FINISH MATERIALS TOTAL	7,804 SQFT	100%
GLAZING	3,381 SQFT	43%

- METAL PANEL  
COLOR: TITAN BLACK
- OVERHEAD DOOR  
COLOR: SANDSTONE GRAY
- STUCCO  
COLOR: COMP 16281
- BRICK 1  
COLOR: CARBON BLACK
- BRICK 2  
COLOR: REDESKY BLEND
- METAL SIDING  
COLOR: SLATE GRAY

**BACA**

100 NORTH TRAVIS STREET  
SUITE 402 500  
SHEPHERD, TEXAS 75080  
903.893.5800  
www.baca.com

**SCHEMATIC DESIGN REVIEW**  
NOT FOR REGULATION  
APPLIC. REVIEWING OR  
CONSTRUCTION

REVISIONS	DATE	DESCRIPTION

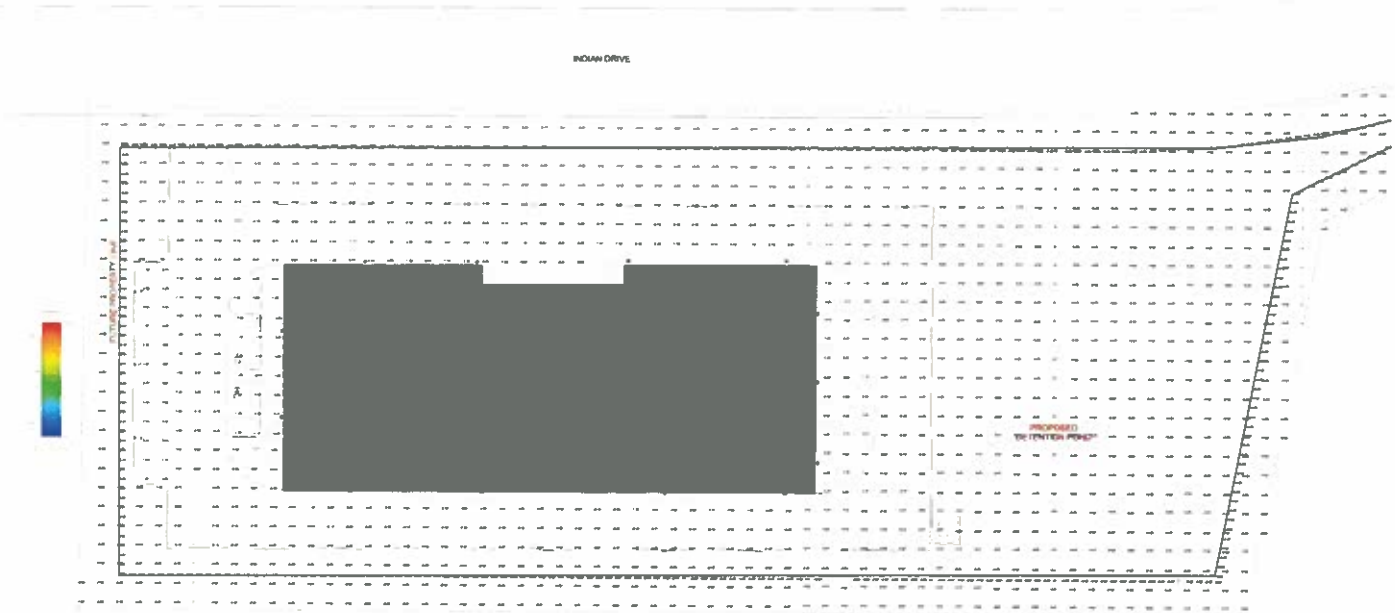
**OAK VIEW SELF-STORAGE**  
Waxahatchie (ZDC-231-2024)  
Indian Drive, Waxahatchie, Texas

PROJECT NUMBER: **2508**  
DATE: **04.03.25**  
SHEET NUMBER: **SUP-1.1**

option 1: exterior elevation reference drawings

(b1)

# EXHIBIT E - PHOTOMETRIC PLAN



1 Site Photometric

E - LIGHTING FIXTURE GENERAL					
NO.	MARKING	VOLTAGE	LOAD	WATT	DESCRIPTION
1		120V	100W		RECESSED CAN LIGHT
2		120V	150W		RECESSED CAN LIGHT
3		120V	200W		RECESSED CAN LIGHT
4		120V	300W		RECESSED CAN LIGHT

Photometric Results			
Calculation Point	Average	Minimum	Maximum
Center	0.21	0.02	0.88
Point 1	0.11	0.02	0.43
Point 2	0.08	0.02	0.38
Day 1	0.25	0.02	0.99

**RES**  
**Root Engineering Services**  
 Mechanical, Electrical and Plumbing Systems Consultant  
 10000 Rockledge Blvd., Suite 1010  
 Dallas, TX 75244  
 972.382.2222  
 www.rooteng.com

**BACA**  
 100 NORTH TRAVIS STREET  
 SUITE 400  
 SHERMAN, TEXAS 75090  
 903.893.5800  
 www.baca.com

**SCHEMATIC DESIGN REVIEW**  
 NOT FOR RELOCATION, APPROVAL, PERMITTING, OR CONSTRUCTION

NO.	REVISIONS	DATE
1	RESPONSE FOR PERMIT	12/17/2024

**OAK VIEW SELF-STORAGE**  
 Wauwatheche  
 Indian Drive, Wauwatheche, Texas

PROJECT NUMBER  
**2433**  
 DATE  
**12.18.24**  
 SHEET NUMBER  
**PM100**

(b1)



3. **Applicability of City Ordinances.** Developer shall develop the Property, and construct all structures on the Property, in accordance with all applicable City ordinances and building/construction codes. Further, Developer shall plat the Property prior to the submission of any applications for any building permit.

4. **Rough Proportionality.** Developer hereby agrees that any land or property donated and/or dedicated to the City pursuant to this Agreement, including but not limited to any dedication of right-of-way, whether in fee simple or otherwise, including any easements (as may be reflected in any Final Plat), including any utility and/or access easements, relative to any development on the Property is roughly proportional to the need for such land and Developer hereby waives any claim therefor that it may have. Developer further acknowledges and agrees that all prerequisites to such a determination of rough proportionality have been met, and that any costs incurred relative to said donation are related both in nature and extent to the impact of the development referenced herein. Both Developer and the City further agree to waive and release all claims one may have against the other related to any and all rough proportionality and individual determination requirements mandated by the United States Supreme Court in *Dolan v. City of Tigard*, 512 U.S. 374 (1994), and its progeny, as well as any other requirements of a nexus between development conditions and the provision of roadway services to the Property.

5. **Exactions/Infrastructure Costs.** Both the City and Developer have been represented by legal counsel in the negotiation of this Agreement and been advised or each has had the opportunity to have legal counsel review this Agreement and advise them, regarding Developer's and the City's rights under Texas and federal law. Developer and the City hereby waive any requirement that the other retain a professional engineer, licensed pursuant to Chapter 1001 of the Texas Occupations Code, to review and determine that the exactions are roughly proportional or roughly proportionate to the proposed development's anticipated impact. Developer specifically reserves its right to appeal the apportionment of municipal infrastructure costs in accordance with § 212.904 of the Texas Local Government Code and any exemptions from impact fees under current or future law; however, notwithstanding the foregoing and to the extent permitted by law, Developer hereby releases the City from any and all liability under § 212.904 of the Texas Local Government Code, as amended, regarding or related to the cost of those municipal infrastructure requirements imposed by this Agreement.

6. **Default.** No Party shall be in default under this Agreement until notice of the alleged failure of such Party to perform has been given (which notice shall set forth in reasonable detail the nature of the alleged failure) and until such Party has been given a reasonable time to cure the alleged failure (such reasonable time determined based on the nature of the alleged failure, but in no event less than thirty (30) days after written notice of the alleged failure has been given). In addition, no Party shall be in default under this Agreement if, within the applicable cure period, the Party to whom the notice was given begins performance and thereafter diligently and continuously pursues performance until the alleged failure has been cured. If either Party is in default under this Agreement, the other Party shall have the right to enforce the Agreement in

accordance with applicable law, provided, however, in no event shall any Party be liable for consequential or punitive damages.

7. **Venue**. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Ellis County, Texas.

8. **Notice**. Any notices required or permitted to be given hereunder (each, a "Notice") shall be given by certified or registered mail, return receipt requested, to the addresses set forth below or to such other single address as either party hereto shall notify the other:

If to the City:           The City of Waxahachie  
                                  408 S. Rogers Street  
                                  Waxahachie, Texas 75165  
                                  Attention: City Manager

If to Developer:       Oak View Capital Partners, LLC  
                                  178 Jellico Drive  
                                  Southlake, TX 76092  
                                  Attention: Brad Tidwell

9. **Prevailing Party**. In the event any person initiates or defends any legal action or proceeding to enforce or interpret any of the terms of this Agreement, the prevailing party in any such action or proceeding shall be entitled to recover its reasonable costs and attorney's fees (including its reasonable costs and attorney's fees on any appeal).

10. **Entire Agreement**. This Agreement contains the entire agreement between the Parties hereto with respect to development of the Property and supersedes all prior agreements, oral or written, with respect to the subject matter hereof. The provisions of this Agreement shall be construed as a whole and not strictly for or against any Party.

11. **Savings/Severability**. In the event any provision of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable, the Agreement shall, to the extent reasonably possible, remain in force as to the balance of its provisions as if such invalid provision were not a part hereof.

12. **Binding Agreement**. A telecopied facsimile of a duly executed counterpart of this Agreement shall be sufficient to evidence the binding agreement of each party to the terms herein, including without limitation a scanned copy sent via electronic mail by either Party.

13. **Authority to Execute**. This Agreement shall become a binding obligation on the Parties upon execution by all Parties hereto. The City warrants and represents

that the individual executing this Agreement on behalf of the City has full authority to execute this Agreement and bind the City to the same. Developer warrants and represents that the individual executing this Agreement on behalf of Developer has full authority to execute this Agreement and bind Developer to the same. The City Council hereby authorizes the City Manager of the City to execute this Agreement on behalf of the City.

**14. Filing in Deed Records.** This Agreement, and any and all subsequent amendments to this Agreement, shall be filed in the deed records of Ellis County, Texas.

**15. Mediation.** In the event of any disagreement or conflict concerning the interpretation of this Agreement, and such disagreement cannot be resolved by the signatories hereto, the signatories agree to submit such disagreement to nonbinding mediation.

**16. Notification of Sale or Transfer; Assignment of Agreement.** Except with respect to a sale or transfer to a related entity of Developer, Developer shall notify the City in writing of any sale or transfer of all or any portion of the Property, within ten (10) business days of such sale or transfer. Developer has the right (from time to time without the consent of the City, but upon written notice to the City) to assign this Agreement, in whole or in part, and including any obligation, right, title, or interest of Developer under this Agreement, to any person or entity (an "Assignee") that is or will become an Developer of any portion of the Property or that is an entity that is controlled by or under common control with Developer. Each assignment shall be in writing executed by Developer and the Assignee and shall obligate the Assignee to be bound by this Agreement. Except with respect to a sale or transfer to a related entity of Developer, a copy of each assignment shall be provided to the City within ten (10) business days after execution. Provided that the successor Developer assumes the liabilities, responsibilities, and obligations of the assignor under this Agreement and/or the building has been constructed on the Property as provided in this Agreement, the assigning party will be released from any rights and obligations under this Agreement as to the Property that is the subject of such assignment, effective upon such transfer. No assignment by Developer shall release Developer from any liability that resulted from an act or omission by Developer that occurred prior to the effective date of the assignment. Developer shall maintain true and correct copies of all assignments made by Developer to Assignees, including a copy of each executed assignment and the Assignee's Notice information.

**17. Sovereign Immunity.** The Parties agree that the City has not waived its sovereign immunity from suit by entering into and performing its obligations under this Agreement.

**18. Effect of Recitals.** The recitals contained in this Agreement: (a) are true and correct as of the Effective Date; (b) form the basis upon which the Parties negotiated and entered into this Agreement; (c) are legislative findings of the City Council; and (d) reflect the final intent of the Parties with regard to the subject matter of this Agreement. In the event it becomes necessary to interpret any provision of this Agreement, the intent

of the Parties, as evidenced by the recitals, shall be taken into consideration and, to the maximum extent possible, given full effect. The Parties have relied upon the recitals as part of the consideration for entering into this Agreement and, but for the intent of the Parties reflected by the recitals, would not have entered into this Agreement.

19. **Consideration**. This Agreement is executed by the parties hereto without coercion or duress and for substantial consideration, the sufficiency of which is forever confessed.

20. **Counterparts**. This Agreement may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes. A facsimile signature will also be deemed to constitute an original.

21. **Amendment**. This Agreement shall not be modified or amended except in writing signed by the Parties. A copy of each amendment to this Agreement, when fully executed and recorded, shall be provided to each Party, Assignee and successor Developer of all or any part of the Property; however, the failure to provide such copies shall not affect the validity of any amendment.

22. **Waiver of Texas Government Code § 3000.001 et seq.** With respect to any structures or improvements constructed on the Property pursuant to this Agreement, Developer hereby waives any right, requirement or enforcement of Texas Government Code §§ 3000.001-3000.005, as amended.

23. **Miscellaneous Drafting Provisions**. This Agreement shall be deemed drafted equally by all Parties hereto. The language of all parts of this Agreement shall be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any Party shall not apply.

**IN WITNESS WHEREOF**, the parties hereto have caused this document to be executed as of the date referenced herein.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

CITY:

THE CITY OF WAXAHACHIE, TEXAS

By: \_\_\_\_\_

Name: Michael Scott

Title: City Manager

STATE OF TEXAS       )  
                                  )  
COUNTY OF ELLIS     )

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 202\_\_, by Michael Scott, City Manager of the City of Waxahachie, Texas, on behalf of the City of Waxahachie, Texas.

\_\_\_\_\_  
Notary Public, State of Texas  
My Commission Expires: \_\_\_\_\_

(20)

**DEVELOPER:**

Oak View Capital Partners, LLC, a Texas  
Limited Liability Corporation

By: \_\_\_\_\_

Name: Brad Tidwell

Title: Principal

Date: \_\_\_\_\_

STATE OF \_\_\_\_\_ )

\_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on the \_\_\_ day of \_\_\_\_\_, 202\_\_, by \_\_\_\_\_ in his/her capacity as \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_, known to be the person whose name is subscribed to the foregoing instrument, and that he/she executed the same on behalf of and as the act of Developer.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

(20)

**EXHIBIT A**

**(Property Legal Description)**

Property Description: Ellis County Appraisal District Parcel Number 295119

(20)

**EXHIBIT B**

**(Building Materials/Elevations)**

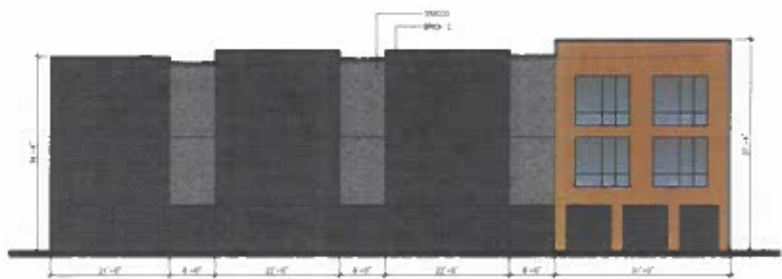
# EXHIBIT B - BUILDING MATERIALS/ELEVATIONS



4 SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"

EXTERIOR WALL FINISH MATERIALS - SOUTH ELEVATION

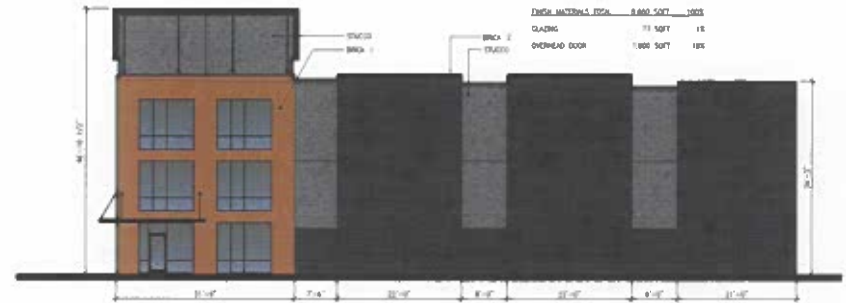
STUCCO	2,792 SQFT	11%
BRICK	8,750 SQFT	63%
METAL SIDING	348 SQFT	4%
FINISH MATERIALS TOTAL	8,890 SQFT	100%
GLAZING	71 SQFT	1%
OVERHEAD DOOR	1,800 SQFT	18%



3 EAST ELEVATION  
SCALE: 1/8" = 1'-0"

EXTERIOR WALL FINISH MATERIALS - EAST ELEVATION

STUCCO	673 SQFT	26%
BRICK	2,330 SQFT	89%
FINISH MATERIALS TOTAL	3,133 SQFT	100%
GLAZING	261 SQFT	11%
OVERHEAD DOOR	751 SQFT	24%



2 WEST ELEVATION  
SCALE: 1/8" = 1'-0"

EXTERIOR WALL FINISH MATERIALS - WEST ELEVATION

STUCCO	633 SQFT	26%
BRICK	2,451 SQFT	72%
FINISH MATERIALS TOTAL	3,184 SQFT	100%
GLAZING	177 SQFT	15%
OVERHEAD DOOR	564 SQFT	18%



1 NORTH ELEVATION  
SCALE: 1/8" = 1'-0"

### OVERALL MATERIAL BREAKDOWN & GLAZING CALCULATIONS

EXTERIOR WALL FINISH MATERIALS - COMBINED ELEVATIONS

STUCCO	4,761 SQFT	29%
BRICK	18,853 SQFT	89%
METAL SIDING	348 SQFT	2%
FINISH MATERIALS TOTAL	23,362 SQFT	100%
GLAZING	4,332 SQFT	19%
OVERHEAD DOOR	2,944 SQFT	13%

EXTERIOR WALL FINISH MATERIALS - NORTH ELEVATION

STUCCO	2,443 SQFT	31%
BRICK	3,251 SQFT	89%
FINISH MATERIALS TOTAL	5,694 SQFT	100%
GLAZING	3,381 SQFT	43%

METAL PANEL COLOR: TRIBE BLACK	OVERHEAD DOOR COLOR: TRIBE BLACK	STUCCO COLOR: 15281	BRICK 1 COLOR: CARMEN BLACK	BRICK 2 COLOR: REGENCY BLEND	METAL SIDING COLOR: SLATE GRAY

**BACA**

100 NORTH TRAVIS STREET  
SUITE 100 500  
SHEPHERD, TEXAS 75090  
953 893 5800  
WWW.BACA.COM

**SCHEMATIC DESIGN REVIEW**

NOT FOR RELIANCE  
APPROVAL, PERMITTING OR  
CONSTRUCTION

NO.	DATE	DESCRIPTION

**OAK VIEW SELF-STORAGE**  
Waxahachie (ZDC-231-2024)  
Indian Drive, Waxahachie, Texas

PROJECT NUMBER  
**2508**  
DATE  
**04.03.25**  
SHEET NUMBER  
**SUP-1.1**

option 1: exterior elevation reference drawings

(20)

(21)



## Memorandum

To: Honorable Mayor and City Council

From: Amber Villarreal, City Secretary

Thru: Michael Scott, City Manager

Date: April 21, 2025

Re: Consider proposed Ordinance repealing Existing Chapter 31, "Taxicabs" by replacing it with Chapter 31 "Taxicabs and Limousines"

---

**Recommended Motion:** "I move to approve an ordinance repealing existing Chapter 31, "Taxicabs" by replacing it with Chapter 31 "Taxicabs and Limousines" as presented."

**Item Description:** Consider proposed ordinance repealing existing Chapter 31, "Taxicabs" by replacing it with Chapter 31 "Taxicabs and Limousines."

**Item Summary:** At the request of City Council, the Taxicabs ordinance was updated to include background checks. The City Attorney drafted the proposed ordinance to incorporate Council's request, modernize the overall language, and is available to address any specific questions City Council may have.

(21)

**CITY OF WAXAHACHIE, TEXAS**

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, REPEALING EXISTING CHAPTER 31, "TAXICABS," OF THE OF CITY OF WAXAHACHIE CODE OF ORDINANCES BY REPLACING IT WITH A NEW CHAPTER 31, "TAXICABS AND LIMOUSINES"; MAKING FINDINGS; PROVIDING CUMULATIVE/REPEALER CLAUSES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Waxahachie, Texas ("City"), is a home-rule municipality under the laws of the State of Texas and is duly incorporated; and

**WHEREAS**, existing Chapter 31, "Taxicabs," of the Code of Ordinances is outdated and contains provisions that should be amended as a result; and

**WHEREAS**, Subchapter D of Chapter 215 of the Texas Local Government Code specifically authorizes home-rule municipalities to license, fix the charges and otherwise regulate vehicles for hire; and

**WHEREAS**, the City Council has determined that revisions to the existing taxicab regulations are in the best interest of the City and its residents.

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

**SECTION 1**

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

**SECTION 2**

From and after the effective date of this Ordinance, existing Chapter 31, "Taxicabs," is hereby repealed in its entirety and replaced with a new Chapter 31, "Taxicabs and Limousines," to read as follows:

**"CHAPTER 31 TAXICABS AND LIMOUSINES**

**ARTICLE I. IN GENERAL**

**Sec. 31-1. Policy statement.**

This chapter, which provides for the regulation of rates and services of vehicles for hire, promotes adequate and efficient taxicab and limousine service in the city, while protecting the public health and safety. The city intends this chapter to respect the concept of free enterprise, as well as provide for the public convenience and necessity.

**Sec. 31-2. Exceptions.**

This chapter does not apply to:

- (1) The transportation of a person by vehicle for hire licensed by another governmental entity from a point outside the city to a destination inside the city, if the vehicle leaves the city without receiving a passenger inside the city;
- (2) A taxicab service operated under state or federal authority, which services are not subject to the city's regulatory authority; and
- (3) Any regional transportation agency or authority created under state law, including its agents or assigns under contract, that enters into an interlocal agreement with the city to provide paratransit services to mobility-impaired residents of the city.

**Sec. 31-3. Definitions.**

The following definitions apply for the purposes of this chapter:

*Annual permit* or *permit* means permission granted by the city to a person to operate a taxicab or limousine service inside the city for a period of one (1) year, renewable under the provisions of this chapter.

*Conviction* means a judgment of guilt in a federal court or a court of any state, foreign nation, or political subdivision of a state or foreign nation that is not reversed, vacated, or pardoned.

*Driver* means an individual who drives or operates a taxicab or limousine.

*Driver's permit* means a permit issued to an individual by the police department authorizing that person to operate a taxicab or limousine in the city.

*Holder* means a person who the city has granted an annual permit under this chapter.

*Legal resident* means a citizen of the United States or a person residing in the United States in accordance with federal immigration laws.

*Limousine* means a chauffeured motor vehicle for hire not equipped with a taximeter, with a manufacturer's rating for seating capacity of not more than fifteen (15) passengers, used for transportation of persons on either a regular or irregular route and with either a schedule or on an on call and demand basis.

(21)

*Limousine service* means the business of offering or providing transportation of persons for hire by limousine when a driver is furnished as part of the service and the service is offered on a prearranged basis, where the prearrangement occurs at least one (1) hour in advance of the time of the transportation or in accordance with a preapproved route, and includes but is not limited to a facility in the city from which the service is operated.

*Operate* means to drive or be in control of a taxicab or limousine.

*Operator* means the driver or owner of a taxicab or limousine, or the holder of a taxicab or limousine operating permit.

*Owner* means the person to whom state license plates for the vehicle were issued.

*Person* means an individual, corporation, government or governmental subdivision, or agency, trust, partnership, or two (2) or more persons having a joint or common economic interest.

*Police chief* means the chief of the department designated to enforce and administer this chapter and includes the chief or his designated agent.

*Police department* means the department designated by this chapter to enforce and administer the provisions of this chapter.

*Taxicab* means a chauffeured motor vehicle for hire equipped with a taximeter, with a rated passenger capacity of eight (8) or less, used to transport persons, and which typically operates on irregular routes, on irregular schedules, and on a call and demand basis, but does not include limousines as defined by this chapter.

*Taxicab service* means a passenger transportation service operated for hire that uses taxicabs in the operation of the service and includes but is not limited to a facility in the city from which the service is operated.

*Taximeter* means a device that mechanically or electronically computes a fare based upon the distance traveled, the time the taxicab is engaged, and any other basis for charges specified in the operating authority or rate ordinance which pertains to the holder.

#### **Sec. 31-4. Cruising.**

Any driver of any taxicab or limousine commits an offense by driving or cruising about the streets of the city in an effort to solicit passengers who have not previously ordered or called for a taxicab or limousine.

#### **Sec. 31-5. Reserved.**

**ARTICLE II. PERMIT**

**Sec. 31-6. Vehicle permit required.**

A person may not operate a taxicab or limousine service within the city for the pickup of passengers inside the city without first having obtained a permit from the city issued under the terms and provisions of this article.

**Sec. 31-7. Permit application.**

An applicant for a permit required by this article shall file with the police department a written application signed by the applicant. The application must contain the following information:

- (1) The applicant's name, address, and telephone number; the assumed name certificate under which applicant does business; the street address of the business; and, if incorporated, the name and address of the corporate officers registered with the secretary of state;
- (2) The name, local address, and local telephone number of the business for which the applicant seeks a permit;
- (3) Proof of insurance as required in section 31-11 of this article; and
- (4) A description of the business services which the applicant intends to offer, including the number and identification number of all vehicles for which the applicant seeks a permit.

**Sec. 31-8. Permit terms and conditions.**

A permit issued under this article:

- (1) Is an annual permit that expires twelve (12) months after the date of issuance;
- (2) Is effective for a single place of business only;
- (3) Vests no property right in the permittee except to operate a taxicab or limousine service within the city in accordance with the terms and conditions of this chapter; and
- (4) Is nontransferable and non-assignable, except that in the event of a vehicle's discontinuation in service for any reason, the owner of said vehicle may, within thirty (30) days of the discontinuation, apply to the police department for a transfer of said permit to another vehicle.

**Sec. 31-9. Permit fees.**

A holder of an annual permit shall pay the city a permit fee as provided below:

- (1) Two hundred fifty dollars (\$250.00) a year for each taxicab authorized to operate under the permit; or
- (2) Five hundred dollars (\$500.00) a year for a limousine service, with an additional twenty dollars (\$20.00) for each vehicle authorized to operate under the permit.

**Sec. 31-10. License to be in vehicle.**

- (a) The owner of a annual permit shall be supplied with a license indicating his authority to operate within the city, which shall be valid for the same time period as is the permit. The license must be carried in each vehicle in a manner so that it is readily available for inspection and review upon request.
- (b) A person commits an offense if he:
  - (1) Operates a taxicab or limousine with an expired license or with no license;
  - (2) Forges, alters, or counterfeits a license required by this section; or
  - (3) Possesses a forged, altered, or counterfeited license required by this section.
- (c) A license assigned to one (1) vehicle is not transferable to another without the consent of the police department as provided for in section 31-8.

**Sec. 31-11. Insurance.**

It shall be unlawful for any permittee to operate a taxicab or limousine service unless said permittee shall maintain in force during the authorized period of its operating authority the amount and character of insurance coverage for all vehicles used in such service as follows:

- (1) A five hundred thousand dollar (\$500,000.00) per occurrence combined single limit liability policy with a deductible not to exceed one thousand dollars (\$1,000.00) which shall pay on behalf of the insured named therein and any other person, as insured, using any such taxicab motor vehicle or motor vehicles with the express or implied permission of such named insured, all sums which the insured shall become legally obligated to pay as damage arising out of the operation of the taxicab service or the ownership, maintenance or use of such taxicab motor vehicles or motor vehicles operated for or on behalf of the permittee;
- (2) Be carried with an insurance company authorized to do business in the State of Texas;

- (3) Include a cancellation rider under which the insurance company is required to notify the city in writing not fewer than fourteen (14) days before canceling or making a material change to the insurance policy.
- (4) Provides that the city is an additional named insured;
- (5) Provides coverage for all vehicles operating under the name of the permittee whether said vehicles are owned, leased, hired or contracted and liability coverage for the drivers operating said vehicles, whether on or off duty;
- (6) Contains a provision for a continuing liability thereon up to the full amount thereof, notwithstanding any recovery thereon;
- (7) The insurance policy required by this chapter shall be filed with the police chief five (5) working days prior to the time any of the vehicles operated by the permittee may be operated upon city streets; and
- (8) Prior to the time the permittee may operate any vehicles upon the streets of the city, the permittee must secure written confirmation from the city that the policy meets the requirements of this section.

**Secs. 31-12—31-15. Reserved.**

### **ARTICLE 3. TAXICAB AND LIMOUSINE DRIVER'S LICENSE**

**Sec. 31-16. Driver's permit required, exception.**

- (a) A person may not drive a taxicab or limousine inside the city unless he has a valid driver's permit issued to him by the city under this article.
- (b) A vehicle permit holder may not employ or contract with a driver or otherwise allow a person to drive or hire a vehicle owned, controlled or operated by the vehicle permit holder unless the person has a valid driver's permit issued to him by the city under this article.

**Sec. 31-17. Qualifications.**

To qualify for a taxicab or limousine driver's permit, an applicant must:

- (1) Be at least nineteen (19) years of age;
- (2) Be a legal resident of the United States;
- (3) Hold a valid driver's license issued by the State of Texas;
- (4) Be able to communicate in the English language;

- (5) Not be afflicted with a physical or mental disease or disability that is likely to prevent him from exercising ordinary and reasonable control over a motor vehicle or that is likely to otherwise endanger the public health or safety;
- (6) Not having been convicted of more than four (4) moving traffic violations arising out of separate incidents; or be involved in more than two (2) automobile accidents in which it could be reasonably determined that he was at fault, within any twelve-month period during the preceding thirty-six (36) months;
- (7) Not, within five (5) years preceding the date of the application for employment, have been finally convicted in a court of competent jurisdiction of any of the following offenses:
  - a. Prostitution or related offenses;
  - b. Driving while intoxicated;
  - c. Driving while under the influence of drugs; or
  - d. Any felony or other offense involving moral turpitude.

**Sec. 31-18. Application and fee.**

To obtain a taxicab or limousine driver's permit or renewal thereof, a person must file a completed written application with the police department on a form provided for that purpose. The department shall require each application to state such information as it may consider necessary to determine whether an applicant is qualified. A processing fee of twenty dollars (\$20.00) will be charged each applicant.

**Sec. 31-19. Investigation of applicant.**

- (a) The police department shall investigate each applicant and compile a report concerning the applicant's qualification under this article. The department shall further obtain a copy of the applicant's motor vehicle driving record and a list of any warrants of arrest for the applicant which might be outstanding.
- (b) The department may conduct such other investigations as it considers necessary to determine whether an applicant for a taxicab or limousine driver's permit is qualified.

**Sec. 31-20. Issuance and denial.**

If the police department determines an applicant is qualified, a permit shall be issued to the applicant.

- (a) An application for a taxicab or limousine driver's license may be denied if the applicant:

(21)

1. Is not qualified under this article; or
  2. Makes a false statement of a material fact in the application for a taxicab or limousine driver's permit.
- (b) If it is determined that a permit should be denied the applicant, the police department shall notify the applicant in writing that his application is denied and include in the notice reason for denial and a statement informing the applicant of his right to appeal under section 31-24 herein.

**Sec. 31-21. Voidance of permit upon suspension or revocation of state driver's license.**

If a permittee's state driver's license is suspended or revoked by the state, his city taxicab or limousine driver's permit automatically will become void. A permittee shall notify the police department and the holder for whom he drives within three (3) days of a suspension or revocation of his driver's license by the State of Texas and shall immediately surrender his driver's permit to the police department.

**Sec. 31-22. Display of permit.**

When operating a taxicab or limousine the driver shall at all times conspicuously display his permit in a manner where it may be readily observed by any passenger. A taxicab or limousine driver shall allow any peace officer to examine his driver's permit upon request.

- (a) If the police chief determines that a permittee has failed to comply with a regulation established by this chapter, the chief may suspend the taxicab or limousine driver's permit for a definite period of time not to exceed sixty (60) days.
- (b) If at any time the police chief determines that a permittee is not qualified to possess a permit, the chief shall suspend the taxicab or limousine driver's license until such time as it is determined that the permittee is qualified.
- (c) The permittee whose taxicab or limousine driver's permit is suspended or revoked shall not drive a taxicab or limousine for hire inside the city during that time.
- (d) While operating a taxicab for hire, a driver shall prominently display the rate card or sticker inside the taxicab in a manner approved by the police department so that it can be easily read by passengers sitting in the vehicle.

**Sec. 31-23. Appeal.**

- (a) A person may appeal a denial, suspension or revocation of a permit under this chapter if he requests an appeal in writing, delivered to the city manager within ten (10) days after notice of the appealed action is received.

- (b) The city manager or his designated representative shall act as the appeal hearing officer in an appeal hearing under this section. The hearing officer shall give the appealing party an opportunity to present evidence and make argument in his behalf. The formal rules of evidence do not apply to an appeal hearing under this section, and the hearing officer shall make his ruling on a basis of a preponderance of the evidence presented at the hearing.
- (c) The hearing officer may affirm, modify, or reverse all or part of the order being appealed. The decision of the hearing officer shall be final.

**Sec. 31-24. Falsifying of a permit.**

A person commits an offense if he:

- (1) Forges, alters, or counterfeits a taxicab or limousine driver's permit or other document required by law; or
- (2) Possesses a forged, altered, or counterfeited taxicab or limousine driver's permit or other document required by law.

An individual issued a driver's permit under this chapter shall maintain a current mailing address on file with the police department. The permittee shall notify the police department of any change in his mailing address within five (5) days of the change.

**Secs. 31-25—31-29. Reserved.”**

**SECTION 3**

This Ordinance shall be cumulative of all other ordinances of the City of Waxahachie and shall not repeal any of the provisions of such ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

**SECTION 4**

If any section, chapter, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 5**

Any person, firm or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by fine not to exceed the

(21)

sum of five hundred dollars (\$500.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

**SECTION 6**

This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and City Charter in such cases provide.

**DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ON THIS 21ST DAY OF APRIL, 2025.**

\_\_\_\_\_  
Billie Wallace, Mayor

**ATTEST:**

\_\_\_\_\_  
Amber Villarreal, City Secretary

(22)



## Memorandum

To: Honorable Mayor and City Council

From: Kyle Cooper, Senior Director of Parks and Recreation

Thru: Michael Scott, City Manager

Date: April 21, 2025

Re: Consider Contract for Park Identification Signage and Threshold Gateway Sign at Bynum Plaza

---

**Recommended Motion:** "I move to approve the contract with SSC Signs & Lighting LLC in the amount of \$192,302.16 for the production and installation of park signage and a gateway threshold sign at Bynum Plaza and authorize the City Manager to execute all necessary documents."

**Item Description:** Consider approving a contract with SSC Signs & Lighting LLC in the amount of \$192,302.16 for the production and installation of park signage and a gateway threshold sign at Bynum Plaza.

**Item Summary:** The project includes the fabrication and installation of 21 double-sided park identification signs and a gateway threshold sign at Bynum Plaza. Staff issued a Request for Proposals from January 8, 2025 through February 5, 2025 and notified local vendors of the opportunity. A total of 11 proposals were received.

In collaboration with the design consultant, FD2S, staff evaluated each submission based on cost, relevant experience, approach to service delivery, and the qualifications of the proposed project manager. Following the initial review, three vendors were selected to provide physical samples and of those selected, SSC Signs & Lighting LLC and Stratus Unlimited LLC submitted samples for evaluation. After a thorough review, staff and FD2S determined that SSC Signs & Lighting LLC submitted a sample that best aligned with the project's expectations in terms of quality and design and offered the best value for the

(22)

project while adequately meeting all the other proposal criteria and qualifications. Based on this assessment, staff recommends awarding the contract to SSC Signs & Lighting LLC.

**Fiscal Impact:** The Park Identification Signage and Threshold Gateway Sign Project is in the approved FY24-25 budget and the \$192,302.16 cost is well under the \$275,000 in the approved budget.

