

# **A G E N D A**

A regular meeting of the Mayor and City Council of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on ***Tuesday, September 2, 2025 at 7:00 p.m.***

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

1. Call to Order
2. Invocation
3. Pledge of Allegiance and Texas Pledge of Allegiance
4. ***Announcements/Presentations***
  - a. Introduce Honorary Council Member
  - b. Present Proclamation recognizing September as “Childhood Cancer Awareness Month”
5. ***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.***
6. ***Consent Agenda***

All matters listed under Item 6, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.

  - a. Minutes of the City Council meeting of August 18, 2025
  - b. Minutes of the City Council work session of August 25, 2025
  - c. Event application for 2025 Waxahachie Open to be held at Brown Singleton Park on October 4, 2025
  - d. Event application for Hike for Life 2025 to be held at Brown Singleton Park on October 4, 2025
  - e. Event application for Kevin’s Weather Bash to be held at Railyard Park on October 4, 2025
  - f. Event application for Oddfest 2025 to be held October 4, 2025 in Downtown Waxahachie
  - g. Event application for Waxahachie High School Homecoming Parade to be held on October 10, 2025

- h. Event application for Bark in the Park to be held at the Wags-A-Hachie Dog Park on November 1, 2025
  - i. Proposed Ordinance approving a request by Dustin Jordan, for a Petition for ETJ Release for approximately 7.490 acres, located at 3927 FM 813 (Property ID 234426) – Owner: Eagle 3 RE LLC (ETJ-PTN-97-2025)
  - j. Proposed Ordinance approving a request by Caleb Bates, for a Petition for ETJ Release for approximately 0.1697 acres, located at 653 Sardis Rd (Property ID 192324) – Owner: Sardis Properties, LLC (ETJ-PTN-114-2025)
  - k. Proposed Ordinance approving a request by Caleb Bates, for a Petition for ETJ Release for approximately 0.562 acres, located at 649 Sardis Rd (Property ID 192358) – Owner: Sardis Properties, LLC (ETJ-PTN-115-2025)
  - l. Proposed Ordinance approving a request by Caleb Bates, for a Petition for ETJ Release for approximately 0.252 acres, located at 656 Sardis Rd (Property ID 180505) – Owner: Sardis Properties, LLC (ETJ-PTN-116-2025)
  - m. Supplemental appropriation from the Waxahachie Community Development Corporation for a Waxahachie Downtown Merchants Association Events Sponsorship
  - n. City Manager’s appointment of member to Civil Service Commission
  - o. Resolution approving a negotiated settlement between the Atmos Cities Steering Committee and the Atmos Energy Corp., Mid-Tex Division
  - p. City Council liaison appointment to the Waxahachie Cultural Arts & Heritage Commission
  - q. Supplemental appropriation for fuel dispenser emergency replacement at Mid-Way Regional Airport
7. **Continue Public Hearing** on a request by Lexi Cassels, Kimley-Horn, for a Zoning Change from a Commercial (C) zoning district to Planned Development-Multi-Family-2 and Planned Development-Commercial (PD-MF-2 & PD-C) zoning district, for a mixed-use development, located directly east of 2050 Conquest Boulevard, (Property ID 191630 & 191636) - Owner: B&T Realty Services Inc (ZDC-91-2024)
  8. **Consider** proposed Ordinance approving ZDC-91-2024
  9. **Continue Public Hearing** on a request by Marisa Brewer, McAdams, for a Zoning Change from a Planned Development – Commercial (PD-5-C) zoning district to Planned Development Multi-Family-1 (PD-MF-1) zoning district located at 501 Houston Street (Property ID 189345 – Owner(s): Skanda Investments, LLC and Masina Investments, LLC (ZDC-174-2024)
  10. **Consider** proposed Ordinance approving ZDC-174-2024
  11. **Consider** Development Agreement for ZDC-174-2024
  12. **Continue Public Hearing** on a request by Quinn Foster, Manhard Consulting, for a Zoning Change from a Single-Family-1 (SF-1) zoning district to Planned Development – General Retail (PD-GR) zoning district located directly north of 2400 North US Highway 77 (Property ID 189302) – Owner(s): Snow Peach Legacy Family Holding Spendthrift Trust (ZDC-75-2025)
  13. **Consider** proposed Ordinance approving ZDC-75-2025

14. **Public Hearing** on a request by Sarah Lewis, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 209 Equestrian Drive (Property ID 236359) - Owner: Sarah & Brandon Lewis (ZDC-98-2025)
15. **Consider** proposed Ordinance approving ZDC-98-2025
16. **Public Hearing** on a request by Linda Romanenko for a Specific Use Permit (SUP) for Accessory Structures exceeding 1,000 square feet use within a Single-Family Residential-1 (SF-1) zoning district located at 2951 Longbranch Road (Property ID 175482) – Owner(s): Linda Romanenko (ZDC-99-2025)
17. **Consider** proposed Ordinance approving ZDC-99-2025
18. **Public Hearing** on a request by City of Waxahachie for textual amendments to the City Zoning Ordinance, Article II Administration, Section 2.04 Changes and Amendments to All Zoning Ordinances and Districts and Administrative Procedures, Article VII Supplemental Regulation, Section 7.05 Home Occupation Regulations, and to Article II Zoning Districts, Section 3.27 Short-Term Rentals (ZTA-113-2025)
19. **Consider** proposed Ordinance approving ZTA-113-2025
20. **Consider** appointments to Boards and Commissions
21. **Consider** Right-of-Way Dedication to the State of Texas for the SPUR 394
22. **Consider** Amendment 1 to the Engineering Professional Services Agreement for the Waxahachie – Midlothian Regional Trail Project
23. **Consider** approval to award a citywide generator maintenance service contract
24. **Consider** contract for chlorine dioxide generator equipment rental, maintenance service, and chemical purchase
25. **Consider** contract for replacement of pump and motor at Lake Bardwell Raw Water Pump Station and supplemental appropriation
26. **Consider** proposed Ordinance amending Sections 8-30 and 8-31 of Chapter 8 of the City of Waxahachie Code of Ordinances to allow the use of copper clad aluminum wire in single-family residential
27. **Consider** an Engineering Professional Service Agreement with Garver Engineering for the Farley Street Reconstruction Project
28. **Consider** proposed Ordinance amending Code of Ordinances Chapter 32 – Traffic
29. **Convene** into Executive Session to deliberate economic development incentives, as permitted by Texas Government Code Section 551.087; to deliberate the purchase, exchange, lease, or value of real property for municipal purposes, as permitted by Texas Government Code Section 551.072; to deliberate personnel matters, including selection of a City Manager, as permitted by Texas Government Code Section 551.074; to consult with the City Attorney regarding pending and anticipated litigation, as permitted by Texas

Government Code Section 551.071; and to consult with the City Attorney regarding legal issues related to the city manager transition, as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto

30. ***Reconvene*** and take any necessary action
31. Comments by Mayor, City Council, City Attorney and City Management
32. 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

(4b)

# **PROCLAMATION**

**WHEREAS**, childhood cancer is the leading cause of death by disease among children in the United States, affecting thousands of families every year; and

**WHEREAS**, approximately 15,000 children are diagnosed with cancer each year, and it is estimated that 1 in 285 children will be diagnosed with cancer before the age of 20; and

**WHEREAS**, childhood cancer takes many forms, including leukemia, brain tumors, and various other types of cancer, and the effects of these diseases are felt not only by the children diagnosed, but also by their families, friends, and the entire community; and

**WHEREAS**, significant progress has been made in improving survival rates, with nearly 80% of children diagnosed with cancer surviving, but the fight is far from over, and much more needs to be done to find cures, improve treatments, and provide support for families facing these challenges; and

**WHEREAS**, the community of Waxahachie, Texas, recognizes the importance of raising awareness about childhood cancer, supporting research efforts, and honoring the children, families, and healthcare professionals who are dedicated to battling this disease; and

**WHEREAS**, the city of Waxahachie is committed to supporting the efforts of local organizations, including the families of children with cancer, as well as those who are working tirelessly to ensure that no child faces cancer alone; and

**WHEREAS**, the citizens of Waxahachie stand in solidarity with all those affected by childhood cancer, working together to ensure that every child diagnosed with cancer receives the treatment and support they need to thrive.

**NOW, THEREFORE**, be it resolved that I, Billie Wallace, Mayor of the City of Waxahachie, Texas, along with the entire City Council, do hereby proclaim September 2025 as

## ***“CHILDHOOD CANCER AWARENESS MONTH”***

in the City of Waxahachie and encourage all citizens to join in the efforts to raise awareness about childhood cancer, to support the families affected, and to advocate for continued research and funding to find a cure.

Proclaimed this 2<sup>nd</sup> day of September, 2025.

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MAYOR

ATTEST:

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CITY SECRETARY

A regular meeting of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Monday, August 18, 2025 at 7:00 p.m.

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

Council Member Absent: Patrick Souter, Mayor Pro Tem, Council Member Place 2

Others Present: Ricky Boyd, Interim City Manager  
Albert Lawrence, Deputy City Manager  
Ed Voss, 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**

Pastor Wes Smith, Bethel Community Church, gave the invocation. Mayor Wallace led the Pledge of Allegiance, and the Texas Pledge of Allegiance.

**4. Announcements/Presentations**

a. Introduce Honorary Council Member

Mayor Wallace introduced James Taylor as the August Honorary Council Member. James "JT" Taylor has served the Waxahachie Police Department for over 16 years in various roles, including CID, SWAT, Field Training Officer, and currently as the Community Services Officer. Known as the public face of the department, JT is deeply engaged in community outreach and support.

After surviving stage four testicular cancer in 2008, he began donating blood and platelets to Carter BloodCare in 2013, with a personal goal of reaching 50 gallons by the end of this year. His story has been featured on WFAA and Carter BloodCare's platforms, helping raise awareness and hope.

JT has helped raise nearly \$100,000 for testicular cancer awareness through partnerships with the Testicular Cancer Foundation. He also volunteers extensively, including with the Miracle League and numerous community events like Cops and Kids Picnic, Shop with a Cop, and local blood drives.

Devoted to public service, family, faith, and his hometown, JT exemplifies servant leadership and remains a valued and honored member of the Waxahachie Police Department

**5. Public Comments**

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None.

**6. Consent Agenda**

- a. Minutes of the City Council meeting of August 4, 2025
- b. Minutes of the City Council work session of August 4, 2025
- c. Minutes of the City Council work session of August 11, 2025
- d. Event application for Bassing with Blondie Small Vessel Tournament Trail to be held at Spring Park on September 20, 2025
- e. Event application for Junk in the Trunk to be held in Downtown Waxahachie on September 20, 2025
- f. Event application for TX BBQ ACCORDS Smoke Out hosted by 1836 SMOKERS at Railyard Park on September 27, 2025
- g. Event application for Give Them Wings Fun Run Walk and First Responder Cookoff to be held at Getzendaner Park on October 18, 2025
- h. Event application for Trunk 'n' Treat Spooktacular to be held at Getzendaner Park on October 24, 2025
- i. Event application for Bittersweet Bakery Cookie Exchange to be held at Pocket Park on December 6, 2025
- j. Event application for Rotary Dog Walk to be held in Downtown Waxahachie on April 18, 2026
- k. Proposed Ordinance approving a request by Christopher Oliver, for a Petition for ETJ Release for approximately 10.93 acres, located at 3803 FM 813 (Property ID 148911) – Owner: Christopher and Holly Oliver (ETJ-PTN-107-2025)
- l. Proposed Ordinance approving a request by Christopher Oliver, for a Petition for ETJ Release for approximately 15.154 acres, located at 3800 FM 813 (Property ID 200741) – Owner: Christopher and Holly Oliver (ETJ-PTN-108-2025)
- m. Proposed Ordinance approving a request by Kayla Williams, for a Petition for ETJ Release for approximately 1 acre, located at 1647 FM 876 (Property ID 303129) – Owner: Kala Williams and Bobby Williams. (ETJ-PTN-109-2025)
- n. Proposed Ordinance approving a request by Chandler Brown for a Petition for ETJ Release for approximately 1.6330 acres, located at 2030 S Highway 77 (Property ID 258875) – Owners: Maria Vieyra and Homero Carbajal (ETJ-PTN-118-2025)
- o. Budget transfer related to funds reimbursed to the General Fund for repairs to two police vehicles

**ORDINANCE NO. 3649**

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 10.93 ACRE TRACT OF LAND, LOCATED AT 3803 FM 813, KNOWN AS PROPERTY ID 148911, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.**

(ua)

**ORDINANCE NO. 3650**

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 15.154 ACRE TRACT OF LAND, LOCATED AT 3800 FM 813, KNOWN AS PROPERTY ID 200741, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

**ORDINANCE NO. 3651**

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 1 ACRE TRACT OF LAND, LOCATED AT 1647 FM 876, KNOWN AS PROPERTY ID 303129, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

**ORDINANCE NO. 3652**

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 1.633 ACRE TRACT OF LAND, LOCATED AT 2030 SOUTH HIGHWAY 77, KNOWN AS PROPERTY ID 258875, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

**Action:**

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

- 7. Public Hearing on a request by Matthew Mitchell, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single-Family Residential-2 (SF-2) zoning district located at 313 Highland Avenue (Property ID 176753) - Owner: 2M Texas LLC Series A (ZDC-78-2025)**

Senior Director of Planning Trenton Robertson presented the Item. The applicant requests a SUP for short-term rental use at 313 Highland Ave because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,072 square feet, built in 1992. The portion of the home proposed to be used as an STR has three (3) bedrooms, one (1) bathroom and enough improved surface to accommodate for the maximum parking spaces of three (3) vehicles.

The subject property is situated on an approximately 0.478-acre (20,821.68 square feet) tract. The applicant has not been operating a short-term rental. The applicant has not been paying local hotel occupancy taxes, as they have not been operating an STR. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant submitted the SUP application on June 12, 2024.

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During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months. The applicant's local emergency contact is located approximately 13.7 miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 44 notices were mailed to property owners within 500 feet of the subject property as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of the staff report, four (4) letters of opposition and zero (0) letters of support were received by staff.

Mayor Wallace opened the Public Hearing at approximately 7:11 p.m.

Those who spoke in opposition:

Homer Thompson, 254 Bear Trail, Waxahachie, Texas

There being no others to speak for or against ZDC-78-2025, Mayor Wallace closed the Public Hearing at approximately 7:12 p.m.

**8. Consider proposed Ordinance approving ZDC-78-2025**

**ORDINANCE NO. 3653**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A SINGLE FAMILY 2 (SF-2) ZONING DISTRICT, LOCATED AT 313 HIGHLAND AVENUE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.478 ACRES KNOWN AS PROPERTY ID 176753, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Chris Wright moved to approve ZDC-78-2025, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the Interim City Manager and/or Mayor to execute all documents accordingly. Motion was seconded by Tres Atkins and carried unanimously (4-0).*

**9. Public Hearing on a proposed amendment of land use assumptions and capital improvement plans for roads, water and wastewater, and the possible imposition of an impact fee**

Mr. Robertson presented the Item. As required by Texas Local Government Code, Section 395, the City is required to update the impact fee program every five years.

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Eddie Haas and Cullen Carlson, Freese and Nichols, presented and reviewed land use assumptions (2025–2035), capital improvement plans (CIPs), and cost per service unit calculations for roads, water, and wastewater infrastructure.

In accordance with State law, the land use assumptions and capital improvements plan were presented to the Impact Fee Capital Improvements Advisory Committee (IFCIAC) on June 24, 2025. Based upon the approved land use assumptions and capital improvements plan, a modified impact fee was presented to the IFCIAC on July 8, 2025. The IFCIAC ultimately voted unanimously to recommend the City Council approve staff’s recommendations associated with the overall impact fee update with their formal recommendation letter appearing before City Council on August 18, 2025.

The IFCIAC recommended:

- Approval of the land use assumptions and growth forecasts.
- Approval of the CIPs for water, wastewater, and roads.
- Adoption of the maximum credited impact fee rates per service unit.
- Completion of a credit analysis in preparation for a potential rate change in 2028.

For your reference, below is the recommended collection rate for the impact fee program for your consideration.

<b>Roadway Service Area</b>	<b>Maximum Impact Fee Rate (per service unit)</b>
1	\$1,915
2	\$1,380
3	\$1,767
4	\$1,778
5	\$1,779
<b>Water</b>	<b>Recommended Collection Rate (per service unit)</b>
	\$4,028
<b>Wastewater</b>	<b>Recommended Collection Rate (per service unit)</b>
	\$5,329

Modifications to the maximum allowable and the collected impact fee are presented in the ordinance as Schedule 1 and Schedule 2 respectively, which will generate revenue proportionate

(lea)

to the updated land use assumptions and fifty percent (50%) of the water, wastewater and roadway capital improvement plans cost.

Mayor Wallace opened the Public Hearing at approximately 7:35 p.m.

There being no others to speak for or against, Mayor Wallace closed the Public Hearing at approximately 7:35 p.m.

- 10. Consider proposed Ordinance adopting updated Land Use Assumptions, Capital Improvement plans and associated boundaries; and approving revised assessment and collection schedules for water, wastewater, and roadway impact fees; providing for severability; providing for conflicts; and providing an effective date**

**ORDINANCE NO. 3654**

**AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, ADOPTING UPDATED LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLANS AND ASSOCIATED BOUNDARIES; AND APPROVING REVISED ASSESSMENT AND COLLECTION SCHEDULES FOR WATER, WASTEWATER, AND ROADWAY IMPACT FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**Action:**

*Travis Smith moved to approve an ordinance approving the updated land use assumptions, capital improvement plans, and updated water, wastewater and roadway impact fee collection rates. Motion was seconded by Tres Atkins and carried unanimously (4-0).*

- 11. Consider a request by Aimee Evola for a Site Plan for Waxahachie Social, located at 216 N College St. (Property ID: 217175) – Owner: EHG Waxahachie Realty LLC (SP-81-2025)**

Mr. Robertson presented the Item. The subject property was used as the home of the Waxahachie Police Department for nearly two decades. Following the construction of the new Police Department campus on Farley Street in 2018, the subject property was left vacant. In January of 2025, City Council executed a Development Agreement with EHG Waxahachie Realty LLC to facilitate the redevelopment of the subject property. The development agreement required the redevelopment of the site to utilize the existing 8,200 square-foot building and 25,000 square-foot parking lot for a restaurant with a market component and an outdoor seating and entertainment area. The applicant submitted this Site Plan Application in May of 2025 and completed the technical review process with staff in July of 2025. Notably, the Development Agreement requires City Council approval of the Site Plan for the property and the provision of a Performance Bond, Material and Labor Payment Bond, prior to the issuance of building permits for the project and a Bills Paid Affidavit prior to the issuance of a Certificate of Occupancy for the project.

The applicant has prepared a Site Plan application detailing their proposal for exterior and outdoor improvements to 216 N. College Street. The applicant proposes to remodel the existing building for use as the “Waxahachie Social” restaurant and market. The restaurant is proposed to include an open dining area, coffee bar, and several market booth areas. Outdoor Entertainment Area:

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Directly east of the existing building, the applicant proposes to construct an approximately 5,100 square foot covered outdoor pavilion. The canopy proposed over the outdoor pavilion includes a wall comprised of metal panels facing N. Jackson Street to provide a measure of privacy and sound mitigation for the outdoor area. This outdoor entertainment area includes a bar, flexible seating and standing areas, a stage for live music, a dog run, child play area, and two gazebos. The outdoor entertainment area is proposed to be secured by a 6' ornamental metal fence with an access gate onto N. Jackson Street. No direct connection is proposed to George Brown Plaza to the south of the subject property.

Minor exterior elevation changes for a majority the existing building have been proposed by the applicant. Specifically, the applicant proposes to paint the existing stucco and accent trimming with a lighter color palette. As part of this proposal, the downspouts on the building would also be painted to match the stucco trim. Major changes to the existing building are only proposed for the northwest corner of the structure. In this area, the applicant proposes to add glass roll-up bay doors facing N. College Street and a secondary entrance to the marketplace facing north towards the parking lot. The secondary entrance facing the parking lot will include the addition of bay windows and board and batten siding. Branded signage is also proposed at the northwest corner of the building. The applicant is also proposing additional landscape improvements for the site. Planter boxes containing seasonal colors and evergreen shrubs are proposed to be placed along the front of the building facing N. College Street. The applicant proposes to install drought-tolerant landscaping and six (6) crape myrtles in a planting strip between the parking lot and building. The existing landscape islands along N. College Street and N. Jackson Street are proposed to be redesigned with crushed granite and drought tolerant shrubs. The existing trees in these landscape islands are proposed to remain.

**Action:**

*Travis Smith moved to approve SP-81-2025, a Site Plan for Waxahachie Social at 216 N. College Street. Motion was seconded by Chris Wright and carried unanimously (4-0).*

**12. Consider proposed Ordinance for a Disannexation request for approximately 7.47 acres, located at 1810 Longbranch Road (Property ID: 223374, 225226, and a portion of 219897) – Owner: James Archer & Nancy Archer (ANX-DNX-91-2025)**

Mr. Robertson presented the Item. In June of 2025, the City received a petition from Keith Archer, the owner of approximately 7.47 acres annexed by the City in 2002, seeking disannexation of such property. After initial review of the petition, staff identified that the petition was not complete due to the lack of public noticing for the disannexation required by Section 43.141 of the Texas Local Government Code. The Texas Local Government Code requires the petitioner to post public notices of the disannexation petition at three public places on the subject property for 10 consecutive days and publish a notice of the disannexation petition in the newspaper of record. The applicant was made aware of this issue and completed public noticing requirements on July 9, 2025. At that time, the City determined that the petition was in compliance with the procedural requirements of Section 43.141 and, as a result, the petition is procedurally in a position for the City Council to consider the disannexation request.

This subject property is part of the larger annexation of the approximately 537 acres approved in 2002 through Annexation Ordinance No. 2129. The applicant contends that the City of Waxahachie has not complied with the Service Plan for the Annexed Area, as required by

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Ordinance 2129. Staff contends that the Service Plan has been met since the property was annexed in 2002. The Service Plan includes the provision of police protection, fire protection, solid waste collection, emergency medical service, maintenance of existing public roads, and maintenance of any other City owned facilities or services in the annexed area. Notably, the Service Plan expressly excludes water and wastewater service due to the subject property's location within the Sardis-Lone Elm Water Supply District.

Councilman Smith asked if Police and Fire would respond to an emergency call at this location and both Police Chief Joe Wisner and Fire Chief Scott Safford confirmed they would.

**Action:**

*Travis Smith moved to deny ANX-DNX-91-2025, a Disannexation request for approximately 7.47 acres, located at 1810 Longbranch Road. Motion was seconded by Chris Wright and carried unanimously (4-0).*

**13. Consider Development Agreement for Waxahachie Office Condos and Montclair 287 Land, LLC**

Mr. Robertson presented the Item. The subject property is part of the Montclair Heights Planned Development approved by City Council in 2022. The property is subject to the Montclair Heights Public Improvement District (PID) and Development Agreement approved by City Council in conjunction with the Planned Development. The agreement requires the developer to submit authorized improvement costs and budgeted costs for the PID to City Council for approval at the time of each plat for the subject property. The developer has submitted plat applications for the subject property in 2024 that was disapproved due to the inability to provide authorized improvement costs and budgeted costs for the PID. The developer met with City staff in June of 2025 and stated an intent not to seek PID reimbursements for public infrastructure serving the subject property; which would eliminate the need to submit the aforementioned PID costs to City Council for approval. This is intended to expedite the development process and the developer proposes to memorialize this intent with an additional Development Agreement for the subject property.

**Action:**

*Chris Wright moved to approve a Development Agreement with Waxahachie Office Condos, LLC and Montclair 287 Land, LLC for the removal of Montclair Heights PID reimbursements for public infrastructure serving the subject property. Motion was seconded by Tres Atkins and carried unanimously (4-0).*

**14. Consider funding request from the Ellis County Woman's Building in the amount of \$10,000 to assist with building renovations, repairs, and upgrades**

Hanna McCleary, Chairwoman of the Ellis County Woman's Building Board, requested a one-time budget contribution of \$10,000 to assist in the renovations, repairs and upgrades at the Ellis County Woman's Building. She explained the building is undergoing major renovations including a kitchen remodel, floor repairs in Davis Hall, electrical upgrades, and exterior improvements such as tree trimming and storm damage repairs. Ms. McCleary noted all rusted pipes under the building have been replaced.

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Council Member Smith inquired whether the required permits had been obtained for the work. Ms. McCleary responded that she believed they had.

**Action:**

*Travis Smith moved to table the Item until after the Executive Session. Motion was seconded by Tres Atkins and carried 3-1, with Chris Wright voting in opposition.*

The Council reconvened on this item following Executive Session.

**Action:**

*Tres Atkins moved to deny the funding request from the Ellis County Woman's Building in the amount of \$10,000 to assist with building renovations, repairs, and upgrades. Motion was seconded by Travis Smith and unanimously (4-0).*

Mayor Wallace stated that the City Council has concerns with the building repairs and that the Interim City Manager will be reaching out to the Ellis County Woman's Building Board.

**15. Consider construction contract for the Waxahachie Main Street Sidewalk Project**

Assistant Director of Public Works and Engineering Elizabeth Quilici presented the Item. The proposed Waxahachie Main Street Sidewalk Project consists of concrete sidewalk repairs along West Main Street from US 77 to approximately Grand Avenue. The sidewalk repair will comply with the Americans with Disabilities Act (ADA) regulations and will provide a ADA compliant path along the south side of West Main Street. Repairs to damaged sidewalk along the north side of West Main Street will also be performed per ADA regulations, but due to the steps at some of the intersections, it will not be an ADA compliant path. The project also includes a section of sidewalk near the intersection of Brown Street and Garden Valley Parkway.

The City received seventeen (17) bids and the following is a summary of the bids:

<b>Bidder</b>	<b>Bid Total</b>
JAA Y Concrete Paving, Inc.	\$ 195,139.70
Don Smith Concrete, LLC.	\$ 273,738.20
CI Pavement	\$ 283,598.93
H.D. Cook's Rock Solid, Inc.	\$ 296,748.50
Estrada & Son's Construction, LLC.	\$ 299,081.00
HZ Paving & Construction LLC	\$ 309,504.50
Niyam Construction	\$ 325,277.35
Axis Contracting, Inc.	\$ 340,144.21
ABF Concrete, LLC	\$ 342,242.00
Tex-Pro Construction, LLC	\$ 357,811.00
J & L Construction, LLC.	\$ 395,526.20
S-Co Incorporated	\$ 414,626.00
Estrada Concrete Company, LLC	\$ 447,015.00
HQS Construction, LLC.	\$ 574,918.00
J & K Excavation, LLC.	\$ 616,630.80

(6a)

Atkins	\$ 623,342.00
K. Tillman Construction LLC	\$ 809,166.00

JAA Y Concrete Paving was the low bidder at \$195,139.70. City staff checked the contractor's references, the bid unit prices, and their bonding company. Based on discussion with the contractor, bonding company and the positive references, City staff recommends awarding the contract to JAA Y Concrete Paving.

The Waxahachie Main Street Sidewalk Project is an approved project which has a budget of \$400,000 in this year's approved Public Works Operating Budget. Staff recommends awarding the contract with JAA Y Concrete Paving, Inc in the amount of \$195,139.70.

Councilman Wright asked whether concrete would be added to the areas currently lacking it. Ms. Quilici confirmed that it would, with the exception of the railroad right-of-way areas.

**Action:**

*Chris Wright moved to award a construction contract with JAA Y Concrete Paving, Inc. for the Waxahachie Main Street Sidewalk Project in an amount not to exceed \$195,139.70, and authorize the Interim City Manager to execute all necessary documents. Motion was seconded by Travis Smith and carried unanimously (4-0).*

**16. Consider Resolution executing matters related to establishing a tax rate equivalent for Phase Four District Improvements for Waxahachie Public Improvement District No. 1 and calling a Public Hearing to consider an Ordinance levying assessment**

Executive Director of Development Services Shon Brooks presented the Item. The City of Waxahachie accepted Public Improvement District No. 1 in 2007. This PID was created to offset infrastructure costs and public open space areas. Previously proposed rate increases included additional amenities, however, with the proposed rate remaining consistent with the original PID rate, the amenities will remain as originally designed.

The proposed rate will continue the development as currently operating and will not increase any services other than those due to the increase in future homes in the development.

Council Member Chris Wright questioned whether the proposed assessment increase was 17 cents or an additional 17 cents on top of a previous rate. Jennifer Sloan from MuniCap clarified that the current request is for a 21-cent assessment related to Phase Four of the project, which is actually lower than the previous Phase Three assessment and aligns the rates across phases.

There was confusion over an earlier higher request of 79 cents, which had been rejected, and the removal of several amenities and improvements from the budget to reduce the assessment to 21 cents. Jake Finch and Dwayne Briniac, developer's representatives, confirmed that required amenities will still be constructed as per the development agreement but will be funded from other sources, not the assessment.

Council members expressed concern that the previous 79-cent request appeared excessive and that

(ua)

the reduced 21-cent request might impact funding for certain improvements. Questions were raised about documentation for Phase Four improvements, which were missing from the packet but would be provided later.

Mr. Finch affirmed that the lower assessment means the developer will cover more of the public infrastructure costs.

In conclusion, the 21-cent assessment will be consistent with previous phases, and all required development obligations under the planned development (PD) will still be met.

**Action:**

*Chris Wright moved to adopt a resolution determining the costs of Phase Four district improvements for the Waxahachie PID No. 1, approving the Preliminary Service and Assessment Plan, executing other matters related to the subject, and calling a public hearing for September 15, 2025 to consider an ordinance levying the assessments. Motion was seconded by Travis Smith and carried unanimously (4-0).*

- 17. Convene into Executive Session to deliberate economic development incentives, as permitted by Texas Government Code Section 551.087; to deliberate the purchase, exchange, lease, or value of real property for municipal purposes, as permitted by Texas Government Code Section 551.072; to deliberate personnel matters, including selection of a City Manager, and evaluation of the Municipal Judge, as permitted by Texas Government Code Section 551.074; and to consult with the City Attorney regarding legal issues related to the City Manager transition, as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto**

Mayor Wallace announced at 8:08 p.m. the City Council would convene into Executive Session to deliberate economic development incentives, as permitted by Texas Government Code Section 551.087; to deliberate the purchase, exchange, lease, or value of real property for municipal purposes, as permitted by Texas Government Code Section 551.072; to deliberate personnel matters, including selection of a City Manager, and evaluation of the Municipal Judge, as permitted by Texas Government Code Section 551.074; and to consult with the City Attorney regarding legal issues related to the City Manager transition, as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto.

- 18. Reconvene and take any necessary action**

The meeting reconvened at 8:45 p.m.

**Action:**

*Travis Smith moved to amend the contract for the City Municipal Judge as discussed during Executive Session and authorize the Mayor and or Interim City Manager to execute all necessary documents.*

*Billie Wallace requested an amendment to the motion to include the annual review of the City Municipal Judge, which was accepted by Travis Smith.*

*Motion was seconded by Tres Atkins and carried unanimously (4-0).*

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**19. Comments by Mayor, City Council, City Attorney and City Management**

Trenton Robertson, Senior Director of Planning, announced that staff recently submitted an award nomination for Chairman Rick Keeler to the American Planning Association for the “Planning Advocate of the Year” in Texas—and he won. Chairman Keeler has long been a dedicated advocate and an invaluable resource to the City of Waxahachie. He will receive his award at the Texas APA conference in College Station and he will also be formally recognized at an upcoming City Council meeting.

Interim City Manager Ricky Boyd thanked everyone who attended the Firefighters Shield and Promotion Ceremony. He reminded the Council of the upcoming Work Session scheduled for Monday, August 25th at 9:00 a.m. Mr. Boyd also announced the City’s 175th Birthday celebration on August 22nd and invited the community to attend this special event.

Honorary Council Member James Taylor expressed his appreciation to the Council for the opportunity to participate in the meeting.

Council Member Chris Wright acknowledged receiving multiple messages about loose animals and reassured the public that the City has not forgotten about the need for an animal shelter and improving animal services. He emphasized that, while public attendance at every meeting isn’t necessary, the issue remains a priority and Mayor Billie Wallace concurred.

**15. Adjourn**

There being no further business, the meeting adjourned at 8:47 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary

A Work Session of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms C and D, Waxahachie, Texas on Monday, August 25, 2025 at 9:00 a.m.

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

Others Present: Ricky Boyd, Interim City Manager  
Albert Lawrence, Deputy City Manager  
Amber Villarreal, City Secretary

**1. Call to Order**

Mayor Billie Wallace called the meeting to order.

**2. Hear presentation and funding request from The Heights for \$125,000 to support operational costs of a battered women's shelter**

Representatives from The Heights, including Lane Grayson and Executive Director Jennifer Salzman, requested \$125,000 in funding to support operational costs for the battered women's shelter in Ellis County. They clarified that this request is in addition to the City's current annual contribution of \$50,000 designated for advocacy services.

{Travis Smith arrived at 9:11 a.m.}

It was confirmed that the requested funding would be used to provide 24/7 staffing for the emergency shelter and would represent an annual recurring cost. However, it is understood that the funding will be subject to review and approval by the City Council each year.

Ms. Salzman stated that The Heights is actively pursuing grants and other funding opportunities. The City Council requested that financial statements be included with each future annual funding request. It was also confirmed that the emergency shelter funding request is currently under consideration by both the City of Midlothian and Ellis County. While other entities within Ellis County have been approached, no formal commitments have been made at this time.

The City Council expressed appreciation to The Heights for their dedication to Ellis County and for recognizing and addressing this critical need.

**3. Hear presentation and discuss development proposal by Minto Communities -USA for the planned development district formerly known as the Emory Lakes development**

Minto representative Richard Rozier, introduced members of the Minto team in attendance. He explained the goal is to add a quality development to Waxahachie with recreation centers and amenities.

(ub)

The Minto team shared a presentation outlining Minto's vision for a planned community in Waxahachie. The presentation outlined Minto's credentials, vision, and commitment to long-term success. The development team requested conditional consent for a Municipal Management District (MMD) to finance the required infrastructure to develop the site.

Bill Dahlstrom, Land Use Attorney with Jackson Walker, provided an overview of the project, including the boundaries, the overall illustrative concept plan, and the proposed components such as traditional residential, active adult residential, the Waxahachie Trail regional park, and school sites. He confirmed that the developer will request annexation of the portion of land currently within the city's ETJ. Mr. Dahlstrom explained that while flex space is being incorporated, there will be no changes to the overall density or commercial components. The development will feature complete neighborhoods with mixed-use elements. Five (5) amenities will be selected from a proposed list, with amenity centers phased into the development. The trigger points for these centers are 500 lots for the active adult residential areas and 750 lots for the traditional residential areas.

It was the general consensus of City Council to have input on the amenities to prevent duplication; however, Mr. Dahlstrom confirmed the final decision will be made by the developer.

Mr. Dahlstrom confirmed that the commercial portion of the development will be located closest to I-35, and the developer is proposing active recreation fields adjacent to the planned school sites.

{Tres Atkins arrived at 10:30 a.m.}

*{The meeting recessed at 10:32 a.m.} {The meeting reconvened at 10:44 a.m.}*

Sanjay Bapat of Allen Boone Humphries Robinson LLP presented the request to establish a Municipal Management District (MMD) for the proposed development. An MMD is a political subdivision of the State of Texas that provides a financing mechanism to fund public improvements within the development, under City oversight. Its primary responsibilities include the construction of water, sewer, and drainage infrastructure, as well as public roads—all built to City standards and eligible for conveyance to the City for ongoing operation and maintenance, if desired. This structure allows the infrastructure to be financed by the development itself.

City Council and staff discussed the annual tax rate for the MMD, noting that the combined maximum tax rate for both the master and participant districts will be contractually fixed according to the Development Agreement between the City and the developer.

Mr. Bapat requested a conditional consent from City Council to support the MMD financing mechanism. It was the general consensus of City Council to consider the request at an upcoming meeting.

Councilman Smith requested that the Development Agreement require an annual presentation from the District's financial advisor prior to the MMD setting and adopting its tax rate.

Mayor Wallace encouraged the developer to continue collaborating with City staff to address concerns or comments within the proposed development.

(u b)

The Minto team explained that conditional consent for the MMD is currently required to advance the project; however, the zoning and Development Agreement must be finalized by the end of the year.

**4. Adjourn**

There being no further business, the meeting adjourned at 11:42 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary

(uc)



City of Waxahachie  
City Secretary's Office

Special Event Application

Date submitted 8/8/25

**Applicant Information**

Applicant name: Daniel Rowan

Are you representing the host organization? Yes  No

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

Phone: 817-251-1111 Cell: \_\_\_\_\_

Email: drowan816@gmail.com

Mailing address: 121 Coyote Run Waxahachie TX 75165

Host organization name: Waxahachie Disc Golf

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

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

**About the Event**

Event name: 2025 Waxahachie Open

Location: Brown Singleton

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

Anticipated attendance: 84 players

Description of event: 2025 Waxahachie Open Disc Golf Tournament

How many times has this event been hosted before?

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

Choose the best description of the event:

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

(6c)



City of Waxahachie  
City Secretary's Office

Special Event Application

Event activities include (check all that apply):

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

The event is:

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

Admission information, if applicable:

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

\$40 entry fee

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	Oct 4	7am	5pm
Event Set-up	Oct 4	7am	8am
Event Breakdown	Oct 4	5pm	5pm

Run / Walk:

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

1 mile

5K

Other distance

Please indicate your expected attendance:

Number of participants:

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

Provide route on attached site map.

(6c)



City of Waxahachie  
City Secretary's Office

Special Event Application

**Food / Beverage:**

- Will the event offer food/beverages? Yes  No
- Will event require any food preparation on-site? Yes  No
- Will alcohol be served/sold? Yes  No

Sample Downtown Event/Festival Boundary Map

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

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

**Police / Security Services:**

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

- Event staff                      How many: 1                      Date(s) & time(s): \_\_\_\_\_
- Volunteers                      How many: 5                      Date(s) & time(s): \_\_\_\_\_
- Private security                      How many: 0                      Date(s) & time(s): \_\_\_\_\_
- Company name: \_\_\_\_\_

Contact name and number: \_\_\_\_\_

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

Have you made arrangements with the police? Yes  No

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

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

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

**Street Closures:**

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

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

Street closings to begin on date: \_\_\_\_\_ Start time: \_\_\_\_\_ End time: \_\_\_\_\_

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

**Traffic Safety Equipment:**

Does your event require traffic cones or barricades? Yes  No

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

Traffic Cones                      How many: \_\_\_\_\_                      Barricades                      How many: \_\_\_\_\_

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

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

(6c)



City of Waxahachie  
City Secretary's Office

Special Event Application

When will the traffic equipment be set-up?

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

When will the traffic equipment be removed?

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

Are you requesting the use of City traffic equipment?

Yes  No

*Availability is not guaranteed*

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

**Temporary Tents & Structures:**

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

Yes  No

List the # of tents & sizes:

*Indicate locations on attached required site map.*

**Electrical Services:**

How will electrical services be supplied?

Generator  Franchise Utilities  Both

List contractor / supplier:

No electrical is needed

Explain services in detail:

**Insurance**

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

**Hold Harmless Clause**

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

*[Handwritten Signature]*

Signature

*8/17/25*

Date

**Contract Agreement**

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

*[Handwritten Signature]*

Signature

*8/17/25*

Date

(loc)

Friday, August 8, 2025 7:25 PM





Date submitted 8/6/25

**Applicant Information**

Applicant name: Knights of Columbus c/o Thomas Blubaugh

Are you representing the host organization? Yes  No

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

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

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

Mailing address: 1871 Cotton Creek Trl, Midlothian, TX 76065

Host organization name: Knights of Columbus Council 8417 Waxahachie, TX

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

On-site contact name: Hugh Reynolds Cell: \_\_\_\_\_

**About the Event**

Event name: Hike for Life 2025

Location: Brown Singleton Park Medium Pavilion Oct 4, 2025 8:00 AM-2:00 PM - Half Day 8am-2pm

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

Anticipated attendance: 50

Description of event: A walk held once a year in various locations around Texas to help women in crisis, or

unplanned pregnancies who chose to carry their babies to full term. Our events raise awareness of the value of life and raise money for area, non-profit Pregnancy Resource Centers, and Maternity Residences.

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

1<sup>st</sup> time  2 – 4 times  5 or more times  Location: Waxahachie parks

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

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



(led)

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

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

**The event is:**

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

Admission information, if applicable:

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

**Event timeline:**

	Date(s)	Start Time:	End Time:
Event Date	10/4/25	9:00	12:00
Event Set-up	10/4/25	8:00	9:00
Event Breakdown	10/4/25	12:00	13:00

**Run / Walk:**

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

\_\_\_\_\_ 1 mile \_\_\_\_\_ 5K \_\_\_\_\_ 10:00 \_\_\_\_\_ Other distance

Please indicate your expected attendance: 50

Number of participants:

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

*Provide route on attached site map.*



**Food / Beverage:**

- Will the event offer food/beverages? Yes  No
- Will event require any food preparation on-site? Yes  No
- Will alcohol be served/sold? Yes  No

Sample Downtown Event/Festival Boundary Map

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

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

**Police / Security Services:**

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

- Event staff                      How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_
- Volunteers                      How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_
- Private security                How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_

Company name: \_\_\_\_\_

Contact name and number: \_\_\_\_\_

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

Have you made arrangements with the police? Yes  No

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

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

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

**Street Closures:**

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

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

Parking lot on Farley and grass area next to lot. Do not need to block it off.

Street closings to begin on date: \_\_\_\_\_ Start time: \_\_\_\_\_ End time: \_\_\_\_\_

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

**Traffic Safety Equipment:**

Does your event require traffic cones or barricades? Yes  No

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

Traffic Cones                      How many: \_\_\_\_\_ Barricades                      How many: \_\_\_\_\_

Other: May use some of our own traffic cones for muddy areas if needed.

Where should equipment be dropped off & picked up?



City of Waxahachie  
City Secretary's Office

(led)

Special Event Application

When will the traffic equipment be set-up?

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

When will the traffic equipment be removed?

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

Are you requesting the use of City traffic equipment?

Yes

No

**Availability is not guaranteed**

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

**Temporary Tents & Structures:**

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

Yes

No

List the # of tents & sizes:

**Indicate locations on attached required site map.**

**Electrical Services:**

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier:

Explain services in detail:

120VAC plugs at pavilion are applicable

**Insurance**

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

**Hold Harmless Clause**

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state of local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

T. Blubaugh  
Signature

8/6/25  
Date

**Contract Agreement**

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

T. Blubaugh  
Signature

8/6/25  
Date



(lee)

City of Waxahachie  
City Secretary's Office

Special Event Application

Date submitted

8/11/25

**Applicant Information**

Applicant name:

Kevin Crouch

Are you representing the host organization?

Yes

No

Will you be the on-site point of contact during the event?

Yes

No

Phone:

Cell:

Email:

Mailing address:

110 Sandy Lane, Waxahachie, Tx 75165

Host organization name:

South Metro Weather

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

On-site contact name:

Terri Crouch

Cell:

**About the Event**

Event name:

Kevin's Weather Bash

Location:

Railyard Park

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

Anticipated attendance:

Description of event:

Festival-type event with vendor booths, food trucks and a DJ.

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

1<sup>st</sup> time

2 - 4 times

5 or more times

Location:

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

Festival

Birthday Party / Picnic

Movie Screening

Charitable / Fundraising

Parade

Community / Neighborhood

Private Event

Concert / Live Performance

Run / Walk

Other:



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

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

**The event is:**

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

Admission information, if applicable:

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

**Event timeline:**

	Date(s)	Start Time:	End Time:
Event Date	10/4/2025	12:00 pm	4:00 pm
Event Set-up	"	10:00 am	<del>12:00 pm</del> 12:00 pm
Event Breakdown	"	12:00 pm	6:00 pm

**Run / Walk:**

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

\_\_\_\_\_ 1 mile

\_\_\_\_\_ 5K

\_\_\_\_\_ Other distance

Please indicate your expected attendance: \_\_\_\_\_

Number of participants:

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

*Provide route on attached site map.*



**Food / Beverage:**

- Will the event offer food/beverages? Yes  No
- Will event require any food preparation on-site? Yes  No
- Will alcohol be served/sold? Yes  No

Sample Downtown Event/Festival Boundary Map

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

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

**Police / Security Services:**

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

- Event staff                      How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_
- Volunteers                      How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_
- Private security                How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_

Company name: \_\_\_\_\_

Contact name and number: \_\_\_\_\_

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

Have you made arrangements with the police? Yes  No

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

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

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

**Street Closures:**

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

If yes, please list all streets, intersections, and parking lots that apply:  
Street between South College

Street closings to begin on date: 10/4/25 Start time: 10:00 am End time: 6:00 pm

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

**Traffic Safety Equipment:**

Does your event require traffic cones or barricades? Yes  No

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

Traffic Cones                      How many: \_\_\_\_\_ Barricades    How many: 6

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

Where should equipment be dropped off & picked up?



City of Waxahachie  
City Secretary's Office

(lee)

Special Event Application

When will the traffic equipment be set-up?

Date: 10/4 Time: 10:00 am

When will the traffic equipment be removed?

Date: 10/4 Time: 6:00 pm

Are you requesting the use of City traffic equipment?

Yes  No

*Availability is not guaranteed*

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

**Temporary Tents & Structures:**

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

Yes  No

List the # of tents & sizes:

*Indicate locations on attached required site map.*

**Electrical Services:**

How will electrical services be supplied?

Generator  Franchise Utilities  Both

List contractor / supplier:

Explain services in detail:

Food trucks use generators, DJ plugs in on-site.

**Insurance**

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

**Hold Harmless Clause**

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state of local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

[Signature]  
Signature

8/11/25  
Date

**Contract Agreement**

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

[Signature]  
Signature

8/11/25  
Date

# RAILYARD

## PARK

STAGE



PUBLIC  
PARKING

RENTALS

VENDOR TENT

VENDOR TENT

VENDOR TENT

VENDOR TENT

FOOD TRUCK PARKING

COLLEGE STREET



ROAD CLOSURE  
BARRICADE

RENTALS

PORT A POTTIES



ROAD CLOSURE  
BARRICADE

**RAILYARD PARK**  
**455 S. COLLEGE STREET**  
**WAXAHACHIE, TX 75165**

(ue)



Date submitted 7/23/2025

**Applicant Information**

Applicant name: Waxahachie IOOF #80 / Wayne Strickland

Are you representing the host organization? Yes  No

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

Phone: C: 972-814-0605 Cell: \_\_\_\_\_

Email: Collegestreetpub@yahoo.com

Mailing address: 210 N. College St. Waxahachie, Tx

Host organization name: Waxahachie IOOF Lodge #80 75165

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

On-site contact name: SEAN Cagle Cell: 214-435-3915

**About the Event**

Event name: Oldfest 2025

Date: 10/4/2025

Location: SINGLETON PLAZA

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

Anticipated attendance: 500 - 1,000 Come & Go Average < 200 e Anytime.

Description of event: Waxahachie IOOF #, Oddfellows Lodge annual 2rt Sale

	Date(s)	Start Time:	End Time:
Event Date	<u>10/4/2025</u>	<u>10:00 am</u>	<u>6:00 pm</u>
Event Set-up	<u>"</u>	<u>07:00 am</u>	<u>09:00 am</u>
Event Breakdown	<u>"</u>	<u>6:00 pm</u>	<u>7:00 pm</u>

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

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



(uf)

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

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

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

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

**The event is:**

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

Admission information, if applicable:

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

**Run / Walk:**

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

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

Please indicate your expected attendance: \_\_\_\_\_

Number of participants:

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

**Provide route on attached site map.**



(uf)

**Food / Beverage:**

- Will the event offer food/beverages? Yes  No
- Will event require any food preparation on-site? Yes  No
- Will alcohol be served/sold? Yes  No

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

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

**Police / Security Services:**

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

- Event staff How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_
- Volunteers How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_
- Private security How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_
- Company name: \_\_\_\_\_

Contact name and number: \_\_\_\_\_

Off duty police How many: 2 Date(s) & time(s): 11am - 5pm

Have you made arrangements with the police? Yes  No  10/4/2025

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

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

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

**Street Closures:**

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

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

N. Rogers from Railroad Tracks to Water St.

Street closings to begin on date: 10/4/2025 Start time: 09:00am End time: 6pm

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

**City Equipment:**

Are you requesting the use of City equipment? Yes  No

**Availability is not guaranteed**

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

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

Traffic Cones How many: 25 Barricades How many: 25



(6f)

Other:

Portatels & Wash Stations

Where should equipment be dropped off & picked up?

When will the equipment be set-up?

Date: 10/3/2025 Time: 17:00

When will the equipment be removed?

Date: 10/4/2025 Time: 18:00

**Temporary Tents & Structures:**

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

Yes

No

List the # of tents & sizes:

Indicate locations on attached required site map.

**Electrical Services:**

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier:

Explain services in detail:

USE of on-site utilities - Singleton PLAZA

**Insurance**

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

**Hold Harmless Clause**

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

*[Signature]*  
Signature

7/23/2025  
Date

**Contract Agreement**

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

*[Signature]*  
Signature

7/23/2025  
Date

IDOF #80

Waxahachie, Texas

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

(left)



BRICK FENCE

Barrier!  
Cone  
Drop off

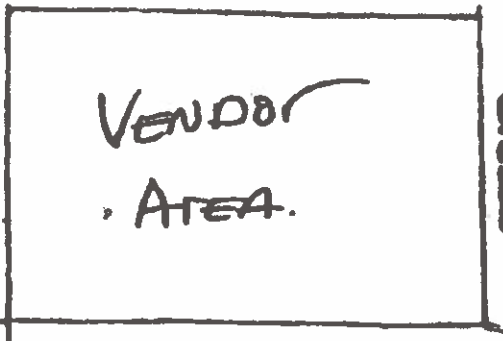
Portable Toilets  
&  
Hand Wash  
Stations

Closed

Entrance/Exit  
Closed



Entrance/Exit  
ONLY  
Security Rested



Closed

SINGLETON PLAZA  
200 N. Rogers St.  
Worthackie,  
Texas

Closed

Closed

ROGERS ST



College St

BRICK & IRON FENCE





Date submitted 8/8/20

**Applicant Information**

Applicant name: Waxahachie ISD

Are you representing the host organization? Yes  No

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

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

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

Mailing address: 411 North Gibson Street, Waxahachie, TX 75165

Host organization name: Waxahachie HS / ISD

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

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

**About the Event**

Event name: Waxahachie HS Homecoming Parade

Location: College Street, East Marvin, Brown Street, Indian Drive, Lumpkins Stadium

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

Anticipated attendance: 15,000 +

Description of event: Homecoming Parade - Similar / Identical flow to the past few years!

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

1<sup>st</sup> time  2 – 4 times  5 or more times  Location: Same as previous years...

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

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



(69)

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

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

**The event is:**

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

Admission information, if applicable:

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

**Event timeline:**

	Date(s)	Start Time:	End Time:
Event Date	10/10/2025	2:00PM	4:00PM
Event Set-up	10/10/2025	12:00PM	2:00PM
Event Breakdown	10/10/2025	As parade passes...	4:15PM

**Run / Walk:**

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

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

Please indicate your expected attendance: \_\_\_\_\_

Number of participants:

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

*Provide route on attached site map.*



**Food / Beverage:**

- Will the event offer food/beverages? Yes  No
- Will event require any food preparation on-site? Yes  No
- Will alcohol be served/sold? Yes  No

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

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

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

**Police / Security Services:**

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

- Event staff                      How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_
- Volunteers                      How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_
- Private security                How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_

Company name: \_\_\_\_\_

Contact name and number: \_\_\_\_\_

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

Have you made arrangements with the police? Yes  No

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

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

Contact name: Lt. Chris Dickinson                      Phone number: \_\_\_\_\_

**Street Closures:**

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

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

**See attached maps**

Street closings to begin on date: 10/10/2025 Start time: Various End time: 4:15pm

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

**Traffic Safety Equipment:**

Does your event require traffic cones or barricades? Yes  No

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

Traffic Cones                      How many: \_\_\_\_\_ Barricades    How many: \_\_\_\_\_

Other: See attached maps

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



City of Waxahachie  
City Secretary's Office

(leg)  
Special Event Application

When will the traffic equipment be set-up?

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

When will the traffic equipment be removed?

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

Are you requesting the use of City traffic equipment?

Yes  No

**Availability is not guaranteed**

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

**Temporary Tents & Structures:**

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

Yes  No

List the # of tents & sizes:

**Indicate locations on attached required site map.**

**Electrical Services:**

How will electrical services be supplied?

Generator  Franchise Utilities  Both

List contractor / supplier:

Explain services in detail:

**Insurance**

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

**Hold Harmless Clause**

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*MRB*

Signature

8/8/2025

Date

**Contract Agreement**

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

*MRB*

Signature

8/8/2025

Date



Alumni Parking

Float Check-In Line  
(Monroe Street)

Check-In  
Area

McMillan Street

Community Entries

WHS Alumni

WISD Related Entries

Float Riders Drop Off (Jackson Street)

Parade Road

Football Teams

(log)

(leg)



(LH)



City of Waxahachie  
City Secretary's Office

Special Event Application

Date submitted

**Applicant Information**

Applicant name: Pam Davis-Young

Are you representing the host organization? Yes  No   
Will you be the on-site point of contact during the event? Yes  No

Phone: [redacted] Cell: [redacted]

Email: [redacted]

Mailing address: 1003 Lariat Circle Oak Leaf TX 75154

Host organization name: Pet Coalition of ELLIS County

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

On-site contact name: Rebecca Gentry Cell: [redacted]

**About the Event**

Event name: Bark in the Park

Location: Waxahachie Dog Park

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

Anticipated attendance: ? 100 - Fun Festival called <sup>Fundraiser</sup> (Bark in the Park)

Description of event: Vendor booths, inflatable slide, food trucks, dog costume contest, ? pet adoptions, ? local radio broadcast, jail & bail fundraiser, door prizes, gypsy fair reader, photo booth

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

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

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

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

Can we use the rodeo arena parking lot?  
Can we post signs about event @ get zendancer  
park & walking trail

(LH)



City of Waxahachie  
City Secretary's Office

Special Event Application

Event activities include (check all that apply):

- Amusement rides / Inflatables *slide*
- Animals / Petting Zoo
- Announcements / Speeches *MC for costume contest & jail & ball*
- Information / Literature Distribution
- DJ / Recorded Music
- Food - sampled, served, or sold *trucks*
- Products / Services - given away, sampled, or sold *dot treats (Halloween candy)*
- Live music
- Street closure
- Other:

The event is:

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

Admission information, if applicable:

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

*entry fee 15.00 to enter dog costume contest  
coupons sold for activities - door prizes, photo booth, slide,  
paw readings*

Event timeline:

	Date(s)	Start Time:	End Time:
Event Date	<i>Sat NOV 1st</i>	<i>10am</i>	<i>3pm</i>
Event Set-up	<i>"</i>	<i>7am</i>	
Event Breakdown	<i>"</i>		<i>3pm</i>

Run / Walk:

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

1 mile

5K

Other distance

Please indicate your expected attendance:

Number of participants:

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

Provide route on attached site map.

(LH)



City of Wauahatchie  
City Secretary's Office

Special Event Application

**Food / Beverage:**

Will the event offer food/beverages? food trucks Yes  No

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

Will alcohol be served/sold? Yes  No

Sample Downtown Event/Festival Boundary Map

Code of Ordinances Ch. 4 Sec. 4-2 Alcohol at approved festivals and events

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

**Police / Security Services:**

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

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

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

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

Company name: \_\_\_\_\_

Contact name and number: \_\_\_\_\_

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

Have you made arrangements with the police? Yes  No

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

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

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

**Street Closures:**

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

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

Street closings to begin on date: \_\_\_\_\_ Start time: \_\_\_\_\_ End time: \_\_\_\_\_

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

**Traffic Safety Equipment:**

Does your event require traffic cones or barricades? Yes  No

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

Traffic Cones            How many: \_\_\_\_\_ Barricades    How many: \_\_\_\_\_

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

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

(leh)



City of Waxahachie  
City Secretary's Office

Special Event Application

When will the traffic equipment be set-up?

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

When will the traffic equipment be removed?

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

Are you requesting the use of City traffic equipment?

Yes  No

Availability is not guaranteed

Streets cannot be blocked without prior approval.

Temporary Tents & Structures:

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

Yes  No

List the # of tents & sizes:

Indicate locations on attached required site map.

Electrical Services:

How will electrical services be supplied?

Generator  Franchise Utilities  Both

List contractor / supplier:

need onsite utilities for inflatable slide or house

Explain services in detail:

Insurance

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

Hold Harmless Clause

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Ram Davis Young Secretary  
Signature

8/8/25  
Date

Contract Agreement

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

Ram Davis Young Secretary  
Signature

8-8-25  
Date

(6h)



(uh)



(6h)



# Planning & Zoning Department (ui)

## Petition for ETJ Release

Case: ETJ-PTN-97-2025



### MEETING DATE(S)

City Council:

September 2, 2025

### CAPTION

*Consider* proposed Ordinance approving a request by Albert Rodriguez, for a **Petition for ETJ Release** for approximately 11.711 acres, located at 1165 Gibson Road (Property ID 263489) – Owner(s): Albert and Irma Rodriguez (ETJ-PTN-97-2025)

### RECOMMENDED MOTION

*"I move to approve ETJ-PTN-97-2025, a request by Albert Rodriguez, for a Petition for ETJ Release for approximately 11.711 acres, located at 1165 Gibson Road, authorizing the Mayor to sign the associated documents accordingly."*

### APPLICANT REQUEST

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

### CASE INFORMATION

*Applicant:*

Albert Rodriguez

*Property Owner(s):*

Albert Rodriguez and Irma Rodriguez

*Site Acreage:*

11.7110

*Number of Lots:*

1 lot

*Number of Dwelling Units:*

1 unit

### SUBJECT PROPERTY

*General Location:*

1165 Gibson Road

*Parcel ID Number(s):*

263489

*Current Zoning:*

ETJ

*Existing Use:*

Residential

*Platting History:*

The subject property is partially platted as Part of Lot 31 and All of Lots 32 & 33 of the Hunters Run Addition.

*CCN Service Area:*

Rockett Special Utility District

(6i)

**Site Aerial:**



**PLANNING ANALYSIS**

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

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

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

**RECOMMENDATION**

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

**ATTACHED EXHIBITS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*

David Jones

Planner

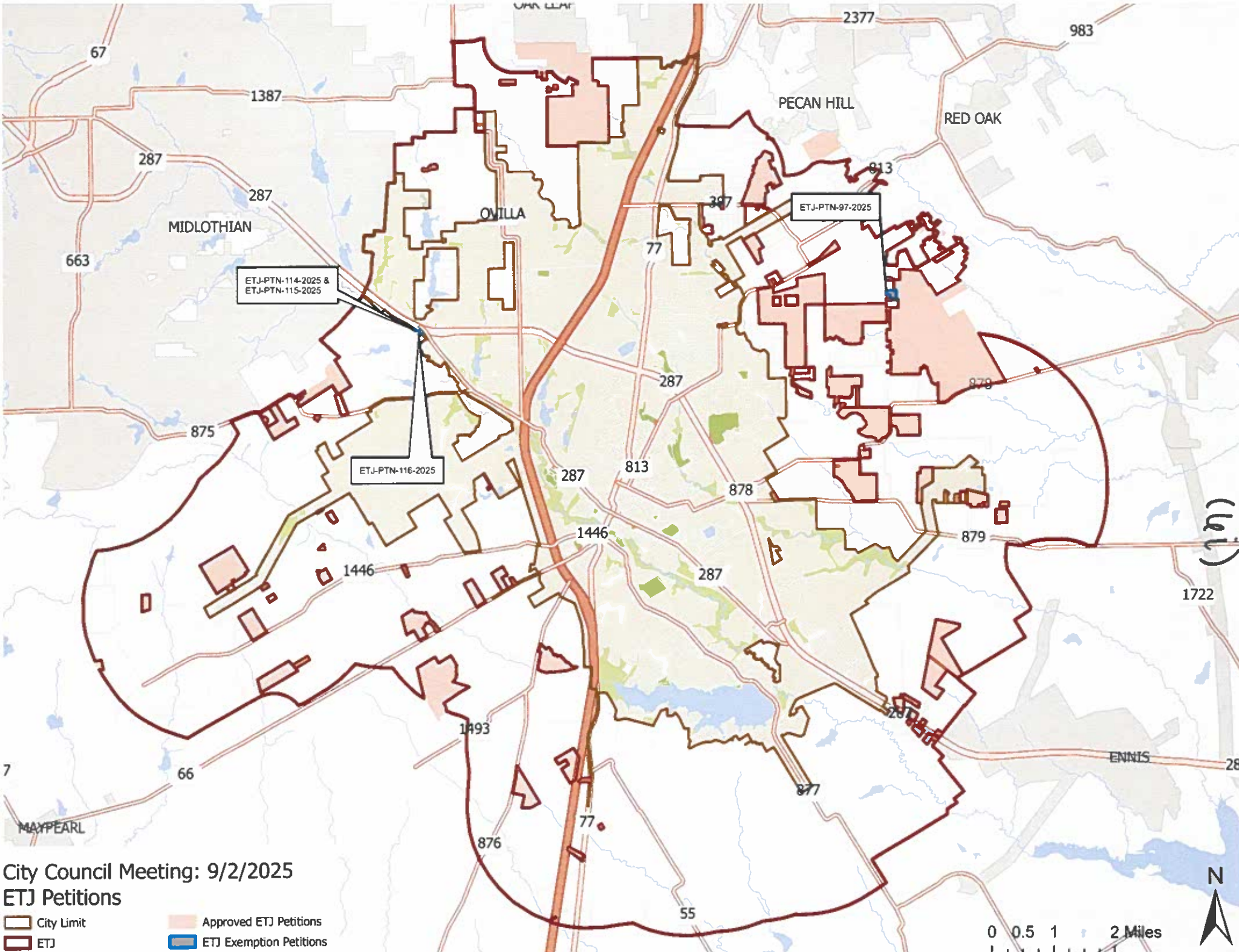
[david.jones@waxahachie.com](mailto:david.jones@waxahachie.com)

*Reviewed by:*

Trenton Robertson, AICP

Senior Director of Planning

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



**City Council Meeting: 9/2/2025**  
**ETJ Petitions**

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



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

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 11.711 ACRE TRACT OF LAND, LOCATED AT 1165 GIBSON ROAD, KNOWN AS PROPERTY ID 263489, 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-97-2025, 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 2nd day of September, 2025.

\_\_\_\_\_  
MAYOR

ATTEST:

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

(ui)

Exhibit "A"

LEGAL DESCRIPTION

0.400 ACRE TRACT

BEING that certain tract of land located in the G.R. Wheelock Survey, Abstract No. 1117, in Ellis County, Texas, and being all of Brazos Street (called 60 foot width street) according to Final Plat of Hunter's Run, Phase 1, an addition to Ellis County recorded in Cabinet E, Slides 81 and 82, of the Plat Records of Ellis County, Texas (PRECT), and being more particularly described as follows:

BEGINNING at a "PK" nail found in asphalt in the approximate center of Gibson Road (undicated public right-of-way at this point), and being located at the intersection of said center of Gibson Road, and the northwest corner of said Brazos Street;

THENCE South  $89^{\circ}51'46''$  East, with the north line of said Brazos Street, and the south line of Lot 33, of said Hunter's Run, Phase 1, a distance of 290.61 feet to a  $5/8$  inch iron rod with cap marked "PETITT-RPLS 4087" found at the northeast corner of said Brazos Street and the southeast corner of said Lot 33;

THENCE South  $00^{\circ}07'28''$  West, with the east line of said Brazos Street, a distance of 60.00 feet to a point for corner at the southeast corner of Brazos Street, and the northeast corner of Lot 34, of said Hunter's Run, Phase 1, from which a  $5/8$  inch iron rod found at the southeast corner of Lot 35, Hunter's Run, Phase 1, and the northeast corner of Lot 36, Hunter's Run, Phase 1, bears South  $00^{\circ}07'28''$  West, a distance of 300.24 feet;

THENCE North  $89^{\circ}51'46''$  West, with the south line of said Brazos Street, and the north line of said Lot 34, of said Hunter's Run, Phase 1, a distance of 290.63 feet to a point for corner at the southwest corner of said Brazos Street and the northwest corner of said Lot 34, in said center of Gibson Road;

THENCE North  $00^{\circ}08'14''$  East, with said approximate center of Gibson Road, and the west line of said Brazos Street, a distance of 60.00 feet to the POINT OF BEGINNING of herein described tract, containing 0.400 acres of land.

BEING that certain tract of land located in the G. R. WHEELOCK SURVEY, ABSTRACT NO. 1117, in Ellis County, Texas, and being part of that certain tract of land described in deed to AKP Stillwater Partnership recorded in Volume 2163, Page 2154, of the Deed Records of Ellis County, Texas (DRECT), part of Lot 31, and all of Lot 32, and Lot 33, of Hunter's Run, Phase I, an addition to Ellis County according to Final Plat recorded in Cabinet E, Slides 81 end 82, of the Plat Records of Ellis County, Texas (PRECT), and being more particularly described as follows:

BEGINNING at a "PK" nail set in asphalt at the intersection of the approximate center of Gibson Road (undedicated public right-of-way at this point), and the north right-of-way line of Brazos Street (called 60 foot R.O.W., dedicated by said Plat recorded in Cabinet E, Slides 81 and 82, PRECT);

THENCE North 00°08'14" East, with said approximate center of Gibson Road, and the west line of said Lots 33, 32 and 31, a distance of 325.80 feet to a "PK" nail set in asphalt for corner;

THENCE North 89°53'33" East, leaving the approximate center of Gibson Road, a distance of 837.53 feet to a 5/8 inch iron rod with cap marked "Petitt-RPLS 4087" set for corner;

THENCE South 00°11'42" West, a distance of 740.05 feet to a 5/8 inch iron rod with cap marked "Petitt-RPLS 4087" set for corner;

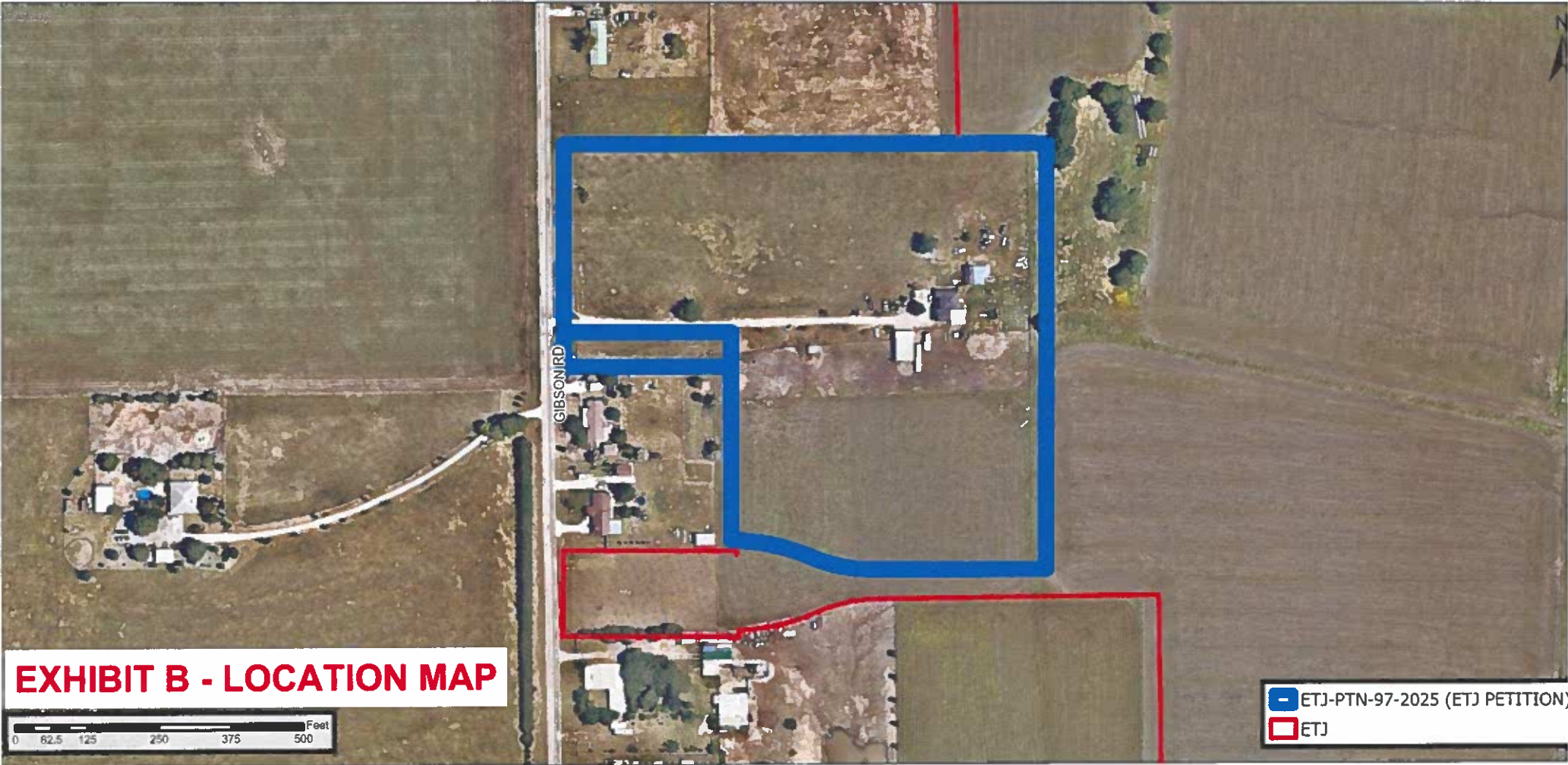
THENCE North 89°52'32" West, a distance of 300.66 feet to a 5/8 inch iron rod with cap marked "Petitt-RPLS 4087" set for corner at the beginning of a tangent curve to the right;

THENCE with said curve having a central angle of 23°16'40", a radius of 275.00 feet, a chord which bears North 78°14'12" West, a chord distance of 110.96 feet, for an arc distance of 111.73 feet to the end of said curve, a 5/8 inch iron rod with cap marked "Petitt-RPLS 4087" set for corner at the beginning of a tangent reverse curve to the left;

THENCE with said curve having a central angle of 23°16'41", a radius of 346.00 feet, a chord which bears North 78°14'12" West, a chord distance of 139.61 feet, for an arc distance of 140.57 feet to the end of said curve, a 5/8 inch iron rod found for corner at the southeast corner of Lot 35, of the aforementioned Hunter's Run, Phase I, and the northeast corner of Lot 36, of said Hunter's Run, Phase I;

THENCE North 00°07'28" East, with the east line of said Lot 35, passing at a distance of 150.01 feet a 5/8 inch iron rod found at the northeast corner of Lot 35, and the southeast corner of Lot 34, of said Hunter's Run, Phase I, continuing with the east line of said Lot 34, passing at a distance of 300.09 feet a 5/8 inch iron rod found at the southeast corner of the aforementioned Brazos Street right-of-way, continuing with the east line of said right-of-way dedication, in all, a total distance of 360.24 feet to a 5/8 inch iron rod with cap marked "Petitt-RPLS 4087" set for corner;

THENCE North 89°51'46" West, with the north right-of-way line of said Brazos Street, a distance of 290.61 feet to the POINT OF BEGINNING of herein described tract, containing 11.301 acres of land.



(ii)

# Planning & Zoning Department (uj)

## Petition for ETJ Release

Case: ETJ-PTN-114-2025



### MEETING DATE(S)

City Council:

September 2, 2025

### CAPTION

*Consider* proposed Ordinance approving a request by Caleb Bates, for a **Petition for ETJ Release** for approximately 0.1697 acres, located at 653 Sardis Rd (Property ID 192324) – Owner: Sardis Properties, LLC (ETJ-PTN-114-2025)

### RECOMMENDED MOTION

*"I move to approve ETJ-PTN-114-2025, a request by Caleb Bates, for a Petition for ETJ Release for approximately 0.1597 acres, at 653 Sardis 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:*

Caleb Bates

*Property Owner(s):*

Sardis Properties, LLC

*Site Acreage:*

0.1697 acres

*Number of Lots:*

1 lot

*Number of Dwelling Units:*

1 unit

### SUBJECT PROPERTY

*General Location:*

653 Sardis Road

*Parcel ID Number(s):*

192324

*Current Zoning:*

N/A (ETJ)

*Existing Use:*

Retail

*Platting History:*

The subject property is not platted

*CCN Service Area:*

Sardis-Lone Elm WSC

(u)

**Site Aerial:**



**PLANNING ANALYSIS**

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

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

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

**RECOMMENDATION**

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

**ATTACHED EXHIBITS**

1. ETJ Petition Map for September 2, 2025 City Council Meeting
2. Proposed Ordinance
3. Legal Description (Exhibit A)
4. Location Map (Exhibit B)

**STAFF CONTACT INFORMATION**

*Prepared by:*

Caleb Ensley

Planner

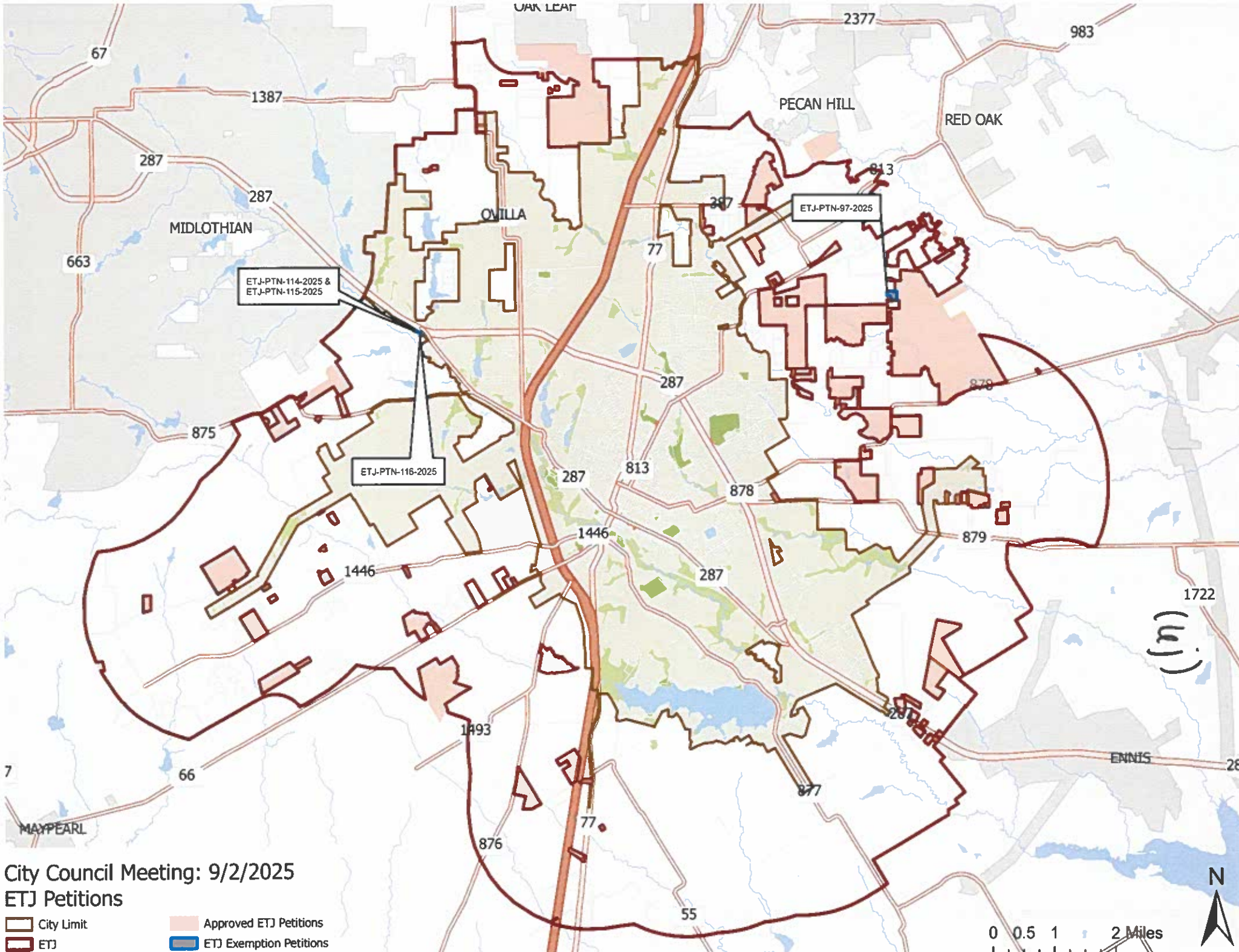
[caleb.ensley@waxahachie.com](mailto:caleb.ensley@waxahachie.com)

*Reviewed by:*

Trenton Robertson, AICP

Senior Director of Planning

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



**City Council Meeting: 9/2/2025  
ETJ Petitions**

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



(u)

(6j)

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

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 0.1697 ACRE TRACT OF LAND, LOCATED AT 653 SARDIS ROAD KNOWN AS PROPERTY ID 192324, 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-114-2025, 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 Legal Description 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 2<sup>nd</sup> day of September, 2025.

\_\_\_\_\_  
MAYOR

ATTEST:

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

# EXHIBIT A LEGAL DESCRIPTION

## SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED INCLUDING NATIONAL INVESTORS TITLE INS. CO., TOWN SQUARE TITLE OF No. 025-82804 AND SARDIS PROPERTIES, LLC. THIS IS TO CERTIFY THAT I HAVE THIS DATE, MADE A CAREFUL AND ACCURATE SURVEY ON THE GROUND OF THE PROPERTY LOCATED AT 853 SARDIS ROAD IN THE CITY OF MIDLOTHAN, ELLIS COUNTY, TEXAS.

BEING a tract or parcel of land situated in Ellis County, Texas, and being part of the D. Weaver Survey, Abstract 1138, as evidenced by the deed to Joe McGee recorded in Volume 1370, Page 307 of the Deed Records of Ellis County, and being more particularly described as follows,

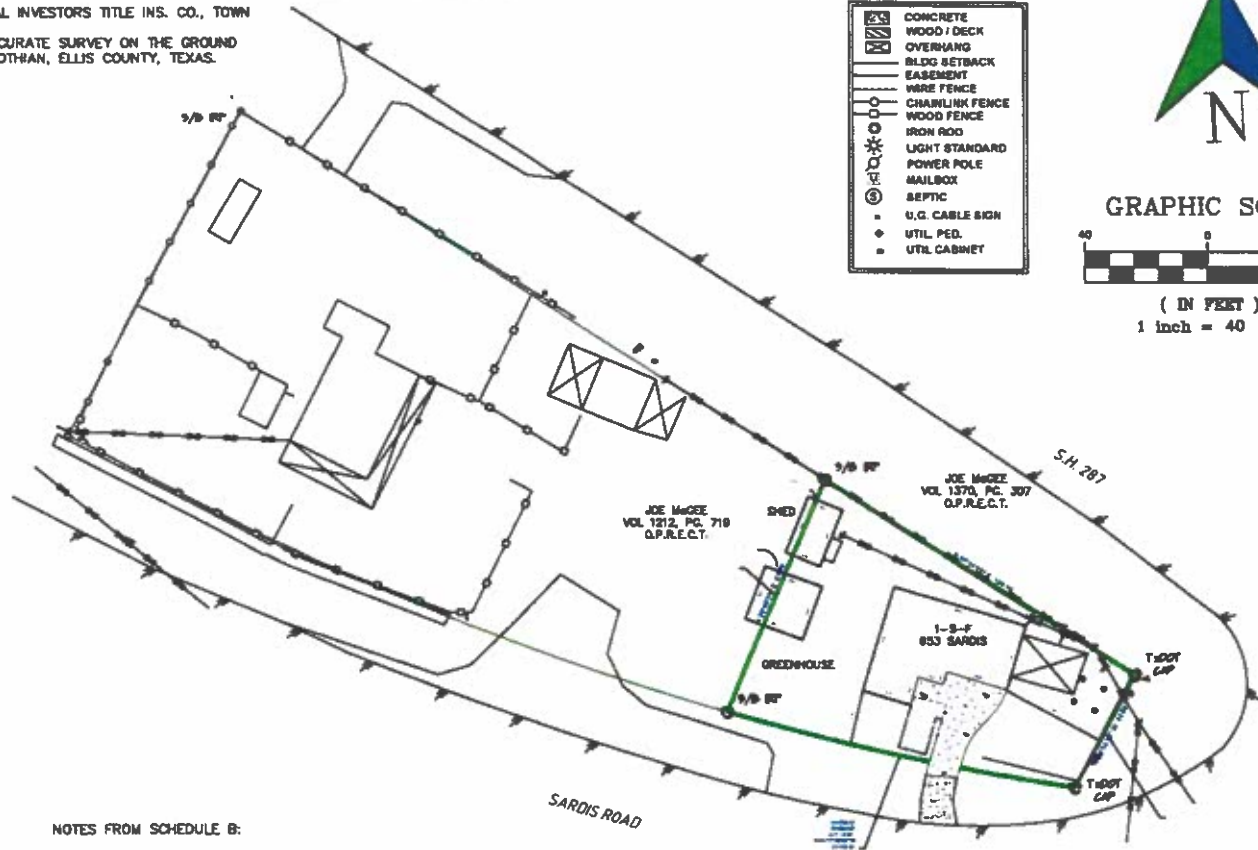
BEGINNING at a TxDOT aluminum disk found at the northeast corner of said McGee tract and a corner of the tract conveyed to the State of Texas by deed recorded in Volume 1370, Page 307 of said Deed Records AND ON THE SOUTH LINE OF State Highway 287;

THENCE S 28° 14' 10" W, along the westerly line of said State of Texas, a distance of 41.85 feet to a TxDOT aluminum disk found for corner on the north line of Sardis Road;

THENCE in a westerly direction along said north line and along a curve to the right whose chord bears N 77° 36' 55" W - 116.35 feet and having a radius of 824.93 feet, a central angle of 7° 36' 55" and an arc length of 116.43 feet to a 3/8 inch iron rod found for corner at the southeast corner of a second Joe McGee tract as recorded in Volume 1212, Page 719 of said Deed Records;

THENCE N 22° 45' 01" E, along the common line of both McGee tracts, a distance of 82.69 feet to a 3/8 inch iron rod found in said southerly line of U S Highway 287;

THENCE S 57° 31' 27" E, along said southerly line, a distance of 120.18 feet to the POINT OF BEGINNING and containing 7.394 square feet of 0.1697 acres of land within these metes and bounds as recited



LEGEND	
[Symbol]	CONCRETE
[Symbol]	WOOD / DECK
[Symbol]	OVERHANG
[Symbol]	BLDG SETBACK
[Symbol]	EASEMENT
[Symbol]	WIRE FENCE
[Symbol]	CHAINLINK FENCE
[Symbol]	WOOD FENCE
[Symbol]	IRON ROD
[Symbol]	LIGHT STANDARD
[Symbol]	POWER POLE
[Symbol]	MAILBOX
[Symbol]	SEPTIC
[Symbol]	U.G. CABLE SIGN
[Symbol]	UTIL. PED.
[Symbol]	UTIL. CABINET



GRAPHIC SCALE



( IN FEET )  
1 inch = 40 ft.

### NOTES FROM SCHEDULE B:

- Easement and Right-of-Way to Pagnolia Petroleum Co., recorded in Volume 218, Page 106, of the Deed Records, Ellis County, Texas. (NO PLOTTABLE ELEMENTS)
- Easement and Right-of-Way recorded in Volume 439, Page 296, of the Deed Records, Ellis County, Texas. (NO PLOTTABLE ELEMENTS)
- Easement and Right-of-Way to J.W. Jackson, recorded in Volume 528, Page 893, of the Deed Records, Ellis County, Texas. (NO PLOTTABLE ELEMENTS)
- Easement and Right-of-Way to J.W. Jackson, recorded in Volume 612, Page 430, of the Deed Records, Ellis County, Texas. (NO PLOTTABLE ELEMENTS)
- Easement and Right-of-Way to Texas Utility Electric Company, recorded in Volume 875, Page 807, of the Deed Records, Ellis County, Texas. (NO PLOTTABLE ELEMENTS)

Notes:

- All bearings are based on Texas State Plane Coordinate System, Zone 4202.

I, Brian C. Wright, Registered Professional Land Surveyor, do hereby certify that the above description correctly represents the results of a survey made on the ground under my direct supervision

*Brian C. Wright*

Brian C Wright R.P.L.S. No 4560  
April 17, 2024



**FLOOD STAMP**  
IT APPEARS THROUGH VISUAL INTERPOLATION THAT ACCORDING TO THE FLOOD INSURANCE RATE MAP, PANEL NO. 481800004, THIS PROPERTY IS NOT IN A FLOOD PRONE AREA, ZONE X

TOWN SQUARE TITLE  
G.F. NO.: 025-82804  
PURCHASER: SARDIS PROPERTIES, LLC

**MW** MAYO-WRIGHT CONSULTANTS  
329 OAKS TRL. STE. 222  
GARLAND, TEXAS 75043  
972-346-5203  
CONSULTANTS  
BRIAN C. WRIGHT, R.P.L.S. NO. 10794516

PROJECT # 250127

(10)

# EXHIBIT B LOCATION MAP



(u)

# Planning & Zoning Department (ok)

## Petition for ETJ Release

Case: ETJ-PTN-115-2025



### MEETING DATE(S)

City Council:

September 2, 2025

### CAPTION

**Consider** proposed Ordinance approving a request by Caleb Bates, for a **Petition for ETJ Release** for approximately 0.562 acres, located at 649 Sardis Rd (Property ID 192358) – Owner: Sardis Properties, LLC (ETJ-PTN-115-2025)

### RECOMMENDED MOTION

*"I move to approve ETJ-PTN-115-2025, a request by Caleb Bates, for a Petition for ETJ Release for approximately 0.562 acres, at 649 Sardis 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:*

Caleb Bates

*Property Owner(s):*

Sardis Properties, LLC

*Site Acreage:*

0.562 acres

*Number of Lots:*

1 lot

*Number of Dwelling Units:*

N/A (Non-Residential)

### SUBJECT PROPERTY

*General Location:*

649 Sardis Road

*Parcel ID Number(s):*

192358

*Current Zoning:*

N/A (ETJ)

*Existing Use:*

Residential

*Platting History:*

The subject property is not platted

*CCN Service Area:*

Sardis-Lone Elm WSC

(LK)

**Site Aerial:**



**PLANNING ANALYSIS**

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

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

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

**RECOMMENDATION**

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

**ATTACHED EXHIBITS**

1. ETJ Petition Map for September 2, 2025 City Council Meeting
2. Proposed Ordinance
3. Legal Description (Exhibit A)
4. Location Map (Exhibit B)

**STAFF CONTACT INFORMATION**

*Prepared by:*

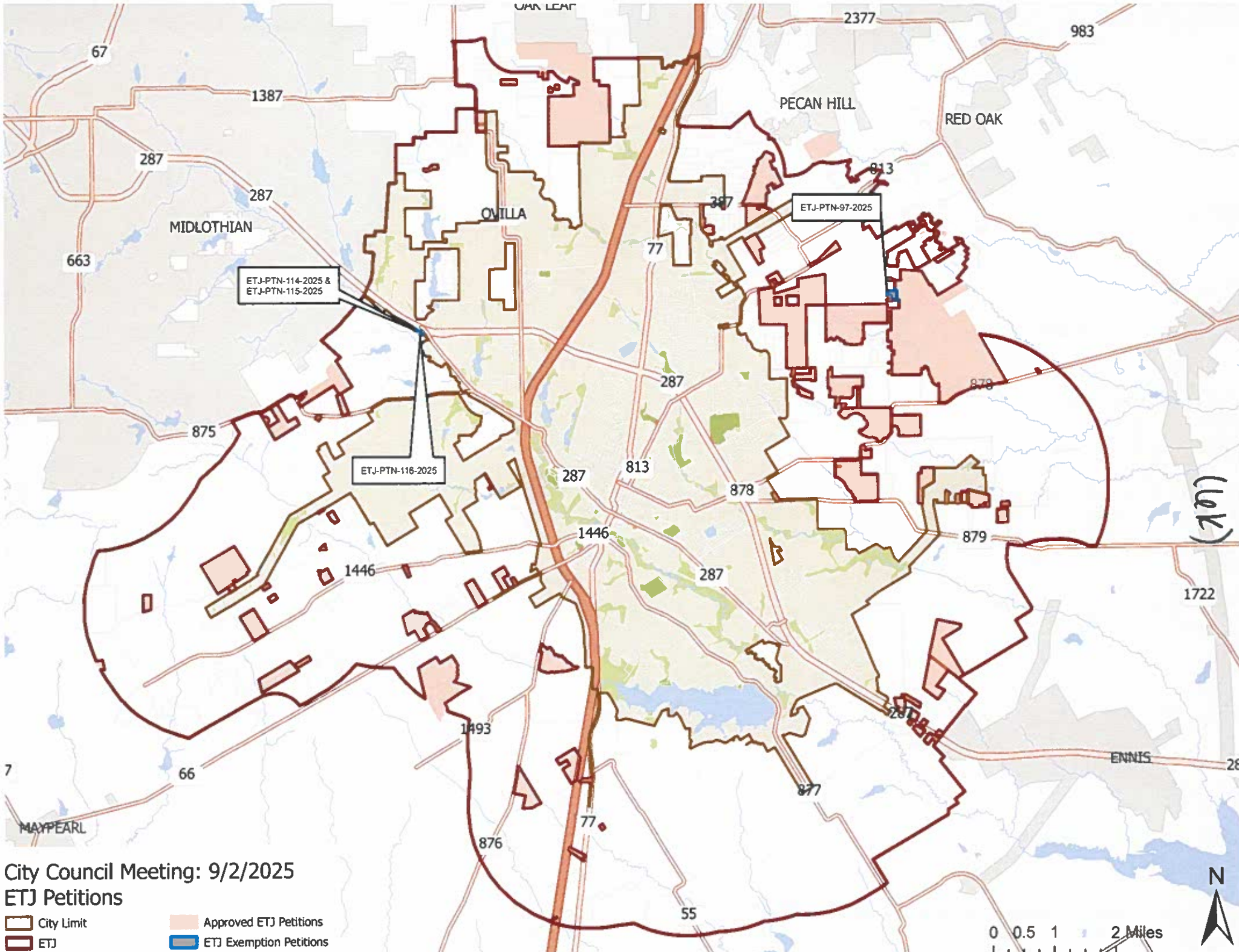
Caleb Ensley  
Planner

[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: 9/2/2025  
ETJ Petitions**

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

0 0.5 1 2 Miles

(uk)

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

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION OF A 0.562 ACRE TRACT OF LAND, LOCATED AT 649 SARDIS ROAD KNOWN AS PROPERTY ID 192358, 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-115-2025, 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 Legal Description 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 2<sup>nd</sup> day of September, 2025.

\_\_\_\_\_  
MAYOR

ATTEST:

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

# EXHIBIT A LEGAL DESCRIPTION

## SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED INCLUDING NATIONAL INVESTORS TITLE INS. CO., TOWN SQUARE TITLE OF No. 025-82804 AND SARDIS PROPERTIES, LLC: THIS IS TO CERTIFY THAT I HAVE THIS DATE, MADE A CAREFUL AND ACCURATE SURVEY ON THE GROUND OF THE PROPERTY LOCATED AT 849 SARDIS ROAD IN THE CITY OF MIDLOTHIAN, ELLIS COUNTY, TEXAS.

BEING a tract or parcel of land situated in Ellis County, Texas, and being part of the D Weaver Survey, Abstract 1138, as evidenced by the deed to Joe McGee recorded in Volume 1212, Page 719, of the Deed Records of Ellis County, and being more particularly described as follows:

**BEGINNING** at a 3/8 inch iron rod found at the northeast corner of said McGee tract and the northwest corner of a second Joe McGee tract by deed recorded in Volume 1370, Page 307 of said Deed Records and on the south line of State Highway 287;

**THENCE** S 22° 45' 01" W, along the common line of said McGee tracts, a distance of 82.89 feet to a 3/8 inch iron rod found for corner on the north line of Sardis Road;

**THENCE** in a westerly direction along said north line and along a curve to the right whose chord bears N 68° 24' 23" W - 180.47 feet and having a radius of 824.93 feet, a central angle of 11° 11' 51" and an arc length of 180.76 feet to a 3/8 inch iron rod found for corner;

**THENCE** N 62° 48' 24" W, continuing along said north line, a distance of 54.91 feet to a 3/8 inch iron rod found at the southwest corner of the Shirley Terry tract as recorded in Volume 1677, Page 959 of said Deed Records;

**THENCE** N 28° 08' 35" E, along the common line of said McGee and Terry tracts, a distance of 121.18 feet to a 3/8 inch iron rod found in said southerly line of U S Highway 287 at the northeast corner of said Terry tract;

**THENCE** S 57° 31' 27" E, along said southerly line, a distance of 227.06 feet to the **POINT OF BEGINNING** and containing 24,480 square feet of 0.5620 acres of land within these metes and bounds as recited

SHIRLEY TERRY  
VOL. 1677, PG. 959  
O.P.R.E.C.T.

S.H. 287

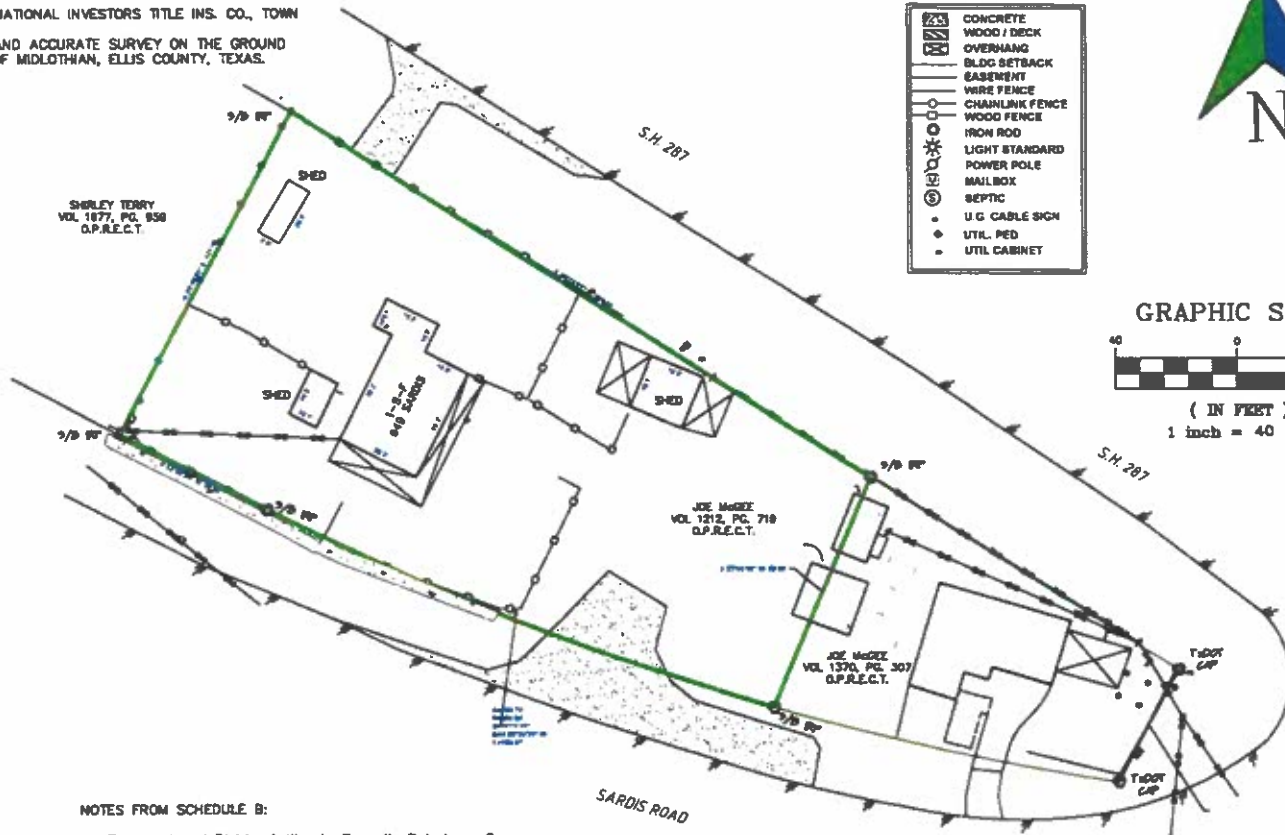
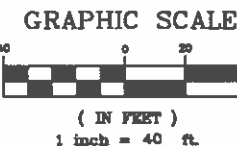
SARDIS ROAD

JOE MCGEE  
VOL. 1212, PG. 719  
O.P.R.E.C.T.

JOE MCGEE  
VOL. 1370, PG. 307  
O.P.R.E.C.T.

**LEGEND**

	CONCRETE
	WOOD / DECK
	OVERHANG
	BLDG SETBACK
	EASEMENT
	WIRE FENCE
	CHAINLINK FENCE
	WOOD FENCE
	IRON ROD
	LIGHT STANDARD
	POWER POLE
	MAILBOX
	SEPTIC
	U/G CABLE SIGN
	UTIL. PED
	UTIL. CABINET



**NOTES FROM SCHEDULE B:**

- Easement and Right-of-Way to Pagnolia Petroleum Co., recorded in Volume 218, Page 106, of the Deed Records, Ellis County, Texas. (NO PLOTTABLE ELEMENTS)
- Easement and Right-of-Way recorded in Volume 439, Page 298, of the Deed Records, Ellis County, Texas. (NO PLOTTABLE ELEMENTS)
- Easement and Right-of-Way to J.W. Jackson, recorded in Volume 528, Page 693, of the Deed Records, Ellis County, Texas. (NO PLOTTABLE ELEMENTS)
- Easement and Right-of-Way to J.W. Jackson, recorded in Volume 612, Page 430, of the Deed Records, Ellis County, Texas. (NO PLOTTABLE ELEMENTS)
- Easement and Right-of-Way to Texas Utility Electric Company, recorded in Volume 875, Page 807, of the Deed Records, Ellis County, Texas. (NO PLOTTABLE ELEMENTS)

Notes:

1. All bearings are based on Texas State Plane Coordinate System, Zone 4202

I, Brian C. Wright, Registered Professional Land Surveyor, do hereby certify that the above description correctly represents the results of a survey made on the ground under my direct supervision

*Brian C. Wright*

Brian C Wright R.P.L.S. No 4560  
April 17, 2025



**FLOOD STAMP**  
IT APPEARS THROUGH VISUAL INTERPOLATION THAT ACCORDING TO THE FLOOD INSURANCE RATE MAP, PANEL NO. 48389C000, THIS PROPERTY IS NOT IN A FLOOD PRONE AREA, ZONE X

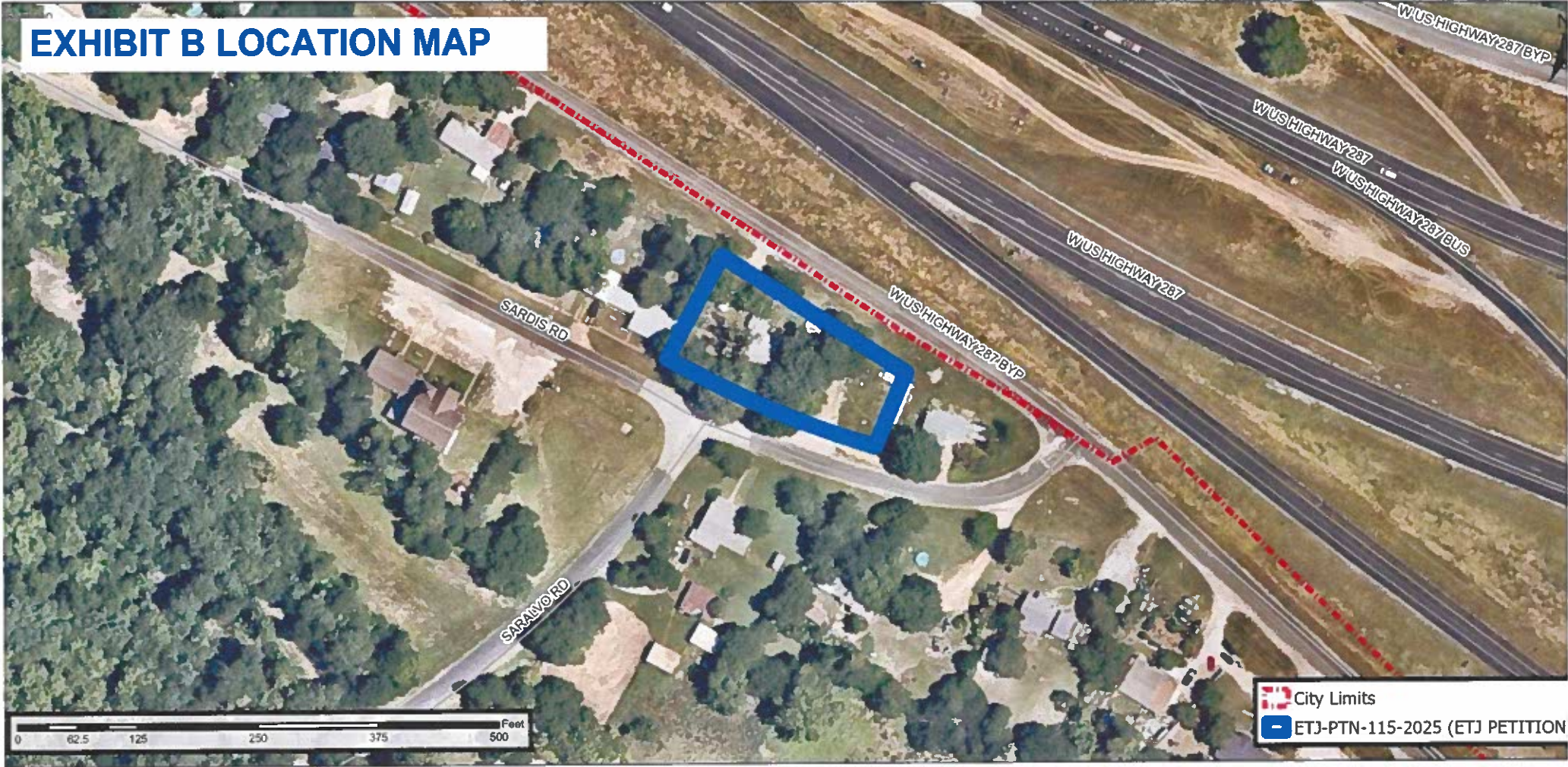
TOWN SQUARE TITLE  
C.F. NO.: 025-82804  
PURCHASER: SARDIS PROPERTIES, LLC

**MW** MAYO-WRIGHT CONSULTANTS  
329 OAKS TRL STE 222  
GARLAND, TEXAS 75043  
972-346-5203  
CONSULTANTS  
MAYO-WRIGHT COMPANY  
R.P.L.S. License No. 10794516

PROJECT # 250127

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# EXHIBIT B LOCATION MAP



(L&K)

# Planning & Zoning Department (ul)

## Petition for ETJ Release

Case: ETJ-PTN-116-2025



### MEETING DATE(S)

City Council:

September 2, 2025

### CAPTION

*Consider* proposed Ordinance approving a request by Caleb Bates, for a **Petition for ETJ Release** for approximately 0.252 acres, located at 656 Sardis Rd (Property ID 180505) – Owner: Sardis Properties, LLC (ETJ-PTN-116-2025)

### RECOMMENDED MOTION

*"I move to approve ETJ-PTN-116-2025, a request by Caleb Bates, for a Petition for ETJ Release for approximately 0.252 acres, at 656 Sardis 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:*

Caleb Bates

*Property Owner(s):*

Sardis Properties, LLC

*Site Acreage:*

0.252 acres

*Number of Lots:*

1 lot

*Number of Dwelling Units:*

N/A (Non-Residential)

### SUBJECT PROPERTY

*General Location:*

656 Sardis Road

*Parcel ID Number(s):*

180505

*Current Zoning:*

N/A (ETJ)

*Existing Use:*

Residential

*Platting History:*

The subject property is not platted

*CCN Service Area:*

Sardis-Lone Elm WSC

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**Site Aerial:**



**PLANNING ANALYSIS**

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

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

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

**RECOMMENDATION**

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

**ATTACHED EXHIBITS**

1. ETJ Petition Map for September 2, 2025 City Council Meeting
2. Proposed Ordinance
3. Legal Description (Exhibit A)
4. Location Map (Exhibit B)

**STAFF CONTACT INFORMATION**

*Prepared by:*

Caleb Ensley

Planner

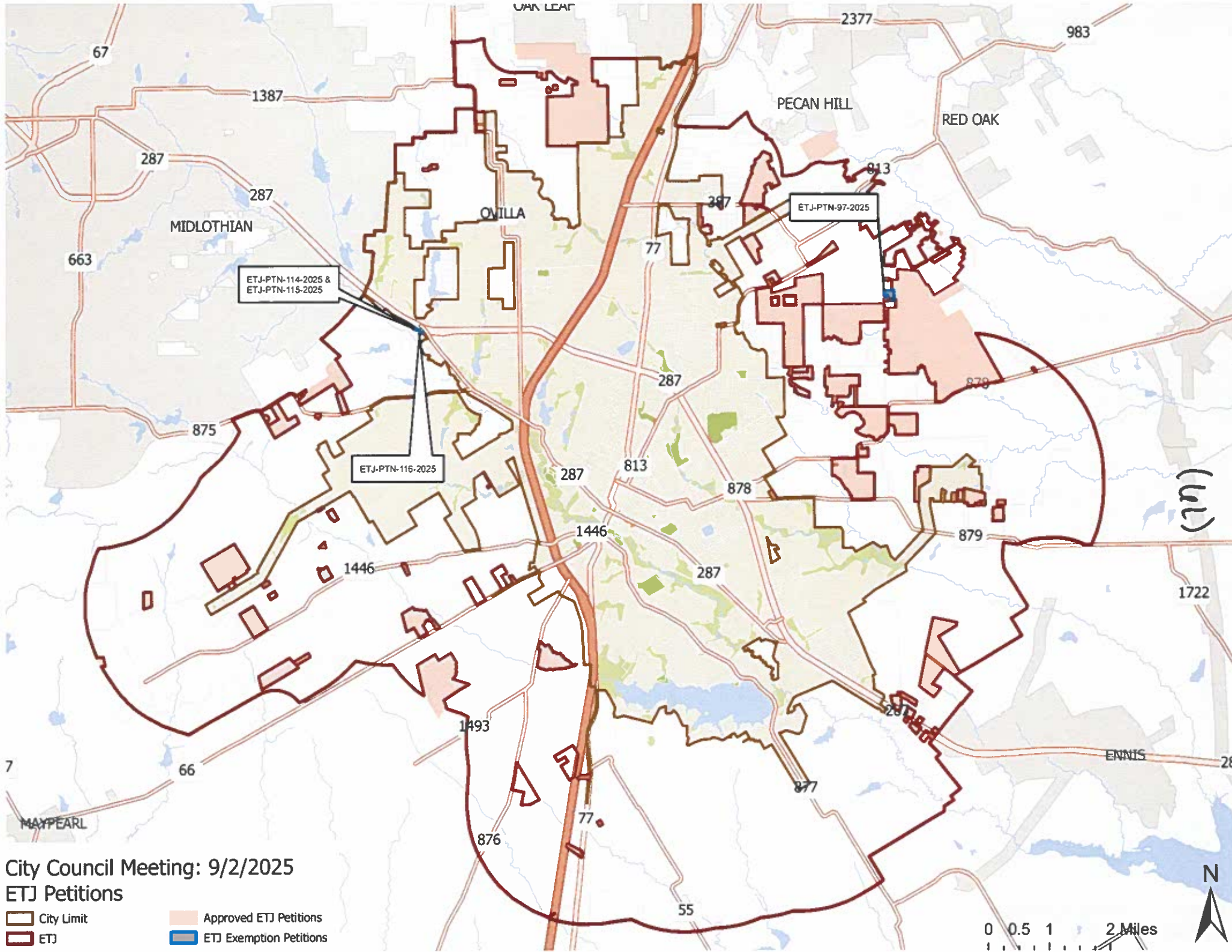
[caleb.ensley@waxahachie.com](mailto:caleb.ensley@waxahachie.com)

*Reviewed by:*

Trenton Robertson, AICP

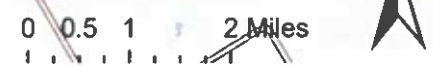
Senior Director of Planning

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



**City Council Meeting: 9/2/2025**  
**ETJ Petitions**

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



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

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 0.562 ACRE TRACT OF LAND, LOCATED AT 656 SARDIS ROAD KNOWN AS PROPERTY ID 180505, 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-116-2025, 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 Legal Description 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 2<sup>nd</sup> day of September, 2025.

\_\_\_\_\_  
MAYOR

ATTEST:

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



# EXHIBIT B LOCATION MAP



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## Memorandum

To: Honorable Mayor and City Council

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

Thru: Ricky Boyd, Interim City Manager *RB*

Date: September 2, 2025

Re: Consider Supplemental Appropriation from the Waxahachie Community Development Corporation for a WDMA Events Sponsorship

---

**Motion:** "I move to approve a supplemental appropriation of \$18,500 from the Waxahachie Community Development Corporation unrestricted reserve fund balance to support the Waxahachie Downtown Merchant Association (WDMA) events, and authorize the City Manager to execute all necessary documents."

**Item Description:** Consider approving a supplemental appropriation in the amount of \$18,500 from the Waxahachie Community Development Corporation (WCDC) unrestricted reserve fund balance to support the WDMA events throughout the year.

**Item Summary:** During the August 12, 2025 WCDC board meeting, the board discussed a \$18,500 sponsorship for WDMA events throughout the year, and it was approved 4-1. The sponsorship will be funded from the WCDC unrestricted reserve fund balance. A supplemental appropriation from the WCDC unrestricted reserve fund balance is needed as it was not approved as part of the FY24-25 budget.

The sponsorship will be utilized for promotion of the events as well as general expenses related to putting on the events. The WDMA hosts numerous successful events for both the community and visitors. One of their most recent success stories was the "Coffee Crawl" held on January of 2025, which attracted well over 2,500 visitors from surrounding communities with the majority not being from

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Waxahachie. Support from the WCDC for these events will allow the WDMA to allocate funds toward contracting a social media vendor to promote them throughout the year. This promotion will not only generate excitement and increase attendance, but also drive business to our downtown merchants.

**Fiscal Impact:** The supplemental appropriation will increase the GL account 208-000-55274 – Sponsorships by \$18,500. The WCDC’s unrestricted reserve fund balance has sufficient capacity for the supplemental appropriation.

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## Memorandum

To: City Council

From: Ricky Boyd, Interim City Manager *RB*

Thru:

Date: September 2, 2025

Re: Civil Service Commission Appointment – Bob Aday

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**Recommended Motion:** "I move to appoint Bob Aday to a three-year term on the Civil Service Commission."

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

This year Bob Aday's position is up for consideration. Bob has served in this capacity for many years and continues to do an outstanding job. He has graciously agreed to serve in this important capacity for another term. As such, I am recommending his reappointment to the Commission.



## Memorandum

To: Honorable Mayor and City Council  
From: Dustin Deel, Director of Administrative Services  
Thru: Ricky Boyd, Interim City Manager *RB*  
Date: September 2, 2025  
Re: Consider Resolution to Approve a Negotiated Settlement Between the Atmos Cities Steering Committee and the Atmos Energy Corp., Mid-Tex Division

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**Motion:** "I move to approve the Resolution approving the settlement agreement with the Atmos Cities Steering Committee and the Atmos Energy Corp., Mid-Tex Division."

**Item Description:** Consider resolution to approve a negotiated settlement between the Atmos Cities Steering Committee (ACSC) and the Atmos Energy Corp., Mid-Tex Division (Atmos) regarding the company's 2025 rate review mechanism filing.

**Item Summary:** Waxahachie, along with 181 other Mid-Texas cities served by Atmos, is a member of the ACSC. On or about April 1, 2025, Atmos filed a rate request pursuant to the as Rate Review Mechanism (RRM) Tariff adopted by ACSC members. Atmos claimed that its cost-of-service in a test year ending December 31, 2024, entitled it to additional system-wide revenues of \$245.2 million.

Application of the standards set forth in ACSC's RRM Tariff required Atmos to reduce its request to \$225.6 million, \$163.5 million of which would be applicable to ACSC members. ACSC's consultants concluded that the system-wide deficiency under the RRM regime should be \$185.6 million instead of the claimed \$245.2 million.

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After Atmos reviewed ACSC's consultants' report, ACSC's Executive Committee and Atmos negotiated a settlement of \$205.6 million. The effective date for the news rates will be October 1, 2025. The negotiated settlement will result in savings to ASCS Cities.

The average Atmos residential customer will see an increase in their monthly bill of about 9.27% (\$7.83) and commercial customers will see an average increase of about 6.564% (\$25.73).

**Fiscal Impact:** The City of Waxahachie is already a member of the ACSC and there were no additional costs associated with hiring of legal services or consultants to conduct the negotiations on behalf of the ACSC. All legal expenses associated with this negotiation must be paid by Atmos.

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RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2025 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.**

WHEREAS, the City of Waxahachie Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates, charges, and services of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee (“ACSC”), a coalition of similarly-situated cities served by Atmos Mid-Tex (“ACSC Cities”) that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by the

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Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, the current RRM tariff was adopted by the City in a rate ordinance in 2018; and

WHEREAS, on about April 1, 2025, Atmos Mid-Tex filed its 2025 RRM rate request with ACSC Cities based on a test year ending December 31, 2024; and

WHEREAS, ACSC coordinated its review of the Atmos Mid-Tex 2025 RRM filing through its Executive Committee, assisted by ACSC's attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

WHEREAS, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$205.6 million on a system-wide basis with an Effective Date of October 1, 2025; and

WHEREAS, ACSC agrees that Atmos' plant-in-service is reasonable; and

WHEREAS, with the exception of approved plant-in-service, ACSC is not foreclosed from future reasonableness evaluation of costs associated with incidents related to gas leaks; and

WHEREAS, the attached tariffs (Attachment 1) implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Attachment 2); and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications.

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

**Section 1.** That the findings set forth in this Resolution are hereby in all things approved.

**Section 2.** That, without prejudice to future litigation of any issue identified by ACSC, the City Council finds that the settled amount of an increase in revenues of \$205.6 million on a system-wide basis represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2025 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

**Section 3.** That despite finding Atmos Mid-Tex's plant-in-service to be reasonable, ACSC is not foreclosed in future cases from evaluating the reasonableness of costs associated with incidents involving leaks of natural gas.

**Section 4.** That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Attachment 1, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional \$205.6 million on a system-wide basis, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

**Section 5.** That the ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Attachment 2, attached hereto and incorporated herein.

**Section 6.** That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2025 RRM filing.

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**Section 7.** That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Resolution, it is hereby repealed.

**Section 8.** That the meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

**Section 9.** That if any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

**Section 10.** That consistent with the City Ordinance that established the RRM process, this Resolution shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after October 1, 2025.

**Section 11.** That a copy of this Resolution shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Thomas Brocato, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

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DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, BY A VOTE OF \_\_\_\_ TO \_\_\_\_, ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

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**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RATE SCHEDULE:</b>	<b>R – RESIDENTIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2025</b>	

**Application**

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Bill	\$ 23.65 per month
Rider CEE Surcharge	\$ 0.03 per month <sup>1</sup>
<b>Total Customer Charge</b>	<b>\$ 23.68 per month</b>
Commodity Charge – All Ccf	\$ 0.74748 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

<sup>1</sup>Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2025.

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**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RATE SCHEDULE:</b>	<b>C – COMMERCIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2025</b>	

**Application**

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Bill	\$ 94.00 per month
Rider CEE Surcharge	\$ 0.01 per month <sup>1</sup>
<b>Total Customer Charge</b>	<b>\$ 94.01 per month</b>
Commodity Charge – All Ccf	\$ 0.22261 per Ccf

**Gas Cost Recovery:** Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

**Weather Normalization Adjustment:** Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

**Franchise Fee Adjustment:** Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

**Tax Adjustment:** Plus an amount for tax calculated in accordance with Rider TAX.

**Surcharges:** Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

**Presumption of Plant Protection Level**

For service under this Rate Schedule, plant protection volumes are presumed to be 10% of normal, regular, historical usage as reasonably calculated by the Company in its sole discretion. If a customer believes it needs to be modeled at an alternative plant protection volume, it should contact the company at [mdtx-div-plantprotection@atmosenergy.com](mailto:mdtx-div-plantprotection@atmosenergy.com).

<sup>1</sup> Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2025.

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**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RATE SCHEDULE:</b>	<b>I – INDUSTRIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2025</b>	

**Application**

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 200 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 200 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Meter	\$ 1,848.75 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.7678 per MMBtu
Next 3,500 MMBtu	\$ 0.5623 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.1206 per MMBtu

**Gas Cost Recovery:** Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

**Franchise Fee Adjustment:** Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

**Tax Adjustment:** Plus an amount for tax calculated in accordance with Rider TAX.

**Surcharges:** Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Curtailment Overpull Fee**

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

**Replacement Index**

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

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**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RATE SCHEDULE:</b>	<b>I – INDUSTRIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2025</b>	

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

**Special Conditions**

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**Presumption of Plant Protection Level**

For service under this Rate Schedule, plant protection volumes are presumed to be 10% of normal, regular, historical usage as reasonably calculated by the Company in its sole discretion. If a customer believes it needs to be modeled at an alternative plant protection volume, it should contact the company at [mdtx-div-plantprotection@atmosenergy.com](mailto:mdtx-div-plantprotection@atmosenergy.com).

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**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RATE SCHEDULE:</b>	<b>T – TRANSPORTATION</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2025</b>	

**Application**

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

This tariff is not available to customers with a maximum daily demand of 1,000 MMBtu or greater and a daily/annual load factor of 10% or less. Load factor is calculated as follows: annual usage / (maximum daily connected demand X 365). Load factors will be recalculated once each year to determine appropriate eligibility for Rate T.

**Type of Service**

Company's receipt and delivery of all gas quantities under the applicable Transportation Agreement will be on a wholly interruptible basis subject to the Terms and Conditions incorporated in the Transportation Agreement. If Customer is an Industrial Customer, then Customer may elect, at the reasonable discretion of Company, to contract for Plant Protection transportation quantities defined as the minimum natural gas required to prevent physical harm and/or protect critical safety to the plant facilities, plant personnel, or the public when such protection cannot be achieved through the use of an alternate fuel. Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Meter	\$ 1,848.75 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.7678 per MMBtu
Next 3,500 MMBtu	\$ 0.5623 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.1206 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

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**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RATE SCHEDULE:</b>	<b>T – TRANSPORTATION</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2025</b>	

**Imbalance Fees**

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

**Monthly Imbalance Fees**

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

**Overpull Fee**

Upon notification by Company of an event of interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

**Replacement Index**

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

**Agreement**

A transportation agreement is required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

**Special Conditions**

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

MID-TEX DIVISION  
ATMOS ENERGY CORPORATION

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<b>RIDER:</b>	<b>SUR – SURCHARGES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2025</b>	

**Application**

This Rider is applicable to customer classes in the incorporated areas under the RRM tariff as authorized by the state or any governmental entity, a municipality, or a regulatory authority pursuant to any statute, ordinance, order, rule, contract, or agreement.

**Monthly Calculation**

Surcharges will be calculated in accordance with the applicable statute, ordinance, order, rule, contract, or agreement.

**FASB ASC 740-10 (Fin48) Refund**

Applicable to Customers taking service under Rate Schedules R – Residential, C – Commercial, I – Industrial and T – Transportation.

To ensure that gas utility customers receive the benefit associated with the changes in the Company's Uncertain Tax Positions ("UTPs") arising from recognition of Texas Margin Tax returns.

The decrease shall be calculated as follows:

Beginning with implementation of rates from the negotiated RRM Tariff, and annually thereafter, the portion of UTP liabilities identified in Schedule FIN48-1.1 for the prior fiscal year shall be allocated based on the final class allocations of GUD No. 10170 as per the RRM Tariff, divided by the annual bill count to derive rates to be refunded through Rider SUR in the subsequent fiscal year. Each year's calculation will include a true-up (+ or - ) due to account for over/under collections. Amounts identified in Schedule FIN48-1 shall be adjusted to reflect any audit adjustments received from the Texas Comptroller of Public Accounts.

No action on the part of the Regulatory Authority is required to give effect to the amount to be refunded to customers. However, any amount refunded to customers shall be fully subject to review for reasonableness and accuracy in the gas utility's next statement of intent proceeding with the Railroad Commission of Texas, and if applicable, the gas utility shall be required to reconcile any discrepancies.

The following refund as authorized in the most recent negotiated RRM Tariff shall be refunded to each Rate Schedules R – Residential, C – Commercial, I – Industrial and T – Transportation customer's monthly bill in each month for a 12-month period. The refund amount by month by Rate Schedule is shown in the table below:

Rate Schedules	Rate
Rate R – Residential Sales	\$ (0.12)
Rate C – Commercial Sales	\$ (0.41)
Rate I – Industrial Sales	\$ (8.68)
Rate T – Transportation	\$ (8.68)

(leo)

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RIDER:</b>	<b>TAX – TAX ADJUSTMENT</b>	
<b>APPLICABLE TO:</b>	<b>Entire Division as Set Forth Below</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2025</b>	<b>PAGE:</b>

**Application**

Applicable to Customers taking service under Rate R, Rate C, Rate I, and Rate T, except for exempt State Agency Customers, to the extent of state gross receipts taxes only.

**1. State Gross Receipts Taxes**

Applicability - Entire Division except for Unincorporated Areas

Each monthly bill shall be adjusted for Miscellaneous state gross receipts taxes imposed by Sections 182-021 - 182-025 of the Texas Tax Code.

Entire Division

Each monthly bill shall also be adjusted by an amount equivalent to the amount of all applicable taxes and any other governmental impositions, rentals, fees, or charges (except state, county, city, and special district ad valorem taxes and taxes on net income) levied, assessed, or imposed upon or allocated to Company with respect to the Gas Service provided to Customer by Company, and any associated facilities involved in the performance of such Gas Service. Each monthly bill shall also be adjusted by an amount equivalent to the proportionate part of any increase or decrease of any tax and any other governmental imposition, rental, fee, or charge (except state, county, city, and special district ad valorem taxes and taxes on net income) levied, assessed, or imposed subsequent to the effective date of this tariff, upon or allocated to Company's operations, by any new or amended law, ordinance, or contract.

**2. Federal or State Tax Law or Rate Changes:**

**Applicability – All Customers in the Mid-Tex Division (“MTX”) Under the RRM Tariff**

Applicable to Customers taking service under Rate R, Rate C, Rate I, and Rate T.

To ensure that gas utility customers receive the benefits or costs associated with the changes in tax rates at a federal or state level, MTX shall establish and accrue on its books and records, as of the effective date of the federal or state tax law or rate change: 1) regulatory liabilities to reflect the impact of a decrease in federal corporate income tax rates or state margin tax rates; or, 2) regulatory assets to reflect the impact of an increase in federal corporate income tax rates or state margin tax rates.

The gas utility may not change rates to give effect to a change in Federal or State Tax law or rates through the Rider TAX unless and until the city issues final authorization, an Accounting Order, or other express guidance authorizing such recovery through the RRM process.

Company may also not change rates to capture the impacts associated with the effects of Public Law 117-169, 136 STAT. 1818 of August 16, 2022 (“Tax Act 2022”) and certain other tax-related costs that will change from the amounts included in the most recent base revenue requirement established through an RRM filing unless and until the city issues a final authorization, an Accounting Order, or other express guidance authorizing such recovery.

Upon receipt of authorization from the city through an Accounting Order, final authorization or other express guidance, the calculation applicable to the aforementioned federal or state tax rate or law changes are as follows; however, to the extent there is a conflict between the calculation or methodology

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MID-TEX DIVISION  
ATMOS ENERGY CORPORATION

RIDER:	TAX – TAX ADJUSTMENT	
APPLICABLE TO:	Entire Division as Set Forth Below	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2025	PAGE:

prescribed by an Accounting Order, final authorization, or other express guidance, and those contained in this rate schedule, the Accounting Order, final authorization, or other express guidance controls:

**Calculations**

1. With regard to changes in the tax rates at a federal or state level, the increase or decrease shall be calculated as follows:
  - a. A portion of the gas utility’s revenue representing the difference between: 1) the cost of service as approved by the Commission or the applicable regulatory authority in the gas utility’s most recent statement of intent or other rate proceeding, and 2) the cost of service that would have resulted had the rates been based on the new federal income tax rate (increase or decrease) or state margin taxes (increase or decrease), as of the effective date of the change;
  - b. If applicable, the portion of the gas utility’s revenue representing the difference between: 1) each Interim Rate Adjustment surcharge approved by the regulatory authority since the gas utility’s most recent statement of intent or other rate proceeding, and 2) each Interim Rate Adjustment surcharge that would have resulted had the surcharges been based on the new federal income tax rate (increase or decrease) or state margin taxes (increase or decrease), as of the effective date of the change; and
  - c. The excess or deficient deferred tax reserve, including any associated gross up in taxes, caused by the reduction or increase in the federal corporate income tax rate or state related tax increases, as of the effective date of the change.

Upon the receipt of authorization from the Commission or applicable regulatory authority, the gas utility shall separately refund to customers based on a decrease in federal or state tax rates or separately collect from customers based on an increase in federal or state tax rates within twelve (12) months or, pursuant to applicable Internal Revenue Code (“IRC”) rules and regulations, as follows:

- d. The amount collected/refunded by the gas utility that reflects the difference in base rates between: 1) the cost of service approved by the regulatory authority in the gas utility’s most recent statement of intent rate proceeding, and 2) the cost of service that would have resulted had the rates been based upon the new federal or state tax rates, between the effective date of this order and the effective date of the changes.
- e. If applicable, the amount collected/refunded by the gas utility that reflects the difference between: 1) each Interim Rate Adjustment surcharge approved by the Commission or the regulatory authority since the gas utility’s most recent statement of intent rate proceeding, and 2) each Interim Rate Adjustment surcharge that would have resulted had the rates been based upon the new federal or state tax rates, between the effective date of this order and the effective date of the changes.
- f. The amount collected/refunded by the gas utility that reflects the difference in the excess or deficient deferred tax reserve included in base rates between: 1) the cost of service approved by the Commission or the regulatory authority in the gas utility’s most recent statement of intent rate proceeding, and 2) the cost of service that would have resulted had the rates been based upon the new federal or state tax rates, between the effective date of this order and the effective date of the changes. These amounts shall be refunded or collected from customers based upon IRC rules and regulations if applicable.

(leo)

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

<b>RIDER:</b>	<b>TAX – TAX ADJUSTMENT</b>	
<b>APPLICABLE TO:</b>	<b>Entire Division as Set Forth Below</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2025</b>	<b>PAGE:</b>

2. With regard to the Tax Act 2022 and certain other tax-related costs that will change from the amounts included in the base revenue requirement established through an RRM filing, any change in rates shall be calculated as follows:
- (a) The amount shall be calculated as the product of Company's grossed-up rate of return authorized in the cost of service as approved by the Commission or the applicable regulatory authority in the gas utility's most recent statement of intent or other rate proceeding times the Corporate Alternative Minimum Tax deferred tax asset ("CAMT DTA") estimated at September 30 of the fiscal year or applicable quarter-end within a fiscal year prior to the annual change in the rates pursuant to this tariff, less the income tax credits received in accordance with IRC requirements applicable to the Tax Act 2022 grossed-up for income taxes to a revenue equivalent.
  - (b) The estimated CAMT DTA and the related effects on the rider revenue requirements shall be trued up to the actual effects in the following year and the over/under recovery amortized over the twelve months that each year's recalculated tariff rates are in effect. The over/under recovery shall include a grossed-up rate of return as authorized in Company's most recent statement of intent or other rate proceeding.
  - (c) The methodology for computing Company's CAMT is as follows:
    - i. Confirm when Atmos Energy Corporation and its affiliates are subject to CAMT as an "applicable corporation" as defined the Tax Act 2022, then there will be MTX's CAMT DTA in the tariff.
    - ii. Calculate the Mid-Tex Division's (MTX) contribution to Adjusted Financial Statement Income ("AFSI") on a stand-alone basis. MTX's AFSI is calculated by adjusting MTX's applicable financial statement income by adjustments to depreciation, pension costs and federal income tax to arrive at AFSI. AFSI is intended to be computed consistent with applicable IRC requirements.
    - iii. Compare MTX's CAMT stand-alone amount with MTX's regular stand-alone tax liability. If the stand alone CAMT is in excess of the stand-alone regular tax, the CAMT DTA is recorded to MTX.

If the Internal Revenue Service issues new guidance related to the Tax Act 2022, Company shall have the right to make additional filings to recognize such adjustments.

Any Commission filing made to give effect to Federal or State Tax Law or Rate Changes shall be filed within 12-months following the enactment of a tax rate change with the Commission's Oversight and Safety Division or as part of a Statement of Intent.

Any city filing made to give effect to Federal or State Tax Law or Rate Changes shall be filed within 12-months following the enactment of a tax rate change and addressed to the city official at the address of record with the Mid-Tex Division.

With the exception of the authorization required from the Commission to allow the gas utility to recognize the new federal income tax rate (increase or decrease) or state taxes (increase or decrease) or the impacts associated with the effects of the Tax Act 2022 and certain other tax-related costs that will change from the amounts included in the base revenue requirement in the last approved RRM Tariff filing, no action on the part of the regulatory authority is required to give effect to the amount to be refunded or

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

(leo)

<b>RIDER:</b>	<b>TAX – TAX ADJUSTMENT</b>	
<b>APPLICABLE TO:</b>	<b>Entire Division as Set Forth Below</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2025</b>	<b>PAGE:</b>

collected from customers. However, any amount refunded or collected from customers shall be fully subject to review for reasonableness and accuracy in the gas utility's next statement of intent proceeding, and if applicable, the gas utility shall be required to reconcile any discrepancies.

Regulatory orders issued pursuant to this mechanism are ratemaking orders and shall be subject to appeal under Sections 102.001(b) and 103.021, et seq., of the Texas Utilities Code (Vernon 2007). Rate changes subject to the provisions of this tariff may be implemented upon the filing of an appeal to the relevant authority.

**MID-TEX DIVISION  
ATMOS ENERGY CORPORATION**

(leo)

<b>RIDER:</b>	<b>WNA – WEATHER NORMALIZATION ADJUSTMENT</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2025</b>	

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

- $i$  = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification
- $WNAF_i$  = Weather Normalization Adjustment Factor for the  $i^{th}$  rate schedule or classification expressed in cents per Ccf
- $R_i$  = Commodity Charge rate of temperature sensitive sales for the  $i^{th}$  schedule or classification.
- $HSF_i$  = heat sensitive factor for the  $i^{th}$  schedule or classification divided by the average bill count in that class
- $NDD$  = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.
- $ADD$  = billing cycle actual heating degree days.
- $BL_i$  = base load sales for the  $i^{th}$  schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the  $j$ th customer in  $i$ th rate schedule is computed as:

$$WNA_{ij} = WNAF_i \times q_{ij}$$

Where  $q_{ij}$  is the relevant sales quantity for the  $j$ th customer in  $i$ th rate schedule.

MID-TEX DIVISION  
ATMOS ENERGY CORPORATION

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<b>RIDER:</b>	<b>WNA – WEATHER NORMALIZATION ADJUSTMENT</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 10/01/2025</b>	

Base Use/Heat Use Factors

Weather Station	<u>Residential</u>		<u>Commercial</u>	
	<u>Base use Ccf</u>	<u>Heat use Ccf/HDD</u>	<u>Base use Ccf</u>	<u>Heat use Ccf/HDD</u>
Abilene	9.61	0.1476	91.65	0.7406
Austin	8.19	0.1394	183.99	1.1581
Dallas	12.74	0.2017	193.53	1.1001
Waco	9.23	0.1277	148.26	0.7631
Wichita Falls	10.43	0.1387	122.94	0.7038

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at [www.atmosenergy.com/MTXtariffs](http://www.atmosenergy.com/MTXtariffs), in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNA factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and an Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

**ATMOS ENERGY CORP., MID-TEX DIVISION  
MID-TEX RATE REVIEW MECHANISM  
PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL  
TEST YEAR ENDING DECEMBER 31, 2024**

Line No.	Description	Shared Services		Mid-Tex Direct			Adjustment Total
		Pension Account Plan	Post-Employment Benefit Plan	Pension Account Plan	Post-Employment Benefit Plan	Supplemental Executive Benefit Plan	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	Proposed Benefits Benchmark - Fiscal Year 2025 Willis Towers Watson Report as adjusted	\$ 572,372	\$ (649,253)	\$ 882,931	\$ (3,920,499)	\$ 65,943	
2	Allocation Factor	46.27%	46.27%	84.14%	84.14%	100.00%	
3	Proposed Benefits Benchmark Costs Allocated to Mid-Tex (Ln 1 x Ln 2)	\$ 264,856	\$ (300,432)	\$ 742,888	\$ (3,298,664)	\$ 65,943	
4	O&M and Capital Allocation Factor	100.00%	100.00%	100.00%	100.00%	100.00%	
5	Proposed Benefits Benchmark Costs to Approve (Ln 3 x Ln 4)	\$ 264,856	\$ (300,432)	\$ 742,888	\$ (3,298,664)	\$ 65,943	\$ (2,525,408)
6							
7	O&M Expense Factor	76.41%	76.41%	39.54%	39.54%	10.97%	
8							
9	Summary of Costs to Approve:						
10	Total Pension Account Plan	\$ 202,374		\$ 293,727			\$ 496,101
11	Total Post-Employment Benefit Plan		\$ (229,557)		\$ (1,304,242)		(1,533,799)
12	Total Supplemental Executive Benefit Plan					\$ 7,231	7,231
13	Total (Ln 10 + Ln 11 + Ln 12)	\$ 202,374	\$ (229,557)	\$ 293,727	\$ (1,304,242)	\$ 7,231	\$ (1,030,467)

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# Memorandum

To: City Council

From: Mayor Billie Wallace

Thru: Ricky Boyd, Interim City Manager *RB*

Date: September 2, 2025

Re: Amended City Council Liaison Appointments to Boards and Commissions

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**Recommended Motion:** "I move to approve the amended City Council liaison appointment as presented."

**Item Summary:** Each year, the Mayor appoints City Council members to serve as liaisons to various Boards and Commissions. Liaison appointments serve for a term of one year and are reviewed annually, after the reorganization of City Council. With the recent establishment of the Waxahachie Cultural Arts & Heritage Commission, the appointment of a City Council liaison is required to support the board's activities and representation. The following appointment will take effect on September 3, 2025, pending adoption by the City Council.

Waxahachie Cultural Arts & Heritage Commission

Billie Wallace



## Memorandum

To: Honorable Mayor and City Council  
From: Dustin Deel, Senior Director of Administrative Services  
Thru: Ricky Boyd, Interim City Manager RB  
Date: September 2, 2025  
Re: Consider Supplemental Appropriation for Fuel Dispenser Emergency Replacement at Mid-Way Regional Airport

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**Motion:** "I move to approve a supplemental appropriation from the Airport Fund unrestricted reserve in the amount of \$12,685 for an emergency replacement of the fuel dispenser at Mid-Way Regional Airport."

**Item Description:** Consider approval of a supplemental appropriation to fund fuel dispenser emergency replacement at Mid-Way Regional Airport due to mechanical malfunctions.

**Item Summary:** The fuel dispenser on the airport's self-service fuel tank experienced a mechanical equipment failure that could not be repaired due to its age and the equipment model being at the end of its life. Staff tried and was unable to purchase refurbished parts to repair the fuel dispenser, ultimately requiring the purchase of an entirely new unit. At this time, the airport is unable to provide a self-fueling option for Avgas fuel and Southern Star Aviation. The FBO is having to manually fill anyone needing to purchase fuel instead of using the self-service system.

A new replacement unit is ordered at a total cost for the unit and installation of \$12,685. These actions were necessary to get the self-service fuel dispenser back up and working as expeditiously as possible. As this was an unplanned and emergency replacement, the cost was not included in the current fiscal year's

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adopted budget. However, the emergency nature of the work required prompt action to enable the airport to continue selling and dispensing fuel.

**Fiscal Impact:** This emergency replacement expense of \$12,685 requires a supplemental appropriation to cover the expense because funding is not available in the current approved operating budget. Sufficient funds are available in the Airport Reserve Fund to fully cover the cost.

(7+8)



## Memorandum

To: Honorable Mayor and City Council  
From: Trenton Robertson, Senior Director of Planning  
Thru: Ricky Boyd, Interim City Manager  
Date: September 2, 2025  
Re: ZDC-91-2024– Planned Development (PD) for Waxahachie 49 Ac.

---

On August 18, 2025, the Applicant requested to continue case no. ZDC-91-2024 from the September 2, 2025, City Council meeting to the October 6, 2025, City Council meeting. The Applicant noted the purpose of the further continuance was to allow the developer additional time to analyze the final construction costs of the development.

# Planning & Zoning Department (9)

## Zoning Staff Report

Case: ZDC-174-2024



### MEETING DATE(S)

Planning & Zoning Commission:

August 12, 2025

City Council:

September 2, 2025

### CAPTION

**Public Hearing** on a request by Marisa Brewer, McAdams, for a **Zoning Change** from a Planned Development – Commercial (PD-5-C) zoning district to Planned Development Multi-Family-1 (PD-MF-1) zoning district located at 501 Houston Street (Property ID 189345 – Owner(s): Skanda Investments, LLC and Masina Investments, LLC (ZDC-174-2024)

### RECOMMENDED MOTION

*"I move to approve ZDC-174-2024, a Zoning Change from a Planned Development – Commercial (PD-5-C) to Planned Development – Multifamily-1 (PD-MF-1), subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly."*

### ACTION SINCE THE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on July 15, 2025, the Commission voted 5-0 to recommend continuing case number ZDC-174-2024 to the Planning & Zoning Commission Meeting on August 12, 2025. At the Planning & Zoning Commission meeting held on August 12, 2025, the Commission voted 5-0 recommending approval subject to the staff report and to include the following items as part of the conditions to be submitted for staff review before the City Council meeting on September 2, 2025:

#### Planning & Zoning Commission Conditions:

1. The applicant shall remove the proposed tables on the site plan and add additional playground equipment and fencing around the amenities area. Then submit an updated site plan to Staff prior to the City Council meeting.
2. The applicant shall add a shaded structure for the playground equipment proposed in this development.
3. The applicant shall submit a lighting and/or photometric plan with this application request, and shall adhere to Section 6.03 of the City of Waxahachie Zoning Ordinance prior to the City Council meeting.

The applicant has since submitted an updated site plan, landscape plan, and a rendering reflecting the changes recommended by the Planning and Zoning Commission.

### APPLICANT REQUEST

The Applicant requests a Zoning Change from a Planned Development – Commercial (PD-5-C) zoning district to Planned Development – Multi-Family-1 (PD-MF-1) zoning district to allow for a multi-family development with a total of sixty (60) units on 5.889 acres.

**CASE INFORMATION**

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*Applicant:*

Marisa Brewer, McAdams

*Property Owner(s):*

Skanda Investments, LLC and Masina Investments, LLC

*Site Acreage:*

5.889 acres

*Current Zoning:*

Planned Development – Commercial (PD-5-C)

*Requested Zoning:*

Planned Development – Multi-Family-1 (PD-MF-1)

**SUBJECT PROPERTY**

*General Location:*

Generally located at 501 Houston Street

*Parcel ID Number(s):*

189345

*Existing Use:*

The subject property is currently undeveloped.

*Development History:*

The subject property is not currently platted.

*Adjoining Zoning & Uses:*

Direction	Zoning	Current Use
North	PD-5-C	Heritage Square Townhomes Phase 1
East	PD-5-C	Undeveloped Land
South	SF-2	Single-Family Residences
West	PD-5-C	Northtown Village Apartments

*Future Land Use Plan:*

Mixed-Use Neighborhood

*Comprehensive Plan:*

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

*Thoroughfare Plan:*

The primary access to the subject property is from Houston Street.

(9)

Site Image:



## **PLANNING ANALYSIS**

### **Proposed Use:**

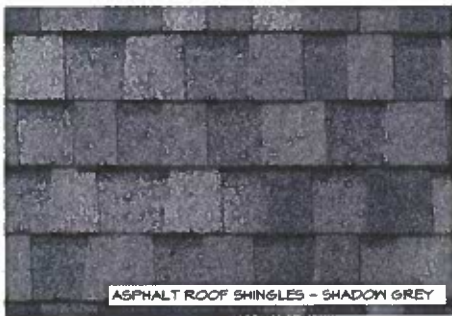
The applicant proposes a Planned Development to allow for a townhome style multi-family development with a total of sixty (60) units on 5.889 acres. This results in a density of 10.19 dwelling units per acre (DUA); which is below the maximum density of eighteen (18) DUA that is allowed by right per the base zoning district of Multi-Family-1 (MF-1). The proposed development will not be subdivided into separate platted lots and will be developed on one lot, similar to a multi-family apartment development. The existing Phase 1 and proposed Phase 2 are currently owned by the same entities.

The applicant proposes a total of nine (9) buildings with this PD. Each building will house between 4-8 townhome-style units, with 1-3 bedrooms per unit. A total of sixteen (16) 1-bedroom units, thirty-five (35) 2-bedrooms units, and nine (9) 3-bedrooms units, totaling sixty (60) units, is proposed for this development. The buildings have a proposed maximum height of two-stories and are situated approximately 97' from the southern boundary that is adjacent to an existing residential subdivision (Northgate Two Addition). The proposed development includes a rear entry-attached garage for each unit with the remaining required parking to be parallel along the primary drive aisles. The applicant is not proposing any front entry garages with this development. The proposed parking does exceed the minimum total parking requirement (100 spaces) and minimum attached garage requirement (105 spaces) for a multi-family development of this size.

### **Proposed Elevations**

The applicant has provided a set of proposed exterior elevations for the multi-family development with this PD. Renderings of each building type are included in the Building Materials/Elevations Plan. The facades feature primarily stone with accents of brick and Hardie board planks utilized in various areas of each building to create some uniqueness to define each unit. Notably, all proposed structures utilize the same elevation. The renderings below can be referenced for a look at the proposed front façade and building materials.

(9)



ASPHALT ROOF SHINGLES - SHADOW GREY



CEDAR COLUMN



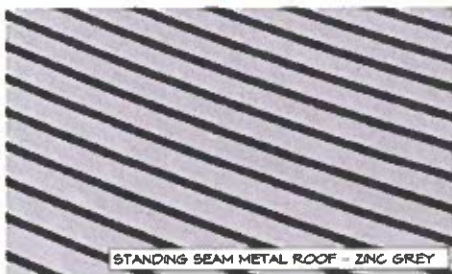
SMOOTH SURFACE FIBER CEMENT PANEL SIDING w/ TRIM: COLOR LIGHT GRAY



GUTTERS AND DOWNSPOUTS - DARK GRAY



MASONRY VENEER - CREAM



STANDING SEAM METAL ROOF - ZINC GREY



VINYL WINDOWS - BLACK



THIN BRICK VENEER - BLACK



MASONRY VENEER - GRAY

(9)

Amenities & Open Space:

The applicant proposes to provide amenities such as playground equipment and a pickleball court to be located in the center of the development, as shown on the Site Plan (Exhibit C). In addition, the applicant proposes open space throughout the development with internal pedestrian sidewalks. Staff has included a recommended condition of approval for the PD request that requires these central amenities to be installed prior to the issuance of the Certificate of Occupancy of the first building on the subject property.

Landscaping:

The applicant has provided a Landscape Plan (Exhibit D) for the proposed development. The proposed landscaping does meet the minimum requirements of the City of Waxahachie Zoning Ordinance. The applicant is proposing to install part of the required landscape in front of each unit. The applicant is proposing to provide trees along the southern boundary line to serve as a buffer between the proposed development and Northgate Two Addition (residential subdivision).

Access:

The subject property is accessed from Johnston Boulevard, and Houston Street through mutual access easement with the existing development located to the north of the subject property, Heritage Square Townhomes Phase 1. The applicant proposes to dedicate a mutual access easement along the northern and eastern boundaries of the subject property by separate instrument. The applicant confirmed that they will file the mutual access easement prior to the plat application submittal.

Screening:

The subject property is adjacent to an existing residential subdivision located south of the subject property, the Northgate Two Addition. Therefore, the applicant is proposing a 6' masonry screening wall, as required by the Waxahachie Zoning Ordinance. The applicant had previously coordinated a meeting with the adjacent property owners to communicate what the proposed development entails, and has stated that they will be reaching out to them regarding installation of the screening wall, should the property owner proceed with this development.

Comprehensive Plan:

The subject property is identified by the 2023 Comprehensive Plan under the Mixed-Use Neighborhood placetype. Though the proposed development does not provide the mixing of activities, the use does provide a buffer between a dense multi-family development and a less dense traditional single-family neighborhood due to the proposed density for the development of 10.19 DUA. This type of density transition and the diversity of housing is consistent with the goals of the Mixed-Use Neighborhood placetype.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 35 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. At the time of the publishing of this staff report, no letters of support and four (4) letters of opposition to the request have been received by staff.

**RECOMMENDATION**

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

(a)

**Conditions:**

1. The subject property shall be platted prior to the approval and issuance of all building permits.
2. The applicant shall add the existing pool of Phase 1 to the amenities list to the Development Standards, and resubmit the updated Development Standards.
3. The applicant shall use fencing that is equivalent or better than Ameristar Fence Wireworks around the amenities area.
4. The amenities for this development, including playground equipment with a minimum of 5 play stations, and pickleball court shall be installed, inspected, and accepted by the City prior to the approval and issuance of a Certificate of Occupancy (CO) for the first building on the subject property.
5. The Property Owner shall provide a permanent irrigation system for all required landscape areas as shown on Exhibit D – Landscape Plan and maintain the required landscaping at all times.
6. All exterior construction materials, location of exterior construction materials, and percentage of exterior construction materials for each building in this development shall confirm with the Building Materials/Elevations Plan (Exhibit B).
7. The proposed landscaping shall be maintained by the property owner, including the fenced rear yards.
8. The applicant shall submit a photometric plan to include the entire boundary of the subject property with the civil permit submittal.
9. The Applicant shall execute a mutually agreed upon development agreement shall be executed within thirty (30) calendar days of the approval of this PD request.
10. 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. Planned Development Ordinance
3. Development Agreement
4. Location Map – Exhibit A
5. Building Materials/Elevations Plan – Exhibit B
6. Site Plan – Exhibit C
7. Landscape Plan – Exhibit D
8. Open Space Plan – Exhibit E
9. Zoning Exhibit – Exhibit F
10. Planned Development Standards – Exhibit G
11. Photometric Plan – Exhibit H

**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)

(9)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-174-2024



**BARRON CYNTHIA & MICHAEL A**  
**200 BIG BEND BLVD**  
**WAXAHACHIE, TX 75165**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 15, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 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 Marisa Brewer, AICP, McAdams, for a **Zoning Change** from a Planned Development – Commercial (PD-5-C) zoning district to Planned Development Multi-Family-1 (PD-MF-1) zoning district located at 501 Houston Street (Property ID 189345 – Owner(s): Skanda Investments, LLC and Masina Investments, LLC (ZDC-174-2024)

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-174-2024

City Reference: 174960

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

*Traffic has gone up in the residential area.  
Too close to owner backyard to have multiple homes out back*

*[Signature]*  
Signature

*7/5/25*  
Date

*Cynthia & Michael Barron*  
Printed Name and Title  
*Homeowner*

*200 Big Bend Blvd.*  
Address

**From:** Casey Anderson <caseylwaterman@gmail.com>  
**Sent:** Monday, July 7, 2025 8:39 PM  
**To:** Planning  
**Subject:** OPPOSE ZONING CHANGE CASE ZDC-174-2024  
**Attachments:** IMG\_1207.HEIC

Some people who received this message don't often get email from caseylwaterman@gmail.com. [Learn why this is important](#)

Dear Waxahachie Planning Department,

I am writing to formally oppose the proposed zoning change to allow multi-family development directly behind my home. This change poses serious concerns regarding increased traffic, safety, decreased property values, and disruption to the established character of our neighborhood. The reduction of privacy also poses an extreme concern.

I strongly urge the Planning District to reject this zoning change and preserve the integrity of our residential area. We have also attached our paper form for your review.

Sincerely,

Casey & Jared Anderson

202 Big Bend Blvd

Waxahachie, TX 75165



(9)

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: **ZDC-174-2024**

**WATERMAN CASEY & JARED ANDERSON**  
202 Big Bend Blvd  
Waxahachie, TX 75165-1337

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 15, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 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 Marisa Brewer, AICP, McAdams, for a **Zoning Change** from a Planned Development – Commercial (PD-5-C) zoning district to Planned Development Multi-Family-1 (PD-MF-1) zoning district located at 501 Houston Street (Property ID 189345 – Owner(s): Skanda Investments, LLC and Masina Investments, LLC (ZDC-174-2024)

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-174-2024**

City Reference: 174961

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 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 well established neighborhood. Putting apartments that close to our homes and backyards will reduce privacy and overall value of our home. Having people be able to look directly into our homes is not acceptable. Please think of the negatives this would bring, rather than just financial gain.*

*7-7-25*

Date

Signature *C And*

*Casey Waterman - Homeowner*  
Printed Name and Title

*202 Big Bend Blvd*  
Address *Waxahachie, TX 75165*

(9)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: **ZDC-174-2024**



**POPE DWAYNE D ETAL**  
**124 BIG BEND BLVD**  
**WAXAHACHIE, TX 75165-1321**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 15, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 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 Marisa Brewer, AICP, McAdams, for a **Zoning Change** from a Planned Development – Commercial (PD-5-C) zoning district to Planned Development Multi-Family-1 (PD-MF-1) zoning district located at 501 Houston Street (Property ID 189345 – Owner(s): Skanda Investments, LLC and Masina Investments, LLC (ZDC-174-2024)

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-174-2024**

City Reference: 174992

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

Dwayne Pope  
Signature

7-8-25  
Date

DWAYNE POPE  
Printed Name and Title

124 BIG BEND  
Address

(9)



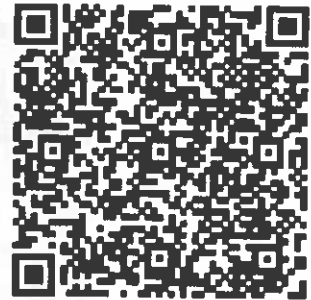
City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-174-2024

**MYERS CURTIS G & LORIE A**  
301 BIG BEND BLVD  
WAXAHACHIE, TX 75165-1340

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 12, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, September 2, 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 Marisa Brewer, AICP, McAdams, for a **Zoning Change** from a Planned Development – Commercial (PD-5-C) zoning district to Planned Development Multi-Family-1 (PD-MF-1) zoning district located at 501 Houston Street (Property ID 189345 – Owner(s): Skanda Investments, LLC and Masina Investments, LLC (ZDC-174-2024)

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 scan the QR Code or contact the Planning Department at (469) 309-4290 or [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) for additional information on this request.



Scan for additional information.

Case Number: ZDC-174-2024

City Reference: 174942

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on August 6, 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:

Lorie Myers  
Signature

7-28-2025  
Date

Lorie Myers - Home Owner  
Printed Name and Title

301 Big Bend Blvd  
Address Waxahachie, TX 75165

Case Number: ZDC-174-2024

City Reference: 174956

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on August 6, 2025 to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

RECEIVED JUL 29 2025

Comments:

Too much traffic already!  
I won't feel safe with apartments behind my house

(S)

Alice Langford  
Signature

7-26-25  
Date

ALICE LANGFORD  
Printed Name and Title

302 Big Bend Blvd.  
Address

(16)

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

**AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT – COMMERCIAL (PD-5-C) TO PLANNED DEVELOPMENT – MULTIFAMILY-1 (PD-MF-1) LOCATED AT 501 HOUSTON STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 5.889 ACRES KNOWN AS PART OF ABSTRACT NO. 851 OF THE R. PARKS SURVEY, PROPERTY ID: 189345, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

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

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

**WHEREAS**, a proper application for a Zoning Change has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-174-2024. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from PD-5-C to PD-MF-1; and

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

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

**NOW, THEREFORE**, this property is rezoned from PD-5-C to PD-MF-1 in order to facilitate development of the subject property in a manner that allows Heritage Square Townhouse Phase 2 to operate a Multifamily use only on the following property: Property ID: 189345, being part of Abstract No. 851 of the R. Parks Survey, which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit C.

### **PLANNED DEVELOPMENT**

#### **Purpose and Intent**

The purpose of this planned development to allow for the property owner(s) to operate a Multifamily use at 501 Houston Street and to establish appropriate restrictions and development controls necessary to ensure predictable land development, safe and efficient vehicular and pedestrian circulation, compatible uses of land and compliance with appropriate design standards.

(10)

Development Standards

All development on land located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in this ordinance, and as shown on Exhibit B – Building Materials/Elevations, Exhibit C – Site Plan, Exhibit D – Landscape Plan, Exhibit E – Open Space Plan, Exhibit G – Development Standards, and Exhibit H – Photometric Plan. Where regulations are not specified in this ordinance, the development shall comply with the City of Waxahachie Municipal Code of Ordinances. The subject property shall develop in accordance with the “PD-MF-1” Planned Development – Multifamily – 1 zoning district as follows:

1. The development shall conform as approved by the City Council under case number ZDC-174-2024.
2. The multifamily use is limited to 501 Houston Street as shown on Exhibit C.
3. All exterior construction materials, location of exterior construction materials, and percentage of exterior construction materials for each building in this development shall conform with the Building Materials/Elevations Plan (Exhibit B).
4. The amenities for this development, including playground equipment with a minimum of 5 play stations, and pickleball court shall be installed, inspected, and accepted by the City prior to the approval and issuance of a Certificate of Occupancy (CO) for the first building on the subject property.
5. The Property Owner shall provide a permanent irrigation system for all required landscape areas as shown on Exhibit D – Landscape Plan and maintain the required landscaping at all times.
6. The proposed landscaping shall be maintained by the property owner, including the fenced rear yards.
7. The applicant shall obtain a Certificate of Occupancy (CO) from the City of Waxahachie Building and Community Services Department prior to operation on the subject property.
8. All exterior construction materials, location of exterior construction materials, and percentage of exterior construction materials for each building in this development shall conform with the Building Materials/Elevations Plan (Exhibit B).
9. The proposed landscaping shall be maintained by the property owner, including the fenced rear yards.
10. The Applicant shall execute a mutually agreed upon development agreement shall be executed within thirty (30) calendar days of the approval of this PD request.
11. All development within the subject property will be subject to obtaining building permits from the City in accordance with the City’s applicable rules and regulations governing such permits.
12. 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 of Ordinances.

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.

(10)

**PASSED, APPROVED AND ADOPTED** on this 2<sup>nd</sup> day of September, 2025.

\_\_\_\_\_  
MAYOR

ATTEST:

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

(11)

STATE OF TEXAS	§	<u>DEVELOPMENT AGREEMENT FOR</u>
	§	<u>HERITAGE SQUARE TOWNHOUSES</u>
		<u>PHASE 2</u>
COUNTY OF ELLIS	§	

**THIS DEVELOPMENT AGREEMENT** ("Agreement") is entered into by and between the City of Waxahachie, Texas ("City"), and \_\_\_\_\_ ("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 multifamily development on approximately 5.889 acres of land generally located at 501 Houston Street, Parcel Number 189345 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 September 2, 2025, when the City Council approved a Planned Development ("PD") 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 along Johnston Boulevard and Houston Street, 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: Interim City Manager

If to Developer:       \_\_\_\_\_

                                  \_\_\_\_\_

                                  \_\_\_\_\_

                                  Attention: \_\_\_\_\_

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

(11)

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

(11)

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]**

(11)

**CITY:**

**THE CITY OF WAXAHACHIE, TEXAS**

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

Name: Ricky Boyd

Title: Interim City Manager

**STATE OF TEXAS            )**

**)**

**COUNTY OF ELLIS         )**

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

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

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

(11)

**DEVELOPER:**

\_\_\_\_\_, a Texas (corporation)

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

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**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: \_\_\_\_\_

(11)

**EXHIBIT A**

**(Property Legal Description)**

Property Description: Ellis County Appraisal District Parcel Number 189345

LEGAL DESCRIPTION

5.889 Acres

BEGINNING all that certain lot, tract, or parcel of land situated in the Robert Parks Survey, Abstract Number 851, Ellis County, Texas, and being part of that certain called 10.43 acres tract of land, described in deed to Skanda Investments, LLC, and Masina Investments, LLC, recorded in Instrument Number 2114594, Deed Records, Ellis County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the southeast corner of said 10.43 acre tract, and being in the west line of Houston Street (called 50' right-of-way), and being the northeast corner of Lot 1, Block 7, Northgate Two Addition, an addition to the City of Waxahachie, according to the plat thereof, recorded in Cabinet A, Slide 664, Plat Records, Ellis County, Texas;

THENCEN 73°16'08" W, with the south line of said 10.43 acre tract, and the north line of said Block 7, a distance of 733.02 feet to a 1/2" rebar found at the southwest corner of said 10.43 acre tract, and being the southeast corner of Lot 2A, Snider Addition, an addition to the City of Waxahachie, according to the plat thereof, recorded in Cabinet B, Slide 450, Plat Records, Ellis County, Texas, from which a 1/2" rebar found at the northwest corner of Lot 1, Block 7, of said Northgate Two Addition bears N 73°16'08" W, a distance of 36.38 feet;

THENCEN 08°22'1" E, with the west line of said 10.43 acre tract, and the east line of said Lot 2A, a distance of 238.14 feet to the northerly corner thereof, and being on the east line of Johnston Blvd (called 50' right-of-way, not currently constructed), as dedicated by said Snider Addition, and the south end of a right-of-way dedication as shown on plat of Houston Center, an addition to the City of Waxahachie, according to the plat thereof, recorded in Cabinet B, Slide 640, Plat Records, Ellis County, Texas, from which a 5/8" rebar found bears S 15°39'36" W, a distance of 1.04 feet;

THENCEN 16°52'15" E, with the west line of said 10.43 acre tract, and the east line of said Johnston Blvd, a distance of 107.39 feet, to a 5/8" rebar found;

THENCE Northeasterly with the arc of a curve to the left, having a radius of 809.84 feet, a central angle of 02°35'22", an arc length of 36.60 feet and whose chord bears N 15°32'32" E, a distance of 36.60 feet to a 1/2" capped rebar set stamped "MCADAMS", from which a 5/8" rebar found bears Northeasterly continuing with said arc, an arc length of 84.80 feet, a central angle of 05°59'59", and whose chord bears N 11°14'51" E, a distance of 84.76 feet;

THENCE S 73°16'08" E, a distance of 604.07 feet to a 1/2" capped rebar set stamped "MCADAMS";

THENCE S 15°42'00" W, a distance of 189.03 feet to a 1/2" capped rebar set stamped "MCADAMS";

THENCE S 73°16'08" E, a distance of 160.00 feet to a 1/2" capped rebar stamped "MCADAMS" in the west line of said Houston Street, and being in the east line of said 10.43 acre tract, from which a 5/8" rebar found at the northeast corner thereof bears N 16°31'42" E, a distance of 403.05 feet;

THENCE S 16°31'42" W, with the east line of said 10.43 acre tract, and the west line of said Houston Street, a distance of 190.59 feet to the POINT OF BEGINNING, and containing approximately 5.889 acres of land.

(11)

**EXHIBIT B**

**(Building Materials/Elevations)**



**EXHIBIT A - LOCATION MAP**

0 175 350 700 1,050 1,400 Feet

ZDC-174-2024 (PD)



**EXHIBIT B - BUILDING MATERIALS/ELEVATIONS PLAN**



**1 FULL 8 UNIT BUILDING**  
SCALE: N.T.S.



**2 AMENITIES & PLAY STRUCTURE**  
SCALE: N.T.S.

PRINT DATE: 6/19/2025

**WRIGHT GROUP**  
ARCHITECTS - PLANNERS, PLLC

1430 S BROADWAY STREET  
CARROLLTON, TEXAS  
7 5 0 0 6  
(972) 242 - 1015

NOT FOR REGULATORY  
APPROVAL, PERMITTING,  
OR CONSTRUCTION

**Heritage Square Townhomes Phase - 2**

501 Houston St  
Waxahachie, TX  
75165

HERITAGE SQUARE TOWNHOMES, BLOCK # TBD  
CURRENT ZONING - PD COMMERCIAL  
PROPOSED ZONING - PD MF  
5.884 ACRES  
PARCEL / E.L.S. COUNTY  
2024-08-14  
CASE NUMBER: \_\_\_\_\_

JOB NO: A2281  
DATE: 2025-06-17

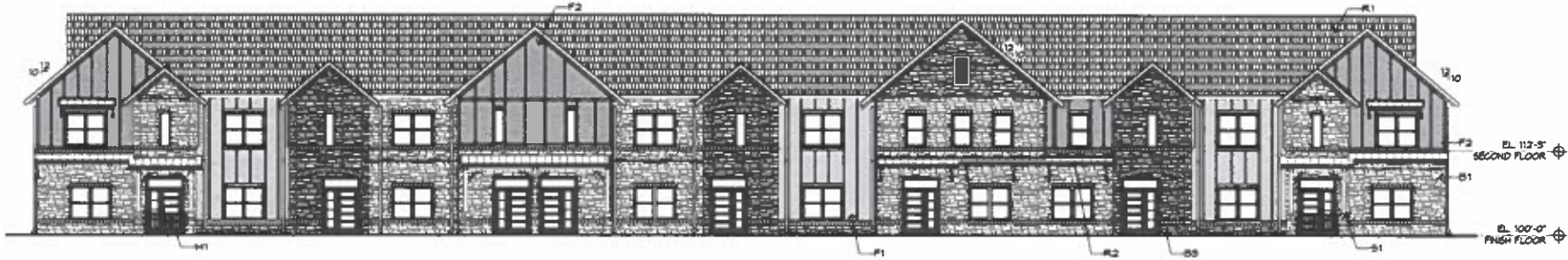
© WRIGHT GROUP Architects-Planners, PLLC, 2025

**EXHIBIT B - BUILDING MATERIALS/ELEVATIONS PLAN**

**WRIGHT GROUP**  
ARCHITECTS - PLANNERS, PLLC

1430 S BROADWAY STREET  
CARROLLTON, TEXAS  
7 5 0 0 8  
(972) 242 - 1015

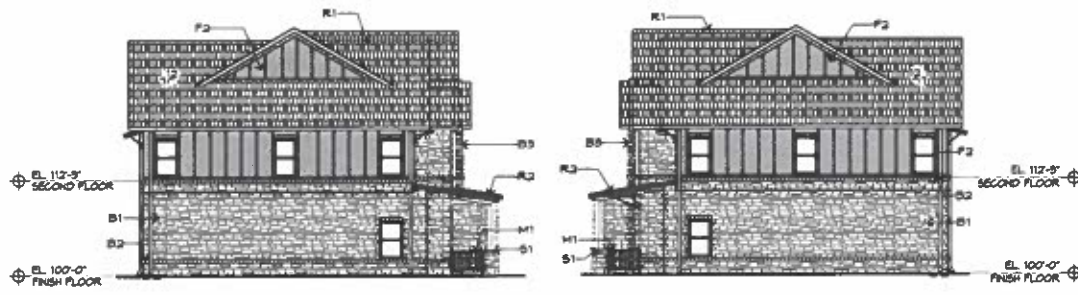
NOT FOR REGULATORY,  
APPROVAL, PERMITTING,  
OR CONSTRUCTION



**1 8 UNIT FRONT ELEVATION**  
SCALE: 1/8"=1'-0"



**2 8 UNIT REAR ELEVATION**  
SCALE: 1/8"=1'-0"



**3 3 UNIT LEFT ELEVATION**  
SCALE: 1/8"=1'-0"

**4 3 UNIT RIGHT ELEVATION**  
SCALE: 1/8"=1'-0"

EXTERIOR MATERIAL LEGEND:	
TAG	MATERIAL/DESCRIPTION
B1	SPLIT FACE MASONRY VENEER: COLOR CREAM
B2	MASONRY ACCENT BANDING: COLOR BLACK
B5	SPLIT FACE MASONRY VENEER: COLOR GRAY
F1	SMOOTH SURFACE FIBER CEMENT PANEL SIDING W/ TRIM: COLOR LIGHT GRAY
F2	SMOOTH SURFACE FIBER CEMENT PANEL SIDING W/ TRIM: COLOR DARK GRAY
M1	METAL TRIM, RAILING, FASCIA & SOFFIT: SHERWIN WILLIAMS CHARCOAL GRAY
R1	ASPHALT ROOF SHINGLES: COLOR GRAY
V1	VINYL WINDOWS: COLOR BLACK
P1	PATIO DOOR: COLOR BLACK
S1	CASTSTONE NATURAL GRAY
R2	STANDING SEAM METAL ROOF: COLOR ZINC GRAY

Heritage Square Townhomes Phase - 2

501 Houston St  
Waxahachie, TX  
75165

HERITAGE SQUARE TOWNHOMES, BLOCK # TBC  
CURRENT ZONING - PD COMMERCIAL  
PROPOSED ZONING - PD MF 1  
3.824 ACRES  
PANHANDLE / Ellis COUNTY  
2024-08-14  
CASE NUMBER: \_\_\_\_\_

JOB NO. A2287  
DATE: 2023-08-17

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PRINT DATE: 04/2025



**EXHIBIT B - BUILDING MATERIALS/ELEVATIONS PLAN**



**1 FULL 6 UNIT BUILDING**  
SCALE: 1/8" = 1'-0"



**2 BUILDING CLOSEUP**  
SCALE: 1/8" = 1'-0"

FRONT DATE: 6/23/2025

**WRIGHT GROUP**  
ARCHITECTS - PLANNERS, PLLC

1430 S BROADWAY STREET  
CARROLLTON, TEXAS  
7 5 0 0 6  
(972) 242 - 1015

NOT FOR REGULATORY  
APPROVAL, PERMITTING,  
OR CONSTRUCTION

**Heritage Square Townhomes Phase - 2**

501 Houston St  
Waxahachie, TX  
75165

HERITAGE SQUARE TOWNHOMES BLOCK # TBC  
CURRENT ZONING - PD COMMERCIAL  
PROPOSED ZONING - PD MF  
5.684 ACRES  
PARANCE / ELLS COUNTY  
2024-08-14  
CASE NUMBER: \_\_\_\_\_

JOB NO. A2291  
DATE 2025-06-11

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(11)

**EXHIBIT B - BUILDING MATERIALS/ELEVATIONS PLAN**

**WRIGHT GROUP**  
ARCHITECTS - PLANNERS, PLLC

1430 S BROADWAY STREET  
CARROLLTON, TEXAS  
7 5 0 0 6  
(972) 242 - 1015

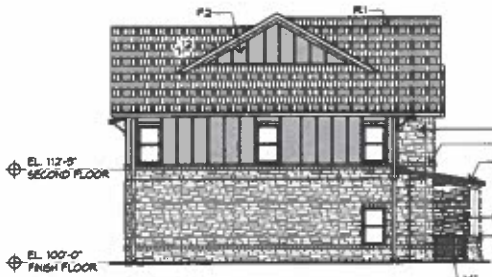
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APPROVAL, PERMITTING,  
OR CONSTRUCTION



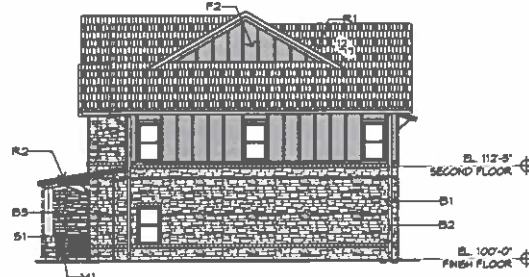
**1 6 UNIT FRONT ELEVATION**  
SCALE 1/8"=1'-0"



**2 6 UNIT REAR ELEVATION**  
SCALE 1/8"=1'-0"



**3 6 UNIT LEFT ELEVATION**  
SCALE 1/8"=1'-0"



**4 6 UNIT RIGHT ELEVATION**  
SCALE 1/8"=1'-0"

EXTERIOR MATERIAL LEGEND:	
TAG	MATERIAL/DESCRIPTION
B1	SPLIT FACE MASONRY VENEER COLOR CREAM
B2	MASONRY ACCENT BANDING COLOR BLACK
B3	SPLIT FACE MASONRY VENEER COLOR GRAY
F1	SMOOTH SURFACE FIBER CEMENT PANEL SONG W/ TRIM COLOR LIGHT GRAY
F2	SMOOTH SURFACE FIBER CEMENT PANEL SONG W/ TRIM COLOR DARK GRAY
M1	METAL TRIM RAILING, FASCIA & SOFFIT: SHERBURN WILLIAMS CHARCOAL GRAY
R1	ASPHALT ROOF SHINGLES COLOR GRAY
V1	VINYL WINDOWS COLOR BLACK
P1	PATIO DOOR COLOR BLACK
S1	CASTSTONE NATURAL GRAY
R2	STANDING SEAM METAL ROOF COLOR ZINC GRAY

Heritage Square Townhomes Phase - 2

501 Houston St  
Waxahachie, TX  
75165

HERITAGE SQUARE TOWNHOMES, BLOCK # TBD  
CURRENT ZONING - PD COMMERCIAL  
PROPOSED ZONING - PD MF 1  
5.884 ACRES  
FINANCE / Ellis County  
2024-06-14  
CASE NUMBER

JOB NO. A2251  
DATE 2025-06-17

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PRINT DATE 6/16/2025

(11)

**EXHIBIT B - BUILDING MATERIALS/ELEVATIONS PLAN**

**WRIGHT GROUP**

ARCHITECTS - PLANNERS, PLLC

1430 S BROADWAY STREET  
CARROLLTON, TEXAS  
7 5 0 0 6  
(972) 242 - 1015

NOT FOR REGULATORY,  
APPROVAL, PERMITTING,  
OR CONSTRUCTION



**1 FULL 4 UNIT BUILDING**  
SCALE 1/8"

**Heritage Square Townhomes Phase - 2**

**501 Houston St  
Waxahachie, TX  
75165**

HERITAGE SQUARE TOWNHOMES BLOCK # TWO  
CURRENT ZONING - PD COMMERCIAL  
PROPOSED ZONING - PD MF  
5.004 ACRES  
PARCEL # ELLIS COUNTY  
2024-08-14  
CASE NUMBER

JOB NO. A2297  
DATE 2025-06-11

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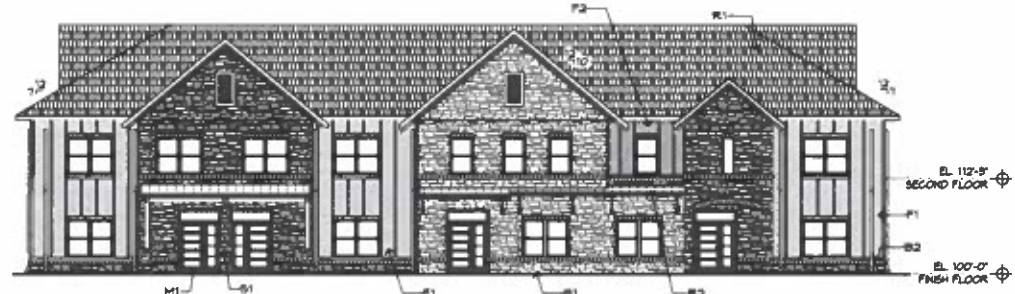
PRINT DATE 6/3/2025

**EXHIBIT B - BUILDING MATERIALS/ELEVATIONS PLAN**

**WRIGHT GROUP**  
ARCHITECTS - PLANNERS, PLLC

1430 S BROADWAY STREET  
CARROLLTON, TEXAS  
7 5 0 0 6  
(972) 242 - 1015

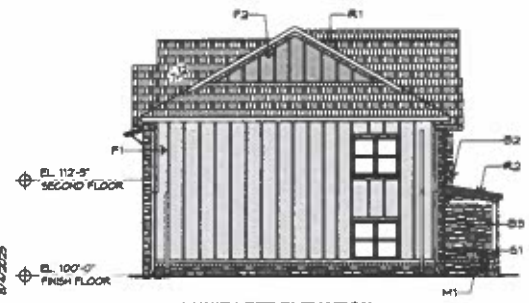
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APPROVAL, PERMITTING,  
OR CONSTRUCTION



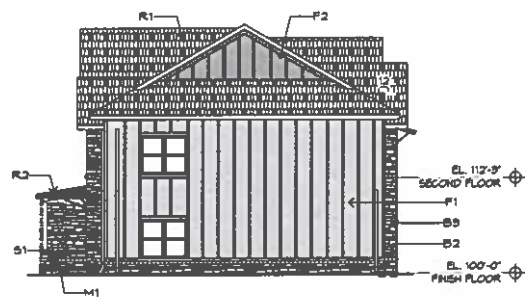
**1 4 UNIT FRONT ELEVATION**  
SCALE 1/8"=1'-0"



**2 4 UNIT REAR ELEVATION**  
SCALE 1/8"=1'-0"



**4 4 UNIT LEFT ELEVATION**  
SCALE 1/8"=1'-0"



**3 4 UNIT RIGHT ELEVATION**  
SCALE 1/8"=1'-0"

EXTERIOR MATERIAL LEGEND:	
TAG	MATERIAL/DESCRIPTION
B1	SPLIT FACE MASONRY VENEER. COLOR CREAM
B2	MASONRY ACCENT BANDINGS. COLOR BLACK
B3	SPLIT FACE MASONRY VENEER. COLOR GRAY
F1	SMOOTH SURFACE FIBER CEMENT PANEL SIDING W/ TRIM. COLOR LIGHT GRAY
F2	SMOOTH SURFACE FIBER CEMENT PANEL SIDING W/ TRIM. COLOR DARK GRAY
M1	METAL TRIM, RAILING, FASCIA & SOFFIT. SHERWIN WILLIAMS CHARCOAL GRAY
R1	ASPHALT ROOF SHINGLES. COLOR GRAY
V1	VINYL WINDOWS. COLOR BLACK
P1	PATIO DOOR. COLOR BLACK
S1	CASTSTONE NATURAL GRAY
R2	STANDING SEAM METAL ROOF. COLOR ZINC GRAY

Heritage Square Townhomes Phase - 2  
501 Houston St  
Waxahachie, TX  
75165

HERITAGE SQUARE TOWNHOMES, BLOCK # THE  
CURRENT ZONING - PD COMMERCIAL  
PROPOSED ZONING - PD MF  
5.884 ACRES  
PLANNED / ELIS COUNTY  
2024-06-14  
CASE NUMBER: \_\_\_\_\_

JOB NO. A2297  
DATE: 2023-06-17

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(11)

PRINT DATE 6/4/2025

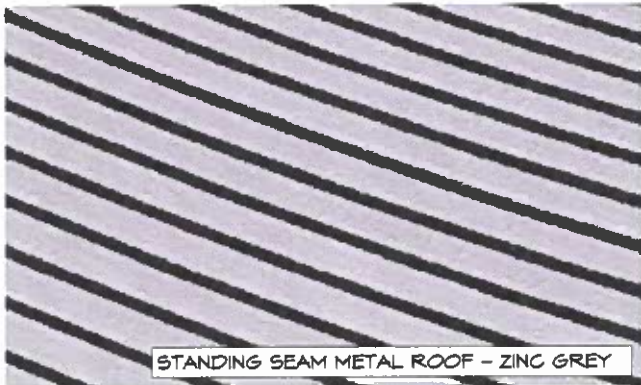
**EXHIBIT B - BUILDING MATERIALS/ELEVATIONS PLAN**



ASPHALT ROOF SHINGLES - SHADOW GREY



GUTTERS AND DOWNSPOUTS - DARK GRAY



STANDING SEAM METAL ROOF - ZINC GREY



CEDAR COLUMN



VINYL WINDOWS - BLACK



SMOOTH SURFACE FIBER CEMENT PANEL SIDING w/ TRIM: COLOR LIGHT GRAY



MASONRY VENEER - CREAM



THIN BRICK VENEER - BLACK



MASONRY VENEER - GRAY

**WRIGHT GROUP**  
ARCHITECTS - PLANNERS, PLLC

1430 S BROADWAY STREET  
CARROLLTON, TEXAS  
7 5 0 0 6  
(972) 242 - 1015

NOT FOR REGULATORY  
APPROVAL, PERMITTING,  
OR CONSTRUCTION

Heritage Square Townhomes Phase - 2

501 Houston St  
Waxahachie, TX  
75165

HERITAGE SQUARE TOWNHOMES BLOCK # TBD  
CURRENT ZONING - PD COMMERCIAL  
PROPOSED ZONING - PD MF-1  
5.884 ACRES  
TAXPAYER / T.E.B. COUNTY  
2024-08-14  
CASE NUMBER

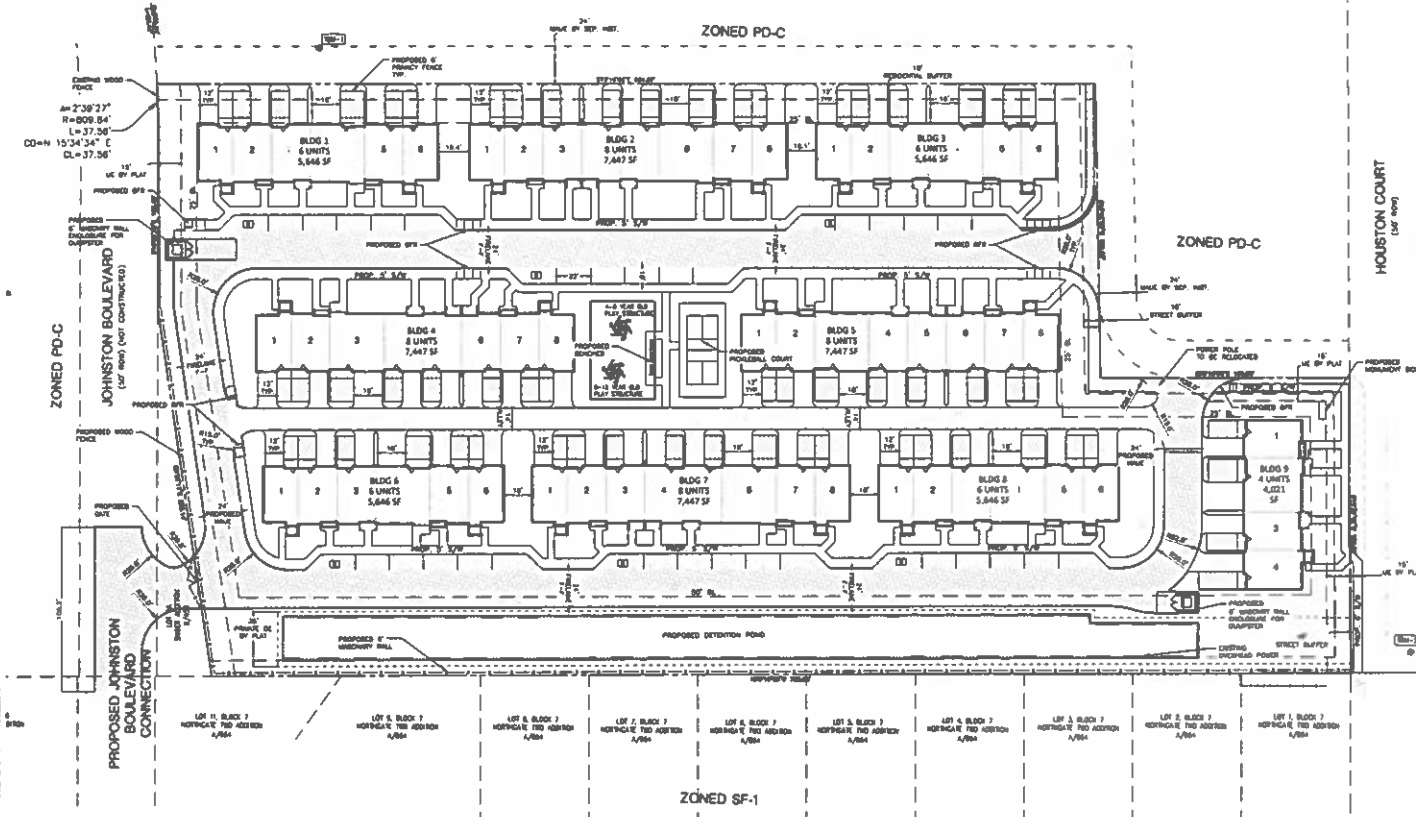
JOB NO. A2297  
DATE 2025-06-17

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PRINT DATE 6/4/2025

(11)

**EXHIBIT C - SITE PLAN**

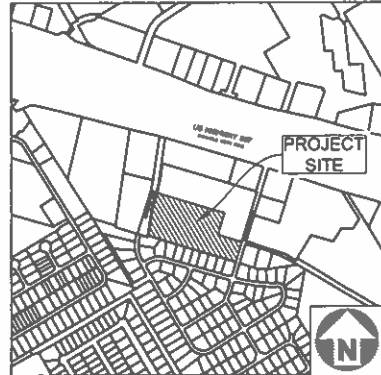


SITE DATA TABLE	
PHYSICAL ADDRESS	501 HOUSTON STREET
EXISTING ZONING	PD-C
PROPOSED ZONING	PD-MF-1
SITE AREA	3.889 AC
CURRENT USE	VACANT
PROPOSED USE	MULTIFAMILY
LOT COVERAGE DATA	
TOTAL LOT AREA	3.889 ACRES
BUILDING COVERAGE	21.6%
IMPERVIOUS AREA	42.3%
PERVIOUS AREA	37.7%
BUILDING DATA	
TOTAL BUILDING UNITS	60
NUMBER OF BUILDING STORIES	2
1 BED UNIT	16
2 BED UNIT	20
3 BED UNIT	9
TOTAL BEDROOMS	113
PARKING SUMMARY	
ONE BED (1.5 PER UNIT)	24 SPACES
TWO BED (1.5 PER UNIT)	33 SPACES
THREE BED (2.5 PER UNIT)	23 SPACES
TOTAL PARKING REQUIRED	100 SPACES
GARAGE PARKING PROVIDED	69 SPACES
ON-STREET PARKING PROVIDED	36 SPACES
TOTAL PARKING PROVIDED	105 SPACES

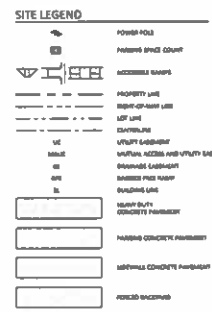
**McADAMS**  
The John R. McAdams Company, Inc.  
4400 State Highway 121, Suite 800  
Lewisville, Texas 75054  
phone 972.436.9712  
fax 972.436.9713  
TYPE: 15'x24" TYPICAL 1018A440  
www.mcadams.com

**CLIENT**  
WRIGHT GROUP  
1430 S BROADWAY STREET  
CARROLLTON, TEXAS 75006  
(972) 242-1015

**HERITAGE SQUARE  
TOWNHOMES PHASE-2  
SITE PLAN SUBMITTAL  
501 HOUSTON STREET  
WAXAHACHIE, TX, 75165  
ZDC-174-2024**



- SITE PLAN NOTES:**
1. ALL CONSTRUCTION SHALL CONFORM TO THE LATEST LOCAL AND STATE MUNICIPALITY AND/OR TDDOT STANDARDS AND SPECIFICATIONS AS APPLICABLE.
  2. ALL DIMENSIONS SHOWN ON SITE PLAN ARE MEASURED TO FACE OF CURB UNLESS OTHERWISE NOTED.
  3. ALL SIDEWALKS THAT CONNECT TO THE PUBLIC RIGHT-OF-WAY MUST BE ACCESSIBLE TO PERSONS WHO ARE BLIND, HAVE LOW VISION AND PEOPLE WITH MOBILITY DISABILITIES. EXISTING PEDESTRIAN ROUTES AND ALTERNATE PEDESTRIAN ROUTES DURING CONSTRUCTION WILL BE REQUIRED TO BE COMPLIANT WITH THE CURRENT PUBLIC RIGHTS OF WAY ACCESSIBILITY GUIDELINES (PROVAD), ADA STANDARDS FOR ACCESSIBLE DESIGN AND THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
  4. SIGNS TO BE PERMITTED BY SIGN COMPANY. SIGNS SHOWN FOR GENERAL LOCATION ONLY. SEPARATE APPROVALS, AND PERMITS MAY BE REQUIRED BY MUNICIPALITY. SIGN PLACEMENT, MATERIALS, ELEVATIONS, ELECTRICAL, DESIGN AND PERMITTING BY OTHERS.
  5. TRUNCATED DORIES ABUTTING PAVEMENT SHALL BE A CONTRASTING COLOR FROM THE ADJACENT PAVEMENT.



**REVISIONS**

NO.	DATE	DESCRIPTION

**PLAN INFORMATION**

PROJECT NO.	WGA24001
FILENAME	WGA24001_S1.DWG
CHECKED BY	TL
DRAWN BY	RP
SCALE	40 SCALE
DATE	2025-08-13
SHEET	

**SITE PLAN**

**1**

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

(11)





**EXHIBIT F - ZONING EXHIBIT**



**VICINITY MAP**  
1" = 1000'

**LEGAL DESCRIPTION**  
5.889 Acres

BEING all that certain lot, tract or parcel of land situated in the Robert Parks Survey, Abstract Number 851, Ellis County, Texas, and being part of that certain called 10.43 acre tract of land, described in deed to Skanda Investments, LLC, and Massiva Investments, LLC, recorded in Instrument Number 2114594, Deed Records, Ellis County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the southeast corner of said 10.43 acre tract, and being in the west line of Houston Street (called 50' right-of-way), and being the northeast corner of Lot 1, Block 7, Northgate Two Addition, an addition to the City of Waxahachie, according to the plat thereof, recorded in Cabinet A, Slide 854, Plat Records, Ellis County, Texas.

THENCE N 73°16'08" W, with the south line of said 10.43 acre tract, and the north line of said Block 7, a distance of 733.02 feet to a 1/2" rebar found at the southwest corner of said 10.43 acre tract, and being the southeast corner of Lot 2A, Snider Addition, an addition to the City of Waxahachie, according to the plat thereof, recorded in Cabinet B, Slide 450, Plat Records, Ellis County, Texas, from which a 1/2" rebar found at the northwest corner of Lot 1, Block 7, of said Northgate Two Addition bears N 73°16'08" W, a distance of 36.38 feet.

THENCE N 08°22'1" E, with the west line of said 10.43 acre tract, and the east line of said Lot 2A, a distance of 238.14 feet to the northerly corner thereof, and being on the east line of Johnston Blvd (called 50' right-of-way, not currently constructed), as dedicated by said Snider Addition, and the south end of a right-of-way dedication as shown on plat of Houston Center, an addition to the City of Waxahachie, according to the plat thereof, recorded in Cabinet B, Slide 640, Plat Records, Ellis County, Texas, from which a 5/8" rebar found bears S 15°30'38" W, a distance of 1.04 feet.

THENCE N 6°52'15" E, with the west line of said 10.43 acre tract, and the east line of said Johnston Blvd, a distance of 107.39 feet, to a 5/8" rebar found.

THENCE Northeastly with the arc of a curve to the left, having a radius of 809.84 feet, a central angle of 02°35'22", an arc length of 36.90 feet and whose chord bears N 15°32'32" E, a distance of 36.90 feet to a 1/2" capped rebar set stamped "MCADAMS", from which a 5/8" rebar found bears Northeastly continuing with said arc, an arc length of 84.80 feet, a central angle of 09°58'59", and whose chord bears N 11°14'51" E, a distance of 84.78 feet.

THENCE S 73°16'08" E, a distance of 604.07 feet to a 1/2" capped rebar set stamped "MCADAMS";

THENCE S 15°42'00" W, a distance of 189.03 feet to a 1/2" capped rebar set stamped "MCADAMS";

THENCE S 73°16'08" E, a distance of 160.00 feet to a 1/2" capped rebar set stamped "MCADAMS" in the west line of said Houston Street, and being in the east line of said 10.43 acre tract, from which a 5/8" rebar found at the northeast corner thereof bears N 16°31'42" E, a distance of 403.05 feet.

THENCE S 16°31'42" W, with the east line of said 10.43 acre tract, and the west line of said Houston Street, a distance of 190.59 feet to the POINT OF BEGINNING, and containing approximately 5.889 acres of land.

**MCADAMS**  
The John R. McAdams Company, Inc.  
4425 State Highway 121, Suite 800  
Lubbock, Texas 79404  
phone 972-436-9712  
fax 972-436-9715  
TDD 19767 18PL5 10194440  
www.mcadamsco.com

**CLIENT**  
Wright Group  
5 Broadway  
Terry Wright  
972-242-1015

**Zoning Exhibit**  
City of Waxahachie, Texas

**REVISIONS**

NO.	DATE	DESCRIPTION

**PLAN INFORMATION**

PROJECT NO: WGA14001  
FILE NAME: \_\_\_\_\_  
CHECKED BY: \_\_\_\_\_  
DRAWN BY: \_\_\_\_\_  
SCALE: 40 SCALE  
DATE: 02/28/2025  
SHEET: \_\_\_\_\_



PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

Zoning Exhibit  
**EX-A**

(11)

## Development Standards

### Heritage Square Townhomes Phase - 2 City of Waxahachie

The purposed Planned Development on approximately 5.889 acres of land is to create a Townhome development within the corporate limits of the City of Waxahachie and in accordance with the City of Waxahachie, Texas, Zoning Ordinance, as amended, to promote safe, efficient, and appropriate design choices for the surrounding area and shall be subject to the following conditions and requirements:

#### A. EXHIBITS.

1. The following Exhibits are incorporated into this Planned Development
  - a. Exhibit "A": Zoning Exhibit
  - b. Exhibit "B": Development Standards
  - c. Exhibit "C": Conceptual Plan
  - d. Exhibit "D": Detailed Site Plan
  - e. Exhibit "E": Landscape Plan
  - f. Exhibit "F": Elevations

#### C. PLANNED DEVELOPMENT DISTRICT

1. The purposed development is a Planned Development District, as defined under the City of Waxahachie's Zoning Ordinance and is intended to accommodate Townhomes with a base zoning of Multifamily 1 (MF-1) district area designated on Exhibit "C", comprising of approximately 5.889 acres, and shall be in compliance with all regulations applicable to the MF-1 zoning district, uses contained in the City of Waxahachie Zoning Ordinance as amended, except as otherwise provided in this Ordinance.

#### D. HEIGHT AND AREA REGULATIONS

1. Height and Area Regulations within MF-1, except as provided in this section, shall meet the setback requirements listed in Section 3.08. Article III of the City's Comprehensive Zoning Ordinance.
  - a. Minimum Side: Fifty (50) feet shall be the minimum side yard when adjacent to a residential district.

#### E. EXTERIOR CONSTRUCTION REQUIREMENTS

1. Masonry construction shall cover eighty (80) percent of the total exterior walls, excluding doors and windows.
2. Cementitious fiber board siding is permitted
3. Elevations shall generally comply with the approved Elevation Plan (Exhibit "F"), and in accordance with the City of Waxahachie unless specified otherwise in this PD.

# EXHIBIT G - DEVELOPMENT STANDARDS (11)

## F. LANDSCAPE

1. Front Buffer: When fronting a public right of way, a minimum fifteen (15) percent of the street yard shall be landscaped.
2. Side Yard Buffer: A minimum ten (10) foot landscape buffer shall be provided along the side property line
3. Rear Buffer: A minimum ten (10) foot landscape buffer shall be provided along the rear property line
4. Detention Pond may be allowed within the landscape buffer; provided that no canopy tree, ornamental tree, or shrubs be planted within the basin of the detention pond
5. Refuse storage areas, may be allowed within the landscape buffer.

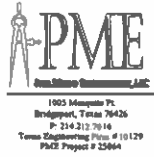
## G. AMENITIES

1. Amenities shall be provided in the area as shown on the Conceptual Plan (Exhibit "C"). The amenities provided shall include a sports court and playground facility.
2. Pet waste stations shall be provided throughout the property.

## H. SUPPLEMENTAL STANDARDS

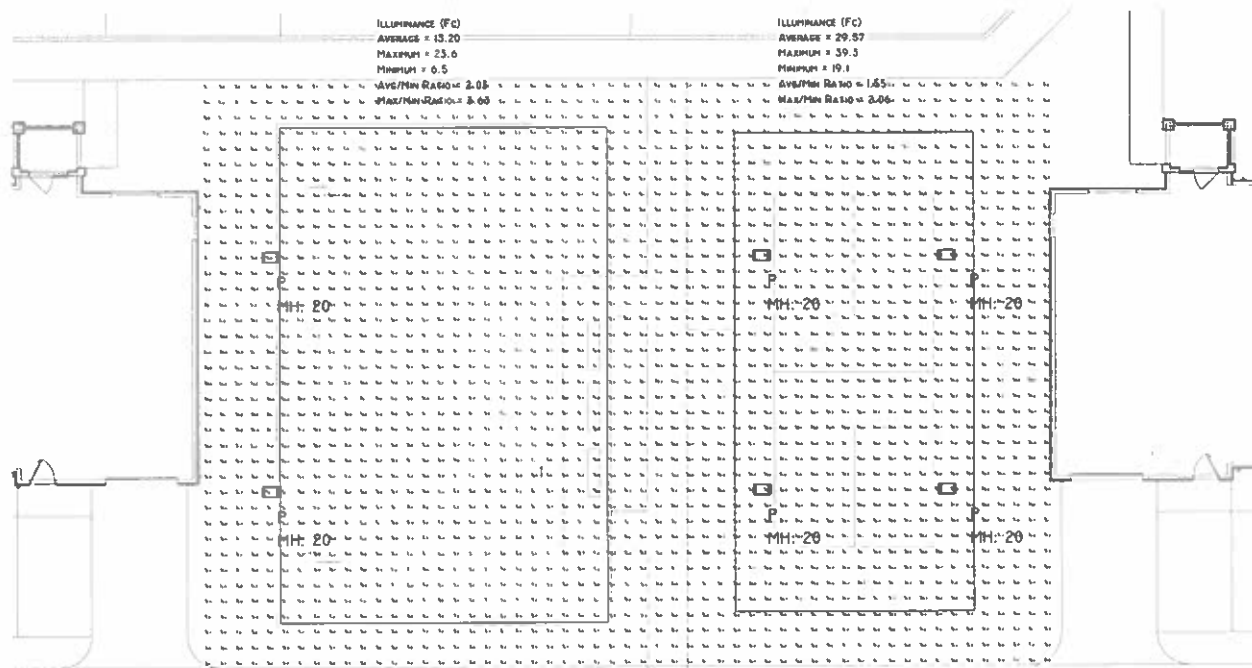
1. Single Family Attached (Townhome)
  - a. The property may be platted into one single lot consisting of multiple units
  - b. Landscaping shall comply with the MF-1 landscaping requirements
  - c. There shall be a minimum of eighteen (18) feet between buildings
  - d. Building Length shall not exceed 205'
  - e. Building Square Footage shall generally conform to the following:
    - i. 1 Bedroom Units: 1,178 SF
    - ii. 2 Bedroom Units: 1,355 SF
    - iii. 3 Bedroom Units: 1,905 SF
    - iv. Approximately 60 units shall be developed
2. Engineering Requirements
  - a. Proposed development will only need to build their portion of Johnston Boulevard as shown on Site Plan (Exhibit "D") and provide utilities only within that portion.
3. Property Maintenance
  - a. On-site landscape and pest control shall be a contract service
  - b. Tenants shall be responsible for maintaining their private yards
  - c. In the event that the yard is not taken care of by the tenant, property management shall take care of maintenance

# EXHIBIT H - PHOTOMETRIC PLAN



CALCULATION SUMMARY								
LABEL	CALCTYPE	UNITS	AVG	MAX	MIN	AVG/MIN	MAX/MIN	CALC HT.
AMENITIES	ILLUMINANCE	Fc	18.68	39.3	5.1	3.66	7.71	0
PICKLEBALL COURT	ILLUMINANCE	Fc	29.57	39.3	19.1	1.55	2.06	
PLAYGROUND	ILLUMINANCE	Fc	13.20	23.6	6.5	2.03	3.63	

LUMINAIRE SCHEDULE									
SYMBOL	QTY	LABEL	ARRANGEMENT	DESCRIPTION	MANUFACTURER	LLF	LUMINAIRE LUMENS	LUMINAIRE WATTS	TOTAL WATTS
	6	P	SINGLE	BASA-PLED-V50-N-80LED-1400MA-40K	U.S. ARCHITECTURAL LIGHTING	0.900	43225	366.2	2197.2



PHOTOMETRICS PLAN - LIGHTING 1



PHOTOMETRIC LIGHTING PLAN  
 HERITAGE SQUARE  
 TOWNHOMES PHASE-2  
 SITE PLAN SUBMITTAL  
 1400 SOUTH STREET  
 WAXAHACHIE, TEXAS 75164

Scale: 1" = 40'-0"	Designed by: PDM
Drawn by: PDM	Checked by: PDM
Date: AUGUST 18, 2025	Project No. 25064

SHEET E1  
 1 OF 2



(12+13)



## Memorandum

To: Honorable Mayor and City Council

From: Trenton Robertson, Senior Director of Planning

Thru: Ricky Boyd, Interim City Manager RB

Date: August 1, 2025

Re: ZDC-75-2025 – Planned Development – General Retail (Sam's Club)

---

On August 1, 2025, the Applicant has requested to continue this application to the September 8, 2025 Planning and Zoning and the October 6, 2025 City Council meetings from the August 12, 2025 Planning and Zoning and the September 2, 2025 City Council meetings to refine their proposal and address citizens' concerns.

# Planning & Zoning Department (14)

## Zoning Staff Report

Case: ZDC-98-2025



### MEETING DATE(S)

Planning & Zoning Commission:

August 12, 2025

City Council:

September 2, 2025

### CAPTION

**Public Hearing** on a request by Sarah Lewis, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Single-Family Residential-2 (SF-2) zoning district located at 209 Equestrian Drive. (Property ID 236359) - Owner: Sarah & Brandon Lewis (ZDC-98-2025)

### RECOMMENDED MOTION

- *"I move to deny ZDC-98-2025, a Specific Use Permit (SUP) for Short-Term Rental use."*
- *"I move to approve ZDC-98-2025, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."*

### ACTION SINCE THE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on August 12, 2025, the Commission voted 6-0 to recommend approval of case number ZDC-98-2025, subject to the initial conditions of the staff report.

### APPLICANT REQUEST

The Applicant requests a Specific Use Permit for a Short-Term Rental use at 209 Equestrian Drive.

### CASE INFORMATION

Applicant:

Sarah Lewis

Property Owner(s):

Sarah Lewis & Brandon Lewis

Site Acreage:

0.17 acres

Current Zoning:

Single-Family Residential-2 (SF-2)

Requested Zoning:

SF-2 with a Specific Use Permit (SUP) for a Short-Term Rental

### SUBJECT PROPERTY

General Location:

209 Equestrian Drive

Parcel ID Number(s):

236359

Existing Use:

Residential use

Development History:

The subject property is platted as Lot 5, Block H of the Mustang Creek Phase One Subdivision.

(14)

*Adjoining Zoning & Uses:*

Direction	Zoning	Current Use
North	SF-2	Single Family Residence
East	SF-2	Single Family Residence
South	SF-2	Single Family Residence
West	SF-2	Single Family Residence

*Future Land Use Plan:* Residential Neighborhood

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

*Thoroughfare Plan:* The subject property is accessible via Equestrian Drive.

*Site Image:*



**PLANNING ANALYSIS**

The applicant requests a SUP for short-term rental use at 209 Equestrian Drive because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,696 square feet, built in 2013. The portion of the home proposed to be used as an STR has three (3) bedrooms, one (1) bathroom and enough improved surface to accommodate two (2) vehicles. The emergency contact will be residing at 2431 McAlpin Road, Midlothian, TX 76065, which is approximately 10.2 miles away from the subject property.

Planning Analysis (continued)

The applicant submitted the SUP application on July 2, 2025. The subject property is situated on an approximately 0.17 acres (7,405.2 square feet) lot. The applicant has not been operating a short-term rental. The applicant has not been paying local hotel occupancy taxes, as they have not been operating an STR. The Ellis County Appraisal District (ECAD) does identify the subject property as a Homestead. However, according to the comment response letter received by the applicant, the existing Homestead Exemption rolled over from the previous owner, and the applicant has formally put in a request with Ellis County Appraisal District to have that Homestead Exemption removed. Additionally, the applicant will not be residing at this location.

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

The applicant's local emergency contact is Kathleen Butler (936) 635-3136, [Kat.butler113@gmail.com](mailto:Kat.butler113@gmail.com) , 2431 McAlpin Road, Midlothian, TX. 76065, which is located 10.2 miles away from the subject property.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 63 notices were mailed to property owners within 500 feet of the subject property as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of four (4) letters of opposition and zero (0) letters of support were received by staff.

**RECOMMENDATION**

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

Conditions:

1. The applicant shall provide an updated Certificate of Insurance or the Declaration page of the insurance policy to reflect the subject property's address and the minimum coverage amount of \$1,000,000 per occurrence.
2. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
3. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
4. The short-term rental operator shall allow a maximum occupancy of eight (8) guests per stay.
5. The short-term rental operator shall provide a maximum of two (2) off-street parking spaces.
6. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
7. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
8. The applicant shall remove their current homestead exemption at 209 Equestrian Drive.

(14)

**ATTACHED EXHIBITS**

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

**STAFF CONTACT INFORMATION**

*Prepared by:*

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)



(14)

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-98-2025

RECEIVED JUL 28 2025

DAVIS DONALD & KIMBERLY  
212 COLT DR  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 12, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, September 2, 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 Sarah Lewis, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 209 Equestrian Drive. (Property ID 236359) - Owner: Sarah & Brandon Lewis (ZDC-98-2025)

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 scan the QR Code or contact the Planning Department at (469) 309-4290 or [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) for additional information on this request.



Scan for additional information.

Case Number: ZDC-98-2025

City Reference: 241055

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on August 6, 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:

*We have no problems with long term rental, but short-term seems like it would invite problems into a neighborhood full of young children.*

*Donald A. Davis*  
Signature

7/25/2025  
Date

Donald A. Davis Home Owner  
Printed Name and Title

212 Colt Dr. Waxahachie, TX  
Address  
75165



(14)

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-98-2025



LAMOTHE MATTHEW  
206 COLT DR  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 12, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, September 2, 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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Scan for additional information.

Case Number: ZDC-98-2025

City Reference: 241058

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 6, 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

07/28/2025  
Date

MATTHEW R. LAMOTHE  
Printed Name and Title

206 COLT DR, WAXAHACHIE, TX 75165  
Address



(14)

RECEIVED BY ON  
08/05/25

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-98-2025



J & L PROPERTIES LLC  
2504 NUEVA WAY  
MANSFIELD, TX 76063

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 12, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, September 2, 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 Sarah Lewis, for a **Specific Use Permit (SUP)** for a Short-Term Rental use within a Single-Family-2 (SF-2) zoning district located at 209 Equestrian Drive. (Property ID 236359) - Owner: Sarah & Brandon Lewis (ZDC-98-2025)

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 scan the QR Code or contact the Planning Department at (469) 309-4290 or [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) for additional information on this request.



Scan for additional information.

Case Number: ZDC-98-2025

City Reference: 241056

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 6, 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

7-31-2025  
Date

Dee J. Delay  
Printed Name and Title

2504 NUEVA WAY  
Address

J&L Properties LLC

MANSFIELD, TX  
76063

(14)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-98-2025

ZETTERHOLM NATHAN E & ANNA M  
210 EQUESTRAIN DR  
WAXAHACHIE, TX 75165-5347

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 12, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, September 2, 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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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 scan the QR Code or contact the Planning Department at (469) 309-4290 or [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) for additional information on this request.



Scan for additional information.

Case Number: ZDC-98-2025

City Reference: 236352

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **August 6, 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:

We oppose short term rental because it is right across the street from our home. Short term rental brings people to our neighborhood who do not have an interest in short-term or long-term health of our neighborhood.

Signature

Nathan E. Zetterholm  
Printed Name and Title

Date

8/16/2025

Address

210 Equestrian Dr Waxahachie, TX 75165

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

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A SINGLE FAMILY 2 (SF-2) ZONING DISTRICT, LOCATED AT 209 EQUESTRIAN DRIVE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.17 ACRES KNOWN AS PROPERTY ID 236359, 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 MF-1; and

**WHEREAS**, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-98-2025. 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 SF-2 to SF-2 with a SUP in order to permit a Short-Term use on the following property: 209 Equestrian Drive, which is shown on Exhibit A, in accordance with the Zoning Map attached as Exhibit B, the Floor Plan attached as Exhibit C, the Survey attached as Exhibit D, and the Host Rules 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 the Zoning Ordinance.

(15)

Specific Use Permit

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

1. The subject property shall conform to the survey approved by the City Council under case number ZDC-98-2025.
2. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Zoning Map, Exhibit C – Floor Plan, Exhibit D – Survey, and Exhibit E – Host Rules.
3. The STR Operator for the subject property shall be responsible for obtaining registration per the City’s applicable rules and regulations governing such permits.
4. The STR Operator for the subject property shall be responsible to pay hotel occupancy taxes as required per Section 3.27.e.7 of the City of Waxahachie Zoning Ordinance.
5. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits C, D, and E.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the owner and therefore shall not be transferred from owner to owner.
4. The owner and/or short-term rental operator shall renew registration on an annual basis of the amount in the Fee Schedule set forth by Ordinance 3415, or as amended.
5. The applicant shall provide an updated Certificate of Insurance or the Declaration page of the insurance policy to reflect the subject property’s address and the minimum coverage amount of \$1,000,000 per occurrence.
6. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City’s vendor.

(15)

7. The owner/short-term rental operator shall remove their current homestead exemption.
8. The owner/short-term rental operator is subject to a maximum occupancy of eight (8) guests per stay.
9. The short-term rental operator is subject to provide two (2) off-street parking spaces in accordance with the associated survey.
10. The short-term rental operator must adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
11. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
12. 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 2<sup>nd</sup> day of September, 2025.

\_\_\_\_\_  
MAYOR

ATTEST:

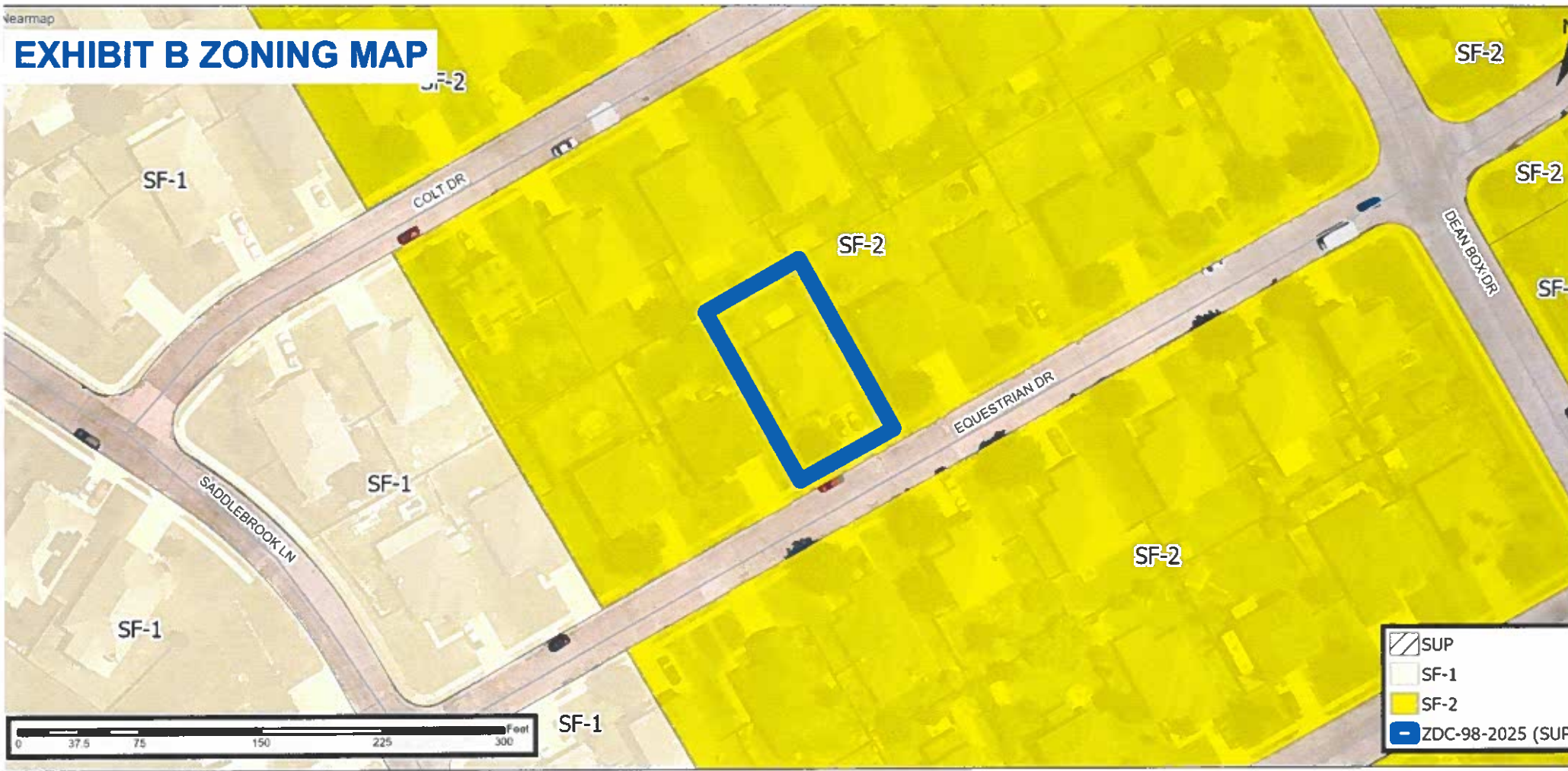
\_\_\_\_\_  
City Secretary

# EXHIBIT A LOCATION MAP



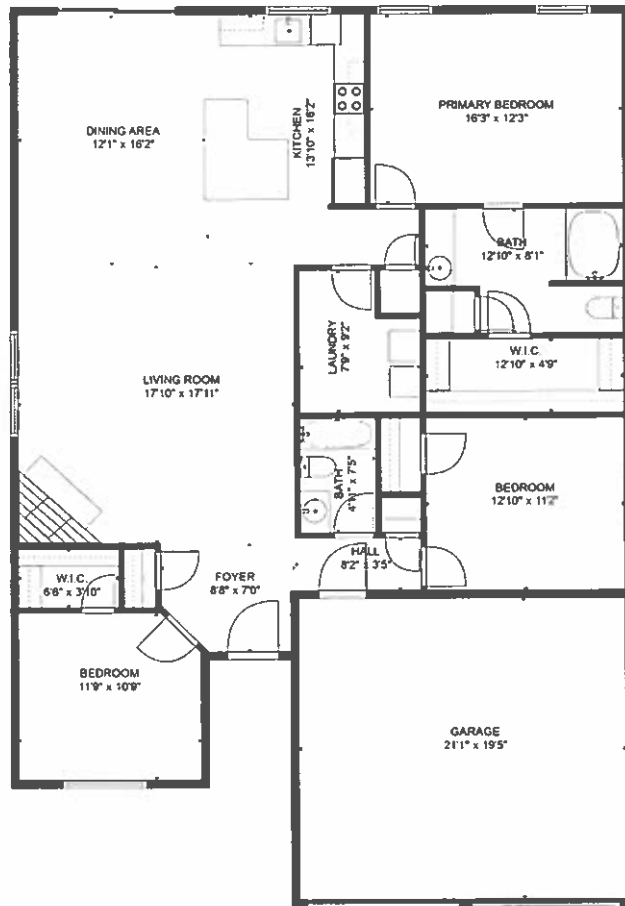
vearmap

# EXHIBIT B ZONING MAP



# EXHIBIT C FLOOR PLAN

(15)



**TOTAL: 1625 sq. ft**  
FLOOR 1: 1625 sq. ft  
EXCLUDED AREAS: GARAGE: 411 sq. ft  
WALLS: 117 sq. ft

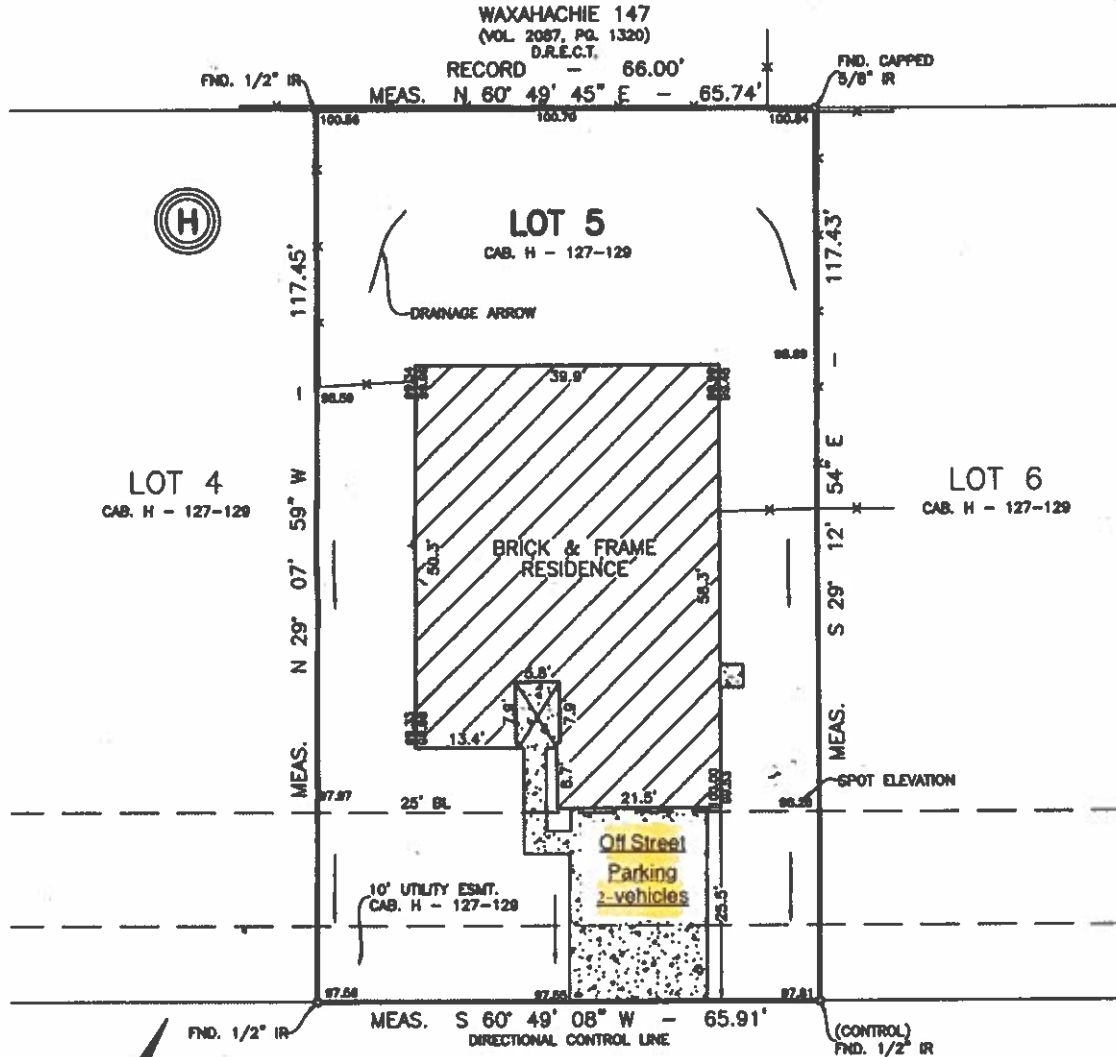
MEASUREMENTS ARE DEEMED HIGHLY RELIABLE BUT NOT GUARANTEED.

# EXHIBIT D SURVEY (15)

Lot 5, in Block H, of MUSTANG CREEK, PHASE ONE, an Addition to the City of Waxahachie, Ellis County, Texas, according to the Map or Plat thereof recorded in Cabinet H, Slides 127, Plat Records, Ellis County, Texas.

There is no visible, on the ground evidence of the easements recorded in 338/616, 2165/232, 409/382, 468/42, 2121/1858, 492/444, 493/110, 539/403, 661/239, 1676/1016, 1688/1105 and 2034/827, DIRECT.

The easements recorded 1528/725, 1568/382 and 2112/1884, DIRECT, do not affect this property.



SCALE: 1" = 20'

SURVEYORS CERTIFICATION

	OVERHEAD UTILITIES
	FENCE
	BRICK
	WOOD DECK
	CONCRETE

LEGEND

This survey is hereby accepted and approved.

Purchaser

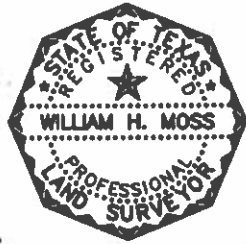
Purchaser

Date

I, WILLIAM H. MOSS, REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND CORRECTLY SHOWS THE BOUNDARY LINE, AND DIMENSIONS OF THE LAND INDICATED THEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, SAID PROPERTY BEING SUBJECT TO ANY AND ALL EASEMENTS, RESERVATIONS AND RESTRICTIONS THAT MAY BE OF RECORD, AND THAT ONLY THE EASEMENTS SHOWN ON THE REFERENCED PLAT OF RECORD, VISIBLE EASEMENTS AND THOSE OF WHICH THE SURVEYOR DID NOT ABSTRACT THIS PROPERTY, THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR THE TITLE COMPANY AND PURCHASER SHOWN AND IS LICENSED FOR ONE SINGLE USE. THIS SURVEY WILL BE VOID IF USED BY ANY OTHER PERSON OR FOR ANY OTHER PURPOSE. SURVEYOR BEARS NO RESPONSIBILITY FOR SAID USE.

**PROLINE**  
SURVEYING LTD.  
www.prolinesurveyors.com

Ph# 817-276-1148 info@prolinesurveyors.com  
© Proline Surveying, LTD. 2013  
SURVEY CAN BE UPDATED FOR DISCOUNTED PRICE



DRAWN BY: AC DATE: 3/28/13  
SURVEY ONLY VALID WITH ORIGINAL SIGNATURE

# EXHIBIT E HOUSE RULES

(15)

## ✓ General Rules

- Check-in: After 3:00 PM
- Check-out: By 11:00 AM
- Quiet hours: 10:00 PM - 7:00 AM
- No parties or events
- No unregistered guests
- No smoking

**Maximum occupancy: 8 guests**

## 🚗 Parking

- A maximum of two (2) vehicles are permitted.
- Vehicles must be parked on the driveway only.
- On-street parking is not permitted and may result in fines

## 🧹 Cleanliness

- Please treat the space with respect - as if it were your own.
- Wash dishes or load the dishwasher before checkout.
- Dispose of trash in designated bins.
- Alert us immediately if something breaks.

## 🐾 Pets

- No pets allowed

## 🔒 Security & Safety

- Self check-in with smart lock
- Always lock doors and windows when leaving
- Do not tamper with smoke detectors or safety devices

## 💻 Wi-Fi & Tech Use

- Feel free to stream or work during your stay

## 📦 Before You Leave

- Please place used towels in the bathroom
- Let us know if there's anything we can improve!

## 🚫 Violations

Failure to follow house rules may result in additional charges or removal from the property without refund.

## 🙏 Thank You!

We appreciate your cooperation and hope you enjoy your stay.

Contact: Sarah.lewis3292@gmail.com

# Planning & Zoning Department (16)

## Zoning Staff Report

Case: ZDC-99-2025



### MEETING DATE(S)

Planning & Zoning Commission:

August 12, 2025

City Council:

September 2, 2025

### CAPTION

**Public Hearing** on a request by Linda Romanenko for a **Specific Use Permit (SUP)** for Accessory Structures exceeding 1,000 square feet in combined floor area within a Single-Family Residential-1 (SF-1) zoning district located at 2951 Longbranch Road (Property ID 175482) – Owner(s): Linda Romanenko (ZDC-99-2025)

### RECOMMENDED MOTION

*"I move to approve ZDC-99-2025, a Specific Use Permit (SUP) for Accessory Structures exceeding 1,000 square feet in combined floor area use, subject to the conditions the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly."*

### ACTION SINCE THE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on August 12, 2025, the Commission voted 6-0 to recommend approval of case number ZDC-99-2025, subject to the initial conditions of the staff report.

### APPLICANT REQUEST

The Applicant requests a specific use permit for Accessory Structures exceeding 1,000 square feet in combined floor area use.

### CASE INFORMATION

*Applicant:*

Linda Romanenko

*Property Owner(s):*

Linda Romanenko

*Site Acreage:*

5.44 acres

*Current Zoning:*

Single-Family Residential-1 (SF-1)

*Requested Zoning:*

SF-1 with a specific use permit (SUP) for Accessory Structures exceeding 1,000 square feet in combined floor area use

### SUBJECT PROPERTY

*General Location:*

2951 Longbranch Rd

*Parcel ID Number(s):*

175482

*Existing Use:*

Residential use

*Development History:*

The subject property is platted as Lot 5 of the Rose Estate Phase One Addition.

(16)

**Adjoining Zoning & Uses:**

Direction	Zoning	Current Use
North	ETJ	Single-Family Residence
East	SF-1	Single Family Residence
South	FD	Single Family Residence
West	SF-1	Single Family Residence

**Future Land Use Plan:**

Rural Estate & Industrial

**Comprehensive Plan:**

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

Industrial uses vary from the technology industry to manufacturing. The designated locations for heavier industrial uses are intended to keep them away from residential categories. These are located along roadways that have adequate capacity to serve the larger industrial vehicles. Required parking is encouraged to be placed behind structures to keep these areas more readily able to redevelop into more urban places over time. When uses are abutting a residential property, a separation should be provided such as a landscape buffer, deeper setback, and/or a screening wall.

**Thoroughfare Plan:**

The primary access to the subject property is from Longbranch Rd, a Minor Arterial (100' right-of-way) on the Thoroughfare Plan.

**Site Image:**



(16)

### **PLANNING ANALYSIS**

The Applicant requests a Specific Use Permit (SUP) for Accessory Structures exceeding 1,000 square feet in combined floor area use at 2951 Longbranch Road. The subject property has four (4) existing accessory structures used for general storage, a carport, a detached garage, and a barn; that total an estimated 2,145 square feet in size. The number of existing accessory structures are consistent with adjacent properties and the rural setting along Longbranch Road. Per the City of Waxahachie Zoning Ordinance, accessory structures exceeding 1,000 square feet in combined floor area require a SUP to be approved by City Council.

#### **Proposed Use:**

According to the Ellis County Appraisal District, the subject property currently has an existing primary structure of approximately 2,073 square feet. The proposed accessory structure is a partially enclosed storage canopy that is approximately 480 square feet in size. The accessory structure features an exterior façade that is consistent with the existing accessory structures. The proposed accessory structure will be utilized as a storage area that will accommodate various items related to the general upkeep of the applicant's garden and yard. No vehicles or heavy equipment will be stored in the structure; thus, a driveway is not required. The location of the proposed accessory structure meets the typical setback requirements of the City of Waxahachie Zoning Ordinance.

According the applicant's Operational Plan, no plumbing or electrical work is being proposed for the accessory structure; and no paved flooring is being proposed as well, with the accessory structure being secured via mobile home anchors. The proposed structure will be enclosed on the side facing the front of the property, while the open side of the canopy will face the rear of the property. The property owners have confirmed to Staff that the structure will not be used as a dwelling or short-term rental and will not be separately sold or leased from the existing primary structure.

### **PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 5 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property.

### **PUBLIC NOTIFICATION RESPONSES**

Staff has received three (3) letters of support and zero (0) letters of opposition.

### **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, subject to the conditions listed below.

#### **Conditions:**

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

(16)

**ATTACHED EXHIBITS**

1. Property Owner Notification Responses
2. SUP Ordinance
3. Location Map (Exhibit A)
4. Survey (Exhibit B)
5. Operational Plan (Exhibit C)
6. Elevation/Façade Plan (Exhibit D)

**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)



(16)

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-99-2025



MARTIN JOEL & ROBIN  
2961 LONGBRANCH RD  
MIDLOTHIAN, TX 76065

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 12, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, September 2, 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 Linda Romanenko for a **Specific Use Permit (SUP)** for Accessory Structures exceeding 1,000 square feet use within a Single-Family Residential-1 (SF-1) zoning district located at 2951 Longbranch Road (Property ID 175482) – Owner(s): Linda Romanenko (ZDC-99-2025)

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 scan the QR Code or contact the Planning Department at (469) 309-4290 or [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) for additional information on this request.



Scan for additional information.

Case Number: ZDC-99-2025

City Reference: 175483

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *August 6, 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:

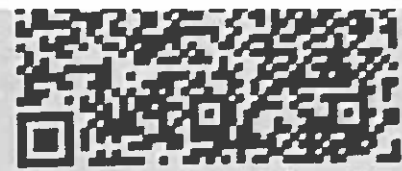
Joel Martin  
Signature

July 26, 2025  
Date

Joel Martin  
Printed Name and Title

2961 Longbranch Rd.  
Address

returning the bottom portion of this notice. Please contact the  
contact the Planning Department at (469) 309-4290 or  
Planning@Waxahachie.com for additional information on this request.



Scan for additional information.

Case Number: ZDC-99-2025

City Reference: 154288

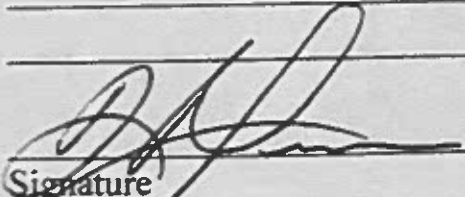
Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *August 6, 2025* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

\_\_\_\_\_  
\_\_\_\_\_

  
Signature

8/1/25  
Date

John R Small Resident  
Printed Name and Title

3271 BLACK CHAMP RD  
Address  
MIDLOTHIAN, TX 76065

(16)



(16)

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-99-2025

RECEIVED AUG 15 2025

**RIVERA FRANCISCO M & J FAVIAN ARVIZU VELAZQUEZ**  
**4910 REDBIRD TRAL**  
**MIDLOTHIAN, TX 76065**

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 12, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, September 2, 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 Linda Romanenko for a **Specific Use Permit (SUP)** for Accessory Structures exceeding 1,000 square feet use within a Single-Family Residential-1 (SF-1) zoning district located at 2951 Longbranch Road (Property ID 175482) – Owner(s): Linda Romanenko (ZDC-99-2025)

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 scan the QR Code or contact the Planning Department at (469) 309-4290 or [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) for additional information on this request.



Scan for additional information.

Case Number: ZDC-99-2025

City Reference: 175481

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *August 6, 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:

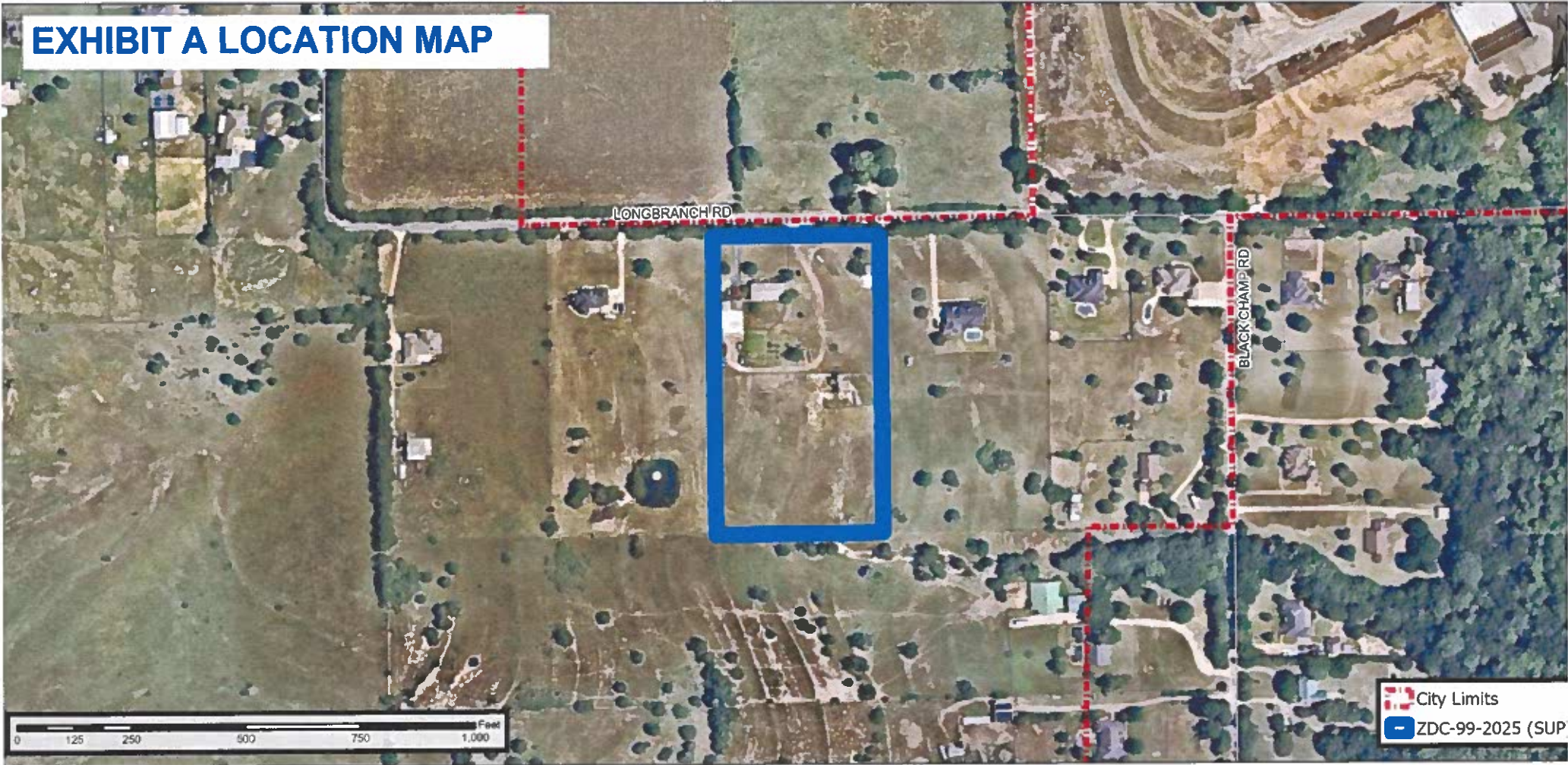
Francisco Mafu  
Signature

08-06-25  
Date

Francisco Mafu owner  
Printed Name and Title

08-06-25  
Address

# EXHIBIT A LOCATION MAP





## Operational Plan for Storage Canopy

Location: 2951 Longbranch Rd (Lot 5 Roe Estates Phase II 5.44 acres ) Zoning: SF-1

Property Owner: Linda C. Romanenko

We and our surrounding neighbors have very large lots, with our next-door neighbors each also having 5.44 acre lots, and our back neighbors having over 13 acres. Across Longbranch Road, we face approximately 600 acres of County land, currently being used as cattle pasture.

We would like to build a 480-square foot storage canopy (three-sided building) to accommodate various implements and other items related to our large garden and yard, such as tillers, riding lawn mower, irrigation hoses and accessories, various implements, vegetable totes, and drying racks.

The size of the canopy, height, location, as well as the number of accessory buildings on the property, are all in compliance with the size of our lot, per current zoning.

The open side will face the back of the property. The colors will be the same red-gray-white scheme as the house and the other accessory structures, for optimal appearance.

This canopy will be used only for storage of items as listed above. It will not be used for commercial purposes of any kind, rented out, as a dwelling, nor used in any other manner.

No utilities nor concrete floor are being installed. Mobile home anchors will be used to secure the structure.

We hope that this canopy will be met with your approval.

Thank you.

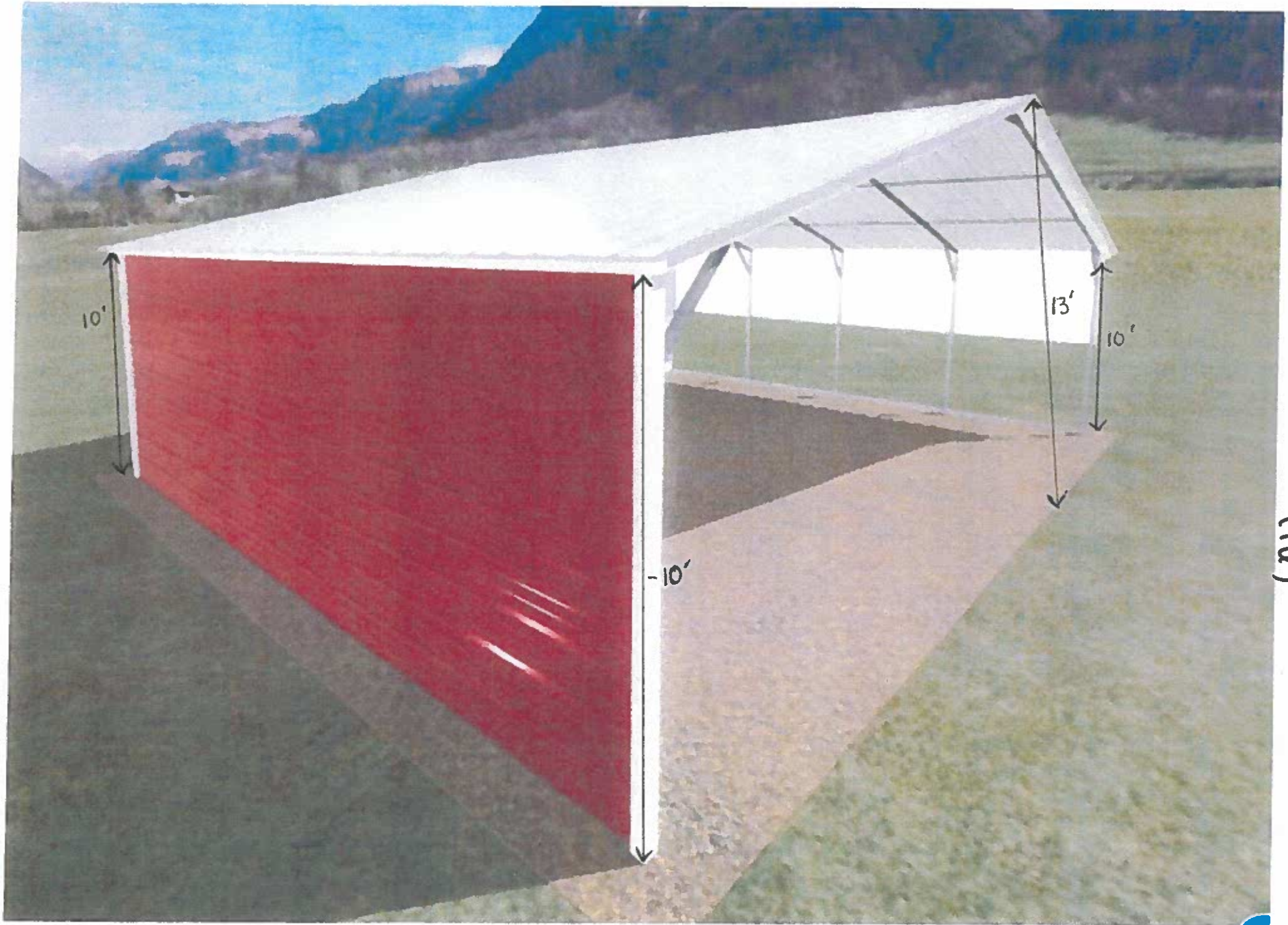
Respectfully,

Linda C. Romanenko

7/1/25

Rev. 7/13/25: Changed "lawn tractor" to "riding lawn mower"

# EXHIBIT D ELEVATION/FACADE PLAN



20' L x 24' W x 13' H (at ridge)  
Roof: Galvalume Gray  
Siding: Red Trim: White

Building Elevations Site Plan & Colors  
Surface: Existing leveled dirt Rev. 7/13/25

L. Romanenko  
N.T.S. 6/30/25

(11)



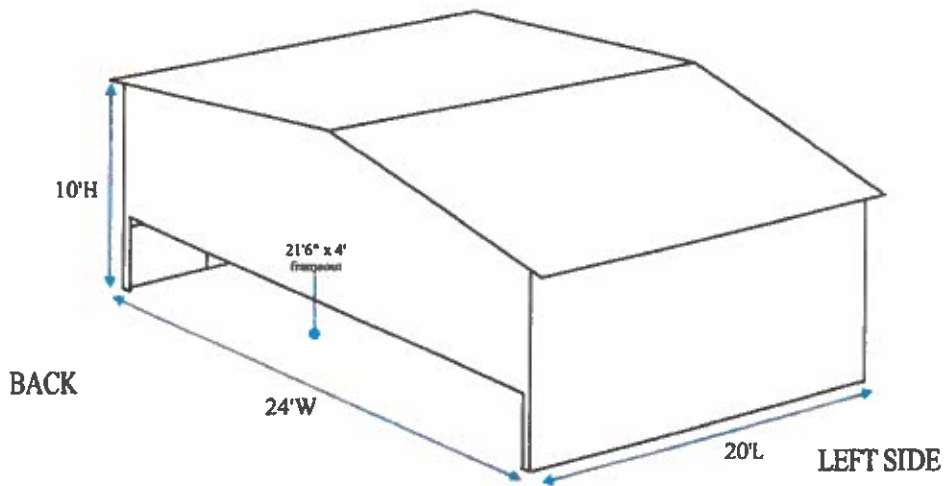
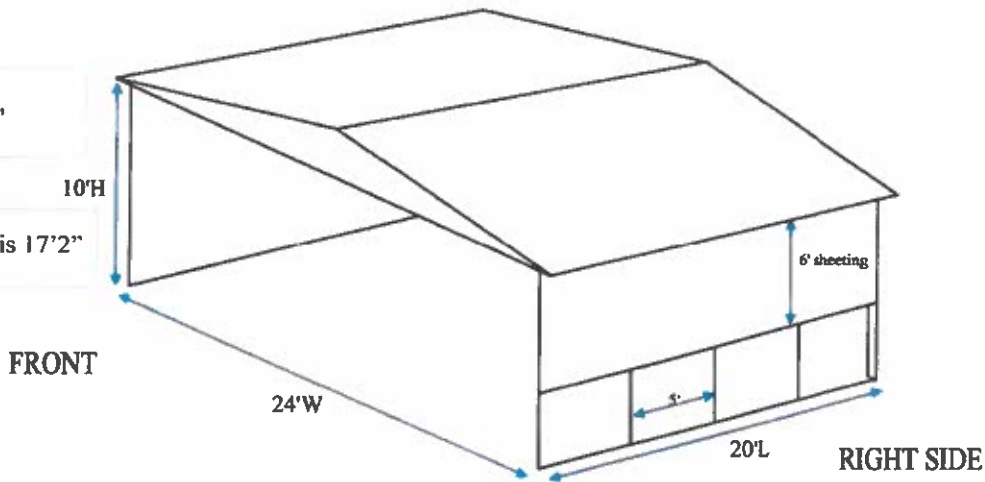
# Building Design Specifications

## Door and Window Locations

NOTE

Ridge Height to be approx. 13'0"

Ridge (peak) height of primary building is 17'2"



(12)

\*Note: Any revisions made to the building after signing this document that impact the drawings (ie. any changes to building dimensions, any changes to door/window/frame out locations) will result in an additional charge for revised plans and may delay the drawings. Engineering & Permitting fees are collected separately from the building deposit.

Signed

Kevin Shaffer & Linda C. Romanenko  
Kevin Shaffer & Linda Romanenko

Date 7-13-25

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

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT ACCESSORY STRUCTURES EXCEEDING ONE THOUSAND (1,000) SQUARE FEET IN COMBINED FLOOR AREA WITHIN THE SINGLE FAMILY-1 (SF-1) ZONING DISTRICT, LOCATED AT 2951 LONGBRANCH ROAD, BEING PROPERTY ID 175482, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 5 OF THE ROSE ESTATE PHASE ONE 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 SF-1; and

**WHEREAS**, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-99-2025. 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 SF-1 to SF-1, with a SUP in order to permit Accessory Structures exceeding one thousand (1,000) square feet in combined floor area on the following property: Lot 5 of the Rose Estate Phase One Addition Subdivision, which is shown on Exhibit A, in accordance with the Survey attached as Exhibit B, Operational Plan attached as Exhibit C, and the Elevation/Facade Plan attached as Exhibit D.

**SPECIFIC USE PERMIT**

**Purpose and Intent**

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

Specific Use Permit

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

1. The accessory structure shall not be used as a dwelling without a Specific Use Permit that has been approved by City Council.
2. The accessory structure shall not be used as a short-term rental without a Specific Use Permit that has been approved by City Council.
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 and shall not be separately metered.
5. The accessory structure shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory structure.
6. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Survey, Exhibit C – Operational Plan, Exhibit D – Elevation/Façade Plan.
7. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
8. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance as approved by City Council, shall conform to those requirements and/or standards prescribed in Exhibits B – Survey, Exhibit C –Operational Plan, and Exhibit D – Elevation/Facade Plan. Where regulations are not specified in Exhibits B, C, and D or this Zoning Ordinance, the regulations of the Single Family-1 (SF-1A) Zoning District and the City of Waxahachie Zoning Ordinance shall apply to this development.
9. City Council shall have the right to review the Specific Use Permit at any point, if needed.

Compliance

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

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 2<sup>nd</sup> day of September, 2025.

---

MAYOR

ATTEST:

---

City Secretary



## Memorandum

To: Honorable Mayor and City Council  
From: Trenton Robertson, Senior Director of Planning  
Thru: Ricky Boyd, Interim City Manager RB  
Date: August 26, 2025  
Re: Consider Text Amendments for Zoning Protests, Home Businesses, & Short-Term Rentals (ZTA-113-2025)

---

**Recommended Motion:** "I move to approve ZTA-113-2025, Zoning Ordinance Text Amendments related to Zoning Protests, Home Businesses, and Short-Term Rentals, authorizing the Mayor and/or City Manager to execute all documents accordingly."

**Item Description:** Consider approving an ordinance amending certain sections of the Waxahachie Zoning Ordinance related to Zoning Protests, including super majority requirements when a request is denied by the Planning and Zoning Commission, Home Businesses, and Short-Term Rentals (STR's).

**Item Summary:** Due to recent adoption of House Bill 24 and House Bill 2464 by the 89<sup>th</sup> Session of the Texas Legislature, the City Attorney has advised that amendments to the Waxahachie Zoning Ordinance are necessary to maintain compliance with State law. The City Attorney has prepared an ordinance amending Section 2.04 of the Waxahachie Zoning Ordinance, related to Zoning Protests, including the repeal of City Council super-majority approval requirements when a request is denied by the Planning and Zoning Commission. The prepared ordinance also amends Section 7.05 of the Zoning Ordinance related to the definition and municipal regulation of no-impact home-based businesses. Finally, the prepared ordinance amends Section 3.27 of the Zoning Ordinance related to Short-Term Rentals to more closely align with recent litigation and court decisions around the State of Texas.

**Fiscal Impact:** There is no fiscal impact to the City.

(19)

**CITY OF WAXAHACHIE, TEXAS**

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING SECTION 2.04, "CHANGES AND AMENDMENTS TO ALL ZONING ORDINANCES AND DISTRICTS AND ADMINISTRATIVE PROCEDURES," OF THE ZONING ORDINANCE RELATIVE TO ZONING PUBLIC NOTICE, PUBLIC HEARINGS AND ZONING PROTESTS, INCLUDING THE REPEAL OF SECTION 2.04(h)(v)(2) REGARDING SUPER MAJORITY REQUIREMENTS WHEN A ZONING REQUEST IS DENIED BY THE PLANNING AND ZONING COMMISSION; AMENDING SECTION 7.05, "HOME OCCUPATION REGULATIONS," OF THE ZONING ORDINANCE TO INCLUDE THE PREEMPTIVE EFFECT OF SECTION 229.902 OF THE TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; AMENDING PROVISIONS IN SECTION 3.27, "SHORT-TERM RENTALS," BY AMENDING THE DEFINITION OF "PARTY" IN SECTION 3.27(b)(i)(9) AND ADDRESSING LEGAL NONCONFORMING USES IN SECTION 3.27(c)(i) OF THE ZONING ORDINANCE; 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**, House Bill 24, adopted by the 89th Session of the Texas Legislature, amended Chapter 211 of the Texas Local Government Code relative to zoning protests and added definitions to said Chapter, among others; and

**WHEREAS**, House Bill 2464, adopted by the 89th Session of the Texas Legislature, amended Chapter 229 of the Texas Local Government Code by adding certain definitions related to no-impact home-based businesses and municipal regulation of same, among others; and

**WHEREAS**, recent litigation and court decisions around the State of Texas reflect that certain minor amendments to the City's short-term rental regulations are advisable; and

**WHEREAS**, the City Council desires to amend its ordinances to be consistent with the new state law and in coordination with recent jurisprudential precedents and therefore has determined that the following amendments are in the best interest of the health, safety, and welfare of the citizens of the City of Waxahachie.

**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 Section 2.04, "Changes and Amendments to All Zoning Ordinances and Districts and Administrative Procedures," of the Zoning Ordinance, contained in Appendix A to the Code or Ordinances, is hereby amended to read as follows:

**"Sec. 2.04. Changes and Amendments to All Zoning Ordinances and Districts and Administrative Procedures**

\* \* \*

(d) *Public hearing and notice*

- (i) Prior to making its report to the City Council, the Planning and Zoning Commission shall hold at least one public hearing on each application as applicable by state law (Texas Local Government Code Chapter 211, as so may be amended). Written notice of all public hearings on proposed changes in district boundaries shall be sent to all owners of property, or to the person rendering the same for City taxes, located within the area of application and within two hundred (200) feet of any property affected thereby, within not less than ten (10) days before such hearing is held. Such notice may be served by using the last known address as listed on the latest approved tax roll and depositing the notice, postage paid, in the United States mail. Notice of hearings on proposed changes in the text of the Zoning Ordinance shall be accomplished by one publication in the official newspaper of the City not less than 15 days prior to both the Planning and Zoning Commission and City Council meetings. Notice of a proposed comprehensive zoning change, as defined in Texas Local Government Code Chapter 211, shall be given by publication in the official newspaper of the City and on the City's website, stating the time and place of such hearing, a minimum of 15 days prior to the date of the public hearing. Changes in the ordinance text which do not change zoning district boundaries and proposed comprehensive zoning changes do not require written notification to individual property owners.

\* \* \*

(h) City Council consideration:

\* \* \*

- (v) Three-fourths vote. If a written protest against a proposed amendment, supplement or change to a zoning regulation or district boundary that is not a proposed comprehensive zoning change has been filed with the Planning Department, duly signed and acknowledged by the owners of (i) at least 20 percent of the lots or land covered by the proposed change; (ii) except as otherwise provided in subsection

(iii) herein, at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area; or (iii) at least 60 percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area if the proposed change has the effect of allowing more residential development than the existing zoning regulation or district boundary and does not have the effect of allowing additional commercial or industrial uses unless the additional use is limited to the first floor of any residential development and does not exceed 35 percent of the overall development, such amendments shall not become effective except by the affirmative vote of at least (x) three-fourths of all members of the City Council for a protest described by subsection (i) or (ii); or (y) a majority of all members of the City Council for a protest described by subsection (iii). Written protests shall be subject to the following requirements:

- 1) All protests must be submitted to the Planning Department in writing. Such written protest(s) shall include the zoning case number, the name of the protesting property owner, the address(es) or property description(s) of the property for which the property owner is asserting a protest, the reasons for the property owner's protest such as the zoning classifications or uses to which the property owner is opposed, and the signature of the protesting property owner(s).
- 2) The protest must be filed with the Planning Department before 5:00 p.m. of the fifth business day immediately preceding the date advertised for the City Council public hearing in the statutory notice published in the official newspaper of the City. For example, a written protest must be received by 5:00 p.m., on the Monday prior to a regularly scheduled Monday City Council meeting. A protest sent through the mail must be received by the Planning Department before the deadline.
- 3) In all cases where a protest has been properly signed pursuant to this section, the City shall presume that the signatures appearing on the protest are authentic and that the persons whose signatures appear on the protest are either owners of the property or authorized to sign on behalf of one or more owners as represented. Upon the advice of the City Attorney, this presumption shall not be followed in a specific case based on evidence presented.
- 4) A person may by written request withdraw his or her signature from the protest at any time prior to the close of the public hearing for the zoning case. If the withdrawal of an owner's signature from a protest reduces the percentage of land area ownership protesting the zoning change to less than the 20 percent requirement referenced in this Subsection (v) herein, a three-fourths vote of the City Council for approval of the zoning change shall not be required.

- 5) In the event that multiple protests and withdrawals are filed on behalf of the same owner, the instrument with the latest date and time of execution controls.
- 6) At any time before City Council action on a zoning case, the filing deadline for a protest is automatically extended whenever the zoning case is postponed or continued to a later date.”

**SECTION 3**

From and after the effective date of this Ordinance, existing Subsection (h)(v)(2), relative to a supermajority vote of the City Council in the event of a recommendation of denial by the Planning and Zoning Commission, of Section 2.04, “Changes and Amendments to All Zoning Ordinances and Districts and Administrative Procedures,” of the Zoning Ordinance, contained in Appendix A to the Code or Ordinances, is hereby repealed.

**SECTION 4**

From and after the effective date of this Ordinance, existing Section 7.05, “Home Occupation Regulations,” of the Zoning Ordinance, contained in Appendix A to the Code or Ordinances, is hereby amended to read as follows:

**“Sec. 7.05. Home Occupation Regulations.**

\* \* \*

(m) In the event of any conflict between this section and Section 229.902 of the Texas Local Government Code, as amended, Section 229.902 shall control.”

**SECTION 5**

From and after the effective date of this Ordinance, existing Subsection (b)(i)(9), “Party,” of Section 3.27, “Short-Term Rentals,” of the Zoning Ordinance, contained in Appendix A to the Code or Ordinances, is hereby amended to read as follows:

**“Sec. 3.27. Short-Term Rentals.**

\* \* \*

(b) *Definitions:*

(i) For the purpose of this Section, the following definitions apply:

- 9) *Party* means any gathering or event means a group of five or more persons who have assembled or are assembling in a manner which constitutes a substantial disturbance of the quiet enjoyment of private or public property. This includes, but is not limited to, excessive noise or traffic, obstruction of public streets by crowds

or vehicles, public drunkenness, the service of alcohol to underage persons, fights, disturbances of the peace and litter.”

**SECTION 6**

From and after the effective date of this Ordinance, existing Subsection (c), “Short-Term Rental Requirements Prior to Registration,” of Section 3.27, “Short-Term Rentals,” of the Zoning Ordinance, contained in Appendix A to the Code or Ordinances, is hereby amended to read as follows:

**“Sec. 3.27. Short-Term Rentals.**

\* \* \*

**(c) *Short-Term Rental Requirements Prior to Registration:***

**(i)** Any short-term rentals existing prior to October 16, 2023, are hereby deemed a nonconforming use, unless abandoned pursuant to Section 2.01 of the Zoning Ordinance, as amended, and are not required to obtain approval of a Specific Use Permit (SUP), although such short-term rentals must register with the City. Any short-term rentals existing as of October 16, 2023, or thereafter are required to obtain approval of a Specific Use Permit (SUP) by the City Council, with the exception of all short-term rentals located within the Central Area (CA) zoning district. Once the approval of a SUP for the short-term rental is obtained, the short-term rental registration requirements in section (e) of this Section 3.27 must be completed.

- 1) The notice for the public hearing for the SUP shall be sent to owners, as documented on the most recently approved ad valorem tax roll of the City, of lots that are within five-hundred feet (500') of the property for which the short-term rental SUP has been submitted.
- 2) The approved SUP is non-transferable. If there is a change in ownership of the property to which the SUP has been issued including to an affiliated party such as a family member or business organization that is owned partially or in its entirety by the previous owner, the new property owner shall submit a new SUP application with the Planning Department within thirty (30) calendar days of the change of ownership. The fact that the property has previously been issued an SUP has no bearing on the issuance of a new SUP.”

(19)

**SECTION 7**

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 8**

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 9**

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 sum of two thousand dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

**SECTION 10**

A public emergency is found to exist which affects the health, safety, property or the general welfare, in that standards and regulations for the use and development of property must be brought into conformity with state law and therefore, 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 \_\_\_ DAY OF SEPTEMBER, 2025.**

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

**ATTEST:**

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

(20)



## Memorandum

To: Honorable Mayor and City Council  
From: Amber Villarreal, City Secretary  
Thru: Ricky Boyd, Interim City Manager *RB*  
Date: September 2, 2025  
Re: Appointments to Boards and Commissions

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**Recommended Motion:** "I move to approve the appointments to Boards and Commissions as presented."

**Item Description:** Consider appointments to the following Boards and Commissions:

ANIMAL CARE ADVISORY COMMITTEE (2-year term)

Dr. Tommy Mensor, Licensed Veterinarian  
Dustin Deel, County or Municipal Official  
Jennifer Favia Conner, a representative from an animal welfare organization

CEMETERY BOARD (2-year term)

Constance McGuire  
Perry Giles  
Trudy Hankins

CULTURAL ARTS AND HERITAGE COMMISSION (2-year term)

Richard Von Aday  
Emily Finch  
Rhyan Phillips  
Victoria Russell  
Twyla Williams

ECONOMIC DEVELOPMENT COMMISSION

Patrick Aulson (replacing Betty Square Coleman)

HERITAGE PRESERVATION (2-year term)

Peggy Crabtree

Alex Lohmann

Kelly Savell

Mark McReynolds

Jimmy Poarch (Planning and Zoning Commission liaison replacing Marlene Norcross)

IMPACT FEE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE

DeAnne Fite, Ad Hoc Member (filling term for Jimmy Poarch)

KEEP WAXAHACHIE BEAUTIFUL COMMITTEE (3-year term)

Austin Mauldin (replacing Jesse Gibson until September 2027)

MID-WAY REGIONAL AIRPORT BOARD (3-year term)

Brad Owens

PARK BOARD (3-year term)

Thomas Michael Hawkins

PLANNING AND ZONING COMMISSION (2-year term)

Terry Connor

Jimmy Poarch

Ryan Simpson

Bart Underwood

SENIOR CENTER ADVISORY COMMITTEE (2-year term)

Shannon Childs

Vaughn Franks

Carrie Lewis

Kelly Saunders

TAX INCREMENT REINVESTMENT ZONE (2-year term)

Billie Wallace, Mayor (Chairman)

Dusty Autrey (replacing Mike Lee as WPI Member)

Conor McGuire

WAXAHACHIE COMMUNITY DEVELOPMENT CORPORATION (2-year term)

Melissa Ballard

Kevin Chester

Jim Phillips

WAXAHACHIE HOUSING AUTHORITY (2-year term)

Adrian Cooper

Christy Waters



## Memorandum

To: Honorable Mayor and City Council

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

Thru: Ricky Boyd, Interim City Manager *RB*

Date: September 2, 2025

Re: Consider Resolution for Right-of-Way Dedication to the State of Texas for the SPUR 394

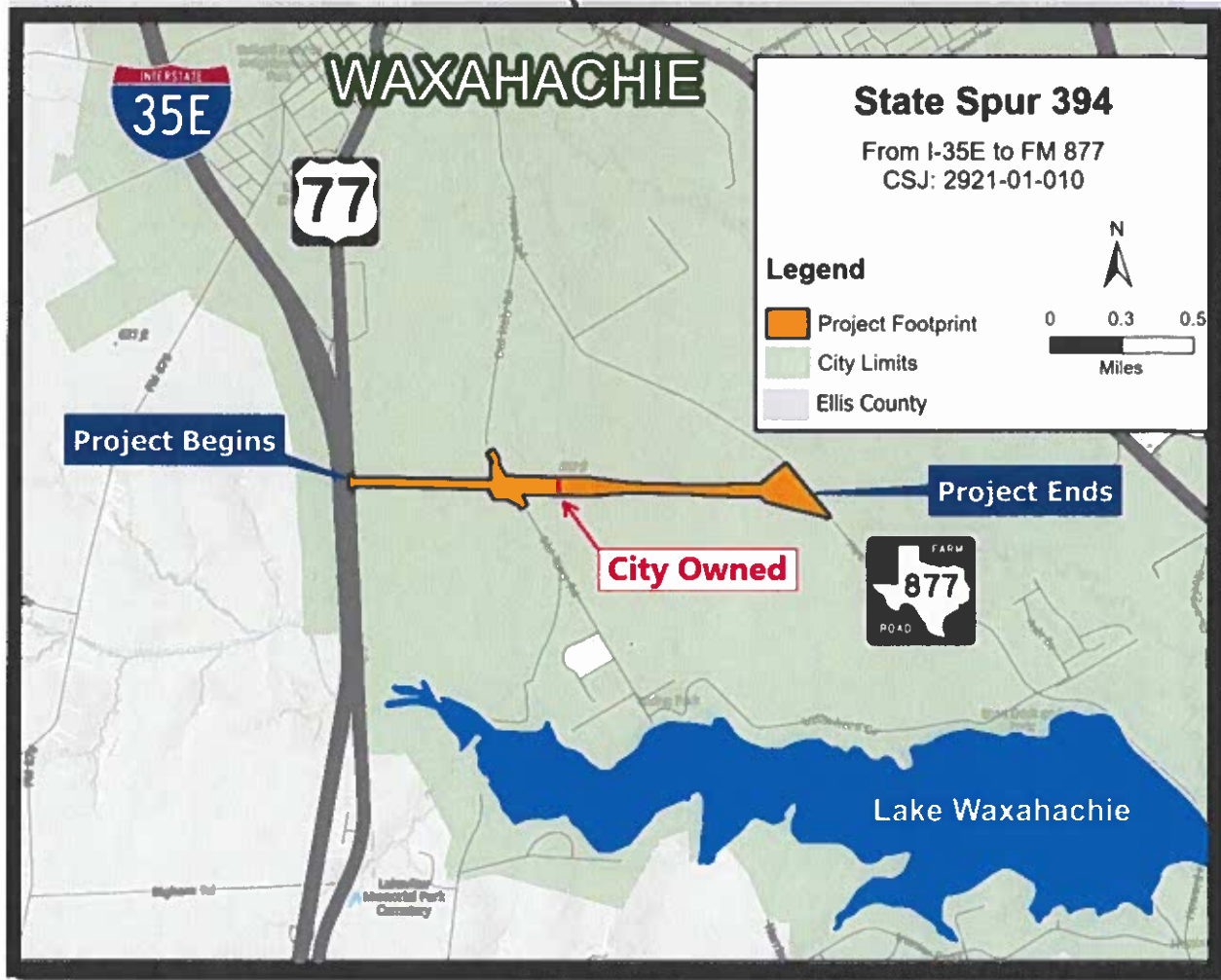
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**Recommended Motion:** "I move to approve the Resolution for Right-of-Way dedication conveying city owned property along Spur 394 to the State of Texas, and authorize the Interim City Manager to execute all the necessary documents."

**Item Description:** Consider a resolution authorizing the Right-of-Way dedication conveying City-owned property to the State of Texas for the construction of SPUR 394 highway.

**Item Summary:** The Spur 394 highway project is approximately 1.7 miles long, starting from I-35E/US 77 to Howard Road (FM 877), and will accommodate future traffic and mobility. The Texas Department of Transportation (TxDOT) has requested the Right-of-Way dedication of approximately 0.6974 acres, owned by the City of Waxahachie crossing Spur 394. This portion of city property is along an abandoned railroad and part of the City's pedestrian trail plan. TxDOT will construct a pedestrian crossing under SPUR 394 highway so it can connect to the future trail.

This resolution authorizes the Interim City Manager to execute necessary documents to convey the subject property to the State of Texas.



**Fiscal Impact:** There is no direct fiscal impact associated with this action. The City will not receive compensation for the conveyance.

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, AUTHORIZING THE EXECUTION AND DELIVERY OF A GENERAL WARRANTY DEED CONVEYING PROPERTY ALONG SPUR 394 TO THE STATE OF TEXAS**

**WHEREAS**, the City of Waxahachie, Texas (the “City”) is the owner of certain real property situated along SPUR 394 that is required by the State of Texas for public infrastructure purposes; and

**WHEREAS**, the State of Texas, acting by and through the Texas Department of Transportation (TxDOT), has requested that the City convey said property to the State to facilitate transportation improvements and related public use; and

**WHEREAS**, the City Council has determined that it is in the best interest of the City to convey the property to the State of Texas by General Warranty Deed for such public purposes;

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

**SECTION 1**

The City Council hereby authorizes and approves the conveyance of the property located along SPUR 394, as more fully described in the deed document attached hereto as Exhibit A, to the State of Texas, acting by and through the Texas Department of Transportation.

**SECTION 2**

The Interim City Manager of the City of Waxahachie is hereby authorized to execute and deliver, on behalf of the City, a General Warranty Deed and any other documents necessary to complete the conveyance of the property to the State of Texas.

**SECTION 3**

That this resolution shall take effect immediately from and after the date of passage.

ADOPTED THIS \_\_ day of September, 2025

\_\_\_\_\_  
MAYOR

ATTEST:

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



## Memorandum

To: Honorable Mayor and City Council

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

Thru: Ricky Boyd, Interim City Manager *RB*

Date: September 2, 2025

Re: Consider Amendment 1 to the Engineering Professional Services Agreement for the Waxahachie – Midlothian Regional Trail Project

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**Recommended Motion:** "I move to approve Amendment 1 of the professional service agreement with Kimley-Horn and Associates, Inc. for the final design of the Waxahachie - Midlothian Regional Trail Project in the amount of \$968,500, and authorize the Interim City Manager to execute all necessary documents."

**Item Description:** Consider approval of Amendment 1 of the professional service agreement with Kimley Horn and Associates, Inc. for the Waxahachie - Midlothian Regional Trail Project.

**Item Summary:** On September 16, 2024, the City Council approved a professional services agreement for the Waxahachie -Midlothian Regional Trail Project, in an amount not to exceed \$225,000 for a preliminary design plan and survey. The project will include a 12-foot-wide concrete trail, approximately 2.6 miles long, between Getzendaner Park and FM-875.

The preliminary layout of the trail is complete, and the project is now ready to proceed with the final design documents. It will include geotechnical analysis, an environmental study, right-of-way document preparation, final design, construction services, and a structural allowance. The structural allowance will accommodate the design of retaining walls and a new bridge crossing at Waxahachie Creek.

**Fiscal Impact:** Amendment 1 includes an amount of \$968,500.00, resulting in a total amended contract amount of \$1,193,500. Amendment 1 is within the budget allocated to the project in the Parks Capital Funds. An agreement is in place with the Texas Department of Transportation for reimbursement of 80% of the costs associated with the Waxahachie -Midlothian Regional Trail Project, up to project costs of \$5.1 million, which equates to \$4.08 million reimbursed.



## Memorandum

To: Honorable Mayor and City Council

From: Dustin Deel, Senior Director of Administrative Services

Thru: Ricky Boyd, Interim City Manager *RB*

Date: September 2, 2025

Re: Consider Contract for City-wide Generator Maintenance Service

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**Motion:** "I move to award a contract with Altorex LLC for City-wide Generator Maintenance and Service and authorize the Interim City Manager to execute all necessary documents."

**Item Description:** Consider awarding a contract to Altorex LLC for generator maintenance and services across all City facilities. The initial term is for one year, with the option to renew for up to four (4) additional one-year terms. The cost is approximately \$57,000 for routine scheduled maintenance of all 20 of the City's generators. Emergency call-out service and non-routine repairs would be an additional charge based on the approved schedule of fees.

**Item Summary:** On July 2, 2025, the City issued Request for Proposal (RFP) #2025-6-01 for comprehensive generator maintenance services. Proposals were publicly opened on August 7, 2025. After a thorough evaluation process, Altorex LLC was determined to be the lowest qualified bidder. The intent of this procurement is to secure a reliable vendor to provide preventive maintenance, including quarterly and annual servicing, as well as load testing, to ensure operational readiness and prolong the useful life of generators at City-owned facilities.

**Fiscal Impact:** Expenditures for generator maintenance are included in each department's approved operating budget. Services performed will not exceed the total annual amount budgeted for this purpose.

(24)



## Memorandum

To: Honorable Mayor and City Council

From: Kumar Gali, Senior Director of Utilities

Thru: Ricky Boyd, Interim City Manager *RB*

Date: September 2, 2025

Re: Consider Contract for Chlorine Dioxide Generator Equipment Rental,  
Maintenance Service and Chemical Purchase

---

**Motion:** "I move to approve a contract with Evoqua Water Technologies for the rental of chlorine dioxide generator equipment, maintenance services, and the purchase of sodium chlorite for water treatment at Howard Road and Robert W. Sokoll Water Treatment Plants and authorize the Interim City Manager to execute all the necessary documents."

**Item Description:** Consider approval of a contract with Evoqua Water Technologies for rental of chlorine dioxide generator equipment, maintenance services, and purchase of sodium chlorite chemical for water treatment at Howard Road and Robert W. Sokoll Water Treatment Plants.

**Item Summary:** Evoqua Water Technologies is the sole source provider for the equipment, chemical supply and maintenance services of the sodium chlorite generation system at the Howard Road and Robert W. Sokoll Water Treatment Plants. Chlorine Dioxide is utilized as a disinfectant and for iron and manganese control at the treatment plants.

(24)

The initial term of the contract will be October 1, 2025 to September 30, 2027. The cost of the contract is based on consumption at the price of \$0.99 per liquid pound of sodium chlorite. Pricing shall be subject to annual review following this initial period for up to three additional years upon mutual agreement.

**Fiscal Impact:** The contract amount of \$0.99 per liquid pound of sodium chlorite is an approved budget expense included in the Utility Department's FY2026 operations and maintenance budget.

(25)



## Memorandum

To: Honorable Mayor and City Council

From: Kumar Gali, Senior Director of Utilities

Thru: Ricky Boyd, Interim City Manager *RB*

Date: September 2, 2025

Re: Consider Contract for Replacement of Pump and Motor at Lake Bardwell Raw Water Pump Station

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**Motion:** "I move to approve a contract with Odessa Pumps & Equipment Inc. in the amount of \$174,020 for the replacement of a pump and motor at Lake Bardwell Raw Water Pump Station and authorize funding from 2019 and 2020 Water Bonds savings to fund the contract and authorize the Interim City Manager to execute all the necessary documents."

**Item Description:** Consider approving a contract with Odessa Pumps & Equipment Inc. for \$174,020 and authorize funding from 2019 and 2020 Water Bonds savings.

**Item Summary:** The number 3 pump and motor at Lake Bardwell Raw Water Pump Station is currently non-operational. The pump and motor was originally installed in 2019. The pump and motor have a 10-year life span, but failed early due to pumpage of silt that was built up in the intake structure. The intake channel to this pump station was dredged last year, so the new pump should be able last its anticipated life span. The scope of the contract with Odessa Pumps & Equipment Inc. is to retrieve the motor with a crane and to install the replacement motor for a total cost of \$174,020.

**Fiscal Impact:** The \$174,020 contract will be funded by \$152,447 from the 2019 Water Bond savings and \$21,573 from the 2020 Water Bond savings.



## Memorandum

To: Honorable Mayor and City Council  
From: Shon Brooks, Executive Director of Development Services  
Thru: Ricky Boyd, Interim City Manager *RB*  
Date: September 2, 2025  
Re: Consider Ordinance Amending Sections 8-30 and 8-31 of Chapter 8 of the City of Waxahachie Code of Ordinances

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**Recommended Motion:** "I move to approve an ordinance amending sections 8-30 and 8-31 of Chapter 8 of the Code of Ordinances to allow the use of copper clad aluminum wire in single-family construction."

**Item Description:** Consider approving a text amendment to allow copper clad aluminum wire in residential construction. The use of this material has been disallowed by our local amendments with the adoption of the Building Code. The National Electrical Code and International Code Council have updated their codes to allow this material as acceptable.

**Item Summary:** The City of Waxahachie has received a request to use copper clad aluminum wire in permitted residential work. Changes in technology allow for this product to be used in environments like traditional copper wiring. One distinction will be to require homes using this product to clearly label the home's electrical panel. This labeling will state that Copper Clad Aluminum wiring has been installed, indicating the lower current capacity in case of future home repairs or upgrades. Copper clad wiring has more restrictions on installations compared to copper wiring and is almost indistinguishable from copper wiring under simple visual inspection, thus this labeling will provide clarity.

**Fiscal Impact:** The proposed code revision will not have any financial impact on the permitting or inspection process.

(26)

**CITY OF WAXAHACHIE, TEXAS**

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING SECTION 8-30, "ALUMINUM WIRE CONDUCTORS RESTRICTED," AND SECTION 8-31, "WIRE SIZE," OF CHAPTER 8, "BUILDING," OF THE CODE OF ORDINANCES OF THE CITY OF WAXAHACHIE, TEXAS, BY ALLOWING COPPER CLAD ALUMINUM WIRE TO BE UTILIZED; 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**, the City has determined that copper clad aluminum wire is appropriate in residential construction and now wishes to amend its building regulations to reflect such; and

**WHEREAS**, the City Council has determined that the amendments are in the best interest of the health, safety, and welfare of the citizens of the City of Waxahachie.

**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 Section 8-30, "Aluminum Wire Conductors Restricted," and Section 8-31, "Wire Size," of Chapter 8, "Building," of the Code of Ordinances of the City of Waxahachie, Texas, are hereby amended to read as follows:

**"Sec. 8-30. Aluminum wire conductors restricted.**

Aluminum conductors are required to be sized two hundred fifty (250) Kcmil and larger, and may be used as service entry conductors and feeders only. Aluminum wiring is prohibited in R-3 occupancy construction (single-family dwellings). Installations that have copper clad aluminum conductors installed shall have the following information clearly marked in a permanent manner at the panelboard: "Copper-clad aluminum conductors installed in this property."

(26)

**Sec. 8-31. Wire size.**

Number fourteen (#14) awg wire is prohibited in copper branch circuits. Number fourteen (#14) awg and number twelve (#12) awg wire is prohibited in copper-clad aluminum branch circuits.”

**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 sum of two thousand dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall constitute a separate offense.

**SECTION 6**

A public emergency is found to exist which affects the health, safety, property or the general welfare, in that standards and regulations for the use and development of property must be brought into conformity with state law and therefore, 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 \_\_\_ DAY OF SEPTEMBER, 2025.**

---

Billie Wallace, Mayor

(26)

**ATTEST:**

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Amber Villarreal, City Secretary

(27)



## Memorandum

To: Honorable Mayor and City Council

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

Thru: Ricky Boyd, Interim City Manager *RB*

Date: September 2, 2025

Re: Consider a Professional Service Agreement with Garver Engineering for the Farley Street Reconstruction Project

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**Recommended Motion:** "I move to approve a professional service agreement with Garver, LLC in the amount of \$792,561 for design and construction engineering services associated with the Farley Street Reconstruction Project, and authorize the City Manager to execute all necessary documents."

**Item Description:** Consider approval of a professional service agreement with Garver, LLC for design and construction engineering services associated with the Farley Street Reconstruction Project.

**Item Summary:** The proposed Farley Street Improvement Project includes the reconstruction and widening of Farley Street from two lanes to four concrete paved lanes, extending from Brown Singleton Park to the US Highway 287 Frontage Road. The project scope also includes installation of storm drainage, water main line, wastewater main line, roadway illumination, sidewalks, and a trail to support multi-modal transportation and improve overall infrastructure.

On April 16, 2025, Lee Engineering completed a Traffic Analysis to determine the precise limits for the current widening and any traffic signal needs for the corridor. Based on the findings, the project limits were set between the US-287 Frontage

Road and Brown Singleton Park. The transition between a four-lane and two-lane road will occur east of the bridge. No changes to the bridge are proposed with this project.

**Fiscal Impact:** The Farley Street Reconstruction project is included in the approved 5-year CIP program and the \$792,561 professional services agreement with Garver, LLC will be funded as follows: FY 2023 Streets CO Bond (\$600,591), FY 2020 Water CO Bond Fund 516 (\$90,614), FY 2019 Wastewater Bond Fund (\$14,336), FY 2020 Wastewater Bond Fund 524 (\$79,854), and the FY 2021 Wastewater Bond Fund 526 (\$7,166).



# Memorandum

To: Honorable Mayor and City Council

From: James Gaertner, P.E., CFM, CPM Director of Public Works and Engineering

Thru: Ricky Boyd, Interim City Manager *RB*

Date: September 2, 2025

Re: Consider Ordinance Amending Code of Ordinances Chapter 32 – Traffic

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**Recommended Motion:** "I move to approve an ordinance amending Section 32-248 of Chapter 32 – Traffic of the Waxahachie Code of Ordinances, to add a portion of Marshall Road to the Prohibited Truck Traffic list and authorize the Mayor and/or Interim City Manager to execute all the necessary documents."

**Item Description:** Consider approval of the revision to the Code of Ordinances Chapter 32 – Traffic. This revision will add a section of Marshall Road to the city prohibited truck traffic list.

**Item Summary:** Amending Section 32-248 of Chapter 32- Traffic will add Marshall Road from Ovilla Road to Patrick Street to the list of enforceable prohibited truck traffic. Currently there are "No Truck Traffic" signs placed along this section of Marshall Road since the asphalt pavement portion is not truck traffic rated. In the future, once the road is widened to 4 lanes and designed for truck traffic, city staff will bring another revision to this ordinance to the city council to remove this prohibition.

**Fiscal Impact:** There is no direct fiscal impact associated with this action.

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

**AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING CHAPTER 32, "TRAFFIC," OF THE CODE OF ORDINANCES BY AMENDING SECTION 32-248, "PROHIBITED TRUCK TRAFFIC"; AND PROVIDING AN EFFECTIVE DATE.**

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

**WHEREAS**, the City Council has further determined that it is in the best interests of the City and its residents to designate certain streets in the City as streets where truck traffic shall be restricted.

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

**SECTION 1.** That Chapter 32, "Traffic," of the City's Code of Ordinances is hereby amended as follows:

A. By adding Marshall Road to Section 32-248, "Prohibited Truck Traffic," Section 32-248 shall be amended to read as follows:

Street Name:	Extent:
Marshall Road	From FM 664 (Ovilla Road) to Patrick Road
Patrick Road	From Thornhill Drive to Marshall Road
Spring Creek Drive	From FM 813 (Brown Street) to FM 813

Exception: This section does not apply to vehicles owned and controlled by the city.

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

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

**SECTION 4.** That this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

(28)

**DULY PASSED** by the City Council of the City of Waxahachie, Texas, this the 2<sup>nd</sup> day of September, 2025.

CITY OF WAXAHACHIE, TEXAS

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BILLIE WALLACE, MAYOR

ATTEST:

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AMBER VILLARREAL, CITY SECRETARY

APPROVED AS TO FORM

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TERRENCE S. WELCH, CITY ATTORNEY