

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 **May 4, 2026 at 7:00 p.m.**

Council Members: 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. Proclamation recognizing May as “National Preservation Month”
 - c. Proclamation recognizing May 3-9, 2026 as “Professional Municipal Clerks Week”
 - d. Proclamation recognizing May 3-9, 2026 as “National Travel and Tourism Week”
 - e. 2026 Recognition Status - Keep Texas Beautiful Affiliation
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 three (3) minute time limit.***

In order to be recognized during Public Comments or during a Public Hearing, please complete a Public Appearance Card located at the entrance of the meeting room. If you would like to speak on more than one Public Hearing item, please submit a separate card for each item. Please present the card(s) to the City Secretary, or their designee, by 6:50 p.m., ten minutes before the start of the 7:00 p.m. regular business meeting. [Online Public Appearance Cards](#) must be submitted by 4:00 p.m. on the day of the meeting.
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 April 20, 2026
 - b. Minutes of the City Council work session of April 14, 2026

- c. Consider appointments to the Animal Care Advisory Committee to fill an unexpired term and add two additional citizen members
 - d. Application from What's SUP + Kayaks for Seasonal Vendor Permit at Lake Waxahachie
 - e. Proposed Ordinance approving a request by Chris Oliver, for a Petition for ETJ Release for approximately 7.53 acres, located directly east of 6 James Court (Property ID 183484) – Owner: Angel Gonzales (ETJ-PTN-30-2026)
 - f. Proposed Ordinance approving a request by Terrance Stewart, for a Petition for ETJ Release for approximately 3.207 acres, located at 1081 Curtis Ray Road (Property ID 269498) – Owner: Terrance Stewart (ETJ-PTN-31-2026)
 - g. Proposed Ordinance approving a request by James Borders, for a Petition for ETJ Release for approximately 40.646 acres, located at 2055 Gibson Road (Property ID 192103) – Owners: James and Judy Borders (ETJ-PTN-34-2026)
 - h. Consider awarding a Construction Manager at Risk (CMAR) contract for the New Fire Station 1 Project in the amount of \$963,580
 - i. Proposed ordinance re-establishing classified positions under Civil Service
7. **Public Hearing** on a request by David McDill, Davis & McDill for a Replat of part of Lot 2, Block 175, TOWN ADDITION, to create Lots 2R-A, 2R-B, and 2R-C, Block 175, of the TOWN ADDITION, 3 Residential Lots, being 0.679 acres, located at 305 Frieson Street, (Property ID 171328, 171339, & 171340) – Owner: Scott Ronald and Kimberly R. (SUB-27-2026)
 8. **Consider** approving SUB-27-2026
 9. **Public Hearing** on a request by Josh Yusten, Evolution Homes, for a Zoning Change from a PD-23-SF-1 zoning district to Planned Development Single Family-1 (PD-SF-1) zoning district located at 101 Waterfront Drive (Property ID 175089) – Owner(s): JRM-REI LLC (ZDC-9-2026)
 10. **Consider** proposed Ordinance approving ZDC-9-2026
 11. **Public Hearing** on a request by Dutch Neuweiler, Minto Communities Texas, LLC, for an Amendment to Ordinance No. 3704, to revise the location of the Welcome Center and update associated Exhibits within the approved Planned Development, 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: Minto KR, LLC (ZDC-24-2026)
 12. **Consider** proposed Ordinance approving ZDC-24-2026
 13. **Public Hearing** on a request by William Dahlstrom, Jackson Walker LLP, to amend the adopted Waxahachie Comprehensive Plan, solely to amend the Thoroughfare Plan for the Kemp Ranch property
 14. **Consider** proposed Ordinance approving an amendment to the Thoroughfare Plan
 15. **Consider** a request by James Johnston, Waxahachie Office Condos LLC, for an Amendment to the Montclair Heights Development Agreement (INST. No. 2528373) to allow payment in lieu of the completion of construction of the required traffic signal

16. **Consider** budget transfer for Asphalt Reconstruction: Grace, W. Parks & Marshall Projects in the amount of \$130,000
17. **Consider** budget transfer for the Drainage and Sidewalk Improvements at BNSF Railroad Project in the amount of \$300,000
18. **Consider** budget transfer for the John Arden Drive and Grove Creek Road Asphalt Reconstruction Project in the amount of \$1,500,000
19. **Consider** supplemental appropriation for security cameras at the Sports Complex in the amount of \$303,809.54
20. **Convene** into Executive Session to deliberate economic development incentives, as permitted by Texas Government Code Section 551.087; to deliberate the purchase, exchange, lease, or value of real property for municipal purposes, as permitted by Texas Government Code Section 551.072; to deliberate personnel matters, including 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
21. **Reconvene** and take any necessary action
22. Comments by Mayor, City Council, City Attorney and City Management
23. 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

(4b)

PROCLAMATION

WHEREAS, founded in 1850, Waxahachie has long served as a vital agricultural, commercial, educational, and transportation center in North Texas; and

WHEREAS, Waxahachie, known as the “Gingerbread City,” boasts one of the state’s richest and most extensive collections of Victorian-era residential and commercial architecture, including:

- 80 Buildings individually listed on the National Register of Historic Places
- 23 Texas Historical Commission markers
- 23 Recorded Texas Historic Landmarks
- 3 State Antiquities Landmarks
- 6 National Register Historic Districts; and

WHEREAS, architectural landmarks such as the Ellis County Courthouse, Chautauqua Auditorium, Sims Library, Joshua Chapel AME, and the MKT Train Depot are among the many historic sites that contribute to the unique architectural fabric that defines the character of our community; and

WHEREAS, Waxahachie’s architectural legacy embodies the distinctive character and history of our community, creating a living connection to the past and fostering a strong sense of pride among its citizens; and

WHEREAS, preserving these historic places supports local economic vitality through tourism, reinvestment, and small business growth—by creating spaces people love to live, work, and visit; and

WHEREAS, National Preservation Month honors the achievements and leadership of those in the past whose dedication and foresight helped shape and protect the places we cherish today; and

WHEREAS, National Preservation Month also recognizes and gives thanks to the ongoing efforts of City officials, individuals, and organizations who champion the conservation of historic places—demonstrating that everyone can play a part in preserving Waxahachie’s unique legacy for future generations;

NOW, THEREFORE, I, Billie Wallace, Mayor of the City of Waxahachie, along with the entire City Council, do hereby proclaim the month of May 2026 as

“National Preservation Month”

in the city of Waxahachie and call upon the people of Waxahachie to join their fellow citizens across the United States in recognizing and celebrating this special national observance.

Proclaimed this 4th day of May 2026.

MAYOR

PROCLAMATION

WHEREAS, the profession of municipal clerks is essential to the effective functioning of local government in Texas, ensuring transparency, accountability, and the smooth operation of municipal services; and

WHEREAS, the office of municipal clerk is the oldest among public servants; and

WHEREAS, municipal clerks have pledged to be ever mindful of their neutrality and impartiality while serving as the professional link between the citizens, local governing bodies, and agencies of government at other levels; and

WHEREAS, municipal clerks serve as the official record-keepers, managing vital documents, conducting municipal elections, providing legislative support, and ensuring compliance with laws and regulations in cities across Texas; and

WHEREAS, municipal clerks demonstrate exceptional dedication, professionalism, and integrity in their work, often going above and beyond to serve their communities and facilitate the effective governance of local governments; and

WHEREAS, the Texas Municipal Clerks Association (TMCA) represents more than 1,100 municipal clerks who contribute significantly to the success and efficiency of local government throughout the state of Texas; and

WHEREAS, Municipal Clerks Week provides an opportunity to recognize and celebrate the invaluable work of municipal clerks, acknowledge their vital contributions to public service, and highlight the important role they play in the day-to-day operations of our cities.

NOW, THEREFORE, be it resolved that I, Billie Wallace, Mayor of Waxahachie, along with the entire City Council, do hereby recognize the week of May 3-9, 2026, as

“PROFESSIONAL MUNICIPAL CLERKS WEEK”

and further extend appreciation to our City Secretary’s Office, and to all professional municipal clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Proclaimed this 4th day of May 2026.

MAYOR

PROCLAMATION

(4d)

WHEREAS, the travel industry is essential to the success of every industry and will continue to be a critical part of Waxahachie’s economy, development, and workforce; and

WHEREAS, travel spending supports vibrant and safe communities in Waxahachie, Texas, and across the United States by generating \$92 billion in state and local tax revenue in 2025 to support essential services such as education, emergency response, and public safety; and

WHEREAS, in Waxahachie, travel generated \$86.1 million in direct spending, supported 590 jobs, produced \$31.2 million in earnings, and generated \$8.4 million in local and state tax revenue in 2025; and

WHEREAS, without travel spending, Texas households in the Prairies & Lakes Tourism Region would pay \$813 more in state and local taxes each year to maintain current levels of government services; and

WHEREAS, travel enables success for all industries—including manufacturing, agriculture, defense, and healthcare—by driving sales growth, innovation, education, and operations that power our economy locally and nationwide; and

WHEREAS, one in every 11 U.S. jobs depends on travel, making it a critical driver of economic opportunity and community vitality; and

WHEREAS, America’s travel industry cannot remain globally competitive without maximizing growth in domestic leisure, business, and international inbound travel; and

WHEREAS, travel is an essential industry that fuels economic growth, supports local businesses, fosters mutual understanding, and connects communities across the nation.

NOW, THEREFORE, be it resolved that I, Billie Wallace, Mayor of Waxahachie, along with the entire City Council, do hereby recognize the week of May 3-9, 2026, as

“National Travel and Tourism Week”

in Waxahachie, Texas, and urge all citizens to recognize the vital role this industry plays in our community.

Proclaimed this 4th day of May 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, April 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

Others Present: Albert Lawrence, Deputy City Manager
Shon Brooks, Assistant 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

Mayor Wallace gave the invocation, led the Pledge of Allegiance, and the Texas Pledge of Allegiance.

4. Announcements/Presentations

- a. Introduce Honorary Council Member
- b. Present Keep Waxahachie Beautiful Committee Pride in Neighborhood (PIN) Award

There was not an Honorary Council Member in attendance.

Julie Mendenhall, on behalf of the Keep Waxahachie Beautiful Committee, presented the Pride in Neighborhood (PIN) award to the Stokes family of 1410 W. Main Street.

5. Public Comments

John Wedel, 417 W. Jefferson Avenue, Waxahachie, Texas, informed the Council that the Ellis County Rural Heritage Farm is progressing through the Texas Historical Commission's multi-phase process for potential designation as a state historic site. He reported that the project has advanced to Phase II and received positive feedback during a recent site visit. A decision is expected in July on whether it will move to the final review phase (Phase III). Wedel added that the project will soon seek legislative support and asked the Council to encourage state lawmakers to back the designation effort.

6. Consent Agenda

- a. Minutes of the City Council meeting of April 6, 2026

(6a)

- b. Construction Contract for the New High School Road Project in the amount of \$6,468,970
- c. Construction Material Testing Professional Service Agreement for the New High School Road Project in the amount of \$118,755
- d. Event application for Meet Hachie event to be held on June 6, 2026 at Railyard Park
- e. Event application for Corpus Christi Procession to be held on June 7, 2026

Action:

Chris Wright moved to remove Item b. for additional discussion, approve all other items on the Consent Agenda, and authorize the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).

Elizabeth Quilici, Assistant Director of Capital Engineering, presented the Item. The proposed New High School Road Project consists of 1.3 miles of 4-lane undivided concrete roadway. The road will include a turning lane adjacent to the proposed high school and will connect to the proposed TxDOT SPUR 394. Additionally, the project will include a traffic signal at Matthews Street and US-77 on the North end of the project. The project is expected to be completed before the summer of 2027.

The City received eight (8) bids for this project. Kimley Horn, the engineer of record, reviewed the bids and contacted the contractor's references. Kimley Horn and City staff recommend Glenn Thurman Inc. to be awarded the contract for this project.

Action:

Chris Wright moved to approve Item b. on the Consent Agenda and authorize the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).

- 7. Public Hearing on a request by Priya Acharya, for a Specific Use Permit (SUP) for a Drive-Through Establishment (Frost Bank) use within a General Retail (GR) zoning district located directly east of 2181 N US Highway 77 (Property ID 312998) - Owner: Waxahachie Hedgewood 1, LLC (ZDC-181-2025)**

Trenton Robertson, Director of Planning, presented the Item and applicant Priya Acharya requested approval. The applicant proposes a Specific Use Permit (SUP) to allow for the development of a Drive-Through Establishment use (Frost Bank) as part of a proposed bank directly east of 2181 N US Highway 77. The subject property is situated in a General Retail (GR) zoning district. The Waxahachie Zoning Ordinance requires that a SUP be approved to allow for Drive-Through Establishment land uses within a General Retail (GR) zoning district. The site design does meet the minimum setback requirements of the General Retail Zoning (GR) District.

The proposed bank is a total of 5,473 square feet in size. The applicant has noted that the typical hours of operation of the business will be Monday through Friday from 9:00 am to 5:00 pm and Saturday from 9:00 am to 1:00 pm; with the bank being closed on Sundays. A total of seventeen (17) employees are expected at this location. It is important to note that a Bank land use without a drive-through is permitted within the General Retail (GR) zoning district by right.

(ua)

The proposed site plan includes four (4) drive-through lanes with sufficient stacking for twenty (20) vehicles in total (five per lane). The drive-through lanes are designed to run adjacent to the eastern portion of the proposed structure. There is also a dedicated bypass lane adjacent to the drive-through aisles. A total of twenty-eight (28) parking spaces are required for the proposed drive-through establishment. The applicant has exceeded the minimum parking requirement and has designed the site to include forty-one (41) parking spaces. The parking provided for the site is more than sufficient to support this particular use.

BJ's Wholesale has constructed private drive aisles acting as driveway connections for both N US Highway 77 and Hedgewood Drive. Frost Bank will utilize these drive aisles for access purposes. These drive aisles have been placed in mutual access easements via the recorded plat for the subject property.

The applicant has provided two Elevation/Façade options as part of this SUP proposal. Option A and B feature both masonry exterior construction materials for facades. These masonry materials are primarily made up of Stone, Stucco-Shaker Beige, Stucco-Buckhorn, and Silver Metal Panels. The exterior construction materials are proposed to be painted with a mixed earth tone pallet with silver accents; which are Frost Bank's typical brand color. Option A proposes a stucco material that is smooth. Whereas Option B exhibits a more patterned stucco material. Both elevation/façade options meet the articulation requirements of the Waxahachie Zoning Ordinance.

The landscaping proposed with this SUP meets the requirements of the Waxahachie Zoning Ordinance.

The applicant proposes to install wall and monument signs that adheres to the typical height and size requirements of the Waxahachie Zoning Ordinance. Additionally, the monument sign will be located outside of all easements on the site.

The applicant has provided a Photometric Plan with this Planned Development application to demonstrate compliance with the Waxahachie Zoning Ordinance. The Photometric Plan does adhere to the requirements of the Waxahachie Lighting and Glare standards. Staff has verified that all wall-mounted and pole-mounted light fixtures are designed to be directed downward towards the site and will be equipped with shields to further mitigate light trespass on adjacent properties.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, six (6) notices were mailed to property owners within 200 feet of the request. Staff has received zero (0) letters of support and zero (0) letters of opposition for the SUP request.

Mayor Wallace opened the Public Hearing at approximately 7:20 p.m.

Councilman Travis Smith asked why red brick was not being used. Ms. Acharya responded that the proposed color scheme aligns with Frost Bank's branding.

There being no others to speak for or against ZDC-181-2025, Mayor Wallace closed the Public Hearing at approximately 7:22 p.m.

8. Consider proposed Ordinance approving ZDC-181-2025

(lea)

ORDINANCE NO. 3719

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A DRIVE-THROUGH ESTABLISHMENT (FROST BANK) USE WITHIN A GENERAL RETAIL (GR) ZONING DISTRICT, LOCATED DIRECTLY EAST OF 2181 N US HIGHWAY 77, BEING PROPERTY ID 312998, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 2, BLOCK A IN THE BJ'S WHOLESALE MEMBERSHIP CLUB SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Tres Atkins moved to approve ZDC-181-2025, a Specific Use Permit for a Drive-Through Establishment, subject to the conditions of the staff report, authorizing the City Manager and/or Mayor to execute all necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).

9. Consider Development Agreement for ZDC-181-2025

Action:

Tres Atkins moved to approve the Development Agreement for ZDC-181-2025. Motion was seconded by Patrick Souter and carried unanimously (5-0).

10. Public Hearing on a request by Tiffany Novotny, for a Specific Use Permit (SUP) for a Tattoo Shop use within a Commercial (C) zoning district located at 201 Ferris Ave (Property ID 170985) - Owner: Lynne Lee (ZDC-13-2026)

Mr. Robertson presented the Item and applicant Tiffany Novotny requested approval. The applicant proposes a Specific Use Permit (SUP) for Tattoo Shop use at 201 Ferris Ave, Suite 4. The shop will be located within a suite of Gloss Salon. The use of a Tattoo or Body Piercing Shop requires an approved SUP by City Council per the City of Waxahachie's Zoning Ordinance. The tattoo shop will be appointment only and will follow the similar hours of operation to the salon. The studio will be open on Sundays from 12pm-4pm, Tuesday-Saturday from 10am-6pm and closed on Mondays. The applicant is proposing to have only one tattoo chair within the suite. There will be a waiting area outside the room as well as seating in the salon. The proposed SUP will allow the applicant to offer tattoo services, specializing in fine-line tattoos.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 26 notices were mailed to property owners within 200 feet of the request. Staff has received no letters in support and opposition for the SUP request.

Mayor Wallace opened the Public Hearing at approximately 7:26 p.m.

Mayor Wallace asked whether additional signage would be provided. Ms. Novotny explained that a vinyl door sign will be installed at the appropriate entrance to clearly direct clients to the salon.

There being no others to speak for or against ZDC-13-2026, Mayor Wallace closed the Public Hearing at approximately 7:30 p.m.

(ua)

11. Consider proposed Ordinance approving ZDC-13-2026

ORDINANCE NO. 3720

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A TATTOO OR BODY PIERCING SHOP USE WITHIN A COMMERCIAL (C) ZONING DISTRICT, LOCATED AT 201 FERRIS AVENUE, SUITE 4 BEING PROPERTY ID 170985, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOTS 1B AND LOT 2, BLOCK 68 IN THE TOWN ADDITION SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Travis Smith moved to approve ZDC-13-2026, a Specific Use Permit for a Tattoo or Body Piercing Shop use, subject to the conditions of the staff report, authorizing the City manager and/or Mayor to execute all necessary documents. Motion was seconded by Chris Wright and carried unanimously (5-0).

12. Consider proposed Ordinance amending Section 2-16, “Summary of Policy,” of Article II, “Ethics,” of Chapter 2, “Administration,” of the Code of Ordinances, by adding a new subsection (d), “No Use of Prestige of Position for Political Purpose

City Secretary Amber Villarreal presented the item. The City Attorney introduced a proposed ordinance updating the City of Waxahachie’s ethics code to add a new provision restricting the use of official position for political purposes. The proposed amendment would prohibit City Representatives, including elected officials and other covered personnel, from using the prestige, title, or influence of their office to support or oppose political candidates, support or oppose political parties, or engage in political activity that conflicts with the City’s nonpartisan stance. The City Attorney emphasized that the ordinance does not restrict personal political activity, and officials would remain fully permitted to participate in democracy as private citizens, including registering to vote and voting in elections.

Council then discussed the proposed ordinance, which is intended to ensure that City titles are not used to advance partisan political interests while preserving individual First Amendment rights. Staff and the City Attorney reiterated that the rule is limited to the use of official titles and positions, not personal expression, and that enforcement would primarily occur through Council censure.

During discussion, Council members raised repeated concerns about ambiguity in interpretation and enforcement, including how the rule might apply to public appearances, social media posts, yard signs, third-party endorsements, or situations involving personal relationships. Questions were also raised about whether the ordinance could lead to inconsistent application or be used inappropriately in disputes between members. Some Council members expressed that the policy may be unnecessary given no current issues, while others viewed it as a preventative measure intended to reinforce the City’s nonpartisan identity and avoid future conflicts. Overall, Council discussion reflected differing perspectives on the need for the ordinance, its clarity, and its practical enforceability.

(6a)

The meeting recessed at 7:47 p.m. and reconvened at 7:56 p.m.

Action:

Patrick Souter moved to approve an ordinance amending Section 2-16, "Summary of Policy," of Article II, "Ethics," of Chapter 2, "Administration," of the Code of Ordinances, by adding a new subsection (d), "No Use of Prestige of Position for Political Purpose" as presented. Motion was seconded by Billie Wallace and failed 2-3, with Tres Atkins, Chris Wright, and Travis Smith voting in opposition.

- 13. 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**

Mayor Wallace announced the City Council would not convene into Executive Session.

- 14. Reconvene and take any necessary action**

No action taken.

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

Council Member Chris Wright thanked John Wedel for speaking about the Heritage Farm and encouraged others to visit, describing it as a worthwhile educational site seeking historic designation. He also thanked the students in attendance for participating and engaging in the meeting.

Mayor Pro Tem Patrick Souter raised concerns about a recent ERCOT study projecting a sharp increase in electricity demand, driven largely by data centers, far exceeding current capacity within six years. He warned that infrastructure may not be prepared for this growth, noted potential strain on water resources, and urged government entities to approach proposed data center developments with caution.

Council Member Travis Smith urged the Council to consider a formal moratorium on data center development until further studies assess potential impacts on local infrastructure and residents. He expressed skepticism about the long-term benefits, noting that tax incentives may outweigh gains and citing concerns that data centers often relocate before abatements expire. He encouraged proactive action to better protect the community.

(lea)

City Attorney Terry Welch noted he recently presented on data centers and how municipalities respond to them, and suggested the Council discuss potential strategies during a future work session.

Mayor Billie Wallace praised City staff for their responsiveness and performance in addressing community concerns, and also thanked the students in attendance, encouraging them to return.

16. Adjourn

There being no further business, the meeting adjourned at 8:03 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, Crape Myrtle Room, 2000 Civic Center Lane, Waxahachie, Texas on Tuesday, April 14, 2026 at 8:30 a.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
Shon Brooks, Assistant City Manager
Amber Villarreal, City Secretary
Jami Bonner, Assistant City Secretary

1. Call to Order

Mayor Billie Wallace called the meeting to order.

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

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

Council and staff reviewed the draft FY2027 Capital Improvement Program (CIP), including how projects are prioritized and funded across operating funds, bonds, impact fees, and available bond-interest savings. Discussion focused heavily on water/wastewater capacity for growth, the upcoming utility rate study, and near-term infrastructure projects.

Staff presented a FY2027 capital plan totaling \$91M across 38 projects and asked Council for direction on how to proceed so the city can move into bond issuance and finalize next year's plan.

Mr. Tustison outlined the FY2027 plan composition (water/wastewater, streets, parks, facilities), the CIP development approach (update five-year plan, refine costs/schedules, then match funding sources), and the budget calendar leading to a draft budget in late June and final adoption in July/August. He reiterated the financial policy priorities including maintaining a structurally balanced budget, managing debt and the tax rate, maintaining reserves, and protecting the City's AA+ credit rating.

James Gaertner, Director of CIP Engineering, reviewed the following:

Water Projects: \$24.4 M

- o Howard and Sokoll Water Treatment Plant Boundary Separation
- o 2026 Water Rehab
- o US 77 36-inch Water Transmission Line

(6b)

- Virginia Avenue
- 2027 Water Rehab
- Cardinal Road Water Transmission Line
- Private Development Oversize Participation (Haven Ranch)
- Private Development Oversize Participation (Saddlebrook 4B)
- Private Development Oversize Participation (Sam's Club)

Wastewater Projects: \$29.6 M

- Northeast Trunk Sewer Phases I-III
- Southwest Trunk Sewer Rehab Ph II
- Virginia Avenue
- 2026 Sewer Rehab
- 2027 Sewer Rehab

Kumar Gali, Director of Utilities, reviewed the following:

Water Utility Treatment Plants:

- South Prong Dam Repairs
- Indian Ground and Elevated Storage Tanks
- Howard Water Treatment Plant Miscellaneous Rehabilitation and Basin 4 Redundancy Design
- Sokoll High Service Pump Station Expansion
- Sokoll Disinfection Improvements
- Sokoll Cell Valve and Actuator Replacements
- Sokoll – Replace Membrane Cell 3 Modules
- Sokoll Water Plant Miscellaneous Improvements

Wastewater Utility Treatment Plant:

- Wastewater Treatment Plant Expansion Design Phase 1
- Rehabilitation of Tertiary Filters and Hydropneumatic Tank

It was the general consensus of Council to review the Highland Avenue drainage master plan/report and Phase 3 sequencing assumptions. Mr. Gaertner will develop and bring back comparative options and costs for Highland Avenue drainage (easements/backyards vs mobile home park detention), with a phased/decision-point approach. Mr. Gaertner will also review whether Nelson University's runoff contributes to the Highland drainage path and whether partnership/mitigation is feasible.

Mr. Gaertner reviewed the following.

Streets Projects: \$7.1 M

- Virginia Avenue
- Highland Avenue
- E. University Avenue Phase II
- Peters Street

(lb)

- Highland Avenue Phase II – Add drainage capacity

{City Council recessed at 9:53 a.m. and reconvened at 10:13 a.m.}

Gumaro Martinez, Director of Parks & Recreation, reviewed the following proposed park improvements.

Park Projects: \$6.5 M

- A&F Thompson Park
- Matthews Park Restroom
- Getzendaner Park Road Improvements
- Farmers Market Parking Improvements
- Lions Park Improvements
- Turf at Lions Park

Council discussed the multiple parks and downtown public-space projects ahead of the next budget cycle, focusing on safety, accessibility, and phased improvements. The longest discussion centered on Lions Park direction (grass vs. synthetic turf), floodplain constraints, funding options, and the operational need for monitoring/security if turf fields are built.

Council reached a general consensus to proceed with synthetic turf practice fields at Lions Park and directed staff to evaluate associated monitoring and security needs. The Council emphasized the importance of making a clear, timely decision to avoid further delays and additional sunk design costs.

James Villarreal, Director of the Sports Complex, presented a preliminary concept to install synthetic turf on additional soccer fields at the complex. The proposal is intended to expand tournament capacity and improve weather resilience; however, it is not currently included in any funded program.

A preliminary layout and an estimated cost of approximately \$4.1 million to turf nine soccer fields was discussed. It was noted that the availability of larger fields is currently a limiting factor in attracting tournaments. Mr. Villarreal highlighted the weekend-heavy nature of soccer scheduling, the revenue potential associated with tournaments, and the success of existing turf fields in reducing weather-related cancellations. While the concept is not part of current bond plans, the potential alignment with WCDC funding capacity was identified for future consideration.

{City Council recessed at 11:33 a.m. and reconvened at 11:50 a.m.}

City Facility Projects (\$23.5M) were reviewed by staff.

Fire Chief Scott Safford reviewed the Fire Station 1 Relocation and Type 3 Wildland Truck purchase 4 as a deployable asset.

City Manager Ricky Boyd reviewed the Council Chamber/Fire Administration Finish-Out at the Comerica Building. Fire Administration is planning to expand into approximately 10,000 square feet on the second floor of the Comerica building to address space constraints and accommodate

(6b)

future growth, as part of a broader proposal to build out the entire facility at once. Staff recommended completing the full buildout, estimated at \$12 million, in a single phase to avoid operational conflicts, utility complications, and escalating costs associated with phased construction, noting a roughly ten-month timeline could allow multiple departments to occupy the building by next summer. However, several councilmembers expressed concerns about limited clarity on the overall City Hall project scope and questioned whether pursuing both the Comerica buildout and a separate \$10 million City Hall investment aligns with the original intent to maximize existing space and control costs. Additional discussion highlighted potential inefficiencies in current annex usage and noted that certain City Hall expenses, such as elevator, foyer, and sprinkler requirements, may be unavoidable.

Police Chief Joe Wisner requested approximately \$200,000 to conduct a facility needs assessment, citing current space limitations, including insufficient office and locker capacity. There was general support for potentially expanding the effort into a broader, citywide facilities needs assessment, provided clear parameters and cost controls are established. Councilmembers emphasized the importance of focusing on a true needs assessment rather than a comprehensive plan, and staff indicated they would work to provide a preliminary cost estimate by June.

Justin Stoker, Director of Public Works and Engineering, presented a conceptual plan using an already-funded \$6,000,000 allocation for a basic facility and future phased add-ons, with discussion that building all at once could avoid escalation and save an estimated \$1,100,000 versus three-year modules. Councilmembers raised concerns about aesthetics/material storage near homes and questioned cost assumptions, and concluded they wanted to hold off until June while exploring the citywide study option.

Council asked staff to pause and revisit direction on the Streets facility until there is clarity on whether a broader citywide facilities assessment will occur.

Chief Safford presented a fire-based EMS model with an estimated net annual cost to the City of approximately \$3 million after projected revenues. The proposal includes six ambulances (four frontline and two reserve), additional staffing of 34 firefighters, and expanded dispatch and emergency medical dispatch (EMD) capacity. Council discussion focused on existing contract constraints with Allegiance—currently in effect through October 1, 2027, with a 365-day termination notice, along with workforce considerations, including potential impacts on firefighter retention and the use of mandatory ambulance rotations. Additional concerns included vehicle costs and funding options, with staff noting an estimated tax rate impact of approximately four cents if funded through the general fund. Chief Safford also highlighted recent improvements in response times under the current system following enforcement measures and increased unit availability.

Mr. Tustison continued his review of the following:

- CIP Budget Strategy: Bonds, Operating Funds, Impact Fees, Fund Balance / Working Capital
- CIP and Debt Management
- Debt Service and Tax Rate
- General Debt Service Capacity

(4b)

- Timeline for Bond Issuance

It was the general consensus of Council to direct staff to provide additional information and advance several follow-up actions, including distributing City Hall and Comerica floor plans along with cost-difference estimates comparing a foyer/elevator-only approach to the current City Hall plan; identifying potential firms to conduct a citywide facilities needs assessment and providing a ballpark cost by June; incorporating a quantitative log of EMS provider complaints into regular Fire Department reporting to Council; and revisiting the direction of the Streets facility following the June budget workshop and further discussion on whether to proceed with a comprehensive citywide facilities study.

Dustin Deel, Administrative Services Director, and Quorum Architectural Services provided an in-progress needs assessment update for a new animal shelter, focusing on right-sizing capacity, modern shelter design requirements, and potential regional partnerships. Council discussed conceptual facility scope (including medical clinic and community spaces), high projected costs, financing paths (CO vs GO bonds), land/site needs, and the need for clearer cost breakdowns and partner buy-in before proceeding.

Council reached a general consensus directing Quorum Architectural Services to provide a detailed cost breakdown distinguishing state-minimum requirements from optional or enhanced features, identify potential cost reductions and associated tradeoffs, and develop alternative program options, such as phased construction or varying levels of clinic services, with corresponding cost impacts. Additional direction included analyzing anticipated wastewater needs, presenting final assessment results, and engaging potential partner jurisdictions to gauge participation at defined price points and terms. Council also discussed potential funding strategies, weighing the speed and flexibility of Certificates of Obligation (CO bonds) against the public approval process required for General Obligation (GO bonds), while noting timeline and statutory constraints. Staff outlined options to proceed, including initiating work through a reimbursement resolution, but Mr. Tustison cautioned about the scale of both debt service and ongoing operational costs. Council emphasized the need for clearer cost information and confirmed partner commitments before selecting a funding path, with differing views remaining on the appropriateness of issuing CO bonds without voter approval given the project's magnitude.

3. Adjourn

There being no further business, the meeting adjourned at 3:38 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: May 4, 2026

Re: Consider appointments to the Animal Care Advisory Committee to fill an unexpired term and add two additional citizen members

Recommended Motion: "I move to appoint Dr. Peyton Deraleau to fill the unexpired term on the Animal Care Advisory Committee until September 2027 and add Jackie Montejano and Bryan Thomas to serve as newly created citizen members until September 2028, as presented."

Item Description: Consider action regarding the appointment of a successor to fill the unexpired term of Dr. Tommy Menser on the Animal Care Advisory Committee and add two additional citizen members to the Committee.

Item Summary: Mayor Billie Wallace and Mayor Pro Tem Patrick Souter recommend the following appointments to fill the unexpired term of Dr. Tommy Menser and add two additional citizen members to the Committee.

Animal Care Advisory Committee (2-year term)

- Dr. Peyton Deraleau (filling unexpired term of Dr. Tommy Menser until September 2027)
- Jackie Montejano and Bryan Thomas (new members for a term until September 2028)



(ud)

APPLICATION FOR SPECIAL SEASONAL VENDORS PERMIT
AT LAKE WAXAHACHIE

Applicant Name PAT BARRETT WHAT'S SUP + KAYAKS

Home Address [REDACTED]
Street or Box No. City State

Home Phone No. 214-755-2021 Business Phone No. 214-755-2021

Name to be used at business location WHAT'S SUP + KAYAKS

Proposed temporary location for selling: (describe in detail and provide site map) _____
WAXAHACHIE LAKE- PARK TO BE DECIDED AT MEETING

Proposed services provided: (describe in detail) KAYAK, PADDLE BOARD, LIFE JACKET RENTAL

It is understood and agreed that the premises will be kept clean and neat, that no radio or other noise-making equipment will be used, that the business will only be operated between sun-up and 10:00 p.m., that sale or rental shall be allowed only for water sport related equipment such as canoes, kayaks, life preservers, fishing equipment, and water sports related equipment. No food or beverages may be sold.

The City may revoke the permit if all city, state, or other governmental rules and regulations are not followed. The permit is from MAY, 2026, to SEPT., 2026.

Date 3/26/2026

PAT BARRETT
Applicant Signature

For Office Use Only

Date Received: 3/25/26

Staff approval: 2/27/26

Park Board Approval: 4/2/26

- Completed Application
- \$1,000,000 Liability Insurance
- \$25 fee

City Council Approval: _____

Permit issued: _____

Planning & Zoning Department (6e)

Petition for ETJ Release

Case: ETJ-PTN-30-2026



MEETING DATE(S)

City Council: May 4, 2026

CAPTION

Consider proposed Ordinance approving a request by Chris Oliver, for a **Petition for ETJ Release** for approximately 7.53 acres, located directly east of 6 James Court (Property ID 183484) – Owner: Angel Gonzales (ETJ-PTN-30-2026)

RECOMMENDED MOTION

"I move to approve ETJ-PTN-30-2026, a request by Chris Oliver, for a Petition for ETJ Release for approximately 7.53 acres, located directly east of 6 James Court, authorizing the Mayor to sign the associated documents accordingly."

APPLICANT REQUEST

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

CASE INFORMATION

Applicant: Chris Oliver

Property Owner(s): Angel Gonzales

Site Acreage: 7.53 acres

Number of Lots: 1 lot

Number of Dwelling Units: 0 units

SUBJECT PROPERTY

General Location: Directly east of 6 James Court

Parcel ID Number(s): 183484

Current Zoning: ETJ

Existing Use: Vacant

Platting History: The subject property is not platted.

CCN Service Area: Rockett Special Utility District

Site Image:

(cc)



PLANNING ANALYSIS

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

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

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

RECOMMENDATION

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

ATTACHED EXHIBITS

1. ETJ Petition Map for May 4, 2026 City Council Meeting
2. Proposed Ordinance
3. Legal Description (Exhibit A)
4. Location Map (Exhibit B)

STAFF CONTACT INFORMATION

Prepared by:

David Jones

Planner

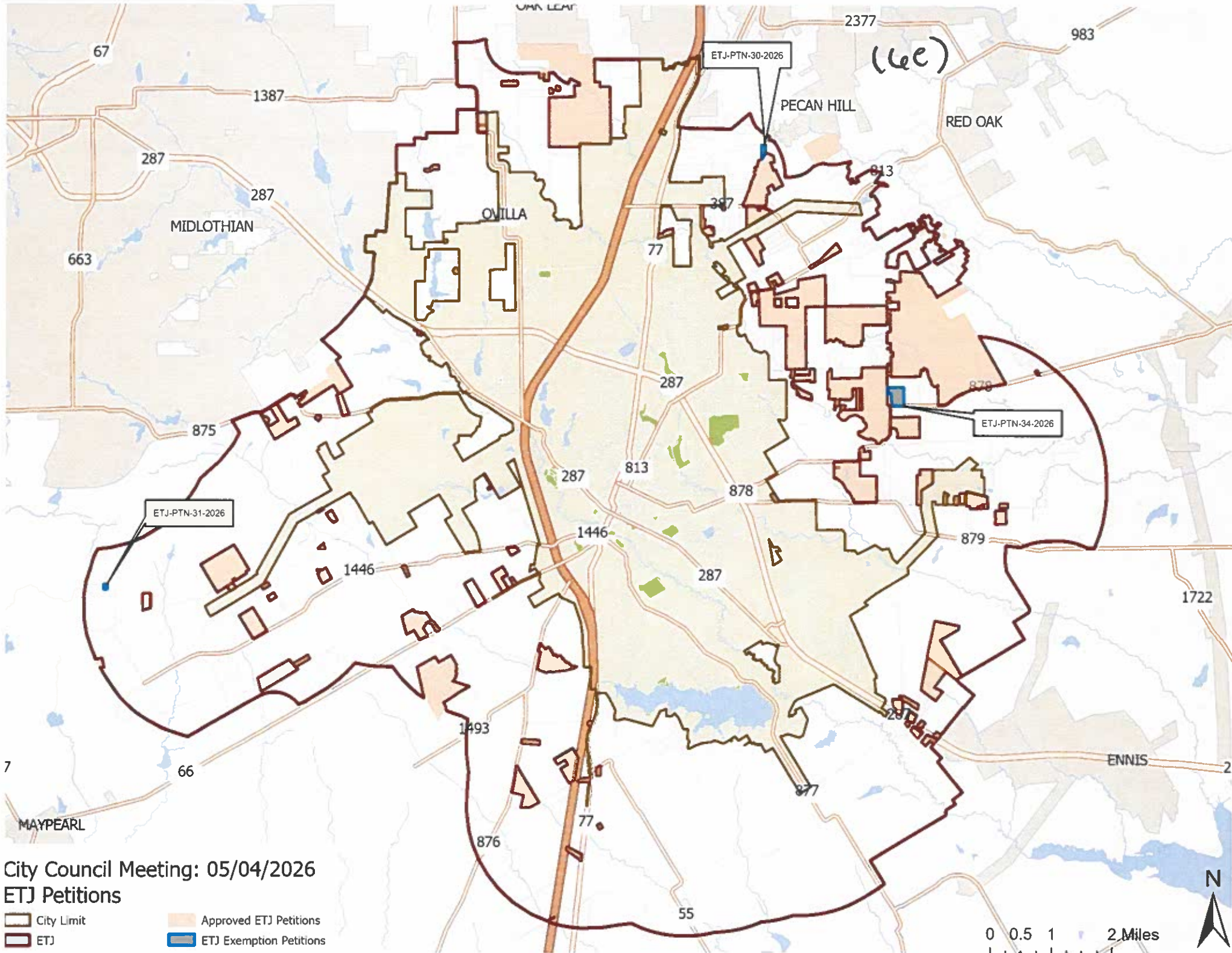
david.jones@waxahachie.com

Reviewed by:

Trenton Robertson, AICP

Senior Director of Planning

trenton.robertson@waxahachie.com



(6e)

ETJ-PTN-30-2026

PECAN HILL

RED OAK

MIDLOTHIAN

OVILLA

ETJ-PTN-31-2026

ETJ-PTN-34-2026

MAYPEARL

ENNIS

N

(6e)

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 7.53 ACRE TRACT OF LAND, LOCATED DIRECTLY EAST OF 6 JAMES COURT, KNOWN AS PROPERTY ID 183484, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, City staff has determined that the submitted petition, case number ETJ-PTN-30-2026, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

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

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

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

PASSED, APPROVED AND ADOPTED on this 4th day of May, 2026.

MAYOR

ATTEST:

City Secretary

(6e)

FILED FOR RECORD - ELLIS COUNTY, TEXAS
INST NO. 2540879 FILING DATE/TIME: December 9, 2025 at 9:39 AM

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OF YOUR DRIVER'S LICENSE NUMBER.

GF No. 251041

WARRANTY DEED WITH VENDOR'S LIEN

Date: December 5, 2025
Grantor: Floyd Kenneth Johnson, Jr.
Grantor's Mailing Address: 203 Cumberland Road
Waxahachie, Texas 75165
Grantee: Angel Gonzales
Grantor's Mailing Address: 2591 N Highway 77, Suite 101
Waxahachie, Texas 75165

Consideration: Ten and No/100 Dollars and other good and valuable consideration, and the further consideration of a note of even date that is in the principal amount of Four Hundred Fifty Thousand and no/100 Dollars (\$450,000.00), and is executed by Grantee, payable to the order of Grantor. The note is secured by a vendor's lien retained in this deed and by a deed of trust of even date, from Grantee to Patrick M. Wilson, Trustee.

Property:

BEING A TRACT OF LAND LYING IN THE WILLIAM W. FOREMAN SURVEY, ABSTRACT NO. 363, ELLIS COUNTY, TEXAS, AND ALSO BEING PART OF THE A.H. BUCHANAN 536.06 ACRE TRACT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD SET FOR THE NORTHEAST CORNER OF THIS TRACT, SAID POINT BEING THE SOUTHEAST CORNER OF A TRACT DESCRIBED IN DEED CONVEYED FROM LEONA BUCHANAN WALKER TO J. W. SARGENT, TRUSTEE AS DESCRIBED IN VOLUME 600 PAGE 960 OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF TRACT DESCRIBED IN DEED CONVEYED FROM IRENE BUCHANAN TRAVIS TO J. W. SARGENT, TRUSTEE, AS RECORDED IN VOLUME 600 PAGE 962 OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS, ALSO BEING THE NORTHWEST CORNER OF TRACT DESCRIBED IN DEED CONVEYED TO LEONA BUCHANAN WALKER FROM IRENE BUCHANAN TRAVIS AS RECORDED IN VOLUME 820 PAGE 994 OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS AND BEING IN THE SOUTH LINE OF BECKY LANE AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

THENCE S 00°51'44" E, PASSING A 1/2" IRON ROD SET FOR REFERENCE, AND CONTINUING FOR A TOTAL DISTANCE OF 725.37 FEET TO A POINT IN THE APPROXIMATE CENTER LINE OF A CREEK AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE WITH THE APPROXIMATE CENTER LINE OF SAID CREEK THE FOLLOWING COURSE AND DISTANCES:

S 62°32'05" W 51.0 FEET TO A POINT,

S 28°10'05" W 142.3 FEET TO A POINT,

S 55°12'05" W 63.4 FEET TO A POINT,

S 32°43'05" W 250.8 FEET TO A POINT,

S 70°05'05" W 39.1 FEET TO A POINT AT THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PROPERTY:

THENCE N 00°02'44" W, WITH THE WEST LINE OF HEREIN DESCRIBED TRACT PASSING A 1/2" IRON ROD FOUND FOR REFERENCE AT THE SOUTHEAST CORNER OF LOT 18 OF THE RESUBDIVISION OF LOTS 15 THROUGH 20 BLOCK 1 OF SANGER CREEK NORTH, SECTION TWO AS RECORDED IN CABINET B SLIDE 24 OF THE PLAT RECORDS OF ELLIS COUNTY, TEXAS, AND CONTINUING A TOTAL DISTANCE OF 1117.54 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF LOT 20 BLOCK 1 OF SAID ADDITION AND LYING IN THE SOUTH LINE OF BECKY LANE AND BEING THE SOUTHWEST CORNER OF SAID WALKER TO SARGENT TRACT;

(ue)

THENCE N 86°59'04" E, WITH THE SOUTH LINE OF SAID WALKER TO SARGENT TRACT AND THE SOUTH LINE OF BECKY LANE, A DISTANCE OF 327.20 FEET TO THE POINT OF BEGINNING AND CONTAINING 7.05 ACRES, MORE OR LESS.

FILED FOR RECORD - ELLIS COUNTY, TEXAS
INST NO. 2540879 on December 9, 2025 at 9:39 AM

Reservations From and Exceptions to Conveyance and Warranty: This conveyance is made and accepted subject to easements, restrictions, building lines, set back lines, and floodplain, if any, shown on the plat, to any and all valid recorded easements, restrictions, reservations, mineral reservations and leases, and riparian rights, if any, relating to the Property and shown of record in the office of the County Clerk of Ellis County, Texas, to any visible or apparent easements to and across said property, to any portion thereof situated in road or roadway, and to all valid zoning laws, regulations, rights and ordinances of municipal or other governmental authorities relating to the Property.

Grantor, for the consideration, receipt of which is acknowledged, and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

The vendor's lien against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED to be effective as of this 5th day of December, 2025.

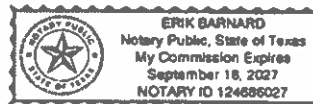
GRANTOR:


Floyd Kenneth Johnson, Jr.

State of Texas
County of Ellis

This instrument was ACKNOWLEDGED before me on the 5th day of December, 2025 by Floyd Kenneth Johnson Jr.


Notary Public, State of Texas



Prepared in the Office of:

Wilson Diebel, PLLC
301 N College St, Suite 110
Waxahachie, TX 75165

Warranty Deed With Vendor's Lien - GF No. 251041

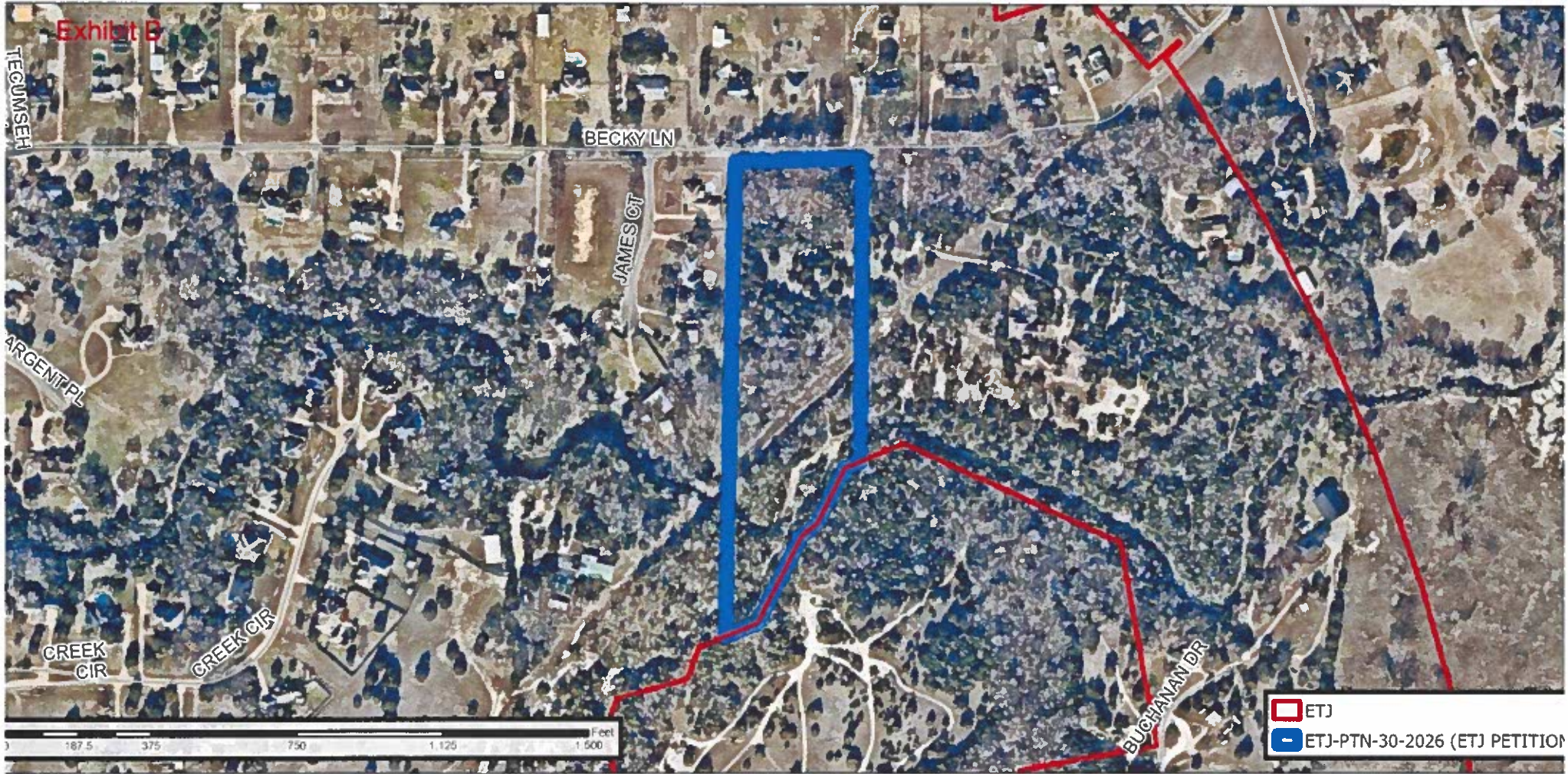
Page 2 of 2

STATE OF TEXAS COUNTY OF ELLIS
I hereby certify this instrument was filed on the date and time stamped hereon and was duly recorded in the records of Ellis County, Texas as stamped hereon.
COUNTY CLERK, ELLIS COUNTY, TEXAS





(6e)



Planning & Zoning Department

(uf)

Petition for ETJ Release



Case: ETJ-PTN-31-2026

MEETING DATE(S)

City Council:

May 4, 2026

CAPTION

Consider proposed Ordinance approving a request by Terrance Stewart, for a **Petition for ETJ Release** for approximately 3.207 acres, located at 1081 Curtis Ray Road (Property ID 269498) – Owner: Terrance Stewart (ETJ-PTN-31-2026)

RECOMMENDED MOTION

"I move to approve ETJ-PTN-31-2026, a request by Terrance Stewart, for a Petition for ETJ Release for approximately 3.207 acres, located at 1081 Curtis Ray Road, authorizing the Mayor to sign the associated documents accordingly."

APPLICANT REQUEST

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

CASE INFORMATION

Applicant: Terrance Stewart

Property Owner(s): Terrance Stewart

Site Acreage: 3.207 acres

Number of Lots: 1 lot

Number of Dwelling Units: 1 unit

SUBJECT PROPERTY

General Location: 1081 Curtis Ray Road

Parcel ID Number(s): 269498

Current Zoning: ETJ

Existing Use: Accessory Structure

Platting History: Lot 1 Block 1 of the Stewarts Property Subdivision

CCN Service Area: Buena Vista-Bethel WSC

Site Image:

(4f)



PLANNING ANALYSIS

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

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

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

RECOMMENDATION

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

ATTACHED EXHIBITS

1. ETJ Petition Map for May 4, 2026 City Council Meeting
2. Proposed Ordinance
3. Legal Description (Exhibit A)
4. Location Map (Exhibit B)

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

(wf)

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 3.207 ACRE TRACT OF LAND, LOCATED 1081 CURTIS RAY ROAD, KNOWN AS PROPERTY ID 269498, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, City staff has determined that the submitted petition, case number ETJ-PTN-31-2026, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

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

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

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

PASSED, APPROVED AND ADOPTED on this 4th day of May, 2026.

MAYOR

ATTEST:

City Secretary

(6f)



Planning & Zoning Department (69)

Petition for ETJ Release

Case: ETJ-PTN-34-2026



MEETING DATE(S)

City Council: May 4, 2026

CAPTION

Consider proposed Ordinance approving a request by James Borders, for a **Petition for ETJ Release** for approximately 40.646 acres, located at 2055 Gibson Road (Property ID 192103) – Owners: James and Judy Borders (ETJ-PTN-34-2026)

RECOMMENDED MOTION

"I move to approve ETJ-PTN-34-2026, a request by Terrance Stewart, for a Petition for ETJ Release for approximately 40.646 acres, located at 2055 Gibson Road, authorizing the Mayor to sign the associated documents accordingly."

APPLICANT REQUEST

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

CASE INFORMATION

Applicant: James Boarders

Property Owner(s): James and Judy Boarders

Site Acreage: 40.646 acres

Number of Lots: 1 lot

Number of Dwelling Units: 1 unit

SUBJECT PROPERTY

General Location: 2055 Gibson Road

Parcel ID Number(s): 192103

Current Zoning: ETJ

Existing Use: Single Family Residence & Agriculture

Platting History: The subject property is not platted

CCN Service Area: Rockett Special Utility District

Site Image:

(leg)



PLANNING ANALYSIS

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

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

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

RECOMMENDATION

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

ATTACHED EXHIBITS

1. ETJ Petition Map for May 4, 2026 City Council Meeting
2. Proposed Ordinance
3. Legal Description (Exhibit A)
4. Location Map (Exhibit B)

STAFF CONTACT INFORMATION

Prepared by:

David Jones

Planner

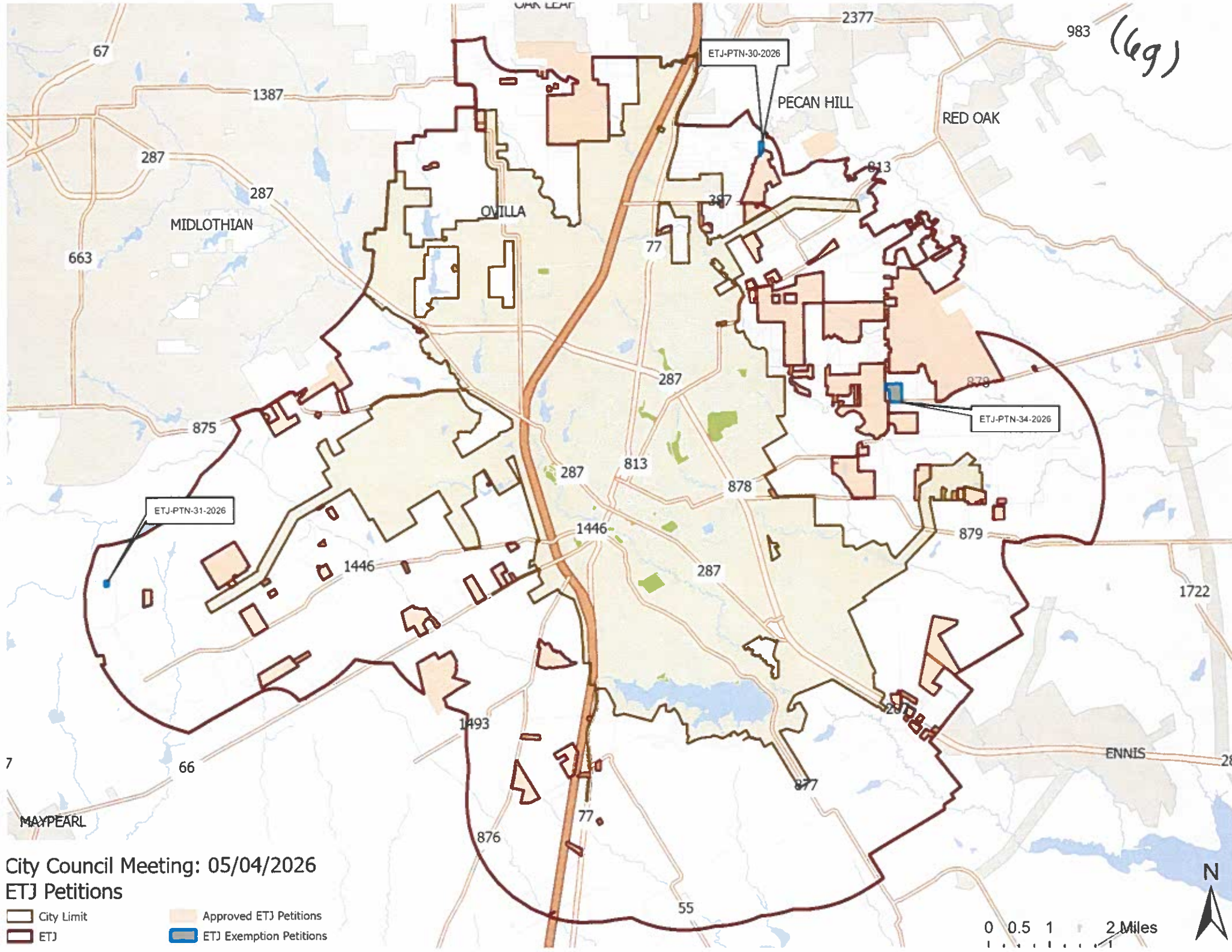
david.jones@waxahachie.com

Reviewed by:

Trenton Robertson, AICP

Senior Director of Planning

trenton.robertson@waxahachie.com



(leg)

City Council Meeting: 05/04/2026
ETJ Petitions

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

0 0.5 1 2 Miles



(leg)

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 40.646 ACRE TRACT OF LAND, LOCATED AT 2055 GIBSON ROAD, KNOWN AS PROPERTY ID 192103, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, City staff has determined that the submitted petition, case number ETJ-PTN-34-2026, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

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

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

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

PASSED, APPROVED AND ADOPTED on this 4th day of May, 2026.

MAYOR

ATTEST:

City Secretary

(leg)

PROPERTY DESCRIPTION:

BEING A TRACT OF LAND SITUATED IN THE G. WHEELOCK SURVEY, ABSTRACT NO. 1117, ELLIS COUNTY, TEXAS AND BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO JAMES S. BORDERS AND JUDY GLYNN BORDERS, RECORDED IN VOLUME 1398, PAGE 1088, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH CAP STAMPED "RPLS 4466" FOUND FOR THE SOUTHEAST CORNER OF SAID BORDERS TRACT AND THE COMMON SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED AS SECOND TRACT - "WILLIAMS FARM"- TRACT #1 IN DEED TO MARY LOU BARRON MCBURNETT TRUST, RECORDED IN VOLUME 1063, PAGE 780, OPRECT AND IN THE NORTH RIGHT-OF-WAY (ROW) LINE OF FM 878 (A VARIABLE WIDTH ROW);

THENCE S 89°20'56" W, ALONG THE SOUTH LINE OF SAID BORDERS TRACT AND THE COMMON NORTH ROW LINE OF SAID FM 878, A DISTANCE OF 884.45 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 330.10 FEET, A CHORD BEARING OF S 76°20'22" W, A CHORD LENGTH OF 148.62 FEET;

ALONG THE SOUTH LINE OF SAID BORDERS TRACT AND THE COMMON NORTH ROW LINE OF SAID FM 878 AND WITH SAID CURVE TO THE LEFT AN ARC LENGTH OF 149.90 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER;

THENCE N 05°41'22" W, OVER AND ACROSS SAID BORDERS TRACT, PASSING AT A DISTANCE OF 33.59 FEET A 1/2" IRON ROD WITH CAP STAMPED "RPLS 4466" FOUND FOR THE SOUTHEAST CORNER OF LOT 1, BAUMGARTNER'S FARM, RECORDED IN CABINET E, SLIDE 326, OPRECT, CONTINUING ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 325.42 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT 1 AND THE COMMON SOUTHEAST CORNER OF A CALLED 1.254 ACRE TRACT OF LAND DESCRIBED IN DEED TO JOE AND MARY WILLIAMS LIVING TRUST, RECORDED IN INSTRUMENT NO. 1930247, OPRECT;

THENCE N 05°19'20" W, ALONG THE EAST LINE OF SAID CALLED 1.254 ACRE WILLIAMS TRACT, A DISTANCE OF 162.70 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID CALLED 1.254 ACRE WILLIAMS TRACT AND THE COMMON SOUTHEAST CORNER OF A CALLED 2.048 ACRE TRACT OF LAND DESCRIBED IN DEED TO JOE AND MARY WILLIAMS LIVING TRUST, RECORDED IN INSTRUMENT NO. 1930246, OPRECT;

THENCE N 05°32'43" W, ALONG THE EAST LINE OF SAID CALLED 2.048 ACRE WILLIAMS TRACT, A DISTANCE OF 66.59 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR CORNER;

THENCE N 03°32'20" W, ALONG THE EAST LINE OF SAID CALLED 2.048 ACRE WILLIAMS TRACT, A DISTANCE OF 229.25 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID CALLED 2.048 ACRE WILLIAMS TRACT AND THE COMMON SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO DANIEL LEE SORRELL AND ANN P. SORRELL, RECORDED IN INSTRUMENT NO. 1903135, OPRECT;

THENCE N 00°50'01" W, ALONG THE EAST LINE OF SAID SORRELL TRACT, A DISTANCE OF 249.97 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR THE NORTHEAST CORNER OF SAID SORRELL TRACT;

THENCE S 89°15'46" W, ALONG THE NORTH LINE OF SAID SORRELL TRACT, PASSING AT A DISTANCE OF 275.22 FEET A 1/2" IRON ROD FOUND FOR WITNESS, A TOTAL DISTANCE OF 293.51 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR THE NORTHWEST CORNER OF SAID SORRELL TRACT AND IN THE WEST LINE OF SAID BORDERS TRACT AND IN THE EAST LINE OF THAT TRACT OF LAND DESCRIBED IN DEED TO ELVIS WAYNE MERRIFIELD FAMILY TRUST, RECORDED IN VOLUME 2483, PAGE 676, FURTHER DESCRIBED IN VOLUME 2120, PAGE 1276,

(69)

OPRECT AND IN THE APPROXIMATE CENTERLINE OF GIBSON ROAD (A VARIABLE WIDTH UNRECORDED AND DEDICATED ROW);

THENCE N 01°13'41" W, ALONG THE WEST LINE OF SAID BORDERS TRACT AND THE COMMON EAST LINE OF SAID MERRIFIELD FAMILY TRUST TRACT AND THE APPROXIMATE CENTERLINE OF SAID GIBSON ROAD, A DISTANCE OF 249.12 FEET TO A NAIL FOUND FOR CORNER;

THENCE N 01°13'41" W, ALONG THE WEST LINE OF SAID BORDERS TRACT AND THE COMMON EAST LINE OF SAID MERRIFIELD FAMILY TRUST TRACT AND THE APPROXIMATE CENTERLINE OF SAID GIBSON ROAD, A DISTANCE OF 255.29 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR THE NORTHWEST CORNER OF SAID BORDERS TRACT AND THE COMMON SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO JARED ANTHONY TROG AND GABRIELA TROG, RECORDED IN INSTRUMENT NO. 1814285, OPRECT;

THENCE N 88°46'19" E, ALONG THE NORTH LINE OF SAID BORDERS TRACT AND THE COMMON SOUTH LINE OF SAID TROG TRACT, PASSING AT A DISTANCE OF 20.35 FEET A 5/8" IRON ROD FOUND FOR WITNESS, A TOTAL DISTANCE OF 1379.12 FEET TO A 5/8" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID BORDERS TRACT AND THE COMMON SOUTHEAST CORNER OF SAID TROG TRACT AND IN THE WEST LINE OF SAID MCBURNETT TRUST TRACT;

THENCE S 00°58'41" E, ALONG THE EAST LINE OF SAID BORDERS TRACT AND THE COMMON WEST LINE OF SAID MCBURNETT TRUST TRACT, A DISTANCE OF 1516.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 40.646 ACRES OF LAND MORE OR LESS.

(49)



(6h)



Memorandum

To: Honorable Mayor and City Council

From: Leila Cole, Purchasing Manager

Thru: Ricky Boyd, City Manager *RB*

Date: May 4th, 2026

Re: Consider Awarding a Construction Manager at Risk (CMAR) contract for the New Fire Station 1 Project

Recommended Motion: "I move to award a Construction Manager at Risk contract to Key Construction Texas, LLC for the New Fire Station No. 1 Project located across from the new Waxahachie Creek Highschool.

Item Description:

This item considers the award a CMAR contract to Key Construction Texas, LLC in the amount of \$963,580 for the New Fire Station No. 1 Project located across from the new Waxahachie Creek Highschool, with an anticipated construction start date of October 2027.

Item Background: On February 19, 2026, City staff issued a Request for Proposals (RFP) for the New Fire Station No. 1 Project. CMAR services include, but are not limited to, pre-construction services, development of a Guaranteed Maximum Price (GMP) for City Council approval, and completion of the project within the established schedule while maintaining costs within the approved GMP.

All proposals were evaluated by a designated evaluation committee using a weighted scoring matrix to ensure a fair and transparent selection process. Evaluation criteria included CMAR experience, project approach, financial stability, and references. Following the initial scoring phase, the top three (3) firms advanced to the interview phase.

(LH)

Nineteen (19) proposals were received on March 11, 2026. Key Construction Texas, LLC ranked among the top firms. Based on overall best value and alignment with the City's needs, Key Construction Texas, LLC was selected as the recommended CMAR for this project.

Fiscal Impact: The \$963,580 contract will be funded through proceeds from bonds anticipated to be issued in late summer of this year. Prior to bond issuance, a reimbursement resolution — a formal declaration of the City's intent to reimburse itself from bond proceeds for any expenditures made in advance — will be presented to City Council for approval to advance the project.

(ui)



Memorandum

To: Honorable Mayor and City Council
From: Lindsey Mearns, Director of Human Resources & Civil Service
Thru: Ricky Boyd, City Manager *RB*
Date: May 4, 2026
Re: Classified Positions under Civil Service in the Police and Fire Departments

Recommended Motion: "I move to adopt the proposed ordinance re-establishing the classified positions in under Civil Service in the Police and Fire Departments"

Item Description: Texas Local Government Code Chapter 143 requires cities to establish and maintain the number of classified positions in each rank in the Police and Fire Departments.

Item Summary: On September 15, 2025, the ordinance establishing classified positions under Civil Service in the Police and Fire Departments was updated to include the additional positions funded in the FY2026 budget, excluding the three (3) additional Fire Pump Engineer positions to be added at a later date once the new blocker truck had been ordered. The proposed ordinance increases the number of authorized positions in the Pump Engineer rank to reflect the positions added and approved in the FY2026 budget. The proposed ordinance continues to include three (3) additional positions in the Firefighter rank exceeding the number of funded positions approved through budget to allow for greater flexibility when hiring. The increase to the number of authorized positions in the Firefighter rank does not change the number of funded positions in the FY2026 operating budget or create a vacancy with a time constraint to fill under Civil Service.

We appreciate your consideration of this addition.

(6i)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, ESTABLISHING AND RE-ESTABLISHING CLASSIFIED POSITIONS UNDER CIVIL SERVICE IN THE FIRE AND POLICE DEPARTMENTS, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. The classified positions under Civil Service in the Fire Department shall be as follows:

Assistant Fire Chief	1
Fire Marshal	1
Fire Battalion Chief	5
Fire Captain	12
Fire Lieutenant	6
Fire Pumper Engineer	22
Firefighter	51

SECTION 2. The classified positions under Civil Service in the Police Department shall be as follows:

Assistant Police Chief	2
Police Lieutenant	5
Sergeants	9
Corporal	10
Police Patrol Officer	67

SECTION 3. The annual/monthly base rate pay for each of the above captioned classified positions shall be determined by each year's budget.

SECTION 4. The positions of Assistant Fire Chief and Assistant Police Chief shall be appointed positions, appointed by the head of the department.

SECTION 5. That all ordinances of the City of Waxahachie heretofore adopted which are in conflict with the provisions of this ordinance be, and the same are hereby repealed.

SECTION 6. That this ordinance shall take effect thirty days after passage and all requirements under Chapter 143 of the Local Government Code have been satisfied.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2026.

MAYOR

ATTEST:

CITY SECRETARY

Planning & Zoning Department (7+8)

Plat Staff Report

Case: SUB-27-2026



MEETING DATE(S)

Planning & Zoning Commission:

April 14, 2026

City Council:

May 4, 2026

CAPTION

Public Hearing on a request by David McDill, Davis & McDill for a **Replat** of part of Lot 2, Block 175, Town Addition, to create Lots 2R-A, 2R-B, and 2R-C, Block 175, of the Town Addition, 3 Residential Lots, being 0.679 acres, located at 305 Frierson Street (Property ID 171328, 171339, & 171340) – Owner: Ronald Scott & Kimberly Scott (SUB-27-2026)

RECOMMENDED MOTION

"I move to recommend approval of SUB-27-2026, a Replat of the Town Addition, Lots 2R-A, 2R-B, and 2R-C, Block 175, subject to the conditions the staff report, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly."

ACTION SINCE INITIAL STAFF REPORT

At the Planning and Zoning Commission meeting held on April 14, 2026, the Commission voted 5-0 to recommend approval of case number SUB-27-2025, subject to the conditions of the staff report.

APPLICANT REQUEST

The applicant requests to replat the property into three (3) new residential lots

CASE INFORMATION

Applicant:

David McDill, Davis & McDill

Property Owner(s):

Ronald Scott & Kimberly Scott

Site Acreage:

0.6790 acres

Number of Lots:

3 lots

Number of Dwelling Units:

3 units

Adequate Public Facilities:

Adequate public facilities are available to the subject property via the extension of public sewer.

SUBJECT PROPERTY

General Location:

305 Frierson Street

Parcel ID Number(s):

171328, 171339, 171339

Current Zoning:

Single Family-3 (SF-3)

Existing Use:

Residential Use

(7+8)

Platting History:

The subject property was previously platted as part of Lot 2, block 75 of the Town Addition and part of Lot 3

Site Aerial:



PLANNING ANALYSIS

The applicant requests to replat the subject property into three new residential lots. The subject property is located in the Single-Family-3 (SF-3) zoning district and the proposed replat contains two lots that comply with the lot size and dimension requirements of the SF-3 zoning district and one lot that does not meet minimum standards. The applicant has filed a Petition for Hardship Waiver to eliminate the typical right-of-way (ROW) and utility easement dedication requirements along Frierson Street and partially along Young Street and to eliminate the minimum lot size requirement. This request has been made due to the location of existing homes on the subject property. 15' utility easements and 25' of right-of-way would be required along both Frierson and Young Street. Complying strictly with the typical dedication requirements would necessitate the demolition of both existing homes. Five (5) to eight (8) feet of R.O.W. dedication and Utility Easements would be required along Frierson Street while fourteen (14) feet of R.O.W. dedication and utility easements would be required along a portion of Young Street. In lieu of the typical requirements, the applicant proposes to dedicate a utility easement up to the existing structures and proposes not to dedicate any ROW. Staff has requested that the applicant dedicate the proper R.O.W. and U.E. on the portions of Young Street that do not have structures.

During the review of the Replat application, staff identified technical items that conflict with the requirements if the Waxahachie Subdivision Ordinance. These technical items are required to be corrected prior to filing the Replat. The correction of each item has been identified as a condition of approval in the staff recommendation section below.

RECOMMENDATION

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

Conditions:

1. Per Section 2.4.c.4 of the Waxahachie Subdivision Ordinance, the location and width of all streets, alleys and easements, existing or proposed, within the subdivision limits and adjacent to the

(7+8)

- subdivision; a list of proposed street names shall be submitted for all new streets (street name approval is required at the time the plat is approved)
2. Per Section 2.4.c.6 of the Waxahachie Subdivision Ordinance, the proposed lot arrangement and lot numbers must be included on the plat. The plat shows three lots being created, while the title block only lists two. Additionally, two of the lots being created have identical names. Please specify the number of lots being created and provide unique names for each. Likewise, please ensure all lots being created in the title block.
 3. Per Section 2.4.c.25 of the Waxahachie Subdivision Ordinance, an accurate legal description is required on the plat. Please remove "???" from the word instrument.
 4. Per Section 2.4.c.23 of the Waxahachie Subdivision Ordinance, a correct title block must be provided. Please revise the case number to "SUB-27-2026".
 5. Per Section 2.4.c.24 of the Waxahachie Subdivision Ordinance, "Finished floor elevations of building foundations shall be shown for lots adjacent to a flood plain, floodway and/or an area that may be susceptible to flooding". Please contact the Floodplain Administrator, trace.hilton@waxahachie.com for BFE information for Rock Spring Branch, since they are not displayed on the published FEMA maps.
 6. Per Section 3.1.f.4.m of the Waxahachie Subdivision Ordinance, provide a ROW dedication that provides 25 feet from the centerline of each roadway. If Young St. will be considered an alley, 10.5 feet needs to be dedicated from the centerline if the pavement is 16 feet wide.
 7. Per Section 2.4.c.20 and 3.1.a of the Waxahachie Subdivision Ordinance: Label the existing ROW width. On the label for the ROW width, show the centerline dimension as well as the full width dimension.
 8. Per Section 3.1.f.4.m a variable width R.O.W. up to 5 feet from the existing structures will be required along Frierson and Young Streets and no Utility Easements will be provided.
 9. Per Section 3.1.c.6 of the Waxahachie Subdivision Ordinance, provide a corner clip ROW dedication consistent with Page 11 of the Thoroughfare Standards and Pavement Design Methods Manual.

ATTACHED EXHIBITS

1. Replat

APPLICANT REQUIREMENTS

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

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's Subdivision ordinance.

STAFF CONTACT INFORMATION

Prepared by:

David Jones

Planner

david.jones@waxahachie.com

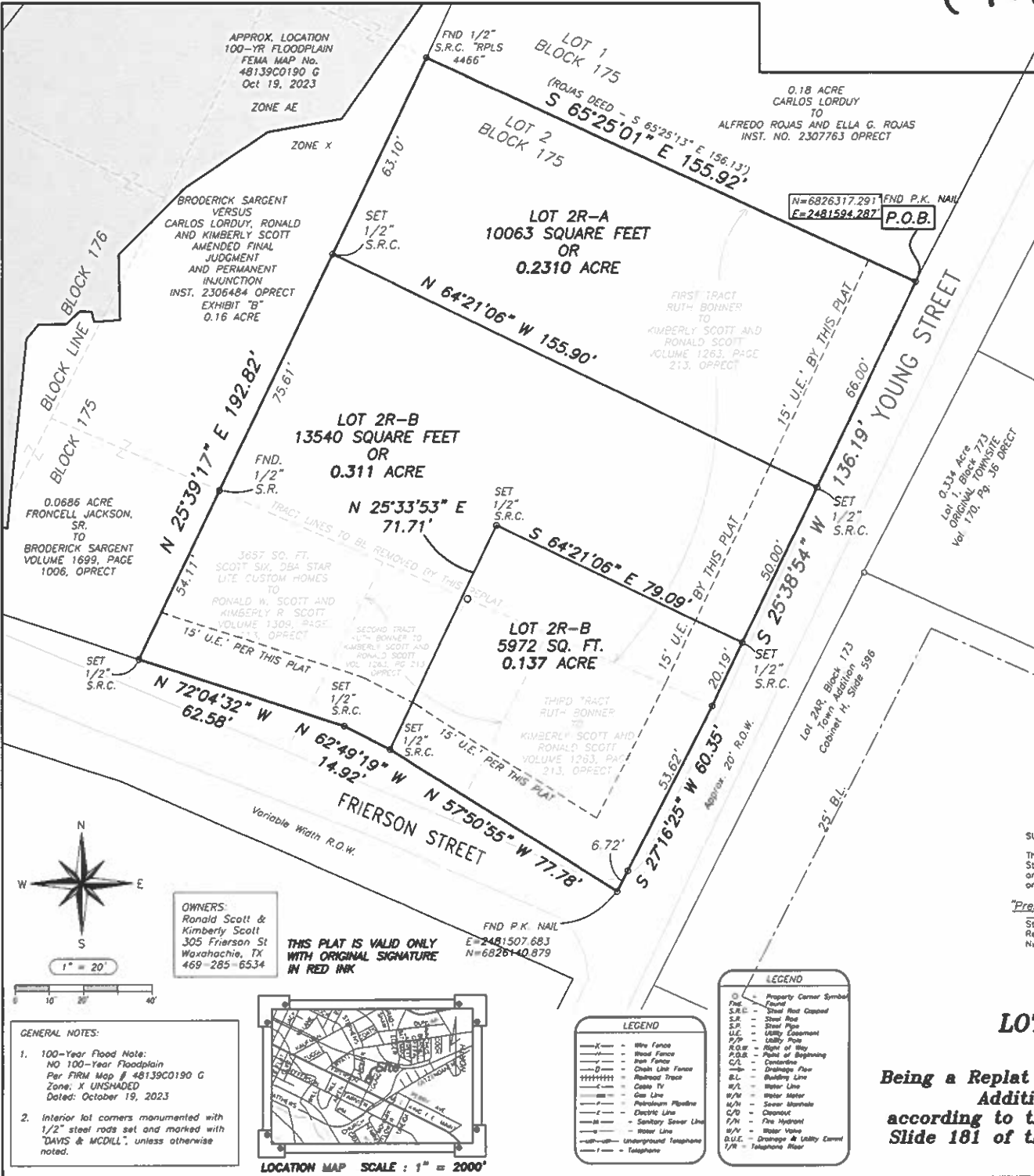
Reviewed by:

Trenton Robertson, AICP

Senior Director of Planning

trenton.robertson@waxahachie.com

(7+8)



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

WHEREAS, Ronald Scott and Kimberly Scott is the Owner of all of that certain lot, tract or parcel of land BEING a part of the A. M. Keen Survey, Abstract Number 598, City of Waxahachie, Ellis County, Texas, and a part of Lot 2, Block 175, Town Addition, City of Waxahachie, Ellis County, Texas, according to the Phillips and Hawkins Official Map of City of Waxahachie, Texas, recorded in Cabinet A, Slide 181, Plat Records, Ellis County, Texas, and being the First, Second and Third Tracts described in deed from Ruth Bonner to Kimberly Scott and Ronald Scott, recorded in Volume 1263, Page 213, Official Public Records, Ellis County, Texas (OPRECT) and the 3957 square foot tract described in deed from Scott Six, DBA Star Lite Custom Homes to Ronald W. Scott and Kimberly R. Scott, recorded in Volume 1309, Page 413, OPRECT, and being more particularly described by its metes and bounds as follows:

BEGINNING at a point on the west right of way line of Young Street, a public right of way, at the northeast corner of said Bonner to Scott, First Tract and the southeast corner of the 0.18 acre tract described in instrument Number 2307763, OPRECT, a P. K. Nail found, having surface coordinate values of North (Y) = 6826317.291 feet and East (X) = 2481594.287 feet, based on the Texas Coordinate System, North Central Zone (Zone 4202) North American Datum of 1983 and are obtained from observations of Global Positioning System satellites;
 THENCE with said Young Street right of way line and the southeast line of said First Tract, the following courses and distances: S 25°38'54" W, 136.19 feet to the southeast corner of said First Tract and the northeast corner of said Bonner to Scott, Third Tract, a 1/2 inch steel rod found; continuing with said Young Street right of way line and the southeast line of said Third Tract, S 27°16'25" W, passing at 53.62 feet, a 1/2 inch steel rod with plastic cap stamped "DAVIS & McDILL" set, continuing in all 60.35 feet (Deed - S 27-1/2° W, 60 feet) to the intersection of said Young Street right of way with the northeast right of way line of Frierson Street and at the southeast corner of said Third Tract, a Mag. Nail (magnetic nail) found in asphalt pavement;

THENCE with said Frierson Street right of way line, as built and through said Third Tract and of said Bonner to Scott, Second Tract, N 57°50'55" W 77.78 feet to the southeast corner of said Six/Star Lite Custom Homes to Scott, 3957 square foot tract, a 1/2 inch steel rod with plastic cap stamped "DAVIS & McDILL" set; continuing with said Frierson Street right of way line, as built and with the southwest line of said 3957 square foot tract, N 62°49'19" W, 14.92 feet (Deed - N 62°30'00" W, 14.94 feet) and N 72°04'32" W, 62.58 feet (Deed - N 71°43'00" W, 64.31 feet) to the southwest corner of said 3957 square foot tract and the southeast corner of the 0.0686 acre tract described in deed from Froncell Jackson, Sr., to Broderick Sargent, recorded in Volume 1699, Page 1009, OPRECT, a 1/2 inch steel rod with plastic cap stamped "DAVIS & McDILL" set;

THENCE N 25°39'17" E, with the northwest line of said 3957 square foot tract and the southeast line of said 0.0686 acre tract, passing at 54.11 feet the common north corner of said 3957 square foot tract and said 0.0686 acre tract and the southwest corner of said Bonner to Scott, First Tract and the southeast corner of the Broderick Sargent, 0.16 acre tract described in the Amended Final Judgment and Permanent Injunction by the District Court, 40th Judicial District, Ellis County, Texas, Cause Number 106211, styled Broderick Sargent versus Carlos Lorduy, Ronald Scott and Kimberly Scott, recorded in instrument Number 2306484, OPRECT and continuing with the northwest line of said Bonner to Scott, First Tract and the southeast corner said 0.16 acre tract, in all 192.82 feet to the northwest corner of said Bonner to Scott, First Tract, the northeast corner said 0.16 acre tract, the southeast corner of the Broderick Sargent, 0.13 acre tract described in said Amended Final Judgment and the southeast corner of said Lorduy to Rojas 0.18 acre tract, a 1/2 inch steel rod with plastic cap stamped "RPLS 4466" found;

THENCE S 65°25'01" E, with the northeast line of said Bonner to Scott, First Tract and the southwest line of said Lorduy to Rojas 0.18 acre tract, 155.92 feet (Rojas Deed - S 65°25'13" E 156.13 feet) to the point of beginning and containing approximately 29576 square feet or 0.6790 acre of land.

Bearings hereon are based on the Texas Coordinate System of 1983, Texas North Central Zone per GPS observations.
 Selling a portion of the addition by metes and bounds maybe a violation of City Ordinance and State Law, and is subject to fines and/or withholding of utilities and building permits.

SURVEYOR'S CERTIFICATE

This is to certify that I, Stuart G. Hamilton, a Registered Public Land Surveyor of the State of Texas, have plotted the subdivision hereon from an actual survey on the ground and that all lot corners, angle points, and points of curve have been properly marked on the ground, and that this plat correctly represents that survey made by me.

"Preliminary, this document shall not be recorded for any purpose."

Stuart G. Hamilton
 Registered Professional Land Surveyor
 Number 4480

Date

**REPLAT
 TOWN ADDITION
 LOT 2R-A & LOT 2R-B
 BLOCK 175**

Being a Replat of a Part of Lot 2 in Block 175, Town Addition, City of Waxahachie, Texas according to the plat thereof recorded in Cabinet A, Slide 181 of the Plat Records of Ellis County, Texas Case Number: ###-2026

Revisions	By

Davis & McDill, LLC



Date: 3-5-2026

Scale: 1" = 20'

Drawn: D. McDill

Job: 225-0232

Sheet 1

of 2 sheets.

SURVEYING - LAND PLANNING - FLOODPLAIN MANAGEMENT
 P.O. BOX 428, WAXAHACHIE, TEXAS 75168
 PHONE: 972-538-1185
 A Texas licensed surveying firm # 10194881

APPROX. LOCATION
 100-YR FLOODPLAIN
 FEMA MAP No.
 48139C0190 G
 Oct 19, 2023

BRODERICK SARGENT
 VERSUS
 CARLOS LORDUY, RONALD
 AND KIMBERLY SCOTT
 AMENDED FINAL
 JUDGMENT
 AND PERMANENT
 INJUNCTION
 INST. 2306484 OPRECT
 EXHIBIT "B"
 0.16 ACRE

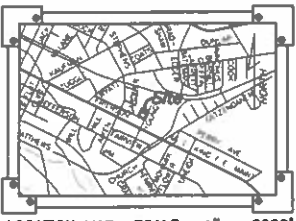
0.0686 ACRE
 FRONCELL JACKSON,
 SR.
 TO
 BRODERICK SARGENT
 VOLUME 1699, PAGE
 1006, OPRECT

OWNERS:
 Ronald Scott &
 Kimberly Scott
 305 Frierson St
 Waxahachie, TX
 469-285-6534

**THIS PLAT IS VALID ONLY
 WITH ORIGINAL SIGNATURE
 IN RED INK**

GENERAL NOTES:

- 100-Year Flood Note:
 NO 100-Year Floodplain
 Per FIRM Map # 48139C0190 G
 Zone: X UNSHADED
 Dated: October 19, 2023
- Interior lot corners monumented with 1/2" steel rods set and marked with "DAVIS & McDILL", unless otherwise noted.



LEGEND

- Wire Fence
- Wood Fence
- Iron Fence
- Chain Link Fence
- Railroad Tract
- Cable TV
- Gas Line
- Petroleum Pipeline
- Electric Line
- Sanitary Sewer Line
- Water Line
- Unanswered Telephone
- Telephone

LEGEND

- Property Corner Symbol Found
- Steel Rod Capned
- Steel Pipe
- Steel Pipe
- Utility Pole
- Utility Pole
- Right of Way
- Point of Beginning
- Contourline
- Drainage Flow
- Building Line
- Water Meter
- Sewer Manhole
- Manhole
- Fire Hydrant
- Water Valve
- Drainage & Utility Control
- Telephone Pole

(7+8)

OWNER'S CERTIFICATE

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WE, RONALD SCOTT and KIMBERLY SCOTT, do hereby adopt this plat designating the herein above described property as LOT 2R-A & LOT 2R-B, BLOCK 175, TOWN ADDITION, an addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waxahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of Ingress and Egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of any time procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Waxahachie, Texas

WITNESS, my hand, this the _____ day of _____ 20____

By:

Ronald Scott, Owner

STATE OF TEXAS §
COUNTY OF ELLIS §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Ronald Scott, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purpose and considerations therein expressed.

Given under my hand and seat of office, this _____ day of _____ 20____

Notary _____ My Commission Expires On: _____

WITNESS, my hand, this the _____ day of _____ 20____

By:

Kimberly Scott, owner

STATE OF TEXAS §
COUNTY OF ELLIS §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Kimberly Scott, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seat of office, this _____ day of _____ 20____

Notary Public _____ My Commission Expires On: _____

Witness my hand on this _____ day of _____ 20____

STATE OF TEXAS:
COUNTY OF ELLIS:

APPROVED BY: Planning and Zoning Commission City of Waxahachie

By: _____ Date _____
Chairperson

STATE OF TEXAS:
COUNTY OF ELLIS:

APPROVED BY: City Council City of Waxahachie

By: _____ Date _____
Mayor

ATTEST: _____ Date _____

NOTE:
PROPERTY IS IN THE JURISDICTION OF THE CITY OF WAXAHACHIE, TEXAS AND IS SUBJECT TO THEIR PLATTING RULES AND REGULATIONS.

DRAINAGE NOTES:
(1) BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED.
(2) THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVERSING ALONG OR ACROSS THE ADDITION WILL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO THE DRAINAGE COURSES ALONG OR ACROSS SAID LOTS.
(3) CITY OF WAXAHACHIE WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGE WAIRS OR FOR THE CONTROL OF EROSION.
(4) CITY OF WAXAHACHIE WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OR LOSS OF LIFE OR PROPERTY OCCASIONED BY FLOODING OR FLOOD CONDITIONS.
(5) FENCES, RETAINING WALLS, AND SCREENING WALLS SHALL NOT BE PLACED IN UTILITY EASEMENTS.

Revisions	By

Davis & McDill, LLC



Date: 3/5/2026
Scale: N/A
Drawn: D. McDill
Job: 225-0232
Sheet 2
of 2 sheets.

REPLAT
WEST END ADDITION
BLOCK 27, LOT 3B
Being a Replat of a Part of a Part of
Lot 3, in Block 27 of the WEST END ADDITION
an addition to the City of Waxahachie, Texas
according to the plat thereof recorded in
Cabinet A, Slide 148 of the Plat Records of
Ellis County, Texas
Case Number: 000061-2024

SURVEYING - LAND PLANNING - FLOODPLAIN MANAGEMENT
P.O. BOX 426 WAXAHACHIE, TEXAS 75168
A Texas licensed surveying firm # 10194881

Planning & Zoning Department (9)

Zoning Staff Report

Case: ZDC-9-2026



MEETING DATE(S)

Planning & Zoning Commission: April 14, 2026

City Council: May 4, 2026

CAPTION

Public Hearing on a request by Josh Yusten, Evolution Homes, for a **Zoning Change** from a PD-23-SF-1 zoning district to Planned Development Single Family-1 (PD-SF-1) zoning district located at 101 Waterfront Drive (Property ID 175089) – Owner(s): JRM-REI LLC (ZDC-9-2026)

RECOMMENDED MOTION

"I move to approve of ZDC-9-2026, a **Zoning Change** from a PD-23-SF-1 to Planned Development – Single Family-1 (PD-SF-1), subject to the conditions the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly."

ACTION SINCE THE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on April 14, 2026, the Commission voted 5-0 to recommend approval, subject to the conditions of the staff report.

APPLICANT REQUEST

The Applicant is requesting a Zoning Change from a Planned Development – Single Family-1 (PD-23-SF-1) zoning district to Planned Development – Single Family-1 (PD-SF-1) zoning district.

CASE INFORMATION

Applicant: Josh Yusten, Evolution Homes

Property Owner(s): JRM-REI, LLC

Site Acreage: 0.26 acres

Current Zoning: Planned Development – Single Family-1 (PD-23-SF-1)

Requested Zoning: Planned Development – Single Family-1 (PD-SF-1)

SUBJECT PROPERTY

General Location: 101 Waterfront Drive

Parcel ID Number(s): 175089

Existing Use: Single family residence

Development History: The subject property is currently platted as Lot 1 of the Odom Addition

(9)

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-23-SF-1	Lake Waxahachie
East	PD-23-SF-1	Undeveloped
South	PD-23-SF-1	Undeveloped
West	PD-23-SF-1	Lake Waxahachie

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 primary access to the subject property is from Waterfront Drive.

Site Image:



PLANNING ANALYSIS

Existing Use:

The subject property is currently developed with a primary structure totaling 1,792 square feet and an accessory structure of approximately 340 square feet, situated on approximately 0.26 acres (11,761 square feet). According to the Ellis County Appraisal District (ECAD), the existing primary structure was constructed in 1970 and the existing accessory structure was constructed in 1980. A second accessory structure previously existed directly behind the primary structure; however, it has since been demolished by the property owner during the submittal process of this PD application. City records and ECAD do not indicate when this second structure was originally constructed.

(a)

Currently, the remaining accessory structure and a portion of the primary structure encroach into City-owned property associated with Lake Waxahachie. As a result, the property owner is proposing to redevelop the lot with the intent to comply with the standards of PD-23-SF-1 to the greatest extent possible. However, additional exceptions are being requested, which the property owner seeks to address through the establishment of a new PD.

Proposed Use:

The Applicant proposes to demolish all existing structures due to encroachments into City property and to construct a new dwelling within the subject property boundaries.

The proposed development does not meet certain requirements of the PD-23-SF-1 zoning district, including standards related to lot area, lot width, lot depth, and yard setbacks. Therefore, the applicant is requesting approval of a PD-SF-1 designation to allow for the construction of a single-family dwelling unit totaling 2,412 square feet, in accordance with the development standards outlined below.

	PD-23-SF-1 (EXISTING)	PD-SF-1 (PROPOSED)
Minimum Lot Area	16,000 SF	11,326 SF
Minimum Lot Width	90'	--
Minimum Lot Depth	140'	90'
Minimum Front Yard	40'	25'
Minimum Side Yard	15'; 20' from ROW	5'
Minimum Rear Yard	25'	15'
Maximum Lot Coverage	50% by main and accessory buildings	--
Parking Regulations	Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure	Minimum of 2 enclosed parking spaces behind the front building line on the same lot as the main structure
Minimum DUA	800 SF	--
Driveway	Concrete pavement	Concrete pavement
Exterior Materials	--	Masonry to include brick, stone, stucco, fiber cement side, or comparable exterior materials
Exterior Colors	--	Natural and earth-tone color palette consistent with residential architectural standards

Concluding Summary

Staff recommends approval of the PD application request given that the property owner intends to demolish all structures that are located outside of the subject property boundaries and have worked with staff to ensure that the future development remains entirely within those boundaries and consistent with the development pattern of the surrounding area.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 6 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 staff report, Staff received no letters in support or opposition to this request.

(9)

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, the Planning Department recommends approval of the PD request; subject to the conditions listed below.

Conditions:

1. The Property Owner shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department prior to the construction on the subject property.
2. The Property Owner shall have all existing structures located within and outside of the subject property demolished prior to the approval of the building permit for the new primary structure.
3. The Applicant shall add a minimum lot area of 0.26 acres/11,326 SF is permitted to the PD standards.
4. All exterior construction materials shall conform with the Building Materials/Elevations (Exhibit B).
5. The Property Owner shall provide a permanent irrigation system for all landscape areas and maintain the required landscaping at all times.

ATTACHED EXHIBITS

1. Planned Development Ordinance
2. Exhibit A – Location Map
3. Exhibit B – Building Materials/Elevations Plan
4. Exhibit C – Existing Conditions Survey
5. Exhibit D – Site Plan
6. Exhibit E – PD Standards

STAFF CONTACT INFORMATION

Prepared by:

Oanh Vu

Senior Planner

oanh.vu@waxahachie.com

Reviewed by:

Trenton Robertson, AICP

Director of Planning

trenton.robertson@waxahachie.com

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM PLANNED DEVELOPMENT DISTRICT NUMBER 23 – SINGLE FAMILY-1 (PD-23-SF-1) TO PLANNED DEVELOPMENT DISTRICT- SINGLE FAMILY-1 (PD-SF-1) LOCATED AT 101 WATERFRONT DRIVE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.26 ACRES KNOWN AS PROPERTY ID 175089, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

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

WHEREAS, a proper application for a 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-9-2026. 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-23-SF-1 to PD-SF-1; and

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

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

NOW, THEREFORE, this property is rezoned from PD-23-SF-1 to PD-SF-1 in order to facilitate development of the subject property in a manner that allows single family uses on the following property: Property ID 175089, which is shown on the Location Map (Exhibit A), Building Materials/Elevations Plan (Exhibit B), Existing Conditions Survey (Exhibit C), Site Plan (Exhibit D), and Planned Development (PD) Standards (Exhibit E).

PLANNED DEVELOPMENT

The subject property shall develop in accordance with the “PD-SF-1” Planned Development District- Single Family-1 as follows:

1. The subject property shall develop in accordance with the attached PD Standards (Exhibit E)
2. The subject property shall conform to the Site Plan (Exhibit D),

3. 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. Where regulations are not specified in this ordinance, or the development agreement, the development shall comply with the City of Waxahachie Municipal Code of Ordinances.
4. All development within the subject property will be subject to obtaining permits from the City in accordance with the City's applicable rules and regulations governing such permits.
5. 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 Code of Ordinances.

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

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

PASSED, APPROVED AND ADOPTED on this 4th day of May, 2026.

MAYOR

ATTEST:

City Secretary

(10)



EXHIBIT A - LOCATION MAP

City Limits
ZDC-9-2026 (PD)

Exterior finishes and colors will be in similar nature to natural/earth tones, and will not be outside of normal color pallet and selections for 2026 trend

(10)



South Elevation



East Elevation



North Elevation



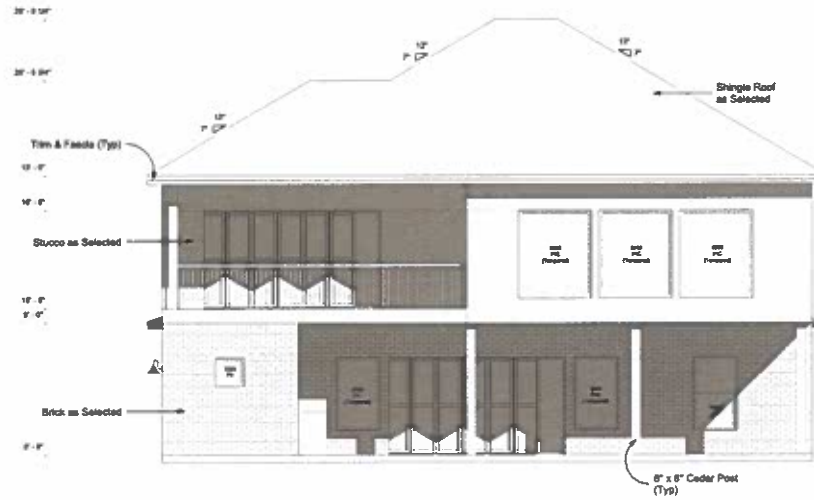
West Elevation

INCOMPLETE PLANS
NOT FOR CONSTRUCTION - FOR REVIEW ONLY



(10)

Front Elevation



Rear Elevation



SURVEY CONDITIONS SURVEY

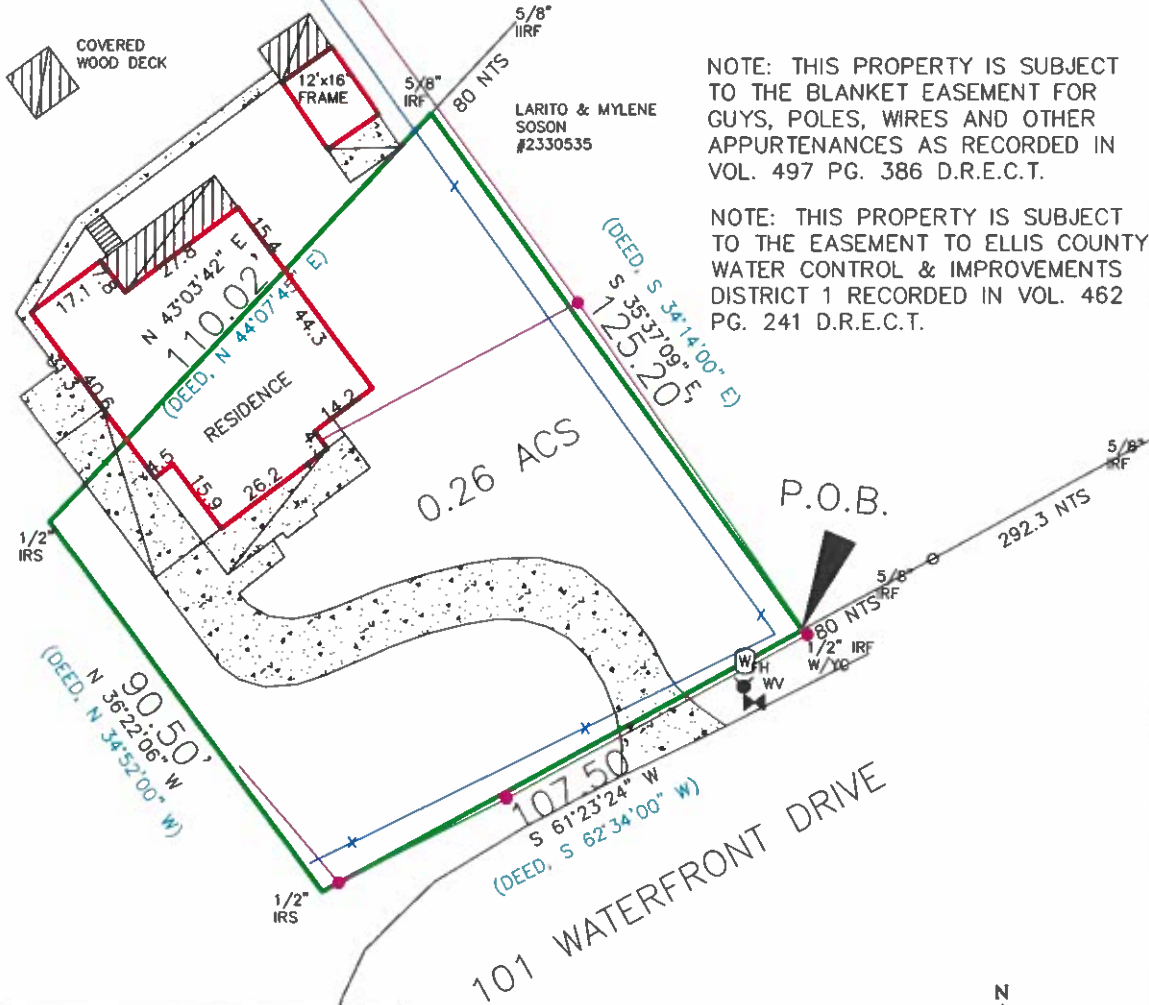
COPYRIGHT © DATE 01/22/2025

(107)

BEING SITUATED IN THE SILAS M. DURRETT SURVEY, ABSTRACT NO. 272, ELLIS COUNTY, TEXAS AND BEING THE SAME PROPERTY CONVEYED TO AMANDA D. SHIRLEY BY DEED RECORDED IN INSTRUMENT NO. 1802565 OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS AND BEING MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT A 1/2" IRON ROD FOUND WITH YELLOW CAP AT THE SOUTH CORNER OF A TRACT OF LAND CONVEYED TO LARITO & MYLENE SOSON BY DEED RECORDED IN INSTRUMENT NO. 23300535 O.P.R.E.C.T. AND ON THE NORTH RIGHT OF WAY LINE OF WATERFRONT DRIVE;

THENCE S61°23'24"W WITH THE NORTH LINE OF SAID WATERFRONT DRIVE, 107.50' TO A 1/2" IRON ROD SET FOR CORNER;
 THENCE N36°22'06"W, 90.50' TO A 1/2" IRON ROD SET FOR CORNER ON THE SOUTHERLY LINE OF LAKE WAXAHACHIE;
 THENCE N43°03'42"E WITH SAID LAKE WAXAHACHIE, 110.02' TO A 5/8" IRON ROD FOUND AT THE WEST CORNER OF SAID SOSON TRACT;
 THENCE S35°37'09"E WITH THE WESTERLY LINE OF SAID SOSON TRACT 125.20' TO THE PLACE OF BEGINNING AND CONTAINING 0.26 ACRES OF LAND, MORE OR LESS.

LAKE WAXAHACHIE

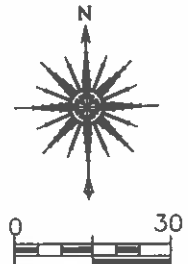


NOTE: THIS PROPERTY IS SUBJECT TO THE BLANKET EASEMENT FOR GUYS, POLES, WIRES AND OTHER APPURTENANCES AS RECORDED IN VOL. 497 PG. 386 D.R.E.C.T.

NOTE: THIS PROPERTY IS SUBJECT TO THE EASEMENT TO ELLIS COUNTY WATER CONTROL & IMPROVEMENTS DISTRICT 1 RECORDED IN VOL. 462 PG. 241 D.R.E.C.T.

LEGEND	
	POWER POLE
	WOOD DECK
	CONCRETE
	GRAVEL
	BRICK
	SEPTIC LIDS
	GAS METER
	COVERED AREA
	AC PAD
	FIRE HYDRANT
	BUTANE TANK
	PROPERTY LINE
	FENCE
	BUILDING LINE
	EASEMENT LINE
	IRON ROD FOUND
	IRON ROD SET
	POWER LINE
	NOT TO SCALE
	UTILITY PEDESTAL
	ELECT. BOX
	UTILITY EASEMENT
	WATER METER
	BUILDINGS

BASIS OF BEARING
 1. BEARINGS SHOWN HEREON ARE REFERENCED TO TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, AND ARE BASED ON THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT.
 2. ALL AREAS SHOWN HEREON ARE CALCULATED BASED ON SURFACE MEASUREMENTS
 3. ALL DISTANCES ARE MEASURED IN US SURVEY FEET.



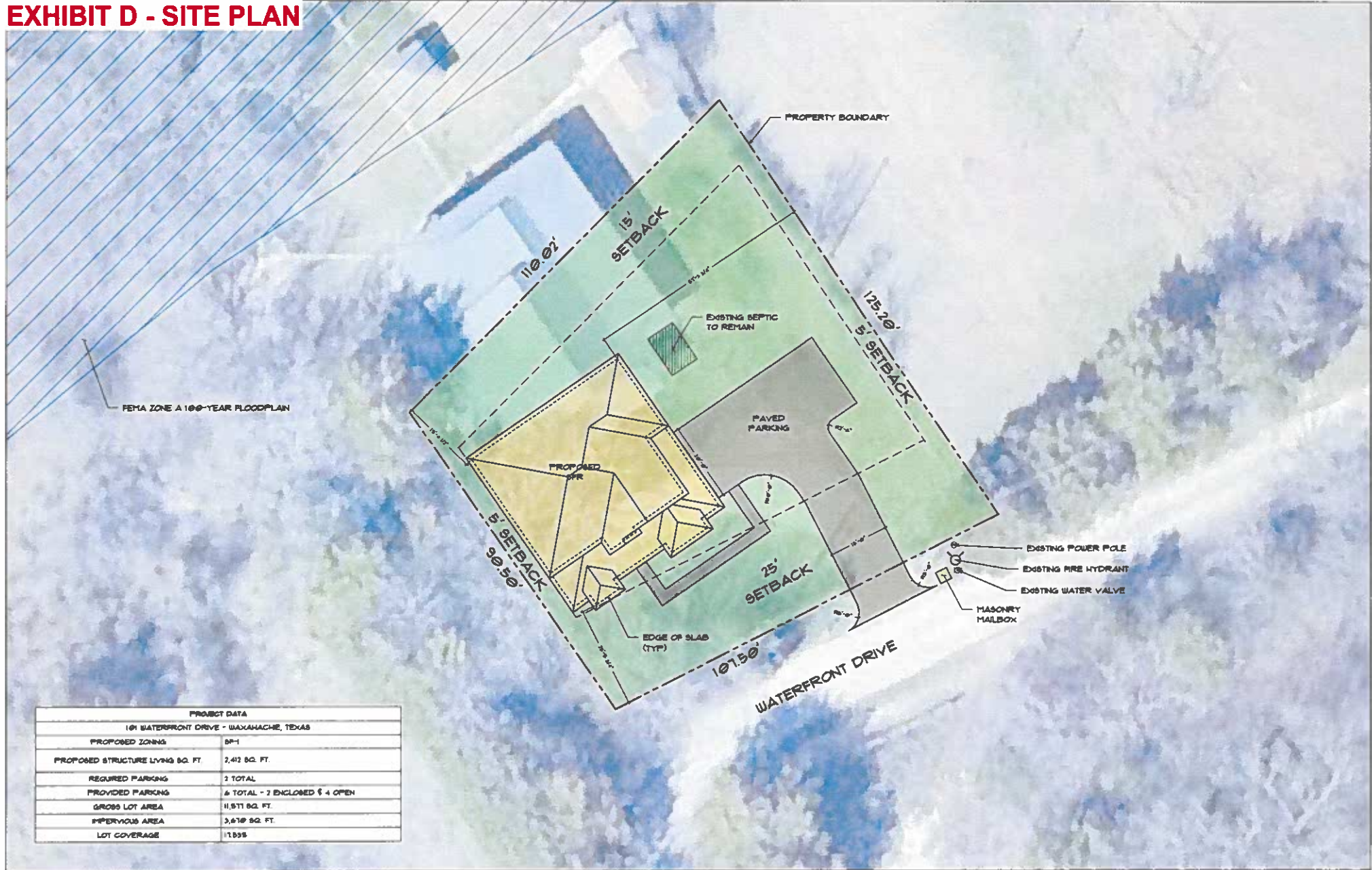
JIMMY W. POGUE, INC.
 "Registered Professional Land Surveyors"
 5611 SWEET WATER DRIVE
 MIDLOTHIAN, TX 76065 (214) 371-0666
 Jimmilyn D. Woodard R.P.L.S. 5398

I, Jimmilyn D. Woodard, Registered Professional Land Surveyor of the State of Texas, do certify that this Survey Plot is a representation of the property shown hereon as determined by a survey on the ground. The lines and dimensions of said property being as indicated by the plot; The size, location and type of above ground improvements are as shown. Corner monuments are as shown on survey. EXCEPT AS SHOWN ON SURVEY, THERE ARE NO ABOVE GROUND ENCROACHMENTS OR ABOVE GROUND PROTRUSIONS. This survey makes no judgements as to the ownership of the property, only that the property exist on the ground as shown and surveyed from a description provided to the surveyor. This Survey was performed exclusively for the parties shown hereon and is licensed for a single use. This Survey remains the property of the Jimmy W. Pogue, Inc.. Unauthorized reuse is not permitted without the expressed written permission of the President of company. This survey is an original work protected by United States Copyright Law and International Treaties. All rights reserved. Do not make illegal copies.

Job Number: 132272 Date: 01/22/2025 Drawn by:
 G.F. Number: 5154005744 Title Company:
 Certified to: OLD REPUBLIC TITLE
 JACOB D JOHNSON

Jimmilyn D. Woodard RPLS #5398
 THIS SURVEY VALID WITH EMBOSSED SEAL

EXHIBIT D - SITE PLAN



PROJECT DATA	
101 WATERFRONT DRIVE - WAXAHACHE, TEXAS	
PROPOSED ZONING	BP-1
PROPOSED STRUCTURE LIVING SQ. FT.	2,412 SQ. FT.
REQUIRED PARKING	2 TOTAL
PROVIDED PARKING	2 TOTAL - 2 ENCLOSED & 4 OPEN
GROSS LOT AREA	11,911 SQ. FT.
IMPERVIOUS AREA	3,610 SQ. FT.
LOT COVERAGE	11.85%

GENERAL SITE PLAN NOTES:

1. PROPERTY BOUNDARY OBTAINED FROM CLIENT PROVIDED SURVEY.
2. ALL EXISTING STRUCTURES ON PROPERTY HAVE BEEN DEMOLISHED.
3. NEW SINGLE-FAMILY RESIDENCE TO HAVE MINIMUM FINISHED FLOOR ELEVATION (FFEL) 1 FT ABOVE THE BASE FLOOD ELEVATION.



(10)

PLANNED DEVELOPMENT DISTRICT STANDARDS 101 WATERFRONT DRIVE WAXAHACHIE, TEXAS

Item	Information
Property Address	101 Waterfront Drive, Waxahachie, Texas 75165
Owner	Jacob Johnson
Builder / Applicant	Jacob Craft
Prepared By	Sias Drafting & Design – Pottsboro, Texas
Date	March 2026

1. PURPOSE

The purpose of this Planned Development (PD) district is to allow for the development of one (1) single-family detached residential dwelling on the property located at 101 Waterfront Drive, Waxahachie, Texas. The standards contained herein shall govern development of the property in the event of conflict with the underlying zoning district regulations. The intent of this Planned Development is to provide reasonable flexibility in development standards while ensuring a high-quality residential structure compatible with surrounding development.

2. PERMITTED USE

The property shall be developed with one (1) single-family detached dwelling unit along with customary residential accessory improvements.

Development Standard	Requirement
Use	Single-Family Detached Residence
Front Setback	25 feet
Side Setbacks	5 feet (each side)
Rear Setback	15 feet
Maximum Height	2 Stories / 35 feet
Parking	Minimum of two (2) enclosed parking spaces behind the front building line on the same lot as the main structure.
Driveway	Concrete or other approved paving surface
Exterior Materials	Brick, stone, stucco, fiber cement siding, or comparable residential exterior materials.
Exterior Colors	Natural and earth-tone color palettes consistent with residential architectural standards.

3. ARCHITECTURAL CHARACTER

Final exterior materials and color selections have not yet been determined; however, the residence shall utilize natural or earth-tone color palettes typical of residential construction and compatible with surrounding development.

4. NEIGHBORHOOD COMPATIBILITY

The proposed single-family residence shall be designed and constructed in a manner generally consistent with the scale, materials, and residential character of surrounding development.

5. APPLICABILITY

Except as specifically modified by these Planned Development standards, all other applicable regulations of the City of Waxahachie Zoning Ordinance shall apply. Development of the property shall generally conform to the approved site plan associated with this Planned Development. In the event of conflict between these Planned Development standards and the City of Waxahachie Zoning Ordinance, the standards contained herein shall govern development of the subject property.

(11+12)



Memorandum

To: Honorable Mayor and City Council

From: Trenton Robertson, Director of Planning

Thru: Ricky Boyd, City Manager

Date: April 14, 2026

Re: ZDC-24-2026 – Kemp Tract (Minto) PD Amendment – Ord. 3704

On April 1, 2026, the Applicant requested to continue case no. ZDC-24-2026, from the April 14, 2026, Planning & Zoning Commission meeting and the May 4, 2026 City Council meeting to the May 12, 2026 Planning & Zoning Commission meeting and the June 1, 2026 City Council meeting. The purpose of the continuance request is to allow the Applicant to address ownership discrepancies for the subject property and expand the scope of the amendment proposal.

**Planning & Zoning Department
Zoning Staff Report**

(13)



Thoroughfare Plan Amendment – Kemp Tract

MEETING DATE(S)

Planning & Zoning Commission: April 14, 2026
City Council: May 4, 2026

CAPTION

Public Hearing on a request by William Dahlstrom, Jackson Walker LLP, to amend the adopted Waxahachie Comprehensive Plan, solely to amend the Thoroughfare Plan for the Kemp Ranch property.

RECOMMENDED MOTION

"I move to approve the proposed Thoroughfare Plan Amendment for the Kemp Ranch property."

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on April 14, 2026, the Commission voted 6-0 to recommend approval of the proposed Thoroughfare Plan Amendment for the Kemp Ranch property.

APPLICANT REQUEST

The Applicant requests an amendment to the Waxahachie Thoroughfare Plan as it pertains to the Kemp Ranch property. The requested amendment will revise the Thoroughfare Plan on the property to align with the recently approved Kemp Ranch Planned Development (Ordinance 3704).

CASE INFORMATION

Applicant: William Dahlstrom, Jackson Walker LLP

Property Owner(s): Minto KR, LLC

Site Acreage: Approximately 3,169 acres

SUBJECT PROPERTY

General Location: 300 Brookside Road

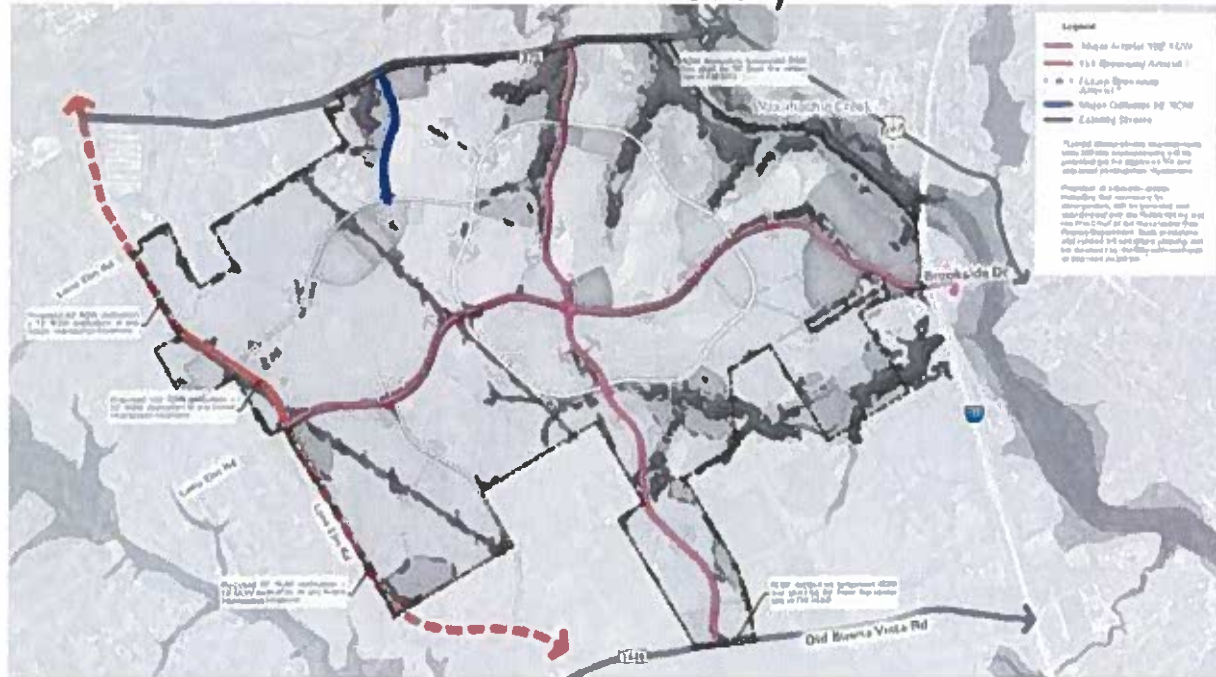
Parcel ID Number(s): 179468, 179534, 182520, 187960, 189323, 189326, 189333, 189336, 192306, 193815, 193822, 193823, 234203, 263786, 264568, 303651, 303652

Existing Use: The majority of the subject property is undeveloped. The Presbyterian Children's Home complex and four single family residences currently exist on the eastern portion of the property.

Development History: On January 26, 2026, City Council approved Ordinance 3704, the Kemp Ranch Planned Development (PD) proposal by Minto Communities. This ordinance covers approximately 3,169 acres of property and establishes development regulations for Traditional Residential, Active Adult, Flex Residential, Multi-Family Residential, and Mixed-Use Districts. In total, the PD includes a maximum of 11,880 single family homes, 1,390 multi-family dwelling units and 133.1 acres of mixed-use property.

Site Image:

(13)



STAFF ANALYSIS

Background:

As part of the Kemp Ranch PD (Ordinance 3704), City Council approved a Thoroughfare Exhibit that identified the roadways necessary to serve the proposed development of the subject property. The exhibit identified right-of-way (ROW) that it will be necessary for the developer to dedicated and roadway sections that it will be necessary for the developer to construct to ensure proper traffic flow. However, the exhibit did not directly align with thoroughfare layout required by the adopted 2024 Waxahachie Thoroughfare Plan. Due to this, the developer is required to amend the adopted Waxahachie Thoroughfare Plan in order to receive impact fee credits for constructing the Collector and Arterial roadways identified on the exhibit.

Proposed Amendment:

The Applicant proposes to three (3) specific amendments to the Waxahachie Thoroughfare Plan to align it with the proposed location for Collector and Arterial Roadways from the Kemp Ranch PD, as noted below. These amendments are proposed only on the Kemp Ranch property and do not include changes to the Waxahachie Thoroughfare Plan outside the boundaries of the subject property.

1. Realign the east-west 120' Major Arterial roadway (Brookside Road) to align with the proposed route from the Kemp Ranch PD. The starting point at the existing Brookside Road Bridge and ending point at Lone Elm Road of this thoroughfare section are proposed to remain the same. Only the alignment through the subject property is adjusted.
2. Realign the north-south 120' Major Arterial Roadway (unnamed) to align with the proposed route from the Kemp Ranch PD. The starting point of this thoroughfare section at FM 1446 and to remain the same. However, the alignment through the subject property and the ending point at FM 875 is adjusted. Additionally, the intersection of this Arterial Roadway and the east-west Major Arterial is now specifically proposed to be a roundabout.
3. Major Collector (80') Thoroughfares identified in several locations on the 2024 Waxahachie Thoroughfare Plan are eliminated, with the exception of a single realigned section located near the northwest section of the subject property adjacent to FM 875. The realigned section is proposed to provide an additional connection to FM 875 from the interior of the subject property.

PUBLIC NOTIFICATIONS

A notice was published in the Waxahachie Daily Light advertising the date, time, and location of the Public Hearings for this Thoroughfare Plan Amendment request.

RECOMMENDATION

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

ATTACHED EXHIBITS

1. 2024 Waxahachie Thoroughfare Plan (Existing)
2. Thoroughfare Plan Amendment Request Letter
3. Thoroughfare Plan Amendment Ordinance
4. Exhibit A – Proposed Thoroughfare Plan

STAFF CONTACT INFORMATION

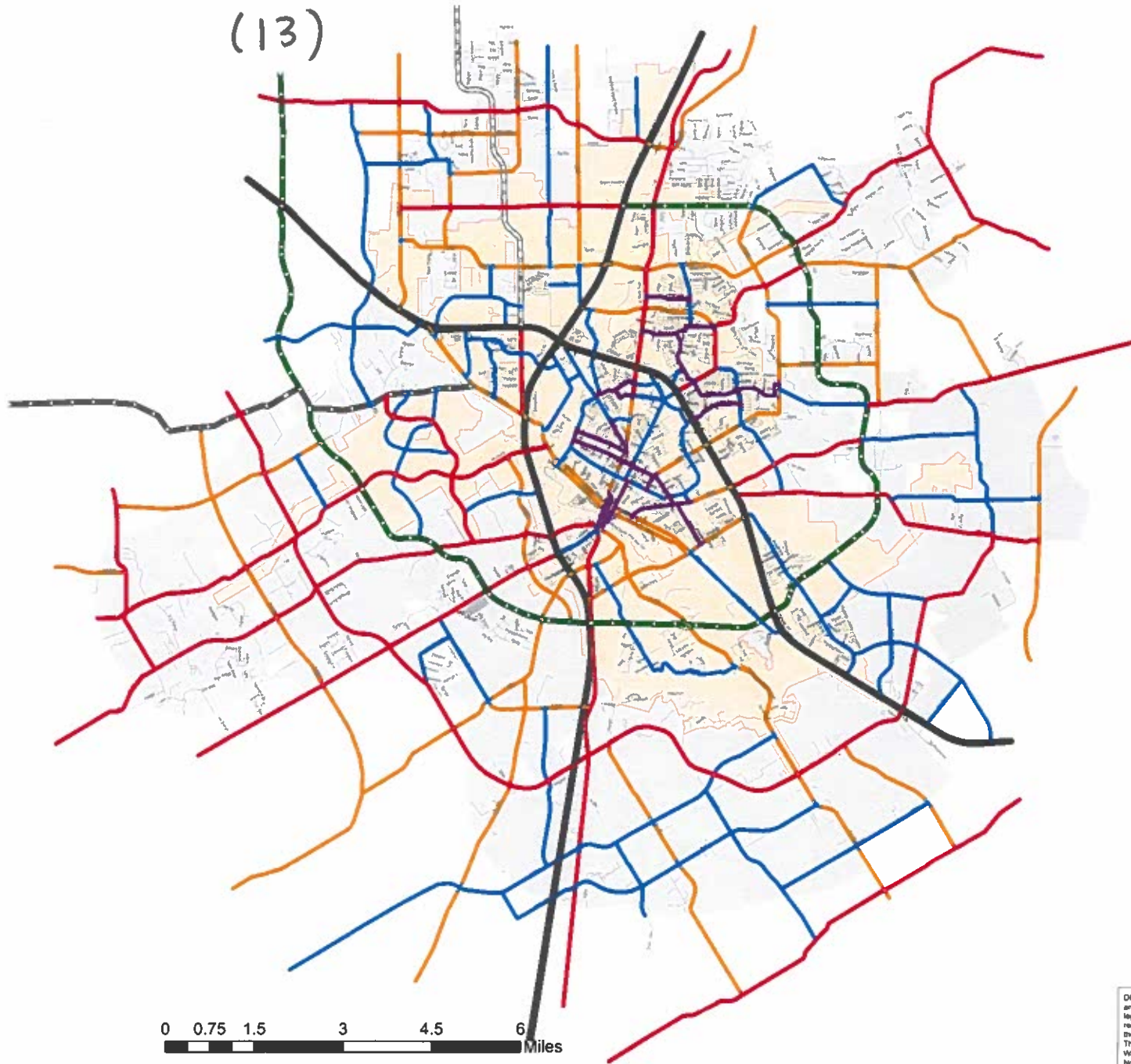
Prepared by:

Zack King, AICP
Planning Manager
zking@waxahachie.com

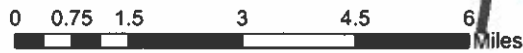
Reviewed by:

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

(13)



- Thoroughfare Plan**
- HIGHWAYS-TxDOT
 - A-MAJOR ARTERIAL, 150', 6 LANE
 - A-MAJOR ARTERIAL, 140', 6 LANE
 - A-MAJOR ARTERIAL, 120', 6 LANE
 - B-GREENWAY ARTERIAL, 120', 4-6 LANE
 - C-MINOR ARTERIAL, 100', 4 LANE
 - D-MAJOR COLLECTOR, 80', 2-4 LANE
 - E-MINOR COLLECTOR, 60', 2 LANE



Date 4/16/2025

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



City of Waxahachie Thoroughfare Plan



March 20, 2026

Trenton Robertson, AICP
Zack King, AICP
Senior Director of Planning
City of Waxahachie
408 S. Rogers Street
Waxahachie, Texas 75168

***RE: Revised Thoroughfare Plan Amendment Request;
Request to amend the Waxahachie Thoroughfare Map in accordance with
the approved Ordinance ZDC-232-2024.***

Trenton and Zack:

We are in receipt of your comments to the request above and submit this letter as a modified request to amend the Waxahachie Thoroughfare Map (Plan) in response to those comments. As previously stated, this is a request for an amendment to the City of Waxahachie's Thoroughfare Map to conform to the Thoroughfare Exhibit in the recently approved Planned Development District for Kemp Ranch. Enclosed with this letter is the Thoroughfare Exhibit ("Exhibit D") from the approved Planned Development Ordinance ZDC-232-2024 and a Thoroughfare Plan Amendment Exhibit that shows only the roadways within Kemp Ranch that are subject to this Thoroughfare Plan amendment.

Specifically, per the enclosed Thoroughfare Plan Amendment Exhibit, we request the following amendments to the Waxahachie Thoroughfare Plan:

- 1) Realign Brookside Road to be routed north of the existing single-family homes on the west side of IH-35 and intersect with the Future Greenway Arterial in accordance with the enclosed Thoroughfare Plan Amendment Exhibit. This is otherwise a very similar route as it is currently shown in the City's Thoroughfare Plan. Brookside Road will remain a designated Major Arterial with a 120' right-of-way, per the current Thoroughfare Plan.
- 2) Realign the north-south Major Arterial roadway (120' right-of-way) from FM 875 to FM 1446, as shown on the enclosed Thoroughfare Plan Amendment Exhibit. This proposed roadway as well as the abovementioned Brookside Road Major Arterial Roadway alignment will intersect with one another with a roundabout.
- 3) Realign the Major Collector (80' right-of-way) from FM 875 to connect to a proposed Minor Collector to the south as shown on the enclosed Thoroughfare Plan Amendment Exhibit. Per your comment, our Minor Collectors are not included as part of the amendment request, but we've shown them on the Thoroughfare Plan Amendment Exhibit to demonstrate connectivity.

(13)

The Throughfare Exhibit is accompanied by a Street Sections Exhibit which has also been modified to reflect only the roadways subject to this amendment. We are also providing a copy of the Waxahachie Thoroughfare Map.

We believe these proposed changes are not major departures from the City's current Thoroughfare Plan roadway layouts and fully meet the City's goals for mobility and connectivity for this area of Waxahachie. In summary, we respectfully request amendments to the City's Thoroughfare Plan to conform to the Throughfare Exhibit in Planned Development Ordinance ZDC-232-2024 which was approved by the Waxahachie City Council on January 28, 2026.

If you have questions or require additional information, please do not hesitate to call me at (214) 953-5932.

Very truly yours,

William S. Dahlstrom

William S. Dahlstrom

cc: Terry Welch
Dutch Neuweiler
Dennis Church
Michael Ross
Brian Cale
Will Guerin, AICP

(14)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, ADOPTING THOROUGHFARE PLAN AMENDMENT TO THE 2023 COMPREHENSIVE PLAN TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, the City Staff prepared the Thoroughfare Plan Amendment recommendation and presented to the Planning & Zoning Commission on April 28, 2026; and

WHEREAS, the Planning and Zoning Commission recommended approval of the Thoroughfare Plan Amendment to City Council on April 28, 2026; and

WHEREAS, the City Council conducted a public hearing held on May 4, 2026, in which notice of the meeting was posted, where the Thoroughfare Plan Amendment was presented and all persons were given the opportunity to present verbal and written testimony; and

WHEREAS, the City Council considered this testimony and, on May 4, 2026, the City Council approved the Thoroughfare Plan Amendment to the 2023 Comprehensive Plan as shown on the attached Exhibit A.

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

SECTION 1: That the Thoroughfare Plan Amendment to the 2023 Comprehensive Plan and all the maps, which are attached hereto and incorporated herein for all purposes is hereby adopted by the City Council as a guide and public policy.

SECTION 2: That this Thoroughfare Plan Amendment to the 2023 Comprehensive Plan and the non-updated sections of the 2023 Comprehensive Plan are intended to constitute the Comprehensive or Master Plan of the City of Waxahachie, Texas, for all matters relating to long-range guidance relative to zoning decisions, land subdivision, thoroughfare construction, park and recreation planning, and growth management.

SECTION 3: That it is hereby officially found and determined that the meeting at which this Ordinance is passed was properly noticed and open to the public as required by law.

SECTION 4: That this Ordinance shall become effective on and after its passage and approval.

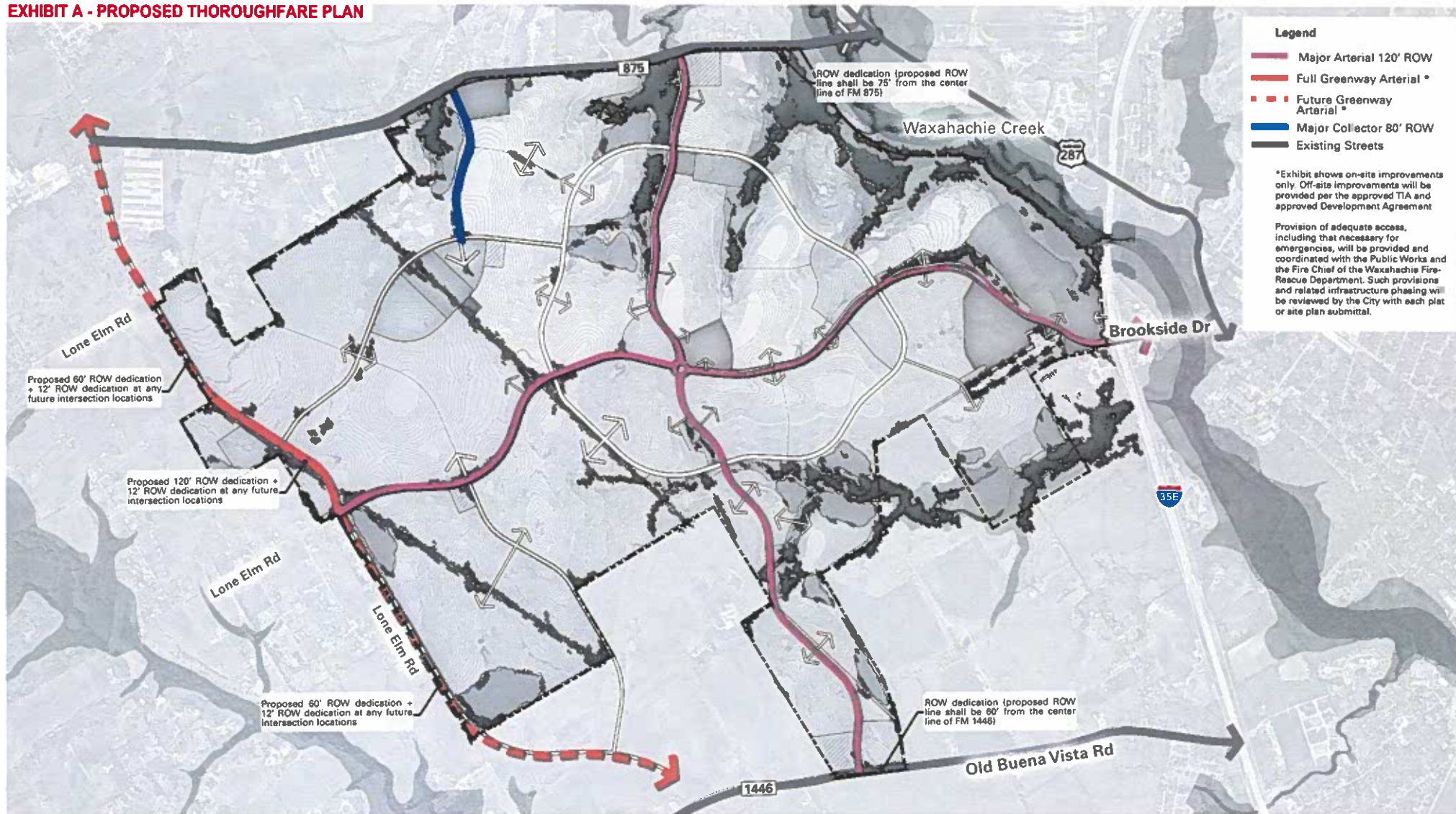
PASSED, APPROVED AND ADOPTED on this 4th day of May, 2026.

MAYOR

ATTEST:

City Secretary

EXHIBIT A - PROPOSED THOROUGHFARE PLAN



Kemp Tract

Thoroughfare Plan
Amendment Exhibit
Page 1

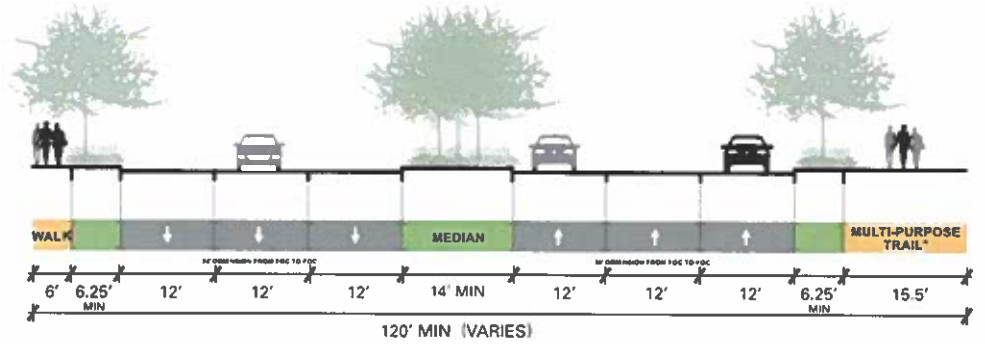
Waxahachie, Texas
03/18/2026

TSG
3223 S. 10th Street
Suite 1, Austin, TX
78704
512.227.1911
tsg@tsginc.com

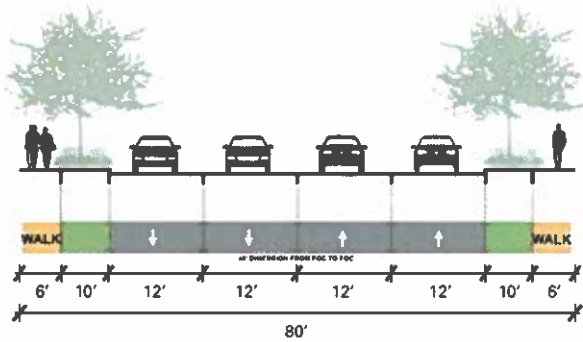


(14)

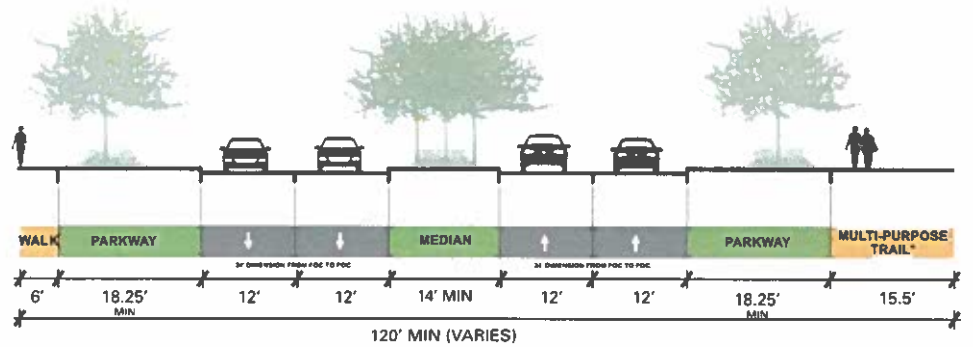
EXHIBIT A - PROPOSED THOROUGHFARE PLAN



MAJOR ARTERIAL - 120' ROW
(full build-out condition)



MAJOR COLLECTOR - 80' ROW



MAJOR ARTERIAL - 120' ROW
(interim condition)

* Multi-purpose trail may meander outside of right of way where adjacent to open space



Kemp Tract

Thoroughfare Plan
Amendment Exhibit
Page 2

Waxahatchie, Texas
03/19/2026

TBD
3302 e street shreveport
70002, louisiana
Phone: 504.782.0200
B112.207.1011
tbgpartners.com





(15)

Memorandum

To: Honorable Mayor and City Council
From: Trenton Robertson, Director of Planning
Thru: Ricky Boyd, City Manager
Date: May 4, 2026
Re: Consider Development Agreement Amendment for Montclair Heights

Recommended Motion: "I move to approve an Amendment to the Development Agreement for Montclair Heights (INST. No. 2528373) to allow payment in lieu of the completion of construction of the required traffic signal."

Item Description: Consider approving a development agreement amendment with Waxahachie Office Condos LLC and Montclair 287 Land, LLC to include an option for payment in lieu of construction completion for the traffic signal at Montclair Boulevard and the W US Highway 287 Bypass Service Road.

Item Summary: Representatives for Waxahachie Office Condos LLC and Montclair 287 Land, LLC approached City Staff in March of 2026 with concern regarding the timeline for construction of the traffic signal required by the existing Montclair Heights Development Agreement. The agreement requires construction of the traffic signal to be completed prior to the issuance of a Certificate of Occupancy (CO) for the property and does not permit alternatives to construction of the traffic signal. The property owners subsequently submitted a request to amend to the Development Agreement to add options for payment in lieu of completion of the traffic signal that would allow them to receive a Certificate of Occupancy. Payment in lieu of completion is required to take the form of an instrument acceptable to the City. The of payment in lieu of construction shall be an amount sufficient for the City to cover the full expense of completing the traffic signal if necessary.

Fiscal Impact: There is no fiscal impact to the City.

AMENDMENT TO DEVELOPMENT AGREEMENT

This **AMENDMENT TO DEVELOPMENT AGREEMENT** (this "**Amendment**") is entered into by and between the **City of Waxahachie, Texas** ("**City**"), **Waxahachie Office Condos, LLC** ("**WOC**"), and **Montclair 287 Land, LLC** ("**Montclair 287**" and, together with WOC, the "**Developers**"), collectively the "**Parties**"), to be effective (the "**Amendment Effective Date**") on the latest date executed by a Party.

RECITALS

WHEREAS, on or about the latest date executed by the Parties in July 2025, the Parties entered into that certain Development Agreement (the "**Original Agreement**") for the development of the Developer Property (as defined therein), a copy of which is attached hereto as **Exhibit A** and incorporated by reference for all purposes; and

WHEREAS, Paragraph 2 of the Original Agreement requires the Developers to construct the traffic signal at their expense and prohibits the issuance of certificates of occupancy for structures on the Developer Property until such traffic signal is constructed and accepted by the City; and

WHEREAS, the Parties desire to amend Paragraph 2 of the Original Agreement to provide the Developers with the additional option of posting a bond or letter of credit in lieu of immediate construction of the traffic signal as a condition precedent to the issuance of certificates of occupancy; and

WHEREAS, all capitalized terms used but not otherwise defined in this Amendment shall have the meanings ascribed to them in the Original Agreement.

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 agree as follows:

1. **Amendment to Paragraph 2.** Paragraph 2 of the Original Agreement is hereby amended by adding the following language at the end thereof (new language shown in **bold** for convenience only):

"Paragraph 2. **Construction of Traffic Signal.** Construction of Traffic Signal. Developers agree and acknowledge that the Developers shall construct, at their expense, the traffic signal referenced in Exhibit D to the 2022 Montclair Heights Development Agreement. Further, Developers and the City agree and acknowledge that no certificates of occupancy for any structure constructed on the Developer Property, as defined in the Agreement, shall be issued by the City to the Developers until and unless either (1) the aforementioned traffic signal has been constructed by the Developers and the City has accepted same; or (2) Developers have provided the City with an instrument, acceptable to the City, from a financial institution that will reimburse the City in full in the event that the City is either required to or elects to construct the traffic signal referenced in said Exhibit D.

As so amended, Paragraph 2 of the Original Agreement shall read in its entirety as set forth above.

2. **Ratification and Confirmation.** Except as expressly amended by this Amendment, the Original Agreement remains in full force and effect and is hereby ratified and confirmed by the Parties in all respects. All terms, conditions, rights, obligations, benefits, covenants, and restrictions of the Original Agreement (including, without limitation, the covenant running with the land set forth in Section 4 thereof) shall continue to apply to this Amendment.

(15)

3. **Filing in Deed Records.** This Amendment, and any and all subsequent amendments to the Original Agreement or this Amendment, shall be filed in the deed records of Ellis County, Texas, as required by Section 11 of the Original Agreement.
4. **Miscellaneous Provisions.** a. This Amendment shall be governed by and construed in accordance with the laws of the State of Texas, with venue in Ellis County, Texas. b. This Amendment may be executed in counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. A telecopied facsimile or electronic (including PDF) copy of a duly executed counterpart shall be sufficient to evidence the binding agreement of each Party. c. The Parties acknowledge and agree that this Amendment is executed without coercion or duress and for substantial consideration, the sufficiency of which is forever confessed. d. If any provision of this Amendment is held invalid or unenforceable, the remainder shall remain in full force and effect to the maximum extent possible. e. This Amendment shall be binding upon and inure to the benefit of the Parties and their respective successors and permitted assigns.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed as of the dates set forth below.

(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 _____, 2026, by Ricky Boyd, Interim City Manager of the City of Waxahachie, Texas, on behalf of the City of Waxahachie, Texas.

Notary Public, State of Texas

My Commission Expires: _____

(15)

DEVELOPERS:

Waxahachie Office Condos, LLC,

a Texas limited liability company

By: _____

Name: James Johnston

Title: Manager

STATE OF TEXAS)

)

COUNTY OF _____)

This instrument was acknowledged before me on the ____ day of _____, 2026, by James Johnston in his capacity as Manager of Waxahachie Office Condos, LLC, a Texas limited liability company, 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 Texas

My Commission Expires: _____

(15)

Montclair 287 Land, LLC,

a Texas limited liability company

By: "Manager"

Where the Manager is represented by the Co-Managers **LMS Realtors LLC**, a Texas limited liability company

By its Manager

By: _____

Lalit Sharma, Manager

STATE OF TEXAS)

)

COUNTY OF _____)

This instrument was acknowledged before me on the ____ day of _____, 2026, by Lalit Sharma in his capacity as Manager of LMS Realtors LLC, a Texas limited liability company, 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 Texas

My Commission Expires: _____

(15)

LG Office Condos, LLC,

a Texas limited liability company

By its Manager

By: _____

James Johnston, Manager

STATE OF TEXAS)

)

COUNTY OF _____)

This instrument was acknowledged before me on the ____ day of _____, 2026, by James Johnston in his capacity as Manager of LG Office Condos, LLC, a Texas limited liability company, 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 Texas

My Commission Expires: _____

(16)



Memorandum

To: Honorable Mayor and City Council

From: James Gaertner, Director of Capital Engineering

Thru: Ricky Boyd, City Manager *RB*

Date: May 4, 2026

Re: Consider budget transfer for Asphalt Reconstruction: Grace, W. Parks & Marshall Projects

Recommended Motion: "I move to approve a budget transfer of \$130,000 from the Streets Capital Fund 601 to the Asphalt Reconstruction: Grace, W. Parks & Marshall Project, and authorize the City Manager to execute all necessary documents."

Item Description: Consider approval of a \$130,000 budget transfer from the Streets Capital Fund 601 to the Asphalt Reconstruction: Grace, W. Parks & Marshall Project.

Item Summary: On October 20, 2025, City Council awarded construction of the Asphalt Reconstruction project (#488) in the amount of \$922,025, with a total project budget of \$956,025

During construction, clay subgrade was encountered, requiring additional lime stabilization. The pavement width on Marshall Street was also increased to 24 feet from the previous 21 feet, resulting in an increase of approximately 400 square yards. To accommodate these changes, staff is requesting a budget transfer to move the necessary funds from Streets Capital Fund 601 to Asphalt Reconstruction: Grace, W. Parks & Marshall Project fund.

One change that had no financial impact was the removal of Textile Street and the addition of Patrick Street to the Asphalt Reconstruction. This change was necessitated to coincide with ongoing Atmos work on Patrick Street in addition to its heavier use.

(16)

Fiscal Impact: The additional proposed \$130,000 budget transfer is available in Streets Capital Fund 601 and brings the total project budget to \$1,086,025.

(17)



Memorandum

To: Honorable Mayor and City Council

From: James Gaertner, PE, CPM, Director of Capital Engineering

Thru: Ricky Boyd, City Manager *RB*

Date: May 4, 2026

Re: Consider budget transfer for the Drainage and Sidewalk Improvements at BNSF Railroad Project

Recommended Motion: "I move to approve the budget transfer to the Drainage and Sidewalk Improvements at BNSF Railroad Project for \$300,000 from the Operating Budget Fund 320, and authorize the City Manager to execute all necessary documents."

Item Description: Consider approval of the budget transfer to the Drainage and Sidewalk Improvements at BNSF Railroad Project.

Item Summary: On September 15, 2025, City Council approved a contract with BNSF Railway in the amount of \$270,383 for the installation of railroad track panels for the Drainage and Sidewalk Improvements at the BNSF Railroad Project.

BNSF Railroad has completed installation of a steel pipe beneath the crossing, allowing the City to proceed with construction of the drainage tie-ins. The project also includes three pedestrian crossings across the BNSF Railroad: one (1) at Flat Street and two (2) at S. Rogers Street.

The proposed budget transfer will fund the City's portion of the project, which includes: drainage construction, sidewalk improvements, and required BNSF Railroad flagging services during construction.

Fiscal Impact: Staff recommends a budget transfer of \$300,000 from the FY26 Operating Budget Fund 320 to the BNSF Drainage Project (Project Number #379), bringing the total project budget to \$585,120.

(18)



Memorandum

To: Honorable Mayor and City Council

From: James Gaertner, PE, CPM, Director of Capital Engineering

Thru: Ricky Boyd, City Manager *RB*

Date: May 4, 2026

Re: Consider budget transfer for the John Arden Dr & Grove Creek Rd Asphalt Reconstruction Project

Recommended Motion: "I move to approve the budget transfer of \$1,500,000 from the Street Capital Fund 601 to the John Arden Dr & Grove Creek Rd Asphalt Reconstruction Project and authorize the City Manager to execute all necessary documents."

Item Description: Consider approval of a budget transfer from the Streets Capital Fund 601 to the John Arden Dr & Grove Creek Rd Asphalt Reconstruction Project.

Item Summary: Staff proposes establishing a project budget for the design and construction of an asphalt reconstruction project along John Arden Drive from E. University Avenue to Cedar Street, and along Grove Creek Road from Vista Way to Guadalupe Lane. The project scope includes the construction plans preparation and a geotechnical analysis, with a specific focus on pavement recommendations to mitigate soil issues along the John Arden Drive.

Fiscal Impact: Staff recommends a \$1,500,000 budget transfer from Streets Capital Fund 601, to create a project budget for the design and construction of John Arden Drive and Grove Creek Road Asphalt Reconstruction project.

(19)



Memorandum

To: Honorable Mayor and City Council
From: James Villarreal, Director Sports Complex
Thru: Ricky Boyd, City Manager *RB*
Date: May 4, 2026
Re: Consider Supplemental Appropriation for Security Cameras

Motion: "I move to approve a supplemental appropriation of \$303,809.54 from the WCDC unrestrictive fund balance to purchase and install security cameras at the Sports Complex and authorize the City Manager to execute all necessary documents."

Item Description: Consider approving a supplemental appropriation of \$303,809.54 from the WCDC unreserved fund balance to purchase and install security cameras at the Sports Complex.

Item Summary: During a budget workshop in 2025, staff was instructed to determine the cost for the purchase and installation of security cameras for the Sports Complex. License plate cameras for the entrance gates as well as dome cameras for all the concession buildings and restroom buildings were discussed and recommended.

We obtained two quotes from NCS Network Cabling Services:

35 Security cameras For Gates & Buildings \$225,903.78

13 Security cameras For Playing Fields \$77,905.76

48 Security cameras Total \$303,809.54

Fiscal Impact: The WCDC unreserved fund balance has sufficient capacity to cover the \$303,809.54 supplemental appropriation request.