

A G E N D A

A regular meeting of the Mayor and City Council of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on ***Monday, December 1, 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. Recognize Bittersweet Bakery for fundraising efforts in support of a local Waxahachie family
 - c. Present Keep Waxahachie Beautiful Committee Pride in Neighborhood (PIN) Award
 - d. Recognize Rick Keeler as the Texas “Planning Advocate of the Year,” awarded by the American Planning Association and for his service on the Planning and Zoning Commission
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 November 17, 2025
 - b. Event application for Toys for Tots Event to be held December 5, 2025 at Railyard Park
 - c. Contract for Howard Road Wastewater Treatment Plant Clarifier No.1 and No.2 Rehabilitation Project in the amount of \$1,096,795
 - d. Professional Services Agreement for the Robert W. Sokoll Water Treatment Plant Capacity Upgrading Improvements Study in the amount of \$117,220

- e. Professional Services Agreement for the 2026 Water and Sewer Rehabilitation Project in the amount of \$282,495
 - f. Funding request for professional services related to a Downtown Alley Revitalization Project in the amount of \$15,000
 - g. Downtown Building Improvement Program Grant Application for 208 ½ S. Rogers Street in the amount of \$26,274.87
 - h. Downtown Building Improvement Program Grant Application for 209 W. Main Street in the amount of \$63,475.00
 - i. Supplemental appropriation for legal expenses at Mid-Way Regional Airport in the amount of \$35,000
 - j. Proposed Ordinance repealing Chapter 19 “Mobile Homes” of the Code of Ordinances in its entirety
7. **Public Hearing** on a request by David Williams, for an Amendment to Ordinance No. 3583, to allow for reduced fire lane, paving, screening, landscaping, and sidewalk requirements within an approved Specific Use Permit (SUP) for Batch Plant and Outside Storage uses (Rinker Materials), located at 1220 Solon Road (Property ID 140094) - Owner: J & G Concrete Operations LLC (ZDC-154-2025)
 8. **Consider** proposed Ordinance approving ZDC-154-2025
 9. **Public Hearing** on a request by Brian Burks, for a Replat of Lots 5 & 6 of the Leo Hightower Lots addition to create Lots 5A & 6A of the Leo Hightower Lots addition, 2 residential lots, being 1.194 acres, located at 139 Lakeshore Drive, (Property ID 174097) – Owner: William Larry Burks and John Brian Burks (SUB-155-2025)
 10. **Consider** approval of SUB-155-2025
 11. **Consider** proposed Ordinance No. 3641, “Waxahachie Cultural Arts and Heritage Commission,” to increase commission membership, establish staggered terms, and provide for initial appointment terms and an effective date
 12. **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 legal issues related to the city manager transition, pending or contemplated litigation as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto
 13. **Reconvene** and take any necessary action
 14. Comments by Mayor, City Council, City Attorney and City Management
 15. 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.

ACCESSIBILITY STATEMENT

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 ADA Coordinator at (469) 309-4000 or (TDD) 1-800-RELAY TX

A regular meeting of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Monday, November 17, 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

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

1. Call to Order

Mayor Billie Wallace called the meeting to order.

2. Invocation

3. Pledge of Allegiance and Texas Pledge of Allegiance

Lieutenant Michael Gutierrez, Salvation Army, gave the invocation. Mayor Wallace led the Pledge of Allegiance, and the Texas Pledge of Allegiance.

4. Announcements/Presentations

- a. Introduce Honorary Council Member
- b. Present Proclamation recognizing the Salvation Army's Annual Mayoral Challenge from early November-December 23rd
- c. Present Proclamation proclaiming November 19, 2025 as "GIS Day"
- d. Recognize Rick Keeler for his service on the Planning and Zoning Commission
- e. Recognize the Waxahachie Police Department for receiving the award of *Accredited Law Enforcement Agency* from the Texas Police Chiefs Association Law Enforcement Accreditation Program

Council Member Chris Wright introduced November Honorary Council Member Brad Elliott. Mr. Elliott has served in law enforcement for 25 years, most of them in Ellis County, where he currently works as a sergeant with the Ellis County Sheriff's Office overseeing the civil division, fugitive transport, warrants, and animal control. Deeply committed to community service, Sergeant Elliott has served on the boards of the Ellis County Children's Advocacy Center and Italy Shop with a Hero, and he currently chairs the Bridges Training Foundation in Midlothian, which supports individuals and families through advocacy, education, and vocational programs.

He is also in his third year as a board member for the North Texas Behavioral Health Authority (NTBHA), helping ensure access to quality, recovery-oriented mental and behavioral health services for all. In addition, Brad is collaborating with local organizations, Pet Coalition of Ellis County and Snip it in the Bud, to develop sustainable solutions following the SPCA's departure from Ellis County.

He and his wife, Brittany, in her 17th year of teaching in Midlothian ISD, are proud parents to their daughter, Boston, who shares their family's passion for serving others and is involved in their Church Renovation Kidz service projects.

Mayor Pro Tem Patrick Souter presented a proclamation recognizing the Salvation Army's Annual Mayoral Challenge from early November-December 23rd.

Mayor Wallace presented a proclamation recognizing November 19, 2025 as "GIS Day."

Rick Keeler will be recognized at the December 1st City Council meeting for his 20 years of service to the Planning and Zoning Commission.

Retired Police Chief Mike Alexander, on behalf of the Texas Police Chiefs Association, recognized the Waxahachie Police Department for receiving the award of *Accredited Law Enforcement Agency* from the Texas Police Chiefs Association Law Enforcement Accreditation Program.

5. Public Comments

Linda Brooks expressed opposition to the recently adopted overnight-camping ordinance, stating that it has hindered her ability to minister to people in need. She explained that she lives in a bus in order to travel and provide ministry, and noted that she has served as an unpaid public servant for eight years, assisting the homeless and helping prevent crimes. She requested permission to continue overnight camping at key locations in Waxahachie so she can continue her ministry work.

Bob Ferris, 6059 E FM 875, Waxahachie, Texas, requested to work with James Gaertner, Executive Director of Public Works and Engineering, to resume efforts to establish quiet zones in Waxahachie.

Kyle Cooper, Senior Director of Parks and Recreation, thanked the City Council for their support and expressed his appreciation for the opportunity to serve as Parks Director. He announced that this would be his final City Council meeting.

Wallace Swayze, 311 Lone Elm Road, Waxahachie, Texas, spoke on behalf of the community near the proposed ZDC-232-2024 development. He requested more detailed information on the project, including its anticipated timeline, and asked to be kept informed of any changes.

6. Consent Agenda

- a. Minutes of the City Council meeting of November 3, 2025
- b. Proposed Ordinance approving a request by Bob Cao, for a Petition for ETJ Release for approximately 11.026 acres, located at 2800 N 77 Waxahachie (Property ID 189296) – Owner: Bob Cao (ETJ-PTN-138-2025)
- c. Purchase of Replacement Wheel Loader for Convenience Station in the amount of \$225,137.16
- d. Resolution Adopting a Policy and Procedures for the Installation and Content of Building Plaques

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- e. Receive and accept the FY 2025 Impact Fee Revenue and Expenditure Activity End-of-Year Report
- f. Interlocal Agreement with Ellis County for maintenance of roads, bridges, waterways and ditches

ORDINANCE NO. 3685

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 11.026 ACRE TRACT OF LAND, LOCATED AT 2800 N US HIGHWAY 77, KNOWN AS PROPERTY ID 189296, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

RESOLUTION NO. 1394

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ADOPTING A POLICY AND PROCEDURES FOR THE INSTALLATION AND CONTENT OF BUILDING PLAQUES IN NEWLY CONSTRUCTED OR SUBSTANTIALLY REHABILITATED CITY FACILITIES.

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 Patrick Souter and carried unanimously (5-0).

- 7. Consider a request by Presbyterian Children's Homes and Services for an annexation agreement for approximately 204.94+/- acres situated off of Brookside Road in the Elijah Bellow Survey, Abstract Number 10, Ellis County, Texas**

Trenton Robertson, Senior Director of Planning, announced that the applicant has requested to continue this item to the December 15th City Council meeting. This case is associated with ZDC-232-2024.

Action:

Chris Wright moved to continue the Presbyterian Children's Homes annexation agreement to the December 15th City Council Meeting. Motion was seconded by Patrick Souter and carried unanimously (5-0).

- 8. Public Hearing on a request by Dr. Haroon Rasheed, for a Zoning Change from a General Retail (GR) zoning district to Planned Development-General Retail (PD-GR) zoning district with reduced minimum parking requirements, located at 600 Ferris Avenue (Property ID 170756) - Owner: HR Waxahachie Land LP (ZDC-143-2025)**

Mr. Robertson presented the Item. The applicant proposes to rezone the subject property from a General Retail (GR) zoning district to a Planned Development-General Retail (PD-GR) zoning district to reduce the minimum parking requirements for the subject property to 69 spaces. The

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number of parking spaces currently present on the subject property is 69. No other modifications to the typical requirements of the GR zoning district are proposed with this PD request.

The subject property was originally developed in 1965. At that time, approximately 69 parking spaces were developed with the subject property. The property was purchased by the current owner in 2015 and the building on the subject property was significantly remodeled at that time. The parking count and configuration was not changed as part of the remodel, but a portion of the parking lot was improved to concrete along Ferris Avenue and the rest of the parking lot was resurfaced as asphalt. Since the remodel of the site was completed, the building has been partially occupied by medical office users.

Since the time of the original development of the property in 1965, minimum parking requirements have changed. The site is fully developed and no additional parking can be added to the property. The current parking count prevents full occupancy of the building. For example, if the entire building were to be occupied by medical office users, the current GR zoning would require a minimum of 290 parking spaces to be present on site. The proposed PD reduces the minimum parking requirement for the property to 69, the current number of existing parking spaces on the property. Approval of the PD would eliminate minimum parking requirements as a barrier to full occupancy of the building.

Mr. Robertson noted that the subject property has historically been adequately supported by the current number of parking spaces on the site. The property owner has submitted a letter with this PD request noting that approximately 40% of the building is currently occupied. The applicant states that current occupants routinely use less than 50% of the current parking on the subject property. Due to the limited use of the existing parking on the property, and the history of the existing parking being sufficient to support past tenants, staff is supportive of the PD request.

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

Dr. Haroon Rasheed, of 3620 Ranchero Road in Plano, Texas, requested approval, stating that efforts to coordinate shared parking with the neighboring property were unsuccessful.

Mayor Wallace opened the Public Hearing at approximately 7:48 p.m.

There being no others to speak for or against ZDC-143-2025, Mayor Wallace closed the Public Hearing at approximately 7:48 p.m.

9. Consider proposed Ordinance approving ZDC-143-2025

ORDINANCE NO. 3686

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM GENERAL RETAIL (GR) TO PLANNED DEVELOPMENT-GENERAL RETAIL (PD-GR) LOCATED AT 600 FERRIS AVENUE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING

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1.239 ACRES KNOWN AS A PORTION OF LOT 5, BLOCK 27, ALL OF BLOCK 28, AND LOT 1, BLOCK 29 OF THE TOWN ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Patrick Souter moved to approve ZDC-143-2025, a Planned Development zoning change request for 600 Ferris Avenue and authorize the Interim City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Tres Atkins and carried unanimously (5-0).

- 10. 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)**

Mr. Robertson announced the applicant has submitted a request to withdraw the Item at this time.

- 11. Consider proposed Ordinance approving ZDC-91-2024**

No action taken.

- 12. Consider Development Agreement for ZDC-91-2024**

No action taken.

- 13. Public Hearing on a request by Matthew Smith, Darwood Partners, for a Zoning Change from a General Retail (GR) zoning district to Planned Development – Neighborhood Services (PD-NS) zoning district located directly east of 365 Broadhead Road (Property ID(s): 242234, 231109 – Owner(s): WP Legacy LTD (ZDC-24-2025)**

Mr. Robertson presented the Item. The subject property was zoned to General Retail (GR) as part of the Garden Valley planned development in 2002 (ZA2002-21) to promote commercial development properties along the entrance corridor. The subject property is currently situated on an unplatted lot.

Previously, the applicant submitted a Specific Use Permit (SUP) application to allow a Convenience Store with Gasoline Sales use (ZDC-139-2024). However, the SUP request was disapproved by City Council on December 2, 2024.

The applicant is now proposing to rezone the subject property from General Retail (GR) zoning district to a Planned Development – Neighborhood Services (PD-NS) zoning district to lower the intensity of uses that would typically be allowed on the subject property under the GR zoning district but not the NS zoning district. Therefore, the applicant proposes to rezone the subject property to allow non-residential uses on a smaller scale to serve the adjacent properties without compromising the characteristics of the existing development(s). The application includes a concept plan to reflect how the owner visualizes for the subject property to be developed. A site

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plan application is required to be submitted for administrative approval prior to the development of each lot.

The Neighborhood Service (NS) Zoning District is defined as a limited retail category intended for the use of nearby neighborhood areas for the purpose of supplying day-to-day needs and personal services. Establishments should include small, freestanding retail structures, such as convenience stores and neighborhood oriented personal service establishments. Sites zoned NS should generally utilize an existing or small corner lot within a logical neighborhood area.

The applicant has revised the proposed 7-Eleven proposal since the disapproval of the previous SUP request in 2024. Specifically, the proposal has been updated by shifting the structures towards the center of the western tract of land of the subject property. The applicant has provided a different set of elevations/façade that utilizes over 80% of masonry throughout the building and redesigned the structure to incorporate some of the existing architectural features of the adjacent subdivision (Garden Valley and Buffalo Ridge).

The applicant proposes to specifically allow for a Convenience Store with Gasoline Sales use with this PD request while maintaining other requirements of the existing NS zoning district. The proposed 7-Eleven is an approximately 4,800 square foot single-story building. The proposal includes a gasoline canopy with five (5) dual-sided pumps. The site plan proposed by the applicant includes a sufficient number of parking spaces to support the development.

The applicant has provided one set of elevations/façade. The proposed elevations/façade includes a combination of brick, stone, and stucco.

The lot(s) located on the eastern and western sides of the subject property will both have one access point onto Garden Valley Parkway and one access point onto Broadhead Road. The subject property will have private drives covered by mutual access easements for cross access between lots. The access easements shall be dedicated by plat prior to each lot being developed. The applicant also proposes to install pedestrian sidewalks along Garden Valley Parkway and Broadhead Road, connecting to the existing sidewalks. In addition, the applicant is proposing to install 4' decorative iron fencing along the sidewalks located at all entrances and corners of both thoroughfares to provide a safety barrier for pedestrians, cyclists, and drivers, and to redirect traffic flow for pedestrians and cyclists.

The applicant proposes to preserve the existing mature trees that are located within the subject property by acquiring more land to shift the proposed location of the structure and gas canopy to install required trees without disturbing the existing trees. The applicant proposes to meet the landscape requirements as required. The applicant proposes to construct an eight-foot (8') masonry screening wall and a 40' landscape buffer with installation of additional canopy trees adjacent to the Garden Valley neighborhood to the north to provide a buffer between the existing residential subdivision.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 40 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light, and a sign was visibly posted at the property. Staff has received five (5) letters in opposition and two (2) letters in support for the proposed Zoning Change request.

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Matthew Smith, 1008 Macon Street, Fort Worth, Texas, explained that Darwood Partners, applicant, has spent nearly a year collaborating with staff to address neighborhood concerns. He noted that the proposed 7-Eleven building has been shifted westward, further from the intersection, and that sidewalks and fencing have been incorporated to enhance pedestrian safety. Additional site plan improvements include meeting an 80% masonry requirement for the building, increasing landscaping with a 40-foot buffer adjacent to single-family residences, requiring a 24-hour enhanced security system for all buildings, preserving the majority of existing trees on the site, and upgrading the 7-Eleven elevations to better complement the surrounding neighborhood.

City Council discussed the proposed loop in the sidewalk at Garden Valley, which was the applicant's proposal to address safety concerns from neighboring residents and discourage pedestrians from darting across the street. Councilman Travis Smith expressed doubt about its effectiveness, suggesting that children might still ignore the loop and cross unsafely. Alternatives, such as keeping the sidewalk straight, were proposed.

Discussion continued to address lighting and crosswalk safety. It was noted that no sidewalk or crosswalk lighting is currently planned, though some lighting exists nearby. City Council agreed that adding streetlights, particularly at intersections and crosswalks, would improve safety, while flashing lights were considered ineffective and maintenance-heavy.

City Council discussed the width of the crosswalks. Current standards are typically 5–6 feet, but there was consensus to widen them at key intersections, such as Garden Valley, to improve visibility and safety for pedestrians.

A crosswalk and sidewalk design at the Broadhead and Garden Valley intersection is currently under review and City Council considered discussion on safety concerns and potential improvements. A new six-foot-wide crosswalk is proposed on the south side of Broadhead, connecting to existing paths, with white stripes used to designate the crossing. While pavers exist on parts of Broadhead and Garden Valley, they are inconsistent. Sidewalks may be meandered slightly to move pedestrians further from Broadhead traffic, though straighter paths are preferred for practicality. Near the Knights of Columbus property, the sidewalk will shift slightly onto private property and continue north. Most existing trees will be preserved, with a 40-foot buffer along Garden Valley, and shrubs and lighting, including two pole lights at the entrance, are planned. Current stop signs may cause congestion as development increases, so electrical conduits for future traffic signals could be installed now, though full signal installation isn't recommended yet due to uncertainty in placement.

James Gaertner, Executive Director of Public Works and Utilities, noted a traffic circle is likely impractical due to space constraints, and signals, while more cost-effective, are expensive, with installation costs estimated around \$400,000–\$475,000. Signal takeover is planned when traffic exceeds 50,000 vehicles, projected around 2030–2031. Overall, the plan prioritizes pedestrian safety, preserves greenery, and prepares for future traffic increases while balancing cost and feasibility for traffic control measures.

Staff is preparing for TxDOT to hand over traffic signal responsibilities, and efforts are underway to upgrade systems and address staffing for ongoing maintenance. Currently, the City has no responsibility for traffic signals, and existing stop signs are insufficient for high-traffic areas, especially with significant residential growth in the county.

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City Council agreed on planning for a future traffic signal, contingent on securing the necessary right-of-way for installation. Crosswalk improvements are a priority, including widening them, using reflective thermoplastic paint for visibility, and adding sidewalks on both sides of Garden Valley to enhance pedestrian safety. City Council expressed concerns about children's safety, particularly at Broadhead and Garden Valley, emphasizing the need for clear pedestrian zones and effective crosswalks.

Councilman Wright requested relocating the ATM to reduce theft risk while maintaining a 24/7 operation. Mr. Smith explained that 7-Eleven plans on implementing a vehicle ID and license plate monitoring system for enhanced safety.

It was the general consensus of City Council to focus on balancing growth, traffic control, pedestrian safety, and security measures.

Mayor Wallace opened the Public Hearing at approximately 8:25 p.m.

Those who spoke in opposition:

Scott Quirin, 255 Bear Trail, Waxahachie, Texas

Ryan Young, 230 Mockingbird, Waxahachie, Texas

There being no others to speak for or against ZDC-24-2025, Mayor Wallace closed the Public Hearing at approximately 8:29 p.m.

14. Consider proposed Ordinance approving ZDC-24-2025

ORDINANCE NO. 3687

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM GENERAL RETAIL (GR) TO PLANNED DEVELOPMENT-NEIGHBORHOOD SERVICES (PD-NS) AND LOCATED DIRECTLY EAST OF 365 BROADHEAD ROAD IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 6.721 ACRES KNOWN AS PROPERTY ID 231109 & 242234, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE

Action:

Chris Wright moved to approve ZDC-24-2025, a Zoning Change for a General Retail zoning district to a Planned Development – Neighborhood Services zoning district, subject to the conditions of the staff report and authorize the Interim City Manager to execute all necessary documents.

Travis Smith amended the motion to include added street lights on all eight (8) corners where it intersects the two main thoroughfares, apply our street light requirements for any new neighborhood development, widen the crosswalks across Garden Valley Parkway and Broadhead Road to a minimum of eight feet with striping, continue working with staff to address future light signal needs, and incorporate the traffic diagram presented by James Gaertner on the configuration of the sidewalk along Garden Valley. Chris Wright accepted the amendments.

The applicant confirmed they are agreeable to working with staff on the street improvements.

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Motion was seconded by Tres Atkins and carried unanimously (5-0).

Councilman Smith expressed hesitation about the 24/7 operation but recognized the zoning request is tied to allowing gas pumps, which would otherwise be restricted. He emphasized that securing approval allows the City to implement safety and walkability improvements, benefiting residents. While City Council acknowledges concerns, the development is already underway and comparable to other existing 24/7 businesses in the area, and that continued growth in the region is inevitable. Councilman Smith noted this plan represents the best and most productive use of the property in the broader context.

15. Consider Development Agreement for ZDC-24-2025

Action:

Travis Smith moved to approve the Development Agreement for ZDC-24-2025 and include the amendments and offsite improvements included in the Planned Development. Motion was seconded by Tres Atkins and carried unanimously (5-0).

16. Public Hearing on a request by Dennis Church, Minto Communities Texas, LLC, for a Zoning Change from Planned Development-Mixed Use Residential (PD-MUR), Single Family-1 (SF-1), Future Development (FD), and General Retail (GR) zoning districts to a Planned Development (PD) zoning district, located at 300 Brookside Road (Property ID's 179468, 179534, 182520, 187960, 189323, 189326, 189333, 189336, 192306, 193815, 193822, 193823, 234203, 263786, 264568, 303651, 303652) – Owners: Walton Texas LP, United Presbyterian Homes, William & Leanne Kelley (ZDC-232-2024)

Mr. Robertson announced the applicant requested to continue the Public Hearing to the December 15, 2025 City Council meeting.

Action:

Tres Atkins moved to continue the Public Hearing for ZDC-232-2024 to the December 15, 2025 City Council Meeting. Motion was seconded by Travis Smith and carried unanimously (5-0).

17. Consider proposed Ordinance approving ZDC-232-2024

No action taken.

18. Consider Development Agreement for ZDC-232-2024

No action taken.

19. Consider approval to carry forward prior year encumbrances and make corresponding adjustments to the Fiscal Year 2026 Budget

Chad Tustison, Senior Director of Finance, presented the Item. The item requests City Council approval to carry forward outstanding encumbrances from Fiscal Year 2025 into the Fiscal Year 2026 budget. Carrying forward encumbrances ensures that funds that have been committed for

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goods and services but not yet received by the end of FY 2025 remain available for their intended purpose in FY 2026.

This adjustment aligns with standard accounting practices and maintains accurate budgetary control by properly reflecting prior-year obligations. Approval of this item will authorize staff to amend the FY 2026 budget to include these encumbrances as part of the City's continuing financial commitments. Attached is a summary schedule listing all prior-year encumbrances requested to be carried forward.

The carry forward of prior year encumbrances does not result in any net increase to the City's anticipated expenditures or budget authority. These amounts were already appropriated, committed, and encumbered in the prior fiscal year's budget. Carrying them forward allows for the completion of existing contractual obligations using the previously approved funds, ensuring continuity of operations without requiring additional appropriations in the current fiscal year.

Action:

Patrick Souter moved to approve the carry forward of prior year encumbrances and making corresponding adjustments to the Fiscal Year 2026 budget. Motion was seconded by Travis Smith and carried unanimously (5-0).

- 20. 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 legal issues related to the city manager transition, pending or contemplated litigation, and seek legal advice regarding council procedural issues, all as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto**

Mayor Wallace announced at 8:53 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, as permitted by Texas Government Code Section 551.074; to consult with the City Attorney regarding legal issues related to the city manager transition, pending or contemplated litigation, and seek legal advice regarding council procedural issues, all as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto.

- 21. Reconvene and take any necessary action**

The meeting reconvened at 10:15 p.m.

Action:

Travis Smith moved to authorize the Interim City Manager and City Attorney to execute any and all documents related to the nonsuit of the lawsuit styled City of Waxahachie v. Fleming, et al.,

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Cause No. 118767 in the 40th Judicial District Court of Ellis County. Motion was seconded by Tres Atkins and carried unanimously (5-0).

22. Comments by Mayor, City Council, City Attorney and City Management

City Attorney Terry Welch wished everyone a Happy Thanksgiving.

Councilman Chris Wright thanked residents near the 7-Eleven for their feedback and assured them that their concerns were heard and addressed as best as possible. Local resident, Paul Box, is currently in Antarctica participating in the “seven marathons on seven continents in seven days” challenge. Councilman Wright praised the GIS team for their impressive mapping work, acknowledged community involvement with the Salvation Army, and commended Police Chief Joe Wiser and his team. Mr. Wright announced Global High School’s achievement in winning an international science and engineering competition. He thanked Deputy Sheriff Brad Elliott for his extensive community involvement. Mr. Wright mentioned ending up with three new puppies after from the Animal Shelter and encouraged the community to adopt from the shelter because kennel space is limited.

Mayor Pro Tem Patrick Souter praised Brad Elliott for his exceptional character and public service, expressed pride in the police department’s accreditation, and commended the GIS team for their impressive work and contributions across city projects. He then voiced strong frustration with developers or applicants who submit changes to staff right before Council or P&Z meetings, leading to repeated continuances. He emphasized that last-minute delays are disrespectful to staff and to residents who attend meetings to voice concerns, and he warned that this issue will factor into his questioning moving forward.

Planning Director Trenton Robertson thanked the GIS staff, echoing others’ praise. He emphasized that while people often only see the map, they don’t realize the extensive data, research, and analysis behind it, and he commended the GIS team as some of the best in the industry for their hard work.

Deputy City Manager Albert Lawrence praised Chief Joe Wiser and the entire police department, emphasizing that Chief Wiser’s leadership earns deep respect both within the department and across the entire organization. He noted that many employees appreciate the chief’s support and example, and he highlighted the positive, organization-wide impact of Chief Wiser’s leadership.

Councilman Travis Smith reiterated his strong support for Chief Joe Wiser, commending his exceptional leadership of the police department and his calm, dignified approach to addressing community concerns—qualities that set a standard for the entire force. Mr. Smith praised his longtime friend Brad Elliott, emphasizing his deep commitment to faith, family, and community. Councilman Smith expressed strong confidence in Mr. Elliott’s bid for Justice of the Peace, noting his integrity, service-minded attitude, and reputation for always taking the high road. Mr. Smith announced he is looking forward to the Mayor’s Hometown Huddle on Thursday, November 20th at 10 a.m.

Councilman Tres Atkins expressed his support for Brad Elliott, praising him as a great individual and wishing him well in his continued public service. Mr. Atkins spoke highly of the Salvation Army, sharing a personal story from Hurricane Ike when they were the first to help his family, and

(lea)

he encouraged others to volunteer with the organization. Councilman Atkins also commended Chief Wiser, expressing deep appreciation for his often-unseen work and leadership.

Interim City Manager Ricky Boyd thanked the GIS Department and Chief Joe Wiser's team for their hard work, as well as Finance Director Chad Tustison for helping enhance transparency. Mr. Boyd announced that the Texas Amateur Athletic Federation is holding its 100th annual conference in Waxahachie for the first time. He praised Sport Complex Director James Villarreal and Civic Center Director April Ortiz for hosting the event and shared that Waxahachie won the Small Cities Award for its number of athletic events. He also congratulated James Villarreal for receiving an individual award recognizing 20 years of service, including five years on the softball committee. Mr. Boyd concluded by noting the strong performance of Mr. Villarreal's team at the Sports Complex, which brings significant activity and visitors to the city.

Mayor Billie Wallace praised Chief Joe Wiser for his hands-on leadership, noting that he works alongside his officers and remains accessible rather than hidden behind layers of administration. Mayor Wallace commended the police department for earning accreditation for the fourth time and expressed pride in their work to keep the community safe. Mayor Wallace wished everyone a Happy Thanksgiving and thanked citizens for attending the meeting.

23. Adjourn

There being no further business, the meeting adjourned at 10:16 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(ub)



City of Waxahachie
Special Events Application
Event: 12/5/2025 Toys for Tots Event

Date of submission: 11/4/2025

Applicant Information

Applicant name: Casting No Stones Host organization name: Joshua Trees

Are you representing the host organization? Yes

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

Cell phone number. Alternative phone number _____

Email address: chloe@jkcorporate.com

Mailing address: PO BOX 886 Italy, Texas 76651

About the Event

Event name: Toys for Tots Event

Event Date	Event Start Time	Event End Time
12/5/2025	6:00PM	9:00PM
Event Set up / Breakdown Date	Set up Start Time	Breakdown End Time
Set up: 12/5/2025	5:00PM	
Breakdown: 12/5/2025		9:00PM

Will the event be held at Railyard Park? Yes

- I understand I must contact Danielle Guinn, Cultural Arts & Programming Coordinator, to coordinate event details.

Anticipated attendance: 200+

Description of event: Toys for tots drive

How many times has this event been hosted before? 2

Best description of the event: Charitable / Fundraising

Event activities include: Street closure

The event is: Free and open to the general public

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City of Waxahachie
Special Events Application
Event: 12/5/2025 Toys for Tots Event

Food and Beverage

Will the event offer food / beverage (sampled, served, sold)? Yes

- **I understand that all food and drink vendors are required to obtain a health permit at least five days prior to the event. Permits must be visibly displayed on-site at all times for consumer awareness. Health permits will not be approved until the event has received approval.**

Will the event require any food preparation on site? No

Will alcohol be present, served, or sold? No

Street Closures

Does the event propose closing, blocking, or using City streets and / or parking lots? Yes

Please list all streets, intersections, and parking lots that apply: S College (right in front of Fresh coffee)

Street closing to begin / end at: 5:00PM to 9:00PM

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

Equipment

Does the proposed event require portable toilet facilities? No

Are you requesting to use City-owned equipment? (barricades, cones, and / or other) Yes, barricades for the requested street closure.

Please indicate the type (cones / barricades / other) of equipment and how many you are requesting: barricades (4)

Where should the equipment be dropped off and picked up? Railyard Park

When (date & time) will the traffic equipment be set-up? 5:00 pm

When (date & time) will the traffic equipment be removed? 9:00 pm

Waste Management Plan

Describe how trash and waste will be managed before, during and after the event: We will be taking all big trash with us. Typically, the coffee truck we use has a trash can of its own for coffee drinkers.

Temporary Tents & Structures

Will the event have a tent(s) larger than 400 square feet? No

Electrical Services

Will your event need electrical services? No

(6b)



City of Waxahachie
Special Events Application
Event: 12/5/2025 Toys for Tots Event

Site Map Requirement

A detailed site map must be submitted as part of the special event application. The map should accurately depict the layout of the event area and include the following (as applicable):

- Location of all streets, sidewalks, and property boundaries
- Placement of tents, stages, booths, food vendors, and merchandise vendors
- Placement of barricades and / or cones
- Entry and exit points
- Emergency access routes
- First aid stations and fire extinguishers
- Portable restrooms and handwashing stations
- Electrical hookups and generators
- Trash receptacles
- Parking areas
- Any other temporary structures or equipment

The site map must be legible, to scale, and clearly labeled. It should ensure compliance with all safety and accessibility regulations.

- **I understand my application is not considered complete until I email a detailed site map to jami.bonner@waxahachie.com.**

Insurance Requirement

All events held on City of Waxahachie property are required to provide a certificate of liability insurance along with an endorsement page. The City of Waxahachie must be listed as an "Additional Insured" with coverage of at least \$1 million on both documents. The certificate should include the event date and location, and it must be emailed to jami.bonner@waxahachie.com at least one month prior to the event. Additionally, Liquor Liability insurance is required if alcohol will be present, served, or sold at the event. The City of Waxahachie reserves the right to adjust the insurance coverage requirements based on the event's specific risks and potential impact on public safety.

- **I acknowledge and agree to the event insurance requirement.**

(4b)



City of Waxahachie
Special Events Application
Event: 12/5/2025 Toys for Tots Event

Hold Harmless Clause

The Applicant/Organization assumes all risks associated with the approved event and is solely responsible for any damage, injury, or loss, of any kind or nature, to persons or property, arising directly or indirectly from or in connection with the event or the Applicant's operations. The Applicant agrees to defend, indemnify, and hold harmless the City of Waxahachie, its officers, agents, employees, and representatives from any penalties, fines, or liabilities arising from violations of laws, ordinances, or regulations related to the event. The Applicant further agrees to hold the City, its officers, agents, employees, and representatives harmless from any and all claims, lawsuits, damages, injuries, or losses resulting directly or indirectly from the approved activities or the Applicant's operations, including those caused by the negligence or intentional misconduct of the Applicant or its officers, agents, or employees.

By submitting this application, the Applicant waives any and all claims against the City, its officers, agents, employees, and representatives arising from or related to the revocation or cancellation of the event permit.

- **I acknowledge and fully agree to the terms outlined in the Hold Harmless Clause.**

Application Agreement

By submitting the Special Event Application, the applicant / organization has thoroughly read, understands, and agrees to all conditions outlined on this application.

Submitted: 11/4/2025

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(lcc)



Memorandum

To: Honorable Mayor and City Council

From: Kumar Gali, PE, Senior Director of Utilities

Thru: Ricky Boyd, Interim City Manager *RB*

Date: December 1, 2025

Re: Consider Contract for Howard Road Wastewater Treatment Plant Clarifier No.1 and No.2 Rehabilitation Project

Motion: "I move to approve a contract with Environmental Improvements, Inc for the Howard Road Wastewater Treatment Plant Clarifier No.1 and No.2 Rehabilitation project in the amount of \$1,096,795 and authorize the Interim City Manager to execute all necessary documents."

Item Description: Consider contract with Environmental Improvements, Inc for the Howard Road Wastewater Treatment Plant Clarifier No.1 and No.2 Rehabilitation project.

Item Summary: Clarifiers No. 1 and No. 2, originally rehabilitated during the 2005 plant expansion and have exceeded their expected service life. The scope includes removal of existing components and installation of original equipment manufacturer parts supplied by WesTech Engineering LLC for the two Clarifiers, and the installation will be performed by Environmental Improvements, Inc.

WesTech Engineering, LLC is the sole source manufacturer for the parts of these clarifiers and Environmental Improvements, Inc. is the local representative for sales, distribution, maintenance, and installation of the equipment.

Fiscal Impact: Clarifier No.1 and No.2 rehabilitation project is an approved service enhancement in FY 2026 Wastewater Fund Operations and Maintenance budget in the amount of \$1,200,000. The contract amount with Environmental Improvements Inc is \$1,096,795.

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Memorandum

To: Honorable Mayor and City Council

From: Kumar Gali, PE, Senior Director of Utilities

Thru: Ricky Boyd, Interim City Manager *RB*

Date: December 1, 2025

Re: Consider Professional Services Agreement for the Robert W. Sokoll Water Treatment Plant Capacity Upgrading Improvements Study

Motion: "I move to approve a professional services agreement with Plummer Associates, Inc. for the Robert W. Sokoll Water Treatment Plant Capacity Upgrading Improvements Study in the amount of \$117,220 and authorize the Interim City Manager to execute all necessary documents."

Item Description: Consider the approval of a professional services agreement with Plummer Associates, Inc. for the Robert W. Sokoll Water Treatment Plant (Sokoll WTP) Capacity Upgrading Improvements Study in the amount of \$117,220.

Item Summary: The Robert W. Sokoll Water Treatment Plant is a 20 million gallons per day (MGD) membrane water treatment plant jointly owned by the City of Waxahachie and Rockett Special Utility District (Rockett). The Texas Commission on Environmental Quality (TCEQ) approved the current treatment plant capacity at 20 MGD.

This agreement is to conduct a capacity upgrading study with the goal of increasing the treatment plant capacity to 25 MGD. The Study will evaluate the feasibility of increasing sedimentation basins loading rate and the potential capacity gains that may be realized from upgrading the existing membrane system modules to newer version.

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Sokoll WTP is jointly owned by the City and Rockett. The Sokoll WTP Capacity Upgrading Improvements Study is in the amount of \$117,220 and will be split 50/50 between the two entities.

Fiscal Impact: This project is part of the approved 5-year Capital Improvement Program and budgeted at \$250,000 for professional services, funded through the approved Water Fund budget. The professional services agreement is in the amount of \$117,220 and Rockett is aware of the need for this expenditure and will provide funds to the City for half of this cost.

(lee)



Memorandum

To: Honorable Mayor and City Council

From: Kumar Gali, PE, Senior Director of Utilities

Thru: Ricky Boyd, Interim City Manager *RB*

Date: December 1, 2025

Re: Consider Professional Services Agreement for the 2026 Water and Sewer Rehabilitation Project

Motion: "I move to approve a professional services agreement with Nathan D. Maier Consulting Engineers, Inc. for the 2026 Water and Sewer Rehabilitation project in the amount of \$282,495 and authorize the Interim City Manager to execute all necessary documents."

Item Description: Consider approval of a professional services agreement with Nathan D. Maier Consulting Engineers, Inc. for the 2026 Water and Sewer Rehabilitation project in the amount of \$282,495.

Item Summary: This project is part of the Utility Department's approved 5-Year Capital Improvement Program and will replace existing water and wastewater lines due to age and capacity limitations of the lines. The following are the locations of the water and wastewater line replacements design services:

Water Main Replacement Locations:

- Williams St. – from Oldham Ave. to E Parks Ave.
- Dunn St. – from Lynn Ave. to Center St.
- Ferris Ave. – from Sycamore St. to Lynn Ave
- Center St. – from Ferris Ave. to Dunn St.
- Lynn Ave. – from Ferris Ave. to Dunn St.

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Wastewater Main Replacement Locations:

- Williams St. – from Oldham Ave. to E Parks Ave.
- Dunn St. – from Lynn Ave. to Center St.

The professional services agreement includes development of construction drawings, technical specifications, and assistance with bidding and construction administration.

Fiscal Impact: This project is part of the approved 5-year Capital Improvement Program with a total budget of \$500,000 for design services, funded through the Water Fund in the amount of \$300,000 and Wastewater Fund in the amount of \$200,000. The total professional services agreement amount is \$282,495 with \$222,733 of that cost for water projects and \$59,762 for wastewater projects.

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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: December 1, 2025

Re: Consider Funding Request for Professional Services Related to a Downtown Alley Revitalization Project

Motion: "I move to approve a funding request of \$15,000 from the TIRZ Fund for professional services to be provided for a Downtown alley revitalization project, and authorize the Interim City Manager to execute all documents as necessary."

Item Description: Consider authorizing funding from the TIRZ fund in the amount of \$15,000 for professional services related to the design and engineering of a Downtown alley revitalization project.

Item Summary: The Waxahachie Partnership Inc. (WPI) Board developed a transformation strategy to clean-up and beautify the alleys within the city's downtown area. What started as a simple code enforcement and business owner education initiative, gained momentum from the Alley Revitalization Committee. The committee was formed to address the alley issues with cleanliness and activation of space, and were driven to a greater mission to beautify and program the alleys to make them more attractive, useable, and inviting.

The committee is comprised of several WPI members, downtown merchants, and staff that have vetted several versions of alley beautification that involve resurfacing of the alley way, adding entry-way masonry column signs, adding lighting, benches and other furniture as well as planters. The committee agreed to start with the alley between Big Al's and Gran's Antiques as the first phase of

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a multi-phase revitalization project. In order to get the project started, a consultant will need to be hired to design and engineer the project, but to also prepare constructions documents, offer bid assistance, and assist with the construction administration.

Staff have solicited a proposal in the amount of \$15,000 from London Landscapes, who are qualified and capable of taking on this scale of project.

This item was presented to the TIRZ Board on November 12, 2025, and approved unanimously.

Fiscal Impact: The \$15,000 would be funded by the TIRZ fund, which has sufficient capacity to fund the professional services.



Memorandum

To: Honorable Mayor and City Council
From: Gumaro Martinez, Executive Director of Parks & Leisure Services
Thru: Ricky Boyd, Interim City Manager *RB*
Date: December 1, 2025
Re: Consider a Downtown Building Improvement Program Grant Application for 208 ½ S. Rogers Street

Recommended Motion: "I move to approve funding from the TIRZ fund in the amount of \$26,274.87 for the improvements at 208 ½ S. Rogers Street, and authorize the Interim City Manager to execute all documents as necessary."

Item Description: Consider authorizing funding from the TIRZ fund in the amount of \$26,274.87 for the improvements at 208 ½ S. Rogers Street.

Item Summary: The Applicant has submitted a request through the Downtown Building Improvement Grant Program for \$26,274.87, which represents 50 percent of the total project cost of \$52,549.75. The project involves restoration of 14 existing original wood window openings on the Rogers Street front elevation of the Odd Fellows Building. Restoration would include working on the sashes and making sure all double-hung wood window units are properly lined up, along with removal of built up putty, sanding and painting of the window frames on the interior and exterior. Proper preparation and accommodations will be made to capture, remove, and dispose of any lead-based products.

As noted above, the grant request aligns with the Downtown Building Improvement Grant Program, which offers a 50/50 match for qualifying improvement costs up to \$50,000.

This item was presented to the TIRZ Board on November 12, 2025, and approved unanimously.

Fiscal Impact: The \$26,274.87 would be funded by the TIRZ fund, which has sufficient capacity to fund the improvements.



Memorandum

To: Honorable Mayor and City Council
From: Gumaro Martinez, Executive Director of Parks & Leisure Services
Thru: Ricky Boyd, Interim City Manager *RB*
Date: December 1, 2025
Re: Consider a Downtown Building Improvement Program Grant Application for 209 W. Main Street

Recommended Motion: "I move to approve funding from the TIRZ fund in the amount of \$63,475.00 for the improvements at 209 W. Main Street, and authorize the Interim City Manager to execute all documents as necessary."

Item Description: Consider authorizing funding from the TIRZ fund in the amount of \$63,475.00 for the improvements at 209 W. Main Street.

Item Summary: The Applicant has submitted a request through the Downtown Building Improvement Grant Program for \$63,475.00, which represents 50 percent of the total project cost of \$126,950.00. However, the Downtown Building Improvement Program has a grant limit of \$50,000 and anything above that would be approved at the discretion of the TIRZ Board.

The project involves installation of a new TPO roof and metal support braces on the front roof area. Additionally, rotted beams on the front of the building will be replaced and new concrete support columns with metal plates will be installed in the basement.

As noted above, the grant request exceeds the grant amount set by the Downtown Building Improvement Program, which offers a 50/50 match for qualifying improvement costs up to \$50,000.

This item was presented to the TIRZ Board on November 12, 2025, and approved unanimously.

Fiscal Impact: The \$63,475.00 would be funded by the TIRZ fund, which has sufficient capacity to fund the improvements.

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Memorandum

To: Honorable Mayor and City Council

From: Dustin Deel, Senior Director of Administrative Services

Thru: Ricky Boyd, Interim City Manager *RB*

Date: December 1, 2025

Re: Consider Approval of Supplemental Appropriation for Legal Expenses – Mid-Way Regional Airport.

Motion: "I move to approve a supplemental appropriation in the amount of \$35,000 to the Mid-Way Regional Airport Fund for legal expenses."

Item Description: Consider approval of a supplemental appropriation to increase the FY 2025–2026 budget for legal expenses related to the Mid-Way Regional Airport.

Item Summary: Under the current agreement, the City of Midlothian typically pays for legal expenses related to the Airport. However, recent legal activity, that is out of the ordinary, has resulted in costs exceeding what would be normally expected at the Airport.

To address this, staff recommends a supplemental appropriation of \$35,000 from the Airport Reserve Fund to cover current and anticipated legal expenses through the end of the fiscal year. This budget adjustment will allow the Airport to remain financially prepared while ensuring legal services can continue uninterrupted.

Fiscal Impact: This legal expense requires a supplemental appropriation from the Airport Reserve Fund in the amount of \$35,000 to be transferred into the Airport Budget because funding is not available in the current approved operating budget. Sufficient funds are available in the Mid-Way Regional Airport Reserve Fund to fully cover the cost.



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Executive Director of Development Services
Thru: Ricky Boyd, Interim City Manager *RB*
Date: December 1, 2025
Re: Repeal Chapter 19 From the Code of Ordinances

Recommended Motion: "I move to repeal Chapter 19 "Mobile Homes", of the Code of Ordinances in its entirety."

Item Description: Consider approving an ordinance repealing the Mobile Home chapter. This removal eliminates any conflicts between provisions in the Code of Ordinances related to mobile homes and manufactured housing.

Item Summary: The City of Waxahachie currently requires Mobile Home Parks to be registered with the City. These parks must renew the registration on a yearly basis, charging \$1.00 per home to be paid. The ordinance to be repealed also includes design requirements for these parks, as well as construction and utility requirements. These requirements, in addition to registration of the parks, are duplicated from updated ordinance sections. The updated provisions contained in the zoning and land use sections provide adequate enforcement allowances without the need for Chapter 19 to remain active.

Fiscal Impact: The proposed code revision will remove the collection of approximately \$487.00 from the general fund annually.

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CITY OF WAXAHACHIE, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, REPEALING IN ITS ENTIRETY CHAPTER 19, "MOBILE HOMES" OF THE CODE OF ORDINANCES OF THE CITY OF WAXAHACHIE, TEXAS; MAKING FINDINGS; AND PROVIDING FOR 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, Ordinance No. 0950, adopted on about January 22, 1970, is now codified in Chapter 19, "Mobile Homes," of the Code of Ordinances of the City of Waxahachie; and

WHEREAS, state law relative to both mobile homes and manufactured housing since that time has evolved significantly and updated provisions relative to same are contained in the City's zoning and land use provisions; and

WHEREAS, the City Council has determined that Chapter 19 should be repealed in its entirety so there are no conflicts between various provisions in the Code of Ordinances relative to mobile homes and manufactured housing; and

WHEREAS, the City Council further has determined that said repeal is in the best interests 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, Chapter 19, "Mobile Homes," of the Code of Ordinances of the City of Waxahachie is hereby repealed in its entirety and replaced with the following:

"Chapter 19 Reserved."

SECTION 3

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

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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 1ST DAY OF DECEMBER, 2025.

Billie Wallace, Mayor

ATTEST:

Amber Villarreal, City Secretary

Planning & Zoning Department Zoning Staff Report

Case: ZDC-154-2025



MEETING DATE(S)

Planning & Zoning Commission: November 10, 2025
City Council: December 1, 2025

CAPTION

Public Hearing on a request by David Williams, for an **Amendment to Ordinance No. 3583**, to allow for reduced fire lane, paving, screening, landscaping, and sidewalk requirements within an approved Specific Use Permit (SUP) for Batch Plant and Outside Storage uses (Rinker Materials), located at 1220 Solon Road (Property ID 140094) - Owner: J & G Concrete Operations LLC (ZDC-154-2025)

RECOMMENDED MOTION

"I move to deny ZDC-154-2025, a SUP Amendment request for Ordinance No. 3583."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on November 10, 2025, the Commission voted 6-0 to recommend denial of case number ZDC-154-2025.

Since the November 10, 2025 Planning & Zoning Commission meeting, the Applicant has revised their SUP Amendment request to only include a Fire lane modification, landscape reduction, and screening wall manufacturer change.

APPLICANT REQUEST

The applicant requests an amendment to the current Specific Use Permit (SUP) for Permanent Batch Plant and Outside Storage Uses to allow for reduced fire lane paving, landscaping, and a screening wall manufacturer change.

CASE INFORMATION

Applicant: David Williams, Rinker Materials
Property Owner(s): J & G Concrete Operations LLC
Site Acreage: 20.0 acres
Current Zoning: Light Industrial-1 (LI-1) with a Specific Use Permit (SUP) for a Permanent Batch Plant and Outside Storage Uses
Requested Zoning: Light Industrial-1 (LI-1) with a Specific Use Permit (SUP) for a Permanent Batch Plan and Outside Storage Uses

SUBJECT PROPERTY

General Location: 1220 Solon Road
Parcel ID Number(s): 140094
Existing Use: Concrete Batch Plant & Outside Storage (Rinker Materials)

Development History:

On December 16, 2024, City Council approved a SUP (Ord. 3583) for the subject property to allow for Concrete Batch Plant & Outside Storage uses. The purpose of the SUP was to facilitate the construction of additional structures related to the Batch Plant use. As part of the approved SUP, the applicant committed to installing site improvements that were not previously present such as paved drive-aisles, parking, landscaping, and screening.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	LI-1	Holt Cat
East	LI-2	SRM Concrete (ready-mix concrete)
South	C	Undeveloped
West	PD-LI-2	Undeveloped

Future Land Use Plan:

Industrial

Comprehensive Plan:

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 with 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, more profound setback, and/or a screening wall.

Thoroughfare Plan:

The subject property is accessible via Marshall Road and Solon Road.

Site Image:



PLANNING ANALYSIS

The applicant proposes an amendment to the current Specific Use Permit (SUP) for Permanent Batch Plant and Outside Storage Uses to allow for reduced fire lane paving, landscaping, and a screening wall manufacturer change.

Background

A SUP for a Permanent Concrete Batch Plant that was originally approved for the subject property in 2003 with Ordinance 2208. However, at that time, the SUP only covered 5-acres of the 20-acre site and did not permit Outside Storage uses on the rest of the property. In 2024, the property owner proposed to expand their operations by adding an 11,200 square-foot building located northeast of the existing 45,316 square-foot metal building. To accommodate this expansion, a new SUP for a Permanent Batch Plant and Outside Storage uses was proposed to cover the entire 20-acre site. To mitigate potential detriments to the surrounding area stemming from the expansion, the applicant proposed several site improvements. These improvements included the addition of concrete drive aisles, parking, and fire lanes (replacing the existing gravel), 8' masonry screening walls along the north, west, and south property lines, and the addition of landscaping. These improvements are typical requirements for all commercial or industrial development in the City of Waxahachie. City Council approved the proposed SUP with Ordinance 3583 on December 16, 2024.

Proposed Amendments

Following approval of Ordinance 3583, the applicant began preparing construction plans for the Batch Plant expansion and required site improvements. The applicant approached staff in June of 2025 with concern that the required site improvements were too costly to undertake and requested direction on the process to reduce the required improvements. Staff directed the applicant to pursue to the SUP Amendment process to seek City Council approval of site improvement reductions.

The applicant submitted a formal SUP Amendment Application in October of 2025. The applicant identified six (6) specific site improvement requirements that are requested to be reduced or eliminated from the approved SUP. The applicant has requested that these reductions be considered for approval individually, if the reductions are not agreeable when considered all together. The originally requested reductions are identified below.

- ***Firelane Path Reduction***
 - Propose removing the East to West portion of the firelane on South side of existing building and the South to North portion on West side of existing building.
- ***Fireland Paving Material***
 - Propose changing the Firelane material from Concrete to Asphalt
- ***Parking Lot Paving Material***
 - Propose changing the parking lot paving to asphalt
- ***Screening Wall***
 - Propose a similar wall but supplied by different vendor. Design would remain the same.
- ***Landscaping***
 - Propose removing the landscaping inside the screening wall
- ***Sidewalks***
 - Propose removing the portions of sidewalk along Solon Road and Austin Road

As noted above, the reduction requests related to the parking lot, paving material, and sidewalks are no longer being sought by the Applicant.

Staff Concern

The site improvements required by City Council as part of the approval of the SUP for the subject property are compliant with minimum City requirements for new development and are necessary to ensure the use remains compatible with other existing and developing uses in the surrounding area. Staff has concern that the requested reductions to fire lane/drive-aisle improvement requirements could result in negative aesthetic and infrastructure impacts on the surrounding area.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 7 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 zero (0) letters of support and one (1) letter of opposition to the SUP Amendment request.

RECOMMENDATION

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

If the Council is considering approval of the SUP Amendment request, staff recommends that the Council include the following condition of approval:

Condition:

1. The Applicant shall coordinate with City staff to amend the Development Agreement approved in conjunction with the original SUP for the property (Ordinance 3583) to reflect the amendments to the SUP.

ATTACHED EXHIBITS

1. PON Response
2. Ordinance 3583
3. Revised SUP Amendment Request Letter
4. Proposed SUP Ordinance
5. Modified Site Plan
6. Modified Landscape Plan
7. Modified Screening Wall

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

Zack King, AICP
Planning Manager
zking@waxahachie.com

Reviewed by:

Trenton Robertson, AICP
Senior Director of Planning
trenton.robertson@waxahachie.com

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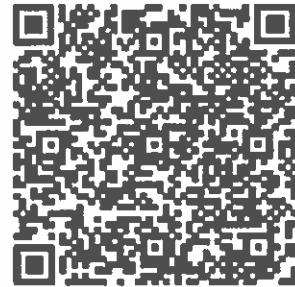
City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-154-2025

WJ SOUTH GROVE LP
600 N Pearl St -Ste 2350 LB 149
Dallas, TX 75201

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Monday, November 10, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, December 17, 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 David Williams, for an Amendment to Ordinance No. 3583, to allow for reduced fire lane, paving, screening, landscaping, and sidewalk requirements within an approved Specific Use Permit (SUP) for Batch Plant and Outside Storage uses (Rinker Materials), located at 1220 Solon Road (Property ID 140094) - Owner: J & G Concrete Operations LLC (ZDC-154-2025)

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 for additional information on this request.



Scan for additional information.

Case Number: ZDC-154-2025

City Reference: 309706

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

We object to the reduction in landscaping & sidewalk requirements & the low quality screening wall that is proposed.

Signature

Michael C. Jackson, VP, WJ South Grove
Printed Name and Title

Date

10.31.2025

Address

*600 N. Pearl St., suite 2350
Dallas, TX 75201*

ORDINANCE NO. 3583

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW BATCH PLANT AND OUTDOOR STORAGE USES (RINKER MATERIALS) WITHIN A LIGHT INDUSTRIAL-1 (LI-1) ZONING DISTRICT LOCATED AT 1220 SOLON ROAD IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 20.00 ACRES KNOWN AS PROPERTY ID 140094, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-172-2024. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from LI-1 to LI-1, with a SUP in order to allow Batch Plant and Outdoor Storage uses on the following property: Property ID 140094, which is shown on the Location Map (Exhibit A), Site Plan (Exhibit B), Landscape Plan (Exhibit C), Elevations (Exhibit D), and Photometric Plan (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.

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR BATCH PLANT AND OUTDOOR STORAGE USES (RINKER MATERIALS) WITHIN A LIGHT INDUSTRIAL-1 (LI-1) ZONING DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. A mutually agreed upon Development Agreement shall be fully executed within thirty (30) calendar days of the approval of this SUP application.
2. The subject property shall conform to the site plan approved by the City Council under case number ZDC-172-2024.
3. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A – Location Map, Exhibit B – Site Plan, Exhibit C – Landscape Plan, Exhibit D – Elevations, and Exhibit E – Photometric Plan.
4. The property owner shall plat this lot prior to the submittal of any building permits.
5. The Owner shall provide a permanent irrigation system for all required landscape areas shown on Exhibit C – Landscape Plan and maintain the landscaping required for screening at all times. If the property owner needs to amend the landscape plan of this SUP, the amendment shall be approved administratively.
6. The inventory stored on-site shall remain behind the existing and proposed structures and screened from the right-of-way.
7. The property owner shall mitigate any lighting and/or glaring issues that causes a nuisance whether the lighting fixtures are existing or proposed.
8. The property owner shall provide 8”-12” opening at the bottom of the screening wall for the sole purpose of drainage.
9. The property owner shall provide cement-stabilized gravel material in areas shown on Exhibit B – Site Plan.
10. The Property Owner shall be responsible for obtaining building permits per the City’s applicable rules and regulations governing such permits.
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 and City of Waxahachie Zoning Ordinance.

(7)

13. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance, the Development Agreement, or Staff Report as approved by City Council, shall conform to those requirements and/or standards prescribed in Exhibit B – Site Plan, Exhibit C - Landscape Plan, Exhibit D – Elevations, and Exhibit E – Photometric Plan. Where regulations are not specified in Exhibits B, C, D, E in this Zoning Ordinance, or the Development Agreement, the regulations of the Light Industrial-1 (LI-1) Zoning District and the City of Waxahachie Zoning Ordinance shall apply to this development.

14. City Council shall have the right to review the Specific Use Permit at any point, if needed.

Compliance

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

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

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

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



Billie Walker
MAYOR

ATTEST:

Amber Villarreal
City Secretary

(1)

ORDINANCE 3583



EXHIBIT A - LOCATION MAP

0 187.5 375 750 1,125 1,500 Feet

ZDC-172-2024 (SUP)

(7)

ORDINANCE 3583 - EXHIBIT C - LANDSCAPE PLAN

HOLLINGSHEAD MATERIALS, LLC
Called 10.679 Acres
Inst. 2334446 OPRECT
S 00°47'32" E 1111.59'

INSTALL: 53-4" CAL. CEDAR ELM (*Ulmus crassifolia*)
LANDSCAPE BUFFER STREET TREES ON 30'
CENTERS AT 5' FROM ROW LINE PER DETAIL.

INSTALL: 1040 S.F. LIRIOPE *muscarif* 'silvery sunproof' INTERIOR
LANDSCAPE AREA GROUND COVER ON 12" CENTERS PER DETAIL.

INSTALL: 405 S.F. MONDO GRASS (*Ophiopogon japonicum*) INTERIOR
LANDSCAPE AREA GROUND COVER ON 12" CENTERS PER DETAIL.

INSTALL: 195 S.F. LANTANA *torrida* INTERIOR LANDSCAPE
AREA SEASONAL COLOR ON 12" CENTERS PER DETAIL.

INSTALL: 43-3 GAL. RED YUCCA (*Hesperaloe parviflora*)
INTERIOR LANDSCAPE SHRUBS ON 3' CENTERS PER DETAIL.

INSTALL: 90-3 GAL. TEXAS SAGE (*Leucophyllum frutescens* 'ThunderCloud')
INTERIOR LANDSCAPE SHRUBS ON 3' CENTERS PER DETAIL.

INSTALL: 2,940 L.F. OF 8' PRECAST MASONRY
SCREENING WALL WITH COLUMNS ON 35' CENTERS.
WALL SECTION AND STRUCTURE TO BE DESIGNED
AND SHOWN ON STRUCTURAL ENGINEERS PLANS.
FENCE AND COLUMNS SHALL BE CONSTRUCTED ON
PRIVATE PROPERTY ADJACENT TO THE FUTURE ROW
OF AUSTIN RD., SOLON RD. AND LOFLAND RD.

INSTALL: 770 - 3 GAL. CHINESE FRINGE FLOWER 'purple pinks' (*Loropetalum chinense*)
along base of wall as screening shrub on 3' CENTERS PER DETAIL.

INSTALL: EVERGREEN TREE LIVE OAK
(*Quercus virginiana*) INTERIOR LANDSCAPE
AREA TREE Plant 13-4" cal. on 25' ctrs.

INSTALL: DECIDUOUS TREE CRAPE MYRTLE (*Lagerstromia indica*)
Plant 39- (6'-8" tall) at 10' off 6' screening fence on 15'
ctr. All Colors in groups of 7 (red, white, purple)

PLANT MATERIAL LIST:

- EVERGREEN TREE: LIVE OAK (*Quercus virginiana*) Plant 13-4" cal. on 25' ctrs.
- DECIDUOUS TREE: CEDAR ELM (*Ulmus crassifolia*) yellow fall color tree. Plant 53-4" cal. on 30' centers.
- DECIDUOUS TREE: CRAPE MYRTLE (*Lagerstromia indica*) flowering tree. Plant 39- (6'-8" tall) on 15' ctrs. Alternate color in groups of 7 (red, white, purple)
- INSTALL: 90-3 GAL. TEXAS SAGE (*Leucophyllum frutescens* 'ThunderCloud') INTERIOR LANDSCAPE SHRUBS ON 3' CENTERS PER DETAIL.
- INSTALL: 43-3 GAL. RED YUCCA (*Hesperaloe parviflora*) INTERIOR LANDSCAPE SHRUBS ON 3' CENTERS PER DETAIL.
- INSTALL: 770 - 3 GAL. CHINESE FRINGE FLOWER 'purple pinks' (*Loropetalum chinense*) along base of wall as screening shrub on 3' Ctrs.
- INSTALL: 1040 S.F. LIRIOPE *muscarif* 'silvery sunproof' INTERIOR LANDSCAPE AREA GROUND COVER ON 12" CENTERS PER DETAIL.
- INSTALL: 405 S.F. MONDO GRASS (*Ophiopogon japonicum*) INTERIOR LANDSCAPE AREA GROUND COVER ON 12" CENTERS PER DETAIL.
- INSTALL: 195 S.F. LANTANA *torrida* INTERIOR LANDSCAPE AREA SEASONAL COLOR ON 12" CENTERS PER DETAIL.

CALCULATIONS:

- Interior Landscape Area Calculations; 54,550 s.f. Buildings @ 15% = 8,183 s.f.; Canopy Tree 1 per 500 s.f. = 18 Trees Required. Understory Tree 1 per 250 s.f. = 35 Required. Shrub 1 per 70 s.f. = 125 Required. Ground Cover 15% = 1,318 s.f. Required. 1,445 s.f. Provided. Seasonal Color 2% = 176 s.f. Required. 195 s.f. Provided.
- Landscape Buffer Area Calculations; 2,545.15' / 30 = 86 Required.
- Parking Lot: 18 spaces at 13' of / space = 234 s.f. 5 shrubs / 250 of 1 tree / 250 s.f. = 5 shrubs and 1 tree required.

TOTAL TREES REQUIRED = 18+86+1 = 105. PROVIDED TREES = 105
TOTAL SHRUBS REQUIRED = 125 + 5 = 130. PROVIDED SHRUBS = 130

NOTES:

- The property owner, tenant, or agent shall be responsible for the maintenance of all required landscaping in a healthy, neat, orderly, and free-growing condition at all times. This shall include mowing, edging, pruning, fertilizing, irrigation, weeding, and other such activities common in the maintenance of landscaping. Landscape Areas shall be kept free of trash, litter, weeds, and other such materials not a part of landscaping. Plant materials that die shall be replaced with plant materials of similar variety and size.
- An irrigation Plan will be provided separately by a Licensed Texas irrigator in accordance with city ordinance requirements.

LANDSCAPE PLAN TO ACCOMPANY SUP SITE PLAN
1220 SOLON RD., WAXAHACHIE, TEXAS 75167
LOT 1, BLOCK 1 RINKER ADDITION
20.0 ACRES MC KINNEY & WILLIAMS SURVEY ABSTRACT # 757
AND THE J. SHAWER SURVEY ABSTRACT # 1000, CITY OF WAXAHACHIE, ELUS COUNTY, TEXAS
PROPERTY OWNER: J & G CONCRETE OPERATIONS LLC (RINKER)
P.O. BOX 80615, INDIANAPOLIS, IN. 46280

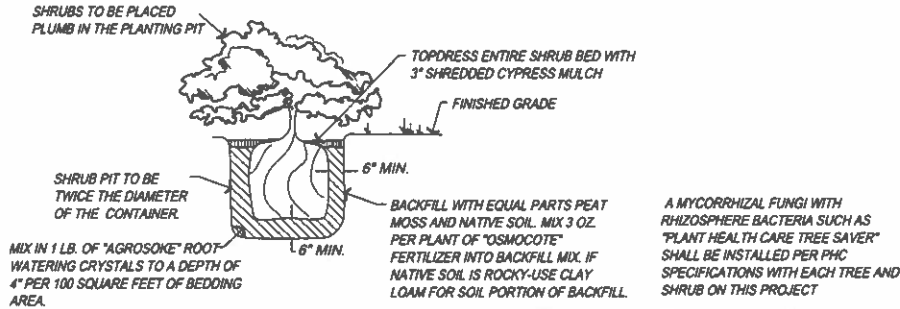
PREPARED BY ON JUNE 28, 2024

COTTER ASSOCIATES, LLC
LAND DEVELOPMENT DESIGN CONSULTANTS
LAND PLANNING * PROJECT MANAGEMENT * LANDSCAPE ARCHITECTURE
2004 Hill Country Court, Arlington, Texas 76012
Phone: (817) 919-4475 - Email: CALLCOTTER@SBCGLOBAL.NET
Tx. Arch. Reg. Board FIRM REG. # BR-1373

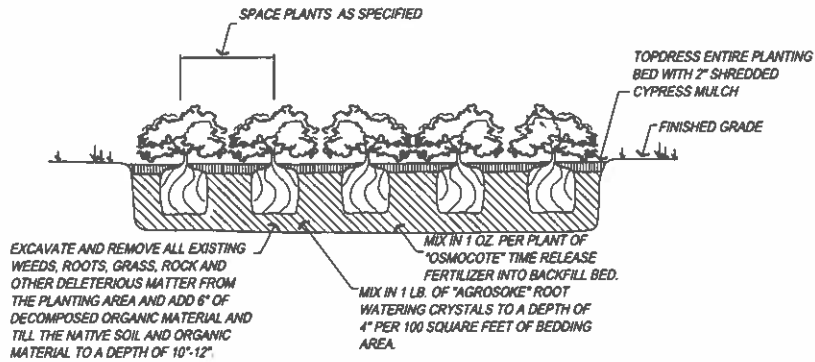


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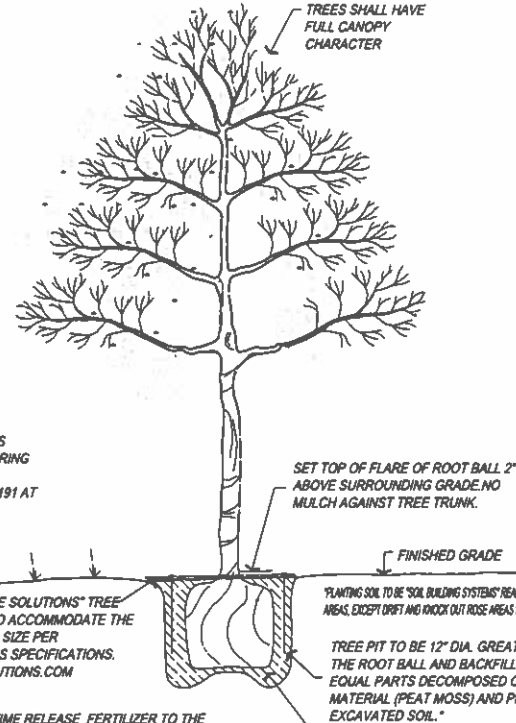
ORDINANCE 3583 - EXHIBIT C - LANDSCAPE PLAN



SHRUB PLANTING DETAILS



GROUNDCOVER AND PERENNIAL PLANTING DETAILS



TREE PLANTING DETAILS

1220 SOLON RD., WAXAHACHIE, TEXAS 75167

LANDSCAPE INSTALLATION DETAILS

LANDSCAPE PLAN TO ACCOMPANY SUP SITE PLAN



COTTER ASSOCIATES, LLC

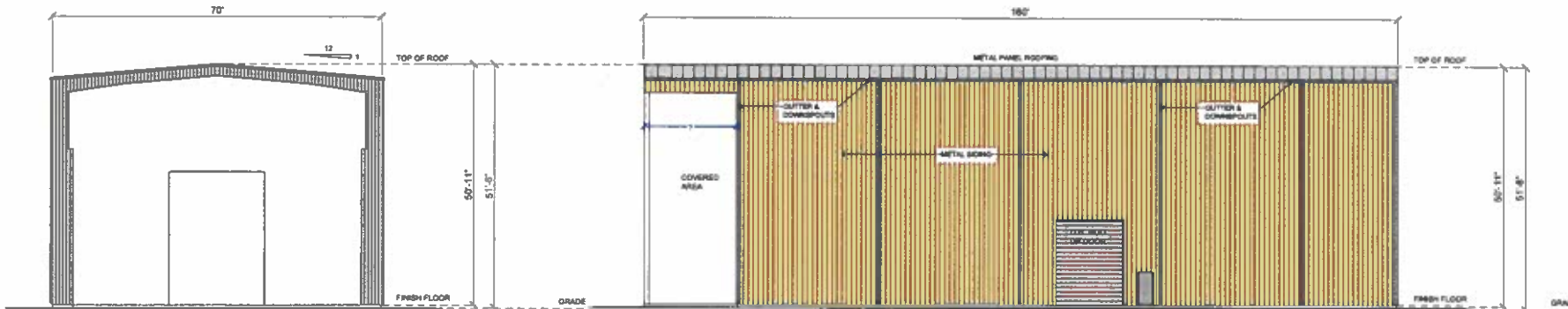
LAND DEVELOPMENT DESIGN CONSULTANTS
 LAND PLANNING PROJECT MANAGEMENT LANDSCAPE ARCHITECTURE
 2004 Hill County Court, Arlington, Texas 76012
 Phone: (817) 918-4475 - Email: CALL@COTTERASSOCIATES.COM
 Tr. Arch Reg. Board 125326 REG. # BR-1073

DESIGN: BGC	DRAWN: JUC	DATE: 6-5-24	DESIGNER: JUC
PROJECT: 1225 Solon Rd.			

2 of 2

(1)

ORDINANCE 3583 - EXHIBIT D - ELEVATIONS



EAST ELEVATION
SCALE 3/32" = 1'-0"

NORTH ELEVATION
SCALE 3/32" = 1'-0"



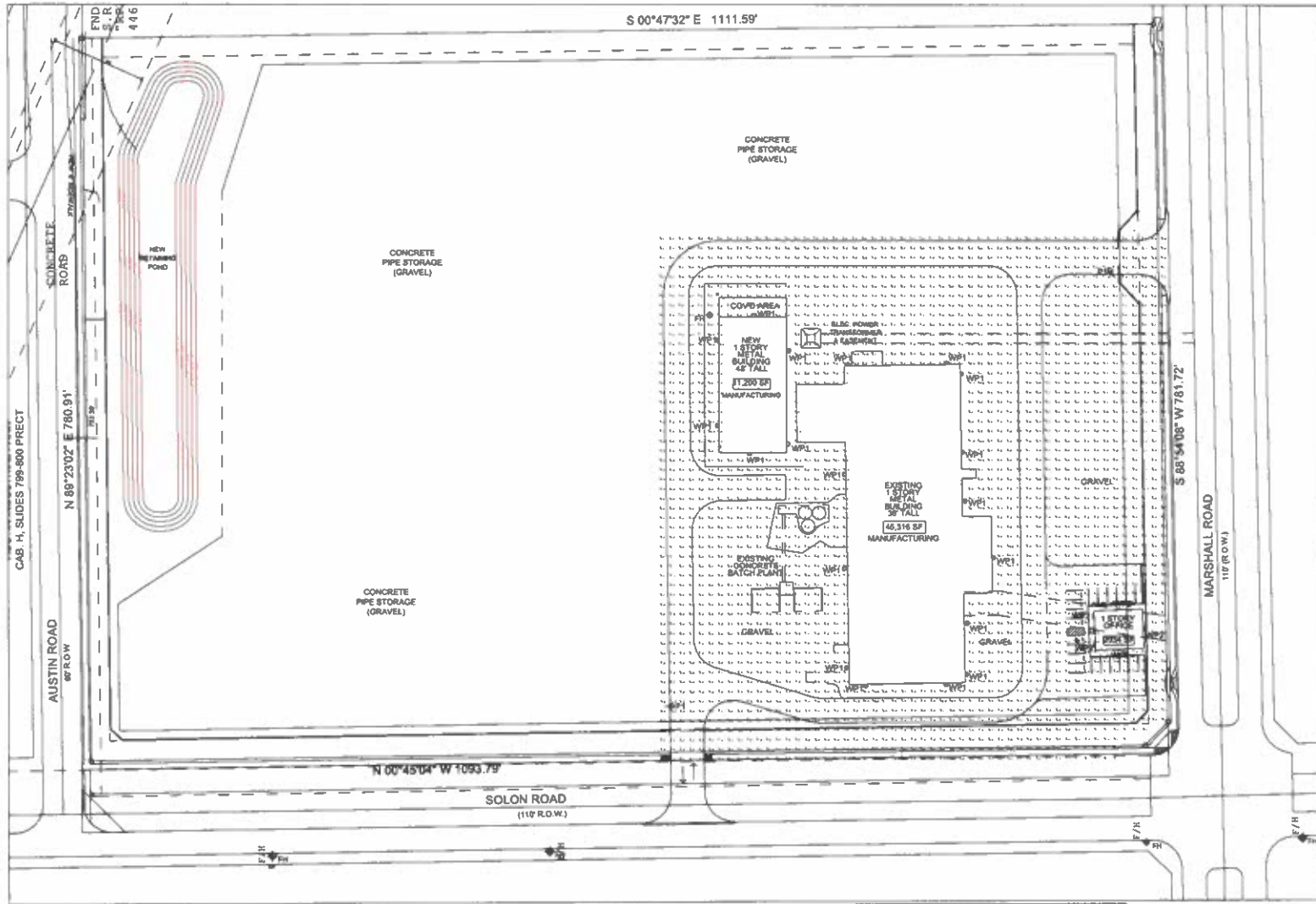
WEST ELEVATION
SCALE 3/32" = 1'-0"

SOUTH ELEVATION
SCALE 3/32" = 1'-0"

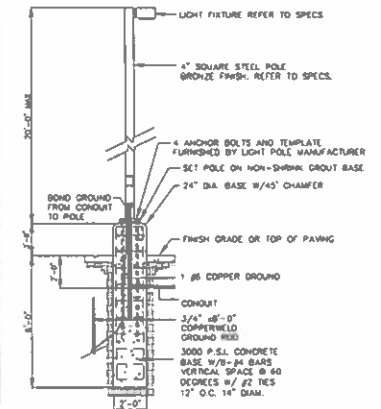
<p>THESE DRAWINGS, INCLUDING DESIGN, ALL DETAILS, SPECIFICATIONS AND INFORMATION, ARE THE SOLE PROPERTY AND COPYRIGHT OF CHARLES D. BOBO ARCHITECT. THEY ARE FOR USE ON THE SPECIFIC PROJECT AND SHALL NOT BE USED ON ANY OTHER WORK WITHOUT WRITTEN PERMISSION OF CHARLES D. BOBO ARCHITECT.</p>	<p>22 OCT 2024</p> <hr/> <p>REVISIONS</p>	<p>13 SEPT 2024</p> <hr/> <p>DATE</p>		<p>ARCHITECT CHAS. D. BOBO 1804 CLIFF HAVEN DR. DALLAS, TEXAS 7 214 344 4877 c.d.bobo@cdbo.com</p>	<p>NEW BUILDING FOR RINKER MATERIALS 1220 BILION RD. WAXAHACHE, TEXAS 75187</p>	<p>SHEET NO. A2.0</p>
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(1)

ORDINANCE 3583 - EXHIBIT E - PHOTOMETRIC PLAN



- ELECTRICAL SITE NOTES**
1. EXTERIOR LIGHTING SHALL BE INSTALLED PER CITY OF WAXAHACHE ELECTRICAL CODE IN CONJUNCTION WITH THE 2023 NEC.
 2. FLOOD LIGHT SHALL BE AIMED AT 45DEGREE TILT TO PROVIDE CONSISTENT ILLUMINATION
 3. ALL EXTERIOR SVNGE SHALL BE AS DIRECTED BY OWNER AND IN COMPLIANCE WITH ADA GUIDELINES AND LOCAL CODES. CONTRACTOR TO PROVIDE ELECTRICAL CONDUIT AND POWER. SIGNAGE IS OF O.A.
 4. ALL CONDUIT FOR ELECTRICAL SERVICE SHALL BE INSTALLED PER UTILITY STANDARDS AND SHALL HAVE MINIMUM 42" COVER. CONTRACTOR SHALL BE RESPONSIBLE FOR FILING WITH UTILITY AND INSTALLING PER UTILITY INSTRUCTIONS.
 5. AREA PARKING LIGHTS SHALL BE CONTROLLED BY A PHOTOCELL AND THE CLOCK CONTROL MOUNT OUTDOOR PHOTOCELL HORIZONTALLY ON ROOF OR EQUAL FACED NORTHERN SIX-HOODED PORTION ON TOP, POINTED AWAY FROM ANY NIGHTTIME LIGHT SOURCES. THE SWITCH SHALL BE CAPABLE OF RETAINING PROGRAMMING AND THE TIME SETTING DURING LOSS OF POWER FOR A PERIOD OF AT LEAST 10 HOURS. ALL EXTERIOR LIGHTS SHALL BE LISTED DARK SKY COMPLIANT.



TYPICAL SITE LIGHT POLE
SCALE: NONE

PHOTOMETRIC PLAN
SCALE 1" = 50'-0"

Luminaire Schedule	Quantity	Height	Beam Spread	Beam Angle	Beam Diameter	Beam Area	Beam Intensity	Beam Spread	Beam Area
1	1	38'	15'	15'	15'	15'	15'	15'	15'
2	1	42'	15'	15'	15'	15'	15'	15'	15'

Calculation Summary	Category	Value	Unit	Max	Min	Avg/Min	Max/Min
Peak Cnt	Footcandle	1.2	fc	1.2	0.0	1.2	1.2
Peak Cnt	Footcandle	1.2	fc	1.2	0.0	1.2	1.2

THESE DRAWINGS INCLUDING DESIGN, ALL CITY, STATE, SPECIFICATIONS AND INFORMATION ARE THE SOLE PROPERTY AND COPYRIGHT OF CHAS. D. BOBO ARCHITECT. THEY ARE FOR USE ONLY ON THE PROJECT AND SHALL NOT BE USED ON ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF CHAS. D. BOBO ARCHITECT.

REVISIONS

DATE



CHAS. D. BOBO
REGISTERED PROFESSIONAL ENGINEER
STATE OF TEXAS
No. 12345
EXPIRES 12/31/2024

NEW BUILDING FOR
RINKER MATERIALS
1230 SOLON RD.
WAXAHACHE, TEXAS 75147

SHEET NO.

**City of Waxahachie, Planning and Zoning Department
PO Box 757
Waxahachie, TX 75168**

Date: 2025-11-18

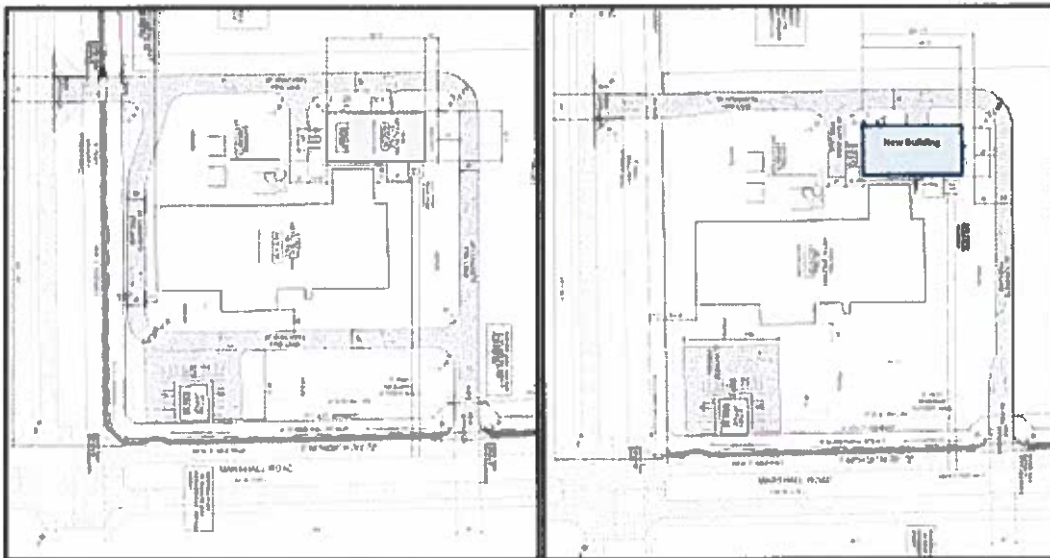
Re: Amendments to SUP for Rinker Addition at 1220 Solon Road (Rev 2)

Dear Waxahachie Planning and Zoning Department,

I am writing to request the following two (2) amendments (revised) to the existing SUP to Rinker Materials for the 1220 Solon Rd, Waxahachie, TX site. We are requesting that these amendments be considered individually.

1. Fire Lane Path Modification

- Concrete section from Marshall Rd to Solon Rd around the new building to remain as covered in the approved SUP.
- Propose removing the following fire lane sections (see figures below):
 - East to West portion on South side of existing building
 - South to North portion on West side of existing building



Current Approved SUP

Proposed SUP Amendment

- This modification meets the requirement from the Waxahachie Fire Chief to provide Concrete Fire Lane Access to the proposed New Building.
- The fire lane would have entrances on Marshall Rd and Solon Rd allowing options for directly accessing the property.

2. Landscaping

- Propose removing the landscaping **inside** the screening wall.
- Landscaping inside the screening wall will not be visible to the public.
- Landscaping and irrigation outside the screening wall **will remain** as stated in the approved SUP.

Clarification of the Screening Wall

- The screening wall material and structural dimensions on the approved SUP remains unchanged.
- We are only planning on using alternative vendor and manufacturer.
- Example of a Stacked Stone style panel shown below.
- Precast panel wall sections as in the approved SUP.



Photo of Stacked Stone Screening fence

The following changes are being dropped from the original requested SUP Amendment.

- Asphalt – we are no longer proposing asphalt to be used anywhere on the property. Fire Lanes and Office Parking Area will be concrete.
- Sidewalks – we are no longer requesting the deletion of any sidewalks. Sidewalks will be placed along Marshall Rd, Solon Rd and Austin Rd.

Sincerely,

David C. Williams
Project Manager
Rinker Materials

ORDINANCE NO. _____

AN AMENDMENT TO ORDINANCE 3583 AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW BATCH PLANT AND OUTDOOR STORAGE USES (RINKER MATERIALS) WITH MODIFIED SITE IMPROVEMENTS WITHIN A LIGHT INDUSTRIAL-1 (LI-1) ZONING DISTRICT LOCATED AT 1220 SOLON ROAD IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 20.00 ACRES KNOWN AS PROPERTY ID 140094, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-154-2025. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for denial; and

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

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

NOW, THEREFORE, this property is rezoned from LI-1 to LI-1, with a SUP in order to allow Batch Plant and Outdoor Storage uses with modified site improvements on the following property: Property ID 140094, which is shown on the Location Map (Exhibit A), Modified Site Plan (Exhibit B), Modified Landscape Plan (Exhibit C), and Modified Screening Wall (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 the Zoning Ordinance.

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR BATCH PLANT AND OUTDOOR STORAGE USES (RINKER MATERIALS) WITH MODIFIED SITE IMPROVEMENTS WITHIN A LIGHT INDUSTRIAL-1 (LI-1) ZONING DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. A mutually agreed upon Development Agreement shall be fully executed within thirty (30) calendar days of the approval of this SUP application.
2. The subject property shall conform as approved by the City Council under case number ZDC-154-2025.
3. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A – Location Map, Exhibit B – Modified Site Plan, Exhibit C – Modified Landscape Plan, and Exhibit D – Modified Screening Wall.
4. The Property Owner shall be responsible for obtaining building permits per the City’s applicable rules and regulations governing such permits.
5. 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.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance, the Development Agreement, or Staff Report as approved by City Council, shall conform to those requirements and/or standards prescribed in Exhibit B – Modified Site Plan, Exhibit C – Modified Landscape Plan, and Exhibit D – Modified Screening Wall. Where regulations are not specified in Exhibits B, C, D, in this Zoning Ordinance, or the Development Agreement, the regulations of Ordinance 3583 and the Light Industrial-1 (LI-1) Zoning District and the City of Waxahachie Zoning Ordinance shall apply to this development.
8. City Council shall have the right to review the Specific Use Permit at any point, if needed.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or cease to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to re-establish the use.

PROPOSED SUP ORDINANCE

(8)

3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

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

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

PASSED, APPROVED AND ADOPTED on this 1st day of December, 2025.

MAYOR

ATTEST:

City Secretary

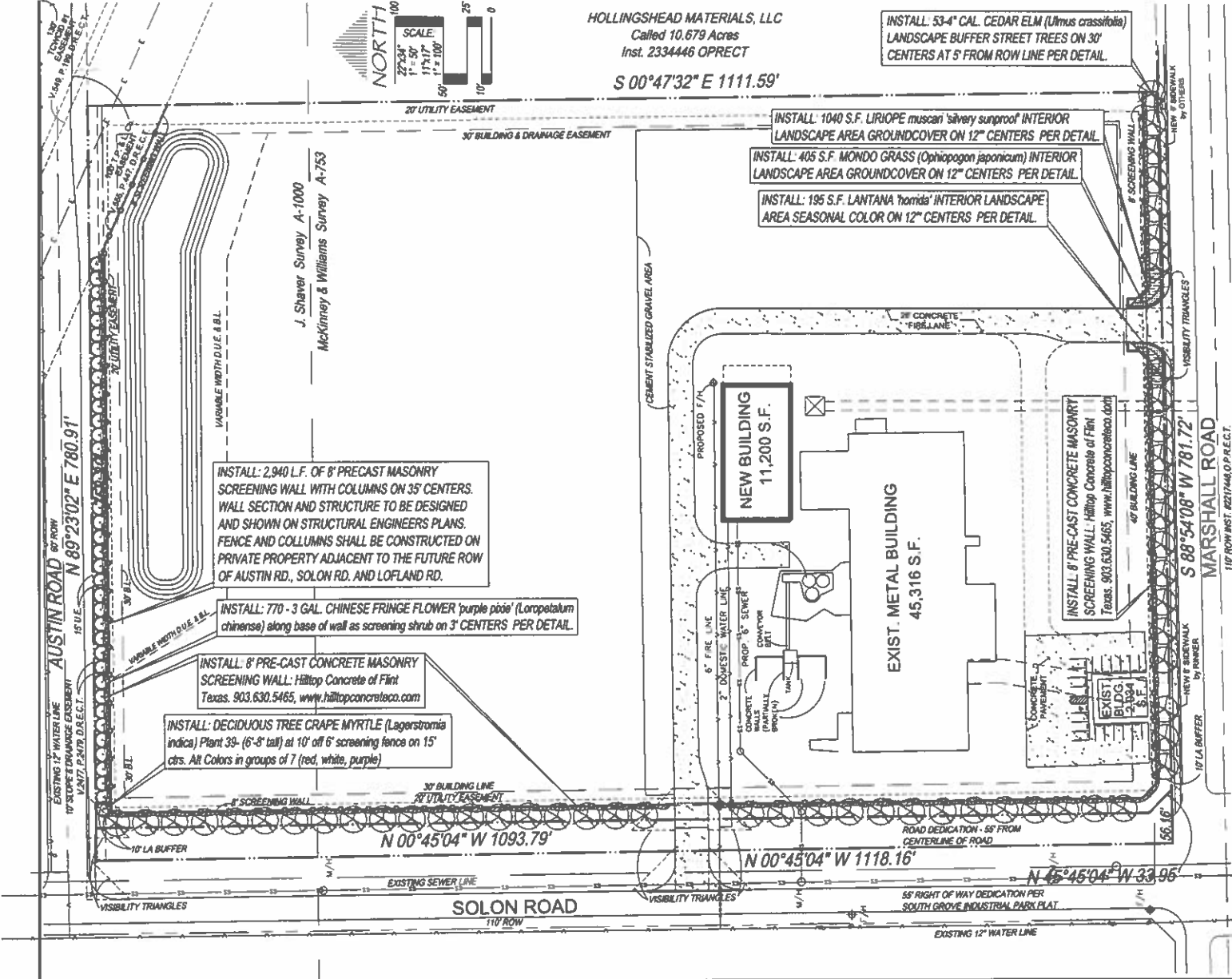
(8)

EXHIBIT A - LOCATION MAP



(8)

EXHIBIT C - MODIFIED LANDSCAPE PLAN



HOLLINGSHEAD MATERIALS, LLC
 Called 10.679 Acres
 Inst. 2334446 OPRECT
 S 00°47'32" E 1111.59'

INSTALL: 53-4" CAL. CEDAR ELM (*Ulmus crassifolia*)
 LANDSCAPE BUFFER STREET TREES ON 30'
 CENTERS AT 5' FROM ROW LINE PER DETAIL.

INSTALL: 1040 S.F. LIRIOPE muscari 'silvery sunproof' INTERIOR
 LANDSCAPE AREA GROUNDCOVER ON 12" CENTERS PER DETAIL.

INSTALL: 405 S.F. MONDO GRASS (*Ophiopogon japonicum*) INTERIOR
 LANDSCAPE AREA GROUNDCOVER ON 12" CENTERS PER DETAIL.

INSTALL: 195 S.F. LANTANA 'torrida' INTERIOR LANDSCAPE
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 SCREENING WALL WITH COLUMNS ON 35' CENTERS.
 WALL SECTION AND STRUCTURE TO BE DESIGNED
 AND SHOWN ON STRUCTURAL ENGINEERS PLANS.
 FENCE AND COLUMNS SHALL BE CONSTRUCTED ON
 PRIVATE PROPERTY ADJACENT TO THE FUTURE ROW
 OF AUSTIN RD., SOLON RD. AND LOFLAND RD.

INSTALL: 770 - 3 GAL. CHINESE FRINGE FLOWER 'purple pinks' (*Loropetalum chinense*)
 along base of wall as screening shrub on 3' CENTERS PER DETAIL.

INSTALL: 8' PRE-CAST CONCRETE MASONRY
 SCREENING WALL: Hilltop Concrete of Flint
 Texas. 903.630.5465, www.hilltopconcreteco.com

INSTALL: DECIDUOUS TREE CRAPE MYRTLE (*Lagerstromia indica*)
 Plant 35- (6'-8" tall) at 10' off 6' screening fence on 15'
 cbs. All Colors in groups of 7 (red, white, purple)

PLANT MATERIAL LIST:

	DECIDUOUS TREE: CEDAR ELM (<i>Ulmus crassifolia</i>) yellow fall color tree. Plant 53-4" cal. on 30' centers.
	DECIDUOUS TREE: CRAPE MYRTLE (<i>Lagerstromia indica</i>) flowering tree. Plant 35- (6'-8" tall) on 15' cbs. Alternate color in groups of 7 (red, white, purple)
	INSTALL: 770 - 3 GAL. CHINESE FRINGE FLOWER 'purple pinks' (<i>Loropetalum chinense</i>) along base of wall as screening shrub on 3' Ctrs.
	INSTALL: 1040 S.F. LIRIOPE muscari 'silvery sunproof' INTERIOR LANDSCAPE AREA GROUNDCOVER ON 12" CENTERS PER DETAIL.
	INSTALL: 405 S.F. MONDO GRASS (<i>Ophiopogon japonicum</i>) INTERIOR LANDSCAPE AREA GROUNDCOVER ON 12" CENTERS PER DETAIL.
	INSTALL: 195 S.F. LANTANA 'torrida' INTERIOR LANDSCAPE AREA SEASONAL COLOR ON 12" CENTERS PER DETAIL.

CALCULATIONS:

- Interior Landscape Area Calculations; NOT APPLICABLE
- Landscape Buffer Area Calculations; 2,545.157 / 30 = 86 Required.
- Parking Lot: 18 spaces at 13 sf / space = 234 sf. 5 shrubs / 250 sf & 1 tree / 250 sf. = 5 shrubs and 1 tree required.

TOTAL TREES REQUIRED = 18+86+1 = 105. PROVIDED TREES = 105
 TOTAL SHRUBS REQUIRED = 125 + 5 = 130. PROVIDED SHRUBS = 130

NOTES:

- The property owner, tenant, or agent shall be responsible for the maintenance of all required landscaping in a healthy, neat, orderly, and live-growing condition at all times. This shall include mowing, edging, pruning, fertilizing, irrigation, weeding, and other such activities common to the maintenance of landscaping. Landscape Areas shall be kept free of trash, litter, weeds, and other such materials not a part of landscaping. Plant materials that die shall be replaced with plant materials of similar variety and size.
- An irrigation Plan will be provided separately by a Licensed Texas irrigator in accordance with city ordinance requirements.
- 9-23-25 revision to indicate deletion of all interior landscape improvements and to reflect new 6' sidewalks adjacent to Solon and Austin Roadways "by Others" as this construction is removed from the project requirements. The 6' sidewalk on MARSHALL shall be installed by RINKER on this project.

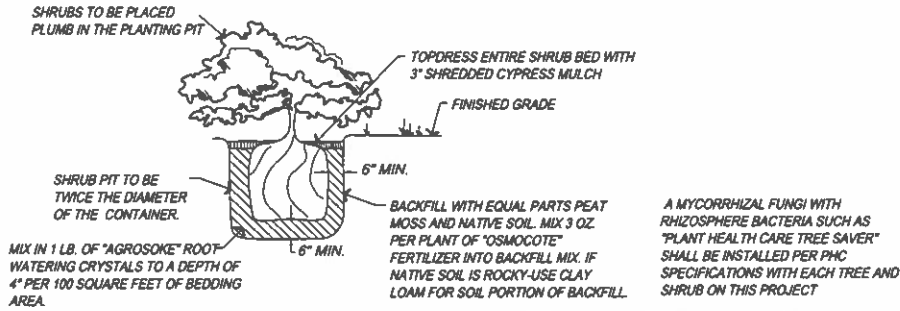
LANDSCAPE PLAN TO ACCOMPANY SUP SITE PLAN
 1220 SOLON RD., WAXAHACHIE, TEXAS 75167
 LOT 1, BLOCK 1 RINKER ADDITION
 20.0 ACRES MC KINNEY & WILLIAMS SURVEY ABSTRACT # 757
 AND THE J. SHAVER SURVEY ABSTRACT # 1000, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS
 PROPERTY OWNER: J & G CONCRETE OPERATIONS LLC (RINKER)
 P.O. BOX 80615, INDIANAPOLIS, IN. 46280

PREPARED BY ON JUNE 20, 2024:

COTTER ASSOCIATES, LLC
 LAND DEVELOPMENT DESIGN CONSULTANTS
 LAND PLANNING • PROJECT MANAGEMENT • LANDSCAPE ARCHITECTURE
 2004 Hill Country Court, Arlington, Texas 76012
 Phone: (817) 919-4475 - Email: CALLCOTTER@SBCGLOBAL.NET
 Tx. Arch. Reg. Board FIRM REG. # BR-1373

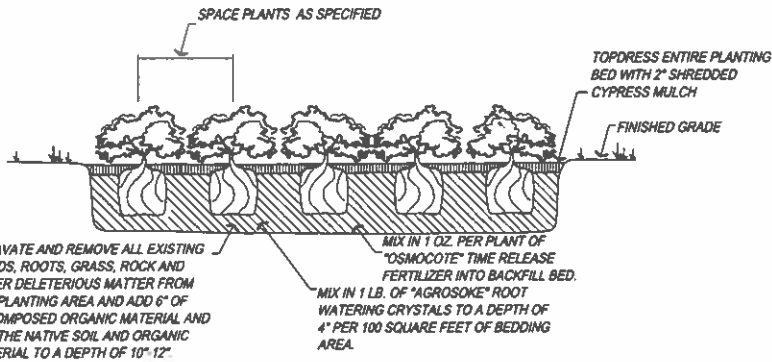
(8)

EXHIBIT C - MODIFIED LANDSCAPE PLAN

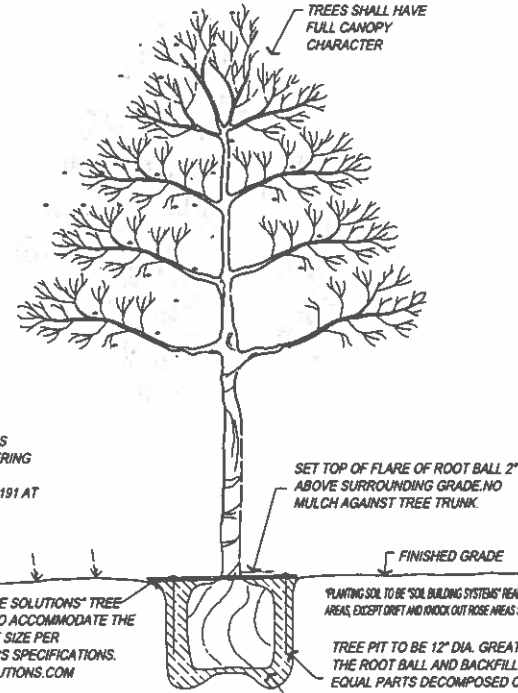


SHRUB PLANTING DETAILS

PLANTING SOIL TO BE "SOIL BUILDING SYSTEMS" READY-TO-PLANT IN PLANTING AREAS, EXCEPT DRIFT AND KNICK OUT ROSE AREAS SHALL UTILIZE ROSE MIX.



GROUNDCOVER AND PERENNIAL PLANTING DETAILS



EACH TREE PLANTED SHALL UTILIZE A TAN 25 GAL. "OOZE TUBE" PROFESSIONAL TREE ESTABLISHMENT SOLUTION AS MANUFACTURED BY ENGINEERING WATERING SOLUTIONS OF ATLANTA, GEORGIA 770-924-4191 AT www.OOZETUBE.com

NOTE: * MIX IN "OSMOCOTE" TIME RELEASE FERTILIZER TO THE BACKFILL SOIL AND PEAT MOSS AT A RATE OF 8 OZ. PER TREE. A MYCORRHIZAL FUNGI WITH RHIZOSPHERE BACTERIA SUCH AS "PLANT HEALTH CARE TREE SAVER" SHALL BE INSTALLED PER PHC SPECIFICATIONS WITH EACH TREE AND LARGE SHRUB ON THIS PROJECT

TREE PLANTING DETAILS

1220 SOLON RD., WAXAHACHIE, TEXAS 75167
LANDSCAPE INSTALLATION DETAILS
LANDSCAPE PLAN TO ACCOMPANY SUP SITE PLAN



COTTER ASSOCIATES, LLC
LAND DEVELOPMENT DESIGN CONSULTANTS
LAND PLANNING / PROJECT MANAGEMENT / LANDSCAPE ARCHITECTURE
2004 Hill County Court, Arlington, Texas 76012
Phone: (817) 918-4416 - Email: CALL@COTTERASSOCIATES.COM
Dr. Arch Reg. Board #001165 - # 081-137

DESIGN: BGC	DRAWN: DAC
DATE: 8-6-24	REV: 11-18-24
BY: BJS	BY: BJS
PROJECT: U27-Site Plan	

Planning & Zoning Department Plat Staff Report

Case: SUB-155-2025



MEETING DATE(S)

Planning & Zoning Commission: November 10, 2025
City Council: December 1, 2025

CAPTION

Public Hearing on a request by Brian Burks, for a **Replat** of Lots 5 & 6 of the Leo Hightower Lots addition to create Lots 5A & 6A of the Leo Hightower Lots addition, 2 residential lots, being 1.194 acres, located at 139 Lakeshore Drive, (Property ID 174097) – Owner: William Larry Burks and John Brian Burks (SUB-155-2025)

RECOMMENDED MOTION

"I move to approve SUB-155-2025, a Replat of Lots 5 & 6 of the Leo Hightower Addition to create Lots 5A & 6A of the Hightower Addition, subject to the condition of the staff report, authorizing the Mayor and/or Interim City Manager to sign the associated documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on November 10, 2025, the Commission voted 6-0 o recommend approval of case number SUB-155-2025.

APPLICANT REQUEST

The Applicant requests to replat Lots 5 & 6 of the Hightower Addition to adjust a shared property line.

CASE INFORMATION

Applicant: Brian Burks
Property Owner(s): William L. Burks and John B. Burks
Site Acreage: 1.194 acres
Number of Lots: 2 lots
Number of Dwelling Units: 2 units
Park Land Dedication: N/A
Adequate Public Facilities: Adequate public facilities are available via existing water services and on-site septic systems.

SUBJECT PROPERTY

General Location: 139 & 141 Lakeshore Drive
Parcel ID Number(s): 174097
Current Zoning: PD-SF-1

Existing Use: Single-family residence

Platting History: The subject property was previously platted as Lots 5 & 6 of the Leo Hightower Addition.

Site Aerial:



PLANNING ANALYSIS

The Applicant requests to replat the subject property into two (2) lots for residential use. The subject property is currently platted as two lots; however, there is an existing structure that encroaches into the side yard setback. The property owners want to shift the shared lot line to decrease the encroachment of the existing structure located at 139 Lakeshore Drive. The Applicant is proposing to dedicate a fifteen-foot (15') utility easement along Lakeshore Drive.

Plat Variance Request(s)

The Applicant requests relief from Section 3.1.c.6 of the Waxahachie Subdivision Ordinance, *Street Dedications*. Lakeshore Drive is identified as an 80' (eighty-foot) Major Collector per the City of Waxahachie Master Thoroughfare Plan. The property owners are responsible for their half of the right-of-way (ROW) dedication. The property owner is seeking relief from this ROW dedication because the City has no plans to expand Lakeshore Drive due to multiple existing homes being encroached into the right-of-way. Staff is in support of this plat variance request.

The Applicant also requests relief from Section 3.04 of the Waxahachie Zoning Ordinance, *Single-Family-1 (SF-1)*. The existing structure located at 139 Lakeshore Drive encroaches into the front yard setback of 40'. The existing structure located at 141 Lakeshore Drive encroaches into the 15' side yard setback and is less than 2,200 sqft. Therefore, the Applicant requests relief from the minimum requirements. Staff is also in support of this plat variance request.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 7 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light, and a sign was visibly posted at the property.

PON RESPONSES

Staff has received one (1) letter of support and no letters of opposition for the proposed replat.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the Replat request, subject to the condition listed below.

Condition:

1. The Applicant shall pay the Plat Variance fee of \$250.00 as required per Section 7.2 of the Waxahachie Subdivision Ordinance.

ATTACHED EXHIBITS

1. PON Response
2. Replat

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:

Oanh Vu

Senior Planner

oanh.vu@waxahachie.com

Reviewed by:

Trenton Robertson, AICP

Senior Director of Planning

trenton.robertson@waxahachie.com

(9+10)

Case Number: SUB-155-2025

City Reference: 174087

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

Comments:

SUPPORT

OPPOSE

RECEIVED NOV 04 2025

J. E. Frost
Signature

31 OCT 25
Date

J. E. FROST
Printed Name and Title

137 LAKE SHORE
Address

(11)



Memorandum

To: Honorable Mayor and City Council
From: Laurie Mosley, Director – Convention & Visitors Bureau
Thru: Ricky Boyd, Interim City Manager *RB*
Date: December 1, 2025
Re: Consideration of Amendment to Ordinance No. 3641 - Waxahachie Cultural Arts and Heritage Commission

Motion:

"I move to approve the proposed amendments to Ordinance No. 3641 – Waxahachie Cultural Arts and Heritage Commission."

Item Description:

Ordinance No. 3641 establishing the Waxahachie Cultural Arts and Heritage Commission currently specifies a board size of five (5) members in Sec. 2-161 – "Membership and Appointment" with two-year terms in Sec. 2-163 – "Terms of Office."

The Waxahachie Cultural Arts and Heritage Commission is proposing amendments to the ordinance to reflect a commission size of seven (7) members with staggered terms to ensure continuity of service. To establish the rotation, four (4) members will serve initial three-year terms and three (3) members will serve initial two-year terms. Thereafter, all appointments will be for three-year terms.

Currently reads:

Sec. 2-161 – Membership and Appointment:

"There shall be five (5) commissioners of the Cultural Arts and Heritage Commission. The members shall be residents of the City. The

(ii)

commissioners of the Cultural Arts and Heritage Commission shall be appointed by the City Council, and shall serve at the pleasure of the City Council without compensation. Any commissioner may be removed by the City Council at any time, with or without cause. No commissioner who is a member, board member, or officer of any organization which is eligible or may be eligible to seek a Cultural Arts and Heritage Commission recommendation for funding by the City shall vote on a funding request by such organization.”

Recommended:

Sec. 2-161 – Membership and Appointment:

There shall be seven (7) commissioners of the Cultural Arts and Heritage Commission. The members shall be residents of the City. The commissioners of the Cultural Arts and Heritage Commission shall be appointed by the City Council, and shall serve at the pleasure of the City Council without compensation. Any commissioner may be removed by the City Council at any time, with or without cause. No commissioner who is a member, board member, or officer of any organization which is eligible or may be eligible to seek a Cultural Arts and Heritage Commission recommendation for funding by the City shall vote on a funding request by such organization.

Currently reads:

Sec. 2-163 – Terms of Office:

“Commissioners of the Cultural Arts and Heritage Commission shall serve for a term of two years, unless a commissioner is removed from office, dies or resigns from office prior to the expiration of his term. Appointments to the Cultural Arts and Heritage Commission shall be made in September of each year for a two-year term commencing on October 1 and expiring two years later on September 30.”

Recommended:

Sec. 2-163 – Terms of Office:

“The Commissioners of the Cultural Arts and Heritage Commission shall serve for a term of three years, unless a commissioner is removed from office, dies, or resigns prior to the expiration of their term. To establish staggered terms and ensure continuity of service, four (4) members shall serve initial terms of three (3) years, and three (3) members shall serve initial terms of two (2) years. Thereafter, all appointments shall be for three (3) years. Appointments to the Cultural Arts and Heritage Commission shall be made in September of each year, with terms commencing on October 1 and expiring on September 30 of the final year of the appointed term.”

Recommendation Background:

On October 2, 2025, the Cultural Arts and Heritage Commission reviewed and approved the proposed amendment to Ordinance No. 3641, Sec. 2-163 – Terms of Office.

On November 6, 2025, the Cultural Arts and Heritage Commission reviewed and approved the proposed amendment to Ordinance No. 3641, Sec. 2-161 – Membership and Appointment.

Both the Commission and City Staff recommend that City Council approve the proposed ordinance amendments.

Item Summary:

The current ordinance provides for a five-member commission serving two-year terms, with all appointments expiring simultaneously. This structure can create challenges in managing the Commission’s workload and maintaining continuity of service and institutional knowledge.

The proposed amendment increases the number of commission members and establishes staggered three-year terms to ensure overlapping membership. This structure promotes consistency, stability, and stronger long-term planning for the Commission.

These changes align with practices in other municipalities and will strengthen the Commission’s effectiveness by balancing workload demands and ensuring a mix of experienced and newly appointed members.

CITY OF WAXAHACHIE, TEXAS

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING ORDINANCE NO. 3641, "WAXAHACHIE CULTURAL ARTS AND HERITAGE COMMISSION," BY UPDATING SECTION 2-161, "MEMBERSHIP AND APPOINTMENT," TO INCREASE THE SIZE OF THE COMMISSION AND SECTION 2-163, "TERMS OF OFFICE," TO ESTABLISH STAGGERED TERMS TO ENSURE CONTINUITY OF SERVICE; PROVIDING FOR INITIAL APPOINTMENT TERMS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Waxahachie ("City") recognizes the importance of developing programs to expand the arts and historic preservation in the community; and

WHEREAS, arts and cultural programs in the community can enhance the quality of life for Waxahachie citizens; and

WHEREAS, the City desires to work cooperatively with private citizens, foundations, corporations, institutions and agencies committed to the preservation and development of programs and activities related to the arts and historic preservation, including funding requests for Council-budgeted funds; and

WHEREAS, the City desires to create and establish a Cultural Arts and Heritage Commission to serve in an advisory capacity to the City Council to make recommendations concerning the resources and needs of the community on the subject of the arts, including strategies to encourage community involvement in the arts and historic preservation.

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

SECTION 1

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2

From and after the effective date of this Ordinance, Chapter 2, "Administration," of the Code of Ordinances of the City of Waxahachie, Texas, is hereby amended by adding a new Article X, "Waxahachie Cultural Arts and Heritage Commission," to read as follows:

"ARTICLE X. WAXAHACHIE CULTURAL ARTS AND HERITAGE COMMISSION

Sec. 2-160. Creation and Establishment.

There is hereby created and established the Waxahachie Cultural Arts and Heritage Commission in the City of Waxahachie. The Cultural Arts and Heritage Commission shall report to and act solely in an advisory capacity to the City Council, and shall be governed by any Board and Commission Guidelines or Polices established by the City of Waxahachie, except where specifically provided otherwise in this Ordinance.

Sec. 2-161. Membership and Appointment.

There shall be seven (7) commissioners of the Cultural Arts and Heritage Commission. The members shall be residents of the City. The commissioners of the Cultural Arts and Heritage Commission shall be appointed by the City Council, and shall serve at the pleasure of the City Council without compensation. Any commissioner may be removed by the City Council at any time, with or without cause. No commissioner who is a member, board member, or officer of any organization which is eligible or may be eligible to seek a Cultural Arts and Heritage Commission recommendation for funding by the City shall vote on a funding request by such organization.

Sec. 2-162. Election of Officers.

The Cultural Arts and Heritage Commission shall elect its own Chairperson and Vice-Chairperson and may create and fill such other offices as may be determined to be required. Election of officers shall be held on the date of the first regular Cultural Arts and Heritage Commission meeting in October of each year.

Sec. 2-163. Terms of Office.

The Commissioners of the Cultural Arts and Heritage Commission shall serve for a term of three (3) years, unless a commissioner is removed from office, dies, or resigns prior to the expiration of their term. To establish staggered terms and ensure continuity of service, four (4) members shall serve initial terms of three (3) years, and three (3) members shall serve initial terms of two (2) years. Thereafter, all appointments shall be for three (3) years. Appointments to the Cultural Arts and Heritage Commission shall be made in September of each year, with terms commencing on October 1 and expiring on September 30 of the final year of the appointed term.

Sec. 2-164. Rules of Procedure.

The Cultural Arts and Heritage Commission is authorized to establish and adopt rules, regulations, policies and procedures for the conduct of its meetings; however, such rules, regulations, policies and procedures shall be consistent with the general laws of the state, the City Charter and any other ordinances of the City or policies of the City Council. The Cultural Arts and Heritage Commission shall comply with the Texas Open Meetings Act with respect to posting its agendas and holding meetings.

Sec. 2-165. Expenses and Administrative Support.

The City Council may appropriate a budget for use of the Cultural Arts and Heritage Commission in meeting such expenses and expenditures as may be necessary in the exercise of its duties. All Commission expenditures shall be processed through the City Manager's office. The City shall provide to the Cultural Arts and Heritage Commission appropriate and necessary administrative and executive level support to facilitate the official business of the Commission. The City Council may establish a line item in the City's budget which shall represent an allocation of funds to be expended on arts and historic preservation projects and which shall be the subject of the Cultural Arts and Heritage Commission's periodic recommendations to the City Council.

Sec. 2-166. Meetings.

The Cultural Arts and Heritage Commission shall meet not less than four times annually or at such times as may be deemed necessary by the Commission for the completion of its responsibilities; however, it may meet as often as may be deemed necessary by the Commission for purposes of, but not limited to, developing work plans; creating subcommittees; establishing guidelines, subject to approval by the City Council; and receiving training, including training from outside consultants and experts. A majority of the commissioners (4) of the Arts Commission shall constitute a quorum for transacting business. Any action taken by a majority of the commissioners present, when those present constitute a quorum, at any regular or special meeting of the Cultural Arts and Heritage Commission shall be deemed to be the action of the Commission. The City Council may appoint a non-voting liaison to the Commission.

Sec. 2-167. Duties and Responsibilities.

The Cultural Arts and Heritage Commission shall discharge the following responsibilities:

- (a) Develop cooperation and coordination with private citizens, institutions, agencies and local, regional and national art organizations interested in conducting activities related to the arts and historic preservation.
- (b) Provide and assist in the development of the arts and historic preservation in the City by providing a biennial "state of the arts and heritage" assessment to the City Council.
- (c) Make recommendations to the City Council relative to expenditures of budgeted and allocated city funds, including funds derived from the City's hotel occupancy tax, for the purpose of promoting and sustaining the arts and historic preservation in the City.
- (d) Compliance with all Texas hotel occupancy tax laws for the disbursement of funds as authorized by the City Council (presently twenty-five percent (25%) of hotel occupancy taxes received, subject to City Council approval).
- (e) Establish criteria and a process of qualifying for and applying for funding each year.
- (f) Establish a process for renewing any annual request for funding.

(11)

(g) Establish criteria for reporting on annual activities in compliance with the intent for which funding was granted.

(h) Establish a desired reporting format from the organizations that received funding, including each organization's financial position and the use of allocated funding.

(i) Advise and assist the City Council in connection with proposed arts and historic preservation related programs within the community."

SECTION 3

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; however, any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 4

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 5

This Ordinance shall take effect and be in full force from and after its adoption, as provided by the Revised Civil Statutes of the State of Texas and the Home Rule Charter of the City of Waxahachie, Texas.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ON THIS 1ST DAY OF DECEMBER, 2025.

APPROVED:

Billie Wallace, Mayor

ATTEST:

Amber Villarreal, City Secretary