

AGENDA

A regular meeting of the Mayor and City Council of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on **Tuesday, January 20, 2026 at 7:00 p.m.**

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

1. Call to Order
2. Invocation
3. Pledge of Allegiance and Texas Pledge of Allegiance
4. ***Announcements/Presentations***
 - a. Introduce Honorary Council Member
 - b. Present Proclamation proclaiming January as “Crime Stoppers Awareness Month”
 - c. Recognize Waxahachie citizen Amanda Bell with Life-Saving Award
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 January 5, 2026
 - b. Minutes of the City Council work session of January 5, 2026
 - c. Appointment to the Animal Care Advisory Committee to fill unexpired term and appoint members to the Cultural Arts and Heritage Commission to fill newly created positions
 - d. Supplemental appropriation to allocate funds received through insurance reimbursement for repairs to Fire Blocker 2 in the amount of \$39,843.92
 - e. Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Highland Avenue Improvements in the amount of \$500,000
 - f. Contract for airport hangar roof restoration in the amount of \$143,094.26
 - g. Temporary road closure of a portion of Elder Street for filming on January 25, 2026

7. **Public Hearing** on a request by Robert Drolet, for a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet use within a Rural Residential (RR) zoning district located at 128 Lakeshore Drive (Property ID 233849) - Owners: Robert Drolet and Michelle Drolet (ZDC-151-2025)
8. **Consider** proposed Ordinance approving ZDC-151-2025
9. **Public Hearing** on a request by Tamika Ayers for a Zoning Change from a Single-Family-2 zoning district to Planned Development, for a Child Day Care use, located at 301 E Criddle Street, (Property ID 196523) - Owner: Texas Conference Association of Seventh Day Adventist (ZDC-163-2025)
10. **Consider** proposed Ordinance approving ZDC-163-2025
11. **Public Hearing** on a request by Jennifer Williams, TDRealty for a Specific Use Permit (SUP) for a Specialty Paraphernalia (The High Culture) use within a Commercial (C) zoning district located at 1702 W US Highway 287 Business, Suite A (Property ID 189024) - Owner: Daniel Mcgee (ZDC-110-2025)
12. **Consider** proposed Ordinance approving ZDC-110-2025
13. **Public Hearing** on a request by Brad Yates, for a Zoning Change from a Planned Development-5Commercial District to a Planned Development-Multi-Family-2 (PD-MF-2) zoning district, located directly west of 131 Mark Trail, (Property ID: 174984) – Owner: Colonial Restoration Group, Inc (ZDC-120-2025)
14. **Consider** proposed Ordinance approving ZDC-120-2025
15. **Consider** Development Agreement for ZDC-120-2025
16. **Consider** bid award for North Grove Park Project in the amount of \$2,337,585.18
17. **Consideration** and action taken on an ordinance authorizing the issuance and sale of City of Waxahachie, Texas Tax Note, Series 2026; levying an annual ad valorem tax and providing for the payment of said note; providing an effective date; and enacting other provisions relating to the subject
18. **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 the appointment, evaluation, duties or dismissal of any member of a City board or commission, as permitted by Texas Government Code Section 551.074; to consult with City Attorney regarding legal issues associated with City Code and Charter provisions and consultation with City Attorney regarding pending and anticipated litigation, as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto
19. **Reconvene** and take any necessary action

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

21. 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

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PROCLAMATION

WHEREAS, Waxahachie Crime Stoppers is a community-based program dedicated to assisting local law enforcement by providing a secure and anonymous way for citizens to report information about criminal activity; and

WHEREAS, Waxahachie Crime Stoppers strengthens public safety by offering cash rewards for tips that lead to arrests, thereby encouraging citizen involvement without fear of retaliation; and

WHEREAS, the collaboration between Waxahachie Crime Stoppers, the Waxahachie Police Department, media partners, local businesses, and community volunteers has proven to be an effective tool in solving crimes and deterring criminal activity; and

WHEREAS, the efforts of Waxahachie Crime Stoppers contribute significantly to improving the quality of life in Waxahachie by promoting awareness, accountability, and cooperation throughout the community; and

WHEREAS, the City of Waxahachie recognizes and appreciates the dedication of the board members, volunteers, law enforcement professionals, and supporters of Waxahachie Crime Stoppers for their ongoing commitment to keeping our city safe;

NOW, THEREFORE, I, Billie Wallace, Mayor of the City of Waxahachie, along with the entire City Council, do hereby proclaim the month of January as

“CRIME STOPPERS AWARENESS MONTH”

in the City of Waxahachie and encourage all residents to support Waxahachie Crime Stoppers by remaining vigilant and reporting criminal activity through anonymous tip programs.

Proclaimed this 20th day of January, 2026.

MAYOR

ATTEST:

CITY SECRETARY

A regular meeting of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Monday, January 5, 2026 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, 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

Council Member Tres Atkins 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. Introduce new Director of Animal Services Kenzie Redington
- c. Introduce new Downtown Redevelopment and Historic Preservation Manager Sandy Rehkopf
- d. Present Keep Waxahachie Beautiful Committee Pride in Neighborhood (PIN) Award
- e. Presentation on changes to Rules of Procedure for City Council

There was not an Honorary Council Member in attendance.

Dustin Deel, Senior Director of Administrative Services, introduced Kenzie Redington as the new Director of Animal Services and City Council formally welcomed her to the role.

Gumaro Martinez, Executive Director of Parks and Leisure Services, introduced Sandy Rehkopf as the new Downtown Redevelopment and Historic Preservation Manager and City Council formally welcomed her to the role.

Brad Barnes, Assistant Director of Parks and Recreation, presented the Keep Waxahachie Beautiful Committee Pride in Neighborhood (PIN) award to the Hinton Family, 501 N. College and Stacey Duenas.

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City Secretary Amber Villarreal presented the changes to Rules of Procedure for City Council. The City Council approved new rules on December 15th for public participation at meetings, taking effect February 2, 2026. These rules apply not only to City Council and the Planning & Zoning Commission, but to all boards and commissions.

For public comments and public hearings, speakers must pre-register, either online by 4:00 PM the day of the meeting or in person at least 10 minutes before the meeting. Speaking time for public comments is reduced from five minutes to three minutes to encourage concise remarks. A speaker is not allowed to donate their unused time to another speaker, nor are they allowed to speak more than once for each agenda item.

For public hearings, the process remains mostly the same: staff presents first, Council asks questions, the applicant presents (up to 15 minutes) and answers Council questions, then the public hearing opens. Speakers will indicate in advance which item they're addressing, whether they support or oppose it, and whether they want to speak or just have their comment noted. If there's a large turnout, the Mayor may adjust speaking time based on the number of speakers. The City will provide sign-up sheets, appearance cards, and clipboards at meetings, and a new webpage outlines the procedures, including the full ordinance, and hosts the online sign-up form. Public appearance cards will be organized by agenda item for Council review.

5. Public Comments

Sheila Hood, 3841 Black Champ Road, Waxahachie, Texas, representative from the Pet Coalition of Ellis County, thanked the Council for its work on animal control and reaffirmed the Coalition's commitment to partner with the City. The Coalition reported major accomplishments, including distributing 45,000 pounds of pet food, providing 721 vaccines, placing 47 microchips, funding over 50 spay and neuter surgeries, and handling 721 calls for assistance. They also helped 105 community pets through rescue, placement, transport, and critical veterinary care. Ms. Hood praised City leadership and animal control staff for raising awareness and making significant progress, and emphasized the Coalition's continued willingness to support efforts to address animal welfare and animal control issues.

Matt Craig, 515 Bent Trail, Red Oak, Texas, Pet Coalition board member, supported the animal shelter study, stressing its importance for both animal welfare and public safety. He thanked City leadership for partnering with Ellis County, offered the coalition's data and frontline experience to support the needs assessment, encouraged a regional approach, and reaffirmed their commitment to help implement improved animal services after the study.

6. Consent Agenda

- a. Minutes of the City Council meeting of December 15, 2025
- b. Event application for C10s in the Park to be held September 19, 2026 at Getzendaner Park
- c. Event application for C10s in the Park Party on the Square to be held September 19, 2026 in Downtown Waxahachie
- d. Temporary Road Closure of a portion of Patrick Road
- e. Easement Dedication and Sanitary Sewer Service Agreement with Bluejacket Group, The Little Living Trust and the City of Waxahachie

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- f. Supplemental appropriation to allocate funds received through insurance reimbursement for repairs on two City Marshal vehicles in the amount of \$23,291
- g. Supplemental appropriation to allocate funds received through insurance reimbursement for repairs on an Animal Services vehicle in the amount of \$17,749
- h. Supplemental appropriation to allocate funds received through insurance reimbursement for repairs on police vehicles in the amount of \$63,237

Action:

Tres Atkins moved to approve all items on the Consent Agenda as presented and authorize the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Travis Smith and carried unanimously (5-0).

7. Consider confirmation of Waxahachie Fire Chief

City Manager Ricky Boyd reported that he was appointed Interim City Manager on July 14, 2025, and confirmed as City Manager on December 8, 2025, creating a vacancy in the Fire Chief position. Pursuant to Section 143.013(a)(1) of the Texas Local Government Code, the Fire Chief is appointed by the City Manager and confirmed by the City Council.

Mr. Boyd stated that, after evaluating the Fire Department's current condition, future growth, community needs, and departmental culture, he determined that promoting from within would best ensure continuity and a smooth transition. Since January 2025, he has mentored and coached Training/EMS Chief Scott Safford as a potential successor. Following Mr. Boyd's appointment as Interim City Manager, Scott Safford was named Interim Fire Chief, during which time he demonstrated strong leadership, maintained high morale, and upheld a positive departmental culture.

After reviewing personnel records, conducting background checks, and consulting with staff, Mr. Boyd recommended Battalion Chief Scott Safford for appointment as Fire Chief. Chief Safford has 21 years of service with the Waxahachie Fire Department and is well-respected within the department and community. The City Manager requested City Council confirmation of Scott Safford as Fire Chief, effective January 5, 2025.

Action:

Travis Smith moved to approve confirmation of Scott Safford as Waxahachie Fire Chief. Motion was seconded by Tres Atkins and carried unanimously (5-0).

8. Consider funding request for professional services related to a Downtown Alley Revitalization Project in the amount of \$15,000

Gumaro Martinez, Executive Director of Parks and Leisure Services, presented the Item. 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.

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

Shane Henry explained that the alley project grew out of long discussions with the Downtown Merchants Association and other boards about activating underused downtown spaces to better support businesses and visitors. He said the goal is to create clean, inviting alleys where people want to walk, eat, and gather, not just do surface improvements like paint and weed removal. While the cost initially seemed high, deeper evaluation showed the need for professional design and infrastructure work to address safety, utilities, and long-term usability. He emphasized that getting the first alley right is critical so it can serve as a model for future projects, noting the effort has unanimous support from the Downtown Merchants Association and backing from the tourism fund. Mr. Henry concluded that meaningful, lasting progress requires more than volunteers and asked that the City support this as the necessary starting point for revitalizing downtown alleys.

Mayor Pro Tem Souter Patrick Souter explained that Waxahachie Partnership, Inc. (WPI) is responsible for identifying transformational downtown projects, and the alley activation project has long been recognized as one of them. He said the project supports Waxahachie's Texas Main Street designation by showcasing downtown improvements at the state level and contributing to statewide recognition. City leadership noted that the project builds on years of progress from the downtown master plan, including parks and preservation efforts, and represents a "next step" in enhancing downtown spaces. While the cost is challenging, speakers emphasized the long-term vision of creating vibrant, walkable alleys and clarified that approving professional design services would allow for detailed planning, true cost estimates, and flexibility to phase or scale the project before final construction decisions are made.

Action:

Chris Wright moved 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 City Manager to execute all necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).

- 9. Public Hearing on a request by Joshua Bell and Tiffany Bell, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 zoning district located at 105 Indian Ct (Property ID 173005) - Owners: Joshua and Tiffany Bell (ZDC-137-2025)**

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Trenton Robertson, Senior Director of Planning, presented the Item and owner Joshua Bell requested approval. The applicant requests a SUP for short-term rental use at 105 Indian Court because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,340 square feet, with three (3) bedrooms and enough improved surface to accommodate parking for a maximum of three (3) vehicles. The subject property is situated on an approximately 0.1940 acres (8,450 square feet) lot. The applicant has not been operating the subject property as a short-term rental; therefore, they have not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant submitted the SUP application on September 15, 2025.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered that there were no nuisance-related calls. The applicant's local emergency contact is located approximately twelve (12) miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 27 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. At the time of the publishing of this staff report, a total of no letters of support and opposition were received by staff.

Mayor Wallace opened the Public Hearing at approximately 8:00 p.m.

There being no others to speak for or against ZDC-137-2025, Mayor Wallace closed the Public Hearing at approximately 8:00 p.m.

10. Consider proposed Ordinance approving ZDC-137-2025

ORDINANCE NO. 3694

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A SHORT-TERM RENTAL USE WITHIN A SINGLE-FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED AT 105 INDIAN COURT, BEING PROPERTY ID 173005, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 8 BLOCK 2 OF THE COLONIAL ACRES ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Chris Wright moved to approve ZDC-137-2025, a Specific Use Permit for a Short-Term Rental use, subject to the conditions of the staff report and authorize the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).

11. Public Hearing on a request by Emilia Atkinson, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 zoning district located at 311 Morene Ave (Property ID 173731) - Owners: Emilia Ochoa-Atkinson and Joshua Atkinson (ZDC-144-2025)

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Mr. Robertson presented the Item. The applicant requests a SUP for short-term rental use at 311 Morene Avenue because it is located within the SF-2 zoning district. The subject property consists of a primary structure of approximately 1,943 square feet, with four (4) bedrooms and enough improved surface to accommodate parking for a maximum of four (4) vehicles. The subject property is situated on an approximately 0.1940 acres (8,450 square feet) lot. The applicant has not been operating the subject property as a short-term rental; therefore, they have not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant submitted the SUP application on September 3, 2025.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered that there were no nuisance-related calls. The applicant's local emergency contact is located approximately six (6) miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 31 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of zero (0) letters of support and eight (8) letters of opposition were received by staff.

Mayor Wallace opened the Public Hearing at approximately 8:04 p.m.

There being no others to speak for or against ZDC-144-2025, Mayor Wallace closed the Public Hearing at approximately 8:04 p.m.

12. Consider proposed Ordinance approving ZDC-144-2025

ORDINANCE NO. 3695

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A SHORT-TERM RENTAL USE WITHIN A SINGLE-FAMILY-2 (SF-2), LOCATED AT 311 MORENE AVENUE, BEING PROPERTY ID 173731, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 224 OF THE GINGERBREAD VILLAGE PHASE 1&2, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Chris Wright moved to approve ZDC-144-2025, a Specific Use Permit for a Short-Term Rental use, subject to the conditions of the staff report and authorize the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).

13. Public Hearing on a request by Timothy Ramos, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 zoning district located at 211 Pecan St (Property ID 175135) - Owner: Seven Partners LLC (ZDC-165-2025)

Mr. Robertson presented the Item. The applicant requests a SUP for short-term rental use at 211 Pecan Street because it is located within the SF-2 zoning district. The subject property consists of

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a primary structure of approximately 1,007 square feet, with three (3) bedrooms and enough improved surface to accommodate parking for a maximum of three (2) vehicles. The subject property is situated on an approximately 0.1640 acres (7,143 square feet) lot. The applicant would normally be required to have three parking spaces, but has requested for two (2) with a maximum occupancy of six (6) guests. The applicant has not been operating the subject property as a short-term rental; therefore, they have not been paying local hotel occupancy taxes. There is an existing SUP for Short-Term Rental use that is tied to previous ownership of the home. The Ellis County Appraisal District (ECAD) does not identify the subject property as a Homestead. The applicant submitted the SUP application on October 16, 2025.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered that there were no nuisance-related calls. The applicant's local emergency contact is located approximately twelve (12) miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 32 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

At the time of the publishing of this staff report, a total of six (6) letters of support and two (2) letters of opposition were received by staff. Three (3) letters of support received are within the 200' buffer.

Staff confirmed there were no concerns with providing only two parking spaces for a maximum of six occupants, as parking limits were intentionally aligned with guest limits and included in the house rules.

Mayor Wallace opened the Public Hearing at approximately 8:06 p.m.

There being no others to speak for or against ZDC-165-2025, Mayor Wallace closed the Public Hearing at approximately 8:06 p.m.

14. Consider proposed Ordinance approving ZDC-165-2025

ORDINANCE NO. 3696

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A SHORT-TERM RENTAL USE WITHIN A SINGLE-FAMILY-2 (SF-2), LOCATED AT 211 PECAN STREET, BEING PROPERTY ID 175135, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOTS 7-R AND 8-R, BLOCK 3 REPLAT OF PARK HILL ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Chris Wright moved to approve ZDC-165-2025, a Specific Use Permit for a Short-Term Rental use, subject to the conditions of the staff report and authorize the City Manager and/or the Mayor to execute all necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).

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15. Public Hearing on a request by Grant Easton, for a Specific Use Permit (SUP) for an Accessory Dwelling Unit use within a Planned Development-27-Single Family-2 zoning district located at 301 Buffalo Creek (Property ID 174372) - Owner: Claire Bridgeford and Brandon Bridgeford (ZDC-159-2025)

Mr. Robertson presented the Item. The applicant proposes a Specific Use Permit (SUP) to allow for the remodel of an existing 1,500 square foot garage into a 1,552 square foot Accessory Dwelling Unit. The Waxahachie Zoning Ordinance requires approval of a SUP to allow for an Accessory Dwelling Unit use within a Single Family-2 (SF-2) zoning district. The proposed accessory dwelling unit is located to the rear of the primary home at 301 Buffalo Creek Drive and meets the minimum setback requirements for an accessory structure within the SF-2 zoning district. If approved, the existing driveway is sufficient to meet the parking requirements for the proposed accessory dwelling unit. The main dwelling has an attached 2-car garage.

The proposed accessory dwelling unit will include one (1) bedroom, one (1) bathroom, a washer/dryer connection, a full kitchen, and an open living area. Access doors will be available from the Northwest side of the property. The structure will be accessible from the driveway facing the alley behind the primary dwelling. Additionally, the proposed accessory dwelling unit will have a garage and will utilize the existing improved surfaces as off-street parking.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 30 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in The Waxahachie Sun and a sign was visibly posted at the property. Staff has received zero (0) letters of opposition and zero (0) letters of support for the proposed SUP.

Mayor Wallace opened the Public Hearing at approximately 8:11 p.m.

There being no others to speak for or against ZDC-159-2025, Mayor Wallace closed the Public Hearing at approximately 8:11 p.m.

Council Member Travis Smith confirmed that the SF-2 zoning requires a five-foot side setback and that the roofline, including gutters, cannot extend into that area, which Mr. Robertson concurred with.

16. Consider proposed Ordinance approving ZDC-159-2025

ORDINANCE NO. 3697

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY DWELLING UNIT USE WITHIN A PLANNED DEVELOPMENT-27-SINGLE-FAMILY-2 ZONING DISTRICT, LOCATED AT 301 BUFFALO CREEK, BEING PROPERTY ID 174372, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 20, BLOCK 20 OF THE INDIAN HILLS SUBDIVISION #2, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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Action:

Tres Atkins moved to approve ZDC-159-2025, a Specific Use Permit for an Accessory Dwelling Unit, subject to the conditions of the staff report. Motion was seconded by Travis Smith and carried unanimously (5-0).

17. Public Hearing on a request by Todd Baker, YMCA Metro Dallas for a Zoning Change from an Office (O) zoning district to Planned Development-Neighborhood Services (PD-NS) zoning district, for a Public Community Center use, located at 100 YMCA Drive, (Property ID 193929) - Owner: YMCA of Metro Dallas (ZDC-139-2025)

Mr. Robertson presented the Item and John McLaughlin, Executive Director of the Waxahachie YMCA, requested approval. The applicant proposes a Zoning Change to a Planned Development-Neighborhood Services (PD-NS) district to facilitate the expansion of the Waxahachie Family YMCA. The YMCA proposes an expansion that encompasses additions to the existing building and the addition of multiple pavilions, sports courts/fields, outdoor activity areas, and parking that cannot be accommodated under the existing zoning regulations for the property. As part of the request, the applicant has proposed specific Planned Development Standards that are appropriate to this unique expansion.

In addition to the YMCA Public Community Center, the following uses are permitted by-right within the proposed Planned Development district: Child Daycare Center, Playfield or Stadium, Public, Swimming Pool, and Commercial. These are land uses that were identified by the applicant as consistent with the current mission and services provided by the YMCA.

The Planned Development Standards include provisions detailing site design requirements such as maximum building height, lot coverage, and setbacks that are consistent with the proposed expansion. In addition to these standards for new structures, provisions outlining parking, landscaping, signage, and lighting requirements are also provided.

The applicant has provided a Detailed Site Plan for the subject property, which is designed around an approximately 21,000 square foot addition to the YMCA building, a stand-alone restroom structure, and two outdoor pavilions totaling 29,000 square feet in area. In addition to these structures, the Detailed Site Plan identifies over 82,000 square feet of activity space designated as soccer fields, volleyball courts, pickleball courts, basketball courts, open-air exercise areas, and playground areas. The applicant has worked with staff to incorporate emergency access lanes into the center of the site between the pavilions to allow emergency services to quickly access all activity spaces. These emergency access lanes are designed to appear like pedestrian pathways that are integrated seamlessly into the site from an aesthetic standpoint; while remaining unobstructed for emergency services.

Pedestrian access is provided via an 8' concrete trail around the perimeter of the property. This trail connects all proposed outdoor improvements to each other and the primary YMCA building. A vinyl coated chain-link fence is proposed along the perimeter of the property and along the retaining wall adjacent to the Mustang Creek to restrict access to the creek.

There are currently 109 parking spaces serving the existing YMCA facility. With this expansion, an additional 107 parking spaces are proposed to be installed, bringing the total parking on the

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subject property to 216 spaces. The existing drive-aisle and parking lot is proposed to be extended north, parallel to the western property line. Due to the total combined size of the sports fields and courts proposed on the property, the typical minimum parking requirement for this use would be 321 spaces. However, it is not feasible to provide this number of spaces and still construct the proposed number of sports courts and fields. The applicant has noted that not all proposed facilities will be fully utilized at one time. With this context in mind, staff is supportive of the proposed parking for the development.

The subject property currently has three (3) points of access. Two (2) of the existing points of access provide a direct connection to YMCA Drive while the third access point connects to the internal drive aisle of 102 YMCA Drive. These access points are proposed to remain in place to serve the expansion. However, the existing internal drive-aisle is proposed to extend to the north and connect to the drainage infrastructure running along the northern boundary of the subject property. The connection to the drainage infrastructure is proposed to be gated and to serve only as an additional means of emergency access to the rear of the property in the event that YMCA Drive is blocked.

The applicant has provided an Elevation/Façade Plan for the building expansion and outdoor pavilions proposed with this development. As part of the expansion, the south, east, and west facades of the building are proposed to change while the north elevation is proposed to remain largely unchanged. The facade of the addition is proposed to be comprised primarily of architectural metal and EIFS panels that provide a modern look for the building. Similarly, the outdoor pavilions are proposed to be complimentary metal panels. Pavilion 2, the smaller pavilion, is proposed to cover metal shipping containers that have been converted for use as storage and activity spaces.

The applicant has provided a Landscape Plan that identifies the proposed landscaping for the site. The proposed landscaping falls short of the minimum requirements of the Waxahachie Zoning Ordinance. However, the proposal is only short of typical minimum requirements due to the fact that a large portion of the site has been reserved for sports fields. While sod is provided in these areas, landscaping such as trees and shrubs cannot be provided. Due to the proposed use of the site and the provision of appropriate landscaping along walkways, parking lot, and the primary building, staff is supportive of the Landscape Plan as proposed.

The applicant has proposed a dedicated Signage Plan with this PD application that includes wall signage and a monument sign. The proposed monument sign is 28' in height and approximately 224 square feet in size. The proposed design exceeds the typical height and size requirements of the Waxahachie Zoning Ordinance. The monument sign is proposed to feature a static YMCA logo and a 5'-7" x 8' electronic message board. The proposed wall signs for the development exceed the total maximum square footage allowed by the Waxahachie Zoning Ordinance, but are consistent with recently approved signage for large developments such as Tom Thumb and BJ's Wholesale Club to the northeast. Due to this, staff is supportive of the proposed signage for the site.

The applicant has provided a Planned Development Standards that require all outdoor lighting that is included in the scope of the expansion to be compliant with the Waxahachie Lighting & Glare Standards. Lighting and Photometric plans have also been provided to demonstrate that the added lighting directed downward towards the site and properly shielded so as not to create a nuisance.

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The subject property has historically been situated within the FEMA designated 100-year floodplain. However, over the last few years the YMCA has through extensive site grading and channel improvement efforts with the City and FEMA to remove a majority of the property from the 100-year floodplain. The YMCA has completed these efforts through the Letter of Map Revision (LOMR) process, thereby opening up the property for the expansion efforts detailed above. This work has also accounted for the drainage needs of the proposed expansion to ensure no adverse flooding occurs along Mustang Creek as a result of the expansion.

The applicant proposes to develop the subject property in two (2) phases. Phase 1 is proposed to include the outdoor pavilions and restroom facility, along with associated site infrastructure, landscaping, and lighting. Phase 1 is proposed to begin in Q1 of 2026 and be completed in Q4 of 2026.

Phase 2 is proposed to include the renovation and expansion of the current YMCA building along with final site infrastructure improvements such as parking. Phase 2 is proposed to begin in Q1 of 2026 and be completed in Q2 of 2027. The YMCA is planning to work with City staff to coordinate a plan to keep current services safely operational during the expansion.

As part of the Planned Development application, the applicant has requested that 100% of Roadway Impact Fees be waived for the expansion project. Typically, development that expands the footprint or scope of an existing facility is subject to Roadway Impact Fees commensurate with the expanded scope. The applicant has noted that the YMCA is a nonprofit organization providing essential services to the community and reasons that the public benefit of the provided services is sufficient to off-set the cost of the impact on the City's roadway network.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 16 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 to the planned development request.

Mayor Wallace opened the Public Hearing at approximately 8:17 p.m.

There being no others to speak for or against ZDC-139-2025, Mayor Wallace closed the Public Hearing at approximately 8:17 p.m.

18. Consider proposed Ordinance approving ZDC-139-2025

ORDINANCE NO. 3698

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM OFFICE (O) TO PLANNED DEVELOPMENT-NEIGHBORHOOD SERVICES (PD-NS) LOCATED AT 100 YMCA DRIVE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 11.419 ACRES KNOWN AS LOT 11, BLOCK C OF THE LAKERIDGE I ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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Action:

Travis Smith moved to approve ZDC-139-2025, a Planned Development Zoning Change request for a Public Community Center, subject to the conditions of the staff report and authorize the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Tres Atkins and carried unanimously (5-0).

19. Consider Development Agreement for ZDC-139-2025

Action:

Travis Smith moved to approve the Development Agreement for ZDC-139-2025. Motion was seconded by Tres Atkins and carried unanimously (5-0).

20. Public Hearing on a request by Andrew Ruegg, Masterplan Consultants for a Zoning Change from a Future Development (FD) zoning district to Planned Development-Commercial (PD-C) zoning district for commercial and industrial uses, located at 3705 N US Highway 77, (Property ID185355) - Owner: NH Waxahachie LLC (ZDC-43-2025)

Mr. Robertson presented the Item. The applicant proposes to rezone the subject property from a Future Development (FD) zoning district to a Planned Development-Commercial (PD-C) zoning district to facilitate occupancy of vacant warehouse structures and establish appropriate standards for future development of the property. No specific tenants or redevelopment plans for the property are proposed with this request.

The existing structures on the subject property were built in 1985. The structures have historically been used as warehouses, with the most recent tenants being a furniture store and warehouse. The subject property was not annexed into the City of Waxahachie until 1998. As such, no original documentation of the building design, permitting, or inspections are available to City staff. Staff has been unable to verify whether the existing buildings or site improvements meet current City Building and Fire Code requirements due to the lack of available information.

The existing buildings on the subject property are approximately 9700 square feet and 7100 square feet in size. Each building has overhead doors for deliveries and loading/unloading. No expansions or modifications to the existing buildings are proposed as part of this Planned Development request.

The subject property features a single existing drive-aisle serving both buildings. The drive-aisle is currently comprised of a combination of materials, but the applicant proposes to improve the drive aisle to concrete sufficient to meet current Fire Code requirements. A total of 17 total parking spaces are currently present on the site. As part of the drive-aisle improvements, portions of some of the existing parking spaces that are not concrete, will be improved to concrete. As part of the site improvements for the property, the applicant also proposes to install new dumpster and dumpster enclosure. The site does not currently have a dumpster enclosure.

The subject property includes several existing signs and a billboard that are proposed to be removed as part of this Planned Development request. Additionally, landscaping is proposed to be added to the site. The additional landscaping slightly exceeds minimum requirements and is proposed to be clustered heavily along US Highway 77 to serve a screen for the site. A 6' cedar

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fence is also proposed along US Highway 77 behind the proposed landscaping. The fence will have a rolling gate with a Knox Box for emergency access.

Beyond site improvements, the applicant has proposed several new Planned Development standards to facilitate occupancy of the property. The proposed standards include reduced side and rear setback requirements to 10'. This proposal is less than the typical Commercial zoning requirement of 15' and 20'. The existing structures are situated approximately 12' from the rear property line, 16' from the southern (side) property line, and 15' from the northern (side) property line.

Additionally, the applicant has proposed a set of allowable uses for the Planned Development that are unique to the subject property. All uses listed below are proposed to be allowed by right within the PD, in addition to the uses already permitted by right in the Commercial (C) zoning district.

- Auto Repair, Major
- Dry Cleaning Establishment, On-Site
- Flea Market or Farmers Market
- Heavy Machinery and Equipment, Rental, Sales or Storage
- Micro-Brewery
- Data Center
- Equipment Sales, New or Used
- Heavy Manufacturing, Fully Indoor
- Machine or Welding Shop
- Medium Manufacturing, Fully Indoor
- Public or Private Utility Shop or Storage

Staff has concern that the current configuration of the site cannot support a number of land uses proposed to be allowed by right within the new Planned Development District. For example, Retail and Restaurant uses are proposed to be permitted by right, but the current site does not have sufficient parking to support these uses. Furthermore, the existing site and existing buildings are not situated to support more intense uses such as Heavy Manufacturing, or Heavy Machinery and Equipment, Rental, Sales, or Storage.

Other than repaving the existing drive-aisle, no drive-aisle reconfiguration or parking improvements are currently proposed. Without designing proper site improvements to accommodate higher intensity use of the property at this time, staff has concern that many of the proposed uses for the property are inappropriate.

To address this concern, staff has provided several recommendations in the "Conditions" section that refines allowable uses and would require additional review and approval of the zoning for the property in the event that the owner wishes to modify or expand the site.

Due to the lack of information regarding the original development of the site, staff has concern that the existing buildings are not in compliance with current City Building and Fire code requirements. Staff also has concern that the existing drive-aisles may not support the weight of a fire truck and are not configured to allow a fire truck to properly maneuver on site.

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To address this concern, staff recommends that prior to the issuance of a Certificate of Occupancy (CO) for either existing building on the subject property, the property owner or prospective tenant shall be required to cause the property to come into compliance with 2021 International Building Code and 2021 International Fire Code. Additionally, staff recommends that the Site Plan be revised to require a concrete turnaround, approved by the Fire Marshal, for emergency vehicles at the western end of the existing drive-aisle.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 13 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 to the proposed zoning change request.

The applicant's representative, Andrew Ruegg of Master Plan Consultants, explained that the request aims to make the property a usable site for new ownership by rezoning it to a Planned Development (PD) with commercial (C) uses. The site sits between light industrial zoning to the north and commercial zoning to the south, and the proposal is intended to bridge those uses.

The plan is to reuse existing warehouse buildings with strictly indoor operations, no outdoor storage or heavy equipment on the site. The applicant reviewed staff's recommended permitted uses, agreed to remove some that staff found inappropriate, and requested flexibility to allow fully indoor heavy manufacturing as a potential use, though he stated it is not a deal-breaker.

Mr. Ruegg noted that maintaining flexibility is important to attract tenants and ensure the site's viability. He emphasized planned site improvements, aesthetic upgrades, and the goal of contributing positively to the city. He also stated that ownership representatives were present to answer questions.

Councilman Smith inquired about site improvements and protections for the neighboring greenery. Mr. Ruegg explained the developers plan to add extensive landscaping along US 77 and the property sides, exceeding base requirements, and install a cedar screening fence with a gate for security. Most business activities will be indoors, minimizing dust and debris impacts, though standard construction precautions will be taken. Traffic and parking are expected to be low due to warehouse-style tenants with few employees. Civil engineering will address drainage to prevent runoff onto adjacent properties, and the city will review all plans.

Councilman Smith requested a "right-in, right-out" entrance with a divider be added to enhance safety on US 77.

Mayor Wallace opened the Public Hearing at approximately 8:31 p.m.

Those who spoke in opposition:

Brenda Mavridis, 5 Sargent Place, Waxahachie, Texas

There being no others to speak for or against ZDC-43-2025, Mayor Wallace closed the Public Hearing at approximately 8:32 p.m.

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21. Consider proposed Ordinance approving ZDC-43-2025

ORDINANCE NO. 3699

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM FUTURE DEVELOPMENT (FD) TO PLANNED DEVELOPMENT-COMMERCIAL (PD-C) LOCATED AT 3705 N US HIGHWAY 77 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 1.662 ACRES KNOWN AS PROPERTY ID 185355, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Travis Smith moved approve ZDC-43-2025, a Zoning Change request from a Future Development district to a Planned Development-Commercial district, subject to the conditions of the staff report, to include the inclusion of a right-in right-out pork chop at the connection to Highway 77, subject to the sufficient driveway space, and authorize the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Tres Atkins and carried unanimously (5-0).

Councilman Smith confirmed that the pork chop will be installed at the applicant's expense and noted that if it cannot be implemented, the entrance will still be controlled as right-in, right-out through signage or another appropriate method.

22. 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 a continuance to the January 26, 2026, City Council meeting.

Action:

Travis Smith moved to postpone consideration of Items 22, 23, 24, and 25 to the January 26, 2026 City Council meeting. Motion was seconded by Patrick Souter and carried unanimously (5-0).

23. Consider proposed Ordinance approving ZDC-232-2024

No action taken.

24. Consider Development Agreement for ZDC-232-2024

No action taken.

25. Consider a request by Presbyterian Children's Homes and Services & Walton Texas LP for an annexation agreement for approximately 204.94+/- acres situated off of

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Brookside Road in the Elijah Bellow Survey, Abstract Number 10, Ellis County, Texas (ANX-DNX-164-2025)

No action taken.

26. Consider approval of a Supplemental Appropriation for Animal Shelter Feasibility Study in the amount of \$14,500

Dustin Deel, Senior Director of Administrative Services presented the Item. The City of Waxahachie is engaging Quorum Architects, Inc. to conduct an updated feasibility study and needs assessment for the Waxahachie Animal Shelter. This study is intended to evaluate long-term operational and facility needs and explore potential regional models for animal services delivery.

As part of this effort, the City is coordinating with Ellis County to explore the possibility of a future partnership. The study will provide critical information—such as space programming, population growth projections, phased development options, and conceptual site layouts—to help determine whether a shared facility model could be viable and beneficial for both entities.

Quorum's scope includes stakeholder engagement, site and facility assessment, conceptual planning, and preliminary cost estimates. This work will serve as the foundation for future planning and decision-making related to facility development and potential interlocal collaboration.

The study requires a supplemental appropriation in the amount of \$14,500 to cover the City's share of the project cost. Funding for this appropriation will be drawn from the General Fund Reserve and allocated to the Animal Services Department budget for FY 2026. Ellis County will independently fund the remaining \$14,500 directly to the consultant, bringing the total project value to \$29,000.

Action:

Travis Smith moved to approve a supplemental appropriation from the General Fund unrestrictive reserve in the amount of \$14,500 to fund 50% of an animal shelter feasibility study. Motion was seconded by Patrick Souter and carried unanimously (5-0).

27. Consider approval of the City of Waxahachie being named as the 'Lessee' for financing a Lenco Bearcat with payments being made through SRRG funds and Resolution authorizing the execution and delivery of a Master Tax-Exempt lease agreement, and related instruments, and determining other matters in connection therewith

Police Chief Joe Wisner presented the Item. The Waxahachie Police Department is a participating member of the Southern Regional Response Group (SRRG). SRRG provides specialized police response capabilities to its member cities, including assistance with felony arrest warrants and searches, armed barricaded persons, narcotics warrants, and other incidents requiring specialized resources. The group recognizes the operational advantages of combining manpower, training, and equipment across participating agencies, as well as the cost savings to each individual member city that comes from the combined resources.

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SRRG is governed by a Board of Directors composed of the Chief of Police from each participating city. Member cities pay annual dues, which are deposited into Fund 238 – Special Response Team, maintained by the City of Waxahachie. These funds are used to purchase equipment and other items necessary to support SRRG operations.

In 2022, the SRRG Board of Directors approved the purchase of a Lenco BearCat armored vehicle. Although the vehicle was purchased with SRRG funds, it is titled and registered to the City of Waxahachie.

On December 9, 2025, the SRRG Board of Directors voted to purchase a second Lenco BearCat armored vehicle at a total cost of \$379,694. The purchase will be fully funded through SRRG funds.

At the same meeting, the Board approved entering into a five (5) year tax-exempt lease-purchase agreement with Municipal Asset Management, Inc. Under the terms of the agreement:

- A \$130,000 down payment will be made when the City of Waxahachie takes possession of the vehicle.
- The remaining \$249,694 will be financed over five years.
- The annual payment will be \$58,729.24, subject to City of Waxahachie credit rating.
- All payments—including the down payment—will be made using SRRG funds.

Since the purchase of the first BearCat in 2022, the cost of a comparable vehicle has increased by approximately 28%. Utilizing this lease-purchase option allows the team to secure the vehicle sooner while avoiding additional cost increases due to inflation.

Although BearCats are regional assets funded by the SRRG, they must be titled and registered under a single municipality. The lease-purchase agreement also requires one municipality to serve as the contracting party.

Accordingly, we are requesting that the City of Waxahachie:

1. Purchase the new Lenco BearCat using SRRG funds;
2. Be designated as the Lessee on the five-year lease-purchase agreement with Municipal Asset Management, Inc.; and
3. Serve as the titled and registered owner of the vehicle.

If this request is approved, a subsequent item will be presented seeking authorization to transfer ownership of the 2022 Lenco BearCat to the City of DeSoto, another SRRG participating member.

All down payments and annual lease payments will be made from Fund 238 – Special Response Team. The City of Waxahachie already maintains the 2022 BearCat. If the transfer of that vehicle to the City of DeSoto is approved, the fiscal impact to Waxahachie will be minimal to none, as the City will continue to maintain ownership of only one BearCat.

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RESOLUTION NO. 1397

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER TAX-EXEMPT LEASE PURCHASE AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

Action:

Travis Smith moved to approve the City of Waxahachie being named as 'Lessee' for financing of a Lenco Bearcat with payments being paid through SRRG funds and approval of an associated Resolution authorizing the execution and delivery of a Master Tax-Exempt lease agreement, related instruments and other matters in connection therewith, and authorize the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Tres Atkins and carried unanimously (5-0).

28. Consider approval of transfer of ownership of the 2022 Lenco BearCat armored vehicle to the City of DeSoto

Action:

Travis Smith moved to approve the Memorandum of Understanding to transfer ownership of the 2022 Lenco Bearcat armored vehicle to the City of DeSoto and authorize the City Manager and or Mayor to execute all necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).

29. Receive Fiscal Year 2025 Preliminary 4th Quarter Financial Report

Chad Tustison, Senior Director of Finance, presented the Item. He presented the Fourth Quarter Financial Report for Fiscal Year 2025, covering the 12-month period of October 2024 through September 2025. The report highlights the General Fund, Water and Wastewater funds, Waxahachie Community Development Corporation (WCDC) Fund, Hotel/Motel Fund, and the Tax Increment Refinance Zone (TIRZ) Fund. This report compares actual revenue collections and expenses incurred during the year to the approved budget and is a preliminary unaudited year-end report. The City's annual financial audit is currently underway and is scheduled to be delivered in March 2026.

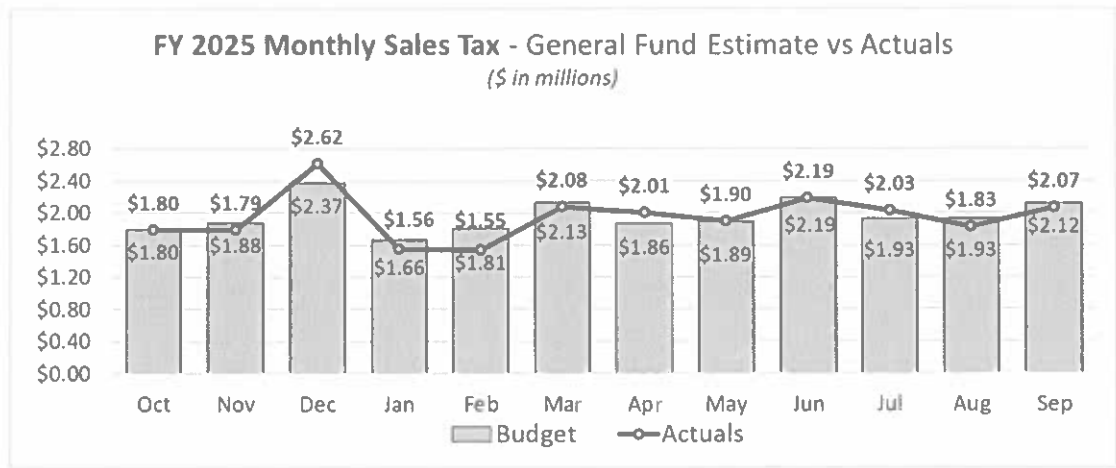
General Fund

- The City's General Fund accounts for activities commonly associated with municipal government such as police and fire protection, parks and recreation, routine street maintenance, and library services. This fund is supported by property tax, sales tax, user fees, permits and other miscellaneous revenues. Overall, revenues have performed better than anticipated and expenses are within budget.
- Property tax collections account for approximately 37% of the City's revenue in Fiscal Year 2025. Through the fourth quarter, property taxes in the City's General Fund amount to \$26.5 million. In addition to current-year collections, this revenue also includes delinquent payments from prior years and associated penalties and interest. The majority of collections occur from December through March as property tax payments become due and were reflected in the report for the second quarter.

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- Sales tax is the second largest revenue source, accounting for 33% of the City’s General Fund. Of the 8.25 cents for every dollar of taxable sales, the state of Texas collects 6.25 cents, while 1.5 cents are distributed to the City’s General Fund, and 0.5 cent goes to the WCDC fund.

Through the fourth quarter, collections in the General Fund totaled \$23.4 million and represent an increase of 4.0% over the prior year.

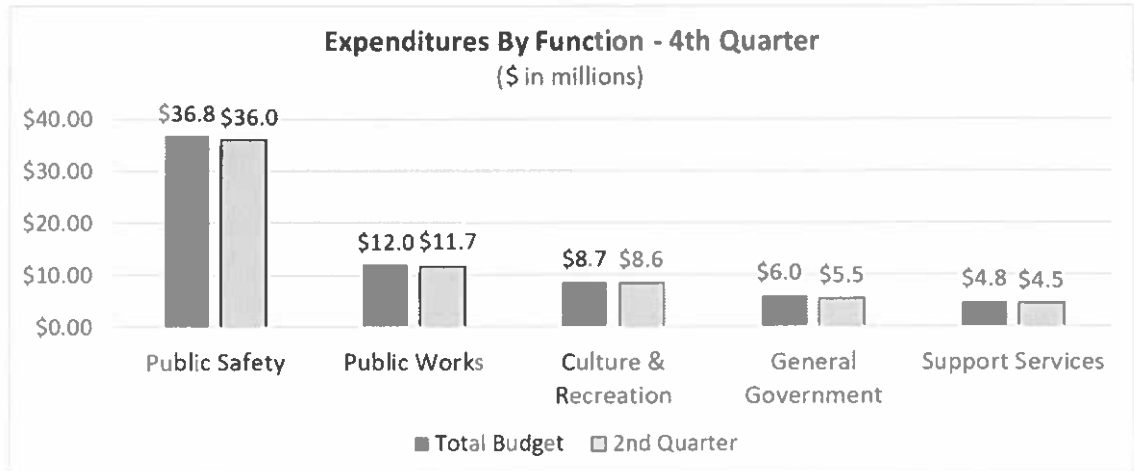


- Other major revenue sources include Franchise Fees, Licenses and Permits, Charges for Service, Miscellaneous revenue and Interfund Transfers. Franchise fees are collected from local utility companies to pay for the use of the City’s right-of-way. Building permits for residential and commercial building activity continue to be stronger than anticipated, reflecting the City’s ongoing growth.

Miscellaneous revenue is trending higher mainly as a result of interest income from higher yields on the City’s invested funds. Additionally, we’ve realized additional revenue through cooperative purchasing and credit card rebate programs. The transfer revenue category also includes unanticipated interest accrued from capital projects funds with General Fund allocations.

- Expenditures in the General Fund for the fourth quarter total \$66.3 million, or approximately 3.0% below budget. The following chart compares the budget for each City function to the actual expenditures through FY 2025.

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- In the area of Public Works, there are unspent funds of approximately \$1.3 million in annual street maintenance and improvements. As part of the year-end close-out process, these funds will be transferred out of the General Fund budget to the Streets Capital Fund for future and ongoing projects. For support services, actuals have come in under budget primarily due to salary savings, and delayed equipment purchases for the City Hall remodel project. Savings in General Government includes salary savings and legal fees.

Other Funds

- The Water and Wastewater Funds account for all revenues and expenditures associated with the operation and maintenance of the City’s water distribution and wastewater treatment activities.

Expenses are in line with the budget and reflect some savings in personnel, lower cost of water treatment supplies, and less use of the Sokoll plant than anticipated. Revenues are slightly over budget due to additional growth in customer accounts.

- The WCDC fund accounts for revenues and expenses associated with the Waxahachie Community Development Corporation in operating the Civic Center and Sports Complex, promoting economic development, and implementing quality of life improvements throughout the community. This fund is mainly funded by ½ cent sales tax and user fees. Overall, revenues and expenses are within budget. Similar to the General Fund, sales tax is up 4.0% over last year. Compared to the prior year, total revenue is 3.2% higher due to increased activity at the Sports Complex and additional interest income.
- The Hotel/Motel Tax Fund receives the proceeds from a 7% hotel occupancy tax available to be used to promote tourism and the convention and hotel industry. The City uses the fund to operate the Convention and Visitor’s Bureau and contribute to smaller non-city organizations that promote the arts and historic tourism and preservation. Revenues and expenditures are in line with budget projections.

Investment Activity

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- As part of the financial management of the City, cash balances in the City's various funds are invested and earn interest. This interest income can be used to fund operating costs, capital projects, and service debt. These funds are invested in accordance with the City's Investment Policy and are in full compliance with the Texas Public Funds Investment Act. The majority of City funds are invested in LOGIC, a AAA rated local government investment pool. For the fiscal year, the total City's interest totaled \$11.3 million.

Action:

Patrick Souter moved to accept the FY 2025 Preliminary 4th Quarter Financial Report as presented. Motion was seconded by Travis Smith and carried unanimously (5-0).

- 30. 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, 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**

Mayor Wallace announced at 9:03 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 as permitted by Texas Government Code Section 551.071, and all matters incident and related thereto.

- 31. Reconvene and take any necessary action**

The meeting reconvened at 10:30 p.m.

Action:

Patrick Souter moved to authorize the City Manager to file a Quick Claim Deed with Ellis County for an approximate 1.02-acre tract of land, more or less, with an Ellis Appraisal District Property Identification Number of 217175, and a street address of 216 N. College Street. Motion was seconded by Travis Smith and carried unanimously (5-0).

- 32. Comments by Mayor, City Council, City Attorney and City Management**

Council Member Chris Wright welcomed Darrel Nay, Sandy Rehkopf, and Kenzie Redington to town, praised Ms. Redington's work so far, and expressed appreciation for the efforts of the City Attorney Terry Welch and Finance Director Chad Tustison for their hard work managing finances and collections. Councilman Wright also thanked City Manager Ricky Boyd for placing the

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quarterly financial report on the regular agenda and recognized Jon Garrett, who was in attendance, congratulating him on running for office.

Mayor Pro Tem Patrick Souter welcomed Kenzie Redington and Sandy Rehkopf back to town, congratulated Fire Chief Scott Safford on his new role, and thanked him for his commitment to the city and its citizens. Mayor Pro Tem Souter also recognized Jon and Alyssa Garrett for receiving the Historic Preservation Award for their work on the Bloom and Poor (formerly Happy's Warehouse) building, acknowledging their contributions to downtown Waxahachie and the community.

Council Member Travis Smith welcomed Kenzie Redington and Sandy Rehkopf, praising Ms. Redington's success with dog adoptions. Councilman Smith congratulated Fire Chief Scott Safford on his role, emphasizing a fresh start, and expressed appreciation for staff and Council for their dedication and long hours on what could become Waxahachie's largest development project, acknowledging the commitment it has taken to thoroughly review.

Council Member Tres Atkins welcomed Sandy Rehkopf and Kenzie Redington to Waxahachie and congratulated Fire Chief Scott Safford on his new role. He also expressed sympathy for the owners of the Blind Pig following a fast-moving fire, expressing hope that the establishment will be rebuilt even better than before.

City Manager Ricky Boyd expressed gratitude for the Council's support of City staff and specifically thanked them for confirming Scott Safford as the new Fire Chief, affirming confidence in his ability to do a great job.

Mayor Billie Wallace commended the City team for quickly installing a stop sign at Vista Way and North Grove during a holiday week, improving safety in a high-speed area near a school. She praised first responders for their work during recent fires and holiday crime increases, highlighting the dedication of Waxahachie's Police and Fire Departments. Mayor Wallace welcomed Sandy Rehkopf back to Waxahachie and expressed excitement for her contributions to downtown.

33. Adjourn

There being no further business, the meeting adjourned at 10:31 p.m.

Respectfully submitted,
Amber Villarreal, City Secretary

A Work Session of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms C and D, Waxahachie, Texas on Monday, January 5, 2026 at 1:00 p.m.

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

Others Present: Ricky Boyd, 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. Discuss development proposal by Minto Communities -USA for the planned development district formerly known as the Emory Lakes development

Senior Director of Planning Trenton Robertson provided an overview of the Kemp Tract development project. Staff presented recent comments and recommendations from the staff report, noting that of 75 total staff conditions, approximately 30 have been agreed to, 25 are partially agreed to, and several remain unresolved. Major discussion topics were identified, including residential monotony, road access, Municipal Management District (MMD) and impact fees, parks, and project timing. It was agreed that items nearing consensus would be addressed first, while transportation and MMD-related issues would be discussed later when the developer's legal representative was present. Staff clarified that many comments were intended to refine language and protect the city's long-term interests rather than indicate outright disagreement.

Residential Design, Density, and Development Standards

Council discussed residential monotony and the need for diversity in architectural styles and lot sizes. The developer proposed that approximately 5% of lots would be one-third of an acre, with an additional 250 lots exceeding that size. Council debated whether this distribution provided sufficient variation and how larger lots would be dispersed. Staff clarified lot size definitions and explained that compliance is enforced through plat and building permit reviews. Existing ordinances governing lot variation and architectural diversity were reviewed, with staff noting that the scale of this project justifies enhanced standards. Council also discussed density and found general consensus that the proposed density aligns with the City's comprehensive plan and long-term sustainability goals.

Infrastructure Design, Alleys, and Parks

Discussion shifted to alley design and waste collection, with concerns raised about maintenance and pavement durability. It was agreed that alleys would meet City street engineering standards, trash collection would occur in front of homes, and final designs would require City engineer approval. Council reviewed amenity and specialty park requirements, confirming that the

(ub)

developer will construct and equip parks with necessary improvements. Parks must be completed when 50% of phase permits are issued, and no later than 120 days after reaching project milestones. The regional trail was also discussed, with the developer agreeing to construct approximately one mile of trail within the development and contribute funds to address a gap created by outdated grant estimates. Specialty park timing was tied to school construction, with one required at the issuance of the 3,000th traditional home permit.

Transportation, Right-of-Way, and Brookside Improvements

After the developer's legal representative joined the meeting, transportation infrastructure and traffic impact analysis requirements were reviewed. City engineers noted uncertainty in traffic projections and the need for future analyses. Council discussed improvement obligations for Brookside Road, Highway 875, and FM 1446, agreeing to phased improvements tied to permit thresholds and defined timelines. Right-of-way acquisition responsibilities were clarified, and the Brookside bridge was discussed, with agreement that the developer would design both widening and elevation options and the City would select the preferred alternative based on cost differences funded through impact fees. Brookside improvements were confirmed to occur in two primary phases: prior to the first permit issuance and within 120 days of, or upon issuance, of the 1,500th traditional home permit.

Funding Mechanisms, Safety, and Impact Fees

The group discussed future infrastructure funding mechanisms, including the potential use of escrow accounts for roadway widening and other improvements, with a tentative contribution cap discussed. Traffic thresholds triggering improvements were reviewed, with Level of Service D identified as a key benchmark. Fire lane and emergency access requirements were clarified, confirming that fire lanes must be completed and approved by the fire marshal prior to issuance of the first residential building permit. The county's ten-year impact fee review schedule was discussed, and the agreed fee structure was confirmed: \$750 per single-family unit, \$500 per multifamily unit, and \$0.75 per square foot for retail and office uses.

Approvals, Utilities, and MMD Governance

Council confirmed that all non-single-family site plans must be approved by City Council through an administrative process unless zoning changes are required. Mixed-use district designs will require review by both the Planning and Zoning Commission and City Council once detailed plans are available. Procedures for impact fee credits and reimbursements through the MMD were clarified, emphasizing avoidance of double counting and alignment with the City's five-year Capital Improvement Plan. Utility planning discussions included the potential construction of an elevated water tank serving the development and regional coordination across I-35. MMD governance was reviewed, with agreement on a 90-day notice and Council presentation prior to any subdistrict formation, and clarification that if the MMD dissolves, maintenance responsibilities will transfer as specified in the development agreement.

Neighborhood Commercial, Mixed Use, and Open Space

Council discussed neighborhood commercial zoning, emphasizing the importance of distributing small commercial areas throughout the development rather than concentrating them in limited zones or along major corridors. Market dynamics, rezoning challenges, and lost opportunities in all-residential developments were noted. Mixed-use concepts were reviewed, with preference for horizontal mixed use to support walkability. A revised commercial study projected demand

(ub)

between 500,000 and 1.2 million square feet of commercial space, and consensus formed around flexible nodes allowing a mix of residential, multifamily, and neighborhood-scale commercial uses. Open space standards were also revised, moving away from the quarter-mile park requirement in favor of fewer, larger community parks. Temporary construction facilities were addressed, with agreement on clear conditions for use and removal.

Permitting, Oversight, and Closing

Infrastructure cost tracking and reimbursement documentation were reviewed, with agreement to revise Exhibit P and improve CIP reporting. Maintenance responsibilities for detention facilities were clarified, and Council confirmed its role in approving MMD-related expenditures. Wastewater and headworks coordination responsibilities between the City and developer were outlined. A significant discussion addressed third-party permit review, with general agreement to maintain City oversight while considering defined review timelines. The work session concluded with confirmation of timelines for finalizing the Development Agreement, including submission deadlines, minor revisions, compliance with state law, and inclusion of legal provisions related to sovereign immunity and enforceability.

3. Adjourn

There being no further business, the meeting adjourned at 5:49 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

(uc)



Memorandum

To: Honorable Mayor and City Council

From: Amber Villarreal, City Secretary

Thru: Ricky Boyd, City Manager RB

Date: January 20, 2026

Re: Consider Appointment to the Animal Care Advisory Committee to Fill Unexpired Term and Appoint Members to the Cultural Arts and Heritage Commission to Fill Newly Created Positions

Recommended Motion: "I move to appoint Kenzie Redington to fill the unexpired term of Cathy Le on the Animal Care Advisory Committee and appoint Ann Montgomery & Ezriel Wilson to the Cultural Arts and Heritage Commission to fill the newly created positions, as presented."

Item Description: Consider appointment to the Animal Care Advisory Committee to fill an unexpired term and appoint members to the Cultural Arts and Heritage Commission to fill newly created positions.

Item Summary: There are two unexpired terms on the Animal Care Advisory Committee requiring appointment, due to a member's passing and a staffing change. Staff is currently in the process of identifying a candidate for the Licensed Veterinarian position; this appointment will be presented to City Council at a future meeting. At this time, staff recommends the following appointment:

Animal Care Advisory Committee (2-year term)

- Kenzie Redington (filling unexpired term of Cathy Le until September 2026)

(uc)

Following City Council's recent authorization of two new positions on the Cultural Arts and Heritage Commission, Mayor Billie Wallace and Mayor Pro Tem Patrick Souter recommend the following appointments to fill these positions.

Cultural Arts and Heritage Commission (2-year term)

- Ann Montgomery (term until September 2027)
- Ezriel Wilson (term until September 2027)

(led)



Memorandum

To: Honorable Mayor and City Council

From: Scott Safford, Fire Chief

Thru: Ricky Boyd, City Manager *RB*

Date: January 20, 2026

Re: Insurance Reimbursement for XE-2 (Blocker 2) Accident

Recommended Motion: "I move to approve a supplemental appropriation from the General Fund unrestricted reserve in the amount of \$39,843.92 to GL Account 100-220-54340, Vehicle Maintenance, for insurance reimbursement for repairs to Fire Blocker 2."

Item Description: Consider approval of a supplemental appropriation to allocate funds received through insurance reimbursement for repairs to Fire Blocker 2.

Item Summary: The Fire Engine known as XE2 and utilized as Blocker 2 was struck by a vehicle while blocking for a traffic accident. The Blocker sustained moderate damage but remained in service. The City has received an insurance reimbursement of \$39,843.92 from the Texas Municipal League (TML) for repair costs. This supplemental appropriation will allow those reimbursed funds to be formally budgeted into GL Account 100-220-54340, enabling proper financial tracking and reconciliation of the repair expenses.

Fiscal Impact: This supplemental appropriation increases the Fire Department's vehicle maintenance budget by \$39,843.92. These funds have already been received through insurance reimbursement from TML and deposited in the General Fund unrestricted reserve. The City was responsible for a \$500 deductible, which will be covered within the existing FY26 budget. There is no additional fiscal impact.

(ue)



Memorandum

To: Honorable Mayor and City Council
From: Justin Stoker, P.E., CFM, Director of Public Works & Engineering
Thru: Ricky Boyd, City Manager *RB*
Date: January 20, 2026
Re: Consider a Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Highland Avenue Improvements

Recommended Motion: "I move to approve the professional services agreement with Kimley-Horn and Associates, Inc. for the design of the Highland Avenue Improvements Project in the amount of \$500,000, and authorize the City Manager to execute all necessary documents."

Item Description: Consider the professional services agreement with Kimley-Horn and Associates, Inc. for the design of the Highland Avenue Improvements Project.

Item Summary: The proposed Highland Avenue Improvements Project consists of approximately 1,800 linear feet of concrete pavement from Sycamore Street to West Marvin Avenue. The project also includes the installation of new sidewalks and streetlights, as well as the replacement of existing storm drains, water lines, and sanitary sewer lines.

Fiscal Impact: The professional services agreement with Kimley-Horn and Associates, Inc. is \$500,000. This is an approved project in the 5-year CIP and is funded through the FY26 General Fund budget.



Memorandum

To: Honorable Mayor and City Council
From: Dustin Deel, Senior Director of Administrative Services
Thru: Ricky Boyd, City Manager *RB*
Date: January 20, 2026
Re: Consider Contract for Airport Hanger Roof Restoration

Motion: "I move to award a contract in the amount of \$143,094.26 with LBK Roofing for the restoration of the roof on Hangar 690 and authorize the City Manager to execute all necessary documents."

Item Description: Consider awarding a contract to LBK Roofing for the restoration of the R-panel metal roof on Hangar 690 at Mid-Way Regional Airport. The scope of work includes full cleaning, sealing of seams, replacement of skylights and roof fasteners, and application of an elastomeric coating system. The project includes a 20-year warranty.

Item Summary: Hangar 690 is the oldest structure on the airfield and consists of three large box hangars and twelve T-hangars. While minor roof repairs have been made over time, limited preventative maintenance has been performed historically. The roof is now in need of a comprehensive restoration to prevent further deterioration and preserve the facility.

In response to RFP No. 2025-09, five proposals were received and opened on December 11, 2025. LBK Roofing submitted the lowest responsive bid in the amount of \$143,094.26 and was determined to be the most advantageous for the City and Airport's needs

Fiscal Impact: The roof restoration is an approved project in the FY26 Airport Budget and the bid is below the budgeted amount. Funding will be supported by a FY26 TxDOT Routine Airport Maintenance Program (RAMP) Grant in the amount of \$100,000, which carries a 90/10 match requirement. The remaining \$43,094.26 will be funded from the Airport Fund.

(lef)



Memorandum

To: Honorable Mayor and City Council
From: Laurie Mosley, Director – Convention & Visitors Bureau
Thru: Ricky Boyd, City Manager *RB*
Date: January 20, 2026
Re: Consider Temporary Road Closure of a Portion of Elder Street for Filming

Recommended Motion: “I move to approve the temporary road closure on the 100 block of Elder Street, between Cleaver Road and East Marvin Avenue, for a period of 6 hours on Sunday, January 25, 2026.”

Item Description: Consider temporary road closure of a portion of Elder Street for a film project.

Item Summary: DKJ International, Inc. has requested a temporary road closure on the 100 block of Elder Street between Cleaver Road and East Marvin Avenue for a film project to take place on Sunday, January 25, 2026 between the hours of 2 pm and 8 pm (6 hours).

The production company will hire two (2) officers to assist with ingress and egress traffic of the affected neighbors and other emergency access.

Fiscal Impact: The total project budget/estimated local spend from DKJ International, Inc. is \$3,500 for this project.

(leg)



**CITY OF WAXAHACHIE
FILM/TELEVISION SHOOT
PERMIT APPLICATION**

Demar Hooks
Name of Applicant

DKJ International, Inc
Production Company

Business Phone Number

Cell (On-Site) Number

Additional Contact Person and Phone Number

Demar Hooks
Address, City, State, ZIP

125 Lone Elm Rd Waxahachie, TX 75167

Proposed Date(s) for Project Filming

Sunday - 1-25-2026

Hours of Filming (Daily)

2pm to 8pm

List Previous Filming(s) of Company in Waxahachie (Title and Dates)

Closing of Streets Yes ___ No (If Yes, Identify Time and Location)

115 Elder St Waxahachie, TX 75165 (in the middle of the street)

Check Each Applicable:

- | | | |
|--|--|---|
| <input type="checkbox"/> Structures Built | <input checked="" type="checkbox"/> Tents Used | <input type="checkbox"/> Fences Installed |
| <input type="checkbox"/> Barricades | <input type="checkbox"/> Banners | <input type="checkbox"/> Restrooms |
| <input type="checkbox"/> Generators Used | <input type="checkbox"/> Cable Laid | <input type="checkbox"/> Animals |
| <input type="checkbox"/> Special Lighting | <input type="checkbox"/> Amplified Music | <input type="checkbox"/> Sale of Merchandise |
| <input type="checkbox"/> Unusual Props | <input type="checkbox"/> Security Required | <input type="checkbox"/> Traffic Signs Required |
| <input type="checkbox"/> Sale of Food/Beverage | <input type="checkbox"/> Firearms Required | <input type="checkbox"/> Special Effects |

If any of the above are checked, list specific details associated with each identified item: (Provide additional pages if necessary) 1 tent 10ft x 10ft x 8ft see attachment for placing

We would like to hire 2 police officers on film day

(leg)

List firearms, dangerous materials, animals or special effects required at the location:

NA

Clean up Details We will have trash cans on site. We will clean any trash that our actors or crew may make.

List Other Permits and Licenses Required (Including Adjacent Jurisdictions) NA

Will all locations be restored to like or better condition than as originally found? Yes No

If "No", please explain: _____

Total Project Budget/Estimated Local Spend**: Estimated local spen \$3,500

***As a Film Friendly Texas Community, quantifying the economic impact of each project helps us to be able to justify our continued support for the film industry, both on the local and state levels.*

Is a Copy of Required Proof of Liability Insurance Attached? Yes No

NOTE: Insurance policy must cover a minimum of one million US dollars in liability coverage, and list the City of Waxahachie (P.O. Box 757, Waxahachie, Texas 75168), its employees, agents and affiliates as the holder.

IMPORTANT: Please attach a detailed description of activities, locations, and requested City services!

AS A CONDITION OF THIS PERMIT, THE PERMIT HOLDER AGREES TO INDEMNIFY, DEFEND AND HOLD HARMLESS THE CITY OF WAXAHACHIE AND ALL OF ITS OFFICERS AND EMPLOYEES AGAINST ANY AND ALL SUITS, CAUSES OF ACTION OR CLAIMS FOR INJURIES, DAMAGES, COSTS AND EXPENSES TO PERSONS OR PROPERTY, WHETHER PUBLIC OR PRIVATE, THAT MAY ARISE OUT OF, OR BE OCCASIONED BY, ANY ACTIVITY OR ANY ACT, OMISSION OR MISCONDUCT OF THE PERMIT HOLDER OR HIS AGENTS, REPRESENTATIVES, CONTRACTORS, OR EMPLOYEES. THE PERMIT HOLDER AGREES TO DISCHARGE ANY AND ALL JUDGMENTS THAT MAY BE RENDERED AGAINST THE CITY OF WAXAHACHIE OR ITS OFFICERS AND EMPLOYEES IN CONNECTION WITH ANY SUIT, CAUSE OF ACTION, OR CLAIM AFTER THE JUDGMENT BECOMES FINAL AND UNAPPEALABLE.

Demar Hooks

1-6-2026

Applicant

Date

Lauree Musley

1-9-2026

Received and Approved By

Date

This permit application as well as all relevant documentation (proof of insurance, description of activities, etc.) shall be submitted to the City of Waxahachie one week prior to shooting and three weeks when City Council approval is required.

(leg)

Location: 115 Elder St Waxahachie, TX 75165 (in the middle of the street)

Cross streets: Clever Rd on one end and E Marvin Ave on the other end.

Date: 1-25-26

Time: 2pm to 8pm

Will need 2 police present

5 to 7 people at any given time or less

2 small Sony A7s iii Cameras outside the tent. 2 small cameras inside the tent

1 10X10 Tent

We will need to block off a small portion of the street. We are ok with letting the blocked neighbors in and out.

What we are filming:

This will be a (mock) social experiment. 1 person (actor) will be inside of the tent and we will send other actors to the tent to help him get food, water, etc.. Can he survive 7 days with help from strangers while inside the tent (filmed in 6 hours)



Planning & Zoning Department (1)

Zoning Staff Report

Case: ZDC-151-2025



MEETING DATE(S)

Planning & Zoning Commission: January 13, 2026
City Council: January 20, 2026

CAPTION

Public Hearing on a request by Robert Drolet, for a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet within a Rural Residential (RR) zoning district located at 128 Lakeshore Drive (Property ID 233849) - Owners: Robert Drolet and Michelle Drolet (ZDC-151-2025)

RECOMMENDED MOTION

"I move to approve of ZDC-151-2025, a Specific Use Permit (SUP) for an Accessory Structure exceeding seven hundred (700) square feet in use, subject to the conditions of the staff report.

APPLICANT REQUEST

The applicant requests approval of a Specific Use Permit (SUP) for a 960 square foot accessory structure.

CASE INFORMATION

Applicant: Robert Drolet
Property Owner(s): Robert Drolet and Michelle Drolet.
Site Acreage: 10.569 acres
Current Zoning: Rural Residential
Requested Zoning: Rural Residential (RR) with a SUP for an accessory structure exceeding seven hundred (700) square feet.

SUBJECT PROPERTY

General Location: 128 Lakeshore Drive
Parcel ID Number(s): 233849
Existing Use: Single family residential
Development History: The subject property is platted as Lot 15 of the Lindmark Estates Revision

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	FD	Residential use
East	RR	Residential use
South	PD-SF-1	Residential use
West	PD-SF-1	Residential use

(7)

Future Land Use Plan:

Rural Estate

Comprehensive Plan:

This placetype is characterized by large lots with single-family homes in rural settings away from the city center as well as public services. This type of development leaves ample amount of surrounding open space and should involve minimal infrastructure investment. Though this placetype will almost exclusively be single family homes, it is to be expected that home-based businesses may thrive in this environment.

Thoroughfare Plan:

The subject property is accessible via Lakeshore Drive

Site Image:



PLANNING ANALYSIS

The applicant proposes a Specific Use Permit (SUP) to construct 960 square foot carport at 128 Lakeshore Drive. The structure has a maximum height of 20', a length of 24' and a width of 40'. According to the Ellis County Appraisal District, the primary structure on the subject property is approximately 4,568 square feet. According to the Waxahachie Zoning Ordinance, single family residential structures located in a Rural Residential zoning district are limited to two accessory structures with a combined floor area of 1000 square feet. Additionally, the ordinance requires any accessory structure over 700 square feet to obtain an SUP. The subject property contains two (2) existing accessory structures.

Proposed Use:

The applicant proposes to utilize the structure for personal parking. The structure will be used for the storage and protection of personal vehicles.

(7)

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 10 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

PUBLIC NOTIFICATION RESPONSES

Staff has received three (3) letters of support and zero (0) letters of opposition to the SUP request.

RECOMMENDATION

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

Conditions:

1. The accessory structure shall not be used as a dwelling.
2. The accessory structure shall not be used for commercial purposes.
3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to construction of the accessory structure.
5. The property owner shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory structure.

ATTACHED EXHIBITS

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

STAFF CONTACT INFORMATION

Prepared by:

David Jones
Planner
david.jones@waxahachie.com

Reviewed by:

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

(7)

Case Number: ZDC-151-2025

City Reference: 181959

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **December 19, 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:

Great neighbors, want to keep them! Whatever they want is fine with us.

Alan Hough

Signature

Alan Hough - homeowner

Printed Name and Title

8 December 2025

Date

127 Lakeshore Dr.

Address

(7)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-151-2025



HIGHTOWER CLUB WAXAHACHIE LP
PO Box 1145
Midlothian, TX 76065-1145

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 30, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 20, 2026 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 Robert Drolet, for a **Specific Use Permit (SUP)** for an **Accessory Structure exceeding seven hundred (700) square feet** use within a Rural Residential (RR) zoning district located at 128 Lakeshore Drive (Property ID 233849) - Owners: Robert Drolet and Michelle Drolet (ZDC-151-2025)

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-151-2025

City Reference: 182009

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SUPPORT

OPPOSE

Comments:

Signature

12/6/2025
Date

Chad Adams
Printed Name and Title
~~High Tower Club~~ High Tower Club! i

P.O. 1145 Midlothian TX.
Address

(7)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-151-2025

DROLET ROBERT L & MICHELLE M
128 LAKESHORE DR
WAXAHACHIE, TX 75165

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Scan for additional information.

Case Number: ZDC-151-2025

City Reference: 233849

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SUPPORT

OPPOSE

Comments:

THE PROPOSED STRUCTURE MEETS THE REQUIREMENTS
AND WILL BLEND WITH THE REST OF THE PROPERTY

Signature

23 DEC 25
Date

ROBERT DROLET, OWNER/
Printed Name and Title APPLICANT

128 LAKESHORE DR
Address



(7)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-151-2025



HIGHTOWER CLUB WAXAHACHIE LP
PO Box 1145
Midlothian, TX 76065-1145

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Scan for additional information

Case Number: ZDC-151-2025

City Reference: 182009

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 3, 2026** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Signature

Chad Adams

Printed Name and Title

G.P.
Hightower Club L.P.

Date

12/30/2025

Address

P.O. Box 1145, Midlothian, TX



(7)

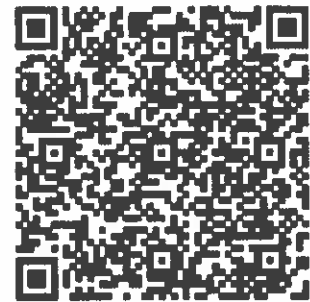
City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-151-2025

DROLET ROBERT L & MICHELLE M
128 LAKESHORE DR
WAXAHACHIE, TX 75165

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Scan for additional information.

Case Number: ZDC-151-2025

City Reference: 233849

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SUPPORT

OPPOSE

Comments:

IT MEETS THE REQUIREMENTS

Signature

2 JAN 26

Date

ROBERT DROLET, OWNER/ APPLICANT

Printed Name and Title

128 LAKESHORE DR

Address

(7)

Robert & Michelle Drolet
128 Lakeshore Dr
Waxahachie, TX 75165
(254) 285-7625

RE: SUP ZDC-150-2025

Operational Plan

The design of the building is laid out in the attachment to the SUP submitted online and the portions that apply to this building are highlighted in yellow in said attachment.

The building will be used to store an RV and boat. It is essentially a roof and legs anchored into a "stem" wall and it'll have no utilities. Its dimensions will be 24'W x 40'L x 14'H on the sides (peak height of about 17') and will have a 6' wall from the top down on each side as well as a gable at the front and back. It is rated for 150mph winds up to 3 seconds. Its proposed location has been selected to limit visibility from Lakeshore Drive.

The left and right walls will be anchored to concrete "stem" walls that are 40'L x 12'W x 12"D.

The back of the structure will be approximately 45' from the Eastern property line and the structure will be no closer than 10' to the "Frame Building" shown on the site plan and listed as "Detached carport with storage accessory building" in tax records; the front of the carport will be approximately 50' from the metal barn. In addition, the property has a grandfathered lateral line septic system that runs toward Lakeshore Drive rather than a septic spray area. The colors will match those of the barn. There are no utilities in the proposed location.

The property has a concrete drive that extends beyond the garage before it turns into a gravel area that contains a base and approximately 6" of gravel. This allows ample drainage and makes maneuverability a non-issue. To date there have been no issues driving any vehicle, to include a loaded dump truck as well as an RV, to the proposed location.

House and Accessory Structure Sizes

Per tax records, the home is 3379 ft² with a gross building area of 4568 ft². The metal barn has a total of 1050 ft². The detached carport with storage accessory building (listed as Frame Building on the site plan) is 576 ft².

(8)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY STRUCTURE USE WITHIN A RURAL RESIDENTIAL (RR) ZONING DISTRICT, LOCATED AT 128 LAKESHORE DRIVE, BEING PROPERTY ID 233849, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 15 OF THE LINDMARK ESTATES REVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, the described property is classified in said ordinance and any amendments thereto as RR; 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-151-2025. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from RR to RR, with a SUP in order to permit an Accessory Structure Exceeding Seven Hundred (700) square feet use on the following property: Lot 15 of the Lindmark Estates Revision, which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit B, and the Elevation/Façade Plan attached as Exhibit C.

SPECIFIC USE PERMIT

Purpose and Intent

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

(8)

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR AN ACCESSORY STRUCTURE EXCEEDING SEVEN HUNDRED SQUARE FEET USE WITHIN A RURAL RESIDENTIAL ZONING DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The accessory structure shall not be used as a dwelling without a Specific Use Permit that has been approved by City Council.
2. The accessory structure shall not be used as a short-term rental without a Specific Use Permit that has been approved by City Council.
3. The accessory structure shall not be used for commercial purposes.
4. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
5. The accessory structure shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory structure.
6. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Site Plan, Exhibit C – Elevation/Façade Plan.
7. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
8. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance as approved by City Council, shall conform to those requirements and/or standards prescribed in Exhibits B – Site Plan, Exhibit C –Elevation/Façade Plan. Where regulations are not specified in Exhibits B and C or this Zoning Ordinance, the regulations of the Rural Residential (RR) Zoning District and the City of Waxahachie Zoning Ordinance shall apply to this development.
9. City Council shall have the right to review the Specific Use Permit at any point, if needed.

(8)

Compliance

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

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 20th day of January, 2026.

MAYOR

ATTEST:

City Secretary

(8)



Exhibit B

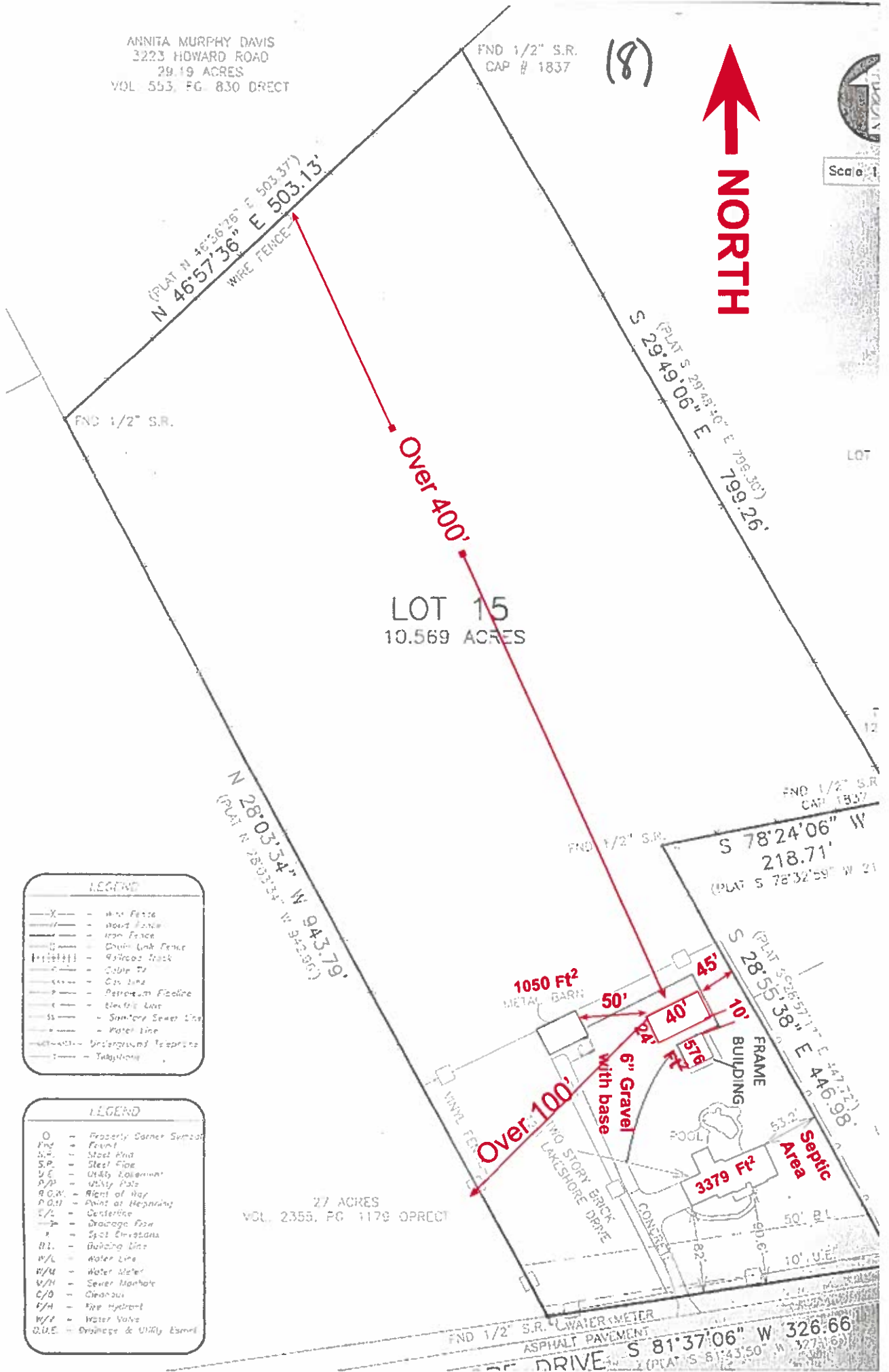
ANNITA MURPHY DAVIS
3223 HOWARD ROAD
29.19 ACRES
VOL 553, PG 830 DIRECT

FND 1/2" S.R.
CAP # 1837

(8)



Scale: 1"



LEGEND	
—X—	Wire Fence
—/—	Wood Fence
— —	Iron Fence
—□—	Chain Link Fence
— —	Electric Fencing
—○—	Cable TV
—•—	Gas Line
—P—	Petroleum Pipeline
—E—	Electric Line
—SS—	Sanitary Sewer Line
—W—	Water Line
—(---)---	Underground Telephone
—T—	Telephone

LEGEND	
○	Property Corner Symbol
Fnd	Found
S.P.	Steel Pipe
V.E.	Utility Elevation
P/P	Utility Plate
R.O.N.	Right of Way
P.O.H.	Point of Beginning
S/L	Centerline
—F—	Drainage Pipe
—S—	Spot Elevations
B.L.	Building Line
W/L	Water Line
W/M	Water Meter
S/M	Sewer Manhole
C/O	Cleanout
F/A	Fire Hydrant
W/V	Water Valve
D.U.E.	Drainage & Utility Easement

LOT 15
10.569 ACRES

27 ACRES
VOL. 2355, PG 1179 OPRECT

FND 1/2" S.R. WATER METER
ASPHALT PAVEMENT
DRIVE S 81°37'06" W 326.66'
(PLAT S 81°43'50" W 327.16')

(8)

GENERAL NOTES:

1. THESE PLANS AND DESIGN HEREIN REPRESENT ONLY THE STRUCTURE, INCLUDING ITS COMPONENTS AND CLADDING, BASE RAIL ANCHORAGE, AND MAIN WIND FORCE RESISTING SYSTEM. OTHER DESIGN ISSUES, INCLUDING BUT NOT LIMITED TO ARCHITECTURAL, PLUMBING, ELECTRICAL, HVAC, FINISH FLOOR ELEVATION AND SLOPE, INGRESS/EGRESS, GEOTECHNICAL OR OTHER LOCAL ZONING REQUIREMENTS ARE THE RESPONSIBILITY OF OTHER DESIGN PROFESSIONALS WITHIN THEIR SCOPE.
2. THESE RISK CATEGORY I / II STRUCTURES ARE INTENDED AS A NON-HABITABLE UTILITY / STORAGE BUILDINGS, DESIGNED TO SUPPORT THE DEAD LOAD OF THE STRUCTURE. ALL APPLICABLE LIVE AND WIND / SNOW LOADS. LATER IMPROVEMENTS NOT SPECIFICALLY ADDRESSED IN THESE PLANS, INCLUDING DOORS, WINDOWS, SOLAR PANELS, LIGHTING, INTERIOR WALLS, CEILING FIXTURES, FOUNDATION IMPROVEMENTS, OR OTHER COMPONENTS WHICH EXERT ADDITIONAL LOADS ON THE STRUCTURE SHALL BE THE RESPONSIBILITY OF OTHER DESIGN PROFESSIONALS.
3. ALL STRUCTURAL TUBE STEEL (TS) AND CHANNEL COMPONENTS SHALL BE ASTM A653 GRADE 50 OR BETTER (MINIMUM YIELD STRENGTH: $F_y = 50$ KSI, $F_u = 65$ KSI) GALVANIZED (MINIMUM G60) STEEL.
4. ALL SHEATHING PANELS SHALL BE 26 GAUGE, GALVANIZED OR PAINTED CORRUGATED STEEL (MINIMUM YIELD STRENGTH: $F_y = 80$ KSI, MAIN RIB HEIGHT - 3/4") OR BETTER.
5. ALL FASTENERS SHALL BE GALVANIZED (MINIMUM G60) OR STAINLESS STEEL.
6. ALL COMPONENTS AND CLADDING SHALL BE INSTALLED ACCORDING TO MANUFACTURER'S INSTALLATION INSTRUCTIONS.
7. ALL SHOP FRAMING (INTERIOR) CONNECTIONS SHALL BE WELDED. ALL FIELD FRAMING CONNECTIONS SHALL BE #12-14 x 3/4" SELF DRILLING SCREWS WITHOUT CONTROL SEAL WASHER.
8. ALL FIELD SHEATHING (EXTERIOR) CONNECTIONS SHALL BE #12-14 x 3/4" SELF DRILLING SCREWS WITH CONTROL SEAL WASHER. SEALANT REQUIRED FOR HORIZONTAL ROOF.
9. 14 GA FRAMING: 2-1/2" x 1-1/2" TS WITH 2-1/4" x 2-1/4" TS SLEEVES.
12 GA FRAMING: 2-1/4" x 2-1/4" TS WITH 2" x 2" TS SLEEVES (ALT. OPTION)
10. MAXIMUM THRESHOLD HEIGHT IS 12" FOR SWINGING DOORS UTILIZED AS A MEANS OF EGRESS (RISK CATEGORY II ONLY).
11. THIS GENERIC MASTER DESIGN IS INTENDED PRIMARILY FOR PLANT-LEVEL FRAME MANUFACTURING AND ERECTION, AKIN TO SHOP DRAWINGS. THE CERTIFIED BUILDING OFFICIAL MUST BE CONSULTED TO VERIFY IF USE OF THIS MASTER DESIGN IS SUFFICIENT WHEN APPLYING FOR A PERMIT. BUILDING ITERATIONS / ALTERATIONS BEYOND THE INTENDED SCOPE AND CONNECTION METHODS SHOWN ON THESE PLANS WILL REQUIRE ADDITIONAL SITE-SPECIFIC DESIGN AND PLANS FROM THE ENGINEER (MAY ALSO BE REQUIRED BY LOCAL AUTHORITIES / JURISDICTION).
12. ALL CONCRETE WORK TO BE PERFORMED BY OTHERS.

DESIGN INFORMATION:

OCCUPANCY GROUP	U / S
CONSTRUCTION TYPE	II-B
RISK CATEGORY	I / II
BUILDING EXPOSURE TYPE	ENCLOSURE (WEN)
FLOOR LIVE LOAD (PSF)	100
ROOF LIVE LOAD (PSF)	20
GROUND SNOW LOAD (PSF)	20
WIND EXPOSURE CATEGORY	H / C
ULTIMATE WIND SPEED (MPH)	150
NOMINAL DESIGN WIND SPEED (MPH)	117
MAX. MAIN BLDG. EAVE HEIGHT (FEET)	20.21
MAIN BLDG. ROOF ANGLE (DEGREES)	14.04 - 26.97
SEISMIC IMPORTANCE CATEGORY	I _s / I ₀₀
GROUND MOTION	S _{MS} 2.058 S _{MS} 1.035 S _{MS} 2.058
EARTHQUAKE ACCELERATION	S _{MS} 1.553
	SITE CLASS D
SITE COEFFICIENTS	S _{MS} 1.772 S _{MS} 1.035
SEISMIC DESIGN CATEGORY	B / C
RESISTING SYSTEM	OSMF
RESPONSE MODIFICATION COEFFICIENT	R 1.50
OVERSTRENGTH FACTOR	Ω _f 3.00
DEFLECTION AMPLIFICATION FACTOR	C _d 1.00
REDUNDANCY FACTOR	P 1.0

FOUNDATION NOTES:

- CONCRETE**
1. EXAMPLE MONOLITHIC CONCRETE SLAB DESIGN BASED ON MINIMUM ASSUMED FOUNDATION SOIL LOAD BEARING CAPACITY OF 1,500 PSF
 2. CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS
 3. COORDINATE WITH LOCAL OFFICIALS TO DETERMINE MINIMUM PROST LINE DEPTH, AND WHETHER THE EXAMPLE FOUNDATION DESIGN SHOWN HEREIN IS SUFFICIENT FOR PERMIT APPLICATIONS. DEPTH OF FOOTINGS SHALL EXTEND INTO UNDISTURBED SOIL OR COMPACTED FILL, PER LOCAL GEOTECHNICAL ENGINEERING REQUIREMENTS.
- REINFORCING**
1. IF REINFORCING STEEL SHALL BE MINIMUM GRADE 60 PER ASTM A615, WELDED WIRE FABRIC SHALL MEET ASTM A185 OR FIBERGLASS REINFORCEMENT SHALL BE USED.
 2. FOR CONTINUOUS REINFORCING, MINIMUM BAR OVERLAP SHALL BE 40 BAR DIAMETERS (25" FOR #5 REBAR). MINIMUM OVERLAP OF BRIDGE MAT SHEETS SHALL BE 10" TO 12"
 3. CLEARANCE BETWEEN BARS SHALL BE NO LESS THAN 1-1/2 TIMES THE MAXIMUM SIZE OF COARSE AGGREGATE IN CONCRETE MIXTURE.
 4. CONCRETE COVERAGE OVER REINFORCING STEEL SHALL NOT BE LESS THAN 3" FOR AREAS PERMANENTLY EXPOSED TO GROUND, AND SHALL BE NO LESS THAN 2" IN AREAS EXPOSED TO ATMOSPHERE ONLY.
- ANCHORAGE**
1. INSTALL HELICAL GROUND ANCHORS WITHIN 6" OF POST LOCATIONS (1) MINIMUM AT CORNERS, EVERY 10'-0" OF BASE RAIL, AND ON BOTH SIDES OF OPENINGS WHERE BASE RAIL IS ABSENT. INSTALL (2) MIN. REBAR SOIL NAILS W/ WELDED HEAD WITHIN 6" OF ALL REMAINING POST LOCATIONS SEE GROUND-BEARING ANCHOR DETAILS (SHEET 10-17) FOR LENGTH / TYPE RECOMMENDATIONS AND SPACING EXCEPTIONS.
 2. CONCRETE ANCHORS SHALL BE A307 OR BETTER, INSTALLED NO MORE THAN 6" FROM POSTS PER THE MANUFACTURER'S RECOMMENDATIONS. NAILS SHALL BE WELDED HEAD BARS AT ALL POST LOCATIONS FOR RISK II (1) MIN. ANCHORS AT ALL POST LOCATIONS FOR RISK I.
 3. CONCRETE ANCHOR INSTALLATION PLACEMENT AS FOLLOWS:
 - A. MIN. SPACING BETWEEN ANY (2) ANCHORS 4'-000"
 - B. MIN. ANCHOR EDGE DISTANCE 2'-000"
 - C. MIN. ANCHOR HOLE DEPTH 3'-6" / 5'
 - D. MIN. CONCRETE EMBEDMENT DEPTH 3'-750"
 - E. MIN. EFFECTIVE ANCHOR EMBEDMENT 3'-750"

DRAWING INDEX:

- 1 COVER SHEET
- 2 COVER SLABS
- 3 TYPICAL END ELEVATION / TYPICAL END FRAMING PLAN
- 4 TYPICAL SIDE ELEVATION / TYPICAL SIDE FRAMING PLAN
- 5 (1) INTERIOR FRAMING SECTIONS / CORNER BRACE SECTIONS
- 6 (4) INTERIOR FRAMING SECTIONS
- 7 (5) INTERIOR FRAMING SECTIONS
- 8 (6) INTERIOR FRAMING SECTIONS
- 9 CONCRETE FOUNDATION DETAILS
- 10 GROUND-BEARING ANCHOR DETAILS
- 11 FRAMING CONNECTION DETAILS 1
- 12 FRAMING CONNECTION DETAILS 2
- 13 FRAMING CONNECTION DETAILS 3
- 14 FRAMING CONNECTION DETAILS 4
- 15 FRAMING CONNECTION DETAILS 5
- 16 LEAN-TO CONNECTION DETAILS
- 17 END / SIDE WALL HEADER SECTIONS

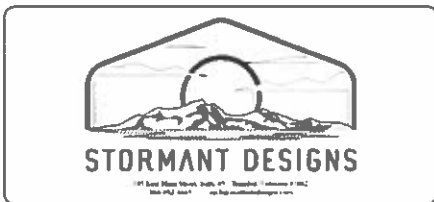
METAL FRAMING AND SIDING PROVIDED BY

TRWIN METAL BUILDINGS 1501 GARDENVIEW BOULEVARD WILKINS POINT, TX 75149

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HIGH-LIGHTED OR MARKED DRAWINGS PERTAIN TO PROPOSED STRUCTURE



PREPARED FOR

TEXWIN

1401 East University Blvd., Suite 100, Houston, TX 77058
Tel: 281-462-2100 Fax: 281-462-1112

**GENERIC MASTER PLANS
PROPOSED UTILITY STRUCTURE
40' WIDTH (MAX.) x 20' HEIGHT (MAX.)
Structures UP TO 40' wide x UP TO 20' height**

COVER SHEET

DATE	06/16/2025	BY	AS/ZS
REVISION	TW 25001	DATE	06/16/25
REVISION	N/A	DATE	7/5
DATE	AS-NOTED	SHEET	01/17

Zachary J. Stormant, P.E.
State of Alabama License No. 39491
State of Colorado License No. 12494
State of Kansas License No. 3676
State of Louisiana License No. 4740
State of Missouri License No. 14100
State of Oklahoma License No. 12376
State of Texas License No. 46166

Digitally signed by Zachary J Stormant
Date: 2025.04.17 08:22:12 -06'00'

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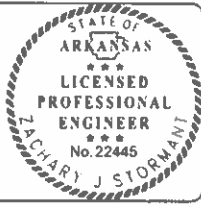
APPLICABLE BUILDING CODES:

- 2021 INTERNATIONAL BUILDING CODE (IBC 2021)
- 2018 INTERNATIONAL BUILDING CODE (IBC 2018)
- 2015 INTERNATIONAL BUILDING CODE (IBC 2015)
- 2012 INTERNATIONAL BUILDING CODE (IBC 2012)
- 2009 INTERNATIONAL BUILDING CODE (IBC 2009)
- 2006 INTERNATIONAL BUILDING CODE (IBC 2006)
- ARKANSAS FIRE PREVENTION CODE VOL. II - BUILDINGS (ADOPTS THE IBC 2021 W/ AMENDMENTS)
- COLORADO STATE BUILDING CODE (ADOPTS THE IBC 2021 W/ AMENDMENTS)
- BUILDING CODE OF THE CITY AND COUNTY OF DENVER (ADOPTS THE 2021 IBC W/ AMENDMENTS)
- 2023 PIKES PEAK REGIONAL BUILDING CODE (ADOPTS THE 2021 IBC W/ AMENDMENTS)
- KANSAS BUILDING CODE 2018 (ADOPTS THE IBC 2018 W/ AMENDMENTS)
- WICHITA-SEDGWICK COUNTY UNIFIED BUILDING CODE (ADOPTS THE 2018 IBC W/ AMENDMENTS)
- LOUISIANA STATE UNIFORM CONSTRUCTION CODE (ADOPTS THE IBC 2021 W/ AMENDMENTS)
- MISSOURI BUILDING CODE (ADOPTS THE IBC 2018 WITHOUT AMENDMENTS)
- KANSAS CITY BUILDING & REHABILITATION CODE (ADOPTS THE IBC 2018 W/ AMENDMENTS)
- OKLAHOMA UNIFORM BUILDING CODE (ADOPTS THE IBC 2018 W/ AMENDMENTS)
- BUILDING CODE OF THE TEXAS INDUSTRIALIZED HOUSING AND BUILDINGS PROGRAM (ADOPTS THE IBC 2021 W/ AMENDMENTS)
- CITY OF AUSTIN (ADOPTS THE IBC 2021 W/ AMENDMENTS)
- CITY OF DALLAS (ADOPTS THE IBC 2021 W/ AMENDMENTS)
- CITY OF FORT-WORTH (ADOPTS THE IBC 2021 W/ AMENDMENTS)
- CITY OF HOUSTON (ADOPTS THE IBC 2015 W/ AMENDMENTS)
- CITY OF SAN ANTONIO (ADOPTS THE IBC 2021 W/ AMENDMENTS)

ENGINEER SEALS:


THIS IS TO CERTIFY THAT THE CALCULATIONS AND SPECIFICATIONS HEREIN HAVE BEEN PREPARED BY THE UNDERSIGNED PROFESSIONAL ENGINEER, ARE IN ACCORDANCE WITH ALL APPLICABLE LOCAL REQUIREMENTS, THE ARKANSAS BUILDING CODE 2021 (IBC 2021 W/ AMENDMENTS), AND ASCS/SEI 7-16

Zachary J. Stormant, P.E.
State of Arkansas
Professional Engineer
License No. 22445



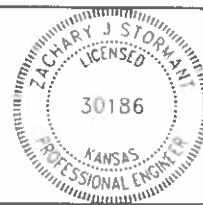
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Zachary J. Stormant, P.E.
State of Colorado
Professional Engineer
License No. 62055




THIS IS TO CERTIFY THAT THE CALCULATIONS AND SPECIFICATIONS HEREIN HAVE BEEN PREPARED BY THE UNDERSIGNED PROFESSIONAL ENGINEER, ARE IN ACCORDANCE WITH ALL APPLICABLE LOCAL REQUIREMENTS, THE KANSAS CITY BUILDING & REHABILITATION CODE (IBC 2018 W/ AMENDMENTS), AND ASCS/SEI 7-16

Zachary J. Stormant, P.E.
State of Kansas
Professional Engineer
License No. 30186




THIS IS TO CERTIFY THAT THE CALCULATIONS AND SPECIFICATIONS HEREIN HAVE BEEN PREPARED BY THE UNDERSIGNED PROFESSIONAL ENGINEER, ARE IN ACCORDANCE WITH ALL APPLICABLE LOCAL REQUIREMENTS, THE LOUISIANA STATE UNIFORM CONSTRUCTION CODE (IBC 2021 W/ AMENDMENTS), AND ASCS/SEI 7-16

Zachary J. Stormant, P.E.
State of Louisiana
Professional Engineer
License No. 47848




THIS IS TO CERTIFY THAT THE CALCULATIONS AND SPECIFICATIONS HEREIN HAVE BEEN PREPARED BY THE UNDERSIGNED PROFESSIONAL ENGINEER, ARE IN ACCORDANCE WITH ALL APPLICABLE LOCAL REQUIREMENTS, THE KANSAS CITY BUILDING & REHABILITATION CODE (IBC 2018 W/ AMENDMENTS), AND ASCS/SEI 7-16

Zachary J. Stormant, P.E.
State of Missouri
Professional Engineer
License No. 2023041059



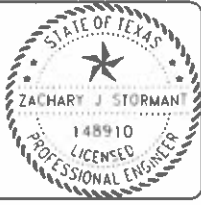
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Zachary J. Stormant, P.E.
State of Oklahoma
Professional Engineer
License No. 15299



THIS IS TO CERTIFY THAT THE CALCULATIONS AND SPECIFICATIONS HEREIN HAVE BEEN PREPARED BY THE UNDERSIGNED PROFESSIONAL ENGINEER, ARE IN ACCORDANCE WITH ALL APPLICABLE LOCAL REQUIREMENTS, THE TEXAS INDUSTRIALIZED HOUSING AND BUILDING PROGRAM (IBC 2021 W/ AMENDMENTS), AND ASCS/SEI 7-16

Zachary J. Stormant, P.E.
State of Texas
Professional Engineer
License No. 148910



STORMANT DESIGNS, LLC (A No. 9477)



STORMANT DESIGNS

171 East Main Street, Suite 911, Springfield, Colorado 81082
970.532.2222 and 970.532.2223

PREPARED FOR



1999 Lincolnshire Boulevard
Nelly, Pueblo, CO 81001
Tel: 719.244.9176
Fax: 719.244.9172

**GENERIC MASTER PLANS
PROPOSED UTILITY STRUCTURE
40' WIDTH (MAX.) x 20' HEIGHT (MAX.)**

CODES / SEALS

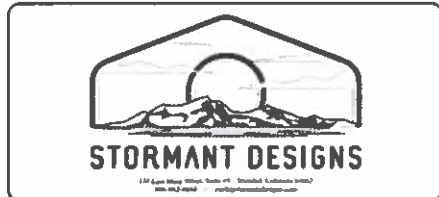
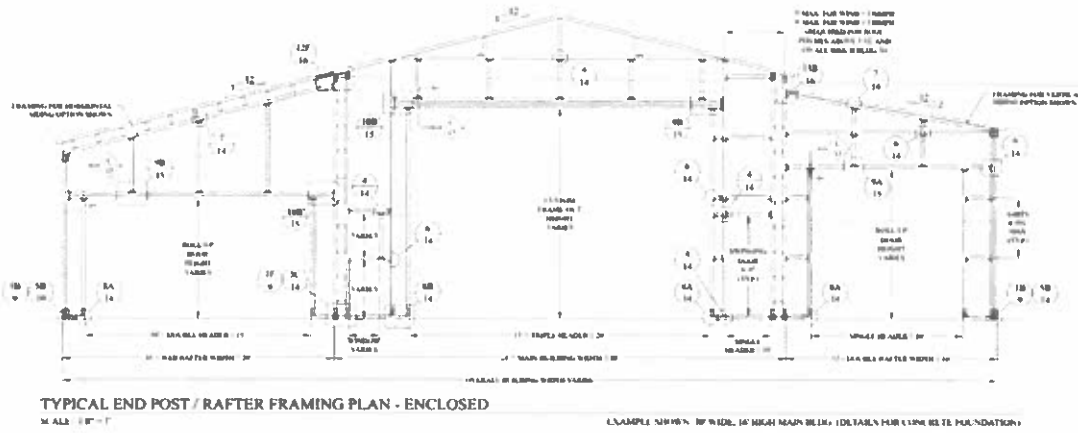
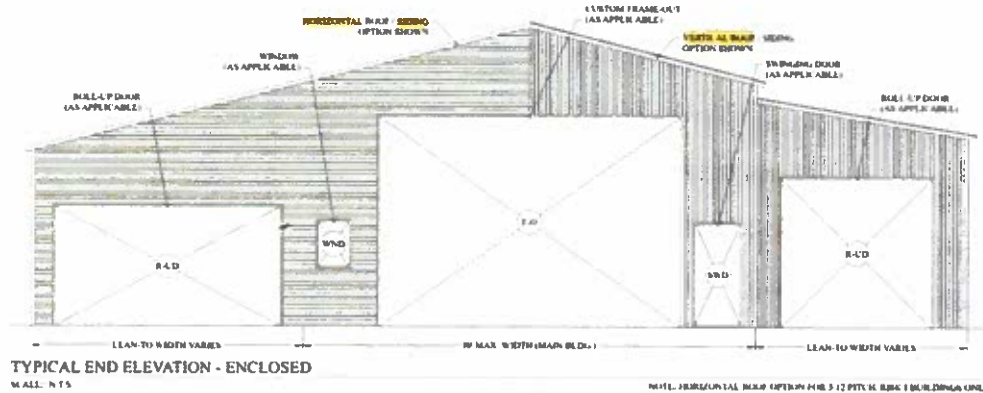
DATE	06/16/2025	BY	AS / JS
ISSUE	EW 25401	REVISION	VF / ZS
PROJECT	N.A.	APPROVAL	ZS
SCALE	AS-NOTED	SHEET	42 / 17


Zachary J. Stormant, P.E.

State of Arkansas
License No. 22445
State of Colorado
License No. 62055
State of Kansas
License No. 30186
State of Louisiana
License No. 47848
State of Missouri
License No. 2023041059
State of Oklahoma
License No. 15299
State of Texas
License No. 148910

Zachary J Stormant
Digitally signed by Zachary J Stormant
Date: 2025.04.17
08:22:46 -06'00'

This seal has been digitally signed and sealed by Zachary J. Stormant, P.E. on the date indicated here. Printed copies of this document are not considered signed and sealed, and the signature must be verified on any electronic copies.

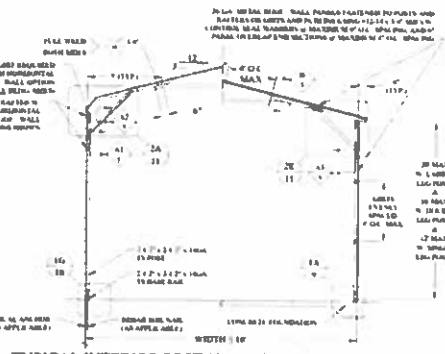


<p>PREPARED FOR</p>  <p>1700 West 10th Street Suite 100 Drexel, Colorado 80820 Tel: 303.473.2672</p>	<p>GENERIC MASTER PLANS PROPOSED UTILITY STRUCTURE 40' WIDTH (MAX.) x 20' HEIGHT (MAX.)</p>	
	<p>TYPICAL END ELEVATION TYPICAL END FRAMING PLAN</p>	
	<p>DATE: 04/16/2025</p> <p>PROJECT: TW_23001</p> <p>LOCATION: N.A.</p> <p>STATUS: AS-NOTED</p>	<p>SCALE: AS/25</p> <p>SCALE: Z5</p> <p>SCALE: Z5</p> <p>SHEET: 45/17</p>

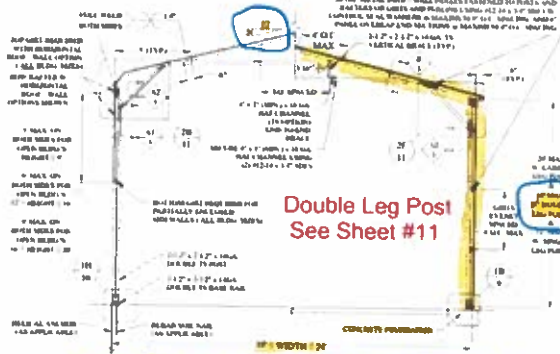
<p>Zachary J. Stormant, P.E. State of Oklahoma License No. 2245 State of Colorado License No. 22057 State of Kansas License No. 1999 State of Louisiana License No. 4743 State of Mississippi License No. 44978 State of Texas License No. 10710</p>	<p>Digitally signed by Zachary J Stormant Date: 2025.04.17 08:23:21 -06'00'</p>
<p><small>This Print has been digitally signed and sealed by Zachary J. Stormant, P.E. as the authorized signatory. Please verify the signature on this document and the associated digital seal and verify the signature date to ensure the seal is current and valid. Valid until 03/31/2026.</small></p>	

24x40x14 Vert. Roof CARPORT

Double Leg Post
See Sheet #11



TYPICAL INTERIOR POST / RAFTER FRAMING SECTION
WALL 1'-0"



TYPICAL INTERIOR POST / RAFTER FRAMING SECTION
WALL 1'-0"



INNER LEG BRACE SECTION
Not To Scale



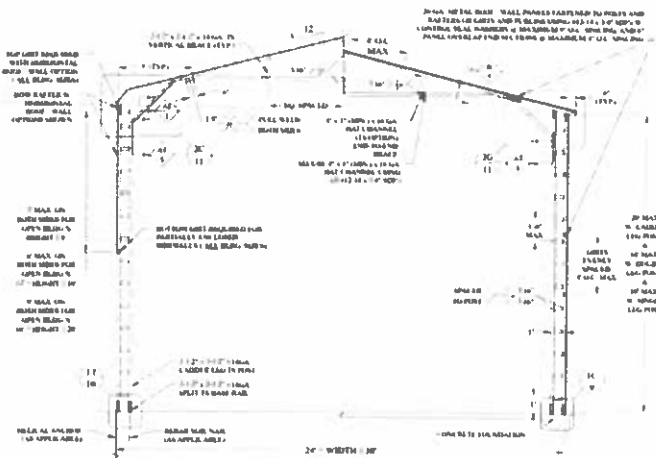
REINFORCED CHANNEL SECTION
Not To Scale



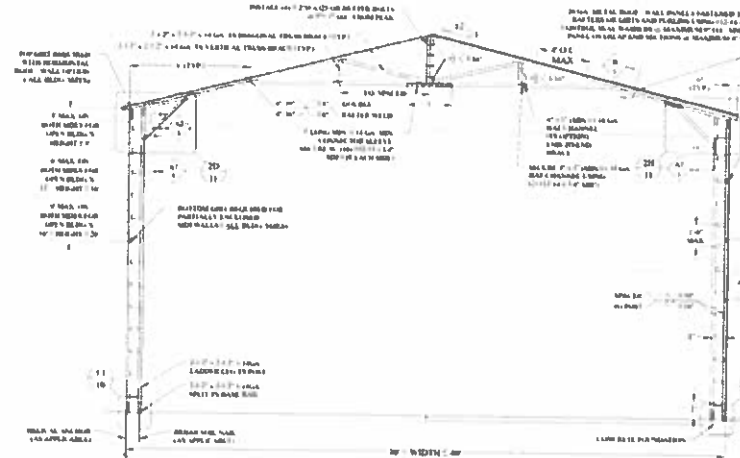
ALTERNATE BRACE SECTION
Not To Scale



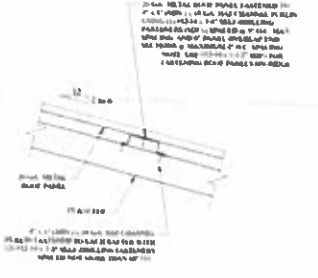
INNER LEG BRACE SECTION
Not To Scale



TYPICAL INTERIOR POST / RAFTER FRAMING SECTION
SCALE: 1/8" = 1'-0"



TYPICAL INTERIOR POST / RAFTER FRAMING SECTION
SCALE: 1/8" = 1'-0"



GENERIC MASTER PLANS
PROPOSED UTILITY STRUCTURE
40' WIDTH (MAX.) x 20' HEIGHT (MAX.)

(3-12) TYPICAL INTERIOR FRAMING SECTIONS
CORNER BRACE SECTIONS

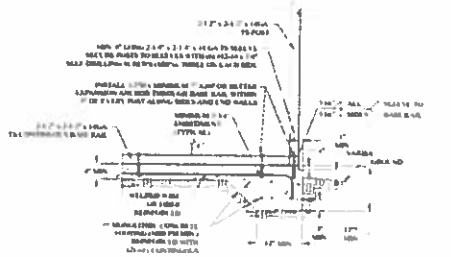
DATE	06-16-2025	BY	AS-ZS
REVISION	TW 25001	BY	SK-ZS
REVISION	N/A	BY	ZS
REVISION	AS-NOTED	BY	

SHEET 05-17

Zachary J. Stormant, P.E.
State of Arkansas
Member of Arkansas
Council of Engineers
License No. 22099
Expires 06/30/2026
Member of Arkansas
Council of Professional Surveyors
License No. 20209
Expires 06/30/2026

Digitally signed
by Zachary J
Stormant
Date: 2025.04.17
08:24:45 -06'00'

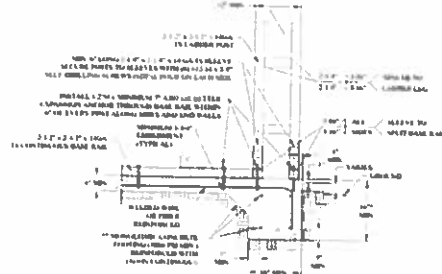
Concrete Provided by TEXWIN



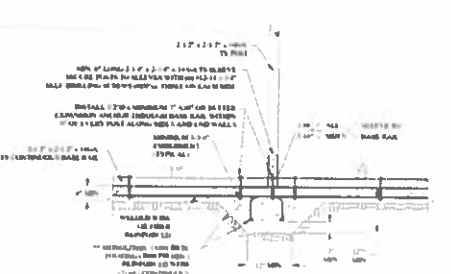
IA CONCRETE FOUNDATION BASE RAIL ANCHORAGE DETAIL
SCALE: 1/4" = 1'



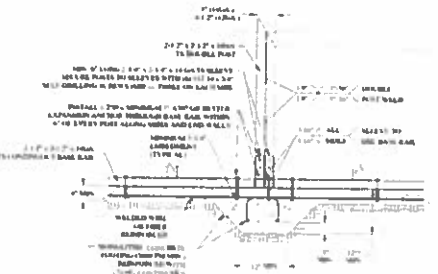
IB CONCRETE FOUNDATION BASE RAIL ANCHORAGE DETAIL
SCALE: 1/4" = 1'



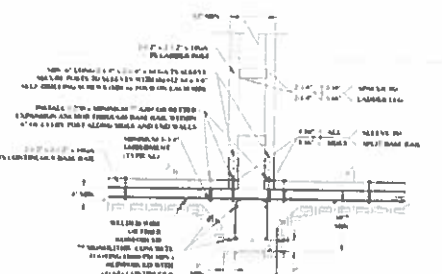
IC CONCRETE FOUNDATION BASE RAIL ANCHORAGE DETAIL
SCALE: 1/4" = 1'



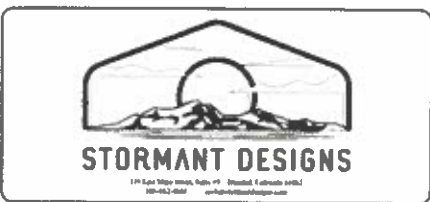
ID CONCRETE FOUNDATION BASE RAIL ANCHORAGE DETAIL
SCALE: 1/4" = 1'



IE CONCRETE FOUNDATION BASE RAIL ANCHORAGE DETAIL
SCALE: 1/4" = 1'



IF CONCRETE FOUNDATION BASE RAIL ANCHORAGE DETAIL
SCALE: 1/4" = 1'



<p>PREPARED FOR</p>	<p>GENERIC MASTER PLANS PROPOSED UTILITY STRUCTURE 40' WIDTH (MAX.) x 20' HEIGHT (MAX.)</p>	
	<p>CONCRETE FOUNDATION DETAILS</p>	
<p>1200 Longhollow Road 54th Ave. N.W. Atlanta, GA 30328 Tel: 404.271.4142</p>	<p>DATE: 06/16/2025 PROJECT: TW-25001 DRAWN: N/A AS-BUILT: AS-BUILT</p>	<p>SCALE: AS SHOWN SHEET: 17</p>

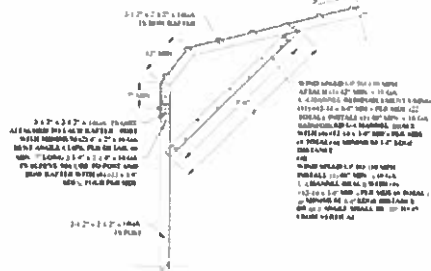
Zachary J. Stormant, P.E.
 License No. 2002
 State of Colorado
 License No. 4839
 State of Kansas
 License No. 4700
 State of Louisiana
 License No. 4000
 State of Mississippi
 License No. 4000
 State of North Carolina
 License No. 4000
 State of Texas
 License No. 4000

Digitally signed
 by Zachary J Stormant
 Date: 2025.04.17
 08:28:11 -06'00'

This PDF has been digitally signed and sealed by Zachary J. Stormant, P.E. on the date indicated here. Physical copies of this document are not considered signed and sealed, and the signature must be verified on every electronic copy. Validated 04/17/2025.

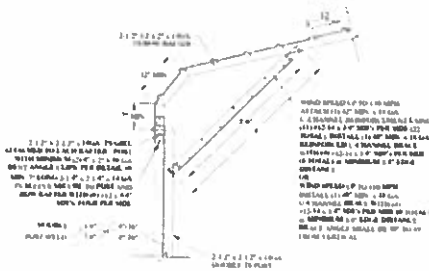
(8)

POST HEIGHT ≤ 12' (WIDTH ≤ 24')
 POST HEIGHT ≤ 10' (WIDTH ≤ 30')
 POST HEIGHT ≤ 8' (WIDTH ≤ 40')



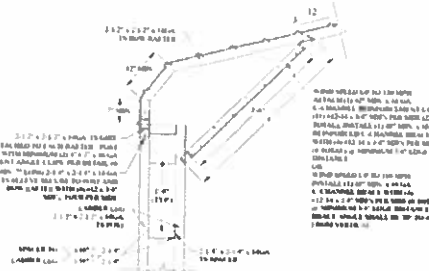
2A BOW RAFTER TO SINGLE LEG POST CONNECTION DETAIL
 SCALE: 3/8" = 1'-0"

12' < POST HEIGHT ≤ 16' (WIDTH ≤ 24')
 10' < POST HEIGHT ≤ 14' (WIDTH ≤ 30')
 8' < POST HEIGHT ≤ 12' (WIDTH ≤ 40')



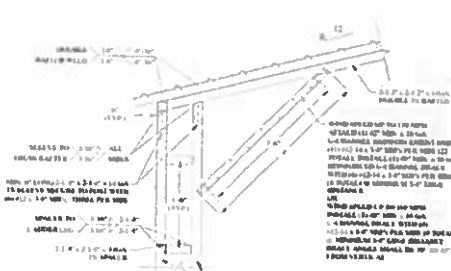
2B BOW RAFTER TO DOUBLE LEG POST CONNECTION DETAIL
 SCALE: 3/8" = 1'-0"

16' < POST HEIGHT ≤ 20' (WIDTH ≤ 24')
 14' < POST HEIGHT ≤ 20' (WIDTH ≤ 30')



2C BOW RAFTER TO LADDER LEG POST CONNECTION DETAIL
 SCALE: 3/8" = 1'-0"

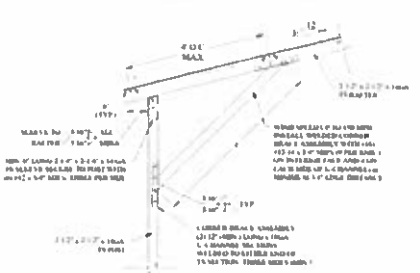
12' < POST HEIGHT ≤ 20' (WIDTH ≤ 40')



2D DOUBLE RAFTER TO LADDER LEG POST CONNECTION DETAIL
 SCALE: 3/8" = 1'-0"

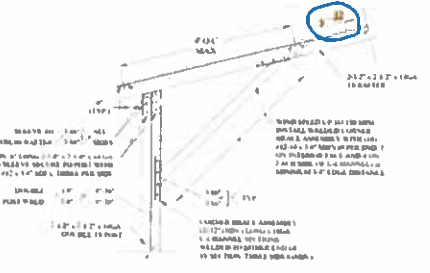
24x40x14 Vert. Roof

POST HEIGHT ≤ 12' (WIDTH ≤ 24')
 POST HEIGHT ≤ 10' (WIDTH ≤ 30')
 POST HEIGHT ≤ 8' (WIDTH ≤ 40')



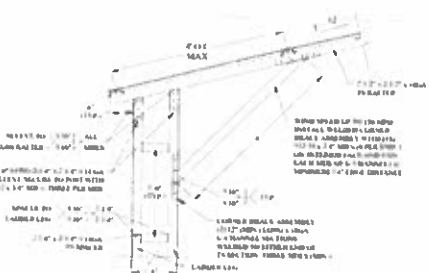
2E SINGLE RAFTER TO SINGLE LEG POST CONNECTION DETAIL
 SCALE: 3/8" = 1'-0"

12' < POST HEIGHT ≤ 16' (WIDTH ≤ 24')
 10' < POST HEIGHT ≤ 14' (WIDTH ≤ 30')
 8' < POST HEIGHT ≤ 12' (WIDTH ≤ 40')



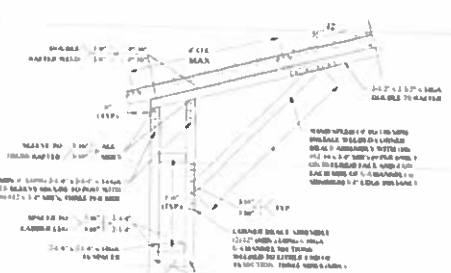
2F SINGLE RAFTER TO DOUBLE LEG POST CONNECTION DETAIL
 SCALE: 3/8" = 1'-0"

16' < POST HEIGHT ≤ 20' (WIDTH ≤ 24')
 14' < POST HEIGHT ≤ 20' (WIDTH ≤ 30')

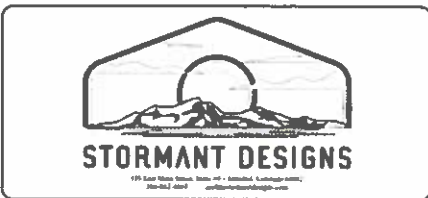


2G SINGLE RAFTER TO LADDER LEG POST CONNECTION DETAIL
 SCALE: 3/8" = 1'-0"

12' < POST HEIGHT ≤ 20' (WIDTH ≤ 40')



2H DOUBLE RAFTER TO LADDER LEG POST CONNECTION DETAIL
 SCALE: 3/8" = 1'-0"



<p>PREPARED FOR</p> <p>100 Northridge Boulevard Suite 100 Northridge, CA 91329 Tel: (818) 708-1111</p>	<p>GENERIC MASTER PLANS PROPOSED UTILITY STRUCTURE 40' WIDTH (MAX.) x 20' HEIGHT (MAX.)</p> <p>FRAMING CONNECTION DETAILS I</p>	<table border="1"> <tr> <td>DATE</td> <td>06/16/2025</td> <td>BY</td> <td>AS/ZS</td> </tr> <tr> <td>REVISION</td> <td>1</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>2</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>3</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>4</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>5</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>6</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>7</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>8</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>9</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>10</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>11</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>12</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>13</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>14</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>15</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>16</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>17</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>18</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>19</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>20</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>21</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> <td>22</td> <td>DATE</td> <td>06/16/2025</td> </tr> <tr> <td>REVISION</td> 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Zachary J. Stormant, P.E.
 State of Arizona
 License No. 22007
 State of California
 License No. 43207
 State of Louisiana
 License No. 47620
 State of Mississippi
 License No. 40300
 State of North Carolina
 License No. 34207
 State of Texas
 License No. 40300

Digitally signed by Zachary J Stormant
 Date: 2025.04.17
 08:29:28 -06'00'

The data has been digitally signed and sealed by Zachary J. Stormant, P.E. on this date indicated by the Presentation of this document on an unmodified signed and sealed, and the signature must be verified on any electronic copy. eSIGNED BY 10/10/2025

Planning & Zoning Department Zoning Staff Report

(9)



Case: ZDC-163-2025

MEETING DATE(S)

Planning & Zoning Commission: January 13, 2026
City Council: January 20, 2026

CAPTION

Public Hearing on a request by Tamika Ayers, for a Zoning Change from a Single-Family-2 (SF-2) zoning district to Planned Development SF-2, to allow a Child Daycare Center use, located at 301 E Criddle Street, (Property ID 196523) - Owner: Texas Conference Association of Seventh Day Adventist, (ZDC-163-2025)

RECOMMENDED MOTION

"I move to deny ZDC-163-2025 a Zoning Change from a Single-Family 2 zoning district to a Planned Development-Single-family-2 (PD-SF-2) zoning district that allows a Child Daycare Center use at 301 E Criddle Street, subject to the conditions the staff report."

APPLICANT REQUEST

The applicant requests to rezone the subject property to allow for a Daycare use.

CASE INFORMATION

Applicant: Tamika Ayers
Property Owner(s): Texas Conference Association of Seventh Day Adventist
Site Acreage: 0.6937 acres
Current Zoning: SF-2
Requested Zoning: PD-SF-2

SUBJECT PROPERTY

General Location: 301 E Criddle Street
Parcel ID Number(s): 196523
Existing Use: 3,022 square foot non-residential building that was formerly a church and is currently vacant.
Development History: The subject property is platted as Lot 1, Block 1 of the Kingdom Hall Subdivision.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-2	Residential Use
East	SF-2	Residential Use
South	SF-2	Residential Use
West	SF-2	Residential Use

(9)

Future Land Use Plan:

Mixed Use Neighborhood

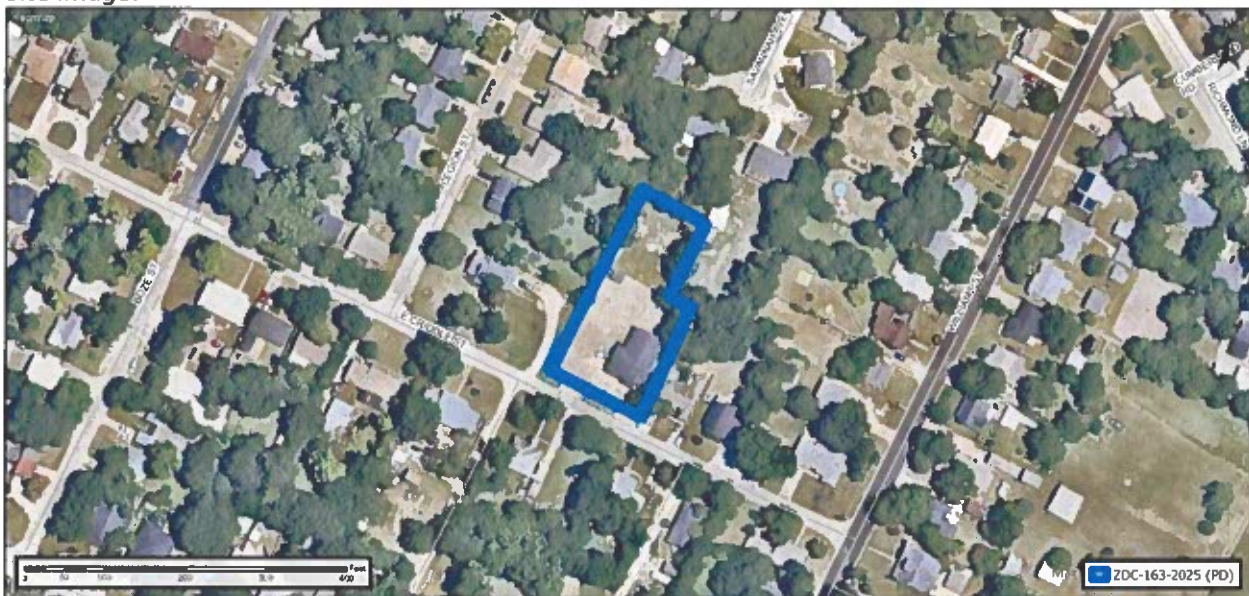
Comprehensive Plan:

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

Thoroughfare Plan:

The subject property is accessed via East Criddle Street.

Site Image:



PLANNING ANALYSIS

The applicant proposes to rezone the subject property to allow for a Child Daycare Center use with this Planned Development (PD). A PD is required in this instance as opposed to a Specific Use Permit (SUP) because Child Daycare Center uses are not permitted in the current SF-2 zoning district. The site was a former church and is currently unoccupied. The daycare is proposed to operate Monday through Friday, 7:00 a.m. to 5:30 p.m. Saturday care is proposed to be from 8:00 a.m. to 1:00 p.m. Parents will be allowed a maximum of 10 hours per day. The rear of the property includes an open grass area that will be converted to a fenced play-area for the Daycare use.

(9)

Planning Analysis (continued):

Children will range in age from 16 months to 12 years old with a maximum of 60 students and 9 staff members. There will be three Toddler Rooms for kids ages 16 months to 2 years old with student to staff ratios of 4:1. There will be one Pre-K room for kids ages 3 to 4 years old with a student to staff ratio of 8:1. There will also be one After-School Classroom with no specified age range with a student to staff ratio of 20:1. The Applicant is not proposing to operate any buses or shuttles as part of the Daycare use.

The Daycare is proposed to be drop-off only. The drop-off area is proposed to be located at the front of the building along E Criddle Street; but is only large enough to accommodate a single car without blocking drive-aisles on the property. There is not a dedicated awing or covered area for drop-off; but the Applicant is proposing to restripe the current parking lot to identify the drop-off lanes. Sidewalks are not present along either side of E Criddle Street and the Applicant is not proposing to add sidewalks on the subject property as part of this PD proposal.

The applicant also proposes to re-stripe the parking lot to clearly identify thirty-one (31) parking spaces. The number of proposed parking spaces is adequate for the 60 students and 9 staff members. However, additional parking and/or extended drop-off lanes may need to be added to the site in the event that student or staff count increases.

The Applicant proposes to remove the planter/sign area along E Criddle Street and is not proposing any additional signage at this time. The Applicant is not proposing to add additional accent or security lighting to the subject property at this time.

Staff Concerns

Staff has concern that the Child Daycare Center, without site and infrastructure improvements, is overly intense for the surrounding, established residential area. Improvements to mitigate noise and traffic congestion are warranted considering the proposed number of students and operating hours associated with the use. Specifically, improvements for fencing, pick-up/drop-off stacking, and pedestrian access are appropriate in this instance. Dedicated pick-up/drop-off lane improvements are needed to ensure multiple vehicles can stack on the site in order to avoid congestion on the narrow E Criddle Street.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 30 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 one (1) letters of support and two (2) letters of opposition to the SUP request.

(9)

RECOMMENDATION

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

If the Council is considering approval, staff recommends the following conditions.

Conditions:

1. The Applicant shall restripe drive-aisles on the subject property in addition to parking spaces. Drive-aisle striping shall include the exterior boundary of each lane and directional arrows identifying the flow of traffic in each lane.
2. The Applicant shall add "no entry/wrong way", "one way", and "drop-off" signage along the proposed drive-aisles to identify the flow of traffic on the property.
3. The Applicant shall add striping for pedestrian crossings between the building and parking bays to north and west of the primary drive-aisle.
4. The Applicant shall install a 5' sidewalk along E Criddle Street.
5. The maximum number of children permitted with the Child Daycare Center use shall be sixty (60). An Amendment to the PD shall be required in the event that the Applicant wishes to increase the number of children on site.
6. An Amendment to the PD shall be required in the event that the Applicant wishes to increase the footprint or floor area of the existing building.
7. Prior to the issuance of a Certificate of Occupancy (CO) for the Child Daycare Center use, the Applicant and/or Property Owner or prospective tenant shall be required to cause the buildings to come into compliance with 2021 International Building Code and 2021 International Fire Code.
8. The Applicant and/or Property Owner shall be responsible for obtaining all building permits per the City's applicable rules and regulations governing such permits
9. All exterior lighting, including accent and security lighting, shall maintain compliance with the Lighting & Glare Standards of Section 6.03 of the Waxahachie Zoning Ordinance.

ATTACHED EXHIBITS

1. Public Notification Responses
2. SUP Ordinance
3. Exhibit A – Location Map
4. Exhibit B – Site Plan
5. Exhibit C – Operational Plan
6. Exhibit D – Floor Plan

STAFF CONTACT INFORMATION

Prepared by:

David Jones

Planner

david.jones@waxahachie.com

Reviewed by:

Trenton Robertson, AICP

Senior Director of Planning

trenton.robertson@waxahachie.com

(9)

Case Number: ZDC-163-2025

City Reference: 171631

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **December 19, 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:

our home is a few hundred feet from 301 E. Criddle in a residential area. An alley runs from our house to Criddle, already overused.

Keith W. Bennett
Signature

12/16/2025
Date

Keith W. Bennett
Printed Name and Title

313 E. Ross St.
Address Waxahachie

(9)

Case Number: ZDC-163-2025

City Reference: 176574

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *January 3, 2026* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

RECEIVED JAN 05 2026

Comments:

Signature

Jimmie R. Briscoe D

Printed Name and Title

Date

12/26/25

Address

104 Legon St.



(9)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-163-2025

RECEIVED JAN 05 2026

ALLEN BILLY M & CHERYL A
109 Savannah St
Waxahachie, TX 75165-2604

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 13, 2026 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 20, 2026 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 Tamika Ayers for a **Zoning Change** from a Single-Family-2 zoning district to Planned Development, for a **Child Day Care** use, located at 301 E Criddle Street, (Property ID 196523) - Owner: Texas Conference Association of Seventh Day Adventist (ZDC-163-2025)

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-163-2025

City Reference: 172081

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 3, 2026** 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:

DISRUPTION (NOISE, TRAFFIC, PARKING), PRIVACY LOSS, SAFETY/OVERSIGHT CONCERNS, & POTENTIAL NEGATIVE PROPERTY IMPACT.

Billy Allen
Signature

12/28/2025
Date

BILLY ALLEN/RETIRED SRA
Printed Name and Title

109 SAVANNAH ST, WAXAHACHIE
Address

(10)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-2 (SF-2) TO PLANNED DEVELOPMENT SINGLE FAMILY-2 (SF-2) TO ALLOW A CHILD DAYCARE USE LOCATED AT 301 E CRIDDLE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.6937 ACRES KNOWN AS LOT 1, BLOCK 1 OF THE KINGDOM HALL SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, a proper application for a Zoning Change has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-163-2025. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from SF-2 to PD-SF-2; and

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

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

NOW, THEREFORE, this property is rezoned from SF-2 to PD-SF-2 in order to facilitate development of the subject property in a manner that allows a Child Daycare Use on the following property: Lot 1, Block 1 of the Kingdom Hall subdivision, which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit B, the Operational Plan attached as Exhibit C, and the Floor Plan attached as Exhibit D.

PLANNED DEVELOPMENT

Purpose and Intent

The purpose of this planned development is to allow for the a Child Daycare Use, and to establish appropriate restrictions and development controls necessary to ensure predictable land development, safe and efficient vehicular and pedestrian circulation, compatible uses of land and compliance with appropriate design standards.

(10)

Development Standards

All development on land located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in this ordinance. The locations of buildings, private streets, and utility infrastructure shall substantially conform to the locations shown on the approved Detailed Site Plan (Exhibit C).

Development Regulations

1. The development shall conform as approved by the City Council under case number ZDC-163-2025.
2. The development shall adhere to the City Council approved in Exhibit A- Location Map, Exhibit B – Site Plan, Exhibit C – Operational Plan, Exhibit D – Floor Plan/
3. The Applicant shall restripe drive-aisles on the subject property in addition to parking spaces. Drive-aisle striping shall include the exterior boundary of each lane and directional arrows identifying the flow of traffic in each lane.
4. The Applicant shall add “no entry/wrong way”, “one way”, and “drop-off” signage along the proposed drive-aisles to identify the flow of traffic on the property.
5. The Applicant shall add striping for pedestrian crossings between the building and parking bays to north and west of the primary drive-aisle.
6. The Applicant shall install a 5’ sidewalk along E Criddle Street.
7. The maximum number of children permitted with the Child Daycare Center use shall be sixty (60). An Amendment to the PD shall be required in the event that the Applicant wishes to increase the number of children on site
8. An Amendment to the PD shall be required in the event that the Applicant wishes to increase the footprint or floor area of the existing building.
9. Prior to the issuance of a Certificate of Occupancy (CO) for the Child Daycare Center use, the Applicant and/or Property Owner or prospective tenant shall be required to cause the buildings to come into compliance with 2021 International Building Code and 2021 International Fire Code.
10. All exterior lighting, including accent and security lighting, shall maintain compliance with the Lighting & Glare Standards of Section 6.03 of the Waxahachie Zoning Ordinance.
11. All improvements within the subject property will be subject to obtaining building permits from the City in accordance with the City’s applicable rules and regulations governing such permits.

(10)

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.

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.

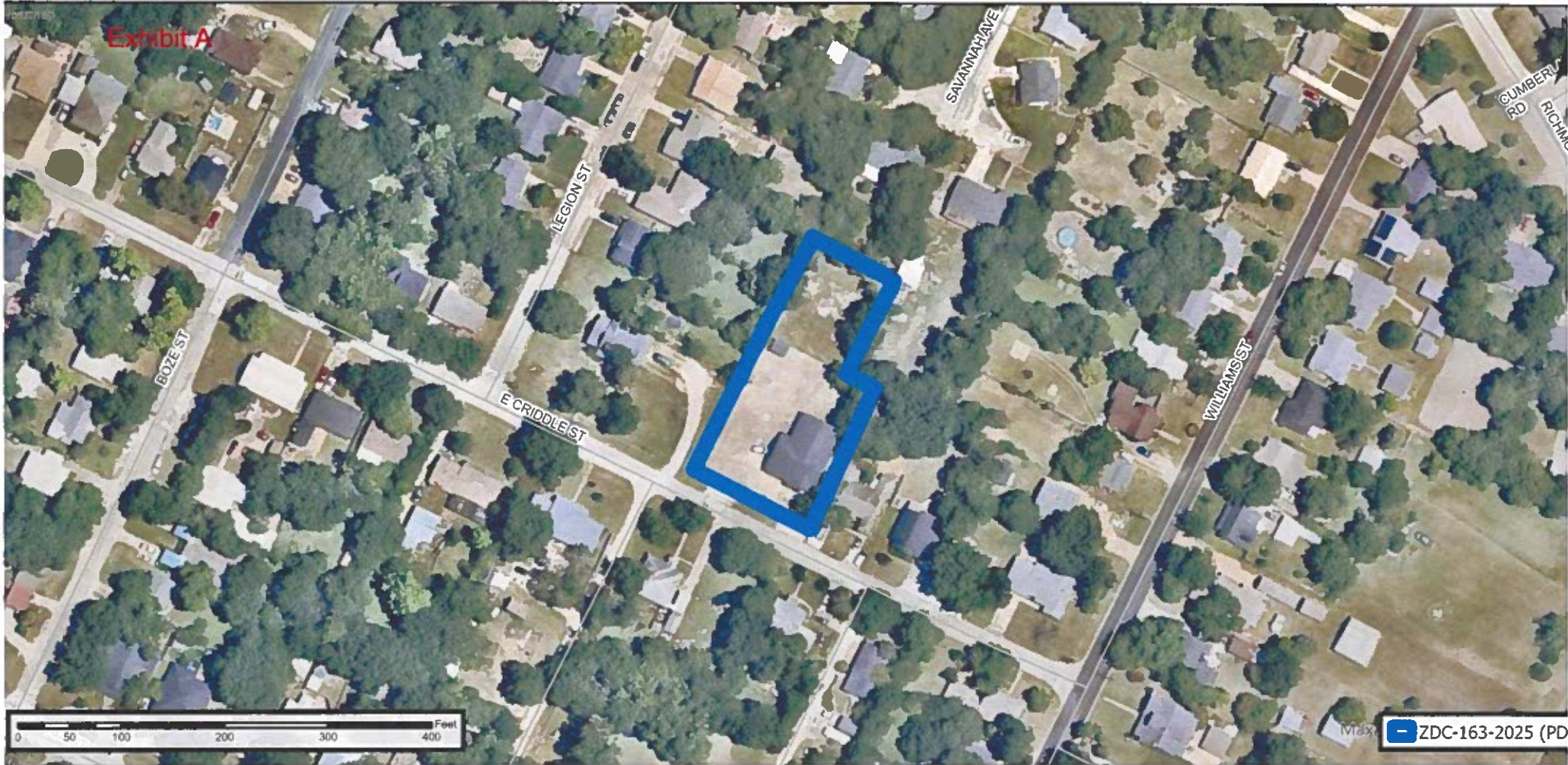
PASSED, APPROVED AND ADOPTED on this 20th day of January 2026.

MAYOR

ATTEST:

City Secretary

(10)



SURVEY PLAT

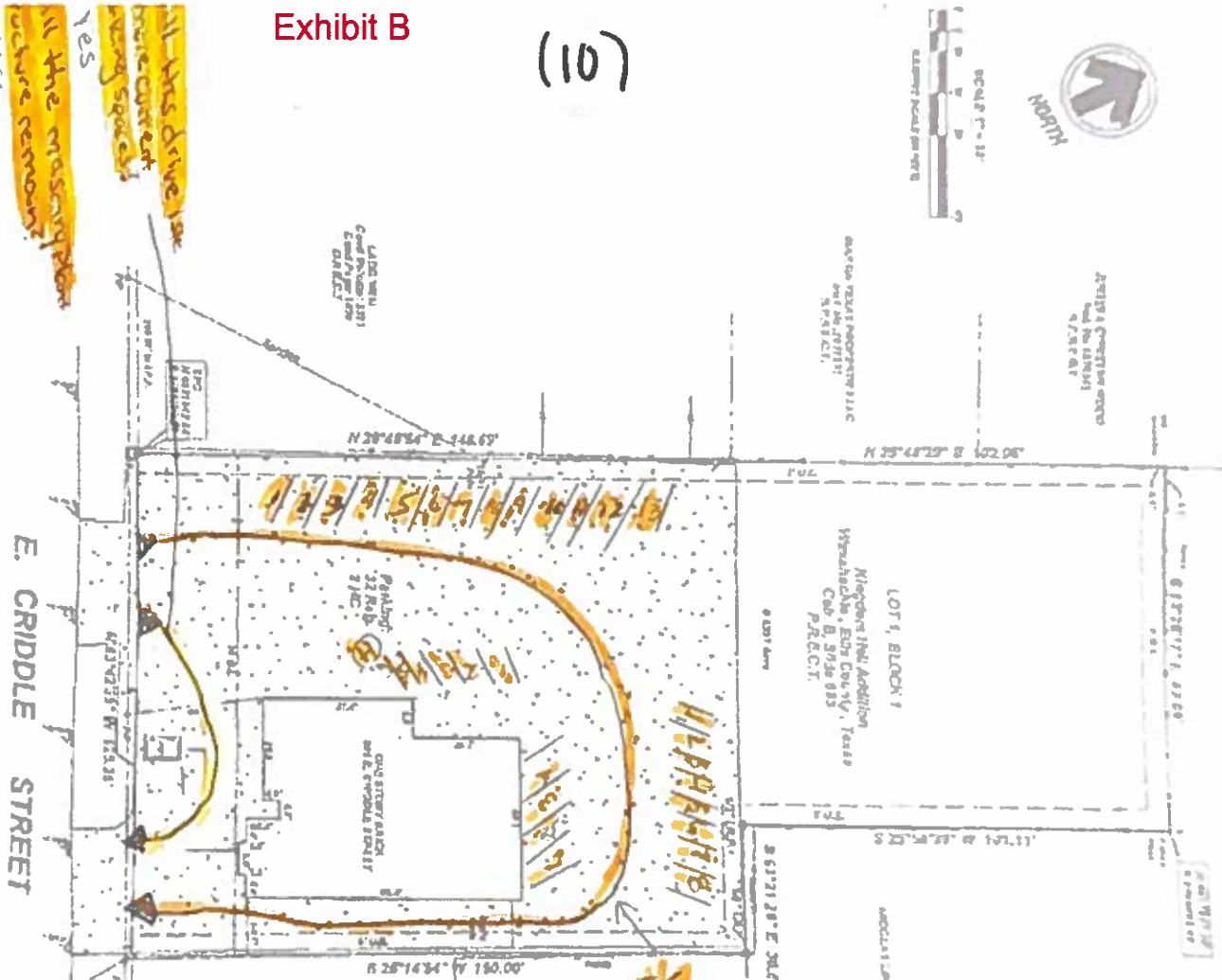


Exhibit B

(10)

All this driver has
more correct
using spaces?
yes
All the members
active members?
yes

my one car will be
here at a time.

Handicap

The members of the parking
spaces making

Will this drive
be striped?

NO
Only one car
at a time can
go around

THE CITY ENGINEER,
APPROVE UPON FILED

MR. R. L. ...



THE CITY ENGINEER
APPROVE UPON FILED

SHIELDS & LEE
SURVEYORS

201 E. Criddle Street
City of Washburne, Ellis County, Texas



Child Care HOURS: Our hours of operation are: Monday- Friday, 7:00 am to 5:30 pm. Each parent is allowed 10 hours a days

Children ages in care: 16 months to 12 years

Staff hours:

6:40 1 staff member arrives at check the grounds of the childcare

7:00 3 Staff members in building greeting children as they arrive

7:30 6 staff member have arrived for the day

11:00-3:00 Breaks 5 staff members will be in the building at all times

5:00 7 staff members leave

5:00-5:30 3 staff members left for after-school care

Staff members: 9

Students in Care: 65

Daily Schedule

7:00 - 8:30 Arrival/ Rest/ Open Play

8:30 - 8:45 Health checks/ Clean up for breakfast

8:45 - 9:00 Breakfast

9:00 - 9:10 Clean up (Clean up song)

9:10 - 9:50 Science Lessons

9:50-10:10 Reading, Math ect..

Small-Group Activity(Climb)

10:10-10:50 Large Motor Activity (Outdoor weather permitting)**

10:50-11:20 Circle Times (Songs, Dance) Colors, shapes, numbers, Alphabet (Spanish)

11:20-11:55 Free play

11:55-12:05 Clean up (Clean up song)

(10)

12:05-12:35 Lunch

12:35-12:40 Clean up (Clean up song)

12:40-12:50 Nap time story/ Transition to nap

12:50-2:30 Rest (Message through procare app for pick up)

2:30-2:45 Wake up/ Snack Time

2:45-4:00 Outdoor(Weather permitting)

4:00-5:30 Getting ready to go home/ Independent activities, After-school care and tutoring

- Our facility will only be served as a child care center.
- Our facility maintains a low child-to-staff ratio to ensure personalized attention and care. ● All staff are trained in early childhood education, first aid, and child safety. ● We prioritize open communication with parents through regular updates through our procare app(a parent communication system) and parent-teacher meetings.
- Special events and themed days will be organized to keep the children engaged and excited about learning.
- The facility is designed with safety features such as secure entrances, childproofing, and age-appropriate equipment.Overall, Mini Scientist Academy aims to provide a fun and enriching experience for children while fostering a sense of community among families. We are committed to creating a joyful and educational environment where children can flourish and develop essential skills for their futur

(107)



For Marketing Purposes Only. Measurements Deemed Highly Reliable But Not Guaranteed.

Planning & Zoning Department (11)

Zoning Staff Report

Case: ZDC-110-2025



MEETING DATE(S)

Planning & Zoning Commission: January 13, 2025

City Council: January 20, 2025

CAPTION

Public Hearing on a request by Jennifer Williams, TDRealty for a **Specific Use Permit (SUP)** for a **Specialty Paraphernalia (The High Culture)** use within a Commercial (C) zoning district located at 1702 W US Highway 287 Business, Suite A (Property ID 189024) - Owner: Daniel Mcgee (ZDC-110-2025)

RECOMMENDED MOTION

"I move to deny ZDC-110-2025, a Specific Use Permit for a Specialty Paraphernalia use at 1702 W US Highway 287 Business, Suite A."

APPLICANT REQUEST

The Applicant requests approval of the Specific Use Permit (SUP) to allow for a Specialty Paraphernalia use. This use allows for the sale of tincture, edible, and topical hemp products in addition to the sale of cigarette papers, bongs, and other smoking accessories.

CASE INFORMATION

Applicant: Jennifer Williams, TDRealty

Property Owner(s): Daniel Mcgee

Site Acreage: 0.38 acres

Current Zoning: Commercial (C)

Requested Zoning: Commercial (C) with SUP for Specialty Paraphernalia

SUBJECT PROPERTY

General Location: 1702 W US Highway 287 Business, Suite A

Parcel ID Number(s): 189024

Existing Use: A vacant multi-tenant commercial building currently exists on the subject property.

Development History: The existing structure was originally developed in 1940. The subject property is not platted.

(11)

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	Commercial (C) with SUP for Accessory Structure	Single Family Residence
East	Commercial (C)	Medical Offices
South	Commercial (C)	Barber Shop
West	Commercial (C)	Dental & Medical Pediatrician Offices

Future Land Use Plan: Mixed Use Neighborhood

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

Thoroughfare Plan: The subject property is accessible via W US Highway 287 Business and Lucas Street.

Site Image:



PLANNING ANALYSIS

The Applicant proposes a Specific Use Permit (SUP) to allow for a Specialty Paraphernalia use for The High Culture business. This use allows for the sale of tincture, edible, and topical hemp products in addition to the sale of cigarette papers, bongs, and other smoking accessories. The use is proposed to be limited to Suite A at 1702 W US Highway 287 Business; which is the suite located at the intersection of Lucas street and W US Highway 287 Business. This suite is approximately 1,000 square feet in size. The subject property has 12 total parking spaces shared between the two suites on the subject property. The proposed use generates a minimum parking requirement of five (5) spaces. Suite B on the subject property is currently vacant.

The Applicant has noted that The High Culture is a Texas-based retail business offering premium hemp-derived wellness products in full compliance with federal and state law. The Applicant has also noted that proposed products for sale include tinctures, edibles, topicals, and other consumable hemp products that contain less than 0.3% Delta-9 THC, as allowed under the Texas Health and Safety Code. The Owner is proposing to install security cameras on the inside and outside of the premises and proposes to store all inventory in a secure, limited access area. On-site or in-store consumption of products sold by the business is proposed to be prohibited.

STAFF CONCERNS

Compatibility

Staff has concern that the proposed Specialty Paraphernalia use is incompatible with the multiple existing Pediatric uses in the immediate area. This concern is due to the products offered for sale by The High Culture and the promotional material commonly associated Specialty Paraphernalia uses. Due to these concerns, staff is not supportive of the proposed Specialty Paraphernalia use. However, staff has provided recommended conditions below that would limit the scope of the business and allowable signage if this SUP is approved.

Nonconforming Structure

Staff is also concerned that portions of the existing building extend into the right-of-way (ROW) of W US Highway 287 Business, as indicated by the Site Plan/Survey. The position of the structure has led past occupants to allow parking along the southern side of the building; which is situated within TxDOT ROW on the shoulder of W US Highway 287 Business. To prevent this from continuing, no parking signs should be clearly installed along the southern side of the building. Staff cannot recommend occupancy of a building that is situated outside of private property and within TxDOT right-of-way.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 14 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 six (6) letters of opposition for the SUP request.

SUPER-MAJORITY VOTE REQUIRED

A super-majority vote in favor of the proposed Planned Development request is required in order for City Council to approve this application. Staff has received letters of opposition to the proposed Specific Use Permit (SUP) request that total 33.07% of the property by acreage within the 200' notification buffer for the subject property. Per Section 2.04 of the Waxahachie Zoning Ordinance, a favorable vote of three-fourths (3/4) of all members, which equates to four (4) out of the five (5) members of the City Council, is required in order to approve this SUP request.

(11)

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.

If the Council is considering approval of the proposed SUP, staff recommends the following conditions.

Conditions:

1. The Property Owner shall install "No-Parking" and "Parking in Back" signs along the southern face of the building, adjacent to W US Highway 287 Business to prevent customers from parking on the shoulder of W US Highway 287 Business.
2. The SUP shall remain with the property owner, Daniel Mcgee, and the business, The High Culture, for this specific location only, and shall not transfer to another property owner, business owner or Specialty Paraphernalia use.
3. The SUP shall be required to be amended in the event that the business wishes to expand the Specialty Paraphernalia use beyond the existing footprint of Suite A.
4. The applicant shall obtain all necessary building permits from the City of Waxahachie Building & Community Services Department prior to operating at the subject property.
5. All exterior signage shall require a sign permit from the Building & Community Services Department prior to the installation of any exterior signs. Exterior signs shall not depict hemp products or smoking accessories such as pipes or bongs.
6. Signage and/or lighting that includes evolving beacon lights; chasing, blinking, or stroboscopic lights; or, fluttering, undulating, swinging, or otherwise moving parts shall be prohibited.
7. If the premises covered by this Specific Use Permit is vacated by The High Culture and/or the business ceases to operate for a period exceeding fourteen (14) days, a new Specific Use Permit shall be required to re-establish the use.

ATTACHED EXHIBITS

1. Public Notification Responses
2. Site Photo
3. SUP Ordinance
4. Exhibit A – Location Map
5. Exhibit B – Site Plan/Survey
6. Exhibit C – Operational Plan

APPLICANT REQUIREMENTS

1. If approved by City Council, the applicant can apply for a Certificate of Occupancy (CO) with 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

From: Jean Strength <dr...>
Sent: Tuesday, December 16, 2025 12:30 PM
To: Planning
Subject: Case number ZDC-110-2025

Follow Up Flag: Follow up
Flag Status: Flagged

Some people who received this message don't often get email from drstrength01@gmail.com. [Learn why this is important](#)
This is Dr Strength. I own the building on 1710 West Hwy 287 Business Ste 100 Wax, Texas . My business is a doctor's office. I wholeheartedly oppose a paraphernalia business being right next to me. We are literally next door to that building. Specifically we are a pediatrics office! Please do not allow a paraphernalia business next door.

Dr. M Jean Strength M.D.

(11)

William R. & Wanda J. Porter
105 Lucas Street
Waxahachie, Texas 75165

Waxahachie City Council &
Planning & Zoning Commission
408 South Rogers Street
Waxahachie, Texas 75165

December 16, 2024

Hand Delivered

RE: Specific Use Permit Application # ZDC-110-2025 for
"The High Culture-Specialty Paraphernalia" at 1702 W US Hwy 287 Business
Description: "Application to allow for specialty paraphernalia use/ sales."

Ladies & Gentlemen,

We were planning on being at the 12/20/2025 P&Z Commission Public Hearing, but we will not be able to be at the meeting since it was pushed back to 1/13/2026.

This letter is our response to the Specific Use Permit (SUP) Application #ZDC-110-2025. This SUP Application proposes to create a Specialty Paraphernalia Use/Sales store, to be named "The High Culture" adjacent to our home.

We are adamantly opposed to the City allowing this type of retail store adjacent to our home.

The City made it a civic goal several years ago to improve the development aesthetics on the Brookside Road and SH 287 Business/IH 35E area, (West Main Street) as the "Gateway to Waxahachie". I do not believe this business would present a good first impression of Waxahachie when visitors come to town or for our citizens to see every day.

It was not that long ago that drug paraphernalia possession was illegal. I have read that the 2018 Farm Bill legalized hemp products sold in the US with a maximum .003% of THC. This maximum has been circumvented by the wording of the Law which created a loophole and many hemp products including THC gummies and THC drinks now advertised on the internet have tremendous THC content in them with many containing more than 20-40% THC. These are being legally sold in Texas right now.

A Specialty Paraphernalia use/sales store will certainly be selling these gummy and liquid extracts with very high THC content.

News reports say that the One Big Beautiful Bill Act that recently passed was modified at the last minute to change the wording of the 2018 Farm Bill regarding THC content and *any* finished products containing more than .003% THC will be illegal for sale in the US starting January 1, 2027.

I am not sure where this would put a Paraphernalia/hemp use/sales store which could sell these products now afater these THC products will become illegal in a year. Passing this SUP to allow this business to proceed would cast a shadow on the City for allowing it to be opened even though they know that THC sales will become illegal in a year.

Continued

(11)

William R. & Wanda J. Porter
105 Lucas Street
Waxahachie, Texas 75165

Waxahachie City Council & Planning & Zoning Commission Letter dated December 16, 2025 Page 2

Our home was built in 1932. Wanda and I have owned it for over 37 years. We have worked with Historic Waxahachie, Inc. all these years to maintain our home in its original condition and we are sure that a business like this would have a substantial negative impact on our home value as well as the neighborhood. There are many doctor's offices, clinics, and the Baylor Surgery Center in this area.

The parking area for the building in question is also right up against our fence. The City has assisted us in the past when renters of the subject building would try to put up signs next to our fence or otherwise impede or reduce the usage of our home.

I believe Texas Law says every person has a right to live in their home in "quiet possession and use." Since our home was "Grandfathered In" as Residential Use, we claim that right.

No matter how anyone feels about THC use, we believe these types of businesses should not be adjacent to anyone's home. If needed, I will use whatever legal processes I can to stop this SUP from being approved.

We hope that you agree with our views and will deny the SUP Application.

Sincerely,


William Ray Porter


Wanda J. Porter

P.S. The traffic congestion is already staggering on West Main and it is only going to get worse. The new High School, apartments and pending massive housing and commercial developments East of IH 35E will further strain the 2 lanes of West Main Street. At some point West Main Street will need to be widened and I understand from City staff that the subject building lies within the State Highway Right of Way. This means the subject building would need to be moved and/or purchased since it is already too close to the existing 2 lanes of West Main Street.



(11)

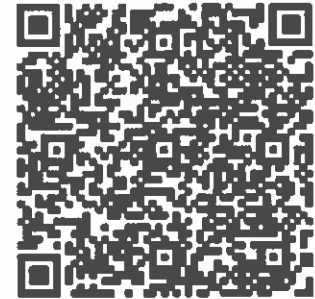
City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-110-2025

STRENGTH M KEVIN & M JEAN STRENGTH
1710 W HIGHWAY 287 BUSINESS STE 100
WAXAHACHIE, TX 75165-4733

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 13, 2026 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 20, 2026 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 Jennifer Williams, TDRealty for a **Specific Use Permit (SUP)** for a **Specialty Paraphernalia (The High Culture)** use within a Commercial (C) zoning district located at 1702 W US Highway 287 Business, Suite A (Property ID 189024) - Owner: Daniel Mcgee (ZDC-110-2025)

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-110-2025

City Reference: 221818

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 3, 2026** 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:

I oppose paraphernalia being sold next to multiple doctor's offices!

Signature

12-30-25

Date

M. Strength MD/owner

Printed Name and Title

1710 W. 287 Business Ste 100 Waxahachie TX 75165

Address



(11)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-110-2025

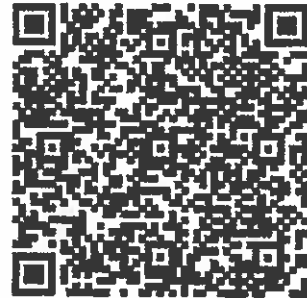
COPY

Cruz storage
110 Lucas St
Waxahachie 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 13, 2026 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 20, 2026 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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Scan for additional information.

Case Number: ZDC-110-2025

City Reference: 189027

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on January 3, 2026 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:

This is one of the areas that the city indicated she wanted to improve because it is a gateway to Waxahachie. This type of business will not serve that purpose.

Signature: [Handwritten Signature]
Printed Name and Title: YOMI FATICA

Date: 12/31/2025
Address: 110 Lucas Street
Waxahachie



(11)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-110-2025

copy

PORTER WILLIAM RAY & WANDA J
105 LUCAS ST
WAXAHACHIE, TX 75165-2201

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 13, 2026 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 20, 2026 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 Jennifer Williams, TDRealty for a **Specific Use Permit (SUP)** for a **Specialty Paraphernalia (The High Culture)** use within a Commercial (C) zoning district located at 1702 W US Highway 287 Business, Suite A (Property ID 189024) - Owner: Daniel Mcgee (ZDC-110-2025)

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-110-2025

City Reference: 189027

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *January 3, 2026* 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 do not believe this type of business nor the extra traffic it would bring is good for our business.

Chris P. Holleman
Signature

12/31/25
Date

Chris P. Holleman President
Printed Name and Title

120 Lucas Street Waxahachie
Address
TX 75165



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-110-2025

(11)

JUST SETTLE INVESTMENTS LLC
101 BROOKSIDE RD
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 13, 2026 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 20, 2026 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 Jennifer Williams, TDRealty for a **Specific Use Permit (SUP)** for a **Specialty Paraphernalia (The High Culture)** use within a Commercial (C) zoning district located at 1702 W US Highway 287 Business, Suite A (Property ID 189024) - Owner: Daniel Mcgee (ZDC-110-2025)

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-110-2025

City Reference: 176678

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 3, 2026** 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:

This type of business is not conducive to this area especially as brookside is supposed to be grand entrance into Waxahachie.

[Signature]
Signature

1/5/26
Date

D Settlemey
Printed Name and Title

101 Brookside Rd Waxa.
Address



(11)

LUCAS

FOR SALE
CALL [phone number]

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SPECIALTY PARAPHERNALIA USE WITHIN A COMMERCIAL (C) ZONING DISTRICT, LOCATED 1702 W US HIGHWAY 287 BUSINESS, SUITE A, BEING PROPERTY ID 189024, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, the described property is classified in said ordinance and any amendments thereto as C; 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-110-2025. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for denial and the issuance thereof; and

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

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

NOW, THEREFORE, this property is rezoned from C to C, with a SUP in order to permit a Specialty Paraphernalia use on the following property: 1702 W US Highway 287 Business, Suite A, which is shown on Exhibit A, in accordance with the Site Plan/Survey attached as Exhibit B, and the Operational Plan attached as Exhibit C.

SPECIFIC USE PERMIT

Purpose and Intent

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

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A SPECIALTY PARAPHERNALIA USE WITHIN A COMMERCIAL (C) ZONING DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The development shall conform as approved by the City Council under case number ZDC-110-2025.
2. The development shall adhere to the City Council approved in Exhibit A- Location Map, Exhibit B – Site Plan/Survey, and Exhibit C – Operational Plan.
3. The Property Owner shall install “No-Parking” and “Parking in Back” signs along the southern face of the building, adjacent to W US Highway 287 Business to prevent customers from parking on the shoulder of W US Highway 287 Business.
4. The SUP shall remain with the property owner, Daniel Mcgee, and the business, The High Culture, for this specific location only, and shall not transfer to another property owner, business owner or Specialty Paraphernalia use.
5. The SUP shall be required to be amended in the event that the business wishes to expand the Specialty Paraphernalia use beyond the existing footprint of Suite A.
6. All exterior signage shall require a sign permit from the Building & Community Services Department prior to the installation of any exterior signs. Exterior signs shall not depict hemp products or smoking accessories such as pipes or bongs.
7. Signage and/or lighting that includes evolving beacon lights; chasing, blinking, or stroboscopic lights; or, fluttering, undulating, swinging, or otherwise moving parts shall be prohibited.
8. If the premises covered by this Specific Use Permit is vacated by The High Culture and/or the business ceases to operate for a period exceeding fourteen (14) days, a new Specific Use Permit shall be required to re-establish the use.
9. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance (**Ordinance No. TBD**) shall conform to those requirements and/or standards prescribed in Exhibit B – Site Plan/Survey, and Exhibit C – Operational Plan. Where regulations are not specified in Exhibits B or C in this Zoning Ordinance (**Ordinance No. TBD**), the regulations of the Commercial (C) zoning district and the City of Waxahachie Zoning Ordinance shall apply to this development.
10. 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, the premises covered by this Specific Use Permit is vacated by The High Culture and/or the business ceases to operate for a period exceeding fourteen (14) days, a new Specific Use Permit shall be required to re-establish the use.
3. 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 20th day of January, 2026.

MAYOR

ATTEST:

City Secretary

(12)



(12)

2701 SUNSET RIDGE DRIVE, STE. 303
ROCKWALL, TEXAS 75082

FIRM REGISTRATION NO. 10194366

BARRY S. RHODES Registered Professional Land Surveyor (214) 326-1090

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 1702 U.S. 287 BUSINESS, in the City of WAXAHACHIE, Texas.

SURVEY PLAT



Being all that certain lot, tract or parcel of land situated in the A. Polk Survey, Abstract No. 827, in City of Waxahachie, Ellis County, Texas, being the same land described in deed to Tom R. Benson, recorded in Volume 2371, Page 1185, Deed Records, Ellis County, Texas (D.R.E.C.T.) and being more particularly described as follows:

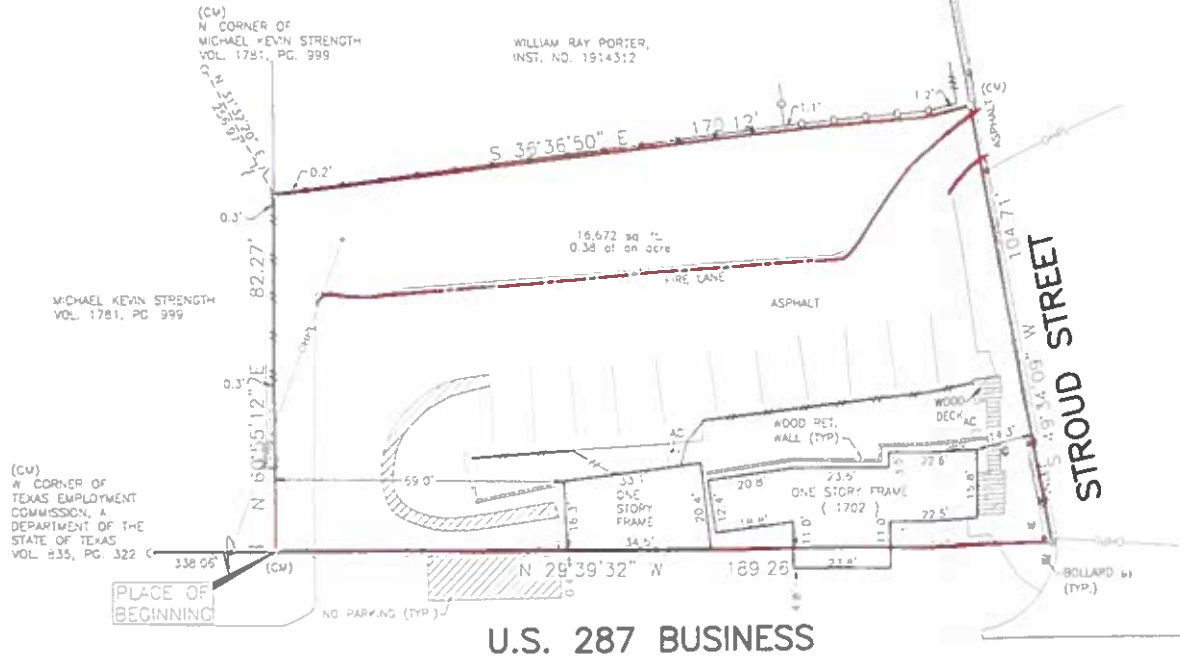
BEGINNING at a 1/2 inch iron rod found for corner in the Northeast corner in the U.S. 287 Business, at the South corner of a tract or land described in deed to Michael Kevin Strength, recorded in Volume 1781, Page 999 (D.R.E.C.T.) and at the North corner of Benson tract;

THENCE North 60 degrees 55 minutes 12 seconds East, a distance of 82.27 feet to a fence post found for corner in the Southeast line of Strength tract, at the West corner of a tract of land described in deed to William Ray Porter, recorded in Instrument No. 1914312 (D.R.E.C.T.);

THENCE South 36 degrees 36 minutes 50 seconds East, a distance 170.12 feet to a 1/2 inch iron rod found for corner in the Northwest line of Stroud Street, at the South corner of said Porter tract;

THENCE South 49 degrees 34 minutes 09 seconds West, a distance of 104.71 feet to a point for corner at the intersection of the said Northwest line of Stroud Street and in the said Northeast line of U.S. 287 Business;

THENCE North 29 degrees 39 minutes 32 seconds West, with the said Northeast line of U.S. 287 Business, a distance of 189.26 feet to the PLACE OF BEGINNING and containing 16,672 square feet or 0.38 of an acre of land.



ACCEPTED BY: _____

PROPERTY SUBJECT TO
EASEMENTS & RESTRICTIONS
Volume 342, Page 99

The plot herein is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plot; the size, location and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated, or visible and apparent easements TITLE AND ABSTRACTING WORK FURNISHED BY MAGNOLIA TITLE

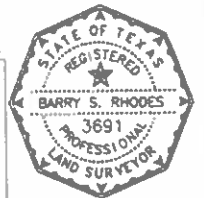
Scale: 1" = 30'
Date: 12/14/2023
C. F. No.: 5100000082
Job no.: 202309659
Drawn by: CMR



BEARINGS ARE BASED ON
NAD 83 DATUM, TEXAS
STATE PLANE COORDINATE
SYSTEM NORTH CENTRAL
ZONE

LEGEND

WOOD FENCE	---	IRON FENCE	----
CHAIN LINK	-O-O-	WIRE FENCE	-.-.-
CONCRETE MONUMENT	■	MONUMENTS OF RECORD IDENTITY	○
1/2" IRON ROD FOUND	○	1/2" YELLOW CAPPED IRON ROD SET	●
1" FENCE POST FOR CORNER	○	3/8" IRON ROD FOUND	○
3/8" IRON ROD FOUND	○	IRON ROD CORNER PIN	○
ELECTRIC METER	⊕	ELECTRIC	⊖
CABLE	—	POOL EQUIP	⊕
CLEAN OUT	⊕	POWER POLE	⊕
GAS METER	⊕	TELEPHONE	⊕
FIRE HYDRANT	⊕	WATER METER	⊕
LIGHT POLE	⊕	WATER VALVE	⊕
MANHOLE	⊕	(UNLESS OTHERWISE NOTED)	



Barry S. Rhodes

Operational Plan – The High Culture

Business Name: The High Culture

Business Type: Hemp-Derived Wellness Retail

Business Address: 1702 US HWY 287 A Waxahachie, Texas 75165

Hours of Operation: Monday–Sunday: 10:00 AM – 10:00 PM

Overview:

The High Culture is a Texas-based retail business offering premium hemp-derived wellness products in full compliance with federal and state law. Products include tinctures, edibles, topicals, and other consumable hemp products that contain less than 0.3% Delta-9 THC, as allowed under the Texas Health and Safety Code.

Security & Compliance:

- All products will be pre-packaged and third-party lab tested.
- Certificates of analysis will be available for customer review.
- Security cameras will be installed inside and outside the premises.
- Inventory will be stored in a secure, limited-access area.
- All employees will receive compliance and safety training.
- No consumption will be allowed on-site.
- We will not sell to individuals under 21 years of age, even though Texas law requires 18+, as an additional safeguard.

Storefront Operations:

- Signage will be tasteful and compliant with all city code. It will be located at the existing signage at the front of building. The logo below will be painted on the 2ftx3ft existing sign.
- The store will be professionally designed to reflect a wellness retail atmosphere, similar to a health food or supplement store.
- No odors, waste, or materials harmful to the environment will be generated.
- Deliveries will occur during normal business hours via standard carriers (UPS, USPS, FedEx).
- The store will have 2-4 employees, and a minimum of 2 employees during all shifts.



Community Commitment:

- We are dedicated to being a responsible member of the Waxahachie business community.
- We will participate in local events and give back through donations or wellness education opportunities.
- We are proud to provide safe, legal options to individuals seeking relief and wellness support

Planning & Zoning Department (13) Zoning Staff Report

Case: ZDC-120-2025



MEETING DATE(S)

Planning & Zoning Commission: January 13, 2025
City Council: January 20, 2024

CAPTION

Public Hearing on a request by Brad Yates, for a **Zoning Change** from a Planned Development-5-Commercial District to a **Planned Development-Multi-Family-2 (PD-MF-2)** zoning district, located directly west of 131 Mark Trail, (Property ID: 174984) – Owner: Colonial Restoration Group, Inc. (ZDC-120-2025)

RECOMMENDED MOTION

"I move to approve ZDC-120-2025, a Zoning Change from a Commercial zoning district to a Planned Development-Multi-Family-2 (PD-MF-2) zoning district, subject to the conditions the staff report."

APPLICANT REQUEST

The applicant requests to rezone the subject property to allow for the development of six (6) 2-story townhome style multi-family units on multiple lots.

CASE INFORMATION

Applicant: Brad Yates, Colonial Restoration
Property Owner(s): Colonial Restoration Group, Inc.
Site Acreage: 0.425 acres
Current Zoning: Planned Development-Commercial (PD-C)
Requested Zoning: Planned Development-Multi-Family-2 (PD-MF-2)

SUBJECT PROPERTY

General Location: 131 Mark Trail
Parcel ID Number(s): 174984
Existing Use: The subject property is currently undeveloped.
Development History: The subject property is platted as Lot 24, Block 4 of the Northgate II subdivision.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	Planned Development-5-Commerical (PD-5-C)	Mini Storage
East	Planned Development-Commercial (PD-C)	Medical Office
South	Single-Family-2 (SF-2)	Single-Family Detached Home
West	Planned Development-Multi-Family-1 (PD-MF-1)	Undeveloped

Future Land Use Plan:

Mixed-Use Neighborhood

(13)

Comprehensive Plan:

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

Thoroughfare Plan:

The subject is accessible via Houston Street and Mark Trail.

Site Image:



PLANNING ANALYSIS

The applicant proposes to rezone the subject property to allow for the development of a single structure consisting of six (6) townhome style dwelling units. The units range from 1 to 2-stories and 590-1302 square feet. It should be clearly understood that townhomes are proposed to be situated on fee-simple, individually platted lots. The applicant intends to keep all six units on separate lots and lease each of the individual units. While the development will function as multi-family project, the design of each unit is intended to match the existing townhomes at 111 Dunn Street. Each unit is proposed to include on-street parking, off-street parking, bedroom balconies, and a covered patio. Despite the intent to lease each unit, the small-scale multi-family use is consistent with the type of residential development recommended for the Mixed-Use Neighborhood Placetype by the 2023 Comprehensive Plan.

(13)

Proposed Use:

The proposed development is designed to face Houston Street. This site design was chosen to ensure the primary façade is visible when traveling along Houston Street as opposed to the rear façade. The applicant is proposing to install a sidewalk to connect the front door of each unit alongside Houston Street to the parking area accessible via Mark Trail, where driveway access starts. The applicant is proposing a mix of floorplans ranging from 1-3 bedrooms and 1-2 baths. In order to facilitate development on the subject property, the applicant has proposed several planned development (PD) standards that deviate from the base MF-2 zoning district. These PD standards are necessary to facilitate the development due to the small size of the subject property. The table below, along with Exhibit B, can be referenced for the proposed PD development standards.

PROPOSED PD DEVELOPMENT STANDARDS

The following table identifies the development standard requirements in the base MF-2 zoning district in comparison to the proposed development standards for this PD. **Items highlighted in bold indicate a deviation from the base Multi Family-2 (MF-2) requirements.*

<u>Standard</u>	<u>Base MF-2</u>	<u>Proposed PD</u>
Dwelling Units Per Acre (DUA)	18 DUA	6 units proposed on .41 acres
Maximum Height	3 stories	2 stories with a bedroom balcony
Minimum Dwelling Size	800 SF (3-bedroom units)	590 SF
Minimum Utility Easement	15'	10'
Minimum Front Yard Setback	25' up to 100'	20'
Minimum Side Yard Setback	25' up to 100'	0'
Minimum Rear Yard Setback	75'	20'
Parking Regulations	Minimum of 1.5 for 1–2-bedroom units and 2.5 for 3+ bedroom units. (12 spaces total with a minimum of 5 attached garage spaces.)	Minimum of one (1) off-street parking spaces per unit (covered or uncovered). Plus, an additional one (1) on-street parking space per unit. (17 total spaces) with a minimum of 5 attached garage spaces
Screening	6' masonry wall directly adjacent to Single Family and Non-Residential zoning districts.	No screening requirement

Access: Each unit is proposed to have access to a shared driveway accessible from Mark Trail; and one (1) un-covered, off-street parking space. Per the base MF-2 Zoning Ordinance, 12 parking spaces are required. The applicant is providing 17 total surface spaces, five (5) of which are 1-car parking garages, six (6) uncovered off-street parking spaces, and six (6) parallel spaces along Houston Steet. A concrete sidewalk is proposed to connect the on-street and off-street parking areas to the front door of each unit.

(13)

Landscaping: The applicant is proposing to meet all landscaping requirements for the development and has notably proposed to exceed the number of required shrubs, ground cover, and seasonal cover for this development. Landscape islands are proposed between each individual Townhome along the proposed shared driveway to help soften the rear façade.

Elevation/Façade Plan: The applicant has provided a detailed elevation/façade plan with the PD proposal. The elevation/façade plan closely resembles the existing townhomes at 111 Dunn Street. The applicant proposes to utilize a minimum of 90% masonry for each elevation, while also including materials such as wood, stone and hardie for all proposed structures. Each of the proposed two-story townhomes will contain bedroom balconies on the front/northwest elevation, with the one, single-story unit, containing a bedroom patio towards the rear/southeast side of the proposed structure. Each unit will also contain architectural elements like columns with accent siding making up the base of each column. The northernmost unit along Mark Trail is proposed to be 1-story, enhancing the vertical articulation of the building. The applicant is not proposing roof-mounted equipment with this planned development. Lastly, the roof pitch for the structure will be 6:12. Exhibit D can be referenced below for a detailed look at the elevation/façade plan.

Screening:

Typically, a 6' masonry screening wall would be required along the southern and eastern property lines. The applicant is not proposing screening at this time. It should be noted that there's an existing fence along the southside of the property adjacent to the existing residential single-family homes. Additionally, the applicant is proposing ornamental fencing towards the front of each structure similar to the existing townhomes of W. Franklin Street in Downtown Waxahachie.

Easements:

The applicant is proposing a 15' utility easement along the southside of the subject property and a 10' utility easement running alongside both Houston Street and Mark Trail. In addition, the applicant is proposing a mutual access easement for the shared access driveway located at the rear of the property.

Variance Requests:

Water line size: A 6" waterline currently exists along Houston Street adjacent to the subject property. Typically, a multi-family project is required to install a 12" waterline to serve the development. Due to the limited number of dwelling units proposed with this development, the applicant has requested to utilize the existing 6" water line as opposed to installing a new 12" water line along Houston Street. In order to determine if the 6" water line is sufficient to serve the development; the applicant will be required to conduct a fire flow test and engineering analysis in the area around the development and provide the results to staff. The Fire Flow test and engineering analysis must demonstrate the presence of a minimum fire flow and domestic flow that is acceptable to the Director of Utilities. This fire flow test and engineering analysis are required to be conducted prior to recording of the replat for this property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 18 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 two (2) letters of support and two (2) letters of opposition for the proposed zoning change.

(13)

RECOMMENDATION

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

Conditions:

1. A mutually agreed upon Development Agreement shall be required to be executed for the property within 30-days of zoning approval.
2. The property is required to be replatted into six individual lots prior to the issuance of a building permit.
3. All materials, location of materials, and percentage of materials for the building shall be consistent with the Elevation/Façade Plan (Exhibit B).
4. The owner shall provide a permanent irrigation system for all required landscape areas shown on Exhibit E - Landscape Plan and maintain the required landscaping at all times.
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 applicant is required to conduct a fire flow test and engineering analysis in the area around the subject property to demonstrate the presence of a minimum fire flow and domestic flow that is acceptable to the Director of Utilities. This fire flow test and engineering analysis are required to be conducted prior to replatting the property.

ATTACHED EXHIBITS

1. Public Notification Responses
2. Development Agreement
3. PD Ordinance
4. Exhibit A – Location Map
5. Exhibit B – Elevation/Façade Plan
6. Exhibit C – Site Plan
7. Exhibit D – Development Standards
8. Exhibit E – Landscape Plan
9. Exhibit F – Floor Plan

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:

Caleb Ensley

Planner

caleb.ensley@waxahachie.com

Reviewed by:

Trenton Robertson, AICP

Senior Director of Planning

trenton.robertson@waxahachie.com

(13)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-120-2025**

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

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 30, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 20, 2026 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 Brad Yates, for a **Zoning Change** from a Planned Development-5-Commercial District to a **Planned Development-Multi-Family-2 (PD-MF-2)** zoning district, located directly west of 131 Mark Trail, (Property ID: 174984) – Owner: Colonial Restoration Group, Inc (ZDC-120-2025)

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-120-2025**

City Reference: 174960

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **December 19, 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:

Too much traffic in this quiet area. My kids can't enjoy the neighborhood because of the amount of cars that pass.

CBarron michael Barron
Signature

12-7-25
Date

Cynthia & Michael Barron
Printed Name and Title
(Homeowners)

200 Big Bend Blvd.
Address

(13)



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-120-2025**



131 MARK TRAIL LLC
200 N Rogers St Ste A
Waxahachie, TX 75165-3694

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, December 30, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 20, 2026 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 Brad Yates, for a **Zoning Change** from a Planned Development-5-Commercial District to a **Planned Development-Multi-Family-2 (PD-MF-2)** zoning district, located directly west of 131 Mark Trail, (Property ID: 174984) – Owner: Colonial Restoration Group, Inc (ZDC-120-2025)

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-120-2025**


City Reference: 174985

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **December 19, 2025** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:


Signature

12-10-2025
Date

Kevin Kasor, Manager
Printed Name and Title

200 N Rogers Street
Address

Case Number: ZDC-120-2025

City Reference: 174992

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *January 3, 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:

Will LOWER MY PROPERTY VALUE & CONCERNED
ABOUT WATER DRAINAGE POSSIBLE FLOODING MY PROPERTY.

Dwayne Pope
Signature

12-26-25
Date

DWAYNE POPE
Printed Name and Title

124 BIG BEND
Address



(13)

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **ZDC-120-2025**



COLONIAL RESTORATION GROUP INC
PO BOX 2868
WAXAHACHIE, TX 75168-8868

RECEIVED DEC 29 2025

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, January 13, 2026 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Tuesday, January 20, 2026 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 Brad Yates, for a **Zoning Change** from a Planned Development-5-Commercial District to a **Planned Development-Multi-Family-2 (PD-MF-2)** zoning district, located directly west of 131 Mark Trail, (Property ID: 174984) – Owner: Colonial Restoration Group, Inc (ZDC-120-2025)

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-120-2025**

City Reference: 174984

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **January 3, 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:

Fits well with neighborhood -
Telmhones apt. across street

[Signature]
Signature

12/29/25
Date

Brad Yates president
Printed Name and Title

131 Mark Trail
Address

(14)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT-5-COMMERCIAL (PD-5-C) TO PLANNED DEVELOPMENT-MULTI-FAMILY-2 (PD-MF-2) LOCATED DIRECTLY WEST OF 131 MARK TRAIL IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.425 ACRES KNOWN AS LOT 24, BLOCK 4 OF THE NORTHGATE II SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, a proper application for a Zoning Change has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZC-120-2025. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from PD-5-C to PD-MF-2; and

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

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

NOW, THEREFORE, this property is rezoned from PD-5-C to PD-MF-2 in order to facilitate development of the subject property in a manner that allows six (6) townhome style attached residences on the following property: Lot 24, Block 4 of the Northgate II subdivision, which is shown on Exhibit A, in accordance with the Elevation/Façade Plan attached as Exhibit B, the Site Plan attached as Exhibit C, the Development Standards attached as Exhibit D, the Landscape Plan attached as Exhibit E, and the Floor Plan attached as Exhibit F.

PLANNED DEVELOPMENT

Purpose and Intent

The purpose of this planned development is to allow for the development of six (6) townhome style attached residences, and to establish appropriate restrictions and development controls necessary to ensure predictable land development, safe and efficient vehicular and pedestrian circulation, compatible uses of land and compliance with appropriate design standards.

Development Standards

All development on land located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in this ordinance. The locations of buildings, private streets, and utility infrastructure shall substantially conform to the locations shown on the approved Detailed Site Plan (Exhibit C).

Development Regulations

1. A mutually agreed upon Development Agreement will be required for the property.
2. The development shall conform as approved by the City Council under case number ZDC-120-2025.
3. The development shall adhere to the City Council approved in Exhibit A- Location Map, Exhibit B – Elevation/Façade Plan, Exhibit C – Site Plan, Exhibit D – Development Standards, Exhibit E – Landscape Plan, and Exhibit F – Floor Plan.
4. The property shall be replatted into six (6) individual lots prior to the issuance of a building permit.
5. All materials, location of materials, and percentage of materials for the building shall be consistent with the Elevation/Façade Plan (Exhibit B).
6. The owner shall provide a permanent irrigation system for all required landscape areas shown on Exhibit E - Landscape Plan and maintain the required landscaping at all times.
7. The Owner shall conduct a fire flow test and engineering analysis in the area around the subject property to demonstrate the presence of a minimum fire flow and domestic flow that is acceptable to the Director of Utilities. This fire flow test and engineering analysis are required to be conducted prior to replatting the property.
8. All improvements within the subject property will be subject to obtaining building permits from the City in accordance with the City's applicable rules and regulations governing such permits.
9. 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.

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.

(14)

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 20th day of January, 2026.

MAYOR

ATTEST:

City Secretary

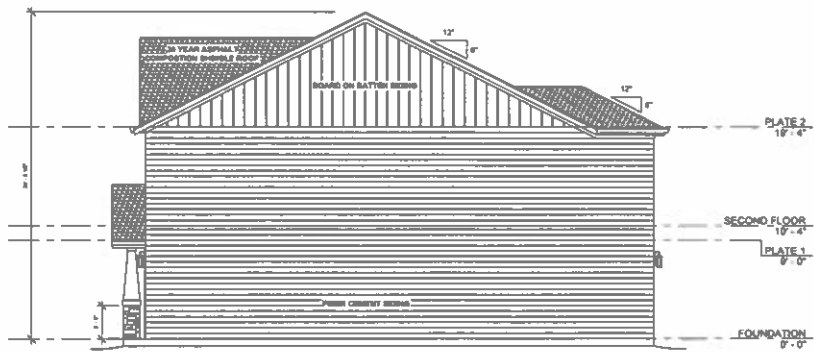
(14)

Exhibit A - Location Map



(14)

Exhibit B - Elevation/Facade Plan



2 RIGHT / SOUTHWEST ELEVATION
3/16" = 1'-0"



1 FRONT / NORTHWEST ELEVATION
3/16" = 1'-0"



COLONIAL RESTORATION GROUP

Houston Court Townhomes
Waxahachie, Texas

ISSUE FOR PERMIT
June 26, 2025



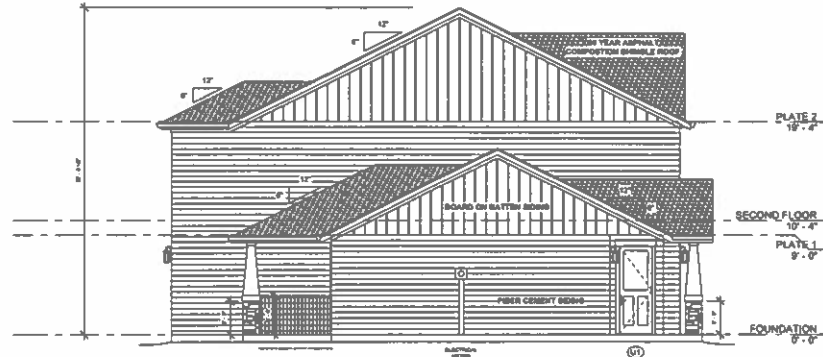
ELEVATIONS

A-301

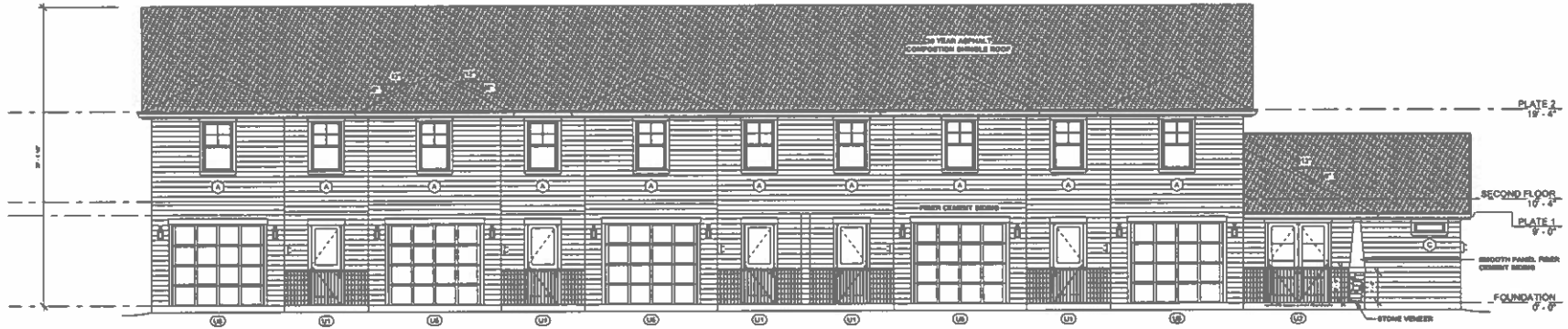
Copyright © 2025 DC TEXAS ARCHITECTURE

(14)

Exhibit B - Elevation/Facade Plan



2 LEFT / NORTHEAST ELEVATION
3/16" = 1'-0"

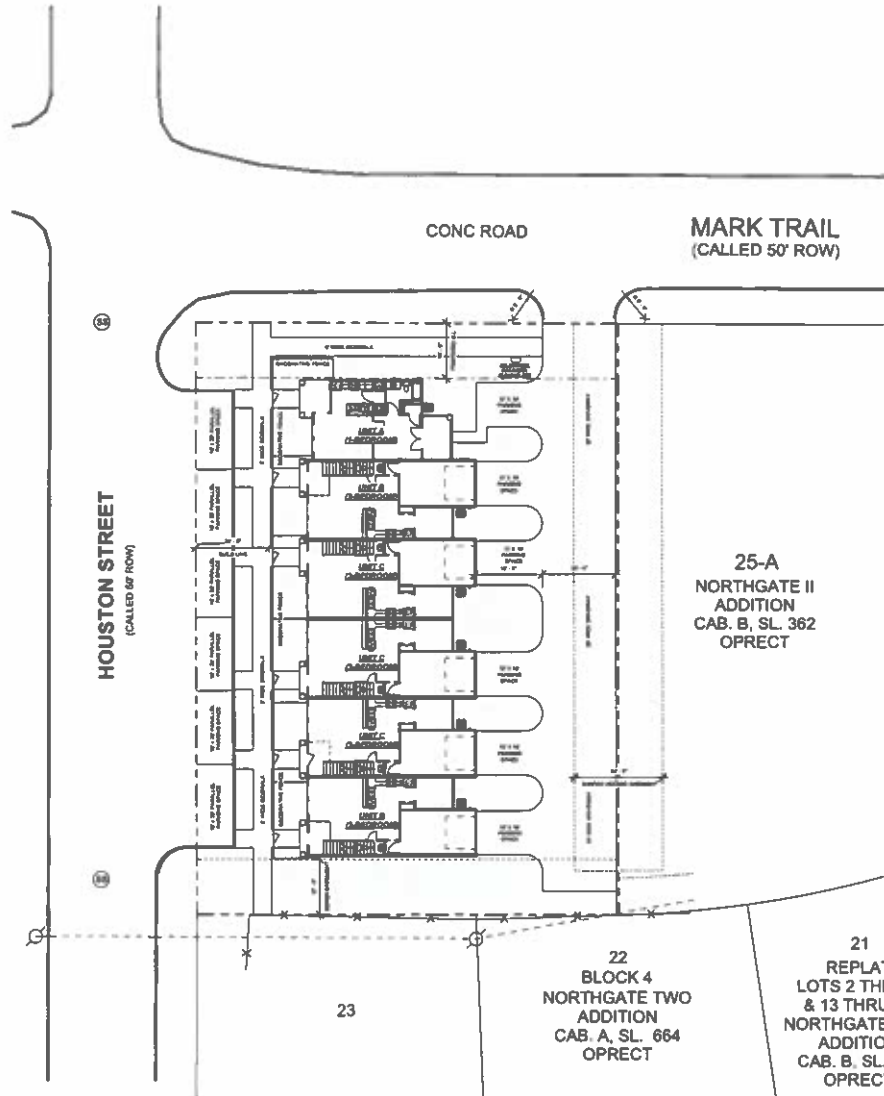


1 REAR / SOUTHEAST ELEVATION
3/16" = 1'-0"



Exhibit C - Site Plan

VICINITY MAP:



SITE DATA SUMMARY TABLE

ZONING	PLANNED DEVELOPMENT
PROPOSED USE	MULTIFAMILY TOWNHOME STYLE UNITS
LOT AREA	18,510 SF / 0.428 AC
TOTAL BUILDING AREA	6,622 SF
BUILDING HEIGHT	28'-0" ABOVE FINISHED GRADE / 2 STORY
LOT COVERAGE	36.4%
FLOOR AREA RATIO	1.0 0.30
PARKING SPACES REQUIRED (2 SPACES/UNIT)	12 SPACES
PARKING SPACES PROVIDED	12 SPACES
IMPERVIOUS SURFACE	= 12,430 SF
PERVIOUS SURFACE	= 6,080 SF



COLONIAL RESTORATION GROUP

Houston Court Townhomes
Waxahachie, Texas

ISSUE FOR PERMIT
June 26, 2025



Sheet
SITE PLAN

Sheet
A-001

Copyright © 2025
DC TEXAS ARCHITECTURE

Exhibit D - Development Standards

(14)

Houston Street Townhomes

Overall concept is 2 story townhomes with bedroom balcony for residential living. Development of this lot encourages walkability to the nearby shopping areas and moves entrance from Houston Court to Mark Trail. With an adaptive use, this takes an otherwise vacant lot and allows for more residents in and near similar development.

*Front yard setback to be minimum of 15'

* Side yard setback to be 20' on Mark Trail and 10' on opposite side

*Building height not to exceed 35'

*Provide a minimum of two off street parking spaces per townhome either covered or uncovered. Remainder of lot will be maximized for guest parking

*Any accessory buildings to match style of townhome

*Minimum square footage of 590 sq. ft. to a maximum of up to 1302 sq. ft.

*If fencing is erected it shall be wood no greater than 8' tall to separate PD from residential/commercial neighbors on back and sides and ornamental iron on front

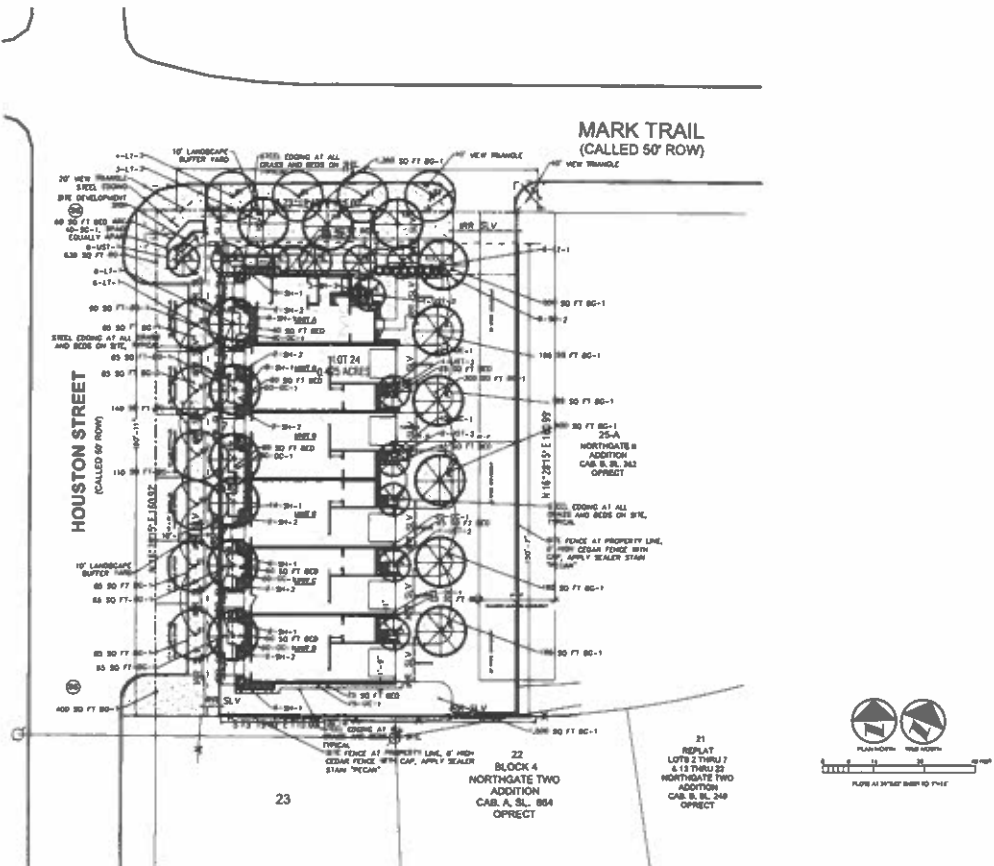
*Exterior materials shall include wood, masonry, stone and hardie. Buildings to be 90% masonry

*Infill lot language shall apply to this project

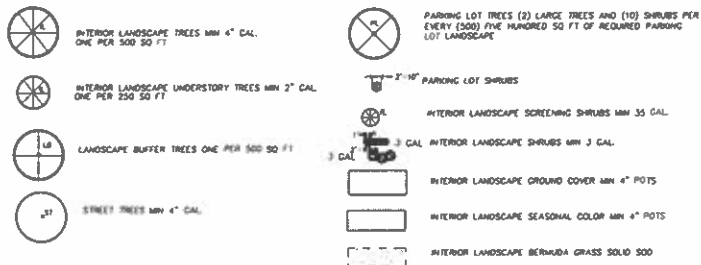
*Mail receptacles to be on structure if allowed by USPS. If structure mounted receptacles are not allowed a suitable mail receptacle will be placed per USPS recommendation.

*Water line size serving the lot to be 6" or larger.

*Main body of structure to be 6:12 pitch for overall massing and lowering of ridge height



LANDSCAPE SYMBOLS



PLANT SYMBOLS

PLANT MATERIAL, SEE PLANT LIST

PLANT MATERIALS QUANTITY

IRRIGATION SLEEVE, INSTALL FOR ALL (1) 4" & (1) 2" P.V.C. FOR IRRIGATION WATER MAIN AND LATERAL SUPPLY 2", ALL WIRES

PLANT LIST

NOTE: NOT ALL PLANT MATS REQUIRED FOR THIS PLAN OR USED. SEE ADDITIONAL NOTES ON PLANT SYMBOLS ON PLAN FOR MORE DETAILED INFORMATION IN BASES 60.

QUANTITY	CANOPY TREES	BOTANICAL NAME	SIZE
18	L1-1	CEAR ELM	4.00'-4.25" CALIPER, 100 GAL
7	L1-2	OHIOSE PISTACHE 'MALE'	4.00'-4.25" CALIPER, 100 GAL
4	U57-1	UNDER STORY ACCENT TREES	
4	U57-2	DIKRE WFFYLE "JUGLANS"	
		TAUPON HOLLY	
57	SH-1	SHRUBS	6" MIN. 25 CAL. OR 8.0 J CANE MINIMUM
23	SH-2	DWARF YALPON HOLLY	3 CAL.
		DWARF BURFORD HOLLY	3 CAL.
815		GROUND COVER/PERENNIALS	
815	80 50 FT CC-1	BIG BLUE LOROP	4" POTS
40		SEASONAL COLOR	
80 50 FT SC-1		BLACT EYED SUSAN	1 GAL.
6,380 50 FT BC-1		GRASS	
		BERMDA 419 GRASS	SOLID 500 GRASS IN IRRIGATED AREAS
		GRASS 500	INSTALL OVER FINE GRADED SOIL AND IRRIGATION SYSTEM ADJUSTMENT

OTHER ITEMS

SITE FENCE AT PROPERTY LINE, 6" HIGH CEDAR FENCE WITH CAP, APPLY SEALER STAIN "PECAN" TO ALL SIDES.

CITY OF WAXAHACHIE LANDSCAPE ORDINANCE

SECTION 5.04 LANDSCAPE REQUIREMENTS

(a) INTERIOR LANDSCAPE AREA REQUIREMENTS

- SQUARE FOOTING OF THE BUILDING 3,810 SQ FT. (MF-1) MULTIFAMILY ZONING REQUIRES 20% LANDSCAPE AREA TO THE INTERIOR OF THE LOT, EXCLUDING BUFFER YARDS. REQUIRES 2,008 SQ FT. INTERIOR LANDSCAPE AREA PROVIDED 6,008 SQ FT. 220%
- PLANTING REQUIREMENTS WITHIN THE INTERIOR LANDSCAPE AREA.

ONE (1) CANOPY TREE PER 500 SQ FT.	REQUIRED TREES	PROVIDED TREES
ONE (1) UNDER STORY TREE PER 250 SQ FT	12 TREES	12 TREES
ONE (1) SHRUB PER 70 SQ FT	41 SHRUBS	68 SHRUBS
GROUND COVER 15% OF REQUIRED AREA	421 SQ FT	615 SQ FT
SEASONAL COLOR 2% OF REQUIRED AREA	57 SQ FT	80 SQ FT
75% OF THE REQUIRED INTERIOR LANDSCAPE SHALL BE IN THE FRONT AND SIDES OF THE BUILDING AND EDGE OF THE REQUIRED BUFFER YARD.	2,105 SQ FT	3,070 SQ FT.
WATER CONSERVATION CREDITS MAY REDUCE THE SHRUBS BY 75% AND REQUIRED LANDSCAPE BY 5%.		NOT USED
- PARKING LOT LANDSCAPING. ALL SURFACE PARKING LOT AREAS SHALL SUPPLY A LEAST (17) 50 FT OF PARKING LOT LANDSCAPE PER PARKING SPACE. 6 PARKING SPACES.

250 SQ FT	2,385 SQ FT
TWO (2), FOUR (4) 8" HIGH CALIPER TREES REQUIRED PER 500 SQ FT OF REQUIRED PARKING LANDSCAPE AREA. TOTAL 255 SQ FT	1, 4" TREES, 1, 4" CAL TREES
TEN (10) SHRUBS REQUIRED PER 500 SQ FT OF REQUIRED PARKING LANDSCAPE AREA. 0 SQ FT.	5 SHRUBS, 5 SHRUBS

ALL NEW TREES MUST BE INSTALLED WITHIN AT LEAST 100 SQ FT AND HAVE A MINIMUM INTERIOR DIMENSION OF EIGHT AND ONE-HALF FEET.
- ADDITIONAL LANDSCAPE REQUIREMENTS
 - BUFFER YARD AREA. FOR ALL NON RESIDENTIAL PARCELS WITH MORE THAN 200 FEET OF FRONTAGE ADJACENT TO R.O.W. AT LEAST 20% STREET YARD SHALL BE PERMANENT LANDSCAPE AREA. THE EXISTING FRONTAGE ON HOUSTON CT. & MARK TRAIL. TOTAL 2,012 SQ FT BUFFER YARD AREA.

70% AREA	TOTAL AREA
400.5 SQ FT	1,228 SQ FT
 - LANDSCAPE BUFFER, MIN 10' WIDE FOR PARCELS MORE THAN TWO FRONTAGES THEN THE TEN FEET.

10' BUFFER	10' BUFFER
REQUIRED TREES IN LANDSCAPE BUFFER ONE LARGE TREE (1) PER FORTY (40) LINEAR FT. HOUSTON CT. 180'-11" MARK TRAIL. 115'-2"	5 TREES, 8 TREES, 3 TREES, 3 TREES
- STREET TREES
 - STREET TREES MUST BE LOCATED WITHIN THE R.O.W. UP TO 50 PERCENT OF STREET TREES MAY BE PLANTED BETWEEN THE SIDEWALK AND THE PRIMARY BUILDING. TREES SHALL BE MIN 4" CALIPER, MEASURED ODB ABOVE GRADE. STREET TREES MUST BE PLANTED AT A RATE OF ONE (1) TREE FOR EVERY 50 FEET.

HOUSTON CT. 180'-11"	MARK TRAIL. 115'-2"
8 TREES	6 TREES
4 TREES	4 TREES

ALL TREES TO BE INSTALLED OTHER 2'-0" FROM ALL UNDERGROUND UTILITIES. LOCATE UNDER GROUND UTILITIES AS REQUIRED DURING CONSTRUCTION PERIOD. VERIFY THE LOCATIONS EVERY 6" REQUIRED EXCAVATION IS REQUIRED TO VERIFY THE UTILITIES.

6. IMPROVEMENTS IN THE PUBLIC R.O.W. A MINIMUM OF 10% PERCENT OF THE REQUIRED LANDSCAPING MAY BE PLACED IN THE PUBLIC R.O.W.

CITY OF WAXAHACHIE LANDSCAPE MAINTENANCE

Maintenance note that states, "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. Landscaped areas shall be kept free of trash, litter, weeds, and other such materials not a part of the landscaping. Plant materials that die shall be replaced with plant materials of similar variety and size."



T. H. Pritchett / Associates
 LANDSCAPE ARCHITECTS & DESIGNERS
 211 N. Gibson St., Waxahachie, TX
 Contact: Mr. Brad Yates
 Phone: 972-938-3385

LANDSCAPE PLAN
 HOUSTON COURT TOWNHOMES
 131 MARK TRAIL
 LOT 24 0.425 ACRES, R. PARKS SURVEY, ABST. NO. 851
 WAXAHACHIE, ELLIS COUNTY, TEXAS

COLONIAL RESTORATION GROUP
 211 N. Gibson St., Waxahachie, TX
 Contact: Mr. Brad Yates
 Phone: 972-938-3385

HOUSTON COURT TOWNHOMES

(14)

GENERAL NOTES - FLOOR PLAN

- THE ARCHITECTURAL DRAWINGS SHOULD BE USED IN CONJUNCTION WITH THE CIVIL, STRUCTURAL, MEP, FIRE PROTECTION DRAWINGS AND SPECIFICATIONS. DISCREPANCIES SHOULD BE BROUGHT TO THE ATTENTION OF THE CONTRACTING OFFICER OR DESIGNATED REPRESENTATIVE.
- DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN PARTITION LOCATIONS AND TYPES. IN CASE OF CONFLICT, NOTIFY DC TEXAS ARCHITECTURE FOR WRITTEN CLARIFICATION PRIOR TO PROCEEDING WITH CONSTRUCTION.
- ALL WALL MOUNTED ITEMS SUCH AS MILL WORK, FURNITURE, SIGNAGE, OWNER PROVIDED EQUIPMENT, ETC. SHALL BE FIELD-CHECKED WITH BRACING, BLOCKING, AND/OR STRUCTURING AS REQUIRED. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE SUPPORT REQUIRED TO MAINTAIN THE INTEGRITY OF THE WALL AND THE SECURITY OF THE ITEM MOUNTED. CONTRACTOR SHALL COORDINATE THE PLACEMENT OF ALL BLOCKING PRIOR TO CLOSING OF WALLS.
- DIMENSIONS MARKED "HOLD" SHALL BE MAINTAINED AND SHALL ALLOW FOR THICKNESS OF FINISHES INCLUDING CARPET, VCT, MILLWORK, ETC. CONTRACTOR SHALL NOT ADJUST DIMENSIONS WITHOUT WRITTEN INSTRUCTIONS FROM DC TEXAS ARCHITECTURE.
- REFER AS IN FOR GENERAL PARTITION TYPES.
- FURNITURE AND OWNER PROVIDED EQUIPMENT SHOWN FOR COORDINATION PURPOSES ONLY. U.N.O.
- REFER TO BALANCED FLOOR PLANS FOR ADDITIONAL INFORMATION NOT SHOWN ON SMALLER SCALE PLANS.
- ALL DOOR OPENINGS TO BE 4" FROM WALL U.N.O.
- ALL GYPSUM BOARD WALLS ARE TO BE TAPED, BEDED, TEXTURED & PAINTED, U.N.O.
- REFER TO SPECS AND MANUFACTURER'S RECOMMENDATIONS REGARDING DRYWALL CONTROL JOINTS. CONFIRM PROPOSED LOCATIONS WITH ARCHITECT PRIOR TO INSTALLATION.
- ALL DIMENSIONS ARE TO FACE OF FINISH OR GRID LINE, U.N.O.
- CONTRACTOR IS TO CONSTRUCT ANY SHAFT THAT IS USED FOR SUPPLY OR EXHAUST SUCH THAT THE INTERIOR PERIMETER OF SHAFT IS AIR TIGHT.
- ALL SYSTEMS TO BE INSTALLED PER MANUFACTURER'S RECOMMENDATIONS INCLUDING ANCHORAGE, SUBSTRATE, BRACING, ETC. TYP.
- PROVIDE FLASHING, SEALANT, WEATHERSTRIPPING, RAIN HOODS, ROOF MEM'S STANDARD ROOFS, ETC. AS REQUIRED FOR A COMPLETE WEATHER-TIGHT INSTALLATION OF ALL FINISHES, SYSTEMS, ROOF EQUIPMENT, ROOF PENETRATIONS, ETC. ADVISE ARCHITECT OF PROPOSED CONFIGURATION WHERE EXPOSED TO VIEW PRIOR TO INSTALLATION.
- UTILIZE APPROPRIATE I.A. LISTED THROUGH-PENETRATION FIRESTOPPS AT ALL PENETRATIONS OF RATED FLOORS, WALLS, ETC.
- USE APPROPRIATE FIRE-RATING, RATED SEALANT, ETC. IN ACCORDANCE WITH CITY AND OTHER CODE REQUIREMENTS AT ALL REQUIRED SEPARATIONS, INCLUDING BETWEEN FLOORS.
- CONTRACTOR TO ENSURE CONTINUITY OF ALL RATED CORRIDORS, FLOORS, CEILING, SHAFTS, ENCLOSURES, AREA SEPARATION, OCCUPANCY SEPARATION, FIRE BARRIERS, ETC.

DOOR SCHEDULE			
NUMBER	WIDTH	HEIGHT	FINISH TYPE
AA	3'-0"	8'-0"	CAUSED OPENING
BB	3'-0"	8'-0"	CAUSED OPENING
VI	3'-0"	8'-0"	LEFT/RIGHT EXT. GL LITE
VI	3'-0"	8'-0"	LEFT/RIGHT FULL LITE
VI	3'-0"	8'-0"	LEFT/RIGHT SOLID CORE
VI	3'-0"	8'-0"	LEFT/RIGHT EXT. GARAGE
VI	3'-0"	8'-0"	OVERHEAD GARAGE
VI	3'-0"	8'-0"	LEFT/RIGHT SOLID CORE EX-FOLD
VI	3'-0"	8'-0"	LEFT/RIGHT SOLID CORE DOUBLE
VI	3'-0"	8'-0"	LEFT/RIGHT SOLID CORE DOUBLE
VI	3'-0"	8'-0"	LEFT/RIGHT SOLID CORE

WINDOW SCHEDULE			
WINDOW TYPE	WIDTH	HEIGHT	HEAD HEIGHT
A	3'-0"	4'-0"	SINGLE-PANED 3'-0"
B	3'-0"	4'-0"	SINGLE-PANED 3'-0"
C	3'-0"	4'-0"	FIXED 3'-0"
D	3'-0"	4'-0"	FIXED 3'-0"

Exhibit F - Floor Plan

RATED WALL LEGEND

GENERAL NOTES

EXTERIOR WALLS ARE TO BE 1-HOUR RATED UNLESS NOTED OTHERWISE.

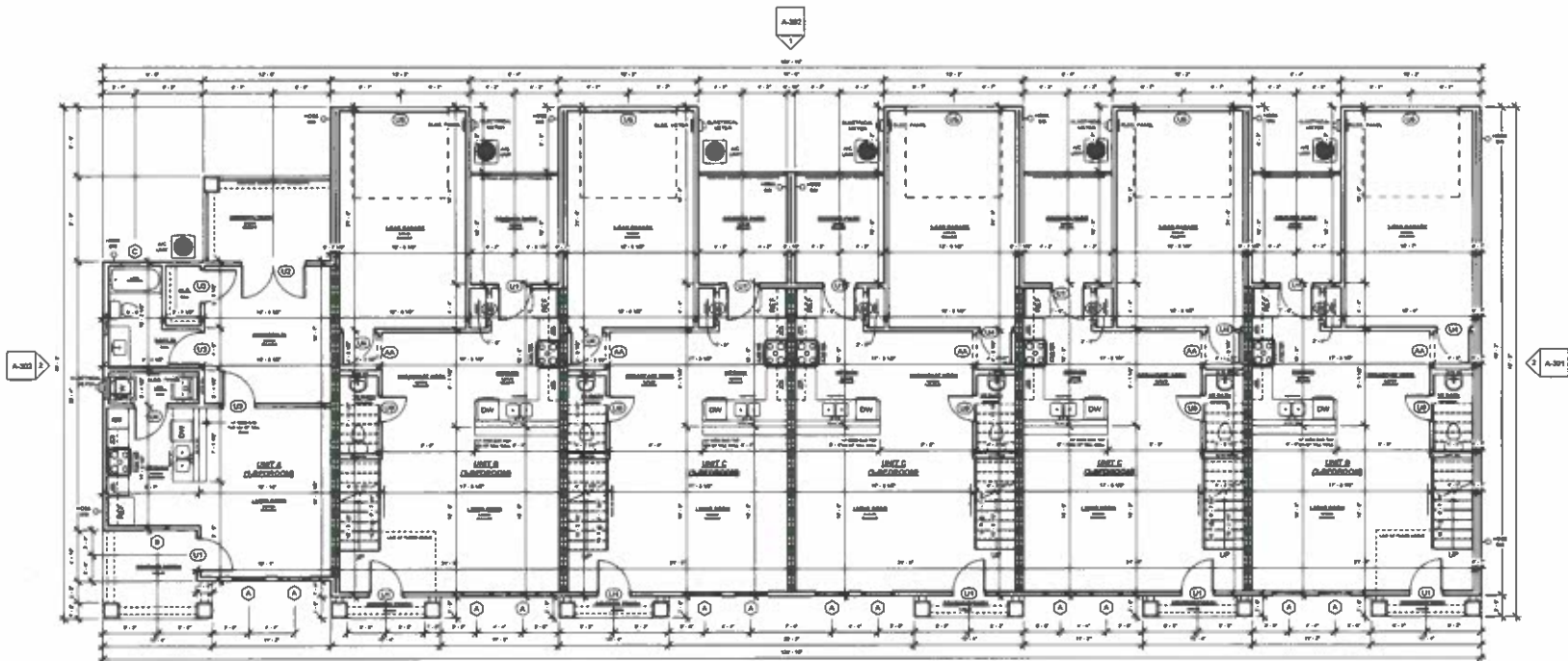
OPENINGS ARE TO BE PROTECTED IN ACCORDANCE WITH 2018 IBC, TABLE 706.3

●●●●●●●● 1 HR FIRE PARTITION PER IBC 706.3

AREA TOTALS - UNIT A	
LOWER LIVING AREA	299
COVERED PORCH	35
COVERED PATIO	35
TOTAL LOWER FLOOR	369

AREA TOTALS - UNIT B	
LOWER LIVING AREA	270
UPPER LIVING AREA	127
TOTAL LIVING AREA	397
1-CAR GARAGE	275
COVERED PORCH	35
COVERED PATIO	35
COVERED BALCONY	54
TOTAL LOWER FLOOR	1,171

AREA TOTALS - UNIT C	
LOWER LIVING AREA	275
UPPER LIVING AREA	754
TOTAL LIVING AREA	1,029
1-CAR GARAGE	275
COVERED PORCH	35
COVERED PATIO	35
COVERED BALCONY	54
TOTAL LOWER FLOOR	1,732



1 LOWER FLOOR PLAN
3/16" = 1'-0"



COLONIAL RESTORATION GROUP

Houston Court Townhomes
Waxahachie, Texas

ISSUE FOR PERMIT
June 26, 2025



THE LOWER FLOOR PLAN

Sheet A-101

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(14)

GENERAL NOTES - FLOOR PLAN

- THE ARCHITECTURAL DRAWINGS SHOULD BE USED IN CONJUNCTION WITH THE CIVIL, STRUCTURAL AND FIRE PROTECTION DRAWINGS AND SPECIFICATIONS. DISCREPANCIES SHOULD BE BROUGHT TO THE ATTENTION OF THE CONTRACTOR OFFICER OR DESIGNATED REPRESENTATIVE.
- DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN PARTITION LOCATIONS AND TYPES. IN CASE OF CONFLICT, REFER TO DC TEXAS ARCHITECTURE FOR WRITTEN CLARIFICATION PRIOR TO PROCEEDING WITH CONSTRUCTION.
- ALL WALL ISOLATED FROM SUCH AS MILLWORK, FURNITURE, SIGNAGE, OWNER PROVIDED EQUIPMENT, ETC. SHALL BE REINFORCED WITH BRACKETS, BLOTTING, ANCHOR STRUCTURE AS REQUIRED. CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE SUPPORT REQUIRED TO MAINTAIN THE INTEGRITY OF THE WALL AND THE SECURITY OF THE ITEM ISOLATED. CONTRACTOR SHALL COORDINATE THE PLACEMENT OF ALL BLOTTING PRIOR TO CLOSING OF WALLS.
- DIMENSIONS MARKED "HOLD" SHALL BE MAINTAINED AND SHALL ALLOW FOR THICKNESS OF FINISHER INCLUDING CARPET, VCT, MILLWORK, ETC. CONTRACTOR SHALL NOT ADJUST DIMENSION WITHOUT WRITTEN INSTRUCTIONS FROM DC TEXAS ARCHITECTURE.
- REFER A4 04 FOR GENERAL PARTITION TYPES.
- FURNITURE AND OWNER PROVIDED EQUIPMENT SHOWN FOR COORDINATION REFERENCE ONLY. U N D.
- REFER TO ENLARGED FLOOR PLANS FOR ADDITIONAL INFORMATION NOT SHOWN ON SMALLER SCALE PLANS.
- ALL DOOR OPENINGS TO BE 4" FROM WALL U N D.
- ALL GYPSUM BOARD WALLS ARE TO BE TAPED, BEADED, TEXTURED & PAINTED, U N D.
- REFER TO SPEC'S AND MANUFACTURER'S RECOMMENDATIONS REGARDING GYPSUM CONTROL JOINTS. COORDINATE PROPOSED LOCATIONS WITH ARCHITECT PRIOR TO INSTALLATION.
- ALL DIMENSIONS ARE TO FACE OF FINISH OR GRID LINE, U N D.
- CONTRACTOR IS TO CONSTRUCT ANY SHAFT THAT IS USED FOR SUPPLY OR EXHAUST SUCH THAT THE INTERIOR PERIMETER OF SHAFT IS AIR TIGHT.
- ALL SYSTEMS TO BE INSTALLED PER MANUFACTURER'S RECOMMENDATIONS INCLUDING ANCHORAGE, SUBSTRATE, BRACING, ETC. TYP.
- PROVIDE FLASHING, SEALANT, WEATHERSTRIPPING, RAIN HOODE, ROOF MEM'S STANDARD BOOT, ETC. AS REQUIRED FOR A COMPLETE WEATHERTIGHT INSTALLATION OF ALL FINISHER SYSTEMS, ROOF EQUIPMENT ROOF PENETRATIONS, ETC. ADVISE ARCHITECT OF PROPOSED COORDINATION BEFORE PROCEED TO INSTALLATION.
- INSTALL APPROPRIATE UL LISTED THROUGH-PENETRATION FIRESTOPS AT ALL PENETRATIONS OF RATED FLOORS, WALLS, ETC.
- USE APPROPRIATE FIRE-RATING, RATED SEALANT, ETC. IN ACCORDANCE WITH CITY AND OTHER CODE REQUIREMENTS AT ALL REQUIRED SEPARATIONS, INCLUDING BETWEEN FLOORS.
- CONTRACTOR TO ENSURE CONTINUITY OF ALL RATED CORRIDORS, FLOORS, CEILING, SHAFTS, ENCLOSURES, AREA SEPARATION, OCCUPANCY SEPARATION, FIRE BARRIERS, ETC.

DOOR SCHEDULE				
NUMBER	WIDTH	HEIGHT	FINISH	TYPE
AA	2'-0"	6'-0"		CASED OPENING
BB	2'-0"	6'-0"		CASED OPENING
UA	2'-0"	6'-0"		LEFTSWICH EXT 1/2 LITE
UB	2'-0"	6'-0"		LEFTSWICH FULL LITE
UC	2'-0"	6'-0"		LEFTSWICH SOLID CORE
UD	2'-0"	6'-0"		LEFTSWICH EXT GALVAN
OVERHEAD DOOR SCHEDULE				
US	7'-0"	8'-0"		LEFTSWICH SOLID CORE 3/4" OLD
UT	7'-0"	8'-0"		LEFTSWICH SOLID CORE DOUBLE
UV	7'-0"	8'-0"		LEFTSWICH SOLID CORE DOUBLE
UW	7'-0"	8'-0"		LEFTSWICH SOLID CORE

WINDOW SCHEDULE				
WINDOW TYPE	WIDTH	HEIGHT	TYPE	HEAD HEIGHT
A	2'-0"	2'-0"	SHIELD-HEARD	6'-0"
B	2'-0"	2'-0"	SHIELD-HEARD	6'-0"
C	2'-0"	1'-0"	WELD	6'-0"
D	2'-0"	2'-0"	ROOF	

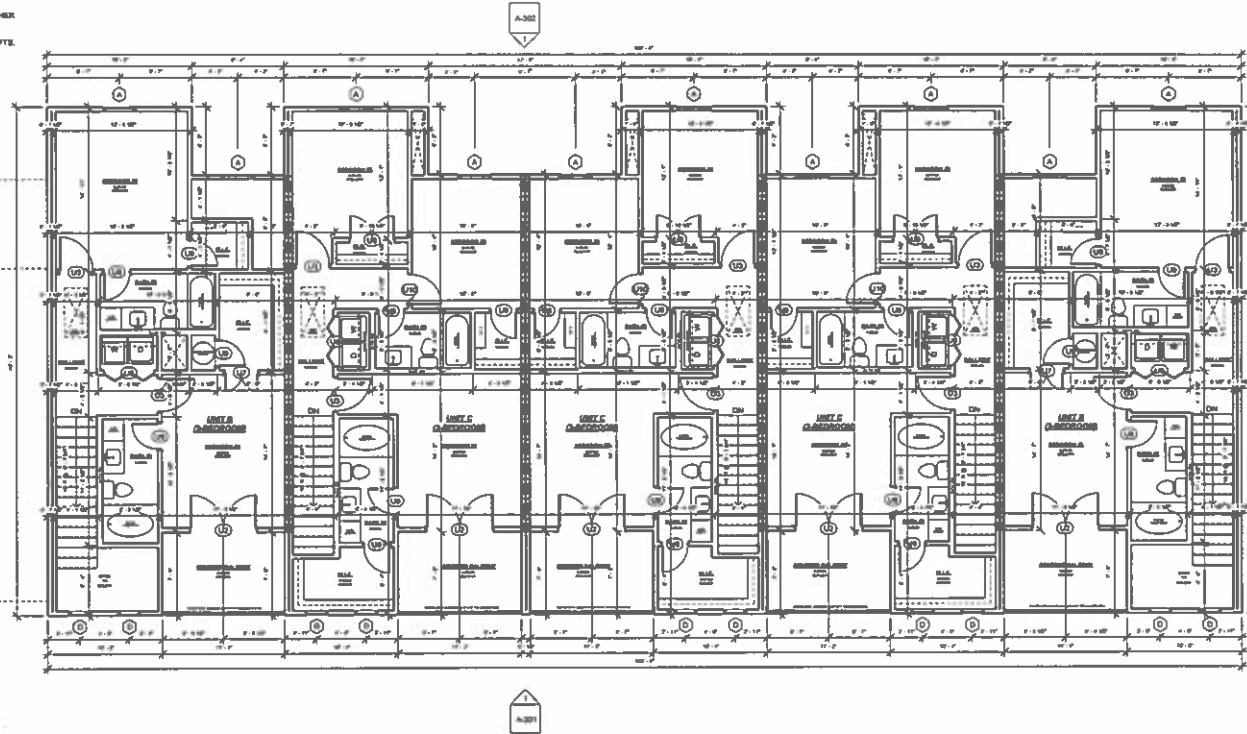
Exhibit F - Floor Plan

RATED WALL LEGEND

GENERAL NOTES

EXTERIOR WALLS ARE TO BE 4-HOUR RATED UNLESS NOTED OTHERWISE. 1 HR FIRE PARTITION PER UL USA1

OPENINGS ARE TO BE PROTECTED IN ACCORDANCE WITH 2014 IBC, TABLE 716.5



1 UPPER FLOOR PLAN
3/16" = 1'-0"



COLONIAL RESTORATION GROUP
Houston Court Townhomes
Waxahachie, Texas

ISSUE FOR PERMIT
June 26, 2025



The
UPPER FLOOR PLAN

Sheet
A-102

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DC TEXAS ARCHITECTURE

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

**DEVELOPMENT AGREEMENT FOR
HOUSTON COURT TOWNHOMES**

THIS DEVELOPMENT AGREEMENT (“Agreement”) is entered into by and between the City of Waxahachie, Texas (“City”), and Colonial Restoration Group Inc. (“Developer”) (individually, a “Party” and collectively, the “Parties”) to be effective (the “Effective Date”) on the latest date executed by a Party.

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

WHEREAS, Developer is developing in the City a multifamily use on approximately 0.425 acres of land generally located at the southeast corner of Houston Street and Mark Trail, Parcel Number 174984 in the City (the “Property”), and a legal description and depiction of the Property is attached hereto as Exhibit A and incorporated by reference; and

WHEREAS, the foregoing Property was rezoned by the City Council on or about January 20, 2026, when the City Council approved a (Planned Development or insert other type of development) for the Property, contained in Ordinance No. [REDACTED], and this Agreement seeks to incorporate, in part, the negotiated and agreed upon development standards contained in the underlying zoning ordinance, as may be amended, and/or this Development Agreement, to recognize Developer’s reasonable investment-backed expectations in the Development, as may be amended, and as more fully described herein.

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

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

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

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

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

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

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

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

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

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

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

If to Developer: _____

Attention: _____

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

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

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

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

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

(15)

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

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

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

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

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

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

(15)

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

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

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

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

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

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

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

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

(15)

CITY:

THE CITY OF WAXAHACHIE, TEXAS

By: _____
Name: Ricky Boyd
Title: City Manager

STATE OF TEXAS)
)
COUNTY OF ELLIS)

This instrument was acknowledged before me on the ___ day of _____, 2025, by Ricky Boyd, City Manager of the City of Waxahachie, Texas, on behalf of the City of Waxahachie, Texas.

Notary Public, State of Texas
My Commission Expires: _____

(15)

DEVELOPER:

Colonial Restoration Group Inc, a Texas
(corporation)

By: _____

Name: _____

Title: _____

STATE OF _____)

COUNTY OF _____)

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

Notary Public, State of _____

My Commission Expires: _____

(15)

EXHIBIT A

(Property Legal Description)

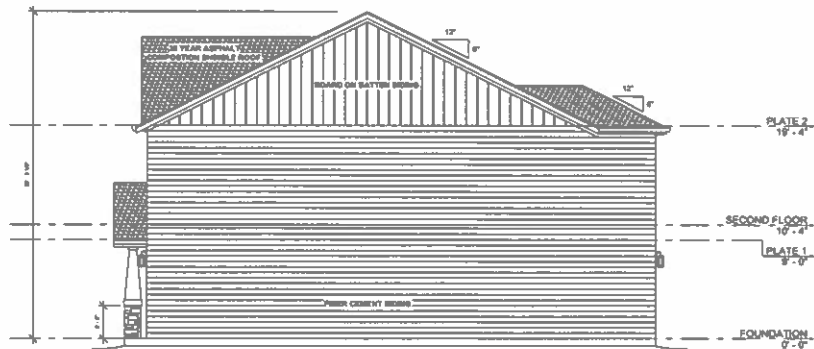
Property Description: Ellis County Appraisal District Parcel Number 174984.

(15)

EXHIBIT B

(Building Materials/Elevations)

Exhibit B - Elevation/Facade Plan



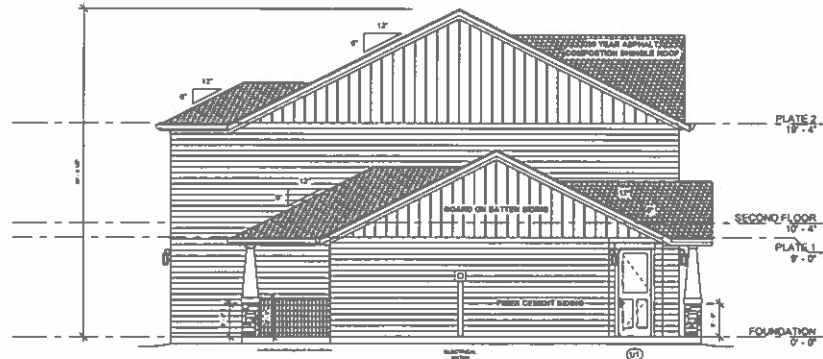
2 RIGHT / SOUTHWEST ELEVATION
3/16" = 1'-0"



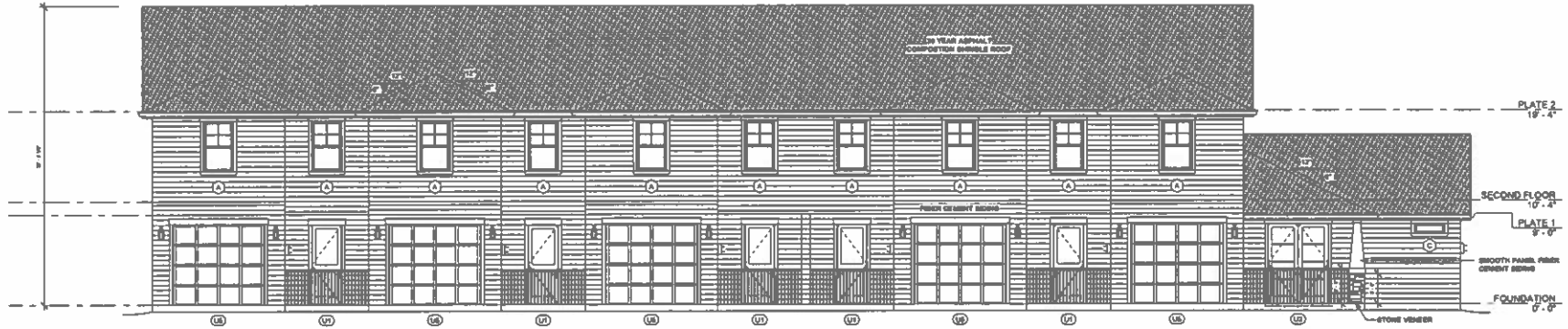
1 FRONT / NORTHWEST ELEVATION
3/16" = 1'-0"



Exhibit B - Elevation/Facade Plan



2 LEFT / NORTHEAST ELEVATION
3/16" = 1'-0"



1 REAR / SOUTHEAST ELEVATION
3/16" = 1'-0"



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Sheet
ELEVATIONS

Sheet
A-302



Memorandum

To: Honorable Mayor and City Council
From: Brad Barnes, Assistant Director of Parks & Recreation
Thru: Ricky Boyd, City Manager *RB*
Date: January 20, 2026
Re: Consider Award of Bid to Whirlix Design, Inc. for North Grove Park Project

Motion: "I move to approve the bid award to Whirlix Design, Inc. for the North Grove Park Project in the amount of \$2,337,585.18 and authorize the City Manager to execute all necessary documents."

Item Description: Consider approving a bid award to Whirlix Design, Inc. for the construction of North Grove Park Project in the amount of \$2,337,585.18.

Item Summary: The Parks and Purchasing Departments in conjunction with Kimely-Horn solicited a Request for Bids and a bid opening was held on November 20, 2025. Seventeen bids were received, with one bidder disqualified for submitting a non-responsive bid, and another bidder withdrawing their bid after identifying bid errors within their bid tabulation. Of the 15 responsive bidders, the base bids ranged from \$2,171,887.66 to \$3,400,929.93.

The project's base scope includes a concrete paved walking loop trail, two playground areas for various age groups, landscaping and irrigation improvements, shade pavilions, shaded benches, fencing, parking improvements, and a decomposed granite area with lighting for seating.

The apparent low bid was submitted by Whirlix Design Inc. This company has received approval as a contractor and their package appears to be complete and qualified based on Kimley-Horn's review. Whirlix Design Inc. has performed in an acceptable manner on previous projects and is successfully working with Kimley-Horn on other public park projects. Based on the information provided, Kimley-Horn and staff recommend awarding the project to Whirlix Design Inc. for the base bid of

\$2,171,887.66 and recommend bid alternates #4 – prefabricated restroom for \$140,697.52, and #5 – restroom pad prep with proper utilities and connections for \$25,000, for a total project cost of \$2,337,585.18.

(16)

Fiscal Impact: City Council approved funding through issuance of the 2023 CO Park Bonds and Park Dedication Fees for an available project budget of \$2,240,000 for Project 448 – North Grove Park. The total project costs including soft costs, materials testing, and construction is \$2,570,078.18. In consultation with the Finance Department, additional funding available for completion of the project has been identified through accumulated bond interest. Approximately \$86,000 from the 2021 CO Bonds and \$800,000 from the 2023 CO Bonds are available.

(17)



Memorandum

To: Honorable Mayor and City Council

From: Chad Tustison, Senior Director of Finance

Thru: Ricky Boyd, City Manager *RB*

Date: January 20, 2026

Re: Consider and adopt an Ordinance providing for the issuance and sale of tax notes; and ordaining other matters relating to the subject.

Recommended Motion: "I move to approve an ordinance authorizing the issuance and sale of City of Waxahachie, Texas Tax Note, Series 2026; levying an annual ad valorem tax and providing for the payment of said note; providing an effective date; and enacting other provisions relating to the subject."

Item Description: This action approves an ordinance authorizing the issuance of a Tax Note to fund the acquisition, renovation, and improvement of property located at 820 Ferris Avenue, formerly known as the Comerica Bank building. Upon approval, and successful pricing and selling of the tax note, the funds would be delivered and available in mid to late February.

Item Background: On October 7, 2025, the City entered into an agreement to purchase the property located at 820 Ferris Avenue (Comerica Bank) with a feasibility period of 60 days. Following this due diligence period, the City executed a contract to purchase the property at a purchase price of \$2,750,000 on December 5, 2025. The total issuance is \$3,600,000 and will be used to pay for the acquisition, construction, and improvement of the building.

The purchase of the property was initially funded utilizing the General Fund unreserved fund balance, with the intent to issue a short-term tax note to pay back and replenish the General Fund. Utilizing the City's Interest & Sinking Fund (Debt Service) instead of the General Fund provides additional flexibility in the City's ability to fund ongoing maintenance and operating expenses in future years.

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Fiscal Impact: The City utilizes debt service capacity to fund capital projects throughout the City as part of its Capital Improvement Program funding strategy. The Interest & Sinking Fund has sufficient capacity to incur the required debt service and does not require an increase in the total ad valorem tax rate.

The term “Note” as used in this Ordinance shall mean and include collectively the note initially issued and delivered pursuant to this Ordinance and any substitute note exchanged therefor, as well as any other substitute or replacement note issued pursuant hereto, and the term “Note” shall mean any such note.

Section 3. CHARACTERISTICS OF THE NOTE.

(a) Registration. The Issuer hereby appoints [PAYING AGENT], to serve as paying agent and registrar for the Note (the “Paying Agent/Registrar”). The Mayor or City Manager is authorized and directed to execute and deliver in the name and on behalf of the Issuer a Paying Agent/Registrar Agreement with the Paying Agent/Registrar in substantially the form presented at this meeting. The Issuer shall keep or cause to be kept at the corporate trust office of the Paying Agent/Registrar books or records for the registration of the transfer and exchange of the Note (the “Registration Books”), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers and exchanges under such reasonable regulations as the Issuer and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers and exchanges as herein provided. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the Registered Owner of each Note to which payments with respect to the Note shall be mailed, as herein provided; but it shall be the duty of each Registered Owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, exchange and delivery of a substitute Note. Registration of assignments, transfers and exchanges of a Note shall be made in the manner provided and with the effect stated in the FORM OF NOTE set forth in this Ordinance. Each substitute Note shall bear a letter and/or number to distinguish it from each other Note.

(b) Transfer and Exchange. Except as provided in Section 3(f) of this Ordinance, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Note, date and manually sign said Note, and no such Note shall be deemed to be issued or outstanding unless such Note is so executed. The Paying Agent/Registrar promptly shall cancel any Note surrendered for exchange. No additional ordinances, orders, or resolutions need be passed or adopted by the governing body of the Issuer or any other body or person so as to accomplish the foregoing transfer and exchange of any Note, and the Paying Agent/Registrar shall provide for the printing, execution, and delivery of a substitute Note in the manner prescribed herein. Pursuant to Chapter 1201, Government Code, as amended, the duty of transfer of a Note as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Note, the exchanged Note shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Note that initially was issued and delivered pursuant to this Ordinance, approved by the Attorney General and registered by the Comptroller of Public Accounts. The Note may be transferred and registered in the name of the new registered owner in whole but not in part. The Note may only be transferred to: (i) an affiliate of the Purchaser (defined herein); (ii) a “Bank” as defined in Section 3(a)(2) of the Securities Act of 1933 as amended (the “Securities Act”); (iii) an “Accredited Investor” as defined in Regulation D under the Securities Act; or (iv) a “Qualified Institutional Buyer” as defined in Rule 144A under the Securities Act.

(c) Payment of Note and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Note, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Note, shall properly and accurately record all payments on the Note on the Registration Books, and shall keep proper records of all exchanges of Notes, and all

replacements of Notes, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the past due interest shall be sent at least 5 business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of the Registered Owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(d) In General. The Note (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Note to be payable only to the Registered Owner thereof, (ii) may and shall be prepaid or redeemed prior to its scheduled maturity (iii) may be exchanged for another Note, (iv) may be transferred and assigned, (v) shall have the characteristics, (vi) shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Note shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the Issuer shall have certain duties and responsibilities with respect to the Note, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF NOTE set forth in this Ordinance. The Note initially issued and delivered pursuant to this Ordinance is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Note issued in exchange for any Note issued under this Ordinance the Paying Agent/Registrar shall execute the PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE, in the form set forth in the FORM OF NOTE.

(e) Paying Agent/Registrar. The Issuer covenants with the Registered Owner of the Note that at all times while the Note is outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution, or other entity to act as and perform the services of Paying Agent/Registrar for the Note under this Ordinance, and that the Paying Agent/Registrar will be one entity. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 20 days written notice to the Paying Agent/Registrar, to be effective not later than 15 days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Note, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to the Registered Owner of the Note, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(f) Authentication. Except as provided below, no Note shall be valid or obligatory for any purpose or be entitled to any security or benefit of this Ordinance unless and until there appears thereon the Certificate of Paying Agent/Registrar substantially in the form provided in this Ordinance, duly authenticated by manual execution of the Paying Agent/Registrar. It shall not be required that the same authorized representative of the Paying Agent/Registrar sign the Certificate of Paying Agent/Registrar on the Note. In lieu of the executed Certificate of Paying Agent/Registrar described above, the initial Note delivered on the closing date shall have attached thereto the Comptroller's Registration Certificate substantially in the form provided in this Ordinance, manually executed by the Comptroller of Public Accounts of the State of Texas or by his duly authorized agent, which certificate shall be evidence that the

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initial Note has been duly approved by the Attorney General of the State of Texas and that it is a valid and binding obligation of the Issuer, and has been registered by the Comptroller.

(g) Delivery of Initial Note. On the closing date, one initial Note representing the entire principal amount of the Note, payable in stated installments to the Purchaser designated in Section 10 or its designee, executed by manual or facsimile signature of the Mayor and City Secretary of the Issuer, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State of Texas, and with the date of delivery inserted thereon by the Paying Agent/Registrar, will be delivered to such Purchaser or its designee.

Section 4. FORM OF NOTE. The form of the Note, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Note initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance.

(a) Form of Note.

NO. R-1

UNITED STATES OF AMERICA
STATE OF TEXAS

CITY OF WAXAHACHIE, TEXAS
TAX NOTE
SERIES 2026

PRINCIPAL
AMOUNT
\$[]

Interest Rate

Delivery Date

See Below

February 19, 2026

REGISTERED OWNER: [PURCHASER]

PRINCIPAL AMOUNT: [] DOLLARS

The City of Waxahachie, in Ellis County, Texas (the "Issuer"), being a political subdivision of the State of Texas, for value received, promises to pay, from the sources described herein, to the registered owner specified above, or registered assigns (the "Registered Owner"), the principal amount specified above, and to pay interest thereon, from the Delivery Date set forth above, on the balance of said principal amount from time to time remaining unpaid, at the rates per annum for each principal installment as set forth in the table below, calculated on the basis of a 360-day year of twelve 30-day months. The unpaid principal of this Note shall mature on [August 1, 2029] and shall be payable in installments on the dates and in the amounts set forth in the table below:

Payment Date(8/1)	Principal Installment(\$)	Interest Rate(%)
2027		
2028		
2029		

THE PRINCIPAL OF AND INTEREST ON THIS NOTE are payable in lawful money of the United States of America, without exchange or collection charges. The Issuer shall pay interest on this Note on [February 1, 2027], and on each August 1 and February 1 thereafter to the date of maturity or the

date of redemption prior to maturity. The last principal installment of this Note shall be paid to the registered owner hereof upon presentation and surrender of this Note at maturity, or upon the date for its redemption prior to maturity, at the principal trust office of Argent Trust, which is the "Paying Agent/Registrar" for this Note. The payment of all other principal installments of and interest on this Note shall be made by the Paying Agent/Registrar to the registered owner hereof on each principal and interest payment date by check or draft, dated as of such principal and interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the ordinance authorizing the issuance of this Note (the "Note Ordinance") to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the registered owner hereof, at its address as it appeared on the fifteenth calendar day of the month (whether or not a business day) next preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. If any Record Date shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such Record Date shall be the next succeeding day that is not such a Saturday, Sunday, legal holiday or day on which banking institutions are authorized to close. In addition, principal and interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the registered owner.

UPON THE PAYMENT or partial redemption of the principal installments of this Note, the Paying Agent/Registrar shall note in the Payment Record appearing on a copy of this Note the amount of each such payment, the date said payment was made and the remaining unpaid principal balance of this Note and shall then have said entry signed by an authorized official of the Paying Agent/Registrar. The Paying Agent/Registrar shall also record such information in the Note Registration Books.

ANY ACCRUED INTEREST due in connection with the final installment of principal of this Note, or upon redemption of this Note at the option of the Issuer prior to maturity as provided herein, shall be paid to the registered owner upon presentation and surrender of this Note for payment at the principal corporate trust office of the Paying Agent/Registrar. The Issuer covenants with the registered owner of this Note that on or before each principal payment date and interest payment date for this Note it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Note Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Note, when due.

IF THE DATE for the payment of the principal of or interest on this Note shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day that is not such a Saturday, Sunday, legal holiday or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS NOTE is dated February 19, 2026, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of \$[] for the public purpose of the acquisition, renovation, construction, improvement and equipment of municipal buildings that include administrative offices, public safety facilities and other facilities of the City including, but not limited, for the emergency management, municipal court, utility and fire departments, and the purchase of land therefore (the "Projects"), and to pay the costs incurred in connection with the issuance of the Note.

ON [AUGUST 1, 2027], or any date thereafter, the unpaid principal installments of this Note may be redeemed prior to their scheduled maturity, at the option of the Issuer, with funds derived from any

available and lawful source, as a whole, or in part, and, if in part, the particular principal installments or portions thereof, to be redeemed shall be selected and designated by the Issuer, at a redemption price equal to the principal amount to be redeemed plus accrued interest to the date fixed for redemption.

AT LEAST thirty (30) days prior to the date fixed for any optional redemption of this Note or portions thereof prior to maturity a written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, to the Registered Owner of this Note at its address as it appeared on the Registration Books on the day such notice of redemption is mailed; provided, however, that the failure of the Registered Owner to receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of this Note. By the date fixed for any such redemption, due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for this Note or portions thereof which are to be so redeemed. If such written notice of redemption is sent, if due provision for such payment is made and the redemption price is paid to the Registered Owner hereof, all as provided above, this Note or portions thereof which are to be so redeemed thereby automatically shall be treated as redeemed prior to its scheduled maturity, and shall not bear interest after the date fixed for redemption, and shall not be regarded as being outstanding.

UPON THE PREPAYMENT or partial redemption of this Note, the Paying Agent/Registrar, shall note in the Payment Record appearing on a copy of this Note the amount of such prepayment, the date said payment was made and the remaining unpaid principal balance of this Note and shall then have said entry signed by an authorized official of the Paying Agent/Registrar. The Paying Agent/Registrar shall also record such information in the Registration Books, and the Paying Agent/Registrar shall also record in the Registration Books and on the Payment Record all payments of principal installments on such Note when made on their respective due dates.

THIS NOTE is issuable in the form of one fully-registered Note without coupons in the denomination of \$[___]. This Note may be transferred or exchanged as provided in the Note Ordinance, only upon the registration books kept for that purpose at the above-mentioned office of the Paying Agent/Registrar upon surrender of this Note together with a written instrument of transfer or authorization for exchange satisfactory to the Paying Agent/Registrar and duly executed by the registered owner or his duly authorized attorney, and thereupon a new Note of the same maturity and in the same aggregate principal amount shall be issued by the Paying Agent/Registrar to the transferee in exchange therefor as provided in the Note Ordinance, and upon payment of the charges therein prescribed. The Issuer and the Paying Agent/Registrar may deem and treat the person in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal and interest due hereon and for all other purposes. The Paying Agent/Registrar shall not be required to make any such transfer or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) within ten (10) days prior to a redemption date.

IN THE EVENT any Paying Agent/Registrar for this Note is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Note Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the registered owner of the Note.

THIS NOTE shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Note Ordinance until the Certificate of Authentication shall have been executed by the Paying Agent/Registrar or the Comptroller's Registration Certificate hereon shall have been executed by the Texas Comptroller of Public Accounts.

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IT IS HEREBY certified, recited and covenanted that this Note has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the authorization, issuance and delivery of this Note have been performed, existed and been done in accordance with law; that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Note, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said Issuer, and have been pledged for such payment, within the limit prescribed by law.

THE ISSUER HAS RESERVED THE RIGHT to amend the Note Ordinance as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the registered owner of the Note.

BY BECOMING the registered owner of this Note, the registered owner thereby acknowledges all of the terms and provisions of the Note Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Note Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the Issuer, and agrees that the terms and provisions of this Note and the Note Ordinance constitute a contract between each registered owner hereof and the Issuer.

IN WITNESS WHEREOF, the Issuer has caused this Note to be signed with the manual or facsimile signature of the Mayor of the Issuer (or in the Mayor's absence, the Mayor Pro Tem) and countersigned with the manual or facsimile signature of the City Secretary of said Issuer, and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Note.

(signature)
City Secretary

(signature)
Mayor

(SEAL)

(b) Form of Payment Record.

PAYMENT RECORD

Date of Payment	Principal Payment (amount and installment(s) to which payment is applied)	Remaining Principal Balance	Name and Title of Authorized Officer making Entry	Signature of Authorized Officer
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

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(c) Form of Paying Agent/Registrar's Authentication Certificate.

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE
(To be executed if this Note is not accompanied by an executed Registration Certificate of the Comptroller of Public Accounts of the State of Texas)

It is hereby certified that this Note has been issued under the provisions of the Note Ordinance described in the text of this Note; and that this Note has been issued in replacement of, or in exchange for, a Note that originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated: _____.

[PAYING AGENT]
Paying Agent/Registrar

By: _____
Authorized Representative

(d) Form of Assignment.

ASSIGNMENT
(Please type or print clearly)

For value received, the undersigned hereby sells, assigns and transfers unto: _____

Transferee's Social Security or Taxpayer Identification Number: _____

Transferee's name and address, including zip code: _____

the within Note and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to register the transfer of the within Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a securities transfer association recognized signature guarantee program.

NOTICE: The signature above must correspond with the name of the registered owner as it appears upon the front of this Note in every particular, without alteration or enlargement or any change whatsoever.

(e) Form of Registration Certificate of the Comptroller of Public Accounts.

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that there is on file and of record in my office a true and correct copy of the opinion of the Attorney General of the State of Texas approving this Note and that this Note has been registered this day by me.

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Witness my signature and seal this _____.

Acting Comptroller of Public Accounts of the State of
Texas

(COMPTROLLER'S SEAL)

Section 5. INTEREST AND SINKING FUND.

(a) A special "Interest and Sinking Fund" is hereby created and shall be established and maintained by the Issuer as a separate fund or account and the funds therein shall be deposited into and held in an account at an official depository bank of said Issuer. Said Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of said Issuer, and shall be used only for paying the interest on and principal of said Note. All ad valorem taxes levied and collected for and on account of said Note shall be deposited, as collected, to the credit of said Interest and Sinking Fund. During each year while any of said Note is outstanding and unpaid, the governing body of said Issuer shall compute and ascertain a rate and amount of ad valorem tax that will be sufficient to raise and produce the money required to pay the interest on said Note as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal of said Note as such principal matures (but never less than 2% of the original amount of said Note as a sinking fund each year); and said tax shall be based on the latest approved tax rolls of said Issuer, with full allowances being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in said Issuer, for each year while said Note is outstanding and unpaid, and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of said Note, as such interest comes due and such principal matures, are hereby pledged for such payment, within the limit prescribed by law. If lawfully available moneys of the Issuer are on deposit in the Interest and Sinking Fund in advance of the time when ad valorem taxes are scheduled to be levied for any year, then the amount of taxes that otherwise would have been required to be levied pursuant to this Section may be reduced to the extent and by the amount of the lawfully available funds then on deposit in the Interest and Sinking Fund. At least one business day prior to March 1 and September 1, the Issuer shall transfer from the Interest and Sinking Fund to the Paying Agent the amount due for such succeeding payment.

(b) Article 1208, Government Code, applies to the issuance of the Note and the pledge of the taxes granted by the Issuer under this Section, and is therefore valid, effective, and perfected. Should Texas law be amended at any time while the Note is outstanding and unpaid, the result of such amendment being that the pledge of the taxes granted by the Issuer under this Section is to be subject to the filing requirements of Chapter 9, Business & Commerce Code, in order to preserve to the Registered Owner of the Note a security interest in said pledge, the Issuer agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Business & Commerce Code and enable a filing of a security interest in said pledge to occur.

Section 6. DEFEASANCE OF NOTE.

(a) Any Note and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Note") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Note, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an

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escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will ensure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar for the payment of its services until the Defeased Note shall have become due and payable. At such time as a Note shall be deemed to be a Defeased Note hereunder, as aforesaid, such Note and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities. Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem a Defeased Note that is made in conjunction with the payment arrangements specified in subsection (a)(i) or (ii) of this Section shall not be irrevocable, provided that: (1) in the proceedings providing for such payment arrangements, the Issuer expressly reserves the right to call the Defeased Note for redemption; (2) gives notice of the reservation of that right to the Registered Owner of the Defeased Note immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Issuer be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Note and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Issuer, or deposited as directed in writing by the Issuer. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of a Defeased Note may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in this Section. All income from such Defeasance Securities received by the Paying Agent/Registrar which is not required for the payment of the Defeased Note, with respect to which such money has been so deposited, shall be remitted to the Issuer or deposited as directed in writing by the Issuer.

(c) The term "Defeasance Securities" means any securities and obligations now or hereafter authorized by Texas law that are eligible to refund, retire or otherwise discharge obligations such as the Note.

(d) Until the Defeased Note shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Note the same as if they had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Ordinance.

Section 7. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED NOTE.

(a) Replacement Note. In the event any outstanding Note is damaged, mutilated, lost, stolen or destroyed, the Paying Agent/Registrar shall cause to be printed, executed and delivered, a new Note of the same principal amount, maturity and interest rate, as the damaged, mutilated, lost, stolen or destroyed Note, in replacement for such Note in the manner hereinafter provided.

(b) Application for Replacement Note. Application for replacement of a damaged, mutilated, lost, stolen or destroyed Note shall be made by the Registered Owner thereof to the Paying Agent/Registrar. In every case of loss, theft or destruction of a Note, the Registered Owner applying for a replacement Note shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft or destruction of a Note, the Registered Owner shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft or destruction of such Note, as the case may

be. In every case of damage or mutilation of a Note, the Registered Owner shall surrender to the Paying Agent/Registrar for cancellation the Note so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this Section, in the event any such Note shall have matured, and no default has occurred that is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Note, the Issuer may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Note) instead of issuing a replacement Note, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Note. Prior to the issuance of any replacement Note, the Paying Agent/Registrar shall charge the Registered Owner of such Note with all legal, printing, and other expenses in connection therewith. Every replacement Note issued pursuant to the provisions of this Section by virtue of the fact that any Note is lost, stolen or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen or destroyed Note shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance.

(e) Authority for Issuing Replacement Note. In accordance with Section 1206.022, Government Code, this Section of this Ordinance shall constitute authority for the issuance of any such replacement Note without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such Note is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Note in the form and manner and with the effect, as provided in Section 3(a) of this Ordinance for a Note issued in exchange for another Note.

Section 8. CUSTODY, APPROVAL, AND REGISTRATION OF NOTE; BOND COUNSEL'S OPINION AND ENGAGEMENT OF BOND COUNSEL.

(a) The Mayor of the Issuer is hereby authorized to have control of the Note initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Note pending its delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and its registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Note said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Note, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Note. The approving legal opinion of the Issuer's Bond Counsel may, at the option of the Issuer, be printed on the Note issued and delivered under this Ordinance, but shall not have any legal effect, and shall be solely for the convenience and information of the Registered Owner of the Note.

(b) The obligation of the Purchaser to accept delivery of the Note is subject to the Purchaser being furnished with the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Issuer, which opinion shall be dated as of and delivered on the date of initial delivery of the Note to the Purchaser. The engagement of such firm as bond counsel to the Issuer in connection with issuance, sale and delivery of the Note is hereby approved and confirmed. The engagement of such firm, with respect to such services as bond counsel, is hereby authorized and approved.

Section 9. COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE NOTE.

(a) Covenants. The Issuer covenants to take any action necessary to assure, or refrain from any action that would adversely affect, the treatment of the Note as an obligation described in section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the Issuer covenants as follows:

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(1) to take any action to assure that no more than 10 percent of the proceeds of the Note (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds or the Projects financed therewith are so used, such amounts, whether or not received by the Issuer, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Note, in contravention of section 141(b)(2) of the Code;

(2) to take any action to assure that in the event that the "private business use" described in subsection (1) hereof exceeds 5 percent of the proceeds of the Note or the Projects financed therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" that is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(3) to take any action to assure that no amount that is greater than the lesser of \$5,000,000, or 5 percent of the proceeds of the Note (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(4) to refrain from taking any action that would otherwise result in the Note being treated as a "private activity bond" within the meaning of section 141(b) of the Code;

(5) to refrain from taking any action that would result in the Note being "federally guaranteed" within the meaning of section 149(b) of the Code;

(6) to refrain from using any portion of the proceeds of the Note, directly or indirectly, to acquire or to replace funds that were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) that produces a materially higher yield over the term of the Note, other than investment property acquired with –

(A) proceeds of the Note invested for a reasonable temporary period of 3 years or less or, in the case of an current refunding bond, for a period of 90 days or less until such proceeds are needed for the purpose for which the Note is issued,

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and

(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Note;

(7) to otherwise restrict the use of the proceeds of the Note or amounts treated as proceeds of the Note, as may be necessary, so that the Note does not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage);

(8) to refrain from using the proceeds of the Certificates or the proceeds of any prior bonds to pay debt services on another issue more than ninety (90) days after the issuance of the Certificates in contravention of section 149(d) of the Code (relating to advance refundings);

(9) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Note) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States

of America, not later than 60 days after the Note has been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code; and

(10) to assure that the proceeds of the Note will be used solely for new money projects.

(b) Rebate Fund. In order to facilitate compliance with the above covenant (a)(9), a “Rebate Fund” is hereby established by the Issuer for the sole benefit of the United States of America, and such Fund shall not be subject to the claim of any other person, including without limitation the Registered Owner. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) Use of Proceeds. The Issuer understands that the term “proceeds” includes “disposition proceeds” as defined in the Treasury Regulations (hereinafter defined). It is the understanding of the Issuer that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto (the “Treasury Regulations”). In the event that regulations or rulings are hereafter promulgated that modify or expand provisions of the Code, as applicable to the Note, the Issuer will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Note under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated that impose additional requirements applicable to the Note, the Issuer agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Note under section 103 of the Code. In furtherance of such intention, the Issuer hereby authorizes and directs the Mayor and the City Manager to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the Issuer, that may be permitted by the Code as are consistent with the purpose for the issuance of the Note.

(d) Allocation of, and Limitation on, Expenditures for the Projects. The Issuer covenants to account for the expenditure of sale proceeds and investment earnings to be used for the construction and acquisition of the Projects financed with the proceeds of the Note on its books and records by allocating proceeds to expenditures within 18 months of the later of the date that (1) the expenditure is made, or (2) the Projects are completed. The foregoing notwithstanding, the Issuer shall not expend proceeds of the sale of the Note or investment earnings thereon more than 60 days after the earlier of (1) the fifth anniversary of the delivery of the Note, or (2) the date the Note is retired, unless the Issuer obtains an opinion of nationally-recognized bond counsel that such expenditure will not adversely affect the status, for federal income tax purposes, of the Note or the interest thereon. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(e) Disposition of Projects. The Issuer covenants that the Projects will not be sold or otherwise disposed in a transaction resulting in the receipt by the Issuer of cash or other compensation, unless the Issuer obtains an opinion of nationally-recognized bond counsel that such sale or other disposition will not adversely affect the tax-exempt status of the Note. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains a legal opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

Section 10. SALE OF NOTE. The Note is hereby initially sold and shall be delivered to [PURCHASER] (the “Purchaser”) for cash for the par value thereof, pursuant to the purchase agreement dated the date of the final passage of this Ordinance which the Mayor is hereby authorized to execute and deliver. The Note shall initially be registered in the name of the Purchaser. It is hereby officially found, determined, and declared that the terms of this sale are the most advantageous reasonably obtainable.

Section 11. FURTHER PROCEDURES. The Mayor, Mayor Pro Tem, City Manager, Finance Director and City Secretary shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and under the corporate seal and on behalf of the Issuer a Paying Agent/Registrar Agreement with the Paying Agent/Registrar (the form and substance of which are hereby approved) and all other instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Note and the sale of the Note. In case any officer whose signature shall appear on any Note shall cease to be such officer before the delivery of such Note, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Section 12. NO RULE 15c2-12 UNDERTAKING. The Issuer has not made an undertaking in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission (the "Rule"). The Issuer is not, therefore, obligated pursuant to the Rule to provide any on-going disclosure relating to the Issuer or the Note.

Section 13. DEFAULT AND REMEDIES.

(a) Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an Event of Default:

(i) the failure to make payment of the principal of or interest on the Note when the same becomes due and payable; or

(ii) default in the performance or observance of any other covenant, agreement or obligation of the Issuer, the failure to perform which materially, adversely affects the rights of the registered owners of the Note, including, but not limited to its prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of 60 days after notice of such default is given by the registered owner to the Issuer.

(b) Remedies for Default. Upon the happening of any Event of Default, then and in every case, any registered owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the Issuer for the purpose of protecting and enforcing the rights of the registered owner under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the registered owner hereunder or any combination of such remedies.

(c) Remedies Not Exclusive.

(i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Note or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Note shall not be available as a remedy under this Ordinance.

(ii) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

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(iii) By accepting the delivery of a Note authorized under this Ordinance, such registered owner agrees that the certifications required to effectuate any covenants or representations contained in this Ordinance do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers, employees or trustees of the Issuer or the City Council.

Section 14. METHOD OF AMENDMENT. The Issuer hereby reserves the right to amend this Ordinance subject to the following terms and conditions, to-wit:

(a) The Issuer may from time to time, without the consent of the Registered Owner, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance in order to (i) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interests of the holders, (ii) grant additional rights or security for the benefit of the holders, (iii) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interests of the holders, (iv) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect, or (v) make such other provisions in regard to matters or questions arising under this Ordinance as shall not be inconsistent with the provisions of this Ordinance and that shall not in the opinion of the Issuer's Bond Counsel materially adversely affect the interests of the holders.

(b) Except as provided in paragraph (a) above, the Registered Owner shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the Issuer; provided, however, that without the consent of the Registered Owner, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or in the Note so as to:

- (1) Make any change in the maturity of the Note;
- (2) Reduce the rate of interest borne by the Note;
- (3) Reduce the amount of the principal of, or redemption premium, if any, payable on the Note;
- (4) Modify the terms of payment of principal or of interest or redemption premium, if any, on the Note or impose any condition with respect to such payment; or
- (5) Change the requirement with respect to Registered Owner consent to such amendment.

(c) If at any time the Issuer shall desire to amend this Ordinance under this Section, the Issuer shall send by U.S. mail to the Registered Owner of the Note a copy of the proposed amendment.

(d) Whenever at any time within one year from the date of mailing of such notice the Issuer shall receive an instrument or instruments executed by the Registered Owner of the Note, which instrument or instruments shall refer to the proposed amendment and that shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory Ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be modified and amended in accordance with such amendatory Ordinance, and the respective rights, duties, and obligations of the Issuer and the Registered Owner of the Note shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the Registered Owner of the Note pursuant to the provisions of this Section shall be irrevocable for a period of 6 months from the date of the mailing of the notice provided for in this Section, and shall be conclusive and binding upon all future holders of the same Note during such

period. Such consent may be revoked at any time after 6 months from the date of the mailing of said notice by the Registered Owner, or by a successor in title, by filing notice with the Issuer.

For the purposes of establishing ownership of the Note, the Issuer shall rely solely upon the registration of the ownership of such Note on the registration books kept by the Paying Agent/Registrar.

Section 15. PROJECT FUND.

(a) The Issuer hereby creates and establishes and shall maintain on the books of the Issuer a separate fund or account to be entitled the "Series 2026 Note Project Fund" for use by the Issuer for payment of all lawful costs associated with the Projects as hereinbefore provided, and to pay the costs of issuance of the Note. Upon payment of all such costs, any moneys remaining on deposit in said fund shall be transferred to the Interest and Sinking Fund. Amounts so deposited to the Interest and Sinking Fund shall be used in the manner described in Section 5 of this Ordinance.

(b) The Issuer may place proceeds of the Note (including investment earnings thereon) and amounts deposited into the Interest and Sinking Fund in investments authorized by the Public Funds Investment Act, Chapter 2256, Texas Government Code, as amended; provided, however, that the Issuer hereby covenants that the proceeds of the sale of the Note will be used as soon as practicable for the purposes for which the Note is issued.

(c) All deposits authorized or required by this Ordinance shall be secured to the fullest extent required by law for the security of public funds.

Section 16. SEVERABILITY. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, despite such invalidity, which remaining portions shall remain in full force and effect.

Section 17. APPROPRIATION. To pay the debt service coming due on the Note, if any prior to receipt of the taxes levied to pay such debt service, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service, and such amount shall be used for no other purpose.

Section 18. EFFECTIVE DATE. In accordance with the provisions of Texas Government Code Section 1201.028, this Ordinance shall be effective immediately upon its adoption by the City Council.

(Execution Page Follows)

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PASSED, APPROVED AND EFFECTIVE this January 20, 2026.

Mayor, City of Waxahachie, Texas

ATTEST:

City Secretary, City of Waxahachie, Texas

[CITY SEAL]